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HOUSE OF REPRESENTATIVES—*Thursday, May 15, 1969*

The House met at 12 o'clock noon.

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

You will seek Me and find Me; when you seek Me with all your heart.—Jeremiah 29: 13.

O Lord, our God, who art ever calling upon us to walk in Thy way, to try Thy truth and to live Thy life, grant that the spirit of our prayer this moment may be acceptable to Thee and our hearts be in harmony with Thy holy will.

Help us to consider carefully our pilgrimage upon this planet, to measure the deeds of the past by our devotion to the present and our dedication for the future. When we think of what we could have done had we given ourselves wholly to Thee we feel humble and are heartily sorry for our misdoings.

In reverence we come to Thee again and lay our supplications before Thee. Help us to right the wrongs we have done to others and give us grace to forgive those who wrong us. Enlighten our minds with truth, enlarge our hearts with love and enlist us in the struggle for justice in our Nation and peace in our world.

In the spirit of Christ we pray. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed without amendment bills of the House of the following titles.

H.R. 33. An act to provide for increased participation by the United States in the International Development Association, and for other purposes; and

H.R. 8794. An act to amend the Marine Resources and Engineering Development Act of 1966 to continue the National Council on Marine Resources and Engineering Development, and for other purposes.

The message also announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 1287. An act to authorize appropriations for fiscal years 1970, 1971, and 1972 to carry out the metric system study.

PRESIDENT NIXON'S VIETNAM SPEECH

(Mr. GERALD R. FORD asked and was given permission to address the House for 1 minute and to include the remarks of the President on Vietnam.)

Mr. GERALD R. FORD. Mr. Speaker, President Nixon's Vietnam speech will stimulate progress toward a peace settlement.

It should convince North Vietnam's leaders that they have nothing to gain by delay or by new military offensives.

Americans have always united behind their President in time of war; now we have the nobler privilege of uniting for peace.

President Nixon has taken his countrymen into his confidence in the great tradition of other American Presidents in time of crisis. President Franklin D. Roosevelt in World War II, President Dwight D. Eisenhower in Korea, and President John F. Kennedy in the Cuban missile crisis rallied the American people.

The President made a number of facts plain—and his firmness in stating these facts should not be lost on North Vietnam and the Vietcong. Those facts are: There will be no large-scale unilateral withdrawal of American troops in the absence of a peace settlement. Peace in South Vietnam must be based on a free choice by the South Vietnamese people of the government they will live under. The Nixon administration has ruled out any idea of seeking a military solution in Vietnam. The other side cannot possibly succeed in imposing a military solution in Vietnam. The United States will not sell out South Vietnam.

President Nixon has set forth a simple formula for peace. He has made it obvious to the other side that there is really only one avenue to peace in South Vietnam—that of national self-determination through free elections.

The President showed himself firm on principle but flexible on means, determined to do all that can be done to bring peace closer and at the same time to do all that must be done to insure that peace, when achieved, is a peace that will last.

This should make "believers" of the North Vietnamese and the Vietcong.

The President's speech was a report to the American people, to North Vietnam, to South Vietnam, and indeed to the world. I believe the American people will respond favorably to the President's quiet appeal for time to build peace on a lasting basis.

I trust Hanoi will show the good sense to negotiate for peace without delay to avoid further destruction and loss of life.

The text of President Nixon's address follows:

REMARKS OF THE PRESIDENT ON VIETNAM ON NATIONWIDE RADIO AND TELEVISION

Good evening, my fellow Americans.

I have asked for this television time tonight to report to you on our most difficult and urgent problem—the war in Vietnam.

Since I took office four months ago, nothing has taken so much of my time and energy as the search for a way to bring lasting peace to Vietnam. I know that some believe I should have ended the war immediately after the inauguration by simply ordering our forces home from Vietnam.

This would have been the easy thing to do. It might have been a popular move. But I would have betrayed my solemn responsibility as President of the United States if I had done so.

I want to end this war. The American people want to end this war. The people of South Vietnam want to end this war. But we want to end it permanently so that the younger brothers of our soldiers in Vietnam will not have to fight in the future in another Vietnam someplace else in the world.

The fact that there is no easy way to end the war does not mean that we have no choice but to let the war drag on with no end in sight.

For four years American boys have been fighting and dying in Vietnam. For 12 months our negotiators have been talking with the other side in Paris. And yet the fighting goes on. The destruction continues. Brave men still die.

The time has come for some new initiatives. Repeating the old formulas and the tired rhetoric of the past is not enough. When Americans are risking their lives in war, it is the responsibility of their leaders to take some risks for peace.

I would like to report to you tonight on some of the things we have been doing in the past four months to bring true peace, and then I would like to make some concrete proposals to speed that day.

Our first step began before inauguration. This was to launch an intensive review of every aspect of the Nation's Vietnam policy. We accepted nothing on faith, we challenged every assumption and every statistic. We made a systematic, serious examination of all the alternatives open to us. We carefully considered recommendations offered both by critics and supporters of past policies.

From the review, it became clear at once that the new Administration faced a set of immediate operational problems.

The other side was preparing for a new offensive.

There was a wide gulf of distrust between Washington and Saigon.

In eight months of talks in Paris, there had been no negotiations directly concerned with a final settlement.

Therefore, we moved on several fronts at once.

We frustrated the attack which was launched in late February. As a result, the North Vietnamese and the Viet Cong failed to achieve their military objectives.

We restored a close working relationship with Saigon. In the resulting atmosphere of

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mutual confidence, President Thieu and his Government have taken important initiatives in the search for a settlement.

We speeded up the strengthening of the South Vietnamese forces. I am glad to report tonight, that as a result, General Abrams told me on Monday that progress in the training program had been excellent, and that apart from any developments that may occur in the negotiations in Paris, that time is approaching when South Vietnamese forces will be able to take over some of the fighting fronts now being manned by Americans.

In weighing alternate courses, we have had to recognize that the situation as it exists today is far different from what it was two years ago or four years ago or ten years ago.

One difference is that we no longer have the choice of not intervening. We have crossed that bridge. There are now more than a half million American troops in Vietnam and 35,000 Americans have lost their lives.

We can have honest debate about whether we should have entered the war in Vietnam. We can have honest debate about how the war has been conducted. But the urgent question today is what to do now that we are there.

Against that background, let me discuss first what we have rejected, and second, what we are prepared to accept.

We have ruled out attempting to impose a purely military solution on the battlefield.

We have also ruled out either a one-sided withdrawal from Vietnam, or the acceptance in Paris of terms that would amount to a disguised American defeat.

When we assumed the burden of helping defend South Vietnam, millions of South Vietnamese men, women and children placed their trust in us. To abandon them now would risk a massacre that would shock and dismay everyone in the world who values human life.

Abandoning the South Vietnamese people, however, would jeopardize more than lives in South Vietnam. It would threaten our long-term hopes for peace in the world. A great nation cannot renege on its pledges. A great nation must be worthy of trust.

When it comes to maintaining peace, "prestige" is not an empty word. I am not speaking of false pride or bravado—they should have no place in our policies. I speak, rather, of the respect that one nation has for another's integrity in defending its principles and meeting its obligations.

If we simply abandoned our effort in Vietnam, the cause of peace might not survive the damage that would be done to other nations' confidence in our reliability.

Another reason for not withdrawing unilaterally stems from debates within the Communist world between those who argue for a policy of containment or confrontation with the United States, and those who argue against it.

If Hanoi were to succeed in taking over South Vietnam by force—even after the power of the United States had been engaged—it would greatly strengthen those leaders who scorn negotiation, who advocate aggression, who minimize the risks of confrontation with the United States. It would bring peace now but it would enormously increase the danger of a bigger war later.

If we are to move successfully from an era of confrontation to an era of negotiation, then we have to demonstrate—at the point at which confrontation is being tested—that confrontation with the United States is costly and unrewarding.

Almost without exception, the leaders of non-Communist Asia have told me that they would consider a one-sided American withdrawal from Vietnam to be a threat to the security of their own nations.

In determining what choices would be acceptable, we have to understand our essential objective in Vietnam: What we want is very little, but very fundamental. We seek the opportunity for the South Vietnamese people to determine their own political future without outside interference.

Let me put it plainly: What the United States wants for South Vietnam is not the important thing. What North Vietnam wants for South Vietnam is not the important thing. What is important is what the people of South Vietnam want for South Vietnam.

The United States has suffered over a million casualties in four wars in this century. Whatever faults we may have as a nation, we have asked nothing for ourselves in return for those sacrifices. We have been generous toward those whom we have fought. We have helped our former foes as well as our friends in the task of reconstruction. We are proud of this record, and we bring the same attitude in our search for a settlement in Vietnam.

In this spirit, let me be explicit about several points:

We seek no bases in Vietnam.

We seek no military ties.

We are willing to agree to neutrality for South Vietnam if that is what the South Vietnamese people freely choose.

We believe there should be an opportunity for full participation in the political life of South Vietnam by all political elements that are prepared to do so without the use of force or intimidation.

We are prepared to accept any government in South Vietnam that results from the free choice of the South Vietnamese people themselves.

We have no intention of imposing any form of government upon the people of South Vietnam, nor will we be a party to such coercion.

We have no objection to reunification, if that turns out to be what the people of North Vietnam and the people of South Vietnam want; we ask only that the decision reflect the free choice of the people concerned.

At this point, I would like to add a personal word based on many visits to South Vietnam over the past five years. This is the most difficult war in America's history, fought against a ruthless enemy. I am proud of our men who have carried the terrible burden of this war with dignity and courage, despite the division and opposition to the war in the United States. History will record that never have America's fighting men fought more bravely for more unselfish goals than our men in Vietnam. It is our responsibility to see that they have not fought in vain.

In pursuing our limited objective, we insist on no rigid diplomatic formula. Peace could be achieved by a formal negotiated settlement. Peace could be achieved by an informal understanding, provided that the understanding is clear, and that there were adequate assurances that it would be observed. Peace on paper is not as important as peace in fact.

This brings us to the matter of negotiations.

We must recognize that peace in Vietnam cannot be achieved overnight. A war that has raged for many years will require detailed negotiations and cannot be settled by a single stroke.

What kind of a settlement will permit the South Vietnamese people to determine freely their own political future? Such a settlement will require the withdrawal of all non-South Vietnamese forces, including our own, from South Vietnam, and procedures for political choice that give each significant group in South Vietnam a real opportunity to participate in the political life of the nation.

To implement these principles, I reaffirm now our willingness to withdraw our forces on a specified timetable. We ask only that North Vietnam withdraw its forces from South Vietnam, Cambodia and Laos into North Vietnam, also in accordance with a timetable.

We include Cambodia and Laos to insure that these countries would not be used as bases for a renewed war. Our offer provides for a simultaneous start on withdrawal by both sides; for agreement on a mutually acceptable timetable; and for the withdrawal to be accomplished quickly.

The North Vietnamese delegates have been saying in Paris that political issues should be discussed along with military issues, and there must be a political settlement in the South. We do not dispute this, but the military withdrawal involves outside forces, and can, therefore, be properly negotiated by North Vietnam and the United States, with the concurrence of its allies.

The political settlement is an internal matter which ought to be decided among the South Vietnamese, themselves and not imposed by outsiders. However, if our presence at these political negotiations would be helpful, and if the South Vietnamese concerned agreed, we would be willing to participate, along with the representatives of Hanoi, if that also were desired.

Recent statements by President Thieu have gone far toward opening the way to a political settlement. He has publicly declared his government's willingness to discuss a political solution with the National Liberation Front, and has offered free elections. This was a dramatic step forward, a reasonable offer that could lead to a settlement. The South Vietnamese Government has offered to talk without preconditions. I believe the other side should also be willing to talk without preconditions.

The South Vietnamese government recognizes, as we do, that a settlement must permit all persons and groups that are prepared to renounce the use of force to participate freely in the political life of South Vietnam. To be effective, such a settlement would require two things: First, a process that would allow the South Vietnamese people to express their choice; and, second, a guarantee that this process would be a fair one.

We do not insist on a particular form of guarantee. The important thing is that the guarantees should have the confidence of the South Vietnamese people, and that they should be broad enough and strong enough to protect the interests of all major South Vietnamese groups.

This, then, is the outline of the settlement that we seek to negotiate in Paris. Its basic terms are very simple: Mutual withdrawal of non-South Vietnamese forces from South Vietnam, and free choice for the people of South Vietnam. I believe that the long-term interests of peace require that we insist on no less, and that the realities of the situation require that we seek no more.

And now, to make very concrete what I have said, I propose the following specific measures, which seem to me consistent with the principles of all parties. These proposals are made on the basis of full consultation with President Thieu.

As soon as agreement can be reached, all non-South Vietnamese forces would begin withdrawals from South Vietnam.

Over a period of twelve months, by agreed-upon stages, the major portions of all U.S., Allied, and other non-South Vietnamese forces would be withdrawn. At the end of this twelve month period, the remaining U.S., Allied and other non-South Vietnamese forces would move into designated base areas and would not engage in combat operations.

The remaining U.S. and Allied forces would complete their withdrawals as the remaining North Vietnamese forces were withdrawn and returned to North Vietnam.

An international supervisory body, acceptable to both sides, would be created for the purpose of verifying withdrawals, and for any other purposes agreed upon between the two sides.

This international body would begin operating in accordance with an agreed timetable and would participate in arranging supervised cease fires in Vietnam.

As soon as possible after the international body was functioning, elections would be held under agreed procedures and under the supervision of the international body.

Arrangements would be made for the release of prisoners of war on both sides at the earliest possible time.

All parties would agree to observe the Geneva Accords of 1954 regarding South Vietnam and Cambodia, and the Laos Accords of 1962.

I believe this proposal for peace is realistic, and takes account of the legitimate interests of all concerned. It is consistent with President Thieu's six points. It can accommodate the various programs put forth by the other side. We and the Government of South Vietnam are prepared to discuss its details with the other side.

Secretary Rogers is now in Saigon and he will be discussing with President Thieu how, together, we may put forward these proposed measures most usefully in Paris. He will, as well, be consulting with our other Asian allies on these measures while on his Asian trip. However, I would stress that these proposals are not offered on a take-it-or-leave-it basis. We are quite willing to consider other approaches consistent with our principles.

We are willing to talk about anybody's program—Hanoi's four points, the NLF's 10 points—provided it can be made consistent with the very few basic principles I have set forth here.

Despite our disagreement with several of its points, we welcome the fact that the NLF has put forward its first comprehensive program. We are studying that program carefully. However, we cannot ignore the fact that immediately after the offer, the scale of enemy attacks stepped up and American casualties in Vietnam increased.

Let me make one point clear. If the enemy wants peace with the United States, that is not the way to get it.

I have set forth a peace program tonight which is generous in its terms. I have indicated our willingness to consider other proposals. But no greater mistake could be made than to confuse flexibility with weakness or of being reasonable with lack of resolution. I must also make clear, in all candor, that if the needless suffering continues, this will affect other decisions. Nobody has anything to gain by delay.

Reports from Hanoi indicate that the enemy has given up hope for a military victory in South Vietnam, but is counting on a collapse of American will in the United States. There could be no greater error in judgment.

Let me be quite blunt. Our fighting men are not going to be worn down; our mediators are not going to be talked down; and our allies are not going to be let down.

My fellow Americans, I have seen the ugly face of war in Vietnam. I have seen the wounded in field hospitals—American boys, South Vietnamese boys, North Vietnamese boys. They were different in many ways—the color of their skins, their religions, their races, some were enemies; some were friends.

But the differences were small, compared with how they were alike. They were brave men, and they were so young. Their lives—their dreams for the future—had been shattered by a war over which they had no control.

With all the moral authority of the office which I hold, I say that America could have no greater and prouder role than to help to end this war in a way which will bring nearer that day in which we can have a world order in which people can live together in peace and friendship.

I do not criticize those who disagree with me on the conduct of our peace negotiations. And I do not ask unlimited patience from a people whose hopes for peace have too often been raised and then cruelly dashed over the past four years.

I have tried to present the facts about Vietnam with complete honesty, and I shall continue to do so in my reports to the American people.

Tonight, all I ask is that you consider these facts, and, whatever our differences, that you support a program which can lead to a peace we can live with and a peace we can be proud of. Nothing could have a greater effect in convincing the enemy that he should negotiate in good faith than to see the American people united behind a generous and reasonable peace offer.

In my campaign for the Presidency, I pledged to end this war in a way that would increase our chances to win true and lasting peace in Vietnam, in the Pacific, and in the world. I am determined to keep that pledge. If I fail to do so, I expect the American people to hold me accountable for that failure.

But while I will never raise false expectations, my deepest hope, as I speak to you tonight, is that we shall be able to look back on this day, at this critical turning point when American initiative moved us off dead center and forward to the time when this war would be brought to an end and when we shall be able to devote the unlimited energies and dedication of the American people to the exciting challenges of peace.

Thank you, and good night.

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. GERALD R. FORD. I yield to the distinguished majority leader.

Mr. ALBERT. Mr. Speaker, I join the distinguished minority leader in complimenting the President on a great statement which I think will have the support of the American people. I believe also that it will improve the position of our Nation around the world. If it does not bear fruit, the world will know and certainly our own people will know where the responsibility for failure lies. While the speech enunciated certain definite principles, it left open every possible avenue of negotiation, compromise, and settlement. I would like to add—and I think the gentleman will agree with me on this—that while the President made very significant statements in this area, the speech President Johnson made when he announced his refusal to become a candidate for reelection to the Presidency last year was also an important statement and one of the major milestones on the road to an honorable settlement of this very difficult war. Both President Nixon and former President Johnson have made it clear to friend and foe alike that the commitment and the word of the United States are the bonds of the greatest nation in the world. The President is insisting that peace must be the objective of our people and the world; he is also insisting that peace does not mean surrender and that peace without honor is no peace at all.

Mr. GERALD R. FORD. Mr. Speaker, on behalf of the President and myself, may I express appreciation for the fine statement of support made by the distinguished majority leader not only on the floor today but also at a meeting held yesterday at the White House with the President. I share with the distinguished majority leader his feeling about the contribution made by former President Johnson through his own withdrawal from the presidential election in 1968 and his actions during the last 4 years, during a very trying and difficult time. I think all Americans do owe a great debt of gratitude to former President Johnson for his patriotic service. His problems as Commander in Chief were immense but he never shirked his responsibility and I believe his basic decisions were in the best interest of the United States and the free world.

Mr. BOGGS. Mr. Speaker, will the gentleman yield?

Mr. GERALD R. FORD. I yield to the gentleman from Louisiana.

Mr. BOGGS. Mr. Speaker, I should like to associate myself with the remarks made by the distinguished minority leader and the distinguished majority leader. I listened, with most Americans and for that matter with most of the world, to the remarks made last evening by President Nixon.

Mr. Speaker, I thought that the President's statement was a very thoughtful one, that it was entirely free of threat or bombast, but he said quite firmly and without equivocation that there would be no unilateral surrender on the part of the United States and that there would be no retreat from the commitments and pledges made by us to the other nations of the world.

He also said that the door was open as wide as it could be opened, as I listened to him, for continued multilateral negotiations. He said, if I remember correctly, that this Government was perfectly willing and anxious to accept and to urge the election of a broadly based government in South Vietnam, representing all elements in that country.

I think the President made a very notable contribution to the cause of peace which is devoutly hoped for by all Americans regardless of party. I commend him upon his speech.

Mr. ARENDS. Mr. Speaker, President Nixon's speech last night was a truly historic one. It was a frank report to the American people that they might know precisely where we are, what we intend to do, and what we might expect in our untiring efforts to bring about an early and honorable settlement of the war in Vietnam.

President Nixon took the people completely into his confidence. I am sure that the people will continue to have confidence in their President.

His speech was not only a report to the American people. It was also a reaffirmation to the peoples of the world that the United States seeks nothing in the sacrifices it and its allies are making other than permanent peace and freedom for all men that they may determine for themselves the kind of government they shall have.

In explicit terms, that there can be no misunderstandings, our President has offered an honorable basis for an honorable settlement of the war in Vietnam.

It was a speech of encouragement as to the progress of the war, but offered no false expectations. We can find encouragement in the fact that the South Vietnamese are rapidly becoming able to defend themselves. Apart from the proposed mutual withdrawal of the North Vietnamese and United States forces, there can always be a reduction in the number of forces we have there as the South Vietnamese increase in strength.

Mr. MINSHALL. Mr. Speaker, at long last Americans have been given an honest, clearcut appraisal of U.S. policy, purpose, and intent. They have been shown a blueprint for peace no reasonable adversary could reject.

Peace, with Richard M. Nixon at the helm, no longer is a remote possibility, puffed up by half-truths and unfulfilled promises. Peace, with honor, has become a distinct probability within the foreseeable future.

I am tremendously proud of the President's courage in picking up a burden he had no responsibility in creating and in the forthright manner in which he intends to reach a solution to what he quite correctly calls "the most difficult war in America's history." I am satisfied that the course of action he presented to the Nation should be acceptable to all but the most intransigent.

For the first time in a long time Americans can take hope.

Our new Commander in Chief has cast aside the proven errors of the last administration. He revealed, last night, that he will not stubbornly cling to policies of gradualism which under the last administration resulted ultimately in the commitment of more than half a million American troops. Let me remind the House that under President Nixon there has been no further escalation of our men, and the plan he presented last night would within a year's time see the safe return home of our troops.

I am pleased with the reception the President's address has received from many on both sides of the aisle. Only a few, who have hung their political hats on immediate and total surrender, have given a reflex-action spate of criticism to the address and such criticism can be discounted by examining its source.

In point of fact, a mighty hope is sweeping the Nation that we have, in just a little less than 4 months, made more strides toward ending the war than in all the 4 years preceding. We have ceased the troop buildup in Southeast Asia. We have made great strides in mending shattered relationships with the South Vietnamese and by so doing, we are increasingly able to turn the fighting over to their military. And, we have broken through the deadlock of silence which had threatened to destroy the Paris peace talks altogether under the last Administration.

President Nixon spoke for each of us last night when he said:

> I want to end this war . . . to end it permanently so that the youngest brothers of our soldiers in Vietnam will not have to fight in the future in another Vietnam some place in the world.

He has charted a course which, with the support and cooperation not only of those with whom we are negotiating but of all of us in this country, will lead us to the lasting peace we so fervently desire.

Mr. LIPSCOMB. Mr. Speaker, the President in his historic speech last night demonstrated forcefully to the American people and the world that he is a man completely and passionately committed to the cause of achieving lasting peace.

His proposal for a simultaneous withdrawal of troops by both sides on a mutually acceptable timetable provides a well-reasoned and practical way for our troops and those of our allies to be withdrawn from combat under honorable conditions.

To help see meaningful peace achieved, President Nixon unequivocally stated our desire that the South Vietnamese people be able to freely choose for themselves the type of government they want for their own country.

This provides a clear challenge to Communist objectives in Vietnam and elsewhere, and all peoples of the world will be watching the Communist reaction with great interest.

President Nixon has presented a proposal which we all fervently hope will result in stopping the fighting in Vietnam and in achieving lasting peace. His efforts deserve fullest support.

Mr. HALL. Mr. Speaker, the eloquent simplicity of President Nixon's address to the American people last night, stating our position in Vietnam, was most gratifying, since it extended the olive branch of peace in the one hand, while holding ready the sword of strength in the other.

The President made it clear, that although this Nation as well as the Republic of South Vietnam desire peace, that the eventual political settlement will have to be made by the South Vietnamese people themselves. I am thankful for his optimism and personal handling.

Mr. Nixon's challenge to the Hanoi government for a mutual pullout of foreign troops over a 12-month period, to be supervised by an international body, should be heartening news to all Americans, those who advocate a "pullout" of our forces and those who want our troops to stay until an honorable victory is won. It was significant that the President acknowledged that the South Vietnamese Army is fast approaching the time when it will be able to take over most of its own defense. It is equally significant that he warned the aggressors that they foil all peaceful purposes by continued attacks on civilians in South Vietnam, and may bring on retaliative measures.

Realizing that the President might have felt compelled to publicly reply to the North Vietnamese as well as keep the American people informed; his statement that he wants to end the war, coupled with the knowledge that there is no easy way to end it, should serve as a rallying point for all Americans to pull together, to let this country speak with one voice to our heartfelt desire for peace, but our determination that there not "be peace at any price."

We join the Nation and indeed the freedom and peace loving peoples of the world, in a prayer for success, justice, honor and peace.

Mr. DENNEY. Mr. Speaker, during the past few months, the Nixon administration has pressed ahead in an effort to secure peace in Southeast Asia. Last evening on a national television broadcast the President set forth an eight-point plan as an offer to bring about a settlement of the war. This offer of peace was made knowing full well that more than 12 months of negotiations have resulted in limited progress.

I view the President's message as a communication with two purposes or perhaps more correctly stated, a communication for two audiences. First, the President's direction is toward the negotiating table. I would suspect that some last-minute changes were made after an analysis of the Hanoi 10-point proposal. Even the President's method of delivery, a formal speech, indicates that this message may be viewed as an official statement of position to the representatives of Hanoi. Second, and probably more significant at the present time, by means of this communication, the President was leveling with the people of the United States. The White House is not interested in troop withdrawals just to satisfy the American public. It is interested in pulling out troops in order to lower the level of fighting, to cut down the casualties, and as a sign to everybody that the war is ending.

I see the President's message as a step forward. As for an indication as to what lies ahead—we know now, that the administration is pinning its chief hopes on the Paris talks.

Mr. McCLORY. Mr. Speaker, President Nixon has fulfilled his promise to provide new initiatives in seeking to bring the Vietnam war to an honorable close. The President spoke eloquently, frankly, and courageously in explaining to the American people and to the world our aims and objectives in Vietnam, as well as the means by which peace and stability can be effectively accomplished. The President's thoughtful and straightforward message has been welcomed by citizens throughout the land. It will help further to solidify our Nation's relations with our allies.

In speaking as he did, the President has emphasized a determination to stay with our friends while at the same time we can resolve differences with those nations which are unfriendly.

Mr. Speaker, I am proud of our President and of the pattern for peace which he has outlined. I am confident that it merits the overwhelming support of the people of our Nation. In addition, it offers an excellent opportunity for North Vietnam and its allies to demonstrate whether they are truly seeking a peaceful solution to a war which can and should be terminated with the least possible delay.

Mr. PELLY. Mr. Speaker, last night President Nixon presented to the world the reassurance that the Vietnam war holds the highest priority of our Government for solution.

And, in a most positive way, he outlined the U.S. position on ending this grave problem.

Mr. Speaker, I was proud of our President as he spoke, and I was gratified to hear the commentaries that immediately followed the address. There was hardly a voice of dissent as the points for peace outlined by the President were analyzed.

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There is conciliation in Mr. Nixon's program for ending the war, and this should be taken as a gesture of faith by the enemy. And, there was honesty for the American people in last night's Presidential address, and that should be accepted with gratification.

The foundation now has been laid, Mr. Speaker, and the next step is to start building for a permanent peace. I trust the wasted propoganda will be set aside in Paris tomorrow and the construction of a world without war will begin.

Mr. POFF. Mr. Speaker, the President last night appealed for the support of the American people. His goal is peace with honor. He has my support.

Indeed, he will have the support of all thoughtful Americans. The method he has proposed for achieving the goal is one around which all can unite with no violence to any personal principle or standard. Honest men, patriotic men, can reasonably disagree about Vietnam. They may disagree about the cause of the conflict, about the nature of the conflict, about the motivations of the parties involved in the conflict, about the mechanisms of the conflict, about the morality of the conflict, and finally about the techniques of resolving the political aspect of the conflict. But none can disagree about the need to terminate the conflict, and I am convinced few will disagree that the method the President has proposed is at once generous, functional, feasible, and honorable.

If the other side rejects the tender the President has made, they must suffer history's eternal indictment.

Mr. ROUDEBUSH. Mr. Speaker, President Nixon's appeal for peace last night was based on realities of the situation and offer an honorable and orderly end to that conflict.

As the President noted, it is futile to argue the pros and cons of our involvement: the fact is that we are involved and have a commitment.

The President's announcement that we will accept the neutralization and unification of Vietnam as long as the South Vietnamese people have the right of self-determination, is reasonable and indicates the United States is sincere in its quest for peace.

At the same time, the President's call for withdrawal of troops within a year by both the allied and North Vietnamese is a fair offer and should be accepted by Hanoi.

It was particularly encouraging to hear President Nixon report that the time may be drawing near when U.S. troop withdrawals will be possible without regard to progress at the Paris peace talks.

I am pleased that the President has given the Nation a candid and frank appraisal of this complex situation, and did not hold out any false or overly optimistic promises such as those that regularly occurred under his predecessor at the White House.

The American people can accept the truth, even if the truth is unpleasant. But, as the President warned, peace will take time even if Hanoi is willing to cooperate.

I believe that Members of Congress and the American people appreciate the President's report and support him wholeheartedly in the tedious and frustrating task of obtaining a settlement that will insure the freedom of the South Vietnamese people to choose their own form of government.

The President has inherited a situation not of his own making, but is laboring with skill and determination to solve it. Let us all support him in his efforts.

Mr. CEDERBERG. Mr. Speaker, the President is to be commended for his candid statement last night on our objectives in Vietnam, and our efforts to bring an honorable and lasting peace to Southeast Asia.

It should please and reassure those Americans who expect their President to speak with candor of this war and of the steps he is taking to, as the President said, "end it permanently so that the younger brothers of our soldiers in Vietnam will not have to fight in the future in another Vietnam someplace in the world."

This was a speech that marks a new momentum in our quest for peace. But our President cannot do the job alone. We can help him, and we must, by uniting behind the generous and reasonable peace offer he has made. If we will do this, it will help to convince the enemy that he should negotiate in good faith to end the war, and not count on a collapse of American will to achieve victory for him.

President Nixon's reasonable and timely approach is a new initiative in propelling the negotiations forward. He has pointed to many approaches that can lead to fruitful negotiations, if the other side is interested in serious negotiation. Our support of the President can demonstrate that serious negotiations are in the interest of all concerned.

Mr. BROTZMAN. Mr. Speaker, I applaud the speech of the President on Vietnam last night.

Mr. Nixon's speech represented a new style in official analyses of the Vietnam situation. It was laced with candor.

I would characterize his position as tough but flexible, and he expressed this in such plain language that I believe the North Vietnamese will interpret it that way, too.

Being a longtime advocate of a bilateral staged deescalation plan for ending hostilities I certainly endorse his general outline for stopping the shooting war.

I also agree that cessation of the fighting is a necessary condition to the holding of free elections.

The President asked Americans to stand united at this crucial moment in the negotiations. I join with him in this hope.

Mr. SHRIVER. Mr. Speaker, I want to join in congratulating the President for his clear and concise presentation last night of this country's quest for peace in Vietnam.

The President emphasized what I have stated for sometime. Mainly that the South Vietnamese must assume greater military responsibility for the war. General Abrams obviously is optimistic regarding those prospects. I hope there can be substantial U.S. troop withdrawals from Vietnam in the near future.

President Nixon outlined a fair, reasonable and flexible proposal for peace which we all hope will lead to meaningful progress in the Paris negotiations. He clearly restated American objectives which simply are to guarantee self determination by the people of South Vietnam. The President emphasized we will accept any government that the people of South Vietnam choose.

He also made it clear that the United States has rejected any attempt to impose a military solution upon Vietnam.

Most important, for the first time in many, many months the American people have received a report from their President outlining this country's objectives in Vietnam and declaring new initiatives designed to end the war.

It is time that we in the Congress and all Americans everywhere unite behind the President in his efforts to obtain an early and honorable peace in Vietnam.

Mr. AYRES. Mr. Speaker, an honest man, speaking honest words, took the American people into his full confidence last night.

No one listening to his words could doubt that here was a man of peace who would through the spirit of justice bring a true accord amongst dissenting combatants.

President Nixon is striving for the only meaningful peace—one that will endure. A settlement that would encourage future aggression would be a political hoax. Such an arrangement could bring about an allout war that would strike at our very freedom.

Our President, in his address to his people, did not brandish the sword—neither did he sheathe it. He spoke from the strength of the American forces but he also spoke of his concern for the lives of the American serviceman.

Through our words today, we should impress upon aggression-minded foreign leaders that beligerency will not lead to conquest. One can readily see that some remarks made in this country has misled the enemy into thinking that they had a substantial supporting force here.

Our Chief Executive has demonstrated his faith in the American people. Let us tell the world that we have faith in him—only in this way can we be assured that they too will heed his words.

Mr. BELCHER. Mr. Speaker, I am glad that the President is adopting the policy of taking the American people into his confidence. I have always thought the American people were tough enough and strong enough to stand the truth. I am glad the President feels the same way.

In my opinion, in this speech, the President said what he meant; and I know he means what he says. He clearly outlined to our adversaries that we wanted peace, and that he would do everything honorable to get this peace, but we were not going to surrender, and any thought they might have that America is falling apart is only wishful thinking on their part.

Mr. STANTON. Mr. Speaker, at long last, the American people have been given a frank and honest appraisal of this country's involvement in Vietnam. This, in my opinion, was the most significant factor in President Nixons' address to the Nation last night. His message was characterized by the complete candor we have so badly needed.

The President's simple and forthright prescription for peace was an extremely generous one. It was reasonable in its call for mutual withdrawal of troops and the guarantee of South Vietnamese self-determination. Surely no one can doubt, any longer, this Nation's resolve and commitment to peace when President Nixon has staked his personal future on redeeming his campaign pledge "to end this war in a way that would increase our chances to win true and lasting peace in Vietnam, in the Pacific and in the world."

To me, the President's candid and flexible proposal represents a sound basis for an accord. The position of our Government is now clear and unquestionable. We, as Americans, should be grateful for this firm but fair statement of policy by our President. It deserves our united support.

Mr. SMITH of California. Mr. Speaker, last night President Nixon reported to the Nation the condition of our commitment to South Vietnam, and significantly, he left the overwhelming impression of his personal dedication to terminate the killing.

At the same time, President Nixon emphatically underscored the United States intent to preserve the integrity of the South Vietnamese Government as selected by those people.

We have been talking in Paris for a year. We will continue to talk, according to the message last night. But President Nixon has made it clear that there must be substantive progress in those talks along the lines set forth.

The conditions for a negotiated peace are reasonable and generous. They are conditions upon which the parties interested in a settlement surely could discuss and agree upon.

President Nixon has placed the burden of reasonableness directly upon the Communist world. Without some sincerity and some flexibility on the part of the Communists in Paris—in future negotiations—our choices will be limited. We have only three alternatives. We can win a military victory. We can pull out. Or, we can achieve a negotiated agreement. President Nixon has offered the latter option to the Communists.

One more important aspect of his speech requires comment. President Nixon set forth the overall Vietnam situation in such clear terms that emotional rhetoric, physical demonstrations, and propaganda pushes, should have no place.

A sincere commitment to peace has been expressed. The American public should unite behind the President and give this commitment sufficient time to be implemented.

Mr. BROOMFIELD. Mr. Speaker, I am pleased and encouraged that President Nixon has provided the American people and the world with an orderly and realistic plan for opening the way to peace in Vietnam. It is something they have been without for many, many years.

It is a firm yet flexible blueprint clearly setting down what is possible and what is not possible. The President has proposed a step-by-step phaseout of the war beginning with mutual withdrawal of all non-South Vietnamese forces, international supervision of a truce and of free and open elections. This is a coherent and workable proposal.

But even more promising is the President's insistance that we are not wedded unalterably to its details.

He said:

> These proposals are not presented on a take-it-or-leave-it basis. We are quite willing to consider other proposals consistent with our principles.

Those principles are quite simple. We will not abandon the people of South Vietnam and we will insist on their right to freely and openly choose their own government. Beyond that we are flexible.

The President's words are more than a blueprint for peace in Southeast Asia. They also recognize the deep divisions the war has cause in our country. They provide an umbrella under which all of us, regardless of our past differences about the war, may come together in a common effort for peace.

In that respect the President said:

> We can have honest debate about whether we should have entered the war. We can have honest debate about the past conduct of the war. But the urgent question today is what to do now that we are there, not whether we should have entered on this course, but what is required of us today.

The President's words have provided us all with an opportunity: to end the war, and to end the division that has torn our country. Our responsibility is to make the most of that long-awaited opportunity.

Mr. MIZE. Mr. Speaker, President Nixon's report to the people on the status of the prospects for peace in Vietnam could not help but lift the hearts of all of us who are weary of this conflict and its drain upon our men and treasure. No one knows better than the President about the long, hard road to peace, and he would be the last person to want to raise any false hopes for an immediate settlement and the imminent return of our troops, but the important aspect of his report was his willingness to "level" with us. We know exactly where this country stands, and we have a better idea than ever before about the position of the North Vietnamese in these vital negotiations. The President left no doubt about the priority his administration has given to this issue. We can be encouraged over the progress which has been made. We may be only inching toward a settlement, but it is apparent there could be a significant breakthrough at any time. When it comes, we can be sure the settlement to follow will be an honorable one and the groundwork will have been laid to prevent other "Vietnams" in the future.

Mr. WINN. Mr. Speaker, President Nixon last night told it like it is. And, in so doing, he leveled the ground and began construction of his pathways to peace and freedom—freedom for the South Vietnamese to live their own lives and freedom for Americans from a costly and unwanted war.

His peace plan was generous and flexible. He referred, not to an "enemy," but to "the other side."

He painted a word picture of people—North and South Vietnamese and Americans—who are more alike than they are different.

He made perfectly clear that his peace plan was not an absolute; that it was open to negotiation.

Then, the President asked the American people to help him build these pathways to peace and freedom, by presenting a united front.

This was President Nixon's first big step on the path to peace. Let us, the American people, take that step with him.

Mr. WIDNALL. Mr. Speaker, last night the President articulated for all to hear the American position on Vietnam.

He ruled out attempting to impose a purely military solution on the battlefield.

He ruled out a one-sided disengagement from Vietnam or the acceptance in Paris of terms that would amount to a disguised defeat.

> We seek—

The President said—

> the opportunity for the South Vietnamese people to determine their own political future without outside interference.

This includes our willingness, "to agree to neutrality, if that is what the South Vietnamese people freely choose."

While setting forth the American position, including an emphasis on an honorable and lasting peace in Southeast Asia, the President indicated his flexibility. He said:

> We insist on no rigid diplomatic formula . . . Peace on paper is not as important as peace in fact.

Throughout his address, the President's tone was one of reasonableness, of a willingness to be flexible in working toward an honorable objective.

Now the time has come for the other side to respond—to show the world whether it is genuinely interested in moving forward, step by step, toward a meaningful agreement that will end the war.

I urge the Members of this body—regardless of party affiliation—to show our support of the President, recognizing that our support could well be that extra ingredient that will convince the enemy that an end of the war can be found only through negotiation.

Mr. KUYKENDALL. Mr. Speaker, we have heard the President of the United States commit our Nation to a policy of peace, to extend our efforts to end the bloodletting in a far-off corner of Southeast Asia, and we all should be gratified by his words.

Richard M. Nixon becomes the first leader of the American people who has truly spelled out a comprehensive policy in Vietnam since the first American soldier set foot in that land.

He has said to our allies, to our enemies and to us: We are going to be reasonable, and we are going to remain strong. We want nothing for ourselves, we are prepared to give much for others.

His statement gives us the best and most firm base we could possibly have for a strong and united America, mutually determined to do whatever is necessary to leave Vietnam peacefully, leaving be-

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hind us a nation capable of shepherding its own flocks.

We must unite behind him, and by ending our own divisiveness, help him to end the divisiveness of the world. Dissent at home has fostered dissent abroad; in the no-policy years behind us, we floundered and growled at each other, and the world listened. A fragmented America has been the chief stumbling block to our efforts at the peace table. Now we need be fragmented no longer.

Mr. DEVINE. Mr. Speaker, last night our great President, Richard M. Nixon, in his nationwide telecast, outlined a comprehensive blueprint for peace in Vietnam. The American people have been waiting for specifics in this critical area, and that is just exactly what the President proposed.

Naturally we will have the usual bland skeptics, particularly among some of the self-proclamed "experts" in the TV commentator field, that get "nothing dramatically new," or, "same old stuff," and so forth. However, close scrutiny and objective examination of the President's overall remarks reveals a great deal of solid, meaningful policy statements.

The North Vietnamese know what the President means when he proposes mutual and simultaneous withdrawal of all non-South Vietnam troops quickly, and within a period of 12 months. It is clear that an International supervisory verification body would be created with specific functions, based on a timetable, involving a cease-fire, free elections, release of prisoners of war as well as protecting self-determination for the South Vietnamese.

Further, President Nixon removed all doubt about U.S. intentions relative to interference in policymaking or territorial desires. He recognized that the political issues are internal with the North and South Vietnamese, to be resolved by them, with no intervention by America unless requested, and that there should be no preconditions to the talks between the North and South.

Although I did not necessarily detect a "thread of threat" throughout the speech, in my opinion the President made it unmistakably clear and concise that increased attacks by the North certainly were not conducive nor encouraging to peace. As a matter of fact he stated:

> If this continues, it will affect other decisions.

Much can be read into these words, and I elect to interpret them in the context of the President's sincere and earnest desire for a peace we can be proud of—negotiate in good faith, follow the blueprint in the interest of humanity, but if the North, for reasons of propaganda, face saving, bad faith, or otherwise, continues or increases military confrontation, our alternatives are limited measurably, and the North Vietnamese and NLF must accept the responsibility for whatever may be the consequences.

Finally, this comprehensive blueprint for peace, must develop immediately from the words to affirmative action and results. No useful purpose can be served by delaying interpretations and analysis and rehashing everything that has been said. With over 35,000 American boys having made the great sacrifice, there is just one answer. Peace with honor, and now.

Mr. ERLENBORN. Mr. Speaker, in his speech Wednesday night, President Nixon pronounced what his administration has implied since it came into office and what former President Johnson had implied in the closing months of his administration: that the United States is amenable to a mutual withdrawal of all foreign troops from South Vietnam. What was new in the President's proposal was a blueprint with a time schedule to that end.

His blueprint is comprehensive, his offer generous, stressing only what has been this country's objective all along: free choice for South Vietnam. He has provided a new initiative while promising flexibility in our position. The responsibility for making the next move now rests with Hanoi.

As one columnist noted:

> If there is no light at the end of the tunnel yet, there is at least a tunnel.

I join the President in his fervent quest to reach the end of that tunnel.

The President laid his popularity on the line when he said that he expects to be held answerable to posterity if he fails in his search for peace. I believe the American people are convinced of his sincerity and determination to make good on his pledge. For myself, I believe he also has the skill to go down in history as a peacemaker.

Mr. TEAGUE of California. Mr. Speaker, I was very much encouraged by President Nixon's willingness to be extremely flexible in this matter of peace negotiations and counter proposals. It was most significant that the President indicated a willingness of this government to accept among other solutions a neutralized and/or unified Vietnam with the single proviso that such a condition be established through self-determination of the South Vietnamese people. President Nixon's statement was unambiguous and reflected the desire of the United States and the South Vietnamese Government to separate political and military issues during the current negotiations so that a most speedy arrangement can be achieved for a cease-fire and a mutual reduction of combatants in the area.

With this peace plan, I strongly feel that Mr. Nixon has unequivocally responded to recent proposals by the other side and I am hopeful that his candor will facilitate more meaningful discussions which are required to end this conflict.

Mr. COLLIER. Mr. Speaker, President Nixon's May 14 message to the American people on the regrettable Vietnam conflict was indeed a forthright and statesmanlike appraisal of the situation. It not only provides new avenues of hope for peace in Southeast Asia, but it lays before world opinion our desire and willingness to put down our arms on a good-faith agreement which seeks only the same good faith on the part of our adversaries in return.

The terms for peace which President Nixon set forth can leave no doubt with regard to our singular purpose—that of insuring the right of the people of South Vietnam to have the free choice of its political destiny. It seems to me that no man who believes in individual rights and human dignity can question this purpose.

Needless to say I endorse President Nixon's Vietnam position and his peace efforts. If the American people will unite behind his program, I believe we can achieve a meaningful peace in Southeast Asia. Surrender or total capitulation at this point appears to be the only alternative—and such a course would not only be a betrayal of our commitment but a shallow and temporary cessation of the conflict which could only invite reprisals, atrocities, and subsequently future war.

Mr. SMITH of New York. Mr. Speaker, President Nixon's talk to the Nation about Vietnam last night was a refreshing restatement of our goals and aims and those of our allies in that unhappy country—the same now as they have always been—that South Vietnam be allowed to choose its own destiny and that this choice be made by all segments of its population who are willing to forgo force and violence. The conditions for peace set forth by the President are moderate, sensible, and flexible, with plenty of room for face-saving by all parties.

The United States and its allies are meeting the responsibility of leadership in mankind's quest for peace. The tide toward peace is flowing. It is irresistible. A modicum of good will on the part of the hard-pressed North Vietnamese and Vietcong will let them swim with this tide instead of struggling against it.

Mr. SEBELIUS. Mr. Speaker, like the concerned citizens in my district and those across the Nation, I share the President's paramount concern toward ending the war in Vietnam and achieving a lasting peace.

It is in this light that I would like to comment on one particular portion of the President's remarks last night that I thought were most pertinent in our Nation's quest for peace.

President Nixon said we want to end this war permanently so that the younger brothers of our soldiers in Vietnam will not have to fight in the future in another Vietnam.

Personally, as a veteran of both World War II and the Korean war, I, like all veterans of war, fully appreciate what the President is telling us. In our efforts to effect a peace, we must remember that only a just and honorable settlement will guarantee peace for future generations.

Obviously, there is an easy way, but to simply abandon Vietnam would be to invite the wholesale slaughter of men, women, and children in a human tragedy mindful of other dark chapters of history in other wars. I do not think we want that on the American conscience.

The easy way would also invite, as the President so clearly pointed out, those who believe in aggression to try again—be it in Asia, the Middle East, Europe, or in our own hemisphere. Finally, to simply withdraw would be to repeat the mistakes many have made in the past—the mistakes of our fathers' generation

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that led to our generation going to war and the mistakes of our generation that has led our sons and loved ones into this conflict.

Mr. Speaker, in closing his remarks last night, President Nixon said he asked not for patience, that he asked not for partisan unity, he simply asked for support of a program of peace. I intend to give him my strongest possible support in this regard and feel Americans genuinely concerned over a lasting peace will do the same.

Mr. PETTIS. Mr. Speaker, if the fighting in Vietnam is to be ended, and if that nation is to exist as a country free to determine its own destiny, the United States must have strong and wise leadership in pursuit of those goals. President Nixon last night displayed that type of leadership.

The President's proposals are reasonable; they are fair; and they do not break the faith of the 34,000 Americans who have died in Vietnam in their country's determination to throw back the tide of tyranny.

If the Government of North Vietnam is interested in ending the war, and if it truly believes that its agents in the south do in fact represent the majority of the people of South Vietnam, Hanoi can hardly do anything but agree with President Nixon's proposals. His plan offers assurances that, left in peace, the people of South Vietnam would be free to choose any government they wish.

The President has gone more than half way in the quest for peace. He has said we are not going to attempt to impose a military solution of Vietnam's problems. He has offered a plan whereby United States and North Vietnamese forces can mutually withdraw from the south. And he has pointed out that the growing strength of the Army of the Republic of South Vietnam will permit the withdrawal of some U.S. forces as the South Vietnamese gain the capability of defending themselves—regardless of what the Hanoi government may decide.

The Communists cannot reasonably ask for more; they certainly have nothing to gain by prolonging the struggle.

Mr. SCHWENGEL. Mr. Speaker, President Nixon's speech should leave no doubt that he is earnestly seeking an early end to the Vietnam war. He said we are prepared to take risks for peace. I support that position. His emphasis of the need for political settlement and his statement that military victory is not a proper goal validates the position taken by a team of volunteers I led to Vietnam in 1967.

Phased mutual withdrawal and our willingness to accept the results of elections in which all political groups in South Vietnam could participate constitutes an acceptable basis for negotiation.

With Secretary of State Rogers in Saigon and Ambassador Lodge on his way back to Paris, the stage is set for serious and meaningful negotiation. The fact that President Nixon is willing to consider other proposals places us in a better position and holds out more hope for success.

By taking the position expressed by President Nixon, I believe we can get out of Vietnam on an honorable basis, regain our lost prestige, and establish a peace that will be real and genuine.

Mr. ZWACH. Mr. Speaker, the returns of my recent congressional questionnaire showed the main concern of my constituents to be the conflict in Vietnam. I am sure this opinion would prevail throughout the rest of our Nation.

I was happy to hear our President speak out, frankly and forthrightly, on this subject last night in his address to the Nation.

President Nixon, in plain language, understandable to all, laid out his proposal for the withdrawal of all foreign troops in Vietnam and the eventual peace between the warring factions.

In language, just as understandable to all, he warned that while striving for peace, this should not be construed as weakness or an unwillingness on the part of America to honor the commitments previously made.

The President showed unusual candor and political courage when he said that if he failed in his quest for a true and lasting peace in Vietnam he expected the American people to hold him accountable for that failure.

Mr. Speaker, I applaud this first truly hopeful sign for peace in Vietnam.

Mr. WOLD. Mr. Speaker, the President's message clearly outlined in a restrained and statesmanlike manner the objectives of the United States and her allies in Vietnam. It was also a clear offer to North Vietnam of a fair opportunity to end the fighting.

At the same time though, the President made clear that Hanoi will be the loser if it wishes to continue the war.

The proposal for a mutual withdrawal of troops by the North Vietnamese and Americans offers the possibility to save a great number of lives—both American and Vietnamese. It can also insure that the political decision as to what type of government South Vietnam will eventually have—will be left up to the people of South Vietnam.

President Nixon's speech leaves no doubt that the United States will settle for nothing less than a just and honorable peace.

I also think it was the initiative and fresh approaches of President Nixon that made the new approach possible.

Since the President's inauguration we have blunted the enemy's battlefield capability; we have restored our relations with Saigon, and we have taken new initiatives at the Paris peace talks. If these had not been skillfully coordinated there would have been no fresh initiative by the President.

Mr. WHITEHURST. Mr. Speaker, last night President Nixon issued a call for mutual withdrawal of North Vietnamese and American military forces from South Vietnam. The sincerity and freshness of his appeal should strike a chord of optimism in all of us. Surely the North Vietnamese negotiators in Paris and their superiors in Hanoi must realize that all we seek is an honorable end to the fighting.

It will take time for the President's words to be translated into tangible moves but I believe that the President's call represents the kind of step which serves to clear the air and can place negotiations on a frank and meaningful basis. As President Nixon stated, peace will not come tomorrow. Our patience will still be tried. It is up to Hanoi now to extend its hand. Peace will come just as rapidly as they shall truly want it.

Mr. FRELINGHUYSEN. Mr. Speaker, the President has given the American people a comprehensive and clearcut statement of our Government's objectives in Vietnam, and our desire to bring the war to an early and honorable conclusion. In these efforts the President deserves the support of the American people.

The President's speech last night was both firm and flexible. He reaffirmed his deep desire to bring this war to an end soon—and in a way that will not sow the seeds for future Vietnams. Although counseling patience, Mr. Nixon has laid the basis for meaningful discussions. Let us hope it will serve to move the peace negotiations off dead center.

The President's speech should be recognized as a significant effort at peacemaking. To turn this effort into solid accomplishment will require that his message be responded to in the spirit it was offered. Should this response be forthcoming, a giant stride toward peace in Vietnam will have been taken.

Mr. BLACKBURN. Mr. Speaker, President Nixon in his address of last evening has again demonstrated to the American public the candor which they can expect from their new Chief Executive.

He has not attempted to fill the American public with false hopes.

Neither has he given our allies in the struggle in Southeast Asia cause for despair.

The President has reassured both the American public and our allies in South Vietnam that America will see the struggle through until the people of South Vietnam can make their own determination as to the type government which they desire.

At the same time, through his firmness, he has publicly advised the leaders of North Vietnam that peace is available upon honorable terms, but that surrender by the United States does not lie in the future.

I urge my colleagues and the American public to stand beside their President in this difficult hour in American history.

The test now facing the American people is one of will and determination. The question to be settled in the coming months is that of whether or not the will of a democracy of great human and material resources can be broken by the will of a dictator of a small and poverty-ridden country.

I place my hand and heart beside our President and reaffirm that this Nation will not be deterred in its most worthy purposes.

Mr. FISH. Mr. Speaker—

> I want to end this war. The American people want to end this war. The South Vietnam people want to end this war.

So began the President's statement as he spelled out the allied peace proposals

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as the basis for bargaining with the 10-point plan for the NLF.

The President ruled out a purely military solution or a one-sided withdrawal. He said:

> We seek no bases in Viet Nam. We insist on no military ties. We are willing to agree to neutrality if that is what the South Viet Nam people freely choose.

In this clear language President Nixon dispelled any thought of American imperialism.

The President opened the way to a new government for South Vietnam either through elections or negotiations. He stated the American position in favor of "full participation in the political life of South Vietnam by all political elements." He opened the door to negotiating the NFL demand for a coalition government by declaring that we had no intention of imposing any form of government on the people of South Vietnam. Implicit is the important assumption that the President's proposals have the agreement of the present South Vietnam Government. Rigidity was avoided in the President's acknowledgement that peace would not require a formal negotiated settlement but that peace could be achieved through informal understanding.

The President's proposal for mutual withdrawal of troops ends the previous U.S. reciprocal requirements made at Manila. It sensibly includes Laos and Cambodia and significantly narrows the area of disagreement.

The fundamental issues of North Vietnam considering the conflict a civil war, the disagreement as to the provincial government before elections or a coalition government following elections remain. However, if the NLF and North Vietnam wish to bargain in good faith, a far narrower stage is set. The President has made a significant contribution to peace.

Mr. Speaker, although each item here is important, the most important consideration is the general tone of President Nixon's speech. Candor and honesty are what the American people rightly demand of their leaders. Candor and honesty is what President Nixon delivered last night—honesty coupled with a realistic appraisal and a workable program to put an end to the bloody conflict that has killed our young men, drained our treasury, and sown the seeds of discord, distrust, and discontent in our great land.

Mr. BUTTON. Mr. Speaker, I was most pleased with the remarks of President Richard Nixon last night on the position of the United States in Vietnam. It should be apparent to all that Mr. Nixon is very serious about bringing the war to a negotiated conclusion as quickly and as fairly as possible.

Hopefully, the conciliatory tone of the speech will mark the new beginning of a general reduction in violence, reduced fighting, and an end to the killing. The recognition that the enemy simply does not respond to unlimited pressure and that all sides must give a little brought initiative to the U.S. position that we have seldom had before.

With the intent of the President clearly stated that the South Vietnamese are going to take more of the burden on themselves, I look forward, as does President Nixon, to the exciting challenges of peace.

Mr. DENNIS. Mr. Speaker, President Nixon, in an honest, concerned, and thoughtful address to the Nation, has presented a plan for peace in Vietnam which is specific in outline yet flexible in detail, and which is not only reasonable but generous. It contains but two basic points: First, mutual withdrawal of American and of North Vietnamese troops from South Vietnam and, in the case of the enemy, also from Laos and Cambodia; and, second, self-determination through a process of free choice by the South Vietnamese people. It is hard to see how anyone can honestly quarrel with propositions so clearly fair and right, and therefore the position thus so clearly set forth ought, in due time and course, to produce real progress toward a satisfactory peace.

It would be naive, however, to suppose that the road ahead will be short or easy. The existence and the extent of any real desire for peace on the part of Hanoi remains to be seen; and the critics at home grow daily more impatient—and this impatience, to some degree, is not entirely hard to understand.

It might be easy, in a way, as the President says, to simply cut and run—to withdraw unilaterally from Vietnam without delay. The prospect ahead, a prospect of protracted negotiation, with continuing casualties, is not a pleasant one. But I submit that the President is pursuing the only responsible course. With 35,000 American dead in Vietnam, with the South Vietnamese led by us to be dependent on us, with the whole picture of the Pacific area and future war or peace in that area at stake, we cannot easily or lightly shirk or shed our responsibilities and simply cut and run. The President has said that he does not ask for unlimited patience; but I think he is entitled at this point in history to have, as he has requested, a united American people behind a reasonable and generous offer for peace.

As one of those people, I, for my part, extend him that support.

Mr. LUKENS. Mr. Speaker, it was impressive watching the President of the United States last evening recall the efforts of the past by the United States to achieve realistic world peace. The President strongly stated far reaching goals and realistic objectives for world peace, not merely for a ceasefire in Vietnam.

The North Vietnamese Communists have already been clearly and irrefutably proven the aggressors in this affair. Our involvement is a noble one as we are defending this small country from a brutal military act of aggression, and we are protecting that God given right of self-determination.

It is clear, or should be, to all Americans, that a unilateral withdrawal would result in wholesale slaughter by the Communists and torture of all South Vietnamese who had not been part of the Communist cause. We cannot betray these people, and this proposal by President Nixon hopefully will prove to be the key to our political logjam on peace in Vietnam.

It was very clear the burden the President is carrying upon his shoulders. It was also clear that he is accepting full responsibility and "expects to be held accountable" for the results. Such earnest effort and dedication by this man deserves the country's total and unified support.

Mr. MORSE. Mr. Speaker, the Vietnam conflict is basically a political problem and it took us several years to become enmeshed in it. It will take time, patience, self-restraint and a political solution to get out. President Nixon has recognized this most basic fact.

President Nixon, by his courageous and forthright statement last night, has revealed himself to be a creative man of peace. His offer of a mutual withdrawal of American and North Vietnamese forces presents, more clearly than ever before, the administration's efforts to lower the level of fighting and reduce the rate of casualities. This new formulation, and particularly his statements on political settlement between South and North Vietnam open the way to possible agreement and meaningful progress in Paris.

His proposals, generous yet realistic, constitute the most hopeful formula for peace in Vietnam that the world has yet heard. We have not been confronted, as has happened too often in past years, with inflated hopes and false expectations. The difficulties we are faced with in achieving our goals of "a true and lasting peace in Vietnam, in the Pacific, and in the world" have not been minimized. Mr. Nixon has laid it on the line, and pledged himself and his future to "a peace we can live with." We ourselves can do no less than to support him in this endeavor.

As syndicated columnist Joseph Kraft has commented:

> The President seems to be moving in the right direction. If there is no light at the end of the tunnel yet, there is at least a tunnel.

I think we can look forward to the glimmer of light with more hope than we have had to date, and ask the consent of my colleagues to present here Mr. Kraft's thoughtful analysis of the potentialities, as well as the problems, that are before us:

[From the Washington (D.C.) Post, May 15, 1969]

Gimmick Solutions Cast Aside as Nixon Relies on Negotiation

(By Joseph Kraft)

The President is moving to get out of Vietnam via the negotiations route of the Paris peace talks. He is not going for gimmick solutions based on a unilateral American withdrawal that supposedly leaves the fight to a beefed-up South Vietnamese government and army.

That is the chief import of the Vietnam speech delivered by Mr. Nixon to the Nation last night. And that impression, implicit in the text of the speech, is confirmed by last-minute changes which preceded delivery of the speech.

Originally, Mr. Nixon had not planned to give a major speech on Vietnam at all. He has a horror of the long, full-dress television appearance. Up until last weekend, the idea was that he would have a press conference, opened by a short prepared statement on

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Vietnam—the same formula he followed in announcing his decision on the ABM, or anti-ballistic missiles.

But over last weekend, the President decided he did not want any blurring of his message by a bunch of questions on troop withdrawal—not to mention such extraneous business as the draft, the Fortas affair or inflation. He wanted to address himself squarely to the negotiations in a way that would be unambiguously understood by the other side. So he chose to make the formal speech.

In the same vein there is the Washington visit of the chief American negotiator at the Paris talks, Henry Cabot Lodge. His visit was not something planned—like the current Saigon visit of Secretary of State William Rogers, or the recent trip to Washington of General Creighton Abrams, the American commander in Vietnam.

On the contrary, Ambassador Lodge was ordered home only after the President had decided on the full-length speech. The reason was to heighten the importance accorded to the Paris negotiations. And, as another little bit of theatrics to the same end, it was arranged for Ambassador Lodge to brief a joint session of the National Security Council and the Cabinet on the Paris negotiations.

Behind this emphasis on the Paris talks are a multitude of considerations, some recent and others of long standing. On the recent side, there was apparently a highly encouraging comment by Le Duc The—the North Vietnamese politburo member and leading Hanoi representative in Paris who returned to the talks early this month after a long period of consultations at home. This comment was not made on any specific point, and its substance is being kept secret. But it is considered by some American officials to be the most positive sign the other side has ever given of serious interest in the Paris negotiations.

Another recent, though less important event was the ten-point proposal put forward by the other side on May 8. The President probably would have made his statement on Vietnam even if there had been no ten-point program. And some aspects of the Communist program—particularly the insistence that it be taken as a package with each part necessary to all the other parts—were decidedly foreboding.

But there was enough favorable content in the program to require long and intensive analysis by the President's personal staff. The analysis turned up hints that the other side might be willing to accept international supervision of peace arrangements that would accord to the present leaders of Saigon some future role in some future South Vietnam. And thus the President's statement, as originally projected, was changed to include a reference to the latest proposals by the other side.

Probably far more significant than either of these recent developments in a view held at the White House since the beginning of the Administration. American civilian and military officials in Saigon and at the Pentagon may believe that there is a good possibility for major improvement in the performance of the South Vietnamese government and army. They may think it feasible to buy time with the American public through a series of unilateral withdrawals of U.S. troops until the day comes when the Saigon regime—stiffened, maybe, by modest American contingent—can stand off the other side.

But that is not the ruling conviction at the White House. The White House has little confidence the South Vietnamese regime can be built into a sturdy barrier against the other side. It is not interested in pulling out American troops merely to fool the American public into supporting a dubious South Vietnamese buildup.

It is interested in pulling out troops in order to lower the level of fighting, to cut down the casualties and as a sign to everybody that the war is ending. But for a settlement, the Administration is pinning its chief hopes on the Paris talks.

Whether these hopes will be fulfilled is, of course, another matter. The use of a big public speech to advance proposals has about it a show biz element that is not reassuring. Neither is it clear that the Administration will have the cohesion and discipline to hold combat actions in Vietnam to levels consistent with its diplomatic objectives.

Still, the President seems to be moving in the right direction. If there is no light at the end of the tunnel yet, there is at least a tunnel.

Mr. STEIGER of Wisconsin. Mr. Speaker, President Nixon has given the Nation an open and honest assessment of the situation in Vietnam and in Paris. He has brought all the problems, conflicts, and considerations out into the open.

As a result of the President's speech to the Nation last night, the United States is no longer bound to a rigid diplomatic formula in Paris. We will agree to neutrality if that is what is necessary. We will accept any form of government that the South Vietnamese people freely choose. We do not object to the principle of reunification of North and South Vietnam.

The President made it very clear that the United States has ruled out the further attempt to impose a military solution on the battlefield. We do not want any military bases in Vietnam. We are willing to withdraw our forces any time the Communists are ready to withdraw theirs. And we welcome the fact of a comprehensive proposal from the Vietcong.

The President, along with every American, wants to end the war in Vietnam. He has committed all the moral authority of the Presidency to that goal. He has spelled out the position of the United States. He has more fully opened the doors to peace.

The President's honest, clear, and candid statement is refreshing after the long line of self-serving propaganda statements that have clouded the atmosphere in Paris and in Vietnam. President Nixon has put all our cards on the table. I commend the President's taking this action and will support his efforts for peace. The next move is up to North Vietnam.

Mr. ROTH. Mr. Speaker, President Nixon proved by his remarks last night that he is, indeed, a man of peace. He also made it clear to the Nation that in seeking peace he wants a durable settlement. The President—and the American people—will not be satisfied unless our troops leave Vietnam under terms that will prevent future aggression in Southeast Asia.

I was particularly pleased that Mr. Nixon outlined his eight-point peace plan immediately after Hanoi's 10-point plan was made public. All the cards are now on the round table in Paris; another major step has been taken.

As the President noted last night, the hostilities in Vietnam have been going on for years; we cannot hope to end the fighting overnight. Peace negotiations after Korea proved this, and the Paris talks have so far held true to form. Communist propaganda statements follow Communist propaganda statements, and it takes a practiced diplomatic ear and a lot of patience to separate what is meaningful from what is meaningless. Finally, I think, we are beginning to make progress.

I earnestly hope all Americans will stand behind the President in his effort to secure a lasting peace, so the horror of Vietnam will not be repeated.

Mr. BUSH. Mr. Speaker, last night President Nixon outlined a direct and uncomplicated program to end the war. He spelled out our limited goal—self-determination for the people of South Vietnam.

I am hopeful that the North Vietnamese will accept the President's proposal so that we can disengage on an honorable basis and at the same time win for the South Vietnamese the right to determine their own form of government.

In addition to clarifying the framework for discussion in Paris, the President has been very frank with the American people. He has impressed us all with his earnest desire for peace, his intensive search for alternatives, and his desire to keep us informed about the status of the peace talks. This is what we have needed.

I think the President's speech clears the air and sets a good climate for real progress.

Mr. RUPPE. Mr. Speaker, President Nixon's statement to the people on Vietnam was a clearly outlined, specific statement of the American position, free from the morass of rhetoric that has confused and embittered large segments of the American population. Now, instead of qualified guesses as to the American position, the world knows exactly where we stand, and what our negotiating position is. It is far easier to negotiate point by point from a solid proposal, than to debate a hostile adversary from an ephemeral position.

The President has upheld the traditions of democracy by assuring the people of South Vietnam the final decision in the choice of governments for that nation is theirs and theirs alone. He has reaffirmed our position that the South Vietnamese must assume the greater share of the fighting in the war, and he has set a realistic timetable for mutual withdrawal supervised by a mutually acceptable international body. He has matched a definite peace program to the 10-point proposal offered by the other side, and said, in effect, "Let us concentrate on the points of difference."

Perhaps the strongest testament to the correctness of the President's position and the manner in which he spelled it out can be found in the accolades accorded to his speech by people of divergent viewpoints of the war. The so-called hawks and doves have hailed the President and his thoughtful proposal. This rare sign of unanimity will serve to show the Communist powers that we stand behind our President, and that we believe that his position is sound.

Mr. WHALLEY. Mr. Speaker, the President of the United States has offered, in my opinion, constructive initiatives to achieve peace in South Vietnam. Last night, the American people were told by their President—clearly and candidly—what our Government is doing to end the

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war in Vietnam, what our objective is, and how it plans to handle the realities of negotiating an honorable agreement to bring peace to Southeast Asia.

Through the President's statement, the United States and Hanoi know the American goals and objectives. They know how the President hopes to move forward toward a solution of the Vietnam war that will mean not just peace tomorrow, but a peace settlement that will last. He has set forth the principles upon which a peace can be agreed.

The President said:

> We seek the opportunity for the South Vietnamese people to determine their own political future without outside interference.

He declared our willingness to agree to neutrality if that is what the South Vietnamese people freely choose.

President Nixon has demonstrated his desire for peace. But, peace depends upon the other side as well. How the Communists respond will be influenced by how we respond to our President. If we support him, it could be a major factor in convincing the enemy that serious negotiations are the only solution.

If the President's proposals are to be effective, the American people must contribute patience and understanding.

Mr. MacGREGOR. Mr. Speaker, we have all heard the saying that in unity there is strength. Nowhere has this phrase been seen more to be true than in the President's address on peace in Vietnam.

It is the unity of the view expressed, the careful weaving of the old with the new, the dozens of different proposals now sorted and matched and combined into an admirably clear statement—it is all this that gives the President's statement great strength.

The address was precise; it was at once a new departure and a continuation of adherence to basic principles which has always—and will always—mark our Nation's effort for peace.

It centers on a key point: The essential issue is not what we want, or what North Vietnam wants, but what the people of South Vietnam want. This is one of those times when stating the obvious is an act close to genius. It serves to remind all concerned of the basic issue, the central concern, the heart of the matter.

Before now we have had words; but with these words we have an act, an act of political wisdom and humane judgment which will, I am sure, be seen by history as one of the great political acts of our day.

Mr. KEITH. Mr. Speaker, we all listened with great interest to the President's address on Vietnam last night.

While declining to raise false hopes or appear overly optimistic, President Nixon has, nevertheless, given the most forthright and specific statement of the American bargaining position to date. Many of the administration's proposals—acceptance of a coalition government, withdrawal of foreign troops, and supervision of the post-cease-fire elections by an international body—are reasonably close to the announced peace proposals of the other side so as to provide a sound basis for substantive discussions.

We in Congress should congratulate the President for his reasonableness in staking out this bargaining position. We should further urge him to pursue the reconciliation of his peace plan with that of the NLF with the utmost imagination and sense of compassion for the continuing suffering of the Vietnamese people.

At the same time, Mr. Speaker, we should take note, in light of the snail's pace of the negotiations thus far, that a workable peace will probably be slow in coming.

The enemy in this conflict is well versed in patience—he has been engaged in the struggle for Southeast Asia since World War II. In addition, the Vietcong are not responsive to the pressures of an electorate. He is willing to bide his time and await favorable developments.

The problem is, to a large degree, complicated by the mind and logic of the enemy. Their leaders are dedicated Communists who are not concerned with the immediate future, and are willing to endure extraordinary hardship to accomplish their objective.

In response to this, the President has rightly made clear the American determination to avoid a hasty settlement. He has outlined a framework for a lasting peace—which, as he told the American public last night, is a slow and deliberate process. President Nixon deserves the support of all Americans in his efforts to bring a workable peace to Southeast Asia.

Mr. KING. Mr. Speaker, President Nixon's Vietnam statement to the American people last evening further emphasized that his major concern is to end the war in Southeast Asia.

While reassuring the people of South Vietnam that the United States will not disgracefully pull out of Vietnam unilaterally, he did hold out promise that the time was approaching when South Vietnamese soldiers could replace American soldiers on the battlefield. The President's two-pronged plan for mutual withdrawal and free elections in Vietnam is justified and reasonable and I hope his proposal will be accepted by the North Vietnamese.

As mentioned in the President's statement, the American people are growing impatient with this war especially since American boys are losing their lives. The Paris peace talks began over a year ago and the number of American lives lost in Vietnam is now approaching 35,000.

I admire the strength and courage shown by President Nixon in exerting every effort to end this vicious drawn-out conflict. It is my sincere hope that the American people will unite behind the President and pledge their confidence and support in his attempt to find a reasonable settlement to this war.

Mr. PIRNIE. Mr. Speaker, last night the President gave to the Nation and the world the most forthright statement on our Vietnam policy that has ever come from the White House. It was an excellent presentation, one that placed the cards on the table for all to see.

There were no promises, no optimistic predictions, just plain, simple talk that was easily understood. It was the personification of credibility.

The leader of this great Nation has stressed the determination of America to achieve a just and honorable peace in Vietnam at the earliest possible date. He has emphasized our will to gain this worthy goal. He has outlined a workable plan, deserving of immediate study and a favorable response from the negotiators in Paris. He has emphasized our willingness to cooperate. We will remain sufficiently flexible on procedures but firm on principles.

Last night our President was a symbol of leadership; forthright, sincere, flexible, determined, credible, and realistic. May the leaders of the Hanoi government and all governments around the world respond in kind.

Mr. MORTON. Mr. Speaker, anyone who has ever been involved in negotiations—in labor, in business, in international affairs—knows two principles must be followed if success is to be achieved.

First, you must narrow down the areas of disagreement. Then you must open up new approaches to solutions which permit both sides to move away from frozen positions.

The President has followed these procedures in developing his peace plan. The Nixon plan strips the issue down to its bare essential—the freedom of the South Vietnamese people to choose their own form of government. That is bedrock. Furthermore, it is a position both sides can adopt as their own.

Next, the Nixon plan opens the door to a room with a dozen other doors to peace. He insists on no particular approach, although he offers a sound one. He provides some "give" in the rigid formulas of negotiation—some facesavers, some ways out of a deadlock which do not require surrender by either side.

The President's proposals offer a sound basis for negotiation. His offer represents a practical approach to the solution of the greatest problem in the world today. Here is strong evidence of a President interested in getting results—no saber rattling, begging or sloganeering, but rather pragmatic reasoning.

In my view, this is the way out of the morass in Vietnam. The President holds firmly to his principles, and offers a variety of solutions to the other side. This is the way to bring about a peace we all can honor.

Mrs. DWYER. Mr. Speaker, the American peoples—for whom peace in Vietnam must be the Nation's most immediate objective—have reason to be more hopeful about the prospects and more confident of American leadership as a result of President Nixon's address to the country last night.

While many of us had hoped for something more positive in terms of deescalating the fighting in Vietnam and providing for an initial withdrawal of some American forces, there was, nevertheless, much that was encouraging in the President's speech.

Conciliatory in tone, constructive in approach, flexible in its terms, the President's policy statement—his first comprehensive statement on Vietnam, it should be noted—will, at the very least, contribute to greater progress of the Paris negotiations. It was the kind of speech designed to carry on the dialog and elicit further response from the other side.

What that response will be, we can only speculate. But the President has clearly moved the U.S. position forward. He has ruled out a purely military solution to the war in Vietnam. He has committed the United States to the acceptance of the results of elections in South Vietnam, so long as they are free and fair and represent the will of a majority of the South Vietnamese people. And he has agreed to consider alternative proposals from the North Vietnamese.

Of special significance to me, in view of my own often-stated position, was the President's openness to the possibility of a mutual cease-fire in Vietnam, his proposal for a mutually acceptable international team to supervise a cease-fire or the withdrawal of forces, and his specific proposal for the phased withdrawal of all outside forces within a given period of time.

The President's speech, Mr. Speaker, has brought us inevitably to what we all must earnestly hope will be the next step—an early next step—an end to, or a substantial reduction in the scale of the fighting in Vietnam. That beleagured nation has suffered too much and we ourselves have spent too freely of our human and physical resources to permit the war to continue a single unnecessary day.

The fact that the President expressly recognized the vastness of the human suffering which this lamentable war has cost to all concerned gives me, personally, greater hope for the future than I have had in many, many months.

Mr. TAFT. Mr. Speaker, I want to commend the President for his forthright statement on the Vietnam conflict. It was a hopeful statement as well as a realistic statement. By putting the success of his administration on the line relative to peace, he has proved his sincerity.

Now, whether this peace formula, which is reasonable and logical to our Western mind, is acceptable to the North Vietnamese is another matter. Only time will tell.

However, to meet a possible rebuff from Hanoi, the President farsightedly has taken a flexible position in regard to diplomatic negotiations and he has stated his willingness to consider other approaches consistent with our principles.

Another feature of the President's speech that was pleasing to me was the inclusion of Laos and Cambodia in the area of settlement. He gives full recognition to the degree of Communist infiltration in those countries, and he acknowledges the fact that an agreement dealing solely with Vietnam would be only a piecemeal settlement in the troubled southeast peninsula of Asia.

Mr. BURKE of Florida. Mr. Speaker, I applaud President Richard M. Nixon on the forthright and earnest proposals he put forth to the American people, and to the world, last evening in his efforts to achieve a lasting peace in Vietnam. The sincerity of his efforts to bring about a peaceful settlement to end this "blood bath" is a great step toward reason.

The President's suggestion that the South Vietnamese decide for themselves how and who should govern them without outside interference and agitation from Communist forces, or anyone else for that matter, is only fair and proper.

I agree with Mr. Nixon, that the time has long passed for any debate on the reasons why our country is involved in this war, or why the war has been fought and carried on as it has over the years. He proposes no further stalemate, but he proposes instead an orderly withdrawal of all outside military forces from Vietnam, including our own, with the understanding that the people of South Vietnam then vote on their own future.

The President's proposal therefore is a simple, honest approach toward ending the war as swiftly as possible. If the Vietcong or other outside Communist elements do not choose to honor or consider the President's offer as a solution, then the world will know once and for all that the Communists truly have as their ultimate goal the destruction of all those nations which prefer a free democratic government in the place of the heel of Communist dictatorship.

Mr. LUJAN. Mr. Speaker, the President of the United States has placed before the world a reasonable and logical approach toward peace in Vietnam. President Nixon's proposal is based on the desire of Americans to bring the Vietnam war to an end, honorably and permanently.

It is also based on our Nation's traditional policy of fairness and generosity toward our foes.

Above all, it displays a refreshing candor, a welcome frankness and a painstaking honesty on the part of the President that is truly reflective of the basic character of our people. President Nixon's eight-point proposal is clear in its meaning, mechanically workable, honorable in its intent and straightforward in its goals.

Mr. Speaker, the President has set the face of America toward peace, but he has made it clear that our armed might will remain ready to crush any rashly conceived military adventures by the enemy during negotiations.

The President has asked for the support of all Americans as our Nation embarks on this newly charted course. It is imperative that we demonstrate our support so as to prevent the enemy from misreading this proposal as a sign of national weakness.

I urge all of my colleagues to set an example for the rest of our people by rallying behind our President today, to let the world know we are one in our resolve, and to exercise patience and restraint—coupled with firm resolve—while he negotiates this proposal with the enemy.

Mr. RHODES. Mr. Speaker, the President stated well the theme of his address to the Nation when he said, "I want to end this war."

An end to the war does not mean a postponement; an end to the war does not mean a simple withdrawal of our forces from Vietnam to leave the battlefield to other adversaries. An end to the war means that the fighting, and its reason for being, will cease to exist. When that occurs we shall see peace in Vietnam.

The President wants to end this war and has pledged himself to do so. In so doing, he has removed every conceivable roadblock to the path of peace. In his words, we have no preconditions; we have no requirements. We have only one basic principle which we will not abandon: the final decision must reflect the free choice of the people concerned—the Vietnamese. That is a principle for which we continue to stand. But that is our only interest—we seek no bases or military ties, we insist on no particular form of government or upon any particular diplomatic formula.

The President has offered to withdraw our troops immediately, provided that we have some kind of assurance that North Vietnam will do the same, whether it chooses to acknowledge that it has troops in the South or not.

The President has made a pledge of peace and has done everything in his power to bring it about. But, Mr. Speaker, the hard fact remains that he cannot do it alone.

First, he cannot do it without the North Vietnamese and the NLF. Until the enemy desires to stop the fighting, then the fighting will continue regardless of any peace proposal we may put forward.

Second, he cannot do it without the support of the American people. The President stated that if he fails to achieve peace he expects the American people to hold him accountable for that failure. I suggest, Mr. Speaker, that this responsibility and the possibility of failure rests with every American. We must stand resolved that our quest for peace will be energetic and unceasing. But we must resolve also that the principle of free self-determination, for which 35,000 Americans have given their lives, is one that we will not abandon.

I stand by our President. With the understanding that "our fighting men are not going to be worn down, our negotiators are not going to be talked down," and "our allies are not going to be let down," we will have an enduring peace in Vietnam.

Mr. ROBISON. Mr. Speaker, I should like to commend the President for his honest and forthright report to the Nation last evening concerning Vietnam.

Although, as he properly warned us, the road ahead in Vietnam—and at Paris—is still a hard and dangerous one, I believe there is substantial reason now to begin to believe that it is not as long as it was. It is important—and the President is obviously keenly aware of this—not to raise false hopes, but there is encouragement to be gained from the evident fact that both sides to this tragic conflict are now making and considering new initiatives leading to its conclusion.

When, and exactly how, that so-desired event will take place cannot yet be foretold. It was therefore necessary for the President to ask the American people to be patient yet awhile—as I believe they will be—and I would point out the importance of their also considering giving Mr. Nixon their full support in carrying out his program that, in

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his words now, "can lead to a peace we can live with and a peace we can be proud of."

For it is precisely true—as the President said—that if that support is forthcoming "nothing could have a greater effect in convincing the enemy that he should negotiate in good faith."

Our Government has now made a realistic, generous, and yet still flexible offer for the appropriate settlement of this conflict. It was a clear signal—and one in which the American people can and should join. Having done that, we can then only hope that our signal is not missed or misread by the other side.

Negotiations of this sort can never be fully conducted in broad daylight. Put another way, in their sum total they are rather like an iceberg in that only a small portion of them are ever really visible. Take, for instance, this question of troop withdrawals—which Mr. Nixon now properly says should be "mutual." It is, I suspect, altogether likely that no such agreement can ever be publicly worked out so that—though it is surely desirable to attempt it—no timetable for mutual withdrawals may ever be formally announced. Still, as the President said, he is prepared—and we should support him in this—to "take some risks for peace."

It is no secret that the new administration is working as fast as it can to "de-Americanize" the war; that is, to shift back to the South Vietnamese the major responsibility for fighting what is still, essentially, their war—a responsibility I believe we should never have taken over.

By arrangement, then, with Saigon—and we are working toward this—American troops can be, and before year's end, I believe, will be withdrawn. This would have to be gradual in nature and carefully calculated, with probably supply forces being first withdrawn, and it might appear more in a decline in the rate of reinforcement than ever in the actual withdrawal of any single unit. But, however, it may be worked out, each such step down on the American side would be a further signal to the enemy to which one would hope he would respond. Again, that response might never be wholly visible for it, too, would be gradual in nature rather after the fashion by which, since the end of our bombing attacks, the actual level of violence in Vietnam has been steadily declining even though guerrilla activity has been sustained by the enemy at an unfortunately high level in order, probably, to gain such political advantage therefrom both in Saigon and here at home as was possible.

Speaking for myself, I would urge upon the administration that it expedite, as rapidly as reasonably possible, this form of deescalation of American effort, as one of those risks for peace. And this I believe should be attempted even though there are no immediate signs that progress is being made toward settlement of those difficult questions that will have to be answered before the arrangements for the actual political settlement of the war can be worked out. In this connection, inasmuch as one obvious sticking point will be over whether or not there need be—to satisfy Hanoi—some form of coalition government set up in the south prior to the effort at new, internationally supervised elections, I would also urge the administration to give consideration to the recent suggestion not for a coalition government but a coalition electoral commission, in which representatives of all political groups in the south—the Saigon Government, the Buddhists, the neutralists, and the like—would participate. As this idea has been described, such a commission, in effect, would be the government for all matters concerning the anticipated elections, and such international agency as is eventually brought into the picture could either actively participate in the work of this commission or supervise it from the outside.

As the New York Times said, editorially, about this the other day:

> Many months could be wasted in Paris wrangling about what sort of government will conduct the elections. But it is evident that neither side will accept government by the other or turn over full responsibility to Vietnamese or international neutrals. They will (therefore) have to join together in this task (and) an electoral commission offers the best way to bring about that coalition.

Mr. Speaker, as I said earlier, this is no time for raising false hopes—we have had far too much of that. But, at the same time, I believe there is ample reason for optimism that a corner of sorts has been turned. I am convinced the President has been moving firmly in the right direction, and he has my full support.

As one columnist has just written:

> If there is no light at the end of the tunnel yet, there is at least a tunnel.

And for that, I believe, we can be grateful to President Nixon.

Mr. HOGAN. Mr. Speaker, President Nixon has demonstrated in his first major address to the American people on the war in Vietnam that his administration has considered in detail all of the alternatives for the U.S. foreign policy with regard to the war. In my opinion the President has chosen the most appropriate approach and has clearly stated his policy objectives.

I fully support the President in the stand that he has taken and I urge that all Americans give thoughtful—and prayerful—consideration to his significant proposals. President Nixon spoke for all sane Americans when he earnestly expressed our desire for peace and in the proffering of the olive branch with eminently reasonable conditions he should receive the full support of his fellow countrymen. The time for dissent is past. As the President himself has said:

> We can have honest debate about whether we should have entered the war in Viet Nam. We can have honest debate about how the war has been conducted. But the urgent question today is what to do now that we are there.

It is absolutely imperative that we not frustrate the continuing efforts of the Paris peace negotiations. While we are daily discouraged by the seemingly futility of those negotiations, the President has made it clear that a purely military solution on the battlefield is now completely ruled out. As a result, negotiation must be continued in the hopes that it will promptly lead to a cessation of the useless killing. So long as such communication is continued, a military solution will not be a valid alternative.

Hopefully, the administration has achieved a new sense of harmony between Saigon and Washington which will ultimately lead to more fruitful sessions in Paris. Finally, it must be pointed out that there are now two open, authenticated, and public statements by two parties to the negotiations which should lead to a clearer basis for new initiatives. While there are still major points of dissension between the proposals set forth by President Nixon and those of the National Liberation Front, it is important to note that there is a wide margin of agreement as well.

President Nixon has clearly indicated our desire for peace. If this desire is shared sincerely by North Vietnam and the Vietcong, peace will at long last come to this troubled country.

I urge that all Americans take this opportunity to stand behind a positive approach and allow it a chance to succeed where the negativity of dissent has failed.

Mr. DON H. CLAUSEN. Mr. Speaker, I believe I speak for millions of Americans and concerned people throughout the free world in applauding the initiative by President Nixon last evening to bring peace in Vietnam.

In so doing, the President has outlined a bold, positive, and specific approach on which the United States proposes the mutual withdrawal of all non-South Vietnamese forces, a supervised cease-fire, and self-determination for the people of Vietnam without outside intimidation, domination, or aggression.

One of the most significant aspects of the President's speech, in my judgment, was that, while we are willing to discuss a political settlement, our first thought and consideration must go toward stopping the killing on both sides. To this end, our President has said that this country will accept a settlement whether formally negotiated or merely mutually agreed to.

Now, just what is the significance of the President's proposal?

First, I think it presents a formidable challenge to the negotiators in Paris to get "off dead center" and deal with specifics—something that has been sadly lacking up to this point. Second, it constitutes a viable position on which to bargain from. And third, it represents a basis for determining the sincerity of North Vietnam and the National Liberation front as to their desire for peace and their willingness to accept at least some concrete proposals from our side regarding a settlement.

As one who, for several years, has advanced the "phase-in/phase-out concept" for resolving our country's overinvolvement in Vietnam, I have observed the remarkable progress made by this administration to encourage the Saigon government to assume a greater share of the overall security and combat re-

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sponsibilities that, for too long, have been largely assumed by the United States.

I am extremely pleased at the forward progress which has been made to strengthen and update South Vietnam's military forces. Issuance of and training in the most modern weapons for their combat units is nearing completion, previously nonexistent artillery units are now an integral part of the South Vietnamese army, more and better naval vessels have been turned over to their navy, and their air force has been upgraded and enlarged. In addition, leadership, morale, and esprit de corps have been greatly enhanced in South Vietnam's overall security forces.

In his address to the Nation last night, President Nixon said that we were rapidly approaching the time when South Vietnam will be in a position to shoulder their fair share of the combat and security responsibilities. This, in my judgment, will provide additional alternatives for the President to consider in the near future.

In essence, then, I believe the President's proposal last night may well indicate where we go from here and whether or not the Communists are negotiating in good faith or merely stalling for time in order to gain a tactical advantage.

What is really important, in my judgment, is not how Hanoi responds to our President's proposal, but how the American people respond. Up to now, Hanoi's negotiators in Paris have had the unique advantage of believing and even negotiating on the basis that many Americans supported or at least sympathized with their position.

Hanoi can and undoubtedly will forthrightly reject President Nixon's positive and forward-looking proposal as part of their "wait and see attitude." They are waiting to see what the American reaction and world opinion will be to President Nixon's offer and, thus, we as a Nation, are about to be tested.

Our President has asked each of us to unite behind what I sincerely believe is a just and generous proposal to end the war in Vietnam. He has, in so doing, admitted that his own political future is "on the line." Therefore, at this critical juncture in our Nation's history, I submit that the time has come to lay aside the fixed, polarized positions of the past and to consider the President's proposal carefully.

If this President, or any President, is going to stop the fighting in Vietnam and restore peace in Southeast Asia, then we, as Americans, must get behind our President and let the entire world know in no uncertain terms that we share and support his desire to unite this country behind that common goal.

GENERAL LEAVE TO EXTEND

Mr. GERALD R. FORD. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks in the RECORD on the President's speech, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

A RESOLUTION CALLING ON THE PRESIDENT TO CALL FOR AN IMMEDIATE CEASE-FIRE AND THE FORTHWITH WITHDRAWAL OF 100,000 U.S. TROOPS FROM VIETNAM

(Mr. KOCH asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include a resolution.)

Mr. KOCH. Mr. Speaker, I must disagree with my colleagues who have risen to praise the President's statement on the war in Vietnam.

Mr. Speaker, I listened very attentively last night to the President's proposals on Vietnam. In fairness, one must say that there was some slight difference between those made last year by President Johnson and those made last night by President Nixon. But the best that could be said in praise of the new proposals is that they are too little and too late. What we needed to hear from the President was not a call for a mutually staged withdrawal over the next 12 months which has been the subject of unsuccessful negotiations for the last 13 months at a cost in American lives since March 31, 1968, of 13,754 men. Rather we should have heard a clarion call from President Nixon for an immediate cease-fire to save the lives of the young men of this country who are dying daily on the battlefield, as well as the lives of those other young men, loved by their families on both sides of the war, the parents and wives of whom weep daily, especially those who receive the all too frequent notices of death.

Recognizing all that has gone on, surely at this point the President could and should direct the immediate unconditional withdrawal of at least 100,000 of the more than 500,000 of our American troops now in Vietnam. If the South Vietnamese are not willing to fill the gap with their own men then they are not worthy of our continuing support.

In the last political campaign to win the Presidency, Richard Nixon told us that he had a plan to end the war. If such a plan really existed, it is still the best kept secret of the century.

The killing in Vietnam must stop, and rhetoric alone will not bring the war to an end.

I am intruducing today a resolution calling upon the President to forthwith propse an immediate ceasefire and to commence the withdrawal of 100,000 American troops without prior condition. I hope that my colleagues will join in this resolution with me. It follows:

H. CON. RES. 256

Resolved by the House of Representatives (the Senate concurring), That it is the sense of Congress that the President should call for an immediate cease-fire and should direct an immediate unconditional withdrawal of one-hundred-thousand United States troops from Vietnam.

RESOLUTION COMMENDING SECRETARY STANS

(Mr. DORN asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. DORN. Mr. Speaker, today I am introducing a House resolution commending Secretary Maurice Stans for his mission to Europe and now to Japan and the Far East.

Our distinguished and able Secretary of Commerce realizes the danger of our unfavorable trade balance with Japan and is taking positive action before it is too late. The Secretary is undergoing a gruelling schedule, long hours and painstaking efforts to promote fair and truly reciprocal trade with our friends in Europe and Asia. Mr. Stans' efforts are encouraging to our vital textile industry and its more than 2 million employees.

Mr. Stans is giving special attention to the deteriorating textile situation. The United States has not had a favorable textile trade balance since 1957—12 years ago. While textile exports since 1957 have increased by about $170 million, from $525 million to $694 million, imports have soared from $562 million to $1.8 billion. This left us with a textile trade deficit in 1968 of $1.1 billion and the gap grows wider every year. Textile imports reached a record monthly level of 362 million equivalent square yards in March. The March level was 45 percent higher than March 1968. A particularly large increase occurred in manmade fiber textile imports, which were 71 percent higher than in March of last year and the first quarter total was 24 percent higher than the 1968 first quarter total.

Mr. Stans' great efforts to promote orderly trade in textiles is the first major effort at the administration level to promote a fair solution to this problem since President John F. Kennedy's famous seven-point program. I wish Mr. Stans every success in promoting orderly fair trade, mutually advantageous to all concerned, and in that effort he will have the support of the Congress and the American people.

CREATION OF A FEDERAL HIGHER EDUCATION MEDIATION BOARD

(Mr. WOLFF asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. WOLFF. Mr. Speaker, the Federal Government cannot sit by passively as our campuses continue to erupt in violent outbreaks of rebellion. We must act to control this damaging trend in which violence has taken the place of reasoned discussion.

To accomplish this end I have proposed to the President the creation of a Federal Higher Education Mediation Board. This Board would be composed of students, parents, educators, Government officials, and outstanding Americans from private life.

The Board could mediate disputes at institutions of higher learning when called into such disputes by either the students, administration, or faculty at any institution faced with possibility of violence.

I sincerely believe that such mediation efforts, that have proven their worth time and again in labor-management disputes, could resolve many disagreements with the potential for violence.

With the situation on the campuses having deteriorated so very much this

certainly seems like a minimum effort the Federal Government might make to improve the situation.

RIGHT OF 18-YEAR-OLDS TO VOTE IN NEW JERSEY—NOVEMBER REFERENDUM

(Mr. HOWARD asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HOWARD. Mr. Speaker, a few moments ago the New Jersey State Assembly, acting in Trenton, passed a concurrent resolution which will provide this November for a referendum by the voters of the State of New Jersey to provide 18-, 19-, and 20-year-olds of the State of New Jersey the right to vote in future elections.

Mr. Speaker, it was our great Governor Richard J. Hughes who, in 1967, led the way to have this 18-year-old vote proposal included in the platform of the Democratic Party in the election of that year.

The State Senate of New Jersey, has already passed this resolution by a vote of 30 to 0. The State Assembly in New Jersey passed it today.

Mr. Speaker, I want to say I am proud of our legislature in my State of New Jersey and I am very proud of our Democratic Governor.

I think this is a great step forward which will show that the people of New Jersey are progressive and are fair-minded people. I am sure that we will be able to be proud of the people of New Jersey for the action they will take in supporting this referendum next November.

The SPEAKER. The time of the gentleman has expired.

VIETNAM

(Mr. RYAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. RYAN. Mr. Speaker, last night the President of the United States spoke of a mutual withdrawal of troops from Vietnam staged over a 12-month period.

Mr. Speaker, if we are really serious about bringing this tragic war to an end, our action should not depend upon the action of North Vietnam. Rather we should immediately begin a withdrawal of at least 100,000 troops.

The longer this war continues, the more American and Vietnamese fighting men will lose their lives, and the greater the destruction and suffering of the civilian population in Vietnam will be.

While the Paris peace negotiations have dragged on over the course of the past year, over 10,000 American servicemen have been killed. The Vietnam war is the third costliest in our history, surpassed only by the two World Wars and the Civil War, in death and destruction. How many more American men will be killed during the 12 months the President believes will be required to achieve a mutual troop withdrawal? Whatever the number is, it will be far too many.

On March 26 on the floor of the House I outlined a three-point program for ending the war, which included the immediate withdrawal of 100,000 U.S. troops. This would persuade North Vietnam that the United States really intends to remove its troops from Vietnam and thereby provide a basis for a breakthrough at the Paris talks.

In his speech last night, President Nixon asked the Nation to support "a program which can lead to a peace we can live with and a peace we can be proud of." But this Nation should not be asked to support a program which contemplates the unnecessary continuation of the war for another 12 months and which, moreover, perpetuates the idea that our continued military presence in South Vietnam is either necessary or warranted. President Nixon spoke of the responsibility to see that our fighting men will not have died in vain. I think the first responsibility should be to see that no more die in vain.

The administration's request for supplemental appropriations in support of the war in Vietnam will be before the House next week. Congress should refuse to vote any additional funds for the prosecution of the war and make it clear to the President that the conflict in Vietnam must be ended now—not 12 months from now. For every day that the war is allowed to continue, more American and Vietnamese will be made to pay for a mistaken policy with their lives.

VIETNAM WAR

(Mr. WHALEN asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. WHALEN. Mr. Speaker, President Nixon addressed the Nation last night on the subject of the Vietnam war.

In his remarks, the President kept faith with the American people in demonstrating his profound commitment to achieve peace in Southeast Asia. The resolution of that conflict is the first order of business for the new administration. The war, as Mr. Nixon made quite clear, is the greatest problem facing this country today.

As the President suggested, we cannot expend our energies in fruitless discussion of why we are in Vietnam and what has happened in the past. The fact is that we are there, that 35,000 Americans already have lost their lives, and that a negotiated settlement is the only answer.

The President faces a most difficult task in bringing the hostilities to a close. His proposal for a mutual and simultaneous withdrawal of forces from South Vietnam is a means of achieving that goal.

I am sure, Mr. Speaker, that every Member of the House, regardless of party, hopes that this will be the initiative that will break the dike.

I would like to say also, Mr. Speaker, that the President is to be commended for his frankness in bringing this most serious issue directly before the public after less than 4 months in office. His action reflects an understanding of the mandate of the people, as expressed in November, to terminate the war and to take the public into his confidence.

FOR A NEW MOMENTUM

(Mr. ADAIR asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ADAIR. Mr. Speaker, the President has cleared the air of the propaganda smog and self-serving statements that have bogged down the Paris peace talks.

Acting at the moment that only he could know was propitious, he has laid out clearly what the U.S. Government is doing to end the war; what our basic objective is; and a plan that comes to grips with the realities of the negotiation.

This was not a speech to stand on; it was a speech to move on.

It calls to mind Woodrow Wilson's great principle, "Open covenants, openly arrived at." Of course, there will be confidential discussions to make real progress on details—but the great principles are there in the open to be considered in the court of world opinion.

It was Wilson, too, who formulated the great principle of the self-determination of nations. That is what the negotiations in Paris are all about.

The President has added an element of urgency and frankness to the negotiations that could well be historic. He has made it clear that time is on nobody's side. He has opened up a wide variety of approaches that serious negotiators can find fruitful.

In my opinion, this will go down in history as one of the great efforts at peacemaking by a world leader. If it is met in the spirit in which it was offered, a new momentum will be on the side of peace in Vietnam.

PRESIDENT NIXON TO HO CHI MINH: "YOUR MOVE"

(Mr. BRAY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BRAY. Mr. Speaker, President Nixon's report to the Nation last night has left the next move up to Hanoi and to Ho Chi Minh. The President gave the American people no false hopes, no magic formulas, no over-optimistic predictions, like we have had in the past and seen dissolve before our eyes. He told it like it is.

Speaking as Chief Executive, he told the world the American position. Speaking like a man, he told his fellow citizens, the American people, that the responsibility and accountability was his.

The President will no doubt be attacked and criticized, both at home and abroad, for not yielding further to the Communists. Such a course would only mean in the end shame and surrender for the United States, and slavery and slaughter for South Vietnam.

Perhaps the "peace at any price" crowd prefers this, but I am sure the American people do not. And neither does their President.

PRESIDENT NIXON'S REPORT ON HIS INITIATIVES FOR PEACE IN VIETNAM

(Mr. HARSHA asked and was given permission to address the House for 1 minute.)

Mr. HARSHA. Mr. Speaker, President Nixon's report on his initiatives for peace in Vietnam was heartening to the American people.

It was clear, candid, concise, and conciliatory; it was reasoned, reasonable, and realistic; it was intelligent and intelligible.

It emphasized his desire, his readiness, "to withdraw our forces" from South Vietnam, asking "only that North Vietnam withdraw its forces from South Vietnam, Cambodia, and Laos, into North Vietnam."

It left no doubt that the only factor Mr. Nixon considered nonnegotiable was the right of self-determination of the people of South Vietnam.

Mr. Nixon spoke with no emotion but the emotion of sincerity; he spoke with no argument but the argument for "true and lasting peace."

It was a speech befitting a great President of a great Nation. Mr. Nixon's initiatives should indeed pave the way for a purposeful solution to Vietnam.

PRESIDENT SETS FORTH BLUEPRINT FOR PEACE

(Mr. BERRY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BERRY. Mr. Speaker, the radio and television address of President Nixon last night was, in my judgment, one of the great speeches in American history. He made clear to the world his determination to end the war in Vietnam with honor, and he set forth a blueprint for peace.

Some of the quotes I am sure will live as threads woven into the Vietnam fabric, such as, "a great nation must be worthy of trust."

Again, referring to the sacrifices that have been made in Vietnam, he said:

> It is our responsibility to see that they will not have fought in vain.

The President was precise in stating the principles and policies of this Nation. It would seem to me that his statement should put an end once and for all to the constant carping of a few people in high places who, by their utterances, are giving the enemy the impression of what the President referred to as a "collapse of American will."

We applaud the President for his continued forceful, compassionate, realistic, sound leadership, and join in supporting his pledge for peace.

PRESIDENT NIXON'S PROPOSAL FOR PEACE IS COMPREHENSIVE, FLEXIBLE, AND HUMANITARIAN

(Mr. WYLIE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WYLIE. Mr. Speaker, President Nixon's proposal for peace in Vietnam was most reassuring. It was comprehensive, flexible, and humanitarian. It was a levelheaded statement calmly presented which has characterized every action of our President. This is not the time for precipitous, hip-shooting decisions.

There is no way the President's statement could be interpreted as a call for the escalation of the war. Rather, it displayed a conscientious desire to escalate the peace. Yet, the President's statement could in no way be construed as suggesting defeat. The essentiality of prearrangement or agreement before withdrawal was made clear.

President Nixon has taken a position which all Americans intent on an honorable end to the war in Vietnam can rally round.

PRESIDENT COMMENDED FOR EFFORTS TO END TRAGIC CONFLICT IN VIETNAM

(Mr. CARTER asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. CARTER. Mr. Speaker, as one of the first men to speak out on the floor of this House that the war in Vietnam was the most ghastly and costly military mistake in the history of the United States, I wish to commend the President of the United States on the efforts he is making to end this tragic conflict.

If one listened to the speech of the President and its tone, he must have been persuaded that the President is doing all in his power to bring the war to such a conclusion that the people of that area will be able to choose the type of government which they want, with no direction from the United States as to what type this may be.

It is my fervent hope that this country shall in the future adhere to the advice given by Lincoln when he said:

> Let us have faith that right makes might, and in that faith let us to the end dare to do our duty as we understand it.

Basing our actions on this premise, our country will be involved in no future wars in Southeast Asia, and our young men will be permitted to follow peaceful pursuits and their lives flow as peacefully as the streams by which, as youths, they once sported.

THE PRESIDENT'S APPROACH TOWARD PEACE IN VIETNAM

(Mr. LUJAN asked and was given permission to address the House for 1 minute.)

Mr. LUJAN. Mr. Speaker, the President of the United States has placed before the world a reasonable and logical approach toward peace in Vietnam. President Nixon's proposal is based on the desire of Americans to bring the Vietnam war to an end, honorably and permanently.

It is also based on our Nation's traditional policy of fairness and generosity toward our foes.

Above all, it displays a refreshing candor, a welcome frankness, and a painstaking honesty on the part of the President that is truly reflective of the basic character of our people. President Nixon's eight-point proposal is clear in its meaning, mechanically workable, honorable in its intent, and straightforward in its goals.

Mr. Speaker, the President has set the face of America toward peace, but he has made it clear that our armed might will remain ready to crush any rashly conceived military adventures by the enemy during negotiations.

The President has asked for the support of all Americans as our Nation embarks on this newly charted course. It is imperative that we demonstrate our support so as to prevent the enemy from misreading this proposal as a sign of national weakness.

I urge all of my colleagues to set an example for the rest of our people by rallying behind our President today, to let the world know we are one in our resolve, and to exercise patience and restraint—coupled with firm resolve—while he negotiates this proposal with the enemy.

PRESIDENT NIXON'S SPEECH ON VIETNAM

(Mr. RUTH asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. RUTH. Mr. Speaker, last night our President came before the American people and the world to state the purposes of the United States in South Vietnam. After hearing his speech all Americans should have a better understanding of why we are there. He went beyond a presentation of a clear and informative picture of the Vietnam war. He made new, important, and substantive initiatives for ending the war. The steps are in the right direction and should have the effect of uniting our people to see us through more hard bargaining to an honorable settlement. Mr. Nixon's statement made clear the difficulties in solving this conflict. But his proposals were flexible enough to provide wide areas of compromise without surrender of basic principles. The speech offered a timetable for withdrawal of forces and means for establishing peace. But most of all it offered new hope that this administration is determined to end this war and turn America's energies to the problems of America and the challenges of peace.

PRESIDENT NIXON'S SPEECH ON VIETNAM

(Mr. MAYNE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MAYNE. Mr. Speaker, President Nixon's forthright proposal of last night for mutual withdrawal of forces from South Vietnam will be welcomed by all who sincerely seek an end to the Vietnam war and a durable peace. The President has made it clear to the world that we are willing to meet the enemy more than halfway and have substantially changed

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our position in a sincere effort to get the peace negotiations moving. For example, the President said we will no longer insist on the United States discussing only a military settlement, but are now willing to participate in the negotiation of a political settlement if this is the desire of both the South and North Vietnamese.

With these proposals our President has clearly seized the initiative for peace for our country. He is entitled to the continued support of all American citizens and of our allies in the free world as he continues to lead us toward peace with honor.

SPEECH OF PRESIDENT NIXON ON THE VIETNAM WAR

(Mr. KLEPPE asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. KLEPPE. Mr. Speaker, President Nixon last night clearly indicated his willingness to walk the extra mile toward an honorable peace in Vietnam. If the Communists also want to bring this agonizing conflict to a conclusion, the President has pointed the way. He told it like it is. His assessment of the situation and his statement of the position of the United States put this struggle in perspective. The time for serious negotiation by North Vietnam has come. The time for further impossible demands, threats and recriminations by the Communists has passed. The President recalled his campaign pledge to end this war. He added:

> The fact that there is no easy way to end the war does not mean that we have no choice but to let the war drag on with no end in sight.

I view this not as a threat but as a clear statement of fact. The leaders of North Vietnam and their allies would do well to ponder it.

BILL TO PROTECT ENDANGERED SPECIES

(Mr. HOGAN asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. HOGAN. Mr. Speaker, my distinguished colleague in the Maryland delegation, the Honorable EDWARD A. GARMATZ, has introduced an excellent bill, H.R. 8327, to preserve from extinction selected species of native fish and wildlife indigenous to our beautiful State of Maryland. To indicate my support for this effort, I am introducing today a bill identical to that of Mr. GARMATZ.

In these times of man's increasing encroachment upon nature, it is certainly right to set aside waters and lands in order to preserve them in their natural form for those who come after us and to save the creatures from wanton destruction and eventual extinction.

Not only because of the scientific and the naturalistic benefit, but because of our responsibility to the generations of Americans, of today and of tomorrow, who have every right to enjoy nature's endowments in their pristine form, it is our responsibility to see that these species are preserved.

The natural beauties of Maryland are well known and appreciated, not only by its residents, but by visitors as well, if such beauty is marred, or destroyed, the State will have lost one of its most important and irreplaceable assets.

Therefore, I hope my colleagues will recognize the merits in the endangered species preservation bill and support it.

AMERICAN UNITY TOWARD INVOLVEMENT IN VIETNAM

(Mr. DUNCAN asked and was given permission to address the House for 1 minute, to revise and extend his remarks, and include extraneous matter.)

Mr. DUNCAN. Mr. Speaker, I join in urging the American people toward greater unity in our involvement in Vietnam. Last night we heard one of the most sincere, one of the most objective, a most truthful and realistic statement put to us by an American President.

President Nixon expressed hope for peace, but at no time did he indicate that the United States of America would weaken to the threats and harassments of communism. As he described it, his offer for settling the war is "generous," yet he had not only considered the present but the future of the people of South Vietnam.

The entire world wants peace, even the Communists. However, the kind of peace they seek is one in which they control the entire world. The United States seeks a peace that offers freedom and independence for each nation—freedom for the South Vietnamese to run their own country.

President Nixon delivered one of the best speeches I have heard. He was thoughtful, concerned, and sincere, and he was very specific in describing our commitment, in detailing our proposals for settlement, and in warning that additional casualties and suffering "will affect other decisions." In other words, his message to his country and to the world was that we are willing to end the war on reasonable terms, but we will not give in to a Communist takeover of South Vietnam to attain peace.

A country united behind our President is the contribution we Americans can make toward peace. I say let us pray for peace and let us back our Nation's effort in settling this terrible conflict.

PRESIDENT NIXON'S ADDRESS ON VIETNAM

(Mr. HUNT asked and was given permission to address the House for 1 minute, to revise and extend his remarks, and include extraneous matter.)

Mr. HUNT. Mr. Speaker, I commend the President for his frank and candid message to the American people last evening on Vietnam. It has been a long time since a Chief Executive has been so forthright on this sensitive and controversial issue, perhaps made the more so because the American people in the past have had to piece together bits of information and were left to their own resources to come up with their own interpretation as to what the official position of the United States was with respect to our commitment in South Vietnam.

President Nixon last night clearly and unequivocally stated our essential objective:

> We seek the opportunity for the South Vietnamese people to determine their own political future without outside interference.

A purely military solution has been ruled out, as has a unilateral withdrawal of U.S. and allied forces. The United States is willing, with the concurrence of the Government of South Vietnam, to accept virtually any settlement so long as the political future of South Vietnam is determined by the free choice of her own people. Significantly, a rigid diplomatic formula or treaty is not a precondition to a settlement nor an essential objective, providing that a clear understanding can be achieved with adequate assurances that any settlement will be observed.

For the first time, a definite timetable has been laid out for the withdrawal of a major portion of all non-South Vietnamese forces to be supervised by a mutually acceptable international supervisory body.

The position stated by the President and the explicit proposals set forth are realistic; I believe they are achieveable, given a sincere desire on the part of all interested parties to seek a settlement in good faith based on the paramount recognition that "What is important is what the people of South Vietnam want for South Vietnam."

There should be no misunderstanding on the part of the adversaries as to the intent and resolve of the United States in her commitment to the people and Government of South Vietnam. There is an implicit warning in the President's message, although not emphasized in a manner that would deter from its spirit:

> I must also make clear, in all candor, that if the needless suffering continues, this will affect other decisions.

In conclusion, Mr. Speaker, there was an appeal, an appeal which should be of the utmost concern to all of us here and to the people of this great Nation, whatever one's convictions. These words should be repeated at every opportunity and remembered:

> Nothing could have a greater effect in convincing the enemy that he should negotiate in good faith than to see the American people united behind a generous and reasonable peace offer.

SPEECH OF PRESIDENT NIXON ON THE VIETNAM WAR

(Mr. DERWINSKI asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DERWINSKI. Mr. Speaker, I appreciate the fact that so many Members in a very spontaneous fashion are addressing the House commenting on the President's address of last night.

However, I would like to point out, since this is a practical world, there is one item which I believe the President underplayed yesterday. This is the fact that we are not going to have permanent peace and freedom in the world until the Communists stop their aggression. We ought to keep in mind that the people of South Vietnam are the victims of delib-

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erate Communist aggression against their country. We are not the aggressors there, regardless of the Communist propaganda that may be directed at world opinion. We are not going to have peace in southeast Asia, in Africa, the Middle East, or Latin America until the Communists renounce their drive for world conquest. It is wishful thinking to believe that one noble statement by the President of the United States is going to change the evil intentions of the world's Communist leaders. I certainly hope that we will not be lulled into a false sense of security or hope by the President's great address. As practical and as sound as it was, the real menace to world peace remains the diabolical plans of the tyrants in the Kremlin and Peking. Until they understand that aggression does not pay, the freedom of the world remains in jeopardy.

Furthermore, Mr. Speaker, it is clear that the important thing concerning President Nixon's report on Vietnam is not just what he said but how his words are understood and interpreted at home and abroad.

President Nixon's speech was thoughtful and sober and it revealed necessary flexibility of attitude by the proper reaffirmation of American policy points.

By emphasizing that the North Vietnamese aggressors are asked to withdraw their forces from Cambodia and Laos as well as South Vietnam the President underscores the fact that a solution must be permanent and produce true peace.

He clearly emphasized that the great sacrifices made by American fighting men must be productive of an honest agreement that will have protected the sovereignty of South Vietnam in conformance with our pursuit of international peace and freedom for all people.

SPEECH OF PRESIDENT NIXON ON VIETNAM WAR

(Mrs. MAY asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. MAY. Mr. Speaker, recently I returned from a tour of Vietnam. Many of my colleagues have seen military service and know all too well the harsh outlines of the battlefield. But, this was my first confrontation with the grim reality of a world in war. In that week in Vietnam, I saw the war through the eyes of our military leaders. I saw it through the eyes of the people of South Vietnam. I saw it through the eyes of our boys in uniform fighting in farflung outposts in the jungle. More poignantly, I saw it through the eyes of my own son—a son who has been in Vietnam for the longest and most agonizing 9 months of my life. And, I assume, the longest and most agonizing 9 months of his young life.

In the 3 weeks since my return, I have been desperately searching for the words to create for my fellow Americans the real and graphic picture of what I saw and learned. Last night, President Nixon said those words for me. He told it how it is. With stark candor he told us where we had been, where we were and where we might be able to go.

Mr. Speaker, I can certainly fully understand and respect the motives of those who, in tragic heartbreak over the horrors of war, point in desperation to frantic alternatives. But, I cannot understand those who recommend these alternatives when they have full knowledge that to take these courses would be at the unthinkable cost of the lives of millions of young men yet uninvolved in war as well as those yet unborn.

To the people of America I would say this—your President gave you clear and inescapable truth last night. When you accept that, you must accept that he also presented to the world what the realities of Vietnam dictate can be the only realistic, viable and humane plan to bring about a settlement of this terrible conflict.

The President also said very candidly that we in this Nation could argue the issues of how we got in Vietnam and how we have conducted ourselves since becoming involved. And, of course, we can agree with this. But, to what purpose at this time in our history? To my son, and hundreds and thousands of our young men serving with him, Vietnam is not debatable. They are there because their Nation is pledged and committed. They are there showing some of the most incredible heroism and bravery of any young generation of any war in our Nation's history. And there they must stay until our Nation's leadership, which bears the awesome responsibility of ultimate decision, determines, with all the facts at their command that they can come home.

It is desperately important that we in America fully accept our committal to giving this world leadership toward peace. It is desperately important that we in America recognize our responsibility of protection to generations of people yet unborn. But, above all, the immediate urgency is that every one of our 500,000 men fighting in Vietnam know that we in America are giving them complete and unquestioning support. In his message last night President Nixon spelled out clearly what that support and loyalty required of us—fortitude, patience, understanding and citizenship dedication. It is my hope, my prayer and my belief that our country will give the President and the men in Vietnam all of that.

THE PRESIDENT'S STATEMENT OF LAST EVENING

(Mr. FINDLEY asked and was given permission to address the House for 1 minute.)

Mr. FINDLEY. Mr. Speaker, all Americans, including those like myself who consider our involvement in Vietnam a colossal mistake, should be heartened by the President's statement last evening. The circumstances of his speech, as well as its substance, give new hope to an early termination of our combat operations in Southeast Asia. The formula for withdrawal of our forces was expressed in conciliatory terms. To quote the President, it is not "offered on a take-it-or-leave-it basis." The door plainly was left open for further modifications.

Perhaps what is most important is the fact that the White House gave so much advance billing to the President's remarks. This may indicate that the President has received some advance indication from the North Vietnamese that meaningful steps can now be taken to deescalate the war. With the hope that this is the case, I commend the President for his honest and forthright statement.

THE AMERICAN PEOPLE ARE ENTITLED TO KNOW ALL OF THE RELEVANT FACTS LEADING TO JUSTICE FORTAS' RESIGNATION

(Mr. MacGREGOR asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous material.)

Mr. MacGREGOR. Mr. Speaker, notwithstanding Mr. Justice Fortas' resignation, the American people are entitled to know all of the relevant facts leading to his decision to resign. These facts should be set forth in a proper forum. That forum now need not necessarily be the House Committee on the Judiciary. It could be the American Bar Association or the Judicial Conference of the United States. I would hope that Chief Justice Warren—if he has not already done so—would see fit to release the pertinent portions of Justice Fortas' latest letter of explanation about the Wolfson Family Foundation fee matter. The larger problem of existing ethical standards and morality in high positions in Government has not been solved by the Fortas resignation.

More important than the Fortas case is popular confidence in the quality of governmental service, and in the integrity of high officials. Washington cannot function in the future under the standards of the past.

I have today introduced these two bills:

First. Making it a Federal criminal offense for anyone to pay or to offer, and for any Federal judge, Member of Congress, or policymaking official in the executive branch to receive any sum greater than $500 for a speech, published work, professional service, personal appearance, or otherwise by way of honorarium.

Second. Requiring the quarterly disclosure to the Comptroller General for printing by the U.S. Government of the source and amount of all income received by Federal judges, Members of Congress, or policymaking officials in the executive branch.

WHY THESE TWO BILLS?

First. The bills are designed to solve the ethical problem arising from questionably large fees or honorariums for actual or implied services paid or offered to officials serving the people from high posts in the U.S. Government.

Second. It is also my intent to eliminate secrecy in conflict-of-interest matters by insuring a prompt and full public disclosure of any and all outside income received by any top governmental official.

Third. With the new salary schedule for Members of Congress, Federal judges,

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and top level executive branch officials, the necessity for outside income no longer exists.

Fourth. The American public rightfully expects that the obligations of Government service will occupy the entire working time of key officials.

Fifth. These bills are designed to remove the suspicion that anyone is receiving a monetary consideration for extending preferred or favored treatment—either through means of a vote in Congress, a judicial decision or an executive action.

PRESIDENT NIXON'S REPORT ON THE WAR IN VIETNAM

(Mr. MARTIN asked and was given permission to address the House for 1 minute, to revise and extend his remarks, and include extraneous matter.)

Mr. MARTIN. Mr. Speaker, President Nixon's report to the Nation last evening on prospects for peace in Vietnam was one of the most logical, straightforward, and realistic approaches to the problem which the American people have heard.

The President set forth our Government's position in clear, concise terms, which could be easily understood by all Americans, as well as the North Vietnamese. He presented our Government's position in a forthright manner which would provide for a fair and equitable settlement of the conflict. He was neither conciliatory nor arbitrary. He was firm in his position in regard to the recent increased attacks by the Vietcong.

Many American people are heartsick over this war, but they also want a fair and just settlement of this conflict, and are not quitters. President Nixon's speech, I am sure, hit the right chord with our 200 million people. He is to be commended for his explicit and fair proposals which he so ably enunciated last night.

PRESIDENT NIXON'S REPORT ON THE WAR IN VIETNAM

(Mr. MILLER of Ohio asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. MILLER of Ohio. Mr. Speaker, I rise today to commend President Nixon on his address to the Nation outlining his new initiatives to bring honorable and lasting peace to Vietnam. It was a forceful and well-reasoned expression of this Nation's resolve to end the war while guaranteeing true self-determination for the South Vietnamese people.

During the campaign Mr. Mixon promised a plan to end the Vietnam conflict, and many Americans supported him because of that promise. Last night he stated clearly that ending the war is the paramount goal of his administration. However, he cautioned against a quick or expedient settlement that some people have been advocating. We cannot tolerate a truce that would endanger the free world security posture in the Pacific region.

The President deserves the encouragement of this body and the support of every American citizen in his quest for lasting world peace.

PRESIDENT NIXON'S REPORT ON THE WAR IN VIETNAM

(Mr. WILLIAMS asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. WILLIAMS. Mr. Speaker, I want to commend President Nixon for his most complete and accurate appraisal of the war in Vietnam during his report to the people last night.

Just as the President stated, we are all concerned about this war, and we must terminate this war in a manner that will assure peace in Southeast Asia, and in the world, for years to come.

Of course, we could just pull our troops out of South Vietnam, as some people have suggested, and leave the people of South Vietnam to the mercy of the North Vietnamese and their Communist allies. This would give us a temporary peace. However, this action would only encourage the Communists to start another Vietnam elsewhere in a short time.

Such a unilateral troop withdrawal would encourage Communist countries in further expansion and in their stated aim of world domination.

The President made it clear that we are ready to negotiate, and anyone familiar with our history knows that we are always ready to negotiate and negotiate in good faith. The proposal made by the President that a mutual troop withdrawal from South Vietnam be accomplished is an excellent proposal and should be accepted by North Vietnam and their Communist allies at once.

The President also made it clear that any maneuver on the part of North Vietnam, such as escalating the war in South Vietnam while talking pace, will not be successful. I join with my colleagues in hoping that the North Vietnamese will realize this and will start to negotiate for peace in good faith.

PRESIDENT NIXON: SPEECH ON VIETNAM

(Mr. STAFFORD asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. STAFFORD. Mr. Speaker, President Nixon has, in my estimation, made a concise, relatively straightforward proposal for a political rather than military settlement of the Vietnam war, and I join in lauding his efforts to this end.

This political settlement must, of necessity, be accompanied by mutual military withdrawal, but it is clearly evident at this stage of the prolonged conflict in Vietnam that a political settlement is the only way to gain a meaningful and lasting end to this unfortunate war.

I am still personally hopeful that conditions will permit at least a partial withdrawal of American troops from Vietnam while negotiations for this political settlement are being pursued. I have confidence that President Nixon, as he stated, will continue to take every step possible to end the war.

PRESIDENT NIXON'S SPEECH ON VIETNAM

(Mr. RIEGLE asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. RIEGLE. Mr. Speaker, President Nixon's thoughtful Vietnam statement came at an important time for the Nation. It is essential that our people have a precise understanding of American Vietnam policy and peace plans, particularly given the long and dismal history of the war. His candor was refreshing.

While I support the President in his determined quest for a negotiated settlement, I believe we must be fully prepared to implement new policies should the enemy continue intransigent at the negotiating table. I am convinced that such contingency plans are being developed and set in motion. This is sound and proper.

Let us be absolutely clear on one key point, however. Despite familiar phrases about "meeting commitments," "allies not being let down," and the concern about American withdrawal by the leaders of non-Communist Asia—all of whom are substantially undercommitted in Vietnam in my view—the blunt truth is that the United States is today strategically overcommitted in South Vietnam. We are spending too much American blood and money in Vietnam—and this excessive Americanization is counterproductive both in Vietnam and here at home. This fact burns through all other considerations concerning this problem. Deamericanization must get underway very soon.

As I interpret his remarks, by no means should the President's speech be construed to mean that we are reducing the pressure on the South Vietnamese to reassume full combat responsibility and press forward with long overdue economic and social reforms. Ultimately, the South Vietnamese must fend for themselves and the Government of South Vietnam must move with new urgency now to earn a much broader measure of political support from the Vietnamese people. I urge the South Vietnamese to redouble their efforts at this crucial hour.

While I deeply hold the above beliefs, I recognize that our Chief Executive must try to move this program to solution according to his perceptions and information. As I have personal faith in the President, I join with him in seeking a negotiated agreement for scaling down this U.S. overcommitment. Two weeks ago, I asked in a floor speech that he be given another 40 to 60 days to fully reveal his Vietnam plans and show substantive specific progress toward scaling down the U.S. commitment. I reiterate that call today.

But let us make no mistake about it—time has run out in Vietnam and our people will not, and should not, be asked to wait indefinitely for a desperately needed breakthrough. It must come, and come quickly, in one form or another.

I believe the President and most of his

advisers understand this. Based on this belief I stand with the President in his search for a settlement.

PRESIDENT'S ADDRESS ON VIETNAM

(Mr. HUTCHINSON asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. HUTCHINSON. Mr. Speaker, the President's address to the American people last evening outlined a forthright positive course of action for bringing the Vietnam conflict to an honorable conclusion. He stated again our objective in that embattled land, to assure to the people of South Vietnam the right of self-determination. If the South Vietnamese agree to neutrality, we will respect their decision. Whatever Government results from the free choice of the South Vietnamese we will recognize. We insist on no rigid diplomatic formula. We make no proposals on a take-it-or-leave-it basis. We will consider other approaches consistent with our principles. But let no one confuse our willingness to be flexible in negotiation with weakness or with lack of resolution.

This is a program behind which the American people can unite. The conflict will be shorter if we do. Once Hanoi understands that the American will in the United States is resolute, and that the enemy cannot win through a division of American public opinion what he cannot win militarily, peace negotiations in Paris will move rapidly forward.

PRESIDENT NIXON'S TELEVISION ADDRESS

(Mr. McCLURE asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. McCLURE. Mr. Speaker, President Nixon's televised speech to the Nation last night should meet with the approval of all thoughtful persons. It was a call for national unity over an issue that has divided our people for far too long. The President has gone about as far as a reasonable man dares in dealing with the Communist world, and the enemy should realize the consequences that will befall them should they fail to heed Mr. Nixon's temperate proposals.

Beyond what the President himself has said, I hope that all Americans will unite in firm resolve to back the President's quest for peace. Those who fail to do so can only reduce the possibility of successful negotiations.

Hopefully, Mr. Nixon has returned the spirit of nonpartisanship to the foreign policy arena where it belongs without bombastic rhetoric, without rash promises, without overoptimistic assessments, but with quiet purpose and firm resolve our President spoke from the heart of America. Let us not destroy the possibility of success in these efforts by seeking personal gain in irresponsible dissent.

PRESIDENT NIXON'S SPEECH ON VIETNAM

(Mr. LLOYD asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. LLOYD. Mr. Speaker, last night President Nixon charted a course in the Vietnam war between outright withdrawal from South Vietnam, on the one hand, and increased aggression to achieve a military victory in North Vietnam on the other. His speech comes at a crucial point in this war and in American history. Principal criticism of the speech this morning is from those who seem to favor withdrawal. As to this, the President reemphasized two points, the first being that our withdrawal would risk a massacre of the South Vietnamese, and the second, that to renege on our pledge would threaten our longer term hopes for peace in the world, although it does appear to me that this country has made overwhelming demonstration in Vietnam that we honor our commitments. "A great nation must be worthy of trust," said the President.

The President gave us very little to cheer about in the way of announcing miracles, or even of news of encouraging progress. The fact is that the attitude of the hostile, totalitarian countries of this world today gives us little to cheer about. It is Communist aggression, not American aggression which caused this war in the first place and is continuing it today.

The President set forth specific proposals for negoiation. They reemphasized our commitment to a free choice for the South Vietnamese. If the North Vietnamese are sincere, they will respond now. To Americans he said our objective is to secure a peace we can live with. A peace we can be proud of. The history of this Nation is that under God, we do have the courage, the will, and the ability to achieve this honorable goal. The President fulfilled his obligation to the people in making disclosure of efforts to achieve peace. He deserves the Nation's thanks, both for the quality of those efforts, and for the disclosure.

PRESIDENT NIXON'S REPORT ON VIETNAM

(Mr. ESCH asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. ESCH. Mr. Speaker, last night the President of the United States, in an extremely important report to the people, made a significant commitment of the American Government and the American people to peace. I strongly support the President's commitment and know that the people of the Nation will unite behind his efforts.

In his inaugural address 4 months ago the President said:

> The greatest honor history can bestow is the title of peacemaker. This honor beckons America—the chance to help lead the world at last out of the valley of turmoil and onto that high ground of peace that man has dreamed of since the dawn of time.

In his address last night the President committed this Nation to a course which will win that honor.

The President's proposal is both honorable and achievable. He set peace as our primary objective. We ask for no bases; we ask for no Americanization of South Vietnam; we ask for no permanent stationing of troops. Our only goal is the assurance that the South Vietnamese people are able to choose their own government in free elections. We agree to abide by that decision no matter what it may be. This in the best traditions of our national commitment to freedom.

Perhaps even more important than the words themselves was the President's clear commitment to procedural flexibility—his statement gave real evidence of interest in meaningful negotiations and provided the flexibility to make the Paris talks productive. We are sincere about negotiations. We are sincere about peace.

I know that the people of America will unite behind the President's efforts to find peace. I am today embarking on a program of encouraging the people of Michigan's Second Congressional District to write the President to symbolize their support for peace and for his efforts.

Mr. Speaker, 2 years ago I stood in the well of the House with seven Republican colleagues to emphasize the need for mutual deescalation and flexibility in American policy on Vietnam. The President's message, I believe, embodied those principles. Although the situation has changed since this proposal was first issued, the basic tenets continue to hold true; and I include it at this point in the RECORD:

GRADUAL, RECIPROCAL, IDENTIFIABLE DEESCALATION

(Statement of Republican Congressmen MARVIN L. ESCH of Michigan; JOHN R. DELLENBACK, of Oregon; CHARLES McC. MATHIAS, JR., of Maryland; F. BRADFORD MORSE, of Massachusetts; CHARLES A. MOSHER, of Ohio; RICHARD S. SCHWEIKER, of Pennsylvania; ROBERT T. STAFFORD, of Vermont; and FRANK J. HORTON, of New York, July 10, 1967)

It is disturbing to us that the recent public discussion of the war in Vietnam has polarized into rigidly opposing sides, the one urging military escalation in the hope of a quick settlement of the war, the other urging total withdrawal as the only key to peace. Both of these points of view, in our judgment, reflect their advocates' lack of understanding of the nature of limited war. In addition, they are essentially negative and do not offer any positive approach to the tragic problems of Southeast Asia.

What both sets of critics have forgotten is that the conflict in Vietnam *is* a limited war. This fact imposes special requirements not only on our military planning but on our diplomatic efforts as well.

We do not for a moment believe that the proposal we will make later in these remarks is the only hope for settlement, but we do think that discussion of the kind of diplomatic initiative we will suggest would contribute to a more balanced appraisal of our problems and perils in Vietnam.

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THE NATURE OF LIMITED WAR

The war in Vietnam is a limited war. It is limited in the combatants involved. It is limited in the objectves of the combatants. It is limited in the weapons they use. It is limited in the targets against which those weapons are employed.

Without a clear perspective of the nature of limited war, it may not be possible to devise practical diplomatic and military steps to bring the war to an end.

Many of the comments of the Administration and of both groups of its political critics on the Vietnamese war—both those who would bomb more and those who would bomb less—reflect a failure to comprehend the differences between limited and total war. Those differences are essential to an understanding of which steps may maximize the opportunities for peace.

What are the essential truths about *limited* war?

First, a limited war with limited objectives cannot be ended and cannot remain limited if one side insists on the unconditional surrender of the other. In one sense this is obvious; the weapons and level of force necessary to obtain an unconditional surrender would turn the war from limited to total. In another sense this fact is not so obvious; when objectives and weapons are limited both sides must be willing to compromise if the war is to be ended.

Second, the end of a limited war requires that the combatants that meet at the peace table appear to be equals. If one side were to appear to "lose face" by negotiating, negotiations in a limited war context would not occur. A peace conference between victor and vanquished is possible only when one side wins and the other loses—loses not just face but the war, too. But that means surrender, which in turn means that at least one side has removed most of the limits of its use of military force. In other words, negotiations to end a limited war must appear to be at the initiative of both sides, must appear to some degree to be the result of a military stalemate in which both sides can claim success, and must result in an agreement which each side can convincingly claim as a major achievement in pursuit of its objectives. It is not necessary for the two sides to be actual equals; nor is it necessary for the agreement to be equally valuable to each side; but it is of paramount importance that both governments can make a believable case to their people that will justify both the negotiations and their results.

Third, negotiations to end a limited war are unlikely without an advanced degree of mutual confidence in the word of the combatants. Unlike total war, limited war requires communications between the opposing sides—effective communications of both a tacit and direct form. It is through these communications that each side can understand the objectives of the other side and understand that both these objectives and the weapons used in support of them are genuinely limited. The purpose of the communications is not merely to avoid catastrophe from misundersatnding but also to build the kind of confidence in the sincerity of the other side that will allow negotiations to take place. It is thus in the interest of each side to define its limited objectives precisely, to avoid extravagant public diplomacy which might easily be misinterpreted as mere posturing for public relations purposes, and to be credible by keeping its promises and being willing to listen to the thoughts of others. It would be unwise for anyone to expect that a limited war will end suddenly—by one dramatic gesture which will lead to an immediate peace conference. On the contrary, if such a conference is to happen, it must be preceded by a series of small steps by which each side can test the other's genuine desires and by which each side can clearly demonstrate its own. Without that atmosphere of mutual confidence, negotiations for the end of a limited war are not likely to happen and are even less likely to be successful.

Fourth, it is not possible for one side to fight a limited war and the other a total war. The escalation of one side will inevitably be matched by the other. It is unreasonable to think that if one side has an advantage in available air power and the other in available number of land forces, that either would allow the other to use its advantage without employing its own. It is equally unwise to become preoccupied with the limits you have imposed on your own military forces and neglect the obvious but unused power available to the other side. A decision by either side to remove the limits to the power it employs is a decision to risk the likelihood of total war.

From the perspective of these truths of limited war, the Vietnam positions of the Administration and both sets of its critics are found wanting.

Those who advocate a rapid or steady escalation in the power applied against North Vietnam are convinced that such a course would force North Vietnam to the negotiating table on its knees. Far more likely would be the rapid escalation of the conflict from a limited to a total war.

Among the options still available for Communist escalation in the Vietnamese conflict are: the use of terrorist bombings against Saigon and the civilian populations of other South Vietnamese cities: the infiltration in massive numbers of the very large North Vietnamese standing Army; the use of Communist volunteers in massive numbers from other Communist countries; the opening of a second diversionary military action in Korea to sap Western strength; etc.

Despite its increasing qualifications as a truism, it is nonetheless vital to appreciate that it is not in the United States' interest to become engaged in an unlimited land war on the Asian continent. Escalation which would change the psychological atmosphere of the Vietnam war from emphasis on restraint to emphasis on power would be likely to result in such an unlimited land war. Therefore, it would be wrong.

Those who advocate a sudden and complete halt to the bombing are similarly convinced that this step would have the best chance of bringing North Vietnam to the negotiating table. Unfortunately, this step would also be unlikely to achieve the desired results. Given the history of U.S. policy and the nature of U.S. domestic politics the government in Hanoi is likely to think that the sudden and complete cessation of or even pause in the bombing is either a ruse or a sign of desperation—and in either case the cause of negotiations would not be meaningfully advanced. Making the cessation a pause minimizes its risk and its effectiveness, too. The only positive value a sudden and complete cessation of the bombing of North Vietnam would have would come if the bombing were stopped for such a long time that North Vietnam became convinced of the genuine nature of U.S. motives and had the opportunity to make a diplomatic initiative of its own which would appear to be unrelated to the bombing cessation and would thereby not cause any loss of face to the Hanoi government. But in all likelihood the period of time required would be so long as to involve serious military risks in allowing the re-establishment of free-flowing supply and support channels to the South.

In other words, a complete bombing pause would not prove the genuine sincerity of the United States while a complete bombing cessation long enough to prove the genuine sincerity of the United States would involve a great military risk to the United States.

In still other words, a complete bombing pause would not prove the genuine sincerity of the United States but a complete bombing cessation long enough to prove the genuine sincerity of the United States would not in any way assure the genuine sincerity of North Vietnam. It might, therefore, prove to be a greater impetus to instability than to stability.

While the Administration rejects both of these suggestions from its two sets of critics, its position is also a dubious one. It appears to be unyielding and inflexible—rigidly insisting that the first concrete step toward de-escalation be taken by North Vietnam—dogmatically demanding that North Vietnam demonstrate its genuine sincerity for negotiations before the United States does. It is an attitude which may reflect a misunderstanding of the nature of limited war, for it asks the enemy to risk losing face. The Administration insists on publicly putting the government of North Vietnam on the spot by insisting that she back down first. It is a position which comes dangerously close to changing the atmosphere of restraint to an atmosphere of power—and a limited war cannot stay limited or be ended in an atmosphere of power.

Significant military escalation, sudden and complete cessation of the bombing of North Vietnam, and a rigid devotion to the status quo all fail to meet the limited war criteria of a promising policy to bring about honorable negotiations to end the war in Vietnam.

But does a viable policy option exist? To qualify such a policy must meet the following criteria:

It must not risk expansion of the limited war to total war.

It must not risk significant erosion of the current military advantage of the United States in Vietnam.

It must induce a growing atmosphere of mutual confidence.

It must permit each side the opportunity to claim initiative.

It must not require either side to "lose face."

It must be susceptible to presentation, verification, and implementation through the private channels of diplomacy.

STAGED DEESCALATION

Such a potential policy does exist. The experts would probably call it "staged de-escalation." One variation of it would be as follows:

The United States would agree to halt all bombing in North Vietnam north of the 21st parallel for 60 days.

If during that time the North Vietnamese Government undertook a similarly limited, similarly visible and similarly measurable step toward de-escalation, the United States would immediately halt all bombing in North Vietnam north of the 20th parallel for 60 days.

If within the first 60-day period the North Vietnamese had taken no such step, the bombing would be resumed.

In five such successive steps the United States would gradually cease all bombing of North Vietnam. Each step after the first would be dependent upon a similar de-escalation by Hanoi. If no such step were taken in the first 60 days, the plan would end.

If either side violated its word at any time, the plan would end. (The system should have the flexibility, however, to cause a minor violation merely to set back the timetable rather than necessarily ending the entire experiment.)

The United States should propose the plan to the Hanoi government through private diplomatic channels only. Any public notice

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or acknowledgment of its acceptance or implementation should be made only by mutual agreement.

Those equivalent de-escalatory steps to be taken by the North Vietnamese government could be proposed in the plan by the United States, or could be defined in advance by the North Vietnamese government, or could be accepted one by one as they are implemented. It is vital, however, that clear and precise information about them be communicated so that they can be verified. Obviously, agreement in advance would be preferable in order to assure that what Hanoi thinks is equivalent Washington does also.

Examples of measurable and equivalent de-escalatory steps by the North Vietnamese government might include: the cessation of shipments to and from specific military supply depots in the southern portion of North Vietnam; the erection of barriers on and the non-use of specific supply routes in North Vietnam and Laos along the Ho Chi Minh trail; the withdrawal of all MIG fighters to distant bases in Northern North Vietnam; the cessation of all terrorist bombings in specific areas of South Vietnam; the release of U.S. prisoners of war; etc.

It would be vital not to expect the North Vietnamese to undertake steps which might put themselves at a distinct military disadvantage.

The staged cessation of U.S. bombing, if the plan does not work, can be reversed on a few hours notice. The steps to be taken by North Vietnam should be expected to be of the same nature. It would be unwise, for example, at an early stage in the de-escalatory process to demand or expect, from the North Vietnamese, steps such as the dismantling of their SAM sites, total evacuation of supply depots, or withdrawal of Army units from the South.

This policy of staged de-escalation meets each of the criteria cited previously to maximize the chances for negotiations in a limited war and minimize the military risks involved.

It obviously does not risk expansion of the limited war to total war.

It does not risk significant erosion of the current military advantage of the United States in Vietnam. The greatest military advantage which results from the bombing of North Vietnam comes from destroying targets in southern North Vietnam—supply depots and routes along the Ho Chi Minh and other trails into South Vietnam. By halting the bombing stages, by starting the cessation in Northern North Vietnam and gradually working southward, then by trying each successive stage to equivalent North Vietnamese reductions in support operations to the South, the plan minimizes the military risks to the United States. If a cessation of U.S. bombing north of the 21st parallel were matched by a dismantling of and evacuation from major North Vietnamese supply depots along the Ho Chi Minh trail, and if successive U.S. steps were matched by similar North Vietnamese steps, by the time U.S. bombings were halted in all of North Vietnam, most significant North Vietnamese infiltration of men and supplies into South Vietnam would also be halted. The first U.S. step envisaged in the plan may not be matched by the North Vietnamese—in which case after 60 days all the bombing the United States is now doing could be resumed. Furthermore, the sixty day cessation of bombing above the 21st parallel would effect raids over Hanoi, but would not effect raids over Haiphong or Nam Dinh areas, each of which would be immune from bombing only after the second U.S. step which must be preceded by some significant North Vietnamese de-escalatory step.

The staged de-escalation plan would induce a growing atmosphere of mutual confidence. In fact, the most important attribute of the plan is that each step by each side involves little military risk in itself, is clearly visible to and measurable by the other side, and is dependent upon a previous step by the other side. It is a series of small steps, each of which builds confidence in the genuine sincerity of each of the combatants. If it is successful, at the end of the process not only will U.S. bombing in the North and North Vietnamese infiltration into the South be ended, but a spirit of confidence might have emerged. That spirit of confidence could provide a real opportunity for fruitful and honorable negotiations or for a similar staged de-escalation in South Vietnam itself—or both.

The plan would permit each side the opportunity to claim initiative. The plan calls for nine or ten separate steps, taken alternately by the United States and North Vietnam. Patriots, political scientists, and propagandists in each country will be able to claim that it was the steps taken by their government which led to the other side taking similar steps. Each side can claim—and do so justifiably—that its initiatives paved the way toward peace. It is a flexible system through which both sides can equally contribute toward peace and through which both can appear to pursue their national objectives.

The plan would not require either side to "lose face." It would not require that one side yield either to the force or the threat of force of the other. It would be a mutual de-escalation from which both sides could benefit. This would be especially true if the plan were initiated through private diplomacy—and implemented and announced through mutual diplomacy, which leads to the final criterion—

The plan obviously can be susceptible to presentation, verification, and implementation through the private channels of diplomacy. It can be, and if it is to succeed, it should be.

Even if the plan meets all the criteria of limited diplomacy, will it work? No one can answer that. All that can be said for it is that it seems to offer more promise than the stand-pat policy of the Administration or the alternatives suggested by either set of its major critics. For too long the Administration implicitly, and its Vietnam critics explicitly, have held out the hope to the American people that there is some simple formula, some magic key which, if found, could end the Vietnamese war suddenly and dramatically. This is extremely unlikely. It is not in the nature of limited war for peace to come overnight—for surrender is improbable and a cease-fire comes only after arduous diplomacy.

There is no panacea for Vietnam. The proposal offered here is not put forth as one. Without doubt it can be improved upon. But the best chance for peace lies not in giant power or in giant concessions. It lies in small steps, taken quietly—steps that make the position of each side credible to the other. This is now the task of responsible diplomacy in Vietnam.

PRESIDENT NIXON'S ADDRESS ON VIETNAM

(Mr. THOMPSON of Georgia asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. THOMPSON of Georgia. Mr. Speaker, last night as I watched the President of the United States on television pride filled my body because we have a President who can so forcefully articulate the American position in Vietnam.

Pride also filled my body because we have a President who is so earnest in his desire for peace.

However, Mr. Speaker, I would be less than honest if I were not to state that President Johnson had just as sincere and honest and forceful a desire for peace as does President Nixon.

The proposals that President Nixon set forth last night, in many parts had been proposed by President Johnson.

There were some new and meaningful innovations and some new means for compromise and some new means for negotiation. However, Mr. Speaker, just as we saw President Johnson practically destroyed by public opinion in this country because of his forceful insistence on protecting the free choice of the people of South Vietnam, so could we see the same havoc wrought on President Nixon.

Mr. Speaker, I view the President's speech last night as having tossed the ball into the court of American public opinion, for had the American public supported President Johnson in his aims, this war would have already been over.

The Vietcong and the North Vietnamese feel that the American public will not back our President and we will eventually capitulate. I hope, Mr. Speaker, the American public will make clear to the North Vietnamese that we intend to back our President and we will stand forthright in insisting on a free choice for the people in South Vietnam for the type of government they would like to have.

The SPEAKER. The time of the gentleman has expired.

JUSTICE ABE FORTAS

(Mr. GROSS asked and was given permission to address the House for 1 minute.)

Mr. GROSS. Mr. Speaker, to my mind one of the most tragic aspects of Mr. Fortas' presence on the Supreme Court is the effect it surely must have had on the young people of this country, the overwhelming majority of whom love and respect this land as much as have their forefathers.

Mr. Speaker, greed and public service are incompatible and the Fortas affair is a classic example of this incompatibility.

Beyond this, however, is the fact that the criminal laws of the United States apply to private citizens as well as to Federal officials. What we have not seen of the extracurricular activities of Mr. Fortas is most important.

Mr. Speaker, a Federal grand jury should be impaneled immediately to conduct a sweeping investigation into the activities of this man, and of his former law firm and their relationships and their dealings with the past administration.

I would hope that the House Committee on the Judiciary would turn its attention to Associate Justice Douglas and his acceptance over the last several years of a $12,000 fee from the Parvin Foundation.

The circumstances of the Fortas and Douglas "fees" are strikingly similar except that in the case of the latter the money comes in part from the gambling tables of Las Vegas.

I can see no reason whatsoever why Mr. Douglas' dealings with this tax exempt foundation or other organizations, if there be other organizations, should be exempt from the same scrutiny that the committee was prepared to give to the affairs of Mr. Fortas.

THE PRESIDENT'S SPEECH ON VIETNAM

(Mr. BUCHANAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BUCHANAN. Mr. Speaker, our colleagues do well to praise the President of the United States for the restraint, the reasonableness, and the statesmanship of his proposals for a solution of the Vietnam conflict, and I would join in their praise.

I would also like to underline, however, the fact that he felt free to make these proposals, clearly implying a courage, a restraint, and a confidence on the part of the present Government in Vietnam, which is likewise commendable. That Government is an expression of the self-determination of the people of South Vietnam. It was born in the midst of a vicious and protracted war by the vote of the people. It is based upon a constitution created by them and approved in a referendum of the people. It is composed of men elected by the people in a larger voter turnout than is the case in U.S. elections. It therefore has nothing to fear from honest withdrawal of non-South Vietnamese forces and an honest and free election, in which I am confident the people of South Vietnam will continue to give their endorsement to a free and republican form of government.

Its counterpart in South Vietnam, on the other hand, the National Liberation Front, so-called, is the creature of the North Vietnamese Government, created, led, and supported by that Government, and could not survive if there were honest and total withdrawal of North Vietnam from South Vietnam. There is no Communist government in the world today that was created as a matter of self-determination of a people. There is no Communist government in the world today that believes, apparently, it can survive an honest election, because none are held in Communist countries.

I am confident that if there is an honest withdrawal and an honest election, it will result in an overwhelming endorsement of the present government in Saigon by the people of Vietnam.

LET US RALLY TO THE LEADERSHIP OF THE PRESIDENT

(Mr. BROCK asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BROCK. Mr. Speaker, what a refreshing thing it was to watch a great American acting as President of all these United States address these people with candor and completeness on a highly emotional and very difficult issue last night. Showing his faith in this country's basic sense of responsibility, which always accompanies full knowledge of the issues, President Nixon frankly offered the world an example of America's dedication to the cause of lasting peace. Without rhetoric or fanfare he stated our objectives and the steps we will take to achieve them.

Just as our President has chosen to deal honestly with this Nation, so must we rally to his leadership in the pursuit of freedom, peace, and security for the world.

NIXON'S VIETNAM PROPOSAL

(Mr. SCHERLE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SCHERLE. Mr. Speaker, last night President Nixon revealed his long-awaited peace proposal for Vietnam. He urged mutual withdrawal of American and North Vietnamese forces from South Vietnam within a year's time and reported that some unilateral U.S. withdrawals are likely soon, regardless of the results of the Paris negotiations.

It was encouraging to hear him declare, in no uncertain terms, "I want to end the war." But he also cautioned that there is no easy way to end the war, if we are to end it permanently. He presented to the Nation conditions vital to achieving peace and various possible courses of action. He deserves our careful consideration and support as he seeks to end this tragic conflict.

President Nixon's address was conciliatory in tone, but he made clear that he would not sacrifice the goals for which so many of our young men have given their lives.

The Vietnam situation has been the most serious international problem facing the new President. He is to be commended for examining the record and weighing further action with great care, instead of rushing to take ill-considered action when he took office, as some wished him to do. Throughout the Nation people will be observing new developments at the Paris peace talks and even more, the reactions to Mr. Nixon's proposals on the battlefields of Vietnam. We wish him success in his efforts. We are with him in the hope that this is the critical turning point which will lead to peace.

PRESIDENT NIXON WILL FIND BIPARTISAN SUPPORT FOR PEACE EFFORTS

(Mr. PICKLE asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. PICKLE. Mr. Speaker, all Americans last night were impressed with the sincere and forthright statement of our President as he proposed his recommendations for a solution of the Vietnam problem.

This is a peace-loving nation and we want peace. The President will find that Members in a bipartisan manner on both sides of the aisle will support his proposals to find peace.

I was particularly impressed with the emphasis the President placed on the fact that whatever kind of solution or treaty is obtained, it will be a meaningful one and that our direction for the past 4 years will not have gone for naught. But I think it is well to point out that what the President said last night basically was not anything new. These are proposals that in essence President Johnson has been making for the past 3 years.

We are trying to find a solution. The President's statement last night was just a restatement of the basic problem, and on basic proposals.

Let it be remembered that President Johnson had offered not to run again just in order that these peace talks could be started, and President Johnson was carrying on the direction of the two Presidents before him in an effort to find peace for the world.

We will join in an effort to find a solution, but we should not be overexcited that this is something bold and new. It is a good strong statement and it will find support in the Halls of Congress.

I think we should also remember this is the same policy President Johnson and those who preceded him had been advocating in this troublesome field.

SOCIAL SECURITY ACT OF 1969

(Mr. VANIK asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. VANIK. Mr. Speaker, I have today introduced in the House of Representatives legislation sponsored by myself and 52 other Members of the House providing for a 15-percent increase in social security benefits.

This legislation must be acted upon this year. Inflation has had its most cruel impact on the millions of our senior citizens who live on social security and fixed retirement income. Action cannot be delayed on this urgent matter.

Following are the names of the Members who cosponsored this vital legislation: the Social Security Act of 1969. In the course of the next week, I expect to list additional cosponsors.

Messrs. Vanik, Boland, Brasco, Brown of California, Burton of California, Button, Byrne of Pennsylvania, Mrs. Chisholm, Messrs. Conyers, Cordova, Dawson, Donohue, Edwards of California, Farbstein, Foley, William D. Ford, Friedel, Fulton of Pennsylvania, Gallagher, Gonzalez, Hawkins, Helstoski, Hicks, Holifield, Howard, Koch, Lowenstein, Mikva, Mrs. Mink, Messrs. Mollahan, Moorhead, Morgan, Murphy of Illinois, Nedzi, Nix, Obey, O'Neill, Podell, Powell, Price of Illinois, Randall, Rees, Rodgers of Colorado, Roybal, Ryan, St. Onge, Sandman, Stokes, Thompson of New Jersey, Tiernan, Vigorito, Waldie, and Wright.

PRESIDENT NIXON'S SPEECH ON VIETNAM AND PROPOSALS FOR THE CARE OF VETERANS

(Mr. EDMONDSON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. EDMONDSON. Mr. Speaker, along with most Members of this body and many Americans I listened also last night to the speech of President Nixon. I found much to appreciate in it, and much to admire in it.

I certainly join the many speakers here today in the hope that it will lead soon to fruitful negotiations and a just and enduring peace.

I particularly appreciated the President's recognition of the valor and the patriotism and the great contribution of the men who are serving in uniform in Vietnam. I thought it was well said, and certainly timely that he said it.

I found it a little difficult, though, to reconcile that Presidential recognition of our fighting men in Vietnam with the recently submitted administration budget for the Veterans' Administration, with a $40 million cut in the Johnson budget for essential items to modernize and repair our hospitals. I am deeply disappointed by administration cuts which are compelling layoffs in the Veterans' Administration, and which have led to the shutdown of a ward that serves 30 veterans in the veterans' hospital in my own hometown, Muskogee, Okla., effective tomorrow.

I hope that we can have from the President and his administration new recommendations in the field of Veterans' Administration funding that will recognize with appropriate action the service being performed by our fighting men in Vietnam, and see to it that when they return to this country they find adequate facilities for them and personnel to take care of them, as have the veterans who have returned from other wars in this century.

In many cases, these people pay for their dedication to their country with the loss or impairment of their own personal health. One of our finest veterans programs has been our guarantee of first-rate medical care for those who need it. This is a serivce a grateful Nation has freely offered and willingly maintained.

Frankly, I was amazed when I learned that the revised budget eliminated a number of projects to remodel and modernize Veterans' Administration hospitals—including the one in Muskogee, Okla.—making it necessary to use facilities which are clearly inadequate and outdated.

I wrote the Administrator of the Veterans' Administration for confirmation of this information, and he replied, in part:

> We are continuing with the development of our plans for this project, but actual construction will be delayed. In compliance with the current policy of restricting new construction contracts to lessen inflationary pressure, this is one of our projects for which the construction contract award has been deferred until a subsequent fiscal year.

I believe the veterans of Oklahoma and the other States where projects are being deferred have waited long enough. I believe our fighting men in Vietnam, where we have committed billions to the war they are fighting, will find it difficult to understand that their future welfare is being traded off for a savings of $40 million. I believe this particular budget cut is unwise and untimely, and I sincerely hope that Congress reverses the administration on this item. Our Oklahoma veterans have struggled persistently and patiently for years to have this hospital at Muskogee air conditioned and modernized. I want Congress to assure them that this is the last hot Oklahoma summer that hospitalized veterans will have to endure without air conditioning. I hope we assure them that their hospital will be modern and adequately staffed.

THE LATE HONORABLE FRED HARTLEY

(Mr. DANIELS of New Jersey asked and was given permission to address the House for 1 minute.)

Mr. DANIELS of New Jersey. Mr. Speaker, on May 11, 1969 a former Member of this House, the Honorable Fred Hartley, passed away at the age of 67 in Red Bank, N.J. I rise today to express my sympathy and that of my family and constituents to his widow, Mrs. Hazel Roemer Hartley and to his family.

Mr. Hartley was born in the town of Harrison which is now a part of the 14th Congressional District of New Jersey, and was elected to this House in 1928 from the 10th Congressional District of New Jersey and served for 20 years before his retirement in 1948.

Although most of his district was in Essex County, Mr. Hartley resided in Hudson County in the town of Kearny and all during his service in the Congress represented three communities, Harrison, East Newark, and Kearny which in 1966 were made part of the 14th District. Thus, I speak of Mr. Hartley as a constituent for although he moved out of Hudson County in his later years, his heart was always in West Hudson where his great successes were enjoyed. And he was a man who knew great success at a very young age. Elected to the Kearny Town Council at the age of 22, he was the youngest man ever elected to the Congress when he was chosen by the people of the old 10th District in 1928.

Fred Hartley and I represented different political parties and had different political philosophies. Yet, I always respected him as a man of great courage and great dedication to this Nation and its principles.

Mr. Speaker, Hudson County has lost a very distinguished man, a man who brought honor and distinction to the office he held.

PRESIDENT NIXON'S SPEECH ON VIETNAM

(Mr. PUCINSKI asked and was given permission to address the House for 1 minute.)

Mr. PUCINSKI. Mr. Speaker, I have listened with great interest to the many speeches made here today praising President Nixon and his proposal yesterday for bringing the war in Vietnam to an end.

I am sure that Mr. Nixon today must gain great strength and comfort from the fact that those of us in this Chamber on both sides of the aisle have overwhelmingly joined in our support of his courageous program presented last night.

While this bipartisan support is a comfort to the President, it should be of grave concern to Hanoi and to the negotiators in Paris.

Mr. Nixon yesterday did not sound any reveille for retreat. He offered a compassionate and fair program for bringing this war to an end. But I hope that his last words do not escape the attention of the negotiators in Paris or Hanoi. The President made it very clear that American patience is not inexhaustible when he said that if this needless suffering continues we will have to take another look at our alternatives.

If Hanoi does not accept Mr. Nixon's offer, it is entirely possible that we will have to resume bombing of the North and take whatever other steps are necessary to end this conflict. It is entirely possible we will have to take stronger military action if the very generous offer made by President Nixon yesterday to bring this war to an end through negotiations fails.

President Nixon yesterday outlined a broad program, a fair program. It was an honest speech, a speech that needed to be made. There were no gimmicks; no trick mirrors. It outlined our objectives and our goals. It outlined what we are willing to do, the concessions we are willing to make to bring this war to an end. Mr. Nixon was eloquent in his sincerity and dauntless in his integrity to bring about peace with justice.

I think the American people will be united in demanding that if Hanoi refuses this very generous offer, the United States must take whatever other military steps are necessary to bring this war to an end.

I congratulate the President for rejecting the imposition of a coalition government on South Vietnam. We know the tragic history of coalition governments.

I also congratulate the President for insisting that there must be a mutual withdrawal of troops not only from South Vietnam but also from Cambodia and Laos. There again the President shows great wisdom in not permitting those two enclaves to become sanctuaries from which North Vietnamese troops could carry on their subversion and aggression in South Vietnam.

Mr. Speaker, I join my colleagues in praising President Nixon and I offer a fervent prayer that the enemy will accept this generous offer for peace. Their refusal will leave the President no alternative but to escalate our military activity until the enemy is defeated. Mr. Nixon has offered them a 14-karat olive branch of peace. I hope they have the wisdom to accept.

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JUSTICE FORTAS

(Mr. MIZELL asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. MIZELL. Mr. Speaker, Mr. Fortas took the only course open to him in resigning from the Supreme Court. Had he remained on the bench, the American people could not have retained their confidence in the highest court in the land. With one of its members engaged in questionable activities and receiving money from questionable associates, their faith would have been severely shaken. I am certain that the Congress would have demanded Mr. Fortas' resignation, or it would have begun impeachment proceedings. Either course by the Congress would have been a further blow to the confidence of the American people in the Court.

Members of the Supreme Court should be men of character with high principles and integrity beyond reproach. Had it not been for the wisdom of the Republican leadership in the form of men like Senators BOB GRIFFIN and STROM THURMOND, Mr. Fortas would now be Chief Justice of the Supreme Court. If he had been appointed last year as the previous administration desired, chances are that none of these charges would have been made and the facts brought to light.

We now call upon President Nixon to screen very carefully the men he would name to fill this position. He will have the privilege upon the resignation of Chief Justice Warren to name two men to the Supreme Court, and thereby have the opportunity to make great headway in restoring the confidence of the American people in the high court.

SPEECH OF PRESIDENT NIXON ON VIETNAM WAR

(Mr. CONTE asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. CONTE. Mr. Speaker, President Nixon, frankly and forthrightly, has taken a constructive step forward to bring the tragic war in Vietnam to an end. I commend him today for his action of last night, and I pray for a similar response from the other side.

Rejecting the extremes of total capitulation on the one hand and an all-out military onslaught on the other, the President, nonetheless, has placed himself and his administration on the public record as favoring settlement of this conflict in a manner as generous as seems possible at this time.

I say "generous" because Mr. Nixon chose not to get bogged down in debating points, such as North Vietnam's reluctance to admit they have troops in South Vietnam, and also the President's refusal to insist on a particular form of agreement. He asked only that whatever understanding can be reached be clear to both sides.

Mr. Nixon stressed the positive by proposing a phased withdrawal of all non-South Vietnamese troops over a 12-month period. Realizing a negotiated end to the war cannot be achieved immediately, the President's withdrawal plan is designed to bring about the next best thing—a slowdown in hostilities and a reduction in the killing.

I was also heartened by the straightforward manner in which our President stated that we seek neither military bases nor other ties to South Vietnam. We seek only self-determination for the people of that embattled country.

This must be our public position as well as our private commitment. We surely have learned we must not impose our will on others, and we must not waver in this belief.

The President's proposals, added to his implicit promise to begin unilateral withdrawal of some American troops soon, may prove to be the beginning of the end to the slaughter in Vietnam.

Mr. Speaker, I pray this will be the result of the President's address to the Nation and the world last night.

SPEECH OF PRESIDENT NIXON ON VIETNAM WAR

(Mr. SCHADEBERG asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. SCHADEBERG. Mr. Speaker, it was refreshing to hear the President make his statement on Vietnam last evening. His forthrightness in squaring with the American people is certainly in the best interest of all of us, and is quite welcome.

I spent a good portion of the rest of the night musing over our posture in Vietnam, knowing that some 47 percent of the residents of my district expressed themselves in favor of increased military action to achieve victory, using every weapon in our arsenal short of nuclear. Some 38 percent had expressed themselves in favor of the replacement of our troops by the South Vietnamese as rapidly and practicably as possible.

In weighing the matter carefully, I have decided that the President's course is the best avenue for the United States. I believe that if we turn over the control of the fighting to our allies in South Vietnam, the tide of battle may well turn in favor of victory for freedom.

We will all be watching and praying for peace with security for the principles of freedom. Life is too precious to pour it out endlessly with hope for the freedom that is the innate possession of every human being. We cannot continue to wait until by default and/or exhaustion, tyranny has its way.

It is well that our men be released from Vietnam at the earliest time consistent with the goals of freedom and self-determination. The President has rightly called for removal of all non-South Vietnamese forces and permit the Vietnamese people to settle their differences within the framework of their own traditions.

SPEECH OF PRESIDENT NIXON ON VIETNAM WAR

(Mr. DELLENBACK asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. DELLENBACK. Mr. Speaker, President Nixon last night performed a valuable service to America, and indeed to the world. He spoke on a problem of deep complexity; a problem the early and sound solution to which is of concern and importance to everyone in the world; a problem for which there is quite obviously no single panacea.

He spoke soundly; he spoke forcibly; he spoke clearly. He faced the facts as they exist, made no empty or easy promise. He avoided demagoguery.

His speech demonstrated his own deep concern and his commitment to a solution of the problem on a fair basis that called for an adherence to the basic principles involved while avoiding any tie to superficialities.

At a time when it is critical to the world whose hand and mind and heart are at the head of this Nation, it was comforting and confidence-inspiring to see this latest demonstration of President Nixon's capacities and commitment.

I commend the President for a task well handled. May our joint hopes and prayers for an early and sound and fair resolution of this worldwide problem be answered.

SPEECH OF PRESIDENT NIXON ON VIETNAM WAR

(Mr. BROWN of Ohio asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. BROWN of Ohio. Mr. Speaker, President Nixon has forthrightly set out for our adversaries, the American people, and the world our Nation's position regarding peace in Vietnam. His statement establishes a solid platform for peace negotiations. It is now up to the Communists to respond.

If the North Vietnamese respond as they usually do, the first reaction to President Nixon's peace offer will be negative—probably insultingly so. Not until they have had a chance to study the proposal will we get an accurate reading on their response and know whether there is any sincere willingness on their part to find the road to peace.

Mutual withdrawal and free elections under neutral international supervision, total amnesty and full political participation by all factions in South Vietnam should be agreeable to both sides.

A lasting peace can only be secured through true negotiations which require concessions by both sides. The President made it clear that we seek such a peace, that we are willing to make some concessions to achieve it and that we are willing to negotiate sincerely in the interest of finding that peace.

The President's speech should be hailed by peace-loving peoples everywhere as a wholehearted effort to find the peace that

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has eluded the world in Southeast Asia for the past generation.

Let us pray that the North Vietnamese will be wise enough to respond—and soon—in a way to maintain the momentum toward peace. To fail to do so, or to respond in a belligerent manner, God forbid, would represent a complete disregard for worldwide sentiment and be the greatest of international follies.

SPEECH OF PRESIDENT NIXON ON VIETNAM WAR

(Mr. TALCOTT asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. TALCOTT. Mr. Speaker, I join my colleagues in supporting President Nixon in his quest for a permanent and honorable peace on our planet.

The terms of his proposal have been clearly set forth.

Now, much of the success of the quest for peace is up to us—the American citizen.

Like a successful football team, much planning and preparation has gone into this proposal. The quarterback, our only quarterback, has called a good play. Success is possible.

All of us must cooperate.

All members of the team, the bench, the cheerleaders, the spectators, the auditors—all must add their wholehearted support.

The men in uniform on the frontlines, the prisoners of war, the families of servicemen have more than done their share.

We at home, in all capacities, can help to speed the way to peace by cooperating with our President in his quest for peace. Unity at home is as important as valor on the battlefield.

Our weaknesses are not in the front lines, or at the negotiating tables. Any weaknesses on our side can be easily and quickly alleviated by full and complete support of the President so long as this proposal is being considered.

President Nixon needs the undivided support of all those who sincerely desire peace—whether we be hawk or dove, or something else, the best and quickest way to a lasting and honorable peace is the support of the President.

SPEECH OF PRESIDENT NIXON ON VIETNAM WAR

(Mr. CAMP asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. CAMP. Mr. Speaker, I want to join with my colleagues today in commending the President for his wise course of action in working toward a peaceful settlement in South Vietnam.

Aside from the mutual troop withdrawal, the most important part of Mr. Nixon's solution is his proposal for a political settlement with either a new government created by elections or by negotiations. Even more important, however, is the fact that the President has spoken with the complete agreement of President Thieu.

The North Vietnamese have been depending upon the unpopularity of the war and the steadily increasing lack of support among Americans.

What America needs now, Mr. Speaker, is the full support of the American people for the President's proposals. We need to stand fully behind our President as he works for peace in Southeast Asia. He has asked that we consider the facts, and whatever our differences, that we "support a program which can lead to a peace we can live with and a peace we can be proud of."

Mr. Speaker, I sincerely hope that the time has come when we can show a little restraint—when the American people can withhold criticism—and not interfere with negotiations in Paris that can and will bring about the end of this war. The President has provided our negotiators with the tools they need to face Hanoi at the bargaining table. We must provide them with the silence so essential to an honorable peaceful conclusion of this war.

PRESIDENT NIXON'S LUCID, COMPREHENSIVE, AND HOPEFUL DISSERTATION ON THE SITUATION IN VIETNAM

(Mr. BROYHILL of Virginia asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BROYHILL of Virginia. Mr. Speaker, President Nixon last night delivered a lucid, comprehensive, and hopeful dissertation on the situation in Vietnam.

If Hanoi and Moscow have been waiting for a definitive print-out of America's views on the war, they have it now.

The President, Mr. Speaker, was stern, solemn, and encouraging, as I had hoped he would be. I applaud him for his performance. Much of what he had to say was said for the ears of Hanoi and Moscow. The American people have a vastly better understanding of what the War in Vietnam is all about as a result of President Nixon's speech. Certainly, Mr. Speaker, the whirling dervish critics who have advocated a sell-out to the Communists will find the American people backing the President more strongly than ever as a result of his explanation of our efforts in Vietnam. It was a first-class performance by a first-class American President.

PRESIDENT NIXON'S VIETNAM MESSAGE

(Mr. FREY asked and was given permission to address the House for 1 minute, to revise and extend his remarks, and include extraneous matter.)

Mr. FREY. Mr. Speaker, I join my colleagues on both sides of the aisle in supporting the position taken by President Nixon in his Vietnam message. All American's, regardless of political philosophy, seek an early and honorable conclusion to the war in Vietnam. The President addressed himself to this most difficult problem in an honest and forthright manner. He offered a plan that can be put into effect immediately. At the same time he made it clear that our patience is not unlimited.

It is most important that Hanoi note the wide bipartisan support of the President in this matter. I join all my fellow Americans in the hope that the end of this conflict is near.

PERMISSION FOR SUBCOMMITTEE ON HOUSING, COMMITTEE ON BANKING AND CURRENCY, TO SIT DURING GENERAL DEBATE TODAY

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the Subcommittee on Housing of the Committee on Banking and Currency may sit during general debate today.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

MARITIME AUTHORIZATION, 1970

Mr. SISK. Mr. Speaker, by direction of the Committee on Rules and on behalf of my colleague, the gentleman from Massachusetts (Mr. O'NEILL), I call up House Resolution 407, and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 407

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 4152) to authorize appropriations for certain maritime programs of the Department of Commerce. After general debate, which shall be confined to the bill and shall continue not to exceed two hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Merchant Marine and Fisheries, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or committee amendment in the nature of a substitute now printed in the bill. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

Mr. SISK. Mr. Speaker, I yield 30 minutes to the distinguished gentleman from California (Mr. SMITH) and, pending that, I yield myself such time as I may consume.

(Mr. SISK asked and was given permission to revise and extend his remarks.)

Mr. SISK. Mr. Speaker, House Resolution 407 provides an open rule with 2 hours of general debate for consideration of H.R. 4152, to authorize appropriations for certain maritime programs of the Department of Commerce.

The purpose of H.R. 4152 is to authorize certain appropriations for the Maritime Administration programs within the

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Department of Commerce for fiscal year 1970.

The bill, as amended, would authorize a total of $387,378,000 for the following categories of activity:

First, acquisition, construction, or reconstruction of vessels and construction-differential subsidy and cost of national defense features incident to the construction, reconstruction, or reconditioning of ships, $145 million: Funds authorized under this heading would provide for the payment of construction-differential subsidy and national defense allowances on vessels constructed for service on essential foreign trade routes. In addition, these funds will provide for the acquisition of ships replaced by and traded in on newly constructed vessels and for the expenses associated with placing these replaced vessels in the National Defense Reserve Fleet.

Second, payment of obligations incurred for operating-differential subsidy, $212 million: The authorization under this heading will provide for payments of operating subsidy to ship operators in order to maintain a U.S. merchant fleet in support of U.S. foreign commerce and capable of serving as a naval auxiliary in event of national emergency. Based on studies of foreign costs, present subsidy board regulations provide for payment of operating subsidies to equate the difference between the fair and reasonable U.S. cost of insurance, maintenance, repairs, wages, and subsistence of officers and crew, and the estimated foreign cost of the same items if the vessels were operated under foreign registry. The 1970 estimate of subsidy payments will provide financial support for the 14 operators who presently have operating contracts with the Maritime Administration. This level of funding will provide for the continuation of berth services of our foreign commerce.

Third, expenses necessary for research and development activities, $15 million: The research and development projects of the Maritime Administration are designed to improve the competitive position of the American merchant marine while reducing the Government's share of the costs of its construction, operation, and maintenance. The 1970 program calls for an expansion of Government-industry cooperative program efforts and will concentrate on advanced shipping systems, development of intermodal transportation, modernization of cargo handling methods, and similar technological advancements.

Fourth, reserve fleet expenses, $5,174,000: Included funding provides for the preservation and security of ships held for national defense purposes, distributed among six active fleet sites. Periodic representation of hulls, machinery, and electrical components, combined with continuous application of cathodic protection to the bottoms, are methods employed in maintaining the ships for further service. In fiscal year 1970 preservation work will be performed on approximately 626 ships retained for national defense purposes. Custody is also provided for several hundred ships awaiting disposal.

Fifth, maritime training at the Merchant Marine Academy at Kings Point, N.Y., $6,164,000: A 4-year course is provided to train cadets for service as officers in the U.S. merchant marine, including 1 year of sea duty designed to qualify graduates for licenses as merchant marine deck or engineering officers. About 200 cadets are graduated annually.

Sixth, financial assistance to State marine schools, $2,040,000: This program provides for training of cadets at State marine schools for service as officers in the U.S. merchant marine. The program is aimed at a level of graduating approximately 400 deck and engineering officers each year. The five participating State schools, Maine, Massachusetts, New York, Texas, and California, prepare officers for our merchant marine requirements. Additionally, a nucleus of highly trained officers is provided to man our merchant ships in times of national emergency.

Seventh, reimbursement of the vessel operations revolving funds for losses resulting from expenses of experimental ship operations, $2 million: This will provide obligational authority to reimburse experimental operation of the NS *Savannah*. In previous years this authority was a specific provision within the appropriation for research and development.

It is imperative that we commence rebuilding our merchant marine fleet and, Mr. Speaker, I urge the adoption of House Resolution 407 in order that this important legislation may be considered.

Mr. SMITH of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, as stated by the distinguished gentleman from California (Mr. SISK) House Resolution 407 does provide an open rule for 2 hours of debate for the consideration of H.R. 4152, the Maritime Authorization Act of 1970.

Mr. Speaker, the purpose of the bill is to authorize for fiscal 1970 the Maritime Administration's appropriations.

As introduced, the bill authorized expenditures of $262,966,000. The committee has increased this figure to $387,378,000. Almost all of this increase is for use in ship construction.

The committee bill increases the authorization for construction or reconstruction of vessels from $15,918,000 to $145,000,000. It also increases the research and development authorization from $7,700,000 to $15,000,000. One category authorization is reduced from $224,000,000 to $212,000,000 as the committee believes the original amount would not be used in fiscal 1970. This is the cost differential subsidy program for American shipowners.

All other authorizations in the reported bill are identical with the bill as introduced. These include:

Reserve fleet expenses	$5, 174, 000
Merchant Marine Academy	6, 164, 000
Assistance to State maritime schools	2, 040, 000
Revolving fund operations	2, 000, 000

The committee supports its large increase in the construction authorization with the clear evidence of the evergrowing obsolescense of our merchant fleet. The committee also recommends the use of the funds frozen over the last 3 years which have been appropriated for ship construction but unused. There is currently about $101,600,000 so frozen, making a grand total recommended by the committee of $246,600,000 for ship construction and modernization in fiscal 1970.

The committee report points out that at present levels of replacement, within 5 years the number of American ships which are less than 25 years old will fall from 663 to only 244.

The administration supported the bill as introduced with one amendment which reduced the differential subsidy. This was partially accepted by the committee.

The bill was reported unanimously.

Mr. Speaker, I support H.R. 4152 and urge the adoption of the rule.

Mr. SISK. Mr. Speaker, I have no further requests for time.

Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

Mr. GARMATZ. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 4152) to authorize appropriations for certain maritime programs of the Department of Commerce.

The SPEAKER. The question is on the motion offered by the gentleman from Maryland (Mr. GARMATZ).

The motion was agreed to.

The SPEAKER. The Chair designates as Chairman of the Committee of the Whole the gentleman from New York (Mr. GILBERT), and the Chair requests that the gentleman from Missouri (Mr. RANDALL), temporarily assume the chair.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 4152, with the Chairman pro tempore (Mr. RANDALL) in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN pro tempore. Under the rule, the gentleman from Maryland (Mr. GARMATZ) will be recognized for 1 hour and the gentleman from California (Mr. MAILLIARD) will be recognized for 1 hour.

The Chair recognizes the gentleman from Maryland (Mr. GARMATZ).

Mr. GARMATZ. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, this bill, H.R. 4152, to "authorize appropriations for certain maritime programs of the Department of Commerce," is generally referred to as the "maritime authorization bill."

The bill was reported by our committee on May 9, with an amendment in the nature of a substitute text.

Under existing law, only such sums as the Congress might specifically authorize may be appropriated for several spe-

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cific programs administered by the Maritime Administration. They include such matters as vessel construction, vessel operations, reserve fleet expenses, research and development, maritime training at the Merchant Marine Academy and the State marine schools, and the vessel operations revolving fund.

This bill—reported with an amendment in the nature of a substitute text—is identical to the bill as recommended by executive communication No. 269, dated January 15, 1969, and as introduced on January 23, 1969—except for changes in the authorization amounts for—item No. 1, ship construction aids; item No. 2, payment of obligations for operating subsidy; and item No. 3, expenses necessary for research and development.

The items dealing with reserve fleet expenses, maritime training at the Merchant Marine Academy at Kings Point and the five State marine academies in New York, Massachusetts, Maine, Texas, and California—and the vessel operations revolving fund—remain unchanged.

The bill as introduced would have authorized a total of $262,996,000 for the previously indicated activities of the Department of Commerce administered by the Maritime Administration.

The bill as reported increases the total amount by $124,382,000—to a total sum of $387,378,000.

Four days of public hearings were held by the committee on April 15, 16, 17, and 18, during which time testimony was heard from representatives of the Secretary of Commerce, Maritime Administration, and all major segments of the maritime industry.

Specifically, the reported bill amends the budget request of the bill as introduced as follows:

Item No. 1. The bill as introduced would have authorized only $15,918,000 for acquisition, construction, or reconstruction of vessels, construction-differential subsidy, and cost of national defense features thereto.

This amount, together with $101,600,000 of unobligated funds which had been carried over for several years, is estimated to be sufficient to provide construction subsidy to build from eight to 10 ships.

The amount of money and the number of ships to which it would contribute, is totally inadequate in the light of the continuing drastic decline of the American-flag merchant marine. The table on page 8 of the report graphically illustrates this decline.

Industry sources provided evidence that if funds were available, at least 82 large, modern ships of various types could be contracted for during fiscal year 1970, for some 19 private owners. See table on page 4 of the report.

While recognizing the great needs for new vessels—both to replace and augment our aging fleet—the committee also gave careful consideration to the present period of extreme competition for appropriated funds.

Accordingly, this item was increased from $15,918,000 to $145,000,000 which—depending upon the exercise of administrative discretion in approving pending applications—would be sufficient to assist in the construction of 18 to 22 new and modern vessels—which should include some very much needed new bulk carrier construction—as well as the new liner types such as LASH, sea barge, and containerships.

There are indications that the administration is currently reviewing maritime program needs—and that in the reasonably near future—recommendations may be made for a program which will reverse the present perilous decline. The American-flag merchant marine is currently carrying less than 6 percent of our waterborne foreign commerce.

Item No. 2. Payment of obligations incurred for operating-differential subsidy.

The Maritime Administrator stated that as a result of a recent budget review by the new administration—$29,000,000 should be pared from the original bill—due to lack of subsidy accruals during the 2-month-long longshoremen's strike—and the increased productivity and efficiency of the newer vessels which are coming out.

With this, the committee agreed.

However, there are subsidized—and presently unsubsidized—operators with fully processed pending applications—whose needs should be considered in the national interest as steps to contribute to stemming the obsolescence of our American-flag fleet.

In order to provide the availability of operating subsidy funds to operators whose applications might be approved and become effective during fiscal year 1970—the committee recommends in the reported bill that the operating subsidy authorization should be in the amount of $212,000,000.

As noted, this is a decrease of $12,000,000 from the original proposed authorization—but an increase of approximately $17,000,000 over the reduced amount recommended by the Maritime Administrator.

Item No. 3. Expenses necessary for research and development activities.

The committee increased this item from $7,700,000 to $15,000,000.

Considering the inadequacy of research and development programs in the recent past, the recommended increase is extremely modest.

On the other hand, it was felt that a higher figure probably could not be effectively used during fiscal year 1970—in view of the time it takes to plan, initiate, and carry forward with new research and development projects.

Mr. Chairman, the committee report sets forth in greater detail the matters involved in this legislation.

The bill, as amended, was approved unanimously by our committee, in the light of the needs which have been known for a number of years. We feel it is extremely modest.

I urge its enactment.

Mr. MAILLIARD. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise to join our distinguished chairman of the Merchant Marine Committee (Mr. GARMATZ) in support of H.R. 4152, the authorization measure for certain programs of the Maritime Administration. This bill, as introduced, of course represented the viewpoint of the past administration and was consistent with the low priority which it gave to our merchant marine. As our distinguished chairman has stated, the Committee on Merchant Marine has unanimously reported this bill, amended to reflect the high priority which that committee and the Congress have consistently attached to the critical need for a modern merchant marine.

I think it is appropriate at this time, at the beginning of a new administration, to reflect upon the condition of our merchant marine. About 12 years ago, we had just embarked upon an ambitious ship replacement program which would have by now replaced our entire subsidized liner fleet of some 300-odd ships. Had this program been carried out, at least this one vital segment of our merchant marine would consist entirely of modern, efficient ships, all less than 10 years of age. To its credit, Congress has never wavered in its support of this program. What were considered to be overriding budgetary considerations at the Executive level, however, have resulted in minimal requests for funds in hearings before the Appropriations Committee. Let me state at this point, Mr. Chairman, that I am in no way criticizing our distinguished colleagues on the Appropriations Committee. Indeed, they have been of great assistance in seeing that this program was not completely scuttled. We have also witnessed occasions when budgetary restrictions have been imposed which prevented the Maritime Administration from utilizing funds actually appropriated by Congress. Under such circumstances, it would appear to be an exercise in futility for the Appropriations Committee to fund this program at the level authorized.

As a result of the failure of the White House and Cabinet-level officials to recognize the significance of a strong merchant marine, both for defense and for the well-being of our economy, we have now reached the point where American ships are transporting only slightly more than 20 percent of our liner cargo and only about 5.6 percent of our overall total foreign trade. We are thus dependent on foreign-flag ships to transport almost 95 percent of our imports and exports.

May 22 again has been proclaimed National Maritime Day. The theme this year is "American Ships—Freedom's Lifeline." The concept of a lifeline is particularly appropriate when considering America's vital interest in developing a strong merchant marine. Whether we like it or not, the United States has been cast in the role of thwarting worldwide Communist aggression. At the same time, the growth of our own economy has significantly increased our dependence on ocean shipping.

Vietnam, of course, clearly illustrates the importance of our merchant marine as the key to freedom's lifeline. Over 98 percent of all supplies for the maintenance of our Armed Forces in

Vietnam have moved by ship, as well as large numbers of our troops. This effort involves our privately owned merchant marine, Government ships broken out of the reserve fleets, and the MSTS nucleus fleet. The Vietnam sealift has succeeded, however, at the expense of other areas of legitimate U.S. national concern.

In order to sustain this lifeline, we have been compelled to divert ships from their normal trade routes, further reducing what were already inadequate sailing schedules. This, in turn, has made it increasingly difficult for American-flag liner companies to remain competitive with foreign-flag carriers.

The hearings conducted by our committee clearly illustrated the woeful inadequacy of the request for construction-differential subsidy. As you know, the $15 million request contained in the bill as introduced took into consideration a carryover of $101.6 million appropriated for fiscal year 1968. That money was intended to build ships which we should be launching today. Therefore, in reality, the amount requested in this bill would only cover one to two new ships over the number which we anticipated would be built when that $101 million was appropriated. If we are to have any hope of seeing the ship replacement program come anywhere near its intended goal, we must discount that $101 million from our consideration of what should be authorized and appropriated this year. The figure our committee arrived at of $145 million is really a bare minimum to reinstitute a realistic replacement program.

The amount requested by the Maritime Administration for operating-differential subsidy throws a highly significant light on the benefits which can be expected to flow from a revitalized ship replacement program. H.R. 4152, as introduced, would have provided $224 million for operating-differential subsidy for the 14 currently subsidized liner companies. The Maritime Administrator, Mr. Gibson, testified before our committee that this sum could be reduced by $17 million without reducing the number of voyages to be performed by the subsidized operators. The reason for this reduction in subsidy is simply the fact that the ships built under the vessel replacement program are more productive, more efficient, and therefore are more economically competitive with foreign-flag carriers. The amount of subsidy required to offset foreign-flag operators' lower costs is therefore less.

There have been significant developments in the concept of transporting general cargo. These include containerships, seabarge ships, and LASH or lighter-aboard-ship vessels. Examples of this type of vessel are the containerships to be constructed for American Export Isbrandtsen Lines. These ships will have a service speed of 25.5 knots and will be capable of carrying 1,600 20-foot containers. Six of these ships will have the equivalent productivity of 15 traditional break-bulk vessels. The increased productivity of these ships, together with the high degree of automation, will mean that the operating-differential subsidy cost to the Government will be substantially reduced. The 15 break-bulk vessels which these six containerships will replace now receive an annual operating-differential subsidy payment of approximately $10 million, whereas the six containerships will receive an annual payment of approximately $3.2 million. At the same time, these new ships will carry approximately 60 percent more cargo. This is just one example of the progress that is being made as a result of our vessel replacement program. The United States has been a leader in the development of these new designs, but our foreign competitors have been quick to follow our lead.

Mr. Chairman, as indicated in the report accompanying H.R. 4152, the funds recommended for construction-differential subsidy should enable the Maritime Administration to contract for the building of 18 to 22 new ships. The exact number will depend upon the needs of the carriers and the designs agreed upon. Assuming this program will be fully funded, a fleet of 18 to 22 ships of the type I have just described will be able to replace between 50 and 60 of our 25-year-old Victories, C–1's and C–2's. It must be recalled, however, that these ships, if we decide to build them, will not be laid down until 1970 and will not begin to enter service until 1973. By then, our active liner fleet under 25 years of age will have declined to less than 250 ships from its present level of approximately 600. Clearly this is a bare minimum program which your Committee on Merchant Marine is recommending.

Our liner fleet of subsidized ships is only one segment of our merchant marine. The balance of our fleet has been completely ignored. This includes the ships needed to transport the 350,000,000 tons of bulk commodities which are imported and exported by the United States annually. In this area, we have placed some reliance on American-owned ships that are operated under foreign flags. These, of course, include principally oil tankers registered under the flags of Panama, Liberia, and Honduras. These ships and many more under other flags maintain the vital flow of oil, bauxite, iron ore, and innumerable other commodities which the United States requires in everincreasing quantities to satisfy the needs of our economy.

During a period of international crisis, history has shown that a heavy price is paid by any country which must rely on foreign tonnage to transport its essential commodities. Not only may the tonnage not be available, but freight and charter rates have been shown to escalate an average of 400 percent. This reliance on foreign-flag carriers has been allowed to exist for too many years, and we will not be able to remedy it overnight. President Nixon has expressed his concern and our committee has been informed that a complete review of our maritime requirements and a program to fulfill those requirements is now underway. Hopefully, we have reached a turning point, and we will now witness an accelerating effort to revive all segments of our merchant marine.

Should the President, after completing his review of our maritime posture, decide to implement any new program immediately, the authorization level recommended by your Committee on Merchant Marine will enable the President to seek funds to supplement the present budget request without the necessity of going through the authorization process again during this session of Congress. I, therefore, urge my colleagues to support H.R. 4152 as reported by your Committee on Merchant Marine.

Mr. FINDLEY. Mr. Chairman, will the gentleman yield?

Mr. MAILLIARD. Mr. Chairman, I yield to the gentleman from Illinois.

Mr. FINDLEY. Mr. Chairman, I thank the gentleman for yielding. I compliment the committee and the gentleman from California and his colleagues for their leadership in bringing this to the floor of the House. I think it recognizes the need for some new additional means to protect the U.S. merchant marine.

Mr. Chairman, I would like to raise a question or two in regard to the cargo preference provision which became effective as a result of an Executive order by President Kennedy shortly before his death. This was made effective to facilitate the Russian wheat sale of that period. It applied not only to the grain sales to the Soviet Union, but also to the grain trade with certain other countries.

It did provide that in such transactions, one-half of the shipping would be in U.S. vessels, if U.S. vessels were available. I am sure the motivation was very commendable. It was to protect the U.S. merchant marine, but it has had quite a different effect. It has effectively shut off this grain trade entirely. It has not helped the U.S. merchant marine at all, because it has effectively shut out U.S. merchants from this trade. I just wondered if the committee in its deliberations considered this and if the committee has any thoughts as to whether the Executive order should stand or not.

Mr. MAILLIARD. Mr. Chairman, we have not considered it, but this committee produced many years ago the basic so-called preference law which applies to AID cargoes.

Mr. FINDLEY. Yes.

Mr. MAILLIARD. But it is not very effectively applied to commercial sales.

No. I think our committee is always very pleased—but I can remember when President Kennedy made that announcement, that I was slightly amused, because it was perfectly obvious to me that there were not sufficient ships available, and there could not be, to carry the kinds of quantities we were talking about in that particular sales program.

So with that escape clause, that if the U.S. flagships were not available, that foreign ships could be used, I can see no particular hindrance in that to the trade.

Mr. FINDLEY. This increases the cost very substantially to any merchant who is trying to compete in that business. It adds about 25 percent to the shipping costs, which are a major part of the money involved in the transaction. It has had the effect of simply denying access to this business to the U.S. farmer.

I had hoped some thought could be given to going into this.

Mr. MAILLIARD. I am not quite clear how the President of the United States

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can by Executive order tell a commercial trader how he is going to ship commercial cargoes. I do not believe he can do that. I think it had to apply only where there was a government-to-government transaction.

Mr. FINDLEY. It was an exception, but it applied to commercial transactions, and it still stands, and it has had the effect of cutting us out, I might say, from competing for 1 billion bushels of wheat business in the last calendar year alone. So this is an item of great importance to the American farmer.

I think the way the President was able to effect this was the requirement that sufficient licenses be issued to any of the countries involved.

Mr. GROVER. Mr. Chairman, will the gentleman yield?

Mr. MAILLIARD. I yield to the gentleman from New York.

Mr. GROVER. Mr. Chairman, I was not here to hear the remarks of our distinguished chairman, who has worked so hard for the merchant marine. I know there is no great controversy about this legislation. Since I did not hear the preliminary remarks, I will say I know my colleague, the gentleman from California, and/or my colleagues on the committee, as well as many in the House, are well aware of the crisis which affects the merchant marine industry.

In fact, I believe we now carry 6.5 or 7 percent of our shipping in American-flag ships. That is a cause for concern, but of much greater concern to me is that we are going headlong into obsolescence in our strategic reserve fleet with no plan right now to put new ships into that reserve. Of course, the impact on our balance of payments we all know about, but I think the fact that we are having a relatively quiet day today gives us an opportunity to underscore the fact that we face a severe crisis in our maritime industry, and it is an industry in which many countries not friendly to us are going full speed ahead in strengthening their shipping on the high seas.

Mr. MAILLIARD. I appreciate the gentleman's remarks. I might comment, to strengthen what he has said, if my understanding is correct and if our information is correct, about now, or if not now, within the next few months, the Soviet Union will pass the United States of America in tonnage of its world shipping fleet. And their fleet is brand new, or almost 90 percent brand new, whereas ours is still very largely made up of World War II vessels. I find the prospect as to the potential for some pretty devastating economic warfare quite frightening.

Mr. GROVER. I thank the gentleman.

Mr. GARMATZ. Mr. Chairman, I yield such time as he may consume to the gentleman from Virginia (Mr. DOWNING), a member of the committee.

Mr. DOWNING. Mr. Chairman, I rise in wholehearted support of this legislation, and I want to compliment the distinguished chairman and ranking minority member for the work which they and the other members have put into it.

Mr. Chairman, it seems to me that each year for the last 6 or 7 years some of us in this body have risen on similar occasions, spoken our piece and resumed our seat much in the style of the old-time radio announcer who always reminded his audience to "tune in tomorrow, same time, same station." The chief difference is that we would come back not the next day but the next year. That time has now arrived, and here we are once again.

Congress has always reacted—the fault lies elsewhere. We are not, however, singing the same old refrain. The tune is quite similar, but it is pitched in a higher key and the tempo has been increased. This is not the same old merchant marine song. We are trying to sing an upbeat tune, in keeping with the ever-increasing tempo of this modern world, a tempo which year after year has left the United States literally waltzing on the high seas while our competitors have all danced away from us.

At one time we were the leader. We set the tempo and called the tune, and the rest of the world tried to keep up. This is certainly not the case today. Our generation has become the "lost generation" as far as a national maritime is concerned.

I am neither hawk nor dove, but my blood boiled just as much as any American's when the North Koreans took the *Pueblo*. Like so many of you, I became almost apoplectic over the shooting down of our Navy reconnaissance plane a few weeks ago. I would have liked to have been able to retaliate. I do not mean that I would have called for it, but I would have preferred to know that we had the capability if retaliation had been called for. Militarily we do, but logistically we do not.

The military tells us that we could muster the necessary commercial vessels to sustain a supply line to Korea in addition to the present line which stretches to Vietnam. However, in order to do this, it would mean pulling every commercial vessel away from our already thin international trade routes. We would lose the small benefit that these vessels bring to our balance of payments. Worse than that, we would retire completely from world commerce. Our imports and exports would be at the mercy of foreign flags. No nation in such a position could survive very long.

We are fortunate in so many respects that we have not had to undertake another war. We will be more fortunate when there is no longer a need for the bridge of ships to Vietnam, but our only hope for a promising future on the high seas is to build ships at a pace which will surpass the retirement rate of our present fleet. That is why I voted in committee to increase the authorization to the figure that is before us today. That is why I ask most earnestly for the support—not of a majority, but in unanimity—for this authorization bill.

Preparedness has always been the watchword of the strong. My cry is for preparedness on the high seas. Construction of 25 to 30 new ships must be started during the next fiscal year if we are to prepare for the future.

Mr. MAILLIARD. Mr. Chairman, I yield 5 minutes to the gentleman from Washington (Mr. PELLY).

Mr. PELLY. Mr. Chairman, with regard to H.R. 4152 which was reported favorably by the House Merchant Marine and Fisheries Committee, I want to make it clear my support for the committee amendment raising the authorization for construction differential subsidy, and so forth, is based on the Maritime Administrator's statement that he expects the President to recommend a new maritime program sometime this summer.

In other words, recalling President Nixon's campaign statement that his policy would be one to enable American-flag ships to carry much more American trade at competitive world prices, I think the increases over the original Nixon budget are justified so that later, if and when the President sends over a supplemental budget request to provide for construction of more ships, there would be sufficient authorization so the Appropriations Committee, if it desired to do so, could add funds in a supplemental bill later on. And, incidentally, the amount of $145,000,000 in lieu of $15,918,000, is based somewhat on what our committee felt was feasible in fiscal 1970. We had in mind, too, that, due to the previous administration dragging its feet, there is $101,600,000 left over from fiscal year 1968 which is available for this purpose.

Mr. Chairman, our committee realizes that two-thirds of our merchant fleet is beyond a useful life. A new, modern merchant ship today, in many cases, will do the work of three obsolete vessels because of faster turn-around time and other features.

The United States cannot count on foreign-flag ships for several reasons, including national defense and the drain otherwise on our international balance of payments. At present, American-flag ships carry only 5.6 percent of U.S. cargoes. This should be at least 30 percent.

The Congress has every reason to believe that President Nixon will offer a program to provide, to quote his own preelection words, "new departures, new solutions, and new vitality for American ships and American crews on the high seas of the world."

Mr. Chairman, I urge my colleagues to support this bill and thereby afford him the opportunity to fulfill those words.

Mr. GARMATZ. Mr. Chairman, I yield such time as he may desire to the gentleman from Pennsylvania (Mr. CLARK), a member of the committee.

Mr. CLARK. Mr. Chairman, I fully support the remarks made by our distinguished chairman, concerning H.R. 4152.

We members of the Merchant Marine and Fisheries Committee have been acutely aware of the totally inadequate level of funding that this and prior administrations have allocated in the recent past for merchant ship construction. I do not feel this vital area can be overemphasized, because new ship construction is the core of the whole maritime structure of this country. Recent figures compiled indicate that today the total of U.S. merchant fleet is less than 900 vessels over 1,000 gross tons.

In less than 3 years, some 600 ships

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or two-thirds of the American merchant marine will be more than 25 years old, obsolete and uneconomical. This block obsolescence coupled with the lack of any positive new ship construction in quantity, creates a substantial threat to our Nation's economy and security. In fact, at present, our replacement program is behind by at least 100 new vessels.

During our hearings on this bill, the Maritime Administrator, Mr. Andrew Gibson, stated:

> Very very few of the ships in the reserve fleet are worth saving and reconditioning. The AP-5's Victory troop ships could be made available but at an exorbitant cost.

Thus the so-called reserve fleet, about which I am sure you all have heard in recent years, has been reduced to practically an "imaginary" auxiliary to the merchant fleet. One more reason for this Nation to embark upon a sensible ship construction program immediately.

It is for these reasons, and many more equally as important, but, too numerous to mention in detail here, that we on the Merchant Marine Committee have increased the authorization for ship construction from $15,918,000 to a figure of $145 million for fiscal year 1970.

To quote relative statistics, the administration's figure of $15,918,000, plus a carryover of some $101 million from previous years for construction-differential subsidy would be enough to build merely eight or nine vessels in fiscal year 1970. However, we feel that by increasing this figure to $145 million, plus the carryover, we can embark on a shipbuilding program that is realistic, and in tune with any real program that may emerge in the near future. It would reflect the contract for the construction of from 18 to 22 new, modern vessels depending upon the type and mix during fiscal year 1970.

Mr. GARMATZ. Mr. Chairman, I yield such time as he may desire to the gentleman from Connecticut (Mr. ST. ONGE), a member of the committee.

Mr. ST. ONGE. Mr. Chairman, the House will note that this bill has been substantially increased by the committee as a result of hearing witnesses from all areas of government, labor, and industry. The major increase is from approximately $16 to $145 million for ship construction. The original item would provide for the construction of eight to 10 replacement vessels as compared with 11 last year, whereas the amended proposal would find 31 new ships and 17 major conversions.

We, who have been following the affairs of our merchant marine over the years, are becoming more and more concerned over its deterioration. True, our best ships are the best in the world, but our average ships rate toward the bottom of the scale. A considerable portion of our fleet dates back to World War II, and whatever the shortcomings of other types of emergency construction may have been, our ship construction was wonderful since these ships not only performed through that emergency but have been utilized ever since in the Korean and Vietnam emergency and throughout the intervening periods of relative peace. But, it must be recognized that even the products of American shipbuilders cannot last forever, and the time is past when we should have embarked on their replacement. Ships were used in the Vietnam lift that were overdue for the scrap heap and it is certain that they will be unable to perform should another emergency arise.

It is essential that we provide a bear minimum of sea lift for the future and this cannot be done under the bill as submitted to the committee providing for the replacement of only eight to 10 ships. It is essential for our well-being, both from the point of view of our commerce and our defense, to start on a program to provide an adequate number of vessels. The bill as amended by the committee provides for such a start. Admittedly, it is insufficient to meet our minimum needs, but if we provide this amount for the current year, it can be increased in the future as needed.

I strongly urge the House to consider this bill favorably, since I am firmly convinced that the choice before us is a start to an adequate merchant marine or almost total elimination from the seas.

For my part, there is no choice. I foresee nothing but harm from the current practice of cutting down each year the number of ships being built. I strongly urge my colleagues to give favorable consideration to this legislation.

Mr. SCHADEBERG. Mr. Chairman, I rise in support of the bill before us today—H.R. 4152—authorizing appropriations for our maritime program.

Every Member of this body is aware of the crisis facing our maritime industry today. Since the end of World War II, when the merchant fleet was no longer needed in the war effort, it has received the minimal attention of this Congress. Eighty percent of today's American merchant ships were built more than 20 years ago. Our merchant marine is obsolete, inefficient, and inadequate. Among the world's merchant fleets, the American fleet has dropped to fifth place; in shipbuilding, this country now ranks an inglorious 14th. The Soviet Union, by contrast, has a merchant fleet of approximately the same size as ours but 50 percent of its ships are less than 5 years old. It has expanded its shipbuilding program and its marine education program; it has constructed the largest shipbuilding yard in the world; it is building faster and more versatile ships than the United States. Seven thousand students are enrolled in schools for marine engineers and naval architects in the Soviet Union—23 times as many as in this country. It is making an all-out effort to establish its supremacy on the high seas.

In view of this crisis in the maritime industry, the Merchant Marine and Fisheries Committee, of which I am a member, increased the budget request for the shipbuilding program from $16 to $145 million for the purpose of revitalizing our merchant marine. It is contemplated that this authorization will make possible the construction of between 18 and 22 new ships. The committee has also recommended an authorization of $212 million for the operating-differential subsidy and $15 million for research and development.

Let me clarify that, while I am deeply aware of the critical need for a viable maritime program, from both a strategic and an economic view, I am not happy about the large subsidies which the Federal Government is forced to offer shipbuilding companies in order to achieve our goals. Blame for this policy has been placed traditionally at the door of the unions. Part of the high labor costs, however, must be attributed to the fact that American shipyards are operating on an inefficient level of production. They are using outmoded equipment and archaic methods of operation. We could take some valuable lessons from the forward-looking maritime nations of the world which are building more ships and larger ships at a proportionally lower cost than we are. It appears that our shipbuilding companies do not have the necessary incentive to modernize their yards and to gear up for volume production. Perhaps one solution would be to award contracts for 10 ships each to two yards each year, thus offering these yards an economic impetus to overhaul their antiquated equipment and methods.

I will support the program at this time, but I believe that the maritime industry should be on notice that, if excessively liberal subsidies continue to be necessary to provide this country with an adequate merchant fleet, it will be necessary to look elsewhere for answers to this problem.

Mr. FEIGHAN. Mr. Chairman, with some exceptions such as in the field of containerization, and container ships, our merchant marine is woefully deficient and weak.

Other nations are building fast ships—they are building container ships—and very shortly our lead in both of these fields will disappear.

With respect to the balance of our fleet, it consists of vessels dating back to World War II. They performed yeoman service during that conflict and have been serving ever since. Progress has long since overtaken them and they are showing the effects of age.

The bill here as submitted by the administration called for $15,918,000 for construction-differential subsidy for the coming year. There is a balance of $101 million that has been arbitrarily withheld by previous administrations in this category, but even this total of some $117 million is insufficient. It will provide for construction of but eight to 10 replacement vessels—down one from last year. It is clear that this small number will only serve to slow the decline in our fleet. What we need, on the contrary, is an increase so that at some period in the future we may be in a position to look forward to an adequate fleet—adequate not only for our commercial needs, but also defense.

We have been told in the past that the advent of newer, larger, faster planes would eliminate the need for merchant ships in emergencies. While this may be true at some indefinite time in the future, the cold fact remains that 98 percent of the materiel and a very substantial portion of the troops serving in Vietnam have been conveyed there by ship. Unhappily, another Vietnam in the future will find us without the means of supply. Many of the ships used in the Vietnam lift are in such shape that future use is unthinkable, both from an expense and safety standpoint. We must be in a position to provide newer and faster ships for such service.

The condition of our commerce is too well known to require comment. We require many more ships to maintain even the pitifully small percentage of our cargoes carried under the American flag.

The committee, to start to meet this problem, increased the ship construction item from $15,918,000 to $145 million. I am all too aware of the conflicting needs of various agencies of our Government, but this is one that we can ill afford to stint. Ships cannot be built overnight, and unless we make a start toward a reasonable program, we are going to wake up some morning with a very substantial requirement and no ships to meet it.

We of the committee had had the opportunity to hear the varying viewpoints with respect to expenditures, and we are all firmly convinced that the bill, as amended, represents the utter minimum that will provide some degree of safety to us.

The authorization of $145,000,000 for ship construction will not only help the local steel industry of Cleveland but will help reverse the trend which now places the United States as 16th in the world's shipbuilding statistics. Our Merchant Marine is presently carrying less than 8 percent of our foreign waterborne trade.

Mr. BYRNE of Pennsylvania. Mr. Chairman, I rise in support of H.R. 4152, the maritime authorization bill. I join my chairman and the other members of the Merchant Marine and Fisheries Committee over their concern because of the declining posture of the U.S.-flag merchant fleet.

After World War II, this country enjoyed the largest and most productive merchant fleet in the history of the world. But today, this situation has come "full circle"—we no longer can enjoy that luxury of 25 years ago. Ironically, two-thirds of our present fleet is made up of these same vessels that were part of that postwar fleet. Needless to say, these vessels are overaged, uneconomical and just a hair away from the scrap heap.

There is no question in my mind that a critical need for new vessels is necessary and desirable to inject resilience and life into our aging U.S. merchant fleet. The time for action is now.

H.R. 4152 will provide for the construction of at least 18 to 22 new, modern vessels. Of course, this is not the complete answer to this Nation's critical need for new merchant tonnage, but it is a very good start.

I strongly urge my colleagues to give favorable consideration to this legislation.

Mr. PHILBIN. Mr. Chairman, I want to compliment the distinguished chairman and his committee for bringing this maritime authorization bill to the floor for action.

There are few things more disturbing at this time than the steady decline over a period of years of the maritime strength of this Nation, which is an important, integral part of the national defense.

The sad fact is that our overall maritime power is receding while that of the Soviet Union is rapidly advancing.

Moreover, it should be noted that the very large Soviet fleet is young and modern, whereas most of our American fleet is old and, in many respects, outmoded.

While this bill will be very helpful, I think we must give considerably more attention to the problem of building up our American merchant marine, and I urge the committee to continue its efforts to develop a program that will enable us to build our merchant marine at a faster rate so that we can stay on a parity with other shipping in the world and be in a position, when it is required, to carry American goods in American bottoms and have afloat an adequate, modern merchant marine.

I am pleased to support this bill and am sure that the House will overwhelmingly adopt it. It is a forward step and one that should be followed up by additional action to upgrade, modernize, and build to satisfactory levels our American merchant marine.

Mr. MAILLIARD. Mr. Chairman, I have no further requests for time.

Mr. GARMATZ. Mr. Chairman, I have no further requests for time.

The **CHAIRMAN.** There being no further requests for time, the Clerk will read.

The Clerk read as follows:

H.R. 4152

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That funds are hereby authorized to be appropriated without fiscal year limitation as the appropriation Act may provide for the use of the Department of Commerce for the fiscal year 1970, as follows:

(a) acquisition, construction, or reconstruction of vessels and construction-differential subsidy and cost of national defense features incident to the construction, reconstruction, or reconditioning of ships, $15,918,000;

(b) payment of obligations incurred for operating-differential subsidy, $224,000,000;

(c) expenses necessary for research and development activities, $7,700,000;

(d) reserve fleet expenses, $5,174,000;

(e) Maritime training at the Merchant Marine Academy at Kings Point, New York, $6,164,000;

(f) financial assistance to State marine schools, $2,040,000; and

(g) reimbursement of the vessel operations revolving fund for losses resulting from expenses of experimental ship operations, $2,000,000.

The **CHAIRMAN.** The Clerk will report the committee amendment.

COMMITTEE AMENDMENT

The Clerk read as follows:

Committee amendment: Strike out all after the enacting clause and insert in lieu thereof the following:

"That funds are hereby authorized to be appropriated without fiscal year limitation as the appropriation Act may provide for the use of the Department of Commerce, for the fiscal year 1970, as follows:

"(a) acquisition, construction, or reconstruction of vessels and construction-differential subsidy and cost of national defense features incident to the construction, reconstruction, or reconditioning of ships, $145,000,000;

"(b) payment of obligations incurred for operating-differential subsidy, $212,000,000;

"(c) expenses necessary for research and development activities, $15,000,000;

"(d) reserve fleet expenses, $5,174,000;

"(e) Maritime training at the Merchant Marine Academy at Kings Point, New York, $6,164,000;

"(f) financial assistance to State marine schools, $2,040,000; and

"(g) reimbursement of the vessel operations revolving fund for losses resulting from expenses of experimental ship operations, $2,000,000."

Mr. GROSS. Mr. Chairman, I move to strike the necessary number of words.

Mr. Chairman, I take this time to address a question or two to the chairman of the committee.

It is my understanding that this bill is somewhat above the budget and that the purpose of this additional funding or authorization for funding is in anticipation of a program to come later this year; is that correct?

Mr. GARMATZ. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Maryland.

Mr. GARMATZ. I would hope so. I would say to the gentleman from Iowa, I think the gentleman is correct.

Mr. GROSS. And, if the program does not make its appearance later in the year, will the additional funding be requested and the money spent for some other purpose? If the gentleman will explain briefly what would take place in that event I would appreciate it.

Mr. GARMATZ. I would hope that the administration would be more maritime minded than the past administration. I am optimistic they will come up with a program. The money that we now have will effectively carry us over, but we have in mind the subsidies with this large increase. What we are really doing in adding, roughly, from 8 to 10 percent to 18 to 20 percent of ship construction. That is where the majority of the money is. There are quite a few companies who will request subsidies for shipbuilding and I am sure some of those will be given consideration. If that is done, that will be used up probably even before the program comes forth that we are expecting from the new administration.

Mr. GROSS. I thank the gentleman.

Mr. MAILLIARD. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from California.

Mr. MAILLIARD. Obviously, I think that the basic question which the gentleman from Iowa has asked would have to be presented to the Committee on Appropriations, primarily, as to whether they want to take the situation as it now stands and then wait and see if there is a request for a supplemental appropriation, or whether they want to appropriate more money now than what might come later. It would be in their hands and they have the authority to do it.

XUM

Mr. GROSS. As I understand the proposal, the timing of it might not coincide with the actions of the Appropriations Committee.

I am merely trying to clarify what may be the situation with reference to matters that we cannot foresee here today with respect to the operations of the Committee on Appropriations.

I would like to get some feel of what will happen in the event the program does not come up at all or in the event that the Committee on Appropriations presents a bill to the House prior to the submission of the new program.

Mr. MAILLIARD. We do not know, of course, as I stated. We leave them flexibility here to prepare for a program, if we get one.

Mr. GROSS. I appreciate that information and thank the gentleman.

Mr. PICKLE. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I want to ask the chairman of the committee a question which has been presented to me.

As I understand the authorization, it is for the acquisition, construction, and reconstruction of vessels, or payment of obligations incurred for operating differential subsidies and for certain expenses necessary for research and development activity.

My concern is that in the construction of these vessels that we are not here at this point granting any kind of a shipping subsidy insofar as commodities are concerned that might be in competition with merchants here in our own country.

By way of an example, it is rumored in my State that these new vessels might bring in to this country large deposits of calcium and that they might be subsidized in competition with our own merchants.

I assume, however, that this bill is primarily for construction and the purposes which I have previously mentioned and in no way involves subsidies for a particular commodity?

Mr. GARMATZ. Mr. Chairman, will the gentleman yield?

Mr. PICKLE. I yield to the gentleman from Maryland.

Mr. GARMATZ. In answer to the question which has been posed by the gentleman from Texas, the answer is "No."

Second, we have no authority in the field where subsidies are concerned.

Mr. PICKLE. This would be a matter, then, for the Maritime Commission?

Mr. GARMATZ. That is correct.

Mr. PICKLE. I thank the gentleman. I will be in correspondence with the gentleman and his committee on further details about this. However, I wanted to have that assurance. Again I want to thank the gentleman.

The CHAIRMAN. The question is on the committee amendment.

The committee amendment was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker pro tempore (Mr. WAGGONNER) having assumed the chair, Mr. GILBERT, chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 4152) to authorize appropriations for certain maritime programs of the Department of Commerce, pursuant to House Resolution 407, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The **SPEAKER** pro tempore. Under the rule, the previous question is ordered.

The question is on the amendment.

The amendment was agreed to.

The **SPEAKER** pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The **SPEAKER** pro tempore. The question is on the passage of the bill.

The bill was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. GARMATZ. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the maritime authorization bill just passed by the House.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Maryland?

There was no objection.

LEGISLATIVE PROGRAM FOR WEEK OF MAY 19

Mr. GERALD R. FORD. Mr. Speaker, I ask unanimous consent to proceed for 1 minute for the purpose of asking the distinguished majority leader the program for the rest of the week and the schedule for next week.

The **SPEAKER** pro tempore (Mr. WAGGONNER). Without objection, it is so ordered.

There was no objection.

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. GERALD R. FORD. I yield to the gentleman from Oklahoma.

Mr. ALBERT. Mr. Speaker, in response to the inquiry of the distinguished minority leader, we do not have any further legislative program for this week and I will ask that the House adjourn over.

The program for next week is as follows:

Monday is Consent Calendar day. There are four suspensions as follows:

H.R. 10595, extension of Great Plains conservation program;

H.R. 6808, relating to education benefits provided veterans and certain dependents;

S. 408, relating to various veterans' housing programs; and

H.R. 2667, to revise the pay structure of the police force of the National Zoological Park.

Tuesday and the balance of the week:

On Tuesday the Private Calendar will be called.

Then on Tuesday and Wednesday we expect to have up, subject to a rule, the second supplemental appropriation bill for the fiscal year 1969.

The annual New York event for Members takes place on Thursday and we do not propose to program any legislation for that day.

Mr. GERALD R. FORD. Mr. Speaker, would the distinguished majority leader give me information on this point. I have heard that we will have just general debate on the supplemental appropriation bill on Tuesday and that the bill will be read for amendment on Wednesday.

Mr. ALBERT. That is my understanding. I have discussed that with the distinguished chairman of the Committee on Appropriations. I do not see the gentleman on the floor now, but that is my understanding, that the bill will be read for amendment under the 5-minute rule on Wednesday.

Of course, this announcement is made subject to the usual reservations that conference reports may be brought up at any time and that any further program will be announced later.

ADJOURNMENT OVER TO MONDAY NEXT

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Monday next.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

Mr. GROSS. Mr. Speaker, reserving the right to object and I shall not object, do I understand that there will be a session of the House on next Thursday?

Mr. ALBERT. The gentleman is correct.

Mr. GROSS. But there will be no business?

Mr. ALBERT. We do not intend to program any business in view of the annual New York event.

Mr. GROSS. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

DISPENSING WITH BUSINESS IN ORDER UNDER THE CALENDAR WEDNESDAY RULE ON WEDNESDAY NEXT

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday rule may be dispensed with on Wednesday next.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

TWENTY-FIRST ANNIVERSARY OF THE ESTABLISHMENT OF THE STATE OF ISRAEL

(Mr. ANNUNZIO asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

XUM

Mr. ANNUNZIO. Mr. Speaker, in our society the age of 21 marks the threshold of maturity. Today we are celebrating the 21st birthday of a mature and well-established nation—the State of Israel.

Since its birth in 1948, Israel has grown and prospered in a most unprecedented manner. The economy has been launched, the immigrants absorbed, the desert watered, and a true democracy assured. The countless accomplishments of Israel in achieving a viable and thriving economy and a true democracy deserve both praise and awe.

Israel's gross national product has multiplied untold times from its initial tiny base, U.S. technical assistance has long since been withdrawn as being unnecessary, and her population has more than tripled. Agricultural production is expected to expand at a rate of 10 percent per year, an increase that will hopefully eliminate the need for food imports.

Much of this agricultural increase is coming from lands considered barren prior to the advent of Israel. Today, swamps, deserts, marshes, and eroded hills have been turned literally into lush gardens with tremendous productive capacity.

As former legislative and educational director in Chicago for the Steelworkers of America, and one who has always been keenly interested in the labor movement, I am pleased to note the Histadrut is the largest labor union in Israel with a membership of 1 million, over 275,000 of whom are agricultural workers and 270,000 of whom are wives with membership status. Health, welfare, education, athletics, insurance, and other programs make the Histadrut a vital segment of Israeli life.

The Hevrat Ovidum, which is affiliated with the Histadrut, operates a variety of industries and services which also make Histadrut the nation's largest business firm. Most of the cooperative farms are run by Histadrut. The elected officials of Histadrut represent all the political parties and all segments of Israeli life.

The arts, higher education, and athletics have received equal concentration. Israel boasts of a fine symphony orchestra, internationally recognized artists and sculptors, and Nobel Prize-winning authors. There are more than 1,000 libraries and 5,000 schools in Israel today, and there are seven major universities and 52 colleges, and many museums and institutes which specialize in studies ranging from archeology to atomic energy. An annual international Bible contest, and the Maccabiah games provide areas of competition.

Israeli technical and manpower assistance have been extended to many of the emerging nations in Africa, and to countries in Asia and Latin America. Hundreds of instructors, advisers, and survey missions, as well as builders, have been sent to these nations as part of a program of assistance to other developing countries.

Israel stands today as a tribute to courage, strength, ingenuity, and perseverance. On this independence day, I congratulate Israel and wish for her people peace, prosperity, and happiness in their homeland. I salute our friends in Israel, as well as Americans of Jewish descent throughout our Nation who are joining in this celebration, and extend to them my profound respect and warmest personal regards.

PRESIDENT NIXON SAYS YES TO $10,000 MILLION ABM, BUT NO TO $100 MILLION JOB CORPS

(Mr. LEGGETT asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. LEGGETT. Mr. Speaker, I am appalled at the decision of Secretary of Labor George E. Shultz to close 50 Job Corps conservation centers. The failure of the Senate to muster a majority to abate this desecration is lamentable.

Alder Springs Job Corps Center in the Mendicino National Forest is located in my congressional district. I am familiar with the success of Alder Springs in terms of its rescuing of human potential.

Alder Springs is 40 miles west of Willows, a small pastoral community in Glenn County in northern California. The center was dedicated on July 31, 1965. The setting of the camp is breathtakingly beautiful and for many of the corpsmen residence at Alder Springs has been their first exposure to an environment which is conducive to learning and developing positive values in a natural setting.

Secretary Shultz has stated that the isolation of some of the rural centers has been a detriment to the corpsmen. That is the opinion of the Secretary. However, the majority of the corpsmen to whom I have spoken personally have stated that Alder Springs has given them their first chance to succeed in life. I believe that the wholesome outdoor environment coupled with educational and work experience has provided many of these youngsters with positive values which will remain with them the rest of their lives. Rather than taking the self-destroying, society-destroying routes of drugs and desolation, thousands of youngsters have at least glimpsed life's broader horizons at the Job Corps conservation centers in this country.

I assisted in the dedication of Alder Springs back in 1965. I pointed out to the new young men assembled that they were part of a national experiment. We wanted to see if large numbers of young men, formerly the dropouts of society, could be "cost effectively rehabilitated."

We started off with a plant at Alder Springs of nearly $1 million value, that since has been improved an additional 50 percent. Corpsmen originally did very poorly due to the fact that so little time was available to train supervisory personnel. There was a problem in management of the program and this was subsequently solved by vesting full local responsibility in the Forest Service.

And the boys have been doing a job. While the costs of the camp have run about $1 million per year, the annual benefits, constructing furniture, improving the forest, have run nearly half that amount. The boys have built trails, water conservation works, planted cover and trees, have volunteered during floods and forest fire disasters. Corpsmen have built checkdams to stem erosion and last year they converted 200 acres of brushland into pasture for livestock and deer. We are experiencing a conservation crisis in this country, and we should be aware of the constructive work these young men are doing as they improve their academic skills.

The cost to the taxpayer, true, has been running several thousand dollars per year per boy, but I firmly believe that if it is worthwhile for the United States to spend $40 billion per year to save the United States from godless communism from without in Vietnam, our local investment in human being redevelopment is quite cheap.

The staff at Alder Springs has made an effort to coordinate academic and job training with the work which the corpsmen do. For example, the welding class learns its skill as it builds fire grates for the camp. The carpentry class has built picnic tables, poured cement sidewalks, and built outbuildings. In this way, the corpsmen are able to see for themselves that cooperative activity brings personal rewards. They are also learning skills which are transferable to the urban job market.

We must remember that the Job Corps was initiated to deal with youths who, through no fault of their own, have come from extremely deprived backgrounds. I do not think that the decision of the administration to concentrate on urban centers is necessarily a wise one from a psychological point of view. The removal of these young people from a hectic urban environment to one such as Alder Springs provides can create much more calm and controlled conditions for learning both skills and the value of community cooperation.

Mr. Ed Davis, the editor and publisher of the Willows Daily Journal, stated in a recent editorial that 1,200 young men from poor families have completed training at Alder Springs. This figure comprises 70 percent of the trainees who have arrived at the center since it opened 4 years ago. I think that is a good showing, indeed, when you consider that the group is 100 percent society dropout.

Of this group, 10 percent have returned to school, 13 percent have joined the Armed Forces, although they were previously unqualified, and 77 percent have been placed in jobs. These jobs range from operating bulldozers to carpentry work.

It should be clear to the Establishment by this time that the most destructive element in society surfaces when promises are made, accepted in good faith, and not kept.

It is clear to me that the administration is attempting to operate on the Job Corps not with a scalpel but with a meat ax. I intend to appeal to my colleagues in the House to join me in preventing this operation before it is too late.

The farmers of my district do not

quite understand national economics. They heard the Government say just a few years ago that the local water project—the Tehama-Colusa Canal—Will S. Green Canal—would have to be substantially held back because the Government did not have the money to lend. This did not make too much sense to the folks at home because they knew that whatever funds that were lent on the canal would be paid back in a few years and likewise they knew that the canal would bring better irrigated production that would nearly double income tax returns to the Government right away.

Now the Government says that not only do we not have the money for the canal but the Job Corps has got to close.

This Job Corps decision has made less sense than the canal decision to the local folks because everybody knows the great work the Forest Service has done with those city kids at the nearby Job Corps camp. They know the problems that the Government has had in getting the Job Corps camp operating right. Now that the problems of administration are coming under control, it does not seem right to summarily close up the camp without the Republicans even making a halfhearted attempt to right what they feel is wrong with the effort.

I wish to present for the edification of my colleagues a series of articles and editorials by the distinguished editor of the Willow Daily Journal, Mr. Edwin Davis.

Mr. Davis, who has followed the progress of the Alder Springs camp since its inception, tells it like it is. He knows the facts and he presents them in a straightforward manner. He has seen the difference in the lives of the many boys who have passed through Alder Springs. The Alder Springs experience has clearly been a constructive one both for the boys and for the surrounding community. Mr. Davis feels that Alder Springs provides the last chance for many young men to lead constructive lives. I concur. The articles follow:

[From the Willows (Calif.) Daily Journal]

Job Corps Offers Challenge to City

Mixed reactions have greeted the news that a Job Corps Conservation Camp is likely to be located in the wildlife refuge south of Willows if, as seems almost assured, Congress passes President Johnson's anti-poverty bill. And it is understandable that some residents look with a certain amount of disfavor on this development which will represent a departure from the established pattern of community life.

Some of the 100 carefully screened youths to be housed, educated and trained for useful occupations at the refuge will be members of minority races and of "underprivileged" groups.

To those of us who live in a wholesome rural community like Willows, "underprivileged" is a word which perhaps lacks complete meaning, because we have not experienced it. For full comprehension of what it implies we would have to live awhile in a teeming tenement district where a population the size of Willows is jammed into a single city block.

We would have to face the futility of a lifetime on pavement and creaking boards, the desperation of nighttimes fending off slimy cockroaches and voracious rats, the frustration of an environment dominated by rickety tenement houses rather than fields of grain.

We would have to share the hopelessness of wanting an education where none can be adequately provided, of seeking a job where none exists.

To residents of such a slum district, a city like Willows, with its friendliness, tolerance and pleasant living conditions, must be like a mirage which is tremendously desirable but hopelessly unattainable. Perhaps this is the reason that the Willows area has been tentatively selected for one of only four pilot camps in six Western states. The environment here is conducive to healthy thoughts as well as healthy endeavor.

Whether the camps will be successful, as the depression-years Civilian Conservation Corps was eminently successful, or whether they will fail to achieve their goal of educating, training and finding jobs for these youths is still, of course, to be determined.

But, in any event, the program represents a worthy objective of giving potentially productive youths the prospect of bettering themselves in the American tradition of equal opportunity for those with the brains and character to grasp it.

Whatever the merits of the program itself, surely the reaction of Willows residents will determine, to some extent, whether it succeeds or fails here in Northern California.

If the youths are treated as unwanted interlopers, then isn't that precisely what they are apt to be? If, however, they are made to feel they are worthwhile as individuals and that Willows will do whatever it can to help the program and help the youths succeed in their endeavors, then isn't their reaction apt to reflect this warm, helpful attitude of the community?

Probably the youths will engage in organized sports. Will they do so as segmented stepchildren of the community, or will they be invited to compete with Willows teams?

Probably many of them will be churchgoers, either existing or potential. Will they be made to feel welcome or unwanted in Willows churches?

Will the community, working perhaps through a group of civic leaders, meet and plan with the Fish and Wildlife Service for a cooperative effort aimed at serving the best interests of both the Job Corps camp and the community itself; or will Willows dismiss the opportunities and the problems presented by the camp as being of no concern to itself?

Doesn't the program offer not a cross to bear, but rather a tremendous challenge and opportunity for the people of Willows to take a vital part in enlarging the horizons and job prospects of a group of youths who have lacked them in the past through no fault of their own?

Step Is Praised: High School Trains Job Corps Youths

A new link was added to a growing chain of cooperation between the Willows High School and Alder Springs Job Corps camp as 21 corpsmen began an 18-week night course in fundamental auto maintenance this week.

Nick Neuberger is teaching the course, and plunged the youths directly into basic use of a basic tool—the micrometer for making precise measurements. Their concentration and comments indicated they were intensely interested.

Arrangements for the course, held each Tuesday from 8 to 10 p.m., were made by Erwin A. Decker, high school superintendent, with Job Corps Camp Director, A. R. Groncki, Educational Director Stanley Lynch and Counsellor Clyde Wilson.

Tonight six corpsmen will attend adult typing class at the high school, and next Tuesday three to four will attend art class.

Lynch was high in his praise of the community in general and Decker in particular.

"This is a wonderful thing," he said. "It certainly indicates tremendous cooperation from the community, and a marvelous attitude.

"So far as I know the cooperation between Jobs Corps and community is unmatched anywhere else in the country.

"And Mr. Decker is really to be commended for his leadership in helping the corpsmen get education and training in skills."

Tom Rogers, resident counselor at the camp, is in direct charge of the 21 corpsmen attending auto maintenance classes.

The youths include Robert Gomez, Donald Mason, Jerry Borders, Richard App, Jim McClurg, Joe Piko, Ken Belsar, Ed Gilbert, Dave Weatherly, Jim Gibson, Ernest Oliver, Allen Rickert, David Renschaert, Ernie Stoess, Daniel Merchant, Red Ellis, Gaston Amaro, Guillermo Ortega, Harold Nuhring, Tom McCoy and Clarence Soloman.

Job Corps Aim Is Usefulness

Like most significant steps forward in the history of mankind and of the United States, the Job Corps has its detractors.

They are just as convinced that the concept is all wrong as perhaps their forebears were convinced that the women's vote, regulation of monopolies, and income taxes were all wrong.

The Job Corps, they contend, is too expensive; indeed, it's a waste of money because a person determines his own fate.

They are inclined to forget that environment does, indeed, influence a youth and often makes the difference between useless and useful adulthood.

They are inclined to ignore the alternatives to programs such as the Job Corps—idle, unproductive adults on relief, or in jail, at an expense to taxpayers, when they could be paying their own way.

They are inclined to overlook the basic tenet of Christianity: that man be his brother's keeper.

Perhaps if many of them could spend a day at the Alder Springs Job Corps camp observing the overwhelming majority of the youths, they would change their views—if they could see the intense concentration on books and classwork, the eagerness to learn, the desire to be applauded for a job well done.

A Purdue University student, in an interview published on page 1 today, gives a discerning and inspiring account of his experience as a summer supervisor and counselor at Alder Springs. He speaks of the corpsmen's driving thirst for education, and of their rapid learning in spite of their lack of opportunity for education.

He estimates that about 90 percent of them can be helped by the Job Corps program.

The firsthand, objective account by 22-year-old Charles P. Poore should go a long way toward putting the Job Corps in its proper perspective—as by no means a waste of money but, on the contrary, as an inspiring and very hopeful attempt to replace lack of opportunity with opportunity, irresponsibility with responsibility, lack of self-respect with human dignity.

Purdue Man Cites Job Corps Benefits

Lafayette, Ind.—A Purdue University student is telling his classmates here how he really had his eyes opened about education during the summer 40 miles west of Willows.

Charles P. Poore, a 22-year-old senior in forestry from Indianapolis, says the 6 weeks he spent at the Federal Job Corps camp at Alder Springs taught him that there is just "no substitute for a good education."

Poore, Fred Hansford, University of Mississippi student, and Dick Bertoncini, Chico State College student, were working for the U.S. Forest Service when the Alder Springs camp put out a call for emergency help for supervisors.

Hal Ward, head ranger of the Willows district, loaned them to Job Corps Center Director Al Groncki, and they found in 6 weeks that:

Even the most wayward youths at the camp want an education;

Most of them will be in jail in 10 years if they don't get it;

The Job Corps is a good effort to rehabilitate these young men;

The city of Willows is a good host to the boys and helps their desire to excel.

"I've never before met a person who couldn't read a newspaper or write a letter," Poore says. "I just didn't realize how important an education was or how adversely it can affect those who don't have it."

For 6 weeks the three students lived with the 150 Job Corps youths, supervised sports and helped encourage them.

"The camp was set up to bring their education to the eighth grade level so they could be sent to another center to learn a skill. The boys worked one day at forest service duties and spent the next day at study and classwork," he says.

Two events especially pleased Poore and convinced him that although all the boys in the camp were dropouts from school, all is not lost for them.

A driving thirst for education became apparent among about 25 percent of the boys who voluntarily spent evenings with Poore trying to learn math. His classes, held informally, were conducted afer the boys had completed their work or their regular study days.

Poore also drew on his Purdue Air Force ROTC training and organized a group of about 16 into a drill team.

"At first, the other boys hooted and poked fun as the boys drilled, but soon at least 15 others joined the drill team," he relates.

The math class took up rather advanced forms for boys with their backgrounds, Poore says, "but they learned fast in spite of their lack of opportunity for educations."

"They wondered why they had to learn such basic things as multiplication tables, and reading and writing. One boy couldn't understand why he just couldn't go to the electronics school, as he had volunteered for rather than to this camp to get a basic education.

"The drill team provided a discipline these boys wanted and needed. They crave someone telling them what to do; they don't like to make decisions themselves and they respect a man who can lead them.

"The drill team drilled about 1 hour daily and soon was formed into a color guard and took the flag down at night."

It is apparent Poore has a soft spot in his heart for the Job Corps boys. On one hand he has to admit their morale and outlook on life are low, but on the other hand he is quick to praise their desire to excell.

"These guys came here with no place to go; many would have been in jail in 10 years. They have to settle every problem with physical means. But about 90 percent of them can be helped by the Job Corps program. They want to be treated as human beings; they are very happy with a little recognition, some attention, a little money and freedom to make their own choices.

"They don't need a lot of these things, but just a little. It's surprising what a little medal means to them, or a person who takes an interest in them personally," Poore observes.

But they don't know right from wrong, he believes. They think "if it's right for me, it's right, and what do I care about tomorrow, I might be dead."

He said he especially noted that only about 10 percent of the boys had any religious conviction and these were always the boys with higher values. They were patriotic to the United States, though Poore doesn't feel it is a deep-seated patriotism. Just because everyone else seems to be patriotic, they are also, he believes.

The boys were mostly from urban areas and didn't like to be in the forest. If they wandered away from camp or were among the 25 percent quitters they probably would become lost, he says.

One boy couldn't understand that the directions remained constant no matter where a person stood.

But they want to learn if it is patiently explained that education can be used and will help them. Most have the capability to learn fast, Poore says.

"There are some who came to the Job Corps for a free ride," he admits. One lad came to get about $400 free dental work, another came as an agitator. But most were at the end of their roads, and it seemed like a good thing to make something of themselves.

The experiences have helped Poore change some of his own thinking. He plans to get an extension from the Air Force to delay the 5-year service he is committed to when he graduates in January. He will get another degree from Purdue—probably in a biological area. Then after his 5 years Air Force service, he says he'll decide whether the Air Force will be a career, or whether he'll be a teacher. His fiance, Sue Rider, a teacher in Marion, will help him decide.

At some time in his life, Poore Thinks teaching will be his occupation. "I can't explain the feeling I got when I could see how much good education can do, how even in 1 hour a boy could be so happy when he understood what a fraction was."

Willows Is Already "All-American" City

Whether or not Willows wins an "All-American City" award for painting downtown buildings, constructing a civic center or expanding its sewer system, only the future can say.

One conclusion, however, seems self-evident: So far as its help to underprivileged youths is concerned—its relationship with the Alder Springs Job Corps camp—Willows is an All-American city.

Before the first youths arrived last March, a Willows civic advisory committee had been established. Its sole aim was to try and cement relationships between the camp and the community for the benefit of both.

From that beginning, here have been some of the activities in the intervening 6 months—many of them inspired by individual citizens.

Willows has:

Welcomed the first group of corpsmen to arrive with the high school band, son leaders, and other residents;

Attended the camp's dedication in droves;

Taken youths from the camp into their homes;

Invited the camp's softball team to play city league teams;

Stocked the camp library with appropriate magazines and books;

Taken corpsmen on privately piloted flights to inspect their environment from the air;

Arranged for the youths to see Giants' games in Candlestick Park;

Established a special auto maintenance course at the high school for 21 corpsmen and welcomed additional corpsmen into adult art and typing classes;

Been friendly and courteous.

Is it any wonder that Western Regional Job Corps Director Mike O'Callaghan, in a letter to Congressman Robert L. Leggett, praised the community for its "positive, progressive attitude," which, he said, "not only has assisted the success of the program in Willows but has served as a pattern for the West."

Is it any wonder that the camp's educational director, Stanley Lynch, commented on High School Superintendent Erwin A. Decker's arrangement for providing classroom instruction for exceptional corpamen:

"This is a wonderful thing. It certainly indicates tremendous cooperation from the community and a marvelous attitude.

"So far as I know the cooperation between Job Corps and community is unmatched anywhere else in the country."

Every resident of the community and of the area can be justifiably proud.

The Job Corps Worth Keeping

If President Richard M. Nixon carries out his plan to abolish the Job Corps, he will kill one of President Kennedy's and Johnson's most valuable programs for giving the poor and uneducated a chance to become productive citizens; he will, furthermore, effect a cost cut which will not be a savings but an expense to taxpayers.

Henry J. Taylor, in a column published on this page last week, sought to justify Mr. Nixon's design by reviewing the cost of the Job Corps.

Each underprivileged youngsters guided through it in its first fiscal year "cost the taxpayers $270,000," he stated.

This is an irresponsible statement, since Mr. Taylor neglected to explain that the cost of Job Corps facilities was included in that cost. This is a huge investment, incidentally, which will be washed down the drain if the Job Corps program is ended. What other possible use could be found for camps such as those at Alder Springs west of Willows and near Weaverville, Shasta County?

Mr. Taylor went on to bemoan the current Job Corps budget, which he said "is $280,000,000 for only 33,000 enrollees." Naturally, in a biased article, Mr. Taylor failed to note that this represents $8,484 per corpsman, as against $270,000 per corpsman during the initial year, when necessarily heavy outlays were made for installing and equipping camps.

Furthermore, Mr. Taylor failed to report what alternative might replace the Job Corps.

Many Alder Springs corpsmen, quoted in Daily Journal articles, realize that the Job Corps represents their "last hope."

Without such an opportunity for self-advancement the vast majority of them would have been doomed to lives of sterile unproductiveness, and in many cases to years on relief or in prison.

Edith Louderback, Glenn County welfare director, points out that the average monthly welfare payment to a family of five in Glenn County totals some $312 per month, plus medical expenses. This means that the cost of educating a job corpsman is returned to the taxpayers in savings within approximately two years.

Perhaps unwittingly, Mr. Taylor himself quoted figures attesting to the success of the Job Corps toward producing productive citizens.

Of some 1,000 graduates during the first year, he said, about 5 of 10 found jobs, 4 of 10 entered the armed forces (most of them, if not all, would have lacked the reading and writing ability to enter the armed services if they had not joined the Job Corps), and the remaining graduates "went back to school."

Is this not an impressive record? Is it not well worth the cost to taxpayers? Doesn't it perhaps indicate that the program should not be killed but expanded?

As Mrs. Louderback pointed out in discussing Mr. Nixon's proposal to terminate the Job Corps, the success of the program cannot be measured in money.

"It's what we can do for these people that counts," she said.

"They need education. Any child with the capacity to learn should be given the opportunity—not just those whose parents can

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afford it. Every child deserves an opportunity.

"After all, we spend a great deal more for people in foreign nations and expect nothing in return.

"Of these youths we expect them to become productive, to take their place in society and contribute to it."

Mrs. Louderback is justifiably known as a welfare director who is careful with the taxpayers' money. She not only keeps a sharp watch against welfare fraud but she acts, on her own initiative, to secure jobs for employable welfare recipients.

Yet the very nature of her job proves to her the immeasurable depression and deterioration which set in when a person is long without work. She recognizes that educating and training underprivileged youths not only saves taxpayers' money but creates self-respect through self-support.

Does Mr. Nixon's philosophy contain no recognition of this?

The Job Corps Must Not End

In a speech to the 15 foreign ministers of NATO last Thursday, President Nixon proposed formation of a committee to improve "the quality of life of our peoples."

The next day his administration announced plans to close more than half the nation's 106 Job Corps centers, including the Alder Springs center some 40 miles west of Willows.

No committee has been needed to improve "the quality of life" of 1,200 young men from poor families who have successfully completed the Alder Springs training program—a phenomenal 70 per cent of the 1,700 young men who have arrived at the center since it was formed four years ago.

They themselves, mostly Negroes, have improved their own quality of life, assisted by sympathetic, skilled staff members and a program of learning by doing.

Ten per cent of the graduates returned to school, 13 percent joined the armed services (they had been unqualified previously due to educational, health or other deficiencies), and 77 percent were placed in jobs—a wide variety of skilled jobs ranging from operating bulldozers to carpentering.

Operating under a million-dollar annual budget, the cost averaged about $5,000 for each youth successfully completing the program.

Is that cost too high? Apparently to President Nixon, who proposes appointing an international committee to improve "the quality of life of our peoples," it is.

Yet consider the far greater cost of maintaining each of these young men for the remainder of their lives on welfare. Or in prison. As many of them have freely admitted, the Job Corps was their "last chance" to lead dignified, constructive lives. It was their last chance to improve the quality of their lives. Now this last chance will be closed to countless other young men from poverty-stricken homes.

Consider, too, the work programs accomplished by the corpsmen as they have learned by doing. Located in the Mendocino National Forest they have built fire trails and lookout stations; last year alone spent 3,233 man-hours fighting fire. At the current rate of $2.10 per hour for inexperienced firefighters this alone represents $6,789 which the taxpayers otherwise would have had to pay.

The corpsmen have built complete campgrounds, including, last year alone, more than 75 camping tables and more than 30 stoves.

They have built checkdams to stem erosion, and last year converted 200 acres of brushland into pasture for livestock and deer.

These and other programs to conserve and enhance the publicly owned national forest have greatly offset the reasonable $5,000 cost of training a youth for a useful instead of a useless life—of making him self-supporting rather than tax supported; of preserving his dignity as a man. No better program has been proposed for improving "the quality of life" of deprived American youths. How can President Nixon possibly be justified in reducing and eventually eliminating the Job Corps?

Let's Fight for Job Corps Unit

During and after his campaign, President Nixon spoke of the attention he would pay to rural communities in order to strengthen their economies and preserve their valuable contributions to the nation. His proposal to close the bulk of California's Job Corps camps, including Alder Springs, represents a repudiation of that promise.

As Lloyd Britton, Mendocino National Forest supervisor, has pointed out, the Alder Springs camp has accounted for more than a half-million dollars of spending in each of the four years since it was established. The money has been spent not only in Glenn County communities but in others extending from Redding south to Williams and east to Chico. Hence, the entire region has an important stake in keeping Alder Springs in operation.

A good chunk of the annual $525,600 in staff salaries is spent in the area. Then the camp itself has spent some $189,000 in Glenn County and $106,000 in nearby counties each year for groceries and other supplies. Corpsmen themselves have spent an estimated $12,400 per year in the area, much of it in Chico as well as in Willows.

The most important reason to keep Alder Springs and the other camps operating is, of course, to continue their tremendous human contributions by converting futile, destructive lives into constructive lives.

Yet the figures cited by Mr. Britton demonstrate that not only Willows but every other major community in the region will lose economically if the Alder Springs camp is closed.

Should not all civic and other organizations, as well as individuals interested in their communities' welfare, bombard Congress with letters and telegrams urging that the Alder Springs camp be retained?

Your elected representatives in Washington are Congressman Robert L. Leggett, House Office Building, Washington, D.C. 20515, and Senators George Murphy and Alan Cranston, Senate Office Building, Washington, D.C. 20510.

It wouldn't hurt to urge Assemblyman Ray E. Johnson and State Senator Fred W. Marler Jr., State Capitol, Sacramento, to introduce resolutions in the Legislature opposing the proposed Job Corps closings.

Corpsmen Write: Lives Saved by Job Corps

Cold figures say that the Job Corps, which President Nixon plans to emasculate and eventually eliminate, has done an excellent job; that the Alder Springs Center, as an example, has placed 70 per cent of its enrollees in gainful occupations.

What about the youths themselves? What has been their reaction to the basic education and the training they have received at Alder Springs—the vast majority of them unable to read or write when they entered the center? The following excerpts are from a few of many letters received by John Mc Laughlin, former welding instructor at the center. They are unedited for spelling and grammar.

The letter below was written by the mother of Eddie Griggs, one of 13 children in a Negro family who now contributes to his family's support, having been employed as a welder in Philadelphia, Pa., for the past 22 months. He had arrived at Alder Springs with a third-grade educational level. Mrs. Griggs wrote to Mrs. McLaughlin as follows:

". . . Eddie is doing fine since he has come back home. He has a job as a "welder" at the P.&W. Industries. He has been employed there for over two months now. He works the 2nd shift from 3 p.m. to 12:00 p.m. This is Eddie's first job. He is putting some of his money in the bank, because he said that one day, he would like to make a trip back to California. I have heard him talk so much about his life in the Job Corps, especially the people that he has met, that I feel as if I know all of you personally.

"Every one here comments Eddie on how well he looks and carries himself, since coming back.

"Eddie would get angry at me if he know I were going to write this, but I use to have a problem with him as far as personal hygiene was concerned (smile) but now, no more.

"I would like to thank each and every one of the instructors who taught Eddie, and all persons, who in some way or other inspired, encouraged or taught Eddie to be a MAN."

"Big Jimmy" Brown wrote last Dec. 4 from Herlong, Calif. that "I told you I were comming back to California—and I did and how is the families fine I hope . . . I am going to get a job here make $3.75 an hour as a welding and I am glad I have takeing up welding—and I am sorry that I did not have more to say. I am close for now."

A week later he wrote, in part: "I am work as a welding on a Sierra Army Depot and I get this job for I would go into the Army. And I have get marred and one kid."

Jimmy White wrote from the Gary Training Center in San Marcos, Tex., in part as follows:

"Mr. McLaughlin, today is Sunday, and I'm setting down here in the Dormitory, thinking about the wonderful time and the wonderful people that were so kind, and so helpful to me at Alder Springs, until I just had to write these few lines.

"Mr. McLaughlin, I'm doing good in my vocation and education. I have increase my reading level to 8.5 and have finished basic math . . .

"Well I guess its time for me to come to a close. I just had to write these few lines to let you know that I haven't forgot about you all, and always will remember the tremendous job of training that you all gave me at Alder Springs."

From a former corpsman now employed by the city of Honolulu came this message, in part:

"I didn't pass the writing test for the army, and I'm working as a janirter and I'm wait for call for a welders helper . . .

"As for the job that I'm working now pays $1.55 an hour and as & when I get this job as a welder helper it pay $2.45 an hour, when the welding job calls me I quite the job I got now."

Almost none of the youths could write an understandable sentence when they arrived at Alder Springs. As illiterates they were ineligible for training in skilled occupations, such as welding, from the customary institutions, and ineligible for the armed services—not only for lack of education but in many instances because of poor teeth or other physical ailments. As many of them have frankly said, the Job Corps was their "last chance" to lead constructive. self-supporting lives.

Job Corps Closure Brings Resentment

Alder Springs.—To youths at the Job Corps center here it's as if Uncle Sam had thrown them a life preserver and then, as they struggled toward it, pulled it back.

They learned with shocked disbelief that the Administration planned to close the center along with more than half the Job Corps installations in the nation. Shock has turned to resentment; it is shared by staff members.

After four years of experimenting and of some setbacks staff members feel that their program is at least reaching a peak of effectiveness in giving basic education to "last chance" illiterates, and in training them for skilled jobs.

Lawrence Caplinger, for eight years a forestry technician in Lassen National Forest and now supervisor of corpsmen at Alder Springs, was raised in Oklahoma, Alabama and Arkansas. He is sympathetic with the plight of low-income black youths from the Deep South, who make up nearly 70 per cent of Alder Spring's enrollees, and feels gratified that "I've been here able to help a lot of them."

Speaking in the absence of Dean Lloyd, the center's supervisor, Caplinger told The Daily Journal in an interview Saturday that although many of the youths have been shunted through elementary school and at least part of high school, they arrive at the center "unable to read at all and barely able to write their names.

"They go to school, leave to harvest crops, and get promoted when actually they don't 'have it'—simply to provide school room for others."

The job center's task is to teach them basic education and then train them for skilled jobs, and the record indicates that the Alder Springs center is being phenomenally successful. Last year some 70 per cent of enrollees were placed in useful occupations; the figure is now running at about 77 per cent.

"We're making constant progress," Caplinger said. "We're now on the verge of raising the percentage of placements into the 90s."

Pointing out that "the government is going to have to pay so much for poverty regardless," Caplinger reflected resentment expressed by corpsmen," he said. "It will cost money—lots more money than it costs to give them basic education and train them for jobs." The figure is somewhat over $5,000 per enrollee.

If the centers are closed, as is now planned for July, Caplinger said, the corpsmen "will feel that President Nixon has taken away their last chance, and you can't blame them.

"This is the first time anyone has paid any attention to them. They aren't going to let loose of it easily.

"If Nixon closes half the centers it will have an impact on the country that he doesn't now realize."

A sampling of corpsmen's opinion indicated that Caplinger was not exaggerating about their resentment.

Walter James White of Mobile, Ala., who had completed the 11th grade yet could barely print his name when he arrived at the center, didn't feel resentment on his own behalf since he has almost completed his training as a heavy equipment operator.

"I'm speaking of my brothers," he explained after saying that the closing would be "real bad—a promise to train men and then fail on the promise."

When asked how many brothers he had at job centers, he gestured toward Blacks and Whites alike in the mess hall and said: "They're all my brothers. They're all my friends.

"I'm talking about my fellow brothers who won't progress because they've been here a brief time. That hurts me as bad as it hurts my brothers. These days if you don't have a skill you're messed up."

One of the youths he was referring to is Richard Clark, talented 18-year-old Black from Alabama, who has been at Alder Springs less than three months.

"Not good in math" at high school, where he completed 10 grades, he has raced through basic math, fractions and decimals and is now taking algebra, aspiring for his General Education (high school) diploma and then advanced training to be a draftsman. He is taking a correspondence course in art, and his drawings indicate talent.

"I would go anywhere they send me for training," he said, but now his future is clouded.

One of the center's most effective math teachers is a young man who has sped Clark and many other corpsmen along the educational trail and is himself a corspman. Paul Blacketor, 21-year-old White, came to Alder Springs two months ago from a Texas Job Corps center, and showed such great math ability that he is now an assistant teacher.

He pointed out that 75 to 80 new corpsmen arrived at the center last month.

"What are you going to do with all these corpsmen—put them back on the street?" he asked.

As for himself, he aims to be a teacher. If the Job Corps program is ended, this path will be blocked and he will probably return to Georgia for "welding with my stepfather."

They Deserve a Fair Shake

One of California's best-known industrial leaders commented the other day on the plight of ghetto families. B. F. Biaggini, president of Southern Pacific Co., said:

"Amid unprecedented wealth, California must remember sadly, the unemployment rate in the black ghetto poverty areas of many large cities is said to hover around 32 per cent, as compared with the new national low of 3.5 per cent.

"Only by creating economic opportunity and individual responsibility for the minority people, through jobs and training, can we help them solve their problems."

Surely no governmental program has been more successful in "creating economic opportunity and individual responsibility for the minority people, through jobs and training," than the Job Corps.

The Alder Springs Center, for example, has increased its "success ratio" so much over the past four years of its existence that it is now placing 77 per cent of its enrollees in useful occupations. And Lawrence Caplinger, former forestry technician with the U.S. Forest Service and now dedicated supervisor of Alder Springs corpsmen, told The Daily Journal the center is on the verge of raising this already high percentage "into the 90s."

As Mr. Caplinger said: "The country is going to have to pay so much for poverty regardless. And if Job Centers are closed, it will be back on the streets for the corpsmen. It will cost money—lots more money than it costs to give them basic education and train them for jobs."

The Nixon administration has apparently latched onto the less costly Head Start program as the answer. The program is, indeed, promising. Many Alder Springs corpsmen arrive at the center unable to write an understandable sentence even though they have been shunted through nine or more grades of school. An educational "head start" when they were children could well have changed that.

But Head Start is no answer for the present generation of youths in their late teens and early 20s. Are they to be kicked back onto the street merely to make financial room for educating the following generation?

Mr. Caplinger warned of the violence to come:

"They will feel that President Nixon has taken away their last chance, and you can't blame them.

"This is the first time anyone has paid any attention to them. They aren't going to let loose of it easily."

There is logic in Mr. Caplinger's warning. Closure of Job Corps Centers would be to the detriment of the nation as well as of the corpsmen concerned.

Job Center Hope Dims

Scant hope was held yesterday that the Alder Springs Job Corps Center will be kept alive, although members of a Willows advisory committee expressed the strong opinion it should remain in operation at least another year.

James Coakley of Vallejo, Congressman Robert L. Leggett's field representative, told the group at a Willows meeting that Leggett, Senator Alan Cranston and other legislators had received no reply from President Nixon to a letter strongly opposing the Job Corps cutback.

More than half the nation's centers are scheduled to be closed June 30—59, including 27 in California.

The Willows meeting was held in the supervisors chambers at the county court house.

Coakley, after pointing to Leggett's strong opposition to the center's closure, said: "We have to face the fact that the Administration has made the decision to close it."

He pointed out that it is strictly an Administration decision; that Congress cannot override it.

Spokesmen for the Willows Unified and Elk Creek School Districts bid for buildings and some of the equipment if the center is closed.

Willows district superintendent Erwin A. Decker emphasized his own opinion that the center should be kept open; that it has been successful in giving youths from poor families a basic education and job training and that friction between corpsmen and local residents had been minimal.

However, he added, if the center is closed he wanted to put the district on record as seeking some of the equipment and supplies at the center, as well as three relocatable buildings. The latter, he said, could be used for libraries in district schools.

County Supervisor Ralph Colbert, speaking in behalf of the Elk Creek School District, said, "They're stuck for space, in Stonyford, for instance, there are 35 kids in one room. We would like to get some of the school buildings down there if the Job Corps center does close."

Opinion in support of keeping the center open was not unanimous.

Colbert said he felt he was expressing the "general opinion" of the County Board of Supervisors, which declined to pass a resolution opposing the center's closure, as follows:

"The general feeling of the Board is that we elected this Administration to run things as reasonably and with as small a crack on taxpayers as possible.

"The thought is: Let's see how Nixon will replace this. If he comes along with something else for less cost, let's go along with it."

He said he himself felt the center was "well administered," adding: "I think it has been good for the county."

Supervisor Pete Holvik verified that Colbert's statement reflected the supervisors' general opinion. He said some of his constituents had objected that more emphasis should be placed on "getting the job done rather than making a palace; on cutting the overhead and trying to maintain what they're now doing."

He said he himself believed that with the large investment in the Alder Springs center—over a million dollars—"to tear this camp down is not good economics."

The Rev. Raymond P. Squire, pastor of the United First Methodist Church and a member of the advisory committee, said that in closing the center "we're doing away with whatever we have done. Somewhere, somehow, we're going to pay. Unless we have something better, we're just foolish."

Coakley speculated on what would happen when corpsmen who had been recruited for the centers were suddenly told: "We're pulling the rug from under you."

"Where will they go?" he asked. "It's false economy. Most of them will probably go back on welfare. If just a few get into trouble, the costs will be much higher (than the Job Corps costs)."

Robert E. Boyd, attending the meeting,

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said that "while a lot of things can be said about taxes and whether the money is well spent, as I view it I don't believe in chopping things off so fast. You often create a situation more expensive."

He said he felt the center should be kept open "at least another year so they (the present corpsmen) can complete the program—until trade schools or other facilities can be established to absorb these youths."

Decker pointed out that "a big factor" concerning the Alder Springs corpsmen was "in getting them out of their environments into a wholesome environment." He said he seriously doubted that urban centers could absorb them.

Lloyd Britton, Mendocino National Forest Supervisor, also expressed disappointment at plans to close the center.

EXPLANATIONS ARE HOGWASH

The shutdown of Alder Springs and 58 other Job Corps centers is underway, by executive order of President Nixon. They are to be completely closed by June 30. Seldom before has an administration unleashed such a stream of verbal hogwash in an attempt to justify an unjustifiable move.

Secretary of Labor George Shultz, whose department has been made responsible for the Job Corps program, insists that the corpsmen will be taken care of either by transfer to the remaining centers or in 30 inner-city and near-city skill centers.

First, he fails to explain that these skill centers have not been authorized by Congress; not a dime has been appropriated for them.

Secondly, he fails to explain that the closing of the Job Corps centers will release more than 17,000 youths; yet the skill centers, even if authorized and financed, would provide only 4,000 openings. And how he would jam corpsmen from more than half the centers into the few remaining centers defies imagination.

Mr. Shultz must know, but neglects to say, that the single existing Job Corps inner-city skill center, located in Baltimore, has been, in the words of Senator Alan Cranston of California, "a tragic failure due to astronomically high absenteeism."

Even if this were not the case, the skill centers would provide no substitute for the Job Corps centers, whose success has been based on removing uneducated, often troublesome youths from their poverty-stricken environments not only to give them basic education and training in job skills but to raise their sights, to stimulate their ambition so they have the incentive to lead constructive instead of destructive lives.

It seems ironic that both a Senate and House committee were conducting hearings on the Job Corps program as the administration issued its order to close the 59 centers.

Led by Senator Cranston, 22 senators implored President Nixon to delay the action until the merits of the Jobs Corps program could be determined. They pointed out that "irreparable damage to the future lives of many thousands of disadvantaged young men and women, and substantial depletion of available trainers and instructors for such programs will be caused by the closing of Job Corps installations if Congress decides they should be retained."

The Administration has issued not a word of reply as it has rushed along a course of action which will dash the hopes of thousands of disadvantaged youths for constructive, self-respecting lives.

THE GOVERNMENT'S NONPROFIT HOTEL CHAIN

(Mr. KYL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KYL. Mr. Speaker, some of the wondrous things we do in Government do not reflect with credit on Uncle Sam's business image.

In 1958, the Federal Government purchased the Congressional Hotel for $1,680,000 then promptly leased the hotel back to a hotel corporation for $21,000 a year. The lease contract asks the corporation to pay for decorating and furnishing, but Uncle Sam—out of his magnificent fee of $21,000 a year— must take care of certain other matters. Records are not voluminous, but there is evidence that the Government has spent $88,407 in repairs on the building. Even without this expenditure, the 1.25 percent return on investment is not in keeping with today's high cost of money. Please note that I am not in any way accusing the hotel corporation of any irregular or illegal dealings whatsoever. Nor do I challenge the corporation's business acumen.

However, motivation for these remarks today stems from the fact that the Government is apparently in the process of acquiring another hotel for its nonprofit chain—this one a $5 million structure known as the Willard, on Pennsylvania Avenue. In this case, the Interior Department—not the House Building Commission—would become the hotel operator, office manager, or custodian of open spaces.

It seems that GSA has three pieces of surplus property it is willing to trade for the Willard, an old VA building located at 210 Livingston Street in Brooklyn; the Calvert Building in downtown Baltimore; and some land on an old military base at Camp Parks, Calif. At this point we must assume that the value of the Willard is about $5 million, the advertised figure, and that the three pieces of surplus total about the same amount. In light of previous hotel dealings on the Capitol campus, one might be crass enough to question some of the values involved, though I stress again that I am not in any way reflecting on the honesty or integrity of the Willard Hotel owners.

Of course, if the Government owned the Willard, it would not return taxes to the District of Columbia, which we understand would like more—rather than less—tax base.

The deal is part of the plan to beautify Pennsylvania Avenue, especially for those occasions when we inaugurate a new President—on which occasions we line the avenue on both sides with unpainted bleachers which have never been known for their esthetic contribution.

More seriously the avenue plan hardly seems a priority item when the District of Columbia includes a few miles of other thoroughfares which have been devastated by time, neglect, and more violent factors. Still more important are the human needs which remain unmet, and which will not be improved by a Pennsylvania Avenue facade.

The fear is that the Willard owners might tear down the hotel and build an office building, and that this construction might jeopardize future development of the grand design. Government acquisition would be step one of that development. Apparently, any other property owner in the area would frighten the Government into taking similar action if said owner would threaten to add to the tax values of the District building something new on the site. I am sure there are some individuals who might even suggest that the Treasury Department might be leveled so there would be an unobstructed view from the Capitol to the White House.

At another time, when the Nation has met its genuine needs and when we have abandoned the annual ritual of increasing the public debt ceiling, we may better consider such matters. By not acquiring public properties in the meantime, we may save enough money to accomplish the desired task.

PROPOSAL FOR ASSISTANT SECRETARY OF ARMY FOR CIVIL WORKS

(Mr. DON H. CLAUSEN asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. DON H. CLAUSEN. Mr. Speaker, in 1966 the Secretary of the Army released a very important report entitled "A Report to the Secretary of the Army on the Civil Works Program of the Corps of Engineers by the Civil Works Study Board." This report, which was published as a committee print by the Senate Committee on Public Works, is in my judgment a valuable and comprehensive review of the civil works program of the Army Corps of Engineers.

Many excellent recommendations were made. The great majority of these recommendations were susceptible to and received administrative implementation by the Secretary of the Army and the Chief of Engineers. At this time I would like to comment on one specific and very important recommendation of the Civil Works Study Board which requires legislative implementation. In the report submitted to the Secretary of the Army by the Civil Works Study Board in January 1966, it was recommended that an office of an Assistant Secretary be established to assist the Secretary of the Army in the administration of the civil works program.

At page 17, the report concluded as follows:

> ROLE OF THE SECRETARY OF THE ARMY IN CIVIL WORKS
>
> The need for personal participation by the Secretary of the Army and the Army Secretariat in civil works matters has increased in general relation to the increased scope and complexity of the program. The importance of the program to the Nation and to the Army warrant a higher degree of personal involvement in the conduct of the program at the secretarial level than has heretofore been considered necessary. The Secretariat should also maintain general cognizance of the interrelationships of the civil works and military missions of the Chief of Engineers. The Board believes that the Secretary's Special Assistant for Civil Works should have the rank of Assistant Secretary of the Army and that his responsibilities should be principally for civil works. Adequate staff action to enable the Secretariat to function effectively should be obtained by staffing the Office of Civil Functions to handle normal and continuing demands and by establishing specific procedures for use of OCE personnel

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for temporary and unusual demands for staff work.

At page 18, the following recommendation was made:

RECOMMENDATION

3. The Secretary of the Army should seek to establish an office of an Assistant Secretary of the Army with responsibilities primarily for the civil works missions and, incidental thereto, to maintain general cognizance of interrelated aspects of the civil works and military missions of the Chief of Engineers.

In my opinion, the need for more effective interdepartmental coordination at top levels has become progressively more urgent during the 2 years since the Study Board submitted its report. The workload imposed by membership on the Water Resources Council and the emerging requirements of the Council on Marine Resources and Engineering Development, together with the problems stemming from the increasing involvement in water resources development of the new Departments of Transportation and Housing and Urban Development, are rapidly intensifying the demand for more effective interagency coordination at the Secretarial level. Moreover, the National Water Commission has been established, and this will throw another heavy load upon Army. Finally, it is being charged with increasing frequency that the Secretary of the Army is unable to give the civil works program the attention it would receive were it shifted to the Department of the Interior. All of these developments emphasize the need for early action to establish an Assistant Secretary who can devote himself primarily to the civil works mission.

I am convinced that the contribution of the Department of the Army in working with the President's staff, and in interagency bodies such as the Water Resources Council, would be more effective were the Department represented by an Assistant Secretary, as are most of the other departments participating in the Water Resources Council. Representation for the Army in these interagency activities has been assigned to the Special Assistant to the Secretary of the Army for Civil Functions. The Army representatives have had additional time-consuming responsibilities in the Department. The last four special assistants also held the job of General Counsel of the Department. There is no question in my mind that the Army representation during the past several years would have been more effective in interagency negotiations had an Assistant Secretary of the Army been able, with the assistance of a small supporting staff, to devote a major part of his time to resource development activities.

The civil works program of the Army is important to the future of the Nation. The wealth and strength of our country, and the welfare of its citizens, depend in considerable part upon the wise development, conservation, and utilization of its natural resources. Moreover, the civil works program by itself exceeds in magnitude the total programs of several of the existing Federal Departments. From the standpoint of both size and importance, therefore, there is full justification in proposing that an Assistant Secretary be made available to the Secretary of the Army to assist him in discharging his broad and vital responsibilities for the Nation's national resources.

For these reasons I am pleased to introduce with 11 of my colleagues legislation which would establish the position of Assistant Secretary of the Army for Civil Works:

H.R. 11356

A bill to amend title 10 of the United States Code to provide for an Assistant Secretary of the Army for Civil Works

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3013 of title 10, United States Code, is amended by striking out "four Assistant Secretaries" and inserting in lieu thereof "five Assistant Secretaries" and by adding at the end thereof the following: "One of the Assistant Secretaries shall be the Assistant Secretary of the Army for Civil Works. He shall have as his principal duty the overall supervision of the functions of the Department of the Army relating to programs for conservation and development of the national water resources including flood control, navigation, shore protection, and related purposes."

SEC. 2. Paragraph (15) of section 5315 of title 5, United States Code, is amended by striking out "(4)" and inserting in lieu thereof "(5)".

BLACK HISTORY—LOST, STOLEN, OR STRAYED

(Mr. SCOTT asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. SCOTT. Mr. Speaker, a constituent who is employed at the National Institutes of Health has furnished me a copy of a memorandum to all NIH employees by the Director, urging them to see a series of films, the first of which is on "Black History: Lost, Stolen, or Strayed" and runs for 54 minutes.

According to the Director, it is a portrayal of some of the things that happen to an American if he is black. The Director states that this will be one of a series of films scheduled to be shown at noon and which will extend beyond the usual lunch hour. He urges supervisors to excuse employees for sufficient additional time to permit their attendance at the film showing.

It is interesting to note that this stationery has a motto at the bottom stating, "Help eliminate waste—HEW cost-reduction program," and raises the question which I feel the membership might want to ponder and that is whether citizens should be paying for Government employees to see films of this nature which, at most, portray a particular social point of view.

I am calling this memorandum to the attention of the Secretary of Health, Education, and Welfare and it is inserted in full at this point in the RECORD for the information of the House:

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE, PUBLIC HEALTH SERVICE,
April 30, 1969.

To: All NIH Employees.
From: Director, NIH.
Subject: NIH Film Series.

Wednesday, May 7, 1969, with the showing of "Black History: Lost, Stolen, or Strayed," in the Clinical Center Auditorium at 12 noon, the NIH will inaugurate a series of films focusing upon social issues critical in today's world.

This new education program at the NIH is an attempt to stimulate personal involvement in the broad and complex range of human problems. The films for this series will be chosen on the basis of their relevance to racial problems, their insight into the problems and their ability to stimulate creative dialogue. From time to time, resource people from the field of civil rights and special guests will be invited to attend and discuss the films.

Much of our problem of race relations in this country appears to be due to the lack of information and a paucity of communication between groups. It therefore seems important that with our commitment to racial justice we should attempt to create within the NIH community a warm climate conducive to an honest exchange of ideas and feelings.

This first film, "Black History: Lost, Stolen, or Strayed," (54 minutes running time) is a Bill Cosby guided tour through a history of attitudes—black and white—and their effect on the black American. It is a portrayal of some of the things that happen to an American if he is black. Cosby reviews black American achievements omitted from American history texts, the absence of recognition of Africa's contributions to Western culture, and the changing Hollywood stereotype of the black American.

The showing of this film will be repeated in the Clinical Center Auditorium Thursday, May 8, 1969, at 12 noon.

Since many of the films in this series will extend beyond the usual lunch hour, employees are requested to make advance arrangements with their supervisors for attendance. Supervisors are urged, where the work situation permits, to excuse those employees who have requested additional time for attendance at the film showings.

ROBERT Q. MARSTON, M.D.

ANOTHER IMPORTANT WEST VIRGINIAN

(Mr. STAGGERS asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. STAGGERS. Mr. Speaker, it is no surprise to us professional West Virginians to hear of one of our numbers who has achieved distinction in some worthy calling.

This time it is a West Virginian—Joe Bartlett—who has won a "coveted patriotic award" given by the Freedoms Foundation of Valley Forge. His story is well set forth in the Buckhannon, W. Va., Delta, a weekly newspaper published in my district, and edited by W. Herbert Welsh. The paper is outstanding in appearance, in news material, and in influence in the community. The editor is conspicuously alert in finding and in reporting news important to his readers.

The story includes a picture of the award winner taken with Senator DIRKSEN. I am sorry the RECORD cannot carry the picture. But I am proud to present the text of the article for the edification of my friends in the House. And I will let the editor of the Delta tell the story and the name of its subject in his own way.

Joe Bartlett is a friend of mine as I am sure he is of every Member of the House. We are proud of his achievement.

The article follows:

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Joe Bartlett Wins Honor Medal Award

(By Mary Liz Herndon)

A former Staff member of the Delta is to be the recipient of a coveted patriotic award, according to an announcement by the Freedoms Foundation of Valley Forge.

Joe Bartlett, well-known in Buckhannon since his employment with the Delta some 20 years ago, is to receive the George Washington Honor Medal Award for an essay he wrote, entitled, "Strange Legend: Curious Riddle."

The essay was written in the form of a Biblical parable, and dealt with the dilemma of doing business with an enemy. The awards jury judged Bartlett's writing to be—"an outstanding accomplishment in helping to achieve a better understanding of the American way of life."

A native of Clarksburg, Joe's family later moved to a farm home on Route 20, near Romines Mill, where his mother now resides. His father, the late F. Dorsey Bartlett, died in 1965.

Joe is presently Reading Clerk of the U.S. House of Representatives in Washington, where he has served nearly 28 years since going to work for Congress as a Page in 1941.

Three years earlier, in 1938, Delta Editor Herb Welch, then a cub reporter for a Clarksburg newspaper, had gone to Washington to cover the story of a lone West Virginia representative at a massive schoolboy patrol convention. Eleven-year-old Joe Bartlett was that delegate, and the story as created by Reporter Welch, won for this littlest delegation, the mightiest title of "America's Typical Schoolboy Patrolman."

When, during the adjournment of Congress in 1947, Bartlett decided to take some classes at West Virginia Wesleyan, his friend, Editor Welch, asked him to come over to the Delta and get better acquainted with the newspaper business. During the period that followed, Joe did just about everthing there was to do around a weekly newspaper but run the linotype.

Long associated in political activities and other common endeavors, the two recall when Reporter Welch was courting Joe's sixth-grade school teacher on a motorcycle. The very popular teacher at Clarksburg's Morgan school, Miss Katherin Anglin, is now, of course, Mrs. W. Herbert Welch.

During the intervening years Bartlett has spent two brief tours on active duty with the Marine Corps, and is presently a lieutenant colonel in the Reserve.

Joe is married to the former Virginia Bender, daughter of Mrs. Edna Bender of Chagrin Falls, Ohio, and the late Senator George H. Bender. "Jinny" was the Ohio Princess in the 1951 Washington Cherry Blossom Festival, and Marine Lt. Bartlett was her escort. A year later they became Mr. and Mrs. Bartlett and, subsequently, the parents of two daughters, Linda, age 15, and Laura, 11.

The actual presentation of the George Washington Honor Medal to Bartlett will take place at a later date to be announced by the Freedoms Foundation.

OPERATION FORESIGHT

(Mr. ANDREWS of North Dakota asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. ANDREWS of North Dakota. Mr. Speaker, now that most of the rivers and streams have returned to their channels and the flooding in North Dakota and the Upper Midwest is, for the most part, over, this is a good time to review the success of "Operation Foresight," the President's flood preparedness program initiated last February. At that time, the Director of the Office of Emergency Preparedness was instructed to coordinate the activities of all Federal agencies involved and to make sure that all possible action was taken against the threatened floods.

The Army Corps of Engineers embarked on an unprecedented flood preparedness program, protecting over 400 communities, building over 200 miles of levees and preventing damage estimated at approximately $230 million.

Operation Foresight, as a whole, prevented untold personal hardships which are not measurable in dollars and, in those areas where the work was done, it was a most effective program.

The people in North Dakota who benefited from the protection provided by Operation Foresight are most grateful and I insert in the Record at this time a statement by Maj. Gen. Frederick J. Clarke, U.S. Army, Deputy Chief of Army Engineers, on "Operation Foresight":

Operation Foresight

We have no big announcement—but we do have some thoughts about Operation Foresight and the floods this past spring that we believe deserve consideration by the public.

This has been an unprecedented operation. While it did not involve any new laws, new policies, new operations, no startling new techniques, it was unprecedented simply in the applications which President Nixon made of existing authorities and policies.

In late February the President, having been continuously informed of the flood threat provided by the snowpack, directed the Director of Office of Emergency Preparedness to assure that all Federal agencies carry on all prudent activities to prepare against the threatened floods.

The next step was a White House meeting of representatives of the Federal agencies charged with responsibilities in a flood disaster situation. Insofar as the Army Engineers are concerned, a request was made to the Secretary of the Army for the aggressive use by the Corps of Engineers of their authorities under Public Law 99—in this case to prepare against a threatened disaster rather than waiting to react when the disaster actually happens.

Operation Foresight appears to have been a success. What we want to point out is that there was a large element of good fortune in that success, and that next time things might not go so well. We don't want people to think that Operation Foresight has revealed some quick, cheap, easy solution to the national flood problem.

But it was well worth doing. It saved property and, probably, some lives; it taught valuable lessons; it set valuable precedents. But we don't want it to create a backlash of overconfidence, complacency, or false security. I want to discuss with you what Operation Foresight was not, as well as what it was.

Let me tell you some of the unusually favorable aspects of this year's experience. Next I will tell you how the people of the flood area, aided by their Government, set about taking advantage of those favorable aspects. Then I will discuss the meaning of this experience in terms of future emergencies.

First, this was a snowpack flood. This means that we had a winter-long warning that the flood threat was gathering. We had a pretty fair quantitative estimate of the size of the threat in terms of volumes of water, timing, and demands on rivers and watercourses. There will be other similar situations in the future, and the "Foresight" experience will help us meet them. But it will not help us cope with rainstorm floods of the kind that smash down the valleys of West Virginia, say, or the hills of the Los Angeles area, at almost any time of the year, with little or no warning. It will not help us deal with hurricane floods, such as the great floods of New England in 1955, or the flash floods which follow sudden downpours in Tucson. These take works in-being before the flood threat.

Second, by and large we knew this year's primary flood area pretty well. We had the experience of the 1965 floods in the Upper Midwest to guide us. We were all caught by surprise, however, at Minot, North Dakota based on a much lower forecast of a flood potential. But of the hundreds of towns that might have been damaged, this was the only one of size which suffered heavy damage. Our crystal ball isn't perfect and probably never will be—which is one of the cautionary things people should keep in mind. By and large, however, we, and here I mean both Federal and local people, knew the carry-off capacities of the natural channels in this year's flood area; we knew how the water moved in those channels; we knew where possibilities existed for by-passes and cutoffs; we knew where to go for sand and clay and emergency construction materials; we knew the region's resources of available machinery and equipment. We do not have exactly the same knowledge in all parts of the country. Each region is different with respect to the kind and nature of studies that have been Congressionally authorized and carried out, and with respect to the amount of experience we have derived from past emergencies. In the midwest, the situation was unusually favorable in this respect.

Third, nature was generally kind. This is perhaps the outstanding fact about the 1969 flood. By and large, the water content of that tremendous snowpack came gently off the land. With different weather or heavy rains it might have stampeded. I doubt very much that the hasty, improvised emergency dikes and other works we put up under Operation Foresight would have withstood a stampede of waters as well as they did the more orderly run off that actually took place, generally in accord with the predictions. We want to explain to people that not all floods which invade their valleys will be as docile and tractable as this one was.

Fourth, the people of the flood area still had the memory of the 1965 disaster fresh in their minds. Operation Foresight was very largely and initially a local community effort, and I daresay never before have so many communities acted so energetically and cooperatively and unanimously over so large an area in such an endeavor. People pitched in, city fathers did not grudge money, Federal technical material and contractual help was welcomed and invited, and very, very few communities held back or grudged their share. Such energetic local participation was of great value in preventing loss and damage and disaster. I doubt you will find a single community throughout the flood area that regrets its effort or its investment in Operation Foresight now that it is all over. I hope that this lessen will be heeded in other times, perhaps in other areas, if a similar flood threat should occur again.

Fifth, but not least, we had unprecedented interest and altertness at the Federal, State and local levels. I am talking to you as a technician, not a politician. In the past two months I have met scores of political leaders in connection with Operation Foresight and I want to tell you that that Operation had no partisan labels. We face the fact that one of the valuable lessons of Operation Foresight was the lesson of whole-hearted support and initiative by all levels of Government.

The best way to present this point to you is to move now into the second phase of this presentation—the phase in which I tell you

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how the Government and public officials took advantage of the warning provided, and the time available, and their knowledge of the area, and the willingness and concern of the local people, to put Operation Foresight together.

As I said, the agencies involved at various levels had been keeping an eye on the snowpack situation beginning in January. On February 28, President Nixon summoned representatives of the Federal agencies to the White House. The Department of the Army represented the Department of Defense; since the Army headquarters in the Pentagon is responsible for military support by all elements of the Defense Department in case of natural disaster. The Office of Emergency Preparedness was represented by Director George A. Lincoln.

On the following day, March 1, the President issued his order directing that Federal agencies take all feasible steps within their respective authorities to prepare for the flood threat; and this order in effect launched Operation Foresight. For one of the things it brought about was an unprecedented and aggressive application of Public Law 99 to prepare for an anticipated disaster before the disaster actually happened. Public Law 99 authorizes the Army's Chief of Engineers to spend emergency funds for flood emergency preparations, flood fighting and rescue work, and the repair or restoration of damaged flood control works. It had never before been invoked on such a scale so far in advance of a flood. This law provided the legal basis for, and most of the money for the before-flood-preparedness phases of the Federal part of Operation Foresight.

Precisely because it was unprecedented and unique, the nature of this effort which the Federal Government was prepared to offer in support of State and local activities had to be explained to the officials of the non-Federal levels of government. The first ten days or so of March were spent in coordinating the undertaking and mobilizing the effort. By mid-March my boss, Lt. Gen. Cassidy, Chief of Engineers, and I had met with the Governors or their representatives of a score of States, accompanied by representatives of OEP and the local Army commanders. These tours and visits continued throughout most of the flood fight to make sure that the Federal aid was fully understood and fully used. Our guidance to our field offices was simple and direct: do whatever makes sense before the floods occur. To make sense, our help had to be sound from both engineering and economic standpoints, and depended on local governments providing work areas and local labor either paid or volunteer.

I'm not going to repeat the story of this flood fight. The press did a wonderful job of covering most aspects of it, and for me to tell you about it would be carrying coals to Newcastle. To refresh your memories, I will just run down some of the basic statistics:

The damage suffered in the flood we estimate at about $100 million, largely rural and highways and bridges. The damage prevented, at about $250 million.

These are both "eyeball" estimates. We have crews in the field recording high-water marks, establishing flood profiles, and surveying damage from which more reliable estimates can be made, but these won't be available for some weeks. I don't want to leave the impression that all snowpack flood threats are over—we still have a dangerous situation which will continue through June in the San Joaquin Valley of California.

About $19 million were spent by the Army Engineers on Operation Foresight. These expenditures included more than 400 contracts for emergency work in about as many communities, plus the procurement and deployment of supplies and equipment. About 10 million sandbags were procured—enough to reach across the entire U.S.-Canadian border from Atlantic to Pacific—and about 200 miles of emergency levee were built, enough to reach from here to New York. More than 200 flood-fighting experts from all parts of the country were sent into the threatened areas to supplement our regular forces in those areas in advising and supporting local efforts.

There were just a couple of aspects that didn't catch the eagle eyes of the press corps, by and large, that I would like to call to your attention.

One is the story of the effort that didn't get made, because it wasn't needed. But it was ready, and I hope people will realize that Operation Foresight included some back-up preparations which, another time, might be more prominent.

The Army, as the agent for Department of Defense, for example, prepared for an all-out disaster relief effort. Every Army headquarters reviewed its plans for disaster emergency activities and made ready its manpower and equipment resources. From February through April, the Army's Operations Center in the Pentagon maintained a 24-hour-a-day coordination center to keep track of possible needs. As it happened, almost 2,100 Army, Navy, Air Force, and Coast Guard personnel and more than 1,700 National Guardsmen were used for evacuating stranded people, levee patrolling, sandbagging, prevention of looting, aerial reconnaissance, feeding volunteer workers, traffic control, and similar tasks. A special assist was provided by the young engineer officers, which the Department of the Army released from school assignments, to assist the Corps of Engineers in carrying out the emergency work. But this was a fraction of the service that was ready and available if it had been needed.

Similarly, OEP had alerted a very big, many-sided back-up preparation effort. The President declared a major disaster in five states, North Dakota, South Dakota, Minnesota, Iowa and Wisconsin making additional federal funds available under PL 875. I'm not going to try to tell their story. Suffice it to say for the present that it was there, and people should note and remember it.

The third phase of my presentation was to draw lessons and point warnings, but I find that I have largely done this as I went along.

I think we should include the Foresight-type use of Public Law 99 and the other preparatory activities launched this spring, as part of our national disaster emergency policy—part of our regular armory of flood-fight resources that can be drawn upon in circumstances appropriate for its use. At the same time we should recognize that in many circumstances, the Foresight type of approach will not be appropriate, so that we need other devices in our armory too.

One: We need to carry forward our regular Federal flood-control programs, at such rate as Congress and the Executive branch may determine in view of the total resources of the Government. Hurriedly-built emergency works of the kind put up under Operation Foresight are not good enough or strong enough to withstand the onslaught of a wild river on a rampage—even though they may have held out, shakily in some places, during this year's well predicted and well-ordered floods.

Two: Flood control and flood protection programs should be supplemented by flood-plain land-use regulations. Such regulations would typically include zoning ordinances and appropriate flood-proofing provisions in local building codes. These are not subjects for Federal legislation; but, as you may know, the Corps of Engineers is authorized to make flood-frequency and related studies for use by local communities in connection with such proposed ordinances. We believe this kind of activity deserves much greater attention than it has been getting. Perhaps this year's floods will help stimulate such attention.

Three: We have to move forward with our comprehensive water-resource planning endeavors in the nation's major river basins. And in the light of our flood experience of this and other years, we should gear local and State and Federal flood-control and flood-plain regulation activities into over-all policies for the management of water and related land resources. This is a big topic, too big really to discuss today. I only want to point out that we of the Army Corps of Engineers are keenly aware of the fact that flood protection is one aspect—an important one, but only one—of many involved in water resource development and management, and that all must be considered together in all their mutually interacting relationships. We have just come through a dangerous flood experience and narrowly escaped a far worse one. We should heed the warnings it presents, but without either being stampeded into ill-considered actions nor lulled into false complacency. If we plan well, and plan together, we can avoid both kinds of error.

To sum up—the degree of our success this year in flood prevention is largely the result of warning, the bold and aggressive approach ordered by President Nixon, much initiative on the part of local and state governments, enthusiastic and altruistic participation by individuals, private enterprise, and government at all levels—proving, once again, that in a critical situation, people will work together in the common good.

PROPOSED INCREASE IN SOCIAL SECURITY BENEFITS

(Mr. BURKE of Massachusetts asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. BURKE of Massachusetts. Mr. Speaker, the announcement by the Honorable Wilbur D. Mills, chairman of the House Ways and Means Committee, that no action will be taken this session to increase social security benefits concerns me greatly.

The need for an increase in social security benefits is urgent and immediate. For this reason I introduced on opening day of this Congress, H.R. 55 to provide for a 50 percent across-the-board increase in monthly benefits with the resulting benefit costs being borne equally by employers, employees, and the Federal Government.

This legislation is a realistic one that deserves action.

The Social and Rehabilitation Service estimates that the passage of H.R. 55 would result in a total savings in public assistance expenditures of approximately $370 million, of which $250 million would be Federal and $120 million State moneys. In terms of the number of public assistance recipients affected, it is estimated that around 400,000 small old-age assistance grants would be discontinued and that about 700,000 others would be reduced.

Mr. Speaker may I submit for the Record a news clipping entitled "Has Congress Forsaken Us," written by the Boston Globe staff writer, Joseph B. Levin that serves to illustrate the urgency of the problem:

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Has Congress Forsaken Us?

(By Joseph B. Levin)

Chairman Wilbur Mills and his House Ways and Means Committee are in deep trouble with the elderly voters and their children. Take a look at these letters from the mailbag:

"I believe it is about time that leaders of the senior set throughout the land should single out Representative Wilbur Mills as their target of the day and focus attention on this dictatorial chairman who has announced his intention of delaying an increase in Social Security . . . As former chairman of the Winchester board of selectmen and as a retired dean I feel strongly that Mills can be challenged successfully. What we need is a march on Washington." (Col. J. P. (retired), Winchester.)

"I am 70. Like thousands of other senior citizens I am greatly concerned about the future. Despite enormous increases in Federal pay, Congress has not voted any increases in age 65 tax exemptions . . . Why has Congress forsaken us?" (letter to Rep. Mills from Paul G. Richter, Concord, N.H.)

"My mother, 83, is on Old Age Assistance and believe me, she cannot live on what she gets. Shame on this great and wealthy country that the old people, who have worked so loyally, should get such a reward." (Mrs. A. K., Nabnassett, Mass.)

"I am a widow, 70, living on $117.80 Social Security in my own home. With high taxes, food and high prices generally, I need $200 a month to get by on. Must one go on welfare after 42 years as a wage earner and taxpayer?" (Mrs. J. L. Malden.)

Senior Set gladly prints your protests but has no way of knowing whether Chairman Mills ever reads this column. Perhaps his fellow committeeman, Cong. James Burke of Milton, does. He might call it to Mr. Mills's attention. Or all of you folks could write to Mr. Mills direct.

As to the welfare question raised in several of the letters, it is my view that welfare is an honorable concept deeply embedded in the U.S. Constitution. Adequate welfare is as necessary to the security of America as money spent for the Armed Forces, the universities or the police. It helps society to stay together until a better system can be devised.

LET'S NOT STOP WITH FORTAS

(Mr. RARICK asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. RARICK. Mr. Speaker, it is with mixed emotions that I receive the announcement that Justice Abe Fortas has resigned. I say "mixed emotions" because we have only one out—that others should resign for similar reasons.

Apparently members of the high judiciary not only deliberate together, they profit together.

In yesterday's Daily News we learned that other members of the High Court have entangled themselves into holding partnerships in land companies for tax loophole benefits and for identity-concealing fronts. A form of judicial-investment conglomerate.

Here in Washington, D.C., alone, the dealings include not only the High Court, but spill down to the lesser lights—all of whom have been front-runners in revolutionary court decisions abusive of individual liberties and our basic constitutional law and traditional mores.

Little wonder urban renewal and model cities programs find favor under color of the law, in the eyes of some members of the judiciary—some judges are not entirely disinterested.

For example, in Concord Associates, a partnership on record in Arlington County, Va., dealing in land and real estate, we find listed among the limited partners: Miss Carolyn E. Agger, wife of Justice Abe Fortas; Chief Judge David Bazelon, of the court of appeals for the District of Columbia Circuit; Mrs. Bazelon, his wife; Justice William Brennan, U.S. Supreme Court; Justice Abe Fortas; former Justice Arthur Goldberg; and Court of Appeals Judge J. Skelly Wright.

In Arlington County, Va., Duke Associates, another limited partnership dealing in land transactions, we find, as partners: Justice Abe Fortas, Judge Bazelon, and Chief Judge Simon E. Sobeloff, of the fourth circuit court of appeals.

In the District of Columbia, on record is the Colorado Building Asssociates, whose purpose again is given as acquisition of land, and we find among the partners: Judge David Bazelon and Judge J. Skelly Wright, just to mention a few.

Again in Arlington County, Va., a partnership called Wilson Associates, listing as limited partners Judge David L. Bazelon, and showing that by an amendment in December of 1967 Justice William J. Brennan, who had been a limited partner, transferred his holding to a retirement fund.

I raise the question; to whom would property bids from HUD and model cities programs go?

Mr. Speaker, these records I have used as an example are by no means intended to imply that a complete search has been made. There may be others even more suggestive. Should not the American people be given a full disclosure?

Is it not conceivable that the Fortas resignation is intended only to frustrate further inquiry? We have the responsibility to our people not to permit ourselves to be pacified by the departure of one—Abe Fortas—while there remain in the Federal judiciary others whose similar interests damage the solemnity of the judiciary.

If corruption in the Federal judiciary exceeds one member, it is no less corrupt by merely losing one of several corrupting influences.

Public confidence in justice demands more than Fortas' resignation from the Federal judiciary.

I include survey sheets of the identified partnerships and a newsclipping from the Washington Daily News for May 14, 1969:

ARLINGTON COUNTY, VA.

SURVEY SHEETS

Name: Concord Associates.

Partnership Agreement: 12/22/65.

Agreement filed: 1/18/66 (Arlington Co. Partnership Book # 3/523.

Purpose: Leasing of parcels of ground, and the construction, development and operation of rental real property.

Second Amendment: 4/11/66; filed 5/4/66 (Partnership Book # 4/49).

Limited partners: Carolyn E. Agger (Mrs. Fortas), 3210 R. Street, N.W., 2.10 percent; David Bazelon, 4.16 percent; Miriam K. Bazelon, 2.30 percent; Wm. Brennan, 1.40 percent; Abe Fortas, 2.10 percent; Arthur Goldberg, 4.16 percent; Abraham Ribicoff, 4.16 percent; J. Skelly Wright, 1.40 percent.

ARLINGTON COUNTY, VA.

Name: Duke Associates (originally recorded in Fairfax County Partnership book 31/425).

Amendment of 3/30/64 (filed in Arlington Co., 5/20/64; Book # 3/235).

Limited partners: David Bazelon; Abe Fortas; Roy Bazelon; Jeanette Bazelon; S. J. Bazelon; new partner: Simon E. Sobeloff, 1.4285 percent.

WASHINGTON, D.C.

D.C. RECORDER OF DEEDS

Name: Colorado Building Associates.

Filed: 2/2/65.

Instrument # 151.

Purpose: acquisition and operation of Colorado Building (1341 G. Street, N.W.).

General partners: Joel Kaufman; Stanley Rosenzweig.

Limited partners: David L. Bazelon, 8 percent; Simon Hirshman; Saul Feld, 1328 New York Ave.; Gerald Friedman, 4527 29th; David Sher; Robert Wolfson; ———, J. Skelly Wright, 2 percent.

ARLINGTON COUNTY, VA.

Name: Wilson Associates.

Filed: 5/21/63 (Book #2/457).

Amendment: 5/28/63 (Book #2/463).

Limited partners: Miriam K. Bazelon, 2.88%; David L. Bazelon, 2.16%; Agnes M. Johnson, 2745–29th str., N.W., 0.72%; Charles E. Smith, 18.03%; Leonard A. Solomon, 12305 Greenhill Dr., Silver Spring, 6.48%; Myra S. Brill, 4095 Monticello Blvd., Cleveland Hghts., Ohio, 0.72%; Marvin Kogod, Miriam K. Bazelon and Arnold F. Shaw, Trustees for J. B. Trust, 503 D street, N.W., 1.08%; same Trustees for R. B. Trust, 1.08%; Arnold F. Shaw and David L. Kreeger, Trustees for J. A. B. Trust, 1.08%; same, Trustees for R. L. B. Trust, 1.08%.

Amendment: 11/21/63 (Book #3/63).

Charles E. Smith assigns to: David Kotkin, Trustee, 2.88%; Roy and Jeanette Bazelon, Riviera Dr., Golden Beach, Fla., 1.44%; Charles E. Smith, 13.71%.

Amendment: 4/15/64 (Book #3/239; filed: 5/20/64).

New limited partners: vice Charles E. Smith: Wm. J. Brennan, 2.16%; David L. Bazelon, 0.72% (together: 2.90%); Simon E. Sobeloff, 0.72%.

Amendment: 12/21/67 (Book #4/435; filed 1/9/68).

Brennan assigns 2.16% partnership to Charles E. Smith Retirement Fund.

Amendment: 11/19/68 (Book #5/171).

Robert P. Kogod, 9118 Redwood Dr., Bethesda—replaces David Kotkin, Trustee.

[From the Washington (D.C.) Daily News, May 14, 1969]

PROFESSOR CITES "PARTNERSHIP": FORTAS MAY SIT OUT CATHOLIC UNIVERSITY CASE

(By Dan Thomasson)

Besieged Supreme Court Justice Abe Fortas' real estate interests here are expected today to bring a demand that he disqualify himself from ruling on an appeal motion brought by a university law professor.

Dr. William Roberts, professor of international law and relations at Catholic University, will file a petition with the Supreme Court seeking disqualification of Justice Fortas and a fellow associate justice, William Brennan, on grounds they are business partners with two lower court judges whose decisions in the case are under challenge by Dr. Roberts.

This latest challenge to Justice Fortas follows reports by congressional sources that the Justice Department has been checking into Justice Fortas' connections with real estate syndicates in the district area. The

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sources said some of these associations might constitute a conflict with Justice Fortas' court duties.

RESIGNATION RUMORS

The continuing furor over Justice Fortas' dealings with jailed Florida financier Louis E. Wolfson produced a new round of reports today that Justice Fortas' resignation is "imminent."

* * * * *

In his petition to the high court, Dr. Roberts will charge that Justice Fortas and Justice Brennan are limited partners in a Virginia apartment complex with David E. Bazelon, chief judge of the U.S. Court of Appeals for the District of Columbia, and J. Skelly Wright, also a Court of Appeals judge here.

The Washington Daily News and other Scripps-Howard newspapers disclosed in November that Justice Fortas, Justice Brennan, Justice Wright, Judge Bazelon, Mrs. Bazelon, Mrs. Fortas (Washington tax attorney Carolyn Agger), former United Nations Ambassador Arthur Goldberg, all had an interest in Concord Village Associates, which operates a 531-garden apartment complex in Arlington.

The project was described by tax experts as a legal "tax shelter" in which the partners could deduct from taxes on ordinary income their share of theoretical depreciation losses on the apartment complex.

Dr. Roberts also will note in his petition to the court that Judges Bazelon and Wright, who ruled on his case, are limited partners in a downtown Washington office building.

Dr. Roberts' petition stems from his efforts to prevent the university from abolishing an Institute of International Law and Relations which Dr. Roberts had a contract to head.

Two motions filed in 1967 and 1968 asked the District Court here to issue an injunction halting the dissolution of the institute. Both motions were rejected and Dr. Roberts appealed to the U.S. Court of Appeals headed by Judge Bazelon.

After numerous delays, the appeals were denied and Dr. Roberts turned to the Supreme Court, asking for a writ of certiorari. His impending petition seeks to disqualify Justice Fortas and Justice Brennan from taking part in the court's decision on whether to grant the writ and go into the case.

As partners in the Virginia complex, Dr. Roberts charges, Justice Fortas and Justice Brennan should not be sitting in judgment of decisions made by two other partners in the same venture, Judge Bazelon and Judge Wright.

In addition to his holdings in Concord Village, Justice Fortas also has a limited partnership in Duke Associates, which also operates a Virginia apartment complex.

Last fall, Justice Fortas conceded to Scripps-Howard Newspapers that he was interested in obtaining the tax breaks such ventures offered. He said this was particularly true when he was practicing law.

Last night, almost at the last minute, Justice Fortas cancelled a scheduled appearance before the First Circuit Judicial Conference in New Castle, N.H. No reason was given.

The **SPEAKER**. The time of the gentleman has expired.

ALCOHOLISM CARE AND CONTROL

(Mr. HAGAN asked and was given permission to address the House for 1 minute, to revise and extend his remarks, and include extraneous matter.)

Mr. HAGAN. Mr. Speaker, today I rise again to bring to the attention of my colleagues the serious and growing problem of alcoholism. The Public Health Service and the Crime Commission have described alcoholism as the Nation's fourth most serious health problem ranking behind heart disease, mental illness and cancer. Alcoholism afflicts an estimated 5 million Americans and roughly 250,000 persons join the ranks of alcoholics each year.

For many years I have been working on developing a comprehensive program to deal with this disease on a national level. As a member of the Georgia Legislature I was instrumental in creating the Georgia Commission on Alcoholism which has become one of the finest programs of its kind in the country today. Beginning with the 87th Congress and in successive Congresses, I have introduced legislation dealing with alcoholism. I am pleased that the 90th Congress passed two significant pieces of alcoholism legislation, one, the Alcoholic Rehabilitation Act of 1968 and the other, my own bill, establishing a program of alcoholism care and control for the District of Columbia. The former, which is contained in Public Law 90–574 is a good beginning for a national program but so much more needs to be done. Let me bring out a few revealing factors on alcoholism.

The Crime Commission reported that in 1965 one out of every three arrests, some 2 million, were for public drunkenness, thus placing a heavy burden on the courts, the police and the penal system, all of which are already overburdened with the increasing crime rates. It should also be noted that only 3 to 8 percent of all alcoholics fall in the so-called skid row category.

The costs of alcoholism run high. It has been estimated that the cost to business and industry from absenteeism, inefficiency, and accidents due to alcoholism runs to some $2 billion annually.

Traffic accidents cost the Nation some $9 billion annually in property damage, wage losses, medical expenses and insurance costs, according to the National Safety Council. Alcohol is reliably believed to have a major role in this tragic toll. The Public Health Service has pointed out that half of all fatal motor vehicle accidents have some association with alcohol.

The life expectancy of an alcoholic has been estimated to be about 10 to 12 years less than the average.

Recognizing these facts and their tremendous impact on our people, I am introducing today the Alcoholism Care and Control Act of 1969. This measure provides for a system of incentive grants for constructing, staffing, operating and maintaining alcoholism prevention and treatment facilities and it will increase Federal participation in constructing these facilities. It will encourage the development of expanded programs of alcohol education and will establish a system of centers throughout the country for much-needed research in alcoholism and alcohol-related problems.

It also provides emphasis to the area of personnel development in the field through the mechanism of fellowships and training grants.

The provisions of this bill are needed, in fact, they are essential, if we are to involve the Federal Government in a meaningful way. If this first national breakthrough is made, our Nation will soon have a comprehensive program to treat alcoholism as a disease and not as a criminal problem.

Mr. Speaker, I would welcome any of my colleagues to cosponsor this bill.

THERE MUST BE SOCIAL SECURITY INCREASES THIS YEAR

(Mr. RANDALL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. RANDALL. Mr. Speaker, earlier today I joined with the gentleman from Ohio (Mr. VANIK) in the introduction of a bill to increase social security payments for our senior citizens. I am sure we have all read that the chairman of the Ways and Means Committee has urged that an increase for social security recipients go over to next year. I want to commend the gentleman from Ohio. A 15-percent increase at first consideration might seem quite substantial, but compared with some of the increases in compensation for others it is quite modest. Let me first admonish and then go further to warn the Members of this House that if we fail to consider and to approve an increase in social security before we adjourn this session and go home as the recipients of a large salary increase for ourselves, we deserve the wrath that will come down on our heads.

Mr. HECHLER of West Virginia. Mr. Speaker, will the gentleman yield?

Mr. RANDALL. I yield to the gentleman from West Virginia.

Mr. HECHLER of West Virginia. I would like to commend the gentleman from Missouri for his position and say that I join with him and the gentleman from Ohio. This Congress must act on raising social security.

COAL MINE HEALTH AND SAFETY

The **SPEAKER** pro tempore (Mr. WAGGONNER). Under previous order of the House, the gentleman from West Virginia (Mr. HECHLER) is recognized for 30 minutes.

Mr. HECHLER of West Virginia. Mr. Speaker, the committees of the House and Senate are winding up their hearings in consideration of coal mine health and safety legislation. I trust that this legislation will be passed by the Congress early next month.

Mr. Speaker, I do not believe that there can be health, safety, and security for coal miners as long as the top officials of the United Mine Workers and the United Mine Workers welfare and retirement fund put their plush personal comforts way ahead of the protection of the men who actually mine the coal. Evidence has been presented that very high salaries and pensions have been accorded to the top officials of the Washington headquarters of these two organizations. Last year over a quarter of a million dollars in salaries and expenses went to six members of two families, the families of President W. A. Boyle of the UMW and Secretary-Treasurer John Owens. UMW Secretary John Owens drew salary and expenses of $44,888 for 1968, while also having two sons on the UMW payroll as follows: Attorney Willard Owens, $43,178 for salary and expenses; and District Secretary-Treasurer R. C. Owens, $28,377 for salary and expenses.

The Department of Labor records filed under the Welfare and Pension Plan Disclosure Act and under the other reporting requirements of Congress show that UMW President W. A. Boyle drew $62,442 for salary and expenses in 1968, with his daughter, Miss Antoinette Boyle collecting $43,517 as an attorney, and a brother, R. J. Boyle, collecting $36,174 as an international executive board member. Thus, the two families of Boyle and Owens collected the grand total of $258,576 in salaries and expenses for 1968 from the treasury of the international union, United Mine Workers of America.

Not satisfied with their current salaries, Messrs. Boyle and Owens, along with the vice president, George Titler, set up for themselves and for President Emeritus John L. Lewis a very private and personal pension fund which enables them to retire at total annual pensions of $40,000 to $50,000 per year for life, or 100 percent of their current salaries, not contributory.

This pension fund for the three top officials and retired UMW President John L. Lewis was set up out of the pennies, nickles, and dimes of coal miners paying union dues.

The Internal Revenue Service refused to grant special tax status to this special pension fund because it was judged to be discriminatory against employees receiving considerably less than 100 percent of their salaries in pensions. So in 1960 the top officials of the United Mine Workers took $850,000 out of the UMW treasury and deposited that in the UMW-controlled National Bank of Washington as a very special pension fund designed for only four people. The value of this trust fund has now increased to well over $1.5 million. In 1966 the agent's fee for administering this very special fund amounted to $1,993.98, well above the $1,380 which a retired coal miner draws from the welfare and retirement fund if he is lucky enough to surmount all the hurdles and to qualify for his $115 a month pension.

Mr. Speaker, I believe that the president of the United Mine Workers of America and the top officials ought either to reduce these plush 100-percent-of-salary retirement nesteggs to the meager $1,380 which a coal miner is supposed to receive, or else liberalize the coal miners' pensions.

It might be contended that under the law the United Mine Workers of America and the United Mines Workers' welfare and retirement fund must be kept separate and distinct. Yet we all know this welfare and retirement fund came at the initiative of the sweat, blood, and sacrifice of many coal miners who went out on strike in the late 1940's in order to obtain the royalty per ton of bituminous coal mined in unionized mines to be contributed to this fund. That royalty now amounts to 40 cents a ton, and the total amount placed into the welfare and retirement fund each year is well over $160 million.

Roughly averaged, this amounts to approximately $1,600 for every coal miner in a unionized bituminous coal mine. If we could imagine for a minute how much private insurance, retirement, disability, and medical, one could purchase on the private market for $1,600 a year annual policy, we could imagine that those for whom this royalty is contributed should be fairly well taken care of.

Unfortunately, Mr. Speaker, this is not true. Many, many miners are deprived of their pensions. I have stacks and stacks of letters from those who have applied for their pensions in the belief that they had qualified for them by the amount of time they had put in. Many others have had their medical cards taken away from them shortly after their retirement. Everyone knows that when a coal miner retires that is the time when he really needs his medical card more than ever for assistance.

Mr. Speaker, despite the fact that the UMW headquarters and the fund must legally remain separate, inasmuch as it was at the union's initiative that this fund was set up, I cannot understand why the royalty of 40 cents a ton has remained 40 cents for the past 17 years. It has not been raised since 1952. If there is any difficulty in obtaining sufficient funds to take care of retired and disabled coal miners and their families, and their widows, then the union certainly should take the initiative to raise this royalty.

There are interlocking directorates between the union and the fund, however, that would seem to indicate there is a little closer relationship.

The 1968 report of the National Bank of Washington, which is the bank controlled by the United Mine Workers of America, reveals that the bank's board of directors includes UMW President W. A. Boyle—annual salary and expenses: $62,442— and UMW General Counsel Edward L. Carey—annual salary and expenses: $43,872.

In addition to that, members of the board of directors of the welfare and retirement fund are Welly K. Hopkins, general counsel of the UMW Welfare and Retirement Fund—salary and expenses: $50,345.38—and Thomas F. Ryan, Jr., comptroller of the fund—salary: $50,000.08.

I do not believe, Mr. Speaker, one can have effective protection of the coal miners when their union is arbitrary and dictatorial and also cannot even recognize the difference between truth and falsehood in what its officials print and say.

In the March 6 Congressional Record, pages 5431–5432, Mr. Speaker, I included the text of a telegram which I had sent to Mr. W. A. Boyle, president of the United Mine Workers, asking for an apology and correction for what was essentially a false, malicious, and clearly libelous article which appeared in the March 1 issue of the United Mine Workers Journal.

Mr. Speaker, I ask unanimous consent that the text of my telegram to Mr. Boyle, along with the appended documents, be reprinted with my remarks at this point.

The SPEAKER pro tempore (Mr. Waggonner). Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Text of Telegram From Representative Hechler to UMWA President Boyle

March 6, 1969.

W. A. Boyle,
President, United Mine Workers of America,
Washington, D.C.

Page 13 of the March 1, 1969, issue of the United Mine Workers Journal contains a false and malicious article signed by Rex Lauck and entitled "Ken Hechler's credo is Revealed." This article purports to quote what are alleged to be "Hechler's own ideas" as allegedly expressed in the April, 1959 issue of Pageant magazine. The United Mine Worker's Journal article concludes: "That explains much about how this man Hechler operates. Shades of Joe McCarthy!"

I trust that you are aware of the fact that the article in the United Mine Workers Journal is worded in such a fashion as to be designed to defame my character. Thousands of readers of the journal, including a large number in my Congressional District, are being fed these deliberately falsified statements which bear no resemblance whatsoever to anything I said in the Pageant article, or anything I have ever either said or thought before or since the appearance of that article.

Even if you should remove the direct quotation remarks and present this material as a paraphrase instead of an allegedly direct quote, the entire article in the journal is false, malicious and designed to defame my character.

I trust you do not condone the printing of such malicious misinformation by a man listed on the masthead of the journal as "assistant editor." I demand an immediate apology for this false quotation, attribution and characterization in the article, and the opportunity to present my views on health and safety legislation in a future issue of the journal as well as a reprint of the April, 1959, Pageant article.

The cause of health and safety legislation is far bigger than any personal differences which may have arisen between us. We cannot afford to continue to divide the forces supporting effective action to clean up the coal mines, protect the safety of thousands of coal miners and prevent the occurrence of black lung. We must seek out and welcome new recruits in this fight instead of condemning those who may not have carried the battle as long as others. Only through the aroused conscience of millions of Americans can effective legislation and sound administration be obtained. Over 40,000 coal miners in West Virginia alone are determined to obtain the protection they have failed to enjoy, and without which they will continue to suffer the risk of being burned, buried, crushed or gassed.

I appeal to you to declare a moratorium on these personal attacks and issue a call for all forces to join in a cooperative effort to win the fight still ahead of us.

Representative Ken Hechler.

[From the United Mine Workers Journal, Mar. 1, 1969]

Ken Hechler's "Credo" Is Revealed

(By Rex Lauck)

We found it hard to understand the reasoning behind Rep. Ken Hechler's sudden attacks on the *United Mine Workers* and its leadership until a friend with a long memory and a good filing system called our attention to an article in the defunct *Pageant* magazine.

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In its April, 1959, issue the magazine described with Hechler's consent: *How To Get Elected To Congress.*

The following quoted sentences are Hechler's own ideas, not something somebody else said about him. He advised:

"First you pop off to get attention, regardless of the merit of your ideas.

"Then you pose as the champion of the average man against the 'interests.'

"Then after you are rebutted, no matter how strong the facts against you you reply at once as the single, 'lonely campaigner' seeking the sympathetic support traditionally given the underdog.

"The truth of your statement or the merit of your argument has nothing to do with your response or your conduct.

"Finally, you adopt the imaginary 'we' as the shining knight defending the oppressed people against imaginary brutalities of the 'interests.' "

That explains much about how this man Hechler operates, Shades of Joe McCarthy!

[From the CONGRESSIONAL RECORD, Apr. 15, 1959]

HOW TO GET ELECTED TO CONGRESS

Mr. KENNEDY. Mr. President, in the April issue of Pageant magazine there appeared an article entitled "How To Get Elected to Congress." This is a story of a campaign by KEN HECHLER which resulted in his election to Congress from West Virginia's Fourth District.

I was privileged to visit West Virginia during the campaign and, in a small way, to participate in it. I was impresed, as the author of the article was obviously impressed, with the vigor, the dedication, and the ability of the college professor who decided he wanted to take an active part in the political life of the country rather than merely teach others about it.

KEN HECHLER proved it is no obstacle to start without widespread support and the handicap of only a brief residence in the community is not insuperable. He proved that strength of character and an interest in the people who make up the constituency are more persuasive than opposition jibes.

I commend this article to all persons interested in political science and I congratulate the voters of West Virginia upon their wisdom in electing KEN HECHLER.

[From the CONGRESSIONAL RECORD, Mar. 24, 1959]

HOW TO GET ELECTED TO CONGRESS

Mr. HUMPHREY. Mr. President, there were a good many highly interesting political campaigns last fall. One in particular was that of KEN HECHLER, who was elected to Congress from West Virginia's Fourth District. KEN HECHLER, in winning had to overcome the distinct handicap of having lived in the State for little more than a year when he announced as a candidate in the Democratic primary against two native-born sons.

The story of KEN HECHLER's campagin to victory appears in the April issue of Pageant magazine. It is fascinating reading and should give encouragement to others who have wanted to take an active role in politics.

Last Saturday it was my privilege to address the Democratic Women's Day program in Charleston, W. Va. I always enjoy visiting the Mountain State. It is truly a lovely part of our country, and its people are warm and generous. West Virginia can be proud of the men and women who have represented the State in the Congress throughout the years. They can take special pride in our colleagues, Senator BYRD and Senator RANDOLPH, and of men in the House such as Representative KEN HECHLER.

I ask unanimous consent, Mr. President, that the article from Pageant magazine entitled "How To Get Elected to Congress" be inserted at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

"HOW TO GET ELECTED TO CONGRESS

"(By Howard Cohn)

"There is a theory that college teachers are cloistered, impractical men. Like theatrical critics who write no plays and book reviewers who write no books, they are suspected of being head-in-the-clouds idealists who could never successfully practice what they preach.

"It is easy to visualize, then, the smiles that creased the faces of seasoned politicians in West Virginia early last spring when a lanky, effervescent political science professor named KEN HECHLER, who had lived in the area only a year and had never run for office in his life, boldly declared himself a candidate for the Democratic nomination for congress in the State's Fourth Congressional District.

"The skeptical smiles have since disappeared. For the professor is Representative HECHLER now, as the result of what one veteran newsman called "the shrewdest personal electioneering I've seen in 23 years of campaign coverage."

"Mr. HECHLER went to Washington, where he is now starting his 2-year term, despite the absence of many of the qualifications practical politicians clutch closest to their hearts. He was a stranger in a section of the State where residents take deep pride in local ancestry. He was a plain-looking, bespectacled bachelor of 44 with no pretty wife or adoring children to parade before the television screens. He entered the primary against two native-born sons without the backing of any local politician and lacking the support of organized labor, which is a power in West Virginia Democratic circles.

"Opposing HECHLER in the general election was a two-time Republican Congressman who was also a distinguished obstetrician. Dr. Will E. Neal had been bringing West Virginia babies into the world for more than 50 years. 'I delivered the voters,' the incumbent Representative would remind his campaign audiences. 'It is up to you to deliver the votes.'

"Because HECHLER overcame all of these handicaps—and even managed to turn some into assets—it is safe to say that if he ever finds time to teach another class in political science, the front-row seats will be filled with hard-bitten politicians anxious to absorb knowledge from a person who proved that his theories about winning elections are as valid as their rules ever were.

"KEN HECHLER—he never uses his baptismal name of KENNETH—says that the incredible idea of his running for Congress probably took root in the give and take of teacher-student discussions that have always featured his college classes.

"He had come in January 1957 to Marshall College in Huntington, W. Va., as a substitute for a political science professor who was taking a one-semester leave of absence. HECHLER's arrival was greeted with interest because he already had a sturdy and rather picturesque reputation in academic circles.

"Born in Roslyn, N.Y., of parents who were and are staunch Republicans, HECHLER received his bachelor's degree from Swarthmore College in 1935, and a master's the following year from Columbia University in New York. His master's thesis, titled "Will Roosevelt Be Re-elected?" is remembered at Columbia for its great over-all length—350 typewritten pages—and the brevity of its final chapter, which contained the single word: 'Yes.'

"In 1937 HECHLER became an instructor in political science at Columbia. A friendly, informal man, he made a practice—which he continued throughout his teaching career—of developing unusual stunts to enliven his subject matter. One of his most popular gimmicks was making phone calls to leading political figures which his classes could overhear by means of an amplifier hooked onto the telephone.

"While teaching at Columbia, the young instructor earned a Ph. D., making him Dr. HECHLER, and went on to aid Judge Samuel Rosenman, Franklin Roosevelt's principal speech writer, in compiling several long volumes of F.D.R.'s public papers and addresses. HECHLER already had left the party of his parents to become a confirmed Democrat.

"HECHLER entered the Army as a private at the outbreak of World War II, earned a commission in the tank forces, and eventually became a major and combat historian in the European Theater of Operations. After the war he taught at Princeton where, again, his classes were tremendously popular. There followed, in succession, jobs as a researcher-writer on President Truman's White House staff, associate director of the American Political Science Association, and research director for Adlai Stevenson's 1956 Presidential campaign.

"It was with this varied and impressive scholarly background that HECHLER accepted his temporary assignment at Marshall, a medium-sized, State-supported college in southwestern West Virginia. When surprised friends asked why, HECHLER replied that he had wanted for a long time to savor life in a small community. In his White House job, he had prepared briefs on every area the President planned to visit. West Virginia, with its mountainous scenery and natural resources, had struck him as a State with an undeveloped, potentially great future.

"HECHLER quickly became a student favorite at Marshall. Though Dr. HECHLER in class, he was usually "KEN" outside.

" 'He was,' says a fellow faculty member, 'the type of professor students consider a regular guy. But while he may have won some of his popularity with gimmicks, once he served breakfast in class—he never forgot his role as a teacher. The students really worked for him.'

"HECHLER's cardinal principle as a political science instructor was to try to make his students active participants in the processes of government, regardless of which party they supported. 'You are in politics whether you like it or not,' he'd say. 'If you sit it out on the sidelines, you are throwing your influence on the side of corruption, mismanagement, and the forces of evil.'

" 'But as I urged my students to become active politically, my conscience started to bother me because I was not participating very directly myself.' HECHLER says, 'I liked Huntington and its people and had decided to settle in the city permanently. When a few students started suggesting—some laughingly and some seriously—that I should run for Congress, I brushed off the idea. Actually, though, I began to find the notion pretty appealing.

" 'I had been on the fringes of politics, except for the war interval, for almost 20 years without ever once experiencing the excitement that only a candidate for elective office can have. I felt I knew the congressional ropes because of my work in Washington. I had firm political ideas, and I frankly thought that I could be a valuable servant to the people of West Virginia if given the opportunity. Besides, I was intrigued by the possibility of seeing how well some of the theories I stressed as a teacher would work in a real campaign.'

"But under the pressure of earning a living, these thoughts almost faded from HECHLER's mind in the autumn following the end of his teaching semester at Marshall. Settling down in Huntington as he had said he would, he served as a public affairs commentator on a local weekly television program. More important financially, he completed a book he had been writing about the dramatic crossing of the Ludendorf Bridge at

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Remagen, Germany, which gave Allied troops their first foothold on the east side of the * * *.

" 'The Bridge at Remagen,' published late in 1957, was an immediate success. A movie option was taken on it and it was sold to network television. With money coming along in sizable amounts, HECHLER began thinking again about politics. West Virginia was slated to be an important State nationally in the 1958 elections. There were two Senate seats at stake, in addition to the State's six seats in the House of Representatives.

"HECHLER began suggesting to friends and local politicians that he might want to run for a House seat. They said the idea was crazy. Then late in March 1958, with the primaries 4 months off and election day more than 7 months away, the Huntington Advertiser listed him as a possibility for the race.

"HECHLER reviewed the situation briefly. He had lived in West Virginia only 14 months. He was barely known outside Huntington. No one, except for a few students, had shown any interest in seeing him run.

"The day after the newspaper speculation appeared he gave the Advertiser a statement. 'I never sat on the fence on any issue in my life and don't intend to start now,' he said. 'Sure I plan to run for Congress. That is definite. I will file for the Democratic nomination in the August primary.'

"The Fourth Congressional District of West Virginia sprawls over 10 counties in the western part of the State and touches both the Ohio and Kentucky borders. It is a diversified region of heavy and light industrial plants and a large farm population. Huntington, with some 90,000 residents, is by far its largest city and generally favors the Democratic line, but the district as a whole usually has gone Republican.

"No sooner did he announce his intention to make the race than HECHLER proceeded to startle the district again by displaying the tireless energy of a professional basketball player. He was up every morning at dawn, rarely went to bed before midnight. In the long hours between, he toured every cranny of the 10 counties, ringing doorbells and stopping at stores, plants, on street corners to introduce himself to voters.

" 'Like everyone else,' says Robert Burford, Democratic chairman of Cabell County, where Huntington is located, 'I hadn't given KEN a chance for the nomination. Then one day in Charleston, I dropped in to chat with one of our candidates for State office. 'Who in hell is this HECHLER?' he asked me. He went to say that KEN had been dropping into creeks and hollows of his home county that no candidate for anything had bothered to visit in years. For the first time it dawned on me that he might win.'

"In some respects HECHLER was the prototype of the old-fashioned political campaigner. He toured the district in an attention-getting, red-and-white convertible covered with bold lettering announcing his name and candidacy. He had a campaign song to the tune of 'Sugar in Morning' that was as delightfully corny as campaign songs have been for generations. Sung usually by four Marshall coeds, it went in part:

"Put your 'X' on the ballot,
And if you do your part,
You'll have a darned good Congressman,
Who's for the young at heart."

"There was no sense of conformity, however, in other HECHLER maneuvers. 'I had always felt from my studies,' he says, 'that a candidate could win a good many more votes by stressing his own virtues than by leveling personal attacks on the opposition's character.'

"HECHLER not only refrained from attacking his opponents personally—he praised them. He described his two foes in the primary as 'good, fine Democrats.' In the general election HECHLER termed Republican Dr. Neal 'an honest man of conviction. I respect him for his principles, even if I may not always agree with what he stands for.'

"HECHLER also took pains to stress his virtues in unique ways. By passing out hundreds of free copies of his book, 'The Bridge at Remagen,' he emphasized that he was an author of note. He ran newspaper ads carrying letters of praise from Harry Truman and former members of the White House staff to indicate his familiarity with national affairs. He referred again and again to his primary campaign as 'the lonely battle' to point up the fact that he was running without any organized support, to win the sympathy he figured would be given an underdog. He produced character references showing that he had compiled a splendid war record and was an assiduous churchgoer.

"The college professor who had launched his campaign without a prayer of success won the Democratic primary by carrying 7 of the district's 10 counties.

" 'And you know what he did the next morning?' says one surprised Huntington politician. 'Why, he was standing outside a factory at 5 o'clock in the morning, thanking men who were reporting for work for voting for him and asking for support in the general election.'

"By winning the primary, HECHLER now had the backing of the regular Democratic organization and organized labor. He responded by forgetting his 'lonely battle' to go straight down the line for the entire Democratic ticket.

"Politically, HECHLER was a professed liberal Roosevelt-Truman Democrat who spoke frequently on the need to elect Democrats to cure 'the Republican recession.' And he still had a number of new tricks to unveil. He had campaign cards printed on the cheapest stock available. Printed under his name was the notation: 'The recession makes it tough to print a better card.'

"When campaign funds ran low, he bought 10-second television spots instead of the 5-minute shows Dr. Neal was putting on. 'We can't afford more television time,' HECHLER would tell audiences solemnly in the few seconds at his disposal, 'but I hope you'll vote for me anyhow.'

"The maneuvers brought appreciative smiles from the electorate. They also brought the kind of retaliation HECHLER expected and almost welcomed.

"Early digs that he was a Johnny-come-lately, suitcase politician became more strident. In contrast to HECHLER's courteous references to Dr. Neal, the Republicans made it a point to misspell his name at times as 'Heckler,' and one GOP campaign song ran in part:

"Visitor Hechler, we've been thinking,
What a State we'd really be,
If all the New York office seekers
Came to save us just like thee."

"Replied HECHLER sweetly: 'Isn't it wonderful that we live in a country where we are able to circulate such poems about our present and prospective public officials?'

"Late in October, a Republican woman member of the State legislature leveled the bitterest attack yet. Asserting in a statemen 'that New York already has 43 Congressmen; why should we give them another one?' She charged that HECHLER had been sent to West Virginia by Americans for Democratic Action, the extreme left wing of the Democratic Party, to run for Congress.

"HECHLER answered with a paid newspaper advertisement. He was not, he said, a member of ADA, and no individual or group had sent him to the State to run for Congress or any other purpose. Moreover, he expressed deep regret that the lady, 'who was not herself born in West Virginia,' had seen fit 'to make statements which becloud the real issues.' He also managed to weave in the Biblical commandment: 'Thou shalt not bear false witness against thy neighbor.'

"HECHLER believes that his statement caused the attack against him to backfire into one of the most effective issues of his campaign.

"Undaunted, the Republican leadership saved their heaviest ammunition until 4 days before the election. Now it was the Governor himself, Republican Cecil Underwood, who called a press conference to cut HECHLER down to size.

"An investigation had shown, said the Governor, that campaign literature for HECHLER and copies of his book had been stuffed into surplus food packages the State distributed to the needy. Calling this 'the most despicable display of political chicanery I've ever seen,' the Governor said that 'anybody who would play on the hardship of our people for his own benefit isn't worthy of West Virginia citizenship.'

"HECHLER still feels badly about this particular attack. He thinks it was pretty rough politics of the sort that keeps too many capable people from seeking public office. But publicly, the would-be Congressman again treated observers to the value of the nice-guy, high-level reply.

"First of all, HECHLER disclaimed responsibility for putting campaign literature in food packages. Then he said that the Governor was a very fine gentlemen who unfortunately had stooped to using words thrust in his hands by mud-slinging ghost writers. Finally, he brought out an autographed picture Underwood had given him before he entered the congressional race. 'To Dr. HECHLER,' read the inscription, 'with appreciation for intellectual leadership you are giving to West Virginia—Cecil H. Underwood, Governor.'

"HECHLER spent most of election night and morning sweating out the returns at the Democratic county headquarters in Huntington. For several hours the race seesawed, but around midnight HECHLER forged into the lead. The professor from New York who had launched his campaign with little more than his own ballot to count had received more than 60,000 votes and won by 3,500.

"After the election, HECHLER was back on the road again. Now the signs on his convertible had been changed to read: "DR. KEN HECHLER—Your Servant in Congress," and he was busy thanking voters and asking them about their problems. "He's the only successful candidate I know who spent as much time seeking out people after the election as he did during the campaign," says County Chairman Burford.

"Excluding money he would have earned if he had been working rather than campaigning, HECHLER figures the election cost him about $5,000–$6,500 for the primary in which he did not receive a single financial contribution, and another $1,500 in personal expenses for his battle against Dr. Neal.

"He considers that the money was well spent for what he terms 'the most exciting adventure of my life.' And now that he has won his seat in Congress, he says that the campaign taught him nothing that differed very greatly from what he had observed in his years as a political science professor.

" 'Sure you need luck to win an election, and I had my share of it,' he says. 'But I believe more strongly than ever that, whatever the odds against him, a candidate has his best chance of winning by waging a clean campaign; by anticipating and taking advantage of attacks which are made by the opposition and by remaining honest to himself and his personality.'

"HECHLER says his goal now is to be an effective representative for the people of West Virginia's Fourth District. 'After what he showed us as a candidate,' says Burford, 'we're expecting he'll prove to be quite a Congressman.'

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"Ken Hechler's 10 rules for campaigners

"1. Pay attention to the average person.

"2. Be true to your own personality.

"3. Be constructive and campaign cleanly.

"4. Turn every attack on you into an asset. Couple an immediate answer with your own constructive approach to the problem.

"5. Remember—your most effective workers are under 20 (they're enthusiastic) and over 60 (their word is respected).

"6. Avoid "strategy meetings" that cause dissension, waste time.

"7. Venture forth around the district every day. Don't be "deskbound."

"8. Don't tie your hands with job promises.

"9. Don't promise the moon to pressure groups.

"10. Be able to laugh at yourself and enjoy it."

Mr. Kefauver. Mr. President, I join with the distinguished Senator from Minnesota (Mr. Humphrey) in congratulating Representative Ken Hechler and to commend the fine article about him published in Pageant magazine. It was most fitting that Mr. Hechler be recognized in this fashion, because he represents what a real citizen should be in this country of ours. Ken Hechler, before he was elected to Congress from West Virginia, gained widespread recognition as a stimulating and outstanding professor in the field of political science.

Throughout his teaching career, he used the vivid device of making phone calls to leading political figures which his classes could overhear by means of an amplifier hooked onto the telephone. This was an effective method of breathing life into issues of the day and bringing political leaders and students into close contact.

Time and again, he pounded home the basic lesson of good citizenship to his students in many classes:

"You are in politics, whether you like it or not. If you sit it out on the sidelines, you are throwing your influence on the side of corruption, mismanagement, and the forces of evil."

Then Ken Hechler took his own advice and ran for office himself. His honest and forthright campaign won the respect of the voters in his district—and won him the seat he now holds. I have known Ken Hechler personally for many years. His is an example of citizenship that is well worth the praise of his constituents, his fellow citizens all over America, and of his colleagues in Congress.

Mr. HECHLER of West Virginia. Mr. Speaker, immediately after the publication of this article Mr. Rex Lauck, assistant UMW Journal editor, who had signed the article, indicated, "We will explain it in the next issue." When asked further how he could excuse the printing of such a false and malicious article he said he had an "emotional fixation" against Congressman Hechler.

Four issues of the UMW Journal have been published without reference to the article despite the fact that other corrections have been made as to the misspelling of names in other articles.

Mr. Speaker, it is unfortunate that the United Mine Workers has dragged its feet for years in failing to press for effective health and safety laws that will really protect those who mine coal in this most dangerous and hazardous occupation.

In the crucial period between 1966 and 1968, in frequent meetings with the coal operators, the UMW agreed not to ask Congress for more than a pitifully poor minimum of new protection for the coal miners. Even after the disaster at Farmington last November 20, 1968, the UMW leadership sent word to Capitol Hill and to all coal State Congressmen that the bill to protect the health of coal miners was too "controversial" and the UMW felt it might interfere with the success of a safety bill. It took an enraged public opinion in non-coal-mining States, Mr. Speaker, to force the UMW to profess support for stronger and more effective legislation and to move out in support of both health and safety laws. Once the bill passes Congress, as I have no doubt it will pass the Congress, and is signed into law, the coal miners of this Nation will never be fully protected on the job or in retirement as long as the top officials of the UMW and the UMW Welfare and Retirement Fund appear more interested in feathering their own nests than in getting out where the action is and fighting for the interests of the men who actually mine the coal. Down through the years many people have asked, why is it our laws and their administration have been so weak; why is it so many people have been killed and injured in the coal mines? The great missing balance wheel is the weakness and lack of aggressive effort by the UMW. This has been the missing element which more than anything else resulted in coal mine deaths and injuries, black lung disease, and disabled or retired miners who were cast aside like debris without any further effort to fight for their protection.

Mr. Speaker, some people have suggested that I am a union buster. All I am trying to do is to see that this union becomes a strong, effective, and clean union which helps in the process of enforcing health and safety legislation so that all coal miners active and retired will be treated with the dignity which they deserve.

Mr. Speaker, I believe that this is a somewhat symbolic issue which not only affects the coal miners but affects all people throughout this Nation. I say this because it means whether or not individuals in this Nation will be treated like human beings. I think, too, it also is symbolic of the renewed interest of the people of this Nation in their environment and the health and safety of the places they work, the air they breathe and the water they drink, as well as the dignity with which they are treated as individuals.

In addition to that I believe it symbolizes the necessity for us to examine very carefully in this Congress the great new technology which has developed and to be sure that this technology is applied not only in order to enrich certain individuals primarily interested in production, but also in a manner to protect those who work with their hands and work with these new machines.

Mr. Speaker, the continuous miner is a highly efficient mining machine which enables an individual coal miner to produce 20 tons of coal a day. It has been said that the continuous miner was invented primarily because of the pressure for higher coal production. Someone has observed that this was not designed as a life-saving machine and in my opinion that is a very pertinent observation. It was not designed as a life-saving machine, but as a production machine. As a result, this continuous miner gouges out the coal in such a manner as to leave the roof of the mine unsupported which can cause many more deaths and accidents in the mines and to stir up the dust so that it is suspended in the air. As a result, coal miners contract the deadly disease of pneumoconiosis, or black lung.

The one missing element here is that the union and its leaders which should have been representing and fighting for these men down through the years have neglected their duty.

Mr. Speaker, I do not believe anything this Congress does in the way of so-called stringent coal mine health and safety legislation can fully succeed unless the United Mine Workers of America and the United Mine Workers welfare and retirement fund take an aggressive position on behalf of the protection of the health and safety and security of the coal miners.

Mr. Speaker, I ask unanimous consent to include with my remarks certain documents.

The SPEAKER pro tempore (Mr. Waggonner). Is there objection to the request of the gentleman from West Virginia?

There was no objection.

U.S. DEPARTMENT OF LABOR RECORD FILED UNDER WELFARE AND PENSION PLAN DISCLOSURE ACT—1966 RECORD OF PENSION PLAN FOR 4 MEN (W. A. BOYLE, GEORGE TITLER, JOHN OWENS, AND JOHN L. LEWIS)—INTERNATIONAL UNION, UNITED MINE WORKERS OF AMERICA

Report filed on July 20, 1967, for the year beginning Jan. 1, 1966, and ending Dec. 31, 1966]

	End of prior year	End of reporting year
ASSETS		
Cash	$18,165	$20,887
Stocks:		
(1) Preferred	14,750	19,814
(2) Common	654,008	800,835
Bonds and debentures:		
Government obligations:		
Federal	267,956	267,360
Common trusts:		
Real estate notes (17)		
1st trust notes, District of Columbia real estate	704,759	550,327
Total assets	1,659,638	1,659,133
LIABILITIES		
Reserve for future benefits	1,659,638	1,659,133

Cash receipts—Jan. 1, 1966, to Dec. 31, 1966

Receipts from investments:

Interest	$44,417.05
Dividends	31,366.26
Gain on sale of Treasury bonds	1,116.25
Total receipts	76,899.56
Cash disbursements	
Benefits provided directly by the trust or separately maintained fund	35,599.92
Administrative expenses:	
Fees and commissions: Agent's fee	1,993.98
Postage and insurance	14.56
Total disbursements	37,608.46

Fees and commissions paid and charged to the plan.

Agent's fee.

To whom paid: The National Bank of Washington.

John Owens,
Secretary-Treasurer.

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The UMW

The nation's coal miners are struggling through and rebelling against one of the shabbiest chapters in the modern history of the labor movement. Their tormentors are those who should be their best friends: the United Mine Workers union and the UMW Welfare and Retirement Fund.

The men who burrow in the earth for coal are far removed from the exalted world in which officials of the union and its related welfare fund operate. This shows up in numerous ways, but none so painfully as in the rewards provided for loyal and faithful service to the union.

The most a miner can expect from his pension fund at retirement, after a career in the most dangerous occupation in the country, is $115 monthly.

The officers and employees of the fund, whose very jobs exist because of the miners' sweat, draw benefits which are lavish by comparison. Top officers of the fund can retire at half- or even full-pay, based on annual salaries of $30,000 to $60,000. Even the lowest-paid file clerk in the fund's offices can expect a monthly pension of $200 at retirement. That compares with the miner's $115.

That's not all. Officers and employees of the UMW itself have their own separate pension plan which also provides benefits on a generous scale.

So there isn't one retirement plan—there are three. And the coal miners, whose labor in the mines produces revenue for all three, are far and away the least provided for.

This is only a fragment of a very murky iceberg. The huge financial reserves maintained by the UMW fund beg justification. The poor investment record of the fund is unexplained. There's quite a story in the cozy alliance among the fund, the union, and the union-controlled National Bank of Washington.

All of these matters, which will be the subjects of future WTOP editorials, are traceable to the almost autocratic role the UMW leadership plays with its own members.

Congressman Ken Hechler of the coal-mining state of West Virginia has urged Congress to undertake a full-scale investigation. Congress owes it to the nation's long-abused miners to heed Hechler's advice.

This was a WTOP editorial . . . Norman Davis speaking for WTOP.

[From the Washington (D.C.) Evening Star, Mar. 7, 1969]

UMW Doesn't Dig Hechler

(By Shirley Elder)

The United Mine Workers Journal comes out every two weeks, and every two weeks lately it has attacked a West Virginia congressman named Ken Hechler.

Hechler, a Democrat, has been called a Johnny-come-lately and some other things for embarking on a crusade for stronger health and safety laws in coal mines.

The UMW is angry because Hechler went off on his own, rejecting ideas from a proud union that has been fighting for mine safety for 79 years.

Hechler compounded the problem of stumping the coal regions of West Virginia, rallying miners to defy their union and press for reform. Hechler kept saying the union was not trying hard enough.

Now, a UMW writer, Rex Lauck, reports in the current UMW Journal that he has found out what makes Hechler run. He cites a 1959 article in Pageant magazine which he says contained Hechler's "ideas" on how to get elected to Congress.

HIS 10 RULES

But Hechler denies the quotes the Lauck article attributes to him. He refers to a copy of the Pageant article, which includes "Ken Hechler's 10 Rules for Campaigners."

For example, Hechler's first rule, "Pay attention to the average person," comes out in the journal as, "First you pop off to get attention, regardless of the merit of your ideas."

The Hechler rules continue in the same vein: "Be true to your own personality" and "Be constructive and campaign cleanly" and "Turn every attack on you into an asset," and so on.

Lauck's report of these rules:

"Then you pose as the champion of the average man against the interests.

"Then after you are rebutted, no matter how strong the facts against you, you reply at once as the single lonely campaigner seeking the sympathetic support traditionally given the underdog.

"The truth of your statement or the merit of your argument has nothing to do with your response or your conduct.

NO QUOTATION MARKS

"Finally, you adopt the imaginary 'we' as the shining knight defending the oppressed people against imaginary brutalities of the interests."

Interviewed after the paper was distributed, Lauck said his article should not have contained quotation marks. "They just got on there at the print shop" he said. "We'll explain it in the next issue."

Lauck said he had not read Hechler's actual statement when he wrote the article. Instead, he said, he printed an "analysis" by a "friend with a long memory" who recalled the Pageant piece.

Did he now, after reading Hechler's 10 rules, think the analysis was fair? "Well," said Lauck, "it depends on your emotional fixation. If you don't like Ken. . . ."

Hechler, in a telegram yesterday to UMW President W. A. Boyle, demanded an immediate apology for what he termed a "false and malicious article." He asked for an opportunity to reprint in a future issue of the journal his 10 rules as actually written.

The telegram also included an appeal for unity in the campaign for mine safety legislation.

"We cannot afford to continue to divide the forces supporting effective action to clean up the coal mines, protect the safety of thousands of coal miners and prevent the occurrence of black lung."

He suggested proponents should welcome recruits rather than "condemning those who may not have carried the battle as long as others."

Hechler Insists UMW Apologize

(By John W. Yago)

Washington.—Rep. Ken Hechler demanded Tuesday that the United Mine Workers apologize for what he said was a false and malicious article about him in a union publication.

The article, which appeared in this week's issue of the United Mine Workers Journal, was intended to defame his character, Hechler said in a telegram to W. A. "Tony" Boyle, president of the UMW.

The article is entitled "Ken Hechler's 'Credo' Is Revealed." The journal said it was based on a story about Hechler's first election campaign that appeared in the April, 1959, issue of the now-defunct Pageant magazine.

The journal lists what it said was advice from Hechler on how to get elected to Congress. This includes such things as "pop off to get attention, regardless of the merit of your ideas" and "the truth of your statement or the merit of your argument has nothing to do with your response or your conduct."

The Journal article, written by assistant editor Rex Lauck, ends with this observation: "That explains much of how this man Hechler operates. Shades of Joe McCarthy."

The original Pageant article was reprinted in the Congressional Record 10 years ago at the request of then Sen. Hubert Humphrey who also praised the new congressman.

It contains no quotations from Hechler similar to those in the union publication.

Hechler's rules for campaigning, as listed in Pageant, were not untypical of those that might be expected from a political science professor, which Hechler was before running for Congress.

"Even if you could remove the direct quotation marks and present this material as a paraphrase instead of an allegedy direct quote, the entire article in the journal is false, malicious and designed to defame my character." Hechler told Boyle.

The Fourth District congressman said he hoped Boyle didn't condone the printing of "such malicious misinformation."

In addition to an apology from the union, Hechler demanded an opportunity to have his views on mine health and safety as well as the original Pageant article printed in the UMW Journal.

Hechler and Boyle have clashed several times recently over their views toward mine health and safety. Hechler has said the union doesn't do enough to support its members, and Boyle has described the congressman as an "instant expert" in the field.

The union had no official comment Thursday on the Journal article, and Lauck was unavailable to explain its source.

The union newspaper said only that the alleged quotes from Hechler were provided by "a friend with a long memory and a good filing system."

Hechler called for this friend to identify himself.

There were reports of high-level meetings at UMW headquarters Thursday on how to handle this latest offshoot of the drive for stronger mine statutes.

"Thousands of readers of the Journal, including a large number in my congressional district, are being fed these deliberately falsified statements which bear no resemblance whatsoever to anything I said in the Pageant article or anything I have either said or thought before or since the appearance of that article," Hechler said in his telegram to Boyle.

Hechler also held out an olive branch to the union chief.

"I appeal to you," he said, "to declare a moratorium on these personal attacks and issue a call for all forces to join in a cooperative effort to win the fight still ahead of us."

The cause of health and safety legislation is bigger than personal differences, Hechler declared. "We cannot afford to continue to divide the forces supporting effective action to clean up the coal mines, protect the safety of thousands of coal miners and prevent the occurrence of black lung" he continued.

Apology Deserved

Washington—Prior to last week much of the difference of opinion surrounding the mine legislation debate was just that, compounded by rising tempers and personality clashes.

The strong feelings on the subject were enough to erupt in a heated clash several weeks ago between United Mine Workers President W. A. Boyle and Rep. Ken Hechler, who once was strongly supported by the union. Boyle, who is not noted for his even temper, was really set off when Hechler allied himself with consumer advocate Ralph Nader in taking the union to task for not doing enough for its members.

The rule of the United Mine Workers, for years a powerful force in West Virginia, and its relations not only with the mine operators but with its own members, are valid topics for discussion, even though the discussion sometimes has been little more than name-calling.

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But a new aspect was added last week when a UMW publication printed what was evidently a totally false attack on Hechler, quoted him as advising other office-seekers on tactics that were cruelly cynical gutter politics and compared him to the late Sen. Joseph McCarthy.

The quotes, the UMW publication said, were from an article in a 1959 Pageant magazine about Hechler's first congressional campaign.

There was an immediate search of the Library of Congress for a copy of the magazine to see if Hechler did indeed say these things. The library's file copy was there, but it had been multilated sometime in the last decade and the Hechler story was missing.

A reprint was turned up, however, in a 1959 Congressional Record where it had been placed by none other than former Vice President Hubert Humphrey when he was a senator. Humphrey and another senator at the time, John F. Kennedy, both praised Hechler as a new representative and his campaign as a professor challenging the established political interests and winning by taking his campaign to the people.

Some of the animosity against Hechler, even within his own party, dates back to the first campaign.

Nowhere in the article did Hechler say anything remotely like what the UMW had printed.

Hechler wronged and justifiably irritated, has demanded a public apology from Boyle.

The whole affair contains elements of mystery. Who, for instance, is the "friend with a long memory and a good filing system" who provided the union newspaper with the supposed Hechler advice. Some at union headquarters say they don't know, and those who should know won't say anything. At best, the union's editors are guilty of careless journalism.

Whoever he is, the "friend" is obviously no friend of Hechler, but he has done the union considerable harm and put it even further out on a limb than it was.

The upshot is likely to be that Hechler won't be damaged but now actually has the upper hand in the feud. He even took the opportunity last week, while demanding an apology, to make peace overtures to in the name of the common cause they both support.

While these personal arguments among Boyle, Hechler and others are offshoots of the central issue, they could affect the serious business of writing new legislation to improve the odds of getting through a career in mining alive and healthy.

While they may differ over some points, everybody involved—even the most feudal coal baron remaining—at least says they favor a better shake for the miners. Some of Hechler's tactics may seem like comic relief to an otherwise grim subject, but he is deadly serious in his concern for the welfare of West Virginia's miners.

If the congressman's opponents would reread the Pageant article they would recognize that his methods in the mine health and safety campaign aren't too different from those that have gotten him elected to Congress six times.

Boyle and his associates certainly have the right to disagree, although some of the recent snorting could hardly pass for constructive criticism, but last week they got caught with their ethics down.

Hechler deserves his apology and he should get it.

ARE DISTRICT OF COLUMBIA POLICE TOLD TO LOOK THE OTHER WAY?

The SPEAKER pro tempore (Mr. WAGGONNER). Under a previous order of the House, the gentleman from Missouri (Mr. RANDALL) is recognized for 10 minutes.

(Mr. RANDALL asked and was given permission to revise and extend his remarks and to include extraneous matter.)

Mr. RANDALL. Mr. Speaker, there are two ways a Member can react to the things he reads in our newspapers. One way is to be silent which could be interpreted as agreement. The other way, and by far the most appropriate way to react to news accounts of events here in Washington, is to call these to the attention of fellow Members by timely comment and inclusion in the CONGRESSIONAL RECORD.

On the front page of the Washington Post this morning is a picture of Marion Barry with the headline that 300 Pride, Inc., leaders staged an angry protest in the City Council chambers against the arrest Tuesday night of Marion Barry.

The article points out that the Mayor of the city of Washington has ordered an investigation into the arrest of Marion Barry on Tuesday night because he assaulted a policeman. The article goes on to point out that 300 followers of Barry, who is, as you know, director of Pride, Inc., came down to City Hall and proceeded to stage a demonstration in the District of Columbia Building.

After the conference with Marion Barry, Mayor Washington announced there would be a civilian investigation of the arrest incident headed by Acting Public Safety Director Charles T. Duncan.

Well, I suppose an investigation will take place.

The more important question is whether Mayor Washington is going to investigate the conduct of some officers on Pennsylvania Avenue that same afternoon, who stood by observing acts in violation of law and did nothing. Certainly we have reason to believe the Washington Post reported the facts accurately.

It is reported that as 20 or 30 followers of Marion Barry came down the stairs in the City Hall they were cursing and making obscene gestures. They smashed a half dozen soft drink bottles in the District Building. Is this not disturbance of the peace, disorderly conduct in a public building and destruction of property?

Then as these youths moved further on east on Pennsylvania Avenue "shouting as they walked, they pushed and shoved several white pedestrians, cursing them and making more obscene gestures." Were the police ordered to ignore these violations of law. Why does the Mayor not ask for an investigation of the conduct of the officers who saw these violations and made no arrests?

Then, at 13th and Pennsylvania Avenue they struck a news vendor in the face and went onto 12th and Pennsylvania Avenue where they stole several bouquets from a flower vendor. Was this not unlawful assault and petty larcency?

The article states a police car was following them, all students, allegedly from Federal City College. These students jeered at the two police officers inside the car. Yet the officers did nothing according to the newspaper story.

But listen to this:

> At 3d and E Streets, Northwest, a youth stole a carton of beverages from a station wagon parked outside a market—

In the words of the reporter of the Washington Post.

It causes shock and dismay to read the account of the reporter:

> The officers did not leave their car.

Mr. Speaker, whenever the police department hires new members for the police force, about the only training they get is to come to the Hill, and learn to ticket the cars of our innocent constituents who come to visit the Nation's Capital and are not familiar with our parking regulations. It seems these same police cannot determine a real violation of law when it occurs before their eyes. Or could it be they are under orders to ignore such acts by the followers of Marion Barry?

Here were clear violations of the law on three or four counts—disorderly conduct, destruction of property, and petty larceny for taking the flowers and beverages.

If Mayor Washington is going ahead with his investigation of the alleged assault by the police officers upon Mr. Barry he should certainly investigate and find out upon whose orders, or whose instructions it was that these officers in these patrol cars on Pennsylvania Avenue took no action against violations that the Washington Post reports were clear violations of several different city ordinances.

In the past, Mr. Speaker, we have heard a lot about home rule. A few years ago there was a change in District of Columbia government. I am not convinced the new is an improvement over the old.

Today we have a Mayor appointed by the President and a new City Council. I submit to you, Mr. Speaker, that if this is an example of the progress we have made in this city—if what happened Wednesday afternoon on Pennsylvania Avenue is an illustration of the progress we have made under our new city government then the Lord save us if we ever have full home rule.

I would hope I am not the only Member who will take note of what happened. I hope our District of Columbia Committee and the Committee on Appropriations—makes it a point to interrogate the Mayor and his police department about what happened on Pennsylvania Avenue Wednesday afternoon when these officers remained in their car and made no effort to apprehend those committing crimes before their eyes. The Mayor must be called upon to investigate this failure by his police if he intends to have his investigation of an alleged assault by a police officer on Marion Barry—when the officer was simply doing his duty, if we believe the content of the newspaper account.

Let me repeat once again may the good Lord help us if the happenings of Tuesday night and Wednesday afternoon are measures of the progress we have made in the government of Washington, D.C.

NATION AWAITS ADMINISTRATION'S DECISION ON VIETNAM

The SPEAKER pro tempore (Mr. HECHLER of West Virginia). Under a previous order of the House, the gentleman from New York (Mr. Halpern) is recognized for 5 minutes.

Mr. HALPERN. Mr. Speaker, for the third time in a decade a new administration has entered office faced with the problem of Vietnam, and the Nation anxiously awaits its decision on the future course of American policy. But the situation in 1969 is far different from that of 1961 or 1963. Today the United States has about 540,000 men in South Vietnam and has suffered over 35,000 casualties killed in the war.

The Vietnam conflict has produced deep divisions among the American people and has greatly weakened America internally:

It has alienated thousands of American youth. They must be brought back into the mainstream of our political and social structure so that they can make the contribution to American life of which they are capable.

It has stifled the growth of those social welfare programs which originally held such great promise of ending poverty and bringing the benefits of the affluent society to all of our citizens.

It has accentuated the concern and resentment of the Nation's poor, who see billions of dollars spent in a faraway land while they are unable to share the fruits of America's bounty.

In 1961 President Kennedy spoke of America's commitment to South Vietnam's defense. President Johnson expressed similar sentiments many times. I can only wonder if both men would have reached the same decision as they did then if they could have foreseen the disastrous consequences of this so-called commitment. The escalation of this commitment year after year has long since brought us to the point of diminishing returns. If President Nixon chooses to follow the old policies of escalation and unqualified commitment, he will find the returns meager, not only in Vietnam but also at home where the priorities of 1969 domestic problems demand attention.

Until the present burden of Vietnam is at least partially lifted from our shoulders it will not be possible to move forward and effectively cope with the problems that we face at home. The war simply cannot be allowed to continue at its present level. I, therefore, join with those distinguished colleagues of mine, in both the House and Senate, who are similarly proposing that the Nixon administration begin the withdrawal of U.S. forces from South Vietnam. The administration should immediately begin the shift from the old policy of escalation to a new policy of extrication.

Today, the size of the American commitment in Vietnam is totally out of proportion with our avowed purposes and objectives. President Johnson ostensibly sent combat troops into the country in 1965 to prevent a Communist takeover and give the Government and people of South Vietnam time to build a viable self-sufficient national structure. We have prevented a Communist military victory and have given the South Vietnamese almost 5 years. We have accomplished our objectives.

The stationing of 540,000 men in South Vietnam can only be further justified by the objectives of a military victory, which the United States has consistently stated is not its goal. For years our officials have told us on the one hand that the eventual outcome in Vietnam would depend on the South Vietnamese Government; on the other hand they have increasingly Americanized the conflict.

Both American and South Vietnamese officials have of late spoken in glowing terms about Saigon's increased political and military strength. Both President Thieu and Premier Huong have publicly declared that the United States can begin to withdraw its troops. I can only second this recommendation. It is time to let the Thieu government stand on its own; the United States can accomplish this best by beginning an orderly withdrawal of its forces.

In November 1967, General Westmoreland described to the National Press Club a four-phased plan under which in phase 3—to be implemented in 1968—the United States would "provide the new military equipment to revitalize the Vietnamese Army and prepare it to take on an ever-increasing share of the war" and "turn a major share of frontline DMZ defense over to the Vietnamese Army." In phase 4 Westmoreland declared that:

> U.S. units can begin to phase down as the Vietnamese Army is modernized and develops its capability to the fullest.

The implementation of this plan is long past due. The American people—after 4 long years of war—have a right to know precisely when it will become a reality. It should be carried out now.

Hopefully, the beginning of a troop withdrawal on our part will serve as a catalyst to reduce the scale of fighting and ultimately the casualty rate. North Vietnam has in the past shown some willingness to limit its military activities in return for U.S. deescalation. Hanoi has, for example, generally abided by the October 1968 understanding with the United States with regard to the demilitarized zone. No major North Vietnamese units have crossed the zone into South Vietnam since that time. It may well be that Hanoi will respond in a similar positive fashion if the United States initiated a troop withdrawal.

Today, President Nixon stands on the threshold of a great opportunity: an opportunity to correct the errors of the past. By initiating the withdrawal of American troops from South Vietnam, he will give the American people new hope. He will show the alienated and downtrodden of this Nation that their Government is now ready to fully confront our pressing domestic problems. If President Nixon adopts this course, he will restore the kind of enlightened leadership this Nation has so sorely lacked in recent years: a leadership founded upon commonsense and realism. I urge the President to begin at once.

AWARD TO HOUSE READING CLERK JOE BARTLETT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio (Mr. Miller) is recognized for 15 minutes.

Mr. MILLER of Ohio. Mr. Speaker, it is always a source of great satisfaction when we learn that a member of the congressional family has distinguished himself in a creditable manner.

It is all the more gratifying when that person is one of our most faithful aides, and a friend we hold in fond esteem.

This is why I took special pride in the ceremony on Tuesday afternoon at which Dr. Kenneth D. Wells presented to House Reading Clerk Joe Bartlett, the George Washington Honor Medal on behalf of the Freedoms Foundation of Valley Forge.

This coveted patriotic award was presented to Joe for an essay entitled, "Strange Legend: Curious Riddle," which was judged to be "an outstanding accomplishment in helping to achieve a better understanding of the American way of life."

The essay, written in the style of a parable, was intended to assist one of our Members in dealing with a difficult question with which he was confronted. The parable came to the attention of our colleague, Representative Durward G. Hall, of Missouri, who caused it to be printed in the Congressional Record. There it was read by my distinguished fellow Ohioan, Representative Clarence J. Brown of the Seventh District, who commended it to the consideration of the Freedoms Foundation awards jury. It is a delightful irony, it seems to me, that what was done by Joe as a service for another, should redound to him with such a fitting tribute.

I wanted my colleagues to share in the awareness of this happy event. I know you join me in congratulating Joe, and extending to him, and his lovely wife, Jinny, and to their charming daughters, Linda and Laura, our very best wishes on this noteworthy occasion in their lives.

Mr. RUPPE. Mr. Speaker, will the gentleman yield?

Mr. MILLER of Ohio. I yield to the gentleman from Michigan.

Mr. RUPPE. Mr. Speaker, I would like to take this opportunity to associate myself with the remarks of the gentleman from Ohio and to say too that we are very honored to salute Joe Bartlett on this particular occasion.

Mr. Bartlett certainly has always conducted himself in the very finest professional manner. He has also seen fit, as your remarks suggest, to tell the story of democracy to our country and to tell the American people of the importance of our heritage of freedom and democracy.

Mr. MILLER of Ohio. I thank the gentleman.

Mr. HALL. Mr. Speaker, will the gentleman yield?

Mr. MILLER of Ohio. I yield to the gentleman from Missouri.

Mr. HALL. Mr. Speaker, I appreciate the distinguished gentleman from Ohio yielding.

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I too would like to associate myself with the remarks the gentleman has made, most appropriately about our esteemed reading clerk. He has served the House so well, I know of no one who loves the Capitol and the representative processes of government as Joe Bartlett. This love comes from the fact that he has been a marine and knows why he deprived himself and fought for the maintenance of freedom in our country. But more particularly he loves those with whom he works and holds them dear in his heart as they participate in the process of good government. For all of these reasons we not only salute Joe Bartlett on the occasion of my good friend, Dr. Kenneth Wells, recognizing him with the Washington Honor Medal Award of Valley Forge from the Valley Forge Freedom Foundation, but we salute him because we find it no surprise that he should write a parable so beautifully expressing as did the Master long ago. One would not intend to imply that Joe would be likened to the Master of Galilee in every respect, but insofar as his perception of need is concerned and his loyalty to his friends is concerned and his ability to speak in a parable, the likeness is not too far drawn.

So I join with my worthy colleague in saluting an outstanding accomplishment in helping to achieve a better understanding of the American way of life and to say, Mr. Speaker, this is our friend, Joe Bartlett. I thank the gentleman for yielding.

Mr. ALBERT. Mr. Speaker, I appreciate the gentleman from Ohio advising us of the honor which has come to the minority reading clerk, Mr. Joe Bartlett. I understand that the gentleman himself called Mr. Bartlett's essay to the attention of the Freedoms Foundation of Valley Forge, which subsequently chose to award this work its George Washington Honor Medal.

We, of course, know that the House has many able and dedicated staff members and certainly Joe is one of these. We are always pleased when recognition comes to an employee of the House. I am happy to join the gentleman in complimenting Mr. Bartlett.

Mr. GERALD R. FORD. Mr. Speaker, we have among us a gentleman who each day faithfully and skillfully performs the duties of reading clerk. Our own Joe Bartlett is a man of many talents which go far beyond those involved in his everyday duties. Two days ago some of those talents were recognized officially by the Freedoms Foundation of Valley Forge, Pa. It is with appreciation for his many abilities that I join with my colleague the gentleman from Ohio, Representative CLARENCE MILLER, in congratulating Joe Bartlett upon being awarded the George Washington Honor Medal.

Mr. Speaker, Joe Bartlett won the George Washington Honor Medal for an essay which is not only exceedingly well written but is a penetrating analysis of one of the most controversial issues arising from the Vietnam war. That this analysis is presented as a parable in modern dress makes it all the more impressive. Joe Bartlett's "Strange Legend" parable appeared in the CONGRESSIONAL RECORD on April 19, 1968. I commend it to those who have not read it and suggest that for others a rereading of it would be profitable. Again, my congratulations to Joe Bartlett—congratulations which I know are echoed among all of my colleagues in the House.

Mr. STEIGER of Wisconsin. Mr. Speaker, I join in saluting the House Reading Clerk, Joe Bartlett, and appreciate the gentleman from Ohio, Mr. Miller, calling the attention of the House to the honors bestowed on Joe Bartlett.

I want to include a further recognition.

The U.S. Jaycees recently paid tribute to Joe Bartlett for his "unselfish service" to the Jaycees.

At this point, Mr. Speaker, I include a copy of the inscription on the plaque presented by the Jaycees along with an article from Roll Call and a letter from President Nixon:

THE U.S. JAYCEES—A TESTIMONIAL OF A GRATEFUL ORGANIZATION

Presented to Joe Bartlett in honor and with deep appreciation of the distinguished and unselfish service given to the United States Jaycees while serving with outstanding leadership, vision and ability, 8th Annual Governmental Affairs Leadership Seminar, 1969.

[From Roll Call, Mar. 20, 1969]

JOE BARTLETT ADDS NEW AWARDS TO COLLECTION

Joe Bartlett, Senior Reading Clerk of the United States House of Representatives, was honored by The United States Jaycees for outstanding service to the young men's organization during a session of the 8th Annual Governmental Affairs Leadership Seminar at the Capitol, Monday.

Bartlett, who began his career as a House page at the age of 14, was cited for his distinguished service in helping formulate the Governmental Affairs Awareness program and continued support of this Jaycees involvement effort since its inception in 1962.

In 1965, Bartlett was honored by a resolution before the House body by the State of Georgia for his assistance to the young men of that State. In 1967, he was presented the Georgia Jaycees Distinguished Service Award.

Bartlett, a native of Clarksburg, West Virginia, first got his start in Washington as a result of a trip to the Capitol as "America's Typical Schoolboy Patrolman." As a result of this selection, he was given a 30-day appointment as page, which has evolved into a career of nearly 28 years of public service in the House.

His career, which began in 1941, was interrupted twice by stints in the Marine Corps during World War II and the Korean Conflict. Upon his return from service at the end of World War II, Bartlett, then 19, was selected as chief page. He served in that capacity until called back into active service with the Marine Corps during the Korean Crisis.

It was during the second tour of duty that he met his bride-to-be. Bartlett, stationed in Virginia, was assigned as one of the Cherry Blossom Festival escorts in 1951 and met Ginny Bender, daughter of the late Senator George H. Bender of Ohio. They were later married and presently make their home in Chagrin Falls, Ohio with their two daughters, Linda and Laura.

In 1953, Bartlett was chosen as the youngest reading clerk in the history of the House. In 1960, 1964 and 1968, he was selected as Chief Reading Clerk for the Republican National Conventions.

Bartlett was recently honored by the Freedoms Foundation of Valley Forge which awarded him the George Washington Honor Medal Award for an essay, "Strange Legend: Curious Riddle."

THE WHITE HOUSE,
Washington, March 26, 1969.

Mr. JOE BARTLETT,
Senior Reading Clerk,
House of Representatives,
Washington, D.C.

DEAR JOE: I was pleased to see that you have been honored for outstanding service by the United States Jaycees at their 8th Annual Governmental Affairs Leadership Seminar.

You can take great pride in this award, yet I know your greatest satisfaction must come from knowing you have given so generously in the service of our nation over the years.

Pat and I join in sending our congratulations and very best wishes to you and Ginny.

Sincerely,

RICHARD NIXON.

The record of Joe Bartlett is outstanding and his service to young people sets a high example for all of us.

The recognition by the U.S. Jaycees is but another tribute paid to Joe Bartlett by those he has served.

Mr. MINSHALL. Mr. Speaker, it is a pleasure to express my congratulations to our esteemed reading clerk, Joe Bartlett, on receipt of the George Washington Honor Medal Award from the Freedoms Foundation.

This is a great honor from a distinguished organization. I know Joe is justly proud of the recognition accorded his essay, "Strange Legend: Curious Riddle."

As many of you know, Joe and his charming family reside in Chagrin Falls, Ohio, in the 23d Congressional District which I represent. The Chagrin Falls Herald, one of the outstanding suburban Cleveland newspapers, took note of Joe's award in the following article:

FREEDOMS FOUNDATION HONORS JOE BARTLETT

Joe Bartlett, reader of the House of Representatives, and Chagrin Falls resident, has been awarded the George Washington Honor Medal Award by the National School Awards Jury for his essay "Strange Legend: Curious Riddle," which he wrote in 1968.

Bartlett's essay was written as a parable on a young congressman who is fighting with his conscience on the advisability of voting on a bill which would OK trade with an enemy power.

He falls asleep pondering the question and dreams of an expert woodworker, Naivius, who lives in the land of Samaria. His trees were of the straightest quality and his talent with the wood unsurpassed.

Learning of his great skill and quality wood, Roman authorities in Judea ordered a shipment of his finest timbers. His reaction was one of doubt, as he did not know for what use the lumber was meant.

His colleagues and family argued with him that the wood would surely be used to build housing for the poor, hospitals for the sick and schools for the children. And besides, he would be paid well for his work.

Placated, Naivius consents to the transaction and the lumber is sent on its way.

Still disturbed by the question, Naivius decides to go to Jerusalem to see first-hand what good works his timbers had performed.

He becomes weary after a climb up a steep hill. He sits to rest on a wooden crossbeam and senses that the wood is his own. He gropes for some meaning of the structure.

In the darkness he is able to make out words written on the wood, "King of the Jews."

When in Chagrin Falls, Bartlett lives at 600 North St., with his wife, daughter of the late Senator George Bender.

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Mr. MOSHER. Mr. Speaker, I want very much to associate myself with the remarks being made today in behalf of Joe Bartlett, a man for whom all of us who serve in the House have such great respect.

It is one measure of Joe's many talents that he has received the Freedoms Foundation's George Washington Honor Medal for his essay "Strange Legend: Curious Riddle." I am pleased to join in this salute to a dedicated servant and articulate student of the House of Representatives.

As another measure of the affection with which we in the Cleveland, Ohio, area hold "our own" Joe Bartlett, I want to share with my colleagues in Congress a newspaper column by George Condon of the Cleveland Plain Dealer dated February 26, 1969. Under unanimous consent, I include the article at this point in the RECORD:

THE FACE IS FAMILIAR, BUT . . .

(By George E. Condon)

WASHINGTON.—Partying is almost a way of life in Washington, but every now and then there is a wingding here that is entitled to be described as something special. The "Bash for Bartlett" a few years ago was in that category.

Joe Bartlett was the guest of honor at that Capitol Hill party, and among those who came toegther to salute him were many of the most famous names in Washington. It was timely and appropriate recognition for a personable man who, for 25 years, has been one of the unsung heroes of Congress.

Joe Bartlett, who now calls Cleveland his home, came to Washington from the West Virginia Hills in 1941, the holder of a 30-day appointment as a page in the U.S. Senate. He somehow has managed to extend his association with the government in a way that suggests he is on his way toward becoming a career man, if more than a quarter of a century ago can be regarded as a beginning.

Bartlett's achievements include being the youngest chief page in the history of the Senate and being the youngest man ever to be named reading clerk of the U.S. House of Representatives when he was given that appointment in 1953.

It is one of the happy surprises you uncover when you search into the murky area of Washington officialdom, that the governmental monster can be reduced to the simple, essential element of men—especially anonymous career men like Bartlett who still have stars and stripes in their eyes after many years of close association with the nation's leaders. They are the ones, of course, who keep the wheels turning; who provide needed continuity to the political process.

Bartlett, incidentally, is in the puzzling position of the supporting actor whose face is familiar to millions, but who still remains an anonymous, indistinct figure on the national scene. Whenever the President, or a visiting ruler, or a home celebrity, addresses a joint session of Congress which is televised, Bartlett usually is prominent in the closeup scene, being seated on the level just blow the speaker of the House.

If the general public doesn't know Joe Bartlett, the men and women who run this government of ours do. And when he speaks, the House of Representatives listen—the ability to command such attention being one advantage that a reading clerk has in this parliamentary system. A reading clerk actually does more than read the roll call of the House; he has to be aware of what is in the legislative hopper and he has to have an intuitive knowledge of the turns and twists that the large deliberative body is likely to take. But reading the roll call of the House membership is a terrifically demanding duty in itself because there are 435 names to be read, and in the course of an average roll call, the reading clerk will call out 800 names.

One student of the Washington political scene once got out his slide rule and figured out that during more than one-fourth of the time that the House of Representatives is in session, the roll of members is being called; over 428 calls in all, with each one taking about 27 minutes. The senior reading clerk recalls one 32-hour period when there were 40 roll calls and he clutched his throat as the memory swept over him.

Bartlett's association with Cleveland, and, specifically, Chagrin Falls, came through marriage. While still in Marine uniform, he met and married Virginia (Jinny) Bender, the daughter of the late former U.S. Sen. (and former representative) George H. Bender. They have two children, Linda and Laura. And although they live in Washington, home is where grandma lives—Mrs. George Bender's home at 600 North Street in Chagrin Falls.

Mr. BROWN of Ohio. Mr. Speaker, I am delighted to join in praise today for one of the people who makes service in this body much easier than it might otherwise be. I refer, of course, to Joe Bartlett, one of the two reading clerks of the House. Joe is sometimes referred to as the minority reading clerk but that is not exactly accurate because, like all employees of the House, he serves all Members equally and well. While Joe holds his post at the designation of the Republicans in the House, he is technically named by our distinguished Speaker. Joe and his colleague, friend, and fellow reading clerk, Charlie Hackney, are equals in their role, even though Joe has a few years of seniority. But they share their responsibility so well that many who hear them think they sound alike and some have even said that as time takes its toll of their hairline, they look something alike.

Suffice it to say, since we are all proud of the good job they do in the House, it is also a particular pleasure for me to have had a small part in honoring Joe for his outside accomplishment in the literary area. I am proud of him for his achievement, for the sentiment it expressed, and for the fact that he is a fellow Ohioan by adoption if not birth.

As my tribute to Joe on the occasion of this honor he was rendered by the Freedoms Foundation and in appreciation to both him and Charlie, I should like to insert for the edification of my colleagues two articles which recently appeared in the public press about our reading clerks. The first is by Aldo Beckman in the Chicago Tribune on December 8, 1968, and the other is a wire service story put together by Frank Eleazer and his UPI staff for distribution to UPI clients across the country. The insertion that I include is the article as it appeared even around the world in Vietnam in the Stars and Stripes edition of March 16, 1969:

[From the Chicago Tribune, Dec. 8, 1968]

READING CLERKS—THEY MAKE THE HOUSE A HOME FOR ALL 435 REPRESENTATIVES

(By Aldo Beckman)

WASHINGTON, December 7.—Joe Bartlett and Charles W. Hackney Jr., the reading clerks in the United States House of Representatives, have it made this year.

They have only 37 new faces that they must recognize immediately when they see them and 37 new names to learn to pronounce correctly.

For that is the number of new congressmen that will begin serving here next Jan. 3. Altho there actually were 40 new congressmen elected last November, 3 of them are "retreads," men who have served in an earlier Congress and now are returning after an interruption in their service.

MUST KNOW ALL NAMES

In addition to knowing the new members by sight, the two reading clerks also must recall the names of all the other members of the 435-seat legislative body.

While it seems like a herculean task for the average man who has difficulty remembering the name of the one new man on office staff, Bartlett and Hackney, both long-time veterans of Capitol Hill service, take it in stride This year's memory task is simple, they said, when one recalls there were 92 new faces in the House after the Democratic landslide in 1964.

Their first test will come shortly after the House convenes and the first roll call is taken. It is the clerk's job to read the roll, either during a vote on a bill or on a quorum call.

VOICE STANDEE NAMES

After reading thru the names twice those answering on the first round are, naturally, not read during the second round, their memory tests occur when members not answering the first two rounds stand in front of the clerk's podium in the "well" of the House chamber.

Then Bartlett or Hackney, whoever happens to be conducting the call, voices the names of the members standing there.

Both have reputations as never having missed. but Bartlett confided, during an interview that he has slipped up a time or two. "I've never missed under pressure," he said, "but I have called out the wrong name a time or two, when I was relaxed and not concentrating.

"But I quickly recovered each time, and the member who was the subject of my fumble always thought I had just seen someone else and called his name.

"On occasion, I've drawn a blank on a name and as I go down the line in the well calling names, it's a little scary as I get closer to the man whose name I can't recall," he said. "But I've been lucky. Every time it's happened, the name has popped into my mind just before I had to identify the member."

GETS PICTURES, BIOGRAPHIES

Bartlett and Hackney send for pictures and biographies of the new members shortly after the election, and enclose a request for the proper pronunciation. New members, proud of their recent election to the Congress, can get pretty disturbed if their name is mispronounced the first time it is spoken in the House.

And with a Congress including a Kuykendall, Schneebeli, a Frelinghuysen, a Galifianakis, and a Kluczynski, pronunciation can be a problem.

Most of the pictures have arrived and the two clerks will be spending much of their time the next three weeks studying them. "The biographies are about as important as the pictures," said Bartlett, who has been reading clerk since 1953, when, at the age of 27, he was the youngest man ever named to the post.

"It helps divide the chicken farmer from the banker," he explained. "And I don't mean to belittle either occupation.

"But a man's looks are influenced by his background, and the biographies are a real big help."

CALL TAKES 28 MINUTES

The average time for a roll call is about 28 minutes, but last Oct. 8, when Repub-

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licans were stalling in an effort to force the Democratic leadership to call up a reorganization bill, one roll call took more than two hours. The speaker needed that much time to round up enough members to make a quorum, and the clerks were ordered to slow down their reading.

During that same session, which ran more than 33 hours, a modern record, Bartlett and Hackney called 46 roll calls, an all-time record. Since Senate-type filibusters are impossible under House rules, any filibuster, such as the one instigated by the Republicans during that all-night session, simply exploit the use of the reading clerks, with repeated demands for roll calls.

During such sessions, the clerks keep medicated cough drops handy, and gargle at regular intervals.

Altho neither Bartlett nor Hackney has had much formal speech training, both have superb speaking voices, with extreme clarity, volume, and perfect enunciation. Without such traits, they would not have their current jobs.

KNOW HOUSE PROCEDURES

Both also have intimate knowledge of legislative procedures in the House, another absolute must for a reading clerk.

While Bartlett was named by Republicans and Hackney by Democrats, they are nonpartisan while on the job. They draw identical salaries [just under $20,000 a year] and share all duties.

Both served their political parties as reading clerks in the national nominating conventions last fall.

Altho they have been partners only since 1963, when Hackney was appointed to the post, their voices sound so much alike that it is impossible to tell who is reading a bill, if the listener is out of view of the podium.

Bartlett expressed some surprise upon learning this, insisting there has never been any effort to make the voices sound alike.

SERVED IN MARINES

Hackney worked as a cloak room clerk before being named House reading clerk, while Bartlett was chief of pages in the House. He first came to Washington from his native Clarksburg, W. Va., in 1941, as a House page, an honor he won after being named "America's typical schoolboy patrolman." Altho the appointment was for only 30 days, he has been here ever since, taking time out to serve two hitches in the marines, once during the Korean war.

Both Bartlett and Hackney enjoy their jobs and have nothing but praise for the members.

"Anybody that says nice guys finish last is just wrong," said Bartlett. "There are lots of great guys here and they all came in first.

"After all, every member here was sent here by half a million Americans."

[From Stars & Stripes, Mar. 16, 1969]

HANDY MAN AROUND THE HOUSE

(By Frank Eleazer)

WASHINGTON.—Congressmen pay Joe Bartlett, of Chagrin Falls, Ohio, $20,000 a year because he can remember their names every time. And in 16 years nobody has had occasion to demand a refund.

How does he do it?

"I sweat a lot," says Joe, who with his fellow reading clerk, Charles W. Hackney Jr., of Lexington, N.C., alternated last year in calling the roll of the House 428 times.

Actually it isn't the call of the roll that's so tough. All this takes is good voice, clear diction, and basic knowledge of a few incidentals like the fact Kuykendall has to come out "Kirkendall:" that Hébert really spells "Ay-bear"; and that Sebelius is pronounced "Sebeelius," instead of that other way.

The problem is that anywhere from 40 to more than 150 members fail to answer when called. Instead they present themselves en masse in the well of the House at the end of the call, there to be individually identified, addressed and recorded, either as present or as voting for or against.

Thus Bartlett, 42, and Hackney, 46, become the only two people in the world who can, do, and must recognize on sight each of the 435 House members, and be prepared to call him by name, properly pronounced.

They know all the tricks in the memory trade, and think little of them. Joe recalls his first meeting with a House member now departed who, upon being introduced to "Mr. and Mrs. Bartlett" at a pre-session social event, subsequently introduced them to another guest as "Mr. and Mrs. Pear."

Association is an important part of the name-calling game, Bartlett concedes. For instance, unlike some others around the Capitol, he has never confused Rep. Don Clausen and Rep. Del Clawson, both Republicans, both Californians.

"Don is a pilot," says Bartlett, "while Del is a Mormon and a former mayor." And if that's not enough explanation to help you sort out the guests at the next neighborhood party, don't feel too badly about it.

Bartlett concedes he's no whiz kid himself at that kind of event. And Hackney admits that at private social affairs he sometimes flounders along with the rest of us trying to catch and hold fast to new names and hang them onto new faces.

However, both Bartlett and Hackney, naturally more name-conscious than the average person, offer some hints that might be helpful to harried hosts, guests, traveling salesmen, Rotary clubbers and others given to mumbled introductions and all-purpose greetings.

1. Get the name, if it means asking for it a couple of times. Repeat it.

2. Look—really look—at the guy (gal) who goes with it.

3. Exchange enough chitchat to fix in your mind, in case nobody told you, and generally nobody does, who your friend is or what he does for a living.

4. If you really mean business, write the name down the first chance you get.

Meantime, like Bartlett and Hackney, there are sometimes other steps you can take. Joe, a Marine reservist, was invited the other night to a fancy dinner at the Marine headquarters here.

"It was a great party," said Joe, happily recalling afterwards that he had every name and connection in mind before he walked in the door.

Hackney says when he enters a roomful of people many of whom he knows, or is supposed to know, he keeps his eye roving over the group picking out and mentally affixing name tags to those he will be greeting shortly. That way he avoids last-minute panic.

Getting back to those roll calls, Bartlett, who's been at it since 1953, and Hackney on the job now for six years, admit they still get knots in their stomachs every time that mass of members presents itself in the well.

The custom is to start at the right and work to the left, taking the members, in turn, picking out for special advance recognition only the ladies and the more elderly or infirm of the men.

"I am always working three faces ahead," reports Bartlett. "I have never yet drawn a blank that didn't clear up before I got there."

Because of recent roll call scandals involving the improper recording of members not actually present, House leaders are currently seeking bids on an electronic tally system, built around a computer, to record and count votes as they are cast.

The reading clerks (who were not involved in the ghost-voting practice) welcome this advance. However, it will not change their basic function of calling the roll, or relieve them of many related reading and paperwork duties.

And it won't cut down a bit on the sweat during the big stampede to the well. The new computer is guaranteed never to forget a name. But it is no good at all at remembering faces.

GENERAL LEAVE TO EXTEND

Mr. MILLER of Ohio. Mr. Speaker, I ask unanimous consent that I may revise and extend my remarks in the RECORD and include extraneous matter and that other Members may have the same permission with respect to this subject.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

FEDERAL FINANCIAL DISCLOSURE ACT OF 1969

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Michigan (Mr. RUPPE), is recognized for 10 minutes.

Mr. RUPPE. Mr. Speaker, today I am introducing the Federal Financial Disclosure Act of 1969. This bill is the most stringent financial reporting legislation to be presented to Congress to date. This is legislation to bring all policymaking officials of the executive, legislative, and judicial branches of the Government under strict reporting requirements. It is neither a clever nor a devious bill. It is straightforward and to the point. It is designed to obtain reports on all sources of income, direct and indirect, by covered individuals and members of their immediate families.

There is coincidence in my presentation of this legislation today. This morning we received word that Justice Abe Fortas is resigning from the Supreme Court. This is a man proposed by former President Johnson for Chief Justice of the U.S. Supreme Court. Today his resignation comes in the wake of evidence that Mr. Fortas found it difficult to separate his public trust from his desire for personal gain. Before we in the House of Representatives cast too many stones, however, let us not forget that the other branches of Government, Congress and the executive, have not been free from the type of stigma which has afflicted the Supreme Court.

Mr. Speaker, there is a crisis of confidence shaking the very foundations of American government. We must move during this session of Congress to reestablish the faith of the American people in their national leadership. When I was elected to Congress in 1966, the American people were stunned by stories of influence peddling and abuse of the public trust by individuals in positions of power. Members of the Republican Freshman 90th Club banded together and proposed a package of new ethics legislation. Others in Congress joined our cause, and we accomplished what had not been possible for 180 years of congressional history. We succeeded in establishing an ethics code, and Ethics Committee, and a system of partial financial disclosure. During the 90th Congress we took a step forward. Now it is time to build on that foundation.

The public portion of the House of

Representatives financial statement, under reporting procedures established during the last Congress are little better than a sham and a facade. A listing of holdings without accompanying financial statements is next to meaningless. Loopholes under the present reporting procedure are legion. For example, when is a company doing substantial business with the Federal Government? In my case I made a decision to report everything in which I might conceivably have even an indirect interest. However, I strongly suspect that with a rearrangement of my finances—butting items in trust or corporate entities—it would have been possible to sharply reduce my public disclosure. It was after studying and filing the report that I decided on the necessity for drafting strict reporting requirement legislation. It also seemed logical to me that all high officials in Government should be covered by the requirements.

The Washington Post was absolutely correct when it stated in an editorial Wednesday:

> The portion of the member's report that is made public is both superficial and incomplete. . . . The facade must give way to the reality of candor with the public.

Mr. Speaker, the public is losing patience, and it is tired of the "put on" and the half measure. Allegations and controversy surrounding Bakers and Dodds and Longs and Powells and Fortases and mink coats and freezers and vacuna coats and beachside motels are eroding public respect for the principal institutions of democracy. We must act. If we fail to act, our failure will lead to ever-greater public cynicism, and the residue will flow as a pollutant into all facets of American life. Can we expect from our Nation and the younger generation better than the example we in this Chamber provide? Can any man doubt that we are in trouble in this Nation? A whole generation of Americans is losing patience with double standards, demagoguery, and hypocrisy. There are those of increasing prominence who would rip our society asunder and tear our institutions to the ground. We in Government cannot succeed in asserting effective leadership in this age of moral turbulence and spiritual crisis if we fail to lift ourselves above any hint of suspicion. Adoption of the Federal Financial Disclosure Act of 1969, which I am introducing today is the logical step forward.

This act is simple. It calls for full financial disclosure by Members of the House, Senators, Justices, and judges of the U.S. court system, the President, the Vice President, Cabinet members and other policymaking officials of the executive branch as determined by the Chairman of the Civil Service Commission. Under the act the following items must be reported:

First. Gross income of principal person and members of his immediate family.

Second. All honorariums and compensation payments, including names of sources and amounts—includes commissions, salaries, fees, and so forth.

Third. Gross income from business enterprises, including amounts, addresses, and names of businesses, and nature of the businesses.

Fourth. Itemization of gains from dealings in property, including names and addresses, and brief description of each transaction.

Fifth. Income from interest, including sources and amounts.

Sixth. Sources of income from rents, royalties, and dividends.

Seventh. Indebtedness, including names and addresses and aggregate amount.

Eighth. Itemization of income from partnerships or memberships in professional groups. Names and addresses for such payments that exceed $1,000.

Ninth. Itemization of income from estates or trusts in which principal has an interest, and nature of that interest.

Tenth. Report on all gifts exceeding $100 in value, including names and addresses of donors, amount or value of gift, and description thereof. Report shall also contain a list of gifts to the principal and his family which exceed $500 in value, including names and addresses of donors.

Eleventh. Report to contain list of assets held by principal and his immediate family. List to include value of each asset and brief description. Household furnishings and personal effects excluded.

Twelfth. Report to include names and addresses of each person or organization to whom the principal and his family owe at least $5,000. It also includes statement of total indebtedness.

Thirteenth. Report to include all funds used to defray expenses incurred by reason of his being an official member candidate or judge, including names and addresses of all persons contributing to the funds, the amount of each contribution, the amount of each expenditure and the purpose of each expenditure.

I urge early congressional consideration of this legislation and request that the full text of the Federal Financial Disclosure Act be published in the CONGRESSIONAL RECORD following these remarks.

The bill follows:

H.R. 11380

A bill to provide for public disclosure by Members of the House of Representatives, Members of the United States Senate, Justices and Judges of the United States Courts, and policymaking officials of the executive branch as designated by the Civil Service Commission, but including the President, Vice President, and Cabinet members; and by candidates for the House of Representatives and the Senate, the Presidency, and the Vice Presidency; and to give the House Committee on Standards of Conduct, the Senate Select Committee on Standards of Conduct, the Director of the Administrative Office of the United States Courts, and the Attorney General of the United States appropriate jurisdiction.

Be it enacted by the Senate and the House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Federal Financial Disclosure Act".

SEC. 2. For the purposes of this Act—

(a) The term "Member" means a Member of the Senate or the House of Representatives and the Resident Commissioner from Puerto Rico.

(b) The term "Judge" means a Justice or Chief Justice of the Supreme Court of the United States, Judges of the United States District Courts and the United States Courts of Appeals.

(c) The term "Officer" means the President, the Vice President, Cabinet Members, and any Presidential Appointee who has been designated as a policymaking official by the Civil Service Commission.

(d) The term "candidate" means an individual who has taken the action necessary under the laws of a State to qualify him to be a candidate either in a primary election held to nominate a candidate for election to the Presidency, the Vice Presidency, the United States Senate, or the House of Representatives, or in a general election or special election held to fill any of these offices.

(e) The term "election" means a general or special election held to select a Member, President, or Vice President and a primary election held to nominate candidates for the office of President, Vice President, or Member.

(f) The term "gift" shall refer to something of value voluntarily transferred from one party to another without compensation or monetary consideration.

(g) The term "fund" shall refer to a sum of money or other material resources available for use by Member, judge, officer, or candidate or anyone acting on his behalf.

(h) The term "asset" shall refer to an item of value owned or in which exists a beneficial interest.

SEC. 3. (a) Each person serving as a Member, each judge, and each officer designated by the Civil Service Commission as a policymaking official of the executive branch shall file on or before April thirtieth of each year with the appropriate person, a written report containing the information required by this Act covering the preceding calendar year. The Members of the Senate shall file such reports with the Secretary of the Senate and the Senate Select Committee on Standards of Conduct. The judges shall file such reports with the Director of the Administrative Office of the United States Courts. Officers shall file such reports with the Attorney General of the United States.

(b) Each candidate for the House of Representatives or the Senate who is not a Member of the House or the Senate shall file with the Clerk of the House or the Secretary of the Senate at least fifteen days before the date on which is held the first election in which he is a candidate a written report containing the information required by this Act covering the preceding calendar year. Where an individual becomes a candidate after the beginning of such fifteen-day period, he shall file such a report within twenty-four hours after becoming a candidate.

(c) Any candidate for the Office of President or Vice President who is not President or Vice President shall file such report with the Attorney General within fifteen days after his nomination by his party, but not less than thirty days prior to the general election.

(d) The report required to be filed under subsections (a), (b), (c) of this section shall be verified by the oath or affirmation of the person filing such report.

(e) All reports required under subsections (a) of this section shall be maintained by the Clerk of the House or the Secretary of the Senate for the duration of the Member's consecutive terms in office as public records available for inspection at reasonable times by the public. All reports required under subsections (b) and (c) of this section shall be maintained for a period of one year by the appropriate person as public records which shall be available for inspection at reasonable times by the public.

SEC. 4. (a) The report required under subsections (a), (b), and (c) of section 3 of this Act shall include a complete account of the Member's, judge's, officer's, or candidate's gross income and that of his spouse

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and dependent children. For the purposes of this Act, gross income shall be defined as set forth in section 61 of the Internal Revenue Code of 1954, as amended (26 U.S.C. 61). The report of income shall specifically include, though not to the exclusion of other items listed in section 61, the following information:

(1) the names and addresses of all persons and organizations from whom was received by the Member, judge, officer, or candidate, or on his behalf with his knowledge and consent, any honorarium or compensation for services, including fees, commissions, salaries, and similar items, and the amount of such honorarium or compensation for services, or if not money, the substance of the honorarium or compensation and the appraised value thereof:

(2) gross income derived from business enterprises including the amounts thereof, the nature of his interest in the business, and the names and addresses of each such business;

(3) an itemization of all gains derived from dealings in property, including the names and addresses of other parties involved and a brief description of the transaction which took place;

(4) the sources from which were derived income from interest and the amounts thereof;

(5) the sources from which rents were derived and the amounts thereof;

(6) the sources from which royalties were derived and the amounts thereof;

(7) the sources from which dividends were derived and the amounts thereof;

(8) the names and addresses of all persons and organizations from whom he received assistance in the discharge of indebtedness and the aggregate amount or appraised value thereof;

(9) itemization of income or benefits derived from distribution of the Member's, judge's, officer's, or candidate's share in any partnership or professional group, and the names and addreses of all person and organizations from whose payments such distributions are made: *Provided, however,* That no such names and addresses need be furnished when the distribution to the Member, judge, officer, or candidate from any such person or organization in said year is less than $1,000;

(10) itemization of income derived from an estate or trust in which the Member, judge, officer, or candidate has an interest and the nature of that interest.

(b) The report shall list all gifts to the Member, judge, officer, or candidate which in aggregate value exceed $100 in the year from a particular source. Included in the report shall be the name and address of the donor, the amount or value of his gifts, and a description thereof. The report shall also contain the name and address of a donor to the Member, judge, officer, or candidate, his spouse and his dependent children when the amounts or values of such gifts given in the course of a calendar year from a particular source exceed $500, and shall describe each such gift and the value thereof.

(c) The report shall list assets held by the Member, judge, officer, or candidate, by his spouse or dependent children, or by any of them jointly. The list shall include the value of each asset and a brief description thereof, but household furnishings and personal effects need not be reported.

(d) The report shall include the names and addresses of each person and organization to whom the Member, judge, officer, or candidate, his wife or dependent children, or any of them jointly owe an aggregate amount in excess of $5,000, and include a statement of the total aggregate indebtedness of the Member, judge, officer, or candidate and such family members.

(e) The report shall include a statement of any funds established by the Member, judge, officer, or candidate, or on his behalf, to assist him in defraying expenses which may be incurred by reason of his being a Member, judge, officer, or candidate. The report shall set forth the names and addresses of all persons contributing to the funds, the amount of each contribution, the amount of each expenditure from such funds, and the purpose of each such expenditure.

SEC. 5. (a) The Senate Select Committee on Standards of Conduct shall have jurisdiction to review the report filed with it by a Member of the Senate under this Act, and shall recommend to the Senate appropriate disciplinary action against any Member of the Senate who it determines has failed to file any such report or knowingly and willfully filed a false report. Such violations shall be reported to the Attorney General. The committee shall develop and prescribe the forms to be used in making such reports.

(b) The House Committee on Standards of Conduct shall have jurisdiction to review the report filed with it by a Member of the House under this Act, and shall recommend to the House appropriate disciplinary action against any Member of the House who has failed to file any such report or who has knowingly and willfully filed a false report. Such violations shall be reported to the Attorney General. The committee shall develop and prescribe the forms to be used in making such reports.

(c) The Director of the Administrative Office of the United States Courts shall have jurisdiction to review a report filed with it by a judge under this Act, and shall recommend to the Judicial Conference appropriate disciplinary action against any judge it determines has failed to file any such report or knowingly and willfully filed a false report. Such violations shall be reported to the Attorney General. The Judicial Conference shall develop and prescribe the forms to be used in making such reports.

(d) The Attorney General shall have jurisdiction to review a report filed with him by an officer and shall take appropriate action against any officer he determines has failed to file an appropriate report or who knowingly and willfully filed a false report. The Attorney General shall develop and prescribe the forms to be used in making such reports.

(e) Subsections (a) and (b) of this section are enacted as an exercise in the rulemaking power of the Senate and the House of Representatives, respectively, with full recognition of the right of the House and Senate to make changes therein at any time in the same manner and to the same extent as in the case of any other rule of the Senate and House.

SEC. 6. Any Member, judge, officer, or candidate who willfully fails to file a report required by this Act, or who knowingly and willfully files a false report under this Act, shall be fined not more than $1,000 or imprisoned not more than one year, or both.

THE MARITIME INDUSTRY

(Mr. RUPPE asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. RUPPE. Mr. Speaker, our colleague the gentleman from Massachusetts (Mr. KEITH) recently spoke to the New York State Maritime College Alumni Association's 50th anniversary dinner, at the Hotel Statler in New York.

Mr. KEITH's interest in maritime matters predates—by many years—his coming to Congress, and predates, too, his relatively recent appointment to the Merchant Marine and Fisheries Committee.

His congressional district has probably launched as many ships as any other coastal area of a similar size—in the United States—or perhaps throughout the world.

In Mr. KEITH's speech he summarizes the situation that confronts our merchant marine—and points up the need for action in the years ahead. Mr. KEITH's speech follows:

SPEECH BY REPRESENTATIVE HASTINGS KEITH

Admiral O'Donnell, Captain Maley, Toastmaster Mueller, and Alumni of the New York State Maritime College. I am honored to be here for your 50th Anniversary Dinner.

My Congressional District has a long seafaring tradition. There is hardly a tidal river south of Boston, that hasn't at one time or another, been the scene of a ship launching. The whaling ships are no more—but New Bedford still is a busy port, eager to play a major role in an industry that, in our national interest, should be revitalized, and the General Dynamics in Fore River is one of the major ship builders for our Navy. It should and will play a major role in the longed for era when our Merchant Marine can take it's place along side of our naval forces under the American flag. Carrying the products of American enterprise to the other nations of the world.

And so, I'm pleased to talk to you about a subject which, besides being of great personal interest, is, in my view, going to become relatively fashionable in the near future.

In my years on the Merchant Marine and Fisheries Committee, I've been in a position to observe what's been happening to our industry. In 1966, for example, I served as a member of a Congressional delegation which went behind the Iron Curtain to observe the Russian's effort to win control of the oceans. Upon my return I added my voice to those of others who, through the fog which historically enveloped our Maritime policy, have warned America that—"Soviet Maritime policy already has gone a long way toward achieving supremacy at sea, and, unless effectively challenged by the Free World, can be expected to achieve this strategic objective well before the end of this century."

I further warned that the Russians had 10 times as many Merchant ships on order as we did. Our predicament now is well known. America is becoming one of the smaller boats on the World's oceans. So much so that the *New York Times* has said: "The current state of the Merchant Marine represents a genuine crisis for the United States as a maritime power." It is further pointed out that since 1947, the percent of foreign trade carried aboard U.S. Flag ships has dropped from 58% to less than 6%—with 10,000 tons of commercial cargo lost to foreign flags every month. Our fleet is not only antiquated—but it's shrinking, and now consists of some 800 fewer ships than in 1950.

What's more, a history of the last 70 years of our Merchant Marine shows a lack of National planning similar in some respect to that of our earlier defense establishments.

For example, at the time of the Spanish-American War we were without a Merchant Fleet. We had to buy and charter vessels from foreigners—at exhorbitant prices and rates.

During the first world War the Merchant Marine didn't do much better, although we tried. Wilson got the Shipping Act of 1916 through. It authorized, as you know, a shipbuilding program and shipping board to run things. But the vessels weren't ready until it was time to bring the troops home!

In the meantime, the United States, once again, bought ships from foreign nationals. At the end of hostilities we found ourselves with another rag-tag fleet consisting of ramshackle Japanese freighters and nu-

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merous old Austrian and German ships, ships seized by the Allies but sold to us only following our entry into the War.

And what about the roaring 20's and the early 30's? What Maritime policy there was, could be summed up by "scrap 'em or sell em"! With it faded any vision of a strong fleet which the Merchant Marine Acts of 1920 and 1928 were powerless to revive. As if to finish things off—the shipping board was abolished in 1933 and its responsibilities turned over to the Department of Commerce.

As we all know, the efforts of the Merchant Marine during the Second World War were heroic, so heroic, in fact, that statistics to show how many ships were built, and how many tons of material were transported, became somewhat insignificant. Suffice it to say that at war's end we had approximately 60% of the World's merchant tonnage, compared to 13% before the War.

We also had a headstart on every other shipbuilding nation, our Merchant Marine, a relatively small industry in America, stood ready to play a disproportionately large role in National and International affairs.

During the post war period, however, new pressures arose, and I'm afraid that we'll have to admit that neither government nor industry responded adequately to them. Labor was restless, management faced stiff competition, restrictive regulations sprang up like weeds, and the fleet, of wartime vintage, rapidly became obsolete.

In looking at the various proposals to get us out of the maritime mess, I am struck by the number of imaginative ideas and statistics which are used to draw an extraordinary profile of America's future on the seas.

We hear market forecasts saying that during the 70's the ocean movement of tanker cargoes will grow by at least the same 9% per year as it is now, that dry cargo tonnage will grow by 4% to 5% each year, and package freight by 20%.

We hear that atomic propulsion will be economically feasible by 1973 and our more creative designers are proposing tankers so large that the Queen Mary could fit on their decks.

We hear more and more about "value engineering" which will cut costs and the land bridge concept which, along with the expected discovery of new ore deposits, may cause the trade routes to be rewritten again.

We hear that within the next five years, probably 40 to 50% of the world's freight items will be packaged—opening the door for an even quicker exploitation of such things as long and short haul vessels—in short, a systems approach will be employed.

And, perhaps most astounding of all, is something I only discovered on the plane from Washington this afternoon—the fact is that technology currently available would permit the use of a steel tube 38 feet in diameter and 1400 feet long and which would travel 200 feet below the surface at a speed of 40 to 50 knots. Dubbed the "eel", this vessel, and I use the term advisedly, could be instrumental in bringing to the ocean an application of the automatic distribution revolution which has already occurred on land. A new total approach will then be possible. The automatic laoding and unloading of homogenous cargoes such as coal, ore, sand, and oil, can occur. Additionally, dry cargo could be carried in containerized ships and ocean-going catamarans. However, the conclusion of the article brought an abrupt end to the fantasies it had created for me . . . by reminding that there were: "A number of almost insuperable obstacles" still remaining before such a scheme becomes operational.

All of this reminds me of a fact very often forgotten in discussions about the future of the Merchant Marine. The most important ingredient for the revolution which is to come is Men . . . men trained in the unique technology of the sea.

Who . . . is to loosen the bureaucratic strings which have tied the Merchant Marine down like Gulliver . . . bound down by the Lilliputians . . .?

For . . . who is to pilot and service the gigantic underwater bullets I have decribed. Which are to be driven by small crews which sit in front of an instrument panel no bigger than that of a light plane?

Who . . . can best develop new and applicable mechanical inventions—who but those who know the sea and her habits most intimately?

Who . . . will know how to manage the sea as a course of natural wealth and as a profitable commercial highway better than those who know how to capitalize on her quirks, utilizing her strengths and avoiding her weaknesses?

These questions, and many others, point up the need for a highly trained group of ships officers and men, scientists, technicians, vessels captains, operations men, planners and visionaries to turn the oceans into bountiful commercial lakes. And without an educational system geared to this massive task . . . the ship of state will continue to be a . . . shrimp boat!

I want to make one thing perfectly clear. "The maritime industry has been permitted to decline to a point at which the nation's defense and economic welfare are imperiled. We must set as our goal a sharp increase of the transport of U.S. trade aboard American flagships. The present rate is 5.6%; by the mid-seventies, we must see that rate over 30% and the growth accelerating. I support a building program to accomplish that objective."

So said Richard Nixon in Seattle last year and it's beginning to look as though the Nation may cash in on this campaign promise. My discussion with the leaders of the new Nixon Maritime team, including Andy Gibson . . . A graduate of the Massachusetts Maritime Academy, Rocco Siciliano, the Undersecretary of Commerce and spokesman for the Administration's special maritime planning council, leads me to believe that before many more months pass we are likely to see the results.

During the last few years, 11 separate proposals for rebuilding the fleet have come from the Federal bullhorn, but nothing has been done. The Nixon team, culling the usable from this storehouse of information and, by adding a dash of creativity of its own at long last . . . can bring the nation to the beginning of a new maritime era.

Maybe there's some life left in the old bureaucracy after all. Personally, I'm delighted because it has always been my approach that after some initial studies have been made, we would learn more . . . by doing than by studying further. I remember when I first began in the Insurance business . . . studying estate planning, I can say now there was no classroom lesson as valuable as getting on with a job—I can say too, that in the Merchant Marine, we've studied it enough. There's been enough planning—on a horizontal plane—and at the highest level. It's time we got on, with some part, at least, of the job.

We have to jump in and swim . . . or we'll never get anywhere.

What's needed to get us headed in the right direction? I always hesitate before answering such as this because there are those who suggest that Congress has had a hand in bringing about the downfall of the Merchant Marine.

But the Congress has been active. Only this week the Merchant Marine and Fisheries Committee in Executive Session reported out unanimously a bill that will authorize Uncle Sam to really move toward a meaningful maritime program. We on that Committee—Republicans and Democrats, representing East and West, North and South—Coastal districts, as well as the Heartland of America—All of us share the concern and the hope that this country resume its rightful role as a maritime power.

We believed President Nixon's campaign promise—

We trust his appointed leaders, Rock Siciliano and Andy Gibson—

We know they have made big plans, that they must move forward and become a reality—we expect the Congress to act favorably on our legislation, and more importantly on the President's program when it comes to us. It is to this end—to have the ships officers ready to man this fleet and to manage its ocean related industries, that I introduced earlier this session a bill which would change the $600 grant given to students in our maritime academies to a $1000 grant/loan which would also require the recipient to serve in the Merchant Marine or in the Armed Forces if he didn't go in the Merchant Marine.

Six other Members of Congress joined me as co-sponsors. Now when I think about it, I wonder if the bill shouldn't have stipulated that those who receive the stipend must serve their nation in a marine related enterprise, never mind the Armed Forces.

May I take this opportunity to urge my partisan audience to write to their Congressman urging their vote for my bill or Congressman Hathaway's bill which is somewhat similar to mine. Even better—write to the Chairman of the Merchant Marine and Fisheries Committee to ask him to take it up at his earliest convenience. Right now, isn't too soon.

There is the problem of course, that at present we are still working with the Johnson Budget and we will in effect be doing so, until 1971. What we're after now is to get the most ships for our subsidy dollar and to get rid of the bureaucratic constraints to which I have already alluded earlier.

Obviously, there's no simple outline of what's needed.

While the problem is complex, some basic things can be easily seen as necessary for its solution.

1. Money—clearly the first order of business. Red Ramage of the MSTS told me the other day that "money is the answer" and at first I thought he was wrong. Of course, many other ingredients must be present, but I'm beginning to think Red was right in the sense that if Congress doesn't appropriate what's needed nothing will be accomplished.

2. Second, of course, more unanimity is needed in the industry, particularly between those who are subsidized and those who are not. Over the years the fractionalism of the industry has been a major cause of its decline, and I'm told that in many respects things aren't much better today.

3. Third, we must find someway to achieve more stability of labor, both shoreline and sea-going.

4. Fourth, a massive education program, both of citizens as to the importance of the oceans, and of the future servants of the seas—the technicians, designers, and managers of the future.

I read recently that by 1975 it will be possible to sail a ship of 20 or 30 thousand tons with a crew of 18, all of whom will be dressed in Brooks Brothers Uniforms. Times . . . they are changing, and the needs of modern technology and economics must be served. I can't emphasize enough how important the training of our seamen of the future is—its a job we must get on with right away.

It has another, perhaps more potent, meaning for modern men who are beginning to see that the soil will not be able to feed humanity forever. There will be many seamen in the future because the day is rapidly approaching when the chief source of protein may be the sea; and a day, too, when the chief source of minerals, as yet undiscovered, will be necessary to satisfy the growing appetite of an ever industrializing society.

Looking far into the future the U.S. will

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have to be among those nations with the best Merchant fleet—both in men and ships. If we aren't we will find ourselves having to go, hat in hand, asking the more advanced maritime powers for food, natural resources and, perhaps, trading right—May I call your attention to a statement—a statement not appropriate to our present status, but reflecting instead the status of another nation—a rival whose goals and methods of achieving them are in sharp contrast to our own.

I quote: "the fleet has been joined by hundreds of new and improved vessels of various types. The creation of a Merchant Marine has made it possible to free the nation from dependence on foreign vessels for maritime shipping. Today, the nation can deliver any cargo—to any point on earth, using high speed ships." This passage could and should be a description of America's Maritime goals. Unfortunately, however, it is, in fact, a statement of Soviet maritime achievements.

This, gentlemen, in part at least, is a measure of the task.

PRESIDENT NIXON'S MESSAGES

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Minnesota (Mr. QUIE) is recognized for 10 minutes.

Mr. QUIE. Mr. Speaker, the President has made three recent statements which are extremely significant to the country and the world.

First, and foremost, was yesterday evening's talk on Vietnam in which his firm but conciliatory and flexible position proves his sincere desire for bringing peace and withdrawal of American involvement in the Vietnam conflict, as well as ending the loss of American lives.

I commend the President on the most forthright statement to date on this subject. He has given us assurance that he will pursue every possible avenue for a just peace. Anyone watching him on television knows his credibility, his leveling with the American people. From now on we should know the successes and the reversals that are bound to occur.

Closely tied to the war in Vietnam and a subject of interest to every parent and draft-age young person was his message of May 13 proposing changes in the Selective Service Act.

Studies that we have made at the Education and Labor Committee of the House indicate to me that it is untenable to hold over the head of every young man 7 or more years of draft vulnerability. We must go to a prime age group with vulnerability for 1 year. Entering at age 19 and leaving at age 20 is the right age.

I have now come to concur that we should move away from undergraduate deferments.

We cannot do this immediately. I would suggest it be accomplished over a 4-year span—that each person deferred now for undergraduate study become vulnerable for the draft for 1 year when he completes his undergraduate work. I feel there should be no new deferments for undergraduate study after this year. This would eliminate all deferments for undergraduate study after 4 years.

Also, from our studies in the Education and Labor Committee, I must conclude that the Nixon proposal to continue deferments for graduate students for the full academic year for which they are called is excellent.

If deferments for undergraduate students should someday be terminated as I have suggested, then they, too, should be permitted to finish the full academic year for which they are ordered for induction.

With the prime age group being 19–20, as the President suggested, of course a large number of those drafted would be in undergraduate study.

And, finally, one of the great concerns of the American people is that we spend too much on the military and not enough on the needy. If we are to help poor people, the first order of priority ought to be feeding the hungry and malnutritioned.

President Nixon's recent message on this subject proposing increases in food assistance, I believe, is superb. It touches every area of change that ought to be made in the present programs.

It would provide poor families enough food stamps to purchase a nutritional complete diet.

It would provide food stamps at no cost to those in the very lowest income brackets.

It would provide food stamps to others at a cost of no greater than 30 percent of income.

It would insure that the food-stamp program is complementary to a revised welfare program, which the President will propose to the Congress this year.

And, it would give the Secretary of Agriculture the authority to operate both the food stamp and direct distribution programs concurrently in individual counties, at the request and expense of local officials.

For some time I have advocated that both food stamps and direct distribution programs be permitted to be run concurrently in all counties.

The record shows that, when a county moves from direct distribution to food stamp program, a heavy falloff of poor people who participate in the program occurs.

The Department of Agriculture under previous administrations said the reason for this condition is the fact that so many people receive food under direct distribution who really are not poor enough to be eligible under the food-stamp program.

While there may have been some cases where individuals should not have received direct distribution, I doubt that this generally is the case.

In fact, the number of participants began increasing after a food-stamp program had been in effect for awhile. The delivery system has been very poor in some counties.

The proposals of the President committing his Office of Economic Opportunity to assistance in delivery of food stamps and commodity packages is a move in the right direction. If anyone knows where the poor really are located, local community action agencies ought to be in the forefront.

What we have learned through administration of the emergency food and health services program, which was my amendment to the Economic Opportunity Act, has shown us the way to provide improved food services to the most needy so that it has the greatest impact in solving their nutritional needs.

Mr. Speaker, I commend the President on both the timeliness and the substance of all three of these messages which shows so clearly his awareness of the vast concerns facing this Nation and his determination to take forceful steps dealing with these problems.

IN FURTHER SUPPORT OF MASS TRANSIT

(Mr. KOCH asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. KOCH. Mr. Speaker, last Friday, Secretary John A. Volpe announced that the Nixon administration would soon be submitting a proposal to establish a mass transportation trust fund to deal with the long-neglected need for mass transit in the urban centers of this country.

As one who has been working to enlist support for such a trust fund, I am more than pleased that the Secretary has decided to push ahead with this program, one that will be so vital for our metropolitan areas.

On February 18, I introduced my first mass transit bill which would establish a trust fund and provide $10 billion over the next 4 years for mass transportation facilities. The trust fund will be financed by using the existing 7 percent automobile excise tax; these excise taxes now go directly into the General Treasury.

While I am encouraged that the Nixon administration has finally endorsed the mass transit trust fund concept, I am concerned that the proposal currently being drafted by the Department of Transportation does not provide the amounts needed to deal with the problem of mass transit so long neglected by the Federal Government. It has been reported that Secretary Volpe plans to ask for only $300 to $400 million for the program's first year. The bill I have introduced and which is now cosponsored by 74 of my colleagues, provides for $1 billion for the first year, $2 billion the second year, $3 billion the third, and $4 billion in the fourth making a total of $10 billion over a 4-year period. It is a modest program when contrasted with the $4.5 billion which will be spent this year alone on highways.

One of the more unique features of the proposal I have introduced is the Federal participation to the extent of 90 percent. This is the same degree of Federal support given to the highway program. Currently, whatever small mass transit Federal funds that are available are doled out with only a two-thirds Federal contribution. If we are to make mass transit competitive with highways we will have to give it the same degree of assistance as we give our highways.

It would appear that Secretary Volpe is thinking in terms of a Federal participation of somewhere between 60 and 80 percent. I hope that he will reconsider this decision. To make mass transit competitive for the near bankrupt cities, the Federal participation must be 90 percent in both cases.

I am pleased to report, Mr. Speaker, that there has been an enthusiastic response to my bill. As I have said, there

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are now 75 Members of the House supporting it. In addition, I have received numerous letters from all over the country affirming the need for an expanded program of assistance for mass transit and expressing enthusiastic support for the mass transit trust fund bill.

Those of us supporting this bill have founded a mass transportation action alliance, ZOOMass Transit, to coordinate the broad "grassroots" support that this kind of legislation has. I have written to the mayors, city and State legislators, and chambers of commerce from the Nation's 25 largest cities, and I should like to submit for the RECORD some of the statements made by these supporters:

I have heard from Mayor Joseph L. Alioto of San Francisco who is interested in the trust fund with respect to what help it might bring to the Bay Area Rapid Transit System; Ivan Allen, Jr., mayor of Atlanta, who expressed his "support and cooperation" in my efforts "to establish an urban transportation trust fund"; former mayor of Seattle and now Assistant Secretary of Transportation, J. D. Braman, who has also been an active proponent of an expanded mass transportation program in the U.S. Conference of Mayors; Thomas D'Alesandro, mayor of Baltimore and chairman of the Transportation Committee of the National League of Cities which has endorsed the mass transportation trust fund concept; Mayor W. H. McNichols, of Denver, who while still interested in the highway trust fund noted that "we also need assistance in developing an adequate mass transportation system" and agreed that the $10 billion suggested amount is not "out of line" and that the Federal participation in mass transportation should be increased to 90 percent; Mayor Erik Jonsson who commenced his letter with:

> You have the strong support of the City of Dallas for legislation now pending in Congress for the establishment of an urban mass transportation trust fund.

Mayor Eugene P. Ruehlmann who said:

> Cincinnati is indeed interested in the solutions of the mass transit problem.

Carl B. Stokes of Cleveland who said:

> I wholeheartedly support you in your efforts to make urban mass transportation more realistic and to provide the necessary tools to enable the cities to start work on this overwhelming problem.

Mayor Sam Yorty who noted:

> The City of Los Angeles and the surrounding communities have an urgent need to expand and improve their mass transit facilities . . . You may be assured that I wholeheartedly support the principal of establishing a federal trust fund for improving the urban mass transit.

Mayor Alfonso J. Cervantes of St. Louis, Missouri who said:

> We who are aware of the critical need for public transit service must certainly support a bill of this nature. Transit is an essential element in the balanced efficient and orderly development of our metropolitan areas.

Mayor Louie Welch of Houston acknowledged my letter and said that he would have his departments look into the matter.

Support for ZOOM and the bill has also been secured from over 200 city councilmen and State legislators representing districts in New York City, Chicago, Los Angeles, Philadelphia, Detroit, Baltimore, Cleveland, St. Louis, Milwaukee, San Francisco, Boston, Cincinnati, Dallas, New Orleans, Pittsburgh, San Antonio, Seattle, Buffalo, Memphis, Denver, Atlanta, and Minneapolis.

We hope to receive more support from other cities and urban towns, unions, civic organizations concerned with mass transit, and mass transit authorities.

In conclusion, may I say that the mass transportation trust fund has now been endorsed by this administration and the previous administration. It is time that we move on from endorsements and proposals and implement the program by passing legislation in this Congress.

SPONSORS OF URBAN MASS TRANSPORTATION FUND (H.R. NUMBERS: 7006, 9661, 10554, 10555, 11079, 11080)

California: Glenn Anderson, Alphonzo Bell, Phillip Burton, Don Edwards, Richard Hanna, Gus Hawkins, Chet Holifield, Harold T. Johnson, John E. Moss, Thomas M. Rees, John V. Tunney, Jerome R. Waldie, Charles Wilson, Lionel Van Deerlin.

New York: Joseph P. Addabbo, Mario Biaggi, Frank J. Brasco, Daniel E. Button, Hugh L. Carey, Shirley Chisholm, Thaddeus J. Dulski, Leonard Farbstein, Hamilton Fish, Jr., Jacob Gilbert, Seymour Halpern, James M. Hanley, Edward I. Koch, Allard K. Lowenstein, Richard D. McCarthy, Martin B. McKneally, Richard L. Ottinger, Bertram L. Podell, Adam C. Powell, Benjamin S. Rosenthal, William F. Ryan, James Scheuer, Lester Wolff.

New Jersey: Cornelius Gallagher, Henry Helstoski, James J. Howard, Joseph G. Minish, Edward J. Patten, Peter Rodino, Frank Thompson, Jr.

Michigan: John Conyers, Jr., Charles C. Diggs, Jr., John D. Dingell.

Florida: J. Herbert Burke, Dante B. Fascell, Claude Pepper.

Illinois: Frank Annunzio, Abner Mikva, Melvin Price, Sidney Yates.

Ohio: Michael Feighan, Louis Stokes, Charles Vanik.

Massachusetts: James A. Burke, Harold D. Donohue, Thomas P. O'Neill, Jr.

Indiana: John Brademas, Andrew Jacobs, Jr.

Minnesota: Donald Fraser, Joseph E. Karth.

Maine: William D. Hathaway, Peter Kyros.

Colorado: Frank E. Evans. Byron C. Rogers.

Maryland: Samuel Friedel.

Missouri: James Symington.

Pennsylvania: Gus Yatron.

Rhode Island: Robert O. Tiernan.

Connecticut: Emilio Q. Daddario.

Washington: Brock Adams.

Wisconsin: Henry S. Reuss.

THE END OF A COLORFUL ERA IN CALIFORNIA POLITICS

(Mr. SISK asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. SISK. Mr. Speaker, I rise to call to the attention of my colleagues the end of a colorful era in California politics. State Senator Hugh M. Burns of Fresno, a longtime friend of mine and of many other members of the California delegation from both sides of the aisle, has been ousted from his office as president pro tempore of the California State Senate and chairman of the State senate committee on rules.

The ouster was accomplished by a coalition of eight of his fellow Democrats and 13 Republicans.

Hugh Burns is not what you could call a noncontroversial figure. In 1959, he shocked and stunned his Democratic colleagues by endorsing Earl Warren for Governor of California and in 1968 publicly endorsed Richard Nixon for President. These acts brought anguished cries of "Treason" from many of his fellow Democrats.

But in between he served Democratic Governor Pat Brown well and he campaigned actively for Presidents John F. Kennedy and Lyndon B. Johnson.

Hugh Burns is the kind of politician many of you here in the House of Representatives would appreciate. He places the desires of his constituents above considerations of party policy. His philosophy, expressed on more than one occasion, is that an elected official's first responsibility should be to the people who voted him into office. Then, he says, the next priority should go to the State of California. Finally, he says, you should do what you can for your party.

He works at politics with an intensity that few can match and even fewer can understand. His word is his bond, and in his scheme of things, loyalty to the people who have been loyal to you is the highest of virtues. He is completely lacking in pretense and has never sought to create an image of greatness or statesmanship about him.

Hugh Burns has served the State of California loyally and well for more than 33 years since he was first elected to the State assembly in 1936. I am sure that many of you who know him will join me in wishing him the best for the remaining year and a half of his present Senate term. It is safe to assume, I believe, that the unflappable Irishman from Fresno will get in a few more good knocks before the new leadership of the State senate has had the reins in its hands for very long.

HALF THE POOR FORGOTTEN

(Mr. PATMAN asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PATMAN. Mr. Speaker, 19 months ago the President's National Advisory Commission on Rural Poverty issued one of the finest reports ever made on the subject. Among other things, the Commission stated:

> Rural poverty is so widespread and so acute as to be a national disgrace, and its consequences have swept into our cities, violently . . . It may surprise most Americans to know that there is more poverty in rural America, proportionately, than in our cities. In metropolitan areas one person in eight is poor, and in the suburbs the ratio is one in fifteen. But in rural areas one of every four persons is poor.

The report pointed out that since passage of the Economic Opportunity Act of 1964, antipoverty programs of unusual scope and variety have been developed and put into effect, but it added that most of the antipoverty effort has been aimed at the urban poor.

That report was issued in September 1967, and was entitled, "The People Left Behind." The lack of concern reported about rural poverty then remains at least equally true today. The Commission's recommendations have never been given the public exposure they deserve and the fate of the report is now described by its title. It too has been left behind.

Mr. Speaker, nowhere is the "disgrace" of rural poverty more pronounced than in housing. The Department of Agriculture reports that there are 8.2 million substandard occupied dwellings in the Nation and that over half this total, 4.8 million, are in rural America which has less than one-third of the Nation's population, but nearly half of its poverty stricken.

HUD PROJECTS FOR RURAL POOR

Of all the federally assisted housing programs, the low-rent public housing projects of the Department of Housing and Urban Development, together with the insured home loan, rental housing and labor housing loan, and grant programs of the Farmers Home Administration and the Department of Agriculture, provide the bulk of the service extended to those at or below the poverty line in rural America. But to realize what these programs have provided for rural America as compared with urban centers is to mock the desperate requirements of the rural poor. Such a comparison forces admission that federally assisted housing programs have not even begun to draw close to the number of dwellings that are falling into the substandard category in rural America.

Indifference to rural housing needs seems to have become a nonpartisan tradition in the Department of Housing and Urban Development. Its failure to exert an equal effort in rural America is currently reflected in the public utterances of Housing and Urban Development Secretary Romney who spent 3 hours testifying about the Nation's housing goals to the House Banking and Currency Subcommittee on Housing and mentioned rural needs casually and only once, in reply to a question which pointed out to him that rural housing requirements are greater than those of urban centers. Nowhere in Mr. Romney's written statement, dealing with his "Operation Breakthrough," designed to develop low-cost manufactured housing for the Nation, is there any mention of rural America. A foreigner, sitting in on this portion of the subcommittee's hearings on housing goals, would undoubtedly come away with the impression that the housing needs of the Nation are almost entirely centered in the cities. An examination of where the resources of our housing programs have been invested would confirm that opinion.

NO RURAL-URBAN DISTINCTION

A further indication that rural America has been "left behind" by HUD is the fact that it makes no distinction between what is invested in low-rent public housing projects in urban and rural America. HUD staff members can easily recite figures which show that a total of more than 680,000 units of low-rent public housing are in use or are under construction in the Nation, but they are unable to say what part of this total applies to rural areas because they do not refine their statistics to reveal such information. They merely hand over their latest public housing project directory, dated December 31, 1967, and leave it to someone else to develop this information.

Mr. Speaker, a study of that directory shows that HUD has practiced tokenism toward rural America regarding its low-rent housing program. But to arrive at this conclusion it is necessary to establish arbitrary criteria which determines what is rural and what is urban. The Bureau of the Census uses communities of 2,500 or less in designating rural areas. Farmers Home Administration serves communities which are basically rural in character and have populations of 5,500 or less. Both of these standards are widely viewed as being unrealistic in measuring the dimensions of rural America and its problems. A more accurate yardstick to mark the boundary between rural and urban America should utilize communities of at least 10,000 population, outside of standard metropolitan statistical areas; that is to say, outside of contiguous counties which are socially and economically integrated and have at least one city of 50,000 residents or more.

Using communities of 10,000 population or less outside of standard metropolitan statistical areas as a designation for rural America shows that less than 10 percent of HUD's low-rent public housing units—66,443 out of a national total of 680,664 units under management or under construction—were located in rural areas as of December 31, 1967. The ratio undoubtedly has not improved and, if anything, has probably gotten worse since then.

The following, Mr. Speaker, is a State-by-State breakdown, using the criteria of communities of 10,000 population or less outside of standard metropolitan statistical areas, showing the number of units in use under management or under construction in rural and urban centers:

State	Under construction	Under management	Total
Maine:			
State total	307	396	703
Rural		162	162
New Hampshire:			
State total		1,590	1,590
Rural		120	120
New Jersey:			
State total	3,482	35,418	38,900
Rural	165	100	265
New York:			
State total	6,329	78,922	85,251
Rural		60	60
Rhode Island:			
State total	608	6,595	7,203
Rural	136		136
Vermont:			
State total	60	178	238
Rural			
Connecticut:			
State total	501	12,433	12,934
Rural			
Massachusetts:			
State total	1,305	22,071	23,376
Rural			
Pennsylvania:			
State total	2,067	46,404	48,471
Rural	210	1,768	1,978
Delaware:			
State total	122	1,496	1,618
Rural		106	106
Maryland:			
State total	342	12,201	12,543
Rural	100	100	200
Virginia:			
State total	219	13,607	13,826
Rural		50	50
West Virginia:			
State total	330	2,573	2,903
Rural		402	402
District of Columbia:			
Total	485	10,056	10,541
Alabama:			
State total	2,072	22.871	24,943
Rural	458	6,220	6,678
Florida:			
State total	441	20,169	20,610
Rural	46	1,942	1,988
Georgia:			
State total	1,290	36,076	37,366
Rural	442	9,338	9,780
Kentucky:			
State total	1,999	14,074	16,073
Rural	849	2,940	3,789
Mississippi:			
State total	67	6,098	6,165
Rural	67	2,208	2,275
North Carolina:			
State total	748	15,981	16,729
Rural	390	2,186	2,576
South Carolina:			
State total	286	6,745	7,031
Rural	100	1,330	1,430
Tennessee:			
State total	907	24,536	25,443
Rural	386	4,838	5,224
Illinois:			
State total	2,866	50,580	53,446
Rural	728	4,309	5,037
Indiana:			
State total	1,910	6,725	8,635
Rural	50	95	145
Iowa:			
State total	446	78	524
Rural	246	78	324
Michigan:			
State total	1,742	12,999	14,741
Rural	589	757	1,346
Minnesota:			
State total	1,280	6,704	7,984
Rural	279	212	491
Nebraska:			
State total	279	4,346	4,625
Rural	235	1,656	1,891
North Dakota:			
State total	180	416	596
Rural	120	316	436
South Dakota:			
State total	168	428	596
Rural	168	428	596
Ohio:			
State total	1,667	26,856	28,523
Rural		100	100
Wisconsin:			
State total	1,614	4,216	5,830
Rural	425	138	563
Arkansas:			
State total	1,120	6,699	7,819
Rural	526	2,818	3,344
Colorado:			
State total	140	4,310	4,450
Rural	40	200	240
Kansas:			
State total	467	1,043	1,510
Rural	24		24
Louisiana:			
State total	871	18,689	19,560
Rural	284	1,895	2,179
Missouri:			
State total	1,571	11,827	13,398
Rural	612	454	1,066
New Mexico:			
State total	164	1,047	1,211
Rural	110	529	639
Oklahoma:			
State total	276	970	1,246
Rural	224		224
Texas:			
State total	1,474	37,360	38,834
Rural	776	5,363	6,139
Arizona:			
State total	348	3,051	3,399
Rural	348	304	652
California:			
State total	266	31,282	31,548
Rural	46	2,028	2,074
Idaho:			
State total	60	259	319
Rural	50	20	70
Montana:			
State total	165	967	1,132
Rural	165	280	445
Nevada:			
State total	185	1,405	1,590
Rural	35	50	85
Oregon:			
State total	142	2,518	2,660
Rural	82	142	224
Utah:			
State total		30	30
Rural		30	30
Washington:			
State total	387	7,689	8,076
Rural	60	287	347
Wyoming:			
State total	20	20	40
Rural	20	20	40
Alaska:			
State total	103	517	620
Rural	15	230	245

State	Under construction	Under management	Total
Hawaii:			
State total	151	3,114	3,265
Rural		228	228
Total for United States:			
State total	44,029	636,635	680,664
Rural	9,606	56,837	66,443

ROLE OF FARMERS HOME

Mr. Speaker, additional housing units provided for the rural poor by Farmers Home Administration, despite assertions by its staff members that it is the only vehicle providing housing of any consequence in communities of 5,500 or less, hardly changes the picture at all. As mentioned earlier, the housing programs this agency administers to serve the poor consist of insured home loans, rental housing, and farm labor housing. However, farm labor housing is the only one of the three utilized solely by the rural poor. The other two serve both low- and moderate-income families. Farmers Home estimates that half its rental project units, 2,127, are occupied by people at or below the poverty line. It does not know how many poor families are served by its insured home loan program. To give Farmers Home the benefit of the doubt, it is assumed that all insured loans to families with incomes of $5,000 or less are at or below the poverty line—something that is theoretically possible since the poverty line moves to higher income brackets as the size of the family increases. For example, HUD's approved income limits for admission of families to low rent public housing in many communities, in many states, allows admission of families of six members with incomes exceeding $5,000. Making this assumption for Farmers Home insured home loans produces an estimate of 15,066 family housing units as of last year. When all three Farmers Home programs benefitting the poor are added together, the total is 21,096 family units over the entire history of the program.

When the HUD low-rent public housing program is combined with Farmers Home Administration programs providing dwellings for the poor the total is 87,533 units for rural poor families. This is about 2 percent of the 4.8 million occupied substandard dwellings and six-tenths of 1 percent of the 14 million poverty stricken in rural America. At this rate of progress it will take more than a thousand years to eliminate present substandard housing in rural America.

Mr. Speaker, this is not to say that Farmers Home is unaware that its programs are totally inadequate to meet the housing needs of the rural poor. In his testimony on housing goals, James V. Smith, Farmers Home Administrator, said that although its 1970 budget estimate for rural housing authorization was nearly tripled to $1.2 billion, this still is only half the annual funding required to achieve the level of 3 million units for low-income families in 10 years. Mr. Smith goes on to make the observation that he realizes that the Federal Government alone cannot solve the rural housing problem, that in fact it can only make a minor contribution to filling the overall need and that, in view of what he calls "present circumstances," the bulk of the job must be handled in the traditional manner by private enterprise.

CREDIT FLOW INADEQUATE

Mr. Smith apparently forgot that elsewhere in his statement he pointed out that the flow of housing credit in rural areas is often inadequate, sporadic, and sometimes nonexistent. He asserts that local lenders are just unable to tie up their limited lending resources in long-term housing credit and that rural resources for tapping the credit of larger institutions in larger places are inadequate. He adds that repayment terms in rural areas are often less favorable, interest rates are generally higher and the loan to value ratio is lower. Consequently, he says, a large and very real housing credit gap exists for rural people.

Given Mr. Smith's "present circumstances," how is the private sector expected to handle the bulk of the job of providing adequate housing for rural America, let alone housing for low income families?

It is obvious that, at this rate of progress, the amount of substandard housing in rural America will never be eliminated—that, in fact, it will double and triple in the years ahead.

SITUATION COULD WORSEN

Moreover, there are indications that the Nation may even build less public housing in the future. The January issue of the Journal of the American Institute of Planners contains a report by Chester Hartman, Assistant Professor in the Department of City and Regional Planning, Harvard University, and Gregg Carr, a graduate student at the Department of Architecture and Social Relations at Harvard, indicating just that. They conducted a survey among public housing authority commissions and concluded that a substantial portion of the commissioners do not favor adding to the stock of publicly subsidized housing either through traditional programs or through new forms that are emerging. The authors tend to support assertions that most commissioners are conservative, almost obstructionist.

Mr. Speaker, their report follows:

HOUSING AUTHORITIES RECONSIDERED

(By Chester W. Hartman and Gregg Carr)

The local public housing authority is a product of the "good government" ethic of the 1920's and 1930's, which postulates that certain public welfare programs should be run by disinterested laymen—representing "the best of the community"— who will keep these programs "out of politics." A nationwide survey of authority commissioners indicates widespread lack of knowledge about and sympathy with the housing programs they administer and the low-income families they serve. Inherent disparities between the commissioner group—who are white and of high socioeconomic status—and public housing clientele—largely low-income black families—are one possible source of this conflict. It is suggested that the housing authority system currently acts as a barrier to expanded and improved housing programs for the poor, and instead agencies, which will aggressively advocate the interests of those in need of decent low-cost housing, are needed. Possible alternatives to the quasi-independent housing authority include establishment of a department directly responsible to the elected chief executive, greater federal and/or state involvement, and decentralization of housing program administration to give greater control to community organization.

The 1960's have seen a modest resurgence of interest and activity in the field of low-rent public housing. Following its doldrums phase in the 1950's, the public housing program has increased its output— although by no means spectacularly—and has been the object of renewed interest on the part of government officials and housing experts. New techniques are being tried to replace and supplement the traditional housing project approach; new ideas are springing forth. In his 1968 Housing Message, President Johnson called for six million units of low- and moderate-cost housing to be built in the next decade; the Kerner Commission showed an even greater sense of urgency when it advocated producing the same number of units in five years. In short, there are signs that both the will and the techniques to achieve the 1949 National Housing Goal—"A decent home and suitable living environment for every American family"—may finally be emerging in our society. This is attributable not only to the racial conflicts that besets our nation, but also to an increasing awareness of the contradictions and tensions inherent in a society of such great affluence which allows over 20 percent of its people to live in substandard homes and neighborhoods. We also note that those newer techniques for providing and operating low-rent housing—joint public-private sponsorship, rent supplements, leasing, rehabilitation, scattered-site development, the various forms of "turnkey" development and management—are more satisfactory to low-income families and more acceptable to the community.

ISSUES IN HOUSING AUTHORITY ADMINISTRATION

Questions about scale and nature of low-rent housing programs are intimately tied to the issue of who is going to carry out these programs. In recent decades this has been virtually the exclusive province of local public housing authorities, established to carry out the provisions of the 1937 Housing Act and its subsequent amendments. From its inception, the federal low-rent housing program has been basically local in character, administered through quasi-autonomous local bodies responsible for fundamental decisions such as, whether there will be any public housing at all, how much and what kind there should be, where it should be located, whom it will serve, as well as more detailed operational decisions.[1] Reliance on the device of an independent authority to administer the public housing program was in part fiscally motivated: establishment of an independent authority permitted municipalities to raise money for specific purposes, retaining the tax-related advantages of public purpose borrowing, without endangering local debt limits or burdening local tax structures. The move toward special purpose independent authorities was also rooted in the "good government" thinking of the 1920's and 1930's, which postulated that an independent citizen-governed agency would be more efficient and public-regarding, less corrupt and subject to political influence than other agency forms, such as a department directly under the control of the mayor or local governing body. The notion was that men of probity and wisdom, imbued with concern for the public welfare but not necessarily possessing any expertise other than sound general knowledge and common sense, would be the best repository for certain kinds of public wel-

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fare programs.[2] The two salient characteristics of the housing authority, then, are its relative independence from the normal political processes and reposition of power in the hands of a lay board which is intended to represent a cross section of the best of the community.

There are at present some 2,200 local housing authorities[3] in the country, operating nearly 700,000 units of federally aided[4] low-rent public housing.[5] The number of authorities has rapidly increased in recent years.[6] Local housing authorities naturally vary widely with respect to size of the programs they administer: from small town authorities which administer as few as 20 or 30 units to the New York City Housing Authority, which currently manages 145,000 low-rent units.[7]

Local housing authorities are usually governed by a five-man board.[8] in whom virtually all legal and discretionary powers reside.[9] In most states members of municipal authorities are appointed by the mayor, members of county authorities by the county board of supervisors, with a multitude of variations on this dominant pattern.[10] Appointments are generally for four or five-year terms (several states stipulate two, three, and six-year terms). Generally speaking, state laws make no provision for compensation except for expenses of housing authority commissioners—a feature of the housing authority system closely related to the "good government" notions embodied in its origins.[11] The housing authority board is generally regarded as a policy-making body, with the actual administration of that policy to be carried out by a staff under an executive director.[12] According to the standard guidebook on housing authorities:

> The commissioners' responsibilities are directly parallel to those of the directors of a bank or board members of a private corporation . . . It is the responsibility of the commissioners to:
>
> 1. Set basic local policy and approve major program undertakings for their agency or authority and see that they are carried out by the staff in the most effective and efficient way possible;
> 2. Assume fiscal responsibility for program funds and assure their judicious expenditure;
> 3. Promote the interests of the program and the agency or authority they serve at the community, the state, and often at the national level; and
> 4. Provide personal leadership for the economic, social and physical development of the community as a whole.[13]

More recently, some of the newer ideas and programs in the low-income housing field have involved curtailing the local housing authority's traditional role as developer, owner, and manager of public housing. In some instances new programs have bypassed the housing authority altogether in favor of new public, quasi-public, or private agencies. The so-called "turnkey" program cedes to the private sector the development function, placing the housing authority in the role of purchasing completed developments, which it then owns and manages. Under the so-called "Turnkey II" program, the housing authority would turn over the operation of public housing projects to private realty management firms or nonprofit groups. New experimental programs authorized by HUD and OEO call for establishment of tenant management corporations for public housing projects. Under the leased housing program, ownership of public housing remains in private hands. The 1965 Rent Supplement Program ignores the housing authority in favor of direct negotiation between the private developer and FHA. In several cities housing development corporations have been established to perform many of the functions traditionally performed by the housing authority.[14] These moves stem in part from the traditional American preference for the private sector and from a vague belief that the costs of achieving housing goals will thereby be reduced.[15] In large part they represent both a general dissatisfaction with public housing in the past and a specific lack of confidence in the local housing authority as a vehicle capable of doing the job that needs to be done. While the failures of American housing reform have been many and complex,[16] a large number of persons familiar with the housing field have suggested that local housing authorities themselves (notwithstanding some outstanding examples to the contrary) have been a principal hindrance to progress. The issues are whether local housing authorities have been aggressive advocates of larger and better low-rent housing programs, have shown willingness to try out new ideas and programs, have been adequate interpreters to the community of the need for public housing and of the alternative ways of meeting this need.

Very little is known about the persons who make policy for and run local housing authorities. These men and women have vast powers, potential and actual, over the program they presently run and over the future of public housing. Yet we lack the elementary knowledge about who these persons are, their training and background, their values and attitudes.[17] Some insight into these issues is essential if we are to form views on the adequacy of the local housing authority system to act as the administrative vehicle for the kinds of housing programs that must be implemented in the next decade.[18] In an effort to obtain answers to these questions as a basis for evaluation, the authors, with the cooperation of the National Association of Housing and Redevelopment Officials,[19] in the summer of 1967 mailed a survey to all 10,276 housing authority commissioners in the country (excluding Puerto Rico). Eighteen hundred and ninety-one commissioners returned usable questionnaires, giving a fairly representative sample.[20] The sixty-item questionnaire asked for basic demographic data about the commissioner; information about the nature of the commissioner's job and the way in which the authority operates; plans regarding the future of the low-rent housing program in the commissioner's area; and attitudes toward the public housing program and its clientele.[21]

WHO ARE THE HOUSING AUTHORITY COMMISSIONERS?

The basic demographic facts about housing authority commissioners, as reported by the respondents, are shown in Table 1.[22] A general description of a housing commissioner is a white male, in the middle or upper-middle income ranges, well educated, in either business or a profession, middle-aged or elderly.

This contrasts sharply with the tenant group for whom commissioners are responsible and whose interests they presumably represent. For example, 26 percent of all public housing families lack a male head of household, yet few women serve as housing authority commissioners. Over 55 percent of all households in public housing are nonwhite—a proportion which is steadily increasing—yet only six percent of the commissioners are nonwhite.[23] Only 11 percent of public housing commissioners have incomes anywhere near the public housing range (and most of these have incomes so low only because they are retired): the median annual income in public housing nationally is $3,132 for nonelderly households and $1,468 for elderly households, compared with $11,700 for the commissioners.[24]

TABLE 1.—HOUSING AUTHORITY COMMISSIONERS' BACK GROUND

[In percent]

	Authorities with over 1,000 units	Total
Sex:		
Male	90	91
Female	10	9
Age:		
Under 35	2	6
35 to 44	17	23
45 to 54	33	33
55 to 64	28	24
65 and older	21	13
Race:		
White	89	94
Nonwhite [1]	11	6
Annual income:		
Less than $5,000	5	11
$5,000 to $7,499	5	13
$7,500 to $9,999	8	18
$10,000 to $14,999	16	24
$15,000 to $19,999	13	14
$20,000 or more	53	20
Median	+$20,000	$11,700
Occupation:[2]		
Business executive	[3] 27	[3] 36
Banking and finance	[3] 10	[3] 10
Public official	8	7
Insurance	[3] 5	[3] 6
Real estate	[3] 10	[3] 6
Education	4	5
Medicine (includes physicians, dentists, nurses, and pharmacists)	4	5
Lawyer	[3] 11	[3] 4
Clergyman	3	4
Other white collar	3	4
Farmer or farm organization official		3
Labor union official	5	2
Skilled laborer		1
Official of private civic organization	3	1
Other	7	8
Education:		
No high school diploma	8	11
High school diploma but no further education	10	18
Some college education or a college degree	39	44
Postgraduate training or a graduate or professional degree	43	28

[1] Of the nonwhite commissioners, 4.4 percent were Negro, 1.5 percent other races.

[2] 14 percent of the commissioners indicated they were presently retired. Those who were retired were asked to indicate their former occupations.

[3] Includes a very small number of respondents who checked more than 1 occupation, such as real estate and insurance or real estate and law.

Two related issues are raised. First, under the theory of cross-sectional community representation, are the interests of public housing clientele—present and potential—adequately represented on housing authorities, even if one makes the assumption that their interest in the program is no greater or smaller than that of other segments of the community? The very small number of poor and nonwhite commissioners suggests that this is not the case.[25] An additional datum dramatizes this conclusion: of the 1,891 respondents, less than 3 percent had ever lived in public housing and not a single respondent was currently living in public housing. Such a situation seems at odds with current thinking about maximizing participation of the poor in guiding policies and operations of programs intended for their benefit.

The original notion of citizen boards and independent authorities was not intended to comprise representatives of the full range of community interests. Rather, the original notion was somewhat elitist and paternalistic in concept: the board would be comprised of distinguished community representatives (not unsurprisingly gauged by such criteria as occupation, wealth, and "place in the community") who would have the capacity and desire to incorporate in themselves and rep-

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resent the multiple interests which the community had in the public housing program. There were to be no interest groups represented per se.[26] The "better people" in the community could be counted on not only to adequately represent the interests of the poor but to refrain from representing their own personal interests or those of their class or reference group. This apolitical—some might say naive—notion of human behavior and social institutions underlay the housing authority concept. The predominance, therefore, of conservative interests and occupations among housing authority members—business executives and persons associated with banking and finance, insurance and real estate—required no apology and could impart to the local public housing program only the stamp of responsibility and competence.[27] In the early years of the public housing program, as it was originally intended to serve the "submerged middle class" of the Depression years and exclude the true poor,[28] authority board members probably had interests and values quite similar to those of the program's clientele. As the program increasingly is called upon to serve the needs of the "permanent poor," and as the life styles and interests of the program's clientele and its governors increasingly diverge, the original concept of the housing authority becomes less and less adequate. It may be asked whether a group which is so completely unrepresentative, in basic demographic terms, of the clientele it serves can adequately understand, sympathize with, serve and protect that clientele. In the following sections, which deal with the operations of the housing authority, details of its programs, and that views of the commissioners, this issue will be treated more directly.

THE PROGRAMS THE COMMISSIONERS OPERATE

With the exception of a handful of affluent suburbs, there is probably not a city or town in the United States that does not have a substantial housing problem, and the 20 to 25 percent national rate of substandard housing probably does not vary greatly from community to community. There are few, if any, communities in which the public housing program has effectively "conquered" the slum problem. One can well ask why communities do not build more public housing, since it is the principal means, public or private, through which low-income families can be housed decently at rents they can afford. One obvious answer is the limitations imposed by federal appropriations, both in the aggregate and in terms of allocations of these funds to regions and localities. Another reason is doubtless to be found in the community itself: general opposition to public housing and specific objections to locational proposals may serve to keep down the number of public housing units in any given community.[29]

The results of this survey indicate that opposition to additional public housing on the part of the housing authority commissioners themselves is a further explanation of the lethargic rate of low-rent housing construction. In response to the question, *If you (personally) could have your way, how much public housing would you like to have in your community*, one-third of the commissioners indicated that, in their opinion "the present number of [public housing] units is just about right." Probably they would not favor or vote for any additional low-rent public housing units at the present time. While the proportion of commissioners who presently want no more public housing was somewhat lower among the larger housing authorities, more than one out of every four commissioners (26 percent) among authorities with over 1,000 units under management expressed opposition to additional public housing.

The commissioners were also asked, *What would you cite as the two principal reasons why more public housing has not been built in your community?* The factors indicated as primary explanations[30] are listed in Table 2. Again, nearly one third of the commissioners cite the housing authority itself as the reason why more public housing has not been built. The most frequently cited reason—indicated by almost two out of five commissioners—was the absence of pressure from low-income families and their advocates. This highlights the fact that in most communities there exists very little organized pro-public housing sentiment. Low-income families themselves tend to be poorly organized and frequently apathetic. Few cities have citizens' organizations, such as a housing and planning association, to carry on the fight for decent housing. Failure of the housing authority itself to play an active role in advocating more comprehensive and varied solutions to the community's housing problems (and in some cases, outright hostility to expanded programs on the part of housing authority commissioners) leaves a vacuum in the political process with respect to housing reform.[31]

TABLE 2.—REASONS FOR NOT ADDING MORE PUBLIC HOUSING

[In percent]

	Authorities with over 1,000 units	Total
Lack of pressure from families in need of decent housing (and from organizations which represent their interests)	[1] 25	[1] 39
Housing authority itself feels there is enough public housing at present	35	32
Lack of support from mayor or public officials	18	20
Not enough Federal funds	15	19
Unwillingness of people in existing neighborhoods to allow public housing	27	17
Lack of land or high cost of land	27	17

[1] Percentages add up to more than 100 percent, since commissioners in many cases indicated more than 1 reason.

Other reasons cited by the commissioners largely have to do with the generally negative climate of community opinion with respect to public housing: neighborhood hostility to the incursion of public housing, reluctance to use scarce land, and lack of support from public officials. What is clear from these responses, and from our more general information about community attitudes, is that the housing authority commissioners frequently are operating in a hostile environment, and their mixed feelings about the program reflect overt and implicit pressures on them at integral parts of their communities. Only one-fifth of the commissioners cite lack of federal funds as the principal reason why more public housing is not built. The conclusion that must be drawn from these responses is that even if sufficient federal funds were now available for a massive low-rent housing program, it is most likely that in a great many communities local directors would be unwilling to make use of these funds.

As we noted earlier, the public housing program is flowering with new ideas about how to use public subsidies to produce housing that is more satisfying to its low-income occupants and more acceptable to the entire community. It has also been suggested that there is an intimate relation between magnitude and quality of public housing programs: until we are capable of producing publicly assisted housing that is a considerable improvement over past efforts, a vastly expanded program will—and perhaps should—meet great opposition. The newer programs in the low-rent housing field have been moving away from the "project" approach—relatively large developments for the exclusive occupancy of subsidized low-income families, owned and operated by the housing authority—toward forms of housing and forms of subsidization that are more "anonymous" and dignified: housing that is physically less distinctive from nonsubsidized housing, that is smaller in scale, that is managed in a fashion not notably different from management practices in the private sector, and that attempts some mix of low-income subsidized families with nonsubsidized families of various incomes and social groups. The various newer techniques—leasing, rehabilitation, "turnkey," "scattered-site," mixed public-private sponsorship, and the like—all share one or more of these characteristics to a greater or lesser extent. Efforts to turn the public housing program in these new directions have come primarily from more progressive figures and forces in the low-rent housing field; upper echelon officials in HUD have been particularly eager to bring about these changes (within limitations imposed by the inherently decentralized nature of the low-rent housing program). Enthusiasm decreases as one moves down the line to the regional and local levels.

Not surprisingly, few commissioners reported that these new approaches are already in use or that plans exist to use them, as shown in Table 3.[32] Few of the new techniques have been used to date. Even among very large authorities only a minority have used these devices. (It should be noted that a housing authority can report use of a given technique even if only a few units out of the authority's total development program are in this category; the figures therefore by no means should be taken to signify the percentage of units provided under the newer programs.) Only the so-called "scattered-site" approach has been used to any extent to date, but this is an imprecisely defined concept, which takes on less meaning in small communities, where projects will be small in any case, similar to the "scattered-site" projects in larger communities.

TABLE 3.—USE OF NEW HOUSING APPROACHES

[In percent]

	Authorities with over 1,000 units				Total			
	Already in use	Plan to use	No present plans to use	No answer	Already in use	Plan to use	No present plans to use	No answer
Leasing	23	27	32	18	3	7	51	38
"Turnkey"	11	33	37	19	4	12	48	37
Rehabilitation	15	21	40	23	4	9	50	38
Mixed public-private sponsorship, mixed-income developments	5	27	43	25	3	9	50	38
"Scattered-site" construction	24	28	28	20	18	20	32	30

A more important finding emerges when commissioners were asked their opinions about new programs compared with the traditional project approach: *Should available public housing authorizations in your community be used for some of the new public housing programs that have been suggested (leasing or purchasing units from private owners; acquiring substandard units for rehabilitation; entering into arrangements*

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with private sponsors to create mixed sponsorship, mixed low- and moderate-income developments), or should they be used to increase the supply of traditional housing projects? (See Table 4.)

Nearly three out of every five commissioners—and nearly a third of the commissioners of authorities which manage more than 1,000 units—report they do not yet know enough about these new programs to make a decision. Of the remainder a substantial proportion indicate preference for traditional projects, which have been so thoroughly and justly criticized, over the newer programs. Regardless of the sources for this failure to keep commissioners up-to-date on newer developments in the housing field—whether it is the fault of HUD, professional organizations in the field, the housing authority staff, or the commissioners themselves—the extent of ignorance about current trends in the programs these commissioners operate would seem to indicate a critical defect inherent in the system of lay boards. These men and women are not professionals in the field of housing. Nor do they spend a great deal of time on their jobs: 67 percent of all respondents indicate they devote an average of two hours or less per week to housing authority business; only 5 percent report that they put in an average of ten hours or more (even among authorities operating more than 1,000 units, only 16 percent of the commissioners report putting in this much time, and 64 percent report devoting four hours or less each week to housing authority affairs.)[33] Asked directly, *Do you feel a need for more information about the public housing program in general?*, nearly two-thirds (66 percent) of all commissioners replied "yes," and the proportion was only slightly lower (62 percent) among commissioners of authorities with over 1,000 units. One can well question whether in a complex and constantly changing field like low-rent housing, the system of vesting decision-making powers in a spare-time, uncompensated lay board can produce the most effective, flexible and up-to-date housing program for the community.[34]

TABLE 4.—PREFERENCES FOR NEW VERSUS TRADITIONAL PROGRAMS

[In percent]

	Authorities with 1,000 units	Total
All or most units in projects	32	24
All or most units in new programs	37	17
Did not know enough about new programs to make a decision	31	59

The fact that among those commissioners sufficiently informed about new programs such a high proportion express a clear preference for traditional housing projects (59 percent of those expressing a preference opted for putting all or most new units in projects, 41 percent indicated they would put all or most units in the newer programs; among commissioners of authorities with over 1,000 units the respective percentages are 45 percent and 54 percent) further indicates the difficulties in translating new Congressional programs to the local level. In view of the demonstrated evils of "institutionalization" and isolation of the poor in easily identifiable and hence stigmatized compounds, one can question whether opposition, on the part of so many housing authority commissioners, to the new techniques for housing the poor demonstrates adequate representation of the interests of the community's low-income families, and to what extent these views instead reflect simple inertia or the desire of the rest of the community to insulate itself from its low-income and nonwhite residents.

A related issue is how the public housing program in each community is to deal with so-called "multiproblem families"—those households and individuals so battered by the cumulative effects of poverty and discrimination that they are in need of considerable help in the form of medical, psychological, vocational, homemaking, and educational services. Our survey attempted to get commissioners' views on the place for such persons and families within the public housing program and the role of the authority in providing these needed services. Nearly two out of five commissioners (38 percent) felt that "families with severe social problems ought to be rejected for public housing altogether"; another 24 percent felt that these families "ought to be accepted by the authority but placed in separate projects or separate parts of projects"; and 37 percent felt that these families "ought to be assigned apartments on the same basis as other families." Among commissioners of authorities with more than 1,000 units, the respective figures are 31 percent, 14 percent, and 55 percent.

With regard to the issue of social services to families accepted into public housing, 35 percent of the commissioners felt that "social services are not the responsibility of the housing authority"; 57 percent felt that "the authority ought to cooperate with social service agencies by providing space in projects and referral services, but should not directly be involved in the provision of social services"; and only 8 percent felt that "the housing authority ought to be responsible for directly providing social services and social workers to tenants in need of assistance." The commissioners' dominant view of this matter was expressed by one respondent who wrote: "Less emphasis on social work for tenants. This is not housing work." Commissioners of large housing authorities tended to feel more responsibility for providing social services as part of the public housing program, mainly in the area of cooperation with social service agencies: among commissioners of authorities with over 1,000 units, 13 percent rejected the notion of any housing authority responsibility for social services, 77 percent thought that space and referrals ought to be provided, and 9 percent felt that provision of these services was the direct responsibility of the housing authority.

Clearly, then, among commissioners responding to the survey, a very substantial proportion feel that families with multiple social problems do not belong in public housing at all, and very few feel that the housing authority ought to take direct responsibility for meeting the social needs of those multiproblem families accepted. These views doubtless stem from the earlier role that the public housing program played as a temporary home for the "submerged middle class." As the program's clientele has changed and as the institution is called upon to perform a different role in society, the traditional view that public housing is only for the "worthy poor" and that the business of the housing authority is solely to provide decent shelter becomes less and less tenable. One must ask how the so-called "multiproblem families" (who may be most in need of a supportive home and environment) are going to get decent housing if the one agency in the community charged with this responsibility will not provide assistance. It may also be asked how tenant services are to be provided to those public housing residents in need of help if those who administer the program do not accept this responsibility. Obviously, questions of finance are involved—to date federal subsidies for public housing have been designed to cover only housing costs and have not been sufficient to provide social services as well—but again one must ask whether the views of the commissioners, as expressed here, reflect the needs of the low-income families who are their responsibility.[35]

COMMISSIONERS' ATTITUDES TOWARD TENANTS

Our survey also included a series of opinion items, directly and indirectly about the public housing program and its clientele, with which commissioners were asked to express agreement or disagreement. Table 5 presents responses to the more important items on the list.

With respect to the issues of racial heterogeneity versus homogeneity, more than two out of five commissioners (42 percent) disagreed with the proposition that the authority's tenant assignment policies ought to seek to promote racial integration rather than segregation, despite the plethora of federal laws and policies to the contrary.[36] Commissioners of large authorities were more amenable to the ideal of racial heterogeneity, but a substantial proportion—about a third—of these also rejected the idea.

One of the principal issues in the public housing field currently has to do with tenant-management relations. Again, one may look at this problem in terms of the evolving character of the program and its clientele. As the proportion of families with social and behavioral problems increases; as the gap widens between clientele and management of public housing (in terms of central and project staff, as well as board of commissioners); and as issues of social justice and community participation and control come increasingly to the fore, it is inevitable that the relationship of public housing tenants to those who run the program will become an ever greater source of concern and conflict. A growing number of persons in the housing field have concluded that housing authority personnel are out of touch with, if not hostile to, the needs and desires of their tenants, and that one of the principal causes of dissatisfaction among public housing tenants is their inability to have a meaningful voice in the basic decisions that affect their daily lives.[37]

Survey results would seem to support the contention that a massive gap exists between public housing clientele and those who run the program. Although most of recent tenant protests about public housing and most surveys of public housing tenants indicate strong resentment against the excessive, picayune, and arbitrary regulations that characterize public housing operations,[38] nearly three out of five commissioners (59 percent) agreed and only 27 percent disagreed with the statement that even stricter regulations and enforcement mechanisms are needed. These views are rooted in frequently antagonistic overall attitudes toward public housing tenants on the part of many commissioners. Nearly two out of five commissioners (38 percent) agreed with the sweeping statement, "Most public housing tenants have no initiative," including nearly one out of three commissioners (31 percent) of the large authorities. The prevalence of such negative feelings about public housing families can lead only to conflict between tenants and management and probably serves to reduce the effectiveness of public housing as a supportive experience for poor families.

Participation of tenants in project life is now seen as an important, perhaps necessary, element of satisfactory residential and communal life for low-income families. Similar assumptions, of course, underlie the anti-poverty program and, to a lesser extent, the urban renewal program. As noted earlier, both HUD and OEO are fostering experiments with greater tenant involvement in basic decisions relating to public housing management.[39] Commissioners were asked: *In view of recent proposals that programs directed toward assisting the poverty sector ought to have representatives of the poor on their governing bodies, do you favor having a public housing tenant serve as a housing commissioner?* Fifty-six percent said no,

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only 23 percent said yes, and the remaining 21 percent said they were not sure.[40] Opposition to this idea was even stronger among commissioners of large authorities: 66 percent of the commissioners of authorities with over 1,000 units rejected this notion, only 15 percent said yes, and 20 percent had no opinion. The statement that elicited the strongest disagreement by the commissioners referred to the possibility of establishing tenant unions to act as bargaining agents in establishing procedures for managing housing projects. Sixty-one percent of the commissioners disagreed with this proposition, and only 24 percent agreed. The forcefulness of these negative opinions was underscored by one commissioner who wrote next to this statement: "Let's tear them all down if we stoop to this." It seems clear that the present housing authority commissioners constitute a formidable barrier to the goal of giving public housing tenants some meaningful measure of control over their own lives.

TABLE 5.—ATTITUDES TOWARD RACE, RULES, AND TENANTS

[In percent]

	Authorities with over 1,000 units			Total		
	Agree[1]	No opinion	Disagree[1]	Agree[1]	No opinions	Disagree[1]
The authority ought to attempt to keep projects racially mixed through tenant assignment policies	62	5	34	48	10	42
At present, the authority needs stricter rules and regulations, and proper means of enforcing them, in order to promote acceptable behavior on the part of tenants	47	5	48	59	14	27
Management ought to recognize and negotiate with tenant unions	38	12	50	24	15	61
Most public housing tenants have no initiative	31	9	60	38	13	49
It is up to the government to make sure that everyone has the opportunity to obtain a secure job and a good standard of living	38	4	57	28	3	69

[1] In the original survey respondents were given the option of checking "strongly agree" or "agree," "strongly disagree" or "disagree." In these tabulations the categories have been collapsed.

Finally, responses to one general attitudinal statement about political philosophy, frequently used in survey research to indicate basic political orientations, served to confirm this generally conservative posture on the part of housing authority commissioners. Sixty-nine percent of all commissioners disagreed (57 percent strongly), and only 28 percent agreed with the view that "It is up to the government to make sure that everyone has the opportunity to obtain a secure job and a good standard of living." On this, as well as the above issue, commissioners of large authorities expressed only slightly more liberal views.

POSSIBILITIES FOR CHANGE

Our survey has shown that the men and women who make basic public housing policy at the local level are in no sense representative of the client group the programs are intended to serve. A substantial proportion of the commissioners do not favor adding to the stock of publicly subsidized housing, nor use of newer forms of public housing, nor many of the "liberalization" trends, including increased tenant participation. In one sense this should not be surprising. These commissioners probably reflect the sentiments of the larger community (or at least the white, middle class majority). As one of our commentators noted: "The authors properly point out that most commissioners' views are conservative and almost obstructionist. The commissioners' unwillingness to increase their programs is not peculiar to them, and cannot be solved merely by replacing them; for the fact is that on this as on other matters these people probably reflect the opinions of the world around them, rather than a set of opinions peculiar to themselves. I think it would be well to remember . . . that it is not really the commissioners who are our problem, but rather it is the American society they so well represent. . . ."[41]

Clearly, the billions of federal dollars along with the local resources and support required to attain the National Housing Goal will not be forthcoming until (1) better and more acceptable programs for housing low-income families are utilized and (2) both those who need and those who advocate decent housing develop the necessary political and social pressure to achieve these ends. Yet without sufficient demonstrations of the superiority of newer techniques for subsidizing low-income families—which can be brought about only by farsighted and innovative housing agencies—it will be difficult to dispell the deep well of anti-public housing sentiment that exists in our society. The need is for dedicated, powerful agencies that can proselytize and produce on a scale large enough to break this logjam, but we must conclude from our survey that the housing authority, as presently constituted, is an inadequate vehicle. What is needed instead is an agency that can and will aggressively advocate and work for a comprehensive low-rent housing program in the community; an agency that perhaps must be metropolitan in jurisdiction and must be able to plan for and implement the entire range of urban development programs rather than treating low-income housing in a vacuum; that is sensitive to the needs and demands of the poor; that is willing to make use of the very best of the newer techniques for providing government housing subsidies; that can act in effective cooperation with local community groups; and that will work, through exhortation and example, to change the community's negative attitudes toward publicly subsidized housing rather than acquiescing and sharing in these prejudices.

One possibility, of course, is to work to replace existing housing commissioners with men and women more dedicated to the evolving goals of the program and to the true interests of the poor. Such a process would, however, be extremely difficult and time-consuming. Since normally only one appointment is made annually to each authority (commissioners operate on staggered terms), it would take several years at best to change a board's composition. Moreover, under existing practices, the political battles to get a representative of the poor, a public housing tenant,[42] or a person who truly represents these interests appointed to the board are laborious, particularly in the absence of strongly organized political forces to pressure the mayor or designating body into making such an appointment. Tradition, sentiment, and the conventional wisdom would probably provide strong pressures to perpetuate appointment of the present type of commissioner.

A more promising approach—although by no means easy to effect—might be to abolish the housing authority board, and with it the notion of an independent authority, in favor of an agency directly responsible to the elected chief executive. What our cities need, if they are to mount a serious and final attack on the slum problem, is an effective agency that can plan, oversee, and where necessary directly implement on a completely new scale the various programs that seek to bring about achievment of the National Housing Goal. The housing authority, as traditionally conceived, provides neither the professionalism nor the leadership necessary for a housing program of this magnitude and quality. Instead, it inserts, at a critical level of internal decision-making, an intervening layer of part-time, lay commissioners who act as a brake on the program by failing to keep abreast of new trends and techniques and by representing a microcosm of middle class, white views about the poor, their housing, and the responsibilities of government. Better to have an agency that is true to its own interests and clientle, directly responsible to a central elected official body, where the necessary compromises and tradeoffs regarding allocation of scarce resources can eventually be made.

Athough technical problems will have to be met (rewriting state statutes and bond agreements, revising municipal debt limit stipulations) to permit transformation of independent housing authorities into regular municipal departments, these problems are by no means insurmountable. Further, the political and legal problems of abolishing these positions are made easier by the very fact that they are part-time, honorific, usually unpaid posts. The model provided by the New York City Housing Authority, the largest in the nation, is instructive here: in 1958 that Authority switched over from the traditional board-staff agency to an authority headed by a three-man board of housing professionals, who are full-time and well-paid (the chairman receives $35,000 annually, the two other members, $25,000), and who act as both policymaker and administrative chief of the authority's vast operations. The NYC authority is now regarded as one of the most progressive, innovative, and aggressive in the nation in providing New York City, within the limitations imposed by inadequate federal funding and frequent community opposition, with programs to meet its vast low-income housing problems.[43]

Other solutions are possible as well. The notion of a housing development corporation with many of the powers of the local housing authority but with much greater freedom to engage in other programs of housing construction and rehabilitation, moving easily in both private and public sectors, and unrestrained by many of the legal, geographical, bureaucratic, and political limitations that characterize the housing authority, also has great appeal.[44] Still another alternative is greater federal or state direction for the low-rent housing program to insure that low-income families are obtaining maximum benefits from available federal programs. In the past year or two, greater leadership and direction appear to be coming from HUD, in the form of suggestion rather than mandate.[45] States can certainly influence and control the operations of local housing authorities since it is the state that has created these bodies. An example of this kind of state direction is a new Massachusetts statute which prohibits local housing authorities from constructing projects larger than 100 units for exclusive occupancy by low-income families.[46] More recent moves toward decentralization of government services provide one further alternative. There is no reason why local community groups could not negotiate directly with HUD and be the financial conduit and

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Footnotes at end of article.

administrative agency for housing subsidization programs passed by Congress. Centralized direction and planning of the housing program as a whole, combined with highly decentralized sponsorship and administration of specific development schemes, would probably provide the most effective and satisfactory model for the future.

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FOOTNOTES

[1] See United States Housing Administrator Nathan Straus' speech at the annual meeting of the National Association of Housing Officials in Cleveland, Ohio, November 18–20, 1937, where the 1937 Housing Act was termed "essentially a piece of enabling legislation, since it formulated national housing policy in broad outlines and leaves the actual work of planning and developing these projects as well as authority and responsibility to the local housing body."

See also Charles Abrams' description of the original housing authority concept: "Under the formula the central government's agency lays down general rules and checks their observance. But the most important responsibilities rest with the local government's agency. It is the local housing authority that decides where to build, how much to spend, how to select tenants, what rent to charge. . . ." Charles Abrams, *The Future of Housing* (New York: Harper Bros., 1946), p. 282.

The federal supervisory agency for the low-rent public housing program (at present the Housing Assistance Administration in the Department of Housing and Urban Development) is responsible for funding and establishment of general policies. A good deal of dispute and conflict exists over the extent and nature of federal involvement at the local level, but the long-range trend has been to allow local authorities increasing control over their programs. In 1959 the Declaration of Policy of the United States Housing Act was amended to read: "It is the policy of the United States to vest in local public housing agencies the maximum amount of responsibility in the administration of the low-rent housing program. . . ." It is to be noted, however, that the former restrictive nature of federal regulations in many areas is still embodied in the state legislation under which local housing authorities are established. Failure to relax state laws to keep abreast of the new flexibility at the federal level has meant that some local authorities cannot take advantage of newer ideas and variations. For a review of the history of the low-rent housing program through the 1950's, see, Robert Fisher, *Twenty Years of Public Housing* (New York: Harper, 1959).

[2] In an early book, Charles Abrams expressed the prevailing sentiment in favor of these independent bodies: "Freedom from political interference was the main reason for incorporating the local housing authority, just as it was for its forerunner, the incorporated school board. The New York law, upon which other local housing legislation was modeled, was drawn after the city voters had displaced a corrupt Tammany administration. The local corporate authority device was molded to secure its independence from political meddling. . . . With their members receiving no compensation (other than for expenses) and with membership of city officials limited, appointments would go to men and women of independent stature rather than to political worthies. . . . Housing must be kept free of political entanglements and such freedom is better secured under the [authority] formula." Charles Abrams, *The Future of Housing*, pp. 283, 285. Chapter 21 of Abrams' book "The Local Public Housing Agencies," pp. 281–95, is an excellent summary of the original premises underlying creation of local housing authorities. For other early advocacy of the independent housing authority, see Annette Baker Fox, "The Local Housing Authority and the Municipal Government," *Journal of Land and Public Utility Economics*, XVII, No. 3 (August 1941), 280–90; B. J. Hovde, "The Local Housing Authority," *Public Administration Review*, I (Winter 1941), 167–75; Leonard A. Goldberg, "The Use of the 'Authority' in Public Housing," *Georgetown Law Journal*, XXVII (June 1939), 1129–32.

[3] The most commonly used term for the local public housing administrative body is "authority." In Michigan, Kentucky, and Iowa these bodies are called "commissions." Occasionally, the terms "agency," "board" and "committee" are used.

About nine out of ten housing authorities are municipal in jurisdiction. Slightly over 200 county (in New Jersey and Connecticut, borough; in Louisiana, parish) housing authorities exist in twenty-two states. Regional housing authorities exist in four southern states, and all housing authorities in Ohio are metropolitanwide in jurisdiction. In Alaska and Hawaii local public housing programs are administered by a state housing authority. Housing authorities in many Indian areas are reservationwide in jurisdiction. See *Housing and Urban Renewal Directory, 1964–65* (Washington: NAHRO, 1965).

[4] Three states (New York, Massachusetts, and Connecticut) and one city (New York City) operate their own low-rent public housing programs, similar in most respects to the federal program, but with the state or city providing financial assistance and overall supervision. In these areas the same local housing authority operates both federal and state (and in the case of New York City, municipal) programs.

[5] Not all housing authorities have as their exclusive concern the public housing program. Of the 1,776 authorities which run public housing programs listed in the *Housing and Urban Renewal Directory, 1964–65*, Publication No. N485 (Washington: National Association of Housing and Redevelopment Officials, 1965), 180 were combined housing and urban renewal agencies, eleven had housing, urban renewal and community renewal program functions, and one had jurisdiction over housing, urban renewal, and codes.

[6] In March 1959, there were 1,046 housing authorities with units under management or in the residential stage; in March 1963, the figure was 1,423; in December 1966, 2,009. Information provided by Louis Katz, Director, Statistics Branch, Housing Assistance Administration, HUD.

[7] The distribution of housing authorities in 1967, according to size of program, was as follows:

	Authorities
Less than 50 units	617
50–99 units	416
100–499 units	752
500 or more units	276

Twenty cities with population over 500,000 contain one-third of all federally aided public housing while 56 percent of the places with public housing programs account for only 8 percent of all low-rent units. See *Statistical Abstract of Housing Assistance Operations* (Washington: Department of Housing and Urban Development, January 1968).

[8] In a few instances four-, six-, and seven-man boards are stipulated. Ten southern states provide for consolidated or regional authorities with one member appointed from each constituent jurisdiction and an additional member appointed by the board itself in case an even number of members results.

[9] A typical state enabling statute reads: "Every such [housing] authority shall be managed, controlled and governed by five members, appointed or elected as provided in this section or in section twenty-six L. . ." Massachusetts General Laws, Ch. 121, Sec. 26K.

[10] Among the variations are: appointment of one or more members by the judiciary branch; appointment by the governor or other state officials; requirement of confirmation of all appointments by a second party (such as the municipal legislature); appointment by the municipal legislature; appointment of one member by vote of the other members. Boards of Indian reservation housing authorities are appointed in a special manner. In Massachusetts towns, four of the five members are elected by the general public.

[11] Several states do allow compensation for commissioners, usually a relatively small amount. For example, Kentucky law permits the local legislative body to fix compensation for municipal authority members, not to exceed $400 annually for members, $2,000 annually for the chairman. Massachusetts is the only state where fairly substantial compensation is permitted: $40 per day for members, $50 for the chairman, with annual maxima of $10,000 and $12,500 respectively. This system has been heavily criticized as a waste of needed public funds and a source of administrative chaos since authority members in the larger cities tend to put in almost daily appearances in order to collect the full per diem payments allowed them. The presence of such lucrative compensation for part-time work also tends to place these jobs in the category of "political plums."

[12] The exact distribution of functions between board and staff varies widely in different authorities, and there is little in the way of codified guidelines as to which matters fall under whose province. A guidebook published for housing authority commissioners by the National Association of Housing and Redevelopment Officials attempts in a general way to set forth the tasks and expectations of this role and to delineate responsibilities between commissioners and the executive director and his staff, but the material contained therein is perforce vague and overly general. See Louise N. Bell, *The Commissioners' Handbook* (Washington: NAHRO, 1968).

[13] *Ibid.*, pp. 1, 3–4.

[14] See *Journal of Housing*, XXIV, No. 4 (May 1967), for reports on housing development corporations in St. Louis (by Michael Mazer and Richard Granat, 200–03) and Philadelphia (by Byron Fielding, 221–5).

[15] See Chester Hartman, "The Politics of Housing," in J. Larner and I. Howe (eds.), *Poverty: Views from the Left* (New York: William Morrow and Company, 1968), pp. 149–67; and Eugene Smolensky, "Public Housing or Income Supplements—The Economics of Housing for the Poor," *Journal of the American Institute of Planners*, XXXIV, No. 2 (March 1968), 94–102.

[16] For a good overview of these failings, see Lawrence M. Friedman, *Government and Slum Housing: A Century of Frustration* (Chicago: Rand McNally and Company, 1968).

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[17] Investigation of the characteristics of citizen boards and authorities and examination of the original premises which underlay their creation is not confined to the housing field. The National Advisory Commission on Selective Service undertook a similar survey of members of local draft boards in order to gain a better picture of the workings of this system. See *In Pursuit of Equity: Who Serves When Not All Serve?*, Report of the National Advisory Commission on Selective Service (February 1967).

[18] A few scattered studies exist of individual housing authorities with some reference to the roles and functions of the board and individual members. See, Martin Meyerson and Edward Banfield, *Politics, Planning, and the Public Interest: The Case of Public Housing in Chicago* (Glencoe: The Free Press, 1955), pp. 35–59 and passim; May B. Hipshman, *Public Housing at the Crossroads: The Boston Housing Authority* (Boston: Citizens' Housing and Planning Association of Metropolitan Boston, 1967), pp. 10–15 and passim; Robert K. Brown, *Public Housing in Action: The Record of Pittsburgh* (Pittsburgh: Univ. of Pittsburgh Press, 1959). It is only in individual case studies that one can get a sense of the narrower political forces that lead to appointment of particular individuals to a housing authority. Power, prestige, and in some cases emolument accompany these appointments, and, not surprisingly, individual and group obligations and allegiances, in addition to the desire to further certain policies, are factors which determine and influence appointment of housing authority commissioners.

[19] NAHRO is the professional organization which advocates the interests of local housing and redevelopment authorities. It publishes *Journal of Housing*, holds frequent national and regional conferences, and provides a multiplicity of services to its members, who include staff personnel as well as board members.

[20] Because of financial constraints, NAHRO was able to do a followup mailing to only a 20 percent sample of the list of commissioners. The other principal reason why the response rate was not higher probably has to do with the recent establishment of many authorities, which made it difficult or impossible for some commissioners to answer many of the questions.

Comparison of the distribution of respondents with the total distribution of housing authorities by geographical region and number of units managed by the authority indicates that, aside from a slight underrepresentation of commissioners from the southeastern region and a slight overrepresentation of small (in many cases, recently established) authorities, the respondents are representative of the commissioner group as a whole.

The distribution of the universe of housing authority commissioners by region and housing authorities by size of program, compared with the distribution of respondents to our survey, is as follows:

[In percent]

	Respondents	Universe
Region:		
New England	5	4
Middle Atlantic	11	10
Southeast	26	32
North-central	21	18
Southwest	29	28
Pacific Southwest	5	4
Pacific Northwest	4	3
Size of program (units under management:		
Less than 50	35	30
50 to 99	17	20
100 to 499	34	36
500 or more	14	13

[21] Nearly all questions were of the multiple-choice, precoded variety. Respondents were not asked to indicate their names or the names of their chief municipalities.

[22] Since large cities and their housing authority commissioners account for such a disproportionately large percentage of the nation's total public housing stock, response data will be presented separately for very large authorities (defined as those with more than 1,000 units under management—132 respondents in all) and for the total sample.

[23] Naturally, in many smaller cities and towns where there are few nonwhite residents, in public housing or otherwise, one would not expect to find nonwhite commissioners, but even in the larger cities this finding holds true. Isolating those authorities whose non-white public housing population is 50 percent or more, the proportion of nonwhite commissioners is only 13 percent.

[24] Information on characteristics of families living in public housing is for 1965 and is drawn from Program Planning Division, Housing Assistance Administration, Department of Housing and Urban Development, *Families in Low-Rent Projects*, Publication 225.1 (Washington: HUD, 1966).

[25] Similarly, the report of the National Advisory Commission on Selective Service indicated that 96.3 percent of all local board members were white and that 70 percent were in white-collar occupations. "Craftsmen, service workers, semiskilled workers and laborers," the Report noted, "are represented on local boards in far smaller proportions . . . than their representation in the general population." The Commission in its recommendations for changes in the organization of local boards states that "their composition should represent all elements of the public they serve."

[26] Relevant *skills*, however, as distinguished from interests, were an acceptable basis for appointing housing authority commissioners. The few states which stipulate by statute the appointment of one or more local commissioners according to their occupations designate such occupations as licensed engineers, contractors, labor representatives, and persons experienced in real estate or finance.

[27] In 1945 the *Journal of Housing*, using somewhat different categories from those used in the present survey, cited occupational distributions of housing and authority commissioners in 1940 and 1945 as follows:

[In percent]

	1940 (909 commissioners)	1945 (1,778 commissioners)
Business, banking, and finance	48	54
Professionals (law, medicine, minister, architecture, welfare, and so forth)	20	20
Wage earners and labor officials	12	10
Farmers and farm organization officials	6	4
Public officials and civic leaders	6	5
Miscellaneous	8	7

It is interesting to note, however, that the current dominance of banking, business, and finance personnel is a relatively constant feature of the housing authority system. See *Journal of Housing*, VIII (August 1945), 136.

[28] See the incisive review of the thirty-year history of the public housing program in Lawrence M. Friedman, "Public Housing and the Poor: An Overview," *California Law Review*, LIV (1966), 642–69.

[29] About a dozen states require a local referendum (in some instances applicable only to certain cities or classes of cities) before public housing can be built or a contract with the federal government entered into. This, of course, places an additional constraint on the local housing authority. See Housing Assistance Administration, Dept. of Housing and Urban Development, *State Referendum Requirements for Low-Rent Housing* (Washington: HUD, September 26, 1967).

[30] A checklist of responses was offered to this question, with the option of writing in other reasons.

[31] For a good description of the political forces lined up for and against public housing, see, Jewel Bellush and Murray Hausknecht, "Public Housing: The Contexts of Failure" in Bellush and Hausknecht (eds.), *Urban Renewal: People, Politics and Planning* (New York: Anchor Books, 1967), pp. 451–61.

[32] The question asked (with a checklist supplied) was, *Which of the following new approaches to public housing authorized by recent federal action has your Authority used or does it plan to use?* The high proportion of "no answers" quite probably relates to lack of knowledge about these programs and can be interpreted as indicating that these programs are not currently being used or planned for.

[33] As indicated, this is an *average;* doubtless, there are peaks and troughs of activity, and at times housing authority commissioners will devote considerably more time to running the authority.

[34] In commenting on an earlier draft of this article, George Schermer, a long-time student of housing authorities, noted: "It is the rare authority member that puts in many hours touring the developments, observing and learning about housing conditions, or concerning himself with programs to resolve the general housing problem . . . I have the feeling that many housing authorities consider themselves, and are considered by the local political powers, as nothing more than the local managing agents for the federal low-rent housing program. This is not to say that they are enthusiastic about that function. Rather, their attitude may be paraphrased as follows: 'Uncle Sam has imposed this housing program on the localities. We do not think much of it, and we might be better off without it, but politics being what they are, we have to manage the stuff the best way we can. The less of it we have, the better.' " Letter from George Schermer to the authors, July 12, 1968.

[35] A recent report on tenant-management relations commissioned by NAHRO had this to say about the reluctance of many housing authorities to consider social services as part of their responsibility: "The public assertion 'this is not our responsibility' is psychologically stultifying. It has the effect of discouraging action from every quarter. The local authority and particularly the top administration will simply have to take the initiative and supply some leadership. If they can't do that, they are not fulfilling the demands of their job. To help them they should employ as large a staff of competently trained social workers and community organizers as the budget will permit. They would seek additional funds to supplement their own. . . ." See, *Public Housing Is The Tenants*, prepared by George Schermer Associates and Kenneth C. Jones for the National Association of Housing and Redevelopment Officials (Washington: NAHRO, 1967), pp. 41–2.

[36] Naturally, regional differences are marked in this regard. The proportion of commissioners expressing disagreement with racial integration of public housing projects ranged from 64 percent in the Southeast and 52 percent in the Southwest to 14 percent in New England and 15 percent in the Middle Atlantic states.

Of the 3,510 federally aided public housing projects occupied during FY 1965, over 2,100 (60 percent) were one-race projects. See, Pro-

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gram Planning Division, Public Housing Administration, Department of Housing and Urban Development, *Moveout Rates in Low-Rent Housing, July 1, 1965–June 30, 1965,* Publication 228.0 (Washington: HUD, 1965).

[37] The Schermer-Jones report cited in note 35, subtitled "Rethinking Management's Responsibility and Role in Tenant and Community Relations," was commissioned by NAHRO out of concern for the increasing gap between housing authorities and their tenants and in an effort to communicate the nature and magnitude of this problem to those who run public housing. The report concludes that: "The essence of good tenant and community relations is primarily communication and only secondarily policy and procedure. . . . Effective person to person contact depends on attitude, openness, mutual respect, concern. . . . In summary . . . it seems doubtful that there is one particular form of organization that is superior for public housing administration. The guiding principle must be that administration must be brought *closer to the tenants and all functions coordinated so that the tenants can be brought into participation.*" George Schermer Associates and Kenneth C. Jones, *Public Housing Is the Tenants,* pp. 43, 47 (emphasis in original). The problems described in this report—considered by many housing experts to be an exceedingly important, competent, and reasonable document—are underlined by the reaction of some housing authority commissioners to the report itself. A resolution of the New England Regional Council of NAHRO, dated March 13, 1967 and addressed to the members of NAHRO Board of Governors, states in part:

"Whereas: Much of the contents of the Report is highly critical of the operations of Local Housing Authorities, many of whom are dues paying members of the Association.

"Now, therefore, be it resolved. . . . It is the consensus of the Committee that its dues are being used in a manner not beneficial to the overall membership of the Association, but rather to promote dissent and disenchantment with the Public Housing Program as a whole which could lead to its ultimate demise."

The new $125 million HUD modernization program for older projects also lays great stress on meaningful tenant involvement and implicitly acknowledges serious defects in existing management practices. The HUD circular announcing the program to local housing authorities contains the following language:

"Local authorities obtaining modernization funds will be expected to develop long and short term programs in each of the following areas: . . .

"Involvement of the tenants in the plans and programs for the modernization of the project, changes in management policies and practices, and expanded services and facilities.

"All of these lines of activity reflect the Administration's concern that all programs for low-income families should help these families rise out of their poverty into self-dependence."

See, Assistant Secretary for Renewal and Housing Assistance, Department of Housing and Urban Development, *Subject: Program for Upgrading Low-Rent Housing Projects,* Circular 222621–P (November 14, 1967).

[38] See, for example, Chester W. Hartman, "The Limitations of Public Housing: Relocation Choices in a Working-Class Community," *Journal of the American Institute of Planners,* XXIX, No. 6 (November 1963), 283–96 and George Schermer and Kenneth C. Jones, *Public Housing Is the Tenants.*

[39] OEO has recently awarded a consulting contract to develop Tenant Management Corporations in several large housing projects in different parts of the country.

[40] Recent protests by public housing tenants have included the demand for representation on the local public housing authority. See, for example, story on rent strike by New Rochelle (NY) public housing tenants, *New York Times* July 6, 1968, p. 22. The *New York Times,* October 3, 1968, reported that one result of the New Rochelle rent strike was to secure appointment of a housing authority tenant to the New Rochelle Housing Authority, believed to be the first public housing tenant to serve on a municipal authority in New York state. It is interesting to note that the man appointed was a resident of one of the Authority's middle-income projects.

[41] Comment on an earlier draft of this article, transmitted to the authors on April 2, 1968.

[42] Until its repeal just this year, the original Massachusetts housing statutes forbade a public housing tenant from serving on a housing authority board.

[43] Under Mayor John Lindsay, New York City recently attempted to merge the Housing Authority with several other housing and housing-related agencies in the city to form a single, coordinated agency to handle housing and redevelopment in that city. Although some degree of consolidation and reorganization was effected, the attempt to include the Housing Authority—the largest of these bodies—in the amalgam was unsuccessful.

[44] See note 14.

[45] For example, a circular dated 3–22–68 from Don Hummel, Assistant Secretary of HUD for Renewal and Housing Assistance, to all local housing authorities, entitled The Social Goals for Public Housing reads:

"A thorough and searching examination of our policies, practices, and priorities is called for to see that they are in line with our social objectives. We ask for your full support in this effort.

"As a matter of national policy, the following are among the most important of the social objectives of the [low-rent housing] program:

"A broader cross-section of low-income households in public housing neighborhoods, so as to avoid concentrations of the most economically and socially deprived households. . . . More attention to residents' dignity, privacy, and personal safety. Special attention should be given to the elimination of unnecessary rules and regulations.

"Leadership to achieve better and more coordinated social services for project tenants.

"Greatly expanded participation of tenants in project management affairs and programs designed to strengthen the self-sufficiency of tenants."

[46] See Ch. 705, Acts of 1966, Commonwealth of Massachusetts. Under this act, the usual public housing subsidy can be used only to construct scattered site projects or to lease, rehabilitate, or purchase units from the private sector.

PERFORMANCE AND PROMISE

All of these things, Mr. Speaker, constitute only a part of the rural poverty problem that has existed, does exist and will continue to exist and worsen unless the Nation, and especially the Congress, lives up to the intention of all of our housing legislation and all of our antipoverty legislation. Congress has repeatedly said everyone should have a decent home, be free from hunger and have a job that will provide an adequate income. But it is difficult to believe that most of the Members of Congress really believe these things when performance is measured against the promise.

THE WEALTHY MUST PAY THEIR SHARE

(Mr. PODELL asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PODELL. Mr. Speaker, the subject of tax reform has been aired, debated, belabored, and bemoaned. Many are the breasts which have been beaten in its name. Innumerable are the tears which have been shed over it. To date, there has been no tangible alteration of a situation which all acknowledge is intolerable. Most of the criticism leveled at our tax system has been legitimate. It has illuminated fiscal injustice, which is a major shame of our society, allowing the wealthy to grow richer at the expense of those who possess little. As a consequence of these unfair tax laws, the lower- and middle-income taxpayers are struggling ever harder as they fall farther behind in the race to earn a decent living. We have it in our power here to redress existing imbalances and restore the faith of our people in the tax system of the United States.

We know fully what these evils are. All have been fully exposed to public view and congressional scrutiny. Commencing with the oil depletion allowance, we have examined these loopholes all the way down to the gift deduction and capital gains method of evading taxes. One loophole, however, glares out at us, daring the hand of reform to alter its privileged existence. Even the outrage of oil depletion pales besides our knowledge that a few privileged individuals are able to earn millions and evade all income taxes. One cannot help but gasp in exasperation at such damning revelations. Millions of Americans are desperately wrestling to make ends meet on a daily basis, as those adroit few evade their responsibilities. It is long past time for Congress to slam these loopholes shut in the faces of these few parasites.

When a citizen may earn in excess of $10 million and legally claim more than that amount in deductions, we have a disjointed tax system. If a person is allowed to degrade the principle of charity by utilizing it as a vehicle for tax evasion, charity itself is compromised. When capital gains have become a means for depriving Government of necessary revenue, redress must be granted to the public. This is particularly true when we realize that every dollar retained by these malefactors must be taken from lower- and middle-income people.

Many millions of our people are growing increasingly aware of what is actually transpiring—how their tax system is being used against them by these few. The system which mercilessly pursues the ordinary man turns into a red carpet for the rich to walk on toward full enjoyment of ill-gotten gains. Mr. George Meany has aptly named them "The Loophole Set." The public also is aware that Congress has power to immediately rectify this situation, and possesses a series of choices in order to accomplish this goal.

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A minimum tax for these evaders is our answer.

Adoption of a minimum tax to allow exemption of only half the incomes of such nontaxpayers is one alternative. Another is requiring people to allocate their deductions between income from taxable and nontaxable sources. We could tax appreciable property upon the death of its owner and remove the unlimited charitable deduction over a given period. A maximum tax is another possibility, under which high-income taxpayers would pay more than half their incomes in Federal tax. Cumulatively or singly, these alternatives would put an end to the disgusting spectacle of massive income tax evasion by people earning millions.

In effect, what these few are really saying is that "What is ours is ours, and what belongs to the rest of the Nation is negotiable—in our interest." Do we wonder then why discontent mounts among people who see our system fostering injustice and rewarding larceny?

It is worth reiterating that a nation is only as strong as the belief of its people in its institutions. Today our tax system stands compromised in the eyes of many Americans. Congress is also an institution with responsibility for that tax system.

THE GROWING CANCER IN OUR BODY POLITIC—NAZISM, AMERICAN STYLE

(Mr. PODELL asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PODELL. Mr. Speaker, I have noted with increasing revulsion and distaste a series of highly revealing exposés which deal with a new Nazi political movement within our country. Drew Pearson and Jack Anderson have joined COPE, the Anti-Defamation League of B'nai Brith, Group Research, and the Institute for American Democracy in exposing Liberty Lobby and Willis Carto for what they are—American Fascists and neo-Nazis working for destruction of American democracy in the shadow of the Capitol of the United States.

Liberty Lobby, complete with its ideological baggage of a darker era, has even penetrated into the circle of this House. Worse yet, it has exercised political power within the party of which I have always been a proud member. Would that this were not so.

Willis Carto, its real power within, is a noted extremist and exponent of neo-Nazi philosophy of the most virulent and primitive sort. His major vehicles for such activity have been American Mercury Magazine, Washington Observer Newsletter, and a publishing operation in Sausalito, Calif.—Noontide Press. He has further sought to inhibit our press through creation of a so-called Press Ethics Committee, which is as fraudulent as it is unnecessary.

In such a manner, a Fascist movement embracing and advocating Hitlerian goals, complete with Hitlerian trappings seeks a significant voice in the daily lives of all Americans. Its machinations must be frustrated before it blossoms further. Its avowed goals of militarization of our Nation and an eventual Armageddon with the Soviet Union are incompatible with our entire concept of national life.

With deep sadness, I turn my attention to statements which have been made indicating that Members of this House have accepted major financial contributions from Mr. Carto. Such liaisons have no place in our political system and are not to be countenanced within the party of Jefferson, Jackson, Roosevelt, Truman, and Kennedy.

How sad a reflection upon our times that at such a point in history we should be confronted with Hitler's heritage within America's Government and most basic institution. How tragic a denouement.

Of late there has been much oratory to the effect that our sacred ideals, symbols, and foundations are endangered by extremism and ideologies which preach the opposite of what the Republic stands for. No better example of this is to be found than the works and ideals of Willis Carto.

Fervently do I hope that those members of my own party who, mistakenly, I am sure, accepted his aid, will renounce him and his works. It is the only acceptable alternative for anyone who holds national office in the name of the Democratic Party and its ideals.

As far as Liberty Lobby itself is concerned, I feel that America, her institutions, and people are immune to its venom. My faith reposes in the strength and viability of our institutions, and the maturity and courage of our people. All they will give to Mr. Carto and his ilk is what my Irish friends so aptly call the back of my hand.

Mr. Speaker, our country has traveled a long road through history. Bedeviled by internal strife and factional bickering, we have surmounted more than one mortal challenge which sought to change the essence of our ideals and thwart our national purpose. Each time the best elements in our national life have come to the fore and prevailed. Such a challenge stares us in the face again today, presenting us with a familiar choice—democracy or abrogation of liberty.

Let us rise above pettiness and above hatred, turning our backs collectively upon such messengers of hate. Let the call of Hitler's legacy fall upon deaf ears and die the death such ideologies deserve.

If we must struggle along ideological lines, let such combats be waged without the aid of fiends from the darkest pit that a few would unloose among us. For they are never satisfied with a little blood or a small sacrifice. More is always demanded. Democracy's children are their victims. Freedom's hopes are their slaves. Liberty's dreams are their conquests. There will come a day when all Willis Cartos have been relegated to the same museums and history books where Adolf Hitler now reposes. If this day is ever to arrive, it will be because those of us here have had the courage to put them there by our acts, attitudes, and integrity.

CHAIRMAN GEORGE MAHON RECEIVES GEORGE WASHINGTON AWARD

(Mr. DORN asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. DORN. Mr. Speaker, it was my great privilege and honor to attend the annual banquet of the American Good Government Society on April 30 when our beloved colleague and friend, GEORGE MAHON, received the coveted 1969 George Washington Award.

Mr. MAHON's response was an honor to the Congress and a credit to the entire Nation. I was never more proud of our chairman than when he delivered the following superb response:

> This is a great moment for my wife Helen and me. I wish to express my deepest thanks to the American Good Government Society for the award which you have presented me. It is a great honor and I shall never cease to appreciate it.
>
> I wish to express my special thanks to my Texas friends who have come from afar to be here this evening.
>
> I have been to these dinners before but this one seems better than any of the rest. Of course, it could be that the honor which is being bestowed upon the Mahons could have something to do with it!
>
> I am honored to be on the platform with my friend Senator Bennett, and to hear former Governor Cecil Underwood, of West Virginia, make the most interesting remarks about the Electoral College I have ever been privileged to hear. Despite the turbulent history of the Electoral College, I am not so sure but that it is about the most stable college we have these days!
>
> I have looked over this list of the past 32 recipients of the award. Many have been members of the House or Senate. It is a very distinguished company.
>
> However, I tend to look with some condescension upon prior Congressional recipients of the award! And let me explain. In view of the recent pay raise, Senator Wallace Bennett and I are the highest priced members ever to receive the award! We are in a class by ourselves. But, what with all the problems which confront us, it looks like we are going to begin to earn the pay raise.
>
> A recent calculation shows that the average American taxpayer in order to pay his local, state and Federal taxes, in effect, works from January 1 through April 27 for the government. This is April 30. My work to pay taxes has been concluded and I'm now speaking on my own time, not the government's, and I shall not be hampered by bureaucratic limitations!
>
> I think I'm going to feel at home with the George Washington Good Government Award. After all, my first name is George, and I was also born on the 22nd. It makes little difference that it was September 22 and not February 22! Of course, one other George received the award, George Humphrey, former Secretary of the Treasury, who spoke of budgets that would curl the hair! Regretfully, we have continued to have "hair curling" deficits.
>
> The remarks of the distinguished gentleman from Ohio, my warm friend, Mr. Bow, were most complimentary and generous. Never have I seen Frank Bow more extravagant. He usually leans to the conservative and often deals in understatement. Maybe this is explained by the fact that his generous encomiums didn't cost any money!
>
> Frank Bow is a big man. His booming and resonant voice can fill any hall. But Frank Bow's true bigness is his heart. It

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has been a great experience for me to work with him through the years in matters that involve deeply the destiny of our country.

In spending matters we have long been aware that heads of government agencies insist upon ever-increasing expenditures. They love spending . . . But Frank and I feel—and upon good authority—that the love of money is the root of all evil and we try to hold them down. We believe—as I think you do—in the principle of pay-as-you-go in government spending.

Now that we have a budget surplus of sorts in prospect, I am thinking of switching to a pay-less-as-you-go philosophy!

But even though Frank is my good and always helpful friend, I have a lurking suspicious that he wants the House to go Republican so that he can take over my job as Chairman! As I see it—from my standpoint—this would be a major disaster. But I will say this: If I have to bow to anyone, I'd rather bow to Bow than any Member I know.

One further serious word about economy. It is a far cry from the days of Calvin Coolidge, but I would like to quote with approval one statement of his. He said he favored economy not because he wished to save money but because he wished to save people.

Our major problem is saving people, our country, and promoting its continued growth. In this context, the much used word "militancy" forcefully comes to mind. I am not thinking in terms of militancy by dope addicts, demonstrators, riot instigators, or small, disruptive, undisciplined groups in the colleges. I am thinking in terms of militancy by the majority.

I just cannot believe that the great majority of our people will indefinitely stand idly by and see the greatest citadel of liberty and freedom and abundance on earth go down the drain. Sometimes we seem to be hobbled by timidity and a spirit of appeasement. It is time for the great majority to call a halt. It is time to see to it that the destructive elements are denied full leeway in their efforts to erode and destroy the very foundation of our institutions.

I want to see more militancy on the part of the great rank and file of college students who are rapidly losing an opportunity to live in an atmosphere where education and growth are possible. I applaud President Nixon's statement of yesterday in which he urged college administrators to take firmer action to maintain stability.

I want to see more militancy on the part of people who believe in the old-fashioned virtues.

I want to see more militancy on the part of office holders and community leaders. Too often as candidates we are "bloody, bold, and resolute" but as officials we tend to overrationalize every situation which arises and take on the image of appeasement and timidity.

No, I am not advocating rashness or violence; I am advocating that we take steps to curb anarchy which is eating ravenously at the very heart of this great country.

A few days ago I had a letter from a minister from my home county. I want to quote a couple of sentences:

"It looks like too many of our men in high places . . . are gutless. And for that reason, small groups all over the great United States are being permitted to destroy the great principles for which we have stood so long."

Gutless may not be a very nice word, but anarchy is not a nice word either. I think it is time, high time, for law-abiding citizens—that great majority—to rise up in their might and insist upon the preservation of the best qualities in American life. That is the issue before the American people. Perhaps never before in our history have a so-called free people been so badgered and beleagured by small groups of outlaws and exhibitionists.

Thomas Paine said, those who expect to reap the blessings of freedom must undergo the fatigue of supporting it.

There are no pat answers to the problems but there are reasonably adequate answers. They relate to such fundamental virtues as restraint, discipline, morality, constitutional government, and patriotism.

Americans never mount a major effort until they become deeply concerned and aroused. That point has been reached and I believe we are at the beginning of the turning of the tide.

I conclude in a spirit of high hopes and optimism. I do not have to tell this audience of people who believe in constitutional government that our country, our cherished institutions, our governments at all levels will be as good, as free, and as great as a militant majority of our people are determined they shall be!

Again, let me express my deepest thanks to the American Good Government Society and wish you much sucecss in your efforts to promote the welfare of our great country.

Thank you very much.

PROPOSED FTC BAN ON UNSOLICITED CREDIT CARDS SHOULD BE APPLIED TO BANKS THROUGH FEDERAL RESERVE BOARD AND FDIC ACTION

(Mr. BINGHAM asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. BINGHAM. Mr. Speaker, last February I expressed my concern in a speech on the floor of the House about the apparently widespread practice by banks and business firms of mailing credit cards to consumers who have not requested them. My remarks at that time were prompted by a personal experience I had with an unsolicited credit card, and my belief that many other consumers who have received unsolicited credit cards have found the experience as irritating and unsatisfactory as my family and I did.

That belief has been confirmed since I first raised this issue in the House, and in several public appearances. I have received hundreds of letters from fellow consumers across the country giving detailed evidence of the unpleasant experiences they have had as a result of receiving an unsolicited credit card. Many of them feel, as I do, that this practice poses a threat to family budgets and potentially to the national economy.

In view of this record of concern, I was delighted to learn today that a significant step is about to be taken to help remedy this problem. The Federal Trade Commission has publicly proposed promulgation of a regulation which would stop the practice of sending out credit cards to any party without an expressed written request from the party for such a card. I am including at the close of my remarks a copy of the FTC press release announcing hearings on this proposed regulation.

The new regulation classifies the practice of sending unsolicited credit cards, quite rightly in my view, as "an unfair act or practice, and an unfair method of competition in violation of section 5 of the Federal Trade Commission Act."

This proposed regulation is most commendable, as far as it goes. Unfortunately, however, because of limitations on the jurisdiction of the Federal Trade Commission, the regulation—even if approved, as it certainly should be—would not apply to banks or air carriers. It would apply only to "retail department stores, marketers, and retail dealers of gasoline, travel and entertainment establishments, and other credit card issuers—within FTC jurisdiction."

My own study of this problem reveals that banks are certainly one of the major sources of unsolicited credit card mailings, and it is urgent that they be covered by rules similar to those proposed by the Federal Trade Commission.

The Federal Reserve Board and the Federal Deposit Insurance Corporation are the two Federal agencies with jurisdiction over banks, and every effort must be made to see that these agencies act on the unsolicited credit card problem in the banking field as the FTC has done with respect to commercial enterprises under its regulatory jurisdiction. With that in mind, I am today calling the action of the FTC to the attention of officials of the Federal Reserve Board and the FDIC with a request that they issue similar bans applicable to banks at the earliest possible time. In addition, the two bills I have already introduced, H.R. 6945 and H.R. 8920, would remove any remaining uncertainty over the authority of the Federal Reserve Board and the FDIC to act in this area, and provide them with an unequivocal mandate to see that the practice by banks of sending out unsolicited credit cards is ended.

The Federal Trade Commission action deserves the support of the Congress and all American consumers. But its effects in resolving the unsolicited credit card problem, for the reasons I have cited, can be only partial, at best.

The FTC action reconfirms the need for broad prohibitions against the issuance of credit cards without consumer request, and suggests the need to extend prospective prohibitions to the establishments that appear to be the prime offenders—the banks. I hope that the FTC action will be imitated by the Federal Reserve Board and the Federal Deposit Insurance Corporation, and will stimulate prompt action on the legislation which I, and other Members of the Congress, have introduced giving these agencies a clear mandate to issue and enforce prohibitions on unsolicited bank credit cards.

FTC Initiates Trade Regulation Rule Proceeding Regarding the Mailing of Unsolicited Credit Cards

The Federal Trade Commission today announced it has initiated a proceeding for the establishment of a trade regulation rule regarding the mailing of unsolicited credit cards.

The proposed rule would affect retail department stores, marketers and retail dealers of gasoline, travel and entertainment credit card establishments and other credit card issuers. Banks, common carriers and air carriers which mail out credit cards would not be covered by the rule because the Commission lacks jurisdiction over them.

A hearing on the proposed rule will be held at 10:00 a.m., Wednesday, September 10, 1969, in Room 532, FTC Building, Pennsylvania Ave. and Sixth St., N.W., Washington, D.C., and all interested parties, including the consuming public, will be given the opportunity to present data, views or argument.

Data, views or argument may be filed in writing with the Chief, Division of Trade Regulation Rules, Bureau of Industry Guidance, Federal Trade Commission, Washington, D.C. 20580, not later than August 12, 1969.

The proposed rule would forbid those issuers covered by it to mail a credit card to anyone without first receiving in writing his request for the card, or his consent to its being mailed.

In its notice initiating the proceeding, the Commission stated that it has reason to believe that:

"(1) Marketers of products and services such as gasoline companies, department stores, and all purpose credit card issuers have attempted to increase the use of credit cards through distribution of credit cards through the mails to persons who have not requested such cards or agreed to accept the same.

(2) A credit card holder is more likely to purchase at a retail outlet honoring his credit card.

(3) Unsolicited credit cards are often lost in the mails and the intended recipient is unaware there is a card or that an account is established in his name.

(4) Such credit cards are often misappropriated and fraudulently used by unknown parties and the intended recipient of the credit card is put to the often considerable burden of demonstrating to the billing company that the goods or services were not ordered or purchased.

(5) Billings resulting from fraudulent use of cards or billing errors cause concern among consumer recipients that their credit reputations may be jeopardized.

(6) As the result of an unsolicited credit card being issued, recipients are put to the burden of returning the unwanted credit card to the sender if they wish to indicate that the card is not desired.

(7) Credit card issuers who resort to the use of unsolicited mailings of credit cards may be placed at a competitive advantage over their competitors, who do not utilize the unsolicited mailings, and therefore that:

(8) Such practices constitute unfair acts or practices, and unfair methods of competition in violation of Section 5 of the Federal Trade Commission Act."

And the Commission pointed out that, "Where a Trade Regulation Rule is relevant to any issue involved in an adjudicative proceeding thereafter instituted, the Commission may rely upon the Rule to resolve such issue, provided that the respondent shall have been given a fair hearing on the applicability of the Rule to the particular case."

NIXON'S VIETNAM PROPOSALS: HARD QUESTIONS AVOIDED, BUT MODERATE IN TONE

(Mr. BINGHAM asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. BINGHAM. Mr. Speaker, the most impressive thing about President Nixon's speech on Vietnam last night was its moderate tone. The President conveyed the impression that he is truly interested in negotiating a peace, and not in recriminations.

The President is also to be commended for attempting to spell out the U.S. negotiating position for the achievement of a political settlement in Vietnam. Many of the positions he set forth have been part of U.S. thinking for a long time, but—for reasons I never could comprehend—the previous administration was not willing to state them publicly.

The Nixon speech, however, suffered grievously from the apparent fact that it was cleared in advance with the Saigon Government and left many, if not most, of the hard questions unanswered—questions that will have to be resolved before much progress can be expected in Paris.

For example, the speech did not make clear that, before any new election can take place that would give the National Liberation Front full opportunity to participate, the existing Constitution of South Vietnam would have to be drastically amended. President Thieu has insisted that any new election would have to take place within the framework of the existing Constitution, and President Nixon did not contradict him.

President Nixon also failed to discuss in any way the extremely difficult problem of providing for interim governmental arrangements in South Vietnam during the preelection period. He said that the elections themselves would take place under the supervision of an agreed upon international agency, which is a constructive suggestion so far as it goes. But he did not state or imply that such an international body would have governmental responsibilities. Thus, the implication of the proposal is that during the preelection period the present Saigon Government would remain in control of those areas it now dominates, and the NLF would remain in control of Vietcong dominated areas. It is hard to see how truly free elections could take place under such circumstances in areas dominated by either of these two sides, much less in the contested areas. Perhaps the President has in mind that some different interim governmental arrangements would have to be worked out, but his speech did not seem even to recognize the existence of the problem.

President Nixon's proposal also failed to deal with the question of reducing the level of violence on both sides as a necessary first step toward peace. As Governor Harriman pointed out in his comments following the address, the President made no reference to the stepped-up level of activity by U.S. bombers since last fall in suspected areas of Vietcong concentration in South Vietnam. He referred only to the Vietcong attacks against South Vietnamese cities.

Another big question left open by the President's speech was the size and structure of the U.S. forces that would remain in South Vietnam after the withdrawal of "most" such forces during the proposed 12-month withdrawal period. Although the President stated that we do not want to retain any "bases" in South Vietnam, he seemed to be saying that we would want to retain some U.S. forces in designated areas in South Vietnam for an indefinite period. This seems to be a pullback from the pledge of total withdrawal made by President Johnson at Manila in 1967.

Also notably lacking in the President's statement was any reference to the need for broadening the present Saigon Government to include many non-Communist groups and individuals excluded thus far, such as General Minh, whose presence in the government would make it far more likely that a political settlement could be worked out with the NLF. The President, likewise, made no mention of the political repression that the Thieu-Ky government continues to practice, including the imprisonment of dissenters and the closing down of critical newspapers. In fairness, though, it should be noted that President Nixon simultaneously refrained from comment on the ruthless political methods of the NLF, except for his reference to the continuing attacks on populated areas in the cities of South Vietnam.

With this speech, President Nixon has no doubt put the United States in a better posture with respect to Vietnam in the eyes of the world than it has been for some years. This was particularly true because of his clear and unequivocal statement that our objective is to assure to the South Vietnamese people a free choice for their own future, and nothing more. Refreshingly, there was no mention of the claim that the maintenance of a non-Communist government in South Vietnam is a vital U.S. interest, nor was there any reference to the long-reiterated "domino" theory. Now certainly the United States will be in a far better position to continue the negotiations in Paris on a realistic basis, especially in view of the fact that the NLF has recently put forward a realistic negotiating position for the first time.

I suggest, however, that the negotiations cannot possibly succeed until the hard questions, like those I have mentioned, have been resolved. I believe, also, that a scaling down in the level and intensity of American military activity is needed. As Governor Harriman said last night, experience has shown that military pressure does not produce the desired results on NLF and North Vietnamese behavior that its advocates have stubbornly predicted. In this connection, recent press reports that the Hanoi government has had serious problems in maintaining the morale and willingness of its people to continue their sacrifices since the United States stopped the bombing of North Vietnam are interesting.

Finally, I hope that the President will make the fundamental decision that the Thieu-Ky government cannot continue to retain a veto power in the negotiations and that indeed the chances of a political settlement will remain dim so long as the Thieu-Ky regime maintains its present monopoly of power.

To achieve the desired withdrawal of "non-South Vietnamese forces"—as the President tactfully called them, avoiding the term "foreign"—I would hope that the President would proceed not only to scale down American offensive activities, but also to withdraw immediately a significant number of Ameri-

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can forces, inviting comparable reciprocal action by the North Vietnamese. It may well be that much can be accomplished in this way without expecting Hanoi to make an explicit agreement about "mutual withdrawal" of forces. Any such agreement will be politically difficult for Hanoi to make both because of its official position that it has no forces in the South, and because of its insistence that the presence of U.S. forces in South Vietnam is not in any way comparable to the presence of Vietnamese in Vietnam, whether from the South or the North.

TOWARD A NATIONAL SYSTEM OF WELFARE

(Mr. MINISH asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. MINISH. Mr. Speaker, I am today introducing legislation to provide for a major overhaul of our country's present welfare system by converting the aid to families with dependent children program to a wholly Federal program. Under my bill, AFDC will be administered by local agencies under federally prescribed terms and conditions including national minimum standards with the cost being fully borne by the Federal Government.

I have focused my legislation on the aid for dependent children program because this is by far the largest- and fastest-growing public assistance program. It is also the welfare program which, due to sharply increasing enrollment and cost, is contributing most to the growing fiscal crisis of urban local governments. Aid to families with dependent children now pays out more cash grants to needy families than the combined total for the other federally assisted programs for the blind, disabled, and aged, and it now accounts for more than two-thirds of all the people on public assistance in the United States. Of the approximately 9 million Americans who receive some sort of welfare, 6,146,000 of them were covered by the AFDC program during fiscal 1969.

Underlying the difficulty in preparing legislation on this subject is the fact that although the need for some form of national welfare system has been widely recognized, there are complex questions as to how a national standard could be formulated, the financing relationship between the various governmental levels, whether there should be national standards of eligibility, which programs should be included, and so forth. Hopefully, my legislation will answer some of these questions and provide a framework within which we may work toward a constructive national welfare policy.

My bill includes the provisions of H.R. 6612 introduced by me on February 7, 1969, for the promulgation by the Secretary of Health, Education, and Welfare of national standards and eligibility requirements for aid to families with dependent children. In practice the Secretary will adopt existing State formulas for determining the level of assistance to prevail in each State, except that in no case may the benefits be less than the national average payments during the calendar quarter preceding the enactment of this legislation.

Such an approach will result in a significant lessening of the disparities which currently exist in AFDC payments among the various States. According to the latest available figures, the State of Massachusetts now pays $67.85 per month to the average aid to dependent children recipient. In New York, aid for dependent children pays $61.90 a month per recipient. For the Nation as a whole the average is approximately $41.35 per recipient. My own State of New Jersey now pays $65.28. In the State of Mississippi, on the other hand, the average monthly check for a dependent child is only $8.50. South Carolinians receiving assistance must get by on about $18.40 each per month. Alabama pays only $15.30 and Texas only $18.85.

The extreme disparities in benefits are unjust, do not reflect any reasonable differences in the cost of living, and encourage migration to large metropolitan areas where the welfare situation has already reached a critical point. Under my measure, the lowest State payment levels would be increased to the national average at the time of enactment of this legislation. States with higher assistance levels would be reimbursed at these same levels for expenditures under the AFDC program. The net effect will be to maintain the reasonable benefit levels of many States, while increasing to a decent level the pitifully low payments which millions of people now receive—payments which are totally inadequate for sustaining life even on a minimum level.

The bill makes a basic change in the financing arrangements for the aid to families with dependent children program by providing one hundred percent Federal financing, thus recognizing its national character and giving the Federal Government responsibility for assuring a workable and just policy. For some time now we have accepted the need for a national highway system and the Federal Government has provided virtually all the funds to construct this system. We must now face the fact that the welfare crisis can only be handled effectively and justly by the Federal Government.

Welfare expenditures today are becoming an unbearable burden to local governments and their hard pressed taxpayers in our Nation's metropolitan centers. In my own State of New Jersey, Federal assistance covers less than 45 percent of the cost of the AFDC program. The balance must be paid for by the taxpayers of the State, particularly the taxpayers in large urban counties like Essex. The number of recipients of AFDC funds in New Jersey has risen from 36,000 to 171,000 in the past 10 years and the State cost has increased from $2,676,000 in 1958 to $18,876,000 in 1968. In Essex County where my congressional district is located, the increase has been proportionately greater. Thirty-five percent of the entire State welfare load is carried by this county despite the fact that only about 15 percent of New Jersey's population resides here. In 1958 welfare costs in Essex were $2,994,000. In 1968 the county spent approximately $20 million on AFDC assistance. Needless to say, a continuing increase at this rate will mean fiscal chaos for the county and financial ruin for its taxpayers.

Mr. Speaker, under this legislation, the Secretary of Health, Education, and Welfare, in addition to adopting State standards and eligibility requirements, would formulate a complete plan for the administration of the program. Actual administration would be by existing county welfare agencies which would be required to report annually to the Secretary. The localities also would be charged with dispensing funds to the needy, conducting day care centers for children of recipients undergoing work training, supervising work training programs, and providing the many necessary social services which are often neglected now in the scramble for scarce local resources. Counties would be reimbursed for all expenses of the AFDC program so long as they abide by the plans outlined by the Secretary.

Mr. Speaker, I urge my colleagues in the House, and particularly the members of the Ways and Means Committee, to study this legislation carefully. Its enactment would lead to a more rational and more enlightened welfare system geared to current realities and recognizing that the plight of the urban taxpayer can no longer be ignored.

NATIONAL ISSUES

(Mr. MONAGAN asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. MONAGAN. Mr. Speaker, at the invitation of Mr. Charles H. Flynn, the erudite editor of the Ansonia, Conn., Evening Sentinel, I recently submitted a guest editorial for publication in the Evening Sentinel. Mr. Flynn, who recently was elected president of the Connecticut Circuit of Associated Press invited me to discuss some of the issues which predominate the 91st Congress with the understanding that my guest editorial would be published while Mr. Flynn vacations in Ireland.

I have submitted the following under the heading "The National Issues":

THE NATIONAL ISSUES

(Written for the Ansonia Sentinel by U.S. Representative JOHN S. MONAGAN, Fifth District, Connecticut)

The 91st Congress is faced with strong public demand for action on several legislative fronts. The letters which I receive indicate that the national issues most prominently in the minds of the people in our District other than World Peace, which predominate, are:

Coordination and regulation of poverty programs;

Clarification and limitation of welfare programs;

Control of unsolicited mailings of pornographic and obscene materials;

Tax reform and budget control; and

Evaluation of Federal spending programs and the allocation of national priorities.

In a sense this last matter surpasses all the others. Since it involves taxation, appropriations, and the exercise of statesman-like judgment as to the areas of national interest

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in which our expenditures should be channeled, I have long maintained (my bill, H.R. 5545) that a Commission should be established to set Federal priorities. Although in a sense this is presently done in the Executive Branch by the Bureau of the Budget, nevertheless we need some legislative authority to harmonize the various goals advocated by the various goals advocated by the different Congressional committees. For example, the question of the competing claims on behalf of tax reduction, expenditures for urban areas, and spending for national defense are supported and attacked in various quarters. A balanced judgment on these matters must be reached.

One finds today a rising popular demand for control of expenditures and tax reform. The taxpaying public feels that it is paying about as much as can be expected. Wage-earning taxpayers are particularly concerned about the current tax loopholes which permit people with million dollar incomes to escape paying taxes altogether. Certainly these inequalities should be eliminated. My proposal (H.R. 7744) for a mandatory minimum tax would be a step in the right direction.

The competing demands of our deteriorating cities and the maintenance of adequate defenses provide another conflict of opinion. The current proposal to construct a modified Anti-Ballistic Missile System and various other military demands have emphasized this conflict. The alteration of the original ABM proposal by the Nixon Administration, its cost and the questions which some scientists have raised about its efficacy, require that it be given the most searching consideration. At the same time the deployment of a similar system by the Russians, the potential threat of Chinese nuclear capacity, and the judgment of the President and our military leaders all must be thoughtfully reviewed before action. It will be some time before this matter comes before the House and I have not yet made a final determination as to my position, but these are some of the considerations which are involved.

Certainly there are opportunities for reducing expenditures. In the last Congress budget proposals were reduced approximately $6 billion and actual expenditures were cut about $2 billion. I believe that defense spending can be further reduced and other spending, such as that involved in the farm program, cries out for review and reduction.

In a sense the battle against smut and pornography does not rank with the other matters which I have mentioned, but there are two significant aspects which are involved which make it a matter of great importance. First of all it touches on the morals of the Nation and secondly it constitutes a danger to the youth of our country. One sees the unsolicited pornography that floods the mails only to realize regretfully that the United States has the dubious distinction of matching Denmark as one of the two most permissive countries in the world. Certainly reasonable guarantees of freedom of speech and freedom of the press can be maintained while the public and especially the juvenile public are protected from those who purvey dirt for money.

The current preoccupation with proverty in this country is entirely admirable and should be pursued without flagging. At the same time there has been such a proliferation of governmental programs and activities, all with this same objective, that some review of their purposes and some coordination of their activities is required. From Social Security to OEO the Nation will be spending $27 billion next year on the disadvantaged and yet most of these programs operate without any reference to the activities of others in the same field.

The Subcommittee which I chair is presently making an effort to determine the degree to which anti-poverty programs operate efficiently and economically. The starting point for my subcommittee's investigation will be the much publicized General Accounting Office's "Review of Economic Opportunity Programs." Oversight of the entire anti-poverty effort must be increasingly exercised by the Congress.

One of the most critical problem areas in government today is that of the welfare program and its exploding cost. This is particularly true in States like Connecticut where the high level of payments has increasingly attracted welfare recipients from rural or less prosperous States. The recent astronomical rise of payments in Connecticut, where the percentage of the State budget allocated to welfare has risen from approximately 20 percent to 30 percent in three years, sufficiently underlines the seriousness of this whole matter. I have recently filed a bill in Congress (H.R. 9952) which would require uniform standards of welfare in all the States. By raising the standards elsewhere it should be possible to deter out-of-state welfare recipients from coming into more prosperous sections such as Connecticut. The problems of the metropolitan areas would be lessened and the farms and the small towns would be preserved as vital elements in our society. My purpose is to reduce, not increase, the future burden of Connecticut wage earners and taxpayers.

These are not all the issues which face the Congress, but they are those most prominent at the present time. I know that I shall have the support and the cooperation of the people of our District as I seek to move our government in the right direction in these matters. The continued advice and recommendations of all my constituents will as always be most welcome.

LABOR DEPARTMENT SAVINGS BOND CAMPAIGN—PERSUASION OR COERCION?

(Mr. RYAN asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. RYAN. Mr. Speaker, it has come to my attention that the Department of Labor, along with several other executive agencies, has recently launched an intensive campaign to promote employee purchasing of U.S. savings bonds. While it is certainly proper for the Government to encourage purchase of savings bonds by its own employees, I am disturbed that "encouragement"—at least in the Department of Labor—borders on coercion.

By way of illustration, let me outline briefly some of the features of the Department of Labor's savings bond campaign.

The instructions for the conduct of the campaign were contained in an April 15 memorandum to supervisory personnel from Under Secretary of Labor James D. Hodgson, which I include at this point in my remarks:

MEMORANDUM TO SUPERVISORY PERSONNEL BY THE UNDER SECRETARY OF LABOR, WASHINGTON, APRIL 15, 1969

The 1969 Savings Bond Campaign will commence in the Department of Labor on April 21. In order to demonstrate that Department management enthusiastically endorses the campaign, it is planned to use supervisory employees as canvassers. The basic guidelines under which they will operate are:

1. There will be no pressure put upon employees, but all will be seriously urged to sign up.

2. Please emphasize that in making the Department of Labor a stimulating place to work we are building an esprit de corps and unity of purpose. We particularly want to excel in programs where we can be compared with others. Therefore, all employees are urged to respond to this appeal.

3. Payroll deduction is a convenient way of saving, helps support the Government and, of course, is a sound and valuable investment, but the paramount appeal by the Department is *widespread participation* in this joint effort, not investment.

4. The Government has set a goal of 80 percent participation in the bond payroll savings plan. However, the Department of Labor likes to excel in responding to worthy causes, to do just a little better than other agencies. Therefore, we are setting ourselves a goal of at least 90 percent employee participation. Many other organizations both in Government and private industry regularly exceed this figure so the target is not unreasonable.

5. Any person who does not sign the card after a discussion with his supervisor will be talked to by the next higher level of supervision to insure he or she is fully aware of the importance the Department places on this program. If discussion at these two levels of supervision does not result in participation, no higher referrals will be made.

6. Employees should be advised that any payroll deduction authorization effective in July will count in this year's drive. Therefore, it is appropriate to point out that there will be a substantial Government-wide pay raise effective in July.

7. It is the fact of participation, not the size of the deduction, that is important in this particular drive, a minimum deduction may be all that some will wish. No encouragement for higher amounts should be extended in such cases.

8. The payroll deduction method is reliable. Employees now receive their bonds regularly and promptly.

Please accept my thanks for your efforts in this program. Only through leadership on the part of its supervision can the Department expect to achieve the leadership position to which it aspires.

JAMES D. HODGSON,
Under Secretary.

Several aspects of Under Secretary Hodgson's memorandum strike me as—if not overtly coercive—at least surpassing the threshold of legitimate encouragement. First and perhaps foremost is the use of "supervisory employees" as canvassers for the campaign. In effect, this means that employees are to receive initial "encouragement" to buy bonds from supervisors who may, in fact, be the same individuals supervising them in their day-to-day employment activities.

Since the supervisor must himself respond to the goals for participation outlined by the Department of Labor, an employee may feel he will incur the enmity of his supervisor if he refuses to participate in a program for which his supervisor is held accountable. This situation in itself places undue pressure on an employee to sign up for a program in which he otherwise might be reluctant to participate.

Rather than building the "esprit de corps" to which Under Secretary Hodgson refers, it seems to me that the practice of using supervisory personnel to canvass for a program which has no relevance to the overriding purposes and duties of either the supervisor or the employee may produce exactly the opposite effect;

namely, an undermining of the relationship between supervisor and employee which is essential to the performance of the duties for which both bear responsibility. If canvassing of any kind is to be permitted within a Government agency, then it surely ought not to be done by the same supervisors with whom an employee must deal on a day-to-day basis, especially since both the employee's participation in the program and the supervisor's success in promoting participation by his employees is wholly irrelevant to either's capacity to fulfill the duties and responsibilities which should be his main concern.

A second provision of the Labor Department's memorandum—the referral of persons who do not wish to sign up for savings bonds to the "next higher level of supervision"—is patently outrageous.

Point 1 of Secretary Hodgson's memorandom stipulates that "there will be no pressure put upon employees" to sign up for the program. At the same time, however, employees are to be referred to a higher level of supervision for declining to contribute to the Labor Department's savings bond campaign.

The referral of an employee to a higher supervisory personnel as a result of his declining to participate in a program endorsed and promoted by the Department of Labor can be construed only as the most overt and direct pressure on the employee to sign up. If the employee has already indicated that he does not wish to participate in the program, referral to the next highest level is plainly coercive. As such, the practice should be terminated immediately.

An employee surely ought to have the right to dispose of his wages as he sees fit, without pressure or coercion being placed on him to obligate himself to a monthly deduction which he does not wish to incur. If government agencies feel bound to promote the purchase of savings bonds, they most certainly should not utilize supervisory personnel to cajole employees—with whom they must work on a day-to-day basis—into participating in an effort which is wholly extraneous to the purposes of the Labor Department and its programmatic responsibilities.

If the Department of Labor wishes to promote an "esprit de Corps" and "unity of purpose" among its employees, I suggest the Department organize such an effort—which I would applaud—around its own programs and responsibilities and not around the purchase of savings bonds, which is an irrelevant and meaningless test of organizational unity and purpose.

As a Member of Congress, I am interested, and concerned, with how the Department of Labor fulfills the responsibilities mandated to it by Congress, not with how many of its employees purchase savings bonds. I hope that the executive leadership of the Department will, by eliminating the coercive aspects of this campaign, exhibit a similar emphasis on meeting its primary responsibilities as a Federal agency.

ARMY ELECTRONICS COMMAND WASTES TAXPAYERS' MONEY

(Mr. HARSHA asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. HARSHA. Mr. Speaker, it is not my intention to beat a dead horse; nor do I plan to join the currently popular chorus against the much publicized military-industrial complex. But I would like to provide for the RECORD a detailed report on how the U.S. Army Electronics Command conducts public business and obligates our tax money for electronic equipment. The enormity of the waste is so incredible to me that it would seem to border on criminal action, however, most of it could be eliminated in one stroke if the Congress of the United States would hold a single military officer as personally responsible for a single case of stupidity and remove him from the service by assigning him the appropriately poor rating in his next fitness report.

In this particular case, to say that the Army wasted the money would be equal to saying the entire Pentagon wasted the money. That would dilute the responsibility and blunt any effort to seek to determine and expose the real individual source of the problem. I do know, for example, that the commanding general of the Army Electronics Command is Maj. Gen. J. B. Latta, and that his Director of Procurement and Production is Col. Jacob B. Cooperhouse.

The total sum of money wasted here was $853,125; so this case cannot be considered really significant compared to the billions of dollars wasted elsewhere. The important thing is, however, that this waste was incurred under a procedure called negotiations through which bids are opened in secret and awarded in secret. I am told that this is the procedure through which General Latta's command awards about 85 percent of all of its contracts. This means, conversely, of course, that only about 15 percent of all the Army's Electronics Command's multibillions of dollars' worth of contracts are publicly issued, and under conditions which permit free, open, competitive bidding and resultant dollar savings to the taxpayers.

The case to which I refer concerns a transponder test set identified by the official nomenclature, AN/APM–132( ). This unit measures 11⅛ inches high by 13¾ inches deep by $11\frac{7}{16}$ inches wide and weighs 45 pounds, including all the cable assemblies, covers, attenuators, and straps. The major component is the actual test set which measures $4\frac{13}{16}$ inches high by 15½ inches deep by 13 inches wide and weighs 23.5 pounds. It is used for testing aircraft transponder—radio—sets. The Army paid $119,515 to Packard Bell Electronics Corp., Los Angeles, Calif., to develop this equipment, which began in June 1960, and was completed in 1962.

In August 1965, the Army negotiated the first in a series of noncompetitive contracts with this firm, the last of which was awarded January 22, 1969, for a total of $1,262,809.58, making a grand total of something in the order of $8 million awarded to this company for this equipment, including nearly $2 million for what, a bit cynically, is called a competitive data package to which I shall refer later.

From August 1965 through January 1969, the Army purchased approximately 1,100 production units of the AN/APM–123( ) at a price that never went below $5,000 per unit.

In the last award, on January 22, 1969, the Army purchased 195 units and paid $6,450 per unit, despite the fact that the Army held an unsolicited bid—dated November 11, 1968—from another supplier who offered to manufacture the 195 units for $4,784 per unit, for a total of $932,880—and that was $329,929.58 lower than the high bid which, took the contract on the basis of "urgency" of delivery.

In consideration of that often-used official alibi, it must be kept in mind that this equipment was a radio test set used in the field to test airborne radio sets already in service, and that "urgency" of delivery is a tired old expression invoked on official procurement documents to supply authority to award a contract to virtually anyone whom the procurement people want to have it, outlandish price notwithstanding.

After considerable pressure was applied against the Army Electronics Command from within the electronics industry to finally permit open, competitive bidding for this then-ancient equipment, the Army, on April 28, 1969, did accept competitive bids for this equipment under invitation DAAB05–69–B–0348 covering 241 units. Multronics, Inc., Rockville, Md., bid a unit price of $2,074. Hydrospace Systems, Cedar Rapids, Iowa, quoted a unit price of $2,075. In a total field of 26 bidders, the average bid was $3,700 for this equipment which the Army had been buying from Packard Bell since 1965 on a noncompetitive basis for well over $5,000 per unit. Packard Bell, incidentally, is a subsidiary of Teledyne, recently mentioned in Senator PROXMIRE's listing of the top 100 defense contractors, together with his list of "retired" military officers who form a very active part in that same military-industrial complex against which the late President Eisenhower warned several years ago.

Yet, there is still more to even this relatively small example of dollar wasting and competition restricting: I have been informed by a highly reliable source within the electronics industry that the foreign market for this piece of equipment to which I refer in this example is at least equal to the demands of the U.S. Army. In short, then, what the Army has, in effect, done, is to pay for the initial development of a product, then provide an uncontested market for the exclusive benefit of Packard Bell—first, within the Army, and later, to a broad market overseas. And all of this has been tersely justified on the claimed basis of "urgency" of need in the interest of providing for the national defense. In all reality, it might better be classified as, shall we say, a giant hoax which has cost the U.S.

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taxpayer an estimated $3,000,000 more than necessary.

The very worst part, I would like to mention, is the fact that the Army paid Packard Bell over nearly $2 million for a "competitive data package" and ancillary items required for use in the subsequent—and only—competitive procurement under DAABO5-69-B-0348. I would like to place into the RECORD the specific language included in this procurement document which warned all potential bidders against possible defects in the very drawings which were officially provided for bid preparation:

> NOTE.—Special attention is invited to the provision herein, entitled "Production Evaluation." Under the provision, among other things, the contractor agrees to accept at no increase in contract price or delay in delivery during the life of the contract certain changes in the technical data. For example, although the drawings cited for construction cover the design of the equipment, the compatibility of drawing detail has not been proven out, and, furthermore, the drawings do not define the necessary production techniques in sufficient detail to follow successful manufacture without contractor production engineering effort. The unit price of the equipment shall reflect the distributed costs of the effort required by the production evaluation provision which includes production engineering.

In other words, the Army is saying that it does not guarantee that the unit manufactured by the drawings officially provided will result in the production of a unit which will meet the Army requirements; this, in spite of the fact that the Army already paid about $2 million for the "package." You will note that they do not say these drawings are unsuitable. They only hint that they may be unsuitable, and urge all bidders to increase their bids accordingly, although they do not say to what degree these prices should be increased. Senator PROXMIRE's list of names on the Teledyne payroll today may include those officers who were responsible for all this since 1960, but there are many more important things for us to do here in the Congress than try to make a case on that basis. It is fair, however, to apportion the blame to those officials who remain in office who were responsible for the last $1,262,809.58 noncompetitive contract negotiated with Packard Bell in January 1969. That requirement certainly could not have been urgent unless somebody in logistics deliberately delayed the procurement requisition until that condition did prevail, in which event, that individual should be identified and removed from office, along with General Latta and Colonel Cooperhouse who, in this one stroke, cost the taxpayers $853,125 more than necessary when they paid $6,450 for 195 units of this AN/APM-123( ) when they could have purchased it for $2,074 as proven in the competitive bidding 3 months later.

Unfortunately, this practice of noncompetitive bidding, and its resultant dollar waste and competition restriction is not limited to just the Army Electronics Command. It is practiced in other divisions of the Department of Defense as well.

Admittedly, therefore, this is one small isolated case. But there are many such instances, and Congress should call a halt to this practice of "negotiating" contracts or hold those in authority personally responsible for such waste.

I include the following information table at this point:

SCPHILA IFB DAAB05-69-B-0348—OPENED APRIL 28, 1969—AN/APM-123( )

***AN/APM-123*( ) Transponder Test Set, in accordance with Military Specification Mil-T-55605 with exception cited in procurement document and Drawing SC-DL-538301(A). Quantity: 241 units of AN/APM-123( )(V)1 and 1 unit of AN/APM-123( )(V)3. (Previous Procurement: Development by *Packard Bell* and after that sole-source with Packard Bell for a half-dozen deals which came to $8 Million averaging like *$5,0d0* a unit, where on 1/22/69 an award with Packard Bell for $1,262,810 covering 195 units for an average *$6,475.00* each.):**

Name of firms bidding IFB 69-348 and terms	241 each (V)1		1 each (V)3	
	w/BCP	MilP&P	BCP	MilP&P
1. Multronics, Inc., Rockville, Md., ½ percent-20, + drawings $320	$2,074.00	$2,078.00	$2,295.00	$2,299.00
2. Hydro-Space Systems, Cedar Rapids, 2 percent-20, no charge drawings	2,075.00	2,075.00	2,975.00	2,075.00
3. United Telecontrol Electronics, N.J., ¼ percent-20, + $250	2,377.00	2,382.00	2,377.00	2,382.00
4. Republic Electronics Industries, ¼ percent-10, plus $752	2,463.00	2,468.00	2,463.00	2,468.00
5. Radiometrics Division, Polaroid Electronics, net, plus $398.52	2,767.56	2,768.14	2,767.56	2,768.14
6. Orion Electronics Corp., 1/10 percent-20, plus $50	2,813.13	2,881.13	2,818.13	2,818.13
7. Sentinel Electronics, Inc., 1/10 percent-20, plus $250	2,975.00	2,985.00	2,975.00	2,985.00
8. LTV Electrosystems Inc., net drawings included	2,993.00	2,996.00	2,993.00	2,996.00
9. Dero R. & D. Corp., 2 percent-20, plus drawings $500	3,009.00	3,013.00	2,993.00	2,997.00
10. Electrospace Corp., 1/20 percent-20, plus $2,500	3,165.00	3,170.00	3,198.00	3,203.00
11. Frequency Engineering Laboratories, ¼ percent-20, plus $380	3,182.00	3,184.00	3,153.00	3,155.00
12. Nuclear Corp. of America, 1/10 percent-20, no bid drawings	3,210.00	3,212.00	3,200.00	3,202.00
13. Honeywell, Inc., Tampa, Fla., net, plus $1,031	3,217.00	3,218.00	3,284.00	3,285.00
14. Polan Industries, Huntington, W. Va., net plus $2,581	3,262.00	3,265.00	3,262.00	3,265.00
15. Admiral Systems Corp., Chicago, net, plus $300	3,335.00	3,338.00	3,375.00	3,378.00
16. Henry Products Co., Inc., 2 percent-20, plus $750	3,641.83	3,644.83	3,629.40	3,632.40
17. Dare, Inc., Troy, Ohio, ½ percent-10, no bid drawings	3,724.67	3,725.78	3,724.67	3,725.78
18. S. W. Electronics & Manufacturing Corp., 1/10 percent-20, no charge drawings	3,878.00	3,880.00	3,878.00	3,880.00
19. Allied Research Associates, Inc., Baltimore, net, + $1,100	3,890.00	3,984.00	3,890.00	3,984.00
20. Texscon Corp., Indianapolis, net, plus $6,500	3,900.00	3,905.00	3,900.00	3,905.00
21. Barker & Williamson, Bristol, Pa., net, plus $95	3,994.46	4,006.95	4,012.43	4,024.92
22. Airborne Instrument Laboratories, net, plus $950	4,349.00	4,353.00	4,349.00	4,353.00
23. Applied Devices Corp., net, plus $240	4,390.00	4,392.00	4,390.00	4,392.00
24. Stewart-Warner Electronics, Chicago, net drawings included	4,404.00	4,410.00	4,399.00	4,405.00
25. Packard Bell, Newbury Park, Calif., net, no charge drawings	5,145.00	5,156.00	5,145.00	5,156.00
26. LFE Electronics, Waltham, Mass., net, plus $2,000	7,154.00	7,168.00	7,154.00	7,168.00

Note: Packard Bell also quoted 241 units with waiver $5,045 and $5,056.

RESIGNATION OF JUSTICE FORTAS

(Mr. HUNT asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. HUNT. Mr. Speaker, this morning at 9 a.m., the President accepted the resignation of Mr. Justice Fortas of the Supreme Court. As a direct result of the recent and persistent adverse publicity of certain of the personal affairs of Mr. Fortas, I believe this action was not only necessary, but proper. The integrity of and confidence in the U.S. Supreme Court, the highest judicial tribunal in the land, cannot long withstand these public attacks when the propriety of the actions of one of its members is held in question.

AN SST ALTERNATIVE

(Mr. MACGREGOR asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous material.)

Mr. MACGREGOR. Mr. Speaker, I am pleased to see that the New York Times, in its editorial of May 13 entitled "An SST Alternative," has endorsed the approach contained in legislation introduced by Congressman FRANK Bow and by me which seeks to substitute private-investor risk money for public funds in the further financing of supersonic transport airplane development.

For more than 3 years Congressman Bow and I have advocated the creation of an entity, the SST authority, to be publicly controlled but privately financed so that individual Americans could purchase an interest in this commercial venture. Our idea would provide a marketplace test for the claim that money invested in the American SST will return handsome dividends.

In May 1966 I urged the House of Representatives to cut out $280 million in public funds for SST development and was defeated on a voice vote. On July 18, 1967, I moved to delete $142.3 million in new public SST spending. This motion went down to defeat on an 80-to-30 teller vote. On October 18, 1967, I moved again to cut back SST appropriations by $142.3 million, and this time lost by the narrow margin of 8 votes.

These efforts finally bore fruit last year when the Congress deleted the entire $223 million originally recommended in the previous administration's fiscal 1969 budget for continued development of the SST. We should now phase in the alternative financing plan and substitute private-investor risk money for public funds in this program.

While America's great human needs remain shortchanged, we cannot afford vast additional Federal expenditures on the commercial supersonic transport airplane. The needs of the ill-fed, ill-housed, ill-educated, and ill-trained must receive priority attention over the convenience of the few who might enjoy faster air travel.

Mr. Speaker, I insert the text of the New York Times editorial at this point in the RECORD:

AN SST ALTERNATIVE

President Nixon was not responsible for the erroneous decision to subsidize the development of a supersonic passenger plane at a time when Government funds were sorely needed for programs of social welfare and private industry was capable of bearing the financial burden. But he now has an opportunity to undo a mistake and strike a blow for the more rational ordering of Federal spending priorities.

Since the Government has already advanced $650 million for the S.S.T.—or about half of its total contribution—it cannot withdraw without running the risk of having the entire enterprise collapse. But there are viable alternatives, the most promising of which is the establishment of a public S.S.T. authority.

The Government's S.S.T. contribution should be converted to a preferred equity interest in a new public corporation with variable proportions of the total common stock being reserved for the airlines and the investing public. To the extent necessary, the S.S.T. authority would be authorized to raise development funds by selling bonds whose interest and principal were guaranteed by the Federal Government.

In addition to freeing Federal resources for higher priority programs, such an S.S.T. authority scheme offers other advantages. The equity interest feature corrects the defect of the present arrangement in which the Federal Government bears most of the risk in return for a fixed share of profits, if any. And to the extent that funds were raised by selling common stock, the S.S.T. would be subjected to a critical test in the market place.

RESIGNATION OF SUPREME COURT JUSTICE ABE FORTAS

(Mr. **BROCK** asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. **BROCK**. Mr. Speaker, the resignation of Supreme Court Justice Abe Fortas is a historical event without precedent. Certainly, Mr. Fortas should have resigned—there is no question about that.

More important, however, is the fact that we are dealing here—not with an individual—but with the prestige and credibility of one of our three great constitutional institutions, the Supreme Court of the United States.

The Fortas scandal has dealt the Supreme Court a telling blow.

Because of its peculiar place and role within our constitutional structure the Court must strictly avoid even the slightest trace of impropriety, prejudice, or bias in its decisions. The indiscretions of former Justice Fortas have cast a shadow that must be dispelled—our first concern must be to restore the integrity of the Court.

Therefore, I believe it is incumbent upon Chief Justice Warren to order a full review of all decisions in which Justice Fortas cast a deciding vote. While I recognize the magnitude of such a request, nothing short of a complete review can restore that universal trust and respect which is so necessary if we are to maintain adherence to the law of our land.

PRESIDENT NIXON MOVES TOWARD PEACE

(Mr. **CRAMER** asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. **CRAMER**. Mr. Speaker, last evening President Nixon reported to the Nation on the war in Vietnam. In what I consider to be the most forthright and meaningful expression of this country's position on the war, the President said:

> Nothing could have a greater effect in convincing the enemy that he should negotiate in good faith than to see the American people united behind a generous and reasonable peace offer.

I believe the President's proposals for bringing peace in Vietnam are sufficiently and forthrightly stated that meaningful negotiations can and I hope will immediately follow. I wholeheartedly support him as I am sure the majority of American people will support him in the effort for peace.

Mr. Speaker, I am convinced that an America united behind the President's new and forceful initiative will be the first step toward ending the fighting in Vietnam for it will demonstrate to the enemy that they cannot hope to win the war by a breakdown of resolve here at home.

I am highly encouraged by the President's personal leadership and the spelling out of specific proposals for terminating the war in Vietnam. A firm restatement of America's commitment to South Vietnam coupled with concrete proposals for mutual troop withdrawals followed by a freely selected government offers to date the best hope for meaningful negotiations toward an honorable and lasting peace in Vietnam and all of Southeast Asia.

Bringing an end to the tragic loss of American lives in Vietnam while at the same time insuring that those who have given their lives in defense of freedom have not done so in vain is the President's goal and the Nation's goal, I believe. This desired result can be achieved through successful negotiations along the lines of the peace formula set down by the President last night.

OFFSHORE SHELL MINING RIGHTS CLAIMED BY COASTAL PETROLEUM A THREAT TO BEACH AREA

(Mr. **CRAMER** asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. **CRAMER**. Mr. Speaker, the paramount public interest in the submerged lands in and around the State of Florida is being placed in jeopardy as a result of a 28-year-old oil and mineral exploration agreement entered into by the State of Florida with the Arnold Exploration Co. The agreement in question was purchased by the Coastal Petroleum Co. in 1947, and Coastal is now seeking to exercise what it claims are its rights under the agreement by requesting a permit to drill for limerock in Lake Okeechobee in central-southern Florida, by announcing its intention to drill for shell less than 100 feet off the coast of Treasure Island in my congressional district on the Gulf of Mexico and by claiming it is entitled to payment for any shell included in the dredging of sand on to Treasure Island Beach as part of a beach erosion control project.

Congress long ago recognized the vital public interest in submerged lands by requiring the applicant to apply for a permit to the U.S. Army Corps of Engineers before beginning any mining or other exploratory operations which could in any way interfere with navigation or the broader public interest.

It is my opinion that the rights being asserted by Coastal Petroleum are contrary to public policy and therefore invalid. This, of course, is a matter for the courts to decide and it is my understanding that some of these questions are presently being litigated. In the meantime, however, it is my belief that no permit should be issued to mine limerock in Okeechobee and I have made my position on this matter known to the U.S. Army Corps of Engineers.

I am bringing this matter to the attention of the entire Congress because the legal questions involved could have a broad effect on public works projects throughout the United States. It raises the question of the rights of the people to basic sand and fill material to accomplish public works projects and whether a company which holds a lease like the one held by Coastal Petroleum can infringe on these rights.

In the Treasure Island situation, there are other legal questions to be decided including whether the claims of Coastal Petroleum to payment for any shell included in the dredging of sand as part of the beach erosion control project are valid, whether Coastal's announced intention to dredge this material itself is contrary to the rights of upland owners, and whether shell is a mineral included in the agreement in the first place.

Following is an editorial which appeared in the May 2, 1969, issue of the St. Petersburg Independent discussing the adverse effect such mining would have on the basic economy of the west coast of Florida:

INDEPENDENT EDITORS SPEAK: OFFSHORE SHELL MINING A THREAT TO BEACH AREA

You've got the water. Now think hard! What is the one other thing you need to make a beach?

Even a sheepherder from the Alps could answer that—sand.

How much is sand worth to an area like the Suncoast, an area which depends upon tourists who like to swim in the surf and soak up the sun?

Obviously, you can't put a price tag on such a precious commodity. To the economy of the Suncoast, each grain of sand is as valuable as gold, providing it is located where nature left it—on the beaches.

Federal, state and local governments are spending some $750,000 to rebuild the eroded beach at Treasure Island. A related project at Indian Rocks Beach raises the total cost to $846,000 for a little more than two miles of beach.

That gives you some idea of how valuable sand is.

Coastal Petroleum Corp., which has a monopoly on exploration rights for minerals on 4.5 million acres of submerged land off the Gulf Coast and in 11 state lakes, now has asked the U.S. Army Corps of Engineers for a permit to explore a 600-acre tract about 1,000 feet off Treasure Island.

According to a company official, the object of the search would be deposits of shell material which could be mined and sold commercially to be used as a base for roadbeds and driveways.

It is a callous request. It is inconceivable that a public-minded company would seek to take material from the Gulf floor less than a quarter mile from a beach which is being renourished at a cost of $750,000 to the taxpayers.

But Coastal is even complaining about the beach renourishment project, claiming it is using sand which is on land leased to the firm under its mineral rights contract.

Coastal Petroleum's attempt to rape Lake Okeechobee by opening a limestone mining operation there already is the subject of a controversy which has reached the White House.

No doubt this request also will touch off a lively controversy.

But Coastal Petroleum's lease cannot allow the firm to go merrily on its way, jeopardizing the public's beaches, water supply, flood control projects and recreational areas.

The public good demands that the firm's request for an exploration permit be denied.

RESIGNATION OF JUSTICE FORTAS

(Mr. SCHWENGEL asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. SCHWENGEL. Mr. Speaker, the resignation of Justice Fortas removes the cloud of suspicion which has hung over the Supreme Court since the disclosure that he received and belatedly returned $20,000 to the Wolfson Foundation. However, it would appear to me that a serious breach of legal ethics has occurred. If the appropriate bar associations cannot deal with the situation, perhaps congressional action will be needed.

In addition, it should be clear now that disclosure of outside income by Federal judges is necessary to maintain the integrity of our judicial system. Since the disclosure provisions affecting Congress badly need strengthening, the provisions of the Court must be stricter to be meaningful.

STATEMENT IN SUPPORT OF INCREASING THE PERSONAL EXEMPTION FROM $600 TO $1,200

(Mr. SCHWENGEL asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. SCHWENGEL. Mr. Speaker, I have recently introduced legislation, H.R. 10841, to amend the Internal Revenue Code of 1954 to increase the personal exemption for the taxpayer, his spouse, and dependents from $600 to $1,200. I introduced similar legislation in the last Congress, but, unfortunately, it was not acted upon. The urgency of this legislation increases daily.

The evidence is unmistakable. All agree that when the Federal income tax was originally enacted in 1913, Congress sought to leave "free and untouched" enough income to permit support of a family according to a proper standard of living. The exemptions at that time were set at $3,000 for a single individual and $4,000 for married couples.

Since that time, of course, we have had an unhappy combination of two world wars, the cold war, the Korean war, the Vietnam conflict and inflation which has resulted in the personal exemption being reduced to the point that it no longer even remotely relates to the intent of the original income tax law.

The present $600 exemption was provided by the Revenue Act of 1948. In the 20 years that have passed since its adoption the cost of living has increased 44.6 percent. The vast majority of the States which have an income tax, and the District of Columbia, allow a personal exemption in excess of the present $600 Federal exemption. At least 10 of the States have personal exemptions equal to $1,200 or above. My own State, Iowa, has a tax credit of $15 per person, which is roughly equal to a $2,300 exemption.

It is time for the Federal Government to act. Congress cannot raise its own salaries and be blind to the needs of the rest of the population.

The often heard claim that we are presently in the longest period of uninterrupted prosperity the United States has ever known has a hollow ring to those who are barely making ends meet because of the high cost of living. I know the heavy inroads that have been made in the real purchasing power of the middle- and lower-income taxpayer. State and local taxes have been increasing at a rapid rate; the Federal tax surcharge was made effective April 1, 1968, and social security taxes just went up this January. Inflation, which has been creeping for many years, increased its tempo in 1968 when the cost of living rose 4.2 percent, the largest annual rise in 17 years. The brutal truth is that living costs for millions of our citizens are rising faster than paychecks. The real wages of those in the manufacturing industries, for example, have virtually stood still since 1965 while the cost of living increased 10.3 percent.

Prices on everything we buy from automobiles to groceries continue to spiral upward. Bad as these are, they are paled by the relentless increase in the cost of services. Medical costs continue to skyrocket. Auto and appliance repairs, mortgages and services in general are all costing more.

For parents of college students the present $600 exemption is even more unrealistic than it is for those with children living at home. The U.S. Office of Education estimates that the average charges for tuition, fees, and room and board for a full-time resident, undergraduate student in a public 4-year institution for the 1968–69 school year will total $1,114. In a private 4-year institution the cost for the year is estimated to be $2,297. And who today, will argue that a college education is a luxury?

Immediate relief is needed. It is my firm conviction that an increase in the personal exemption is the best method to achieve this objective.

Those who argue most strongly against an increase in the personal exemption do so in terms of the revenue that will be lost to the Government. They should reassess their thinking to include considerations of equity, primarily and secondarily, the fact that additional revenue will be generated by the additional funds in the economy generated by the higher personal exemptions.

To reduce the impact of the initial revenue loss and also to restrict the benefit of the increased personal exemption to those who need it the most, this legislation provides that the increase in the exemption is to be limited. The increase in the exemption is to decline with the increasing income and eventually disappear at high income levels. Under my bill the increase in personal exemption for the individual will decrease $1 for every $10 his adjusted gross income exceeds $20,000. For a married couple the increase in the personal exemption will begin to diminish at the same rate when their adjusted gross joint income exceeds $40,000. The higher figure for a married couple is not a substantively higher amount but is technically necessary because of the split income provisions of the Internal Revenue Code.

The Federal income tax system has succeeded because it has generally been based on the ability-to-pay principle and is considered to be progressive. However, we have the right to question the fairness of our tax system when it enables special interest groups to pay relatively low taxes or to avoid the payment of taxes altogether, and the bulk of the people are having difficulty making ends meet after paying taxes. If we must have inequity in our tax system, and perfection is impossible to achieve, of course such inequity should be in favor of the average worker and the family which are the backbone of our society.

It is my belief that there is no single tax reform more urgent than this proposal. Reform is, of course, needed throughout the entire Federal tax structure to remove serious inequities and abuses. I am pleased that the House Ways and Means Committee in recognition of the urgent need for reform has conducted extensive hearings which began on February 18. Overall tax reform is such a tremendous undertaking that enactment of all necessary legislation may well encompass both sessions of the 91st Congress. It is my sincere hope that an increase in the personal exemption will be given the highest priority so that its early passage will be assured.

A. EFFECT ON INDIVIDUALS

The increase in the personal exemption to $1,200 will result in billions of dollars of tax savings to individuals. However, we must not look upon these savings to the taxpayer as an equivalent loss to the Government. Some of these tax savings will come back to the Government in the form of higher taxes of other taxpayers. The low to moderate income families will probably spend all or virtually all of the tax savings. Those in the middle-income brackets will spend a good portion of them and often be able to save or invest for the first time. To both groups this extra income will greatly enhance the quality of their living.

In the autumn of 1966 the Department of Labor conducted a survey of 39 metropolitan and four nonmetropolitan regions to determine how much was required for a family of four to maintain a moderate standard of living. The family of four was a hypothetical one consisting of a 38-year-old man with a steady job, a wife

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who does not work, a 13-year-old son, and an 8-year-old daughter. A moderate standard of living was defined as providing "for the maintenance of health and social well-being, the nurture of children, and participation in community activities." This generalized concept was translated into a list of commodities and services which could be priced. The content of the budget was based on the manner of living and consumer choices in the 1960's. It is neither a luxury budget nor a poverty budget. The estimated annual cost of this moderate standard of living averaged $9,191 in urban areas of the United States, $9,376 in metropolitan areas, and $8,366 in smaller cities.

The study found that about 72 percent of the total cost of the budget was allocated to the family's basic needs—food, housing, transportation, clothing, personal care, and medical care. Such costs averaged $6,610, about $727 higher in metropolitan areas than in smaller cities. An average of $719 was included for "other family consumption," which included reading, recreation, education, tobacco, alcoholic beverages, and miscellaneous expenses. In addition to these items of family consumption, the budget included allowances for gifts and contributions, basic life insurance, personal income and social security taxes, and occupational expenses. Personal taxes totaled 11.9 percent of the budget in the metropolitan areas and 11.1 percent in the smaller cities.

Overall budget costs were about $800 higher for the homeowner than the renter. Homeowners constituted about 75 percent of the families surveyed. This $800 figure included an average of about $450 in payments on mortgage principal which was an element of "savings" not included in the budget for renter families. However, the additional income required to cover these mortgage payments also resulted in higher personal taxes for homeowner families, despite the fact that their mortgage interest payments were tax deductible. Few families of the type represented by this budget claimed contributions, interest, and other eligible deductions in excess of the standard deduction.

Total budget costs were highest for homeowner families in metropolitan areas and lowest for renter families in smaller cities, averaging $9,599 and $7,946, respectively.

This budget is supposed to reflect an increase in aspirations and expectations as compared to the previous budget published in 1960 reflecting a "modest but adequate" standard of living. However, my immediate reaction to these figures is that if 72 percent of this typical family's income is required for basic consumption expenses, another 12 percent for personal taxes, another 4 percent for social security taxes and occupational expenses, less that 8 percent for other family consumption—the things that give pleasure and enrichment to life—and life insurance and gifts and contributions must come from the balance, then the quality of life for this family leaves much to be desired.

Imagine what an additional $2,400 a year would mean to this family. For the 25 percent who do not own homes it would be more than enough to cover the $800 estimated for the cost of annual mortgage payments and additional personal taxes required and thus enable them to experience the pleasure, pride, and improvement in the manner of living that accompany owning a home.

It will enable this family for the first time to have more than just the minimum savings represented by life insurance—averaging $160 in premiums for a year—and social security.

Since the children in this hypothetical family were under college age, this budget contained practically nothing for higher educational expense. But for a family with similar expenditures and college-age children, $2,400 could mean the difference between providing them higher education or their having to seek employment with only a high school education.

This additional money would enable this family group to eat out in a restaurant once in a while. The hardworking housewife will particularly appreciate this.

The budget allows for auto ownership for most of the families in these cities, but the standard only provides for the purchase of a used car every 4 years; $2,200 could mean a new car or at the very least a better used car.

In other words, the additional money available to this family through the increased personal exemption would give it, often for the first time, a broader spectrum of choices, not based solely on necessity.

To the really low-income family this increase in personal exemption would eliminate the necessity for their paying Federal income taxes completely. A social security study of poverty in 1966 showed the "poverty line" for a nonfarm family of four was $3,335. Anyone who falls below the poverty line will have less than a minimum diet for health or will have to choose between necessities. Michael Harrington goes a step further and believes it is probably justified to include all Americans in 1969 with family incomes—for four, in a city—of less than $5,000 to be within "the magnetic field of poverty."

Under present tax law a family of four with an adjusted gross income of $3,335 has to pay $46 in Federal income taxes. With an adjusted gross income just under $5,000 they would have to pay $286 in income taxes. My legislation would eliminate the payment of Federal income taxes at these levels completely.

B. EFFECT ON THE BUSINESS COMMUNITY

The importance of placing additional money into the hands of the consumer is indicated by the fact that personal expenditures represent over 60 percent of the gross national product. The additional tax savings accruing to individuals will also increase the incomes of grocery stores, appliance dealers, clothing manufacturers, and others. As these billions of dollars of increased purchasing power are spent, re-spent through the economy, they will eventually increase consumer demand by several times the original amount.

This increase in demand for both goods and services will, in turn, spur greater productive investment to meet the greater output required to meet the expanding consumer market, as well as the development of new techniques and new products. As production increases, so will profits. These increased profits will provide more funds for expansion, and continuing expansion will enable employment to remain at high levels as, hopefully, we return to a peacetime economy.

This ongoing process of high production, high profits, and high levels of employment will result in a larger tax base for the Federal Government, so that it will have a net loss much less than the amount of tax savings to individuals as a result of increasing exemptions.

C. EFFECT ON THE AMERICAN ECONOMY

We are all aware that at the present time various measures have been undertaken to dampen a too buoyant economy. It might appear that any move to place additional money in the hands of the consumer would serve to cancel out these efforts. But efforts to slow the economy and thus halt inflation are already making significant headway. The next step may very well be the need to prevent a tendency toward recession and an increase in unemployment.

The time lag between the introduction of legislation and its final enactment is all too well known. It is my fervent hope that the timing of this legislation will coincide with the needs of the overall economy. However, its passage today would not be soon enough for those caught in the cost-of-living squeeze.

I do not share the pessimistic views of those who think that military expenditures will continue at an extremely high rate when the hostilities in Vietnam are concluded. The pressure from the military for bigger and better weapons systems will be there, of course. And I certainly want to keep our defenses at a safe level. Also it will be necessary to restore inventories, which have been depleted by the Vietnam war, to normal levels and additional troops will undoubtedly be required for some time in Vietnam.

However, my trip to Vietnam last year convinced me that the United States should never again allow itself to become involved in this kind of futile disaster. Also, I feel there is such revulsion to war as a solution to our international problems, particularly among the young people all over the world, that peace has a better chance of being achieved than ever before. We do not want to return to isolationism, and our national security must always be paramount, but any objective view of our priorities must show that solution of our domestic problems is as important to our society as the solution of our international problems. There have been many hopeful signs, such as the nuclear nonproliferation treaty, that the Soviet Union too, is interested in diverting its resources and attention from military considerations to the long neglected social needs of its citizenry.

The needs on the domestic scene in the United States are all too evident—jobs for the hard-core unemployed, educational improvement at all levels but particularly for the culturally deprived,

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inadequate housing, congestion, poverty, pollution, and the exodus of rural Americans to the cities. The Federal Government has initiated numerous programs to attack these problems, and many of them have been successful. The leadership must still be provided by the Federal Government but the real thrust must come from the private sector and the single most important factor is jobs.

An increase in the personal exemption will provide the funds necessary to stimulate the economy as the amount of military spending is decreased. By placing more money in the hands of the consumers in the form of tax savings, the demand for consumer oriented goods and services will increase. Government funds can be concentrated in those areas where private industry cannot operate profitably—such as training the hardcore unemployed. Once trained there should be jobs available because of the expanding economy.

More funds will be available for saving and investment. The increase in the availability of funds for mortgages will serve to stimulate the construction of housing which is one of the most urgent needs of our society.

By being able more easily to satisfy their material needs, a greater segment of the population will be able to work toward fulfilling the needs of the community and toward healing the divisions that are causing so much unhappiness and unrest in the Nation today.

Mr. Speaker, in his inaugural address President Nixon stated that "we are approaching the limits of what Government alone can do." This legislation will enable each of us to turn away from the necessity for Government aid to our own resources. I urge my colleagues to assist me in assuring the passage of this legislation.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. Waggonner, for May 19 and 20, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. Hechler of West Virginia, for 30 minutes, today; to revise and extend his remarks and include extraneous mattter.

Mr. Randall, today, for 10 minutes; to revise and extend his remarks and to include extraneous matter.

(The following Members (at the request of Mr. Wold) to revise and extend their remarks and to include extraneous matter:)

Mr. Halpern, today, for 5 minutes.

Mr. Miller of Ohio, today, for 10 minutes.

Mr. Ruppe, today, for 10 minutes.

Mr. Quie, today, for 10 minutes.

(The following Members (at the request of Mr. Mikva) and to revise and extend their remarks and include extraneous matter:)

Mr. Gonzalez, for 10 minutes, today.

Mr. Marsh, for 30 minutes, on May 19.

Mr. Feighan, for 30 minutes, on May 19.

EXTENSIONS OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. Dowdy and to include extraneous material.

Mr. Gross and to include certain newspaper articles.

Mr. Ruppe to extend his remarks and to include extraneous matter.

Mr. Philbin in three instances and to include extraneous matter.

(The following Members (at the request of Mr. Wold) and to include extraneous matter:)

Mr. Hastings in two instances.
Mr. Bush.
Mr. McEwen in 10 instances.
Mr. Wyman.
Mr. Meskill in two instances.
Mr. Thompson of Georgia.
Mr. Denney.
Mr. Ashbrook in two instances.
Mr. O'Konski.
Mr. Burke of Florida.
Mr. Miller of Ohio.
Mr. Hogan.
Mr. Schadeberg in two instances.
Mr. Keith.
Mr. Hosmer in three instances.
Mrs. Heckler of Massachusetts in three instances.
Mr. Quillen.

(The following Members (at the request of Mr. Mikva) and to include extraneous matter:)

Mr. Boggs.
Mr. Rooney of Pennsylvania in two instances.
Mr. Reuss in six instances.
Mr. O'Hara.
Mr. Gaydos in three instances.
Mr. Roybal in five instances.
Mr. Gonzalez in three instances.
Mr. Ashley.
Mr. Daddario in three instances.
Mr. Charles H. Wilson in two instances.
Mr. Rarick in three instances.
Mr. Anderson of California in two instances.
Mr. Stuckey in two instances.
Mr. Hanna.
Mr. Vanik in three instances.
Mr. Miller of California in three instances.
Mr. Foley.
Mr. Philbin in four instances.
Mr. Rooney of New York.
Mr. Bennett.
Mr. Dulski in three instances.
Mr. Bevill.
Mr. Johnson of California in three instances.
Mr. Mann in three instances.
Mr. Rivers.
Mr. Henderson in two instances.
Mr. Watts in two instances.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 1287. An act to authorize appropriations for fiscal years 1970, 1971, and 1972 to carry out the metric system study; to the Committee on Science and Astronautics.

ENROLLED BILLS SIGNED

Mr. FRIEDEL, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 33. An act to provide for increased participation by the United States in the International Development Association, and for other purposes; and

H.R. 8794. An act to amend the Marine Resources and Engineering Development Act of 1966 to continue the National Council on Marine Resources and Engineering Development, and for other purposes.

ADJOURNMENT

Mr. MIKVA. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 2 o'clock and 56 minutes p.m.), under its previous order, the House adjourned until Monday, May 19, 1969, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

773. A letter from the Deputy Secretary of Defense, transmitting a report that no disbursemens have been made as of March 31, 1969, from the appropriation for "Contingencies, defense," in the Department of Defense Appropriation Act, fiscal year 1969, pursuant to the provisions of that act (Public Law 90–580); to the Committee on Appropriations.

774. A letter from the Deputy Assistant Secretary of Defense (Properties and Installations), transmitting notification of the increases in cost of two construction projects being undertaken for the Army National Guard; to the Committee on Armed Services.

775. A letter from the Vice Chairman, Board of Governors of the Federal Reserve System, transmitting the 54th annual report of the Board, for 1968, pursuant to the provisions of section 10 of the Federal Reserve Act, as amended; to the Committee on Banking and Currency.

776. A letter from the Commissioner of the District of Columbia, transmitting a draft of proposed legislation to authorize in the District of Columbia a program of public day care services and to provide public assistance in the form of foster home care to certain dependent children; to the Committee on the District of Columbia.

777. A letter from the Chairman, Equal Employment Opportunity Commission, transmitting a listing of the names, salaries, and duties of all employees of the Equal Employment Opportunity Commission during fiscal year 1968, pursuant to the provisions of section 705(d) of the Civil Rights Act of 1964; to the Committee on Education and Labor.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 or rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

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Mr. STAGGERS: Committee on Interstate and Foreign Commerce. H.R. 4204. A bill to amend section 6 of the War Claims Act of 1948 to include prisoners of war captured during the Vietnam conflict; with amendment (Rept. No. 91–249). Referred to the Committee of the Whole House on the State of the Union.

Mr. DAWSON: Committee on Government Operations. Fifth report on recreational boating safety (pt. 2) (Rept. No. 91–250). Referred to the Committee of the Whole House on the State of he Union.

Mr. MAHON: Committee on Appropriations. H.R. 11400. A bill making supplemental appropriations for the fiscal year ending June 30, 1969, and for other purposes (Rept. No. 91–252). Referred to the Committee of the Whole House on the State of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. EILBERG: Committee on the Judiciary. H.R. 1828. A bill to confer U.S. citizenship posthumously upon James F. Wegener (Rept. No. 91–251). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ASHBROOK:

H.R. 11306. A bill to amend chapter 44 of title 18, United States Code, to exempt ammunition from Federal regulation under the Gun Control Act of 1968; to the Committee on the Judiciary.

By Mr. BINGHAM:

H.R. 11307. A bill to provide for educational assistance for gifted and talented children; to the Committee on Education and Labor.

H.R. 11308. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. BLANTON:

H.R. 11309. A bill to amend the Communications Act of 1934 to establish orderly procedures for the consideration of applications for renewal of broadcast licenses; to the Committee on Interstate and Foreign Commerce.

By Mr. BRINKLEY:

H.R. 11310. A bill to provide additional benefits for optometry officers of the uniformed services; to the Committee on Armed Services.

By Mr. BROYHILL of Virginia:

H.R. 11311. A bill to adjust the postal revenues and to afford protection to the public from offensive intrusion into their homes through the postal service of sexually oriented mail matter, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 11312. A bill to prohibit the use of interstate facilities, including the mails, for the transportation of certain materials to minors; to the Committee on the Judiciary.

H.R. 11313. A bill to prohibit the use of interstate facilities, including the mails, for the transportation of salacious advertising; to the Committee on the Judiciary.

By Mr. BURTON of Utah:

H.R. 11314. A bill to amend section 131 of title 23 of the United States Code, relating to control of outdoor advertising along Federal-aid highways, in order to authorize one or more pilot programs for the purpose of such section; to the Committee on Public Works.

By Mr. BUSH:

H.R. 11315. A bill to amend section 204(a) of the Coinage Act of 1965 in order to authorize minting of all new quarter dollar pieces with a likeness of the late President Dwight David Eisenhower on one side; to the Committee on Banking and Currency.

By Mr. CHAMBERLAIN:

H.R. 11316. A bill to prohibit the use of interstate facilities, including the mails, for the transportation of certain materials to minors; to the Committee on the Judiciary.

H.R. 11317. A bill to prohibit the use of interstate facilities, including the mails, for the transportation of salacious advertising; to the Committee on the Judiciary.

H.R. 11318. A bill to amend title II of the Social Security Act so as to liberalize the conditions governing eligibility of blind persons to receive disability insurance benefits thereunder; to the Committee on Ways and Means.

H.R. 11319. A bill to amend part A of title IV of the Social Security Act to repeal the limitation upon the number of children with respect to whom Federal payments may be made under the program of aid to families with dependent children; to the Committee on Ways and Means.

By Mr. COLLINS:

H.R. 11320. A bill to amend title II of the Social Security Act to increase the amount of outside earnings permitted each year without deductions from benefits thereunder; to the Committee on Ways and Means.

By Mrs. DWYER:

H.R. 11321. A bill to provide for the redistribution of unused quota numbers; to the Committee on the Judiciary.

By Mr. FLOWERS:

H.R. 11322. A bill to authorize the Secretary of Commerce to conduct research and development programs to increase knowledge of tornadoes, squall lines, and other severe local storms to develop methods for detecting storms for prediction and advance warning, and to provide for the establishment of a National Severe Storms Service; to the Committee on Interstate and Foreign Commerce.

By Mr. HOGAN:

H.R. 11323. A bill to amend the Communications Act of 1934 to establish orderly procedures for the consideration of applications for renewal of broadcast licenses; to the Committee on Interstate and Foreign Commerce.

By Mr. JACOBS:

H.R. 11324. A bill to amend title XVIII of the Social Security Act to provide payment for chiropractors' services under the program of supplementary medical insurance benefits for the aged; to the Committee on Ways and Means.

By Mr. LEGGETT:

H.R. 11325. A bill to amend the Maritime Academy Act of 1958 to increase the amount of assistance to such academies and to provide a minimum subsistance payable per student; to the Committee on Merchant Marine and Fisheries.

H.R. 11326. A bill to provide increased annuities under the Civil Service Retirement Act; to the Committee on Post Office and Civil Service.

H.R. 11327. A bill to amend chapter 83, title 5, United States Code, to eliminate the reduction in the annuities of employees or Members who elected reduced annuities in order to provide a survivor annuity if predeceased by the person named as survivor and permit a retired employee or Member to designate a new spouse as survivor if predeceased by the person named as survivor at the time of retirement; to the Committee on Post Office and Civil Service.

H.R. 11328. A bill to modernize the U.S. postal establishment, to provide for efficient and economical postal service to the public, to improve postal employee-management relations, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. MATSUNAGA:

H.R. 11329. A bill to include firefighters within the provisions of section 8336(c) of title 5, United States Code, relating to the retirement of Government employees engaged in certain hazardous occupations; to the Committee on Post Office and Civil Service.

H.R. 11330. A bill to amend title 5, United States Code, to improve the basic workweek of firefighting personnel of executive agencies, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. MURPHY of New York:

H.R. 11331. A bill to incorporate College Benefit System of America; to the Committee on the Judiciary.

By Mr. PATTEN:

H.R. 11332. A bill to provide for the redistribution of unused quota numbers; to the Committee on the Judiciary.

By Mr. PETTIS:

H.R. 11333. A bill to authorize the Secretary of Agriculture to make indemnity payments to certain beekeepers; to the Committee on Agriculture.

H.R. 11334. A bill to amend chapter 53 of title 10, United States Code; to the Committee on Armed Services.

H.R. 11335. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 11336. A bill to amend the Internal Revenue Code of 1954 to provide a tax credit for employers who employ members of the hard-core unemployed; to the Committee on Ways and Means.

By Mr. PODELL:

H.R. 11337. A bill to prohibit federally insured banks from making unsolicited commitments to extend credit, and for other purposes; to the Committee on Banking and Currency.

H.R. 11338. A bill to safeguard the consumer by requiring greater standards of care in the issuance of unsolicited credit cards and by limiting the liability of consumers for the unauthorized use of credit cards, and for other purposes; to the Committee on Banking and Currency.

By Mr. POLLOCK:

H.R. 11339. A bill to repeal chapter 44 of title 18, United States Code (relating to firearms), to reenact the Federal Firearms Act, and to restore chapter 53 of the Internal Revenue Code of 1954 as in effect before its amendment by the Gun Control Act of 1968; to the Committee on the Judiciary.

H.R. 11340. A bill to authorize funds to carry out the purposes of title V of the Public Works and Economic Development Act of 1965, as amended; to the Committee on Public Works.

By Mr. ST. ONGE:

H.R. 11341. A bill to amend the Immigration and Nationality Act to make additional immigrant visas available for immigrants from certain foreign countries, and for other purposes; to the Committee on the Judiciary.

H.R. 11342. A bill to amend title II of the Social Security Act to provide minimum monthly benefits thereunder at age 72 for all uninsured individuals, without regard to the time at which such age is attained; to the Committee on Ways and Means.

By Mr. TEAGUE of Texas:

H.R. 11343. A bill to amend title 39, United States Code, to exclude from the U.S. mails as a special category of nonmailable matter certain obscene material sold or offered for sale to minors, and for other purposes; to the Committee on Post Office and Civil Service.

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By Mr. THOMPSON of Georgia:

H.R. 11344. A bill to amend the Railroad Retirement Act of 1937 to provide for cost-of-living increases in the benefits payable thereunder; to the Committee on Interstate and Foreign Commerce.

H.R. 11345. A bill to permit the Federal Government to further assist the States in the control of illegal gambling, and for other purposes; to the Committee on the Judiciary.

By Mr. THOMPSON of Georgia (for himself, Mr. WIDNALL, Mr. RIVERS, Mr. CLEVELAND, and Mr. BEVILL):

H.R. 11346. A bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to provide grants to States for the establishment, equipping, and operation of emergency communications centers, to make the national emergency telephone number 911 available throughout the United States; to the Committee on the Judiciary.

By Mr. VANIK (for himself, Mr. BOLAND, Mr. BRASCO, Mr. BROWN of California, Mr. BURTON of California, Mr. BUTTON, Mr. BYRNE of Pennsylvania, Mrs. CHISHOLM, Mr. CONYERS, Mr. CÓRDOVA, Mr. DAWSON, Mr. DONOHUE, Mr. EDWARDS of California, Mr. FARBSTEIN, Mr. FOLEY, Mr. WILLIAM D. FORD, Mr. FRIEDEL, Mr. FULTON of Pennsylvania, Mr. GALLAGHER, Mr. GONZALEZ, Mr. HAWKINS, Mr. HELSTOSKI, Mr. HICKS, Mr. HOLIFIELD, and Mr. HOWARD):

H.R. 11347. A bill to amend title II of the Social Security Act to provide a 15-percent across-the-board increase in monthly benefits, with subsequent cost-of-living increases in such benefits and a minimum primary benefit of $80; to the Committee on Ways and Means.

By Mr. VANIK (for himself, Mr. KOCH, Mr. LOWENSTEIN, Mr. MIKVA, Mrs. MINK, Mr. MOLLOHAN, Mr. MOORHEAD, Mr. MORGAN, Mr. MURPHY of Illinois, Mr. NEDZI, Mr. NIX, Mr. OBEY, Mr. O'NEILL of Massachusetts, Mr. PODELL, Mr. POWELL, Mr. PRICE of Illinois, Mr. RANDALL, Mr. REES, Mr. ROGERS of Colorado, Mr. ROYBAL, Mr. ST. ONGE, Mr. SANDMAN, Mr. STOKES, Mr. THOMPSON of New Jersey, and Mr. TIERNAN):

H.R. 11348. A bill to amend title II of the Social Security Act to provide a 15-percent across-the-board increase in monthly benefits, with subsequent cost-of-living increases in such benefits and a minimum primary benefit of $80; to the Committee on Ways and Means.

By Mr. VANIK (for himself, Mr. VIGORITO, Mr. WALDIE, Mr. WRIGHT, and Mr. RYAN):

H.R. 11349. A bill to amend title II of the Social Security Act to provide a 15-percent across-the-board increase in monthly benefits, with subsequent cost-of-living increases in such benefits and a minimum primary benefit of $80; to the Committee on Ways and Means.

By Mr. ANDERSON of California:

H.R. 11350. A bill to repeal a portion of the act of July 15, 1968, relating to entrance, admission, and recreation user fees in connection with the national parks and other Federal areas; to the Committee on Interior and Insular Affairs.

H.R. 11351. A bill to prohibit the use of interstate facilities, including the mails, for the transportation of certain materials to minors; to the Committee on the Judiciary.

By Mr. ASHLEY (for himself, Mr. BETTS, and Mr. LATTA):

H.R. 11352. A bill to amend title 28 of the United States Code to provide that the western division of the northern judicial district of Ohio shall constitute an additional judicial district in Ohio and to authorize two district judges for such judicial district; to the Committee on the Judiciary.

By Mr. BENNETT:

H.R. 11353. A bill, the Tax Reform Act of 1969; to the Committee on Ways and Means.

By Mr. BUTTON:

H.R. 11354. A bill to amend title II of the Social Security Act so as to liberalize the conditions governing eligibility of blind persons to receive disability insurance benefits thereunder; to the Committee on Ways and Means.

By Mr. CLARK:

H.R. 11355. A bill to adjust agricultural production, to provide a transitional program for farmers, and for other purposes; to the Committee on Agriculture.

By Mr. DON H. CLAUSEN (for himself, Mr. KLUCZYNSKI, Mr. CLEVELAND, Mr. MCEWEN, Mr. SCHWENGEL, Mr. HENDERSON, Mr. DENNEY, Mr. MCCARTHY, Mr. HOWARD, Mr. HAMMERSCHMIDT, Mr. MILLER of Ohio, Mr. ANDERSON of California, and Mr. EDMONDSON):

H.R. 11356. A bill to amend title 10 of the United States Code to provide for an Assistant Secretary of the Army for Civil Works; to the Committee on Public Works.

By Mr. DULSKI:

H.R. 11357. A bill to amend title II of the Social Security Act to provide a 10-percent across-the-board increase in the benefits payable thereunder, with subsequent cost-of-living increases in such benefits; to the Committee on Ways and Means.

By Mr. DUNCAN:

H.R. 11358. A bill to amend title 38 of the United States Code to provide that any 5-year-level premium term plan policy of U.S. Government life insurance shall be deemed paid when premiums paid in, less dividends, equal the amount of the policy; to the Committee on Veterans' Affairs.

H.R. 11359. A bill to regulate imports of milk and dairy products, and for other purposes; to the Committee on Ways and Means.

By Mr. FARBSTEIN:

H.R. 11360. A bill to amend the Internal Revenue Code of 1954 to provide that pensions and retired pay of judges performing full-time judicial services after mandatory retirement age be excluded from gross income; to the Committee on Ways and Means.

By Mr. HAGAN:

H.R. 11361. A bill to provide for the more effective prevention and treatment of alcoholism; to the Committee on Interstate and Foreign Commerce.

By Mr. HOGAN:

H.R. 11362. A bill to increase the amount authorized for the acquisition of land in Maryland under the Endangered Species Preservation Act of October 15, 1966; to the Committee on Merchant Marine and Fisheries.

By Mr. LENNON (for himself, Mr. GARMATZ, Mr. DINGELL, Mr. PELLY, Mr. DOWNING, Mr. KEITH, Mr. KARTH, Mr. DELLENBACK, Mr. ROGERS of Florida, Mr. POLLOCK, Mr. HANNA, Mr. GOODLING, Mr. LEGGETT, Mr. MCCLOSKY, Mr. ANNUNZIO, Mr. FREY, Mr. LONG of Louisiana, Mr. BIAGGI, and Mr. FEIGHAN):

H.R. 11363. A bill to prevent the importation of endangered species of fish or wildlife into the United States; to prevent the interstate shipment of reptiles, amphibians, and other wildlife taken contrary to State law; and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. LOWENSTEIN:

H.R. 11364. A bill to provide for improved employee-management relations in the postal service, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 11365. A bill to amend subchapter III of chapter 83 of title 5, United States Code, relating to civil service retirement, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. LUKENS:

H.R. 11366. A bill to authorize the Secretary of Commerce to conduct research and development programs to increase knowledge of tornadoes, squall lines, and other severe local storms, to develop methods for detecting storms for prediction and advance warning, and to provide for the establishment of a National Severe Storms Service; to the Committee on Interstate and Foreign Commerce.

By Mr. LUKENS (for himself and Mr. BROCK):

H.R. 11367. A bill to declare the policy of the United States with respect to its territorial sea; to the Committee on Foreign Affairs.

By Mr. MCFALL (for himself and Mr. SISK):

H.R. 11368. A bill to amend the Small Reclamation Projects Act of 1956; to the Committee on Interior and Insular Affairs.

By Mr. MACGREGOR:

H.R. 11369. A bill to require quarterly disclosure to the Comptroller General of the United States of the sources and amount of all outside income received by any person serving as a Federal judge, a Member of Congress, or a policymaking official in the executive branch of the Government, and for other purposes; to the Committee on the Judiciary.

H.R. 11370. A bill to make it a Federal crime for anyone to pay, or to offer to pay, and for any Federal judge, Member of Congress, or policymaking official in the executive branch of the Government to receive, any sum greater than $500 for a speech, published work, professional service, personal appearance, or otherwise by way of honorarium; to the Committee on the Judiciary.

By Mr. MEEDS:

H.R. 11371. A bill to amend the Military Selective Service Act of 1967 to specify the period in which a person is engaged in certain graduate study necessary to the maintenance of the national health; to the Committee on Armed Services.

H.R. 11372. A bill to amend the act, entitled "An act to authorize the partition or sale of inherited interests in allotted lands in the Tulalip Reservation, Wash., and for other purposes," approved June 18, 1956 (70 Stat. 290); to the Committee on Interior and Insular Affairs.

By Mr. MIKVA (for himself, Mr. ANDERSON of California, Mr. BROWN of California, Mrs. CHISHOLM, Mr. CONYERS, Mr. CULVER, Mr. HAWKINS, Mr. KASTENMEIER, Mr. KOCH, Mr. LEGGETT, Mr. REES, Mr. TUNNEY, and Mr. WALDIE):

H.R. 11373. A bill to amend title 18, United States Code, to prohibit the establishment of emergency detention camps and to provide that no citizen of the United States shall be committed for detention or imprisonment in any facility of the U.S. Government except in conformity with the provisions of title 18; to the Committee on the Judiciary.

By Mr. MINISH:

H.R. 11374. A bill to amend part A of title IV of the Social Security Act to make the program of aid to families with dependent children a wholly Federal program, to be administered by local agencies under federally prescribed terms and conditions (embodying the eligibility formulas currently in effect in the several States but designed to encourage such States to apply nationally uniform standards), with the cost being fully borne by the Federal Government; to the Committee on Ways and Means.

By Mr. MORSE:

H.R. 11375. A bill to amend title 10 of the United States Code to prohibit the assignment of a member of an armed force to combat area duty if any of certain relatives of such member dies, is captured, is missing in action, or is totally disabled as a result

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of service in the Armed Forces in Vietnam; to the Committee on Armed Services.

By Mr. PURCELL:

H.R. 11376. A bill to amend the Communications Act of 1934 to establish orderly procedures for the consideration of applications for renewal of broadcast licenses; to the Committee on Interstate and Foreign Commerce.

By Mr. RAILSBACK:

H.R. 11377. A bill to amend chapter 83, title 5, United States Code, to eliminate the reduction in the annuities of employees or Members who elected reduced annuities in order to provide a survivor annuity if predeceased by the person named as survivor and permit a retired employee or Member to designate a new spouse as survivor if predeceased by the person named as survivor at the time of retirement; to the Committee on Post Office and Civil Service.

By Mr. REIFEL:

H.R. 11378. A bill to authorize the Secretary of the Interior to engage in feasibility investigations of certain water resource development proposals; to the Committee on Interior and Insular Affairs.

By Mr. RIEGLE:

H.R. 11379. A bill relating to withholding, for purposes of the income tax imposed by certain cities, on the compensation of Federal employees; to the Committee on Ways and Means.

By Mr. RUPPE:

H.R. 11380. A bill to provide for public disclosure by Members of the House of Representatives, Members of the U.S. Senate, justices and judges of the U.S. courts, and policymaking officials of the executive branch as designated by the Civil Service Commission, but including the President, Vice President, and Cabinet members, and by candidates for the House of Representatives and the Senate, the Presidency, and the Vice Presidency; and to give the House Committee on Standards of Conduct, the Senate Select Committee on Standards of Conduct, the Director of the Administrative Office of the U.S. Courts, and the Attorney General of the United States appropriate jurisdiction; to the Committee on the Judiciary.

By Mr. TEAGUE of California (for himself, Mr. Del Clawson, Mr. Brown of California, Mr. Don H. Clausen, Mr. Gubser, Mr. Hawkins, Mr. Leggett, Mr. Edwards of California, Mr. Pettis, Mr. Talcott, Mr. Tunney, Mr. Sisk Mr. Roybal, Mr. Van Deerlin, Mr. Charles H. Wilson, Mr. Johnson of California, Mr. Hanna, Mr. Corman, Mr. Mailliard, Mr. Bell of California, Mr. Lipscomb, Mr. Rees, Mr. Hosmer, Mr. Bob Wilson, and Mr. Burton of California):

H.R. 11381. A bill to establish fee programs for entrance to, and use of, areas administered for outdoor recreation and related purposes by the Secretary of the Interior and the Secretary of Agriculture, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. TEAGUE of California (for himself and Mr. McCloskey):

H.R. 11382. A bill to establish fee programs for entrance to, and use of, areas administered for outdoor recreation and related purposes by the Secretary of the Interior and the Secretary of Agriculture, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. WAGGONNER:

H.R. 11383. A bill to amend title 28, United States Code, to limit the appellate jurisdiction of the Supreme Court in certain cases relating to the apportionment of population among districts from which Members of Congress are elected; to the Committee on the Judiciary.

By Mr. MAHON:

H.R. 11400. A bill making supplemental appropriations for the fiscal year ending June 30, 1969, and for other purposes.

By Mr. DANIEL of Virginia:

H.J. Res. 720. Joint resolution proposing an amendment to the Constitution relating to the continuance in office of Justices of the Supreme Court; to the Committee on the Judiciary.

By Mr. HALPERN:

H.J. Res. 721. Joint resolution proposing an amendment to the Constitution of the United States relative to disapproval of items in general appropriation bills; to the Committee on the Judiciary.

By Mr. STUCKEY:

H.J. Res. 722. Joint resolution giving the consent of Congress to interstate boundary agreements delimiting lateral boundaries in the territorial sea and delimiting spheres of influence beyond the areas of absolute sovereign jurisdiction should need for such further delimitation arise; to the Committee on the Judiciary.

By Mr. JACOBS (for himself, Mr. Gude, Mr. Diggs, Mr. Adams, Mr. Kyros, and Mr. Horton):

H. Con. Res. 255. Concurrent resolution to improve the care of homeless children in the District of Columbia; to the Committee on the District of Columbia.

By Mr. KOCH (for himself, Mr. Farbstein, Mr. Hechler of West Virginia, Mr. Powell, Mrs. Chisholm, Mr. Conyers, Mr. Gilbert, and Mr. Ryan):

H. Con. Res. 256. Concurrent resolution that it is the sense of Congress that the President should direct an immediate unconditional withdrawal of 100,000 U.S. troops from Vietnam; to the Committee on Foreign Affairs.

By Mr. LEGGETT:

H. Con. Res. 257. Concurrent resolution, support of gerontology centers; to the Committee on Education and Labor.

By Mr. THOMPSON of New Jersey:

H. Con. Res. 258. Concurrent resolution, support of gerontology centers; to the Committee on Education and Labor.

By Mr. DORN:

H. Res. 408. Resolution commending Secretary Maurice Stans; to the Committee on Ways and Means.

By Mr. MILLER of California:

H. Res. 409. Resolution authorizing reprinting of "Panel on Science and Technology 10th Meeting—Science and Technology and the Cities. Proceedings before the Committee on Science and Astronautics"; to the Committee on House Administration.

H. Res. 410. Resolution authorizing reprinting of "Technical Information for Congress"; to the Committee on House Administration.

By Mr. TEAGUE of California:

H. Res. 411. Resolution expressing the sense of the House with respect to the generous and humanitarian projects undertaken by foster parents; to the Committee on the Judiciary.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

167. By Mr. CORBETT: Memorial of the Senate of Pennsylvania urging the adoption of the proposed commemorative stamp honoring Dwight D. Eisenhower, depicting the Civil War Momument and the U.S. flag in Center Square, Easton, Pa; to the Committee on Post Office and Civil Service.

168. By the SPEAKER: Memorial of the Legislature of the State of Florida, relative to amending the Sugar Act to allow the mainland cane sugar area to fill a portion of the unused Puerto Rico quota; to the Committee on Agriculture.

169. Also, memorial of the Legislature of the State of Colorado, relative to restoration of funds to become available for the Frying Pan-Arkansas project, Colorado; to the Committee on Interior and Insular Affairs.

170. Also, memorial of the House of Representatives of the State of Alaska, relative to amending the oJnes Act to allow the transportation of vehicles and passengers between U.S. ports on the vessel *M. V. Wickersham;* to the Committee on Merchant Marine and Fisheries.

171. Also, memorial of the Senate of the Commonwealth of Pennsylvania, relative to the issuance of a commemorative postage stamp honoring the late President Dwight D Eisenhower; to the Committee on Post Office and Civil Service.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ADDABBO:

H.R. 11384. A bill for the relief of Roberto Meade; to the Committee on the Judiciary.

By Mr. BOLAND:

H.R. 11385. A bill for the relief of Mary E. O'Connor; to the Committee on the Judiciary.

By Mr. DUNCAN:

H.R. 11386. A bill for the relief of Mrs. Hui-Fang Tung; to the Committee on the Judiciary.

By Mr. FALLON:

H.R. 11387. A bill for the relief of Constancia B. Dimaenka; to the Committee on the Judiciary.

H.R. 11388. A bill for the relief of Dr. Felix Jarabo Martin, his wife, Maria Martin, and their minor son, Carlos Martin; to the Committee on the Judiciary.

By Mr. GUDE:

H.R. 11389. A bill relating to the parishes and congregations of the Protestant Episcopal Church in the District of Columbia; to the Committee on the District of Columbia.

By Mr. HOGAN:

H.R. 11390. A bill for the relief of George Bombardiere; to the Committee on the Judiciary.

H.R. 11391. A bill relating to the parishes and congregations of the Protestant Episcopal Church in the District of Columbia; to the Committee on the District of Columbia.

By Mr. MAILLIARD:

H.R. 11392. A bill for the relief of Mrs. Tatiana Miller; to the Committee on the Judiciary.

By Mr. MIKVA:

H.R. 11393. A bill for the relief of Constantine Foster; to the Committee on the Judiciary.

By Mr. MORTON:

H.R. 11394. A bill relating to the parishes and congregations of the Protestant Episcopal Church in the District of Columbia; to the Committee on the District of Columbia.

By Mr. PUCINSKI:

H.R. 11395. A bill for the relief of Rev. Father Luis Iscla Roviera, S.J.; to the Committee on the Judiciary.

By Mr. VAN DEERLIN:

H.R. 11396. A bill for the relief of Tam Wai King; to the Committee on the Judiciary.

H.R. 11397. A bill for the relief of Carole Ann Lee; to the Committee on the Judiciary.

H.R. 11398. A bill for the relief of Faustino Murgoa-Melendrez; to the Committee on the Judiciary.

H.R. 11399. A bill for the relief of J. Jesus Vasquez; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII.

111. The SPEAKER presented a petition of Gordon F. Dollar, Los Angeles, Calif., relative to redress of grievances, which was referred to the Committee on the Judiciary.

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EXTENSIONS OF REMARKS

ODD FELLOWS CELEBRATE 150 YEARS OF SERVICE

HON. JOHN DOWDY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 15, 1969

Mr. DOWDY. Mr. Speaker, I would call to the attention of this Congress the 150 years of service rendered to humanity by the Independent Order of Odd Fellows. Founded in Baltimore in 1819, our fraternity is celebrating its sesquicentennial anniversary this year. The hallmark of Odd Fellows is service to their fellow men.

During its history, the Independent Order of Odd Fellows has served the Nation's communities by caring for more than 50,000 aged and orphans in 59 homes across the country. The order has provided for the education of our young people by sponsoring an annual pilgrimage to the United Nations for high school students, and by maintaining a college scholarship fund. It has contributed to the health of fellow citizens by endowing a chair of visual research at Johns Hopkins Hospital.

On Sunday, May 4, the Odd Fellows held wreath-placing ceremonies at the Tomb of the Unknown Soldiers at Arlington National Cemetery. Beginning in 1934, our order has made an annual pilgrimage to the cemetery for this purpose, this being the 36th such pilgrimage. Ours is the only fraternal order given this special privilege by the U.S. Department of the Army.

The Independent Order of Odd Fellows has conferred its Grand Decoration of Chivalry and emblematic jewels upon each of the three Unknowns, and these decorations remain in the custody of the United States, lodged in the trophy room at Arlington. The inspiration for the Independent Order of Odd Fellows pilgrimage and the Grand Decoration of Chivalry is to express gratitude and appreciation for the national and fraternal heroic dead, and for their courageous deeds to preserve the brotherhood of men in freedom, one of the highest principles of Odd Fellowship.

During the ceremonies at the 36th pilgrimage, Brother Chester J. Hunnicutt, Sovereign Grand Master, IOOF, addressed those assembled, paying tribute to those who have given their lives in the service of our country. I include his address in the RECORD as a part of my remarks.

ADDRESS AT THE TOMB OF THE UNKNOWNS BY CHESTER J. HUNNICUTT, SOVEREIGN GRAND MASTER, INDEPENDENT ORDER OF ODD FELLOWS, MAY 4, 1969

Brother Chairman, Officers of the Sovereign Grand Lodge and of the International Association of Rebekah Assemblies, all other officers both present and past of this great fraternity, my brothers, sisters and friends:

We have met today for the thirty-sixth consecutive year to pay respect to those unknowns and to those other gallant men whose graves surround us on every side in this beautiful Arlington National Cemetery.

I stand in deep humility before you today, realizing that words are not at my command to express to you my appreciation for what these men have done for me and for the rest of the world in the sacrificing of their lives that you and I should still enjoy the freedoms we now possess.

I know not whether any one of these men were members of this Great Order we represent here today but I do know that they did believe in and died for the great principles upon which this Great Order was founded 150 years ago. Yes, they believed in universal justice for all and they were imbued with a deep sense of responsibility, not only to their own country, but also to the world at large.

In paying tribute to them we are naturally paying tribute also to all those men and women who sacrificed their lives in both our country here and our friends and Brothers and Sisters of that great country of Canada to the north of us, where thousands of men and women in both countries gave their lives in the cause of justice and liberty. Certainly it is fitting and proper that we pause today and reflect upon those great responsibilities that rest upon us because of their sacrifices. At such a moment, I feel it is proper that we take inventory of our own lives and ask ourselves the question: Have I been the kind of Odd Fellow and Rebekah I should have been; have I done my all to prevent future happenings, such as we witness today, from happening again? Am I the proper type of citizen I should be? Am I doing all in my power to help bring peace to the world again by the way I live and teach and think?

This November marks the fifty-first anniversary of the armistice that brought an end to the First World War and that fact reminds us that history is not merely the story of great and famous men; it is also the story of men whose names are unknown, men who gave their lives on the battlefields of history, not to create new knowledge, not to disseminate new ideas, not to invent new machines or to bring about a new way of life, but to preserve from destruction the things that they knew in their own hearts were worth preserving.

When we come to modern times, the names of the wars come very fast: the American Revolution, the Civil War, the First and Second World Wars. But these do not represent contributions to progress by great men who saw deeply into the nature of the universe or invented the machinery that would lighten the burden of human toil or discovered new ways to cure disease. They are the deeds of ordinary men who were willing to defend with their lives the things that they knew were more precious than life itself. It is such men that we honor here today.

Yes, war is evil. It is, I am sure, the most obvious symbol in the world of the sin that infects the whole human race. Where else can one find massive and terrifying evidence of man's alienation from God and of his alienation from his fellow man? If one needs to be reminded of the dimensions of this terrible evil, one only has to look at a military cemetery such as this one here, or the one in Flanders Field or in Pearl Harbor or in any other theater of modern war where the crosses stand, row upon row, sometimes as far as the eye can see. Yes, these crosses are symbols of evil. Each one representing the snuffing out of a young life in the orgy of wholesale slaughter that is twentieth century war.

Nations, like fraternities, are only as strong as their members or citizens. These two nations whose unknowns and dead we pay tribute to today have been built upon the character and ideals of us, their citizens. No country can rise above the ideals which are instilled into the hearts and lives of those who live within its boundaries. We, the members of the Independent Order of Odd Fellows throughout the United States and Canada, are proud of the fact that we are an integral part of two such nations and that the Independent Order of Odd Fellows and Rebekahs throughout the world subscribe to the same high standards and ideals for which we stand in these two great nations where we are privileged to reside.

Power of men as well as of nations can either be a blessing or an evil. How careful we all should be that power does not overcome the better things of life. The results of power of some men and nations are the results of what we are witnessing here today at the Tombs of the Unknown. But power can be just as powerful a factor for good as it can be for evil. We as Odd Fellows and Rebekahs should continue to use our power for the good of all mankind. Wherever want is found, let us be there to relieve it; wherever misfortune has struck, let us minister to the needs found, keeping in mind always that only because we have been given the great principles of Friendship, Love, and Truth, Faith, Hope, and Charity, and Universal Justice to all mankind to work with, have we gained this power needed to help build mankind. Let us use this power to our utmost, ever keeping in mind that in so doing, we are doing our part to help prevent more of what we witness here today, in this silent city of white marble stones. If you and I will do this, our Order will be a more powerful factor for the betterment of mankind and our influence for good will be recognized throughout the world to a greater extent than ever before.

No, it is not enough to honor these men with words alone. The only fitting monument that we can raise in honor of their sacrifice is the monument of peace. Twenty-eight centuries ago the Prophet Isaiah dreamed a dream. He saw the day when men would bend their swords into plowshares and their spears into pruning hooks; when nations would no longer rise up against nation; when there would be no more war. It is for you and me to translate that dream into a reality. Our faith tells us that there is only one God, who demands that our lives shall be ruled not by violence, but by justice. It tells us that there is only one human family and that all men everywhere are brothers because they are the children of the one heavenly Father. It tells us that reconcilliation is real and that it can be brought about by means of the practice of love, friendship, truth, self-sacrifice, and forgiveness.

And so while we pay tribute to these heroes here today for what they did and sacrificed for the past, we must remember that it was not for the past alone that they died; indeed, they gave their lives for the future also—a future which can be realized only as we give ourselves as Odd Fellows and Rebekahs and citizens of our country to make secure the peace and freedom for which they died.

Yes, as we leave this silent city of the dead, we, too, must make a decision and pledge to these valiant men that they have not died in vain, that we as members of not only the greatest Fraternity in the world, but also as citizens of our various countries, will accept the challenges as they present themselves and, inspired by the example set forth by these gallant heroes, will do our utmost to maintain the principles for which they gave their all.

In order to accomplish this then, let us pledge ourselves as members of this Great

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Fraternity to more effectively discharge our duties to our fellow man. Wherever suffering is found, wherever man is wanting a friend or the downtrodden a champion, there let Odd Fellowship be found and recognized. Only in this way can we do our part to bring peace and love back to a world for which these men died.

My Brothers and Sisters and friends, I am sure this is what these men would expect from us and certainly in my thinking, we owe them every consideration.

May God continue to bless each one of them as they now rest in peace and may we pledge our all to them that we too will do our best, giving our all, if need be, to protect that for which they died, should be our constant prayer. And as we leave this silent city and go our separate ways, may we do so with a greater determination than ever before to live and teach the principles of this Great Fraternity to a greater degree than we have ever done in the past and in so doing, do our part to help bring universal brotherhood to all mankind.

This, I am sure, would be the wishes of those to whom we pay tribute today, could they but speak to us. Let us pledge ourselves anew to those principles and ideals for which they died.

THE SMELL OF SUCCESS?

HON. HENRY B. GONZALEZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 15, 1969

Mr. GONZALEZ. Mr. Speaker, the Washington Post this morning reported certain appointments recently made by the administration, and the reaction to those appointments by Texas Republicans. I have my doubts about these appointments, too, not because I expected anyone to consult me about them but because the choices reflect haste and expediency—and the results are beginning to show up.

I offer the following report for the edification of the House:

GOP in Texas Is Angered by Nixon Choices

(By Philip Wise)

San Antonio, Tex., May 14.—Texas Republicans are seething over two of the Administration's top level Mexican-American appointees.

President Nixon may well find one of them, who publicly opposed naming a Negro and Anglo to school posts in this Texas city prior to taking his top-level post in the Department of Justice, named in a civil rights suit.

Targets of the Texas Republicans and many astounded Democrats are Albert Fuentes Jr., special assistant to Small Business Administration Chief Hilary Sandoval, and Gilbert Pompa, just named assistant director of the Community Relations Service of the Department of Justice.

Fuentes has been accused in a sworn affidavit of agreeing to get a loan of up to $200,000 for a small San Antonio businessman then operating an ornamental iron business out of his garage provided the businessman agreed to give Fuentes "and others" 49 per cent of his business. The sworn statement telling of Fuentes' activities was brought to light by Rep. Henry B. Gonzalez, Democratic Congressman from Bexar County.

Pompa, who somehow jumped over 22 Community Relations Service fieldmen in the Nation to the post paying about $30,000 a year, came under fire when he led the attack against appointing a Negro and an Anglo to high summer school posts in the Edgewood School District in San Antonio where he has been vice chairman of the Board.

Fuentes' case is under investigation, and Rep. Gonzalez has asked that he be suspended.

In the sworn statement released by Rep. Gonzalez, small businessman Emanuel Salaiz, owner and operator of the E and S Sales Co. of San Antonio said he had been attempting to get an SBA loan to improve his business since early 1967.

He said a week before Easter he was called to a meeting where five other men, including Fuentes, were present. He said he was handed a research report made by assistant SBA administrator W. J. Garvin which saw "excellent prospects" for Salaiz' business and recommended a program that would require a loan of $40,000 to $60,000 for Salaiz. Garvin also included a second plan that would require a loan of $200,000.

Fuentes, Salaiz said, said the report could help him (Salaiz) obtain a larger sum of money but that it would be necessary for Salaiz to incorporate and "to pledge to them (Fuentes and the four others present at the meeting) 49 per cent of the corporation."

Salaiz said Fuentes assured him it was all very legal, that he (Fuentes) was not going "to be here (with SBA) very long, and when I get out I have to have something to fall back on." He said the men present told him that if he didn't incorporate there would be no loan of the type suggested in the report.

The only person who has come to Fuentes' defense was a former liaison man for Rep. Gonzalez, Eddie Montez, who said it was he—not Fuentes—who suggested that Salaiz incorporate and go for a bigger loan. Montez said neither Fuentes nor any of the others present was included in the 49 per cent proposal he made to Salaiz.

Montez said Salaiz came to him in 1968 and asked him to help him get an SBA loan, that he stepped in and asked Fuentes to help out since Salaiz was threatening to contact his Congressman and put the pressure on by charging he was being discriminated against because he was a Mexican-American.

Pompa came under heavy fire from Republicans, Democrats, the NAACP and others, when he voiced opposition to putting a Negro vice principal and an Anglo principal on Head Start summer school administrations. Pompa heatedly told the school superintendent a Mexican-American, to find somebody with Spanish surnames.

The weird Edgewood situation happened thusly:

Edgewood School Supt. Joe Leyva, who has since quit, had recommended that Pauline Key, an Anglo principal in the district, and Blanche Russ, a Negro vice principal in the district, be appointed to head up, as they have in the past, summer school programs in the district.

Leyva, in making the routine recommendations, said both were "top-notch, highly efficient people."

Pompa, vice chairman of the board who was sitting in at this meeting as chairman, got the appointments blocked because the two did not have Spanish surnames.

Pompa, under heavy fire the next day when both Mrs. Key and Mrs. Russ announced they would file complaints with the Department of Justice charging their civil rights had been violated, weakly announced he was only interested in getting teachers appointed to summer programs who spoke Spanish and, therefore, could be understood by the children.

Supt. Leyva promptly shot back that neither of the administrative posts has contact with the children, mostly Mexican-American, enrolled in the program.

Gonzalez referred one of the teacher's complaints against Pompa to the Equal Employment Opportunities Commission and to the civil rights compliance sections of the Office of Economic Opportunity, the Department of Health, Education and Welfare and the U.S. Commission on Civil Rights.

The situation grew so hot after Gonzalez stepped into the picture that the Edgewood School Board called another meeting and pushed through the appointments.

Some say Pompa, who had already tipped off newsmen he was going to a higher calling in Washington, got the emergency meeting called the day before Washinton was due to announce his new post and to head off the complaints.

However, Mrs. Key and Mrs. Russ have employed Roy Barrera, a Mexican-American who was Secretary of the State briefly under Texas Gov. John Connally, to carry on the fight.

BECAUSE OF SURNAMES

Both Fuentes and Pompa soared to prominence in the Nixon Administration apparently on the basis of their Spanish surnames.

Fuentes had been a smalltime Democratic figure of sorts prior to jumping to the GOP in the early 1960s. He stepped in to head up the national Viva Nixon movement, apparently on the recommendations of Texas Republican Sen. John Tower.

Pompa has been a civil rights sleuth for the Community Relations Service for the Department of Justice since 1967. Prior to that he was an assistant district attorney in Bexar County for four years and an assistant city attorney for two years prior to that.

Fuentes jumped to the $19,700 SBA post shortly after Hilary Sandoval, Mexican-American leader from El Paso boosted for the post by Senator Tower, won appointment as Small Business Administration director.

Notwithstanding the fact that both Fuentes and Pompa have been embarrassing to the Republican Party and President Nixon in Texas, Republicans also bemoan the fact that two longtime Democrats, Fuentes and Pompa, have thus far walked off with the only two plush posts steered this way.

The feeling among local Republicans is that there never was any need in Washington for either Fuentes or Pompa, that neither deserved to step over the head of longtime loyal Republican Party workers, that many far better qualified Mexican-American are available.

Telephones in the Bexar County Republican Party headquarters have been ringing away as loyal Republicans and others phone to express their astonishment over the sad state of affairs.

Old-line Democrats are laughing their heads off over all this "togetherness."

LET US UNITE BEHIND PRESIDENT NIXON

HON. ROBERT C. McEWEN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 15, 1969

Mr. McEWEN. Mr. Speaker, President Nixon, in his quest for peace in Southeast Asia, has outlined a sensible plan which can lead to withdrawal of American and North Vietnamese troops from South Vietnam. It is my firm belief that the President has charted a course which is both realistic and reasonable to the North Vietnamese, the Vietcong, South Vietnam, and all Americans. Let us put partisanship aside, for war is not a partisan issue, and support the President in his dedication toward obtaining peace. It is important that Americans rally behind their President, for without the support of America itself, no U.S. Presi-

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dent can effectively strive for the end of fighting and hold the full respect and regard of those foreign powers who can be instrumental in reaching that goal. A united America is a prerequisite for an Asia united in peace.

A GLIMPSE AT THE FUTURE: HOPE FOR "CALIFORNIA TOMORROW"

HON. GEORGE P. MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 15, 1969

Mr. MILLER of California. Mr. Speaker, the science and technology of existing Federal land and water conservation programs, and existing urban renewal programs, can be utilized to control destructive pollution and to restore environmental quality that will promote healthy metropolitan and regional growth, according to a prominent California planning expert. Dr. Samuel E. Wood, consultant for California Tomorrow, delivered the 1969 T. I. Storer lecture at the University of California at Davis on the subject "Man in Ecological Crisis."

Dr. Wood spoke of the high caliber of the papers presented at the recent panel on science and technology and the cities conducted by our House Committee on Science and Astronautics.

Taking a speculative backward look from the year 1999 at California's current explosive population growth and environmental crisis, Dr. Wood postulates what well happen to our cities and rural areas, and then predicts an enlightment and solution by coordinated Federal, State, and local action.

The exciting and hopeful story is told in the Sacramento Bee of April 30, and the proposal for legislative correction is outlined in a report of California Tomorrow, both of which I offer for publication in the RECORD:

CALIFORNIA FACES CONSERVATION CRISIS, BUT EXPERT SEES HOPE

DAVIS.—When many California's tomorrows have become yesterdays, what will historians write of the Golden State?

Conservationist and environmental planning consultant Samuel E. Wood advanced his own speculative review of the next 30 years in a talk last night at Davis titled, "The Challenge of the Future: Looking Backward (with hope) from 1999."

The address was the third of the University of California campus' T. I. Storer lecture series, dealing with "Man in Ecological Crisis."

"Although we can speak dispassionately in 1999 about the explosive population growth problems California faced following World War II, at the time they appeared to be almost insurmountable," he proposed.

POPULATION EXPLOSION

The push of rural poverty caused people from all over the country to flood the state, he explained, creating in California the greatest urban growth of any other state in the union. Two giant clusters formed, one in the north and one in the south, as the exploding population spilled out onto open spaces and packed into urban cores.

"One of the problems that caused concern," he claimed, "was the grave loss of open space resulting from unguided location and haphazard development in urban areas—the very open space that made modern urban living possible."

The shorelines of rivers, harbors and lakes were dredged, drained and filled, bulldozers leveled the hilltop and the San Francisco Bay was threatened with imminent destruction, he observed. Two hundred thousand acres of prime farmland disappeared each year beneath the sprawling cities, forcing the cultivation of less fertile lands and an inflation of prices.

RECREATION PUT DOWN

Wood detailed how the competition for land use relegated recreation to the lowest rung. The Division of Highways, the local "put-it-on-the-tax-roll cult," the real estate developers and the parking lot pavers all coveted potential park sites.

"Californians were standing in line to use boats, surfboards, fishing rods and their campers, trailers or sleeping bags," he visualized. "Families who had traveled all day and half the night ended up in a recreation slum, with overcrowding, water pollution, fire danger, unsanitary conditions, and the general destruction of its recreational value."

Government still refused the responsibility of planning and paying the price of pollution control, according to the environmental planning expert. Pollution was such a characteristic aspect of the state's development that it was accepted as an "inevitable by-product of growth," he commented.

The Great Central Valleys became a huge smog pot, and the capital city was more toxic than Los Angeles because the city fathers and the Division of Highways "routed every freeway in the state directly through Sacramento."

The University of California spent millions in developing pesticides, herbicides and fertilizers, but paid scant attention to the effects of these substances on the landscape or on man himself, he remarked. These poisons were dispersed throughout the environment and concentrated in many organisms with lethal results.

"Bees, cows, prunes, almonds and the investments of their owners were promptly protected, but not man," he asserted.

Unregulated, uncoordinated waste disposal soon overwhelmed the capacity of inland waters and created a menace to public health, he continued.

IRREVERSIBLE FORCE

"We were massively tampering with the world of nature without concern for the biological results until they irreversibly forced themselves upon us," he emphasized.

Wood diagnosed what he felt was the failure of local government to adequately treat environmental issues. He alleged that local leaders were too involved with making money out of their decisions and hid behind self-serving planning commissions. Many of the problems extended far beyond the boundaries of home rule.

Cities were created to serve special purpose, including commerce, tax evasion and luxury. In many cases the white middle class incorporated and zoned primarily to keep the Black man out, he asserted.

TAX SHELTERS

Federal and state policies also favored random, unbridled development, according to Wood, through tax shelters. Federal money was spent on massive military and public works projects with little regard for regional needs, he claimed. Esthetics were simply ignored.

The enlightenment finally came in the 1970's, he proposed. Public reaction to the horrendous effects of uncontrolled growth generated pressure from the neighborhood, metropolitan, state and national levels. The President took up the cause and Congress finally made environmental quality the law of the land.

With the impetus coming from the federal government, comprehensive rural and urban policies were developed, Wood declared. Areas were reserved for urban open space, agriculture, watersheds and recreation, with all federal grants to the state conditioned upon the protection of these lands, he said.

REGIONAL DEVELOPMENT ACT OF 1969: A PROPOSAL BY DR. SAMUEL E. WOOD, CONSULTANT, CALIFORNIA TOMORROW

The purpose of the legislation is to utilize existing federal land and water conservation and development programs, and numerous federally supported urban programs, in order to develop entire regions. Each regional development program would be funded by long-term, low-interest federal loans following Congressional authorization of the total regional development program. This would combine all existing federal aided or funded programs in an integrated plan to develop entire basins or regions, and in the process to create new and redeveloped urban areas of controlled size, establish and maintain open space and amenities, and use and maintain the regions' natural resources of air, water and land. The total program would be portrayed in a coordinated regional plan prepared by a public regional agency. The functional areas in each regional development program would include land and water conservation and the development and distribution of water; agricultural aid programs; urban planning; urban renewal and redevelopment; new cities and model cities; open space and parks; and pollution abatement and control.

Regional accounts for each functional area, covering total public and private contributions to gain the goals of the development program, would have to be created and maintained. Cost and benefit studies, including present federal grant and loan programs and interest arrangements for each functional program area, would be prepared. Present reimbursable and nonreimbursable cost factors would also be a part of these evaluations.

All the functional areas would be totaled to get a total economic feasibility analysis upon which authorization would be requested from the Congress. Low interest rates, similar to those currently used in federal projects of Interior and Agriculture, and long-term amortization periods related to the determined life of the development program would be provided. Repayment schedules would vary with each functional area in the manner of present repayment policies in that area. But these variations would be explained in the authorizing document. A total repayment schedule extended over the life of the program would also be part of the document. The authorizing legislation would stipulate the contract relationships required by the regional agency and the United States.

The legislation would provide standards on the design and powers of the regional agency which would assure its adequacy to carry out the development program and repay the total reimbursable costs.

Planning and economic evaluations leading to a Regional Development Program and its authorizing document would be funded by a federal loan and included as part of the total cost to be repaid only on program authorization. Each year following authorization of the program, funds would be appropriated by the Congress to further program progress. Initial appropriation should be sufficient to pay total cost of all the land needed by the development program and these lands should be acquired all at one time under mass condemnation. When total development appears to be not justified economically, yet is socially important or economically desired for a depressed area, or vital to the development of the state, the net cost of the program could be shared by the federal government and the state involved, as provided in the authorizing legislation.

The following agencies and their programs could be included, among others, in the land and water conservation and development features of the regional development program:

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Soil Conservation Service, Department of Agriculture, Army Corps of Engineers, Bureau of Reclamation, Fish and Wildlife Service, National Park Service, Bureau of Land Management, Bureau of Outdoor Recreation.

The following agencies are among those which could take part in a coordinated urban construction and reconstruction program:

The Department of Housing and Urban Development (programs covering renewal, redevelopment, planning, grants, public facility loans, housing loans, mortgage insurance), the Department of Transportation, the Army Corps of Engineers, the General Services Administration, the Bureau of Public Roads, the Economic Development Administration, the Area Redevelopment Administration, the Small Business Administration, the Atomic Energy Commission, Public Health Service, Federal Aviation Agency, the National Air Pollution Control Administration, and the Federal Water Pollution Control Administration.

JUSTIFICATION FOR THE REGIONAL DEVELOPMENT ACT OF 1969

We have been unable to build new cities and restore old ones because of piecemeal, small-scale approaches, scarcity of money, high interest rates, generally unimaginative and uncoordinated federal programs. None of our urban and resource development programs extends over an entire region, both rural and urban areas, to restore and maintain the best of both, and use full regional accounts to attack simultaneously problems of both the countryside and the city. Some 40 or 50 different federal agencies (and an equal number of state agencies) are now involved in the country and city environments in uncoordinated single-agency approaches.

The legislation we suggest here would provide viable regional agencies which could develop coordinated programs, adequately funded at reasonable interest, to institute integrated programs for entire regions. A consolidated feasibility study covering all the functional areas would permit the better paying elements to help support the financially weaker, yet socially and economically necessary projects. The problems in one part would be tied to the economic resources in another part of a region to solve those problems. Public subsidies such as lower interest rates and grants, now available for special interest projects, would work to the regional benefit and the reimbursable costs, as they are now in most of these programs, would be self-liquidating.

In this proposal, we apply and expand the principle of massive yet reimbursable funding, now utilized in the Departments of Agriculture and Interior mainly to solve agricultural problems, to meet our critical urban problems of growth. These poven programs have built hundreds of multipurpose projects in the West, costing billions of dollars yet repaying the government and returning more than their cost to the regions involved. Loan, grant and repayment plans put hundreds of billions into our rural areas through conservation and crop-guarantee programs. With over 80 percent of our people now living in urban areas, it is time we apply what we have used historically in rural areas to save our urban regions and countryside.

TAX SHELTER IN THE SKY

HON. JOHN P. SAYLOR

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 15, 1969

Mr. SAYLOR. Mr. Speaker, as the American tax revolt grows, and as more and more people start to wonder how the superaffluent can get away without paying their fair share of taxes, it was only a matter of time before some enterprising journalist would open up the books on the "ways and means" of avoiding taxes. Mr. Lee Berton, writing in the summer issue of VIP magazine, has taken up where the former IRS Commissioner left off, and revealed how easy it is to avoid taxes—if you only know the angles.

Berton's article, "That Great Tax Shelter in the Sky," is probably one of the most fascinating studies in high finance that it has been my pleasure to read. You will recall that we have been continually bombarded with the fact that a number of millionaires avoided personal income taxes altogether, now we can see one way it is done: lease an airplane, or a locomotive or an oil tanker, or a computer. According to Berton:

> . . . In the long run it won't cost you a cent. In fact, investors have made as much as 100% return on such an investment every year, and the risk is fairly small.

The intricacies of the deals are explained in the article but more important, and understandably, the author states:

> Up to now . . . Wall Street hasn't been particularly anxious to bruit about that it is active in this kind of leasing business—nor have members of the accounting and legal fraternities. "There are just so many of these deals around, so why should I give everyone blueprints on how my rich clients reduce their taxes?" growls one C.P.A. in his Park Avenue office.

Those versed in high finance and tax-avoidance schemes will most likely be very sorry that this article has appeared, but, Mr. Speaker, I think the Members of Congress, who must answer their constituents' day-in and day-out pleas for tax relief, should be very thankful that part of the door has been opened on this type of income tax avoidance.

I am particularly hopeful that members of the House Ways and Means Committee and the Senate Finance Committee read this article, with all its implications for tax reform. I have appended the full text of the article to my remarks in order that all Members of Congress can benefit from the lessons it imparts:

[From VIP magazine, summer 1969]

THAT GREAT TAX SHELTER IN THE SKY

(By Lee Berton)

Picture yourself relaxing comfortably in a first-class seat on a Boeing 727—80,000 tons of power and luxury gliding easily through the clouds en route to the Bahamas. While you're at it, visualize yourself *owning* the 727; after all, it only costs $5,000,000. No, the stewardess hasn't given you too many martinis. This is no fantasy, but a hard-headed business deal. You *can* own a 727—at least part of it—and in the long run it won't cost you a cent. In fact, investors have made as much as 100-percent return on such an investment every year, and the risk is fairly small. All you have to do is work your way up to—or already occupy—a tax bracket somewhat over 52 percent. In the last few years, a handful of smart investment advisors, on Wall Street and elsewhere, have figured out how high-bracket taxpayers can make money buying jet planes or million-dollar locomotives. Admittedly, the schemes call for sharp business acumen—and solid contacts in the executive suit. Ford executive Lee Iacocca is doing it. And so is Richard A. Smith, president of Boston-based General Cinema Corp., which operates drive-in theaters in fancy suburban shopping centers. Your doctor, if he's a well-off specialist, may also be involved. The wonder of owning a jet or a locomotive (or an oil tanker or a computer), besides its immense value, is that it wears out. The Federal Government permits taxpayers to deduct this wearing out, called depreciation, from their taxable income—it's treated as a cost of doing business. In 1962, to create extra incentive for investment in the expensive machinery that keeps the U.S. economy growing, Congress gave business an added windfall. If a company buys a jet, a locomotive or any other tangible personal property, it is now permitted to deduct 7 percent of the cost directly from its income taxes. Not just from taxable income, mind you: from taxes themselves. It's called a tax credit and it's a very nice thing to be able to attach to your tax form. It's also a big part of the reason you may be able to own an airplane or a railroad car one of these days—or part of one, anyway.

Corporations currently pay about half their profits to the Government in taxes. (They pay even more, counting the "temporary" tax surcharge, which hasn't been included in these calculations, though its effect for individuals is to make leasing deals even more attractive.) The higher-bracket taxpayer—that is, the individual who doesn't have the benefit of the corporate tax limit—must give up to 70 percent of his income back to the Government. Any amount he earns over $200,000 annually is taxed at this maximum rate.

This sounds like a big drawback to building up a bundle of cash, but the truth is, in the deals we're talking about, where high-bracket individuals own jets or locomotives, it's a decided advantage. Here's why: Depreciation deductions from your income, if you're taxed at the 70-percent rate, give you a much bigger tax saving than a corporation can get. Suppose depreciation on equipment you've bought amounts to $500,000. You save yourself the taxes on that half-million, which in the 70-percent bracket amounts to $350,000. A corporation would save only $250,000 on the same half-million in depreciation, since its tax rate is around 50 percent. The $100,000 difference—needless to say—is sizable. Typically, you would split the $100,000 saving with the company you lease to. But that's still $50,000 a year extra that you could invest in other income-generating projects or securities. It may sound as if you need a huge pile of cash to initiate such a deal, but actually, you don't. Whatever amount is needed, chances are you can borrow most of it. On a million-dollar deal, for instance, you could put up $200,000 and borrow the rest from a bank or an insurance company, using the solid value of the purchase—and the solid reputation of the company that will lease from you—as collateral. Then the interest you pay on your loan is deductible from your income—so in effect, the Federal Government foots 70 percent of your borrowing costs. If you lack $200,000, find ten investors like yourself and each could ante up only $20,000. After the leases expire in 15 years, the machinery, for whatever it's worth, belongs to you and your partners. There are a few hitches, however. In a typical leasing deal, the rent you receive from the lessee begins to exceed your diminishing depreciation and loan interest after about five years, giving you taxable income. You can then go into another leasing deal, again deferring taxes, or you can have built up a kitty of money (perhaps by investing your tax savings in tax-exempt municipal bonds) to pay the taxes you'll owe when the income from the deal begins going into the black. The Internal Revenue Service has begun to attack loan interest deductions for people who invest in tax-exempt munici-

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pals, but this problem can be avoided by investing in ordinary stocks and bonds.

At the end of the leasing period, what remains in the kitty is all yours, plus what you receive from selling the equipment. This can still have enormous value. Although the Internal Revenue Service permits you to depreciate the entire value of a railroad car, for example, over a 14-year period, the Interstate Commerce Commission estimates the same car will last 30 years. So by ICC standards there's a lot of value left in that car after the IRS says it's worn out. Aviation trade papers have reported that some airplanes ten years old (or even older) have been selling for up to 70 percent of their original cost.

Here's how a specific deal works for a Boeing 727. You put up $1,000,000 in cash, borrow the other $4,000,000 from a bank at 8 percent (or more—these days the prime interest rate is skyrocketing), and lease the plane (for 15 years) to United Air Lines—which, as it turns out, leases 40 of its 727s, mostly from high-tax-bracket individuals like yourself. United pays you rent of $460,000 a year for 15 years. This sum covers your payments to the bank for principal and interest on your $4,000,000 loan, but it still reduces the annual cost of the plane to United to a rate that effectively amounts to 6 percent instead of the 8 percent it would have to pay if it borrowed the entire $5,000,000 itself. United is thus saving $80,000 in interest on the 727 and avoiding tying up additional capital.

And you do even better. The "losses" you sustain from depreciation (accelerated in this case, as permitted by accounting rules, so that 15 times more is deducted from your income the first year of the lease than the last), together with the above-mentioned 7-percent tax credit, give you enough red ink on your income statement to return your million dollars to you in four years, in tax savings you would otherwise pay on your ordinary income. The tax-erasing benefits diminish each year of the lease—in fact, in the later years you actually pay more in taxes than you receive in money—but over the 15-year period your original investment could triple if you were able to invest the savings each year in tax-free municipal bonds.

If you continue to enter new leasing ventures each time old ones begin producing taxable income, or if you invest your tax savings in the stock market so as to produce long-term capital gains (which are taxed at only 25 percent), some leasing specialists estimate you can produce combinations that double your investments each year. More conservative arrangers of such ventures prefer to point out that by using the municipal bond-kitty ploy (keeping in mind the earlier warning about IRS attacks on this method), you can earn 4 to 6 percent, compounded annually after taxes, on a 15-year airplane lease. That's without considering the value left in the plane after it's fully depreciated for tax purposes. Counting the proceeds when you sell the old plane, they estimate, you might raise that annual yield to over 7 percent.

If that figure sounds piddling, remember that it's *after taxes* and compounded annually. For a 70-percent-bracket taxpayer, raising the after-tax yield from any investment to a figure over 5 percent (the current yield on most municipal bonds) is a minor miracle.

All this may sound esoteric and complex, but the beauty of these ventures is that experts can set them up for you, do all the figuring, and charge 2½ percent (or less) of the equipment's cost as commission—which is, also deductible from taxable income—so the Government again foots 70 percent of the bill. Several large and well-established Wall Street investment houses—Kidder, Peabody & Co. Inc.; Kuhn, Loeb & Co.; Salomon Bros. & Hutzler; and Lazard Freres & Co.—have special departments to handle just such deals for special clients. Up to now, however, Wall Street hasn't been particularly anxious to bruit about that it is active in this kind of leasing business—nor have members of the accounting and legal fraternities. "There are just so many of these deals around, so why should I give everyone blueprints on how my rich clients reduce their taxes?" growls one C. P. A. in his Park Avenue office.

William J. Condren, a shrewd New York City attorney who recently moved from a cramped, one-room office on Madison Avenue to palatial five-room digs in the new, all-marble General Motors Building overlooking Central Park, is considered a genius in the field. Flanked by a new partner whom he recently lured away from Lazard Freres, Condren is amiable to visitors but tells them little unless he's convinced they're serious investors.

To avoid too much publicity, Condren fulfills legal requirements that notice of limited-partnership leasing ventures must be published in a newspaper by placing notices in the classified section of the Manhasset *Mail*. a Long Island weekly with a lofty 3000 circulation. Perusal of these notices reveals actual names of participants, such as Dr. Milton F. Gutglass of Milwaukee, who in 1968 was one of 35 partners who purchased 12 diesel locomotives (from General Motors) and 22 other locomotives (from General Electric) and leased them all for 15 years to the Penn Central R.R.

Dr. Gutglass says his accountant told him about such ventures two years ago. He has put up $50,000 and says he will make "a nice return that is considerably free of risk, and gives me ownership of equipment that, unlike real estate, doesn't decline in value if a gas station opens next door."

Lee Iacocca, the Ford executive who owns part of some railroad rolling stock, says he believes income-tax rates progress so sharply upward in high brackets (the top rate is 70 percent today, compared with only 25 percent in the late 1920s) that it's essential for big earners like himself to seek such tax shelters. And Richard Smith, the Boston movie-theater magnate who with 60 other partners formed Elk Grove Equipment Co. to lease jets to United Air Lines, says his $50,000 investment will be returned to him in three years through tax savings—and he hopes to make a "healthy profit by the end of the lease term." There are no alternative forms of investment that are as attractive in terms of yield, he says.

The lure of the leasing game is such that the youngest, brightest practitioners of the money game along the Street are getting into it. Two neophyte vice-presidents and an investment analyst with the financial district think-factory of Donaldson, Lufkin & Jenrette Inc., for example, recently struck out on their own to form Harlan, Betke & Myers, a new investment firm to be housed in the prestigious Bankers Trust Building on Park Avenue. They are making the arrangement of leasing ventures one of their specialties. Harlan, a Harvard Business School graduate who is at 32 the oldest of the trio, says his firm "wants to show swingers how to best manage their assets." Some bright young specialists at Lazard Freres, an eminent name in the investment world, named Suemeg Company—a firm they set up to lease highway trailers to trucking firms—after two cute airline hostesses they met on a flight to Chicago.

There's really no way of knowing just how widespread the leasing game has become. United Air Lines notes that it leases 62 of its 330 aircraft, two of them from Elk Grove Equipment. And Penn Central says it leases 912 of its 4128 locomotives. Both concede that rental payments cost less than other types of financing, but provide few details—because such deals are so competitive.

However, it *is* known that a partnership of 67 investors called Buffalo Grove Air Equipment Corp., formed in 1967 with the investment advice of Bill Condren, bought three jetliners worth $13,500,000 and is leasing them to United. At the time of the purchase, U.A.L. would have had to pay 5½ percent or more in interest on the $10,000,000 or so it would borrow from banks or insurance companies to buy the planes, after making a down payment of some $3,000,000 as Buffalo Grove did. But by leasing the jets, United's annual effective "interest" rate—actually a rental fee in this instance—was, for all practical purposes, reduced to 3.76 percent (a "steal" in the borrowing market). Even so, the 67 partners, who invested from $25,000 to $125,000 each, will wind up very big winners in the long run, especially if the three jets retain much of their present value.

One Wall Streeter knowledgeable in the art of leasing, estimates that about 25 billion dollars in personal property (aside from real estate) has been leased to railroads, airlines, oil companies, trucking firms and other corporations in the last five years. More leasing ventures are being put together each month, enabling individuals who would otherwise pay through the nose to defer huge gobs of taxes. As long as taxes are deferred each year, the wealthy investor continues to build his portfolio without being penalized in tax charges. On the distant day of his death, his total holdings are subject only to estate and inheritance taxes—and in the meantime they have escaped the merciless annual bite of the IRS. Besides, there's the prevalent belief on Wall Street that an investor should protect his portfolio *this* year, "because next year is always a bust." If the shelter saves you from paying taxes now, when you're really making it, why worry about next year? Live a little. Take a trip to the Bahamas.

LEGISLATION TO EXTEND THE VOTING RIGHTS ACT OF 1965

HON. FLETCHER THOMPSON

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 15, 1969

Mr. THOMPSON of Georgia. Mr. Speaker, a subcommittee of the Committee on the Judiciary has begun public hearings on H.R. 4249 and other measures designed to extend the Voting Rights Act of 1965 in its present form without change. I have filed with that committee a statement urging that the committee not approve bills to extend this law 5 more years without amendment, but to consider instead drafting legislation that would provide voting rights protection for all Americans in all States and would treat all States equally in the qualification of their electors.

This matter is of such importance because of the injustice that would be done to my State and others through the extension of this law for 5 years without change, that I ask permission of the Speaker to insert the full text of my statement to the committee into the RECORD with extraneous exhibits attached so that all the Members may have an opportunity to examine it. After doing so, I am convinced that they will agree with me that any voting rights legislation passed by the 91st Congress should give all Americans in all States equal protection in voting rights and treat all States equally under that law.

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Text of Statement by Georgia Congressman Fletcher Thompson Filed With Subcommittee No. 5 of the Committee on Judiciary on Wednesday, May 14, 1969, at Public Hearings on H.R. 4269 and Related Measures To Extend for 5 Additional Years the Provisions of the Voting Rights Act of 1965

Mr. Chairman and members of the committee: I appreciate the opportunity to file with the Committee this statement to express to you my concern about the need for legislation to protect the voting rights of all Americans and to treat the citizens of each and every state equally under the law in this regard.

In my judgment, as this Committee begins its consideration of H.R. 4269 and related measures to extend the provisions of the Voting Rights Act of 1965 for five additional years, you have the responsibility to give the American people forthright answers to a number of serious constitutional questions. These questions are as follow:

Will the 91st Congress provide full protection of voting rights to every American citizen no matter where he lives?

Will we formulate a statute which treats equally each and every state in this nation with respect to the qualifications of their electors?

Will we draft a bill that recognizes the fundamental presumption of innocence of voting rights discrimination, rather than one which presumes guilt under certain circumstances until innocence is proven?

Will we put together a voting rights law for the future that takes into consideration the presence in many states of large numbers of military personnel who vote by absentee ballot in other states?

Will we draw up a bill which gives to a state's political subdivisions which are innocent of voting rights discrimination the right to remove themselves from the penalty provisions of any law intended to apply only to those who are guilty of discrimination?

Will we draft a bill that recognizes the progress made in voter registration and participation in the states between 1964 and 1968?

And will we, Mr. Chairman, remove from the states and political subdivisions the onerous burden of having to go to the trouble and expense of bringing suit in the federal court in Washington, D.C., to clear themselves of presumed guilt of voting rights discrimination?

Mr. Chairman, I submit that these questions *cannot* be answered forthrightly by merely extending for another five years in its present form the inadequate, contrived and unfair provisions of the Voting Rights Act of 1965. To extend this law without giving consideration to the injustices being done under its language in the name of protecting voting rights is to sanction the denial of fairness to those states and political subdivisions now affected by it that are innocent of discrimination, and to demonstrate your refusal to provide *Americans everywhere* equal protection of voting rights under the law.

H.R. 4269, by Mr. Celler, and H.R. 5538, by Mr. McCulloch and others, fail to correct any of the wrongs inherent in the present law. They merely extend all provisions of the law without change for five more years. It is, therefore, my purpose in filing this statement, Mr. Chairman, to endeavor to persuade this Committee to acknowledge in advance the error of approving these bills to extend the law as it is presently written, and to urge you to adopt instead legislation that will give all Americans and all states equal protection and equal treatment on voting rights under the law.

I. PROTECTING VOTING RIGHTS OF ALL AMERICANS

In my judgment, it is fair to state that *every Member of Congress will support a voting rights bill that will protect the rights of every American, if that legislation gives preference to none, provides protection for all and treats each state on the same basis.*

Those of you who participated in the debate on the present law four years ago can recall the bitter and acrimonious controversy which arose because the effect of this legislation is to divide the states of this nation into two groups. The first group of states are those which as of November 1, 1964 maintained tests or devices with respect to the qualification of voters and which at the same time had either less than 50% of their citizens of voting age registered to vote or had less than 50% voting in the 1964 Presidential election. The second group of states is made up of all other states. Therefore, Mr. Chairman, when the law first went into operation—and before any state or county brought legal action to be removed from its application—it applied only in the states of Alabama, Alaska, Georgia, Louisiana, Mississippi, South Carolina and Virginia and in one county in Idaho, one county in Hawaii, four counties in Arizona and 40 counties in North Carolina.

The operation of this law has further emphasized the different treatment states in each group receive under the present law. States in the first group must qualify electors based on their completion of a sixth grade education; the second group of states qualifies voters according to local provisions of the law. The second group of states can require literacy tests if more than 50% of their citizens were registered or voting in 1964, but states in the first group cannot. The second group of states can require voters to be of good moral character; the first group cannot. Previously disenfranchised electors in the first group of states have immediate redress under the law, while disenfranchised citizens living in the second group of states do not.

Mr. Chairman, we cannot justify having another five years of the unequal treatment of American citizens and unequal treatment of the states which results from the contrived and artificial formula in this law that effectively ignores the results of the 1968 Presidential election. The simple substitution of the results of the 1968 Presidential election would eliminate from the provisions of this law all but two of the states now affected by it which have not been exempted by court order. Yet, H.R. 4269 and H.R. 5538 do not even give the *simple justice* of recognizing four years of advancement in voter participation and registration. These bills would punish my own state and the others now affected by its provisions for the Presidential election results of five years ago and would continue that punishment for *another five years.*

Mr. Chairman, when the Chairman of the Committee on the Judiciary announced the beginning of these hearings, it was stated in the Congressional Record that "there is a substantial danger that if the prohibition of the Act on literacy tests and similar devices is permitted to expire in 1970, the conditions which existed prior to the statute's enactment would return." I deeply resent such a prejudgment of discrimination in voting rights not only on behalf of my own state but on behalf of the citizens of every state who have been or are being victimized by the unbalanced and discriminatory provisions of the present law. Where is the danger of which he speaks? I submit that it exists only in the mind of the speaker. For an individual to prejudge guilt in advance on unrealistic circumstances is bad enough; but for the Congress to presume such guilt and carry that presumption into the written language of the law for five more years is unthinkable. It would be unjust in the extreme to punish my state and those others now affected by this law for another five years.

I say to this Committee with every ounce of strength and conviction in my being that *if there is any need for protecting voting rights of American citizens in the future, then that need exists on behalf of every citizen in every state in this nation.* If there is to be equality in the eyes of the law, if there is to be equal treatment under the law, then Congress has an obligation to blend that theory of equality into the language of its enactments *and never sanction unequal treatment or unequal protection.*

II. UNEQUAL TREATMENT OF THE STATES

The Members of this Committee will recall that the "trigger" section of the Voting Rights Act of 1965 involves a combination of two out of three circumstances. If any combination of two out of three circumstances exists, then a state or political subdivision brought under this law through findings of the Attorney General and the Director of the Bureau of the Census is unable to follow practices or provisions of local law which are perfectly legal in other states.

The legislative history of the enactment of this provision, in my judgment, demonstrates that this law was specifically drawn to apply to a few states and to exempt others. We know that a person who sets out to accomplish certain goals through legislation may arrange language in several different ways to accomplish his purpose. The Honorable Howard (Bo) Callaway, who was Georgia's first Republican Congressman in modern times, pointed out in the debate in 1965 one of the alternate formulas which could have been used to make this law apply to all but two of the states now under it. If, for instance, the formula applied to all states with an average altitude of 100 to 900 feet, with an average yearly temperature of between 68 and 77 degrees, with an average humidity at 7 a.m. of 80% to 87%, and with a coastline of between 50 and 400 miles, only Alaska and North Carolina among those states now policed by this law would have been exempted.

Let me demonstrate further the unequal treatment that exists under the present law. In 1964, the State of Texas had only 44% of its citizens voting. However, because Texas had no literacy test or other device in existence on November 1, 1964, Texas escaped the law even though the records of the U.S. Supreme Court show that that state has a long history of voting rights discrimination. The State of Louisiana had a higher percentage of people voting than Texas—47.3%—but because it used a literacy test, Louisiana came under the law.

Texas in 1964 had 137 counties with less than 50% of their citizens voting in the Presidential election. Meanwhile, Alabama, with 67 counties, had only 18 which had less than 50% of their citizens of voting age voting. Yet, because Alabama used a literacy test, the entire state was condemned and Texas again escaped the law.

Further, Texas in 1964 had a poll tax while my own State of Georgia abolished the poll tax in 1945. Texas had a percentage of persons voting in 1964 only 1.6 percentage points higher than Georgia (44.4% to 43.0%) and yet because Georgia utilized a literacy examination whereas Texas did not, my state came under the law and Texas again escaped.

The State of New York in 1964 had a literacy examination. So did my own state, but because New York had 62.3% of its citizens voting in the 1964 Presidential election and Georgia had only 43%, New York escaped the provisions of the law while my state was brought under it.

And no one has ever made the accusation that the State of Alaska discriminated against its citizens on the question of voting rights. But because Alaska maintained a test for the qualification of its electors and because weather and other factors brought

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about a low participation of voters in 1964—48.7%—Alaska was brought under the Act. Likewise, no one ever accused Elmore County, Idaho and four counties in the State of Arizona of discrimination. Yet, because of peculiar circumstances which kept down voting participation in those areas, they were presumed by the law to be guilty of discrimination and had to go to court to prove their innocence. One of Arizona's counties—Yuma—is still under the law.

Arkansas had only 49.9% of its citizens voting in 1964, but there was no literacy test and Arkansas escaped. Meanwhile, North Carolina had an overall average of 51.8% of of its citizens voting but because she had a literacy test and some counties fell under the 50% figure, they came under the law. Yet, Tennessee had 22 out of 95 counties with less than 50% of their citizens voting but because Tennessee had no literacy test, it did not come under the law. And in South Carolina, where the Attorney General stated "there was not one charge of discrimination" against Negroes, the state came under the law because of the contrived formula that exists.

Mr. Chairman, the most elementary sense of fairness demands that this unequal treatment of the states with regard to the qualification of the electors not be allowed to continue.

III. WRONGFUL PRESUMPTION OF GUILT

How can we justify continuing for another five years a law which ignores one of the most fundamental principles of the American system of jurisprudence, which is the presumption of innocence until guilt is proven? This Committee is asked, however, to extend a law for five more years which *presumes guilt* based on figures which have already been wiped out by history and which experience shows result in unequal treatment of citizens and states under the law.

At the time of the passage of the Voting Rights Act, 21 states had some form of literacy test or device regarding the qualifications of prospective voters. Those states are shown in Table I attached to this statement in the Appendix.

Also submitted in the Appendix are the specific provisions of the laws of those states which have been deemed to be a test or device within the language of the statute.

At the same time, the Director of the Bureau of the Census determined that certain states or political subdivisions had less than 50% of persons of voting age voting in the Presidential election of 1964. They are shown in Table II of the Appendix.

Shown in Table III is a listing of states or political subdivisions, excluding specific counties in Idaho, Arizona and North Carolina, which had under 50% of their citizens casting votes in the 1964 Presidential election and those percentages.

However, because of the peculiar combination of circumstances required by the law, the Act does not cover the District of Columbia, Arkansas or Texas.

In the 1968 election, some states or political units still had under 50% of their population of voting age casting votes in the Presidential election. They are shown in Table IV. However, two of these four states or political units are exempted from the law.

If the participation in, or registration for, the Presidential election of 1968 was made the basis of the "trigger" section of the Voting Rights Act, then certain states as shown in Table V which had literacy examinations in 1964 would automatically be removed from the provisions of the Act.

IV. PRESENCE OF NONVOTING MILITARY PERSONNEL

During the debate on the passage of the Voting Rights Act of 1965, many Members of Congress tried without success to point out a glaring defect in the law, in that it fails to take into account the presence in many states of large numbers of military personnel and their dependents who normally do not participate in local elections but who do cast votes by absentee ballot in their own states. Alaska, for example, has approximately 250,000 residents among whom are more than 30,000 servicemen and their dependents. Yet, because the law includes these people among the total number of persons of voting age residing within that state, the percentage of persons counted as voting in the Presidential election is driven down and thus in 1964 Alaska is shown as having only 48.7% of her residents counted as voting in the election, and she was under the law until excluded by court order.

Likewise, Elmore County, Idaho, where Mountain Home Air Force Base is located, had a population in 1964 which included more than 4,900 military personnel, some 2,400 military dependents and 350 civilians who were counted among the citizens of voting age. This resulted in less than 50% of the total number of persons of voting age being calculated as participating in the 1964 Presidential election. Idaho has a provision of law which denies voting rights to prostitutes. The U.S. Attorney General defined it as coming within the provisions of the law regarding literacy tests or devices and, therefore, Elmore County, Idaho was brought under the 1965 Voting Rights Act and had to go to court to gain exemption.

Honolulu County, Hawaii is also a large military area and is likewise affected in its percentage of voter participation by the presence of military personnel who are included in the total number of persons of voting age in the area. And, because the State of Hawaii had a literacy test and because of the low turnout of voters in 1964, Honolulu County, Hawaii—where no charge of voter registration discrimination was involved—came under the law.

It is also significant, Mr. Chairman, that in the entire U.S. the average percentage of military personnel in state populations is 1.6%. Every state which comes under the provisions of the Voting Rights Act as a whole, excepting only Louisiana and Mississippi, *has more than the national average percentage of military personnel within their borders.* My own State of Georgia, for example, has 3.4% compared with the national average of 1.6%; South Carolina has 3.3%; Virginia has 3.3%; and Alaska 13.9%.

So that the Committee may give consideration to these figures, the listing of the states affected by the law and the percentage of military personnel within the populations of those states are shown in Table VII.

V. TREATING POLITICAL SUBDIVISIONS SEPARATELY FROM STATES

Another glaring defect in the present law is that when there has been a determination made by the Director of the Bureau of the Census and the Attorney General that the necessary factors exist in a whole state to bring it under the Voting Rights Act, then each and every political subdivision within that state comes under the law. This is true even though no discrimination may be involved in each subdivision. There is no way under the present law for those political subdivisions to go to court and remove themselves from the provisions of the law. The states have that right where the state had been treated as an entire unit, *but the same right is denied to counties of that state where the determination was made as to the state as a whole unit.* I submit to the Committee a letter attached in the Appendix from the Justice Department which verifies that this is a correct interpretation of the law and that there is *no way for a political subdivision which is innocent of voting rights discrimination to remove itself from jurisdiction of the law when the initial determination has been made with respect to the state as an entire unit.*

Mr. Chairman, I urge that a county or political subdivision *ought to have the same right to prove its innocence of presumed guilt in court as a country or state which had been treated as a separate or whole unit has the right to do so.*

VI. PROGRESS SHOULD BE RECOGNIZED

Let me state further, Mr. Chairman, that I recognize each of us is influenced in his judgment by circumstances in the area where he lives. It is with a sense of deep pride that I point out the progress that has been made in my own home county—Fulton County, Georgia—in voter registration and voter participation in elections since 1960. The number of persons registered has jumped from 135,469 in 1960 to 273,339 in 1968. The number of persons voting rose from 55,803 in 1960 to 188,152 in 1968. The percentage of persons of voting age who voted rose from 41% in 1960 to 74% in 1964 and 68% in 1968. But regrettably, Fulton County, Georgia, one of America's most forward-looking local governments in voter registration work, is treated as a criminal; guilt of alleged discrimination is *presumed* due to the fact that the formula was applied to the state as a whole unit. Because our state was brought under the law as an entire unit, we are denied the right to go into federal court and prove our innocence.

Submitted in the Appendix for the record is a listing of the activities of the Voter Registration Department of Fulton County, Georgia. This is, I contend, one of the finest, most complete and most thorough voter registration efforts in the entire nation. Still, we are prejudged as being guilty of discrimination in the registration of our citizens. This injustice wounds me and the citizens of Metropolitan Atlanta very deeply and the situation cries out for justice.

In addition, any new voting rights law that is passed should recognize the progress in voter participation occurring between the 1964 and 1968 Presidential election. Here again is where the proposed bills before the Committee fail. Alabama had 343,000 more people voting in 1968 and yet these bills would give them no credit. Georgia had 97,000 more people voting any they would be ignored. Louisiana had some 201,000 more people voting in 1968 and these bills would push them aside; Mississippi had some 245,000 additional persons participating and these bills say they should not be considered; South Carolina had 142,000 additional people casting ballots and these bills would give them no recognition. Virginia had 317,000 more electors participating and these bills would ignore them. North Carolina had an additional 162,000 electors participating and yet these bills would treat them as if they did not exist.

Mr. Chairman, I submit the 1964 and 1968 voting statistics in Table VI in the Appendix and I urge the Committee to draft a bill which gives credit for the improvements in the voter registration and participation between 1964 and 1968.

VII. THE BURDEN OF LITIGATION

One of the most unfair requirements under the present law is that after having been *presumed guilty*, a state or political subdivision although innocent is required to travel all the way from the farthest reaches of the nation to the federal court in Washington, D.C. to clear itself of alleged wrongdoing. The advocates of this law would contend that because a number of states and political subdivisions have gone to this expense and trouble, that the law is working well, that its provisions are vindicated and that they should, therefore, be continued.

But I submit, Mr. Chairman, that it is an injustice in the first place to require a state to go to Washington to prove its innocence instead of allowing that state, as it would in virtually any other case, to bring litigation in its local federal district court.

The State of Alaska brought such a lawsuit in 1966 and it was successful and was

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exempted from the provisions of the law by declaratory judgment. Elmore County, Idaho was also successful in such a lawsuit and so were Apache, Navajo, and Coconino Counties in Arizona. Wake County, North Carolina brought a petition for declaratory judgment and it was exempted under the law. However, Gaston County, North Carolina brought a petition which was denied and which has since been appealed to the U.S. Supreme Court. Another North Carolina County—Nash—has litigation pending awaiting the outcome of the Supreme Court decision in the Gaston County case.

Nevertheless, Mr. Chairman, it is entirely unfair to impose on any state the burden of having to come all the way to the Nation's Capitol to clear itself of presumed guilt in voting rights cases. The presumption of guilt where no guilt exists is a serious wrong; but this law raises a further presumption which is an even more serious matter, and that is that local district courts if allowed to do so, might act differently on such cases than the district court in Washington.

If there are to be avenues of legal relief provided, then those avenues ought to be open in the federal courts located in or nearest to the affected states or political subdivisions. Further, Mr. Chairman, it is unconscionable that this committee which is so vigorous in its defense of the legal rights of the American people and the right of easy access to our courts, would deny justice to a state by extending provisions which deny easy access to the courts and require litigation to be brought in Washington, D.C., rather than in the local federal courts.

VIII. LACK OF UNIFORMITY IN LITERACY TESTS

Finally, Mr. Chairman, the confusion that has followed in the aftermath of the passage of this law has resulted in some states eliminating literacy requirements, others continuing them and still others being in a state of legal limbo. In order to present this Committee with the full picture of what happened following the suspension of literacy tests in those states affected by the law and in those states which had literacy tests at the time this law was passed, we conducted a survey. Specifically, we asked each of the 21 states which had literacy tests or devices in 1964 whether or not they were still utilizing literacy tests.

While we did not receive replies from all the states involved, the variety of answers is indicative of the lack of uniformity which now exists because of the confusion which has been brought about.

The State of New Hampshire answered that literacy tests continue to be used, while the State of Delaware stated that its law provides for lieracy examinations but the law has not been enforced for sometime.

The State of New York still requires literacy tests for first voters who cannot demonstrate literacy by proof of at least a sixth grade education. The State of Connecticut still has a requirement for literacy examinations in its statutes and so does the State of Washington.

The State of Oregon has requirements for literacy tests but we are advised that such tests are not universally given.

The State of North Carolina has a statute for literacy examinations, however, 40 of that state's 100 counties were placed under the Voting Rights Act and the tests are only applied in the 60 counties not affected by the law. The State of Maine still uses literacy tests and literacy tests are required under state statute in the State of Wyoming.

APPENDIX

STATES WHICH HAVE LAWS PROVIDING FOR A TEST OR DEVICE AS DEFINED BY SEC. 4(c) OF THE VOTING RIGHTS ACT OF 1965*

	Read	Write	Understand	Interpret any matter	Knowledge	Good moral character	Voucher
Alabama	X[1]	X[1]	X[1]	X[1]	X[1]		X[1]
Alaska[2]	X[3]						
Arizona[4]	X[5]	X[5]					
California	X[6]	X[6]					
Connecticut	X[7]					X[7]	
Delaware	X[8]	X[8]					
Georgia	X[9]	X[9]	X[10]	X[11]	X[11]	X[10]	
Hawaii	X[12]	X[12]					
Idaho						X[13]	
Louisiana	X[14]	X[14]	X[15]	X[15]	X[16]	X[17]	X[18]
Maine	X[19]	X[19]					
Massachusetts	X[20]	X[20]					
Mississippi	X[21]	X[21]					
New Hampshire	X[22]	X[22]					
New York	X[23]	X[23]					
North Carolina	X[24]	X[24]					
Oregon	X[25]	X[25]					
South Carolina	X[26]	X[26]					
Virginia		X[27]					
Washington	X[28]		X[28]				
Wyoming	X[29]						

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*For the State laws at the time of passage of the 1965 act see pp. 42–43, pt. 3, of S. Rept. 162, 1st sess., 89th Cong.

[1] Code of Alabama, title 17, sec. 32. In its 1965 1st extra session, the Alabama Legislature amended Code of Alabama title 17, sec. 32 to require that "* * * Except for physical disability, [an elector must be able to] read and write any article of the Constitution of the United States in the English language and make proof of the same in the manner prescribed by the legislature." Thus, the good character provision no longer applies. Apparently, no new application forms have been approved by the Supreme Court of Alabama pursuant to title 17, sec. 32(1) since passage of the 1965 Voting Rights Act. However, sec. 32(1) has not been repealed; so the old application forms requiring interpretation, understanding, and knowledge, as indicated in the Senate report, will probably become effective when Alabama is allowed to resume use of its tests and devices.

[2] The U.S. attorney for the district of Alaska has stated that the Secretary of State believes that anyone who can speak English can vote, even if he cannot sign his name except with an X. Hearings on S. 2750 before the House Judiciary Committee, 87th Cong., 2d sess., p. 315.

[3] Alaska Statutes, sec. 15.05.010: "A person may vote at any election who * * * (5) can speak or read English unless prevented by physical disability, or voted in the general election of Nov. 4, 1924."

[4] The former U.S. attorney for the district of Arizona has stated that an applicant must only attest to fact that he is able to read the Constitution of the United States in the English language, and if there is any question about his ability, the registrar usually asks him to read other printed papers. Letter dated Mar. 8, 1962, to the Civil Rights Division, from Hon. Carl Muecke. See also hearings on S. 2750, supra, p. 317.

[5] Arizona Revised Statutes, sec. 16–101(A): "Every resident of the State is qualified to become an elector and may register to vote at all elections authorized by law if he * * *

(4) Is able to read the Constitution of the United States in the English language. * * *

(5) Is able to write his name * * *."

[6] Constitution of California, art. II, sec. 1: [N]o person who shall not be able to read the Constitution in the English language and write his or her name, shall ever exercise the privileges of an elector in this State. * * *" See also California Election Code, sec. 100, implementing this provision.

[7] Constitution of Connecticut, art. VI, sec. 1: "Every citizen of the United States * * * who is able to read in the English language any article of the Constitution or any section of the statutes of this State, and who sustains a good moral character, shall * * * be an elector." See also Connecticut General Statutes, sec. 9–12, implementing this provision.

[8] Constitution of Delaware, art. V, sec. 2: "[N]o person * * * shall have the right to vote unless he shall be able to read this Constitution in the English language and write his name. * * *" See also Delaware Code Annotated, title 15, sec. 1701, implementing this provision.

[9] Georgia Code Annotated, sec. 34–617(a): "[The applicant] shall be required to read [the Constitution of Georgia or of the United States] aloud and write it in the English language."

[10] Georgia Code Annotated, sec. 34–617(b): "[The applicant may also] qualify on the basis of his good character and his understanding of the duties and obligations of citizenship. * * *"

[11] Georgia Code Annotated, sec. 34–618 sets forth a standard list of questions for those who seek to qualify pursuant to sec. 34–617(b) (e.g., "What are the names of the three branches of the United States Government?"). See also Constitution of Georgia, sec. 2–704 which sets forth the above requirements. A comprehensive Georgia Municipal Election Code was adopted on Sept. 1, 1968, that effects some provisions (e.g., conduct of the election) of the 1964 code; but for the qualifications of electors the 1968 code merely adopted the provisions of the 1964 code. See sec. 34A–501 of the Georgia Municipal Election Code. See also Georgia Code Annotated, sec. 34–617(a).

[12] Constitution of Hawaii, art. II, sec. 1: "No person shall be qualified to vote unless he is * * * able * * * to speak, read and write the English or Hawaiian language."

[13] Idaho Code, sec. 34–404: "No common prostitute or person who keeps or maintains, or is interested in keeping or maintaining, or who resides in or is an inmate of, or frequents or habitually resorts to any house of prostitution or ill fame, or any other house or place commonly used as a house of prostitution or of ill fame, or as a house or place of resort for lewd persons for the purpose of prostitution or lewdness, or who, being male or female, do lewdly or lascivously cohabit together shall be permitted to register as a voter or to vote at any election in this State." See also Constitution of Idaho, art. 6, sec. 5, which disqualifies from voting, inter alia, persons who are members of organizations which teach, advise, counsel, encourage or aid persons to enter into bigamy or polygamy.

[14] Louisiana Revised Statutes, title 18, sec. 31(3): "He shall be able to read and write. * * *" See also Louisiana Revised Statute, title 18, sec. 35.

[15] Constitution of Louisiana, art. VIII, sec. 1(c): "He shall be of good character and shall understand the duties and obligations of citizenship under a republican form of government." See also art. VIII, secs. 1(d), 18; title 18, secs. 31(2), 36. In addition a requirement that an applicant "shall be able to understand and give a reasonable interpretation of any section of [the Louisiana or United States Constitution]," and related provisions (title 18) secs. 35, 36) was enjoined by a Federal court, United States v. Louisiana, 225 F. Supp. 353 (1963), affirmed by the Supreme Court, Mar. 8, 1965.

[16] Constitution of Louisiana, art. VIII, sec. 18: "The Board [of Registrars] shall * * * issue a uniform, objective written test or examination for citizenship to determine that applicants * * * understand the duties and obligations of citizenship. * * *" See also title 18, sec. 191(A).

[17] Louisiana Revised Statutes, title 18, sec. 31(2): "He shall be of good moral character. * * *"

[18] Louisiana Revised Statutes, title 18, sec. 31(5): "No registrar or deputy registrar shall register any applicant * * * unless the applicant brings with him two qualified electors of the precinct in which he resides to sign written affidavits attesting to the truth of the facts set forth in the application form. * * *"

[19] Constitution of Maine, art. II, sec. 1: "No person shall have the right to vote * * * who shall not be able to read the Constitution in the English language, and write his name. * * *" See also title 21, sec. 241, implementing this provision.

[20] Constitution of Massachusetts, art. XX, sec. 122: "No person shall have the right to vote * * * who shall not be able to read the Constitution in the English language, and write his name. * * *" See also Massachusetts Laws, ch. 51, sec. 1, implementing this provision.

[21] Mississippi Code, sec. 3209.7. Mississippi appears to be the only State that has substantially changed its constitution and election laws as a result of the Voting Rights Act of 1965. Just prior to the passage of the 1965 Voting Rights Act by Congress, Mississippi amended art. 12, sec. 244, of its constitution to require only that en elector be able to read and write, and at the same time, repealed art. 12, sec. 241-A, which required that an elector be of good moral character. In a special session, the State legislature on June 20, 1965, amended the Mississippi Code (see Mississippi Code sec. 3209.7) to reflect these changes. Sec. 3209.7 provides, "A person shall not be registered unless he is able to read and write."

[22] New Hampshire Revised Statutes, sec. 55:10: "[An applicant shall be required] to write and to read in such manner as to show that he is not being assisted and in so doing and is not reciting from memory." See also New Hampshire Revised Statutes, secs. 55.11, 55.12, implementing this provision.

[23] Constitution of New York, art. 2, sec. 1: "[N]o person shall become entitled to vote * * * unless such person is also able, except for physical disability, to read and write English." See also New York Election Code, secs. 150, 168, implementing this provision.

[24] Constitution of North Carolina, art. VI, sec. 4: "Every person presenting himself for registration shall be able to read and write any section of the Constitution in the English language." See also General Statutes of North Carolina, sec. 163–23, implementing this provision.

[25] Oregon Revised Statutes, sec. 247.131: "[N]o elector shall be registered unless he is able, except for physical disability, to read and write English."

[26] Constitution of South Carolina, art. II, sec. 4(d): "Any person * * * shall be registered: Provided, That he can both read and write any section of this Constitution submitted to him. * * *" As an alternative to the reading and writing test, art. II, sec. 4(d), provides: "Any person * * * shall be registered: Provided, That he * * * has paid all taxes collectible during the previous year on, property in this State assessed at three hundred dollars ($300) or more." See also Code of South Carolina, sec. 23–62, implementing these provisions.

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California bases its qualifications for voter registration on the ability to read English. If the applicant admits he cannot read English, he is not registered.

The State of Arizona was one of those which had several of its counties brought under the Voting Rights Act and that state's literacy examinations were suspended in the affected counties until three were removed from its jurisdiction by court order.

Similarly, in the State of Hawaii, the County of Honolulu came under the provisions of the law and no tests are allowed in that county although they are allowed in other sections of the state.

I submit for the record in the Appendix the replies from the states mentioned and contend that this shows further that the Voting Rights Act of 1965 should not be extended in its present form because its application only adds to the lack of uniformity in voting rights laws. Either literacy tests or a basic literacy requirement such as a sixth grade education as it is spelled out in the law *should be allowed in all states or no such requirements should be permitted in any state.*

SUMMARY

Mr. Chairman, I believe the material presented clearly demonstrates that it would be unjust to the people and unfair to the states to extend the Voting Rights Act without change for five additional years.

In summary, it does not provide full protection of voting rights for every American in every state in the Union.

It treats states unequally under a contrived formula based on statistics that are now five years old and which, in fairness, should be superseded by the results of the 1968 Presidential election.

It does not recognize the fundamental presumption of innocence but presumes guilt of voting discrimination.

It does not take into consideration the presence in any state of large numbers of non-voting military personnel.

It does not give a political subdivision, innocent of any wrongdoing, the right to remove itself from the provisions of the law where the state has been treated as a whole unit in determinations by the Bureau of the Census and the Attorney General.

It gives no recognition to the progress made since 1964 in voter registration and political participation.

And, it continues to impose on the states the burden and expense of having to bring suit in federal court in Washington, D.C., to clear themselves of presumed guilt rather than in local federal courts.

In fairness and in justice, I urge this committee to lay aside the measures before it to extend the Voting Rights Act of 1965 without change and put together legislation which will correct the inequities cited and give full protection to all individuals in all states and equal treatment to every state in the matter of voting rights.

TABLE I

At the time of the passage of the Voting Rights Act of 1965 twenty-one (21) states had some form of literacy tests for the qualifications of prospective voters for registering. They are:

Alabama
Alaska
Arizona
California
Connecticut
Delaware
Georgia
Hawaii
Idaho
Louisiana
Maine
Massachusetts
Mississippi
New Hampshire
New York
North Carolina
Oregon
South Carolina
Virginia
Washington
Wyoming

TABLE II

Under the provisions of the Voting Rights Act and under Section 4(b) (2) of said Act, the Director of the Bureau of the Census determined that the following states or political subdivisions had less than fifty (50%) percent of the persons of voting age voting in the Presidential election of November 1964:

Alabama.
Alaska.
Georgia.
Louisiana.
Mississippi.
South Carolina.
Virginia.

Apache, Coconino, Navajo, and Yuma Counties of Arizona.

Elmore County, Idaho.

Honolulu County, Hawaii.

Anson, Bertie, Caswell, Cowan, Craven, Cumberland, Edgecombe, Franklin, Gates, Granville, Greene, Halifax, Hertford, Hoke, Lenoir, Nash, North Hampton, Onslow, Pasquotank, Person, Pitt, Robeson, Scotland, Vance, Wayne, Wilson, Martin, Washington, Camden, Perquianans, Beaufort, Bladen, Cleveland, Gaston, Guilford, Harnett, Lee Rockingham, Union, and Wake Counties of North Carolina.

TABLE III

The following states or political subdivisions in the 1964 Presidential election had less than fifty (50%) percent of their population of voting age casting votes:

State or political subdivision:	*(Percentage)*
District of Columbia	39.4
Virginia	41.1
Georgia	43.0
Alabama	35.9
Mississippi	33.2
Arkansas	49.9
Louisiana	47.2
Texas	44.4
Alaska	48.1

TABLE IV

The following states or political subdivisions had less than fifty (50%) percent of the population of voting age casting votes in the Presidential election of November 1968:

State or political subdivision:	*(Percentage)*
District of Columbia	33.5
South Carolina	45.9
Georgia	42.9
Texas	48.5

TABLE V

If the participation in or registration for the Presidential election of November 1968 were made the basis for the effectuality section of the Voting Rights Act of 1965, then the following states which had literacy examinations in November 1964 would automatically be removed from the provisions of the Act:

State	Percent in 1968	Percent in 1964
Virginia	50.4	41.1
Alabama	50.3	35.9
Mississippi	50.6	33.2
Louisiana	53.8	47.2
Alaska[1]	53.9	48.1

[1] Removed from jurisdiction of Voting Rights Act by declaratory judgment of U.S. District Court, District of Columbia.

TABLE VI

States or political subdivisions coming under the Voting Rights Act of 1965 had the following changes in voter participation between the 1964 and 1968 Presidential elections:

State	1964	1968	Change
Alabama	689,818	1,033,740	+343,922
Georgia	1,139,352	1,236,600	+97,248
Louisiana	896,293	1,097,450	+201,157
Mississippi	409,146	654,510	+245,364
South Carolina	524,756	666,978	+142,222
Virginia	1,042,267	1,359,928	+317,661
North Carolina (40 counties)[1]	1,424,983	1,587,493	+162,510
Alaska[2]	67,259	82,975	+15,716
Arizona (4 counties)[3]	327,615	325,762	—1,853
Idaho (1 county)[4]	292,477	291,183	—1,294
Hawaii (1 county)	207,271	236,218	+28,947

[1] Wake County, N. C.removed from jurisdiction by declaratory judgment.

[2] Alaska removed from jurisdiction by declaratory judgment.

[3] Apache, Coconino, and Navajo Counties removed from jurisdiction by declaratory judgment.

[4] Elmore County, Idaho, removed from jurisdiction by declaratory judgment.

TABLE VII

Following is an itemization of the number of military personnel for all armed services, not including dependents, located in each of the states or political subdivisions coming under the provisions of the Voting Rights Act of 1965, for which no allowance is made:

State	Military personnel	Percent of State population
Alabama	32,546	1.7
Georgia	106,403	3.4
Louisiana	41,532	1.4
Mississippi	22,584	1.3
South Carolina	67,305	3.3
Virginia	63,595	3.3
Alaska[1]	30,813	13.9
North Carolina (40 counties)[2]	105,713	2.4
Arizona (4 counties)[3]	29,707	2.4
Idaho (1 county)[1]	4,386	.7
Maine (1 county)	7,935	.1
Hawaii (1 county)	33,987	7.6

[1] Removed from jurisdiction of Voting Rights Act by declaratory judgment of U.S. District Court, District of Columbia.

[2] Wake County, N.C., removed from jurisdiction of Voting Rights Act by declaratory judgment of U.S. District Court, District of Columbia.

[3] Apache, Coconino, Navajo Counties removed from jurisdiction of Voting Rights Act by declaratory judgment of U.S. District Court, District of Columbia.

Note.—Average percentage of State population made up of military personnel is 1.6 percent. Figures include Army, Navy, and Air Force personnel and are exclusive of civilian personnel.

DEPARTMENT OF JUSTICE,
Washington, April 25, 1969.

Hon. FLETCHER THOMPSON,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN THOMPSON: Attorney General Mitchell has referred your letter of March 19, 1969, concerning subsection 4(a) of the Voting Rights Act, to this Division for reply. You state that, under your interpretation of subsection 4(a), a suit to end the suspension of literacy tests could not be brought by an individual county within a state which, by virtue of subsection 4(b), is subject to state-wide coverage by the Act; and you request an opinion as to the correctness of your interpretation.

In our opinion, your interpretation of the statute is correct. As you indicate, the phrase "such . . . subdivision" seems clearly to refer back to the phrase "political subdivision with respect to which the . . . [determination of coverage has] been made as a separate unit." Moreover, this reading of subsection 4(a) is supported by the legislative history. See H.R. Rep. No. 439, 89th Cong., 1st Sess. p. 14 (1965); S. Rep. No. 162, 89th Cong., 1st Sess., pt. 3, p. 16 (1965).

In conclusion, on the basis of the statutory language and the legislative history, we agree with you that subsection 4(a) does not authorize a county brought under the Act by virtue of a state-wide determination to seek a declaratory judgment ending the suspen-

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sion of tests. Only if the State prevails in an action for a declaratory judgment would suspension be terminated with respect to such a county.

I hope this information will be of assistance.

Sincerely,

JERRIS LEONARD,
Assistant Attorney General,
Civil Rights Division.

Voter Registration Department of Fulton County, Dec. 31, 1968

The total number of registered voters in Fulton County	273,173
Registration activities for year 1968:	
New registrations	33,553
Cancellation of non-residents	4,444
Transfers to other counties	4,980
Deaths	1,586
Felony	77
Reinstated	37
Changes of address processed	32,323
Student participation program for school registration:	
Number of high schools (city, county, private)	47
Number of high schools contacted	47
Number of high schools instructed	43
Number of high schools registered	43
Total number of students registered	5,984
Neighborhood registration:	
League of Women Voters	3,785
Red Oak fire station	56
AFL–CIO (labor)	655
Georgia Voter Registration Committee	10,872
Alpharetta Jaycees	15
All-Citizens Registration Committee	2,475
N.A.A.C.P	4,063
North Fulton County Federation of Republican Women	1,375
Republican Committee	806
South Fulton Chamber of Commerce	382
Roswell Jaycees	347
Fulton County votemobile	300
Criminal purge:	
Names checked	1,970
Corresponding names appearing on master voter list	370
Letters mailed	370
Deceased purge:	
Names checked	4,580
Names canceled	1,286

In accordance with a law passed by the Georgia State Legislature in January of 1968, Fulton County had to be reapportioned before the next general election. This was accomplished through the cooperation of the city clerk's office of Atlanta and the Fulton County elections department. Seventy new voting precincts were added, making a total of 198 precincts in Fulton County. A total of 211,000 registered voters had to be notified that their voting precinct has been changed. The reapportionment of the county was effected to relieve the over-crowded precincts.

A total of 273,339 citizens were registered and qualified to vote in the Presidential election on November 5, 1968. This number is an all-time high for Fulton County and an increase of over 100,000 since 1962 when the voter registration department was set up as a separate department by law.

For the primary and general election this department processed and mailed a total of 14,675 absentee ballots to servicemen, college students, physically disabled, and citizens away from Fulton County due to employment and vacations. Ballots were mailed to all parts of the world. There was a total of 1,529 absentee ballots voted in the office by citizens with emergency problems.

In November this department was visited by Mr. Legessa Bezelou, Prime Minister of Elections in Ethiopia, and in December Miss Yorkio Nakajima, associate professor of political science at the Obirin College in Tokyo, Japan. Both of these distinguished visitors informed us that Fulton County is recognized by the State Department of Commerce in Washington as having one of the most progressive voter registration programs in the Nation.

The year 1968 was a good year for the voter registration department, and we are extremely proud of the manner in which we were able to cope with the many problems that arise during a national election year.

——— ———,
Chief Registrar, Fulton County.

THE STATE OF NEW HAMPSHIRE,
Concord, April 8, 1969.

Hon. FLETCHER THOMPSON,
House of Representatives,
Washington, D.C.

DEAR REPRESENTATIVE THOMPSON: This is in reply to your letter inquiring as to whether literacy tests are still being used in this state in view of the Voting Rights Act of 1965.

Our statute (RSA 55:10) provides in part that the supervisor of the checklist shall require a prospective voter ". . . to write and to read in such manner as to show that he is not being assisted in so doing and is not reciting from memory."

When the question of the constitutionality of this statute was raised in 1968 by the Department of Political Science of the University of New Hampshire, we replied as per the attached copy.

Our election laws also contain a provision (RSA 59:65) permitting a voter ". . . who declares to the moderator, under oath, that he cannot read, . . ." to receive the assistance of one or both of the election officers detailed for that purpose by the moderator. Copies of these two statutes are enclosed.

We have not polled the municipalities on this subject, but believe literacy tests are continuing to be used.

Very truly yours,

Mrs. IRMA A. MATTHEWS,
Assistant Attorney General.

STATE OF NEW HAMPSHIRE

55:10 Reading Test. The qualifications of an applicant shall be determined by the supervisors, who shall examine him under oath relative thereto, and shall, unless he is prevented by physical diasibilty, or unless he had the right to vote, or was sixty years of age or upwards on January first, nineteen hundred and four, require him to write and to read in such manner as to show that he is not being assisted in so doing and is not reciting from memory.

59:65 Assistance in Voting. Any voter who declares to the moderator, under oath, that he cannot read, or that because of his blindness or other physical disability he is unable to mark his ballot, shall, upon his choice and request, receive the assistance of one or both of the election officers detailed for that purpose by the moderator; and such officer or officers shall thereafter give no information regarding the same. Provided that any voter unable to mark his ballot because of his total blindness may be assisted in such marking by any person, who is a qualified voter in the same town or ward, whom he may designate. Such person so assisting shall be sworn, shall mark the ballot as directed by said voter, and shall thereafter give no information regarding the same.

NOVEMBER 22, 1968.

Prof. DAVID L. LARSON,
College of Liberal Arts, Department of Political Science, University of New Hampshire, Durham, N.H.

DEAR PROFESSOR LARSON: The Secretary of State has referred to this office, for reply, your letter of October 31, 1968 suggesting that an advisory opinion be requested from the Attorney General as to the Constitutionality of RSA 55:10. This statute provides in part "that the supervisor of the checklist shall require a prospective voter to write and to read in such manner as to show that he is not being assisted in so doing and is not reciting from memory."

While in the past this office has occasionally rendered opinions of this nature we now adhere to the better practice of referring to our Supreme Court all questions on the constitutionality of a statute. It has been well settled that this is the prerogative of that court. We refer you to *Wyman* v. *DeGregory,* 101 N.H. 171, 178 (1957) wherein our Supreme Court held that the Trial Court's refusal to rule on the constitutionality of a statute was proper; that the "statute not being clearly unconstitutional on its face . . . the Trial Court could properly assume its constitutionality until it was decided otherwise in this court." see also *Velishka* v. *Nashua,* 99 N.H. 161, 165; *Musgrove* v. *Parker,* 84 N.H. 550.

Very truly yours,

Mrs. IRMA A. MATTHEWS,
Assistant Attorney General.

STATE OF DELAWARE,
STATE DEPARTMENT OF JUSTICE,
Wilmington, Del., March 27, 1969.

Hon. FLETCHER THOMPSON,
Member of Congress,
Washington, D.C.

DEAR CONGRESSMAN THOMPSON: Your letter of March 15, 1969, addressed to Honorable David P. Buckson, Attorney General, Dover, Delaware, has been referred to me for reply.

15 *Del. C.* § 1701 provides for a literacy test. However, the Department of Elections has informed me that it has not been enforced for some time.

Very truly yours,

FLETCHER E. CAMPBELL, Jr.,
Deputy Attorney General.

STATE OF NEW YORK, DEPARTMENT OF LAW,
Albany, April 4, 1969.

Hon. FLETCHER THOMPSON,
Member of Congress,
Washington, D.C.

DEAR FLETCH: New York law still provides for literacy tests to be administered to first voters who cannot demonstrate literacy by proof of at least a sixth grade education. Of course, we have been required to conform to the Voting Rights Act which permits proof of literacy in a language other than English insofar as citizens educated in Puerto Rico are concerned.

Warm personal regards and best wishes.

Sincerely,

LOUIS J. LEFKOWITZ,
Attorney General.

STATE OF CONNECTICUT,
Hartford, March 24, 1969.

Hon. FLETCHER THOMPSON,
Member of Congress,
Washington, D.C.

DEAR MR. THOMPSON: In response to your letter of March 15, 1969, Connecticut does use a literacy test pursuant to the Constitution and statutes in determining the qualification of prospective electors for registration.

The statutory requirement is that each citizen of the United States who has attained the age of twenty-one years must show that he "at the time of so applying, is able to read in the English language any article of the constitution or any section of the statutes of the state." Section 9–12, Connecticut General Statues, Revision of 1958, Revised to 1964.

In addition, under the Doctrine of Supremacy persons who comply with Section 4(e)(2) of the Federal Voting Rights Act of

1965, Public Law 89–110, are admitted as electors in the State of Connecticut.

Very truly yours,
Robert K. Killan,
Attorney General.
Raymond J. Cannon,
Assistant Attorney General.

State of Washington,
Olympia, Wash., September 20, 1966.
Hon. A. Ludlow Kramer,
Secretary of State,
Olympia, Wash.

Dear Sir: You have requested the advice of this office concerning the impact of the federal voting rights act of 1965 [1] upon the literacy requirement contained in Article VI, § 1, of the Washington constitution. That section reads as follows:

"All persons of the age of twenty-one years or over, possessing the following qualifications, shall be entitled to vote at all elections: They shall be citizens of the United States; they shall have lived in the state one year, and in the county ninety days, and in the city, town, ward or precinct thirty days immediately preceding the election at which they offer to vote; they shall be able to read and speak the English language: *Provided,* That Indians not taxed shall never be allowed the elective franchise: *And further provided,* That this amendment shall not affect the rights of franchise of any person who is now a qualified elector of this state. The legislative authority shall enact laws defining the manner of ascertaining the qualifications of voters as to their ability to read and speak the English language, and providing for punishment of persons voting or registering in violation of the provision of this section. There shall be no denial of the elective franchise at any election on account of sex."

It is not within the scope of this letter to advise concerning the effect of the voting rights act of 1965 upon the power of the legislature to enact laws "defining the manner of ascertaining the qualifications of voters as to their ability to read and speak the English language . . . " [2] Rather, you have requested that we simply concern ourselves here with the impact of this new federal legislation upon the requirement contained in Article VI, § 1, *supra,* that every voter " . . . shall be able to read and speak the English language . . . "

The pertinent provision of the voting rights act is § 4(e)[3], the complete text of which reads:

"Congress hereby declares that to secure the rights under the fourteenth amendment of persons educated in American-flag schools in which the predominant classroom language was other than English, it is necessary to prohibit the States from conditioning the right to vote of such persons on ability to read, write, understand, or interpret any matter in the English language.

"No person who demonstrates that he has successfully completed the sixth primary grade in a public school in, or a private school accredited by, any State or territory, the District of Columbia, or the Commonwealth of Puerto Rico *in which the predominant classroom language was other than English,* shall be denied the right to vote in any Federal, State, or local election because of his inability to read, write, understand, or interpret any matter in the English language, except that in States in which State law provides that a different level of education is presumptive of literacy, he shall demonstrate that he has successfully completed an equivalent level of education in a public school in, or a private school accredited by, any State or territory, the District of Columbia, or the Commonwealth of Puerto Rico in which the predominant classroom language was other than English."

To the extent that this statute is in conflict with the literacy requirement contained in Article VI, § 1, *supra,* the statute is controlling under Article VI of the United States constitution, which reads, in part:

"This constitution, and the laws of the United States which should be made in pursuance thereof; . . . shall be the supreme law of the land; and the judges in every state shall be bound thereby, any thing in the Constitution or laws of any state to the contrary notwithstanding."

The extent to which our literacy requirement is affected by section 4(e), *supra,* is revealed by the recent United States Supreme Court decision in *Katzenbach v. Morgan,* 384 U.S. 641, 16 L. ed. 2d 828, 86, S. Ct. 1777 (1966). This case involved constitutional requirements of the state of New York substantially similar to those contained in Article VI, § 1. In upholding the constitutionality of section 4(e), *supra,* the Supreme Court was careful to point out that its position on literacy as a qualification to voting is unchanged. The rule of *Lassiter v. Northampton County Board of Elections,* 360 U.S. 45, 3 L. ed. 2d 1072, 79 S. Ct. 985 (1959) that a state may constitutionally require its voters to be literate, is still the law of the land. Even Justice Douglas in *Cardona v. Power* 384 U.S. 672, 675, 16 L. ed. 2d 848, 86 S. Ct. 1728 (1966), a companion case, dissenting on the ground that the New York statute which affords the right to vote to a citizen literate in English but denies that right to a citizen literate in Spanish is an unconstitutional violation of the 14th Amendment, remarked:

"A state has broad powers over elections; and I cannot say it is an unconstitutional exercise of that power to condition the use of the ballot on the ability to read and write."

The effect of section 4(e) of the 1965 voting rights act, *supra,* is to provide an equivalent to the ability to read and speak the English language for those citizens who fall within the pattern of the section. See the remarks of Senator Jacob K. Javits, 2 U.S. Code Congressional and Administrative News 2577 (89th Congress, 1st session, 1965). As is suggested by a footnote in *Katzenbach v. Morgan, supra,* it provides this equivalence to a very limited class of persons: " . . . aside from the schools in the Commonwealth of Puerto Rico, there are no public or parochial schools in the territorial limits of the United States in which the predominant language of instruction is other than English and which would have generally been attended by persons who are otherwise qualified to vote, save for their lack of literacy in English." [4]

By taking note of the limited area in which section 4(e) is effective, we do not mean to intimate that the section need not be scrupulously adhered to. By congressional fiat, the literacy requirement in Article VI, § 1, *supra,* should be regarded as having been amended to read:

"They shall be able to read and speak the English language *unless* they can demonstrate that they have successfully completed the sixth primary grade in a public school in, or a private school accredited by, any state or territory, the District of Columbia, or the Commonwealth of Puerto Rico, in which the predominant classroom language was other than English."

We trust that the foregoing will be of assistance to you.

Very truly yours,
John J. O'Connell,
Attorney General.
Richard A. Mattsen,
Assistant Attorney General.

State of Washington,
Olympia, Wash., March 19, 1969.
Mr. Fletcher Thompson,
Member of Congress, Congress of the United States, House of Representatives, Washington, D.C.

Dear Mr. Thompson: This is in reply to your letter asking about the effect of the United States Voting Rights Act of 1965 on the use of literacy tests in the state of Washington.

The effect of the federal act in the state of Washington is fully explained in an opinion of the Attorney General 1967-No. 21 and opinion letter of this office to Honorable A. Ludlow Kramer, Secretary of State, dated September 20, 1966, copies of which are enclosed. We understand that the Secretary of State, as Chief Elections Officer, has distributed copies of these opinions to all election officers throughout the state, along with instruction on the necessary changes in procedure where literacy tests have been used. We believe that as a result of these actions, tests of literacy in English are no longer used anywhere in this state.

A bill is presently pending in the Washington legislature to amend our registration laws to eliminate references to literacy tests and to conform the questions required to be asked of appliances to those permitted by federal law. In short, Washington's response to the federal legislation has been not to make literacy tests university, but to eliminate them, relying on the applicants sworn statement that he can read and write English, or Spanish, if educated in Puerto Rico.

Since you have sent personal regards to John O'Connell, we should say that John chose not to run for re-election as Attorney General, but to run for Governor instead. He was unsuccessful in that race and is now in private practice in Tacoma with the law firm of Gordon, Honeywell, Malanca, Peterson & Johnson, Puget Sound Banking Building, Tacoma, Washington.

We are pleased to be able to provide the information you have requested.

Very truly yours,
Slade Gorton, *Attorney General.*
Morton M. Tytler,
Assistant Attorney General.

State of Washington,
Olympia, Wash.

Re Elections—civil rights—voter registration—administration of literacy test to persons registering to vote.

(Persons registering to vote in Washington cannot currently be tested for literacy in the manner provided for in RCW 29.07.070(13), in view of the provisions of the 1965 federal voting rights act (42 U.S.C., § 1971(a)).

June 15, 1967.

Cite as: AGO 1967 No. 21.
Hon. Alfred E. Cowles,
Executive Secretary, Washington State Board Against Discrimination, Olympia, Wash.

Dear Sir: You have asked for the opinion of this office on a question which we paraphrase as follows:

May persons registering to vote in Washington currently be tested for literacy in the manner provided for in RCW 29.07.070(13), in view of the provisions of recent federal voting rights legislation?

We answer your question in the negative for the reasons set forth in our analysis.

ANALYSIS

The Washington constitution (Article VI, § 1) provides that:

"All persons of the age of twenty-one years or over, possessing the following qualifications, shall be entitled to vote at all elections: . . . they shall be able to read and speak the English language: . . . The legislative authority shall enact laws defining the manner of ascertaining the qualifications of voters as to their ability to read and speak the English language, and providing for punishment of persons voting or registering in violation of the provision of this section."

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[1] Public Law 89–110 (codified as 42 USC section 1971 et seq.).

[2] See, however, 42 USC, section 1971a (c).

[3] 42 USC, section 1937b (e).

[4] 384 U.S. 641 at 645.

Pursuant to this article, the Washington legislature has provided (RCW 29.07.070):

"Having administered the oath, the registration officer shall interrogate the applicant for registration, concerning his qualifications as a voter . . ., requiring him to state:

* * * * *

"(13) Whether the applicant . . . is able to read and speak the English language so as to comprehend the meaning of ordinary English prose, and in case the registration officer is not satisfied in that regard, he may require the applicant to read aloud and explain the meaning of some ordinary English prose;"

Notably, this is the only Washington statute pertaining to the administration of literacy tests in implementation of the constitutional provision. It is further to be noted that this office has previously advised that the Washington literacy requirement has been modified by the "Puerto Rico" provision contained in the federal voting rights act of 1965, 42 U.S.C. § 1973b (e). See our letter to Honorable A. Ludlow Kramer, Secretary of State, dated September 20, 1966, a copy of which is enclosed. This provisions says that literacy in English cannot be a qualification to vote for persons educated in American flag schools in which the predominant classroom language was other than English.

Except for persons who come within the Puerto Rico provision, *supra*, the Washington literacy *requirement* remains in effect. However, the manner of *testing* for literacy is now controlled by federal law, as will be hereinatfer seen. Preliminarily, though, it should be noticed that the state of Washington is not one of the places where literacy tests have been prohibited outright by federal legislation. The 1965 voting rights act suspends literacy tests and other devices only in those states or political subdivisions where the director of census determines that less than fifty percent of the perosns of voting age residing therein were registered on November 1, 1964, or that less than fifty percent of such persons voted in the presidential election of November, 1964. See 42 U.S.C. § 1973b. Washington was not included in the director of census' report on the states that failed these fifty-percent requirements. See 30 Fed. Reg. 9897.

Unlike this more publicized part of the federal voting rights legislation, the part controlling the *manner* of administering literacy tests applies uniformly in all the states, including, of course, Washington. The pertinent language appears in 42 U.S.C., § 1971(a), as follows:

* * * * *

"(2) No person acting under color of law shall—

* * * * *

"(C) employ any literacy test as a qualification for voting in any election unless (i) such test is administered to *each* individual and is conducted *wholly in writing*, and (ii) a certified copy of the test and of the answers given by the individual is furnished to him within twenty-five days of the submission of his request made within the period of time during which records and papers are required to be retained and preserved pursuant to sections 1974–1974e of this title: . . .

"(3) For purposes of this subsection—

* * * * *

"(B) the phrase 'literacy test' includes any test of the ability to read, write, understand, or interpret any matter." (Emphasis supplied.)

The quoted language originated in the civil rights act of 1964. At that time it was limited to federal elections, but the 1965 voting rights act (§ 15(a), 79 Stat. 445) made it applicable to state and local elections as well.

The purpose of this feature of the federal voting rights legislation was explained in the report of the House Judiciary Committee recommending passage of the 1964 Civil Rights Act as follows: [1]

"Title I is designed to meet problems encountered in the operation and enforcement of the Civil Rights Acts of 1957 and 1960, by which the Congress took steps to guarantee to all citizens the right to vote without discrimination as to race or color.

* * * * *

"Section 101(a) is designed to insure nondiscriminatory practices in the registration of voters for Federal elections. It would amend existing law (42 U.S.C. 1971(a)) by requiring the application of uniform standards, practices, and procedures to all persons seeking to vote in Federal elections . . . These provisions would provide specific protections to the right to vote and would reduce opportunities for discriminatory application of voting standards without in any way lessening or limiting the broad prohibitions against voting discrimination already contained in existing law."

Seven members of the committee expressed additional views as follows: [2]

"Closely related to the delays in justice are the intricate methods employed by some State or county voting officials to defeat Negro registration . . .

* * * * *

"(T) he basic troubles come not from discriminatory laws, but (as the Civil Rights Commission so well expressed in its 1959 report, p. 133) 'from the discriminatory application and administration of apparently nondiscriminatory laws.'

"It is for these reasons that the committee has amended the 1957 and 1960 Civil Rights Acts to provide that, in Federal elections State registration officials must: (1) apply standards, practices, and procedures equally among individuals seeking to register to vote; . . . (3) administer literacy tests in writing. . . ." [3]

The approach of the earlier 1957 and 1960 Civil Rights Acts had been to enforce voting rights by authorizing the United States attorney general to bring civil lawsuits against offending state officers. But the state officers were acting under laws designed to give them an arbitrary discretion which was not easily subjected to judicial review. See, *Louisiana* v. *United States,* 380 U.S. 145 at 151–52 (1965), in which the court found that interpretation tests, such as Louisiana's requirement that an applicant give a reasonable interpretation of any section of the state or federal constitution, were adopted for the frank purpose of disfranchising Negroes, it being understood that the registration officers would use their discretion for that purpose. And, when the United States attorney general succeeded in having a state literacy statute declared unconstitutional, another slightly different one would be enacted to take its place.

Thus, in 1964, Congress decided to get to the heart of the problem; i.e., the practice of vesting unlimited discretion in state registration officers. Accordingly, the 1964 Civil Rights Act prohibited the use of literacy tests unless they met federal standards for uniform application. The basic operative language of the statute (now applicable as to state elections as well) is:

"No person . . . shall . . . employ any literacy test as a qualification for voting in any election unless . . . such test is administered to each individual and is conducted wholly in writing . . ."

In other words, unless a state's system for administering literacy tests meets the standards of the federal law, state officers may not use literacy tests at all.[4]

RCW 29.07.070, *supra,* does not presently require that a literacy test be given to each person who applies to register to vote. Instead, our statute says that a test is to be administered only if the registration officer "is not satisfied" with the applicant's sworn statement that he is able to read and speak the English language so as to comprehend the meaning of ordinary English prose.

In addition, our statute does not require that the test be given in writing; it says that the registration officer—". . . may require the applicant to read aloud and explain the meaning of some ordinary English prose;"

While Washington is not one of the states with a tradition of discrimination against minorities in voting, our statutory provisions on literacy tests are like those which were in effect where abuse occurred. The federal government has prohibited the discretionary approach, and Washington is bound to obey the law [5] as much as those states whose misconduct caused it to be enacted.

We reiterate that it is literacy *testing,* not the literacy *requirement,* at which 42 U.S.C., § 1971(a) (2) is directed.

Except in cases where the Puerto Rico provision applies, we see nothing in the federal voting rights legislation which prevents a voter registration officer from requiring an applicant to state (RCW 29.07.070) and swear (RCW 29.07-.080) that he is able to read and comprehend ordinary English prose.[6] A person who falsely swears for this purpose is guilty of a felony. RCW 28.85.200.

To summarize, we have concluded that:

(1) The Washington requirement that a person be able to read and speak the English language in order to vote remains in effect, except for persons educated in American flag schools where the predominant classroom language was other than English.

(2) Except as noted in (1), federal law does not prevent a voter registration officer from requiring an applicant to state and swear that he is able to read and speak the English language.

(3) Until Washington provides for the administration of literacy tests on a uniform basis in conformity with federal law, no

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[1] House Report No. 914, 88th Congress, 2d Session, 1964 U.S. Code Cong. & Ad. News 2391 at 2394.

[2] Additional views on H.R. 7152 by Representatives McCulloch, Lindsay, Cahill, Shriver, MacGregor, Mathias and Bromwell, 1964 U.S. Code Cong. & Ad. News, 2487 at 2490.

[3] For additional legislative history, see the comments of Representative Rogers of Colorado on the House floor, January 31, 1964, 110 Cong. Record 1548, and of Senator Keating on the Senate floor, April 1, 1964, 110 Cong. Record 6717.

[4] See note, Federal Protection of Negro Voting Rights, 51 Va. L.R. 1051 at 1192.

[5] The constitution of the United States says: "This Constitution, and the laws of the United States which shall be made in pursuance thereof; . . . shall be the supreme law of the land . . . any thing in the Constitution or laws of any state to the contrary notwithstanding." Article VI, clause 2.

[6] For their own guidance, voter registration officers may wish to take note of 42 U.S.C., § 1971(c) which says that in any lawsuit brought by the United States attorney general to enforce voting rights: ". . . there shall be a rebuttable presumption that any person who has not been adjudged an incompetent and who has completed the sixth grade in a public school in, or a private school accredited by, any State or territory, the District of Columbia, or the Commonwealth of Puerto Rico where instruction is carried on predominantly in the English language, possesses sufficient literacy, comprehension, and intelligence to vote in any election."

person may be required to take a literacy test.

We trust that the foregoing will be of assistance to you.

Very truly yours,
John J. O'Connell,
Attorney General.
Morton M. Tytler,
Assistant Attorney General.

State of Oregon, Department of State,
Salem, March 20, 1969.
Hon. Fletcher Thompson,
Member of Congress,
Washington, D.C.

Dear Congressman Thompson: Your letter of March 15, 1969 addressed to the Honorable Robert Y. Thornton, our Attorney General, has been referred to this office for our study and reply.

Yes, both the constitution of our state and our revised statutes provide for literacy tests in connection with registration and voting.

Above we are referring to Section 2, Article II, Oregon Constitution and Oregon Revised Statutes 247.131. Copies of both these citations are enclosed for your information.

As a bit of an editorial, we would like to comment to the effect that a literacy test is not universally given in Oregon. To the best of this writer's knowledge, literacy tests have during the past ten years been administered but twice.

If you have any further questions on this subject, please let us know.

Sincerely,
Jack F. Thompson,
Assistant Secretary of State.

247.070 Time for registering. (1) No elector may register within 30 days preceding any election held throughout the county in which he resides for the purpose of voting at such election. No elector residing in any precinct in which any election not held throughout the county is to be held may register within 30 days preceding such election for the purpose of voting at such election.

(2) Any elector who will complete his residence requirement or attain the age of 21 years during the period when the register of electors is closed may register within 30 days preceding the closing of the register. [1957 c.608 §30]

[247.080 Repealed by 1957 c.608 §231]

[247.090 Repealed by 1957 c.608 §231]

247.100 Office hours of county clerk on last day for registration. On the last day for registration of electors, including Saturday, the county clerk in all counties shall keep his office open for registration of electors from the time the office is opened in the morning continuously until 8 p.m.

247.110 [Repealed by 1957 c.608 §231]

247.111 Registration of elector absent from county of residence or from Oregon. (1) Any elector absent from the county in which he resides but within the state may register before the county clerk or any official registrar of the county in which he may then be. Such county clerk or official registrar shall mail the official registration card of the elector to the county clerk of the county in which the elector resides and may collect from the elector a fee of not more than 25 cents.

(2) An elector absent from the state may register by:

(a) Signing a statement, under oath or affirmation, containing the same information as an official registration card or by completing an official registration card before a notary public or an official with elector registration functions similar to those of a county clerk or official registrar, and by mailing such statement or card, together with a certificate of such notary public or official that the elector has satisfied the requirement of ORS 247.131, to the county clerk of the county in which the elector resides; or

(b) Mailing a request for registration to the county clerk of the county in which the elector resides, and the postmark on such request indicates that it was posted not less than 30 days preceding the election. Upon receipt of such request the county clerk shall send to the elector an official registration card. The elector shall complete the card before a notary public or an official with elector registration functions similar to those of a county clerk or official registrar and shall return it to the county clerk, together with a certificate of such notary public or official that the elector has satisfied the requirement of ORS 247.131. [1957 c.608 § 33; 1959 c.274 § 1]

247.120 [Amended by 1955 c.695 § 3; repealed by 1957 c.608 § 231]

247.121 Required registration information. (1) Each elector who requests registration shall supply the following information under oath or affirmation:

(a) His full name and sex.

(b) His mailing address, his residence address or any other necessary information definitely locating his residence.

(c) The period of time preceding the date of registration during which he has resided in the state.

(d) The date and place of his birth.

(e) The full name of his father, the full maiden name of his mother and the full name of his spouse.

(f) His occupation or profession.

(g) Whether or not he is a naturalized citizen. If he is a naturalized citizen and if he has not been previously registered in the county as a naturalized citizen, the elector shall exhibit his final citizenship papers or an authenticated copy thereof.

(h) The name of the political party with which he is affiliated, or that he is not affiliated with any political party or that he does not desire to supply such information.

(2) No elector shall supply any information under subsection (1) of this section, knowing it to be false. [1957 c.608 § 34]

247.130 [Repealed by 1957 c.608 § 231]

247.131 Literacy test. If he has not been previously registered in this state, no elector shall be registered unless he is able, except for physical disability, to read and write English. The elector may be required to demonstrate such ability by reading a paragraph of his own choosing from any available printed matter and by signing his name. [1957 c.608 § 35]

247.140 [Repealed by 1957 c.608 § 231]

State of North Carolina, Department of Justice,
Raleigh, March 19, 1969.
Re: Literacy test.
Hon. Fletcher Thompson,
House of Representatives,
Congress of the United States,
Washington, D.C.

Dear Mr. Thompson: In reply to your inquiry of March 15, 1969, as to whether literacy tests are still being used by registrars in North Carolina, you are advised that 39 counties in this State (out of 100 counties) have been placed under the Voting Rights Act of 1965. Therefore, the literacy test is not applied in the 39 counties, but is applied in the other counties of this State. The literacy test used in North Carolina is a very simple, minimal and uniform test wherein the person may merely copy the material presented to them.

Very truly yours,
Robert Morgan,
Attorney General.
James F. Bullock,
Deputy Attorney General.

State of Maine, Department of the Attorney General,
Augusta, Maine, March 20, 1969.
Hon. Fletcher Thompson,
Member of Congress,
House of Representatives,
Washington, D.C.

Dear Sir: This will acknowledge receipt of your letter of March 15 addressed to Honorable James S. Erwin, Attorney General. You have asked if the State of Maine still uses literacy tests for voter registration. The answer is that we still do. 21 M.R.S.A. § 241, subsection 2, provides:

"He must read from the Constitution of the State of Maine in a manner which shows he is neither being prompted nor reciting from memory. He must write his name in English.

"A. Exception. This subsection does not apply to a person who is prevented by physical disability from performing its requirements, but he may be required to supply reasonable proof of his knowledge."

I trust this information is what you are seeking.

Very truly yours,
George C. West,
Deputy Attorney General.

Office of the Attorney General,
State of Wyoming,
Cheyenne, Wyo., March 20, 1969.
Hon. Fletcher Thompson,
Member of Congress, Congress of the United States, Washington, D.C.

Dear Congressman Thompson: This will acknowledge receipt of your letter of March 15th, wherein you inquired as to whether or not literacy tests are still being required by Wyoming voter registrars in relation to qualification of prospective voters.

Art. 6, Sec. 9 of the Wyoming Constitution provides:

"No person shall have the right to vote who shall not be able to read the constitution of this state. The provisions of this section shall not apply to any person prevented by physical disability from complying with its requirements."

This provision of our Constitution was interpreted by the Wyoming Supreme Court in the case of *Rasmussen v. Baker*, 7 Wyo. 117, 50 Pac. 819 (1897), where on pages 148 and 149 of the Wyoming Report, our Court held: "* * * in the sense of the constitutional requirement, no person is able to read the constitution of this state who cannot read it in the English language; and consequently is not entitled to vote, unless such incapacity is the result of physical disability, or such person has the right to vote at the time of the adoption of the constitution."

The literacy test is still incorporated in our statutes. (Sec. 22–6 and 22–158, Wyoming Statutes 1957.)

Yours truly,
James E. Barrett,
Attorney General.

State of California, Office of the Attorney General, Department of Justice,
Sacramento, May 8, 1969.
Hon. Fletcher Thompson,
Member of Congress,
Washington, D.C.

Dear Congressman Thompson: This will acknowledge receipt of your recent letter requesting information as to whether literacy tests are still being used by voter registrars in the State of California. As you may know, the provisions of Article II, Section 1, of the California Constitution set forth the qualifications for voters in California and provides in part as follows: ". . . and no person who shall not be able to read the Constitution in the English language and write his or her name, shall ever exercise the privileges of an elector in this State; . . ."

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Up until 1961, under the provisions of Section 14235 of the California Elections Code, a voter could be challenged at the voting polls on election day on the grounds that he could not read as required by the Constitution but that challenge provision was repealed by the provisions of Statutes of 1961, Chapter 56, Section 3.

Up until 1961, the provisions of Section 14247 set forth a provision that if a person was challenged on the grounds that he could not read, he could be required to read ". . . any consecutive 100 words of the Constitution of the State selected by the Judges . . ." That provision was also repealed by Statutes of 1961, Chapter 23.

Actually, registration of voters is conducted by the County Clerks or Registrars of Voters of the 58 counties of the State of California.

The Secretary of State conducts statewide elections in the State of California and H. P. Sullivan, Assistant Secretary of State, and former Registrar of Voters of Santa Clara County, informs us that the statewide practice is as follows: County Deputy Registrars of Voters are usually instructed to question a voter if they have doubts concerning his ability to read. If a voter admits he cannot read English, he is not registered, but if he states he can, he is usually registered or asked to read a few words on the Affidavit of Registration prior to being registered.

We hope this information will be of assistance to you.

Very truly yours,

THOMAS C. LYNCH,
Attorney General.
CHARLES A. BARRETT,
Assistant Attorney General.

PHOENIX, ARIZ.,
September 15, 1965.

Department of law letter opinion No. 65-19 (R-133).

No. 1 requested by: The Honorable Sarah Folsom, Superintendent of Public Instruction.

Question: What effect, if any, does the Voting Rights Act of 1965 (P.L. 89-110) have on local district school board elections?

Answer: See body of opinion.

No. 2. requested by: The Honorable D. L. Greer, Apache County Attorney.

Question: May the present registration form used in Apache County still be used in view of the passage of the Voting Rights Act of 1965?

Answer: Yes.

No. 3 requested by: The Honorable Richard J. Riley, Cochise County Attorney, The Honorable David E. Ellsworth, Yuma County Attorney.

Question: Does the Voting Rights Act of 1965 (P.L. 89-110) effect voter registration in Arizona?

Answer: Yes.

OPINION NO. 65-19 (R-133) SEPTEMBER 15, 1965

The Voting Rights Act of 1965 (P.L. 89-110) was passed to enforce the provisions of the 15th Amendment of the United States Constitution, which reads as follows:

"Section 1. The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any state on account of race, color, or previous condition of servitude.

"Section 2. The Congress shall have power to enforce this article by appropriate legislation."

In the spirit of the amendment, Congress has set forth the purpose of the Act, in Section 2, in these words:

"No voting qualification or prerequisite to voting, or standard, practice, or procedure shall be imposed or applied by any state or political subdivision to deny or abridge the right of any citizen of the United States to vote on account of race or color."

Following Section 2 there are seventeen additional sections of which only one, Section 4, has immediate applicability and effect up on our state election laws and the specific questions asked.

Section 4, generally, provides that a citizen's right to vote may not be denied by his failure to comply with any "test or device". This prohibition clearly stated in Section 4 (a), does not automatically apply to all states, or subdivisions of the states, but requires a prior determination to be made by designated officials. In Subsection 4(b) this requirement is set forth as follows:

"The provisions of subsection (a) shall apply to a state which (1) the Attorney General determines maintained on November 1, 1964, any test or device, and with respect to which (2) the Director of the Census determines that less than 50 per centum of the persons of voting age residing therein were registered on November 1, 1964, or that less than 50 per centum of such persons voted in the presidential election of November, 1964."

The express intention of Congress is that Section 4(a) only apply to a federal, state or local election after Section 4(b) facts are ascertained by the Attorney General and Director of the Census. It follows that these provisions are not self-executing and not applicable to state election laws until the determination has been made and communicated by publication in the Federal Register (Section 4[b]). Our immediate information is that such a determination has not been made concerning Arizona.

The only provision of the Act which has immediate application appears to be Subsection 4(e) (1) and (2), which by express terms is also enacted under authority of the 14th Amendment of the United States Constitution. This Subsection makes a demonstrated sixth grade education presumption of ability to read, write, understand or interpret any matter in the English language. Pertinent parts of the Subsection are as follows:

"4(e)(2) No person who demonstrates that he has successfully completed the sixth primary grade in a public school in, or a private school accredited by, any State or territory, the District of Columbia, or the Commonwealth of Puerto Rico in which the predominate classroom language was other than English, shall be denied the right to vote in any Federal, State or local election because of his inability to read, write, understand or interpret any matter in the English language. . . ."

In its first regular session of 1965, the Twenty-Seventh Legislature amended A.R.S. § 16-921, entitled "Grounds for Challenging Voter," by removing the requirement that a voter be able to read and understand the Constitution. The only element remaining in the nature of a test or device is the requirement that the voter be able to write his name, unless prevented from doing so by physical disability. In addition to this is A.R.S. § 16-101 A(4), which is entitled: "Qualification of Electors" and reads:

"Every resident of the state is qualified to become an elector and may register to vote at all elections authorized by law if he:

* * * * *

"4. Is able to read the Constitution of the United States in the English language in a manner showing that he is neither prompted nor reciting from memory, unless prevented from so doing by physical disability.

"5. Is able to write his name, unless prevented from doing so by physical disability."

It seems clear to this office that the aforequoted Section 4(e)(2) is intended by Congress to have immediate effect and that said section must be read to modify both A.R.S. Sections 16-101 and 16-921 to the effect that where a person can demonstrate that he or she has gone through the sixth grade, in a school as specified heretofore, such demonstration takes the place of Subsections 4 and 5 of A.R.S. § 16-101 A and Subsection 7 of A.R.S. § 16-921.

Our answers to Questions No. 1 and 3 are answered by the foregoing paragraph. The Voting Act of 1965 does have an effect upon the local school board election and voter registration. Its effect in Arizona, however, as pointed out, is slight.

Our answer to Question No. 2 is that the same registration form may be used. When a person demonstrates sixth grade primary schooling, this demonstration replaces the necessity for inquiry into his or her ability to read or understand the Constitution or to write his or her name.

Respectfully submitted,

DARRELL F. SMITH,
The Attorney General.

CITY AND COUNTY OF HONOLULU,
OFFICE OF THE MAYOR,
Honolulu, Hawaii, March 25, 1969.

Hon. SPARK M. MATSUNAGA,
U.S. House of Representatives,
Cannon House Office Building,
Washington, D.C.

DEAR SPARKY: I am happy to respond to your inquiry of March 21, requesting information concerning the administration of the Voting Rights Act of 1965 as it relates to the City and County of Honolulu.

As your letter states, Honolulu County was triggered under this Act. This meant that applicants for registration to vote could not be questioned about their literacy for five years or until we obtained a declaratory judgment from the United States District Court that the test had not been used in a discriminatory manner.

In this connection, Mrs. Ione Akana, Deputy Chief of the United States District Court here, has informed our City Clerk Eileen K. Lota on January 10, 1969 that there is no record that Honolulu County has filed suit to obtain such declaratory judgment.

Meanwhile, please be informed that we are not administering any literacy tests in registering voters.

With much aloha,

Sincerely,

JACK F. TEEHAN,
Executive Assistant.

A LETTER FROM A CONSTITUENT

HON. HENRY C. SCHADEBERG

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 15, 1969

Mr. SCHADEBERG. Mr. Speaker, in an effort to inform my colleagues of what people back home are thinking, upon occasion I include in the RECORD letters I have received from constituents—some with whom I agree and some with whom I do not agree. I believe we should listen to what our citizens are saying so that, in the decisions we make, their will is reflected. Of course, I receive the consent of my constituents whose letters I wish to share with the Members of the House. Mr. Roger Moon, a resident of the first district who is of American Indian descent, recently wrote to me, reflecting his thinking concerning an unfortunate incident which occurred in April in his community. The full text of his letter follows:

RACINE, WIS.

DEAR SIR: Since everyone else is protesting, here is mine: We are having a riot and property damage to public property. Since some of my tax money is involved, I'm concerned.

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First, if these rotten people want to spend the fruit of my labor, they shouldn't interfere with my ability to go to work.

Second, our police have to be paid for the extra hours of work. Since this will cost very much, I think they have used their fair share of my wages. Since I am a non-White, I think I can understand their problems. They need a school attendance law with teeth in it; as unless my history teacher was wrong, there was never a time in history when appeasement made any different in the militant action.

Third, I dont' think I'm special. I get up at 4:30 a.m., drive 20 miles to work, I work 9 hours, and drive 20 miles back home. I'm just a man with seven children and a pregnant wife, so you see I'm not so different from these poor, misunderstood people.

Fourth, I watched the Colored Genocide March on Madison (the capital city of Wisconsin). I wish I could have as new a car as these people. Mine is ten years old and I paid $20 for it six months ago; so I'm a mechanic, though not by choice.

Fifth, I don't think I have anything to complain about. We are happy in our poverty. Just would you please try to make a better country for these little children of ours. I do fear for their safety.

Roger Moon.

PILGRIMAGE TO THE ALAMO

HON. HENRY B. GONZALEZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 15, 1969

Mr. GONZALEZ. Mr. Speaker, San Antonio, Tex., my district, is the home of the Alamo. Every year now for some time it has become traditional to make a pilgrimage to this historic shrine in order to commemorate the heroes who died there more than 135 years ago.

The official address this year was made by a great American soldier, Lt. Gen. Harry H. Critz, the commanding general of the 4th U.S. Army in San Antonio.

Mr. Speaker, I ask unanimous consent that his eloquent and unforgettable words be placed into the Record at this point:

Pilgrimage to the Alamo Address, Lt. Gen. Harry H. Critz, Commanding General, 4th U.S. Army, San Antonio, Tex., April 21, 1969

Thank you, Mr. Garrett (response to introductory remarks).

Mayor McAllister, Mrs. Gorner, ladies and gentlemen, as an American I am greatly honored to have this opportunity to present the traditional address at these ceremonies commemorating the heroes who gave their lives here over 130 years ago. As a native Texan, brought up on the traditions of our State, this occasion has a deeply personal meaning, as I recall the significance of "the Alamo" to the people of Texas.

On March 6, 1836, on this ground where we stand this afternoon, a small group of dedicated men died in triumphant defeat. Defeat, because in a strict military sense they had lost the battle. Triumphant, because in that greater sense of the ultimate in devotion to an ideal, they had won their war for independence. For it was those who fought here who bequeathed to the people of Texas the unity and common purpose epitomized by that rallying cry which has become a part of our national heritage: "Remember the Alamo."

It was this bequest of those heroic men we honor here today which made so invaluable a contribution to the final victory of Texans on another day on the battlefield at San Jacinto.

But how should we, the Americans of today, "remember the Alamo"?

Not for the military activities of that conflict of years past, violent and deadly as they were. Not for its magnitude, for even by the standards of that time and place it was a little battle in which a small force ultimately succumbed to superior numbers. We "remember" because it was not a piece of ground, not a partially ruined mission, those brave men were defending but rather, a cause—a belief in the right of a people to determine their own destiny—free from the fear and power of the dictator and the tyrant.

It is this belief, held by those Texans and other earlier Americans—and steadfastly maintained by later generations—that has made the United States of America the greatest nation the world has ever known!

But, let us reflect a moment upon those attributes which sustain a great people. Material wealth?—certainly this is important if we are to cope with the problems and dangers of the world we live in. Yet, history has too frequently demonstrated that no nation dedicated solely to material gain will endure. To realize our unprecedented potential for enduring greatness it is vital that we continue to be great in spirit—great in our unswerving dedication to those ideals which made, and have kept, our country free. If we are to insure that future generations of Americans will continue to enjoy the liberties that those ideals have gained we must be constantly alert to threats to those liberties.

A well-known American writer* once made a remark to the effect that those who refuse to study history are destined to repeat it. And, history is replete with the stories of great nations which were destroyed because they had ceased to believe in their own ideals—destroyed by forces from within their societies.

This, I think, is of particular significance to us at this time for we are all aware of the disorders which have taken place in recent years throughout this Nation. While it is true that a very small minority have been actively engaged in this turbulence, it is of considerable concern that a part of this minority is students in our institutions of higher education—a segment of the society to which we must look for our future national leadership.

The reasons given for this disorder are almost as many as they are complex. However, running through the wide spectrum of these disturbances is a highly discernable thread, the thread of a small core of leaders dedicated to an ideology whose stated purpose is explicit—the destruction, by violence, if necessary, of our American social institutions.

The contention of this leadership is that the principles which have guided the moral and spiritual, as well as material, development of the United States are no longer valid because they have not produced "the perfect society."

Much propaganda carries in it, as in this case, a grain of the truth, enough to impress the unwary or the unthinking.

Of course we cannot deny that our society is imperfect. I doubt that it is within human capability to be perfect. But, I submit that this society is the best that has been produced throughout man's history. It will continue to be a viable society, capable of the adjustments necessary to make it the best society man can produce in the future only if we remain steadfast to those values and ideals which have brought us further along the road to social perfection than mankind has ever come before.

But, as we continue up that road we must not be misled: We must be aware that the tyrant and the aggressor *are still with us,* inside as well as outside our borders. They are armed with new weapons of subversion and new techniques of terror, but their ultimate objective is as old as history—the domination of mankind.

The preservation of the freedoms we hold dear dictates that aggression and subversion must be stopped when and where they appear. As history has so tragically recorded, the greater the delay in acting against them, the higher the price that must be paid to subdue them.

As the patriot Thomas Paine wrote during dark days in the founding of our country, "tyranny . . . is not easily conquered; yet we have this consolation with us, that the harder the conflict, the more glorious the triumph. What we obtain too cheap, we esteem too lightly . . . it would be strange indeed if so celestial an article as freedom should not be highly rated."

The price of liberty has always been high—it is still high.

Freedom is ours to enjoy only because dedicated Americans earned and defended it—and paid the price. Freedom will be our children's to enjoy only because those Americans who defend it throughout the world today are willing to pay that price.

The men who fought here at the Alamo understood the cost of liberty when they chose "never to surrender or retreat"—and died to a man for the cause in which they believed. They knew that freedom must be dearly bought—and this each generation of Americans must know if the ideals we cherish, and this great Nation built on those ideals, are to endure.

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* George Santayana: Poet, educator, philosophical writer. Born in Spain; came to US in 1872; studied at Harvard; taught History of Philosophy in Berlin; died in Europe.

THE FATHER OF COLUMBUS DAY

HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 15, 1969

Mr. ANDERSON of California. Mr. Speaker, it has recently come to my attention that the California Knights of Columbus are sponsoring a program for a commemorative postage stamp for the founder of Columbus Day, Mr. Angelo Noce. Mr. Noce, a native Californian, devoted most of his life to having Columbus Day made a national holiday.

Mr. Speaker, I would like to urge President Nixon and Postmaster General Blount to issue such a commemorative stamp and presidential proclamation for the late Angelo Noce, "The Father of Columbus Day."

I would also like to include for the Record a copy of a resolution to this effect which has been introduced in the California State Assembly.

Resolution follows:

Assembly Joint Resolution 4

Joint resolution relative to the issuing of a commemorative postage stamp and a presidential proclamation regarding Angelo Noce, "The Father of Columbus Day in America"

Whereas, During his life, Angelo Noce gave unselfishly of his time to make Columbus Day a legal holiday; and

Whereas, Columbus Day was first officially proclaimed by Colorado Governor Jesse F. McDonald as a legal holiday in the State of Colorado; and

Whereas, Two years later in 1907 Colorado's Governor Henry A. Buchtel signed the Co-

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lumbus Day Bill, inspired and written by Noce, into law making Columbus Day a state holiday; and

Whereas, Angelo Noce devoted most of his life to making Columbus Day a national holiday, and when he died in the year 1922 at the age of 74, 35 states had adopted his worthy proposal; and

Whereas, Angelo Noce should be known as the "Founder and Father of Columbus Day in America," and proper tribute should be given by the United States of America; and

Whereas, Angelo Noce contributed to the history and color of the State of California by working in the "Mother Lode" goldfields, attending school in Jackson, enrolling in the first class at St. Mary's College in 1863, studying printing and journalism at Santa Clara University, and working on the Amador Dispatch in Jackson; and

LEGISLATIVE COUNSEL'S DIGEST

AJR 4, as introduced, Chappie (H.A.D.). Angelo Noce Week.

Urges Post Office Department to honor Angelo Noce, "Founder and Father of Columbus Day" with commemorative stamp and urges President to proclaim Angelo Noce Week.

Whereas, Angelo Noce contributed greatly to the history and color of the State of Colorado by becoming deeply involved in politics and civil affairs in representing Denver's growing Italian-American community, as deputy county assessor, as constable, as deputy sheriff, as clerk in the Colorado House of Representatives, and as nominee in 1898 for a seat in the Legislature;and

Whereas, Angelo Noce also enjoyed renown as a prominent Fourth Degree Knight of Columbus, Catholic Lay Apostle, an outstanding citizen and patriot; now, therefore, be it

Resolved by the Assembly and Senate of the State of California, jointly, That the Legislature of the State of California recommend that the Post Office Department of the United States of America print a commemorative stamp honoring Angelo Noce as the "Founder and Father of Columbus Day"; and be it further

Resolved, That Richard M. Nixon, President of the United States of America, be requested to proclaim October 5 to October 12, 1969, Angelo Noce Week; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the President of the United States and the Postmaster General of the United States

NIXON'S STAND ON STUDENT UNREST

HON. HALE BOGGS

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 15, 1969

Mr. BOGGS. Mr. Speaker, I attach hereto, so that other Members of the Congress may read it, a copy of an editorial recently broadcast by WDSU-TV and WDSU-Radio in New Orleans, with respect to student unrest.

More and more people throughout our country are becoming alarmed over the sheer anarchy which, unfortunately, is prevalent on many of the campuses of our country.

The editorial follows:

NIXON'S STAND ON STUDENT UNREST

(NOTE.—The following editorial was broadcast over WDSU-TV and WDSU Radio on Monday, March 24, 1969.)

A recent poll revealed that Americans are not as deeply concerned over Vietnam, the Middle East, inflation or the missile race, as they are disturbed by growing student unrest and, often, violence.

This weekend President Nixon publicly took a stand which was, we feel, both firm and fair. On one hand, he pointed out that "freedom—intellectual freedom—is in danger in America." He also said: "Violence is becoming an accepted element in the clash between students and university officials."

He acknowledged the need for legitimate reforms . . . the "impersonalization" of teaching in many schools . . . the "need for student involvement" in certain areas.

But he also stressed the obvious if we are to avoid anarchy. Assault and counter-assault (lack of communication) break down any rational attempts to solve real problems.

Into the vacuum have stepped the nihilists, the Marxist-Maoists-Communist self-styled guerrilla revolutionaries . . . and those who simply call themselves "Crazies."

"Violence," the President said, "must never be permitted to influence the action of judgments of the university . . . or it will cease to be a university." One does not burn down the barn to "roast a pig." It is easy to pout and shout if one has no solutions to offer.

The same logic must apply, in a democracy, to all those who use illogical methods—such as the adults who ransacked a Dow Chemical Company office this weekend because Dow manufactures Napalm.

No matter how righteous one feels his cause, no one has the right to make up his own laws, destroy another's property, or interfere with the rights of others who observe the laws, and whose rights also must be considered. This is anarchy—not a democracy.

WILTON McKINNEY WINS MARLBORO AWARD

HON. JAMES R. MANN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 15, 1969

Mr. MANN. Mr. Speaker, it is my privilege to pay tribute to an outstanding citizen of my district, Mr. Wilton J. McKinney, of Greenville, S.C.

Mr. McKinney is noted as one of Greenville's most active civic and community leaders, but apart from this he has earned a great deal of respect and recognition through his long-standing work with the young people of the community. As a tennis coach at Greenville Senior High School for 20 years, he guided his teams through successive years of winning seasons and helped to produce a number of regional and national honor players from these teams. During these years, he has devoted a substantial part of his vacations annually to assist in the direction of tennis tournaments in South Carolina and has continually made his home a second "home" to his players and any other sports-minded youngsters interested in playing tennis.

His outstanding service to youth was recently recognized at a special presentation banquet in his honor attended by over 200 of his friends and fellow citizens. At the banquet, Mr. McKinney received as a gift from the citizens of Greenville a trip to see the Wimbledon championships in England this summer.

Mr. Donald Dell, captain of the U.S. Davis Cup team, was also present at the banquet to give Mr. McKinney the Marlboro Award, a national award recognizing outstanding contributions to the game of tennis.

Mr. McKinney's dedication and devotion in serving, coaching, and guiding the young people of the Greenville area has truly been remarkable. I welcome this opportunity to commend Mr. McKinney on these achievements and insert the following article from World Tennis magazine and a letter from the Honorable Robert E. McNair, Governor of South Carolina, along with my remarks:

[From World Tennis magazine, May 1969]

WILTON MCKINNEY WINS MARLBORO AWARD

The 20th Greenville High School tennis team that Wilton McKinney coached scored the greatest sports achievement in the school's history, and when they had finished Wilton couldn't even applaud. In 1968 the Greenville team in South Carolina won the Southern Championships and finished third in the nation in the National Interscholastics at Chattanooga. Most players would have wrung their coach's hand off, but McKinney's hand was in a cast. He jokes about it:

"I broke my wrist in a car accident in January and I wasn't able to demonstrate one thing for this team. Before that, I hurt my knee playing tennis in November and was out of action for two months. Then my players had their greatest achievement. Do you think they are trying to tell me something?"

If they are trying to tell him anything, it's that he started them on the championship route with too much momentum for a plaster cast to stop. How can a boy malinger under a coach who is giving the school 20 hours per week without a cent in return?

McKinney is not and never has been paid for coaching the Greenville team. He doesn't charge them either for using his house as a luxurious locker room, drugstore, tea room and council chamber where free soft drinks, free advice and free encouragement are offered. His home is directly across the street from the Greenville Country Club, where the team practices. He dashes to the courts after work and stays until 9 P.M. when the last pupil of the day has had a hit. New faces are seen at the backboard each year, along with a few old ones whom McKinney has resurrected from a premature retirement from tennis. Wilton and his good friend Paul Scarpa, the Greenville tennis pro, are too persuasive to allow a man to hang up his rackets permanently.

Among the 20 high school proteges of McKinney who have gone to college on tennis scholarships are Keith Stoneman, who won the Atlantic Coast Conference doubles; Tee Hooper, who took the singles and doubles in the Southern Conference as a sophomore at The Citadel; Brad Wyche, No. 1 on the Princeton freshman team; and Peyton Watson, No. 3 on the University of Miami team. Whenever his players, whether as a team or as individuals, won an event, Wilton had a celebration dinner at the most expensive steak house in town.

In the spring, McKinney averages three hours a day, five days a week on the court. In the summer he takes it relatively easy. One year he spent a week of his vacation at the National Juniors, another week at the Southern Juniors and the third at the State Closed in Columbia. But Wilton is more than just a hard-working guy; he is a delightful man whose remarkable sense of humor and inspiration have won for him the friendship of everyone who has ever met him. He has often been the best man at weddings of his former pupils and he has also been Godfather to the children of his proteges.

The Marlboro Award recognizes the extraordinary contributions of this wonderful man to the sport of tennis.

STATE OF SOUTH CAROLINA,
OFFICE OF THE GOVERNOR,
Columbia, S.C.

MR. WILTON MCKINNEY,
Greenville, S.C.

DEAR WILTON: I am pleased to add my words of congratulations on this auspicious occasion. I know of no one more deserving of this tribute, and it is an honor for me to be included among those who count you a friend.

It is appropriate that World Tennis Magazine has selected you as the Marlboro Award recipient. Your work with young people in tennis has distinguished you in many ways. Your reputation as a teacher, counselor and friend to the hundreds of youngsters you have helped, both on and off the tennis court, has won for you many admirers, as well as many honors. Your contributions to your community, your church and your fellow man have been a source of inspiration for those who have tried to walk in your footsteps.

At this time of commendation, I am proud to join World Tennis Magazine, the Greenville community and all those who participate in and observe the game of tennis in paying tribute to one who has given more than he has received, but who, in giving has won the respect and admiration of hundreds of friends throughout the nation.

Warmest congratulations and kindest regards, I am

Sincerely,

ROBERT E. MCNAIR,
Governor of South Carolina.

SMALL SHIPMENTS MORE DIFFICULT TO MOVE

HON. W. S. (BILL) STUCKEY

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 15, 1969

Mr. STUCKEY. Mr. Speaker, Commissioner Rupert L. Murphy of the Interstate Commerce Commission stressed the mounting difficulty of small shippers to obtain adequate service when he addressed the Freight Forwarders Institute last week.

Commissioner Murphy, a distinguished son of Georgia, is one of our most learned experts in this area of concern and, under unanimous consent, I include his speech in the RECORD, as follows:

TODAY AND TOMORROW

(Remarks of Rupert L. Murphy, Interstate Commerce Commissioner, before the annual meeting of the Freight Forwarders Institute, Washington, D.C., May 7, 1969)

I appreciate the opportunity of having a small part in your program and of meeting with you today. This is my first appearance before your group, and I have come primarily for the purpose of becoming better acquainted with you. However, I recognize some of you as old friends with whom I have worked in a highly important industry—transportation. You represent one of the several modes making up our national system, and you have contributed greatly to that system which, despite its imperfections, still is the envy of the world.

The Commission's regulation of carriers under its jurisdiction is subject to the Congressional pronouncement of the most recent National Transportation Policy in 1940. Our power to regulate in the light of the Policy has been brought to bear with but one goal—the development and maintenance of a sound carrier system geared to the public interest and designed to meet the Nation's transportation needs. To this end, there must be an adequate supply of transportation to handle both volume and small shipments. Rates and charges must be just and reasonable, and non-discriminatory. At the same time, they must provide the shipper with fair and efficient access to raw materials and markets, as well as provide the carriers with sufficient revenues to continue in business and improve their service to the public.

Regulation of surface transportation by the Commission has been in effect for many years. This might lead the uninformed observer to conclude that our goal surely must have been reached by now, but those familiar with transportation know differently. The transportation picture refuses to remain static. In the past decade the rapid economic growth of our country has brought changes in all aspects of transportation with greater frequency and rapidity than in any other time in the past. If we are to retain the best transportation system in the world, the Commission, the carriers, and the shippers must cooperate in meeting the changing conditions.

Today the motor carriers have come of age. The railroads are gearing their efforts to new transportation ideas and to obtaining new sources of traffic, and to put themselves on a sound financial basis. The water carriers are out to retain their position as the low-cost carrier mode and to grow and prosper. The freight forwarders are seeking to improve their place in the sun. And the air carriers are seeking ways and means to divert freight to air service.

In today's arena there is much controversy. Each mode is out to better itself. Congressional leaders and carrier interests are continually calling for changes in this or that transport policy or method. The shippers are becoming better organized and more effective in their efforts to protect their interests. The total picture is awesome, troublesome, and potent with complex challenges. No doubt, there will be many changes in the next decade in regulatory laws and in methods and means of meeting the country's swiftly changing transportation requirements.

With such a stage setting, it is easy to forget or brush aside the individual problems that beset the transportation industry today. Included is one that concerns us all—the small shipments problem. Some may look on this matter as a sideshow to the three-ring circus going on in the big arena. Yet, to the person seeking small shipment transportation it represents a big problem and ofttimes means his continuation in business. Efficient and expeditious transportation of small shipments always will be required.

In addition to our decisional function, the Commission constantly is engaged in investigative proceedings and studies relating to the practices of regulated carriers. As many of you know, a Commission Ad Hoc Committee, which it was my privilege to chair, issued a report last year with respect to its small shipments study. A separate staff study has been completed and is available with the Commission report. This report is confined to the motor carrier industry and contains a number of immediate and long-term recommendations directed at the correction of a broad area of service failures.

Incorporated in the proposals is the recommendation that Congress enact legislation imposing a duty upon motor common carriers of property to enter into reasonable through route arrangements and to establish joint rates with other motor carriers and with rail, express and water carriers. Such legislation would, in our opinion, clearly improve intramodal trucking coordination, and coordination of trucking with the other modes. Although the small shipment study is confined to the role of the motor carrier, it is hoped that the many hours of investigation, conferences, and research underlying that report will be beneficial in the development of future overall Commission policy as to all transport modes.

We are, for example, fully aware that the wholesale granting of new and additional operating authority is not the solution. It is not uncommon for successful applicants, upon initiating operations, to forget shipper commitments and to institute traffic selectivity in the quest for more desirable profit margins. This observation, however, is not intended to isolate any one segment of shipper need as we are equally concerned with freedom of entry wherever required by the public interest.

On the other hand, I realize that the freight forwarders also are substantial handlers of small shipments, and that they desire to play an increasing role in the movement and distribution of the traffic in this country. I also know that you are seeking to initiate new ways by legislative and other means to meet the small shipments problem. May I say that your efforts are appreciated. But since Commission policy may be involved, I am not in a position at this time to advocate any particular position in these matters or to express my views in what may be said to be a controversial area.

Still it may be helpful to briefly state a few of the factors involved in the present regulatory framework governing freight forwarders. As early as 1908, the Commission was called upon to determine whether railroads had any right to assess less-than-carload rates on traffic assembled into carloads by forwarding agents. The Commission found that a carrier may not properly look beyond the transportation to the ownership of the shipment as a basis for determining the applicability of rates. It thus was concluded that forwarding agents were entitled to quantity rates on aggregated shipments.[1] The findings of the Commission were fought through the courts and in 1911, the Supreme Court provided an authoritative answer in the following terms:

"The contention that a carrier * * * may discriminate in fixing the charge for carriage, not upon any difference inhering in the goods or in the cost of the service rendered in transporting them, but upon the mere circumstance that the shipper is or is not the real owner of the goods is so in conflict with the obvious and elementary duty resting upon a carrier, and so destructive of the rights of shippers as to demonstrate the unsoundness of the proposition by its mere statement [2]."

In the years that followed, the cost of transporting less-than-carload traffic spiraled upward and the business of freight consolidation grew accordingly. However, in 1930, the Commission began to express concern relative to the domination by railroad companies of the more important forwarding companies and certain practices engaged in by such companies.[3]

As a result of this concern, a formal investigation was instituted for the purpose of considering the lawfulness of the practices of freight forwarders.[4]

In its report on the investigation, a majority of the Commission found that the forwarding industry was primarily an instrumentality of the railroads through which rail carriers engaged in discriminatory and other undesirable practices. At page 303 of its decision a majority of the Commission also opined:

"Should the rail lines be invested with authority to enter into contract or divisional arrangements with the forwarder as a common carrier similar to the present arrange-

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[1] *California Commercial Association* v. *Wells Fargo & Co.*, 14 I.C.C. 422, and *Export Shipping Co.* v. *Wabash R.R. Co.*, 14 I.C.C. 441.

[2] *Int. Comm. Comr.* v. *Del., L. & W.R.R.*, 220. U.S. 235, 252.

[3] "Forty-Fourth Annual Report of the Interstate Commerce Commission," pages 81–82.

[4] *Freight Forwarding Investigation*, 229 I.C.C. 201 (1938).

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ment with express companies, such contracts or divisions should be subject to investigation and revision by Federal authority. Moreover, in order to adequately regulate the forwarder it is imperative that the rates, charges, rules and practices of the forwarder be filed with Federal authority and strictly observed."

The forwarding industry and for that matter several members of the Commission considered that the harsh criticism of forwarders by the majority was unwarranted. Be this as it may, many of the recommendations of the majority in the *investigation* case have been enacted into law and some are still the subject of intensive debate.

Finally, in the Commission proceeding[5] wherein it was determined that freight forwarders were not subject to regulation as motor carriers or brokers under the provisions of Part II of the Interstate Commerce Act, Chairman Eastman in a concurring expression at page 558, incidentally observed:

"I agree, also, with the conclusion that the forwarding company must pay the same rates as 'other shippers must pay for similar transportation' but in so agreeing I emphasize the words 'similar transportation.' The transportation performed by common carriers for forwarding companies is not necessarily similar to the transportation performed on local shipments of the same commodities between the same points, and usually it is dissimilar. Where such a dissimilarity can be established, a difference in rates can be justified and is lawful."

As you know, the *Acme* case led to the enactment in 1942 of Part IV of the act and the regulation of freight forwarders essentially as we know it today.

In tracing this simplified history of forwarding, I am fully aware that conditions today are different from those which existed during the formative period of freight forwarder regulation. However, whether there has been such a reversal of conditions as to warrant a different legislative approach is a matter requiring the attention of all concerned. This is particularly true since a showing that other carriers have statutory rights, which forwarders do not, may in itself, be insufficient to establish a need for new legislation.

Another subject about which I have spoken many times, and perhaps with little success, is shipper-carrier cooperation. Transportation problems cannot be solved by the Commission alone. Something more is needed, and that something, in my opinion, is greater contributions and cooperation by shipper and carrier interests. There is a rising shipper impatience with any failure of the total transportation network to accommodate him to his complete satisfaction. Transportation history is replete with the penalties that time in the market inflict upon transporters who fail in their broad commitment to serve. A tremendous volume of traffic moves every day with mutual satisfaction of shipper and carrier. It should be possible to gain accord on the troublesome remainder. Yet the cold bare fact remains that, if existing carriers do not provide the required transportation, you may be sure that somebody else will. Here is where the existing carriers, including the freight forwarders, come into the picture, and here is where carrier-shipper rapport also assumes importance.

As I have indicated, the Commission's role in resolving many transportation problems is limited. On the other hand, shipper-carrier cooperation is without limitation and can and should be a potent instrument to resolving basic transportation difficulties. I submit that increased efforts in this direction would well lead to less resort to the regulatory processes of the Commission, with substantial benefits to all concerned. As I have said elsewhere, it is important to remember that in many instances Commission action represents only a public alternative to what could have been voluntary private action.

Throughout history man has expended more energy in moving things from one place to another than in any other endeavor. Every new world, as well as the extension of civilization, has awaited an instrument of transportation necessary for discovery and expansion. There is no question but that the dynamic growth of our economy has created greater demands for more efficient and expanded distribution facilities. While a number of new variations have been devised to keep transportation ahead of the stampeding economy, others are needed. The time is right for new technological methods, for initiative and progress, and for just plain common sense transportation thinking.

There are many areas for exploration in this age of the jumbo jet, the unit train, the superhighway, and the computer. There is also a seemingly simple box known as the container which is promising to revolutionize transportation. It provides a modern and simple way of transporting cargo, both foreign and domestic. Obviously, those engaged in transportation should take advantage of it.

Finally, I am sure that what you are really interested in is expanded operation, in increased revenue, and in a bigger spot in the sun. To achieve these goals in today's competitive world of transportation is not easy. It will require determined effort, and, above all, fertile and productive imagination. This nation is on the move, and only those who can keep up with the fast pace of changing conditions will succeed in their endeavors.

I am grateful for the opportunity to discuss these matters with you here today and I thank you for your courtesy and hospitality.

FUZZY THINKING BEHIND ANTI-ROTC HULLABALOO

HON. TOM BEVILL

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 15, 1969

Mr. BEVILL. Mr. Speaker, a very timely and interesting editorial appeared in the April 26 edition of the Gadsden, Ala., Times, a newspaper in my congressional district. This is, in my opinion, a thoughtful, well-written article which presents some very good and logical reasons why we should keep the Reserve Officers' Training Corps as a part of our college and university programs.

Having received permission, I offer this article for publication in the Extensions of Remarks of the Congressional Record and urge each of my colleagues to read it.

[From the Gadsden (Ala.) Times, Apr. 26, 1969]

Fuzzy Thinking Behind Anti-ROTC Hullabaloo

"ROTC off campus!" seems to be the latest crisis call of the student activists.

The administrations of a number of universities have moved either to abolish Reserve Officers' Training Corps programs at their schools or to cease awarding them academic credits. Whether this is at the behest of the radicals or whether it merely reflects a growing reaction against the military among the intellectuals, it may not necessarily be the peace-promoting thing its advocates think it is.

One of the principles by which this nation has operated from its founding is civilian control over the military. That principle is served not only by the fact that the president is commander-in-chief and that a civilian is head of the Defense Department but by the leavening effect obtained by drawing into the services masses of civilians through the draft and the ROTC.

Should the services be denied this leavening, should they no longer be able to fill the officer ranks with thousands of ROTC graduates yearly, should they be completely isolated from civilian America, the antimilitarists could find in the end that instead of striking a blow for humanitarianism and individual liberty they have only succeeded in creating in this country a Prussian-type military elite infinitely more inimical to their ideals.

This possibility, not the question of money, is also the most cogent argument against proposals to abolish the draft and make military service entirely voluntary.

An anti-ROTC editorial which recently appeared in 29 college newspapers around the country contended that "training soldiers whose ultimate aim is to kill is hostile to the principles of Academia."

The same kind of fuzzy-headed thinking was behind a demonstration at Kent State University in Ohio awhile back in which radicals drove recruiters from the Chicago Department off the campus. As if the police, or the military, are to be humanized by cutting them off from access to the best young minds in the country.

The ultimate aim of soldiers, like that of policemen, is not to kill but to protect the nation and its citizens.

As long as that protection is necessary, as long as we must have soldiers, sailors or airmen, service in and watchful support of the armed forces should be the obligation of all.

We may not like the military, we may agonize over its demands upon our lives and our national resources, we may be convinced of the unredeemable obtuseness of the military mind, we may dream of the time when the only soldiers we see are pictures in history books, but we delude ourselves if we think that wars are made by generals and not by statesmen.

Asked to comment about the campus editorial, Col. Everett Stoutner, chief of the ROTC Division of the Pentagon, said:

"Thank God we have a country where an article like this can appear."

Amen. And thank God we have a country that can produce a soldier capable of such a statement.

FIFTH DARTMOUTH CONFERENCE

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 15, 1969

Mr. RARICK. Mr. Speaker, in my remarks of May 7, 1969 at page 11599 I commented on the current oversight of the Nation's legitimate news media to report to the American people on the "private and unofficial" meeting between private American citizens and Soviet officials.

I have since obtained a list of the participants of the Fifth Dartmouth Conference from the Saturday Review of February 8, 1969, which I submit for inclusion in the Record, accompanied by the magazine's account of the meeting according to the American cochairman, Norman Cousins:

Participants, Fifth Dartmouth Conference

Taking part in the Rye Conference from the Soviet side were: Nikolai Blokhin, director of the Institute of Oncology, president of the International Association of Cancer Specialists, president of the Institute for Soviet-American Relations, Deputy to Supreme Soviet of the U.S.S.R. (Soviet Co-Chairman); Yuri Zhukov, *Pravda* political commentator, deputy to Supreme Soviet; (Soviet Co-Chairman); Yuri Arbatov, director of the Institute of American Studies of the U.S.S.R. Academy of Sciences; Igor Belayev, Asia and Africa specialist for *Pravda;* Yuri Bobrakov, chief of Department of Economy, Institute of American Studies; Anna Boikova, deputy mayor of Leningrad, Deputy to the Supreme Soviet of the Russian Federation; Konstantin Bochkarev, mayor general, master of sciences (philosophy), author; Viktor Karpov, senior research associate, Institute of American Studies; Daniel Kraminov, editor-in-chief of *Za Rubezhom* ("Life Abroad") weekly, secretary of the Union of Soviet Journalists; Igor Blischenko, professor, Chair of International Law, Institute of Foreign Affairs; Nikolai Mostovets, historian, member of Scientific Board, Institute of International Labor Movement; Boris Polevoi, author, editor-in-chief of *Youth* magazine, deputy chairman, Soviet Peace Fund; Vladimir Trukhanovsky, corresponding member of U.S.S.R. Academy of Sciences, editor-in-chief, *Voprosi Istorii* ("Questions of History") magazine; Nikolai Orlov, director, Scientific Research Institute, U.S.S.R. Ministry of Foreign Trade.

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[5] *Acme Fast Freight, Inc., Common Carrier Application*, 17 M.C.C. 549 (1939).

American participants attending two or more sessions were: Norman Cousins, editor, *Saturday Review,* (American co-chairman); Arthur Larson, director of the World Rule of Law Research Center, Duke University (American co-chairman); Merle Fainsod, director, Harvard University Library; R. Buckminster Fuller, professor, Southern Illinois University; James M. Gavin, chairman of the board; Arthur D. Little, Inc.; Patricia R. Harris, Professor of Law, Howard University; George Kistiakowsky, professor of chemistry, Harvard University; James Linen, chief executive officer, Time-Life, Inc.; Arthur Miller, playwright; Dr. Franklin D. Murphy, chairman of the board, Los Angeles *Times-Mirror;* Glenn Olds, educator, campaign advisor to President Nixon; Leslie Paffrath, president, The Johnson Foundation; Rosemary Park, vice chancellor, University of California at Los Angeles; David Rockefeller, president and chairman of the Executive Committee, Chase Manhattan Bank; Stella Russell, vice president, Norton Simon, Inc.; Norton Simon, director, Norton Simon, Inc.

[From the Saturday Review, Feb. 8, 1969]

THE FIFTH DARTMOUTH CONFERENCE

President Dwight D. Eisenhower believed strongly in the need for human contacts on every level between this nation and other nations. He was especially interested in cultural exchanges between Americans and Russians. It was under this program that *SR's* editor was sent to the Soviet Union in 1959 for the purpose of speaking on American life and institutions. After his return, he proposed that private citizens from the two nations meet—in conference—for the purpose both of widening contacts and exploring outstanding questions between the two governments. The suggestion was accepted by the Soviet Peace Committee. A conference was held in October 1960 at Dartmouth College, in Hanover, New Hampshire, with its President John Dickey as host. The Ford Foundation provided the funds. Each side had twelve representatives who were prominent in the fields of science, education, philosophy, industry, government, and the arts.

One of the principal achievements of the Dartmouth Conference was that the conferees were able to develop a frank and open relationship. George F. Kennan, former U.S. Ambassador to Moscow, put it vividly when he said that he had to come to a college town in New England to have the kind of candid and friendly exchange of views that he had been unable to experience in twenty-five years inside the Soviet Union. The conferees were able to discuss issues of mutual concern that until then had not yet been fully explored across the table between their two governments. At the conclusion of the conference, a full account of the meeting was transmitted to Washington.

The second conference in the series was held the following summer in the Crimea, with many of the same participants. The range of subjects was broadened somewhat, although most of the progress was registered on those topics previouly considered at Dartmouth. As before, there was a direct and open exchange of views.

A third Dartmouth Conference was held in October 1962 at the Phillips Academy at Andover, Massachusetts. The backdrop could not have been more ominous or inauspicious. The beginning of the conference coincided precisely with the start of the Cuban missile crisis. The participants readily discovered that their identity cards belonged not just to their own nations but to the human species. For if the Cuban crisis came to full force, all men on earth would be the victims, as Pope John had warned. To be sure, there was the sharpest debate at Andover over the issues involved in the Cuban missile crisis, but the sense of being joined together in a common peril helped the group to develop a valuable perspective for viewing their other differences and problems.

The fourth Dartmouth Conference was held in Leningrad in July 1964. Some of the major questions raised at previous Conferences—a ban on nuclear testing and limitations on the use of weapons in space—by the time had largely been resolved. But two of the three men who had formed one of the most unusual triumvirates in history and who were identified with the new thrust for peace—President John F. Kennedy, Premier Nikita Khrushchev, and Pope John XXIII—were no longer on the world scene. Much of the discussion in Leningrad, in fact, was directed to the need to create new initiatives for meeting outstanding world problems. The Johnson Foundation of Racine, Wisconsin, joined the Ford Foundation as sponsor for the American participants in the Leningrad meeting.

In January 1965, an invitation was extended to Soviet Chairman Alexander Korneichuk and his colleagues to attend a fifth Dartmouth Conference in the United States. We received no formal reply but were privately informed that the bombing of Vietnam made direct contacts unlikely. We rereplied through the same channels that the Soviet Union was sending arms to North Vietnam and that it was precisely at a time of threatened confrontation that the Dartmouth meetings had their greatest potential value. The purpose of the conferences was not to celebrate successes in the reduction of tensions but to face up to existing problems affecting the maintenance of world peace. Twice a year for the next three years, the invitation was renewed. Then, last June, David Rockefeller, one of the Dartmouth conferees, spoke in Washington to Soviet Ambassador Dobrynin, assuring him that the American group was still ready to proceed with a fifth meeting. At that time, the limited bombing of North Vietnam was in effect and the Paris preliminaries had begun. A month later we were informed by Ambassador Dobrynin's office that the Russians were ready to proceed.

This, then, is the background of the conference just completed at the Westchester Country Club in Rye, New York. In many ways, the Rye meeting was the most productive of the five conferences. The Soviet representatives came with specific proposals on a wide variety of issues, including the Israeli-Arab crisis in the Middle East; the future of Germany; the world arms race in general; and the full spectrum of U.S.-U.S.S.R. relations, with special emphasis on the importance of enlarged trade between the two countries.

One question of prime concern to the Conference was the world arms race. This race not only consumes resources more urgently needed for human betterment, but poses a growing threat to world peace and stability. The participants attached the highest priority to halting and reversing this arms race. Both sides stressed the need for ratification by all nations of the nuclear nonproliferation treaty and its full implementation. They also called for a prompt beginning of U.S.-U.S.S.R. talks on the limitation of strategic offensive and defensive weapons.

On the Middle East, the Soviet delegates felt the chances for a durable peace depended in large part on the United States and the Soviet Union acting jointly to help maintain stability in the area. The participants in the Conference recognized that urgent measures should be taken to implement the U.N. Security Council resolutions dealing with the Arab-Israeli conflict, which constitute the basis for a just settlement, taking into account the interests of all the countries of that area.

Comments by the Soviet conferees on the Vietnam war were free of acrimonious rhetoric. The feeling seemed to be that nothing should be done to becloud the atmosphere now that the full Paris negotiations were getting under way.

As might be imagined, the American participants made known their strongly critical views on the action against Czechoslovakia, especially in private, person-to-person conversations. There were spirited rejoinders from the Soviet side.

In general, an American at the meeting had the impression that, to the extent the Soviet delegates reflected the official position, a wide area for fruitful talks between the two governments may now be opening up—assuming, of course, a continued easing of the Vietnam war. There appeared to be considerable flexibility on some issues, as on the Middle East and the arms race, but a hardened stand on other issues, particularly on the developing military strength of West Germany. There was genuine eagerness to clear away existing roadblocks in the way of substantial trade between the two countries. In sum, the tone was good and seemed to augur well for comprehensive official talks, if President Richard M. Nixon should wish to pursue them.

There were some extra dividends for the conference. Dr. Nikolai Blokhin, one of the leading cancer research specialists in the Soviet Union, reported on new laboratory findings in his field. He said that poor nutrition was a far greater factor in causing cancer than was generally realized—and that most ideas of what constituted good nutrition were in need of updating. He said that Soviet research proved that the incidence of lung cancer in non-smokers was directly traceable to the inhalation of cigarette smoke from others. He told of the time bomb ticking away in the lungs of children as the result of repeated exposure to smoking parents.

On the American side, Buckminster Fuller introduced his dymaxion map, which revises conventional theories of north and south, east and west, up and down. Bucky, as he was affectionately known to the group, put his large map on the floor and gave us the sensation of being in a spaceship and seeing the earth whole.

The conferees went to dinner receptions at the homes of Mr. and Mrs. Richard Lombard and Mr. and Mrs. David Rockefeller. Mr. Lombard is president of the Kettering Foundation, which this year joined the Ford Foundation and Johnson Foundation as sponsor of the conference. A feature of the evening at Mr. Rockefeller's home in Tarrytown was concert entertainment provided by talented music students from the International House in New York.

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After the Conference, most of the Russians stayed for a week in New York City, where they took in some Broadway plays and concerts at Lincoln Center. Other Russians went on to California where they saw the art collection of Mr. Norton Simon, one of the conferees. Through UCLA Vice Chancellor Dr. Rosemary Park and Dr. Franklin Murphy, former chancellor of UCLA and now chairman of the board of the Los Angeles *Times-Mirror* Publishing Company, the Russians met a number of Californians who were prominent in education, communications, and the arts. Both Dr. Park and Dr. Murphy were Conference participants.

What did the fifth Dartmouth Conference accomplish? Very little, if measured by the ability of the participants on either side to change the minds of the others on basic issues. But such was not the purpose of the conference. The purpose was to obtain the fullest possible view of the respective positions of the two countries in order to avoid misunderstandings, misassessments, or miscalculations. Also, it was hoped that reducing the dangers produced by faulty appraisals might lead to mutual efforts in behalf of a less troubled world. In this sense, the meetings have been reasonably fruitful. It is too early to talk about a sixth meeting. We are hopeful that the Soviet Committee, whose turn it is to do the inviting, will want to have another round. If so, an affirmative response is virtually certain.

A SALUTE TO OUR FALLEN COMMANDER

HON. B. F. SISK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 15, 1969

Mr. SISK. Mr. Speaker, although some time has now passed since the death of General Eisenhower, a tribute to him which appeared in a newspaper in my district was recently called to my attention.

This tribute, written from the heart by Mal Johnson, publisher of the Clovis News and Pinedale Local, is a moving expression of admiration for the man who led this Nation through perilous times in peace and war.

Under unanimous consent I include Mr. Johnson's article in the RECORD, as follows:

A SALUTE TO OUR FALLEN COMMANDER

(By Mal Johnson)

Dwight David Eisenhower, October 14, 1890 to March 28, 1969: Five Star General of the United States Army, Chief of Staff, Supreme Commander of Allied Forces, Commander of NATO, President of Columbia University, and 34th President of the United States.

All these titles belong to one man, Dwight D. Eisenhower.

His accomplishments would fill a book. Probably the most outstanding are: His victory over the German forces of World War II. Stopping the Korean War and his landslide Presidential Victory of 1956.

But these do not tell the personal story of Dwight D. Eisenhower. He was a religious man. He had read the Bible through two times before he was eighteen years old. He was presented with the Bible used by George Washington when he took his oath as the first President of the United States. He used this Bible when he took his oath of office as the 34th President of the United States.

He will be remembered for many things but few people knew that he loathed war, hated military oppression and hoped the world would put the professional soldier out of business.

To me his greatest act went unheralded. He put God in our Pledge of Allegiance to the Flag of the United States—"Under God, Indivisible, with Liberty and Justice for All."

Now, when I finish saying the Pledge I automatically want to add, "Amen".

This is one evidence of the greatness of a great man.

No other President had the foresight, courage or humility to publicly express his opinion and demand action.

Now that "Ike" is gone over a hundred million Americans will be reminded of him every day when they Pledge Allegiance to the Flag of the United States of America.

"Under God, indivisible, with liberty and justice for all."

TAX REFORM

HON. CHARLES E. BENNETT

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 15, 1969

Mr. BENNETT. Mr. Speaker, I am today introducing a comprehensive tax reform bill which seeks to eliminate inequities inherent in our Federal tax system. My bill does not seek solely to raise the total revenue flowing into the Federal Government, but primarily to redistribute the taxload and make it more equitable for all. This objective is one of the major issues of the 91st Congress.

It has now been over 8 years since President Kennedy advocated a comprehensive reform of our tax laws, and corrective measures in this are long overdue. Recent public opinion polls show that a vast majority of the American people want some type of tax reform. I am pleased that this is also a major proposal of the Nixon administration. Treasury Secretary Kennedy, speaking for the President, recently said:

> The American people are saying something and it is getting through. . . . They are reading in the papers that a lot of rich people are getting away with not paying much in taxes.

My constituent mail mirrors this point.

My bill is in two sections. The first deals with expenditures and the second with revenue. On the expenditure side, my bill provides for increasing the deduction of personal exemption from $600 to $1,200. This is one of the greatest humanitarian needs of the country and will provide tax relief to every taxpayer in an amount proportionate to the size of each family. This provision seeks to give consideration to the tremendous increase in the cost of living and to families with students.

The revenue provisions of my bill would:

First. Repeal depletion allowance for oil and gas. This allowance should be eliminated because its size is greatly disproportionate to any cost incurred in most cases. A recent survey of the Nation's 20 largest oil companies showed that they pay an average tax of 8.3 percent on earnings and therefore are very able to pay a fair tax.

Second. Repeal unlimited charitable deduction. The provision of law which allows persons to avoid all tax payments by unlimited charitable deduction is discriminatory against the average taxpayer in an unfair way and should therefore end.

Third. Eliminate tax avoidance on interest received on industrial development types of local and State bonds. These bonds are considered against public policy in some States as they pledge government assistance to special private interests and they should not therefore be assisted by Federal tax advantages.

Fourth. Establish a minimum 10-percent tax on income of individuals who have an income over $25,000 per year. The need for this provision is clear because there are incomes which after the passage of this bill could still evade all taxes otherwise; for instance, a person whose income is derived 100 percent from municipal, nonindustrial bonds.

Fifth. Repeal the provision allowing groups to elect multiple surtax exemptions. This provision would eliminate the ability of a group or chain of corporations to claim more than one surtax exemption. When Congress originally provided for this exemption, it was intended to apply to small businesses. Recently many large conglomerates have established a number of separate corporate units which are arranged so as to produce an income of less than $25,000 for each unit and thereby qualify for a lower tax rate.

Other tax reform measures which I have pending are H.R. 112, which I introduced with 40 cosponsors to provide tax credits for hiring the unemployed; and H.R. 962 which reduces to $5 the tax on individuals with very low incomes and give corresponding but less help on a sliding scale to those better situated. A copy of the bill I am introducing today follows:

H.R. 11353, THE TAX REFORM ACT OF 1969

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

TITLE I—GENERAL PROVISIONS

SHORT TITLE, ETC.

SEC. 101. (a) SHORT TITLE.—This Act may be cited as the "Tax Reform Act of 1969".

(b) TABLE OF CONTENTS.—The titles and sections of this Act are as follows:

TITLE I—GENERAL PROVISIONS

Sec. 101. Short title, etc.

TITLE II—INCREASE IN PERSONAL EXEMPTIONS

Sec. 201. Increase from $600 to $1,200.
Sec. 202. Changes in optional tax.
Sec. 203. Changes in amount withheld.
Sec. 204. Effective date.

TITLE III—TAX REFORM

Sec. 301. Repeal of percentage depletion for oil and gas.
Sec. 302. Repeal of unlimited charitable deduction.
Sec. 303. Removal of exclusion from gross income for interest on State and local industrial development obligations.
Sec. 304. Minimum 10 percent tax where income is over $25,000.
Sec. 305. Repeal of privilege of groups to elect multiple surtax exemptions.
Sec. 306. Effective date.

(c) AMENDMENT OF 1954 CODE.—Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to or repeal of, a section or other provision, the reference shall be considered to be made to a section

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or other provision of the Internal Revenue Code of 1954.

TECHNICAL AND CONFORMING CHANGES

Sec. 102. The Secretary of the Treasury or his delegate shall, as soon as practicable but in any event not later than 90 days after the date of the enactment of this Act, submit to the Committee on Ways and Means of the House of Representatives a draft of the technical and conforming changes in the Internal Revenue Code of 1954 which are necessary to reflect throughout such Code the changes in the substantive provisions of law made by this Act.

Title II—Increase in Personal Exemptions

INCREASE FROM $600 TO $1,200

Sec. 201. (a) The following provisions are amended by striking out "$600" wherever appearing therein and inserting in lieu thereof "$1,200":

(1) Section 151 (relating to allowance of deductions for personal exemptions);

(2) Section 642(b) (relating to allowance of deductions for estates);

(3) Section 6012(a) (relating to persons required to make returns of income); and

(4) Section 6013(b)(3)(A) (relating to assessment of and collection in the case of certain returns of husband and wife).

(b) The following provisions are amended by striking out "$1,200" wherever appearing therein and inserting in lieu thereof "$2,400":

(1) Section 6012(a)(1) (relating to persons required to make returns of income); and

(2) Section 6013(b)(3)(A) (relating to assessment and collection in the case of certain returns of husband and wife).

SEC. 202. (A) CHANGES IN OPTIONAL TAX

Section 3(b) (relating to optional tax if adjusted gross income is less than $5,000, in the case of taxable years beginning after December 31, 1964) is amended—

(1) by inserting in the heading before the period the following: "And Before January 1, 1970";

(2) by inserting "and before January 1, 1970," after "beginning after December 31, 1964,"; and

(3) by inserting after "After December 31, 1964" each place it appears in the tables the following: "And Before January 1, 1970".

(b) Section 3 is further amended by adding at the end thereof the following new subsection:

"(c) Taxable Years Beginning After December 31, 1969.—In lieu of the tax imposed by section 1, there is hereby imposed for each taxable year beginning after December 31, 1969, on the taxable income of every individual whose adjusted gross income for such year is less than $5,000 and who has elected for such year to pay the tax imposed by this section, a tax determined under tables which shall be prescribed by the Secretary or his delegate. The tables prescribed under this subsection shall correspond in form to the tables in subsection (b) and shall provide for amounts of tax in the various adjusted gross income brackets approximately equal to the amounts which would be determined under section 1 if the taxable income were computed by taking the standard deduction."

(c) Section 4(a) (relating to number of exemptions) is amended by striking out "the tables in section 3" and inserting in lieu thereof "the tables in section 3(a) and 3(b) and the tables prescribed under section 3(c)".

(d) Paragraphs (2) and (3) of section 4(c) (relating to husband or wife filing separate return) are amended to read as follows:

"(2) Except as otherwise provided in this subsection in the case of a husband or wife filing a separate return, the tax imposed by section 3 shall be—

"(A) for taxable years beginning in 1964, the lesser of the tax shown in Table IV or Table V of section 3(a).

"(B) for taxable years beginning after December 31, 1964, and before January 1, 1970, the lesser of the tax shown in Table IV or Table V of section 3(b), and

"(C) for taxable years beginning after December 31, 1969, the lesser of the taxes shown in the corresponding tables prescribed under section 3(c).

"(3) Table V of section 3(a), Table V of section 3(b), and the corresponding table prescribed under section 3(c) shall not apply in the case of a husband or wife filing a separate return if the tax of the other spouse is determined with regard to the 10-percent standard deduction; except that an individual described in section 141(d)(2) may elect (under regulations prescribed by the Secretary or his delegate) to pay the tax shown in Table V of section 3(a), Table V of section 3(b), or the corresponding table prescribed under section 3(c) in lieu of the tax shown in Table IV of section 3(a), Table IV of section 3(b), or the corresponding table prescribed under section 3(c), as the case may be. For purposes of this title, an election made under the preceding sentence shall be treated as an election made under section 141(d)(2)."

(e) Section 4(f)(4) (cross references) is amended by striking out "and Table V in section 3(b)" and inserting in lieu thereof ", Table V in section 3(b), and the corresponding table prescribed under section 3(c)".

(f) The last sentence of section 6014(a) (relating to election by taxpayer) is amended to read as follows: "In the case of a married individual filing a separate return and electing the benefits of this subsection Table V of section 3(a), Table V of section 3(b), and the corresponding table prescribed under section 3(c) shall not apply."

CHANGES IN AMOUNT WITHHELD

Sec. 203. (a) Section 3402(b)(1) (relating to percentage method of withholding income tax at source) is amended by striking out the table and inserting in lieu thereof the following:

"Percentage method withholding table

"Payroll period:	Amount of one withholding exemption
Weekly	$25.00
Biweekly	50.00
Semimonthly	54.20
Monthly	108.30
Quarterly	325.00
Semiannual	650.00
Annual	1,300.00
Daily or miscellaneous (per day of such period)	3.60".

(b)(1) Section 3402(c)(1) (relating to wage bracket withholding) is amended to read as follows:

"(1) At the election of the employer with respect to any employee, the employer shall deduct and withhold upon the wages paid to such employee a tax determined in accordance with tables prescribed by the Secretary or his delegate, which shall be in lieu of the tax required to be deducted and withheld under subsection (a). The tables prescribed under this paragraph shall correspond in form to the wage bracket withholding tables contained in this paragraph prior to 1970 and shall provide for deducting and withholding at any time amounts of tax in the various wage brackets approximately equal to the amounts which would be determined if the tax were deducted and withheld under subsection (a) at such time."

(2) Section 3402(c)(6) (authorizing the Secretary to prescribe certain withholding tables) is repealed.

(c) Section 3402(m)(1) (relating to withholding allowances based on itemized deductions) is amended by striking out "$700" and inserting in lieu thereof "$1,300".

EFFECTIVE DATE

Sec. 204. The amendments made by sections 201 and 202 shall apply only with respect to taxable years beginning after December 31, 1969. The amendments made by section 203 shall apply only with respect to remuneration paid on and after December 31, 1969.

Title III—Tax Reform

REPEAL OF PERCENTAGE DEPLETION FOR OIL AND GAS

Sec. 301. Section 613(b)(1) (relating to percentage depletion in the case of oil and gas) is amended to read as follows:

"(1) zero percent—oil and gas wells."

REPEAL OF UNLIMITED CHARITABLE DEDUCTION

Sec. 302. Sections 170(b)(1)(C) (relating to unlimited deduction for certain individuals) and 170(g) (relating to application of unlimited deduction) are repealed.

ELIMINATION OF EXEMPTION ON MUNICIPAL INDUSTRIAL DEVELOPMENT BONDS

Sec. 303. (a) In General.—Section 103(c) (relating to industrial development bonds) is amended to read as follows:

"(c) Industrial Development Bonds.—

"(1) Subsection(a)(1) not to apply.—Any industrial development bond issued after June 30, 1969, shall not be considered an obligation described in subsection (a)(1).

MINIMUM 10 PERCENT TAX WHERE INCOME IS OVER $25,000

Sec. 304. Part I of subchapter A of chapter 1 (relating to tax on individuals) is amended by adding at the end thereof the following new section:

"MINIMUM TAX

"Sec. 6. (a) Alternative 10-Percent Tax.—In the case of an individual, if the taxpayer's minimum tax taxable income for the taxable year exceeds $25,000, the tax imposed by section 1 or 1201 (as the case may be) shall not be less than 10 percent of the taxpayer's minimum taxable income for the taxable year.

"(b) Minimum Tax Taxable Income.—For purposes of this section, the taxpayer's minimum tax taxable income for the taxable year shall be determined—

"(1) on the basis of the method of filing (whether joint or separate returns) used, and

"(2) by taking into account those items of income and deduction properly taken into account in arriving at taxable income, except that the following provisions shall not apply—

"(A) section 103 (relating to interest on certain governmental obligations), and

"(B) section 1202 (relating to deduction for capital gains)."

REPEAL OF PRIVILEGE OF GROUPS TO ELECT MULTIPLE SURTAX EXEMPTION

Sec. 305. Section 1562 (relating to privilege of group to elect multiple surtax exemption) is repealed.

EFFECTIVE DATE

Sec. 306. The amendments and repeals made by this title shall apply to taxable years beginning after December 31, 1969.

NEED FOR AND BENEFITS TO BE GAINED FROM THE BILINGUAL EDUCATION ACT

HON. GEORGE BUSH

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 15, 1969

Mr. BUSH. Mr. Speaker, "Bilingual Education: A Psychological Helping Hand," an article by Bertha G. Trevino in Texas Outlook, does an exceptional

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job of portraying the need for and the benefits to be gained from the Bilingual Education Act.

I have long been interested in the problems of the Mexican-American in my State and am particularly interested in seeing that every child from this background has the opportunities of his white counterpart. So that every Member of Congress may have access to it, I submit the article for inclusion in the Congressional Record, as follows:

Bilingual Education: A Psychological Helping Hand

(By Bertha G. Trevino, chairman of the department of mathematics at Laredo Junior College)

Currently attention is being focused on a century-old problem. How should one teach English to a non-English-speaking child?

The results of teaching him in English are most disappointing. According to the figures in the 1960 U.S. Census, the average scholastic achievement level of the Spanish-speaking minority in Texas is 4.7 percent, the lowest of any other ethnic group in the nation.

A failure of such magnitude cannot be investigated without analyzing and questioning the school's philosophy, curriculum, and practices. The fact that a school policy has been followed for decades does not in itself make it pedagogically, psychologically, or sociologically valid. The Spanish-speaking child has been attending a school geared to teach English-speaking children.

The practice of bilingual teaching is under investigation. Basically it involves using the language the child speaks to teach him subject matter content, to communicate with him, and to introduce English to him, going from the old and familiar to the new.

There are a variety of methods, time schedules, materials, and procedures; but the one element all the research programs have in common is the use of the mother tongue for communication and instruction.

The writer investigated the results of the practice of bilingual teaching at Nye Elementary School in United CISD in Webb County. In this district the school population is about evenly divided between English monolinguals and Spanish monolinguals.

The scores obtained by all the children on the California Achievement Tests administered during a three-year period (September 1964-May 1967) were the basis of the investigation. The effectiveness of the program was investigated by a one-way classification analysis of variance with two independent groups, the children taught bilingually and those taught exclusively in English in 1963.

In all comparisons, both the English-speaking and the Spanish-speaking children taught bilingually had higher scores; and in several cases the difference of the means was statistically significant.

The fact that all the differences were in the same direction indicates that the use of both languages encourages, promotes, facilitates, and accelerates academic achievement.

The results of this analysis make a closer look at the present method mandatory, since the low scholastic achievement of the Spanish-speaking minority constitutes a tremendous educational problem. Teaching in a foreign language, in this case English, has failed. Could it be that basic psychological principles have been ignored?

It is an accepted principle that the curriculum must fit the child, who is the most important factor to consider in educational planning. Perhaps some have not realized the tremendous gap between what they professed to believe and what they actually practiced.

As a noted educator has said, "We have tried to fit the child to the pants." The self-confidence of a child is a fragile thing. Should he be forced into a situation where bewilderment and frustration are bound to happen to him?

One has been admonished, "Take the child where he is." It must inevitably follow that if he comes to school speaking only Spanish then this means of communication must be utilized.

How can anyone say we strive to meet the needs of the individual child when we ignore his need to be instructed in a language he understands? His needs are not the same as the needs of an English-speaking child.

How can anyone say we consider individual differences when we label the Spanish-speaking child a failure because he cannot do as well as English-speaking children in a school where learning experiences are given to both in English only?

"Enable him to acquire a positive self-image," we are told. The school provides ample opportunities for initial success for the English-speaking child by using his mother tongue and his background of home experiences. Could the school provide these opportunities for the Spanish-speaking child?

A feeling of competency is the best self-motivation. Repeated failure destroys the personality, but success breeds success. If a child has this feeling of competency, he will try day after day; it is well known that motivation comes from within.

"Establish rapport with the student." To what degree can this be accomplished when the teacher and the child speak different languages? Children are highly perceptive. The verbal and nonverbal signs of rejection are not lost on a child who has to sit and listen to unintelligible sounds from a teacher clearly understood by the English-speaking children.

Recent studies like the one in San Francisco reported by a Harvard professor have indicated that, if the teacher thinks the child cannot learn, he will not learn. In some subtle, or perhaps open, way the teacher conveys his judgment and the child accepts it; he will not even try, much less succeed.

"Relate the new to what the child already knows." The Spanish-speaking child has lived six years when he enters school. He has had the usual childhood experiences and has acquired enough command of his native speech to communicate with those in his community.

He has names for the concepts acquired, but these words are Spanish ones. He has refinements of concepts which it is not possible to convey pictorially.

We think with words. The Spanish words the child knows were learned in a particular setting. Lists of English words cannot immediately replace them, for they do not relate to the concepts the child already has firmly established in his mind.

In summary, a child's language is part of himself; it is the essence of his being and mental processes. To suppress his means of communication is to close the door to mutual understanding. Without communication there cannot be genuine understanding, trust, and cooperation.

This dialogue between the teacher and the child is imperative. Psychologists state that the success of teaching depends on the understanding the teacher has of the individual child's needs, and on his ability to communicate to the child his personal concern and desire to help him as an individual.

Bilingual teaching conforms to accepted principles of psychology. Its practice should inaugurate a dramatic improvement in the scholastic achievement of the Spanish-speaking child.

The recent passage of the Bilingual Education Act, with its first $7.5 million for research and pilot programs in bilingual education, should produce evidence of its worth and effectiveness.

I was pleased to learn from the Department of Health, Education, and Welfare recently that 19 school districts from Texas have been asked to submit formal proposals for participation in the bilingual education program.

CONGRESS NEEDS TO ACT NOW TO AVERT AN ABSURDITY

HON. THADDEUS J. DULSKI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 15, 1969

Mr. DULSKI. Mr. Speaker, I am gratified by the favorable reaction which I am receiving to my legislative proposal for setting standards for future congressional redistricting.

In its several decisions, the Supreme Court has decreed that districts must be as even as possible in population. With this conclusion, no one can argue.

But the practicalities of the matter are that the districts cannot be identical in size without drawing lines that would be utterly ridiculous—cutting into the middle of blocks, and, conceivably, through multifamily buildings in heavily congested metropolitan areas.

Any variation from strict equality would leave open the way for endless challenges in the courts. And these would be just a further mark of futility because today's mobile population means than even a head count or census really is valid only on the day that it is taken. The figures are outdated before they are validated and published.

Since the court has set no rule of thumb, it is up to Congress to establish standards for redistricting. With established standards in law, the States will know exactly how much variation is tolerable.

I introduced legislation in the House this week—H.R. 11128—to set standards for congressional redistricting. I hope that the House Committee on the Judiciary will arrange for early consideration.

Mr. Speaker, my home city newspaper, the Buffalo, N.Y., Evening News has endorsed my plan in an editorial as follows:

[From the Buffalo (N.Y.) Evening News, May 13, 1969]

To Avert an Absurdity

Lots of luck to Buffalo's Rep. Thaddeus J. Dulski in his effort to negate, by sensible legislation, the latest judicial decree for another costly and foolish reapportionment of New York's 41 congressional districts. Mr. Dulski would simply have Congress prescribe its own population standard, one allowing a maximum 10 per cent variance above or below the average district population.

This strikes us as an eminently reasonable way to assure substantial population equality while still permitting states to pay some heed to practical geographic lines in drawing districts. Whether it would satisfy the high court's fetish for strict adherence to one-man-one-vote as the only tolerable basis for redistricting is another matter, but it is certainly worth the try in Congress.

What is so utterly asinine about the latest judicial decree in the New York case, however, is its insistence on a 1970 redistricting based on a 10-year-old population count that is completely out of date. Here Mr. Dulski has only to cite his own case as a particularly "glaring example."

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His 41st district, it seems, had a 1960 census population of 435,858, and the neighboring 40th and 39th districts had almost exactly the same. But this new court order would now require all three of them to lose population because they exceeded the average district size by about 26,000 each. But, says Mr. Dulski, "today my district is estimated to comprise only about 375,000 persons—nearly 61,000 less than in 1960. . . . In contrast, the 39th District is now estimated to contain 515,000 persons."

Thus, under the Supreme Court's new edict, which compels reliance on the absolete 1960 census for the electing of New York's 41 congressmen in 1970, the Dulski district will have to be reduced to an estimated present population of about 349,000, while the neighboring Richard D. McCarthy district will be cut to a mere 490,000. And this in the mocking name of "one man one vote!"

ADDITIONAL JUDICIAL DISTRICT URGED FOR OHIO

HON. THOMAS L. ASHLEY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 15, 1969

Mr. ASHLEY. Mr. Speaker, I am being joined today in the introduction of legislation to provide that the western division of the northern judicial district of Ohio shall constitute an additional judicial district in Ohio and to authorize two district judges for such judicial district.

We are taking this action, Mr. Speaker, because the unprecedented growth in the caseload of Toledo's Federal district court makes it imperative that this new district be created as quickly as possible. Last year alone the court received a record 358 new civil cases and 104 criminal cases—an increase of 25 percent more filings than in 1967.

In the area of civil law, which represents the biggest growth in the court, there is a delay of at least 6 months to a year for persons wanting trials in civil cases. And the records show that new cases are being filed at an even faster rate this year than last.

To handle this caseload the court has one full-time judge, the Honorable Don J. Young. However, the Honorable Frank L. Kloeb who retired as a full-time jurist in 1965 has continued on a part-time basis to assist Judge Young with this heavy docket. Judge Kloeb recently remarked that in his 32 years on the bench the most trials he ever conducted in 1 year was 27. Yet last year he and Judge Young tried 43 civil cases alone.

"No one man could try anywhere near 43 cases a year," Judge Kloeb said, noting that the number did not even take into account the disposition of the 104 criminal cases filed last year.

Mr. Speaker, the need for another full-time judge is abundantly clear and the need is now. The court in Toledo handles Federal cases in 21 northwestern Ohio counties with a total population of 1,439,716. The nearby Cleveland court covers an area with three times the number of residents and handles three times as many cases but it has six full-time judges to Toledo's one.

Twenty-two court districts in the United States had fewer cases filed than the Toledo district court during the first half of the current fiscal year and no less than 12 of these have at least two full-time judges. Five other separate districts with fewer filings than Toledo have a full-time judge and also share the services of a full-time judge with another district on a permanent basis.

Two other districts had the same number of cases filed during the first half of this fiscal year as the Toledo court and each has two judges.

It is urgent that we act now to create an adequate number of judges for northwestern Ohio, Mr. Speaker, before a backlog of cases becomes so large that the court is unable to provide for speedy criminal trials and before persons seeking trials in civil cases are forced to wait a year or more to vindicate their rights.

TOM O'CONNOR—AN EXTRAORDINARY WRITER

HON. L. MENDEL RIVERS

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 15, 1969

Mr. RIVERS. Mr. Speaker, from time to time I have had the pleasure of placing the works of my favorite writer in the Record. The writer of whom I speak is Tom O'Connor, of Allendale, S.C.

Tom is the publisher of a couple of county papers down in South Carolina—one paper in Allendale County and one in Hampton County. Superb though these papers are, Tom's writings transcend what is local and approach that which is common to all men. Such a piece is the one that I am today placing in the Record for others to share.

By way of explanation, Tom lost his only son in Vietnam last year—shortly before he was to return to this country. I think the following column should be required reading for a lot of people—especially for some of our so-called "students."

THE TIME HAS COME

(By Tom O'Connor)

Somewhere along the line I probably failed him and so my son grew up to be a man who held some ideas peculiar and outmoded in this day. I try to believe that the blame in no way attaches to me.

Yet, I let him take it for granted that he owed the world something, he owed his country something, he owed other people something, and he, unequipped with the type of mentality which refuses to believe what seems very apparent, indeed, absorbed what he found and so became forever young.

I failed when I did not make an effort to keep him out of military service. I knew he was subject to being drafted; I knew he wanted to enlist and I did nothing to discourage him or to protect him.

I didn't suggest Canada as a fine new frontier where he would not have to serve in anybody's armed forces. I did not suggest tearing up a draft card, even risking a few months in prison, as a means of dodging what some men stupidly called duty.

I guess I cannot dodge my own responsibility for letting him go on thinking that honor and duty and patriotism are more than emotional ideas harbored by morons.

I never told him that those heroes of the past for whom he expressed admiration were fools for being where they were when they were. They could just as well have been safely at home, selling shoes, or groceries, or pumping gas.

When he spent a day wandering across the battlefield at Gettysburg, I failed to tell him that those rows upon rows of stones marked the resting places of men who did not rebel against a system, or an establishment, of which they were part and who were too spineless to flee from their nations in the hour of need.

He thought each marker spoke of a man with a special place to be held secure forever in the hearts and minds of his fellowmen of any and every age.

He did not agree that one had a right to rebel against what was plainly a life amenable to one's ability to live it. In other words he did not have a clarity of vision, sometimes drug induced, to see that cutting off his own hand was a cure for ills and inequalities and injustices. He saw only in such case, a man who had stupidly handicapped himself and made even less even the uneven struggle.

There are perhaps 60,000 or even 100,000 men and women on earth today who share my blame. For they too have failed sons, or husbands, who served in Vietnam.

They haven't become involved in dodging duty, in slandering honor, in demanding changes they want regardless of what others might want.

They haven't burned flags to show how involved with life they are. They haven't degraded heroes of the past with obscenities, and foul-mouthed curses. They haven't opposed forces which are dedicated to the well-being and safety of all men.

They haven't cried and fought and been bloodied in order that they might impose their wills upon others.

They haven't succumbed to the argument that if they fight hard enough, blast enough buildings, burn enough homes, destroy enough business houses, harass the authorities to desperation, they can win and make the World do what they want it to do.

I can't do that. My son stands in the way. The sons and husbands stand in the way. The path to irresponsibility is barred to us by our dead.

They fought, they were bloodied, they died, because to them honor, duty, integrity and patriotism were more than words. They were expressions of man's need to rise above himself if ever he is to accomplish the ultimate goodness and achieve the perfect civilization.

I shall not take the blame nor seek the credit for my son. He was his own man and a man in his own right. What he died for are things I too hold dear and in so holding I do not see how I in anywise diminish any other man, his rights, his privileges, his opportunities.

I grieve for the son who is lost, but in my heart I am now able to sometimes be a little glad that in his death he has added something to the stature of mankind and that from hence my own involvement in life will be affirmation of man's need to cherish honor, to foster integrity and to stand to duty in any circumstance.

HAPPY BIRTHDAY, MR. PRESIDENT

HON. ROBERT N. GIAIMO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 8, 1969

Mr. GIAIMO. Mr. Speaker, it is truly a pleasure and a privilege to rise today to pay tribute to one of our country's greatest Presidents, the Honorable Harry S. Truman, on his 85th birthday.

During his time in office, President Truman did many things which will always be remembered by an appreciative Nation. He is remembered for the Truman doctrine, the Marshall plan, the creation of NATO and the United Nations, the Berlin airlift, and desegregation of the Armed Forces, to name but a few.

In addition to these magnificent contributions, however, Harry Truman will also be remembered as the President who "told it like it is." He never minced words with anyone. He had the courage and the strength to overlook political implications when making his decisions. Harry Truman came from a humble background, and throughout his career in public service he continued to be a man of the people. He once wrote:

> My own sympathy has always been with the little people, the man without the advantages, and these have always been the people who responded to a politician named Harry Truman.

Mr. Speaker, the people of this country were blessed to have this great man as their leader during the turbulent period of 1945–52. He had the courage, the fortitude, and the foresight to plot a course which saved much of the world from Communist domination, while helping to create an organization dedicated to world peace, the United Nations. We are truly in his debt.

Happy birthday, Mr. President.

ST. BONAVENTURE PRESIDENT LAUDED FOR BANNING SDS

HON. JAMES F. HASTINGS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 15, 1969

Mr. HASTINGS. Mr. Speaker, last Sunday, the Very Reverend Reginald A. Redlon, president of St. Bonaventure University which I am proud to say is located in my hometown of Allegany in the 38th Congressional District of New York, banned the Students for a Democratic Society from the school campus.

He did so in a special Parents' Day address, heard by an audience of 2,000—about half of which were mothers and fathers of students.

Speaking in the university center following Mass, Father Redlon declared that he was banning SDS from the campus because the organization is "antidemocratic, anti-American, and anti-Christian."

Two recent incidents prompted Father Redlon to act. One happened about a week ago at the university's annual Press Day, which was attended by several hundred high school students engaged in the publishing and editing of their school newspapers. SDS, Father Redlon said, had set up a table and was distributing SDS recruitment literature to the high school students.

The other incident was a burglary last Friday. The office of the academic vice president was broken into and several confidential files were stolen.

I think it is significant to know that Father Redlon's declaration barring SDS touched off a 4-minute standing ovation and when he left he had to almost fight his way through a crowd of people with outstretched arms wanting to congratulate him.

Mr. Speaker, this is the kind of forthright action that is expected and should be taken by our college administrators if radical minorities are to be prevented from making a shambles of our educational system.

Father Redlon deserves the highest praise for standing firm on disciplinary principles which must prevail if our colleges and universities are to remain a lofty symbol for learning.

Mr. Speaker, under unanimous consent I include the full text of Father Redlon's Parents' Day talk in the RECORD:

ADDRESS BY FATHER REDLON TO PARENTS

It is May; it is Mothers' Day; it is Parents' Weekend. And so I am pleased in the name of all to welcome you, particularly you who are parents, to St. Bonaventure University. I trust that your weekend has been and will be, in spite of the weather, pleasant and profitable.

There is so very much I would like to say to each of you, and I apologize for the fact that last evening, though I was here for two hours, I'm certain that there were many parents I did not have the opportunity even to greet personally. But I want to tell you how much we respect and reverence your presence here, especially in so far as it reveals your desire to give to your son and daughter—in many cases at great sacrifice—an opportunity to realize the beauty and loveliness as also the discipline, and, at times, the suffering of a truly adult Catholic life. In a word, that you have sacrificed to provide for your son or daughter a Catholic college education.

I would like to begin these remarks by making something abundantly clear, not only to you who are parents but to the students who are here as also to any faculty member or to any other member of this community or of this institution. To do this, may I quote a recent editorial:

"Today's students are bright, immaginative, energetic, idealistic; they are thinking and they are acting about the war in Vietnam, the draft, the Negro's place in society, fairness to all minorities, the rights of people everywhere to the good things of life: justice, dignity, freedom, democracy—these are not mere words in a book to our young today, they are banners flying in a breeze inspiring action here and now. Confronting the evil of the world, and the world is full of it as it has always been, students strive for change and for improvment. And above all, no student should leave a campus without the sure knowledge that his mind and heart are precious to America and to our Church. Out of such assurance will come later, as other have discovered, that with all of it's shame and drudgery and broken dreams, ours is still a beautiful world."

I endorse those words. I believe they represent the truth, I have enormous respect—indeed, affection—for the students on this campus. My entire life and the lives of so many of the faculty and the administration—indeed, of this staff—have been devoted to education. And that means, therefore, to many students and over a long period of time.

It is not difficult to dialogue with most students, even those with whom I most seriously disagree. And this was demonstrated in this very hall, in this very gymnasium, Palm Sunday night.

What then has happened? What is the problem? Believe me when I say that it is not due process—a much used and abused term. In so far as it means fair and just treatment and indeed with an attitude that involves considerable compassion for the members of this community or any similar institution—that I assure you has been and is, and always will be, the policy here. But the issues, I believe, are much deeper. They reflect the phenomena that are so well known to all in our country and, indeed, in our Church.

Simply and honestly, I believe there are principles that are either differently understood, misunderstood or denied. And they cannot in any way be compromised, for they touch deeply the lives of all of us, not just here, but really anywhere.

For example: There is the principle or authority and its responsible exercise. To address myself to this, may I quote from an article that appeared in last Sunday's New York Times, specifically the magazine section:

"Each campus is entitled to be as radical or conservative as it desires, but students are the ones to decide; not the faculty, not the administration. If a fringe have an idealism, indeed even a fanaticism, in which one man's personal force is equal to that of ten apathetic opponents, who is to declare that the minority do not determine the history of the school? Democracy is the free and fair play of human forces. We can remember a minority of early bearded Christians who proved eventually an ongoing force for better or worse. But the point behind all the points is that civilization has lost the way, and we may not find it until we recognize that the vote of the man who would not commit himself to his ideals is not necessarily equal to that of the man who would."

To speak very softly, I trust, I find these words strange, if not very confusing and, indeed, dangerous.

In the first place, on the one hand tribute is paid to the democratic ideal of the free and fair play of human forces and then says it is better, indeed, maybe the only salvation of our western civilization at least, that a radical minority or a revolutionary group that is committed should find that its attitudes and its actions prevail. I ask very simply, is this democracy?

In the second place, it seems presumptuous to say that the ten voters or the opponents are apathetic. It could very well be that they too are very committed, but they are committed to the basic values of our republic, of our Church or of any institution and they do not want to see any of these destroyed. Why should we presume without proof that the majority is apathetic?

In the third place, reference is made, and somewhat snidely, to the early bearded Christians. What mattered then and what always matters is not whether or not someone is committed to an ideal, but to what ideal one is committed. And I venture to say that the early bearded Christians who proved to be an ongoing force, did not do so because they were few in number or because they were bearded but because the ideal to which they were committed was the truth—the truth makes us *free*. And it still remains the truth that will make us free.

And I challenge the S.D.S. and any other radical group to prove that the ideal to which they are committed is constructive and involves respecting the rights and the freedoms of others.

So much time on this campus—I am certain that is it true of others—has been wasted. So much energy has been dissipated because we have allowed ourselves to forget our goals.

If the Ku Klux Klan were to request to organize on this campus, it would be imperative for myself and everyone here to acknowledge that such an organization, because it is racist, is opposed to everything for which we stand and it could not be allowed to exist—no matter how you might appeal to the constitutional right to assemble. And I am convinced, that the S.D.S. is not only anti-democratic, anti-American and

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anti-Christian, but also that it is opposed to everything for which this University stands. It was finally proven within the past few days when that organization distributed literature on this campus to numberless young people which unquestionably is, as I have just said, opposed to all that our republic and our Church and this institution stands for.

And therefore, I am banning that organization from existence on this campus.

Finally, with respect to the quotation, I find its incredible that anyone would say that the character and spirit, however you would describe it, of any campus should be determined by the students alone and not at least by the students and faculty and the administration.

I want to make it very clear again, and I'm sure I'm speaking now to the vast majority of the administration and the faculty, if not the entire administration and faculty, I believe firmly in community government in so far as that means everyone's voice should be heard (and I will make additional efforts to listen to each and every student on this campus). And that they should be effectively heard in accord with their competency. But I do not believe that this institution or anyone similar to it can be governed democratically insofar as that means each member of the institution has an equal vote.

I do not above all believe that we will promote the common good or preserve the purposes of this institution if we hand it over to the students. Maybe what we are witnessing right now, however, is that such thinking, which has been around for sometime, is just now beginning to pass from the realm of ideas to that of action. And let us never forget that one man with the wrong idea published a manifesto in February 1848 in London. And the ideas contained in that document have revolutionized our world though it took several decades, if not a century, and the man's name was Karl Marx.

To return to the deeper issues, there are other principles and other truths, which means we have, I believe, reached a certain critical moment in the history of St. Bonaventure University. For it is a moment that reveals to us the need to be more clear and more articulate in our understanding of our basic philosophy of Christian education. In a word, our future does not involve Bona's becoming some sort of nebulously religion-orientated school, but a real, genuine Catholic University.

Those who would refashion our society, the Church indeed even the Franciscan Order, or very specifically this university into something of their own image no matter how sincere or well-intentioned they may be must be confronted with the fact that there are real, basic principles which we do not intend to compromise.

And included among them is this: That we reverence and respect and accept the authority and office of the Holy Father.

We cannot allow ourselves to become lost or submerged in a sea of contemporary anxiety, frustration, confusion and romanticism. It is for us to accept and to continually rediscover these truths and then to proclaim them for all to hear and understand. And we cannot stand back unconcerned because we are talking about the future of the youth of America and our Church and the truths by which they must live.

Now I wish briefly to refer to certain very unpleasant events that have recently occurred on this campus. I do this because I feel it is necessary to inform all of you, the parents as also the students.

A week ago an attempt was made to break into my office during the night. There have been several instances of vandalism and robbery of departmental offices, as also the Maintenance Department, and yesterday, in the early morning, sometime after one a.m., the office of the Academic Vice President was entered by breaking a window. His confidential files were stolen, including faculty evaluations that had been prepared by appropriate academic officers over a period of months. All of his correspondence between his office and that of other members of the administration as also with members of the faculty and others has been destroyed or at least stolen.

Police have been informed; an investigation is underway. We intend to use every available means to apprehend those responsible for this reprehensive action. And the University is prepared to offer a substantial reward to anyone who can assist successfully in the apprehension and conviction of such persons.

I have, therefore, ordered the hiring of additional day and night security for this campus, for we will not allow anything whatsoever to interfere with the orderly termination of this semester's activities, including those of senior week and the commencement exercises.

To that end, I serve notice that anyone who in any way disrupts the ROTC awards ceremony—which is an academic function—on Friday, May 16th, will be immediately suspended or expelled.

We will not allow any protests or demonstration, except those which are in accord with the regulations contained in the Student Manual, or in accord with directives that have been issued by the Office of the Vice President for Student Affairs.

And I need not remind those of you who know that during the past few weeks there were demonstrations that did violate these regulations and they will *No Longer Be Tolerated*.

It grieves, I am certain, the vast majority of people here or who are associated with this school, that these latter remarks are necessary. I appeal to the understanding and loyalty of all to assist us in our individual responsibilities to promote the welfare of this venerable and much loved institution.

These are hard sayings indeed. I look forward to difficult but, I pray, happy days, and eventually a great—certainly challenging—future for St. Bonaventure. As Catholics and as Franciscans we will continue to honor, reverence and respect those who dissent. And above all, we intend to love those who choose to walk away.

How I hope and pray, that each Bona graduate will be, by the way he talks and the way he walks through life, someone of whom others will say when they are gone: "The world is poorer because of their departure, and the sources of inspiration run more thinly for all of us." But even more significantly, and even more heart-felt, is my prayer that others will say of them what Robert Kennedy said of his Brother John, quoting Romeo and Juliet:

"When he shall die, take him and cut him out in little stars and he will make the face of heaven so fine that all the world will be in love with night and pay no worship to the garish sun."

Good Bye, and a safe journey home. Thank you.

ISRAEL'S INDEPENDENCE

HON. EMILIO Q. DADDARIO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 15, 1969

Mr. DADDARIO. Mr. Speaker, on May 15, the State of Israel celebrated the 21st year of its independence. Because of its long and close relationship with the United States, it is fitting that we should note this event and that we should take the occasion to reflect upon the growth and the achievements of this young and vital nation.

In the few short years of its existence Israel has successfully absorbed countless thousands of immigrants from lands as diverse as Yemen and the Soviet Union. Under conditions of extreme physical hardship, a state has been built that rivals any in the world for its industry, its creativity, and the dedication of its people. Three times this nation has fought to preserve its very right to exist.

The relations of the State of Israel with its Arab neighbors, however, seem at present once again to be deteriorating in a spiral that could eventually lead to yet another Mideast conflagration. Goaded and prodded to the brink of endurance by Arab threats and guerrilla attacks, Israel must show patience in exploring steps which, while fully consistent with Israel's undeniable right to a future prosperous existence, must be the basis for a future just and mutually agreeable lasting peace.

THE 200TH ANNIVERSARY OF DARTMOUTH COLLEGE

HON. THOMAS J. MESKILL

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 15, 1969

Mr. MESKILL. Mr. Speaker, it has come to my attention that the 200th anniversary of the founding of Dartmouth College will be celebrated in Columbia, Conn. Mr. Robert L. Bennett, the commissioner of Indian Affairs, is scheduled to give the major address of the celebration on the "Educational Needs of the American Indian."

From all indications, the Dartmouth Alumni Clubs of Connecticut have planned a gala celebration for their alma mater. A brief description and a schedule of events follow:

On Saturday, May 17, 1969, the Dartmouth Alumni Clubs of Connecticut will sponsor a celebration of the birthplace of Dartmouth College at the original site where Rev. Eleazor Wheelock started and supervised an Indian charity school at Columbia—then Lebonan—Connecticut. From 1755 to 1769, the Reverend Mr. Wheelock carried out his dream of educating Indian youths in the colonies. The original schoolhouse and Reverend Wheelock's home still exist and are maintained by the Columbia Historical Society. In 1769, Reverend Wheelock moved his school to Hanover, N.H., and with the help of Rev. Samson Occom, the most outstanding Christian Indian of that time, started Dartmouth College.

This year, 1969, 200 years after the founding of Dartmouth, the college and the Dartmouth Alumni Clubs of Connecticut have planned to commemorate this charity school and the town of Columbia. This is part of a bicentennial celebration that Dartmouth will continue throughout the world during 1969. The schedule of events is as follows on May 17:

10 A.M. Exhibits (On the Green): Moor's Charity School. The original building on the

Green will be open from 10–4. The Scotford Exhibit of Colonial educational material and artifacts will be displayed. Adjacent buildings, under the guidance of the Columbia Historical Society will be open to the public. Also participating are the Historical Societies of Mansfield and Lebanan.

10 A.M. (At a nearby auditorium): Movies, produced by Dartmouth College and dealing with the origin of Dartmouth and the College today, will be in continuous showing from 10 A.M. to 1 P.M. and again from 3 P.M. to 4 P.M.

11 A.M. (On the Green): The Dartmouth Outing Club will sponsor competitions with other outstanding College Outing Clubs in chopping, wood splitting and crosscut, and buck sawing.

12 P.M. (On the Green): Lunch will be prepared and sold by the Women's Guild of the Columbia Congregational Church. Many Dartmouth families plan to attend and make this an old-time picnic outing on the Green.

1 P.M. (During the Picnic): The Dartmouth Band will present a Concert in front of Moor's Charity School with marches and Dartmouth Songs.

2 P.M. At the Platform on the Green: Edwin T. Rice, Dartmouth '52 and Chairman of the Events will introduce the President of Dartmouth College, John Sloan Dickey. President Dickey will present, to the town of Columbia and the Columbia Historical Society, a bronze plaque to be placed at Moor's Charity School, commemorating this as the birthplace of Dartmouth College.

2:30 P.M. At the Platform on the Green (The Principle Speaker): Following this, Commissioner of Indian Affairs, Robert L. Bennett from the United States Department of Interior will speak on the Educational Needs of the American Indian. This will be a most timely and important address as we, as a nation turn our eyes and our hearts to those less privileged in our society. No more fitting site could be found to speak on this subject than at Columbia, where the Reverend Wheelock's dream first came to life.

The Dartmouth committee sponsoring this event hopes that the plaque may be brought from Hanover to Connecticut by the Ledyard Canoe Club in its annual canoe trip down the Connecticut River. They believe this would be a most appropriate vehicle for a commemorative plaque of this nature, paralleling, perhaps, part of the danger and excitement that the Rev. Eleazor Wheelock felt as he moved his Indian school up into the then wilderness of Hanover, N.H. The Canoe Club will put on a demonstration and a race on the beautiful Columbia Lake. The competitors are to be announced later.

One of the most significant developments to come from the organization of this celebration is a recent word that the people of Columbia are investigating how they may rededicate themselves to Reverend Wheelock's dream of education of the American Indian. Under the leadership of Mr. George Evans, today's successor to the Wheelock Parish, the town is studying the Dartmouth ABC Program—A Better Chance—for underprivileged students with the possibility of supporting A Better Chance Indian program. How very fitting, as 200 years are rolled back, for this town to once again take on the noble purpose of its early white and Indian ancestors.

Invited to the ceremony as a guest is a descendant of Eleazor Wheelock, the Rev. Arthur S. Wheelock of the Congregational Christian Church, 14 Beacon Street, Boston. Also invited is a descendant of Samson Occom, the Indian who helped Reverend Wheelock; this is Mrs. Robert H. Fawcett of Uncasville, Conn. Mrs. Gladys Tantaquidgeon, of Uncasville, and of the Mohegan Tribe—of which Samson Occom was a leading member—will have, on display, museum pieces from this most famous of the New England Tribes.

The committee from the Dartmouth Alumni Clubs of Connecticut is as follows:

Chairman: Edwin T. Rice, 4 Carver Circle, Simsbury.

Program: Richard A. Watson, 317 Dug Rd., Glastonbury, and Peter Schwartz, 145 Natchaug Dr., Glastonbury.

Arrangements: Joel B. Alvord, 85 Chestnut Hill Rd., Glastonbury.

Liaison: Robert B. Foster, 96 Preston St., Windsor.

Publicity: Dr. Donald G. Russell, 73 Cedar St., New Britain.

Commemorative Booklet: Raymond J. Buck, Jr., Storrs, Conn.

Committee Members: H. Russell Burgess, Jr., 170 Prospect Hill Rd., Noank; Robert Adnopoz, 111 Carmalt Rd., Hamden, and Culver A. Modisette, 65 Highridge Rd., West Simsbury.

From Columbia, Conn., the following have been instrumental in making arrangements for this celebration:

Mr. George K. Evans, congregational minister.

Joseph Szegda, first selectman.

Donald R. Tuttle, school board chairman.

Albert B. Gray, president, Columbia Historical Society.

Dr. R. Gene MacDonald, director, Columbia Historical Society.

Mrs. Wilbur Fletcher, president, Women's Guild of Congregational Church.

Mrs. William J. Murphy, director, Columbia Canoe Club.

The committee expects attendance of over 1,000 people, including children, as Dartmouth families and friends plan to make this a spring picnic with band concert on the green. The college has sent a mailing to all Southern New England Dartmouth alumni and all clubs in the area, including Massachusetts and Rhode Island, have instituted their own publicity programs. A special commemorative program will be distributed free of charge.

PRESIDENT NIXON'S APPROACH TO VIETNAM SITUATION LAUDED

HON. JAMES H. (JIMMY) QUILLEN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 15, 1969

Mr. QUILLEN. Mr. Speaker, the President has made a truly constructive move toward achieving peace in Vietnam and, indirectly, fulfilling another pledge he made to America—to "bring us together."

He made our goals clear—free choice for the Vietnamese people and an end to violence. He then offered the most workable program yet to achieve these goals—a program all sides can find reasonable and acceptable.

President Nixon's approach also cleared the air of a lot of useless talk about how and why we got into Vietnam. As he pointed out, that is not important now. What is important is what to do with the situation we have now.

By showing the world a true desire for peace and a workable program to attain peace, the President has put it squarely up to Hanoi and the NLF. Now, more than ever, they have nothing to gain by delaying on this offer.

AMERICA'S FORESTS: CHAOTIC CONSTERNATION OR CONSTRUCTIVE CONSERVATION?

HON. HAROLD T. JOHNSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 15, 1969

Mr. JOHNSON of California. Mr. Speaker, night before last I was privileged to attend the 67th annual meeting of the National Forest Products Association. The speaker for the evening was Mr. James D. Bronson of Yakima, Wash., who currently is serving as president of the NFPA. Mr. Bronson has served with this association for more than 15 years and is a veteran of more than 40 years in the forest products industry, having started his career as a logger in Yakima with the old Cascade Lumber Co. He worked up through the ranks until he became president of the company in 1946; and with a merger of his company into the Boise Cascade Corp., became a director and he still heads the lumber operations center in the Yakima area.

Mr. Speaker, I was tremendously impressed with Mr. Bronson's remarks concerning the problems of the forest products industry today and his discussion of some of the efforts which those of us representing the timber areas, and the Federal agencies responsibility for growing the timber, and the industry itself are making to meet the timber needs of the Nation.

I believe that it would be of interest to all of my colleagues, and I insert Mr. Bronson's "America's Forests: Chaotic Consternation or Constructive Conservation?" in the RECORD at this point:

AMERICA'S FORESTS: CHAOTIC CONSTERNATION OR CONSTRUCTIVE CONSERVATION?

(Speech by James D. Bronson)

Mr. Secretary, Distinguished Guests, Fellow Americans: There are those in this nation who think of forests, both public and private, as a paradise—a portion of our natural surroundings which are far removed from the humdrum world and which warrant continued separation from realities.

There are others of us who think of forests as a vital and replenishible concentration of miraculous fibers which can serve the needs of mankind.

The extremes of these two interpretations of the meaningful forest have imposed upon our nation, through its lawmakers and its administrators, a patchwork of philosophies and management practices which satisfy few. As a result, the vast majority of us who value order and tranquility tend to find ourselves being pushed to one side or another of this sylvan confrontation.

Faced with a choice, whether we are by nature hikers or loggers, we find ourselves "strangers in paradise". We are uncomfortable with the restraints imposed upon us by the current policies governing particular forests and, regardless of the side we may find ourselves on in a given situation, we are all deeply concerned.

A CONSEQUENCE OF DIFFERENCES

American forest management, for its many values, has become a chaotic situation wholly as a consequence of human differences. Those of us obliged to provide a continuous and increasing flow of wood fiber from our forests view with alarm contemporary trends toward land withdrawal for non-economic use. Men and women who are dedicated to the out-of-doors as a retreat for contemplation and wholesome recreation are equally alarmed at the threat they consider commercial forest management and the nation's wood needs may be to their interests.

And, when the nation is faced with a crisis in housing requiring vast quantities of wood—as it presently is—both sides of the forest controversy dissolve in chaotic consternation.

Each sees his own paradise threatened or forever lost to him. Chaos reigns.

John Milton described the circumstances in his "Paradise Lost":

> "Chaos umpire sits,
> And by decision more embroils the fray
> By which he reigns: next him high arbiter
> Chance governs all."

We have, I fear, reached that state in the responsible management of our forest resource for all the people. We have submitted our differences to umpire Chaos and have appealed chaotic decisions to Chance for arbitration.

This is a luxury of indulged whimsy which we as a nation can no longer afford.

That is why I intend to speak out today for a new concept in forest management—a second chance, if you will, to establish orderly fulfillment of the needs and desires of all of our people. I propose that the United States embark upon an era of constructive conservation, an era of enlightenment when all the inherent and intrinsic values of the forest are realized in the interest of the people.

As concerned citizens there is none of us who does not recognize the urgent need to improve the environment for human life. This is just as true of lumbermen as it is of outdoor recreationists. The forests of America are in a unique position to bridge the void between the daily needs of citizens for improved housing as an element of environment and the desire of men to flee the cities and enjoy the beauties and solace of the out-of-doors. Both of these purposes can be accomplished *at the same time*—if we all have the will to make it happen.

ESSENTIAL INGREDIENTS

The essential ingredients of "constructive conservation" are simultaneous realization of all the benefits of the forest and development of a national point-of-view which favors compatibility over exclusivity in terms of forest use.

There may be some who will consider that what I am espousing is already provided in the Multiple Use Act of 1960 which stipulated that National Forests should be managed for timber, fish and wildlife, watershed, grazing and recreation. This is not so.

Multiple Use Act implementation has ignored the second ingredient of "constructive conservation" . . . compatible use rather than exclusive use of given areas for given purposes. Multiple Use has been attacked by the recreationists because it permits the harvesting of timber; it has been attacked by individuals in the forest industries because it requires them to adjust or abandon harvesting operations to the recreationists. It has been honored in the breech by the Forest Service which has increasingly tended to set aside areas for exclusive use of recreationists, sometimes without regard to the timber values involved. Multiple Use has been criticized as a meaningless term—"the people don't understand it", "the people don't want it", "the loggers can't live with it", "the Forest Service declines to impose it"—all these things have been said.

BROADER VIEWS NECESSARY

But each of those statements has been made by someone expressing disdain from a single use point-of-view without regard to the interests of others and with, in the final analysis, total disregard for the best interests of all the people.

I am persuaded that we cannot, as a nation, prolong the series of monologues which have tended to constitute the bulk of our literature on forest use.

If we are to achieve understanding and respect of varying views it is essential that there be constructive leadership demonstrated by the single element of our society which has the strength and the responsibility to accommodate public opinion and public interest. In our system this power is assigned to the Federal government. It is from the government that we have the right to expect attentive consideration of all sides of the forest management issue and objective evaluation of the course which will best serve the nation.

Federal forest management policies today tend to vacillate with the winds of public and private pressures. This is not surprising and is no indictment of the public officials involved. The Forest Service of the U.S. Department of Agriculture, for instance, is the principal manager of the Federally-owned commercial timber lands of the nation. We are honored, as was pointed out in presenting our head table, to have the distinguished Chief of the Forest Service, Ed Cliff, with us. He is a highly responsible official. He is eminently qualified to bear the burdens imposed upon him and he is assisted in his undertakings by other dedicated Americans of the Forest Service—many of whom are with us today.

MR. CLIFF'S IMPOSSIBLE TASK

But Ed Cliff has been assigned an almost impossible task by the public policies with respect to forest management which respond to changes in administration, legislative response to public pressures, and local or regional accommodation to special situations. In addition, his is a head which must wear an almost constantly changing series of hats. He is regularly obliged to wear two and three hats simultaneously and I would guess that he is subject to frequent headaches since the headbands tend to shrink or expand depending upon the particular block upon which they have been shaped.

This fluctuating pressure to which Ed Cliff must respond would not be tolerated by the business executives in any corporation represented here.

It is intolerable that a business executive—and the Chief of the Forest Service operates a timber growing business which returns $300 million in sales receipts to the Federal Treasury every year—he operates a land area twice the size of the State of California—half of which is commercial timber growing land—it is intolerable that such a business executive is denied enduring long-range policy which will enable him to improve his product, broaden its market, and increase its annual sales.

But this is the condition which exists and the Federal government—in both its legislative and executive branches—is the only agency which has either the authority or the responsibility to alter it.

THE NATIONAL TIMBER SUPPLY ACT

Senator Sparkman told us in some detail yesterday the means to this end which resides in the National Timber Supply Act. Our industry considers the reinvestment of Federal timber sale dollars in improved management of Federal commercial timber lands a logical and wholly responsible means to guarantee the nation's future wood needs. It is, we believe, the only feasible way to respond with speed and efficiency to the urgent demands for softwood lumber and plywood imposed upon our industry and upon the nation by the projected housing goals of 26 million units in the next decade.

We intend to work for the speedy passage of this measure, along with the National Association of Home Builders, the United Brotherhood of Carpenters and Joiners, the National Lumber and Building Material Dealers Association, the National-American Wholesale Lumber Association and the many other organizations directly concerned with fulfilling America's housing needs. We are most heartened by the spontaneous support which has been generated in the Senate and the House of Representatives on both sides of the aisle. Sponsors of this bill reflect a true cross-section of our nation and demonstate that our legislators recognize that timber availability holds the key to adequate housing for all our people.

The National Timber Supply Act affords a dramatic demonstration of the interdependency of social progress and natural resource management. It has been heartening to see dedicated preservationists, who have been traditionally antagonistic to timber harvest measures sought by the forest products industry and the Federal forest management agencies, endorse the concept of high yield management of the National Forest commercial timberlands.

RESPONSIBLE ACTION BY ALL

The positive response of the Sierra Club witnesses before the Senate Banking and Currency Committee is a sign, I believe, that where the national interest is clearly revealed and the social need is obviously compelling, natural adversaries can act responsibly together. The Sierra Club, properly, stipulated that intensified management of the National Forests for timber harvest should be undertaken with full consideration of the other forest values. The forest products industry fully endorses this stipulation and asks that the Forest Service fully emulate the practices which have been pioneered in this regard on better managed industrial forest lands.

This mutuality of positions between the Sierra Club and the forest industries is, I am convinced, the first glimmer of what can be achieved under the concept of "constructive conservation." There will, no doubt, be confrontations on specific issues in the future. There will be extremists on both sides who will indulge in invective.

But, it is my earnest hope that in the great middle, the center, if you will, of the dedicated men and women heretofore on opposite sides of the conservation fence, there will be enlightenment and understanding. It is only when the common interest of all the people is properly served that "constructive conservation" can be a reality.

WHO WILL DECIDE?

Who will decide what the policy should embrace? How should the scales be balanced equitably if a choice must be made between areas where timber harvest should be encouraged and areas where other forest use should be emphasized? When should community dependency on timber harvest take precedence over potentialities which might develop as a result of emphasis on recreation and tourism?

These are difficult questions which I am not prepared to answer.

But they must be answered. And they must be answered always in terms of the identifiable needs of all the people of the United

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States where public lands are involved. And they must, further, be answered on a foundation of logic and reason and judgment so firmly established that the long-term process of growing timber is not subject to the vagaries of temporary expediency of monentary clamor.

It occurs to me that where issues of public policy affecting the nation's timberlands are concerned the people must look to the responsible public agencies for expertise. In turn, the public agencies must apply their expertise without regard to the pressures from one side or another of the controversy. The Forest Service timber management function, for instance, should not be susceptible to stop-and-go restraints imposed by speculative consideration of realignment of area uses. Growing a crop, and timber is a crop, must be governed by the duration of the time from planting to maturity and harvest. Land committed to a crop must be reserved for that primary use and all other uses must be coordinated with that rather than superior to that use.

This is simply one example of the kind of decision which must be made binding upon the nation if it is to realize the potentials of modern forest management.

WE CAN IMPROVE

And these potentials are remarkable, as most of this audience knows. It is possible to improve timberland through fertilization; it is possible to increase the yield and quality of timber by genetic selection; it is possible to accelerate growth through thinning and spacing; it is possible to maximize the timber harvest through orderly salvage operations. All of these things are being done with great success on industrial forest lands. They should be done on all forest lands so that there need never be any shortage of timber in the United States.

I believe that they will be done as a matter of national policy within the life-times of many of us in this room. I am hopeful that the passage of the National Timber Supply Act, coupled with the assumption of leadership in "constructive conservation" by the Forest Service, will make them happen this year on the commercial timberlands of the National Forest system.

LET THE FORESTERS DO THEIR JOB

The leaders of this crusade towards "constructive conservation" must, of necessity, be professional foresters. The forester—while the nature of his work and his surroundings tend to identify him with rough clothes and rugged physical strength—is a professional man like a doctor or lawyer or a nuclear scientist. He is a highly trained specialist in dealing with the needs of trees from gestation through harvest. He is, if you will, a forest agronomist and ecologist dedicated wholly to the creation of a flourishing balance among trees, wildlife, watershed, recreation and forage. He is a planner and a protector. He is the fundamental factor in determining whether a forest is to become an asset to our society or a curiosity fit only for occasional visits and contributing little to our human material requirements.

The public has for too long viewed foresters as gamekeepers and fire watchers when they should be equated with surgeons, engineers, attorneys, and scientific agriculturists. There has been a tendency on the part of the public at large to respond to preservationist appeals for the *status quo* in the forests when, without the practice of scientific and technical forestry the forest is doomed to eventual decline through age, fire, storm, insect attack, disease, decay and neglect.

I cannot urge strongly enough that everyone in this room, in this capital city, and in the nation at large, rely in the future upon the professional forester to conceive and execute our long-range plans for use of the forests in the United States. This is the only way in which we as a people can have any assurance that the forests of our land will flourish and be replenished in a scientific and wholly contributive way.

TECHNOLOGY CONTRIBUTES

Our industry believes in science and technology, and profesisonalism as a means to greater productivity—not only in the woods—but in the mill and at the jobsite as well. In recent years our industry, through mechanization and product line diversification has been able to increase log utilization remarkably. Saw lumber is simply a primary product of timber as is plywood—bits and pieces, chips, bark, culls, and other odd parts of the logs are converted into pulp and paper, particle board, hardboard, glued laminated assemblies of various kinds, on through the final composite fireplace log. Little is wasted at the mill any longer—and this advancement contributes to "constructive conservation" of our timber resource too.

Construction techniques have been advanced to reduce waste on the jobsite as well. Pre-cut members for modular framing are an example. The elimination of bridging between floor joists is another. Research studies have demonstrated the concept of load-sharing among members in wood frame construction and have thus led the way to reduced dimensions which perform well but reduce the volume of wood fiber necessary to do the job. The long sought-after improved standard will be a major breakthrough in improving the quality and performance of lumber. The new dimensions will save an estimated eight per cent in every stud and larger dimension lumber and that represents a tremendous amount of wood fiber nationwide. In effect, adoption and application of the new American lumber standard will mean that a log which would produce twelve studs today will produce thirteen tomorrow.

BOTH ENDS OF THE LINE

So, we in the industry are working towards "constructive conservation" from both ends of the line—in the woods and on the construction site.

We are determined that our industry will not fail the American people by being unable to meet the wood fiber demands of the nation today, tomorrow and forever.

But to fulfill this commitment we will need help. We will need the help of the Congress in passing the National Timber Supply Act so that the National Forests can assume an appropriate share of wood fiber production; we will need the help and guidance of the Department of Agriculture in doing a better woods job on both public and private lands: we will need the enthusiasm of public and private foresters and those who own the lands of America; we will need the understanding of our purposes and our performance from the people who want to use the out-of-doors for purposes other than wood production; we will need the patience and cooperation of communities, counties, and states.

Most of all we will need the help of Nature itself and of the Creator of all growing things. Blessed with both sunshine and rain, free from storm and destruction, inspired by the wonderment of the seedling, the sapling, and the sturdy forest giant and their endless regeneration we will serve our America.

If we assume and carry forward the promise of "constructive conservation" against all odds, it may be our chance to realize in our own time the words of Isaiah 35:1:

"The wilderness and the solitary place shall be glad for them; and the desert shall rejoice, and blossom as the rose."

God will it shall be so.

Thank you.

MEDICAL MISSION TO DOMINICAN REPUBLIC INSPIRING FOR ATTLEBORO'S DR. RODGERS

HON. MARGARET M. HECKLER

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 15, 1969

Mrs. HECKLER of Massachusetts. Mr. Speaker, the Attleboro Mass., Sun recently contained an article which described a medical mission to the Dominican Republic, under the auspices of the Christian Medical Society. Dr. Theodore Y. Rodgers III, of Attleboro, his son, Ted, and Miss Gail Bunce, R.N., of the operating room staff of Sturdy Memorial Hospital, participated in this visit. In the face of extreme discomfort and primitive conditions, the group brought medical attention to village clinics and provincial hospitals in the Dominican Republic. This type of selfless, charitable venture is truly inspirational, in an age where few of us find time to give of ourselves for the benefit of others. I know that my colleagues will share my interest in the Attleboro Sun's account of Dr. Rodgers' trip. The article follows:

MEDICAL MISSION TO DOMINICAN REPUBLIC INSPIRING FOR ATTLEBORO'S DR. RODGERS

Although it took almost five months to prepare for a medical mission that lasted only two weeks, Theodore Y. Rodgers III, M.D., of this city considers the personal benefits greater than any inconvenience that may have been incurred.

It was last October that Dr. Rodgers made a firm commitment to join a medical caravan of 75 from the United States and Canada to work under the auspices of the Christian Medical Society on its annual visit in the Province of Puerto Plata, Dominican Republic. Volunteering to go with him were his son Ted, a senior at Attleboro High School, and Miss Gail Bunce, R.N., of the operating room staff at Sturdy Memorial Hospital.

SOME 180,000 INHABITANTS

"There are 180,000 inhabitants in a peripheral 50 or 60 miles from the capital," says Dr. Rodgers, "and, as travel is mostly by burro, they look to an itinerant team to meet some of their needs. Yet, through the efforts of five medical teams traveling into the villages, care was given to only some 10,000."

Members of the caravan reported that they went to the Dominican Republic to be of service to those less fortunate than themselves, "but many times we were rewarded with kindness and expressions of appreciation that made us feel we had received far more than we had given."

In the village clinics, where diseases associated with malnutrition and parasitic infestations were encountered, villagers were instructed on the importance of boiling their drinking water and milk, proper disposal of waste products, and use of foodstuffs for proper nutrition.

At the provincial hospital, surgical procedures were performed for hernia repairs, bleeding gastric and duodenal ulcers, tendon injuries, revisions of scar contractures due to burns, and acute and chronic bone infections. There were also caesarian sections and procedures for the correction of gynecological disorders.

All equipment and supplies, including drugs, were brought by the caravan under the auspices of the Christian Medical Society.

Dr. Rodgers says, "In addition to the practice of medicine—ministering to the body—the members of the Christian Medical So-

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ciety believe that they also have a responsibility for spiritual ministry to the souls of those with whom they come in contact through their medical mission.

"In order to accomplish this purpose, the caravan distributed religious literature, held special Gospel services, and showed a series of motion pictures produced by the Moody Institute of Science. These films were the same ones viewed by millions at both the New York World's Fair and at Expo under the title "Sermons from Science." These films had been produced with a Spanish text so that all could understand the message.

"Aware of the words of Christ found in the Scripture in St. John 5:24—'Verily, verily, I say unto you, He that heareth my word and believeth in Him that sent me, hath everlasting life and shall not come into judgment, but is passed from death unto life'—the caravan considered it a special privilege to see lives helped physically as well as spiritually. The experience has helped to develop a new outlook and purpose in life."

CONTINUED EXCELLENCE IN JOURNALISM BY THE LOS ANGELES TIMES, RECENT WINNER OF TWO MORE PULITZER PRIZES

HON. CHARLES H. WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 15, 1969

Mr. CHARLES H. WILSON. Mr. Speaker, I would like to call to the attention of this distinguished body the outstanding record of public service and excellent journalistic achievement which has been compiled by one of the finest newspapers in the country, the Los Angeles Times. The Times has recently been the recipient of two Pulitzer Prizes for their superb journalism.

This fine newspaper has consistently maintained a high interest in civic affairs and in championing honest and responsible local government for the city of Los Angeles. I would like to offer the following article from the Los Angeles Times describing the awards and those responsible for these high journalistic honors:

TIMES HONORED WITH TWO PULITZER PRIZES—EXPOSE OF WRONGDOING IN CITY GOVERNMENT, COVERAGE OF VIET WAR EARN COVETED AWARDS

(By Richard Dougherty)

NEW YORK.—The Los Angeles Times won two Pulitzer Prizes Monday, one for exposing wrongdoing in Los Angeles city government and the other for coverage of the Vietnam war.

The gold medal for meritorious public service was awarded to the newspaper for its city government articles, while the international reporting award went to staff writer William Tuohy.

Tuohy, now assigned to Beirut, formerly headed the Times Bureau in Saigon.

The public service award was in recognition of more than two years of investigations into various city commissions.

The Times' findings led to the indictment of five city commissioners appointed by Mayor Sam Yorty. Three have been convicted of bribery and criminal conflict of interest. Two are awaiting trial.

RESIGNATIONS FOLLOWED

The articles also led to the resignations and transfer of other commissioners, the cancellation of questionable contracts and the launching of steps toward municipal reform.

Several members of The Times' metropolitan staff participated in the municipal investigations.

George Reasons, The Times' chief investigative reporter, began the assignment in 1966 with a study of planning and zoning irregularities. He later was joined by staff writer Art Berman as the investigation continued and expanded into the Harbor Commission and Recreation and Park Commission.

Staff writers Gene Blake, Robert L. Jackson and Ed Meagher also assisted in portions of the investigations. . . .

Tuohy, 42, is the fourth American correspondent to win a Pulitzer Prize for his Vietnam war reporting. In recognizing Tuohy, the trustees of Columbia noted that "few correspondents have seen and written more about the war in Vietnam than William Tuohy of the Los Angeles Times. . . . Mr. Tuohy has known . . . what it means to be in danger and sometimes under fire. He has been in every part of South Vietnam, from the delta to the DMZ, and he has reported virtually every major operation since President Johnson's decision to escalate the war in February of 1965."

Among Tuohy's prize-winning dispatches were reports from the Marine battle to liberate Hue from the North Vietnamese during the Tet offensive, on the surrounded American garrison at Khe Sanh, and on the court-martial of Marine Pvt. Robert J. Vickers. The only one of seven marines who pleaded innocent to a murder charge, Vickers received a life sentence at hard labor while his codefendants received light sentences. Following Tuohy's article, Vickers was freed.

Tuohy served as The Times' Saigon bureau chief from July, 1966, to last October, when he was assigned to head coverage of the Arab world.

A native of Chicago, Tuohy entered journalism as a copy boy for the San Francisco Chronicle in 1952, serving later as a reporter and night city editor until 1959, when he joined Newsweek magazie.

WIDE EXPERIENCE

In seven years with Newsweek, Tuohy was successively a reporter, writer, assistant national affairs editor, and national political correspondent. His cover stories for the magazine included articles on Presidents John F. Kennedy and Lyndon B. Johnson, the Cuban missile crisis and the 1964 national elections.

His Vietnam experience dates from his assignment to Newsweek's Saigon bureau in December 1964.

Tuohy served two years in the Navy in World War II, spending time in China and the Philippines. Afterward he entered Northwestern University and was graduated with honors in 1951.

He is married to the former Johanna Iselin and they have a son, Cyril.

EXPOSÉ BRINGS PRAISE

The Public Service Award given by the trustees to The Times cited it for its "exposé of wrongdoing within the Los Angeles city government commissions, resulting in resignations or criminal convictions of certain members, as well as widespread reforms."

As a result of the Planning and Zoning Commission inquiry, two commissioners resigned and two others were transferred.

In the Harbor Commission Investigation, two commissioners were convicted of bribery, one was found guilty of conflict of interest, and a $12 million city contract was canceled. One commissioner is awaiting trial.

In the Recreation and Park Commission investigation, two commissioners resigned and a golf course contract was canceled.

One of the commissioners named in the articles was indicted for bribery.

Overall, the Times investigations led to a study of the whole structure of the Los Angeles city government with a possibility of eventual city charter reforms.

ACTION NEEDED TO HALT GUN REGISTRATION BY PROXY

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 15, 1969

Mr. ASHBROOK. Mr. Speaker, in an effort to rectify a runaway interpretation by the Treasury Department last year of its authority under the Gun Control Act of 1968 to issue rules and regulations pertaining to the sale of ammunition, I am introducing today a bill to curb this bureaucratic excess and reflect the will and intent of Congress.

My bill would exempt ammunition from Federal regulation under the Gun Control Act.

Action by the Congress to halt what has become registration by proxy is essential to correct the insidious form of registration required by the IRS regulations. These regulations are in direct contravention of the intent and purpose of the Congress and are but another example of the continuing erosion of the individual's right to privacy when no public good is served by requiring such disclosure.

The provision approved by the Congress in section 922(b)(5) requires the licensed importer, manufacturer, dealer. or collector to record only the name, age, and place of residence of each person to whom he delivers or sells any firearm or ammunition. Form 4473, the "Firearms Transaction Record" required under the Treasury Department regulations calls for the following information: date, manufacturer, caliber, gage or type of component, quantity, name, address, date of birth, and mode of identification—driver's license—other, specify. We see then that the three original requirements have grown to eight already.

Clearly the Secretary has misconstrued the intent of Congress. The gun buyer, in completing this form, is in fact registering himself and his firearm. The Congress specifically and decisively defeated an amendment last year that would provide for gun licensing and registration. I have consistently opposed registration and did so then, as did a majority of my colleagues. Consequently, I cannot stand idly by and countenance this flagrant departure from the will of Congress and, I feel confident, the will of the people. Simply put, the Treasury Department action amounts to a repudiation of this intent.

We have made the mistake in the past of making broad delegations of power to executive departments and agencies, and the trend in the past few years has been to grant virtually every power conceivable. Perhaps our delegation of powers was too broad in the Gun Control Act of 1968. Either that or the Secretary be-

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lieved he was given much broader discretion in this matter than the Congress intended to vest in him.

In any event, we have an executive agency of the Government hamstringing law-abiding citizens and gun dealers with burdensome, costly, and time-consuming redtape. You would be hard pressed to make them think they had not just gone through a registration procedure. This is a result that the Congress not only did not intend but, more important, expressly rejected. I do not believe the Congress should condone the action of the Internal Revenue Service which accomplishes by regulation what the Congress would not sanction by law.

By exempting ammunition from recordkeeping requirements amounting to registration, the dealer and law-abiding sportsman would not be encumbered by a lot of unnecessary redtape which does not serve to keep firearms out of the hands of criminals. No one should be so naive as to think that regulations making it difficult to purchase firearms for legitimate purposes would in any way impede the unlawful conduct of the criminal or prevent him from securing a gun.

I have on numerous previous occasions expressed my vehement opposition to efforts to register firearms and this opposition extends to de facto registration. The present IRS regulations, if not modified now to reflect the will of Congress, might well lead to de jure registration requiring completion of a form that resembles the proposed 1970 census questionnaire.

PRESIDENT'S NIXON'S VIETNAM TALK

HON. JAMES F. HASTINGS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 15, 1969

Mr. HASTINGS. Mr. Speaker, President Nixon's address to the Nation last night was a clear enunciation of perhaps the most agonizing problem confronting the Nation today.

He carefully spelled out the complexities of Vietnam and the need for establishing a durable peace instead of temporary truce. His call for a mutual withdrawal of troops is certainly fair and reasonable and leaves leeway for negotiations.

And once again he has emphasized to the world that the United States is concerned only in assuring that the South Vietnamese people will be able to choose their own government in a freely conducted election.

I was happy to hear the President stress again the need for unity here at home. To me, this is so important to our peace efforts in Paris. Hanoi cannot understand that in a democracy such as ours it is possible to have differing points of view but still be united when it comes to the common good and safety of our country.

But Hanoi must be made to understand that bearded, bead-wearing, sign carrying minorities do not speak for the great majority of seriously concerned and loyal Americans. As President Nixon said, we must remain firm in our goal to secure a meaningful end to the war without abandoning the ideals for which so many of our young sons have already given their lives.

CHICAGO'S WBBM EXPLODES INACCURACIES BY THE NEW STATESMAN OF LONDON

HON. ROMAN C. PUCINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 15, 1969

Mr. PUCINSKI. Mr. Speaker, on May 9 and 12, radio station WBBM, a Columbia Broadcasting affiliate in Chicago, performed a most noble and public service by editorially exposing a series of falsehoods which appeared in an article written about Chicago by a young lady named Victoria Brittain. Her scurrilous attack on Chicago's mayor appeared in the April 18 issue of the New Statesman published in London.

Mr. John Madigan, public affairs commentator for CBS in Chicago, deserves the highest plaudits for bringing to electronic journalism the highest standards of fair play.

Mr. Madigan's scathing denunciation of Miss Brittain's shameful inaccuracies brings to mind an old saying by Damon Runyon that an irresponsible reporter at a typewriter is more dangerous than a drunk doctor in an operating room. Damon Runyon obviously must have anticipated Miss Victoria Brittain's scandalous irresponsibility as a journalist. I hope that if Miss Brittain even returns to the United States that those in public office will remember well her total lack of credibility and treat her with the scorn she has so deservedly earned in her irresponsible article about Chicago.

Mr. Madigan's excellent editorial follows:

EDITORIAL BY JOHN MADIGAN

The April 8 issue of The New Statesman . . . published in London . . . has been sent to me.

A prominently displayed article is titled: "Whatever happened to Mayor Daley?"

It bears the by-line "Victoria Brittain." Indiana Congressman John Brademas ran interference for Miss Brittain . . . who showed up at police headquarters some weeks ago saying she wanted to do an article on the managerial process of the force.

She wanted to talk to Capt. Pat Needham . . . executive assistant to Superintendent Conlisk. Capt. Needham was attending a funeral . . . so Miss Brittain left the building without picking up anything more than a couple of "hellos."

This seemingly routine background is important . . . because Miss Brittain's article isn't about managerial process . . . but is another in a long list of scathing attacks on Mayor Daley appearing in foreign newspapers since the Democratic convention.

If it were just another attack . . . fine. Mayor Daley made some serious mistakes in planning for the street demonstrations . . . so did the police.

But Miss Brittain's article is loaded with errors of fact . . . compounded by erroneous conclusions based upon them.

The thrust of the article is that Mayor Daley is no longer "Lord God" . . . that the skids are gradually being put under him . . . but the erosion isn't as fast as desired . . . so he'll be around for a while.

He is described as a "proud . . . choleric . . . almost illiterate . . . yet cunning man" . . . who rules through patronage and favor . . . using the blacks . . . buying Republican business support through federal programs . . . and directs a head-cracking police force.

Errors abound in filling out this skeleton. A few examples: The impression that Negroes . . . particularly Catholic black . . . are moving away from the regular Democratic organization en masse. Not true. Ask Independent Alderman Fred Hubbard.

Blaming Mayor Daley for losing the aldermanic race in the 44th ward! Not true. It was a ward matter. The independent won because the Jewish vote stayed with him solidly . . . while Republicans voted for him just to be anti-city-hall.

Identifying Ab Mikva as completely independent . . . and beating Daley's nominee for congress. Mikva was the regular organization's choice this time because he couldn't be beaten. But the incumbent he defeated wasn't downtown's selection. He was asked to step out gracefully . . . and be taken care of . . . and he refused.

Lauding Adlai Stevenson as having "total contempt" for the machine. Well . . . he used it . . . its money . . . and his father's name . . . or he wouldn't be where he is today. And right now he's seeking power.

Implying the Daley Machine put Dick Gregory in jail. Not true. And yes he is black and a pacifist . . . but he is not much loved.

The errors run on . . . as to why Republican businessmen support Daley . . . on branch banking and currency exchanges.

On the circumstances under which an FBI man used walkie-talkies at the trial of a convention demonstrator . . . on the status of Governor Ogilvie's reform bills.

Telling of policemen being screened for duty at the assassination anniversary of Martin Luther King . . . when it was actually for an anti-Viet Nam march the next day.

Chicago's American (now Today) isn't raising a defense fund for the indicted convention cops. Its Columnist Jack Mabley is . . . and he and his paper differ strongly on Mayor Daley's convention role. Mabley criticizes him and the police . . .

Complaints that Daley is olympian to newsmen. The truth is he has had more news conferences in office than most other important officials in government. And his people are not spreading the word he'll run again. They don't know a thing.

Most vicious is the description of him as "illiterate and cunning." He's a lawyer with extensive knowledge of government and finance . . . and amazingly frank . . . except to dishonest news people like Victoria Brittain.

John Madigan . . . WBBM Newsradio 78.

RETIREMENT OF MATTHEW DEMORE, GENERAL VICE PRESIDENT OF THE INTERNATIONAL ASSOCIATION OF MACHINISTS

HON. CHARLES A. VANIK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 15, 1969

Mr. VANIK. Mr. Speaker, on Saturday, May 31, 1969, Matthew DeMore, retiring general vice president of the International Association of Machinists will be honored with a testimonial dinner by his "home" IAM District 54. The testimonial committee is chaired by Mr. James N. Iafelice, president of IAM District 54 and cochaired by Mr. Ed Moss, secretary-treasurer of district 54.

Few people within public service or in the labor movement in this country can point to the devotion and wholehearted involvement which Matt DeMore has shown in his work with the machinists and with our Greater Cleveland Community and the Nation.

Matt is blessed with a fine wife, Mary, whom he married in 1923. They have five children and 14 grandchildren.

Matt was born in 1903 in Cleveland and attended Murray Hill and East high schools. Working as a newsboy at age 9 and as a part-time hardware store clerk at age 11, Matt left school at age 16 to become a blacksmith's helper with the Michigan Central Railroad in Detroit. He returned to his native city to work with Electric Vacuum Cleaner Co. as a maintenance machinist.

In 1935, Matt joined IAM Lodge 439 serving as shop steward. In 1936, he was elected president. By 1938, Matt was elected president of IAM District 54 and served as president of the district for 22 consecutive years. During these critical years in the labor movement, Matt also served as vice president of the Ohio State AFL–CIO and as legislative director of the Ohio State Council of Machinists.

By 1961, Matt's talents were fully at work and he was elected IAM general vice president assigned to the northeast territory during 1961–64. Since the middle of 1954, Matt has been assigned as resident vice president at IAM Washington headquarters.

Besides all of the obvious achievements which have marked Matt's extensive career in the labor movement, those of us who have been privileged to work with him know him as a fair, just, and good man. I know no higher praise that can be paid to any man.

The entire community is grateful for the exemplary leadership of this fine citizen.

FATHER MICHAEL HREBIN

HON. JOSEPH M. GAYDOS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 15, 1969

Mr. GAYDOS. Mr. Speaker, on May 8, at Ascension Auditorium in Clairton, Pa., I had the privilege of attending a parishioner-sponsored banquet honoring Father Michael Hrebin on the 20th anniversary of his ordination to the holy priesthood and 10 years of pastoral service to the Ascension of Our Lord Byzantine Catholic Church.

Father Hrebin is an exemplary man of the cloth, who, in addition to his spiritual guidance, has engendered a spirit of unity among his parishioners which has resulted in many physical renovations and a warm, cooperative family spirit.

I include herewith for the RECORD and invite the attention of my colleagues to a brief historical sketch from the banquet program.

FATHER MICHAEL HREBIN

Father Michael Hrebin studied at St. Procopius Seminary in Lisle, Illinois and was ordained to the Holy Priesthood on May 8, 1949 at St. Mary's Church in Whiting, Indiana by Bishop Daniel Ivancho. Thereafter he served in two assignments as assistant pastor, to Father Joseph Hanyulya of Holy Ghost Church in Cleveland and to Father Alexander Papp of St. Michael's Church in Gary, Indiana. In 1952 Father Hrebin became pastor at Holy Spirit Church in the Oakland district of Pittsburgh. On November 1, 1959 he was assigned to his present position as pastor of the Ascension of Our Lord Church in Clairton, Pennsylvania.

Father Hrebin was born in Swoyersville, Pennsylvania, a son of Anna, nee Pauley, and Michael Hrebin, Sr. His sisters are Ann and Theresa (Mrs. John Depcrymski). His brother, Joseph, is a physician in Bridgeport, Connecticut. A second brother, Daniel, died while studying for the priesthood.

The spiritual success of Father Hrebin is reflected by increases in attendance at Mass and in the number of communicants. In addition he has encouraged, cultivated and strengthened other beneficial spiritual programs. Among these are the Confraternity of Christian Doctrine which provides religious training from the first through twelfth grades, a large and well trained group of altar boys, a very active Sodality and an enthusiastic choir.

Father has also been involved in extraparochial programs, including the Catholic community lenten lectures and activities of the Catholic Youth Organization. In the areas of ecumenical and community affairs, he was one of the founding group of the Clairton Mayor's Prayer Breakfast and he serves on the city's Human Relations Commission.

Father Hrebin's musical interests originated in his youth. He was taught piano, violin and music principles by the late Father Francis Jevnik. With this background and influenced by a family tradition of seven cantors—his father, maternal grandfather and five uncles—he became cantor at the Lyndora parish at the age of sixteen. serving for two years before entering the seminary.

As a seminarian, Father Hrebin directed the St. Procopius Choir. While at St. Michael's in Gary he directed the two hundred voice Mid-West Byzantine Catholic Chorus. Among other activities publicizing our Rite, the group sang at Notre Dame University and at the Holy Name Cathedral in Chicago. Similarly, in the Pittsburgh area he directed the five hundred voice Western Pennsylvania Catholic Chorus. This group sang frequently at the annual pilgrimage to Mount St. Macrina and at other religious and social functions. It was at Mount St. Macrina in 1953 that the Most Reverend Bishop Fulton Sheen celebrated the first English Mass using music arranged by Father Hrebin. To help preserve our music, Father has served as Choir Director and Professor of Chant at SS. Cyril and Methodius Seminary and as first Director of the Diocesan Cantors Institute. At Ascension Father has trained the choir and encouraged its participation in parish and local programs.

In addition to his parochial spiritual duties and his musical interests, Father has participated in Diocesan affairs as Director of Retreats, Notarius on the Matrimonial Tribunal and member of the planning committee for the first Diocesan newspaper. Early preparation for this work involved summer classes in Catholic action and social action at Catholic University in Washington, D.C.

A major accomplishment of Father Hrebin's pastorate at Ascension is the growth of a cooperative family spirit. Soon after his arrival this growth began as energetic and talented parishioners donated time to repair and renovate the Church basement and the rectory. If a single project can be cited as the focus of such activity, it is the parish auditorium. From the beginning Father has encouraged the voluntary sacrifices of the people which have made the program a success, from the fund raising stage through the present operational phases. It is on this foundation that much of the future progress of the parish can be based.

As a center for parish social activities Ascension Auditorium reflects the dedication of the people whose support makes it possible. Parish social nights and holiday programs foster a warm family atmosphere in which young and old can participate. In attracting diocesan and community functions the Auditorium serves to highlight the spirit of Christian hospitality and co-operation which Father Hrebin encourages.

TWENTY-FIRST ANNIVERSARY OF ISRAEL'S INDEPENDENCE

HON. JOHN J. ROONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 15, 1969

Mr. ROONEY of New York. Mr. Speaker, in spite of the unrest and uncertainty presently prevailing in the Middle East we can join happily with all our Jewish friends and neighbors in observing the anniversary of Israel's independence. Jews throughout the world give pause to offer prayers of thanksgiving for the little nation which becomes 21 years old today and they extend warmest congratulations and greetings to the leaders and people of Israel on reaching this historic national milestone.

American Jewry is particularly happy on this day and proud to pay tribute to Israel, for in a large sense they look upon this strong young nation with justifiable paternal pride. Without the continued and unflagging help of the officers and workers of the United Jewish Appeal there would be no Israel today. Without the help of many other fine Jewish organizations and without the generous and selfless help of thousands of individual Americans of Jewish extraction there would be no national homeland for Jews today.

I take great pride in having worked closely with these great leaders for well over 20 years. I prize the cooperation which they extended to me and to many of you in helping to secure the enactment of legislation which helped to create Israel. I am grateful for this help to those of us in Congress to assure the extension of U.S. assistance to this brave new nation. For coupled with the magnificent contributions of private funds and resources, the Federal Government has made available enormous economic aid in grants and loans. It has supplied military assistance and furnished generous contributions of food, medicines, building supplies, as well as aid to schools and colleges.

It seems hardly possible that 21 years have elapsed since so many of us here today were beginning to realize success for our years of effort to bring about the establishment of a sovereign nation to be called Israel. But it is even harder to realize the truly miraculous accomplishments which the people of Israel and

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her leaders have made in such a short time. In visiting Israel today one has difficulty in believing what his own eyes behold when he sees about him throbbing cities, a network of modern highways, fertile farms and orchards fed by thoroughly up to date irrigation projects.

If one's visits to Israel have spanned the full 21 years of statehood as mine have, it is difficult to overcome the memory of barren wastes and uninhabited desert vastness which are now no longer visible. Instead what might be termed a "continuous oasis" makes a mockery out of memory.

I have taken real pride in visiting the schools and colleges established and maintained by funds appropriated by this body. I have talked with students and have marveled at their earnestness and their zest for learning. I know that from their ranks will come many of the future leaders of Israel.

Mr. Speaker, these 21 years have wrought many changes in Israel, for in her early infant days I saw great relentless pride fully adequate to protect and safeguard the independence which these pioneers had struggled for so long and so arduously.

I have met heroes on every visit—heroes who have distinguished themselves on the battlefield, heroes who have won battle after battle in the halls of international diplomacy and heroes who have conquered the elements and the ravages of nature as well as man's corruption of a once fertile area.

On the farms and in the city, from young and from old, I caught the contageous fever of progress. I sensed the national pride of achievement and I sensed, too, the nationwide impatience to get things done not today or tomorrow but yesterday. So I have found on each successive visit to Israel less suffering, less poverty and more happiness—happiness that comes from doing and achieving.

All of us are mightily concerned with the position into which Israel has been projected in the extremely delicately balanced scales of the Middle East. We shudder at the thought of even the slightest tipping of these scales which could set off the flame igniting the powder keg which would jeopardize the promise of peace not only in that area but throughout the world. Some of us have even stronger fears that the well meaning but shortsighted attempts being generated to soothe the frayed nerves and reconcile the deep-rooted differences in that area might result in a disastrous peace at any price—even at a price of national honor and the impairment of the sovereign status held so dear by our friends in Israel.

Mr. Speaker, it would be well for all of us to realize how serious are the problems confronting the world—major powers and lesser powers alike—in and around the youthful state of Israel. They are far more significant than border clashes or occasional head-on collisions of competing military units serious as these may be. These problems are a part and parcel of the real and political conflict of our concept of man's right of advancement by means of self-determination in contrast to the Kremlin's long recognized aim of obtaining and retaining political and economic domination by utilizing puppet regimes to maintain a vassal state.

It ill affords Americans, particularly those of us in this body, to allow our anti-Communist defenses to deteriorate or to permit the siren songs of coexistence to fall upon unplugged ears in these days when the Kremlin seems more preoccupied with maintaining its control over its squirming, protesting, and unhappy puppet states than with more active attempts to achieve worldwide expansion of communism. We must keep ourselves constantly informed and ever alert to meet this awful threat hovering over the future of Israel.

Once more I congratulate the people of Israel and their leaders for their remarkable achievements for the past 21 years. I congratulate them upon reaching their majority. I wish them many years of solid growth and prosperity devoid of the tensions and peril to which they have so long been subjected. I congratulate, too, our fine Jewish organizations for the efforts they have made over the years to permit us to share today in the observance of Israel's 21st birthday.

BALANCE OF PAYMENTS

HON. ALVIN E. O'KONSKI

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 15, 1969

Mr. O'KONSKI. Mr. Speaker, on April 23, Mr. Edward Littlejohn, director of public affairs for Chas. Pfizer & Co., testified before the Subcommittee on Foreign Policy of the Committee on Foreign Affairs.

Mr. Littlejohn is one of the most eloquent spokesmen of the business community on balance-of-payments problems. I commend his statement to my colleagues:

> My name is Edward Littlejohn. I am Director of Public Affairs of Chas. Pfizer & Co., Inc. In the past eighteen years since Pfizer International has existed, we have established Pfizer organizations in 56 countries, including manufacturing facilities in 32 countries. Slightly under 50% of the sales and earnings of Chas. Pfizer & Co., Inc. come from operations abroad. Pfizer is among the very few, that is some 15, U.S. companies with foreign sales in the neighborhood of 50% of total sales. In 1968 our sales abroad amounted to $333 million.
>
> Mr. Chairman, we support Congressional Resolution No. 85. We believe that the foreign direct investment controls should be promptly removed. We believe that they are not a cure for our basic payments problem and that in fact they work in the other direction.
>
> International business is basically no different from domestic business. International business operations are a natural outgrowth of domestic operations. One can no longer separate the two. Just as the railroad, the automobile, and finally the airplane created the U.S. continental market, so jet aircraft and electronic communications are uniting vast areas of the world in one market with similar tastes and similar business possibilities. American business is reaching out to serve those markets with exports, licensing arrangements, marketing organizations, and production facilities as conditions require.
>
> I emphasize the phrase "as conditions require." Prior to World War II international business was done largely through exports but under changed conditions, including the worldwide desire for the development of industry, companies have found it necessary to establish local marketing and production facilities. The result is that whereas exports are currently running at about $33 billion, deliveries from production facilities abroad probably amount to a figure of four or five times this amount or some $150 billion.
>
> Since 1950 the amount of funds sent abroad annually to establish and feed international business operations has been growing at the rate of 10% a year. In the years 1950–1967 these dollar outflows amounted to $30 billion, a sizeable amount, but—and this is the important point—they resulted in dollar inflows amounting to $53 billion, leaving a positive balance of $23 billion. These outflows represent business investments not significantly different from investments in our domestic businesses. American businessmen have made these investments abroad because they believed that they were necessary not only to maintain but to increase market shares and contribute to the profitable growth of their companies. Their judgments have been confirmed in the substantial dollar returns these investments have generated. They are investments made with the expectation of good returns, and let me emphasize good returns in dollars to the parent company and hence to stockholders in the United States. An automatic balance of payments guideline is necessarily built into the objectives of international business management. The dividends of the U.S. parent company are paid in dollars, and it expects its international subsidiaries to contribute their share of them.
>
> In these circumstances businessmen find it difficult to understand how restrictions on the freedom to expand profitable operations abroad can be regarded as a means of strengthening the balance of payments. One wonders where we would be today if these investments had not been made. And in fact we do know where we would be. From 1965 the favorable U.S. trade balance has been steadily falling:

	Billion
1965	$4.8
1966	3.7
1967	3.5
1968	0.09

> Admittedly 1968 was a very abnormal year, but the trend is unmistakable. For 1969, we might get the trade surplus up to $2.5 billion, but even that is uncertain. On the other hand the net inflow on direct investment maintains a steady and continuous contribution to the balance of payments:

	Billion
1965	$1.5
1966	1.6
1967	2.6

> Though the foreign direct investment program has abnormally boosted these inflows, the pattern was established before they were instituted. I should add that these figures do not include the inflow from exports to affiliates. It has been officially estimated that these exports generated by direct investments abroad represent some 25% of U.S. exports. Indeed if we also deduct from the trade balance government-financed exports and deduct an estimate of the exports due to direct investments, there is no doubt that the contribution of direct investments to the balance of payments has in recent years been considerably greater than that of trade. Without the investments that American business has made abroad since 1950 and the returns generated by them, the condition of

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our balance of payments would surely be catastrophic.

The question is continually asked, "Has business been hurt by the controls?" I have not access to the data on the experiences of individual companies. It is clear that some companies have been hurt and gained some relief. Some have been hurt and not gained relief. On the other hand, many mature businesses are flexible enough and have a sound enough credit position to be able to increase net inflows for a year or two without suffering liquidity problems. In some cases it is possible that cash and inventories can be reduced without harm to operations, but obviously there is a limit to this kind of adjustment and that limit is reached in short order.

There has been a tendency to regard the great increase in borrowings abroad by American companies as a welcome result of the direct investment regulations. Undoubtedly they have to an extent increased the development of European capital markets. There is, however, another side of the coin. American companies are being forced by the regulations to increase their debt equity ratios and not for sound business reasons. In floating convertible debentures we are potentially placing a greater proportion of the ownership of our companies in the hands of foreign investors. In increasing our bank loans similarly we are increasing the claims of foreigners on the earnings of our business operations abroad. The effect of the vast borrowings by the overseas affiliates of U.S. companies is in a sense therefore disinvestment. The United States is reducing its creditor and increasing its debtor position when it is clear that it is precisely the opposite trend that is needed for the strengthening of the payments position of the United States.

There are other effects of the program which by their nature cannot immediately be observed but are bound to become visible in the near future. In the years since World War II the United States has until recently given an example of leadership in the freeing of international trade and investment from regulations and controls. In the past few years, however, the signs have multiplied of a change in U.S. policy. There is the exchange equalization tax, controls over bank lending abroad, the voluntary direct investment program, the mandatory program, and the discrimination against foreign income in the surtax legislation. In the past official spokesmen have reiterated that there is no change in U.S. policy. The record of these actions must, however, speak louder than words. The fact is that by these measures the United States is encouraging a return to the days of stifling controls over international transactions and progressively increasing the uncertainties confronting American businessmen.

I said earlier that the effects of these uncertainties were bound to become visible. I would like to correct that statement. These effects are already visible. According to a story in the New York Times of March 25th describing a recent report of the Department of Commerce, the rate of increase of U.S. investment abroad is slowing sharply. The Department of Commerce has now reported that nearly final figures for 1968 indicate an increase of only 3% over 1967 which if confirmed by final figures later this year will be the smallest rise since 1960. For 1969 the report projects an increase of 7% over 1968 in total investment in plant and equipment abroad—a figure as large as 1967 and more than 1968 but still far below the growth in the years up to 1966. Moreover, these figures refer to total investment. In 1968 investment in manufacturing actually declined. It declined by 6% and only a small increase is being planned for 1969.

There is another element in this situation that it is important to mention. The rapid increase in U.S. investments in foreign markets could hardly have taken place without imposing some significant challenges to the diplomatic skills of American businesses. We must remember that the business operations which are the source of such significant inflows into the United States are under foreign jurisdictions. Our foreign affiliates are in effect foreign companies, employing foreign nationals, using foreign land, foreign labor, and to some extent foreign capital, and they are often significant elements in the local economy. Management has thus obligations to local jurisdictions which in the final analysis can be enforced by local law. It is clear then that the security of these dollar earning assets depend upon the prudence with which we fulfill these obligations and the degree to which we are successful in reconciling the interests of the investor and the host country. It is hardly necessary to point out that this delicate situation is seriously aggravated by the U.S. direct investment controls. They declare in effect that these foreign registered companies are American companies whose earnings are subject to the extraterritorial jurisdiction of U.S. laws and regulations and that at any time they will be regulated to serve U.S. purposes. In a world in which the spirit of nationalism has been intensified with the multiplication of nation states there could be no policy more calculated to threaten the climate for American investors abroad. Reactions have already occurred in some countries, where limitations have been placed on the freedom of banks to lend to U.S. affiliates, and in other ways all over the world there is evidence of an increasing sensitivity to the potential dominance of American companies. The "American challenge" in the sense of management and technological skills is unfortunately being exacerbated by the political challenge expressed in the foreign direct investment controls.

In summary then, this is our position. The business operations abroad of American companies have developed in response to the growing opportunities of the world economy. They are the necessary business response to the conditions in individual markets. The investments now represented by these operations were made, as are other business investments, in order to generate returns—returns to finance future growth and also, and just as important, returns to the parent companies in the United States. These latter returns have now grown to the point that they represent a major source of the foreign exchange necessary for the strength of the U.S. payments position. The foreign direct investment controls strike at the continuing expansion of these operations, and by their extraterritorial claims, threaten to generate reactions which will worsen the climate for U.S. trade and investment abroad. On both scores, the maintenance and increase of the net inflows referred to above will be adversely affected. For all these reasons the controls are presently counterproductive and will become more and more so as time goes on. In the interests of international business and the growing contribution it can make to our balance of payments, in the interests of the United States and a growing world economy, I urge support of Concurrent Resolution No. 85 as an expression of the sense of Congress that the foreign direct investment controls should be promptly terminated.

EUGENE KINNALY

HON. MARGARET M. HECKLER

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 6, 1969

Mrs. HECKLER of Massachusetts. Mr. Speaker, I join my colleagues in mourning the loss of our dear friend Eugene Kinnaly. A dedicated and distinguished public servant, Gene Kinnaly loyally assisted our beloved Speaker for many, many years. And, as the trusted aide of the leader of this body, Gene Kinnaly, at one time or another assisted everyone of us here. He was devoted to his official duties, but he was also the sort who always walked the extra mile in behalf of his fellow man.

A person of true humanitarian impulse, Gene Kinnaly's presence was felt and appreciated on Capitol Hill—and throughout the Commonwealth of Massachusetts as well.

He enjoyed the universal respect of all who knew him because of his comprehensive abilities, tireless efforts, and great compassion. Friendly and warm, trustworthy and sincere, devoutly religious, Gene Kinnaly was the epitome of virtuous conduct. These qualities were acknowledged by all who knew him. Let the records of this body always show a tribute to Eugene Kinnaly, whose outstanding abilities and lifetime dedication will never be surpassed.

MARYLAND GOVERNOR URGES RESOLUTION TO PISCATAWAY PROBLEM

HON. LAWRENCE J. HOGAN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 15, 1969

Mr. HOGAN. Mr. Speaker, I wish to call the attention of my colleagues to an intolerable situation which desperately needs correction. Prince George's County, one of the counties in Maryland which I represent, needs an effluent line from its sewage disposal plant at Piscataway Bay to curb water pollution and solve a serious health hazard. Local officials have requested a permit from the National Park Service to run an effluent line underground across Piscataway Park for the purpose of discharging effluent into the Potomac River. This would reduce the current pollution of the Potomac as well as Piscataway Bay. Here are the essential facts in the situation:

In 1962 a sewage disposal plant site was selected on the shores of the Potomac upon the recommendation of consultants. However, the Secretary of the Interior at that time, Stewart Udall, objected to the plant being located on the river because it would be an eyesore from Mount Vernon.

The Washington Suburban Sanitary Commission agreed to move the site inland to the present location if Secretary Udall would agree to the issuing of a permit. He assured the WSSC that the Interior Department would cooperate.

The plant was moved inland and constructed, but the Department of the Interior refused to issue the permit to cross National Park Service land.

Reluctantly, the Maryland Department of Health permitted the WSSC to discharge the effluent into Piscataway Bay. The tidal flow and depth of the bay are insufficient to assimilate the effluent. This results in a polluted bay with the accompanying threat to the

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health of the community, and interferes with the shoreland of the park. The present restricted operation of the Piscataway plant, because of the lack of the effluent line, requires the WSSC to pump sewage to the Blue Plains plant which is already overtaxed. Consequently, the Blue Plains plant discharges effluent into the Potomac at a higher rate of pollution than at Piscataway. A recent study reported that the Blue Plains plant is one of the three major sources of pollution of the Potomac. Still the Park Service refused to issue the permit.

On February 13, 1969, I called all interested parties from the local, State, and Federal Governments together in my office. After discussions, Nash Castro of the Park Service agreed to issue the permit and so informed the press. The State health department agreed to vigorously enforce water quality standards at the plant.

A group of disgruntled citizens in the southern part of the county who want residential development near them halted, secured the ear of some members of the Interior and Insular Affairs Committee and succeeded in getting the Park Service to hold up issuance of the permit.

Because WSSC cannot get the permit to run the effluent line to the river, it has not been possible to increase the capacity of the plant from 5 million gallons per day to 30 million gallons per day to handle the sewage needs. Consequently, the county has been forced to declare a moratorium on sewer permits. Further, because there have been a great number of septic tanks improperly constructed, the county has declared a 90-day moratorium on septic tank construction. This means that not a single house can be built in southern Prince Georges County. This, of course, is the homebuilding season, and the local economy cannot stand the loss of this revenue. Not only is it impossible to handle the current volume of sewage, but there is no way to plan the orderly development of the county, because the National Park Service refuses to issue a permit to cross park land with the effluent line as promised by Secretary Udall, and as more recently promised by the Park Service itself in my office. The line would be buried underground and the Park Service admits it would not interfere with the park.

Federal Water Pollution Control officials agree the effluent line is needed.

The WSSC is in line for a grant for the construction of a demonstration tertiary plant at Piscataway and this, of course, is also stalled.

Mr. Speaker, the Park Service has indicated its willingness to issue the permit; the Federal Water Pollution Control Administration has indicated that the sewage line is needed; the only reason that this has not been accomplished is that some members of the Interior and Insular Affairs Committee have persuaded the National Park Service to withhold the permit.

The State of Maryland is not in violation of any Federal laws. The question of constructing sewer lines is not a Federal problem. Maryland has qualified under the Clean Rivers Act. There is no legal or substantial reason why the permit by the National Park Service should not be issued except that "congressional pressure" has been applied where, in my opinion, it ought not to have been. In the final analysis, the failure to issue the permit will not stop the construction of the sewer line. It will only increase the cost to the State of Maryland and Prince George's County.

The Maryland congressional delegation has sent a letter to Secretary of the Interior Hickel urging him to have the permit issued. I would now like to insert into the RECORD a letter from the Governor of Maryland, Marvin Mandel, which was sent to Secretary Hickel urging that the permit be issued:

> There exists a serious problem in Prince George's County of our State because the National Park Service has failed to issue a permit to run a sewage line across park land from the Piscataway Sewage Disposal Plant to the Potomac River.
>
> I have met with our Congressional delegation and share their concern that the delay in issuing this permit is causing undue hardship to residents and business people in the area affected. Our delegation has written you in more detail about this situation, and I would like to emphasize the urgency of the problem.

The National Park Service should be required by the Secretary of the Interior to issue the permit as soon as possible, so that we can begin immediately to solve the problem. If there is a question of adhering to the water quality set by the Clean Rivers Act, that should be taken up separately by the Pollution Control Administration. The two matters are simply not related.

THE ASIAN DEVELOPMENT BANK AND THE U.S. COMMITMENT TO THE PACIFIC COMMUNITY

HON. RICHARD T. HANNA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 15, 1969

Mr. HANNA. Mr. Speaker, increasingly, over the last three decades, our Nation's time and attention has been directed to the East. World War II saw over a million of America's young men spend 5 years fighting in the Pacific theater. Five years later, we found ourselves embroiled in a second major conflict in Southeast Asia. The Korean war served to emphasize, once again, the critical importance of Asia to American foreign policy. More recently, the Vietnam conflict has seen our Nation involved in a long, bitter, and costly exercise of asserting vital interests on the Asian subcontinent. Our interest in the Pacific basin is not only reflected in our military involvement in this area over the past 30 years, but it may also be seen by our increasing commitment to economic development and improvement of the lot of peoples and nations of this region. Our involvement is evidenced also by the increased investment by the U.S. business and industry in the countries of this area. Our interests are also evidenced by the increased trade and commerce between the United States and countries of the Pacific. Finally, the influence in Asian culture on American living cannot be ignored. One need only look to the influence that oriental art, architecture, and drama has had upon the counterpart art forms in our society to perceive the importance of Asian culture on our ideas and concepts of living. I offer these comments as evidence of the profound effect that the affairs of the Pacific basin have upon modern American life.

In recognition of the increasing importance of the Pacific basin to our country, we did, in 1966, approve legislation authorizing U.S. participation in the Asian Development Bank. On March 16, 1966, the Asian Development Bank Act, Public Law 89-369, was signed into law by President Johnson. This bill cleared the way for our country to participate in an international bank, corporate in form, whose capital stock is owned by the member nations. The Bank's original membership was made up of 31 countries, 19 of which were in the region and 12, including the United States, from outside Asia.

THE ADB CONCEPT

As conceived, the Bank was to offer loans on conventional terms, what are often called "hard loans," to finance economic development projects in the region. The loan funds were to be derived from subscriptions to stock in the Bank by member nations. The bank was authorized to issue $1.1 billion in capital stock. In addition to its role as a conventional lender in the Pacific region, it was anticipated from the very beginning that the Bank would play an important role in spreading the burden of development assistance by serving as a channel for this form of additional financing from donor countries. Consistent with this aim, the Bank was given authority to earmark up to 10 percent of its paid-in capital as special funds that might be used to make or to guarantee loans of longer than usual maturity, longer grace periods, and lower than ordinary interest rates. Such loans are normally referred to as "soft loans," distinguishing them from the conventional "hard loans." Three countries, Japan, Canada, and Denmark, have pledged funds to the special "soft loan" fund. These pledges total $130 million.

THE U.S. COMMITMENT TO THE SPECIAL LOAN FUND

In 1968, the administration pledged $200 million as the U.S. commitment to this soft loan fund. The House Banking and Currency Committee, reacting to President Johnson's persuasive call for full funding of the American commitment to the soft loan fund of the Asian Development Bank, reported H.R. 13217, a bill to amend the Asian Development Bank bill and provide an authorization for the appropriation of $200 million for the U.S. contribution. This contribution which was to span the period of 4 years, was designed to enable the Bank to more effectively finance regional programs and projects in the areas of agriculture, transportation, communications, Mekong development and other priority areas on terms which were not appropriate to the Bank's ordinary lending activities. I regret to say that this measure never went to the floor for action, and as a consequence, the United States was already tardy in meeting its commitment to the Asian Development Bank when the Nixon administration took office last January.

It was with the hope that action could be completed promptly on our commitment to the Asian Development Bank that myself and several members of the International Finance Subcommittee of the Banking and Currency Committee, including the subcommittee's distinguished chairman, Congressman RUESS, introduced legislation to make good on our $200 million moral commitment to the special fund of the Bank. It is most regrettable that our example of prompt action was not followed by the Nixon administration. It is also most regrettable that Treasury Secretary Kennedy after over 3 months in office and after having attended the annual meeting of the Asian Development Bank, has not seen fit to announce the Nixon administration's position on this legislation.

THE PERFORMANCE OF THE ADB

One might ask: Why it is that our Government has been so slow to extend a firm commitment to the special loan fund of the Asian Development Bank? The record of the Asian Development Bank certainly shows no basis for our inaction. The record is an eminently good one. A brief synopsis of the activities of the Bank during its first year and a half of operation will serve to demonstrate that. A look at the effect the Asian Development Bank has had on the countries of this region over the last 18 months, will provide an insight of the important role the Asian Development Bank is playing. Therefore, I am including a brief extract of the activities of the Asian Development Bank in several of the countries of this region:

OPERATIONS BY COUNTRIES

Seven loans were extended in the year under review amounting in aggregate to US$41.6 million. In addition, four technical assistance proposals were sanctioned for the formulation of feasibility reports or detailed project reports for later consideration for possible Bank lending, and seven technical assistance proposals were approved for non-loan purposes. The total cost of these eleven projects, spread over seven of the Bank's developing members, will amount to US$1,137,000.

CEYLON

A loan of US$2 million was made to the Central Bank of Ceylon to assist in financing the first phase of the *Tea Factory Modernization Program*. It was approved on 2 July 1968.

The loan is for a term of 15 years including a grace period of three years. The loan documents were signed on 17 July 1968 at the Bank's headquarters.

The tea industry in Ceylon is predominantly owned by the private sector and is the most important source of foreign exchange, contributing over 60 per cent of the annual foreign exchange earnings of the country. While world tea prices declined continuously in the decade ended 1967, Ceylon's tea prices have declined relatively more than those of its competitors. In order to ensure the industry's viability, the Government of Ceylon launched in 1959 the Tea Rehabilitation Program to increase the yields of areas under tea. This Program has already raised productivity on an average from 675 pounds of tea per acre in 1955–57 to 816 pounds in 1967; the Government is pursuing the Program and augmenting it as necessary. Deficiencies in factories that process tea have resulted in a reduction of foreign exchange earnings on the one hand, and a higher cost of production on the other. Against this background, the Government, as a complement to its Tea Rehabilitation Program, introduced a Tea Factory Development Scheme in 1966 aimed at rehabilitating and modernizing tea factories in order to raise their capacity for processing green leaf.

The investment program contemplated by the Government of Ceylon for the modernization of tea factories covers a period of five years, beginning in 1966, and is planned to be implemented in two phases. The total cost of the first phase was estimated at Rs. 29 million (US$4.9 million), including a foreign exchange element equivalent to US$2 million. The local cost will be met by resources raised by the factory owners and by loans from credit institutions refinanced by the Central Bank. The Bank's loan covers the foreign exchange needs for the first phase. The loan was declared effective on 18 September 1968 and is programmed for utilization within 30 months.

CHINA

Two assistance projects have been approved for the Republic of China. They are:

1. On 19 November 1968, the Bank approved the request of the Republic of China for technical assistance in the conduct of (a) a feasibility study of the proposed *North-South Freeway* in Taiwan and (b) a detailed project preparation for one section thereof. The amount involved is US$500,000 representing the foreign exchange cost involved. Of this sum, US$100,000 is being provided as a grant, and the balance of US$400,000 as a loan to the Republic of China for a period of 10 years (including a grace period of 2 years). The agreement was signed on 30 November 1968 in Taipei.

The use of highway transport in Taiwan has risen markedly in recent years. During 1953–67, the volume of passenger traffic by highways increased at an annual average rate of 12 per cent and freight traffic by 18 per cent. During the same period, the growth of rail transport averaged annually 7 per cent for passengers and 5 per cent for freight. The further development of highways and railways in Taiwan is considered essential to cope with the rising tempo of growth in the fields of commerce, industry and agriculture.

The proposed four-lane Freeway is intended to facilitate fast-moving, long distance traffic through the western plain of Taiwan and it is envisaged in four sections. The first two sections in the north and the fourth section in the extreme south will serve three important cities—Taipei, Tainan and Kaohsiung; the third segment which will pass through more sparsely populated areas will account for the greatest length of the highway.

The feasibility study for the proposed Freeway will be undertaken by a team of engineering experts and economists who will assess the traffic potential of the entire project, the routing and type of highway needed, the anticipated economic and financial returns and the patterns of priorities and phasing. The engineering study will be in respect of the northern section between Erchung and Chungli.

2. A loan of US$10.2 million to the Chinese Petroleum Corporation (CPC) was approved on 19 December 1968. The loan is intended to meet the major part of the foreign exchange requirements of a *plant for the production of Dimethyl Terephthalate* (*DMT*) and is guaranteed by the Republic of China. The relevant loan documents were signed at the Bank's headquarters on 27 December 1968.

The loan is for a term of 12 years, including a grace period of three years.

The CPC, which is a wholly-owned government corporation, was established in 1946 for the purpose of supplying various petroleum products. The activities of CPC include the exploration and production, the refining and manufacturing, and the distribution and marketing of gas, petroleum products and petrochemicals. CPC has been entrusted by the Government with the main task of developing petrochemical complexes based on oil and natural gas. The development of the petrochemical industry is closely linked with overall industrial development and export promotion programs. The Government's policy stresses the production of feedstocks and intermediates which are used in the manufacture of synthetic fibers and other upgraded petrochemical products.

The project to which the loan has been applied comprises the construction and start-up of a plant for the manufacture of 26,400 metric tons per year of DMT—an intermediate for the production of polyester fiber. The installation, which will be sited at CPC's Kaohsiung refinery, will also have built-in provisions for future production (with minimum plant additions) of 12–13,000 metric tons per year of a second product known as Pure Terephthalic Acid (PTA). Both DMT and PTA are intermediate chemicals used in the production of polyethylene terephthalate, a polyester which can be spun into synthetic fibers known by their trade names of Dacron, Terylene and Tetoron. The project is expected to be completed by December 1970 and commercial operations are scheduled to start by January 1971.

It is estimated that, of the total project cost of US$23 million, about US$15.5 million represents the foreign exchange component. The Bank's financial contribution will be US$10.2 million. The balance of the foreign exchange component and the local cost component will be made available by the Government.

CPC plans to organize a subsidiary to be responsible for the operation and management of its petrochemical business including the proposed DMT Project. The relationship between the borrower and its subsidiary will be established in a manner satisfactory to the Bank.

The project, economically viable in itself, is expected to aid in the promotion of certain avenues of regional co-operation decided upon by the Republics of China and Korea at the Fourth Sino-Korean Ministerial Level Economic Co-operation Conference held in July 1968. Under the proposed co-operative effort, both the Republic of China and the Republic of Korea will seek to develop economic and mutually complementary productive capacity in respect of petrochemical-based intermediates for synthetic fibres and to develop joint markets for these products between the two countries. This project and a caprolactam plant planned for Korea are the first projects involved.

INDONESIA

A Mission was sent to Indonesia in October 1967 to study and make recommendations on appropriate *measures to improve food production and food availability* during the current stabilization phase in that country. In January 1968, the Mission's report was made available to the Government of Indonesia. Subsequently the Government initiated action in several areas, including establishment of an appropriate ratio with respect to cost of rice production inputs and price of outputs, steps for stockpiling of rice, the progressive decontrol of rice mills, the provision of greater funds to extend credit to farmers and the adoption of a modified price policy for the urban distribution of rice.

In June 1968, acting on other recommendations in the Report, the Government of Indonesia requested the Bank for further technical assistance in the field of agricultural development, and for a technical mission to study the Indonesian rural credit system. On 30 July 1968, the Board of Directors ap-

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proved the furnishing of the technical assistance requested, at an estimated cost of $230,000.

The technical assistance program involved action by the Bank in three directions. First, the Bank has provided an agricultural economist as Advisor to the Department of Agriculture for a period of approximately eighteen months. He is advising the Department on economic policies pertaining to the production and distribution of foodstuffs, especially rice, and the inputs required for production of foodstuffs, and on the formulation and evaluation of project proposals in the Department, especially those for submission to other agencies including potential foreign contributors.

Second, a team of two experts—one crop expert familiar with soil fertility problems and with integrated high-yield rice production techniques and one water management expert with proficiency in irrigation and rice agronomy—is advising the Department of Agriculture on specific aspects of its program to raise food production. These experts are to render technical advice over a period of eighteen months specifically to the Director of Extension on the planning, preparation and operation of the rice production program.

Third, a team of five experts was provided to conduct a survey of the Indonesian rural credit system, including the role of cooperatives. This team completed its field work in December and its Report was forwarded to the Government of Indonesia in January 1969.

KOREA

Two projects have been approved for the Republic of Korea.

1. A loan of US $6.8 million was made to the Republic of Korea for the purpose of financing the foreign exchange cost of the *Seoul-Inchon Expressway* was approved on 3 September 1968. The loan is for a term of 15 years with repayments commencing in February 1972. The loan documents were signed at the Bank's headquarters on 16 September 1968.

Due to rapid expansion of the national economy in recent years, a major bottleneck has developed in the transportation field in Korea. The present highway system in the Republic is underdeveloped, with only 1,934 kms. of paved road or 6 per cent of the total highway system. The Government increased the annual highway budget for the Second Five-Year Plan period (1966–1971) from the original Won 6 billion (US $21.9 million) to Won 18 billion (US $65.7 million). Highway passenger and freight traffic during the 1956–66 period increased by 19 per cent and 16 per cent respectively. It is expected that this combined traffic will increase at an annual rate of 15–20 per cent during the Second Five-Year Plan period.

The purpose of the Seoul-Inchon Expressway is to meet the needs of road transportation between the nation's capital and largest city, Seoul, and its primary port, Inchon. Seoul, Inchon and the area along the Expressway route contain some 16 per cent of the nation's population, and 36 per cent of the nation's industrial area, and further concentration in the region is expected to occur in the future. In view of the limited capacity of existing roads and the fact that the railway is already operating at full capacity, the Expressway is well located to meet a rapidly growing need for increased road transportation facilities. In addition, extra road transport demand will be created by the modernization and expansion of Inchon port facilities now in progress.

The loan from the Bank is intended to finance the foreign exchange component of the Expressway, which is designed as a 29.9 kilometer, four-lane, limited access highway, to be operated as a toll road. The total cost of the project is estimated to be $18.1 million. The toll structure at present proposed is designed to repay the construction, operation and maintenance costs over a seventeen-year period. The annual financial return on investment for a twenty-year period is estimated at 9 per cent.

The Expressway was partly opened for traffic on 21 December 1968 and is expected to be completed by June 1970.

2. A request by the Government of the Republic of Korea for technical assistance to the *Agriculture and Fishery Development Corporation* (AFDC) was approved on 6 February 1968. The AFDC was set up in November 1967 with a capital of Won 5 billion (US $18.5 million) to be subscribed entirely by the Government over a period of time.

The technical assistance mission was to render advice and assistance regarding the institutional framework and organization of the AFDC and to assist in identifying and formulating projects which could be developed to appraisal standards in the fields of fish marketing with particular reference to refrigeration; livestock development including the development of marketing facilities; vegetable production and marketing; and other projects which might hold out prospects for immediate development in agriculture and fisheries.

Mission members were also asked to assist the AFDC in the preparation of appropriate proposals for consideration by the Bank for financing of specific projects in the field of agricultural and fisheries development.

The foreign exchange cost of this assistance as approved was estimated at US $66,000. The local cost incurred is being borne by the Government of Korea.

As a result of this technical assistance effort, a proposal for a refrigeration project for fisheries has been developed and is under consideration by the Bank. Other projects which may prove suitable for consideration by the Bank or other external financing sources are in the course of preparation. The institutional aspect of this technical assistance effort and the work of individual specialists are expected to be completed by the end of March 1969.

LAOS

In April 1968 the Royal Government of Laos drew the attention of the Bank to the need for the preparation of a program for the *integrated development of agriculture in the Vientiane Plain* to enable the full utilization of the benefits expected from the construction of the Nam Ngum hydro-electric and irrigation project. Following discussions between the Bank and the Laotian authorities, a technical assistance program was approved on 3 September 1968 at a cost of approximately $221,000.

The Nam Ngum project involves establishment of a dam on the Nam Ngum river which will create a reservoir of approximately 8.5 billion cubic meters in gross capacity and 3.8 billion in net storage. The reservoir will promote irrigation, flood control and navigation improvement and, further, will serve to generate power. A distribution network will supply energy from the power station to pumping stations and irrigation systems located throughout the Vientiane Plain. With international assistance, the construction of the Nam Ngum project is expected to be completed by 1972.

The technical assistance program approved by this Bank is intended to aid the Laotian authorities in planning the utilization of the benefits from the Nam Ngum project. Experts in various disciplines relevant to integrated agricultural development will study the conditions in the Vientiane Plain. The experts will submit appropriate recommendations and specific projects which will have to be elaborated, studied or implemented by stages in an integrated manner prior to 1972 as well as during a 10-year period thereafter. Field work commenced in January 1969 and the various reports are expected to be completed by June 1969.

MALAYSIA

A loan of $7.2 million was made to the Government of Malaysia for financing the foreign exchange cost of the development of *Penang State Water Supply* was approved on 19 September 1968. The loan documents were signed at the Bank's headquarters on 23 September 1968. The borrower is the Federal Government of Malaysia and the State of Penang acts as executing agency. The loan is for a term of 20 years with repayments commencing after five years.

The present water supply system of the State of Penang serves about 75 per cent of its present population of 803,000 which includes the City of George Town, the second largest city in the country (population 370,000). In spite of recent improvements and additions to the system, the present reliable supply of approximately 30 million gallons per day (MGD) is falling short of demand. The population of Penang has been increasing at 4 per cent per annum in recent years; at the same time, industrial development is having an increasing impact on the demand situation. On the basis of a feasibility study commissioned by the State in 1966 and completed toward the end of 1967, a long-range development plan has been prepared which proposes to meet the anticipated increase in demand up to the year 2000 in three stages.

The works to be designed and constructed in the first stage include a barrage across the River Muda, intake works and pumping stations, supply canal, water treatment works and pumps, transmission mains including a separate line for connection to the island of Penang and a storage reservoir. Water will be transferred from Butterworth on the mainland to the island by means of submarine pipelines. The various structures will be built so as to facilitate future economical increases in capacity in the second and third stages. The works are expected to be in operation by 31 December 1971.

The construction, operation and maintenance of the water supply system in Penang is the responsibility of the State Public Works Department, except within the City of George Town which is responsible for its own water supply, and has its own City Water Department. Approximately two-thirds of the water supply produced by the State from its own system will be sold in bulk by the State to the City.

The total cost of the project is estimated at $13.7 million of which approximately half will be in foreign exchange and will be financed by the Bank loan. The local currency costs will be financed by the Federal Government which has agreed to make loan funds available to the State on terms and conditions satisfactory to the Bank. The proceeds of the Bank's loan will be relent by Malaysia to the State. Disbursement of the loan is expected to take place over the period 1969–71.

NEPAL

Two projects of assistance to the Government of Nepal have been approved. They are:

1. A request by the Government of Nepal for technical assistance in preparing a project for *the development of its air transport system* was approved on 21 November 1968, involving a grant of US $66,000.

This technical assistance, which was requested with a view to seeking a loan from the Bank in the future, covers the formulation of an investment program during 1969–71 for the improvement of airports, airfields, ground communication and navigation aids; for the technical examination of the best manner of replacement of aircraft; and for the related organization improvements that may be necessary. In view of the very specialized expertise required for this type of study, the Bank arranged with the International Civil Aviation Organization for its collaboration in carrying out the study,

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which began in January 1969 and is to be finished in about five months.

Transport constitutes one of the weakest links in Nepal's primarily agricultural economy, with the difficult terrain setting a limit, both in terms of financial outlays and time involved, to the expansion of roads and railways. Although successive studies by international agencies and foreign consultants have underlined the crucial importance of air transport in Nepal's economy, the domestic airline has been seriously handicapped by the lack of well-equipped airports and modern terminal facilities, and by the problem of rising operational costs due to difficulty in replacing its fleet of old-model aircraft. It is expected that projects based on this study will yield substantial economic and social benefits to Nepal.

2. In response to a request from the Government of Nepal in June 1968, the Bank approved on 3 September 1968, a technical assistance program involving a grant of approximately US $35,000 to study the organization and operation of the *Agricultural Development Bank of Nepal* and to advise the Government on measures necessary to strengthen the Bank in the discharge of its functions.

The Agricultural Development Bank, which formally came into existence in January 1968 through the reconstitution of the former Cooperative Bank, is the main source of agricultural credit and finance in Nepal. The future of agriculture in the country is therefore closely linked with the Bank's sound organization and healthy growth.

A mission consisting of four experts in various aspects relevant to agricultural development banking carried out the field work involved in this program over a period of two months beginning in October 1968. The experts studied the credit needs for the development of agriculture in Nepal, the role of the Agricultural Development Bank vis-a-vis other sources of credit in the country, the requirements of staff and organization of the Bank, the improvements necessary in accounting, training and branch management and the improvement of procedures for the appraisal and processing of loan applications and for supervision of implementation. The report of the mission was completed in December and sent to the Government of Nepal.

PAKISTAN

A loan equivalent to $10 million to the *Industrial Development Bank of Pakistan* (IDBP) was approved on 12 December 1968. The loan is guaranteed by the Government of the Islamic Republic of Pakistan. Loan documents were signed at the Bank's headquarters on 16 December 1968.

The loan is for a maximum period of 15 years, including a grace period not exceeding three years from the date when the corresponding amounts are credited to the loan account. The loan is expected to be fully committed within a period of two years from its effective date and to be disbursed in three years.

The IDBP, an institution in which the Government of Pakistan has a 51 per cent shareholding, is one of the two principal industrial development banks in Pakistan. After a rapid growth during 1961/62–1965/66, the rate of increase in the IDBP's foreign currency loans progressively diminished in 1966/67 and 1967/68, due chiefly to inadequate loanable resources in foreign currency. In this context, the IDBP obtained a loan from the Bank to augment its foreign exchange resources to meet the medium and long-term credit requirements of small and medium-scale industries in the private sector for the coming two years.

The authorized capital of IDBP is $12.6 million, of which $8.4 million has been paid-in. IDBP's lending resources in rupees are derived from capital and reserves, advances from the Government, credit from the State Bank of Pakistan, term deposits received, and funds available from repayments of outstanding loans. Foreign currency resources at IDBP's disposal come largely from the Government in the form of allocations from lines of external credit arranged by the Government.

PHILIPPINES

The Bank's assistance to the Philippines has taken two forms.

1. On 25 July 1968, the Bank approved a technical assistance grant of US$225,000 for site selection and project formulation for a *fisheries port in Manila Bay*.

The decision to provide technical assistance derived from a review by the Bank of a request from the Government of the Philippines late in 1967 for a loan for the construction and equipment of a fisheries port at North Harbor in Manila Bay. Examination of the request indicated that, on economic grounds, there was *prima facie* justification for a fisheries port as an integral part of the development program drawn up by the Philippine Fisheries Commission. However, there were some uncertainties regarding the location of the fisheries port and the ancillary facilities. Accordingly, the Government of the Philippines agreed with the Bank that, before coming to a decision on the proposed investment, the technical alternatives available should be fully explored. The Bank, thereupon, was requested to make available technical assistance for the examination of the alternatives and for the formulation of a project based on the results of the examination. Consultants have been engaged for carrying out the technical examination and project formulation and the services of a supervising engineer have also been made available to help in carrying out the study. The work is expected to be completed by the end of November 1969. In light of the Government's review of the results of the study, proposals may come up for Bank financing for a fisheries port facility in Manila Bay.

2. A grant of $105,000 to the Philippine Government for technical assistance to the National Irrigation Administration (NIA) in the field of *irrigation water management improvement* was approved in June 1968.

Out of 3.1 million hectares under rice in the Philippines, only 680,000 hectares (22 per cent) during the wet season and 280,000 hectares (9 per cent) during the dry season are irrigated. This reflects both the inadequacy of irrigation facilities and the need for improvements in water management. The Philippine authorities have recently strengthened their efforts to increase both service areas and efficiency in the existing irrigation systems in the country. The Government has provided financial resources sufficient to complete twenty-two unfinished projects and also to start eight new irrigation projects. The NIA also has been actively engaged in an extensive rehabilitation program to improve water conveyance in deteriorated systems. In addition, the NIA has undertaken a pilot project scheme to improve the existing water management and water use in eight representative irrigation systems located in different parts of the country. The results of the pilot project scheme will subsequently benefit other NIA irrigation systems. It was recognized that there would be a shortage, during the initial stage of the pilot project, of well-trained and experienced specialists in the field of water management to participate in the planning of the field operations and in the training of local technical personnel. The technical assistance program of the Bank is intended to meet this shortage.

The technical assistance activity is concentrated in two selected areas in the Angat River Irrigation System and the Peñaranda River Irrigation System, both in Central Luzon, and covers water management planning and operation, technical field studies and demonstrations as well as training of technical personnel. In the other six pilot areas, the scope of assistance will be limited to general technical advice on planning, field operation and extension of the regular local programs.

The technical assistance mission, which began its work in August 1968, is composed of a senior irrigation engineer, a water management expert, an irrigation agronomist, an irrigation economist and a soil and land use expert. The duration of the project has been fixed at one year in order to cover both the wet and dry seasons.

THAILAND

A loan of $5 million to the *Industrial Finance Corporation of Thailand* (IFCT) was approved on 23 January 1968. The loan is guaranteed by the Government of Thailand and is repayable in full on or before 31 December 1983. Loan documents were signed on 25 January 1968 at the Bank's headquarters.

The IFCT was established in 1959 under the Industrial Finance Corporation Act to assist industrial activities in Thailand mainly by extending medium and long-term loans, underwriting shares and securities and guaranteeing loans. In 1964, the IFCT secured loans from Kreditanstalt fuer Wiederaufbau of Germany amounting to DM 11 million and from the International Bank for Reconstruction and Development in an amount of $2.5 million.

The rate of economic growth of Thailand has been impressive in recent years and the scope of industrial development is being enlarged. The share of industry—practically all private—in the GNP is expected to increase from 12.8 per cent to 21.4 per cent over the period 1966–1971. Apart from the Governmental Small Loans Board, the IFCT is the only institution in Thailand which provides medium and long-term loans for private industrial investment. The rising demand for medium and long-term loans is bound to cause expansion of the IFCT's operations.

The Bank's loan is designed to help the IFCT augment its foreign exchange resources and is available for utilization until 31 December 1972. As of 31 December 1968, seven subloans aggregating $1,152,575 had been approved and $700,608 had been disbursed by the Bank. The approved subloans include financing for ice factory and cold storage plants, a cardboard and a strawboard factory, a cotton mill and a kaolin processing plant.

VIETNAM

In response to a request from the Republic of Viet-Nam, the Bank agreed on 2 July 1968 to provide technical assistance in two parts to *development financing institutions* in Viet-Nam at an estimated cost of $89,000.

The institutions primarily concerned are the Industrial Development Center (IDC), the Société Financière pour le Développement de l'Industrie au Viêt-Nam (SOFIDIV), and the Refinancing Fund for Industrial Development (RFID) of the National Bank of Viet-Nam.

The first part of the program provides for a team which, taking into account the need to promote over a period of time industrial growth in the country, is to study and report on:

(a) the Government institutional framework and the procedures for handling investment projects, together with the possibilities for improvement of the investment climate in the context of the overall economic setting;

(b) the work of the IDC and the desirable steps to be taken to strengthen its role as a development financing institution;

(c) the work of the SOFIDIV and the steps which should be taken to strengthen its role as a financial institution;

(d) the work of the RFID, especially in terms of its relationship with the other institutions;

(e) the division of labor among the financial institutions; and

(f) the possibility of advising the Agricultural Development Bank on the establish-

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ment of a system of rural banking similar to that established in the Philippines, if such a scheme proves advisable and feasible in Viet-Nam.

The team is to be composed of four members with expertise in development banking, industrial economics, agricultural and rural banking and legal and administrative matters and is scheduled to begin work early in January 1969.

The other part of the program covers the provision of three senior operational advisors, each to be assigned to one of the three above-mentioned industrial financing institutions, with the following functions in respect of the institution concerned.

(1) help the Management in its project appraisals, in particular in respect to the overall economic and financial evaluation of project proposals;

(2) advise and train the staff on project appraisal techniques, on security requirements, on procurement and disbursement procedures, on end-use supervision of the utilization of loans and investments and project implementation.

(3) advise and help the Management in taking necessary action in cases where the end-use supervision and follow-up of loans and investments suggest that such action is called for; and

(4) advise the Management on policy matters and on any day-to-day work as appropriate.

These advisors will be assigned for a period of one year, subject to extension if necessary. They are expected to take up their assignments in April/May 1969.

The record of contributions to the development of these countries is indeed an impressive one and serves as affirmative evidence of the fact that the important program of technical assistance envisioned in the Bank's articles of agreement is off to a good start. This service has been furnished both on grant and loan basis, not only in the context of helping formulate projects, but also in that of furthering the studies of specific economic problems of national and regional concern.

A summary of the activities of the Asian Development Bank during its first 18 months of operation is reflected in the table below:

LOANS APPROVED DURING 1968

[Dollar amounts in millions]

Borrower	Project	Amount (US$)	Date approved	Term [1] (years)	Interest (percent)
Industrial Finance Corporation of Thailand.	Financing industrial enterprises	$5.0	Jan. 23	12	(2)
Central Bank of Ceylon	Modernization of tea factories	2.0	July 2	15	6⅞
Republic of Korea	Seoul-Inchon Expressway	6.8	Sept. 3	15	6⅞
Malaysia	Penang water supply	7.2	Sept. 19	20	6⅞
Republic of China	Feasibility study of North-South Freeway [3]	.4	Nov. 19	10	6⅞
Industrial Development Bank of Pakistan.	Financing small and medium-scale industries in private sector.	10.0	Dec. 12	15	(2)
Chinese Petroleum Corporation	Dimethyl terephthalate (DMT) manufacture.	10.2	Dec. 19	12	6⅞

[1] Inclusive of grace period.
[2] Carries interest at the rate prevalent at the time of crediting the loan account.
[3] In addition, a sum of US$100,000 was provided as a grant (see Republic of China next page).

TECHNICAL ASSISTANCE APPROVED DURING 1968

Country	Project	Amount (US$)	Date approved
Project preparation:			
Republic of China	Feasibility study of North-South Freeway	$100,000	Nov. 19
Nepal	Air transport system development	66,000	Nov. 21
Philippines	Fisheries port construction in Manila Bay	225,000	July 25
Advisory and operational:			
Indonesia	Advisers to Ministry of Agriculture	170,000	July 30
	Rural credit survey	60,000	Do.
Republic of Korea	Agriculture & Fishery Development Corporation [1]	66,000	Feb. 6
Laos	Integrated agricultural development program for Vientiane Plain.	221,000	Oct. 15
Nepal	Advisers to Agricultural Development Bank of Nepal.	35,000	Sept. 3
Phillipines	Water management	105,000	June 20
Republic of Viet-Nam	Development financing institutions:		
	(a) Technical assistance mission	19,000	July 2
	(b) Assignment of advisers	70,000	Do.

[1] Includes project preparation (see p. 14).

OUR ROLE IN AND RESPONSIBILITY TO THE ADB

It was through our initiative, in large measure, that the Asian Development Bank's concept, first articulated in 1963, became a reality in 1966. The able efforts of Eugene Black, former President of the World Bank, played an immeasurable part in the formation of this organization—unique in the history of Asia—in its concern for the collective solution of regional problems. It was through Ambassador Black's able efforts and those of our present representative, Bernard Zagorian, that we were successful in initiating expansion of the soft development loan program. Speaking through these two able representatives, our country took a very affirmative posture in urging the need for such a program. Because of our initiatives in this field, it is most embarrassing, in my judgment, that we now find ourselves in the posture as a laggard in implementing our own recommendations. Our embarrassment is compounded by the fact that other nations have already made commitments to the "soft loan window." We are in the position of having been fast with the rhetoric but very slow with the delivery. It raises a very serious question, I think my colleagues will agree, as to the sincerity of our country in meeting its commitments.

Nowhere is this question more seriously raised than in the case of Japan. The Japanese and ourselves were prime instigators in the creation in this Bank. We pledged an equal sum to the Bank's initial capitalization. I think it is fair to say that the Japanese and ourselves were the leaders in encouraging the expansion of the "soft loan" concept and in pledging support to it. As many of my colleagues may know, it has been over a year since the Japanese made their initial pledge of $100 million to this special fund. Their pledge was not unrelated to their belief that our country would make good on our agreement to pledge $200 million to the capital structure of this special loan fund. The Japanese have, since their initial pledge, put up $40 million of the $100 million or 2 years of their 5-year commitment. As I indicated earlier, our country has not as yet made the first step toward making good on its commitment to participate fully in an effort to bring about the type of participation required to make the "soft loan" fund program viable. I do not believe that I overstate the situation when I say the Japanese are more than a bit concerned by our niggardliness in making good on the moral commitment which our Government made to the special loan fund. The President has now been in office over 3 months. His representatives have traveled to Australia for the purpose of participating in the Asian Development Bank meetings. To date, no definitive commitment has been made by the Nixon administration.

STEREOTYPE THINKING

I would certainly hope that the failure to move on this vital matter is not reflective of a view that all forms of foreign assistance are suspect. Such shallow stereotype thinking has no place in such serious deliberations. No doubt it is very attractive and, of course, quite easy to use the criticisms properly leveled at a unilateral foreign aid program founded principally on grants to indict a multilateral loan program, such as that embodied in the Asian Development Bank. While this may be done quite easily, its ease is not at all commensurate with its accuracy. Quite the contrary, such a blanket indictment of all participation and efforts to assist other nations in nation-building, dis-serves both our national interest and the collective intelligence of this body. My travels and experiences in the Pacific Basin, which I believe my colleagues will acknowledge are not inconsiderable, cause me to conclude that the form of multilateral aid represented by the Asian Development Bank makes a great deal of sense in this region. I think above and beyond our experience in Asia it is safe to say that in general, these forms of loans and technical assistance which enable other nations to help themselves have gained not only great success in furnishing a large return on the dollar invested, but also a promise to continue to do so.

In this era of concern for economy in government, it would seem to me that there is no better form to be adopted for the solution of economic development problems than the loan concept. Whereas it is, because a multilateral loan program makes it possible to increase the leverage which the American dollars can secure, they buy more economic assistance. For example, a foreign aid program requires a dollar of American expenditure for every dollar of activity which takes place in the recipient country; in the case of American participation in the Asian Development Bank, $1 of American participation can lead to an expenditure of over $3 in the recipient country. In addition to giving us this leverage we, at the same time, secure the advantage of having our participation in the form of a loan rather than in the form of a grant. This, of course, means that there is a probability that the funds loaned will eventually be repaid with interest. These funds can then be used once more for the purpose of financing additional development activities in the recipient countries.

INACTION: A GRAVE MATTER

I find our present inaction on the ADB special fund distressing. Not on the basis of partisan politics, but rather on the basis of my grave concern for the corrosive effect that this delay is having upon our relationships with Japan and the other countries who have already provided funds based on their expectation of our participation in the special loan fund. I am also fearful that this reluctance on our part to participate actively in this important undertaking may be interpreted as a reflection of an increasing reticence on the part of Americans to help the countries of Southeast Asia in their efforts to overcome the continual menace of poverty, the constant threat of Communist aggression, the ever-present threat to the health and well-being of the society resulting from an inadequate capital structure. It is my conviction that we must make clear our commitment to the removal of the barriers to economic development which retard efforts to realize a satisfactory rate of economic growth. Because progress toward prosperity is necessary to insure the continued existence in this region of nations in which informed people collectively and democratically decide the destiny of themselves and their nations.

COWLES SUBSIDIARY SOLICITS ROONEY AIDE WITH "FREE MAGAZINES" SALES PITCH

HON. FRED B. ROONEY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 15, 1969

Mr. ROONEY of Pennsylvania. Mr. Speaker, for many weeks I have been discussing the widespread use of deceptive and fraudulent sales practices within the magazine subscription sales industry.

In speaking of the "industry," of course, all companies engaged in magazine subscription sales are encompassed. There is, I believe, a degree of abuse of fair sales practices which can be laid at the doorstep of each of the companies engaged in magazine subscription sales. But certainly some of the sales organizations have done a far more effective job to rid their own sales organizations of such abuses than have other competitor sales organizations.

Very soon after I made my first statement on this subject back in February, I was contacted by representatives of Cowles Communications, Inc., publishers of Look magazine and the parent organization of five major subscription sales organizations operating hundreds of franchised dealerships across the country. A short time later Mr. Joseph Kelly, an attorney for Cowles Communications, visited my office in the company of another attorney to discuss unscrupulous sales practices.

Mr. Kelly explained at some length the sincere efforts he said the Cowles organizations were making to stamp out deceptive and fraudulent practices. He said that many of the unscrupulous practices I had been attacking were not to be tolerated by Cowles of its subsidiary sales organizations. In response to his claims, copies of actual Cowles subsidiary sales documents were produced to demonstrate for Mr. Kelly that some of his good intentions had not filtered down through the sales organizations.

Since February, I have amassed a staggering number of complaints and reports pertaining to unscrupulous magazine sales practices from virtually every part of the United States. I have surveyed the attorneys general of every State in the Nation and have received responses from most. Never before in my experience as a legislator have I ever filled an entire drawer on a single subject in so short a period of time.

It is somewhat revealing, then, I believe to find that approximately 80 percent of all of the complaints and reports of deceptive and fraudulent sales practices are directed at six companies engaged in magazine subscription sales. These six companies are the five Cowles subsidiaries, which Mr. Kelly had insisted were trying to stamp out sales abuses, and an organization known as International Magazine Service of the Mid-Atlantic which has an affiliation with the Hearst organization.

The Cowles sales organizations are known as Home Reader Service, Civic Reading Club, Educational Book Club, Home Reference Library, and Mutual Readers League.

The gimmicks and schemes they devise to sell magazine subscriptions are almost endless. Despite denials to the contrary, their sales technique generally involves an oral offer of magazines for "free," with no cost involved except postage, or wrapping, or handling. Such offers are blatantly fraudulent. The postage or wrapping or handling costs add up to staggering sums which clearly cover the full subscription costs for the magazines supposedly being offered the consumer at no cost.

Nevertheless, the deception goes on as a member of my staff can attest. Within the past few weeks, a member of my staff was solicited by Home Reader Service in the Washington area and offered "free" 5-year subscriptions to seven magazines, including Look. Three different members of the sales organization joined in assuring this wary consumer that the magazines, indeed, were "free." The free offer, they explained, was the result of Look's campaign to boost circulation in the metropolitan area.

The sales approach, in virtually every respect except one, clearly violated the code of fair practices administered by Central Registry of Magazine Subscription Solicitors with endorsement of the Federal Trade Commission. The Cowles organization supposedly supports and subscribes to this code, and in fact, was among the organizations which approached the FTC seeking the Commission's endorsement of a magazine subscription sales industry self-regulatory code. Obviously, the Cowles subsidiaries which sell magazine subscriptions are associated with the code in every way possible except that they do not seem to pay any attention to their own obligations to uphold it and abide by it.

Central Registry's own record of enforcement of the code during its first year of operation—1968—is a further example of the attitude of the Coles subsidiaries toward compliance. Central Registry, throughout all of 1968, levied 96 fines totaling $39,000. Of these fines, 72 were levied upon the various Cowles subsidiaries in the total amount of $28,450.

Mr. Speaker, organizations which show no higher regard for the American consumer than do the five Cowles magazine subscription sales companies deserve to have the book thrown at them. I have passed along to each of the individual members of the Federal Trade Commission and to the administrator of Central Registry an account of the solicitation of a member of my staff by Home Reader Service and I certainly urge that both the FTC and Central Registry do throw the book at their entire operation. I personally am convinced that it is the officers of the parent sales corporation who are responsible for these abuses and that they not only tolerate but encourage this type of sales practice by personnel in the field.

To the consumers across the country who are accosted by telephone solicitors or door-to-door solicitors of the five Cowles subsidiaries, I can only say, "Beware."

At this point, I would like to insert in the RECORD a description of the Home Reader Service sales approach as recorded by a member of my staff, as well as several letters of complaint describing other sales tactics being utilized by some of the Cowles subsidiaries. Of particular interest, I believe, is the "green stamp" offer of Mutual Readers League.

The material follows:

ROONEY AIDE DESCRIBES HOME READER SERVICE SALES PITCH

(By Richard D. Henderson, legislative assistant)

On Wednesday evening, April 16, 1968, I received a call from the Look organization in New York City telling me that I had been selected to receive three magazines free for the next 60 issues; I asked whether there was any obligation at all and the answer was "no"; I asked "not even mailing charges?", and the answer was "no".

With that I said that I may as well select my three magazines—which were *Argosy*, *Esquire*, and *Sport*. Then the gal said that I automatically got *Look* with the three which I had selected; then she muttered something about .59¢ per week for wrapping charges; when I said that I thought that

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this was all for free, she said that she had better get her supervisor on the line; so on came the supervisor.

She said that she just got on to verify what I had accepted because she knew that I would still be so stunned by this great deal. She went on to explain that all I had to pay was .59¢ per week wrapping charges, or $2.36 per mo. At this point I asked about method of payment and her only answer was that they had several methods of payment. The total would of course be .59¢ per week or $2.36 per mo. to cover expenses for the next five years as she indicated.

Then she said that of course you know that you will receive *Venture* along with the three magazines which I had selected along with *Look* thrown in.

I can't recall what the reply was to whether I would be getting *Venture* for free (which I guess sells on the magazine stands for $3.00 per mo.). And, unfortunately, I can't remember what her answer was when I said that *Look* is bi-monthly, and so, would I get *Look* actually for less than five years.

Jumping the gun a bit, I asked when the route man would be coming out to verify the offer, and made arrangements for the following evening (Thurs.).

One thing both gals emphasized was that the whole point of this was to increase the circulation of these magazines in my area—(several other tenants in my building got the same type of calls from "New York")—that's why I was getting so much at the bargain rate.

The next evening the field man arrived to obtain my signature on the verification slip. He told me that I would also be getting the Washingtonian and Hi Fidelity too—for nothing. He did specify that I had to accept the payment plan of $5.90 now and $5.90 for the next 25 months—rather than $2.36 a mo. for the full five years. He explained nothing else—about cancellation etc. just had me sign; he said he was an employee of the Dept. of Labor—taught psychology in the evenings (somewhere) and was trying to make a little extra money working for one of his students.

The following day I phoned Home Reader Service in Arlington, the sales company identified on the contract form, to ask to cancel the subscriptions. The cancellation was accepted since it was within the 72-hour cancellation period subscription sales companies are supposed to observe.

I questioned the payment plan of $5.90 per month and asked why I couldn't pay $2.36 per month for the full period of five years. They explained that was the agreement they had with Look (Cowles Publications). She tried to dissuade my cancellation by pointing out that a single copy of Look on the newstand costs 50 cents and that at my price of 59 cents I would have nine cents left over and no other magazines. But I was to pay 59 cents each week and Look is published twice a month. And I was to pay at the rate of ten weeks a month, or 10 times 59 cents, every month for 25 months. My suggestions that I pay 59 cents each week or $2.36 each month were rejected.

NANTICOKE, PA.,
March 17, 1969.

EDITOR,
Easton Express,
Easton, Pa.

DEAR SIR: I read your article appearing in the Times-Leader-the Evening News, Wilkes Barre, Pennsylvania, dated March 12th, 1969.

This article was warning the public about telephone calls promising free prizes, like magazine subscriptions.

My wife has been taken in by such a deal as described in your recent article.

My wife received a telephone call promising her two-hundred (200) S & H green stamps. She received the stamps and a salesman, representing the Mutual Readers League, Des Moines, Iowa, came to our home. He asked her if she received the stamps. When she told him she had received the stamps, he asked her to sign a paper in recognition of their receipt. This recognition of receipt was actually a contract for magazines. He then asked her where I work, how long and if she knew anyone else who reads magazines. Now my wife's sister-in-law and her mother receive magazines that we are billed for at ($3.00) three dollars a month. This is for (25) twenty five months.

He told my wife that it would only cost her ($.39) thirty nine cents for postage. The mailman has been informed to return the magazines.

Today I received a call from the Mutual Readers League, Des Moines, Iowa, telling me I am (2) two months in arrears for a total of ($7.00) seven dollars. That is ($6.00) six dollars for the magazines and ($1.00) one dollar fine.

I wrote and told the company I would not honor this contract. They insist they have a valid contract even after I expressed and explained how it was acquired.

Is there any way I can get out of this mess? I still will not honor this contract. Can they have this money taken out of my pay? Do you consider this to be a legal, binding contract under the circumstances explained in this letter? I can't afford an attorney for his advice.

I thank you for your kindest consideration in this matter.

Sincerely,

CHESTER ZDZARSKI.

CALIFORNIA RURAL LEGAL ASSISTANCE,
San Francisco, Calif., March 24, 1969.

Re nationwide magazine subscription frauds.

Hon. FRED B. ROONEY,
The House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN ROONEY: Our organization, which represents migrant workers and farm workers, throughout California, has been inundated with magazine subscription fraud problems. Primarily, the frauds are assisted by, if not encouraged by, Cowles Communications, Inc. (Look Magazine).

Look Magazine operates through various franchises in California such as "Mutual Readers League of Northern California," "Home Readers League," etc.

Our Salinas Office, for example, has been involved in a substantial amount of litigation with Look and/or its franchisers.

We filed in Hollister Justice Court, San Benito, California, on behalf of *Nacho Gonzalez* v. *Look Magazine*. Nacho Gonzalez had never previously purchased any magazines, had eight children, and had a third grade education. Look Magazine settled the case by recision, restitution, and $100.00 in what might be termed *punitive* damages.

In other case, filed in Superior Court (Salinas) Look Magazine, through its franchiser, sold an elderly, uneducated and ill woman $125.00 worth of magazines. Subsequent to the complaint being filed, the franchiser settled for recision, restitution, and $150.00 in punitive damages.

Presently, in the case of *Miramontez* v. *Mutual Readers League, et al*, No. 25795 in the Municipal Court for the Salinas Judicial District, we are seeking $1,051.00 damages. Our client, a mother of three, was sold a $125.00, five-year magazine subscription. This included subscriptions to magazines such as Gourmet. She cannot read English and so informed the door-to-door salesman. In addition, she barely completed the first grade in Mexico. She had previously never purchased any magazines. She was informed that if she signed a piece of paper (the contract) she would receive a gift. She did not even receive the gift.

I believe it would be fair to say that legal aid offices throughout the state of California have had similar experiences. If our organization can be of any assistance, please feel free to contact us.

Sincerely,

ROBERT L. GNAIZDA.

CIVIL WAR AHEAD?

HON. J. HERBERT BURKE

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 15, 1969

Mr. BURKE of Florida. Mr. Speaker, Is it not becoming apparent that there is a movement in this country intended to fuse together the militants in America regardless of color or creed for the sole purpose of pushing America into a civil war?

This movement which some of the more outspoken radicals call the third world movement has as its specific aim the destruction of the capitalistic system and is aimed at the freedom-loving nations with the direct intent of converting them to socialism, or communism under the guise of liberalism.

Even the militant reactionaries that have been plaguing our campuses and pushing dissenters in other areas can, as far as I can determine, be divided into three distinct groups, namely: the Black Militants; the White Militants usually under the heading "S.D.S.," the so-called Students for a Democratic Society, a liberal, radical group; and more recently the supporters of Al Fatah, the anti-Semitic terrorist organization dedicated to the destruction of Israel and all pro-Western regimes.

Although these three groups have different leaders, they are linked together in one goal and that is to change our basic institutions and ultimately destroy America. How? By dissention and terrorism from within.

The black militant groups more and more are following the line of hate, preaching antisemitic lines and calling for destruction, among other things, of Israel as a nation. We also see these groups rapidly linking up with some Arab students in our country who are dedicated to their homelands and are following the terrorism of Al Fatah.

What is the ultimate goal of this so-called third world movement? President S. I. Hayakawa of the beleaguered San Francisco State College, who testified recently before a House Subcommittee on Education, said:

> Some militants in our country are genuine in their desire to improve the educational system, but there are others, especially those in the Black Student Union, who are more concerned with personal power than with education. The BSU leaders keep saying they want absolute control with no accountability to anyone except their own members, constituents ruled by force, intimidation, and gangster tactics.

He further states:

> The White militants are now as explicit as the Blacks. Their story is now familiar on every major campus. They believe our society is so corrupt that there is no hope except to destroy the entire structure and rebuild from the ground up.

It is interesting to note, however, that these groups in most instances back most causes dealing with communism.

They support the Arab cause in the Middle East which also has strong Communist backing; they support Ho Chi Minh in Southeast Asia, who is a Communist puppet; they pay homage to the slain Cuban Communist revolutionary

Che Gueverra; and they are constantly calling for the destruction of our Government charging us with being capitalist imperialists while at the same time they are promoting the Communist ideologies of Marx and Mao.

It is time for all of us in America to wake up. Our Nation today is facing the most serious planned internal suberversion that we have been confronted with and it will take strength and courage by each of us to recognize the dosage of subversive poison that is being fed to us bit by bit.

Our Government officials cannot possibly curb this movement alone. We need backing and support of everyone, of all who know that our country and our way of life has given more people, more of the good things in life and yet has allowed us to live with dignity as free men, than has any other system of government in the world's history.

Last year Congress passed a bill which would limit Federal funds to students convicted of rioting on campuses, but it is apparent that this bill alone just will not do the job. It is necessary now that we must reach our college and university administrators.

There is now evidence indicating that some administrators have failed or refused to discipline militant students and teachers involved in radical activities on the campuses, and have instead meekly capitulated to outrageous demands.

Recently, I introduced a bill in the House which I hope will help to rectify the situation to some extent. This bill, if passed, will withhold Federal funds from any university whose administration fails or refuses to suspend students engaged in campus rioting.

I have also called on the Justice Department to investigate the tie between foreign students linked to Al Fatah and have demanded that the visas for any so-called student who may be involved in this revolutionary guerrilla movement in our country be immediately revoked.

But neither the President nor the Congress alone can end the move toward anarchy in this country.

Remember, our freedom was not given to us but is something we inherited from our forefathers who fought and died to make us a free people. Today's anarchists are not fighting to liberate the American people, but are instead dedicated to enslave us under an alien form of government to keep the promise made by Nikita Khrushchev that our "grandchildren will live under communism."

DR. CHARLES BRADFORD HAILS FALLEN LEADER, PRESIDENT EISENHOWER

HON. PHILIP J. PHILBIN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 15, 1969

Mr. PHILBIN. Mr. Speaker, under unanimous consent to revise and extend my remarks in the Record, I include therein an excellent tribute to our great, beloved, and late friend, President Eisenhower, written by my dear friend, Dr. Charles H. Bradford, outstanding doctor, medical and civic leader of Boston.

This lovely, inspiring poem is composed with rare sensitivity and charm, and it impressively portrays the rugged character, great ability, extraordinary spirit of dedication and marvelous achievement for the Nation and the American people of our illustrious world and national leader and friend, Ike, as we knew him here on the Hill.

Certainly, no one is more qualified by reason of background, patriotism, learning and talent to pay this tribute, than this great son of Massachusetts, Dr. Bradford, because he and his family spring from the early sources and very foundations of American freedom, democracy, and the spiritual values and beliefs upon which they rest.

He and his brother, Robert, another distinguished friend and outstanding former Governor of the Commonwealth, and family, trace their lineage to a long line of ancestors, including the first Governor, whose wise leadership and magnificent contributions helped so greatly toward the origin, development and glory, which peculiarly belong to the Bay State.

Many tributes have been and will be paid to our fallen leader, President Eisenhower, but most assuredly, none could be more sincere, more feelingly expressed, or more appropriate than this stirring poem by Dr. Bradford, which reaches such a high pitch of eloquence and emotional truth.

This timely, well-written verse will continue to inspire generations of future Americans and give them full understanding of the rare components of character, ability, training, and unselfish dedication, which made it possible for President Eisenhower to take his place as one of the truly great leaders of the Nation and the world.

We may all prayerfully join Dr. Bradford in his beautiful poem, and reflect upon his closing lines:

> But our affection follows on his name,
> And never fading laurels crown his fame.

I am sure that our beloved general would have liked this great poem and these words, and his gracious wife and family, and all of us who knew and loved him for the great American he was, will always cherish them. The poem follows:

Tribute to General Eisenhower

At our great General, let us look again
As once we knew him in his wartime days
When battles waited on his word, and when
The thunder of great guns echoed his praise.
Soldiers from every land and every race
Served under him in Freedom's vast crusade,
When the world's armies struggled to displace
The Empire of Evil, Hitler made.
From every race, indeed, and every land,
These soldiers gathered to sustain the Right;
While over their array, he held command,
And marshalled them in their heroic fight.
To Africa and Italy, they went
By Eisenhower's conquering orders, sent.

At Fortress Europe, next he aimed a blow
To free the peoples who were there enchained
Under a reign of slavery and woe
That Nazi terror-tactics had ordained.
Wickedness, unparalleled before,
Such as no other nation ever knew,
Kept millions, who were victims of the war,
In death camps, where the stench of horror grew.
Murder and frightfulness and torture ruled,
Like beasts of prey that through the jungle ranged;
And in a cult of vicious hate were schooled
The leaders, from all decency estranged.
'Twas this that Eisenhower sought to free
From the blackout of crime and misery.

With armies centered in the British Isles,
He carefully prepared plans to attack
The foe's defences, where for miles on miles,
Huge gun emplacements lay, to hurl him back.
His word unleashed the storm of blood and war
That like a tempest struck the coast of France.
There, under sweeping shellfire, his troops bore
Their banners in a conquering advance.
With fearful fighting, then, they battled on
And step by step, they breached the German wall,
And victory after victory they won
Until the rule of Hell was forced to fall.
Tragic, the cost in wounds, and blood, and death;
But free men, now, once more, might draw free breath.

As Peace returned, it showed the greatest need
Was for strong men to bear the nation's cares;
Then Eisenhower once more took the lead
In civil life and government affairs.
For eight long years, as President, he served,
Meeting each strenuous crisis as it rose.
He never from the path of duty swerved,
Nor failed in tasks his office might impose.
Around the world, his influence was felt,
Establishing a sound, straightforward course;
While in his policies, he ever dwelt
On principles of reason, not of force.
By a wise use of his authority,
He led the nation with firm dignity.

His character, above all else, we prize
For throughout life, he made his life worth while:
Gazing on all mankind with friendly eyes,
And greeting every new task with a smile.
Wholesome and hearty was his attitude,
With skill in making men cooperate;
His judgment keen, intelligent, and shrewd,
And in his manner, friendly, yet sedate.
Despite his great fame, he was humble still,
And to life's simple duties, remained true;
Genial at heart, and with sincere goodwill,
His soul was filled with honor, through and through.
As he departs, we offer this great man
Our tribute, as a true American.

L' Envoie

Gone are the mighty armies that he led;
Faded, the grandeur of his lofty place;
And down the highways of the Past have fled
The great events he was called on to face.
But our affection follows on his name,
And never fading laurels crown his fame.

THE JUDGE REACHES A VERDICT AFTER HEARING THE EVIDENCE

HON. DAVID N. HENDERSON

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 15, 1969

Mr. HENDERSON. Mr. Speaker, my colleague from Greensboro, N.C., the Honorable L. Richardson Preyer, a member of the Committee on Interstate and Foreign Commerce, is a freshman Member of this body. Nevertheless his

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background and qualifications are such that his opinions are worthy of respect and unusual consideration.

An able and distinguished attorney, he served for a number of years as a Federal district judge. His ability to weigh and consider evidence and arrive at a reasonable and impartial decision based on the weight of the evidence was widely known, both among the lawyers in North Carolina and the general public.

“Rich” Preyer has probably sat through more of the hearings of the Commerce Committee on legislation to extend the tobacco labeling act than any other Member of that body and has heard the testimony, both pro and con. His conclusions, based upon his hearings of this testimony, are worthy of special and unusual consideration and I consequently, for the benefit of my colleagues here offer for the Record a copy of a news release he recently issued:

The Judge Reaches a Verdict After Hearing the Evidence

Congressman Richardson Preyer today called for the re-opening of the Surgeon General's study of cigarette smoking and health declaring that recent evidence raised serious questions about the validity of conclusions in the 1964 Report.

“Experimental research conducted since the Surgeon General's Report of 1964 and brought out in the recent tobacco hearings before the Committee on Interstate and Foreign Commerce, raises the most serious doubts about the conclusions reached in that report,” the North Carolina Representative stated. He asked, in a letter to Secretary of HEW Robert Finch, that Finch include a reevaluation of evidence on cigarette smoking and health in a reseach program the cabinet member recently announced. “Evidence reveals it is at least as likely that constitutional factors other than cigarette smoking are the cause of lung cancer, heart disease, and emphysema. Not a single witness for the anti-smoking forces testified to any research which he himself had done, while 18 witnesses testified that their own research cast serious doubts on the theory that cigarettes cause disease,” Preyer declared.

He commended HEW Secretary Finch for his announcement of a cooperative research program on the problems of tobacco and health. “Mr. Finch has recognized that there are gaps in our knowledge about tobacoo and health and has urged that these be attacked through cooperative research,” he said. Preyer suggested that this should lead to a new Surgeon General's Report, one recognizing the fact that our knowledge is incomplete, and one based on hearing evidence from all sides, not on an ex parte “review of the literature” which ignores new experimental evidence.

Preyer decried the “bandwagon effect” of repeating over and over a number of false and misleading statements which give the impression that the case against tobacco has been strengthened since the Surgeon General's 1964 Report. “Actually, the experimental and statistical evidence has seriously undermined the conclusions of the 1964 report,” he said. Among the “myths” that anti-smoking witnesses repeated at the hearings—even though scientific evidence has destroyed their validity—were these:

(1) Myth: “Every smoker is damaged by his smoking.”

Fact: Most smokers suffer no impairment or shortening of life. For example, the disease most closely connected with smoking is lung cancer. The lung cancer incidence among smokers is 5/100 of 1%.

(2) Myth: “There is an epidemic of lung cancer.”

Fact: There has been a tremendous reduction in overall respiratory disease since 1900, when respiratory death rates were over five times what they are today. It is particularly misleading to say lung cancer is an “epidemic” in view of the declining rate of increase (indicating that the incidence will level off in the next few years).

(3) Myth: “Cigarette smoking causes 300,000 premature deaths a year.”

(This was the testimony of the Chairman of the Federal Communications Commission. The Chairman of the Federal Trade Commission testified to “500,000 deaths” and also claimed that smokers miss “33⅓% more working days than non-smokers”.)

Fact: These claims have no basis in fact. (The two Chairmen based their statements on findings of the Surgeon General's Advisory Committee but this Committee did not attempt to estimate so-called excess deaths.)

(4) Myth: “Cigarette smoking turns the lungs black,” or “Doctors can tell cigarette smoker's lung from a non-smoker's lung.”

Fact: It is impossible to tell a smoker's lung from a non-smoker's lung upon examination either grossly or microscopically.

(5) Myth: “Heavy smoking will shorten your life by 8 years.”

Fact: This statement is based on a statistical study by Dr. Cuyler Hammond who has refused to disclose the raw data in his studies so as to permit independent evaluation. To the contrary, recent “twin studies”—where one smokes and the other does not—indicates there is no difference in their death rate.

(6) Myth: “Giving up smoking makes one healthier.”

Fact: According to the Public Health Service “Morbidity” report *former* smokers have more ill health than present smokers or those who never smoked! This may only show how misleading statistical information can be.

(7) Myth: “There are 77 million excess work days lost each year by smokers.”

Fact: The study on which this claim has been based has recently been found to contain such unbelievably large errors that it is worthless. These new analyses have been made available to the Public Health Service with no result.

In addition to replacing “myths” by facts, Preyer said there are many areas of scientific disagreement which additional research can help clarify. For example, testimony relating to nicotine in the recent tobacco hearings was that: (1) nicotine constricts blood vessels; (2) nicotine expands blood vessels; (3) nicotine has no effect on blood vessels. This is the kind of question which Secretary Finch's Committee can help resolve.

UMPIRES SHOULD BE REINSTATED

HON. MORRIS K. UDALL

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 15, 1969

Mr. UDALL. Mr. Speaker, two American League umpires were fired last year by American League President Joe Cronin on grounds of incompetency.

This came very shortly after the two men—Al Salerno and Bill Valentine—had contacted their fellow umpires about setting up an organization of American League umpires, similar to the organization that had been in existence for some time among National League umpires.

I want to add my voice to those protesting this rather high-handed action by Mr. Cronin that is a slur on all organized baseball. The organization that these two men sought to form has since been formed, and the substandard pay American League umpires had gotten has been raised on about a par with the National League. I think that organized baseball, and especially the American League, should at least remove some of the blight on its record by reinstating these two men as umpires.

Without objection, I will include the following article that sums up the situation:

Error Called on Cronin: Rhubarb Pops Up in Congress Over Thumbed-Out Umpires

Three Members of Congress from New York are still battling for American Baseball League umpires Al Salerno and Bill Valentine, who were fired last September for advocating an umpire's union.

Senators Jacob Javits and Charles E. Goodell (R-N.Y.) and Rep. Alexander Pirnie (R-N.Y.) are pressing for resolution of their cases now.

The umpires were fired after they sent letters to their fellow American League umpires suggesting the formation of an American Baseball League Umpires Association similar to the National Baseball League Umpires Association.

American League Pres. Joe Cronin said that both umpires were dismissed on grounds of incompetency.

“If Salerno and Valentine are incompetent,” Pirnie asked on the floor of the House recently, “what are the grounds for judging their incompetence?”

He wanted to know why they were not dismissed earlier—one had six years of seniority and the other seven—instead of three days after they proposed the union.

Pirnie said that baseball managers and writers have answered the question, including:

Al Dark, veteran American League manager: “I don't know the whole deal, but I'll tell you these guys were two pretty good umpires. I'll take both of them on the field every game and feel I'm going to get a good, honest, hustling effort—and that's all any manager can expect.”

Dick Williams, manager Boston Red Sox: “I had several jams with them, but I consider both of them good umpires and I'd like to see them have their jobs back.”

Shirley Povich, Washington Post: “When asked what qualifications his two unfrocked umpires lacked, Cronin said they were ‘just inefficient, that's all.’ To Cronin's credit, this was not a snap judgment. In Salerno's case, it took the AL president seven years to arrive at it; in Valentine's case, six years.”

Red Smith, syndicated columnist: “If they were never good enough, as Cronin says, it took him a hell of a while to find out. Joe has to be one of the least perceptive or most indulgent employers this side of Utopia.”

Since the two umpires were fired, American League umpires have joined the National League umpires group which was organized in 1963.

Offers have been made to Cronin to reinstate Salerno and Valentine on a provisional basis but he has rejected them. Then, through an intermediary, Cronin contacted Salerno and offered him a post as scout for umpires in the minor leagues. Salerno, wishing to continue his umpire career, rejected the offer.

“How pungent could irony be?” Pirnie asked, “A man is told he is incompetent to umpire in the American League, yet he is told his incompetency qualifies him to scout for competent American League umpires.”

Salerno and Valentine have filed their cases with the National Labor Relations Board. The case is pending before the regional office in Boston.

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"Even assuming the NLRB hears their case," Pirnie said, "and decides favorably, a baseball season will probably have long since passed."

"Precedents in similar labor union organization cases do not offer good omens."

Pirnie said that "justice warrants and the image of baseball demands" that both men be immediately reinstated.

BATTLING PORNOGRAPHY

HON. WENDELL WYATT

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 15, 1969

Mr. WYATT. Mr. Speaker, there is a tremendous concern in our society about the growing amount and availability of pornography. The youth of our Nation is particularly susceptible to the degrading influences of smut.

I and many other Members of this body have introduced measures designed to combat this insidious menace to our youngsters. It is of personal concern to each of us to see that our Nation's youth is not subjected to the vile perverting nature of the spreading wave of pornography.

In Portland, Oreg., the newspaper, the Clarke Press, recently performed a fine public service by printing a well-written series of articles about a local effort to combat the spread of pornography.

Whether one agrees or disagrees with the tactics of the organization outlined in the following articles, I believe the Clarke Press has done an excellent job of presenting the little-known side of a growing movement in a usually passive segment of our population against the tide of filth.

I would like to commend the Press for their outstanding service in reporting this movement. Public apathy is pornography's greatest shield, and the series in the Press has helped to pierce this shield. At this time I would like to present the series of articles published in the Clarke Press about Portland's "Pornography Revolt":

[From the Clarke Press, Apr. 9, 1969]

"CARRIE NATION" LEADER: PORNOGRAPHY FOES MOVE UNDERGROUND

There's a new type of underground forming here.

Pornography fighters are dropping out of sight—but not out of hearing.

They are bombarding purveyors of smut anonymously. Nobody knows exactly who they are or—more importantly, how many people are involved.

And partly because of their anonymity, they are achieving startling results.

For instance—already several major Metro Portland retailers, have removed so-called "sexy" publications from their news and magazine racks.

The movement is said to have achieved its start when an unsuspecting wife and mother was passing a supermarket magazine rack and noticed a small boy studiously examining a Playboy centerfold. At her approach the lad turned, displayed the nude cutie's photo and said:

"Isn't that something?"

When the woman recovered her composure, she learned the boy was seven years old.

Operating mostly by telephone, the same woman now functions as titular head of a "secret" organization known only as Carrie Nation and Her American Crusaders.

Carrie claims she's not trying to put any publishers out of business—nor is she guilty of suppressing freedom of speech. Her Crusaders aren't particularly interested in the hard core stuff associated with cigar store backrooms. Nor are they trying to make sex unpopular with the masses.

Rather, they want to "save" youngsters from exposure to what they believe is blatant indecency in many magazines today—magazines too widely displayed and too readily obtained at sources within reach of small children.

In a sense, the Crusaders hope to deter as many boys as possible from growing up to be dirty old men. And they've pretty well given up on the adult population segment that already fits the category.

"I do know one supermarket manager, however, who subscribes to Playboy," she told The Press. "He has removed the magazine from his news rack and told me he is losing interest in it himself."

A talk-show devotee, Carrie and her Crusaders get on the phone and call managers of businesses displaying girlie magazines on racks accessible to children. Their pitch is simple and to the point.

"Get rid of the books or we boycott your store!"

By remaining unknown, the hapless merchant isn't certain the caller represents one or a hundred present or potential customers.

And, of course, the final test is the merchant's cash register.

But few businesses in today's competitive hustle are eager to wait for that kind of result. In many cases, it's easier to get rid of the books!

The insidiousness of the scheme is apparent. And as long as it's channelled in the "right" direction for "good" causes, Carrie and her girls (and men, too) are probably safe from investigation.

But say they are successful in the sexy book campaign. What happens if they decide to flex their muscles against other things?

Sexy movies would be next. Then violence on television. Then cigarets? How about homogenized milk? Diet drinks? High cholesterol margarine? Eggs with albumen? And a host of things repugnant to or disliked by some?

In order to live up to the example of her namesake, there are many who fear the modern Carrie must eventually get around to booze!

Levity aside, the wishes of Carrie's Crusaders are being heeded in the campaign against smut. And lots of people who have been fighting the same battle without success in the open—are quietly enlisting in her ranks.

Any merchant who doesn't want to face the decision has only two choices:

1. Beat Carrie to the punch and drop the books before she calls.
2. Don't answer the phone and ignore her open letter that reads:

"Would you ever forgive yourself if you came home and found that your daughter had been raped and murdered and the man who had done it had just bought a girlie or sex magazine that aroused him, and she was the first one he met?

"Think of this—the Boston Strangler admitted he had read girlie magazines before all 13 rapes and murders."

[From the Clarke Press, Apr. 16, 1969]

"CARRIE" HELPS: ANTI-SMUT CAMPAIGN EFFECTIVE

Carrie Nation is making progress in her underground fight against pornography.

The anonymous woman and her American Crusaders report the removal of magazines they term objectionable from several supermarket and drug store newsstands. And the ranks of Carrie's Crusaders are swelling.

Since the Press last week reported Carrie's telephone campaign to remove girlie magazines and other publications from racks accessible to small children, people have been telephoning to learn how they can help.

Carrie remains completely anonymous and won't even reveal her own phone number. But people wanting to contact her can leave their numbers with the Press and they are referred to her when she "checks in" by phone.

Carrie and her followers threaten to boycott any business that persists in displaying the objectionable literature.

She complained to Paul Miller, manager of Pay 'n Save at Eastport Plaza about Playboy magazine and he quickly "pulled it." Other stores have responded similarly and a spot check of area markets revealed the majority are cooperating.

A spokesman for Safeway said publications are constantly policed for anything that might be objectionable to customers and that firm has even barred certain issues of Life, True and Coronet.

Albertson's also has a strict policy and polices all magazines appearing on racks of its 33 stores.

Fred Meyer's anti-smut policy is one of long standing and rigidly adhered to, said a spokesman.

Bob Dieringer of Disco Mart Stores spoke for a chorus of store operators favoring Carrie's campaign. "More power to her," he said.

At Baza'r all magazines are banned and employees carefully screen paperbacks on display.

[From the Clarke Press, May 7, 1969]

SMUT FIGHT STILL RAGES

While controversy increased locally concerning anonymous tactics used by "Carrie Nation," the fight against smut achieved regional and national significance.

Carrie, an unidentified Metro Portlander, has enlisted followers who telephone businesses displaying offensive books and magazines. They threaten store owners with boycott unless offensive publications are removed from reach or view of children.

As a result of recent publicity, Carrie reports she has been contacted by and recruited some 14,028 followers, in her American Crusade. Sizeable portions of that total, she said, are members of organizations which have joined her crusade en masse.

Some letter-writers and callers object to Carrie's anonymity and "blackmail tactics." Others continue to phone this newspaper and leave telephone numbers in hopes Carrie will contact them so they can join her movement.

Meanwhile, Pay-Less Drug Stores, multistate Northwest retail chain, joined other retailers in denouncing objectionable literature and announced a policy of stringent policing regarding material displayed in its stores.

And at week's end Pres. Richard Nixon called for new laws to combat sex-oriented smut mail bombarding homes across the nation.

[From the Clarke Press, May 14, 1969]

BOOMERANG CLAIMED: ANTI-SMUT DRIVE BOOSTS SALES OF SOME MAGAZINES

Carrie Nation's crusade to remove objectionable literature from supermarket newsstands is bearing fruit—in more ways than one.

Increasing numbers of retailers are removing specific magazines. But other outlets report zooming sales of Carrie's targets.

Carrie this spring launched an anonymous telephone campaign aimed primarily at food and drug stores which display objectionable literature on stands accessible to children.

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In a matter of weeks the ranks of her crusaders swelled to an estimated 15,000 persons, many of whom phoned this newspaper to leave their numbers so Carrie could sign them up.

She now reports formation of "chapters" in Portland, Wilsonville, Tigard, Milwaukee. Oswego, Scappoose, St. Johns and Gresham.

She describes her anti-smut crusaders as peace-loving—with not a hatchet-carrier in the bunch.

"And," she declared this week, "the vast majority of store managers we call are just lovely and want to cooperate."

Meanwhile, a telephone poll of magazine subscription services, smoke shops and magazine suppliers indicate Carrie's campaign is having its effects.

Said Fred Wunderlich, 12-year operator of Fred's Smoke Shop, 911 SW Taylor:

"Sales automatically increase any time someone starts a campaign. I've told that to the District Attorney and the Legislature.

"If you want to squash something, keep it out of the newspapers."

Said Norman Bay, manager of Bay News Company, 3155 NW Yeon, "We supply about 675 outlets in the metro area. We send them what ~~we~~ think they want and they return ~~what they~~ don't want.

"There's been a change in the supply of confessional-type magazines and semi-nude stuff. But what one dealer rejects, another will pick up."

Mgr. Dwain Wolfer, Your Candlelighter (subscription service), 6323 SE Holgate said:

"Boy, I've sure sold a slug of Playboys this month."

Asked if he knew if his customers were ages 7 or 70, he replied:

"Don't let it fool you. Most of them are ordered by the wife for her husband. And for Father's Day. And the women sign themselves 'Mrs.'"

GALLAGHER STATEMENT ON THE 1970 CENSUS

HON. CORNELIUS E. GALLAGHER

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 15, 1969

Mr. GALLAGHER. Mr. Speaker, on May 8, 1969, I had the privilege of testifying before the House Subcommittee on Census and Statistics on the issue of the 1970 census. Because the census strikes so directly at the interrelated issues of privacy, citizen respect for the Federal Government, the constitutional balance of powers, and the necessity for accurate information, I am taking the liberty of inserting my complete testimony into the RECORD at this point:

TESTIMONY OF CONGRESSMAN CORNELIUS E. GALLAGHER BEFORE THE SUBCOMMITTEE ON CENSUS AND STATISTICS, MAY 8, 1969

I am very pleased to have the opportunity to testify for the third time before the Subcommittee on Census and Statistics of the House Committee on Post Office and Civil Service. The constant demonstration of your concern over the issue of the Census reflects the fact that it touches every single American family and is, therefore, a problem which must be probed by the Congress. Our responsibilities to our constituents demand no less and we have already seen that this Subcommittee will continue to meet those obligations under you, Mr. Chairman, in the same dedicated and skillful manner that it did under those who preceded you.

When I was the sole Member of Congress to testify on the proposed 1970 Census questions during your 1966 hearings, I made the following statement:

"The Census Bureau perhaps deserves the highest commendation for protecting those who supply them with information. On the aspect of confidentiality of the Census Bureau, it seems to me it is unimpeachable."

On October 24, 1967, when the very able Congressman Jackson Betts and I were the only two Members who appeared to testify, I said:

"I might point out that the Census Bureau has one of the finest records of protecting the information it receives."

Today, I would like to go a step further in praising the Bureau of the Census on its commitment to confidentiality by disclosing a story which puts, in the most graphic terms, Census's ability to defend its respondent's identity. This true event suggests that fears of invasion of privacy may be groundless when data are in the hands of the Bureau of the Census.

Shortly after the attack on Pearl Harbor, our Nation felt there might be a dangerous potential for internal subversion because of the large number of Japanese-American citizens. Intense excitement, even frenzy, was exhibited by many people and the result of overemotionalism represents a rather sorry page in our history.

The Bureau of the Census did not succumb to the prevailing mood of hysteria. The Bureau resisted pressures to make known to other branches of the Executive the names and addresses of every Japanese-American citizen of the United States. The loyalty of Japanese-Americans was proven conclusively by their performance in the European Theatre of Operations. I know by personal experience that no group made better soldiers than those with whom I had the privilege of serving in Europe.

Mr. Chairman, there may be times when invasions of personal privacy are justified by a soberly determined and tightly reasoned sense of National priorities. In the months immediately after Pearl Harbor, however, no sober evaluation was possible. To its everlasting credit, the Bureau of the Census demonstrated a higher devotion to the Constitution than did many of those who were responsible for the creation of detention camps for our fellow citizens who happened to be of Japanese ancestry.

It is in times of great stress that the true character of a man, an institution, or a government can be ultimately determined. By its adherance to its legal guidelines in a time of National fervor, the Bureau of the Census set a high mark which should be emulated by other Federal agencies.

The only criticism I have ever heard about violations of the strict confidentiality restrictions at the Bureau of the Census is an occasionally expressed suspicion that temporary enumerators spread certain interesting facts about their neighbors. The new procedure to be used in 1970—mail out, mail back—should largely remove even this area of doubt from the minds of our people.

Mr. Chairman, as one who has closely identified with the issue of invasion of privacy, I want to say as strongly as I can that fears about the misuse of responses by Americans to the Census do not have a basis in fact. Individuals are protected by law from having their identities disclosed and, what is equally important, they have a solid tradition at the Bureau of the Census to rely upon. One must conclude that the abuses which have aroused justifiable fears of invasion of privacy in other areas of the Federal establishment do not exist at Census.

The mail out, mail back procedure for questionnaires does intensify another problem, however. We must be realistic about human nature when we legislate and it must be acknowledged that some of our citizens will ignore their responsibilities to fill out the Census forms unless they are required, by law, to do so. Previously, the mere presence of the enumerator was an effective reminder of the job to be done. In 1970 this pressure may not be present and I frankly do not think we should alter the mandatory nature of the Census.

But the threat of jail is out of place. The threat of imprisonment to gather information which is so vital to our Nation seems to me to escalate a subtle urging toward good citizenship into outright coercion. I would favor retaining fines for a failure to comply, but the provisions for a jail sentence should be removed.

Mr. Chairman, this Subcommittee has made a splendid record. The Bureau of the Census now seems committed to submitting questions for you to review. Commerce Secretary Stans put the imprimatur of his Department on this practice when he wrote to all Members of Congress on April 17, 1969:

". . . the proposed questions will be submitted to the appropriate Committee of the Congress two years in advance of future censuses . . ."

I believe that this formal recognition of Congressional responsibility will have an extremely important and beneficial impact on a fact of modern life which distresses me more deeply than the specific problem of Census questions. What we are now witnessing is a two pronged attack on the prerogatives and the privileges of the Congress. On the one hand, we frequently act as a merely ceremonial confirming body, supinely acquiescing to Executive Branch dicta. On the other hand, we are becoming the focus of those who are increasingly alienated from government itself. Because we must stand for re-election every two years, we are particularly vulnerable to failures of Federal programs, and yet we have had little opportunity to influence meaningfully their formulation.

And so, Mr. Chairman, what could rightfully be hailed as a victory for your Subcommittee is in reality a reassertion of the most basic feature of our Constitutional government—an effective balance of powers.

The absolute necessity for public men to make public decisions was highlighted in testimony presented to the other body by my good friend, Professor Arthur Miller of the University of Michigan Law School. On April 25, 1969, he made the following thoughtful statement:

". . . the breadth of concern over the dehumanization of modern society and the animus directed at the information activities of the government cannot be ignored. The omnipresence of data collection activities and the computer cannot help but have a numbing effect on the congeries of values we subsume under the heading of 'personal privacy' and debilitate the citizen's conception of the government as a relatively benevolent or protective institution. The climate or atmosphere of suspicion engendered by an accumulation of invasions of privacy is of far greater concern than the direct harm caused by the particular incidents themselves."

As usual, Professor Miller strikes directly at the heart of the question. Since the 1966 hearings of the Special Subcommittee on Invasion of Privacy on The Computer and Invasion of Privacy," I have received thousands of communications from Americans of all walks of life protesting Federal data collection practices. While the basic thrust of those hearings was the suggested National Data Bank, a deeper concern was expressed. This is, quite bluntly, fear of big government, out of the hands of elected public officials, and a sense of individual powerlessness. The ordinary American—that most extraordinary of humans—is beginning to feel suffocated under a sense of surveillance and he is in the process of losing faith in and respect for his government. In fact, a sense of fear, failure, and frustration has replaced

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confidence in life, liberty, and the pursuit of happiness for some Americans.

The achievements of the investigations and hearings of this Subcommittee have helped to allay those fears somewhat. My very able and extremely effective colleague, Congressman Jackson Betts, has spearheaded a campaign to make those in the Executive Branch more responsive to altered social and political conditions. My own investigation of invasions of privacy has helped to move the Executive Branch to a clearer understanding of the rising tide of public discomfort and disenchantment.

It is just at this point that the omnipresent whir of the computer must again be injected into the discussion. The computer can be used as a tool to satisfy what seems to be a passion to record every single human transaction and keep it, subject to instant recall, in the bowels of the Federal establishment. Mr. Friend, Dr. Alan Westin of Columbia University, probably knows more about this subject than any other man. He is an advisor to the New York State law enforcement computerized information system; he is a member of at least three academic groups considering the computer an invasion of privacy; and he heads the American Civil Liberties Union privacy panel. Please permit me to allow his words to carry my argument forward:

"Once computers are installed, they acquire a momentum of their own . . . The result is that individuals and organizations today are being asked more detailed questions about themselves than was even possible or desired before computerization. Case studies of organizations adopting computers have shown that their information base is enlarged two or three fold, and that the new information sought is in areas, reporting sources, life, or activities that were previously immune from inquiry because of the physical or cost limits on acquiring, digesting, and using such information."

Dr. Westin's accurate analysis of computer potential is yet another reason why the Congress must be especially vigorous in exercising its mandate to oversee the operations of the Executive Branch. This necessity leads me to two specific recommendations:

1. I believe that the Subcommittee on Census and Statistics should undertake a review of information policies within the Federal establishment and should seek ways to extend the excellent confidentiality safeguards of the Bureau of the Census to other Federal agencies. This Subcommittee and others have assembled a body of data which I believe compels the conclusion that such an extension is essential to the public interest.

2. The advisory committees and the blue-ribbon Commission recently announced by Commerce Secretary Stans must include strong representation from people disinterested in the day-to-day operations of the Bureau of the Census. By this I mean that the panels and advisory groups must include civil libertarians, Constitutional lawyers, and individuals closely attuned to the public mood.

Perhaps most importantly, a professional writer or two should be at the call of the Bureau of the Census. The insensitive manner in which some of the 1970 questions were originally phrased is, in my opinion, a major cause of the public's distress. Commerce Secretary Stans recognizes this when he said in his letter of April 17, 1969:

"Questions relating to the adequacy of kitchen and bathroom facilities have been reworded to remove any implications that the government is interested in knowing with whom these facilities may be shared."

Better late than never!

In addition, one question which I understand will still be asked seems to have been created by a master privacy invader. To ask a woman how many children she has had, as will be done for a 20% sample in 1970, seems a virtual celebration of insensitivity. This cannot help but put many people in an extremely embarrassing position within the family group. One of the concerns expressed by the Special Subcommittee on Invasion of Privacy has been that the machine can neither forget nor forgive. With my apologies to Madalyn Murray O'Hare, I believe that redemption, renewal, and, yes, even resurrection of an individual's personality are basic features of the American experience.

I believe that this question is certain to cause pain in many homes around our Nation and I am sure it could either have been better phrased or else eliminated.

If I may be slightly facetious, this question may also be in violation of the Civil Rights Act of 1966 which prohibits discrimination by sex. I would suspect that no one dreamed of asking 20% of American men how many children they had fathered!

Mr. Chairman, the Bureau of the Census is not made up of faceless, soulless bureaucrats devoted to the collection of personal information so that they may live vicariously. From personal experience, I can report to you that they are reasonable and rational. When a good case is presented for dropping a proposed question, they will remove it. During the lengthy discussions I have had with Dr. Eckler and his associates, I was able to point out compelling reasons for not requesting the Social Security number and for excluding a question regarding religion.

I would like to conclude this morning by observing that the innocent collection and storage of data can have monstrous effects. For centuries, European nations have had a system of records surveillance, primarily in the noble pursuit of efficiency and economy. We must never forget that these naively assembled data facilitated the mass murders of Nazi Germany. The hated, infamous "Fragebogen" was, after all, merely a Census which disclosed who had Jewish blood and who practiced the Jewish faith. By tying such information to the Social Security number and projecting what some Americans fear may be a turn to a Fascism of either the left or Right in our country, similar "impurities" in the American strain could be weeded out by some future government. Perhaps our government will continue to be run by men who will only use this information for benevolent purposes, but I continue to be troubled by the great temptation we are placing in path of the 2nd and 3rd generation of data users. We need to do everything we can by law to forestall the possibility of a police state in order for our children and their children to continue to enjoy a free America.

This was a basic reason why I opposed the National Data Bank in the form it was presented to the Special Subcommittee on Invasion of Privacy in 1966. It is a basic reason why I would oppose any additional questions which elicit larger amounts of strictly personal information on a future Census.

Mr. Chairman, it is apparent that the problem over questions for the 1970 Census is but another skirmish in the continuing struggle of democratic government: how to find a balance between competing interests. Our Nation needs a valid and reliable basis of fact in order to meet the legitimate needs of our people. The Census plays an indispensable role in collecting those essential data. Every American has a stake in an accurate poll in 1970; particularly those of us in Congress whose Districts will be drawn in accordance with Census figures. A mandatory Census has fulfilled those Federal obligations in the past.

On the other hand, the Congress must continue to take the lead in protecting Americans from unwarranted invasions of personal privacy. We must be alert to the kind of insensitivity I have mentioned, a kind of insensitivity which occurs frequently in the rather cloistered confines of the Executive Branch. In short, we in the Congress must continue to assert the voice of the people in the halls of government.

Mr. Chairman, the hearings and investigations of the Subcommittee on Census and Statistics have been invaluable in directing our Nation toward the middle road in this controversy. The balance of competing interest, is what Democracy does better than any other system of government and by continuing to assert the rights of the Congress in this struggle, you have had conspicuous success. I believe that in the area of Census questions we are on the reasonable road, the responsible road. I am delighted to have had the opportunity to present my views before you today.

FORTAS STORY UNFOLDS

HON. H. R. GROSS

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 15, 1969

Mr. GROSS. Mr. Speaker, the developments of today in the case of Associate Supreme Court Justice Abe Fortas, make it more imperative than ever that the Justice Department empanel a Federal grand jury immediately to make a sweeping investigation of Fortas' activities.

Among the statements that have been made is that of Alexander Rittmaster, former business associate of Louis Wolfson, the financial manipulator, now serving a sentence in a Federal prison in Florida. Rittmaster turned State's evidence and was a key witness in the trial which found Wolfson guilty of violating the Federal Securities Act.

According to Life magazine, Rittmaster said Fortas, while serving on the Supreme Court, visited Wolfson's palatial home in Florida to "take care of the SEC—Securities and Exchange Commission—matter." This is in direct conflict with Fortas' statement to the public before his resignation that he did not then or at any time while on the Supreme Court bench become involved in Wolfson's SEC matters.

Also, according to Life magazine, Rittmaster said Wolfson told him his—Wolfson's—prosecution for violation of the securities act would be taken care of "at the top"; that it would not get out of Washington. The public is entitled to know the truth of this statement and, if true, who "at the top" gave such assurance.

Mr. Speaker, I am advised that there is documentary and other evidence showing that Mr. Fortas made contact with Government officials in connection with the Wolfson criminal investigation, and made an effort to intervene in the case.

This information, together with the known facts on the $20,000 fee arrangement with Wolfson and the Wolfson Family Foundation demonstrates that this is more serious than unethical conduct by a member of the Supreme Court. The reports of the arrangement for a $20,000-a-year fee from the Wolfson Family Foundation for the period of Fortas' life and for the life of Mrs. Carolyn Agger Fortas, is inconsistent with the purported reason for receiving the fee. Only the naive would believe that a fee of this size, on a lifetime arrangement, would be paid for giving advice and doing research on how to dispense money to create harmonious relations on civil rights and religious matters.

This was a "fix" and it makes no difference what else it is called by Mr. Fortas. There are criminal laws that cover this type of operation, and I hope they will be enforced without fear or favor for the former Associate Justice.

Mr. Speaker, as a background of information dealing with this subject, I insert in the record at this point an article from the Des Moines Register of May 11, 1969; an article from the Washington Post of May 15, 1969, and another article from the Des Moines Register of May 7, 1969:

[From the Des Moines (Iowa) Register, May 11, 1969]

READY TO IMPEACH FORTAS—EXPECT STEP TO BE TAKEN THIS WEEK IF JUSTICE DOESN'T RESIGN POST

(By Clark Mollenhoff)

WASHINGTON, D.C.—Impeachment action will be brought against Supreme Court Justice Abe Fortas this week.

Representative Robert Taft (Rep., Ohio), Representative H. R. Gross (Rep., Ia.) and Representative Richard Poff (Rep., Va.) have discussed such an action with the House Republican leadership and approval has been given with assurance of firm backing.

G.O.P. congressional leaders have had discussions with Justice Department and White House officials, and have been told that the facts in the Life magazine article are correct relative to the $20,000 fee that Fortas received from the Wolfson Family Foundation in January, 1966, and deposited in his personal account.

AN 11-MONTH LAG

They have also been told that the story is correct in stating there was an 11-month lag before Fortas made out a check to repay the money to the foundation.

In addition, there is believed to be substantial corroboration of stories of key figures who have given testimony and affidavits of Justice Fortas.

Gross said Saturday he has an impeachment resolution prepared and will file it this week, or will co-operate with others in forcing immediate action in the House.

"It will be filed this week unless Fortas resigns," Gross said.

A simple majority of the House can impeach a federal judge and send the charge to the Senate for trial. The actual trial requires a two-thirds vote to oust a judge.

Members of the House and Senate have spoken out publicly in criticism of Fortas, including Senator Jack Miller (Rep., Ia.), Senator Harold Hughes (Dem., Ia.), Representative William Scherle (Rep., Ia.), Representative Wiley Mayne (Rep., Ia.), Representative Neal Smith (Dem., Ia.) and Representative John Culver (Dem., Ia.).

NO DEFENSE

No members of the House or Senate have made a public defense of Fortas and editorial comment is almost all critical.

A few—including Gross, Miller and Scherle—have said Fortas should resign his $60,000 lifetime job on the Supreme Court, but many have said they want to see if there is further explanation by Fortas that might modify their judgment.

Only a few, including Republican Senator Everett Dirksen of Illinois, have said they do not believe the Fortas-Wolfson relationship is an impeachable offense.

However, Representative Taft and Senator Robert Griffin (Rep., Mich.) state they have examined the precedents and have concluded that "bad behavior and failing to live up to proper ethical standards" is sufficient grounds for ousting a Supreme Court justice.

Perhaps the key figure is Alexander Rittmaster, former business associate of financial manipulator Louis Wolfson. Rittmaster, who had an intimate role in Wolfson's handling of the Merritt-Chapman & Scott stock, turned states evidence and was a major witness in the trial that resulted in conviction of Wolfson for violation of the Federal Securities Act.

According to the Life magazine article written by associate editor William Lambert, Rittmaster "said that the justice (Fortas) was there (at Wolfson's Harbor View Horse Ranch near Ocala, Fla.) to 'take care of' the SEC matter."

The Fortas visit to the Wolfson ranch was on two days in mid-June, 1966, at a time when Wolfson, Rittmaster and other business associates were concerned about a Securities and Exchange Commission (SEC) investigation that had been in progress for more than a year.

Lambert also reported in February, 1966—a month after the $20,000 fee was received by Fortas—Rittmaster met with Wolfson, expressed concern, and was told by Wolfson that the investigation would be taken care of "at the top" and would never get out of Washington.

Rittmaster has told Justice Department lawyers that it was in that February meeting with Wolfson that Wolfson first told him that Fortas was joining the Wolfson Family Foundation.

The Rittmaster version of the Fortas-Wolfson relationship is on record in the Justice Department, because it was essential to establish the credibility of Rittmaster before the prosecutors in New York could use him as a witness in the prosecution of Wolfson. At the time of the Wolfson trial, there was no direct interest in Rittmaster's comments about the alleged involvement of Fortas.

DIRECT CONFLICT

The statements that Rittmaster has made to the government prosecutors are in direct conflict with the brief statement that Fortas made last Sunday in denying that there was any impropriety involved in his relationship with Wolfson, or in receiving the $20,000 check and depositing it to his account.

Fortas said he received the fee with the idea it would be an advance for advice to the foundation on how to use its money "in the field of harmonious racial and religious relations."

The justice said that he has no reason to believe "that the tender of the fee was motivated by or involved any hope or expectation that it would induce me to intervene or make representations on Mr. Wolfson's behalf."

It would have been a violation of federal law for Fortas as a federal judge to have received any money for the purpose of intervening in any government agency on behalf of Wolfson.

"At no time have I spoken or communicated with any official about Mr. Wolfson, whether with respect to a pardon or his criminal cases or his SEC matters," Fortas said. "At no time have I given Mr. Wolfson or any of his family, associates, foundations, or interests any legal advice or services, since becoming a member of the court."

Atty. Gen. John Mitchell and Asst. Atty. Gen. Will Wilson, who heads the criminal division of the Justice Department, have been making every effort to obtain all information that will be helpful in determining if the Rittmaster or Fortas version is correct.

Wolfson, who less than a month ago started serving a federal prison term, is one of those whose testimony would be important in that respect.

HAD "CONNECTION"

In an interview with the Wall Street Journal in the days just before he went to prison, Wolfson said that he had such an important political connection that could have gotten a pardon from President Johnson in December if he had asked for it. He said he received the assurance "from someone who is as close as anybody could be" to Mr. Johnson.

There were indications in Washington late last week that Mitchell and Wilson were seeking to make arrangements to question Wolfson to determine if he would testify on his relationship with Fortas.

Reports from reliable sources indicate that Wolfson has been willing to co-operate, but that his lawyers are opposed to it unless there is some firm assurance that the millionaire industrialist will not end up in further troubles with the law.

Although indications are that no firm arrangements have been made for Wolfson to testify, a number of Republican congressmen have been told that there is "firm evidence" beyond the facts presented by Life magazine that make the Fortas case "even more serious."

It is reported by a reliable source that Attorney General Mitchell has been in communication with Chief Justice Earl Warren with regard to this additional information. Mitchell has told the chief justice that President Nixon is hopeful that the members of the Supreme Court will find a way to handle the Fortas matter without delay.

[From the Washington (D.C.) Post, May 15, 1969]

WOLFSON AIRS FEE TO FORTAS—$20,000 SET AS ANNUAL FEE, HE TELLS FBI

(By John P. MacKenzie)

Convicted stock manipulator, Louis E. Wolfson emerged yesterday as a prime source of the Justice Department's case of alleged financial impropriety on the part of Supreme Court Associate Justice Abe Fortas.

From the minimum security prison at Elgin Air Force Base, Fla., where he is serving a one-year prison term, Wolfson has told the Government that the $20,000 fee paid to Fortas in 1966 was the first installment in a planned annual fee arrangement.

In his brief explanation May 4 of charges that he accepted money improperly from the Wolfson Family Foundation, Fortas stated that a fee was "tendered" for a writing and research project in civil rights and human relations but returned "with thanks" when Fortas found he could not undertake the assignment.

Evidence obtained through Wolfson, apparently in an effort to reduce his prison term and a consecutive term of 18 months he faces in another case, indicated that Fortas's involvement was much deeper than the Justice implied in his statement.

[The Los Angeles Times reported that documents in the Government's possession, plus Wolfson's statement to FBI agents, are being interpreted to mean that Fortas was willing to assist Wolfson in an investigation by the Securities and Exchange Commission.

[Wolfson told the FBI last Thursday that his written agreement with Fortas provided for a $20,000 lifetime annual retainer that would go to his wife in the event of Fortas's death, the Times said.

[Before talking to the agents last week, Wolfson attempted to strike a bargain with the Government, the Times was told. But Justice Department officials are believed to have rejected Wolfson's offer. However, as a result of the FBI interview the Government was able to obtain the documents by means of subpoena.]

Fortas, meanwhile, remained silent in his Court chambers while the first steps were taken toward a House inquiry that could lead to his impeachment.

Apparently puzzled by Fortas's refusal to capitulate, the Justice Department turned up the heat with an announcement that it was prepared to cooperate, within limits,

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with an investigation by the House Judiciary Committee.

The Justice Department move came after more than a week of Nixon Administration efforts to kep eager House Republicans from rushing ahead with impeachment proposals. It appeared to be a measured further step to force Fortas to resign and avoid a Capitol Hill donnybrook over the Court.

Among those claiming knowledge that Fortas intended to resign, there were persistent reports that he wants to stay three or four more weeks—until the end of the term—and then quit without further fuss.

Others pointed out that a resignation under fire—unprecedented in Supreme Court history—would be construed as an admission of guilt and would not end the Justice's ordeal, especially if the Government actually has evidence to back up hints of more serious involvement with Wolfson, the imprisoned stock manipulator.

A major question mark was the potential role of Wolfson, one time corporate wonder boy and a Fortas client and friend who could become the Justice's principal accuser.

Wolfson entered the prison contending, in statements, interviews and advertisements, that he could have used high-level influence to stay out of jail. His lawyer, William O. Bittman of Washington, refused to comment on the case or say whether Wolfson was offering evidence in hope of shortening his prison term.

The tempo of events, climaxed by Fortas's sudden cancellation of a speaking date Tuesday night, had fed expectations that he might break his 10-day silence, either amplifying his May 4 response to a charge he accepted $20,000 from Wolfson, or announcing his decision to resign or to fight attempts to oust him from the Court.

Instead the first move came from Rep. Clark MacGregor (R-Minn.), who told newsment and the House that he had conferred by telephone with Attorney General John N. Mitchell about avenues the House might pursue.

MacGregor delivered a letter to Judiciary Committee Chairman Manuel Celler (D-N.Y.) asking for an investigation starting next Tuesday with Fortas and Mitchell as the first witnesses.

With the independent-minded Rep. H. R. Gross (R–Iowa) listening intently and still ready to file an impeachment resolution, Celler said he and William M. McCulloch (R-Ohio), the Committee's ranking Republican, had agreed on a course of action "to be taken in the not-too-distant future" that would satisfy Gross.

Later in the day Celler and McCulloch were believed to have conferred with the Attorney General at the Justice Department. At day's end McCulloch indicated that the plan of House action was not firm in detail but he would not elaborate.

A Judiciary Committee proceeding could result in an impeachment resolution submitted for floor action, but it could also be the burying ground for such a proposal. If a House majority voted impeachment, Fortas would be tried in the Senate, where a two-thirds vote would be needed to convict and remove him from office.

Shortly after MacGregor called for Committee action, the Justice Department issued a statement affirming that it had "no objections" to such a course and indeed could take no position for or against it under the customary separation of governmental powers.

Noting that the Department had not yet received any "formal communication" about Committee action, the statement concluded with a warning that the Administration could invoke executive privilege and refuse to tell the Committee—as it has refused to tell the public—all it knows about the Fortas case.

A spokesman said, "Any possible cooperation between the Department of Justice and the House would be guided on statutory and constitutional powers and obligations imposed upon each branch."

Mitchell has been under pressure himself to divulge what "certain information" he has conveyed about Fortas to Chief Justice Earl Warren, information that apparently clinches the case against Fortas in the Department's view.

While Sen. Edward M. Kennedy (D-Mass.) was calling again for disclosure and Sen. Robert C. Byrd (D-W. Va.) came out for Fortas' resignation, Majority Leader Mike Mansfield (D-Mont.) joined others in calling for caution by Senators in their public statements in case they should later sit in judgment on Fortas.

Asked last night about Kennedy's call for disclosure, Mitchell said he was not going to respond to each individual criticism of his handling of the Fortas case.

Meanwhile Gov. Ronald Reagan of California, who was in New York to accept a Horatio Alger award, said at a news conference that public confidence in the Supreme Court would be enhanced if Fortas resigned.

[From the Des Moines (Iowa) Register, May 7, 1969]

GRAND JURY PROBE WILL INCLUDE ACTIVITIES OF HIS LAW FIRM—UNDER INVESTIGATION BY JUSTICE DEPARTMENT

(By Clark Mollenhoff)

WASHINGTON, D.C.—A federal grand jury will investigate the activities of Supreme Court Justice Abe Fortas and the operations of the politically active law firm of Arnold, Fortas and Porter, it was learned here Tuesday.

Usually authoritative government sources said a Justice Department investigation has been underway for several months, and that the scope of the investigation is much broader than the $20,000 check that Justice Fortas allegedly received from the Wolfson Family Foundation while serving on the United States Supreme Court.

NOTE OF THANKS

Fortas says he returned the money with a note of thanks, but Life magazine asserts that the repayment of the money did not take place until 11 months after it was received and after the indictment of Louis Wolfson, the Florida financial manipulator, on charges of violations of the securities laws.

Attorney General John Mitchell and all of his top assistants are declining any comment on the investigation, but it was learned that Justice Department inquiries have involved the following:

1. The relationship between Fortas and Wolfson, whose reputation as a free-wheeling political operator goes back to the days when he was called before the Kefauver Crime Committee to explain his contributions and his role in the campaign of Gov. Fuller Warren.

2. The activities of the Arnold, Fortas and Porter law firm before and since Fortas resigned in 1965 after President Lyndon B. Johnson named him to be an associate justice.

3. The activities of the law firm on tax matters during the Johnson administration. Mrs. Fortas, who practices tax law under the name of Carolyn Agger, arranged to have two of her proteges appointed to the two top tax decision spots in the Johnson administration. Sheldon Cohen, a former member of the law firm and her assistant in tax matters, was named commissioner of internal revenue. Mitchell Rogovin, former head of the tax division of the Justice Department, admitted to The Register that he owed his appointment to that job to the support of Mrs. Agger Fortas.

4. A mysterious burglary and safe-cracking at the Arnold and Porter law firm last Aug. 26 that resulted in the loss of $22,160 in jewels owned by Fortas, and the discovery of documents in the law firm's office that had been reported to have been destroyed at the time they were important in a Toledo, Ohio, criminal case.

CRITICAL COMMENT

The operations of the Arnold and Porter law firm have been the subject of much critical comment in Congress over a period of years, but there was no noticeable activity on the investigations until after the Nixon administration took office in January.

Independent of the Justice Department activities, Senator Robert Griffin (Rep., Mich.) said it "is inevitable that a number of congressional committees will make inquiry into the relationships between Fortas and Wolfson."

The Michigan Republican, the key figure in blocking President Johnson's promotion of Fortas to chief justice, said he is confident "there will be an airing of a substantial amount of the information in this matter even if Justice Fortas does not resign or declines to appear before congressional committees."

"There are a number of inquiries into problems of ethics in government, administration of the federal judiciary, and the possibility of reforming the laws dealing with tax-exempt foundations," Griffin said.

NO KNOWLEDGE

Griffin said he had no personal knowledge of the Justice Department investigation of Fortas or the justice's former law firm.

"Our investigations last year left many unanswered questions for Justice Fortas declined to appear for further questioning," Griffin said.

At the time, Griffin said that what was revealed about the $15,000 fee that Fortas received for several lectures at American University was "only the tip of the iceberg."

The fund for the Fortas fee was collected by Paul Porter, Fortas' former law partner, from a number of former clients of the Fortas law firm.

LONG OVERDUE

Senator John McClellan (Dem., Ark.) said that even before the recent revelation by Life magazine, "Justice Fortas should have resigned from the court."

"In view of the facts developed in the Senate Judiciary Committee hearings, and the Senate refusal to confirm Fortas as chief justice, he should have resigned from the Court," McClellan said.

"His departure is long overdue, and the new information simply makes his resignation more urgent."

DOUBLE STANDARD

In the House, Representative H. R. Gross (Rep., Ia.) said the Justice Department should investigate Wolfson's complaints that he was the victim of a "double standard" of justice, and that he could have had a pardon from the Johnson administration.

Gross said that Wall Street Journal reporters interviewed Wolfson and stated that he claimed he could have secured the pardon from Johnson. Wolfson reported he received the assurance "from somebody who is as close as anybody could be" to Mr. Johnson.

The Iowa Republican said Wolfson's statement makes it incumbent upon the Justice Department to establish if someone did give Wolfson such assurances, and if that person had a position as close to President Johnson as was indicated.

NUTRITION AND HUMAN NEEDS

HON. EDWARD R. ROYBAL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 15, 1969

Mr. ROYBAL. Mr. Speaker, on May 8, the Senate Select Committee on Nutri-

tion and Human Needs held field hearings in Los Angeles as part of its continuing investigation into the serious problems of malnutrition and unmet human needs in the United States today.

I believe we all owe this committee a debt of gratitude for the outstanding manner in which it has conducted surveys in various sections of the country, brought out the real facts on the extent of hunger and human need in our Nation, and focused public attention on what has now become recognized as America's No. 1 domestic problem.

Through its work, the committee has performed a significant public service in the highest traditions of the legislative branch of our Government—and one, I am confident, that will result in positive and effective action by the Congress and the administration to help remedy the critical inadequacies in our public assistance programs revealed by the committee's diligent efforts.

During the Los Angeles hearings, Mr. Ellis P. Murphy, director of the Los Angeles County Department of Public Social Services, presented, on behalf of Chairman Ernest E.. Debs and the other members of the county board of supervisors, a comprehensive statement on the welfare program in Los Angeles, together with a series of suggested recommendations for susbtantial revisions in our public assistance programs to improve their effectiveness in dealing with the urgent needs of America's disadvantaged citizens.

Because of the importance of this subject, and the timely and thoughtful comments presented by Mr. Murphy, I include, in the CONGRESSIONAL RECORD at this point, the full text of his statement to the Senate Committee:

STATEMENT FOR THE U.S. SENATE COMMITTEE ON NUTRITION AND HUMAN NEEDS, BY ELLIS P. MURPHY, DIRECTOR, LOS ANGELES COUNTY DEPARTMENT OF PUBLIC SOCIAL SERVICES, LOS ANGELES, CALIF., MAY 8, 1969

I am Ellis P. Murphy, Director of the Los Angeles County Department of Public Social Services, appearing to testify on behalf of Ernest E. Debs, Chairman of the Board of Supervisors, and all other members of the Los Angeles Board. Supervisor Debs is very sorry that he could not appear here today to testify before you as his schedule required that he be out of town. I want to thank you for the opportunity to talk with you about hunger and malnutrition as seen from my viewpoint as the Director of a large county welfare department.

Prior to a discussion of specific areas on which I would urge this Committee to give serious thought, I would like to share with you some information regarding the welfare program in Los Angeles today.

We are beyond the half-million mark in the number of persons receiving public assistance in Los Angeles County. During each eight-hour work day, an aged person applies to us for Old Age Security every five and one-half minutes. Every four minutes we take an application from an adult for Aid to the Disabled. Thirty families apply for AFDC each hour. When you add up the number of applications we receive for all programs, Los Angeles County registers an application every thirty seconds of each eight-hour work day throughout the year.

When we look at past and projected caseload trends, we are startled to learn:

In the past ten years, the number of persons aided per month in Los Angeles County has increased by over a quarter of a million or 144 percent.

In the past five years, the number of Aid to Families with Dependent Children cases has more than doubled.

If this trend continues, by 1971–72 more than one-half million persons, men, women and children, will be aided by AFDC alone.

In the past 10 years, welfare expenditures in Los Angeles County have increased by 182 percent. Our current 1968–69 budget, which totals $522 million, reflects an expenditure of nearly $1.5 million every twenty-four hours, 365 days a year.

Our anticipated need for the next fiscal year budget already indicates an increase of more than $100 million.

If the expenditure rate continues, in five years or less, the Los Angeles County welfare budget alone will exceed one billion dollars.

Hunger and Malnutrition—In spite of the many constructive efforts Los Angeles County and our Department make, I regret to inform you that evidence indicates that hunger and malnutrition still exist in this County. Some reasons for our statements in this regard are as follows:

1. In our Aid to Families with Dependent Children Program, we approve over 1,000 therapeutic diet requests each month. Such requests are made by staff in cases where there is medical evidence that dietary deficiencies exist among AFDC families and children.

2. Out of the more than 1600 cases served last year by our program for protective services for children, 36% of the cases were identified as having as their primary problem the absence of food, clothes, or shelter.

3. We found from our pre-school compensatory education program, which is designed for disadvantaged children between the ages of 3 and 5 years, that around 500, or 8% of the total 6,000 children served suffered from *gross* nutritional neglect. Seven of the children were found to be suffering from advanced stages of rickets.

4. Our Department provides funds to purchase school lunches for public assistance children who, on the recommendation of a school physician or nurse, appear to be malnourished or suffer from other serious health conditions that might be related to nutrition. We find that approximately 210 children are being served daily through this program.

5. Nationwide experts testify that 5% of all Americans are born mentally retarded; and a lack of protein in the expectant mother's diet or an acute shortage of protein in children under the age of five is almost certain to cause mental retardation. A preliminary review of the Los Angeles County AFDC caseload revealed that about 10%, or double the national average, of children in our AFDC families are believed to be developmentally retarded. It is believed that this situation undoubtedly is at least partially related to inadequate nutrition in the families involved.

6. In California, the State has assumed responsibility for aiding families who are unable to support themselves. The County administers this program for the State. We find that approximately 53% of all the families in Los Angeles County being aided under the State program are receiving less than what the State itself says they need to live on at a minimum level of deficiency and health.

7. The Department has created what we term "severe neglect" caseloads in our Aid to Families with Dependent Children Program. The purpose of these caseloads is to give specialized attention to families who may be having difficult problems in money management or other fields related to adequate care of the children. We have some 167 of these caseloads which average about 38 cases each or a total of 6,275 cases. Though this is a small portion of our AFDC caseload, we do find that the problems of malnutrition and hunger are common in regard to these cases. The problems in these cases sometimes relate to inadequate funds to meet the food needs of the family as will be explained later on, but also may be related to the inablity of the parents involved to adequatly manage available funds.

I am as much concerned about the problem of "creeping malnutrition" in welfare cases in this County as I am with respect to cases of outright hunger. In the latter situation, we usually have some way of meeting the needs in the family, at least temporarily, if they are brought to our attention.

I want to point out, however, as indicated above, that approximately 160,000 of the approximately 350,000 children we are aiding in Los Angeles County on the State's Aid to Families with Dependent Children Program do not get enough money to meet their minimum needs for food, clothing, and shelter. This is because the State law creating this program arbitrarily cuts the grant off in individual cases at a certain level depending on the number of children in the case. This results in the following:

1. 55% of all families in this State program, which we must administer, are receiving less than the State itself says they need to live on.

2. The total AFDC caseload averages $12 per case per month below cost schedule, or 5 cents out of a dollar is not allowed by the State Maximum, and remains an unmet need.

3. The maximum allowed for rent for a family of four is $63.

4. The average allowed for food is $25 per person per month based on a four-step scale, according to age and ranging from $19.10 a month for an infant to $31.15 a month for a male adult.

It is difficult for us to understand how the State can on the one hand determine that a family needs so much to meet its minimum needs for food, clothing, shelter, etc., and on the other hand, continue to operate its program under a law that deprives 55% of the families of the need which the State itself says they need to live on. I would like to point out that the basic law which limits family aid grants in this State has not been changed since 1952, which means the State is almost 20 years behind in adjusting its grant structure upward to correspond to yearly studies which the State conducts that are designed to establish the amount of aid that families actually require to live at a minimum level of decency and health.

Our County Board of Supervisors, the Public Social Services Advisory Commission, and this Department have been extremely concerned over this matter, We have adopted several resolutions and reports urging the State to do something about this miserable situation and are currently sponsoring legislation to try to get the State law changed. It appears, however, that our chances for doing this are practically nil.

We believe that the Federal Government should establish a minimum national assistance standard that all states will have to adopt and that this standard should be adequate to meet the needs of families. We also believe that it is imperative that the Federal Government provide financing for the greatest portion of this minimum standard.

Resources for Meeting Needs Related to Hunger and Malnutrition—The Department of Public Social Services has the following resources for meeting the needs of persons who might be experiencing hunger or malnutrition:

1. *Federal financial assistance programs*—we administer all of the Federal categorical financial assistance programs including Old Age Security, Aid to the Blind, Aid to the Disabled, Aid to Families with Dependent Children, and a Medi-Cal program. In addition to this, we have an entirely locally-supported County General Relief program

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on which we are spending around $20 million a year.

2. *Emergent aid*—we have a system for getting emergent aid immediately to any person applying to our Department who is in need of such aid and who is eligible. Such aid may be issued either in cash or in kind for up to seven days at a time to meet a specific need for food or other emergent necessities pending receipt of an initial assistance check.

3. *Cash and in-kind supplemental aid*—no State or Federal regulations require that the full basic needs of welfare recipients be met. As a matter of fact, the laws and regulations have built-in provisions that usually result in failure to meet the full needs of many cases in the community. For this reason, it is often necessary for the local county to meet supplemental or emergent needs out of its own resources. In this County, we are spending approximately $3½ million a year for emergent cash aid and supplemental aid to meet emergent and other hardship needs in the State aid programs, particularly in the AFDC pogram. This expenditure is coming entirely from the local property tax dollar and is necessary because the State is not fulfilling its legal responsibility to meet the needs of families.

4. *Special needs over the State maximum*—Los Angeles County is spending another million dollars a year to meet what we call special needs of families in unusual or emergent situations where State grants are inadequate in the individual cases involved. This money is for items such as therapeutic diets, beds, stoves, and refrigerators.

5. *Accelerated issuance of warrants* (AIW)—Since 1964, Los Angeles County has had a system to accelerate issuance of initial checks to persons presumed to be eligible for aid and in need of assistance pending receipt of their first aid check. Teletype and high speed computers provide the Department the ability to issue a check the day following application, if this kind of a family emergency exists.

In the past 12 months, the Family and Children's District Offices in Los Angeles County processed over 40,000 accelerated requests. This figure represents those persons who were in immediate need and would have faced severe financial hardship if they had been required to wait the 15 to 30 days for eligibility verification and issuance of the initial aid check.

6. *Check writing in the district office system.*—On February 27, 1969, our Department initiated a new experimental system of writing checks in district offices. We feel the use of this system for issuing emergent aid has great merit and is working well. It effected significant reductions in the number of emergency grocery orders and clothing orders. There was also a reduction in the amount of cash issued. We found in this district that almost 80% of all emergent aid issued was for food.

This again is a progressive program in Los Angeles County to try to meet immediately the very basic food and other needs of our clients. We hope to expand this system to a county-wide program in the near future.

7. *Food stamp program*—The Food Stamp Program was implemented in Los Angeles on December 1, 1965. By January, 1968, Los Angeles County had the largest Food Stamp Program in the United States. Stamps are now sold by 101 sales outlets (95 banks, 1 credit union, and 5 Brink's mobile truck routes Almost all food store chains and many independent markets are certified to accept food stamps for food purchases.

In December, 1968, 21.2% of all public assistance recipients received Food Stamps in Los Angeles County. Of these, 33.6% were AFDC families (approximately 47,000 families or 158,000 individuals) and 14.5% were Adult Aid recipients. $30,700,000 was the value of Food Stamps issued in the year 1968 for which the recipients paid $21,600,000, and bonus stamps of $9,100,000 were issued.

Even though Los Angeles County has the largest food stamp program, less than 3% of the entire County population participates, while about 7% of the population is receiving some type of public assistance.

Despite its continual growth, the Food Stamp Program is not presently reaching the vast majority of low-income households who need more food. Although most public assistance recipients are automatically eligible, only 21% are enrolled in the program. An even smaller percentage, about 10% of potentially eligible non-assistance households, use food stamps. It is the belief of our Department that there are certain inequitable features in the Food Stamp Program which discourage client usage and also fail to provide adequate amounts of food for those families who are participating.

Some of these are as follows:

a. To qualify for food stamps, a non-assistance applicant must pass an income means test which is very low. In *many* instances, a non-assistance or mixed household is ineligible for food stamps even though the total household income may be *less* than that of an equivalent public assistance family.

Property limits are also more restrictive for non-assistance cases than for a public assistance adult aid case.

b. The Food Stamp Program is based on the concept of expanding a family's normal food expenditure as determined by net family income. Although expanding a normal food expenditure does increase the amount of food available, it does not mean that the increased food allowance is sufficient to meet a family's food need. We have very low-income families forced to spend almost half their total income for an insufficient amount of food. The more fortunate families with relatively large incomes spend less than one-fourth of their income to purchase a sufficient amount of food.

c. The Food Stamp Program is available only to households who purchase food stamps regularly. Families who show a repeated pattern of non-usage without "satisfactory" reason are terminated by regulation from the program.

This requirement is unrealistic in its expectation that there is constant buying power and money-management ability in limited income families who have no financial or social resources. It is also a severe limitation of the client's right to decide when and how often he will take advantage of a Federal program to which he is eligible. We believe this regulation is a primary reason for the low participation of public assistance recipients.

d. We also believe many potential non-assistance food stamp recipients do not enroll in the Food Stamp Program because they do not wish to be investigated and are fearful of potential social embarrassment. The unnecessarily complicated application and investigation procedures of the intake process tend to reinforce this negative feeling on the part of the client. When he goes to the store with stamps instead of cash, he is immediately identified by others as a member of the poor and probably on aid.

e. Despite vigorous recruitment by our Department, Los Angeles has only 101 sales outlets in the entire county. Some clients must travel long distances by public transportation and stand in lines for several hours to buy stamps. This problem has severely limited food stamp usage by the aged, disabled, and mothers who need to care for small children at home.

We have submitted several recommendations to the Department of Agriculture for improvement in this program.

Evidence of malnutrition and hunger has been noted in regard to the following programs which the Department operates:

1. *Day Care Centers*—Child care centers have been established by our Department to provide supervised child care thus enabling parents to pursue training or employment opportunities. Almost immediately we found ourselves becoming involved in meeting the basic needs of children brought to the center. What started out as a mid-morning and mid-afternoon snack and lunch turned into three full meals a day. The following are examples of observations made by staff at the centers:

Many children had never been served food at a table before.

The taste and texture of "ordinary" foods such as juices, fresh fruit, and meat other than hot dogs, hamburgers or broiled meats, were new experiences for the children.

Parents "borrowed" the sample menus from the center.

Some of the children initially grabbed at their food and had to be restrained to avoid overeating to the point of sickness.

2. *Protective Services for Children*—Social services for the parents of children who are alleged to have been neglected or abused are available through our agency to all families in the Los Angeles community. A careful look at the program servicing families *not* on public assistance reveals that:

66% of all protective service referrals for 1968–69 were found to be former or current welfare recipients or persons with income below the poverty level.

Out of the 1622 cases served last year, 36% were identified as having as their primary problem the absence of food, clothes, or shelter.

Research done in conjunction with a Brandeis University study in 1968 revealed that both in California and nationwide, over 4% of the children reported under the mandatory child abuse reporting laws were suffering from malnutrition.

3. *Pre-School Compensatory Education Program* (*Head Start*)—This joint State Department of Education-State Department of Social Welfare program provides enriching experiences and training for disadvantaged children between the ages of 3 to 5 to help compensate for differences in their background and to hopefully avoid future failure in school. The Los Angeles County Department of Public Social Services determines the eligibility of all children in this program. Children receiving aid make up approximately 4,000 of the total 6,000 capacity.

Each child entering the program has a complete medical and dental checkup and provisions are made for necessary corrective action. The following problems are only some of the many revealed by these tests:

Almost 500 children, or 8% of the total 6,000 suffered from *gross* nutritional neglect.

Over 50% of the 6,000 children required extensive dental repair work.

7 children were found to suffer from *advanced stages* of rickets.

All of these conditions are believed to be directly attributable to inadequate or deficient diet for these children from birth to age 3.

4. *School Lunch Program*—Under a long-standing order of the Los Angeles County Board of Supervisors, the Department of Public Social Services will reimburse P.T.A. Districts or School Districts for milk and lunches which they provide to selected children at various schools. The child selected must be a member of a family currently receiving public assistance and the school physician or nurse must recommend the child receive milk and/or lunches because of malnutrition or other serious health conditions.

The Los Angeles County Department of Public Social Services acts as fiscal intermediary for the County in providing reimbursement for milk and lunches to the participating P.T.A.'s.

Approximately 210 medically certified children were served daily through this program. This amounts to over 4,000 lunches

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served during a month at a cost to the County of $1,500.

Recommendations—The Welfare system is complex and, I feel, much more complex than it needs to be. We do need to accomplish two things. We must provide a just and reasonable income to those who cannot secure it for themselves through the mainstream of employment; and we must provide money as accurately and quickly as we possibly can. I believe that the great majority of Americans desire their government to provide adequate food, clothing, shelter, medical care, and appropriate social services to dependent children, the aged, and disabled. Our present system would appear to be incapable of dealing with our current problems. No one—recipients, workers, welfare administrators, legislators, taxpayers—is happy with the present welfare structure and system.

Although the recommendations listed below, if carried out, would do much to bring about improvements in the system, they would still be only patchwork approaches. Some of these changes require Federal legislation, some State, and some could be implemented by administrative action at one level or the other. I reiterate, however, that in my opinion a totally new approach must be developed in order to meet the basic needs of people in our country, and the following seven suggestions are offered only as interim measures:

1. Establishment of financial need as the only criteria for income assistance with full Federal financing.

2. Elimination of the State maximum and establishment of a welfare standard based on current prices and payments of full need.

3. Expansion of the Day Care Center program with primary emphasis on meeting the needs of the children for three meals a day and supervised child care.

4. Increase the number of sales outlets for Food Stamps with consideration of new sources including use of governmental agency facilities such as the Post Office and the Social Security offices.

5. Revision of the Food Stamp Table to provide that the amount of food needed for families is based on the size of the family rather than on family income. It is difficult to understand how the minimum food needs of families would vary by the amount of money they have.

6. Experimentation in our urban center with the distribution of free Food Stamps to selected low-income groups, and the certification and issuance of food stamps by mail. We hope to start a pilot project in this method soon.

7. My seventh recommendation for your consideration is Federal participation in a General Assistance program aid payment and administrative costs. Program gaps in the Federal categorical programs have necessitated state, county, and city financial welfare programs. The costs keep rising as sources of local revenue are shrinking. The problems creating the need for GA programs are regional and national. The greater availability of revenue sources and the broader tax base at the Federal level warrant Federal assistance in their resolution. The character and adequacy of present GA programs in our country are subject to interstate and intrastate diversity in eligibility criteria, methods of administration, and benefits levels. Some states have virtually no GA programs; a few have programs as liberal as their Federal categorical aid programs. But generally, benefits are lower. Such discrepancies are unfair to clients as well as to responsible state and local governments and their taxpayers. Counties such as Los Angeles which have attempted to liberalize their programs must do so at the expense of disproportionately taxing the local property holder. Federal financial involvement is conducive to program coordination, standardization, and liberalization; and would more equitably distribute the costs and burdens of GA programs within and among the States.

In conclusion, I would like to express my appreciation for the opportunity to talk with you today and for your interest and concern over this very serious national problem.

THE COMMUNIST TECHNIQUE

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 15, 1969

Mr. RARICK. Mr. Speaker, possibly no clearer statement on the Communist movement, their infiltration tactics, and their exploitation of well-meaning causes and people can be found than the report in the Herald of Freedom of May 16, 1969, entitled "The Untouchable Communists."

Under unanimous consent I submit the Herald of Freedom for inclusion in the CONGESSIONAL RECORD, as follows:

[From the Herald of Freedom, May 16, 1969]

THE UNTOUCHABLE COMMUNISTS

Typical college activities were described in a recent newspaper: "Guard Ordered to Negro Campus," "Court Order Is Read to C.C.N.Y. Rebels on the Campus," "Students Accuse Cornell of Bias," "Bronx Community College Students Occupy Building 12 Hours," "40 Sit in 4 Hours at N.Y.U. Office," "Fire Scars Harvard Room," "240 Held in Alabama, R.O.T.C. Office Fires," "3 Fires at Temple," "Students Assail R.O.T.C.," "Oswego Picketed," "Teachers on Hunger Strike," "Wesleyan Students Protest," "Pratt Plans To Arrest and Expel Disorderly Students," "Marshall Warns Negro Militants" (at Dillard University). This was one day's digest of college news and was one of the milder days with no kidnappings or hostages held at gunpoint, no buildings destroyed.

This is the harvest now being reaped from seeds sown by the International Communist Conspiracy. Under the guise of "academic freedom" and "spontaneous dissent," the Communist Party advances its plans for world-takeover. Enthusiastic but inexperienced and misinformed (about Communism, at least) students make the ideal vanguard for their revolution to overturn the existing order in the United States and other parts of the world where they have not yet gained complete control.

Dr. Bella V. Dodd, whose recent death was a great loss to the free world, left behind her words of wisdom and advice which should be heeded by all who would avoid being drawn unconsciously into the Communist net. Dr. Dodd was especially well informed concerning the Communist machinations in the field of education and politics. She herself had been fooled by their high-sounding humanitarian slogans and seeming interest in bettering living conditions and helping the "poor and the oppressed." She was gradually drawn into the Communist Party through working with them for "causes" in which she was interested and finally going all the way by becoming an open Communist. Once on the inside, however, she discovered what a fraud all the Communist interest in human welfare really is and was honest enough to realize that she had to break from Communism.

After going through a long and painful period of cutting her Communist ties and finally being expelled with a resolution by the Communists designed to ruin her reputation and credibility, Bella Dodd spent the rest of her life combatting the evil forces working for the destruction of the United States. She testified before Senate and House committees and gave information to the F.B.I. Much of her testimony was given in executive hearings and has never been made public. Some of this testimony was so damaging to important figures that even the stenographic notes have disappeared. In open hearings she was warned again and again not to mention names, so careful were the legislators to protect the "innocent."

Bella Dodd lived to see many of the programs planned by the Communists in the 1940's for the purpose of establishing a Soviet America becoming a reality. She testified that, after many years of careful planning, the Communist Party was able to plant secret members in the teaching profession, in universities, colleges and high schools. As of 1949 Dr. Dodd knew of 1500 actual Communist Party members in the teaching profession but there was a much larger number of sympathizers and fellow-travellers working with them. Through the underground apparatus, these professors were made aware of which students could be counted on to help promote the formation of Communist cells and the taking over of student organizations already in existence or the formation of new controlled ones.

To understand what is going on in the United States today, it is necessary to understand Communism; and to understand Communism, it is necessary to learn from one who has lived it. Such a person was Dr. Bella Visono Dodd. She was highly intelligent, personable and sympathetic to people so that she wanted to dedicate her life to helping mankind. Her first efforts were in organizing teachers, since she was one herself and was therefore personally interested in their welfare, so that their jobs would be safe and they would have "tenure." She next became an active anti-Fascist, having seen Fascism in action on a trip to Europe. She testified:

"I came back in 1932 with a sense of pending disaster, the feeling that fascism and nazism was something which was to be deplored. I saw students on the University of Berlin campus beating each other up. I saw knives, guns, stones being used. I came back in the United States as a confirmed anti-Fascist."

When her aversion to Fascism became known she was approached by a Communist, asked to cooperate with the Communists in their anti-Fascist activities and taken to meet Earl Browder, head of the Communist Party, U.S.A. Dr. Dodd testified:

"I raised the question of whether I should or should not belong to the Communists with this woman, Harriet Silverman. She said, 'No, it is not advisable for people like yourself, who are in strategic positions, to become members of the Communist Party, to have a card, or to attend meetings. We will bring literature to you. We will have you attend private meetings. We will instruct you personally.' . . .

"From 1935 on, I was invited to Communist Party meetings, secret meetings, and caucus meetings, unit meetings. I was invited wherever the work I was doing, whether it was the A.F. of L. trade-labor council, State federation of labor, or in the American Labor Party, of which I became an active leader, or in the teachers' union, of which I became an officer. Wherever the work which I was doing was going to be discussed by the Communists at their meetings, I was invited and I was made part of the movement."

Although not as yet a Communist (officially) Bella Dodd was used by the Communists to carry out their plans. She stated her value to the Communists when testifying in hearings on "Subversive Influence in the Educational Process:"

"I was one of the people used by the Communist Party to help control the mass organizations. There are three different levels, you know. There is the party functionary,

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the person in unions or mass organizations who is just aware of the do-good principles of the Communist Party; and then there is the underground spy apparatus and police apparatus, with which I had nothing to do and knew nothing about. I learned much later that even in my union (Teachers Union) there were contacts with the teachers on the part of people like J. Peters, who later on I learned was an international spy. I knew him as a mousy little man who was active in the New York County unit of the Communist Party. I did not know him as an international spy, nor did I know his name was Peters. I knew him by the name of Steve Miller."

By the end of 1943 the Communist Party was ready, however, to have Bella Dodd move out of the "do-gooder in mass organizations who is secretly controlled by the Communists" class, and into the party functionary class. She was one of 30 or 40 secret Communists to be brought out into the open. She testified:

"I was therefore given a card, assigned to a unit, and began to pay dues and to be a member in an official sense. My name, however, was not announced to the public until the convention of 1944, which was the so-called convention for establishing the Communist Political Association of the United States, which did away with the Communist Party. . . . The same people ran it and the same literature, only they were getting ready for this program of the integration of democracies." (The Communists had been told that the Teheran Conference would provide the program of unity of England, France, the Soviet Union and the United States, the great "democracies" which were going to run the world.)

It was only when she became a Communist Party functionary, a salaried employee of the Party, that Bella Dodd learned the true story and realized she could no longer serve this evil conspiracy:

"I walked into the State office of the Communist Party in 1946, in the fall of 1946, and said that I refused to work for them any longer because what I had seen in the period, particularly 1945 and 1946, made me realize that I was face to face with something which I had never bargained for. I was face to face with brutality, cynicism, and with an orgnanization which said one thing and did another. There within the party I saw things which I did not and could not have seen as a trade-unionist or as a member of a mass organization or as an intellectual or as a person who believed in the welfare of my fellowman. It was only when I got within the sacred precincts of the party that I actually saw the things which are abhorrent not only to decent people but to anyone who has any feelings for his fellowman."

Dr. Dodd found that it was not possible to just walk out on the Communists; she was informed that she could not drop out, she had to be "expelled." This took place finally on June 19, 1949 accompanied by a resolution of expulsion which stated that she was anti-Negro, anti-Puerto Rican, anti-Semitic, anti-working class and degenerate. Bella Dodd described the Communist attitude toward herself or any person who might seek to escape from the Communist clutches:

"It is the same attitude as you have toward anyone who is an apostate, a person who is no longer with you. Everything has to be done to destroy that particular person. What you do is gather information and use it to affect him emotionally, you try to drive him into a breakdown, you try to destroy him economically by making it impossible for him to be employed, and you also destroy his personality as a person."

She asked a Party member the reason for the vicious resolution expelling her and was told:

"Bella, we had to make it impossible for you ever to have any credence or support from anybody. We had to make it impossible for you ever to rise and talk against us."

The Communists failed and Bella Dodd did rise and did talk against them, but it took a long time. She explained:

"It takes you a long time to become a Communist, and it takes you an equally long time to unbecome a Communist. Your thinking processes become sort of a reflex action. It takes a conscious struggle with yourself and an understanding of what Communism is in order to disentangle yourself.

"Also, you have to find a doctrine, since Communism is an all-embracing philosophy which embraces everything you do, which determines the kind of marriage you have, your relations with your children, your relationship to your community, your relationship with your profession. It decides and makes decisions for you. Once you are out of it you are left in a vacuum."

"Communism is not just a belief in economics or in politics or in foreign affairs; it is not just the support of the Soviet Union. Communism is a whole philosophy of life. It permeates everything that you do. It permeates your family life, your relationship with your friends, your business relationships, the professional relationships. It has to do with your own thinking of what the importance of man is. . . .

"Now, many people break with the Communist Party—because the Communist Party has a tremendous turn-over; people come in and go out—but do not find any new philosophy to substitute for it. Therefore, they live as vacuums, and many of them disintegrate. I mean just become morose people, or people who are just lost to a decent living. . . .

"The Communist Party in America is a conspiracy, It is both a legal and an extra-legal and an illegal apparatus. It is a mechanism for bringing about the preconditions for a Marxist-Leninist victory in America."

Now we are asked to believe that a teacher can be a Communist and still be an efficient and satisfactory teacher, separating the two parts of his life. Bella Dodd has explained that this is impossible:

"No Communist who knows he is a Communist can be a free agent. He is a soldier in the international army of world communism, and he has a devotion to that principle over and above anything else there may be. It is not like just being an ordinary liberal or an ordinary radical. You are part of an international organization. You meet at least once every 2 weeks with the people who are the party apparatus. There is no such thing as freedom for a Communist college teacher. . . .

"The Communist teacher has a very definite function to perform. He must not only make himself an agent of the class struggle; he must indoctrinate other teachers in the class struggle, and he must see that their students are indoctrinated in the class struggle . . . the student is considered to be in rebellion against the bourgeois state. It is the function of the teacher to fan that rebellion and to make the student recognize that only by establishing a Soviet system of government will you be able to be free. . . . There is no doubt about it. This was the function of a Communist teacher: To create people who would be ready to accept the Communist regime."

At the present time the head (Michael Klonsky) of the Students for a Democratic Society, the "student" organization causing most of the campus disorder, is the son of an open Communist. At the present time one of the most active of "Catholic" activists (James Forest) is the son of an open Communist. The do-gooders whom these people have fooled, however, always rush to their defense. The Communist Party is well prepared also to defend and protect its own. Dr. Dodd testified:

"The Communist Party knew how to fight very effectively against anyone who touched the Communist movement. If anyone tried to attack the Communist movement, the Communist Party immediately went among the liberals, among its allies, and on various bases got the support and help of these people to smear and to isolate the person who was hurting Communists. . . . It was a very common technique. You then used all the facilities which the party had. It had representatives, for instance, in the press, representatives in the magazine world, in the radio world. If everyone is concentrating upon one particular person, you get the cumulative effect of a party working on many different levels. . . . There is absolutely no doubt in my mind that anyone in America who dares to buck the Communist conspiracy is going to receive very rough treatment from the Communists, who learn how, unfortunately, to utilize many unsuspecting people, who think that they are supporting freedom of thought but who in reality are the best protections for the Communist conspiracy."

The threat of Communism is minimized (a Communist technique) to the point where every conceivable reason is advanced for the disorder and lawlessness in the United States except Communism; and anyone who dares to suggest the involvement of Communism or Communists is subjected to the treatment outlined above. Bella Dodd has warned, however:

"Communism is the challenge of our times, and until that challenge is actually met and resolved, nothing else is important. The teachers who talk freedom, either academic or otherwise, must understand that there will be precious little freedom if this conspiracy is not overcome. . . ."

During her career as an active anti-Communist (which is what the sincere former Communist must become) Bella Dodd revealed to us much information about the inner workings of the Communist Conspiracy which government hearings did not bring out publicly. She has stated that the real strength of the Communist Party is in its underground, the total membership of which is known to very few people, even within the Party itself; and those who do know are on the highest level. The really important Communists are kept in the underground and not permitted to attend meetings nor even to associate with known Communists.

Trusted secret Communists are assigned to special "sleeper" posts. They must be free of Communist taint and be able to withstand careful investigation. Some are deliberately built up in the public image as anti-Communists; some are promoted through other hidden Communists for public office, and still others are assigned to make deep penetration into the military forces and police departments. Certain select secret Communists maintain contact with others employed in the various communications media—radio, television, newspapers, magazines, book publishing, motion pictures and entertainment. The underground-contact individuals pass along important objectives of the Communists to their counterparts and are often used for character assassination.

So powerful was the Communist influence in Hollywood as a result of Marxist-minded executives, producers, directors, and writers, that Hollywood actors and actresses were required to give benefit performances for fund raising purposes for Communist-front organizations. Failure to cooperate meant the finish of a promising career. Important individuals, particularly those who came from wealthy or influential families, were frequently brought into the Communist underground movement on the personal recommendation of a member of the National Committee of the Communist Party under a fictitious name. Their true identities were

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never made known to the members, not even to functionaries. No more than four or five people in the entire country would know who they were.

The Communist Party has had hundreds of special committees which undertook assignments from the central or executive committee of the Communist Party. These committees are for the most part unknown to the general membership and the very existence of such committees would be denied. These units engaged in such activities as comprising individuals to get them under Communist control; getting important Communist Party members to commit illegal acts so that in the future they would never be able to defect, and other such activities. Special commitees studied and planned programs of vilification, character assassination, and immobilization of anti-Communist organizations and individuals. These committees maintained through "cut-outs" liaison with "sleepers" or underground members in the communications media.

Within the Communist underground there is a full military structure: trained saboteurs, demolition experts, guerrilla warfare experts and assassins. There is, in fact, a complete shadow or duplicate-type government ready to go into operation if and when the occasion calls for it. These individuals are trained and assigned posts similar to our military-civil government personnel. The Communist Party, through sleepers and underground members, owns and operates many businesses throughout the country. Some of these include office buildings, hotels, import and export firms, nightclubs, restaurants, book publishing firms and numerous other ventures. The Party maintains bank accounts and investments in the names of private individuals who are under discipline of the Party. They also maintain numbered bank accounts in Swiss banks.

Bella Dodd has stated that, of the approximately 2 million living former members of the Communist Party, at least one million can definitely be counted on to help the Communists when the final revolution breaks out.

The present failure of the U.S. government agencies to take action against what is obviously a pending revolution (college disorders and Negro riots) is unquestionably the result of Communist influence, as only the Communists have had revolution as their goal for years. The hidden revolutionary string-pullers are the most dangerous of all the "Untouchables" as they are seeing to it that the revolution keeps going when it is within their power to stop it.

I. F. STONE LOOKS AT THE BUDGET

HON. WILLIAM F. RYAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 15, 1969

Mr. RYAN. Mr. Speaker, in examining the Nixon administration's budget cuts for fiscal year 1970, the question arises as to where the cutbacks in Government spending are actually taking place and which agencies are really being deeply affected. Is the proposed reduction in the Department of Defense budget requests really going to lessen military spending? Or is the administration hiding the real impact of the budget cuts by making illusory cuts which have no real effect? The actual cutbacks for the most part are in domestic programs, and the publicized defense cut of $1 billion must be evaluated in the light of the fact that it is a reduction in a projected $4.1 billion increase.

Several gimmicks indicate the administration's priorities. By means of padding, making cutbacks on planned increases, and making increases on planned cutbacks, is the administration twisting facts about the spending of Federal funds.

A glaring example is the budget surplus. Both President Nixon and former President Johnson pointed to a surplus as necessary to curb inflation. The surplus is actually used to make up for accumulated deficits, or it is used as an emergency fund to fill in the gaps of the "uncontrollable factor" in the budget. These "uncontrollable factors" are for the most part military budget items resulting from the war in Vietnam and the high cost of research and development of projects such as the ABM. However, if the $10.2 billion in the trust fund reserves were deducted from the $5.8 billion projected budget surplus, there would be a deficit of $4.4 billion.

Lumping trust funds with general revenues exaggerates the Government's contribution to health and welfare programs, while at the same time it makes the defense budget seem smaller in proportion to the overall budget.

I. F. Stone examines this problem in the May 5 issue of I. F. Stone's Weekly. In the lead article, "Uncle Sam's Con Man Budget," I. F. Stone states:

> The Cut in military spending came out of a lot of fat, whereas the cut in health, education, welfare, and domestic services, came close to bone and gristle.

His article describes how the apparent military cuts do not represent any real change in the expanding military budget. I have continuously stressed the need for a reordering of our national priorities, bringing the military budget under control in order to reallocate our resources to urgently needed domestic programs. The runaway spending of the Pentagon must be stopped.

I hope my colleagues will read this timely article by I. F. Stone and urge that they similarly give a critical eye to the budget proposed by the Nixon administration:

[From the I. F. Stone's Weekly, May 5, 1969]

UNCLE SAM'S CON MAN BUDGET

It's fortunate for the U.S. government that it is not subject to the SEC. Any corporation which filed annual financial reports like the new Federal budget would run afoul of SEC accounting requirements designed to protect the investor. Let us begin with the claim that it now has a surplus instead of a deficit. If a present-day conglomerate had among its subsidiaries an insurance company, and set up its over-all annual accounts in such a way as to make it appear that the legal reserves of its insurance company were available to meet a deficit in its other business operations, that conglomerate would soon find itself hailed into court by the SEC or its own stockholders. Nixon's claim of a $5.8 billion surplus for the coming 1970 fiscal year is based on just such fiction. It is achieved by lumping the surpluses in the government's trust funds with the deficit in its normal operations. Johnson did the same thing in January when he unveiled his 1970 budget and claimed a budget surplus of $3.4 billion. The main source of both claims to a surplus lay in the huge social security funds, the government's public insurance business. These and other trust funds are segregated by law and not usable for any other purpose.

SAME FLIM-FLAM JOHNSON USED

When Johnson presented his budget, Senator Williams of Delaware pointed out that the Johnson calculations of a surplus for both fiscal '69 and '70 were based on the existence in 1969 of a $9.3 billion and in 1970 of a $10.2 billion surplus in these trust funds. "Under the law," Williams told the Senate, "no Administration and no Congress can divert these trust funds to defray the normal operating expenses of the Government." Williams said that if this bit of deceptive accounting were eliminated, it would be seen that Johnson had a deficit of $6.9 billion instead of a surplus of $2.4 billion in fiscal '69 and a deficit of $6.8 billion instead of a surplus of $3.4 billion in 1970. Senator Willims told me after Nixon's budget revisions were made public that all his criticism of Johnson's budget was equally applicable to Nixon's. Nixon's claimed $5.8 billion surplus for 1970 was really a deficit of $4.4 billion if the trust fund reserves were deducted.[1]

Of course this method of Federal accounting has been going on for years and of course it accurately measures the net impact on the economy of Federal collections and payments from the standpoint of inflation. In earlier days this was called the "national income account" as distinguished from the administrative budget. But the administrative budget is the better index to the government's fiscal solvency since deficit in normal operations does not become visible in the consolidated cash account or "unified budget" until the deficit has grown so large that it even wipes out the surplus in the trust funds. The danger signal blinks later in the "unified budget". Earlier budget messages used to give both the consolidated account *and* the administrative budget. But though the basic 1970 budget presentation takes four separate volumes which total 2,012 pages (and weigh, even in paperback, 7 pounds), there is no place in it where one can find the administrative budget. Why admit that the operations of the government are still in the red, if you can make it look as if they are in the black? The $10.2 billion surplus in the trust funds helps to dampen inflation but it is not available to buy bombs for B–52s or to feed the hungry.

The "unified budget" has another effect. It understates the extent to which the war machine eats up public revenues. The first chart in the budget message purports to show that 41 cents of every dollar in expenditure goes to the military. But if the trust funds of the government are separated from the rest of its activities, then the military share is about 55 cents. The sums Americans pay into social security trust funds for unemployment, old age and other insurance are no different in this sense from the sums they pay private insurance companies. There is no more reason to lump public insurance than private insurance funds with the general revenues of the government in measuring the impact of military expenditures.

PENTAGON TAKES 56 CENTS OF EVERY DOLLAR

The way to begin to see the real fiscal impact of the war machine is to begin with the memorandum line on p. 526 of the main budget volume where "receipts by source" are shown. This discloses that of $198 billion in receipts, $51 billion is in trust funds. This leaves available for the general purposes of the government $147 billion. If you next turn to the table on "budget outlay by function," you will find $81.5 billion for national defense. So national defense takes 55 percent of this $147 billion. Then if you look more closely you will see near the foot of the expenditure table $2.8 billion for civilian and military pay increases. The Pentagon's share of that, for its employees in *and out* of uniform (the Pentagon employs nearly one-half of all the *civilian* employees in the government) is $2.5 billion. When that additional pay item is added, the total for national defense is $83 billion, or better then 56 cents of every dollar available. That is a third (actually 36%) more than the 41 cents shown in the first budget chart.[2]

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[1] Williams also criticized Johnson for failing to include in the 1970 budget a $2.7 billion Commodity Credit loss which the government must pay sooner or later. Nixon, too, brushed this same item under the table. To carry on the same metaphor, $2.7 billion is quite a crumb.

At the same time, lumping the trust funds with the general revenues exaggerates the government's contributions to health and welfare. Johnson boasted that outlays for health and welfare in his 1970 budget would be $55 billion "which is 28% of Federal outlays . . . more than double the level prevailing in 1964" when his War on Poverty was launched. But $42.9 billion of this was to come "from self-financed trust funds for retirement and social insurance and Medicare." So almost four-fifths of this benevolent munificence was from the beneficiaries. Only the difference, $12.1 billion, represents outlays from the general revenues. That is about 8%, not 28%.

While the government was to pay $42.9 billion from these insurance and health trust funds, it would collect a total of $45.8 billions in fiscal 1970, or almost $3 billion more than it paid out. This addition to the surplus in the trust funds is, of course, anti-inflationary, for it cuts down purchasing power, but this is purchasing power at the bottom of the economic pyramid, taken from those least able to pay. Regarded as taxation, social security deductions from payroll represent a savagely regressive—and, unlike so many income taxes, inescapable—form of taxation. I can remember, when social security legislation was first being drafted in the early days of the New Deal, writing editorials proposing—as did other liberals and radicals—that it be financed out of income taxes so as to create a more equitable distribution of wealth, taking funds from the top of the pyramid to ease poverty at the bottom. The Social Security system adopted, which we still have, essentially takes from the poor what it gives them, and gives less than it takes.

The Welfare System and the War on Poverty were admissions that social security was abysmally inadequate. But Johnson's War on Poverty was made to look far more extensive than it was, and Nixon's revisions use the same deceptive computations. "Our 1970 Revised Budget," says a Budget Bureau statement of April 14, "involves *a 10% increase over FY '69 in spending for the poor* (italics in the original). This reflects our deep commitment to the underprivileged." The Budget Bureau statement did not explain, however, that this also represented a cut of $300 million in Johnson's poverty recommendations for fiscal 1970—nor that much of this bloated estimate is padded out with normal payments from social security.

HOW THE FIGURES ARE PADDED

Johnson claimed he would spend $27.2 billion on "Federal Aid to the Poor". Nixon out of that "deep commitment" revised this downward to $26.9 billion. The biggest item in Johnson's as in Nixon's, Federal Aid to The Poor compilation (at p. 47 of the main budget message volume) is $13.5 billion for "income assistance." My curiosity was piqued by a discrepancy of almost $10 billion between this item and a passage at pages 42–3 of the Budget in Brief. This said that Federally aided public welfare would in fiscal 1970 provide assistance to a monthly average of 10 million individuals at a total cost of $7 billion. "The Federal share," it said, "was $3.7 billion." When I asked the Budget Bureau where the rest of the claimed figure of $13.5 billion came from, I got this compilation (in millions):

Administrative expenses	$600
Old age pensions	6,300
R.R. retirement pensions	400
Unemployment insurance	500
Veterans' Administration[1]	2,100
Total	9,900

[1] The Budget Bureau, when I asked what the Veterans' Administration had to do with the war on poverty, explained that 80% of veterans' pensions, 75% of veterans' survivors' pensions and 20% of other veterans' benefits had been counted as "Federal Aid to The Poor" in the Johnson table!

The figures given me were "rounded" and so the final totals do not quite match but this $9.9 billion of "padding" explains how that $3.7 billion in Federal welfare income assistance was made to look like $13.5 billion.

It is fortunate that few people on welfare spend their spare time reading the Federal budget. It would foment riots. The Budget Bureau "press kit" for Nixon's revisions of the 1970 budget says these involve "hard choices" and are part of the Nixon Administration's "concern for the poor." Nixon added $300 million for dependent children but squeezed $200 million of this out of a projected increase in our pitifully low old age pensions. "For the aged," the same Budget Bureau explanation says, "a 7% social security cost-of-living increase is included in the revised 1970 budget." It does not explain that this is a revision *downward* from the 10% increase recommended by Johnson, nor that Nixon also shelved Johnson's proposal to increase the minimum from $55 a month to $80 a month. There are 2,000,000 Americans—believe it or not—now expected to enjoy retirement on $55 a month! Instead of getting a $35 raise to $80 a month, they will only receive the general 7% increase, though I was told this would be "rounded off" so that instead of a mere $3.85, they would get $4 or $5 a month more. This could bring them up to $60 a month. Thanks to the Administration's concern for them, moreover, the revised legislation "includes liberalization of the social security retirement test" allowing them to earn more outside income without having it deducted from their pensions. The liberalization turns out to be $120 a year, about $2 a week[3] and raises the ceiling on allowed earning to $36 a week! What a dolce vita!

Roughly a billion each was cut out of social security and out of the military budget by Nixon. This symmetry of sacrifice is deceptive. Before anyone starts dropping pennies into cups for the Pentagon, I would like to lift the curtain on another murky corner of the budget. To evaluate the Nixon military "economies" you have to go back for another look at the Johnson budget for 1970. This projected a drop of $3.5 billion in the costs of our "Southeast Asia operations." This was to be our first dividend on the road to peace, the money to be saved principally by ending the bombing of the North. Johnson in making up his budget could have allocated this $3.5 billion to welfare or to the rebuilding of the cities. Instead Johnson's budget allocated $4.1 billion more to military spending *unconnected with the Vietnam war*. This accounts for the fact that in his 1970 budget the cost of national defense rose by more than half a billion dollars over 1969 despite the projected $3.5 billion drop in the costs of the Vietnam war.

A MONSTER AT THE HEAD OF THE TABLE

This favored treatment of the military machine has to be seen against the background of a figure revealed in the Nixon revisions. His revised budget estimates for fiscal 1969 which ends next June 30 discloses that $7.3 billion had to be squeezed out of the normal civilian and welfare operations of the government in this fiscal year to meet the expenditure ceilings imposed by Congress as a condition for voting the 10% surtax. This squeeze over and above the original 1969 budget was made necessary by an unexpected rise in certain "uncontrollable" items exempt from mandatory ceilings. *The biggest uncontrollable item was the Vietnam war which cost $3 billion more in fiscal 1969 than had been budgeted for it*. So all kinds of services were starved in 1969 to meet the swollen costs of Vietnam in fiscal '69. Yet when a $3.5 billion drop in Vietnam war costs were projected for fiscal '70, the amount saved was not allocated to the depleted domestic sector but to the growth of the war machine.

Nixon's cut of $1 billion in military outlays can only be evaluated properly if you first start by observing that it was *a cut in a projected $4.1 billion increase* in military spending. The cut came out of a lot of fat, whereas the cut in health, education and welfare, and domestic services, came close to the bone and gristle. The second point to be made about the military cuts is that they represent no real overhaul of the bloated military budget. Robert S. Benson, former aid to the Pentagon Comptroller, recently showed (in the March issue of *The Washington Monthly*) how easily $9 billion could be cut out of military spending without impairing national security. But the three main "economies" cited by the Nixon backgrounders are sleight-of-hand. One is "lower consumption of ammunition in Vietnam". This looks optimistic in view of the enemy offensive and our own search-and-destroy missions; as in other years, this may be one of those preliminary under-estimates which turn up later in a supplemental request for funds. The second "saving" comes out of the shift from Sentinel to Safeguard, but the reduction in fiscal 1970 will be at the expense of larger ultimate costs. Indeed while the Nixon estimates show that Safeguard will ultimately cost $1.5 billion more, McGraw Hill's authoritative DMS, Inc., service for the aerospace industry puts the final cost $4.3 billion higher, or a total of $11 billion without cost overruns (which DMS expects). The third "economy" cited is $326 million saved (as a *Washington Post* editorial noted tartly April 3) by "postponing procurement of a bomber missile (SRAM) that doesn't yet work." Like all else in the Nixon Administration, the budget revisions represents feeble compromises which give the military machine priority over the growing urban, racial and student crises.

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[2] I can remember when a feature of the annual federal budget presentation was a chart showing how much was absorbed by past, present and future wars. This added military expenditures, veterans' benefits and interest charges, the last item because past wars are the real reason for the public debt. These three items in the 1970 budget total more than $106 billion and will take more than 70% of the general revenues. Secretary Laird said the other day that much of the Soviet Union's space activity was really military. This is also true of our space program. The funds spent on rocket boosters to reach the moon also improve the technology of mass murder by intercontinental ballistic missile. If space is added to the other three items, the total is $110 billion, or almost 75% of the $147 billion available.

[3] The liberalization will allow a maximum of $1800 a year without deductions. By comparison retired professional military men (20 years service) are allowed under the Dual Compensation Act of 1964 to fill Civil Service jobs paying up to $30,000 and still collect their full pensions, a privilege not given other veterans. Under the new pay raise this will mean retired army officers can draw up to $50,000 a year in Civil Service pay and pensions.

CONCERNING THE NOMINATION OF OTTO F. OTEPKA

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 15, 1969

Mr. ASHBROOK. Mr. Speaker, on Tuesday of this week the Senate Judiciary Committee, by a vote of 10 to 3, voted to recommend confirmation of Otto F. Otepka as a member of the Subversive Activities Control Board. In recent weeks press accounts have sought to link the former State Department security officer with certain organizations and individuals, as a result of which a set of six questions was presented to the chairman of the Judiciary Committee for further inquiry. The questions and the subsequent replies are part of the hearings on the nomination of Otto F. Otepka, which documents are on sale at the Government Printing Office at nominal cost.

I request that the questions relating to the nomination of Otto F. Otepka and the responses submitted thereto be inserted in the RECORD at this point:

NOMINATION OF OTTO F. OTEPKA, OF MARYLAND, TO BE A MEMBER OF THE SUBVERSIVE ACTIVITIES CONTROL BOARD

U.S. SENATE,
Washington, D.C., May 5, 1969.

Hon. JAMES O. EASTLAND,
Chairman, Committee on the Judiciary,
U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: In accordance with the discussions at the Committee meeting last week, we believe that before the Committee takes up the nomination of Otto Otepka to the Subversive Activities Control Board, there should be included in the printed record information relating to the recent questions raised about Mr. Otepka's finances and connections. In particular we suggest that the staff obtain from Mr. Otepka, and from independent inquiry if necessary, the facts on the following subjects:

1. Mr. Otepka's source of income, other than his State Department salary, since 1961.

2. The precise sources and amounts of financing for Mr. Otepka's legal fees, living expenses, traveling expenses, and other expenses since 1961.

3. Any formal or informal connections between Mr. Otepka and (1) Mr. Willis Carto, (2) the John Birch Society, (3) the Liberty Lobby, or (4) any other persons or organizations actively associated with Mr. Carto, the Society or the Lobby.

4. The accuracy of a report that Mr. Otepka stated in response to questions about his associations: "I am not going to discuss the ideological orientation of anyone I am associated with"; and, if the report is accurate, Mr. Otepka's opinion as to the applicability of a similar standard to others being considered for federal employment or otherwise under inquiry in connection with security matters.

5. Mr. Otepka's opinion as to the possibility that individuals and groups of the type generally described as "radical right" or individuals or groups generally described as "Nazi" might under certain circumstances constitute a threat to domestic security.

6. The extent to which the issues raised in the preceding questions were investigated and considered in the course of the Executive Branch's pre-nomination procedures regarding Mr. Otepka.

We are confident that all the members of the Committee join us in feeling that fairness to the nominee and to the public requires that these matters, which have been raised publicly, be aired and resolved within the Committee before it passes on the nomination. We are hopeful also that Mr. Otepka will feel free to take this opportunity to make any further comments he wishes regarding the office to which he has been nominated and his suitability for it.

Sincerely,

EDWARD M. KENNEDY.
QUENTIN BURDICK.
JOSEPH D. TYDINGS.
PHILIP A. HART.

MEMORANDUM

MAY 9, 1969.

To: Senator Eastland.
From: J. G. Sourwine.
Subject: Inquiries of Senators Hart, Kennedy, Burdick, and Tydings respecting finances and connections of Otto Otepka.

In compliance with your instructions the staff has obtained from Mr. Otepka, and from independent inquiry as necessary, the facts called for by the questions propounded.

The questions are repeated below seriatim, and the facts obtained by the staff with respect to the subject matter of each question are set forth, immediately thereafter.

1. Mr. Otepka's source of income, other than his State Department salary, since 1961.

Since 1961, Mr. Otepka has had income, other than his State Department salary, only from the following sources: (A) interest on savings accounts and stock dividends; (B) wife's salary as a school teacher (from 1965 only); (C) daughter's salary (during 1968 only); (D) director's fees (family corporation); (E) sum received by wife in 1966 by gift and devise from her aunt.

2. The precise sources and amounts of financing for Mr. Otepka's legal fees, living expenses, travelling expenses, and other expenses since 1961.

LEGAL EXPENSE

Total legal expense incurred in connection with Mr. Otepka's case has amounted to $26,135, of which $25,127 represented legal fees and $1,008 represented reimbursement of cash disbursement by counsel. These legal expenses have been met by voluntary contributions from more than three thousand different contributors. Most of the contributions were in relatively small amounts, ranging from $1.00 to $100.00. Over $21,000 of this amount was raised by American Defense Fund, organized in 1964 by James Stewart of Wood Dale, Illinois (now living in Palatine, Illinois) in compliance with the laws of the State of Illinois.

Mr. Stewart volunteered his assistance, after having read in the newspapers of Mr. Otepka's intention to pursue fully all of his administrative remedies, and to take his case into the courts, if necessary. Mr. Stewart appears to have made a full accounting for the purpose of complying with State law, and also has filed an accounting with the U.S. Post Office Department.

American Defense Fund has no connection of any kind with the John Birch Society, the Liberty Lobby, or Willis Carto, according to Mr. Stewart, who stated his interest in the Otepka case was sparked by a newspaper article in September 1963, and that in the fall of 1964 he undertook to raise money for Otepka's defense after he learned that contributions from other sources were not meeting the growing legal expenses of the case. Mr. Stewart said he acted as an individual and without any assistance or prompting from any organization.

All contributions forwarded by Mr. Stewart went directly to Mr. Otepka's counsel, Mr. Roger Robb.

The remainder of the legal expense in connection with Otepka's case (between $4,000 and $5,000) was paid by voluntary contributions from individuals not associated with American Defense Fund. (Many of these contributions were made in checks mailed directly to Mr. Otepka's counsel, and checks received by Mr. Otepka personally were turned over by him to his attorney. Mr. Otepka did not cash any such checks, nor receive or retain the proceeds therefrom.) Of these independent contributions, only one was in a very large amount, to wit: a check for $2,500 received by Otepka's counsel on April 21st, 1964, from Defenders of American Liberties, a non-profit corporation organized under the laws of the State of Illinois for the purpose of defending civil and human rights. All other independent contributions were in very much smaller amounts.

In an effort to determine the nature of the organization known as Defenders of American Liberties, the Subcommittee staff questioned both Dr. Robert Morris, first president of the organization (who resigned in 1962 to become president of the University of Dallas, and who is now president of the University of Plano) and Mr. J. Fred Schlafly of Alton, Illinois, who succeeded Dr. Morris. Both Dr. Morris and Mr. Schlafly denied any personal connection, formal or informal, with the John Birch Society, the Liberty Lobby, or Mr. Willis Carto. One of fourteen persons identified as directors of Defenders is Dr. Clarence Manion, former Dean of Law at the University of Notre Dame, who is reported to have stated he is a member of the John Birch Society. Other directors of Defenders of American Liberties, besides Mr. Schlafly, are Mr. Roger Follansbee (Chairman of the Board) of Evanston, Illinois; Dr. Edna Fluegel, chairman of the Department of Philosophy at Trinity College, Washington, D.C.; Mr. Lyle Munson, publisher, of Linden, N.J.; Mr. Bartlett Richards, of Florida; General William Wilbur of Highland Park, Illinois; Mrs. Carl Zeiss of Phoenix, Arizona; Mr. Don Tobin, realtor, of Dallas, Texas; Mr. Charles Keating, Jr. of Cincinnati, Ohio; Mr. Norris Nelson of Chicago, Illinois, former publisher of the Calumet (Illinois) News and former assistant director of the Republican National Committee; and Mr. Brent Zeppa of Tyler, Texas. None of these, according to Dr. Morris and Mr. Schlafly, is known to either of them as a member of or connected with the John Birch Society or the Liberty Lobby.

TRAVELING EXPENSES

Since 1961, Mr. Otepka has made three round trips, by air, to the West Coast, including visits to San Diego and Los Angeles, California, Portland, Oregon, and Seattle, Washington, which trips were not paid for by Mr. Otepka out of his own private funds. Two of these trips were paid for by a number of individual citizens who had no formal group or organization but who had become interested in Mr. Otepka's case as a result of newspaper publicity, and wanted to hear him discuss it. Mr. Otepka talked to these individuals at informal gatherings only, and confined himself to discussion of his own case, avoiding politics or on other matters. At no time did Mr. Otepka accept an honorarium of fee for any speech or talk. The third trip referred to above was sponsored by a formal group, which desired to give Mr. Otepka an award. Because his appearance on this occasion was to be publicly advertised, Mr. Otepka sought and obtained the State Department's approval of this trip before undertaking it.

Total amounts of income (exclusive of his own salary) available to Mr. Otepka and his family during the period in question, which became available for financing his expenses, as indicated above, were as follows:

A. Interest on savings accounts and dividends on stock owned, $1,711.00.

B. Director's fees (Web Press Engineering, Inc., Addison, Illinois, a family corporation), $100.00. (This corporation does not have any government contracts whatsoever, and Mr. Otepka does not own any stock in the corporation.)

C. Mrs. Otepka's gross earnings, before taxes, as a teacher employed by the Montgomery County, (Md.) Board of Education: 1965, $3,260.00; 1966, $8,432.00; 1967, $9,217.00; 1968, $10,558.00 (Since 1968, when Mr. Otepka first went on leave without pay, his family has had to depend solely upon his wife's salary, and the earnings of his daughter, (referred to below) to meet family living expenses.)

D. Mr. Otepka's daughter was first employed during 1968 and in that year earned $765.00 from the Washington Post Company (WTOP-TV) and $1,189.00 from the D. L. Printing Company, Washington, D.C.

E. By gift and bequest to Mrs. Otepka from her aunt, Mildred Simon, (1966) $3,400.00.

For ready reference, information on total amounts of income available to the Otepka family during each of the years 1961 to 1968, inclusive, is shown on the chart below.

	1961	1962	1963	1964	1965	1966	1967	1968
Interest from savings	101.75	80.00	80	312	23	233.00	309	254
Stock dividends	26.88	35.46	42	59	11	24.84	47	72
Director's fees, Web Press Engineering								100
Wife's gross income (salary)					3,260	8,432.00	9,217	10,558
Daughter's gross income (salary)								1,954
Gift and bequest to wife from aunt						3,400.00		
Total	128.63	115.46	122	371	3,294	12,089.84	9,573	12,938

3. Any formal or informal connections between Mr. Otepka and (1) Mr. Willis Carto, (2) the John Birch Society, (3) the Liberty Lobby, or (4) any other persons or organizations actively associated with Mr. Carto, the Society or the Lobby.

Mr. Otepka states he does not have and has not had any formal or informal connections with the John Birch Society, or the Liberty Lobby, or Mr. Willis Carto, or with any other persons or organizations known to him to be actively associated with any of the above three. Mr. Otepka has met Mr. Carto, having seen him two or three times, including one occasion on which he lunched with Mr. Carto at the latter's invitation. Nothing was discussed at this luncheon except the legal aspects of Mr. Otkepka's case.

4. The accuracy of a report that Mr. Otepka stated in response to questions about his associations. "I am not going to discuss the ideological orientation of anyone I am associated with"; and, if the report is accurate, Mr. Otepka's opinion as to the applicability of a similar standard to others being considered for federal employment or otherwise under inquiry in connection with security matters.

Mr. Otepka states: "This is substantially the tenor of an answer which I gave on two separate occasions to two newspapermen, Mr. Neil Sheehan of the New York Times and Mr. Tim Wheeler of the Daily World, both of whom were, in my judgment, seeking to bait me into making some statement that could be used against me. I would consider such an answer entirely within the bounds of propriety if made by any person under similar questioning by such reporters in like circumstances. On the other hand, in the case of a question regarding either my associations or my associates, asked of me by a representative or official of the U.S. Government having reason and authority to inquire, I should be as fully responsive as my knowledge would permit; and I would expect any other person similarly questioned by authority and with reason to be comparably responsive."

5. Mr. Otepka's opinion as to the possibility that individuals and groups of the type generally described as "radical right" or individuals or groups generally described as "Nazi" might under certain circumstances constitute a threat to domestic security.

"From my general knowledge of history and my 27 years of experience as a security officer, I am acutely aware of the potential dangers to the security of any country from acquisition of excessive influence by totalitarian organizations or individuals of either the right or the left. I would resist with every resource at my command any attempt to establish in this country a Nazi, or Fascist, or Communist government, or any other form of totalitarianism."

6. The extent to which the issues raised in the preceding questions were investigated and considered in the course of the Executive Branch's prenomination procedures regarding Mr. Otepka.

The staff has been advised by a spokesman for the Executive Branch that Mr. Otepka's nomination followed the usual course, including an investigation by the Federal Bureau of Investigation and a security clearance under the standards of Executive Order 10450.

BART SUCCESS FORMULA HAS CHIEF CHEMIST

HON. GEORGE P. MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 15, 1969

Mr. MILLER of California. Mr. Speaker, when the residents of the San Francisco Bay area, part of which is within my district, decided in 1962 to invest over three-quarters of a billion dollars to establish the Bay Area Rapid Transit system—BART—the leadership of this huge metropolitan mass transit project was entrusted to Mr. Bill R. Stokes, as general manager.

As such, his job was to oversee the construction of 75 miles of track, a 3.6-mile double track tunnel under the San Francisco Bay, many miles of overhead aerial lines, the acquisition of several thousand parcels of land, the design and procurement of a technologically advanced transit vehicle and control system, and a plan of operation after the construction had been completed.

During this period Mr. Stokes has also had to be concerned with the financing of the entire project when it became apparent that the original funding was insufficient. At the present time, design of the BART system is 93 percent completed and construction is 49 percent finished. About 88 percent of the right-of-way has been acquired and 72 percent of the dollar value of contracts has been awarded. That Bill Stokes has carried out his responsibilities with great success is attested to in an article and editorial which appear in a recent edition of "Railway Age" a national publication of the transportation industry.

It is with great pleasure that I insert at this point in the RECORD the following material from that magazine recounting the record of achievement of Bill Stokes in this undertaking:

BART SUCCESS FORMULA HAS CHIEF CHEMIST

Pipe-smoking, genial Bill R. Stokes, general manager of BART, may have an image problem in reverse: He comes on so mild-mannered and agreeable that his critics have to learn the hard way how tough he is.

In 1962, when Bay Area voters approved the $792-million bond issue that got the BART project started, a few angry citizens brought a tax-payers' suit, alleging BART was an illegal enterprise, and anyway was mismanaged.

In due course, the suit was thrown out of court—chalk up one for Stokes.

The 1964–65 period was taken up with development and testing to make BART the most sophisticated transit system in the world—chalk up two for Stokes.

But the year-long tax-payer's suit had one time-bomb aspect: Precious time was lost during an inflationary period in getting started, and it developed that BART's cost estimates for construction were too low.

The year 1966 may have been the roughest of all: On the one hand, the search for an extra $150 million began. On the other, Stokes had to contend with a powerful local newspaper which chose this time to launch a series of articles "exposing" BART as a hoax and a boondoggle.

Stokes had two storms to ride out, not one, but he kept his cool. He prepared detailed memoranda for his board and for powerful leaders of all sections of the community, spelling out all his actions and plans—and showed that the newspaper series was concocted of half-truths and hearsay.

The mayor of San Francisco and the community opinion leaders bought Stokes' version, not the other one.

But the ordeal was not over. While construction of BART was already in high gear in the 1967–68 period, there was no guarantee it would be finished unless another $150 million could be found.

Stokes impressed on the Bay Area delegation to the legislature that this was their fight as well as his. won Gov. Reagan and the state administration to the cause, and emerged a month ago with victory in the form of a state law to raise the needed $150 million.

An old charge brought against Stokes was that, as a former reporter and public relations man, he lacked administrative experience to run a billion-dollar project such as BART. It's unlikely that charge will ever be brought up again.

BILL STOKES, WILL YOU PLEASE GIVE CLASSES?

What the transit industry maybe needs is more people like Bill Stokes, general manager of the Bay Area Rapid Transit system. As pointed out BART was threatened with serious financial problems that almost spelled disaster. But the story has a happy ending, thanks to Stokes and his associates.

Even the fact that the BART project can now zoom on to completion isn't the whole story. As important a job as that is, the real significance lies in the lift this will give to the transit industry at large.

The early sixties were times of real anticipation in the transit field, as ctiy officials around the country—with a glance over their shoulders at the Bay Area—started looking at the possibility of building transit systems of their own.

BART's well-publicized financial troubles had a psychological damping effect. What started out as studies for proposed transit systems elsewhere soon became studies of studies—in other words excuses for dragging the feet. A few cities where plans did carry on—Seattle, Los Angeles, Atlanta—saw transit proposals go down to defeat in public referenda on bond issues.

No one can say BART was responsible. But the lack of quicker progress in the Bay Area cut the ground from under the feet of transit supporters elsewhere. People can only want what they know, it has been said—and they couldn't very well want something like BART, going by aging test track photos and off-in-the-future artists' conceptions of finished systems. Least of all when they are told that the project isn't going anywhere for lack of funds.

NOW THE PICTURE HAS CHANGED

But with so much of the basic system now taking shape, and with the money assured to complete that system, transit supporters around the country can take heart. One picture is worth a thousand words—and coming BART photos of completed stations, new cars and tracks are worth all of the artists' conceptions in the world, when it comes to promoting the transit idea.

While saluting Stokes for his accomplishment in the Bay Area, it's worth wondering if transit supporters pushing for other systems shouldn't be taking a leaf from his book, when it comes to getting action.

After all, the problems in the Bay Area are not much different from those of any other metropolitan area: Skimpy funds for public works other than highways; lack of public awareness; constantly conflicting policies among planners and politicians. Stokes solved these problems not once but twice; The first time in 1962, when Bay Area voters approved the BART system; the second time just now, when the state of California was induced to provide additional aid to BART.

In both cases, Stokes planned effective strategies to mobilize public opinion, win over lawmakers and influential civic leaders. Maybe Stokes' office on Mission St. in San Francisco should be dubbed BART Test Track II—the place where successful ideas in transit policy got their start.

THE PRESIDENT'S MESSAGE ON VIETNAM

HON. THOMAS J. MESKILL

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 15, 1969

Mr. MESKILL. Mr. Speaker, I rise today refreshed by the President's first major address on Vietnam. I want to congratulate the President on his candor with the American people. Americans have a right to know what we are fighting for in far-off Southeast Asia. They have a right to know why American boys are dying daily. They have a right to know what our objectives are.

The patience of the American people has been worn thin over the last 8 years because our reasons for being in Vietnam have been wrapped in tired clichés.

Our new President is "telling it like it is." And we can be thankful for that. It is evident that President Nixon has resolved to end the war. It is obvious that he does not seek to raise false hopes only to see them dashed. He did not predict an end to the fighting overnight. He acknowledged that peace would take time in the wake of a war that has dragged on for more than 20 years.

But I am encouraged by the President's statement; it was a constructive step forward in the administration's all-out effort to win a negotiated settlement in Vietnam. The statement was clear, concise, and well organized. It is obvious that some hard thinking and careful analysis went into his report to the American people. He did not dodge the issues, nor did he pull any punches. He faced the issues squarely.

President Nixon spoke of "limited objectives," and then he defined them. This was certainly a refreshing change. He articulated goals and policies that different groups may disagree with or argue over, but I think, on the whole, the American people will respect his forthrightness.

The President clearly stated that our objective is not a battlefield victory. Nor will we accept a unilateral withdrawal or a "disguised defeat."

Our objective is to help develop the kind of environment in which the people of South Vietnam can determine their own political future.

The President, therefore, has cleared up a lot of doubts and erased much of the suspicion over our involvement by stating flatly that we:

First, seek no military bases.

Second, insist on no military ties.

Third, are willing to agree to neutrality if that is what the people of South Vietnam want.

Fourth, are prepared to accept any government if it results from the free choice of the South Vietnamese themselves, and

Fifth, have no objection to reunification if it is accomplished through the free choice of the people of the North and the South.

If the President had said nothing else, he would have made a substantial contribution by simply enunciating these five principles. But President Nixon went further. His speech was noteworthy for its carefully detailed outline of the mechanics for peace, and after all, this is what the hard negotiating will be all about.

The President has called for the "mutual withdrawal of non-South Vietnamese forces from South Vietnam." He has called for a 12-month timetable for withdrawal. He has proposed an international supervisory body. He has called for free elections under international supervision. He has called for an early release of war prisoners. He has urged the observance of the Geneva accords of 1954 and the Laos accords of 1962.

The President has put forth a peace program "generous in its terms." His statement is encouraging for its flexibility and lack of rigidity. He has made clear his willingness to discuss anyone's program for peace. His program was not based on a "take-it-or-leave-it approach." He has made a sincere effort to prevent the United States from getting locked into a policy we cannot live with.

Now much depends on the other side. The United States has spoken its mind with a clear voice. Let us pray that it will not fall on deaf ears. We may not know the effect of the President's speech for weeks or even months. As we have learned over the past 11 months, negotiation is not a speedy process, but it is our best hope. The President has not asked unlimited patience from the American people. He has assumed full responsibility for ending the war and securing the peace. If he fails, he will not ask for amnesty. It is my fervent hope that the American people will give the President the solid support and encouragement that he will need in the difficult days of negotiation that still lie ahead. For I ask you, what are the alternatives? I fear they are much worse.

A SUPERIOR COURT JUDGE LOOKS AT THE ABANDONMENT OF JOB CORPS CENTERS

HON. HAROLD T. JOHNSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 15, 1969

Mr. JOHNSON of California. Mr. Speaker, as you all know I have been a vigorous supporter of the preservation of the Job Corps program, especially those conservation centers where we are accomplishing so much in the conservation of our natural resources as well as our human resources.

Specifically I feel that abandoning this type of program is going to prove extremely costly to us over the years.

One of the centers to be closed is the Forest Service operated Five-Mile Job Corps Center near Sonora, Calif. Superior Court Judge Ross A. Carkeet, who has been known for many years for his realistic and humane approach to justice, and especially to meet the problems of our youth, has written a very strong presentation in support of retention of the conservation center in Tuolumne County. This was published recently in the "Sierra Lookout," a column of the Sonora Daily Union Democrat. I would like to share with my colleagues Judge Carkeet's views:

> I cannot help but voice my feelings about the tragic thing that is happening in our own country—the contemplated closing of the Five-Mile Job Corps.
>
> It is inconceivable that such success in the accomplishment of the avowed purposes of the Job Corps as has been achieved by our local Five-Mile Corps center under the splendid guidance and leadership of Robert (Bob) Royer, should be rewarded by an order from Washington to "shut it down."
>
> With the co-operation of the U.S. Forest service, under the leadership of Harry Grace, supervisor of Stanislaus forest, the center was built in 1965 and since that time has trained approximately 1,000 youths between the ages of 16 and 21 years.
>
> Much has been written and said about the announced closure, most of it pertaining to the capital expenditure in building and enlarging the center ($800,000), and much has been said about the trained staff of between 45 and 50 and the loss of such payroll to the county, as well as the funds expended locally each month to keep the center operating.
>
> Much has also been said about the loss to the public of the services of this young group of trainees who have provided conservation and recreational development prorams for the benefit of the users of the national forest and which would not otherwise have been provided.
>
> All of these things are true and indeed regrettable from an economic and conservation viewpoint.
>
> I would speak of something more important. In its less than four years of operation the center has given education and

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training to more than 1,000 youths, 800 of whom now hold regular jobs as a result.

These were young men without skills or training, many of them school dropouts, some almost illiterate, who have been brought here from cities all over the United States, both large and small—not just from the big city slums.

Under the firm but fair discipline of Bob Royer these young people have been given one more chance to gain training, obtain a job, take their place in the community and gain self-respect. They have literally been snatched from the door of delinquency and crime.

It has been estimated that each young person who becomes a convicted criminal will cost society $50,000. To the money-minded, I would point out what a savings of 800 times $50,000 might be.

I am interested in any and all programs that successfully move in the area of prevention of delinquency and the Job Corps program is specifically aimed at delinquency prevention and the Five-Mile Job Corps has achieved outstanding accomplishment of this aim.

The people should know that the Job Corps program has always been made available to and has helped a number of our own Tuolumne County school dropouts who were verging on delinquency.

The substitution of 20 or 30 "skill centers" in the city slums, as proposed, while commendable in itself, will not take the place of the salutary program of the Job Corps, whose trainees are not drawn from the city slums alone, but from communities of all sizes all over the United States—areas just like Tuolumne county.

I would hope the citizens of Tuolumne county are concerned enough to write or wire their congressman, senators and other persons who will have a say in this matter, such as Senator Gaylord Nelson, and Congressman Carl Perkins, whose committees will be hearing this matter.

It is difficult to understand why we must at this time think about destroying a project that has been so effective.

YOUTH AND RESPONSIBILITIES IN CITIZENSHIP

HON. JOHN P. SAYLOR

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 15, 1969

Mr. SAYLOR. Mr. Speaker, there is no finer way for a child to learn the fundamentals of the U.S. Constitution—the rights, duties, and responsibilities of our citizens under the Constitution—than through personal experience. I am not referring to the "child-like" acts by irresponsible and irrational individuals whom we have witnessed in recent weeks and months endeavoring to destroy our institutions of learning. The personal experience to which I refer is that which is constructive, educational, and of meaningful purpose to the society at large.

In studying our U.S. Constitution and the "right of petition," the sixth grade history class of the South Fork Elementary School, located in my district, undertook such an experiment. A group of 104 children now have graphic proof of one of the freedoms with which we are endowed.

The class history instructor, Thomas Goncher of Johnstown, as well as the school principal, Arthur Burkett of Portage, were instrumental in having Miss Pamela Walters, a member of the sixth grade, organize a petition drive with her fellow classmates. As we well know, such an effort is unsuccessful unless there is a purpose and this enterprising young group of schoolchildren determined to find out how their community stood on a subject that is close to all of us at this time—how do the people feel about the decision of the U.S. Supreme Court in striking down the existence of God in our national life?

The petitions these children utilized in their effort to understand the workings of our Constitution are similar to the hundreds which I have received from my district on this same subject, and they read as follows:

> We the undersigned protest the prohibiting of prayer and Bible reading in our schools and propose a reversal of this ruling. We further protest any legislation that would possibly:
>
> (1) Remove chaplains from the armed forces;
>
> (2) Remove "in God we trust" from our currency;
>
> (3) Remove God's name from the pledge of allegiance to the flag; and
>
> (4) Remove God's name from any part of our American way of life.

Armed with these petitions and with a courage and confidence that was most heartening from those so young, members of the sixth grade history class began a house-to-house canvass of their neighborhoods to find supporters for their cause.

I am certain our colleagues will be as amazed as I was, when presented with these petitions, that a group of 104 young people had secured 3,277 signatures, and of even more importance, 1,630 of the signers were adult residents of the community.

Mr. Speaker, I want to commend the instructors who supervised this demonstration of "learning by doing," and I also want to commend and congratulate these young people for their practical and strong experiment in exercising the duties of citizenship in this day when we have heard and witnessed so much dissent and disruption by a small minority of misfits. I have a great deal of faith and trust for the future of our Nation when children like the students of the South Fork elementary history class learn at an early age the rights and responsibilities of citizens.

AIDE TO MARYLAND ATTORNEY GENERAL SEVERS TIES WITH MAGAZINE COMPANY

HON. FRED B. ROONEY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 15, 1969

Mr. ROONEY of Pennsylvania. Mr. Speaker, on March 5, 1969, I called the attention of my colleagues to what I considered to be conflicting public and private interests of a special assistant attorney general in the State of Maryland. I inserted in the RECORD at that time a letter I sent to Attorney General Francis B. Burch, calling the matter to his attention.

The conflict I described involved the private position of Donald H. Noren, the special assistant attorney general, as secretary and counsel for International Magazine Service of the Mid-Atlantic, Inc., of Baltimore.

Under date of April 11, I received from Attorney General Burch an interim report on his inquiry into Mr. Noren's private association with the magazine subscription sales company. Included were letters from three officials of the States of Pennsylvania and New Jersey relative to an informal hearing held in New Jersey into sales practices of International Magazine Service of the Mid-Atlantic. Each of the letters made reference to Mr. Noren's presence at that hearing as a representative of the magazine sales company.

Under date of May 9, Attorney General Burch has advised me of his action in this matter. His letter advised in part:

> I obviously cannot countenance any situation wherein a member of my staff is a legal representative or official of any company with which other divisions of my office are required to have official dealings. For this reason I have advised Mr. Noren of my decision that he must either sever his connections with the company in question or submit his resignation as a member of my staff.

Mr. Speaker, I want to personally extend my appreciation to Attorney General Burch for his firm decision to protect the integrity of his office and to give citizens of Maryland assurance that disposition of consumer complaints in the State will not be clouded by incompatible public and private interests of individual members of the attorney general's staff. The attorney general further advised regarding Mr. Noren's decision:

> Mr. Noren elected to disassociate himself from the company in question and remain with the State. He has resigned as secretary of the company and as counsel to it and has in fact completely terminated his association with the law firm representing this publisher. On Thursday, May 1st, Mr. Noren advised me that he was removing his private law office to completely separate facilities several blocks removed from the company in question. This move will be completed within the next two to three weeks.

I would like to add, here, Mr. Speaker, that I believe Mr. Noren has taken a series of positive steps to remove himself completely from the incompatible relationship he previously maintained with International Magazine Service. He did so, I am certain, at a substantial personal sacrifice and his disassociation deserves my public acknowledgement.

I should like to insert in the RECORD, at the conclusion of my remarks, the correspondence from Attorney General Burch regarding this matter.

At this point, I should like to comment further on the sales practices of International Magazine Service of the Mid-Atlantic. Since I began my own study of magazine subscription sales practices back in February, I have received hundreds of complaints from consumers who

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were misled by deceptive or fraudulent sales pitches to sign contracts for hundreds of dollars in magazine subscriptions.

INS accounts for the majority of the complaints I have received from residents of Pennsylvania and New Jersey. Many of the complainants explain they were told by IMS telephone solicitors that they had won or were about to win major prizes being offered by the company to promote magazine subscription sales. These prizes included trips, cars, and television sets.

IMS of the Mid-Atlantic operates in 15 States, Puerto Rico, and the Virgin Islands, according to information I have compiled. It does an annual gross business approaching $5 million in magazine subscription sales. Its sales practices are subject of investigation by the attorneys general of both Pennsylvania and New Jersey. Its Allentown, Pa., franchised dealer recently was subpenaed by the Pennsylvania attorney general.

Obviously, International Magazine Service of the Mid-Atlantic is thriving on deceptive sales practices. And, when its customers discover they have been misled and attempt to break their subscription contracts they are hounded by collection letters and phone calls which threaten the consumer with bad credit reports and by letters from lawyers threatening legal action to collect outstanding sums.

Although independently incorporated, International Magazine Service of the Mid-Atlantic, according to Central Registry of Magazine Subscription Solicitors, is affiliated with International Magazine Service, 1 North Superior Street, Sandusky, Ohio, which is a division of Periodical Publishers' Service Bureau, Inc., which in turn is a subsidiary of the Hearst Corp. of New York.

It would seem to me that somewhere in that vast chain of executives from the parent Hearst organization on down to the president of International Magazine Service of the Mid-Atlantic, Inc., Malcolm Berman, there must be someone who is concerned that customers not be duped into signing huge magazine subscription contracts. If such a person does exist, perhaps he will take it upon himself to stop the flood of consumer complaints by replacing misleading sales come-ons with a frank and honest sales approach based on the merits of the publications they are attempting to sell.

Some time ago, my office contacted the Better Business Bureau of Baltimore to inquire about the number of complaints on file there regarding International Magazine Service of the Mid-Atlantic. That initial call produced the information that there were only six complaints regarded as "justified." I previously made reference to that matter in this Chamber.

In the interim, however, the Baltimore Better Business Bureau has corrected what it believes must have been a misunderstanding and has supplied me with a report showing that it received 167 complaints against IMS of the Mid-Atlantic during 1968. I would like to include that report in the RECORD at this point, as well.

The material follows:

OFFICES OF THE ATTORNEY GENERAL,
Baltimore, Md., May 9, 1969.

Hon. FRED B. ROONEY,
Congress of the United States, House of Representatives, Washington, D.C.

DEAR CONGRESSMAN ROONEY: Please be advised that I have now completed my investigation into all the circumstances surrounding the meeting in the Consumer Protection Office in Newark, New Jersey at which Donald H. Noren, Special Assistant Attorney General, appeared on behalf of International Magazine Services which was under investigation.

Two officials in attendance at that meeting, Pennsylvania Deputy Attorney General Kirk and New Jersey Assistant Attorney General Harper have advised me that they observed no impropriety of any kind on Mr. Noren's part nor do they recall any mention by him that he was an Assistant Attorney General of Maryland. Mr. Harper advised me that he was aware of Mr. Noren's connection with my office but from a source other than Mr. Noren which he does not now recall. Mr. Kirk has stated that it was only subsequent to the hearing that he learned from an unknown source, other than Mr. Noren, of Mr. Noren's connection with the office of the Attorney General of Maryland.

Mr. Paul J. Krebs, Executive Director of the Office of Consumer Protection of New Jersey has advised me from his recollection that Mr. Noren on one occasion did mention that he was associated with my office. Mr. Krebs advised as follows: "While I personally found the comment to be totally unwarranted and improper when considered in the total context of this conference, it is my feeling that Mr. Noren did not flaunt his official position for the purpose of advancing either his personal interest or the private interest of his client."

Based on the aforegoing facts I have concluded that Mr. Noren was not guilty of any unprofessional conduct at this meeting or of any conduct detrimental to the office of the Attorney General of Maryland. I have further discussed in considerable detail with the Chief of my own Consumer Protection Division the efforts of this Company in our jurisdiction. I am advised that we have had complaints about their operations but that Mr. Noren has not attempted to deal with our office on behalf of his client. The sole contact between our Consumer Protection office and Mr. Noren were several calls made by the Chief of our Division directly to Mr. Noren in successful efforts to obtain expeditious cancellation of contracts which we thought should be cancelled.

I obviously cannot countenance any situation wherein a member of my staff is a legal representative or official of any company with which other divisions of my office are required to have official dealings. For this reason I have advised Mr. Noren of my decision that he must either sever his connections with the company in question or submit his resignation as a member of my staff.

Mr. Noren elected to disassociate himself from the company in question and remain with the State. He has resigned as secretary of the company and as counsel to it and has in fact completely terminated his association with the law firm representing this publisher. On Thursday, May 1st, Mr. Noren advised me that he was removing his private law office to completely separate facilities several blocks removed from the company in question. This move will be completed within the next two to three weeks.

It is my opinion that the steps taken by Mr. Noren satisfactorily resolve the questions brought to my attention by you and Mr. Spivak.

If you have any further questions about this matter please do not hesitate to contact me.

Sincerely,

FRANCIS B. BURCH,
Attorney General.

OFFICES OF THE ATTORNEY GENERAL,
Baltimore, Md., April 11, 1969.

Hon. FRED B. ROONEY,
U.S. Congress,
Washington, D.C.

DEAR CONGRESSMAN ROONEY: I have your letter of April 3, 1969. I have now received letters from the Assistant Attorney General of New Jersey, the Deputy Attorney General of Pennsylvania and the head of the Consumer Protection Division of the Attorney General's Office of New Jersey and there appears to be some difference among the three persons named above as to circumstances attendant to Mr. Noren's appearance at a meeting in the Consumer Protection Office in Newark, N.J. For your information I enclose herewith a copy of each of these letters.

You will note that the Deputy Attorney General of Pennsylvania categorically states that Mr. Noren did not at that meeting state that he was an Assistant Attorney General of Maryland. This is consistent with the statement that Mr. Noren has made to me.

Mr. Harper, the Assistant Attorney General of New Jersey, indicates that he believes Mr. Noren did on a single occasion refer to himself as an Assistant Attorney General but he did not draw from that any inference that Mr. Noren was trying to use his position as an Assistant Attorney General of Maryland to be helpful in the matter he was pursuing on behalf of his client. Mr. Krebs had the same impression as Mr. Harper, but he considered it bad taste on Mr. Noren's part to have alluded to his official position with the State of Maryland.

On March 13, 1969 Mr. Krebs indicated that he would send complaints and affidavits to me touching on the subject matter of the hearing, if I were to assure him that I would not permit them to be seen by Mr. Noren since he represents the party against whom the complaints were made. I wrote Mr. Krebs on March 19, 1969 giving him the requested assurances but I have not as yet received the material. After I have received the requested material from Mr. Krebs I will then be in a position to make a determination as to what action, if any, should be taken in the matter.

Sincerely,

FRANCIS B. BURCH,
Attorney General.

COMMONWEALTH OF PENNSYLVANIA,
OFFICE OF THE ATTORNEY GENERAL,
Harrisburgh, Pa., April 10, 1969.

Mr. FRANCIS B. BURCH,
Attorney General, State of Maryland,
Baltimore, Md.

DEAR MR. BURCH: In reply to your letter of March 19, 1969 concerning the actions of Donald H. Noren at a meeting in the Consumer Protection Office in Newark, New Jersey. As you know I was present at the said meeting and to my recollection Mr. Noren did or said nothing during the meeting to give me the impression that he was in any way connected with your office. As a matter of fact the impression I received was that he was there representing International Magazine Service, Inc. as their attorney and as officer of the corporation.

It was only after the meeting was over that I learned of Mr. Noren's employment with your office as an Assistant Attorney General. I can not recall who informed me of the above fact but I do recall that it was not Mr. Noren.

I trust that this information will be of some value to you.

Respectfully,

Benjamin F. Kirk,
Deputy Attorney General.

State of New Jersey,
Office of Consumer Protection,
Newark, N.J., March 13, 1969.

Hon. Francis B. Burch,
Attorney General of Maryland,
Baltimore, Md.

Dear General Burch: You have requested a written account of a certain incident occurring on or about January 28, 1969 wherein Donald H. Noren, Assistant Attorney General, appeared before this agency as both counsel for and officer of International Magazine Services.

On the above stated date International Magazine Service voluntarily appeared for the purpose of being placed on notice of certain complaints received by this office.

More specifically, you have inquired as to the references made by Donald H. Noren to his official position as Assistant Attorney General. Please be advised that Mr. Noren on a single occasion mentioned that he in fact held this public position. While I personally found the comment to be totally unwarranted and improper when considered in the total context of this conference, it is my feeling that Mr. Noren did not flaunt his official position for the purpose of advancing either his personal interest or the private interest of his client.

Furthermore, it is my personal feeling that Mr. Noren has placed himself in a position in which there is an inherent conflict of interest between his public duties and his private interests. However, the ultimate resolution of this question would seem to lie peculiarly within your province.

This agency believes that the sales practices employed by International Magazine Service raise serious questions of public policy in terms of the rights of the consuming public of this state to fair, honest and open business dealings. To that end an investigation of such practices has been initiated and is presently nearing conclusion.

I have been advised by counsel to this agency that the signed statements secured in the course of the investigation of this matter should be made available. However, as such statements may be essential to future litigation, I am also advised to request your representation to this agency that such statements will not be shown to Mr. Noren. Upon receipt of your representation I will forward copies of these statements.

Hoping this statement will be of help to you in this matter, I remain

Very truly yours,

Paul J. Krebs,
Executive Director, New Jersey Office of Consumer Protection.

State of New Jersey,
Office of Consumer Protection,
Newark N.J., March 22, 1969.

Hon. Francis B. Burch,
Attorney General of Maryland,
Baltimore, Md.

Dear General Burch: I have been requested by Paul J. Krebs, Executive Director, New Jersey Office of Consumer Protection, to relate to you my understanding of what happened in a certain informal conference held in this office involving Assistant Attorney General Donald H. Noren.

On or about January 28, 1969, International Magazine Service was requested to appear before this agency for the purpose of making known to the company certain complaints which had been received concerning the solicitation of magazine subscriptions in this state. A representative of the company appeared along with Mr. Noren. Mr. Noren represented that he was both counsel to and an officer of International Magazine Service.

During the informal conference Mr. Noren stated on a single occasion that he was an Assistant Attorney General in the State of Maryland. Your concern, of course, would seem to be whether or not Mr. Noren's conduct in this particular meeting in any way was inappropriate for a person holding a public trust.

It is my opinion that the reference made to Mr. Noren's official position was casual and indirect, and in no way represented an attempt to flaunt that position for the purpose of advancing either his own or his client's private interest. At no time did Mr. Noren's conduct indicate to me a breach of any standard of professional behavior. In short, I believe Mr. Noren's conduct to have comported with that expected of his official position.

I have been informed that you have requested copies of certain signed statements made in the course of this agency's investigation subsequent to the informal hearing mentioned above. While I have advised the Executive Director to make available the requested information, we would appreciate in advance your representation to us that the statements which will be turned over to you will not at any time be shown to Mr. Noren. The reason for this request is that a decision is pending in this agency as to whether or not formal litigation in this matter should be commenced. If such a decision is made in the affirmative you, of course, realize that these statements will be essential in moving to the court and possibly as evidence to support the substantive charges alleged.

Very truly yours,

Douglas J. Harper,
Deputy Attorney General.

Better Business Bureau,
Baltimore, Md., April 18, 1969.

Hon. Fred B. Rooney,
House of Representatives,
Washington, D.C.

Dear Congressman Rooney: Upon receipt of your letter of April 3, 1969, a thorough review of our entire file on International Magazine Service was conducted. It was discovered that at the time Mr. Huber called requesting information the complete file was not all in one location, which resulted in an incomplete summary being provided.

During 1968 the Baltimore Bureau received 167 complaints or letters concerning International Magazine Service, 51 of which involved delay in delivery.

Of the total of 167 complaints or communications received, 83 were adjusted by the company. In addition, 12 cases involved the signing of contracts by minors, where the Bureau suggested that a verification of the date of birth be submitted to the company which would enable the complainant to obtain a cancellation of the contract. In 14 cases the company disputed the statements made by the complainant and declined to make an adjustment. In 24 cases the company refused to make an adjustment because they did not feel the circumstances warranted such action. In 34 cases letters were written to the complainant with copies to International Magazine Service, indicating that for a variety of reasons the Bureau did not consider that the information furnished merited further action by the Bureau.

Contracts had been signed by the customer in the majority of cases which were processed by this Bureau and forwarded to the company.

The Baltimore Better Business Bureau is very much interested in eliminating customer dissatisfaction in the sale of magazines. The National Better Business Bureau and local Bureaus are continuously working toward this end. I have been informed that the President of the National Better Business Bureau plans to get in touch with you in the near future to discuss the matter.

Very truly yours,

Edwin M. Lockard,
General Manager.

POLLUTION OF LAKE SUPERIOR

HON. ROMAN C. PUCINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 15, 1969

Mr. PUCINSKI. Mr. Speaker, the Washington Post has carried an excellent editorial calling attention to the pollution of Lake Superior.

This editorial quite properly points out that the serious pollution of Lake Superior is a danger signal that the whole country should note.

It is quite properly pointed out that Superior is the largest, deepest, and cleanest of the Great Lakes.

And, as it further points out, with Lake Erie ruined and most of the adjacent lakes gravely impaired, conservationists have found some comfort in the supposed purity of Lake Superior, but now even this enclave of purity is being dangerously contaminated.

The Post editorial cites a recent study by the Federal Water Pollution Control Administration which found that 91 municipalities, 61 industries, and 124 Federal installations are discharging waste into Lake Superior or its tributaries.

The most serious of all the dumping into Lake Superior is 60,000 tons of ore waste per day by the Reserve Mining Co. of Duluth.

The most shocking disclosure by the Post is the fact that the Reserve Co. had a permit from the Army Corps of Engineers to dump its taconite tailings into the lake since 1947.

I am calling all this to the attention of the House today to show what a grave error it committed when several weeks ago during debate on the Water Quality Control Act of 1969 the House Committee on Public Works and the House itself rejected my amendment to repeal the act of 1905 which established authorized dumping areas in the Great Lakes.

It is my fervent prayer that the Senate will accept such an amendment, particularly in light of the latest discovery of pollution in Lake Superior.

I said at the time that I offered my amendment that Uncle Sam, through the Corps of Engineers, is the greatest polluter of the Great Lakes and that we cannot expect municipalities and private industry to refrain from dumping pollutants into the Great Lakes if we condone this practice by an act of Congress enacted in 1905.

It is a source of great distress to me that obviously barge owners and all those others who gain from the traffic in pollutants into the Great Lakes should have a greater influence over the Congress than the public interest. But those obviously are the facts.

There can be no other reason why there should be any opposition to an amendment to repeal the 1905 dumping areas. The Washington Post deserves the highest commendation for calling our attention to this mounting menace in Lake Superior and the effects that the growing pollution of that Lake will have on the rest of the Great Lakes, including Lake Michigan.

I hope the Post editorial will move some of the Members of the other body to pick up this fight to see whether or not the other Chamber will be more responsive to the public interest than we were in this Chamber when we rejected the antidumping amendment.

Time is running out and before long I fear all the Great Lakes will be beyond salvation, as is Lake Erie today.

During debate on the Water Quality Control Act of 1969, it was pointed out that it would take hundreds of millions of dollars to restore Lake Erie back to some standard of purity, and there was a doubt expressed that even with the expenditure of millions of dollars that Lake Erie can actually be saved. Now we see the same menace moving into the last sanctuary of purity in the Great Lakes, Lake Superior, and I wonder how long Congress will continue to remain aloof to the willful destruction of the greatest natural resource in the world, the Great Lakes of mid-America.

Mr. Speaker, the Post editorial follows:

Pollution of Lake Superior

Reports that Lake Superior is being seriously polluted are a danger signal that the whole country should note. Superior is the largest, deepest and cleanest of the Great Lakes. With Lake Erie ruined and most of the adjacent lakes gravely impaired, conservationists have found some comfort in the supposed purity of Lake Superior. Now, however, even this immense fresh-water sea between the United States and Canada is being dangerously contaminated.

Investigators for the Federal Water Pollution Control Administration have found that 91 municipalities, 61 industries and 124 Federal installations are discharging wastes into Lake Superior or its tributaries. Additional pollution is coming from watercraft, pesticides, polluted dredgings and sediment. Apparently most serious of all is the dumping into the lake of 60,000 tons of ore waste per day by the Reserve Mining Co. of Duluth.

It is shocking to learn that the Reserve Company has had a permit from the Army Corps of Engineers to dump its taconite tailings into the lake since 1947. Renewal of the permit is now being sought despite the findings of a Pollution Control Administration team that the tailings have become a source of concern. A recent study has also shown the presence of taconite tailings in the municipal water systems of Duluth, Beaver Bay and Two Harbors, Minn.

Reports that the findings of pollution by the Reserve Company were suppressed in the Interior Department at the behest of Rep. John A. Blatnik of Minnesota are especially distressing. As chairman of the House Subcommittee on Rivers and Harbors, Mr. Blatnik has been a leader in many campaigns against water pollution, but his enthusiasm for taconite mining in the Duluth area appears to have dulled his sensitivity to the damage that is being done to Lake Superior.

Despite the suppression of the report within his Department, former Interior Secretary Udall did order an "enforcement conference" on the question of pollution in Lake Superior before leaving office. That conference began on Tuesday of this week in Duluth. It has before it 20 recommendations for ending the pollution of Lake Superior. Unfortunately, the recommendation of the suppressed report that the dumping of mining waste into the lake be stopped has been toned down to a request for "continued surveillance" of the Reserve Mining Co. operation at Silver Bay. But the conference has a clear obligation to recognize pollution for what it is and to move resolutely toward its elimination.

THE DUTY OF THE HOUSE IN PRESERVING THE INTEGRITY OF OUR COURTS

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 15, 1969

Mr. RARICK. Mr. Speaker, the resignation today of Associate Justice Abe Fortas is certainly a step in the right direction. He appears to be the first Justice to resign from the Supreme Court to avoid impeachment. His unwept departure marks a significant victory for those Americans who have struggled long and valiantly to purify our judiciary—to return to a Government of law, under our great Constitution. That this man, only a few months ago, was handpicked to become Chief Justice of the United States is indicative of the depths to which we have fallen.

Perhaps today, only 2 days prior to the 15th anniversary of the "Black Monday" decision, it is appropriate to remind ourselves of the principles upon which our Government rests. The three great branches are equal, independent, and coordinate. Through a system of checks and balances each great branch is enabled to prevent in the other two the abuses of power which lead to tyranny. It is our duty to use these powers entrusted to us when it becomes apparent that such abuses are occurring.

This body is not responsible for the selection or the nomination of prospective judges of the courts of the United States. That is the responsibility of the President. The responsibility for confirming nominees also rests elsewhere. It is inappropriate for us to intrude into this process, except as individual citizens of our States and of these United States.

But it is to this House that the authority and the responsibility for impeachments is committed. And it is to this House that the people rightly look for the correction of the judicial abuses under which they more and more suffer. Our function is like that of a grand jury—when it comes to our attention that a person occupying judicial office under the United States is probably guilty of conduct for which impeachment will lie, when a prima facie case of such guilt is made out, then this House has a duty under the Constitution to impeach that person. The trial of the impeachment is confided to others, but the duty to impeach is ours and ours alone.

We cannot be blind to the things which the public knows. When wrongs call out to be righted, and the responsibility lies with us, we must act. It is appropriate to announce, Mr. Speaker, that there are those of us in this body who are prepared to do just that. Those who set themselves above the law are unfit to judge. They must step aside. If they fail to step down, let them understand here and now that they will be removed. This is our responsibility under the Constitution, and this is what the American people expect us to do.

I respectfully include my bills, House Joint Resolution 68 and House Joint Resolution 71, for the consideration of our colleagues in bringing about judicial reform.

H.J. Res. 68

Joint resolution proposing an amendment to the Constitution of the United States relating to the approval of Justices of the Supreme Court

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution only if ratified by the legislatures of three-fourths of the several States within seven years from the date of its submission by the Congress:

"ARTICLE —

"Section 1. Whenever 1 per centum of the voters qualified to vote for Representatives to the Congress in each of fifty States, or whenever the legislatures of two-thirds of the States, petition for the removal of a Justice of the Supreme Court of the United States, the question of whether such Justice should be removed from office shall be placed on the ballot in each of the States at the time of the next election of Representatives to the Congress occurring more than one month after the voters in the requisite number of States or the legislatures of the requisite number of States, as the case may be, have approved petitions. A Justice may be removed from office by a majority of the voters voting in such election.

"Sec. 2. A Justice removed from office under section 1 of this article may not be reappointed to the Supreme Court, but may hold any other office to which he is otherwise eligible.

"Sec. 3. Petitions by voters and by the legislatures of the States shall be valid until the death of a Justice, but a petition submitted by a legislature may be withdrawn at any time until the requisite number of legislatures have approved such petitions."

H.J. Res. 71

Joint resolution proposing an amendment to the Constitution of the United States to provide that appointments of judges to the Supreme Court and judges to all other Federal courts, as established under section 1 of article III, be reconfirmed every six years by the Senate and to require five years' prior judicial experience as a qualification for appointment to said offices

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution only if ratified by the legislatures of three-fourths of the several States within seven years from the date of its submission to the States by the Congress:

"ARTICLE —

"Section 1. No person may serve as a judge of a court established under section 1 of article III unless the Senate reconfirms his appointment to such office during the last year of each six-year period after the year of his initial appointment, except that for the purposes of this article a judge of a court established under section 1 of article III holding such office on the date of the ratification of this article shall be deemed to have been initially appointed to such office on the date of ratification.

"Sec. 2. No person may be appointed as a judge of a court established under section 1 of article III who, at the time of his appointment, has not served for at least five years as a judge of a court of record of a

State or as a judge of a court established under section 1 of article III, except that no person whose appointment to a court established under section 1 of article III is not reconfirmed by the Senate as prescribed in section 1 of this article, may be appointed to any other court established under section 1 of article III.

"SEC. 3. The Congress shall have the power to enforce this article with appropriate legislation."

THE CIVIL RIGHTS AND LABOR MOVEMENTS JOIN FORCES FOR PROGRESS

HON. CHARLES H. WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 15, 1969

Mr. CHARLES H. WILSON. Mr. Speaker, having spoken out last week in support of the Southern Christian Leadership Conference and the workers in Charleston, S.C., I am gratified to note that the New York Times has come out in support of this movement and lauded the cooperation between labor leaders and black workers. The editorial appears below:

THE CHARLESTON COALITION

George Meany and Walter P. Reuther have parted company in organized labor, but they are standing together in support of striking Negro hospital workers in Charleston, S.C. A similar unity has been established by all the country's major civil rights groups, which rarely agree on tactics these days. They have put aside their differences to help a wretchedly underpaid work force win union recognition and a measure of human dignity.

The coalition that has been forged between the labor movement and the civil rights organizations in the Charleston struggle is as firm as the one that existed on Capitol Hill through the long fight to put across the Civil Rights Act of 1964. That coalition was reformed during the Memphis sanitation strike before the assassination of the Rev. Dr. Martin Luther King Jr. Its emergence now suggests that the coalition is no one-time thing and that, in easing the plight of the exploited black worker, both unions and civil rights groups have a role to play. Each can draw strength from the other in a period when both have seemed to flounder in many of their recent efforts.

Unions have been lagging in membership. Civil rights groups such as Dr. King's Southern Christian Leadership Conference, now headed by the Rev. Ralph David Abernathy, need fresh victories. They have a mutual interest in the 500 striking Charleston hospital workers who are mostly women, mostly blacks, employed as non-professional nurses' aides, orderlies, cooks, at wages as little as $1.30 an hour or thirty cents below the Federal minimum wage which establishes a floor for most jobs. Unions calculate that there are 2.5 million non-union black, Puerto Rican and Mexican hospital workers across the country suffering similar wage injustices.

The best hope for ending the Charleston strike without a racial explosion or a tragedy of the type that struck down Dr. King lies in intervention by the Federal Government—precisely the kind of intervention that brought labor peace after tragedy struck in Memphis a year ago. At a meeting in the White House yesterday, Dr. King's successor, Mr. Abernathy, urged President Nixon "to use his great and powerful office" to speed a settlement. "He said nothing," was Mr. Abernathy's report after the session. That is not a good enough answer; it cannot be the final one.

SENATE—*Friday, May 16, 1969*

The Senate met at 12 o'clock noon, and was called to order by the Vice President.

The Chaplain, the Reverend Edward L. R. Elson, D.D., offered the following prayer:

Blessed are they who hunger and thirst after righteousness; for they shall be filled.—Matthew 5: 6

O Father of mercies, have compassion upon all who need Thy forgiveness. Pardon the sins which are an offense against Thy love and Thy law. And forgive all the little evils which lay waste life and disfigure the divine image in man. Help all who would follow Thee in spirit and in truth to jettison the debris of the spirit which soils the soul, the character or the institution. May the tide of Thy righteous spirit flow over the Nation to cleanse and redeem, to heal and unite the people, that we may walk steadfastly according to Thy statutes, with clean hands and pure hearts. God bless this Nation and make it a blessing.

In the name of the Lord and Saviour. Amen.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Wednesday, May 14, 1969, be dispensed with.

The VICE PRESIDENT. Without objection, it is so ordered.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had passed the bill (S. 1011) to authorize appropriations for the saline water conversion program for fiscal year 1970, and for other purposes, with an amendment, in which it requested the concurrence of the Senate.

The message also announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H.R. 4152. An act to authorize appropriations for certain maritime programs of the Department of Commerce;

H.R. 5833. An act to continue until the close of June 30, 1972, the existing suspension of duty on certain copying shoe lathes;

H.R. 7311. An act to amend item 709.10 of the Tariff Schedules of the United States to provide that the rate of duty on parts of stethoscopes shall be the same as the rate on stethoscopes; and

H.R. 9951. An act to provide for the collection of the Federal unemployment tax in quarterly installments during each taxable year; to make status of employer depend on employment during preceding as well as current taxable year; to exclude from the computation of the excess the balance in the employment security administration account as of the close of fiscal year 1970 through 1972; to raise the limitation on the amount authorized to be made available for expenditure out of the employment security administration account by the amounts so excluded; and for other purposes.

ENROLLED BILLS SIGNED

The message further announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Vice President.

H.R. 33. An act to provide for increased participation by the United States in the International Development Association, and for other purposes; and

H.R. 8794. An act to amend the Marine Resources and Engineering Development Act of 1966 to continue the National Council on Marine Resources and Engineering Development, and for other purposes.

HOUSE BILLS REFERRED

The following bills were severally read twice by their titles and referred, as indicated:

H.R. 4152. An act to authorize appropriations for certain maritime programs of the Department of Commerce; to the Committee on Commerce.

H.R. 5833. An act to continue until the close of June 30, 1972, the existing suspension of duty on certain copying shoe lathes;

H.R. 7311. An act to amend item 709.10 of the Tariff Schedules of the United States to provide that the rate of duty on parts of stethoscopes shall be the same as the rate on stethoscopes; and

H.R. 9951. An act to provide for the collection of the Federal unemployment tax in quarterly installments during each taxable year; to make status of employer depend on employment during preceding as well as current taxable year; to exclude from the computation of the excess the balance in the employment security administration account as of the close of fiscal year 1970 through 1972; to raise the limitation on the amount authorized to be made available for expenditure out of the employment security administration account by the amounts so excluded; and for other purposes; to the Committee on Finance.

LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that statements in relation to the transaction of routine morning business be limited to 3 minutes.

The VICE PRESIDENT. Without objection, it is so ordered.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate go into executive session to consider a nomination on the Executive Calendar under "New Reports."

There being no objection, the Senate proceeded to the consideration of executive business.

The **VICE PRESIDENT**. The nomination on the Executive Calendar will be stated, as requested by the Senator from Montana.

DEPARTMENT OF JUSTICE

The bill clerk read the nomination of Ira De Ment, of Alabama, to be U.S. attorney for the middle district of Alabama.

The **VICE PRESIDENT**. Without objection, the nomination is considered and confirmed.

Mr. **MANSFIELD**. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of this nomination.

The **VICE PRESIDENT**. Without objection, it is so ordered.

LEGISLATIVE SESSION

Mr. **MANSFIELD**. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to, and the Senate resumed the consideration of legislative business.

THE CALENDAR

Mr. **MANSFIELD**. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar Nos. 159 and 160.

The **VICE PRESIDENT**. Without objection, it is so ordered.

THE 150TH ANNIVERSARY OF THE FOUNDING OF ALABAMA

The bill (S. 1995) to provide for the striking of medals in commemoration of the 150th anniversary of the founding of the State of Alabama was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 1995

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in commemoration of the one hundred and fiftieth anniversary of the founding of the State of Alabama, the Secretary of the Treasury is authorized and directed to strike and furnish to the Alabama Sesquicentennial Commission five thousand silver and fifty thousand bronze medals with suitable emblems, devices, and inscriptions to be determined by such Commission subject to the approval of the Secretary of the Treasury. The medals shall be made and delivered at such times as may be required by such Commission, but no medals shall be made after January 1, 1970. The medals shall be considered to be national medals within the meaning of section 3551 of the Revised Statutes (31 U.S.C. 368).

SEC. 2. The Secretary of the Treasury shall cause such medals to be struck and furnished at not less than the estimated cost of manufacture, including labor, materials, dies, use of machinery, and overhead expenses; and security satisfactory to the Director of the Mint shall be furnished to indemnify the United States for full payment of such costs.

SEC. 3. The medals authorized to be issued pursuant to this Act shall be of such size or sizes as shall be determined by the Secretary of the Treasury in consultation with the Alabama Sesquicentennial Commission.

THE 300TH ANNIVERSARY OF THE FOUNDING OF SOUTH CAROLINA

The bill (H.R. 6269) to provide for the striking of medals in commemoration of the 300th anniversary of the founding of South Carolina was considered, ordered to a third reading, read the third time, and passed.

PRESIDENT NIXON'S ADDRESS ON VIETNAM

Mr. **DIRKSEN**. Mr. President, I ask unanimous consent that the text of the speech on Vietnam, delivered by the President of the United States at 10 o'clock on the evening of May 14, 1969, be printed at this point in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

I have asked for this television time tonight to report to you on our most difficult and urgent problem—the war in Vietnam.

Since I took office four months ago nothing has commanded so much of my time and energy as the search for a way to bring lasting peace in Vietnam. I know that some believe I should have ended the war immediately after my inauguration by simply withdrawing our forces from Vietnam.

This would have been the easy thing to do and it might have been a popular move.

But I would have betrayed my solemn responsibility as President of the United States had I done so.

I want to end this war. The American people want to end this war. The South Vietnamese people want to end this war. But we want to end it permanently so that the younger brothers of our soldiers in Vietnam will not have to fight in the future in another Vietnam some place in the world.

The fact that there is no easy way to end the war does not mean that we have no choice but to let the war drag on with no end in sight.

For more than four years American boys have been fighting and dying in Vietnam. For twelve months our negotiators have been talking with the other side in Paris. Yet the fighting goes on. The destruction continues. Brave men still die.

The time has come for some new initiatives. Repeating the old formulas and the tired rhetoric of the past is not enough. When Americans are risking their lives in war, it is the responsibility of their leaders to take some risks for peace.

I would like to report to you tonight on some of the things we have been doing in the past four months to bring true peace, and then I would like to make some concrete proposals to speed that day.

REVIEW AND REASSESSMENT

Our first step began before inauguration. This was to launch an intensive review of every aspect of the Nation's Vietnam policy. We accepted nothing on faith, we challenged every assumption and every statistic. We made a systematic, serious examination of all the alternatives open to us. We carefully considered recommendations offered both by critics and by supporters of past policies.

From the review, it became clear at once that the new Administration faced a set of immediate operational problems.

The other side was preparing for a new offensive.

There was a wide gulf of distrust between Washington and Saigon, which hindered cooperation.

In eight months of talks in Paris, there had been no negotiations directly concerned with a final settlement.

We therefore moved on several fronts at once.

We frustrated the attack which was launched in late February. As a result, the North Vietnamese and the Viet Cong failed to achieve their military objectives.

We restored a close working relationship with Saigon. In the resulting atmosphere of mutual confidence, President Thieu and his Government have taken important initiatives in the search for a settlement.

We speeded up the strengthening of the South Vietnamese forces. As a result, General Abrams reported to me on Monday that progress in this training program has been excellent, and that apart from what will develop from the negotiations, the time is approaching when South Vietnamese forces will be able to take over some of the fighting fronts now being manned by Americans.

Our deepest concern has been the development of a coherent peace policy, so that our various moves would reinforce each other. As a result, we have been able to move the Paris talks toward the substantive issues essential to an agreement.

In weighing alternative courses, we have had to recognize that the situation as it exists today is far different from what it was two years ago, or four years ago, or ten years ago.

One difference is that we no longer have the choice of not intervening. We have crossed that bridge. There are now more than half a million American troops in Vietnam and 35,000 Americans have lost their lives there.

We can have honest debate about whether we should have entered the war. We can have honest debate about the past conduct of the war. But the urgent question today is what to do now that we are there, not whether we should have entered on this course, but what is required of us today.

Against that background, let me discuss first what we have rejected, and second, what we are prepared to accept.

ESSENTIAL PRINCIPLES

We have ruled out attempting to impose a purely military solution on the battlefield.

We have also ruled out either a one-sided withdrawal from Vietnam, or the acceptance in Paris of terms that would amount to a disguised defeat.

When we assumed the burden of helping defend South Vietnam, millions of South Vietnamese men, women and children placed their trust in us. To abandon them now would risk a massacre that would shock and dismay everyone in the world who values human life.

Abandoning the South Vietnamese people, however, would jeopardize more than lives in South Vietnam. It would threaten our longer term hopes for peace in the world. A great nation cannot renege on its pledges. A great nation must be worthy of trust.

When it comes to maintaining peace, "prestige" is not an empty word. I am not speaking of false pride or bravado—they should have no place in our policies. I speak rather of the respect that one nation has for another's integrity in defending its principles and meeting its obligations.

If we simply abandoned our effort in Vietnam, the cause of peace might not survive the damage that would be done to other nations' confidence in our reliability.

XUM

Another reason stems from debates within the Communist world between those who argue for a policy of confrontation with the United States and those who argue against it. If Hanoi were to succeed in taking over South Vietnam by force—even after the power of the United States had been engaged—it would greatly strenthen those leaders who scorn negotiation, who advocate aggression, who minimize the risks of confrontation. It would bring peace now, but it would enormously increase the danger of a bigger war later.

If we are to move successfully from an era of confrontation to an era of negotiation, then we have to demonstrate—at the point at which confrontation is being tested—that confrontation with the United States is costly and unrewarding.

Almost without exception, the leaders of non-Communist Asia have told me that they would consider a one-sided American withdrawal from Vietnam to be a threat to the security of their own nations.

In determining what choices would be acceptable, we have to understand our essential objective: We seek the opportunity for the South Vietnamese people to determine their own political future without outside interference.

Let me put it plainly: What the United States wants for South Vietnam is not the important thing. What North Vietnam wants for South Vietnam is not the important thing. What is important is what the people of South Vietnam want for themselves.

The United States has suffered over one million casualties in four wars in this century. Whatever faults we may have as a nation, we have asked nothing for ourselves in return for these sacrifices. We have been generous toward those whom we have fought, helping former foes as well as friends in the task of reconstruction. We are proud of this record, and we bring the same attitude to our search for a settlement in Vietnam.

In this spirit, let me be explicit about several points:

We seek no bases in Vietnam.

We insist on no military ties.

We are willing to agree to neutrality if that is what the South Vietnamese people freely choose.

We believe there should be an opportunity for full participation in the political life of South Vietnam by all political elements that are prepared to do so without the use of force or intimidation.

We are prepared to accept any government in South Vietnam that results from the free choice of the South Vietnamese people themselves.

We have no intention of imposing any form of government upon the people of South Vietnam, nor will we be a party to such coercion.

We have no objection to reunification, if that turns out to be what the people of South Vietnam and the people of North Vietnam want; we ask only that the decision reflect the free choice of the people concerned.

At this point, I would like to add a personal word based on many visits to South Vietnam over the past five years. This is the most difficult war in America's history, fought against a ruthless enemy. I am proud of our men who have carried the terrible burden of this war with dignity and courage, despite the division and opposition to the war in the United States. History will record that never have America's fighting men fought more bravely for more unselfish goals than our men in Vietnam. It is our responsibility to see that they will not have fought in vain.

In pursuing our limited objective, we insist on no rigid diplomatic formula. Peace could be achieved by a formal negotiated settlement. Peace could be achieved by an informal understanding, provided that the understanding is clear, and that there were adequate assurances that it would be observed. Peace on paper is not as important as peace in fact.

THE NEGOTIATIONS

This brings us, then, to the matter of negotiations.

We must recognize that peace in Vietnam cannot be achieved overnight. A war which has raged for so many years will require detailed negotiations and cannot be settled at a single stroke.

What kind of a settlement will permit the South Vietnamese people to determine freely their own political future? Such a settlement will require the withdrawal of all non-South Vietnamese forces from South Vietnam and procedures for political choice that give each significant group in South Vietnam a real opportunity to participate in the political life of the nation.

To implement these principles, I reaffirm now our willingness to withdraw our forces on a specified timetable. We ask only that North Vietnam withdraw its forces from South Vietnam, Cambodia and Laos into North Vietnam, also in accordance with a timetable.

We include Cambodia and Laos to ensure that these countries would not be used as bases for a renewed war. The Cambodian border is only 35 miles from Saigon; the Laotian border is only 25 miles from Hue.

Our offer provides for a simultaneous start on withdrawal by both sides; agreement on a mutually acceptable timetable; and for the withdrawal to be accomplished quickly.

If North Vietnam wants to insist that it has no forces in South Vietnam, we will no longer debate the point—provided that its forces cease to be there, and that we have reliable assurances that they will not return.

The North Vietnamese delegates have been saying in Paris that political issues should be discussed along with military issues, and that there must be a political settlement in the South. We do not dispute this, but the military withdrawal involves outside forces, and can therefore be properly negotiated by North Vietnam and the United States, with the concurrence of its allies. The political settlement is an internal matter, which ought to be decided among the South Vietnamese themselves and not imposed by outside powers. However, if our presence at these political negotiations would be helpful, and if the South Vietnamese concerned agreed, we would be willing to participate, along with the representatives of Hanoi if that were also desired.

Recent statements by President Thieu have gone far toward opening the way to a political settlement. He has publicly declared his government's willingness to discuss a political solution with the National Liberation Front and has offered free elections. His was a dramatic step forward, a reasonable offer that could lead to a settlement. The South Vietnamese Government has offered to talk without preconditions. I believe that the other side should also be willing to talk without preconditions.

The South Vietnamese Government recognizes, as we do, that a settlement must permit all persons and groups that are prepared to renounce the use of force to participate freely in the political life of South Vietnam. To be effective, such a settlement would require two things: First, a process that would allow the South Vietnamese people to express their choice; and second, a guarantee that this process would be a fair one.

We do not insist on a particular form of guarantee. The important thing is that the guarantees should have the confidence of the South Vietnamese people, and that they should be broad enough and strong enough to protect the interests of all major South Vietnamese groups.

This, then, is the outline of the settlement that we seek to negotiate in Paris. Its basic terms are very simple: Mutual withdrawal of non-South Vietnamese forces from South Vietnam, and free choice for the people of South Vietnam. I believe that the long-term interests of peace require that we insist on no less, and that the realities of the situation require that we seek no more.

PROGRAMS AND ALTERNATIVES

To make very concrete what I have said, I propose the following measures, which seem to me consistent with the principles of all parties. These proposals are made on the basis of full consultation with President Thieu.

As soon as agreement can be reached, all non-South Vietnamese forces would begin withdrawals from South Vietnam.

Over a period of twelve months, by agreed-upon stages, the major portions of all U.S., Allied, and other non-South Vietnamese forces would be withdrawn. At the end of this twelve month period, the remaining U.S., Allied and other non-South Vietnamese forces would move into designated base areas and would not engage in combat operations.

The remaining U.S. and Allied forces would move to complete their withdrawals as the remaining North Vietnamese forces were withdrawn and returned to North Vietnam.

An international supervisory body, acceptable to both sides, would be created for the purpose of verifying withdrawals, and for any other purposes agreed upon between the two sides.

This international body would begin operating in accordance with an agreed timetable, and would participate in arranging supervised ceasefires.

As soon as possible after the international body was functioning, elections would be held under agreed procedures and under the supervision of the international body.

Arrangements would be made for the earliest possible release of prisoners of war on both sides.

All parties would agree to observe the Geneva Accords of 1954 regarding Vietnam and Cambodia, and the Laos Accords of 1962.

I believe this proposal for peace is realistic, and takes account of the legitimate interests of all concerned. It is consistent with President Thieu's six points. It can accommodate the various programs put forth by the other side. We and the Government of South Vietnam are prepared to discuss its details with the other side. Secretary Rogers is now in Saigon and will be discussing with President Thieu how, together, we may put forward these proposed measures most usefully in Paris. He will, as well, be consulting with our other Asian allies on these measures while on his Asian trip. However, I would stress that these proposals are not offered on a take-it-or-leave-it basis. We are quite willing to consider other approaches consistent with our principles.

We are willing to talk about anybody's program—Hanoi's four points, and NLF's 10 points—provided it can be made consistent with the few basic principles I have set forth here.

Despite our disagreement with several of its points, we welcome the fact that the NLF has put forward its first comprehensive program. We are continuing to study it carefully. However, we cannot ignore the fact that immediately after the offer, the scale of enemy attacks stepped up and American casualties increased.

Let me make one point very clear. If the enemy wants peace with the United States, that is not the way to get it.

XUM

I have set forth a peace program tonight which is generous in its terms. I have indicated our willingness to consider other proposals. No greater mistake could be made than to confuse flexibility with weakness or being reasonable with lack of resolution. I must make clear, in all candor, that if the needless suffering continues, this will affect other decisions. Nobody has anything to gain by delay.

Reports from Hanoi indicate that the enemy has given up hope for a military victory in South Vietnam but is counting on a collapse of American will in the United States. They could make no greater error in judgment.

Let me be quite blunt. Our fighting men are not going to be worn down; our negotiators are not going to be talked down; our allies are not going to be let down.

I have seen the ugly face of war in Vietnam. I have visited the wounded in field hospitals—American boys, South Vietnamese boys, North Vietnamese boys. They were different in many ways—the color of their skins, their religions, their race. Some were enemies, some were friends.

But the differences were small compared with how they were alike. They were brave men and they were so young. Their lives—their dreams for the future had been shattered by a war over which they had no control.

With all of the moral authority of the office which I hold, I say that America could have no greater and prouder role than to help to end this war in a way which will bring nearer that day in which we can have a world order in which young men can grow up in peace and friendship.

I do not criticize those that disagree with me on the conduct of our peace negotiations. I do not ask unlimited patience from a people whose hopes for peace have too often been raised and cruelly dashed over the past four years.

I have tried to present the facts about Vietnam with complete honesty and I shall continue to do so in my reports to the American people.

Tonight, all I ask is that you consider these facts and, whatever our differences, that you support a program which can lead to a peace we can live with and a peace we can be proud of. Nothing could have a greater effect in convincing the enemy that he should negotiate in good faith than to see the American people united behind a generous and reasonable peace offer.

In my campaign for the Presidency, I pledged to end this war in a way that would increase our chances to win true and lasting peace in Vietnam, in the Pacific and in the world. I am determined to keep that pledge. If I fail to do so, I expect the American people to hold me accountable for that failure.

But while I will never raise false expectations, my deepest hope, as I speak to you tonight, is that we shall be able to look back on this day as that critical turning point when American initiative moved us off dead center and forward to the time when this war would be brought to an end and we could devote the unlimited energies and dedication of the American people to the challenges of peace.

THE 65TH BIRTHDAY ANNIVERSARY OF SENATOR JOHN J. WILLIAMS, OF DELAWARE

Mr. DIRKSEN. Mr. President, I think I should legislatively and judicially take note of the fact that tomorrow is the 65th birthday anniversary of the distinguished Senator from Delaware (Mr. WILLIAMS). He is serving his fourth term in this body, and I believe the entire country and all the people are thoroughly familiar with his good work and what he has accomplished in the public cause and for the good of this Republic.

It is a little unfortunate, I think, that he has indicated that at the appropriate time he will retire from the public service, and that means at the end of his instant term, which is his fourth term.

Certainly, the country will miss him, and we shall miss him, also. But so long as he is here, I salute him, because he is the ranking Republican on the Committee on Finance, and therefore my leader.

In addition, I should observe that he has faithfully done his homework in a field which is abstruse at times and which others do not freely like to tackle, and that is the question of ceilings on expenditures, ceilings on employment, fair and equitable tax systems, and all the other things to which a person can give a lifetime of attention without also being encumbered with any other public responsibility.

So I salute the distinguished Senator from Delaware as he comes up to the threshold of his 65th birthday anniversary.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield.

Mr. MANSFIELD. Mr. President, I wish to join the distinguished minority leader in his tribute to the distinguished senior Senator from Delaware (Mr. WILLIAMS).

I must say, speaking nonpartisanly, that I am not happy that the Senator has seen fit not to run for reelection. During the period he has been a Member of this body, he has performed a distinct and much needed service down through the years, and I know from firsthand knowledge that sometimes it was under the most difficult circumstances.

I could not let this occasion pass without expressing publicly my respect and my affection for the distinguished Senator from Delaware and to acknowledge openly the many contributions he has made to the welfare of this body, Congress as a whole, and the Nation, as well. He has been a giant, and his departure from the Senate will leave a void which will be almost impossible to fill.

I express my high regard, my affection, and my respect for the "bulldog" of the Senate, who has performed so valuably and so adequately throughout the years of his service.

Mr. SCOTT. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield.

Mr. SCOTT. Mr. President, representing so ably the First State of the Union, Delaware, and the only State which managed, by its promptitude and loyalty and adherence to the principles of union, to keep my State from having had that honor—from the First State comes one who is in many ways the first Senator, surely the first Senator in his services as a watchdog of the other branches under our system and of this legislative branch—a watchdog with teeth, I may add.

He has effectively, throughout all his service, managed to leave his imprint, or perhaps his teeth marks, upon legislative loopholes; and has, by the very pressure of his personality and of his integrity, succeeded in closing some of those loopholes, even against the best efforts of the otherwise disposed among us who sometimes did not see as clearly as he did the importance of these efforts.

I congratulate him on the threshold of his birthday I am sorry that he will not be a candidate again to succeed himself, because such a succession in the First State would be a foregone conclusion.

My congratulations to our distinguished Senator and best wishes to him always.

Mr. DIRKSEN. Mr. President, I yield to the distinguished Senator from Wisconsin.

Mr. PROXMIRE. Mr. President, I cannot resist adding my voice to those of other friends of the Senator from Delaware. I have done this before, but he is such an outstanding Senator that I am most happy to be able to do so again.

I feel he is the one Member of this body who is its most able sentinel. I hope once again that this remarkable man will reconsider his decision to retire. I say that because none of the rest of us has had his persistence, grasp of the subject, willingness, and strong integrity to stand up again and again and make fights for a more ethical U.S. Senate and Congress. He is the one man who has been able to do this over the years, and he has done it with great effect.

I add my strong endorsement to the statement of the distinguished minority leader that the Senator from Delaware has a remarkable grasp of our complex tax structure. He has made a valuable contribution in that area.

Mr. LONG. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield to the distinguished chairman of the Committee on Finance.

Mr. LONG. Mr. President, I wish to endorse the statements by Senators on both sides of the aisle about the ranking minority member of the Committee on Finance, the distinguished senior Senator from Delaware. To those statements I wish to add something that perhaps does not appear so clearly in the RECORD as it might. He is perhaps the most diligent as well as the most consistent Member of this body.

I say that because some years ago, when I first became the chairman of the Committee on Finance, I thought it might help to boost good attendance if a record were kept as to who showed up at each meeting and how long they were there. That record has been kept over a long period of time. It could be that some Senators would not like to have that record made public, but I know the Senator from Delaware would have no objection because frequently he is at the top of the list, notwithstanding his many other responsibilities. As chairman of the committee, I have frequently found it difficult to keep up with his attendance at committee meetings.

While he is a very convincing debater, he has never convinced me, as he has failed to convince a great number of other Senators, that he is doing the Nation a favor by insisting on retiring at the end of this term.

Mr. McCLELLAN. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield to the distinguished Senator from Arkansas.

Mr. McCLELLAN. Mr. President, I wish to join my colleagues and extend congratulations and best wishes to the distinguished Senator from Delaware. It has been my pleasure to serve with him for a number of years. I share the regret and disappointment of all Members of this body in his decision to retire and not to seek reelection.

I know of no Senator with whom I have ever served who has set a higer example of steadfast integrity, diligence, dedication, and devotion to duty than has the senior Senator from Delaware, an example that each of us, and all who will become Members of this body in the future, may well emulate with great satisfaction and the assurance that in doing so we would distinguish ourselves as Members of this body.

Mr. DIRKSEN. Mr. President, I yield to the Senator from Tennessee.

Mr. GORE. Mr. President, it is my pleasure and also my opportunity—a rewarding opportunity—to serve on two distinguished committees with the able senior Senator from Delaware. His diligence and the degree of probity with which he approaches public questions, the easy equation of friendship, and the pleasant relationship he has extended to me have made of this joint service a very satisfying experience.

I hope he will reconsider his decision—and I say that across the aisle—for the senior Senator from Delaware performs a duty in the Senate and in this country which is widely recognized and which is important. He has carved for himself a role and a niche. His service here cannot be easily replaced. It would take the most diligent of Senators a long while to develop the technique, the knowledge, and the public confidence in this particular sphere which is enjoyed by the senior Senator from Delaware.

I join in extending congratulations upon his distinguished service, but I wish to voice the deepest of personal regret to see its end in prospect.

Mr. FANNIN. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield.

Mr. FANNIN. Mr. President, I wish to join Senators in congratulating the distinguished senior Senator from Delaware.

Shortly after I came to the Senate, the distinguished majority leader was talking to me about our dear friend. He said, "I want you to know he does his homework, and that is why he is so effective, and his accomplishments are so marked."

I consider the distinguished Senator from Delaware to be one of the most respected men in America today. He is always consulted about pending legislation and has tremendous influence on all his colleagues. Not only is he highly regarded by all of us in this Chamber but he is so knowledgeable that over the years he has gained the respect of the Nation.

I wish him well. I am sorry he is going to leave us, but I know he will be back to visit us often. We shall look forward to his visits. In the meantime, we shall have him with us for a few more months.

Mr. SPARKMAN. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield.

Mr. SPARKMAN. Mr. President, I join Senators in their statements about the distinguished senior Senator from Delaware. I would like to use the term "memorialize him," but it has too doleful a connotation.

I have had the pleasure of serving for a long time with JOHN WILLIAMS on the Committee on Foreign Relations. I have had many connections with him. I have supported him in various things he has done here more often than most people would think. I pay tribute to him, especially for his active interest in trying to get a good financing system for home mortgages. No Senator has worked more diligently than he has. He knows that from time to time we have adopted programs that he has proposed or amendments he has offered.

JOHN WILLIAMS is an unusual man. I do not know whether I should say "unusual" or not. One knows pretty well what his stand is going to be. It is always going to be one that is what he considers to be right, regardless of where the chips may fall.

I spoke in his State recently, and I saw a good many of his friends. When I came back, I said, "A good many of your friends up there are expressing the hope that you will reconsider."

JOHN told me that he was not going to reconsider—but I just wonder. It seems to me it is going to be a great loss to the Senate if JOHN WILLIAMS does leave us. It would bring cheer to a great many if he would reconsider his decision and just stay here.

Mr. HANSEN. Mr. President, I wish to add my congratulations and best wishes to the distinguished senior Senator from Delaware (Mr. WILLIAMS).

As a relative newcomer to this august body, it has been my pleasure and privilege to listen closely to his counsel and to observe his actions, his industry, and his diligence in searching for the truth. He always tries to hear all sides of an argument before he makes up his mind.

I believe that the distinguished Senator from Delaware has been an effective and articulate spokesman for the quiet, self-supporting, hard-working, and typical taxpaying American. This, of course, includes the overwhelming majority of our people. He has been diligent in his search for economy in government.

It would be difficult for anyone to attempt to put a dollar sign on the contributions JOHN WILLIAMS has made through his never-ending search for an end to wastefulness and graft and for economy, or to assess how much he has contributed to this country. A great many things will be said about him. I know that all of us will be of one accord, though, in expressing our regret that he has chosen voluntarily, in the prime of life, to leave this body.

I have tried unsuccessfully to persuade him that he should not take this step, a step which all his colleagues view with real consternation and dismay. Nevertheless, I know that he is determined to practice what he has been preaching. He has said he believes that no man should serve after reaching the age of 70.

If he adds another 6 years of service to this body, he reaches the conclusion that he cannot carry on and keep faith with the utterances he has been making.

I just say, and say it sadly, that he will be missed more than he knows as a most distinguished and highly articulate spokesman for America.

Mr. ALLEN. Mr. President, perhaps it is presumptuous of the junior Senator from Alabama to pay tribute to the distinguished senior Senator from Delaware, but I could not let pass this opportunity to speak in tribute to him without availing myself of it.

Perhaps it is like the fable of the lion and the mouse. Possibly I can be of no service to the distinguished Senator from Delaware, but I believe that a man is judged not only by his acts, by the company he keeps, the books he reads, or the music to which he listens, but I believe he is also judged by the heroes that he has.

Observing the distinguished senior Senator from Delaware from afar, as I have, for the past decade or more, I must say that he is my idea of a real statesman.

Since I came to the Senate, he has continued to be one of my heroes. I admire him for being a watchdog of the Treasury. I admire him for the never-ending battle he has waged for economy and for honesty in Government.

Thus, I avail myself of this opportunity to pay tribute to him as an example for the entire country.

Today, our people are frustrated. They are disillusioned. For good reason, they lack confidence in some of our public figures; but the senior Senator from Delaware helps restore that confidence. Not only does he set an example for all of his Senate colleagues to emulate, but for the entire country he sets an example of high-minded public service, which serves this body in good stead.

Mr. President, I believe that I am the only new Senator of the "class" of the 91st Congress in the Chamber at this moment, so certainly, speaking for all the new Senators, as well as myself, and speaking also for the people of Alabama who admire this great man, I pay tribute to him as an outstanding public servant.

When the roll is called on a vote, I find that the senior Senator from Vermont (Mr. AIKEN) is the only Senator ahead of me on the list of Senators. I always enjoy listening to how he votes, possibly in order to help to guide me in my voting. Sometimes he is not here. I am sorry that the senior Senator from Delaware (Mr. WILLIAMS) comes as far down on the roll-

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call list as he does. I believe that if he voted up in the AIKENS, the ALLENS, and the ALLOTTS, possibly his vote might influence other Members of the Senate in casting their votes, and on many occasions they might cast a better and a sounder vote in the Senate.

Thus, I hope that the distinguished senior Senator from Delaware (Mr. WILLIAMS) will reconsider the decision he has made. Although it has been my observation that he does not often change his mind, I hope that this time will be an exception. If he does not, he will leave some mighty big shoes to fill. He is going to leave an example of dedicated public service that it would be well for all of us to emulate as an example of the kind of dedicated public service which the people of the country admire and appreciate.

I am very happy to pay this tribute to my good friend, the senior Senator from Delaware (Mr. WILLIAMS).

Mr. BENNETT. Mr. President, I have a special reason for rising at this point because I have enjoyed a special privilege. Over the past 16 years, I have sat with the Senator from Delaware on the Committee on Finance. I started out, literally not figuratively, to the left of him, and I have slowly moved up until I now sit just to his left on the committee.

He has been an inspiration to me, both in his knowledge of the legislation we have worked on and his steadfastness in adhering to the principles which he supports.

As one of those who have ignored his suggestion that a man who passes the age of 70 should give up his seat in the Senate, I can still agree with his decision because I know that he has a delightful wife, and the lack of opportunity to spend the rest of his life in the more pleasant sibilities which have kept them separated over much of his period of service to his country has been a trial to him. Of course, he and Mrs. Williams suffer from the fact that Delaware is too close to Washington. We who represent States at a greater distance can keep our wives at our sides, but it is too much of a temptation to keep Mrs. Williams home to take care of the home problems; and JOHN and she have therefore been deprived of that association for so long that I agree that he is entitled to spend the rest of his life in the more pleasant company that she can provide.

I have appreciated everything he has done for me, and I certainly wish him every possible success and enjoyment in the increased number of years he is saving for himself than would be the case if he ran again. But in the years ahead, assuming that I can continue to serve out my term, I hope he will come back every once in awhile so that I can have the further advantage of his advice as I take his place in the Committee on Finance.

Mr. AIKEN. Mr. President, I have just run into another conflict of interest situation. I do not know whether to congratulate the Senator from Delaware for being born, because, after all, he had nothing to do about that, anyway, or whether to condemn him for voluntarily leaving the Senate. He could have done something about that, but he chose not to. So I have mixed feelings about him at this point.

But I will say that if he had not been born, the country would not have been so well off as it is today; and I am afraid the country will not be so well off after he leaves the Senate. But my colleagues understand why my praise of him could not be as lavish as it would be if he were going to stay with us another 24 years. However, I confess here and now that he has been my guide as far as the finances of our country are concerned, and I do not want him to leave the Senate next year.

Mr. COOPER. Mr. President, it is difficult for anyone to speak about Senator JOHN WILLIAMS of Delaware. All that he has done in the Senate and in his own life speaks better than anyone could speak of him.

In 1947, when I was elected for a 2-year term in the Senate and came here, the first Senator I met was the newly elected Senator from Delaware, JOHN WILLIAMS. Of the 50 Republicans, as I recall, in the Senate at that time, only three are here now—Senator AIKEN, Senator MILTON YOUNG, and Senator JOHN WILLIAMS.

One of the great privileges of my stay here at various times has been my association with Senator WILLIAMS. In the last 3 years it has been deepened by the fact that I sit next to him, and we have had opportunity to talk not only about legislation, but about many other matters which concern our country and our experience in life.

Someone said when JOHN WILLIAMS announced that he would not be a candidate again that no one could calculate the value of JOHN WILLIAMS to this country. If we attempted to place it in terms of dollars, no one could calculate the savings he has brought to our Government and people from his initiatives toward economy. But there are other values which cannot be estimated such as the value of his integrity and the value of his fight for honesty and integrity in areas of our Government. He always maintained his sense of justice, fairness, and simplicity.

I know that every Senator is, and I believe the people of his country are, sad because JOHN WILLIAMS has made up his mind that he will not come back to the Senate; but his work and his life will not be forgotten. His values will continue, and the country will not forget him.

Mr. BYRD of Virginia. Mr. President, I salute the distinguished senior Senator from Delaware. I join my colleagues this morning in again urging him to seek reelection to the Senate. I end by saying that in his decision to leave the Senate the losers are the American people, because, in my judgment, he is one of the most dedicated officials in the Halls of the Congress.

Mr. CURTIS. Mr. President, I join with many other Senators in wishing a happy birthday to our colleague, the Senator from Delaware (Mr. WILLIAMS). I understand that tomorrow is his 65th birthday.

In my opinion, Senator WILLIAMS is one of our greatest public servants on the American scene today. His courage, his integrity, his diligence, his stick-to-itiveness, and his willingness to do hard work have made him an invaluable Member of the U.S. Senate. His very presence in the Senate has been a force for good. He has been a protector, not only of the economic interests of the U.S. Government, but of our Government as an institution and our country as a country of virtue, integrity, and obedience to the law.

On another occassion, I expressed my great regret that Senator WILLIAMS had decided to retire at the end of this term. I shall not repeat that regret, because it appears that such urgings are futile. I do hope that he and his lovely family will have a very happy day tomorrow, and that he will enjoy many more birthdays of health and happiness. It is my hope that 40 years from tomorrow, he can get out the CONGRESSIONAL RECORD for this, the 16th day of May 1969, and read what his friends and colleagues said about him.

We wish him happiness and the very best.

Mr. BOGGS. Mr. President, I wish to congratulate my colleague, the senior Senator from Delaware, on his birthday anniversary tomorrow.

For more than 22 years JOHN WILLIAMS has served in the Senate, bringing great distinction to Delaware and the Nation. It has been a privilege for me personally to serve with him; and I want now to extend to him my heartiest best wishes for many more happy birthdays.

Mr. KENNEDY. Mr. President, I want to join with my colleagues in paying tribute to the Senator from Delaware on the occasion of his 65th birthday tomorrow and also to express regret that the next Congress will, by the voluntary action of Senator WILLIAMS, be deprived of his strong leadership in the area of fiscal responsibility.

Other Senators, not present this afternoon in the Chamber, will say, as I do, that, although they have not always agreed with the Senator from Delaware on matters pending before the Senate, or perhaps with his basic political philosophy, they have admired his knowledge of the Senate rules and his insight into their use in Senate debate. His preparation is scholarly when he speaks and the Senate is always better informed when he finishes. The knowledge that Senator WILLIAMS might raise questions has made Senators more diligent in their preparation, when fiscal matters have come before this body.

I just want to say, Mr. President, that, in my opinion, Senator WILLIAMS has brought credit to this Chamber by his service here and his presence will be greatly missed.

Mr. WILLIAMS of Delaware. Mr. President, seldom does the Senate find one of its Members without adequate words to express himself, but I must say that the mere expression of thanks for the many kind statements made this morning does not seem adequate. I can only say to my fine colleagues that in making my decision there were many problems to be considered.

As Senators know, for years I have advocated an age limit for service in the judiciary and in the legislative branch. I am a firm believer that a man should live by the rules he lays down for others. At the same time I wish to assure Senators that while I have announced that I will not be a candidate for reelection—and that decision is final—this does not in any sense mean that I am retiring from an active interest in public affairs. I expect to be an active citizen for many years and to take part in community and government affairs, and I hope I shall be able to make some contribution to the State and to the country to which I owe so much.

Before I came to the Senate I was with my brothers in business. We had an active career together for 24 years. Then I was elected to the U.S. Senate in 1946. When I complete this term I shall have completed 24 years as a public servant in the Senate. I am leaving the Senate, and I am going to start one more career. I shall not go into details now, but I plan on one more career of 24 years of active duty, following which, and only then, will I retire and take life easy.

Again I thank all Senators for their kind remarks. I hope I can live up to the tributes.

ADDRESS BY GEN. JOHN P. McCONNELL, CHIEF OF STAFF, U.S. AIR FORCE

Mr. McCLELLAN. Mr. President, on Wednesday evening of this week—May 14th—I had the pleasure of attending the 51st annual dinner meeting of the American Ordnance Association which was held at the Washington Hilton Hotel here in the Nation's Capital.

On this occasion, the association presented to Gen. John P. McConnell, Chief of Staff, U.S. Air Force, its Gen. Henry H. Arnold Gold Medal Award "in appreciation of outstanding service to the national defense of the United States." I ask unanimous consent that a copy of the citation be inserted in the RECORD at this point as a part of my remarks.

There being no objection, the citation was ordered to be printed in the RECORD, as follows:

CITATION TO GEN. JOHN P. McCONNELL

The American Ordnance Association, in appreciation of outstanding service to the national defense of the United States, awards its General of the Air Force Henry H. Arnold Gold Medal to General J. P. McConnell, Chief of Staff, United States Air Force.

Staunch patriot and inspired leader, General McConnell has distinguished himself by exceptional capability in the office of Air Force Chief of Staff, his latest in a long and illustrious career of service in defense of the United States. His outstanding leadership and management abilities have been preeminently displayed under the trying conditions of the Vietnamese conflict.

His personal involvement with our forces in Vietnam has demonstrated his deep commitment to the men he leads. During his visitations to that beleaguered country he has clearly manifested the dedication to the human element which is so vital to the outcome of any conflict.

Through General McConnell's management of Air Force personnel and materiel, the living and working conditions of individual Air Force members have been improved, greatly increasing the defensive capabilities of the Nation.

The singularly distinctive accomplishments of General McConnell have significantly strengthened our over-all defense posture. His achievements reflect the highest standards of service in defense of our country.

——— ———,
President.
——— ———,
Executive Vice President.

WASHINGTON, D.C., *May 14, 1969.*

Mr. McCLELLAN. Mr. President, General McConnell is a native of Arkansas and a long-time personal friend, and I was indeed proud to see him receive this distinguished recognition. In accepting the award, General McConnell gave an excellent address in which he discussed some of the critical problems of our day, particularly as they relate to our military strength, national defense, and security. I was greatly impressed with the logic and wisdom of his views. I think what he said is very instructive and persuasive, especially as related to some current vital and controversial issues now being debated and considered in national affairs.

I think that every Member of Congress and all interested citizens should have an opportunity to read his remarks. Accordingly, I ask unanimous consent that his address be printed at this point in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

ADDRESS BY GEN. JOHN P. McCONNELL, CHIEF OF STAFF, U.S. AIR FORCE, AT THE 51ST ANNUAL DINNER MEETING, AMERICAN ORDNANCE ASSOCIATION

I am greatly honored to receive the General Henry H. Arnold Award of your Association. This medal holds special significance for me because it is a symbol of the vital contributions to the development of airpower made by the man for whom it is named.

In addition, this award is a reminder of General Arnold's conviction that military airpower is dependent upon what he called "the air potential provided by industry." In fact, in his final report to the Secretary of War in 1945, he was quite specific in advocating close and harmonious contact between the Air Force and industry. I share that conviction, and if my acceptance of the Arnold Award further identifies me with the many productive efforts of the so-called "military-industrial complex," I am proud of that association as well as grateful for the honor you have bestowed on me.

I am especially pleased to join you tonight at your anniversary which marks a half century of achievement in the interest of national security. This record is compelling proof of your dedication to the Association's objective of "scientific and industrial preparedness for the common defense." I want to assure you that we in the Air Force value our participation in the defense activities Association.

As you proceed with your work, the prevailing attitude toward defense-oriented industries will doubtless continue to be somewhat critical, at least for the foreseeable future. In my opinion, this attitude does not fully reflect a realistic appraisal of either the threat to our country or the proven performance of the military-industrial team in helping to meet that threat.

The critics of that team like to take one sentence from the late General Eisenhower's farewell address to the American people to support their allegations. And this is the quotation: "In the councils of government, we must guard against the acquisition of unwarranted influence, whether sought or unsought, by the military-industrial complex." Unfortunately, it is not often realized that this quotation is taken out of context. In the paragraph preceding that statement, General Eisenhower talked about the growth of the military establishment and a large arms industry as something new in the American experience. But he emphasized, "We recognize the imperative need for this development." And, preceding that, he stated, "A vital element in keeping the peace is our military establishment. Our arms must be mighty, ready for instant action, so that no potential aggressor may be tempted to risk his own destruction." In fact, General Eisenhower realized better than almost anyone else that the military strength of this country, as an instrument of political influence, must be attributed primarily to the efforts and contributions of the military-industrial partnership.

At any rate—and thanks in large part, I am sure, to the ladies present—you are to be commended for bearing up so cheerfully under criticisms that seem to be the natural lot of the management echelons in the defense industry and in the military as well. On this score, I think we can all agree that constructive criticism should always be welcomed when concerned with a problem as important and complex as defense preparedness. We have a greater need for suggestions that can help us than for unqualified praise that could make us complacent.

Much of the criticism directed toward both the military and the defense industry is being aimed at what are claimed to be unrealistic predictions regarding the time and cost involved in developing and deploying new weapon systems. Without doubt, some of our forecasting difficulties can be traced to errors that are bound to occur whenever human judgment is involved. I am confident that we are continually improving our means for avoiding or detecting such errors and for correcting them to the best of our ability. By all odds, however, the most frequent and major causes of forecasting error have stemmed from our mutual problem of trying to anticipate future events and developments.

It seems to me that many of the arguments now being raised over defense issues tend to ignore the unique environment of uncertainty and risk in which both the defense industry and the military must operate. I am certain that most of the participants in the current debates are fully aware that it takes some period of time to bring a modern weapon system from the drawing board to operational readiness. But there are two points that are frequently obscured in the heat and smoke of debate. One is the fact that our success in keeping leadtimes and costs within predictions is largely dependent on the accuracy of our forecasts of the future. The other is the need to adapt to change during the intervening years of the leadtime period.

As I have stated repeatedly in discussing our planning for the future, there is one factor which we cannot plan, and that is the future itself. We are forced, therefore, to make certain assumptions which are based primarily on past experiences and present trends. On that basis we try to project our requirements, to devise systems to satisfy those requirements, and to produce and deploy such systems within predicted leadtimes and costs.

For a number of reasons, this is a very

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frustrating process. The fact that we have witnessed so many dramatic and unpredictable events in recent years is proof that it is virtually impossible to anticipate precisely the world environment and military requirements some five to ten years from now. Still, we must attempt to do so in order to allow for the leadtime required to develop and deploy a modern aerospace weapon system. Our main problem here is that our planning for the future is subject to a variety of unknown and variable factors over which we have little or no control.

Several years ago at an AOA Defense Preparedness Meeting in Los Angeles, I discussed some unpredictable political, military and technological developments that have a profound impact on our planning. The same factors obtain today and are perhaps even more influential in compounding the complexity of defining future military requirements and predicting leadtimes and costs. For this reason, it may be well to reiterate briefly some of the most significant factors that contribute to forecasting errors.

In the first place, political developments continue to bring about major changes in the international power balance and the alignment of nations. We have seen this repeatedly in recent years as nations gain added independence and adopt political attitudes and alliances which do not conform to the typical patterns of the post-war bipolar world.

Wherever we look there are potential trouble spots, brewing with discontent and violence. We must also recognize a growing trend in some developing nations toward the use of subversion, insurgency and even military force to gain political power. What is important to us in trying to predict the future is the obvious fact that there is no reliable way of forecasting the actions of other nations and their leaders in a global atmosphere of constant change. At the same time, many if not most of these potential developments will have a direct bearing on our national interests. They are, therefore, likely to compel us to take some action, either for our own protection or that of a friendly nation to which we have committed our assistance.

Closely related is a second area of unknowns. I am referring to the continuing prospect of military incidents and unprovoked acts of armed aggression that are likely to involve us in one way or another. As in the past, it is virtually impossible to predict when and where they will occur and to plan specific forces and systems to meet all future contingencies.

Nor are unpredictable military threats to the security of the Free World limited to acts of local aggression and conventional wars. The present controversy over the growth in nuclear capability of two or our potential adversaries is evidence of our current concern about expanding nuclear threats. Looking still further ahead, we must be prepared to deal with the problems that may result from increasing membership in the so-called nuclear club. In spite of our best diplomatic efforts, it is possible that the Nuclear Nonproliferation Treaty will not be universally accepted.

There is a third area of unknown and unpredictable factors, namely, major technological developments. Such developments have already made a significant impact on our own society and, indeed, on the whole pattern of international relations. And I am convinced that technology will continue to revolutionize both the means and techniques of warfare.

As far as our own efforts are concerned, we can make fairly good forecasts of the advances we expect to achieve in the next few years, but there is no reliable way of predicting the type of discoveries or new phenomena that may lead to dramatic technological breakthroughs.

On a related point, our scientific-military-industrial team is experiencing a mounting problem in its attempts to incorporate new technology into systems already in the development cycle. Although this problem is one of the prime reasons for increased costs and production delays, we have no choice but to make every effort to prevent our weapon systems from being obsolete by the time they become operational.

Even more difficult to anticipate are the technological developments of potential adversaries, because their efforts normally are not open for international review. A major breakthrough on their part could seriously threaten the present balance of military power. For example, if the Soviets—through the application of some new discovery—should succeed in developing a highly effective defense against our ballistic missiles, they could easily gain an advantage comparable to our own atomic monopoly after Word War II. Since the bulk of our own deterrent force is comprised of missiles, and will continue to be so for the foreseeable future, a Soviet breakthrough in missile defense could seriously impair the credibility of our strategic deterrent.

We know that the Soviets have maintained an intensive research and development effort in the field of anti-ballistic missile defense for many years. We also know that they have deployed a limited ABM system in the Moscow area. Even though their present system may be less than perfect, I have no doubt that the Soviets are accumulating a wealth of experience in missile-defense technology and will continue to focus major attention on ABM developments.

For this reason alone, I consider it imperative that we waste no time in advancing our own experience in missile-defense technology. The most effective and, in the end, the most economical way of doing so is to proceed with an ABM system of our own. But this is only one reason why I strongly support the Safeguard program proposed by President Nixon. The primary reason is the crucial need to preserve the credibility of our deterrent by protecting a vital component of our strategic force against a surprise attack from any quarter.

There is another area of unknowns that affects the system acquisition process, although it may be argued that it is not wholly unpredictable. I am referring to economic developments and, in particular, to spiralling inflation and the increasing demands for government funds to satisfy urgent domestic needs. Of course, the problem of inflation is generally well known—certainly at the household level and in the marketplace of trade in consumer goods and services. I think it is unfortunate that the same degree of understanding about inflation has not been applied to the weapons acquisition process. As the members of this Association know very well, inflation has become an almost daily fact of life, not only in estimating the costs of producing a weapon system, but also in completing a contractual obligation.

To illustrate the effect of inflation, I want to point out that the Air Force budget for Fiscal Year 1964 was under 20 billion dollars. Our budget request for Fiscal Year 1970 is nearly 25.5 billion dollars. On the surface, that 5.5 billion dollar rise may appear to indicate that the Air Force next year is seeking to increase its purchase of goods and services by nearly 30 percent above the 1964 level. But if we take into account the decrease in purchasing power of the dollar since 1964 we find that our 1970 budget is about the same as it was six years ago. In addition, the Air Force is carrying about 6.5 billion dollars in Vietnam expenditures on its back. That 6.5 billion in 1964 dollars would be about 5.2 billion. So if it were not for the Vietnam costs, our incremental budget for 1970 as measured in 1964 dollars would be reduced to less than 15 billion.

The problem of allocating available national resources to satisfy both military and domestic requirements is too complex for me to discuss in detail. There is a related point, however, that should be brought out. Any substantial reduction of funds for military needs would require an extensive reorientation of defense programs. This would undoubtedly mean additional changes in predicted weapon system costs and delivery schedules. Such a decision, moreover, could have serious implications for our future national security.

So much for those factors in our forecasting problem over which we have little or no control. The question now is: What can we do about the controllable portion of the problem?

Perhaps at the outset we should spell out the tasks that must be achieved through our combined efforts. In my opinion, our most important joint tasks are: first, to insure the prompt military application of those scientific and technological developments that are essential to our national security; and second, to produce what we need efficiently and at the lowest reasonable cost. A conditioning factor in performing these tasks is the continuing need to assure a high degree of flexibility in system development. We must be able to adapt our weapon systems to changing military requirements and to introduce new technology without incurring excessive delays and cost increases.

From a military standpoint, we must recognize that there is still much room for additional refinement of our analytic and planning techniques. In particular, we must do a better job of deciding precisely what we need, how complex it has to be, and how soon we have to have it. The validity of these decisions in a climate of limited and closely controlled resources is a critical factor, not only in minimizing costs but also in achieving the essential increases in the combat effectiveness of our forces.

With regard to our joint efforts in developing and producing weapon systems and their components, I believe that our success will largely depend on the quality of management throughout the scientific-industrial-military community. We can rightfully claim substantial progress in improving that quality, but there is some evidence that we are not improving fast enough. I have been told, for example, that the total fund of knowledge in the natural sciences and engineering is being doubled every three to five years. By contrast, in the field of management science—which governs the effective application of our assets—it is taking us some 50 years to double our knowledge. If this is true, it underscores the requirement for placing increased emphasis on the study and improvement of management techniques that apply to weapons development.

As for analyzing past progress, we should examine closely the experience we have gained from the number of new management approaches that have been applied and evaluated over the past several years. And as for the future, I fully support the fresh approaches outlined by Secretary of the Air Force Robert C. Seamans in his remarks to your St. Louis chapter a few weeks ago.

Yet with all the innovative improvements that we have made and will continue to make, I believe we must recognize that these devices are merely tools of management, not substitutes for management. Unless we use them wisely and modify them expeditiously, we can expect to fall behind the pace in defense activity. The old rule that you "adapt or perish" is not alone the law of the jungle. It also applies to all the critical aspects

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of management that are aimed at fulfilling our national security requirements.

But regardless of our progress in this direction, we—and hopefully, our critics—should acknowledge that there are practical limitations to the level of management efficiency that we can expect to achieve. To be 100 percent efficient, we would always have to be able to demonstrate that we are using our last resource to satisfy our final requirements. With the very survival of our country at stake, we must do all we can to retain support for at least a reasonable margin of overplanning. The real aim is not 100 percent efficiency, but 100 percent effectiveness.

I am confident that I share with all of you the conviction that our joint efforts can be developed and applied most effectively within the highly creative environment of our free society. Knowing as I do the qualities of integrity, talent and dedication that are represented in AOA and other defense-oriented organizations, I am convinced that our national survival and continued progress are in good hands.

It has been a pleasure to meet with you tonight, and I hope that my comments will contribute to a better understanding of our mutual efforts. Again, I wish to express my deepest appreciation for the honor accorded me by the award of the General Henry H. Arnold Medal. My best wishes to all of you for continued success in your activities throughout your next half century of progress.

THE FINANCIAL PROBLEMS OF TAX-SUPPORTED COLLEGES AND UNIVERSITIES

Mr. McCLELLAN. Mr. President, one of the plaguing problems of colleges and universities requiring attention is their financial plight. Rising costs of operation must be met if the colleges are to function properly and the high quality of education maintained.

An editorial in the Fort Smith, Ark., Times Record, discussing this expense, made the point that while there are increasing demands by colleges for money, taxpayers also are faced with increasing financial burdens.

The editorial mentions several ways for tax-supported colleges to provide some self-help in the solution of their financial problems so the taxpayer may be relieved of part of the heavier burden that he is called on to bear.

I ask unanimous consent that the editorial entitled " 'Crisis' at the Colleges? It's a 'Crisis' for the Taxpayer, Too," published in the Fort Smith Times Record of May 2, 1969, be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

"CRISIS" AT THE COLLEGES? IT'S A CRISIS FOR THE TAXPAYERS, TOO

While talk of a "financial crisis" at the state colleges and universities continues, as an urge for increasing the sales tax by one-third, it seems to stress a need for a look over the entire situation.

Nobody, of course, wants to reduce the quality of higher education in the state. But there are several angles to a fund need (which exists everywhere) and "more tax money" isn't the only one.

It would seem a good time for the institutions to look carefully over their programs to see if there are courses or other costs which add little to the quality of education but do mean a considerable boost in expenditures. And if so, cut them out.

It's possible a good look at administrative costs would be in order, as to whether there are considerable expenditures which mean little to education itself and which could be eliminated.

And it's possible a new look is needed at the tuition issue—whether tuition should be increased at the state-supported institutions.

It's fairly low at all the Arkansas schools, Granted that it's desirable that it should stay within reason—but it could be that the increases which have been made in tuition do not match those in costs or in other expenses and that some raises there are advisable—for students from Arkansas, possibly, and certainly for students from outside the state (whose families have contributed no tax support to the institutions).

Any proposal about tuition at once raises remarks about "the poor" and "closing the door of opportunity"—which don't seem very valid in the light of the numerous grants, loans, and other aids available to make higher education available for just about any qualified student.

For the others, perhaps it is advisable for somewhat higher payments to be made by those using the educational facilities, at the same time greater and greater support is being provided by the taxpayers at large.

We suppose everyone understands the pressing and increasing demands which have been made in recent years on the colleges and universities. The need for more money each year is evident.

But the taxpayers also face heavily increasing demands. A tremendous share of their incomes is going into tax payment now. And their individual costs each year are rapidly going up, too. A one-third boost in the sales tax would add an additional heavy load.

There ought to be a happy medium to the problem. And the finding of the happy medium is partly the job of the institutions.

A general look over the whole situation—and the possible source of economies and tuition revenue—would seem to be well in order. The taxpayer is hard hit, already.

Mr. GORE. Mr. President, I ask unanimous consent to proceed for 6 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE FORTAS RESIGNATION

Mr. GORE. Mr. President, our Republic is having troubled days. Indeed, these are vexacious times for the American people. The last few days have been particularly trying for the senior Senator from Tennessee. For he has seen one of his trusted friends fall upon ill fortune and be forced by either pressure or by his own conscience to take the unprecedented action in our history of resigning as a Justice of the U.S. Supreme Court.

The resignation of Justice Fortas was, under the circumstances, a source of relief for the senior Senator from Tennessee. It also removed the degree of restraint necessarily incumbent upon a Senator, it would appear, for so long as there appeared a distinct possibility of an impeachment procedure. Now that the resignation has been made and Mr. Fortas has written a letter of explanation, the senior Senator from Tennessee is free to express some views and feels the duty so to do.

On the basis of his own explanation, serious improprieties in conduct for a Justice of our highest court are clear. It is difficult to understand how Mr. Fortas, possessed as he is of such keen perception and of such an awareness of the strict code of conduct imposed by both principle and practice upon a judge, could have failed to see a digression from propriety, or, if seen, could have yielded even temporarily to the temptation. The canons of the American Bar Association, which holds that a judge must not only be innocent of wrongdoing but must hold himself above reproach, were, we may be sure, clear to this man of eminent legal attainment and keen powers of discernment. However severe the standard of conduct for a judge, particularly a Justice of our highest court, such standards are necessary for the maintenance of confidence in our system of justice.

There is deep sadness that one possessed of such brilliant talent and at the same time one whose life is filled with public good will and many, many private charities and one who has stood many times without pay as a champion of the lowly and unpossessed, should now be fallen from grace. Compassion would indicate that the matter should now be quieted.

But, Mr. President, the public interest must be paramount. Public confidence in institutions of government is necessary for the efficacy, if not the very survival, of our system of self-government. And public confidence in the U.S. Supreme Court, in the opinion of the senior Senator from Tennessee, has been severely shaken by the Fortas affair. Some have expressed the view that the resignation of Mr. Fortas will now repair that damage. This would surely be a welcomed conclusion, and perhaps it is partially true; let us hope to a large degree. But the resignation, praiseworthy as it may be under the circumstances, does not suffice.

We have seen the U.S. Attorney General and the Department of Justice giving and inspiring reports about "other information" widely described in the public media as "more serious" than has been divulged. No information other than the improprieties which have been made public are known to the senior Senator from Tennessee. It is his hope that no more serious information exists. But, Mr. President, the cloud that has partially been lifted from the Supreme Court by the resignation of Mr. Fortas cannot be lifted entirely from the Court or lifted from Mr. Fortas himself unless the rumors, the whispers, the leaks, the contradictory accounts of this unfortunate affair are fully disclosed. If for no other reason, justice to Mr. Fortas would require no less.

But, Mr. President, there are other reasons. A cloud needs to be lifted from the Department of Justice, too. For this Capitol is rife with rumors of the practice of intimidation—some even say blackmail. The senior Senator from Tennessee, let it be repeated, does not know the contents of the files on Mr. Fortas, nor does he know the extent to which Attorney General John N. Mitchell or others may have engaged in activities

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which may or may not have transgressed the separation of powers, or which may or may not have amounted to intimidation and threats, on the one hand, or concealment of information to which the public is entitled, on the other. Suspicion in all these regards is rife in this Capitol.

Though such information has not been made available to the senior Senator from Tennessee, other Senators have privately asserted their knowledge of the contents of the files. Certain publications appear to have had access to them.

The senior Senator from Tennessee calls upon President Nixon and Attorney General John N. Mitchell to open the files. Painful as this may be, the public interest requires it because public confidence in both the Court and the Department of Justice has been shaken. This cloud can be cleared only with disclosure.

Full disclosure should be forthcoming immediately by the Justice Department both with respect to any other untoward acts or conduct of Justice Fortas, if any, and with respect to the acts of the Department of Justice and the President in this affair. An investigation by the Senate should not be necessary to produce such disclosure. But unless such a public disclosure is soon forthcoming, I call upon the Judiciary Committee of the U.S. Senate to conduct a searching public inquiry to clear the air of doubts, rumors, and suspicions. Justice to the Justice Department, justice to Justice Fortas, and, most important of all, confidence in our Government require it.

I should like to read, Mr. President, a portion of an editorial entitled "The Fortas Tragedy," published in today's Washington Post. It begins as follows:

> Even on the basis of his own explanation, there were grave improprieties in the conduct of Mr. Justice Fortas which made his resignation from the Supreme Court imperative. Whether there was worse than impropriety, as the Justice Department has hinted, is not yet determinable with any certainty. His resignation lifts a shadow from the Court. That shadow is not yet lifted from Justice Fortas himself, and whether it will be, and to what extent, is something we cannot judge while there are so many contradictory accounts of this affair and so few hard facts. Ultimately, the contradictions will have to be resolved—by the Justice Department making public what it has been privately whispering around town, by Congress if Justice is not forthcoming, perhaps by Mr. Fortas himself. For today, it is enough to say that the outcome is tragic in the true dramatic sense of the term for it entails the destruction of a man of great stature and great promise. What we see now is the Abe Fortas of the Wolfson affair. But the political obituaries will have to take note of another Abe Fortas and of aspects of this man's past worth remembering and weighing in the balance against the disgrace of his downfall. If cupidity and imprudence led him to take some clients and cases he should not have taken, it is nevertheless true that idealism, courage and magnanimity led him to take some cases which self-interest might have led him to reject.

Mr. President, the public interest requires disclosures such as I have mentioned.

Mr. McCARTHY. Mr. President, I commend the distinguished senior Senator from Tennessee for having raised a most important question.

A case involving the Supreme Court Justices is not one which under the Constitution is one for the Justice Department alone to settle.

One of the most important and special constitutional responsibilities of the Senate, in addition to that of foreign policy, is to pass on men who are appointed to the U.S. courts, and most importantly on appointments to the Supreme Court itself.

I agree with the Senator from Tennessee when he states that it is not enough simply to say that the resignation takes care of the current case. The Senate must be concerned about the operations of the Court itself. It must be concerned about the operation of the Department of Justice in its relation to the Court.

About 8 months ago the Senate was asked to approve the appointment of Mr. Fortas as Chief Justice of the Supreme Court. The information now public was not given to us then. We must be concerned about the process by which nominees for the Court are presented to us.

Mr. COOPER. Mr. President, I listened to the remarks of the Senator from Tennessee concerning the case of former Justice Fortas with interest.

While I do not associate myself with all the remarks and conclusions which the Senator from Tennessee makes, or the emphasis he placed in certain parts of his speech, I do agree with the main thrust of his speech, and that is that in order to do justice to the people of the United States and not to former Justice Fortas himself, all the facts should be made public.

BIAFRA

Mr. McCARTHY. Mr. President, during the past year, the horrors of the Nigerian-Biafran war have become clearer. Widespread starvation has resulted from the compression of millions of refugees into an area one-quarter of the original homeland, from disrupted planting, and from the cutting off of trade routes by the Nigerian forces. It is reported that over a million Biafran civilians have perished from starvation and a million more deaths may occur within the next few months. Not since World War II has a civilian population been so affected by war.

The American people have responded compassionately by contributing to relief efforts, which operate under the most difficult conditions, to airlift food and medicine to Biafra. The U.S. Government also has donated food and equipment to relief organizations on both sides of the fighting line.

Unfortunately, this relief effort can alleviate only a fraction of the suffering, for as long as the fighting continues only a small part of the desperately needed supplies can be brought in. As long as official U.S. policy awaits a "military solution," present relief efforts will remain superficial and inadequate, if not contradictory to official policy.

It is time to reexamine our policy of "one Nigeria," which has resulted in our accepting the deaths of a million people as the price for preserving a nation that never existed.

The pattern of American diplomacy in this area is a familiar one, not very different from that in Vietnam. It began with misconception, was followed by self-justification, and is ending in tragedy. Political preconceptions have kept us from realistic examination. They have kept us from recognizing that the boundaries of Nigeria imposed artificially by a colonial power are not so sacred as to justify the deaths of several million people. The price of unity is too high.

When independence was attained in 1960, Nigeria was a colonial amalgamation of several hundred relatively autonomous peoples, who had by no means developed a national consciousness. It was the Easterners who were the best educated and who had left their crowded homeland in large numbers to occupy middle-level skilled jobs throughout the country, who most looked forward to "one Nigeria." It was the people of the northern region, where indirect rule had strengthened the conservative and authoritarian structure of the society, who were most regionally oriented and who threatened frequently to secede from the Federation of Nigeria unless they dominated it.

The first 6 years of the Nigerian Republic were characterized by shifting political coalitions, ethnic conflict, regional jealousies, and governmental corruption. A coup by nationalist officers, mostly easterners, in January 1966 was welcomed throughout Nigeria as the beginning of a new order. Although the new national leader, General Ironsi, was an Ibo, his policy was more nationalistic and unitary in outlook than that of his predecessor, and his largely inherited cabinet contained few Ibos. Ironsi's attempts at reform, however, threatened entrenched leaders who backed a countercoup in July 1966. This second coup was a tribal matter, with 200 Ibo Army officers killed.

In the fall of 1966, 30,000 Ibos and other easterners residing in the north were killed. The easterners living outside their homeland lost trust in the federal government and 2 million of them returned to the east, suffering loss of jobs and property and in many cases physical injury. They understandably moved away from the commitment to the federal government which had not restored mutual trust among the regions and tribes.

At a conference at Aburi, Ghana, in January 1967, a confederated union with equality among the regions was agreed upon. However, the Aburi agreement was soon abrogated unilaterally by the government in Lagos with the promulgation, without consultation with the east, of a 12-state system particularly designed to confine the Ibos to a small area and to break their influence. The easterners felt excluded from the government and seceded in May 1967, declaring the independent Republic of Biafra. Spokesmen for the Government of Tanzania stated when that country gave diplomatic recognition to Biafra that "When the state ceases to stand for the honor, protection, and the well-being of all its citizens, then it is no longer the

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instrument of those it has rejected. In such a case the people have the right to create another instrument for their protection—in other words, to create another state."

Secession was followed quickly by war in July 1967. The "quick, surgical police operation" of ending secession, expected to take several weeks, has been followed by five "final offensives" and a war which is now almost 2 years old. Armed with British tanks and bullets and with Russian Mig's piloted by Egyptians, the Nigerians have surrounded the Biafrans and cut them off from traditional sources of food and outlets to the sea. A strategy of siege, designed to produce military victory, has produced massive starvation unparalleled in modern warfare. Refugees make up more than 50 percent of the population of Biafra, yet the Biafrans continue to struggle for their right to exist. Though the Nigerians occupy many deserted towns, the Biafrans control the countryside and the villages. Their will and determination have discredited the advocates of "quick kill" and the prophets of imminent collapse. Biafra continues to maintain a stable administrative structure. The Biafran army remains intact and effective.

The Nigerians claimed originally that the Biafran leaders represented a small, elitist clique who acted in their own self-interest without popular support, and this claim was accepted by the British and American Governments. It was thought that the secession would end soon. Now, although their capital has been moved three times, although they are surrounded and completely cut off from normal sources of food and trade, although they are bombed daily by jet fighters, although their young and old have died of starvation, the Biafrans have survived. They make their own oil for transport and their own crude weapons to fight with. They desert their towns to the enemy rather than collaborate. They fight on despite the human misery. This is not an elitist struggle.

From the beginning of the civil war, the British have supported the federal military government of Nigeria, partly for economic reasons and partly because of an emotional or intellectual stake in a unified Nigeria, which is represented as a triumph of the British colonial technique of indirect rule and of the successful transition from colonial rule to independence. The U.S. Assistant Secretary of State for African Affairs, Joseph Palmer, who was our first Ambassador to Nigeria, personally shared this commitment to "one Nigeria." He accepted the analogy of the secession of Biafra to the secession of the American Confederacy, entirely overlooking the fact that Nigeria, unlike the United States, was not unified by a common language, culture, and historical tradition, and had no background of stable, capable government.

Furthermore, 30,000 South Carolinians had not been massacred in 1861, and the inhabitants of the Southern States were neither pushed out of the Union nor were they living in fear for their physical security as is the case with the Biafrans in Nigeria. The U.S. State Department accepted a historical analogy without taking into account the complicated background to the secession. By putting its diplomatic and political weight behind the Nigerian position, the United States has committed itself to a purely military solution. In the summer of 1967, the Economist pointed out that the time for mediation was before war and destruction rigidified the positions of Nigeria and Biafra. Had the United States recognized this, perhaps we could have persuaded our British ally to put pressure on both sides for renegotiation of an Aburi-type agreement. However, we concurred in the hard line of Lagos, which inevitably resulted in complete rigidity and hostility.

We were and are, in fact, not neutral. The United States has been neutral only in refraining from shipping arms. Whereas Great Britain and the U.S.S.R. continue to send in arms, we have officially accepted the Nigerian explanation of the situation and have used our influence to gain acceptance for this viewpoint among other African nations.

Any review of past events clearly demonstrates the bankruptcy of American policy of "one Nigeria—at any cost." The "one Nigeria," which, upon the most optimistic projections, might survive from the war would have little resemblance to the carefully balanced federation of regions which many people had envisaged as essential to independence. The "one Nigeria" of the future would have to be postulated upon the inequality of different tribes. The Ibos and other eastern tribes who cooperated in forming Biafra would be stigmatized and penalized in many ways. The Ibos would—according to the new proposed division of the country into states—be confined to a crowded, infertile region smaller than their ancestral homeland, with no access to the sea. They would be deprived of all but token participation in the reconstituted unitary state.

At a recent planning conference in Nigeria, it was declared that it will be 25 years before Ibos can be given positions in Nigeria. Whereas the Nigeria of 1960 was ruled by civilians, one can anticipate that the Nigeria of the future will be ruled primarily by a military clique which has been greatly strengthened during the war by the increase in armaments and by enhanced military discipline. The "one Nigeria" which might arise, if the wishes of the present Federal Government of Nigeria are fulfilled, is undesirable even if it could be brought about at no cost whatever. And to accept it at the cost of millions of further casualties, in my judgment, is indefensible, and time has run out.

The United States should immediately call for an arms embargo. We should actively seek a truce. We should use our good offices to promote negotiations for resolving the differences. We should press for a deescalation of great power involvement. We should seek to form a multinational effort to provide the logistic support required for an adequate relief effort. We should accept Biafra's right to a separate national existence and look to possible early recognition of Biafra by the United States and other nations.

The reaction to these proposals by those who have shaped American policy in West Africa heretofore can be anticipated.

They will say that Biafran independence will be a first step toward the Balkanization of Africa.

They will say that the Rivers tribes and other minority tribes of the east will suffer if Biafra gains its independence.

They will say that these proposals will undermine the position of our British ally in Africa.

They will claim that U.S. diplomatic recognition of Biafra will constitute intervention into a purely African problem.

Let us look at each of these objections.

The prediction that Biafran independence would lead to the Balkanization of Africa is obviously the discredited domino theory transferred to a new locale. There is no more reason to think that it is correct or that it is an adequate basis for present policy in West Africa any more than it is in Asia. Local grievances, local animosities, and local injustices are more important than outside influences in accounting for revolutionary developments within a country. It is significant that four African countries—Tanzania, Zambia, Ivory Coast, and Gabon—have recognized Biafra. Each of them has large minority groups, but none of them seemed to fear that its recognition of a secessionist regime elsewhere would encourage secession within its own boundaries.

As regards the question of economic stagnation and retrogression, it should be recognized that eliminating the hostility generated by an artificial political union could release energy for economic development. Certainly, the technical ingenuity of the Easterners will be stimulated by the independence of Biafra. Furthermore, independence does not preclude economic association. The Biafrans have already indicated their willingness to cooperate with Nigeria on vital problems of transportation and communication, particularly the use of the Niger River. Almost any advantage that can accrue from "one Nigeria" can also be achieved by regional economic arrangements such as a common market and a regional development board for redistributing revenues. Even without such arrangements it is clear that Nigeria is viable without the eastern region, since it has great resources, including vast amounts of oil in the midwestern region; it has been able to forgo the eastern oil revenues for 2 years while fighting a costly war, and it would evidently be in far better economic condition without the expense of the war.

It is hard to credit the claims of the Federal Government of Nigeria that Biafra is governed solely by and for Ibos, who subjugate the minority tribes. In any case, the national preference of the minority tribes is a question which can be settled through plebiscites supervised by the United Nations or the Organization of African Unity. Even without some minority tribes, Biafra would be a populous country by African standards, larger than three-fourths of the African countries. Only 10 of some 40 African countries would be larger.

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The argument that American recognition of Biafra would undermine the position of our British ally depends upon two premises, both doubtful. The first is that essential British oil interests would be threatened by Biafran independence. However, as pointed out before, much of the oil is in the Midwest, nor have the Biafrans expressed any intention of expropriating British oil. In any case, this should hardly be a major consideration of American foreign policy in this case.

The second premise is that the British support the Federal Government of Nigeria has diminished Soviet influence upon that government. However, all that can be said with assurance is that the Federal Government of Nigeria has shrewdly played off the Soviet Union against Great Britain in order to receive as many arms as possible from both. Who will come out ahead in this game of influence is uncertain.

In my opinion, the interests of the United States and of Great Britain may best be served by disentangling the Nigerian-Biafran war from the cold war and by reducing great power intervention in the area. It would be better to use this area as a testing ground for reducing tensions among the great powers—since their interests are less serious here than elsewhere—than to perpetuate cold war maneuvers out of habit. In addition, many African countries are already resentful of the involvements of the great powers in their lands and might welcome a reduction of great power competition in the Nigerian conflict.

To argue that diplomatic recognition of Biafra would constitute intervention into purely African affairs is irrelevant; nonrecognition is also intervention. There are faults of omission as well as of commission. The United States has already intervened repeatedly in the area: first by propping up General Gowan when he assumed power; later by backing him when Nigeria abrogated the Aburi agreements; and also by exerting pressure on a number of African nations not to recognize Biafra.

The steps I propose are diplomatic, not military. Our goal should be the recognition of Biafra which has demonstrated that it represents the interest of its people. We should begin by seeking an arms embargo. Our goal should be a truce with a view to reasonable negotiation. We should seek to deescalate great power involvement. We should provide massive relief. The alternative—to continue to give passive military support and active diplomatic support in the name of unity—is no longer defensible.

PRESIDENT NIXON'S TELEVISION ADDRESS TO THE NATION

Mr. PERCY. Mr. President, Wednesday night President Nixon spoke wisely as he discussed the status of the Vietnam war and made proposals to end that war. His remarks were honest. They were constructive. They indicated a flexibility of approach which gives promise of breaking the impasse at Paris.

Speaking as one who has been critical of the handling of the Vietnam war over a period of 3 years, I can now say that I have confidence that President Nixon is doing his utmost to bring the war to an end and to do it responsibly.

I was especially pleased to hear the President say that "the time is approaching when South Vietnamese forces will be able to take over some of the fighting fronts now being manned by Americans." And I was pleased to hear the President say that he has ruled out attempting to impose a purely military solution. These are important points with which I agree completely.

The President's report to the Nation was certainly the most comprehensive Presidential statement on the war so far. It was a contribution toward a peaceful solution of the conflict. And it was a contribution toward public understanding of the complex issues involved.

Mr. President, I am very pleased to offer every possible degree of support that I can to the President of the United States.

STATEMENT BY SENATOR PEARSON

Mr. PERCY. Mr. President, the senior Senator from Kansas (Mr. PEARSON) is in his home State today. He has asked that I have printed in the RECORD a statement he made on Wednesday evening, May 14, following the President's statement to the Nation.

His statement reads:

> The American people tonight heard an honest, forthright, and fair statement by that person who bears the greatest responsibility of us all in regard to war and peace in Vietnam. And I think as we heard his message tonight we need to remind ourselves that the options of 1963 are not the options we have available in 1969. It was a policy statement that represents a major shift, a flexible and new proposal regarding two old principles: the first was that we seek no military relationship with South Vietnam in the future, and the second was a reaffirmation of the concept of self-determination for the people of South Vietnam. I think we can expect Hanoi, the NLF, and indeed Moscow itself, to issue immediate negative responses. But negotiations will continue in public and private and it seems that what the President needs most tonight is the support of the American people.

WASHINGTON: THE AFFLUENT CITY

Mr. PROXMIRE. Mr. President, some recently released statistics about this Capital City have just been called to my attention which should help us place the Washington problem in a sharper and clearer perspective.

Washington is viewed by many as a city that has a very serious poverty problem, and of course it does. Many persons have the impression that as the only big city in the Nation with a majority of its population black and many of its people relatively newly arrived from a depressed rural background, the poverty problem must be worse than in the other big cities of the Nation.

Mr. President, the conclusion is wrong. The fact is that of all the 16 cities in this country with a population between 500,000 and 1 million, Washington is the richest, and by far the richest.

The affluence of this city is not a statistical mirage produced by averaging a few very high incomes with many very low ones.

The fact is that the average estimated income per household in 1969 in Washington is the highest of all of the 16 cities in the half million to 1 million population classification.

It is this year a whopping $14,222, and that is a big $1,370—or more than 10 percent—higher than Pittsburgh, which is second. Those figures are for this year, 1969.

For 1967—the latest year in which we have statistics on cash income—Washington ranked first in the number of families with incomes over $10,000, with 31.3 percent.

One of the remarkable features of this prosperity is that the city of Washington has been moving ahead more rapidly than its sister cities in the past 10 years.

Ten years ago, this city, which now ranks first in family income, ranked fifth out of 16 comparable cities in median income and third in the percentage of families with income above $10,000 per year.

But not only does Washington have more of the affluent than any other city of similar size. What is more impressive in view of the general impression, is that Washington has fewer poor persons in proportion to its population than any other comparable city except Milwaukee.

In both Washington and Milwaukee, only 15.2 percent of the families fall into the less than $3,000 per year category.

This means, Mr. President, that Washington has almost twice as many affluent families—that is, those who earn $10,000 and above—as poor families which make less than $3,000.

Furthermore, this city has enjoyed even greater progress in the reduction of poverty as compared with other cities than it has enjoyed in the increasing proportion of its families having incomes in excess of $10,000.

In 1959, seven of the 16 comparable cities had a lower proportion of their families with income of less than $3,000 per year than Washington. By 1967, there were none of the 16 comparable cities with a lower proportion of its families in this poverty classification than Washington.

So not only is Washington better off, it also appears to be improving more rapidly than any comparable city in the Nation.

Again, Mr. President, this does not mean that this city does not have a poverty problem. Of course it does, and it is serious. But it also suggests that Washington is in a financial position to do more about that poverty problem itself—I repeat, itself—than comparable cities.

The irony is that this city, which has the financial potentiality to do more about solving its poverty problems and its other problems than other cities, has far, far less political power to do this than any other city in the country.

The city does have discretion to raise or lower its property tax. This authority should be used by the city much more aggressively than it has been. But, in all fairness, the property tax is a limited and highly regressive tax. In other revenue areas the District of Columbia has only the humiliating right to come to Congress on bended knee and ask for the right to raise more revenues to meet its problems.

And on that same bended knee it must come before the Appropriations Committees of House and Senate to ask the right to use the funds Congress will permit it to use to meet its own problems.

Mr. President, when one considers that even the Washington government that comes before Congress is an appointed agent of the Federal Government—not elected by the people of the District—one can realize how thin the thread of power to act on its own problems is for this, the richest comparable city in America.

It is also interesting, in view of the common association of poverty with the Negro, that Washington has a far, far higher proportion of black citizens than any other city in America. In fact, it is the one major city in America which has a majority of its population black.

So it is not only the blackest city in this sense. It is also the richest comparable city. And this black city has the smallest proportion of its families suffering poverty incomes of any comparable city.

The serious poverty problem of Washington looks good as compared with that of comparable cities. But to those who know how tragic poverty is here in Washington, this simply reinforces the gravity of the nationwide poverty problem.

If Washington is the best this Nation can do in reducing poverty after nearly 10 years of uninterrupted prosperity, what a long way this Nation has to go to meet the tragedy of its poor.

The real lesson of all these statistics is that Washington unleashed with full self-rule could unquestionably do much to solve its serious crime and poverty problems. It has the financial muscle to do it. It is time it received the congressional go-ahead for home rule.

I ask unanimous consent to have printed in the RECORD a table that provides family and household income statistics for the Nation's cities with population between 500,000 and 1,000,000.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

SELECTED INCOME DATA FOR CITIES WITH 1960 POPULATIONS OF 500,000 TO 1,000,000 IN 1959, AND 1969

City	Population			Households [1]				1959					
				1960		Estimated number		Family income [2]					
								Median income		Percent with incomes—			
										Under $3,000		$10,000 and over	
	1960	Dec. 31, 1967, estimate (in thousands)	1969 estimate	Number	Population per household	Dec. 31, 1967 (in thousands)	1969	Amount	Rank	Percent	Rank	Percent	Rank
	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)
Baltimore	939,024	923.4	944,658	275,597	3.33	275.8	277,251	$5,659	12	18.6	6	15.0	9
Houston	938,219	1,159.8	1,297,557	282,626	3.28	355.4	390,872	5,902	8	18.8	5	17.5	6
Cleveland	876,050	812.9	800,710	269,891	3.17	254.6	246,680	5,935	7	17.2	11	13.0	13
Washington, D.C	763,946	810.3	832,712	252,066	2.87	272.1	274,752	5,993	5	17.3	9	21.7	3
St. Louis	750,026	691.9	643,522	248,651	2.94	133.3	213,343	5,355	14	21.7	3	10.8	15
San Francisco	740,316	726.6	814,348	291,975	2.44	290.6	321,173	6,717	2	13.5	14	22.6	2
Milwaukee	741,324	751.8	788,769	230,987	3.13	238.2	245,770	6,664	3	11.4	16	16.7	7
Boston	697,197	607.4	603,075	224,432	2.93	199.0	194,134	5,747	9	16.7	12	13.6	11
Dallas	679,684	840.9	893,105	213,020	3.16	268.1	279,908	5,976	6	18.4	7	18.9	5
New Orleans	627,525	665.0	689,023	189,801	3.22	204.6	208,402	4,807	15	27.8	2	12.9	14
Pittsburgh	604,332	548.4	539,669	188,336	3.11	173.7	168,184	5,605	13	18.4	7	14.3	10
San Antonio	587,718	710.0	775,200	160,637	3.59	197.4	211,880	4,691	16	27.9	1	9.6	16
San Diego	573,224	682.4	719,396	175,355	2.95	212.4	220,071	6,614	4	14.4	13	20.9	4
Seattle	557,087	574.8	592,184	200,577	2.70	210.5	213,213	6,942	1	11.8	15	22.9	1
Buffalo	532,759	477.0	453,378	169,086	3.06	154.0	143,892	5,713	10	17.3	9	13.1	12
Cincinnati	502,550	498.4	499,032	161,827	3.00	163.2	160,694	5,701	11	19.6	4	15.8	8

City	1967						1969	
	Effective buying income [3] per household		Cash income [4]				Estimated income per household [5]	
			Percent with cash incomes—					
			Under $3,000		$10,000 and over			
	Dollars	Rank	Percent	Rank	Percent	Rank	Dollars	Rank
	(14)	(15)	(16)	(17)	(18)	(19)	(20)	(21)
Baltimore	8,174	11	21.1	8	19.9	12	11,910	9
Houston	9,295	4	19.4	13	25.7	4	12,079	8
Cleveland	8,043	13	19.9	11	20.2	10	10,841	12
Washington, D.C	10,729	1	15.2	15	31.3	1	14,222	1
St. Louis	7,608	15	24.3	3	17.8	14	10,427	15
San Francisco	8,925	7	21.3	7	24.2	6	11,442	11
Milwaukee	8,983	5	15.2	15	25.2	5	12,272	6
Boston	7,752	14	23.1	5	17.6	15	11,653	10
Dallas	9,355	3	19.2	14	25.9	3	12,162	7
New Orleans	8,251	10	25.8	2	20.4	8	10,557	14
Pittsburgh	8,472	8	21.9	6	20.1	11	12,852	2
San Antonio	7,010	16	26.0	1	14.7	16	8,636	16
San Diego	8,952	6	20.2	10	21.7	7	12,477	4
Seattle	9,897	2	19.6	12	30.8	2	12,838	3
Buffalo	8,171	12	20.5	9	19.4	13	10,657	13
Cincinnati	8,373	9	24.0	4	20.3	9	12,318	5

[1] A household consists of all the persons who occupy a housing unit. The average population per household is obtained by dividing the population in households by the number of households.

[2] Family income consists of combined money incomes of all members of each family treated as a single amount.

[3] The "effective buying income" of Sales Management is comparable to disposable personal income, or personal income after direct taxes. It includes cash income and where pertinent imputed rentals of owner-occupied homes.

[4] Cash income excludes imputed rentals of owner-occupied homes which are included in effective buying income. It is comparable to money income used for basis of family income by the Census Bureau.

[5] Income per household is the total average income earned or received by each household without all direct and indirect taxes deducted. Income is equivalent to cash income before deduction of direct taxes. It represents projections made in 1968.

Sources: 1959 and 1960: U.S. Bureau of the Census. 1967: Sales Management, "Survey of Buying Power," June 10, 1968. 1969: 1969 Editor and Publisher Market Guide.

Explanatory note.—The cities listed are all those which in 1960 had a population between 500,000 and 1,000,000. Data are for the cities only and do not include parts of standard metropolitan areas outside city boundaries. Unofficial estimates of the population of these cities are given: for 1967 from Sales Management and for 1969 from Editor and Publisher Market Guide, in cols. 2 and 3. Cols. 4–7 give comparable data for number of households. The table gives 3 related estimates of family and household income. The first (cols. 8–13) is the only official one. This one gives the U.S. Census Bureau figure for median family income for 1959 and percent with incomes under $3,000 and over $10,000 for 1959. The median family income is obtained by dividing for each city the number of families into two equal groups, one having incomes above the median, and the other having incomes below the median. Cols. 14 through 19 give comparable data for 1967 with the following exceptions. Data are for households rather than families; 1967 effective buying income includes imputed rentals of owner-occupied homes, whereas 1959 family income does not, but is after deduction of all direct taxes, included in 1959 family income and 1969 estimated income. It is estimated by comparing 1967 Editor and Publisher (before tax income) and 1967 Sales Management (after tax income) data that inclusion of taxes would raise the 1967 figures (col. 14) by about 25 percent. Finally the most recent figure is the estimate by the 1969 Editor and Publisher Market Guide for estimated income per household in 1969. This is a figure of average income before deduction of direct and indirect taxes and is a projection that was made during 1968.

THE C-5A—HOW TO CONCEAL AN OVERRUN

Mr. PROXMIRE. Mr. President, the facts surrounding the C-5A cost overruns continue to provide a source of shock and profound dismay. Recently I obtained a copy of an Air Force briefing document which illustrates how the Pentagon plans to obscure the magnitude of the overrun and "avoid the appearance of excess profit."

The document illustrates with charts and tables the details of the C-5A program cost status, the extent of the cost overrun on each of two production runs—call run A and run B—a way to spread the costs around so that they do not look so bad, the cost of the spare parts, and the total estimated program cost to the Government.

KEY PASSAGE

The key passage in the Air Force plan to cover up the overrun is by way of explanation of a table containing the pertinent figures. The passage reads as follows:

> This chart reflects how the theoretical prices and ceilings for RDT&E plus Run A and Run B compare with Lockheed's actual cost. The differences between the *unadjusted price* and *adjusted price* columns reflect how we plan to allocate costs. This allocation provides for spreading costs incurred through the repricing formula against Run A aircraft.

Then, the explanation of the Air Force plan to juggle the figures is given in these cryptic words which I now quote from the Air Force briefing document:

> This technique is used to avoid the appearance of excess profit for Run B aircraft.

BALLOONING COSTS

The reason it was necessary to reallocate the costs and to avoid the appearance of excess profit is that the contract's highly favorable repricing formula allowed a ballooning of costs on the second production run. It went up from an original estimate of $490 million to $1.4 billion. In other words, it nearly tripled, nearly increased threefold.

A NEW FACE NEEDED

The Air Force plan to cover this up and to put a new face on it represents one of the most outrageous attempts I have ever witnessed to mislead Congress and mislead the public about the way tax dollars are being spent. It is proof, in my opinion, that the Air Force is determined to hide as much of the C-5A overrun as possible. This desperate effort will not succeed, in my opinion. Too many facts have already been brought out into the open for the Pentagon to be able to push them out of view.

The charts, tables, and statements bear no overall title, but they might be called "The C-5A: How To Conceal an Overrun."

THE BASIC FACTS

To fully understand the new Air Force plan to hide the C-5A overrun, five basic facts should be kept in mind:

First, the original 1965 estimated cost for 120 C-5A's was $3.4 billion. This estimate included the cost of R.D.T. & E.—which stands for research, development, testing, and engineering—and the cost of spare parts. The estimate for the same 120 planes given in the briefing document is $5.2 billion. The difference amounts to an overrun of just under $2 billion. Information I have indicates that the total program costs will go even higher than $5.2 billion.

Second, Lockheed is the prime contractor for the airframe and was given the principal responsibility for the entire program. General Electric is the prime contractor for the engines. Most of the overrun appears to have occurred in Lockheed's portion.

Third, the contract divides the program into two portions. The first portion, called production run A, consists of the R.D.T. & E. plus 58 C-5A planes. The second portion, called run B, consists of 62 planes.

Fourth, and this is crucial to an understanding of the controversy, the contract contains an option agreement and a repricing formula. Initially, the Government agreed to purchase the first 58 planes, or what is called run A. The option gave the Government the authority to order the second batch of 62 planes, run B. However, if the option for run B is exercised, the Government is also obligated to negotiate a new price for the run B portion in accordance with the repricing formula.

That option was exercised last January.

THE REPRICING FORMULA—KEY TO THE CONTROVERSY

A fifth or final fact needs to be known if the controversy over the C-5A is to be understood. It concerns the repricing formula.

Under the repricing formula, if there are big overruns and huge increases in costs for the first 58 planes—that is, if the costs greatly exceed initial estimates, as they do—a formula is applied to the estimates of costs for the second run. This formula has the effect of greatly increasing them. The higher the costs on run A, the higher the increase for run B.

That is the essential effect of the repricing formula.

Now, given these basic facts and this information, let us see what has happened.

EXCESSIVE COSTS FOR FIRST RUN

Lockheed's first production run of 58 C-5A planes is resulting in mammoth excessive costs. According to the documents for Lockheed's part of the contract, they will go up from a target cost of $1.38 billion to a present estimated cost of $2.436 billion. In other words, there alone is a $5 billion increase. Under the contract, such large losses would be borne by Lockheed Aircraft unless there was a second production run at a much higher price than originally estimated.

Last January, as I have said, the Air Force authorized such a second production or run B. Because of that fact, the "repricing" formula went into effect. The effect of this was to increase the price of the second production run. With this unjustified and unearned price increase, Lockheed could recoup most, if not all, of its losses from run A.

DECISION FOR SECOND RUN PREMATURE

In view of the fact that only a few planes from run A had been delivered and that a competing company appears to have a comparable plane at a much lower cost, the decision to authorize run B was premature and highly questionable. It gives the appearance that a principal object of the decision in January was to bail out Lockheed.

But even worse, not only can this action save Lockheed hundreds of millions, it removed the incentive for either Lockheed or the Air Force to buckle down and cut costs on run A—of which only a few planes have been built.

BALLOONING PRICES

What now happens to the price of the second group of planes? When the repricing formula is applied, the effect is to balloon the price of the second run of 62 planes. The total price to the Government of the second batch will go up from $490 million to a huge $1.4 billion, or almost three times the cost. This was obviously unreasonable and ridiculous.

This snowball or avalanche result of the repricing formula is so outlandish that apparently even the Air Force wants to keep it from being revealed. The Air Force plan, as outlined in the briefing documents, is designed to accomplish this by obscuring the true nature of the overrun and the effects of the repricing formula place in the contract by the Air Force.

To avoid such an obviously untenable situation, namely how the price could go up from $490 million to $1.4 billion on the second run, the Air Force then, for the sake of appearances, plans to reallocate the costs from the second batch to the first batch of planes.

ACTION TO AVOID APPEARANCES

It plans to do this according to the Air Force's own briefing documents, "to avoid the appearance of excess profits for Run B. aircraft."

It is clear that the Air Force could not justify paying $1.4 billion for 62 aircraft which it originally estimated would cost only $490 million or one-third the amount.

The Air Force, according to its own documents plans to juggle the figures in order to try to hide as much of the effect of huge cost overrun on the C-5A's first run as is possible.

The Air Force plan represents the most outrageous attempt I have witnessed to mislead Congress and to mislead the public.

And what are the consequences? How much of the price of the second batch of planes represents legitimate costs and how much represents padding under the repricing formula?

Estimates of losses to Lockheed on run A have been as high as $600 to $700 million. But, one has to look very hard to find any case where a big defense contractor lost money on a major contract. Last January I asked Secretary of the Air Force Charles to give me a single instance. He had been in that position for a long time and has just recently left it. He could not cite one contractor who lost a single nickel ever on a defense contract.

CONGRESS AND PUBLIC HAVE RIGHT TO FACTS

Mr. President, I believe Congress is entitled to know all the facts about the cost overruns on the C–5A cargo planes. Funds are now needed by the Pentagon to begin paying for the second large order of planes, known as run B. The original estimated price of run B is about to skyrocket from $490 million to $1.4 billion. The Air Force is planning to hide this enormous price increase which it is negotiating with the contractor. One conclusion which seems inescapable is that it is afraid full disclosure of the real magnitude of the cost overrun on run A, and the escalation of run B, will adversely affect the funds needed to finance the C–5A.

FINANCIAL FIASCO

We are witnessing perhaps the greatest financial fiasco, in terms of the dollar amounts involved, in the history of Air Force procurement. The record is already filled with inconsistencies, concealment, failure to disclose, and attempts to manipulate the true facts. Now, the Air Force is planning a new tactic: to obscure the nature of the cost overrun by "spreading" its effects throughout the contract.

It is high time, in my opinion, for the Congress to take action on this matter.

Mr. President, I ask unanimous consent that a series of tables and texts be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

BRIEFING DOCUMENTS: DOCUMENT 1.—AIR FORCE EXPLANATION OF CHART 1

(NOTE.—Charts not reproduced in the RECORD.)

HISTORY OF LGC/C–5A PROGRAM ESTIMATES—R.D.T. & E. PLUS RUN A

This chart shows that in every case the Lockheed R.D.T. & E. plus run A estimates lagged below the SPO estimates by approximately $200M through February 1968. The year-end cost actuals in March 1968, with only one airplane rolled out, provided us the necessary visability to predict a significant over ceiling condition subject to the effects of the repricing formula. An ASD cost team effort in April 1968 confirmed the SPO cost estimates and provided the basis for a program change request. During September-October 1968, an analysis of additional accumulated costs was initiated and further run A cost increases impacting on the run B repricing formula, were identified. Today we believe that R.D.T. & E. plus run A cost will be $2436M, about $100M higher than Lockheed's estimate.

DOCUMENT 2: AIR FORCE EXPLANATION OF CHART 2

PROGRAM COST STATUS LOCKHEED GEORGIA CO.—PROBABLE TARGET COST/PRICE/CEILING

The estimate shown on the previous chart included costs for R.D.T. & E. and run A only. The original target cost for R.D.T. & E. plus run A was $1381. Although the target price and ceiling were $1509 and $1764 respectively, we estimate the actual cost will be $2436. Because the estimated costs are greater than ceiling, we are required to apply the repricing formula with the resulting run B adjustments. The formula adjusts the original run B target cost of $490M to $1100M. Application of the 130% ceiling to the adjusted target cost and addition of the original $49M target profit increases the ceiling price to $1404M compared to the run B actual cost estimate of $1018M. Because R.D.T. & E. plus run A and run B is covered by a single contract, all these numbers are combined in the right-hand column. We anticipate that Lockheed's net deficit at the end of production run B will be approximately $285M. This deficit will be offset to some degree by additional work (e.g., spares, depot age, etc.) yet to be placed on contract.

DOCUMENT 3: AIR FORCE TABLE 1 AND EXPLANATION

TABLE 1.—PROGRAM COST ESTIMATE, LOCKHEED PROBABLE COST/PRICE/CEILING. R.D.T. & E.+A+B

[In millions

	Total cost	Unadjusted price	Adjusted price	Lockheed deficit
R.D.T. & E.+A	$2,436	$1,764	$2,151	−$285
Run B	1,018	1,404	1,018	0
Total	3,454	3,169	3,169	−285

PROGRAM COST ESTIMATE: LOCKHEED PROBABLE COST/PRICE/CEILING—R.D.T. & E. PLUS A PLUS B (DOLLARS IN MILLIONS)

This chart reflects how the theoretical prices and ceilings for RDT&E plus run A and run B compare with Lockheed's actual cost. The differences between the *unadjusted price* and *adjusted price* columns reflect how we plan to allocate cost. This allocation provides for spreading cost incurred through the repricing formula against run A aircraft. This technique is used to avoid the appearance of excess profit for run B aircraft.

DOCUMENT 4: AIR FORCE TABLE 2 AND EXPLANATION

TABLE 2.—PROGRAM COST ESTIMATE, GE PROBABLE COST PRICE/CEILING, R.D.T. & E.+A+B

[In millions]

	Probable cost	Probable price	Probable ceiling	GE deficit
R.D.T. & E+A	$558	$534	$541	−$17
Run B	184	220	213	+29
Total	742	754	754	+12

PROGRAM COST ESTIMATE: GENERAL ELECTRIC PROBABLE COST/PRICE/CEILING—R.D.T. & E.+A+B (DOLLARS IN MILLIONS)

As far as General Electric is concerned, their condition is not as serious as Lockheed's. We are forecasting probable costs of $742M opposed to a $754M ceiling which provides about $12M in profit. This is, of course, significantly less profit than a company would normally realize on a program of this magnitude.

DOCUMENT 5: AIR FORCE TABLE 3 AND EXPLANATION

TABLE 3.—AFSC R.D.T. & E. AND INVESTMENT SUMMARY

[In millions]

	R.D.T. & E.	Run A	Run B	Total
Lockheed contract	$607	$1,544	$1,018	$3,169
GE contract	285	256	213	754
USAF additions	110	104	211	425
Total	1,002	1,904	1,442	4,348

AFSC R.D.T. & E. AND INVESTMENT SUMMARY—(DOLLARS IN MILLIONS)

This chart summarizes AFSC RDT&E and investment cost. "USAF adds" include the cost of additional requirements not covered in the Lockheed and G.E. contracts; e.g., 5 run C aircraft, anticipated modifications, test support, depot age, etc.

DOCUMENT 6: AIR FORCE TABLE 4 AND EXPLANATION

TABLE 4.—C–5A AFLC INVESTMENT SUPPORT COSTS FISCAL YEAR 1967 TO FISCAL YEAR 1974; TOTAL PROGRAM COST SUMMARY

	AFLC requirement	Approved program	Variance
Investment spares:			
Engines and auxiliary power units	$173.3	$163.4	+$9.9
Weapon system initial spares	311.8	313.9	−2.1
Replenishment spares	257.1	188.5	+68.6
Common age and modification spares	3.7	10.0	−6.3
1st destination transportation	2.5	5.3	−2.8
Total spares	748.4	681.1	+67.3
Investment equipment:			
Common age	36.9	20.6	+16.3
Modifications	54.6	75.5	−20.9
Total equipment	91.5	96.1	−4.6
Total, AFLC investment cost	839.9	777.2	+62.7

C–5A AFLC INVESTMENT SUPPORT COSTS: FISCAL YEARS 1967 TO 1974—TOTAL PROGRAM COST SUMMARY

This chart compares AFLC investment requirements with the currently approved program (December 68 F&FP) for the fiscal years 1967–1974. An overall deficiency of $62.7M exists.

Within the investment spares area, AFLC requires 179 TF–39 engines and 121 auxiliary power units, compared to the approved program of 154 and 91, respectively.

The weapon system initial spares requirement for the first two year (FY 1967/1968) is based on C–141 experience. Reduction of the third year factor from 21.8% to 10.9% is predicated on anticipated improved management techniques, reduction of administrative and shipping time, etc. Spares costs resulting from the applied factors are based on currently available C–5A pricing information.

The replenishment spares requirement is computed in a manner comparable to that used to compute the weapon system initial spares. This requirement includes the cost of providing those spares which are necessary for the C–5A to fly a continuous eight hour/day program subsequent to an emergency rate of ten hour/day for 45 days. A deficit of $68.6M exists.

Within the investment equipment area, costs are again derived by applying an experience factor to the C–5A flyaway cost. The common age requirement includes funds for two sets of general purpose automatic test equipment. Modification requirements are class IV class (mission essential) changes only. Within the investment equipment area, there is a net overage of $4.6M based on the approved program.

DOCUMENT 7: AIR FORCE TABLE 5 AND EXPLANATION

TABLE 5.—*System cost estimate summary (dollars in millions)*

R.D.T. & E	$1,002.0
AFSC investment	3,346.0
AFLC investment	839.9
MCP	14.5
Total program cost	5,202.4

XUM

SYSTEM COST ESTIMATE SUMMARY—(DOLLARS IN MILLIONS)

This chart summarizes total program cost. The $14.5M military construction program estimate covers costs for construction items peculiar to the C–5A such as special paint facilities, engine test cells, special maintenance docks and hangars which are charged to our system program element number. Other military construction items which are beneficial but not peculiar to the C–5A, such as taxiway extensions and strengthened runways, are charged to the base operating support program element.

DOCUMENT 8: AIR FORCE SUMMARY

Original contract schedule is unattainable.

Contract schedule is realistic, will provide operational aircraft capable of performing MAC mission.

Satisfactory logistic support posture will be achieved concurrently with operational aircraft deliveries.

Management visibility will be provided to support decisions on additional aircraft buys.

ORDER OF BUSINESS

The PRESIDING OFFICER (Mr. SPONG in the chair). The time of the Senator has expired.

Mr. PROXMIRE. Mr. President, I ask unanimous consent that I may proceed for 5 additional minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

REAFFIRMATION TO THE CONCEPT OF HUMAN RIGHTS BY AMERICA

Mr. PROXMIRE. Mr. President, the United States has long been concerned with the attainment of human rights for all. The major American historical documents which we cherish as declarations of human rights for all peoples of this great Nation affirm the principles set forth in the United Nations conventions on human rights.

Last year was the 20th anniversary of the Universal Declaration of Human Rights. President Johnson marked this anniversary by establishing a President's Commission for the Observance of Human Rights Year. The following is a quotation from the recently published report of the President's Commission:

> Mr. Nixon's major task will be, as he himself has said, to bring the nation together. His problems are many. They are heavy. They cannot be resolved or ameliorated save by the assistance of all those interested in the common causes of our country and of humanity. A thread common to most of these problems, domestic and international involve, in varying degree, human rights—the human condition.
>
> The United Nations asked last year that in 1968 all peoples around the world attempt in some way to point out, observe, commemorate, and advance human rights—the dignity of the individual, the human being.
>
> This turbulent year of progress, tragedy, violence, and decision has, like a careful copy reader, underscored with a heavy hand the need for a rededication to human rights.
>
> The Commission earnestly bespeaks your assistance. Will you, as broadcasters, commentator, publisher, editor, columnist, or one who in any manner addresses the public—call attention to civilization's need for insistence on human rights at local, national, and international levels? Will you make use of the Universal Declaration of Human Rights as a guide for our aspirations? The price of failure to establish human rights is one that none likes to contemplate.

The United States is one of the few nations that has yet to ratify the United Nations Conventions on Forced Labor, Political Rights for Women, and Genocide.

Mr. President, all Presidents have warmly and enthusiastically advocated that the Senate move ahead in these matters, but the Senate has refused. These treaties have been in the Committee on Foreign Relations for 6 to 20 years. It is absolutely urgent that the U.S. Senate move now to ratify these human rights conventions so that America can again assume her traditional place as the haven of human rights.

THE PRESIDENT'S REPORT ON VIETNAM

Mr. COOPER. Mr. President, the President's report to the Nation on Vietnam was welcome and necessary. It was a summation of the effort he has made during the 4 months of his administration to bring the United States closer to peace in Vietnam.

It was a clear statement of the President's purpose to secure a settlement through negotiation, rather than the use of military force which has only deepened the tragedy of Vietnam, and which could go on for many years.

In my view the decisive statement, and one which marked an advance over past positions, was his unambiguous affirmation that the administration was prepared and willing to consider, in negotiation, in addition to the concrete proposals he made, "Hanoi's four points, the NLF's 10 points, provided it can be made consistent with the few basic principles I have set forth here." For while the President's proposals are certainly reasonable, and consonant with the principle of self-determination which is a basic one for our country, we may not be dealing with a reasonable Government or people in terms of our own values and we must consider carefully their proposals.

I liked particularly that part of his speech in which he affirmed that the United States and "all parties should agree to observe the Geneva Accords of 1954 regarding Vietnam and Cambodia, and the Laos Accords of 1962." It has been my view, as I have expressed in a number of speeches in the Senate, that the accords provide the best basis for a settlement of the issue of Vietnam, and of Cambodia and Laos, and would have influence in all of Southeast Asia.

In 1965, I opposed the commencement of the bombing of North Vietnam. In the following years, I urged on numerous occasions that the United States cease the bombing as a means of testing North Vietnam's often declared statement that such a cessation would bring about negotiations. I recognized that the cessation of bombing would not necessarily mean that negotiations would be fruitful or satisfactory to the United States, but I considered that it was the only means of opening negotiations. Unfortunately, negotiations thus far have not been very productive, but a start has been made. It is my hope that the President's address has opened the way for active and innovative negotiations, that will be successful in bringing about a settlement and peace in Vietnam. I hope also that his concrete proposals will immediately bring about a reduction in the fighting and violence in South Vietnam on both sides.

If North Vietnam and the NLF want peace, the President has opened the way toward a negotiated settlement and peace. I believe the Congress and the people should support the President in his initiative to achieve peace through negotiations and peaceful means.

A NEW LOOK FOR DEVELOPMENT FINANCE

Mr. COOPER. Mr. President, on Wednesday of this week the Senate took favorable action on H.R. 33 which authorizes a second replenishment of the International Development Association and provides for a U.S. contribution of $480 million over a 3-year period.

In connection with this bill, in particular, and with development financing, in general, I would like to bring to the attention of the Senate an article appearing in the May issue of the Monthly Economic Letter of the First National City Bank of New York entitled "A New Look for Development Finance." This article comments on recent developments in this field and proposals to make this form of financial assistance more effective as we approach the 1970's, and I find it to be both timely and informative.

Mr. President, I ask unanimous consent to have printed in the RECORD the article entitled, "A New Look for Development Finance," which was published in the Monthly Economic Letter of the First National City Bank of New York.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

A NEW LOOK FOR DEVELOPMENT FINANCE

The Administration is examining all U.S. foreign assistance to review what has been done and to determine its future course. In his first statement on U.S.-Latin American relations, President Nixon noted that existing policies are being reviewed with "open eyes, open ears, open mind, open heart." This examination brings foreign aid once again into the limelight.

MISTAKE TO TALK OF A "DECLINE"

At the Development Assistance Committee (DAC) of the Organization for Economic Cooperation and Development reported in its *1968 Review*, "it is a great mistake to talk of a 'decline' in the flow of resources" from industrial countries to the less-developed parts of the world. The total official and private flows of funds to finance development reached, at about $11.5 billion, a record high in 1967—80 per cent above the level of a dozen years ago. Judging from preliminary data, there was a further increase in 1968, which will "probably" continue into 1969.

The United States accounts for somewhat over one half of the official and two fifths of the private flows. The resources of international agencies like the World Bank Group and regional development banks—capital, contributions or funds raised in the market—also come largely from the United States.

Yet, much has been heard over the past year about the "failure" of the First Development Decade, usually in the context of expressions of hope that the Second Decade—the Seventies—will show better results. In this judgment, much depends on the target against which accomplishments are measured. The only internationally agreed target is a United Nations Resolution, passed in 1961, that called for an average 5 per cent annual growth rate in the gross national products of less-developed countries by the end of the decade; this goal was just about reached in the period 1960–67.

The developed countries as a group have set for themselves a target of an average net flow of official and private financial resources equal to at least one per cent of each country's national income. The amounts made available for foreign assistance have, in fact, fallen short of this target. In 1967, only a few countries provided one per cent of their national income or more: Portugal, France, Germany, the Netherlands, the United Kingdom and Belgium, in descending order. The United States supplied 0.85 per cent of its national income. Russia and other Eastern European countries supplied—according to DAC—only about 0.1 per cent of their national incomes.

Even though the industrial world's target has not been reached, the less-developed nations have, as already noted, attained their own 5 per cent GNP growth target—a commendable achievement, which, in the words of DAC, is "a tribute" to their own efforts. It also reflects, as DAC further points out, factors such as the rise in export earnings of less-developed countries by an average of 5.6 per cent a year during 1960–67, as against the 4 per cent assumed in projections for the decade made by U.N. economists early in the Sixties.

Nevertheless, many needs of less-developed nations remain unsatisfied. Their hunger for capital has been stimulated not only by quickening political and social changes and eagerness to raise living standards but also by rapid increases in population. The annual growth of per capita income is only about ½ of 1 per cent in South Asia, 1 per cent in Africa and less than 2 per cent in Latin America. At these rates, it would take about 40 years to double per capita income in Latin America, 70 years in Africa and nearly a century and a half in South Asia.

ACCENT ON EFFICIENT UTILIZATION OF AID

Against this background, a strong accent on the efficient utilization of aid is quite understandable. Most encouraging are the efforts to deal, however belatedly, with the Cinderella of economic development—agriculture. Ironically, it has taken twenty years to rediscover that farmers are willing to raise output if shown what can be done and if prices are right. This rediscovery calls for new approaches to U.S. food aid programs which have, all too often, driven down agricultural prices in the recipient countries.

Equally striking is the realization that the flow of resources, whether from domestic sources or from abroad, cannot be large enough to meet development needs in the face of the present rapid growth of population. Support for family planning has become increasingly recognized as a proper accompaniment of economic development.

Efforts are also being made to remedy shortfalls in aid performance. There is a better grasp of the noneconomic aspects of development, including an awareness of the impossibility of transplanting American and Western European ways of living and doing things to the quite different political and cultural environments of Asia, Africa and much of Latin America. There is less enthusiasm for such panaceas as centralized economic planning. There is increased emphasis on "self help." The need for the recipient countries to allocate more of their own resources to development and to follow policies more conductive to economic growth has long been recognized. More recent is the realization that, as noted by the National Planning Association (NPA) in March, "the initiatives and decisions countries take about how to use their resources for development must be in the deepest sense their own, not those of Americans."

RENEWED STRESS ON PRIVATE ENTERPRISE DEVELOPMENT

Deemphasizing what the NPA calls "excessive U.S. activism" leads to new thoughts about U.S. aid. Among these are the needs for broader technical assistance programs and further efforts to stimulate private investment.

It is, of course, because of disappointments over official aid that private capital is being invited to increase its part in the development process. Private capital and private export credits—net of repayments by less-developed countries—came to some $4.3 billion in 1967, out of a net total from official and private resources of about $11.5 billion. As the chart shows, however, private capital had, by the early Sixties, already accounted for more than one third of the total flow of development resources; therefore, relatively speaking, its contribution has remained unchanged over the past decade. Of the total private flow, two fifths has come from the United States.

While official aid can help finance basic economic and social infrastructure, it is—essentially—private direct investment that can best open up natural resources, provide know-how and create broadly based manufacturing. Private capital cannot, of course, be driven. It must be attracted. It will understandably go where it can make a profit. Furthermore, in view of the uncertainties, risks and special problems inherent in private investment, investors are naturally guided not only by relative profit opportunities but also by the security offered for their investments. Less-developed countries that fail to re-establish the conditions needed to attract foreign private capital cannot, at the same time, claim more government grants and loans to make up for the lack of private investment.

Nations not only need more capital but they need it on terms that do not burden the balance of payments. When private investment takes the form of equity capital, dividends are not remitted to the investing country until profits are made; and, even when operations become profitable, large amounts of the earnings are ploughed back and those that are remitted will in large part finance themselves out of export earnings of foreign subsidiaries.

HOW MUCH, BY WHOM AND ON WHAT TERMS

Over the past twenty years, the U.S. Government has extended aid to less-developed countries under a long sequence of programs. At first, the programs were geared at supplying technical assistance and loans on commercial terms, with the Export-Import Bank as the principal lending agency up to 1957. With the passage of time, however, the programs have been enlarged and redirected to provide assistance increasingly in the form of grants and of loans repayable—in dollars or, sometimes, in the borrowers' own currencies—without interest or with very low interest, over several decades and after a long grace period. Other governments have a panopoly of lending agencies and programs.

The structure of official aid programs has, over the past few years, undergone three symptomatic changes. First, aid by the large 'soft" donors (the United States, France and the United Kingdom) has remained steady or declined while aid by major donors with relatively "hard" terms (Germany, Italy and Japan) has increased. The United States, which for years provided the softest development loan terms, has hardened its terms somewhat at the insistence of Congress. Second, grants, though still growing in absolute amounts, have been reduced relative to loans. And, third, government export credits on commercial terms have become increasingly important. At the same time, the tying of aid to purchases in the donor's country has become increasingly prevalent.

The dollar-repayable, long-term loans at little or no interest were originally devised for the International Development Association (IDA), a World Bank affiliate which began operations in 1960. Thereafter, several regional banks—such as the Inter-American, African and Asian Development Banks—were established to extend loans through two or three windows. At one, loans are made on commercial terms; at the second, at lower rates and longer maturities, with repayments in the currencies loaned or, sometimes, in the borrowers' own currencies; and at the third, at still lower rates and longer maturities, with repayment in the borrowers' currencies.

Meanwhile, the World Bank itself has continued financing development projects on a businesslike basis. The interest rate it charges is currently 6.5 per cent. To finance its expanding activities—loans are to double in the five years ahead—the World Bank Group increasingly relies on borrowings in capital markets. About two fifths of its $4 billion debt is held by investors in the United States. IDA is to have its resources replenished by $1.2 billion for three years under an agreement reached last year; the agreement does not become binding until the United States contributes its share of $480 million. The Nixon Administration has reaffirmed its intent to participate in this replenishment and hopes to obtain the necessary legislative authorization. Other countries contribute three dollars for every two the United States provides to IDA. The World Bank transferred to IDA $75 million out of its earnings in the year ended June 1968; $10 million was so transferred in the previous year.

Since there are now so many government and international agencies and programs working in the area of development assistance, the problem has arisen how to minimize overlapping and waste. Serious efforts have been made to coordinate aid to India, Pakistan, Turkey and other countries. But there is also the broader problem of coordinating the whole effort of developed nations to assist the less-developed lands.

An increasingly popular prescription is to

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multilateralize the provision of foreign aid by transferring to international agencies the responsibility for allocating and dispensing all, or a substantial part, of the resources which the United States is willing to supply for development assistance. The alleged advantage is that, at least initially, recommendations for sound policy and adequate performance may be less resented if they come from an international agency. Among the drawbacks is that the United States already supplies somewhat over one half—and in individual cases even more—of the official resources available for development assistance. As a result, "multilateralizing" aid without corresponding increases in the contributions of other governments would weaken the international character of international development agencies—contrary to the very object being sought.

GRAND ASSIZE ON DEVELOPMENT

A Second Development Decade is now being planned by the United Nations. Given the magnitude, the complexity and the difficulty of the task, nations should indeed think—as the new president of the World Bank, Mr. Robert McNamara, remarked—in terms of a "whole generation of development that will carry us to the end of this century."

One of the first decisions of the World Bank's new president was to take up the suggestion of his predecessor, Mr. George Woods, for a Grand Assize on Development. Mr. Lester Pearson, the former Prime Minister of Canada, was appointed Chairman of the Commission to undertake the inquiry. The report is to be published later this year.

The need of the moment is for a wholly new, independent and balanced look at the problems of development. Such a re-examination would take into account, from the vantage point of the recipient countries, the great diversity of political, cultural, social as well as economic prerequisites for development, and, from the vantage point of the donor countries, the growing demands on their own economic resources as a result of immediate and dramatic needs at home.

The capacity to repay loans depends vitally on the policies a country pursues, including efficient use of capital to help expand output and strengthen the balance of payments more than enough to cover the debt service. Export earnings of the less-developed nations will also depend on rising economic activity and farsighted trade policies of the industrial world. There will be—it must be hoped—fresh opportunity to analyze and reappraise the errors committed in the past and remove the contradictions and bottlenecks that have impeded the development process. This fundamental re-examination will provide the challenge as well as the new strategy and new initiatives for development in the Seventies.

THE TAXES OIL COMPANIES PAY

Mr. LONG. Mr. President, before my dear friend, the Senator from Wisconsin (Mr. PROXMIRE), could come into the Chamber, I told him that I was going to respond to some figures he has used respecting the industry, which I think are in error and which we have debated for some time.

This will be a continuation of our friendly debate.

I am sure that when all the facts are in, it will be shown that this industry is not a favored taxpayer but is actually an unfavored taxpayer; that the oil industry is taxed more heavily than almost any other single industry and possibly more heavily than any industry generally and certainly is taxed much more than the average for all manufacturing industries.

On April 14, the distinguished Senator from Wisconsin (Mr. PROXMIRE) and I debated the question of whether the oil industry was fairly taxed. During the debate, I made the statement that the oil industry pays more taxes than the average for all manufacturing industries. My colleague disputed my statement saying it was predicated on the inclusion of user taxes which are actually paid by the consumer. The Senator was in error—I did not include user taxes in my consideration and I attempted to correct the Senator's error for the RECORD.

The PRESIDING OFFICER. The time of the Senator from Louisiana has expired.

Mr. LONG. Mr. President, I ask unanimous consent to proceed for 10 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LONG. Mr. President, despite my efforts to correct the Senator's error on the 14th, on April 15, my delightful colleague was back in this Chamber repeating the same untenable theme. He placed into the RECORD a so-called tax table of 24 of the largest oil refiners published in U.S. Oil Week. Using the table, he stated that these companies paid only 21.9 percent of their income in Federal, foreign, and most State taxes—including severance taxes.

Even without having had a chance to examine the Senator's table, I did attempt to clarify my position that oil companies pay more taxes than other industries. I noted that for the 12-year average, 1955 through 1966, all manufacturing industries had a rate of return on invested capital of 10.9 percent, while the petroleum industry had a rate of return of 9.7 percent. In 1964, oil's taxes were 4.82 cents for each dollar of total revenue, as compared to 4.32 cents for all businesses. In 1965, oil's taxes amounted to 5.43 cents per dollar of gross revenue, while other corporations pay only 4.62 cents per dollar.

These figures were based on actual gross revenues applicable to all businesses.

Well, this did not satisfy my colleague either. He admitted that the oil industry does pay high taxes in relation to its overall gross revenue, but stated that net income rather than gross income should be used. When I tried to explain to the Senator that even on a net income basis, the oil industry pays more taxes than other industries, when we consider local and State taxes together with Federal income tax, he rejected the argument by referring to the table from Oil Week.

Well, even though I believed the ratio between the tax burden and gross revenue is the most valid criteria we can use, because it avoids problems of comparability normally encountered when comparing the one industry with another—and because it allows us to ignore interindustrial differences in the treatment of inventories and depreciation—I decided to take a look at the net income approach my colleague would have us use.

First of all, using the Treasury's "Preliminary Statistics of Income for 1966," which are the latest figures available, I took the net income figures and added back the amounts deducted as depletion allowances to avoid any distortions between industries and to view my colleagues argument in the manner most favorable to him. Then, I compared this figure with the income tax figure in each year to arrive at the comparative Federal income tax burden.

They worked out as follows:

[Percent of net income]

All industries	40
Manufacturing	42
Crude oil	32
Refining	23

If we combine the last two—crude oil and refining—their taxes amount to 24 percent of net income.

Mr. President, I ask unanimous consent that these calculations, worked out from the "Statistics of Income for Corporations, 1966," published by the Internal Revenue Service of the Treasury Department, together with the table from which they were made be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

COMPARISON OF RATIO OF TAX LIABILITY TO NET INCOME IN U.S. INDUSTRIES FOR THE YEAR 1966[1]

	All industries	Manufacturing	Crude oil	Refining	Combined crude oil and refining
Net income[2]	$86,433,934	$47,829,135	$1,568,115	$6,139,994	$7,708,109
Income tax[3]	$34,836,995	$20,233,929	$496,799	$1,384,183	$1,880,982
Percentage	40	42	32	23	24

[1] Source data was obtained from "Preliminary Statistics of Income, 1966, Corporation Income Tax Returns, U.S. Treasury Department, Internal Revenue Service," pp. 17 and 18.

[2] The net income figures are the sums of line 21 "Net income (less deficit)" and line 15 "Depletion" of "Preliminary Statistics of Income, 1966." Although the depletion figure probably includes some cost depletion, the entire amount has been added back since the amount of cost depletion included was not available.

[3] Line 26 of "Preliminary Statistics of Income, 1966."

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TABLE 1.—SELECTED BALANCE SHEET AND INCOME STATEMENT ITEMS, BY MAJOR INDUSTRY

[Amounts in thousands of dollars]

		Major industry												
			Mining						Manufacturing					
Item	All industries (1)	Agriculture, forestry, and fisheries (2)	Total mining (3)	Metal mining (4)	Coal mining (5)	Crude petroleum and natural gas (6)	Non-metallic minerals (except fuels) mining (7)	Contract construction (8)	Total manufacturing (9)	Food and kindred products (10)	Tobacco manufactures (11)	Textile mill products (12)	Apparel and other fabricated textile products (13)	Lumber and wood products except furniture (14)
1 Number of returns, total	1,475,859	28,098	15,039	901	2,367	8,034	3,737	112,470	188,863	18,941	105	5,851	17,579	8,811
2 With net income	945,775	16,677	7,363	277	1,063	3,663	2,360	70,470	134,683	13,069	101	4,260	12,970	5,874
3 Without net income	530,084	11,421	7,676	624	1,304	4,371	1,377	42,000	54,180	5,872	----------	1,591	4,609	2,937
4 Total receipts	1,332,442,658	8,962,642	15,095,315	3,143,124	3,436,928	5,751,433	2,763,830	64,749,496	578,680,223	86,267,396	6,978,370	19,430,331	20,243,388	10,563,351
5 Business receipts	1,249,067,218	8,543,543	14,344,848	2,981,876	3,281,289	5,433,774	2,647,909	63,551,388	565,116,210	85,252,853	6,941,191	19,154,371	20,065,441	10,104,820
6 Net long-term capital gain reduced by net short-term capital loss	6,100,504	105,037	152,928	32,442	41,480	58,402	20,604	123,650	2,027,303	123,126	421	24,523	9,934	272,950
7 Net gain, noncapital assets	3,141,660	15,878	30,696	544	6,332	17,533	6,287	61,792	258,635	29,660	1,691	7,201	3,562	18,402
8 Dividends, domestic corporations	4,520,874	17,064	89,758	39,657	23,018	22,607	4,476	24,193	1,189,292	46,714	2,451	12,335	10,328	5,091
9 Dividends, foreign corporations	1,702,331	599	29,932	27,430	55	1,439	1,008	13,387	1,428,297	79,389	5,409	7,429	1,543	2,016
10 Receipts not specified above	67,910,071	280,521	447,153	61,175	84,754	217,678	83,546	975,086	8,660,486	735,654	27,207	224,472	152,580	160,072
11 Total deductions	1,250,538,318	8,657,674	13,385,693	2,592,812	3,334,352	4,835,138	2,623,391	63,299,721	535,232,102	83,023,497	6,175,853	18,372,401	19,527,866	10,130,651
12 Cost of sales and operations	885,178,916	6,159,526	8,488,619	1,788,428	2,421,181	2,685,179	1,593,831	53,363,454	396,578,368	65,660,030	3,635,890	15,103,615	15,474,252	7,778,165
13 Amortization	215,997	717	11,172	8,118	1,038	484	1,532	6,214	83,057	6,224	444	715	1,277	350
14 Depreciation	37,918,333	327,985	953,737	157,196	217,735	362,459	216,347	1,154,306	16,401,277	1,574,591	71,653	501,249	160,392	335,590
15 Depletion	5,215,912	13,083	1,056,800	219,098	82,756	643,274	111,672	15,369	3,302,372	11,494	----------	13,283	343	276,814
16 Pension, profit sharing, stock bonus, annuity plans	8,324,771	18,365	66,375	16,056	10,195	23,965	16,159	205,598	4,833,308	312,018	54,681	101,226	68,225	38,262
17 Other employee benefit plans	4,593,177	11,569	105,794	7,031	83,187	6,453	9,123	217,379	3,028,212	244,246	14,587	44,424	101,255	15,157
18 Net loss, noncapital assets	1,129,322	9,462	26,239	5,374	1,242	17,775	1,848	15,959	166,438	41,432	7	8,720	13,512	3,110
19 Deductions not specified above	307,961,890	2,116,967	2,676,957	391,511	517,018	1,095,549	672,879	8,321,442	110,839,070	15,173,462	2,398,591	2,599,169	3,708,610	1,683,203
20 Total receipts less total deductions	81,904,340	304,968	1,709,622	550,312	102,576	916,295	140,439	1,449,775	43,448,121	3,243,899	802,517	1,057,930	715,522	432,700
21 Net income (less deficit)	81,218,022	306,856	1,723,534	557,525	101,532	924,841	139,636	1,467,844	44,526,763	3,346,047	806,917	1,058,849	714,975	441,834
22 Net income	88,764,164	486,569	2,113,572	633,433	158,512	1,126,820	194,807	2,043,126	46,402,490	3,626,234	809,730	1,144,746	808,997	551,275
23 Deficit	7,546,142	179,713	390,038	75,908	56,980	201,979	55,171	575,282	1,875,727	280,187	----------	85,897	94,022	109,441
24 Income subject to tax	77,992,067	335,800	1,819,512	497,863	121,784	1,063,475	136,390	1,657,565	43,845,695	3,452,797	806,944	1,098,214	701,960	519,090
Income tax:														
25 Number of returns	719,878	10,533	5,164	135	844	2,494	1,691	50,482	107,840	10,216	100	3,662	9,788	4,760
26 Amount	34,836,995	124,423	845,123	232,568	57,965	496,799	57,791	638,192	20,233,929	1,596,427	387,114	509,262	305,203	176,235
27 Investment credit	2,018,757	8,837	32,979	9,468	7,343	8,096	8,072	44,038	1,153,239	94,312	5,123	43,965	9,020	19,621
28 Foreign tax credit	2,830,242	12,590	564,998	130,232	227	429,495	5,044	17,334	1,959,450	123,102	5,714	5,012	3,532	5,416
29 Net income (less deficit) after tax (21 minus 26 plus 27)	48,399,784	191,270	911,390	334,425	50,910	436,138	89,917	873,690	25,446,073	1,843,932	424,926	593,552	418,792	285,220
30 Net income after tax	55,949,650	371,147	1,301,547	410,333	107,902	638,222	145,090	1,449,286	27,322,837	1,124,272	427,739	679,518	512,817	394,768
Distributions to stockholders:														
31 Cash and property except own stock	27,882,546	94,825	1,099,647	255,578	59,985	707,180	76,904	199,534	12,875,585	934,420	281,569	205,894	134,685	123,950
32 Corporation's own stock	2,741,574	11,998	79,371	44,137	4,625	26,207	4,402	46,472	1,196,572	49,255	96	35,701	15,193	31,260
33 Total assets	1,877,003,506	7,647,343	18,434,235	4,668,488	2,748,372	7,688,902	3,328,473	29,568,889	410,721,409	35,985,565	5,383,772	12,318,811	8,694,464	7,672,520
34 Inventories	144,569,526	1,013,595	928,589	377,899	82,045	236,965	231,680	3,788,637	88,002,515	8,177,684	3,267,889	3,419,917	3,246,460	1,567,979

TABLE 1.—SELECTED BALANCE SHEET AND INCOME ITEMS, BY MAJOR INDUSTRY—Continued

[Amounts in thousands of dollars]

	Item	Major industry													
		Manufacturing													
		Furniture and fixtures (15)	Paper and allied products (16)	Printing, publishing, and allied industries (17)	Chemicals and allied products (18)	Petroleum refining and related industries (19)	Rubber and miscellaneous plastics products (20)	Leather and leather products (21)	Stone, clay, and glass products (22)	Primary metal industries (23)	Fabricated metal products, except machinery and transportation equipment (24)	Machinery, except electrical (25)	Electrica machinery, equipment, and supplies (26)	Motor vehicles and motor vehicle equipment (27)	Transportation equipment, except motor vehicles (28)
1	Number of returns, total	6,838	3,379	23 319	10,569	1,121	4,869	2,963	8,530	5,422	21,295	20,878	8,847	2,174	2,849
2	With net income	4,626	2,637	15,823	7,040	782	3,151	2,310	5,521	4,404	16,654	16,381	5,659	1,632	1,772
3	Without net income	2,212	742	7,496	3,529	339	1,718	653	3,009	1,018	4,641	4,497	3,188	542	1,077
4	Total receipts	7,699,073	16,943,667	21,398,995	44,524,072	55,908,569	11,542,533	5,668,631	13,712,696	42,456,230	32,595,654	46,517,121	41,094,737	50,848,200	25,389,232
5	Business receipts	7,607,805	16,557,252	20,672,622	43,436,350	52,120,124	11,339,317	5,612,256	13,388,514	41,774,221	32,143,762	44,870,791	40,489,491	49,985,158	25,100,056
6	Net long-term capital gain reduced by net short-term capital loss	14,122	170,980	60,099	84,355	446,024	14,481	4,212	28,072	60,947	58,482	508,170	44,532	39,828	23,503
7	Net gain, noncapital assets	1,399	5,457	14,207	21,038	46,652	5,724	2,969	10,074	6,253	15,402	26,323	9,235	12,965	6,292
8	Dividends, domestic corporations	2,521	24,621	58,916	99,054	600,817	15,023	7,274	28,502	160,866	15,467	35,943	13,541	28,574	10,017
9	Dividends, foreign corporations	280	19,331	16,955	181,416	456,927	22,130	338	51,256	56,102	45,018	72,918	79,329	279,604	8,094
10	Receipts not specified above	72,946	166,026	576,196	701,859	2,238,025	145,858	41,582	206,551	397,841	317,523	1,002,976	458,609	502,071	241,270
11	Total deductions	7,274,917	15,549,122	19,480,485	39,452,210	52,299,775	10,793,167	5,417,758	12,745,437	38,972,008	30,173,130	41,466,350	37,876,990	45,503,700	24,021,919
12	Cost of sales and operations	5,539,165	11,256,473	13,262,477	25,903,967	34,878,848	6,616,058	4,289,160	8,802,236	29,930,886	22,953,115	29,222,227	28,211,348	36,361,450	19,354,851
13	Amortization	729	3,069	3,272	9,687	6,692	650	222	2,541	5,571	5,354	7,197	16,546	5,210	2,917
14	Depreciation	113,118	761,288	526,033	1,880,960	2,223,886	362,563	62,639	695,365	1,832,948	727,551	1,406,356	914,674	1,211,591	519,556
15	Depletion	33	62,928	3,011	128,707	2,410,274	1,239	1,996	85,285	282,133	3,323	3,599	442	1,630	13,500
16	Pension, profit sharing, stock bonus, annuity plans	40,056	107,984	177,578	481,203	334,289	113,747	27,288	116,047	434,827	262,700	501,962	359,318	688,015	414,449
17	Other employee benefit plans	31,552	70,106	80,700	160,022	127,383	61,550	21,391	79,842	354,481	151,951	315,481	213,533	695,162	165,425
18	Net loss, noncapital assets	1,031	5,842	5,841	5,475	5,398	2,870	380	15,995	10,317	11,761	6,266	6,082	14,963	4,935
19	Deductions not specified above	1,549,233	3,281,432	5,421,573	10,882,189	12,313,005	2,634,490	1,014,682	2,948,486	6,120,845	6,057,375	10,003,262	8,155,047	6,525,679	3,546,286
20	Total receipts less total deductions	424,156	1,394,545	1,918,510	5,071,862	3,608,749	749,366	250,873	967,532	3,484,222	2,422,524	5,050,771	3,217,747	5,344,500	1,367,313
21	Net income (less deficit)	421,673	1,411,430	1,922,446	5,282,170	3,729,720	798,745	249,091	1,006,166	3,489,027	2,452,424	5,274,062	3,278,311	5,523,168	1,369,092
22	Net income	473,055	1,454,383	2,027,573	5,374,658	3,763,110	851,928	265,677	1,126,571	3,553,399	2,578,256	5,396,263	3,466,761	5,589,421	1,441,745
23	Deficit	51,382	42,953	105,127	92,488	33,390	53,183	16,586	120,405	64,372	125,832	122,201	188,450	66,253	72,653
24	Income subject to tax	448,830	1,404,972	1,838,597	5,179,796	3,099,921	805,250	237,993	1,069,448	3,255,874	2,417,196	5,195,146	3,367,399	5,510,020	1,404,965
	Income tax:														
25	Number of returns	3,540	2,190	12,134	5,867	727	2,683	1,778	4,447	3,731	13,584	13,550	4,382	1,314	1,413
26	Amount	200,182	627,346	835,991	2,452,540	1,384,183	373,945	106,840	493,515	1,535,336	1,093,699	2,324,864	1,591,354	2,632,386	665,350
27	Investment credit	7,185	57,741	37,043	155,415	131,151	28,690	3,775	39,946	143,992	54,944	79,842	67,716	99,217	42,024
28	Foreign tax credit	373	24,682	16,859	234,030	679,040	36,577	355	49,634	124,421	45,748	182,071	106,262	258,650	11,629
29	Net income (less deficit) after tax (21 minus 26 plus 27)	228,676	841,825	1,123,498	2,985,045	2,476,688	453,490	146,026	552,597	2,097,683	1,413,669	3,029,040	1,754,673	2,989,999	745,766
30	Net income after tax	280,058	884,851	1,228,631	3,077,687	2,510,138	506,686	162,664	673,119	2,162,098	1,539,568	3,151,256	1,943,155	3,056,253	818,441
	Distributions to stockholders:														
31	Cash and property except own stock	55,695	412,319	394,056	1,726,739	2,382,808	199,445	51,460	345,496	932,505	423,444	948,282	739,518	1,882,642	290,200
32	Corporation's own stock	24,426	37,105	112,055	123,064	281,333	12,222	13,896	15,104	49,640	89,657	113,725	108,728	16,259	20,109
33	Total assets	3,882,828	15,016,539	14,885,980	36,997,303	59,951,235	8,256,231	2,788,174	12,812,884	37,099,433	19,248,215	34,477,714	26,711,487	38,690,513	16,156,576
34	Inventories	1,191,627	2,081,953	1,804,481	6,608,058	4,258,308	2,030,210	891,815	1,918,446	7,358,183	5,274,891	10,209,525	8,114,827	6,561,148	6,346,884

Mr. LONG. Mr. President, even without anything more, there is no 50 to 17 percent spread the Senator can point to and his statement on the 14th of April that—and I am quoting—

> The fact is that they (the oil companies) pay about 17 percent as far as income taxes are concerned, as compared with close to 50 percent for others.

Well, this statement is simply incorrect.

Now, over and above all of this, it has been my contention all along that to be fair we have to look to the total tax burden on the oil industry, not just its Federal income tax. Under this analysis, when you add to the Federal taxes paid, the additional local severance, production, and property taxes that they pay—the tax burden of the oil industry is greater than that of other industries. This is so even though the analysis does not include the excise taxes paid by customers on the gasoline they purchase—although that, too, is a burden on the product; nor does it include import duties paid to the Federal Government. I know that, while oil companies paid almost $2 billion in Federal income taxes in 1966, they also paid another $2 billion in other taxes—taxes which most other companies are not required to pay. This is what led to the following colloquy between the Senator and myself—and again I am quoting from the RECORD, page 9154, April 15, 1969:

> Mr. LONG. Mr. President, I repeat the statement: it is true—I agree with the Senator—that if all you are looking at is the Federal income tax, this industry pays less than the average for all manufacturing on profits.
>
> Mr. PROXMIRE. All taxes.
>
> Mr. LONG. But if the Senator will look at the severance tax, he will find that this is one of the very few industries that pay any severance tax, and other industries that pay it, pay very little.
>
> In Louisiana, we hit them for 10 percent of gross before we know whether they made a profit or not.
>
> Mr. PROXMIRE. *The severance taxes is included in the figures I have.*
>
> Mr. LONG. That is a tax they pay that nobody else pays. When you take into account that they pay pipeline taxes—
>
> Mr. PROXMIRE. *That is included.*

At other points in the RECORD the Senator made the following statements—and again I quote—from page 9153, April 15, 1969:

> The figures I have from the U.S. Oil Week show that the oil industry paid something like 21.9 percent of its net income in virtually all its Federal, foreign, and State taxes *including property taxes.*

And he also stated:

> My figures show that they are taxed far less heavily than almost any other industry. As I say, it is 21.9 percent of their net income, *and this includes virtually all of their taxes, and Federal taxes.*

Mr. President, when the Senator made these statements, I must admit that they surprised me because they just did not tally with the figures available to me or my committee. I told myself mentally that if he was right, then the figures I had were wrong. To clarify the matter, I instructed the staff of the Finance Committee to compare the Oil Week table with the 10-K financial statements filed with the SEC. They were instructed to ascertain, once and for all, whether or not the figures used in the Oil Week table included the severance, production, and property taxes the Senator says they do. What were the results of that study?

Well, I think we all can understand how easy it is to be "stampeded" into taking a position prematurely without all of the facts, and I am certain my colleague did not intend to misinform the Senate and the public. Because the truth of the matter is that the figures he gave from the Oil Week table do not include any production, severance, or property taxes—in fact, outside of some inconsequential local income taxes, they do not include any taxes except the foreign income taxes and Federal income taxes. A table prepared by the committee staff indicates that oil companies paid additional production, severance, and property taxes, increasing each year from $556,482,000 in 1962 to $868,206,000 in 1967, which represents from 11.4 to 13.8 percent of net income. All of these taxes were omitted from the Oil Week table on which the Senator from Wisconsin relied. I ask unanimous consent that the corrected table be inserted at this point in the RECORD.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

TAXES OF SELECTED REFINERS[1]

[In thousands of dollars]

	Net income before tax	Federa tax	Percent	Foreign (some States) tax	Percent	Severance, production, and property taxes	Percent
Standard (New Jersey):							
1962	1,271,903	8,000	0.6	423,000	33.0	83,000	6.5
1963	1,584,469	69,000	4.3	496,000	31.0	89,000	5.6
1964	1,628,555	29,000	1.7	549,000	33.0	92,000	5.6
1965	1,679,675	82,000	4.9	562,000	33.0	98,000	5.8
1966	1,830,944	116,000	6.3	624,000	34.0	106,000	5.8
1967	2,098,283	166,000	7.9	700,000	33.0	119,000	5.7
Gulf:							
1962	488,351	19,389	3.9	128,871	26.0	42,368	8.7
1963	540,065	30,870	5.7	137,842	25.0	57,843	10.1
1964	607,343	52,443	8.6	159,782	26.0	61,154	10.0
1965	655,727	53,559	8.1	174,935	26.0	66,554	10.0
1966	813,868	90,008	11.0	219,098	26.9	77,003	9.5
1967	955,968	74,142	7.8	303,539	31.8	85,491	8.9
Texaco:							
1962	546,371	13,000	2.3	51,700	9.0	63,820	11.7
1963	615,768	10,250	1.6	58,850	12.0	66,551	10.8
1964	660,761	5,500	.8	77,900	11.0	73,491	11.1
1965	726,198	10,000	1.3	79,500	11.0	79,931	11.0
1966	845,466	32,500	3.8	103,100	12.0	91,819	10.9
1967	892,986	17,500	1.9	121,100	13.5	[2] 98,819	[3] 11.0
Mobil:							
1962	379,339	8,300	2.1	128,700	33.0	42,722	11.3
1963	437,352	23,000	5.2	142,500	32.0	45,714	10.5
1964	464,660	27,700	5.9	142,800	30.0	48,176	10.4
1965	508,016	33,900	6.6	154,000	30.0	50,141	9.9
1966	555,412	23,200	4.4	176,100	31.7	54,653	9.9
1967	594,593	26,900	4.5	182,300	30.7	63,872	10.8
Standard (California):							
1962	348,181	5,800	1.6	28,600	8.0	51,036	14.6
1963	356,568	2,900	.8	31,600	8.0	54,080	15.1
1964	393,188	8,300	2.1	39,600	10.0	55,965	14.2
1965	455,425	9,000	1.9	55,200	12.0	57,503	12.6
1966	515,118	29,800	5.7	61,300	11.9	63,108	12.2
1967	513,067	6,000	1.2	85,400	16.6	70,469	13.7
Standard (Indiana):							
1962	168,843	3,105	1.8	3,381	2.0	50,087	29.7
1963	208,022	22,182	10.6	2,748	1.0	52,343	25.1
1964	204,817	8,486	4.1	1,480	.7	58,365	28.5
1965	263,098	39,578	15.0	4,248	2.0	60,427	22.9
1966	300,531	--------	--------	49,672	--------	63,971	21.3
1967	366,847	74,021	20.2	10,576	2.9	68,990	18.8
Shell:							
1962	173,555	7,200	4.1	8,680	5.0	50,891	29.3
1963	211,575	19,100	9.0	12,623	5.0	53,832	25.4
1964	213,575	2,800	1.3	12,585	5.0	55,954	26.2
1965	274,507	26,600	9.6	13,876	5.0	58,835	21.4
1966	313,085	46,100	14.7	11,785	3.7	64,893	20.7
1967	342,022	44,940	13.1	12,233	3.6	73,025	21.3
Phillips:							
1962	158,320	48,000	30.3	3,365	2.0	22,037	13.9
1963	160,954	52,000	26.2	3,491	2.0	22,891	14.2
1964	152,197	32,229	22.2	4,950	3.0	23,847	15.6
1965	165,876	31,745	19.1	6,415	4.0	25,358	15.3
1966	218,382	59,163	27.0	7,595	3.4	28,795	13.2
1967	227,766	52,255	22.9	11,496	5.0	35,922	15.8
Conoco:							
1962	73,477	1,065	1.4	2,335	5.0	18,381	25.0
1963	99,665	9,143	9.2	3,157	3.0	21,223	21.4
1964	112,009	8,725	7.7	3,175	2.0	21,618	20.2
1965	142,051	6,865	4.8	49,035	27.0	22,508	15.8
1966	204,632	24,670	12.0	64,330	31.4	25,325	12.3
1967	241,362	30,031	12.4	62,369	25.8	28,372	11.8
Cities Service:							
1962	84,143	20,773	24.7	3,185	3.0	21,905	26.0
1963	101,976	20,188	21.4	4,283	4.0	23,533	23.0
1964	105,299	19,819	18.9	967	.9	24,501	23.3
1965	137,068	31,973	23.3	977	.7	25,058	18.3
1966	194,456	51,760	26.7	902	.4	27,130	13.4
1967	165,289	32,347	19.6	5,105	3.1	[2] 31,318	18.9
Union:							
1962	59,421	8,000	13.5	5,500	9.0	19,475	32.8
1963	73,028	13,100	17.7	6,000	8.0	20,354	27.9
1964	87,564	13,300	15.2	7,200	8.0	20,942	23.8
1965	119,214	15,604	13.2	8,840	7.0	33,464	28.1
1966	170,782	18,398	10.7	10,144	5.9	36,695	21.5
1967	163,820	10,400	6.3	8,457	5.2	39,422	23.4
Sun:							
1962	66,395	[3] 200	0	13,400	20.0	40,251	60.7
1963	79,976	1,300	1.9	17,460	22.0	24,966	53.8
1964	88,577	2,400	2.7	17,670	20.0	46,402	52.4
1965	113,405	10,300	9.0	18,220	16.0	48,300	42.6
1966	131,544	16,600	12.6	14,370	10.9	49,008	37.3
1967	146,946	24,700	16.8	13,670	9.3	50,497	34.3

See footnotes at end of table.

TAXES OF SELECTED REFINERS[1]—Continued

[In thousands of dollars]

	Net income before tax	Federal tax	Percent	Foreign (some States) tax	Percent	Severance, production, and property taxes	Percent
Atlantic:							
1962	61,110	0	0	14,844	24.0	14,550	23.9
1963	56,747	0	0	12,734	22.0	15,158	26.8
1964	61,081	0	0	14,005	22.0	15,427	25.2
1965	105,299	0	0	15,188	14.0	27,730	26.3
1966	127,384			13,900	12.7	29,231	22.9
1967	145,259			15,254	10.5	32,991	22.6
Marathon:							
1962	36,064	[3] 2,200	0	205	.5	10,075	28.0
1963	50,058	(1)	0	933	2.0	10,763	21.5
1964	63,220	(1)	0	2,844	4.0	[4] 9,776	[4] 15.5
1965	97,416	(1)	0	37,345	38.0	[4] 9,797	[4] 10.1
1966	130,927	2,400	1.8	59,700	45.9	[4] 10,605	[4] 8.1
1967	138,520	3,700	2.7	60,962	44.0	[4] 11,990	[4] 8.9
Getty: 1967	132,762	3,687	2.8	10,909	8.2	28,703	21.6
Standard (Ohio):							
1962	37,235	9,275	25.0	3,738	10.0	6,151	16.7
1963	54,008	15,225	28.1	4,896	9.0	6,421	11.9
1964	70,252	21,150	30.2	5,334	7.0	6,788	9.7
1965	82,848	26,300	31.7	6,386	8.3	9,436	11.4
1966	84,481	21,200	25.0	6,345	7.5	9,765	11.8
1967	101,496	29,200	28.8	8,412	8.3	11,090	10.0
Sunray:							
1962	41,203	3,850	9.3	1,152	3.0	11,866	28.9
1963	48,223	4,321	8.9	1,374	2.9	11,148	23.
Sunray—Continued							
1964	34,716	[3] 2,407	0	1,330	3.9	11,517	33.5
1965	41,445	980	2.3	1,597	3.9	11,754	28.5
1966	57,372	10,025	14.9	1,754	3.0	12,423	23.1
1967	74,526	17,672	23.7	2,390	3.2	13,669	18.4
Ashland:							
1962	24,324	6,201	25.8	2,799	11.0	932	4.1
1963	28,769	10,556	37.7	104	.3	3,042	10.4
1964	36,385	9,672	26.8	2,977	8.0	2,861	8.0
1965	50,594	15,500	30.6	2,440	5.0	3,587	7.1
1966	69,324	20,830	30.0	5,570	8.0	3,857	5.6
1967	72,212	23,718	32.8	3,952	5.5	4,566	6.4
Skelly:							
1962	22,674	1,260	5.7	250	1.0	6,935	30.8
1963	27,479	3,025	7.7	275	4.0	7,695	28.8
1964	26,601	785	1.2	275	2.0	8,264	31.2
1965	39,995	5,625	14.0	375	.9	8,249	20.5
1966	42,762	5,300	12.3	500	1.1	8,902	21.0
Total:							
1962	4,040,909	160,718	4.0	824,425	20.0	556,482	13.8
1963	4,734,702	306,160	6.0	936,870	19.8	604,557	12.8
1964	5,009,800	239,902	4.8	1,043,874	20.8	637,046	12.6
1965	5,657,857	399,529	7.0	1,180,577	20.9	696,632	12.5
1966	6,606,470	567,954	8.6	1,430,165	21.6	763,183	11.4
1967	7,095,863	627,290	8.8	1,556,974	21.9	868,206	12.2

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[1] The data for this study relating to severance, production, and property taxes were taken primarily from SEC records. The remaining data were taken from a table entitled "Federal Taxes of Largest Refiners" placed in the Congressional Record on Apr. 15, 1969, p. 9146. Since SEC records were unavailable for Sinclair, Tidewater, Pure, and Richfield, the amounts relative to these companies were eliminated from the table mentioned above to arrive at the appropriate percentages.

[2] Averaged from previous years' increases.

[3] Credit.

[4] Used an average of 70 percent of "other income" since the actual figures were not available This is slightly lower than the average shown in the years 1962 and 1963 where figures were available.

Mr. LONG. So here, if you start with the Senator's statement that the oil industry paid "something like 21.9 percent of its net income, in virtually all its Federal, foreign, and State taxes, including property taxes," the first thing to do is note that even from the Oil Week table itself this is incorrect because the percentage of net income paid in taxes is actually 30.7 percent—the 21.9 percent allocable to foreign taxes and the 8.8 percent allocable to Federal tax. Then, if you add to these percentages the severance, production, and property taxes, which the Senator says were included in his table, but really were not—and they amount to some $868,206,000 or 12.2 percent—the 1967 percentage of taxes paid by the oil companies becomes 42.9 percent of their net income. It is almost twice the 21.9 percent the Senator quoted to this Chamber.

All of this leads right back to the statement I made on April 15 indicating that the petroleum industry's tax burden per dollar of revenue exceeds the tax burden on other industries. This is true whether you use gross income or net income figures. I would think, then, that since the table used by the Senator does not include severance, production, and property taxes—despite his assertion that it does—and since it cannot accurately reflect the relative tax burden of the petroleum industry, he would admit his error and acknowledge that it is fatal to his case.

Now, while we are talking about the Oil Week table, I should like to make a comment on Atlantic Richfield. First of all, I know nothing of the inner workings of the company. My only reason for referring to it is that on several occasions the company has been singled out as an example because it did not pay any Federal taxes in 1962 through 1967. My comment is directed at those who would attempt to inflame public opinion without a complete presentation of the facts.

First of all, it is misleading to say that the company paid no taxes in 1962 through 1967 because the table from Oil Week placed in the RECORD by my colleague indicates that Atlantic-Richfield paid taxes for which it received a foreign tax credit totaling almost $86 million for the years 1962 though 1967. In addition, the corrected table shows that Atlantic paid over $135,087,000 in severance and property taxes during those years.

These taxes, coupled with the credit for foreign taxes paid over the 6-year period, averaged about 40 percent of Atlantic's net income. So it is not quite fair to state that Atlantic paid no taxes and then stop short.

Over and above all this, it was common knowledge in the oil industry that in the 1950's Atlantic was not meeting its competition. It was also common knowledge that they were dramatically increasing their research and exploration activities. This would account for large expenditures during the years 1962 through 1967 which could well explain why their Federal income tax was zero after allowance of the foreign tax credit. But, as I say, their total tax was 40 percent of their net income.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. LONG. I ask unanimous consent to have 5 additional minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LONG. Incidentally, what was the result of Atlantic's activities? Well, we all know that it was Atlantic that made a major discovery of crude oil on the north slope of Alaska. There is no question that the discovery will benefit Atlantic—but more than that—it will benefit the United States. Its effect was recently discussed in an article in the April 14 edition of U.S. News & World Report entitled "The Changing Geopolitics of the World's Oil," and I do not believe anyone would discount the importance of the find. I ask the unanimous consent of the Senate that this article be placed in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE CHANGING GEOPOLITICS OF THE WORLD'S OIL

It is a new ball game in the international politics of oil. Recent discoveries in the Americas and elsewhere are altering the balance of petroleum-based power, deflating somewhat the importance of the Middle East. The Arctic is becoming a key area.

Sweeping changes under way in the world's oil picture suddenly are shifting the international power balance in the direction of the U.S.

America now is becoming self-sufficient once again in oil, the major source of energy for modern industry and for defense.

Soviet Russia, pinched by rising costs at home, may have to begin importing oil.

Oil finds in Africa, South America, North America and the Middle East are about to provide Western Europe and Japan with new sources of energy—but these nations still remain basically dependent on the U.S. for help in future political crises.

Exploration for oil is expected to shift more and more to the Arctic and to politically stable areas—away from the Middle East.

Canada and the U.S. are being pulled closer and closer together.

Biggest change since the '40s. It all adds up to the most dramatic shift in oil's impact on geopolitics since the Middle East became the world's No. 1 oil region in the 1940s.

"What is going on today will turn the power politics of the world upside down," is the way the current situation is summed up by one man who has served in high positions in both the U.S. Government and the oil industry.

For that reason alone, world oil changes shaping up are of major importance in the Nixon Administration's reassessment of American strength and commitments in the world.

And oil will play a part in U.S. strategy in big-power discussions aimed at achieving peace between Israel and the Arabs.

Talks by staff members of "U.S. News & World Report" with diplomats, economists, oil experts and other authorities in the U.S., Canada, Latin America, Europe and other parts of the world show what the changes mean.

The single most important event today, the authorities agree, is discovery of oil on Alaska's Arctic coast. Although exact size of the oil deposits still is not certain, experts now are assuming enough oil is there to keep the U.S. self-sufficient in reasonably priced fuel for the foreseeable future.

Significance of that to diplomats and military men: The U.S. no longer faces the immediate prospect of having to rely on the erratic Middle East for large supplies of petroleum.

That is a bedrock advantage for a world power. The U.S. thus can pursue a more independent policy in defense and international affairs. Russian domination of the Mideast, a growing danger, seems a less catastrophic prospect to the U.S. than formerly.

A crisis avoided. Just a few months ago, the U.S. faced the opposite prospect. Soaring consumption and lagging finds of new oil fields indicated the U.S. would have to import half its oil needs by 1980.

"The U.S. and Western Europe together constitute nearly three fourths of the free-world market for crude oil, explains John G. Winger, vice president of Chase Manhattan Bank. "And by the time the U.S. had to import half of its needs, the combined self-sufficiency of the two areas would be no more than 25 per cent."

But now the major oil strike at Prudhoe Bay on Alaska's Arctic coast appears to have changed the outlook. Production prospects are so huge—40 billion barrels, by some estimates—that the U.S. will be able to continue its present policies of importing only 12.2 per cent of its needs or less, according to oil experts.

These policies now are coming under review both by a White House task force headed by Labor Secretary George P. Shultz and by Congress. To be decided is whether the U.S. should continue to restrict imports, thus permitting a domestic price of about $3 a barrel for crude oil. On the world market, oil sells for roughly half as much.

All eyes turn north. Alaska will have other effects of advantage to the U.S., too, experts point out. One is in exploration:

"For the next several years, the center of world oil exploration will move toward the Arctic—in the U.S., Canada, Russia, possibly Spitsbergen"—the Norwegian islands high in the Arctic—says Walter J. Levy, a leading international oil consultant.

Adds an executive of Standard Oil Company (New Jersey): "As you circle the Arctic Ocean you see some of the same geological formations all the way around."

Finds in the free-world part of the Arctic, of course, would help cut down other countries' dependence on the Middle East.

New bond for old friends. Another result of Alaskan oil is the likelihood of closer economic and political ties between the U.S. and Canada, despite differences over missiles and China policy now in the headlines.

In prospect is a single North American oil policy linking the two countries. Steps in that direction are being discussed by officials after talks on the subject by President Nixon and Canadian Prime Minister Pierre Elliott Trudeau in Washington late in March.

Pipelines already carry Canadian oil to the Great Lakes region of the U.S. and the Pacific Northwest. Yet Canada still has enormous resources of oil, largely undeveloped because of a lack of markets. Informal restrictions keep this oil out of the U.S., and it is too expensive to be sold elsewhere.

What's more, odds are that Canada will find even more oil soon.

Geologists are hunting oil in the Arctic islands between the North American mainland and the North Pole. Other work is going on across the border from Alaska's big find. And the Athabaska tar sands in the Canadian Province of Alberta, holding an estimated 300 billion barrels of oil, are being developed in preparation for the time when more readily processable deposits dwindle.

There is interest in offshore drilling along the Nova Scotia coast, too.

Joint plans in the crucible. So Canadians are having to look to the U.S. for arrangements to sell oil.

Proposed in Canada is an arrangement by which Canada would help U.S. firms build a pipeline from Alaska to Chicago in exchange for the right to sell Canadian oil in the U.S.

Many oil experts think much of the Canadian petroleum eventually will be sold in Western Europe or Japan.

"But it is hard to imagine a system that doesn't let Canada sell some oil here," says a U.S. oil man, "for security and diplomatic reasons at least."

What's important is that, taken together, Canadian and U.S. oil amount to a vast pool of energy for use of North America first and its allies second in times of emergency, say international experts.

Add to this the oil output that is now rising in Latin America.

Latest development is a rich strike in Ecuador by Texaco, Inc., and the Gulf Oil Corporation. Some oil experts think this may be part of a major oil region stretching along the Andes Mountains from Colombia to Peru.

If it turns out to be that extensive, it would challenge Venezuela, now the dominant Latin-American oil country.

Boon for Europe, too. Big oil finds such as these are offering comfort to Western Europe.

Reason: Every major oil discovery in the free world outside the Middle East enables Europe and Japan to reduce their dependence on oil from Arab and Mideastern countries.

France, for example, currently buys 86 per cent of all its crude oil from Arab countries, Italy 82 per cent, West Germany 75 per cent and Great Britain 73 per cent, Japan relies on the Middle East, including non-Arab Iran, for about 90 per cent of its oil.

That's cause for concern by Western strategists. With Britain pulling its troops out of the Mideast and Russia gaining influence, no one knows how secure the area will be for U.S. and its friends.

Now new oil production is beginning to come out of Cabinda, a part of Portugal's African colony of Angola. Nigeria is expected to increase its exports to 800,000 barrels a day by the end of 1969, despite its civil war. Australia is headed toward self-sufficiency.

Japan is prodding oil firms to find more oil in such island spots as Borneo in the Pacific and even off the shores of the Japanese home islands. Deals also are being studied for Japanese purchase of Canadian crude.

Oil output is going up in Libya, an Arab nation that has avoided many of the antagonisms against the West. The same is true of small sheikdoms such as Abu Dhabi, Dubai and Oman, where output is accelerating.

What's more, supertankers that can carry more than 200,000 tons of oil on a single trip are making it possible for industrial Northern Europe to by-pass the closed Suez Canal and get oil from far away at economic prices.

Still another potential source will be created for Europe if the attempt to open up a Northwest Passage from the Atlantic to northern Alaska succeeds. A tanker fitted out as an icebreaker is to make the attempt this summer. This would permit direct shipment of Alaskan and Canadian Arctic oil to Europe.

Adding up these developments, David Barran, a managing director of the Royal Dutch/Shell Group of oil companies, said recently of the Middle East:

"The picture as I see it is on the whole a reassuring one." He figures major Middle Eastern producers such as Iran, Saudi Arabia and Kuwait want to sell even bigger amounts of oil than they already are selling. So they will avoid troublemaking that could turn Western Europe to competing countries. World oil prices, too, appear headed down.

Trouble is, say oil experts in Washington, Arab countries don't always act rationally or in their own best interests.

Effect on Moscow. And then there is Russia. It is reversing a long-standing policy of boosting oil production at an ever-increasing pace.

By 1980, oil men in Europe now believe, Russia may be in the market for as much as 375 million barrels of oil a year, if new production goals and consumption trends continue.

Moscow already has put a lid on oil exports. But Russia, it is thought, will continue to export to Western countries as a means of earning hard currencies—even if it has to import oil from the Mideast to make up the difference.

Eastern European satellites, kept dependent on Russia for most of their oil up to now, also will have to import more, British officials forecast.

What's going on? Rising costs, mainly. Although Russia has bigger oil reserves than the U.S. and an active drilling program, its transportation costs are sky high. Ninety per cent of Soviet oil is located in Siberia and Central Asia, but 80 per cent of demand is thousands of miles away in European Russia.

Russia's game. Western oil men expect Russia will now try to work out barter and aid deals in exchange for crude oil from Iraq, Algeria, Egypt and possibly Iran.

Russia isn't thought likely to try for an actual take-over of Western-owned oil facilities in the Mideast. Instead, says one diplomat in the U.S., the strategy seems to be aimed at political domination, thus removing control of Mideastern oil from free-world companies.

And that's clearly a matter of worry for Western strategists until the new sources of oil outside the Mideast are fully developed—a matter of some years.

"Middle East oil . . . is still, and long will be, the non-Communist world's main supply," says a recent report by the Center for Strategic and International Studies at Georgetown University.

The report continues: "Its tremendous proved reserves must always be considered of prime strategic importance, and denial of this supply of oil in times of emergency or war would have a strategic implication of profound consequence."

What emerges from the big changes now under way is that only the U.S. seems to be reducing its dependence on the Mideast significantly. And that is a matter of consequence today.

Mr. LONG. Mr. President, in my view, the Alaskan discoveries are a perfect example of why you need tax incentives in the oil industry. I am convinced that without these incentives the Alaskan discoveries would never have been made. Instead of the enviable position we now occupy, where we can envision a future free of dependence on Mideast oil, we would be wringing our hands anticipating the time when we would have to rely on foreign oil for 50 percent of our needs. When I hear all the talk about the cost of tax incentives for oil, I often wonder just how you go about measuring the tremendous benefits, both tangible and intangible, that accrue to all of us, because of the Alaskan find. Certainly there is a compensating offset that should be recognized.

Finally, in the case of Atlantic it must be clear that their tax posture is a temporary one. Once the Alaskan wells start producing and the exploratory aspects of the venture are minimized, the company will begin realizing domestic taxable income and will pay large amounts of U.S. income taxes on that income without reduction by foreign tax credits.

In conclusion, I would like to make one last comment. It is unfortunate that those who oppose the oil industry will frequently attempt to make their case by relying upon factually inaccurate or slanted tables and magazine articles that are calculated to arouse public resentment—articles, for example, that cite the fact that Atlantic-Richfield has paid no Federal income tax, leaving the impression it has no tax burden at all, when in truth, it is paying over 40 percent of its net income in taxes. This type of thing is just not accurate or fair, or in the spirit of honest debate, where we should be seeking to inform the public. That sort of misinformation only serves to deceive them.

I would urge that if we are to discuss our different views on this matter, let us not do it by indiscriminately inserting into the RECORD articles or tables that mislead the Senate and the public. Rather, let us assemble our facts, note our points of difference, and state our views honestly and forthrightly, comparing one with the other, in order that we may decide what the real facts are, so that the ultimate decision made is best for this country.

AUTHORIZATION FOR SALINE WATER CONVERSION PROGRAMS

Mr. KENNEDY. Mr. President, I ask the Chair to lay before the Senate a message from the House of Representatives on S. 1011.

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 1011) to authorize appropriations for the saline water conversion program for fiscal year 1970, and for other purposes, which was to strike out all after the enacting clause and insert:

That there is authorized to be appropriated to carry out the provisions of the Saline Water Conversion Act (66 Stat. 328), as amended (42 U.S.C. 1951 et seq.), during fiscal year 1970, the sum of $25,000,000 as follows:

(1) research and development operating expenses, not more than $16,223,000;

(2) design, construction, acquisition, modification, operation, and maintenance of saline water conversion test beds and test facilities, not more than $5,355,000;

(3) design, construction, acquisition, modification, operation, and maintenance of saline water conversion modules, not more than $1,450,000; and

(4) administration and coordination, not more than $1,972,000.

(b) Expenditures and obligations under any of the items in this section except item (4) may be increased by not more than 10 per centum if such increase is accompanied by an equal decrease in expenditures and obligations under one or more of the other items, including item (4).

SEC. 2. In addition to the sums authorized to be appropriated by this Act, the Secretary may utilize any funds previously appropriated for this program which are not obligated on June 30, 1969, subject to the dollar limitations applicable to the fiscal year 1969 program.

Mr. KENNEDY. Mr. President, I move that the Senate disagree to the amendment of the House of Representatives, and request a conference with the House of Representatives thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. JACKSON, Mr. ANDERSON, Mr. MOSS, Mr. ALLOTT, and Mr. JORDAN of Idaho conferees on the part of the Senate.

THE SAFEGUARD SYSTEM

Mr. GORE. Mr. President, I ask unanimous consent to have printed in the RECORD at the conclusion of my remarks several documents which I believe to be important in connection with the Senate's consideration of the proposed Safeguard system.

First, I wish to have printed in the RECORD letters from Dr. Hans Bethe, Dr. Carl Kaysen, Dr. James Killian, Dr. George Kistiakowsky, and Dr. Herbert York. Their letters are replies to letters I wrote to all those who appeared before the Subcommittee on International Organization and Disarmament Affairs before March 14, in which I said to the addressees that, since they had testified before the Safeguard decision had been announced, they might wish to comment specifically on the proposed Safeguard system. I have received replies to date only from Drs. Bethe, Kaysen, Killian, Kistiakowsky, and York. All of them oppose the deployment of the Safeguard system at present.

Second, I wish to have printed in the RECORD a letter Chairman FULBRIGHT wrote to Deputy Secretary of Defense Packard on April 22, asking certain questions about persons outside the Defense Department who had been consulted with regard to the Safeguard decision, and Mr. Packard's reply which was dated April 25. The exchange of correspondence makes clear that the full Defense Science Board which Mr. Packard included in the "List of Scientists and Engineers Consulted by Dr. Foster on ABM," a list which appears on page 308 of the subcommittee's printed hearings, met most recently on the ABM on May 10, 1967. Mr. Packard's letter also shows that ABM issues were discussed with members of the President's Science Advisory Committee on October 22, 1968, but thereafter not until March 17, 1969, 3 days after the Safeguard decision had been announced. Finally, Mr. Packard's letter reveals that, of the three members of the Defense Science Board Task Force on ABM, one is about to become Deputy Director for Strategic and Special Systems in the Office of the Director of Defense Research and Engineering and a second occupied that position from May 1962 to April 1965.

Third, and finally, I wish to have printed in the RECORD an interview which appeared in the Washington Post on May 12 with Rear Adm. Levering Smith, Director of Navy Strategic Systems Projects. The article identified Admiral Smith as the admiral responsible for our Polaris submarine missile fleet. In the interview, Admiral Smith is quoted as saying:

> The Russians have no specific new antisubmarine warfare methods the Navy knows of that would make the Polaris fleet vulnerable to attack.

I would like to recall in this connection that Secretary Laird told the Subcommittee on International Organization and Disarmament Affairs on March 21 that our Polaris fleet would not be "a sufficient and credible deterrent in the period 1972 and beyond."

There being no objection, the documents were ordered to be printed in the RECORD, as follows:

ITHACA, N.Y.,
May 6, 1969.

Senator ALBERT GORE,
U.S. Senate, Committee on Foreign Relations, Senate Office Building, Washington, D.C.

DEAR SENATOR GORE: Thank you for your kind letter of April 28th. I am enclosing a xeroxed copy of a "Postscript" which I have just published in the Bulletin of the Atomic Scientists, May, 1969. It sets forth my opinion on the hard point defense component of the Safeguard system.

In this matter as in my general opinion on ABM I agree closely with the opinion of Dr. George Rathjens, who also testified to your Committee.

I believe we should do the following:

(1) Design a completely new radar, much harder, of lower performance and hence cheaper than the MSR.

(2) Examine and where necessary redesign other components of the Sentinel system for the specific purpose of defending hard sites.

(3) Negotiate with the Russians on arms control, with the object to prohibit further increase of offensive forces.

(4) If 3 is unsuccesful, and points 1 and 2 have been accomplished, re-examine the question whether the Russians are aiming to develop a first strike capability against Minuteman. If the answer to this is Yes, we may then wish to deploy hard site ABM defense.

Yours sincerely,

HANS A. BETHE.

POSTSCRIPT

The foregoing testimony was given a week before President Nixon's decision to deploy a modified ABM system, the Safeguard. The area defense part of Safeguard is much the same as Sentinel, although the system has been further thinned out. This is to be welcomed. But of course the main argument of my article, that any area system can only be useful for a limited period of time and can thereafter be penetrated, remains unchanged, and so does my opinion that ABM against China is unnecessary.

In the new Safeguard system, ABM defense of Minuteman plays a prominent role, and is the first component to be deployed. As discussed in my testimony, I think such deployment is sensible in principle but is very premature.

At present the Russians have about as many land-based ICBMs as we do. Our Minuteman is well enough dispersed so that even a large Russian warhead can destroy at most one of our missiles. It would be very foolish of them to waste, in case of war, their precious large SS9 missiles on an attack on our Minutemen, getting one Minuteman for one of their much larger missiles.

The only concern one might have is the possible use of MIRV by the Russians in

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the future. Because of the large payload of their SS9 missiles it would be possible for each of their missiles to carry a number of re-entry vehicles, let us say five. If this were done, they could target 1000 re-entry vehicles, carried by 200 SS9 missiles, on our Minuteman silos. Assuming 80 per cent probability of "kill" (including aiming accuracy, this is an extremely high assumption!) they might destroy 80 percent of our Minuteman force. This might be quite serious, especially if at the same time they had ABM deployed around their cities. But there are the following counterarguments:

1. Even if such an attack were to occur and be successful, we would still have our Polaris and our bombers. It is more than unlikely that all of these retaliatory capabilities would be paralyzed simultaneously.

2. Because of limited reliability of any missile we would still have 200 Minutemen left which would be a formidable force in the absence of ABM. So an agreement forbidding deployment of ABM on both sides would leave us a useful land-based deterrent even after such a devastating Russian attack.

3. Presumably not all Russian reentry vehicles would arrive simultaneously. It would therefore be possible to launch the remainder of our Minuteman force after only a few of our silos had been destroyed.

4. Most important, the element of time. MIRV testing by Russia has only just begun. It takes a long time to complete testing. It will take still longer to achieve the necessary aiming accuracy, and then much longer still to deploy a large force of MIRV's.

In short, we have a "sufficiency" of strategic weapons for a long time to come, without the Minuteman ABM.

On the other hand, once we are worried about preserving our Minuteman capability I much prefer to defend the Minuteman silos rather than to increase their numbers. The latter would be an outright arms race.

THE INSTITUTE FOR ADVANCED STUDY,
Princeton, N.J., May 6, 1969.
Hon. ALBERT GORE,
Committee on Foreign Relations,
U.S. Senate,
Washington, D.C.

DEAR SENATOR GORE: Thanks for the two copies of the printed Hearings on ABM of your subcommittee. The additional statement that I submitted on March 31, which appears in the printed record on pages 158 through 161, does, I think, answer the question of my specific views on the Safeguard System, and I don't have any more to add at this time.

Let me again express my appreciation of what you and your colleagues on the committee are doing in the way of providing indispensable public information on the ABM matter and thank you once more for the opportunity to appear before the committee.

Sincerely yours,
CARL KAYSEN.

CAMBRIDGE, MASS., *May 3, 1969.*
Hon. ALBERT GORE,
U.S. Senate,
Committee on Foreign Relations,
Washington, D.C.

DEAR SENATOR GORE: I am indebted to you for sending me a copy of the printed ABM hearings of the Subcommittee on International Organization and Disarmament Affairs. The personal conclusions I expressed in my testimony at your hearings, it seems to me, are still relevant now that Safeguard has replaced Sentinel.

I greatly appreciated your kindness and courtesy at the time I came down to testify.

Yours sincerely,
J. R. KILLIAN, Jr.

HARVARD UNIVERSITY,
DEPARTMENT OF CHEMISTRY,
Cambridge, Mass., May 8, 1969.
Hon. ALBERT GORE,
U.S. Senate,
Committee on Foreign Relations,
Washington, D.C.

DEAR SENATOR GORE: Thank you very much for your letter of April 28 and the printed copy of the hearing on the ABM of your Subcommittee.

You ask me about my opinion about the Safeguard deployment. The Safeguard is to use essentially the same components, only slightly modified, as the Sentinel was to use, which were originally developed for the so-called Nike X deployment. The latter was, of course, designed primarily for population and city defense. The only real significant difference between Safeguard and Sentinel is that the purpose of the Safeguard is a more explicit defense of the Minuteman silos. In fact the two initial bases are specifically for the defense of Minuteman. It is my opinion that the Nike X components to be used by the Safeguard are ill suited for the defense of Minuteman deployment and will not greatly increase the survivability of this deployment in the event of a so-called first strike. On the other hand I do not believe that a first-strike which has a realistic chance of destroying our deterrent forces is feasible in the next five to seven years. Therefore, my opinion is as negative about the deployment of Safeguard as it was about the Sentinel deployment, as already stated by me before your Subcommittee.

If you wish I could go into considerable details to justify this opinion. However, I would like to say that my judgment is based very much on the considerations which were presented before the Senate Committee on Armed Services on April 22 by Dr. W. K. H. Panofsky and Dr. George Rathjens. I believe that in these prepared statements the case against the need for immediate deployment of Safeguard is stated extremely well and I share their conclusions.

Sincerely yours,
G. B. KISTIAKOWSKY.

UNIVERSITY OF CALIFORNIA,
La Jolla, Calif., May 1, 1969.
Senator ALBERT GORE,
U.S. Senate,
Committee on Foreign Relations,
Washington, D.C.

DEAR SENATOR GORE: Thank you for forwarding a copy of hearings on the ABM. You also noted in your letter that I had testified before the remarkable transformation of Sentinel into Safeguard had occurred, and asked for my comments on this new situation. My views on this, which are in essence the same as before only more so, are contained in the enclosed prepared statement I delivered before the Senate Armed Services Committee.

Please keep up the good work; it's eminently clear that if the Senate cannot get this thing under control, no one can. You and your colleagues are our only real hope.

Best personal good wishes.

Sincerely,
HERBERT YORK.

STATEMENT BY HERBERT F. YORK BEFORE THE SENATE ARMED SERVICES COMMITTEE, APRIL 22–23, 1969

Mr. Chairman and Members of the Committee:

I appreciate very much the opportunity to appear before your committee to discuss the proposed ABM program. I had, as you know, an opportunity to discuss this same general problem before a subcommittee of the Senate Foreign Relations Committee on March 11. Since that time, a new threat analysis has been presented, and a new ABM deployment, called Safeguard, has been proposed. Safeguard appears to be partly a response to the new threat analysis, partly a response to the objectives of many Americans to the deployment of Sentinel components in their backyards, and partly a response to technical objectives to the Sentinel system raised by scientists and engineers, both inside and outside the present defense establishment.

I do not doubt the statements of the Secretary of Defense that the Soviets are now rapidly building up their offensive forces. If we examine the charts presented to this committee by Defense officials a month ago, what is difficult to understand about this matter is why the Soviets settled for being a poor second in intercontinental nuclear arms for such a long time. Conceivably, the suggestion that the Soviets are reaching for a first strike capability may be true, but their actions can be easily understood without appealing to such a notion. In any event, I doubt the wisdom of the proposed U.S. response because (1) the Safeguard System is technically questionable and (2) the deployment of Safeguard would accelerate the arms race.

For our purposes today it is important to note that the Defense Department has in these last few weeks reintroduced the objective of providing an ABM defense capable of coping with a large and sophisticated offense. True, the defense of selected hard points now being proposed for Safeguard is theoretically somewhat easier than the defense of large soft targets such as cities, the goal of Sentinel and its predecessors. However, the designers are now again required to cope with that large variety of very difficult technical problems which defense designers tried unsuccessfully to solve in the days of Nike Zeus and Nike–X. I am referring to that group of qualifiable technical problems which includes radar blackout, penetration aids of all sorts (decoys, chaff, electronic countermeasures and multiple warheads), warhead kill mechanisms and the defenses against them, as well as offensive tactics such as "roll back" and saturation techniques. Fortunately, these matters have been much discussed in public in recent years and especially in recent months. As a result, I think it has become clear to most interested persons that while defense designers have sometimes been on the verge of solving one or two of these problems when they treat them separately and in isolation, they have never come close to coping with them in the complex combinations that even a moderately sophisticated offense can present. I see no reason to suppose that this situation will change.

I should like now to turn to two technical problems that pertain to all the forms of ABM so far proposed, but which unfortunately are not so simple to discuss nor so easy to quantify as that class of problems I have just mentioned.

Any active defense system such as the ABM, must sit in readiness for two or four or eight years and then fire at precisely the correct second following a warning time of only a few minutes. This warning time is so short that many systems designers would like to eliminate human decision-makers, even at low command levels, from the decision making system. Further, the precision needed for the fire time is so fine that machines must be used to choose the precise instant of firing no matter how the decision to fire is made. In the case of offensive missiles the situation is different in an essential way: although maintaining readiness throughout a long, indefinite period is necessary, the moment of firing is not so precisely controlled in general and hence human decision makers, including even those at high levels, may readily be permitted to play a part in the decision-making process.

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Thus if we wish to be certain that the defense will respond under conditions of surprise, the trigger of the ABM, unlike the triggers of the ICBMs and Polarises, must be continuously sensitive and ready, in short a "hair" trigger for indefinitely long periods of time. On the other hand, it is obvious that we cannot afford to have an ABM fire by mistake or in response to a false alarm. Indeed the Army went to some pains to assure residents of areas near proposed Sentinel sites that it was imposing requirements to insure against the accidental launching of the missile and the subsequent detonation of the nuclear warhead it carries. Moreover Army R&D officials have assured the public that no ABM's would ever be launched without specific approval of "very high authorities." These two requirements, a "hair" trigger so that it can cope with a surprise attack and a "stiff" trigger so that it will never go off accidentally or without proper authorization are, I believe, contradictory requirements. In saying this I am not expressing doubt as to the stated intention of the present Army R&D leaders, and I strongly endorse the restrictions implied in their statements. However, I am saying that if the system cannot be fired without approval of the "highest authorities," then the probability of its being fired under conditions of surprise is less than it would be otherwise.

Furthermore, when control over the system passes from the present R&D oriented officers to operations oriented officers, it is not at all clear that these latter will approach the problem with the same degree of sensitivity. It is important to emphasize that this problem exists only in the real world and not in the test range; on the test range there need be no such concern about accidental misfires, the interceptions do not involve the use of nuclear weapons and the day, if not the second, of the mock attack is know. Another essential (but again difficult to quantify) difference between the real world and the test range lies in the fact that the deployed defensive equipment will, normally, never have been fully and realistically exercised and even the supposedly identical test range equipment will never have been tested against the precise target or targets that the deployed equipment would ultimately have to face. In the case of other defense systems which have worked after a fashion, practice using the actual deployed, equipment against real targets has been possible and has been a major element in increasing their effectiveness. Thus, the Soviet SAMs in North Vietnam work as well as they do because both the equipment designers and the operating crews have had plenty of opportunities to practice against U.S. targets equipped with real countermeasures and employing real tactics.

For all these reasons, I continue to have the gravest doubts as to the capability of any ABM system I have heard of, whether or not the problem has been defined into being "easy" and whether or not it "works" on a test range. I stress that I am not just talking about some percentage failure inherent in the mathematical distribution of miss distances, nor statistically predictable failures in system components, but rather about possible catastrophic failure in which at the moment of truth either the system doesn't fire at all, or all interceptions fail for some unforeseen reason.

Let us now move from technical to political matters concerning the relationship between the ABM and the arms race. It is frequently said that the ABM, or at least some versions of it, does not have serious arms control implications. The reasons advanced have to do with its intrinsically defensive character. In my opinion such a belief is based on an error which may be called "The Fallacy of the Last Move." It is indeed true that if the last move ever made in the arms race consisted in deploying an ABM system, then deploying the ABM would by definition not have any arms race implications. But in the real world of constant change in both the technology and the deployed numbers of all kinds of strategic weapon systems, ABMs are accelerating elements in the arms race. In support of this, let us consider a relevant bit of recent history.

At the beginning of this decade, we began to hear about a possible Soviet ABM and we became concerned about its potential effects on our ICBM and Polaris systems. It was then that we began seriously to consider various penetration aid ideas, among them that of placing more than one warhead on a single offensive missile. This idea has since grown in complexity, as these things do, and has resulted in the MIRV concept (Multiple Independently targeted Reentry Vehicles). There are now additional justifications for MIRV besides penetration, but that is how it all started. As others have pointed out, the MIRV concept is a very important element in accelerating the arms race, and potentially seriously destabilizing. In fact, the possibility of a Soviet MIRV is used as one of the main arguments in support of the idea of hard-point defense and thus we have come one full turn around the arms race spiral. No one in 1960–61 thought through the potential destabilizing effects of multiple warheads, and certainly no one predicted, or even could have predicted, that the inexorable logic of the arms race would carry us directly from Soviet talk in 1960 about defending Moscow against missiles, to a requirement for hard-point defense of offensive missile sites in the United States in 1969. Likewise, I am sure the Russians did not foresee the large increase in deployed U.S. warheads that will ultimately result from their ABM deployment. Similarly no one today can describe in detail the chain-reaction which the Safeguard deployment would lead to. The response of our defense establishment to the Soviet ABM, which I have outlined above, was not the result of our being "provoked," and I emphasize this because we hear so much discussion about what is a "provocative" move and what is not. Rather, our response was motivated by a deep seated belief that the only appropriate response to any new technical development on the other side is further technical complexity of our own. The arms race is not so much a series of political provocations followed by hot emotional relations as it is a series of technical challenges followed by cool calculated responses in the form of ever more costly, more complex, and more fully automated devices. I believe that this endless, seemingly uncontrollable process was one of the principal things President Eisenhower had in mind when he made his other, usually forgotten, warning: "we must be alert to the . . . danger that public policy could itself become the captive of a scientific-technological elite." He placed this other warning, also from the farewell address, on the same level as the much more familiar warning about the military-industrial complex.

It may be that the present Soviet offensive buildup is in part a response to one of the earlier versions of our ABM. The Soviet "Pentagonologists" may simply have concluded in the mid-sixties that the U.S. military-industrial complex eventually would succeed in foisting an ABM on the American people, and the Soviet technologists felt a need to provide a technical response to it, just as we did earlier in the reverse case. Just how correct this hypothetical analysis of our future action was, still remains to be seen.

Thus, although I cannot be sure of the mechanism, I believe that either Sentinel or Safeguard will produce further acceleration of the arms race. It is possible that the deployment of these ABMs will lead to a new round of penetration aid developments with further consequences of the magnitude of those produced by MIRV. It is indeed probable that deployment of these ABMs would lead to greater numbers of deployed offensive warheads on both sides. We may further expect deployment of these ABMs to lead to the persistent query, "but how do you know it really works?" and thus to increase the pressures against the current Partial Test Ban Treaty. Finally, it is certain that deployment of these ABMs will lead to placing greater reliance on automatic devices for making that ultimate decision about whether or not doomsday had arrived.

Perhaps the worst implication of the ABM, with regard to arms control, is that the people and the Congress may be deceived into believing that we are finally on the track of a technical solution to the dilemma of the steady decrease in our national security which has accompanied the steady increase in our military power over the last two decades. Such a false hope would be extremely dangerous if it diverted any of us from searching for a solution in the only place it may be found: in a political search for peace combined with arms control and disarmament measures.

Let me close on a more positive note by saying that I do believe there are circumstances in which an ABM could play a beneficial role. Such a circumstance would be one in which, as part of a bold and strong arms control agreement, at least one offensive missile was eliminated for each defensive missile deployed. Under such circumstances, deployment of an ABM would receive very wide support indeed. But unfortunately, that's not what we're talking about; instead, the only serious proposals before us seem to involve more of everything.

APRIL 22, 1969.

Hon. DAVID PACKARD,
Deputy Secretary of Defense,
Washington, D.C.

DEAR MR. PACKARD: When you testified before the Subcommittee on International Organization and Disarmament Affairs of the Committee on Foreign Relations on March 26, you and I discussed the question of people outside the Defense Department who had been consulted regarding the Safeguard system. You subsequently provided a list of scientists and engineers consulted by Dr. Foster and a list of members of the President's Scientific Advisory Council who were present at a discussion of ABM with Dr. Foster.

I would appreciate having, if possible within two days, answers to the following questions:

1. When were the scientists and engineers, listed as members of the Defense Science Board, consulted by Dr. Foster on the ABM?
2. Was Dr. Richard L. Garwin present at the meeting at which the members of the Defense Science Board were consulted by Dr. Foster on the ABM?
3. On what date did Dr. Foster discuss the ABM with members of the President's Scientific Advisory Council?
4. Does Dr. Roland Herbst, a member of the Defense Science Board Task Force on ABM, now hold a government position, and, if so, what is that position?
5. Does Mr. Fred Payne, a member of the Defense Science Board Task Force on ABM, now hold a government position and, if not, has he held a government position in the past and, if so, when?
6. What is the present position of Dr. Donald Ling, a member of the Defense Science Board Task Force on ABM?

Sincerely yours,
J. W. FULBRIGHT,
Chairman.

THE DEPUTY SECRETARY OF DEFENSE,
Washington, D.C., April 25, 1969.

Hon. J. W. FULBRIGHT,
Chairman, Committee on Foreign Relations.

DEAR MR. CHAIRMAN: This is in response to your letter to me of April 22, 1969. My comments correspond to your numbered questions.

1. Dr. Foster has discussed the ABM issue with various members of the Defense Science Board at various times, including:

a. March 11, 1969—Defense Science Board Task Force on ABM.

b. May 10, 1967—the full Defense Science Board. The entire meeting was devoted to ABM.

2. Dr. Garwin was present at the May 10, 1967 meeting, but was not present at the March 11, 1969 meeting (he was not a member of the Task Force). Dr. Foster has, however, discussed the ABM issue with Dr. Garwin informally on several occasions.

3. Dr. Foster discussed the ABM issues with members of the President's Science Advisory Committee (PSAC) on October 22, 1968, and March 17, 1969. The Strategic Military Panel of PSAC was briefed on ABM issues by the Deputy Director of the Office of Defense Research and Engineering, Dr. Lloyd Wilson, and Lt. General Alfred Starbird, the Sentinel System Manager, on October 3, 1968. During the period that the modified Sentinel program (now Safeguard) was under consideration in the Executive Branch, it was studied by the PSAC Strategic Military Panel. It is important to know that the Sentinel System contained all the options eventually incorporated into Safeguard, such as defense of Minuteman and defense against SLBM's, so that the issues covered by the Panel were essentially those covered in the Executive Branch. The results of the Panel's considerations were discussed on February 26, 1969, by Dr. Foster and me, with Dr. Dubridge, Chairman of PSAC, and with Dr. M. L. Goldberger, Chairman of the Strategic Military Panel, and Dr. S. D. Drell, member of the Panel.

4. Dr. Roland Herbst is Associate Director of the Lawrence Radiation Laboratory, University of California. He has recently indicated acceptance to an appointment as Deputy Director (Strategic and Space Systems) in the Office of the Director of Defense Research and Engineering. Papers to this effect are currently being processed through the Civil Service Commission.

5. Mr. Fred Payne does not hold a government position. He is a consultant, however, to the Director of Defense Research and Engineering. From August, 1961, to May, 1962, he was Assistant Director (Strategic Weapons), and from May, 1962, to April, 1965, he was Deputy Director (Strategic and Defensive Systems), both in the Office of the Director of Defense Research and Engineering.

6. Dr. Donald Ling is Vice President, Military Systems Engineering, Bell Telephone Laboratories, Whippany, New Jersey. He was the personal selection, as were the other Panel members, of the Chairman of the Task Force, Dr. Richard Latter, (who incidentally is a member of the Strategic Military Pact of PSAC). Dr. Ling was chosen for his expertise in the ABM system under discussion.

When considering a subject as technically complex as the ABM, it is imperative that the government obtain inputs from many qualified sources. We depend heavily on the cooperation of the universities and of industry in furnishing us experts outside of the Department of Defense for this purpose. These outside experts are sometimes of necessity affiliated with the program under discussion. However, they function in strictly an advisory capacity and decisions are made within government.

I would be pleased to furnish any other information you may wish on this matter.

Sincerely,

David Packard.

[From the Washington Post, May 12, 1969]

A-Sub Invulnerable, Polaris Chief Says

(By Jim Ottaway, Jr.)

The Navy admiral responsible for the 41-submarine missile fleet is confident the Russians cannot now and will not in the foreseeable future be able to successfully attack the United States' $13-billion underwater nuclear deterrent force.

In a rare newspaper interview, Rear Adm. Levering Smith, director of Navy strategic systems projects, gave the following reasons for his belief in the invulnerability of the nuclear missiles carried by nuclear-powered Polaris submarines:

1. "I am quite positive that Russian submarines cannot and are not following any of our Polaris submarines under water. I am also quite positive that the new generation of Russian submarines that are getting close to operational status, that are now being tested, will also not be able to follow our Polaris submarines."

2. The Russians have no specific new anti-submarine warfare methods the Navy knows of that would make the Polaris fleet vulnerable to attack, despite many reports of a superior Russian sonar system or satellite detection capability.

3. Neither the United States nor the Russians can or will likely ever be able to use satellites to detect submarines under the water.

"We have tried to use satellites to do that. The laws of physics will have to be changed to make it practical. The chances of a satellite going over the right spot aren't very good. It's possible, but not practical, to use satellites for submarine detection," Adm. Smith said.

4. Although only 50 per cent or 328, of the 656 Polaris intercontinental missiles are on station at one time and ready to fire within minutes of a presidential order, the Navy knows from actual test firings that their reliability is 85 to 95 per cent.

5. He is "skeptical" about reports that the nuclear attack submarine Scorpion, not a Polaris submarine, lost near the Azores May 21, 1968, and not found until Oct. 29 was first found by the Russians, who supposedly gave us a friendly tip on its whereabouts. Columnist James J. Kilpatrick on April 4 reported that the Russians have a "superior detection system" in their submarine service, but Adm. Smith stated flatly that this is not so.

Smith's assurances on the safety of the Polaris fleet are significant because of recent statements by Secretary of Defense Melvin Laird and Deputy Secretary David Packard casting doubt on the safety and invulnerability of the 656 Polaris submarine missiles as an assured second-strike deterrent the Nation could count on in the 1970s.

In testimony before the Senate Armed Services Committee March 20, Laird and Packard argued the need for President Nixon's proposed Safeguard anti-ballistic-missile system to protect our 1054 land-based Minuteman missiles.

Laird said at one point:

"If this particular question (of Polaris invulnerability) is limited to the period through 1972, I would say I believe that our force will remain very free from attack. If you go beyond that time period I seriously question that."

When asked if the expensive Polaris missile system is not enough assured second-strike nuclear weapon capability by itself, Smith smiled and said, "You tell me."

The Navy, under Smith's direction, is working on two major projects to keep the underwater deterrent force invulnerable during the 1970s. One, called Project Sanguine, would spend $1 billion to improve land-based communications with Polaris submarines. The other would spend many billions to build a whole new generation of Polaris submarines now called "undersea long-range missile system" or ULMS.

POLLUTION OF LAKE SUPERIOR

Mr. TYDINGS. Mr. President, the decline of water quality in our Nation is well known to all of us concerned with environmental quality. Today every major river system in American is polluted.

Our once blue and clean waters are now brown and filthy as silt and industrial and municipal waste continue to pour into them. Despite the enactment of substantial legislation in the past 8 years, the Water Resources Research Act of 1964, the Water Quality Act of 1965, and the Clean Water Restoration Act of 1966, water pollution remains one of our major, pressing domestic problems.

One obstacle to its abatement is the scarcity of funds. The difference between the authorization and the appropriations for fiscal year 1969 construction of water quality treatment facilities was $486,000,000. This may not sound like much compared to the figures one hears regarding ABM, but I am willing to bet in the long run it will provide a greater safeguard.

Another obstacle is the laxity of some Federal Agencies whose responsibility encompasses environmental quality. A most regrettable example of this is the approval by the Corps of Engineers of the dumping of taconite-tailings into Lake Superior, an action which has been taking place since 1949, and the apparent willingness of the Federal Water Pollution Control Authority to permit this to continue.

It is now time for this type of activity to stop. I urge the Corps of Engineers to deny the application for the renewal of the permit required to continue this dumping. I urge the FWPCA to ban this type of discharge into our waters.

The daily dumping of nearly 3 tons of nickel, a ton of zinc, 3 tons of lead, 4 tons of chromium, and 373 tons of manganese cannot but impair the ecology of Lake Superior. Surely we must realize that it simply does not make any sense to permit this activity to continue.

The Washington Post of Wednesday, May 14 contains an editorial entitled "Pollution of Lake Superior" which warned that Superior, the cleanest of the Great Lakes, is now endangered by pollution. The same day's New York Times carried a similar story. Both mention the case of the taconite-tailings and the failure of the Federal Government to put a stop to their discharge into the lake.

I ask unanimous consent that the articles be printed in the Record.

There being no objection, the items were ordered to be printed in the Record, as follows:

[From the Washington Post, May 14, 1969]

Pollution of Lake Superior

Reports that Lake Superior is being seriously polluted are a danger signal that the whole country should note. Superior is the largest, deepest and cleanest of the Great Lakes. With Lake Erie ruined and most of the adjacent lakes gravely impaired, conservationists have found some comfort in the supposed purity of Lake Superior. Now, however, even this immense fresh-water sea between the United States and Canada is being dangerously contaminated.

Investigators for the Federal Water Pollution Control Administration have found that 91 municipalities, 61 industries and 124 Federal installations are discharging wastes into Lake Superior or its tributaries.

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Additional pollution is coming from watercraft, pesticides, polluted dredgings and sediment. Apparently most serious of all is the dumping into the lake of 60,000 tons of ore waste per day by the Reserve Mining Co. of Duluth.

It is shocking to learn that the Reserve Company has had a permit from the Army Corps of Engineers to dump its taconite tailings into the lake since 1947. Renewal of the permit is now being sought despite the findings of a Pollution Control Administration team that the tailings have become a source of concern. A recent study has also shown the presence of taconite tailings in the municipal water systems of Duluth, Beaver Bay and Two Harbors, Minn.

Reports that the findings of pollution by the Reserve Company were suppressed in the Interior Department at the behest of Rep. John A. Blatnik of Minnesota are especially distressing. As Chairman of the House Subcommittee on Rivers and Harbors, Mr. Blatnik has been a leader in many campaigns against water pollution, but his enthusiasm for taconite mining in the Duluth area' appears to have dulled his sensitivity to the damage that is being done to Lake Superior.

Despite the suppression of the report within his Department, former Interior Secretary Udall did order an "enforcement conference" on the question of pollution in Lake Superior before leaving office. That conference began on Tuesday of this week in Duluth. It has before it 20 recommendations for ending the pollution of Lake Superior. Unfortunately, the recommendation of the suppressed report that the dumping of mining waste into the lake be stopped has been toned down to a request for "continued surveillance" of the Reserve Mining Co. operation at Silver Bay. But the conference has a clear obligation to recognize pollution for what it is and to move resolutely toward its elimination.

[From the New York Times, May 14, 1969]

Ore Waste Topic at Lake Hearing—U.S. Aides Want Deposits Kept Under Surveillance

(By Gladwin Hill)

Duluth, Minn., May 13.—Federal officials announced today that an iron mining company's daily discharge of 60,000 tons of ore waste into Lake Superior be kept "under continuing surveillance" rather than stopped, as some officials and conservationists had urged.

The recommendation was made as the Federal Water Pollution Control Administration opened a hearing on suspected pollution of the lake, one of the world's largest bodies of fresh water.

The hearing, involving Minnesota, Wisconsin and Michigan, is the first stage of a statutory pollution abatement proceeding ultimately enforcible by the Federal courts.

The lake, 350 miles long and 160 miles wide, with a surface area of 31,820 square miles, is conspicuous among the Great Lakes for having largely maintained its purity.

LONG-TERM THREAT SEEN

However, a long-term threat to this condition has developed in the discharge into the lake, directly and through 100 tributary streams, of inadequately treated municipal, industrial and agricultural wastes.

The same influences, ignored until recent years, have turned Lake Erie into a contaminated sump that some experts despair of rehabilitating.

The most conspicuous of the Superior waste discharges is the "tailings," or refuse material, of the Reserve Mining Company, poured into the lake at nearby Silver Bay.

The only one of a half dozen mining companies in the area that does not deposit its tailings on land, Reserve over the last 20 years has put 67 million tons of debris into the lake.

This was done on the basis of continuing permits from the Army Corps of Engineers, which is primarily concerned with maintaining the navigability of waterways rather than with the fine points of pollution.

While a large part of the pulverized debris is sand, Federal investigators have reported that the daily discharge includes nearly three tons of copper, nearly a ton of nickel, a ton of zinc, three tons of lead, 4.5 tons of chromium and 373 tons of manganese.

COMPANY SUBMITS DOSSIER

The mining company, a subsidiary of the Republic and Armco Steel corporations, produced a two-inch-thick dossier of testimony and documentary material aimed at proving that this discharge was innocuous and in the main sank harmlessly to the bottom close to the shore in the form of silt.

The Federal Government's contention is that a lot of this powdery material circulates in the lake's waters and is impairing the lake's ecology.

This contention was supported by many members of an audience of 600 persons who overflowed the Hotel Duluth ballroom for the hearing.

The lake's condition was investigated last year by a special panel from five agencies of the Department of the Interior. A report on the study, signed by Charles A. Stoddard, then regional coordinator for the department, recommended that the dumping be stopped.

The report was disowned by the department, and a subsequent, milder analysis prepared by the Water Pollution Control Administration is the basis for the present hearing.

Referring to a report in The New York Times that the original findings had in effect been suppressed, Water Pollution Control Commissioner Carl L. Klein told the hearing:

"There has been no attempt at suppression. The other report that has been mentioned is a report by an individual. The department is not bound by his report."

Representative John A. Blatnik, Democrat of Duluth, who was reported to have figured in Congressional pressures to quash the original study, denied to reporters that he had done this.

The hearing will continue tomorrow.

THE ADMINISTRATION, AND A NEW LOW LEVEL OF LIBRARY ASSISTANCE

Mr. MONTOYA. Mr. President, all of us here are concerned over Government spending and the need to reorder our priorities. The taxpayers, in giving up a substantial portion of their year's earnings have a right to expect that their hard-earned money is used consistent with the public trust and confidence and with regard for their long-range interests.

I feel obliged to point out, however, that while some cuts made in bringing runaway spending under control have an undeniable validity, others are a threat to public faith in our Government institutions.

The Nixon administration's announced intention to give low priority to education and to library materials, services, and construction is a case in point. The administration has cut the budget figures for the U.S. Office of Education by approximately $370 million, and of this total 25 percent of the cut is in the field of library service.

They have called for but one-half—$17.5 million—of President Johnson's request for title I grants, under the Library Services and Construction Act, which have been so useful in prodding local and State governments to spend money for improving and expanding their library systems.

Under title II of the same act—the construction portion for new libraries—the administration has asked that no funds at all be provided, although the Johnson budget saw the need for $9.2 million for 1970 alone.

And under the Johnson budget for title II of the Elementary and Secondary Education Act, there would have been $42 million to provide library materials and textbooks for public and private schools, but the Nixon budget also cuts this important title to zero.

But this is only the tip of the iceberg, as we say. Severe and drastic cuts have also been made in library services and assistance under the Higher Education Act:

Title II of the act, under which President Johnson had requested $25 million for college library resources, has been slashed to $12.5 million.

Title II–B funds for librarian training have been reduced by the Nixon administration from $8.25 million to $4 million.

Title II–C of the Higher Education Act, on ongoing program of cataloging and acquisition of materials by the Library of Congress, is scheduled at a $4.5 million level, instead of the $7.4 million requested by the Johnson administration—even though the project has elicited much praise for its great contribution and assistance to colleges and universities throughout the country.

And under title VIII of the act, President Johnson requested $750,000 for a program of planning and startup of "networks of knowledge." But the Nixon administration has allocated no funds whatsoever for this important program for encouraging institutional resource sharing between higher education institutions with limited resources, development of computer hookups, and so forth.

And all of this has occurred at a time when Mr. Nixon—in celebration of National Library Week—April 20–26—just finished commenting in a most eloquent manner on the vital contribution made by libraries to the intellectual life of our Nation. He said:

> Libraries are a summing up of past achievement and a stimulant to future progress. Never have we had greater reason than this year to celebrate National Library Week. For never have our libraries played a more prominent role in our campaign against ignorance and for fullness of educational opportunity.

Then, he proceeds to set our progress toward intellectual development back by virtually putting our libraries out of business. With the ever-increasing explosion of knowledge, this is indeed a tragedy, and one which we cannot allow to happen.

Our libraries are essential social and educational institutions that encourage the extension and active generation of ideas through books, tapes, films, records, printouts and video-tapes. They are universities of all the people, and our librarians are dedicated, overworked men and women who render an incalculable service in helping the people to reach the world's collected informational and intellectual resources.

In my own State of New Mexico, the demands for library service are extremely heavy. Unhappily, our libraries are woefully inadequate, not only with respect to deficiencies and shortages in books which they should contain, but also in terms of understaffing and underequipping. In many areas of the State, libraries are totally nonexistent. As a result, there is serious cultural and educational deprivation for millions of people, including those representing the very core of desperate and abysmal need, loneliness, discouragement, pain, and abnormality.

With these cuts in financial assistance, the lively interest in summer reading programs for children will suffer. In many cases, the books were the first the child had ever had as his very own. Other energetic programs for serving the community will also take their toll—bookmobile services, talking book machines and other aids to the blind and the handicapped, services to Indian reservations, information used for vocational and adult education, and so on.

Moreover, Mr. President, there is no question but what the knowledge explosion demands new techniques for arranging and generalizing our rapid increase in knowledge about many processes. But as our present libraries and research facilities grow in size, they also become increasingly difficult to use.

Clearly the problem is critical, since a researcher must be enabled to find out in a reasonable amount of time what results are known concerning Problem X. But the monstrous accumulation of information and paperwork is slowly burying us and has slowed information retrieval to a mere crawl. It may not be too extravagant to say that the situation, combined with redtape and antiquated procedures, is probably more of a threat than Red bombs and Communist encroachments.

But there is a solution to the problem. American technology has supplied us with tools to free us from this information and paper jungle. Our present cumbersome library system is likely to be obsolete by the end of the century, and it is by no means too early to start planning a radical reorganization of the system now, since libraries of the future will have to make heavy use of automation.

This is not, of course, to say that we will be abandoning personal contact with books or proposing the use of machines where human beings can perform the task more efficiently. But without some degree of mechanization combined with machine search, information retrieval will become hopeless in a few decades, and the alternative can only be for libraries to abandon any degree of completeness.

In the face of these very fundamental operational and financial needs of our libraries and librarians, who are begging for materials and funds so that they may expand and do their job, we cannot afford to curtail library assistance funds. If we do, our children will pay the hidden price in terms of loss of great dividends in knowledge and wisdom. Further, it could well prove ruinously expensive to the Nation as a whole.

In view of these vital and urgent needs, I most strongly urge the restoration of all library assistance funds, in order that we may continue to broaden the base of our efforts to become increasingly sensitive to human purposes, and so that we may start applying our innovations for the benefit of education and society as a whole.

TV STATEMENT BY SENATOR BYRD OF WEST VIRGINIA SUPPORTING ANTIOBSCENITY BILL

Mr. BYRD of West Virginia. Mr. President, on May 14, 1969, I made a statement for television regarding my support of antiobscenity legislation. I ask unanimous consent that the transcript of that statement be printed in the RECORD.

There being no objection, the transcript was ordered to be printed in the RECORD, as follows:

STATEMENT ON THE ANTIOBSCENITY BILL

The President's request that Congress act to halt the flow of obscenity through the mails has my support. The homes of our citizens need the protection of the Federal Government against the abuse of the mails by the purveyors of pornographic literature. I am co-sponsoring a bill in the Senate to make it a Federal crime to use the mails for the distribution of sex literature and pictures, and to ban the sales of such smut to persons under 18. The bill is based on a New York statute that has been upheld by the United States Supreme Court. I don't believe it would conflict with freedom of speech guarantees. Our citizens should not be left defenseless against offensive literature sent into their homes by smut peddlers. Citizens should not be asked to accept another postal rate increase without action by the Federal Government to curb the growing traffic in sex-oriented filth.

THE PEACE CORPS

Mr. CRANSTON. Mr. President, the Peace Corps has been one of the outstanding American success stories of this decade.

Both as an outlet for the creative idealism of American youth and as a concrete demonstration of human concern for the problems of other nations, the Peace Corps has played a very special role.

In performing both these tasks, the Peace Corps has drawn its greatest strength from the remarkable independence it has enjoyed within the bureaucratic structure of our Government. The Peace Corps, by express direction of former Secretary of State Dean Rusk, has remained apart from official American foreign policy. As a result, Peace Corps volunteers have been able to view themselves—and have been recognized in the countries they seek to aid—as individuals acting from personal commitment rather than as representatives of a foreign government.

I sincerely hope that this unique expression of American concern for others will never be stifled by unduly close ties to the more traditional foreign affairs agencies. In this regard, however, I have read with some concern an article by Frank Mankiewicz and Tom Braden, published in the Washington Post and the Los Angeles Times of May 13, 1969. In their piece, the authors suggest that the distinctive role and nature of the Peace Corps may be undergoing some erosion, and that its previous emphasis on self-help and community change projects may be giving way to new priorities for technical assistance at a level reminiscent of AID activities.

I ask unanimous consent that the relevant portion of the article by Messrs. Mankiewicz and Braden be printed at this point in the RECORD so that it may be more readily available to Senators. I should like to note, in this connection, that Mr. Mankiewicz is particularly well qualified to write of the Peace Corps, since he was a country director in the earliest days of the Peace Corps, and in 1964 succeeded Jack Vaughn as head of its Latin America programs.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

The Peace Corps, once a simple idea which attracted young, idealistic Americans willing to volunteer for two years' service abroad at minimum subsistence, is acquiring considerable tarnish both from the rest of the bureaucracy and from its new leadership.

Several years ago, Secretary of State Dean Rusk sent a message to all U.S. posts overseas, saying, "The Peace Corps can best serve American foreign policy by not being a part of American foreign policy."

The import of the message was clear. There was to be no involvement in the work of the volunteers by other U.S. agencies overseas; under no circumstances were Corpsmen to be used as sources of information; they were to be as free as any other Americans abroad to speak their minds.

But, last week, the State Department ordered a study to see if there could not be more interchange of personnel among foreign policy agencies, including not only the Peace Corps and the State Department, but also the Agency for International Development, the U.S. Information Agency, and the Arms Control and Disarmament Agency.

What is ignored in this approach is that it was precisely to create a new and different American image abroad that the Peace Corps was created. If the identity of the Peace Corps volunteer, living at the level of the people he serves, is to be merged with the rest of the U.S. community abroad, living segregated and—by local standards—luxurious lives in English-speaking enclaves, the main reason for the Peace Corps is gone.

More ominously, a project which put Peace Corps lawyers into the Pacific Trust Territories of Micronesia, to help tribal councils codify their laws and to help set up institutions of self-government, has now been shelved, apparently at the insistence of the Department of Defense.

At the same time, the new Peace Corps Director, Joseph Blatchford, made it perfectly clear in his first appearances that he wants older technicians overseas, with higher pay, allowances for dependents and work projects which can be measured in terms of economic development. There will be, apparently, less of this fuzzy talk about self-help and community change.

Once again, the zeal for change obscures the reason for existence. The history of the U.S. effort in underdeveloped countries is largely a history of failure in just this kind of activity—U.S. economists and technicains trying to fit other cultures into our own economic measurements. It was once the Peace Corps' special mission to remind us that man does not live by Gross National Product alone.

Mr. CRANSTON. Mr. President, I do not know to what extent the concerns expressed by Messrs. Mankiewicz and Braden may be fully warranted by the facts. Unfortunately, these intimations that the new administration, and even the new Peace Corps Director, may not fully appreciate the distinctive character of the organization are not the first that have been heard.

I very much hope, however, that all these allegations of possible change in the nature of the Peace Corps will prove to be nothing but insubstantial rumor. I am sure that if the administration makes a careful examination of the contributions which the Peace Corps has been able to make largely because of its distinctive character, then they will leave its essential structure unaltered. The Peace Corps needs its independence from the foreign affairs establishment as much today as it did 8 years ago—for only in this way can it maintain its credibility both in the nations it serves and with the young people of America.

JUDICIAL IMPROVEMENT

Mr. TYDINGS. Mr. President, for some time the Subcommittee on Improvements in Judicial Machinery, of which I am chairman, has been attempting to develop ways of helping the Federal courts deal effectively with their caseloads.

In the past, Congress has too often responded to the problems of the courts by establishing new judgeships. It is more and more apparent, however, that increased manpower, alone, is not the entire solution to the problems.

On April 15, 1969, the subcommittee began hearings on S. 952, the omnibus judgeship bill of 1969. During the hearings the subcommittee sought not only to review the new judgeship requests and to seek to determine the justification for them, but also to explore other means of improving the operation of our courts. We were interested in learning whether or not management experts can play a role with the judicial councils or the large districts; whether or not the judicial councils are fulfilling their obligations to review and remedy administrative deficiencies in the trial courts; whether or not there are sufficient supporting personnel, prosecutors, and probation officers to absorb the additional new judges proposed in the bill; whether or not there are sufficient court reporters and whether or not the rules regulating their service are sufficiently flexible to allow their optimum utilization. Testimony on these issues and on others was heard from a number of witnesses, including the chief judges of six of our circuits.

During the course of the hearings some of the questions of the subcommittee resulted in spirited interchange with the judges. Following one such exchange, an editorial entitled "Judicial Improvement Begins at Home," was printed in the Washington Post of May 8. While pointing out that the judges "have properly come to Congress for manpower, courtrooms and equipment," the Post editorial also recognized that responsibility for the problems in the courts does not fall wholly on Congress and that the judges should exert more effort on their own in improving the administration of justice.

I believe the Post editorial is a well-reasoned discussion of the need to find solutions other than additional judges for the problems of the courts. I ask unanimous consent that it be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

JUDICIAL IMPROVEMENT BEGINS AT HOME

Senator Tydings may have sounded querulous and impatient when he scolded the judges who appeared before his Subcommittee on Improvements in Judicial Machinery the other day. He was obviously irritated by the judges' excuses for frustrating delays and attempted to convey to the jurists the growing public criticism of the courts' general inefficiency. His criticism is not applicable, of course, to all judges in the Federal system, but it has enough substance to justify a concerted and energetic judicial response.

The judges have quite properly come to Congress for manpower, courtrooms and equipment. They should have whatever they need to enable the courts to get abreast of their mountainous caseloads. But the responsibility for the present state of affairs does not fall wholly on Congress. Many judges have been lagging in the hours spent on the bench, in their failure to press lawyers and litigants for prompt disposition of cases, in the unsystematic assignment of cases and in the neglect of court-management studies. Congress is naturally impatient when judges call for additional help without doing all they can to help themselves.

It is time for judges to realize that the public is deeply concerned about easy-going ways on the bench at a time of crisis in law-enforcement. The trouble is not merely that every month of delay blurs the memories of witnesses and complicates the judicial fact-finding process. Lagging machinery of justice, which attempts to punish offenders and reimburse victims of wrongs months or years after the events in question, creates the impression of a breakdown in the orderly means of redressing grievances. Criminals may be confirmed in their belief that a bumbling society cannot cope with their depredations.

Of course the courts must retain a judicial atmosphere. Neither criminal charges nor civil suits can be disposed of by production-line methods. But mountainous rosters of stale cases could be reduced by good management and hard work by *all* the judges in the system. The judges as a group could make enormous improvements in the administration of justice in this critical period if they would acknowledge that the place to begin is with themselves.

DIVERSION PAYMENTS TO FARMERS

Mr. TOWER. Mr. President, it has recently been proposed that diversion payments to farmers be stopped or limited and that these funds be applied to feeding the hard-core poor. Last session, however, Congress held a debate on limiting these payments. The decision not to do so indicates that this money is well spent. To imply that a farmer should receive a minimum payment is to suggest that a man be penalized for success in his chosen field of endeavor. Agriculture diversion payments are made on a per acre basis in an effort to keep our Nation's agricultural community strong and capable of producing the food and fiber presently needed and of meeting all future demands. To limit arbitrarily the amount paid to any one producer and rechannel these funds elsewhere would destroy the industry which we are so dependent upon.

The American farmer met the challenge imposed by the hungry world after World War II and went into debt buying land and equipment to increase his capacity to produce food which was so desperately needed. Machinery manufacturers, chemical companies, and all associated industry spent untold millions engineering and producing better farming equipment, fertilizer, pesticides, herbicides and other specialty items needed by the agricultural community to bring their production up to a level necessary to supply the food and fiber demanded to keep our nation strong and to feed the hungry. It is imperative to note that the farmer receives less for his products today than before the second World War.

The agricultural community met the challenge of producing the much-needed food and fiber and accepted the long term financial obligations necessary to the accomplishment of this goal.

The farmer managed to raise his production to a level that exceeded demand. To prevent the failure of the farmer, who was indebted as far as possible, the Federal Government placed restrictions on him that required him to leave a certain percentage of his productive land idle. Since his mortgage and equipment payments had to be met, a payment was made to the farmer to offset his loss if he agreed not to till this land.

By reducing production, the price of agricultural products was maintained while the diversion payments helped keep the farmer solvent. The payments are in no way profitable, but, on the contrary, merely meet a small percentage of the farmer's obligations which would normally have been met by the cultivation of the diverted acreage.

The percentage of diversion is the same in all cases and the size of the farm determines the amount of acreage that is placed in the program.

It must be remembered that farming is done on an economical unit basis. One piece of equipment can only cover so many acres whether it be cultivating or harvesting. To limit payments would be to penalize a man for being successful.

SCHOOL DESEGREGATION GUIDELINES SUPPORTED BY SECRETARY FINCH

Mr. MONDALE. Mr. President, I have been following with interest, and commenting upon, certain statements and actions of the Nixon administration in the last several months with respect to the title VI school desegregation program. Several weeks ago I included in a statement I made on the floor of the Senate an excerpt from a press conference held by Secretary Finch of the Department of Health, Education, and Welfare. I stated at that time that the excerpt I was placing in the RECORD in-

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cluded a clear and unequivocal response by the Secretary that current school desegregation guidelines are going to be enforced.

I went on to say at that point that as long as Secretary Finch maintained the firm position indicated in that press conference statement, he could depend upon my consistent support.

Just last week I received a letter from Secretary Finch in which he reinforced his firm and unequivocal statement that school desegregation guidelines are going to be enforced. The Secretary wrote:

> The law is clear and so is my responsibility to enforce it. We are continuing to require school systems that have failed under freedom of choice plans to abolish discrimination to adopt a more meaningful and effective method that will accomplish the task by the fall of 1969. We shall allow delays beyond that date only where there are substantial impediments, such as the need for new construction. This is in accord with the policy followed by the previous Administration. I believe it is important that the Title VI program maintain the momentum that has been established, and your support of this objective is very much appreciated.

Secretary Finch's letter was in response to a joint letter sent by myself and Senators **Harrison A. Williams, Jr.**, **Thomas F. Eagleton**, **Alan Cranston**, and **Harold E. Hughes** in which we questioned his statements in an interview published in U.S. News & World Report and in a memorandum he received from Mr. Mardian. I ask unanimous consent that the letter we sent to Secretary Finch on March 25 and his reply which we received recently be printed at the conclusion of my remarks.

I again congratulate the Secretary for his strong statement in support of existing school desegregation guidelines and pledge him my consistent support so long as he maintains the firm position indicated in the press conference remarks I referred to and in the letter to which I have referred.

There being no objection, the letters were ordered to be printed in the Record, as follows:

March 25, 1969.

Hon. Robert H. Finch,
Secretary of Health, Education, and Welfare,
Washington, D.C.

Dear Mr. Secretary: As supporters of the basic principle underlying Title VI of the Civil Rights Act of 1964—that Federal tax revenues collected from all Americans should not be used to support programs or activities which discriminate against some Americans—we are concerned about the way in which the Title VI school desegregation program will be implemented in the future. We believe you share our commitment to equality of opportunity, but we are concerned about the statements attributed to you in the March 10th issue of a national magazine, and the interpretations being applied to those statements.

Our concerns have been heightened by articles appearing in last Sunday's newspapers with titles such as "Finch Aide Urges Eased Guidelines." We are disturbed to learn that you are being advised to relax the school desegregation guidelines, and advised to relax them in a furtive and quiet manner. In our judgment, these guidelines accurately reflect the law of the land, and should be implemented openly and honestly.

Because of the confusion which now seems to exist in many parts of the country—particularly the South—about how this Administration plans to proceed in the school desegregation program, we urge that you issue a statement clarifying your intent. We urge you to make clear the commitment of the Administration to implement this program firmly and fairly in accordance with the existing school desegregation policies and consistent with the decisions of the Federal courts We believe it would be unfair and unfortunate to change the existing requirements under which hundreds of schools are now desegregating.

Finally, Mr. Secretary, we hope that you will receive this letter in the same constructive spirit in which it is intended. We want to support you in the firm and fair enforcement of the Title VI compliance program. We believe, however, that a statement from you affirming your support for the program would help immensely to clear the air.

Sincerely,

Walter F. Mondale.
Harrison A. Williams, Jr.
Thomas F. Eagleton.
Alan Cranston.
Harold E. Hughes.

Department of Health, Education,
and Welfare,
Washington, D.C., May 8, 1969.

Hon. Walter Mondale,
U.S. Senate,
Washington, D.C.

Dear Senator Mondale: Thank you for the joint letter you and Senators Harrison A. Williams, Jr., Thomas F. Eagleton, Alan Cranston, and Harold E. Hughes sent me on March 25 concerning school desegregation policy.

The memorandum described in the *Washington Post* article to which your letter refers was a personal memorandum from Mr. Mardian to me. Internal memoranda are not intended to, and do not, speak for this Department.

Having read the news account, I can appreciate your concern, but it would only complete the impropriety of the publication of extracts from the memorandum for me to discuss now its contents and attempt to place the extracted quotations in the proper balance. However, I can assure you that we intend to implement fully the court decisions and to achieve the goals this Department has set which you have worked so hard to obtain.

The law is clear, and so is our responsibility to enforce it. We are continuing to require school systems which have failed under freedom of choice plans to abolish discrimination to adopt a more meaningful and effective method which will accomplish the task by the fall of 1969. We shall allow delays beyond that date only where there are substantial impediments, such as the need for new construction. This is in accordance with the policy followed by the previous Administration. I believe it is important that the Title VI program maintain the momentum that has been established, and your support of this obective is very much appreciated.

The guidelines are continually under review to determine whether they can be clarified in accordance with the latest court decisions and whether they can better state the Department's commitment to quality education, as well as to equality of educational opportunity. As you may know, the guidelines have been revised twice in the past and it seems reasonable that the Department should maintain a degree of flexibility to allow room for improvement where possible. Any changes in the guidelines will be consistent with the constitutional protections as interpreted by current court decisions. The Office for Civil Rights will clearly demonstrate by its actions our determination to enforce Title VI in the North and South.

Thank you for your support. Please let me know whenever I can be of assistance.

Sincerely,

Robert Finch,
Secretary.

THE ABM SYSTEM

Mr. GORE. Mr. President, this morning the Subcommittee on International Organization and Disarmament Affairs, of which I have the honor to be chairman, continued hearings on the subject "Strategic and Foreign Policy Implications of ABM Systems." Our witnesses were Dr. Jerome Wiesner, of MIT, former science adviser to President Kennedy, and Dr. Edward Teller, of the Lawrence Radiation Laboratory, University of California.

I ask unanimous consent that the prepared statements presented by Dr. Weisner and Dr. Teller to the subcommittee be printed in the Record.

There being no objection, the statements were ordered to be printed in the Record, as follows:

Testimony Before Subcommittee on International Organization and Disarmament Affairs, May 14, 1969

(By Edward Teller)

In order to arrive at a balanced recommendation on the Safeguard ABM deployment, I shall consider the problem from three different points of view. First, I shall compare the inherent advantages of offensive and defensive missiles, assuming that we have a choice to emphasize one or the other form of preparedness.

Secondly, I shall discuss our state of knowledge concerning the expense of defensive deployment as compared to deployment of an offensive force.

And lastly, I intend to discuss the difficulties which have arisen in the ABM debate due to the shifts in the information on vital defense matters which are available to Congress and to the public.

Since these points have influenced my own thinking about missile defense, I will use the same arguments for the purpose of recommending the kind of deployment which I believe is both justified and urgently needed at the present time.

COMPARISON OF OFFENSE AND DEFENSE

When the existence of atomic explosives was disclosed to the world on the day of Hiroshima it seemed that henceforth defense had no chance to withstand the modern power of nuclear attack. This impression was reinforced when thermonuclear explosives multiplied the atomic blast one thousand fold. A last step in this development was achieved when the shift from delivery by airplane to delivery by rocket cut the time needed to cover the distance from home base to target in a dramatic way. The time used to be measured in hours, now it is measured in minutes.

All of this tended to prove what indeed has become a generally accepted slogan: There is no defense against nuclear attack.

In spite of this evidence, the Russian leaders have consistently claimed that it is their duty to defend the population of Russia and that in fact, such defense is possible. Historically, Russian air defense played an important role in the Second World War. At no time since the end of that conflict did the Russians relax their effort to protect their country against any possible attack.

Actually, during the last ten years there have been no essentially new major discoveries further to enhance the might of offensive power. In the same period the admittedly difficult task of defense has made considerable progress. In Russia missile defense was deployed. We have obviously arrived ourselves at a point where a concrete decision of comparing defense with offense has to be made.

There can be little doubt that if defense and offense were equally feasible it would be more humane to emphasize defense. The claim that defense is provocative hardly

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seems logical. We do know that a nuclear conflict would cost millions of lives no matter under what conditions it is fought. To believe that better defense would encourage aggressive behavior on our part contradicts not only American history but even human nature.

It is an unfortunate circumstance that modern weapons have deprived us of the protection that our relatively isolated location used to offer. For this reason it is now necessary to prepare before actual trouble starts. In both the First and Second World Wars time for preparation was fortunately available. Since it is now necessary to give consideration to arms in times of peace, it will at least be in greater conformity with our feelings and our principles to put emphasis on weapons that fend off an attack and that save lives on our side, than on such weapons which are calculated to kill a maximum number of our enemies.

Secretary McNamara has often emphasized the notion that we shall keep peace by means of possessing the power of "assured destruction". It would be well to remember that in war nothing is assured. If there is any choice in the way in which our survival can be made probable that method should be given preference which will save lives over the method that escalates destruction.

Apart from such considerations, we are consciously and rightly seeking that kind of policy which leads to maximum stability. Development of aggressive weapons certainly indues fear and such fear may deter aggression. However, it may also persuade an opponent that he better take advantage of the possibility of a "first strike", because in this way he may minimize potential danger to his own country. Thus continuing deployment of aggressive weapons may indeed lead to instability.

By contrast, the development of defensive weapons is likely to have a stabilizing influence. If we possess sufficient defensive equipment, an aggressor cannot count on rendering us helpless. This is a more peaceful and not necessarily less effective way of deterrence. Our Russian opponents never have shown a proclivity to take chances. If they cannot be highly confident of success they are not likely to attack.

The mistake often is made of laying down requirements and letting technology be guided by the plans that have been developed. In reality, technical possibilities are rather inflexible. If aggressive weapons are much easier to develop and deploy than defensive ones, then the arguments that have been given above have no real weight. In the first fifteen years after World War II technical opportunities favored the offense and it would have been dangerous not to explore this potentiality. At that time it was estimated that defense may be 30 times as expensive as the amount of offensive power which could overcome the defense. Under those conditions I could not help but come to the conclusion that missile defense should not be attempted.

But in the last 10 years the technical trends have taken a new turn. The use of phased array radar meant considerable progress in the tracking of missiles. The incredibly rapid development of electronic computers has opened new horizons in the art of handling information. No one claims today as great an imbalance in cost between offensive and defensive weapons as used to prevail. Under the new conditions it is therefore of the greatest importance to compare quantitatively the effectiveness of offense and defense. In case defense has a chance comparable to that of offense there are strong reasons of common humanity and reasonably conservative behavior to place great emphasis on the development of a defensive force.

THE COST OF OFFENSE AND DEFENSE

At a future date when all relevant figures might become available to a historian it would be of great interest to compare two expenditures. One is the effort and the money spent by the Russians in deploying missile defense. The second is the effort and the dollars invested by us to develop and deploy penetration aids which were designed to overcome the Russian defensive deployment.

Today this comparison cannot be made. We cannot estimate in any precise manner Russian expenditures. Furthermore, we have insufficient knowledge whether and to what extent our penetration aids will overcome Russian defenses. It should be clearly recognized that the best we can do is to engage in a guessing game. Any claim of a quantitative comparison or a precise scientific evaluation must be discounted.

At the same time, I want to hazard the guess that our expenditures on penetration aids were not much less and possibly were considerably higher than the Russian expenditures on defense. A crude attempt at this type of comparison had a great influence on my own thinking. I am now thoroughly convinced that the possibility of effective missile defense cannot be discounted.

Scientists in the Pentagon who opposed missile defense and advocated penetration aids experienced a similar change. It is easy to say: Let us scatter chaff, employ decoys or let one missile carry several explosives. The execution of these suggestions consumed a lot of money. There are further possibilities to counteract defense. None are cheap and simple. All result in a considerable reduction of explosive power one can deliver for a fixed amount of money.

The result after several years of hard work was an increased respect for missile defense. Those who struggle day-to-day with the problem of how to penetrate Russian ABM are now recommedning that we employ some defense in our country.

There is of course, an obvious weakness in any argument for defense. What do we mean by "effective" defense? We should certainly desire to save the lives of as many of our citizens as is humanly possible, even in case that the horrible possibility of a nuclear war should materialize. But it is argued that this would require a perfect defense since the penetration of even one missile carrying a powerful nuclear explosive would spell disaster. Considerations of this obvious type have led scientists who viewed the problem from broader and somewhat more theoretical points of view to the conclusion that no defense can exist.

Actually, one can object to such a conclusion in two ways which are different but which are both valid. On the one hand, one can never ask for perfect success in the horrible and hazardous event of a war. To the extent that the dangers of nuclear war deter war itself, it is right to emphasize these dangers. But if these dangers should convince us that we need not even try to minimize the disaster, if it does strike, then the realization of a nuclear war national survival will be at stake. It is indeed possible to increase the chances of national survival even if catastrophic losses are unavoidable. If this situation is realized on both sides then war will be more easily avoided.

The second reason to doubt the validity of the assertion of "no possible defense" is the great scope for future development. In order to gain perspective it is worthwhile to consider what a determined defense effort might accomplish in the future. I shall attempt to indicate such a defense effort even though it would be certainly premature to plan such an effort at the present moment, and even though it would make no sense whatever to place a price tag on items which are as yet in the idea stage.

Any missile defense consists of two phases. First, the missile must be identified and tracked. Then the incoming missile must be destroyed. By using appropriately designed defensive explosives the latter job can be accomplished. The serious objections to the possibility of missile defense are connected with the first phase: that of identifying and tracking the missile.

In our preliminary plans we are considering relatively small numbers of radars which serve as our eyes. It is indeed possible to destroy these radars or else to fool them even while they function, by using decoys and other penetration aids. Missile defense may become thoroughly effective if and when we find it possible to employ more devices of detection and if we also vary the kinds of detectors we use. In the end, missiles that have a global range have to be observed from extremely widely deployed and greatly varied observation stations. In this way it will become most difficult for the attacking force to escape detection or to destroy a sufficient fraction of the observing stations. A valid argument concerning future feasibility of missile defense must take into account all the variety of detectors which could be made available and which today can be discussed only under our self-imposed rules of secrecy. I have the hope that the cooperative effort of many observation stations may indeed lead to success in defense.

One should mention that the real difficulty in such an ambitious plan will probably lie in the need for rapid communication and rapid evaluation of the results observed in widely dispersed locations. Fortunately, our electronics industries and our computers are progressing so fast that these difficult problems can be attacked with some hope of success. Electronic brains seem to become ten times as effective in every decade—without becoming more expensive.

At the same time it seems likely that our present means of observation, the radar stations, will remain vital components of any defense. Therefore, deployment of defense based on radar observation will serve as a first sensible step toward a more complete and more effective system which may become possible in the future.

We have to return, however, to the immediate question whether or not deployment of presently designed defensive systems is necessary. Furthermore, it is important to ask that if such a deployment is executed what should be the first goal of this deployment.

Since it is clear that defense is indeed difficult it is reasonable to start with the easiest task. This was the consideration that guided the decision to deploy Safeguard ABM. Partial success in the defense of missile sites will indeed preserve the effectiveness of our retaliatory force in case the enemy should attempt to destroy the missile sites by a first strike. A similar partial success in defending cities may be less meaningful because of the exceedingly vulnerable nature of the city targets. The decision to defend missile sites rather than cities does not reflect a preference in favor of missile sites. It rather is due to the recognition that in a well-considered development of a defensive system we should give priority to those tasks where success is most likely.

It would be of course, highly desirable to plan our defensive system and indeed all of our military expenditures in a logical manner. Unfortunately, we lack the knowledge to do this. This is the heart of the present argument and it needs special emphasis. *We do not know whether defense or additional offensive force will be cheaper and more effective*. Furthermore, we shall never find out unless we make an actual attempt by the means of a limited deployment.

Our industries have learned long ago that no big undertaking can be planned in a sound manner without first erecting a pilot plant. No amount of calculation or laboratory work will give reliable cost estimates. I consider the Safeguard ABM as such a pilot operation. If we are to plan our defense with any effectiveness we must know whether at-

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tack or defense is cheaper. We do not have the answer. The most obvious illustration of this fact is given by the exceedingly divergent estimates you obtain from proponents and opponents of the ABM deployment.

There is a group of people which probably has reliable estimates. They are the Russian experts who have practiced the deployment of defense for many years. Our own experts have widely different opinions as to the effectiveness of the Russian ABM system. I am firmly convinced that all American authorities are basing their evaluation on mere guesses.

If we are to negotiate an agreement on arms limitation we are going to face experts who have actual experience in the deployment of missile defense. We shall be at a disadvantage in these negotiations unless we gain some experience of our own. Neither planning of national defense nor agreement on arms limitation can proceed in an effective way unless we explore defensive possibilities through actual deployment.

The question will naturally arise whether in this state of affairs more research might not be preferable to the proposed pilot operation. Research would indeed be the determining factor if missile defense were to depend on a single technical discovery. Actually, the defense depends on the coordination of many elements. The resulting intricate system is apt to develop difficulties which we cannot completely foresee. At the same time, when we engage the talents of many engineers, shortcuts and savings will probably be found. For instance, our computer industry has not yet been engaged in ABM work as thoroughly as would be the case if we deployed Safeguard. No cost estimate will be valid without the experience which we are now planning to get. No state of readiness can be trusted unless this state of readiness is tested in a deployed system.

The important question is whether defense or offense is cheaper and more effective. At the present stage we must give the answer that *we do not know*. This state of ignorance must be ended. Some important answers will be forthcoming in the near future if we begin deployment as recommended by President Nixon.

THE INFORMATION GAP

Controversy due to the lack of information on feasibility and cost of defense is further complicated by contradictory presentations given both to Congress and to the American public at different times, by different Secretaries of Defense. Testimony by Secretary Laird disclosed that the Russians are gaining superiority in nuclear weapons which may put them into a position to destroy our ability to retaliate by a "first strike". Recently declassified information given by Laird and by other proponents of ABM has been essential in the debate.

On the other hand, the American public, as well as many members of Congress, remember vividly earlier statements by Secretary McNamara. These statements had given the impression of continuing American strength which would exclude the dangers which are now mentioned.

Have we acquired new information to justify the changed evaluation? Or did McNamara lull us into a false sense of security? Or shall one agree with those who believe that the recent pessimistic statements are made to otbain approval of the ABM deployment by using scare tactics? It will take time before the validity of the new statements can be verified to the satisfaction of the majority, before this situation is put into proper perspective, and before the consequences are widely realized and accepted. Only then will it be possible to reestablish greater objectivity in debates on national defense.

Having watched trends of Russian weapon deployment I have been in agreement with Secretary Laird's present conclusions for the last three years. But one man's opinion in this question is of little value.

What is much more important is the fact that all our attempts at rational evaluation are hampered not only by effective Russian secrecy but also by the rules of secrecy which we practice ourselves. As long as decisive information is kept secret on our part and is disclosed only in a piece-meal fashion, we cannot hope to arrive at firm and rational conclusions.

The present ABM debate is most instructive as an example of the arguments which influence our decisions. The strong convictions of many opponents of ABM are based on two important statements: "Russia never will dare to attack us" and "The arms race must be stopped".

With regard to the first of these statements it is relevant to find out how Russian ability to attack is developing. Their intentions may never be correctly guessed but their deployment of arms has not remained completely hidden. The facts of this deployment and the evidence we have to support these facts have been surrounded in our country by the greatest of secrecy. This was done even though the Russians know what they have deployed and they also have a very good estimate of our ability to observe their actions. It would seem to be highly desirable if our knowledge concerning Russia's preparations would be currently displayed to public scrutiny.

The second motivating argument, "The arms race must be stopped", depends on an understanding of the nature of the arms race. In the early part of the 20th century, arms race meant a competition in the quantity of arms. The nature of these arms and their performance changed slowly, compared to the exceedingly rapid strides which characterize the technology of the last two decades. As long as an arms race can be defined in quantitative terms it is indeed a competition in brute force and can be defined in clear terms. In principle, it is possible to bring such an arms race under control.

Today's "arms race" is qualitative, rather than quantitative. Now possibilities of military developments are more important than mere multiplication of developed arms. In addition to the atomic bombs, thermonuclear bombs and missiles, one may mention the nuclear submarines and electronic equipments of increasing complexity as obvious examples. It is not easy to understand where such an arms race stands or how to limit it even if all facts are available for discusssion. But if we superimpose on this situation rules of secrecy whereby the most important developments cannot even be mentioned in public, any discussion of the arms race becomes a meaningless exercise.

At this point we encounter a basic problem of our democratic society. The public demands a voice concerning military expenditures and the public is of course also sensitive to its own physical safety. At the same time, our rules of secrecy deprive the public of any possibility of arriving at an informed opinion. Congress could disregard public opinion and reply on secret information made available to selected members. The present ABM debate is a splendid example of the fact that such a procedure will not work and that public opinion cannot be discounted.

Some scientists raise the objection that the facts are so complex as to be incomprehensible to the public, even in case of full disclosures. From this opinion I differ. The situation may be made to sound complex, but an honest attempt at a straightforward explanation will allow common sense to play an appropriate role. Indeed, if we should discard our respect for common sense we will have abandoned the basic premise of democracy.

In my opinion, *we have to open the book of military secrets both to the Congress and to the public*. To do this will have the disadvantage that we will give some help to our adversaries. The argument had weight at the end of the Second World War when our information was superior to that of the Russians. Today it is safe to assume that most of our essential secrets are known to Moscow. Indeed, I fear that Russian military research has already found many of the secrets which we are yet to discover.

I believe that our whole policy of secrecy should be carefully reviewed and that far-reaching decisions should be made to encourage open discussion. Secrecy has produced the information gap which impedes orderly discussion of the ABM question. It may produce a new credibility gap which could paralyze our government. It is in the spirit of open discussion that the weighty problem of the arms race must be solved.

TWO RECOMMENDATIONS

On the basis of what has been said, I submit that two actions are needed.

First, *the ABM deployment should be approved for one year*. This means a commitment of approximately $900 million. This money would be well spent for the information we shall gain.

According to the President's proposal, the ABM problem should in any case be reviewed in one year. This should be done on the basis of information which is as complete and as thoroughly discussed as possible. My second recommendation serves this end:

Our rules of secrecy should be rediscussed and made more liberal.

If ABM deployment is started now we shall have in one year some evidence of initial shortcomings or successes. The main purpose of a pilot operation is to gain experience. This experience should be thoroughly displayed for Congressional criticism. Approval at this time should not mean a commitment for the more distant future. Nor should the present proposal limit future expansion if this can be thoroughly justified.

In the meantime, open debate on hitherto classified information should create a more solid background for decisions affecting national defenses. If Congress approves the President's plan for next year we shall have gained valuable flexibility. A negative vote on ABM will result in continued ignorance. It will close a path that may lead toward safety by deploying explosive which in a case of emergency would destroy machines, rather than the cities of our opponents.

STATEMENT BY DR. JEROME B. WIESNER, PROVOST, MASSACHUSETTS INSTITUTE OF TECHNOLOGY, BEFORE THE U.S. SENATE COMMITTEE ON FOREIGN RELATIONS, MAY 14, 1969

Mr. Chairman, Members of the Committee: I appreciate very much your willingness to allow me to testify before you on this very important subject. If you will permit I would like to qualify myself to speak on the matter of the ABM, both in respect to its technical aspects and in regard to its strategic implications, and particularly its effects on the arms race and the possibilities of arms control agreements.

I have been concerned with the technical aspects of military systems since 1942 when I joined the staff of M.I.T. Radiation Laboratory where I worked on a variety of radar systems that were used in World War II, including ones for air defense and blind bombing. At the end of World War II I spent a year at Los Alamos helping to develop more reliable electronic components for nuclear weapons, and then I returned to M.I.T. to become a member of the faculty. When the Cold War intensified in the late 1940's and the United States began to fear a massive surprise attack by Soviet bombers, a major air defense effort was be-

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gun by the United States Air Force, and I participated in many of the studies it sponsored. I helped conceive the SAGE computer-aided, air defense system and the D.E.W. line. During this period I participated in many other studies for the Department of Defense relating to strategic missiles and missile defense. Also, in 1958 I was the staff director of the U.S. delegation to the Conference on Means of Reducing the Danger of Surprise Attack.

From 1957 to 1960 I was involved in various strategic weapons and arms control studies for the President's Science Advisory Committee, and in 1961 and 1962 as President Kennedy's Special Assistant for Science and Technology I was deeply involved in the studies and discussions which led to the decision not to deploy the Nike Zeus ABM system and to begin research on a more advanced ABM system, then called the Nike-X, which was converted into the Sentinel system in 1967 and whose radars, computers and missiles in a different configuration, form the basis of the Sentinel system. Through these involvements and a continuing advisory role I have been able to stay reasonably familiar with ABM developments and the related intelligence.

In the course of my advisory roles in the White House and the Pentagon during the Eisenhower and Kennedy Administrations, I became deeply conscious of the tremendous pace of the arms race and the desperate need to bring it under control. I have also become aware of the fact that there have always been ways to reverse this dangerous situation without jeopardizing our security, but for many reasons we have not been able to take advantage of these opportunities in the past. In my opinion, it is possible to greatly enhance our security by halting the arms race. And when I say this, I am referring to our military security, not our domestic security, though this too would greatly benefit if we were able to turn our minds and our resources to constructive tasks. I would be glad to talk more specifically about how we might do this if you would like me to during the question period.

I believe that the Safeguard ABM system is a prime example of a weapon system that will at best do very little good, most likely accelerate the arms race and either way, waste large sums of money.

In my discussion today, I will concentrate my remarks on the current primary mission of the Safeguard system, the protection of the United States deterrent, but I will also say a few things about its potential for city defense. In this short paper it will not be possible to cover all of the issues that should be examined, however, these matters are examined in detail in the book "ABM: An Evaluation of the Decision to Deploy an Antiballistic Missile System," which Professor Abraham Chayes and I edited and which I believe you have. I will only highlight what I believe to be the key issues and then go into as much detail as is desired during the question period.

My opposition to the Safeguard ABM is based on my judgment that:

1. It cannot be made to work reliably and in the fashion claimed.

2. Even if it could be made to perform according to plan, it could be overwhelmed and exhausted by relatively easy to achieve counter-measures, and so at best it could provide only modest protection for the deterrent forces.

3. It will not be possible to test the Safeguard system realistically, i.e., against a large attack using nuclear weapons, so that we will never know its true capabilities or deficiencies before it has been used for real and then it will be too late to redesign it.

4. It is not needed to protect the deterrent forces. Even after a massive attack such as Secretary of Defense Laird suggests might be possible in the 1975 time period, if the Soviet Union continued the deployment of its large SS–9 missiles at the rate of the past several years and were successful with other developments such as ASW, MIRV's, FOB's, etc., a very substantial United States retaliatory strike would be possible.

5. Its deployment would be a move in the wrong direction. Safeguard is more likely to reduce our security than enhance it and represents a complicating step in the arms race. Whether it evokes a Soviet response or not, it will certainly make more difficult the arms-limitation problem.

From the point of view of the responsibility of the Congress, the fourth point is of particular importance, for if a large retaliatory force remains after the strongest attack by the U.S.S.R. that we can conceive of in the 1975 time period the desperate urgency to do something now disappears. There is plenty of time to decide what to do. Not the least of the choices is to continue to do nothing about new weapon systems while seeking the best way to insure the survival of the deterrent forces, whether through active defenses, or hardening, or increasing their numbers or through agreements limiting weapons deployments. It does appear feasible to design a hard point defense that would be considerably cheaper and better than the Safeguard system, but it wouldn't look much like the Safeguard. It is not obvious that deploying even such a system, were it available, would represent a most attractive choice.

Why do I believe that the Safeguard system is not needed? If one accepts Secretary Laird's estimate of Soviet force—numbers and accuracies, and his projected form of attack for 1975—it is possible to show that a very creditable retalitory force would survive it. According to calculations I made for our book, based on the assumption that not even elementary precautions were taken by the United States to protect its forces, such as redeploying aircraft or flying an air alert or protecting the Polaris submarines with our own ASW forces, and assuming that the Soviets achieve the projected capabilities, several hundred United States missiles and bombers capable of delivering more than 2,500 megatons of nuclear explosive would survive. This is a truly fearsome deterrent. In reality the situation would be better because in these calculations the attacker was given every benefit in regard to missile reliability, ability to accurately time and launch a global attack involving missiles and submarines, etc. A planner designing such an attack would obviously have to be much more conservative in his calculations, and to him the chance of success would seem even more improbable.

I want to make it clear that I don't believe that the Soviet Union is planning such an attack. I am examining the question of their ability to do so. That is, their capabilities. In fact, Secretary Laird has made it clear that he too is concerned about capabilities, not intentions. I do not claim that it would be impossible for the Soviet Union to achieve a first strike capability, but for this they would have to build a vastly bigger force than that projected by Secretary Laird. It would require that a larger number of very substantial technical programs all be highly successful. They would need large numbers of high accuracy multiple warheads, a much better air defense system, an effective ASW capability and a truly effective nationwide ABM system. Clearly, the Soviet Union is far from having these combined capabilities now and there is essentially no reason to believe that they will move into such a position by 1975 or even later.

If we were actually worried about the safety of our forces it could be improved quite readily. For example, moving the bombers from coastal bases to the center of the country would almost double the number that would survive a submarine-launched missile attack. An airborne alert would allow still more aircraft to survive. If we were still worried, a doctrine under which we fire after the first nuclear explosion if warning confirms an attack, would assure that all workable Minuteman missiles would be used in retaliation. There are other steps which could be taken, some of them quickly, to strengthen the deterrent, but unless the possible threat gets more serious than Secretary Laird's current projection, I do not believe that any of them are necessary.

My second point was that the Safeguard system would not provide much protection from a large scale attack for the deterrent force even if it did work as designed. It is generally agreed that the Spartan area defense system will not be effective against a large attack using countermeasures, so that it must be discounted in this case. Actually, the Sprint system is also vulnerable to countermeasures and saturation tactics, but even without such handicaps it will only provide modest help. The proposed first phase deployment would make hardly a measurable defense against the SS–9 force predicted for 1975. The 500 SS–9's carrying three warheads each would result in 1,500 objects to be intercepted by the defense (1,200 if we assume that the SS–9 has a reliability of 0.8). If the 150 Sprints all worked they could destroy only 150 of the incoming objects so that most of the attacking warheads would still reach their targets. Realistically two or three times as many Sprints as incoming objects would be needed for an effective defense. It would be possible to increase the number of Sprints to say 1,500 but it would also be quite simple for the offensive to counter this by replacing the three warheads with a mixture of even smaller warheads and heavy decoys which would still saturate the system. Replacing the three SS–9 MIRV's presently assumed by fifteen smaller ones and fifteen decoys, which is certainly feasible, would make the ratio of attacking objects to Sprints stay the same as before with as little consequent defense. [See revised testimony at end of speech.]

In these examples I assumed that the attack was directed at the hardened missiles. The Safeguard system radars are much more vulnerable to blast effects than the missiles it is supposed to protect, and there are only a few of them. Since they are vital to the operation of the system, a well planned attack would concentrate its first fire on them in the hope of neutralizing the entire system.

The foregoing assumed that the Safeguard system actually worked. There is good reason to question the system's reliability. There are several interrelated aspects to this question. First, there is the reliability of what is called the hardware, that is the physical components, radars, computers, missiles, communications facilities, etc.; second, there is the question of whether it can be kept functioning by the normal military crews; third, I doubt the reliability of the computer programs, and finally, we must be concerned about a different kind of reliability, whether it is possible to imagine and simulate the actual environment in which this complex system will have to operate.

The creation of the Safeguard system, like any large scale system that depends upon computers to control the operation of its parts and their integration, really involves two enginering tasks; the design and development of the physical equipment and the design and development of the computer program for operating the system. Few people realize that the second task may be much more formidable than the first and cannot proceed independently of it. In a very loose way I can liken this to the physical and mental development of a child. The two must go along together at the start until the physical computer exists and is operating reliably, which may take some time, and then the program development can be undertaken seriously.

While I do not have the time to examine the equipment reliability in detail now, a section of our book is devoted to the matter. It can be said without danger of contradiction that the ABM system represents the most sophisticated and intricate system that man has attempted to build, greatly exceeding the SAGE system or any other previous military system in complexity. Each individual component must perform considerably better, i.e., be more reliable, than those in present day units if the system is to achieve the needed overall reliability. In a recent article, Dr. Dan Fink, former Deputy Director of Defense Research and Engineering indicated that operational missiles might be expected to have an availability of approximately fifty per cent. Though he was talking about offensive missiles, they are hardly more complex than the Sprint or Spartan devices which furthermore are subjected to considerably greater accelerations in flight. The radars and the computers of the Safeguard system are much more complex than any previously used in a military application and in my judgment, the pattern of delays and failures in electronic systems reported by Mr. Richard Stubbing, a staff member of the Bureau of the Budget, in his study of the performance experience of major weapon systems developed since World War II will be duplicated here. It is very likely that a high failure rate will be encountered during the early life of the system and probable that components and subsystems will need to be re-engineered and replaced.

More difficult than creating the "hardware" is building the computer program. This was never adequately done for the SAGE system, and I am under the impression that the effort has been given up. Every new large-scale computer system has had serious operational trouble with its software or operational program. First, the task of designing and debugging a program always takes much longer than anticipated at the start. Second, even after extensive development and shakedown, the programs for complex systems contain many defects or conflicts that come to light only during the stress of operation, and so it is quite common for a computer system to fail completely ("crash" as it is called in the profession) as some new demand is put on the system. Program "bugs" are at least as serious a source of down time on many large systems as actual component failures. Large computer programs have proven to be extremely difficult to modify or "repair" without inadevertently introducing new "bugs".

The Safeguard programs are enormous. From published data it is easy to see that the computer is designed to execute programs consisting of many millions of instructions. It is therefore both reasonable and necessary in analyzing the presumed reliability of such a system to make comparisons with other systems involving programs of similar size. There are no working examples today of huge computer programs on the scale required by the ABM program, but the body of experience with complex problems of a smaller scale inspires no confidence in the ultimate reliability of the ABM system. There is, today, no theory to account for the method of "debugging" a program; it remains an art. Moreover, it is possible *to show mathematically that no such theory can be constructed.*

Large computer programs can only be tested properly in their operational environment. It is not likely that it will be possible to simulate a nuclear attack well enough to have high confidence that the Safeguard system will actually function as planned when it is truly challenged. In fact, I believe that the odds are against it.

In recent weeks the two planned Safeguard sites have been termed R & D sites, and the impression conveyed that they will make possible more realistic testing of the system than can be done at Kwajalein. While some useful knowledge may be gained because of the greater complexity of the interconnected systems, it clearly will not be possible to have the important tests, those in which the system attempts to defend the Minuteman force against a large attack in a nuclear weapons environment. In fact, I suspect that more realistic tests could be made on the test range.

Many people propose that we deploy the Safeguard system, regardless of the fact that it may not provide any protection, saying for example, that it can't do any harm, or if there is any chance that it will work, it may make an incremental contribution to our security. In my view, the most likely consequence of the attitude that we must prepare against any conceivable eventuality no matter how unlikely and that we must buy every weapon system no matter how poor, is a continuing upward spiral in the arms race and a continuing decrease in our security rather than any improvement. If the United States deploys the Safeguard system, the Soviet planners will have to be conservative and overestimate its capabilities. Their response, which would most likely be out of proportion to its actual value, could take the form of extending their ABM system or increasing still further their missile force. In either event we would undoubtedly have to respond again and so on. Such a reaction is expected by General Twining and his colleagues in the American Security Council. They recently put out a pamphlet supporting the ABM, in which the following statement appears, "Safeguard will work in the sense it is intended to work—it will force the enemy to greatly multiply his arsenal with greatly sophisticated missiles before he could dare to attack." One could go on to say that this would undoubtedly be the Soviet reaction even if they only wanted to deter an American attack. The U.S. would react similarly to a substantial Soviet ABM. Clearly we agree on the escalating effect of an ABM deployment but disagree on the desirability of it.

Freezing the present system and putting it into production even on a small scale will tend to preclude the development and deployment of an effective hard point defense if one is in fact possible and needed. The energy and resources that would go into the Safeguard system will clearly not be available to continue the search for something more useful.

It is now generally agreed that ABM systems of the Sentinel type cannot provide city protection against large attacks, but defending cities against a small Chinese attack remains one of the objectives of the Safeguard system. The argument seems to be that our massive aircraft and missile force will not deter the Chinese after they have achieved an ICBM capability and that we will need Safeguard to protect us from them. Furthermore, the argument goes, the Chinese weapons being "First Generation" would be simple and make no use of penetration aids so that the "thin" Spartan defense would work against them. I believe that both of these arguments are wrong. First of all, it is perfectly clear that we could inflict almost complete destruction on the C.P.R., should they launch an attack on the United States. It is also perfectly obvious from their behavior that they understand this so I find it difficult to imagine a creditable circumstance under which they would attack the United States. Also, the United States obviously would have a first strike capability against China, even after she achieved a modest missile force. It is conceivable that an ABM system would prolong the period during which this was true. However, it is not sound to assume that the Chinese will not produce simple penetration aids, amply described in the literature, very early in their program, and these could allow their warheads to breach the Spartan defense. Thus, the United States' first strike capability could be short-lived and hardly prolonged by a "thin" ABM system. Finally, a "Chinese"—oriented system could well raise fears that the United States actually intended to launch a first strike and thus contribute to the very "irrationality" that some people fear.

I would like now to make a few general observations. I am troubled by the argument that the Safeguard system, by protecting the deterrent force, would strengthen the President's resolve in a crisis. Considering how unlikely it is that this ABM system will make a significant change in the strategic forces surviving an attack, it would be most unwise to build it just to back up a game of "chicken". The strategic superiority enjoyed by the United States is often cited as the reason for the Soviet withdrawal during the Cuban Missile Crisis and used to support this argument. I believe that geography and disparity of interests were much more important than relative nuclear strengths. It was easy for the United States to bring its conventional forces to bear on that situation and extremely difficult for the USSR to do so. Strategically it was much more important to the United States than to the Soviet Union. Recall that the United States had absolute nuclear superiority at the time of the 1948 Berlin crisis, but this helped very little in resolving the crisis. The United States also had vast nuclear superiority at the time of the supression of the Hungarians by the Soviet Union and yet it could not affect the outcome because the Soviet forces were much nearer and the question of who controlled the area was much more vital to the Soviet leaders. I would also point out that the Soviet leaders have always been extremely careful not to cause an irresolvable confrontation around Berlin where they appreciate the extent of the U.S. commitment and interest.

It is frequently said that there were, in the past, debates similar to the present one over the ABM relating to the hydrogen bomb, the ballistic missile and on the Polaris submarine with the strong implication that scientists and engineers were wrong on those issues and so are likely to be wrong again. This is a very wrong interpretation of history. and I would like to tell you why. I was not directly involved in the arguments about the H-bomb, and though I have the impression that the debate started around the question of whether a specific process would work at all, not whether they would be reliable in service, I will leave this question to Dr. Teller. I was involved in both the Polaris submarine and the ICBM issues so I can talk about them with some authority.

In the case of the ICBM the outside scientists were actually advocates fighting people who didn't believe that intercontinental missiles were possible. I was a member of the Von Neuman committee and one of our major efforts was to convince the leaders of the Department of Defense—many of the Air Force generals and the civilian secretaries of both the Air Force and the Defense Department—that missiles were practical weapons. In the case of the Polaris submarine the issues were also different. Most of us who were involved in the development of the United States strategic missile systems during the 1950's believed that the nuclear submarine provided an ideal base for a ballistic missile because of its invulnerability and because, to the extent that it would be the target of a counter force attack, that attack would be drawn away from our shores. The argument was a technical one and had to do with the type of missile to put on the submarine. Secretary of Defense Charles Wilson was only willing to permit the Navy to proceed with the polaris submarine program if it would use the liquid-fueled Thor IRBM developed by the Army at the Redstone Arsenal. Many of us thought that to do this was a serious error and argued

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for the development of a solid-fuel rocket. Our objections were two-fold: the Thor system was a very complicated system that required the use of liquid oxygen and dangerous liquid fuels. In our opinion it created very major safety hazards on board the submarine. In addition, we believed that it was possible to achieve a much higher degree of readiness and reliability with a solid-fuel rocket. In the end we were able to win people over to our views and the present Polaris missile was developed. I believe that Admiral Rayburn, who was the director of the Polaris project understood our objectives and to the best of my knowledge appreciated our efforts. It is hard to see what lessons can be learned from those situations that would apply to the present debate.

I would summarize my position as follows:

1. I have very serious doubts about many technical aspects of the Safeguard system.

2. I do not believe that the Soviet Union can achieve a first strike capability against the United States in the 1975 time period by following their present course of action.

3. Even if Safeguard could be made to work as designed, it would be relatively simple—compared to the difficulty of building Safeguard—for the Soviet Union to deploy effective counter measures against it.

4. Safeguard is unnecessary and building it would waste a great deal of money.

5. If the survival of our deterrent was in danger, I would still oppose Safeguard, and I would search for more promising ways to maintain it.

6. We must make a more determined effort to halt the arms race. Neither building the ABM nor stopping it will insure our security. We must find a way to stop the development and deployment of new strategic weapon systems, MIRVs, FOB's, etc. and to reduce the existing attack forces on both sides. Similarly, we must support means of preventing or controlling limited conflicts. There are obvious steps that would be explored for these objectives.

I would give the highest priority to beginning the bi-lateral discussions with the U.S.S.R. on strategic weapons. I hope that your committee will give urgent attention to this broader range of issues.

7. The views I have expressed here are shared by the persons who worked with me on the ABM book.

REVISED BY DR. J. B. WIESNER, COMMITTEE ON FOREIGN RELATIONS, MAY 14, 1969

Since I prepared my testimony, Dr. Foster has suggested that my calculations regarding the surviving Minuteman force were in error. He estimated that only 50 missiles would survive a Soviet SS–9 attack instead of the 270 shown in our ABM book. My calculations were based on Department of Defense data released in March and April of this year. Dr. Foster has now changed those figures. He says that the SS–9 warhead will have a 0.95 probability of destroying a Minuteman rather than the 0.8 previously predicted. This involves a new estimate of the SS–9 MIRV accuracy and reliability, a reliability which is hard to accept. He also has changed the estimate of Soviet SS–9's from 500 to 600.

Dr. Foster also says that the Soviets might have the capacity for monitoring their MIRV warheads and only using a second one against a target when the first has obviously failed. This is a technical complication in addition to the MIRV's and I don't believe would be used. Even if it was, there is an easy counter to it. The attack will have to come in two waves spaced by a few minutes so that the attacker can determine which reentry vehicles have failed and need backup. Our Early Warning System will certainly indicate that there are two components to the attack. It seems unlikely that we would wait for the second attack to hit, rather than fire the remaining missiles after the first weapons explode. In this case about 290 land based missiles (Minutemen and Titan II) would be available for counterattack. As our book indicates there will also be a great many aircraft and Polaris missiles available as well.

I find it hard to believe that the changing rationalizations, data, and intelligence estimates in support of the Safeguard system can be based on a truly careful study.

ELECTORAL COLLEGE REFORMS

Mr. MUNDT. Mr. President, it is well known that I have spoken in the Senate with considerable frequency on the subject of electoral reform. An article published in the Washington Daily News of May 12, 1969, indicates that one of the plans for reform which I have argued against will most likely not be passed by the State legislatures, even though Congress should approve it. This is the so-called direct-vote plan.

While many have made snap judgments in favor of the so-called direct- or popular-vote plan, the reasons for the widespread disapproval of this plan among many others are obvious. From a political or practical standpoint, it would give one State, like Massachusetts with 14 electoral votes under our present system, the power to completely cancel out the voting majority of many States having a great number of electoral votes. States would be asked to perform an act that would, as one Montana official stated, make them "a drop in the bucket." Another called it a request that "many States commit political suicide" by depriving themselves of the electoral strength to which our great Constitution now entitles them.

As the news story indicates, this self-protective philosophy already prevails in the legislatures of 10 States. Only three more negative votes would be necessary to block ratification of the so-called direct-vote proposal to eliminate the electoral college. On the other hand, only three States are solidly behind the direct-vote plan, and nine others lean in that direction. This leaves 28 States as battlegrounds, and the proponents of the direct-vote system would have to convince 26 of them—a batting average of almost 90 percent—to win national approval for such a proposed amendment to the Constitution.

Mr. President, this is obviously an almost impossible task. It is clear that we would be involved in an exercise in futility if Congress were to approve a direct vote plan. The net result would be no change in our present system. This is an alternative we must not select. We need electoral college reform.

Happily, the vehicle for reform exists in Senate Joint Resolution 12, the so-called district plan. Senate Joint Resolution 12, which I have cosponsored with 18 other Senators would eliminate the deficiencies in our present electoral system. It would give a truer representation of the voter's wishes in each State; it would force the candidate to give equal consideration to the interests of all regions instead of concentrating his appeals and programs on one segment of our society such as the great masses of votes and the pressure groups in the large cities; it would give each voter an equal vote and each State an equitable "vote-power" since each voter would be voting for only three electors; it would encourage the retention of our two-party system since a third party, to have any effect, would have to be truly national in scope; and above all, it would end the winner-take-all system which is the principle fault of our present system.

Although the United Press International report does not mention it, one State has already adopted the district system. As I pointed out to the Senate last month, the State of Maine on March 26 of this year changed its law so that electors are allocated to their congressional districts with two elected statewide. This is an example of how simple it is to achieve meaningful reform that is still equitable and constitutionally sound.

Mr. President, it is essential that the present electoral system be changed and it must be changed now. There is no excuse for delay, and no excuse should be accepted. I urge the Senate to pass Senate Joint Resolution 12 as soon as possible.

I ask unanimous consent that the Washington Daily News article and the complete text of the United Press International release be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Washington Daily News, May 12, 1969]

UPI SURVEY—VOTE CHANGE PROPONENTS ARE TRAILING

If Congress decided to abolish the electoral college and elect the President by direct vote, the legislatures of 38 states would have to give their approval. But a preliminary survey indicated today only 12 states, at most, now firmly favor the idea.

By contrast, it would take negative votes in only 13 states to veto such a proposed constitutional amendment. And the same survey indicates there are already 10 states where that would probably happen.

The outlook comes from UPI interviews with legislative leaders made in all 50 states. The composite picture is this:

CLOUDY PICTURE

Only three states are solidly behind direct election and only nine more show a noticeable preference for the plan.

Six states estimate the plan has no chance in their legislatures and sentiment in four others is running against direct election.

In the remaining 28 states the issue is either too divided or undeveloped to make a judgment.

The proposed amendment is still in the mills of Congress. The House Judiciary Committee has overwhelmingly approved the direct election.

Altho it is possible to read a detectable preference in only two of every five legislatures, there are these indications:

States showing the greatest opposition to direct presidential election include Alabama, Arkansas, Georgia, Idaho, Nebraska, Arizona and Utah. States where opposition is substantial but not as strong include Minnesota, Ohio and Pennsylvania.

The plan is given the edge in Maryland, Massachusetts, Rhode Island, Vermont, Kansas, Kentucky, Colorado, Hawaii, New Mexico, North Dakota, Oklahoma and Texas.

While efforts have been made to make the issue nonpartisan, Republicans generally line up against and Democrats for.

ELECTORAL

(By Robert J. Taylor)

WASHINGTON (UPI).—Advocates of electing Presidents by a direct popular vote face a formidable task in convincing State legislatures that the electoral college should be scrapped, a UPI survey showed Sunday.

Interviews with legislative leaders in all 50 States indicated that only 12 legislatures show a noticeable preference for the plan, while approval by 38 is needed to abolish the electoral college by a constitutional amendment.

In contrast, leading lawmakers of six States estimate it has no chance in their legislatures and sentiment in four others is reported leaning against direct election. Together, this is only three short of the 13 States required for an effective veto.

In 28 States, legislative opinion is too evenly divided or too lacking to make a judgment, political leaders reported.

With the threatened constitutional crisis posed by the three-way 1968 presidential race still fresh in mind, Congress has put electoral reform high on its list for action this year.

The House Judiciary Committee has already given overwhelming approval to a proposed constitutional amendment that would replace the electoral college with a direct election plan. Committee hearings are nearing completion in the Senate.

Although it was not his first choice for electoral reform, President Nixon has promised to throw the power and prestige of his office behind direct election if it passes the House and Senate by the required two-third majorities.

He could make the difference. Many leaders reported sentiment for direct election is evenly divided in their legislatures, and some said interest in electoral reform has suffered as 1968 receded into history and local problems grew.

But in one form or another nearly all the legislators interviewed echoed the feeling of Speaker William Ratchford of the Connecticut House that a change in electing the President is much overdue.

"The electoral college has long outlived its usefulness," he said. "The time is right."

While only about two out of five legislatures at this point show a detectable preference in electoral reform, these patterns are emerging:

Opposition to the direct election plan is greatest in Southern and mid-Western States, where Nixon ran well in 1968, and in smaller States. These include Alabama, Arkansas, Georgia Idaho, Nebraska, Arizona and Utah. Exceptions are Minnesota, Ohio and Pennsylvania, where there is also substantial opposition.

Direct election is strongest in the East and in Middle Southeast States. It is given the edge in Maryland, Massachusetts, Rhode Island, Vermont, Kansas, Kentucky, Colorado, Hawaii, New Mexico, North Dakota, Oklahoma and Texas.

While Nixon and Congress has taken pains to avoid giving the issue a political tinge, Republicans generally line up against direct election while most Democrats favor it

Opposition to direct election generally centered on abolishing the Electoral College, which give each State one vote for each of its Congressmen and a two-vote bonus. Small States figure the bonus votes give their votes an edge over big-State voters, although computer studies dispute this.

The alternate reform plan most frequently mentioned in the survey was the proportional system, Nixon's first choice. It would retain the Electoral College but outlaw the winner-take-all practice where States give all their electoral votes to the popular vote winner. Electoral votes would instead be apportioned according to a State's popular vote percentages.

Proportional reform was reported to be popular in eight States, and Minnesota is near final action on a measure adopting the proportional plan.

A Montana official summed up the small-State case against direct election with the comment "we'd be a drop in the bucket."

"If it went to a vote today, it would have no chance at all of passing," he said. "However, there would be a 50–50 chance if it was changed to apportionment of electoral votes according to popular votes."

Next most popular reform proposal was the so-called district plan, which would give one electoral vote to the winning candidate in each congressional district and the two bonus votes to the candidate carrying the State. This was significant support in seven legislatures.

The House Judiciary Committee weighed and discarded both these alternatives, largely because they would still allow the loser in the nationwide popular vote to become President through the electoral vote.

Although direct election supporters have an uphill fight, public opinion is on their side. Polls show overwhelming public enthusiasm for electoral reform and better than an 80 percent preference for direct election.

Time, however, may work against them. Only 29 legislatures meet in 1970, the year they would be expected to get their first chance at whatever reform plan Congress proposes.

Under the complicated effective date formula of the House Judiciary Committee, the balance of the States necessary for ratification—at least nine—would have to act in the first three weeks of 1971 for the new method to be effective in the 1972 presidential election.

Observers consider this highly unlikely to be achieved, making it probable 1972 will pass with the electoral system unchanged—and the momentum for reform lost.

GEN. FREDERICK REINCKE

Mr. RIBICOFF. Mr. President, Gen. Frederick Reincke has announced his pending retirement from the post of Connecticut State Prison warden. On June 30, when General Reincke steps down, Connecticut will lose a great and good friend. For 20 years Fred Reincke has been the man to whom the State has turned to carry out the most difficult tasks. Our faith was well placed, for the general never let us down.

General Reincke headed Connecticut's military forces for 15 years as State adjutant general. In World War II his gallantry in New Guinea won him the Legion of Honor and the admiration of his officers and men. Throughout his career General Reincke earned the high accolade as a man who did the job well.

His service to Connecticut will long be remembered and admired. While adjutant general his administrative skills were largely responsible for developing the State military organization into its present form. Twice Connecticut has turned to Fred Reincke in moments of crisis at the Old State Prison in Wethersfield. Twice the general quickly and skillfully restored normal conditions.

In 1963, after 15 years as adjutant general, Fred Reincke accepted the request of Governor Dempsey to head the State prison as warden. For 6 years he has filled this sensitive post with skill and understanding, and the new prison at Somers has received national recognition.

I know that all Connecticut citizens join me in expressing our thanks to Fred Reincke for a job well done. He will be sorely missed. With our thanks, go our best wishes for many happy years of retirement.

CHANGE BY FORCE OFFERS NO ALTERNATIVE BUT RULE BY FORCE

Mr. PROXMIRE. Mr. President, for the great majority of Americans, the student disorders we have been witnessing have cloaked the American campus in a fog of confusion. It is not clear what the universities or local and State governments or the Federal Government should do. It is not clear what the students leading the protests want.

Yet one thing is clear, and I quote a statement of the University of Wisconsin Faculty Assembly:

> The use of force to achieve change or to express dissent offers no alternative save a rule by force.

As this applies to the college administration, so too does it apply to the simplistic solution of Federal intervention. This is basically a problem to be solved by the school administrations. Federal intervention could be very dangerous and become a possible infringement on academic freedom.

That is why it is particularly important that the changes be anchored within the universities by strong principles not to slow change or to make it more difficult but, as the Wisconsin Faculty Assembly put it: to "supply a methodology through which change can be achieved in a manner which provides an opportunity for the preservation of freedom to dissent."

Mr. President, I ask unanimous consent that the entire text of the University of Wisconsin Faculty Assembly statement, entitled "The Basic Purpose of a University, and the Principles on Which It Must Operate," be printed in the RECORD:

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

THE BASIC PURPOSE OF A UNIVERSITY, AND THE PRINCIPLES ON WHICH IT MUST OPERATE

(A statement by the University Faculty Assembly, Feb. 26, 1969)

At this time, when University policies, procedures and traditions are under healthy scrutiny, and sometimes subjected to destructive attack, the Faculty reasserts the basic purposes of a University, and the principles on which it must operate.

The purposes of a University are: (1) to provide students with optimum opportunity for learning from the heritage of the past, for gaining experience in use of their intellectual and creative capacities, and for developing themselves as concerned, responsible, humane citizens; (2) to extend the frontiers of knowledge through research; (3) to provide society with objective information and with imaginative approaches to the solutions of problems which can serve as the basis for sound decision-making in all areas.

To fulfill these purposes it is essential that the University community operate on the principles that: (1) there must be complete intellectual freedom for Faculty and students; (2) satisfactory solutions to problems can be achieved through rational inquiry and discussion; (3) implementation of needed changes in the University must be through legal means; (4) each individual has the right to his opinion and to be heard, but no individual has the right to prevent those of differing views from equal opportunity to be heard.

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It follows from these principles that diversity and dissent are essential to a University. All propositions are subject to investigation and challenge. It is the right of all members of the academic community to dissent from currently accepted perceptions about the world if they believe these are inaccurate. It is fundamental to the existence of the University, however, that the mode of dissent adhere to the principles. These principles are not obstacles to change; quite the contrary, they supply a methodology through which change can be achieved in a manner which provides an opportunity for the preservation of freedom to dissent. The use of force to achieve change or to express dissent offers no alternative save a rule by force. There can be no compromise in the University's commitment to these principles if there is to be a University.

All members of the University community are entitled to exercise the rights of free speech recognized in constitutional law and to perform lawful acts of protest to express dissent and to effect change. The use of force as a way of achieving change is, however, wholly incompatible with intellectual freedom and rational inquiry. The academic community must resist attempts by any group to impose its opinions on others by physical force or intimidation.

It is well to recall that The University of Wisconsin has been one of the leaders among American institutions of higher learning in recognizing the proper role of students in formulating acadamic policies. Large numbers of students serve on a wide and increasing variety of Faculty committees, and further student involvement in various academic areas is under active consideration. The Faculty recognizes that students have played and should continue to play a significant role in improving the quality of the University. For the most part, students control student organizations and publications, and the Faculty believes that a greater number of concerned students should involve themselves in student elections, the conduct of student organizations, and the management of student publications.

The Faculty recognizes that the University has a special obligation to extend the benefits of higher education to those who are disadvantaged in society, whether because of race, or poverty, or other factors. In respect to equality of opportunity we believe that the black population of the country and other minority groups have a legitimate grievance. While The University of Wisconsin has endeavored for decades to meet its obligation to maximize educational opportunity, and long ago established and implemented a policy condemning invidious discrimination on the campus, the Faculty accepts racial justice as an urgent and pressing concern.

As current and future problems press upon the academic community for solution, the Faculty expresses the hope that the many channels of communication among the various segments of that community, which have been developed and effectively utilized for many years, will remain open for all to use and that new channels will be opened as needed. The Faculty hopes that as a result of such communication no part of the University community will adopt force as the means of seeking to make opinions prevail, but that all will accept intelligent analysis and rational persuasion as the instruments for achieving change. There is no place in a university for those who abandon rationality.

A PLEA FOR DIGNITY

Mr. ALLEN. Mr. President, Hon. Rubin Morris Hanan, of Montgomery, Ala., is one of the outstanding citizens of the State of Alabama and of the Nation. He is a sincere humanitarian, always interested in and active in behalf of his fellow man. For 30 years he has been active in behalf of the senior citizens of Alabama.

With the thought that any comments that he might make on the problems of our senior citizens would be of interest to the Senate, I ask unanimous consent that a letter from him to the editor of the Montgomery, Ala., Journal dated May 3, 1969, be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

A PLEA TO THE PRESIDENT ON BEHALF OF DIGNITY

EDITOR, ALABAMA JOURNAL:

I have sent the enclosed letter to President Nixon on behalf of the Alabama League of Aging Citizens.

DEAR MR. PRESIDENT: This is an urgent appeal on behalf of Alabama's Senior Citizens, who have served our nation long and faithfully. They are grieved and shocked beyond belief in the manner the Federal Government is depriving them of their rights, benefits, and financial assistance promised under Title III of the Older Americans Act of 1965.

I immigrated to this country from the Isle of Rhodes, 42 years ago. The good people of Alabama welcomed me with open arms and a silver platter. Since 1939 I have worked with the Senior Citizens of this great State in an effort to say 'thank you' for all they have done for me.

As you continue your vigorous campaign for a better future for all mankind, please be mindful not to overlook the joys and hopes, the griefs and anxieties of Alabama's 375,000 Senior Citizens, especially those who are poor and sick or in any way afflicted; these too are the joys and hopes, griefs and anxieties of our great affluent society.

Today the Torch of Freedom is held high by the people of Alabama by all races, creeds or religions. Please, Mr. President, let us remember the supreme sacrifices that the people of Alabama made in war and peace in building this great nation. We need only to look at the cemeteries at Lexington, Gettysburg, Santiago, Chateau Thierry, Coral Sea, Okinawa, Palermo, Normandy, Korea and the malaria beaten jungle of Vietnam to realize the supreme sacrifice that called the sons and grandsons of those deserving people of Alabama whom the United States Department of Health, Education and Welfare has deprived for the past four years of their rightful claim to funds under the Older Americans Act. Their sacrifices must not be in vain so that all the people from all the nation might be secure.

No nation in the history of the world owes so great a debt to anything physical as the United States of America owes to its gallant warriors in Vietnam. Today more than 900 young men of Alabama died in Vietnam; for untold sorrow and heartache for their parents, grandparents, brothers, sisters and wives, and perhaps their children.

It is this heritage that the American people have fought for and gained. We don't plan on losing it by "regulations" or "guidelines" or by force for some while.

We are appealing to you for the rectitude of the HEW's intentions and to remember that we are a nation conceived in liberty and dedicated to the proposition "that all men are created equal"! The men of 1787 converted a small, weak and poor nation into one immeasurably great, powerful and rich. All our material prosperity is incidental. Our true heritage, our real inheritance from our forefathers is an obligation to prove to all the world that free men can govern themselves better than any king can govern them, and that a nation of freedom, dedicated to the principle of equal justice under the law, far from being a menace to its people, is their best guarantee of security and equality.

Too many of Alabama's aged have been left behind by the progress they worked most of their lives to create—a better society. They suffer a disproportionate burden of poor health, low income and bad housing.

Holding back funds from Older Americans in Alabama has eroded the dignity, freedom, independence and integrity of these individual human beings. Alabama asked full approval by HEW in April of 1968 as the State Commission on Aging was in full compliance with Federal regulations, including civil rights.

This trend toward punishing the aged and elimination of their rights as citizens of this great nation can mean only one thing—less freedom and less individualism; because you are born or reside in Alabama, the old wound is still open.

America cannot ignore what is happening to those basic fundamental principles and philosophies upon which this great nation of ours was founded. I believe in my adopted country, because it is the land that gives me my freedom, and because it is my adopted home. I am an American father and grandfather, and I can best serve my country by "doing justly, loving mercy, and walking humbly with my God."

RUBIN MORRIS HANAN,
President, Alabama League of Aging Citizens, Inc.

ESTIMATING THE BENEFITS OF PUBLIC EXPENDITURES

Mr. PROXMIRE. Mr. President, this week the Subcommittee on Economy in Government of the Joint Economic Committee has been holding hearings on "Guidelines for Estimating the Benefits of Public Expenditures." This is a most important topic, one which should be of vital concern to Congress. It is only by having quantitative estimates of the benefits and costs of alternative expenditures that the Congress and Executive decisionmakers can make rational choices—choices which are in the public interest.

On Monday, May 12, the subcommittee heard testimony from Dr. Jack Carlson, Assistant Director for Program Evaluation at the Bureau of the Budget. The statement which he presented was most important for two reasons. First, he set forth some basic principles of benefit estimation and the appropriate means of handling estimation when there are several objectives which a program is attempting to achieve. I quote from his statement:

> Most decision-makers feel that the objective of securing the greatest dollar return per dollar spent is important. In some projects, it evidently is the sole objective. But in others, nonmonetary benefits and redistributive benefits are also important. Thus, there is a problem of combining measures of diverse objectives. The only way I feel comfortable in doing this is to keep the measurement of each objective separate and not try to mix them. Therefore, I would show the national income benefit with national income cost and then show nonmonitized benefits in whatever physical or social units that are useful such as lives saved, numbers of more informed citizens, scenic beauty preserved, assistance to particular locations or to certain target groups—Appalachia and the poor, the aged, the blind.
>
> Some people contend that one should aggregate all benefits and all objectives by monetary proxies for incommensurables,

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such as national income benefits, regional income distribution and assistance to Appalachian poor. This, I think, is misleading and does not allow each participant in the decision-making process to weigh the importance of each objective himself.

Also, I feel it is misleading to arbitrarily allocate project or program costs to each measure of different objectives. We frankly do not know how to allocate project costs when a project provides multiple outputs. Until we know we should not dilute the one measure that can appropriately compare national income costs and benefits.

The second significant aspect of Dr. Carlson's statement is his description of a major study being undertaken by the Bureau of the Budget—the "Program Overviews." In his testimony, Dr. Carlson presented an example of the results of this study. For two programs in the manpower area, program costs, program benefits, the benefit-cost ratio, and the characteristics of the beneficiaries of the program are all provided. This is most helpful information, and the Bureau of the Budget should be commended for developing it. We now look forward to the time when the full study can be presented to the Joint Economic Committee and to Congress.

Because of the importance of this information, I feel that the entire Congress should be made aware of Dr. Carlson's testimony. I ask unanimous consent that Dr. Carlson's statement be printed in the Record.

There being no objection, the statement was ordered to be printed in the Record, as follows:

STATEMENT OF JACK W. CARLSON, ASSISTANT DIRECTOR FOR PROGRAM EVALUATION, BUREAU OF THE BUDGET, BEFORE THE SUBCOMMITTEE ON ECONOMY IN GOVERNMENT, JOINT ECONOMIC COMMITTEE, ON GUIDELINES FOR ESTIMATING THE BENEFITS OF PUBLIC EXPENDITURES

Mr. Chairman and Members of the Subcommittee: I am happy to appear before this Subcommittee to discuss "guidelines for estimating the benefits of public expenditures." This question is, of course, at the heart of public expenditure evaluation. In recent years the major executive departments and agencies, and the Bureau of the Budget in particular, have devoted much effort to improving the process through which Government resources are allocated to accomplish the various objectives of public policy. My remarks will be organized to try to set the problem of measuring benefits in the context of the existing conceptual framework and available measurement techniques.

IMPROVEMENT IN DISCOUNTING PRACTICES AND GUIDELINES

Some aspects of program evaluation already have been considered by this Subcommittee and have been recorded in several useful reports, especially the excellent report of this Committee on discount policy last summer. During the Committee's discount hearings last summer, the Bureau of the Budget and other executive branch agencies testified in support of consistent and improved discounting procedures. The Water Resources Council testified in support of a new formula for arriving at a more appropriate discount rate than was then being used. Since those hearings, the Water Resources Council has recommended to the President a new procedure for estimating the discount rate to be used for evaluating projects. The new formula has been approved and is based on the current yield of Government bonds with changes in the rates limited to one-fourth of one percent per year. I believe that this was an important step in improving discounting procedures. Our objective is to apply this guidance in all areas of public investment and we hope to have a Circular published this month.

During the hearings last year, the Bureau also testified in favor of studying the appropriate conceptual basis and measurement techniques for estimating the opportunity cost of private spending which the financing of Government expenditure displaces. That study has been initiated and should provide further insights later this year. In the meantime, agencies have been requested to use a range of discount rates for program evaluation efforts. The Bureau's letter identifying major program issues for agency evaluation this year stated that all agencies should use a 10 percent discount rate with tests for sensitivity at higher and lower rates.

Complexity of program evaluation

Obviously, evaluation of public investment is important because Government expenditures absorb valuable inputs and produce valuable outputs. And equally obvious, the Government should invest only when benefits exceed costs. But the multiplicity of objectives of public expenditure often makes actual determination of benefits and cost extremely difficult. In summary form, the objectives of public programs effecting resource allocation can be classified as follows:

The provision of public goods—that is, goods whose consumption by one individual does not reduce the amount available for consumption by others, and the consumption of it does not provide direct return on the provider's investment. Decisions about such goods have to be made collectively. Examples are deterrence of war and preservation of scenic beauty and wildlife.

The redistribution of income—that is, assistance to specific groups such as the poor, the aged, and the disadvantaged. Redistribution may be effected by the transfer of money, future income, or by the provision of goods and services. Examples are: public assistance programs, public investment in education programs, and food distribution programs, respectively.

The elimination of spillover effects—that is, situations where one person's actions may benefit or harm another in ways that cannot be ignored in the original decision, as when one firm emits soot which damages others in the absence of appropriate charges or prohibitions.

The removal of imperfections in the operation of the private market or the alleviation of their effects—for example, providing a competitive standard for public enterprises where none would otherwise exist; improving market information to consumers, producers and workers where the market would otherwise work badly; developing large-scale projects where significant economies of scale exist.

MANAGEMENT OF PUBLIC RESOURCES

Even this multiple classification vastly oversimplifies the objectives of the public sector. Each classification could be broken down into a multitude of more narrowly defined objectives; for example, income redistribution programs include such diverse groups as young people in central cities, older people in rural depressed areas, and American Indians in both rural and urban localities.

Moreover, unfortunately for simplicity in the evaluation of Government programs, almost all of the broad objectives have implications for more than one public sector objective. Public expenditure on education may provide transfers of income to beneficiaries and a public good to society in the form of a better educated electorate. Additional benefits associated with increasing educational levels in the area where the beneficiaries live may include a reduced crime rate and a more efficient labor market as individuals become more aware of their opportunities through education. Clearly not all of these dimensions of the performance of our public education program can be subjected to measurement in terms of dollars. The dollar yardstick for measuring benefits is relevant only when a private market for goods and services does or could exist, or where reasonable proxies for private markets or "shadow prices" can be calculated. Since no private market can evaluate the political value of a better educated electorate, that element of the output of public education programs must be measured in nondollar terms, or must be considered qualitatively. This, as I shall discuss below, has important implications for the evaluation of public expenditures.

Recent evaluation of our manpower programs illustrates how multiple criteria can complicate the task of analysis. It would be easier to evaluate those programs if the criterion for selection of improvement of programs were solely the addition to national income no matter whose income is increased. But it does matter who benefits. For example, analysis of the Manpower Development and Training Act, Institutional Training Program indicates that average net earnings gained by participants in the program are almost triple the per trainee cost. Two-thirds of the recipients are poor and forty percent are under 21 years of age. On the other hand, similar information on the Neighborhood Youth Corps Out-of-School Program suggests that this program increases the average earnings of participants by only 120 percent of the per trainee cost; however, all of the participants are poor and under 21. In order to choose the desired mix of programs or for possible reorientation of each program, a weighting for each criterion—income increases, assistance to poor, assistance to youth—is necessary, but we have no objective social basis for assigning a specific value to a dollar transfer to a poor person relative to a dollar transfer to someone with higher income, or to a young person relative to an older person.

Moreover, the weights attached to each objective will differ for each participant in the decision-making process. A Cabinet Secretary may have different weights for each objective when he makes recommendations to the President than the President may have when he makes recommendations to the Congress, or than each of the substantive committees and appropriations subcommittees have when they make recommendations to the entire Congress. This fact is important for selecting guidelines for benefit estimation and does require measures for a wide range of objectives in order to assist all participants in the decision-making process.

When we are dealing with programs that have provision of public goods or redistribution of income as important obectives, evaluation must take the form of cost-effectiveness analysis rather than cost-benefit analysis. Cost-effectiveness analysis compares the cost of alternative ways of achieving a given obective with output measured in physical, social, or some other nonmarket oriented term. I contrast it with the typical cost-benefit analysis which compares cost and benefits directly in dollar terms.

This distinction has important implications for analysis of public resource allocation. *Unlike cost-benefit analysis, cost-effectiveness analysis does not provide an obvious decision rule for approving or disapproving a specific project or adding to a program*—assuming the use of the national income objective. To choose an obvious example, the meaningless of a dollar value of changes in the strength of our nuclear war deterrence makes it necessary to determine the level of deterrence by the judgment of responsible officials. In the investment of electric power generation, by contrast, there is general acceptance that only projects where dollar

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benefits equal or exceed cost should be undertaken.

The inability to compare the value of additional spending on national security and water resources, or education, or highways, means that formal, quantitative analysis cannot determine the broad priorities among areas of Government spending. Nevertheless, if the principal role of analysis is, as I believe, to assist in choosing efficient ways of achieving public objectives within each of the broad areas of public activity, it has an important role to perform in improving the process by which political, social and economic considerations are combined to determine broad priorities. I believe it can exercise this role by expressing and summarizing more effectively the cost and consequences of alternative resource allocations.

BENEFIT ESTIMATION

Let me turn from the evaluation of public expenditures in general to the estimation of benefits. First, we need a definition of benefit. A reasonable definition can be found in the basic guidance for evaluating water resources projects, Senate Document No. 97:

Benefits: "Increases or gains, net of associated or induced costs, in the value of goods and services which result from conditions with the project, as compared with conditions without the project." (p. 8)

The document explains further that "associated costs" are "the value of goods and services over and above those included in project costs needed to make the immediate products or services of the project available for use or sale." In practice it is used in the evaluation of increases in net farm income resulting from irrigation projects and refers to the cost of additional inputs required to increase farm output. Induced costs are "all uncompensated adverse effects caused by the construction and operation of a program or project, whether tangible or intangible" (whether measured in dollar or nondollar terms). Deterioration in environmental quality resulting from a water resource project can be cited as an example of this type of cost.

This definition of benefits is useful. Whether to include associated and induced costs as a subtraction from benefits or an addition to cost is largely a matter of convention. The effect on the benefit-cost ratio of either alternative usually is very slight, and consistent practice makes the issue somewhat pedantic.

Although our attention is appropriately directed to the difficulties of estimating benefits, cost estimation presents its problems too. This is especially true when measuring costs outside the area of water resources. Accounting systems that have been established for bookkeeping purposes are often of little value for analysis. Moreover, in new areas of public endeavor, such as investment in the Liquid Metal Fast Breeder Reactor, technical and engineering uncertainties are often great, compounding an already difficult problem.

After finding an acceptable concept for benefits and costs, procedures for measuring benefits must be developed, and less is known here. Beyond the area of water resources projects, far less attention has been given to it.

One distinction in measuring benefits is whether or not benefits can be expressed in dollars. Dollar benefits are those gains or benefits which have a counterpart in the private economy which reflect the values of society by the pricing system. Another distinction is one of principal and subsidiary benefits, which merely categorizes those benefits which contribute to accomplishing the main or major objective or objectives of a project and those that contribute to lesser objectives. A third distinction is that of direct and indirect benefits. Direct benefits are those gains or increases which are closely related in a cause and effect relationship with the project. Indirect benefits are more tenuously related. In Senate Document 97 direct and indirect benefits are called primary and secondary benefits.

This leads me to the benefit measurement called national income benefits. To qualify, benefits must be expressible in dollar terms and include both principal and subsidiary benefits and both direct and indirect benefits—net, in practice, of associated and induced costs which can be expressed in dollar terms.

Since national income benefits are expressed in dollar terms, they can be compared with costs to provide a basis for evaluating a project and developing a decision rule. In water resource project evaluation, for example, a benefit-cost ratio based on what is taken to be national income benefits and project costs which is greater than one provides some assurance that society in general will gain more by doing the project than if the resources were consumed elsewhere.

Note, I say some assurance. There is no guarantee that this is always the case. A project with a benefit-cost ratio less than one may still be desirable because nondollar benefits may provide enough additional benefits in the judgment of a decision-maker to make the project worthwhile. Similarly, a project with a benefit-cost ratio greater than one may not be desirable because induced and associated costs were not adequately considered or because project costs were understated. Whether or not such an approach consistently understates or overstates the benefit-cost ratio for water resource projects is a matter of measurement accuracy and comprehensiveness of all estimates, and better project evaluation lies in improving both cost and benefit estimation. Nondollar benefits and costs should be recognized and quantified—and, if feasible, valued in dollar terms—to the greatest extent possible. Reasonable men can certainly agree that the way to improved project evaluation is by improving measurement of total dollar benefits so that they can be compared with total project costs with greater confidence.

One area of possible improvement in national income (total dollar) benefits may lie with what Senate Document 97 calls secondary benefits; that is, indirect benefits. Just what indirect benefits really are from a national standpoint is difficult to establish as a practical matter. However, conceptually it is clear that secondary benefits only arise when the economy does not run smoothly. If the economy is reasonably close to full employment, if labor and capital resources are mobile, and if economies of scale of pertinent commodities generally have been exhausted under competitive conditions, a change in secondary benefits and costs in one region of the country tends to be offset by secondary benefit and cost changes elsewhere in the economy. Therefore, there is no reason for accounting for secondary benefits.

However, if unemployment does occur, if resources are not entirely mobile, and/or if monopoly influences exist, then secondary benefits are present and should be measured and will change the calculation of benefits and costs.

A word of caution is appropriate because the imperfections of the marketplace giving rise to potential secondary benefits change through time, and one should not assume that observable benefits this year will exist three years from now. Also, the mere fact that a public investment project reduces the costs for other investments in its vicinity is not enough to demonstrate secondary benefits; rather, the *differences* between the reduction in cost in this location and a like dollar investment cost in any other location is needed—if positive, then a secondary benefit; if negative, then a secondary disbenefit. As a practical matter, the claim that secondary institutional, physical or social changes caused by a project are not nullified by changes elsewhere in the economy is difficult to prove.

The current degree of accuracy of national income benefit estimates is fortunate. Most decision-makers feel that the objective of securing the greatest dollar return per dollar spent is important. In some projects, it evidently is the sole objective. But in others, nonmonetary benefits and redistributive benefits are also important. Thus, there is a problem of combining measures of diverse objectives. The only way I feel comfortable in doing this is to keep the measurement of each objective separate and not try to mix them. Therefore, I would show the national income benefit with national income cost and then show nonmonetized benefits in whatever physical or social units that are useful such as lives saved, numbers of more informed citizens, scenic beauty preserved, assistance to particular locations or to certain target groups—Appalachia and the poor, the aged, the blind.

Some people contend that one should aggregate all benefits and all objectives by monetary proxies for incommensurables, such as national income benefits, regional income distribution and assistance to Appalachian poor. This, I think, is misleading and does not allow each participant in the decision-making process to weigh the importance of each objective himself.

Also, I feel it is misleading to arbitrarily allocate project or program costs to each measure of different objectives. We frankly do not know how to allocate project costs when a project provides multiple outputs. Until we know we should not dilute the one measure that can appropriately compare national income costs and benefits.

RECENT EFFORTS TO MEASURE BENEFITS

Keeping in mind the diversity and multiplicity of objectives, we have initiated some experimental projects to improve benefit estimation and provide summary measures of the important indicators which are used to justify public assistance.

The first of the interrelated projects, *Program Overviews,* is an effort to display benefits measures related to the major objectives of public policy and to summarize the degree of accuracy of each measure. Where measures are not available and judgment is inadequate to develop even speculative measures, then no measure is recorded. In short, the project summarizes both our knowledge about the benefits of Federal programs and our level of ignorance.

Becaue of the multitude of objectives and thus measures of benefits, we developed definitions and a data format that would display measures of the major objectives decision-makers use. Compromises had to be made, however, to make the project manageable and the presentation of information concise. The attached table for the Manpower Program Overview shows the format that we are currently using, with two examples displayed. The data includes the following:

(a) Federal programs (and relative tax advantage) listed according to closeness of interrelationship with other programs and irrespective of managing agency [Column (1)],

(b) Obligation and expenditure data for each identifiable program for the current or anticipated fiscal year [Columns (2), (3) and (4)],

(c) The unit of output provided by the program and the average output provided beneficiaries [Columns (5) and (6)],

(d) The cost for each unit of output, broken down by major components [Columns (7), (8), (9), (10) and (11)],

(e) The annual national income benefit of the unit of output, where possible [Column (12)],

(f) The net benefit based on addition to national income, where possible [Column (13)],

(g) Benefit-cost ratio, where useful [Column (14)],

(h) Average income maintenance benefit per beneficiary [Column (15)],

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(i) Characteristics of the beneficiaries of each program, by income, age, education attainment level, race, geographic location—both size of community [Columns (16), (17), (18), (19) and (20)] and region of country (shown on another format), and

(j) Judgment as to the flexibility of redirecting the program to other beneficiaries [Column (21)].

The data is identified as to its accuracy by the use of parentheses; no parenthesis indicates the estimate is based upon a high probability of accuracy; a double parenthesis indicates a very low probability of accuracy. In addition, each data presentation is accompanied with a description of sources and estimation methodology.

Two examples are given: Manpower Development and Training Act (MDTA), Institutional Training Program and the Neighborhood Youth Corps (NYC), Out-of-School Program. The 1970 budget request contemplates that the NYC program will spend $102 million, which will provide 34,000 man-years of training; however, the average duration in the program per trainee is 20 weeks. The Federal Government spends $950 for allowance and subsistence (income maintenance) and $300 for other expenditures for a total cost of $1,100.

Although the benefits are uncertain, available data indicate that the annual salary increase is $190 per year. If the differential continues for 10 years, the present value of the net benefit is $775 (10 percent discount rate), and provides a benefit-cost ratio of 1:7.

The characteristics of the trainees are: 97 percent from poor households, 100 percent under the age of 21, 93 percent with less than a high school education, 50 percent Negro, 28 percent live in the central city of a city over 500,000, 8 percent in the suburbs of cities over 500,000, 16 percent from smaller cities, and 48 percent from rural areas.

A similar format is used for each Program Overview so that the relative achievement of objectives across programs can be compared. For example, assistance to the aged could be observed in manpower, health, transportation, natural resources and other program areas, even though other objectives that are measured are not commensurable, such as days of health care vs. days of manpower training vs. lane miles of road vs. military airlift capacity.

Although the analysis is far from complete, some observations can be made. First, more precise definition of terms is needed. Variations in definitions of data can be misleading. Second, relatively few studies have measured or attempted to measure all the benefits or for that matter all of the costs of individual Federal programs. In order to obtain estimates, judgment from fragmented information has to be employed. Third, for large areas of Federal expenditures, not even fragmented data upon which to base benefit estimates are available. Fourth, program managers often are reluctant to develop this information because they feel that their role in the decision-making process will be diminished. Fifth, the information systems in the Federal Government are not geared to provide benefit data useful for setting priorities and decision-making. Rather, almost without exception, the data are for financial control, and even here inadequacy exists. Yet less relevant data are abundant.

Two other related projects are being attempted on an even more experimental and crude basis than the Program Overview Project. The first of these is the Social Achievement Indicators Project, which is intended to relate public expenditure to the indicators of social condition. In the case of manpower training programs, for example, unemployment and underemployment information would be displayed in a format which is similar to the impact measures presented in the Program Overviews: by income levels, age, race and location. Also, we are attempting to determine in a very crude but hopefully useful way the short- and long-run impact of current levels of social commitment and other social forces on these indicators.

The second related effort, again on an experimental basis, is intended to display both Federal program benefits (Program Overview information) and social conditions (Social Achievement Indicators) by selected regions of the country and Standard Metropolitan Statistical Areas. A case study of each is being attempted now. Obviously these are ambitious projects, but even small and partial successes can make the attempt worthwhile.

Guidelines for estimating benefits

To sum up, the evaluation of public investments is complex and raises serious conceptual and measurement problems. Nevertheless, analysis of benefits and costs does help identify better ways to allocate public resources. Recent experience with the Program Overview Project has affirmed the usefulness of better benefit estimating and the paucity of good measurements at the present time.

A desirable program for the future would:

(1) Encourage improved measurement of national income benefits and costs;

(2) Require separate estimates and displays of nonmonetary benefits and nonmonetary costs;

(3) Provide benefit estimates for the major objectives that the decision-makers consider important, such as is being attempted in the experimental Program Overview Project.

I believe that we have been and will continue to move toward these goals and that their attainment will produce significant improvement in the analysis of Government investment programs. In the coming months, the Bureau of the Budget will be continuing its work in cooperation with the Federal agencies and departments to improve benefit estimation.

MANPOWER PROGRAM DATA [1]

						Participant unit cost					Benefit values			
Program (agency)	NOA ($M) 1970 estimate	Exp. ($M) 1970 estimate	Built-in growth to 1973 [3] ($M)	Man-years 1970 estimate	Average duration (weeks)	Allowance and subsistence	Other	Total Government [4]	Private [5]	Total	Trainees' average annual wage gain [6]	Add to net national income [7]	Benefit-cost ratio [8]	Income transfer [9]
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	(15)
On-the-job training	596	398		180										
MDTA regular (Labor)	64	66		37	20									
JOBS (labor/OEO)	438	256		89	24									
JOBS (Labor)	50	33		11	24									
Veterans OJT (VAO)	40	40		42	21									
Indian OJT (Interior)	4	4		1	15									
Institutional training	440	455		90										
MDTA	229	240	240	60	18	780	650	1,430	((170)	1,600	((700)	((3,097)	((2.9)	(780)
Job Corps	180	188		22	24									
Indian training	31	27		8	36									
Work support	337	334		174										
NYC out-of-school (Labor)	103	102	102	34	20	825	275	1,100	((0)	1,100	((190)	((775)	((1.7)	(825)
NYC in-school (Labor)	62	62		73	(28)									
NYC Summer (Labor)	121	120		53	(8)									
Operation Mainstream (Labor)	41	41		10	34									
Foster grandparents (HEW)	9	9		4	42									
Comprehensive	896	837		682										
Vocational rehabilitation (HEW)	500	460		497	53									
Veterans' vocational rehabilitation (VA)	38	38		12	24									
Work incentive (HEW)	130	148		135	(36)									
CEP (Labor/OEO)	209	178		35	(16)									
Title V MDTA	20	13		3	18									
Labor Market adjustment	459	459												
Employment Service (Labor)	373	373												
CAP manpower	17	16												
Equal employment opportunity (EEOC)	16	15												
Project Transition	18	18												
Indian mobility	8	10												
Project 100,000	27	27												

See footnotes at end of table.

MANPOWER PROGRAM DATA [1]—Continued

Program (agency)	NOA [2] ($M) 1970 estimate	Exp. [2] ($M) 1970 estimate	Built-in growth to 1973 [3] ($M)	Man-years 1970 estimate	Average duration (weeks)	Participant unit cost					Benefit values			
						Allowance and subsistence	Other	Total Government [4]	Private [5]	Total	Trainees' average annual wage gain [6]	Add to net national Income [7]	Benefit-cost ratio [8]	Income transfer [9]
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	(1)
Research and development	23	24												
Other, including overall administration	76	75												
Total	2,828	2,582		1,126										
National distribution														

Program (agency)	Enrollee characteristics (percent)															Redirection potential [12]
	Household income [10]			Age 21—			Education			Race		Location [11]				
												500K		Other		
	−3,500	3,500–10,000	10,000+	21	55	55+	−8	55	12+	W	NW	CC	Sub	Urb	Rural	
		(16)			(17)			(18)		(19)			(20)			(21)
On-the-job training																
MDTA regular (Labor)																
JOBS (Labor/OEO)																
JOBS (Labor)																
Veteran's OJT (VAO)																
Indian OJT (Interior)																
Institutional training	65	35	0	40	58	2	11	53	36	50	50	(46	26	18	10)	5
MDTA																
Job corps																
Indian training																
Work support	97	3	0	100	0	0	12	81	7	50	50	(28	8	16	48)	7
NYC out-of-school (Labor)																
NYC in-school (Labor)																
NYC summer (Labor)																
Operation mainstream (Labor)																
Foster grandparents (HEW)																
Comprehensive																
Vocational rehabilitation (HEW)																
Veteran's vocational rehabilitation (VA)																
Work incentive (HEW)																
CEP (Labor/OEO)																
Title V MDTA																
Labor market adjustment																
Employment Service (Labor)																
CAP manpower																
Equal employment opportunity (EEOC)																
Project transition																
Indian mobility																
Project 100,000																
Research and development																
Other, including overall administration																
Total																
National distribution	21	49	30	41	41	18				8/8	12	22	21	27	30	

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[1] Parentheses indicate estimates are tenuous. Double parentheses indicate estimates have high potential range of error.

[2] Contained in revised 1970 budget request as of May 9, 1969.

[3] Expenditure level in fiscal year 1973 necessary to fund program on an annual basis under current program levels and policies.

[4] Includes Federal, State, and local.

[5] Usually measures enrollees' foregone earnings net of allowances; for on-the-job training measures employers' costs.

[6] Estimated value of average increase in annual earnings as a result of participating in the program.

[7] Benefits to net national income is net value of benefits; specifically, (a) discounted value of future earnings increase + (b) value of work performed − (c) economic costs.

[8] B/C denotes efficiency benefit cost ratio, specifically (a) present discounted value of enrollees annual wage gain (discounted over 10 years at 10 percent + (b) value of work performed ÷ (c social costs, including enrollees' foregone earnings.

[9] Value of cash or in-kind consumption items per participant while engaged in program.

[10] −3,500 denotes in poverty category; 3,500–10,000 denotes family income between poverty and $10,000.

[11] 500K CC denotes central city of SMSA with 500,000 population or more; 500K Sub denotes corresponding suburbs; other urban denotes all other urban areas; rural denotes all areas with less than 2,500 population.

[12] Index of potential for redirection of program to specified target groups on scale of 1 to 10. Programs with low potential for redirection (formula grant programs) would be rated low, while those with high potential (operated directly by Federal Government) would receive high rating.

A GREAT YOUNG AMERICAN—BORN IN KOREA

Mr. MUNDT. Mr. President, 1 week ago last night, in the Mayflower Hotel of our National Capital, a remarkable awards banquet was held under the auspices of nationally famed Freedoms Foundation of Valley Forge.

Honored for distinguished service to cause and country at this banquet were the following outstanding Americans:

Former Senator Albert W. Hawkes, of New Jersey.

Dr. Frederick Brown Harris, recently retired Chaplain of the Senate.

Adm. Arthur W. Radford.

Adm. Arleigh A. Burke.

Gen. Bruce C. Clarke.

I ask unanimous consent that the program for the awards banquet be printed in the RECORD at this point in my remarks.

There being no objection, the program was ordered to be printed in the RECORD, as follows:

Master of Ceremonies: Howard H. Callaway.

Advancement of Colors: Knights of Denamic, Boy Scouts of America.

Pledge of Allegiance: Geno Meth, Medal of Honor holder.

National Anthem.

Invocation: Rev. Edward Gardiner Latch, Chaplain of the House of Representatives.

Dinner.

Introduction of Special Guests: Dr. Kenneth D. Wells, President, Freedoms Foundation at Valley Forge.

A Choral Salute: The College of William & Mary Choir, Williamsburg, Va., Dr. Carl A. Fehr, Director.

General Washington's Prayer for our Country: Msgr. Patrick J. Ryan, Major General, U.S. Army (Ret.).

General Eisenhower's Inaugural Prayer: Rabbi Harry Silverstone, Past President, Washington Board of Rabbis.

Salute to Dwight David Eisenhower: Honorable Gordon Allott, U.S. Senate.

Introduction of honored guests.

Hon. Albert W. Hawkes—Honorable Karl E. Mundt, U.S. Senate.

Dr. Frederick Brown Harris—Honorable Barry Goldwater, U.S. Senate.

Adm. Arthur W. Radford—John C. Broger, Director, Office of Information for Armed Forces, Department of Defense.

Adm. Arleigh A. Burke.—Frank Gard Jameson, Former President, Navy League of the U.S.

Gen. Bruce C. Clarke.—1st Lt. Link S. White, U.S.A.R.

Benediction: Rev. Edward L. R. Elson, Chaplain of the Senate.

Retirement of colors.

Headtable flowers courtesy Florists' Transworld Delivery.

THE AMERICAN WAY OF LIFE

To personally understand and maintain the American Way of Life, to honor it by his own exemplary conduct, and to pass it intact to succeeding generations is the responsibility of every true American.

Fundamental belief in God.

Constitutional government designed to serve the people.

Political and economic rights which protect the dignity and freedom of the individual:

Right to worship God in one's own way.

Right to free speech and press.

Right to peaceably assemble.

Right to petition for redress of grievances.

Right to privacy in our homes.

Right of habeas corpus—no excessive bail.

Right to trial by jury—innocent until proved guilty.

Right to move about freely at home and abroad.

Right to own private property.

Right to free elections and personal secret ballot.

Right to work in callings and localities of our choice.

Right to bargain with our employers and employees.

Right to go into business, compete, make a profit.

Right to bargain for goods and services in a free market.

Right to contract about our affairs.

Right to the service of government as a protector and referee.

Right to freedom from arbitrary government regulation and control.

Mr. MUNDT. Mr. President, I wish that I had copies of all of the speeches made in tribute to these great living Americans as well as of the significant and inspiring responses made by the honorees. Unfortunately, most of the statements in both instances were extemporaneous in nature and copies are not presently available, although it is to be hoped that under the always competent and careful administration of Dr. Kenneth D. Wells, the distinguished and able president of Freedoms Foundation, a reproduction of these proceedings will eventually be printed in booklet form and be made available to all interested citizens.

I was fortunate, however, to receive from General Clarke a typewritten version of a highly moving and significant tribute which he paid to a most unusual and outstanding young officer in the American Army—a young Korean orphan who at the tender age of 10 attached himself to our American forces in Korea. The process by which his association led him to become an American citizen and to work his way up to the rank of first lieutenant in the U.S. Army Reserve is a most inspiring American epic.

I ask unanimous consent that this unusual story as told by General Clarke be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

A GREAT YOUNG AMERICAN

(By Gen. Bruce C. Clarke, USA, retired)

When the United Nations Armies recoiled from the Yalu River in the Korean War they brought back with them many thousands of North Koreans who did not again want to live under Communism.

One of them was a ten year old boy who for two years had been the sole support of his family. His name was Chiisi (Cheesy). Let's follow Chiisi for the next eighteen years.

Chiisi obtained work in the X U.S. Corps General's Mess as a handy mess boy. He worked also in the N.C.O. Mess. His pay was food and a place to sleep and such tips as the officers and NCO's gave him—this money he very carefully saved.

I began the X Corps Commander, located in central Korea at Kwandari, in December 1953. I met and took a liking to Chiisi. I had a couple of boys at home who were about Chiisi's age.

Later I left this assignment and Chiisi.

Subsequently I learned that a Sergeant White had brought Chiisi home with him, adopted him, sent him to school and then to Muhlenberg College in Allentown, Pennsylvania.

Sergeant White subsequently died. Chiisi was broken up. Under his adopted name: Link S. White, he enlisted in the United States Army. He was selected for officer candidate school and graduated with a commission as 2nd Lt., U.S.A. Res. and was sent to Vietnam in 1967.

In February 1968 I was visiting the troops in Vietnam at the request of General Westmoreland. While visiting in the Delta, a smart young 1st Lieutenant came up to me, saluted, and said "Do you remember Chiisi?" I cannot adequately describe my reaction at our reunion after fourteen years.

Chiisi finished his Army tour with credit and returned to Muhlenberg College, where today (May 1969) he is a Junior. He will graduate in the Class of 1970.

This is the story of a young boy from behind the Bamboo Curtain who by work, determination, and devotion sought and found a better way of life than under Communism. He has served his new country well, both in peace and in war. He is a proud American citizen. He is appreciative of what America has to offer and will continue as a good citizen in his new homeland. We need more of such in our country today.

AN INCIDENT IN CHIISI'S YOUNG LIFE

The Army in Korea was paid in Military Payment Certificates (MPC's) which was paper money. From time to time a new issue was printed in a different color. Then everyone had a few days to convert to the new bills before the old ones became worthless. Korean civilians were not supposed to have MPC's. All of this was for the purpose of reducing the Black Market in Korea.

Chiisi received tips in MPC's which he very carefully kept buried in a tin coffee can. One day he came to me with his life savings in his hand, all in old MPC's. They were of the then obsolete color. He had been wiped out. He had not gotten the word of the change. I was distressed. I asked him to give them to me. The next time I went to the 8th Army Headquarters in Seoul I took them along. Before I left Seoul I had persuaded the 8th Army Finance Section to change the old MPC's for new and Chiisi's life time savings were restored.

PROPOSED CONSOLIDATION OF FEDERAL REGIONAL OFFICES

Mr. GORE. Mr. President, the Nixon administration has been widely heralded for its "businesslike" approach to problems. Apologists for the administration would have us believe that the country will no longer be plagued by wasteful and inefficient Government expenditures, that Defense Department cost overruns will be a thing of the past, that mistakes in judgment no longer have relevancy.

I have questioned some of these assumptions with respect to important matters such as the ABM issue. I would like now to raise some questions about a matter which might be adjudged minor by some.

Some 6 or 8 weeks ago, it was announced that a number of regional offices of various departments and agencies would be closed, consolidated, or moved. Among the offices affected was a regional office of the Department of Labor which was to be moved from Nashville, Tenn., to Atlanta, Ga. There had been no indication whatsoever, so far as I knew, that this office had not been operated efficiently, that costs had been excessive, or that its personnel had failed to render proper service to the public. I, therefore, wrote to the Secretary of Labor to ask a few questions concerning the reasons for moving this office.

I ask unanimous consent that a copy of my letter to the Secretary, dated April 2, 1969, be printed at this point in the Record.

There being no objection, the letter was ordered to be printed in the Record, as follows:

April 2, 1969.

Hon. George P. Shultz,
Secretary, Department of Labor,
Washington, D.C.

Dear Mr. Secretary: As you know, a regional office of the Department of Labor located at Nashville, Tennessee, has been recently ordered to transfer to Atlanta, Georgia. So far as I am aware, this office has functioned efficiently and economically, and I protest its transfer.

I expect to join with other Senators in an effort to take effective action to prevent the consolidation of all regional federal offices in a few key cities. Government ought to be brought close to the people rather than forcing those who would do business with federal government agencies to go to Washington or to some other distant city.

I would appreciate your furnishing me a report at your earliest convenience to include the following:

1. studies showing the need for moving this office from Nashville to Atlanta;
2. relative costs of operating this office in Nashville and Atlanta;
3. the cost of moving this office from Nashville to Atlanta;
4. disposition of the space now occupied by this office in Nashville; and
5. location of this office in Atlanta together with type of space to be occupied and cost thereof.

Unless it can be shown that sizable savings can be realized by the government by moving this office, I can see no justification for forcing those citizens and taxpayers who have heretofore had occasion to deal with personnel in this office to go to Atlanta to transact business.

I shall look forward to an early reply to this letter.

Sincerely yours,

Albert Gore.

Mr. GORE. Mr. President, the questions I raised were simple ones, and the answers had to be known to whatever official made the decision to move this office—that is, if the decision was really made on rational and businesslike grounds.

Within a few days I received an acknowledgment from an Assistant Secretary advising me that the report I had requested would be sent "as soon as possible." I was a bit disturbed and somewhat shaken in my faith in the businesslike approach to problems purportedly to be taken by the Nixon administration, however, by the statement to the effect that "work is underway" on the report I had requested.

I ask unanimous consent that the letter from Mr. Werts be printed at this point in the Record.

There being no objection, the letter was ordered to be printed in the Record, as follows:

U.S. Department of Labor,
Washington, D.C., April 9, 1969.

Hon. Albert Gore,
U.S. Senate,
Washington, D.C.

Dear Senator Gore: This will acknowledge receipt of your letter to Secretary Shultz of April 2, 1969, concerning the relocation of regional offices from Nashville to Atlanta.

Work is underway on the report you asked for and the report will be sent to you as soon as possible.

Sincerely,

Leo R. Werts,
Assistant Secretary for Administration.

Mr. GORE. Mr. President, not having received anything further by April 25, I again wrote to Secretary Shultz. I pointed out to him that the information I had requested must have been available prior to his reaching a decision to move this office. Frankly, I was getting a bit irritated that some underling was just sitting on the compilation of cost figures and comparative data on which I knew the Secretary, or someone, must have relied in making the decision to move this office to Atlanta.

I ask unanimous consent that my letter of April 25 be printed at this point in the Record.

There being no objection, the letter was ordered to be printed in the Record, as follows:

April 25, 1969.

Hon. George P. Shultz,
The Secretary, Department of Labor,
Washington, D.C.

Dear Mr. Secretary: On April 2, I wrote to you concerning the announced removal of the Nashville, Tennessee regional office of the Department of Labor to Atlanta. In that letter I raised certain points which I felt should be clarified.

On April 9, I received a letter from Mr. Leo R. Werts, Assistant Secretary for Administration. This letter stated that work is under way "on the report you asked for". I have not yet received this report. It appears to me that the information I have requested must have been available to you prior to your making the decision to move this office. I do not see how you could have made the decision to move the office without having this information available.

I would appreciate an early and substantive reply to my letter of April 2.

Sincerely yours,

Albert Gore.

Mr. GORE. Mr. President, I still have not received a substantive reply to my letter of April 2.

I am now getting just a little bit suspicious that there is, in fact, no good, businesslike, reason for moving this office. And this suspicion, in turn, carries over into other areas. What about the announced closing of several Job Corps centers? What about changes in procurement practices? What about the ABM?

Does the administration really have good and valid reasons for doing what it is doing? Does it really know why it is proposing what it is proposing? Can it really build an ABM system which will accomplish what it is intended to accomplish for the price which has been quoted?

Of course, on this latter point, the administration is already fudging. The nuclear components were not included in the announced cost of the package. Secretary Packard, despite his flat assurance to the contrary, has begun procurement with funds already voted for another system. Is this partially to hide costs? I know these are ugly questions, and I should not ask them.

Could one of my Republican colleagues help me get an answer from Secretary Shultz about my relatively small problem concerning the move of a Labor Department regional office from Nashville to Atlanta?

DUE PROCESS OF LAW

Mr. HART. Mr. President, to define "due process of law" and make clear its central role in a lawful society has challenged thoughtful writers for centuries. That challenge has never been met more successfully than by William T. Gossett, who honors the profession of law by serving currently the American Bar Association as its president.

It is not from parochial pride, although Mr. Gossett is a valued resident of Michigan, that I ask to have printed in the Record the "President's Page," written by Mr. Gossett for the American Bar Association Journal for May; rather, I ask unanimous consent that this brief but compelling article be printed at the conclusion of my remarks so that it may be read and always available to each Member of Congress and, hopefully, to students and leaders across the land.

There being no objection, the article was ordered to be printed in the Record, as follows:

President's Page

(By William T. Gossett)

Several years ago, a distinguished Pennsylvania judge, Curtis Bok, made a simple but profound statement: "In the whole history of law and order, the longest step forward was taken by primitive man, when, as if by common consent, the tribe sat down in a circle and allowed one man to speak at a time. An accused who is shouted down has no rights whatever. Unless people have an instinct for procedure, this conception of basic human rights is a waste of effort, and whenever we see a negation of those rights it can be traced to a lack, an inadequacy, or a violation of procedure."

We of the legal profession long ago developed a term that epitomizes the ancient custom of allowing one person to speak at a time, of allowing the accused to speak without being shouted down. We call it "due process of law". Due process represents procedural decency and fairness. It came down to us from Magna Charta, through the common law, and it is embedded in our Constitution.

In the language of the Supreme Court: "[Due process] is the primary and indispensable foundation of individual freedom. It is the basic and essential term in the social compact which defines the rights of the individual and delimits the powers which the state may exercise."

There are many areas of life today that demand a sharpened sense of due process from us. Equal access to the law is one. A person without legal advice because he cannot afford it is deprived of due process by that fact alone. Unpopular people and those serving unpopular causes can be and often are deprived of due process by that fact alone. An accused who is detained in ignorance of his rights, or denied a prompt and fair hearing, or subjected to public and extrajudicial abuse and denigration by a public prosecutor while awaiting trial may be deprived of due process by that fact alone.

The essential ingredient of the truly lawful society—equal access to and equal protection of the law for all men—is not theoretical but wholly practical. This means simply that neither poverty nor ignorance nor unpopularity nor bias nor even clear evidence of guilt shall deprive anyone of due process, of the right to be heard and of the right to counsel.

People in positions of authority, especially, must be sensitive to and well instructed in the right of every individual to due process. Public administrators, government agencies, public prosecutors and police officers should understand the doctrine and respect it as the very cornerstone of our society, without which all the rest of our legal structure would come crashing down. And it should be a constant part of our professional mission to remind our fellow citizens that however emotional the atmosphere and however provocative the occasion, not only the accused person but also all society suffers if we yield to the temptation to take short cuts in affording individual rights.

If lawyers are crusaders at all, as they must be, they are first and foremost crusaders for due process. If lawyers are public teachers, as they must be, they have a continuing responsibility to enlighten the public about the necessity and utility of decency and fairness in the law's attitude and in the conduct of public officials toward the individual and his fundamental rights.

Indeed, the lawyer's continuing obligation to defend and support due process goes beyond his professional functions and his duty as an officer of the court. It reaches to the very core of his character and of his convictions. Even if every other individual and institution in our society should forget or subvert due process, the lawyer—alone if necessary, defiant if challenged, resolute if discouraged—should never yield on the right of any man to the benefits of due process.

If we are to promote trust in the lawful society as the straightest and broadest avenue to a better society, we must be skillful in employing to that end all the machinery of the law—from its application by the city policeman to its codification of economic morality. Let us remember that in the first place laws were instituted among men intent on a lawful society for the common good of all men—not just the most, not just the strongest and not just the uncomplaining.

If the long processes of history, a society based upon due process of law has been the

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perpetual vision of men of good will. Through all the trials and conflicts of history a just society has done most to illumine that vision. Let us in our time—when the challenge is hardest and the stress greatest—bring it to fuller realization.

CONFIDENTIAL FILES—WHAT THEY KNOW ABOUT YOU

Mr. PROXMIRE. Mr. President, recently the National Broadcasting Co., aired a comprehensive radio report on the growing problem of confidential files on individuals and the protection of the individual's right to privacy. One aspect of the privacy problem is exemplified by credit bureaus and credit reporting agencies. Not many Americans realize that the credit bureaus of our country contain files on 110 million Americans and that last year they issued 97 million credit reports.

One firm alone, the Retail Credit Co., based in Atlanta, Ga., has 1,800 offices throughout the country and maintains files on 45 million people.

Mr. President, on Monday, May 19, my Subcommittee on Financial Institutions of the Senate Banking and Currency Committee will begin 1 week of hearings on the Fair Credit Reporting Act which is intended to protect consumers against arbitrary or inaccurate credit information. Thus, the excellent report by NBC radio is extremely timely. I ask unanimous consent that the transcript from the program be printed in the Record.

There being no objection, the transcript was ordered to be printed in the Record, as follows:

Second Sunday: Confidential Files—What They Know About You

(Radio report by National Broadcasting Co.)

(Noises.)

Man. How many people do you have information on?

Man. In our Los Angeles data bank we have credit information on approximately thirteen million individuals. And we also have information on a like number in our New York data center, which will be increased by about two million credit histories when our Detroit operation goes onstream next month. The Detroit area will be served by a satellite computer in Detroit which will access the data stored in New York. We expect that in the next five years we will approximately double the number of individuals whose records appear in our data banks.

(Music.)

Announcer. This is Second Sunday, the NBC award-winning series of radio documentaries concerned with the problems of these difficult times. Tonight, Second Sunday takes a look at what computers know about you, the remarkable story of where you are on file. Here now with "Confidential Files—What They Know About You" is Edwin Newman.

Edwin Newman. Good evening. Most of us are vaguely aware that someone somewhere has information on file about us. It is no surprise that much is known by such information-hungry federal agencies as the Internal Revenue Service, Social Security, and the Census Bureau. Many of us also may be found in the files of the FBI or state or local police agencies. Several million Americans might be startled to discover, if they could, that much information about them is in the files of the super-secret Central Intelligence Agency. Military records concerning millions upon millions of Americans are kept at the Pentagon and by the Veterans Administration.

What is perhaps slightly more startling than our personal statistics with government agencies is the voluminous information on file in a non-governmental institutions. If we have ever applied for a bank loan or bought an automobile on time or obtained a credit card or charged a dress or a shirt at a department store, personal data records, sometimes in almost shocking detail, are available about us with credit agencies, those purveyors of information who tell businessmen about the credit rating of their customers. Life insurance companies and automobile insurance companies also have a great deal of information about us. So, too, do our employers, past and present.

To paraphrase a fine Churchillian observation, "Never in human history have so many known so much about the citizenry of an entire nation." Now in the light of this, there are certain questions which must be asked. How accurate are these voluminous files? Who has access to them? What use is made of them? If we accept that government files are reasonably well-maintained and with some safeguards, how about the tremendous knowledge that is available through credit agencies? What makes this moment for questioning even more pertinent is the awesome, ubiquitous, almost frightening symbol of tomorrow, the computer.

For files are no longer kept on a card in a drawer. Now files are magnetic symbols, and the primitive era when a clerk had to spend hours looking up information on you or me has disappeared. Today every bit of information about us in the memory bank of a credit agency computer can be retrieved in a second or two. It can be made available almost instantly to other computers located anywhere in the nation. And the data information age is barely beginning.

We opened our search into the proliferation of information files in Washington. Peter Hackes of NBC News asked Senator William Proxmire, who has long been concerned with credit agency operations, how big a problem they pose.

Senator William Proxmire. We're talking about a problem that affects one hundred and ten million Americans. That means it affects the overwhelming majority of adults in this country. There's one firm that has forty-five million people in its files. That is, it has credit reports on forty-five million people. There's another firm that's adding fifty thousand people a day, so they say if you haven't heard of these firms, chances are that these firms have heard of you. It's very, very widespread, and I think on the basis of everything we've seen and heard that the abuses in this field are widespread too.

Peter Hackes. Now, what are some of the abuses that have come to your attention?

Proxmire. There are a number of problems that are involved here. In the first place, the information the credit bureau has may not be accurate. In a number of cases, we've found that it's not accurate. In other cases, it's not relevant, and it's the kind of information that can be very harmful to a person's reputation and to his prospects, not only of getting credit, or getting insurance, but actually holding onto his job. And, in the third place, that information is not kept confidential, at least as much as it should be.

Hackes. Well, Senator, what's the answer to this whole problem? Do you abolish the credit reference bureaus?

Proxmire. Oh, absolutely not. I think that these credit bureaus are performing an essential purpose, really important purpose. I think we have to recognize what's happened to this country in the last few years. In 1946 all consumer credit was only five billion dollars. Today it's one hundred and ten billion dollars—22 times bigger in 23 years. Now, consumer credit relies on the credit worthiness of the people who get the credit. So their credit worthiness has to be checked out and should be. Some of these firms—in fact, I'd say most of them are doing a fine job. They're doing the kind of things that we think should be done. We don't think they should be abolished. We think that they should be reinforced, but we think that there are certain acts which the government should require them to take which would protect the consumer without adversely affecting them.

Number one, we feel very strongly that a person should be notified in the event adverse information is being put into his or her credit file so that he or she could come down and have a chance to make the correction. I think that this is a very, very important improvement, and without that kind of improvement it seems to me it would be very hard to get at what is really the heart of this kind of difficulty. Then, in addition to that, we feel that the irrelevant information—information that has nothing to do with credit worthiness—it doesn't matter what a person's morals, whether they drink. What does that have to do with whether they should have credit? If they have had a good credit record, if they have a steady job and so forth, this is the kind of information that's pertinent. So it ought to be pertinent. Then, also, the information ought to be provided only for the purpose for which it was derived. If a person applies for credit, and they make a credit investigation, they certainly shouldn't provide it to everybody else. We have one example, for instance, of a Columbia University professor who, in order to determine what he could get, decided he'd ask a credit bureau about a secretary who worked for him.

Newman. Professor Alan Weston, who teaches public law at Columbia University, described that experience himself.

Alan Weston. Most people, when they think about the information they give to credit sources, think that it's used only for credit, and the credit industry often has at the bottom of its forms a printed statement, assuming you ever get to see those, which says that this information is collected only for credit purposes and should only be so used. The fact of the matter, though, is that many, many of the local credit bureaus not only give out credit information but they're also employee investigating firms, and they give both services to their clients. And I had an experience myself in which I wanted to test this out. I wrote to the particular credit bureau—it's the Greater New York Credit Bureau—and said that I was considering promoting an employee in a center that I directed—Columbia University—and this would be a responsible job and I'd like to find out more about this individual. There was no credit purpose mentioned whatever. This individual had not said anything. I didn't indicate the employee had consented in any way. In fact, privately, the girl who was participating in the experiment said she had no objection. She gave me the permission to collect the information.

Within a day I received back a full credit report on her and in addition, it was suggested that if I wanted more they'd be glad to do interviews and check upon her and so on. Now, this was offered to me, I'm sure, from what's been said afterwards, as a kind of a—it must have been a good purpose I had in mind, Columbia University wouldn't misuse information, this was obviously an employee of mine, and so on. But the fact was that I had gone to a credit bureau, and I had gotten employee information. Id gotten it without the person about whom the information was collected having consented and without my having verified the purpose for which I wanted it. And so, realistically, as a professor at Columbia University, I suppose I could have gotten a similar report on any one of the 17,500 students or the 5,000 faculty at that university.

Newman. The information available to credit agencies and what they do with it is

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not only a matter of federal concern but has begun to create a sense of disquiet in several states. In Illinois, for example, the state legislature has before it a bill to investigate credit agencies. State Representative Robert Owler described the measure to Ted Smart of NBC News, Chicago.

Robert Owler. Basically, the Credit Commission Bill which Representative Walker has introduced this session is designed, rather than being a piecemeal attempt to answer some of the problems in the credit reporting area, it's designed to establish a commission to study the area in detail, have some hearings, let both sides testify as to how legislation might better answer some of their problems. The primary impetus for this whole piece of legislation was the Senate hearings by Senator Proxmire and others which interested Representative Walker around the first of the year to the point where, when I was in Washington for the Inauguration, he had me go over in some detail the hearings which they had had.

We're quite interested in making sure that every credit consumer—in other words, virtually everyone in the state—has the right to go into his credit bureau and find out precisely what rumors or what actual facts are being circulated about him and that he has the right to answer charges which are untrue or which do not properly represent the state of his credit. Things such as divorced wives we find occasionally are dunned for the bills of the husband, who has not been married to them for some time. Or people who have had a long, lingering illness in the family find that their credit is impaired without having any explanation furnished to the new creditor at the time when they make an application for credit where, let's say, Sears and Roebuck, for example, might be understanding about a person with a bad credit reputation if they had known the reason for accumulating that bad record in the past and knowing it's just not a peculiarity of the person.

As a personal matter, I have attempted to find out as much as I could about this by allowing a great many of my own personal obligations in the nature of oil company credit card bills to lapse and have attempted to see precisely how they go about collecting these things, whether it's an actual computed operation or whether there are human beings involved in the thing. And for six months now, I have not heard from a human being. I have corresponded with a number of computers about these matters, but I've never yet heard a human being's voice with regard to any bill I owed.

Now, I could see how the average person would become very confused and very disillusioned with the possibility of setting straight an error regarding his credit if the thing is as computerized as it purports to be.

(Music.)

Newman. Since personal credit files are now embedded in the blinking electronic brain of computers, Dean Mell of NBC News, New York, travelled to Cherry Hill, New Jersey, and talked with A. D. Beard, the chief engineer of the RCA computer division about what computers can do with information.

Dean Mell. Mr. Beard what kinds of information on people can be computerized?

A. D. Beard. I would say that any kind of information which you can put down on paper or with a typewriter into someone's file folder, for instance, certainly can be put into a computer system.

Mell. Does it have to be information that has a yes-no, either-or sort of alternative? Can it deal with subtleties and information or subtleties in character?

Beard. It can deal with anything which can be expressed in the English language, for instance, and reduced to writing.

Mell. Mr. Beard, can computers talk to other computers?

Beard. In a sense, they can. They can transfer information from one computer to another. They can transfer the records of say an individual that's stored in one computer system's memory banks to another computer system's memory banks. A very common type of compatibility which exists today is in the form of how data is stored on magnetic tapes. Many systems today can exchange the magnetic tape records from one computer system to another.

Mell. Mr. Beard, where are we going with this whole system of taking scraps of information about people—the information that can be gleaned from a credit card application? There is information in there that describes an individual—his tastes, his likes, his dislikes, his socio-economic bracket. Are we getting to a point where all of this information can somehow be collated so that if I wanted to know about John Doe from the time he was born to the time he dies, all I'd have to do is punch a button.

Beard. Well, that is conceptually possible with the computer hardware that exists today, but whether or not it would be economically practical for someone to put together all of the data that is required—because it will take manual preparation, the data—putting it into the system, requiring computer hours, which cost money, and it's very difficult for me to visualize any industry or even the government wanting to go through such an enormous task for whatever end purpose there might be in mind. So what you say is, it is possible, but I consider it to be a very improbable sort of situation.

Newman. On the eighth floor of 30 Rockefeller Plaza, in a room which looks as though it belongs to the 21st century, Leonard Probst of NBC News looked into the question of what computer operators themselves have been told about legal restrictions, if any exist, on the use of computers in the information field. As a giant RCA Spectra 70 hummed away, solving problems for clients from Florida to Washington, Probst spoke with James Tucker.

Leonard Probst. Mr. Tucker, are there any legal restrictions as to what you can program into a computer or the information it will give out?

James Tucker. No. It can print anything, it can calculate anything, it can keep records of anything. So computers of themselves are machines that have no morality; they're amoral.

Probst. How about the people who run the computers? Are they restricted in any legal way?

Tucker. Well, there is no restriction at all.

(Music.)

Newman. Two of the giant credit agencies in the nation are Credit Data Corporation and the Retail Credit Company. In San Francisco, Robert Lazich of NBC News spoke about credit information with Dr. H. C. Jordan, head of Credit Data.

Robert Lazich. Could you describe for us the mechanics of Credit Data Corporation?

H. C. Jordan. Well, Credit Data Corporation operates a pooled bank of credit information for the exclusive use of credit granters who supply the information to it. This information consists of factual data on the credit performance of individuals supplemented by public record information. A condition of subscribership to our service is that the subscribing company who must be a credit granter, must supply to us evidence of performance of individuals who obtain credit from that subscriber. It is the pooling of this data from many subscribers supplemented with reports of ongoing performance to keep the data current and of course with public record information that constitutes our total data bank.

Lazich. When you say a data bank, what do you do with the information to store it?

Jordan. The information which we have is stored in computers. We have two principal centers, one in New York and the other one in the Los Angeles area. In each of these centers we have two IBM computers, which serve as backup to each other in the case of mechanical failure. And rather large banks of random access storage equipment so that the record on a given individual can be retrieved in the order of a second or two.

Lazich. Is there any protection for an individual if you have incorrect information on that person?

Jordan. Well, in any information gathering and storage system, there will be errors. We encourage our subscribers where it appears to them that there is an erroneous data item or where a customer of theirs suspects that there is an erroneous data item, to send the individual directly to us so that we can first establish his identity and know that he is not an imposter and then review with him his credit history. We will, of course, correct any errors which are discovered at no expense to him. To put the error problem in context, the average individual who appears in one of our data banks has a probability on the order of one chance in a thousand of a correctible error occurring in his file during his credit lifetime.

Lazich. How many people do you have information on?

Jordan. In our Los Angeles data bank we have credit information on approximately thirteen million individuals. And we also have information on a like number in our New York data center, which will be increased by about two million credit histories when our Detroit operation goes onstream next month.

Lazich. Is there any attempt by the government to get access to your files, for whatever reason they might want?

Jordan. We have taken the position that the data in our files is for credit granting purposes only and should not be available to law-enforcement agencies except in cases involving national security. We of course would be obliged to release data after due process. As an example of this, many times in the course of the last few years the Internal Revenue Service has attempted to obtain data from our files which they commonly do from other sources as a part of investigation of taxpayers. We have consistently refused and thus far the courts have not forced us to honor any IRS subpoenas. If the IRS and other law-enforcement agencies were to be given unlimited access to our information, we think the implications for personal privacy are self-evident.

Newman. Perhaps the most revealing of Mr. Jordan's remarks was his cryptic comment that personal records are made available to agencies involved with national security. We might ask, "What agencies?" "Who authorizes the search?" "What use is made of it?" Big Brother sounds suspiciously close.

(Music.)

Newman. In Atlanta, Jack Scott of station WSB discussed some of these sensitive problems of retail credit agencies with W. Lee Birch, president of the Retail Credit Company.

Jack Scott. This whole area of information gathering from the Census Bureau to credit-investigating organizations such as yours are currently under fire for being a bit too snoopy now. What's your position in this whole question?

W. Lee Birch. Well, obviously, the business intelligence system is a rather extensive thing, but it's a very vital thing in the support of our economy.

Scott. What kind of information does Retail Credit have in its files?

Birch. Fundamentally, we provide the information that's needed for a particular transaction. For example, if a man wants to buy a new house, we furnish the information

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that's necessary as to his employment and his income and whether or not he has the general reputation of paying his bills satisfactorily. On the other hand, if he is insuring his house, we just generally provide the type of house that it is, whether it's in good repair, whether it's convenient to fire protection, and this kind of thing.

Scott. Now, what kind of companies subscribe to your service?

Birch. Fundamentally, we have the credit granters, the people who approve mortgages, the people who approve life insurance transactions or fire insurance transactions or automobile insurance transactions. Or, in the case of employment personnel departments or personnel interviewers.

Scott. Do large employers come to your company and ask for a very thorough investigation of potential top employees that they're looking at?

Birch. We have some such requests. This is quite frequently done in connection with the employment process of key people.

Scott. Do you feel the criticism of your general industry is fair or unfair?

Birch. I do not feel that generally there is a reason to criticize the business information process. Now, I must admit that with advancing technology and the computer, people in the business investigation field must conduct themselves with great integrity and that they should be sensitive to the matter of privacy.

(Music.)

Announcer. We will return to Second Sunday's "Confidential Files—What They Know About You" after a ten-second pause for station identification.

Again, Second Sunday. Here is Edwin Newman.

Newman. The very thought of what gleaming electronic computers can do has enormously excited those who deal with information. Among other suggestions advanced has been a national data bank run by the federal government. James Robinson, NBC News, talked about this with Representative Cornelius Gallagher of New Jersey who is very much against such an information center.

Cornelius Gallagher. The National Data Bank is sort of the big daddy of all the computer thinking. It is a plan to consolidate all of the records that exist on every single individual American and put all of these records into one giant computer network. This would include Social Security records, your tax records, your military records, your school records—any record that now presently exists or would exist would be consolidated and centralized. The reason for this was that, since these records presently exist, that they should be consolidated in the interests of economy and efficiency.

The very dangerous part of it, however, is that the network, as it was originally conceived, could be converted into a national espionage network where you would have a dossier instantaneously retrievable at the fingertips of anybody who would have access to the National Data Bank. My objection was to this. I believe that what we should be doing is protecting human values.

James Robinson. But how can you protect it with modern industry, a computerized industry where, for instance, one department store, if you come there for credit, can connect themself into a computer and find out various aspects of your financial holdings and your dealings and your home life, all within two minutes. Are there any checks and balances? Are there any laws going into effect to protect myself as an individual?

Gallagher. Well, that's what our whole campaign is about. Our credit hearings brought out the fact that there are, I think it was 148 million American names in the dossiers of the credit bureaus. Strangely enough, there are all kinds of laws protecting dogs and horses, but there are no laws at all, no federal laws at all, protecting reputations of people within the credit industry.

Robinson. These people who operate the computing machine—what's to stop them from getting this information on the quiet, by themselves, and bootlegging information and blackmail?

Gallagher. I'm sure that a great deal of that is being done now within industry. This is the danger of people using the new technologies without knowing the dangers of these technologies. To computer professionals there's a slogan, "Garbage in, garbage out." Whatever you put into the computer, you're going to get the same thing out of it. I have respect for these professionals. The thing that troubles me is how to disabuse nonprofessionals of the notion that really means, "If it's garbage in, it's gospel when it comes out." This is the real danger of the nonprofessionals who see their particular purpose being better-served by computers.

Newman. Senator Sam J. Ervin, Jr. of North Carolina has long been disturbed by computerized information available on federal employees. He explained his concern to Peter Hackes.

Senator Sam Ervin. The principal danger is that they may put in a computer rumor or hearsay which is derogatory to the federal employee and which stays in the computer and at some subsequent time, that he will lose a promotion, or he may be even denied employment in a security agency because of that derogatory information. I think it's a great injustice to store up information in a computer that's derogatory to a man when he has no chance to know that it's there, no chance to refute it, or no chance to explain it.

Hackes. How does that information get into the computer in the first place?

Ervin. Well, it's put in there by those who collect personnel records of federal employees, which I would say would embrace most every agency of government.

Hackes. And the information, I suppose, is from numerous sources which either may or may not be accurate.

Ervin. Absolutely. And another danger to a federal employee is there may not be sufficient rules for access to the information stored in the computer and that people who are not authorized to get it might get it. I think it's highly important not only are pains to be taken to make it accurate, but also to make it impossible for those who really have no right of access to it to get access to it.

Hackes. Have you run across any examples of people who may in fact have been victimized in this area by others getting unauthorized information about them?

Ervin. Well, I don't know of any particular instance where it involved the use of computers, but in our studies, which resulted in the civil rights for federal employees, we found on many occasions that personnel officers had obtained entirely inaccurate information from persons who go into federal employment, and those people suffer grave consequences. In some cases they were denied promotions. In other cases they were denied access to information which they otherwise would have been trusted with.

Hackes. Is there any recourse that a federal employee has in a situation like this?

Ervin. None whatever that I know of. In other words, he may go through the rest of the years of his federal employment denied promotion without ever knowing what the cause of the denial of the promotion is.

Newman. Richard Scammon, director of the Election Research Center in Washington, formerly headed the United States Census Bureau. To Scammon, the possibility of computerized files being misused, esepcially by the government, seems remote, almost innocently so.

He made his position clear to James Robinson in Washington.

Richard Scammon. Do you remember, some years ago, there was this great revolt against the use of a full-numbering telephone system and there's always been the business about let's mutilate all the cards we can find on which we get our monthly bills from department stores and utilities and so on. I'm sure there's this apprehension. I don't really think it's well-founded and the reason I say that is a totalitarian regime doesn't really need the data. You take one like Trujillo in the Dominican Republic. I'm sure he never even had an IBM card and he never had a computer of any significance. And yet, that didn't keep him from running his country with an iron fist for many, many years. And other countries that have very scientific and advanced systems aren't totalitarian. The idea that you sort of equate a great amount of data in the computers with totalitarianism is just wrong, although I know that there are many people who fear that somehow the computers are going to run our lives, you know. They're going to come lurching down off their pedestal and come hunting us through the corridors of time and this sort of thing. It just isn't so, because basically this is a matter of people. If people want to misuse the data, they can. But the computers don't misuse the data.

Robinson. Yes, but we as a people are very individualistic, and it just happened, I would guess, this last decade or so that all this tremendous amount of information on our—what I consider our private life has been collected, not only by credit bureaus but also, I suppose, if you're looking for a government job, various government intelligence agencies will go through your personal file and your background and all that. And the fact is, all of this information on your private life and on your public life is collected, and various agencies around this country. . . .

Scammon. Well, much of it, of course . . .

Robinson. . . . and that data is there.

Scammon. Well, much of it, as you say, is collected particularly by private people. Credit bureaus, for example, check on your credit rating before they give you credit. Now, of course, there's an easy way to beat that. If you don't want the credit, you aren't checked on by a credit bureau. It's when you ask for something often that these things develop. You ask for a government job, and so they check you out. Just as a taxpayer, I must say that I'm happy they do check out people who are applying for jobs with the Intelligence agencies. I'd be a little suspect if they didn't check them out. As far as the government itself is concerned, though, the collection of this kind of data—I suppose much of it is done through the census, but then that's all confidential, so they can't get at that. I don't know that the government collects as much of this as we sometimes think.

Newman. Obviously, all information stored in the inexhaustible memory banks of computers is not dangerous. For example, Aspen Systems Corporation in Pittsburgh is proving a boon to the legal profession with its computer information. I talked with John Horty, president of Aspen Systems, about his company and asked him:

You claim that your company has the largest body of full-text information ever stored in a computer. What have you got?

John Horty. Well, what we have in the computer at present are the statutes of all the fifty states—the complete statutes and the text of them, so that they can be searched upon request.

Newman. What's the advantage of your having them, since presumably you had to get them in the first place, they must have existed somewhere?

Horty. Well, they exist in published books—over five hundred volumes of published books—and are only available for research by means of the indexes to these books. What we have done is to use the computer for what it does best, and that is to take very large groups of materials, text, and make it searchable all at once within a very short period of time and for questions which previously just couldn't be asked.

NEWMAN. Well, how fast could you get me something that I wanted?

HORTY. Well, let's assume that a committee of Congress was looking into the question of consumer protection and the laws that the states have enacted in the last few years dealing with consumer protection. You could run a search, frame it and run it on the computer in about eight hours and have all of the laws in every state that deal with a broad subject of this sort.

NEWMAN. What do you mean by framing a search, Mr. Horty?

HORTY. Well, this is the method by which the person wants the information thinks of words and phrases occurring in the statutes that will produce for him those statutes he'd like to look at, and he can do this. It doesn't take a computer expert at all. We've already trained over a thousand lawyers to search in this way.

NEWMAN. Are the federal statutes brought together in this way anywhere?

HORTY. Yes. We have the United States code available for searching. You might be interested to know it's about the size of Pennsylvania. No larger. About the same size as the statutes . . .

NEWMAN. As the state of Pennsylvania?

HORTY. No; as the statutes of Pennsylvania.

NEWMAN. Some technicians foresee the day when all medical information about every citizen will be stored in a computer system, thus enabling a doctor at the flick of a button to get your complete medical history in event of an emergency.

(Music.)

NEWMAN. There is a disturbing side to the idea that each of us today is readily accessible to almost anyone who wants to find out about us through computerized information. I talked with Professor Weston about this growing problem.

WESTON. You have to start off by saying that we've come to the end of an era, an older period when people had face-to-face relations with one another, grew up in the same town, knew people to make judgments about them or when the kind of experiences people had in going to college or not going to college or getting a high school course in something pretty much gave people the ability to know a lot and conclude a lot about them. Today we have such a national society, people are so much like one another in so many characteristics, mobility patterns are so high and the credentials of education really mean less and less because everybody mostly goes to high school and so many people go to college. So I think the reason why so much information is being collected, one reason for it is that we've become a kind of credential society. We think we have to build up far more information about people in order to know whether we should promote them or prefer them or give them benefits of the society, give them welfare, et cetera. And our theory—and here's where the social scientist, I think, plays an interesting role—we've come to believe that the more personal the data, the more it fits certain categories about education and sexual adjustment and other social science-like categories. Here's where the social scientist in some ways has augmented the desires of the personnel manager or the government security clearance man and convinced a lot of the people who collect the information that by and large collect lots of information and collect a lot of very personal information that otherwise you can't make good judgments.

NEWMAN. In other words, collecting information is a good thing in itself.

WESTON. Yes. One of the things that intrigues me is how we're building up a national network of people whose essential psychological outlook is that they're information collectors, and this leads to what Congressman Gallagher has called the information buddy system, because everybody who depends on getting information for his purposes knows that he has to share it with the other people who collect the information. Whenever any organization gets a computer, the first major impact is that it doubles or triples the amount of information it collects about its people, whether it's the student or the client or the regulated group, because there's that big, gorgeous machine which can be filled up with forty entries or a hundred and forty entries, whereas once it was so costly to put in twenty entries that the organization really couldn't think of it. So that corporations, for example, their personnel people start collecting not simply the record information they used to about an employee, but they ask him about his hobbies and where he spends his vacation, and what foreign languages he speaks, all trying to be helpful, all hoping that they can use this for better relations. But collecting far more personal information than they used to.

NEWMAN. Have you come to any conclusion, Professor Weston, about whether that is useful to those companies or do they simply handcuff themselves with all of that stuff?

WESTON. Well, I think you have to approach that—at least, I do, at two levels. One, it depends very much on whether the individual who gives that information trusts the authority and believes at heart that he's not going to be hurt. If he does trust the authority then very often extra information can be useful. But the larger phenomenon is that we live in an age in which more and more people are resisting the authorities that control their lives, whether they're universities or local governmental institutions, we're—people are trying to feel more autonomy, and privacy is a very important aspect of autonomy.

NEWMAN. The American Civil Liberties Union is concerned, and this concern was voiced by the ACLU's executive director, Jack Pemberton.

JACK PEMBERTON. We're deeply concerned about the problems of data accumulation in government and in private organizations and find this a uniquely puzzling problem, because it's hard to look into the future and foresee the policy lines that ought to be drawn.

NEWMAN. What kinds of safeguards have you recommended so far?

PEMBERTON. One is purely privacy. Are there things about yourself or myself that we ought to be totally privileged to keep to ourselves unless we elect to tell somebody else, including our government, about those things? For example, in the taking of the census. That issue hasn't been resolved. The Congress has made no flat decision that there are questions that the census taker can't ask.

Then there are questions of security. You give out information about yourself for, let's say, credit purposes, maybe to a government agency, because you're going to get a federally-guaranteed loan. It's proper that those who are going to use that credit information for determining whether you're eligible for a loan should have access to it. But are there adequate protections against anybody else having access to it? And having access to it—perhaps misusing the information and gaining a source of power over you.

And then, third, there's a question of plain fairness. Our government does collect information from and about you willy-nilly. You file income tax returns, there is census data, there's birth and death data and marriage and health data, public education data, and so forth and so on ad infinitum. If this data is incorrectly collected, it may be used to your detriment.

NEWMAN. Mr. Pemberton, this is not in the Constitution of the United States, but there does exist a concept—privacy—which is less and less regarded as a right, I think. Is that disappearing from American life?

PEMBERTON. Well, at the same time that the size and complexity of our society seems to be impinging upon our privacy, the courts are making some strides in giving it more formal recognition. Four years ago, now, the Supreme Court in the Griswold case found explicit Constitutional sanction in a combination of fourth, fifth, and other amendments in the Bill of Rights provisions for a Constitutional right of privacy. And I think the legal concept will develop, because the complexity of society is creating the need for these legal concepts.

One of the most interesting aspects of the invasions of privacy involved in data gathering by more efficient mechanical or electronic means is the extent to which this information is available today but in widely separated and hard to put together sources.

NEWMAN. You can't see a time coming when people are going to sweep in anger into computer centers and smash 'em up, can you?

PEMBERTON. I could well conceive of expressing the kinds of frustrations that are otherwise being expressed on college campuses today with that kind of action unless we take steps now to anticipate the problems.

NEWMAN. With unobtrusive speed, computerized personal files are suddenly an integral factor in American life. This complex problem has been studied by Congress before. It will be taken up again by Senator Proxmire's subcommittee on financial institutions next week.

PROXMIRE. We have a number of people cosponsoring the bill, a number of other Senators have indicated that they will support it. However, I'm not being fooled by how difficult it is going to be to get this through the committee and to the Senate and the House. And I say that because the opposition, as always in these cases, is organized, well-financed, highly articulate. They'll have witnesses appearing before our committee who'll be extremely well-briefed, and the support for the bill from the consumers is diffuse, is not organized, and is going to be much harder to rally. I'm sure that members of Congress are going to get letters from credit bureau people on an organized basis, and I think the only way we can get this bill through is if we can get consumers who are concerned about this to write to their Senators and to write to their Congressmen, saying they want a fair credit-reporting bill and we ought to have it. That's the kind of an action that I think is going to be effective, and that's what we have to have if this bill is going to pass.

HACKES. Do you think this affects enough people around the country that perhaps the average listener, for example, to this program this evening, who hasn't had any trouble with this over twenty, thirty years might in fact run into it next week?

PROXMIRE. I think so, and I think he can write his Congressman, write his Senator. If they write me, that's wonderful, but it's even better if they write their own Congressman and Senator. Because he's likely to run into it next week. He's likely to run into it not only in getting credit. It could conceivably, and it has in many, many cases, thousands of cases, affected people holding on to their own jobs or getting another job. So it could affect them in many ways that could be extremely serious. And of course, in all these cases, people are reluctant to tell you why. This bill would require that you be told why, that you know. It would also enable you, of course, to do something about it. And this is the terribly difficult and frustrating and cruel effect, that this kind of an automated system we have in this country, the computer system, can have on literally millions of people. And as you say so well, the man or the woman who is listening to this program and saying, "Well, I haven't any trouble with this"—don't kid yourself. You could have trouble, and plenty of trouble tomorrow or next week or next month.

(Music.)

Newman. Tonight we've touched only fleetingly on one of the more dubious gifts of the computer era. It is apparent that personal privacy, like clean water and clean air, have become polluted by man's genius for disregarding his fellow man. We are, of course, engaged in a struggle to protect our physical environment from total pollution. It appears that we must also become involved in a struggle to protect our personal environment, to re-assert our right to keep part of ourselves, some of you and some of me, forever private unto ourselves. This is Edwin Newman.

(Music.)

Announcer. You have been listening to Second Sunday. "Confidential Files—What They Know About You". Second Sunday was written and produced by Herbert Gordon, directed by Albert Reiss. The tape engineer was Mort Nelson. Research assistant—Susan Parrots. Second Sunday is produced under the direction and control of NBC News. This is Harry Fleetwood.

FINANCIAL DISCLOSURE OF SENATOR JOSEPH D. TYDINGS

Mr. TYDINGS. Mr. President, the endurance of our democratic system of government directly depends upon public confidence in its integrity and in the impartiality of its officers and employees. The maintenance of this public confidence is one of our highest obligations.

Since my election to the Senate, I have supported, as a key element in fulfilling this obligation, the principle of public disclosure by Government officials of their financial interests. Such disclosure is the best protection against both actual conflicts of interest and public suspicion of partiality for private gain in the writing, execution, and judicial interpretation of the laws.

I have, therefore, in the 90th Congress, and again in the present Congress, cosponsored the Case bill, S. 1993, to require full public disclosure by Members of the Congress, and I have voted for similar strong provisions proposed in the Senate.

Believing that disclosure should apply to the judiciary, as well as to the legislative and executive branches, I introduced in 1968 the Judicial Reform Act, which was developed through intensive study begun in 1965 by the Subcommittee on Improvements in Judicial Machinery of which I am chairman.

This bill, which I have reintroduced again this year, includes provisions requiring each Federal judge and justice to file an annual financial statement disclosing the amount and source of his income, including gifts and honoraria, and also to disclose his other financial holdings and interests.

Despite our efforts last year to enact strong disclosure rules for members of the Congress, adequate, public financial disclosure still is not required of Senators or Representatives.

I, therefore, have made the personal decision to make voluntary disclosure to the Senate and to the public.

I ask unanimous consent that my statement be printed in the Record.

There being no objection, the statement was ordered to be printed in the Record, as follows:

Financial Disclosure of Joseph D. Tydings

ASSETS

This does not include: Equity in Federal Retirement Fund; Livestock and Farm Machinery.

My life insurance has no cash value.

Cash in banks (other than checking accounts)	$14, 200
Real estate	
Home in Havre de Grace	
Interest in Elkton office building	
Interest in Havre de Grace & Aberdeen commercial property	
Interest in Tregaron, Washington, D.C.	
Interest in rental apartments in Florida	
Total value of real estate	637, 420
Stocks	
Rowe Price New Horizons Fund, Inc.	
Aberdeen National Bank	
1st National Bank of North East	
Distillers Corporation Seagrams, Ltd.	
American Cyanamid Co	
Smith Kline & French Laboratory	
Richardson-Merrell, Inc	
Radio Corporation of America	
Kellogg Co	
Franklin Life Insurance Co	
Government Employees Life Insurance	
U.S. Life Insurance Co. in City of New York	
International Business Machine	
National Cash Register Co	
Gulf Oil Corp	
Union Pacific Railroad	
Safeway Stores, Inc	
Wards Company, Inc	
Firestone Tire and Rubber Co	
Greyhound Corp	
Harbor City Bank	
Charter Corp	
Criterion Insurance Co	
Total value of stocks	2, 012, 000
Bonds	
State of Israel	
Baltimore Trotting Races, Inc	
Total value of bonds	1, 900
Total assets	2, 665, 520

LIABILITIES

Debts due on mortgages, collateral and personal notes	$84, 000
Net worth—computed to April 30, 1969 (does not include any personal property)	2, 581, 520

* * * * *

I am "of counsel" for the Baltimore law firm of (Millard) Tydings and (Morris) Rosenberg. I receive no compensation from this firm.

I own the Northern Maryland Title Agency—an agency I organized in 1957 to search titles in Harford and Cecil Counties. In 1968, I received income from this company totalling $4,812.03.

I am one-eighth residuary beneficiary of two trusts of my grandfather, the late Joseph E. Davies. The total value of the trusts amounts to approximately $1,840,000.00.

I received in 1968 honoraria for lectures, speeches and writings totalling $5,615. The entire amount of such honoraria, except that donated to Towson State College, was spent on expenses of running my Senate office, such as costs of newsletter paper and office supplies. I accepted no honoraria as personal income and I do not accept honoraria from Maryland groups.

PA. Bar Association	$300
Bnai B'rith Anti-Defamation League	500
Green Mountain College, Poultney, Vt.	750
Allysn & Bacon (permission to reprint article)	50
Christian Science Monitor	100
Towson State College (donated to college after receipt)	150
Converse College	765
Missouri bar	1, 000
HMH Publishing Co	2, 000

A TIME TO STAND UNITED

Mr. HANSEN. Mr. President, Mr. Nixon reported to the people of the United States this week the position of the Nation in regard to Vietnam and Southeast Asia. The President's message was to the people of the world as well.

He made it clear to the world that this Nation's goal in Vietnam is to achieve a just peace and to prevent a massacre of the South Vietnamese people by the Communists.

At the same time, he made it clear that the United States is not a paper tiger, as the Communists claim, but a great and responsible Nation that will stand by its commitments and will not desert its allies.

In my opinion, he spoke from the confidence that can be attained only through knowing that Americans throughout the land stand united behind their President and with our valiant men of the Army, the Navy, the Air Force, and the Marines.

President Nixon described the realistic proposals this Nation has made to the enemies of the north. And the proposals are reasonable. It is difficult to imagine that the Communists would reject this proposal. For the Communists to reject this fair proposal is for them to admit to the world that they have not the slightest interest in peace or stopping the bloodshed.

The program outlined by the President is generous. Many will feel it is too generous.

Yet President Nixon has made it plain that this Nation's interest in peace is such that we are willing to consider other proposals.

But the killing and the maiming must cease, and our President has given the following firm warning:

> No greater mistake could be made than to confuse flexibility with weakness or being reasonable with lack of resolution. I must make clear, in all candor, that if the needless suffering continues, this will affect other decisions. Nobody has anything to gain by delay.

No American should give the Communists any reason at this time to take that warning lightly.

The greatest encouragement to the Communists to pursue the war that they have lost decisively on the battlefield has been the turmoil in our streets. The ag-

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gressor nations do not tolerate demonstrations of any sort—either violent or peaceful. Demonstrations are possible in those countries only when outright rebellion exists. They do not understand the freedoms allowed in our Republic. They think when such demonstrations take place in our country that the Government of the United States is near toppling. We know this is not the case, and all Americans realize this is not the case. But those living under the yoke of communism do not, cannot, and will not understand this fact.

This is a time for all Americans to stand united with the President and with our young men who are facing, and defeating, the enemy on the battlefields of Vietnam.

The proposals outlined by President Nixon are the least expensive course for the enemy to take toward an end to the bloodshed.

There is another way to end this war, and should the enemy force the United States to take that course, they will find it costly; they will find it disastrous.

All of us hope the end of this long and tragic conflict is—at last—in sight.

GREEN THUMB IN NEW JERSEY AND ELSEWHERE

Mr. WILLIAMS of New Jersey. Mr. President, "Green Thumb" is one of the most successful and appealing programs sponsored by the Office of Economic Opportunity. As part of the Department of Labor's "Operation Mainstream" job opportunity program, "Green Thumb" provided more than 2,000 older, retired, low-income farmers during 1968 with a wide variety of service projects including beautification and improvement of roadside areas, parks and historical sites. At year's end, the hearty and resourceful Green Thumbers were at work in 14 States. Much of their work is done in rural areas. A representative of the Farmers Union—which developed the project—recently gave this vivid description of what Green Thumb means to one participant in the program:

> Tonight in Utah, Grandpa Steven, a man in his nineties, will go square dancing with joy, after having had a square meal. He has a job. He works three days a week on the Green Thumb program. He has helped beautify the grounds of his State Capitol. He has even passed his defensive driving course recently. He is a proud citizen. He is not a welfare recipient. Occasionally when mood strikes him, he recites some mountain poetry. Here is an example of a senior citizen who sincerely believes he has been given a second lease on life.

One of the joys about the Green Thumb program is that it also serves well in more urbanized areas. In my home State of New Jersey elderly participants are working on many worthwhile restoration projects, including one at Ringwood State Park and another at Mount Holly. The New York Times of November 24, 1968, reported that more than 142 retired farmers are working in Garden State parks and gamelands.

One of the most interesting projects was described in the Trenton Evening Times of May 12. An excellent story written by George W. Robinson reports on the development of a "mini-park" and the transformation of an abandoned church into a drop-in center for the older Americans of Trenton. Many lessons can be learned from the Green Thumbers in the capital city of New Jersey. I ask unanimous consent that the news story be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Senior Citizens Convert Former Church

(By George W. Robinson)

An abandoned church is being renovated in Trenton to serve as the city's fifth "drop-in" center for senior citizens.

Located in the old John Kalvin Magyar Reformed Church at Morris Avenue and Washington Street, the center hopefully will be ready by July 1.

The 85-by-102 foot church property is being spruced up by eight elderly citizens who are members of the city's federally funded Project Green Thumb.

There the city's elderly may play shuffleboard and checkers or relax on benches in the pleasing surroundings of juniper bushes, azaleas and rhododendron.

Renovation is being done at a cost of $6,300, according to Parks Maintenance Superintendent Harry Baum, who is overseeing the work for the city.

He said this will include new electrical service and lighting, a new drop ceiling, lavatory and kitchen facilities, a new tile floor, paneling and painting.

City employes have already begun some of the work by removing the old floor, pouring a concrete base for the new floor and by doing some paneling in the rear of the church, built in 1931.

BUILDING SOUND

"Essentially the building is sound," Baum said, pointing out that the exterior cedar shakes will need paint. The rest of the exterior is gray stone.

Lino Fiorelli, president of the Mercer County Senior Citizens Council, said he expects the 20-by-60-foot building would accommodate 40 to 50 people when completed.

It would be open certain hours during the day for senior citizens to get together and hold functions, according to Mel B. Gosline, volunteer worker in the city of Trenton's Office on Aging.

The city purchased the building for approximately $13,000 and developed the grounds last year as one of Trenton's 21 mini-parks.

CREW BUSY

The Green Thumb crew was busy raking and tidying up the grounds this week. It was headed by John Reed of Hamilton Township, supervisor.

Health, Recreation and Welfare Director Edward Silverglade said he is so satisfied with the work this group is doing in Trenton that he plans to make application for a second crew.

The renovation on the church is being done through Silverglade's office.

The other four senior citizens' drop-in centers are a cottage on Parkside Avenue at Cadwalader Park, the community room in the Josephson Apartments at 237 Oakland Street, a house on Fell Street and a building on Chestnut Street.

GOLDEN OX OF ANTITRUST

Mr. HART. Mr. President, my unhappy feelings about the ruling the Internal Revenue Service made in 1964 allowing convicted antitrust violators to deduct financial penalties from their income tax should be well known by now.

But perhaps I have failed to make as clear a case as possible as to why I feel my position is fair and just—and the IRS is dead wrong.

An article written by Morton Mintz, of the Washington Post staff, and published in the April 14, 1969, issue of The Nation will fill that possible lack.

In his usual capable and thorough manner, Mr. Mintz lays out in a very readable way the background of this decision and its ramifications for taxpayers and future private antitrust enforcement.

I commend the piece to Senators requiring the investment of little time with the guarantee of great value. I ask unanimous consent that the article be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Golden Ox of Antitrust

(By Morton Mintz)

Amidst all the talk by the Administration and on Capitol Hill about tax reform, a large golden ox, which could be gored without complaint from the great mass of taxpayers, small and large, is standing almost unnoticed outside the corral. The ox in question belongs to those corporations which have been judged to have violated the antitrust laws. Under one of these laws, the Clayton Act, the courts are directed to enter judgments of treble the amount of the damages actually proved. The matter of concern to taxpayers is whether payments to settle claims for such damages should or should not be deducted from gross taxable income.

The issue acquired immediacy with the recent announcement of agreements looking toward a $120 million settlement of treble-damage suits that were brought by states, cities and other litigants against five suppliers of tetracycline and two other antibiotics which are effective against a broad span of infectious diseases. This case is of special interest, not only because the settlement would be the largest ever to be wrapped into a single package but because of certain unusual circumstances.

In the 1950s, Chas. Pfizer had a patent monopoly on oxytetracycline (Terramycin) and American Cyanamid on chlortetracycline (Aureomycin). Each firm charged pharmacists $30.60 for 100 capsules in the most common dosage. This price, which ranged from two and a half to almost twenty times the cost of production, was threatened by the advent of tetracycline, which many physicians regarded as generally superior to the chemically related products. If a patent on tetracycline was not secured, then anyone could make it; and if anyone could make it, there would be drastic price competition and drastic reductions in profits, which were as high as 85.7 per cent before taxes.

Pfizer claimed—and Cyanamid came to agree—that it had been the first company to reach the Patent Office with a practical application. The trouble was, Pfizer's process for producing tetracycline required the use of Cyanamid's patented chlortetracycline. In other words, Pfizer could not exploit a patent unless it had Cyanamid's cooperation. And so an agreement was reached under which Cyanamid would be Pfizer's exclusive licensee for tetracycline. At the Patent Office, however, there was especial concern about one point: Was tetracycline a naturally occurring by-product of the manufacture of chlortetracycline? If this was the case, no patent could be issued. Pfizer and Cyanamid provided tests and studies to assure the Patent Office that tetracycline was *not* such a by-product, and Pfizer got the patent.

Another hitch developed when Bristol-Myers, which had tried in vain to establish a place in the tetracycline market, learned that a private detective retained by Pfizer

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for $60,000 had been tapping its phones. The ultimate result was that Bristol, along with the Olin Mathieson Chemical Corp., and the Upjohn Co., were, in restricted capacities, dealt in. (Olin was then the parent company of E. R. Squibb which since has become Squibb-Beech-Nut.)

But the Federal Trade Commission upset things when it concluded that Pfizer, aided by Cyanamid, had misled the Patent Office and obtained the crucial patent by fraud—a finding that the Court of Appeals in Cincinnati affirmed last year. Pfizer then went to the Supreme Court, which on March 24 refused to review the case. Then, in 1961, a federal grand jury indicted Pfizer, Cyanamid and Bristol for conspiring to fix prices, conspiring to monopolize and achieving the desired monopoly—and named Olin Mathieson and Upjohn as co-conspirators. On December 29, 1967, a jury in New York City convicted the three firms on all three counts. Appeals are pending.

The issue, then, is whether companies which obtained a patent by fraud, which were convicted of criminal antitrust violations, and which were shown to have charged exorbitant prices for vital medicines should be allowed, by tax relief, to pass more than half the cost of the $120 million expected settlement to the public which had been the victim in the first place.

As a matter of law, whether the companies should be taxed is entwined with the problem of what Congress intended by imposing triple damages. Did it intend the provision to be remedial, in which event deductibility would logically be allowed? Or did it intend triple damages to be punitive, in which case deductibility would be improper? Down through the years, there have been conflicting interpretations of what Congress meant. Until 1961, the Internal Revenue Service allowed deductions for treble damages. Then, in a letter to the Joint Committee on Internal Revenue Taxation, it quietly changed its mind.

However, the agency decided to develop a public policy after the conviction, in 1961, of General Electric, Westinghouse, and twenty-seven other manufacturers on criminal antitrust charges involving electrical equipment. Sometime in 1963, then Commissioner Mortimer M. Caplin discussed the matter with staff members. Their recommendations are in dispute. In any case, on July 31, Caplin and aides, including his successor, Commissioner Sheldon S. Cohen, and the Justice Department met with the accounting and law firms which represented the equipment makers.

In September 1963 Assistant Atty. Gen. William H. Orrick, Jr., in a memo to Caplin, said that when damages are paid following litigation, "no deduction should be permitted," and that to permit deduction would be to "encourage disrespect" for the antitrust laws and to reduce "their effectiveness and deterrent effect." In addition, the Department said it was "prepared to defend in court a rule of complete nondeductibility." Nonetheless, on July 24, 1964, the IRS announced a ruling under which payments to satisfy treble-damage claims—specifically including those following criminal convictions—"are deductible as ordinary and necessary business expenses."

The ruling produced a howl of outrage from the chairmen of the Congressional antitrust subcommittees, Sen. Philip A. Hart (D., Mich.) and Rep. Emanuel Celler (D., N.Y.), but enabled the electrical equipment conspirators to write off about half a billion dollars in settlements. GE alone saved about $90 million.

In July 1966, two years after the ruling was made, Hart held three days of hearings—ignored by most news media—on a bill to reverse it. He said that in only two years the ruling already had assured tax savings of "more than a billion dollars as cases now in process, involving price-fixing in the sale of salt, aluminum cable and other products, are concluded."

Caplin and Cohen defended the ruling as one that had to be made under the kind of even-handed administration of the tax laws which for most of the public is the foundation of what the IRS calls the system of voluntary compliance. That is, they said, they could be no less and no more considerate of General Electric and Westinghouse than of an individual taxpayer who, say, was hovering near the poverty line. Caplin and Cohen never did dispell all of the questions about how this resolute egalitarianism squared with having held a meeting at the highest level of IRS with accountants and lawyers for the equipment maker—a privilege not often accorded ordinary taxpayers.

Neither did Caplin and Cohen persuasively rebut the testimony of Prof. L. Hart Wright of the University of Michigan, an adviser to the IRS, who is a leading tax consultant. Appearing before Senator Hart, Wright said that in situations involving a somewhat doubtful tax-avoidance device, the Commissioner "does and should" act as "an advocate who is willing to litigate an important matter even though he may tend to believe the odds . . . are somewhat against him." Hart was left incredulous that IRS failed to act as an advocate by ruling against the electrical manufacturers, leaving it to them to challenge the ruling in the courts—especially because there was considerable reason to believe that in the Supreme Court the IRS would have won, and saved the taxpayers more than $1 billion.

Caplin acknowledged that a factor in his decision was congestion of court dockets. This raised another question about even-handedness, the congestion having been caused by the filing of about 1,500 treble-damage suits which grew out of the electrical cases. In other words, as Hart put it, the larger the antitrust conspiracy, the greater the clogging of the docket—and the less likely a fight by the IRS.

Hart's bill got nowhere. Neither did another sponsored by Sen. Russell B. Long (D., La.). While the antibiotics firms were on trial in December 1967, Hart, calling the IRS ruling "indefensible," tried again with a bill which would make payments in excess of actual damages neither taxable income for a plaintiff nor deductible expenses for a defendant. Again, nothing happened.

Hart, who says the issue is whether "the American taxpayer is entitled to equal treatment in the administration of our tax laws," will make another attempt this year. So will Long and Celler. It remains to be seen how much help they get from the Nixon Administration and from Rep. Wilbur Mills, chairman of the Ways and Means Committee.

LAW DAY, U.S.A., OBSERVANCE, NEW HAVEN COUNTY BAR ASSOCIATION

Mr. DODD. Mr. President, on May 1, 1969, it was my privilege to participate in the Law Day, U.S.A., observance in New Haven, Conn.

The observance, which has been held for some years, was organized by the New Haven County Bar Association, and took place in the New Haven courthouse. The courthouse was crowded for the occasion with members of the bar, distinguished judges, and leading citizens from every walk of life.

The theme selected by the New Haven County Bar Association for this year's observance was "Justice and Equality Depend on Law and You".

The central point of the New Haven observance was the presentation of the bar association's annual award, the Liberty Bell Award, to William F. Buckley, Jr., the celebrated editor of the National Review.

Mr. William Fox Geenty, the highly esteemed president of the New Haven County Bar Association, in presenting the award to Mr. Buckley described him as "a citizen whose career typifies the purposes and objectives of Law Day, U.S.A."

Mr. Buckley, in receiving the award, delivered a talk which was marked both by its wit and its profundity.

Commenting on our campus disorders, Mr. Buckley said:

> It is clear that America's tradition of tolerance and magnanimity have begun now to elide into ambiguity and self-doubt. It is increasingly apparent that some of our opinion makers believe that the line between the law and the defiers of the law ought to be flexible. They are saying to us, in effect, that if young people are prepared to throw themselves into the police barricades, perhaps they are telling us something urgent, which requires our democratic attention. Perhaps we are responsible for listening to them, for hearing them, even as Constantine heard the marginal cry of the Marginal Christian who threw himself at the lions.

In paying tribute to the judiciary as the central pillar of the law, Mr. Buckley had this to say about the situation at Harvard University:

> We see at Harvard today a situation in which the judiciary refuses to release students who are manifestly guilty of criminal trespass, notwithstanding that the president of the university has urged him to do so. It may, in fact, be that the judiciary is the only instrument in public life left with sufficient stamina to protect the law, even against such unwilling agents of the law as college presidents, an ambiguous situation, to be sure. But what are the faculty going to do about it if they are saved by the judiciary—impeach Earl Warren?

My very able colleague from Connecticut, Congressman Bob Giaimo, also made an important contribution to the proceedings. Congressman Giaimo told the audience:

> What constitutes trespass or an assault or breach of the peace must be equally charged, whether it is committed on a city street or a college campus.
>
> No longer can we tolerate the unfair application of the law in some areas and not in others.

A world of credit is due to Mr. Frank J. Mongello, Jr., the chairman of the Law Day committee of the New Haven County Bar Association, for a very well organized and dignified observance.

Mr. President, I ask unanimous consent to have printed in the Record excerpts from the transcript of the Law Day proceedings in New Haven, Conn., on May 1, containing the remarks of: Attorney Frank J. Mongillo, Jr., Attorney William Fox Geenty, Congressman Robert Giaimo, and William F. Buckley, Jr.

There being no objection, the excerpts were ordered to be printed in the Record, as follows:

State of Connecticut, Superior Court, New Haven County Bar Association, New Haven, Conn., Proceedings on Law Day, May 1, 1969

Chairman Mongillo. Members of the Judiciary, Senator Dodd, Congressman Giaimo,

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Mr. Geenty, Honored Guest, Mr. Buckley, ladies and gentlemen:

I am Frank J. Mongillo, Jr., Law Day Chairman for the New Haven County Bar Association. The program we are presenting here in Superior Court this morning is part of the annual observation of Law Day, U.S.A., May 1, 1969. This will mark the twelfth anniversary of this ceremony, which has been established by presidential proclamation and joint resolution of Congress.

We are gathered here to honor an outstanding American with the presentation of the Liberty Bell Award. Previous recipients of this award by our Association have been Kingman Brewster, President of Yale University, Charles McQueeney, Managing Editor of the New Haven Register, Doctor Frank Mongillo, and John McDevitt, Supreme Knight of the Knights of Columbus.

Law Day has been instituted in the United States on May 1st as a day in which public attention is called to our American Heritage, the basic values of the rules of law, and to foster an increase in respect for law and our Courts. The theme for Law Day, U.S.A., 1969, is "Justice And Equality Depend Upon Law And You."

As responsible Americans, it is our duty not only to uphold the law, but also to assist the various law enforcement agencies in performing their duties, to testify in the Courts, and to respect the basic rights of others. It is only through respect of the rights of others that we can preseve our own individual rights.

We are now living in a very difficult time. We are confronted with public demonstrations, draft card burning, and campus disorders. These are the events which make this day so much more important. It becomes readily apparent as lawyers and loyal Americans that we must encourage respect for the law. It is our absolute duty to do so, especially when university presidents are encouraging disrespect for law by capitulating to demands of disruptive students, whose only aim is to prevent the vast majority from pursuing the courses of their choice. These disruptors who show an utter disrespect and contempt for law should not be appeased by administrators, but rather expelled from the universities. (Applause.)

It now becomes imperative for the decent majority of this country to rise up and be heard and put a stop to these acts by the lunatic fringe fanatics. (Applause.)

While our legal and judicial system is far from perfect, it is the finest yet devised in the history of man, and it is only through continued respect for the law and the rights of others that we can build upon this fine system and create an even greater one.

It is now my pleasure to present a member of our Association, whose efforts in Congress have brought great honor to himself, his community and our Association, Congressman Robert Giaimo. (Applause.)

Congressman Giaimo. Thank you very much, Frank.

Distinguished members of the judiciary, our guest of honor, Bill Buckley, Senator Dodd, ladies and gentlemen: I suspect that Bill Buckley is more polysyllabic than monosyllabic, at least from what I have heard of him on television, which is quite frequently, and I am delighted that you have honored him today with the award which you are giving to him.

I want to say to Mr. Buckley that he and I are at least running a close race with who is more unpopular at a nearby university here.

I am very happy to have this opportunity to participate in Law Day because as I look out here and see so many of my friends, who are members of the Bar Association in this area with me, I think we, as lawyers, and those of us who are privileged to be lawyers have an opportunity to take a greater role in the apparent breakdown in respect for law, which is obviously taking place throughout the United States today, and we, as lawyers, have got to begin to speak out and to insist on equality under the law and constantly seek justice, but with the full realization that the first law of any civilized society must be a healthy respect for law on the part of all citizens because otherwise we break down into violence and we break down into the necessity of using force rather than the rule of law.

With particular reference to the young people who are protesting on our college campuses and who are seeking to be treated as adults, it would behoove them to understand that they can't have it both ways. If they want to be treated as adults, then they must be responsible under the law as adults. (Applause.)

And what constitutes trespass or an assault or breach of the peace must be equally charged, whether it is committed on a city street or a college campus. (Applause.)

No longer can we tolerate the unfair application of the law in some areas and not in others.

In Washington, D.C., just this past week, takeovers and trespasses occurred on two college campuses in the same city. On one campus, the decision of the administration was to charge the people with the proper violation. On the other, the decision was to drop the charges against the students. This is inequality under the law because the law must be clear, and what is a trespass and what is an assault must be charged and must be applied in both instances, and then, under our great American system of justice, we will leave it up to the decision of the judges, such as we have here today, to decide whether or not a conviction should follow.

But this attitude, the attitude of too many administrators in colleges who are knuckling under to threats and to force, who are deciding on their own whether or not the law will be prosecuted or whether or not people will be charged with a violation, that is leading not to better justice, not to greater civility, but it is leading to absolute chaos in our society and cannot be tolerated.

I think that we, as lawyers, have the primary responsibility to speak out, and to speak out loudly in this area.

Thank you. (Applause.)

Chairman Mongillo. Thank you, Congressman Giaimo.

Every year, in conjunction with Law Day, the New Haven County Bar Association presents the Liberty Bell Award. Here to present this award to Mr. Buckley on behalf of the lawyers of our Association is William Fox Geenty, President of the New Haven County Bar Association. (Applause.)

Mr. Geenty. Thank you, Frank.

First of all, ladies and gentlemen, we had expected to have his Honor, Mayor Richard C. Lee, present here today, but because of a compelling commitment, he was unable to be here, and he had this note delivered to me this morning asking that his regrets be made to you and also his best wishes.

Frank, Mr. Buckley, honored guests, members of the judiciary, members of the New Haven County Bar Association, and you, ladies and gentlemen of the public who took the time to come here for Law Day, I greet you on behalf of the New Haven County Bar Association.

It is my pleasant duty, as President of the New Haven County Bar Association, to present on behalf of the members of the Association its Liberty Bell Award to a citizen whose career typifies the purposes and objectives of Law Day, U.S.A.

Law Day, U.S.A., was established in 1958, as Frank Mongillo said, by a Joint Resolution of the 87th Congress of the United States and by Presidential Proclamation, by the late Dwight D. Eisenhower. The Resolution is a short one, and I would like to read it to you, if you will bear with me for a moment.

It is entitled, "Joint Resolution to designate the first day of May of each year as Law Day, U.S.A.

"Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the first day of May of each year is hereby designated as Law Day, U.S.A. It is set aside as a special day of celebration by the American people in appreciation of their liberties and the reaffirmation of their loyalty to the United States of America; of their rededication to the ideals of equality and justice under law in their relations with each other as well as other nations; and for the cultivation of that respect for law that is so vital to the democratic way of life.

"The President of the United States is authorized and requested to issue a proclamation calling upon all public officials to display the flag of the United States on all government buildings on such day and inviting the people of the United States to observe such day with suitable ceremonies and other appropriate ways, through public bodies and private organizations as well as in schools and other suitable places."

I felt it would be better to read that to you because it does it much better than I could do it.

Ladies and gentlemen: The career of William F. Buckley, Jr., the outstanding gentleman we honor today with our Liberty Bell Award, typifies the purposes and objectives of Law Day, U.S.A.

William F. Buckley, Jr.'s career has been an amazing and fascinating one.

He served in the United States Army from 1944 to 1946.

He studied in England, France and Mexico. He attended Yale University, graduating in 1950. While at Yale, he was Chairman of the Yale Daily News, a member of the Torch Honor Society, Skull and Bones and the Elizabethan Club. He was also Class Day Orator. After graduation, he taught Spanish at Yale for four years.

He then entered the literary field where he has excelled, being a contributor to many publications. He writes a weekly column which is syndicated in over 200 newspapers in this country.

In 1955, he founded, "The National Review." In addition, he has found time—how he has, I don't know—but he has found time to write and have published several 'books, about a dozen books.

In 1965, Mr. Buckley stepped out of the literary field and ran for Mayor of the City of New York. He didn't do as well in politics as in the literary field. I often wonder what he would have done if he won the election.

In 1966, Mr. Buckley began hosting a weekly television show known as "Firing Line." On this show, he has as his guests national leaders in practically every field. It is on Channel 9, Mutual System. I, for one, believe it to be one of the most interesting programs on television.

Mr. Buckley has received many honorary degrees from universities and awards from many organizations throughout the country.

He has never failed to speak out courageously on matters of public interest, without regard to the popularity of the statements. The country needs more men like William F. Buckley, Jr.

It is a privilege indeed for me to present to William F. Buckley, Jr. the Liberty Bell Award of the New Haven County Bar Association.

Mr. Buckley, will you please come forward.

(Mr. Buckley stepped forward.)

As I said, it is my great pleasure, sir, to present this Liberty Bell Award to you. I don't know of anyone better entitled or more entitled to it than you. (Applause.)

Mr. Buckley. Thank you very much, Mr. Geenty.

Senator Dodd, Congressman Giaimo, distinguished members of the Judiciary, Mr. Mongillo, ladies and gentlemen:

I am most grateful to you, each in his turn; to Senator Dodd for his most extravagant kindnesses as he detailed my accomplishments, and my thoughts turned, quite honestly, to his own, but I recognize that as a dangerous game to play.

Indeed, Ambrose Beers once defined admiration as one's polite recognition of other people's similarities to one's self.

In any event, I am happy to be here in this distinguished company.

A moment ago, I was posed by the photographer with all of these gentlemen. I never felt so legal in my life. (Laughter.)

When I receive a copy of that picture, which I trust I will, I intend to append to it a caption in memory of this occasion, "Bill Buckley and his appointees." (Laughter.)

I know that some of you are as confused as I am, a confusion which, in my judgment, issues out of a certain manifest philosophical confusion on the part of the community which is the result of our apparent incapacity to cope with certain community disorders.

It is clear that America's tradition of tolerance and magnanimity have begun now to elide into ambiguity and self-doubt. It is increasingly apparent that some of our opinion makers believe that the line between the law and the defiers of the law ought to be flexible. They are saying to us, in effect, that if young people are prepared to throw themselves into the police barricades, perhaps they are telling us something urgent, which requires our democratic attention. Perhaps we are responsible for listening to them, for hearing them, even as Constantine heard the marginal cry of the Marginal Christian who threw himself at the lions.

That is why, I suspect, there is so much philosophical disorder on the question of law and justice and the necessity to uphold the law.

That is why, I suspect, that Thomas A. Edison, if he were materialized tomorrow with a machine that would dispossess unlawful rioters without a moment's pain or humiliation, that Mr. Edison and his machine would be quickly run out of town; that this machine would be proscribed along with that long list of anathematized riot control weapons which have been similarly proscribed, ranging from cattle prods to tear gas to mace.

It seems certainly as though there were a breakdown in the common understanding of the necessity to obey the law, and it is certainly true that certain sophisticated and importune distinctions are thrust at us on the basis with which we are supposed to proceed with ambiguity.

Professor Dan Boorston points to the distinction between violence and non-violence as perhaps the favorite distinction of those who plead the righteousness of civil disobedience. He says that we cannot, in a flow technology like our own, countenance such distinctions. It used to be, he says, that if you wanted to hurt somebody, you had to hit him; but now all you have to do is slow down.

In a society as volatile, as dynamic as our own, someone driving a car has merely to slow down importunately in order to be damaged by the person in the rear and always make it look as though the other person were responsible. By using such tactics, says Professor Boorston, a man appeared to be reaching out for the Halo of St. Francis but is, in fact, reaching out for the Crown of Napoleon.

So he calls for a common pledge by members of the intellectual community, by laymen, by professors, by teachers, a common pledge to octracize those who attempt to make the case for civil disobedience.

His point is—and it is a profound point—that precisely our indecision registers to those who would disobey the laws in their society, that final, fatal ambiguity of our own devotion to our own system registers to them a certain collective insensibility to the ramifications of the breakdown of civil order; that unless we can approach them with resolution, we cannot communicate our purpose, and our failure to communicate our purpose does nothing more than to stimulate their doubt and to stimulate that sunburst which leads them to believe that we do not believe in our society seriously enough to defend it with all our power; to turn even against our own countrymen, if necessary to do so, to turn even against our own sons and daughters, even as our ancestors did who pledged their lives and their sacred honor in defense of the ideals that they cherished.

What, in fact, must be done is to make such a pledge as Professor Boorston has outlined, and we must, above all, recognize that perhaps the proximate instrument of our deliverance is going to be the judiciary.

We see at Harvard today a situation in which the judiciary refuses to release students who are manifestly guilty of criminal trespass, notwithstanding that the president of the university has urged him to do so. It may, in fact, be that the judiciary is the only instrument in public life left with sufficient stamina to protect the law, even against such unwilling agents of the law as college presidents, an ambiguous situation to be sure. But what are the faculty going to do about it if they are saved by the judiciary—impeach Earl Warren? (Laughter.)

The answer is, of course, that the leadership has got to be exerted by the men of law who have to educate not only the most ignorant members of our society but also the best educated members of our society. We have to educate not only ignorant sophomores who believe they can transform this society into a better society by smashing its institutions, but also the members of the faculty who are so highly educated that they are struck with those ambiguities on the basis of which they cannot—they have even lost sight of what has seemed to be to the rest of us as axiomatic, the process must proceed with reference to due process.

So that, ladies and gentlemen, I join with you in paying tribute to the judiciary, to those who uphold the law and defend it because I believe, as unquestionably you do, that the events of the future are very likely to render the unmistakable judgment that the future is in your hands.

Thank you very much. (Applause.)

Chairman Mongillo. Thank you, Mr. Buckley and other guests.

This concludes our Law Day ceremony for this year.

Thank you.

PRESIDENT NIXON'S VIETNAM SPEECH

Mr. ALLOTT. Mr. President, I wish to add my voice to the voices of other Senators who have voiced their confidence in and support of President Nixon for the stand he has so clearly enunciated regarding our posture in Southeast Asia.

It was a positive speech. It did not look back. It went beyond the point of arguing whether or not we should have intervened in Vietnam. It stated America's position on negotiations with the enemy in precise and yet flexible terms.

As I viewed the speech, I felt clearly that it was not only directed at the American people, but was definitely a part of our strategy in the peace talks at Paris. I am confident that it was the proper strategy.

Now the nations of the world have the cards laid out on the table. They are aware of the President's generous offers. They will be able to see how the other side reacts, and should be able to judge their sincerity.

Now the enemy knows the terms under which we are willing to settle. Moreover they know that we will not abandon our commitment and that any attempt to "wait it out" will only hurt their chances to emerge from this war under reasonable negotiated terms.

I was most impressed by the fact that the President made his remarks after full consultation with the South Vietnamese.

There is no question that if this war is to be brought to an honorable conclusion, the valid and legitimate Government of South Vietnam, headed by President Thieu, must play a major role in the settlement.

I was further pleased that the President included in his overall view of the problem, the point that Laos and Cambodia must be included in any final settlement we negoiate with the North Vietnamese. This approach is both sane and sensible to a long-term solution of the problem.

All in all, Mr. President, the candor with which the President presented his address was refreshing and is to be especially commended in view of the terribly confused situation under which we have been operating for the past few years.

Mr. Nixon's posture on Southeast Asia clearly lays the groundwork for uniting the country behind a serious plan to stop the bloodshed in Vietnam.

AN INVITATION TO GET LOST

Mr. CHURCH. Mr. President, there is deep-seated disappointment over the decision of the Nixon administration to drastically curtail the Job Corps program.

According to an editorial in a recent edition of the Washington Post, "reports from individual centers around the country reveal that trainees at the axed centers are shocked and depressed at the administration's action" in closing 59 of the 109 Job Corps centers.

> They may have interpreted the signal from on high as an invitation to get lost—

The Post continued—

> but that is how they read it, nevertheless.
>
> And the message the Job Corps centers are sending back to the administration in return is in the words of Yeats:
>
> "Tread softly, because you tread on my dreams."

Mr. President, I ask unanimous consent that the Washington Post editorial, and an editorial from the Lewiston, Idaho, Morning Tribune be printed in the Record.

There being no objection, the editorials were ordered to be printed in the Record, as follows:

[From the Washington (D.C.) Post, May 7, 1969]

Tread Softly on the Job Corps

The basic mistake the Nixon Administration may be making about the Job Corps, as it seeks to close 59 of 109 centers and to shift the rest from OEO to the Labor Department, is in assuming that it is only a job-training program. Anyone who has ever been at a Job Corps center the day a batch of recruits piled off the bus will know it isn't. Unkempt, unsociable, unwell, unlearned, their condition adds up to a frozen unfitness for anything, not to mention job-training.

Officials dealing with the poor are fond of the term *the disadvantaged* in describing Job Corps youth. Disadvantaged? They read and add at fifth grade level. Fifty per cent have never seen a doctor or dentist. Sixty-four per cent have been either thrown out or pushed out of school. Sixty per cent lived in substandard housing. Sixty per cent are from broken homes. Add to all this the fears, neuroses and suffering that statistics can't get to, and the term *disadvantaged* becomes a put-on. At best, the average Job Corps youth is seriously sub-disadvantaged, so far at the bottom of society's barrel that until Job Corps, no scraping was thought possible.

The Administration, sensitive to charges that some 13,000 trainees will be thrown to the wolves when the 59 centers are closed, has busily given assurances to everyone that those trainees unable to be placed in jobs or other centers will be absorbed into existing manpower programs. But this is unrealistic. One reason Job Corps was created in the first place is that it is a human renewal program, a last-stand try at reclaiming the broke and broken youths when other programs can't or won't. Programs in the Manpower Development and Training Act and Concentrated Employment Program are meant for the pleasantly "disadvantaged," not the unpleasant kind in Job Corps.

Sides have been forming in recent weeks on the fate of Job Corps. Last week the Senate Labor and Public Welfare Committee cleared a resolution calling on the President to hold up the shutdown. It is scheduled for the Senate floor Monday. Meanwhile, Nixon aides are now holding confidential files alleging a high incidence of gang rapes, homosexuality and drug use at the Job Corps centers. Presumably, the Administration may use this information, if things get tight, as a trump card to persuade Congress that it's better to let Job Corps die.

Aside from the cheapness, the tactic would be based on a distortion. The headlines describing the files may say, for example, that the Kilmer Job Corps Center in New Jersey had 22 cases of narcotics in the first six months of 1968. Yet Kilmer's 22 narcotics users represent a relatively small proportion of the 1700 total in the center, whose officials should be congratulated if that's actually the full dimension of their drug problem.

The genesis of all this President Nixon's trimming of the $280 million budget currently set for Job Corps by the House and Senate to $180 million. This cut allows him to tell taxpayers of another $100 million saved. But next to defense and space money, the saving is ridiculously small. Job Corps never had the funds it needed in the first place. Economy driving now only adds fiscal insult to social injury.

As for the injured, a few showed up here last week. A busload of students, faculty and Job Corps trainees on a 25-hour ride from northern Michigan testified before the House Education and Labor Committee. They said simply that the Job Centers are worth preserving.

Reports from individual centers around the country reveal that trainees at the axed centers are shocked and depressed at the Administration's action. Others, too beaten by the odds to react, have slipped off quietly. They may have misinterpreted the signal from on high as an invitation to get lost. But that is how they read it, nevertheless. And the message the Job Corps centers are sending back to the Administration in return is in the words of Yeats: "Tread softly, because you tread on my dreams."

[From the Lewiston (Idaho) Morning Tribune, May 3, 1969]

A GUTTER ATTACK ON THE JOB CORPS

Efforts to close down half the Job Corps centers across America have reached the gutter level of an effort to discredit and demoralize the corps with reports of homosexuality, drug use and other crimes. The nature of the attack reflects more on those who would resort to such tactics than on the Job Corps itself.

Naturally President Nixon does not know about and would not approve of this despicable gambit, but he does have a responsibility to discover who among the overzealous members of his administration is using smear tactics against this remarkable program.

The Associated Press investigative team has learned that the Nixon administration has files on criminal behavior at *some* Job Corps camps which have been prepared to use as the telling blow in the controversy over whether to proceed with plans to close half the centers. *AP* reporters learned that at least one congressman hostile to the program has been primed with some of the material.

The larger controversy may now become, not the closing of the centers, but the political methods of those who would close them.

The tactic is hypocritical on the face of it. If the anti-social activities at Job Corps camps were really so serious and so incurable, it would warrant closing all centers, not just half of them. If the situation were really unmanageable and the Job Corps really the irreversible failure that these reports are meant to imply, why keep any of them open?

There has been *some* criminal activity in *some* Job Corps centers, but the fact many centers have operated with less than the expected level of such incidents would indicate that the administration centers is in doubt, not the program itself.

In fact, there has been some evidence that the program is poorly administered from the top with too much latitude given to the directors of individual camps in the way they operate their Job Corps centers. That has been evident in the centers located in Idaho where a change of directors has sometimes brought discipline problems or cured them if they existed before. Some directors who have served during the last four years in this state have taken a permissive attitude toward running their camps which has resulted in behavior problems; some have operated under a philosophy of rather strict discipline based on the belief that those who can't behave can't stay; the offending corpsmen are given to understand from the beginning that they shape up or ship out.

There are also universities, military units and Cub Scout dens with discipline problems and anti-social behavior. But the answer is not to close down the universities, the Army or the Cub Scouts. And it certainly isn't to close half of them. The answer is new leaders to replace inadequate ones.

But, of course, the Nixon administration knows that. It wants to close the Job Corps for budget cutting reasons, not because the program is a failure. These sordid and expedient methods are being used, not because they are relevant to the worth of the corps, but because they are potentially more damaging than an honest and pertinent attack on the program.

By all means clean up those centers with a shoddy record. A young man who enrolls in the corps to improve himself must be permitted to do so without being harassed by depraved bullies. He deserves untainted opportunity. But closing the Job Corps centers would give him no opportunity at all.—B. H.

AMENDING THE CONTINGENT ELECTION PROCESS—SENATE JOINT RESOLUTION 18

Mr. YARBOROUGH. Mr. President, it has been said that those who cannot learn from the mistakes of the past are doomed to repeat them. I believe that there is, in the constitutional process for electing a President, a dangerous mistake which we have repeated every year we have failed to remedy it. One day, this mistake will bring us much sorrow.

The mistake of which I speak is contained in the constitutional provision for the election of a President when that election devolves on the House of Representatives. Senate Joint Resolution 18 proposes an amendment to the Constitution which would remedy this mistake by changing the method which the House uses to elect a President. At this time, each State has one vote in the balloting. I propose giving each Member of the House a vote. One Congressman—one vote. My reasons for advocating this change are given in my statement before the Senate Judiciary Subcommittee on Constitutional Amendments on March 11, 1969. I ask unanimous consent that the statement be printed in the Record.

There being no objection, the statement was ordered to be printed in the Record, as follows:

TESTIMONY OF SENATOR RALPH YARBOROUGH BEFORE THE SENATE CONSTITUTIONAL AMENDMENTS SUBCOMMITTEE, MARCH 11, 1969

Mr. Chairman and Members of the Subcommittee, thank you for the privilege of appearing here today. The matter of electoral reform is one which I believe to be of constant concern to all of us. It is obvious that the process of electing a President is in need of revision, so I am encouraged, as I am sure all of us are, that this committee is taking a careful and comprehensive look at this question.

I am aware that most of the testimony and discussion before this committee has dealt with the question of reforming or abolishing the electoral college. But, my proposal is not so ambitious; I seek, rather, to reform only a small segment of the process we have for electing a President. Small though this may seem, however, I believe that the change which I propose would correct a very serious, potentially fatal flaw in this process, the most dangerous of all flaws in our presidential election machinery.

My proposed amendment to the Constitution deals with the Constitutional provision for contingent election of the President in the House of Representatives. The main provision for this type of election is found in Amendment XII which was adopted in 1804. Section 3 of Amendment XX, adopted in 1933, also contains some language concerning contingent elections of the President. Because it might be rather confusing to read the two amendments separately, I shall read Amendment XII, inserting language from Amendment XX where applicable. This Amendment says:

"The Electors shall meet in their respective states and vote by ballot for President and Vice President, one of whom, at least, shall not be an inhabitant of the same state with themselves; they shall name in their ballots the persons voted for as President, and in distinct ballots the person voted for as Vice President, and they shall make distinct lists of all persons voted for as President, and of all persons voted for as Vice President, and of the number of votes for each, which lists they shall sign and certify, and transmit sealed to the seat of the government of the United States, directed to the President of the Senate;—the President of the Senate shall, in the presence of the Senate and House of Representatives, open all the certificates and the greater number of votes for President, shall be the President, if such number be a majority of the whole number of Electors appointed; and if no persons have such majority, then from the persons having the highest numbers not exceeding three on the list of those voted for as President, *the House of Representatives shall choose immediately, by ballot, the President. But, in choosing the President, the votes shall be taken by states, the representation from each state having one vote;* a quorum for this purpose shall consist of a member or members from two-thirds of the states, and a majority of all the states shall be necessary to a choice. [If, at the time fixed for the beginning of the term of the President, the President shall have died, the Vice President-elect shall become President. If a President shall not have been chosen before the time fixed for the beginning of his term, or if the President-elect shall have failed to qualify, then the Vice President-elect shall act as President until a President shall have qualified; and the Congress may by law provide for the case wherein neither a President-elect nor a Vice President-elect shall have qualified, declaring who shall then act as President, or the manner in which one who is to act shall be selected, contingent election of a President and Vice President is a mish-mash. It is a process rooted in an archaic, antiquated, totally anachronistic concern, crucial to the Founding Fathers but irrelevant in this age of one-man-one-vote—for protecting the rights and privileges of the small states against the larger states. All of you will recall that the chief reservation, the small states had about abandoning the Confederation was that they would be swallowed up by the larger states. It was, in part, this concern which produced our bicameral legislative system with the House of Representatives representing the people and the Senate representing the states. It was also this concern which produced the compromise proposal for contingent election of the President and Vice President. The small states were fearful that election in the House with each member having one vote would throw the balance back in favor of the larger states. Therefore, the small state delegates and their allies insisted that voting for President and Vice President be on a one-state-one-vote basis. Strange as it may seem, this procedure has remained in effect ever since that time, even though Senators have been popularly elected for more than half a century now. I think, Mr. Chairman and Members of this Committee, that the anachronism of this method of contingent election is only one reason to abandon it.

A second reason is that this system is so chaotic. The President and Vice President were elected by different Houses and by different methods in each House—on a state-by-state basis in the House of Representatives and on a one-member-one-vote basis in the Senate. The House chooses from the top three men, the Senate, from the top two. This system should be made more rational. Furthermore, given that it is our aim and our wish to make the selection of a President and Vice President as democratic a process as is feasible, it would seem necessary to rationalize this system by bringing the procedure in the House in line with that used in the Senate.

The third reason for a change, however, is the most critical. This reason should have become clear—very clear—to all of us during the election just past. For the system as it now stands contains the seeds of a paralyzing Constitutional and political crisis which could have very grave results indeed for this country.

In the 1968 election, we had a serious third-party candidate whose chief prospect was not to win the election, but rather to force the final decision into the House of Representatives in order to "bargain" with the other two candidates for certain policy concessions in return for his support.

The strategy was not an unsound one. By my count, the Democratic Party controlled twenty-six state delegations, the Republican Party, nineteen, and five delegations were divided evenly. But, it is probable that some of the state delegations would have voted initially for the third party's candidate, Gov. Wallace. There are no Constitutional provisions binding members of the House to support their party's candidate for President. Moreover, Governor Wallace carried five southern states and it is possible that these five state delegations would have supported him in the House of Representatives. The result would have been deadlock in the House. Meanwhile, the Senate, choosing between the two front runners, would have met, voted, and in all probability, elected a Vice President, who would then be faced with the awesome task of serving, not as President, but as *acting* President. Can you, Mr. Chairman and Members of this Committee imagine how chaotic the party quarrel would have become under these circumstances.

Several other very detrimental results could come of the stalemate in the House. The President finally chosen might be of a different party from that of the Vice President, thus recreating—the very situation which Amendment XII was written to avoid. Moreover, it is altogether possible that the concessions the President-elect would have been obliged to make in order to be elected would weaken his power to govern. If the Congress could not decide on a President and a Vice President, it would then have to select a person to act as acting President.

Gentlemen, I hope I have been able to show why I have introduced S.J. Res. 13, and why I think it is so important that this Amendment be adopted as soon as possible. A Constitutional crisis such as I have just described would do great harm to our body politics. I don't believe that today we ought to preserve a system of contingent election of the President which is as undemocratic as the one we now have. I believe it is now time to change it.

My proposal is not a new one. In 1823, Thomas Jefferson wrote, "I have ever considered the Constitutional mode of election ultimately by the legislative voting by states as the most dangerous blot on our Constitution and one which some unlucky chance will someday hit." In 1824, Senator Thomas Hart Benton of Missouri proposed an amendment to the Constitution recommended by the Senate Select Committee on Elections, which would have provided for contingent election of the President and the Vice President by a Joint Session of Congress with each member having one vote. Later, in 1876, Congressman Samuel Addison Oliver of Iowa introduced H.R. 27, a joint resolution which provided, among other things, for contingent election of the President by the House *viva voca* with each member having one vote. Similar proposals were made in 1918 by Representative Tucker of Virginia and in 1928 by Representative Browne, of Wisconsin. Other leading legislators and scholars among them, Senator Oliver P. Morton (1877), Joseph Cady Allen (1917), and Edward Lee (in 1943), have long recommended this change which I am proposing now. Finally, in 1966, President Johnson said in a Special Message to Congress on January 20, 1969:

"In such an election [contingent election], the House of Representatives would be empowered to elect a President from the three highest candidates. However, each State casts only one vote . . .

I firmly believe that we should put an end to this undemocratic procedure."

As I said when I introduced S.J. Res. 18:

"This joint resolution is not introduced as the ultimate solution to our electoral ills . . . I propose this change in the Constitution with the intention of correcting a very specific fault, but a very dangerous fault, in our electoral system. If the House of Representatives is to remain the final arbiter in our Presidential election system, we must be concerned with the mechanics of selection in that body. Voting by state is one of the greatest faults in our total election process. I seek to bring the contingent election of the President by the House closer to the people by allowing each representative of the people to cast his own vote."

There are several proposals before this subcommittee relating to electoral college reform instead of reform of the contingent election provision. If we did away with electors but kept the electoral college, giving a vote to each congressional district and two at-large to each state or if we apportioned the electoral votes according to the percentage of the popular vote, the candidate receives, we may still end with no candidate having a majority of the electoral vote. And, if we abolish the electoral college and substitute direct popular election, we may end up the same way. Therefore, Mr. Chairman and Members of the Subcommittee, I feel that in any case, my Amendment is necessary.

I hope that you will give my proposal the most careful consideration possible. I hope it will be adopted by the Congress and by the states very soon.

Thank you.

THE MEDICARE AND MEDICAID PROGRAMS

Mr. WILLIAMS of Delaware. Mr. President, on May 14, 1969, as appears in the CONGRESSIONAL RECORD on pages 12557–12560, I outlined a series of abuses that are developing under both the medicare and the medicaid programs. As pointed out in my remarks, part of these abuses developed from the exploitation and overcharges on the part of a few members in the various participating groups, and part of the responsibility lies in a weakness of the law and to a certain extent in a lack of efficiency and proper supervision on the part of both State and Federal agencies.

Since making those remarks I am glad to note that the American Medical Association has joined in expressing concern over the rising costs of both these programs, and Dr. Dwight L. Wilbur, president of the AMA, has pledged the cooperation of the association in the study by our committee and at the same time has issued an order to all State and local medical societies "to act swiftly and firmly in all instances of known exploitation."

In an April 17 letter to Secretary Finch, the Secretary of the Department of Health, Education, and Welfare, Dr. Wilbur said that the AMA was eager to make available to his office "the composite experience and judgment of the Nation's physicians, who are the principal providers of health care to all the people." He pledged further that—

> The knowledge and judgment of the nation's physicians—as well as of the prepayment plans, health insurance industry, hospitals, the allied health professions, the actuaries and others—must be enlisted in your battle against the health-care portion of the inflation problem.

This is the type of cooperation we need, and I appreciate this support from the American Medical Association. I sincerely hope that we shall have similar pledges of support from representatives of the other groups affected.

I can assure each of these groups that our study will not result in a blanket indictment against any segment of the industry involved. We fully recognize that the overwhelming percentage of those who are in any way connected or working with this program are trying to do a good job; however, when instances of exploitation or excessive charges are discovered they must be exposed and properly dealt with.

I ask unanimous consent that the press release of the American Medical Association of May 15, 1969, be printed at this point in the Record.

There being no objection, the press release was ordered to be printed in the Record, as follows:

The American Medical Association shares with Sen. John J. Williams, (R. Del.) a concern over the rising costs of medicare and medicaid. Dwight L. Wilbur, MD, president of the AMA, last month offered Health, Education and Welfare Secretary Robert H. Finch the assistance of the AMA in coping with the problem. The AMA also will be glad to cooperate with the Senate Finance Committee or any other committee of Congress studying the problem of rising health care costs.

For some time the AMA has been giving national leadership in coordinating the efforts of state and county medical societies in the establishment and effective functioning of local review and utilization committees checking on the health care services rendered under the medicare and medicaid programs. Close liaison also has been established between carriers and many medical societies in reviewing disbursements under the government programs.

All investigations so far have indicated that an overwhelming majority of physicians participating in medicare and medicaid are charging reasonable fees. The charges of only about two per cent of the physicians receiving payments from the programs have been challenged. Of course, the AMA favors appropriate action in any of the cases where physicians are found to receive improper payments. Last June, the AMA Board of Trustees urged all state and local medical societies 'to act swiftly and firmly in all instances of known exploitation, and excessive charges for health care that may occur in their jurisdiction." In 1967, the AMA said "any reports of abuses by physicians or by any other health care program should be thoroughly and promptly investigated and action taken where indicated." Several medical societies have expelled members where it has been proved that a physician's charges were excessive or he in some other way exploited the program.

The AMA, through its publications and speeches by its officials, has been emphasizing to physicians the responsibility they have to hold down the health care costs of their patients both under and outside government programs. In an April 17 letter to Finch, Dr. Wilbur said the AMA "is eager to make available to your office the composite experience and judgment of the nation's physicians, who are the principal providers of health care to all the people."

"The knowledge and judgment of the nation's physicians—as well as of the prepayment plans, health insurance industry, hospitals, the allied health professions, the actuaries and others—must be enlisted in your battle against the health-care portion of the inflation problem," Dr. Wilbur said.

MIDDLE SNAKE MORATORIUM THE PRUDENT COURSE

Mr. CHURCH. Mr. President, recently my colleague from Idaho (Mr. Jordan) and I introduced proposed legislation for a 10-year moratorium on construction of any dams on the Middle Snake River. It is our feeling that there is no reason to hurry to judgment on the building of new dams on this stretch of the river until fundamental questions can be answered as to its highest and best use.

The Lewiston Morning Tribune has done an excellent job summarizing the arguments that Senator Jordan and I have made in favor of a moratorium.

In its editorial treatment, the Tribune concluded that it would be "hasty and shortsighted to plunge ahead with what may be the wrong dam at the wrong time, and quite literally, in the wrong place."

I ask unanimous consent that this perceptive editorial be printed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

[From the Lewiston (Idaho) Morning Tribune, Mar. 30, 1969]

GUESSWORK ON THE MIDDLE SNAKE

With Pacific Northwest Power Co. announcing it is ready to resume its efforts to dam the Middle Snake, it is more imperative than ever that Congress declare a 10-year moratorium on development of that portion of the stream.

The Middle Snake must not be committed to what may be an obsolete option—hydroelectric generation—until at least two other more promising alternatives have been explored. That will take time.

And it is time that Idaho Sens. Frank Church, Democrat, and Len B. Jordan, Republican, are trying to buy with their proposed 10-year moratorium. Each of the two senators, however, is interested in a separate possibility for the stream.

Church has not closed his mind to other options, but he is leaning at this point toward the belief the stream should remain as it is—as close to its natural state as upstream regulation of the river by Idaho Power Co. dams will permit. The full Middle Snake from Hells Canyon Dam downstream to Lewiston may be worth perpetuating in its present form. But it is Hells Canyon, that awesome slice of Oregon and Idaho real estate, that would get its feet wet in a Middle Snake Dam. So that is currently the matter of most concern.

Jordan is interested in the moratorium for a different reason. He suspects that one day it may be highly desirable to dam that section of the river to initiate a pump-back storage system in which water is quite literally pumped back over dams. Thus the water would be used and reused, providing surplus water for several million new acres of parched land in southern Idaho and perhaps beyond.

Jordan would hesitate for 10 years to plunge forward with his plan until the major question of the fish runs can be settled. The senator believes it will be settled, one way or another within those 10 years, and he is probably correct. Either the fish will have been obliterated by the dams that are already in place today, or the fish biologists will have succeeded in their promising efforts to help the fish cope with man-made interference with their migration.

If fish runs have been developed that can cope with almost any dam—or if the fish runs have been destroyed—it won't make a great deal of difference (at least from the standpoint of fishing) where you build a dam on the Middle Snake. And, if that day comes, you might as well build at the site where your dam will catch the most water. That is below the mouth of the Salmon, rather than above it, where Pacific Northwest Power Co. hopes to build (originally for very responsible reasons).

PNP is going after a secondary site before it is decided whether the best one can be built.

If the day comes that Jordan foresees, when the fish problems have been removed as an issue and a hungry world needs the food production that would result from irrigating more of southern Idaho and eastern Oregon, then those who tend now to lean toward conservation of the stream in its present form will have to re-examine the situation. A free-flowing stream feeds the soul, but there may by then be too many mouths to feed to permit the luxury of raw natural splendor. Development may become essential.

It would be foolish and short-sighted therefore to legislate at this moment the perpetual nondevelopment of the Middle Snake.

And it would be equally hasty and shortsighted to plunge ahead with what may be the wrong dam at the wrong time, and quite literally, in the wrong place.

Perhaps, if built, the PNP dam would actually serve the highest purpose. The officers of that firm could be correct in their guesses on what the future will demand. We could be wrong in our guess that leaving the stream as it is or developing it for agriculture would better serve.

That is the point: There is too much guesswork involved in rushing to judgment this very minute as PNP would have us do.

Church and Jordan offer the prudent course.—B.H.

THE PRESIDENT'S VIETNAM SPEECH

Mr. DODD. Mr. President, President Nixon's speech on Vietnam Wednesday night was the best on the subject that I have heard.

The President has now made it abundantly clear to Hanoi and the rest of the world that the United States wants nothing more in South Vietnam than to bring an end to this dreadful war. He emphasized once again that the people of South Vietnam should decide for themselves what their future will be.

Of course, he said much more than that. President Nixon spelled out in detail how this war could be ended. The President's proposals for the withdrawal of all non-South Vietnamese forces under international supervision, and for free elections, also under international auspices, deserve the full and complete support of all Americans. Indeed, it is our fervent hope that these proposals will be given careful consideration by Hanoi.

So I say in the most nonpartisan spirit that all our thanks must go in this instance to President Nixon. His speech must, indeed, have an impact on our enemies. I also believe that it will help us here at home, because it will certainly reunite people in the common purpose of finding a just peace.

Mr. President, I ask unanimous consent to have printed in the Record an article entitled, "Speech Shows Nixon Realizes Consequences of a Surrender," written by Joseph Alsop, and published in this morning's Washington Post.

It is, I believe, an accurate assessment of what the world can expect in South Vietnam in the event of a Communist takeover.

There being no objection, the article was ordered to be printed in the Record, as follows:

SPEECH SHOWS NIXON REALIZES CONSEQUENCES OF A SURRENDER

(By Joseph Alsop)

In the President's study, quietly eloquent and common-sensible speech about Viet-

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nam, you could hear ghosts walking. To be specific, you could hear the ghosts of the 2000 dead of Hue.

The New Left in the U.S., and indeed a good many of the so-called media, can now summon indignation against almost anyone but the enemies of this country. This is perhaps why the Communists' monstrous crime in Hue has been so little noticed, with only two or three honorable exceptions.

During the Tet offensive, in brief, the Communists occupied much of Hue for a little more than three weeks. The occupied part of the little city had an original civil population of perhaps 80,000 men, women and children. One half or more of these people—probably more—managed to seep out between the lines in the confused early stages of the fighting.

Thus the Communists' potential victims numbered no more than 35,000 to 40,000 at most. Of these, they killed in cold blood at least 2000, old and young, men and women, and even little children. That may have actually been found in the mass graves in which the Communist high command buried these 2000, who were guilty of nothing except being suspected—and you can doubly underline "suspected"—of opposition to a Communist takeover.

In a grim story describing the reburial of 300 of the recently found dead by the Hue municipal authorities, Robert Kaiser of The Washington Post described how many of them had been beaten to death with clubs, that they did not have a whole bone in their bodies. Many more, said Kaiser, showed clear evidence of having been buried alive!

So now extrapolate, as our virtuous academic intellectuals so often say. Before Tet, Hue was the city in South Vietnam most disaffected from the government. It had very few Catholics, and none of those massacred in the mass graves of Hue were soldiers. Yet the Communists massacred on the order of 5 per cent-plus of the civil population they got briefly in their grip.

To extrapolate correctly, moreover, you must crank into the calculation South Vietnam's million men in uniform, and the million Catholics that the U.S. brought down from North Vietnam in 1954. Realistic extrapolation from what happened in Hue would therefore give a figure of at least a million South Vietnamese who would be doomed to prompt execution, in the event of a nationwide Communist takeover. And this is quite in line, in turn, with the blood bath that occurred in the North after the Communist takeover there.

A grave and sober consciousness of the consequences of an American surrender, disguised or otherwise, showed through in every line of President Nixon's speech. So did realism about the necessary terms of any acceptable settlement, as when he stressed the absolute need for North Vietnamese withdrawals from Cambodia and Laos as well as South Vietnam. And showing, too, was the courage to see through this hard, intractable problem.

The dead of Hue meanwhile symbolize, indeed in some sense define, the severe limitations on the President's freedom of action. Because he has so clear a view of the consequences, he cannot take the advice to give up that is pressed upon him by men like Sen. J. William Fulbright. (But he can, of course, ask these gentlemen, at a later date: "Do you want the blood of hundreds of thousands of innocents on your hands, and on your country's hands?")

The President, in short, cannot possibly accept anything less than the minimum he asked for: absolutely free self-determination, with no threat of northern re-invasion, for the people of South Vietnam. Hanoi knows perfectly well that only the tiniest minority of South Vietnamese would freely choose a Communist regime. Hence Hanoi is certainly not ready, as yet, to give the President anything like the minimum he must insist upon.

That is why the President warned that an early end of the war was not in sight. Yet Hanoi's problems, mercifully, are a hundred times more painful than Saigon's problems, or indeed than the President's problems. Above all, Hanoi now has to worry about the dreadful and continuing manpower drain on the North, and worse still, about the potential crack-up of large chunks of the VC structure in the South.

So the President's best posture is not merely to look resolute, but also to be resolute. In his speech, he was very resolute indeed. Hanoi, therefore, now has solid knowledge of the President's purposes—which are very different from the guff that has been so widely written about his purposes.

BIG THICKET MAY VANISH IN 3 YEARS UNLESS BIG THICKET NATIONAL PARK BILL, S. 4, IS PASSED VERY SOON, FORT WORTH STAR TELEGRAM WARNS

Mr. YARBOROUGH. Mr. President, we are rapidly running out of time in which to act to save some portion of the beautiful Big Thicket in southeast Texas. A hundred years ago, the Big Thicket covered 3½ million acres. Today, fewer than 300,000 acres remain—less than 10 percent of the original acreage.

Mr. Terry Flemmons of the Fort Worth Star Telegram has written a disturbing article about the rapid disappearance of the remaining portions of the Big Thicket. He ably describes the unique beauty of the Thicket area, quoting various scientists and conservationists regarding the value of the Big Thicket. I am afraid that unless the Senate moves now to consider S. 4, my bill to establish a Big Thicket National Park of not less than 100,000 acres, Mr. Flemmons' somber predictions about the future of the area will come true.

I ask unanimous consent that the article entitled, "Texas' Big Thicket: A Fading Wonder," published in the Sunday, January 19, 1969, edition of the Fort Worth Star Telegram be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Fort Worth Star-Telegram,
Jan. 19, 1969]

TEXAS' BIG THICKET: A FADING WONDER

(By Jerry Flemmons)

To view the remains of what we could have had, you drive east from Huntsville to Livingston, to Woodville, south to Kountze, west to Rye through Votaw and Honey Island.

What you see are the bits and pieces of Texas' Big Thicket, shards of a lost ecological empire. Once a rare and wonderful place, the Big Thicket today is shattered tragedy.

A hundred years ago the Big Thicket covered three million acres. Today fewer than 300,000 acres remain and conservationists declare the existing forest is disappearing at the rate of 50 acres daily.

There even are those who claim that of the 3 million acres, actually only a four-acre tract along a stream called Beech Creek, punctuated with 35-foot-tall magnolia and beech trees, is the true surviving Big Thicket.

And even that remnant is doomed, because early in 1968 loggers cut away surrounding trees from the virgin area and the magnolias and beeches now will wear away without their protection.

It covered 11 counties from Nacogdoches to Beaumont and from the Sabine to the Trinity River. That was the Big Thicket. Take a droplet of mercury and strike it with a hammer. The mercury separates and forms tinier, isolated beads. The Big Thicket is like that today, chopped and channeled, hacked and cross-patched.

The Big Thicket, what remains of it, is a unique treasure for Texas. Quite probably no other spot in the world resembles the thicket. It is there that three distinct climatic zones live in harmony. For subtropic proof there are magnolia, palmetto palms and more than 20 types of wild orchids. Yet mesquite and cactus—desert plants— are nearby. In addition there is plant life characteristic to the Appalachian Mountains.

A botanical wonder, the Big Thicket's rhododendrons, and azaleas, great banks of wild honeysuckle and verbena, spider lily and wild wisteria grow in profusion everywhere they are allowed peace.

There are five carnivorous plants—that is, plants which catch and eat insects and the like—known in the world. Four, the bog violet, sundew, bladderwort and pitcher plant, are native to the Big Thicket.

Scientists speak of the Big Thicket as a "region. of critical speciation." They mean that the climate, soil and other botanical elements combine to cause environmental change within plants.

More than 100 different trees and plants grow in the thicket. Something over 300 species of birds nest in the forests. The ivory-billed woodpecker, for instance, was seen there recently after naturalists believed it to have been extinct for more than three decades.

Texas Author Mary Lasswell has called the thicket a ". . . giant garden that is being looted and despoiled."

Sen. Ralph Yarborough, one of the few politicians who has attempted to save the thicket, maintains it is Texas' "last true wilderness."

Most conservationists blame big business—the eternal villains in matters such as these—for the probable loss of Big Thicket's valuable presence.

It is true. Loggers have ripped away most larger trees, particularly the hardwoods (because more money is made on pine than hardwoods, such as Cypress and Magnolia, which shut out the pine).

Bulldozed roads, in spots, run in a straight line with no care for any botanical prizes that may have lain in their paths. Supreme Court Justice William Douglas, in his angry book, "Farewell to Texas: A Vanishing Wilderness," tells of a bulldozed road, relating that ". . . on the road's edge dozens of magnolia lay freshly cut . . . they were not cut for flooring, for paneling or for railroad ties. They were cut for sheer destruction and the trunks lay rotting."

Rights-of-way for pipelines are stripped into forest lands and salt water overflows from oil operations and pollutes streams, killing fish. A lumber company recently sprayed its hardwoods with a defoliant and killed an entire rookery—hundreds of birds—of herons, egrets and their young.

Landdevelopers are subdividing remaining forest lands, raising houses and clearing away giant trees.

The conservationists have tried for 30 years to save the Big Thicket. Most recently was a bill, introduced by Yarborough, asking that about 75,000 acres be set aside as a national park. Although supported by the Lone Star chapter of the Sierra Club, the Wilderness Society and the Audubon Society, the bill simply died from lack of airing. Another bill, hopefully, will be pushed in the current session of Congress.

The national park proposal is matched against a compromise offer suggested by the

U.S. Park Service which has asked for a 35,500 acre national monument. Lumber companies, not unexpectedly, like this plan best and, as recently as six months ago, had postponed cutting in the suggested monument area.

To the companies' credit there is much local opposition to either a national park or monument. Lumber and oil are major occupations in the Big Thicket and employees, naturally, fear their jobs might be wiped out with establishment of public lands. (The U.S. Park Service, however, claims tourism would create more money and jobs that now are maintained by either lumber and oil.)

Others fear their own land would be taken for portions of the national areas which, undoubtedly, they would. They fear taxes would go up on homesteads if the valuable lumber lands were taken away.

It seems a mute question. Yarborough maintains 35,000 acres "won't protect the ecology of the Big Thicket."

The U.S. Park Service argues that it is too late to save larger pieces of the thicket.

Some scientists support the national park plan, theorizing that through careful protection the Big Thicket would come back to its original state. The climate, which man can't totally destroy, created the Big Thicket once and it can do it again.

Conservationists have failed to have anyone listen to them for three decades. It is doubtful that many will lift an ear to hear them now.

What remains of the Big Thicket—the bits and pieces—will be gone entirely within three years, they say.

If that is true, perhaps a national monument would be more apt. A monument is tribute to a dead issue and lost cause and seems to be the fate of Texas' Big Thicket.

THE PRESIDENT'S SPEECH ON VIETNAM

Mr. TYDINGS. Mr. President, President Nixon's address Wednesday night on Vietnam indicated a flexibility and restraint which could contribute materially to hastening an end to the war.

I was disappointed that the speech contained no mention of the need for internal reform in the Government of South Vietnam. The President did seem to acknowledge the civil nature of the war in the South. But he did not focus on the corruption and tyranny in the South Vietnamese Government which has been the major contribution to Vietcong political strength in the South and a basic cause of the war itself. Hopefully, the President's silence on this subject does not necessarily indicate he will ignore the need for an end to corruption, terror, and intolerance on the part of the South Vietnamese Government if that government is to survive a U.S. withdrawal.

But, on the whole, the President's speech argued persuasively for time to pursue his plans for ending the conflict. While I will not neglect my responsibility to speak out when necessary on the war, I believe he should be given that time.

But let us be clear about two things. First, this has been the third most costly war in our history, the longest and the most unpopular. It has taken 40,000 American lives and wounded 222,000 other American boys. It has split our own Nation and wrought havoc on our economy. And it continues to take 200 American lives and wound 600 men a week. This carnage must be concluded.

At the same time, however, those with whom peace must be made—the North Vietnamese and the Vietcong—must recognize, as the President warned last night, that the American patience is not unlimited. The "other side" would be foolish indeed to intensify the fighting or to mistake the President's flexibility for timidity. Incredibly tragic as further escalation of the war would be, the Vietcong and North Vietnam will make a catastrophic blunder if they believe they can achieve more on the battlefield than at the conference table.

Wednesday night the President eloquently summarized the tragedy of this war and the urgency for its solution when he said:

> I have seen the ugly face of war in Viet Nam. I have visited the wounded in field hospitals—American boys, South Vietnamese boys, North Vietnamese boys. They were different in many ways—the color of their skins, their religions, their race. Some were enemies, some were friends.
>
> But the differences were small compared with how they were alike. They were brave men and they were so young. Their lives—their dreams for the future had been shattered by a war over which they had no control.
>
> With all of the moral authority of the office which I hold, I say that America could have no greater and prouder role than to help to end this war in a way which will bring nearer that day in which we can have a world order in which young men can grow up in peace and friendship.

I say today let us have the further patience the President implicitly sought last night. Let us give him a chance to end this awful war.

THE PRESIDENT LEADS THE WAY ON THE VIETNAM ISSUE

Mr. BENNETT. Mr. President, since the Senate was not in session on Thursday, the day following President Nixon's statement on the Vietnamese war, we did not have an opportunity to comment on his speech in the Senate. I should like my feelings on the matter to become an official part of the Record, so I ask unanimous consent that the statement that I issued on Wednesday night at the request of the news media be printed in the Record.

There being no objection, the statement was ordered to be printed in the Record, as follows:

Statement by Senator Wallace F. Bennett, Republican, Utah, After President Nixon's Vietnam Speech, May 14, 1969

> With his very significant statement Wednesday night President Nixon has seized for the United States the initiative for peace and placed the burden of a realistic response upon the Communists.
>
> The President's plan was specific yet flexible. It was comprehensive yet very clear. It was conciliatory yet firm. It was generous yet it indicated the United States will not tolerate defeat.
>
> The proposal frankly recognizes that much in the Viet Nam war is political. That is why the President offers regulated and mutual withdrawal. His plan also seeks to assure Cambodia and Laos about their future. I found his proposal creative: the time is now for building the international supervisory body that the President has bodly offered.
>
> I strongly urge the American people now to unite behind the President. If we cannot get together on a mutual withdrawal and a negotiated settlement allowing a free choice in South Viet Nam, what hope do we have?
>
> To the advocates of an immediate unilateral withdrawal, I call on them to give the President and his plan a chance. It is time to close ranks and deny Hanoi the privilege it has had of exploiting our differences.

ECONOMICS OF AGING: III

Mr. WILLIAMS of New Jersey. Mr. President, the Senate Special Committee on Aging recently held 2 days of hearings on the "Economics of Aging." We heard from university specialists and Government experts; we heard from the representatives of leading senior citizens' organizations; we heard from economists, social scientists, and business analysts. All of these witnesses gave testimony which underscored the grim conclusions of our committee's earlier task force report on the fiscal problems of the elderly.

In that report, we noted—

> Three out of ten people 65 and older—in contrast to one in nine younger people—were living in poverty in 1966, yet many of these aged people did not become poor until they became old.

During the days prior to the hearings, we received eloquent testimony—through cards and letters—from hundreds of older men and women. Their experiences, as conveyed through their letters, add up to yet another dramatic demonstration of the seriousness of the economic problems facing the aged and aging.

A letter written by a 76-year-old woman from Swarthmore, Pa., makes a telling point with these words:

> I am one of those older people, living alone (will reach the age of 77 in three weeks) who has become poor since becoming old! Unable to work any longer, I am trying to get along on my Social Security of $55 per month income, besides drawing a few dollars from a fast-dwindling nest-egg in the bank and an occasional fee from private French teaching and some baby-sitting, to meet the ever increasing cost of living. I am however, aware of the fact that some elderly people are worse off than I, and for those, drawing less than $80 or $100 a month, the name of Social Security has become a paradox indeed!

A number of letters have addressed themselves to the inadequacy of social security benefits. As reported in the task force study—

> The Social Security system has failed to keep up with the rising income needs of the aged.

The following remarks from a letter written by a Los Angeles resident dramatically illustrate that point:

> We beg of you to do something better than a 7% increase in Social Security benefits. What can you do with a 7% increase when our rents have increased 10%, groceries up 4% last month, when a lb. of coffee and carton of milk is $1.00, a loaf of bread 45c cereals are 55 to 57c a box, and then only ⅔ full. When we were working and starting savings accounts we never dreamed it would cost this much to live.

I will repeat what I said in the preface to the task force report:

> Such questions cannot be answered simply by adding a few dollars to monthly social security payments, or by making modest improvements in private pension plans. What is needed now is an honest, hard look at today's inadequacies and failures in light of trends now clearly visible.

MACHIASPORT

Mr. SCHWEIKER. Mr. President, on behalf of the Senator from Massachusetts (Mr. BROOKE), I ask unanimous consent to have printed in the RECORD a statement he had prepared for delivery today.

There being no objection, the statement by Senator BROOKE was ordered to be printed in the RECORD, as follows:

Mr. BROOKE. Mr. President, I am informed that on 9 p.m., Tuesday, May 20, television station WETA will present a color documentary entitled "Machiasport, Conflict Over Oil."

This program has already been shown by several educational television stations around the country and has received great praise for its fair and balanced analysis of the debate over the establishment of a foreign trade zone and oil refinery at Machiasport, Maine. With its showing in the Washington area on Tuesday, I hope all that have expressed an interest in this vital matter will have the opportunity to view this program.

"CRIMINAL INJURIES COMPENSATION: TIME FOR ACTION"—AN ARTICLE FROM THE GEORGETOWN LAW WEEKLY

Mr. YARBOROUGH. Mr. President, earlier this year, the Georgetown Law Weekly, a well-written weekly law journal published by the students at the Georgetown Law Center, asked me to prepare an article on compensation to innocent victims of crime. My bill, S. 9, deals with this subject.

This article came out in the May 5 edition of that fine paper. I wish to call the attention of the Senate to the title of the article, "Criminal Injuries Compensation: Time for Action." I cannot stress too strongly the importance of action on this measure to the people of America. It is time for action in this very vital field.

There is too much crime in this Nation already and it is steadily rising. While concern about the criminal is quite proper and understandable, we simply cannot afford to continue to ignore the victims of these crimes.

Mr. President, the time for action in this field is now. I ask unanimous consent that the text of my article entitled, "Criminal Injuries Compensation: Time for Action," which appeared in the May 5 edition of the Georgetown Law Weekly, be printed in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

CRIMINAL INJURIES COMPENSATION: TIME FOR ACTION

(By Senator RALPH YARBOROUGH)

(NOTE.—Senator RALPH W. YARBOROUGH was first elected to the United States Senate in a special 1957 election. He is now the senior Senator from Texas having been re-elected during the two succeeding regular election contests. Yarborough, a noted attorney before his successful political career, was a former judge, assistant state attorney general, lecturer at the University of Texas Law School, member and former director of the State Bar of Texas and active member of many leading professional law associations.)

As anyone who bothers to pick up a newspaper knows, one of the greatest concerns of many of our people today is the rapidly rising crime rate. The most recent figures furnished me by the FBI indicate that all crimes of violence were up by 19% in 1968 over 1967. Included in this figure were crimes such as murder (up 14%), armed robbery (up 34%), assault with a gun (up 24%), and similar increases in all other categories. Obviously, this is a matter of great importance to us all.

In my opinion, though, too many people are interested only in the capture and punishment of the criminal. We hear calls for increasing Federal expenditures for all types of crimefighting activities—larger police forces, more courts, more modern penitentiaries, more effective rehabilitation of law-breakers.

Not only that, but there is a growing concern for care of criminals after their arrest and during their incarceration. And quite rightly so, for we cannot permit callous and inhuman treatment of any of our fellow citizens—even law-breakers.

CONCERN WITH VICTIMS OF CRIME

But, all of this concern, praiseworthy though it may be, fails to take cognizance of the bifaceted nature of every crime. In each instance when a crime occurs, two parties are involved—the criminal and his victim. And, unfortunately I find that in many cases, the victim becomes the forgotten man. He may have the personal satisfaction of seeing the man who harmed him punished, but he is almost never compensated for the harm done to him.

There are two ironies here. First, at the very time when we appear to be devoting greater attention to crime detection and prevention and the rehabilitation of the criminal, the victim is being neglected and the enormity of this neglect is magnified every day it is continued. Second, the victims of crime are usually those who can least afford additional burdens and the perpetrators of violent crimes are usually those who have the least with which to compensate their victims. Therefore, the victim usually goes uncompensated.

My personal interest in and concern with this unfortunate anomaly began over thirty years ago when I served as a District Judge in Texas. Finally, in 1965, I introduced a bill in the 89th Congress to rectify this situation. This was the first bill of its sort ever introduced in the United States Congress.

Since that time, support for such a proposal has grown steadily and in December of 1968, the National Commission on the Causes and Prevention of Violence conducted an International Conference on this subject. This conference was held in Los Angeles at the University of Southern California. Moreover, other nations—New Zealand and Great Britain—and five states in this country—Massachusetts, California, New York, Maryland, and Hawaii—have written such a provision into their laws. I feel that it is now time for the United States Congress to act in this field.

BILL TO COMPENSATE VICTIMS

What the bill I have introduced in the 91st Congress on this subject, S. 9, calls for is the creation of a Federal Violent Crimes Commission. This Commission would be empowered to consider claims, examine evidence, and provide up to $25,000 compensation for individuals injured by crimes of violence. The provision of this bill would apply only to those areas in which the Federal Government exercises general police power—The District of Columbia and the special maritime and territorial jurisdictions of the United States.

I agree with The New York Times which pointed out in an editorial on January 18, 1966: "Since the maintenance of law and order is a basic responsibility of the State, it follows logically that the innocent victims of violent crimes are entitled to compensation from the State." And with Justice Arthur J. Goldberg (now no longer on the Supreme Court) who said in February, 1964: "The victim of a robbery or an assault has been denied the 'protection' of the laws in a very real sense, and society should assume some responsibility for making him whole."

Moreover, our society today obliges its citizens to go about unarmed and creates through a variety of laws and institutions the expectation that the citizen will be protected. When society fails in its assumed duty to protect its citizens, society ought to have the responsibility for compensating the innocent victim for his personal injuries.

I feel that the importance of this bill cannot be read alone in the dollars and cents which it would provide to the victims of crimes of violence—important as this goal is This bill records for the American people a milestone in the quest for a humane and socially responsible treatment of innocent people brutalized by acts of violence. With this bill, we can demonstrate that a wealthy nation which can spend millions to bring justice to the perpetrators of crime is not indifferent to the light of their victims.

It is important, though, to protect both the rights of the victim and the rights of the criminal and for this reason, I have taken great care to see to it that nothing in this bill would impair or alter these rights. First, the victim's rights to seek civil remedies for wrongs done him. Compensation provided by the Commission would be in the nature of the fulfillment of a duty which runs between the victim and the State. The rights and responsibilities running between the criminal and the victim would be unaffected. Moreover, since the bill provides for ex gratia reward, it will not create a right not otherwise available to bring a civil action against the Government in other proceedings.

RIGHTS OF ACCUSED

Proceedings before the Commission would not be allowed to prejudice the rights of the accused. The primary interest in these proceedings is in the victim, not the criminal. If, on the basis of the evidence the Commission decides that the victim has been in fact criminally injured, the absence of the unapprehended criminal will not bar the victim's claim or color the proceedings. Furthermore, the finding by the Commission in favor of the victim would not be used against the criminal in proceedings against him.

CONCLUSION

In my opinion, the time has come for us to take this first important step in a neglected area of the law. We have collectively created an environment in which crime flourishes. Although we can sincerely dedicate ourselves to the reduction or even the eventual elimination of crime, we ought not to ask the innocent victim to wait upon our labors. We have missed the mark by not devoting concern to the innocent victims of crime equal to that we have given the criminal. The victim needs our help through compensation. We can give him no less.

HEALTH CARE FOR THE ELDERLY—AS PART OF HEALTH CARE FOR ALL

Mr. WILLIAMS of New Jersey. Mr. President, the American College of Nursing Home Administrators has long been a persuasive and persistent force for higher standards of care in long-term care institutions. During the current dispute over proposed standards for skilled nursing homes under medicaid, in particular, the ACNHA has taken a stalwart stand against dilution of requirements sought in legislation sponsored by the senator from Utah (Mr. Moss), which finally became a part of the Social Security Amendments of 1967.

Senator Moss participated in an ACNHA Forum on Health Care and So-

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ciety in Chicago on April 28. His remarks at that time were influenced partially by his role as chairman of the Subcommittee on Long-Term Care in the Senate Special Committee on Aging, of which I am chairman. But he also attempted to show that good health care for the elderly should not be regarded as an end in itself, but as one of the built-in components of good health care for all people of this Nation.

I ask unanimous consent that Senator Moss' remarks be reprinted in the Record.

There being no objection, the address was ordered to be printed in the Record, as follows:

HEALTH CARE AND THE ROLE OF THE FEDERAL GOVERNMENT

(An address by Hon. Frank Moss, a Senator from Utah, at the American College of Nursing Home Administrator's forum, Chicago, Ill., April 28)

Sister Ambrosette was good enough to provide a suggested topic for this talk, and that topic is "Health Care and the Role of the Federal Government."

As she said, this "is deliberately a subject of wide latitude", one in which I could "roam the length and breath" of many subjects related to that theme.

Well, I will roam somewhat here today because I believe that the Federal role in health care is still ill-defined, even though we have committed billions of dollars for programs that either help provide treatment for people or help them pay for treatment.

And it is a timely topic—it couldn't be more up to the minute.

There is no doubt in my mind that the $50 billion a year health industry will receive—during this year and possibly two or three more to come—the most intensive scrutiny ever yet paid to it by the Congress of the United States.

It is clear that the Senate Finance Committee, for example, is making far-reaching preparations for a searching re-evaluation of the Medicare and Medicaid programs.

It is clear, too, that other units of the Congress will give careful—and perhaps pugnacious—attention to the many health programs that come up for renewal this year, including Hill-Burton, Regional Medical Programs, and so on.

And finally, it is quite clear that the new Administration is of a mind and a mood to change priorities in and perhaps even purposes of, existing programs. The Nixon proposals will certainly be questioned by the Congress; our reappraisal may not be agonizing, but it certainly should be thorough and we shouldn't be afraid to ask tough questions.

Why the Congressional concern?

A major reason, of course, is simply that health care costs are going up, and everyone is worried about them.

But, I think another force is at work, too. I believe that the people of our nation are becoming more and more aware of the deficiencies in the delivery of health care today.

We know more now, for example, than we have ever known before about poverty in our urban and rural areas, and many Americans are appalled by the widespread neglect of health among our poor, young and old.

We are also more aware about the heavy demands put upon physicians and health care systems as population rises and suburbs drain cities of people and practitioners.

And, of course, adding to all the other pressures is the growing demand by more people for more and better health services.

That is true of the widow who has just qualified for Medicare.

That is true of the union member who has just received wider health benefits under a new labor-management contract.

And it is true of the middle-and-upper income parents who want far more in the way of health care for their children than they themselves had when they were young.

What will come out of these dual pressures—rising costs and rising expectations?

If government, health practitioners, and the general public can work together for the enlightened self-interest of all, we could well make major advances in providing high quality care to all. Costs may be higher, but we would be more certain of getting our money's worth.

I choose to be optimistic in my appraisal of the prospects simply because I shudder to think of what will happen if we permit today's unresolved problems to become worse. And I think that there is a good possibility that our concern about health economics may well be just the goal we need to make changes on the scale that is needed.

A witness at a Congressional hearing[*] made the point very well when he said:

"The problem of rising costs is going to be one of the strongest educational instruments to clarify that our system of providing health care is not as efficient and effective as it could be.

"Throughout the whole history of medical care developments in the world, the problem of rising costs has stimulated improved patterns of organization."

If the witness was right, and the amount of improvement is proportionate to the rise in costs then we should be in for a period of unparalled change for the better.

I won't take the time of this audience to recite the statistics of rising costs, but I will mention just a few facts that have caught my eye in recent weeks:

The price of medical services has risen far faster than prices.

The Consumer Price Index for all items went up from 112.9 in June 1966 to 123.7 in December 1968, but for medical care it went up from 127. to 149.

Seen from a different perspective it is equally clear that the medical care cost rise is accelerating. A survey made last year shows that the medical care index rose at a rate of 4.7 per cent a year during the 1950's, dropped during the early 1960's to 2.6 annually, but then increased to 6.6 per cent in 1966 and 6.4 per cent in 1967.

And so, from the end of World War II to the end of 1967, the medical care index was 125 per cent, compared to only 61 per cent for all consumer items.

As you undoubtedly know, the biggest increase in that period occurred in hospital daily service charges, which rose 441 per cent. The rise in physicians' fees was 107 per cent.

The dollars and cents figures are bad enough, but there is, as I suggested before, far more to the health care problems of today than economics. We are also faced by deep-rooted organizational problems that persist and too often intensify.

Many of you know about the problems of the inner cities. You know of entire neighborhoods in which there are no physicians or nurses. You know of the long waits at clinics and you know that many clinics are miles away from people most in need of them, and that many people have no transportation to get to the help they should have. It's no wonder many people—the elderly, for example, or the young mother who can't get her youngster across town to the clinic—grow discouraged and accept "feeling poorly" as a way of life.

Those of you from rural sectors know of the almost unbelievable isolation of many individuals and families and the difficulty in providing specialized help.

However distressing the problems of urban and rural poor are, however, such problems are not limited to people with low income. The National Advisory Commission on Health Manpower, in its 1967 report, summed up a great deal when it said:

"There is widespread and serious talk of a 'health crisis' in the country, a crisis which is believed to be upon us now or just around the corner. The indicators of such a crisis are evident to us as Commission members and private citizens. Long delays to see a physician for routine care; lengthy periods spent in the well-named 'waiting room', and then hurried and sometimes impersonal attention in a limited appointment time; difficulty in obtaining care on nights and weekends, except through hospital emergency rooms; unavailability of beds in one hospital while some beds are empty in another; reduction of hospital services because of a lack of nurses; needless duplication of certain sophisticated services . . . and obsolete hospitals in our major cities.

"There *is* a crisis in American health care. The intuition of the average citizen has a foundation in fact. He senses the contradiction of increasing employment of health manpower and decreasing personal attention to patients."

Having presented this indictment to you, what plan do I have for federal action that will solve all the problems?

The answer, of course, is that no single plan will meet all contingencies, and no government—even the great federal establishment of today—is big enough to draft such a plan, much less implement it.

Instead of talking to you about an action plan, I'd like to discuss instead certain desirable trends that could be encouraged in one way or another by appropriate federal initiative or response to leadership from experts in the health field and from interested laymen.

The first trend I would like to see is a greater federal commitment to preventive medicine.

No one knows better than you the total cost of chronic disease in our nation.

The dollar cost is staggering: about $57 billion a year.

Now we spend billions upon billions every year to treat disease, but we spend only a little over $3 billion a year to prevent illness.

And yet, the greatest return for our health money would undoubtedly be yielded by preventive medicine.

We should have more multiphasic health screening programs.

We should have more educational programs that really get across vital information to the consumer of health services.

We should have more personnel skilled in "health maintenance" techniques that will take part of the burden off physicians and other professionals—highly trained individuals who should not have to take precious minutes or hours for routine tasks that could be done by others.

The second trend I would like to see is closely related to the first: we should be more inventive in providing manpower and resources that will keep people out of institutions or speed them toward discharge if they are in institutions and if they are dischargeable.

The federal government should be doing far more than it now is doing, for example, to provide some health aides: women or men who could provide services needed by persons who are semi-independent and who could stay at home if they had a little help.

Federal agencies should be doing far more, too, to provide other kinds of trained personnel in areas of vital need: assistants of all kinds, social worker aides who can spot potential health problems and report them to physicians in time for positive action; and much more.

A third trend—and this is one that the Federal level should insist upon—would be

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[*] Dr. Milton Roemer, Professor of Public Health, UCLA, at hearing on "Costs and Delivery of Health Services to Older Americans", June 22, 1967.

greater experimentation in setting new standards of care and in providing new means of delivery.

I was encouraged by the establishment of the National Center for Health Services Research and Development last May. I think that it has a major responsibility for performing research, demonstration projects, and evaluation of the organization of health services for the total population. But I am also alert to the possibility that an underfunded Center—or a Center which is given too many studies to make without clearcut objectives in areas of greatest need—could conceivably be worse than no center at all. You and I and everyone concerned about health in this nation should keep close watch on the work under way at the Center.

Despite my warning, my major reaction to the Center is a hopeful one, just as I am hopeful about the cost-cutting experiments authorized under the Social Security amendments of 1967. These experiments are to develop "incentives for economy while maintaining or improving quality in the provision of health service in connection with reimbursements under such programs as Medicare."

Here is a clearcut example of the potential long-range effect of Medicare in terms of improving quality of services. We *must* be bold in insisting upon well-considered experiments from which we can shape a health care system in which patients, practitioners, and people in need only of health maintenance services can have satisfying realtionships.

PLANS FOR THE SUBCOMMITTEE ON LONG-TERM CARE

My talk today thus far, as you have seen, has indeed "roamed," but for its remainder, I would like to talk about one specialized area of health care, an area of mutual interest to all in this auditorium today.

I'm referring to the "long-term care institution," and that of course is a growth category today. We have nursing homes, extended care facilities, intermediate care facilities, homes for the aged, and others that look suspiciously like motels.

Many in this audience may know that I serve as Chairman of the Subcommittee on Long-Term Care in the Senate Special Committee on Aging. I was somewhat startled a few days ago when I looked at the transcript of the first hearing I conducted for that Subcommittee. The reason for my surprise was the date: May 5, 1964.

Almost 5 years ago to the day. And what was my major declaration half a decade ago? I checked the transcript and found this: ". . . From the point of view of the nursing home field, our programs are a patchwork. The Federal Government lacks a coherent policy toward the long-term care field and toward its role in assisting this field to develop. The task of the Subcommittee, then, is to begin the long and difficult process of rethinking our Federal policies in this field."

That statement was made in Washington, D.C., at the very beginning of our study. At hearings which took us into seven other cities during 1965 and 1966, we discovered that my initial declaration was somewhat of an understatement; and we discovered conditions and problems that were shocking and infuriating:

Neglect of patients.

Firetraps that somehow stayed in business even after official warnings were given.

Services and drugs paid for with government funds—but not provided to persons desperately in need of them.

And much more.

And so I introduced legislation calling for higher standards in nursing homes receiving Medicaid funds. Senator Edward Kennedy, who took an active part in the hearings, introduced companion legislation calling for licensing of administrators of nursing homes supported by Federal funds.

As you know so well, both measures passed as provisions of the Social Security Amendments of 1967.

Over a year later, however, I find that there was an attempt early this year to water down the new standards for which I asked. Fortunately there was a forceful outcry when word leaked out. Sister Ambrosette was especially informative and emphatic, and I appreciate her concern and her assistance. We are still not yet out of danger, and the battle for new standards goes on.

With threat to my legislation very much in mind, I have been giving some thought of late to conducting a new round of hearings by the Subcommittee on Long-Term Care.

Our studies in 1964 and 1965 were primarily concerned with—as the title of the hearings expressed it—"Conditions and Problems in the Nation's Nursing Homes."

The hearings I now contemplate would be called "Trends in Long-Term Care."

We will, of course, deal with problems. Unfortunately problems abound. But it seems to me that we should now try to focus on the long-range development of long-term care, and to discuss that we would have to ask far-reaching questions:

What is being done in the "model" nursing homes—those with far-sighted innovations—that could be applied elsewhere?

What more can be done for rehabilitation of nursing home patients, in terms of mental outlook as well as physical restructuring?

What are the merits and possible trouble areas in the trend toward chain ownership of "extended treatment" centers?

What relationships should nursing homes have with other health facilities in a community, and what mechanisms should be developed for long-term planning?

What has to be done to make Medicare and Medicaid more effective in developing higher standards of care?

You probably could list a great many other questions right here on the spot. I hope you will feel free to make suggestions in the very next mail about matters that could come up for discussion at our hearings.

In the nursing home field, as in so many others related to health, we face a period of growth and problems caused by growth.

In the face of that growth, it becomes all-the-more important that the budget cuts now under disussion are surgical rather than crippling.

President Nixon's budget, submitted on April 15, cut $267 million from Medicaid; $104 million from Hill-Burton hospital construction grants; $22 million from Regional medical program authority; and $28 million in research programs conducted by the National Institutes of Health.

At a time of cutbacks caused by commitments throughout the world and here at home, the Congress—it seems to me—has a special duty to examine all proposed retrenchment with a highly objective eye and attitude.

We have a responsibility to be constructive. We have the duty to be alert.

I am sure that, with the help of you and others who share an interest in the health and well-being of our population, we can do far more than merely hold the line against potential dangers.

We can also use this period of intense reevaluation for positive action, imaginative innovation, and—always—an insistence that quality of health service can go only up, and not down.

EDUCATION SHOULD HAVE A HIGH PRIORITY IN FUNDING

Mr. YARBOROUGH. Mr. President, my attention has been drawn to a helpful series of tables which appeared on pages 22 to 25 of the April issue of American Education, a publication of the Office of Education.

The article is entitled "State Allotments for Funded Programs, Fiscal Year 1969" and sets forth the State allotments for each program administered by the U.S. Office of Education.

This is helpful information, since we will later this session be considering fiscal year 1970 funding of educational programs carried in the Labor-HEW appropriation bill. We all know that there is a keen and growing interest in the degree to which programs will be funded on the part of members of the educational community. These people must make their plans for the operation of their educational systems, taking into consideration the degree to which the Federal funds may be available for their use. As a further service to them, I have asked Commissioner of Education James Allen, to provide me with a breakdown, contrasting and comparing the figures on these fiscal year 1969 tables, which are hereinafter appended, with those which would be in effect if the revised budget estimates for fiscal year 1970 were to be appropriated. In addition, I have also asked the Commissioner to provide me with the comparable figures for fiscal year 1970 which would be in effect if the full authorization amounts were to be appropriated for each of these programs. The 1970 tables are not yet available.

When I receive these figures, I propose to place them before the Senate for its information. I feel that each of us needs to know the implications of our funding patterns.

Let me illustrate by an example which affects the operations of each of our State departments of education.

The curtailment under title II ESEA, the school library support title for fiscal year 1970, means that $50,000,000 expended for fiscal year 1969 State operations will not again be available unless Congress acts to provide funds in the HEW appropriations bill. If the $50,000,000 is not appropriated, administrative positions funded under it will be eliminated.

In similar fashion, a personal services impact at the State level could follow the elimination of the $78,740,000 available in fiscal year 1969 for title III NDEA State operations, the $17,000,000 elimination of the title V–A guidance counselling and testing functions, and the 30-percent reduction in the title III ESEA supplementary centers and services programs funded in fiscal year 1969 at $164,876,000. All of these eliminations were recommended in the Nixon budget.

We need to know quickly about these matters and others.

Mr. President, it is for these reasons that I ask unanimous consent that the tables to which I have alluded be printed in the Record at the conclusion of my remarks.

I am indebted to the Council for Exceptional Children for a discussion of the impact of the proposals for special education and for two very helpful tables which the council developed for its membership. I would hope that every

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educational association would, in a similar manner, analyze the situation and provide advice related to its specific problems to those of us who serve in Congress and who must take the responsibility of providing the funds to carry out the programs which we, through our authorizing statutes, have decided to be in the national interest.

Mr. President, when President Lincoln signed the Morrill Laurel-Grant College Act over a century ago, he crystallized, through the establishment of the land-grant university system, the placement of educational support as a legitimate and necessary national purpose for the investment of Federal funds.

That priority of purpose has been ratified ever since, particularly in recent decades, under Presidents of both major national parties.

The time has come for us to follow through by putting up the necessary money to do the job that Congress decided ought to be done.

I ask unanimous consent that the explanatory materials developed by the Council for Exceptional Children and the tables previously referred to be printed in the Record.

There being no objection, the items were ordered to be printed in the Record, as follows:

Fiscal Year 1970 Appropriations for Educational Improvement of the Handicapped

In January, 1969, before leaving office, President Lyndon Johnson presented the proposed budget of the United States to the Congress and thus began the yearly process of hearings and Congressional consideration to determine the amount of fiscal resources that will be devoted to various federal programs. The budget is a very broad and complex document; its billions of dollars stagger the imagination. However, within its context is a small line item titled "Educational Improvement of the Handicapped." It is this small line item that provides the main source of federal assistance to programs for handicapped children.

In 1958, the Congress passed Public Law 85–926 to prepare personnel to teach handicapped children. Since that date Congress has become increasingly active and has established over eleven new programs for the education of the handicapped. In 1958 appropriations in this area were less than one million dollars. Today the figure is $79 million.

However, this progress is tempered by the fact that two-thirds of the over five million handicapped children are presently not receiving special education services. Federal programs have helped, but the task is still great. The failure of the budget proposals for fiscal year 1970 to significantly increase funds for these programs severely threatens their growth.

Attached you will find a breakdown of the 1970 budget requests for "Educational Improvement of the Handicapped" showing the relationships between these requests and their authorizations. You should note that an authorization represents an indication of the sum of money that the Congress when passing the law felt was necessary to assure its effectiveness. There is usually a gap between authorization and appropriation.

For example, the budget request for fiscal year 1970 for all of the Elementary and Secondary Education Act amounts to 51.4% of the sums authorized, while the budget request for "Educational Improvement of the Handicapped" is only 27% of the amount authorized. The distinction between authorization and appropriation is important to consider carefully since many times the Administration has argued that programs for the handicapped have had consistent increases while other programs have been held to previous year's levels. For example, this year's budget request for "Educational Improvement of the Handicapped" is $85.85 million, a $6.85 million increase over fiscal year 1969. While this on the surface looks like a reasonable increase, the historically low level of funding makes the increase insignificant. It is similar to the man who had a nickel and received a 50% increase but still could not afford a cup of coffee.

The following programs have been particularly hard hit by the FY 1970 budget requests:

1. Title VI of the Elementary and Secondary Education Act is a grant-in-aid program to the states to assist them in initiating and expanding special education services within the state. For fiscal year 1970, the Congress has authorized $200 million. The President's budget only requests the 1969 level of $29.25 million. This represents less than 15% of the Congressionally determined authorization, and only $5.85 per handicapped child. Title VI was passed by the Congress in 1966 as the major support program to assist states in attacking the problems of the handicapped. The first several years were primarily devoted to planning. The states have completed their plans and are now ready to develop major programs. However, the funds have not been adequate to initiate such programs for the handicapped. In fiscal year 1969 over one-half of the states received less than $500,000; thirteen states received less than $150,000; and six states received only $100,000. You will find the projected fiscal year 1970 state allocations for Title VI attached.

2. Public Law 85–926 has been one of the most successful programs the Congress has established. This law provides fellowships and traineeships to prepare professional personnel for the education of the handicapped. Money is provided to colleges and universities and state departments of education for this purpose. Since the passage of the law in 1958 the program has helped double the number of special education personnel. But the task is still great. Evidence now shows that over 300,000 teachers are needed, with only 83,000 now available.

Administrative changes within the Office of Education may be recommending increasing fellowship stipends. This, coupled with natural increases due to long-term program development grants will mean a decrease in training potential available for fiscal year 1970 if the budget proposal is not increased. In addition, the Division of Training in the Bureau of Education for the Handicapped has been working with colleges and universities through special projects to develop prototypes for increasing manpower training potential. Without additional funding, these prototypes may never get off the ground. The budget request for personnel training is $29.7 million, the same as the amount appropriated for fiscal year 1969, although $55 million has been authorized.

3. The 90th Congress passed with strong support Public Law 90–538, the Handicapped Children Early Education Assistance Act. This law represents a bold new venture into providing grants for research and demonstration programs relating to preschool education for handicapped children. This reflects the belief that an intensive thrust in this area may prevent or ameliorate many handicapping conditions and thus enable many children to eventually profit from a normal educational program. Congress saw fit in the fiscal year 1969 to single this program out for initiation by granting an appropriation of $1 million, in the hope that planning could quickly be developed so that a full scale program would be operative by 1970. For fiscal year 1970, the President has only requested $3 million although $10 million was authorized. This small request will again delay the ability for this program to effectively stimulate state and local action in this area.

4. During the first session of the 90th Congress, amendments were passed to Title VI of the Elementary and Secondary Education Act to add three new authorities crucial to program development in special education. The first was the establishment of regional resource centers to provide additional evaluation and programming for handicapped children. For fiscal year 1970 $10 million was authorized and only $1.5 million requested. The second program was to provide for the establishment of centers for children who are both deaf and blind. Because of the limited number of such children within any single local school population, but the large number of such children nationally due to the rubella epidemic, such centers are probably the only means by which deaf-blind children can receive an education. Seven million dollars was authorized for fiscal year 1970 and only $2 million requested. The third new authority was the development of a national recruitment program to bring people into the field of special education and to disseminate information on existing programs to the public. One million dollars is authorized, but only one-half million dollars requested for 1970. The consistent low level of funding of these three programs may prohibit them from becoming a reality beyond planning.

5. Realizing the dire need for educational programs for the handicapped, Congress has continued to expand the base of programs to be administered by the Bureau of Education for the Handicapped. However, the urgency of the Congress has not been met by the willingness of the Budget Bureau to provide the staff positions necessary to administer the programs effectively. For example, under the Handicapped Children Early Education Assistance Act, P.L. 90–538, not one staff position has been allotted. The Bureau of Education for the Handicapped has attempted to fulfill its mandates from the Congress by internally transferring staff from one program to another. Such an approach does not facilitate good administration. Staff positions for the authorities passed by the Congress in the past several years are urgently needed.

The preceding are concerns stimulated by the failure of the fiscal year 1970 budget proposals to reflect the needs of handicapped children as mandated by the Congress. The attached budget breakdown shows clearly the sharp diversity between authorizations and appropriations. It is hoped that Congress will, during the appropriations process, consider these programs carefully in light of national concerns and its commitments to handicapped children.

During the next several months Congress will be giving deep consideration to the provisions contained within the budget request. You will find attached a description of how a bill travels through the Congress. You should note especially that appropriations bills always originate in the House of Representatives. The budget will be brought before the appropriate subcommittees in the House of Representatives and the Senate. After passage there, they will be considered by the full Appropriations Committees. A list of members of these committees is attached. It is during the committee hearings that the possibility of increases will have to be determined. The degree to which this can be achieved will be reflected in the extent to which the constituents of these lawmakers express their desire for such increases. In addition, members of committees are very sympathetic to the interests and concerns of other Congressmen. For this reason, all Congressmen can have an important role to play in urging increased support for the handicapped regardless of their committee assignment.

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The most common vehicle for communicating with a Congressman is a letter expressing your personal opinion about the matter. You will find attached some guidelines concerning Congressional letter writing. Another vehicle you can use are articles in local newspapers and other communications media discussing the problems of the handicapped child and giving indication of Congressional interest. Particular attention and publicity should be given to those people who have gone out of their way to help. Congressmen really have little to gain by helping the exceptional child other than good publicity. Anything you can do in this regard would be most helpful.

You will also find attached some guidelines under the title "Accentuate the Positive" for activity that can be undertaken at home to communicate the needs of handicapped children to your legislative representatives.

Often people believe that as an individual they have very little influence. This is not the case when large numbers of individuals become active. For this reason, support should be given not only on a personal basis, but also through organizational affiliations. This need not be just from interested groups for the handicapped, but from civic organizations such as the Lions, Kiwanis, American Legion, PTA, women's clubs, etc. as well. Working jointly, people and organizations can help legislators in a decision making capacity see more clearly the needs of the handicapped child and guide the passage of effective legislation.

Please feel free to contact The Council for Exceptional Children for any additional information you may need in this regard.

FISCAL YEAR 1970 BUDGET FOR EDUCATIONAL IMPROVEMENT OF THE HANDICAPPED

Program	Authority	Purpose	1969 appropriation	1970 budget request	1970 increase	1970 authorization	Percent of authorization requested
Grants to States	Public Law 89-10 (title VI), as amended by 89-750.	Grants to States to initiate, expand, and improve programs and projects for education of the handicapped.	$29.25	$29.25	$0.0	$200	14
Regional resource centers	Public Law 89-10 (title VI), as amended by 90-247.	To create regional resource centers to provide educational evaluation and assistance in developing educational strategies for handicapped children.	.5	2.0	1.5	10	20
Education of deaf-blind children	Public Law 89-10 (title VI), as amended by 90-247.	To provide for the establishment and operation of centers for children who are both deaf and blind.	1.0	2.0	1.0		28
Recruitment and information	Public Law 89-10 (title VI), as amended by 90-247.	To provide programs to recruit personnel in special education and to disseminate information on programs in the field and the public.	.25	.5	.25	1	50
Educational media for the handicapped.	Public Law 85-905 as amended by 90-247.	Originally to provide films and other educational media for the deaf, loan service of materials, and research and training in the use of media. Now expanded to all areas of the handicapped.	4.75	4.75	.0	10	48
Personnel training	Public Law 85-926 as amended.	To provide fellowships, traineeships, and institutes for the training of professional personnel for education of the handicapped.	29.7	29.7	.0	55	54
Research and demonstration	Public Law 88-164 (title III) as amended.	To support research and demonstration projects on the education of handicapped children.	12.8	14.05	1.25	18	78
Training and research in physical education and recreation.	Public Law 88-164 as amended by 90-170 (title V).	To provide a system of personnel training and research in physical education and recreation for handicapped children.	.6	.6	.0	3	20
Preschool education	Public Law 90-538	To provide grants for research and demonstrations project relating to preschool and early childhood education.	1.0	3.0	2.0	10	30

EDUCATIONAL IMPROVEMENT FOR THE HANDICAPPED

Grants to States for preschool and school programs—Title VI-A ESEA

State and outlying areas	Fiscal year 1967	Fiscal year 1968	Fiscal year 1969	Fiscal year 1970
Total	$2,425,000	$14,250,000	$29,250,000	$29,250,000
Alabama	43,642	263,547	571,028	571,028
Alaska	20,000	100,000	100,000	100,000
Arizona	20,000	103,733	224,757	224,757
Arkansas	22,763	137,460	297,836	297,836
California	183,244	1,106,581	2,397,629	2,397,629
Colorado	21,802	131,656	285,258	285,258
Connecticut	28,237	170,519	369,463	369,463
Delaware	20,000	100,000	100,000	100,000
District of Columbia	20,000	100,000	100,397	100,397
Florida	56,269	339,800	736,246	736,246
Georgia	52,158	314,971	682,447	682,447
Hawaii	20,000	100,000	113,023	113,023
Idaho	20,000	100,000	116,982	116,982
Illinois	113,791	687,167	1,488,885	1,488,885
Indiana	56,955	343,940	745,215	745,215
Iowa	33,084	199,790	432,885	432,885
Kansas	25,884	156,308	338,673	338,673
Kentucky	38,976	235,368	509,972	509,972
Louisiana	43,627	263,453	570,824	570,824
Maine	20,000	100,000	153,967	153,967
Maryland	37,745	227,938	493,874	493,874
Massachusetts	57,380	346,508	750,780	750,780
Michigan	96,963	585,544	1,268,699	1,268,699
Minnesota	42,236	255,057	552,633	552,633
Mississippi	30,547	184,471	399,693	399,693
Missouri	49,051	296,211	641,800	641,800
Montana	20,000	100,000	112,296	112,296
Nebraska	20,000	100,364	217,458	217,458
Nevada	20,000	100,000	100,000	100,000
New Hampshire	20,000	100,000	100,000	100,000
New Jersey	66,249	400,066	866,823	866,823
New Mexico	20,000	100,000	175,883	175,883
New York	178,177	1,075,982	2,331,331	2,331,331
North Carolina	61,539	371,623	805,195	805,195
North Dakota	20,000	100,000	109,151	109,151
Ohio	116,164	701,492	1,519,923	1,519,923
Oklahoma	28,043	169,344	366,917	366,917
Oregon	21,328	128,794	279,058	279,058
Pennsylvania	127,793	771,722	1,672,090	1,672,090
Rhode Island	20,000	100,000	127,696	127,696
South Carolina	34,302	207,146	448,822	448,822
South Dakota	20,000	100,000	113,577	113,577
Tennessee	45,287	273,483	592,555	592,555
Texas	122,201	737,950	1,598,917	1,598,917
Utah	20,000	100,000	165,614	165,614
Vermont	20,000	100,000	100,000	100,000
Virginia	50,464	304,744	660,289	660,289
Washington	34,544	208,605	451,985	451,985
West Virginia	24,004	144,955	314,074	314,074
Wisconsin	47,801	288,659	625,438	625,438
Wyoming	20,000	100,000	100,000	100,000
Outlying areas and BIA	72,750	415,049	851,942	851,942

FEDERAL FUNDS: STATE ALLOTMENTS FOR FUNDED PROGRAMS, FISCAL YEAR 1969

Of the $3.9 billion available during fiscal year 1969 for U.S. Office of Education administered programs, more than $3.5 billion is distributed to the States on the basis of formulas prescribed in the basic laws. The accompanying charts do not include those funds allotted on an individual project basis.

Some $2 billion—over half of the total distributed to States by allotment—supports elementary and secondary school activities. Higher education receives the second largest share, over $615 million. About $225 million will go into vocational education, and library and community service activities get $95 million. For the first time, under the new Education Professions Development Act, $15 million is available to States to recruit and train persons for careers as elementary and secondary teachers and teacher aides.

Although they must comply with the intent of the acts, States have a good deal of leeway in the way they may distribute their funds to best meet their own individual State and local educational needs.

The New York State education department, for instance, used some of its Elementary and Secondary Education Act title I funds to compile its *Annotated Bibliography: Educating the Disadvantaged*, which is useful not only to New Yorkers but to educators across the country.

California is using part of its Library Services and Construction Act title I allotment to fund a two-year demonstration project to attract the hard-to-reach segment of 13–19 year olds—the dropouts, the disadvantaged, and those who never had used libraries. Now, young adults can check out such varied items as psychedelic posters, rock-and-roll music or mod jazz, films, musical instruments, typewriters, sports equipment, and, of course, books. The books are paperback and are loaned on the honor system.

This is but the briefest of introductions to the many ways States are putting Federal money to their own good interests. For further information on use of funds listed here, contact your State department of education.

	Elementary and secondary education							
	Educationally deprived children (ESEA I)						Equipment and minor remodeling (NDEA III)	
State	Grants to State and local educational agencies [1]	Administration	School library resources, textbooks, and other institutional materials (ESEA II)	Supplemental Centers and services (ESEA III) (ESEA V)	Strengthening State educational departments	Grants to States [2]	Loans to nonprofit private schools [3]	Administration
Total	$1,109,722,412	$13,404,588	$50,000,000	$164,876,000	$28,262,500	$75,680,000	$2,098,636	$2,000,000
Alabama	34,985,664	349,908	840,259	2,927,740	531,860	1,888,098	10,007	35,243
Alaska	1,725,848	150,000	66,568	547,744	242,131	106,156	818	13,333
Arizona	9,380,743	150,000	422,604	1,516,112	368,490	784,359	11,366	16,488
Arkansas	21,806,285	218,117	453,532	1,713,497	388,193	991,055	4,368	18,499
California	80,215,617	802,900	4,786,011	14,182,781	1,908,448	5,335,635	148,480	174,462
Colorado	8,911,750	150,000	541,044	1,744,119	410,474	806,722	14,921	19,340
Connecticut	8,698,660	150,000	717,392	2,333,909	449,925	724,973	41,130	26,250
Delaware	2,520,451	150,000	134,057	715,180	261,718	165,504	6,777	13,333
District of Columbia	5,655,271	150,000	167,514	874,098	273,711	177,226	7,660	13,333
Florida	32,012,107	320,928	1,358,173	4,530,189	709,479	2,281,979	30,967	53,121
Georgia	34,744,894	347,488	1,089,383	3,625,930	628,796	2,239,316	9,660	44,018
Hawaii	2,215,107	150,000	193,833	874,776	281,390	301,047	9,947	13,333
Idaho	2,945,733	150,000	180,728	858,909	283,917	358,140	3,048	13,333
Illinois	44,407,826	444,130	2,681,475	8,223,590	1,056,099	3,085,357	181,758	99,990
Indiana	15,013,815	150,191	1,286,642	3,980,987	664,602	1,950,699	46,525	48,185
Iowa	14,591,735	150,000	722,942	2,292,489	461,077	1,119,359	32,966	26,323
Kansas	9,783,868	150,000	556,782	1,942,094	414,425	898,921	16,871	21,680
Kentucky	30,191,775	301,923	759,127	2,622,860	477,508	1,581,651	30,784	30,673
Louisiana	30,427,822	304,314	954,621	3,074,668	535,430	2,016,264	46,970	37,949
Maine	3,351,971	150,000	253,111	1,031,142	303,881	439,486	10,385	13,333
Maryland	14,445,385	150,000	936,620	2,955,164	529,969	1,312,943	45,596	34,987
Massachusetts	16,810,925	168,132	1,296,227	4,152,189	626,114	1,557,326	84,803	48,222
Michigan	32,388,788	324,175	2,326,201	6,801,512	990,466	3,421,788	116,400	86,061
Minnesota	18,633,330	186,360	996,022	2,976,706	544,185	1,563,031	53,582	35,901
Mississippi	36,593,942	366,015	589,397	2,072,827	437,838	1,320,102	7,100	24,641
Missouri	22,894,858	228,982	1,144,401	3,576,532	596,859	1,655,991	57,967	41,641
Montana	3,459,155	150,000	185,736	857,962	282,290	335,693	6,285	13,333
Nebraska	5,668,814	150,000	374,367	1,355,131	340,817	580,126	19,509	13,673
Nevada	887,582	150,000	113,689	648,828	259,550	114,394	1,583	13,333
New Hampshire	1,441,049	150,000	168,878	815,216	269,677	259,469	11,799	13,333
New Jersey	24,484,252	245,001	1,652,599	5,248,181	738,898	1,807,039	107,781	61,712
New Mexico	9,792,738	150,000	288,109	1,112,240	319,982	588,214	8,085	13,333
New York	120,384,848	1,204,063	4,090,893	13,257,957	1,474,815	4,198,623	297,429	156,767
North Carolina	49,385,824	493,970	1,186,993	4,011,337	669,081	2,543,076	7,435	48,734
North Dakota	4,033,581	150,000	162,589	815,806	273,216	331,874	6,378	13,333
Ohio	33,370,827	333,804	2,661,889	8,124,450	1,110,464	4,089,849	125,565	101,489
Oklahoma	16,785,719	167,913	596,823	2,039,599	441,825	1,034,408	6,094	22,411
Oregon	8,094,552	150,000	485,416	1,723,476	492,527	745,867	11,645	18,609
Pennsylvania	46,084,616	460,885	2,767,349	8,707,724	1,071,500	3,992,360	197,976	104,487
Rhode Island	3,427,736	150,000	210,946	950,675	280,536	283,347	16,737	13,333
South Carolina	29,996,824	300,015	647,442	2,247,084	462,194	1,435,659	5,414	26,798
South Dakota	5,384,852	150,000	181,001	839,155	280,643	353,360	6,114	13,333
Tennessee	32,040,222	320,413	887,491	3,110,281	548,312	1,880,219	11,689	36,486
Texas	73,314,190	734,549	2,723,308	8,478,187	1,214,477	5,083,507	52,815	106,791
Utah	3,013,489	150,000	296,752	1,113,987	329,967	562,511	2,067	13,333
Vermont	1,654,401	150,000	104,377	637,800	251,499	187,862	5,612	13,333
Virginia	27,068,572	270,742	1,057,993	3,581,329	604,339	1,960,992	20,808	42,701
Washington	11,514,239	150,000	819,428	2,506,213	513,297	1,111,709	19,521	29,065
West Virginia	16,156,273	161,563	420,151	1,615,011	374,730	897,323	4,845	17,219
Wisconsin	14,387,918	150,000	1,153,770	3,404,272	565,995	1,730,053	89,253	41,056
Wyoming	1,363,916	150,000	87,394	580,075	249,634	145,138	1,334	13,333
Outlying areas	30,622,053	298,107	1,219,951	4,946,280	565,250	1,344,200	24,007	35,000
Reserve	550,000	--------	--------	--------	--------	--------	--------	--------

	Elementary and secondary education							
			School assistance to federally affected areas		Vocational education			
State	Guidance, counseling, and testing (NDEA V–A)	Preschool and school programs for the handicapped (ESEA VI)	Operations (Public Law 874)	Construction (Public Law 815) [4]	Vocational Education Act of 1963	George-Barden and supplemental acts	Smith-Hughes Act	Education professions, attracting and training classroom personnel
Total	$17,000,000	$29,250,000	$505,900,000	$72,790,745	$198,225,000	$49,990,823	$7,161,455	$15,000,000
Alabama	315,250	571,028	9,530,000	681,900	4,614,302	1,140,849	143,330	262 781
Alaska	50,000	100,000	13,379,000	2,616,200	248,662	259,576	30,000	112,896
Arizona	147,487	224,757	9,059,000	1,417,300	1,854,445	279,450	51,789	181,870
Arkansas	165,473	297,836	2,696,000	571,300	2,521,671	797,790	85,107	187,861
California	1,560,552	2,397,629	78,042,000	11,047,600	14,922,781	2,549,008	534,067	1,027,178
Colorado	172,995	285,258	13,291,000	2,525,300	2,017,684	434,455	66,744	204,815
Connecticut	234,802	369,463	3,429,000	--------	2,172,944	461,753	92,547	238,978
Delaware	50,000	100,000	1,922,000	898,900	390,613	232,631	30,000	125,971
District of Columbia	59,191	100,397	5,984,400	908,400	546,924	228,058	--------	132,452
Florida	475,164	736,246	17,351,000	2,615,300	6,176,783	967,146	187,558	363,114
Georgia	393,735	682,447	16,421,000	3,172,400	5,814,837	1,291,071	172,456	311,043
Hawaii	66,059	113,023	9,117,000	1,785,000	770,673	230,196	31,661	137,551
Idaho	64,750	116,982	2,656,000	138,100	867,516	335 250	39,430	135,012
Illinois	894,406	1,488,885	12,724,000	934,000	8,170,538	2,130,336	360,319	619,473
Indiana	431,016	745,215	4,391,000	157,900	4,730,738	1,440,031	193,488	349,257
Iowa	235,456	432,885	2,605,000	240,500	2,778,374	1,327,878	122,556	240,053
Kansas	193,924	338,673	8,534,000	642,400	2,304,812	784,270	91,385	207,864
Kentucky	274,372	509,972	8,731,000	328,800	4,134,806	1,324,728	143,135	247,063
Louisiana	339,449	570,824	3,431,000	1,087,700	4,540,971	912,068	134,293	284,936
Maine	82,737	153,967	3,049,000	25,500	1,180,574	310,388	48,182	149,034
Maryland	312,960	493,874	24,846,000	520,300	3,299,377	666,815	118,672	281,448
Massachusetts	431,343	750,780	15,743,000	621,900	4,550,020	833,089	179,451	351,113
Michigan	769,811	1,268,699	4,574,000	183,300	7,485,612	1,798,634	297,765	550,647
Minnesota	321,136	552,633	2,923,000	--------	3,629,968	1,312,235	141,929	292,956
Mississippi	220,413	399,693	2,615,000	120,300	3,135,370	1,163,305	107,308	214,182
Missouri	372,479	641,800	8,386,000	1,701,000	4,518,813	1,390,638	173,605	321,701
Montana	64,096	112,296	4,444,000	831,000	816,523	299,881	38,665	135,982
Nebraska	122,306	217,458	4,429,000	543,000	1,492,576	642,728	64,271	172,525
Nevada	50,000	100,000	3,457,000	233,700	337,994	228,058	30,000	122,025
New Hampshire	55,921	100,000	2,138,000	6,400	713,245	228,058	34 050	132,716
New Jersey	552,014	866,823	11,933,000	798,300	5,370,458	876,457	201,903	420,152
New Mexico	100,396	175,883	10,127,000	779,200	1,301,356	245,693	43,107	155,814
New York	1,402,273	2,331,331	17,641,000	1,994,400	13,747,518	2,700,384	575,316	892,515
North Carolina	435,921	805,195	11,198,000	1,451,100	6,717,387	2,032,505	221,793	329,952
North Dakota	58,864	109,151	2,501,000	600	836,196	434,084	42,740	131,498

State	[Elementary and secondary education				Vocational education			Education professions, attracting and training classroom personnel
			School assistance to federally affected areas					
	Guidance, counseling, and testing (NDEA V–A)	Preschool and school programs for the handicapped (ESEA VI)	Operations (Public Law 874)	Construction (Public Law 815) [4]	Vocational Education Act of 1963	George-Barden and supplemental acts	Smith-Hughes Act	
Ohio	907,814	1,519,923	10,561,000	567,200	9,805,752	2,201,568	369,365	615,679
Oklahoma	200,465	366,917	12,140,000	230,400	2,963,910	735,384	96,258	215,621
Oregon	166,454	279,058	2,535,000		1,995,016	508,946	73,613	194,038
Pennsylvania	934,630	1,672,090	8,953,000		11,264,655	2,343,066	437,176	636,109
Rhode Island	69,983	127,696	3,578,000	125,400	855,836	231,350	37,901	140,866
South Carolina	239,707	448,822	8,446,000	1,583,100	3,617,426	973,362	114,757	225,427
South Dakota	61,480	113,577	3,587,600	593,100	835,145	436,475	42,940	135,065
Tennessee	326,368	592,555	6,566,000	227,000	4,958,986	1,426,595	159,386	271,931
Texas	955,233	1,598,917	29,659,000	5,347,300	12,579,049	2,357,417	359,602	627,577
Utah	100,395	165,614	6,901,000	2,093,700	1,211,106	228,854	38,478	157,489
Vermont	50,000	100,000	119,000		476,650	228,058	33,318	120,221
Virginia	381,962	660,289	34,531,000	4,709,700	5,406,574	1,294,292	173,136	304,962
Washington	259,983	451,985	12,938,000	2,508,500	2,887,280	723,517	113,306	258,745
West Virginia	154,028	314,074	413,000		2,405,400	604,758	91,340	181,395
Wisconsin	367,246	625,438	2,252,000	99,700	4,083,226	1,364,517	162,247	323,516
Wyoming	50,000	100,000	1,600,000		362,756	228,058	30,000	116,931
Outlying areas	297,500	851,942	7,823,000	10,126,569	3,803,172	1,815,109		450,000
Reserve				3,000,076				

State	Higher education								
	Land-grant colleges		Undergraduate institute equipment and resources		Construction (HEFA)				
	Morrill-Nelson Act	Bankhead-Jones Act	TV equipment	Other equipment	Public community college and technical	Other undergraduate	State administration [5]	State planning [6]	Educational opportunity grants (HEA IV–A) [7]
Total	$2,600,000	$11,949,980	$1,500,000	$13,000,000	$83,000,000	$133,000,000	$3,000,000	$4,000,000	$15,836,721
Alabama	50,000	224,435	24,867	215,514	2,007,067	2,092,086	52,985	44,953	224,391
Alaska	50,000	152,468	840	7,279	74,015	116,613	18,000	15,660	6,759
Arizona	50,000	177,936	17,220	149,241	804,224	1,228,671	41,808	27,611	178,162
Arkansas	50,000	189,394	14,120	122,370	1,079,144	1,167,862	42,239	32,105	150,096
California	50,000	519,125	163,143	1,413,903	6,678,961	14,504,916	183,020	194,951	1,588,745
Colorado	50,000	188,629	21,941	190,161	935,812	1,691,038	45,031	35,061	231,045
Connecticut	50,000	207,121	16,879	146,288	875,107	1,784,439	46,319	45,229	197,003
Delaware	50,000	157,678	2,708	23,467	163,085	316,172	30,023	17,453	30,112
District of Columbia	50,000	165,197	10,522	91,194	143,332	746,653	34,837	29,314	133,639
Florida	50,000	264,313	41,188	356,966	2,308,003	3,533,473	66,164	59,727	374,882
Georgia	50,000	240,444	26,117	226,345	2,056,751	2,476,634	57,468	56,292	267,016
Hawaii	50,000	162,092	6,038	52,328	327,314	547,034	32,501	19,021	55,757
Idaho	50,000	162,907	6,772	58,696	400,064	546,443	33,215	22,079	65,716
Illinois	50,000	385,726	64,956	562,951	3,299,943	6,640,145	102,040	112,980	779,496
Indiana	50,000	257,471	37,301	323,277	2,031,939	3,386,105	66,461	56,960	438,919
Iowa	50,000	212,383	25,328	219,507	1,378,575	2,136,021	52,323	51,706	306,769
Kansas	50,000	198,680	21,853	189,393	1,027,111	1,725,656	47,169	47,341	268,352
Kentucky	50,000	219,025	24,159	209,378	1,794,599	1,968,929	51,125	47,029	246,033
Louisiana	50,000	224,205	28,237	244,718	1,817,845	2,317,459	55,295	41,578	295,639
Maine	50,000	170,056	6,130	53,126	548,214	595,828	34,638	28,075	63,601
Maryland	50,000	220,505	22,076	191,319	1,341,538	2,241,212	51,709	50,076	233,692
Massachusetts	50,000	268,977	52,529	455,250	2,156,180	4,253,422	73,097	90,218	582,486
Michigan	50,000	332,282	65,171	564,809	3,291,573	6,116,396	95,632	91,464	716,081
Minnesota	50,000	227,918	33,203	287,760	1,840,248	2,847,115	60,269	55,709	374,817
Mississippi	50,000	198,669	18,680	161,898	1,239,700	1,464,096	45,013	43,854	189,348
Missouri	50,000	249,360	35,574	308,305	1,967,078	2,975,596	62,307	64,552	403,904
Montana	50,000	163,086	6,169	53,470	365,857	520,832	33,056	22,297	71,212
Nebraska	50,000	180,520	12,981	112,500	694,437	1,082,752	39,789	31,283	152,162
Nevada	50,000	153,867	1,506	13,055	118,399	216,563	21,759	15,480	18,450
New Hampshire	50,000	161,480	6,371	55,213	326,110	509,125	32,518	25,634	65,894
New Jersey	50,000	290,710	26,400	228,801	2,248,021	3,425,890	66,511	57,132	279,458
New Mexico	50,000	169,625	8,073	69,973	595,008	720,943	35,677	23,702	84,501
New York	50,000	544,335	121,064	1,049,219	5,073,163	11,355,730	152,753	175,154	1,246,151
North Carolina	50,000	254,954	37,701	326,746	2,646,459	3,145,253	65,883	66,144	374,672
North Dakota	50,000	162,084	7,358	63,772	388,321	538,486	33,107	23,257	77,737
Ohio	50,000	376,856	67,777	587,407	4,271,348	6,588,302	106,846	98,929	767,624
Oklahoma	50,000	202,223	25,175	218,184	1,262,585	1,865,480	49,816	42,589	269,910
Oregon	50,000	188,978	20,531	177,930	972,067	1,641,185	45,006	39,831	208,625
Pennsylvania	50,000	415,033	76,387	662,021	5,326,884	7,301,223	113,560	128,814	794,694
Rhode Island	50,000	167,458	7,822	67,789	366,701	626,354	34,183	24,230	89,654
South Carolina	50,000	203,508	15,097	130,842	1,467,164	1,428,479	45,302	39,155	149,781
South Dakota	50,000	163,222	7,298	63,247	424,274	551,808	33,314	25,319	75,986
Tennessee	50,000	231,544	30,354	263,063	1,917,695	2,381,394	57,203	52,954	323,298
Texas	50,000	373,856	84,675	733,856	4,418,353	7,073,695	108,267	109,154	870,300
Utah	50,000	168,195	19,610	169,951	605,607	1,213,583	39,499	25,450	190,328
Vermont	50,000	156,343	4,537	39,318	217,106	336,685	30,641	23,474	50,152
Virginia	50,000	241,008	27,682	239,906	1,908,903	2,548,584	56,060	53,914	256,960
Washington	50,000	214,648	32,342	280,299	1,372,312	2,618,385	54,702	46,538	329,238
West Virginia	50,000	191,149	14,062	121,868	1,177,790	1,177,342	42,780	33,010	149,995
Wisconsin	50,000	240,649	36,587	317,090	1,996,287	3,199,080	63,488	64,310	396,136
Wyoming	50,000	154,927	2,934	25,425	169,890	247,470	27,199	18,015	33,772
Outlying areas	50,000	202,726	11,955	103,612	1,081,837	1,265,363	52,929	70,935	107,571
Reserve							77,464	1,282,298	

State	Higher education			Libraries and community service							
	Student aid										
	Contribution to loan funds (NDEA II)	Advances for reserve funds	College work-study (HEA IV–C)	Grants for public libraries (LSCA I)	Interlibrary cooperation (LSCA III)	State institutional services (LSCA IV–A)	Services for handicapped (LSCA IV–B)	Public library construction (LSCA II)	University community service (HEA I)	Adult education	State total
Total	$190,000,000	$12,500,000	$145,500,000	$35,000,000	$2,281,000	$2,094,000	$1,334,000	$9,185,000	$9,500,000	$36,000,000	$3,052,642,860
Alabama	2,769,059	240,462	3,563,082	633,492	42,892	39,509	25,251	168,825	175,958	1,072,101	72,495,148
Alaska	83,411	25,000	123,734	136,935	40,200	39,509	25,017	86,150	105,733	131,891	20,888,146
Arizona	2,198,575	95,735	1,339,632	312,656	41,153	39,509	25,100	115,407	134,680	346,188	33,189,768
Arkansas	1,852,231	122,516	2,140,576	391,716	41,581	39,509	25,138	28,570	142,316	631,826	41,279,893

See footnotes at end of table.

State	Higher education			Libraries and community service							
	Student aid										
	Contribution to loan funds (NDEA II)	Advances for reserve funds	College work-study (HEA IV-C)	Grants for public libraries (LSCA I)	Interlibrary cooperation (LSCA III)	State institutional services (LSCA IV-A)	Services for handicapped (LSCA IV-B)	Public library construction (LSCA II)	University community service (HEA I)	Adult education	State total
California	18,603,955	1,079,211	11,874,064	2,666,778	53,915	39,509	26,210	507,365	506,766	1,908,201	282,197,887
Colorado	2,851,175	127,164	1,603,919	386,437	41,553	39,509	25,135	127,691	142,295	255,893	40,586,110
Connecticut	2,431,081	146,810	1,505,555	514,029	42,244	39,509	25,195	148,935	162,263	457,836	28,983,568
Delaware	371,592	29,209	293,787	172,884	40,395	39,509	25,034	92,135	111,098	155,845	9,839,321
District of Columbia	1,649,155	63,305	707,424	224,762	40,676	39,509	25,059	100,773	117,437	216,690	19,868,113
Florida	4,626,170	325,297	3,910,790	908,640	44,384	39,509	25,381	214,637	227,490	1,040,045	88,586,313
Georgia	3,295,074	306,131	3,976,902	743,951	43,491	39,509	25,304	187,217	196,164	1,352,356	86,611,640
Hawaii	328,050	56,820	481,321	203,338	40,560	39,509	25,049	97,206	115,728	235,281	19,165,543
Idaho	810,958	46,098	549,749	208,959	40,591	39,509	25,051	98,141	115,079	146,680	12,573,555
Illinois	9,619,251	642,626	6,321,681	1,746,355	48,925	39,509	25,776	354,115	333,347	1,460,494	120,092,498
Indiana	5,416,413	324,610	3,352,294	861,433	44,128	39,509	25,359	206,777	207,111	568,749	53,275,107
Iowa	3,785,633	180,209	2,425,315	550,334	42,441	39,509	25,212	154,980	159,710	284,335	39,459,883
Kansas	3,311,557	147,214	1,840,588	455,789	41,929	39,509	25,168	139,238	149,218	260,619	36,868,353
Kentucky	3,036,124	227,722	3,130,019	596,161	42,690	39,509	25,234	162,610	168,818	910,457	64,639,798
Louisiana	3,648,290	238,413	3,569,906	631,904	42,883	39,509	25,251	168,561	178,251	1,266,373	63,583,596
Maine	784,864	67,789	703,264	258,291	40,858	39,509	25,075	106,355	121,158	192,097	14,441,619
Maryland	2,423,641	209,577	2,166,864	606,374	42,745	39,509	25,239	164,310	178,121	615,676	61,824,293
Massachusetts	7,188,071	335,071	3,731,151	940,815	44,558	39,509	25,396	219,994	216,889	750,102	69,678,359
Michigan	8,836,678	502,588	5,595,807	1,377,606	46,926	39,509	25,602	292,719	283,198	991,837	92,699,737
Minnesota	4,625,373	223,911	2,935,632	657,518	43,022	39,509	25,263	172,826	177,277	360,302	49,200,646
Mississippi	2,336,615	167,857	3,012,946	455,712	41,928	39,509	25,168	139,226	150,559	831,474	59,999,685
Missouri	4,984,316	286,755	3,526,985	805,469	43,824	39,509	25,333	197,459	198,738	742,562	64,670,893
Montana	878,783	44,594	564,130	210,196	40,597	39,509	25,052	98,347	115,187	156,723	15,491,994
Nebraska	1,877,727	91,696	1,237,427	330,484	41,249	39,509	25,109	118,375	131,132	207,912	22,643,345
Nevada	227,677	25,000	182,457	146,589	40,253	39,509	25,022	87,757	109,324	121,076	8,361,479
New Hampshire	813,149	41,218	457,694	199,116	40,537	39,509	25,047	96,503	114,625	153,033	9,750,587
New Jersey	3,448,601	345,575	3,091,504	1,090,767	45,371	39,509	25,467	244,961	249,254	1,057,036	71,675,538
New Mexico	1,042,767	74,322	918,722	255,312	40,842	39,509	25,073	105,859	121,677	289,178	29,871,913
New York	15,377,924	1,010,476	9,750,536	2,840,719	54,858	39,509	26,292	536,326	493,850	2,946,251	239,194,442
North Carolina	4,623,581	375,909	5,091,502	844,066	44,033	39,509	25,351	203,886	207,608	1,495,891	101,457,451
North Dakota	959,306	43,942	661,478	203,285	40,560	39,509	25,049	97,197	113,911	168,753	13,598,023
Ohio	9,472,745	639,023	6,464,602	1,685,152	48,593	39,509	25,747	343,925	324,216	1,208,203	109,633,442
Oklahoma	3,330,779	166,372	2,264,220	480,232	42,061	39,509	25,179	143,308	153,588	482,882	49,157,839
Oregon	2,574,499	111,571	1,451,453	388,844	41,566	39,509	25,136	128,092	142,684	225,639	25,847,363
Pennsylvania	9,806,789	700,372	7,462,074	1,948,566	50,021	39,509	25,872	387,784	350,978	1,758,365	127,026,569
Rhode Island	1,106,358	65,219	632,631	240,363	40,761	39,509	25,066	103,370	119,427	228,181	14,535,418
South Carolina	1,848,346	205,254	2,761,976	489,102	42,109	39,509	25,183	144,785	156,011	938,021	60,949,655
South Dakota	937,693	44,682	721,956	211,135	40,602	39,509	25,052	98,504	114,690	157,733	16,799,864
Tennessee	3,989,604	270,825	3,757,566	682,542	43,158	39,509	25,275	176,992	183,638	1,111,779	68,952,327
Texas	8,509,789	705,733	8,655,045	1,664,458	48,481	39,509	25,737	340,480	332,502	2,505,509	181,841,318
Utah	1,221,118	70,182	1,022,006	245,448	40,788	39,509	25,069	104,217	121,786	146,169	21,897,258
Vermont	618,888	27,932	356,835	163,671	40,345	39,509	25,030	90,601	108,892	131,267	6,643,357
Virginia	3,170,977	322,213	3,373,306	747,843	43,512	39,509	25,305	187,865	196,597	1,132,973	96,692,508
Washington	4,062,906	191,187	2,244,596	565,959	42,526	39,509	25,220	157,581	165,768	305,785	49,604,489
West Virginia	1,850,986	126,142	1,831,616	403,825	41,647	39,509	25,143	130,586	139,136	497,755	31,855,451
Wisconsin	4,888,455	251,701	2,993,747	745,365	43,498	39,509	25,304	187,452	190,150	543,151	47,072,166
Wyoming	416,758	25,000	257,934	153,903	40,292	39,509	25,025	88,975	106,901	124,625	7,087,123
Outlying areas	1,076,483	305,760	2,910,000	614,720	82,248	79,041	45,195	229,050	161,066	720,000	73,392,631
Reserve											4,909,838

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[1] In ESEA, title 1, $550,000 is reserved to establish a migrant transfer record system.

[2] Includes arts and humanities grants to States.

[3] Includes arts and humanities loans to nonprofit schools.

[4] $3,000,076 is reserved for major disasters.

[5] Includes $77,464 of undistributed moneys.

[6] Includes $1,282,298 for special facility planning projects.

[7] Amounts represent initial-year awards only.

Note: Discrimination prohibited—Title VI of the Civil Rights Act of 1964 states: "No person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subject to discrimination under any program or activity receiving Federal financial assistance." All programs cited in this article, like every other program or activity receiving financial assistance from the Department of Health, Education, and Welfare, operate in compliance with this law.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Leonard, one of his Secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The PRESIDING OFFICER laid before the Senate sundry messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDING OFFICER laid before the Senate the following letters, which were referred as indicated:

REPORT OF THE LOCATION, NATURE, AND ESTIMATED COST OF AN ADDITIONAL FACILITIES PROJECT PROPOSED TO BE UNDERTAKEN FOR THE ARMY RESERVE

A letter from the Deputy Assistant Secretary of Defense (Properties and Installations), reporting, pursuant to law, a report of the location, nature and estimated cost of an additional facilities project proposed to be undertaken for the Army Reserve, Miller Field, Staten Island, N.Y.; to the Committee on Armed Services.

REPORT OF CURRENT WORKING ESTIMATES WITH RESPECT TO CERTAIN CONSTRUCTION PROJECT PROPOSED TO BE UNDERTAKEN FOR THE ARMY NATIONAL GUARD

A letter from the Deputy Assistant Secretary of Defense (Properties and Installations), reporting, pursuant to law, a report of current working estimates with respect to certain construction projects proposed to be undertaken for the Army National Guard within the uncommitted balance of lump sum authorization provided by section 701(1) of Public Law 89-188; to the Committee on Armed Services.

REPORT TO THE CONGRESS ON THE STRATEGIC AND CRITICAL MATERIALS STOCKPILING PROGRAM

A letter from the Director of Office of Emergency Preparedness, Executive Office of the President, transmitting pursuant to law, the semiannual report to the Congress on the strategic and critical materials stockpiling program for the period July 1 to December 31, 1968 (with an accompanying report); to the Committee on Armed Services.

REPORT OF THE BOARD OF GOVERNORS ON THE FEDERAL RESERVE SYSTEM

A letter from the Vice Chairman, Board of Governors of the Federal Reserve System, transmitting, pursuant to law, a report of the Board of Governors of the Federal Reserve System, covering operations during the year 1968 (with an accompanying report); to the Committee on Banking and Currency.

REPORT OF THE FEDERAL HOME LOAN BANK BOARD

A letter from the Chairman of the Federal Home Loan Bank Board, transmitting, pursuant to law, a report of the Federal Home Loan Bank Board for the calendar year 1968 (with an accompanying report); to the Committee on Banking and Currency.

A REPORT TO THE CONGRESS OF GRANTS APPROVED BY THE DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE SOCIAL AND REHABILITATION SERVICE

A letter from the Secretary of Health, Education, and Welfare, transmitting, pursuant to law, a report of the grants approved as required by section 1120 of the Social Security Act, for the period January 1, 1969, to March 31, 1969 (with an accompanying report); to the Committee on Finance.

REPORT TO CONGRESS OF THE U.S. INFORMATION AGENCY

A letter from the Deputy Director of the U.S. Information Agency, transmitting, pursuant to law, a report to the Congress of the U.S. Information Agency, July to December 1968 (with an accompanying report); to the Committee on Foreign Relations.

PROPOSED CONCESSION CONTRACT TO CONTINUE TO PROVIDE ACCOMMODATIONS, FACILITIES, AND SERVICES FOR THE PUBLIC IN GRAND TETON NATIONAL PARK, WYO.

A letter from the Assistant Secretary of the Interior, transmitting, pursuant to law, a proposed concession contract under which Mrs. Louise M. Bertschy, Harold M. Turner, John F. Turner, Jr., and Donald M. Turner, operating jointly as Triangle X Ranch, are authorized to continue to provide accommodations, facilities, and services for the public in Grand Teton National Park, Wyo., for a 5-year period from January 1, 1969, through December 31, 1973, when executed by the Director of the National Park Service (with accompanying papers); to the Committee on Interior and Insular Affairs.

Third Preference and Sixth Preference Classifications for Certain Aliens

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, reports relating to third preference and sixth preference classifications for certain aliens (with accompanying papers); to the Committee on the Judiciary.

Proposed Legislation To Authorize an Adequate White House Police Force, and for Other Purposes

A letter from the Secretary of the Treasury, transmitting a draft of proposed legislation to authorize an adequate White House Police Force, and for other purposes (with accompanying papers); to the Committee on Public Works and the Committee on the Judiciary, jointly, by unanimous consent.

REFERRAL OF MESSAGE FROM SECRETARY OF THE TREASURY TO PUBLIC WORKS AND JUDICIARY COMMITTEES

Mr. MANSFIELD. Mr. President, I ask unanimous consent that a message received today from the Secretary of the Treasury transmitting a draft bill "to authorize an adequate White House police force, and for other purposes" be referred jointly to the Public Works Committee and the Judiciary Committee.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

EXECUTIVE REPORTS OF COMMITTEES

As in executive session,

The following favorable reports of nominations were submitted:

By Mr. STENNIS, from the Committee on Armed Services:

Daniel Z. Henkin, of Maryland, to be an Assistant Secretary of Defense.

Mr. STENNIS. Mr. President, from the Committee on Armed Services I report favorably the nominations of three general officers of the Army. I ask that these names be placed on the Executive Calendar.

The PRESIDING OFFICER. Without objection, it is so ordered.

The nominations, ordered placed on the Executive Calendar, are as follows:

Gen. Theodore John Conway, Army of the United States (major general, U.S. Army), to be placed on the retired list in the grade of general;

Lt. Gen. John Lathrop Throckmorton, Army of the United States (major general, U.S. Army), for appointment to the grade of general; and

Maj. Gen. Melvin Zais, Army of the United States (brigadier general, U.S. Army), for appointment to the grade of lieutenant general.

Mr. STENNIS. Mr. President, I also report 1,257 promotions in the Army in grade of colonel and below and 203 appointments in the Army in grade of major and below. Since these names have already appeared in the CONGRESSIONAL RECORD, in order to save the expense of printing on the Executive Calendar, I ask unanimous consent that they be ordered to lie on the Secretary's desk for the information of any Senator.

The PRESIDING OFFICER. Without objection, it is so ordered.

The nominations, ordered to lie on the Secretary's desk are as follows:

David M. Schofield, for reappointment in the active list of the Regular Army of the United States, from the temporary disability retired list;

Homer G. Benton, and sundry other persons, for appointment in the Regular Army of the United States;

Thomas S. Bednarczyk, and sundry other distinguished military students for appointment in the Regular Army of the United States;

Marshall R. Cox, and several scholarship students, for appointment in the Regular Army of the United States;

Donald W. McAvoy, for promotion in the Regular Army of the United States; and

Louis E. Abele, and sundry other persons for promotion in the Regular Army of the United States.

By Mr. DODD, from the Committee on the Judiciary:

Stewart O. H. Jones, of Connecticut, to be U.S. attorney for the district of Connecticut; and

Richard K. Burke, of Arizona, to be U.S. attorney for the district of Arizona.

By Mr. SCOTT, from the Committee on the Judiciary:

Richard L. Thornburgh, of Pennsylvania, to be U.S. attorney for the western district of Pennsylvania.

By Mr. SPARKMAN, from the Committee on Banking and Currency:

Carl O. Kamp, Jr., of Missouri, to be a member of the Federal Home Loan Bank Board;

R. Alex McCullough, of South Carolina, to be a member of the Board of Directors of the Export-Import Bank of the United States; and

Nicolas G. Theodore, of Pennsylvania, to be Superintendent of the Mint of the United States at Philadelphia.

By Mr. RANDOLPH, from the Committee on Public Works:

Alfred E. France, of Minnesota, to be Federal Cochairman of the Upper Great Lakes Regional Commission.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the PRESIDING OFFICER:

A Senate memorial adopted by the Florida Legislature; to the Committee on Agriculture and Forestry:

"SENATE MEMORIAL 188

"A memorial to the congress of the United States urging support of the U.S. department of agriculture and the defeat of H.R. 5865, introduced on February 3, 1969, by Congressman Udall, which would remove tomatoes from section 8(e) of the agricultural marketing agreement act of 1937, as amended

"Whereas, many erroneous news items have been published criticizing Florida tomato growers and the U.S. department of agriculture concerning the adoption and effects of the regulation on limitation of tomato shipments effective January 8, 1969; and

"Whereas, the recommendations of the Florida tomato committee, which have been promulgated by the secretary of agriculture, are designed to accomplish the declared policy of congress to establish and maintain such orderly marketing conditions for tomatoes in interstate commerce as will establish parity prices as defined in the agricultural adjustment act of 1938; and

"Whereas, any marketing order, issued pursuant to section 8(c) of the agricultural adjustment act of 1938, containing any terms or conditions regulating the grade, size, quality or maturity of tomatoes, produced in the United States, operates to prohibit the importation into the United States of any tomatoes during the period of time such order is in effect, unless they comply with the same grade, size, quality and maturity provisions required of the United States producers; and

"Whereas, a marketing policy was adopted October 3, 1968, pursuant to paragraph 966.50 of the tomato marketing order; and

"Whereas, Florida growers must dispose of their restricted tomatoes to the in-state market or leave them in the fields, while Mexico can and does dispose of their restricted tomatoes to the forty-five million in Mexico plus twenty million people in Canada; and

"Whereas, Florida is denied these markets due to the reciprocal trade agreement between the United States and Canada which will not permit Florida shipment to that country in violation of the secretary's import regulation and Mexico is not a member of the general agreement on tariffs and trade and refuses to open her markets to outside competition during the time her farmers are in production; and

"Whereas, the Florida tomato industry is the predominant domestic producer of fresh tomatoes during its seven-month season and the restrictions on the imports are the same as are on the Florida growers; and

"Whereas, Florida's hundred million dollar tomato industry will be taken over by foreign producers unless uniform policies are maintained, Now, Therefore, be it

"Resolved by the Legislature of the State of Florida:

"That we do hereby petition the members of the congress to defeat H.R. 5865 and do hereby urge the members to commend the U.S. department of agriculture for maintaining a fair and uniform policy in the tomato industry.

"Be it further resolved that copies of this memorial be dispatched to the president of the United States, to the president of the United States senate, to the speaker of the United States house of representatives, and to each member of the Florida delegation to the United States congress.

"Filed in Office Secretary of State May 9, 1969.

"TOM ADAMS,
"Secretary of State."

A Senate memorial, adopted by the Florida Legislature; to the Committee on Finance:

"SENATE MEMORIAL 173

"A memorial to the Congress of the United States to request amendment of the Sugar Act to allow the mainland cane sugar area to fill a portion of the unused Puerto Rican quota

"Whereas, Florida sugarcane farmers and processors face a drastic and disastrous cane acreage reduction unless they are granted the right to sell more sugar, and

"Whereas, prospects for these drastic restrictions on the Florida sugar industries come at a time when:

"(1) Foreign producers are allowed to increase their sugar sales to the United States, and

"(2) Other domestic sugar areas are producing and selling sugar without restriction, and

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"Whereas, if the impending additional cane acreage cuts are imposed upon Florida, many cane farmers and some processors will be forced out of business since there are no substitute crops they can grow or process, and

"Whereas, for many years Puerto Rico has been unable to produce enough sugar to fill its annual sugar marketing quota, a logical solution to the Florida problem could be Congressional action to allow the Mainland Cane Sugar Area to fill a portion of the unused Puerto Rican quota, enough at least to prevent Florida farmers from having to take another drastic acreage cut, and

"Whereas, the Sugar Act now provides that the unused Puerto Rican quota must be allocated to the Philippines and Western Hemisphere and in 1967, the Philippines could not use its share of the Puerto Rican deficit, and it all went to Western Hemisphere countries, and

"Whereas, most of these Western Hemisphere countries had already been granted, by the 1965 Sugar Act Amendments, the right to greatly increase their sugar sales to the United States, and in all probability, with the size of the Puerto Rican deficit tending to become larger each year, these foreign countries would still receive additional quota each year even if a portion of the deficit went to help Florida, and

"Whereas, granting the Mainland Cane Sugar Area the right to fill part of the unused Puerto Rican deficit will not harm any domestic sugar producing area or the cane sugar refiners, and

"Whereas, increased marketing rights for Florida sugar would contribute to the national interest since the United States balance-of-payments position would be improved, as less dollars would be sent abroad to buy foreign sugar, and

"Whereas, increasing international tensions accentuate the need for larger, rather than less, production of sugar in the continental United States, and

"Whereas, a further speedup in the exodus of farm workers to cities would be avoided, and

"Whereas, any critical shortage of shipping would be alleviated, and

"Whereas, a reduction in taxes paid to local, state, and federal governments would be avoided and, if the increased marketing rights are not granted, the Florida sugarcane industry will be reduced in size, resulting in less income and less taxes paid by those in the sugar industry and those in the many allied businesses, and

"Whereas, the current sugarcane crisis is a vivid and specific example of an important United States agricultural industry being seriously crippled through quota restrictions when at the same time foreign production shipped to the United States is allowed to increase, Now, therefore, be it

"Resolved by the Legislature of the State of Florida, That the Congress of the United States is urged to amend the Sugar Act to allow the Mainland Cane Sugar Area to fill a portion of the Unused Puerto Rican quota, enough at least to prevent the Florida sugarcane growers from having to take another drastic cut; be it further

"Resolved, That copies of this Memorial be dispatched to the President of the United States, to the President of the United States Senate, to the Speaker of the United States House of Representatives, and to each member of the Florida delegation to the United States Congress.

"Filed in Office Secretary of State May 9, 1969.

"Tom Adams,
"Secretary of State."

A resolution adopted by the National Academy of Sciences, concerning the administration of Selective Service Regulations; to the Committee on Armed Services.

A resolution adopted at the 1969 meeting of the General Assembly of the Presbyterian Church in the United States on the subject of "Alternative to Combat Service"; to the Committee on Armed Services.

A resolution adopted by the Oklahoma Library Association, praying for the enactment of legislation to create as a permanent Federal Commission the National Library Commission; to the Committee on Labor and Public Welfare.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. DIRKSEN (for Mr. Eastland), from the Committee on the Judiciary, without amendment:

S. 620. A bill for the relief of Richard Vigil (Rept. No. 91–175);

H.R. 2948. An act for the relief of Maria Priscilla Caramanzana (Rept. No. 91–176); and

H.R. 3464. An act for the relief of Maria Balluardo Frasca (Rept. No. 91–177).

By Mr. DIRKSEN (for Mr. Eastland), from the Committee on the Judiciary, with an amendment:

S. 564. A bill for the relief of Mrs. Irene G. Queja (Rept. No. 91–178); and

S. 797. A bill to fix the date of citizenship of Alfred Lorman for purposes of War Claims Act of 1948 (Rept. No. 91–179).

By Mr. DIRKSEN (for Mr. Thurmond), from the Committee on the Judiciary, without amendment:

S. 1002. A bill for the relief of Reddick B. Still, Jr., and Richard Carpenter (Rept. No. 91–180).

By Mr. JORDAN of North Carolina, from the Committee on Public Works, without amendment:

S. 1888. A bill to change the composition of the Commission for Extension of the U.S. Capitol (Rept. No. 91–173).

By Mr. SPARKMAN from the Committee on Banking and Currency, without amendment:

H.R. 8188. An act to provide for the striking of medals in commemoration of the 100th anniversary of the founding of the city of Wichita, Kans. (Rept. No. 91–174).

SENATE JOINT RESOLUTION 111—JOINT RESOLUTION TO AUTHORIZE TEMPORARY ADVANCES BY THE COMMODITY CREDIT CORPORATION TO THE EMERGENCY CREDIT REVOLVING FUND—REPORT OF A COMMITTEE (REPT. NO. 91–181)

Mr. McGOVERN, from the Committee on Agriculture and Forestry, reported an original joint resolution (S.J. Res. 111) to authorize temporary advances by the Commodity Credit Corporation to the Emergency Credit Revolving Fund, which joint resolution was placed on the calendar, as follows:

S.J. Res. 111

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Commodity Credit Corporation is authorized to advance up to a total of $25,000,000 to the Emergency Credit Revolving Fund (7 U.S.C. 1966) under the authority of this resolution. Such advances, together with interest at a rate which will compensate Commodity Credit Corporation for its cost of money during the periods in which the advances are outstanding, shall be repaid out of appropriations to the fund hereafter made.

BILLS AND A JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. BYRD of West Virginia:

S. 2174. A bill to amend title II of the Social Security Act to provide a more equitable standard in determining disability in the case of certain individuals who have attained age 55, and to reduce certain time requirements which are applicable in determining whether an individual qualifies for benefits based on disability or for the disability freeze; to the Committee on Finance.

By Mr. SPONG:

S. 2175. A bill to authorize the Secretary of the Navy to convey to the city of Portsmouth, State of Virginia, certain lands situated within the Crawford urban renewal project (Va-53) in the city of Portsmouth, in exchange for certain lands situated within the proposed Southside neighborhood development project; to the Committee on Armed Services.

By Mr. MAGNUSON (by request):

S. 2176. A bill to implement the Convention on Offenses and Certain Other Acts Committed on Board Aircraft, and for other purposes; and

S. 2177. A bill to amend the act of September 7, 1950 (relating to the construction of a public airport in or near the District of Columbia), to authorize arrests for offenses committed on Federal lands acquired to provide access to the airport, and for other purposes; to the Committee on Commerce.

(See the remarks of Mr. Magnuson when he introduced the above bills, which appear under separate headings.)

By Mr. METCALF:

S. 2178. A bill for the relief of Tommaso Napoli;

S. 2179. A bill for the relief of Antonio Di Leonardo;

S. 2180. A bill for the relief of Domenico Di Leonardo; and

S. 2181. A bill for the relief of Giuseppe Di Leonardo; to the Committee on the Judiciary.

By Mr. YARBOROUGH (for himself, Mr. Cranston, Mr. Eagleton, Mr. Hughes, Mr. Kennedy, Mr. Mondale, Mr. Nelson, Mr. Pell, Mr. Randolph, and Mr. Williams of Delaware):

S. 2182. A bill to amend the Public Health Service Act to revise, extend, and improve the program established by title VI of such act, and for other purposes; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. Yarborough when he introduced the above bill, which appear under a separate heading.)

By Mr. GURNEY:

S. 2183. A bill to authorize the Secretary of the Interior to convey certain reserved phosphate, mineral, and petroleum interests of the United States in certain lands located in the State of Florida to the record owner or owners of such lands; to the Committee on Interior and Insular Affairs.

By Mr. PROUTY (for himself, Mr. Cotton, and Mr. Scott);

S. 2184. A bill to amend part B of title XVIII of the Social Security Act to include prescribed drugs among the items and services covered under the supplementary medical insurance program for the aged; to the Committee on Finance.

(See the remarks of Mr. Prouty when he introduced the above bill, which appear under a separate heading.)

By Mr. TYDINGS (for himself, Mr. Bible, Mr. Spong, Mr. Eagleton, Mr. Prouty, Mr. Goodell, and Mr. Mathias):

S. 2185. A bill to authorize a Federal contribution for the effectuation of a transit development program for the National Capital region, and to further the objectives of the National Capital Transportation Act of 1965 (79 Stat. 663) and Public Law 89–774 (80 Stat. 1324); to the Committee on the District of Columbia.

(See the remarks of Mr. Tydings, when he

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introduced the above bill, which appear under a separate heading.)

By Mr. LONG:

S. 2186. A bill to amend chapter 19, United States Code, so as to provide dismemberment insurance coverage under the servicemen's group life insurance program; to the Committee on Finance.

(See the remarks of Mr. Long when he introduced the above bill, which appear under a separate heading.)

By Mr. HART:

S. 2187. A bill for the relief of Bernardita M. Balagot; to the Committee on the Judiciary.

By Mr. EAGLETON:

S. 2188. A bill for the relief of Dr. Walter Ling (Wisalaya Luknakul); and

S. 2189. A bill for the relief of Leonidez Vinbollo Galang; to the Committee on the Judiciary.

By Mr. SPARKMAN (for himself, Mr. Bible, Mr. Cannon, Mr. Harris, Mr. Hatfield, Mr. McGee, Mr. McGovern, Mr. Metcalf, Mr. Montoya, Mr. Nelson, Mr. Prouty, Mr. Talmadge, Mr. Cooper, Mr. Ervin, Mr. Miller, Mr. Mondale, and Mr. Tower):

S. 2190. A bill to require the Secretary of Agriculture to report to the Congress each year certain information relating to the import and export of agricultural commodities; to the Committee on Agriculture and Forestry.

(See the remarks of Mr. Sparkman when he introduced the above bill, which appear under a separate heading.)

By Mr. KENNEDY:

(S. 2191. A bill to amend the provisions of chapter 5 of title 5, United States Code, relating to administrative procedure; to the Committee on the Judiciary.

(See the remarks of Mr. Kennedy when he introduced the above bill, which appear under a separate heading.)

By Mr. PERCY:

S. 2192. A bill to provide an incentive for private employers to employ and train unskilled individuals certified by the Secretary of Labor by allowing an income tax credit for wages paid to such individuals; to the Committee on Finance.

(See the remarks of Mr. Percy when he introduced the above bill, which appear under a separate heading.)

By Mr. WILLIAMS of New Jersey (for himself, Mr. Kennedy, Mr. Mondale, and Mr. Yarborough):

S. 2193. A bill to authorize the Secretary of Labor to set standards to assure safe and healthful working conditions for working men and women; to assist and encourage States to participate in efforts to assure such working conditions; to provide for research, information, education, and training in the field of occupational safety and health, and for other purposes; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. Williams of New Jersey when he introduced the above bill, which appear under a separate heading.)

By Mr. WILLIAMS of New Jersey:

S. 2194. A bill for the relief of Po Fat Cheng;

S. 2195. A bill for the relief of Kwan Li; and

S. 2196. A bill for the relief of Ka Wai Lau; to the Committee on the Judiciary.

By Mr. BENNETT:

S. 2197. A bill to establish fee programs for entrance to and use of areas administered for outdoor recreation and related purposes by the Secretary of the Interior and the Secretary of Agriculture, and for other purposes; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. Bennett when he introduced the above bill, which appear under a separate heading.)

By Mr. WILLIAMS of New Jersey:

S. 2198. A bill for the relief of Muck Sang Mok; to the Committee on the Judiciary.

By Mr. McGOVERN:

S.J. Res. 111. A joint resolution to authorize temporary advances by the Commodity Credit Corporation to the emergency credit revolving fund; placed on the calendar.

(See reference to the above joint resolution when reported by Mr. McGovern, which appears under a separate heading.)

S. 2176—INTRODUCTION OF A BILL TO IMPLEMENT THE CONVENTION ON OFFENSES AND CERTAIN OTHER ACTS COMMITTED ON BOARD AIRCRAFT, AND FOR OTHER PURPOSES

Mr. MAGNUSON. Mr. President, I introduce, by request of the Secretary of Transportation, a bill to amend the Federal Aviation Act of 1958, "to implement the Convention on Offenses and Certain Other Acts Committed on Board Aircraft, and for other purposes." This bill is designed to provide the domestic legislation necessary for U.S. implementation of the Convention signed at Tokyo on September 14, 1963. On May 12 the Senate voted to ratify the Tokyo Convention.

I ask unanimous consent that the provisions of the bill and the letter of transmittal to the Vice President from the Secretary of Transportation be printed in the Record.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill and the letter will be printed in the Record.

The bill (S. 2176) to implement the Convention on Offenses and Certain Other Acts Committed on Board Aircraft, and for other purposes, introduced by Mr. Magnuson (by request), was received, read twice by its title, referred to the Committee on Commerce, and ordered to be printed in the Record, as follows:

S. 2176

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That—

(1) A new subsection (32) be inserted in Section 101 of the Federal Aviation Act of 1958 (49 U.S.C. 1301) as follows:

"(32) The term 'special aircraft jurisdiction of the United States' includes the following aircraft while in flight—

"(a) civil aircraft of the United States;

"(b) aircraft of the National Defense Forces of the United States; and

"(c) any other aircraft—

"(i) within the United States, or

"(ii) outside the United States which has its next scheduled destination or last point of departure in the United States provided that in either case it next actually lands in the United States.

"For the purpose of this definition, an aircraft is considered to be in flight from the moment when power is applied for the purpose of take-off until the moment when the landing run ends."

(2) Existing subsection (32), (33), (34) and (35) are renumbered (33), (34), (35) and (36), respectively.

(3) Subsections 902(i), (j) and (k) of such Act [49 U.S.C. 1472(i), (j) and (k)] are amended by deleting the words "in flight in air commerce" wherever they appear in those subsections and substituting therefor the words "within the special aircraft jurisdiction of the United States."

The material, presented by Mr. Magnuson, follows:

The Secretary of Transportation,
Washington, D.C., April 25, 1969.

Hon. Spiro T. Agnew,
President of the Senate,
Washington, D.C.

Dear Mr. President: I have the honor to submit to the Senate a draft bill to amend the Federal Aviation Act of 1958, "To implement the Convention on Offenses and Certain Other Acts Committed on Board Aircraft, and for other purposes."

The principal purpose of this draft bill is to provide the legislation necessary for the United States to implement the provisions of the Convention on Offenses and Certain Other Acts Committed on Board Aircraft signed at Tokyo on September 14, 1963. For several years the United States has supported the development of a multilateral convention dealing with crimes, and other acts jeopardizing safety, committed on board aircraft engaged in international aviation. Since aircraft in international air transportation may traverse sovereign airspace at great speeds, and in some cases travel between national borders in a matter of a few minutes, continuity of jurisdiction with respect to crimes and offenses committed on such aircraft is particularly necessary. Presently, there is no widely accepted rule establishing such continuity of jurisdiction.

At its Sixth Session in June 1950, the Legal Committee of the International Civil Aviation Organization (ICAO) initiated a study regarding the possibility of negotiating a treaty which would establish jurisdictional rules in respect of treatment of crimes committed on board aircraft and related matters. During the ensuing 13 years the attendant problems were discussed fully and their resolutions negotiated. The United States of America was a major supporter of this Convention and when it was opened for signature in 1963, the United States Delegation was authorized to sign it. The Convention has been signed by 32 States and, to date, has been ratified by 8.

Several features make the Tokyo Convention a desirable international agreement. First, a positive rule of international law is established between contracting States which provides that the State in which an aircraft is registered is competent to exercise jurisdiction over offenses committed aboard that aircraft when it is in flight, or on the surface of the high seas or any other area outside the territory of any State. The Tokyo Convention does not establish a rule of exclusive jurisdiction; rather, it assures that at least the State of registration will have the competence to exercise its jurisdiction while permitting the exercise of concurrent jurisdiction by other countries, depending upon their respective interests in the offence and the applicability of the traditional rules of international law regarding assertion of jurisdiction.

Second, the Convention provides for an element of certainty in the powers and authority of the aircraft commander. Without the applicable provisions, the actions of the commander is apprehending or "off-loading" an offender are subject to the laws of the country in which he lands; the correctness of his decisions also may be judged in accordance with the national law of the country overflown. Additionally, any other member of the crew, any passenger, the owner or operator of the aircraft and the person on whose behalf the flight was performed, will be immunized legally if their actions are reasonable and in accordance with the provisions of the Convention. Such immunity will create attitudes and actions, where necessary, that will significantly contribute to maintain the safety of flight in international aviation.

Third, the Convention provides for rules and procedures for the disembarkation of an offender which may be utilized by the commander in the territory of any State in which the aircraft lands. Provision is also made in the Convention for the right

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of the aircraft commander to deliver certain persons to the competent authorities of a contracting State in which he lands. Further, the receiving State is obliged to take delivery of an offender and, upon being satisfied that the circumstances so warrant, to take custody or other measures to ensure the presence of such a suspected offender. The Convention contains several provisions designed to protect the rights of an alleged offender and to ensure expeditious legal disposition of the case.

Fourth, the Convention contains an important provision relating to "hijacked" aircraft. This provision imposes a positive obligation on contracting States to take all appropriate measures to restore control of the aircraft to its lawful commander, or to preserve his control of the aircraft.

The enclosed draft bill would amend the Federal Aviation Act of 1958 to permit the United States to implement certain provisions of the Tokyo Convention. Section 101 of the Act is amended to create the "special aircraft jurisdiction of the United States" which would include, while in flight, all civil aircraft of the United States, aircraft of the National Defense Forces of the United States, and any other aircraft within the United States or, under specified circumstances, outside the United States. Subsections 902 (i), (j), and (k) of the Act (which provide criminal penalties for aircraft piracy, interference wtih flight crew members, and certain other acts) are then amended to substitute the "special aircraft jurisdiction" for the jurisdiction presently conferred by the term "in flight in air commerce". The effect of these amendments is to extend the criminal provisions to all aircraft within the special aircraft jurisdiction of the United States as defined by the amended section 101. While this redefinition of jurisdiction is necessary to conform with the purposes of the Tokyo Convention, it still falls wholly within the jurisdiction of the Federal Government under the Constitution.

Inclusion of aircraft of the National Defense Forces of the United States within the special aircraft jurisdiction is not essential to the legislative implementation of the Tokyo Convention. However, they are included at the request of the Department of Defense because such coverage is consistent with the spirit of that Convention and because it closes a jurisdictional gap. There would otherwise be serious doubt as to U.S. jurisdiction over crimes committed by individuals who are not subject to the uniform code of military justice (primarily U.S. military dependents and civilian employees of the Department of Defense in time of peace) while on board U.S. military aircraft flying over foreign territory.

The clause in the legislation referring to the period when the enumerated subsections are applicable is the statement usually employed internally for similar purposes; i.e., "from the moment when power is applied for the purpose of take-off until the moment when the landing run ends".

The Bureau of the Budget advises that there is no objection to the submission of the legislation for the consideration of the Congress from the standpoint of the Administration's program.

Sincerely,

JOHN A. VOLPE.

S. 2177—INTRODUCTION OF A BILL TO AUTHORIZE ARRESTS FOR OFFENSES COMMITTED ON FEDERAL LANDS ACQUIRED TO PROVIDE ACCESS TO THE AIRPORT, AND FOR OTHER PURPOSES

Mr. MAGNUSON. Mr. President, I introduce, by request of the Secretary of Transportation, a bill to amend the act of September 7, 1950 (relating to the construction of a public airport in or near the District of Columbia), to authorize arrests for offenses committed on Federal lands acquired to provide access to the airport, and for other purposes.

I ask unanimous consent that the bill and the letter of transmittal to the Vice President from the Secretary of Transportation be printed in the RECORD.

The PRESIDING OFFICER. The bill will be received and appropriately received; and, without objection, the bill and letter will be printed in the RECORD.

The bill (S. 2177) to amend the act of September 7, 1950, relating to the construction of a public airport in or near the District of Columbia, to authorize arrests for offenses committed on Federal lands acquired to provide access to the airport, and for other purposes, introduced by Mr. MAGNUSON (by request), was received, read twice by its title, referred to the Committee on Commerce, and ordered to be printed in the RECORD, as follows:

S. 2177

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 11 of the Act entitled "An Act to authorize the construction, protection, operation, and maintenance of a public airport in or in the vicinity of the District of Columbia", approved September 7, 1950 (64 Stat. 770, Ch. 905), is amended to read as follows:

"SEC. 11. As used in sections 4, 5, 6, 7, 8, 9, and 12, the word "airport" includes rights of way or easements for roads, trails, pipe lines, power lines, railroad spurs, and other similar facilities acquired and retained under section 3. Unless the context otherwise requires, the definitions of other words or phrases used in this Act shall be the definitions assigned to such words and phrases by the Federal Aviation Act of 1958, as amended."

The material presented by Mr. MAGNUSON follows:

THE SECRETARY OF TRANSPORTATION,
Washington, D.C., May 9, 1969.

HON. SPIRO T. AGNEW,
President of the Senate,
Washington, D.C.

DEAR MR. PRESIDENT: Enclosed is a draft of a bill "To amend the Act of September 7, 1950 (relating to the construction of a public airport in or near the District of Columbia), to authorize arrests for offenses committed on Federal lands acquired to provide access to the airport, and for other purposes."

It is recommended that the bill be enacted by the Congress.

The Act of September 7, 1950 (64 Stat. 770), authorized and directed the Administrator of the Federal Aviation Agency to construct and operate a public airport within or in the vicinity of the District of Columbia. Under that authority, a site for the airport (subsequently named Dulles International Airport) was chosen at Chantilly, Virginia, and the FAA acquired lands for construction of the airport and for construction of an access highway connecting the airport terminal and United States route number 66. Concurrent jurisdiction over the lands acquired for the airport and the access road was accepted by the Federal Aviation Agency on behalf of the United States, and the airport was opened on November 17, 1962. Under the Department of Transportation Act, the functions, powers, and duties of the FAA Administrator with respect to the administration of the airport were transferred to and vested in the Secretary of Transportation.

The Act of September 7, 1950, leaves to the discretion of the Secretary of Transportation whether highways constructed to provide access to the airport from established streets and highways shall be retained by the Department or transferred to the State or political subdivision in which the highways are located. The Secretary, and the FAA Administrator before him, has retained control over the lands acquired for construction of the highway connecting the airport terminal and route number 66.

The Act provides that the Secretary shall have control over and responsibility for the care, operation, maintenance, improvement, and protection of the airport, together with the power to make and amend such rules and regulations as he may deem necessary for the proper exercise thereof. The Department considers the access road to be a part of the airport property and exercises the same degree of control over the care and protection of the highway as it does over the airfield itself. It maintains the highway, provides police protection along its course, and prescribes traffic and other regulations governing its use.

However, in a case decided in December 1965 by the United States District Court for the Eastern District of Virginia, the Court ruled that an arrest on the access highway by an FAA airport police officer was unlawful, and the Court set aside the conviction of a motorist who had exceeded the speed limit prescribed for the highway by FAA. (See enclosed copy of the Court's Order.) The arrest was made under section 8 of the Act. That section, in part, authorizes designated airport employees to arrest without warrant any person committing any offense against the laws of the United States, or against any rule or regulation prescribed under the Act, where the offense is committed within the limits of the airport and in the presence of the employee. For the purposes of making arrests under the Act, the Court concluded that the point on the highway where the offense was committed was not "within the limits of the airport."

We continue in the belief that Congress intended that the word "airport" in section 8 include federally-owned access roads, but due to the ruling of the Court in the abovementioned case, we think that it is appropriate that Congress should reaffirm its original intent by amending the Act to clarify the definition of "airport" to preclude any future doubt as to its meaning. The proposed legislation would do that. It adds to section 11 of the Act a definition of the word "airport" providing that lands and interests in lands acquired and retained under section 3 of the Act for roads, pipe lines, power lines, railroad spurs and other similar facilities necessary or desirable for the construction or operation of the airport are considered to be a part of the airport. In addition to resolving the problem with respect to making arrests on access highways and similar facilities, this amendment clarifies the authority of the Secretary to issue regulations applicable to such facilities, and to exercise general control over their care and protection.

A perfecting amendment has also been made to section 11 to replace an out-of-date reference to the Civil Aeronautics Act of 1938 with a reference to the Federal Aviation Act of 1958.

The Bureau of the Budget has advised that there is no objection from the standpoint of the Administration's program to the submission of this proposed legislation to the Congress.

Sincerely,

JOHN A. VOLPE.

UNITED STATES OF AMERICA *v.* PIERRE J. LAFORCE

ORDER

This is an appeal from a judgment of the United States Commissioner upholding

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the authority of the airport police to make arrests of persons charged with violating the speed limits proscribed by the Administrator (Federal Aviation Agency) for the access road to the Dulles International Airport. The facts are not in dispute.

The defendant was arrested on the access road, some miles outside the airport proper, for an alleged violation of the speed limit. The arrest was made and a summons was issued by an airport police officer.

The Commissioner based his determination on the premise that the access road was a part of the airport. 14 C.F.R. § 159.35 (1964).

When read with the statutory grant creating the airport (Act of September 7, 1950, 64 Stat. 770), the Court does not so read the regulation.

Section 8(a) of the Act empowers designated employees—here the airport police—

"(1) to arrest under a warrant within the limits of the airport any person accused of having committed within the boundaries of the airport any offense against the laws of the United States, or against any rule or regulation prescribed pursuant to this Act; (2) to arrest without warrant any person committing any such offense within the limits of the airport, in his presence; or (3) to arrest without warrant within the limits of the airport any person whom he has reasonable grounds to believe has committed a felony within the limits of the airport."

Nothing therein authorizes the airport police to make arrests beyond the boundaries of the airport.

The land encompassed within the airport was acquired by condemnation proceedings instituted on January 29, 1958 in this court in Civil Action No. 1638–M.

The lands for building the access highway to the airport were acquired by condemnation proceedings instituted on March 31, 1959 in this court in Civil Action No. 1902–M.

Concurrent jurisdiction over the lands mentioned in both condemnation suits was accepted by the Federal Aviation Agency on behalf of the United States on November 14, 1961; acknowledged and received by the Governor of Virginia on November 15, 1961.

Regulations promulgated by the Administrator of the Federal Aviation Agency state that "the access road to Dulles International Airport from the terminal building to its terminus at United States route number 66 constitutes a part of the airport property."

In so doing the Administrator permitted private vehicles to enter upon the road only for the purpose of going to or leaving the airport. (14 C.F.R. § 159.35.)

This regulation refers to the ownership of and the right of the public to use the access road.

The Administrator's holding that the access road is a part of the airport property does not enlarge the power of the airport police to make arrests beyond the boundaries of the airport.

The Act creating the airport limits the authority of the airport police to make arrests within the airport. The arrest in this case, having been made some miles beyond the limits of the airport by an airport police officer, being unlawful, the conviction should be set aside, and it is so ordered.

The Clerk will forward a copy of this order to the United States Attorney for this District, the United States Commissioner, and to the defendant.

DECEMBER 22, 1965.

——— ———,
U.S. District Judge.

S. 2182—INTRODUCTION OF HOSPITAL AND MEDICAL FACILITIES CONSTRUCTION AND MODERNIZATION AMENDMENTS OF 1969

Mr. YARBOROUGH. Mr. President, hospitals are the major means of bringing the benefits of modern medicine to the people of our country. Many hospitals are also centers for research and clinical testing, and for education and training of medical manpower—doctors, nurses, and numerous kinds of technicians and paramedical personnel.

In seeking to provide high quality patient care and to meet broader community responsibilities, many hospitals and hospital centers, in addition to providing general medical and surgical care, are expanding their services to encompass extended care, rehabilitation, psychiatric and social services, home care, prevention, diagnostic, ambulatory and emergency services, and health education. The establishment of specialized facilities for the treatment of a particular disease or disability, and the development of satellite hospitals, and neighborhood health centers as an extension of the hospital into the community are other attempts by hospitals to discover and demonstrate more effective, more efficient, and less costly ways of delivering health services. We should encourage these initiatives.

No single general hospital is likely to meet all the health needs of all the people in its area, and a special responsibility rests on hospitals to support and fulfill their essential role in comprehensive health planning to meet community needs. Recognizing this, the American Hospital Association in January of this year affirmed its advocacy of local and areawide planning focused on services, manpower, equipment, and facilities. This is surely a step in the right direction, toward the goal of optimum health services for all our people.

I congratulate the hospitals of America as they mark the 17th National Hospital Week, May 11–17.

Since this is National Hospital Week, it is most appropriate that I am introducing a bill today that will permit us to continue our progress in making modern hospitals and health care facilities accessible to all the people of this country. This legislation provides for a number of innovations to encourage a better utilization of our limited health resources, improve the delivery of health services and reduce the soaring costs of medical care.

The cost of medical care is a problem that concerns all of us. All of our citizens are entitled to adequate health services—not as a privilege, but as a basic right.

The cost of these health services is rising rapidly. In some hospitals across the country, the per diem rate exceeds $100. The national average for 1968 was over $65 a day, an increase of 12 percent over the preceding year.

Despite these rising charges, hospitals are badly in need of substantial financial assistance for construction and modernization. The States report urgent needs for the construction of new health facilities at an estimated cost of $6 billion, and urgent needs for the modernization or replacement of obsolete health care facilities at an estimated cost of $10.5 billion.

I have learned from the Department of Health, Education, and Welfare that in my own State of Texas the cost to construct needed health facilities is estimated at $469 million, and to modernize obsolete health facilities $383 million. As opposed to the above figures, Texas received only about $17 million per year for both modernization and construction for each of the last 3 years.

These costs cannot be met without assistance in the form of grants, guaranteed loans, and direct loans from the Federal Government. That is why the legislation that I am proposing provides increased financial assistance through grants, insured loans, and direct loans for the badly needed construction and modernization of health care facilities.

In summary, the Hospital and Medical Facilities Construction and Modernization Amendments of 1969, in title I, authorizes a 5-year program of grants to the States to pay for part of the cost of new construction and modernization of public and other nonprofit hospitals, extended care facilities, outpatient facilities, public health centers, and rehabilitation facilities. Total authorization is $390 million for 1971, $420 million for 1972, $440 million for 1973, $460 million for 1974, and $480 million for 1975. The total authorization for 1970 under existing legislation is $295 million.

There are separate authorizations for each of the categories of health facilities, but the liberal transfer provisions under existing law would be retained. The present appropriations allotment formula to the States is also retained.

There are several changes in existing law that will contribute to better health care. First of all, there is a provision under the existing law that prohibits financial assistance for the construction of outpatient facilities unless they are owned by a public agency or by a private, nonprofit hospital. This restriction would be relaxed to permit any private, nonprofit group to construct or modernize an outpatient facility. Priority would be given to projects where comprehensive health services are provided, particularly projects for prepaid group health practice. States may give priority to rural communities.

Priority would be given to construction or modernization projects of general hospitals where there is provision for the services of an extended care facility. This change would assist in reducing the costs of medical care since it can cost twice as much per day to care for a patient in a general hospital as compared to costs in an extended care facility. Another priority has been added in the case of projects for construction and modernization of facilities which provide training in health professions.

To prevent duplication in the construction of expensive health care facilities, the bill would require existing State agencies to consult with the appropriate areawide health planning agency prior to approval of a project for construction or modernization assistance.

To contribute to reducing the cost of health care, the legislation would give the States the option of increasing the Federal share of construction costs by up to 20 percent in the case of projects that offer potential for reducing health care costs through shared services, interfacility cooperation or dispersed ambulatory care centers.

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This legislation also extends for 5 additional years section 304(d) of the Public Health Service Act, which authorizes health services research and demonstration programs. Major problems requiring solutions are rising costs, unequal utilization of services, and differences in availability and quality of service. The increased authorizations are $80 million for 1971, $85 million for 1972, $90 million for 1973, $95 million for 1974, and $100 million for 1975. Present authorization for 1970 is $60 million.

In title II, the bill would authorize a new program of loan guarantees to cover up to 90 percent of the cost of modernization and construction of private, nonprofit hospitals and other health care facilities. A similar provision was passed by the Senate last year but was dropped in conference. The total amount of principal of loans which may be guaranteed would be divided between modernization and new construction by the Secretary and allocated among the States on the basis of each State's relative population, financial need, and need for modernization and construction, respectively. The Federal Government would pay one-half of the first 6 percent of interest charges plus one-third of the remainder. The cumulative total of principal of the guaranteed loans outstanding will be $2 billion over 5 years, but not more than $400 million per year.

Title III would also authorize a new program of direct Federal loans to cover up to 90 percent of the cost of construction and modernization of public hospitals and other health care facilities. The amounts available for loans would be allocated among the States on the basis of population, financial need, and the extent of need for new construction and modernization. There would be authorized to be appropriated not to exceed $750 million over the 5 fiscal years beginning with the fiscal year ending June 30, 1971. The loans would be repaid over a maximum period of 25 years. The interest rate would be 3 percent.

Title IV would authorize a new program for grants for the modernization of emergency rooms of general hospitals. The authorization is for $10 million each year for the next 5 years. These special project grants would be administered by the Secretary of Health, Education, and Welfare, after consultation with the existing State agency, for projects for which adequate assistance is not readily available from other sources to assist in providing modern, efficient, and effective emergency room services needed to care for victims of highway, industrial, agricultural or other accidents and to handle other medical emergencies, and to assist in providing such services in geographical areas which have special need.

In conclusion, this bill has $5.4 billion in authorizations over the next 5 years, $2.7 billion in grants, $2 billion in loan guarantees, and $750 million in direct loans. In no year are there less than $1 billion in authorizations.

Mr. President, I introduce the Hospital and Medical Facilities Construction and Modernization Amendments of 1969 for myself and Senators RANDOLPH, WILLIAMS of New Jersey, PELL, KENNEDY, NELSON, MONDALE, EAGLETON, CRANSTON, and HUGHES, and ask that it be appropriately referred.

I ask unanimous consent that the bill and a short explanation be printed at this point in the RECORD.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill and explanation will be printed in the RECORD.

The bill (S. 2182) to amend the Public Health Service Act to revise, extend, and improve the program established by title VI of such act, and for other purposes, introduced by Mr. YARBOROUGH, was received, read twice by its title, referred to the Committee on Labor and Public Welfare, and ordered to be printed in the RECORD, as follows:

S. 2182

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Hospital and Medical Facilities Construction and Modernization Amendments of 1969".

TITLE I—GRANTS FOR CONSTRUCTION AND MODERNIZATION OF HOSPITALS AND OTHER MEDICAL FACILITIES

PART A—EXTENSION OF GRANT PROGRAM

AUTHORIZATION OF APPROPRIATIONS FOR CONSTRUCTION GRANTS

SEC. 101. (a) Section 601 of the Public Health Service Act (42 U.S.C. 219a) is amended—

(1) by striking out "next five" in paragraph (a) and inserting in lieu thereof "next ten";

(2) (A) by striking out "$70,000,000" in subparagraph (1) of paragraph (a) and inserting in lieu thereof "$100,000,000",

(B) by striking out "$20,000,000" in subparagraph (2) of such paragraph and inserting in lieu thereof "$40,000,000", and

(C) by striking out "$10,000,000" in subparagraph (3) of such paragraph and inserting in lieu thereof "$15,000,000"; and

(3) by striking out in paragraph (b) "and $195,000,000 for the fiscal year ending June 30, 1970." and inserting in lieu thereof "$195,000,000 for the fiscal year ending June 30, 1970, $160,000,000 for the fiscal year ending June 30, 1971, $170,000,000 for the fiscal year ending June 30, 1972, $180,000,000 for the fiscal year ending June 30, 1973, $190,000,000 for the fiscal year ending June 30, 1974, and $200,000,000 for the fiscal year ending June 30, 1975; and".

(b) The amendments made by subsection (a) shall take effect with respect to appropriations made under such section 601 for fiscal years beginning after June 30, 1970.

AUTHORIZATION OF APPROPRIATIONS FOR MODERNIZATION GRANTS

SEC. 102. (a) Effective with respect to appropriations made under section 601 of the Public Health Service Act for fiscal years beginning after June 30, 1970, such section is further amended—

(1) by striking out in paragraph (b) the following: "and for grants for modernization of such facilities and the facilities referred to in paragraph (a)";

(2) by adding after paragraph (b) the following new paragraph:

"(c) for grants for modernization of the facilities referred to in paragraphs (a) and (b), $75,000,000 for the fiscal year ending June 30, 1971, $95,000,000 for the fiscal year ending June 30, 1972, $105,000,000 for the fiscal year ending June 30, 1973, $115,000,000 for the fiscal year ending June 30, 1974, and $125,000,000 for fiscal year ending June 30, 1975."; and

(3) by inserting "AND MODERNIZATION" after "CONSTRUCTION" in the section heading.

(b) Effective with respect to allotments from appropriations made under such section 601 for fiscal years beginning after June 30, 1970, section 602(a) of such Act (42 U.S.C. 291b) is amended—

(1) by striking out "the new hospital portion of" the first time it appears in paragraph (1),

(2) by striking out the last sentence of paragraph (1), and

(3) by amending paragraph (2) to read as follows:

"(2) For each fiscal year beginning after June 30, 1970, the Secretary shall, in accordance with regulations, make allotments among the States for grants for modernization of the facilities referred to in section 601. Such allotments shall be made from the sums appropriated under paragraph (c) of section 601, and shall be made among the States on the basis of the population, the financial need, and the extent of the need for modernization of such facilities, of the respective States."

(c) Effective with respect to allotments from appropriations made under such section 601 for fiscal years beginning after June 30, 1970, paragraph (2) of section 602(e) of such Act is amended by striking out "; except that" and all that follows in such paragraph and inserting in lieu thereof a period.

PART B—OPERATION OF GRANT PROGRAM

PRIORITY OF PROJECTS

SEC. 110. Effective with respect to applications approved under title VI of the Public Health Service Act after June 30, 1970, section 603(a) of such Act (42 U.S.C. 291c) is amended—

(1) by striking out "rural communities and areas with relatively small financial resources" in clause (1), and inserting in lieu thereof "areas with relatively small financial resources and, at the option of the State, rural communities",

(2) by striking out "and" at the end of clause (2), and

(3) by adding after clause (3) the following new clauses:

"(4) in the case of projects for construction or modernization of general hospitals, to any general hospital with respect to which there is reasonable assurance that services of a long-term care facility will be available, either through a facility of the applicant for the project or a facility with which the applicant is affiliated (to the extent and in the manner determined in accordance with regulations), to patients of such hospital who no longer need care in such hospital but require the services of a long-term care facility;

"(5) in the case of projects for construction or modernization of outpatient facilities, to any outpatient facility that will be located in, and provide services for residents of, an area determined by the Secretary to be a metropolitan area with low per capita income;

"(6) to projects for facilities which, alone or in conjunction with other facilities, will provide comprehensive health care, including outpatient and preventive care as well as hospitalization, particularly projects for facilities which will serve a defined population; and

"(7) in the case of projects for construction or modernization of facilities, to facilities which provide training in health professions;".

AREAWIDE HEALTH PLANNING AGENCIES

SEC. 111. Effective with respect to applications approved under title VI of the Public Health Service Act after June 30, 1970, clause (4) of the first sentence of section 605(b) of such Act (42 U.S.C. 291e) is amended (1) by inserting after "the application has been approved and recommended by the State agency" the following: ", opportunity has been provided, prior to such approval and recommendation, for consideration of the project by the public or nonprofit private agency or organization (if any) which has developed the comprehensive regional, metropolitan area, or other local area plan or plans referred to in section 314(b) covering the area in which such project is to be located,"; and (2) by inserting "the application is for a project which" immediately before "is entitled".

PORTION OF ALLOTMENT AVAILABLE FOR STATE PLAN ADMINISTRATION

SEC. 112. Effective with respect to expenditures under a State plan approved under title VI of the Public Health Service Act which are made for administration of such plan during any fiscal year beginning after June 30, 1970—

(1) the first sentence of subsection (c) (1) of section 606 of such Act (42 U.S.C. 291f) is amended (A) by striking out "2 per centum" and inserting in lieu thereof "4 per centum" and (B) by striking out "$50,000" and inserting in lieu thereof "$100,000"; and

(2) paragraph (2) of subsection (c) of such section 606 is amended by striking out "June 30, 1964" and inserting in lieu thereof "June 30, 1970".

FEDERAL SHARE

SEC. 113. Effective with respect to applications approved under title VI of the Public Health Service Act after June 30, 1969, paragraph (b) of the section of such Act redesignated (by section 201 of this Act) as section 655 is amended by adding at the end thereof the following new sentence: "Notwithstanding the provisions of subparagraphs (1) and (2) of this paragraph, the Federal share shall at the option of the State agency, be equal to the per centum provided under such subparagraphs plus an incentive per centum (which shall not exceed 20 per centum) specified by the State agency in the case of projects that offer potential for reducing health care costs through shared services among health care facilities, interfacility cooperation, or dispersed ambulatory care centers."

DEFINITION OF HOSPITALS

SEC. 114 (a) Effective with respect to applications approved under title VI of the Public Health Service Act after June 30, 1970, paragraph (c) of the section of such Act redesignated (by section 201 of this Act) as section 655 is amended—

(1) by inserting after "nurses' home facilities," the following: "extended care facilities, facilities related to programs for home health services, self-care units,"; and

(2) by inserting a comma immediately before "operated" and inserting immediately before "but does not include" the following: "and also includes education or training facilities for health professions personnel operated as an integral part of a hospital,".

(b) Effective July 1, 1970, section 604(a) (3) of such Act is amended—

(1) by inserting "(A)" after "shall include", and

(2) by inserting after "rehabilitation services, and" the following: "representatives particularly concerned with education or training of health professions personnel, and (B)".

CHANGE IN NAME AND CLARIFICATION OF FUNCTIONS OF DIAGNOSTIC TREATMENT CENTER

SEC. 115. (a) Sections 601(a)(2) and 602 (b)(1)(B) of the Public Health Service Act (42 U.S.C. 291a, 291b) are each amended by striking out "diagnostic or treatment centers" and inserting in lieu thereof "outpatient facilites".

(b) Section 604(a)(4)(C) of such Act (42 U.S.C. 291d) is amended by striking out "diagnostic or treatment centers" and inserting in lieu thereof "outpatient facilities" and by striking out "such centers" and inserting in lieu thereof "such facilities".

(c) Section 604(a)(5) of such Act (42 U.S.C. 291d) is amended by striking out "diagnostic or treatment centers" and inserting in lieu thereof "outpatient facilities".

(d) Section 609(b) of such Act (42 U.S.C. 2911) is amended by striking out "diagnostic or treatment center" and inserting in lieu thereof "outpatient facility".

(e) Section 605(e) of such Act (42 U.S.C. 291e) is amended to read as follows: "In the case of public or other nonprofit outpatient facilities which are not a part of a general hospital, reasonable assurance that the services of a general hospital will be made available."

(f) Paragraph (f) of the section of the Public Health Service Act redesignated (by section 201 of this Act) as section 655 (42 U.S.C. 291o) is amended—

(1) by striking out "diagnostic or treatment center" and inserting in lieu thereof "outpatient facility",

(2) by inserting after "means a facility" the following: "(located in or apart from a hospital)", and

(3) by inserting after "ambulatory patients" the following: "(including ambulatory inpatients)".

(g) The amendment made by paragraphs (2) and (3) of subsection (f) of this section shall apply with respect to applications approved under title VI of such Act after June 30, 1970.

DEFINITION OF FACILITY FOR LONG-TERM CARE

SEC. 116. Effective with respect to applications approved under title VI of the Public Health Service Act after June 30, 1970, paragraph (h) of the section of such Act redesignated (by section 201 of this Act) as section 655 (42 U.S.C. 291o) is amended by inserting after "means a facility" the following: "(including an extended care facility)".

INCLUSION OF COST OF ACQUISITION OF LAND

SEC. 117. Effective with respect to projects approved under title VI of the Public Health Service Act after June 30, 1970, so much of paragraph (i) of the section of such Act redesignated (by section 201 of this Act) as section 655 (42 U.S.C. 291o) as follows the semicolon is amended to read: "including architect's fees and the cost of the acquisition of land, but excluding the cost of offsite improvements."

GRANTS FOR EQUIPMENT

SEC. 118. Effective with respect to projects approved under title VI of the Public Health Service Act after June 30, 1970, paragraph (i) of the section of such Act redesignated (by section 201 of this Act) as section 655 (42 U.S.C. 291o) is further amended by inserting before the semicolon "and, in any case in which it will help to provide a service not previously provided in the community, equipment of any buildings".

TITLE TO SITE

SEC. 119. Effective with respect to projects approved under title VI of the Public Health Service Act after June 30, 1970, paragraph (1) of the section of such Act redesignated (by section 201 of this Act) as section 655 (42 U.S.C. 291o) is further amended by striking out "for a period of not less than fifty years" and inserting in lieu thereof the following: ", for not less than the period specified in section 609 (or, in the case of a loan guaranteed under part B or a loan made under part C which is for a longer period, for not less than that longer period),".

INCLUSION OF THE TRUST TERRITORY OF THE PACIFIC ISLANDS

SEC. 120. (a)(1) Subparagraphs (A), (B), and (C) of paragraph (1) of subsection (b) of section 602 of the Public Health Service Act (42 U.S.C. 291b) are each amended by inserting "the Trust Territory of the Pacific Islands," after "American Samoa,".

(2) Paragraph (2) of such subsection is amended by inserting "the Trust Territory of the Pacific Islands," after "American Samoa,".

(b) Paragraph (1) of subsection (c) of such section is amended by inserting "the Trust Territory of the Pacific Islands," after "American Samoa,".

(c) Paragraphs (1) and (2) of subsection (d) of such section are each amended by inserting "the Trust Territory of the Pacific Islands," after "American Samoa,".

(d) The section of such Act redesignated by section 201 of this Act) as section 655(a) (42 U.S.C. 291o) is amended by inserting "the Trust Territory of the Pacific Islands," after "American Samoa,".

(e) The amendments made by this section shall apply with respect to allotments (and grants therefrom) under part A of title VI of the Public Health Service Act for fiscal years ending after June 30, 1970, and with respect to loan guarantees under part B and loans under part C of such title made after June 30, 1970.

PART C.—RESEARCH AND DEMONSTRATIONS; AND MISCELLANEOUS

RESEARCH AND DEMONSTRATIONS RELATING TO HEALTH FACILITIES AND SERVICE

SEC. 130. Section 304(d) of the Public Health Service Act (42 U.S.C. 242b) is amended by inserting after "June 30, 1970" the following: ", $80,000,000 for the fiscal year ending June 30, 1971, $85,000,000 for the fiscal year ending June 30, 1972, $90,000,000 for the fiscal year ending June 30, 1973, $95,000,000 for the fiscal year ending June 30, 1974, and $100,000,000 for the fiscal year ending June 30, 1975."

WAIVING OF RIGHT OF RECOVERY

SEC. 131. Section (3)(b) of the Hospital and Medical Facilities Amendments of 1964 (Public Law 88–443) is amended by striking out the period at the end of paragraph (5) and inserting in lieu thereof a semicolon, and by adding after such paragraph the following new paragraph:

"(6) the provisions of clause (b) of section 609 of the Public Health Service Act, as amended by this Act, shall apply with respect to any project whether it was approved, and whether the event specified in such clause occurred, before, on, or after the date of enactment of this Act, except that it shall not apply in the case of any project with respect to which recovery under title VI of such Act has been made prior to the enactment of this paragraph."

TITLE II—LOAN GUARANTEES FOR CONSTRUCTION AND MODERNIZATION OF HOSPITALS AND OTHER MEDICAL FACILITIES

LOAN GUARANTEES FOR CONSTRUCTION AND MODERNIZATION OF HOSPITALS AND OTHER MEDICAL FACILITIES

SEC. 201. Title VI of the Public Health Service Act is amended by redesignating part B as part E; by redesignating sections 621 through 625 (42 U.S.C. 291k–291o), and all references thereto, as sections 651 through 655, respectively; and by inserting after section 610 (42 U.S.C. 291j) the following new part:

"PART B—LOAN GUARANTEES FOR MODERNIZATION AND CONSTRUCTION OF HOSPITALS AND OTHER MEDICAL FACILITIES

"AUTHORIZATION OF LOAN GUARANTEES

"SEC. 621. (a) In order to assist nonprofit private agencies to carry out needed projects for the modernization or construction of private nonprofit hospitals, facilities for long-term care, outpatient facilities, and rehabilitation facilities, the Secretary, during the period July 1, 1970, through June 30, 1975, may guarantee in accordance with this part to non-Federal lenders making loans to such agencies for such projects, payment when due of the principal of and interest on loans approved under this part.

"(b) No loan guarantee under this part with respect to any modernization or construction project may apply to so much of the principal amount thereof as, when added to the amount of any grant or loan under part A with respect to such project, exceeds 90 per centum of the cost of such project.

"(c) The Secretary, with the consent of the Secretary of Housing and Urban Development, shall obtain from the Department of Housing and Urban Development such assistance with respect to the administration of this part as will promote efficiency and economy thereof.

"LOAN GUARANTEE ALLOTMENTS

"SEC. 622. (a) For each fiscal year, the Secretary shall determine (1) the total amount of principal of loans which may be guaranteed under this part in such fiscal year, and (2) the portion of such total amount which shall be available for allotments with respect to loans for modernization of facilities referred to in section 621 and the portion thereof which shall be available for allotments with respect to loans for construction of such facilities. Each such portion shall then be allotted among the States, in accordance with regulations, on the basis of each State's relative population, financial need, and need for modernization and for construction, respectively, of facilities referred to in section 621.

"(b) Any amount allotted under subsection (a) to a State, other than the Virgin Islands, American Samoa, Guam, and the Trust Territory of the Pacific Islands, for a fiscal year ending before July 1, 1975, and remaining unobigated at the end of such year shall remain available to such State, for the purpose for which made, for the next fiscal year (and for such year only), and any such amount shall be in addition to the amounts allotted to such State for such purpose for such next fiscal year; except that, with the consent of the State, any such amount remaining unobligated at the end of the first six months of such next fiscal year may be reallotted (on such basis as the Secretary deems equitable and consistent with the purposes of this title) to other States which have need therefor. Any amount so reallotted to a State shall be available for the purposes for which made until the close of such next fiscal year and shall be in addition to the amount allotted and available to such State for the same period. Any amount allotted under subsection (a) to the Virgin Islands, American Samoa, Guam, or the Trust Territory of the Pacific Islands for a fiscal year ending before July 1, 1975, and remaining unobligated at the end of such year shall remain available to it, for the purposes for which made, for the next two fiscal years (and for such years only), and any such amount shall be in addition to the amounts allotted to it for such purpose for each of such next two fiscal years; except that, with the consent of the Virgin Islands, American Samoa, Guam, or the Trust Territory of the Pacific Islands, as the case may be, any such amount remaining unobligated at the end of the first of such next two fiscal years may be reallotted (on such basis as the Secretary deems equitable and consistent with the purposes of this title) to any other of such four States which have need therefor. Any amount reallotted to a State under the preceding sentence shall be available for the purposes for which made until the close of the second of such next fiscal years and shall be in addition to the amounts allotted and available to such State for the same period.

"(c) Any amount allotted or reallotted to a State under this section for a fiscal year shall not, until the expiration of the period during which it is available for obligation, be considered as available for allotment for the next fiscal year.

"(d)(1) Transfers between the allotments of a State under this section shall be made as follows: If any State agency (designated under section 604(a)) applies to the Secretary to have all or part of its construction loan allotment transferred to its modernization loan allotment or to have all or part of its modernization loan allotment transferred to its construction loan allotment, the Secretary shall adjust the allotments of such State in accordance with such application if such application is accompanied by a certification by such State agency that the need (determined in accordance with objective criteria established by regulation of the Secretary) for projects to be assisted by loans guaranteed under the allotment to which a transfer is requested is greater than the need for the projects to be assisted by loans guaranteed under the allotment from which a transfer is requested.

"APPLICATIONS AND CONDITIONS

"SEC. 623. (a) For each project for which a loan guarantee is sought under this part, there shall be submitted to the Secretary, through the State agency designated in accordance with section 604, an application by a nonprofit private agency. If two or more such agencies join in the project, the application may be filed by one or more such agencies. Such application shall (1) set forth all of the descriptions, plans, specifications, assurances, and information which are required by the third sentence of section 605 (a) (other than clause (6) thereof) with respect to applications submitted under that section, (2) contain such other information as the Secretary may require to carry out the purposes of this part, and (3) include a certification by the State agency of the total cost of the project and the amount of the loan for which a guarantee is sought under this part.

"(b) The Secretary may approve such application only if—

"(1) there remains sufficient balance in the allotment determined for such State pursuant to section 622 to cover the amount of the loan for which a guarantee is sought in such application,

"(2) he makes each of the findings which are required by clauses (1) through (4) of section 605(b) for the approval of applications for projects thereunder (except that, in the case of the finding required under such clause (4) of entitlement of a project to a priority established under section 603 (a), such finding shall be made without regard to the provisions of clauses (1) and (3) of such section),

"(3) he finds that there is compliance with section 605(e),

"(4) he obtains assurances that the applicant will keep such records, and afford such access thereto, and make such reports, in such form and containing such information, as the Secretary may reasonably require, and

"(5) he also determines that the terms, conditions, maturity, security (if any), and schedule and amounts of repayments with respect to the loan are sufficient to protect the financial interest of the United States and are otherwise reasonable and in accord with regulations, including a determination that the rate of interest does not exceed such per centum per annum on the principal obligation outstanding as the Secretary determines to be reasonable, taking into account the range of interest rates prevailing in the private market for similar loans and the risks assumed by the United States.

"(c) No application under this section shall be disapproved until the Secretary has afforded the State agency an opportunity for a hearing.

"(d) Amendment of an approved application shall be subject to approval in the same manner as an original application.

"(e)(1) The United States shall be entitled to recover from the applicant the amount of any payments made pursuant to any guarantee under this part, unless the Secretary for a good cause waives its right of recovery, and, upon making any such payment, the United States shall be subrogated to all of the rights of the recipient of the payments with respect to which the guarantee was made.

"(2) Guarantees under this part shall be subject to such further terms and conditions as the Secretary determines to be necessary to assure that the purposes of this part will be achieved, and, to the extent permitted by subsection (f), any of such terms and conditions may be modified by the Secretary to the extent he determines it to be consistent with the financial interest of the United States.

"(f) Any guarantee made by the Secretary pursuant to this part shall be incontestable in the hands of an applicant on whose behalf such guarantee is made, and as to any person who makes or contracts to make a loan to such applicant in reliance thereon, except for fraud or misrepresentation on the part of such applicant or such other persons.

"PAYMENT OF INTEREST ON GUARANTEED LOANS

"SEC. 624. The Secretary shall pay to each holder of a loan guaranteed under this part, for and on behalf of the hospital or other medical facility for which such loan was made, an amount equal to one-half of so much of the interest on the portion of the loan so guaranteed as does not exceed the amount of the interest payable on such portion at a rate of 6 per centum per annum, plus one-third of the remainder (if any) of interest payable on such portion.

"LIMITATION ON AMOUNT OF LOANS GUARANTEED

"SEC. 625. The cumulative total of the principal of the loans outstanding at any time with respect to which guarantees have been issued under this part may not exceed the lesser of—

"(1) such limitations as may be specified in appropriations Acts, or

"(2) in the case of loans covered by allotments for the fiscal year ending June 30, 1971, $400,000,000; for the fiscal year ending June 30, 1972, $800,000,000; for the fiscal year ending June 30, 1973, $1,200,000,000; $1,600,000,000 for the fiscal year ending June 30, 1974; and $2,000,000,000 for the fiscal year ending June 30, 1975.

"LOAN GUARANTEE FUND

"SEC. 626. There is hereby established in the Treasury a loan guarantee fund (hereinafter in this section referred to as the 'fund') which shall be available to the Secretary without fiscal year limitation to enable him to discharge his responsibilities under any guarantee issued by him under this part and for payment of interest on the loans so guaranteed. There are authorized to be appropriated to the fund from time to time such amounts as may be necessary to provide capital for the fund."

TITLE III—LOANS FOR CONSTRUCTION AND MODERNIZATION OF PUBLIC HOSPITALS AND OTHER PUBLIC MEDICAL FACILITIES

LOANS FOR CONSTRUCTION AND MODERNIZATION OF PUBLIC HOSPITALS AND OTHER PUBLIC MEDICAL FACILITIES

SEC. 301. Title VI of the Public Health Service Act is further amended by adding after part B (added by section 201 of this Act) the following new part:

"PART C—LOANS FOR CONSTRUCTION AND MODERNIZATION OF PUBLIC HOSPITALS AND OTHER PUBLIC MEDICAL FACILITIES

"AUTHORIZATION OF LOANS

"SEC. 631. (a) In order to assist public agencies to carry out needed projects for the construction or modernization of facilities referred to in paragraphs (a) and (b) of section 601, the Secretary is authorized to loan funds, in accordance with this part, to such agencies for the purpose of carrying out such projects.

"(b) No loan under this part to carry out any project may, when added to the amount

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of any grant or loan under part A with respect to such project, exceed 90 per centum of the cost of such project.

"ALLOCATION AMONG THE STATES

"SEC. 632. (a) The Secretary shall allot among the States the amounts available for each fiscal year for the making of loans under this part. The allotments under this part shall be made among the States on the basis of the population, the financial need, and the extent of the need for construction and modernization of the facilities referred to in paragraphs (a) and (b) of section 601, of the respective States.

"(b) Any sum allotted to a State for a fiscal year and remaining unobligated at the end of such year shall remain available to such State, for the purpose for which made, for the next fiscal year (and for such year only), and any such sum shall be in addition to the sums allotted to such State for such purpose for such next fiscal year. Any sum so allotted to a State for a fiscal year shall not (even though remaining unobligated at the close thereof) be considered as available for allotment among the States for the next fiscal year.

"APPLICATIONS

"SEC. 633. (a) For each project for which a loan is sought under this part, there shall be submitted to the Secretary, through the State agency designated in accordance with section 604, an application by the State or a political subdivision thereof or by any other public agency. If two or more such agencies join in the project, the application may be filed by one or more such agencies. Such application shall (1) set forth all of the descriptions, plans, specifications, assurances, and information which are required by clauses (1) through (5) of section 605(a) with respect to applications submitted under that section, (2) contain such other information as the Secretary may require to carry out the purposes of this part, and (3) include a certification by the State agency of the total cost of the project and the amount of the loan sought under this part.

"(b) The Secretary may approve such application only if—

"(1) there remains sufficient balance in the allotment determined for such State pursuant to section 632 to make the loan applied for,

"(2) he makes each of the findings which are required by clauses (1) through (4) of section 605(b) for the approval of applications for projects thereunder (except that, in the case of the finding required under such clause (4) of entitlement of a project to a priority established under section 603(a), such findings shall be made without regard to clauses (1) and (3) of such section),

"(3) he obtains assurances that the applicant will keep such records, and afford such access thereto, and make such reports, in such form and containing such information, as the Secretary may reasonably require, and

"(4) he also determines that the terms, conditions, maturity, security (if any), and schedule and amounts of repayments are reasonable and in accord with regulations.

"(c) No application shall be disapproved until the Secretary has afforded the State agency an opportunity for a hearing.

"(d) Amendment of an approved application shall be subject to approval in the same manner as an original application.

"RECOVERY

"SEC. 634. If any of the events specified in clause (a) or clause (b) of section 609 occurs with respect to any facility for which a loan has been made under this part, before the termination of the period during which a loan made by the Secretary under this part is outstanding, the balance of any loan made by the Secretary under this part shall become immediately due and payable, unless the Secretary for good cause determines to waive the provisions of this section.

"GENERAL PROVISIONS FOR LOAN PROGRAM

"SEC. 635. Loans made under this part shall—

"(1) be repayable in equal periodic installments over a period of not to exceed twenty-five years,

"(2) bear interest at the rate of 3 per centum per annum, and

"(3) be secured by such evidence of financial obligation as the Secretary shall determine to be necessary or desirable to protect the interests of the United States against failure on the part of the borrower to repay the principal and interest on such loan in accordance with the terms thereof.

"REVOLVING LOAN FUND

"SEC. 636. (a) There is hereby created within the Treasury a separate fund (hereafter in this section referred to as the 'fund') for loans for the construction and modernization of the facilities referred to in paragraphs (a) and (b) of section 601. The fund shall be available to the Secretary without fiscal year limitation as a revolving fund for the purposes of this part. The total of any loans made from the fund in any fiscal year shall not exceed such limitations as may be specified in appropriation Acts. A business-type budget for the fund shall be prepared, transmitted to the Congress, considered, and enacted in the manner prescribed by sections 102, 103, and 104 of the Government Corporation Control Act (31 U.S.C. 847–849) for wholly owned Government corporations.

"(b)(1) The Secretary, when authorized by an appropriation Act, may transfer to the fund available appropriations provided under section 637 to provide capital for the fund. Amounts received by the Secretary as interest payments or repayments of principal on loans, and any other moneys, property, or assets derived by him from his operations in connection with this part, including any moneys derived directly or indirectly from the sale of assets, or beneficial interests or participations in assets, of the fund, shall be deposited in the fund, in such amounts as may be authorized from time to time in appropriation Acts.

"(2) All loans, expenses, and payments pursuant to operations of the Secretary under this part shall be paid from the fund, including (but not limited to) expenses and payments of the Secretary in connection with sale, under section 302(c) of the Federal National Mortgage Association Charter Act, of participations in obligations acquired under this part. From time to time, and at least at the close of each fiscal year, the Secretary shall pay from the fund into the Treasury as miscellaneous receipts interest on the cumulative amount of appropriations paid out for loans under this part or available as capital to the fund, less the average undisbursed cash balance in the fund during the year. The rate of such interest shall be determined by the Secretary of the Treasury, taking into consideration the average market yield during the month preceding each fiscal year on outstanding Treasury obligations of maturity comparable to the average maturity of loans made from the fund. Interest payments may be deferred with the approval of the Secretary of the Treasury, but any interest payments so deferred shall themselves bear interest. If at any time the Secretary determines that moneys in the fund exceed the present and any reasonably prospective future requirements of the fund, such excess may be transferred to the general fund of the Treasury.

"APPROPRIATION AUTHORIZATION

"SEC. 637. There are authorized to be appropriated to the Secretary over a period of five fiscal years, beginning with the fiscal year ending June 30, 1971, such sums as may be necessary for transfers to the revolving fund established under section 636, but not to exceed in the aggregate $750,000,000. Of the sums authorized to be appropriated under this section not more than $150,000,000 is authorized to be appropriated for the fiscal year ending June 30, 1971.

"DURATION OF LOAN PROGRAM

"SEC. 638. No loans shall be made under this part after June 30, 1975."

AMENDMENT TO FEDERAL NATIONAL MORTGAGE ASSOCIATION CHARTER ACT

SEC. 302. Section 302(c)(2)(B) of the Federal National Mortgage Association Charter Act is amended to read as follows:

"(B) The Department of Health, Education, and Welfare, but only with respect to loans (i) made by the Commissioner of Education for construction of academic facilities, and loans to help finance student loan programs, and (ii) made under part B of title VI of the Public Health Service Act for the modernization of hospitals and other health facilities."

TITLE IV—GRANTS FOR MODERNIZATION OF EMERGENCY ROOMS OF GENERAL HOSPITALS

SEC. 401. Title VI of the Public Health Service Act is further amended by adding after part C (added by section 301 of this Act) the following new part:

"PART D—MODERNIZATION OF EMERGENCY ROOMS

"AUTHORIZATION

"SEC. 641. In order to assist in the provision of adequate emergency room service in various communities of the Nation for treatment of accident victims and handling of other medical emergencies through special project grants for the modernization of emergency rooms of general hospitals, there are authorized to be appropriated $10,000,000 each for the fiscal year ending June 30, 1971, and the next four fiscal years.

"ELIGIBILITY FOR GRANTS

"SEC. 642. Funds appropriated pursuant to section 641 shall be available for grants by the Secretary for not to exceed 50 per centum of the cost of modernization of emergency rooms of public or other nonprofit general hospitals. Such grants shall be made by the Secretary only after consultation with the State agency designated in accordance with section 604(a)(1) of the Public Health Service Act. In order to be eligible for a grant under this part, the project, and the applicant therefor, must meet such criteria as may be prescribed by regulations. Such regulations shall be so designed as to provide aid only with respect to projects for which adequate assistance is not readily available from other Federal, State, local, or other sources, and to assist in providing modern, efficient, and effective emergency room service needed to care for victims of highway, industrial, agricultural, or other accidents and to handle other medical emergencies, and to assist in providing such service in geographical areas which have special need therefor.

"PAYMENTS

"SEC. 643. Grants under this part shall be paid in advance or by way of reimbursement, in such installments and on such conditions, as in the judgment of the Secretary will best carry out the purposes of this part."

The material presented by Mr. YARBOROUGH follows:

SUMMARY: HOSPITAL AND MEDICAL FACILITIES CONSTRUCTION AND MODERNIZATION AMENDMENTS OF 1969

GRANT PROGRAMS

The existing categorical grant program, with affirmative changes, would be extended and expanded by Title I for a five year period, commencing in Fiscal Year 1971. Grants for the construction and modernization of hospitals and other medical facilities would have a total five-year authorization of $2,190

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million. Of this amount $515 million would be available for the modernization of health facilities.

LOAN GUARANTEES WITH INTEREST SUBSIDIES

Title II would provide for, commencing in Fiscal Year 1971, a new five-year program of loan guarantees to aid in the construction and modernization of health facilities. The total authorization would permit $400 million annually or a total of $2 billion in guarantees. The amounts to be guaranteed would be allotted to the States on the basis of the relative financial need, relative population, and relative need for additional health facilities and the relative need for the modernization of existing health facilities. As in the grant program, the amount allotted to the given State would be available to be used as guarantees for a two fiscal year period.

In addition, the loan guarantee program provides for interest subsidies to be paid by the Federal government at a rate of ½ of the interest up to 6% and ⅓ of the interest thereafter. The loan guarantee program would be available to sponsors representing privately owned nonprofit health facilities.

FEDERAL LOANS

Title III of the bill would provide a five year authority, commencing in Fiscal Year 1971, to administer a new program of direct Federal loans for the construction and modernization of publicly owned health facilities. This loan program, which would be administered through the designated State agency as in the grant and loan guarantee programs, provides for a maximum five year authorization of $750 million, not to exceed $150 million in Fiscal Year 1971. The loans would bear an interest rate of 3% annually and would be available for a term not to exceed 25 years. The maximum Federal loan or combination of loan and grant could not exceed 90% of the cost of the project.

ADDITIONAL PROVISIONS

Title IV would provide a new five-year program of Federal project grants to assist in the modernization of needed emergency rooms of general hospitals. $10 million annually would be authorized for the five-year period.

The existing grant category of assistance entitled diagnostic treatment centers would be retitled out-patient facilities and at the same time redefined to permit privately owned nonprofit facilities other than general hospitals to receive this assistance. The existing law limits grant assistance under the diagnostic treatment center category to public agencies and to sponsors representing privately owned nonprofit general hospitals.

The bill would also permit, at the option of the State agency, an increase in the Federal share by 20% in the case of any project which would assist in reducing the costs of delivering care or otherwise improve the capabilities to deliver health care. This incentive provision would be applicable to such circumstances as a hospital providing services on a shared basis with another hospital, special inter-facility agreements, etc.

The priority for considering projects to be approved under the program would be revised to make the rural area priority permissive, i.e., at the option of the State, as well as providing special priority consideration to hospitals making adequate provision for long-term care services. Special priority consideration would also be given to outpatient facilities which would provide services for residents of metropolitan low-income areas, as well as special priority consideration for projects which will provide comprehensive health services to a defined population group. Special priority consideration would also be given to facilities which provide training in the health professions.

Federal assistance would be available under the bill to assist in the purchase of a site upon which a health facility will be located as well as assisting in the purchase of equipment for health facilities without necessitating construction or modernization within the same project.

The bill would also extend for a five-year period, commencing in Fiscal Year 1971, Section 304(d) of the Public Health Service Act by providing a total five-year authorization of $450 million to assist in projects relating to research and demonstration to improve health facilities and services.

S. 2184—INTRODUCTION OF A BILL TO INCLUDE PRESCRIBED DRUGS AMONG THE ITEMS AND SERVICES COVERED UNDER THE SUPPLEMENTARY MEDICAL INSURANCE PROGRAM FOR THE AGED

Mr. PROUTY. Mr. President, in 1965 when medicare was enacted, 20 million older Americans felt that economic drain on their already minuscule pocketbooks would be curtailed. For a number of reasons, including unchecked inflation, this has not been the case. I am therefore convinced we must take a second look at the policies we in this country have followed and in particular the effect of those policies on our older citizens.

In this respect the first priority must be the effective curtailment of inflation because inflation continues to be the primary deterrent to economic security for older Americans on fixed incomes. For example, social security benefit increases which were enacted a little over a year ago have almost completely been eroded by inflation. In December 1967, Congress enacted a 13-percent increase in social security benefits. However, the consumer price index has increased from 118.2 at that time to 125.6 in March 1969 indicating that over 69 percent of the beneficial effect of the increase had already been eliminated.

Since January 20 I have seen hopeful signs that we are beginning to get control over inflation. President Nixon's budget cuts have been the most visible signs that our national leadership is now determined to fight against inflation. In addition, there are a number of less visible signs that the administration is determined to win its battle to gain control over inflation. Presently numerous studies which are designed to take an objective look at Federal program effectiveness on a program-by-program basis. I am convinced that through this comprehensive combination approach of responsible fiscal and monetary policies coupled with objective program evaluation to insure maximum benefits for taxpayer's dollars spent we will be able to end the adverse effects of overall inflation.

However, Mr. President, we must recognize that curing inflation will not be enough to sufficiently ease the economic hardships facing older Americans. If we ended inflation tomorrow, we would still need a substantial social security benefit increase in order to make up for the economic harm created by past inflation to citizens on fixed incomes. In addition, we must look to the structural deficiencies of our income distribution system so as to provide equity for retired Americans who, during their years of employment have provided the basis for our great affluence in this country.

In 1965, Mr. President, we recognized that Americans age 65 and over were more likely to have need for hospitalization and medical care than their fellow citizens.

We recognized, Mr. President, that this fact created an unconscionable burden on all older Americans and their families through no fault of their own.

However, Mr. President, we all recognize that medicare was not comprehensive enough to accomplish its avowed purpose—namely to assure medical attention for all older Americans irrespective of their ability to pay. Perhaps the greatest weakness of the medicare law is that there is no reimbursement for drugs which, by the way, have been credited by many as the greatest single contributor to the advances we have made in being able to preserve and protect man's good health. In many cases older Americans spend several hundred dollars a year on drugs which are essential to their continued life and well being.

As a matter of fact, Mr. President, unreimbursed drug expenses facing older Americans were one of the prime reasons former Senator George Smathers and I introduced an amendment to the Social Security Amendments of 1967 for the purpose of restoring the special medical expense tax deduction afforded taxpayers age 65 or over prior to the Medicare Act of 1965. The fact that our amendment easily passed the Senate indicates to me that most Senators share my concern that additional economic relief must be given to older Americans if they are to be able to get necessary medical attention without facing unconscionable economic hardship. Our amendment restoring the special tax deduction for those age 65 or over would have helped to ease the economic barriers now standing in the way of necessary medical care for older Americans. Unfortunately it was deleted from the social security amendments of 1967 during the conference with the House.

Today, Mr. President, I am introducing a bill with Senator Scott and Senator Cotton, a bill which squarely faces up to the basic deficiency of medicare by extending part B, title XVIII of the Social Security Act to cover prescription drugs.

I ask unanimous consent, Mr. President, that the text of our bill be printed in the Record immediately following my remarks.

Mr. President, I was disappointed when the House refused to accept our amendment to the social security bill of 1967 which would have restored the special medical expenses tax deduction for taxpayers age 65 or over. That bill would have afforded some relief to older Americans who continued to be faced with heavy out-of-the-pocket medical expenses. I must admit, however, that the special medical expense tax deduction did not go far enough toward solving the deficiencies in medicare coverage because not all citizens age 65 or over are currently taxpayers. This bill, on the other hand, would apply to each and every American enrolled in part B of medicare.

As you know, part B provides the plan by which our citizens over 65 years of

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age may voluntarily contribute monthly payments matched by similar payments from the Government to cover the cost of specified medical services. This bill would simply include prescription drugs as a covered service under the same conditions as now applied to other covered professional services.

In addition, this bill would raise the present deduction of $50 to $75, but the covered patient would be allowed to commingle the charges for professional services and for prescription drugs in order to meet the minimum deduction. As with the present plan, covering professional services, 80 percent of the expenditure over the minimum would be reimbursed to the physician, the pharmacist, or the patient.

Those experienced in the administration of insured plans often refer to the fact that coverage of small claims adds materially to the costs of administering the plans. By raising the deductible to $75, we are eliminating many of the small claims that would be made against the program at such a high administrative cost. By having the patient pay 20 percent of the costs over the minimum, we have a built-in incentive for the patient and the physician not to abuse the plan by overusage or by the purchase of high-priced drugs when one of lesser cost is suitable.

However, Mr. President, under our proposal, there is no restriction on the physician in prescribing for elderly patients. Our aged citizens will not be relegated to second-class health citizens where the attending physician is restricted to prescribing a drug which is not his first choice. The bill has incentive through its coinsurance feature for physician and patient to obtain the lowest cost drug available, consistent with the best health of the patient, but there is no mandate to prescribe a product which the physician may think is less suitable.

Moreover, this bill has the added advantage of not requiring a new system for receiving claims or for reimbursement of claims made. It is proposed that expenditures for drugs will be forwarded to the disbursement agent through the same channels that are now used for the forwarding of bills for professional services. Since claims for professional services and for prescription drugs can be commingled to meet the minimum deduction, there will be little necessity for separate handling. As a matter of fact, this commingling of claims should expedite and simplify the payment of claims by the agency since the minimum requirements will be satisfied at a faster pace.

Mr. President, we have for too long discussed the increasing needs of our aged population for relief from the burdens of health services. By bringing those prescription drugs which the attending physician feels are needed for the best health care of his patients, under part B of title XVIII, we are taking a tremendous step forward in meeting the needs of our senior citizens. Few pieces of legislation will be up for our consideration which should have higher priority. I hope that the appropriate committee will immediately hold hearings on this bill so that we may extend this benefit to our senior citizens in this session of the Congress.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 2184) to amend part B of title XVIII of the Social Security Act to include prescribed drugs among the items and services covered under the supplementary medical insurance program for the aged, introduced by Mr. PROUTY (for himself, Mr. COTTON, and Mr. SCOTT), was received, read twice by its title, referred to the Committee on Finance, and ordered to be printed in the RECORD, as follows:

S. 2184

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 1832(a)(1) of the Social Security Act is amended to read as follows:

"(1) entitlement to have payment made to him or on his behalf (subject to the provisions of this part) for—

"(A) medical and other health services; and

"(B) prescribed drugs, except those described in paragraph (2)(B); and".

(b) Section 1832(a)(2)(B) of such Act is amended by inserting immediately before "furnished by a provider" the following: ", and prescribed drugs,".

(c) Section 1832(a) of such Act is further amended by adding at the end thereof (after and below paragraph (2)(B)) the following new sentence: "As used in this part (and in part C to the extent that it relates to this part), the term 'services', unless the context otherwise indicates, includes prescribed drugs."

SEC. 2. Section 1833(b) of the Social Security Act is amended by striking out "$50" and inserting in lieu thereof "$75".

SEC. 3. (a) Section 1835(a)(2)(B) of the Social Security Act is amended by striking out ", such services" and inserting in lieu thereof "or prescribed drugs, the services".

(b) Section 1835(a) of such Act is further amended by adding at the end thereof the following new sentence: "In the case of prescribed drugs, the certification requirement of paragraph (2)(B) shall be satisfied by the physician's prescription."

SEC. 4. Section 1861(m)(5) of the Social Security Act is amended by striking out "(other than drugs and biologicals)" and inserting in lieu thereof "(including prescribed drugs, but not including any other drugs and biologicals)".

SEC. 5. Section 1861(s)(2) of the Social Security Act is amended by striking out "(including drugs and biologicals which cannot, as determined in accordance with regulations, be self-administered)" each place it appears and inserting in lieu thereof "(including drugs and biologicals)".

SEC. 6. (a) Section 1861(t) of the Social Security Act is amended by adding at the end thereof the following new sentence: "The term 'prescribed drugs' means drugs and biologicals which require a prescription of a physician for the use of an individual."

(b) The heading of such section 1861(t) is amended to read as follows: "DRUGS AND BIOLOGICALS; PRESCRIBED DRUGS".

S. 2185—INTRODUCTION OF A BILL TO PROVIDE FUNDS FOR CONSTRUCTION OF A RAPID RAIL TRANSIT SYSTEM FOR THE DISTRICT OF COLUMBIA AND THE WASHINGTON METROPOLITAN AREA

Mr. TYDINGS. Mr. President, I am introducing legislation today to provide funds for construction of a rapid rail transit system for the District of Columbia and the Washington metropolitan area. I am joined in the introduction of this bill by the entire Senate Committee on the District of Columbia; the distinguished Senators from Nevada (Mr. BIBLE); Virginia (Mr. SPONG); Missouri (Mr. EAGLETON); Vermont (Mr. PROUTY); New York (Mr. GOODELL); and Maryland (Mr. MATHIAS).

This legislation has been submitted by the administration and carries the explicit endorsement of the President. In his message of April 28 on the District of Columbia the President said:

> BALANCED TRANSPORTATION SYSTEM
>
> The National Capital needs and deserves a mass transit system that is truly metropolitan, unifying the central city with the surrounding suburbs. As a part of its responsibility for the National Capital Region, the Federal Government should support deliberate action, based upon effective planning, to meet the future transportation needs of the Region. The surrounding areas in Maryland and Virginia, as Congress rightly recognized, include the most rapidly growing areas of population and job opportunities, potentially of rich benefits to the inner city.
>
> The proposed legislation fulfills the Congressional mandate in a 1966 Act, which directed the Washington Metropolitan Area Transportation Authority to plan, develop, finance and provide for the operation of a full regional rapid rail system for the National Capital area.
>
> The 97-mile system would relieve downtown congestion; increase employment; make educational, cultural and recreational facilities more accessible; reduce air pollution; stimulate business, industry, and tourism; broaden tax bases; and promote orderly urban development of the Nation's Capital.
>
> I urge that Congress promptly appropriate the necessary authorizing legislation for the 97-mile system.

Enactment of the legislation I introduce today will fulfill the commitment Congress made in 1966 to help finance a modern and urgently needed new addition to the transportation system in Washington.

The need to start this rapid transit system now is desperate. Inflation increases the eventual cost of the system by the incredible sum of a quarter of a million dollars a day. Every year's delay adds $90 million to the cost of the system. Meanwhile, the cost of alternative modes of transit also continues to skyrocket. Urban highways in Washington cost upward of $18 million a mile just to construct, not taking into account upkeep and the damage these new roads do to neighborhoods, the city landscape, and the tax base.

Even at today's prices, this rapid transit system is the best possible transportation bargain our country could provide for its National Capital.

The legislation I am introducing today will fulfill Congress' decade-old commitment to create this rapid mass transit system. That commitment dates from 1960 with congressional creation of the National Capital Transportation Agency whose mission it was to plan this transit system. Then, in 1966, after the NCTA had completed its work, Congress authorized the Washington Metropolitan Area Transit Authority to plan and construct the 97-mile transit system, whose construction now can begin within weeks of

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a congressional green light. The local money has been assured, the plans are drawn, the routes selected, and the necessary approvals have been obtained. Now Congress must grant the Federal share of the money.

The President's proposal I am introducing today provides for three-way financing of the Washington rapid transit system. Less than half of the cost of the system will be borne directly by the Federal Government. The transit funding has three parts:

First, the jurisdictions of the Washington metropolitan area, the District of Columbia and the Maryland and Virginia suburbs, will provide $573,522,000 for construction. The citizens of these suburbs have overwhelmingly voted to authorize their governments to issue bonds for financing this local share of the subway and rapid transit system costs. This money is available as soon as Congress gives the final go-ahead.

The second source of funds will be the farebox. These transit revenues will be of sufficient magnitude to enable the authority to raise $835 million through bonds.

Third, the remaining 46 percent of construction cost, amounting to $1,147,044,000, will be provided by Federal grants. This includes the Federal grant of $100 million authorized by the Congress in 1965 and the $1,047,044,000 authorized by the bill I am introducing today.

Providing the Federal share through capital grants is the most economical method of funding the Federal share of the project cost. This method of funding is estimated to produce a saving of at least $250 million in interest charges compared to the debt service grant approach recommended by the previous Administration.

Despite the setbacks and delays of the past, I am optimistic that now with the support of President Nixon we can at last get started with this long overdue and desperately needed element in the Washington transportation system.

It has taken nearly 17 years for the Congress to move within sight of the construction of the National Capital's rapid transit system. And now, as the construction crews and engineers stand ready to begin, the intricate system of regional compacts, public funding, community approval, route alignment and planning is threatened with collapse through the evasion of inflation.

The enormous efforts so far cannot be allowed to have been in vain. We can never recapture the time delayed, but we can and must prevent further delay. The transit system must begin this year.

I ask that the bill I have introduced plus the letter in its support submitted by the Administration to the President of the Senate be reprinted at this point in the RECORD.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill and letter will be printed in the RECORD.

The bill (S. 2185) to authorize a Federal contribution for the effectuation of a transit development program for the National Capital region, and to further the objectives of the National Capital Transportation Act of 1965 (79 Stat. 663) and Public Law 89–774 (80 Stat. 1324) introduced by Mr. TYDINGS (for himself and other Senators), was received, read twice by its title, referred to the Committee on the District of Columbia, and ordered to be printed in the RECORD, as follows:

S. 2185

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SHORT TITLE

SECTION 1. That this Act may be cited as the "National Capital Transportation Act of 1969".

DEFINITIONS

SEC. 2. For the purposes of this Act—

(a) "Transit Authority" means the Washington Metropolitan Area Transit Authority established by title III of the Washington Metropolitan Area Transit Regulation Compact (80 Stat. 1324).

(b) "Adopted Regional System" means that system described in the Transit Authority's report entitled "Adopted Regional Rapid Rail Transit Plan and Program, March 1, 1968 (revised February 7, 1969)", as the same may hereafter be altered, revised, or amended in accordance with Public Law 89–774 (80 Stat. 1324).

AUTHORIZATION FOR FEDERAL CONTRIBUTIONS

SEC. 3. (a) In order to provide for the Federal share of the cost of the Adopted Regional System, which System supersedes that heretofore authorized by the Congress in the National Capital Transportation Act of 1965, as amended, the Secretary of the Department of Transportation is authorized to make annual contributions to the Transit Authority under this Section in amounts sufficient to finance in part the construction of the Adopted Regional System by the Transit Authority; Provided, that the aggregate amount of such Federal contributions shall not exceed the lower amount of $1,047,044,000 or two-thirds of the net project cost of the Adopted Regional System less the $100,000,000 authorized to be appropriated in Section 5(a) (1) of the Act of September 8, 1965 (Public Law 89–173; 79 Stat. 663).

(b) Such Federal contributions shall be subject to the following limitations and conditions:

(1) The work for which appropriations are authorized herein shall be subject to the provisions of Public Law 89–774 and shall be carried out substantially in accordance with the plans and schedules for the Adopted Regional System.

(2) The aggregate amount of such Federal contributions on or prior to the last day of any given fiscal year shall be matched by the local participating governments by payment of the local share of capital contributions required for the period ending with the last day of such year in a total amount not less than 50 per centum of the amount of such Federal contributions.

SEC. 4. There is hereby authorized to be appropriated to the Department of Transportation, without fiscal year limitation, not to exceed $1,047,044,000 to carry out the purposes of this Act; *Provided,* That the appropriations authorized herein shall be in addition to the appropriations authorized in section 5(a)(1) of the National Capital Transportation Act of 1965 (79 Stat. 665).

CONSTRUCTION APPROVALS

SEC. 5. (a) No portion of any rail rapid transit line or related facility authorized hereunder shall be constructed within the United States Capitol Grounds except upon approval of the Commission for Extension of the United States Capitol.

(b) All construction pursuant to this Act in, on, under or over public space in the District of Columbia under the jurisdiction of the Commissioner of the District of Columbia shall, in the interest of public convenience and safety, be performed in accordance with schedules agreed upon between the Transit Authority and the Commissioner of the District of Columbia, to the end that such construction work will be coordinated with other construction work in such public space, and the Commissioner shall so exercise his jurisdiction and control over such public space as to facilitate the Transit Authority's use and occupation thereof for the purposes of this Act.

REPAYMENT FROM EXCESS REVENUES

SEC. 6. To the extent that revenues or other receipts derived from or in connection with the ownership or operation of the Adopted Regional System other than Service Payments under Transit Service Agreements executed between the Transit Authority and local political subdivisions, the proceeds of bonds or other evidences of indebtedness; and capital contributions received by the Transit Authority), are excess to the amounts necessary to make all payments and deposits, including debt service, operating and maintenance expenses and deposits in reserves, required or permitted by the terms of any contract of the Transit Authority with or for the benefit of holders of its bonds, notes or other evidences of indebtedness issued for any purpose relating to the transit system, other than extensions thereof, two-thirds of such excess revenues shall, at the end of each fiscal year, beginning with the fiscal year in which the Adopted Regional System (exclusive of extensions) is first put into substantially full revenue service, be paid into the Treasury of the United States as miscellaneous receipts.

DISTRICT OF COLUMBIA AUTHORIZATIONS

SEC. 7. (a) To finance the District of Columbia share of the cost of the Adopted Regional System, the Commissioner of the District of Columbia is authorized to contract with the Transit Authority to make annual capital contributions under this Section aggregating not to exceed $216,500,000, and there is hereby authorized to be appropriated out of the general fund of the District of Columbia such amounts necessary to carry out the purposes of this Section, and to remain available until expended.

(b) Section 9–220(b)(3) of the District of Columbia Code is amended by striking the first clause of the last sentence and inserting in lieu thereof the following: "$216,500,000 of the principal amount of the loans authorized to be made to the Commissioner under this subsection shall be utilized to carry out the purposes of the National Capital Transportation Act of 1969; *Provided,* That the District of Columbia may exceed by an amount not more than $166,500,000, the limitation on the aggregate indebtedness established pursuant to this Act;".

(c) The appropriations authorized in subsection (a) of this Section shall be in addition to the appropriations authorized on behalf of the District of Columbia in Section 5(a)(2) of the National Capital Transportation Act of 1965.

(d) The Commissioner of the District of Columbia is further authorized to contract with the Transit Authority for the service to be provided by the Adopted Regional System and to pay in accordance with the terms thereof the District of Columbia's share of any operating deficiency of the Adopted Regional System.

REPEAL AND AMENDMENT OF EXISTING LAWS

SEC. 8. (a) The following laws are repealed:

(1) The Act of December 20, 1967 (Public Law 90–220; 81 Stat. 670).

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(2) Sections 3, 4 and 5(b) of the Act of September 8, 1965 (Public Law 89–173; 79 Stat. 664–6–).

(3) The Act of July 14, 1960 (Public Law 86–669, 74 Stat. 537).

(b) Section 5(a) of the Act of September 8, 1965 (Public Law 89–173; 79 Stat. 665) is amended by striking the phrase "authorized in Section 3 hereof" and inserting in lieu thereof the following: "of the Adopted Regional System".

The material presented by Mr. TYDINGS follows:

THE SECRETARY OF TRANSPORTATION,
Washington, D.C., May 8, 1969.

Hon. SPIRO T. AGNEW,
President of the Senate,
Washington, D.C.

DEAR MR. PRESIDENT: On January 16, 1969, the District of Columbia Government and the Washington Metropolitan Area Transit Authority jointly transmitted to the President of the Senate for the consideration of the 91st Congress, a draft bill "To authorize a Federal Contribution for the effectuation of a transit development program for the National Capital region, and to further the objectives of the National Capital Transportation Act of 1965 (79 Stat. 663) and Public Law 89–774 (80 Stat. 1324)." This proposed legislation was thereafter referred to the Committee on the District of Columbia.

Subsequently, this legislation has been reviewed in terms of the objectives of the new Administration and in the light of the Authority's most recent engineering and financial studies. Accordingly, a revised draft is submitted for the consideration of the Congress. While the objectives of the revised draft remain the same, its primary difference is that the Federal share would be provided through Federal capital grants rather than through federally supported bonds as previously proposed. Authorization of regular capital grants, rather than debt service grants, is considered the most economical method of funding the two-thirds Federal share of the net project cost. Other changes reflect a decrease in the additional Federal share requirement from $1,051,000,000 to $1,047,044,000 and an increase in the District of Columbia share from $208,700,000 to $216,500,000. These latter changes represent the refinement of cost allocations resulting from more recent financial studies. The funds would be appropriated to the Department of Transportation which would disburse the Federal share to the Transit Authority.

This proposed legislation would support a 97 mile system which, as stated by the President, would "relieve downtown congestion; make educational, cultural and recreational facilities more accessible; reduce air pollution; stimulate business, industry, and tourism; broaden tax bases; and promote orderly urban development of the Nation's Capital."

A rapid transit system for the Washington Metropolitan Area will do much to improve the quality of urban life throughout the National Capital region. Enactment of this legislation would be a major step in achieving the President's objective of making the Capital City a "proud symbol of the quality of American life." Accordingly, the Bureau of the Budget has advised us that enactment of legislation as proposed in the attached draft bill would be in accord with the program of the President.

Sincerely,

JOHN A. VOLPE,
Secretary of Transportation.
THOMAS W. FLETCHER,
Assistant to the Commissioner.
(For Walter E. Washington, Commissioner)
FREDERICK A. BABSON,
Chairman, Board of Directors, Washington Metropolitan Area Transit Authority.

S. 2186—INTRODUCTION OF A BILL TO PROVIDE FOR DISMEMBERMENT INSURANCE FOR SERVICEMEN

Mr. LONG. Mr. President, my colleagues are aware of my longstanding interest in providing adequate insurance for servicemen and veterans. I have already introduced two bills on this subject this year, one to provide double indemnity servicemen's group life insurance for servicemen on active duty in combat areas, and another to provide GI insurance for Vietnam era veterans.

Today I am introducing a bill to include, as part of servicemen's group life insurance, lump sum payments to a serviceman who loses a hand, a foot, or an eye. Under my bill, a serviceman losing any one of these members would receive an indemnity payment equal to one-half of the face value of his servicemen's group life insurance. If the serviceman loses more than one of these members, he would receive an amount equal to the full face value of his servicemen's group life insurance.

Mr. President, I have purposely patterned this bill on the dismemberment insurance provided under present law to civil service employees under the Federal employees group life insurance program. I believe that our servicemen, who certainly face a much greater risk of dismemberment, deserve the same kind of protection as our Federal civilian employees.

As the bill is drafted, it does not cover the case of a permanently paralyzed serviceman. This is because I followed the provisions of the Federal employees group life insurance program. But as a matter of fact, I feel that the permanently paralyzed serviceman should be covered by servicemen's group life insurance on the same basis as a serviceman who suffers loss of limb. I intend to so change my bill in the Committee on Finance.

Though my bill would require the serviceman to pay for this additional cost based on the average civilian risk, the Veterans' Administration estimates that the cost to the veteran would be nominal, and that dismemberment insurance could be provided with no increase in the present premium of $2 per month for $10,000 of servicemen's group life insurance.

Mr. President, I ask unanimous consent that the text of my bill be printed in the RECORD at this point.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 2186) to amend chapter 19, United States Code, so as to provide dismemberment insurance coverage under the Servicemen's Group Life Insurance program introduced by Mr. LONG, was received, read twice by its title, referred to the Committee on Finance, and ordered to be printed in the RECORD as follows:

S. 2186

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 767 of title 38, United States Code, is amended by adding at the end thereof a new subsection as follows:

"(c) Each policy purchased under this subchapter shall, subject to such terms and conditions as the Administrator may approve, provide dismemberment insurance coverage as follows: (1) for the loss of one hand or of one foot or the loss of sight of one eye, the insured shall be paid an amount equal to one-half of the face value of the insurance; and (2) for the loss of two or more of such members, the insured shall be paid an amount equal to the full face value of the insurance. Dismemberment insurance shall be paid to an insured who suffers the loss of one or more limbs or the sight in one or both eyes if such loss occurs as the direct result of and within a period of 90 days after a bodily injury has been suffered by such insured. The total amount of insurance paid under any policy of Servicemen's Group Life Insurance on account of any one accident shall not exceed the face value of such policy. No payment shall be made under this subsection for the loss of a limb or loss of eyesight as the result of an intentionally self-inflicted injury."

SEC. 2. The second sentence of section 769(b) of title 28, United States Code, is amended to read as follows: "Such cost shall be determined by the Administrator on the basis of excess mortality and dismemberment suffered by members and former members of the uniformed services insured under this subchapter above that incurred by the male civilian population of the United States of the same age as the median age of members of the uniformed services (disregarding a fraction of a year) as shown by the records of the uniformed services, the primary insurer of insurers, and the Department of Health, Education, and Welfare, together with the most current estimates relating to mortality and dismemberment."

SEC. 3. This Act shall become effective on the first day of the second month following the month in which enacted.

S. 2190—INTRODUCTION OF THE AGRICULTURAL TRADE STATISTICS REPORTING ACT

Mr. SPARKMAN. Mr. President, on behalf of myself and other Senators, I am introducing a bill entitled "the Agricultural Trade Statistics Reporting Act." I ask that it be appropriately referred and that the text be reprinted in the RECORD following my remarks.

This legislation was first offered about 3 years ago, on June 16, 1966, being S. 3522 of the 89th Congress and S. 1940 in the 90th Congress.

The bill would have the Secretary of Agriculture deliver to the Congress an annual report in business-like form, containing a summary of the balance-of-payments impact on all U.S. agricultural trade. Included would be information along the following lines: The volume and dollar value of the Nation's foreign trade overall and in major agricultural commodities, the trends in imports and exports of these goods, and the net effect of trade and agricultural aid on our balance of payments position.

It was disappointing to me that no action was taken on this legislation during the past two Congresses. However, the passage of time and events have reinforced my belief that refinements in congressional consideration of agricultural trade statistics are needed more than ever in 1969.

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AGRICULTURAL EXPORTS VITAL TO OUR FARMERS

The United States exports more agricultural products than any other nation, and is presently among the world's largest importers. Overseas sales have contributed significantly to the income of American farmers, food processors, and the general economy, as well as to U.S. balance-of-payments earnings.

For example, between 1961 and 1967, those sales of U.S. farm products in foreign markets totaled almost $33 billion. During the same years, the country suffered an overall payments deficit of $16.3 billion. Our agricultural exports for last year actually declined, to something like $6 billion, but they still accounted for almost a billion-dollar addition to the balance of payments.

The Department of Agriculture has said that export sales amount to about one-fifth of the total sales made by U.S. farmers. For six major products—rice, cotton, wheat, tallow, hides, and soybeans—export markets exceeded 40 percent and sometimes 50 percent of total sales. For certain regions and States, such as Alabama where the natural advantages favor farming, our future economic progress is linked strongly to the intelligent development of agricultural trade policy.

RESPONSIBILITY FOR RECORDKEEPING

Within the Agriculture Department, the Foreign Agriculture Service is the organization which does the bookkeeping, so our policymakers can remain informed of the latest developments in the world's agricultural trade. In the year FAS was formed, 1954, our agricultural trade was $3 billion. For the past 3 years, our farm exports ranged between $6 and $6.8 billion. With a further responsibility for collecting data in 96 foreign markets, the agricultural statistics effort is now considerable.

Despite dedicated efforts of the FAS, a January 1967 report by an outside consultant firm, Dunlap & Associates, stressed the need for FAS to revise its methods. It found the basic system established in 1954 unable to meet the greatly expanded demands.

A program was proposed by Secretary Freeman during 1967 to implement this report, including the installation of a modern computer-supported information management section. As described in the Department's Foreign Agriculture magazine, the proposed system would attempt to do the following:

First. Establish subsystems for the nine major types of information FAS deals with and centralize the processing of data by the use of ADP facilities;

Second. Consolidate in the Office of Reports and Statistics the responsibility for agricultural reporting; and

Third. Streamline the instructions for Agriculture attaché reporting.

When the new system is fully operative, it should allow more rapid and more effective use to be made of the agricultural trade data. It will undoubtedly be a step forward. I noted also that President Nixon instructed all Departments and Agencies to release the information they collect within 2 days of compilation.[1]

SHORTCOMINGS IN THE PRESENT SYSTEM OF AGRICULTURAL REPORTING

However, in order to translate this increased capacity to process data into the realm of policy, it must be combined with further improvements in reporting it to Congress and the public. The statistics of world and U.S. agricultural trade are the foundation upon which the Congress must decide and debate issues of trade and agricultural policies. At this critical time for our trade accounts and balance of payments, it is essential that Members and committees of Congress who are responsible for these trade policies receive this material in a readily understandable format.

Unfortunately, the agricultural trade inquiries in which I have participated have been characterized by difficulty in obtaining such information in useful form. In 1964, the Select Committee on Small Business, under my chairmanship, undertook a study of this Nation's export potential in beef products. At that time, there was no publication which meaningfully explained world trends in the exporting, importing, and trading of this commodity. Thereafter, several Senators introduced S. 2226—reintroduced as S. 2079 on May 8, 1969—the Agricultural Trade Conference Act, which would formally call for such a report. Such a study was finally published for the first time in 1966. Although the Department of Agriculture undertook to republish this survey at 2-year intervals, it did not do so in 1967 or 1968.

In that instance, we were dealing with commodities with an export potential to Western Europe alone estimated at up to a million metric tons, or $1 billion a year. Even so, it took the committee about 2 years to obtain a proper statistical analysis of this subject.

Similar inadequacies of data and presentation have shown up in trying to get an overall view of agricultural trade from year to year. The Agriculture Department publishes numerous and voluminous reports of agricultural trade, and many of these are of excellent quality.

But part of the difficulty is with the very multiplicity and detail of these statistical series. They appear at different times, in various forms, and in diffuse channels. The Department has pointed with pride to a 635-page volume on agricultural statistics which contains, among many other things, some excellent material on foreign trade. Yet it was not until August 1967 that the Small Business Committee, which had been actively concerned with these matters for 3 years, was made aware of this volume. Furthermore, I am not aware of where a similar report has been published before or since.

The major point is that Congress and the public, which can only spend limited amounts of time studying these matters, need a simple, uniform, periodic, and reliable guide which can inform them on the subject. Annual reports of businesses do this now, and provide a convenient model for what we would like to see. We, in the Senate, should be able to gain an understanding of the issues without necessarily becoming experts in the statistical process.

This Statistics Reporting Act offers hope that it can become easier for all Members of Congress and the public to come to grips with both the specific commodity problems and the larger overall issues of agricultural trade.

There would be an additional emphasis in the bill on reconciling the accounting practices of the several Government agencies who are concerned with agricultural trade, aid, barter, and donations. There could also be a reconcilation of the figures from year to year.

Differences in statistical concepts and methods have created discrepancies among the many Government publications on this subject. The bill seeks to resolve this problem by providing the Government departments and agencies involved with the opportunity to develop common statistical procedures in the course of preparing a single comprehensive annual report.

The report would also serve as a vehicle for collecting the agricultural statistics now scattered among a number of Government offices.

STATISTICS AS A BASIS FOR POLICY DECISIONS

During the past several Congresses, there has been considerable attention to U.S. trade policies. The surge of imports into this country, and a relatively slow advance in our export trade to which our committees have been calling attention over the years, have also become a subject of public discussion and concern. The 1968 surplus on the so-called trade surplus was a razor-thin $100. However, as one knowledgeable observer pointed out:

> Excluding AID-financed exports, the United States suffered a commercial deficit of $2.4 billion during the past calendar year.[2]

Restrictions abroad and the consequent halt in the growth of U.S. agricultural trade are a matter of serious concern. As one authority recently stated:

> American agricultural exports, for years a bouyant factor in the trade balance, are falling off just when that balance needs a stimulus. . . . the Kennedy round of tariff reductions did little for American farmers. Their political representatives will insist that they should be better served in any new round of trade negotiations.[3]

In the course of congressional attempts to reevaluate our trade policies and programs, however, considerable doubt has thus arisen over the state of our basic statistical information.

Congress faces major decisions of trade policy in future years. Such judgments should not be taken in an atmosphere of uncertainty over the present and past. The foundation for decisions on programs involving U.S. farm resources in international trade should be an easy and full access to the current information.

The sponsors of this bill therefore feel that it would benefit our consideration of agricultural trade policy by closing part of the "information gap" that now

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[1] See "Agencies Directed to Make Statistics Available to Public Within 2 Days," by Hobart Rowen, *Washington Post*, Feb. 9, 1969, p. A17:1.

[2] "Perspective on World Business," World Business magazine published by the Chase National Bank, N.A., April 1969, p. 3.

[3] "A row of beans," The Economist, Apr. 26, 1969, p. 50: 1–2.

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exists between the Administration, the Congress, the experts, and the general public.

CONCLUSION

Those of us who have watched our trade surplus steadily disappearing have recognized the need for modernized export policies for some time. Yet any improvements must come only with the broadest participation of general farm, commodity, and rural community organizations, universities, transportation firms, and all others who share an interest in the advancement of our agricultural trade. It is therefore essential during the cooperation and consultation which goes into these efforts that we speak a common language and can rely upon common facts and figures as our starting point.

The statistics reporting bill proposed in the 89th Congress was put forward as a basis for discussion and consideration. We have since sought the advice of private individuals and organizations, as well as several agencies of the executive branch involved in the areas of trade and statistics, so that these groups could contribute to the writing of this legislation.

The bill has been reviewed and revised in the light of these comments which we have received or been able to elicit. We believe some improvements have been made. We will certainly welcome further suggestions.

Accordingly, I intend to work for the passage of an agricultural trade statistics bill along the lines of this bill. I hope it will become a product of the labors of all who are concerned with agricultural trade. We are urging that others join in this effort, in the belief that only on the basis of modernized reporting of the facts can the Congress approach the demanding work of evaluating existing trade policies and programs and devising new ones to respond to changing conditions.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 2190) to require the Secretary of Agriculture to report to the Congress each year certain information relating to the import and export of agricultural commodities, introduced by Mr. SPARKMAN (for himself and other Senators), was received, read twice by its title, referred to the Committee on Agriculture and Forestry, and ordered to be printed in the RECORD, as follows:

S. 2190

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Agricultural Trade Statistics Reporting Act of 1969."

SEC. 2. In order that certain information pertaining to the import and export of agricultural commodities will be available to all Members of Congress, and especially to the congressional committees having responsibility for the trade and tariff policies of the United States, it is hereby declared to be in the public interest that the Secretary of Agriculture should compile and publish an annual standard reference work containing certain statistical information with respect to the volume and dollar value of this Nation's foreign trade in major agricultural commodities for the preceding calendar year, the trends in United States imports and exports of such commodities, and the effect of such trade upon the balance-of-payments position of the United States.

SEC. 3. (a) The Secretary of Agriculture (hereinafter referred to as the "Secretary") shall, not later than February 15 of each calendar year, submit to the appropriate committees of the Congress a report containing the information described in subsection (b) of this section and cause such report to be readily available to all other committees and Members of Congress, to all trade publications, and, upon request, to any other interested party.

(b) The information to be contained in any such report shall specifically disclose with respect to the immediately preceding calendar year—

(1) the quantity and dollar value of imports into the United States and exports from the United States of each major agricultural commodity;

(2) the extent to which such dollar value reflects or fails to reflect, in the case of each major agricultural commodity, costs attributable to transportation, insurance, and other expenses incident to handling;

(3) the extent to which, in the case of each major agricultural commodity, exports were paid for in dollars, other freely convertible currency, local currency not convertible, funds of the United States Government on a cash or credit basis, or were donations valued without reference to payment;

(4) what effect imports and exports of all agricultural commodities had on the balance-of-payments position of the United States Government; and

(5) the percentage of our total domestic production in the case of each major agricultural commodity, which was exported, the percentage of the total exports, in the case of each such commodity, which was paid for by each of the methods of financing described in paragraph (3); and the percentage of our total production and consumption, in the case of each such commodity, which was imported.

(c) Such report shall also set forth statistics and other information covering a period of prior years in sufficient detail to show, with respect to each major agricultural commodity, the prevailing trends in the import and export of the different types or classifications of that particular commodity.

(d) The Secretary shall include in such report such other pertinent information as he deems appropriate.

(e) The Secretary shall include in such report the citation of any public laws relevant to the subject matter being discussed.

(f) As used in this Act, the term "major agricultural commodity" shall include, for example, cotton, beef, pork, veal, live cattle, nonfat dry milk, cheese, butter, and poultry; and in providing the information specified in subsection (b)(1) of this section, the Secretary shall give separate statistics for each of those commodities.

SEC. 4. The Secretary shall coordinate the administration of this Act with other departments and agencies of the Government concerned therewith and with interested private organizations; and such departments and agencies of the Government are authorized and directed to cooperate with the Secretary in the administration of this Act, including the coordination of all procedures, forms, and means necessary or appropriate for carrying out the provisions of this Act. The Secretary shall include in his annual report such recommendations for legislation and administrative actions as he determines would facilitate the administration of this Act.

SEC. 5. (a) The Secretary, before submitting to the Congress the report referred to in section 3 of this Act, shall submit such report to the General Accounting Office for examination. The Comptroller General shall examine the report as he deems necessary, in order to determine:

(1) the extent to which such report is in conformity with or departs from generally accepted accounting principles;

(2) whether or not such report accurately reflects the effect of trade in agricultural commodities on the balance-of-payments position of the United States;

(3) except for the initial report, the extent to which such report was prepared on a basis comparable to that of the previous year;

(4) whether such report follows the reporting practices and procedures followed by major international trade organizations with which the United States is associated, including the General Agreement on Tariffs and Trade and the Organization for European Cooperation and Development.

(b) The opinion of the Comptroller General with respect to the matters referred to in subsection (a) of this section shall be included in the report.

SEC. 6. Not withstanding the reporting date prescribed in section 3 of this Act, the Secretary is authorized, in the case of any of the first four annual reports, to postpone the date of submission to any date not later than June 1 if he determines that the report for such year cannot be submitted prior to that date and notifies the Senate and the House of Representatives by letter of the necessity of such postponement and the reasons therefor.

SEC. 7. The Secretary shall submit the first report under this Act in the calendar year 1970 covering imports and exports during the calendar year 1969.

Mr. MONTOYA. Mr. President, I am pleased to join as a cosponsor of Senator SPARKMAN's two bills to assist farmers, ranchers, and the U.S. beef industry in expanding its export markets.

One of the bills, S. 2079, which was introduced on May 8, 1969, would provide for an annual conference between representatives of the beef industry, the Secretary of Agriculture, and representatives of other departments and agencies of the Federal Government to consider problems relating to the export of beef and beef products from the United States and related international trade problems.

The second bill, S. 2190, which we are introducing today, would require the Secretary of Agriculture to report to the Congress each year certain information relating to the import and export of agricultural commodities.

It was my privilege to participate in the 3-year investigation which gave rise to this legislation, and to preside as chairman of certain of the hearings, including the session on May 18, 1966, which marked the end of administrative efforts to restrict exports of cattle hides and skins. The Senator from South Dakota (Mr. McGOVERN), who gave the key testimony on that occasion, will remember this well.

The Small Business Committee inquiry extended over 3 years, 5 days of public hearings, two reports, and considerable extra research throughout the country.

BENEFITS TO THE NATION

In my judgment, it has already accomplished significant results because, as the Senator from Alabama (Mr. SPARKMAN) has stated, U.S. quality beef products are now beginning to be exported commercially to Western Europe, Japan, and Scandinavia for the first time in 50 years. In nearby Mexico also, there

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are indications that, "at present, demand for beef is rapidly outstripping supply and Mexico might increase purchases of U.S. choice beef for the hotel and restaurant trade." [4]

The Senator from Nevada (Mr. BIBLE) has correctly pointed out that there are 370 million consumers in Western Europe alone, and the standard of living is rising rapidly from year to year. I am glad that Senator BIBLE emphasized that consumers on the European continent traditionally buy meat that is a byproduct of dairy herds—veal and cow beef—supplemented mainly by Argentine imports which come from grass-fed cattle. Most Europeans, therefore, have had no experience, and only the dimmest idea of the delicious qualities of American table meats.

Our committee established that annual consumption of beef in the United States is now over 100 pounds per person. European statistics show about half of that level, but these figures are misleading because of the difference in the types of meat involved. The European housewife cannot broil or barbecue the meats on sale there because they are too dry.

That is why the Senators from Alabama and Nevada are right when they imply that there can be a bonanza for the balance of payments in the U.S. beef industry when the mass European, Japanese, and other markets, which amount to many times the population of this country, discover American quality beef products and start to use them regularly.

Our committee has attempted over the years, to spread the knowledge of these possibilities to small and family livestock producers and processors throughout the United States.

We feel that this information will best prepare them to gain a fair share of these profitable export markets. I, for one, am not in favor of leaving all these possibilities to the three or four giant meat-packing corporations, which also have production and facilities elsewhere in the world which can compete with American industry.

For these reasons, we on the committee have advocated the annual cattle conference proposed by S. 2079 in which every segment of our cattle and beef industry can take part. This conference would be preceded by a thorough study of the trends in world beef production and trade. At the conference there would be a detailed discussion of the implications of this trade for American industry, both the problems and potentials.

We envision, in the bill, that these conferences will be held each year at times and places which are convenient to those in the industry and that the leading economic authorities in the Government would attend in order to give our businessmen the benefit of their views. We have provided that there will be an equal industry cochairman for these conferences, so that the industry point of view will be represented at all stages, including the planning, the subject matter to be taken up, and the action which would follow these meetings.

It has been disappointing to me that no action was taken on the cattle conference bill during the 90th Congress. As I recall, the Department of Agriculture waited 11 months before reporting unfavorably on this bill, and it did not report at all on the companion agricultural statistics bill. The Agricultural Statistics Reporting Act, which I was pleased to support when it was first introduced in June 1966, would be a valuable tool for Members of the Senate and the House of Representatives in understanding the trends in agricultural trade. I know that there are piles of agricultural statistics, but as the Senator from Alabama (Mr. SPARKMAN) has said, we need to have a single, simple report which will tell us the story of agricultural exports and imports without having to become experts in the statistical process.

It is difficult to understand how action on these two worthwhile pieces of legislation can be put aside at a time when the U.S. balance of payments has been deteriorating and agricultural trade itself declining as in 1968.

BENEFITS TO NEW MEXICO

Mr. President, I want to point out just what trade in agricultural products, particularly meat products, means to the people of my State.

New Mexico is located in the Southwestern rangeland, and nearly 60 percent of its 78 million acres are in pastureland. It has traditionally been an area for the grazing of livestock, primarily cattle.

Accordingly, livestock products constitute the predominant element in the cash income of our farmers. In 1967, for instance, all livestock products, including wool, contributed $221 million, or 70 percent, to New Mexico farmers' income. Of this, cattle and calves alone amounted to 58 percent of total New Mexico farm cash receipts.

Over the past two decades, the cattle business in the Southwest has been characterized by three periods: First, in the early 1950's a severe drought brought cattle prices down to low levels; second, during the late 1950's there was a rapid growth of commercial feedlots, followed by the arrival of new packing plants in the Southwest and Colorado; and third, as a result, during the 1960's there have been new records for beef production each year.

What has been most encouraging to us in New Mexico is the movement toward an integrated beef industry with all of the operations taking place in our part of the country.

In the past, many thousands of feeder cattle were shipped to other parts of the Southwest and Midwest for feeding purposes. At the beginning of 1968, slightly more than half the cattle in New Mexico were more than 2 years old, indicating that the State's cattlemen were still largely cow-calf operators. However, during the 1960's cattle feeding has been developed, particularly in the Clovis-Amarillo area to a high degree, based on higher production of grain sorghum, hay, and silage. Thus, in 1967, New Mexico marketed 238,000 fed cattle. To provide the standard of comparison, the increase for the 11 Western States between 1960 and 1967 was 44 percent. For New Mexico the increase was an astonishing 111 percent over 1960.

Thus, if markets for quality beef products expand, at home and abroad, these favorable trends will continue, and New Mexico farmers and ranchers will benefit accordingly.

It is therefore clear that both the interests of New Mexico and the Nation call for legislation such as we are proposing to fully acquaint the U.S. beef industry with the possibilities of growing world markets.

I for one feel that action is overdue. As a former member of the Senate Committee on Agriculture, I plan to call upon my colleagues on that committee for early hearings on this legislation. I hope that the executive branch is prepared to cooperate with the Congress in advancing these proposals. In any event, however, I will be doing all I can to bring about the enactment of these and other measures which will assist small independent and family farmers, ranchers, and meat processors in the Southwest and around the country.

Mr. TOWER. Mr. President, the distinguished Senator from Alabama (Mr. SPARKMAN) has today reintroduced a bill requiring the Secretary of Agriculture to submit an annual report providing information on the import and export of agricultural commodities to the Congress of the United States. I have joined Senator SPARKMAN as a cosponsor of this measure, and I now rise to urge my colleagues to lend their support to this legislation which will greatly benefit the farming and ranching industry.

We are all aware of the serious dilemma confronting the agricultural industry today. Costs have continued to climb, yet the farmer today receives less for his produce than he did before World War II. He is so bound by strict and rigid controls that he can no longer operate his business on a sound economic basis.

The farmer today must be able to sell more of his produce in order to make a reasonable return on his investment. Modern technology and advancements have overwhelmingly increased agricultural production. At the same time, however, domestic demand has not met this supply. Thus, we find the Government in the odd position of paying the farmer not to plant a particular commodity so that the marketplace will not become glutted with excess production. Mr. President, we all know that it is just not good commonsense business for a farmer to have to operate in such an unusual way. Instead, it is an Alice in Wonderland situation where the farmer must run faster and faster just to stay in the same place.

It is time that the farmer and rancher once again be allowed to operate on sound economic principles like other businessmen. If this is to occur, the farmer and rancher must find a way out of his dilemma; he must get off the treadmill. This, of course, means that

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[4] "Mexican Beef Feeders Battle Development Problems," *Foreign Agriculture Magazine*, May 12, 1969, p. 16.

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a way must be found to improve the supply-demand situation the farmer faces. To do so, he must have an expanded market—the international market. In a world racked by hunger and fear of starvation, there must be a way to make full use of the great agricultural productive skills of the American farmer.

I think we would all agree that a good businessman is one who takes into account the many factors and conditions affecting both his specific business operation and his industry as a whole. He then reacts accordingly. A good businessman also plans ahead, basing his projections on indicative trends, various sets of statistical information, and recommendations. To do so, however, he must have access to data which is accurate, reliable, and detailed.

Mr. President, I believe that the farmer and rancher can expand into the international market, and I believe that they can be good businessmen. Senator SPARKMAN's bill will provide them with one of the most necessary tools to achieve this goal. This measure will make readily available that accurate, reliable, and detailed data so vital to adequate planning. This measure will allow a more realistic projection of present and future world supply and demand for all major agricultural commodities.

With this information at hand, the farmers and ranchers will be in a position to choose for themselves what and how much to produce. The only limitation upon him will be an economic one: the total world demand for food. His decisions will be made with adequate knowledge of what that demand is, where it is, and how he can supply it. Mr. President, the world market exists. I know that our agricultural industry can be a significant part of it.

In this country, we have created an artificial market of sorts because potential supply far outweighs actual demand. Thus we have had to regulate and restrict. The industry can, however, increase its operations by expanding to the competitive world trade level. Senator SPARKMAN's measure will allow it to do so on the basis of reasonable and realistic business information. The benefits, I believe, will not be limited to the agricultural industry.

If he is allowed to operate more as a businessman; if he is allowed to profit as a businessman, the farmer will inevitably become less and less dependent on government support and subsidy. Federal assistance can be greatly reduced. Within a reasonable amount of time, I think we will see a substantial reduction in Federal expenditures in the agricultural sphere. Mr. President, I believe that the farmer will not be the only man to find himself in a better position. I believe that, in the long run, the taxpayer will benefit as well.

Senator SPARKMAN's bill alone obviously cannot bring about the situation I have just discussed. However, it is an important step in the right direction; it is a necessary means to an end; it is a vital tool. Mr. President, I urge my colleagues to support the Agricultural Trade Statistics Reporting Act of 1969.

S. 2191—INTRODUCTION OF A BILL TO MAKE THE FREEDOM OF INFORMATION ACT APPLICABLE TO THE DISTRICT OF COLUMBIA GOVERNMENT

Mr. KENNEDY. Mr. President, I am introducing today a bill to amend the provisions of chapter 5 of title 5, United States Code, relating to the Freedom of Information Act. The bill has a single objective: application of the Freedom of Information Act to the District of Columbia government.

The Freedom of Information Act became effective almost 2 years ago. It placed the Federal Government under an affirmative obligation to disclose documents and information, unless they fall under one of the specific statutory exemptions. In short, the act provided disclosure as a rule, secrecy as an exception.

The bill I am introducing would apply the same principle to the government of the District of Columbia.

An unqualified openness in the conduct of government goes a long way to promote public confidence in government. And in the District of Columbia it is important that we have the maximum confidence in our local officials. Disclosure of information concerning the operation of the District government should never be subject solely to the unlimited discretion of its officials.

This does not imply that District officials have not been doing their best to promote the free flow of information; if anything, their hands may have been tied by the lack of any positive statutory authority providing for disclosure of information. This bill supports the District government in its efforts to provide an open administration.

A similar bill was introduced before the 90th Congress and was referred to the Subcommittee on Administrative Practice and Procedure. As chairman of that subcommittee, I am planning to hold hearings on the present bill at the earliest opportunity. Representative Moss has introduced an identical bill and expects to expedite its progress in the House of Representatives.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2191) to amend the provisions of chapter 5 of title 5, United States Code, relating to administrative procedure, introduced by Mr. KENNEDY, was received, read twice by its title, and referred to the Committee on the Judiciary.

S. 2193—INTRODUCTION OF THE OCCUPATIONAL SAFETY AND HEALTH ACT OF 1969

Mr. WILLIAMS of New Jersey. Mr. President, on behalf of myself and other Senators, I am introducing a bill to mobilize the Federal and State Governments, labor, private industry, and the professions in a broad and vigorous attack upon the increasingly serious problem of occupational safety and health in this Nation.

The goal of this bill, the Occupational Safety and Health Act of 1969, is significant reduction of the tremendous human and economic loss caused by fatalities, illnesses and injuries on the job. This loss is felt in the health and the very lives of workers, as well as in their earning capacity. It is also felt in the loss of production and mounting workmen's compensation costs to management.

Every year more than 14,000 workers are killed in occupational accidents. The fatality rate from occupational accidents has remained virtually unchanged since 1956, while the rate for all disabling injuries was actually higher in 1968 than it was in 1956. It should be of interest to those of my colleagues who have from time to time expressed concern over the effects of work stoppages from strikes on our economy and national security, that in 1967 a total of 42.1 million man-days were lost from strikes, while 245 million man-days were lost from occupational injuries, a ratio of nearly 6 to 1.

The time is far overdue to raise the quality of the workplace environment to safe and healthy levels, and to keep it there. What is needed is a worker's health and safety bill of rights for the nearly 80 million working men and women who comprise 40 percent of the population and pay 60 percent of the taxes. These men and women should never be called upon to risk their health or their lives as the price for holding their jobs.

Mr. President, the resources of the Federal and State Governments and of private industry have been inadequately and poorly deployed to meet the occupational hazards created by major changes in technology and industry in America over the past half century. These rapid changes have brought increasingly serious and complex threats to the safety and health of workers.

The Federal Government today offers only a patchwork of obsolete and ineffective laws. The major law—the Walsh-Healey Act—was passed more than three decades ago. Its coverage is limited, and it is often honored more in the breach than in practice. Comprehensive protection under other Federal laws is restricted to a few specialized fields.

Only a few States have modern laws to protect the worker's health and safety. Most have no coverage or laws that are weak and deficient—reflecting a wide variation in safety standards, administered by inadequate and underpaid staffs.

A 1966–67 study by the Department of Health, Education, and Welfare of 1,700 industrial plants in six metropolitan areas, employing 142,000 workers, revealed that 65 percent of these workers were judged to be potentially exposed to toxic materials, harmful physical agents, severe noise or vibration. Only 25 percent of these workers were protected by controls over such exposure. The remaining 75 percent were unprotected or working under conditions which needed immediate attention.

Aside from the individual human tragedies that are represented by industrial accidents, as well as such occupationally incurred illnesses as emphysema, silicosis, coal workers' pneumoconiosis, tuberculosis, and lung cancer, industry

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itself is also adversely affected. Over the Nation, a recent 10-year study period revealed, according to the Department of Health, Education, and Welfare, that the number of workers covered by workmen's compensaation increased from 41 to 51 million, or 24 percent. However, during the same period, benefits paid, rose from $916 million to $2.1 billion, or 130 percent. The increase in costs was five times greater than the increase in workers covered. It follows that every dollar wisely spent in accident and illness prevention means an increasingly greater saving in compensation per injury.

I, therefore, believe it imperative that a unified Federal focus of leadership, animated by a sound legislative policy and program, be created without further delay. It must be such as to generate full and affirmative cooperation of all levels of government involved, of private industry, labor, the health and medical professions, colleges and universities. We must mount an ever increasing attack on all the hazards of the occupational environment, at a scale commensurate with the magnitude and complexity of the problem. In my belief, the Occupational Safety and Health Act that I introduce today—which is identical to a bill which has been introduced in the House by Congressman O'Hara, of Michigan, and others—will take this Nation forward on this road and in the right direction.

The alternative is intolerable for a civilized nation. We must eliminate to the fullest extent possible both those major occupational disasters which from time to time shock the conscience of the Nation, as well as the little-noticed day-to-day toll of occupational deaths, accidents and illnesses that bring tragedy to thousands of American families each year.

Mr. President, I ask unanimous consent that the bill and an explanatory statement be printed in the Record at this point.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill and statement will be printed in the Record.

The bill (S. 2193), to authorize the Secretary of Labor to set standards to assure safe and healthful working conditions for working men and women; to assist and encourage States to participate in efforts to assure such working conditions; to provide for research, information, education, and training in the field of occupational safety and health, and for other purposes, introduced by Mr. Williams of New Jersey (for himself and other Senators), was received, read twice by its title, referred to the Committee on Labor and Public Welfare, and ordered to be printed in the Record, as follows:

S. 2193

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Occupational Safety and Health Act of 1969".

CONGRESSIONAL FINDINGS AND PURPOSE

Sec. 2. (a) The Congress finds that personal injuries and illnesses arising out of work situations which result in death or disability impose a substantial burden upon, and are a hindrance to, interstate commerce in terms of lost production, wage loss, medical expenses, and disability compensation payments.

(b) The Congress declares it to be the purpose and policy, through the exercise by Congress of its powers to regulate commerce among the several States and with foreign nations and to provide for the general welfare, to assure so far as possible every working man and woman in the Nation safe and healthful working conditions—

(1) by establishing mandatory occupational safety and health standards applicable to businesses affecting commerce;

(2) by providing for the effective enforcement of such safety and health standards;

(3) by providing for research relating to occupational safety and health;

(4) by providing for training programs to increase and improve personnel engaged in the field of occupational safety and health;

(5) by more clearly delineating the responsibilities of the Federal Government and the States in their aetivities related to occupational safety and health;

(6) by providing grants to the States to assist them in identifying their needs and responsibilities in the area of occupational safety and health, to develop plans in accordance with the provisions of this Act, and to conduct experimental and demonstration projects in connection therewith; and

(7) by providing for appropriate accident and health reporting procedures which will help achieve the objectives of this Act.

STANDARDS

Sec. 3. (a) For purposes of this section:

(1) The term "occupational safety and health standard" means a standard which requires conditions, or the adoption or use of one or more practices, means, methods, operations, or processes, reasonably necessary to provide safe or healthful employment and places of employment.

(2) The term "national consensus standard" means any occupational safety or health standard adopted under a consensus method by a nationally recognized standards producing organization.

(3) The term "established Federal standard" means any occupational safety or health standard already established by any agency of the United States, or contained in any Act of Congress in force on the date of enactment of this Act, but before the exercise by the Secretary, with respect to the issues covered by such standards, of his authority under section 13.

(b) Except as provided in section 12(h) of this Act, each employer engaged in a business affecting commerce shall comply with occupational safety and health standards promulgated by the Secretary. Such standards shall be promulgated, modified or revoked by the Secretary by rule in accordance with subsection (c), (d), (e), or (f).

(c) The Secretary may by rule promulgate any occupational safety and health standard which is a national consensus standard. If the nationally recognized standards producing organization which adopted the national consensus standard upon which an occupational safety and health standard promulgated under this subsection was based modifies or revokes such national consensus standard under a consensus method, the Secretary may by rule modify or revoke the standard promulgated by him to the same extent. Section 553 of title 5, United States Code, shall not apply to any rule issued under this subsection.

(d) The Secretary may by rule promulgate any occupational safety and health standard which is an established Federal standard. Section 553 of title 5, United States Code, shall not apply to any rule issued under this subsection. Subsection (f) shall apply to the modification or revocation of any standard promulgated under this subsection.

(e) The Secretary may by rule promulgate an interim occupational safety and health standard which is a standard proposed by a nationally recognized standards producing organization by other than a consensus method, whenever he finds (and incorporates the finding and a brief statement of the reasons therefor in the rule issued) that such rule making without the notice and procedures provided by subsection (f) of this section and by section 553 of title 5, United States Code, is necessary in the public interest. Such a standard may remain in effect for not more than six months from its effective date, except that the Secretary may extend such interim standard for an additional twelve months if at the time he originally promulgates such a standard he commences (by appointing an advisory committee) a proceeding under subsection (f) dealing with the same subject matter as the interim standard, and such additional occupational safety or health issues as he deems relevant. If an interim standard is promulgated under this subsection, no additional standard dealing with the same subject may be promulgated except in the manner required by subsection (c), (e), or (f) of this section.

(f) The Secretary may, by rule, promulgate, modify or revoke any occupational safety and health standard in the following manner:

(1) Whenever the Secretary is of the opinion such a rule should be prescribed, he shall appoint an advisory committee under section 4(b) of this Act, which shall submit to him within two hundred and seventy days from its appointment or within such longer period as may be prescribed by the Secretary, its recommendations regarding the rule to be prescribed, which recommendations shall be published by the Secretary in the Federal Register, either as part of a subsequent notice of hearing or separately.

(2) After the submission of such recommendations, the Secretary shall schedule and give notice of a hearing on the recommendations of the advisory committee and any other relevant subjects and issues. In the event that the advisory committee fails to submit recommendations within two hundred and seventy days from its appointment (or such longer period as the Secretary has prescribed) he may schedule and give notice of a hearing on any proposal relevant to the purpose for which the advisory committee was appointed. In either case, notice of the time and place of any such hearing shall be published in the Federal Register thirty days prior to the hearing and shall contain the recommendations of the advisory committee or the proposal made in absence of such recommendation. Prior to the hearing interested persons shall be afforded an opportunity to submit comments upon the recommendations of the advisory committee or other proposal. Only persons who have submitted such comments shall have a right at such hearing to submit oral or written evidence, data, views, or arguments.

(3) Upon the entire record before him, including the advisory committee recommendations and any evidence, data, views, and arguments submitted in connection with the hearing, the Secretary may issue a rule promulgating, modifying, or revoking an occupational safety and health standard. The rule shall not become effective for at least thirty days after publication in the Federal Register.

(g) This Act shall not apply with respect to employment performed in a workplace within a foreign country or within territory under the jurisdiction of the United States other than the following: a State; Outer Continental Shelf lands defined in the Outer Continental Shelf Lands Act; American

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Samoa; Wake Island; Eniwetok Atoll; Kwajalein Atoll; Johnston Island; and the Canal Zone.

ADMINISTRATION; ADVISORY COMMITTEES

SEC. 4. (a) In carrying out his responsibilities under this Act, the Secretary is authorized to—

(1) use, with the consent of any Federal agency, the services, facilities, and employees of such agency with or without reimbursement, and with the consent of any State or political subdivision thereof, accept and use the services, facilities, and employees of the agencies of such State or subdivision with or without reimbursement; and

(2) employ experts and consultants or organizations thereof as authorized by section 3109 of title 5, United States Code, except that contracts for such employment may be renewed annually; compensate individuals so employed at rates not in excess of $100 per diem, including traveltime; and allow them while away from their homes or regular places of business, travel expenses (including per diem in lieu of subsistence) as authorized by section 5703 of title 5, United States Code, for persons in the Government service employed intermittently, while so employed.

(b) The Secretary shall appoint advisory committees to recommend occupational safety and health standards under section 3(f) (1) of this Act. Each such advisory committee shall include among its members an equal number of persons qualified by experience and affiliation to present the viewpoint of the employers involved, and of persons similarly qualified to present the viewpoint of the workers involved, as well as one or more representatives of health or safety agencies of the States, one or more representatives of professional organizations of technicians or professionals specializing in occupational safety or health, and one or more representatives of nationally recognized standards producing organizations. An advisory committee may also include such other persons as the Secretary may appoint who are qualified by knowledge and experience to make a useful contribution to the work of the committee, but the number of persons so appointed to any advisory committee shall not exceed the number appointed to such committee as representatives of State agencies, professional organizations, and standards producing organizations. Persons appointed to advisory committees from private life shall be compensated in the same manner as consultants or experts under subsection (a)(2) of this section. The Secretary shall pay to any State which is the employer of a member of the committee who is a representative of the health or safety agency of that State, reimbursement sufficient to cover the actual cost of the State resulting from such representative's membership on the committee.

(c)(1) The Secretary shall appoint a National Advisory Committee on Occupational Safety and Health (hereafter in this subsection referred to as "Committee") consisting of sixteen members appointed without regard to the civil service laws and composed equally of representatives of management, labor, occupational safety and health professions, and the public. The Secretary shall designate one of the public members as Chairman. The members shall be selected upon the basis of their experience and competence in the field of occupational safety and health.

(2) The Committee shall advise, consult with, and make recommendations to, the Secretaries of Labor and Health, Education, and Welfare on matters relating to the administration of this Act. The Committee shall hold no fewer than two meetings during each calendar year.

(3) The members of the Committee shall be compensated in accordance with the provisions of subsection (a) (2) of this section.

(4) The Secretary shall furnish to the Committee an executive secretary and such secretarial, clerical, and other services as are deemed necessary to the conduct of its business.

INSPECTIONS AND INVESTIGATIONS

SEC. 5. (a) In order to carry out the purposes of this Act, the Secretary, upon presenting appropriate credentials to the owner, operator, or agent in charge, is authorized—

(1) to enter upon at reasonable times any factory, plant, establishment, mine, construction site, or other area, workplace, or environment where work is performed by an employee of an employer or on a contract described in section 10(a); and

(2) to inspect and investigate during regular working hours and at other reasonable times, and within reasonable limits and in a reasonable manner, any such area, workplace, or environment, and all pertinent conditions, structures, machines, apparatus, devices, equipment, and materials therein, and to question any such employee.

(b) For the purpose of carrying out his duties under this Act, the Secretary may delegate his authority under this section to any agency of the Federal Government with or without reimbursement, and, with its consent and with or without reimbursement and under conditions the Secretary may prescribe, to any appropriate State agency or agencies designated by the Governor of the State.

SEC. 6. (a)(1) If, upon inspection or investigation, the Secretary determines that any employer has violated any standard promulgated under section 3 or that any person has violated any regulation prescribed under subsection (b) of this section or any contractual requirement of section 10(a), he shall hold a hearing (in accordance with section 554 of title 5, United States Code, but without regard to subsection (a)(3) of such section), and shall issue such orders, and make such decisions, based upon findings of fact, as are deemed to be necessary to enforce such standard, regulation, or requirement. The Secretary shall give such person the information required by section 554(b) of such title at least 15 days prior to hearing. The Secretary shall have the power to issue orders requiring the attendance and testimony of witnesses and the production of evidence under oath. Witnesses shall be paid the same fees and mileage that are paid witnesses in the courts of the United States. In case of contumacy, failure, or refusal of any person to obey such an order, any district court of the United States or the United States courts of any territory or possession, within the jurisdiction of which the inquiry is carried on, or within the jurisdiction of which such person is found, or resides or transacts business, upon the application by the Secretary, shall have jurisdiction to issue to such person an order requiring such person to appear to produce evidence if, as, and when so ordered, and to give testimony relating to the matter under investigation or in question; and any failure to obey such order of the court may be punished by said court as a contempt thereof.

(2) If an inspection or investigation discloses (A) that an employer has violated a standard promulgated under section 3 or that any person has violated a contractual requirement of section 10(a), and (B) that conditions or practices in such place of employment are such that a danger exists which could reasonably be expected to cause death or serious physical harm immediately or before the imminence of such danger can be eliminated, the Secretary may (notwithstanding the provisions of paragraph (1) of this subsection) issue an order providing for the immediate cessation of such violation and for the prohibition of the employment of any individuals in locations or under conditions where such violations exist, except to correct or remove the violation. Such order may remain in effect during the pendency of any proceeding under paragraph (1) of this subsection.

(b) Each employer shall make, keep, and preserve, and make available to the Secretary such records concerning the requirements of section 3 of this Act, and shall make reports therefrom to the Secretary, as he may prescribe by regulation or order as necessary or appropriate for the enforcement of this Act.

JUDICIAL PROCEEDINGS

SEC. 7. (a) The distict courts of the United States shall have jurisdiction to enforce (by restraining order, injunction, or otherwise) any order of the Secretary under section 6(a) of this Act. Any person aggrieved by an order issued under section 6(a) may obtain review thereof by such courts based upon the record before the Secretary.

(b) If the Secretary arbitrarily or capriciously issues an order under section 6(a)(2) and the person to whom the order is directed is injured in his business or property by reason of such order, such person may bring an action against the United States in the Court of Claims in which he may recover the damages he has sustained.

CONFIDENTIALITY OF TRADE SECRETS

SEC. 8. In connection with any proceeding under this Act no witness or any other person shall be required to divulge trade secrets or secret processes.

PENALTIES

SEC. 9. (a) Any employer who violates any standard promulgated under section 3 of this Act or any person who violates any regulation prescribed under section 6 or any contractual requirement of section 10(a), may be assessed by the Secretary, pursuant to an order issued under section 6(a)(1) of this Act, a civil penalty of not more than $1,000 for each violation. Each violation shall be a separate offense. When the violation is of a continuing nature, each day during which it continues after a reasonable time specified in an order issued under section 6(a)(1) shall constitute a separate offense except during the time a review of the order under section 6(a)(1) may be taken, or such review is pending, and during the time allowed in the order under section 6(a)(1) for correction. The Secretary may compromise, mitigate, or settle any claim for civil penalties. In assessing the penalty, consideration shall be given to the appropriateness of the penalty to the size of the business of the person charged and the gravity of the violation.

(b) Any person who willfully violates or fails or refuses to comply with any order issued under section 6(a) of this Act shall be guilty of a misdemeanor, and upon conviction shall be punished by a fine of not more than $5,000 or by imprisonment for not more than six months, or by both such fine and imprisonment; except that if the conviction is for a violation committed after a first conviction of such person, punishment shall be by a fine of not more than $10,000 or by imprisonment for not more than one year, or by both such fine and imprisonment.

(c) Any person who forcibly assaults, resists, opposes, impedes, intimidates, or interferes with any person while engaged in or on account of the performance of inspections or investigatory duties under this Act shall be fined not more than $5,000 or imprisoned not more than three years, or both. Whoever, in the commission of any such acts, uses a deadly or dangerous weapon, shall be fined not more than $10,000 or imprisoned not more than ten years, or both. Whoever kills any person while engaged in or on account of the performance of inspecting or investigating duties under this Act shall be punished by imprisonment for any term of years or for life.

(d) Any person who gives advance notice

of any inspection to be conducted under this Act, without authority from the Secretary, or his designees, shall be fined not more than $10,000 or imprisoned not more than five years, or both.

GOVERNMENT CONTRACTS

SEC. 10. (a) Each contract exceeding $2,500 and requiring or involving the employment of any person (1) to which the United States or any agency or instrumentality thereof, or the District of Columbia is a party, (2) which is made for or on behalf of the United States, any agency or instrumentality thereof, or the District of Columbia, or (3) which is financed in whole or in part by loans or grants from, or loans insured or guaranteed by, the United States or any agency or instrumentality of the United States, shall include the requirement that no part of such contract (or any subcontract thereunder) will be performed in any place or under any conditions which do not meet the applicable occupational safety and health standards. The applicable occupational safety and health standards shall be the standards promulgated by the Secretary under section 3 of this Act, except that, to the extent that the contract will be performed in a State in which there is in effect a State plan approved under section 12(d) which provides for the development and enforcement of safety and health standards relating to one or more occupational safety or health issues, the applicable occupational safety and health standards relating to such issues shall be those developed and enforced under the State plan rather than those promulgated by the Secretary under section 3.

(b) In promulgating standards under section 3 of this Act, the Secretary shall to the extent feasible conform such standards to those occupational safety and health standards established under other laws administered by him.

(c) In addition to the remedies otherwise provided in this Act, the Secretary may declare ineligible to receive any contract described in subsection (a) of this section any person or firm, or any firm, corporation, partnership, or association in which such person or firm has a controlling interest, which is found to have disregarded its obligations under this section until such person or firm has satisfied the Secretary that it will comply with the requirements of this section.

(d) In addition to the remedies otherwise provided in this Act, the Secretary may recommend to the appropriate contracting agency that such agency cancel, terminate, suspend, or cause to be canceled, or suspended, any contract made by any contracting agency for the failure of the contractor to comply with an order of the Secretary issued under section 6(a)(1) of this Act for the breach or violation by such employer of the requirements under subsection (a) of this section.

VARIATIONS, TOLERANCES, AND EXEMPTIONS

SEC. 11. The Secretary may provide such reasonable limitations and may make such rules and regulations allowing reasonable variations, tolerances, and exemptions to and from any or all provisions of this Act as he may find necessary and proper in the public interest or to avoid serious impairment of the conduct of Government business. The Secretary shall keep an appropriately indexed record of all variations, tolerances, and exemptions granted under this section, which shall be open for public inspection.

EFFECTIVE DATE: FEDERAL-STATE RELATIONSHIP

SEC. 12. (a)(1) Except as otherwise provided in this section, this Act shall be effective on the first day of the first month after the date of its enactment.

(2) Sections 6, 7, 9, and standards promulgated under section 3 shall not take effect until July 1, 1970. Section 10 shall not apply to contracts entered into before July 1, 1970.

(b) Nothing in this Act shall be deemed to prevent any State agency or court from asserting jurisdiction over any occupational safety or health issue with respect to which no standard is in effect under section 3.

(c) Any State which, at any time, desires to assume responsibility for development and enforcement in such State of occupational safety or health standards relating to any occupational safety or health issue with respect to which a Federal standard has been promulgated under section 3 shall submit a State plan for the development of such standards and their enforcement.

(d) The Secretary shall approve the plan submitted by a State under subsection (c), or any modification thereof, if such plan in his judgment—

(1) designates a State agency or agencies as the agency or agencies responsible for administering the plan throughout the State,

(2) provides for the development and enforcement of safety and health standards relating to one or more safety or health issues, which standards (and the enforcement of which standards) are or will be substantially as effective in providing safe and healthful employment and places of employment as the standards promulgated under section 3 which relate to the same issues,

(3) provides for the effective right of entry and inspection of all workplaces subject to the Act,

(4) contains satisfactory assurances that such agency or agencies have or will have the legal authority and qualified personnel necessary for the enforcement of such standards,

(5) gives satisfactory assurances that such State will devote adequate funds to the administration and enforcement of such standards, and

(6) provides that the State agency will make such reports to the Secretary in such form and containing such information, as the Secretary shall from time to time require.

(e) If the Secretary rejects a plan submitted under subsection (d), he shall afford the State submitting the plan, due notice and opportunity for a hearing.

(f) After the Secretary approves a State plan submitted under subsection (b), he may, but shall not be required to, exercise his authority under sections 5, 6, 7, and 9, with respect to comparable standards promulgated under section 3, for the period specified in the next sentence. The Secretary may exercise the authority referred to above until he determines, on the basis of actual operations under the State plan, that it meets the criteria set forth in subsection (d), but he shall not make such determination for at least one year after the plan's approval under subsection (d). Upon making the determination referred to in the preceding sentence, the provisions of sections 5, 6, 7, and 9, and standards promulgated under section 3 of this Act, shall not apply with respect to any occupational safety or health issues covered under the plan.

(g) The Secretary shall, on the basis of reports submitted by the State agency and his own inspections make a continuing evaluation of the manner in which each State having a plan approved under this section is carrying out such plan. Whenever the Secretary finds, after affording due notice and opportunity for a hearing, that in the administration of the State plan there is a failure to comply substantially with any provision of the State plan (or any assurance contained therein), he shall notify the State agency of his withdrawal of approval of such plan and upon receipt of such notice such plan shall cease to be in effect.

RELATIONSHIP TO OTHER FEDERAL PROGRAMS

SEC. 13. When the Secretary promulgates a set of occupational safety and health standards applicable to an industry and he determines (and so certifies) that such standards will be substantially as effective in providing safe and healthful employment and places of employment as other safety and health standards applicable to such industry which were promulgated under authority of other Federal laws, then such other standards shall be deemed repealed and rescinded on the effective date of the standards promulgated under this Act, except that proceedings already begun may be carried on to completion.

FEDERAL AGENCY SAFETY PROGRAMS AND RESPONSIBILITIES

SEC. 14. (a) It shall be the responsibility of the head of each Federal agency to establish and maintain an effective and comprehensive occupational safety and health program which is consistent with the standards promulgated by the Secretary under section 3. The head of each agency shall (after consultation with representatives of the employees thereof)—

(1) provide safe and healthful places and conditions of employment, consistent with the standards set under section 3;

(2) acquire, maintain, and require the use of safety equipment, personal protective equipment, and devices reasonably necessary to protect employees;

(3) keep adequate records of all occupational accidents and illnesses for proper evaluation and necessary corrective action; and

(4) make an annual report to the President with respect to occupational accidents and injuries and the agency's program under this section. Such report shall include any report submitted under section 7902(e)(2) of title 5, United States Code.

(b) The President shall transmit annually to the Senate and House of Representatives a report of the activities of each Federal agency under this section.

RESEARCH AND RELATED ACTIVITIES

SEC. 15. (a)(1) The Secretary of Health, Education, and Welfare, after consultation with the Secretary and with other appropriate Federal departments or agencies, shall conduct (directly or by grants or contracts) research, experiments, and demonstrations relating to occupational safety and health.

(2) The Secretary of Health, Education, and Welfare shall from time to time consult with the Secretary in order to develop specific plans for such research, demonstrations, and experiments as are necessary to produce criteria enabling the Secretary to meet his responsibility for the formulation of safety and health standards under this Act; and the Secretary of Health, Education, and Welfare, on the basis of such research, demonstrations, and experiments and any other information available to him, shall develop such criteria.

(b) The Secretary of Health, Education, and Welfare is authorized to make inspections as provided in section 5 of this Act in order to carry out his functions and responsibilities under this section.

(c) The Secretary of Labor is authorized to enter into contracts, agreements, or other arrangements with appropriate public agencies or private organizations for the purpose of conducting studies related to his responsibilities for establishing and applying occupational safety and health standards under section 3 of this Act. In carrying out his responsibilities under this subsection, the Secretary shall consult with the Secretary of Health, Education, and Welfare in order to avoid any duplication of efforts under this section.

(d) The Secretary, after consultation with the Secretary of Health, Education, and Welfare, and with the appropriate official in each State as duly designated by such State, shall establish such accident and health reporting systems for employers and for the States as he deems necessary to carry out his responsibilities under this Act.

TRAINING AND EMPLOYEE EDUCATION

SEC. 16. (a) The Secretary of Health, Education, and Welfare, after consultation with the Secretary of Labor and with other appropriate Federal departments and agencies, shall conduct, directly or by grants or contracts (1) education programs to provide an adequate supply of qualified personnel to carry out the purposes of this Act, and (2) informational programs on the importance of and proper use of adequate safety equipment.

(b) The Secretary is also authorized to conduct (directly or by grants or contracts) short-term training of personnel engaged in work related to his responsibilities under this Act.

(c) The Secretary, in consultation with the Secretary of Health, Education, and Welfare, shall provide for the establishment and supervision of programs for the education and training of employers and employees in the recognition, avoidance, and prevention of unsafe or unhealthful working conditions in employments covered by this Act, and to consult with and advise employers as to effective means of preventing occupational injuries and illnesses.

GRANTS TO THE STATES

SEC. 17. (a) The Secretary is authorized, during the fiscal year ending June 30, 1969, and the two succeeding fiscal years, to make grants to the States to assist them (1) in identifying their needs and responsibilities in the area of occupational safety and health, (2) in developing State plans under section 12, or (3) in developing plans for—

(A) establishing systems for the collection of information concerning the nature and frequency of occupational injuries and diseases;

(B) increasing the expertise and enforcement capabilities of their personnel engaged in occupational safety and health programs; or

(C) otherwise improving the administration and enforcement of State occupational safety and health laws, including standards thereunder, consistent with the objectives of this Act.

(b) The Secretary is authorized, during the fiscal year ending June 30, 1969, and the two succeeding fiscal years, to make grants to the States for experimental and demonstration projects consistent with the objectives set forth in subsection (a) of this section.

(c) The Governor of the State shall designate the appropriate State agency, or agencies, for receipt of any grant made by the Secretary under this section.

(d) Any State agency, or agencies, designated by the Governor of the State, desiring a grant under this section shall submit an application therefor to the Secretary.

(e) The Secretary shall review the application, and shall, after consultation with the Secretary of Health, Education, and Welfare, approve or reject such application.

(f) The Federal share for each State grant under subsection (a) or (b) of this section may be up to 90 per centum of the State's total cost.

(g) The Secretary is authorized to make grants to the States to assist them in administering and enforcing programs for occupational safety and health contained in State plans approved by the Secretary pursuant to section 12 of this Act. The Federal share for each State grant under this subsection may be up to 50 per centum of the State's total cost.

(h) Prior to June 30, 1971, the Secretary shall, after consultation with the Secretary of Health, Education, and Welfare, transmit a report to the President and to Congress, describing the experience under the program and making any recommendations as he may deem appropriate.

EFFECT ON OTHER LAWS

SEC. 18. Nothing in this Act shall be construed or held to supersede or in any manner affect any workmen's compensation law or to enlarge or diminish or affect in any other manner the common law or statutory rights, duties, or liabilities of employers and employees under any law with respect to injuries, occupational or other diseases, or death of employees arising out of, or in the course of employment.

AUDITS

SEC. 19. (a) Each recipient of a grant under this Act shall keep such records as the Secretary shall prescribe, including records which fully disclose the amount and disposition by such recipient of the proceeds of such grant, the total cost of the project or undertaking in connection with which such grant is made or used, and the amount of that portion of the cost of the project or undertaking supplied by other sources, and such other records as will facilitate an effective audit.

(b) The Secretary and the Comptroller General of the United States, or any of their duly authorized representatives, shall have access for the purpose of audit and examination to any books, documents, papers, and records of the recipients of any grant under this Act that are pertinent to any such grant.

REPORTS

SEC. 20. Within one hundred and twenty days following the convening of the first session of each Congress, the Secretary and the Secretary of Health, Education, and Welfare shall jointly prepare and submit to the President for transmittal to the Congress a biennial report upon the subject matter of this Act, the progress concerning the achievement of its purposes, the needs and requirements in the field of occupational safety and health, and any other relevant information, and including any recommendations they may deem appropriate.

APPROPRIATIONS

SEC. 21. There are authorized to be appropriated to carry out this Act not to exceed $20,000,000 for the fiscal year ending June 30, 1969, not to exceed $50,000,000 for the fiscal year ending June 30, 1970, and for each subsequent fiscal year such sums as the Congress shall deem necessary.

DEFINITIONS

SEC. 22. For the purposes of this Act:

(a) The term "Secretary" means the Secretary of Labor or his duly authorized representative.

(b) The term "commerce" means trade, traffic, commerce, transportation, or communication among the several States; or between a State and any place outside thereof; or within the District of Columbia, or a possession of the United States, or between points in the same State but through a point outside thereof.

(c) The term "person" means one or more individuals, partnerships, associations, corporations, business trusts, legal representatives, or any organized groups of persons.

(d) The term "employer" means a person engaged in a business affecting commerce who has employees, but does not include the United States or any state or political subdivision of a State.

(e) The term "State" includes a State of the United States, the District of Columbia, Puerto Rico, the Virgin Islands, Guam, and American Samoa.

SEPARABILITY

SEC. 23. If any provision of this Act, or the application of such provision to any person or circumstances, shall be held invalid, the remainder of this Act, or the application of such provision to persons or circumstances other than those as to which it is held invalid, shall not be affected thereby.

The material presented by Mr. WILLIAMS of New Jersey follows:

EXPLANATORY STATEMENT OF THE OCCUPATIONAL SAFETY AND HEALTH ACT OF 1969

GENERAL

By establishing mandatory safety and health standards and providing for their effective enforcement, by providing for research and training programs, by more clearly delineating the responsibilities of the Federal Government and the States, by providing Planning and project grants to the States, and by providing for better reporting procedures, the bill seeks to assure, as far as possible, every working man and woman safe and healthful working conditions.

STANDARDS

The bill provides four methods for setting occupational safety and health standards:

First, the Secretary of Labor may promulgate forthwith standards which have been developed by nationally recognized standards-setting organizations through a "consensus" method. Second, the Secretary may, in the same way as he promulgates "consensus" standards, promulgate as his own any established Federal standards, already in effect under any other Federal law. Thirdly, the Secretary may promulgate, as interim standards, those standards developed by nationally recognized standards-producing organizations through other than a consensus method. Such standards shall be in effect for six months, except that the Secretary may keep them in force for a total of 18 months if, when he first promulgates them, he also sets in motion the ad hoc advisory committee procedure outlined below.

Finally, the Secretary may appoint ad hoc advisory committees, charged with the responsibility of developing standards for a given industry or with regard to a given hazard, which committees will have 9 months during which they may present such standards. Standards proposed through these advisory committees shall be promulated after a full-scale APA hearing. In the event the ad hoc committees do not submit recommendations, the Secretary may, also with a full-scale hearing, promulgate standards dealing with this area on his own.

ENFORCEMENT

The bill provides for inspections of worksites by the Secretary of Labor or his representatives for the purpose of carrying out the Act. The Secretary is authorized to delegate his authority to other Federal agencies or to State agencies, as designated by the Governor. Severe penalties are provided for anyone who, without the specific written authorization of the Secretary, shall give advance notice to any employer or employee of any inspection under this Act.

In the event of the violation of a standard, the Secretary may, after an expeditious hearing, issue such orders as are necessary to abate the violation. In the event of a violation which creates an imminent danger of death or serious physical harm, the Secretary may issue an abatement order without a prior hearing. The Secretary may seek an injunction in a Federal district court enforcing his order. An aggrieved person may also obtain review of such order in the district court. The bill also authorizes redress in the Court of Claims to any employer injured by an order issued arbitrarily or capriciously in an "imminent danger" situation.

PENALTIES

The bill provides civil penalties of up to $1,000 for each violation of any standard, such penalties to be assessed by the Secretary. It would also be a misdemeanor to willfuly violate any order of the Secretary, and a felony to use force against any person engaged in enforcement activities under the Act.

FEDERAL CONTRACTS AND ASSISTANCE PROGRAMS

The bill provides that all Government contracts and Federally-assisted contracts shall

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require compliance with applicable standards, with liability for contract cancellation or ineligibility for further contracts in the event of violation.

TOLERANCES AND VARIATIONS

The Secretary is authorized to make reasonable variations, tolerances and exemptions to any of its provisions.

FEDERAL-STATE RELATIONSHIPS

State agencies and courts are assured of jurisdiction over any safety or health issue not covered by a standard promulgated under the Act.

States wishing to assert jurisdiction over areas, industries, or hazards covered by the Act may submit plans doing so, in whole or in part, and containing assurances their standards and enforcement will be substantially as effective as the Secretary's and that they in fact have the legal, financial and personnel capability to do so. State plans must also provide for adequate reporting to the Secretary. If the Secretary approves such a State plan, he and the State agency will have concurrent jurisdiction for a period not less than one year. If, after that one year, the Secretary determines that the State plan will serve the objectives set forth in the Act, and will meet the criteria required for approval, the State agency will become solely responsible for any occupational safety or health issues covered under the plan.

If the Secretary rejects a State plan, he must afford the State a hearing. If, on the basis of State reports or his own inspections, he determines that a previously approved State plan is not meeting the criteria set forth in the Act, or in the plan itself, he may, after notice and hearing, withdraw approval.

RELATIONSHIPS TO OTHER FEDERAL PROGRAMS

Whenever the Secretary promulgates safety and health standards applicable to an industry, and certifies that such standards will be as effective as existing standards promulgated under other Federal laws, such existing standards shall no longer be in effect.

FEDERAL AGENCY SAFETY PROGRAMS

The bill requires the head of every Federal agency to establish and maintain effective occupational safety and health standards, consistent with those promulgated by the Secretary for private industry, for the employees of such agency.

RESEARCH

The Secretaries of HEW and of Labor are authorized to conduct research, directly or by grants or contracts, dealing with their respective functions under this Act. HEW is authorized to develop criteria to aid the Secretary of Labor in the formulation of safety and health standards. Consultation between the two departments and with other government agencies is called for to avoid duplication of effort. The Secretary of Labor is authorized, after consultation with HEW and with the State agencies, to develop appropriate reporting forms.

TRAINING

The bill provides authority for the Secretary of HEW to conduct education programs directly, or through grants and contracts, for personnel to carry out the Act, and the Secretary of Labor is authorized to provide programs for training of personnel in this field.

GRANTS TO THE STATES

Grants to States are authorized to enable them to develop their own occupational safety and health programs and to develop State plans for submission to the Secretary. Grants to the States for carrying out approved plans are also authorized on a 50–50 matching basis.

MISCELLANEOUS

The Secretary of Labor is authorized to appoint ad hoc advisory committees to recommend safety and health standards, such advisory committees to include representatives of employers, workers, State health or safety agencies, professional organizations of technicians or professionals specializing in occupational safety or health, and representatives of nationally recognized standards producing organizations. The Secretary of Labor shall also appoint a National Advisory Committee on Occupational Safety and Health, consisting of 16 members, to advise on the administration of the Act.

The Secretary of Labor and the Secretary of HEW are required to submit, once every two years, a joint report on the progress being made in the field of occupational safety and health and on the needs and requirements in that field.

S. 2197—INTRODUCTION OF A BILL TO ESTABLISH FEE PROGRAMS FOR ENTRANCE TO AND USE OF AREAS ADMINISTERED FOR OUTDOOR RECREATION

Mr. BENNETT. Mr. President, because of action in the 90th Congress, the Golden Eagle passport is due to expire on March 31, 1970. Therefore, I introduce today a bill "to establish fee programs for entrance to and use of areas administered for outdoor recreation and related purposes by the Secretary of the Interior and the Secretary of Agriculture, and for other purposes," which will extend the Golden Eagle passport indefinitely.

The Land and Water Conservation Act approved by Congress in 1965 provided for fees at recreation areas and the Golden Eagle passport as a means of raising money for purchase of more recreation lands. This legislation was approved in the Senate by a 92 to 1 vote. It recognized the growing need to raise money so that the States, and to a lesser degree the Federal agencies, could acquire and develop projects for use by the general public furnishing a broad range of outdoor recreation uses and experiences.

When the passport plan was first introduced, I, like many of my colleagues I am sure, received complaints about the imposition of fees at some previously free recreation areas. However, once the users became aware of the benefits that accrued from the yearly $7 permit, the opposition ceased.

Since 1965 the Golden Eagle passport has allowed the bearer and everyone with him in a private vehicle to enter more than 3,000 national parks, forests, and refuges, as well as other federally operated recreation areas, without paying fees charged at any of the areas. The program expanded from 90,400 Golden Eagle passports issued in 1965 to 692,300 in 1968, and during the first half of fiscal 1969 alone, 403,100 had been sold.

At first, revenues were not as great as anticipated because the program got off to a slow start. However, from a low of $633,600 in 1965 the fees collected grew to $4,846,000 in 1968 and the Bureau of Outdoor Recreation estimated a total of $5,200,000 for 1969. These figures would seem to prove the program is booming and should be expanded, not buried.

The land and water conservation fund derives revenue from admission and user fees at Federal recreation areas, net proceeds from the sale of Federal surplus real and related property, and existing Federal taxes on motorboat fuels. About 60 percent of annual appropriations from the fund are normally available to the States. In its first 3 years, $160.5 million was allocated to match State funds to help finance such diverse projects as multipurpose metropolitan parks, snow ski areas, campgrounds, urban playgrounds, golf courses, swimming pools, and bicycling paths. The program extends to the 50 States, Puerto Rico, the District of Columbia, Guam, American Samoa, and the Virgin Islands. Money from the fund also supports Federal acquisition of authorized areas within the national park, national forest, and wildlife refuge systems.

Mr. President, my bill was prompted by the wishes of many of my constituents who have been using the passport at national parks, forests, and reservoirs. Many of them are retired and enjoy the opportunity to travel and visit our natural wonders. The annual fee permit has allowed them to visit our national parks and forests at a great reduction in cost. In Utah, where more than 70 percent of the land is federally owned, many of our citizens are ardent outdoorsmen, whose main recreation is obtained in federally operated recreation areas. The Golden Eagle permit was literally an annual passport to all of these areas. Many of my constituents have told me that even if the price had to be increased, it would still be a bargain. They feel and I agree its charge is reasonable and the funds are to be used for a good purpose.

Recognizing, however, the increases in costs and inflation I have recommended that the individual passport cost be increased from $7 to $10 a year. This is only a recommendation to the committee which may want to review the entire financial structure of the program when it gets to the hearing stage. I still think it would be a big bargain at double the cost.

I hope the Golden Eagle passport can be retained so that all our citizens may continue to enjoy the parks, the forests, and the deserts of our beautiful land.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2197), to establish fee programs for entrance to and use of areas administered for outdoor recreation and related purposes by the Secretary of the Interior and the Secretary of Agriculture, and for other purposes, introduced by Mr. BENNETT, was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

ADDITIONAL COSPONSORS OF BILLS AND JOINT RESOLUTION

Mr. SCHWEIKER. Mr. President, in behalf of the Senator from South Dakota (Mr. MUNDT), I ask unanimous consent that, at its next printing, the name of the Senator from Alaska (Mr. GRAVEL) be added as a cosponsor of the bill (S. 1826), to increase the domestic production of gold to meet the needs of national defense and preserve the gold

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mining industry of the United States, and for other purposes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DIRKSEN. Mr. President, I ask unanimous consent that, at their next printing, the names of the Senator from Nevada (Mr. CANNON) and the Senator from Florida (Mr. GURNEY) be added as cosponsors of the bill (S. 2073) to prohibit the use of interstate facilities, including the mails, for the transportation of certain materials to minors; and the bill (S. 2074) to prohibit the use of interstate facilities including the mails for the transportation of salacious advertising.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SPARKMAN. Mr. President, I ask unanimous consent that, at its next printing, the names of the Senator from New Mexico (Mr. MONTOYA) and the Senator from Minnesota (Mr. MONDALE) be added as cosponsors of the bill (S. 2079) to provide for an annual conference between representatives of the beet industry, the Secretary of Agriculture, and representatives of other departments and agencies of the Federal Government to consider problems relating to the export of beef and beef products from the United States and related international trade problems, and for other purposes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KENNEDY. I ask unanimous consent that, at its next printing, the name of the Senator from New Jersey (Mr. WILLIAMS) be added as a cosponsor of the bill (S. 2165), to enable citizens of the United States to change their residence to vote in presidential elections, and for other purposes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KENNEDY. Mr. President, in behalf of the Senator from Alaska (Mr. GRAVEL), I ask unanimous consent that, at its next printing, the name of the Senator from West Virginia (Mr. RANDOLPH) be added as a cosponsor of the joint resolution (S.J. Res. 108), to provide for a study and evaluation of the relationship between underground nuclear detonations and seismic disturbances.

The PRESIDING OFFICER. Without objection, it is so ordered.

NOTICE OF HEARING

Mr. HART. Mr. President, I wish to announce that the Subcommittee on Antitrust and Monopoly has scheduled hearings for June 12 and 13 on S. 1520, a bill to give certain newspaper arrangements exemptions from the antitrust laws.

Anyone interested in testifying should contact the subcommittee.

NOTICE OF HEARINGS ON MEASURES TO COMBAT ORGANIZED CRIME

Mr. McCLELLAN. Mr. President, I should like to announce that the Special Subcommittee on Criminal Laws and Procedures will resume hearings on bills relating to the Federal effort against organized crime. In our first series of hearings in March we heard testimony on the bills S. 30, S. 974, S. 975, and S. 976. We will hear further testimony on these proposals and in addition will include the bills S. 1623, S. 1624, S. 1861, S. 2022, and S. 2122, all relating to organized crime activities, and S. 1929, making an offense under chapter 13 of title 18, United States Code, the intentional prevention, obstruction or interference with the administration of any federally assisted educational institution. The hearings will resume on June 3 and continue on June 4, beginning each day at 10 a.m. in room 2228, New Senate Office Building. Should anyone wish further information on the hearings, please contact the subcommittee staff on extension 3281 in room 2204, New Senate Office Building.

NOTICE OF HEARING ON S. 981

Mr. TYDINGS. Mr. President, as chairman of the Judiciary Committee's Subcommittee on Improvements in Judicial Machinery, I wish to announce a hearing for the consideration of S. 981, a bill to provide that the U.S. District Court for the District of Maryland shall sit at one additional place.

The hearing will be held at 10 a.m. on Wednesday, May 28, 1969, in the County Service Building in Hyattsville, Md.

Any person who wishes to testify or submit a statement for inclusion in the record should communicate as soon as possible with the Subcommittee on Improvements in Judicial Machinery, room 6306, New Senate Office Building.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Is there further morning business? If not, morning business is concluded.

ORDER OF BUSINESS

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. PERCY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Pursuant to the previous order, the Chair now recognizes the Senator from Illinois (Mr. PERCY) for a period not to exceed 40 minutes.

S. 2192—INTRODUCTION OF A BILL TO PROVIDE AN INCENTIVE FOR PRIVATE EMPLOYERS TO EMPLOY AND TRAIN UNSKILLED INDIVIDUALS

Mr. PERCY. Mr. President, I am introducing today a bill proposing that this Nation take all necessary steps to guarantee a job for every American that is able and wants to work, and that we do so as a matter of national policy and establish it as a national goal.

We have heard speech after speech about housing, education, health, and other cultural and economic problems that face the poor, so that we are all aware of the cycle of poverty which afflicts so many of our citizens today. But the cycle of poverty is so complex that we find it difficult to learn where the cycle begins, so that we can know how to begin to attack it. However, there are some things which we do know about poverty. We do know that the cause of poverty is more than economic; it is also psychological. You can give a man a minimum annual income, and he may no longer be economically poor, but psychologically he is probably poorer than ever before.

If we are waging a war on poverty, jobs must be a major weapon. A job represents an entry into the economic and social life of American society. Recognizing the importance of employment in our society today, I would like to state the case for a new Federal manpower policy for the seventies.

In the Employment Act of 1946, the Congress declared it to be our Nation's policy:

> That it is the responsibility of the Federal Government to use all practicable means, with the assistance and cooperation of industry, agriculture, labor, and State and local governments to create conditions under which there will be afforded useful employment opportunities for those able, willing, and seeking work.

I believe that after 23 years it is time to stop paying lipservice to this goal and begin to assure that full employment be made a reality. To guarantee a job for everyone who is willing and able to work seemed some years ago to be a radical position. However, as we have come to understand more about the nature of employment and unemployment, most Americans have changed their point of view on this subject. The Gallup poll in January of this year showed that 70 percent of all Americans agree that a plan should be adopted to guarantee work so that each family that has an employable wage earner would be guaranteed enough work to give him a wage of about $60 a week—or $3,200 a year. Now that public opinion is strongly in favor of a guaranteed annual work plan, it is up to the Congress to devise the mechanisms whereby such a program could work efficiently and effectively.

But, first, we must look to the labor market and understand the forces at work there. Last year there were 79 million people in our civilian labor force. It is anticipated that this figure will grow to 100 million by 1980. Although we still suffer from unemployment in this country, we all know that there are many hundreds of thousands of jobs which go unfilled each year, because people with the necessary skills are not available at the particular time and place where the jobs are.

With the total available knowledge doubling almost every decade, we may anticipate technological change in the

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1970's which will demand vastly different skills than those required today. We see, therefore, that in the decade ahead we will not only have to upgrade the skills of several million unemployed and underemployed persons, provide responsive training for the 20 million new entrants into the job market, but also be prepared to meet the need for vastly changed skill requirements in our total population.

In other words, we have an immense job ahead of us, and we must plan now if we are to have any hope for success. Since 1962, our Federal expenditures for manpower programs have grown from less than $500 million to an estimated $3 billion for fiscal 1970. These efforts, although productive, are clearly inadequate to meet the needs of the decade ahead.

But, even more important than additional sums of money, is the need to revise the manpower program delivery system itself. In the past, manpower programs have been categorical in nature, with the Federal Government making a judgment as to how much money should be spent in each community on each kind of service. Not only have the decisions as to how much money is needed for each program been made in Washington, but, more importantly, the delivery of these services has, in most part, been carried out by Federal agencies. There is a great need for more flexibility in our manpower efforts than we have had in the past. Secretary Shultz is reorganizing the manpower programs of the Federal Government. I commend him for this effort, and I look forward to working with him in the attempt to make these programs more relevant to local problems and more responsive to local needs.

While it is easy to agree that additional sums of money and new organization are needed to improve our manpower programs, it is not so easy to devise the system whereby this can all come about. Government and business must together accept responsibility to provide all Americans with the opportunity to earn an adequate income. Private industry must increase its efforts to recruit, train, and hire the underemployed and unemployed. And when the private sector is unable to provide employment, I believe the Government must assume this responsibility. Too often in the past the Government has met this responsibility in the form of wlefare payments instead of jobs. This has been the easy way out—a way for middle-class America to "buy off" its conscience. Instead of finding ways and means to draw the poor back into society, through useful employment, we have forced them to accept public charity. This has made them feel worthless and after a number of years many began to believe it themselves and were indeed "worthless" for having been outside society for so long.

The premise on which I base my proposals is that the Federal Government should accept as its primary responsibility the establishment of a manpower program which permits individual workers and individual businessmen the widest variety of alternatives to solve their mutual problems.

This can be done with a four-pronged approach which would contain the following elements:

First. Tax incentives to encourage the fullest participation of the private sector in employment, upgrading, and training of less skilled people.

By recommending a tax incentive program for the private sector, I do not mean to suggest that the current efforts of the National Alliance of Businessmen have not been productive. Indeed they have been. Well over 100,000 disadvantaged people have already been given job opportunities through this program. Through the JOBS program the private sector of our society has demonstrated in a most dramatic way its willingness to meet head on some of the most difficult social problems plaguing our society. The process of signing individual contracts with each corporation, to hire and train the disadvantaged, however, is of necessity a cumbersome one. And of great concern to me is the fact that many smaller companies, because of their size, are, as a practical matter, excluded.

It must be recognized that working out a fair tax incentive formula is not an easy one. A tax incentive program should not be a giveaway gimmick for industry, but rather one which makes it economically possible for American business to play an important role in our manpower program.

I am today introducing legislation which would provide a tax credit to employers for the difference between what a new employee is worth in productivity and the regular wage of comparable positions in the company. The advantages to a tax credit approach are numerous. The most important, however, is that the program can go into effect immediately upon enactment. Employment programs in the past have taken months and years to become operative. While I believe that the other existing training programs do have merit, I feel that we now need an emergency program which can immediately assist in finding jobs in the private sector for the hard-core unemployed. Employers who participate in the program will receive a tax credit of 75 percent of the wages paid to the employee for the first 4 months of employment, 50 percent for the next 4 months, and 25 percent for the balance of the individual's first year of employment. This is an uncomplicated program with the minimum of redtape. Any employer who hires a certified employee is eligible for the tax credit—it is as simple as that. This bill would require no Federal appropriations. The Department of Labor would be required to make its provisions known to the unemployed and potential employers in the business community. Small business is favored by placing a limitation on the total amount of tax credits any one employer can receive.

The public is protected in that the tax credit will not be available to the corporation unless the employee remains until the end of each 4-month period.

I understand the objections that are at times put forward to the use of the tax system for social purposes. However, I think it is time we realized that in order to encourage business to participate in programs of this nature, Government must be willing to meet business halfway. The most convenient form for subsidizing a businessman is through his income tax. In order to meet the argument that a tax-credit approach is open-ended and therefore economically irresponsible, I have placed a limitation on the number of certificates which can be issued. The Employment Incentive Act is envisioned as a 3-year emergency experimental program. Under this bill 100,000 employee certificates would be issued during the first year, 200,000 more in the second year, and an additional 200,000 during the third year. The bill, therefore, provides for the hiring and training of 500,000 underemployed and unemployed persons over a 3-year period.

My communication with the business community has indicated that of the many problems facing businessmen today, one of the most serious is the shortage of skilled, dependable workers. This bill provides a simple, yet effective technique to provide new jobs and training for those whose need is the greatest. It enlists the job-creating potential of private enterprise by realistically recognizing the high initial costs involved in hiring, training, and providing supportive services for low-skilled individuals.

Second. A program of training credits should be considered which would allow individuals to obtain whatever training they need to obtain employment. This concept is similar to that contained in the GI bill of rights wherein eligible individuals can obtain, as a matter of right, education, and training they need to equip them for the world of work.

Fully developing the skills of our population is perhaps the most effective way to reduce unemployment without causing inflation. Expansive monetary and fiscal policies lead to inflation once the economy reaches its high employment potential. But upgrading the skills of the work force is a major governmental effort that we can take without pushing the cost of living to new highs.

In fiscal year 1968, 265,000 individuals were enrolled in institutional and on-the-job training programs financed under the Manpower Development and Training Act. An additional 53,000 individuals were enrolled in concentrated employment program projects during the year. Although these figures are impressive, it is clear that the number of unemployed and underemployed people enrolled in these training efforts is but a small fraction of the total. Also, in many instances those who did receive training were obliged to enroll in courses where there happened to be openings rather than choosing the course in which they had the greatest interest and aptitude. A training credit plan, patterned after the GI bill of rights, will permit low-skilled people who wish to upgrade themselves a chance to do so without waiting in line for a bureaucratic structure to find a training slot for them.

Third. We also need a Comprehensive Manpower Service Act which would permit a local community to provide services specifically geared to the employment needs of the population of the area. Matching people to jobs involves a vast array of considerations, such as relocation allowances, transportation, housing, and health services and child care. A program which recognizes that these serv-

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ices are important components of an employment program is vital to success.

Fourth. However, even with all the existing programs and the new ones I have mentioned, we must realize that for some people and in some areas, even with training, there is no work available. With the emphasis we have placed on employment training programs in recent years, there has been a tendency to ignore the fact that lack of training is only one of the reasons why some individuals find it hard to locate a job.

Most frequently in the South and Appalachia there are not enough jobs in the private sector to provide work for all those in the labor market. Over the past several decades, as technology has eliminated jobs in agriculture, there has been a vast migration of people to urban centers. During the same time, much of the industrial expansion has taken place outside of these centers and has not been available as a source of work to the millions who moved in the hopes of finding employment.

However, in virtually every community in our Nation today—whether large or small—there is a great need for additional workers for various public service jobs. Millions of individuals could productively be employed in hospitals, schools, recreation facilities, and a host of other public-service endeavors.

I believe that we must guarantee a job for every American who is willing to work. And to assure such a guarantee we should provide the same opportunity to public and nonprofit service organizations that we are now currently providing in the NAB program. There are several ways such a program could operate. One might be to provide a wage subsidy to public and nonprofit groups so that they can afford to hire the individuals they so desperately need. We could also establish a public sector JOBS program. If the Federal Government is able to pay the additional expenses for Ford or GM when they hire the hard-core unemployed, there is no reason why they could not provide the same assistance for training of the unemployed in hospitals and schools. A tax credit approach might also be tried by providing a tax credit for salaries to people who work in the public sector. In other words, while a hospital worker or an education assistant might earn less than a comparable private sector employee, he would be eligible for a tax credit for a percentage of his salary which would make up the difference of his income.

I do not pretend to have all the answers as to how such a public sector program might best operate. A public sector program would enable us to guarantee a job to everyone who is willing to work, and I believe that the goal is important enough that we should direct all our energies toward finding the mechanism whereby this can be done. Public service jobs should have meaning, however, both to the individual employee and to society. The services of all our citizens in productive work are too badly needed for us to create vast numbers of publicly subsidized jobs just to give people something to do.

These, then, are my thoughts on the direction we should be moving in the 1970's to train our citizens for the jobs which must be done to keep our economy healthy and our society progressive. It is my hope that these suggestions, along with all others, will be part of a new national focus on the manpower needs of our Nation.

Mr. President, I ask unanimous consent to have the text of the bill printed in the RECORD.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the text of the bill will be printed in the RECORD.

The bill (S. 2192), to provide an incentive for private employers to employ and train unskilled individuals certified by the Secretary of Labor by allowing an income tax credit for wages paid to such individuals, introduced by Mr. PERCY, was received, read twice by its title, referred to the Committee on Finance, and ordered to be printed in the RECORD, as follows:

S. 2192

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Employment Incentive Act of 1969".

STATEMENT OF PURPOSE

SEC. 2. It is the purpose of this Act to increase employment opportunities for individuals whose lack of skills and education acts as a barrier to employment at or above the minimum wage.

TITLE I—CERTIFICATION OF EMPLOYEES AND EMPLOYERS

DEFINITIONS

SEC. 101. For purposes of this title—

(a) The term "Secretary" means the Secretary of Labor.

(b) The term "certified individual" means an individual who holds an unexpired and unrevoked certificate issued to him under section 102.

(c) The term "certified employer" means an employer who holds an unrevoked certificate issued to him under section 103.

(d) The term "minimum wage" means, with respect to any certified individual or certified employer, the higher of—

(1) the minimum wage prescribed by the Fair Labor Standards Act of 1938 (whether or not such minimum wage otherwise applies), or

(2) the wage customarily paid by the employer to his employees for the services performed, or to be performed by the individual.

(e) The term "subpart C" means subpart C of part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1954 (as added by title II of this Act).

CERTIFICATION OF INDIVIDUALS

SEC. 102. (a) In order to implement subpart C, the Secretary shall, during the three-year period beginning on the effective date of this title, issue certificates to individuals whose employment by a certified employer entitles such employer to a tax credit under such subpart with respect to wages paid to such individuals.

(b) An individual shall be eligible to be issued a certificate under this section if—

(1) his skill, training, education, or job experience is below that required for employment at or above the minimum wage;

(2) if unemployed, he has sought but has not been able to obtain employment at or above the minimum wage for a period of not less than five weeks; and

(3) he meets such other criteria as the Secretary may prescribe as necessary to carry out the purpose of this Act.

(c) Upon application made therefor, the Secretary shall issue a certificate to an individual who is eligible therefor under subsection (b), except that the Secretary shall not issue more than—

(1) One hundred thousand certificates during the first twelve-month period after the effective date of this title;

(2) Two hundred thousand certificates during the second twelve-month period after such effective date; and

(3) Two hundred thousand certificates during the third twelve-month period after such effective date.

(d) Each certificate issued under this section shall expire at the end of three years after the date of issuance. For purposes of subpart C, the certificate issued to a certified individual shall, unless sooner revoked under subsection (e), be effective with respect to periods of employment not exceeding twelve months during such three-year period.

(e) The Secretary shall revoke a certificate issued under this section if he finds that the individual to whom such certificate was issued—

(1) was not, at the time of issuance, eligible under subsection (b); or

(2) accepted employment with a certified employer and voluntarily terminated such employment.

For purposes of subpart C, any such revocation shall be effective only for periods after the date on which the Secretary issues such revocation.

(f) An individual shall be eligible to be issued only one certificate under this section. If an individual's certificate is revoked under subsection (e), the Secretary may, in his discretion, reissue such certificate to such individual for the remainder of the period for which the certificate was originally issued.

CERTIFICATION OF EMPLOYERS

SEC. 103. (a) In order to implement subpart C, the Secretary shall issue certificates to employers who will be entitled to the tax credit under such subpart with respect to wages paid to certified individuals employed by him.

(b) Any employer shall be eligible to be issued a certificate under this section if he establishes to the satisfaction of the Secretary that—

(1) his employment of certified individuals will not have the effect of impairing or depressing the wages, working standards, or opportunities for full employment of his present employees;

(2) his business is not affected by any abnormal labor condition, such as a strike, lockout, or similar condition;

(3) he will afford each certified individual employed by him equal opportunity for full-time employment at or above the minimum wage, and will provide fringe benefits comparable to those provided for noncertified employees, not only during the effective period of such individual's certificate for purposes of subpart C but also after the expiration of such period;

(4) he has a formal or on-the-job training program which will upgrade the skills and enhance the productivity of certified individuals employed by him; and

(5) he will not discriminate on account of race, color, religion, or national origin in the employment of certified individuals.

(c) Upon application made therefor, the Secretary shall issue a certificate to an employer who is eligible therefor under subsection (b).

(d) Each certificate issued under this section shall be effective, for purposes of subpart C, for periods on and after the date on which application is made under subsection (c), or, if later, the date on which the Secretary determines that the employer first fulfills all the requirements for eligibility specified in subsection (b).

(e) The Secretary may revoke a certificate issued under this section to any employer if he finds that such employer no longer fulfills the requirements specified in subsection

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(b). For purposes of subpart C, any such revocation shall be effective only for periods after the date on which the Secretary issues such revocation.

ADMINISTRATION

Sec. 104. (a) The Secretary shall administer the provisions of sections 102 and 103 through such offices and divisions of the Department of Labor as he determines desirable.

(b) The Secretary shall, from time to time, transmit to the Secretary of the Treasury or his delegate a list of certified individuals and certified employers and such other information as the Secretary of the Treasury or his delegate may request for purposes of administering subpart C.

(c) The Secretary may prescribe such rules and regulations as he determines necessary for the purposes of this title.

REPORT TO CONGRESS

Sec. 105. On or before October 1, 1970, October 1, 1971, and October 1, 1972, the Secretary shall submit a report to the Senate and the House of Representatives with respect to the performance of his functions and duties under this title. Each such report shall contain an evaluation of the effectiveness of the provisions of this Act in achieving the purpose set forth in section 2 and shall include data and information on (1) the number of individuals and employers to whom certificates have been issued under this title, (2) the number of certified individuals who have obtained employment with certified employers and the employment experience of such individuals both during and after the period of their certification, and (3) the response of employers under this title. Each such report may also contain such recommendations for further legislation as the Secretary deems advisable.

EFFECTIVE DATE

Sec. 106. The provisions of this title shall take effect on the first day of the first month which begins more than sixty days after the date of the enactment of this Act, except that the provisions of section 104 shall take effect on such date of enactment.

TITLE II—AMENDMENTS TO INTERNAL REVENUE CODE

ALLOWANCE OF TAX CREDIT

Sec. 201. (a) Subpart A of part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1954 (relating to credits allowable) is amended by renumbering section 40 as section 41, and by inserting after section 39 the following new section:

"Sec. 40. Wages of Certified Employees.

"(a) General Rule.—There shall be allowed to a certified employer, as a credit against the tax imposed by this chapter, the amount determined under subpart C of this part.

"(b) Regulations.—The Secretary or his delegate shall prescribe such regulations as may be necessary to carry out the purposes of this section and subpart C."

(b) Part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1954 (relating to credits against tax) is amended by adding at the end thereof the following new subpart:

"Subpart C—Rules for Computing Credit for Wages of Certified Employees

"Sec. 51. Amount of credit.
"Sec. 52. Definitions; special rules.

"Sec. 51. Amount of Credit.

"(a) Determination of Amount.—

"(1) General rule.—The amount of the credit allowed to a certified employer by section 40 for the taxable year shall be equal to the sum of—

"(A) 75 percent of the qualified wages paid to, or with respect to, each certified employee for services performed during the first four months of employment of each such employee;

"(B) 50 percent of the qualified wages paid to, or with respect to, each certified employee for services performed during the second four months of employment of each such employee; and

"(C) 25 percent of the qualified wages paid to, or with respect to, each certified employee for services performed during the balance of the individual's first year of employment of each such employee.

"(2) Limitation based on amount of tax.—Notwithstanding paragraph (1), the credit allowed by section 40 for the taxable year shall not exceed—

"(A) so much of the liability for tax for the taxable year as does not exceed $25,000, plus

"(B) 50 percent of so much of the liability for tax for the taxable year as exceeds $25,000.

"(3) Liability for tax.—For purposes of paragraph (2), the liability for tax for the taxable year shall be the tax imposed by this chapter for such year, reduced by the sum of the credits allowable under—

"(A) section 33 (relating to foreign tax credit),

"(B) section 35 (relating to partially tax exempt interest),

"(C) section 37 (relating to retirement income), and

"(D) section 38 (relating to investment in certain depreciable property).

For purposes of this paragraph, any tax imposed for the taxable year by section 531 (relating to accumulated earnings tax), section 541 (relating to personal holding company tax), or section 1378 (relating to tax on certain capital gains of subchapter S corporations), and any additional tax imposed for the taxable year by section 1351(d)(1) (relating to recoveries of foreign expropriation losses), shall not be considered tax imposed by this chapter for such year.

"(4) Married individuals.—In the case of a husband or wife who files a separate return, the amount specified under subparagraphs (A) and (B) of paragraph (2) shall be $12,500 in lieu of $25,000. This paragraph shall not apply if the spouse of the taxpayer has no paid qualified wages for, and has no unused credit carryback or carryover to, the taxable year of such spouse which ends within or with the taxpayer's taxable year.

"(5) Affiliated groups.—In the case of an affiliated group, the $25,000 amount specified under subparagraphs (A) and (B) of paragraph (2) shall be reduced for each member of the group by apportioning $25,000 among the members of such group in such manner as the Secretary or his delegate shall by regulations prescribe. For purposes of the preceding sentence, the term 'affiliated group' has the meaning assigned to such term by section 1504(a), except that all corporations shall be treated as includible corporations (without any exclusion under section 1504(b)).

"(b) Carryback and Carryover of Unused Credit.—

"(1) Allowance of credit.—If the amount of the credit determined under subsection (a)(1) for any taxable year exceeds the limitation provided by subsection (a)(2) for such taxable year (hereinafter in this subsection referred to as 'unused credit year'), such excess shall be—

"(A) a certified employee wage credit carryback to each of the three taxable years preceding the unused credit year, and

"(B) a certified employee wage credit carryover to each of the seven taxable years following the unused credit year,

and shall be added to the amount allowable as a credit by section 40 of such years, except that such excess may be a carryback only to a taxable year ending after the date of the enactment of the Private Enterprise Employment Incentive Act of 1968. The entire amount of the unused credit for an unused credit year shall be carried to the earliest of the ten taxable years to which (by reason of subparagraphs (A) and (B)) such credit may be carried, and then to each of the other nine taxable years to the extent that, because of the limitation contained in paragraph (2), such unused credit may not be added for a prior taxable year to which such unused credit may be carried.

"(2) Limitation.—The amount of the unused credit which may be added under paragraph (1) for any preceding or succeeding taxable year shall not exceed the amount by which the limitation provided by subsection (a)(2) for such taxable year exceeds the sum of—

"(A) the credit allowable under subsection (a)(1) for such taxable year, and

"(B) the amounts which, by reason of this subsection, are added to the amount allowable for such taxable year and attributable to taxable years preceding the unused credit year.

"Sec. 52. Definitions; Special Rules.

"(a) Certified Employer.—For purposes of this subpart, the term 'certified employer' means an employer to whom a certificate has been issued by the Secretary of Labor under section 103 of the Private Enterprise Employment Incentive Act of 1968, but only with respect to periods for which such certificate is effective for purposes of this subpart as prescribed in such section.

"(b) Certified Employee.—For purposes of this subpart, the term 'certified employee' means an individual to whom a certificate has been issued by the Secretary of Labor under section 102 of the Private Enterprise Employment Incentive Act of 1968, but only with respect to periods for which such certificate is effective for purposes of this subpart as prescribed in such section.

"(c) Qualified Wages.—For purposes of this subpart, the term 'qualified wages' means—

"(1) the compensation paid to an employee for services rendered by him while he is a certified employee, and

"(2) the cost of benefits provided for an employee while he is a certified employee which is paid or incurred by the employer by reason of the employment relationship,

but only if the compensation described in paragraph (1) equals or exceeds the minimum wage (as defined in section 102(d) of the Private Enterprise Employment Incentive Act of 1968) applicable to such employee. Upon request of the Secretary or his delegate, the Secretary of Labor shall determine whether the compensation paid to any certified employee for any period equals or exceeds the minimum wage applicable to such employee.

"(d) Limitation on Number of Certified Employees.—For purposes of this subpart, the number of certified employees of any certified employer which may be taken into account for any pay period shall not exceed—

"(1) in the case of an employer of ten or less employees, 50 percent of the total number of employees,

"(2) in the case of an employer of more than ten but less than one hundred and one employees, 25 percent of the total number of employees, and

"(3) in the case of an employer of one hundred and one or more employees, 15 percent of the total number of employees.

"(e) Early Termination of Employment.—For purposes of this subpart, the qualified wages paid to, or with respect to, a certified employee—

"(1) during the first four months of his employment, shall not be taken into account if he ceases to be an employee of the taxpayer before the end of such four-month period,

"(2) during the second four months of his employment, if he ceases to be an employee of the taxpayer before the end of such four-month period, and

"(3) during the third four months of his employment, if he ceases to be an employee of the taxpayer before the end of such four-month period.

The preceding sentence shall not apply with respect to a certified employee who ceases to be an employee of the taxpayer because of death or disability.

"(f) Subchapter S Corporations.—In case of an electing small business corporation (as defined in section 1371)—

"(1) the qualified wages for each taxable year shall be apportioned pro rata among the persons who are shareholders of such corporation on the last day of such taxable year, and

"(2) any person to whom any qualified wages have been apportioned under paragraph (1) shall be treated (for purposes of this subpart) as the taxpayer and the certified employer with respect to such wages.

"(g) Estates and Trusts.—In the case of an estate or trust—

"(1) the qualified wages for any taxable year shall be apportioned between the estate or trust and the beneficiaries on the basis of the income of the estate or trust allocable to each,

"(2) any beneficiary to whom any qualified wages have been apportioned under paragraph (1) shall be treated (for purposes of this subpart) as the taxpayer and the qualified employer with respect to such wages, and

"(3) the $25,000 amount specified under subparagraphs (A) and (B) of section 51(a) (2) applicable to such estate or trust shall be reduced to an amount which bears the same ratio to $25,000 as the amount of the qualified wages allocated to the trust under paragraph (1) bears to the entire amount of the qualified wages.

"(h) Limitations With Respect to Certain Persons.—In the case of—

"(1) an organization to which section 593 applies,

"(2) a regulated investment company or a real estate investment trust subject to taxation under subchapter M (section 851 and following), and

"(3) a cooperative organization described in section 1381(a),

rules similar to the rules provided in section 46(d) shall apply under regulations prescribed by the Secretary or his delegate.

"(i) Regulations.—The Secretary of the Treasury or his delegate shall prescribe such regulations as may be necessary to carry out the purposes of this subpart."

TECHNICAL AND CLERICAL AMENDMENTS

Sec. 202. (a) The table of sections for subpart A of part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1954 is amended by striking out the last item and inserting in lieu thereof the following:

"Sec. 40. Wages of certified employees.

"Sec. 41. Overpayments of tax."

(b) The table of subparts for part IV of subchapter A of chapter 1 of such Code is amended by adding at the end thereof the following new item:

"Subpart C—Rules for Computing Credit for Wages of Certified Employees

(c) Section 381(c) of such Code (relating to items taken into account in certain corporate acquisitions) is amended by adding at the end thereof the following new paragraph:

"(24) Credit under section 40 for wages of certified employees.—The acquiring corporation shall take into account (to the extent proper to carry out the purposes of this section and section 40, and under such regulations as may be prescribed by the Secretary or his delegate) the items required to be taken into account for purposes of section 40 in respect to the distributor or transferor corporation."

EFFECTIVE DATE

Sec. 203. The amendments made by this title shall apply to taxable years ending after the date of the enactment of this Act.

Mr. PERCY. Mr. President, I ask unanimous consent to have printed at this point in the Record a statement by the Senator from New York (Mr. Javits), which he is unable to deliver because at this time he is in his home State.

There being no objection, the statement was ordered to be printed in the Record, as follows:

Statement of Senator Javits

In stating so clearly the case for a new federal manpower policy for the 1970's Senator Percy has redirected our attention—and I hope our energies—from the important single questions concerning particular training programs to the necessary overview of our manpower policies.

We have promises to keep: The promise that employment provides a vehicle in which the nation's disadvantaged can drive away from poverty. And a promise that the way to deliver upon that pledge lies through involvement of the private sector, as well as additional commitments from the public sector. Programs such as JOBS (Jobs in the Business Sector) program have taken us successfully down one road that runs through the private sector, and the Administration's willingness to find a home for additional resources in that program is a welcome sign. However, as Senator Percy has pointed out, there are many other avenues running through the private sector that must be explored if we are to meet the nation's manpower needs. The legislation which he has introduced today to provide a tax credit to employers is a welcome initiative, adding to previous efforts undertaken by the Republican members of the Senate and House. Last year Senator Percy joined with Senator Prouty, myself and eight other Republican Senators in introducing the National Manpower Act of 1968, which combined a tax credit approach with a number of other provisions implementing the recommendations of the National Advisory Commission on Civil Disorders.

As we know, legislation for the purpose of expanding the opportunities in the public sector came within only five votes of passing the Senate in 1967. I am pleased that Senator Percy has called attention to this important aspect of our total manpower picture. A recent survey revealed that there are at least 140,000 public service job possibilities in 34 cities that could be filled by the hard-core unemployed or underemployed person. We need to do some new thinking—of the kind that Senator Percy has suggested—to formulate incentives for greater public sector opportunities.

The Administration has promised a comprehensive plan. As the President said in his message of February 19, 1969:

"One of the priority aims of the new Administration is the development by the Department of Labor of a comprehensive manpower program, designed to make centrally available to the unemployed and the underemployed a full range of Federal job training and placement services."

As that plan is presented and the approaches proposed by Senator Percy and others are reviewed, we must have firmly in mind the many questions that arise with respect to the relationship between new manpower programs and other state and federal efforts to combat poverty, as well as the relationship between components within the manpower program. We must view any new proposals in light of any reforms in our welfare system. And we must not forget that of our total manpower budget, only about one of every ten federal dollars is spent on programs operated by agencies of the federal government.

Almost a year ago, Dr. Ralph David Abernathy's poor people's campaign demanded the end of hunger in America. The Administration has made a substantial, if not complete, commitment of resources to that end. This year's poor people's campaign has renewed last year's request for a comprehensive jobs bill to provide three million new jobs in the private and public sectors. With the benefit of the President's implementation of his pledge and the initiatives such as those taken by Senator Percy and others, I trust that we will begin to translate the tenets of a free enterprise society into an opportunity for enterprise for all.

Mr. SCHWEIKER. Mr. President, will the Senator yield?

Mr. PERCY. I yield.

Mr. SCHWEIKER. Mr. President, I want to compliment the Senator from Illinois on his fine remarks. I should like to asociate myself with his remarks and to compliment him for his fine work in this area. It is obviously a well-studied, well-reasoned, and logical approach, and I commend the Senator from Illinois for his fine talk.

Mr. PERCY. I thank the distinguished Senator from Pennsylvania

Mr. President, I yield the floor.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate go into executive session to consider three nominations for the position of U.S. attorney, which were unanimously reported earlier today by the Committee on the Judiciary, and which have been cleared unanimously on both sides of the aisle.

The PRESIDING OFFICER. Is there objection?

There being no objection, the Senate proceeding to consider executive business.

U.S. ATTORNEYS

The bill clerk read the nomination of Richard K. Burke, of Arizona, to be U.S. attorney for the district of Arizona.

The PRESIDING OFFICER. Without objection, the nomination is considered and confirmed.

The bill clerk read the nomination of Richard L. Thornburgh, of Pennsylvania, to be U.S. attorney for the western district of Pennsylvania.

The PRESIDING OFFICER. Without objection, the nomination is considered and confirmed.

The bill clerk read the nomination of Stewart O. H. Jones, of Connecticut, to be U.S. attorney for the district of Connecticut.

The PRESIDING OFFICER. Without objection, the nomination is considered and confirmed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of these nominations.

The PRESIDING OFFICER. Without objection, it is so ordered.

LEGISLATIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate return to the consideration of legislative business.

There being no objection, the Senate resumed the consideration of legislative business.

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Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. FANNIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

PRESIDENT'S VIETNAM ADDRESS

Mr. FANNIN. Mr. President, on Wednesday evening the President gave the Nation a realistic and comprehensive assessment of the picture in Southeast Asia. The speech is particularly significant because it is the first time a Chief Executive has summed up the options, the possible ramifications of future actions, and the candid possibilities for peace. This frank and genuine approach to the issue of Vietnam is totally refreshing.

The American people have had their hopes lifted so often before, only to be dashed upon the rocks of reality that I now think the President's speech of Wednesday evening will go a long way toward drawing the Nation back together again. We can move forward together in pursuit of an honorable and enduring peace for that troubled part of the world.

President Nixon made it inescapably plain in his calm and masterful presentation, that this war can be ended and shall be ended, but not by sacrificing honor upon the altar of expediency. I do not doubt that Communist military leaders all over the world understand that our President has a commitment to see that "American prestige" is no longer an empty phrase.

THE ABM SAFEGUARD SYSTEM

Mr. FANNIN. Mr. President, the paramount responsibility of the Federal Government is to provide for the common defense. Conscience demands that every Member of Congress, everyone who holds Federal office by election or by appointment, must share this awesome responsibility.

We, all of us, deplore war and desire peace. We long for a world in which all nations will have renounced forever the employment of military power against their neighbors.

We believe that all men were intended by their Creator to be free. Our hearts go out to the victims of aggression. War contradicts the humanity of man, brutalizes and disfigures society, violates the Commandments of God, and is indicted by history as the supreme author of misery and frustration.

Mr. President, I yield to no man in my desire for peace. There is no division in this House over that objective.

The American people long for an end to the conflict in Southeast Asia. The mothers and fathers of our sons who fight for us there endure the agony of uncertainty and pray for peace.

There is, Mr. President, in this body, indeed in the Nation, a wide division of opinion as to the propriety of our presence in Southeast Asia. That matter has been examined and debated in this body. It is not my desire to contribute to that controversy. I mention that conflict only because I believe the passions aroused by Vietnam—our desire to bring an end to that conflict—may be responsible for our inability to unite in support of one aspect of our defense needs which I believe critical to the future of this Nation.

I refer to the proposal for the establishment and deployment of the antiballistic missile system the President of the United States has designated as Safeguard.

I have paid close attention to the opinions expressed by those who oppose and resist the effort to increase the defense capabilities of our Nation.

I have heard it said the ABM's will not work. Some say the ABM system is unnecessary. Others contend it will be too expensive. And finally, that somehow it is provocative.

Mr. President, the year before the Wright brothers successfully flew the first airplane a conference of the Nation's most distinguished scientists gathered in New York City declared solemnly that it would be impossible for a heavier-than-air machine ever to fly.

Reputable scientists opposed the development of the hydrogen bomb on the grounds that it would not work.

The achievements of our technological society in this century suggest that nothing is impossible. We have sent men to the moon and brought them home again.

No one can guarantee that every ABM installed will function precisely in the manner desired. But surely our experience of the past two decades supports the opinion of that segment of the scientific community which declares that the ABM will work.

The theoretical argument will continue, but can it stand in face of the fact that we have indisputable evidence that the Russians have already deployed such a protective system around some of their cities and some of their installations?

Mr. President, I hope and pray that the Safeguard system is unnecessary. I hope and pray that no nation will ever launch intercontinental ballistic missiles carrying atomic warheads against another nation. But considering the state of the world, can we declare there is no necessity to provide this instrument of defense for the American people?

Following World War I, we dismantled our defensive Military Establishment. We renounced war. We devoted all our energy and attention to peaceful pursuits. In December 1941, our fleet was attacked at Pearl Harbor.

Who can deny that the relative weakness of America's defense posture at that moment influenced the decision to attack us?

Until all men and all nations have renounced war, and accepted the rule of law, the defense capability of this Nation must never again be so weak as to permit another Pearl Harbor.

I agree with all of those critics who declare that our necessary expenditures for the national defense impose a great burden upon our economy.

I agree that the billions spent for armaments and armies might much better be employed to satisfy our social needs. We know that war is waste. There is a desperate need to devote more of our resources to improving the life and the lot of our citizens at home.

But, Mr. President, I am compelled to ask: How long would a defenseless America remain a free America?

President Nixon's proposal calls for a much smaller expenditure than advocated by the previous administration. More than 2 years ago—on April 12, 1967—I spoke in this Chamber in support of President Johnson's proposal to employ an ABM defensive system. I believed then, as I believe now, that the first responsibility of a Member of this body is to make sure that America possesses the unquestioned ability to defend herself effectively against any attacker.

The Safeguard system is purely a defensive mechanism. The President intends to deploy it only in protection of those missile bases upon which we must depend for the power to retaliate against the surprise attack. The ABM's will never be fired unless another nation first attacks us.

Does any Member of this body believe that if the United States of America were to unilaterally abolish its Army and its Navy and destroy all the weapons we possess, world peace would automatically follow?

The lessons of history instruct us that when a nation is weak and incapable of responding to an attack the temptation becomes overwhelming to those men and nations committed to expanding their territory and their power.

The opponents of the ABM declare that to establish this defensive mechanism would provoke our enemies and inspire an escalation of the arms race. Does the installation of a burglar alarm provoke anyone other than a would-be burglar?

Mr. President, I am not one who believes that war is inevitable, or that this planet must ultimately destroy itself and its populations in an atomic holocaust. But commonsense compels me to resist the notion that the deployment of the ABM to enhance our defense capability will inspire some predatory nation to launch an attack against us.

Since the end of World War II the people of this Nation have given away more than $100 billion as evidence of their earnest desire to build a peaceful world, and yet there has been no peace.

For almost 150 years the people of this Republic, protected by the vast oceans surrounding our continent, remained aloof from the quarrels of Europe and the rest of the world. We can no longer rely on the protection of those ocean barriers.

I renounce the notion that the conflicting ideologies which separate our world must inevitably identify certain nations as our enemies, or that there is no possibility of peaceful cooperation between the free world and the Communist world, or that we should not continue our effort to negotiate with the Communists and to achieve mutual understandings. But I say it is naive to ignore the realities.

Mao Tse-tung, the dictator ruler of Red China, believes that war between that nation and our Nation is inevitable. Should we refuse to listen to the words of his designated heir apparent, Lin Piao,

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who has called upon the people of China to prepare themselves for an armed conflict with the capitalist free world?

We are reminded in the excellent report prepared for the National Strategy Committee of the American Security Council of the words of Leonid Brezhnev, first secretary of the Communist Party, who on March 29, 1966, told Congress of that party in the Soviet Union:

> Ever harder times lie ahead for capitalism. The fact that it is doomed is becoming increasingly clear. But the capitalists will never surrender their rule voluntarily. The working classes and the laboring masses will achieve victory only in the course of stubborn class battles.

Mr. President, does anyone really believe that the shrimp have learned to whistle? Is there any evidence that the disciples of Marx and Lenin have renounced their ambition for world domination and are now willing to join us in our quest for world peace?

Are we to ignore the realities of North Korea and North Vietnam and the Middle East?

The newspaper headlines tell us, supported by a dispatch from the Associated Press on May 12, of the explosion of Soviet-built rockets in the slum districts of Saigon.

On March 16, 1969, there appeared an article in the official newspaper of the Soviet Armed Forces written by Major General Reznichkenko, who said, and I quote:

> With the appearance and introduction of nuclear weapons into the armed forces, a new stage began in the development of the theory of the military art. During the last ten to fifteen years our country has made a gigantic leap forward in this development. The armed forces have changed completely, thanks to the wise guidance of the CPSU and its central committee, and the successes of Soviet economics, science and technology. Our armed forces have been equipped with the necessary number of various kinds of nuclear weapons with first class delivery systems, and also with new kinds of weapons and equipment.

And the general continued:

> Surprise is a very important principle in military art which determines whether victory is achieved during combat action. Surprise makes it possible to anticipate the enemy in delivery strikes, takes him unawares, paralyzes his will, sharply reduces his combat capability, disorganizes control, and creates favorable conditions for defeat of even superior forces.

There can be no question about one grim truth—the Soviets have passed us in the development and deployment of ICBM's.

The Soviets have developed and deployed an antiballistic missile system designed to defend their primary target areas from any attack.

The most authoritative information available to us suggests that although the gross national product of the United States runs almost twice that of the gross national product of the U.S.S.R., the Soviet is investing from two to three times as much in strategic military forces annually as we are.

On February 9 of this year, Secretary of Defense Melvin Laird told the American people, in an appearance on "Face the Nation," that the Soviets are presently spending $3.70 on defensive nuclear weapons for every $1 the United States is spending. And when this figure is converted in terms of gross national product it is apparent the Soviets are spending seven times more of their national product on defensive nuclear weapons than we are.

Let me recite another alarming statistic: the U.S.S.R. is investing from two to three times as much in strategic military forces annually as we are. And I would remind the Members of this body that strategic forces are dedicated to offense, not defense.

Mr. President, I have listened patiently to those who argue that the Russian people are no more anxious for war than are the people of the United States—that the people of Russia are supporting their military machine because they stand in deadly fear of an attack from the United States of America.

I truly believe the people of Russia share our desire for peace, but they are ruled by the hard-core Communist dictators who have deliberately spread the false propaganda that the United States intends to attack Russia. And I brand that charge and that claim as an outrageous falsehood.

I believe the Russian masters do have reason to fear the United States of America; not because of our military power; not because we would ever launch a military attack against the Soviet; not because we would ever try to impose our form of government on them; but rather because they recognize that their doctrine of slavery and domination is eternally threatened by the forces of freedom.

They know the United States of America will never initiate an atomic war, but they recognize that the superiority of the Western concept of man's place in creation denies the legitimacy of their military dictatorships.

Mr. President, confronted with the truth that the Communists inspired and supplied the armies of North Korea, that the Communists inspire and supply the armies of North Vietnam, that the Communists are contributing to the unrest in the Middle East, that the leaders of Red Russia and Red China have declared again and again and again that the capitalist world must be destroyed; how dare we hesitate to vote whatever is necessary in social and scientific resources to make the defense capability of the United States as nearly invulnerable as possible?

Mr. President, at the end of World War II we had the greatest military power ever assembled upon this earth. We were the sole possessors of the atomic secrets. Did we use that power to enforce our will upon the rest of the world? Did we extract tribute from our defeated enemies? Did we attempt to enlarge the dimensions of our territory?

Mr. President, who can deny that it was our rapidly reconstructed military strength, our possession of the atomic weapons, which has helped to prevent a third global conflict?

It is weakness that provokes aggression.

It is strength that restrains the aggressor.

It was the weakness of the people of Czechoslovakia, powerless to resist the superior military might of Russia, which dictated the deplorable events of this year.

The junior Senator from the State of Washington reminds us it was the Soviets who acted first to develop long-range intercontinental surface-to-surface missiles.

The Soviets acted first to test fire an ABM against an incoming nuclear armed missile in 1962, and they are the only nation to have done this.

The Soviets acted first to develop and test a 60-megaton bomb, and they are the only nation to possess anything like that size bomb.

The Soviets acted first to develop and deploy a fractional orbital bombardment system—FOBS—a first-strike-oriented weapon, and they are the only nation to have developed or deployed such a system.

The Soviets acted first to deploy an ABM setup. They have been testing, improving, and updating that system ever since. Today there are over 60 antiballistic missiles deployed on launch pads.

When the Soviets invaded Czechoslovakia in August 1968, they violated 17 treaties—one of which was only 17 days old.

Mr. President, we cannot rely on treaties. We cannot put our trust in the belief that because war is wrong and wasteful, there will be no more wars.

Let us have done with wishful thinking.

Let us put aside the temptation to rationalize away the cruel realities of the world at this moment.

Let us hold forth the hand of friendship and help to all peoples of the world.

Let us continue to pursue the avenues of negotiation.

Let us attempt to persuade the other nations of the world that war is waste and war is folly.

When our nation was going through the agony of its birth, at a particular crucial moment in that conflict General Washington gave the order, "Put only Americans on guard tonight." he wanted to be sure of the loyalty of his watchmen.

Let us make certain that our capacity to defend these shores against any aggressor will be superior.

Let us make sure that our strength will stand as a positive deterrent to any reckless adventurer casting jealous eyes on this continent and its people.

Let us now take that positive action which will permit the historians of the future to declare that the Congress of the United States in the year 1969 so added to the defense capability of the United States of America as to preclude the possibility of any successful attack upon that nation—and thus, by taking the potential profit out of war, made peace more possible.

Mr. President, I suggest the absence of a quorum.

The **PRESIDING OFFICER.** The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. **MANSFIELD.** Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

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PRESIDENT NIXON'S SPEECH ON VIETNAM

Mr. MANSFIELD. Mr. President, President Nixon's speech on Vietnam was comprehensive and flexible; it was candid but deliberate. It was a mixture of old conditions laid down by the previous administration with some new interpretations by the present administration and an infusion of the President's personal determination to try to bring the war to an end without a prolonged delay.

The two most significant items, I believe, were, first, its stress on self-determination for all the people of South Vietnam; and, second, the call for simultaneous withdrawal of all non-South Vietnamese military forces as soon as an agreement can be reached.

The latter point would appear to leave some room for practical maneuver. At the same time, the stress on self-determination, in my opinion, underscores the fact that a lasting settlement depends on all the people of South Vietnam, together, working out their future political structure.

The President indicated that the 10 points which were recently advanced by the National Liberation Front were already receiving the most serious and immediate attention of his administration. The outline of proposals in his speech is in the nature of a complement to these proposals. It may be that the two approaches, taken together, will form the basis for the beginning of serious negotiations. As I view them, both sets of proposals are open to a certain "give and take," and the combined initiatives, in my opinion, create an opening which could lead to a responsible solution.

It is late in the day, to be sure; the war has claimed too many lives and continues to claim them. The devastation of city and countryside remains unchecked. It is to be hoped, therefore, that the 10 points of the NLF and the eight points of President Nixon will now go before the Paris conferees without delay and receive the urgent and relentless attention of all concerned.

An aspect of the President's speech which seems to me highly significant was his personal determination to keep his pledge to end the war "in a way that would increase our chances to win true and lasting peace in Vietnam, in the Pacific, and in the world." After reaffirming that pledge the President made the following statement:

> If I fail to do so, I expect the American people to hold me accountable for that failure.

There is no shirking the reality in that statement. There is no evasion of the grim burden of the Presidency. The President has his responsibilities; he has faced up to them, and has begun to act on them by counterposing his eight points to the 10-point proposal of the National Liberation Front.

The reaction, both from Hanoi and the NLF, has been negative, but only in a restricted sense. It has been focused primarily on the third point of the President's proposals; namely, the withdrawal of remaining U.S. and allied forces, as the remaining North Vietnamese forces return to the North.

The U.S. proposals bear President Nixon's personal imprimatur. It is the first public statement of his administration which is of worldwide interest as well as of deep concern to the people of the United States. This statement raises a new hope for peace. On the basis of this approach, perhaps, some light may begin to show at the end of the tunnel. Perhaps, these two sets of proposals may lead to a responsible settlement and this barbaric, tragic, and brutal war can be brought to a close in a peace based on Vietnamese self-determination.

I ask unanimous consent to have printed in the RECORD, as a part of my remarks, a UPI news article setting forth the rival proposals of President Nixon and the Vietcong.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE RIVAL PROPOSALS

Here are the 10 points in the Vietcong peace proposal of May 8, and the 8 points offered by President Nixon last night:

NIXON

1. Withdrawal of all non-South Vietnamese forces from the South as soon as agreement can be reached.
2. Withdrawal of "major portions" of U.S. allied and other non-South Vietnamese forces over period of 12 months, after which the remaining troops would remain in noncombat base areas.
3. Withdrawal of remaining U.S. and allied forces as remaining North Vietnamese forces are returned to the North.
4. Creation of an international supervisory body by mutual agreement to oversee troop withdrawals.
5. The international body would arrange a supervised cease-fire in Vietnam.
6. The international body would hold elections.
7. Arrangements would be made as soon as possible for release of prisoners of war by both sides.
8. All parties would agree to observe the Geneva agreement of 1954 regarding South Vietnam and Cambodia, as well as the Laos accords of 1962.

VIETCONG

1. Respect for Vietnamese people's independence, sovereignty, unity and territorial integrity as recognized by Geneva agreement.
2. Unconditional withdrawal of all U.S. troops and bases from South Vietnam.
3. Self-determination by Vietnamese parties on nature of Vietnamese armed forces in South Vietnam.
4. Political self-determination for South Vietnam by South Vietnam, with free elections and a coalition government.
5. The interim coalition government would oversee withdrawal of allied troops, assure civil liberties and hold free elections.
6. South Vietnam will conduct its foreign policy based on peace and neutrality.
7. Reunification of Vietnam, North and South, without outside interference.
8. North and South Vietnam will join no military alliances, allow no foreign troops on their soil and refuse to recognize military protection from any military alliance or bloc.
9. Negotiated release of prisoners of war and agreement by the United States to bear responsibility for war destruction.
10. International supervision for the withdrawal of U.S. and allied troops.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT UNTIL TUESDAY, MAY 20, 1969

Mr. BYRD of West Virginia. Mr. President, if there be no further business to come before the Senate, I move, in accordance with the order of Wednesday, May 14, 1969, that the Senate stand in adjournment until 12 o'clock noon on Tuesday next.

The motion was agreed to; and (at 2 o'clock and 40 minutes p.m.) the Senate adjourned until Tuesday, May 20, 1969, at 12 o'clock noon.

NOMINATIONS

Executive nominations received by the Senate May 16, 1969:

EXPORT-IMPORT BANK

John Conrad Clark, of North Carolina, to be a Member of the Board of Directors of the Export-Import Bank of the United States.

NATIONAL AERONAUTICS AND SPACE COUNCIL

William A. Anders, of California, to be Executive Secretary of the National Aeronautics and Space Council.

U.S. ATTORNEYS

John L. Bowers, Jr., of Tennessee, to be U.S. Attorney for the eastern district of Tennessee for the term of 4 years, vice John H. Reddy, retired.

William R. Burkett, of Oklahoma, to be U.S. Attorney for the western district of Oklahoma for the term of 4 years, vice B. Andrew Potter.

William L. Osteen, of North Carolina, to be U.S. Attorney for the middle district of North Carolina for the term of 4 years, vice William H. Murdock.

Otis L. Packwood, of Montana, to be U.S. attorney for the district of Montana for the term of 4 years, vice H. Moody Brickett, resigning.

George E. Woods, Jr., of Michigan, to be U.S. Attorney for the eastern district of Michigan for the term of 4 years, vice Lawrence Gubow, resigned.

Charles H. Anderson, of Tennessee, to be U.S. Attorney for the middle district of Tennessee for the term of 4 years, vice Gilbert S. Merritt, Jr., resigned.

U.S. MARSHALS

J. Pat Madrid, of Arizona, to be U.S. marshal for the district of Arizona for the term of 4 years, vice Roland S. Mosher.

John C. Meiszner, of Illinois, to be U.S. marshal for the northern district of Illinois for the term of 4 years, vice Joseph N. Tierney, resigned.

Fred C. Sink, of North Carolina, to be U.S. marshal for the middle district of North Carolina for the term of 4 years, vice E. Herman Burrows.

CONFIRMATIONS

Executive nominations confirmed by the Senate May 16, 1969:

DEPARTMENT OF JUSTICE

Ira De Ment, of Alabama to be U.S. attorney for the middle district of Alabama for the term of 4 years.

Stewart O. H. Jones, of Connecticut to be U.S. attorney for the district of Connecticut for the term of 4 years.

Richard K. Burke, of Arizona to be U.S. attorney for the district of Arizona for the term of 4 years.

Richard L. Thornburgh, of Pennsylvania to be U.S. attorney for the western district of Pennsylvania for the term of 4 years.

EXTENSIONS OF REMARKS

HIGH SCHOOL STUDENT POLL

HON. PAUL J. FANNIN

OF ARIZONA

IN THE SENATE OF THE UNITED STATES

Friday, May 16, 1969

Mr. FANNIN. Mr. President, I was most interested recently in an opinion poll of high school students in the Tucson, Ariz., area conducted by the Tucson Daily Citizen.

Many say they are surprised by the actions of some of today's youth. I think that in reading this poll they will find some surprises and some definite reassurances that by and large today's students are a thoughtful majority who still believe in the principles upon which America was founded.

Mr. President, I ask unanimous consent that the poll be printed in the RECORD.

There being no objection, the poll was ordered to be printed in the RECORD, as follows:

TUCSON DAILY CITIZEN, HIGH SCHOOL OPINION POLL, SPRING 1969—FINAL SUMMARY

Ballots cast, 12,035.

1. Does Tucson offer the opportunity for you to live and work in the area after your schooling is completed?

	Number	Percent
Yes	5,128	43.15
No	5,423	45.63
No opinion	1,332	11.20

2. Do you feel that your parents—

	Number	Percent
Overdiscipline	2,179	18.35
Underdiscipline	843	7.10
Don't care	311	2.61
Are fair	8,540	71.92

3. In the Mideast crisis, the United States should support—

	Number	Percent
Arabs	263	2.21
Israel	2,640	22.18
Stay neutral	6,829	57.38
No opinion	2,168	18.21

4. For what would you rather have your tax money spent?

	Number	Percent
Education	4,425	37.46
Foreign aid	213	1.80
Military	964	8.16
Poverty	5,161	43.69
Space	1,048	8.87

5. For military forces the United States should rely on—

	Number	Percent
Lottery system	1,155	9.70
Present draft system	4,484	37.66
Volunteer system	4,744	39.84
No opinion	1,522	12.78

6. How should the president of the United States be elected?

	Number	Percent
Popular vote	7,634	64.14
Present electoral college	1,484	12.46
Revised electoral college	1,753	14.72
Don't know	1,031	8.66

7. Should we always defend our country even if its actions conflict with our own beliefs?

	Number	Percent
Yes	6,992	58.75
No	3,594	30.19
No opinion	1,315	11.04

8. At what school level should sex education begin?

	Number	Percent
Elementary	4,564	38.27
Junior high	5,019	42.09
High school	1,989	16.68
None	352	2.95

9. Are students justified in ditching school for mass protests or picketing?

	Number	Percent
Yes	3,464	29.04
No	7,090	59.43
No opinion	1,374	11.51

TUCSON DAILY CITIZEN, HIGH SCHOOL OPINION POLL, SPRING 1969—FINAL SUMMARY—Continued

10. Should Arizona school districts adopt a 12-month school year?

	Number	Percent
Yes	1,841	15.44
No	9,654	80.97
No opinion	427	3.58

11. Should black students be bused to predominantly white schools for the purpose of integration?

	Number	Percent
Yes	1,983	16.65
No	8,467	71.09
No opinion	1,459	12.25

12. Do you believe that riots, sit-ins, and picketing by college students have any positive results?

	Number	Percent
Yes	3,681	30.83
No	7,331	61.40
No opinion	926	7.75

13. Should capital punishment be abolished?

	Number	Percent
Yes	4,098	34.32
No	6,686	56.00
No opinion	1,154	9.66

14. Who should decide whether an abortion is justified?

	Number	Percent
Doctor	3,964	33.80
Clergy	408	3.47
Legislature	617	5.26
Persons concerned	6,736	57.44

15. Of five closest friends, how many have used illegal drugs or narcotics?

	Number	Percent
0	5,891	50.13
1	1,478	12.57
2	1,047	8.90
3	870	7.40
4	500	4.25
5	1,965	16.72

16. Where do you get most of your news of current affairs?

	Number	Percent
Newspapers	3,251	28.27
Radio	3,345	29.09
TV	3,859	33.56
Magazines	464	4.03
School current events	578	5.02

ECONOMIC INTERDEPENDENCE OF OREGON AND CALIFORNIA

HON. CRAIG HOSMER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 15, 1969

Mr. HOSMER. Mr. Speaker, a member of the Oregon Water Resources Board was quoted recently as telling the Western Water Congress in Wenatchee, Wash., that Oregon will take a lot of convincing before agreeing to ship surplus Columbia River water to the Pacific Southwest. Well, I would advise the gentleman that he will find all the convincing material he needs in a report released last month by the Colorado River Association.

I am referring to the "Economic Interdependence of the Western States," otherwise known as the McCann report, and if that Oregon water official will take the time to read through its 43 pages of facts and data—compiled from official Federal and State agency records—he will quickly discover that his State enjoys an enormous trade in the seven Colorado River Basin States.

If he is suggesting that the Pacific Northwest hoard its surplus water at the risk of drying up a major market, then he is going to make an awful lot of Oregon manufacturers, farmers, and businessmen very unhappy.

Perhaps only the water resource planners up there are not aware, as the news release accompanying the report points out:

> The value of Oregon products shipped annually to the Pacific Southwest and the Rocky Mountain States tallies in many millions of dollars.

Aside from Washington, maybe, Oregon carries on the heaviest, most lucrative trade with the Colorado River Basin region than any of the Pacific Northwest States.

The extent of the southward stream of Oregon products—her lumber, her onions, her pears, her grains, her livestock—is really amazing. For instance, California alone buys some 2.1 billion board feet of Oregon lumber annually, or roughly one-fourth of the total shipments from Oregon mills.

But that generally is just the current picture and a pretty rosy one at that. However, think of what tomorrow could be like. Imagine for a moment the tremendous prosperity that would be visited upon the Oregon economy if her vast arid acres could be watered by the Northwest's surplus waters flowing south in an interbasin canal.

Blaine Shulz, of the Portland Oregonian, recognized north and south as one of the most objective water reporters in the West wrote only recently that—

> Eastern Oregon could get cheap water for irrigation and a booming construction payroll if an overland canal were built to carry water from the Columbia River to the Pacific Southwest.

And as Philip Walsh, of the Los Angeles Chamber of Commerce, pointed out in his speech introducing the McCann report:

> If an impartial, objective study established that a surplus of water exists in the Columbia River, exportation of some of that surplus to the arid Southwest might be the wisest economic investment the people of the Northwest ever made.

The text of the news release follows:

PORTLAND, OREG., March 24.—A comprehensive economic survey released here today shows that Oregon industry enjoys a heavy, lucrative trade with the seven-state Colorado River Basin area.

The value of Oregon products shipped annually to the Pacific Southwest and the Rocky Mountain states tallies in many millions of dollars, according to the report—"Economic Inter-Dependence of the Western States."

Wilbur McCann, an independent Los Angeles economic consultant, conducted the survey and it was published by the Colorado River Association of California.

One of the report's major findings discloses that the West is an especially important market for Oregon lumber; the Western states in toto got 45 per cent of the state's shipments in 1964 (the latest year for which official figures were available) and 26 per cent was sent to California. Applying the same ratio to production finds California the destination point of 2.1 *billion* board feet from Oregon. That comes out to roughly one-quarter of the shipments from Oregon saw mills.

Another interesting fact uncovered by the McCann survey was that Los Angeles is the most important market in the nation for dry onions produced in Oregon. Of the 762,000 50-pound sacks shipped to four major Colorado River Basin cities in 1966, Los Angeles markets bought 439,200 sacks, or more than half the total. The regional share of onion exports represented more than 25 per cent of the total for 37 other U.S. cities, including Portland itself, Seattle, New York and Chicago.

Other pertinent findings of the report reveal that—

Four major cities in the Colorado River Basin region (Los Angeles, San Francisco, Denver and Salt Lake City) received 166.8 million pounds of Oregon potatoes in 1966, constituting over half of the total shipments to 41 nationwide cities.

Oregon processors sent almost 400 railroad carlots of her pears to the same four Southwest markets in 1966, the two California points getting 365 carlots. Truck shipments of Oregon apples to California totaled 592,000 bushels.

Of the 358,000 beef cattle and calves shipped to California in 1966 by the four Pacific Northwest states, Oregon farmers provided 223,000. In addition, the state's ranchers and processors also sent 162,000 sheep and lambs, and 624 dairy cattle.

Oregon was the source of 23,337 tons of barley, oats, wheat and other grains exported to California alone in 1966. That figure is for truck shipments alone.

The amount of air passenger traffic from the Portland Airport to and from points within the Colorado River Basin states exceeds by 15 per cent the traffic within the Pacific Northwest states. In 1966, the total for Southwest movement was 532,440 passengers, compared with 362,580 for intraregional traffic.

The findings and conclusions of the study were discussed by Philip F. Walsh, vice president of the Los Angeles Chamber of Commerce, in a speech to Portland's like organization.

AMERICAN SEAPOWER

HON. JOHN G. TOWER

OF TEXAS

IN THE SENATE OF THE UNITED STATES

Friday, May 16, 1969

Mr. TOWER. Mr. President, I ask unanimous consent that a most thoughtful and timely address by Mr. Edwin M. Hood, president of the Shipbuilders Council of American, be printed in the Extensions of Remarks.

In the address, Mr. Hood gives his latest views on the problems of American seapower, both merchant and military. I commend his address to the attention of the Senate.

There being no objection, the address was ordered to be printed in the Record, as follows:

Speech by Edwin M. Hood, President, Shipbuilders Council of America, Before 23d Convention, Pacific Coast Metal Trades District Council, Konocti Harbor Inn, Clear Lake, Calif., Monday, May 5, 1969

When one looks at a map or globe of the earth, it can be quickly seen that the world could easily be dominated from the seas.

Hundreds of years before the birth of Christ, a statesman of Athens, Themistocles, persuaded his countrymen to increase their naval strength with his philosophy that "he who commands the sea, has command of everything."

The North American continent was discovered from the sea, and the American colonists quickly recognized the importance of the seas. Without trade and commerce, and access to the ocean trade routes, the early settlers of our nation sensed that freedom from oppression could never succeed.

So it has been, down through the ages, sea power—control of the seas—has played a decisive and important role in the development of the United States.

The late President Kennedy put it this way: "Control of the seas means security. Control of the seas can mean peace. Control of the seas means victory. The United States must control the seas if it is to protect our security."

President Nixon, during the political contest of last year, stressed another dimension. He said: "Sea power is the ability of a nation to project into the oceans, in times of peace, its economic strength; in times of emergency, its defensive mobility."

With nearly seventy percent of the earth's surface covered by water, and with the United States of America, for all practical purposes, surrounded by water—the quoted words of President Kennedy and President Nixon have a substantial meaning: our nation could not survive without naval ships and merchant shipping, and the capability to use the oceans in the national interest.

Every President of the United States has recognized the significance of sea power to security and survival. Sea power is an ingredient of national strength that enjoys bi-partisan political support. Yet, control of the seas, as defined by Presidents Nixon and Kennedy, needs much more public understanding.

Admiral Alfred Thayer Mahan, a distinguished U.S. naval officer and historian, was perhaps the first authority to trace the historical relationship between sea power and political power. Sea power, in his view encompasses both naval and merchant ships plus all of the productive resources of the nation—shipyards among them—that are necessary to sustain them. He, and others, have pointed out that control of the four narrow waterways—the Southeast Asia Strait of Malacca, the Panama Canal, the Suez Canal and the Straits of Gibraltar—could either frustrate or advance the political objectives of an aggressive or friendly power.

One of these—The Suez Canal—was closed during the Arab-Israeli War of 1967. Fourteen sunken merchant ships have subsequently rendered this waterway ineffective as a connecting link beween the Mediterranean Sea and the Indian Ocean, and at this moment there appears to be no prospect of early reopening. As a consequence, the commercial trade patterns and ocean strategies of many nations have been essentially revised.

Almost coincidentally, the emergence of the Soviet Union as a sea power has come to general notice. To that point in time, the remainder of the world has not fully appreciated that the octopus of international communism, among other things, was a marine creature of substantial proportions. The relative balance between U.S. and U.S.S.R. strength at sea has, in fact, altered significantly since the end of World War II.

The Russian Navy is today second only to that of the United States, and the Soviet merchant marine will shortly be larger than the American maritime fleet in terms of both numbers and tonnage. Russian fishing and oceanographic ships are probably the most modern now afloat.

Soviet trawlers are equipped with electronic gear and have monitored U.S. and NATO naval maneuvers. In addition, they maintain a constant surveillance of U.S. Polaris submarine bases, and there have been frequent reports of the manner in which Russian fishing and oceanographic vessels have been employed as "lookouts" for the Russian Navy. All Soviet ships, from nuclear submarines to fishing trawlers, are believed to contribute to a total oceanographic effort, and every Soviet ship is said to gather data for future naval and commercial operations.

The geopolitical implications of this steadily growing communist armada to the national security of the United States and to the collective security of the entire Free World have been brought into sharp focus by the withdrawal of the British Navy from historic outposts, the aggressive solicitations of commercial cargoes by the Russian merchant marine, and the imposing presence of the Soviet naval fleet in the Mediterranean Sea.

In recent weeks, there have been numerous press accounts of accelerating Russian naval buildup in that sensitive area of the world. NATO officials have reported that Soviet ship activity in the Mediterranean has increased sevenfold over the last five years, and that today there are more than 50 Soviet naval vessels including 14 submarines—the largest fleet the Russians have ever assembled in that area.

This buildup, of course, conforms with usual Russian dogma; a careful measured show of strength for political and psychological reasons, in a region of strife and turmoil at a tender moment of history. The objective is not primarily military; more likely it is to harass the efforts of the United States and other Free World powers to encourage peace and calm in the Middle East.

Soviet ocean strategy, like international communism, has fixed goals, though those goals may often be confusing or contradictory and not always readily discernible. This strategy would seem to envision an eventual contest of naval blockade and/or commerce destruction between the two super powers of the world, and such a contest could well decide the future of freedom on the seas. Such a contest could quickly demonstrate the comparative strength of U.S. and Russian sea power.

In March of 1959, just 10 years ago, it was the judgment of a civilian survey team that the U.S. naval fleet "is not in an acceptable state of readiness." The Chief of Naval Operations, when then queried on this point, inferred that our fleet is not as good as it should be and went on to say "we'll do the best we can and that will be plenty good."

Under increasingly difficult circumstances of obsolescence, antiquity, material fatigue, and restrained logistical backup, the United States Navy has admirably proven the validity of that pledge. In time-honored naval tradition, the men and officers of the Navy have stretched American ingenuity and perseverance to the utmost limit.

The disturbing condition cited in 1959 was attributed to the everwidening gap between the expanding responsibilities assigned to the Navy and the financial resources allocated to it. It would seem the same condition has persisted.

In the Fall of 1962, the House Committee on Armed Services warned that "it is a statistical certainty that our fleet will be unable to perform its assigned role in the years to come" unless attention is given the serious problem of obsolescence. Obsolescence was defined as "a depreciation of existing ships, equipment, weapons systems due to the development of greater threats and advanced technology." The implied threat, of course, was that posed by the Soviet Union.

That same Committee—seven years ago—concluded that "a 7-year program to build or convert approximately 500 ships of various types is needed to produce naval forces of the quantity and quality required to perform effectively under the operational and strategic environment 10 years from now." Seven years later, in the year of 1969, nearly two thirds of the U.S. naval fleet is composed of vessels 20 years of age or older, and the level of financial resources allocated to it in the interim has obviously been inadequate.

Only last month, the Special Subcommittee on Sea Power of the House Committee on Armed Services released what has been widely described as a "shocking" report on the status of our naval ships. It was today's judgment of that well-informed group that "in naval matters, the United States no longer enjoys clearcut military and technological superiority" over the Soviet Union. With charts and photographs, the qualitative and structural deterioration of U.S. Navy ships were dramatically shown.

Less than one percent of the Soviet Navy is 20 years of age, and with this statistical fact, the sensitive significance of the relative balance between U.S. and U.S.S.R. sea power, is graphically illustrated. But, there are other startling statistics:

Russia reportedly has 100 submarines capable of firing missiles compared to our 41.

The Soviets lead the U.S. in attack submarines by 2½ to 1.

All of the Soviet's 250 attack submarines are less than 20 years old; 60 of our 105 are more than 20 years of age.

Russia has less than half as many conventional destroyers as we (86 to our 177), but 163 of ours were built in World War II while all of the Russian ships of this class are much less than 20 years of age.

The Soviets have 150 missile patrol boats; we have none.

The Russian merchant marine, which in 1950 comprised only 432 ships aggregating 1.9 million deadweight tons, now numbers more than 1,500 ships and is expected to total 14 million tons by the end of 1970—a sevenfold increase—or a 700 percent increase—in tonnage.

In sharp contrast the American merchant fleet, which in 1950 comprised 1,900 ships totaling 22 million tons, at the beginning of this year consisted of only 1,033 active ships of 15.8 million tons—a 45 percent decrease in numbers of ships and a 28 percent drop in tonnage. Further contractions in the U.S. shipping fleet can be expected during the next 18 months.

Last November, the Soviets were constructing 458 merchant ships to our 62.

For the past several years, new ship deliveries to the Russian merchant fleet have outpaced U.S. deliveries by a ratio of nearly 6 to 1.

About 80 percent of the Soviet shipping fleet today is less than 10 years of age, while approximately 80 percent of the American merchant marine is 20 years of age or older.

And so we come full circle—our Navy and our Merchant Marine are both plagued with a high degree of obsolescence. But these comparisons tell only part of the story. The Russians remember all too well that which we are often quick to forget—the importance of control of the oceans. In the vacuum created by apparent American lethargy and the retreat of the British Navy on all fronts, the Kremlin obviously intends to use the oceans for exploitation of Soviet political, psychological and economic objectives.

That the Soviet Union has embarked on a carefully conceived plan pointed toward mastery of the seas there can be little question. The political and economic advantages are easily recognizable. Less obvious is the propaganda potential. As these modern ships, flying the ensign of the hammer and sickle, spread each day more expansively over the oceans, they suggest a posture and strength of frightening proportions to uncommitted or lesser developed countries. The severity of this symbolism is easily portrayed by the arithmetic of our own sea power inventory.

In sum, Soviet Russia is mounting at sea a new challenge that the United States will have to deal with long after the fighting in Southeast Asia is ended. This challenge extends across the full spectrum of sea power. If the United States is to continue as a preeminent world power, this challenge must be faced squarely. But, it will not be effectively met with old ships of questionable reliability. It will not be effectively met by the "lick and promise" that has been descriptive of our nation's attention to strength on the seas over the past many years.

What is needed is a fixed national determination such as the Russians have seen fit to adopt and pursue in their own national interest. What is needed is a forceful acknowledgement by the stewards of national policy that strengthening our nation's sea power resources, in all respects, will require a higher priority in the orchestration of essential national goals and fiscal plans than has heretofore been the case. What is needed is a realistic, well-conceived, orderly and stable program to assure that our vigor on the oceans is not deficient in any category—a program which does not ebb and flow with the changing tides of expediency, neglect, inertia, and wishful thinking.

GOVERNOR PETERSON'S LEADERSHIP

HON. LOUIS C. WYMAN

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 15, 1969

Mr. WYMAN. Mr. Speaker, the way Dartmouth College officials acted promptly to avail themselves of civil process when faced with student insubordination and trespass at Hanover, N.H., illustrates how to deal with this continuing problem effectively. This is by application to the court for a court order called an injunction.

Once an injunction has been issued, student trespass, if continued, becomes a contempt of the court and assistance through law enforcement officials is available to back up the judicial order.

In the Granite State, this assistance was effected in exemplary fashion by New Hampshire's Governor Walter Peterson, who, acting on the request of college officials, authorized the State police to remove students who refused to leave college buildings.

The Governor also directed that the removal be accompanied with a minimum of physical force and without violence unless violence was first initiated by the offending students.

This was done—all within a few hours—and without violence, although some offenders had to be physically removed. Shortly thereafter the court sentenced the deliberately contemptuous student leaders to 30 days in jail, where they are now confined.

This is a good example for other institutions that may face similar willful trespass or worse. Congratulations are in order to all concerned and particularly to the Governor, himself a Dartmouth alumnus. In this connection the following account from the current issue of Newsweek is of interest.

BUST AT DARTMOUTH

At first the events at Dartmouth had a familiar ring. Like Harvard radicals a few weeks ago, Dartmouth radicals protested, among other things, the university's reluctance to abolish immediate ROTC programs from the campus. The faculty had decided that ROTC should be abolished, but not until 334 students now enrolled in the program had graduated. For many students, radical and moderate, 1973 was too long to wait.

Rumors that radical students were preparing to take over a campus building spread around campus for several weeks. The administration announced its own plan: if students occupied a building, officials would seek an injunction from the local courts before police were called.

FORCE

Nevertheless, about 100 students last Wednesday swept into the main administration building and forced out administration officials. President John Sloan Dickey left of his own power. but the dean of freshmen was inelegantly rolled out in his desk chair. As the news spread, the crowd outside the building swelled to about 1,000 (out of a total enrollment of 3,596). Some were sympathetic with the radicals; others were not ("Dartmouth—Love It or Leave It" read one button some students wore).

The stage thus was set for a brutal round of bloodletting. But the administration first set in motion the previously published plan. "You are now in violation of the guideline of dissent," Thaddeus Seymour, dean of the college, told radicals entrenched in Parkhurst Hall. Then Dickey petitioned for an injunction hearing in court. This made the occupation a civil matter rather than a university matter. At this point, New Hampshire Gov. Walter R. Peterson (Dartmouth '47) took over from Dickey.

Once the court granted the requested injunction barring further occupation of the building, Peterson personally instructed some 100 state police—and a small contingent borrowed from the State of Vermont—assembled in the nearby Lebanon, N.H., armory that "minimum violence was a must." The Grafton County sheriff served the court order on the protesters, saying they had two hours to leave or be in contempt of court. At 3:30 a.m., the police moved in and minutes later the radicals were out. "No clubs, no Mace, no brutality," reported one eyewitness. "It was a perfect bust," says assistant dean Paul W. Rahmeier.

But some student said that they had been Maced, and by the weekend it was clear that the local court, at least, was in no mood to be lenient. The county prosecutor requested fifteen-day jail sentences. Nevertheless, Judge Martin Loughlin sentenced 40 Dartmouth students to 30 days in jail.

A NOTABLE DISSENT IN ALABAMA

HON. LEE METCALF

OF MONTANA

IN THE SENATE OF THE UNITED STATES

Friday, May 16, 1969

Mr. METCALF. Mr. President, last year the Alabama Public Service Commission denied a rate increase sought by Alabama Power Co. Last month, two of the commission members, President Eugene "Bull" Connor and C. C. "Jack" Owen, granted the company most of what it asked for, on the basis of the same record upon which the request had previously been denied. The third member of the commission, Miss Sibyl Pool, dissented.

Miss Pool does not believe that Alabama Power should collect $3.7 million for fictitious "taxes." She does not believe that the company's rate base should be padded with $35 million in bank deposits and land casually appraised far above its cost. She does not believe that $189,409 in "charitable contributions," for which the company takes the credit, should be collected from the customers.

She wonders why "the majority talks only of the high cost of obtaining new debt capital, while ignoring completely the much lower embedded cost of the company's debt and preferred stock."

She notes that "testimony from the company's financial expert shows that actual earnings in the test year were as high as the expert recommended the company should be permitted to earn."

She supports the witness for the Alabama Textile Manufacturers Association, who used statistics, compiled from electric utilities' own reports to the FPC, pointing out that "the FPC statistics have the outstanding advantage of being computed on an entirely uniform procedure with adjustments, where necessary to put the earnings of all utilities on a basis equivalent to using flow-through accounting."

Mr. President, it is heartening to me that members of utility commissions in various States, despite their workload, despite their staff shortage, despite the political pressures on them to grant what the utilities want, are trying to rid regulation of some of the costly and indefensible policies which utility companies have lobbied through. I ask unanimous consent that Commissioner Pool's dissent be printed in the RECORD.

There being no objection, the dissenting opinion was ordered to be printed in the RECORD, as follows:

DOCKET NO. 16044: SEPARATE DISSENTING OPINION OF ASSOCIATE COMMISSIONER SIBYL POOL

Alabama Power Company, petitioner.

Petition: For approval of new schedule of rates for retail electric service.

The order approved by the other two commissioners on April 28, 1969 was issued in the name of "The Commission" without reflecting the fact that I voted against the order and stated my intent to file a dissenting opinion. To the extent that the form of that order conveys the impression that it was approved by the entire Commission, it is incorrect.

In our original order of June 24, 1968, all commissioners unanimously found the Company's existing rate schedule to be adequate and denied the proposed rate increase entirely. This new order approved by the majority gives Alabama Power Company all but a fraction of the rate increase it asked for and will result in an annual increase in electric bills to the people of Alabama of more than $13 million. The majority's new order is based on the same test year, the same record and the same evidence as our original order. Considering this, I fail to understand how the other two commissioners can so completely reverse their positions in this case. Moreover, when a majority of this Commission so completely reverse its position without apparent reason, in a case of this importance, it can only make the Commission appear irresponsible in the eyes of the people of Alabama.

The new order of the majority was ostensibly issued in response to an order of the Circuit Court of Montgomery County, but it goes far beyond what this Commission was asked to do by the Circuit Court. The Circuit Court asked only for findings of fact and did not request or authorize any change in the result or effect of the Commission's original order. This case has been on appeal to the Circuit Court since July of 1968 and it is still under its control. In my view, this Commission does not have jurisdiction to now change its original order so as to grant a rate increase it has already denied, or do anything else in this case except make the findings of fact requested by Circuit Court.

Quite apart from my belief that the Commission should not, and indeed cannot, reverse its position in this case while it is on appeal, I disagree with and dissent from the findings and conclusions of the majority. My reasons follows:

THE FAILURE TO SEPARATE FINANCIAL DATA

One of the most glaring deficiencies in Alabama Power's case as presented to the Commission was its failure to separate its investment, expenses and revenues attributable to sales subject to the jurisdiction of the Alabama Public Service Commission from the investment, expenses and revenues attributable to sales which are subject to the jurisdiction of the Federal Power Commission. A substantial portion (approximately 15.6%) of Alabama Power's total energy sales fall into the category referred to as "wholesale for resale." None of such wholesale sales are subject to the jurisdiction of this Commission. Rather, they are subject to the jurisdiction of the Federal Power Commission.

The financial date submitted by Alabama Power in this case does not purport to separate the investment, expenses and revenues attributable to the jurisdictional sales from that attributable to nonjurisdictional sales. This makes it impossible to reach a valid determination of the return actually being earned on the sales subject to the jurisdiction of this Commission. Evidence submitted by Alabama Power strongly suggests that the return being earned by the Company on the nonjurisdictional sales is far below the return being earned on the sales over which this Commission has jurisdiction. The Company's evidence does show that its return on wholesale sales in Alabama is far below the return earned on direct retail sales. However, the form in which this evidence was presented does not reflect the return, if any, earned on wholesale sales outside Alabama to affiliated companies in the Southern System Power Pool. It may well be that, if the evidence permitted a proper separation of financial data, it would disclose that the Company is being permitted to earn an excessive return on jurisdictional sales in order to make up for a deficiency in earnings from nonjurisdictional sales. This is contrary to sound regulatory principles and grossly unfair to the Alabama public whose interests this Commission is charged with protecting.

The principle of separation of jurisdictional from nonjurisdictional operations is, so far as I am aware, universally followed by regulatory agencies. It arises with respect to telephone companies and railroads, both of whom engage in intrastate and interstate operations, which are subject to the control of different regulatory authorities. A similar situation exists where electric utilities operate across state lines and render intrastate service in two or more states. Even in this case Alabama Power recognized the separation principle by eliminating the investment, revenue and expenses attributable to its steam heat operations which, though subject to the jurisdiction of this Commission, are entirely unrelated to the matter of electric rates and charges and also applied the principle with respect to its non-utility operations, such as merchandising and jobbing.

A regulatory authority cannot justify unreasonably low rates for intrastate, or jurisdictional, service on the grounds that the utility is earning large profits on its interstate, or nonjurisdictional, operations and likewise should not permit a utility to impose unreasonably high rates on intrastate, or jurisdictional, operations in order to meet losses or make up for very low returns earned on interstate, or nonjurisdictional, business.

Under the prevailing decisions, the State of Alabama, through this Commission, has no authority to regulate any of the wholesale sales of Alabama Power Company. Therefore, the separation of investment, revenue and expenses is important not simply as a theoretical allocation to two branches of the business; it is essential to an appropriate recognition of the competent governmental authority in two fields of regulation.

In my previous concurring opinion in this case I took the financial data submitted by Alabama Power and used it to show that no rate increase is needed. That was sufficient to dispose of the case presented to the Commission by Alabama Power's petition. On the other hand, I consider it a grave error for the majority to use financial data which fails to make the appropriate separation of operations where the result is to change the existing rates, either upward or downward.

REASONABLE VALUE OF THE RATE BASE

In my previous concurring opinion I developed a reasonable value for the Company's electric properties devoted to the public service of $801,188,838, which I considered generous under the circumstances. The majority of the Commission now finds that the reasonable value of the rate base is $836,208,642. The difference of approximately $35 million appears to be attributable to three factors: (1) The majority failed to eliminate $4 million average daily bank balances from the required working capital. (2) The majority permitted land to be included in the reproduction cost study at so-called appraised values instead of at original cost. (3) The majority assigned one-third weighting to each of original cost, invested capital and reproduction cost, whereas I had assigned 35% weighting to original cost and invested capital, and only 30% to reproduction cost.

Alabama Power claimed as needed working capital an amount equal to ⅛ of its annual operating expenses. But an allowance is widely used by regulatory agencies, but the proposition which permits its use includes the limitation that this amount should cover the company's needs for working capital. Very few regulatory agencies permit the inclusion of even minimum bank balances in the rate base in addition to an allowance of ⅛ annual operating expenses. Those that do generally require a strong showing of special need. In this case the Company specifically declined to characterize the amount claimed as minimum balances. There is no evidence in this record that ⅛ annual operating expenses, plus other accruals available to the Company, are inadequate to provide whatever amounts might be required for minimum bank balances. Moreover, the Company failed to submit any study of the amount of funds made available to it through deferred payments for its various purchases. This is undoubtedly a significant amount and reduces the need for working capital.

I have already mentioned, in my previous concurring opinion, some of the reasons why I would not permit land to be valued, for rate making purposes, at more than its original cost. In addition to the reasons already stated, I would reject the claimed additional value in this case because of the lack of adequate evidence. This land was supposed to have been valued by appraisal. However, except for individual parcels located in cities, there was no appraisal in the usual sense of the word. The Company's appraisal witness merely took the "surviving dollars" in the Company's various land accounts and multiplied these amounts by trend index numbers taken from a U.S. Department of Agriculture Report entitled Farm Real Estate Market Developments. This land was acquired by eminent domain proceedings or under a program where such proceedings were available. It is common knowledge that condemnation awards, as well as negotiated prices in such circumstances, are ordinarily higher than prices prevailing in private sales and, where

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there is a partial taking, such awards and prices include severance damages in addition to that paid or awarded for the land acquired. Moreover, under established accounting procedures the amounts recorded in the land accounts to which the trend index numbers were applied include all costs incurred in connection with land acquisition, including legal expenses. Such incidental costs add nothing to the present fair market value of the land. The Department of Agriculture bulletin used by the Company's appraisal witness was never intended to reflect trends or changes in values of utility property. It is obvious, therefore, that the evidence on this subject constitutes a complete misuse of the trending process and the end result is totally unrelated to the present fair market value of the property involved. Consequently, I would reject the additional values claimed for land on this basis alone.

The additional weighting assigned by the majority to the reproduction cost values above the weighting I assigned in my previous concurring opinion leads me to point out some additional weaknesses in the Company's reproduction cost study. As I understand the procedure, the trended values were first brought up to December 31, 1966 and the "net additions" to the electric plant in service made in 1967 were then added without trending. The "net additions" in 1967 is the excess of the cost of plant additions above the cost of plant retirements during the period. Such retirements would ordinarily be the oldest property in each class and presumably had been assigned trended values susbtantially in excess of their original cost as of December 31, 1966. The effect of the Company's procedure, therefore, is to include the property retired in 1967 at "reproduction values" and then to eliminate it at original cost with a resulting inflation of the claimed reproduction values unrelated to any property in service. A similar deficiency exists with respect to the elimination of the investment made with funds acquired through accelerated amortization, liberalized depreciation and unamortized investment tax credit. Company witnesses admitted at the hearing that the investment made with such funds should be assigned a "zero cost" and should not be used as a basis for further charges to the rate payers. Accordingly, the majority has excluded from each of the three rate base components a total of $53,224,977 on account of such funds. But this exclusion with respect to the reproduction cost component of the rate base is inadequate. Such funds have been made available to and used by the Company in each year since 1954. The electric plant acquired with these funds was, therefore, assigned trended values in the reproduction cost study. The elimination of this investment at original cost results in an unwarranted inflation of the claimed reproduction cost. Of course, the $4 million claimed for bank balances should be eliminated from the working capital portion of reproduction cost for the same reasons that it should be eliminated from the working capital portion of original cost.

INCOME UNDER PRESENT RATES

The only adjustment made by the majority to the Company's figures for adjusted net electric operating income is the addition of $76,000 for the after-taxes effect of additional income to be derived from a change in the Interchange Contract effective June 1, 1967. This head-in-the-sand approach to the Company's true financial circumstances results in a serious understatement of its actual net earnings from electric operations.

The majority makes a careful statement of the theory upon which annualizing and normalizing adjustments are made to actual net income in the test year. I agree that such adjustments should be made, but they cannot be made on a piece-meal basis. A glaring omission in such adjustments shown by the record is the Company's failure to adjust the amount of interest charged construction to reflect the rate at which such interest was being charged at the end of the test year. During 1967 the Company increased the rate at which such interest was being charged to 6%. The same theory which permits the adjustment for increased wage rates, social security taxes and postal rates requires an adjustment for the increase in the rate at which interest on construction is charged. Application of the 6% rate to the amount of construction work in progress during 1967 would produce an addition to operating income of $3,043,443, whereas the Company's booked figure was only $2,783,852. This difference requires an adjustment of $259,591 as an addition to test year net income.

I have already stated in my previous concurring opinion the reasons why I would not allow charitable contributions as an operating expense. The amount of such contributions in 1967 was $189,409 and should be added to the Company's statement of test year net income.

The majority also permits the Company to reduce its stated net income by the fictitious expense labeled "deferred income taxes." The amount claimed for this "expense" is $3.7 million, which also happens to be the after-taxes amount of additional net income the Company represented it would derive from the new rate schedules if aproved as requested. All the Company's circular arguments in support of its right to recover this non-existent "expense" from the rate payers do not conceal the facts that the amounts claimed for this "expense" have not been paid, are not owed and will not be paid or owed at any foreseeable time in the future.

The majority apparently accepts the Company's argument that accelerated depreciation uses up the "asset" of tax deductions generated by depreciation in a manner which requires the reflection on its books of a current cost. The fallacy of this argument is that it assumes that the asset of tax deductibility belongs only to the Company. However, since the Company looks to its customers to pay its taxes through the rates, the asset of tax deductibility rightfully belongs to the ratepayers. Therefore, at least for rate making purposes, the amount the Company is permitted to claim as a current tax expense should be limited to the amount of taxes it actually pays.

The majority states four "assumptions" which it says must be made before the position that accelerated depreciation results in tax savings, rather than tax deferrals can be accepted: (1) The entire property of the taxpayer must be considered rather than just a single unit of property. (2) The corporate tax rates must remain unchanged. (3) The liberalized depreciation provisions must not be changed. (4) The taxpayer must experience continuous growth, with investments in depreciable property of the same or larger amounts in each subsequent year. I have no difficulty with any of these "assumptions" because they have all existed since the provisions for liberalized depreciations were put into the tax laws in 1954 and all exist at the present time. I disagree that these conditions must be assumed to continue "into perpetuity." Sound utility regulation can only be based on existing or definitely foreseeable conditions. Anyone can speculate about possible changes, but the record does not show when, if ever, any such change will occur. If any such change does occur and works a hardship on the Company, the Commission is fully capable of responding in an appropriate manner; and I consider it grossly unfair to the ratepayers of Alabama to make them pay rates based on possibilities which may never occur. The majority's reference to the Revenue and Expenditure Control Act of 1968 is misleading. Though hardly recognizable by the majority's description, the tax rate change produced by this Act is the "surtax", for which separate provision is made in the Rate FT. So long as the Company is permitted the Rate FT, neither nor any other change in tax rates will prevent accelerated depreciation from producing tax savings.

The record also shows that the Company's representation of its adjusted net operating income is not complete. There was a second change in the Interchange Contract, effective June 1, 1968. This change involved raising the "August energy availability" attributed by the Southern System Power Pool to Alabama Power's hydro-electric facilities. As a result of this change, Alabama Power has to purchase less peak period capacity from the Power Pool. The record does not show the amount saved by this change, but does show that it has actually occurred as a result of a definite contract change that was in existence at the time of the hearings in this case. The principle which permits the Company to make its normalizing and annualizing adjustments increasing certain of its expenses due to changes taking effect during or shortly after the close of the test year and affecting future operations requires that a similar adjustment be made to increase net operating income resulting from this known change in an existing contract. Approving a rate increase without requiring disclosure of this additional income available to the Company under the present rate structure can only be characterized as knowingly permitting the Company to understate its income for purposes of these proceedings.

The amount of net income the Company will derive from the proposed rate schedules also appears to be understated. Although admitting that the rate increase will eventually affect its special contract customers, the Company has not disclosed any information about the amount of additional income to be received from such customers who, in 1967. purchased 18% of the total energy sold by Alabama Power. These customers are served under special contracts, usually of 5 years duration, which ordinarily incorporate the published rate schedule applicable to the particular class of service involved.

Although these contracts are not immediately affected by the proposed rate increase (unless the contract happens to expire at or about the time the new rates go into effect) it is clear that, as the contracts do expire, the special contract customers will either revert to non-contract service under published rate schedules or will be offered a renewal contract which incorporates the published rates. Thus, it is clear that within a reasonably short time Alabama Power can have the benefit of the new rates with respect to this entire block of sales. Until the additional revenue to be anticipated from the special contract customers as a result of the new rate schedules is disclosed, it is impossible to make a meaningful determination of the return the Company can actually be expected to earn under the proposed new rate schedules.

FAIR RETURN

I find the discussion of fair return to be the most unsatisfactory part of the majority order. The Company only asked for a rate of return of 5.54% on the reasonable value of its rate base, yet the majority asserts, without explanation, that a return of 5.867% on such reasonable value is "obviously" not sufficient.

The majority puts great emphasis on the Company's need to attract capital for the expansion of its plant to meet the demands of anticipated growth. However, the record shows that, under existing rates, the Company has been able to raise the capital it needs on a very competitive basis. This was true even in 1968. During the hearings in 1967 Mr. Rucker Agee, one of the Company's financial experts, solemnly predicted that the market would not permit Alabama Power to sell its 1968 bond issue or place its 1968 issue

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of preferred stock at rates less than 7¼%. But 4 months later the bonds were sold at 7% and the preferred stock was placed at 6.88%.

In this connection the majority talks only of the high cost of obtaining new debt capital, while ignoring completely the much lower embedded cost of the Company's debt and preferred stock. In citing the cost of new capital the majority also ignores the fact that the Company receives each year a substantial part of its total capital requirements at no cost, through its reserve for deferred taxes. In 1968 the Company issued $25 million of bonds at 7%, $5 million of preferred stock at 6.88% and received $4.3 million of capital at no cost through the accounting exercise involving deferred income taxes.

I deem it significant that no witness claimed Alabama Power Company has sufered any deterioration in its rate of earnings. The statistics compiled by Mr. Sanford Reis, the Company's leading financial witness, show that the rates of return earned by Alabama Power in each year since 1957, while varying slightly, have remained essentially stable. This may be seen on Schedules 29 and 30 of the Company's Exhibit 21. In addition, the Company's annual financial reports show that the dividends per share paid on common stock have steadily increased during this period, as has the Company's unappropriated earned surplus. Mr. Reis's comparison of the rate of earnings of Alabama Power to the earnings rate of 13 utility companies selected by Mr. Reis is not persuasive because 7 of these 13 companies use flow-through accounting. If Alabama Power used flow-through accounting its net income in 1967 would be increased by $3.7 million. Thus, it is apparent that a comparison of Alabama Power's unadjusted earnings to those of companies using flow-through accounting is highly misleading. A more significant feature of Mr. Reis's testimony was his admission that the actual earnings of Alabama Power in 1967 equalled the earnings rate he had recommended. As the culmination of his prepared direct testimony, Mr. Reis testified that an overall rate of return of 7.0% would be appropriate for Alabama Power. On cross-examination he admitted that in 1967 the Company had actually earned his recommended return of 7%. Of course, as the majority pointed out, Mr. Reis's testimony referred to the overall return on invested capital and the 7% rate is not applicable to the increased values associated with the reasonable value rate base. Nevertheless, this testimony from the Company's financial expert shows that actual earnings in the test year were as high as the expert recommended the Company should be permitted to earn.

The majority criticizes the reference by Mr. Joseph Benson, a witness for Alabama Textile Manufacturers Association, to the rates of earnings stated in a publication of the Federal Power Commission. This criticism seems altogether unjustified. The FPC statistics have the outstanding advantage of being computed on an entirely uniform procedure with adjustments, where necessary, to put the earnings of all utilities on a basis equivalent to using flow-through accounting. This has an obvious advantage over the kind of comparison made by Mr. Reis with his 13 companies, where the financial information published by the companies is taken without adjustment. Moreover, Mr. Reis himself uses the rates of return published by the FPC. (See Mr. Reis's Schedule 29.)

There is a total absence of logic or reasoning to support the findings of the majority that a rate of return of 5.867% applied to the reasonable value rate base would be insufficient and that a rate of return of 6.257% would not be excessive. The majority also fails to point out the effect of the rate of return it approves on Alabama Power's sole common stockholder (The Southern Company). The majority has found that, in the form approved, the new rate schedules will produce a net income of $52,318,718, based on 1967 sales. Annual charges for "fixed cost capital" must be paid from this amount. Interest, on debt attributable to electric operations in 1967 was ($393,763,491 × 4.34%) $15,069,336. Dividends on preferred attributable to electric operations were ($75,050,040 × 4.59%), $3,444,797 and interest required on customer deposits was ($1,617,439 × 6.0%) $96,846. Thus, the total "fixed charges" attributable to electric operations in 1967 were $18,610,979. Deducting these fixed charges from the net income of $52,318,718 leaves $34,163,540 available for dividends to common stockholders. On the common equity attributable to electric operations ($243,236,182) this amounts to a return of 14%; which is greater than any Company witness claimed to be required. (Derivation of the amounts of the several classes of capital attributable to electric operations is detailed in my previous concurring opinion.)

POSITION OF ALABAMA POWER COMPANY IN THE SOUTHERN SYSTEM POWER POOL

The majority has gone out of its way to whitewash the effect on Alabama ratepayers of Alabama Power's position under the Interchange Contract which controls operation of the Southern System Power Pool. However, the record has not convinced me that Alabama Power is getting a just return for its contributions to the Power Pool. The most significant contribution Alabama Power makes to the Pool is through its hydro-electrict resources. At the end of 1967 Alabama Power provided approximately 70% of the hydro-electric capacity on the entire Southern Company System.

There are important differences in the operating characteristics of steam and hydro-electric generating stations. Steam plants can be operated on a substantially continuous basis and generally are used to meet the demand of the system's base load. Hydro-electric plants ordinarily are not used to supply the base load because their operation depends on available water supply. The principal utility of hydro-electric plants is in providing system reserves and short duration capacity to meet peak loads. The evidence shows that the principal function of Alabama Power's hydro-electric facilities is to provide such peaking capacity for the entire Southern Company System. Company President Walter Bouldin testified that the hydro-electric plants of the Company are principally used to meet peak load requirements and that these plants normally generate only a few hours each day.

Since 1958 Alabama Power has invested approximately $200 million in hydro-electric generating facilities, which have been installed for the benefit of the entire Southern Company System. The effect of this investment on its rate base and, consequently, on the Alabama ratepayers is obvious. This investment has been very costly to Alabama Power, both in terms of its total magnitude and in terms of its unit cost. For example, in 1967 the average net investment cost for hydro-electric generating capacity was $278.40 per kilowatt, as compared to $124.08 per kilowatt for base load capacity steam plants and only $67.78 per kilowatt for a "stripped" steam plant built to supply peaking capacity which, as stated, is the principal operating function of Alabama Power's hydro-electric facilities.

Alabama Power sells this peaking capacity to the Southern System Power Pool at a price in 1967 of $11.24 per kilowatt-year. At the same time, Alabama Power must purchase base load capacity which it lacks and pays for this capacity to the Pool at the rate of $19.24 per kilowatt-year. The quantities bought and sold in these transactions run the total dollars involved into the millions.

Alabama Power also sells energy to the Southern System Pool, which it refers to as "economy energy." This energy is sold at a price only slightly above the incremental cost of generation. This price does not purport to cover the full cost to Alabama Power of producing the energy because it does not include any allowance for fixed charges, relating to investment in the plant facilities used in generating the energy. The full amount of such fixed charges, being substantially more than half the total cost, must therefore be borne by the Alabama ratepayers.

Alabama Power attempts to justify such below-cost sales to the Pool on the false premise that the facilities used to generate the energy were not installed to serve the Pool and are, therefore, excess facilities. The record shows, however, that all generating facilities installed by any member of the Southern Company System are installed to meet and serve the anticipated needs of the System as a whole. In fact, the procedure followed by the Pool Operating Committee is to first determine the amount of additional generating capacity needed by the Southern System, and then to consider where on the System would be the most favorable place to locate the needed facilities.

It must be recognized that when the Pool Operating Committee decides to put a plant in one of the four states served by the Pool members, the plant becomes a part of the rate base of the Company operating in that state. Ratepayers in the state where the plant is located then must pay the full cost of the investment in the plant, even though the plant is installed to serve the entire System, while other members of the Pool enjoy its benefits by paying merely incremental costs of generation. This has worked substantially to the disadvantage of Alabama Power, because of the relatively high investment costs associated with hydro-electric facilities which are not reflected in the revenues it receives from the use of such facilities in the Pool.

All of Alabama Power's hydro-electric facilities have been built under licenses issued by the Federal Power Commission as well as under certificates of convenience and necessity issued by this Commission. The Federal Power Commission requires an economic justification for the proposed project before a license will be issued. The record in this case shows that Alabama Power's investment in hydro-electric facilities has been justified to the Federal Power Commission by assigning base load capacity values to the full rated capability of the hydro-electric plants, although it sells a substantial portion of its hydro-electric capacity at the much lower rates associated with peaking capacity. One exhibit in the record shows that the annual capacity values for Lock 3 (Neely Henry) and Logan Martin Dams were stated to the Federal Power Commission in connection with a license application at $27.53 per kw-year. As stated above, the peaking capacity which the hydro-facilities provide is being sold to the Southern System Power Pool at the rate of $11.24 per kw-year.

Some of the policies of Southern System Power Pool, effected through the Interchange Contract, appear designed to unfairly penalize or downgrade the value of Alabama Power's hydro plants, at the expense of Alabama ratepayers. For example, the Power Pool arbitrarily uses as the measure of the dependable (base load) capacity of Alabama Power's hydro plants a 310-hour period in August during which the assumed water supply must be capable of providing a continuous head of water sufficient for generation. This test is admittedly applied under assumed operating conditions that are more severe than actual operations. Moreover, in determining the available water supply, the Power Pool assumes the water flow of the driest year on record (1931) and also assumes a minimum reservoir depth which will permit continued use for recreational purposes. All these assumed limitations artificially reduce the values assigned to Alabama Power's facilities in the Pool.

All of the circumstances discussed above suggest to me that if Alabama Power ob-

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tained from the Southern System Power Pool a proportionate part of its incurred costs for its hydro-electric peaking capacity and energy based on the amount of such capacity and energy supplied to the Pool, there might well be no occasion for the Company to seek additional revenue from its retail customers in Alabama.

CONCLUSION

What I have said here is not intended to change what I said in my first opinion in this case, issued on June 24, 1968, in which I stated my reasons for concurring in this Commission's unanimous denial of the requested rate increase. I reaffirm my original concurring opinion and add to it the foregoing additional grounds for dissenting from this latest action of a majority of the Commission.

Dated at Montgomery, Alabama, this *1st* day of May, 1969.

Sibyl Pool,
Associate Commissioner, Alabama Public Service Commission.

THE POPULAR ELECTION OF FUTURE PRESIDENTS

HON. EUGENE J. McCARTHY

OF MINNESOTA

IN THE SENATE OF THE UNITED STATES

Friday, May 16, 1969

Mr. McCARTHY. Mr. President, I ask unanimous consent to have printed in the Extensions of Remarks of the Record an article entitled "The Popular Election of Future Presidents: Wait a Minute," written by Alexander M. Bickel.

There being no objection, the article was ordered to be printed in the Record, as follows:

The Popular Election of Future Presidents: Wait a Minute

(By Alexander M. Bickel)

The House Judiciary Committee last week approved a proposal for a constitutional amendment abolishing the electoral college and substituting direct popular election of Presidents. While he had said initially that popular election was not his first preference, Mr. Nixon later told a press conference that if the Senate and House adopted the proposal, he would support it. And now the President is quoted as promising that he will, given Congressional approval of the amendment, "throw the full weight of his office behind the drive for ratification." The amendment would be effective one year after the 21st day of January following ratification by three-quarters (38) of the state legislatures. Thus, the chances that a President will be elected by direct popular vote in 1976 though probably not in 1972, look better than they ever have. But perhaps Congress and the country may still be induced to pause for a second thought.

One objection to the electoral college as it now operates is that it can put in office a minority President—not merely, like any other system being discussed, a plurality President, but a candidate who had fewer votes than his chief opponent. That is indeed theoretically possible, and it has happened once in normal circumstances, though not in this century. But it is at all likely to happen only when the election is a toss-up, as in 1888, when 100,000 votes divided Cleveland from Benjamin Harrison. In such circumstances, it is pretty doctrinaire to think of either man as the popular winner. If there were no other considerations in play, it might be as well not to run even this risk. But other considerations are in play, and they are very substantially more important.

Proponents of the popular election claim that the electoral college is malapportioned in favor of the small states. And so it is, formally, because the electoral college assigns to each state as many electoral votes as the state has Congressmen and Senators, and each state has, of course, two Senators regardless of its population; and it gets one Congressman even if the state is a good bit smaller than any single Congressional district in, say, New York. If each state's electoral vote were divided—precisely or approximately—in proportion to the popular vote cast for each Presidential candidate, the malapportionment would be quite real, and might have considerable effect. (Mr. Nixon has said that proportional division of the electoral vote is what he would like to see done.) But as things now stand, we do not have a proportional system. The electoral votes of each state are cast by the unit rule—winner takes all. This is not constitutionally required, but it has been the uniformly followed practice for well over a century.

Owing to the operation of the unit rule, the malapportionment in the electoral college in favor of the small states is for the most part only apparent, not in practice real. The candidate who carries New York or Illinois by a 50,000 or even 5,000 plurality or majority gets a greater number of electoral votes than he can obtain by carrying several smaller states by larger popular majorities. For this reason, the system is malapportioned in favor of the big industrial states, in which party competition is vigorous, and which generally swing by relatively small percentages of the popular vote. Not only that; the system is in effect malapportioned in favor of cohesive interest, ethnic or racial groups within those big states, which often go very nearly en bloc for a candidate, and can swing the state's entire electoral vote.

Mr. John F. Banzhaff, III has expressed all this mathematically. Defining voting power as "the ability to affect decisions through the process of voting," he has concluded that voters in New York and California have over two and one-half times as much voting power (i.e., as much chance to affect the national result in a Presidential election) as voters in smaller states. Pennsylvania, Ohio, Michigan, Illinois, even Massachusetts are also substantially advantaged. This fact governs the strategy of modern Presidential campaigns and the decision of the nominating conventions, and has in our day resulted in the orientation of the Presidency, as a rule, toward an urban constituency. That orientation of the Presidency, countervailing a tendency in Congress toward more conservative, rural and small-town attitudes, would be less secure under a system of popular election. With popular elections, a hard campaign aimed at New York or California could get a candidate some few hundred thousand votes that he might not otherwise have obtained. So would a campaign designed to appeal to the Southern or the Mountain states, let us say. There is more paydirt now in large industrial states. If Presidents were elected by popular vote, there might be more to gain elsewhere.

On balance, therefore, the smaller states, especially those that are relatively homogeneous and nearly one-party, should prefer popular election over the present system. But that does not mean that some small-state Senators and Representatives may not also perceive possible advantages in the present system. There is first of all a symbolic value in play for the small states, since the electoral college, on its face, confirms the federal structure, and the equality, as in the Senate, of all states, large and small. Secondly, circumstances are conceivable in which tiny shifts of popular votes in a group of small states, combined with equally minor shifts in at least one big state, could swing the election, regardless of the total national popular vote. In 1960, small shifts of popular votes, totaling no more than some 11,000 in New Mexico, Hawaii and Nevada, as well as in Illinois and Missouri, could have put Nixon in office.

The possibility of such a decisive role falling to a group of small states is highly remote. Actually, it is small margins of the popular vote in the big states that have often been decisive, and in any event, this much greater likelihood exerts its powerful influence on the nominating process, and on the nature of Presidential campaigns. But some small-state Senators and Representatives may take comfort in the other possibility, however remote; they may think it worthwhile to retain the present system because circumstances are conceivable in which the apparent and generally ineffective malapportionment in favor of the small states may actually work out that way. This is a remote expectation, but it is not an irrational one, and those who entertain it are entitled to it. The fact that they may entertain it does not alter the realities that should control the judgment of Representatives from large states. It simply happens that the electoral college can satisfy, at once, the symbolic aspirations and remote hopes of the small states, and the present, practical needs of the large ones. Not many human institutions work out quite as artistically as that.

Whatever its other effects and consequences might be, a system of popular election would seriously endanger the two-party system, and hence the stability of our politics. The electoral college makes it impossible for a third-party candidacy to have any sort of an impact, to entertain any hopes of deadlocking the election and thus putting itself in a good bargaining position, unless it has a strong regional base. And even George Wallace, who did take five Southern states in '68 couldn't do it. For a third-party candidate can get up to 20 percent or more of the popular vote, and yet no or every few electoral votes. And so third-party candidates that have a general national appeal are effectively deterred. Popular election, on the other hand, would invite them; and it would do so without deterring the regional candidacies that are now possible. In order not to put plurality Presidents with weak mandates in office, the popular election amendment now before us provides for a run-off in the event that no candidate achieves 40 percent of the popular vote. One strong minor party candidate, or several weaker ones together, would stand an excellent chance of keeping anyone from getting 40 percent, and thus of putting themselves in a worthwhile bargaining position in the period between the first election and the run-off.

Candidates like Eugene McCarthy or Nelson Rockefeller gave little thought in 1968 to making an independent race after they lost the nomination, because a popular vote of even as much as 25 percent could well have left them with no electoral votes at all. But under a system of popular election, every consideration that brought forth issue-oriented candidates for the nomination would with equal or even greater force propel them into the general election. There is a strong possibility, if not probability, that under a system of popular election the run-off would be typical; the major party nomination would count for much less than it now does; there would be little inducement to unity in each party following the conventions; coalitions would be formed not at conventions but during the period between the general election and the run-off; and the dominant positions of the two major parties would not long be sustained. This sort of unstructured, volatile multi-party politics may look more open. So it would be—infinitely more open to demagogues, to quick-cure medicine men, and to fascists of left and right. Where a multi-party system has been tried, it has been found costly in just this way, and it has scarcely yielded the ultimate in participatory democracy or good government.

Another benefit of the present system, as Professor Ernest J. Brown of the Harvard Law School has pointed out, is that it "isolates and insulates charges of voting

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irregularities." Most frequently, a shift in popular votes, even if it should change the result in a state, will not affect the national outcome. Claims of voting irregularity are consequently not often pursued. But if everything depended on the total popular vote, we would very likely face in each close election, as Professor Brown has said, "reexamination of every ballot box and voting machine in the country, not to mention also the records of registration and qualification of voters." We could not possibly continue to let the states run the elections as they now do. Centralized federal control of qualifications for voting very probably, and centralized federal control of the counting process certainly, would be essential. There is no call, perhaps, to be unduly alarmed at this prospect. We are not quite a South American republic yet. But there is no use blinking the fact, either, that central control of vote counting opens up opportunities for national manipulation. Nobody is likely to seize these opportunities in the near future, but surely it is better that they not be available.

To approve of the present electoral college system as in essence more equitable and safer than any substitute that has been proposed is not to say that it is perfect. It needs prompt improvement in at least two respects. There is no good reason why an elector should be free—as in theory the electors are now free—to vote his own personal preference and thus break the unit rule. To make sure that this cannot happen, the electors should be abolished as such, and the electoral vote of each state should be cast automatically for the popular winner.

Another fault of the present system—although it has actually manifested itself only once since passage of the 12th amendment in 1804—is that in the event that no one has a clear majority of the electoral vote, a President is chosen by the House of Representatives. But members of the House on such an occasion do not vote individually, in the usual fashion. Rather each state's delegation polls itself, and a majority of each delegation then casts its state's vote, one vote per state, whether New York or Alaska. This method has nothing to commend it. Election by a majority of the individual votes of members of the House would be infinitely preferable, as would election by a joint session of Congress, each Senator and Representative casting one equal vote. Representative Bingham of New York has proposed a run-off *within* the electoral college system, and that is also a possible cure. Otherwise, however, the electoral college needs no fundamental change. And as John F. Kennedy said in 1956, quoting Falkland, "When it is not necessary to change, it is necessary not to change."

SPEECH OF PRESIDENT NIXON ON VIETNAM WAR

HON. SAM STEIGER

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 15, 1969

(Mr. STEIGER of Arizona asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. STEIGER of Arizona. Mr. Speaker, I would like to join the obviously large ranks of those who wish to express confidence in the President's speech last night. I think what makes it acceptable to Members on both sides of the aisle is the fact that the President requested nothing that was not achievable and expressed the firmness and resolve in the hearts of all Americans, and promised nothing which could not be delivered.

I pray that all of us maintain the support that we have expressed here today throughout the trying times that are sure to come in the immediate future.

DEPARTMENT OF PEACE

HON. WILLIAM F. RYAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 15, 1969

Mr. RYAN. Mr. Speaker, more and more Americans in and out of government realize that the spiralling arms race must be brought under control and international tensions lessened. More and more of these concerned Americans are coming to the conclusion that, if peace is to be achieved, there must be strong institutions devoted to the development of policies which are calculated to promote peace.

I have received numerous letters and telegrams calling for the establishment of a Department of Peace. I introduced legislation in the 90th Congress; and I am currently cosponsoring legislation, H.R. 6501, which has 24 other cosponsors, that would create the first Department of Peace.

A Secretary of Peace would be able to devote his energies to pressing the need for peace upon the executive and legislative branches of the Government and would institutionalize a perspective which is sorely needed in our Government at this time. The Department of Peace would sponsor programs which bring about conditions conducive to peace.

In an article published in the April 2 edition of the Los Angeles Times, Arthur Larson, the director of the Rule of Law Research Center at Duke University, examines the possible role of a Department of Peace. I recommend this interesting and informative article to my colleagues:

PLAN FOR A U.S. PEACE DEPARTMENT

(By Arthur Larson)

The argument about whether to create a new Department of Peace is in danger of getting off on the wrong foot. Too much of the discussion is about what the department would symbolize, rather than what it might do. And, of course, whether a new department would do the job more efficiently than existing agencies.

The symbolic line of argument adopted by some proponents runs like this: Surely peace is important enough to deserve a department of its own. We have an enormous War Department, which is no less a War Department because it goes by the euphemism of Defense Department. Why not then a Peace Department?

The symbolic counter-argument, voiced by President Nixon among others, is that to create a new department and call it the Peace Department would be to imply that the State Department and Defense Deparment were themselves not interested in peace.

If the debate stays on this level, there is little likelihood that a Department of Peace would get President Nixon's support. But there is a different approach to the question that might well induce President Nixon to view the matter in a more favorable light.

The current bill, recently introduced in the House by Rep. Seymour Halpern (R-N.Y.) and 60 others, and in the Senate by Sen. Vance Hartke (D-Ind.) and 14 others, would transfer to the Department of Peace three principal operating agencies: the Peace Corps, the Arms Control and Disarmament Agency (ACDA), and the Agency for International Development (AID). It would transfer to the new department the functions of the secretary of state relating to specialized agencies affiliated with the United Nations. It would create a Peace Institute to train citizens for public service in the cause of peace. And it would establish a "Joint Committee of Congress for Peace."

PLAN WIDE IN SCOPE

When one looks at the components that would form the core of the proposed department, it becomes apparent that they have one characteristic in common: They are all agencies that would carry on everyday *operations* with a bearing on world peace. They are not engaged in the making of foreign policy nor, for the most part, in the carrying on of traditional diplomacy.

This distinction was viewed as fundamental by the best-known Republican secretary of state of modern times, John Foster Dulles. I first became aware of this when I assumed the directorship of the U.S. Information Agency in 1956. This agency, which by that time had become independent, had earlier been a part of the State Department, and there was a continuing controversy over whether it ought to be returned to the State Department.

In my first conversation with Secretary Dulles on this point, he began by explaining why he thought there should be a sharp line between the making and execution of foreign policy, on the one hand, and the carrying on of special operating programs, such as foreign aid and information programs, on the other. He had a strong conviction that he could not do his primary policy job if he had to be saddled also with these operational jobs. He climaxed our discussion of this point by exclaiming: "If I have to take on all these operating agencies, I will end up as nothing but a glorified office manager, like (Secretary of Defense) Charlie Wilson."

AGENCIES NOT ORGANIC

A glance at the organization chart of the State Department will reveal that the three existing agencies to be transferred to the Department of Peace do not appear as an organic part of the State Department structure on the same basis as the rest of the department.

The Arms Control and Disarmament Agency is, strictly speaking, not a part of the State Department at all, and in the Government Organization Manual is listed among the independent agencies. Its director, however, is subject to the policy direction of the secretary of state. The Peace Corps and AID are technically part of the State Department, but report directly to the secretary. All three of these agencies could be detached from the Department of State without any wounding of the main body of the department.

There remains the question of where to put them. It is by now clear that the Nixon Administration shares the aversion felt by President Eisenhower to having bits and pieces of agencies floating all over Washington. Wherever possible, independent operating agencies, such as those making up the poverty program, are being subsumed under major departments. There is no major department in existence suitable to take on the operations of the Peace Corps, the ACDA, and the AID, and so by this process of reasoning we finally come to the desirability of grouping them into a new Department of Peace.

There need be no threat in all this to the State Department's preeminence in foreign policy. It has always been clear, for example, that the U.S. Information Agency, an independent agency, takes its foreign policy guidance from the State Department. Similarly, if the ACDA were in the Peace Department,

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direction on foreign policy aspects of disarmament negotiations would have to come from the Secretary of State, and the director of ACDA when acting as disarmament negotiator would have to be subordinate to the secretary of state.

Once it is accepted that the predominantly operating programs should be placed in the Department of Peace, it would logically follow that one more large operation should be added to the three listed in the current bill: the entire complex of educational, cultural, and other overseas programs and exchanges.

There is something incongruous about the secretary of state presiding over the routine tasks of dispatching jazz bands to Africa and athletes to Asia. For many years the administration of these programs has been kicked around between the State Department, the U.S. Information Agency, and other departments, and they are now mostly in the State Department. I recall that at one point on the eve of the U.S. exhibit in Moscow (which, incidentally, was mainly handled by the Department of Commerce), President Eisenhower called me in and said, "I can't possibly keep track of who is responsible for all these exhibits and exchanges and traveling sopranos, and so I am going to hold you responsible for them no matter what department they're in."

The same distinction between policy and operations also justifies the assignment to the Peace Department of relations with the U.N. specialized agencies, such as the Food and Agricultural Organization (FAO), the World Health Organization (WHO), the U.N. International Children's Emergency Fund (UNICEF), the International Bank for Reconstruction and Development, and the International Monetary Fund. Overall political relations with the United Nations, however, would remain the responsibility of the secretary of state.

I suspect that the key question in the Peace Department debate will be the one that President Nixon instantly raised when the matter was put to him: Why do you need a Peace Department when you have a State Department? An answer frequently given is that the mission of the State Department is not to foster peace as such, but rather to promote the national interests of the United States in its international relations. It is not difficult to predict what the State Department will reply to this. It will say that the highest national interest of the United States is peace, and that peace is the all-pervading purpose of our foreign policy. Certainly this is what is always said in public speeches.

The cynic may say it is just rhetoric, especially in view of the State Department's performance on Vietnam. But, rhetoric or not, it is certain to form an insurmountable barrier to any Peace Department proposal that bases its division of function on a distinction between promoting peace and promoting American interests.

No such barrier, however, need exist when the line is drawn between operational programs that help build the long-range conditions for a peaceful world, and the formulation and application of high foreign policy. To keep this division of labor clear, I would personally delete from the present bills a paragraph calling on the Peace Department to make recommendations to the President (not to the secretary of state) for the "pacific settlement of current international controversies." This seems to me to trespass too deeply into the policy function of the secretary of state who already has plenty of trespassing to worry about from the direction of the Defense Department and the office of the President's Special Assistant on National Security.

PEACE INSTITUTE URGED

This is not to say that the Peace Department should be no more than a consortium of operating programs. The broad purposes of the Department, to which these components would contribute, include developing plans and programs to foster peace, exercising leadership in coordinating governmental activities related to peace, and working with other governments and with private institutions in research and planning for the peaceful resolution of international conflict.

One of the most promising ideas in the current bills is the creation of a Peace Institute, which could afford plenty of scope for long-range activities not now adequately provided for elsewhere. As presently conceived, somewhat on the model of the military service academies, it would handle the training of personnel in the new skills and techniques needed by persons engaged in both public and private activities devoted to building peace.

But on the analogy of the U.N. Institute for Training and Research (UNITAR), the Peace Institute might also be made the focal point for the government's part in the fast-growing field called Peace Research. The ACDA has usually had a substantial budget for this type of work, and the placing of primary responsibility within the Peace Department for this kind of research could help to give this activity the prominence and support it deserves.

ACTIVITIES UNDER WAY

For example, for about a dozen years there has been growing throughout the world a movement among lawyers called World Peace Through Law. The World Peace Through Law Center, of which Charles Rhyne is president, has an elaborate blueprint for needed research in every aspect of international order and conflict where law might have any contribution to make.

Somewhat similar activities are on foot among other disciplines. The Peach Research Committee, under the co-chairmanship of Dr. Harold Taylor and myself, about 10 years ago published six "designs for research" in such fields as law, science, economics, and psychology, with about 550 specific projects described. The new Department of Peace could provide a much-needed point of contact within the government for this burgeoning effort on the part of private scholars and organizations.

In summary, the organization of a Department of Peace can be adequately justified on strict grounds of organizational efficiency. If, in addition to this, it is also a dramatic demonstration to the world of the importance we attach to building peace, that is a bonus, and a very fine one indeed.

THOUGH MANY, WE ARE ONE

HON. EDWARD R. ROYBAL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 15, 1969

Mr. ROYBAL. Mr. Speaker, I am indebted to Commissioner Vicente T. Ximenes, of the U.S. Equal Employment Opportunity Commission, for bringing to my attention the following expression of pride in the heritage of an American citizen of Mexican descent written by Robert U. Barela, of the El Rancho Unified School District, Pico Rivera, Calif.:

THE AMERICAN-MEXICAN CREED

(By Robert U. Barela)

It is with great pride and dignity to say I am proud of being an American of Mexican descent.

The past has shown our contribution to American History and culture. We have served our country in conflict and in peace with valor and distinction. We have done this to conserve that freedom and liberty that makes America my home. Through education we can *all* strive for a better home for us and for generations to come.

America has given me a treasure. Closed for a while, because of discrimination and oppression from a few, but now it is reopened with priceless gems including jewels of freedom that sparkle with the right to think, speak, worship, and learn. This is mine, and I pledge myself to protect it from all injustices both foreign and domestic. As a loyal citizen I will nurture this seed of freedom so that others can share these rights given to me by birth.

I promise to abide by the United States Constitution; to respect her flag; to respect the rights and opinions of others; to obey the laws and courts, and uphold all the beliefs of the American way of life.

My country has now given me more opportunity to help myself, and I promise to promote the ideals of a democratic government, to contribute again toward a better and greater America for all. Though many, we are one, dedicated to that task of preserving our cultural heritage and the principles that will keep America free.

LONG BEACH MUNICIPAL BAND: A 60-YEAR TRADITION

HON. CRAIG HOSMER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 15, 1969

Mr. HOSMER. Mr. Speaker, the city of Long Beach, Calif., will pay tribute to a most unique organization on Thursday, May 29, but I would like to get the jump on the city and pay my own tribute today.

The organization to which I refer is the Long Beach Municipal Band, an outstanding, 36-member musical contingent which holds at least two major distinctions. It is America's busiest band, plus it is the only full-time municipal band remaining in the United States.

Under the baton of Charles J. Payne since 1956, the Long Beach Municipal Band annually gives more than 600 performances, including 200 concerts a year in the Long Beach Unified School District. In addition, it holds a year-round series of free band concerts in the city parks.

The tradition of the municipal band is well honored by the city of Long Beach, which maintains the organization by providing sufficient municipal funds to make it possible for the musicians to make playing in the band a 12-month-per-year, full-time career.

Its first concert was given March 13, 1909, under the leadership of E. Harry Willey, then operator of a popular local ballroom. Willey so ardently advocated the formation of a civic band that the issue ultimately went on the ballot, where it was overwhelmingly approved. As recently as 1957, the issue of whether or not to continue support of the band again went on the ballot, and again the electorate approved expenditure of city funds for a full-time band.

Countless Navy and Coast Guard ships as well as military vessels from other nations have been musically greeted on arrival and departure from the port of Long Beach and the Long Beach Naval Base over the past six decades. The band likewise is a regular performer at civic functions.

The city and the Long Beach Regional

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Arts Council will honor this great organization on May 29. And, as befits the organization's history, it will mark the occasion by performing in concert.

Mr. Speaker, the municipal band is a wonderful part of the city of Long Beach, and I am happy to pay tribute to its members on its 60th anniversary.

TAXICAB DRIVERS OPPOSED TO METERS

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 15, 1969

Mr. CONYERS. Mr. Speaker, there has been consideration given to the possibility of installing meters in taxicabs in the District of Columbia. The question involves the repeal by Congress of the rider to the Appropriations Act which forbids the use of meters in cabs in the city.

It has been brought to my attention that many of the cabdrivers in the District of Columbia are unalterably opposed to the installation of meters. They feel that it will inevitably lead to controls and limitations inimical to the independent cabdriver-owner, and that it will pose a serious threat to taxi service available in the District.

Therefore, the taxi industry group is seriously concerned about and opposed to any effort to repeal the rider to the Appropriations Act. The group consists of 43 of the 62 associations and companies of taxi drivers in the District, thus it is broadly representative of approximately 80 percent of the industry. They have asked to testify before the Senate and House subcommittees on the District at the hearings on the subject.

For the benefit of my colleagues, I would like to share with you the following open letter from the taxicab industry group to the Honorable JOSEPH D. TYDINGS and JOHN L. MCMILLAN. The letter appeared in the March 27 issue of the Washington Daily News and presents the views of those most directly affected by the decisions concerning the meters:

[From the Washington Daily News, Mar. 27, 1969]

AN OPEN LETTER TO THE HONORABLE JOSEPH D. TYDINGS AND THE HONORABLE JOHN L. MCMILLAN, CONCERNING THE TAXICAB INDUSTRY IN WASHINGTON

Hon. JOSEPH D. TYDINGS,
Chairman, District of Columbia Commitee, U.S. Senate, Washington, D.C.
Hon. JOHN L. MCMILLAN,
Chairman, District of Columbia Committee, House of Representatives, Washington, D.C.

DEAR SIRS: We, the undersigned, wish to go on record as unalterably opposed to the installation of meters in the taxicabs of the District of Columbia as well as to a limitation on the number of taxicabs. We also urge that the Appropriations Bill Rider regarding the installation of meters remain a part of the Bill.

In other cities, meters have either followed or preceded a limitation on the number of cabs. You don't have one without the other. Limitations on cabs will force the independent cab driver out of business. The taxi business is unique here in that 90 percent of the cabs are owner-operated, therefore the passenger gets a better and safer ride because of the drivers' investment. This is not true in other big cities with meters and limitations. Because he is an independent business man, the owner-operator has better equipment and exercises greater care than one who is not an owner. It is the independent cab drivers in Washington, D.C., who have given our city the best taxi service of any city in the United States. This is a recognized fact, testified to by the many visitors who ride our cabs daily as well as the many Senators and Congressmen who travel worldwide and know first hand about good service.

Meters will drive thousands of passengers away from our cabs. Meters will bring higher fares. If we must judge from what other cities do, or have done, we will have poor service in the District of Columbia. Persons who now ride cabs and know the cost of a trip before telephoning or hailing a cab, will no longer know that cost. Nor will they be able to ascertain this information before the trip has been completed, for who knows what a meter trip will cost for one block or for one mile. The streets and traffic conditions play a major part in how long the shortest trip will take and the ultimate cost. So, the revenue from the passengers that the meters drive away will have to be made up by higher fares. The higher the fares, the more passengers the taxi industry will lose. Finally, only the rich will be able to afford to use a cab.

Let's set the record straight!

In the recent taxicab rate hearing, the Taxicab Industry Group, composed of 43 of the 62 associations and companies in the District of Columbia, representing approximately 80 percent of the cab drivers, petitioned for an increase in taxi fares.

The only available figures indicate that 42 percent of all the taxicab business is located in No. 1 Zone and we petitioned for a 33 percent increase there.

We further petitioned that straight fares would be paid by all passengers other than when two or more passengers enter at the same time and depart at the same destination. This would give us a substantial increase depending on the volume of additional pick-ups.

All petitioners for a fare increase endorsed the straight fare proposal made by The Taxicab Industry Group.

Contrary to the misinformation being circulated, of the 62 associations and companies in the District of Columbia, only 3 are in the insurance business and not more than 10 of that number are involved in selling cars.

At the recent taxicab hearing before the Public Service Commission, the representative of the Federation of Citizens Associations of the District of Columbia testified that the Federation was opposed to meters in taxicabs.

Recommendations to improve service:

We recommend that specially designated hack stands be established downtown during the evening rush hours for the convenience of the riding public and the taxi driver.

The adoption of our recommendation on straight fares would immediately improve service to the riding public because the drivers would have an added incentive to pick up additional fares.

In order to give further relief to the taxi industry, we take this opportunity to urge the Public Service Commission to hasten its conclusion on the additional fare increase. It is our desire that the rules and regulations governing the taxi industry remain such that we can all continue to make a living in this free enterprise system rather than turning the taxi industry over to a chosen few (monopolized by those few who have the financial resources to survive limitation).

Respectfully submitted.

Capitol Cab Cooperative Association, Inc., William K. Wright, Chairman, Board of Directors; Globe Cab Co., Inc., F. D. Matthews, President; Empire Cab Association, W. J. Brooks, President-Manager; East Side Association, R. B. Taylor, Manager; Lincoln Cab Association, William K. Wright, President; Coastline Cab Association, Chalmers Hamer, Vice President; Majestic Cab Association, Preston S. Hunderson, Vice President.

Crusader Cab Association, F. M. McCoy, President; Interstate Cab Service, Virgel Smith, President; Tel-Star Cab Co., Ashley Hines, Manager; Autorama, White Top, Gray Top, Skyview & Black & White Cab Companies, Hampton Ashley, Manager; Radio Flash Cab Association, Inc., Antonio E. Medina, President; Buffalo Cab Association, Inc., Antonio E. Medina, President; Palm Grove Cab Association, M. F. James, Vice President.

General Cab Association, Walter Lockard, Treasurer; Sur-Vus Cab Association, G. Lawson Clark, Secretary; Diplomat Cab Association, Inc., Paul E. Calhoun, Manager; Carlton Cab Association, Inc., Carl Reid, President; Mutual Cab-Association, Inc., Carl Reid, President; Bell Cab Co., Charles O. Lamb, Manager; Twentieth Century Cab Association, Inc., Charles O. Lamb, Manager.

American Cab Association, Inc., Dante P. Gentilucci, President; Missile Cab Association, Inc., Eldon "Pat" Kellogg, President; Potomac Cab, Eldon "Pat" Kellogg, President; Dupont Cab Association, Inc., Robert Williams, President; King Cole Cab Co., Wallace R. Cole, President; Bison Cab Association, Clinton E. Anderson, Chairman, Board of Directors; Super Cab Association, J. M. Johnson, Manager.

PRESIDENT NIXON'S VIETNAM MESSAGE

HON. CHARLES E. CHAMBERLAIN

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 15, 1969

Mr. CHAMBERLAIN. Mr. Speaker, it is most encouraging that within the past few days, Hanoi has restated its position and that we have restated ours and that in doing so there appears to have been a faint, but still discernible, hint of movement by both sides. The new administration has taken a conciliatory position. We have recited again that we are not asking for bases—or military ties—and that we have no intention of imposing any form of government on the people of South Vietnam. We have indicated our willingness to accept self-determination by South Vietnam, the participation of all political groups, any government that is the result of the free choice of the people, and, reunification if that is what the people of the North and South both want.

It is my earnest hope that the President's plea that all of us, regardless of how we may feel about the war, will reunite behind this new quest for peace. There comes a time when we must have faith in something and this is a time when we must have faith in the President of the United States for this is just another way of saying that we must have faith in America, our citizens, and ourselves.

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HOUSE OF REPRESENTATIVES—*Monday, May 19, 1969*

The House met at 12 o'clock noon.

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

I urge that supplications, prayers, intercessions, and thanksgivings be made for all men.—I Timothy 2: 1.

Almighty God, our Heavenly Father, who art with our astronauts flying through space and who art with us walking on this planet, make us positive factors in the world's fields of endeavors as we seek to extend our knowledge of the universe, to cultivate justice among men, peace between nations, and good will in the hearts of all men.

Make plain Thy path, help us to see it clearly and then give us courage to walk in it knowing Thou art with us all the way.

In this troubled time save us from the hot fever of foolish action and from the cold fear which would make futile any activity on our part. May Thy spirit live in us and in so doing lead us to a life together where men may live with dignity, self respect, and understanding love.

Bless our astronauts, bless Thou the men and women in our Armed Forces; may their contribution and ours become a blessing to our Nation and to all mankind. Amen.

THE JOURNAL

The Journal of the proceedings of Thursday, May 15, 1969, was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed without amendment a bill of the House of the following title:

H.R. 6269. An act to provide for the striking of medals in commemoration of the 300th anniversary of the founding of South Carolina.

The message also announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 1995. An act to provide for the striking of medals in commemoration of the 150th anniversary of the founding of the State of Alabama.

The message also announced that the Senate disagrees to the amendment of the House to the bill (S. 1011) entitled "An act to authorize appropriations for the saline water conversion program for fiscal year 1970, and for other purposes," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. Jackson, Mr. Anderson, Mr. Moss, Mr. Allott, and Mr. Jordan of Idaho to be the conferees on the part of the Senate.

THE LATE MRS. JOHN FOSTER DULLES

(Mr. McCORMACK asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. McCORMACK. Mr. Speaker, one of the greatest men and one of the most outstanding Americans that I ever met in my journey through life was the late John Foster Dulles, who for a number of years was Secretary of State, and who rendered outstanding service in our country's behalf. I had the pleasure on several occasions of meeting Mrs. Dulles, a very sweet lady, a wonderful character, and one who by her love showed her dedication to the career of her great husband, making every sacrifice necessary to help him to perform the responsible and grave duties of his office during the most trying period of our Nation's and the world's history.

I was very sorry a few days ago to read in the newspapers of the death of Mrs. Dulles. I want to take this time to express my deep sorrow in the passing of this charming lady whose beautiful outlook on life inspired everyone who knew her or who knew of her.

During the life of her late distinguished husband she cooperated with him in a manner that inspired him and encouraged him to carry on the great work that he was called upon to perform in connection with the national interest of our country.

Mr. Speaker, I express my deep sorrow in the passing of Mrs. Dulles and I extend to her sons and her daughter and other loved ones the deep sympathy of both Mrs. McCormack and myself in their bereavement.

Mr. GERALD R. FORD. Mr. Speaker, will the distinguished Speaker yield?

Mr. McCORMACK. I yield to the distinguished minority leader.

Mr. GERALD R. FORD. Mr. Speaker, it is typical of the distinguished Speaker's wonderful attitude toward fine people, to take the well of the House on this occasion to take note of and make comment concerning the passing of Mrs. Dulles.

Mr. Speaker, the former Secretary of State served not only a Republican President but several Democratic Presidents in various capacities. He was a great public servant. Mrs. Dulles contributed significantly to his doing what he saw was right on behalf of our country.

I believe the country has lost a great lady in Mrs. Dulles, the wife of a great public servant.

Mr. McCORMACK. I appreciate very much the contribution of my friend, the distinguished minority leader.

Mr. STRATTON. Mr. Speaker, will the gentleman yield?

Mr. McCORMACK. I yield to the gentleman from New York.

Mr. STRATTON. Mr. Speaker, I wish to commend the distinguished Speaker of the House the gentleman from Massachusetts, (Mr. McCormack), for making these remarks in tribute to Mrs. Dulles. As I am sure the Speaker is well aware, Mrs. Dulles was a native of Auburn, N.Y., the center of my congressional district and, in fact, she first met the late Secretary of State Dulles when his father was serving as pastor of the Presbyterian Church in Auburn. I know the people of Auburn who knew her and the Secretary are saddened, as we all are, in her passing.

Mr. Speaker, I want to join with the distinguished Speaker in extending our deepest sympathy to the members of the family who remain.

Mr. McCORMACK. I appreciate the remarks of the gentleman from New York.

THE LATE HONORABLE CHARLES A. WOLVERTON

(Mr. HUNT asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. HUNT. Mr. Speaker, I regret to inform my colleagues of the death of our former and distinguished colleague, the Honorable Charles A. Wolverton, who served in the House of Representatives for 32 years, longer than any other New Jersey Member.

Prior to his election to the 70th Congress in 1926, Mr. Wolverton, a native of Camden, N.J. and a 1900 graduate of the University of Pennsylvania Law School, served as assistant prosecutor of Camden County, a special assistant attorney general of New Jersey in 1913–14, and a member of the New Jersey Assembly from 1915–18, being named speaker of that body in 1918. He then served as Camden County prosecutor until being elected to the U.S. House of Representatives.

During his 16 consecutive terms as Representative from New Jersey's First Congressional District, Charles Wolverton served with honor and distinction, rising to the chairmanship of the House Interstate and Foreign Commerce Committee. His interests were many and varied; always diligent in his tireless and selfless efforts to represent all the people, he was a man of high principle, a statesman, a man of impeccable integrity. We are indeed fortunate to have had the benefit of his wisdom and leadership in his prime years and it is with the deepest respect that I pay tribute to this true Christian gentleman and lifelong public servant.

Upon Congressman Wolverton's retirement from the House in 1958, the Honorable William T. Cahill was elected to the First District until in 1967, it became my honor and privilege to represent this District following redistricting. Mr. Cahill is unavoidably absent today from the House on official business, and joins me in this tribute to our close friend and former colleague.

For the benefit of the Members of the House, Mr. Wolverton passed away at 6 p.m., May 16 at Our Lady of Lourdes Hospital, Camden, N.J. at the age of 88 years. I am informed that services and burial are to be private.

Mr. GERALD R. FORD. Mr. Speaker, will the gentleman yield?

Mr. HUNT. I am happy to yield to the

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minority leader, the gentleman from Michigan.

Mr. GERALD R. FORD. It was my privilege to serve with Charlie Wolverton for 10 years. All who knew him loved him. He was kindly, friendly, and most solicitous of the newer and younger Members. All who knew Charlie Wolverton respected his great ability as a legislator, both on the floor and in committee. He was a great chairman of the Committee on Interstate and Foreign Commerce in the 83d Congress. He was the father of a great deal of progressive and substantial legislation. His leaving the House was a loss. Those who knew him and served with him have great memories of a great Member of the House of Representatives.

Mr. HUNT. I thank the gentleman for his fine statement.

Mr. PELLY. Mr. Speaker, will the gentleman yield?

Mr. HUNT. I yield to the gentleman from Washington.

Mr. PELLY. I join the gentleman from New Jersey in paying tribute to the life and service of Charlie Wolverton. He was my first chairman. I never knew a man who worked harder or actually worked the members of his committee harder. It was a great experience for me. He was very kind to me as a new Member, very helpful, and I feel although he lived a long and useful life, his death is a loss to the country. He was a great public servant and dedicated his efforts especially in trying to provide a low-cost health program for the American people.

Mr. HUNT. I thank the gentleman from Washington for his fine contribution.

GENERAL LEAVE TO EXTEND

Mr. HUNT. Mr. Speaker, I ask unanimous consent that all Members who may desire to do so may have 5 legislative days in which to extend their remarks on the life and service of the late Honorable Charles A. Wolverton.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

PRAYER FOR THE ASTRONAUTS

(Mr. HECHLER of West Virginia asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. HECHLER of West Virginia. Mr. Speaker, we were pleased to hear our esteemed Chaplain of the House of Representatives include in his prayer what is in all of our hearts as we follow the progress of our three brave astronauts. Yesterday as I attended Trinity Episcopal Church in Huntington, W. Va., Frederick H. Dennis, assistant to the rector of Trinity, offered the following prayer which was developed from the prayer for a person going to sea:

> O, eternal God, who alone spreadest out the heavens, we commend to Thy almighty protection Thy servants for whose preservation in the outermost parts of the cosmos our prayers are desired. Guard them, we beseech Thee, from the dangers of the universe, from sickness and from every evil and destruction to which they may be exposed. Conduct them in safety to their destination, and bring them safely home, with a grateful sense of Thy mercies; through Jesus Christ our Lord. Amen.

I am certain that in churches throughout the land prayers were offered for the safety and success of these intrepid explorers of the heavens.

PERU'S SEIZURE OF ANOTHER FISHING BOAT SPARKS CONGRESSIONAL HEARING

(Mr. PELLY asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. PELLY. Mr. Speaker, last Friday Peru seized another American fishing vessel which was drifting on the high seas, 25 miles off the Peruvian coast.

The issue has not changed, Mr. Speaker. Peru, the same as some of her Latin and South American neighbors, claims a jurisdiction of 200 miles off her shore which is not recognized by international law.

But, what makes this latest seizure so much more serious is that a delegation from Peru only a day or so before, had concluded a round of talks, labelled "cordial" by our State Department. The Washington, D.C., meetings had been held with the State Department looking toward better relations between our countries.

For 15 years these seizures have been taking place, and for this entire time the Peruvians have refused to take the issue of their claim of 200 miles jurisdiction to the conference table or to submit it to mediation, arbitration, or the International Court of Justice.

Now, Mr. Speaker, there is but one way to go, as I see it, and the chairman of the Fish and Wildlife Subcommittee of the House Merchant Marine and Fisheries Committee the gentleman from Michigan (Mr. DINGELL) at my request has scheduled a hearing shortly on my bill—H.R. 10607—to cut off imports of fish and fish products from any country illegally seizing U.S. fishing vessels.

This is a grave matter, Mr. Speaker, and I sincerely hope my colleagues will lend their support toward bringing this measure to the floor and seeing that it is enacted into law.

FAMILY PRESERVATION MONTH

(Mr. WILLIAMS of Pennsylvania asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. WILLIAMS of Pennsylvania. Mr. Speaker, Raymond P. Shafer, Governor of the Commonwealth of Pennsylvania, has designated the month of June 1969 as Family Preservation Month, and his message reads as follows:

> Marriage is a vital institution and a close family unit an integral part of an enlightened society.
>
> Every child needs the love of both parents and in the case of broken homes, he is always the innocent bystander who faces the greatest hardship. Too often his affection is torn between those he has learned to love and it is hard for him to understand a separation.
>
> Therefore, as Governor of Pennsylvania, I am happy to designate the month of June 1969 as Family Preservation Month in the Commonwealth and ask every citizen to do what he can to curb the rising divorce rate in this State and every State in our Nation.

The type of education campaign that could be conducted during Family Preservation Month are:

First. Encourage couples to seek assistance as soon as marital problems start to develop.

Second. Advocate educational programs in the responsibilities and roles in marriage and family life.

Third. Encourage couples to seek marriage counseling and guidance when problems in the home cannot be resolved by the couple alone.

THE WAR IN VIETNAM

(Mr. ANDREWS of Alabama asked and was given permission to address the House for 1 minute, and to revise and extend his remarks.)

Mr. ANDREWS of Alabama. Mr. Speaker, last week two fine young married men, from my district, were killed in Vietnam. This is happening all too frequently in a war that should have been won years ago. If the President has a secret plan to end this war, let me plead with him to come forward with it. If he does not, let me beg him again either to fight this war to win it or get out of Vietnam.

APPOINTMENT OF CONFEREES ON S. 1011, AUTHORIZING APPROPRIATIONS FOR SALINE WATER CONVERSION

Mr. ASPINALL Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill S. 1011, to authorize appropriations for the saline water conversion program for fiscal year 1970, and for other purposes, with the House amendment thereto, insist on the House amendment, and agree to the conference requested by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Colorado? The Chair hears none, and appoints the following conferees: Messrs. ASPINALL, JOHNSON of California, HALEY, SAYLOR, and HOSMER.

CONSENT CALENDAR

The SPEAKER. This is Consent Calendar Day. The Clerk will call the first bill on the Consent Calendar.

AUTHORIZING ROUNDTRIP TRANSPORTATION TO THE HOME PORT FOR A MEMBER OF NAVAL SERVICE ON PERMANENT DUTY ABOARD SHIP OVERHAULING AWAY FROM HOME PORT

The Clerk called the bill (H.R. 8020) to amend title 37, United States Code, to provide entitlement to roundtrip transportation to the home port for a member of the naval service on permanent duty aboard a ship overhauling away from

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home port whose dependents are residing at the home port.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. GROSS. Mr. Speaker, reserving the right to object, I would like to ask a question or two concerning this bill.

What has been the procedure in the past? I assume we have had ships repaired in yards distant from home ports. Has there been no payment of any kind in the past?

Mr. NEDZI. Mr. Speaker, will the gentleman yield.

Mr. GROSS. Of course I yield to the gentleman from Michigan.

Mr. NEDZI. The procedure in the past has been not to make such payments with reference to a ship being repaired away from the home port and away from where the dependents or seamen and officers of the Navy lived. The individual has had to furnish his own transportation to go back to his home.

Mr. GROSS. I understand the committee considers this to be an injustice and I think that is probably true. But beyond that, are vessels now being repaired in larger numbers away from their home ports, or just what is the situation?

Mr. NEDZI. Mr. Speaker, if the gentleman will yield further, I do not believe there is any difference in the number of vessels being repaired away from their home port. I think this is just a recognition that this procedure represents an injustice and the effort is now being made to correct it.

Mr. GROSS. Then, the legislation is not prompted by a greater number of vessels being repaired away from their home ports? We are not talking about building vessels, are we? We are talking about repairing them for the most part, are we not?

Mr. NEDZI. If the gentleman will yield further, just repairing them.

Mr. GROSS. Yes. It would be my hope, and I wish the committee had inserted some language calling on the Department of the Navy to do everything within its power to hold down the cost of legislation of this type by seeing to it that ships which are normally berthed on the west coast are repaired on the west coast, and the same for the east coast, in the areas where the dependents of the crews that man them are located. They should make every effort to have them repaired on that particular coast, rather than transporting crew members perhaps across the continent.

Mr. NEDZI. The gentleman from Iowa expresses the concern of the committee fully. This is a matter that we discussed in the hearings which were held on this legislation. We were assured that wherever possible this is being done. Unfortunately, where there is low bidding and where some of the contracts are let out, then the Department of the Navy has no control over where the ship is going to be repaired.

Mr. GROSS. I can understand that. I am glad to have the assurance of the gentleman that the committee was concerned with the cost of this program and that it will be watching to see how it works out.

Mr. NEDZI. I think I can give the gentleman from Iowa that assurance.

Mr. GROSS. I thank the gentleman.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

H.R. 8020

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That chapter 7 of title 37, United States Code, is amended as follows:

(1) The following new section is inserted after section 406a:

"§ 406b. Travel and transportation allowances: members of the naval service attached to a ship overhauling away from home port

"Under regulations prescribed by the Secretary of the Navy, a member of the naval service who is on permanent duty aboard a ship which is being overhauled away from its home port and whose dependents are residing at the home port of the ship is entitled to Government or Government-procured transportation including transportation procured with a United States of America transportation request for round trip travel from the port of overhaul to the home port on or after the thirty-first, ninety-first, one hundred and fifty-first, and two hundred and eleventh calendar day after the date on which the ship enters the overhaul port or after the date on which the member becomes permanently attached to the ship, whichever date is later."

(2) The following new item is inserted in the analysis:

"406b. Travel and transportation allowances: members of the naval service attached to a ship overhauling away from home port."

With the following committee amendment:

Strike the language on page 2 beginning at line 4 and ending with the quotation mark on line 16, and substitute the following:

"Under regulations prescribed by the Secretary of the Navy, a member of the naval service who is on permanent duty aboard a ship which is being overhauled away from its home port and whose dependents are residing at the home port of the ship is entitled to transportation, transportation in kind, reimbursement for personally procured transportation, or an allowance for transportation as provided in section 404(d)(3) of this chapter for round-trip travel from the home port of overhaul to the home port on or after the thirty-first, ninety-first, and one hundred and fifty-first calendar day after the date on which the ship enters the overhaul port or after the date on which the member becomes permanently attached to the ship, whichever date is later: *Provided, however,* that in no event shall the amount of reimbursement for personally procured transportation or allowance for transportation exceed the cost of Government-procured commercial round-trip air travel."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

INCREASING THE STATUTORY CEILING ON THE AUTHORIZED NUMBER OF MARINE CORPS RESERVE GENERAL OFFICERS

The Clerk called the bill (H.R. 6790) to authorize an increase in the number of Marine Corps Reserve officers who may serve in an active status in the combined grades of brigadier and major general.

There being no objection, the Clerk read the bill, as follows:

H.R. 6790

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 5458(a), title 10, United States Code, as amended be amended by deleting the number "ten" at the end of the subsection and substituting the number "fifteen" therefor.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMENDING UNITED STATES CODE TO INCLUDE A FOSTER CHILD WITHIN THE DEFINITION OF "DEPENDENT"

The Clerk called the bill (H.R. 8018) to amend section 1072(2) of title 10, United States Code, to include a foster child within the definition of dependent.

There being no objection, the Clerk read the bill, as follows:

H.R. 8018

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1072(2) of title 10, United States Code, is amended as follows:

(1) By inserting ", a foster child," after "adopted child" in clause (E).

(2) By adding the following new flush sentences at the end:

"For the purpose of clause (E), a foster child is one who is, or was at the time of the member's or former member's death, in fact dependent on him for over one-half of his support, and residing in his household in a parent-child relationship. However, only that medical and dental care may be furnished to a foster child under this chapter which is not furnished by other non-Federal agencies."

With the following committee amendment:

On page 2, line 2, change the period to a comma and insert the following: "except a child who was placed in his household by a social service agency upon application of the member or former member, but without an agreement to adopt."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

REVOLVING FUND OF U.S. CIVIL SERVICE COMMISSION

The Clerk called the bill (H.R. 9233) to amend title 5, United States Code, to promote the efficient and effective use of the revolving fund of the Civil Service Commission in connection with certain functions of the Commission, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

H.R. 9233

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 1304(e) of title 5, United States Code, is amended to read as follows:

"(e)(1) A revolving fund of $4,000,000 is available, to the Commission without fiscal year limitation, for financing investigations, training, and such other functions as the Commission is authorized or required to perform on a reimbursable basis. However, the functions which may be financed in any fiscal year by the fund are restricted to those functions which are covered by the budget estimates submitted to the Congress for that fiscal year. To the maximum extent feasible, each individual activity shall be conducted generally on an actual cost basis over a reasonable period of time.

"(2) The capital of the fund consists of the aggregate of—

"(A) appropriations made to provide capital for the fund; and

"(B) the sum of the fair and reasonable value of such supplies, equipment, and other assets as the Commission from time to time transfers to the fund (including the amount of the unexpended balances of appropriations or funds relating to activities the financing of which is transferred to the fund) less the amount of related liabilities, the amount of unpaid obligations, and the value of accrued annual leave of employees, which are attributable to the activities the financing of which is transferred to the fund.

"(3) The fund shall be credited with—

"(A) advances and reimbursements from available funds of the Commission or other agencies, or from other sources, for those services and supplies provided at rates estimated by the Commission as adequate to recover expenses of operation (including provision for accrued annual leave of employees and depreciation of equipment); and

"(B) receipts from sales or exchanges of property and payments for loss of or damage to property, accounted for under the fund.

"(4) Any unobligated and unexpended balances in the fund which the Commission determines to be in excess of amounts needed for activities financed by the fund shall be deposited in the Treasury of the United States as miscellaneous receipts.

"(5) The Commission shall prepare a business-type budget providing full disclosure of the results of operations for each of the functions performed by the Commission and financed by the fund, and such budget shall be transmitted to the Congress and considered, in the manner prescribed by law for wholly owned Government corporations.

"(6) The Comptroller General of the United States shall, as a result of his periodic reviews of the activities financed by the fund, report and make such recommendations as he deems appropriate to the Committees on Post Office and Civil Service of the Senate and House of Representatives at least once every three years.".

(b) Section 1304(f) of title 5, United States Code, is amended by striking out "investigations made" and inserting in lieu thereof "investigations, training, and functions performed".

The bill was ordered to be engrossed, and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AUTHORIZING THE APPOINTMENT OF THE PRESENT CHAIRMAN OF THE JOINT CHIEFS OF STAFF FOR AN ADDITIONAL TERM OF 1 YEAR

The Clerk called the joint resolution (H.J. Res. 677) to authorize the President to reappointment as Chairman of the Joint Chiefs of Staff, for an additional term of 1 year, the officer serving in that position on April 1, 1969.

There being no objection, the Clerk read the joint resolution as follows:

H.J. Res. 677

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That, nothwithstanding section 142(a) of title 10, United States Code, the President may, by and with the advice and consent of the Senate, reappoint as Chairman of the Joint Staffs, for an additional term of one year, the officer serving in that position on April 1,-1969.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. PRICE of Illinois. Mr. Speaker, I ask unanimous consent that the Committee on Armed Services be discharged from further consideration of Senate Joint Resolution 104, a joint resolution identical to that which was just passed by the House, and ask for its immediate consideration.

The Clerk read the title of the Senate joint resolution.

The SPEAKER pro tempore (Mr. McFall). Is there objection to the request of the gentleman from Illinois.

There was no objection.

The Clerk read the Senate joint resolution, as follows:

S.J. Res. 104

Joint resolution to authorize the President to reappoint as Chairman of the Joint Chiefs of Staff, for an additional term of one year, the officer serving in that position on April 1, 1969

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding section 142(a) of title 10, United States Code, the President may, by and with the advice and consent of the Senate, reappoint as Chairman of the Joint Chiefs of Staff, for an additional term of one year, the officer serving in that position on April 1, 1969.

Mr. PRICE of Illinois. Mr. Speaker, this joint resolution would authorize the President, with the advice and consent of the Senate, to reappoint Gen. Earle G. Wheeler as Chairman of the Joint Chiefs of Staff for an additional term of 1 year.

Under existing law, section 142(a) of title 10, United States Code, the Chairman of the Joint Chiefs of Staff is appointed with the advice and consent of the Senate, serves at the pleasure of the President for a term of 2 years, and may be reappointed in the same manner for only one additional 2-year term, except in time of war declared by the Congress.

Gen. Earle G. Wheeler, U.S. Army, was initially appointed to the post of Chairman of the Joint Chiefs of Staff effective July 3, 1964. He was reappointed for a second consecutive 2-year term which began on July 3, 1966, and, following enactment of a joint resolution—Public Law 90-342, approved June 15, 1968—he was reappointed for an additional term of 1 year, beginning July 3, 1968.

The proposal being considered today is specifically limited to permitting the President to reappoint General Wheeler for an additional period of 1 year, beginning July 3, 1969. It would not affect any other provision of law.

The Secretary of Defense, Mr. Laird, in a letter to the Speaker of the House of Representatives requesting early enactment of the proposed legislation, stated:

> The President, as Commander in Chief of our Armed Forces, and the Secretary of Defense, believe that retaining General Wheeler in his present position would be in the best interest of the nation. General Wheeler's intimate knowledge of our over-all military posture and requirements, including operations in Southeast Asia, acquired during his tenure as Chairman of the Joint Chiefs of Staff, make it prudent and wise to retain his invaluable experience and counsel during the current and impending period of operations and negotiations affecting Southeast Asia.

In considering this resolution, the committee noted the truly outstanding qualifications of General Wheeler. His competency, integrity, and professional accomplishments are so remarkable and so widely known that they require no elaboration here today. But if further proof were needed, the fact that he has been chosen to serve under three Secretaries of Defense and two Presidents show the high, bipartisan regard and esteem in which he is held.

The committee also noted that this reappointment, if authorized would extend General Wheeler's tenure longer than would be considered appropriate, under normal circumstances. But the facts are that normal circumstances do not prevail today. As the Secretary of Defense has pointed out, military operations in Southeast Asia and the Paris peace negotiations are in a most critical and sensitive phase. Further, the President, who assumed that high office only a few months ago, has expressed his strong desire to retain the unique skills which General Wheeler has acquired during his tenure as Chairman of the Joint Chiefs, as he completes the transition in administrations.

The committee is of the opinion that the Commander in Chief should be given wide discretion in selecting his principal military advisers during periods of conflict such as those we face today. This is particularly true with respect to the highest ranking active duty member of the Armed Forces.

It is for all of these reasons that I urge the unanimous adoption of this joint resolution authorizing the reappointment by the President of Gen. Earle G. Wheeler as Chairman of the Joint Chiefs of Staff for an additional term of 1 year.

Mr. BRAY. Mr. Speaker, I concur in the remarks made by my distinguished colleague from Illinois. We have a Commander in Chief and Secretary of Defense who need and seek the advice and counsel of a man who can provide continuity during this most vital phase of operations and negotiations affecting Southeast Asia. I know of no situation created by legislative act which is not subject to exception—that is why our laws are being constantly amended, or repealed, or otherwise modified.

For example, I think the Congress was very wise when it proposed the limitation that it did with respect to a military man occupying the office of Secretary of Defense, but circumstances dictated that this limitation should be relaxed in order that General Marshall could occupy the position of Secretary of Defense. This resolution is in the same tradition of "exception to fit circumstances."

After all, laws can be made only for "the long run," for the usual situation, for the normal set of events. Here we have an exception to the normal situation and one which requires remedial legislation. The basic law is not affected by this resolution. It represents merely an interpolated exception, the basic law is the law of the land.

It is my hope that this joint resolution will be unanimously adopted by the Congress today.

The Senate joint resolution was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House joint resolution (H.J. Res. 677) was laid on the table.

TRIBUTE TO ALLIED WORLD WAR II VICTORY IN EUROPE AND TO GEN. OMAR N. BRADLEY, U.S. ARMY

The Clerk called the concurrent resolution (H. Con. Res. 207) in tribute to Allied World War II victory in Europe and to Gen. Omar N. Bradley, U.S. Army.

There being no objection, the Clerk read the concurrent resolution, as follows:

H. CON. RES. 207

Whereas May 8, 1970, marks the twenty-fifth anniversary of the victory of Allied forces and the termination of World War II in Europe; and

Whereas General of the Army Omar N. Bradley is acknowledged to have played a role of utmost importance in gaining that victory; and

Whereas General of the Army Omar N. Bradley is the last surviving officer of World War II having attained the rank of General of the Army; and

Whereas General of the Army Omar N. Bradley is donating his collection of personal papers; historical documents, and memorabilia .to the Army military history research collection; and

Whereas the Bradley collection will be housed at Carlisle Barrracks, Pennsylvania, and will be formally dedicated and opened to the public on May 8, 1970, the occasion of the twenty-fifth anniversary of V–E Day: Now, therefore, be it

Resolved by the House of Representatives (*the Senate concurring*), That it is the sense of Congress that one year from today on the occasion of the twenty-fifth anniversary of V–E Day, and the formal opening of the Omar N. Bradley historical collection, appropriate ceremonies be conducted at Carlisle Barracks under the direction of the Secretary of Defense in memorial tribute to the Allied victory in Europe and in memory of those who gave their lives to attain that victory, and expressing the gratitude of the American people to one of this country's greatest soldiers, General of the Army Omar N. Bradley.

With the following committee amendments:

On page 1, line 12, delete the words "Army military history research collection" and insert in lieu thereof "United States Army Military History Research Collection".

On page 2, lines 2 and 3, delete the words "one year from today".

The committee amendments were agreed to.

Mr. PRICE of Illinois. Mr. Speaker, this concurrent resolution expresses the sense of Congress on the occasion of the 25th anniversary of V–E Day and the formal opening of the Omar N. Bradley collection, appropriate ceremonies will be conducted at Carlisle Barracks under the direction of the Secretary of Defense, in memorial tribute to the Allied victory in Europe and in memory of those who gave their lives to attain that victory, and expressing the gratitude of the American people to one of this country's greatest soldiers, General of the Army Omar N. Bradley.

Historical records will, I believe, reflect that General of the Army Omar Nelson Bradley is now and will be long remembered not only as an outstanding military commander, but also as a man of deep compassion and understanding, truly a soldier's general, loved and respected by all who served with him.

Like his West Point classmate, General Eisenhower, General Bradley's roots are in rural America. Born in Missouri on February 12, 1893, he entered the U.S. Military Academy at West Point in 1911 and was graduated in 1915.

General Bradley earned his wartime advancement on the battlefield. He commanded a corps in North Africa and later in Sicily. He led the U.S. 1st Army across the beaches of Normandy on June 6, 1944 and smashed through the German lines at Saint Lo, opening the way to the speedy liberation of France. In 1945, while in command of the 12th Army Group he broke the Siegfried Line and pushed onto the Rhine River and ultimate victory. The 12th Army Group numbered more than 1.3 million combat troops and was the largest body of American soldiers ever to serve under one field commander.

After V–E Day, President Truman selected General Bradley to become head of the Veterans' Administration during the critical postwar demobilization of our Armed Forces. He became the Army's Chief of Staff in 1948 and the first chairman of the military committee of NATO in October 1949. In 1949 General Bradley was appointed as the first Chairman of the Joint Chiefs of Staff. He became the fifth General of the Army with his promotion on September 22, 1950.

Throughout his 58 years of active duty, General Bradley has contributed greatly to our national heritage.

In order that scholars in every field of endeavor may have access to the records of his service, General Bradley is donating his collection of personal papers, battle maps, historical documents, and memorabilia to the U.S. Military History Collection at Carlisle Barracks, Pa.

The formal opening of the Omar Nelson Bradley Historical Display is scheduled for May 8, 1970, the 25th anniversary of World War II V–E Day. A ceremony will be held on that date in tribute to the Allied victory in Europe expressing the gratitude of the American people to General Bradley and the American soldiers who fought so gallantly for freedom.

I urge the adoption of this concurrent resolution.

Mr. BRAY. Mr. Speaker, I join with my distinguished colleague from Illinois in supporting this concurrent resolution, which will further enhance the celebration of the significant historical event planned for May 8, 1970, the 25th anniversary of World War II victory by the Allied forces in the European theater. This occasion will serve to commemorate the Allied victory and to memorialize the gallant men who died to achieve that victory, and to honor General of the Army Omar Nelson Bradley.

Our Nation is, indeed, indebted to General Bradley, who has so generously donated his invaluable collection of materials gathered during his 58 years of active service to his Nation.

It is an honor to join with all Americans in expressing our deep gratitude to this great soldier and patriot.

I hope that this resolution will be unanimously adopted.

Mr. TEAGUE of Texas. Mr. Speaker, I am happy and honored today that the House has passed the resolution which I introduced on April 17, 1969, to give appropriate and due recognition to the great service of that patriot and dedicated soldier, Omar N. Bradley, at a ceremony to be held in 1970.

Mr. Speaker, it was my privilege to serve under General Bradley in World War II, and in my judgment no finer field commander has ever been produced by the American people than Gen. Omar N. Bradley. Truly he was a soldier's general. Uppermost in his mind at all times was the use of his equipment in such a way as to save the lives of the men who served under him. It was no accident that the enlisted men of the Army who served under General Bradley loved him for they knew and respected the type of officer which he was.

Following the end of World War II, President Truman called General Bradley to be head of the Veterans' Administration. He served with distinction in that post, and it was no small feat in directing this sprawling agency taxed to its utmost to meet the demands of 15 million new American veterans. He showed the same compassion and understanding for the returning American veteran that he did for the soldiers during the time of conflict. It was no accident that many dedicated physicians at General Bradley's request joined the Department of Medicine and Surgery and helped provide the fine quality of medical care which our Nation's veterans have enjoyed since that time. General Bradley also headed a commission to survey veterans' benefits which made a unique contribution in this field.

Mr. Speaker, again I reiterate my support of this proposal, and I hope that the Senate will see fit to act on it speedily, as I am sure it will, so that on the occasion of the 25th anniversary of V–E Day appropriate ceremonies may be conducted at Carlisle Barracks under the direction of the Secretary of Defense in a tribute to Allied victory in Europe in World War II; in memory to those who gave their lives to attain that victory; and to express the gratitude of the American people for General of the Army Omar N. Bradley.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

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NEW HAMPSHIRE-VERMONT INTERSTATE SCHOOL COMPACT

The Clerk called the bill (H.R. 751) to consent to the New Hampshire-Vermont interstate school compact.

There being no objection, the Clerk read the bill, as follows:

H.R. 751

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Congress consents to the New Hampshire-Vermont Interstate School Compact which is substantially as follows:

"NEW HAMPSHIRE-VERMONT INTERSTATE SCHOOL COMPACT

"ARTICLE I

"GENERAL PROVISIONS

"A. STATEMENT OF POLICY.—It is the purpose of this compact to increase the educational opportunities within the states of New Hampshire and Vermont by encouraging the formation of interstate school districts which will each be a natural social and economic region with adequate financial resources and a number of pupils sufficient to permit the efficient use of school facilities within the interstate district and to provide improved instruction. The state boards of education of New Hampshire and Vermont may formulate and adopt additional standards consistent with this purpose and with these standards; and the formation of any interstate school district and the adoption of its articles of agreement shall be subject to the approval of both state boards as hereinafter set forth.

"B. REQUIREMENT OF CONGRESSIONAL APPROVAL.—This compact shall not become effective until approved by the United States Congress.

"C. DEFINITIONS.—The terms used in this compact shall be construed as follows, unless a different meaning is clearly apparent from the language or context:

"a. 'Interstate school district' and 'interstate district' shall mean a school district composed of one or more school districts located in the state of New Hampshire associated under this compact with one or more school districts located in the state of Vermont, and may include either the elementary schools, the secondary schools, or both.

"b. 'Member school district' and 'member district' shall mean a school district located either in New Hampshire or Vermont which is included within the boundaries of a proposed or established interstate school district. In the case of districts located in Vermont, it shall include city school districts, town school districts, union school districts and incorporated school districts. Where appropriate, the term 'member district clerk' shall refer to the clerk of the city in which a Vermont school district is located, the clerk of the town in which a Vermont town school district is located, or the clerk of an incorporated school district.

"c. 'Elementary school' shall mean a school which includes all grades from kindergarten or grade one through not less than grade six nor more than grade eight.

"d. 'Secondary school' shall mean a school which includes all grades beginning no lower than grade seven and no higher than grade twelve.

"e. 'Interstate board' shall refer to the board serving an interstate school district.

"f. 'New Hampshire board' shall refer to the New Hampshire state board of education.

"g. 'Vermont board' shall refer to the Vermont state board of education.

"h. 'Commissioner' shall refer to commissioner of education.

"i. Where joint action by both state boards is required, each state board shall deliberate and vote by its own majority, but shall separately reach the same result or take the same action as the other state board.

"j. The terms 'professional staff personnel' and 'instructional staff personnel' shall include superintendents, assistant superintendents, administrative assistants, principals, guidance counsellors, special education personnel, school nurses, therapists, teachers, and other certified personnel.

"k. The term 'warrant' or 'warning' to mean the same for both states.

"ARTICLE II

"PROCEDURES FOR FORMATION OF AN INTERSTATE SCHOOL DISTRICT

"A. CREATION OF PLANNING COMMITTEE.—The New Hampshire and Vermont commissioners of education shall have the power, acting jointly to constitute and discharge one or more interstate school district planning committees. Each such planning committee shall consist of at least two voters from each of a group of two or more neighboring member districts. One of the representatives from each member district shall be a member of its school board, whose term on the planning committee shall be concurrent with his term as a school board member. The term of each member of a planning committee who is not also a school board member shall expire on June thirtieth of the third year following his appointment. The existence of any planning committee may be terminated either by vote of a majority of its members or by joint action of the commissioners. In forming and appointing members to an interstate school district planning board, the commissioners shall consider and take into account recommendations and nominations made by school boards of member districts. No member of a planning committee shall be disqualified because he is at the same time a member of another planning board or committee created under the provisions of this compact or under any other provisions of law. Any existing informal interstate school planning committee may be reconstituted as a formal planning committee in accordance with the provisions hereof, and its previous deliberations adopted and ratified by the reorganized formal planning committee. Vacancies on a planning committee shall be filled by the commissioners acting jointly.

"B. OPERATING PROCEDURES OF PLANNING COMMITTEE.—Each interstate school district planning committee shall meet in the first instance at the call of any member, and shall organize by the election of a chairman and clerk-treasurer, each of whom shall be a resident of a different state. Subsequent meetings may be called by either officer of the committee. The members of the committee shall serve without pay. The member districts shall appropriate money on an equal basis at each annual meeting to meet the expenses of the committee, including the cost of publication and distribution of reports and advertising. From time to time the commissioners may add additional members and additional member districts to the committee, and may remove members and member districts from the committee. An interstate school district planning committee shall act by majority vote of its membership present and voting.

"C. DUTIES OF INTERSTATE SCHOOL DISTRICT PLANNING COMMITTEE.—It shall be the duty of an interstate school district planning committee, in consultation with the commissioners and the state departments of education: to study the advisability of establishing an interstate school district in accordance with the standards set forth in paragraph A of Article I of this compact, its organization, operation and control, and the advisability of constructing, maintaining and operating a school or schools to serve the needs of such interstate district; to estimate the construction and operating costs thereof; to investigate the methods of financing such school or schools, and any other matters pertaining to the organization and operation of an interstate school district; and to submit a report or reports of its findings and recommendations to the several member districts

"D. RECOMMENDATIONS AND PREPARATION OF ARTICLES OF AGREEMENT.—An interstate school district planning committee may recommend that an interstate school district composed of all the member districts represented by its membership, or any specified combination of such member districts, be established. If the planning committee does recommend the establishment of an interstate school district, it shall include in its report such recommendation, and shall also prepare and include in its report proposed articles of agreement for the proposed interstate school district, which shall be signed by at least a majority of the membership of the planning committee, which set forth the following:

"a. The name of the interstate school district.

"b. The member districts which shall be combined to form the proposed interstate school district.

"c. The number, composition, method of selection and terms of office of the interstate school board, provided that:

"(1) The interstate school board shall consist of an odd number of members, not less than five nor more than fifteen;

"(2) The terms of office shall not exceed three years;

"(3) Each member district shall be entitled to elect at least one member of the interstate school board. Each member district shall either vote separately at the interstate school district meeting by the use of a distinctive ballot, or shall choose its member or members at any other election at which school officials may be chosen;

"(4) The method of election shall provide for the filing of candidacies in advance of election and for the use of a printed nonpartisan ballot;

"(5) Subject to the foregoing, provision may be made for the election of one or more members at large.

"d. The grades for which the interstate school district shall be responsible.

"e. The specific properties of member districts to be acquired initially by the interstate school district and the general location of any proposed new schools to be initially established or constructed by the interstate school district.

"f. The method of apportioning the operating expenses of the interstate school district among the several member districts, and the time and manner of payments of such shares.

"g. The indebtedness of any member district which the interstate district is to assume.

"h. The method of apportioning the capital expenses of the interstate school district among the several member districts, which need not be the same as the method of apportioning operating expenses, and the time and manner of payment of such shares. Capital expenses shall include the cost of acquiring land and buildings for school purposes; the construction, furnishing and equipping of school buildings and facilities; and the payment of the principal and interest of any indebtedness which is incurred to pay for the same.

"i. The manner in which state aid, available under the laws of either New Hampshire or Vermont, shall be allocated unless otherwise expressly provided in this compact or by the laws making such aid available.

"j. The method by which the articles of agreement may be amended, which amendments may include the annexation of territory, or an increase or decrease in the number of grades for which the interstate district shall be responsible, provided that no amendment shall be effective until approved by both state boards in the same manner as required for approval of the original articles of agreement.

"k. The date of operating responsibility of the proposed interstate school district and a proposed program for the assumption of operating responsibility for education by the proposed interstate school district, and any school construction; which the interstate school district shall have the power to vary by vote as circumstances may require.

"l. Any other matters, not incompatible with law, which the interstate school district planning committee may consider appropriate to include in the articles of agreement, including, without limitation:

"(1) The method of allocating the cost of transportation between the interstate district and member districts;

"(2) The nomination of individual school directors to serve until the first annual meeting of the interstate school district.

"E. Hearings.—If the planning committee recommends the formation of an interstate school district, it shall hold at least one public hearing on its report and the proposed articles of agreement within the proposed interstate school district in New Hampshire, and at least one public hearing thereon within the proposed interstate school district in Vermont. The planning committee shall give such notice thereof as it may determine to be reasonable, provided that such notice shall include at least one publication in a newspaper of general circulation within the proposed interstate school district not less than fifteen days (not counting the date of publication and not counting the date of the hearing) before the date of the first hearing. Such hearings may be adjourned from time to time and from place to place. The planning committee may revise the proposed articles of agreement after the date of the hearings. It shall not be required to hold further hearings on the revised articles of agreement but may hold one or more further hearings after notice similar to that required for the first hearings if the planning committee in its sole discretion determines that the revisions are so substantial in nature as to require further presentation to the public before submission to the state boards of education.

"F. Approval of State Boards.—After the hearings a copy of the proposed articles of agreement, as revised, signed by a majority of the planning committee, shall be submitted by it to each state board. The state boards may (a) if they find that the articles of agreement are in accord with the standards set forth in this compact and in accordance with the standards set forth in this compact and in accordance with sound educational policy, approve the same as submitted, or (b) refer them back to the planning committee for further study. The planning committee may make additional revisions to the proposed articles of agreement to conform to the recommendations of the state boards. Further hearings on the proposed articles of agreement shall not be required unless ordered by the state boards in their discretion. In exercising such discretion, the state boards shall take into account whether or not the additional revisions are so substantial in nature as to require further presentation to the public. If both state boards find that the articles of agreement as further revised are in accord with the standards set forth in this compact and in accordance with sound educational policy, they shall approve the same. After approval by both state boards, each state board shall cause the articles of agreement to be submitted to the school boards of the several member districts in each state for acceptance by the member districts as provided in the following paragraph. At the same time, each state board shall designate the form of warrant, date, time, place, and period of voting for the special meeting of the member districts to be held in accordance with the following paragraph.

"G. Adoption by Member Districts.—Upon receipt of written notice from the state board in its state of the approval of the articles of agreement by both state boards, the school board of each member district shall cause the articles of agreement to be filed with the member district clerk. Within ten days after receipt of such notice, the school board shall issue its warrant for a special meeting of the member district, the warrant to be in the form, and the meeting to be held at the time and place and in the manner prescribed by the state board. No approval of the superior court shall be required for such special school district meeting in New Hampshire. Voting shall be with the use of the check list by a ballot substantially in the following form:

"'Shall the school district accept the provisions of the New Hampshire-Vermont Interstate School Compact providing for the establishment of an interstate school district, together with the school districts of ---------- and ----------, etc., in accordance with the provisions of the proposed articles of agreement filed with the school district (town, city or incorporated school district) clerk?

"'Yes ( ) No ( )'

"If the articles of agreement included the nomination of individual school directors, those nominated from each member district shall be included in the ballot and voted upon, such election to become effective upon the formation of an interstate school district.

"If a majority of the voters present and voting in a member district vote in the affirmative, the clerk for such member district shall forthwith send to the state board in its state a certified copy of the warrant, certificate of posting, and minutes of the meeting of the district. If the state boards of both states find that a majority of the voters present and voting in each member district have voted in favor of the establishment of the interstate school district, they shall issue a joint certificate to that effect; and such certificate shall be conclusive evidence of the lawful organization and formation of the interstate school district as of its date of issuance.

"H. Resubmission.—If the proposed articles of agreement are adopted by one or more of the member districts but rejected by one or more of the member districts, the state boards may resubmit them, in the same form as previously submitted, to the rejecting member districts, in which case the school boards thereof shall resubmit them to the voters in accordance with paragraph G of this article. An affirmative vote in accordance therewith shall have the same effect as though the articles of agreement had been adopted in the first instance. In the alternative, the state boards may either (a) discharge the planning committee, or (b) refer the articles of agreement back for further consideration to the same or a reconstituted planning committee, which shall have all of the powers and duties as the planning committee as originally constituted.

"Article III

"POWERS OF INTERSTATE SCHOOL DISTRICTS

"A. Power.—Each interstate school district shall be a body corporate and politic, with power to:

"a. To acquire, construct, extend, improve, staff, operate, manage and govern public schools within its boundaries;

"b. To sue and be sued, subject to the limitaitons of liability hereinafter set forth;

"c. To have a seal and alter the same at pleasure;

"d. To adopt, maintain and amend bylaws not inconsistent with this compact, and the laws of the two States;

"e. To acquire by purchase, condemnation, lease or otherwise, real and personal property for the use of its schools;

"f. To enter into contracts and incur debts;

"g. To borrow money for the purposes hereinafter set forth, and to issue its bonds or notes therefor;

"h. To make contracts with and accept grants and aid from the United States, the State of New Hampshire, the State of Vermont, any agency or municipality thereof, and private corporations and individuals for the construction, maintenance, reconstruction, operation and financing of its schools; and to do any and all things necessary in order to avail itself of such aid and cooperation;

"i. To employ such assistants, agents, servants, and independent contractors as it shall deem necessary or desirable for its purposes; and

"j. To take any other action which is necessary or appropriate in order to exercise any of the foregoing powers.

"Article IV

"A. General.—Votes of the district shall be taken at a duly warned meeting held at any place in the district, at which all of the eligible legal voters of the member districts shall be entitled to vote, except as otherwise provided with respect to the election of directors.

"B. Eligibility of Voters.—Any resident who would be eligible to vote at a meeting of a member district being held at the same time, shall be eligible to vote at a meeting of the interstate district. The board of civil authority in each Vermont member district and the supervisors of the check list of each New Hampshire district shall respectively prepare a check list of eligible voters for each meeting of the interstate district in the same manner, and they shall have all the same powers and duties with respect to eligibility of voters in their districts as for a meeting of a member district.

"C. Warning of Meetings.—A meeting shall be warned by a warrant addressed to the residents of the interstate school district qualified to vote in district affairs, stating the time and place of the meeting and the subject matter of the business to be acted upon. The warrant shall be signed by the clerk and by a majority of the directors. Upon written application of ten or more voters in the district, presented to the directors or to one of them, at least twenty-five days before the day prescribed for an annual meeting, the directors shall insert in their warrant for such meeting any subject matter specified in such application.

"D. Posting and Publication of Warrant.—The directors shall cause an attested copy of the warrant to be posted at the place of meeting, and a like copy at a public place in each member district at least twenty days (not counting the date of posting and the date of meeting) before the date of the meeting. In addition, the directors shall cause the warrant to be advertised in a newspaper of general circulation on at least one occasion, such publication to occur at least ten days (not counting the date of publication and not counting the date of the meeting) before the date of the meeting. Although no further notice shall be required, the directors may give such further notice of the meeting as they in their discretion deem appropriate under the circumstances.

"E. Return of Warrant.—The warrant with a certificate thereon, verified by oath, stating the time and place when and where copies of the warrant were posted and published, shall be given to the clerk of the interstate school district at or before the time of the meeting, and shall be recorded by him in the records of the interstate school district.

"F. Organization Meeting.—The commissioners, acting jointly, shall fix a time and place for a special meeting of the qualified voters within the interstate school district for the purpose of organization, and shall prepare and issue the warrant for the meeting after consultation with the interstate school district planning board and the members-elect, if any, of the interstate school board of directors. Such meeting shall be

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held within sixty days after the date of issuance of the certificate of formation, unless the time is further extended by the joint action of the state boards. At the organization meeting the commissioner of education of the state where the meeting is held, or his designate, shall preside in the first instance, and the following business shall be transacted:

"a. A temporary moderator and a temporary clerk shall be elected from among the qualified voters who shall serve until a moderator and clerk respectively have been elected and qualified.

"b. A moderator, a clerk, a treasurer, and three auditors shall be elected to serve until the next annual meeting and thereafter until their successors are elected and qualified. Unless previously elected, a board of school directors shall be elected to serve until their successors are elected and qualified.

"c. The date for the annual meeting shall be established.

"d. Provision shall be made for the payment of any organizational or other expense incurred on behalf of the district before the organization meeting, including the cost of architects, surveyors, contractors, attorneys, and educational or other consultants or experts.

"e. Any other business, the subject matter of which has been included in the warrant, and which the voters would have had power to transact at an annual meeting.

"G. Annual Meetings.—An annual meeting of the district shall be held between January fifteenth and June first of each year at such time as the interstate district may by vote determine. Once determined, the date of the annual meeting shall remain fixed until changed by vote of the interstate district at a subsequent annual or special meeting. At each annual meeting the following business shall be transacted:

"a. Necessary officers shall be elected.

"b. Money shall be appropriated for the support of the interstate district schools for the fiscal year beginning the following July first.

"c. Such other business as may properly come before the meeting.

"H. Special Meetings.—A special meeting of the district shall be held whenever, in the opinion of the directors, there is occasion therefor, or whenever written application shall have been made by five per cent or more of the voters (based on the check lists as prepared for the last preceding meeting) setting forth the subject matter upon which such action is desired. A special meeting may appropriate money without compliance with RSA 33:8 or RSA 197:3 which would otherwise require the approval of the New Hampshire superior court.

"I. Certification of Records.—The clerk of an interstate school district shall have the power to certify the record of the votes adopted at an interstate school district meeting to the respective commissioners and state boards and (where required) for filing with a secretary of state.

"J. Method of Voting at School District Meetings.—Voting at meetings of interstate school districts shall take place as follows:

"a. School directors.—A separate ballot shall be prepared for each member district, listing the candidates for interstate school director to represent such member district; and any candidates for interstate school director at large; and the voters of each member district shall register on a separate ballot their choice for the office of school director or directors. In the alternative, the articles of agreement may provide for the election of school directors by one or more of the member districts at an election otherwise held for the choice of school or other municipal officers.

"b. Other votes.—Except as otherwise provided in the articles of agreement or this compact, with respect to all other votes (1) the voters of the interstate school district shall vote as one body irrespective of the member districts in which they are resident, and (2) a simple majority of those present and voting at any duly warned meeting shall carry the vote. Voting for officers to be elected at any meeting, other than school directors, shall be by ballot or voice, as the interstate district may determine, either in its articles of agreement or by a vote of the meeting.

"ARTICLE V

"OFFICERS

"A. Officers: General.—The officers of an interstate school district shall be a board of school directors, a chairman of the board, a vice-chairman of the board, a secretary of the board, a moderator, a clerk, a treasurer and three auditors. Except as otherwise specifically provided, they shall be eligible to take office immediately following their election; they shall serve until the next annual meeting of the interstate district and until their successors are elected and qualified. Each shall take oath for the faithful performance of his duties before the moderator, or a notary public or a justice of the peace of the state in which the oath is administered. Their compensation shall be fixed by vote of the district. No person shall be eligible to any district office unless he is a voter in the district. A custodian, school teacher, principal, superintendent or other employee of an interstate district acting as such shall not be eligible to hold office as a school director.

"B. Board of Directors.—

"a. How chosen.—Each member district shall be represented by at least one resident on the board of school directors of an interstate school district. A member district shall be entitled to such further representation on the interstate board of school directors as provided in the articles of agreement as amended from time to time. The articles of agreement as amended from time to time may provide for school directors at large, as above set forth. No person shall be disqualified to serve as a member of an interstate board because he is at the same time a member of the school board of a member district.

"b. Term.—Interstate school directors shall be elected for terms in accordance with the articles of agreement.

"c. Duties of board of directors.—The board of school directors of an interstate school district shall have and exercise all of the powers of the district not reserved herein to the voters of the district.

"d. Organization.—The clerk of the district shall warn a meeting of the board of school directors to be held within ten days following the date of the annual meeting, for the purpose of organizing the board, including the election of its officers.

"C. Chairman of the Board.—The chairman of the board of interstate school directors shall be elected by the interstate board from among its members at its first meeting following the annual meeting. The chairman shall preside at the meetings of the board and shall perform such other duties as the board may assign to him.

"D. Vice-Chairman of the Board of Directors.—The vice-chairman of the interstate board shall be elected in the same manner as the chairman. He shall represent a member district in a state other than that represented by the chairman. He shall preside in the absence of the chairman and shall perform such other duties as may be assigned to him by the interstate board.

"E. Secretary of the Board.—The Secretary of the interstate board shall be elected in the same manner as the chairman. Instead of electing one of its members, the interstate board may appoint the interstate district clerk to serve as secretary of the board in addition to his other duties. The secretary of the interstate board (or the interstate district clerk, if so appointed) shall keep the minutes of its meetings, shall certify its records, and perform such other duties as may be assigned to him by the board.

"F. Moderator.—The moderator shall preside at the district meetings, regulate the business thereof, decide questions of order, and make a public declaration of every vote passed. He may prescribe rules of procedure; but such rules may be altered by the district. He may administer oaths to district officers in either state.

"G. Clerk.—The clerk shall keep a true record of all proceedings at each district meeting, shall certify its records, shall make an attested copy of any records of the district for any person upon request and tender of reasonable fees therefor, if so appointed, shall serve as secretary of the board of school directors, and shall perform such other duties as may be required by custom or law.

"H. Treasurer.—The treasurer shall have custody of all of the moneys belonging to the district and shall pay out the same only upon the order of the interstate board. He shall keep a fair and accurate account of all sums received into and paid from the interstate district treasury, and at the close of each fiscal year shall make a report to the interstate district, giving a particular account of all receipts and payments during the year. He shall furnish to the interstate directors, statements from his books and submit his books and vouchers to them and to the district auditors for examination whenever so requested. He shall make all returns called for by laws relating to school districts. Before entering on his duties, the treasurer shall give a bond with sufficient sureties and in such sum as the directors may require. The treasurer's term of office is from July 1 to the following June 30.

"I. Auditors.—At the organization meeting of the district, three auditors shall be chosen, one to serve for a term of one year, one to serve for a term of two years, and one to serve for a term of three years. After the expiration of each original term, the successor shall be chosen for a three year term. At least one auditor shall be a resident of New Hampshire, and one auditor shall be a resident of Vermont. An interstate district may vote to employ a certified public accountant to assist the auditors in the performance of their duties. The auditors shall carefully examine the accounts of the treasurer and the directors at the close of each fiscal year, and at such other times whenever necessary, and report to the district whether the same are correctly cast and properly vouched.

"J. Superintendent.—The superintendent of schools shall be selected by a majority vote of the board of school directors of the interstate district with the approval of both commissioners.

"K. Vacancies.—Any vacancy among the elected officers of the district shall be filled by the interstate board until the next annual meeting of the district or other election, when a successor shall be elected to serve out the remainder of the unexpired term, if any. Until all vacancies on the interstate board are filled, the remaining members shall have full power to act.

"ARTICLE VI

"APPROPRIATION AND APPORTIONMENT OF FUNDS

"A. Budget.—Before each annual meeting the interstate board shall prepare a report of expenditures for the preceding fiscal year, an estimate of expenditures for the current fiscal year, and a budget for the succeeding fiscal year.

"B. Appropriation.—The interstate board of directors shall present the budget report of the annual meeting. The interstate district shall appropriate a sum of money for the support of its schools and for the discharge of its obligations for the ensuing fiscal year.

"C. Apportionment of Appropriation.—

Subject to the provisions of article VIII hereof, the interstate board shall first apply against such appropriation any income to which the interstate district is entitled, and shall then apportion the balance among the member districts in accordance with one of the following formulas as determined by the articles of agreement as amended from time to time:

"a. All of such balance to be apportioned on the basis of the ratio that the fair market value of the taxable property in each member district bears to that of the entire interstate district; or

"b. All of such balance to be apportioned on the basis that the average daily resident membership for the preceding fiscal year of each member district bears to that of the average daily resident membership of the entire interstate school district; or

"c. A formula based on any combination of the foregoing factors. The term 'fair market value of taxable property' shall mean the last locally assessed valuation of a member district in New Hampshire, as last equalized by the New Hampshire state tax commission.

"The term 'fair market value of taxable property' shall mean the equalized grand list of a Vermont member district, as determined by the Vermont department of taxes.

"Such assessed valuation and grand list may be further adjusted (by elimination of certain types of taxable property from one or the other or otherwise) in accordance with the articles of agreement, in order that the fair market value of taxable property in each state shall be comparable.

"'Average daily resident membership' of the interstate district in the first instance shall be the sum of the average daily resident membership of the member districts in the grades involved for the preceding fiscal year where no students were enrolled in the interstate district school for such preceding fiscal year.

"D. Share of New Hampshire Member District.—The interstate board shall certify the share of a New Hampshire member district of the total appropriation to the school board of each member district which shall add such sum to the amount appropriated by the member district itself for the ensuing year and raise such sum in the same manner as though the appropriation had been voted at a school district meeting of the member district. The interstate district shall not set up its own capital reserve funds; but a New Hampshire member district may set up a capital reserve fund in accordance with RSA 35, to be turned over to the interstate district in payment of the New Hampshire member district's share of any anticipated obligations.

"E. Share of Vermont Member District.—The interstate board shall certify the share of a Vermont member district of the total appropriation to the school board of each member district which shall add sum to the amount appropriated by the member district itself for the ensuing year and raise such sum in the same manner as though the appropriation had been voted at a school district meeting of the member district.

"Article VIII

"BORROWING

"A. Interstate District Indebtedness.—Indebtedness of an interstate district shall be a general obligation of the district and shall also be a joint and several general obligation of each member district, except that such obligations of the district and its member districts shall not be deemed indebtedness of any member district for the purposes of determining its borrowing capacity under New Hampshire or Vermont law. A member district which withdraws from an interstate district shall remain liable for indebtedness of the interstate district which is outstanding at the time of withdrawal and shall be responsible for paying its share of such indebtedness to the same extent as though it had not been withdrawn.

"B. Temporary Borrowing.—The interstate board may authorize the borrowing of money by the interstate district (1) in anticipation of payments of operating and capital expenses by the member districts to the interstate districts and (2) in anticipation of the issue of bonds or notes of the interstate district which have been authorized for the purpose of financing capital projects. Such temporary borrowing shall be evidenced by interest bearing or discounted notes of the interstate district. The amount of notes issued in any fiscal year in anticipation of expense payments shall not exceed the amount of such payments received by the interstate district in the preceding fiscal year. Notes issued under this paragraph shall be payable within one year in the case of notes under clause (1) and three years in the case of notes under clause (2) from their respective dates, but the principal of and interest on notes issued for a shorter period may be renewed or paid from time to time by the issue of other notes, provided that the period from the date of an original note to the maturity of any note issued to renew or pay the same debt shall not exceed the maximum period permitted for the original loan.

"C. Borrowing for Capital Projects.—An interstate district may incur debt and issue its bonds or notes to finance capital projects. Such projects may consist of the acquisition or improvement of land and buildings for school purposes, the construction, reconstruction, alteration, or enlargement of school buildings and related school facilities, the acquisition of equipment of a lasting character and the payment of judgments. No interstate district may authorize indebtedness in excess of ten percent of the total fair market value of taxable property in its member districts as defined in article VI of this compact. The primary obligation of the interstate district to pay indebtedness of member districts shall not be considered indebtedness of the interstate district for the purpose of determining its borrowing capacity under this paragraph. Bonds or notes issued under this paragraph shall mature in equal or diminishing installments of principal payable at least annually commencing no later than two years and ending not later than thirty years after their dates.

"D. Authorization Proceedings.—An interstate district shall authorize the incurring of debts to finance capital projects by a majority vote of the district passed at an annual or special district meeting. Such vote shall be taken by secret ballot after full opportunity for debate, and any such vote shall be subject to reconsideration and further action by the district at the same meeting or at an adjourned session thereof.

"E. Sale of Bonds and Notes.—Bonds and notes which have been authorized under this article may be issued from time to time and shall be sold at not less than par and accrued interest at public or private sale by the chairman of the school board and by the treasurer. Interstate district bonds and notes shall be signed by the said officers, except that either one of the two required signatures may be a facsimile. Subject to this compact and the authorizing vote, they shall be in such form, bear such rates of interest and mature at such times as the said officers may determine. Bonds shall, but notes need not, bear the seal of the interstate district, or a facsimile of such seal. Any bonds or notes of the interstate district which are properly executed by the said officers shall be valid and binding according to their terms notwithstanding that before the delivery thereof such officers may have ceased to be officers of the interstate district.

"F. Proceeds of Bonds.—Any accrued interest received upon delivery of bonds or notes of an interstate district shall be applied to the payment of the first interest which becomes due thereon. The other proceeds of the sale of such bonds or notes, other than temporary notes, including any premiums, may be temporarily invested by the interstate district pending their expenditure; and such proceeds, including any income derived from the temporary investments of such proceeds, shall be used to pay the costs of issuing and marketing the bonds or notes and to meet the operating expenses or capital expenses in accordance with the purposes for which the bonds or notes were issued or, by proceedings taken in the manner required for the authorization of such debt, for other purposes for which such debt could be incurred. No purchaser of any bonds or notes of an interstate district shall be responsible in any way to see to the application of the proceeds thereof.

"G. State Aid Programs.—As used in this paragraph the term 'initial aid' shall include New Hampshire and Vermont financial assistance with respect to a capital project, or the means of financing a capital project, which is available in connection with construction costs of a capital project or which is available at the time indebtedness is incurred to finance the project. Without limiting the generality of the foregoing definition, initial aid shall specifically include a New Hampshire state guarantee under RSA 195–B with respect to bonds or notes and Vermont construction aid under chapter 123 of 16 V.S.A. As used in this paragraph the term 'long-term aid' shall include New Hampshire and Vermont financial assistance which is payable periodically in relation to capital costs incurred by an interstate district. Without limiting the generality of the foregoing definition, long-term aid shall specifically include New Hampshire school building aid under RSA 198 and Vermont school building aid under chapter 123 of Title 16 V.S.A. For the purpose of applying for, receiving and expending initial aid and long-term aid an interstate district shall be deemed a native school district by each state, subject to the following provisions. When an interstate district has appropriated money for a capital project, the amount appropriated shall be divided into a New Hampshire share and a Vermont share in accordance with the capital expense apportionment formula in the articles of agreement as though the total amount appropriated for the project was a capital expense requiring apportionment in the year the appropriation is made. New Hampshire initial aid shall be available with respect to the amount of the New Hampshire share as though it were authorized indebtedness of a New Hampshire cooperative school district. In the case of a state guarantee of interstate districts bonds or notes under RSA 196–B, the interstate district shall be eligible to apply for and receive an unconditional state guarantee with respect to an amount of its bonds or notes which does not exceed fifty per cent of the amount of the New Hampshire share as determined above. Vermont initial aid shall be available with respect to the amount of the Vermont share as though it were funds voted by a Vermont school district. Payments of Vermont initial aid shall be made to the interstate district, and the amount of any borrowing authorized to meet the appropriation for the capital project shall be reduced accordingly. New Hampshire and Vermont long-term aid shall be payable to the interstate district. The amounts of long-term aid in each year shall be based on the New Hampshire and Vermont shares of the amount of indebtedness of the interstate district which is payable in that year and which has been apportioned in accordance with the capital expense apportionment formula in the articles of agreement. The New Hampshire aid shall be payable at the rate of forty-five per cent, if there are three or less New Hampshire members in the interstate district, and otherwise it shall be payable as though the New Hampshire members were a New Hampshire cooperative school district. New Hampshire and Vermont long-term aid shall be deducted from the total capital expenses for the fiscal year in which the long-term aid is payable, and the balance of such expenses shall be apportioned among the member districts. Notwithstanding the foregoing provisions, New Hampshire and Vermont may at any time change their state school aid programs that are in existence when this compact takes effect and may establish new programs, and any legislation for these purposes may specify how much programs shall be applied with respect to interstate districts.

"H. Tax Exemption.—Bonds and notes of an interstate school district shall be exempt from local property taxes in both states, and the interest or discount thereon and any profit derived from the disposition thereof shall be exempt from personal income taxes in both states.

"ARTICLE VIII

"TAKING OVER OF EXISTING PROPERTY

"A. Power To Acquire Property of Member District.—The articles of agreement, or an amendment thereof, may provide for the acquisition by an interstate district from a member district of all or a part of its existing plant and equipment.

"B. Valuation.—The articles of agreement, or the amendment, shall provide for the determination of the value of the property to be acquired in one or more of the following ways:

"a. A valuation set forth in the articles of agreement or the amendment.

"b. By appraisal, in which case, one appraiser shall be appointed by each commissioner, and a third appraiser appointed by the first two appraisers.

"C. Reimbursement to Member District.—The articles of agreement shall specify the method by which the member district shall be reimbursed by the interstate district for the property taken over, in one or more of the following ways:

"a. By one lump sum, appropriated, allocated, and raised by the interstate district in the same manner as an appropriation for operating expenses.

"b. In installments over a period of not more than twenty years, each of which is appropriated, allocated, and raised by the interstate district in the same manner as an appropriation for operating expenses.

"c. By an agreement to assume or reimburse the member district for all principal and interest on any outstanding indebtedness originally incurred by the member district to finance the acquisition and improvement of the property, each such installment to be appropriated, allocated, and raised by the interstate district in the same manner as an appropriation for operating expenses.

"The member district transferring the property shall have the same obligation to pay to the interstate district its share of the cost of such acquisition, but may offset its right to reimbursement.

"ARTICLE IX

"AMENDMENTS TO ARTICLES OF AGREEMENT

"A. Amendments to the articles of agreement may be adopted in the same manner provided for the adoption of the original articles of agreement, except that:

"a. Unless the amendment calls for the addition of a new member district, the functions of the planning committee shall be carried out by the interstate district board of directors.

"b. If the amendment proposes the addition of a new member district, the planning committee shall consist of all of the members of the interstate board and all of the members of the school board of the proposed new member district or districts. In such case the amendment shall be submitted to the voters at an interstate district meeting, at which an affirmative vote of two-thirds of those present and voting shall be required. The articles of agreement together with the proposed amendment shall be submitted to the voters of the proposed new member district at a meeting thereof, at which a simple majority of those present and voting shall be required.

"c. In all cases an amendment may be adopted on the part of an interstate district upon the affirmative vote of voters thereof at a meeting voting as one body. Except where the amendment proposes the admission of a new member district, a simple majority of those present and voting shall be required for adoption.

"d. No amendment to the articles of agreement may impair the rights of bond or note holders or the power of the interstate district to procure the means for their payment.

"ARTICLE X

"APPLICABILITY OF NEW HAMPSHIRE LAWS

"A. General School Laws.—With respect to the operation and maintenance of any school of the district located in New Hampshire, the provisions of New Hampshire law shall apply except as otherwise provided in this compact and except that the powers and duties of the school board shall be exercised and discharged by the interstate board and the powers and duties of the union superintendent shall be exercised and discharged by the interstate district superintendent.

"B. New Hampshire State Aid.—A New Hampshire school district shall be entitled to receive an amount of state aid for operating expenditures as though its share of the interstate district's expenses were the expenses of the New Hampshire member district, and as though the New Hampshire member district pupils attending the interstate school were attending a New Hampshire cooperative school district's school. The state aid shall be paid to the New Hampshire member school district to reduce the sums which would otherwise be required to be raised by taxation within the member district.

"C. Continued Existence of the New Hampshire Member School District.—A New Hampshire member school district shall continue in existence, and shall have all of the powers and be subject to all of the obligations imposed by law and not herein delegated to the interstate district. If the interstate district incorporates only a part of the schools in the member school district, then the school board of the member school district shall continue in existence and it shall have all of the powers and be subject to all of the obligations imposed by law on it and not herein delegated to the district. However, if all of the schools in the member school district are incorporated into the interstate school district, then the member or members of the interstate board representing the member district shall have all of the powers and be subject to all of the obligations imposed by law on the members of a school board for the member district and not herein delegated to the interstate district. The New Hampshire member school district shall remain liable on its existing indebtedness; and the interstate school district shall not become liable therefor, unless the indebtedness is specifically assumed in accordance with the articles of agreement. Any trust funds or capital reserve funds and any property not taken over by the interstate district shall be retained by the New Hampshire member district and held or disposed of according to law. If all of the schools in a member district are incorporated into an interstate district, then no annual meeting of the member district shall be required unless the members of the interstate board from the member district shall determine that there is occasion for such an annual meeting.

"D. Suit and Service of Process in New Hampshire.—The courts of New Hampshire shall have the same jurisdiction over the district as though a New Hampshire member district were a party instead of the interstate district. The service necessary to institute suit in New Hampshire shall be made on the district by leaving a copy of the writ or other proceedings in hand or at the last and usual place of abode of one of the directors who reside in New Hampshire, and by mailing a like copy to the clerk and to one other director by certified mail with return receipt requested.

"E. Employment.—Each employee of an interstate district assigned to a school located in New Hampshire shall be considered an employee of a New Hampshire school district for the purpose of the New Hampshire teachers' retirement system, the New Hampshire state employees' retirement system, the New Hampshire workmen's compensation law and any other law relating to the regulation of employment or the provision of benefits for employees of New Hampshire school districts except as follows:

"1. A teacher in a New Hampshire member district may elect to remain a member of the New Hampshire teachers' retirement system, even though assigned to teach in an interstate school in Vermont.

"2. Employees of interstate districts designated as professional or intsructional staff members, as defined in article I hereof, may elect to participate in the teachers' retirement system of either the state of New Hampshire or the state of Vermont but in no case will they participate in both retirement systems simultaneously.

"3. It shall be the duty of the superintendent in an interstate district to: (a) advise teachers and other professional staff employees contracted for the district about the terms of the contract and the policies and procedure of the retirement systems; (b) see that each teacher or professional staff employee selects the retirement system of his choice at the time his contract is signed; (c) provide the commissioners of education in New Hampshire and in Vermont with the names and other pertinent information regarding each staff member under his jurisdiction so that each may be enrolled in the retirement system of his preference.

"ARTICLE XI

"APPLICABILITY OF VERMONT LAWS

"A. General School Laws.—With respect to the operation and maintenance of any school of the district located in Vermont, the provisions of Vermont law shall apply except as otherwise provided in this compact and except that the powers and duties of the school board shall be exercised and discharged by the interstate board and the powers and duties of the union superintendent shall be exercised and discharged by the interstate district superintendent.

"B. Vermont State Aid.—A Vermont school district shall be entitled to receive such amount of state aid for operating expenditures as though its share of the interstate district's expenses were the expenses of the Vermont member district, and as though the Vermont member district pupils attending the interstate schools were attending a Vermont union school district's schools. Such state aid shall be paid to the Vermont member school district to reduce the sums which would otherwise be required to be raised by taxation within the member district.

"C. Continued Existence of Vermont Member School District.—A Vermont member school district shall continue in existence, and shall have all of the powers and be subject to all of the obligations imposed by law and not herein delegated to the interstate district. If the interstate district incorporates only a part of the schools in the member school district, then the school board of the member school district shall continue in existence and it shall have all of the powers and be subject to all of the obligations imposed by law on it and not herein delegated to the

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district. However, if all of the schools in the member school district are incorporated into the interstate school district, then the member or members of the interstate board representing the member district shall have all of the powers and be subject to all of the obligations imposed by law on the members of a school board for the member district and not herein delegated to the interstate district. The Vermont member school district shall remain liable on its existing indebtedness; and the interstate school district shall not become liable therefor. Any trust funds and any property not taken over shall be retained by the Vermont member school district and held or disposed of according to law.

"D. Suit and Service of Process in Vermont.—The courts of Vermont shall have the same jurisdiction over the districts as though a Vermont member district were a party instead of the interstate district. The service necessary to institute suit in Vermont shall be made on the district by leaving a copy of the writ or other proceedings in hand or at the last and usual place of abode of one of the directors who resides in Vermont, and by mailing a like copy to the clerk and to one other director by certified mail with return receipt requested.

"E. Employment.—Each employee of an interstate district assigned to a school located in Vermont shall be considered an employee of a Vermont school district for the purpose of the state teachers' retirement system of Vermont, the state employees' retirement system, the Vermont workmen's compensation law, and any other law relating to the regulation of employment or the provision of benefits for employees of Vermont school districts except as follows:

"1. A teacher in a Vermont member district may elect to remain a member of the state teachers' retirement system of Vermont, even though assigned to teach in an interstate school in New Hampshire.

"2. Employees of interstate districts designated as professional or instructional staff members, as defined in article I hereof, may elect to participate in the teachers' retirement system of either the state of Vermont or the state of New Hampshire but in no case will they participate in both retirement systems simultaneously.

"3. It shall be the duty of the superintendent in an interstate district to: (a) advise teachers and other professional staff employees contracted for the district about the terms of the contract and the policies and procedures of the retirement system; (b) see that each teacher or professional staff employee selects the retirement system of his choice at the time his contract is signed; (c) provide the commissioners of education in New Hampshire and in Vermont with the names and other pertinent information regarding each staff member under his jurisdiction so that each may be enrolled in the retirement system of his preference.

"ARTICLE XII

"ADOPTION OF COMPACT BY DRESDEN SCHOOL DISTRICT

"The Dresden School District, otherwise known as the Hanover-Norwich Interstate School District, authorized by New Hampshire laws of 1961, chapter 116, and by the laws of Vermont, is hereby authorized to adopt the provisions of this compact and to become an interstate school district within the meaning hereof, upon the following conditions and subject to the following limitations:

"a. Articles of agreement shall be prepared and signed by a majority of the directors of the interstate school district.

"b. The articles of agreement shall be submitted to an annual or special meeting of the Dresden district for adoption.

"c. An affirmative vote of two-thirds of those present and voting shall be required for adoption.

"d. Nothing contained therein, or in this compact, as it affects the Dresden School District shall affect adversely the rights of the holders of any bonds or other evidences of indebtedness then outstanding, or the rights of the district to procure the means for payment thereof previously authorized.

"e. The corporate existence of the Dresden School District shall not be terminated by such adoption of articles of amendment, but shall be deemed to be so amended that it shall thereafter be governed by the terms of this compact.

"ARTICLE XIII

"MISCELLANEOUS PROVISIONS

"A. Studies.—Insofar as practicable, the studies required by the laws of both states shall be offered in an interstate school district.

"B. Textbooks.—Textbooks and scholar's supplies shall be provided at the expense of the interstate district for pupils attending its schools.

"C. Transportation.—The allocation of the cost of transportation in an interstate school district, as between the interstate district and the member districts, shall be determined by the articles of agreement.

"D. Location of Schoolhouses.—In any case where a new schoolhouse or other school facility is to be constructed or acquired, the interstate board shall first determine whether it shall be located in New Hampshire or in Vermont. If it is to be located in New Hampshire, RSA 199, relating to schoolhouses, shall apply. If it is to be located in Vermont, the Vermont law relating to schoolhouses shall apply.

"E. Fiscal Year.—The fiscal year of each interstate district shall begin on July first of each year and end on June thirtieth of the following year.

"F. Immunity From Tort Liability.—Notwithstanding the fact that an interstate district may derive income from operating profit, fees, rentals, and other services, it shall be immune from suit and from liability for injury to persons or property and for other torts caused by it or its agents, servants or independent contractors, except insofar as it may have undertaken such liability under RSA 281:7 relating to workmen's compensation, or RSA 412:3 relating to the procurement of liability insurance by a governmental agency and except insofar as it may have undertaken such liability under 21 V.S.A. Section 621 relating to workmen's compensation or 29 V.S.A. Section 1403 relating to the procurement of liability insurance by a governmental agency.

"G. Administrative Agreement Between Commissioners of Education.—The commissioners of education of New Hampshire and Vermont may enter into one or more administrative agreements prescribing the relationship between the interstate districts, member districts, and each of the two state departments of education, in which any conflicts between the two states in procedure, regulations, and administrative practices may be resolved.

"H. Amendment.—Neither state shall amend its legislation or any agreement authorized thereby without the consent of the other in such manner as to substantially adversely affect the rights of the other state or its people hereunder, or as to substantially impair the rights of the holders of any bonds or notes or other evidences of indebtedness then outstanding or the rights of an interstate school district to procure the means for payment thereof. Subject to the foregoing, any reference herein to other statutes of either state shall refer to such statute as it may be amended or revised from time to time.

"I. Separability.—If any of the provisions of this compact, or legislation enabling the same, shall be held invalid or unconstitutional in relation to any of the applications thereof, such invalidity or unconstitutionality shall not affect other applications thereof or other provisions thereof; and to this end the provisions of this compact are declared to be severable.

"J. Inconsistency of Language.—The validity of this compact shall not be affected by any insubstantial differences in its form or language as adopted by the two states.

"ARTICLE XIV

"EFFECTIVE DATE

"This compact shall become effective when agreed to by the States of New Hampshire and Vermont and approved by the United States Congress."

"Sec. 2. The right is hereby reserved by the Congress or any of its standing committees to require the disclosure and the furnishing of such information and data by or concerning any school district created under the New Hampshire-Vermont Interstate School Compact as is deemed appropriate by the Congress or such committee."

Sec. 2. The right to alter, amend, or repeal this Act is expressly reserved.

With the following committee amendments:

On page 28, line 14, delete "Article VIII" and insert in lieu thereof "Article VII".

On page 49, after line 5, insert the following:

"Sec. 2. The right is hereby reserved by the Congress or any of its standing committees to require the disclosure and the furnishing of such information and data by or concerning any school district created under the New Hampshire-Vermont Interstate School Compact as is deemed appropriate by the Congress or such committee."

On page 49, line 6, strike out "Sec. 2." and insert in lieu thereof "Sec. 3.".

The committee amendments were agreed to.

Mr. CLEVELAND. Mr. Speaker, the House takes a historic step in adopting H.R. 751. This bill, cosponsored by myself and my colleague, the distinguished gentleman from Vermont (Mr. Stafford), ratifies the New Hampshire-Vermont school compact. Under this legislation, communities along the borders of the two States are granted permission, under certain conditions, to form interstate school districts.

The bill is general in nature, modeled after a specific bill which was the true pioneer, which the gentleman from Vermont and I cosponsored in the 88th Congress. That law granted congressional approval to the establishment of a single school district involving Hanover, N.H., and Norwich, Vt. This experiment proved so successful that numerous other communities on either side of the Connecticut River, which is the boundary between the two States, have expressed the desire to do likewise. The purpose of H.R. 751 is to permit them to do so, their legislatures approving, without having to come to Congress in each instance. It is a worthy bill. I believe that other States may wish to examine it and apply this principle to similar circumstances facing them.

It is the considered judgment of the educational authorities in both States that this bi-State approach will reduce costs and make available better education through combining the resources in the affected areas.

In our case, the Connecticut River is both a boundary and a unifier. The communities which border the river are

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similar in makeup of population and in their economies. It is only logical that Congress should not only consent but should encourage their mutual, interstate efforts to simplify and smooth the administration of their common affairs.

I am pleased to have helped and will watch with interest to see if others follow suit.

I wish to thank those who have made this possible and, in particular, to extend my appreciation to my good friend and neighbor, the gentleman from Vermont, for his cooperation and valuable assistance.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

Mr. KASTENMEIER. Mr. Speaker, I ask unanimous consent for the immediate consideration of a similar Senate bill (S. 278) to consent to the New Hampshire-Vermont interstate school compact.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There being no objection, the Clerk read the Senate bill, as follows:

S. 278

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Congress consents to the New Hampshire-Vermont Interstate School Compact which is substantially as follows:

"NEW HAMPSHIRE-VERMONT INTERSTATE SCHOOL COMPACT

"ARTICLE I

"GENERAL PROVISIONS

"A. STATEMENT OF POLICY.—It is the purpose of this compact to increase the educational opportunities within the states of New Hampshire and Vermont by encouraging the formation of interstate school districts which will each be a natural social and economic region with adequate financial resources and a number of pupils sufficient to permit the efficient use of school facilities within the interstate district and to provide improved instruction. The state boards of education of New Hampshire and Vermont may formulate and adopt additional standards consistent with this purpose and with these standards; and the formation of any interstate school district and the adoption of its articles of agreement shall be subject to the approval of both state boards as hereinafter set forth.

"B. REQUIREMENT OF CONGRESSIONAL APPROVAL.—This compact shall not become effective until approved by the United States Congress.

"C. DEFINITIONS.—The terms used in this compact shall be construed as follows, unless a different meaning is clearly apparent from the language or context:

"a. 'Interstate school district' and 'interstate district' shall mean a school district composed of one or more school districts located in the state of New Hampshire associated under this compact with one or more school districts located in the state of Vermont, and may include either the elementary schools, the secondary schools, or both.

"b. 'Member school district' and 'member district' shall mean a school district located either in New Hampshire or Vermont which is included within the boundaries of a proposed or established interstate school district. In the case of districts located in Vermont, it shall include city school districts, town school districts, union school districts and incorporated school districts. Where appropriate, the term 'member district clerk' shall refer to the clerk of the city in which a Vermont school district is located, the clerk of the town in which a Vermont town school district is located, or the clerk of an incorporated school district.

"c. 'Elementary school' shall mean a school which includes all grades from kindergarten or grade one through not less than grade six nor more than grade eight.

"d. 'Secondary school' shall mean a school which includes all grades beginning no lower than grade seven and no higher than grade twelve.

"e. 'Interstate board' shall refer to the board serving an interstate school district.

"f. 'New Hampshire board' shall refer to the New Hampshire state board of education.

"g. 'Vermont board' shall refer to the Vermont state board of education.

"h. 'Commissioner' shall refer to commissioner of education.

"i. Where joint action by both state boards is required, each state board shall deliberate and vote by its own majority, but shall separately reach the same result or take the same action as the other state board.

"j. The terms 'professional staff personnel' and 'instructional staff personnel' shall include superintendents, assistant superintendents, administrative assistants, principals, guidance counsellors, special education personnel, school nurses, therapists, teachers, and other certified personnel.

"k. The term 'warrant' or 'warning' to mean the same for both states.

"ARTICLE II

"PROCEDURE FOR FORMATION OF AN INTERSTATE SCHOOL DISTRICT

"A. CREATION OF PLANNING COMMITTEE.—The New Hampshire and Vermont commissioners of education shall have the power, acting jointly to constitute and discharge one or more interstate school district planning committees. Each such planning committee shall consist of at least two voters from each of a group of two or more neighboring member districts. One of the representatives from each member district shall be a member of its school board, whose term on the planning committee shall be concurrent with his term as a school board member. The term of each member of a planning committee who is not also a school board member shall expire on June thirtieth of the third year following his appointment. The existence of any planning committee may be terminated either by vote of a majority of its members or by joint action of the commissioners. In forming and appointing members to an interstate school district planning board, the commissioners shall consider and take into account recommendations and nominations made by school boards of member districts. No member of a planning committee shall be disqualified because he is at the same time a member of another planning board or committee created under the provisions of this compact or under any other provisions of law. Any existing informal interstate school planning committee may be reconstituted as a formal planning committee in accordance with the provisions hereof, and its previous deliberations adopted and ratified by the reorganized formal planning committee. Vacancies on a planning committee shall be filled by the commissioners acting jointly.

"B. OPERATING PROCEDURES OF PLANNING COMMITTEE.—Each interstate school district planning committee shall meet in the first instance at the call of any member, and shall organize by the election of a chairman and clerk-treasurer, each of whom shall be a resident of a different state. Subsequent meetings may be called by either officer of the committee. The members of the committee shall serve without pay. The member districts shall appropriate money on an equal basis at each annual meeting to meet the expenses of the committee, including the cost of publication and distribution of reports and advertising. From time to time the commissioners may add additional members and additional member districts to the committee, and may remove members and member districts from the committee. An interstate school district planning committee shall act by majority vote of its membership present and voting.

"C. DUTIES OF INTERSTATE SCHOOL DISTRICT PLANNING COMMITTEE.—It shall be the duty of an interstate school district planning committee, in consultation with the commissions and the State departments of education: to study the advisability of establishing an interstate school district in accordance with the standards set forth in paragraph A of Article I of this compact, its organization, operation and control, and the advisability of constructing, maintaining and operating a school or schools to serve the needs of such interstate district; to estimate the construction and operating costs thereof; to investigate the methods of financing such school or schools, and any other matters pertaining to the organization and operation of an interstate school district; and to submit a report or reports of its findings and recommendations to the several member districts.

"D. RECOMMENDATIONS AND PREPARATION OF ARTICLES OF AGREEMENT.—An interstate school district planning committee may recommend that an interstate school district composed of all the member districts represented by its membership, or any specified combination of such member districts, be established. If the planning committee does recommend the establishment of an interstate school district, it shall include in its report such recommendations, and shall also prepare and include in its report proposed articles of agreement for the proposed interstate school district, which shall be signed by at least a majority of the membership of the planning committee, which set forth the following:

"a. The name of the interstate school district.

"b. The member districts which shall be combined to form the proposed interstate school district.

"c. The number, composition, method of section and terms of office of the interstate school board, provided that:

"(1) The interstate school board shall consist of an odd number of members, not less than five nor more than fifteen;

"(2) The terms of office shall not exceed three years;

"(3) Each member district shall be entitled to elect at least one member of the interstate school board. Each member district shall either vote separately at the interstate school district meeting by the use of a distinctive ballot, or shall choose its member or members at any other election at which school officials may be chosen;

"(4) The method of election shall provide for the filling of candidacies in advance of election and for the use of a printed nonpartisan ballot;

"(5) Subject to the foregoing, provision may be made for the election of one or more members at large.

"d. The grades for which the interstate school district shall be responsible.

"e. The specific properties of member districts to be acquired initially by the interstate school district and the general location of any proposed new schools to be initially established or constructed by the interstate school district.

"f. The method of apportioning the operating expenses of the interstate school district among the several member districts, and the time and manner of payments of such shares.

"g. The indebtedness of any member district which the interstate district is to assume.

"h. The method of apportioning the capital expenses of the interstate school district among the several member districts, which need not be the same as the method of apportioning operating expenses, and the time and manner of payment of such shares. Capital expenses shall include the cost of acquiring land and buildings for school purposes; the construction, furnishing and equipping of school buildings and facilities; and the payment of the principal and interest of any indebtedness which is incurred to pay for the same.

"i. The manner in which state aid, available under the laws of either New Hampshire or Vermont, shall be allocated, unless otherwise expressly provided in this compact or by the laws making such aid available.

"j. The method by which the articles of agreement may be amended, which amendments may include the annexation of territory, or an increase or decrease in the number of grades for which the interstate district shall be responsible, provided that no amendment shall be effective until approved by both state board in the same manner as required for approval of the original articles of agreement.

"k. The date of operating responsibility of the proposed interstate school district and a proposed program for the assumption of operating responsibility for education by the proposal interstate school district, and any school construction; which the interstate school district shall have the power to vary by vote as circumstances may require.

"l. Any other matters, not incompatible with law, which the interstate school district planning committee may consider appropriate to include in the articles of agreement, including, without limitation:

"(1) The method of allocating the cost of transportation between the interstate district and member districts;

"(2) The nomination of individual school directors to serve until the first annual meeting of the interstate school district.

"E. Hearings.—If the planning committee recommends the formation of an interstate school district, it shall hold at least one public hearing on its report and the proposed articles of agreement within the proposed interstate school district in New Hampshire, and at least one public hearing thereon within the proposed interstate school district in Vermont. The planning committee shall give such notice thereof as it may determine to be reasonable, provided that such notice shall include at least one publication in a newspaper of general circulation within the proposed interstate school district not less than fifteen days (not counting the date of publication and not counting the date of the hearing) before the date of the first hearing. Such hearings may be adjourned from time to time and from place to place. The planning committee may revise the proposed articles of agreement after the date of the hearings. It shall not be required to hold further hearings on the revised articles of agreement but may hold one or more further hearings after notice similar to that required for the first hearings if the planning committee in its sole discretion determines that the revisions are so substantial in nature as to require further presentation to the public before submission to the state boards of education.

"F. Approval by State Boards.—After the hearings a copy of the proposed articles of agreement, as revised, signed by a majority of the planning committee, shall be submitted by it to each state board. The state boards may (a) if they find that the articles of agreement are in accord with the standards set forth in this compact and in accordance with sound educational policy, approve the same as submitted, or (b) refer them back to the planning committee for further study. The planning committee may make additional revisions to the proposed articles of agreement to conform to the recommendations of the state boards. Further hearings on the proposed articles of agreement shall not be required unless ordered by the state boards in their discretion. In exercising such discretion, the state boards shall take into account whether or not the additional revisions are so substantial in nature as to require further presentation to the public. If both state boards find that the articles of agreement as further revised are in accord with the standards set forth in this compact and in accordance with sound educational policy, they shall approve the same. After approval by both state boards, each state board shall cause the articles of agreement to be submitted to the school boards of the several member districts in each state for acceptance by the member districts as provided in the following paragraph. At the same time, each state board shall designate the form of warrant, date, time, place, and period of voting for the special meeting of the member district to be held in accordance with the following paragraph.

"G. Adoption by Member Districts.—Upon receipt of written notice from the state board in its state of the approval of the articels of agreement by both state boards, the school board of each member district shall cause the articles of agreement to be filed with the member district clerk. Within ten days after receipt of such notice, the school board shall issue its warrant for a special meeting of the member district, the warrant to be in the form, and the meeting to be held at the time and place and in the manner prescribed by the state board. No approval of the superior court shall be required for such special school district meeting in New Hampshire. Voting shall be with the use of the check list by a ballot substantially in the following form:

" 'Shall the school district accept the provisions of the New Hampshire-Vermont Interstate School Compact providing for the establishment of an interstate school district, together with the school districts of ------------ and ------------, etc., in accordance with the provisions of the proposed articles of agreement filed with the school district (town, city or incorporated school district) clerk?

" 'Yes (☐) No (☐)'

"If the articles of agreement included the nomination of individual school directors, those nominated from each member district shall be included in the ballot and voted upon, such election to become effective upon the formation of an interstate school district.

"If a majority of the voters present and voting in a member district vote in the affirmative, the clerk for such member district shall forthwith send to the state board in its state a certified copy of the warrant, certificate of posting, and minutes of the meeting of the district. If the state boards of both states find that a majority of the voters present and voting in each member district have voted in favor of the establishment of the interstate school district, they shall issue a joint certificate to that effect; and such certificate shall be conclusive evidence of the lawful organization and formation of the interstate school district as of its date of issuance.

"H. Resubmission.—If the proposed articles of agreement are adopted by one or more of the member districts but rejected by one or more of the member districts, the state boards may resubmit them, in the same form as previously submitted, to the rejecting member districts, in which case the school boards thereof shall resubmit them to the voters in accordance with paragraph G of this article. An affirmative vote in accordance therewith shall have the same effect as though the articles of agreement had been adopted in the first instance. In the alternative, the state boards may either (a) discharge the planning committee, or (b) refer the articles of agreement back for further consideration to the same or a reconstituted planning committee, which shall have all of the powers and duties as the planning committee as originally constituted.

"ARTICLE III

"POWERS OF INTERSTATE SCHOOL DISTRICTS

"A. Powers.—Each interstate school district shall be a body corporate and politic, with power to:

"a. To acquire, construct, extend, improve, staff, operate, manage and govern public schools within its boundaries;

"b. To sue and be sued, subject to the limitations of liability hereinafter set forth;

"c. To have a seal and alter the same at pleasure;

"d. To adopt, maintain and amend bylaws not inconsistent with this compact, and the laws of the two states;

"e. To acquire by purchase, condemnation, lease or otherwise, real and personal property for the use of its schools;

"f. To enter into contracts and incur debts;

"g. To borrow money for the purposes hereinafter set forth, and to issue its bonds or notes therefor;

"h. To make contracts with and accept grants and aid from the United States, the state of New Hampshire, the state of Vermont, any agency or municipality thereof, and private corporations and individuals for the construction, maintenance, reconstruction, operation, and financing of its schools; and to do any and all things necessary in order to avail itself of such aid and cooperation;

"i. To employ such assistants, agents, servants, and independent contractors as it shall deem necessary or desirable for its purposes; and

"j. To take any other action which is necessary or appropriate in order to exercise any of the foregoing powers.

"ARTICLE IV

"DISTRICT MEETINGS

"A. General.—Votes of the district shall be taken at a duly warned meeting held at any place in the district, at which all of the eligible legal voters of the member districts shall be entitled to vote, except as otherwise provided with respect to the election of directors.

"B. Eligibility of Voters.—Any resident who would be eligible to vote at a meeting of a member district being held at the same time, shall be eligible to vote at a meeting of the interstate district. The board of civil authority in each Vermont member district and the supervisors of the check list of each New Hampshire district shall respectively prepare a check list of eligible voters for each meeting of the interstate district in the same manner, and they shall have all the same powers and duties with respect to eligibility of voters in their districts as for a meeting of a member district.

"C. Warning of Meetings.—A meeting shall be warned by a warrant addressed to the residents of the interstate school district qualified to vote in district affairs, stating the time and place of the meeting and the subject matter of the business to be acted upon. The warrant shall be signed by the clerk and by a majority of the directors. Upon written application of ten or more voters in the district, presented to the directors or to one of them, at least twenty-five days before the day prescribed for an annual meeting, the directors shall insert in their warrant for such meeting any subject matter specified in such application.

"D. Posting and Publication of Warrant.—The directors shall cause an attested copy of the warrant to be posted at the place of meeting, and a like copy at a public place in each member district at least twenty days (not counting the date of posting and the

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date of meeting) before the date of the meeting. In addition, the directors shall cause the warrant to be advertised in a newspaper of general circulation on at least one occasion, such publication to occur at least ten days (not counting the date of publication and not counting the date of the meeting) before the date of the meeting. Although no further notice shall be required, the directors may give such further notice of the meeting as they in their discretion deem appropriate under the circumstances.

"E. Return of Warrant.—The warrant with a certificate thereon, verified by oath, stating the time and place when and where copies of the warrant were posted and published, shall be given to the clerk of the interstate school district at or before the time of the meeting, and shall be recorded by him in the records of the interstate school district.

"F. Organization Meeting.—The commissioners, acting jointly, shall fix a time and place for a special meeting of the qualified voters within the interstate school district for the purpose of organization, and shall prepare and issue the warrant for the meeting after consultation with the interstate school district planning board and the members-elect, if any, of the interstate school board of directors. Such meeting shall be held within sixty days after the date of issuance of the certificate of formation, unless the time is further extended by the joint action of the state boards. At the organization meeting the commissioner of education of the state where the meeting is held, or his designate, shall preside in the first instance, and the following business shall be transacted:

"a. A temporary moderator and a temporary clerk shall be elected from among the qualified voters who shall serve until a moderator and clerk respectively have been elected and qualified.

"b. A moderator, a clerk, a treasurer, and three auditors shall be elected to serve until the next annual meeting and thereafter until their successors are elected and qualified. Unless previously elected, a board of school directors shall be elected to serve until their successors are elected and qualified.

"c. The date for the annual meeting shall be established.

"d. Provision shall be made for the payment of any organizational or other expense incurred on behalf of the district before the organization meeting, including the cost of architects, surveyors, contractors, attorneys, and educational or other consultants or experts.

"e. Any other business, the subject matter of which has been included in the warrant, and which the voters would have had power to transact at an annual meeting.

"G. Annual Meetings.—An annual meeting of the district shall be held between January fifteenth and June first of each year at such time as the interstate district may by vote determine. Once determined, the date of the annual meeting shall remain fixed until changed by vote of the interstate district at a subsequent annual or special meeting. At each annual meeting the following business shall be transacted:

"a. Necessary officers shall be elected.

"b. Money shall be appropriated for the support of the interstate district schools for the first year beginning the following July first.

"c. Such other business as may properly come before the meeting.

"H. Special Meetings.—A special meeting of the district shall be held whenever, in the opinion of the directors, there is occasion therefor, or whenever written application shall have been made by five per cent or more of the voters (based on the check lists as prepared for the last preceding meeting) setting forth the subject matter upon which such action is desired. A special meeting may appropriate money without compliance with RSA 33:8 or RSA 197:3 which would otherwise require the approval of the New Hampshire superior court.

"I. Certification of Record.—The clerk of an interstate school district shall have the power to certify the record of the votes adopted at an interstate school district meeting to the respective commissioners and state boards and (where required) for filing with a secretary of state.

"J. Method of Voting at School District Meetings.—Voting at meeting of interstate school districts shall take place as follows:

"a. School directors.—A separate ballot shall be prepared for each member district, listing the candidates for interstate school director to represent such member district; and any candidates for interstate school director at large; and the voters of each member district shall register on a separate ballot their choice for the office of school director or directors. In the alternative, the articles of agreement may provide for the election of school directors by one or more of the member districts at an election otherwise held for the choice of school or other municipal officers.

"b. Other votes.—Except as otherwise provided in the articles of agreement or this compact, with respect to all other votes (1) the voters of the interstate school district shall vote as one body irrespective of the member districts in which they are resident, and (2) a simple majority of those present and voting at any duly warned meeting shall carry the vote. Voting for officers to be elected at any meeting, other than school directors, shall be by ballot or voice, as the interstate district may determine, either in its articles of agreement or by a vote of the meeting.

"ARTICLE V

"OFFICERS

"A. Officers: General.—The officers of an interstate school district shall be a board of school directors, a chairman of the board, a vice-chairman of the board, a secretary of the board, a moderator, a clerk, a treasurer and three auditors. Except as otherwise specifically provided, they shall be eligible to take office immediately following their election; they shall serve until the next annual meeting of the interstate district and until their successors are elected and qualified. Each shall take oath for the faithful performance of his duties before the moderator, or a notary public or a justice of the peace of the state in which the oath is administered. Their compensation shall be fixed by vote of the district. No person shall be eligible to any district office unless he is a voter in the district. A custodian, school teacher, principal, superintendent or other employee of an interstate district acting as such shall not be eligible to hold office as a school director.

"B. Board of Directors.—

"a. How chosen.—Each member district shall be represented by at least one resident on the board of school directors of an interstate school district. A member district shall be entitled to such further representation on the interstate board of school directors as provided in the articles of agreement as amended from time to time. The articles of agreement as amended from time to time may provide for school directors at large, as above set forth. No person shall be disqualified to serve as a member of an interstate board because he is at the same time a member of the school board of a member district.

"b. Term.—Interstate school directors shall be elected for terms in accordance with the articles of agreement.

"c. Duties of board of directors.—The board of school directors of an interstate school district shall have and exercise all of the powers of the district not reserved herein to the voters of the district.

"d. Organization.—The clerk of the district shall warn a meeting of the board of school directors to be held within ten days following the date of the annual meeting, for the purpose of organizing the board, including the election of its officers.

"C. Chairman of the Board.—The chairman of the board of interstate school directors shall be elected by the interstate board from among its members at its first meeting following the annual meeting. The chairman shall preside at the meetings of the board and shall perform such other duties as the board may assign to him.

"D. Vice-Chairman of the Board of Directors.—The vice-chairman of the interstate board shall be elected in the same manner as the chairman. He shall represent a member district in a state other than that represented by the chairman. He shall preside in the absence of the chairman and shall perform such other duties as may be assigned to him by the interstate board.

"E. Secretary of the Board.—The Secretary of the interstate board shall be elected in the same manner as the chairman. Instead of electing one of its members, the interstate board may appoint the interstate district clerk to serve as secreary of the board in addition to his other duties. The secretary of the interstate board (or the interstate district clerk, if so appointed) shall keep the minutes of its meetings, shall certify its records, and perform such other duties as may be assigned to him by the board.

"F. Moderator.—The moderator shall preside at the district meetings, regulate the business thereof, decide questions of order, and make a public declaration of every vote passed. He may prescribe rules of procedure; but such rules may be altered by the district. He may administer oaths to district officers in either state.

"G. Clerk.—The clerk shall keep a true record of all proceedings at each district meeting, shall certify its records, shall make an attested copy of any records of the district for any person upon request and tender of reasonable fees therefor, if so appointed, shall serve as secretary of the board of school directors, and shall perform such other duties as may be required by custom or law.

"H. Treasurer.—The treasurer shall have custody of all of the monies belonging to the district and shall pay out the same only upon the order of the interstate board. He shall keep a fair and accurate account of all sums received into and paid from the interstate district treasury, and at the close of each fiscal year he shall make a report to the interstate district, giving a particular account of all receipts and payments during the year. He shall furnish to the interstate directors, statements from his books and submit his books and vouchers to them and to the district auditors for examination whenever so requested. He shall make all returns called for by laws relating to school districts. Before entering on his duties, the treasurer shall give a bond with sufficient sureties and in such sum as the directors may require. The treasurer's term of office is from July 1 to the following June 30.

"I. Auditors.—At the organization meeting of the district, three auditors shall be chosen, one to serve for a term of one year, one to serve for a term of two years, and one to serve for a term of three years. After the expiration of each original term, the successor shall be chosen for a three year term. At least one auditor shall be a resident of New Hampshire, and one auditor shall be a resident of Vermont. An interstate district may vote to employ a certified public accountant to assist the auditors in the performance of their duties. The auditors shall carefully examine the accounts of the treasurer and the directors at the close of each fiscal year, and at such other times whenever necessary, and report to the district whether the same are correctly cast and properly vouched.

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"J. Superintendent.—The superintendent of schools shall be selected by a majority vote of the board of school directors of the interstate district with the approval of both commissioners.

"K. Vacancies.—Any vacancy among the elected officers of the district shall be filled by the interstate board until the next annual meeting of the district or other election, when a successor shall be elected to serve out the remainder of the unexpired term, if any. Until all vacancies on the interstate board are filled, the remaining members shall have full power to act.

"ARTICLE VI

"APPROPRIATION AND APPORTIONMENT OF FUNDS

"A. Budget.—Before each annual meeting, the interstate board shall prepare a report of expenditures for the preceding fiscal year, an estimate of expenditures for the current fiscal year, and a budget for the succeeding fiscal year.

"B. Appropriation.—The interstate board of directors shall present the budget report of the annual meeting. The interstate district shall appropriate a sum of money for the support of its schools and for the discharge of its obligations for the ensuing fiscal year.

"C. Apportionment of Appropriation.—Subject to the provisions of article VII hereof, the interstate board shall first apply against such appropriation any income to which the interstate district is entitled, and shall then apportion the balance among the member districts in accordance with one of the following formulas as determined by the articles of agreement as amended from time to time:

"a. All of such balance to be apportioned on the basis of the ratio that the fair market value of the taxable property in each member district bears to that of the entire interstate district; or

"b. All of such balance to be apportioned on the basis that the average daily resident membership for the preceding fiscal year of each member district bears to that of the average daily resident membership of the entire interstate school district; or

"c. A formula based on any combination of the foregoing factors. The term 'fair market value of taxable property' shall mean the last locally assessed valuation of a member district in New Hampshire, as last equalized by the New Hampshire state tax commission.

"The term 'fair market value of taxable property' shall mean the equalized grand list of a Vermont member district, as determined by the Vermont department of taxes.

"Such assessed valuation and grand list may be further adjusted (by elimination of certain types of taxable property from one or the other or otherwise) in accordance with the articles of agreement, in order that the fair market value of taxable property in each state shall be comparable.

"'Average daily resident membership' of the interstate district in the first instance shall be the sum of the average daily resident membership of the member districts in the grades involved for the preceding fiscal year where no students were enrolled in the interstate district schools for such preceding fiscal year.

"D. Share of New Hampshire Member District.—The interstate board shall certify the share of a New Hampshire member district of the total appropriation to the school board of each member district which shall add such sum to the amount appropriated by the member district itself for the ensuing year and raise such sum in the same manner as though the appropriation had been voted at a school district meeting of the member district. The interstate district shall not set up its own capital reserve funds; but a New Hampshire member district may set up a capital reserve fund in accordance with RSA 35, to be turned over to the interstate district in payment of the New Hampshire member district's share of any anticipated obligations.

"E. Share of Vermont Member District.—The interstate board shall certify the share of a Vermont member district of the total appropriation to the school board of each member district which shall add sum to the amount appropriated by the member district itself for the ensuing year and raise such sum in the same manner as though the appropriation had been voted at a school district meeting of the member district.

"ARTICLE VIII

"BORROWING

"A. Interstate District Indebtedness.—Indebtedness of an interstate district shall be a general obligation of the district and shall also be a joint and several general obligation of each member district, except that such obligations of the district and its member districts shall not be deemed indebtedness of any member district for the purposes of determining its borrowing capacity under New Hampshire or Vermont law. A member district which withdraws from an interstate district shall remain liable for indebtedness of the interstate district which is outstanding at the time of withdrawal and shall be responsible for paying its share of such indebtedness to the same extent as though it had not been withdrawn.

"B. Temporary Borrowing.—The interstate board may authorize the borrowing of money by the interstate district (1) in anticipation of payments of operating and capital expenses by the member districts to the interstate districts and (2) in anticipation of the issue of bonds or notes of the interstate district which have been authorized for the purpose of financing capital projects. Such temporary borrowing shall be evidenced by interest bearing or discounted notes of the interstate district. The amount of notes issued in any fiscal year in anticipation of expense payments shall not exceed the amount of such payments received by the interstate district in the preceding fiscal year. Notes issued under this paragraph shall be payable within one year in the case of notes under clause (1) and three years in the case of notes under clause (2) from their respective dates, but the principal of and interest on notes issued for a shorter period may be renewed or paid from time to time by the issue of other notes, provided that the period from the date of an original note to the maturity of any note issued to renew or pay the same debt shall not exceed the maximum period permitted for the original loan.

"C. Borrowing for Capital Projects.—An interstate district may incur debt and issue its bonds or notes to finance capital projects. Such projects may consist of the acquisition or improvement of land and buildings for school purposes, the construction, reconstruction, alteration, or enlargement of school buildings and related school facilities, the acquisition of equipment of a lasting character and the payment of judgments. No interstate district may authorize indebtedness in excess of ten percent of the total fair market value of taxable property in its member districts as defined in article VI of this compact. The primary obligation of the interstate district of pay indebtedness of member districts shall not be considered indebtedness of the interstate district for the purpose of determining its borrowing capacity under this paragraph. Bonds or notes issued under this paragraph shall mature in equal or diminishing installments of principal payable at least annually commencing no later than two years and ending not later than thirty years after their dates.

"D. Authorization Proceedings.—An interstate district shall authorize the incurring of debts to finance capital projects by a majority vote of the district passed at an annual or special district meeting. Such vote shall be taken by secret ballot after full opportunity for debate, and any such vote shall be subject to reconsideration and further action by the district at the same meeting or at an adjourned session thereof.

"E. Sale of Bonds and Notes.—Bonds and notes which have been authorized under this article may be issued from time to time and shall be sold at not less than par and accrued interest at public or private sale by the chairman of the school board and by the treasurer. Interstate district bonds and notes shall be signed by the said officers, except that either one of the two required signatures may be a facsimile. Subject to this compact and the authorizing vote, they shall be in such form, bear such rates of interest and mature at such times as the said officers may determine. Bonds shall, but notes need not, bear the seal of the interstate district, or a facsimile of such seal. Any bonds or notes of the interstate district which are properly executed by the said officers shall be valid and binding according to their terms notwithstanding that before the delivery thereof such officers may have ceased to be officers of the interstate district.

"F. Proceeds of Bond.—Any accrued interest received upon delivery of bonds or notes of an interstate district shall be applied to the payment of the first interest which becomes due thereon. The other proceeds of the sale of such bonds or notes, other than temporary notes, including any premiums, may be temporarily invested by the interstate district pending their expenditure; and such proceeds, including any income derived from the temporary investment of such proceeds, shall be used to pay the costs of issuing and marketing the bonds or notes and to meet the operating expenses of capital expenses in accordance with the purposes for which the bonds or notes were issues or, by proceedings taken in the manner required for the authorization of such debt, for other purposes for which such debt could be incurred. No purchaser of any bonds or notes of an interstate district shall be responsible in any way to see to the application of the proceeds thereof.

"G. State Aid Programs.—As used in this paragraph the term 'initial aid' shall include New Hampshire and Vermont financial assistance with respect to a capital project, or the means of financing a capital project, which is available in connection with construction costs of a capital project or which is available at the time indebtedness is incurred to finance the project. Without limiting the generality of the foregoing definition, initial aid shall specifically include a New Hampshire state guarantee under RSA 195–B with respect to bonds or notes and Vermont construction aid under chapter 123 of 16 V.S.A. As used in this paragraph the term 'long-term aid' shall include New Hampshire and Vermont financial assistance which is payable periodically in relation to capital costs incurred by an interstate district. Without limiting the generality of the foregoing definition, long-term aid shall specifically include New Hampshire school building aid under RSA 198 and Vermont school building aid under chapter 123 of Title 16 V.S.A. For the purpose of applying for, receiving and expending initial aid and long-term aid an interstate district shall be deemed a native school district by each state, subject to the following provisions. When an interstate district has appropriated money for a capital project, the amount appropriated shall be divided into a New Hampshire share and a Vermont share in accordance with the capital expense apportionment formula in the articles of agreement as though the total amount appropriated for the project was a capital expense requiring apportionment in the year the appropriation is made. New Hampshire initial aid shall be available with respect to the amount of the New Hampshire share as though it were authorized indebtedness of a New Hampshire cooperative school

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district. In the case of a state guarantee of interstate districts bonds or notes under RSA 195–B, the interstate district shall be eligible to apply for and receive an unconditional state guarantee with respect to an amount of its bonds or notes which does not exceed fifty per cent of the amount of the New Hampshire share as determined above. Vermont initial aid shall be available with respect to the amount of the Vermont share as though it were funds voted by a Vermont school district. Payments of Vermont initial aid shall be made to the interstate district, and the amount of any borrowing authorized to meet the appropriation for the capital project shall be reduced accordingly. New Hampshire and Vermont long-term aid shall be payable to the interstate district. The amounts of long-term aid in each year shall be based on the New Hampshire and Vermont shares of the amount of indebtedness of the interstate district which is payable in that year and which has been apportioned in accordance with the capital expense apportionment formula in the articles of agreement. The New Hampshire aid shall be payable at the rate of forty-five percent, if there are three or less New Hampshire members in the interstate district, and otherwise it shall be payable as though the New Hampshire members were a New Hampshire cooperative school district. New Hampshire and Vermont long-term aid shall be deducted from the total capital expenses for the fiscal year in which the long-term aid is payable, and the balance of such expenses shall be apportioned among the member districts. Notwithstanding the foregoing provisions, New Hampshire and Vermont may at any time change their state school aid programs that are in existence when this compact takes effect and may establish new programs, and any legislation for these purposes may specify how such programs shall be applied with respect to interstate districts.

"H. Tax Exemption.—Bonds and notes of an interstate school district shall be exempt from local property taxes in both states, and the interest or discount thereon and any profit derived from the disposition thereof shall be exempt from personal income taxes in both states.

"Article VIII

"TAKING OVER OF EXISTING PROPERTY

"A. Power To Acquire Property of Member District.—The articles of agreement, or an amendment thereof, may provide for the acquisition by an interstate district from a member district of all or a part of its existing plant and equipment.

"B. Valuation.—The articles of agreement, or the amendment, shall provide for the determination of the value of the property to be acquired in one or more of the following ways:

"a. A valuation set forth in the articles of agreement or the amendment.

"b. By appraisal, in which case, one appraiser shall be appointed by each commissioner, and a third appraiser appointed by the first two appraisers.

"C. Reimbursement to Member District.—The articles of agreement shall specify the method by which the member district shall be reimbursed by the interstate district for the property taken over, in one or more of the following ways:

"a. By one lump sum, appropriated, allocated, and raised by the interstate district in the same manner as an appropriation for operating expenses.

"b. In installments over a period of not more than twenty years, each of which is appropriated, allocated, and raised by the interstate district in the same manner as an appropriation for operating expenses.

"c. By an agreement to assume or reimburse the member district for all principal and interest on any outstanding indebtedness originally incurred by the member district to finance the acquisition and improvement of the property, each such installment to be appropriated, allocated, and raised by the interstate district in the same manner as an appropriation for operating expenses.

"The member district transferring the property shall have the same obligation to pay to the interstate district its share of the cost of such acquisition, but may offset its right to reimbursement.

"Article IX

"AMENDMENTS TO ARTICLES OF AGREEMENT

"A. Amendments to the articles of agreement may be adopted in the same manner provided for the adoption of the original articles of agreement, except that:

"a. Unless the amendment calls for the addition of a new member district, the functions of the planning committee shall be carried out by the interstate district board of directors.

"b. If the amendment proposes the addition of a new member district, the planning committee shall consist of all of the members of the interstate board and all of the members of the school board of the proposed new member district or districts. In such case the amendment shall be submitted to the voters at an interstate district meeting, at which an affirmative vote of two-thirds of those present and voting shall be required. The articles of agreement together with the proposed amendment shall be submitted to the voters of the proposed new member district at a meeting thereof, at which a simple majority of those present and voting shall be required.

"c. In all cases an amendment may be adopted on the part of an interstate district upon the affirmative vote of voters thereof at a meeting voting as one body. Except where the amendment proposes the admission of a new member district, a simple majority of those present and voting shall be required for adoption.

"d. No amendment to the articles of agreement may impair the rights of bond or note holders or the power of the interstate district to procure the means for their payment.

"Article X

"APPLICABILITY OF NEW HAMPSHIRE LAWS

"A. General School Laws.—With respect to the operation and maintenance of any school of the district located in New Hampshire, the provisions of New Hampshire law shall apply except as otherwise provided in this compact and except that the powers and duties of the school board shall be exercised and discharged by the interstate board and the powers and duties of the union superintendent shall be exercised and discharged by the interstate district superintendent.

"B. New Hampshire State Aid.—A New Hampshire school district shall be entitled to receive an amount of State aid for operating expenditures as though its share of the interstate district's expenses were the expenses of the New Hampshire member district, and as though the New Hampshire member district pupils attending the interstate school were attending a New Hampshire cooperative school district's school. The state aid shall be paid to the New Hampshire member school district to reduce the sums which would otherwise be required to be raised by taxation wtihin the member district.

"C. Continued Existence of the New Hampshire Member School District.—A New Hampshire member school district shall continue in existence, and shall have all of the powers and be subject to all of the obligations imposed by law and not herein delegated to the interstate district. If the interstate district incorporates only a part of the schools in the member school district, then the school board of the member school district continue in existence and it shall have all of the powers and be subject to all of the obligations imposed by law on it and not herein delegated to the district. However, if all of the schools in the member school district are incorporated into the interstate school district, then the member or members of the interstate board representing the member district shall have all of the powers and be subject to all of the obligations imposed by law on the members of a school board for the member district and not herein delegated to the interstate district. The New Hampshire member school district shall remain liable on its existing indebtedness; and the interstate school district shall not become liable therefor, unless the indebtedness is specifically assumed in accordance with the articles of agreement. Any trust funds or capital reserve funds and any property not taken over by the interstate district shall be retained by the New Hampshire member district and held or disposed of according to law. If all of the schools in a member district are incorporated into on interstate district, then no annual meeting of the member district shall be required unless the members of the interstate board from the member district shall determine that there is occasion for such an annual meeting.

"D. Suit and Service of Process in New Hampshire.—The courts of New Hampshire shall have the same jurisdiction over the district as though a New Hampshire member district were a party instead of the interstate district. The service necessary to institute suit in New Hampshire shall be made on the district by leaving a copy of the writ or other proceedings in hand or at the last and usual place of abode of one of the directors who reside in New Hampshire, and by mailing a like copy to the clerk and to one other director by certified mail with return receipt requested.

"E. Employment.—Each employee of an interstate district assigned to a school located in New Hampshire shall be considered an employee of a New Hampshire school district for the purpose of the New Hampshire teachers' retirement system, the New Hampshire state employees' retirement system, the New Hampshire workmen's compensation law and any other law relating to the regulation of employment or the provision of benefits for employees of New Hampshire school districts except as follows:

"1. A teacher in a New Hampshire member district may elect to remain a member of the New Hampshire teachers' retirement system, even though assigned to teach in an interstate school in Vermont.

"2. Employees of interstate districts designated as professional or instructional staff members, as defined in article I hereof, may elect to participate in the teachers' retirement system of either the state of New Hampshire or the state of Vermont but in no case will they participate in both retirement systems simultaneously.

"3. It shall be the duty of the superintendent in an interstate district to: (a) advise teachers and other professional staff employees contracted for the district about the terms of the contract and the policies and procedure of the retirement systems; (b) see that each teacher or professional staff employee selects the retirement system of his choice at the time his contract is signed; (c) provide the commissioners of education in New Hampshire and in Vermont with the names and other pertinent information regarding each staff member under his jurisdiction so that each may be enrolled in the retirement system of his preference.

"Article XI

"APPLICABILITY OF VERMONT LAWS

"A. General School Laws.—With respect to the operation and maintenance of any school of the district located in Vermont, the provisions of Vermont law shall apply except as otherwise provided in this compact and except that the powers and duties of the school board shall be exercised and discharged

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by the interstate board and the powers and duties of the union superintendent shall be exercised and discharged by the interstate district superintendent.

"B. Vermont State Aid.—A Vermont school district shall be entitled to receive such amount of state aid for operating expenditures as though its share of the interstate district's expenses were the expenses of the Vermont member district, and as though the Vermont member district pupils attending the interstate schools were attending a Vermont union school district's schools. Such a state aid shall be paid to the Vermont member school district to reduce the sums which would otherwise be required to be raised by taxation within the member district.

"C. Continued Existence of Vermont Member School District.—A Vermont member school district shall continue in existence, and shall have all of the powers and be subject to all of the obligations imposed by law and not herein delegated to the interstate district. If the interstate district incorporates only a part of the schools in the member school district, then the school board of the member school district shall continue in existence and it shall have all of the powers and be subject to all of the obligations imposed by law on it and not herein delegated to the district. However, if all of the schools in the member school district are incorporated into the interstate school district, then the member or members of the interstate board representing the member district shall have all of the powers and be subject to all of the obligations imposed by law on the members of a school board for the member district and not herein delegated to the interstate district. The Vermont member school district shall remain liable on its existing indebtedness; and the interstate school district shall not become liable therefor. Any trust funds and any property not taken over shall be retained by the Vermont member school district and held or disposed of according to law.

"D. Suit and Service of Process in Vermont.—The courts of Vermont shall have the same jurisdiction over the districts as though a Vermont member district were a party instead of the interstate district. The service necessary to institute suit in Vermont shall be made on the district by leaving a copy of the writ or other proceedings in hand or at the last and usual place of abode of one of the directors who resides in Vermont, and by mailing a like copy to the clerk and to one other director by certified mail with return receipt requested.

"E. Employment.—Each employee of an interstate district assigned to a school located in Vermont shall be considered an employee of a Vermont school district for the purpose of the state teachers' retirement system of Vermont, the state employees' retirement system, the Vermont workmen's compensation law, and any other law relating to the regulation of employment or the provision of benefits for employees of Vermont school districts except as follows:

"1. A teacher in a Vermont member district may elect to remain a member of the state teachers' retirement system of Vermont, even though assigned to teach in an interstate school in New Hampshire.

"2. Employees of interstate districts designated as professional or instructional staff members, as defined in article I hereof, may elect to participate in the teachers' retirement system of either the state of Vermont or the state of New Hampshire but in no case will they participate in both retirement systems simultaneously.

"3. It shall be the duty of the superintendent in an interstate district to: (a) advise teachers and other professional staff employees contracted for the district about the terms of the contract and the policies and procedures of the retirement system; (b) see that each teacher or professional staff employee selects the retirement system of his choice at the time his contract is signed; (c) provide the commissioners of education in New Hampshire and in Vermont with the names and other pertinent information regarding each staff member under his jurisdiction so that each may be enrolled in the retirement system of his preference.

"Article XII

"ADOPTION OF COMPACT BY DRESDEN SCHOOL DISTRICT

"The Dresden School District, otherwise known as the Hanover-Norwich Interstate School district, authorized by New Hampshire laws of 1961, chapter 116, and by the laws of Vermont, is hereby authorized to adopt the provisions of this compact and to become an interstate school district within the meaning hereof, upon the following conditions and subject to the following limitations:

"a. Articles of agreement shall be prepared and signed by a majority of the directors of the interstate school district.

"b. The articles of agreement shall be submitted to an annual or special meeting of the Dresden district for adoption.

"c. An affirmative vote of two-thirds of those present and voting shall be required for adoption.

"d. Nothing contained therein, or in this compact, as it affects the Dresden School District shall affect adversely the rights of the holders of any bonds or other evidences of indebtedness then outstanding, or the rights of the district to procure the means for payment thereof previously authorized.

"e. The corporate existence of the Dresden School District shall not be terminated by such adoption of articles of amendment, but shall be deemed to be so amended that it shall thereafter be governed by the terms of this compact.

"Article XIII

"MISCELLANEOUS PROVISIONS

"A. Studies.—Insofar as practicable, the studies required by the laws of both states shall be offered in an interstate school district.

"B. Textbooks.—Textbooks and scholar's supplies shall be provided at the expense of the interstate district for pupils attending its schools.

"C. Transportation.—The allocation of the cost of transportation in an interstate school district, as between the interstate district and the member districts, shall be determined by the articles of agreement.

"D. Location of Schoolhouses.—In any case where a new schoolhouse or other school facility is to be constructed or acquired, the interstate board shall first determine whether it shall be located in New Hampshire or in Vermont. If it is to be located in New Hampshire, RSA 199, relating to schoolhouses, shall apply. If it is to be located in Vermont, the Vermont law relating to schoolhouses shall apply.

"E. Fiscal Year.—The fiscal year of each interstate district shall begin on July first of each year and end on June thirtieth of the following year.

"F. Immunity From Tort Liability.—Notwithstanding the fact that an interstate district may derive income from operating profit, fees, rentals, and other services, it shall be immune from suit and from liabality for injury to persons or property and for other torts caused by it or its agents, servants or independent contractors, except insofar as it may have undertaken such liability under RSA 281: 7 relating to workmen's compensation, or RSA 412: 3 relating to the procurement of liability insurance by a governmental agency and except insofar as it may have undertaken such liability under 21 V.S.A. Section 621 relating to workmen's compensation or 29 V.S.A. Section 1403 relating to the procurement of liability insurance by a governmental agency.

"G. Administrative Agreement Between Commissioners of Education.—The commissioners of education of New Hampshire and Vermont may enter into one or more administrative agreements prescribing the relationship between the interstate districts, member districts, and each of the two state departments of education, in which any conflicts between the two states in procedure, regulations, and administrative practices may be resolved.

"H. Amendment.—Neither state shall amend its legislation or any agreement authorized thereby without the consent of the other in such manner as to substantially adversely affect the rights of the other state or its people hereunder, or as to substantially impair the rights of the holders of any bonds or notes or other evidences of indebtedness then outstanding or the rights of an interstate school district to procure the means for payment thereof. Subject to the foregoing, any reference herein to other statutes of either state shall refer to such statute as it may be amended or revised from time to time.

"I. Separability.—If any of the provisions of this compact, or legislation enabling the same, shall be held invalid or unconstitutional in relation to any of the applications thereof, such invalidity or unconstitutionality shall not affect other applications thereof or other provisions thereof; and to this end the provisions of this compact are declared to be severable.

"J. Inconsistency of Language.—The validity of this compact shall not be affected by any insubstantial differences in its form or language as adopted by the two states.

"Article XIV

"EFFECTIVE DATE

"This compact shall become effective when agreed to by the States of New Hampshire and Vermont and approved by the United States Congress."

Sec. 2. The right to alter, amend, or repeal this Act is expressly reserved.

The Senate bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill (H.R. 751) was laid on the table.

DISCONTINUANCE OF THE ANNUAL REPORT TO CONGRESS AS TO THE ADMINISTRATIVE SETTLEMENT OF PERSONAL PROPERTY CLAIMS OF MILITARY PERSONNEL AND CIVILIAN EMPLOYEES

The Clerk called the bill (H.R. 4246) to discontinue the annual report to Congress as to the administrative settlement of personal property claims of military personnel and civilian employees.

There being no objection, the Clerk read the bill, as follows:

H.R. 4246

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3(e) of the Military Personnel and Civilian Employees' Claims Act of 1964, as amended (31 U.S.C. 241(e)), is repealed.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. HALL. Mr. Speaker, reserving the right to object, it is my understanding that there is a subsequent bill to be considered on the Consent Calendar today which will increase administrative settlement of similar claims, and honestly these two bills are part of the same reparation process, the reports of which we

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have long enjoyed, and based on which we have only in the past 2 or 3 years extended the limits of permissiveness for settlement of service personnel's claims of loss by the administrative or executive branch.

I believe these reports are valuable and have proved of value to Members of the Congress and of the House in particular, insofar as reviewing these settlements that are made; actually as a delegation of congressional authority to the executive branch.

Therefore, I would ask unanimous consent that this bill be put over without prejudice at this time pending further study.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

NEW HAMPSHIRE-VERMONT INTERSTATE SCHOOL COMPACT

Mr. KASTENMEIER. Mr. Speaker, I ask unanimous consent that the proceedings by which the bill, S. 278, was passed be vacated.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. KASTENMEIER. Mr. Speaker, I ask unanimous consent for the immediate consideration of S. 278, a bill similar to H.R. 751 just passed on the Consent Calendar.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

Mr. HALL. Mr. Speaker, reserving the right to object, are we being reassured that this is simply a technical confirmation procedure and that the bill, S. 278, which is stated to be similar is in fact technically the same bill that we previously considered and passed by unanimous consent?

Mr. KASTENMEIER. Mr. Speaker, will the gentleman yield?

Mr. HALL. I yield to the gentleman.

Mr. KASTENMEIER. This is identical except for the amendment just adopted by the House.

Mr. HALL. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There being no objection, the Clerk read the Senate bill, as follows:

S. 278

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Congress consents to the New Hampshire-Vermont Interstate School Compact which is substantially as follows:

"NEW HAMPSHIRE-VERMONT INTERSTATE SCHOOL COMPACT

"ARTICLE I

"GENERAL PROVISIONS

"A. STATEMENT OF POLICY.—It is the purpose of this compact to increase the educational opportunities within the states of New Hampshire and Vermont by encouraging the formation of interstate school districts which will each be a natural social and economic region with adequate financial resources and a number of pupils sufficient to permit the efficient use of school facilities within the interstate district and to provide improved instruction. The state boards of education of New Hampshire and Vermont may formulate and adopt additional standards consistent with this purpose and with these standards; and the formation of any interstate school district and the adoption of its articles of agreement shall be subject to the approval of both state boards as hereinafter set forth.

"B. REQUIREMENT OF CONGRESSIONAL APPROVAL.—This compact shall not become effective until approved by the United States Congress.

"C. DEFINITIONS.—The terms used in this compact shall be construed as follows, unless a different meaning is clearly apparent from the language or context:

"a. 'Interstate school district' and 'interstate district' shall mean a school district composed of one or more school districts located in the state of New Hampshire associated under this compact with one or more school districts located in the state of Vermont, and may include either the elementary schools, the secondary schools, or both.

"b. 'Member school district' and 'member district' shall mean a school district located either in New Hampshire or Vermont which is included within the boundaries of a proposed or established interstate school district. In the case of districts located in Vermont, it shall include city school districts, town school districts, union school districts and incorporated school districts. Where appropriate, the term 'member district clerk' shall refer to the clerk of the city in which a Vermont school district is located, the clerk of the town in which a Vermont town school district is located, or the clerk of an incorporated school district.

"c. 'Elementary school' shall mean a school which includes all grades from kindergarten or grade one through not less than grade six nor more than grade eight.

"d. 'Secondary school' shall mean a school which includes all grades beginning no lower than grade seven and no higher than grade twelve.

"e. 'Interstate board' shall refer to the board serving an intermediate school district.

"f. 'New Hampshire board' shall refer to the New Hampshire state board of education.

"g. 'Vermont board' shall refer to the Vermont state board of education.

"h. 'Commissioner' shall refer to commissioner of education.

"i. Where joint action by both state boards is required, each state board shall deliberate and vote by its own majority, but shall separately reach the same result or take the same action as the other state board.

"j. The terms 'professional staff personnel' and 'instructional staff personnel' shall include superintendents, assistant superintendents, administrative assistants, principals, guidance counsellors, special education personnel, school nurses, therapists, teachers, and other certified personnel.

"k. The term 'warrant' or 'warning' to mean the same for both states.

"ARTICLE II

"PROCEDURE FOR FORMATION OF AN INTERSTATE SCHOOL DISTRICT

"A. CREATION OF PLANNING COMMITTEE.—The New Hampshire and Vermont commissioners of education shall have the power, acting jointly to constitute and discharge one or more interstate school district planning committees. Each such planning committee shall consist of at least two voters from each of a group of two or more neighboring member districts. One of the representatives from each member district shall be a member of its school board, whose term on the planning committee shall be concurrent with his term as a school board member. The term of each member of a planning committee who is not also a school board member shall expire on June thirtieth of the third year following his appointment. The existence of any planning committee may be terminated either by vote of a majority of its members or by joint action of the commissioners. In forming and appointing members to an interstate school district planning board, the commissioners shall consider and take into account recommendations and nominations made by school boards of member districts. No member of a planning committee shall be disqualified because he is at the same time a member of another planning board or committee created under the provisions of this compact or under any other provisions of law. Any existing informal interstate school planning committee may be reconstituted as a formal planning committee in accordance with the provisions hereof, and its previous deliberations adopted and ratified by the reorganized formal planning committee. Vacancies on a planning committee shall be filled by the commissioners acting jointly.

"B. OPERATING PROCEDURES OF PLANNING COMMITTEE.—Each interstate school district planning committee shall meet in the first instance at the call of any member, and shall organize by the election of a chairman and clerk-treasurer, each of whom shall be a resident of a different state. Subsequent meetings may be called by either officer of the committee. The members of the committee shall serve without pay. The member districts shall appropriate money on an equal basis at each annual meeting to meet the expenses of the committee, including the cost of publication and distribution of reports and advertising. From time to time the commissioners may add additional members and additional member districts to the committee, and may remove members and member districts from the committee. An interstate school district planning committee shall act by majority vote of its membership present and voting.

"C. DUTIES OF INTERSTATE SCHOOL DISTRICT PLANNING COMMITTEE.—It shall be the duty of an interstate school district planning committee, in consultation with the commissioners and the state departments of education: to study the advisability of establishing an interstate school district in accordance with the standards set forth in paragraph A of Article I of this compact, its organization, operation and control, and the advisability of constructing, maintaining and operating a school or schools to serve the needs of such interstate district; to estimate the construction and operating costs thereof; to investigate the methods of financing such school or schools, and any other matters pertaining to the organization and operation of an interstate school district; and to submit a report or reports of its findings and recommendations to the several member districts.

"D. RECOMMENDATIONS AND PREPARATION OF ARTICLES OF AGREEMENT.—An interstate school district planning committee may recommend that an interstate school district composed of all the member districts represented by its membership, or any specified combination of such member districts, be established. If the planning committee does recommend the establishment of an interstate school district, it shall include in its report such recommendations, and shall also prepare and include in its report proposed articles of agreement for the proposed interstate school district, which shall be signed by at least a majority of the membership of the planning committee, which set forth the following:

"a. The name of the interstate school district.

"b. The member districts which shall be combined to form the proposed interstate school district.

"c. The number, composition, method of section and terms of office of the interstate school board, provided that:

"(1) The interstate school board shall consist of an odd number of members, not less than five nor more than fifteen;

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"(2) The terms of office shall not exceed three years;

"(3) Each member district shall be entitled to elect at least one member of the interstate school board. Each member district shall either vote separately at the interstate school district meeting by the use of a distinctive ballot, or shall choose its member or members at any other election at which school officials may be chosen;

"(4) The method of election shall provide for the filing of candidacies in advance of election and for the use of a printed nonpartisan ballot;

"(5) Subject to the foregoing, provision may be made for the election of one or more members at large.

"d. The grades for which the interstate school district shall be responsible.

"e. The specific properties of member districts to be acquired initially by the interstate school district and the general location of any proposed new schools to be initially established or constructed by the interstate school district.

"f. The method of apportioning the operating expenses of the interstate school district among the several member districts, and the time and manner of payments of such shares.

"g. The indebtedness of any member district which the interstate district is to assume.

"h. The method of apportioning the capital expenses of the interstate school district among the several member districts, which need not be the same as the method of apportioning operating expenses, and the time and manner of payment of such shares. Capital expenses shall include the cost of acquiring land and buildings for school purposes; the construction, furnishing and equipping of school buildings and facilities; and the payment of the principal and interest of any indebtedness which is incurred to pay for the same.

"i. The manner in which state aid, available under the laws of either New Hampshire or Vermont, shall be allocated, unless otherwise expressly provided in this compact or by the laws making such aid available.

"j. The method by which the articles of agreement may be amended, which amendments may include the annexation of territory, or an increase or decrease in the number of grades for which the interstate district shall be responsible, provided that no amendment shall be effective until approved by both state boards in the same manner as required for approval of the original articles of agreement.

"k. The date of operating responsibility of the proposed interstate school district and a proposed program for the assumption of operating responsibility for education by the proposed interstate school district, and any school construction; which the interstate school district shall have the power to vary by vote as circumstances may require.

"l. Any other matters, not incompatible with law, which the interstate school district planning committee may consider appropriate to include in the articles of agreement, including, without limitation:

"(1) The method of allocating the cost of transportation between the interstate district and member districts;

"(2) The nomination of individual school directors to serve until the first annual meeting of the interstate school district.

"E. Hearings.—If the planning committee recommends the formation of an interstate school district, it shall hold at least one public hearing on its report and the proposed articles of agreement within the proposed interstate school district in New Hampshire, and at least one public hearing thereon within the proposed interstate school district in Vermont. The planning committee shall give such notice thereof as it may determine to be reasonable, provided that such notice shall include at least one publication in a newspaper of general circulation within the proposed interstate school district not less than fifteen days (not counting the date of publication and not counting the date of the hearing) before the date of the first hearing. Such hearings may be adjourned from time to time and from place to place. The planning committee may revise the proposed articles of agreement after the date of the hearings. It shall not be required to hold further hearings on the revised articles of agreement but may hold one or more further hearings after notice similar to that required for the first hearings if the planning committee in its sole discretion determines that the revisions are so substantial in nature as to require further presentation to the public before submission to the state boards of education.

"F. Approval by State Boards.—After the hearings a copy of the proposed articles of agreement, as revised, signed by a majority of the planning committee, shall be submitted by it to each state board. The state boards may (a) if they find that the articles of agreement are in accord with the standards set forth in this compact and in accordance with sound educational policy, approve the same as submitted, or (b) refer them back to the planning committee for further study. The planning committee may make additional revisions to the proposed articles of agreement to conform to the recommendations of the state boards. Further hearings on the proposed articles of agreement shall not be required unless ordered by the state boards in their discretion. In exercising such discretion, the state boards shall take into account whether or not the additional revisions are so substantial in nature as to require further presentation to the public. If both state boards find that the articles of agreement as further revised are in accord with the standards set forth in this compact and in accordance with sound educational policy, they shall approve the same. After approval by both state boards, each state board shall cause the articles of agreement to be submitted to the school boards of the several member districts in each state for acceptance by the member districts as provided in the following paragraph. At the same time, each state board shall designate the form of warrant, date, time, place, and period of voting for the special meeting of the member district to be held in accordance with the following paragraph.

"G. Adoption by Member Districts.—Upon receipt of written notice from the state board in its state of the approval of the articles of agreement by both state boards, the school board of each member district shall cause the articles of agreement to be filed with the member district clerk. Within ten days after receipt of such notice, the school board shall issue its warrant for a special meeting of the member district, the warrant to be in the form, and the meeting to be held at the time and place and in the manner prescribed by the state board. No approval of the superior court shall be required for such special school district meeting in New Hampshire. Voting shall be with the use of the check list by a ballot substantially in the following form:

" 'Shall the school district accept the provisions of the New Hampshire-Vermont Interstate School Compact providing for the establishment of an interstate school district, together with the school districts of ---- and ----, etc., in accordance with the provisions of the proposed articles of agreement filed with the school district (town, city or incorporated school district) clerk?

" 'Yes (☐) No (☐)'

"If the articles of agreement included the nomination of individual school directors, those nominated from each member district shall be included in the ballot and voted upon, such election to become effective upon the formation of an interstate school district.

"If a majority of the voters present and voting in a member district vote in the affirmative, the clerk for such member district shall forthwith send to the state board in its state a certified copy of the warrant, certificate of posting, and minutes of the meeting of the district. If the state boards of both states find that a majority of the voters present and voting in each member district have voted in favor of the establishment of the interstate school district, they shall issue a joint certificate to that effect; and such certificate shall be conclusive evidence of the lawful organization and formation of the interstate school district as of its date of issuance.

"H. Resubmission.—If the proposed articles of agreement are adopted by one or more of the member districts but rejected by one or more of the member districts, the state boards may resubmit them, in the same form as previously submitted, to the rejecting member districts, in which case the school boards thereof shall resubmit them to the voters in accordance with paragraph G of this article. An affirmative vote in accordance therewith shall have the same effect as though the articles of agreement had been adopted in the first instance. In the alternative, the state boards may either (a) discharge the planning committee, or (b) refer the articles of agreement back for further consideration to the same or a reconstituted planning committee, which shall have all of the powers and duties as the planning committee as originally constituted.

"Article III

"POWERS OF INTERSTATE SCHOOL DISTRICTS

"A. Powers.—Each interstate school district shall be a body corporate and politic, with power to:

"a. To acquire, construct, extend, improve, staff, operate, manage and govern public schools within its boundaries;

"b. To sue and be sued, subject to the limitations of liability hereinafter set forth;

"c. To have a seal and alter the same at pleasure;

"d. To adopt, maintain and amend bylaws not inconsistent with this compact, and the laws of the two states;

"e. To acquire by purchase, condemnation, lease or otherwise, real and personal property for the use of its schools;

"f. To enter into contracts and incur debts;

"g. To borrow money for the purposes hereinafter set forth, and to issue its bonds or notes therefor;

"h. To make contracts with and accept grants and aid from the United States, the state of New Hampshire, the state of Vermont, any agency or municipality thereof, and private corporations and individuals for the construction, maintenance, reconstruction, operation, and financing of its schools; and to do any and all things necessary in order to avail itself of such aid and cooperation;

"i. To employ such assistants, agents, servants, and independent contractors as it shall deem necessary or desirable for its purposes; and

"j. To take any other action which is necessary or appropriate in order to exercise any of the foregoing powers.

"Article IV

"DISTRICT MEETINGS

"A. General.—Votes of the district shall be taken at a duly warned meeting held at any place in the district, at which all of the eligible legal voters of the member districts shall be entitled to vote, except as otherwise provided with respect to the election of directors.

"B. Eligibility of Voters.—Any resident who would be eligible to vote at a meeting of a member district being held at the same time, shall be eligible to vote at a meeting of the interstate district. The board of civil authority in each Vermont member district and the supervisors of the check list of each New Hampshire district shall respectively prepare a check list of eligible voters for each meeting of the interstate district in the same manner, and they shall have all the same powers and duties with respect to eligibility of voters in their districts as for a meeting of a member district.

"C. Warning of Meetings.—A meeting shall be warned by a warrant addressed to the residents of the interstate school district qualified to vote in district affairs, stating the time and place of the meeting and the subject matter of the business to be acted upon. The warrant shall be signed by the clerk and by a majority of the directors. Upon written application of ten or more voters in the district, presented to the directors or to one of them, at least twenty-five days before the day prescribed for an annual meeting, the directors shall insert in their warrant for such meeting any subject matter specified in such application.

"D. Posting and Publication of Warrant.—The directors shall cause an attested copy of the warrant to be posted at the place of meeting, and a like copy at a public place in each member district at least twenty days (not counting the date of posting and the date of meeting) before the date of the meeting. In addition, the directors shall cause the warrant to be advertised in a newspaper of general circulation on at least one occasion, such publication to occur at least ten days (not counting the date of publication and not counting the date of the meeting) before the date of the meeting. Although no further notice shall be required the directors may give such further notice of the meeting as they in their discretion deem appropriate under the circumstances.

"E. Return of Warrant.—The warrant with a certificate thereon, verified by oath, stating the time and place when and where copies of the warrant were posted and published, shall be given to the clerk of the interstate school district at or before the time of the meeting, and shall be recorded by him in the records of the interstate school district.

"F. Organization Meeting.—The commissioners, acting jointly, shall fix a time and place for a special meeting of the qualified voters within the interstate school district for the purpose of organization, and shall prepare and issue the warrant for the meeting after consultation with the interstate school district planning board and the members-elect, if any, of the interstate school board of directors. Such meeting shall be held within sixty days after the date of issuance of the certificate of formation, unless the time is further extended by the joint action of the state boards. At the organization meeting the commissioner of education of the state where the meeting is held, or his designate, shall preside in the first instance, and the following business shall be transacted:

"a. A temporary moderator and a temporary clerk shall be elected from among the qualified voters who shall serve until a moderator and clerk respectively have been elected and qualified.

"b. A moderator, a clerk, a treasurer, and three auditors shall be elected to serve until the next annual meeting and thereafter until their successors are elected and qualifed. Unless previously elected, a board of school directors shall be elected to serve until their successors are elected and qualified.

"c. The date for the annual meeting shall be established.

"d. Provision shall be made for the payment of any organizational or other expense incurred on behalf of the district before the organization meeting, including the cost of architects, surveyors, contractors, attorneys, and educational or other consultants or experts.

"e. Any other business, the subject matter of which has been included in the warrant, and which the voters would have had power to transact at an annual meeting.

"G. Annual Meetings.—An annual meeting of the district shall be held between January fifteenth and June first of each year at such time as the interstate district may by vote determine. Once determined, the date of the annual meeting shall remain fixed until changed by vote of the interstate district at a subsequent annual or special meeting. At each annual meeting the following business shall be transacted:

"a. Necessary officers shall be elected.

"b. Money shall be appropriated for the support of the interstate district schools for the first year beginning the following July first.

"c. Such other business as may properly come before the meeting.

"H. Special Meetings.—A special meeting of the district shall be held whenever, in the opinion of the directors, there is occasion therefor, or whenever written application shall have been made by five per cent or more of the voters (based on the check lists as prepared for the last preceding meeting) setting forth the subject matter upon which such action is desired. A special meeting may appropriate money without compliance with RSA 33:8 or RSA 197:3 which would otherwise require the approval of the New Hampshire superior court.

"I. Certification of Records.—The clerk of an interstate school district shall have the power to certify the record of the votes adopted at an interstate school district meeting to the respective commissioners and state boards and (where required) for filing with a secretary of state.

"J. Method of Voting at School District Meetings.—Voting at meetings of interstate school districts shall take place as follows:

"a. School directors.—A separate ballot shall be prepared for each member district, listing the candidates for interstate school director to represent such member district; and any candidates for interstate school director at large; and the voters of each member district shall register on a separate ballot their choice for the office of school director or directors. In the alternative, the articles of agreement may provide for the election of school directors by one or more of the member districts at an election otherwise held for the choice of school or other municipal officers.

"b. Other votes.—Except as otherwise provided in the articles of agreement of this compact, with respect to all other votes (1) the voters of the interstate school district shall vote as one body irrespective of the member districts in which they are resident, and (2) a simple majority of those present and voting at any duly warned meeting shall carry the vote. Voting for officers to be elected at any meeting, other than school directors, shall be by ballot or voice, as the interstate district may determine, either in its articles of agreement or by a vote of the meeting.

"Article V

"officers

"A. Officers: General.—The officers of an interstate school district shall be a board of school directors, a chairman of the board, a vice-chairman of the board, a secretary of the board, a moderator, a clerk, a treasurer and three auditors. Except as otherwise specifically provided, they shall be eligible to take office immediately following their election; they shall serve until the next annual meeting of the interstate district and until their successors are elected and qualified. Each shall take oath for the faithful performance of his duties before the moderator, or a notary public or a justice of the peace of the state in which the oath is administered. Their compensation shall be fixed by vote of the district. No person shall be eligible to any office unless he is a voter in the district. A custodian, school teacher, principal, superintendent, or other employee of an interstate district acting as such shall not be eligible to hold office as a school director.

"B. Board of Directors.—

"a. How chosen.—Each member district shall be represented by at least one resident on the board of school directors of an interstate school district. A member district shall be entitled to such further representation on the interstate board of school directors as provided in the articles of agreement as amended from time to time. The articles of agreement as amended from time to time may provide for school directors at large, as above set forth. No person shall be disqualified to serve as a member of an interstate board because he is at the same time a member of the school board of a member district.

"b. Term.—Interstate school directors shall be elected for terms in accordance with the articles of agreement.

"c. Duties of board of directors.—The board of school directors of an interstate school district shall have and exercise all of the powers of the district not reserved herein to the voters of the district.

"d. Organization.—The clerk of the district shall warn a meeting of the board of school directors to be held within ten days following the date of the annual meeting, for the purpose of organizing the board, including the election of its officers.

"C. Chairman of the Board.—The chairman of the board of interstate school directors shall be elected by the interstate board from among its members at its first meeting following the annual meeting. The chairman shall preside at the meetings of the board and shall perform such other duties as the board may assign to him.

"D. Vice-Chairman of the Board of Directors.—The vice-chairman of the interstate board shall be elected in the same manner as the chairman. He shall represent a member district in a state other than that represented by the chairman. He shall preside in the absence of the chairman and shall perform such other duties as may be assigned to him by the interstate board.

"E. Secretary of the Board.—The Secretary of the interstate board shall be elected in the same manner as the chairman. Instead of electing one of its members, the interstate board may appoint the interstate district clerk to serve as secretary of the board in addition to his other duties. The secretary of the interstate board (or the interstate district clerk, if so appointed) shall keep the minutes of its meetings, shall certify its records, and perform such other duties as may be assigned to him by the board.

"F. Moderator.—The moderator shall preside at the district meetings, regulate the business thereof, decide questions of order, and make a public declaration of every vote passed. He may prescribe rules of procedure; but such rules may be altered by the district. He may administer oaths to district officers in either state.

"G. Clerk.—The clerk shall keep a true record of all proceedings at each district meeting, shall certify its records, shall make an attested copy of any records of the district for any person upon request and tender of reasonable fees therefor, if so appointed, shall serve as secretary of the board of school directors, and shall perform such other duties as may be required by custom or law.

"H. Treasurer.—The treasurer shall have custody of all of the monies belonging to the district and shall pay out the same only upon the order of the interstate board. He shall keep a fair and accurate account of all sums received into and paid from the interstate district treasury, and at the close of each fiscal year he shall make a report to the interstate district, giving a particular account of all receipts and payments during the year. He shall furnish to the interstate directors, statements from his books and submit his books and vouchers to them and to the district auditors for examination whenever so requested. He shall make all returns called for by laws relating to school districts. Before entering on his duties, the treasurer shall give a bond with sufficient sureties and in such sum as the directors may require. The treasurer's term of office is from July 1 to the following June 30.

"I. Auditors.—At the organization meeting of the district, three auditors shall be chosen, one to serve for a term of 1 year, one to serve for a term of 2 years, and one to serve for a term of 3 years. After the expiration of each original term, the successor shall be chosen for a 3-year term. At least one auditor shall be a resident of New Hampshire, and one auditor shall be a resident of Vermont. An interstate district may vote to employ a certified public accountant to assist the auditors in the performance of their duties. The auditors shall carefully examine the accounts of the treasurer and the directors at the close of each fiscal year, and at such other times whenever necessary, and report to the district whether the same are correctly cast and properly vouched.

"J. Superintendent.—The superintendent of schools shall be selected by a majority vote of the board of school directors of the interstate district with the approval of both commissioners.

"K. Vacancies.—Any vacancy among the elected officers of the district shall be filled by the interstate board until the next annual meeting of the district or other election, when a successor shall be elected to serve out the remainder of the unexpired term, if any. Until all vacancies on the interstate board are filled, the remaining members shall have full power to act.

"ARTICLE VI

"APPROPRIATION AND APPORTIONMENT OF FUNDS

"A. Budget.—Before each annual meeting, the interstate board shall prepare a report of expenditures for the preceding fiscal year, an estimate of expenditures for the current fiscal year, and a budget for the succeeding fiscal year.

"B. Appropriation.—The interstate board of directors shall present the budget report of the annual meeting. The interstate district shall appropriate a sum of money for the support of its schools and for the discharge of its obligations for the ensuing fiscal year.

"C. Apportionment of Appropriation.—Subject to the provisions of article VII hereof, the interstate board shall first apply against such appropriation any income to which the interstate district is entitled, and shall then apportion the balance among the member districts in accordance with one of the following formulas as determined by the articles of agreement as amended from time to time:

"a. All of such balance to be apportioned on the basis of the ratio that the fair market value of the taxable property in each member district bears to that of the entire interstate district; or

"b. All of such balance to be apportioned on the basis that the average daily resident membership for the preceding fiscal year of each member district bears to that of the average daily resident membership of the entire interstate school district; or

"c. A formula based on any combination of the foregoing factors. The term 'fair market value of taxable property' shall mean the last locally assessed valuation of a member district in New Hampshire, as last equalized by the New Hampshire state tax commission.

"The term 'fair market value of taxable property' shall mean the equalized grand list of a Vermont member district, as determined by the Vermont department of taxes.

"Such assessed valuation and grand list may be further adjusted (by elimination of certain types of taxable property from one or the other or otherwise) in accordance with the articles of agreement, in order that the fair market value of taxable property in each state shall be comparable.

"'Average daily resident membership' of the interstate district in the first instance shall be the sum of the average daily resident membership of the member districts in the grades involved for the preceding fiscal year where no students were enrolled in the interstate district schools for such preceding fiscal year.

"D. Share of New Hampshire Member District.—The interstate board shall certify the share of a New Hampshire member district of the total appropriation to the school board of each member district which shall add such sum to the amount appropriated by the member district itself for the ensuing year and raise such sum in the same manner as though the appropriation had been voted at a school district meeting of the member district. The interstate district shall not set up its own capital reserve funds; but a New Hampshire member district may set up a capital reserve fund in accordance with RSA 35, to be turned over to the interstate district in payment of the New Hampshire member district's share of any anticipated obligations.

"E. Share of Vermont Member District.—The interstate board shall certify the share of a Vermont member district of the total appropriation to the school board of each member district which shall add sum to the amount appropriated by the member district itself for the ensuing year and raise such sum in the same manner as though the appropriation had been voted at a school district meeting of the member district.

"ARTICLE VIII

"BORROWING

"A. Interstate District Indebtedness.—Indebtedness of an interstate district shall be a general obligation of the district and shall also be a joint and several general obligation of each member district, except that such obligations of the district and its member districts shall not be deemed indebtedness of any member district for the purposes of determining its borrowing capacity under New Hampshire or Vermont law. A member district which withdraws from an interstate district shall remain liable for indebtedness of the interstate district which is outstanding at the time of withdrawal and shall be responsible for paying its share of such indebtedness to the same extent as though it had not been withdrawn.

"B. Temporary Borrowing.—The interstate board may authorize the borrowing of money by the interstate district (1) in anticipation of payments of operating and capital expenses by the member districts to the interstate districts and (2) in anticipation of the issue of bonds or notes of the interstate district which have been authorized for the purpose of financing capital projects. Such temporary borrowing shall be evidenced by interest bearing or discounted notes of the interstate district. The amount of notes issued in any fiscal year in anticipation of expense payments shall not exceed the amount of such payments received by the interstate district in the preceding fiscal year. Notes issued under this paragraph shall be payable within one year in the case of notes under clause (1) and three years in the case of notes under clause (2) from their respective dates, but the principal of and interest on notes issued for a shorter period may be renewed or paid from time to time by the issue of other notes, provided that the period from the date of an original note to the maturity of any note issued to renew or pay the same debt shall not exceed the maximum period permitted for the original loan.

"C. Borrowing for Capital Projects.—An interstate district may incur debt and issue its bonds or notes to finance capital projects. Such projects may consist of the acquisition or improvement of land and buildings for school purposes, the construction, reconstruction, alteration, or enlargement of school buildings and related school facilities, the acquisition of equipment of a lasting character and the payment of judgments. No interstate district may authorize indebtedness in excess of ten percent of the total fair market value of taxable property in its member districts as defined in article VI of this compact. The primary obligation of the interstate district of pay indebtedness of member districts shall not be considered indebtedness of the interstate district for the purpose of determining its borrowing capacity under this paragraph. Bonds or notes issued under this paragraph shall mature in equal or diminishing installments of principal payable at least annually commencing no later than two years and ending not later than thirty years after their dates.

"D. Authorization Proceedings.—An interstate district shall authorize the incurring of debts to finance capital projects by a majority vote of the district passed at an annual or special district meeting. Such vote shall be taken by secret ballot after full opportunity for debate, and any such vote shall be subject to reconsideration and further action by the district at the same meeting or at an adjourned session thereof.

"E. Sale of Bonds and Notes.—Bonds and notes which have been authorized under this article may be issued from time to time and shall be sold at not less than par and accrued interest at public or private sale by the chairman of the school board and by the treasurer. Interstate district bonds and notes shall be signed by the said officers, except that either one of the two required signatures may be a facsimile. Subject to this compact and the authorizing vote, they shall be in such form, bear such rates of interest and mature at such times as the said officers may determine. Bonds shall, but notes need not, bear the seal of the interstate district, or a facsimile of such seal. Any bonds or notes of the interstate district which are properly executed by the said officers shall be valid and binding according to their terms notwithstanding that before the delivery thereof such officers may have ceased to be officers of the interstate district.

"F. Proceeds of Bonds.—Any accrued interest received upon delivery of bonds or notes of an interstate district shall be applied to the payment of the first interest which becomes due thereon. The other proceeds of the sale of such bonds or notes, other than temporary notes, including any premiums, may be temporarily invested by the interstate district pending their expenditure; and such proceeds, including any income derived from the temporary investment of such proceeds, shall be used to pay the costs of issuing and marketing the bonds or notes and to meet the operating expenses or capital expenses in accordance with the purposes for which the bonds or notes were issued or, by proceedings taken in the manner required for the authorization of such debt, for other purposes for which such debt could be incurred. No purchaser of any bonds or notes of an interstate district shall be responsible in any way to see to the application of the proceeds thereof.

"G. State Aid Programs.—As used in this paragraph the term 'initial aid' shall include New Hampshire and Vermont financial assistance with respect to a capital project, or the means of financing a capital project, which is available in connection with construction costs of a capital project or which is available at the time indebtedness is incurred to finance the project. Without limiting the generality of the foregoing definition, initial aid shall specifically include a New Hampshire state guarantee under RSA 195–B with respect to bonds or notes and Vermont construction aid under chapter 123 of 16 V.S.A. As used in this paragraph the

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term 'long-term aid' shall include New Hampshire and Vermont financial assistance which is payable periodically in relation to capital costs incurred by an interstate district. Without limiting the generality of the foregoing definition, long-term aid shall specifically include New Hampshire school building aid under RSA 198 and Vermont school building aid under chapter 123 of Title 16 V.S.A. For the purpose of applying for, receiving and expending initial aid and long-term aid an interstate district shall be deemed a native school district by each state, subject to the following provisions. When an interstate district has appropriated money for a capital project, the amount appropriated shall be divided into a New Hampshire share and a Vermont share in accordance with the capital expense apportionment formula in the articles of agreement as though the total amount appropriated for the project was a capital expense requiring apportionment in the year the appropriation is made. New Hampshire initial aid shall be available with respect to the amount of the New Hampshire share as though it were authorized indebtedness of a New Hampshire cooperative school district. In the case of a state guarantee of interstate districts bonds or notes under RSA 195-B, the interstate district shall be eligible to apply for and receive an unconditional state guarantee with respect to an amount of its bonds or notes which does not exceed fifty per cent of the amount of the New Hampshire share as determined above. Vermont initial aid shall be available with respect to the amount of the Vermont share as though it were funds voted by a Vermont school district. Payments of Vermont initial aid shall be made to the interstate district, and the amount of any borrowing authorized to meet the appropriation for the capital project shall be reduced accordingly. New Hampshire and Vermont long-term aid shall be payable to the interstate district. The amounts of long-term aid in each year shall be based on the New Hampshire and Vermont shares of the amount of indebtedness of the interstate district which is payable in that year and which has been apportioned in accordance with the capital expense apportionment formula in the articles of agreement. The New Hampshire aid shall be payable at the rate of forty-five percent, if there are three or less New Hampshire members in the interstate district, and otherwise it shall be payable as though the New Hampshire members were a New Hampshire cooperative school district. New Hampshire and Vermont long-term aid shall be deducted from the total capital expenses for the fiscal year in which the long-term aid is payable, and the balance of such expenses shall be apportioned among the member districts. Notwithstanding the foregoing provisions, New Hampshire and Vermont may at any time change their state school aid programs that are in existence when this compact takes effect and may establish new programs, and any legislation for these purposes may specify how such programs shall be applied with respect to interstate districts.

"H. Tax Exemption.—Bonds and notes of an interstate school district shall be exempt from local property taxes in both states, and the interest or discount thereon and any profit derived from the disposition thereof shall be exempt from personal income taxes in both states.

"ARTICLE VIII

"TAKING OVER OF EXISTING PROPERTY

"A. Power To Acquire Property of Member District.—The articles of agreement, or an amendment thereof, may provide for the acquisition by an interstate district from a member district of all or a part of its existing plant and equipment.

"B. Valuation.—The articles of agreement, or the amendment, shall provide for the determination of the value of the property to be acquired in one or more of the following ways:

"a. A valuation set forth in the articles of agreement or the amendment.

"b. By appraisal, in which case, one appraiser shall be appointed by each commissioner, and a third appraiser appointed by the first two appraisers.

"C. Reimbursement to Member District.—The articles of agreement shall specify the method by which the member district shall be reimbursed by the interstate district for the property taken over, in one or more of the following ways:

"a. By one lump sum, appropriated, allocated, and raised by the interstate district in the same manner as an appropriation for operating expenses.

"b. In installments over a period of not more than twenty years, each of which is appropriated, allocated, and raised by the interstate district in the same manner as an appropriation for operating expenses.

"c. By an agreement to assume or reimburse the member district for all principal and interest on any outstanding indebtedness originally incurred by the member district to finance the acquisition and improvement of the property, each such installment to be appropriated, allocated, and raised by the interstate district in the same manner as an appropriation for operating expenses.

"The member district transferring the property shall have the same obligation to pay to the interstate district its share of the cost of such acquisition, but may offset its right to reimbursement.

"ARTICLE IX

"AMENDMENTS TO ARTICLES OF AGREEMENT

"A. Amendments to the articles of agreement may be adopted in the same manner provided for the adoption of the original articles of agreement, except that:

"a. Unless the amendment calls for the addition of a new member district, the functions of the planning committee shall be carried out by the interstate district board of directors.

"b. If the enactment proposes the addition of a new member district, the planning committee shall consist of all of the members of the interstate board and all of the members of the school board of the proposed new member district or districts. In such case the amount shall be submitted to the voters at an interstate district meeting, at which an affirmative vote of two-thirds of those present and voting shall be required. The articles of agreement together with the proposed amendment shall be submitted to the voters of the proposed new member district at a meeting thereof, at which a simple majority of those present and voting shall be required.

"c. In all cases an amendment may be adopted on the part of an interstate district upon the affirmative vote of voters thereof at a meeting voting as one body. Except where the amendment proposes the admission of a new member district, a simple majority of those present and voting shall be required for adoption.

"d. No amendment to the articles of agreement may impair the rights of bond or note holders or the power of the interstate district to procure the means for their payment.

"ARTICLE X

"APPLICABILITY OF NEW HAMPSHIRE LAWS

"A. General School Laws.—With respect to the operation and maintenance of any school of the district located in New Hampshire, the provisions of New Hampshire law shall apply except as otherwise provided in this compact and except that the powers and duties of the school board shall be exercised and discharged by the interstate board and the powers and duties of the union superintendent shall be exercised and discharged by the interstate district superintendent.

"B. New Hampshire State Aid.—A New Hampshire school district shall be entitled to receive an amount of state aid for operating expenditures as though its share of the interstate district's expenses were the expenses of the New Hampshire member district, and as though the New Hampshire member district pupils attending the interstate school were attending a New Hampshire cooperative school district's school. The state aid shall be paid to the New Hampshire member school district to reduce the sums which would otherwise be required to be raised by taxation within the member district.

"C. Continued Existence of the New Hampshire Member School District.—A New Hampshire member school district shall continue in existence, and shall have all of the powers and be subject to all of the obligations imposed by law and not herein delegated to the interstate district. If the interstate district incorporates only a part of the schools in the member school district, then the school board of the member school district shall continue in existence and it shall have all of the powers and be subject to all of the obligations imposed by law on it and not herein delegated to the district. However, if all of the schools in the member school district are incorporated into the interstate school district, then the member or members of the interstate board representing the member district shall have all of the powers and be subject to all of the obligations imposed by law on the members of a school board for the member district and not herein delegated to the interstate district. The New Hampshire member school-district shall remain liable on its existing indebtedness; and the interstate school district shall not become liable therefor, unless the indebtedness is specifically assumed in accordance with the articles of agreement. Any trust funds or capital reserve funds and any property not taken over by the interstate district shall be retained by the New Hampshire member district and held or disposed of according to law. If all of the schools in a member district are incorporated into an interstate district, then no annual meeting of the member district shall be required unless the members of the interstate board from the member district shall determine that there is occasion for such an annual meeting.

"D. Suit and Service of Process in New Hampshire.—The courts of New Hampshire shall have the same jurisdiction over the district as though a New Hampshire member district were a party instead of the interstate district. The service necessary to institute suit in New Hampshire shall be made on the district by leaving a copy of the writ or other proceedings in hand or at the last and usual place of abode of one of the directors who reside in New Hampshire, and by mailing a like copy to the clerk and to one other director by certified mail with return receipt requested.

"E. Employment.—Each employee of an interstate district assigned to a school located in New Hampshire shall be considered an employee of a New Hampshire school district for the purpose of the New Hampshire teachers' retirement system, the New Hampshire state employees' retirement system, the New Hampshire workmen's compensation law and any other law relating to the regulation of employment or the provision of benefits for employees of New Hampshire school districts except as follows:

"1. A teacher in a New Hampshire member district may elect to remain a member of the New Hampshire teachers' retirement system, even though assigned to teach in an interstate school in Vermont.

"2. Employees of interstate districts designated as professional or instructional staff members, as defined in article I hereof, may elect to participate in the teachers' retirement system of either the state of New

Hampshire or the state of Vermont but in no case will they participate in both retirement systems simultaneously.

"3. It shall be the duty of the superintendent in an interstate district to: (a) advise teachers and other professional staff employees contracted for the district about the terms of the contract and the policies and procedure of the retirement systems; (b) see that each teacher or professional staff employee selects the retirement system of his choice at the time his contract is signed; (c) provide the commissioners of education in New Hampshire and in Vermont with the names and other pertinent information regarding each staff member under his jurisdiction so that each may be enrolled in the retirement system of his preference.

"ARTICLE XI

"APPLICABILITY OF VERMONT LAWS

"A. General School Laws.—With respect to the operation and maintenance of any school of the district located in Vermont, the provisions of Vermont law shall apply except as otherwise provided in this compact and except that the powers and duties of the school board shall be exercised and discharged by the interstate board and the powers and duties of the union superintendent shall be exercised and discharged by the interstate district superintendent.

"B. Vermont State Aid.—A Vermont school district shall be entitled to receive such amount of state aid for operating expenditures as though its share of the interstate district's expenses were the expenses of the Vermont member district, and as though the Vermont member district pupils attending the interstate schools were attending a Vermont union school district's schools. Such state aid shall be paid to the Vermont member school district to reduce the sums which would otherwise be required to be raised by taxation within the member district.

"C. Continued Existence of Vermont Member School District.—A Vermont member school district shall continue in existence, and shall have all of the powers and be subject to all of the obligations imposed by law and not herein delegated to the interstate district. If the interstate district incorporates only a part of the schools in the member school district, then the school board of the member school district shall continue in existence and it shall have all of the powers and be subject to all of the obligations imposed by law on it and not herein delegated to the district. However, if all of the schools in the member school district are incorporated into the interstate school district, then the member or members of the interstate board representing the member district shall have all of the powers and be subject to all of the obligations imposed by law on the members of a school board for the member district and not herein delegated to the interstate district. The Vermont member school district shall remain liable on its existing indebtedness; and the interstate school district shall not become liable therefor. Any trust funds and any property not taken over shall be retained by the Vermont member school district and held or disposed of according to law.

"D. Suit and Service of Process in Vermont.—The courts of Vermont shall have the same jurisdiction over the districts as though a Vermont member district were a party instead of the interstate district. The service necessary to institute suit in Vermont shall be made on the district by leaving a copy of the writ or other proceedings in hand or at the last and usual place of abode of one of the directors who resides in Vermont, and by mailing a like copy to the clerk and to one other director by certified mail with return receipt requested.

"E. Employment.—Each employee of an interstate district assigned to a school located in Vermont shall be considered an employee of a Vermont school district for the purpose of the state teachers' retirement system of Vermont, the state employees' retirement system, the Vermont workmen's compensation law, and any other law relating to the regulation of employment or the provision of benefits for employees of Vermont school districts except as follows:

"1. A teacher in a Vermont member district may elect to remain a member of the state teachers' retirement system of Vermont, even though assigned to teach in an interstate school in New Hampshire.

"2. Employees of interstate districts designated as professional or instructional staff members, as defined in article I hereof, may elect to participate in the teachers' retirement system of either the state of Vermont or the state of New Hampshire but in no case will they participate in both retirement systems simultaneously.

"3. It shall be the duty of the superintendent in an interstate district to: (a) advise teachers and other professional staff employees contracted for the district about the terms of the contract and the policies and procedures of the retirement system; (b) see that each teacher or professional staff employee selects the retirement system of his choice at the time his contract is signed; (c) provide the commissioners of education in New Hampshire and in Vermont with the names and other pertinent information regarding each staff member under his jurisdiction so that each may be enrolled in the retirement system of his preference.

"ARTICLE XII

"ADOPTION OF COMPACT BY DRESDEN SCHOOL DISTRICT

"The Dresden School District, otherwise known as the Hanover-Norwich Interstate School District, authorized by New Hampshire laws of 1961, chapter 116, and by the laws of Vermont, is hereby authorized to adopt the provisions of this compact and to become an interstate school district within the meaning hereof, upon the following conditions and subject to the following limitations:

"a. Articles of agreement shall be prepared and signed by a majority of the directors of the interstate school district.

"b. The articles of agreement shall be submitted to an annual or special meeting of the Dresden district for adoption.

"c. An affirmative vote of two-thirds of those present and voting shall be required for adoption.

"d. Nothing contained therein, or in this compact, as it affects the Dresden School District shall affect adversely the rights of the holders of any bonds or other evidences of indebtedness then outstanding, or the rights of the district to procure the means for payment thereof previously authorized.

"e. The corporate existence of the Dresden School District shall not be terminated by such adoption of articles of amendment, but shall be deemed to be so amended that it shall thereafter be governed by the terms of this compact.

"ARICLE XIII

"MISCELLANEOUS PROVISIONS

"A. Studies.—Insofar as practicable, the studies required by the laws of both states shall be offered in an interstate school district.

"B. Textbooks.—Textbooks and scholar's supplies shall be provided at the expense of the interstate district for pupils attending its schools.

"C. Transportation.—The allocation of the cost of transportation in an interstate school district, as between the interstate district and the member districts, shall be determined by the articles of agreement.

"D. Location of Schoolhouses.—In any case where a new schoolhouse or other school facility is to be constructed or acquired, the interstate board shall first determine whether it shall be located in New Hampshire or in Vermont. If it is to be located in New Hampshire, RSA 199, relating to schoolhouses, shall apply. If it is to be located in Vermont, the Vermont law relating to schoolhouses shall apply.

"E. Fiscal Year.—The fiscal year of each interstate district shall begin on July first of each year and end on June thirtieth of the following year.

"F. Immunity From Tort Liability.—Notwithstanding the fact that an interstate district may derive income from operating profit, fees, rentals, and other services, it shall be immune from suit and from liability for injury to persons or property and for other torts caused by it or its agents, servants or independent contractors, except insofar as it may have undertaken such liability under RSA 281:7 relating to workmen's compensation, or RSA 412:3 relating to the procurement of liability insurance by a governmental agency and except insofar as it may have undertaken such liability under 21 V.S.A. Section 621 relating to workmen's compensation or 29 V.S.A. Section 1403 relating to the procurement of liability insurance by a governmental agency.

"G. Administrative Agreement Between Commissioners of Education.—The commissioners of education of New Hampshire and Vermont may enter into one or more administrative agreements prescribing the relationship between the interstate districts, member districts, and each of the two state departments of education, in which any conflicts between the two states in procedure, regulations, and administrative practices may be resolved.

"H. Amendment.—Neither state shall amend its legislation or any agreement authorized thereby without the consent of the other in such manner as to substantially adversely affect the rights of the other state or its people hereunder, or as to substantially impair the rights of the holders of any bonds or notes or other evidences of indebtedness then outstanding or the rights of an interstate school district to procure the means for payment thereof. Subject to the foregoing, any reference herein to other statutes of either state shall refer to such statute as it may be amended or revised from time to time.

"I. Separability.—If any of the provisions of this compact, or legislation enabling the same, shall be held invalid or unconstitutional in relation to any of the applications thereof, such invalidity or unconstitutionality shall not affect other applications thereof or other provisions thereof; and to this end the provisions of this compact are declared to be severable.

"J. Inconsistency of Language.—The validity of this compact shall not be affected by any insubstantial differences in its form or language as adopted by the two states.

"ARTICLE XIV

"EFFECTIVE DATE

"This compact shall become effective when agreed to by the States of New Hampshire and Vermont and approved by the United States Congress."

Sec. 2. The right to alter, amend, or repeal this Act is expressly reserved.

Passed the Senate May 5, 1969.

Attest:

Secretary.

AMENDMENT OFFERED BY MR. KASTENMEIER

Mr. KASTENMEIER. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. Kastenmeier: Strike out all after the enacting clause of S. 278 and insert in lieu thereof the provisions of H.R. 751, as passed, as follows:

"That the Congress consents to the New Hampshire-Vermont Interstate School Compact which is substantially as follows:

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" 'NEW HAMPSHIRE-VERMONT INTERSTATE SCHOOL COMPACT

" 'Article I

" 'GENERAL PROVISIONS

" 'A. Statement of Policy.—It is the purpose of this compact to increase the educational opportunities within the states of New Hampshire and Vermont by encouraging the formation of interstate school districts which will each be a natural social and economic region with adequate financial resources and a number of pupils sufficient to permit the efficient use of school facilities within the interstate district and to provide improved instruction. The state boards of education of New Hampshire and Vermont may formulate and adopt additional standards consistent with this purpose and with these standards; and the formation of any interstate school district and the adoption of its articles of agreement shall be subject to the approval of both state boards as hereinafter set forth.

" 'B. Requirement of Congressional Approval.—This compact shall not become effective until approved by the United States Congress.

" 'Definitions.—The terms used in this compact shall be construed as follows, unless a different meaning is clearly apparent from the language or context:

" 'a. "Interstate school district" and "interstate district" shall mean a school district composed of one or more school districts located in the state of New Hampshire associated under this compact with one or more school districts located in the state of Vermont, and may include either the elementary schools, the secondary schools, or both.

" 'b. "Member school district" and "member district" shall mean a school district located either in New Hampshire or Vermont which is included within the boundaries of a proposed or established interstate school district. In the case of districts located in Vermont, it shall include city school districts, town school districts, union school districts and incorporated school districts. Where appropriate, the term "member district clerk" shall refer to the clerk of the city in which a Vermont school district is located, the clerk of the town in which a Vermont town school district is located, or the clerk of an incorporated school district.

" 'c. "Elementary school" shall mean a school which includes all grades from kindergarten or grade one through not less than grade six nor more than grade eight.

" 'd. "Secondary school" shall mean a school which includes all grades beginning no lower than grade seven and no higher than grade twelve.

" 'e. "Interstate board" shall refer to the board serving an interstate school district.

" 'f. "New Hampshire board" shall refer to the New Hampshire state board of education.

" 'g. "Vermont board" shall refer to the Vermont state board of education.

" 'h. "Commissioner" shall refer to commissioner of education.

" 'i. Where joint action by both state boards is required, each state board shall deliberate and vote by its own majority, but shall separately reach the same result or take the same action as the other state board.

" 'j. The terms "professional staff personnel" and "instructional staff personnel" shall include superintendents, assistant superintendents, administrative assistants, principals, guidance counsellors, special education personnel, school nurses, therapists, teachers, and other certified personnel.

" 'k. The term "warrant" or "warning" to mean the same for both states.

" 'Article II

" 'PROCEDURE FOR FORMATION OF AN INTERSTATE SCHOOL DISTRICT

" 'A. Creation of Planning Committee.—The New Hampshire and Vermont commissioners of education shall have the power, acting jointly to constitute and discharge one or more interstate school district planning committees. Each such planning committee shall consist of at least two voters from each of a group of two or more neighboring member districts. One of the representatives from each member district shall be a member of its school board, whose term on the planning committee shall be concurrent with his term as a school board member. The term of each member of a planning committee who is not also a school board member shall expire on June thirtieth of the third year following his appointment. The existence of any planning committee may be terminated either by vote of a majority of its members or by joint action of the commissioners. In forming and appointing members to an interstate school district planning board, the commissioners shall consider and take into account recommendations and nominations made by school boards of member districts. No member of a planning committee shall be disqualified because he is at the same time a member of another planning board or committee created under the provisions of this compact or under any other provisions of law. Any existing informal interstate school planning committee may be reconstituted as a formal planning committee in accordance with the provisions hereof, and its previous deliberations adopted and ratified by the reorganized formal planning committee. Vacancies on a planning committee shall be filled by the commissioners acting jointly.

" 'B. Operating Procedures of Planning Committee.—Each interstate school district planning committee shall meet in the first instance at the call of any member, and shall organize by the election of a chairman and clerk-treasurer, each of whom shall be a resident of a different state. Subsequent meetings may be called by either officer of the committee. The members of the committee shall serve without pay. The member districts shall appropriate money on an equal basis at each annual meeting to meet the expenses of the committee, including the cost of publication and distribution of reports and advertising. From time to time the commissioners may add additional members and additional member districts to the committee, and may remove members and member districts from the committee. An interstate school district planning committee shall act by majority vote of its membership present and voting.

" 'C. Duties of Interstate School District Planning Committee.—It shall be the duty of an interstate school district planning committee, in consultation with the commissioners and the state departments of education: to study the advisability of establishing an interstate school district in accordance with the standards set forth in paragraph A of Article I of this compact, its organization, operation and control, and the advisability of constructing, maintaining and operating a school or schools to serve the needs of such interstate district; to estimate the construction and operating costs thereof; to investigate the methods of financing such school or schools, and any other matters pertaining to the organization and operation of an interstate school district; and to submit a report or reports of its findings and recommendations to the several member districts.

" 'D. Recommendations and Preparation of Articles of Agreement.—An interstate school district planning committee may recommend that an interstate school district composed of all the member districts represented by its membership, or any specified combination of such member districts, be established. If the planning committee does recommend the establishment of an interstate school district, it shall include in its report such recommendation, and shall also prepare and include in its report proposed articles of agreement for the proposed interstate school district, which shall be signed by at least a majority of the membership of the planning committee, which set forth the following:

" 'a. The name of the interstate school district.

" 'b. The member districts which shall be combined to form the proposed interstate school district.

" 'c. The number, composition, method of selection and terms of office of the interstate school board, provided that:

" '(1) The interstate school board shall consist of an odd number of members, not less than five nor more than fifteen;

" '(2) The terms of office shall not exceed three years;

" '(3) Each member district shall be entitled to elect at least one member of the interstate school board. Each member district shall either vote separately at the interstate school district meeting by the use of a distinctive ballot, or shall choose its member or members at any other election at which school officials may be chosen;

" '(4) The method of election shall provide for the filing of candidacies in advance of election and for the use of a printed nonpartisan ballot;

" '(5) Subject to the foregoing, provision may be made for the election of one or more members at large.

" 'd. The grades for which the interstate school district shall be responsible.

" 'e. The specific properties of members districts to be acquired initially by the interstate school district and the general location of any proposed new schools to be initially established or constructed by the interstate school district.

" 'f. The method of apportioning the operating expenses of the interstate school district among the several member districts, and the time and manner of payments of such shares.

" 'g. The indebtedness of any member district which the interstate district is to assume.

" 'h. The method of apportioning the capital expenses of the interstate school district among the several member districts, which need not be the same as the method of apportioning operating expenses, and the time and manner of payment of such shares. Capital expenses shall include the cost of acquiring land and buildings for school purposes; the construction, furnishing and equipping of school buildings and facilities; and the payment of the principal and interest of any indebtedness which is incurred to pay for the same.

" 'i. The manner in which state aid, available under the laws of either New Hampshire or Vermont, shall be allocated, unless otherwise expressly provided in this compact or by the laws making such aid available.

" 'j. The method by which the articles of agreement may be amended, which amendments may include the annexation of territory, or an increase or decrease in the number of grades for which the interstate district shall be responsible, provided that no amendment shall be effective until approved by both state boards in the same manner as required for approval of the original articles of agreement.

" 'k. The date of operating responsibility of the proposed interstate school district and a proposed program for the assumption of operating responsibility for education by the proposed interstate school district, and any school construction; which the interstate school district shall have the power to vary by vote as circumstances may require.

" 'l. Any other matters, not incompatible with law, which the interstate school district planning committee may consider appropriate to include in the articles of agreement, including, without limitation:

" '(1) The method of allocating the cost of transportation between the interstate district and member districts;

" '(2) The nomination of individual school

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directors to serve until the first annual meeting of the interstate school district.

" 'E. Hearings.—If the planning committee recommends the formation of an interstate school district, it shall hold at least one public hearing on its report and the proposed articles of agreement within the proposed interstate school district in New Hampshire, and at least one public hearing thereon within the proposed interstate school district in Vermont. The planning committee shall give such notice thereof as it may determine to be reasonable, provided that such notice shall include at least one publication in a newspaper of general circulation within the proposed interstate school district not less than fifteen days (not counting the date of publication and not counting the date of the hearing) before the date of the first hearing. Such hearings may be adjourned from time to time and from place to place. The planning committee may revise the proposed articles of agreement after the date of the hearings. It shall not be required to hold further hearings on the revised articles of agreement but may hold one or more further hearings after notice similar to that required for the first hearings if the planning committee in its sole discretion determines that the revisions are so substantial in nature as to require further presentation to the public before submission to the state boards of education.

" 'F. Approval by State Boards.—After the hearings a copy of the proposed articles of agreement, as revised, signed by a majority of the planning committee, shall be submitted by it to each state board. The state boards may (a) if they find that the articles of agreement are in accord with the standards set forth in this compact and in accordance with sound educational policy, approve the same as submitted, or (b) refer them back to the planning committee for further study. The planning committee may make additional revisions to the proposed articles of agreement to conform to the recommendations of the state boards. Further hearings on the proposed articles of agreement shall not be required unless ordered by the state boards in their discretion. In exercising such discretion, the state boards shall take into account whether or not the additional revisions are so substantial in nature as to require further presentation to the public. If both state boards find that the articles of agreement as further revised are in accord with the standards set forth in this compact and in accordance with sound educational policy, they shall approve the same. After approval by both state boards, each state board shall cause the articles of agreement to be submitted to the school boards of the several member districts in each state for acceptance by the member districts as provided in the following paragraph. At the same time, each state board shall designate the form of warrant, date, time, place, and period of voting for the special meeting of the member district to be held in accordance with the following paragraph.

" 'G. Adoption by Member Districts.—Upon receipt of written notice from the state board in its state of the approval of the articles of agreement by both state boards, the school board of each member district shall cause the articles of agreement to be filed with the member district clerk. Within ten days after receipt of such notice, the school board shall issue its warrant for a special meeting of the member district, the warrant to be in the form, and the meeting to be held at the time and place and in the manner prescribed by the state board. No approval of the superior court shall be required for such special school district meeting in New Hampshire. Voting shall be with the use of the check list by a ballot substantially in the following form:

" ' "Shall the school district accept the provisions of the New Hampshire-Vermont Interstate School Compact providing for the establishment of an interstate school district, togetner with the school districts of________________ and ________________ etc., in accordance with the provisions of the proposed articles of agreement filed with the school district (town, city or incorporated school (district) clerk?

" ' "Yes (☐) No (☐)"

" 'If the articles of agreement included the nomination of individual school directors, those nominated from each member shall be included in the ballot and voted upon, such election to become effective upon the formation of an interstate school district.

" 'If a majority of the voters present and voting in a member district vote in the affirmative, the clerk for such member district shall forthwith send to the state board in its state a certified copy of the warrant, certificate of posting, and minutes of the meeting of the district. If the state boards of both states find that a majority of the voters present and voting in each member district have voted in favor of the establishment of the interstate school district, they shall issue a joint certificate to that effect; and such certificate shall be conclusive evidence of the lawful organization and formation of the interstate school district as of its date of issuance.

" 'H. Resubmission.—If the proposed articles of agreement are adopted by one or more of the member districts but rejected by one or more of the member districts, the state boards may resubmit them, in the same form as previously submitted, to the rejecting member districts, in which case the school boards thereof shall resubmit them to the voters in accordance with paragraph G of this article. An affirmative vote in accordance therewith shall have the same effect as though the articles of agreement had been adopted in the first instance. In the alternative, the state boards may either (a) discharge the planning committee, or (b) refer the articles of agreement back for further consideration to the same or a reconstituted planning committee, which shall have all the powers and duties as the planning committee as originally constituted.

" 'Article III

" 'POWERS OF INTERSTATE SCHOOL DISTRICTS

" 'Powers.—Each interstate school district shall be a body corporate and politic, with power to:

" 'a. To acquire, construct, extend, improve, staff, operate, manage and govern public schools within its boundaries;

" 'b. To sue and be sued, subject to the limitations of liability hereinafter set forth;

" 'c. To have a seal and alter the same at pleasure;

" 'd. To adopt, maintain and amend bylaws not inconsistent with this compact, and the laws of the two states;

" 'e. To acquire by purchase, condemnation, lease or otherwise, real and personal property for the use of its schools;

" 'f. To enter into contracts and incur debts;

" 'g. To borrow money for the purposes hereinafter set forth, and to issue its bonds or notes therefor;

" 'h. To make contracts with and accept grants and aid from the United States, the state of New Hampshire, the state of Vermont, any agency or municipality thereof, and private corporations and individuals for the construction, maintenance, reconstruction, operation and financing of its schools; and to do any and all things necessary in order to avail itself of such aid and cooperation;

" 'i. To employ such assistants, agents, servants, and independent contractors as it shall deem necessary or desirable for its purposes; and

" 'j. To take any other action which is necessary or appropriate in order to exercise any of the foregoing powers.

" 'Article IV

" 'DISTRICT MEETINGS

" 'A. General.—Votes of the district shall be taken at a duly warned meeting held at any place in the district, at which all of the eligible voters of the member districts shall be entitled to vote, except as otherwise provided with respect to the election of directors.

" 'B. Eligibility of Voters.—Any resident who would be eligible to vote at a meeting of a member district being held at the same time, shall be eligible to vote at a meeting of the interstate district. The board of civil authority in each Vermont member district and the supervisors of the checklist of each New Hampshire district shall respectively prepare a checklist of eligible voters for each meeting of the interstate district in the same manner, and they shall have all the same powers and duties with respect to eligibility of voters in their districts as for a meeting of a member district.

" 'C. Warning of Meetings.—A meeting shall be warned by a warrant addressed to the residents of the interstate school district qualified to vote in district affairs, stating the time and place of the meeting and the subject matter of the business to be acted upon. The warrant shall be signed by the clerk and by a majority of the directors. Upon written application of ten or more voters in the district, presented to the directors or to one of them, at least twenty-five days before the day prescribed for an annual meeting, the directors shall insert in their warrant for such meeting any subject matter specified in such application.

" 'D. Posting and Publication of Warrant.—The directors shall cause an attested copy of the warrant to be posted at the place of meeting, and a like copy at a public place in each member district at least twenty days (not counting the date of posting and the date of meeting) before the date of the meeting. In addition, the directors shall cause the warrant to be advertised in a newspaper of general circulation on at least one occasion, such publication to occur at least ten days (not counting the date of publication and not counting the date of the meeting) before the date of the meeting. Although no further notice shall be required, the directors may give such further notice of the meeting as they in their discretion deem appropriate under the circumstances.

" 'E. Return of Warrant.—The warrant with a certificate thereon, verified by oath, stating the time and place when and where copies of the warrant were posted and published, shall be given to the clerk of the interstate school district at or before the time of the meeting, and shall be recorded by him in the records of the interstate school district.

" 'F. Organization Meeting.—The commissioners, acting jointly, shall fix a time and place for a special meeting of the qualified voters within the interstate school district for the purpose of organization, and shall prepare and issue the warrant for the meeting after consultation with the interstate school district planning board and the members-elect, if any, of the interstate school board of directors. Such meeting shall be held within sixty days after the date of issuance of the certificate of formation, unless the time is further extended by the joint action of the state boards. At the organization meeting the commissioner of education of the state where the meeting is held, or his designate, shall preside in the first instance, and the following business shall be transacted:

" 'a. A temporary moderator and a temporary clerk shall be elected from among the qualified voters who shall serve until a moderator and clerk respectively have been elected and qualified.

" 'b. A moderator, a clerk, a treasurer, and three auditors shall be elected to serve until the next annual meeting and thereafter until their successors are elected and qualified.

Unless previously elected, a board of school directors shall be elected to serve until their successors are elected and qualified.

" 'c. The date for the annual meeting shall be established.

" 'd. Provision shall be made for the payment of any organizational or other expense incurred on behalf of the district before the organization meeting, including the cost of architects, surveyors, contractors, attorneys, and educational or other consultants or experts.

" 'e. Any other business, the subject matter of which has been included in the warrant, and which the voters would have had power to transact at an annual meeting.

" 'G. Annual Meetings.—An annual meeting of the district shall be held between January fifteenth and June first of each year at such time as the interstate district may by vote determine. Once determined, the date of the annual meeting shall remain fixed until changed by vote of the interstate district at a subsequent annual or special meeting. At each annual meeting the following business shall be transacted:

" 'a. Necessary officers shall be elected.

" 'b. Money shall be appropriated for the support of the interstate district schools for the fiscal year beginning the following July first.

" 'c. Such other business as may properly come before the meeting.

" 'H. Special Meetings.—A special meeting of the district shall be held whenever, in the opinion of the directors, there is occasion therefor, or whenever written application shall have been made by five per cent or more of the voters (based on the check lists as prepared for the last preceding meeting) setting forth the subject matter upon which such action is desired. A special meeting may appropriate money without compliance with RSA 33:8 or RSA 197:3 which would otherwise require the approval of the New Hampshire superior court.

" 'I. Certification of Records.—The clerk of an interstate school district shall have the power to certify the record of the votes adopted at an interstate school district meeting to the respective commissioners and state boards and (where required) for filing with a secretary of state.

" 'J. Method of Voting at School District Meetings.—Voting at meetings of interstate school districts shall take place as follows:

" 'a. School directors.—A separate ballot shall be prepared for each member district, listing the candidates for interstate school director to represent such member district; and any candidates for interstate school director at large; and the voters of each member district shall register on a separate ballot their choice for the office of school director or directors. In the alternative, the articles of agreement may provide for the election of school directors by one or more of the member districts at an election otherwise held for the choice of school or other municipal officers.

" 'b. Other votes.—Except as otherwise provided in the articles of agreement or this compact, with respect to all other votes (1) the voters of the interstate school district shall vote as one body irrespective of the member districts in which they are resident, and (2) a simple majority of those present and voting at any duly warned meeting shall carry the vote. Voting for officers to be elected at any meeting, other than school directors, shall be by ballot or voice, as the interstate district may determine, either in its articles of agreement or by a vote of the meeting.

" 'Article V

" 'OFFICERS

" 'A. Officers: General.—The officers of an interstate school district shall be a board of school directors, a chairman of the board, a vice-chairman of the board, a secretary of the board, a moderator, a clerk, a treasurer, and three auditors. Except as otherwise specifically provided, they shall be eligible to take office immediately following their election; they shall serve until the next annual meeting of the interstate district and until their successors are elected and qualified. Each shall take oath for the faithful performance of his duties before the moderator, or a notary public or a justice of the peace of the State in which the oath is administered. Their compensation shall be fixed by vote of the district. No person shall be eligible to any district office unless he is a voter in the district. A custodian, school teacher, principal, superintendent, or other employee of an interstate district acting as such shall not be eligible to hold office as a school director.

" 'B. Board of Directors.—

" 'a. How chosen.—Each member district shall be represented by at least one resident on the board of school directors of an interstate school district. A member district shall be entitled to such further representation on the interstate board of school directors as provided in the articles of agreement as amended from time to time. The articles of agreement as amended from time to time may provide for school directors at large, as above set forth. No person shall be disqualified to serve as a member of an interstate board because he is at the same time a member of the school board of a member district.

" 'b. Terms.—Interstate school directors shall be elected for terms in accordance with the articles of agreement.

" 'c. Duties of board of directors.—The board of school directors of an interstate school district shall have and exercise all of the powers of the district not reserved herein to the voters of the district.

" 'd. Organization.—The clerk of the district shall warn a meeting of the board of school directors to be held within ten days following the date of the annual meeting for the purpose of organizing the board, including the election of its officers.

" 'C. Chairman of the Board.—The chairman of the board of interstate school directors shall be elected by the interstate board from among its members at its first meeting following the annual meeting. The chairman shall preside at the meetings of the board and shall perform such other duties as the board may assign to him.

" 'D. Vice-Chairman of the Board of Directors.—The vice-chairman of the interstate board shall be elected in the same manner as the chairman. He shall represent a member district in a state other than that represented by the chairman. He shall preside in the absence of the chairman and shall perform such other duties as may be asigned to him by the interstate board.

" 'E. Secretary of the Board.—The Secretary of the interstate board shall be elected in the same manner as the chairman. Instead of electing one of its members, the interstate board may appoint the interstate district clerk to serve as secretary of the board in addition to his other duties. The secretary of the interstate board (or the interstate district clerk, if so appointed) shall keep the minutes of its meetings, shall certify its records, and perform such other duties as may be assigned to him by the board.

" 'F. Moderator.—The moderator shall preside at the district meetings, regulate the business thereof decide questions of order, and make a public declaration of every vote passed. He may prescribe rules of procedure; but such rules may be altered by the district. He may administer oaths to district officers in either state.

" 'G. Clerk.—The clerk shall keep a true record of all proceedings at each district meeting, shall certify its records, shall make an attested copy of any records of the district for any person upon request and tender of reasonable fees therefor, if so appointed, shall serve as secretary of the board of school directors, and shall perform such other duties as may be required by custom or law.

" 'H. Treasurer.—The treasurer shall have custody of all the monies belonging to the district and shall pay out the same only upon the order of the interstate board. He shall keep a fair and accurate account of all sums received into and paid from the interstate district treasury, and at the close of each fiscal year he shall make a report to the interstate district, giving a particular account of all receipts and payments during the year. He shall furnish to the interstate directors, statements from his books and submit his books and vouchers to them and to the district auditors for examination whenever so requested. He shall make all returns called for by laws relating to school districts. Before entering on his duties, the treasurer shall give a bond with sufficient sureties and in such sum as the directors may require. The treasurer's term of office is from July 1 to the following June 30.

" 'I. Auditors.—At the organization meeting of the district, three auditors shall be chosen, one to serve for a term of one year, one to serve for a term of two years, and one to serve for a term of three years. After the expiration of each original term, the successor shall be chosen for a three year term. At least one auditor shall be a resident of New Hampshire, and one auditor shall be a resident of Vermont. An interstate district may vote to employ a certified public accountant to assist the auditors in the performance of their duties. The auditors shall carefully examine the accounts of the treasurer and the directors at the close of each fiscal year, and at such other times whenever necessary, and report to the district whether the same are correctly cast and properly vouched.

" 'J. Superintendent.—The superintendent of schools shall be selected by a majority vote of the board of school directors of the interstate district with the approval of both commissioners.

" 'K. Vacancies.—Any vacancy among the elected officers of the district shall be filled by the interstate board until the next annual meeting of the district or other election, when a successor shall be elected to serve out the remainder of the unexpired term, if any. Until all vacancies on the interstate board are filled, the remaining members shall have full power to act.

" 'Article VI

" 'APPROPRIATION AND APPORTIONMENT OF FUNDS

" 'A. Budget.—Before each annual meeting, the interstate board shall prepare a report of expenditures for the preceding fiscal year, an estimate of expenditures for the current fiscal year, and a budget for the succeeding fiscal year.

" 'B. Appropriation.—The interstate board of directors shall present the budget report of the annual meeting. The interstate district shall appropriate a sum of money for the support of its schools and for the discharge of its obligations for the ensuing fiscal year.

" 'C. Apportionment of Appropriation.—Subject to the provisions of article VII hereof, the interstate board shall first apply against such appropriation any income to which the interstate district is entitled, and shall then apportion the balance among the member districts in accordance with one of the following formulas as determined by the articles of agreement as amended from time to time:

" 'a. All of such balance to be apportioned on the basis of the ratio that the fair market value of the taxable property in each member district bears to that of the entire interstate district; or

" 'b. All of such balance to be apportioned on the basis that the average daily resident membership for the preceding fiscal year of each member district bears to that of the average daily resident membership of the entire interstate school district; or

" 'c. A formula based on any combination of the foregoing factors. The term "fair market value of taxable property" shall mean the last locally assessed valuation of a member district in New Hampshire, as last equalized by the New Hampshire state tax commission.

" 'The term "fair market value of taxable property" shall mean the equalized grand list of a Vermont member district, as determined by the Vermont department of taxes.

" 'Such assessed valuation and grand list may be further adjusted (by elimination of certain types of taxable property from one or the other or otherwise) in accordance with the articles of agreement, in order that the fair market value of taxable property in each state shall be comparable.

" ' "Average daily resident membership" of the interstate district in the first instance shall be the sum of the average daily resident membership of the member districts in the grades involved for the preceding fiscal year where no students were enrolled in the interstate district schools for such preceding fiscal year.

" 'D. SHARE OF NEW HAMPSHIRE MEMBER DISTRICT.—The interstate board shall certify the share of a New Hampshire member district of the total appropriation to the school board of each member district which shall add such sum to the amount appropriated by the member district itself for the ensuing year and raise such sum in the same manner as though the appropriate had been voted at a school district meeting of the member district. The interstate district shall not set up its own capital reserve funds; but a New Hampshire member district may set up a capital reserve fund in accordance with RSA 35, to be turned over to the interstate district in payment of the New Hampshire member district's share of any anticipated obligations.

" 'E. SHARE OF VERMONT MEMBER DISTRICT.—The interstate board shall certify the share of a Vermont member district of the total appropriation to the school board of each member district which shall add sum to the amount appropriated by the member district itself for the ensuing year and raise such sum in the same manner as though the appropriation had been voted at a school district meeting of the member district.

" 'ARTICLE VII

" 'BORROWING

" 'A. INTERSTATE DISTRICT INDEBTEDNESS.—Indebtedness of an interstate district shall be a general obligation of the district and shall also be a joint and several general obligation of each member district, except that such obligations of the district and its member districts shall not be deemed indebtedness of any member district for the purposes of determining its borrowing capacity under New Hampshire or Vermont law. A member district which withdraws from an interstate district shall remain liable for indebtedness of the interstate district which is outstanding at the time of withdrawal and shall be responsible for paying its share of such indebtedness to the same extent as though it had not been withdrawn.

" 'B. TEMPORARY BORROWING.—The interstate board may authorize the borrowing of money by the interstate district (1) in anticipation of payments of operating and capital expenses by the member districts to the interstate districts and (2) in anticipation of the issue of bonds or notes of the interstate district which have been authorized for the purpose of financing capital projects. Such temporary borrowing shall be evidenced by interest bearing or discounted notes of the interstate district. The amount of notes issued in any fiscal year in anticipation of expense payments shall not exceed the amount of such payments received by the interstate district in the preceding fiscal year. Notes issued under this paragraph shall be payable within one year in the case of notes under clause (1) and three years in the case of notes under clause (2) from their respective dates, but the principal of and interest on notes issued for a shorter period may be renewed or paid from time to time by the issue of other notes, provided that the period from the date of an original note to the maturity of any note issued to renew or pay the same debt shall not exceed the maximum period permitted for the original loan.

"C. BORROWING FOR CAPITAL PROJECTS.—An interstate district may incur debt and issue its bonds or notes to finance capital projects. Such projects may consist of the acquisition or improvement of land and buildings for school purposes, the construction, reconstruction, alteration, or enlargement of school buildings and related school facilities, the acquisition of equipment of a lasting character and the payment of judgments. No interstate district may authorize indebtedness in excess of ten percent of the total fair market value of taxable property in its member districts as defined in article VI of this compact. The primary obligation of the interstate district to pay indebtedness of member districts shall not be considered indebtedness of the interstate district for the purpose of determining its borrowing capacity under this paragraph. Bonds or notes issued under this paragraph shall mature in equal or diminishing installments of principal payable at least annually commencing no later than two years and ending not later than thirty years after their dates.

" 'D. AUTHORIZATION PROCEEDINGS.—An interstate district shall authorize the incurring of debts to finance capital projects by a majority vote of the district passed at an annual or special district meeting. Such vote shall be taken by secret ballot after full opportunity for debate, and any such vote shall be subject to reconsideration and further action by the district at the same meeting or at an adjourned session thereof.

" 'E. SALE OF BONDS AND NOTES.—Bonds and notes which have been authorized under this article may be issued from time to time and shall be sold at not less than par and accrued interest at public or private sale by the chairman of the school board and by the treasurer. Interstate district bonds and notes shall be signed by the said officers, except that either one of the two required signatures may be a facsimile. Subject to this compact and the authorizing vote, they shall be in such form, bear such rates of interest and mature at such times as the said officers may determine. Bonds shall, but notes need not, bear the seal of the interstate district, or a facsimile of such seal. Any bonds or notes of the interstate district which are properly executed by the said officers shall be valid and binding according to their terms notwithstanding that before the delivery thereof such officers may have ceased to be officers of the interstate district.

" 'F. PROCEEDS OF BONDS.—Any accrued interest received upon delivery of bonds or notes of an interstate district shall be applied to the payment of the first interest which becomes due thereon. The other proceeds of the sale of such bonds or notes, other than temporary notes, including any premiums, may be temporarily invested by the interstate district pending their expenditure; and such proceeds, including any income derived from the temporary investment of such proceeds, shall be used to pay the costs of issuing and marketing the bonds or notes and to meet the operating expenses or capital expenses in accordance with the purposes for which the bonds or notes were issued or, by proceedings taken in the manner required for the authorization of such debt, for other purposes for which such debt could be incurred. No purchaser of any bonds or notes of an interstate district shall be responsible in any way to see to the application of the proceeds thereof.

" 'G. STATE AID PROGRAMS.—As used in this paragraph the term "initial aid" shall include New Hampshire and Vermont financial assistance with respect to a capital project, or the means of financing a capital project, which is available in connection with construction costs of a capital project or which is available at the time indebtedness is incurred to finance the project. Without limiting the generality of the foregoing definition, initial aid shall specifically include a New Hampshire state guarantee under RSA 195–B with respect to bonds or notes and Vermont construction aid under chapter 123 of 16 V.S.A. As used in this paragraph the term "long-term aid" shall include New Hampshire and Vermont financial assistance which is payable periodically in relation to capital costs incurred by an interstate district. Without limiting the generality of the foregoing definition, long-term aid shall specifically include New Hampshire school building aid under RSA 198 and Vermont school building aid under chapter 123 of Title 16 V.S.A. For the purpose of applying for, receiving and expending initial aid and long-term aid an interstate district shall be deemed a native school district by each state, subject to the following provisions. When an inter-state district has appropriated money for a capital project, the amount appropriated shall be divided into a New Hampshire share and a Vermont share in accordance with the capital expense apportionment formula in the articles of agreement as though the total amount appropriated for the project was a capital expense requiring apportionment in the year the appropriation is made. New Hampshire initial aid shall be available with respect to the amount of the New Hampshire share as though it were authorized indebtedness of a New Hampshire cooperative school district. In the case of a state guarantee of interstate districts bonds or notes under RSA 195–B, the interstate district shall be eligible to apply for and receive an unconditional state guarantee with respect to an amount of its bonds or notes which does not exceed fifty per cent of the amount of the New Hampshire share as determined above. Vermont initial aid shall be available with respect to the amount of the Vermont share as though it were funds voted by a Vermont school district. Payments of Vermont initial aid shall be made to the interstate district, and the amount of any borrowing authorized to meet the appropriation for the capital project shall be reduced accordingly. New Hampshire and Vermont long-term aid shall be payable to the interstate district. The amounts of long-term aid in each year shall be based on the New Hampshire and Vermont shares of the amount of indebtedness of the interstate district which is payable in that year and which has been apportioned in accordance with the capital expense apportionment formula in the articles of agreement. The New Hampshire aid shall be payable at the rate of forty-five per cent, if there are three or less New Hampshire members in the interstate district, and otherwise it shall be payable as though the New Hampshire members were a New Hampshire cooperative school district. New Hampshire and Vermont long-term aid shall be deducted from the total capital expenses for the fiscal year in which the long-term aid is payable, and the balance of such expenses shall be apportioned among the member districts. Notwithstanding the foregoing provisions, New Hampshire and Vermont may at any time change their state school aid programs that are in existence when this

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compact takes effect and may establish new programs, and any legislation for these purposes may specify how such programs shall be applied with respect to interstate districts.

" 'H. Tax Exemption.—Bonds and notes of an interstate school district shall be exempt from local property taxes in both states, and the interest or discount thereon and any profit derived from the disposition thereof shall be exempt from personal income taxes in both states.

" 'Article VIII

" 'TAKING OVER EXISTING PROPERTY

" 'A. Power To Acquire Property of Member District.—The articles of agreement, or an amendment thereof, may provide for the acquisition by an interstate district from a member district of all or a part of its existing plant and equipment.

" 'B. Valuation.—The articles of agreement, or the amendment, shall provide for the determination of the value of the property to be acquired in one or more of the following ways:

" 'a. A valuation set forth in the articles of agreement or the amendment.

" 'b. By appraisal, in which case, one appraiser shall be appointed by each commissioner, and a third appraiser appointed by the first two appraisers.

" 'C. Reimbursement to Member District.—The articles of agreement shall specify the method by which the member district shall be reimbursed by the interstate district for the property taken over, in one or more of the following ways:

" 'a. By one lump sum, appropriated, allocated, and raised by the interstate district in the same manner as an appropriation for operating expenses.

" 'b. In installments over a period of not more than twenty years, each of which is appropirated, allocated, and raised by the interstate district in the same manner as an appropriation for operating expenses.

" 'c. By an agreement to assume or reimburse the member district for all principal and interest on any outstanding indebtedness originally incurred by the member district to finance the acquisition and improvement of the property, each such installment to be appropriated, allocated, and raised by the interstate district in the same manner as an appropriation for operating expenses.

" 'The member district transferring the property shall have the same obligation to pay to the interstate district its share of the cost of such acquisition, but may offset its right to reimbursement.

" 'Article IX

" 'AMENDMENTS TO ARTICLES OF AGREEMENT

" 'A. Amendments to the articles of agreement may be adopted in the same manner provided for the adoption of the original articles of agreement, except that:

" 'a. Unless the amendment calls for the addition of a new member district, the functions of the planning committee shall be carried out by the interstate district board of directors.

" 'b. If the amendment proposes the addition of a new member district, the planning committee shall consist of all of the members of the interstate board and all of the members of the school board of the proposed new member district or districts. In such case the amendment shall be submitted to the voters at an interstate district meeting, at which an affirmative vote of two-thirds of those present and voting shall be required. The articles of agreement together with the proposed amendment shall be submitted to the voters of the proposed new member district at a meeting thereof, at which a simple majority of those present and voting shall be required.

" 'c. In all cases an amendment may be adopted on the part of an interstate district upon the affirmative vote of voters thereof at a meeting voting as one body. Except where the amendment proposes the admission of a new member district, a simple majority of those present and voting shall be required for adoption.

" 'd. No amendment to the articles of agreement may impair the rights of bond or note holders or the power of the interstate district to procure the means for their payment.

" 'Article X

" 'APPLICABILITY OF NEW HAMPSHIRE LAWS

" 'A. General School Laws.—With respect to the operation and maintenance of any school of the district located in New Hampshire, the provisions of New Hampshire law shall apply except as otherwise provided in this compact and except that the powers and duties of the school board shall be exercised and discharged by the interstate board and the powers and duties of the union superintendent shall be exercised and discharged by the interstate district superintendent.

" 'B. New Hampshire State Aid.—A New Hampshire school district shall be entitled to receive an amount of state aid for operating expenditures as though its share of the interstate district's expenses were the expenses of the New Hampshire member district, and as though the New Hampshire member district pupils attending the interstate school were attending a New Hampshire cooperative school district's school. The state aid shall be paid to the New Hampshire member school district to reduce the sums which would otherwise be required to be raised by taxation within the member district.

" 'C. Continued Existence of the New Hampshire Member School District.—A New Hampshire member school district shall continue in existence, and shall have all of the powers and be subject to all of the obligations imposed by law and not herein delegated to the interstate district. If the interstate district incorporates only a part of the schools in the member school district, then the school board of the member school district shall continue in existence and it shall have all of the powers and be subject to all of the obligations imposed by law on it and not herein delegated to the district. However, if all of the schools in the member school district are incorporated into the interstate school district, then the member or members of the interstate board representing the member district shall have all of the powers and be subject to all of the obligations imposed by law on the members of a school board for the member district and not herein delegated to the interstate district. The New Hampshire member school district shall remain liable on its existing indebtedness; and the interstate school district shall not become liable therefor, unless the indebtedness is specifically assumed in accordance with the articles of agreement. Any trust funds or capital reserve funds and any property not taken over by the interstate district shall be retained by the New Hampshire member district and held or disposed of according to law. If all of the schools in a member district are incorporated into an interstate district, then no annual meeting of the member district shall be required unless the members of the interstate board from the member district shall determine that there is occasion for such an annual meeting.

" 'D. Suit and Service of Process in New Hampshire.—The courts of New Hampshire shall have the same jurisdiction over the district as though a New Hampshire member district were a party instead of the interstate district. The service necessary to institute suit in New Hampshire shall be made on the district by leaving a copy of the writ or other proceedings in hand or at the last and usual place of abode of one of the directors who reside in New Hampshire, and by mailing a like copy to the clerk and to one other director by certified mail with return receipt requested.

" 'E. Employment.—Each employee of an interestate district assigned to a school located in New Hampshire shall be considered an employee of a New Hampshire school district for the purpose of the New Hampshire teachers' retirement system, the New Hampshire state employees' retirement system; the New Hampshire workmen's compensation law and any other law relating to the regulation of employment or the provision of benefits for employees of New Hampshire school districts except as follows:

" '1. A teacher in a New Hampshire member district may elect to remain a member of the New Hampshire teachers' retirement system, even though assigned to teach in an interstate school in Vermont.

" '2. Employees of interstate districts designated as professional or instructional staff members, as defined in article I hereof, may elect to participate in the teachers' retirement system of either the state of New Hampshire or the state of Vermont but in no case will they participate in both retirement systems simultaneously.

" '3. It shall be the duty of the superintendent in an interstate district to: (a) advise teachers and other professional staff employees contracted for the district about the terms of the contract and the policies and procedure of the retirement systems; (b) see that each teacher or professional staff employee selects the retirement system of his choice at the time his contract is signed; (c) provide the commissioners of education in New Hampshire and in Vermont with the names and other pertinent information regarding each staff member under his jurisdiction so that each may be enrolled in the retirement system of his preference.

" 'Article XI

" 'APPLICABILITY OF VERMONT LAWS

" 'A. General School Laws.—With respect to the operation and maintenance of any school of the district located in Vermont, the provisions of Vermont law shall apply except as otherwise provided in this compact and except that the powers and duties of the school board shall be exercised and discharged by the interstate board and the powers and duties of the union superintendent shall be exercised and discharged by the interstate district superintendent.

" 'B. Vermont State Aid.—A Vermont school district shall be entitled to receive such amount of state aid for operating expenditures as though its share of the interstate district's expenses were the expenses of the Vermont member district, and as though the Vermont member district pupils attending the interstate schools were attending a Vermont union school district's schools. Such state aid shall be paid to the Vermont member school district to reduce the sums which would otherwise be required to be raised by taxation within the member district.

" 'C. Continued Existence of Vermont Member School District.—A Vermont member school district shall continue in existence, and shall have all of the powers and be subject to all of the obligations imposed by law and not herein delegated to the interstate district. If the interstate district incorporates only a part of the schools in the member school district, then the school board of the member school district shall continue in existence and it shall have all of the powers and be subject to all of the obligations imposed by law on it and not herein delegated to the district. However, if all of the schools in the member school district are incorporated into the interstate school district, then the member or members of the interstate board representing the member district shall have all of the powers and be subject to all of the obligations imposed by law on the members of a school board for the member district and not herein delegated to the interstate district. The Vermont member school district shall remain liable on its existing indebtedness; and the interstate school district shall not become liable therefor. Any trust funds and any property not taken over shall be retained by the Vermont member school district and held or disposed of according to law.

" 'D. Suit and Service of Process in Vermont.—The Courts of Vermont shall have the same jurisdiction over the districts as though a Vermont member district were a party instead of the interstate district. The service necessary to institute suit in Vermont shall be made on the district by leaving a copy of the writ or other proceedings in hand or at the last and usual place of abode of one of the directors who resides in Vermont, and by mailing a like copy to the clerk and to one other director by certified mail with return receipt requested.

" 'E. Employment.—Each employee of an interstate district assigned to a school located in Vermont shall be considered an employee of a Vermont school district for the purpose of the state teachers' retirement system of Vermont, the state employees' retirement system, the Vermont workmen's compensation law, and any other law relating to the regulation of employment or the provision of benefits for employees of Vermont school districts except as follows:

" '1. A teacher in a Vermont member district may elect to remain a member of the state teachers' retirement system of Vermont, even though assigned to teach in an interstate school in New Hampshire.

" '2. Employees of interstate districts designated as professional or instructional staff members, as defined in article I hereof, may elect to participate in the teachers' retirement system of either the state of Vermont or the state of New Hampshire but in no case will they participate in both retirement systems simultaneously.

" '3. It shall be the duty of the superintendent in an interstate district to: (a) advise teachers and other professional staff employees contracted for the district about the terms of the contract and the policies and procedures of the retirement system; (b) see that each teacher or professional staff employee selects the retirement system of his choice at the time his contract is signed; (c) provide the commissioners of education in New Hampshire and in Vermont with the names and other pertinent information regarding each staff member under his jurisdiction so that each may be enrolled in the retirement system of his preference.

" 'Article XII

" 'ADOPTION OF COMPACT BY DRESDEN SCHOOL DISTRICT

" 'The Dresden School District, otherwise known as the Hanover-Norwich Interstate School District, authorized by New Hampshire laws of 1961, chapter 116, and by the laws of Vermont, is hereby authorized to adopt the provisions of this compact and to become an interstate school district within the meaning hereof, upon the following conditions and subject to the following limitations:

" 'a. Articles of agreement shall be prepared and signed by a majority of the directors of the interstate school district.

" 'b. The articles of agreement shall be submitted to an annual or special meeting of the Dresden district for adoption.

" 'c. An affirmative vote of two-thirds of those present and voting shall be required for adoption.

" 'd. Nothing contained therein, or in this compact, as it affects the Dresden School District shall affect adversely the rights of the holders of any bonds or other evidences of indebtedness then outstanding, or the rights of the district to procure the means for payment thereof previously authorized.

" 'e. The corporate existence of the Dresden School District shall not be terminated by such adoption of articles of amendment, but shall be deemed to be so amended that it shall thereafter be governed by the terms of this compact.

" 'Article XIII

" 'MISCELLANEOUS PROVISIONS

" 'A. Studies.—Insofar as practicable, the studies required by the laws of both states shall be offered in an interstate school district.

" 'B. Textbooks.—Textbooks and scholar's supplies shall be provided at the expense of the interstate district for pupils attending its schools.

" 'C. Transportation.—The allocation of the cost of transportation in an interstate school district, as between the interstate district and the member districts, shall be determined by the articles of agreement.

" 'D. Location of Schoolhouses.—In any case where a new schoolhouse or other school facility is to be constructed or acquired, the interstate board shall first determine whether it shall be located in New Hampshire or in Vermont. If it is to be located in New Hampshire, RSA 199, relating to schoolhouses, shall apply. If it is to be located in Vermont, the Vermont law relating to schoolhouses shall apply.

" 'E. Fiscal Year.—The fiscal year of each interstate district shall begin on July first of each year and end on June thirtieth of the following year.

" 'F. Immunity From Tort Liability.—Notwithstanding the fact that an interstate district may derive income from operating profit, fees, rentals, and other services, it shall be immune from suit and from liability for injury to persons or property and for other torts caused by it or its agents, servants or independent contractors, except insofar as it may have undertaken such liability under RSA 281:7 relating to workmen's compensation, or RSA 412:3 relating to the procurement of liability insurance by a governmental agency and except insofar as it may have undertaken such liability under 21 V.S.A. Section 621 relating to workmen's compensation or 29 V.S.A. Section 1403 relating to the procurement of liability insurance by a governmental agency.

" 'G. Administrative Agreement Between Commissioners of Education.—The commissioners of education of New Hampshire and Vermont may enter into one or more administrative agreements prescribing the relationship between the interstate districts, member districts, and each of the two state departments of education, in which any conflicts between the two states in procedure, regulations, and administrative practices may be resolved.

" 'H. Amendment.—Neither state shall amend its legislation or any agreement authorized thereby without the consent of the other in such manner as to substantially adversely affect the rights of the other state or its people hereunder, or as to substantially impair the rights of the holders of any bond or notes or other evidences of indebtedness then outstanding or the rights of an interstate school district to procure the means for payment thereof. Subject to the foregoing, any reference herein to other statutes of either state shall refer to such statute as it may be amended or revised from time to time.

" 'I. Separability.—If any of the provisions of this compact, or legislation enabling the same, shall be held invalid or unconstitutional in relation to any of the applications thereof, such invalidity or unconstitutionality shall not affect other applications thereof or other provisions thereof; and to this end the provisions of this compact are declared to be severable.

" 'J. Inconsistency of Language.—The validity of this compact shall not be affected by any insubstantial differences in its form or language as adopted by the two states.

" 'Article XIV

" 'EFFECTIVE DATE

" 'This compact shall become effective when agreed to by the States of New Hampshire and Vermont and approved by the United States Congress.'

"Sec. 2. The right is hereby reserved by the Congress or any of its standing committees to require the disclosure and the furnishing of such information and data by or concerning any school district created under the New Hampshire-Vermont Interstate School Compact as is deemed appropriate by the Congress or such committee.

"Sec. 3. The right to alter, amend, or repeal this Act is expressly reserved."

The amendment was agreed to.

The Senate bill, as amended, was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMENDING SECTIONS 2734, 2733, AND 715 OF TITLE 10, UNITED STATES CODE, TO AUTHORIZE THE SECRETARY CONCERNED TO MAKE PARTIAL PAYMENTS ON CERTAIN CLAIMS WHICH ARE CERTIFIED TO CONGRESS

The Clerk called the bill (H.R. 4247) to amend section 2734 of title 10, United States Code, to authorize the Secretary concerned to make partial payments on certain claims which are certified to Congress.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. HALL. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

AMENDING SECTION 336(c) OF THE IMMIGRATION AND NATIONALITY ACT

The Clerk called the bill (H.R. 3666) to amend section 336(c) of the Immigration and Nationality Act.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. PELLY. Mr. Speaker, reserving the right to object, and I do this not to indicate opposition to the legislation because I think it has merit, but on the other hand as I read it, it would change the policy under the rules and the criteria that have been established by the official objectors. It seems to me this is not the right type of calendar under which this legislation should be considered.

Therefore, Mr. Speaker, I withdraw my reservation of objection and ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

AMENDING SECTION 312 OF THE IMMIGRATION AND NATIONALITY ACT

The Clerk called the bill (H.R. 3667) to amend section 312 of the Immigration and Nationality Act.

There being no objection, the Clerk read the bill, as follows:

H.R. 3667

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first proviso contained in paragraph (1) of section 312 of the Immigration and Nationality Act (8 U.S.C. 1423) is amended by striking out "or to any person who, on the effective date of this Act, is over fifty years of age and has been living in the United States for periods totaling at least twenty years" and by inserting in lieu thereof the following: "or to any person who, on the date of the filing of his petition for naturalization as provided in section 334 of this Act, is over fifty years of age and has been living in the United States for periods totaling at least twenty years".

With the following committee amendments:

On page 1, at the end of the bill, add two new sections to read as follows:

"SEC. 2. Paragraphs (1) and (2) of section 320(a) of the Immigration and Nationality Act (8 U.S.C. 1431) are amended to delete the word 'sixteen' and substitute in lieu thereof the word 'eighteen'.

"SEC. 3. Paragraphs (4) and (5) of section 321(a) of the Immigration and Nationality Act (8 U.S.C. 1432) are amended to delete the word 'sixteen' and substitute in lieu thereof the word 'eighteen'."

The amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended so as to read: "A bill to amend sections 312, 320(a), and 321(a) of the Immigration and Nationality Act."

A motion to reconsider was laid on the table.

EXTENSION OF GREAT PLAINS CONSERVATION PROGRAM

Mr. POAGE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 10595) to amend the act of August 7, 1956 (70 Stat. 1115), as amended, providing for a Great Plains conservation program, as amended.

The Clerk read as follows:

H.R. 10595

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of August 7, 1956 (70 Stat. 1115), as amended, is hereby further amended by striking subparagraph (b)(1) of said Act and inserting in lieu thereof the following:

"(1) the Secretary is authorized, within the amounts of such appropriations as may be provided therefor, to enter into contracts of not to exceed ten years with owners and operators of land in the Great Plains area having such control as the Secretary determines to be needed for the contract period of the farms, ranches, or other lands covered thereby. Such contracts shall be designed to assist farm, ranch, or other land owners or operators to make, in orderly progression over a period of years, changes in their cropping systems or land uses which are needed to conserve, develop, protect, and utilize the soil and water resources of their farms, ranches, and other lands and to install the soil and water conservation measures and carry out the practices needed under such changed systems and uses. Such contracts may be entered into during the period ending not later than December 31, 1981, on farms, ranches, and other lands in counties in the Great Plains area of the States of Colorado, Kansas, Montana, Nebraska, New Mexico, North Dakota, Oklahoma, South Dakota, Texas, and Wyoming, designated by the Secretary as susceptible to serious wind erosion by reason of their soil types, terrain, and climatic and other factors. The landowner or operator shall furnish to the Secretary a plan of farming operations or land use which incorporates such soil and water conservation practices and principles as may be determined by him to be practicable for maximum mitigation of climatic hazards of the area in which such land is located, and which outlines a schedule of proposed changes in cropping systems or land use and of the conservation measures which are to be carried out on the farm, ranch, or other land during the contract period to protect the farm, ranch, or other land from erosion and deterioration by natural causes. Such plan may also include practices and measures for (a) enhancing fish and wildlife and recreation resources, (b) promoting the economic use of land, and (c) reducing or controlling agricultural related pollution. Inclusion in the farm plan of these practices shall be the exclusive decision of the land owner or operator. Approved conservation plans of land owners and operators developed in cooperation with the soil and water conservation district in which their lands are situated shall form a basis for contracts. Under the contract the land owner or operator shall agree—

"(i) to effectuate the plan for his farm, ranch, or other land substantially in accordance with the schedule outlined therein unless any requirement thereof is waived or modified by the Secretary pursuant to paragraph (3) of this subsection;

"(ii) to forfeit all rights to further payments or grants under the contract and refund to the United States all payments or grants received thereunder upon his violation of the contract at any stage during the time he has control of the land if the Secretary, after considering the recommendations of the soil and water conservation district board, determines that such violation is of such a nature as to warrant termination of the contract, or to make refunds or accept such payment adjustments as the Secretary may deem appropriate if he determines that the violation by the owner or operator does not warrant termination of the contract;

"(iii) upon transfer of his right and interest in the farm, ranch, or other land during the contract period to forfeit all rights to further payments or grants under the contract and refund to the United States all payments or grants received thereunder unless the transferee of any such land agrees with the Secretary to assume all obligations of the contract;

"(iv) not to adopt any practice specified by the Secretary in the contract as a practice which would tend to defeat the purposes of the contract;

"(v) to such additional provisions as the Secretary determines are desirable and includes in the contract to effectuate the purposes of the program or to facilitate the practical administration of the program. In return for such agreement by the land owner or operator the Secretary shall agree to share the cost of carrying out those conservation practices and measures set forth in the contract for which he determines that cost sharing is appropriate and in the public interest. The portion of such cost (including labor) to be shared shall be that part which the Secretary determines is necessary and appropriate to effectuate the physical installation of the conservation practices and measures under the contract;"

SEC. 2. Subparagraph (b)(2) is amended to read:

"(2) the Secretary may terminate any contract with a land owner or operator by mutual agreement with the owner or operator if the Secretary determines that such termination would be in the public interest, and may agree to such modification of contracts previously entered into as he may determine to be desirable to carry out the purposes of the program or facilitate the practical administration thereof or to accomplish equitable treatment with respect to other similar conservation, land use, or commodity programs administered by the Secretary;"

SEC. 3. Subparagraph (b)(7) of said Act is amended to read:

"(7) there is hereby authorized to be appropriated without fiscal year limitations, such sums as may be necessary to carry out this subsection: *Provided,* That the total cost of the program (excluding administrative costs) shall not exceed $300,000,000, and for any program year payments shall not exceed $25,000,000. The funds made available for the program under this subsection may be expended without regard to the maximum payment limitation and small payment increases required under section 8(e) of this Act, and may be distributed among States without regard to distribution of funds formulas of section 15 of this Act. The program authorized under this subsection shall be in addition to, and not in substitution of, other programs in such area authorized by this or any other Act."

The **SPEAKER** pro tempore (Mr. McFALL). Is a second demanded?

Mr. KLEPPE. Mr. Speaker, I demand a second.

The **SPEAKER** pro tempore. Without objection, a second will be considered as ordered.

There was no objection.

Mr. POAGE. Mr. Speaker, I yield myself such time as I may consume.

This bill merely provides an extension of the existing Great Plains conservation program, which is, I believe, one of the best accepted of our conservation programs in the country. A Great Plains conservation program was authorized under Public Law 1021, 84th Congress, to provide farmers and ranchers in the critically erodible areas of the Great Plains, known in the 1930's as the "Dust Bowl", with long-range costsharing on conservation practices and technical assistance in their application. The program is designed to improve and conserve the resources of this vast agricultural area. The program supplements other soil and water conservation programs; it is also coordinated with the objectives of local conservation districts, State agencies, and community groups. It contemplates reorientation of the use of badly eroded lands, in the area formerly known as the Dust Bowl. It involves areas covering the major part of 10 Midwestern States. It rests on contracts of from 3 to 10 years with landowners, whereby they undertake to carry out certain practices with certain governmental assistance.

While drought, destructive winds and floods, and other natural disasters cannot be prevented, their damaging effects can be minimized. The Great Plains conservation program is an integral part in any reduction of their effect.

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The bill pending would also define by law the role of soil and water conservation districts in the implementation of the program.

The bill would allow the Secretary to enter into contracts on land units not usually considered farms or ranches when erosion of those tracts was serious enough to threaten the surrounding area.

The bill would allow modification of contracts to make provisions of this program more complementary to other U.S. Department of Agriculture administered programs.

The Great Plains program is not a land retirement program, and the failure of one landowner to participate does not very often reduce the benefits to others. In this respect this program is definitely different from the land retirement and crop reductions of other Department of Agriculture programs. The program is directed at shifts and changes in land uses to better conserve the land resources. In order that as many farmers and ranchers as possible participate, a limit of $25,000 over the entire contract period for any one unit, or $2,500 in any 1 year, was established. This limit is continued by the pending bill. The average cooperating landowner has a program of about 5½ years' duration, during which time the Federal Government participates at the rate of $630 per year. As of June 30, 1968, a total of 31,122 contracts involving more than 56 million acres had been executed.

Under the program, the Department furnishes a part of the cost for the installation of permanent-type conservation practices under long-term contracts.

Second, the Department provides the technical services of trained conservationists, engineers, and other agricultural specialists to plan and help install programs adapted to each farm or ranch. These include scheduling of treatment measures and the technical help in design, layout, and site selection, as well as actual technical supervision of construction.

In addition to conserving the lands, the program has had the side effect of improving marginal farms and ranches to the point that income has been substantially enhanced. Equally important has been the reduction in sediment pollution of streams and air.

The bill provides for a continuation of this work at the same rate of authorized expenditures as in the past, which is $15 million per year, and which over a 20-year period would be $300 million with a limitation of expenditure of $25 million in any one year. Obviously, if $25 million is spent in 1 year, less than $15 million will have to be spent in some other years.

It was felt by some on the committee that this program should be extended to cover additional States. It was finally agreed, however, that while some extension of area was needed, that such extension should be within the States already included, and the Department agreed that it had the authority and under the pending bill would have authority to extend this program to additional counties within the 10 States now included as the needs in those areas indicated.

I know of no reason for objecting to a continuation of this program, which has proven such a success, as is a program which is working and is relatively modest—quite modest as far as modern-day programs are concerned—and one which involves the protection of the soil over a very vast area. Actually it involves the people over all the United States, because those of you who are old enough to remember will recall that in the middle 1930's there were duststorms which actually blew dust into this Capitol in the District of Columbia, the dust originating in the Midwestern States—the very area which we are trying to protect now under this bill.

I reserve the balance of my time. I yield to the gentleman from South Dakota such time as he desires.

Mr. KLEPPE. Mr. Speaker, I commend the chairman of our committee for his explanation of the bill, and most assuredly I join in his remarks.

I would just like to point out for the Record, that of the 27 original sponsors of legislation to extend the Great Plains conservation program, all 27 are part and parcel of this legislation. H.R. 10595, which we have under consideration, contains 20 names. I would like the Record to show that in addition to those, the names of Mr. Belcher, Mr. Aspinall, Mr. Mahon, Mr. Steed, Mr. Lujan, Mr. Foreman, and Mr. Rogers of Colorado should be shown as cosponsors of this legislation also.

The only reason they were not originally shown on the bill was because, first of all, we could have only 25 names on the bill, and second, on the day when the bill was introduced, we just could not physically and personally contact all, so H.R. 10677 was introduced the following day with these additional names on it.

This is good legislation, Mr. Speaker, and I most assuredly commend it to the Members of the House and recommend its passage.

(Mr. BERRY (at the request of Mr. Kleppe) was given permission to extend his remarks at this point in the Record.)

Mr. BERRY. Mr. Speaker, I rise in support of H.R. 10595, a bill to extend the Great Plains conservation program.

As a cosponsor of this legislation, extending the existing program for 10 years, I cannot stress too strongly that dependable agriculture in the Great Plains States is vital to all America. The 10 States which participate in the program contain over a third of our Nation's land area and two-fifths of our cropland.

H.R. 10595 will provide for the continuation of a program to assist farmers and ranchers in developing good conservation practices through utilization of water resources and prevention of soil erosion. In addition, the program provides opportunities for participants to stabilize their operations by insuring carryover feed for livestock to avoid untimely sales during drought or other emergencies.

Under the provisions of the bill, the amount of the appropriation will be increased from the present spending level of $150 million to $300 million, with not more than $25 million to be expended in any 1 year.

The Secretary of Agriculture is authorized within the amounts of these appropriations to enter into contracts with farmers and ranchers for a period of up to 10 years. In order to allow as many farmers and ranchers as possible to participate, a limit of $25,000 for any one unit has been established.

Statistics indicate that contracts average about $3,500 in Federal cost sharing, spread over about 5½ years. This means about $630 a year in Federal cost sharing is used by individuals on the average in carrying his conservation program to completion.

At this point, it might be well to give a brief history of how this program was started and what it has accomplished to date.

During the mid-1950's the Great Plains suffered from an extended drought which caused severe wind erosion, loss of crops, untimely sales of livestock and in some cases, loss of farms and ranches due to economic stress.

It was a repeat of the severe land damage in the 1930's which led to the origin of the term "Dust Bowl" for a large area of the Plains.

Consequently, in 1956 Congress passed legislation establishing the Great Plains conservation program. U.S. Department of Agriculture agency representatives at State levels, along with other interested groups of soil and water conservationists, worked together in setting out the boundaries and recommended to the Secretary of Agriculture the initial counties in each State to be eligible to participate in the program.

Today, that area embraces 427 counties in parts of the 10 States of Montana, South Dakota, North Dakota, Wyoming, Nebraska, Colorado, Kansas, Oklahoma, New Mexico, and Texas.

As of June 30, 1968, a total of 31,122 contracts covering 56,601,700 acres had been executed.

In the Second Congressional District of South Dakota, which I am privileged to represent, 39 of the district's 43 counties participate in the program. The farmers and ranchers in these counties have signed 1,509 contracts since the inception of the program, covering 4½ million acres. In addition, there are 348 applications pending in South Dakota and about 5,000 in the 10-State area.

In my judgment, this program has proven itself in providing technical and financial assistance through long-term contractural arrangements to help farmers and ranchers install complete conservation programs on their entire operating units.

There is much, however, that still needs to be accomplished. As I indicated earlier, over 5,000 applications are still pending. It is imperative that this program be continued if we are to keep the almost certain drought cycles from reoccurring in the Plains area.

We cannot afford to leave this area unprotected again.

Mr. BROTZMAN (at the request of Mr. Kleppe) was given permission to extend his remarks at this point in the Record.)

Mr. BROTZMAN. Mr. Speaker, I was pleased to join with my distinguished colleague, Congressman Kleppe and others, as a sponsor of the Great Plains conservation program.

This program has provided a voluntary soil conservation program to protect farmers and ranchers in Colorado and the other Plains States from the hazards of drought for the last 13 years.

During that time more than 32,000 farmers and ranch operators have taken part in the program which emphasizes better utilization of land, and control of wind erosion and moisture.

As a supplement to the other Department of Agriculture programs in the Plains region, the program has been a great success. But the job is far from done. The 1971 expiration date will come long before the critical conservation needs for the Great Plains can be met.

Therefore, I urge my distinguished colleagues to act favorably on this bill, H.R. 10595, which would extend the program for another 10 years.

(Mr. SHRIVER (at the request of Mr. KLEPPE) was given permission to extend his remarks at this point in the RECORD.)

Mr. SHRIVER. Mr. Speaker, I rise in support of H.R. 10595, of which I am a cosponsor, with the distinguished Congressman from North Dakota (Mr. KLEPPE). This bill authorizes the Secretary to enter into contracts of not to exceed 10 years with owners and operators of land in the Great Plains area.

Without this action today this important conservation program would expire in 1971 leaving much undone.

This program was designed to assist farmers and ranchers in applying conservation programs throughout the vast Plains area. As I have stated, it has become apparent the critical conservation needs in the 10 Great Plains States, including Kansas, cannot be met by the end of 1971.

We are aware of the great strides which have been made in conservation work as a result of this partnership between the Federal Government, farmers and ranchers, and local and State governments.

However, we are constantly reminded by nature that the job is far from finished. The ability of the farmer to provide for the future food needs of our Nation may depend on our continuing investments in agricultural programs such as the Great Plains conservation program.

More than half of the crop, range, and pasture lands within the 423 counties participating in this program is still vulnerable to damage and still in need of conservation treatment.

The Committee on Agriculture has recognized the importance of extending the life of this program and authorizing adequate financing.

This legislation authorizes $300 million for the total cost of the program and enables the Secretary to make payments of up to $25 million in any program year.

With the extension of the Great Plains conservation program, we will see this region and the Nation move closer to the time when all of the lands will be protected from wind erosion problems and proper soil and water conservation measures will be implemented.

Mr. DENNEY. Mr. Speaker, in past years I have pointed with pride to the fine conservation record in Nebraska. Historically we have measured progress in miles of terraces, numbers of farm ponds, and other on-the-land conservation treatment.

The Great Plains conservation program—Public Law 1021—is being utilized in all of the 60 eligible counties in the western part of the State. Under this program, the Soil Conservation Service assists farmers and ranchers to develop a complete conservation plan for their farm or ranch. The Soil Conservation Service also provides technical and cost-sharing assistance for installing the needed and agreed-to measures over a reasonable period of years.

Strip cropping is one of the practices used in the Great Plains program. Across the western two-thirds of the State, grass seeding—converting cropland to permanent native grass—is the No. 1 practice.

Over 5,000,000 acres of land in the State have been placed under contract for complete conservation treatment. In contracts in Nebraska, an average of 25 percent of the original cropland is being seeded permanently to native grass. This means as of July 1968, over 200,000 acres of cropland were either planted or planned for retirement and without annual rental payments.

It is estimated that the present accomplishments under the Great Plains program are about one-fifth of the potential in the 60 eligible counties. A recent conservation needs inventory shows counties reporting 817,000 acres of submarginal cropland that should be planted permanently to grass.

The extension of the Great Plains conservation program for another 10 years and an increase in the program authorization would enable the Great Plains area to move much closer to the time when all the lands of this vital region will be protected.

It makes good sense to extend this program.

The SPEAKER pro tempore. The question is on the motion of the gentleman from Texas that the House suspend the rules and pass the bill H.R. 10595, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. KLEPPE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the subject of the bill (H.R. 10595) just passed.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Dakota?

There was no objection.

SPECIAL HOUSING FOR PARAPLEGICS

Mr. TEAGUE of Texas. Mr. Speaker, I move to suspend the rules and pass the bill (S. 408) to modify eligibility requirements governing the grant of assistance in acquiring specially adapted housing to include loss or loss of use of a lower extremity and other service-connected neurological or orthopedic disability which impairs locomotion to the extent that a wheelchair is regularly required, as amended.

The Clerk read as follows:

S. 408

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 801 of title 38, United States Code, is amended by substituting a comma and the word "or" for the semicolon at the end of clause numbered (2) and adding "(3) due to the loss or loss of use of one lower extremity together with residuals of organic disease or injury which so affect the functions of balance or propulsion as to preclude locomotion without resort to a wheelchair,".

SEC. 2. Section 802 of title 38, United States Code, is amended by striking out "$10,000" and inserting in lieu thereof "$15,000".

SEC. 3. Section 1811(d) of title 38, United States Code, is amended (1) by striking out "$17,500" each place where it appears therein and inserting in lieu thereof in each such place "$25,000"; (2) by striking the second semicolon and all that follows in subsection (2) and inserting in lieu thereof a period; and (3) by striking out the semicolon where it appears in subsection (3) and all that follows and inserting a period.

SEC. 4. Section 1803(d)(3) of title 38, United States Code, be amended to read as follows:

"(3) Any real estate loan (other than for repairs, alternations, or improvements) shall be secured by a first lien on the realty. In determining whether a loan for the purchase or construction of a home is so secured, the Administrator may disregard a superior lien created by a duly recorded covenant running with the realty in favor of a private entity to secure an obligation to such entity for the homeowner's share of the costs of the management, operation, or maintenance of property, services or programs within and for the benefit of the development or community in which the veteran's realty is located, if he determines that the interests of the veteran borrower and of the Government will not be prejudiced by the operation of such covenant. In respect to any such superior lien to be created after the effective date of this amendment, the Administrator's determination must have been made prior to the recordation of the covenant. Any non-real-estate loan (other than for working or other capital, merchandise, good will, and other intangible assets) shall be secured by personalty to the extent legal and practicable."

The SPEAKER pro tempore. Is a second demanded?

Mr. TEAGUE of California. Mr. Speaker, I demand a second.

The SPEAKER pro tempore. Without objection, a second will be considered as ordered.

There was no objection.

Mr. TEAGUE of Texas. Mr. Speaker, we have a new Congress. We have a new administration. The House Committee on Veterans' Affairs is doing a very careful study of our entire veterans' program. These two bills are two of a number we will be bringing up within the next few weeks. I think it quite interesting that one of these bills would save about $5 million and the other would cost about $2 million.

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Mr. Speaker, these bills have been handled by our committee, which has done an excellent job.

In 1948 Public Law 80–702 was enacted, legislation which authorized the granting of $10,000 for paraplegic and quadriplegic veterans whose disability is service-connected of a permanent and total quality resulting in the loss or loss of use of both lower extremities so as to preclude locomotion without the aid of crutches, canes, or a wheelchair. The original enactment covered all those individuals who served on or after April 20, 1898, and was subsequently amended to broaden its eligibility—Public Law 81–268—to include those veterans who had blindness in both eyes with loss or loss of use of one lower extremity.

Over the life of the program there have been 10,073 loans made for this type of disability with grants totaling $96,567,134.

Section 1 of the bill, which passed the Senate by unanimous vote on March 17, 1969, would enlarge the eligibility classes to include those veterans who from service-connected causes have lost or lost use of one lower extremity together with a residual of a disease which so affected the functions of balance or propulsion as to preclude locomotion without resorting to a wheelchair.

Section 2 has been added to increase the amount of the paraplegic housing grant from $10,000 to $15,000. In 1948, when this program was first considered, the average cost of constructing a new single family residence was $7,850. Today the average cost is $26,800. The average purchase price in 1948 for a newly constructed single family residence under the GI loan program was $9,208, as compared with $20,490 today.

Section 3 of the bill increases the amount of the direct loan program for an individual home from $17,500 to $25,000. There have been 259,140 such loans over the life of the program with a total value of $2,780 million. There has been excellent repayment record on these loans which are restricted to rural areas or areas where private financing is not available. The loss rate has been less than 1 percent.

Pertinent statistics on the direct loan program follow:

Number of direct loans made in fiscal years:	
1967	11,719
1968	11,903
1969	12,850
[In millions]	
Amount available for direct loans in fiscal years:	
1967	$929.8
1968	762.4
1969	793.3
1970	615.7
Average loan amount in fiscal years:	
1967	12,190
1968	12,496
1969 (estimated)	12,700
1970 (estimated)	12,900

Section 4 of the reported bill is an effort to meet one of the latest developments in the housing field: namely, the development of satellite towns. Today, veterans are not eligible to obtain a loan guarantee in one of these towns, though FHA financing is available. These new-type "towns" generally finance their development of community facilities by imposition of a monthly charge to be borne by individual purchasers. Such monthly charges closely resemble special assessments or taxes levied to defray the cost of similar type facilities when provided by a governmental entity. The basic financial agreements between the developer and his lender usually require, as in the case of taxes or assessments, that these charges against the purchaser be secured by a first lien against his home. Under the language of the bill, the "homeowner's share" of the cost of such community facilities may be determined in any of a variety of ways so long as the charge levied against him is fair and equitable.

The bill is a logical and extremely worthwhile extension of the housing program for veterans, generally and particularly those who are in the paraplegic and quadriplegic class.

The Veterans' Administration has reported that it favors the enactment of S. 408 as passed by the Senate and that the first-year cost can be expected to apply to 75 cases involving $750,000. Section 2, increasing the amount of paraplegic grant, can be expected to involve 470 cases the first year and a like number for succeeding 4 years, at an annual cost of $2,350,000. Section 3 would require a budget outlay for direct loans with a maximum potential increase of approximately $2,900,000, but this would not be a cost to the Treasury, assuming, as seems warranted, that the same experience on repayment is experienced with this new group of loans as has been true of the program in the past. Section 4 of the bill would not involve any new expenditure of Government funds.

Mr. Speaker, during the unavoidable absence of the subcommittee chairman, the gentleman from Nevada (Mr. Baring), the Honorable Ray Roberts acted as chairman of the Subcommittee on Housing and reported to the full committee the bill, S. 408. I am indebted to him and his colleagues for their help in reporting this measure. In addition to the gentleman from Texas, the members are Messrs. David E. Satterfield III, Henry Helstoski, Don Edwards, Edward R. Roybal, William H. Ayres, Seymour Halpern, John J. Duncan, and Mrs. Margaret M. Heckler. I thank them all.

Mr. Speaker, I yield now to the gentleman from Texas (Mr. Roberts), who has done most of the work on this bill, so he may explain the bill.

Mr. ROBERTS. Mr. Speaker, the bill, S. 408, I am glad to say, was reported unanimously by the Subcommittee on Housing and also by the full Committee on Veterans' Affairs.

As presented to the House today it accomplishes four items:

First. It enlarges the class of eligibles for paraplegic housing to include those service-connected veterans who have lost or lost the use of one lower extremity together with a residual of a disease which affects their balance or propulsion so as to compel them to use a wheelchair.

Second. It increases from $10,000 to $15,000 the amount of the paraplegic grant. Housing costs have, of course, more than doubled since 1948.

Third. Section 3 increases the amount of the direct loan for veterans residing in rural areas or areas where private financing is not available from the present $17,500 to $25,000. The loss rate on this type of loan has been less than 1 percent and an increase in the direct loan was passed by the House in the last Congress but failed of enactment in the Senate because of a committee jurisdiction dispute.

Fourth. Lastly, the bill makes eligible for the loan guaranty provision of the existing GI bill of rights those veterans who wish to live in the so-called satellite towns such as Columbia, Md., now under construction. FHA financing has been available in these satellite towns for some months and this is simply a logical extension to permit eligible veterans to enjoy this type of housing if it is their selection.

The actual cost of the measure would be somewhat in excess of $3 million the first year.

Mr. TEAGUE of California. Mr. Speaker, this bill has the complete bipartisan unanimous support of the Committee on Veterans' Affairs. I recommend it be approved by the House.

Mr. Speaker, I rise in support of S. 408. This bill, if enacted into law, will liberalize the specially adapted housing program for certain service-connected disabled veterans, increase the maximum direct home loan for veterans, and permit veterans to obtain GI home loans for the purchase of homes in so-called satellite towns.

Existing law authorizes the grant of $10,000 to veterans who have suffered the service-connected loss or loss of use of both lower extremities so as to preclude locomotion without the aid of crutches, canes, or a wheelchair to aid in purchasing specially adapted housing.

The bill as it passed the Senate would permit those veterans who have suffered the service-connected loss or loss of use of one lower extremity together with a residual of a disease which so affected the functions of balance or propulsion as to preclude locomotion without resorting to a wheelchair to also receive the special housing grant. The Committee on Veterans' Affairs agrees that this expanded eligibility is warranted and in keeping with the original philosophy of this benefit.

Additionally, the committee has amended the bill to increase the special housing grant from $10,000 to $15,000. The special housing grant was first authorized in 1948 at $10,000. The average cost of constructing a new single-family residence has more than tripled since this program was first authorized. It is, therefore, fitting that the grant be increased to $15,000.

The committee has also amended the bill to increase the maximum direct home loan from $17,500 to $25,000. If the direct loan program is to provide any benefit to veterans living in remote and rural areas, it is necessary that the maximum amount of a loan be increased to $25,000, in keeping with today's home construction costs. Some 295,000 such loans have been made over the life of the program. The repayment record on these loans has been excellent.

Finally, the bill has been amended to

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permit veterans to obtain a loan guaranty under the GI bill to purchase a home in a satellite town. Under existing law GI loan guaranty is not available to housing constructed in these new type towns which generally finance their development of community facilities by the imposition of a monthly charge to be borne by individual purchasers. Since FHA financing is available, it would appear to be a logical extension of the housing program for veterans to permit them to purchase homes under the GI bill in such satellite towns.

Mr. Speaker, this bill as amended is, in my judgment, necessary. I urge that it be passed.

(Mr. SAYLOR asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. SAYLOR. Mr. Speaker, I am happy to support S. 408 because the House committee amendments thereto authorize long overdue liberalizations of two important programs. I am referring, of course, to the paraplegic housing program and the veterans' direct home loan program.

Since 1948, certain seriously disabled veterans who have suffered the loss or loss of use of two lower extremities so as to prevent locomotion have been able to receive a $10,000 grant to assist in acquiring specially adapted housing. Despite the fact that housing costs have skyrocketed in the intervening years, this grant has remained at $10,000. S. 408, as amended, will increase the grant to $15,000 and at the same time will make more liberal the eligibility criteria, thus permitting additional seriously disabled veterans to qualify for this benefit.

The bill also recognizes the increased costs of housing and construction of homes by increasing the maximum direct loan to individual veterans from its present $17,500 to $25,000. Under this program, veterans in remote and rural areas, when private capital is determined to be unavailable, may receive a direct loan from the Veterans' Administration for the purchase of a home under the GI bill. The increased cost of housing and the maximum of $17,500 on such loans has severely handicapped veterans in obtaining the home of their choice. I believe the provisions of S. 408, as amended, will correct this situation.

Mr. Speaker, I urge that this bill be promptly passed.

Mr. DULSKI. Mr. Speaker, I support fully the bill, S. 408, which is before us today in amended form from the Committee on Veterans' Affairs.

The bill as approved by the Senate is an excellent bill, providing for a practical expansion of the eligibility rule covering special housing grants for veterans who are confined to wheelchairs because of loss of limbs or loss of use of the lower extremity of their bodies.

The expansion of the coverage applies to those whose use of a wheelchair is required because of the residual of a disease which so affected their functions of balance or propulsion.

Our committee added three other pertinent sections to the bill that would: First, increase the amount of the paraplegic grant from the present $10,000 to $15,000; second, increase the amount of the direct loan for veterans residing in rural areas and other areas where financing is unavailable from $17,500 to $25,000, and, third, apply the loan guaranty provision to those veterans who elect to reside in so-called satellite towns.

Mr. Speaker, I believe that these changes in the veterans housing law are overdue and I urge their approval.

GENERAL LEAVE TO EXTEND

Mr. TEAGUE of Texas. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to extend their remarks in the RECORD on this bill S. 408.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

The SPEAKER pro tempore. The question is on the motion of the gentleman from Texas that the House suspend the rules and pass the bill S. 408, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

The title was amended so as to read: "A bill to liberalize the eligibility requirements governing the grant of assistance in acquiring specially adapted housing for certain service-connected disabled veterans, to increase the amount of such grant, to raise the limit on the amount of direct housing loans made by the Veterans' Administration, and for other purposes."

A motion to reconsider was laid on the table.

VETERANS EDUCATIONAL AMENDMENTS ACT OF 1969

Mr. TEAGUE of Texas. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 6808) to amend section 1781 of title 38, United States Code, to eliminate the prohibition against receipt of certain Federal educational assistance benefits, and for other purposes, as amended.

The Clerk read as follows:

H.R. 6808

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act shall be known as the "Veterans Educational Amendments of 1969".

SEC. 2. Chapter 34 of title 38, United States Code, is amended—

(a) by amending section 1673(a) to read:

"(a) The Administrator shall not approve the enrollment of an eligible veteran in—

"(1) any (A) bartending course, or personality development course, or (B) any sales or sales management course which does not provide specialized training within a specific vocational field; or

"(2) any type of course which the Administrator finds to be avocational or recreational in character unless the veteran submits justification showing that the course will be of bona fide use in the pursuit of his present or contemplated business or occupation.";

(b) by inserting in section 1673 at the end thereof the following new subsection:

"(e) The Administrator shall not approve the enrollment of any eligible veteran in an apprentice or other on-the-job training program where he finds that by reason of prior training or experience such veteran is performing or is capable of performing the job operations of his objective at the same performance level as the journeyman in the occupation.";

(c) by deleting in section 1677(a)(1) after the word "license" where it first appears the following: "or must have satisfactorily completed the number of hours of flight training instruction required for a private pilot's license,";

(d) by amending section 1681(d) to read as follows:

"(d) No educational assistanec allowance shall be paid to an eligible veteran enrolled in a course in an educational institution which does not lead to a standard college degree for any period until the Administrator shall have received—

"(1) from the eligible veteran a certification as to his actual attendance during such period or where the program is pursued by correspondence a certificate as to the number of lessons actually completed by the veteran and serviced by the institution, and

"(2) from the educational institution, a certification, or an endorsement on the veteran's certificate, that such veteran was enrolled in and pursuing a course of education during such period and, in the case of an institution furnishing education to a veteran exclusively by correspondence, a certificate, or an endorsement on the veteran's certificate, as to the number of lessons completed by the veteran and serviced by the institution,

except that the Administrator may pay an educational assistance allowance representing the initial payment of an enrollment period, not exceeding one full month, upon receipt of a certificate of enrollment."; and

(e) by amending section 1682 by adding at the end thereof the following new subsection:

"(e) If a program of education is pursued by an eligible veteran at an institution located in the Republic of the Philippines, the educational assistance allowance computed for such veteran under this section shall be paid at a rate in Philippine pesos equivalent to $0.50 for each dollar."

SEC. 3. Chapter 35 of title 38, United States Code, is amended as follows:

(a) Section 1712(a)(3) is amended by deleting the words "first occurs" immediately preceding "(A)" and inserting in lieu thereof "last occurs";

(b) Section 1712 is amended by inserting at the end thereof the following new subsection:

"(e) The term 'first finds' as used in this section means the effective date of the rating or date of notification to the veteran from whom eligibility is derived establishing a service-connected total disability permanent in nature, whichever is more advantageous to the eligible person.";

(c) Section 1723(a) is amended to read as follows:

"(a) The Administrator shall not approve the enrollment of an eligible person in—

"(1) any (A) bartending course, or personality development course, or (B) any sales or sales management course which does not provide specialized training within a specific vocational field; or

"(2) any type of course which the Administrator finds to be avocational or recreational in character unless the eligible person submits justification showing that the course will be of bona fide use in the pursuit of his present or contemplated business or occupation."; and

(d) Section 1732 is amended by adding at the end thereof the following new subsection:

"(d) If a program of education is pursued by an eligible person at an institution located in the Republic of the Philippines, the educational assistance allowance computed for such person under this section shall be paid at a rate in Philippine pesos equivalent to $0.50 for each dollar."

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SEC. 4. Chapter 36 of title 38, United States Code, is amended by inserting at the end of section 1772 thereof the following new subsection (c):

"(c) In the case of programs of apprenticeship where—

"(1) the standards have been approved by the Secretary of Labor pursuant to section 50a of title 29 as a national apprenticeship program for operation in more than one State, and

"(2) the training establishment is a carrier directly engaged in interstate commerce which provides such training in more than one State,

the Administrator shall act as a 'State approving agency' as such term is used in section 1683(a)(1) of this title and shall be responsible for the approval of all such programs."

SEC. 5. Chapter 36 of title 38, United States Code, is amended as follows:

(a) by deleting section 1781 of subchapter II in its entirety and inserting in lieu thereof the following:

"§ 1781. Limitations on educational assistance

"No educational allowance or special training allowance granted under chapter 34 or 35 of this title shall be paid to any eligible person (1) who is on active duty and is pursuing a course of education which is being paid for by the Armed Forces (or by the Department of Health, Education, and Welfare in the case of the Public Health Service); or (2) who is attending a course of education or training paid for under the Government Employees' Training Act and whose full salary is being paid to him while so training.": and

(b) by deleting in the table of sections at the beginning of such chapter the following:

"1781. Nonduplication of benefits."

and inserting in lieu thereof the following:

"1781. Limitations on educational assistance."

SEC. 6. Section 504 of the Act of October 15, 1968, entitled "An Act to amend the Public Health Service Act so as to extend and improve the provisions relating to regional medical programs, to extend the authorization of grants for health of migratory agricultural workers, to provide for specialized facilities for alcoholics and narcotic addicts, and for other purposes" is hereby repealed.

SEC. 7. Section 506 of the Act of October 16, 1968, entitled "An Act to amend the Higher Education Act of 1965, the National Defense Education Act of 1958, the National Vocational Student Loan Insurance Act of 1965, the Higher Education Facilities Act of 1963, and related Acts" is hereby repealed.

SEC. 8. The amendments made by section 2(e) and 3(d) of this Act shall apply with respect to monthly education assistance allowances paid under chapter 34 or 35 of title 38, United States Code, for months beginning the first day of the third month after the date of enactment of this Act.

The SPEAKER pro tempore. Is a second demanded?

Mr. TEAGUE of California. Mr. Speaker, I demand a second.

The SPEAKER pro tempore. Without objection, a second will be considered as ordered.

There was no objection.

The SPEAKER pro tempore. The gentleman from Texas (Mr. TEAGUE) will be recognized for 20 minutes, and the gentleman from California (Mr. TEAGUE) will be recognized for 20 minutes. The Chair recognizes the gentleman from Texas.

Mr. TEAGUE of Texas. Mr. Speaker, the bill as reported directs the Administrator not to approve any bartending or personality development courses, or any sales or sales management courses which do not provide specialized training within a specific vocational field. This is in line with existing authority which bars any type of course which the Administrator finds to be basically avocational or recreational in character unless justification is submitted showing that such courses will be bona fide within the pursuit of his present or contemplated business occupation.

Special attention was given by the subcommittee in developing the restrictions on sales management courses to make certain that all legitimate and bona fide courses of this type would be continued and that the Administrator would entertain submissions by any schools adversely affected which demonstrated that the majority of the enrollees in fact found employment upon the completion of this type of course and that the vocational objectives were and are being met. The committee recognizes the value of sales courses and recognizes the necessity of an individual selling commercial insurance to have a knowledge of sales and sales management techniques while at the same time needing a basic knowledge of insurance and the type of policies best suited to meet the needs of a prospective policyholder. The language included in section 2 of the reported bill in no way would interfere with any such legitimate operation.

The Administrator is also prevented from approving the enrollment of any eligible veteran in an apprenticeship or on-the-job training program where he finds that by reason of prior training or experience such veteran is performing or is capable of performing the job operations of his objective at the same performance level as the journeyman in the occupation.

The bill also amends section 1677(a)(i) by providing as a requirement for eligibility to take flight training, the possession of a valid private pilot's license and removing the alternative of satisfactory completion of the required number of hours of flight training required for a private pilot's license. This is believed to be a step forward in furthering the education and training of any individual who has a legitimate interest in taking valid training leading toward a commercial pilot's license.

For educational institutions below the college level, the Administrator is authorized to pay the educational assistance allowance representing the initial payment of a normal period not exceeding 1 full month upon receipt of the certificate of enrollment thus making the provision uniform with the provision which applies to individuals taking training at the college level.

In the case of individuals pursuing a course of education, both veterans and beneficiaries of veterans, in the Republic of the Philippines, veterans of the Commonwealth Army and the new Scouts, now receive the education assistance allowance computed at the rate of a Philippine peso equivalent to 50 cents for each dollar. The bill extends this provision to cover all other beneficiaries taking training in the Philippines, American veterans, Philippine veterans, with service in the American forces and beneficiaries for the latter group, in order to establish a uniform policy.

Section 3 provides a slight liberalization of chapter 35 by substituting the phrase "last occurs" for "first occurs" for the period which ends 5 years after the Administrator finds that the parent from whom eligibility is derived has a service-connected disability permanent in nature, or the date of the death of such parent. A further liberalization is found in the new definition of the term "first finds" as being the effective date of the rating, or the date of notification of the veteran establishing service-connected total disability, whichever is more advantageous to the veteran.

Section 4 was suggested by the Department of Labor and provides that in the case of programs of apprenticeship where the standards have been approved by the Secretary of Labor pursuant to section 50a of title 29, United States Code. As a national apprenticeship program for operation in more than one State, and the training establishment is a carrier directly engaged in interstate commerce which provides such training in more than one State, the Administrator would act as a State approving agency for the approval of all such programs, for example, a railroad line has an apprenticeship program for machinists. The line operates between Chicago and San Francisco. The terms and conditions of apprenticeship are identical in each of the States through which the railroad line runs. It is possible that an apprentice will pursue his program in more than one State. Under the proposed amendment, the Administrator would act as a State approving agency for such an apprenticeship program for the entire line.

In the 90th Congress, section 504 of Public Law 90–574, which provided that an individual having a public health service grant and also being eligible for educational assistance provided by the Veterans' Administration, could enjoy both such grants. Similar provisions were included in section 506 of Public Law 90–575 which contained amendments to the Higher Education Act of 1965, section 5 provides a liberalization of the limitations role on receiving educational assistance by providing that an eligible veteran may receive educational assistance under chapters 34 and 35 of title 38, and in addition receive any other grants for which he may be eligible under other programs operated by the Federal Government except in two instances:

First, when he is on active duty pursuing a course of education which is paid for by the Armed Forces or by the Department of Health, Education, and Welfare, in the case of Public Health Service, or

Second, who is attending a course of education or training paid for under the Government Employees' Training Act and whose full salary is being paid to him while so training.

The Subcommittee on Education and Training held hearings on a number of bills seeking to make technical changes and improvements in the veterans and dependents education programs as set

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forth in chapters 34 and 35 of title 38, United States Code. These hearings were held on March 25, 26, and 27, 1969. Testimony was received from representatives of the veterans organizations, the Veterans' Administration, and various educational groups representing trade, technical, and business schools. A representative of the National Association of State Approval Agencies also appeared.

Mr. Speaker, I want to express my appreciation for the activities and hearings which the Subcommittee on Education and Training, headed by the gentleman from California, the Honorable GEORGE BROWN, conducted in connection with the reporting of H.R. 6808. I also want to express my appreciation to all the members of this subcommittee who have contributed to the favorable action on this bill. In addition to the gentleman from California, the members are Messrs. THADDEUS J. DULSKI, WALTER S. BARING, W. J. BRYAN DORN, HENRY HELSTOSKI, ROMAN C. PUCINSKI, DON EDWARDS, EDWARD R. ROYBAL, Mrs. SHIRLEY CHISHOLM, Messrs. SEYMOUR HALPERN, JOHN J. DUNCAN, WILLIAM H. AYRES, WILLIAM LLOYD SCOTT, JOHN M. ZWACH, and ROBERT V. DENNEY. My thanks to each of them.

Mr. Speaker, I yield such time as he may consume to the chairman of the Subcommittee on Education, the gentleman from California (Mr. BROWN).

Mr. BROWN of California. I thank the chairman.

Mr. Speaker, this bill makes only one change of major significance in title 38 relating to veterans benefits. This has to do with the provision concerning duplication of benefits.

The major purpose of the bill is to permit a veteran to receive his educational assistance allowance from the Veterans' Administration and also any other grant or scholarship for which he may be eligible under another program. The only exception will be Federal employees and members of the armed services who are under full salary and have their tuition paid by their departments.

There are a number of other minor aspects which merely clarify, explain, or simplify existing provisions of law. These are fully set forth in the report. I do not believe I need to go through them in this explanation.

The main provision, as I have indicated, has to do with the duplication of Federal educational assistance benefits.

Mr. TEAGUE of California. Mr. Speaker, like the bill previously considered, this bill had the unanimous bipartisan and nonpartisan support of the Committee on Veterans' Affairs. Again I recommend that the House adopt it.

Mr. Speaker, I rise in support of H.R. 6808. This bill will eliminate the prohibition against the dual receipt of educational benefits under the GI bill and certain other Federal educational grants.

Under the language of the bill, the duplication bar would be limited to cases of persons on active duty with the Armed Forces or the Public Health Service whose education or training costs are being paid by the Federal Government, and cases of civilian Federal employees receiving education or training under the Government Employees Training Act and being paid their full salary during that period.

In all other cases, the educational assistance allowance would be paid by the Veterans' Administration to an eligible veteran, whether or not he was a recipient of any other Federal educational grant.

Since many Federal grants are based upon financial need, the amount of the Veterans' Administration training allowance would be considered in determining the amount of the grant. Dual receipt of GI bill benefits and other Federal educational programs are currently permitted in some cases. This bill will permit all Federal educational programs to be treated in the same manner.

This bill, Mr. Speaker, also purposes to pay eligible persons pursuing education or training under the GI bill or the war orphans program at institutions located in the Republic of the Philippines, an allowance in Philippine pesos equivalent to 50 cents for each dollar. This will permit educational allowances to be paid at the same rate as compensation and pension payments.

Additionally, the bill will clarify the Administrator's authority to disapprove training in certain courses. It will require a private pilot's license as a condition to enrollment in flight training. It contains provisions that will facilitate the issuance of a veteran's initial monthly payment upon enrollment in a program of training under the GI bill.

Mr. Speaker, these amendments will strengthen the GI bill. I urge that the bill be passed.

Mr. HALPERN. Mr. Speaker, I rise to express my complete support for H.R. 6808. This bill will make a number of significant changes in the programs which provide educational assistance for our veterans and their dependents. In brief, the bill will have two primary results. It will tighten those provisions of law which have it as their objective to make certain that the money spent on educational allowances goes into that type of schooling or training which will really help the veteran pursue a serious educational or vocational goal. And, it will replace the present sweeping restriction which prevents a veteran from getting educational assistance from the Veterans' Administration and from any other Federal agency at the same time, with a more finely drawn limitation. This new limitation will continue to prevent the type of windfall which could discredit the program, but it will no longer blindly prohibit any sort of duplication of benefits.

I wish to commend the author of the bill, the distinguished chairman of the Committee on Veterans' Affairs, Mr. TEAGUE, and also its cosponsor, the chairman of the Subcommittee on Education and Training, for seeking, as they always do, to make a good piece of legislation better.

There have been few Federal undertakings which can even approach the reputation for success which our veterans' educational assistance programs enjoy. Yet, year after year, we have enacted legislation to strengthen and improve these programs still more. And that is exactly what H.R. 6808 will do.

When the first GI bill was enacted in 1944, it did not contain any real restrictions on the type of training which would be covered. As a result, a number of abuses sprang up with some institutions providing courses that could only be described as frivilous. Over the years, Congress has enacted a number of laws to curb this sort of thing, and at least in general, we have been reasonably successful in doing so. Up to now, however, there has been some difficulty in drawing the restrictions in such a way that the Veterans' Administration will be able to disapprove courses which make no significant contribution to a veteran's vocational objectives without also proscribing courses which may be truly important to a veteran's career. H.R. 6808 attempts to overcome this problem by spelling out in some detail the types of courses which will not be approved while at the same time leaving room for certian exceptions if they can be justified. The bill also brings a greater degree of uniformity to the course disapproval provisions of the program for veterans and the program for war orphans and widows.

The other major provision of H.R. 6808 concerns a limitation which applies to both the veterans' and the war orphans and widows' programs. Under this provision an individual who is getting educational assistance under any other Federal program cannot receive the veterans' educational benefits to which he would otherwise be entitled. On the surface this seems like a good idea: indeed, that is undoubtedly why it is now in the law. However, this effectively excludes a number of veterans from federally funded fellowships or manpower training programs unless they are willing to forgo VA benefits. Thus, instead of having Federal programs working to complement each other we have them working at cross purposes. H.R. 6808 repeals this broad restriction against receiving veterans' educational benefits simultaneously with payments, however insignificant, under another Federal program. However, H.R. 6808 also recognizes that it would be wasteful and uncalled for to provide veterans' allowances to people drawing a salary as full-time Federal employees—either in the military or in the civil service—when the Federal agency employing them is also paying the full cost of their education. As a result, this type of duplication of Federal payments is specifically forbidden by the bill.

There are a number of other provisions in H.R. 6808 dealing with such varied matters as the rate of educational allowances in the Philippines and the approval of apprenticeship programs which cross the State lines. While I do not intend to discuss these in detail, I do want to point out that each and every section of H.R. 6808 represents an improvement in the GI bill, and should be favorably acted upon by this Congress.

Mr. SAYLOR. Mr. Speaker, I rise in support of H.R. 6808, principally because it liberalizes certain provisions of the

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educational program for veterans, widows and war orphans.

First, the bill proposes to eliminate the prohibition against a so-called duplication of benefits. Existing law states that no educational assistance allowance under the GI bill shall be paid for any period during which a veteran is enrolled in and pursuing a program of education or course paid for by the United States under any other provision of law. Because of this language of the law, an Atomic Energy Commission fellowship, a National Science Foundation fellowship, participation in the U.S. Maritime Commission training program, and educational assistance under the Manpower Development and Training Act would serve to deny a veteran the benefits of the GI bill that he has earned by virtue of his military service. Inasmuch as qualifying criteria for these Federal programs differs considerably from the eligibility criteria for entitlement to the GI bill, it is unjust and inequitable to deprive a veteran who is fortunate enough to receive a fellowship in addition to earning entitlement under the GI bill from receiving the benefits of both programs. I believe the correction of this inequity is long overdue.

The bill would also authorize the release of the first month's educational allowance to veterans who are following an educational program below college level for the initial period of enrollment upon receipt of the certificate of enrollment. A veteran embarking on a program of education is usually uncertain as to how he will meet his expense when his initial payment of educational allowance is held up. Because of Government redtape, it presents a financial hardship. This provision of H.R. 6808 will simplify the existing procedures and permit the prompt payment of the first month's education allowance.

Finally, under the language of existing law, war orphans and widows, in certain instances, are denied the full period of entitlement to educational benefits for which they are eligible. This bill contains amendatory language which will assure all widows and all war orphans of the full period of entitlement intended by the law.

Mr. Speaker, I support this bill and urge that it be passed.

Mr. DULSKI. Mr. Speaker, I rise in support of H.R. 6808, which makes important and overdue revisions in the educational program for veterans, widows, and war orphans.

This program has proved its worth many thousands of times over the years and has been fundamentally a sound program. In the light of experience our committee has recommended some changes, with which I concur in full.

Many are the veterans in our Nation today who can thank their current station in life—their current vocation—for their assistance which they received through the GI bill in its changing versions over the years.

Today, we are proposing to tighten the law as it applies to certain courses of training in order to avoid abuses which have come to the committee's attention.

The bill also clarifies and defines more specifically the ban on a veteran receiving educational assistance from another Federal agency at the same time he is receiving assistance from the Veterans' Administration.

Chairman TEAGUE of Texas has explained carefully in his outline of the bill the necessity for redefining this restriction.

Mr. Speaker, this is a timely bill which is the result of careful study and recommendation by our committee. I urge its approval.

The SPEAKER pro tempore. The question is on the motion of the gentleman from Texas (Mr. TEAGUE) that the House suspend the rules and pass the bill H.R. 6808, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. TEAGUE of Texas. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to extend their remarks on this bill, H.R. 6808.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas (Mr. TEAGUE)?

There was no objection.

DANGERS OF CENSORSHIP

(Mr. SIKES asked and was given permission to address the House for 1 minute, to revise and extend his remarks and to include extraneous matter.)

Mr. SIKES. Mr. Speaker, all of my life I have been told of the dangers of censorship. It is prohibited by the Constitution of the United State under freedom of speech guarantees. It supposedly is anathema to every newspaperman and to every commentator. Yet we have in our country a tight censorship about which newsmen do not complain—indeed which some help to maintain and others tolerate. It is a censorship imposed by liberal elements of the press against conservatives in Government. This arbitrary and open denial by the liberal press of space in its columns to conservatives in Government applies, however, only to their constructive contributions. These are the things that almost never are mentioned.

On the other hand the liberal press claims the right to dredge up, manipulate, and edit for its own purposes any action by a conservative which might serve to place him in the unfavorable light, particularly with his constituents or his colleagues.

One of the worst example of this censorship can be seen in today's Washington Post where half of the editorial page is devoted to degrading the record of our distinguished colleague, the gentleman from South Carolina, the chairman of the Committee on Armed Services (Mr. RIVERS). In this entire half-page, there is not one word of mention of Mr. RIVERS' contributions to Government or his efforts in behalf of those who wear the uniform and their dependents, efforts which were solidly backed by the overwhelming majority of his great committee. Nowhere is there reference to the fact that he displayed the initiative necessary to secure a more adequate pay scale for those in uniform, and that it was his leadership which insured for them the same pay increases that has been proposed for civilian workers; this despite the reluctance of both the administration and the Pentagon to concur—again, with the solid backing of his committee. There is no mention of the fact that it was Mr. RIVERS whose determination has helped to provide better living quarters and better working conditions for military personnel. It is not an inconsiderable item that he also took the lead in obtaining a substantial reduction in charter flight costs for overseas travel by servicemen and their dependents.

The greatly improved airlift capability which our Nation enjoys today stems directly from work which Mr. RIVERS initited a number of years ago.

This is but a partial list of his contributions. As a result of the dedicated leadership of this one individual, morale in the armed services is incalculably higher than it would have been had his recommendations not been followed by the Congress, but the censorship of the liberal press is such that no one would realize it from reading their columns. This is a most unfortunate situation, an ill-conceived and unfair situation, and one which in time could result in an imposition of the very censorship which they love to protest.

Mr. STRATTON. Mr. Speaker, will the gentleman yield?

Mr. SIKES. I yield to the gentleman from New York.

Mr. STRATTON. I want to commend the gentleman from Florida for his remarks. This appears to be a time when many individuals have expressed an interest in close and critical analyses of Government spending, particularly in the military field. The article that the gentleman in the well refers to this morning contained a completely inaccurate statement to the effect that the chairman of our distinguished Committee on Armed Services, the gentleman from South Carolina (Mr. RIVERS) had instructed me as chairman of the subcommittee presently investigating the Government Sheridan tank program to say nothing at all about that program. Not only is this report completely inaccurate, but the fact of the matter is that the chairman of the committee (Mr. RIVERS) himself directed our subcommittee to look into this costly billion-dollar program involving a tank that yet has to demonstrate its capabilities. Not only did he not suppress any report, he started the investigation and it has been a very complete one. I can assure the gentleman from Florida that in carrying through on the original directions of the gentleman from South Carolina (Mr. RIVERS), our subcommittee is certainly going to make a report, and I know it will be of great interest to the taxpayers of our Nation and to the Members of the House. Our investigative reports have never pulled their punches.

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Mr. HALL. Mr. Speaker, will the gentleman yield?

Mr. SIKES. I yield to the distinguished gentleman from Missouri.

Mr. HALL. Mr. Speaker, I appreciate the gentleman yielding to me. I want to associate myself with his remarks. I doubt that such articles should be dignified by remark on defense. Certainly Chairman RIVERS needs none of the latter. I want to further state that the Committee on Armed Services is more fairly conducted and the most bipartisan committee dealing with the primary mission of defending our Nation, of any committee the other 40 Members and I have ever served upon. If our Nation fails to defend against aggressors there is little left for the liberal ideologist and internationalist.

To defend our chairman's participation in his efforts directed toward the defense of our Nation, I would much rather see our chairman tried in a court of merit, his peers on the military on any transgression he might make, if any; than in a court of public opinion written by those who traffic in yellow scandalism and dip their pens in gall.

Mr. HAGAN. Mr. Speaker, I would like to associate myself with the remarks of the gentleman from Florida.

I would like to say this—any man who has served on the Committee on Armed Services with Chairman L. MENDEL RIVERS knows beyond a shadow of a doubt that there has never been a man in the Congress of the United States who works harder for the preservation of this great Nation of ours than L. MENDEL RIVERS.

Mr. Speaker, I cannot find words to describe the shame that the author of such an article as appeared in this liberal Post this morning must feel.

There is no way to describe how ashamed they should be and I say that the editor and those associated with that paper who ascribe to that sort of thing should be ashamed of themselves and of this morning's Washington Post.

The SPEAKER. The time of the gentleman from Florida has expired.

CHAIRMAN L. MENDEL RIVERS

(Mr. PRICE of Illinois asked and was given permission to address the House for 1 minute.)

Mr. PRICE of Illinois. Mr. Speaker, I would like to state in connection with the remarks of the gentleman from Florida that the rules of the House Committee on Armed Services are almost exactly identical to the rules of every other committee of the House, and I know they are administered in our committee on a fair basis.

In the years that I have served on the committee, I have never known of anyone complaining that he was ignored on the committee.

There was some reference to a 5-minute rule on questioning. Of course, there is a 5-minute rule on questioning just as they have the same rule in almost every other committee of the House. That does not mean that a member is limited in questioning to 5 minutes. That means on his first time around he has 5 minutes. Then there is a second round and perhaps a third. After this procedure, when the number of interrogators are reduced, members usually have full opportunity to ask any question that comes to their mind.

Members usually have unlimited time as long as no other Member has questions to ask.

I would like to bring this out—that the chairman has administered the rules of the committee with a high degree of fairness and, as the gentleman from Missouri stated, the Armed Services is a committee where we have little partisan friction and on which the rights of each member is fully recognized by the chairman.

Mr. DANIEL of Virginia. Mr. Speaker, will the gentleman yield?

Mr. PRICE of Illinois. I yield to the gentleman.

Mr. DANIEL of Virginia. Mr. Speaker, as a new member of the Committee on Armed Services, I should like to associate myself with the remarks of the gentleman from Florida.

It has been my experience to have served under many able chairmen as a member of the Virginia General Assembly—five in number—and I know of no man who presides with more fairness than the Honorable MENDEL RIVERS. It is a pleasure to serve under his leadership and I should like to say that the article which appeared this morning, so far as it pertains to new members, is completely and entirely inaccurate.

Mr. BENNETT. Mr. Speaker, the article about Chairman RIVERS in this morning's Washington Post gives the strong impression that the writer is not an enthusiatic supporter of the chairman; and I presume that since it is an editorial type piece, that it is not required to be factually accurate. However, for those who may read it for its factual content, it should not be accepted as speaking authoritatively.

For instance, consider how the article criticizes RIVERS for not appointing Congressman PIKE chairman of the investigating subcommittee, after Chairman Hardy retired. It is my understanding that chairmanships of subcommittees are allotted on the basis of seniority on the full committee, not on seniority on a subcommittee. If it were otherwise, I would have been chairman of the CIA subcommittee ever since 1962; and I have not yet become its chairman. Actually, there are three Congressmen senior to PIKE on the full committee after the retirement of Hardy and under the rules each of them would normally have become the subcommittee chairman prior to PIKE.

More important than the factual inaccuracies of the article is the total thrust of the piece to indicate that the writer feels that Chairman RIVERS puts parochial and personal advantage ahead of the interests of his country. I have served under Mr. RIVERS for many years and it is my opinion that this attack is thoroughly unjustified and not in accordance with the facts. I think he has done a magnificently good job for his country and deserves praise, not slurs. This same observation is valid for Mr. Blandford, also unfairly attacked by the article.

THE NEW ADMINISTRATION: SOFT ON SAFETY STANDARDS AND BALONEY

(Mr. KOCH asked and was given permission to address the House for 1 minute.)

Mr. KOCH. Mr. Speaker, the attitude of the Republican administration in the areas of consumer and worker protection are finally surfacing. I was shocked to read two items in the New York Times on May 17. One of them discloses that Secretary of Labor George P. Shultz has ordered a reduction in the proposed industrial health and safety standards which were designed by the prior administration to protect 6 to 8 million workers from noise hazards and lung damage caused by dust. The apparent reason for reducing the protection is that to comply with those recommended by former Secretary Willard Wirtz, of the prior administration, will cost the industries involved more moneys than they would like to pay. On the other hand, the U.S. Public Health Service has stated, that the reduction of these health and safety standards as proposed by the Nixon administration will result in a 50 percent increase in the incidence of pneumoconiosis—black lung—among miners exposed to coal dust.

Another illustration of the same indifference by the new administration to the health of the American public was the announcement on the same day by the Agriculture Department proposing that the hot dogs and cooked sausages which are sold by the billions in this country now be permitted to contain 33-percent fat instead of the 30-percent limit proposed last summer by the outgoing Johnson administration. Again, we must assume this was done to save the industries money.

I, too, am concerned about costs, particularly costs incurred by the Federal Government. But, I am more concerned about the health and safety of our citizens. Fortunately, in these matters there are no costs to the Federal Government. True, there would be costs to the industries but if we reduce the standards then it is the consumers and the workers of this country who suffer in their health and safety. Can there be any question but that this Congress should support the health and safety of our fellow citizens? We are witnessing what we expected but hoped would not occur: a greater concern by the new administration for the protection of property and business profits than for the health and safety of the people.

As I read the item in the New York Times which indicated the propensity of the new administration to add fat to the hot dog, it convinced me that our job to get the administration to get the fat out of the defense budget will be even harder.

NEW SAFETY AND HEALTH REGULATION

(Mr. HECHLER of West Virginia asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. HECHLER of West Virginia. Mr. Speaker, I share the concern of the gen-

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tleman from New York about the dangerous effect of the order announced May 16 by Secretary of Labor George P. Shultz, promulgating new safety and health regulations under the Walsh-Healey Public Contracts Act. I am particularly disturbed at the establishment of the standard for respirable coal dust at 4.5 milligrams per cubic meter of air. In his statement accompanying the order, Secretary Shultz very cautiously proclaimed:

> Overexposure to excessive coal dust is apparently a cause of pneumoconiosis, or "black lung."

I wonder why it was necessary for Secretary Shultz to employ that qualifying adverb, "apparently"?

I feel that Secretary's Shultz' decision is a victory for the big coal operators. This means that every coal miner will breathe 50 percent more coal dust than the standard of 3 milligrams per cubic meter recommended by the Surgeon General and the Public Health Service. It means also that there will be 50 percent more cases of pneumoconiosis, according to the Surgeon General's testimony this year, than the 3-milligram standard which the preceding Secretary of Labor promulgated in January of this year.

I think, Mr. Speaker, that it is about time we started setting these regulations to protect the health of human beings instead of the profits of the coal industry.

FLORIDA WORLD TRADE CONFERENCE

(Mr. ROGERS of Florida asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. ROGERS of Florida. Mr. Speaker, I recently had the pleasure of participating in the Eighth Annual Florida World Trade Conference, held this year in Palm Beach. Many distinguished State and National leaders attended and took part in the discussions which are so important to the American balance of trade as well as to our domestic market situation.

Two speeches in particular recalled the important part the State of Florida has played in opening up new markets for American goods abroad, and the ties of friendshilp which have also developed between the people of Florida and their neighbors in foreign countries.

I include the remarks prepared by Mr. John Lombardi, marketing services manager for Pan American Airlines, and the remarks by the distinguished Secretary-General of the Organization of American States, the Honorable Galo Plaza, at this point in the RECORD:

HOW AIRLINES CAN HELP EXPORTERS MARKET PRODUCTS OVERSEAS

(By John V. Lombardi)

Pan American Airways, being an international airline, is often invited to participate in programs related to world trade. Under normal circumstances my opening comment would be, "I am delighted to be part of The Eighth Florida World Trade Conference, representing Pan American Airways". In all honesty I must admit that the genuine pleasure of our participation is the fact that we are in Florida. As many of you probably know, Pan Am was born in Florida some 40 years ago, when our first flight operated between Key West and Havana.

I hope the theme, of your conference "Florida Grows As World Trade Grows," is not misinterpreted by the Florida business community. Business growth does not come about by osmosis. I am sure this theme is not intended as an assumption that the growth of world trade will automatically benefit Florida. A true analysis of success in any endeavor will show a high degree of input in the areas of research, creativity, talent, initiative, and above all relentless effort.

There are some obvious ways in which the airlines help companies market products overseas. The availability of transportation facilities in itself is a catalyst that encourages businessmen to investigate, sell and ship to foreign markets. But there are a number of other areas where the airlines can and do help to stimulate successful international marketing, and I hope, as we discuss them, you will be able to relate them to your own areas of interest.

With your permission, I will limit my discussion to Pan Am in order to deal with specific rather than general areas.

Back in January 1961, in response to the concern of our government in relation to the United States balance of payments situation, Pan American initiated a trade development program called "Worldwide Marketing Service". In the implementation of this program, we offered the American business community the opportunity to investigate the possibility of selling their wares overseas. There are two ways in which the service is rendered.

The first and most direct method is where a company has a specific market area in mind. As an example let's take a United States manufacturer of widgets used in the building trade. The marketing executive has heard that there is a considerable amount of construction in the planning stage in Thailand. He'd like to sell his widgets through a distributor in the area, but how does he find a distributor calling on this trade who has the capability to service the product after it is sold? When he contacts Pan Am's Worldwide Marketing Service in his area, we take his product catalogues and send them together with his description of the type firm he is seeking, to our office in Bangkok. In our day to day airline operation in Bangkok, as in the rest of the world served by Pam Am, we accumulate a substantial amount of commercial intelligence in the area. In most cases, our local office not only knows a number of firms who may qualify as distributors, but knows the executives of the firms. The brochures and information are shown to the prospects and their degree of interest is relayed back to the Pan Am office which originated the request. At this point it is suggested that the United States manufacturer correspond or negoiate directly with the firms that have expressed interest, and Pan Am steps out of the picture. We also make it quite clear to all companies involved that our arrangement of introduction does not constitute endorsement of a firm or a product and credit and reliability investigations are not Pan Am's responsibilities. This same procedure would be applied in the instance where a firm was seeking a source of supply rather than a market area.

The second method of assistance is through a monthly magazine published by Pan Am called, "Worldwide Marketing Horizons". One section of this magazine called Worldwide Marketing Opportunities, lists products being offered or sought throughout the world. When a firm is relatively new in export and they are seeking representation in many areas of the world, we offer them a complimentary listing in "Worldwide Marketing Horizons". This little magazine is published in seven languages and distributed at no charge to some 193,000 businessmen throughout the world. (I've brought a small supply of them with me for anyone interested).

As an extension of our Marketing Service, we will arrange international business trips to include appointments and contacts in desired cities and countries.

Our office is also involved in other activities which offer direct support to the potential exporter. These include trade workshops and seminars; trade missions to foreign countries and various trade information publications.

One of our recent guides is entitled "The Kennedy Round And You". In order to inform the business world of the significant results of the recent GATT negotiations, and how the scheduled reductions affect their specific products, Pan American, in cooperation with the United States Department of Commerce, published this booklet.

The "Kennedy Round And You" signifies a substantial step forward to the day when businessmen will enjoy free trade. With our enormous GNP and inexhaustible variety of manufactured goods, a non-tariff system worldwide would be an automatic windfall for the American businessman.

Two recent aviation developments give promise that Florida's airborne trade with other parts of the world will increase appreciably in the next few years.

One is the new 747 airliner. Pan Am will be the first airline in the world to put this 362-Passenger giant into service late this year. Eleven years ago the jet revolutionized marketing and distribution techniques. People used to consider geography as being measured in distance. Today air shippers regard geography as representing time. The 747 brings this concept closer to home. The 747 has an amazing capacity for transportation of cargo in addition to passengers and mail. With a full load of passengers and their baggage, this airplane, additionally, can haul some 20 tons of cargo. With this kind of fast-delivery, mass capability, I am confident that Florida manufacturing firms and growers will find their horizons widened in terms of new markets in Europe and Africa in addition to their traditional Latin American and Caribbean markets.

One question that shippers quite properly always ask is, "What will the 747 do to cargo rates?" Our studies indicate the 747 will be more economical than today's jets in direct operating costs. When we first began considering the 747, we were hopeful the operating economies would permit lower passenger fares and cargo rates.

Now we are not so sure, however, with inflation rampant, if we can keep cargo tariffs at their present levels, we have in effect provided shippers with reduced rates. To put it another way, you can be sure that cargo rates in the future will be lower than if the 747 hadn't come along.

The second aviation development is the direct Florida-London air route which will be inaugurated on or after January 1, next year and for which Pan Am has been recommended by a Civil Aeronautics Board Examiner. This single-carrier direct service will open vast new vistas for Florida shippers, particularly for high-value, perishable commodities such as your winter crops. It will mean, for example, gladioli can be cut in a field at Fort Myers today and be on the market in London tomorrow. This would also apply to other produce items and the many manufactured products such as wearing apparel, appliances, cosmetics, etc., which also can be considered perishable because they are modified and improved so often as a result of research and development. In fact, advanced technology is one of the reason that approximately fifty percent of what we carry

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as air freight today wasn't even invented five years ago.

Florida shippers are among the most air-minded in the nation, probably because of the state's long history as the air gateway to Latin America. Florida has already made significant penetration of the European market. Surveys indicate that today there are some 75 to 80 firms in Florida engaged in business in the United Kingdom alone. Studies made by the Florida Commisioner of Agriculture, Mr. Doyle Conner, show that in 1967 products worth more than $1,200,000 were exported by air from Florida to Europe. It is Commissioner Conner's opinion, (and one in which I heartily concur), that Florida commodities will be moving to Europe in much greater quantities with the opening of the direct Florida-Europe flights.

At this point I would like to share a remarkable statistic with you. In 1967, 18,000 additional jobs were created in the state of Ohio as a result of an additional 100 million dollars worth of export sales. This is three times the national average when compared with employment created from increasing domestic production. So, exporting benefits the businessman, and the state vis-a-vis the generation of new jobs and tax monies for school and community use.

We, in Pan Am, of course, hope that the Civil Aeronautics Board and the White House will concur in the examiner's choice of Pan Am over eight other airlines to fly the Florida-London route. I am prejudiced, naturally, but I am confident that Pan Am will be an ideal partner in progress with Florida in enhancing the state's trade and tourism. Pan Am alone can funnel into Florida trade and tourism from both London and all of Europe, and from Latin America en route to Europe.

Year after year, Pan Am has spent more to encourage inbound United States travel than any other organization, government or private. Last year that amount was $24,500,000. Needless to say, we would look forward to the promotion of "Visit Florida" in connection with this new direct service.

In conclusion, each of these items that I've mentioned really add up to the fact that internationally, things are changing. Advances in economics, communications, and transportation are rapidly leading us to a "one market world." A favorite expression goes; If you have been doing something the same way for two years, it must be reexamined. But if you have been doing something the same way for five years, it is undobutedly wrong. The real challenge to the Florida businessman is, will he capitalize on these new opportunities, or will he wait five years to find he is doing something wrong?

THE POSITIVE SIDE OF ECONOMIC NATIONALISM IN LATIN AMERICA

(By Galo Plaza)

I want to congratulate the organizers of the Florida World Trade Conference for their astuteness and timing in having suggested that I speak on "Economic Nationalism in Latin America." There are few topics of such vital interest to each and every one of us . . . and few topics so delicate for an international official.

To be truthful, I welcome the opportunity to talk with you about economic nationalism, which is perhaps the most dynamic force at work in Latin America today. I believe it is a force which is much misunderstood in the United States. And I further believe that unless the people of the United States clearly see exactly what is involved, we run the risk of doing serious damage to the inter-American relations.

In recent months, the United States press has reported quite extensively on the rise of economic nationalism in Latin America. Most of the reporting—understandably—has been somewhat alarming to American businessmen, dealing as it does with the possibility of expropriation of U.S. interests, and with a day-to-day rise of American and Latin American tempers over some serious differences. In short, the United States press—again let me say, understandably so—has largely presented economic nationalism as a negative force that threatens to undermine inter-American solidarity.

The truth of the matter is that as a general rule, Latin American governments are deeply aware of the need for foreign investment. They know that the development of the region is hastened or retarded to some degree by the rate of flow of such investment. Under appropriate controls, and with the proper mix between local and external capital, they are quite happy to see the foreign investors step off the plane.

Foreign investment is a prime source of risk capital for Latin America. This is a type of financing not available from public sector sources, either foreign or domestic. Foreign investment brings with it a generous measure of management know-how and advanced technology—the accumulated techniques and skills of modern industry. Another advantage is the foreign investors' ready access to markets outside the country.

On the other hand, Latin American governments are also well aware of the inherent shortcomings of private foreign investment. It is sometimes an expensive source of financing. It usually flows into the sectors or the particular countries where profit opportunities are best, often creating an uneven "bunching" of foreign investments. Moreover, private foreign investment is not likely to move into basic infrastructure projects.

It is also true that the foreign investor may not always identify his own interests with those of the country in which he operates. In the case of balance of payments problems back home, for example, he may have to rapatriate profits in large doses, without reference to the balance of payments problems of the country in which he is located. He may be loath to compete with other foreign firms, or more specifically, with branches of his own firm in other countries.

Understandably, the foreign investor thinks first of profit potential and, secondarily of development potential. But for many Latin Americans, the measure of worth of foreign investment is precisely what it does for the economic and social development of their country. Under the new nationalism, only the foreign firm that is able to contribute to economic progress and help promote healthy social change is wanted. This means primarily the market-oriented enterprise. The firm that exploits a nation's resources without reference to the objectives of the country and the will of the people is unwelcome, not for being foreign, but for being insensitive to the local desire for reform and development.

Latin Americans feel the direct and indirect influence of U.S. business at every turn. An American reporter (John M. Goshko in *The Washington Post,* March 9, 1969) recently observed that "In some countries if a man is of the upper middle class . . . he is apt to drive to work in a car manufactured or assembled in an American-owned plant . . . In the evening, he will probably relax in front of an American-made television set or go to see an American film released by an American distributor. . . . Whatever the worker grows or refines, at some stage it will pass through a machine or process invented by American technology and brought in by American business. If the product is exportable, chances are that its ultimate sale will take place in the American market."

Some time ago, Thomas J. Watson, Chairman of the Board of the International Business Machine Corporation, noted that the "United States is the largest off-shore investor in world history." If American branches and subsidiaries overseas were to form a nation, he said, "its gross national product would rank third in the world, following the United States and the Soviet Union."

District private investment by American business in Latin America comes to slightly more than $10 billion. It is estimated that U.S. firms now produce one-third of all Latin American exports, contribute some 20% of total fiscal revenues, and account for nearly one-tenth of the $100 billion gross product of the region. And the rate of American investment in the region is rising steadily.

Present day economic nationalism in Latin America, with its concern for national development and for social reform, is a far cry from xenophobic isolationism. Indeed, the new nationalism is distinguished by its regional spirit. For another of its goals is the establishment of a viable, regional Latin American economy, managed by Latin Americans, for the benefit of Latin Americans.

Unfortunately, it is all true that many Latin Americans look upon all foreign business, and on American business in particular, as allied with the entrenched status quo. They see a panacea for most of their ills in the end of economic domination by corporate giants. The best antidote for this type of resentment is effective cooperation by the foreign investor with Latin American nationalists who are working for development and reform.

There are a number of models on which effective cooperation by U.S. business in Latin America can be patterned. There is no single answer to the meshing of a score of countries and literally hundreds of separate business firms.

More than 20 years ago, my good friend Nelson Rockefeller created the International Basic Economy Corporation as a means of pioneering new ideas in Latin American investment. IBEC's main purpose was to stimulate private enterprise in certain areas deemed critical to national development. Many of these areas have been incorporated into national development plans, proving the essential far-sightedness of the Rockefeller approach.

Today, IBEC operates in such widely diverse areas as the development of supermarkets, banking, and the production of machinery for the chemical processing industry. Its branches can be found from Brazil to Puerto Rico. It has never been a big moneymaker, but it has always been long on social awareness. It makes less than one per cent profit on its total assets and pays three times as much taxes in Latin America as in the United States.

If the low-profit example of IBEC doesn't commend itself to all American businessmen, there are countless firms that have made excellent profits while establishing solid economic and social ties in their host country. They buy all the goods they possibly can from local sources, hire local personnel and promote them to high executive positions.

Another model, perhaps even more pertinent to Latin America's mood today, is the ADELA Investment Company. The brainchild of Senator Jacob K. Javits of New York, ADELA is a multinational private investment company, founded on the principle that when capital comes from many countries, it loses its national identity. ADELA attracts investment not only from the United States, but from Latin American and European countries as well. And it channels its investments into projects that have a distinct multinational potential. In the past three-and-a-half years, ADELA has funnelled $800 million worth of multinational capital to Latin America.

This is of crucial importance, for the fu-

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ture of Latin America lies in the economic integration movement and in the development of the private sector along multinational lines.

For the foreign investor, the message should be clear: the brightest opportunities lie in multinational joint ventures with Latin American participation.

It is no accident that a best-selling book in Latin America is *The American Challenge* by the French author, Jean-Jacques Servan-Schreiber. The Frenchman is an unabashed admirer of the giant American corporation which operates in Europe. He is impressed by its size, its efficiency, its managerial talent and its technology. But he is also worried. For he sees such American firms far outstripping European firms and eventually eliminating them from any hope of competition.

European business must make a determined effort, says Servan-Schreiber, to create its own corporate giants, even if it must do so through political union. The main beneficiaries of the European Common Market so far have been the American corporations which have seen the potential offered by economic integration and have seized on its vastly expanded markets.

Latin America is now engaged in an all-out effort to create its own economic integration movement. At the Summit Conference in Punta del Este two years ago, the Presidents of the American nations pledged to have a common market in substantial operation by 1985. That target date is overly enthusiastic, but I for one believe that the movement toward regional economic union is inexorable. And I further believe that for Latin America to assure that the vastly expanded market serves the true economic and social interests of the people of the region, it is necessary to create efficient multinational business corporations, jointly owned and jointly controlled by Latin American and foreign capital.

Without such multinational corporations, it will be exceedingly difficult to achieve integration . . . or development . . . or social justice for our people. For if mighty Europe cannot compete with you Americans, except on the basis of the multinational corporation, how can we Latin Americans hope to do so with our still less developed industrial base?

Economic nationalism, if properly channelled, can drive this hemisphere to still greater heights of self-discipline and self-help. It challenges the foreign investor and the national government to seek new means of accommodation and understanding.

It would be a tragic error to permit this force to degenerate into hatred of all things foreign. It would be equally tragic to try to understand it in terms of an "image problem" for U.S. business.

So long as there are vast areas of poverty in this hemisphere, there will continue to be discontent, frustration and anger. The greater the gap between the United States and Latin America in affluence, the greater will be the gap in understanding. So long as a foreign corporation, by its huge size and awesome economic power, raises the fear of domination in the Latin American mind, it will be seen as a threat to national interests, and it will come under suspicion and open attack.

Latin America is marching boldly and confidiently along the road of economic and social progress so that a hundred million of men, women, and children, now victims of poverty, ignorance, and disease, may enjoy the abundant and satisfying life that is their God-given right. The road is long, and not without hazards, but it is also wide—wide enough for men of good will in business and government throughout the Americas to walk shoulder to shoulder, resolving their differences and working together for the common good.

THE GREAT PLAINS CONSERVATION PROGRAM

(Mr. MIZE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MIZE. Mr. Speaker, todays Consent Calendar includes H.R. 10595, a bill extending and expanding the Great Plains conservation program.

This legislation is extremely important to the 10 States in the Great Plains region, for it provides an opportunity for farmers and ranchers to enter into long-range conservation projects through contracts for cost-sharing with the Federal Government.

In the 10-State area, only 43 million acres of cropland and 91 million acres of rangeland have treatment adequate to protect the land from the ravages of wind and water erosion. There are still 67.5 million acres of cropland and 124 million acres of rangeland which must be protected.

Farmers and ranchers have a public responsibility to all Americans to insure the future productivity of our richest resource: our bounteous and generous soil. But farmers and ranchers simply cannot afford the high cost of proper conservation measures—without the assistance provided by the Great Plains conversation program, millions of acres of valuable land will be lost to marginal productivity, increased erosion, and destruction.

Mr. Speaker, I am particularly pleased with the legislation before us. As cosponsor of H.R. 10595, I am pleased to report that the legislative history of this bill, through exchanges between Chairman Poage of the Agricultural Committee and representatives of the U.S. Department of Agriculture, clearly provides for expansion of the Great Plains conservation program to additional counties not now permitted to participate in its benefits.

Let me make my position very clear: The administrators of the Great Plains conservation program at the Department of Agriculture will, upon passage of H.R. 10595, be permitted to review the need of each and every county in the 10-State region. Should counties now excluded from participation demonstrate positive need for conservation assistance, the Department will have complete freedom, subject to budget limitations, to extend the benefits of the program to new counties, new farms, and rangeland.

As the immediate needs of the participating counties are met over time, funds and administrative talent will become available in increasing amounts to attack the problems of counties heretofore ineligible for participation.

Our experience with Great Plains conservation program since the 1950's has shown us that there is no better investment for the Government than soil and water conservation. Billions of dollars of future production potential has been protected with a Federal expenditure of less than $120 million. Such economics reflect great credit upon the Department of Agriculture and the Congress.

Mr. Speaker, I urge all Members to support H.R. 10595, for this legislation represents some of the finest work that the Congress can perform, for the benefit of all Americans.

FEDERAL JUDGES SHOULD BE RECONFIRMED EACH 6 YEARS

(Mr. DICKINSON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DICKINSON. Mr. Speaker, I am today introducing legislation which I sponsored in both the 89th and 90th Congresses. This proposed constitutional amendment would require that Federal judges be reconfirmed by the U.S. Senate every 6 years. Any Federal judge not reconfirmed by the Senate would be required to vacate the office and retire, if eligible.

In order for one to be a U.S. district judge, a circuit court judge, or a Justice on the U.S. Supreme Court, he is nominated by the President and confirmed by the Senate. Although extensive investigations are conducted, once a Federal judge is confirmed, the job is his for life and he is answerable to no one. Even though a Federal judge may become incompetent or senile or may behave immorally, unless he decides to retire, there is no machinery available for his removal unless he has committed a crime for which he can be impeached.

I believe Members of the House of Representatives are familiar with the difficulties involved in the impeachment process. It is so cumbersome and impractical that only four Federal judges have been removed from office by impeachment in our Nation's history.

Mr. Speaker, the unfortunate chain of events surrounding a U.S. Supreme Court Justice in recent months convinces me that the constitutional amendment I am proposing is needed. Had former Supreme Court Justice Abe Fortas not resigned his office, the only recourse available to the people of the Nation would have been the demand that the Congress initiate impeachment proceedings.

I am not charging Mr. Fortas with the commission of a crime, for the complete information about his business dealings is not available to me. As a matter of fact, his explanation of his actions—if facts support his contentions—indicates that no criminal action took place. In my opinion, however, his actions were injudicious, to say the very least, and violated canons of accepted activities of Federal judges.

Therefore, Mr. Speaker, it appears unlikely, from my point of view—based on information given to the public—that sufficient support could have been mustered to successfully push through an impeachment resolution in the House and obtain the necessary two-thirds vote in the Senate to remove Mr. Fortas from office, even though his private dealings indicate to me that he did not conduct himself in accordance with accepted standards for Supreme Court Justices.

The constitutional amendment I am proposing would provide us with some measure of control over the activities of

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the members of the Federal judiciary. Everyone should be answerable to someone else, Mr. Speaker, and I believe that Federal judges should not be excluded.

THE LATE DR. ABRAHAM VEREIDE

(Mr. TALCOTT asked and was given permission to address the House for 1 minute.)

Mr. TALCOTT. Mr. Speaker, as President of the House Prayer Breakfast Group, it is my sad responsibility to inform the House of the death of Dr. Abraham Vereide.

I say sad only because Dr. Vereide died much too soon, even though he was 82 and lived a wonderful, complete, and productive life.

Dr. Abraham Vereide, who was a Methodist minister and a founder of International Christian Leadership, to promote prayer breakfasts, died Friday at Montgomery General Hospital after a heart attack. He lived at 3360 Chiswick Court, Silver Spring.

Born in Norway, Dr. Vereide came to the United States in 1905 with 10 cents in his pocket. He worked for railroads and mines in Montana before gaining admission to Northwestern University's Garrett Theological Seminary.

He was ordained a minister in 1908 and was a pastor between 1910 and 1935 in Kenosha, Wis., Spokane and Seattle, Wash., Portland, Oreg., and Boston, Mass. He became an American citizen in 1913.

Between 1921 and 1924 he was superintendent of the Pacific Northwest District of the Norwegian-Danish-Methodist-Episcopalian Church. He established a Goodwill Industries branch in Seattle during the 1920's and was associate general superintendent for Goodwill in Boston from 1931 to 1934.

With a group of 19 business executives, Dr. Vereide in 1935 founded the prayer breakfast group in Seattle—a movement aimed at cultivating Christian leadership in government, business, education, and other professions.

In 1941, Dr. Vereide came to Washington and met with Members of Congress at the Willard Hotel. The result was the formation of separate Senate and House breakfast groups which meet once a week while Congress is in session.

The meeting also led to International Christian Leadership presidential breakfasts, held at the opening of Congress each year. The group also holds breakfast meetings for Governors, mayors, and professional groups around the world. Dr. Vereide was executive director emeritus of the organization at the time of his death.

His wife, Mattie B., died January 30.

Friends may call at Fellowship House, 2817 Woodland Drive NW., from 2 to 8 p.m. today. Burial will be private.

A memorial service will be held at 11 a.m. Tuesday at the Fourth Presbyterian Church, 5500 River Road, Bethesda.

Mrs. Talcott and I join many others in extending our condolences to Dr. Vereide's family and also in expressing our gratitude for his great leadership while living.

HEARINGS ON STUDENTS FOR A DEMOCRATIC SOCIETY

(Mr. ICHORD asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. ICHORD. Mr. Speaker, the House Committee on Internal Security will very shortly begin public hearings on activities of the Students for a Democratic Society.

A full-scale field investigation of the organization was launched by the committee staff on March 6, when committee members met and authorized such an investigation as the first step in an in-depth study of revolutionary violence in the United States. No public announcement of the specific object of the committee's interest was made at that time, however, in order that the inquiry could go forward in an orderly and expeditious manner.

Last week, the members of the committee unanimously approved the holding of public hearings at an early date. It is my intention to schedule the initial public hearings the first week in June.

Most of the violence being reported from college and university campuses is being attributed to the Students for a Democratic Society. And we apparently are not going to have any surcease, if SDS leaders have their way.

Even graduation ceremonies in our Nation's universities and colleges represent opportunities for violence and disruption, according to a national officer of SDS.

At a recent news conference Bernardine Dohrn, national interorganizational secretary of SDS, reportedly declared that the SDS "presence will be known at graduation ceremonies where the big people will come as speakers." "It will be more than just a walkout from the ceremonies," she threatened.

As for SDS' summer vacation plans, Miss Dohrn offers the chaotic prospect of SDS members working in the neighborhoods and fighting "police invaders if we have to."

Miss Dohrn's news conference was reported in the New York Times of May 14, 1969, and I ask permission to insert the article at this point in my remarks.

[From the New York Times, May 14, 1969]

SDS PLANS DISRUPTIONS AT GRADUATION CEREMONIES

CHICAGO, May 13.—The Students for a Democratic Society plans disruptions at university and college graduation ceremonies. Bernadine Dohrn, national interorganizational secretary, said today.

"Our presence will be known at graduation ceremonies where the big people will come as speakers," she said at a news conference. "It will be more than just a walkout from the ceremonies."

Miss Dohrn said S.D.S. "will work with kids in the neighborhood that fight the police invaders when we have to" this summer.

"We will go around the country wherever the rich people go—like Rockefeller, Nixon, and Kennedy," she said.

WEST HIGH SCHOOL PUPILS EXPRESS ANXIETY OVER POLLUTED LAKE ERIE

(Mr. FEIGHAN asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. FEIGHAN. Mr. Speaker, the House of Representatives recently passed the Water Quality Improvement Act of 1969, designed to protect public waters from pollution by oil, sewage, and other matter, and authorizing grants for water-quality research and education.

The quality of our waterways is a matter of deep concern to me and I have continually supported legislation to improve our antipollution efforts.

Clevelanders are equally enthusiastic over steps to upgrade our water quality as their recreational pursuits are directly affected by the quality of Lake Erie. The citizens of Cleveland recently approved a $100 million bond issue to improve the water quality of Lake Erie and their interest has succeeded in influencing their youngsters to express a similar concern for the appallingly polluted condition of the lake.

Mr. Speaker, 41 ninth-grade pupils from West High School have written to express their anxiety over the polluted conditions of Lake Erie. These teenagers are worried that the level of pollution content in Lake Erie will continue to increase with no immediate remedial measures emanating from the Federal Government. They are disturbed by the offensive aromas rising from the contaminated waters. Finally, Mr. Speaker, they are angry that they are prohibited from enjoying the benefits of a once popular lakefront beach for swimming, boating, and other pleasurable water sports.

These alert young people are anxious to know why additional Federal moneys cannot be expended to solve the pollution problem. "Why," they ask, "cannot taxpayers' money be utilized to clean up the lake?" And, "Why," they continue, "cannot the taxpayers' money be used to provide more beaches?"

These high school students are distressed that more action on the part of the Federal Government has not been taken in solving the serious national pollution problems. They have thoughtfully outlined their grievances, made some astute observations, and asked some very pertinent questions. In these difficult times of student unrest and discontent, these young people have taken the initiative to become involved in a cause of deep concern to them. They have prudently expressed their views on a vital local and national issue and, hopefully, their judicious attention to this problem will generate similar expressions of concern from other citizens, young and old alike.

I have advised the students from West High School of my cosponsorship of an amendment to the Water Quality Improvement Act, providing for a Great Lakes water-control demonstration project to develop techniques to remove polluted matter and abate new pollution. This amendment was adopted by the House and will be considered by the Senate along with the Water Quality Act. It is my sincere hope that the amendment receives Senate approval, as the Great Lakes are in desperate need of revitalization. Antipollution efforts will be severely handicapped if this amendment is not

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enacted. A genuine commitment to clean water is badly needed if we are going to accomplish the goals desired by the students from West High School and concerned citizens across the Nation. Now is the time for all people to become involved in the massive attempts at pollution prevention so necessary for the future of our national waterways.

Mr. Speaker, I would like to mention the names of these young students from West High School who have been so diligent in carrying out their civic responsibilities.

The names of the 41 students from West High School follow in alphabetical order:

Donna Beukema, Dave Bodzioney, Kathleen Casey, Nancy Conroy, John Costanzo, Karan Casto, Terry Cox, Roger Cozort, Ray Early, Richard Gregg.

Debbie Harowski, Jerry Hessler, Tom Hiltaychuck, Edward Homan, Mathie Hunley, Wayne Hunt, Loretta Hylton, Danny Jones, Elanora Kiss, Richard Kopchock.

Lilly Laich, Oscar Lee, Pat Maglionice, Margaret Martin, Monajean Miller, Ira Moore, Greg Osborne, Doug Paus, Janet Penttila, Dwight Peto, Kathy Puskas.

Gary Rittbuger, Barbara Robinson, Jerry Shanis, Nancy Spelic, Susan Springer, Marion Tate, Betty Taylor, Lynn Terry, Faye Thompson, David Tainer.

ARMS CONTROL TALKS WITH SOVIET UNION SHOULD HAVE HIGHEST POSSIBLE PRIORITY

(Mr. BINGHAM asked and was given permission to address the House for 1 minute, to revise and extend his remarks.)

Mr. **BINGHAM**. Mr. Speaker, early last week I announced my intention of introducing a resolution urging that the President accord the matter of arms control talks with the Soviet Union the highest possible priority, and urging that the further testing of the very unsettling new weapons system known as MIRV be deferred until every effort has been made in the arms control negotiations to achieve a mutual freeze of the further development of such weapons systems.

I am happy to say I have now been joined by 25 cosponsors and am introducing the resolution today on a bipartisan basis.

MIRV is a new concept in nuclear weapons systems. Not only will a single MIRV missile be able to carry a number of nuclear warheads, multiplying the total number of warheads that might be delivered upon an enemy. But, in addition, each of the warheads of a MIRV missile will be capable of hitting a different target—each target many miles from the other targets hit by other warheads from the same MIRV missile. Perfection of such a system would produce a quantum jump in our ability to deal destruction, as well as in the destructive capacity of any potential enemy who might develop a similar system.

According to the Secretary of Defense, both the United States and the Soviet Union are developing MIRV systems. Neither side has operational MIRV's at this time. But the Russian SS–9 and our own Minuteman III and Poseidon missiles are explicitly designed to deliver MIRV's.

To my mind, testing the MIRV constitutes the prelude to a dangerous escalation of the arms race—an escalation that has virtually escaped careful congressional attention. We have been rightly attentive to the implications of the proposed ABM system, but in our concern we have ignored a weapons concept that promises to have perhaps even more unsettling effects on our current rough world strategic balance and on hopes for effective arms control.

President Nixon has announced his intention to work for United States-Soviet arms control talks beginning this summer. I firmly support those projected efforts, but I fear that our MIRV testing puts the talks in jeopardy before they even begin.

Our current MIRV testing program promises to bring this advanced system to the operational stage in the relatively short-term future. Whether or not that occurs before or at about the time we propose to get arms control talks underway with the Soviets, there is the undesirable possibility that the Soviets might come to believe that our MIRV system has reached the operational stage. Therefore, by pressing for a major breakthrough in offensive weaponry, as we are by our MIRV testing program, we will erect a new stumbling block to the convening of arms control talks and a new and more difficult item for the agenda should such talks get underway.

Should the Soviets conclude, on the basis of their monitoring of our MIRV tests, that our system is operational, they could easily use that conclusion to justify refusing to negotiate until their own MIRV system is operational. By continuing MIRV testing, we might indirectly force the Soviets and ourselves to escalate, rather than to suspend, the arms race.

In addition to strangling projected arms control talks, perfection of MIRV's will make future arms control agreements much more difficult—if not practically impossible—to hammer out. We have developed satellite surveillance and inspection techniques which can take reliable inventories of missile sites and ICBM capacities. But satellite pictures cannot reveal the numbers of warheads clustered on a single booster, or the scattering of targets toward which those warheads might be directed. If we and the Soviets introduce MIRV's into the international strategic equation, arms control agreements will simply have to include on-site inspection.

Mr. Speaker, I need not remind the Members of the House of the effect the question of on-site inspection has had on earlier arms control talks. The question of on-site inspection ruined prospects for arms control in the fifties. Our hopes for the upcoming negotiations are founded on the fact that unobtrusive inspection by satellite is now both a possible and potentially adequate means of insuring compliance with arms control agreements. Any development that necessitates on-site inspection will set arms control talks back severely, if not irredeemably.

We can afford to suspend testing for 2 or 3 months, until the talks get underway, as I sincerely hope they will. The evidence indicates that we are already ahead of the Soviets in MIRV development. According to Secretary Laird, we are now testing our Poseidon and Minuteman III systems. The Soviet multiple warhead test reported by Secretary Rogers on April 21, 1969, was not a MIRV, but a MRV—multiple warheads not independently targeted.

I wish to emphasize that I am not suggesting in this resolution that we scrap the MIRV, or that we abandon our MIRV development efforts and leave that field to the Soviets.

Any halt to our testing should be temporary unless and until the Soviet Union would agree to a mutual halt to MIRV testing, which should, I feel, be the first item on any arms talks agenda and should not wait for broader arms control agreement. But if the Soviets press ahead with their own development, or if arms control talks fail to produce a mutual freeze on MIRV's, we can and should resume testing.

The resolution, which I am now submitting, urges the administration immediately to suspend MIRV testing until a total effort to stop arms escalation through negotiations has been made. Such a move is vital if we are to give negotiations the full chance they merit to succeed.

A copy of my resolution, and a list of House Members who have cosponsored it, follows:

HOUSE CONCURRENT RESOLUTION 259—RE URGENCY OF ARMS CONTROL TALKS

(By Mr. BINGHAM)

Whereas, the present is an especially propituous time for Soviet-American arms control negotiations because of (1) the approximate state of balance that exists through mutual deterrence, (2) the existing techniques of surveillance by satellite that make it possible for each side to keep track of the other's missile capabilities without on-site inspection, and (3) the present nonbelligerent attitude of the Soviets as evidenced by their unprecedented cancellation of the traditional display of military power in their May Day parade; and

Whereas, the successful development of a Multiple, Independently-targeted Reentry Vehicle (MIRV) weapons system by either the United States or the Soviet Union would not only threaten the present balance, but make much more difficult the achievement of a missile arms control agreement by making it impossible to check on warhead deployment without on-site inspection; and

Whereas, both the United States and the Soviet Union are currently pressing ahead with efforts to develop a MIRV system, and the United States is reportedly more advanced with its development program; and

Whereas, effective nuclear arms control offers the best, if not the only, hope of preventing a continuing arms race between the U.S. and the Soviet Union at disastrous cost to both sides and with no security for either; therefore be it

Resolved by the House of Representatives (the Senate concurring), That it is the sense of Congress

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(1) that the President should proceed with efforts to convene nuclear arms control negotiations with the Soviet Union with utmost urgency; and

(2) that the United States should defer further MIRV testing until every effort has been made to achieve a mutual freeze on MIRV development; and

(3) that such a mutual freeze should be a part of more comprehensive arms control agreements respecting both offensive and defensive missiles; but should not be delayed pending the working out of all aspects of such comprehensive agreements.

Cosponsors

Representative Thomas Ashley (Democrat, of Ohio.)

Representative John Brademas (Democrat, of Indiana.)

Representative George Brown (Democrat, of California.)

Representative Shirley Chisholm (Democrat, of New York.)

Representative Bob Eckhardt (Democrat, of Texas.)

Representative Don Edwards (Democrat, of California.)

Representative Leonard Farbstein (Democrat, of New York.)

Representative Seymour Halpern (Republican, of New York.)

Representative Henry Helstoski (Democrat, of New Jersey.)

Representative Edward Koch (Democrat, of New York.)

Representative Spark Matsunaga (Democrat, of Hawaii.)

Representative Abner Mikva (Democrat, of Illinois.)

Representative William Moorhead (Democrat, of Pennsylvania.)

Representative F. Bradford Morse (Republican, of Massachusetts.)

Representative Bertram Podell (Democrat, of New York.)

Representative Thomas Rees (Democrat, of California.)

Representative Ogden Reid (Republican, of New York.)

Representative Henry Reuss (Democrat, of Wisconsin.)

Representative Benjamin Rosenthal (Democrat, of New York.)

Representative Edward Roybal (Democrat, of California.)

Representative William Ryan (Democrat, of New York.)

Representative James Scheuer (Democrat, of New York.)

Representative Robert Tiernan (Democrat, of Rhode Island.)

Representative Philip Burton (Democrat, of California.)

Representative Donald Fraser (Democrat, of Minnesota.)

DEFER TESTING OF MIRV

(Mr. ASHLEY asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. ASHLEY. Mr. Speaker, today I am joining our colleague from New York, the Honorable JONATHAN B. BINGHAM, and other Members of the House in the introduction of a resolution calling for immediate deferment of further development and testing of multiple independently targeted reentry vehicles by the United States until every effort has been exhausted to reach a mutual MIRV freeze agreement with the Soviet Union.

The administration is reportedly planning to commence nuclear arms control talks with Russia this summer. I applaud this decision; however, I am taking this opportunity to express my sincere belief that the success of these talks is dependent upon a freeze of our MIRV program.

The singular opportunity now presented for prompt talks lies in the confluence of several decisive factors: First, the approximate state of arms parity that exists through mutual deterrence; second, the existing techniques of surveillance that enable each side to verify the strength of the other side without on-site inspection; and, third, the present nonbelligerent attitude of the Soviets as evidenced by their unprecedented cancellation of the traditional display of military power in their May Day parade.

Further development of the MIRV by the United States at this time could very easily upset this delicate balance of elements necessary for successful arms control. If we continue development of MIRV, we risk the very real possibility that the Soviets will conclude before talks get underway that the United States already has an operational MIRV system—with such a system, Russia could not know how many weapons we have without on-site inspection, because a counted silo might contain one warhead, or three, or 10. Such a mistake on the part of Soviet leaders would make it inevitable that they would proceed with their own MIRV development, thereby producing another vicious cycle of escalating arms and costs. An immediate freeze on U.S. development of MIRV's, on the other hand, would eliminate the possibility that potential United States-Soviet arms talks could be subverted in this way and would make our stated desire to reach mutual arms control accord more credible.

Mr. Speaker, the opportunity for arms control is ripe and we must seize it. But if we are to succeed, we must recognize that the essence of any stable United States-Soviet agreement to limit nuclear arms will be the certainty and visibility of assured destruction power on both sides. We cannot afford to destroy this requisite condition of mutual deterrence by continuing with the MIRV, unless we are convinced that Russia does not want arms control.

At this vital juncture in the history of mankind, I call upon the President to proceed with efforts to convene nuclear arms control negotiations with the Soviet Union with utmost urgency; to defer further MIRV development and testing until every effort has been made to achieve a mutual freeze on MIRV development; and to make such a mutual freeze a part of more comprehensive arms control agreements respecting both offensive and defensive missiles.

SUPREME COURT DISTORTION BY ONE VOTE

(Mr. RARICK asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. RARICK. Mr. Speaker, following the resignation of Abe Fortas, the U.S. Supreme Court announced that the vote of Abe Fortas would be purged on cases he had deliberated in and voted on, and the Court's decision would be reached by the votes of the eight remaining judges. The ruling would be limited to cases decided after Fortas' resignation not yet rendered public in open court.

This would mean that in any of the pending cases, if the vote minus the Fortas vote were 4-to-4, the lower court judgment would stand unmolested.

However, the reason for Fortas' resignation permeates every decision that he voted on since his original confirmation in 1966.

Hundreds of acts of Congress have been stricken down or their intent warped, State laws and State constitutions have been declared unconstitutional, and thousands of criminal convictions have been overturned, pornography and sexual perversion laws have been voided as well as subversive statutes—and many of these by a 5-to-4 decision wherein the vote of Justice Abe Fortas was the deciding vote.

If the magnanimous Supreme Court—in its noble efforts to atone for the guilty influence of the one vote held by Abe Fortas—seeks to cleanse its record, it raises the question: How does the Court propose to rectify the many injustices inflicted upon the American people by the 5-to-4 decisions reached with Fortas' vote prior to his resignation—from 1965 to date?

Can his overriding vote before his resignation inspire any greater public confidence than his suspect vote following his departure?

Mr. Speaker, I include a list of the 5-to-4 Supreme Court decisions in which Justice Fortas voted with the majority—each critical to the structure of our society, as follows:

THE 5-TO-4 SUPREME COURT DECISIONS IN WHICH JUSTICE FORTAS VOTED WITH THE MAJORITY

Harris v. United States, 382 U.S. 162 (1965).

Brown v. Louisiana, 383 U.S. 131 (1966).

Ginzburg v. United States, 383 U.S. 463 (1966).

Kent v. United States, 383 U.S. 541 (1966).

Elfbrandt v. Russell, 384 U.S. 11 (1966).

Riggan v. Virginia, 384 U.S. 152 (1966).

Miranda v. United States, 384 U.S. 436 (1966).

Garrity v. New Jersey, 385 U.S. 493 (1967).

Spevack v. Klein, 385 U.S. 511 (1967).

Keyishian v. Board of Regents, 385 U.S. 589 (1967).

Zuckerman v. Greason, 386 U.S. 15 (1967).

Kaye v. Co-Ordinating Committee on Discipline of the New York Bar, 386 U.S. 17 (1967).

Giles v. Maryland, 386 U.S. 66 (1967).

Woodward Manufactures v. National Labor Relations Board, 386 U.S. 612 (1967).

Houston Contractors Association v. National Labor Relations Board, 386 U.S. 664 (1967).

Waldron v. Moore-McCormack Lines, Inc., 386 U.S. 724 (1967).

Afroyim v. Rusk, 387 U.S. 253 (1967).

Reitman v. Mulkey, 387 U.S. 369 (1967).

National Labor Relations Board v. Allis-Chalmers Manufacturing Company 388 U.S. 175 (1967).

Hanner v. DeMarcus, 390 U.S. 736 (1968).

Miller v. California, 392 U.S. 616 (1968).

Harris v. Nelson, 37 L.W. 4219 (1969).

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THE 50TH ANNIVERSARY OF STEUBEN SOCIETY OF AMERICA

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Ohio (Mr. FEIGHAN) is recognized for 30 minutes.

Mr. FEIGHAN. Mr. Speaker, the Steuben Society of America and its members have every reason to be proud of their organization and its record of solid accomplishment over the past 50 years.

During that span of a half a century they have given life and meaning to the lofty principles which moved and guided Gen. Frederick von Steuben in his role as one of the most inspiring leaders in our war for national independence.

Those principles—duty, justice, tolerance, and charity—are as basic to the survival of American democracy today as they were to the winning of our Revolutionary War nearly 2 centuries ago.

The fidelity of the members of the Steuben Society to those principles, and their maintenance in the life of our Nation, has won respect, admiration, and distinction for the Steuben Society.

The founders of their society were men and women deeply rooted in the spirit of America. They were motivated by the most enduring characteristic of German-American life—a constant concern for the welfare, the happiness, the growth, and the safety of our Nation.

Over the course of almost 3 centuries German immigrants and their descendants have woven this characteristic into the fabric of our Nation.

Their founders were mindful of the pioneer role played by German settlers in pushing the frontiers of civilization across this vast continent to the Pacific Ocean. Those early settlers moved on from Pennsylvania, along the mountain range southward, colonizing Maryland, Virginia, and Kentucky. Following the Indian wars, my home State of Ohio was opened up to the most hearty of these settlers. The imprint of German talents in the fields of industry, agriculture, commerce, the arts and sciences, education, religion, the professions, and civic achievement forms an indelible part of contemporary life in the State of Ohio. And so it is in many States of our Union.

The society's founders were certainly aware of the industrial history of the 19th century in which Germans were preeminent in all those pursuits that required technical training. Their love of exact science and technology and their unique ability to apply such talents for the benefit of their fellow men strengthened beyond measure this relatively new land. Many immigrants from Germany brought with them the advantages of training in the technical schools of the homeland at a time when the need for similar institutions in America had not yet been satisfied.

Perhaps above all else, German-Americans led the way in the vital field of engineering. It was John A. Roebling who built the first great suspension bridge over the Niagara River and then went on to build the Brooklyn Bridge—considered for many years as one of the wonders of the age.

German names, too numerous to cite, are engraved in the archives of our industrial development as pioneers in the chemical industry, electrical engineering, mining engineering, wagon and automobile manufacture, the iron and steel industries, and in the production of prepared food products from flour to chocolate.

The society's founders were surely proud of the fact that from the birth of our Nation German names stand high on the honored roll of fighters in behalf of our free way of life. They have given their sons for the defense of our Nation just as they have given their talents and labors to the building of our Nation.

Bancroft, historian of the American Revolution, and Gould, statistician of the Civil War, have testified that German volunteers in both those wars exceeded in proportion those of the natives of all other foreign stock.

And they must have been equally proud of the fact that German-Americans were in the forefront of the fight for human rights during the testing decades of the 19th century.

Carl Schurz of Wisconsin was a dedicated champion of the antislavery cause and Gov. John P. Altgeld of Illinois was an able champion of the rights of organized labor.

The long record of German participation in the American march of progress renders many German traditions part and parcel of American traditions existing today. The great results of American ingenuity are in many instances also the results of German ingenuity, incorporated into the mainstream of American knowledge.

These are but some of the causes which moved their founders to action. They acted in harmony with the oldest and the highest ideals of our Nation. They were bound together in a common resolve that this citadel of human liberty would henceforth and forever remain a beacon of hope for mankind the world over.

To strengthen their resolve they dedicated their purposes to upholding the patriotic ideals of the revered hero of the war which gave birth to our Nation—Gen. Frederick von Steuben.

To reaffirm their devotion, to assure an unbroken attachment to the great American dream, they adopted the credo "One country, one flag, one language."

This is the rich legacy of their founders, passed on to all those who have held and now hold membership in the Steuben Society of America.

This is the measure of added responsibility assumed by all who have held or now hold positions of leadership in the society.

During the past 20-odd years I have been privileged to know and to work with the leaders of this society at the national level, at the State level of Ohio and in my home city of Cleveland. That has been one of the most memorable and pleasant experiences of my public life. For that experience demonstrated for me that the society lives by its principles of "duty, justice, tolerance, and charity."

All members of the Steuben Society can be proud of the constructive role played by its national officers in congressional reform of our immigration laws. It was my responsibility, as chairman of the House Subcommittee on Immigration and Nationality, to establish the facts, bring reason to bear and win majority support for a system of immigrant admissions that was humane and in the national interest. In the emotionally charged atmosphere which attended the public hearings during two sessions of the Congress this was not an easy task.

After 40 years of heated public controversy over immigration policy, the climax of change was reached.

It became evident that the national origins quota system no longer governed immigrant admissions into our country. Contrary to popular belief the quota system accounted for no more than one third of our annual immigrant admissions. For the previous 10 years we had been admitting close to 300,000 immigrants per year in contrast to the 156,000 authorized by the quota system and which most people believed was a fixed numerical ceiling on admissions.

The real problem grew out of the long waiting lists in many countries, made up of close relatives of U.S. citizens. Under then existing law persons with no relatives in the United States and with no skills needed here were being admitted from some countries while close relatives of our citizens in other countries or persons with needed skills had to wait in line for years.

In our search for a new formula of immigrant admissions our subcommittee was confronted with sharply conflicting opinions; on the number we should admit each year; whether Congress should maintain control of policy through a clear-cut, self-executing law or whether some of the congressional authority in this field should be delegated to a new Immigration Board; retention of the privileged status of natives of the Western Hemisphere for whom there had never been quota controls or numerical limits on their admission; the relationship of immigration to our labor market and the need to protect the rights and hard-won gains of American labor—just to mention some of the major issues in controversy.

These problems confronting the Congress together with the remedies proposed were discussed at length with the national officers of the Steuben Society. This was a part of the process of working out a new system that would be fair to all and consistent with the needs of our country at this point in our national development. The position taken by the officers on all issues was clear and consistent. That position was: What is best for the United States?

It was that same spirit which governed the decisions of the House Subcommittee on Immigration and Nationality. That spirit is clearly reflected in our new selective immigration system signed into law October 3, 1965, by President Johnson.

Legislation is never perfect. Experience with the act reveals that changes are necessary.

Each and every person, by virtue of membership in the Steuben Society has assumed responsibility for nurturing the good seeds of dedicated and stanch citizenship planted by past generations.

To succeeding generations falls the duty for maintaining that concern for the welfare, the happiness, the growth, and the safety of our Nation which motivated the founders of the society.

Knowing loyal Steubenites as I do, I am confident that they welcome the duties and responsibilities which have been passed on to them by their founders. I am equally confident that their future endeavors will be crowned with the same success which has distinguished the work of the Steuben Society over the past 50 years.

I am including in my remarks the golden jubilee message of the Steuben Society and a proclamation issued by Gov. Nelson A. Rockefeller pursuant to the resolution of the General Assembly and the Senate of the State of New York, which follow:

THE GOLDEN JUBILEE MESSAGE: 50 YEARS STEUBEN SOCIETY OF AMERICA—46 YEARS U.S. IMMIGRATION LAWS

(By the National Council, Steuben Society of America; Ward Lange, national chairman; George Stotz, chairman, public affairs)

On May 19, 1919 The Steuben Society of America was formally founded, just six months after the end of a war against the kin of the founders of this new American National Organization of American Citizens of Germanic Origin.

The dissolution of the "German-American National Alliance" with America's entry into World War I still fresh in their minds, the founders vowed not to repeat any of the errors which may have helped to make the dissolution of their "Alliance" possible.

They were determined to build an entirely different society on an enduring foundation, deeply rooted in the U.S. Constitution. The principles of Unity, Tolerance, Charity and Justice were adopted as the "Constitutional Tap Roots" which would sustain their new structure against all attacks for "as long as the Constitution of the United States of America will stand," which was to the Dean of the founders, the late Dr. Franz Koempel "forever and forever." His home is to this day called the "Cradle" of the Steuben Society of America.

This new and different society concentrated its energies immediately on the healing of the wounds of war and on the reestablishment of good relations with the new government and the people of defeated Germany.

An objective program called for, among other issues, an early and just peace treaty to avoid a future world holocaust; the return of alien property; the return of the teaching of the German language to our Nation's classrooms, then barred in nearly all schools; to give aid to their kin across the sea and to end the blockade.

A LAW TO CONTROL IMMIGRATION

As the passions of war were subsiding and Congress was considering the creation of a law to control immigration, the society set out to create what had been most sorely missing before and during World War I: "A voice of Americans of German origin in the Halls of Government".

While many voices called for restrictive immigration measures for German immigration, the Society's voice of reason found many supporters and the first immigration law, passed in 1923 gave a generous quota, 26,000, to German immigrants. (The Steuben Society of America has been actively involved in every revision of the law since then and in the passage of the special Emergency Relief Act of 1953.)

THE FIRE TEST

When in the late 1930's the war clouds gathered once more over Europe and World War 2 broke out on September 1, 1939, the Society instituted a vigorous campaign to expose all foreign propaganda and influence in order to oppose all efforts to involve America in that war.

After the Constitutional Declaration of war against Japan, Germany and Italy by the Congress of the United States of America, triggered by the vicious Pearl Harbor attack on December 7, 1941, the Society pledged its unqualified support to our Nation's Commander in Chief of the Armed Forces, the late President Franklin Delano Roosevelt in the following declaration:

DECEMBER 11, 1941.

The PRESIDENT,
The White House,
Washington, D.C.

SIR: The National Council of the Steuben Society of America wishes to convey to you the following Declaration adopted by its Executive Committee at a special meeting:

"DECLARATION

"The Steuben Society of America has consistently maintained that the power to declare war rests solely in the Congress of the United States.

"Congress now having declared war against Japan, Italy and Germany, it becomes the duty of every American to loyally support our government in prosecuting that war to a successful conclusion.

"We are again a united people.

"Our Country, First, Last and All the Time."

We desire further to pledge to you, our President and Commander-in-Chief, the wholehearted support of our entire organization and membership in this national emergency, and offer our services in whatever capacity we, collectively and/or individually, may best be fitted for.

With these assurances of our loyalty and support, believe us to be,

Respectfully,

THEO H. HOFFMANN,
National Chairman.
F. W. MAYER,
National Secretary.

The Founders of the "entirely different" society were now to witness whether their creation, the Steuben Society of America could endure even through a war against their own kin. Little did they realize in 1919 that 26 years later their Society would be called upon to repeat substantially their efforts to "heal the wounds of war"—only under much more complex and difficult circumstances. Instead of having to labor to end a blockade it had to engage itself in the opening of the mails to defeated Germany so the sending of packages for the aid to their starving kin was possible.

The Society had stood the fire test. It is especially noteworthy after 50 years, that this is the first instance in American History that a National Society of Americans of German origin, actively involved in American political affairs, has endured for a half century.

IMMIGRATION AGAIN, AFTER 50 YEARS

Ironically, on the eve of its 50th Anniversary date the Steuben Society of America finds itself once again engaged in a nationwide effort to secure fair treatment under the new 1965 Immigration and Nationality Act, for German immigrants who have historically been a prominent segment of the formative element of the American people.

The new law is by no means restrictive only to German immigrants, but to all Northern European countries, 14 in all. The efforts 46 years ago by the founders of the Steuben Society of America must now be repeated during our Golden Jubilee Year.

PROCLAMATION FROM THE STATE OF NEW YORK, EXECUTIVE CHAMBER

The Senate and Assembly of New York State have adopted a joint resolution requesting that I issue a proclamation in behalf of the Steuben Society of America. I am happy to comply.

The Steuben Society of America is a national patriotic society of persons wholly or partly of German descent, founded on May 19, 1919. The Society this year is celebrating its 50th anniversary.

In the words of the Legislature's Joint Resolution:

"The prosperity and growth of such citizens' organizations such as the Steuben Society of America are essential and vital to the preservation and success of our American way of life.

"It is important to recognize and to encourage the participation of private citizens of our Nation and of the State of New York in the affairs of government and of the community.

"The celebration of the Fiftieth Anniversary of the Steuben Society of America is an outstanding achievement deserving of official recognition by the Government."

Now, therefore, I, Nelson A. Rockefeller, Governor of the State of New York, do hereby proclaim May 19–25, 1969, as Steuben Society of America Golden Jubilee Memorial Week in New York State.

Given under my hand and the Privy Seal of the State at the Capitol in the City of Albany this thirtieth day of April in the year of our Lord one thousand nine hundred and sixty-nine.

By the Governor:

NELSON A. ROCKEFELLER.
ALTON G. MARSHALL, *Secretary to the Governor.*

Mr. BARING. Mr. Speaker, I wish to take this time to join my colleagues in honoring the 50th anniversary of the Steuben Society. I deem it a great honor myself to be a member of this society which is so dedicated to upholding the American Constitution and all for which it stands. It is a tremendous achievement for the Steuben Society today as it celebrates its golden jubilee as an organization of people deeply involved in the American way of life while their kinship is Germanic in nature.

However, this society goes even further than that as it strives continuously for a better way of life for all Americans, no matter what nationality.

The Steuben Society's national standing and long record of endurance must be witnessed today as one of the great hallmarks in the march of freedom for all people of the United States and great tribute should be paid to the society's efforts in aiding people elsewhere in the world.

The stalwart determination of the Steuben Society of America will preserve this society as one of the best supporters of the American Constitution as the society perseveres in spreading its adopted principles of unity, tolerance, charity, and justice throughout the life of the United States.

Mr. WYDLER. Mr. Speaker, the golden jubilee anniversary of the Steuben Society of America is being celebrated this

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spring. As a member of that splendid organization, I am extremely proud of the principles espoused by the Steuben Society, and of the record of patriotic achievement of the man for whom it was named.

General von Steuben was the German-born military adviser to George Washington who is credited with the successful training of the Continental Army. Joining Washington at Valley Forge in 1778, Von Steuben formed a model company of 100 men and personally undertook to drill it. The rapid progress of this company under his instruction has been said to have been the most remarkable achievement in rapid training for combat in the military history. General von Steuben, who became an American citizen 11 years before his death in 1794, has been called the maker of the American Army.

The Steuben Society is an organization of Americans of German origin and descent who are dedicated to "one country, a country so fair, tolerant, and just that all who live in it may love it; one flag, an American flag for American purposes only; and one language, the language of truth." It is an organization dedicated to patriotic ideals. I should like to pay tribute today to this great organization for its steadfast devotion to these American ideals.

Mrs. **DWYER**. Mr. Speaker, the 50th anniversary of the founding of the Steuben Society of America, which we commemorate today, is an occasion which is most worthy of recognition by the Congress of the United States, and so I am most pleased to join with other colleagues in extending to the officers and members of the society my congratulations upon the completion of a half century of service to our country and to Americans of German descent.

The role of voluntary citizens' organizations, Mr. Speaker, is an important one in our free society. The accomplishments of organizations such as the Steuben Society has contributed memorably to the growth and development of this "nation of immigrants" and have helped to assure that our people will continue to be blessed by the strengths which flow from diversity within unity.

The Steuben Society was founded by Americans determined to build an enduring organization, one which was based on principles as lasting as the U.S. Constitution. They chose these: unity, tolerance, charity, and justice. Today, 50 years later, these principles were never more contemporary, never more vital to a free and peaceful America, never more needed in the hearts and minds of all our countrymen.

The Steuben Society of America, Mr. Speaker, chose its guiding principles wisely. And the history of this distinguished patriotic society during the past five decades has amply demonstrated the commitment of its members to these purposes. On this notable occasion, therefore, I am proud to join in wishing them continued success and prosperity.

Mr. **HORTON**. Mr. Speaker, 50 years ago today, the Steuben Society of America was founded to build a new and lasting understanding between the people of the United States and the people of German origin.

The founders of this society were determined to build a new society, deeply rooted in the U.S. Constitution and dedicated to the principles of unity, tolerance, charity, and justice.

The Steuben Society, under the direction of the late Dr. Franz Koempel, the dean of the founders, concentrated its energies on the healing of wounds opened during World War I. The society worked hard for a just immigration quota in 1923 and has been actively involved with every revision of the law since.

The George Ellwanger unit of the Steuben Society in Rochester, N.Y., has been active over the years. Its membership includes many civic and community leaders.

One of the most energetic programs developed in recent years has been the Steuben Society scholarship program which recognizes outstanding students in Rochester area high school German language programs.

It is my pleasure today, Mr. Speaker, to join in recognizing the efforts of the National Steuben Society to preserve and strengthen our American way of life.

I was pleased to note that the distinguished Governor of the State of New York, Hon. Nelson A. Rockefeller, has singled out the Steuben Society for generous praise and recognition. His proclamation is worthy of the attention of all our colleagues:

Proclamation by State of New York

The Senate and Assembly of New York State have adopted a joint resolution requesting that I issue a proclamation in behalf of the Steuben Society of America. I am happy to comply.

The Steuben Society of America is a national patriotic society of persons wholly or partly of German descent, founded on May 19, 1919. The Society this year is celebrating its 50th anniversary.

In the words of the Legislature's Joint Resolution:

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Given under my hand and the Privy Seal of the State at the Capitol in the City of Albany this thirtieth day of April in the year of our Lord one thousand nine hundred and sixty-nine.

By the Governor:

NELSON A. ROCKEFELLER.
ALTON G. MARSHALL,
Secretary to the Governor.

GENERAL LEAVE TO EXTEND

Mr. **FEIGHAN**. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks in the RECORD on this subject.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

SURTAX AND INVESTMENT TAX CREDIT

The **SPEAKER** pro tempore. Under previous order of the House, the gentleman from Ohio (Mr. WHALEN) is recognized for 30 minutes.

Mr. **WHALEN**. Mr. Speaker—

I. BACKGROUND

A. THE PROBLEM

> In our view, the number one problem facing our domestic economy in 1969 is the threat of continuing strong inflation and the deepening of the inflationary psychology that has spread widely through the economy in recent months.

This statement, submitted on March 1, 1969, to the Joint Economic Committee of the Congress by the American Life Convention and the Life Insurance Association of America, echoes the concern of economists throughout the Nation.

At the end of 1965 the consumer price index stood at 109.9 percent of the 1957–59 price level. On March 31, 1969, prices had risen to 125.4 percent. This represents a 14.1 percent cost-of-living increase in 39 months. In 1968, alone, saw a 4.2 percent consumer price increase. An 0.8 percent rise occurred in March 1969, the greatest advance in any single month since February 1951.

B. "INFLATION"—DEFINITION

As I indicated in a speech delivered on the House floor on December 4, 1967, in an economy where supply and demand operate unimpeded—"perfect competition—economists describe inflation as an "increase in prices, employment, and production." However, in a society, such as ours, where supply and demand do not function perfectly, factors other than price may determine the total level of demand—and thereby production and employment. Thus, in 1958 we had the anomaly of rising prices and a concurrent decline in production and employment. For the purposes of this analysis, therefore, the use of the term "inflation" shall be restricted to the element of "price" only.

C. INFLATION—ITS CAUSES

In the context of the foregoing definition, economists attribute inflation to two sources.

First is "demand-pull" inflation. This occurs when the market demands more than the economy can produce. Like a lid which pops when a stove generates too much steam, prices, too, "explode" when the economy becomes overheated.

The second type is termed "cost-push" inflation. This exists when increased production costs—labor, materials, and so forth—are not matched by productiv-

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ity gains. If a firm produces a commodity whose demand is "elastic," that is, responsive to changes in price, it may have to absorb per unit cost increase—or close its doors due to declining profits. However, many large companies process nonsubstitutable products, such as food, steel, and so forth, whose demand, therefore, is not predicated solely upon price. In the case of these "inelastic" items, cost increases can, and are, passed on to the buyer in the form of higher prices.

D. CURRENT PRICE SPIRAL—THE CAUSES

Economists generally agree that the inflationary phase of the current business cycle, which commenced in earnest in late 1965, stems both from demand and cost influences. "Demand-pull" was the culprit in 1966. The sudden upsurge in Federal spending, caused by the acceleration of our Vietnam involvement, exerted great pressure upon an economy which was operating at near-optimum capacity—90.8 percent plant utilization in the second quarter of 1966, according to the Federal Reserve system.

Since mid-1967 we have faced a combination of "demand-pull" and "cost-push" forces. While our plant utilization, by March 1969, had declined to 84.1 percent, acute shortages still exist among certain professional and skilled labor categories. However, an unfavorable cost-productivity ratio during the past 2 years has had an even greater impact upon prices. In 1967, according to the Department of Labor's Output Per Man-Hour Index, total cost per unit of output rose 1.6 percent. Last year per unit costs advanced 3.3 percent.

E. COUNTER-CYCLICAL MEASURES

Having identified inflation's two principal causes, let us next consider its cures. Price stabilization is attainable through the operation—individually and in concert—of three forces.

First. Most significant, and yet most often overlooked, is the long-run reaction of the marketplace to price changes. It has been noted that there are impediments to a "perfect" supply-demand response to price movements. Yet the law of supply and demand has not been entirely "repealed"! For example, as prices climb, some citizens, especially those living on fixed income, suffer a reduction in purchasing power. As the rise becomes steeper, other markets decline. These include foreign purchasers, who can buy more competitively elsewhere, and certain domestic customers—such as Government workers and employees of small firms—whose wages do not respond rapidly to economic changes. Consequently, in the long-run "price" still serves the economy as an adjusting mechanism.

Second. Since the mid-1930's fiscal policy—"Government programs with respect to spending, taxing, and borrowing"—has been employed in our country as a stabilizing device. In periods of declining prices, production, and employment, "compensatory" fiscal policy requires that the Government stimulate the economy by "pumping" into it through spending programs more than it withdraws through tax collections. This calls for increased expenditures and/or reduction of tax rates.

Conversely, when inflation is rampant, Government programs should act as a depressant. Spending is restricted, although not necessarily reduced from the previous fiscal year, and/or tax rates are increased.

From the preceding it is apparent that fiscal policy's role is to influence aggregate demand. For this reason fiscal policy traditionally is more effective in dealing with demand-inspired inflation than countering price rises spurred by swollen production costs.

Third. Finally, central banks throughout the world utilize monetary policy as a counter-cyclical weapon. In times of depression, central banks will encourage economic expansion by making large quantities of money available at comparatively low rates of interest. The Federal Reserve system—our version of a central bank—accomplishes this by lowering discount rates, reducing member bank cash reserve requirements, and buying bonds in the open market, thus providing more reserves to member banks.

On the other hand, the Federal Reserve system attempts to combat rising prices by making less money available with which to buy. This is accomplished by employing such measures as increased discount rates, higher member bank cash reserve requirements, and open-market bond sales—thus causing the bond buyers' cash to flow from commercial banks to the Federal Reserve.

Unfortunately, Federal Reserve policy, in its application, is uneven in its effects throughout our economy. For instance, when a tight money program is invoked, its impact is felt initially and most heavily by the construction industry. Today, a decline in new housing starts, while helping to cool the economy, also may have unfortunate social implications at a time when a national housing shortage is beginning to emerge.

II. THE SURCHARGE

A. HISTORY—RECENT TAX LEGISLATION

As previously noted, tax programs, as a component of fiscal policy, are designed to achieve economic stabilization. In January 1963, President John Kennedy proposed reductions in personal and corporate tax rates. He argued that this would give the consumer and the businessman more disposable income—"income available for spending and/or savings after taxes." Since there is a human tendency to spend at least a portion of any additional income received—"marginal propensity to consume"—the economy would benefit from greater aggregate demand, the President reasoned, by the increased production and employment it would generate.

Upon his death President Kennedy's tax program was adopted by his successor, Lyndon Johnson. President Johnson shepherded it through the Congress and in 1964 achieved an $11.5 billion tax-reduction package.

As Sylvia Porter concluded in her June 13, 1968, column:

> With the income tax cuts of 1964, we came close to eliminating the gap between performance and potential. But the Vietnam war escalation in mid-1965 pushed the economy from balanced to unbalanced prosperity and added problems of price-wage inflation, domestic and balance of payments deficits, higher interest rates, skilled labor shortages.

Recognizing this growing threat of inflation, President Johnson, in his January 10, 1967 state of the Union message to the newly convened 90th Congress, recommended: "a surcharge of 6 percent on both corporate and individual income taxes—to last for 2 years or for so long as the unusual expenditures associated with our efforts in Vietnam continue." No action was taken by the Committee on Ways and Means to implement this proposal.

Seven months later, on August 3, 1967, President Johnson submitted a new tax program to Congress. The principal feature of the new plan was a temporary 10-percent surtax which "should be placed on corporate income tax liabilities, effective July 1, 1967" and "on individual income tax liabilities, effective October 1, 1967."

Commencing August 14, 1967, 11 public hearings were held by the Committee on Ways and Means. Testimony was presented by 54 witnesses. Once again no surtax bill emerged from this committee for House consideration.

On February 29, 1968, however, the House of Representatives did pass H.R. 15414, which, in response to the President's recommendations, extended telephone and automobile excise taxes and accelerated corporate income tax payments. In considering this measure several months later, the Senate amended it by including a 10-percent surtax on corporate and personal incomes, effective January 1, 1968, and April 1, 1968, respectively. Further, the Senate provided that Federal outlays be reduced $5 billion from the $186.1 billion budget estimate submitted to Congress by the administration.

On June 10, 1968, House and Senate conferees reached agreement on H.R. 15414, substantially adopting the Senate version. The conference report was approved by the House of Representatives on June 20, 1968 by a 268 to 150 vote and by the Senate on June 21, 1968, by a 64 to 16 margin. The President affixed his signature to this legislation—designated as the Revenue and Expenditure Control Act of 1968—on June 28, 1968, Public Law 90-364.

B. MY VOTE ON THE REVENUE AND EXPENDITURE CONTROL ACT OF 1968

I was among those 150 House Members who voted against the H.R. 15414 conference report. Several factors prompted this decision. Foremost was the fear of an "economic overkill" which could result as a consequence of combining a $25 billion fiscal "about face" with tightened monetary policy and the $2.8 billion social security tax increase scheduled for January 1, 1969. This view, which was shared by many other economists, perhaps was best expressed by columnist Joseph Slevin in the May 31, 1968, issue of the Washington Post:

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> They (top government economists) see the threat of a slow-down when they look ahead . . . The prime culprit will be the anti-inflationary tax boost and spending cut package the Congress is debating. . . . "That's a pretty grim package", an official warned. "It's going to be a case of delayed overkill. You have to worry about it".

There now are signs that the economy is beginning to "cool" slightly in response to passage of the Revenue and Expenditure Control Act of 1968. For example, at the end of the first quarter, 1969, six "leading" indicators were pointing downward. However, as I will indicate statistically in a subsequent paragraph, it is obvious that the fears of any serious economic slowdown have not materialized.

The 1969 recession projections were not borne out for two reasons.

First, monetary authorities, too, believed a downturn would result from the 1968 tax-hike-spending cut. Therefore, the Federal Reserve Board of Governors, in the last half of 1968, pursued an "easy money" policy which controverted Congress' tightened fiscal controls. While the Nation's money stock—currency and demand deposits—increased by an average of only 2.9 percent yearly between 1957 and 1968, money stock during the last 6 months of 1968 grew at an annual rate of 7.0 percent.

Second, consumers "did not get Congress' message." Whereas saving as a percentage of disposable income was 7.1 percent and 7.5 percent, respectively, in the first two quarters of 1968, the savings ratio dipped to 6.3 percent and 6.8 percent in the third and fourth quarters, respectively, of last year, and to 5.8 percent in the first 3 months of 1969. Thus, buying habits did not adjust to the reduced take-home pay occasioned by the 1968 tax increase. Instead, the consumer simply saved less.

C. PRESIDENT NIXON AND THE SURTAX

The Revenue and Expenditure Control Act of 1968, with its 10-percent surcharge, expires on June 30, 1969. On March 26, 1969, President Richard Nixon in a message to the Congress, advocated the retention of the surtax. He stated:

> I am convinced that the path of responsibility requires that the income tax surcharge, which is expected to yield $9.5 billion, be extended for another year.

The President also asked that the scheduled reduction in the telephone and passenger car excise taxes be postponed, and user charges equal in revenue yield to those now in the budget be enacted.

On April 21, 1969, the President modified his March 26, 1969, statement by proposing that the surcharge be reduced from 10 percent to 5 percent during the last 6 months of fiscal year 1970—January 1, 1970, to June 30, 1970. The resultant revenue loss, according to the President, would be recovered by the proposed elimination of the 7 percent investment tax credit—see section III for discussion of this issue.

D. THE ISSUE

Congress must decide prior to June 30, 1969, what to do about the surtax. The issue, as usually stated, is: "Should the 10 percent surcharge be extended?" However, a more appropriate delineation of the issue is: "Should Federal corporate and personal income taxes be reduced by 10 percent?" This, in effect, is what will occur if Congress fails to extend the surtax. Thus, the following analysis will be predicated on the effects of a tax reduction.

E. DOES THE ECONOMY NEED A STIMULANT?

As mentioned in section 1(e) (2), a reduction in tax rates is considered when the economy requires a stimulant. Thus, whether Congress should maintain present rates, by continuing the surtax, or lower them, by allowing it to expire, can only be decided after examining economic indices. Key current indicators for the month ending April 30, 1969, show the following:

First, total civilian employment in April was 77,605,000, an alltime high, 2,462,000 greater than the same month in 1968.

Second, the unemployment rate, as a percentage of the total civilian labor force, was 3.5 percent at the end of last month. This is the same level that existed in April 1968, although 0.2 percent higher than February 1969.

Third, average hours worked per week by non-agricultural employees in April was 37.8, the same as in the previous month and 0.5 hours more than in April 1968.

Fourth, average hourly earnings—adjusted to current prices—for non-agricultural workers was $2.99 last month. This is 1 cent more than March 1969, and a 19-cent jump since April 1968.

Fifth, total personal income in April 1969, moved to a $730.5 billion annual rate, an increase of $2.8 billion over the preceding month.

Sixth, total industrial production continued to climb in April. Last month's index stood at 171.5 percent of the 1957–59 average, seasonally adjusted, whereas in March it was 171.0 percent. A year earlier—April 1968—the industrial production index registered 162.5 percent of the 1957–59 base.

Seventh, March 1969—latest statistics available—saw continued expansion in new construction totals when expenditures reached an annual rate of $91.1 billion, compared to $90.9 billion in February and $85.3 billion in April 1968.

Eighth, the sales-to-inventory relationship remained favorable in March 1969. At that time the sales-inventory ratio was 1.54, the same as it was 12 months earlier.

From the foregoing, it is evident that the economy is in many respects more buoyant than it was in April 1968. A stimulant, therefore, in the form of a tax rate decrease most certainly would not be fiscally prudent at this time.

F. OTHER CONSIDERATIONS

There are three other factors which argue against a tax decrease now.

First, surtax removal, and thus a tax rate decrease, can be a productive countercyclical weapon when the economy shows softness, either as a result of cessation of Vietnam hostilities or from other causes. Thus, a tax cut should be saved until such time when it can be utilized more effectively.

Second, when there is a clear evidence supporting the need for an economic "hypodermic," the surtax can be quickly repealed. The present surcharge is designated as a "temporary" tax and, therefore, Congress can, and will, respond expeditiously to a call by the President for its elimination. The speed with which Congress can act in response to a tax cut request, as contrasted with a tax increase proposal, was demonstrated in March 1967, when only 7 days elapsed between the time President Johnson asked for a restoration of the investment tax credit and the time it took the House to pass enabling legislation.

Third, removal of the surtax at the end of next month would entail a deficit of $3.7 billion for fiscal year 1970. This amount then would have to be borrowed by the Federal Government at a time when the money market is severely overstrained—with the 7½ percent prime interest rate the highest since 1929. Continuation of the surtax, consequently, would relieve further pressure on monetary policy.

F. CONCLUSION

In the 12 months since the Revenue and Expenditure Control Act of 1968, the economic boon has showed few signs of abating. Thus, discontinuance of the surcharge at this time would not only provide an unneeded shot-in-the-arm to the economy but also would waste an antidepressant weapon which could be launched more effectively at some later date.

III. THE 7 PERCENT INVESTMENT TAX CREDIT

A. BACKGROUND

1. ORIGINAL PASSAGE 1962

In 1962 Congress, upon the recommendation of President Kennedy, enacted a measure designed to encourage business firms to modernize and expand their production facilities by investing in new machinery and equipment. The new law provided that a businessman could subtract from his annual tax bill 7 percent of eligible investment up to a maximum subtraction of $25,000 plus 25 percent of tax liabilities above $25,000. Any unclaimed credit in a given year could be used over the following 5 years.

According to President Nixon in his April 21, 1969, message:

> Since that time America has invested close to $400 billion in new plant and equipment, bringing the American economy to new levels of productivity and efficiency.

2. REPEAL, 1966

On November 8, 1966, President Johnson signed into law H.R. 17607, Public Law 89–800. He had proposed this measure on September 8, 1966, as an essential element in his antiinflationary program. At that time it became apparent to the President that, despite the Federal Reserve's restrictive monetary policy, 1966 business investment would increase by approximately 17 percent over 1965.

H.R. 17607 suspended for a 15-month

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period—October 10, 1966 through December 31, 1967—both the 7 percent tax credit on the purchase of machinery and equipment and certain allowable accelerated depreciation of industrial and commercial buildings.

3. RESTORATION, 1967

During the first quarter of 1967 there occurred in our country what economists now term a "mini-recession" during which real gross national product actually declined. Apparently in response to this economic downturn, President Johnson, on March 9, 1967, asked Congress, effective that date, to reinstate the 7 percent investment tax credit and the accelerated depreciation of certain industrial and commercial buildings. The President's stated reason, however, was:

> Although the demand for capital goods continues to be strong and at record levels, my Council of Economic Advisers informs me that it no longer threatens to strain our growing ability to produce.

H.R. 6950, which embodied Mr. Johnson's recommendations, passed the House of Representatives on March 16, 1967 by a 386 to 2 margin. After a 5-week nongermane discussion—on campaign contributions—the Senate, on May 9, 1967, approved H.R. 6950 by a vote of 93 to 1. Both Chambers, by voice votes, adopted a conference report on May 25, 1967, and the bill was signed into law—Public Law 90–26—19 days later by President Johnson.

4. PROPOSED REPEAL, 1969

In his aforementioned April 21, 1969, message to Congress, President Nixon urged repeal of the 7 percent investment tax credit. The President stated in his message of March 26, 1969:

> While a vigorous pace of capital formation will certainly continue to be needed, national priorities now require that we give attention to the need for general tax relief. Repeal of the investment tax credit will permit relief to every taxpayer through relaxation of the surcharge earlier than I had contemplated.

B. THE ISSUE

Congress now must make two fiscal decisions: First, the feasibility of extending, or allowing to expire, a revenue-yielding statute—the surtax; second, the desirability of repealing, or continuing, a revenue-loser—the 7-percent investment tax credit.

The primary surtax consideration is the probable economic effect of its termination. The investment credit presents two relevant issues: the economic impact of its removal and national priority considerations in the form of tax relief.

C. ANALYSIS OF ARGUMENTS

The case for repeal of the 7-percent investment tax credit is somewhat less persuasive than that for the surtax extension. In fact, there existed considerable division among administration economists prior to the President's April 21, 1969, investment tax credit decision.

Two principal arguments have been advanced in opposition to termination of the 7-percent investment credit.

First, there is the question of timing. Rescinding Public Law 90–26 will have no immediate effect upon inflation. After their receipt by the producer, capital goods orders require anywhere from 6 to 24 months to process. Consequently, any purchases placed within the last year are now "in the mill," with their resultant impact upon the economy. Obviously, production of these items will not cease merely with the repeal of the investment tax credit. Only future investment plans will be affected.

Furthermore, this delayed result ultimately may be felt at a time when the economy needs a fiscal stimulant rather than a depressant. As noted previously, this, in fact, occurred in March 1967, only 4 months following congressional revocation of the 1962 investment tax credit law.

Second, an important tool in the fight against inflation is increased worker productivity. As John O'Riley recently stated in the Wall Street Journal:

> Over the long pull, no force on earth has done more to hold down the prices of things people buy than has capital spending.

It is contended, therefore, that in the long run repeal of the investment tax credit will further, rather than diminish, inflationary pressures.

Those urging rescission of the 7 percent investment tax credit offer the following reasons.

First, aggregate demand has expanded, in large part, as a consequence of unexpected capital expenditure increases. In a letter to me dated March 6, 1969, Ralph D. Creasman, president, Lionel D. Edie & Co., states:

> You will note that the present survey ("Industrial Developments", February 28, 1969 issue) calls for an increase in manufacturing spending of 12 percent in 1969 over 1969. Our survey last September showed an intended increase of 8 percent.

Rinfret Boston Associates, Inc. in a bulletin dated February 25, 1969, point out that their "resurvey indicates that private industry now intends to spend about 13.6 percent more for plant and equipment in 1969 than it spent in 1968."

An increase in investment expenditures creates what economists call a "multiplier effect." This means that every dollar spent for capital equipment will be respent several times for consumer items. In order to dampen total demand, therefore, corrective measures should be directed toward the primary "agitator"—in this instance, capital spending.

Second, as mentioned earlier, only 84.1 percent of total plant capacity was being used by business firms at the end of March 1969. This strongly suggests that a portion of the 12–14 percent advance in investment spending is speculative, stemming from an inflationary psychosis—"if we don't buy it now, it will cost us more later." Curbing this speculative fever through revocation of the investment tax credit may, in the long run, rescue many businessmen from their own excesses.

Third, last year all taxpayers, corporations and individuals alike, were required to add 10 percent to their total tax bill. Yet for the last 6 years business firms have received relief in the form of a tax credit on their capital goods purchases. According to Congressional Quarterly, April 25, 1969, issue this subsidy "has cost the Treasury an estimated $14 billion in revenue from 1962, when it went into effect, through calendar 1968."

It is difficult to justify to many Americans, especially those in low and middle income brackets, why they now must accept a greater tax burden while, at the same time, businesses are accorded special tax treatment. Equity, consequently, would seem to dictate the removal, at least until the surtax can be eliminated, of the investment tax credit.

D. CONCLUSION—INVESTMENT TAX CREDIT

The weight of the evidence, in my opinion, calls for elimination of the 7 percent investment tax credit. Aggregate demand, and thus, inflationary pressures, will not diminish immediately upon termination of Public Law 90–26. Nevertheless, speculative investment, borne of a "buy it now" philosophy, should subside, thus avoiding needless, and perhaps damaging, plant expansion. More significant, however, is the greater fairness which repeal of the investment credit would bring to our tax structure.

IV. OTHER ISSUES

The foregoing analysis has been concerned solely with the economic consequences of actions involving the surcharge and the investment tax credit. However, when these two issues are discussed, two other topics—Vietnam and tax reform—often are interjected. Thus, I shall address myself briefly to these two questions as they relate to the surtax and the investment tax credit.

1. THE VIETNAM WAR

Some argue that voting for the surtax in 1968, and its extension in 1969, is an endorsement of our military involvement in Vietnam. True, the need for additional revenues stems, in part, from the expansion of the Vietnam conflict. While voting against the surtax may have some value as a "protest", two facts must be remembered. First, a negative vote will not end the war. Second, failure to extend the surtax will stimulate an already over-heated economy. Therefore, one problem, the war, would still exist and another, inflation, would be further aggravated.

2. TAX REFORM

In 1968 some of my colleagues stated that institution of tax reform would produce enough additional funds to make enactment of a 10-percent surtax unnecessary. The objective of tax reform, however, is not additional revenues. Rather, its goal is a more equitable distribution of the tax burden. It is probable, therefore, that the extra money derived from sealing "loopholes" will be more than offset by the extension of tax relief to low and middle-income families. Thus, true "tax reform" may result in fewer, rather than more, dollars to the Treasury.

Still others claim, with considerable validity, that it is inappropriate to mount a new tax on an already inequitable foundation. These persons conclude, therefore, that the surcharge should not be continued until meaningful reforms have been adopted.

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Hopefully, the forthcoming surtax-investment-tax-credit package will include some structural adjustments. However, time militates against formulation of a complete reform program prior to the June 30, 1969, surcharge deadline.

Those, such as myself, who are interested in a major overhaul of our tax statutes, then will be confronted with a dilemma. Should we support the extension of the surtax, hoping that later in the summer a more extensive reform measure will emerge from the Committee on Ways and Means? Or, should we allow the surtax to expire as our price for Congressional failure to bring meaningful reform legislation to the floor?

I prefer the former course for two reasons.

First, tax reduction, by failure to act on the surtax, would kindle the fires of inflation. Thus, those who we wish to help through tax reform actually would be damaged more by continued erosion of the dollar.

Second, based on its conscientious efforts of the past 3 months, I am convinced that the Committee on Ways and Means is serious in its stated intentions to bring a substantive tax reform bill to the House floor later this year. Since changes in tax statutes, as opposed to tax rates, will be permanent, the committee should be given sufficient time to complete its reform study.

V. SUMMARY

One might reasonably ask: "How can you justify your recommendation that the surcharge be extended in the light of your vote against it last year?"

If one accepts the principle of compensatory fiscal policy, as I do, timing becomes a decisive factor in the decision-making process. The fiscal issue confronting Congress now differs substantially from that with which we were concerned last summer. In 1968 we had to decide whether to increase taxes. This involved not only a consideration of the then existent economic conditions but, more important, required long-range projections into which a tax increase was programed.

In 1969 the question is whether to reduce taxes. In this instance, the immediate effects are of more concern than the long-run implications.

It is on this premise, therefore, that I base the following conclusions.

First, the tax reduction occasioned by a failure to extend the surtax would escalate inflationary pressures. The 10-percent surcharge should be renewed, therefore.

Second, while not contributing significantly to the current struggle against inflation, removal of the 7-percent investment tax credit will reduce speculative capital goods purchases and, concurrently, attain a more favorable balance between business and individual tax burdens.

Third, as indicated above, this position statement contains no long-range economic predictions. However, signs of a "slowdown" are emerging. It is probable that the massive fiscal and monetary retaliatory efforts against inflation, not to mention the reaction of the marketplace, in time will achieve a perceptible economic downturn. Such signals are easily and promptly discerned. At that time, not only could a tax cut be quickly produced, it also would be more beneficial in its implementation.

Fourth, the Committee on Ways and Means should continue to assign first priority to tax reform. It is inadvisable, however, to incorporate ill-considered statutory changes in surtax-extension legislation merely for the appearance of "tax reform." By the same token, allowing the surcharge to lapse until a comprehensive reform measure is forthcoming would impose on low- and middle-income families an economic hardship greater than the benefits accruing from statutory revision.

Fifth, the administration must intensify its efforts to bring an early end to our Vietnam involvement. When this is accomplished, tax cuts not only will be feasible but economically desirable. Too, funds then can be redirected to programs designed to cope with our more pressing domestic needs.

Mr. GUDE. Mr. Speaker, will the gentleman yield?

Mr. WHALEN. I am happy to yield to the gentleman from Maryland.

Mr. GUDE. Mr. Speaker, I would certainly like to commend the gentleman from Ohio for his excellent statement on the surtax and the investment tax credit.

In regard to the extension of the surtax, I was wondering if the gentleman from Ohio could comment on the question of whether this extension would yield the best results if it were linked with certain cuts in spending by Congress? I know this had been a subject of considerable comment and might well be something to be debated on the House floor in the near future.

Mr. WHALEN. I thank the gentleman for that question. I think it is a very pertinent one. As you know, in 1968 we did not only increase taxes by 10 percent but we also limited expenditures. Certainly, expenditures are a component of fiscal policy. Therefore, I would hope that we do place some kind of limitation on expenditures.

However, what concerned me last year was the fact that we did not list these limitations specifically but rather allowing the Bureau of the Budget and thus the President himself to make the final determination. I would hope, therefore, that if we have any expenditure limitation for the fiscal year 1970 that the Congress will specifically state what areas should be cut. I think to do otherwise would be a derogation of our responsibility.

Mr. GUDE. I assume, then, that the gentleman would prefer specific areas as possibilities for cuts in the budget, rather than the more problematic across-the-board cuts.

Mr. WHALEN. I would prefer to see specific cuts rather than across-the-board cuts, as I indicated.

At this time, however, I do not have any specific cuts to recommend. I certainly would make a very strong attempt to accommodate the gentleman, however, later on when I get in this specific area with more detailed study.

Mr. GUDE. I thank the gentleman.

Mr. SCHWENGEL. Mr. Speaker, will the gentleman yield?

Mr. WHALEN. I yield to the gentleman from Iowa.

Mr. SCHWENGEL. Mr. Speaker, I join in the accolade that has already been extended to the gentleman for talking to us on this very important question that is before the Congress. I have some ideas on this myself, and from time to time I have been speaking on them.

I am particularly interested in doing something about plugging loopholes which I think can do much to control the forces that cause inflation.

I commend the gentleman for his very fine statement, and I hope many of our colleagues will read his statement in the RECORD and hopefully respond to it.

JOHN CARDINAL WRIGHT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania, Mr. SAYLOR, is recognized for 5 minutes.

Mr. SAYLOR. Mr. Speaker, not long ago, I talked with a youngster whose father had just come home on leave after more than a year in Vietnam. "Is it not great to have your dad back home?" I asked. "Yes," the youngster said, "but he will have to leave next month and I do not know when I will see him again."

Today, the people of the Diocese of Pittsburgh are suffering a similar conflict of sentiment. John Cardinal Wright came home again after his elevation to the Sacred College of Cardinals in Rome, but next month he must leave to take up his new duties in the Vatican curia.

From the time that he was installed as bishop of Pittsburgh, there was no doubt that he was destined for an even more important mission, and the area has been fortunate to have enjoyed, for more than a decade, the presence of this man of brilliance, humility, piety, and of concern for his fellow human beings.

It was my own pleasure to have been associated with Bishop Wright, if only briefly, when we were recipients of honorary doctorates at St. Francis College in Loretto, Pa. I cherish this experience and consider it a double honor to have shared the occasion with Bishop Wright.

The Pittsburgh Catholic of May 9 devoted a large portion of its pages to the accomplishments of John Cardinal Wright. The RECORD should at least include this paragraph from a biographical sketch of the new cardinal.

> What everyone does not know is that there is also a private, unpublicized involvement—one that makes Bishop Wright available almost any hour of any day for any type of good work. He concerns himself about abandoned babies, unwed mothers, the disturbed and the distressed; he frequently visits the wake of strangers beset by tragedy, and his pocketbook opens generously to people in need.

Another column, "A Protestant View," in Sunday's Pittsburgh Catholic, is a report by the Rev. W. Lee Hicks, executive

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director, Council of Churches of the Greater Pittsburgh Area. This portion, too, must be preserved in the RECORD, for it comes from one of the ecumenical guests on Cardinal Wright's consistory trip to Rome:

> "We are here to witness one of the most significant moments in the life of a sister Church. In it all, we have come to recognize and appreciate meanings that are foreign to us, yet so real to Catholic brethren. We sense a spirit, an attitude and an openness that makes us wonder "why all the misunderstanding over the years?" We can see plainly the differences, but we can also see in the ceremony and the quiet moving of the Spirit of God the real unity that is ours in the deeper things of importance. We do serve the same Lord. We call all men to the same Christ. We look to the same Holy Spirit to lead us. And we see in the Church the movement and working of God. And we see in one another Christian brethren serving the same God in a little different way.

Mr. Speaker, the Pittsburgh Diocese and far beyond will deeply miss John Cardinal Wright, but all the world will benefit from his elevation to a position of universal influence. May God continue to guide him and care for him.

SCANDAL AT SBA—VI

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. GONZALEZ) is recognized for 10 minutes.

Mr. GONZALEZ. Mr. Speaker, if you had spent more than 2 years seeking a loan from the Small Business Administration, and if at last that loan came through, would you fail to pick up your check? You might if you had never needed the loan in the first place, but then if you had never needed the money you would not have campaigned for it so long and hard. You might fail to pick up your check if you thought that you might get more money by waiting.

If you had just received a study showing that you could have a much bigger company, would you complain? You might if you wanted nothing more, and had all you needed. You might also complain if you thought somebody was trying to steal you blind.

Mr. Speaker, a loan applicant at SBA did campaign for a loan for better than 2 years before he got it, and he did fail to collect his loan, not because he did not need the money, but because he thought he could get more by waiting. This applicant also complained when he received an SBA study showing that he could do great things, for the plain and simple reason that he believed his supposed benefactors were trying to steal him blind. Mr. Speaker, the special assistant to the Administrator of the Small Business Administration has publicly called me a liar. I am not in the habit of lying, and his scandalous conduct is beneath contempt; and if he can disprove what I am about to say to the House, then let him do it. I am ready to hear the facts.

Let him answer the questions, if he can. Let him produce the results of investigations. But let us have done with threats and bluster; let us have done with smokescreens and eyewash; let us have answers.

This functionary knows that I can be challenged in court, if he likes, because I have made my charges in public, not on the floor of the House; I made my charges in a press conference before I presented them on the floor of this House, precisely because I do not hide behind my immunity, and precisely because I am confident in my facts, and in my case. Let him sue, but let him answer the case I now offer.

Let us see who is lying. This factotum says that the Civil Service Commission investigated his background thoroughly before he took his job as special assistant to the Administrator. The fact is that no investigation on this man was even requested for a month after he was on the job, and indeed no investigation report was available until well after he was under a cloud of suspicion. It is not possible that this man was investigated before he took his job, unless the record submitted by the Civil Service Commission is false, and I do not think it is. If I am a liar with regard to this point, then the fault lies not on my shoulders, but on those of the Chairman of the Civil Service Commission, who wrote me as follows:

U.S. CIVIL SERVICE COMMISSION,
Washington, D.C., May 9, 1969.

Hon. HENRY B. GONZALEZ,
House of Representatives,
Washington, D.C.

DEAR MR. GONZALEZ: Reference is made to your letter of April 30, 1969, requesting information concerning Mr. Albert Fuentes, Special Assistant to the Director, Small Business Administration.

On March 3, 1969, the Small Business Administration gave Mr. Fuentes a temporary appointment for 30 days. On April 3, 1969, this appointment was converted to a Schedule C appointment, GS–15, Step 1, under the authority of Sec. 213.3332(b) of the Commission's regulations. An appointment of this type does not require prior approval of the Civil Service Commission.

The Small Business Administration requested the Civil Service Commission to conduct a full field investigation on April 4, 1969. The results of our investigation were forwarded to Small Business Administration on May 7, 1969 noting that there is a current investigation being conducted by the FBI.

Sincerely yours,
ROBERT E. HAMPTON,
Chairman.

Fuentes accuses me of embarrassing the President, the SBA and Congress, he even accuses me of embarrassing the chairman of the Banking and Currency Committee, the distinguished WRIGHT PATMAN. I am not the man causing embarrassment; it is Fuentes, because it is he, not I, who is entangled in a web of intrigue. If the Administrator of the SBA is embarrassed, it may be that it is because he was asked on April 26 to investigate the Fuentes matter, and although Fuentes claims the investigation is complete, I have never talked to any investigator. More curiously still the Administrator says that his files have all been turned over to the Department of Justice—not to the committee chairman who requested the study in the first place. If Fuentes is innocent, why should this information be denied to the chairman of the Committee on Banking and Currency? It is not I, and not the distinguished chairman, who is playing cat and mouse or hide and seek—it is the SBA. And if such games are embarrassing, let the players be embarrassed—not those who like myself are seeking only the facts.

These facts are not in dispute:

First, that Albert Fuentes set up two corporate names on February 28, 1969, and that 3 days later he assumed his post as assistant to the Administrator of the Small Business Administration.

Second, that Emmanuel Salaiz had an approved SBA loan in the amount of $10,000, which he did not collect and has not to this day collected.

Third, that Albert Fuentes caused a special study to be made of Salaiz' company, the E. & S. Sales Co. This study was performed by W. J. Garvin, a high ranking professional at SBA. Such a study as this—a complete economic outlook survey—has never to my knowledge ever been performed for a single loan applicant. What is more extraordinary is that a study would be made of a company whose loan was already approved and ready for disbursement.

Fourth, that the Garvin study was transmitted to Albert Fuentes on March 20.

Fifth, that Albert Fuentes and others met in the offices that Fuentes uses for a business address, and then and there demanded 49 percent of the applicant's business in return for a larger loan.

Sixth, that the applicant related all of this to the Federal Bureau of Investigation on April 22, and again to a notary public on April 24.

Seventh, that Albert Fuentes was seen frequently in the company of one Eddie Montez, who admits to having what he deems to be influence to sell—for a price.

Eighth, that Albert Fuentes beyond any shadow of a doubt was in the meeting, and that it was in an office address he claims for himself, with people he is known to associate with, with extraordinary documents he claimed to have by sheer coincidence, and witnessed the loan applicant being asked for 49 percent of his company in exchange for an SBA loan. Is it not strange that the special assistant to the Administrator of SBA can calmly witness one man brutally shaking another down, and then flying off with him into the blue later that night, never asking a question or having a second thought. How could he have done this unless he were amoral, insensitive, or expected to gain personally from it, or all three? But this is no more unusual than the fact that this man can gratuitously insult me, and then claim that he must refrain from politics because he is covered by the Hatch Act. Nor is it any more unusual than the fact that Fuentes claims to have filed four statements in his defense with the Committee on Banking and Currency—statements which the chief counsel of the committee informs me have not reached him as yet, if indeed they exist at all. Neither is it any more unusual

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than the game of cat and mouse being played with the facts discovered by various investigations into this affair.

Fuentes claims that he was trying to help develop minority business enterprise. It has long been said that the last refuge of a scoundrel is patriotism. This man is now defending his actions on the ground that he was helping what he calls "la raza"; he is appealing to his loyalty to "la raza." Mr. Speaker, that is his right and his privilege, but it is no defense; one does not help people by taking their livelihood away from them. One does not help a friend by delivering him to vultures, or by being a vulture.

Mr. Speaker, this entire affair is rife with scandal. I believe that every effort must be exerted at once to clear the air and determine the truth. And in the meanwhile I think that this man Fuentes should be suspended from the further conduct of his duty. Let the Administrator show his concern for the good name of his agency by acting at once, and let Fuentes show his good faith by producing more facts and less fiction, more integrity and less bluster, and more forthrightness and less malevolence.

OMNIBUS SOCIAL SECURITY LEGISLATION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. Tunney), is recognized for 10 minutes.

Mr. TUNNEY. Mr. Speaker, I have introduced legislation to amend the social security act to bring the program more in line with the immediate needs of our senior citizens.

My bill would do the following:

First. Increase social security benefits immediately by 15 percent and raise the minimum monthly benefit to $75.

Second. Provide automatic increases in social security benefits in order to reflect cost of living increases.

Third. Increase benefits for certain individuals age 72.

Fourth. Increase from $1,680 to $3,600, the amount of annual outside earnings permitted without loss of social security benefits.

Fifth. Extend medicare benefits to individuals aged 62 and to the disabled.

Sixth. Provide medicare coverage for prescribed drugs.

Seventh. Allow all medical expenses for the elderly to be tax deductible.

It is important that the social security program be continually updated. Increasing numbers of our population join the ranks of the senior citizens each year. An American born in 1900 could expect to reach his 40th birthday, while an American born today can expect to reach his 70th. There are now about 22 million Americans who are 65 or over, comprising 10 percent of our population, and exceeding the combined population of 20 States.

By the year 2000 the United States will have over 28 million senior citizens, a 40 percent increase. The State of California alone will have over 2½ million senior citizens by 1985—an increase of 1 million.

Yet, too many older Americans are forced to live at or below the level of poverty because of inadequate social security. Eighty-five percent of the elderly have annual incomes of less than $2,500 and 66 percent receive less than $1,500 a year. More than 5 million senior citizens live below the poverty level and 10 percent or over 2 million, are teetering on the brink of poverty.

It is estimated that an immediate 15 percent increase in social security benefits along with a $75 monthly minimum would help to move 1 million senior citizens out of poverty.

The time for putting social security benefits on a more realistic basis is long past due. The cost of living has increased 25 percent since 1954, and those on fixed incomes have taken the hardest pounding from this increase.

I believe that automatic social security increases tied to the rising cost of living will help to insure that senior citizens can maintain their living standards commensurate with the rest of the Nation. However, I want to make it clear that this provision should not preclude necessary periodic increases in benefits.

The increase in the amount of allowable outside earnings would help senior citizens continue to remain active. This provision would make meaningful current efforts to utilize senior citizens in community activities. I have introduced legislation to establish under the Older Americans Act of 1965, a national senior service corps to assist in such efforts. From experience I know that many senior citizens can and want to make meaningful contributions to their local communities.

Although medicare has provided considerable protection, senior citizens still suffer from ever spiralling health and drug costs. The elderly spend three times more for drugs than those under 65. Those 65 and older spend over $600 million for prescribed drugs and millions more for nonprescribed drugs. Over 4 million elderly each spend more than $100 a year for medicine, while 600,000 elderly spend in excess of $250 annually. An estimated 80 percent suffer from an illness or disability of some kind. Modern medical care can alleviate or control most of their illnesses but only at a heavy price. For those age 65 or older, per capita expenditure for personal health care rose 15 percent, from $423 in fiscal year 1966 to $486 in fiscal year 1967. Since World War II, prices for medical services have risen 129 percent.

I, therefore, feel that it is necessary to bring all costs of prescription drugs under medicare, and allow all medical expenses to be tax deductible for our senior citizens.

Medicare coverage would also be extended to the disabled. Since their earning power is greatly diminished they must be provided proper medical care. My bill also lowers the eligibility age for medicare to 62.

The enactment of an omnibus social security bill is vital. Our senior citizens have made great contributions to our Nation's progress, yet many are now receiving little thanks and even less benefit for their efforts.

We must rededicate ourselves to make it possible for them to enjoy more fully the results of their most productive years. It is estimated that fiscal year 1969 will show a gross national product of $921 billion compared to $789.7 billion in 1967. This omnibus social security bill must be promptly enacted to enable our Nation's elderly to benefit from our growing economy.

TUFTS PROFESSOR WHO SAW RED TAKEOVER IN CUBA HAS WARNING FOR AMERICANS

(Mr. McCORMACK (at the request of Mr. Albert) was granted permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. McCORMACK. Mr. Speaker, in my extension of remarks I inclose a letter written by Ernesto E. Blanco, associate professor, Department of Engineering and Graphics and Design, Tufts University, Medford, Mass., which appeared in the Boston Herald-Traveler of May 5, 1969.

Professor Blanco pointedly states in his letter the type of conditions that happened in Germany and Cuba. I include the informative letter of Professor Blanco in my remarks because what he stated therein is so applicable to some of the conditions of today and in relation to organized minority actions in some colleges and universities:

The Herald Traveler's Reader: Tufts Professor Who Saw Red Takeover in Cuba Has a Warning for Americans

To the Herald Traveler Editor:

I have been at that distinguished university frequently and had several friends on its faculty, but that day's visit produced an unforgettable impression in my mind. The once quiet intellectual atmosphere was gone. The austere buildings had been desecrated, covered with signs and slogans. The large crowds milling around the main yard, shouting Marxist slogans, threats, and demands, were quite different from those of previous times. They were an unkempt rabble, boisterous, filthy, and foul-mouthed. Their group leaders wore red armbands and continuously issued orders. At intervals they coached their followers to shout demands, and chant cliches, sometimes working them up to a frenzy. A group was busy tearing up a flag brought down from one of the buildings to fashion armbands. All around rioters frequently raised their clenched fists in the familiar Marxist sign of victory.

I made my way toward a dazzled, frightened gentleman whom I recognized as a professor of social science who also taught at our institution nearby. He was half-leaning against a column holding his right arm. Looking at me without seeing me he kept mumbling, why, why, why? He was bewildered and obviously injured. After a while, he recognized me and advised me to get out. He explained that moments before a crowd had evicted him from his office, physically beaten him, and shoved him down the entrance steps where he had tripped and fallen. He said that in the group that attacked him were many that were not students.

By that time the revolutionaries had seized some buildings and were shouting through loudspeakers the familiar Marxist rhetoric: "Freedom now"; "Let the fascist

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pigs come out, we will take care of them"; "Lenin won, Mao won, Castro won and we shall overcome." The clenched fists were again raised and more similar slogan shouted.

Berkeley? Columbia? Harvard? No. The place was Havana University in mid-February 1959.

Rioting had erupted several days before, caused by students' demands of dismissal against members of the faculty and administration known for anti-Communist views. Public trials for treason were demanded and obtained. Several professors were imprisoned under accusations of treason followed by kangaroo trials. Others like my friend had found it impossible to believe the magnitude of the perversion.

Most of the top revolutionary leaders were faculty members of long standing Marxist-Leninist militancy who, protected by their academic immunity, had always operated freely within the university and were tolerated as nothing but "odd balls." Others had carefully concealed their real views until the takeover took place. Personal vendettas and abuses followed in an orgy of purges, vilification, and frequent physical attacks. Through such "cultural revolution" the complete "restructuration of the university" was accomplished along Marxist-Leninist lines. The essential first step in the establishment of totalitarianism had been successfully taken and academic freedom ruthlessly stamped out. The situation was identical to the elimination of the Jewish intellectual class in Nazi Germany.

In the meantime, our University of Villanova was militarily occupied and closed down. All degrees issued were invalidated as "punishment" for having remained open during Batista's regime.

With the elimination of anti-Communist faculty members through underhanded tactics, intimidation, terrorism, and overt persecution the country was deprived of intellectual balance and democratic leadership. The way was thus opened for the destruction of the productive middle classes and the subjugation of the masses.

Looking back to that nightmare I shudder to see the ominous similarities with events occurring at American universities today. The red clenched fists in posters displayed at Harvard, the same vicious Marxist rhetoric and slogans; the red armbands worn by many who do not fathom their hidden original meaning; the cries of "We shall overcome," initially heard in Spanish as "Venceremos" in the Havana of 1959; the extensive use of loaded words like "power elite," "fascist pigs," "establishment," "American imperialism," "the movement," "class struggle," most of which have now become staple words used by many ignorants who do not know Marxist-Leninist standard semantics. All are symptoms which when taken in isolation mean very little but when put together reveal clearly the Marxist syndrome.

Tufts has been so far spared the violence suffered by other institutions, but the ferment is all too visible. SDS is the vanguard of the "movement." Its close ties with the Progressive Labor Party, a Maoist organization, have been abundantly exposed. Recently Gus Hall, secretary general of the Communist Party of the United States, was quoted as having said that his campus goals were being achieved through SDS. Every goal of SDS coincides with the orientation laid down for the party in its paper, the "Daily World," which can be purchased at Harvard Square for a few cents.

I will be vilified beyond recognition by some of my colleagues for writing this, but I'll be damned if I am going to sit idle and silent while all this is going on around me. I have seen too many ignorant or cowardly people receive a bullet in the neck with their hands tied at the back because they did not want to "get involved" at the right time.

It is absolutely shameful that a foreigner has to take up the defense of this country's integrity and ideals while so many well qualified Americans feel neutralized into impotence by the fear of becoming unpopular while their nation so clearly goes down the road to chaos, destruction, and eventual totalitarianism.

ERNESTO E. BLANCO,
Associate Professor, Department of Engineering Graphics and Design, Tufts University.
MEDFORD.

HELPFUL POLICEMAN

To the HERALD TRAVELER EDITOR:

In these days when very few people have a good word for the police, I was agreeably surprised to meet Patrolman Whalen of the State Police, Norwell Barracks.

I had a breakdown on the Southeast Expressway at Weymouth at night, and without his assistance I would have been lost. With the help he gave me I was back on the road again in one-half hour.

He got me out of a very dangerous situation in a very short time; and, less important, saved me a great deal of expense. He was extremely courteous and helpful to me, and I think his actions reflect the attitude of most of the State Police that I have met.

JOHN J. BROUGHTON.
MARSHFIELD.

EXEMPTION FROM LIMITATION

(Mr. DANIELS of New Jersey asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. DANIELS of New Jersey. Mr. Speaker, I rise in support of a bill I have introduced today to exempt the Railroad Retirement Board from the limitations imposed by Public Law 90-364.

The railroad retirement system is fully funded by the taxes paid by the employees and the carriers in the railroad industry. No part of the administrative cost of the system, including staff salaries, is borne by the Federal Treasury.

The Railroad Retirement Board, along with all other executive branch agencies of the Federal Government, is subject to the provisions of the Revenue and Expenditure Control Act of 1968, Public Law 90-364. Under this statute, the Director of the Bureau of the Budget is authorized to reassign vacancies among the agencies to achieve an overall reduction of Government positions in an amount equal to the appointment of not more than 75 percent of the permanent positions becoming vacant after June 30, 1968. This restriction is to apply until the employment total is reduced to the level of June 1966.

Since September 1968, the Railroad Retirement Board has been instructed to fill not more than 70 percent of the positions becoming vacant. By September 1969, unless this restriction is lifted, the Railroad Retirement Board staff will reach the June 1966 level of 1,661 employees.

This restriction in hiring works a special hardship on the Railroad Retirement Board and necessitates a most inefficient and costly operation of a system which is financed completely by private funds.

First. The June 1966 employment by the Railroad Retirement Board represents the low point in the Board's employment history. After a long series of staff contractions, permanent employees were reduced from 2,397 as of June 30, 1958, to 1,661 as of June 30, 1966.

Second. Following this voluntary reduction in staff, the Board has been required to handle substantial new work loads arising from the passage of a series of amendments to the Social Security and Railroad Retirement Acts.

Compliance with the recruitment restrictions applied by Public Law 90-364 has forced the Railroad Retirement Board into highly inefficient practices aside from the diseconomies of the present operation. The Board is falling further and further behind in processing the claims for benefits to which the employees and members of their families are entitled by law. Despite continuing and regular overtime employment, which has long since reached the point of diminishing returns in productive work, the backlog of unprocessed claims continues to grow and the dissatisfaction of those entitled to receive prompt attention on their claims becomes greater.

The Railroad Retirement Board, closely watched by railroad management and railroad labor in its enviable administrative performance, now experiences a 400-percent increase in the delay of handling initial retirement and survival claims pending more than 60 days from filing. There is a 1,100-percent increase in the number of claims pending more than 120 days. Unless the restrictions of Public Law 90-364 are lifted, this situation will continue to worsen.

Mr. Speaker, for the reasons which I have outlined I urge early consideration of this vitally needed piece of legislation which will cost the taxpayers nothing. I hope all of my colleagues will join me in supporting this badly needed exemption.

CONGRESSMAN FRANK ANNUNZIO SUPPORTS H.R. 6808 AND S. 408—BILLS TO IMPROVE THE VETERANS' BENEFIT LAWS

(Mr. ANNUNZIO asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. ANNUNZIO. Mr. Speaker, over the years this country has established a system of veterans' benefits which is both comprehensive and well-designed. The two veterans' bills before the House today, H.R. 6808 and S. 408, do not make dramatic innovations in that system; they do, however, make a number of highly significant changes in present programs.

One of the reasons why our veterans' benefit system has been so successful is the continuing attention which the Committee on Veterans Affairs under the able leadership of its distinguished chairman, Hon. OLIN E. TEAGUE, of Texas, has paid to each of our veterans' programs so as constantly to improve and update them. H.R. 6808 and S. 408 are good examples of that continuing attention; I am very pleased to support both of these bills.

H.R. 6808 amends some of the provisions relating to the educational assistance available to veterans under the GI bill. One of the main sections of H.R. 6808 is concerned with the prohibition in the law against duplicate Federal payments. Under present law, an individual is not permitted to get an educational allowance from the Veterans' Administration at the same time he is receiving similar assistance under any other Federal program. In view of the increasing Federal role in this area, the restriction as it now stands has proved to be too broadly drawn. For example, it means that a veteran who wants to participate in a retraining program under the Manpower Development and Training Act must do so without getting the veterans' benefits to which he would otherwise be entitled even though the total allowances from both sources can hardly be called lavish. H.R. 6808 would correct this type of situation by removing the general restriction against any sort of dual benefits and replacing it with a limitation aimed only at certain clearly unwarranted duplications of payment involving veterans who are also full-time employees of the Federal Government.

H.R. 6808 also makes a number of other changes in the law governing educational assistance for veterans and their dependents. Without going into the fine details of all the provisions, it can be said in general that they are designed to make the GI bill a sharper and better law. For example, some of these provisions clarify and establish a greater degree of uniformity in those sections of the law which attempt to make sure that a valid educational or vocational objective is served by the allowances paid.

The other veterans' bill before the House today is S. 408. This bill deals with a number of the provisions designed to assist veterans and obtaining adequate housing.

One of these provisions authorizes the Veterans' Administration to make grants to certain severely disabled veterans who require specially adapted housing. Since this program was started in 1948, about 10,000 veterans have received such grants. At present, however, the maximum amount that may be paid under this provision is $10,000. S. 408 would raise this limit by 50 percent to $15,000. In addition, the bill would expand the coverage of the program to permit these grants to be made to certain veterans who are presently ineligible even though their disabilities are so severe as to make it impossible to get around without resorting to a wheelchair.

Other sections of S. 408 update the direct loan and loan guaranty provisions of the law. At present, there is a general limit of $17,500 on the amount that the Veterans' Administration may loan a veteran who is unable to obtain a VA loan from a private lending institution. S. 408 increases this limit to the more realistic figure of $25,000. The bill also revises part of the law governing VA loan insurance so as to make it possible for veterans to purchase homes in some of the new types of housing developments.

Veterans' programs, like many other things, are affected by the passage of time in two ways. In one respect, time sees the circumstances surrounding the programs change; prices, for example, tend to go up and in so doing may make unrealistic the dollar limitations originally enacted. The passage of time also gives increased experience in the operation of programs and brings to light areas that require change even apart from any consideration of new circumstances. Both of these factors have operated to disclose problem areas where improvement is needed in our programs of educational assistance and housing assistance for veterans.

H.R. 6808 and S. 408 represent prompt and effective answers to those problems, and deserve the bipartisan support of the Congress. I, therefore, urge the early enactment of this legislation.

CHARLES SIRAGUSA DEVOTES LIFETIME OF SERVICE TO THE PUBLIC INTEREST

(Mr. ANNUNZIO asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. ANNUNZIO. Mr. Speaker, it gives me great pleasure today to call to the attention of my colleagues a speech given by Mr. Charles Siragusa on his retirement as executive director of the Illinois Crime Commission, in which capacity he served for over 4 years.

Prior to his service with the Illinois Crime Commission, Charles Siragusa was Deputy Commissioner of the U.S. Bureau of Narcotics. He served for 28 years with that Bureau and with the Immigration and Naturalization Service.

He is a recipient of the U.S. Treasury Department's highest award, the Exceptional Civilian Service Honor Gold Medal, and also the Secretary of the Treasury's Special Award for Distinguished Service Against Organized Crime, the Colombo Award of 1960 as the Italian-American of the year, and he has been knighted by the Italian Government and included in "Who's Who" since 1963.

Mr. Siragusa also was a charter member of Governor of Illinois Otto Kerner's Committee on Criminal Justice, was a member of Governor of Illinois Richard Ogilvie's Illinois Law Enforcement Commission, and from May to August 1951 served as chief investigator of the Senate Subcomittee to Investigate Crime in Interstate Commerce.

Mr. Siragusa holds a bachelor of science degree in education from New York University, and during his many years of public service, has dedicated himself completely to the cause of law enforcement.

On February 29, 1969, Mr. Siragusa left his position as executive director of the Illinois Crime Commission. He has now taken on a new assignment, as vice president in charge of customer relations with the Gunthorp-Warren Printing Co., located at 123 North Wacker Drive, Chicago, Ill., in my own 7th Congressional District.

I would like to extend my best wishes to Mr. Siragusa for abundant good health and continuing success in his career, and to include at this point in the CONGRESSIONAL RECORD the text of the speech he gave on the occasion of his retirement from the Illinois Crime Commission. The speech appeared in the April 1969 issue of the "Illinois Police Association Official Journal," and appears here in its entirety, as follows:

SIRAGUSA BIDS FAREWELL: "I RELISHED EVERY MINUTE"

(By Charles Siragusa)

(EDITOR'S NOTE.—The following farewell address was delivered by Charles Siragusa at a dinner honoring him for his exceptional work as the Executive Director of the Illinois Crime Commission. Present were the various leaders of the Legislature, State Officials, and civic leaders of the City of Chicago, as well as representatives of the law enforcement field.)

Mr. chairman, reverend clergy, honored guests, distinguished ladies and gentlemen, friends.

Thanks very much for the beautiful plaque and for this memorable occasion.

Tonight I come to the end of one road and the beginning of another. The old road was bumpy in spots. I still have a few lumps to show for it, but I relished every minute of it.

I can only hope my new association with the Gunthorp-Warren Printing Company will be just as rewarding.

I commend the members of the program committee, my Commission co-chairman Senator Ev Laughlin and Jack Cassidy; my dear friends Mrs. Niehoff, Al Gallo, Bob Walker and Ed McElroy.

I wish to express my appreciation to the members, past and present, of the Illinois Crime Investigating Commission for their splendid support these past five years, and to voice my highest esteem and admiration for those gentlemen.

I am especially indebted to the loyal, dedicated and courageous efforts of our staff. My sincerest best wishes to my successor Bob Walker.

For the outstanding cooperation of the Chicago Police Department and the Illinois Department of Public Safety—who assigned some of their finest police officers to work full time for the Commission—I shall always be grateful.

I also wish to acknowledge my thanks for the support of Governor Richard B. Ogilvie, former Governors Samuel H. Shapiro and Otto Kerner—my gratitude for the assistance of Attorney General Scott and former Attorney General Clark—for the support of the Illinois legislature, and to the majority and minority leaders of both houses.

To all the public officials and employees in city, county governments within the State of Illinois, with whom we enjoyed excellent relations, I also extend warm thanks.

To the news media I express appreciation for their fair and accurate reporting of our activities. I would particularly salute the dynamic Chicago news media for their penetrating coverage of organized crime, and their investigative reporting, which in my judgment reflect public service of inestimable value.

Finally, but perhaps of greatest importance to me, my warm thanks to the people of this great state. They have been most generous in their encouragement of our activities.

My views concerning organized crime are rather well known. Consequently, I will not dwell on that topic.

When I was approached by Commissioner Dave Bradshaw in the fall of 1963 to consider the position of Executive Director, I

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received all kinds of gratuitous advice. I was told that I would not last more than six months.

I was told by my eastern friends that the Hollywood image of Al Capone still prevailed—Chicago was still the land of the St. Valentine's Day Massacre.

Once again the "image makers" ran true to form. They were dead wrong. What I found in Chicago was a home. I found my kind of people, the squares.

The squares who do not fit neatly into groups of angle players and corner cutters. People with old fashioned ideas of honesty, loyalty, courage and thrift.

I found people who gave overwhelming support to the Mayor for his courage and resolve during the Democratic National Convention. I would like to talk to that point, if I may.

Our cities, universities and our nation are at this very moment, engaged in a war for survival. A struggle for men's minds and souls. A war more definite and terminal than any war ever fought with guns, bullets and bombs.

The penalty for defeat is the destruction of the American way of life.

The disorders that plague our college campuses and our cities must be stopped.

This was the stand taken in August 1968 by the city administration under the courageous leadership of Mayor Richard J. Daley, with the overwhelming support of the citizens of Chicago, and the State of Illinois.

We all know what followed. The shotgun blasts of snide criticism from all over the country compounded the false image.

The national wave of editorials, written and oral, calculated to create and foster that unjust image. All so incredibly untrue.

We were bombarded about the virtues of the new left—the so-called activist groups—the Students for a Democratic Society. What a traversty upon semantics! A Democratic society, my foot. Their members are political, social, economic and patriotic dropouts.

The problem in the universities too often lies in the absence of leadership within the school administrations. What in the world is wrong with them?

It is the primary duty and responsibility of leadership to provide and maintain order, not to be intimidated by militants who conspire to disintegrate respect for law and to deny equal justice for all.

A growing number of university administrators and public officials understand these elementary truths, as evidenced by the recent notice issued at Notre Dame by Father Theodore M. Hesburgh: "Any student or professor who seizes a building will be given 15 minutes of meditation to cease and desist. Those who pursue their criminal course will then be suspended, expelled or arrested. Thereafter, the law will deal with them."

President Nixon's recent endorsement of Father Hesburgh's forthright ultimatum reflects the gravity of the problem and the country's demand to put a stop to this nonsense on the street and campuses alike. The country is fed up with it.

The laws are already on the books. Enforcement is the key. Eldridge Cleaver is in self-imposed exile. Tom Hayden was convicted. Jerry Rubin was convicted. Huey Newton is in prison. The list is growing. The squares are winning, slowly but surely.

It now becomes crystal clear. Too many months already have been wasted in trying to reason with unreason. Nothing more can be gained by excess of demands which parallel extortion and blackmail.

The line is clear. Everyone comprehends the difference between peaceable protest and lawless anarchy. One is the antithesis of the other. It is as simple as that.

Today Chicago is the most progressive city in America, and indeed the world. It has earned, and will retain, that distinction because of its great leadership, but more particularly because of its people. Political partisanship has not divided our unanimity against those who would rip up our streets and our campuses, in abject disregard for the rights of the majority.

We are people who are for participation and against sitting life out. For simplicity and against the sophistication which would excuse, condone and legitimize unlawful conduct—for laughter and against snickering and obscenity—for the direct and against the devious.

We favor education and are against the pretense of learning—for building up and against tearing down—for peaceful change—for America and against her enemies.

JUSTICE DEMANDED OF SUPREME COURT

(Mr. RARICK asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. RARICK. Mr. Speaker, if the whitewashers think that disposing of Abe Fortas will suffice to appease the American people, they are mistaken. Financial involvement and influence spheres continue to unfold implicating additional Federal judges. Justice Abe Fortas was but the king-bolt to the judicial marketplace.

Chief Justice Earl Warren, this Sunday, May 18th, accepted a stone appreciation plaque from a special interest group here in Washington. For what and when earned? Warren, deeply ridden with feelings of guilt, exposed his awareness of impropriety when he commented:

> When I agreed to come here I thought I would be in retirement and not need to be so strict about such things.

The question immediately arises: Just what did the Chief Justice do, and who did he show partiality to in order to gain such special recognition? As Chief Justice of the Court he and his work belonged to all the people, that is, if he followed the law with solemn impartiality. It is, of course, merely coincidental that May 17 marked the 15th anniversary of the infamous Brown against Topeka Board of Education case—but it suggests reward for biased judicial decisions on prejudged facts—unmitigated whether retired or not.

Justice Douglas is now revealed as the recipient of $72,000 for services or prestige rendered the Parvin Foundation which is linked to gambling dens in Las Vegas.

The Fortas case is not yet swept under the carpet. Even the Washington Post carried a Sunday lead editorial entitled, "The Fortas Case Cannot be Closed."

The confidence of the American people in the Federal judiciary cannot be restored until Abe Fortas' resignation is followed by a like departure of Earl Warren, William Douglas, and William Brennan.

Mr. Speaker, various news clippings follow my remarks:

[From the Washington (D.C.), Daily News, May 19, 1969]

DOUGLAS PAID $72,000 BY PARVIN FOUNDATION

Between 1962 and 1968, Supreme Court Justice William O. Douglas was paid $72,000 for his advice on how to spend about $450,000 in charitable contributions made by the Parvin Foundation, a tax-exempt institution partially financed by an interest in a Las Vegas gambling hotel.

Justice Douglas' association with the foundation, which ignited a flurry of controversy when first revealed two years ago, has come under renewed public and congressional attack in the wake of the resignation from the Supreme Court of his fellow associate Justice and protege, Abe Fortas.

In Congress the question is being asked whether Mr. Fortas' acceptance, but later return, of a $20,000 fee from the family foundation of jailed financier Louis E. Wolfson is much different from the $12,000 a year Justice Douglas earns as president of another foundation created by a man once named by the government as an alleged co-conspirator with Wolfson in a stock manipulation case.

That man is Albert Parvin, former president of the Parvin-Dohrmann Co., a firm that originally supplied equipment for hospitals and other businesses but later acquired interests on the Las Vegas gambling strip. Mr. Parvin set up the foundation—principally supported by an interest in the Flamingo Hotel in Las Vegas—in 1960 after reading a book by Justice Douglas.

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He asked Justice Douglas to serve as president and director and Justice Douglas, according to another director, ex-newspaper editor Harry S. Ashmore, named a board to guide the foundation's activities.

Most of the activity over the last six years has centered on Justice Douglas' own pet project of stimulating the understanding of Western culture in Latin America's underdeveloped nations thru granting fellowships to promising young scholars from "emerging nations."

Besides the original Flamingo Hotel interest, the foundation owns shares in Parvin-Dohrmann which, in turn, owns the Aladdin, Fremont and Stardust hotels' casinos in Las Vegas.

BAKER LINKS

In 1965 when the Fremont casino was purchased by Parvin-Dohrmann the agreement stipulated that Edward Levinson, then an officer of the Fremont casino, was to be paid $100,000-a-year for five years. Mr. Levinson invoked the Fifth Amendment against possible self-incrimination when called before a Senate Committee investigating the dealings of Robert G. (Bobby) Baker, former secretary of the Senate who later was convicted on several criminal counts.

Mr. Levinson was a co-stockholder with Baker in the Serv-U Corp., a vending machine firm from which some of Baker's troubles stemmed. The firm's counsel during part of the Serv-U case was Mr. Fortas.

The Parvin Foundation, it was learned, also hired Mr. Fortas' wife, attorney Carolyn Agger, in 1966 to look at its tax situation at a time when the IRS had begun an investigation of the foundation.

Mr. Ashmore said Mrs. Fortas employed the services of an independent auditing firm which proved nothing was wrong in the foundation's tax returns. Mr. Ashmore said he believes the IRS was satisfied because no action against the foundation ever was taken.

He said the difficulties with IRS apparently stemmed from the foundation's stock portfolio, which was being managed by a finance committee headed by Mr. Parvin. It was about this time that the foundation, in its 1966 returns, finally reported to IRS a transaction which took place in 1961.

In the 1961 deal, Mr. Parvin sold the foundation 95,000 shares of Webb and Knapp, Inc., a real estate and construction firm now in receivership, at market value.

Mr. Ashmore said he believes this transaction and the general management of the

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portfolio had caused IRS concern. Since then the foundation's stock inventory has been managed by an independent brokerage firm, he said.

Mr. Parvin himself was named by a Federal grand jury in a bill of particulars as an alleged co-conspirator with Wolfson in the Merrit-Chapman Scott stock manipulation case. Mr. Parvin never was indicted.

[From the Washington (D.C.) Post, May 19, 1969]

TWO TRIBUTES: WARREN, MEMORY OF MASADA HONORED

(By Louise Durbin)

Chief Justice of the United States Earl Warren broke a long-standing precedent of his own making Saturday night when he accepted an award from the Jewish Community Foundation at ceremonies marking the opening of the Masada exhibition in the Smithsonian Institution's Museum of Natural History. It was the first award that the Chief Justice has accepted during the 15 years he has led the Court.

"When I agreed to come here I thought I would be in retirement and not need to be so strict about such things," the Chief Justice told the crowd clustered in the rotunda after the award was presented to him by Charles E. Smith, president of the Jewish Community Foundation.

The award, a stone plaque, bears the inscription: "In appreciation of his enormous contributions to the cause of human freedom, human rights and human opportunities, particularly during his term as Chief Justice of the United States, the Jewish Community Foundation presents this award to Earl Warren of California, at the opening of an exhibit depicting a struggle for freedom in 73 CE when heroic Jews at the fortress Masada died by their own hands to escape enslavement."

"I want to accept it for the Court and not myself alone because I've always felt a Justice needs no reward except a satisfied conscience—and that he must have," because, Warren said, "every time you make a decision you help someone, and you hurt someone."

Speaking of the heritage left by the defenders at Masada, Chief Justice Warren added: "I know that as I see this exhibit I will be more grateful than ever that I live in a free country." He then viewed the exhibit with Dr. Gus Van Beek, the Smithsonian's curator of Old World anthropology, as his tour guide.

Displays ranged from fragments of scrolls in special glass cases where the humidity is controlled to preserve the precious documents to a display of excavating equipment: a wheelbarrow, yellow hard tin hat, rope ladder and, pick axes.

The Warrens arrived at the Museum of Natural History on a chartered sightseeing bus that whisked the guests from a black tie buffet supper honoring the Warrens at the Robert H. Smith home in Bethesda to the gala Smithsonian opening.

The wife of the Israeli ambassador, Mrs. Yitzhok Rabin, recalled her first trip to Masada more than 20 years ago. By foot they crossed the desert, camping for two nights, then scaled the cliff to the top of the unexcavated rock. The fortress of Masada, built by King Herod in 40 B.C. to be his winter palace, was still completely buried.

"There was nothing—nothing but the rock," Mrs. Rabin said, adding that their imaginations filled in the details of the story. Here 960 men, women and children held out against 10,000 Romans for three years after Jerusalem was sacked in 70 A.D. and her people taken to Rome and paraded through the streets in slaves' chains.

To escape the same fate, the defenders of Masada elected to kill one another when resistance was no longer possible. Only a few women and children hid and lived to tell the Roman conquerors of their empty victory.

Sheldon Cohen was chairman of the Masada exhibit, which is co-sponsored in Washington by the Jewish Community Foundation and the Smithsonian Institution. The exhibition is the first of a trio of dedicatory events for the Foundation's $8 million, 22-acre complex on Montrose road in Rockville, which will be the new headquarters for the Jewish Community Center, the Hebrew Home for the Aged and the Jewish Social Service Agency.

Official dedication ceremonies will be held on June 15 preceded the evening before by a ball at the Washington Hilton Hotel, David Lloyd Kreeger is chairman of the dedication ceremonies. Mrs. Joseph B. Gildenhorn is chairman of the dedication ball.

[From the Washington (D.C.) Post, May 18, 1969]

THE FORTAS CASE CANNOT BE CLOSED

The reputation of the Supreme Court has suffered grievously in the last two weeks and its recovery would proceed more rapidly, no doubt, if the story of Mr. Fortas were quickly forgotten. Unfortunately, there are too many unanswered questions, too many public doubts for the books yet to be closed.

The public has been presented with two versions which conflict to such an extent that one or the other must be wrong. Mr. Fortas says simply that he agreed to work with the Wolfson Foundation in its charitable undertakings in exchange for $20,000 a year for life, that he canceled the contract when he saw he would not have enough time to do the job and when Mr. Wolfson's case took a serious turn, and that he returned the first $20,000 payment after Mr. Wolfson was indicted. This is the only on-the-record account of the facts now available. Conflicting with this, are the implications to be drawn from two public statements by the Department of Justice and from some of the information provided to newsmen by officials of that Department on a background basis during the past week.

The Justice Department has said formally that Mr. Wolfson told his side of the story after he was subpoenaed to appear before a grand jury and warned he would be compelled to testify through a grant of immunity from prosecution.

This must mean that prior to Mr. Wolfson's conversation with the FBI, the Department of Justice had sufficient information to merit a criminal investigation into the affairs of Mr. Fortas. How else could it justify the use of a grand jury and a grant of immunity, particularly when such grants are not given frivolously? Is not this implication reinforced by the report that the day before Mr. Wolfson talked on May 8, Attorney General Mitchell laid "certain information" about the Fortas case before Chief Justice Warren?

Two other ingredients have to be added to this mixture. One is the insistence by officials of the Justice Department, to this newspaper and presumably to others, that the information it had would seriously damage the Court if it were made public and that the Attorney General should be praised, not criticized, for keeping it secret. The other is the report in the *Los Angles Times* Thursday morning that Government officials (presumably in the Department of Justice) were interpreting Mr. Wolfson's statements and documents in their hands to mean that Mr. Fortas had agreed to intercede on Mr. Wolfson's behalf before the Securities and Exchange Commission.

So what are we to conclude? If Mr. Fortas' version is accurate and complete, he committed no crime or impeachable offense, only a gross impropriety, and he has been viciously maligned in the whispers that have run through Washington this week. But if the implications that can be drawn reasonably from the statements and actions of the Justice Department are correct, far more than a gross impropriety was involved. An intercession by Mr. Fortas before the SEC would have been a crime. Information that would seriously increase the damage to the Court, if made public, would have to consist of much more devastating material than has surfaced so far.

If the Justice Department has evidence sufficient to justify a presentation before a grand jury, it ought to get on with it and seek an indictment. If it does not, it ought to explain what happened to its case and what led it to use the criminal process in the first place.

If the implications that are being drawn from what the Justice Department has said are unfair, Mr. Fortas and the Supreme Court are suffering the worst kind of damage—that which arises from rumors that can never be successfully denied. If the implications have some merit, however, it would be far better for the integrity of the Court in the long run to have the matter faced fully and honestly now.

This, of course, is at the heart of the criticism being made of the way in which the Department of Justice has handled this entire affair. That criticism has not been directed at the actions of the Attorney General in seeking to get to the bottom of the matter or in taking his findings to the Chief Justice. Rather, it has been directed at cryptic innuendoes or unsubstantial generalities, made in public or private, by him or his associates, which have fed the rumor factories. The manner in which leaks from governmental sources at vital times fed the investigation into Mr. Fortas' affairs—an investigation that was primarily a journalistic one—heightened the suspicion that partisan politics, as well as a desire for judicial purity, had something to do with with the way the Justice Department behaved. The danger of course, is that a precedent has now been established for raising questions about a Justice's actions without answering or documenting them, a technique that can be used by unscrupulous officials as well as by scrupulous ones.

This danger cannot be erased nor can the murkiness that surrounds the entire situation be lifted by closing the Fortas case now.

[From the Chicago (Ill.) Daily Calumet, May 17, 1969]

FIND FORTAS AFFAIR IS ONLY THE OPENER

(By Bob Seltzner)

Ever hear of the Albert Parvin Foundation? It's been in the news lately as a sidelight to the Abe Fortas affair. Carolyn Agger, the wife of just-resigned Associate Justice Fortas, is an attorney for the foundation.

The Albert Parvin Foundation is the brainchild of millionaire Albert Parvin, the former Chicagoan who broadened his fortune in the hotel and night club furnishings business. The foundation was set up to provide scholarships to young people from underdeveloped countries to Princeton and UCLA.

The United States Internal Revenue Service has indicated it no longer believes this to be the foundation's purpose; that in fact the Albert Parvin Foundation might possibly be a screen for vast money-manipulation and influence-peddling in the high places.

The Albert Parvin Foundation, it has been learned, derives its primary income through a first mortgage in trust with the Bank of America, holding the Flamingo Hotel and gambling casino in Las Vegas. Another income source is the Fremont Hotel, also in Vegas.

Though Parvin now lives in Beverly Hills.

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California, and the Fortas family in the East, there are strong connections in Chicago. Chicago city treasurer Marshall Korshak (also Democratic Party committeeman of the 5th Ward), and his attorney brother, Sidney R. Korshak, own a total of 11,000 shares in Parvin-Dohrmann Company, one of the three Parvin hotel and night club furnishings firms. Chief Judge William J. Campbell, of the U.S. District Court for northern Illinois, has been a director of the Parvin Foundation since its formation in 1960—though he recently claimed that he has resigned. There has been no official announcement by the foundation of this resignation.

Also involved with the Parvin Foundation is Associate Supreme Court Justice William O. Douglas, who has served as the foundation's President, receiving $12,000 annually.

Tied in with the Albert Parvin Foundation, are the following firms in addition to the Parvin Dohrmann Company: The Dohrmann Company, which supplies restaurants, hotels, motels, and institutions with commercial food-serving and preparation equipment, headquarters at Brisbane, Calif.; and Albert Parvin and Company (Illinois), of Chicago. The Parvin Dohrmann Company operates the Fremont Hotel and gambling casino, acquired June 30, 1966.

In a suit filed with the U.S. Supreme Court yesterday by a student of the law in Chicago, Sherman Skolnick, it is alleged that one man in particular—in addition to the Parvin family—ties all the Parvin operations together. He is alleged to be Harry A. Goldman of Los Angeles, described in the suit as a "gangster." Goldman is president of the Albert Parvin and Company (Illinois), was executive vice president of the Parvin Dohrmann Company and is now chairman, and is a director of the Dohrmann Company.

Skolnick, a paraplegic invalid who lives with his family on Chicago's southeast side, is Chicago and Illinois' layman petitioner of the courts, seeking to correct malapportioned political districts. They range from congressional and general assembly districts to city wards and county government. In recent years he has repeatedly confronted Judge Campbell in the federal court over these and other taxpayer suits. In January of 1967, long before Abe Fortas gained national prominence, Skolnick demanded Judge Campbell's removal from his cases because of the Judge's Parvin connections.

In his suit Skolnick declared, "It is unconscionable for respondent Campbell to proceed any further in (this) case. His connection with the Albert Parvin Foundation has brought, and is bringing, the judicial proceedings in said case into suspicion and disrepute."

When Judge Campbell said he was no longer connected with the foundation, Skolnick retorted in his suit: "Campbell's published and circulated disclaimers and denials about himself and his relation to the Albert Parvin Foundation exceed the credibility gap. On the one hand, he says that he did not consider himself a director of the Parvin Foundation after the initial meeting. On the other hand, he says he resigned as a director purportedly in October, 1966. If he was not a director, why did he 'resign'?"

Skolnick continued: ". . . Campbell, as chief judge of the Northern District of Illinois, knows, or should know, that a director of a corporation remains liable for his wrongful acts, up to the statute of limitations . . ."

One must consider that the date of this particular suit is two and one-half years ago. Skolnick received some local press for his efforts, but when it was over Judge Campbell was successful in quashing the matter, both in the press and in the courts. After all, he was both the chief judge and presiding judge in his own case. How far ahead of the national scene Skolnick was, is well illustrated in the following excerpt from the January 1967 suit: "According to the published figures, Campbell as a director (of Parvin) has allowed, permitted, and condoned that a fellow judge, Justice William O. Douglas, as president of the Parvin Foundation, be paid $12,000 per year, which appears to be an exorbitant amount in comparison to the charitable disbursements of the Parvin Foundation. Approximately $80,000 per year is disbursed for charitable purposes, leaving what appears to be overhead expenses, or an unexplained gap, of approximately $57,000. Gross income of the foundation in 1963 (while Judge Campbell was still a director) was reported to total $137,257 (See U.S. News & World Report, Oct. 31, 1966)."

Skolnick in the suit then spotlighted the current Fortas scandal, noting: "Whether federal judges can also be 'moonlighters' such as corporation officers or bank officers, is a grave national question."

While Judge Campbell was explaining through "press releases" to Chicago newspapers that he had attended only one meeting of the Parvin Foundation, and had never even seen a foundation statement through the seven years he was a director, Skolnick in his suit charged, "Campbell had a duty as a director to be informed, and his published and circulated statements that he has not seen a financial sheet or investment sheet for the Parvin Foundation, and did not know what they own, exceeds credibility. Notices of directors' meetings and other data are sent out as a matter of course."

Skolnick in his suit demanded: "Did director-judge Campbell ever communicate with Foundation President Justice Douglas? It would appear logical to suppose that they would have been in touch with one another."

Skolnick in his suit described Albert Parvin as an "unsavory" character, who had what Skolnick described as a "criminal record" in Chicago. He documented four cases involving Parvin and members of the Parvin family ranging from 1925 through 1959, in which Albert, Jack and Bernard Parvin were charged with being receivers of stolen property—Albert Parvin on two occasions. They were never convicted.

Skolnick alleged and detailed that Judge Campbell in 1959, "rendered . . . a questionable judgment to the benefit of a relative of Albert Parvin."

Skolnick in his suit filed yesterday alleged of the Albert Parvin Foundation, that "it is further a matter of undisputed court record that the said Albert Parvin Foundation is a hoodlum front organization."

He listed "among the hoodlums connected with the . . . foundation":

(1) Marcus Lipsky, a "gangster and specialist in multiple murders. He masterminded the Capone mob's post-war invasion of the $18 million dollar-a-year Dallas, Texas rackets."

(2) Edward Levinson, "who has a contract with Parvin Dohrmann Company, interlocked company connected with Parvin Foundation, and who is connected with (3) John (Jack) Pullman, crime syndicate 'banker.' "

And, (4) Harry A. Goldman, noted earlier.

The extent of Korshak's involvement with Parvin was revealed in the New York Times of May 9. The information was part of a Times report of the Securities and Exchange Commission permitting trading to resume in the shares of the Parvin Dohrmann Company on the American Stock Exchange. Trading had been halted for the second time within a few months because "of what they (the SEC) called inadequate information concerning a change in control of the company last October, the company's acquisition program and other factors."

The Times' story said, "Parvin Dohrmann operates three casinos in Las Vegas and is headed by Delbert W. Coleman, former president of the Seeburg Corporation. He purchased control of Parvin Dohrmann last October and now is the concern's chairman."

Then yesterday, in the midst of steadily increasing publicity concerning all aspects of the Parvin operations, the Times reported that National General Corporation was discussing "the feasibility" of acquiring Parvin Dohrmann.

The Times reported: "The company's stock (Parvin-Dohrmann) has been one of the most spectacular performers on the American Stock Exchange in that period, moving from a 1968 low of 14 and one-quarter to a close yesterday at 119, down a point."

Korshak, regarded as probably the second most powerful Democratic Party official in Chicago behind Mayor Daley, was a state senator from Hyde Park before appointment by then Governor Otto Kerner as state revenue director. In 1966 Korshak was slated by the Democrats to run for Cook County treasurer, a race in which he was opposed by Edmund Kucharski, the undersheriff under then sheriff Richard Ogilvie—now the governor, succeeding Kerner.

A week before the election in November, Kucharski, after two attempts to get Korshak on areawide television to debate, issued a statement in which he alleged that Korshak was the "fixer" in the New York liquor license bribery scandal involving a new Playboy Club there.

Not only did Korshak refuse to confront Kucharski on television in the closing days of the campaign, but following The (Chicago) Daily Calumet's exclusive reporting on the Kucharski charges on Nov. 4, 1966, Korshak (The Daily Calumet, Nov. 7, 1966) would reply only that the Kucharski charges were "mischievous, irresponsible libel." That brief statement was issued through Korshak's office.

Kucharski charged, "Is it not a fact that it was Marshall Korshak who was contacted initially by Playboy to arrange for taking care of the New York liquor license?"

He continued: "Did he (Korshak) or did he not list as an employee a top syndicate gangster when this hoodlum made application for rental of an exclusive Lake Shore Drive apartment?"

Kucharski based his charges on a May 6, 1966 by-lined story by reporter Charles Grutzner in the New York Times, which declared: "In testifying about his own dealings with the Playboy group, Berger (Ralph Berger, 66, of Chicago, sentenced to prison for conspiracy to bribe) said they first agreed to pay him $5,000 for making the contact with (Martin) Epstein (New York state liquor authority chairman). After they delayed giving him any money, he said, he went to see a friend, Marshall Korshak, who called someone in the Playboy organization, and he soon received $5,000."

The Playboy club in New York finally opened, however and it has since been learned that one of Parvin's hotel and night club furnishings companies received the lucrative contract to furnish the establishment.

In Chicago, Korshak's control of top city patronage jobs is regarded as absolute. The stories of his influence in a broad range of matters, from banking and investments, to land development and real estate, are legend.

The city-wide group of plain, every-day citizens which works with Skolnick in his seemingly never-ending drive to call attention to what he believes are the questionable activities of, particularly, federal-level judges, has given no indication it is running out of gas. Skolnick began his project a half dozen years ago, and has centered on his drive for apportionment of Illinois Congressional and General Assembly districts and Chicago ward boundaries, among others. It has become the man's life's work, and he seldom deviates from it through 80-hour weeks.

He had researched and opened up on the Parvin Foundation long before it and the Louis Wolfson Foundation became common household words. He said yesterday that he is "astounded" to think that judges in two of the three most powerful courts in the United States—U.S. Supreme Court, and the federal court for Northern Illinois, second only in importance to the federal court for southern New York—are deeply involved and linked together with outside interests through questionable operations such as the Parvin Foundation and the Wolfson Foundation.

And, Skolnick observed, "From what we have learned by our studies and investigations all these years, we have only scratched the surface of judicial influence-peddling and special interest decisions."

Skolnick has been one of many, including The Daily Calumet, which has continued to urge publication of the Johnson Administration-banned Blakey Report, the document which its author C. Robert Blakey, under hire of the government, has acknowledged cites at least six high ranking judges in Chicago for extreme conflict of interest involvements, and in several cases crime syndicate ties.

To these people, the Fortas scandal is not shocking, but only the first public indication of a situation which they call a national tragedy of unmatched proportions.

[From the Washington (D.C.) Post,
May 18, 1969]

"THOU SHALT NOTS" FOR THE COURT

(By **Alan Barth**)

When Abe Fortas delivered a lecture this month at Northeastern University at Boston, his office let it be known that he would accept no remuneration, although a $2000 fee had been arranged; he would receive only $625 to cover the costs of his trip and the normal commission of his booking agent.

What was an Associate Justice of the Supreme Court doing with a "booking agent?" Should a Justice be in the lecture business? Should he be doing enough lecturing, in any case, to make it worth while for a booking agent to "handle" him?

It ought to be said at once that lecturing by a Justice involves no violation of law and no violation of judicial canon. Neither is there anything novel about it. Other Justices have given lectures and received fees for doing so; and some, perhaps, have had booking agents to spare them the grubby business of arranging terms.

The American Bar Association's Canon of Judicial Ethics declare that a judge "may properly act as arbitrator or lecture upon or instruct in law, or write upon the subject, and accept compensation therefor, if such course does not interfere with the due performance of his judicial duties, and is not forbidden by some positive provision of law."

This leaves a great deal of leeway for individual judgment. It would be impossible to say what practice has been pursued by all the Justices of the Supreme Court and perhaps invidious to cite individual instances. It is well known, however, that Chief Justice Charles Evans Hughes, for example, never accepted any remuneration for a speech while he was on the bench or off it; and Chief Justice Earl Warren acknowledged with pride just recently that he, too, had always forgone fees for public appearances of any kind.

The standards governing the conduct of judges have grown more lax in recent years, however. And this has come about, it seems, more through the acceptance of extrajudicial assignments than through the acceptance of money for the discharge of those assignments. Very early in the history of the United States, the issue arose through the appointments of Justice John Jay and Justice Oliver Ellsworth as foreign ministers. John Marshall's brother-in-law, Joseph Hamilton Daveiss, said of the Jay appointment in the Senate: "You ought to insulate and cut off a judge from all extraneous inducements and expectations; . . . for no influence is more powerful in the human mind than hope—it will in time cause some judges to lay themselves out for presidential favor, and when questions of state occur, this will greatly affect the public confidence in them, and sometimes deservedly."

In recent years, Presidents have not hesitated to raid the Supreme Court for judicial talent in the handling of special tasks.

President Franklin D. Roosevelt persuaded Justice Owen Roberts to take on the chairmanship of a commission created to investigate the disaster at Pearl Harbor. He tapped Justice James Brynes to help him with the excessive burdens of executive leadership in wartime.

President Truman designated Justice Robert H. Jackson to take on the extremely unjudicial role of American prosecutor of the Nuremberg Trials.

President Kennedy turned to Justice Arthur Goldberg for aid in dealing with some troublesome labor-management disputes. And President Johnson subsequently induced Justice Goldberg to leave the Court entirely for the relatively trivial post of Ambassador to the United Nations.

Even Chief Justice Earl Warren, at a time of national emergency, yielded to the importunities of President Johnson and rendered service as head of a commission that reported on the assassination of President Kennedy.

A few Justices from time to time have evinced political ambitions while on the bench, the most notable among them, of course, being Justice Charles Evans Hughes, who left the Court to run for the Presidency and subsequently returned to the Court as Chief Justice.

Chief Justice Harlan Stone felt very strongly that "it is highly undesirable for a judge to engage actively in public or private undertakings other than the performance of his judicial functions." And when, in 1942, President Frankin Roosevelt asked him to head up a commission to study rubber production—then a touchy political problem—he took the occasion to turn the opportunity down with a resounding explanation:

"A judge, and especially the Chief Justice, cannot engage in political debate or make public defense of his acts. When his action is judicial, he may always rely upon the support of the defined record upon which his action is based and of the opinion in which he and his associates unite as stating the ground of decision. But when he participates in the action of the executive or legislative departments of government, he is without those supports. He exposes himself to attack and indeed invites it, which, because of his peculiar situation, inevitably impairs his value as a judge and the appropriate influence of his office."

And Stone summed up his feeling in more homely terms later on when he said bluntly that "the integrity of the Supreme Court is in serious danger when it is turned into a 'fishing pond' for political appointments."

SELF-IMPOSED RESTRAINTS

There is another consideration arguing even more cogently against using Supreme Court Justices for political troubleshooting: it demeans the Court and diminishes its dignity.

When a Justice relinquishes life tenure on the Court to become an ambassador at the pleasure of the President, he says, in effect, that the work of the Court is not really of very great importance. When he takes time off from judicial duties to sit on a commission, he conveys an impression that Justices are not really very busy and have time hanging on their hands.

It may be that the current scandal revolving around the Court will lead its members to develop for themselves a new canon of ethics applicable peculiarly to their own unique office. Such self-imposed restraints would be far preferable to congressional action of the sort that has been threatened, aimed at requiring Justices to disclose their finances. And it would be timely now for two reasons.

First is the consideration that Congress has recently raised the salaries of Justices to $60,000 a year. An astute man may make more, to be sure, in the private practice of the law or in manufacturing airplane parts; nevertheless, it is an appreciable salary, allowing those who earn it to enjoy the amenities of life. Clergymen, scholars, scientists often make less—and manage to lead rich lives.

It seems probable that Congress fixed this sum for the salary of Supreme Court Justices with the thought that it would satisfy men to whom honor, public service and the pursuit of a high calling mean more than money. The work of a Justice is exacting and consuming. It can never be done quite well enough; it can never be completed. Endless research and reflection are its ingredients; and these leave no time for outside and extraneous pursuits save, of course for relaxation and recreation.

The second consideration which makes imperative an acceptance by the Justices of new standards is the desperate need today to preserve the Court's prestige. For the Court has an uncomfortable function to fulfill. Its function is to check popular impetuosity. And so it must tell the American people from time to time that the Constitution forbids them to do things which they deem desirable and expedient and in the national interest. This obligation of the Court to thwart the public on occasion is an obligation that can be discharged only by a Court whose members command complete respect in terms of devotion and detachment.

TWO COMMANDMENTS

Is it not time, then for the Justices of the Supreme Court to lay down for themselves a new canon of conduct—a hard and uniform and unequivocal canon recognizing the extraordinary caliber and character of their office? Should it not embody two commandments?

One commandment might be: Thou shalt receive no remuneration from any other employer than the United States.

It may be desirable from time to time for Justices to speak in public, at appropriate places, or to write for publication, in appropriate media, about matters which are not covered in their official opinions. They may very validly promote understanding of the Court's work in this way, or in other respects serve public interests. But let them do it without compensation—for the simple satisfaction of doing it. Nobody should be able to hire a Supreme Court Justice save the American people, who have recruited him for life in their service.

And the second commandment might be: Thou shalt not be eligible for election or appointment to any office under the United States once thou hast taken the oath of office of an Associate Justice of the Supreme Court.

When a Justice chooses to leave the court, he should be free, of course, to engage in any professional or scholarly or other private activity he likes. But he should be out of politics. Only by such self-denial can he wholly free himself and his judicial work from the imputation of self-interest.

Is all this too much to ask of Supreme Court Justices? Theirs is the highest office of a noble calling. Theirs is a role so vital to a self-governing society that it demands a kind of commitment close to priesthood. Only men so committed are genuinely qualified.

And perhaps some such men will say with Mr. Justice Holmes: "If a man has the soul of Sancho Panza, the world to him will be Sancho Panza's world; but if he has the soul of an idealist, he will make—I do not say find—his world ideal. Of course, the law is not the place for the artist or the poet. The

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law is the calling of thinkers. But to those who believe with me that not the least godlike of men's activities is the large survey of causes, that to know is not less than to feel, I say—and I say no longer with any doubt—that a man may live greatly in the law as well as elsewhere; that there as well as elsewhere his thought may find its unity in an infinite perspective; that there as well as elsewhere he may wreak himself upon life, may drink the bitter cup of heroism, may wear his heart out after the unattainable."

WORLD TRADE WEEK

(Mr. MIZE asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. MIZE. Mr. Speaker, President Nixon has proclaimed this week of May 18 as World Trade Week. In issuing this proclamation he calls upon business, labor, agricultural, educational, and civic groups, as well as all of our people generally, to observe this week in appropriate ways to promote the importance of world trade to our economy and our relations with other nations.

As the President has pointed out, additional markets are needed for the products of our industrial and agricultural might. The value of increasing trade with the other nations is spelled out in this paragraph from his proclamation:

> Enlarged markets for our goods and services speed the pace of our economic progress and advance the well-being of all our people. New markets abroad create new jobs at home; new avenues of world trade run parallel to new roads to world peace.

Mr. Speaker, I have the honor to serve as chairman of the task force on international trade for the House Republican conference. On this task force with me are 14 of my colleagues, all of whom have the background and knowledge to make a significant contribution to the development of a program of increased world trade.

We are examining all aspects of our trade policy and practices and expect to come up with some recommendations to the administration and Congress in the months ahead. We will be conducting in-depth analysis of East-West trade, protectionism at home and abroad, the balance of payments, the gold flow and the elimination of trade barriers.

We see the observance of World Trade Week as an appropriate kickoff to our own work on the task force. We commend the President on the substance of his proclamation and we will coordinate our effort with the administration's in the development of effective trade policies.

IDAHO POWER CO. MOVES TO PROTECT SALMON AND STEELHEADS

(Mr. SAYLOR asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. SAYLOR. Mr. Speaker, the problem of preserving the salmon and steelhead runs in the great rivers of the Pacific Northwest has been of concern to conservationists for some time. In fact, 2 years ago this problem was cited as one of the major reasons for the U.S. Supreme Court returning the proposed High Mountain Sheep hydro-electric power project to the FPC for further study.

In this Supreme Court decision, prepared by Mr. Justice William O. Douglas, it was stated:

> The importance of salmon and steelheads in our outdoor life as well as in commerce is so important that there certainly comes a time when their destruction might necessitate a halt in so-called "improvement" or "development" of waterways. The destruction of anadromous fish in our western waters is so notorious that we cannot believe that Congress through the present Act authorized their ultimate demise.

One of the major electric power companies in the Pacific Northwest—Idaho Power Co.—is doing a truly marvelous job of perpetuating, and even increasing, the runs of salmon and steelhead in connection with their three dam developments at Oxbow, Brownlee, and Hells Canyon.

This program of fish protection has been experimental from the start. There were no guidelines by which the State and Federal fish agencies could assure completely successful results. Some of the company's early experiments proved costly and unworkable, but the company persisted in its efforts.

Idaho Power Co. has now completed its ambitious program to establish new fish habitats to increase propagation. This undertaking—which represents a capital investment of approximately $15 million and annual overall operating costs of close to $2.5 million—is probably unique from the standpoint of distances involved in transporting the eggs to hatchery facilities and the small fish to the point of release on a different watershed.

These are important developments because of the role which fish and fishing play in our recreation lives. I think Izaak Walton realized this fact when he wrote:

> I have laid aside business, and gone a'fishing . . . Doubt not but angling will prove to be so pleasant that it will prove to be, like virtue, a reward to itself. You will find angling to be like the virtue of humility, which has a calmness of spirit and a world of other blessings attending upon it.

The report of Idaho Power Co.'s contribution in this area is so significant I think my colleagues will be interested in reading about it. Therefore, without objection, I will insert at this point in my remarks an article from the Idaho Power Co. bulletin for January 1969, on this subject:

IDAHO POWER HAS BUILT HATCHERIES AND OTHER FACILITIES TOWARD BETTER FISHING—THIS AS PART OF ITS LICENSE TO GENERATE POWER IN HELLS CANYON

Fishing for the excitement it provides has become a multi-million dollar pastime in the state, and Idaho Power Company is contributing substantially toward augmenting the runs of salmon and steelhead, the big scrappy migrants that prompt successful fishermen to recount the joys of working a stream. Company developments also contribute to the enjoyment of fishermen who go for trout, crappie and bass, all of this as a part of Idaho Power's performance as a service utility.

The Idaho Fish and Game department estimates that hunting and fishing in Idaho enhances the state's economy by $60 million or more annually. The estimate does not include income from licenses totaling nearly $3 million. In a year's time, more than 663,000 hunting and fishing licenses are issued, including 158,000 licenses to fishermen from out of state.

Idaho Power's largest contribution to the growth of fishing has come with its three large dams and power plants in upper Hells Canyon, a development which since completion has been dedicated to T. E. Roach, chairman of the board and chief executive officer.

The Federal Power Commission's license to the Company to develop the hydroelectric sites on this 100-mile stretch of river requires a conservation program for the relatively small salmon and steelhead runs which continue up the Snake River beyond its confluence with the Salmon River. The latter takes most of the migrating adult salmon and steelhead that have made the long swim from the Pacific Ocean up the Columbia River, thence up part of the Snake River and its tributaries to spawning areas. The program has been experimental from the start. There were no guidelines by which the state and federal fish agencies could assure successful results.

The initial experiment involved trapping the anadromous fish at Brownlee, first of the Company's developments in Hells Canyon, and transporting them in tank trucks above the dam. A huge net was spread across the reservior, and barges with pumps to create directional water current were built to attract the offspring. It was soon determined, however, that the young chinook salmon and steelhead trout were unable or unwilling to migrate seaward through the nearly motionless reservoir water to reach the devices designed to collect them for transport down river, so the project was abandoned.

THE COMPANY HAS FOUR HATCHERIES

Since then the Company has built a hatchery at Oxbow, another one on Rapid River, one at Niagara Springs, and finally holding, egg-taking and juvenile-release facilities on the Pahsimeroi River. It is an ambitious program to establish new fish habitats to increase propagation. The undertaking is probably unique from the standpoint of distances involved in transporting eyed eggs to the hatchery facilities and juveniles to the point of release on a different watershed.

While experienced personnel from the Idaho Fish and Game department operate these new facilities, they are completely financed by Idaho Power Company as part of the license agreement with the Federal Power Commission. They represent a capital investment of approximately $15,000,000 and annual over-all operating costs of close to $2,500,000.

The starting point for this extensive propagation program is the Hells Canyon dam, where the salmon and steelhead trout moving up stream to spawn are collected. By road, it is 150 miles from the Hells Canyon dam to the Circle C hatchery on Rapid River, which flows into the Little Salmon River near Riggins. It is about 250 miles from the Oxbow hatchery to the Niagara Springs hatchery in Hagerman Valley, and it is about 225 miles from Niagara Springs to the facilities on the Pahsimeroi, a tributary of the Salmon River.

Environmental factors have determined the location of the hatcheries. Idaho Power's fish biologist Wendell Smith explains that there are three races of migrants taken at the Hells Canyon dam. Fall run chinook salmon arrive in September and October. These fish have always spawned in the Snake River. Spring run chinook salmon arrive in May and June, and they were in the habit of seeking the cool headwaters of tributaries to spawn. Steelhead trout arrive both in the fall and the spring of the year, but all of them reach sexual maturity in April and May, during which they too moved into the cooler tributaries to spawn.

OXBOW SUPPLIES OTHER HATCHERIES

Idaho Power's Oxbow dam and power plant is between Brownlee, up river, and the Hells Canyon dam. The hatchery here, first of the four of these facilities, supplies the other hatcheries, and it provides capacity for raising five million juvenile fall chinook each year; but because of the small number of the fall chinooks coming up river to spawn, less than half of this potential has been attained.

The Oxbow hatchery, utilizing water pumped from the Snake River, has four concrete holding ponds, a hatchery building where the egg incubation process is completed, and raceways for the small fish, the offspring of the adult fall chinooks, which are fed and held until they are ready to be released for their swim down river to the ocean.

The spring chinooks taken from the trap at the Hells Canyon dam are held in the Oxbow ponds until they can be transported, a full tank load at a time, to the complete hatchery facilities on Rapid River. The tanks are equipped with aerating and water-circulating equipment to assure the fish safe passage.

Adult steelhead trout are held in the ponds at Oxbow until the eggs are taken and fertilized. When the eggs have been incubated to the eyed stage they are transported to the hatchery at Niagara Springs.

THE HATCHERY ON RAPID RIVER

The cool, clear water of Rapid River flowing from the snow packs of the towering Seven Devils mountains is ideal for the propagation of the spring chinooks, which must have cool water to survive. The first hatch from the eggs of 360 adult salmon, taken in 1964, became the fingerlings in the raceways of the Rapid River hatchery that were ready to start their long swim to the ocean in 1966. The return of many of these migrants last year indicates the wisdom of a hatchery at this location.

More than 3,400 hefty spring chinooks that had picked up 12 to 15 pounds in weight during their sojourn in salt water had by an amazing instinct made it back over a new route to a new home base. Not included in this total were about 1,000 precocious male "jack" salmon collected the previous year and the substantial number of salmon caught by fishermen. The fish biologists were jubilant. The hazards of the long journey, going and coming, are many, and no one had dared to predict the outcome.

"The returns to the hatchery so far are nearly 10 percent of the total spring chinook count over Ice Harbor dam, the lowermost structure on the Snake River, and this is truly astonishing," Biologist Wendell Smith exclaimed as the count at the hatchery mounted. Even so, he cautions that the success of the first run is not conclusive. More time, more runs are needed to determine the true extent of accomplishment.

THE HATCHERY AT NIAGARA SPRINGS

For those not familiar with Idaho's geography, Hells Canyon is on the western border of the state, and Hagerman Valley is in the southcentral part of the state. It is in this valley that the "Thousand Springs" flow from a tremendous underground lake. Niagara Springs is one of them. A hatchery and raceways were built here because of the dependendable flow of spring water at a constant temperature of 58 degrees, a factor which promotes faster growth of young steelhead than water of the Salmon River drainage.

The automated hatchery facilities are said to be among the most advanced in existence. There are 14 raceways at this hatchery, each of them 300 feet long, for the rearing of an estimated 1,600,000 steelhead trout until they are about eight inches in length. The ideal temperature of the spring water shaves a year from the growing time of the fish, which therefore head to sea a year sooner than they would under natural conditions.

Eggs taken from adult sheelhead at Oxbow are transferred to the Niagara Springs facility about 10 days before they hatch in May or June. The young are fed at the hatchery until the following March and April when they are ready to be hauled in the Company-built 5,000-gallon, trailer-mounted tank to the Pahsimeroi release ponds. During this period, some 40,000 steelhead fingerlings make the trip every day until the task is finished. The truck with its tanker completes the trip from Niagara to Pahsimeroi and return, a distance of 450 miles, in about 12 hours.

THE PAHSIMEROI FACILITIES

The release ponds on the Pahsimeroi River give the fingerlings time to become acclimated to a change in environment before starting their swim to the ocean.

The effectiveness of the Oxbow-Niagara Springs-Pahsimeroi undertaking should become evident in the near future. In fact, the initial batch of 1.6 million juveniles released in the Pahsimeroi in 1967 should start showing up as returnees in the spring months of this year. To accommodate them, the company is completing hatchery facilities on the Pahsimeroi for the collection of eggs from the returning adults. Thus the eggs for Niagara Springs will in future years come from the Pahsimeroi instead of from Oxbow.

CONCLUSION

Time will tell how well the biologists have been able to plan to overcome the problems.

"We haven't been in the hatchery business long enough to know whether artificial propagation will solve them," Smith has said. "It should be well understood that these hatchery fish are subject to the same survival hurdles that naturally born salmon and steelhead from Idaho waters face. Man's advancing civilization has altered the original free-flowing stream to a series of slow-moving reservoirs, each of which increases the summer water temperature, increases production of predators, retards dissipation of pollutants, and most seriously, jeopardizes the timing of both the downstream and upstream movement of fish. (There are four dams on the Columbia River, one dam in operation and three more in various stages of completion on the lower end of the Snake River below Lewiston.) Added to this list of adversities, the fish are subjected to both a regulated commercial and ever-increasing sport fishery."

While the Company's biggest efforts have been toward perpetuating, even increasing, the runs of salmon and steelhead, it has meanwhile built facilities appealing to fishermen who seek the smaller species of trout crappie, bass and catfish. Company-built docks and ramps enable the launching and servicing of boats on the reservoirs. There are attractive parks with modern conveniences—rest rooms, shower bath facilities, electrical outlets, picnic benches, places for campers and travel trailers.

In a six-year period, the Company has planted an estimated 300,000 rainbow trout in the reservoirs and in tributary streams in upper Hells Canyon.

The popularity of these recreational attractions has been immediate. The parks are utilized from early spring through late fall, and the letters of appreciation from families who use them reflect the public acceptance.

THE U.S. CAPITOL BUILDING—WEST FRONT RESTORATION AND EXTENSION

(Mr. SCHWENGEL asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. SCHWENGEL. Mr. Speaker, last Thursday, May 15, 1969, it was my privilege and honor to address a meeting in Montgomery County in the State of Maryland. Because of their understandable interest in the U.S. Capitol Building they asked me to talk on the west front, its condition, and the need for repairs and preservation. As president of the U.S. Historical Society my interest on this question is more than casual.

Since there have been many requests for copies of my paper, and because of great interest in this body and because of the urgency of the problem I am availing myself of this opportunity of sharing my findings and conclusions with my colleagues:

ON THE WEST FRONT RESTORATION AND EXTENSION

(By FRED SCHWENGEL)

The United States Capitol, gleaming under blue skies by day or brilliantly illuminated against the dark of night with its great white dome towering over the rest of monumental Washington, is the landmark of our democracy. It is, as Hawthorne wrote, "the center and heart of America," and "certainly, in its outer aspect, the world has not many statelier or more beautiful edifices."

It is also, as historian Allan Nevins has added, the "best loved and most revered building in America."

Unfortunately, however, the stately, best loved and most revered building in America, whose crumbling East front was rehabilitated with marble in 1961, is now sagging on its West front. This is the side of the Capitol that looms majestically over one end of the mall and is so familiar to us, from a slightly different approach, as the scenic backdrop of parades on Pennsylvania Avenue.

Built like most of the rest of the original structure, with sandstone blocks quarried near George Washington's home at Mount Vernon, the 148-year-old central portion of the West front is literally in danger of collapse. Great cracks crawling upward from the ground and extending to the full height of the building have been poorly concealed by having been spackled with cement and painted over many times. Large heavy stones have been forced outward from the vertical alignment of the building. There is a conspicuous bulge in one place a few feet above the ground.

Keystones in the arches above the basement floor have dropped so far in some instances that the wood frames of the windows have had to be cut out to accommodate them. A section of the cornice on the west front did fall out in the summer of 1966 and could have killed a passerby as it landed 15 feet from the base of the wall.

At that time Vice President Humphrey said: "I have gone outside and looked all over the west front. I am very worried. We need some decision immediately or otherwise there is going to be a tragedy."

Everyone who knows the situation shares the Vice President's concern. But a dispute has developed over the unanimous recommendation of a Congressional commission. That recommendation was to not only make the necessary permanent repairs but also to expand the building in order to obtain more space and facilities for Congress and the increasing visitors to the Capitol each year. This was the solution to the similar problem of the collapsing east front several years ago, but once again the "traditionalists" who were in opposition then have joined forces to obstruct the proposed rehabilitation of the west front.

Congress meanwhile has resorted to makeshift efforts to secure the Capitol's west wall. Three years ago it appropriated $30,000 for wooden braces and other emergency meas-

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ures. Last December, as the situation worsened, it appropriated another $135,000 for additional timber supports. Now unsightly wooden props stand incongruously alongside the classic sandstone columns holding up the west portico.

They recall a proposal by Thomas Jefferson who, impatient with delays, suggested that the great columns planned for the House of Representatives be made of wood instead of marble in order to save time and money. Whereupon Benjamin Latrobe, the Capitol architect, retorted angrily: "The wooden column idea is one with which I never will have anything to do. I will give up my office sooner than build a temple of disgrace to myself and Mr. Jefferson."

What would Latrobe have said of the wooden props that "decorate" the west front today? For if these emergency repairs continue, the stately edifice that commands the landscape and gladdens every panoramic view of our nation's capital will indeed be a temple of disgrace laced with wooden braces.

Let us consider the problem, what is proposed, what the critics say and why those of us who are active in fostering the Capitol not only as an historical monument but as a living political forum fervently believe it must keep pace physically with the changing and growing requirements of its users and visitors.

The starting point is the fact that the West wall is crumbling. That is not surprising. It has been alleged that William Thornton, the Capitol's original architect, had wanted to use marble but President Washington turned him down. The marble would have had to be imported, and the young Government was as short of cash as it was long on ambition. So blocks of brown sandstone were quarried from an island on the Potomac, hauled by barge up the river and used for the first wing, on the Senate side. The sandstone was painted white. Thus started, the remainder of the original structure was built with sandstone.

Sandstone is porous and subject to corrosion, however, and there is some evidence that the talents of the workmen in the initial construction left much to be desired. Skilled building craftsmen and stonecutters were hard to find. By the time of Thomas Jefferson's Administration the floor beams were beginning to rot and the roof leaked badly.

The site on the highest point of the Federal city was ideal—"a pedestal waiting for a monument," Pierre l'Enfant had said—but the soil was soft. The area on its western fringe that became the mall was a marshland known as "the great Serbonian bog," after the mythical Egyptian swamp that swallowed entire armies. A few years ago, during the building of a new subway for the House wing, pile drivers went down 60 feet before reaching solid substance.

The Capitol, therefore, was built on foundations with a complex series of masonry arches—ingenious, yet subject to constant shifting. On a hot summer day, the Capitol's West walls expand from exposure to the afternoon sun. The sandstone facing on the West front expands 30 Per Cent more with the heat than the granite backup wall behind it. Water gets into the cracks and freezes in winter, causing bulges and spalls.

The huge 9-million-pound cast iron dome, the crowning glory of the Capitol, also contributes to this problem. The outer metal shell of the dome makes it extremely susceptible to the sun and its center rotates sways as a result of temperature variances. Vibrating experiments have shown it oscillates as much as three to four inches. The motion is south, southwest, then west, and as the setting sun declines and finally disappears, north, northeast and east, returning thus to original position.

The burning of the Capitol by the British in 1814, the fire in the west central wing in 1851, and a gas explosion in 1881 left permanent structural damages that must finally be taken into account. The necessity of cutting through the numerous walls and arches for modern conveniences such as electric lighting, air conditioning, heating and plumbing have further weakened the structural supports.

No one disputes these facts. There is general agreement that something should be done. The proponents of extension feel that instead of merely repairing the wall again, rather even than replacing it with a new, studier wall of marble, we should extend the facade as was done on the East front so successfully several years ago. (This would bolster the existing walls permanently.)

This would provide about 160,000 square feet of additional space—a little more than one-quarter as much space as the Capitol affords today. The West front would be brought out 44 feet in the center, 88 feet in the westerly courts and 56 feet at the connecting wings. The existing outer wall would remain as an inner wall. The new space would provide room for additional committee rooms, especially for the joint committees, offices, restaurants and sorely needed tourist facilities. The estimated cost is $34 million.

Among the tourist facilities would be one or two auditoriums where visitors could view documentary and other educational films, obtain reading materials and be briefed by lecturers on the work and history of the Capitol. At least one of the public restaurants would open on the terrace overlooking the mall to the west. Visitors would enjoy there one of the most inspiring vistas in the capital city, with the Washington Monument and Lincoln Memorial in full view, and Arlington National Cemetery as a distant backdrop.

Incidentally, the outside steps of the new facade would hide a new service roadway. Trucks hauling in supplies and hauling out refuse would be out of view, thus eliminating an unseemly daily scene on the East front.

In opposition to this plan critics appeal to our sentiment and sense of history. They argue that the Capital West front should simply be repaired and preserved, regardless of the expense, because of tradition and aesthetics. They point out that the West wall is the last remaining outer wall of the original building. They feel that the Capitol is now architecturally complete, an untouchable masterpiece. They also have raised side issues with allegations that the selection of the architects was somewhow unethical or undemocratic, or both. There has been a great deal written about a favored "club" of architects.

Let's take the side issues first, chiefly because the allegations are irrelevant and untrue. Among those who have given currency to them is The Times' architectural critic, Ada Louise Huxtable, who claimed in an article August 1, 1966, that the issue over the West front was "more than an aesthetic or patriotic matter" but "a question of the Congressional machinery." Mrs. Huxtable also complained that few of the Congressmen involved in the hearings were "expert in planning, architecture or structural matters."

The insinuation of hanky-panky in architectural assignments is irrelevant because it begs the question whether the West front extension would have the critics' approval if carried out by architects of their own choice. One must favor or oppose the proposal on its merits and not on the identity of the architects.

Nevertheless, for the record, it should be emphasized that the architects for the extension of the West front are men of distinction who were invited to do the West front precisely because of their earlier success with the East front. And the men ultimately responsible for the invitation are the members of a bipartisan Commission for the Extension of the Capitol composed of Vice President Humphrey, House Speaker John W. McCormack, Senate Minority Leader Everett M. Dirksen, House Minority Leader Gerald R. Ford and the Capitol Architect, J. George Stewart.

The architects were originally selected in 1956 in the following manner: Mr. Stewart submitted to a panel of three architects, then members of the Fine Arts Commission, a list of architects who had expressed a desire to be considered for the assignment. The panel returned the list to Mr. Stewart with suggestions and recommendations and he, in turn, placed these before the commission for the Extension. The commission chose a group of three architectural firms headed by Roscoe DeWitt of Dallas, Jesse M. Shelton of Atlanta and Alfred Easton Poor of New York. These architects are all distinguished professionals with a laudable capacity for combining classic precedents with modern functional requirements.

The legislative history of the extension plan makes plain it was not rushed through Congress. In fact an architectural plan was submitted to Congress by a Joint commission in 1905, shortly after Congress had authorized a new bronze door for installation in a remodeled West front. The design of the transom was entitled "The Apotheosis of America," and the ensemble of doors, frame and transport until recently has been in storage at the Smithsonian Institution ever since, awaiting the extension of the West front for which it was prepared.

In 1964, a House-Senate conference report specifically authorized engineering surveys for the West front. A five-volume survey, specially prepared by an engineering company, was made available to the Commission for the Extension of the Capitol early in 1965. A transcript of the subsequent public hearings in June of that year was printed and furnished to every member of Congress. The engineering company's report was furnished to the Senate and House Appropriations Committees and other committees and members requesting it. It was also made available to the press.

After Congress, despite some opposition in the Senate, appropriated $300,000 for the preparation of preliminary plans, the Commission directed Mr. Stewart to engage the architects who had done such an excellent job on the East front. One of their three alternative proposals was unanimously approved by the Commission. Speaker McCormack and Senator Dirksen then held a press conference to explain and advocate the Commission's decision.

Does the foregoing sound as though someone sneaked this project past unwitting legislators?

The Congressional members of the Commission are not architectural and engineering "experts," but they are not supposed to be. Professional expertness in any particular field is not and should not be a qualification for political office. The Commission members did become, however, by the time they were through with their studies and hearings, satisfactorily well-versed in their responsibility.

That is the way the Congressional machinery operates and while it may not always work to everyone's satisfaction, it does a pretty good job by and large in our democracy. It also permits a flexibility of attitude that would not be likely among "experts." It permits members of Congress not only to get facts but to change their minds, if necessary.

I cite my own case. The extension of the East front several years ago was opposed by many persons, including press critics and architects, who proclaimed their dismay over an alleged depredation of aesthetics and history. I was among the original critics, too, because of my deep feeling for the traditions

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and history of the Capitol, feelings that led me to found the United States Capitol Historical Society. Instinctively opposing the East front extension project, I introduced a bill in 1956 to thwart it.

But I then studied the records of the Capitol Architects over the decades. I donned overalls and explored the old sections of the building from top to bottom and I can report that the passageways in those dank and gloomy arched basements look like something out of an Emile Zola novel. I reviewed the proposals for the extension and saw that they harmonized with the building, while providing additional space. Now, at long last, marble could be substituted for sandstone, just as Latrobe had wanted at the outset. I learned that Thomas U. Walter, the distinguished Capitol architect during Lincoln's time, had wanted to extend the East front in the same way that was being so rabidly opposed by modern traditionalists.

I went back to the House floor in 1958, two years after submitting my opposition bill, and announced that I had changed my mind. I not only supported the extension of the East front but that of the West front as well, and I have been proudly in the forefront of the effort to expand the majestic building in accordance with its aesthetic and functional requirements.

Now let us consider the arguments based on traditionalism and aesthetics. The traditionalists, incidentally, are not unanimous. Some are willing to accept marble as a substitute for sandstone. Others insist that even though the sandstone is crumbling and marble may be more suitable, "Washington's standstone is part of our history, too." As Wolf Von Eckardt said in the Washington Post, "Who would dream of extending St. Peter's in Rome, Monticello, Mount Vernon or even the Houses of Parliament?" he added.

The American Institute of Architects, similarly, has expressed its outrage. "The AIA believes it would be a mistake to cover up the last remaining exterior portion of the original Capitol," its president, Charles M. Nes, said in a preface to a report calling for restoration of the wall.

But those who scream shrilly their demand to preserve the Capitol ignore the real history of the Capitol, its growth in increments over more than a century, and the many changes that were made partly for aesthetic reasons but also to cope with the increased needs for space as Congress grew in size and responsibility.

The tradition of our Capitol is change, not fixation. The building has grown as our nation has grown through the vicissitudes of incompletion, when the wings were connected by a wooden passageway; changing architectural concepts and rivalries; burning and crowding. In fact, the growth of the Capitol has been considered symbolic of the growth of the nation.

The words of Abraham Lincoln, during the Civil War, when proposals were made to put off completion of the new Capitol dome, still have meaning for us today. "If people see the Capitol going on," he said, "it will be a sign to them that we intend the union shall go on."

This theme was set at the very beginning by George Washington. "It may be relied upon," Washington said, "it is the progress of that building that is to inspire or depress public confidence."

The Capitol was not built as an unchanging artistic monument, although a monument it became, but as a living parliament of democracy. The original design of the Capitol by William Thornton had a small dome, a modest eight-columned portico and a flush, ground-level portico entrance. Modesty and understatement were demanded by Washington and Jefferson, both of whom took a keen interest in the architecture of the "Congress House." A design that featured a tall dome was rejected.

Under Benjamin Latrobe, the Capitol architect in 1800–1811, a number of minor changes were made in the Thornton design. Even after the British burned the Capitol in 1814, reconstruction still followed the existing design. But when Bulfinch undertook the central portico, he virtually abandoned Thornton. By 1840 the Capitol was somewhat different from Thornton's original.

The portico, for example, was doubled in size and given 16 columns. The central dome was changed somewhat, although it was kept simple and octagonal, made of wood and covered with copper; small domes were added to each side. Dramatic steps, not planned by Thornton, were added to give the building a monumental effect.

The most important change, however, came in the period preceding and including the Civil War. Thomas U. Walter, Capitol architect from 1851 to 1865, added the House and Senate wings to meet increasing space demands. These, however, completely overpowered the central dome. So the dome was replaced with the massive cast iron dome that gives the Capitol its present appearance.

Now, just as Walter saw that the old dome was incongruously small for the extended Capitol, he pointed out that the new soaring dome seemed too gigantic for the building. In fact, until the East front was improved in 1961, its iron "skirt" actually extended out over the portico roof, an architectural imbalance that was frequently noted. Some "traditionalists" sought to make a virtue of that flaw. But Walter himself did not regard it as such and recommended extension both of the East and West fronts, in 1874.

A critic of the extension plan claimed recently that Frederick Law Olmsted, designer of New York's Central Park, who designed the terraces on the West front, would be "horrified" by our proposal. This claim ignores the fact that Olmsted himself had proposed a similar extension of the building. His drawings not only are strikingly similar to the plans currently proposed, but one of them includes a pediment on the Western portico of the Capitol similar to the latest proposal. This pediment would give direction to the placement of the Walter dome as the central element of the Capitol.

"On the west," Olmsted wrote, "it is assumed that * * * the present facade of the old Capitol will eventually be replaced by a wall of marble corresponding in dimension and architectural character to those of the wings * * *"

Both Latrobe and Bulfinch, incidentally, also prepared drawings that contemplated a pediment for the West central front.

A crucial inconsistency on the part of some architects is also worth pointing out. When the American Institute of Architects opposed the extension on the East front, it advocated instead "developing a proposed scheme for expansion on the west front of the building." Architect Ralph Walker argued in the AIA Journal that "everything that would be obtained * * * by moving the East front and also extending the wings could be accomplished much more pleasantly, aesthetically and efficiently by reconstruction of the West front *which has no great historic significance.*" (Italics mine).

Similarly, testifying before a Senate subcommittee on Public Works, Douglas Haskell, editor of Architectural Forum, said that the claimed benefits of the controversial East front extension could be "better carried out on the western or terrace side, *and with no architectural damage.*" (Italics mine).

Thus these critics have shown themselves to be oppositionists first and traditionalists and aesthetics only in support of that opposition.

As for Von Eckardt's challenge, "who would dream of extending St. Peter's in Rome, Monticello, Mount Vernon or even the Houses of Parliament," the answer is easy. Only one of these buildings houses a legislature. And the Select Committee on the House of Commons (Services) on July 28, 1967 proposed the construction of a new office building stretching out from the base of Big Ben, in order to provide space for members. The Houses of Parliament and the Capitol both must change with the times. (Actually, the east front of St. Peters was extended 275 feet about 100 years after it was built.)

Along with the changes in its architecture, many other changes have altered the appearance of the Capitol over the years. There used to be an iron fence completely around it. It has been removed. Also removed have been the hitching posts that were no longer needed as the automotive era came on. Once the flag flew from the top of the Statue of Freedom on the dome. It created certain hazards, and it too was removed.

The Capitol has never been a static monument, a relic of history. It not only has served Congress (and the Library of Congress and the Supreme Court, before these were moved to their own quarters) but it has been put to unusual—"untraditional"—emergency use. During the early part of the Civil War, part of the Capitol was given over for security cells as a prison to hold war criminals, especially spies. Great sections were used as an arsenal to store ammunition. With inadequate hospital facilities in the Washington area, 1,500 beds were placed in the Capitol. A complete military kitchen was set up in the old House section. Huge ovens were installed and thousands of loaves of bread baked to feed the soldiers.

The debate in Congress over the change from gas to electricity makes droll reading today but it was fervent at the time. It took a serious explosion to rout the traditionalists. There has been a complete change in the heating system from that of heating by fireplaces, so loved by the traditionalists, to the present heating from a central plant. (We still, of course, have our snuff boxes.)

We all know that beauty is in the eye of the beholder. But I think it is important to emphasize that the proposed extension will not significantly alter the general appearance of the West front. The average citizen will hardly notice the difference. As evidence I recall that Senator Dirksen, who has served in the Capitol for 34 years, was impelled on the day of the press conference announcing the extension plan, to ask which of the two models before him incorporated the change.

Instead of preserving the Capitol as an historical artifact we should do all we can to enhance its appeal and utility to the public. Lecture halls, exhibition rooms and dining terraces would provide increased access for the public which has a right to expect a welcome from those who do the people's business. In addition, these facilities could also be used evenings and holidays, thus adding new life and vigor to the building during those off hours when the Capitol serves as little more than a "noble pile of masonry and marble." The concept of providing increased public usage of institutional buildings has received endorsements of modern sociologists not only on simple economic grounds but as a means of "relating" people to those institutions. The Capitol, of all buildings, should be foremost in that endeavor.

I cannot refrain from referring again to the battle that ensued in the late Fifties over the extension of the East front of the Capitol. Then, as now, there was an outcry against the expansion despite the recommendations of successive Capitol architects in whose name the protestors were demanding that no stone be touched in our treasured Capitol. Thank-

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fully, the work on the East front was approved and completed in time for President Kennedy's inauguration. And many of its severest critics agree that the new facade has added beauty as well as much-needed working space.

Now those of us who favor the extension of the West front, in order to further enhance the beauty of the Capitol while improving its facilities, have another dream. We look to the day—hopefully in time for the Inauguration of 1972—when the President of the United States will take his oath of office, not in front of a parking lot on the East front, as is now the case, but facing westward toward the nation's capital, westward, toward all America.

If at least one citizen during Jefferson's Administration had had his way, Congress would not now be meeting in the Capitol—indeed, the building might not exist in its present form. Congress would be meeting in the White House. The President would have been transferred to more modest quarters.

A 162-year-old, eight-page anonymously published booklet in the rare books collection of the Library of Congress contains the proposal to move Congress from the uncompleted Capitol, consisting then of the unconnected House and Senate wings. The booklet, titled "For Consideration of Congress" and signed "a Citizen," was issued in Washington in 1806.

The author argued that the proposed shift would result in economies. But his main assertion was that the Capitol site was too remote. He said it was "out of the way of commercial pursuits" and that it was "impossible to find a single motive, unconnected with the residence of Government, to induce private families to locate themselves" in the vicinity of the Capitol.

The city of Washington would inevitably develop in the area near Georgetown, the author predicted with a fair degree of accuracy. Georgetown has since been enveloped by the capital city.

The writer proposed that the structure intended for Congress be used as a national institute of arts. Other possible uses he cited were as a home for the mint or as a site for the United States Military Academy.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. Tiernan (at the request of Mr. Aspinall), for today, on account of official business.

To Mr. Kee (at the request of Mr. Slack), for today and Tuesday, May 20, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

The following Members (at the request of Mr. Beall of Maryland) and to revise and extend their remarks and include extraneous matter:

Mr. Bush, for 1 hour, on May 22.

Mr. Whalen, for 30 minutes, today.

Mr. Saylor, for 5 minutes, today.

Mr. Halpern, for 5 minutes, today.

The following Members (at the request of Mr. Mikva) and to revise and extend their remarks and include extraneous matter:

Mr. Gonzalez, for 10 minutes, today.

Mr. Tunney, for 10 minutes, today.

Mr. Podell, for 60 minutes, on May 20.

Mr. Marsh, for 30 minutes, on May 20.

EXTENSIONS OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. Jones of Alabama (at the request of Mr. Albert) in two instances.

Mr. Price of Illinois, during consideration of the Consent Calendar today.

Mr. Bray, during consideration of the Consent Calendar today.

Mr. Teague of Texas (at the request of Mr. Price of Illinois) prior to the passage of House Concurrent Resolution 207.

Mr. Cleveland, during consideration of the Consent Calendar today, on the bill H.R. 751.

Mr. Stafford, during consideration of the Consent Calendar today, on the bill H.R. 751.

Mr. Thompson of Georgia and to include extraneous matter.

(The following Members (at the request of Mr. Beall of Maryland) and to include extraneous matter:)

Mr. Quie in two instances.

Mr. Conte in two instances.

Mr. Findley.

Mr. Derwinski in two instances.

Mr. Quillen in four instances.

Mr. Pelly in two instances.

Mr. Teague of California.

Mr. Zwach.

Mr. Burke of Florida.

Mr. Hall.

Mr. Ashbrook.

Mr. Blackburn.

Mr. Wydler.

Mrs. Heckler of Massachusetts.

Mr. Steiger of Arizona.

Mr. Wyman in two instances.

Mr. Saylor.

(The following Members (at the request of Mr. Mikva) and to include extraneous matter:)

Mr. Biaggi in three instances.

Mr. Carey.

Mr. Jones of Alabama in two instances.

Mr. Thompson of New Jersey in two instances.

Mr. Ashley in three instances.

Mr. Edwards of California.

Mr. Rarick in four instances.

Mr. Boland in two instances.

Mr. Anderson of California in two instances.

Mr. Brasco in two instances.

Mr. Hamilton in two instances.

Mr. Brown of California in two instances.

Mr. Gilbert in two instances.

Mr. Evins of Tennessee in three instances.

Mr. Mikva in two instances.

Mr. Gonzalez in two instances.

Mr. Donohue in three instances.

Mr. Tunney.

Mr. Vanik in three instances.

Mr. Johnson of California.

Mr. Bingham in two instances.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 1995. An act to provide for the striking of medals in commemoration of the 150th anniversary of the founding of the State of Alabama; to the Committee on Banking and Currency.

BILLS PRESENTED TO THE PRESIDENT

Mr. FRIEDEL, from the Committee on House Administration, reported that that committee did on May 16, 1969, present to the President, for his approval, bills of the House of the following titles:

H.R. 33. An act to provide for increased participation by the United States in the International Development Association, and for other purposes.

H.R. 8794. An act to amend the Marine Resources and Engineering Development Act of 1966 to continue the National Council on Marine Resources and Engineering Development, and for other purposes.

ADJOURNMENT

Mr. MIKVA. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 40 minutes p.m.), the House adjourned until tomorrow, Tuesday, May 20, 1969, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

778. A letter from the Director, Office of Emergency Preparedness, Executive Office of the President, transmitting the semiannual report on the strategic and critical materials stockpiling program for the period July 1 to December 31, 1968, pursuant to the provisions of section 4 of the Strategic and Critical Materials Stock Piling Act; to the Committee on Armed Services.

779. A letter from the Deputy Assistant Secretary of Defense (Properties and Installations), transmitting notification of the location, nature, and estimated cost of an additional facilities project proposed to be undertaken for the Army Reserve, pursuant to the provisions of 10 U.S.C. 2233a(1); to the Committee on Armed Services.

780. A letter from the Deputy Director, U.S. Information Agency, transmitting the 31st semiannual report of the Agency, covering the period July 1 to December 31, 1968, pursuant to the provisions of section 1008 of Public Law 402 (80th Cong.; to the Committee on Foreign Affairs.

781. A letter from the Assistant Secretary of the Interior, transmitting a copy of a proposed concession contract for the provision of accomodations, facilities, and services for the public in Grand Teton National Park for the period January 1, 1969, through December 31, 1973, pursuant to the provisions of the act of July 31, 1953 (67 Stat. 271), as amended; to the Committee on Interior and Insular Affairs.

782. A letter from the Chairman, Federal Power Commission, transmitting copies of the publications, "All-Electric Homes, Annual Bills, 1968," and "Statistics of Publicly Owned Electric Utilities, 1967"; to the Committee on Interstate and Foreign Commerce.

783. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting reports concerning visa petitions approved according certain beneficiaries third- and sixth-preference classification, pursuant to the provisions of section 204(d) of the Immigration and Nationality Act, as amended; to the Committee on the Judiciary.

784. A letter from the Secretary of the Treasury, transmitting a draft of proposed

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legislation to authorize an adequate White House Police force, and for other purposes; to the Committee on Public Works.

785. A letter from the Administrator of Veterans' Affairs, transmitting a draft of proposed legislation to amend title 38 of the United States Code to authorize the Administrator of Veterans' Affairs to enter into agreements with hospitals, medical schools, or medical installations for the central administration of a program of training for interns or residents; to the Committee on Veterans' Affairs.

786. A letter from the Secretary of Health, Education, and Welfare, transmitting a report of grants approved by his Office, for the period January 1 to March 31, 1969, pursuant to the provisions of section 1120b of the Social Security Act; to the Committee on Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, pursuant to the order of the House of May 14, 1969, the following House joint resolution was reported on May 16, 1969:

Mr. CELLER: Committee on the Judiciary. House Joint Resolution 681. Joint Resolution proposing an amendment to the Constitution of the United States relating to the election of the President and Vice President, without amendment (Rept. No. 91–253). Referred to the House Calendar.

[*Submitted May 19, 1969*]

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. DAWSON: Committee on Government Operations. Search and rescue operations for U.S. citizens and craft in Foreign areas (sixth report) (Rept. No. 91–254). Referred to the Committee of the Whole House on the State of the Union.

Mr. MILLER of California: Committee on Science and Astronautics. H.R. 11271. A bill to authorize appropriations to the National Aeronautics and Space Administration for research and development, contruction of facilities, and research and program management, and for other purposes (Rept. No. 91–255). Referred to the Committee of the Whole House on the State of the Union.

Mr. STAGGERS: Committee on Interstate and Foreign Commerce. Report on trafficking in broadcast station licenses and construction permits (Rept. No. 91–256). Referred to the Committee of the Whole House on the State of the Union.

Mr. STAGGERS: Committee on Interstate and Foreign Commerce. Report on the fairness doctrine and related issues (Rept. No. 91–257). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ASHLEY:

H.R. 11401. A bill to authorize the Secretary of Commerce to conduct research and development programs to increase knowledge of tornadoes, squall lines, and other severe local storms, to develop methods for detecting storms for prediction and advance warning, and to provide for the establishment of a National Severe Storms Service; to the Committee on Interstate and Foreign Commerce.

By Mr. BLACKBURN:

H.R. 11402. A bill to amend title 10 of the United States Code to prohibit the assignment of a member of an armed force to combat area duty if certain relatives of such member died while serving in the Armed Forces in Vietnam; to the Committee on Armed Services.

By Mr. BROYHILL of Virginia:

H.R. 11403. A bill to amend the Federal Hazardous Substances Act to protect children from toys or other articles intended for use by children which present any electrical, mechanical, or thermal hazard; to the Committee on Interstate and Foreign Commerce.

By Mr. CONTE:

H.R. 11404. A bill to authorize the minting of coins in the denomination of $1 bearing the likeness of Dwight David Eisenhower; to the Committee on Banking and Currency.

H.R. 11405. A bill to establish a national policy and program with respect to wild predatory mammals, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. CORBETT:

H.R. 11406. A bill to provide additional benefits for optometry officers of the uniformed services; to the Committee on Armed Services.

By Mr. CORMAN:

H.R. 11407. A bill to reclassify certain key positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. DANIELS of New Jersey:

H.R. 11408. A bill to amend title XVIII of the Social Security Act to provide payment for chiropractors' services under the program of supplementary medical insurance benefits for the aged; to the Committee on Ways and Means.

H.R. 11409. A bill to exempt employees of the Railroad Retirement Board from section 201 of the Revenue and Expenditure Control Act of 1968; to the Committee on Ways and Means.

By Mr. DELLENBACK:

H.R. 11410. A bill to amend title 13, United States Code, to increase the penalties for wrongful disclosure of information by employees of the Bureau of the Census; to the Committee on Post Office and Civil Service.

By Mr. DULSKI (for himself and Mr. Corbett):

H.R. 11411. A bill to amend title 5, United States Code, to repeal the reporting requirement contained in subsection (b) of section 1308; to the Committee on Post Office and Civil Service.

By Mr. FOLEY:

H.R. 11412. A bill to establish in the Departments of the Interior and Agriculture Youth Conservation Corps, and for other purposes; to the Committee on Education and Labor.

By Mr. FOLEY (for himself, Mr. Flynt, Mrs. Hansen of Washington, Mr. McKneally, Mr. McMillan, Mr. Stubblefield, Mr. Ullman, Mrs. May, Mr. Reifel, Mr. Teague of California, and Mr. O'Neal of Georgia):

H.R. 11413. A bill to authorize the Secretary of Agriculture to cooperate with and furnish financial and other assistance to States and other public bodies and organizations in establishing a system for the prevention, control, and suppression of fires in rural areas, and for other purposes; to the Committee on Agriculture.

By Mr. FRASER:

H.R. 11414. A bill to improve the care of homeless children in the District of Columbia; to the Committee on the District of Columbia.

By Mr. HAMILTON:

H.R. 11415. A bill to provide that certain expenses incurred in the construction of a school in Jeffersonville, Ind., shall be eligible as local grants-in-aid for purposes of title I of the Housing Act of 1949; to the Committee on Banking and Currency.

By Mr. HORTON:

H.R. 11416. A bill, Federal-State Education Act of 1969; to the Committee on Education and Labor.

By Mr. JOHNSON of California (for himself and Mr. Don H. Clausen):

H.R. 11417. A bill to authorize the Secretary of Agriculture to cooperate with and furnish financial and other assistance to States and other public bodies and organizations in establishing a system for the prevention, control, and suppression of fires in rural areas, and for other purposes; to the Committee on Agriculture.

By Mr. MINISH:

H.R. 11418. A bill to promote higher standards of quality control in the manufacture of motor vehicles; to provide for the establishment by the Secretary of Commerce of standards for new motor vehicle warranties and for motor vehicle dealer franchise agreements; to prescribe effective remedies for breach of such warranties and agreements; and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. PODELL:

H.R. 11419. A bill relating to withholding for purposes of the income tax imposed by certain cities, on the compensation of Federal employees; to the Committee on Ways and Means.

By Mr. POWELL:

H.R. 11420. A bill to amend title II of the Social Security Act so as to liberalize the conditions governing eligibility of blind persons to receive disability insurance benefits thereunder; to the Committee on Ways and Means.

By Mr. REIFEL:

H.R. 11421. A bill to amend the Tariff Schedules of the United States with respect to the rate of duty on whole skins of mink; to the Committee on Ways and Means.

By Mr. ST. ONGE:

H.R. 11422. A bill to preserve and promote the resources of the Connecticut River Valley, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. SAYLOR:

H.R. 11423. A bill to establish the Gates of the Arctic National Park in the State of Alaska, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 11424. A bill to provide for the addition of certain lands to the Mount McKinley National Park in the State of Alaska, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 11425. A bill to establish a national policy and program with respect to wild predatory mammals, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. SCHERLE (for himself, Mr. Lukens, Mr. Nichols, Mr. Hunt, Mr. Whalley, Mr. Powell, Mr. Bush, Mr. Bingham, Mr. Camp, Mr. Schwengel, and Mr. Pirnie):

H.R. 11426. A bill to amend section 204(a) of the Coinage Act of 1965 in order to authorize minting of all new quarter dollar pieces with a likeness of the late President Dwight David Eisenhower on one side; to the Committee on Banking and Currency.

By Mr. TEAGUE of Texas (by request):

H.R. 11427. A bill to amend title 38 of the United States Code to authorize the Administrator of Veterans' Affairs to enter into agreements with hospitals, medical schools, or medical installations for the central administration of a program of training for interns or residents; to the Committee on Veterans' Affairs.

H.R. 11428. A bill to amend section 401(c) of the Internal Revenue Code of 1954 with respect to certain service performed by physicians employed by the Veterans' Administration; to the Committee on Ways and Means.

By Mr. TUNNEY:

H.R. 11429. A bill to amend title II of the Social Security Act to increase the amount of the monthly benefits payable thereunder, to provide for cost-of-living increases in benefits, to increase the outside earnings

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limitation, to extend medicare benefits to individuals aged 62 and to the disabled, to provide medicare coverage for prescribed drugs, to make medical expenses of aged persons fully deductible, and for other purposes; to the Committee on Ways and Means.

By Mr. WEICKER:

H.R. 11430. A bill to amend the Immigration and Nationality Act to make additional immigrant visas available for immigrants from certain foreign countries, and for other purposes; to the Committee on the Judiciary.

By Mr. WILLIAMS:

H.R. 11431. A bill to amend title 28, United States Code, to limit the appellate jurisdiction of the Supreme Court in certain cases relating to the apportionment of population among districts from which Members of Congress are elected; to the Committee on the Judiciary.

By Mr. DICKINSON:

H.J. Res. 723. Joint resolution proposing an amendment to the Constitution requiring that Federal judges be reconfirmed by the Senate every 6 years; to the Committee on the Judiciary.

H.J. Res. 724. Joint resolution proposing an amendment to the Constitution of the United States requiring the advice and consent of the House of Representatives in the making of treaties; to the Committee on the Judiciary.

By Mr. MIKVA:

H.J. Res. 725. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. SAYLOR:

H.J. Res. 726. Joint resolution proposing an amendment to the Constitution of the United States requiring the advice and consent of the House of Representatives in the making of treaties; to the Committee on the Judiciary.

By Mr. WYMAN:

H.J. Res. 727. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. ZWACH:

H.J. Res. 728. Joint resolution proposing an amendment to the Constitution of the United States relative to the equal rights for men and women; to the Committee on the Judiciary.

By Mr. BINGHAM (for himself, Mr. Ashley, Mr. Brademas, Mr. Brown of California, Mr. Burton of California, Mrs. Chisholm, Mr. Eckhardt, Mr. Edwards of California, Mr. Fraser, Mr. Farbstein, Mr. Halpern, Mr. Helstoski, Mr. Koch, Mr. Matsunaga, Mr. Mikva, Mr. Moorhead, Mr. Podell, Mr. Rees, Mr. Reid of New York, Mr. Reuss, Mr. Rosenthal, Mr. Roybal, Mr. Ryan, Mr. Scheuer, and Mr. Tiernan):

H. Con Res. 259. Concurrent resolution on urgency of arms control negotiations; to the Committee on Foreign Affairs.

By Mr. MORSE:

H. Con. Res. 260. Concurrent resolution on urgency of arms control negotiations; to the Committee on Foreign Affairs.

By Mr. GARMATZ (for himself, Mr. Pelly, Mr. Clark, Mr. Schadeberg, Mr. Dingell, Mr. Pollock, Mr. Lennon, Mr. Downing, Mr. Bray, Mr. Rogers of Florida, Mr. Stubblefield, Mr. Murphy of New York, Mr. Leggett, Mr. Feighan, Mr. Annunzio, Mr. Biaggi, Mr. Goodling, Mr. St. Onge, and Mr. Button):

H. Con. Res. 261. Concurrent resolution expressing the sense of Congress that certain leases of vessels and equipment to Peru should be revoked; to the Committee on Armed Services.

By Mr. BRASCO (for himself, Mr. Blanton, Mr. Celler, Mr. Friedel, Mr. Murphy of New York, Mr. Patten, Mr. Podell, Mr. Stuckey, Mr. Tiernan, and Mr. Wolff):

H. Con. Res. 262. Concurrent resolution expressing the sense of the Congress with respect to the production and distribution in interstate and foreign commerce of motion pictures and television programs which degrade or demean racial, religious, or ethnic groups; to the Committee on Interstate and Foreign Commerce.

By Mr. ANNUNZIO (for himself, Mr. Murphy of Illinois, Mr. Mikva, Mr. Kluczynski, Mr. Shipley, Mr. Ronan, Mr. Pucinski, and Mr. Price of Illinois):

H. Con. Res. 263. Concurrent resolution expressing the sense of the Congress with respect of the production and distribution in interstate and foreign commerce of motion pictures and television programs which degrade or demean racial, religious, or ethnic groups; to the Committee on Interstate and Foreign Commerce.

By Mr. FASCELL:

H. Con. Res. 264. Concurrent resolution expressing the sense of the Congress with respect to the production and distribution in interstate and foreign commerce of motion pictures and television programs which degrade or demean racial, religious, or ethnic groups; to the Committee on Interstate and Foreign Commerce.

By Mr. GIAIMO:

H. Con. Res. 265. Concurrent resolution expressing the sense of the Congress with respect to the production and distribution in interstate and foreign commerce of motion pictures and television programs which degrade or demean racial, religious, or ethnic groups; to the Committee on Interstate and Foreign Commerce.

By Mr. LEGGETT:

H. Con. Res. 266. Concurrent resolution expressing the sense of the Congress with respect to the production and distribution in interstate and foreign commerce of motion pictures and television programs which degrade or demean racial, religious, or ethnic groups; to the Committee on Interstate and Foreign Commerce.

By Mr. JOELSON:

H. Res. 412. Resolution creating a select committee to study the need for benefit increases under the old-age, survivors, and disability insurance program and for other revisions in such program and the program of health insurance for the aged, and to report to the House a bill incorporating its recommendations; to the Committee on Rules.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

172. By the SPEAKER: Memorial of the Legislature of the State of Alaska, relative to restoration of funds proposed to be cut from the Federal aid to schools in federally impacted areas program; to the Committee on Education and Labor.

173. Also, memorial of the Legislature of the State of Washington, relative to vocational youth organizations; to the Committee on Education and Labor.

174. Also, memorial of the Legislature of the Commonwealth of Massachusetts, relative to repeal of the Hatch Act; to the Committee on House Administration.

175. Also, memorial of the Legislature of the Commonwealth of Massachusetts, relative to direct popular election of the President and Vice President of the United States; to the Committee on the Judiciary.

176. Also, memorial of the Legislature of the State of Washington, relative to taxation of personal incomes of persons employed by interstate carriers; to the Committee on the Judiciary.

177. Also, memorial of the Legislature of the State of Alaska, relative to the protection of fish and shellfish resources in waters over the Continental Shelf of the United States; to the Committee on Merchant Marine and Fisheries.

178. Also, memorial of the Legislature of the State of Washington, relative to the issuance of a postage stamp of series commemorating the 50th anniversary of airmail service; to the Committee on Post Office and Civil Service.

179. Also, memorial of the House of Representatives of the State of Washington, relative to flood control and protection facilities for the Vancouver Lake, Wash., area; to the Committee on Public Works.

180. Also, memorial of the Legislature of the Commonwealth of Massachusetts, relative to providing a Veterans' Administration hospital in the north shore area of Essex County, Mass.; to the Committee on Veterans' Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ABBITT:

H.R. 11432. A bill conferring jurisdiction upon the U.S. Court of Claims to hear, determine, and render judgment upon the claim of Charles Bernstein, of Washington, D.C.; to the Committee on the Judiciary.

By Mr. BLACKBURN:

H.R. 11433. A bill to authorize Benjamin S. Persons to accept appointment as vice consul (honorary) of the Republic of El Salvador in Atlanta, Ga.; to the Committee on Foreign Affairs.

By Mr. BROWN of California:

H.R. 11434. A bill for the relief of Miss Vita Maria Narici; to the Committee on the Judiciary.

By Mr. HAWKINS:

H.R. 11435. A bill for the relief of Gloria Dela Cruz; to the Committee on the Judiciary.

By Mr. MINISH:

H.R. 11436. A bill for the relief of Domenica Alampo; to the Committee on the Judiciary.

By Mr. PODELL:

H.R. 11437. A bill for the relief of Francisca Ignacio; to the Committee on the Judiciary.

By Mr. STEIGER of Arizona:

H.R. 11438. A bill for the relief of Alice Faye King, Robert King, and Michael King; to the Committee on the Judiciary.

By Mr. STOKES:

H.R. 11439. A bill for the relief of Dr. Creena S. Verghese and her husband, Daniel Verghese; to the Committee on the Judiciary.

By Mr. FEIGHAN:

H. Con. Res. 267. Concurrent resolution favoring the suspension of deportation of certain aliens; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

112. By the SPEAKER: Petition of Anthony J. Ribeiro, Jr., and others, Fort Devens, Mass., relative to pay television; to the Committee on Interstate and Foreign Commerce.

113. Also, petition of Gordon L. Dollar, Los Angeles, Calif., relative to redress of grievances; to the Committee on the Judiciary.

114. Also, petition of the Morris Township Committee, New Jersey, relative to the tax-exempt status of municipal bonds; to the Committee on Ways and Means.

EXTENSIONS OF REMARKS

ARNOLD ENGINEERING DEVELOPMENT CENTER AT TULLAHOMA, TENN., RECEIVES NATIONAL ACCLAIM FOR ITS ROLE IN SPACE EXPLORATION

HON. JOE L. EVINS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Monday, May 19, 1969

Mr. EVINS of Tennessee. Mr. Speaker, Mr. Henry J. Taylor, the nationally syndicated columnist, recently outlined in an article the role of the fantastic Arnold Engineering Development Center in Tullahoma, Tenn., in space exploration. The giant AEDC research and wind tunnel testing facility is located in the district which I am honored to represent in the Congress.

This facility includes the largest hypersonic wind tunnel in the free world. Mr. Taylor dramatically details the AEDC testing in connection with the exploration probes which are expected to soon touch down on the moon.

As the Apollo 10 streaks toward the moon on the last preliminary flight prior to an actual landing, I place in the RECORD herewith Mr. Taylor's column in the Nashville Banner because of its interest to my colleagues and the American people.

The column follows:

[From the Nashville (Tenn.) Banner, May 13, 1969]

TULLAHOMA CENTER PLAYS VITAL ROLE IN CONQUEST OF SPACE

(By Henry J. Taylor)

CAPE KENNEDY, FLA.—The blast off of Apollo 10 will draw the great drama of the moon-shot to this famous place. But I have just reached here from a lovely spot in the Tennessee hills—a miracle place, really, that seems hardly known to our country in the whole incredible project.

The basic problem of space-engineering is that the environment changes but the landing vehicle does not. What happens to it on the moon where the surface temperature falls from the boiling point of water to 240 degrees below zero in 170 hours? What is the effect of the shadows of the peak called Epsilon, nearly a mile higher than Mt. Everest, the highest mountain on earth, if the module lands thereabouts? These are some of the questions involved in research at Tullahoma, Tennessee.

There the U.S. Air Force's unobtrusive Arnold Engineering Development Center has brought much of the universe down to pocketsize for the handiwork of the testing scientists for this moon-shot.

The name Arnold honors the late five-star General H. H. ("Hap") Arnold, World War II commander of the U.S. Air Force, a matchless man in many, many ways. It was he who coined the famous Air Force phrase: "What's difficult we do right away. The impossible takes a little longer." No better monument could be built to "Hap" Arnold than this miracle-source nestling in a forest in north central Tennessee.

The nearest star, our sun, is 93 million miles away. We know it burns at some 20 million degrees centigrade. It is nearly 3,000 times hotter inside than on its surface. This is fortunate, because if the sun's surface were as hot as its center the heat on us would vaporize the earth in a few minutes, alas.

It gives off energy in changing hydrogen to helium at the incredible rate of 564 million tons per second. This is about seven million times the energy output of all electric power stations in our nation. What will happen to the landing module and our men in this environment? For it is one thing for Apollo 10 to fly around the moon, miraculously enough, but quite another to stand stationary on it. Tullahoma found the answer.

The wind tunnel ("C") at Tullahoma is the largest hypersonic wind tunnel in the free world. Motors totalling 216,000 horsepower drive compressors that produce a wind of 8,000 miles an hour. I saw a model of this Apollo 10 glow cherry-red from the air's friction—standing still while air passed it at this speed.

In the section known as the Von Karman Gas Dynamics Facility, which has eight wind tunnels of its own, nitrogen gas is being heated to 10,000 degrees fahrenheit and then expanded through a nozzle to test speeds beyond anything dreamed about until this moon-shot. There structures were developed for it that withstand forces working against them that are equal to 200,000 times their own weight.

Many of the buildings in this little known development center are as heavily constructed as a battleship. Some are enormous grey monsters billowing skyward from their rustic setting in the trees and shaped unlike anything previously designed by man. Some have a definite sober majesty. Others are low and rambling and you enter them as if into the yawning mouth of a giant snake. Several others consist of row after row of aluminium-colored tubes, trellises, retorts, and tanks, thrown up bare, without walls, for the fumes from the Saturn-Apollo rocket engines on the test blocks make the ventilation problem enormous.

The electric power need is so enormous that it affects the civilian supply throughout north central Tennessee. Therefore, the large-scale Apollo tests were run after 10 o'clock at night when the outside power load was less and the drain not so disturbing.

Most of this electric power is needed to move water—the fantastic millions of gallons of cooling-water for propulsion-system test cells and the wind tunnels. However, conservation be praised, little water is diverted or consumed. An artificial lake was built at Tullahoma. It has a 75-mile, man-made shoreline. The water is circulated back into this lake—a recreation paradise in the lovely trees, a beautiful by-product of the moon-shot here.

RADIO STATION WHN, NEW YORK CITY, HAS DISCOVERED BRILLIANT AND CREATIVE NEWSMAN IN JOSEPH BRAGG

HON. FRANK J. BRASCO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, May 19, 1969

Mr. BRASCO. Mr. Speaker, many of the radio and television stations throughout our Nation have opened the doors of opportunity to minority members. They have devised training programs. They have given a chance for advancement to literally hundreds of young men and women in the communications industry. I would like to call attention to the superb efforts of radio station WHN in New York City.

The station offered an opportunity to Joseph Bragg, a brilliant and creative individual. Mr. Bragg rose rapidly through the ranks at the station and today is one of the city's most outstanding newsmen. His incisive questioning and perceptive reporting have added much to the New York scene.

I want to compliment Mr. Bragg for his objective efforts and the station for providing the opportunity for men such as he in one of our most important industries.

THE WORK OF UNESCO

HON. FRANK THOMPSON, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, May 19, 1969

Mr. THOMPSON of New Jersey. Mr. Speaker, perhaps the most effective organ of the United Nations in terms of its outreach to people is the United Nations Educational, Scientific, and Cultural Organization—UNESCO. The activities of UNESCO touch upon virtually every interest relating to the economic and social needs of mankind. As such, UNESCO has been above the turmoil of the world political arena. In all truth, its appeal is to the universal aspects of our daily lives. An editorial depicting the work of UNESCO was recently published in the publication of the Modern Language Association. It was written by George Winchester Stone, Jr., the distinguished dean of New York University's Graduate School of Arts and Science. I am pleased to bring Dean Stone's editorial to the attention of the House as follows:

The U.S. National Commission for UNESCO is charged by Congress to act in an advisory capacity to the United States government and to serve as liaison with the American people in matters pertaining to UNESCO. The challenges of our time are too vast and acute to be met successfully by any one organization; they require the cooperative efforts of nations, of organizations, and of individuals. UNESCO, an organization which was regarded frankly as an experiment when founded in 1946, now evokes the frequent exclamation: "If UNESCO did not exist, it would have to be created!" Two decades of growth and experience have turned it into a dynamic organization closely attuned to the educational, scientific, and cultural interests of the world's nations. What was once a limited instrument of 42 nations—mostly those of Western Europe and the Americas—now consists of 122 independent member states. The miniscule budgets of the early years have been replaced with more substantial funding which, though not yet adequate to all the tasks at hand, enables UNESCO to work productively on some of them. Most recently, a new dimension has been added to UNESCO's work, injecting a greater sense of immediacy and purposefulness. UNESCO has now moved extensively into the field of educational, scientific, and cultural *development* to the benefit of the less developed nations of Asia,

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Africa, and Latin America. The U.S. National Commission has welcomed and encouraged this extension of UNESCO activities. U.S. interests, both immediate and long-term have repeatedly been enhanced in recent years by UNESCO's significant contribution to a long list of international undertakings: oceanographic research, educational planning, teacher training, preservation of cultural heritages, and the free flow of information.

The main purpose of UNESCO is to help to create in all parts of the world the *conditions for peace*—conditions which will be crushed by rising tides of illiteracy, poverty, disease, and alienation of man from his fellow man. The gap in economic and social development continues to widen between the advanced and the developing nations, constantly eroding the opportunities for productive cooperation. The accelerated pace of urbanization is outstripping man's efforts to attain a tolerable quality of life and contributes unceasingly to the growth of the phenomenon of alienation. Proportionately, the rapid pace of scientific discovery, the development of modern communications media and their possible application to educational and social development, and other advances in man's knowledge of man now make it possible for the first time in history actually to set as a meaningful and obtainable goal the satisfaction of basic human needs for food and shelter, for education, and for good health. Given these facts, UNESCO's role must be that of a catalyst, innovator, communicator, and energizer. The responsibility for action continues to rest squarely on the *member states* of UNESCO.

The Modern Language Association has long been a member among the sixty national nongovernmental organizations active in the U.S. National Commission. It has received from and given aid to UNESCO and the U.S. National Commission by emphasizing the national interest and foreign languages, not only in the publication and various revisions of Professor William Riley Parker's book, but by the whole scope of the Foreign Language Program, which has been actively in progress in the MLA since 1952. The MLA has provided in the past kits of information for Citizens Consultation Groups on the matter of the spread of the teaching of modern foreign languages in the elementary schools, insistence upon a continuing escalator of these studies throughout the secondary schools, and the validity of new approaches toward the teaching of language. It has also, through a contract with the former Associate Secretary and Treasurer, George Anderson, produced a valuable booklet, *Great Literature East and West,* which examines and annotates the significant books in the UNESCO translation series dealing with matter in the MLA field. It has also contributed six full-page statements in *PMLA*, "UNESCO MUSTS," reviewing many of the significant publications which UNESCO has put forth pertinent to the MLA field.

The National Commission, however, in its recent assessment of its usefulness toward interpreting UNESCO to the U.S., has encountered great vacuums of information regarding UNESCO, tempered only by understanding of the closer relationship which ought to be created to convert general good will into specific action programs. The Commission intends to intensify its liaison not only with the 140 national organizations which are now or have been represented on the Commission, but to extend this liaison to all interested organizations. To do so will require substantial strengthening of the staff and resources of the Commission.

A key to productive participation, however, by all organizations in UNESCO affairs, is effective communication between the organizations and the National Commission—hence, this editorial comment on the nature of the Commission and its plea for each member's interpreting to his colleagues and communities the usefulness not only of the Commission, but of UNESCO in general.

UNESCO's constitution stresses among other things the rule of law as a basic goal, but UNESCO's present program scarcely reflects that purpose. In a special effort to fill the gap, the National Commission convened a meeting of twenty distinguished Americans concerned with international law. Altogether the substance and proceedings of international law are work for highly trained professionals outside the scope of UNESCO programs, the seminar participants recommended that UNESCO should use its influence to increase awareness among all peoples of the principles of international law and the value of widespread application of its process.

Should any member feel disposed to promulgate the idea of UNESCO, a 30-minute film, "The Minds of Men", was completed early in 1966, and is available. It portrays UNESCO's main purposes and activities. Two hundred prints are deposited in film libraries across the nation, where they are available on free loan to any interested group.

It seems to some of us that the next major productive phase of education must be international education, with a stepping up of international exchanges not only of scholars but of qualified students. We must keep alive, despite the apparent contemporary setbacks of national turmoils, the goals of free flow of ideas, materials, and people—qualified people. As Beowulf said to Hrothgor so many ages ago: "feorcyppe beop selran gesohte paem pe him selfa deah." The accomplishments of UNESCO's and of the U.S. National Commission, as well as other national commissions in this field, have been great, and should be made known to all groups with which individual MLA members come in touch. Pass the word in your community. Information on any items can be obtained by request to the U.S. National Commission for UNESCO, The Department of State, Washington, D.C. 20520 (Geo. Winchester Stone, Jr., New York Univ.).

DR. JOHN S. FOSTER, JR., ON THE ABM

HON. DURWARD G. HALL

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, May 19, 1969

Mr. HALL. Mr. Speaker, many statements have been made, by many people about the Safeguard anti-ballistic-missile system.

Many of this country's scientists have spoken out against the ABM, but even distinguished and learned scientists can do a disservice to the Nation when discussing a subject of this nature, when they do not have or allow a knowledgeable intelligence briefing to back them up.

A recent speech by Dr. John S. Foster, Jr., Director of Defense Research and Engineering, before the Aviation/Space Writers' Association, presents the views of a man not only of the scientific community, but deeply involved with the defense of this Nation as well. He is basically and technically well informed as well as thoroughly advised by highest intelligence sources.

In an effort to add more information and knowledge to this vital subject, I include this speech in the RECORD for all to read:

ADDRESS BY DR. JOHN S. FOSTER, JR., DIRECTOR OF DEFENSE RESEARCH AND ENGINEERING, BEFORE THE AVIATION/SPACE WRITERS' ASSOCIATION, SHERATON-DAYTON HOTEL, DAYTON, OHIO, MONDAY, MAY 12, 1969, 8 P.M. (E.D.T.)

This evening I would like to discuss the Safeguard Ballistic Missile Defense System. My purpose is to describe briefly why we need it; the issue before Congress and what it turns on; and then to attempt to set the record straight on some of the technical questions that have tended to dominate public debate. I'm certain you have not failed to note the great number of writers that are now experts in your business.

First the "whys" of Safeguard. During the last four years we have observed a rapid growth in the Soviet Union's strategic forces. This growth has resulted in an improvement and expansion of their already massive anti-aircraft defenses, the deployment of a small ABM system, the start of more than 1000 ICBM launchers, and the rapid deployment of more advanced nuclear submarines—both attack and ballistic missile launching. The expansion is continuing.

As we have watched this expansion during the last few years, most of us assumed that the Soviet Union was attempting, logically, to gain strategic parity with the U.S. We, ourselves, have not significantly expanded our forces during this period.

However, more recently the character and number of Soviet offensive weapons have tended in directions which cause us now to doubt most seriously our previous less disturbing assumptions. A continuation of these trends could constitute a threat to our strategic forces—to our land-based ICBM's and to our strategic bombers. The phased deployment of Safeguard is intended to give us a minimum necessary "hedge" to protect against these contingencies.

Phase I of this deployment is limited to the location of Safeguard components at two Minuteman wings. Deployment of these two sites provides an opportunity to "shakedown" such a system—to find and remove those technical and operational bugs which are not likely to show up in research and development efforts. We will be prepared to move to Phase II should the threat continue to increase. We could move in the direction of giving greater coverage to the ICBM force, or to protect our alert B–52's against an SLBM attack, or to protect the National Command Authority or to protect our population against a Communist Chinese ICBM attack, or some combination of these options.

It is extremely important that we understand clearly the issue before the Congress, and the consequences of its decision one way or other other.

The question of Phase I deployment rests on three key points. First, is the matter of incremental funds associated with deployment. We are requesting just under $900 million in FY 1970 to continue development, test, and deployment. Of this, about half of the money is for development, test, and the necessary supervision; and the remainder for deployment. So the deployment decision involves the authorization and appropriation of an incremental, $450 to $500 million,—less than 1% of the DoD's budget request. In fact, expenditures for FY 1970 would be reduced by only about $250 million, but the ultimate over-all DoD cost for the completed Phase I would increase some $250 million.

Second, it is important to maintain continuity of this hedge against the still evolving threats. You should realize that ever since the approval by Congress, and Secretary McNamara's decision in 1967, we have been building up our capability to produce and deploy these components. If authorization to continue deployment were delayed until next year, the current capability would decay, and we would lose not just one year but two or more years. Without authority for

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production and deployment, we would have to close our developmental production lines, discharge our production personnel and cease our engineering on sites. Later, when authority was granted to reinitiate production, site acquisition, and on-site engineering and construction, we would re-engage the necessary personnel and train them before productive work could be accomplished. This means that the first two sites could not be in operation until 1976 at the earliest, instead of 1974. If at the same time, the Soviets continue on their present course, they could have another hundred SS-9 missiles making a total perhaps of 600, with up to 1800 warheads to attack our 1000 Minuteman. We would then be defending with too little too late.

The third and final key point on which the ABM issue rests is our desire to negotiate with the Soviet Union and end the strategic nuclear arms race. President Nixon has been quite clear on this point. He said—

"I have taken cognizance of the view that beginning construction of a U.S. ballistic missile defense would complicate an agreement on strategic arms with the Soviet Union.

"I do not believe that the evidence of the recent past bears out this contention. The Soviet interest in strategic talks was not deterred by the decision of the previous administration to deploy the Sentinel ABM system—in fact, it was formally announced shortly afterwards. I believe that the modifications we have made in the previous program will give the Soviet Union even less reason to view our defense effort as an obstacle to talks. Morever, I wish to emphasize that in any arms limitation talks with the Soviet Union, the United States will be fully prepared to discuss limitations on defensive as well as offensive weapons systems."

In summary, then, the President has decided that we should take this minimum step consistent with preserving our security and enhancing the chances for meaningful negotiation with the Soviet Union. Failure to take the step could not only endanger our security in the mid-seventies, but also weaken our negotiation position in the immediate future.

The Safeguard issue is complicated by genuine uncertainties over Soviet intentions, and unnecessary confusion over technical and tactical problems. What is most remarkable in the public debate is the high level of confusion and misunderstanding which exists in the minds of some professionals as well as some non-professional. For example, regarding the Soviet threat, the following quotation is from the recent book "ABM" edited by Professors Chayes and Wiesner.

"It is important to understand that these assertions by Secretary Laird are not based on any intelligence about new Soviet weapons systems. They represent his interpretation of facts that have, in the main, been known for some time, but have not been viewed heretofore by the responsible officials as signaling a Soviet attempt to attain a first-strike capability."

Secretary Clifford concluded in his January 1969 Posture Statement:

"It is quite apparent from the foregoing review of the threat that the Soviet Union is moving vigorously to catch up with the United States at least in numbers of strategic missiles—both land-based and sea-based."

Implicit in Secretary Clifford's conclusion is that the Soviets would level off when they "catch up." The subsequent evaluation of intelligence obtained earlier than his statement and intelligence received subsequently reveals both that the Soviets are moving even faster than anticipated and that, having passed the assumed leveling off point, their expansion programs are continuing unabated.

Mr. Laird's statements are based upon agreed intelligence data. I know of no disagreement on the approximate number of SS-9's being built by the Soviet Union, nor of any significant issue in size of its payload. We all agree upon the existence of new submarines and upon their approximate rate of deployment. No person who has seen the data objects to the conclusion that the SS-9 has been tested with multiples and the community agrees upon an approximate weight of the RV's.

We do not know just how effectively these RV's could attack Minuteman silos since we do not know precisely their accuracy. Indeed, their testing is continuing.

Further we do not know how many SS-9's the Soviets will finally build. Perhaps the Soviets themselves haven't decided. But, we do have a good idea of the number they could build in any given time at the recent rate, and we do have a good idea of the accuracy they might achieve.

President Johnson and Secretary McNamara saw only the beginning of the SS-9 buildup when the Sentinel system was started 2 years ago, but even at that time the option to defend Minuteman was designed into that deployment. To quote Mr. McNamara in September 1967:

"Further, the Chinese-oriented ABM deployment would enable us to add—as a concurrent benefit—a further defense of our Minuteman sites against Soviet attack."

Mr. Clifford requested, and the Congress granted, funds to maintain that option.

Other statements in the ABM book seem to play a strange numbers game. At one point the book states:

"With our Minuteman in hardened silos, it would take at least two attacking ICBM's to be reasonably sure of destoying one Minuteman."

An ICBM with three independently aimed warheads can attack three silos. The U.S. has designed, but not deployed, a system which allows a missile to signal the launch-control point if it has launched its re-entry vehicle properly. With this system, the control point could reprogram another missile to make up for failures. For example, a missile system having a 20% failure rate and carrying 3 re-entry vehicles per missile, would require only 420 missiles to attack 1000 silos. If the yield of each re-entry vehicle was a reasonable 5 MT and the accuracy a reasonable ¼ of a mile, about 95% of the silos could be destroyed. This would mean 50 of the 1000 Minutemen survive. It would be foolish to attack half of the silos twice as the book advised, rather than all of them once.

The same strange numbers game is played relative to defense. To quote again,

"It would take three missiles with 30 percent failure probability to destroy an incoming warhead with 97 percent certainty. Some such requirement must be incorporated into the firing doctrine for any ABM defense of cities, radars or bomber bases, and this uses up the defensive missiles at a fearsome rate."

Professor Weinberg indicates in his contribution to this book that sequential firing of the interceptors would eliminate this problem. He considers this very difficult. However, this is just the tactic which we will use and we have planned to use for many years. It is feasible. Furthermore, we expect missile failure rate considerably less than his assumed 30%, and results of firings to date support our expectation. Of those missiles that fail, almost all occur early in flight. Should one fail, we would fire another. Sufficient time is available.

We also find the statement:

"But that system (Sentinel) was designed for a wholly different purpose . . ."

This quotation is part of a much longer charge implying that the Safeguard components were not designed to defend Minuteman. This is just not true. The NIKE-X R&D program upon which both Sentinel and Safeguard were based, always had a Sprint missile for point defense of targets, specifically Minutemen and cities. We have, from time to time, examined specialized systems, designed only to hard point defense, with the hope that we could find something much cheaper or much better. But we haven't found it.

Another statement reads:

"It has been authoritatively suggested that it just may be impossible during the next years to write a computer program for dealing with the various forms of attack that can be anticipated."

Programming of large computer-controlled systems is difficult. We have had considerable relevant experience, and our experience shows us that it can be done. The systems cited as horrible examples were pioneering new ground, but they eventually worked quite well. A recent example is the Air Force Space Track radar recently completed. It is very similar to the PAR radar in its operation; it has one of the largest real time computer programs ever written and contains almost a million instructions. It was built on schedule and within cost estimates—including the computer programming. The radar and its computer program are now operational, and the system is being operated and maintained by Air Force crews. In the case of Safeguard, we are allowing a year for shake down of the Phase I installations.

The book in many spots also claims that the defense can be easily countered by simple penetration devices or by "blackout" attacks.

These "simple" devices simply are not simple. We know that the United States has attempted to field operational penetration aids for the last decade, and we are only now beginning to have workable ones in our forces. We use them to force the Soviets to install a complicated and more expensive defense—we do not depend on them to assure our penetration capability. The devices—and the tactics—will require more resources than the Communist Chinese will have available for a considerable time.

With regard to the Soviets, the penetration tactics are not very useful for an attack upon the Minuteman force, and for that reason the Soviets would be wasting their time with them. Light penetration aids and the extensive high altitude blackout do not have much effect on a Sprint defense which takes place in the atmosphere.

With regard to the Chinese, they have yet to achieve their first generation ICBM. They don't know and don't yet have what it takes to develop and deploy penetration aides and tactics against the Safeguard system.

Professor Panofsky has asked recently how many Minutemen could be saved by Phase I of Safeguard.

There are attacks for which Phase I will save a respectable number of missiles. The maximum number is associated with the number of interceptors—a number which is classified for obvious reasons. However, I think it is a mistake to consider Phase I in just such terms. Phase I has two basic functions. It is first a step which will prepare us to react rapidly to a further development of the threat. It prepares sites and production facilities for increasing the number of interceptors and possibly radars, if a threat continues to develop.

Secondly, it provides a checkout, a shakedown of an integrated ABM system. Our first opportunity for such experience. What we learn here will affect future improvements of the system.

Professor Panofsky recently inquired whether the Safeguard system forms an economically feasible defense against a heavy threat to the Minuteman force. Various estimates of the cost of an interceptor including its assigned fraction of the radar and other systems cost have varied between $2.5M and $7M. The present cost to the U.S. and probably the Soviet Union for an offensive R/V is in excess of $10M. The advances which we expect in our forces over the next few years may reduce these to about $3M. There is little hope they will ever get as low as $2M. In other words, the cost to attack and to defend in the 1970 time frame are roughly one to one. Whether or not it turns out in, say 1975, to favor the offense or the defense depends on just what improvements the Soviets achieve as well as our own experience with the actual production and operation of our defensive system.

The Safeguard system has been designed by competent people, and the best that are available. Its design has been reviewed by outside experts. Those who do, in fact, study the aspects of the system that are within their area of technical expertise are convinced it will do what it is designed to do. There are some eminent scientists who, for one reason or other claim it won't work. On that, I'd like to say, first, that they have offered no problem which we have not long since addressed and resolved. Second, I want to point out that one does not obtain a meaningful technical judgment by taking a vote of the scientific community or even of Nobel Laureates. This would go to the second warning against misplaced power mentioned by President Eisenhower in his often quoted Farewell message—

"Yet, in holding scientific research and discovery in respect as we should, we must also be alert to the equal and opposite danger that public policy could itself become the captive of a scientific-technological elite."

I have attempted to treat some technical objections which have been raised; I have not treated all of them. Perhaps you have found or read objections which you consider more serious. If so, I would welcome an opportunity to answer them here and now.

CHICAGO CITY COUNCIL DEMANDS END TO U.S. INVOLVEMENT IN VIETNAM

HON. ABNER J. MIKVA

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, May 19, 1969

Mr. MIKVA. Mr. Speaker, 1 week ago the Chicago City Council took an action which I believe is significant both for the people of Chicago and for the Nation. In an unusual venture into the realm of foreign affairs, the council unanimously called on President Nixon "to take all extraordinary measures to deescalate and to quickly and drastically reduce American involvement in the war." In taking this action, the Chicago City Council has given voice to what millions of Americans—in Chicago and throughout the Nation—have begun to feel: that they were misled both as to the nature of our goals and our ability to accomplish them in Vietnam, that the overwhelming investment of American lives and material resources in the 4 years since American combat forces have been in Vietnam has simply been not worth the cost, that—in short—it is time for us to leave the military and political problems to be solved by the Vietnamese themselves.

I believe it is significant, Mr. Speaker, that the Chicago City Council's action was both unanimous and bipartisan. I think this fact should have special significance in light of the assumption of responsibility by a new administration—a Republican administration. The alderman who introduced this Vietnam withdrawal resolution was a Republican. In introducing it he certainly spoke for many members of his own party who are weary of this war. I commend the Chicago City Council's action, and the following article describing it, to the attention of my colleagues, and to the attention of those whose responsibility it is to make the crucial decisions on continued U.S. involvement in Vietnam.

The article referred to follows:

[From the Chicago Daily News, May 12, 1969]

GET OUT OF VIETNAM, CITY COUNCIL DEMANDS—UNANIMOUS VOTE FOR RESOLUTION

(By Jay McMullen)

The City Council Monday, in a rare display of nonpartisan agreement, unanimously called on President Richard M. Nixon "to drastically reduce American involvement in the war in Vietnam."

The Council Finance Committee, comprising all 50 aldermen, approved a resolution offered by Ald. Jack I. Sperling (50th), a Republican.

The resolution asked the President "to take all extraordinary measures to de-escalate and to quickly and drastically reduce American involvement in the war . . ."

The resolution also asks that Mr. Nixon "order an immediate, orderly and sizable withdrawal of major American forces in Vietnam."

It also requests that "Congress provide through "legislative and budgetary powers that President Nixon begin to extricate the United States from its disastrous and crushing involvement in Vietnam."

Sperling's resolution prompted a long debate, but only over whether the wording was strong enough.

"This resolution says we want out," Sperling said.

"It has been demonstrated very clearly by many people that the war is not winnable."

Ald. Seymour Simon (40th), an independent Democrat, joined Sperling in speaking for the resolution.

"The terrible things that are happening on the nation's campuses today wouldn't be happening but for Vietnam," Simon said.

"The war shows our young people we regard human life as having a cheap value. This was wrong from the beginning and in this resolution we say, 'Let's take our men out of Vietnam,' " Simon added.

Ald. A. A. (Sammy) Rayner Jr. (6th) complained that the resolution doesn't go far enough.

Rayner said he favors "total, unilateral withdrawal. We should bring our boys home as soon as possible."

The resolution said "there is a rising clamor throughout the nation by a cessation of hostilities in Vietnam, or at the very least the cessation of American military involvement there."

Since the aldermen approved the resolution while sitting as the Finance Committee, they will vote on it again at Wednesday's Council meeting.

A BILL TO PREVENT THE LOSS OF MORE THAN ONE FAMILY MEMBER IN VIETNAM

HON. BENJAMIN B. BLACKBURN

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 19, 1969

Mr. BLACKBURN. Mr. Speaker, it is my privilege today to reintroduce a bill to prohibit the assignment of a member of the Armed Forces to combat area duty if certain relatives died while serving in Vietnam.

Over 34,000 American families have been touched by the loss of a member due to the conflict in Vietnam. From all indications the war in Vietnam will be continuing at essentially the present scale for many months to come. During the period of continued operations the tragedy of the loss of loved ones from families remains an ever-present concern to all Americans. The bill which I am reintroducing today would prevent the loss of more than one family member by permitting any serviceman to be assigned to another theater of operations if his family has suffered a loss of a daughter, son, or father in Vietnam. I think it would be completely reprehensible, considering the manpower pool that is available, to force another son, daughter, or father in the position of possibly losing his or her life in Vietnam. Since this bill would affect only a very few families, I do not see how it could affect the manpower needs. I hope that the Committee on Armed Services will give this matter their immediate attention and report the bill to the House floor within the near future.

ALABAMA CONGRESSMAN PRAISED BY NEWSPAPER

HON. ROBERT E. JONES

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 19, 1969

Mr. JONES of Alabama. Mr. Speaker, one of our distinguished colleagues, Hon. GEORGE W. ANDREWS, has been singled out for congratulations in a newspaper editorial because of his great and important work for water resources development in all of Alabama and throughout the Nation.

As the editorial comments, Congressman ANDREWS has taken on additional duties as a member of the House Appropriations Committee's Subcommittee on Public Works and will be in an even better position to advance this vital work for the improvement of our country.

I want to add my personal congratulations to our colleague from Alabama, and I include the editorial from the Decatur, Ala., Daily at this point as a part of my remarks so that all of my colleagues will know of this exceptional commendation:

[From the Decatur (Ala.) Daily, May 12, 1969]

CONGRESSMAN ANDREWS BIG AID FOR TVA, ALABAMA

For Alabama, one of the most fortunate arrangements to occur in the Congress this year is the placement of Rep. George Andrews of Union Springs on the Appropriations Subcommittee which deals with funding for public works projects.

Throughout his entire tenure in the House of Representatives, Congressman Andrews has worked faithfully and purposefully for water resources development. Add to this his great knowledge of fiscal affairs and the value of proper investment in our country's natural resources, and our state can take

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pride in the record he will establish in his important new assignment.

As Congressman Andrews is an experienced legislator in the field of water resources development, lodging him on the Subcommittee for Public Works of the Appropriations Committee will bear the entire nation well for he will be in a position to be productive and influential.

No one outside our area is more familiar with TVA nor has anyone been a more constant and ardent supporter of its aims and welfare than George Andrews.

We of the Tennessee Valley are proud of this distinguished Alabama Congressman and are afforded comfort in knowing that he is equally as interested in North Alabama as in his own area.

He has proven time and time again that water resource developments such as the TVA are adding to the value of our nation and providing strength for our people.

Congressman Andrews is now in a position to do even more as a member of the Committee which passes on the funding for public works and capital improvements vitally necessary for our country.

SUCCESSES IN KOREAN AID PROGRAM

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 19, 1969

Mr. HAMILTON. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following article pointing up some of the successes of the U.S. aid program in Korea.

The projects covered by the article represent only a small portion of the nationwide food-for-work program initiated by the Korean Government in 1964.

Since then, the total program has benefited some 600,000 Korean families whose members earned much-needed foodstuffs for their children and elders while working on community and agricultural improvement projects. There are 150,000 of these families now tilling land newly reclaimed by virtue of such projects. Each year, the Korean Government has assumed a greater share of the total cost of the food-for-work program, advancing from 24 percent in 1964 to 50 percent in 1968, with the ultimate goal of financing this program entirely as soon as its own resources are adequate to do so.

The article, in the March 31 edition of the Washington Daily News reads as follows:

U.S. AID: KOREA

(By Ray Cromley)

SEOUL, KOREA (NEA).—If President Nixon's men are weary-eyed from probing into the shortcomings of our domestic welfare programs, let them come to Korea.

Here they'll see a new twist in attacking poverty. Workers are enthused, the poor happy. The projects have been so successful, in fact, Washington is now using the plan in 75 countries—but not at home in the United States.

The aid is American food. It's given in payment to the poor for work. But the secret of success is that it is a particular kind of work—designed to help eliminate the poverty.

Back in 1958 and 1959, in return for American aid food, thousands of South Korean farmers began working 15 days a month at building dams and dikes to reclaim thousands of acres of land along South Korea's long western seacoast, and bench terracing margional lands in the highlands.

There were hundreds of such projects in the years that followed. As each was completed, the South Korean "poor" settled down on the land, producing rice, dry crops, salt.

Usually, not long after, the aid volunteer offices would begin receiving letters which read something like this: "As of next month, when our first crop comes in we will no longer need the gift food. Thank you."

Over the years other poverty-stricken South Koreans have built reservoirs, wells, public comfort stations, farm roads, co-operative pig sties, chicken and rabbit houses, facilities for raising silk worms, irrigation dams and canals, school playgrounds, sewage ditches, flood-prevention embankments.

Large numbers of the men and women who have worked on these projects are now self supporting.

At present, 30,000 people are working on 266 projects in programs supervised by religious groups working jointly in co-operation with the U.S. aid program and the South Korean government.

Only one member from each family is permitted to work. He may labor under this program only 15 days a month (as it is not intended to develop into a permanent way of life). For this 15 days he receives a month's basic food for himself and his family.

It was not always thus. At the start, the use of American gift food for work was against U.S. law. But the religious volunteer agencies working in the program found the Koreans were unhappy at receiving handouts. They kept asking for something to do. Thus, the work program.

The Agency for International Development in 1964 asked Congress to change the law so that aid to needy persons should where possible aim at community and other self help actions designed to lessen the need for assistance.

That set the ball rolling. A five-year conversion program was begun that year. The majority of food-for-aid projects in 75 countries were to come under the new concept by some time in 1969.

As one volunteer in the South Korean program puts it:

"The people show they like the program . . . They are doing things that are of their own choosing for which they feel the need . . . Their confidence has been built up for them to try themselves to do things they have wanted to do . . . Doing the work themselves and being paid for it takes away the feeling of dependency upon outside help and assistance."

It's pretty difficult to ask for more in a poverty program.

JOB CORPS THOUGHTS BEFORE IT PASSES ON

HON. WILLIAM (BILL) CLAY

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, May 19, 1969

Mr. CLAY. Mr. Speaker, if the Nixon administration seeks an epitaph for the life it has drummed out of 59 Job Corps centers and from 17,000 youth, I respectfully submit the following tribute which appeared in the Washington Post Sunday edition, May 18, 1969. It is doubtful that the administration will agree with this portrayal of the life and death of the Job Corps—but those of us who can and will support the account expressed by Colman McCarthy will surely agree we have rarely seen the case so well stated.

The article follows:

JOB CORPS THOUGHTS BEFORE IT PASSES ON

(By Colman McCarthy)

When he was still running OEO, Sargent Shriver, a user of metaphors, often referred to the Job Corps as "the Nation's dumping ground." Occasionally, the term would throw off or offend someone. "Go to a Job Corps center," Shriver would say, "and see for yourself. It'll be filled with kids this country has literally dumped."

Most were content to take Shriver's word for it. Besides, statistics soon began coming back on the dumpees, grim enough to convince anyone. Fifty per cent of the kids had never seen a dentist or doctor, 24 per cent had eye trouble, they averaged 9 years of schooling but only read at 5th grade level, 33 per cent had behavioral problems, 29 per cent of the Negro enrollees left school because they were bored, as did 56 per cent of the white enrollees.

In addition, there were curious little stories the statistics didn't tell. For example, a girl from Appalachia was being shown her room in the dormitory of an urban women's center. When showing her the bathroom, her guide flushed the toilet to be sure it worked. The Appalachian girl jumped back in horror. It was the first one she had ever seen and her comment was, "But I could fall into it."

Early reports also came back from many centers that homosexuality was going to be a problem. The judgment was based on the habits of enrollees who, during the middle of the night, would slip out of bed and into that of a companion. Psychiatrists discovered later that it was not homosexuality at all, but loneliness. The youths in question had never slept alone in a bed by themselves before, being forced by poverty to share a bed with one or more brothers and sisters.

Occasionally, outside observers complained that Job Corps officials often did not give out permanent clothing when new recruits arrived. What appeared as cruelty was really practicality; most of the enrollees had lived on such poor diets that it was better to hold off fitting them for clothes until they gained 10 or 20 pounds, usually a matter of weeks.

It was little wonder the country had no use for kids like this. They didn't even qualify for the dirty-work jobs that every well-run society, if it's going to be neat and clean, needs done.

Early in 1965, when Job Corps began, two things became immediately clear about the program. First, it was not going to be just another job-training program. Many of the youths were so physically, socially and psychologically shattered that training them for jobs right off was impossible. It accomplished little to take a young man into a mechanic shop and say, "Here, I'm going to make a mechanic out of you," when everything about the youth shouted back, "Please, make a human being out of me first."

Thus, Job Corps was basically a human reclamation program, reclaiming exactly the youths society made worthless and then damned because they *were* worthless. The situation was similar to Shaw's comment in the preface to *Man and Superman:* "The haughty American nation . . . makes the Negro clean its boots and then proves the moral and physical inferiority of the Negro by the fact that he is a bootblack."

The second fact immediately clear about Job Corps in its early days was that of all the poverty programs, it was destined to become the most picked on. Spending tax money on dropouts, punks, welfare cases and the hopeless was probably the subconscious reason why so many righteous Americans were re-

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vulsed by the idea of Job Corps. Essentially, the same thing was being done in a program like Head Start, but here the kids were small and cute and cuddly and who but maybe Strom Thurmond would dare speak out against children?

A further reason to wax vehement against Job Corps was "the Harvard argument." Critics pulled out figures saying it cost $10,000 a year to train a Job Corps enrollee—or about three times the cost of a year at Harvard. Few bothered to get the accurate cost of Job Corps—$6,725 in 1968—or to consider that the program did a lot more than educate, or that Harvard, through alumni gifts, endowments and other contributions, subsidizes each student for $7,570, which means a year at Harvard comes out to more than $10,000. Ironically, the Harvard argument boomerangs in another, more topical way—no Job Corps enrollees, no matter how "disadvantaged," have yet rioted and shut down their center.

When Richard Nixon resurfaced on the national scene, he also picked on Job Corps. The night before he was elected president, he said on national television that the program was a failure, that it costs $12,000 a year to train an enrollee (Mr. Nixon had been using the figure $10,000, but on election eve it escalated to $12,000) and that he planned to eliminate it.

Evidently candidate Nixon didn't know that many large corporations were running Job Corps centers: IBM, Litton, Westinghouse, Philco-Ford, Packard-Bell, Burroughs, IT&T. Nor did he know that about 123,000 of the 177,000 youth who enrolled since 1965 are either working, back in school or in military service. As president, Nixon has apparently heard from his businessmen friends that Job Corps isn't all bad: slander Job Corps and you slander us, their reasoning went. So instead of trying to eliminate Job Corps, the President is now merely going to emasculate it.

What it means is that for many of the dumped, they will get dumped again: into programs too narrow for them, or back into a society too uncaring. Either way the dumped feeling is nothing new.

RESOLUTION URGING CONSTRUCTION OF A VETERANS' ADMINISTRATION HOSPITAL IN THE NORTH SHORE AREA OF ESSEX COUNTY, MASS. BY THE MASSACHUSETTS LEGISLATURE

HON. HAROLD D. DONOHUE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, May 19, 1969

Mr. DONOHUE. Mr. Speaker, I am pleased to include the resolution recently adopted by the Massachusetts Legislature urging the Congress to enact legislation for a Veterans' Administration hospital in the North Shore area of the county of Essex, Mass. In response to the increasing need for Veterans' Administration hospital facilities, I most earnestly urge and hope that my colleagues and the administration will heed and act in the language and the spirit of the resolution which follows:

RESOLUTIONS MEMORIALIZING THE CONGRESS OF THE UNITED STATES TO ENACT LEGISLATION PROVIDING FOR A VETERANS' ADMINISTRATION HOSPITAL IN THE NORTH SHORE AREA OF THE COUNTY OF ESSEX

Whereas, There is an urgent need for the establishment of a two thousand bed Veterans' Administration hospital in the north shore area of Essex county; now, therefore be it

Resolved, That the General Court of Massachusetts hereby respectfully urges the Congress of the United States to enact legislation providing for the establishment of a two thousand bed Veterans' Administration hospital in the north shore area of Essex county; and be it further

Resolved, That a copy of these resolutions be transmitted forthwith by the State Secretary to the President of the United States, to the presiding officer of each branch of the Congress, to the members thereof from the Commonwealth and to the Administrator of Veterans' Affairs.

Senate, adopted, April 28, 1969.

NORMAN L. PIDGEON,
Clerk.

House of Representatives, adopted in concurrence, April 30, 1969.

WALLACE C. MILLS,
Clerk.

Attest:

JOHN F. X. DAVOREN,
Secretary of the Commonwealth.

NORWEGIAN-AMERICAN RELATIONS

HON. ALBERT H. QUIE

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 19, 1969

Mr. QUIE. Mr. Speaker, the 17th of May provides a welcome opportunity to comment on some aspects of our current and always exemplary relations with Norway. It is Constitution Day, Norway's 155-year-old national holiday. It is a pleasure to pay respectful tribute.

For three historical reasons, I think it is particularly appropriate that we recognize this occasion here in the House of Representatives.

First, it marks the beginning of the Norwegian Legislature.

Second, it commemorates the world's second oldest Constitution still effective today. Only our own is older.

Third, that Constitution has a special kinship to our own.

The Norwegian "founding fathers" studied very closely the work of the men of Philadelphia. It is not just coincidental that the three central concepts agreed upon in Norway in 1814 were government by the people, separation of powers, and the guaranteeing of inalienable human rights. In an early draft they incorporated article XXX of the constitution of Massachusetts with its familiar conclusion that government "should be a government of laws and not of men."

It is in large part because we have stood on common constitutional ground that our relations with Norway have always been excellent. I do not want to examine the details of this very satisfactory history, but I do want to comment on our current cultural and economic relations.

Our cultural relations remain very good. Nearly 800 students from Norway were studying in the United States last year, bringing the total since World War II to approximately 10,000. If one includes those enrolled in the summer school in Oslo, students from the United States are the largest group of foreign students in Norway. Last year Norway was visited by more than 120,000 Americans.

It is impressive that in 1968 Norway imported $37 per capita of U.S. exports. Almost astounding is the extent to which Norway's merchant marine has contributed to U.S. trade with the rest of the world. Norwegian ships are second only to our own in visits to American ports. Approximately 17 to 18 percent of all ocean transport to and from the United States is by Norway's ships.

That fleet has helped us not only commercially, but also strategically. During World War II, Norwegian vessels served in all major theaters; half of all the Allied tankers carrying supplies across the Atlantic were Norwegian. Today's new 19-million-ton fleet is a major asset of NATO, in which Norway is a steadfast partner.

The excellent relations between the United States and Norway became firmly established in the last century, when Norwegians migrated to this country in proportions exceeded only by the Irish.

In the many American communities in which the 17th of May is celebrated, this day has come to symbolize the feelings of good will between the United States and Norway. These well-founded feelings have long been at the heart of this occasion in Minnesota, where so many of the sons and daughters of Norway established their homes and contributed so diversely to the progress of our State.

I wish to join in honoring this day by recording my own good wishes before the Congress.

RURAL DEVELOPMENT OUTLOOK

HON. JOHN M. ZWACH

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 19, 1969

Mr. ZWACH. Mr. Speaker, it has long been my belief that sometime our national leaders will finally be forced to place first things first in our unending, profitless pursuit of coping with urban problems. Each new urban program to rebuild, revitalize, and restore our blighted city area is equivalent to putting a most expensive bandaid on the symptom of our basic troubles.

Eventually, and hopefully, before our cities are all impoverished or become strangulated in their own morass, we will decide to use the great resources of our Nation to balance population and economic opportunity.

I naturally am referring to the countryside—that part of America not included in metropolitan areas. This spacious area has 98 percent of our total acreage and about 30 percent of our people. It is this great area that I believe should be properly used as the balance once more for our great country. I have introduced a bill, H.R. 8041, to effectuate this move.

Recently, a new publication was released presenting vital information about the countryside. I am reproducing the preface of this study as I believe it most succintly points out the possibilities of developing the countryside.

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PREFACE

The second third of this century has been marked by extraordinary technological advances, industrial concentration, and massive influx of people into big cities. The social and economic impact on the lives of millions of people created some of the most serious problems the nation has ever faced—the urban problems and their side-effects.

Community structures that generations had built were shattered. In thousands of country towns, jobs and opportunities to make a living dried up. Millions of these people, black and white alike, headed for the big cities. Utterly unprepared by training or background to cope with these new conditions, they gravitated to the bottoms of poverty and despair. The cities became the breeding grounds for rebellion, murder, and rampant crime.

Countless programs have been launched to provide food and shelter for the poor, but little has been done to help a vast part of the American population to attain a more normal way of life. There should be no less concern about human ecology or congenial living conditions for people than for the environment of livestock, fish, and wild creatures. This must become our goal as we get into the last third of the century.

Technology and industrial enterprise can be reoriented to serve the largest number of people and the entire country. This is a great challenge for engineering.

There are now 130 million people living in big cities whose total area covers hardly more than one per cent of the United States. The rest of the country, with its vast natural resources, remains relatively under-populated and under-developed; and some of it has become poverty ridden from constant attrition.

This report outlines the need and the approach to bringing about a better balance between the big city and countryside economies. The countryside, with its 16,000 towns and small cities, is entirely different from what it was even a few years ago. Today it has modern highways, power, better educational and health facilities; and science has expanded its resources. There are thousands of small cities almost ideally situated to accommodate industry, business development and more people.

We need not spend untold billions of dollars to bring new life to America. What is needed is more information and a new kind of motivation. Only by taking into account the full potential of the countryside, which is 98 percent of the United States in area and natural resources, can we hope to bring better living conditions to the greatest number of people.

G. B. GUNLOGSON,
Life Member American Society of Agricultural Engineering, Life Fellow American Association for the Advancement of Science.

EXPRESSING THE SENSE OF THE CONGRESS WITH RESPECT TO THE PRODUCTION AND DISTRIBUTION IN INTERSTATE AND FOREIGN COMMERCE OF MOTION PICTURES AND TELEVISION PROGRAMS WHICH DEGRADE OR DEMEAN RACIAL, RELIGIOUS, OR ETHNIC GROUPS

HON. FRANK J. BRASCO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, May 19, 1969

Mr. BRASCO. Mr. Speaker, in behalf of the Americans of Italian Descent, Inc., I was pleased today to submit a concurrent resolution expressing the sense of Congress with respect to the production and distribution in interstate and foreign commerce of motion pictures and television programs which degrade or demean racial, religious, or ethnic groups.

AID has for one of its purposes the combatting of defamation of Americans of Italian descent, as well as other ethnic groups, and it is felt that the adoption of the concurrent resolution will greatly help in its efforts to achieve its purpose.

OUR INVOLVEMENT IN VIETNAM

HON. CHARLES M. TEAGUE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 19, 1969

Mr. TEAGUE of California. Mr. Speaker, all of my colleagues realize that a heavy majority of our educators appear to oppose our involvement in Vietnam. I call your attention to a particularly impressive letter from a California educator pointing out the reason for our involvement:

CAMBRIA, CALIF.,
May 13, 1969.

CHARLES M. TEAGUE,
Member of Congress.

DEAR SIR: Division of American opinion as to a firm stand in Vietnam has surely weakened us, both in the field and at the peace-table.

It is horrible to see the Vietnamese people ground between the millstones of conflicting ideologies. But a Communist take-over would soon follow U.S. withdrawal; and the ruthless tactics of such take-over have again and again been announced by Marxist spokesmen, and illustrated by mass-murder and cruel punishment of "political unreliables". We must count among the latter the millions who fled North Vietnam when the Geneva agreement for free elections was flouted, along with millions of others who have resisted Communism.

This confrontation, short of nuclear war, is between the bed-rock millstone of dictatorship and the unstable, revolving millstone of elective government. The old and thoroughly proven system of dictatorship is at great advantage in the newly-invented undeclared wars. Without declaration of war, a democracy is like a fighter with one hand tied. Communist spokesmen have urged frequent use of such wars. Should the Vietnam violence be settled, on any basis, Marxist policy forecasts new outbreaks elsewhere.

There is no evidence whatever that the American people or government has territorial aims in Asia. Loud popular protest may, I hope, assure the world that our nation has no imperialist aims. But our original assumption of a protective role has forced upon us a responsibility toward the millions of Vietnamese who favor elective government. Should we withdraw, we must provide asylum for the "political unreliable". This would be a massive and perhaps impossible task.

Our system of elective government is on trial for its life. In an important sense, we are the radicals who are fomenting dissent against dictatorship, which is the well-tried structure of society. We shall greatly weaken our relatively new experiment in elective government, if we back away from paying the high price of freedom in Vietnam.

Unfortunately, our academic communities seems to follow patterns of the nineteen twenties and thirties, when ruthless aims of two or more dictators were brushed aside as idle threats, and reports of mass-murders and "liquidations" were dismissed as unlikely propaganda. Many teachers, in the comfort and safety of Christian democracy, discourage in their students any concern with loss of life and liberty in far-away Asia or Europe, much as they did thirty-five years ago, with appalling results. Many teachers equate our role in Vietnam with that of the French. Many point out that land-reform and honesty in government are badly needed; but they coolly suggest that Marxists can best carry out those reforms—no matter how frightful the cost in life and liberty.

Democracy is on trial to prove whether it can, by thoughtful dissemination of facts and by compassionate understanding of both friend and adversary, match the driving forces of dictatorship. If there are any valid thoughts in this letter, I beg you use them to fortify our own rather new and very hopeful experiment in free elections and free thought.

With all good wishes,

PAUL SQUIBB.

DISMAY AND DISCONTENT OVER THE CONDUCT OF OUR AFFAIRS IN VIETNAM

HON. FLETCHER THOMPSON

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 19, 1969

Mr. THOMPSON of Georgia. Mr. Speaker, each Member of this body has, I am confident, received numerous letters from families of servicemen and from servicemen themselves expressing their dismay and discontent over the conduct of our affairs in Vietnam.

The fact that these servicemen and their relatives have expressed their feelings forthrightly about how our Nation has fumbled its foreign policy should not take away from the sense of loyalty and duty that they have toward their country. Instead of demonstrating, refusing to serve, protesting, or growing beards and long hair, they are fulfilling their obligations as loyal Americans even though they have serious doubts about how our country is carrying on both its military campaign and its foreign diplomacy.

With the permission of the House, I am inserting in the RECORD today the complete text of one such letter I have received, having obtained the personal permission of the serviceman who wrote the letter. Some of the materials in his letter have already been checked into by me. The answers we received were perfunctory; the military appears to have explanations for almost every conceivable situation which many of our citizens are unable to understand.

I commend this letter to your attention because I conscientiously believe there are many Americans who share the feelings expressed in this letter, but who have not had the courage to speak out about it. I believe the author of the letter is to be commended for doing his duty and, at the same time, maintaining his American rights to disagree with the war in which he and other servicemen are being required to carry out their duties.

Mr. Speaker, his letter is submitted below:

Atlanta, Ga.,
January 3, 1969.

Dear Sir: For the past two years I have served my country patriotically and honorably as both an enlisted man and as an officer in the United States Army Corps of Engineers. I am, and have for the past eighteen years, have been, a resident of Atlanta, Georgia. I strongly supported Barry Goldwater and worked many hours during his campaign to help him win the election. I also supported Richard Nixon in the past election. Needless to say, I very strongly supported you in both elections and was very happy that you were reelected. Because I have thoroughly enjoyed your periodic newsletters to the voters you represent, I feel rather easy about writing you this letter.

My chief reason for writing you is simple: You are my representative and I would like to express my opinion whether it means anything or not.

I am presently serving with the 36th Engineers Battalion located in Vinh Long in the Mekong Delta. My responsibilities are those of a platoon leader in an engineer construction company. I have been here in Viet Nam over five weeks and have visited many cities and areas north and south of Saigon. I am very disappointed and disgusted with the entire war effort and our government's positions and policies. Americans are dying over here while many politicians are very unconcerned or so it seems. This limited type of war is frustrating and somewhat demoralizing to the GI's here. When a GI works Christmas Eve and Day and also New Year's Eve and Day, he wonders what the U.S. Government is doing in Paris and the States. I can assure you, sir, that I support all government decisions although I may not agree with them. The facts are simple: we should either pull out of Viet Nam or end this Communist aggression with whatever force is necessary. This country is actually one of the poorest countries in the world, with the exception of American spending. There are no natural resources here and the only industry is fish, which is poor. The black market is, however, powerful and it seems the U.S. Government has let it get out of hand. It's ridiculous to see American products downtown, yet a soldier can't find them in the PX's. Vietnamese work in all PX's, snack bars, and in most units here. The Australian PX is well stocked and for good reason: Australians allow no Vietnamese to work in their facilities. Every city is full of bars and houses where GI's spend most of their money on women and booze (stolen from us) at prices exceeding those in many American cities.

Jeeps and 2½ ton trucks are issued to the Vietnamese soldiers before American soldiers. They have a priority. Why? I do not have a jeep for this reason and have to ride in a ¾ ton truck. There are many units still using the M14 rifle, but the Vietnamese soldiers are rapidly being issued M16's. Why? The entire supply system in Viet Nam is poor. Food in our mess halls is poor.

Sir, do you really think we can stay here forever?

As far as I'm concerned, these people are not worth American lives. But as I said earlier, I am a soldier and follow orders regardless of whether or not I agree.

It's time the U.S. took some definite steps in one direction or the other. Paris I hope and pray.

I am truly a disgusted soldier and citizen. Hope that my letter does not go unnoticed. Some politicians (especially you know who) would probably get down to business if they strapped on a pack and an M16 and came over here to help these people.

Thank you, sir, for your time and your past record as a fine representative for me and my family.

Ronald G. Finch.

JOB CORPS FAREWELL

HON. HAROLD T. JOHNSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 19, 1969

Mr. JOHNSON of California. Mr. Speaker, on the day that the Nixon administration's economy ax fell on our Nation's conservation centers, I was in Redding, Calif., the location of one of the 59 Job Corps centers ordered closed in the name of economy.

My shock was shared by not only the trainees and their instructors at the Toyon Job Corps Center, but also by the people of all the community of Redding. As I have said on many occasions, this is a fine center, with solid community support, a minimum of problems, and doing a tremendous job in the field of natural and human resource conservation.

As soon as word of the impending closing reached Redding, the aggressive daily newspaper published there by Paul Bodenhamer, embarked upon a vigorous campaign to retain the Center as a vital part of our community.

Staff Reporter Dick Young has followed the Job Corps situation from that fateful day, and has done an excellent job of recording the fight to preserve the center.

With the decision of the U.S. Senate against the resolution which is sponsored by many of us in the House of Representatives, I fear that the story has become an obituary.

Mr. Speaker, the Department of Labor has assured us that none of the boys who are in training will be abandoned. Dick Young has recorded what this means to three young Job Corpsmen and what the alternative is. His story speaks for itself. At this point I would like to share his story with my colleagues.

BARBED WIRE DASHED THEIR LAST HOPES FOR THE JOB CORPS

(By Dick Young)

Three teenage boys hitchhiked over 800 miles last week. They made the journey to regain hope that had been given to them at Toyon Job Corps Center.

Today they camp out under the stars in the back acres of a sympathetic Central Valley family's land.

With no money they are trying to find work.

They are part of a yet uncounted mass of displaced Job Corpsmen across the nation who must now find their way in a world that once offered them a plan for self-improvement only to jerk it away as political winds changed in Washington, D.C.

Mark Kent, Steve Berg and Charles Stewart were among the lucky ones. When Toyon began closing down along with 58 other conservation centers they were given a chance to transfer to another center in Clearfield, Utah.

Optimistically, they boarded the bus and left Shasta County. At Clearfield, they found their "second chance" was a hoax.

"It's like a big juvenile hall," says Steve, age 16, of San Francisco.

"It is. It's just like a reform school," adds Mark, also 16, of Reno.

Clearfield is a far cry from Toyon. Bigger—1,375 corpsmen compared to Toyon's 165—Clearfield is surrounded by a 10-foot high chain link fence that is topped in some places by barbed wire. A staff of over 20 paid security officers patrol the camp with night sticks in addition to a 40-man "Corpsman Patrol."

Each gate is manned by two security men who monitor all persons entering or leaving the center.

Clearfield is one of three urban centers that have been maintained in the Nixon administration Job Corps cutback proposal now almost certain to be put in effect. It is absorbing corpsmen from camps slated for closure, including 20 who were transferred from Toyon.

"The other guys are waiting to see if we made it. They want to get out too," Steve says.

The trio did make it. They were stopped four times by police officers but were never detained. With $5 between them they scaled the 10-foot fence and hit the road. Along the way a motorist gave them a ride and $7. The driver of a potato chip truck threw them a large bag of chips at another point on the trek.

They arrived back in Central Valley a week ago today and then contacted friends who gave them something to eat and a place to spread their sleeping bags and blankets.

The boys have no shelter. During a rain one night, they took cover in an abandoned auto body.

They now are classified as AWOL from the Job Corps. In about 10 days they will be officially dropped from the Corps unless they report in at Toyon to formally resign.

Steve Berg and Mark Kent talked with the Record-Searchlight Wednesday. Charles Stewart could not be contacted at that time.

"It was kind of a raw deal," says Steve of the transfer.

They don't want to return home. They see no future in that.

Steve comes from a broken home and wants to be a burden on his mother no longer. He entered the Job Corps with her reluctant cooperation and with the understanding that after his Job Corps stint he "was on his own."

Mark's father was recently released from a hospital and Mark also shies away from going home. His father had told him to get out or he would have him sent to a reform school, he said. He chose the Job Corps and is now looking for some job to tide him over until he turns 17 and can join the Marines.

Steve wants to find work and attend night school in Central Valley or, if possible, find a lucrative enough job to allow him to work weekends and attend school full-time in this area.

Both Steve and Mark agreed that Clearfield was in no way similar to Toyon. The strict security coupled with racial tensions unknown at Toyon made the new center almost completely alien.

Toyon had no security police, no walls, and virtually no racial strife.

"At Toyon we had colored friends. Down there you couldn't even look at a black. 'White boys can't sit here' they would say."

Steve was hit in the face by a black corpsman just hours after arriving at Clearfield, for no apparent reason, he claims.

"I didn't hit him back because if I did I'd have to fight 1,000 of them. They run in packs. It just wasn't like that at Toyon."

Steve and Mark's allegations were confirmed by Walter Schwaar, deputy director of the Clearfield Center.

In a telephone interview, he told the Record-Searchlight of the fences, gates and security police. He also indicated there was tension between black and white students.

Schwaar said there might indeed be some barbed wire but not in all places.

"If I could have stayed at Toyon I would have finished two courses, auto mechanics and welding," Mark said wistfully.

"I came back because I know people here and I think I can get a job.

"We know we can make it in Central Valley," Steve said as he puttered about the small camp clearing in the brush-covered back lot.

"It probably won't rain much anymore," he said to Mark.

Mr. Speaker, on that same day, Publisher Paul Bodenhamer had this comment in the editorial section of the Redding Record Searchlight, which I would also like to share with you.

Job Corps Farewell

There was a graduation ceremony at Toyon Job Corps Center last night, and what is ordinarily a happy event was a bit sad because it was the final one. The center is soon to be closed, an unfortunate victim of "economy."

The Nixon administration has ordered 59 centers closed. Very likely when history weighs the good and bad of the administration's record, this will be one of the minuses.

The Job Corps program is expensive in dollars per youth or in personnel per youth. But it is a positive program to overcome the handicaps resulting from centuries of discrimination and neglect.

Boys come to the Job Corps with bad teeth, bad health, poor nutrition, little schooling and no work experience or work habits. They come from homes and surroundings in which there is little hope. At the center they get medical and dental care, good food, wholesome hours, useful work—and hope. They get formal classroom training in the three R's and other subjects. Then they get practical training in useful skills. They learn to weld, or drive trucks or do mechanical work. And most of them graduate to jobs—jobs they'd never have had a chance at without the Job Corps.

Well, what's the price of a life? What's it worth to turn one from hopelessness to hope and self-respect and a sense of security? It's worth something.

The young men at Toyon have done this area lots of good by their work on public projects. There are picnic and camping areas, trails, clean roadsides, etc. because of Job Corps projects. And the young men have proved to be good citizens and neighbors.

We're proud of them, grateful to them and sorry to see them leaving.

PRESIDENT NIXON LAUNCHES NEW INITIATIVE IN EFFORT TO END VIETNAM CONFLICT

HON. JOE L. EVINS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Monday, May 19, 1969

Mr. EVINS of Tennessee. Mr. Speaker, President Nixon's recent nationally televised address on the Vietnam conflict represented a new initiative for an honorable peace by a new President.

The President laid it on the line to the Communists—if North Vietnam really wants peace, the United States stands ready to begin phased troop withdrawals.

The address was not new in substance but represented a reaffirmation of the policy of the United States—a policy keyed to mutual deescalation of the conflict and continued firmness and strength—and no surrender.

Because of the interest of my colleagues and the American people in this vital subject, I place in the Record herewith my newsletter, "Capitol Comments."

The newsletter follows:

President Nixon Launches New Initiatives To End Vietnam War

President Nixon in his report to the American people on the Vietnam War provided a helpful summary and analysis of the American policy and objectives in Vietnam. The general consensus in the Congress is that while the President's address did not contain any basically new proposals the speech represented a new intiative by a new President.

In other words the new President was laying it on the line to the Communists. He made it clear that there will be no pullout or surrender but that the United States stands ready to begin withdrawing its troops when the North Vietnamese begin withdrawing their forces. In one hand he tendered the olive branch of peace—in the other he grasped firmly the sword of strength and firmness.

The President outlined a timetable of withdrawal based on phased pullouts of troops on both sides over a 12-month period. At the end of that time the remaining troops on both sides would move into designated base areas and refrain from combat operations. The President emphasized the importance of assuring the South Vietnamese the right to govern themselves without outside interference. He explained that for the United States to pull out and surrender South Vietnam and permit the Communists to move in would result in a massacre of the South Vietnamese and damage our prestige, honor and power around the world.

"If we simply abandoned our effort in Vietnam," he said, "the cause of peace might not survive the damage that would be done to other nations' confidence in our reliability." This was not a new policy—but it was an eloquent and precise reaffirmation of our determination to achieve an honorable settlement without surrender. President Nixon was also following his policy of advising the American people on developments—in effect he was making a progress report, a summary of events, sharing his ideas, principles, plans, and hopes for ending the war.

The President was speaking at the bar of public opinion, attempting to make clear to the peace-loving nations and peoples of the world that the United States stands ready to negotiate realistically to end the conflict on an honorable basis for both sides. "We have ruled out attempting to impose a purely military solution on the battlefield," he said, thus emphasizing his determination to achieve an honorable and peaceful settlement of the war in Vietnam at the earliest time possible.

WATER NEEDS OF THE COLORADO RIVER BASIN

HON. JOHN V. TUNNEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 19, 1969

Mr. TUNNEY. Mr. Speaker, Raymond R. Rummonds, chairman of the Colorado River Board of California, presented a paper at the Western Water Congress in Wenatchee, Wash., on April 7, 1969,which outlines the water needs of the Colorado River Basin.

The problems are of interest to Members of many Western States and I submit the speech for inclusion in the Congressional Record so that it would be available to interested Congressmen:

The Colorado River Basin Needs Water

(By Raymond R. Rummonds, chariman, Colorado River Board of California*)

It is a pleasure to be here today and renew my acquaintance with many of the water leaders of the Pacific Northwest. All of you who made the "Survey '68" trip to Canada and Alaska remember the enjoyment we had in getting acquainted with each other.

As chairman of the Colorado River Board of California, I am pleased to appear before you and present to you some of the needs and goals of Colorado River water users. First, I would like to briefly describe the Colorado River Board which is an agency of the State of California. Its basic objective is to protect the rights and interests of the State to the waters of the Colorado River System. The Board's members are appointed by the Governor from those public agencies of the state that have contracts for Colorado River Water: Imperial Irrigation District, Palo Verde Irrigation District, Coachella Valley County Water District, The Metropolitan Water District of Southern California, City of Los Angeles, and San Diego County Water Authority. The former three districts distribute water primarily for irrigation purposes in the Colorado Desert Region of Southern California, while the latter three agencies are located on the south coastal plain of California and distribute water primarily for municipal and industrial purposes.

The waters of the Colorado River represent a significant contribution to the welfare of California. California applies about 35 million acre-feet of water a year for all purposes within the state, and consumptively uses about 70 percent of the applied water. Of the quantity consumptively used, roughly 20 percent of its originates from the Colorado River. This water is delivered both to a predominately urban area of 10,000,000 people in the Southern California coastal plain and to 700,000 acres of highly developed irrigated acreage, mostly located in the fertile valleys of the Colorado desert.

As is well known, six states in addition to California and the Republic of Mexico are dependent upon the waters of the Colorado River and its tributaries for all or a portion of their water supplies.

Mexico's share of the water was established by the United States' Treaty of 1944 as 1.5 million acre-feet per year; however, each of the states' share is not so easily established. The major effort to divide the Colorado's water was culminated in the Colorado River Compact of 1922, which apportioned the river's flows between the Upper Basin States and the Lower Basin States. The Compact set the stage for the construction of Hoover Dam and the All-American Canal Project. It is the first document of many comprising what is called the "Law of the River". But, even though 47 years old, it has not yet been fully interpreted. Significant progress has been made in resolving some major issues, but others are still unresolved.

Depending upon which period is used, the long-time average annual virgin flow of the Colorado River at Lee Ferry (the Compact division point) has been estimated to be between 13 and 15 maf/yr, with the three Lower Basin States of California, Arizona, and Nevada agreeing in testimony to Congress that the latter figure represents only a 50 percent probability of occurrence, and that the dependable yield is between 13.7 and 14.0 maf/yr. Below Lee Ferry, tributaries contribute approximately 800,000 af/yr, which is about equal to the estimated long-time annual evaporation loss from Lake

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*Presented at the Western Water Congress, Wenatchee, Washington, April 7, 1969.

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Mead. At the current time, the total river depletions including net diversions, reservoir evaporation, river losses and deliveries to Mexico, are approximately 11.4 maf/yr. Since 1961 only insignificant amounts of highly saline water have reached the Gulf of California from the Colorado River.

Presently authorized projects in the Upper and Lower Basin, when constructed and in full operation, will increase demands on the river system to approximately 15.4 maf/yr. It is important to note that this figure includes a reduction in California uses from present levels of approximately 5 maf/yr to a ceiling of 4.4 maf/yr, and limits Arizona to 2.8 maf/yr, which quantities are less than the capacity of existing California and Arizona projects plus the authorized Central Arizona Project. Thus, the supply available from the river is inadequate to fully meet present uses plus future uses from authorized projects, to say nothing of water requirements from other projects required to meet additional needs of this growing area of the nation.

The basic questions facing the Colorado River Basin concerning augmentation of its water supply are when and how much.

Another problem related to water supply in the Colorado River is that of the increasing salinity of the river's water. At present, a major effort of the irrigators in California and Arizona has been to remove harmful salts from the soils irrigated by Colorado River water in order to maintain the soil fertility. At the present, average annual salinity levels of the river, in the vicinity of 800 to 900 parts per million, farmers are experiencing many crop problems due to this quantity of salt in the irrigation water. During some months of recent years, the average monthly salinity has exceeded 1000 parts per million. In addition, we know that with the continuing development of water-using projects in the upper reaches of the river system, the river's salinity will increase. Projections by the Federal Water Pollution Control Administration are that the river's salinity will be nearly 1300 ppm shortly after the turn of the century at Imperial Dam, the point on the river where most water is diverted for irrigation use in California and Arizona.

(Show slides of Colorado River Basin river works, water distribution, agricultural crops and saline salts.)

The only realistic solution to the major problems of the river is by augmentation—that is, the annual supply of fresh water must be increased. The high salinity flows should be diluted to a reasonable level of salinity, so that additional quantities may be made available for increased economic developments throughout the entire river basin. In stating this as being the only realistic solution, we recognize that any augmentation project should be economically justified and financially feasible under existing law. We in California believe that such an approach is reasonable.

As the states of the Pacific Southwest recognized the problems that arise from the inadequate flows of the Colorado River, many have turned to consideration of adjoining regions of the United States as potential sources of supplemental water. In so doing, I would like to emphasize that the Southwest is not interested in a "water grab". The Southwest is only interested in knowing if there are surplus quantities of waters which meet the needs of the adjoining states. Many proposals have been introduced but none of these have been made in sufficient depth or scope to warrant public support. I want to assure you now that no proposal will receive the support of the Colorado River Board of California that would take water from your area that is necessary for your economic well being.

In furtherance of this principle, we believe that a concept pioneered in California to protect the water surplus regions of our State in the development of California's State Water Plan is fully applicable in trans-basin and interstate projects as well. This concept has achieved some publicity as the "area of origin" principle. This principle is that water diverted from an area of origin is subject to recapture by the area when it has an economic need for such waters. We believe this principle is reasonable and pledge ourselves to apply such a principle to all interstate water transfer projects.

At this time we do not know whether an importation project from another basin such as the Columbia Basin to the Colorado River Basin is feasible. We are not interested in obligating ourselves and our descendants to pay for projects that are more expensive than the most efficient and economical alternatives. To assure ourselves of this, we will be seeking the optimum project and will want to examine all possible alternatives, which include desalting ocean water and moving it to areas of need; modification of the weather, thereby increasing precipitation and streamflow, reuse of existing applied waters; and interbasin water transfers. One of our major problems is that the presently authorized federal studies either prohibit or place a ten-year moratorium on the study of interregional water transfers. These restrictions will result in delays which we do not believe are prudent. We feel a pressing need for comprehensive studies that will use a common yardstick to consider all possible means of meeting our deficits.

I believe that a properly planned export project from the Pacific Northwest to the Pacific Southwest could prove advantageous to the Northwest under the following conditions:

1. The water diverted to the Pacific Southwest would be truly surplus to the needs of the Pacific Northwest at the point of diversion.

2. Any economic impact on the Pacific Northwest from such diversion would be fully compensated, such as in lieu payments for power generation foregone.

3. As the Pacific Southwest continues to grow it will need more food, material and other supplies from the Pacific Northwest as shown by the report entitled "Economic Inter-Dependence of the Western States" by Wilbur McCann. Copies of this report are available today.

4. Such a project could enable the delivery of supplemental water to regions of the Northwest at water priced so that the arid regions of the Northwest (Idaho and Oregon) would be able to purchase supplemental water that otherwise could not be delivered economically to that region.

5. Through investments in diversion facilities, substantial funds would be expended in the Northwest on construction payrolls and purchases of material and supplies.

6. There would be a permanent operation and maintenance function in the region, with salaries and supply purchases permanently benefiting the local economy.

Suggestions have been made that by not building water supply and other public works facilities for the fast growing areas of the Pacific Southwest people may move to areas of water abundance. There are undoubtedly many citizens of the Pacific Southwest who would be perfectly willing to reduce the population pressures on our areas as they believe that many of the amenities of life in the Pacific Southwest are being eroded by the tremendous influx in population. However, as responsible citizens, we recognize that any attempts to tell people where to live are improper and contrary to the ideals under which our country was founded. Accordingly, we can either receive the increasing population with deteriorating supplies of our basic resources and public works, or we can attempt to keep abreast of the influx. We choose the latter course.

At various times it has been suggested that the Pacific Southwest can avoid the necessity of importing additional water by increasing its efficiency in using water.

Efficiency in water use generally relates to minimizing losses in distributing water and in making the maximum possible reuse of water. We believe that we are meeting the goal of maximizing efficiency in use. A few examples will illustrate this fact: (1) the Gila River system, comprising the area of most water use in Arizona, drains central Arizona and western New Mexico. The system's water supplies are used and reused to the extent that the only water to leave the central Arizona area for downstream discharge is in infrequent flood flows. Further, in the lower river the only water discharged from the system consists of saline drainage waters of about 5000 ppm total dissolved solids; (2) in the great Central Valley of California, the area of most water used in the state, all return flows from both urban and agricultural uses are used and reused, with the outflow from the valley regulated primarily to repel ocean tides in the Sacramento Delta; (3) all waste flows from communities and drainage water from irrigation projects in the Colorado Basin return to the Colorado River and are diverted again for reuse; (4) the agricultural users in California, who divert Colorado River water of high salt content at Imperial Dam, discharge the highly saline drainage waters into the Salton Sea which serves the useful purpose of recreation, fish and wildlife enhancement.

As we have noted, economy with water had a long tradition in the Southwest. Ladies and gentlemen, as a farmer in the Coachella Valley County Water District, let me point out that in this District we meter to the farmers 94 percent of the Colorado River water we receive. Let me also point out that the District obligated itself to repay the federal government more than 27 million dollars for the All-American Canal and distribution system which has led to development of the Coachella Valley to an assessed valuation in excess of $200,000,000 with the attendant thousands of jobs and other income oriented factors.

The record of the Pacific Northwest in getting congressional action to prohibit or delay the effect of analyses of the Pacific Northwest as a potential source of surplus water for interbasin diversions has been remarkable, to say the least. We recognize that the Pacific Northwest is concerned with premature action on studies of potential interbasin transfers. However, we believe that properly planned studies to determine if there are surpluses and ways to make use of those surpluses will benefit the Northwest.

As my comments have indicated, we in the Pacific Southwest sincerely believe that we have an impending shortage of water coming upon us. It requires that we must know soon the most economical way to overcome this shortage. We further believe that studies should be made of the importation of possible surpluses from the Pacific Northwest. Such studies should not be made under the assumption that this would be the only feasible source of water but with the understanding that all feasible supplies must be analyzed in order to arrive at a rational decision as to the optimum approach.

We believe that the studies must be undertaken with full protection and full rights accorded to the Pacific Northwest. This protection would include the "area of origin" protection, including those rights of recapture, that are now afforded to areas of origin within the State of California, and the right to make use of the facilities for the benefit of arid regions within the Pacific Northwest itself. We recognize that your steps to delay interbasin studies were taken because you thought it was the best way to protect your area. Now that you have pro-

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tected yourself so well, perhaps we have reached the point where we can sit down and discuss our mutual problems without some of the emotional roadblocks that have been so prevalent in the past. After consideration of all factors, you may well discover that it will be in your best interests to have a carefully developed program to investigate the possibility of interbasin water transfers.

I thank you for inviting me to address you, and I would like to close by inviting all of my friends in the Pacific Northwest to plan to visit us in the Pacific Southwest to see our great water transportation and delivery projects.

A BLOOD PROGRAM OF ACCOMPLISHMENT

HON. JOHN P. SAYLOR

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 19, 1969

Mr. SAYLOR. Mr. Speaker, Richard Watson Post 141 of the American Legion at Indiana, Pa., recently honored its members who have donated a total of 1,525 pints of blood to the Indiana County chapter of the American Red Cross.

I was privileged to speak at the dinner recently to pay tribute to the 78 donors who have given at least 1 gallon of blood. The large amount of blood donated by this group comprised over 76 percent of the 1,988 pints—248.5 gallons—donated by the post since the beginning of the program.

Ronald E. Fulton was cited at the dinner as the top blood donor with a total of 83 pints. Second was George E. Thompson with 63 pints. A list of other blood donors and the amounts they donated follow:

John E. Hoover and Joseph C. Lydic (49), David Mack Williams (48), E. Richard Lydic (46), William S. MacBlane (44), J. David Naylon (42), C. Ross Reed (39).

Bernard Q. Cunningham (37), Theodore S. Elias (35), Marlin D. Penrod (34), Salvatore Adornato (33), Phillip J. Recupero and Matthew J. Miconi (28), John G. Smith and Richard J. Kennedy (27).

Anthony Dellafiora (26), David J. Brown (25), Theodore W. Hurd and Alpert P. Mauro (24), Robert N. Sanford (23), Harold E. Little (21), Charles J. Lewis Jr. (20), Harry Young, Virgil G. Vaughn, Paul T. Allison and Nicholas M. Kopchick (19).

Burno J. Telk and John M. Hess (18), John Brain, William J. Peterson and James C. Hassinger (17), Craig Moore, Anthony F. Violi and Richard L. J. Burn (16).

Joseph Babco and Charles Gibbon Jr. (15), Peggy Good, Robert H. Little and Raymond J. Simpson (14), Nicholas G. Bonnarrigo, William G. Ferguson and Morris A. Mistretta (13), Harold M. Buchheit, the late James A. Vogel, Roy Vinton Jr., Alex Tait, Donald B. Shank, James W. Mack, Rudolph H. Haldin and Hubert W. Hamacher (12).

Robert V. Sell, James L. Boucher, John D. Buterbaugh and Gladys Good (11), Edwin F. Leone, Cameron Davis Jr., Charles E. Ruffner and James Shirley (10).

Francis M. Pallone, Maynard Decker, Ronald A. Johnston and Michael J. Busija (9), Joseph J. Mancuso, John Bracken, William F. Lambert, John E. Lambert, James A. Buggey, Arthur G. Carnahan, John T. Heverly, Jack White, John Lezanic, Richard M. Beattie, Walter L. Cikowski, Anthony J. Clement, James D. Dickie and Robert Thayer (8).

Mr. Speaker, as you can well imagine, I am extremely proud to be representing people like those cited, who, without renumeration or thought of recognition, have given so extensively of themselves to help their fellow man.

REMARKS OF THE HONORABLE JACK WILLIAMS

HON. SAM STEIGER

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 19, 1969

Mr. STEIGER of Arizona. Mr. Speaker, the following remarks by the Honorable Jack Williams, Governor of the State of Arizona, are so timely and appropriate I want to share them with all of you:

Thank you and hello again . . . It is not my practice to pontificate on international politics. I've frequently described myself as a parochial Governor . . . interested in the State I've lived in all of my early years and adult life. But when I read something such as a report released by the House Armed Services Subcommittee on Seapower that reports the U.S. Navy has deteriorated into an aging collection of worn out ships . . . that the ships inherited today are rotting so badly that some crewmen work as much as 80 hours a week to fight rust and corrosion, I feel impelled to comment. In 1934 Churchill deplored the fact that the defenses of England were being allowed to deteriorate. His remarks then in the House of Commons could be paraphrased by any United States Senator or Congressman today. Said Churchill then:

"I am not to be understood to mean that the possibilities of a gigantic war are nearer, but the actual position of Great Britain is much less satisfactory than it was this time twenty years ago, for then at least we had a supreme fleet; nobody could get at us in this island; and we had powerful friends on the Continent of Europe, who were likely to be involved in any quarrel before we were; but today, with our aviation in its present condition, we are in a far worse position."

Then Churchill continued: "There is no greater danger than equal forces. If you wish to bring about war, you bring about such an equipoise that both sides think they have a chance of winning. If you want to stop war, you gather such an aggregation of force on the side of peace that the aggressor, whoever he may be, will not dare to challenge."

Three years later Churchill said: "When the situation was manageable it was was neglected, and now that it is thoroughly out of hand, we apply too late the remedies which then might have effected a cure. There is nothing new in the story. It falls into that long, dismal catalogue of the fruitlessness of experience and the confirmed unteachability of mankind."

Two months later Churchill warned: "It would be folly for us to act as if we were swimming in a halcyon sea, as if nothing but balmy breezes and calm weather were to be expected and everything working in the most agreeable fashion. By all means follow your lines of hope and your paths of peace, but do not close your eyes to the fact that we are entering a corridor of deepening and darkening danger, and that we shall have to move along it for many months and possibly for years to come."

These were words spoken only shortly before Hitler began to move. But much earlier in 1931 Churchill warned: "The great liner is sinking in a calm sea. One bulkhead after another gives way; one compartment after another is bilged, the list increases; she is sinking, but the captains and the officers and the crew are all in the saloon dancing to the jazz band. But wait until the passengers find out what is their position!"

Then in 1937 on April 14th Churchill warned: "We seem to be moving, drifting steadily, against our will, against the will of every race and every people and every class towards some hideous catastrophe. Everybody wishes to stop, but they do not know how!"

Again and again, his voice cried out in Commons. "Historians a thousand years hence will still be baffled by the mystery of our affairs. They will never understand how it was that a victorious nation with everything at hand suffered themselves to be brought low and to cast away all that they had gained by measureless sacrifice and absolute victory—gone with the wind."

All of this was inspired by a friend, Holmes Alexander, who opened his column recently with: "The awful truth about America's sickening plunge into military inferiority is politically untellable." So, I thought you might be interested that the story is not new, Churchill told it 30 years or so ago, and Cassandra long before that.

STATEMENT OF CARL D. PERKINS

HON. JOHN C. WATTS

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Monday, May 19, 1969

Mr. WATTS. Mr. Speaker, on May 14, my distinguished colleague from Kentucky, the Honorable CARL D. PERKINS, chairman of the House Education and Labor Committee, testified before the House Labor-HEW Appropriations Subcommittee, chaired by the Honorable DANIEL FLOOD.

I am pleased to submit for the RECORD the text of Mr. PERKINS' statement for the information of all Members.

STATEMENT OF CHAIRMAN CARL D. PERKINS, HOUSE COMMITTEE ON EDUCATION AND LABOR, BEFORE THE LABOR AND HEALTH, EDUCATION AND WELFARE SUBCOMMITTEE OF THE HOUSE APPROPRIATIONS COMMITTEE, WEDNESDAY, MAY 14, 1969

Mr. Chairman, thank you for this opportunity to appear before this distinguished Subcommittee. A number of concerns prompt me to come before you.

Under the budget submission of the present Administration—

There is no appropriation request to fund Title V of the National Defense Education Act; yet there is $40 million authorized.

There is no appropriation request to fund Title III of the National Defense Education Act; yet there is $290 million authorized.

There is no appropriation request to fund Title II of the Elementary and Secondary Education Act; yet there is $206 million authorized.

Only 14% of what is authorized for the pre-school and special education programs for handicapped children is being requested.

Less than 40% of what is authorized is being requested to fund programs for educationally deprived children.

Mr. Chairman, it is because of these statistics and others which I will discuss in my statement that I come before you.

In testimony before the Committee on Education and Labor early this year, the Superintendent of Schools for Fort Worth, Texas, said:

"I wish there were some way I could adequately tell you what ESEA funds mean to the public schools, and more than that, to the future of countless children, their opportunities, their ability to compete, their responsible citizenship, and their success or failure in the American way of life. The ultimate value of ESEA funds in the lives of children is really beyond calculation.

"For these extra funds, we in the public schools are eternally grateful. I submit that reductions or cutbacks simply cannot even been considered. The question is not, 'Should these funds be increased?', but, 'How much should these funds be increased?'

"Education is not expensive, it's priceless.

"Money isn't everything in education these days; but, gentlemen, it's way ahead of whatever is in second place."

William H. Moore of the Arkansas Department of Education, said:

"When Title I funds are cut back in Arkansas, it means children who are hungry must be cut off from Title I breakfasts and lunches, it means that some children must go without medical treatment and clothing, it means that other children will not have textbooks."

Mr. Chairman, it is because of statements like this which were repeated time and time again during our Committee hearings that I come before you today. I have prepared for your consideration and review a compilation of statements from our hearing record which relate to the financing of Federal aid programs. This is Attachment A of my statement.

In connection with our Committee survey of 20,000 school superintendents, the Superintendent of Schools for Louisville, Kentucky responded to the question, "Is the Elementary and Secondary Education Act underfunded?" as follows:

"For example, to provide the minimum recommended number of teacher aides alone in Louisville's Title I eligible elementary schools would require expenditure of approximately $500,000 or five times the $100,000 we are now able to spend . . . We would translate this underfunding into a figure of approximately ten million dollars."

Mr. Chairman, it is because of responses like this that I come before you today. In Attachment B of of my statement, you will find abstracts from over 70 of the responses that we received. In Attachment C you will find the results of our tabulation of questions which relate to the financing of Federal education programs.

As I have studied our survey and listened to the testimony before our Committee, I have become convinced that virtually every education program with which we deal is related significantly to the major domestic issues confronting the American people. Recognizing this it is difficult to understand the unwillingness of the Executive Branch, and I speak of the previous Administration and the present Administration, to finance these programs at a level sufficient to meet the challenge.

We talk about and are rightfully alarmed about the increasing incidences of juvenile delinquency and youth crime, yet there is no pending appropriation request for Guidance and Counseling programs.

We know that we are reaching less than 40% of our young handicapped boys and girls who need and deserve special education programs, yet we are asked to fund the Title VI ESEA program of grants for special education at only 14% of what is authorized.

We know from repeated studies that one of the most urgent problems facing education today is the shortage of qualified teachers, yet it is proposed that we fund the Education Professions Development Act at the 25% level.

In the face of the "Youngstown phenomena" and the financial crises in both large and small school systems, we are told—

Do not fund the program to assist local school districts in the acquisition of needed instructional equipment;

Do not fund the program which provides boys and girls with library and textbooks; and

Do not fund work-study programs for vocational students and vocational education programs for students with special needs.

Though we know it is increasingly difficult to meet college expenses which are spiraling upward at a fantastic rate, we are urged to reduce the appropriation for the student loan program to the 1965 level—to provide a 1970 appropriation which is 18% below the level of last year's program and 44% below what is authorized. How does this relate to the determined and approved needs of institutions of higher education?

Mr. Chairman, colleges in South Dakota will receive 34.5% of their panel-approved requests; colleges in Illinois will receive 57% of their approved request; colleges in Alabama will receive 49% of their approved request; and colleges in Kansas will receive 55% of their approved request. The figures are presented in terms of colleges, but what we are really saying is that only 34% of the students in South Dakota, and 57% of the students in Illinois who need loans will receive them.

And, Mr. Chairman, we talk about youth unemployment and underemployment—and there is an authorization of $822 million for Vocational Education Programs—yet we are asked to provide only 33.7% of that amount—$277.5 million.

Finally, Mr. Chairman, we talk about violence and riots in our cities—

Let me share with you the comments of the Superintendent of the St. Louis School System. He told our committee, "I think the difference in my community between riot and disruption has been Title I of the Elementary and Secondary Education Act money. I think it has saved us from this."

In a similar vein, a member of a school board for Seattle, Washington, indicated, "I can tell you this: the crises in our city is much less than it would have been if you had not given us Title I funds. I don't know what we would have done without them."

At this time, Mr. Chairman, I would like to discuss on a program-by-program basis, some of my concerns and the concerns of educators and administrators across the country about the proposed levels of funding. I should like to begin with programs carried on under the Elementary and Secondary Education Act—the Act that was described by a school superintendent from Mississippi as "the most exciting thing that ever happened in education."

ELEMENTARY AND SECONDARY EDUCATION ACT

My review of the budget submissions for FY 1970 indicates (1) that the total authorization for all programs carried on under the 1965 Act is $4,288,500,000; (2) that pursuant to this authorization, the former Administration requests $1,538,376,000, or 36% of the authorization; and (3) that the present Administration requests a total of $1,410,000,000—that is 32% of the amount authorized.

Mr. Chairman, viewed in any way, Title I of the Elementary and Secondary Education Act is the major program of assistance to education. For FY 1970, we could and we should appropriate the full authorization of approximately $3,142,000,000. I have already mentioned the Committee school superintendents survey which was sent to over 20,000 school superintendents around the country. In answer to all of the seven questions asked in the questionnaire, the hardships imposed by low funding levels—particularly for Title I—was consistently mentioned.

The first question, the most pertinent to our discussion of Federal financial assistance, asked if the Federal Government was doing its share in providing funds for elementary and secondary education. 65% of those responding indicated that the Federal Government was not doing its share. In very large school districts, over 80% felt the Federal Government was not doing its share. A great majority of those who responded that the Federal Government is doing its share, conditioned their response to a full funding situation. Many of the superintendents offered suggestions, over 40% of which recommended that support be increased. In districts with enrollments of over 100,000 two-thirds of the responses asked for increased support.

Another question, which specifically dealt with the financial aspects of Federal education programs, asked to what extent the Elementary and Secondary Education Act was underfunded. Nearly 70% of the superintendents indicated that this legislation was underfunded and frequently commented that the programs financed by the ESEA are ones on which they rely heavily. In large school districts over 90% of the superintendents indicated that the program was underfunded.

Let me share with you just a few of the responses from local school superintendents which I believe illustrate clearly the adverse effects of curtailments and reduced levels of funding.

Argyle, Iowa: "ESEA is extremely underfunded. Our area has been cut from $45,000 three years ago to $19,000 next year. We have approximately 40% of our students identified as educationally deprived (see enclosed list), yet we have had to eliminate teacher aides, TVR equipment and instruction, summer school, and other items from our educational program, and cut or nurse to ½ time due to Title I budget cuts. I believe that someone in Washington should take a look at the small rural areas of our nation and see the problems we have here."

Cherryvale, Kans.: "In our particular school districts, we will be underfunded in the ESEA by approprixately $4,000. Due to the reductions in our entitlement we will have to cut off part of our summer program. In our summer program we work with our remedial students."

West Grove, Pa.: "Our school is located in a rural area with many low income families—therefore we have many children who are educationally deprived, some of whom we are unable to reach because of lack of funds. Each year of the ESEA program, the Title I funds have been reduced, thereby making it necessary to curtail our program."

Norfolk, Va.: "Although it is difficult to know just what the Federal Government's 'share' is in assisting to improve the quality of elementary and secondary schools, the Federal Government has failed to support fully *its own* appraisal and estimate of its obligation. The Congress has passed a volume of highly significant legislation authorizing financial support for schools in recent years, but the actual appropriation of funds seldom matches the authorization. Our first recommendation to strengthen the Federal Government's role in improving elementary and secondary education is to fully fund the authorizing legislation already in existence.

"The total allocation to the Norfolk School System for ESEA Titles I, II, III, and Central City Project, after reductions for the current year, amounts to approximately $2.6 million. We estimate that there are in excess of 20,000 children enrolled in this school system in need of the educational services for which ESEA was created. It is clearly evident that the funds available are insufficient to achieve any substantial impact for more than a relatively small number of children. The full funding of ESEA would approximately double the funds available, and approximately double the potential impact of the Act."

Double Springs, Ala.: "Recent enactments of Congress furnishing support for elementary and secondary education has been *great!!* It has made a tremendous impact on our educational program. ESEA is at least 50% underfunded. Our need is great—even desperate."

As I have indicated previously, Mr. Chairman, Attachment B of my statement contains abstracts like these from over 70 of the

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thousands of responses the Committee received.

The accomplishments of Title II of the ESEA have been impressive. Reports brought to my attention indicate that in 1966, 1967 and 1968, the program was touching an estimated 44 million students and 1.8 million teachers. Even under the reduced appropriation in 1969, it was estimated that 9 million books and film strips were acquired with Title II.

Mr. Chairman, to appropriate only $42 million as was requested by the former Administration would work a severe hardship. To totally deny funds for this program as is recommended by the present Administration would be catastrophic.

I must point out to you that termination of funds for this program and for Title III and V of NDEA as is suggested poses serious administrative problems for state and local educational agencies. For state departments of education, it will mean a net loss of an estimated $11.3 million in administrative funds and a loss of more than 900 state department personnel and the leadership and supervisory services provided by them to local school districts.

Supervision or termination of the three programs would cause particular hardships for local educational agencies. Commitments have been made by local school districts for the employment of personnel for their administration. Since district school boards have not made provisions from local funds for these salaries for fiscal year 1970, the following are examples of emergencies which local school districts would face:

A. Under NDEA Title V-A, one counselor out of ten is paid from Title V-A funds. These salaries would no longer be available.

B. Under ESEA Title II, particularly in large urban areas, school districts have received administrative funds from State departments to provide staff and services for the complex administrative tasks involved in the purchase and loan of materials to public and private school pupils and teachers. This staff would be required to liquidate approved projects and dispose of materials during the ensuing fiscal year.

In the face of increasing costs, increasing enrollments, and demands for higher salaries, it is proposed that we decrease our efforts under Title III of the Act. The previous Administration asked that it be funded at 30% of the authorization, the present Administration reducing it still further so that it would be funded at the 20% level. If this Administration's request is approved—we would have a level of appropriations that is 30% less than the appropriation last year. I should point out that next year for the first time the program will be an entirely State administered program, a change which we mandated by the 1967 Elementary and Secondary Education Amendments.

As was the case last year, only $29.7 million is being requested for state departments of education. This is in contrast with an $80 million authorization.

SPECIAL EDUCATION

Mr. Chairman, there are just under 6,000,000 handicapped children in the school population. Only 35%—that is 2.1 million—are receiving appropriate special education services. The remaining 3.8 million handicapped young boys and girls are not.

The full funding of programs we have authorized, all of the programs in the education for the improvement of the handicapped budget item, would amount to only a little more than $300,000,000. If we were to fully fund these programs with 6,000,000 handicapped children, we would be talking about $50 per child. It is hard for me to believe that $50 per child, as compared with $14 per child we are currently spending, is too much to expect us to pay for helping handicapped children. This is particularly so when we know of the extreme costs for the institutionalization of these children, or for keeping them on welfare.

Even later vocational rehabilitation services are more costly. We are providing the states, through the Vocational Rehabilitation Program, about $400,000,000 a year to work with handicapped adults, but only $29.25 million dollars to work with children in the schools, at a time when rehabilitation is more likely to occur.

Don't mistake my purpose—the vocational rehabilitation money is well spent—it is a profitable investment. But what logic is there in waiting for the child to be fullgrown for the Federal Government to respond to his handicap in a meaningful fashion?

Let us ask ourselves what might be possible if the $206,000,000 authorization of Part A of Title VI were appropriated.

There are 1.5 million mentally retarded children in the school population. Of these, only 700,000, or 46%, are receiving special education services. The remaining 800,000 are either at home or sitting in regular education classes without particular attention or response to their condition of retardation. If Title VI were fully funded, 425,000 more retarded children could be receiving services and we could cut in half the number of unserved children.

The average cost of educating a retarded child in a state residential school is almost $3,000 per child—more than seven times as great as if the child were educated in a public school.

Each day that we delay in developing preschool programs and special education programs in the public school makes it more likely that a retarded child ultimately becomes a ward of a state and will have to be institutionalized at a tremendously increased cost to the taxpayer.

In the 1967–68 school year, approximately 224,000 deaf and hard of hearing children do not receive needed service in the public school. If Part A of Title VI were fully funded, an additional 148,000 deaf children would be provided service. Again, we should know that the education of the deaf child in a state residential school is three times as much as the expenditure necessary in the public day school. Thus the lack of sufficient programs in our public schools will cause taxpayers to spend three dollars for every one, if we are to educate these children in state residential schools.

There are approximately 1,100,000 children with speech handicaps who are not now receiving services in the public schools. The cost for serving these children is modest, approximately $100 dollars per child for the year because speech therapists supplement the regular teaching situation rather than having full-time responsibility for each child. If Title VI were fully funded, every child with a speech problem in the United States could be receiving supplementary services that would allow him to participate more fully in the regular school program.

NATIONAL DEFENSE EDUCATION ACT

Programs carried on under the National Defense Education Act under the most recent budget submissions will be funded at the 26.7% level.

No request is made for the programs of grants to acquire equipment carried on under Parts A and B of Title III of the Act. Based on my review of the responses to our Committee questionnaire, I am convinced of two things with respect to this program—

(1) Title III has been one of the most effective Federal aids for local school systems. Time and time again it was cited in our superintendent's survey as a model federal program—one which through the years has made a substantial contribution in the national effort to expand and improve education opportunities; and

(2) The need for assistance to acquire instructional equipment continues and is today cited frequently as one of the most pressing needs in the educational community. In responding to our question which asked "What are your greatest needs?", over a thousand superintendents identified instructional equipment and supplies.

As with the facilities program, a failure to purchase equipment now or to construct facilities now will in the long run prove to be the most expensive alternative because of inflationary trends. This is to say nothing of the impact reductions will have on the quality of educational offerings next year in individual school systems across the country.

The recommendation that we not fund the Title V program of guidance and counseling must be viewed in a similar vein. To not fund this program will be disastrous. One counselor out of every ten is paid from Title V funds. Over 4,000 school counselors will be affected by the action we take with respect to the funding of Title V, not to mention the many hundreds of thousands of students who would be adversely affected if we do not provide money for these necessary services.

Turning to Title IV of the NDEA and the college teacher fellowship program, we again must contend with an appropriation request which is below—$8,500,000 below, or 12% below—the level of funding last year. During the current year, 15,270 fellows are being supported. Under the pending appropriation request, only 10,900—that is 4,200 less—will receive support next year. And in order to support even this small number—stipends and education allowances must be held at current levels—totally unrealistic levels, both in terms of the increased cost of living fellowship holders must contend with and the increased cost of education which universities must face. These trends in and of themselves suggest a greater appropriation than that which is being requested. When viewed with the projections which indicated that to meet the staffing needs which will be required in 1974 to serve college enrollments of 8.7 million students, it seems to me that we have no alternative but to increase the appropriation. Information brought to my attention indicates that to meet the enrollment increase by 1974, over 600,000 new fulltime professional staff members will be needed on college and university campuses. Projections also indicate, however, that only slightly over 300,000 doctorates will be produced by that time and that half, or perhaps less than half of these, will go into college teaching.

STUDENT ASSISTANCE

Mr. Chairman, under the budget submissions, funds for three major institutionally based Federal student aid programs in the coming 1969–70 academic year amount to only 67% of the approved requests from colleges and universities. During the current academic year, available funds met 80% of approved requests, and for the preceding year, met 85%.

An estimated total $461 million will be available in the coming academic year for the three programs—the National Defense Student Loan (NDSL), College Work-Study (CWS), and Educational Opportunity Grants (EOG) programs. This compares with $682 million in approved requests from higher education institutions. Colleges and universities originally asked for $814 million.

I have already mentioned Title II of NDEA and the unbelievable suggestion that only $155 million be appropriated for a program which was supported at a level last year of $190 million—and that did not meet the need. The estimated funds for the NDSL program will provide loans for about 398,000 students compared with 442,000 in the current academic year. I understand it is the feeling of some that the Guaranteed Student Loan Program will be available for those students who are unable to obtain NDSL loans because of the decreased appropriation. I wish this were the case, Mr. Chairman. However, increasing interest rates will, I am

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afraid, curtail the effectiveness of the Guaranteed Student Loan Program.

We are just now beginning to get back information on the borrowing pattern for the next academic year. Sufficient evidence has not been obtained as yet to justify the revision of the basic Act, but in all candor, I must say to you, that I am not optimistic, and that I am convinced we will be doing a real injustice if we do not, at a bare minimum, fund the NDEA Student Loan Program at the $190 million level.

Let me share with you a letter I received recently from the President of one of the colleges in my Congressional District. It will illustrate dramatically the severe impact inadequately funded student assistance programs have on some of our institutions and the necessity for full funding of all student aid programs.

President Hayes, of Alice Lloyd College, wrote:

"There may be some colleges in America, without commitment to needy students, that can absorb the major cuts in federal student aids of the past 2 years without disastrous results. These would be institutions with a small percentage of students requiring these aids.

"But for Alice Lloyd College and other colleges of Appalachia, these cuts are ruinous. Alice Lloyd College cannot sustain an Educational Opportunity Grants allocation for fiscal 1970 which is only 42% of its fiscal 1968 application. Our commitments to needy students are to great.

"For many years, Alice Lloyd College has had to produce $90 from developed sources, private and public, for each $10 that students can pay. Average family income is $3,100 for our total enrollments. Many have large families. Inadeqaute financial assistance can be found at best for this large percentage of financially needy students. Over the past three years Alice Lloyd College has enrolled 92 of Kentucky's 700 Higher Education Project students from welfare families. ALC's Upward Bound graduates will number 70 in the college program by Fall 1969. Educational costs have sky-rocketed for the quality teaching program that is provided. . . .

"There is something wrong in the priorities of our nation's administration when the great provisions of education opportunity are undercut and ruined as they are when fiscal 1970 allocations are cut back below the level of Alice Lloyd College survival. . . ."

Turning to the Educational Opportunity Grant Program, I cannot come before you today without registering my deep concern about the appropriation for this program in FY 1969. Two simple figures will illustrate the basis of my concern. With the FY 1968 appropriation, funds were available to make 144,600 initial year EOG Grants. The reduced appropriation in FY 1969 has the potential of reducing the new student input in one year from the 144,000 level to 31,700. I am pleased to see that both the former Administration and the present Administration have proposed to substantially increase the level of funding for the EOG Program. But at the same time, let me say that even with an appropriation of $175 million, there will be less available for initial year EOG Grants than was available under the FY 1968 appropriation and that the request is still substantially below, by approximately $35 million, the FY 1970 authorization for initial year grants.

VOCATIONAL EDUCATION

Mr. Chairman, may I share with you some of the statistics from the most recent Manpower Report of the President that relates to the employment of young adults:

The unemployment rates for teenagers have remained at an unsatisfactory high level throughout the current period of sustained economic growth.

The unemployment rate for teenagers in 1968 was still in excess of 12% as compared with the overall unemployment rate of less than 4%.

In 1968, an average of 1.4 million 16–24 year olds were unemployed, including almost 850,000 teenagers.

While the unemployment rate for Negro workers has decreased markedly, Negro teenagers failed to share in this improvement. Their unemployment rate remains disturbingly high—about 25%.

We must, and we can, end this severe waste of manpower and remove this source of actual and potential social unrest.

Last year, by unanimous vote, and I repeat unanimous, we expanded and improved Federal programs which support vocational education. We authorized a greatly improved vocational education program for 1970 which totals $822,650,000—yet we are urged this year to provide only $277 million pursuant to that authorization.

Mr. Chairman, if we are really concerned about social unrest, if we are really concerned about the problems of the cities, if we are really concerned about documented manpower shortages of qualified personnel—it seems to me that we must make more than the token effort in vocational education suggested by the appropriation request.

There is a great deal of talk about mini centers and residential training centers, yet—

There is no appropriation request for Part E of the Vocational Education Act which provides support for residential vocational schools.

There is no request to fund the special vocational program for disadvantaged young men and women.

Only 22% of what is authorized is being requested for development of exemplary vocational programs which could serve as models for occupational education courses.

And, less than 50% of what is authorized for the basic vocational education program is being requested.

EDUCATION PROFESSIONS DEVELOPMENT ACT

A February release of the U.S. Office of Education reads: "The Nation's most critical education problem is the recruitment, preparation, retraining and retention of quality personnel to staff its schools and colleges. This is the chief finding of the first federal assessment of education manpower needs."

In response to this finding, we are urged to fund the Education Professions Development Act at 25% of what is authorized.

Though there is a $5,000,000 authorization for programs to attract and encourage qualified individuals to the field of education, we are advised by one Administration not to implement the program and by the other to fund it at 10% of what is authorized.

Though we need preservice and inservice training programs for well over 100,000 persons, we are urged to fund that program at a level which will only provide training for slightly over 35,000 educational personnel.

Though we are in desperate need of additional college teachers and administrative personnel because of the rapidly growing numbers of junior colleges and ever increasing college enrollments, we are urged to fund institutes and training programs for higher education personnel at only 27% of what is authorized.

HIGHER EDUCATION FACILITIES ACT

Mr. Chairman, the shortage of adequate academic facilities continues to be a major problem confronting colleges and universities.

According to studies of the U.S. Office of Education, institutions face a facilities gap of 135.9 million square feet at the beginning of this Fall's academic semester. In terms of student space, it is expected that the shortage will be 23 gross square feet per fulltime student.

Even with an appropriation at the meager level suggested by the previous Administration, there will exist in 1973–74, a total shortage of academic space of 106,075,000 square feet.

An appropriation at the level suggested by the present Administration—an amount which is substantially below the request of the former Administration—will result in still a greater shortage of needed space.

Mr. Chairman, we cannot afford to fund a facilities program at 4% of what is authorized as is suggested by the present Administration, or at 11% of what is authorized, as suggested by the former Administration.

The 1968 Higher Education Amendments contain a number of provisions making improvements in the Facilities Act, one of which provides for a maximum federal share of up to 50% on Title I and Title II Facilities Grants, as contrasted to the previous ceiling of 33⅓%.

The increase in the ceiling on the federal share was based on the unanimous view of higher education representatives that such an increase was necessary.

I hope that you will take this recent improvement in the law into consideration in providing an appropriation for the Facilities Act, as the higher Federal share may result in a reduction in the number of colleges to be assisted if the appropriation is not adequate.

HIGHER EDUCATION ACT

During the last Congress, by a vote of 389 to 15, the House passed the Higher Education Amendments of 1968, as a result of which we proposed significant refinements and additions to the basic Act of 1965. With the Congressional intent so overwhelmingly stated, it is impossible for me to reconcile the budget submissions with the authorizations we established.

For Public Service Education we authorized $5 million—the former administration requests $3 million—the present Administration requests that the program not be funded.

For grants to improve graduate education we authorized $5 million, the former Administration requests $750,000—the present Administration requests that the program not be funded.

For Law School Clinical Experience Programs, we authorized $7.5 million—both Administrations request that the program not be funded.

For Networks for Knowledge we authorized $4 million—the former Administration requests $750,000—the present Administration requests that the program not be funded.

For Cooperative Education we authorized $8,750,000—the former Administration requests $1 million—the present Administration requests that the program not be funded.

When one views the request for programs established in 1965 the picture is just as distressing.

$70 million is authorized for the College Equipment Program, yet both Administrations request that the program not be funded.

It is proposed that we fund the program to strengthen developing colleges at only 50% of its authorization and that we fund the program of grants to assist college libraries at 16% of its authorization.

REGIONAL EDUCATIONAL LABORATORIES

Mr. Chairman, I view with great alarm the recent Office of Education announcement that five regional educational laboratories established and supported under Title IV of the Elementary and Secondary Education Act will be closed. It is my understanding that this decision was based on budgetary considerations. The labs to be closed are: Central Atlantic Regional Educational Lab-

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oratory, Washington, D.C.; Cooperative Education Research Laboratory, Northfield, Illinois; Michigan-Ohio Regional Educational Laboratory, Detroit, Michigan; Rocky Mountain Educational Laboratory, Greeley, Colorado; South Central Regional Educational Laboratory, Little Rock, Arkansas.

At a time when research and development work in education is more necessary than ever before, we are urged to terminate facilities and resources which the Congress just four years ago established. In so doing, we will literally be throwing away the more than eight million dollars which has been invested in these five labs.

I understand that the pending budget submissions provide for a small increase over the FY 1969 appropriation for educational laboratories. The level suggested is not sufficient, however, to continue support of the five labs I have mentioned. This Congress made a firm commitment four years ago, and it is incumbent upon us to fulfill our obligation.

CONCLUSION

Mr. Chairman, it is obvious from my remarks that I am convinced we must make a much greater effort with respect to the financing of Federal education programs. Even if we were to fully fund all education programs, I feel that we would be making a minimal effort when viewed against the well-documented needs. I am also convinced that the Congress will support recommendations from this Subcommittee which provide funds over and above the amounts requested. The basis for this feeling is the overwhelming votes of the Congress in the last few years in establishing and expanding Federal aid to education programs.

I have said already that the Vocational Education Act of 1968, providing authorizations for vocational programs next year of over $800 million, passed without a dissenting vote.

The Higher Education Amendments of 1968 were approved in the House by a vote of 389 to 15.

Just a few weeks ago the Elementary and Secondary Education Act was extended in the House by a vote of 400 to 17.

These are indications, I feel, that the Congress is willing at this time to have the Federal Government play a substantial role in financing American education. A commitment has been made, and I am sure that Congress will fully support an appropriation which will give life to the commitment rather than make it a token or virtually empty commitment which the budget submissions represent.

FORTAS OFTEN STOOD LONELY FOR RIGHT

HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 19, 1969

Mr. ANDERSON of California. Mr. Speaker, I would like to call to the attention of my colleagues a recent column by Drew Pearson on Abe Fortas. With so much emotionalism and sensationalism surrounding Mr. Fortas recently, I think Drew Pearson should be commended for speaking out in a dispassionate, objective way on this case. He clearly puts the issue in its true perspective.

Without condoning or pardoning Mr. Fortas for his actions, I believe he has made a great record during his career which somehow seems to have been forgotten. Drew Pearson's column in the May 17, 1969 issue of the Washington Post reminds us of Mr. Fortas' outstanding record of defending the underdog and the unpopular cause. This is truly a mark of a dedicated and compassionate lawyer.

Finally, Mr. Speaker, this column points out the hypocrisy of others in Government or public service who may also have committed indiscretions or improprieties; too often they are the first to leap upon the other fellow when he is down. This is one of the reasons why our young people are so upset at the "system" or "establishment" because of this double standard; it is all right for the legislative branch or the executive branch but not the judicial branch. This is hypocrisy at its worst.

This is one reason why I favor a full disclosure of all sources of income for all public officials. Senator TYDINGS, for example, has recently proposed a bill which would require financial disclosure by all Federal judges. I believe this is a good bill, but should be extended to include all Federal officials.

Mr. Speaker, I insert this column in the RECORD today not because Mr. Fortas was right, because I do not think he was, but only to present the other side of this distinguished man's career, one that the public has not been told by the press or the politicians:

[From the Washington Post, May 17, 1969]

FORTAS OFTEN STOOD LONELY FOR RIGHT

(By Drew Pearson)

When a man is down, everyone rushes in to kick him. It is the popular and cowardly thing to do.

So, in the case of Justice Abe Fortas, there has been a bandwagon rush of vituperation, some of it by members of Congress who have taken fees from questionable sources and by an Attorney General who still has not given a clear explanation of why he blessed the dismissal of the El Paso Natural Gas case after the Nixon law firm, of which he and the President were senior partners, received $771,129.83 from El Paso, a long-time client.

When a man's down, he's down. But I for one do not intend to be part of the Fortas-kicking brigade.

For a man's life should be judged not by one act alone. And mistaken as Fortas was in temporarily taking a fee from Lou Wolfson, I recall some other instances when Abe stood up to be counted at a time when few others stood with him.

There was the case of Dorothy Bailey, the lowly civil service worker in the Department of Commerce who was attacked by the Senator from Wisconsin, Joe McCarthy, as a Communist and was not given a chance to face her accusers. It was not a popular case. No one had ever heard of Dorothy Bailey. No one cared very much about her. But an important issue was involved—namely, the right to face those who accuse you.

And Abe Fortas, with his partners, engaged in a long, expensive, time-consuming battle to defend this obscure civil servant. They took no fee and paid for all expenses out of their pockets. In the end, they won.

It was a vitally important landmark case involving the rights of all Americans. But those who now rush in to kick the prostrate figure of Abe Fortas did not lift a finger to help in those days. In fact, the present President of the United States was one of the enthusiastic applauders of the late Senator from Wisconsin and even went to his defense when the Eisenhower Administration promoted the Army McCarthy investigation and when the Senate moved toward censure.

There was another instance when Abe Fortas stood up to be counted, when Dr. Owen Lattimore, a Johns Hopkins professor, was singled out by Joe McCarthy as a Communist. Lattimore was an expert on Mongolian and Chinese relations, had been a history teacher of oriental affairs. However, McCarthy, in his desperate determination to find someone connected with the State Department who was a Communist, jumped on Lattimore as hard as the critics are jumping on Fortas today.

Once again Fortas and his law firm defended a man unjustly accused, did it with their own money, their own time, and won. It took five years to fight the Lattimore battle. He had been indicted for allegedly perjuring himself about using Laughlin Currie's office ten years before. No other law firm in Washington had the guts to stand up and defend Owen Lattimore against the savagery of the all-powerful Joe McCarthy at that time.

There have been other contributions to mankind in Abe Fortas's life. He did not rise to fame and eminence overnight. There were many years of unnoticed drudgery in the Interior Department under Harold Ickes, defending Indians, reclaiming Western land, developing parks, constructing some of the great power projects of the Nation.

All this cannot be washed down the drain of man's fickle memory overnight, thanks to one ill-considered fee.

True, Abe lived high on the hog. In his latter years, he bought a big house on R Street from Betsy Burden and had to meet payments on a sizable mortgage. He redecorated the house and built a swimming pool—all of which cost money. And he got involved in a real estate deal which went sour. Interest rates escalated. He had a hard time meeting payments.

This is no excuse. I offer it as no alibi. But the score should be balanced. The past should not be forgotten.

Justice Fortas has not appeared on television and told of his little dog and his wife's cloth coat and the drain on his finances, as did another public figure to explain why he took—and kept—$18,000, which was highly unethical and probably illegal.

Nor did Fortas let his brother secure a $205,000 loan from a defense contractor, as in the case of Don Nixon—a loan, incidentally, which Howard Hughes has now wiped off as a bad debt.

Nor did Fortas operate a famous farm at Gettysburg where three oil men paid the salaries of the farm hands, the farm manager, the cost of feeding the prize Black Angus, all to the tune of around $2000 a month.

Fortas was wrong. But in tabulating the score of life and politics it should be noted that he did some great things for humanity and that others who are now throwing stones have been wrong on occasion.

PARENTS VISIT WOUNDED GI SON IN JAPAN

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 19, 1969

Mr. HAMILTON. Mr. Speaker, under the leave to extend my remarks in the RECORD, I include the following:

[From the Cincinnati (Ohio) Post-Times Star, Apr. 30, 1969]

LOCAL PARENTS VISIT WOUNDED GI SON IN JAPAN

Mr. and Mrs. Clarence Zugelter of 901 Ohio Pike, Withamsville, know what a military casualty is. They visited their wounded son, Sp. 4C Eugene Zugelter, 21, at an Army hospital at Kishine, Japan.

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A jeep in which Gene was riding hit a land mine in Vietnam March 26. Through the Red Cross, Mr. and Mrs. Zugelter obtained permission to visit their son in the hospital. They flew to Japan Easter Sunday.

In a letter to her brother, Jack Whitehead, operator of the Window Garden Tea Room, 3077 Harrison avenue, Mrs. Zugelter describes what she found at the hospital:

"There are 12 beds in his room all amputees. It is unbelievable. All the men in this ward are ones who have been hit by mines or booby traps.

"In fact, all four floors of this building are such cases.

"Next to Gene—two legs, one eye gone; next bed, two legs, one arm, hearing gone; next bed, two legs and one huge gaping stomach. Next bed—one leg, one whole buttocks and so on and on.

"All day long the trucks and helicopters keep bringing in the wounded and take out the one who can be moved. As I write this, not two feet from me lie a row of stretchers—one after the other, being checked in.

"Average age—19–23, Average talk—the horrors of what they've been through. It is truly a living hell."

Mrs. Zugelter described Gene's wounds, writing, "He is going to live and looking at him, I feel that is a real miracle. He will be paralyzed in the right leg. How he even has a right leg is a miracle.

"There is not much left that has not been shot away.

"The bottom part is in a cast with a steel pin through the leg. This leg will necessitate many skin grafts, but the doctors feel it can be done."

Mrs. Zugelter describes other body wounds, including a jaw fracture:

"His jaws are wired with steel—then bamboo over that. But he talks through a tube in his throat.

"His face, thank God, has only fragment cuts, with only one that will require skin graft. His whole right arm is fragmented and broken with a steel rod running through. It is very bad, but they hope to save that.

"Most of the tips of his fingers are gone, but they talk about skin grafts there. His concussion is healing well, and most of the time he talks sensibly."

Mrs. Zugelter says the doctor had hoped to move Gene soon, but since the letter was written, Whitehead telephoned his sister and learned Gene had developed pneumonia.

Mr. and Mrs. Zugelter, who have been helping at the hospital since they arrived will accompany their son, probably to Walter Reed Medical Center, Washington.

"He is, of course, immobile and they have him in one of those 'circle electric' beds.

"He cannot be lifted or moved, but three times a day they clamp a board over his face and body, then turn the motor on and the entire bed goes upside down, leaving Gene on his face and stomach while they dress his back and change his bed.

"His suffering is terrible, but he is a wonderful patient, doing everything he is told.

"Just pray for him and all these boys."

Whitehead says Mr. and Mrs. Zugelter had no difficulties arranging the trip to Japan to see their son. The only requirement was that they pay their own way.

Gene had been in Vietnam since December. He has been in the Army more than a year.

STATE OEO AGENCIES MUST BE GIVEN AUTHORITY

HON. ALBERT H. QUIE

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 19, 1969

Mr. QUIE. Mr. Speaker, Mr. Eugene A. Marin, State director of the Arizona Office of Economic Opportunity, testified before the ad hoc task force on poverty of the Education and Labor Committee today. His testimony is outstanding. During the last Congress, I did not support the Green amendment; however, I strongly supported one part of it. In fact, since its inception, I have believed that the Office of Economic Opportunity should have administered community action through State economic opportunity offices. While the Green amendment may have permitted the Office of Economic Opportunity to find sufficient loopholes to deny the State the right to be a community action agency, I believe it was clearly the intention of Congress to permit any State that desired to be a community action agency. It was clearly in violation of this that certain States were denied that opportunity. The State of Arizona was one of these. I commend for the reading of my colleagues, Mr. Marin's explanation of the problems together with his recommendations:

TESTIMONY PRESENTED BY EUGENE A. MARIN, STATE DIRECTOR, ARIZONA OFFICE OF ECONOMIC OPPORTUNITY, CONGRESSIONAL HEARINGS, AD HOC TASK FORCE ON POVERTY, COMMITTEE ON EDUCATION AND LABOR, RAYBURN HOUSE OFFICE BUILDING, WASHINGTON, D.C., MONDAY, MAY 19, 1969

OEO was born when the cry of many voices, from urban and rural areas throughout the Country, became the goad which reached the conscience of America. It had long since been clear that where the term "land of contrast" could well depict a country like Mexico or India, sociologically and economically, that phrase does not fit the scheme of our system as we understand it from reading the great documents of our Republic, mainly the Declaration of Independence, the Constitution and its appended Bill of Rights. The cry was an insistence that we read again the intent of the 13th, 14th, 15th and 19th Amendments and come to terms with ourselves and the fact that the United States *is made entirely of colored people:* Red, Brown, White, Black, Yellow, and all the tones and shades in between.

OEO was born and on paper it is great. Few can quarrel with its intent or objectives. But in the reality and practicality of its implementation, there are countless examples which can easily make one forget Miguel Cervantes and Don Quixote. In my two and one-half years experience with OEO I have gathered enough material to write a commentary that, I think, would easily become a best seller. OEO, in those aspects which can be termed negative by anyone's system of evaluation, has all the trappings of a three ring circus. This makes it the tragi-comedy of our time.

No one of average intelligence will dispute the need to train or re-train people whose former jobs have been rendered obsolete by modern technology. That was the purpose of the Manpower Development Training Act and the Migrant Opportunity Programs. Therefore, no one can strongly make an argument against Adult Basic Education. The adults in this group are the children who couldn't even *start* twenty-five or more years ago and who our educational system denied, or completely missed, in the intervening years. Now we are attempting to give them a lift, near the end of the road, after they have, for all practical purposes, lost the race. Yet, even though this start is late for them, hopefully we can make literates of this group and prepare them for something other than an out-right dole from welfare assistance programs.

Head Start, likewise, is no more than a common sense educational effort which our professorial brain trust could have suggested and implemented generations ago. Even so, for all that is being done in this regard today, it is but a pittance when compared to the actual existing needs.

In the same instance we can think of the Upward Bound Programs, Tutorial Programs, NYC and Job Corps. These are the best examples, besides the already mentioned Adult Basic Education, which point up the failures of our educational system. The need of an OEO is evident, therefore, as an effort to attempt to repair the damage which has obviously been incurred and which continues on to this very day.

(I digress momentarily to remind you that within the last 12 months there came forth another great cry from our society asking that Congress look into the automotive industry on the question: Why does it take $20 to $25 billion a year to repair the cars we buy? The Congress diligently made its investigation. I suggest that *that* $20 billion cost figure is but an insignificant sum when compared to the total damage done to those millions of individuals who are shortchanged for life in their educational and corresponding economic opportunity, if that damage could be accurately assessed.

At this juncture, also, I wish to say that I am an American of Mexican descent, and *underscore* that I *am not* one who is concerned with the plight of my people in the Southwest because it is currently in vogue to appear concerned, as if it were a fad of the time. I am a student of their problems and have been an active participant in an variety of programs to help them since many years before the Economic Opportunity Act was a reality in our Congress or in the Executive Office of the President. I know, too, the problems faced by other minority groups, especially our Negro and Indian populations. Therefore, nothing which I say here (and intend as constructive criticism of OEO) must be construed as disparaging to the needs of the needy. On the contrary, I shall criticize *precisely* for the purpose of hoping to make available *to all* disadvantaged groups better and more effective services.)

It has been my purpose, thus far, to indicate the need of an OEO type effort as I see it. Now let us go to the *whys* of OEO's relative lack of success, and to the errors which this administration hopes to correct.

I shall start by paraphrasing some of the remarks made by Governor Jack Williams when he introduced me as the State Director of the Arizona Office of Economic Opportunity.

He said, "The United States is involved in the greatest human experiment which this nation has ever attempted. It is an experiment intended to help solve some of the many problems which plague our urban and rural areas—problems which increase and multiply from the effects of poverty.

"The Economic Opportunity Act is the mechanism created by our Congress to help alleviate the plight of this group, which unfortunately makes up a significant portion of our population.

"The obligation to help in this effort is as much the duty of the indigent as it is for us, the more fortunate, to help them raise themselves out of their situation.

"Twenty or twenty-five years from now society will look back on history to assess or evaluate the success or failure of the opportunity which has been given to us to help.

"The burden, then, is *on us* today. The responsibility rests with the elected officials, the professional poverty warriors, including the staffs and the Community Action Agency Boards. We must accept this responsibility and put every available resource to work on this very real 'War on Poverty'. We must coordinate every training facility, every related governmental agency, and the private sector because it is *our* war and not an indefinitive 'their war.' "

I doubt that at that time (February 1967) Governor Williams was fully acquainted with the phrase "maximum feasible participation". Yet he had fairly well described its concept in those introductory remarks. I know that he did not realize that the title "State Director of the Office of Economic Opportunity" was a complete misnomer. I am also sure that, being a newly elected governor, and at that time having only a cursory knowledge of the provisions of the Economic Opportunity Act, for example, that our function was mainly to approve, veto, and coordinate programs and to provide technical assistance to the local *CAAs*, he thought that some powers went along with those responsibilities.

The high hopes and enthusiasm which Governor Williams showed were soon to be dashed, and our bewilderment has not ceased to grow as we repeatedly ask ourselves, can this truly be the intent of Congress?

"Confusion" does not adequately describe the problems of OEO. "Few know what is going on" may be an overstatement. We *see* what is going on, but I can confess to you publicly that we cannot really *know* all that is happening to your programs, even at the state level.

We are ready to admit that either the State be given the power to be fully involved in this effort or it should be completely removed from the War on Poverty. Our experience tells us that our participation as a state government is almost a total waste of time and tax dollars and that the Governors' powers of approval are little more than wasted words in the federal law.

The truth of this single observation destroys the whole intent of the "maximum feasible participation" theory and begins the sham and the tragedy to which I alluded above.

(1) When the Congress authorized its first OEO appropriation, effective at the beginning of 1965, do-gooders and self proclaimed leaders immediately, if not prematurely, swarmed the land like harbingers of the Lord proclaiming that there was money for one and all. The Congress, they said, has appropriated money to start a (War on Poverty!) and by next year all poor people would be trained, working and out of the welfare rolls! All you have to do is form a non-profit corporation and "you're in". Thousands of non-profit corporations sprang up all over the country.

(2) If you were already a non-profit corporation, they said, you've got it made! All you have to do is write a proposal and apply for some of that money. You can train people to change from menial to skilled trades almost over night; change illiterates to read almost over night; migrant field workers, to become skilled craftsmen almost over night; etc., etc., *ad infinitum*.

(3) OEO is like "manna from heaven" the people were told. The sophisticated and the unsophisticated now become equals. The professional administrator became a CAA Director and the untrained also became a CAA Director. The former asked for five million and the latter asked for six million, just to catch up. One was an expert in all the facets of business management, the other may have never had the opportunity to know what a bank account or a check book looked like. Yet, the EOA now afforded almost anybody an opportunity to handle millions of tax dollars.

(4) VISTA, Job Corps, NYC, Mainstream, Project FIND, TLC (Tender Loving Care), CEP, SER, OIC, Operation Green Thumb, MOP, Self-help Housing, Legal Aid, Head Start, Adult Basic Education, Grass Roots . . . Conduct and Administration, Demonstration Projects, Summer Youth Programs, etc., etc., etc. These became the new jargon of the land among the disadvantaged. Relatively few knew what a program was, but all talked the lingo like experts with expertise. $75,000 for this component and only $875,000 for that one; $195,000 for this one and only $2.5 million for that one. Today one hears thousands and millions slung back and forth like we used to think of quarters and six-bits in my time. The sophisticated CAP Director and the unsophisticated CAP Director became alike over night with this new jargonese and deftness in grantsmanship.

It is not unfair to say that many CAP Boards and Directors, who for the first time would deal in problems of administration, personnel management, evaluations, audits, research and planning, public affairs, and the gamut of important incidentals such as human relations, public relations, and social and political pressures, simply were not equipped with the wherewithal to do the job. And with all due respects to the sincerity of most poverty workers, the wonder is not in the chaotic results that evaluations and audits have uncovered, but that all of OEO has not turned out to be a total and absolute failure. Thanks to those programs whose success can be traced to truly responsible leadership.

"There is money for all", but todays' riots, demonstrations, pickets, and boycotts do not indicate that we have resolved the problem or are reaching the target group too successfully.

The *EOA* provided for no tooling-up period or even for a look-before-you-jump period. It only provided for a *crash program* which said "let's get it done even if nobody fully understands what it is they want done".

It is our opinion that confusion will continue to reign in OEO programs until the State is recognized as a full partner in this effort. The Congress *must* impose whatever guidelines and requirements it deems necessary for the effective operation of federal programs at the local level, but it must take into consideration the four years experience which thus far have proved that neither national OEO nor the regional offices can adequately monitor or oversee the operation at the local level before costly mistakes are committed. Only the States, *following the necessary revised national guidelines*, are close enough to the problems of their people, to be able to more equitably distribute the funds where they are most needed.

Furthermore, we feel that Advisory Boards and Coodinating Committees now established for OEO purposes, are largely an ineffective effort, if there is no compelling legislation or provisions to force cooperation, communication and coordination by related agencies. The nature of our bureaucracy almost preempts this ideal. Therefore, we suggest that the State be made the arm to function in behalf of National OEO to assure real linkages between programs that dovetail into local, county, state, and federal agencies.

The theory of "maximum feasible participation" breaks down when the Congress and national OEO apparently overlook the fact that the funds coming to our individual states originally came from there in the form of taxes. So it is not logical when one hears the rationalization that state governors, especially Republican governors, will destroy the programs. Nonsense! Governors of whatever political suasion only want to see a reasonable return for every tax dollar spent especially when they have asked for more matching tax funds from their state legislatures. Perhaps a requirement along these lines should be carefully studied and made a part of the federal law.

It is not outside the realm of possibility that a governor, here and there, might not be in full sympathy with the spirit and intent of OEO legislation. You already have the necessary provisions in the law to adequately take care of such cases.

(Parenthetically, I might add, it is difficult for a state office to coordinate and solicit the cooperation of other state agencies when it is so evident that one is merely asking them to join us in our trouble. It is an old adage that "misery loves company" and state agencies understandably stand-off when they know that our Governors do not have the power through OEO to veto even an *illegal grant* and make it stick. Thus, the education departments, employment services, health and welfare agencies and other related social agencies are willing to give little more than moral support, if they can even give that.)

Moreover, the current argument that some cities want to by-pass the State *for political reasons* is interesting. No city should forget that it is created by the authority of that State. Yet, as it is with the local CAAs which are non-profit corporations, the farther they are from the direct supervision and accountability which should be provided simply as a matter of good business practices, the freer they feel when such controls are so remote. It is true that, with a stronger political voice, cities have established a pattern of out-doing their rural counterparts. Therefore, the "holier than thou" attitude taken by some may be but too obvious a rationalization inspired by some advocates of a modern version of the Golden Rule: "Do unto others before they do unto you."

This is best illustrated by the treatment received by the EOA Amendments of 1967 and particularly the famous Green Amendment made infamous by the local CAPs, the OEO Regional Offices and National OEO itself through its Task Force which interpreted the changes. If in the judgment of the Congress, the approval of a grant which obviously violates both the federal and a state's law, is in keeping with the intent of Congress, then it has made permissible government of men instead of laws. We doubt that there is a case in any other state which more clearly points this out.

I have with me a sheaf of materials which prove that OEO, and the Congress by inference, have contributed to highly questionable, if not extra-legal, procedures in the matter of funding grants. Perhaps the real purpose was to prove that a governor's veto was worthless, or that the laws of a State are not to be respected by OEO employees at any level—federal, state, or local. Whatever the reason, however, it is clear that who ever was ultimately responsible, is also responsible thereby, for changing the concept of "maximum feasible participation" to "maximum feasible confusion" as was so aptly said by Professor Moynihan.

Thus the missing link to OEO's success is clear to us. Do whatever you must to remove the politics from OEO, which appears to be the main hang-up. But be assured that the results will not be more rewarding in the next four years unless authority is given to the State governments and other state governmental agencies to participate as full allies in behalf of their indigent constituencies.

COLLEGE AUTHORITIES HAVE DEFAULTED

HON. O. C. FISHER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, May 19, 1969

Mr. **FISHER**. Mr. Speaker, the long series of college disruptions on scores of campuses throughout the country have shocked the American people beyond description. It is simply incredible, in this civilized and enlightened Nation, that a minority of extremists who have infiltrated our schools have been permitted, with hardly a rap on the knuckles, to wreck campus buildings, imprison school officials, steal official files, disrupt classes, and engage in riots and anarchy.

XUM

People are asking: If these dissidents are not willing to conform with the rules of the schools and the laws of the land, why should their presence be tolerated?

Either through cowardice, timidity, or ignorance of elementary techniques which must be employed to maintain discipline, school officials have allowed these hooligans to run rampant, spewing defiance, engaging in blackmail, and hampering the efforts of others to gain a college education. The excuse often advanced by responsible authorities that the right of dissent must be protected is, of course, nothing short of unadulterated hokum.

Those few schools which have not tolerated have had little difficulty in maintaining discipline.

How do they do this? It is very simple. They dismiss or expel the culprits. They maintain law and order. They make appropriate use of the injunctive power of the courts. They call the police and have the hooligans taken to jail where they belong. They know, as all police know in dealing effectively with the criminal element, that pampering and coddling simply does not work.

Mr. Speaker, under leave to extend my remarks I include an article written by Max Lerner, which appeared in the April 23 issue of the New York Post. It reveals a remarkably clear insight into this problem.

The article follows:

RANSOMING THE COLLEGES

(By Max Lerner)

What happened at Cornell was the ghastliest of a series of ghastly recent incidents on American campuses. Students taking over a university guest building, driving out a number of parents who were in it; the same students with shotguns standing guard over the building, reinforced by a car full of weapons; two college officials compelled to sign a seven-point agreement, sitting on the steps of the building as the students stand over them. Whether this happens with black or white students—at Cornell it was blacks—it is intolerable in any University.

The other incidents fit into an almost equally intolerable violence pattern: At Atlanta, a group of college trustees held captive until they agreed to the rebel student demands; at Harvard, an administration building seized by the extreme leftist faction of the SDS; at Columbia, news picture of two professors climbing out of philosophy hall by a window because the building had been taken over for a time by a student faction.

There have been others, there will be still others. The nation has been patient and tolerant of these disruptions. The time has come to place limits around them, to isolate those who engineer them, to take prudent but effective action to end them. The agenda for making students part of a better system of college decision-making is still there, to be worked on and completed. But while that is happening the seizures and disruptions, the kidnaping, the gun-toting must all end. The overwhelming majority of Americans, including students and faculty, have had it—and don't want any more.

Part of the problem rests with faculty members so ridden by guilt or so ready for a vicarious violence thrill that they sit by while their university lies a helpless victim. Part of it rests with university officials who are so worried about their public image and about violence headlines that they buckle under blackmailing pressures and sign what is put before them. Whatever else these demands include, they always include the demand for amnesty from either university or court sanctions. For the whole logic of risking violence is that you will be able, through the same violence, to get absolved from paying any penalties for it.

What is clearly happening is a process of paying off the terrorists, as in a kidnaping of a rich man's child, when the parent can't risk anything happening to his loved one. We are watching the dangerous, humiliating and self-defeating spectacle of the ransoming of American colleges.

The notion some professors have recently advanced—that we shall have to get used to college strikes and violence for many years to come, just as we have had to accept labor strikes and violence—has an element of nonsense in it. Students are not workers, colleges are not commercially run factories, college administrations are not corporate barons, students are not getting wages nor are college presidents making profits. The whole analogy is cockeyed. So is the notion of some black power far-out students that college campuses are black ghettos where riots, arson and shotguns must decide the issues.

Going to college is neither a way of making a living nor a way of overturning a society. It is a civil function, a privilege that the community gives its young people if they show promise and preparation and if they are ready to use it with civility. A college is a delicate organism, and everyone who is part of it must operate under the rules of the organism. If you are bent on ripping it to pieces, you don't belong as part of it and you had better take your intensities and violence elsewhere.

Students with shotguns, whether they are black or white, don't belong on any college campus. Any society that allows private armies to operate is doomed to end in the bloodshed of opposing private armies. If antiwhite Negro students take arms, it is inevitable that they will be followed by anti-Negro whites taking arms. Both are intolerable.

The burden rests on the university primarily to employ its power of suspension and expulsion. Beyond what the police may have to do to maintain order, on the campus as elsewhere, it is the university that must be responsible for its own membership. From this point on any university official who signs away the university's power of discipline by agreeing to "demands" of amnesty must be considered as having betrayed his university's survival.

CRIME STILL PLAGUING AMERICA

HON. J. HERBERT BURKE

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 19, 1969

Mr. BURKE of Florida. Mr. Speaker, early this month the U.S. House of Representatives created a special committee, authorized to take an in-depth look into the problem of crime in our country, and shortly, hearings will be held around the Nation in an effort to determine possible solutions to halt the continued increase in crime.

The committee need not look far to find that crime rose 17 percent last year over 1967 and that the total number of serious crimes reported in 1968 will be about 4.6 million, a three-quarter increase over 1967.

At the present rate of increase, one out of every 50 citizens will be a victim of a crime in 1969. Juvenile crime is increasing 300 percent faster than the increase in the juvenile population, and at this rate one out of every 20 juveniles will acquire a criminal record this year.

Estimates for the future are bleak.

The National Commission on Crime has predicted that in the next 10 years, crime will increase more rapidly than our population. In 1967, criminal activity amounted to $27 billion and in 1968 increased to an astounding $31 billion.

Yet these figures fail to reflect the pain and suffering inflicted on victims of crime or on the families.

Such patterns in crime certainly put a blight on our American way of life. The American housewives can no longer safely walk to a grocery store at night; no longer can certain businesses safely remain open after dark; no longer can some of our institutions, such as churches and museums remain open to the public without armed guards being in attendance.

To say it bluntly, Americans are not safe today either at home, at work, or at play.

I am sure that the committee will find what is also apparent is that the shameful narcotics traffic in this country, which is handled solely by the organized crime syndicate outlets is one of the major causes for the staggering increase of many of our vicious crimes today.

Statistics bear out that more and more young people, after once becoming addicted to dope, start a life of crime and become involved in first petty crimes and then crimes such as robbery, prostitution, and even murder in order to find money to buy dope and support their habit.

I am sure that the committee will find that some of the cause lies in our courts. A just and speedy trial is necessary so as to put the criminals behind bars and to allow those innocent to be returned to their rightful place in our society.

I am certain that the committee will find that it is going to take large expenditures of money to fight crime. Too often today, our criminals are set free because of the lack of prison space, crowded court dockets, or lack of court facilities to handle the trials, and because of the huge backlog of cases that are often on the judge's docket.

I am sure the committee will find that there will need to be a greater expenditure to hire more policemen in order to protect our citizens.

The Congress last year passed a bill intended to fight crime and I am happy to note that President Nixon has indicated in his program for action against crime that he will ask the Congress to provide additional funds to State government on a block grant basis as provided in the law to train and provide more police officers to bolster the local police forces.

The Congress must look into any legislation which will tighten court procedures and thereby prevent the release of hardened criminals because of some legal technicality, to prowl the streets once again to the detriment of our citizens. Congress must also pass legislation which will provide for stronger witness immunity for police informers who are acquainted with and have knowledge of criminal activities and to authorize the police full surveillance of criminals through sophisticated wiretapping procedures under the authority of a court order.

I am sure the committee will find that it is necessary that we take a hard, strong look at the criminal for what he is and the dangerous potential that he possesses against society, and the need to blind our eyes to the "sob sisters" and the "bleeding hearts" who presume that environmental and sociological factors are the sole causes of crime.

I am sure that the committee will find each individual must also share the responsibility in this war and recognize that tax money must be diverted from some projects to the upgrading of court procedures and strengthening those in our judiciary who are honestly dedicated to the principles of equal justice under the law, but who are aware also that equal justice means protection of the citizen as well as the criminal.

INDIANA DUNES NATIONAL LAKESHORE: TO DEFINE OR TO DESTROY?

HON. ABNER J. MIKVA

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, May 19, 1969

Mr. MIKVA. Mr. Speaker, I am one those supporters of the establishment of the Indiana Dunes National Lakeshore who was taken a little by surprise by the proposal on May 8 by my distinguished colleague from Indiana (Mr. LANDGREBE) to "define the boundaries of the Indiana Dunes National Lakeshore." Those who followed the course of the Dunes National Lakeshore through the Congress and who watched the heroic efforts of Senator Paul Douglas and others, were certainly under the impression that the boundaries of the Dunes National Lakeshore had been defined. I hope that what we are witnessing is not a belated challenge to the decision made by Congress in 1966 to establish the Dunes National Lakeshore. I hope, in short, that H.R. 11084 is an effort to define the Indiana Dunes National Lakeshore, and not to destroy it.

Several points should be made about H.R. 11084. First, such action is not really necessary. The legislation which established the lakeshore, Public Law 89-761, defined the boundaries of the lakeshore in the same fashion that the boundaries of countless other national parks, national seashores, and national recreation areas, have been defined—by reference to a public map or drawing in the possession of the Secretary of the Interior. The reference to a designated map or drawing in the possession of the Secretary of the Interior is a standard, permanent, legal means for defining a national park boundary. As evidence of this fact, I list the following areas under the administration of the National Park Service, which are now defined in law only by reference to such a map or drawing. I emphasize that all of these areas were established before the Indiana Dunes National Lakeshore, yet none of them has had to be defined or redefined:

Guadalupe Mountains National Park, Pub. L. No. 89-667, Oct, 15, 1966, 16 U.S.C.A. § 283.

Assateague Island National Seashore, Pub. L. No. 86-195, Sept. 21, 1965, 16 U.S.C.A. § 459f.

Cape Lookout National Seashore, Pub. L. No. 89-336, March 10, 1966, 16 U.S.C.A. § 459g.

Ozark National Scenic Riverways, Pub. L. No. 88-492, August 27, 1966, 16 U.S.C.A. § 460m.

Lake Mead National Recreation Area, Pub. L. No. 88-639, October 8, 1964, 16 U.S.C.A. § 460n—1.

Delaware Water Gap National Recreation Area, Pub. L. No. 89-158, September 1, 1965, 16 U.S.C.A. § 460o—1.

Spruce Knob-Seneca Rocks National Recreation Area, Pub. L. No. 89-207, Sept. 28, 1965, 16 U.S.C.A. § 460p—1.

Whiskeytown-Shasta-Trinity National Recreation Area, Pub. L. No. 89-336, Nov. 8, 1965, 16 U.S.C.A. § 460q.

Mount Rogers National Recreation Area, Pub L. No. 89-438, May 31, 1966, 16 U.S.C.A. § 460r—1.

Pictured Rocks National Lakeshore, Pub. L. No. 89-668, October 15, 1966, 16 U.S.C.A. § 460s.

Bighorn Canyon National Recreation Area, Pub. L. No. 89-664, October 15, 1966, 16 U.S.C.A. § 460t.

A second point which should be made with respect to H.R. 11084 is that it does not merely define more clearly the existing boundaries—it substantially reduces the size of the national lakeshore area which Congress authorized in 1966. H.R. 11084 would provide approximately 3 square miles of new Federal land to add to the existing Indiana Dunes State Park. But the amount of land originally authorized by Congress was over 13 square miles—8,721 acres to be exact according to figures from the National Park Service. Thus H.R. 11084 would not "define" the existing boundaries, it would reduce the size of the Indiana Dunes National Lakeshore by over three-fourths of its presently authorized size. I reiterate my fear that H.R. 11084 would not define the park, but would destroy it.

Third, Mr. Speaker, the point should be made that H.R. 11084 is supported by no argument which has not already been considered by Congress and rejected. If it is true that the present boundaries of the park include private homes—which I do not know of my own knowledge—then that fact was certainly considered by Congress when it established the Dunes National Lakeshore. That consideration was certainly balanced against the tremendous recreational benefit to millions—literally millions—of persons within a 2-hour drive of the dunes. Likewise the tax-exempt status of the dunes parkland was balanced against the benefit to all taxpayers of the dunes park. I do know that there are several commercial and industrial interests which would like to get their hands on land now designated for the future national lakeshore. I know, for example, that the Chicago, South Shore & South Bend Railroad at one point wanted to build a railroad marshaling yard on such land. I know that some interests would like to build a jetport on such land. I know that some people still think longingly of building a harbor facility on dunes land. I suggest that railroad yards and jetports are not much of a heritage for our posterity.

Finally, I submit that the amount of land owned by the Federal Government is not really relevant to the desirability of having a national recreational site at the Indiana Dunes. The point is that the Indiana Dunes National Lakeshore is potentially the most popular national park in the country, located as it is only a short driving distance from several well-developed urban areas. We would be doing both ourselves and our children a grave injustice to try to undo the magnificent work which Paul Douglas and others labored so long and hard to accomplish. The Indiana Dunes should continue in its present form and the money requested for additional land acquisition should be appropriated this year. Only in this way can we assure that the Indiana Dunes will be what Congress intended they should be—an unspoiled recreation area for all the people to enjoy.

The concern about our national debt and our serious domestic problems and the war in Vietnam—all are legitimate concerns. Those concerns, however, cannot be alleviated by a landgrab assault on the Dunes National Lakeshore. Maybe the way to solve those other concerns is to cut down on the Federal funds available for the harbor in Indiana. I do not happen to think so, but it is no more illogical than H.R. 11084.

COLLEGE TURMOIL MUST CEASE

HON. ROBERT E. JONES

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 19, 1969

Mr. JONES of Alabama. Mr. Speaker, the continuing turmoil and disorder at many of the Nation's colleges and universities is a disgrace which educational authorities have too long endured. It is time for those who value the independence and traditions of freedom in the college community to move promptly and forcefully to restore reason and order to the campus scene.

In spite of the daily harassment of the reports of disorder, the fact remains that the vast majority of students are eager, dedicated, and disciplined scholars who are pursuing an education and change within the framework of reality. These serious students are to be commended for their devotion to studies and to the orderly change which can be achieved through reason and consideration of all interests. These students are often forgotten in face of the inflammatory acts of the minority.

The seizure of buildings, holding of hostages, theft of records, arson, and other destructions by small groups of students, nonstudents, or others can be regarded only as criminal acts and should be handled as such.

It makes no difference whether the perpetrator is a Ph.D. candidate or a fifth-grade dropout, violations of criminal law must be firmly and promptly dealt with through due process.

XUM

College administrators who fail to act forcefully with law violations invite immediate escalation of violence and destruction. In the long run, this weakens the foundations of our educational system through erosion of public confidence and support essential for widespread availability of education.

A false notion is growing that college administrators have a right to indulge people on campus in criminal violations. No university official has authority to suspend or excuse punishment for criminal acts of students or others.

If the law is to have any meaning, it must be exercised in the universities as elsewhere. Administrators owe a duty to society to manifest an obedience to the criminal statutes of the community.

Change, of course, is rather constant in our society. The most meaningful changes result from reasonable and orderly discussion with consideration of divergent points of view. Where relevant differences exist, open-mindedness and prompt discussion are required of all the principals.

The claim by student radicals that discussion is impossible seems to evolve from the fact that the radicals themselves term the demands nonnegotiable and refuse to explore the real or imaginary grievances. In many cases, the grievances themselves are irrelevant to the protest and beyond the control of the individual institution to which directed.

Notwithstanding these claims by the student radicals, the discussions are needed. The radicals themselves edit demands which are nonnegotiable and a constant review is needed to explore real or imaginary grievances.

Should students, or any other group, have legitimate complaints or grievances, ample means exist for redress through orderly and reasonable discussions if directed to the proper forum.

Our educational system and traditions are too valuable to allow destruction by a small number of radicals who seek to polarize the Nation into hostile camps for selfish motives and impose totalitarian restrictions on any who fail to accept their inflexible doctrine.

Each institution of higher learning has ample means to deal with those students who fracture the institutionally-ordained discipline necessary to the orderly and reasonable pursuit of education. To the serious students who honestly seek an education, the institution owes the expulsion of those who disrupt campus life.

Likewise, adequate laws exist for dealing with students, nonstudents, and others who violate the criminal laws of the community through trespass, seizure and destruction of property, intimidation, coercion, or illegal restraint of officials, students, and others, and more serious crimes.

The answer lies in the prompt and deliberate enforcement of the criminal laws through apprehension and prosecution of any person who breaks the law.

If the institutions of higher learning are to remain free for scholarly endeavors and advancement of education, the answers to the turmoil and violence must commence at the colleges and universities themselves.

ARTHUR BURNS—COUNCIL ON FOREIGN RELATIONS COUNSEL

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 19, 1969

Mr. RARICK. Mr. Speaker, many Americans are unable to comprehend our national policies because our goals and aims cannot be reconciled with America's own best interests.

Perhaps one of the reasons is that the President's two closest personal confidants: Dr. Arthur F. Burns, counselor to the President and Dr. Henry A. Kissinger, Assistant to the President for National Security Affairs are neither American-born. A unique form of discrimination against the native born American, especially in highly sensitive Government positions which affect the lives of our people and safety of our Nation.

For anyone thinking that Burns is influential, I recommend an article from the Washingtonian for May 1969, entitled, "When Arthur Burns Talks, President Nixon Listens," by Bruce Agnew, with a letter from Mr. Burns, praising his membership in the Council on Foreign Relations and the Pilgrim Society.

The material follows:

[From the Washingtonian magazine, May 19, 1969]

WHEN ARTHUR BURNS TALKS, PRESIDENT NIXON LISTENS

(By Bruce Agnew)

His shaggy grey head of hair is parted straight down the middle, over a pair of gold-rimmed spectacles. Puffing an old pipe, he makes ponderous pronouncements that sound like they are being read off tablets sent down from Mount Sinai. He admits he is "half-stunned" by what is going on across the country. Yet this curiously old-fashioned man has emerged as the most powerful domestic policy adviser in an Administration trying very hard to appear crisp and modern.

Richard M. Nixon learned the hard way to respect the advice of professor-economist Arthur F. Burns. In March 1960, as Nixon was gearing up his first Presidential campaign, Burns came to Washington to tell him a recession was developing. A political realist, Burns knew what steadily climbing summer and fall unemployment would do to Nixon's candidacy. Increase Government spending or cut taxes, Burns told Nixon.

Nixon couldn't get the message through to President Eisenhower, the recession came, and Nixon narrowly lost the election. "It seems entirely plausible to me," Burns says, that things would have turned out differently in 1960 had the advice been taken.

President Nixon now listens. The sixty-five-year-old Burns is Counsellor to the President, a specially-created post with Cabinet rank. His perfectionist temperament is being brought to bear on the full sweep of domestic policy. He is turning up everywhere in the White House—on the Cabinet, on the new Council on Urban Affairs, and on another Nixon innovation—the Cabinet Committee on Economic Policy, a mechanism first recommended by Burns when he was chairman of Eisenhower's Council of Economic Advisors from 1953 to 1956.

Before the inauguration, tucked away on the eighth floor of New York's Delmonico's Hotel, Burns sifted through twenty-one task force reports, analyzed Nixon's campaign rhetoric, looked at GOP platform and Congressional policy positions, stirred in ideas of his own, and handed Nixon an encyclopedic report suggesting which ideas were worth adopting, what needed to be thought through again, and which would be best forgotten. So far, Nixon has been sticking closely to the Burns blueprint. And Burns, with virtually the same small staff that made up the "Delmonico Group," has been putting all new policy proposals through the same analytic fire.

His specific assignment is as broad as can be. As Nixon described it: "He will head up a small group whose prime responsibility will be the coordination of the development of my domestic programs and policies."

It seems an odd role for Burns, and it surprised many of his close associates. Burns has a towering reputation as an economist. His 1946 book, *Measuring Business Cycles*, is still the standard work in its field. But few thought his meticulous attention to detail would be applied to anything very far beyond classical economics.

Burns shakes his head at the typecasting. "What can I do about it?" he asks. "Since I was ten, I read everything I could put my fingers on. In college (at Columbia University), I started out as an architect and then became interested in law. Before I left the universiy, I got involved in economics and I have been with that specialty ever since. In the meantime, I have learned a little about government as well."

When he was ten, what Burns was reading wasn't written in English. He was born in Stanislau, Austria in 1904, and his parents emigrated to this country in 1914, settling down not far from the Port of Entry in Bayonne, New Jersey. His father, a merchant in Austria, became a house painter in New Jersey.

"That's something he could not have done in Europe," Burns says, "because that would have been a disgrace. But here, in those days, manual labor was a position of honor. Now, everyone needs a college education."

Burns helped his father at painting, and went to school with other immigrant children. "In those days, we had something we need now. We had special classes for foreigners." Children from six to eighteen would go to Americanization classes during the day, and their parents would go at night. He remembers that the classes were light on standard school subjects, but the children were taught about dress, about government, about life in the city. They were, in short, taught about life in America, "and with remarkable speed and efficiency."

"Now we have all kinds of Federal programs, and we do not have a system of classes in urbanization" for today's immigrants—the poor, most of them black, who are moving into the cities from the rural south. He believes such classes would be successful because "kids want to be like other kids."

"My sons went to school in New York." Pipe in mouth, he begins to smile. "A private school. A progressive school. A very progressive school. An ultraprogressive school. By Jove, when I saw what was going on, I pulled them out."

"The students there were largely Jewish. But with the customary compassion of the Jewish people, they started bringing in others." One night at a PTA meeting, a Negro mother lamented that her little daughter had come home from school crying, "Why can't I be Jewish like the other children?"

"Kids," Burns says, "want to be like other kids."

Burns had more going for him than just a desire to be like other kids. He was very bright. He had a photographic memory; he read everything he could get his hands on, and remembered it all. By the time he was through high school, his grades easily won him a scholarship to a small college in Bayonne. But Burns wanted to see what Columbia University, across the river, had to offer. Not to see whether Columbia might take him; to see whether he might want Columbia.

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He did want Columbia, but he was too late. Scholarship applications were already in. Even so, university officials agreed to talk with him, and they quickly decided to make an exception. In a day when scholarships were hard to come by, Burns got one that covered all but $10 of his $260 annual tuition.

It didn't cover everything; Burns still had to support himself. "I had a variety of jobs," and he recalls them as if savoring each one: "I worked as a waiter, as a theater usher, as a shoe salesman, as a real estate salesman, as a postal clerk, in a can factory, as a sailor, as an inventory clerk" and, finally, as a research assistant. By then he was deep in his specialty of economics.

In 1930, as a young graduate assistant, he joined the prestigious National Bureau of Economic Research, a nonpartisan analyzer of economic activity. At the request of Franklin D. Roosevelt, the bureau in the late nineteen-thirties began a study of that mysterious phenomenon called the business cycle; at that stage in economic history, upturns and downturns seemed as baffling as any other act of God such as a forest fire or hurricane.

The result was the book, *Measuring Business Cycles*, by Burns and the bureau's president, Wesley C. Mitchell. That same year, Burns produced a definitive attack on the growing tendency to rely too rigidly on Keynesian economic theory: *Economic Research and the Keynesian Thinking of Our Times*.

Both books demonstrated a tendency which still runs through Burns' thinking; he is not a man to let a facile theory, no matter how attractive, get in the way of facts. He believes in facts and figures. The first Nixon Administration action publicly acknowledged as his idea was an order that all Government agencies speed up release of the statistics they gather. A small thing, some might say. But to Burns these measurements of economic activity, many of which he devised, are the essential raw material of economic judgments.

Burns came to Washington to work for President Eisenhower in 1953. Once a Democrat, he switched parties, although he stresses, "I am not a Republican economist. I am a Republican and an economist."

As chairman of Eisenhower's Council of Economic Advisers, Burns was out of step with more conservative policymakers who had greater influence with the President. In 1956, he argued for a tax cut to offset the developing economic slump. He lost, just as four years later Vice President Nixon was to unsuccessfully advocate similar action.

When, later in 1956, Burns got the chance to return to the lecture hall at Columbia and to the National Bureau of Economic Research as its president, he took it.

In recent years, Burns' prominence in the pantheon of economists had seemed to decline. The mantle as preeminent critic of Keynesian thought passed from Burns to the University of Chicago's Milton Friedman, a close friend who has a summer home not far from Burns' two-hundred-year-old farmhouse in Vermont. And the pro-Keynesian "New Economists," most notably Kennedy economic adviser Walter W. Heller, seemed to be working miracles in the early nineteen-sixties with their "fine tuning" policies which stressed quick reactions against economic jolts.

But Burns, who was warning as early as 1965 that inflationary clouds were gathering, thinks the "fine tuning" theorists replied too rapidly to minor squiggles on the economic charts and paid too little attention to realities. "Fine tuning," Burns intones, "is self-destructive in fiscal policy, and that's something my good friend Walter Heller hasn't discovered. But he will. Everybody learns."

Economics is still a blend of science and art, and its practitioners sometimes display the same jealousies that nag the other arts. Perhaps that is why, when Burns was named honorary chairman of the National Bureau of Economic Research early in 1968, many economists interpreted it as a sign he had been kicked upstairs. There was talk that Burns had fallen behind the times; that he was not successful in wooing grants out of foundations; that he was a hard man to work for. There is no doubt the last is true. He has given many subordinates the impression that he thinks he can do any job better than the man who is doing it. Probably he does think that, and probably he can.

"He's a tough boss," says a close admirer. "Perfect is okay. Anything less than perfect—no. If your work isn't up to his standards, it just comes back, comes back, comes back."

Burns does propound his views in very strong terms. "But," one friend adds, "he's one of those rare people who, when he's challenged, will say, 'Well, now, I hadn't thought of it that way. You may have something there. I'll have to think it over'."

In Wasington now, Burns and his wife live at the Sheraton Park annex. During the Eisenhower years, when their two sons were growing up, the family lived in Chevy Chase, a long way from the office through the confusing streets of Washington, The White House used to be the center of his "map"; when he wanted to get from one part of town to another, he had to go to the White House first to orient himself. One day back in 1953 he got so lost that he finally hired a taxi to show him the way home. He still despairs over the street patterns of Washington.

During the summer, he will try to get back to his Vermont farmhouse, which boasts "the most palatial garage in the United States." He designed it himself: Cape Cod style, he guesses, in keeping with the comfortable Colonial style of the main house. Burns says it is a combination garage-playroom-studio-living room. He adds, "My wife calls it 'Arthur's Folly.' "

Away in the woods, he has a cabin where he secludes himself for serious work. He designed that, too. More important, he selected the site for it. "When the kids were small," he explains, "I didn't want to tyrannize them and I didn't want them to tyrannize me. So I told Helen to stand on the lawn with them and they shouted as loud as they could. I started walking." When he could no longer hear them, there he built his cabin. The voices had driven him three-eighths of a mile.

There is no telephone in the cabin, and his wife has strict orders not to disturb him while he is there. Perhaps twice a summer, she has decided a phone call was important enough that the rule should be broken. There will be many more interruptions now—if, indeed, Burns gets away to Vermont at all.

Burns does not have quite the position of a domestic policy Sherman Adams, with the power to keep other officials' ideas from the President's desk. Nixon has made a deliberate point of not building any aide up to the "Assistant President" status that Adams enjoyed under Eisenhower, but Nixon is clearly asking Burns' advice on every major point of domestic policy. One prominent adviser during last year's campaign admits he knew full well Nixon wasn't stopping with him. "Nixon listens to what I have to say," the adviser said, "and he listens to what other people say. Then he calls up Arthur Burns and says, 'Arthur, what do you think?' "

Nixon expects Burns to question every recommendation, and question it deeply. Even now this is threatening to create rivalries and hard feelings in the new Administration. Burns dismisses the possibility. "If this is happening," he says, "I'm either too blind or too dumb to see it. I'm not interested in power and influence. I'm interested in doing a job."

His view of his job is that the Nixon Administration faces challenges that make economic problems seem "trivial."

Burns says: "I think that a great sickness has gripped our society. I think that a great many of our citizens have lost faith in our basic institutions. They have lost faith in our churches. They have lost faith in our schools. They have lost faith in family life. They have lost faith in the processes of government itself.

"The President keeps scratching his head—and I as his adviser keep scratching my head—trying to know how to build new institutions . . . to restore enough to know how to do this properly."

THE WHITE HOUSE,
Washington, April 19, 1969.

DEAR MRS. ———: Thank you for your recent correspondence: your interest is appreciated. First of all, let me wish for your son a safe return.

The Council on Foreign Relations is comprised of persons with special knowledge and interest in international affairs. Its purpose is to study the international aspects of American political, economic, and strategic problems.

The Pilgrim Society was founded to promote fellowship between the United States and England. It is in no sense a secret society.

I am a member of both organizations. They are serving our country well.

Sincerely yours,

ARTHUR F. BURNS,
Counsellor to the President.

DEATH FOR THE GOLDEN RULE?

HON. LOUIS C. WYMAN

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Monday, May 5, 1969

Mr. WYMAN. Mr. Speaker, what does the Golden Rule provide for situations like that described in the following newspaper accounts of the tragic death of a young man who stopped to help a stranger in distress? The deliberate premeditation with which the death of this innocent "good Samaritan" was planned should impel any jury considering the fate of the murderer to recommend capital punishment. In fact capital punishment should be required for such an awful, deliberately premediated, slaying, yet there are always the short-sighted few who say the supreme penalty even in such circumstances is unwarranted. What if their wife, mother, father, girl or boy friend was to undertake the role of good Samaritan only to suffer such a planned killing? How would they feel then?

I hope citizens will reflect thoughtfully on the tragic indifference to the most basic social values reflected in this newspaper story:

GOOD SAMARITAN SLAIN BY MAN HE TRIED TO AID

A 22-year-old Northwest man was shot to death Friday night in an apartment house in the 2200 block of N Street nw. by a man he had found moaning on the sidewalk and helped to the N Street address, police said.

The victim, Donald C. Schreiber, of the 2200 block of Hall Place nw. was killed by a single shot in the chest about 11:45 p.m. after the man he sought to aid tried to rob him, police said.

This is the account police gave:

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Schreiber and a girl friend were walking in the 2500 block of M Street late Friday when they came upon a man lying on the sidewalk, moaning and asking for help.

The man said he was ill and asked Schreiber to take him to the N Street address. At this point, another man arrived, ostensibly in response to the calls for help. All four went to the N Street address.

On the stairway leading to the third floor of the apartment building, the man who had asked Schreiber's aid pulled out a pistol and tried to rob Schreiber.

A struggle followed. Schreiber was shot and the two men ran away. No money was taken from Schreiber, police said. He was pronounced dead on arrival at D.C. General Hospital.

MAN LURED INTO BUILDING AND SLAIN

A 22-year-old man who police said stopped with his date to help a man in apparent trouble was later slain by him.

He was the 56th homicide victim this year in the city.

According to police, Donald Schreiber, 22, of the 2200 block of Hall Place NW, was walking his date home from a movie around midnight when they encountered a man at 25th and M Streets NW. The man was bent over and appeared to be either intoxicated or sick. The man asked for help, police recounted.

When the couple said they would help, he mumbled and gestured in the direction he wanted to go, police said.

They accompanied him, and were joined on the way by a second man who appeared to know the first.

Arriving at a building in the 2200 block of N Street NW, they went to the second floor where the man "recovered" and produced a pistol in an apparent holdup attempt, police said.

Before any robbery could occur, police said, he fired the gun at Schreiber's chest and both men fled. The girl, who then notified police, was unharmed. Schreiber was pronounced dead at D.C. General Hospital.

Police described the man with the gun as a Negro, 25 to 30 years old, 5 feet 6 inches tall, of slight build and neatly dressed. His companion was also described as a Negro.

Schreiber was white, as is the girl.

BUCHWALD STRIKES AGAIN

HON. WILLIAM (BILL) CLAY

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, May 19, 1969

Mr. CLAY. Mr. Speaker, without unnecessary comment, I insert this Buchwald column for the attention of my colleagues in case they may have missed it elsewhere:

[From the New York Post, May 17, 1969]

THAT'S USING THE OLD WARHEAD

(By Art Buchwald)

WASHINGTON.—You can talk about the Anti-Ballistic Missile System from now until doomsday (I'm sorry I had to use that word), but you still go around in circles.

One of the strongest proponents of the ABM system is a friend of mine who has been assigned by the Pentagon to convince skeptics like myself that we really need an ABM system. Since they have no funds yet, I bought him a drink.

"I don't think I could make a stronger argument for the ABM," he said, "than the fact that Secretary Laird has revealed the Soviets will have a first strike nuclear capability by 1975."

"That's pretty strong," I admitted. "But how come Secretary Laird found out about this first strike Soviet capability and Secretaries McNamara and Clifford knew nothing about it?"

"Laird reads more."

"Look, a few months ago you told me that the reason we needed an ABM system was to protect our cities from Soviet missiles. Then you said it was to protect our cities from Red Chinese missiles. After that, you said it was impossible to protect the cities so we had to protect our missile launching sites. Now you say we need it because the Soviets are building new first strike missiles. Why don't you make up your mind?"

"Actually it's a little of this and a little of that," he said, unperturbed. "We know we need the system, but we're still not quite sure what we need it for. It has many uses.

"For example, the Soviets are building an ABM system around Moscow. Now we know it doesn't work, but we're not certain the Soviets know it doesn't work. So if we build an ABM system, they'll find out ours doesn't work, and then they'll have to assume their system doesn't work either."

"I get it," I said excitedly. "If we didn't have an ABM system the Soviets might put too much value on the one they have."

"Righto. Now we also have to think in terms of disarmament. When we have a disarmament meeting with the Soviets we're going to have to give up something, right?"

"Of course. That is what disarmament is all about."

"We don't want to give up something that could endanger the security of the country, so, if we have the ABM system, we can give that up instead. Of course, if we didn't have an ABM system for disarmament purposes, we'd have to invent one."

He continued:

"I know there are many scientists and Nobel Prize winners who are attacking the system but what they don't realize is that if they say the system won't work, the Soviets will be encouraged to go ahead with their offensive missiles and the more missiles they stockpile the more they will be encouraged to try a first strike."

"But why?"

"Because Secretary Laird says so."

"What about the cost?"

"That's all anyone ever thinks about when you mention the ABM in this country—money," my friend said in disgust. "Instead of worrying what it's going to cost you you should get down on your knees and say 'thank God I can live in a country that can afford an Anti-Ballistic Missile system.'"

"Sometimes," I said ashamedly, "Americans don't know how lucky they really are."

SUBURBAN AIRLIFT

HON. HUGH L. CAREY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, May 19, 1969

Mr. CAREY. Mr. Speaker, our esteemed colleague from New York (Mr. MURPHY), brought to our attention the other day the fact that Pan American Airways has gone pioneering again.

For years we have been wrestling with the problem of rapid transportation. Today, we find ourselves in many cases spending more time on the ground than in the air. With the advent of supersonic air transports we are on the threshold of an 8-hour world. A world we will only be able to enjoy if first we can manage to solve our ground congestion problems in the major metropolitan areas.

Under the leadership of Najeeb Halaby, a man who perhaps has more experience in this area than anyone in aviation today, Pan Am has come up with an inexpensive method of combating the airport congestion problem. By bringing the terminal to the passengers, Pan Am hopes to improve passenger handling in the New York area. Check-in facilities are already planned for Greenwich, White Plains, Westchester County Airport, Roosevelt Field, and locations in the Bronx and Brooklyn.

Once again Pan Am has challenged the airline industry to follow its leadership.

The New York Times in its editorial of April 16, "Suburban Airlift," brings home forcefully the possibilities of this innovation.

The editorial follows:

[From the New York Times, Apr. 16, 1969]

SUBURBAN AIRLIFT

Pan American's plan to pick up and check in passengers and their luggage at a half dozen airline bus subterminals around New York could become one of the most constructive programs to relieve congestion—both at the airports and on the jammed highways. More than smiling hostesses and sliding snacks, this is a step that could really help to make the going great.

The airlines and ground transportation carriers have been slow to realize that more than 50 per cent of the travelers start out for Kennedy and La Guardia from suburban locations. Air shuttlers often climb into cars that clog highways and contribute to parking problems; many long-distance passengers leave the city and go home before heading for the airports. Once they get there, traffic, ticket and baggage lines contribute to flight delays.

Under Pan Am's plan, passengers for Kennedy will do everything at the suburban terminal—from checking in to selecting their seats. Then the buses will take them directly to their flights without all the counter rigamarole. The planned subterminals are in White Plains and the Westchester County Airport; near Roosevelt Field in Nassau County; in Greenwich, Conn., and within the city in the Hunts Point section of the Bronx and the Williamsburgh section of Brooklyn.

We see no reason why this should be a Pan Am exclusive. The airlines ought to get together and establish central check-in and bus facilities throughout the suburbs. And we hope that, during this planning stage, the operators of existing bus and limousine services throw up no roadblocks. Congestion on the ground and in the air must be relieved even before the missing fourth jetport is found.

HUNGARIAN FREEDOM FIGHTERS' FEDERATION

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, May 19, 1969

Mr. DERWINSKI. Mr. Speaker, my attention has just been directed to a recent analysis published by the Hungarian Freedom Fighters' Federation regarding the development in Czechoslovakia in which the Russian oppressors of that nation manipulated government leadership.

The officials of the Hungarian Freedom Fighters' Federation are constant

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and penetrating observers of the developments in Eastern Europe and their communication merits thoughtful review:

The replacement of Alexander Dubcek as the first secretary of the Czechoslovak Communist Party by Dr. Gustáv Husák should not be considered as unexpected, sudden and surprising result of Soviet policies in Eastern and Central Europe.

In the recent past the peoples of the Heart of Europe have displayed continuing, stubborn and near unanimous resistance to Soviet aims. The Kremlin to atomize any massive resistance cropping up anywhere in the Soviet orbit, is reintroducing the centuries-old principle of divide and rule.

The distinguished Hungarian-born historian, Dr. Francis S. Wagner, with exceptional qualifications in Czech and Slovak contemporary history, observed as early as September 20, 1968 in an article titled "The Nationality Problem in Czechoslovakia After World War II" and published in "Studies for a New Central Europe": An indication that the time has become ripe for applying divide and impera tactics may be the assumption of a key role by Dr. Gustáv Husák, an experienced Slovak opportunist known for his anti-Czech and anti-Semitic views. The divisive role designated for Dr. Husák is all the more likely because his loyalty to the Soviet Union is the only feature of his personality which has never changed and has never been questioned . . . Undoubtedly, Dr. Husák is well equipped to execute the new, as of yet partly known dictates of the USSR. Already in the spring of 1945 he eloquently expressed his unchanging views of the Soviet Union: "Let no one be mistaken in one thing: no one and nothing can change the eastern orientation of the Slovak nation, and its Slavic and Sovietophil conception."

Dr. Husák's past views and efforts concerning the establishment of a Slovak Soviet Socialist Republic as a member state of the Soviet Union are also well known. Mr. Dubcek's replacement with a man of such background may be indicative of a new Soviet policy towards the traditionally independent minded, freedom loving peoples of Central Europe. With China, representing a growing threat in the East, the total control over the rebellious satellites in the European buffer zone is considered essential by the Kremlin. Nothing can assure this total control more effectively than the inclusion of all or some of the countries in that area into the USSR as member states. Mr. Husák can be the tool to manufacture the atmosphere in Central Europe which will provide the reasons, justifications and means for such expansion.

We, the Hungarian Freedom Fighters Federation U.S.A. concerned over the fate of our people call the attention of policy-makers, legislators, columnists, scientists and common citizens to this possibility in order to create an awareness in the free world that is mandatory to prevent the fall of Hungary, Poland, Czechoslovakia, Rumania, Bulgaria, Yugoslavia by following the example of Latvia, Litvania and Estonia.

I would like to include as a continuation of this insert, the Hungarian Freedom Fighters' statement condemning the Brezhnev doctrine, which follows:

Condemnation of the Doctrine of Limited Sovereignty

After the invasion of Czechoslovakia by troops of the Soviet Union and its puppet satellites, the Soviet Union found necessary to create a retroactive explanation for its action, which in itself was a blunt disregard for the established principles of international law. Mr. Brezhnev, by stating his justification of armed Soviet intervention in Czechoslovakia, established the sinister party doctrine of "limited sovereignty": Marxist-Leninists believe that whenever there is a threat to the revolutionary gains of the people of any country, and hence a threat to the sovereignty of a Socialist country and a threat to the fraternal community, it is the international duty of Socialist states to do everything in their power to remove this threat and insure the progress of socialism and strengthen the sovereignty of all Socialist countries."

This stupefying ideological acrobatics, referred to as the Brezhnev Doctrine, has been reaffirmed many times by the leaders of the Kremlin, by Communist Parties completely under the control of Moscow and by the organs of the Soviet press.

The Hungarian Freedom Fighters Federation U.S.A. is compelled to express its concern over the proposed Brezhnev Doctrine for the following reasons:

1. The sovereignty of the Eastern European countries was guaranteed in Potsdam, in the peace treaties of Paris, and in the charter of the United Nations, to which organization all of the concerned countries belong.
2. This Doctrine is obviously motivated by political expediency in order that the colonial exploitation of the East-Central European countries may be maintained and promoted by the Soviet Union.
3. Acceptance of the Brezhnev Doctrine would be a "de jure" acknowledgement of the puppet status of the satellite countries and would provide the Soviet Union with the "legal" excuse for further armed intervention.

We, the Hungarian Freedom Fighters Federation U.S.A., on behalf of the Hungarian people who are silenced by their Communist-Russian oppressor, refute the Brezhnev Doctrine as illegal and cynical.

We call upon the Government of the United States and upon the Governments of all free nations to publicly repudiate the Brezhnev Doctrine as illegal and unacceptable.

This public repudiation is necessary to eliminate false impressions that the Governments of the Free World tacitly accept this latest anachronistic attempt of the Kremlin to prolong and extend its rule over Hungary, Czechoslovakia, Poland, East Germany, Bulgaria, Rumania, and Yugoslavia.

We call upon the communications media of the United States and of the Free World also, to face the well presented arguments on behalf of this "Doctrine" by illuminating the words, phrased by psychological warfare experts and used by ruthless party officials and naive follow travelers, with the lights of truth and facts.

RESOLUTION OF MASSACHUSETTS CIVIL DEFENSE DIRECTORS

HON. SILVIO O. CONTE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, May 19, 1969

Mr. CONTE. Mr. Speaker, region 1 of the Massachusetts Civil Defense Directors has recently written me concerning the commendable effort of the Federal Government in reducing or alleviating the threatened flood damage expected as a result of heavy snow accumulation this past winter.

We in Massachusetts are most appreciative of this assistance. Therefore, Mr. Speaker, I insert the following resolution by region No. 1 of the Massachusetts Civil Defense Directors be included in the RECORD at this time:

Resolution of the State Civil Defense Directors, First Region

Whereas President Nixon on March 1, 1969 instructed George A. Lincoln, Director of the Office of Emergency Preparedness to coordinate an extraordinary Federal Planning and Operational effort supplementing State and Local Resources to undertake all feasible preparations to reduce or alleviate the threatened flood damage expected as a result of heavy snow accumulation in the northern tier of States and

Whereas the United States Army Corps of Engineers moved promptly to alleviate this condition and

Whereas this prompt action resulted in prevention of untold personal suffering and in the saving of countless thousands of dollars in property damage: Now, therefore, be it

Resolved, That the State Civil Defense Directors, First Region, meeting in Maynard, Massachusetts on the fourteenth day of May 1969, express our deep appreciation for this assistance to President Nixon, the Director of the Office of Emergency Preparedness, the Chief, United States Army Corps of Engineers and to the Commanding Officer, New England Division, United States Army Corps of Engineers. And be it further

Resolved, a copy of this Resolution be sent to the President of the United States, the Director of the Office of Emergency Preparedness, the Chief, United States Army Corps of Engineers and the Commanding Officer, New England Division, United States Army Corps of Engineers.

TAX REFORM

HON. JACOB H. GILBERT

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, May 19, 1969

Mr. GILBERT. Mr. Speaker, wage and salary earners are particularly calling for tax reform. They believe that they are the ones who suffer the most from our inequitable tax system.

An example of the sharp cries for the changes in our tax structure is the policy statement voted by the executive board of the Amalgamated Meat Cutters and Butcher Workmen—AFL–CIO. This 500,000-member food industry labor union has its headquarters in Chicago.

The executive board is to be congratulated for its deep concern with tax reform and its effort to organize union activity to seek its enactment.

Mr. Speaker, having received permission, I insert the policy statement of the executive board of the Amalgamated Meat Cutters and Butcher Workmen—AFL–CIO—concerning tax reform in the RECORD:

Policy Statement of the International Executive Board of the Amalgamated Meat Cutters and Butcher Workmen, AFL–CIO, Concerning Tax Reform, April 29, 1969

The Amalgamated Meat Cutters and Butcher Workmen (AFL–CIO) has long called for actions to correct the inequities and injustices of the existing federal, state and local tax systems. We have long urged (1) the closing of loopholes, which allow the rich to escape their fair share of payments, and (2) the reduction of low and middle income rates, which impose special hardships on wage earners.

At long last, the nation is aroused about tax inequities. A "taxpayer's revolt" is in

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progress. Increasingly, a large number of Americans are seeking tax reform.

We are delighted with these developments. We fully support the hard-hitting letter which our Union's Executive Officers, President Thomas J. Lloyd and Secretary-Treasurer Patrick E. Gorman, sent to Chairman Wilbur D. Mills of the House Ways and Means Committee. It is an important and forthright statement of the views of our Union. We urge the Committee to heed the proposals of the letter.

The present tax system represents nothing short of robbery of wage and salary earners. It asks sacrifice of those Americans least able to provide it. It bestows tax benefits and credits upon those Americans who have the greatest means to meet their tax responsibilities.

It literally undermines other national policies established by the President and Congress concerning the economy, agriculture, poverty and urban reconstruction. It undermines the citizen's belief in justice and his adherence to law and order.

The time for change is now.

We urge Congress to overhaul completely the tax system by eliminating every single loophole which distorts the tax structure in favor of corporations and the upper income brackets. This includes the investment credit, oil and resource depletion, hobby farms, capital gains, real estate, and other gimmicks.

We urge Congress to reduce the tax burden shouldered by lower and middle income families.

We urge Congress not to renew the surtax unless tax reform legislation is previously enacted.

We urge state and local governments to reconsider their tax laws and to make them just and equitable. (In many cases, these tax structures are even worse than the federal one. Some states and communities, in fact, depend largely on the tremendously retrogressive sales tax.)

The Amalgamated recognizes that wishing changes will not make them come about. Action is necessary. Our Union has worked and will continue to work to make tax reform a reality.

RESULTS OF QUESTIONNAIRE

HON. JAMES H. (JIMMY) QUILLEN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Monday, May 19, 1969

Mr. QUILLEN. Mr. Speaker, I believe that my colleagues and the readers of the RECORD will find most interesting the results of my 1969 questionnaire, which I recently sent to all boxholders in my district in a special report from Washington.

I insert herewith a tabulation of the results:

CONGRESSMAN JAMES H. QUILLEN REPORTS FROM WASHINGTON

MAY 1969.

DEAR FRIENDS: I am happy to send you this Report from Washington on the results of my 1969 Questionnaire.

29,850 returns were received out of 150,000—or 19.90%—of the Questionnaires mailed out.

This is the highest percentage of returns I have received of any Questionnaire sent out to the residents of the First District. Last year's percentage of returns was 15%.

The expulsion of students who violently disrupt the academic life of colleges and universities was strongly favored. The overwhelming majority (90.57%) expressed this desire, while a mere 7.43% did not favor such action, and 1.68% were undecided.

Those who answered were very much in favor of abolishing the Electoral College and electing the President solely by the direct vote of the people. 80.25% answered yes, while only 13.91% answered no, with 5.45% undecided.

The response to renewing the 10% income surtax was that three times as many individuals were against doing so as those who voted to renew it—67.74% against, 23.50% in favor, and 8.46% undecided. Hundreds of letters sent along with the Questionnaires urged that this not be done, as the American people are already overburdened with taxation.

It is not felt by the majority of the First District participants that the Paris peace talks will result in a conclusive settlement of the Vietnam War; only 14.68% felt that they would end the war, while 67.48% felt they would not. 17.33% of the people were undecided on this issue.

Accordingly, more people (45.35%) felt that the Paris peace talks are not the best means of terminating the war—36.50% felt the peace talks are the best means, and 17.59% remained undecided.

56.04% of the people who responded feel that a voluntary army should be established to replace the draft system after Vietnam, and 33.40% feel it should not. However, 10.13% are undecided at the present time.

A vast majority (64.78%) of the people are in favor of curbing the President's power to commit American troops to combat without the specific approval of Congress—27.88% do not favor this move, while 7.01% are undecided.

The general consensus is that the Post Office should be converted into a government-owned corporation on a self-supporting basis. 63.45% are in favor, 22.48% against, and 13.70% undecided.

Finally, on the question regarding lowering the minimum voting age to 18, 55.84% were in favor of doing so, while 40.20% were not. 3.68% remained undecided.

OVERALL DISTRICT RESULTS

[In percent]

	Yes	No	Undecided
1. Viewing the economy as it stands today, would you favor renewing the 10-percent income surtax when it expires on June 30?	23. 50	67. 74	8. 46
2. Do you feel that the Paris peace talks will result in a conclusive settlement of the Vietnam war?	14. 68	67. 48	17. 33
3. Regardless of how you answered the previous question, do you consider the Paris peace talks to be the best means of terminating the Vietnam war?	36. 50	45. 35	17. 59
4. Do you favor lowering the minimum voting age to 18?	55. 84	40. 20	3. 68
5. Should the electoral college be abolished and the President elected solely by the direct vote of the people?	80. 25	13. 91	5. 45
6. Do you favor expulsion of students who violently disrupt the academic life of colleges and universities?	90. 57	7. 43	1. 68
7. Do you believe a voluntary Army should be established to replace the draft system after Vietnam?	56. 04	33. 40	10. 13
8. Should the power of the President to commit American troops to combat without the specific approval of Congress be curbed?	64. 78	27. 88	7. 01
9. Do you support the proposal to convert the Post Office into a Government-owned corporation to operate on a self-supporting basis?	63. 45	22. 48	13. 70

I want to extend my sincere thanks to each and every one who responded to my Questionnaire. I am also grateful for the hundreds of letters that I received in which many clarified and expanded their views on the questions, as well as on many of the other vitally important issues facing the Nation today.

It is true that an informed public is the best safeguard of democracy, and it is my deep hope that our people will continue to take such a concerned interest in the affairs of our national government. Your opinion and the views of the other citizens in the First District are of great value to me in representing you.

Again, many thanks for your cooperation in participating in my 1969 Questionnaire.

Sincerely,

JAMES H. QUILLEN.

THE MILITARY ORDER OF THE WORLD WARS

HON. ROBERT L. F. SIKES

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 19, 1969

Mr. SIKES. Mr. Speaker, the Military Order of the World Wars is, of course, well known to the Members of the Congress because of its principles of patriotism, dedication to country, and loyalty to the flag. However, I do not recall that I have seen in the CONGRESSIONAL RECORD a digest of its principles and its accomplishments. I have asked its chief of staff, Brig. Gen. Stephen O. Fuqua, Jr., to make such a document available, and through his cooperation, I now submit a summary on the organization, "The Military Order of the World Wars," for reprinting in the RECORD:

THE MILITARY ORDER OF THE WORLD WARS

The Military Order of the World Wars is a prestige patriotic, nonpartisan organization of male commissioned officers, active, reserve, emergency and retired who have demonstrated, or who are demonstrating their love of country by full time active duty in the armed forces during a period of hostilities. It is also a hereditary society open to male descendents of members or deceased officers who were eligible for membership. The Order was founded originally in 1919 by dedicated men of arms who, the following year, formally adopted a Constitution whose Preamble sets forth the Order's ideals and principles:

THE PREAMBLE TO THE ORDER'S CONSTITUTION

To cherish the memories and associations of the World Wars waged for humanity;

To inculcate and stimulate love of our Country and the Flag;

To promote and further patriotic education in our Nation;

Ever to maintain law and order, and to defend the honor, integrity, and supremacy of our National Government and the Constitution of the United States;

To foster fraternal relations among all branches of the Armed Forces;

To promote the cultivation of Military, Naval and Air Science and the adoption of a consistent and suitable policy of National Security for the United States of America;

To acquire and preserve records of individual services;

To encourage and assist in the holding of commemorations and the establishment of Memorials of the World Wars;

And to transmit all these ideals to posterity; under God and for our Country, we unite to establish "The Military Order of the World Wars."

The Order holds that it is nobler to serve than to be served; it has therefore been established for the welfare of our Nation as a whole rather than for individual benefits for its members.

The Order provides an opportunity for commissioned officers of all Services to unite in a strong and unanimous program for National Security and good citizenship. It calls for conscientious fulfillment of the responsibilities of being Americans by all who enjoy the benefits thereof.

The Order has been described as a bridge between the military and civilian community over which its members convey the thoughts and needs of the Armed Forces to the civilian population and the interpretation of civilian sentiments to the Congress and to the leaders of the Armed Forces.

ACCOMPLISHMENTS

Throughout its history, the Order has continuously and unselfishly served the Nation in observance of the principles enunciated in the Preamble to its Constitution. The Order's Chapters, its national officers, its nationally oriented committees and its individual members as well, have been the instrument of this long and dedicated service. It is an interesting fact that some of the Nation's greatest military and civic leaders have been attracted to membership.

That the Order has been worthy of its calling over the years, is attested to by statements of approbation by all U.S. Presidents since Harding as well as many of our senior military leaders. Prominent among the foregoing who hold or who have held membership in the Order are former Presidents Hoover, Truman, Eisenhower, Kennedy and Johnson; Adms. William H. Standley and Ernest J. King; Generals George C. Marshall and Douglas MacArthur; and the current Army Chief of Staff, Gen. W. C. Westmoreland. President Richard M. Nixon has been a member for the past fourteen years.

Notable among the Order's past and current achievements are the following:

Originated Army Day; it continues the tradition by observing Armed Forces Day with appropriate ceremonies and programs; it publishes the Armed Forces Day Review, an annual magazine which enjoys wide circulation among the Order's national officers as well as throughout the Department of Defense and industry.

Originated and continues to sponsor throughout the Nation, the Massing of the Colors, an annual ceremony of remembrance.

Was instrumental, through its past Commander-in-Chief, General of the Army Douglas MacArthur, in reviving the long dormant award of the Purple Heart Medal.

Supports, nationally and locally, regular military and ROTC units as well as the Service academies, and offers appropriate awards for exceptional accomplishments on the part of the personnel of such organizations.

Promotes strong patriotic educational programs in the Nation's schools and communities and furnishes guidance for the implementation of such programs.

Publishes The World Wars Officers Review, a bi-monthly national magazine which it circulates among the membership as well as certain selected agencies and individuals.

Each year as a highlight of its National Convention, the Order presents its Distinguished Service Award to an "American citizen who has made a notable contribution to national defense or the preservation of our constitutional liberties." Past recipients have been Senator Barry Goldwater (Phoenix Chapter, MOWW); Senator Strom Thurmond (D.C. Chapter, MOWW); Lt. Gen. Lewis B. Hershey (D.C. Chapter, MOWW); His Eminence Francis Cardinal Spellman; and Senator John C. Stennis.

ORGANIZATION

The Order is composed of some 12,000 members belonging to 116 Chapters which are organized on a nationwide basis into sixteen geographical regions and with National Headquarters in Washington, D.C. The basic unit is the Chapter which, together with its important activities, is the lifeblood of the Order. Every October the Order conducts its annual business at a National Convention held in some prominent locality of the country. Between Conventions a General Staff composed of elected and emeritus members guides the functions of the Order on all matters of other than established policy. The current Commander-in-Chief of the Order is Major Thomas F. Faires, AUS (Ret), of Memphis, Tennessee.

MEMBERSHIP ELIGIBILITY

Active membership is open to male U.S. citizens of good repute who have served honorably on active duty as commissioned officers in World War I or since 16 September 1940. Male descendents of such officers are eligible for hereditary membership and enjoy the same rights and privileges.

FIND FORTAS AFFAIR IS ONLY THE OPENER

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, May 19, 1969

Mr. ASHBROOK. Mr. Speaker, the Daily Calumet of Chicago is one community newspaper which keeps its eye on national issues while reporting from day to day the latest developments on the local scene. On March 27, I inserted in the Record an article on the power of national political reporters which was first called to my attention by a William Rentschler column in the Calumet. The Saturday, May 17, issue of the Calumet again covered a subject of national importance; namely, the Albert Parvin Foundation and the possibility of more judicial involvement in conflict-of-interest manipulations such as are currently making headlines in the Justice Fortas case. The Parvin Foundation, it will be remembered, has had for a number of years Associate Supreme Court Justice William O. Douglas as its president, in which office he has been receiving a sum of $12,000 annually.

According to Bob Seltzner in his regular Calumet column, the foundation's purpose, to provide scholarships to young people from underdeveloped countries to Princeton and UCLA, appears to have been somewhat broadened:

> The United States Internal Revenue Service has indicated it no longer believes this to be the foundation's purpose; that in fact the Albert Parvin Foundation might possibly be a screen for vast money-manipulation and influence-peddling in the high places.

The Parvin Foundation case should be given the widest dissemination, and for this reason I include the column, "Find Fortas Affair Is Only the Opener," by Bob Seltzner, in the May 17, 1969, issue of the Daily Calumet in the Record at this point:

Find Fortas Affair Is Only the Opener

(By Bob Seltzner)

Ever heard of the Albert Parvin Foundation? It's been in the news lately as a sidelight to the Abe Fortas affair. Carolyn Agger, the wife of just-resigned Associate Justice Fortas, is an attorney for the foundation.

The Albert Parvin Foundation is the brainchild of millionaire Albert Parvin, the former Chicagoan who broadened his fortune in the hotel and night club furnishings business. The foundation was set up to provide scholarships to young people from underdeveloped countries to Princeton and UCLA.

The United States Internal Revenue Service has indicated it no longer believes this to be the foundation's purpose; that in fact the Albert Parvin Foundation might possibly be a screen for vast money-manipulation and influence-peddling in the high places.

The Albert Parvin Foundation, it has been learned, derives its primary income through a first mortgage in trust with the Bank of America, holding the Flamingo Hotel and gambling casino in Las Vegas. Another income source is the Fremont Hotel, also in Vegas.

Though Parvin now lives in Beverly Hills, California, and the Fortas family in the East, there are strong connections in Chicago. Chicago city treasurer Marshall Korshak (also Democratic Party committeeman of the 5th Ward), and his attorney brother, Sidney R. Korshak, own a total of 11,000 shares in Parvin-Dohrmann Company, one of the three Parvin hotel and night club furnishings firms. Chief Judge William J. Campbell, of the U.S. District Court for northern Illinois, has been a director of the Parvin Foundation since its formation in 1960—though he recently claimed that he has resigned. There has been no official announcement by the foundation of this resignation.

Also involved with the Parvin Foundation is Associate Supreme Court Justice William O. Douglas, who has served as the foundation's president, receiving $12,000 annually.

Tied in with the Albert Parvin Foundation, are the following firms in addition to the Parvin Dohrmann Company: The Dohrmann Company, which supplies restaurants, hotels, motels, and institutions with commercial food-serving and preparation equipment, headquarters at Brisbane, Calif.; and Albert Parvin and Company (Illinois), of Chicago. The Parvin Dohrmann Company operates the Fremont Hotel and gambling casino, acquired June 30, 1966.

In a suit filed with the U.S. Supreme Court yesterday by a student of the law in Chicago, Sherman Skolnick, it is alleged that one man in particular—in addition to the Parvin family—ties all the Parvin operations together. He is alleged to be Harry A. Goldman of Los Angeles, described in the suit as a "gangster." Goldman is president of the Albert Parvin and Company (Illinois), was executive vice president of the Parvin Dohrmann Company and is now chairman, and is a director of the Dohrmann Company.

Skolnick, a paraplegic invalid who lives with his family on Chicago's southeast side, is Chicago and Illinois' layman petitioner of the courts, seeking to correct malapportioned political districts. They range from congressional and general assembly districts to city wards and county government. In recent years he has repeatedly confronted Judge Campbell in the federal court over these and other taxpayer suits. In January of 1967, long before Abe Fortas gained national prominence, Skolnick demanded Judge Campbell's removal from his cases because of the Judge's Parvin connections.

In his suit Skolnick declared, "It is unconscionable for respondent Campbell to proceed any further in (this) case. His connection with the Albert Parvin Foundation has

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brought, and is bringing, the judicial proceedings in said case into suspicion and disrepute."

When Judge Campbell said he was no longer connected with the foundation, Skolnick retorted in his suit: "Campbell's published and circulated disclaimers and denials about himself and his relation to the Albert Parvin Foundation exceed the credibility gap. On the one hand, he says that he did not consider himself a director of the Parvin Foundation after the initial meeting. On the other hand, he says he resigned as a director purportedly in October, 1966. If he was not a director, why did he 'resign'?"

Skolnick continued: ". . . Campbell, as chief judge of the Northern District of Illinois, knows, or should know, that a director of a corporation remains liable for his wrongful acts, up to the statute of limitations . . ."

One must consider that the date of this particular suit is two and one half years ago. Skolnick received some local press for his efforts, but when it was over Judge Campbell was successful in quashing the matter, both in the press and in the courts. After all, he was both the chief judge and presiding judge in his own case. How far ahead of the national scene Skolnick was, is well illustrated in the following excerpt from the January 1967 suit: "According to the published figures, Campbell as a director (of Parvin) has allowed, permitted, and condoned that a fellow judge, Justice William O. Douglas, as president of the Parvin Foundation, be paid $12,000 per year, which appears to be an exorbitant amount in comparison to the charitable disbursements of the Parvin Foundation. Approximately $80,000 per year is disbursed for charitable purposes, leaving what appears to be overhead expenses, or an unexplained gap, of approximately $57,000. Gross income of the foundation in 1963 (while Judge Campbell was still a director) was reported to total $137,257 (See U.S. News & World Report, Oct. 31, 1966)."

Skolnick in the suit then spotlighted the current Fortas scandal, noting: "Whether federal judges can also be 'moonlighters' such as corporation officers or bank officers, is a grave national question."

While Judge Campbell was explaining through "press releases" to Chicago newspapers that he had attended only one meeting of the Parvin Foundation, and had never even seen a foundation statement through the seven years he was a director, Skolnick in his suit charged, "Campbell had a duty as a director to be informed, and his published and circulated statements that he has not seen a financial sheet or investment sheet for the Parvin Foundation, and did not know what they own exceeds credibility. Notices of directors' meetings and other data are sent out as a matter of course."

Skolnick in his suit demanded: "Did director-judge Campbell ever communicate with Foundation President Justice Douglas? It would appear logical to suppose that they would have been in touch with one another."

Skolnick in his suit described Albert Parvin as an "unsavory" character, who had what Skolnick described as a "criminal record" in Chicago. He documented four cases involving Parvin and members of the Parvin family ranging from 1925 through 1959, in which Albert, Jack and Bernard Parvin were charged with being receivers of stolen property—Albert Parvin on two occasions. They were never convicted.

Skolnick alleged and detailed that Judge Campbell in 1959, "rendered . . . a questionable judgement to the benefit of a relative of Albert Parvin."

Skolnick in his suit filed yesterday alleged of the Albert Parvin Foundation, that "it is further a matter of undisputed court record that the said Albert Parvin Foundation is a hoodlum front organization."

He listed "among the hoodlums connected with the . . . foundation":

(1) Marcus Lipsky, a "gangster and specialist in multiple murders. He masterminded the Capone mob's post-war invasion of the $18 million dollar-a-year Dallas, Texas rackets."

(2) Edward Levinson, "who has a contract with Parvin Dohrmann Company, interlocked company connected with Parvin Foundation, and who is connected with (3) John (Jack) Pullman, crime syndicate 'banker.'"

And, (4) Harry A. Goldman, noted earlier.

The extent of Korshak's involvement with Parvin was revealed in the New York Times of May 9. The information was part of a Times report of the Securities and Exchange Commission permitting trading to resume in the shares of the Parvin Dohrmann Company on the American Stock Exchange. Trading had been halted for the second time within a few months because "of what they (the SEC) called inadequate information concerning a change in control of the company last October, the company's acquisition program and other factors."

The Times' story said, "Parvin Dohrmann operates three casinos in Las Vegas and is headed by Delbert W. Coleman, former president of the Seeburg Corporation. He purchased control of Parvin Dohrmann last October and now is the concern's chairman."

Then yesterday, in the midst of steadily increasing publicity concerning all aspects of the Parvin operations, the Times reported that National General Corporation was discussing "the feasibility" of acquiring Parvin Dohrmann.

The Times reported: "The company's stock (Parvin-Dohrmann) has been one of the most spectacular performers on the American Stock Exchange in that period, moving from a 1968 low of 14 and one-quarter to a close yesterday at 119, down a point."

Korshak, regarded as probably the second most powerful Democratic Party official in Chicago behind Mayor Daley, was a state senator from Hyde Park before appointed by then Governor Otto Kerner as state revenue director. In 1966 Korshak was slated by the Democrats to run for Cook County treasurer, a race in which he was opposed by Edmund Kucharski, the undersheriff under then sheriff Richard Ogilvie—now the governor, succeeding Kerner.

A week before the election in November, Kucharski, after two attempts to get Korshak on areawide television to debate, issued a statement in which he alleged that Korshak was the "fixer" in the New York liquor license bribery scandal involving a new Playboy Club there.

Not only did Korshak refuse to confront Kucharski on television in the closing days of the campaign, but following The (Chicago) Daily Calumet's exclusive reporting on the Kucharski charges on Nov. 4, 1966, Korshak (The Daily Calumet, Nov. 7, 1966) would reply only that the Kucharski charges were "mischievous, irresponsible libel." That brief statement was issued through Korshak's office.

Kucharski charged, "Is it not a fact that it was Marshall Korshak who was contacted initially by Playboy to arrange for taking care of the New York liquor license?"

He continued: "Did he (Korshak) or did he not list as an employee a top syndicate gangster when this hoodlum made application for rental of an exclusive Lake Shore Drive apartment?"

Kucharski based his charges on a May 6, 1966 by-lined story by reporter Charles Grutzner in the New York Times, which declared: "In testifying about his own dealings with the Playboy group, Berger (Ralph Berger, 66, of Chicago, sentenced to prison for conspiracy to bribe) said they first agreed to pay him $5,000 for making the contact with (Martin) Epstein (New York state liquor authority chairman). After they delayed giving him any money, he said, he went to see a friend, Marshall Korshak, who called someone in the Playboy organization, and he soon received $5,000."

The Playboy club in New York finally opened, however, and it has since been learned that one of Parvin's hotel and night club furnishings companies received the lucrative contract to furnish the establishment!

In Chicago, Korshak's control of top city patronage jobs is regarded as absolute. The stories of his influence in a broad range of matters, from banking and investments, to land development and real estate, are legend.

The city-wide group of plain, every-day citizens which works with Skolnick in his seemingly never-ending drive to call attention to what he believes are the questionable activities of, partcularly, federal-level judges, has given no indication it is running out of gas. Skolnick began his project a half dozen years ago, and has centered on his drive for apportionment of Illinois Congressional and General Assembly districts and Chicago ward boundaries, among others. It has become the man's life's work, and he seldom deviates from it through 80-hour weeks.

He has researched and opened up on the Parvin Foundation long before it and the Louis Wolfson Foundation became common household words. He said yesterday that he is "astounded" to think that judges in two of the three most powerful courts in the United States—U.S. Supreme Court, and the federal court for Northern Illinois, second only in importance to the federal court for southern New York—are deeply involved and linked together with outside interests through questionable operations such as the Parvin Foundation and the Wolfson Foundation.

And, Skolnick observed, "From what we have learned by our studies and investigations all these years, we have only scratched the surface of judicial influence-peddling and special interest decisions."

Skolnick has been one of many, including The Daily Calumet, which has continued to urge publication of the Johnson Administration-banned Blakey Report, the document which its author C. Robert Blakey, under hire of the government, has acknowledged, cites at least six high ranking judges in Chicago for extreme conflict of interest involvements, and in several cases crime syndicate ties.

To these people, the Fortas scandal is not shocking, but only the first public indication of a situation which they call a national tragedy of unmatched proportions.

RESOLUTION BY THE MASSACHUSETTS LEGISLATURE TO PROVIDE FOR THE DIRECT POPULAR ELECTION OF THE PRESIDENT AND VICE PRESIDENT OF THE UNITED STATES

HON. HAROLD D. DONOHUE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, May 19, 1969

Mr. DONOHUE. Mr. Speaker, I am pleased to include the resolution recently adopted by the Massachusetts Legislature urging the amendment of the Constitution of the United States by providing for the abolition of the electoral college system and establishing the direct popular election of the President and the Vice President of the United States. As the Congress moves toward reform of the electoral college system, I most earnestly urge and hope that my colleagues and the administration will heed and act in the language and the spirit of this timely resolution which follows:

RESOLUTION BY THE COMMONWEALTH OF MASSACHUSETTS

Resolution memorializing the Congress of the United States to amend the Constitution of the United States by providing for the abolition of the electoral college system and establishing the direct popular election of the President and the Vice President of the United States

Whereas, The national election of nineteen hundred and sixty-eight has once again demonstrated the dangerous potentialities for deadlock inherent in the Electoral College system; and

Whereas, The Electoral College system is archaic, obsolete and undemocratic; and

Whereas, The Electoral College system does not offer full realization of the one-man, one-vote doctrine in national elections; and

Whereas, The abolition of the Electoral College system will result in bringing the voters, the ultimate source of all electoral power, directly into the process of electing a President and Vice President of the United States; now, therefore, be it

Resolved, That the General Court of the Commonwealth of Massachusetts respectfully urges the Congress of the United States to support an amendment to the Constitution of the United States which will provide for the abolition of the Electoral College system and its replacement by the direct popular election of the President and Vice President of the United States; and be it further

Resolved, That copies of these resolutions be transmitted forthwith by the State Secretary to the presiding officer of each branch of Congress and to each member thereof from the Commonwealth.

Senate, adopted, April 28, 1969.

NORMAN L. PIDGEON,
Clerk.

House of Representatives, adopted in concurrence, April 30, 1969.

WALLACE C. MILLS,
Clerk.

Attest:

JOHN F. X. DAVOREN,
Secretary of the Commonwealth.

MARTIN STONE: OUTSTANDING YOUNG BUSINESSMAN INVOLVED IN TODAY'S PROBLEMS

HON. GEORGE E. BROWN, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 19, 1969

Mr. BROWN of California. Mr. Speaker, most often when liberals rise to speak about American industry and businessmen, their tone gets demeaning and critical. The liberal tends to view the private sector as among his key opponents, and great rhetoric is expended attacking ethics of free enterprise and profit maximization.

Of course, at times such criticism is valid. The corporate ethic can stand in the way of overall solutions to pressing national problems, profit maximization may be opposed to overall public interest.

Yet, over the past few years, I have been encouraged by the increasing involvement of the private sector into heretofore untouched areas of national concern. I am delighted to learn about—and to work with—groups of businessmen taking stands on such issues as Vietnam, and the military establishment, the ABM. And I do not praise here only those businessmen who agree with my views on these important questions; I believe involvement itself deserves encouragement because only from such involvement can we be assured of a continuing participatory democracy.

Certainly the business community has assumed a major role in attacking the problems of poverty and unrest in the Nation's pockets of poverty. A new creative relationship is being forged between Government and the private sector, a relationship based on a mutual belief that priority be given to these urgent problems.

Today I would like to single out and salute a young businessman from the Los Angeles area as a fine example of the new "involved" breed. Martin Stone, president and chairman of Monogram Industries, is involved; he heads the Los Angeles Urban Coalition, he has set up a job program for ghetto youth, last year he was cochairman of the California McCarthy campaign. And he runs a multimillion-dollar corporation at the same time.

Martin Stone does not hesitate in speaking out in matters which concern him not only as leader of a major business, but also as a citizen dealing with problems at a local and national scope. In the current issue of Social Service Outlook, a valuable publication put out monthly by the New York State Department of Social Services, Mr. Stone presents a perceptive analysis of employment opportunities for disadvantaged persons. I recommend this article to my colleagues as an excellent example of the type of "involvement" now being undertaken by dynamic young businessmen such as Martin Stone.

I now would like to insert Mr. Stone's article into the RECORD along with a story done last year by Business Week which highlights the work and philosophy of this talented man:

[From Social Service Outlook, May 1969]

HOW TO FILL 1½ MILLION JOBS

(By Martin Stone)

Solely by virtue of the fact of permanent residence in the United States a man who is willing to work has a right to a decent job at a decent rate of pay and every person who is unable to work has a right to a minimum level of annual income which will enable that person to live in respect and decency and without the necessity of having to be subjected to the humiliation of begging a welfare system for the opportunity to live.

The major portion of the solution to the problem of unemployment is training. I would divide the training problem into two stages: the first stage being the development of entry level or prevocational skills and the second stage being the development of specific job skills. To pass through stage one, a man must be able to communicate satisfactorily and he must have a receptive attitude towards the disciplines and expectations of job performance.

The second stage of the job training problem is that which entails the development of specific job skills. Here is where private industry must play the decisive role. Actually, over the past two years, there has been a strongly increased awareness of the problem by the business community. More and more firms are setting up programs for job trainees from the ranks of the unemployed and the so-called hard-core unemployables. These are being set up both under existing federal programs and independently of federal support.

Setting up and administering a successful job training program isn't easy. It is difficult. It requires considerable foresight, on-the-spot judgment, flexibility, patience and understanding. To build a successful training program requires the same kind of executive and middle management skills as are needed in achieving that most basic of corporate objectives: the earning of a satisfactory profit. And profit growth does not come easy. It takes skill and effort. Why expect less of a challenge from a pioneering effort in the field of job training?

The kinds of problems we have encountered in training programs at the various divisions of Monogram Industries start with the finding of prospective trainees and run all the way from the employment application itself through the potential for advancement that exists throughout an entire organization.

GET THEM FROM THE GHETTOS

In many instances it will be necessary to go directly to the ghettos to recruit trainees. It is not easy to reach people who have previously found it almost impossible to get a job with a convincing message that someone seriously intends to give them a job and train them.

A great many existing employment requirements exclude people who have been arrested for, or convicted of, criminal offenses. In a number of Negro ghettos over 50 percent of all adult males have criminal arrest records. Employers who have dropped the criminal arrest, and to some extent the criminal conviction, bars to employment have found no difference in the eventual results between employes with or without criminal records.

Another limiting factor in employment procedures is the psychological testing procedure a number of companies follow. Recent results have shown that most of these tests are programmed around a person who comes from a typical white, middle-class environment and are particularly difficult for people from strikingly different environmental backgrounds. In this consideration of trainee problems, I will focus primarily on the problems of Negro or Latin-American trainees who have the problems of cultural or environmental difference to overcome in addition to the lack of job skills.

Another problem relates to the filling out of the employment application. To avoid embarrassment and confusion, it is better to have the job interviewer fill out the application for the prospective employe.

HOW TO GET TO WORK

In many cities, particularly Los Angeles, lack of adequate sources of public transportation to the job sites is a difficult problem. At Monogram our primary answer has been a system of car-pooling.

Lack of fluency with the English language is a serious problem for people from Latin-American backgrounds. The best answer to this problem is to have some Spanish-speaking leadmen or supervisors.

Another major problem for trainees is the attitude of fellow workers and supervisors around them in the shop. There is often a problem of resistance to the trainees by co-workers. In our situation, we have an employe profit-sharing bonus plan in several of our shops that has become quite meaningful. Certain amounts of friction are created by any action which reduces the productivity of the shop. We have simply taken the position that fairly rapidly the trainees will become as productive as other workers, and in the meantime this is a social obligation that simply must be shouldered by all segments of our society.

XUM

The tendency on the part of supervisory personnel to use the trainees for menial work which does not contribute towards the training process must constantly be watched. This is a natural inclination in virtually any shop because, when occasional menial tasks arise, they are usually assigned to those worker lowest on the totem pole. A certain amount of this sort of thing is probably unavoidable, but if such assignments are too numerous, they cut into the valid training activities, slowing down trainee progress and creating a sense of discouragement on the part of the trainee.

Problems will arise relating to union discrimination against minority group employes. In addition, trainees will sometimes find it difficult to understand why, after they become reasonably skilled at a particular task, they will be working alongside older workers doing the same work who receive considerably more pay. People who have never worked in the framework of industry don't immediately understand the build-up of wage differentials as a result of long employment and the value of general employe shop versatility.

PERSONAL PROBLEMS

At times the company finds itself highly involved in the personal problems of the trainees. They have an extraordinary fear of failure based largely upon repeated failures to fit within the framework of our existing institutions and rejections by these institutions. A company becomes involved with getting the trainees into hospitals and out of jail. It must deal with the problem of getting gas and electricity turned back on, fighting off finance companies, getting cars towed off freeways and many other annoyances that it normally wouldn't put up with. But bear in mind the company is likely to be the only real link these people have with "the establishment" and the company may represent their only real way of coping with it until they have built up some kind of a "stake."

There are a great many other problems which come up in programs of this sort, not the least of which are the twin problems of tardiness and absenteeism. These two have been our most difficult problems at Monogram and I have come to the conclusion that a sense of employment discipline is therefore an important part of any prevocational training program and can be accomplished better at that stage than during the actual on-the-job training period.

One approach which will help make a success of training programs is the use of the "buddy system" where a trainee is linked with an older employe who can give him considerable individual attention, particularly in the discussion of specific problems. It also helps considerably if companies have qualified Negroes or other minority group people in supervisory or managerial jobs.

Last but not least, trainees must see the opportunity to advance within the organization and to achieve increasingly better levels of pay.

REAL PROBLEM IS TRAINING

The real unemployment problem consists of training approximately 1.5 million people to handle presently unfilled job openings.

To provide meaningful starting jobs at $2.00 per hour for 1.5 million people would cost approximately $4,400 per person per year or approximately $6.6 billion per year. The problem with our present anti-poverty efforts is that they have created a vast federal overhead structure to administer the programs so that a small proportion of the funds allocated actually reaches the intended beneficiaries or is brought to bear on the real problems of poverty.

It is essential that we develop a program which permits a maximum amount of federal funds to be applied to the development of solutions to the problems of poverty, rather than the creation of additional federal bureaucracy. To this end, I propose that the bulk of the job training portion of the anti-poverty effort be put into the hands of private industry. Business corporations in the United States in 1967 made a combined profit of over $85 billion. Profits of unincorporated business organizations probably brought this total up close to $100 billion. If the Federal Government, as an incentive to business, granted a credit of approximately 7½ percent against federal income taxes for amounts paid to certified "trainees" for the first 12 months of employment, it would create a pool of approximately $7½ billion which businesses could, at their election, either pay in taxes to the Federal Government or to training the presently unemployed.

For example, if a business had a tax bill of $1,000,000, it could elect to pay out $75,000 as wages to certified trainees and $925,000 in taxes to the Federal Government. As an incentive to business to train these people, I would recommend that they could apply the entire wage paid to these trainees during the first year plus an additional 10 percent profit. Thus, in the example given approximately 15 trainees could be hired at $2.00 per hour or a total of $66,000 in wages plus $6,600 profit for the year. The total of $76,000 could be shown as a reduction against a tax bill of $1,000,000 and a total of $927,400 paid in taxes. In this way, 1,500,000 additional people could be hired and trained by private business organizations at a total cost to the Federal Government of $7,300,000,000 in the first year. Thereafter, annual training subsidies would be far less each year as original trainees were built into the permanent work force and the number of unemployed was drastically reduced.

It would, of course, be necessary to have the Federal Government set up procedures to prevent abuse of the economic incentive program and to see that the training being given was of real value. This could be carried out by a program of quarterly interviews with the trainee and a recertification of trainees every three months.

As a final overriding factor in the question of providing jobs for anyone able to work, the government should recognize its obligation as an employer of last resort to provide work for those unable to obtain work in the private sector of the economy. This point will take considerable further development but I include it here as part of the over-all problem.

The second part of the problem relates primarily to those people who are unable to work. It is in this area that our present multi-faceted welfare programs are highly inadequate and completely degrading. Our society is wealthy enough to see that these people need not live in poverty, humiliation, and despair.

If we assume that we want to eliminate poverty in this country, how do we spend the money without dramatically increasing the costs through inevitably expensive federal administrative programs? The best answer I have seen is the negative income tax. This is simply a means of implementing the idea of a guaranteed annual income with minimum administrative cost.

The programs I have advocated involve a partnership of participation between the government and the business community. Although they contemplate economic incentives to industry for the retaining of the unemployed, the business community will, along with all other taxpayers, bear the additional (perhaps temporary) burden of the higher tax rates necessary to support the training expense contributions and the payments under the guaranteed annual income plan to those unable to work.

For years, I have heard the old adage that the purpose of business is the earning of maximum profits for the stockholders. On this basis, the argument has been made that it is somehow wasteful of the corporate assets to devote any portion of them to social or community activities. As operators of businesses, businessmen have a large stake in the existence of a healthy social environment in which to operate and in preserving and strengthening the free enterprise system of economics.

The Negroes and other minorities have realized the failure of the so-called liberals who have stolen their decency, self-respect, and manhood by clinging to old-fashioned ideas of patronizing charity. The black man wants decency, self-respect and the right to earn his way. He wants an equal shot at earning his share of the benefits of an affluent, color-blind society. Businessmen are a major component of "the Establishment." They have the most to protect in this system and society. Let them be the progressives of the future. It is high time that businessmen developed a clear-cut and forthrightly announced "business social conscience"—a social conscience which is in tune with the needs of the times and which can be applied first and foremost to the achievement of a major social revolution in America which will, for the first time in our history, give all Americans true equality of participation in every aspect of our economy and our society.

Mr. and Mrs. America: Who

(Editor's Note.—When statistics go into a computer, all manner of facts and figures and generalizations come out of it. When the U.S. Census Bureau puts all it knows about Americans into its computer, a "Mr. and Mrs. Typical American" emerge. This dispatch, putting some breath of life into these American "types," is based on interviews United Press International reporters throughout the country had with men and women who fit the Census Bureau's "typical" description. By weight of numbers—more than 180 million whites to about 20 million Negroes—the typical American under examination becomes white.)

(By Harry Ferguson)

Meet Mr. A—the typical American.

He is 26 years and 10 months old, according to the U.S. Census Bureau. He has been married for a little more than four years and had one child.

There are some other things the U.S. Census Bureau can tell us about Mr. A. He went to school for 12.3 years. He owns a television set and an automobile and lives in a mortgaged house. He earns a bit more than $7,000 a year.

But the Census Bureau provides us only with a sort of skeleton of Mr. A and what we are going to try to do now is to find out what kind of man he is—what he thinks about all sorts of subjects, what his hopes and ambitions are, what he fears, what he talks about, how he votes and what he does in his leisure time. To get this composite, UPI reporters interviewed scores of Mr. A's throughout the country.

First, his brain. Is Mr. A intelligent? If you mean can he reason from cause to effect, the answer is yes. If by intelligent you mean that he is a uniformly cultured, well-informed man, the answer is no.

NO EGGHEAD

For years eggheads, both foreign and domestic, have been clubbing our Mr. A on the head. They say he is stupid, uneducated, never reads books and never listens to good music. Some counts of the indictment are correct. Asked in the UPI survey to name the three best books he had read in the last year, he hadn't read any. He was asked if he could identify historian Will Durant, poet William Cullen Bryant, historian Samuel E. Morison, novelist James Branch Cabell and composer Richard Wagner. He said no to all of them.

He never finished college and that too is typical.

What does Mr. A read? In most cases he reads his local paper and if he's small town, the nearest metropolitan daily. Across the country the magazines most read by Mr. A are Life, Time, Outdoor Life, Sports Afield, Playboy, American Rifleman, American Home and Mechanix Illustrated.

But there is no use dwelling too long on the printed word for the fact is that Mr. A is not much of a reader. Nor can he be too easily lured to the movies by his wife. He sees an average of one movie a month and these were some of his recent favorites: "Bonnie and Clyde," "The Party," "The Graduate," "In a Family Way" and "Valley of the Dolls." If you are preparing to risk a surmise that what Mr. A goes to the movies to see is sex, you are dead right.

PRINCIPAL ENTERTAINMENT

Mr. A spends an average of two and one-half hours a day in front of the television set, almost twice as much time as his child does. This, of course, is his principal indoor entertainment and it is the source of much of his information. Walter Cronkite of CBS and NBC's "Today Show" won steady but not spectacular support in replies to questionnaires across the country. Rowan and Martin's "Laugh-In" got a good run from the listeners during the last season, but this is not basically Mr. A's cup of tea. What he likes is supense and violence.

Favorite programs most mentioned: "I Spy," "The Avengers," "Mission Impossible," "Get Smart," "Garrison's Gorillas," "The FBI,' "Combat," "Rat Patrol."

Commercials? Mr. A grumbles about them occasionally, but doesn't turn them off during his favorite programs. He would rather watch commercials than pay to have them taken off the air.

In the nationwide interviewing 82 prominent names of the living and the dead chosen at random were submitted to typical American men. They were asked to identify each person.

Some that every man could identify: President Andrew Jackson, Greta Garbo, David Brinkley, Lucille Ball, Douglas MacArthur, Drew Pearson, Gregory Peck, Sen. Everett M. Dirksen, Julius Caesar, Robert McNamara, Lawrence Welk, Gen. William C. Westmoreland.

Name that nobody could identify, among those questioned: Marvin Watson, postmaster general of the United States.

THE GIRL HE MARRIED

The average adult woman in this country is five feet, four and one-half inches tall and weighs 134 pounds.

[From Business Week, Mar. 16, 1968]

Names and Faces: Monogram's Stone Rolls Swiftly Along

(Note.—Martin Stone of Monogram Industries keeps things fast-paced in and out of the executive suite. In seven years he has built a conglomerate that moves with a sprint to match his own.)

Advice to the activist undergraduate who pictures the executive suite as a stronghold of stifling conformity: Spend a day with Martin Stone, the 39-year-old managerial whiz who heads an emergent conglomerate called Monogram Industries, Inc.

Cautionary note: Get in shape first.

Stone, who is both chairman and president, runs a breezily informal eight-man headquarters in the posh Westwood section of Los Angeles. He often walks the 2½ mi. to work, a course that takes him through the sprawling campus of his alma mater, the University of California at Los Angeles. It is more than 20 years since Stone's student days at UCLA, but time and success haven't changed his exuberant style.

FREE AND EASY

Wisecracks—and an occasional football—fly through Monogram's offices. Arrangements for lunch-time workouts and after-work handball games are carefully made and zealously guarded from workaday intrusions.

Stone is constantly in motion. He paces as he talks; when he does sit, he flings himself into the chair and his hands start a game of catch with a paperweight. As often as not, he munches an apple or cookie.

An associate says that Stone "does more business walking than sitting down." Stone just shrugs at the comment. "I like exercise," he says. "If I'm traveling and not getting much sleep, I'll work out instead of taking naps. I feel more alert."

When he is not traveling, Stone's business day usually begins at 8:15. Occasionally he skips lunch to work out at a nearby gym. He knocks off at 4:30 for three sets of tennis. And before the day is over, he jogs one or two miles around his neighborhood, accompanied by his golden retriever.

IN THERE PITCHING

His vacations have a physical slant, too. Two years ago, the Stones bicycled through Europe. This year, Stone spent a week working out as a pitcher with the Atlanta Braves at their West Palm Beach (Fla.) training camp. The arrangement, which was made possible by Stone's longtime friendship with one of the owners of the Braves, led one Monogram executive to quip: "What happens to us if they sign him up?"

Stone's youthful enthusiasm shows through in other ways: his dabbling in liberal Democratic politics and his tendency to mount a soapbox whenever civil rights, education, or Vietnam are mentioned. But Stone does more than pay lip service to the things he believes in. For instance, he has instituted a hiring program for hard-core unemployed ghetto youths, and recently he accepted the co-chairmanship of Senator Eugene McCarthy's California campaign for the Democratic Presidential nomination.

Behind the business day hi-jinks and extracurricular activities is a management and acquisition knowhow that has radically transformed Monogram. Seven years ago it was a money-losing company with annual sales of $5-million; today it is a fast-moving merger-minded corporation with sales running at an annual rate of $135-million.

Stone's penchant for physical activities is matched by right-hand man Harvey L. Karp, 40, who keeps up with the boss on the handball and tennis courts. Karp, who is Monogram's executive vice-president, secretary, and treasurer, also has a less strenuous hobby—collecting ancient glass. Henry Gluck, the company's 39-year-old vice-president for operations and No. 3 man, writes satirical essays in his spare time.

I. SUCCESS STORY

This unconventional trio presides over an empire that spreads from Culver City, Calif., to Tonawanda, N.Y., has 6,000 employees, and turns out a growing variety of products. Most of the growth came last year, when Monogram snapped up two far larger companies: Spaulding Fibre Co. and National Screw & Mfg. Co. Both had sales of nearly $40-million, and the acquisitions put Monogram firmly in the big time.

Significant as this achievement was, Stone is even prouder of the way he steered Monogram into a position of strength from which to launch the merger drive. From 1961 to June, 1967, he points out, Monogram's average annual earnings growth was 91%, while sales were growing 65% per year. More than 80% of that growth was internal.

ROUGH START

Stone and Karp started almost from scratch when they took the helm at Monogram early in 1961. The company was losing more than $100,000 a month, most of it through one operation—manufacturing aircraft pulleys. But other divisions ran into trouble as their managers were moved in to plug the hole. It was, says Karp, "a classic case of what happens when the panic button is pushed."

Stone decided to divide the company into four divisions (of which three remain), and invited the managers to his home. "We put the name of every employee—about 800 at the time—on separate pieces of paper," Stone recalls. "Then we told the managers to choose the people they needed to operate their divisions. When all were satisfied, more than 300 names were still on the table."

Stone had already cut the managers' salaries and instituted a profit-based bonus system. Six months after the newly slimmed-down divisions went back to work, Monogram showed a profit.

SLIMMER LINE

Once the new setup was working smoothly, Stone nailed down Monogram's future by deciding to concentrate on two product lines—recirculating chemical aircraft toilets and specialty fasteners.

Stone figured that travel trailers and pleasure boats held out a limitless future for a low-cost toilet unit, and by 1965, he had developed the product he had been looking for in the "Monomatic." Gluck, a Wharton School graduate who had worked for Monogram years earlier, took a big pay cut to rejoin Stone and build up the consumer products division.

"Sanitation equipment seems to evoke disgust or hilarity," Gluck says, and getting the product across required careful selling. But the "Monomatic" became such a big seller that within two years Gluck's division had zoomed past the aircraft toilet division.

Judicious acquisitions of small companies helped the fastener and sanitation equipment lines grow, but until about a year ago Stone kept his merger program in low gear. From the beginning, Stone had decided to make Monogram an acquisition-oriented company. "But first we had to put it on a sound financial footing and establish its internal growth," he says.

The acquisition in 1964 of Magnasync Corp., a bankrupt manufacturer of motion picture sound recording devices, was a deviation from the plan. Monogram got 60% of Magnasync for only 5¢ a share—but much of its equipment had been destroyed by fire, and all but two employees had left. Subsequently, Moviola Mfg. Co., a maker of film editing equipment, was acquired to form Magnasync Moviola Corp. Operating as a subdivision, Magnasync Moviola has annual sales of $5-million—and its stock now sells for around $15.

BIG TIME

Stone moved tentatively toward bigger game in late 1966 when he bought 31,000 shares of Studebaker Corp. as part of a plan to acquire the company with a group of outsiders. But the plan collapsed and he sold the shares almost immediately. Last April, Stone paid $15,350,000 for Spaulding, and a tender offer four months later bought National Screw into the fold for around $21 million.

Stone is fascinated by the acquisition game. "I've never been able to resist a challenge," he says, "and the challenge now is to see if we can grow better and faster than anyone else." He considers acquisition techniques "a growth product—in the same sense as a line of computers."

"It's the most exciting aspect of the business," Stone declares. He gets a kick out of negotiating for a company. "Usually I can't wait to get there and begin," he says. His enthusiasm apparently rubs off on others. "It's hard to keep the operating people glued to internal growth while we're growing so fast through acquisitions," he adds.

II. A RUNNING START

Stone started running early. Growing up in Los Angeles, he held his first job at 12 and worked his way through high school and college. "I was always the organizer," he recalls. When his sandlot baseball team needed competition, Stone organized seven other teams. Then he persuaded local merchants to put up the money for bats and balls.

He played baseball for UCLA (B.A. 1948) and got $75 a month "for taking care of the diamond." He kept himself in Loyola University law school (LL.B., 1951) by hoisting boxes for Houston Fearless Corp., then a privately owned maker of film processing equipment. "I just felt better with manual jobs," he explains.

LEARNING THE ROPES

After graduation from Loyola (Stone eventually went on to earn a master of laws degree at USC), he went to work full time at Houston Fearless. There he learned the ins and outs of management and acquisitions from Benjamin B. Smith, a co-owner of Houston Fearless and a self-styled doctor of sick companies. In the mid-1950s, he followed Smith to International Glass Corp., whose name, after several acquisitions, was eventually changed to Monogram.

As executive vice-president, secretary, and treasurer, Stone ran the company for Smith. But in 1959 the two men fell out over Stone's attempts to expand newly acquired Wickland Mfg. Co., a manufacturer of airplane toilets.

"We had to expand the company tenfold just to meet commitments that had been made before the acquisition," Stone recalls. "And we had to replace and redesign every unit that had been shipped." Stone walked out when Smith balked at his plan to pour more money into Wickland.

QUICK RETURN

Stone thought he was through with the business world; he returned to UCLA to get a Ph.D. in economics. But the sabbatical was short-lived. A few months of graduate school convinced him that "there was more backbiting in the academic world than in business."

By this time, Harvey Karp, with whom Stone had worked at Houston Fearless, had also pulled up stakes, and the two looked for a way to team up in business. The vehicle they found was Electrovision Corp., which owned a string of movie theaters. Their plan was to sell the theaters and invest in industrial companies. Then Smith asked Stone to buy him out and run Monogram, and the stage was set for a classic American success story.

III. POLITICAL ACTIVIST

Stone has not allowed his success to interfere with a strongly developed social conscience.

He launched his training program in May, 1965—before the Watts riot—out of a conviction that "business has an obligation to try to do something about the major problems of our society." Stone sets only one requirement for the participants: Each has to be a high schol dropout who has never held a steady job.

The trainees start as helpers and then spend 90-day periods in three of several job categories at Monogram's sheet metal plant in Culver City.

HAPPY RESULTS

Says Stone: "I really didn't think it would be good business. But it has turned out to be just that. After we started the program, we ran into a severe labor shortage. The training program gave us employees we wouldn't otherwise have had."

Of the 53 youths hired so far, 14 are still with the company. Most of the others have gone on to other jobs or joined the military.

Stone is critical of Washington's job training efforts. Nevertheless, he has encouraged some Monogram divisions to participate in subsidized programs under the Manpower Development & Training Act. "I start with the assumption that I don't like the federal government," Stone says. "I have no confidence in its ability to do anything. But the problem is so important that we feel we have to try these programs."

Stone would prefer to see businessmen handle job training independently of the government. "The business community has a greater stake in social problems than any other group," he says. "And businessmen can be motivated to solve these problems, if they are approached in the proper way."

PARADOX

If these views run counter to Stone's espousal of liberal Democratic causes, he is aware of the paradox. "I'm a Democrat," he says, "but sometimes I wonder why." He thinks the poverty program is "all overhead structure." But in the next breath Stone defends the Head Start program, in which his wife Elaine has been active as a teacher for several years.

Stone's political activism began when he tried—and failed—to win a nomination as congressman in 1960. Subsequently, he organized grass roots campaigns in upper-crust Bel Air, first for Adlai E. Stevenson and then for John F. Kennedy.

His decision to work in behalf of Senator McCarthy ended months of soul-searching over Vietnam. Stone considers U.S. policies in Vietnam "immoral," but he opposes the war primarily because of the damage he thinks it is doing on the domestic front. "Our system may fall if we don't correct the evils of widespread poverty and racial inequality," he says. And he believes that "the economic drain of the Vietnamese war and the moral conflict it has raised" are blocking serious efforts to solve these problems.

FIRM STAND

Stone has heard some mutterings from Monogram stockholders who think he has no business in politics. But such complaints only touch another sore point.

"I didn't give up my civil rights by becoming president of a publicly held company," Stone says heatedly. "And I have no patience with people who complain about the problems of our time and refuse to take an active role in solving them. If the society around us goes to hell, the business community won't benefit. I think I have an obligation to participate."

I FEEL SORRY FOR YOU

HON. ROBERT L. F. SIKES

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 19, 1969

Mr. SIKES. Mr. Speaker, an 18-year-old marine sent a letter to the editor of the Panama City, Fla., News-Herald which deserves a lot more than reading. It deserves some careful thought. Those who read his letter are not likely to pass it over lightly. So I submit it for reprinting in the CONGRESSIONAL RECORD:

DEAR EDITOR: Well, I've been thinking of this a long time and now I've decided to turn to you for help.

I'm not sure if it will help any but I would like you to read what I have written and put it in your paper. If there is any charge just send it to me.

What is Vietnam—Vietnam is a hell which I am forced to be in.

It is a country in Southeast Asia, it's not as big as the state of Texas. I think it is a cause of human suffering, not a war. Just a way of ridding the little country of population.

It is one of the filthiest places I have ever been. It has the most diseases of any country known today.

We try to help but who gives a damn, who really cares? No one. Everybody back in the United States protests what I might die for, plus those who have already died.

I guess the reason I feel this way is because I've seen life for what it is.

But what is life? Life is cheap, my life is worth $10,000, but what do I get? So, I get to see the inside of a grave.

Sure my mom will get that measly $10,000, but will that bring me back? Here I am, a U.S. Marine. I'm here because of you. But who really gives a damn.

I'm only 18 years old and I've faced death in the eye more times than you ever will.

Sure I know what you're thinking. I'm just feeling sorry for myself. Hell no, I'm not. I'm feeling sorry for you.

Yes, you. The guy in college dodging the draft and you the hippie, the bum, the tramp, the ones who are so sorry the service wouldn't have you.

Just think how you would feel if you were laying next to your buddy and the next thing you know he's only half there.

But who really gives a damn, me, the guy sitting in the hole next to me?

Here I'm getting short, but I might not be here to finish this little manuscript. Yes, I'm the real patsy. I'm over here wondering if I'll see tomorrow or not. But you get used to it.

Lately I've been getting pretty close to God. But I'm pretty dumb on that subject. So I say, God, you're pulling the strings now.

When is it my turn to die? Sometimes I even joke about it. I know it's wrong, then I ask myself who am I kidding.

Then I figure God put me here for something. I just hope I haven't done it yet.

Now getting back to life, what is life to you? To me life is a house, a wife, crib, security, a job and most of all there has to be love.

But that's why I wonder at times why am I still alive. I have none of this, but why do we have to fight? Why can't there be peace and love for thy neighbor?

I'm not claiming to be religious, because I'm not. I have broken every one of the Ten Commandments some time or other.

All I want is to know why the citizens of the United States of America don't have enough backbone to stand behind us.

Sure war is wrong but without war there wouldn't be any need for your support. But to whom that read this, may it be many, I ask you all to support your young Americans wherever they may fight.

Because I know you would rather have the war here instead of in the United States. So I thank you for your cooperation.

Pfc. ROBERT E. HALL,
Marine.

RIOTS: RESEARCH AND NO RESULTS

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 19, 1969

Mr. RARICK. Mr. Speaker, many taxpayers living in the "riot age" have not as yet reconciled themselves to the conclusion that riots have become profitable to some.

Many Americans would be aghast to learn that several million dollars have already been spent to investigate disorders and violence—especially that some of the millions are being spent on the elite intellectuals who cannot even control disorders at their own institutions.

XUM

The solution has been known to many throughout the years; that is, take the manacles off the police, let the local people through their own courts enforce their laws and maintain order.

Perhaps someday after violence and crime have been investigated fully, some report may conclude that the people themselves can make their own analyses and have the courage and initiative to protect their lives and property through the authority which they delegate to their local police and courts.

Mr. Speaker, I include at this point a newsclipping from the Daily News for May 19, and an article by Robert A. Nisbet from the magazine Public Interest:

[From the Washington (D.C.) Daily News, May 19, 1969]

Riot Study Found Costly: But So Far Results Have Been Few

The Government has doled out more money for academic studies of riots than it spent on its own widely publicized Kerner Commission investigation. So far, it has had few results.

The Kerner Commission, formally known as the National Advisory Commission on Civil Disorders, spent $1.6 million between August, 1967, and April, 1968. It produced a widely publicized and highly controversial 423-page report which condemned "white racism" as the main factor underlying Negro rioting.

Sixteen academic studies totaling $1,644,000 have been underwritten since August, 1967, on various phases of the same subject. Only five have been completed. Ten others fall due this year and next. The most expensive study, costing $451,000, is not due until May, 1973.

LAST WEEK

The list of academic studies was disclosed last week by Dr. Louis A. Wienckowski, director of extramural research programs for the National Institute of Mental Health (NIMH).

Dr. Wienckowski acknowledged his program was "just kind of getting off the ground" but said the academic reports eventually would complement the Kerner Commission study by disclosing more basic data on "normal and abnormal behavior, social stratification, aggression, violence and things of this nature."

"Truth comes slowly," Dr. Wienckowski said in an interview. "Rome wasn't built in a year."

COPIES SET

He said as the social scientists finished their studies, copies will be given to interested government agencies. "But one of the problems here is that they'd rather not read a 600-page book," he said.

Professors conducting the studies are bound by strict contract, Dr. Wienckowski said, under which they cannot make "supplementary income" from the government. They are paid at the same rate as their regulary salary, he said, and their university deducts from their pay checks the amount NIMH pays them for the research.

"We don't allow overruns," he said. "There's no way for them to get rich." He said they are free to publish their report but "in many instances they are so esoteric there is no market for them."

COST $17,512

One project, costing $17,512, was a "workshop on research problems in community violence" designed to help social scientists learn how to conduct such studies. It was conducted by Brandeis University's Lemberg Center for the study of violence, which also was listed for a $406,889 study titled "The Origin and Control of Community Violence." Several interim papers from this study have been published.

Studies completed so far have dealt with participation in riots, a psychological and social studies of the 1967 Detroit riot, a comparative history of major riots from 1900 thru 1965 and a paper on ways to reduce prejudice.

The most expensive study, costing $451,000, is titled "Organizational Responses to Major Community Crises." It is being conducted by the Ohio State University research foundation. The work began last June and the investigators have until May, 1973, to finish.

When Authority Falters, Raw Power Moves In

(By Robert A. Nisbet)

The most striking fact in the present period of revolutionary change is the quickened erosion of the traditional institutional authorities that for nearly a millennium have been Western man's principal sources of order and liberty. I am referring to the manifest decline of influence of the legal system, the church, family, local community and, most recently and perhaps most ominously, of school and the university.

There are some who see in the accelerating erosion of these authorities the beginning of a new and higher freedom of the individual. The fetters of constraint, it is said, are being struck off, leaving creative imagination free to build a truly legitimate society. Far greater, however, is the number of those persons who see in this erosion the specters of social anarchy and moral chaos.

I would be happy if I could join either of these groups in their perceptions. But I cannot. Nothing in history suggests to me the likelihood of either creative liberty or destructive license for very long in a population witnessing the dissolution of the social and moral authorities it has been accustomed to.

I should say, rather, that what is inevitable in such circumstances is the rise of *power;* power that invades the vacuum left by receding social authority; power that tends to usurp even those areas of traditional authority that have been left inviolate; power that becomes indistinguishable in a short time from organized violent forces, whether of the police, the military or the paramilitary.

The human mind cannot support moral chaos for very long. As more and more of the traditional authorities seem to come crashing down, or to be sapped and subverted, it begins to seek the security of organized power. The ordinary dependence on order becomes transformed into a relentless demand for order. And it is power, however, ugly its occasional manifestations, that then takes over.

To see the eruption of organized power as the consequence of a diminishing desire for liberty is easy. What requires more knowledge or wisdom is to see such power as the consequence of loss of *authority* in a social order. Authority and power: are these not the same, or but variations of the same thing?

They are not, and no greater mistake could be made than to suppose they are. Throughout human history, when the traditional authorities have been in dissolution, or have seemed to be, it is power—in the sense of naked coercion—that has sprung up.

A TISSUE OF AUTHORITIES

Authority, unlike power, is not rooted in force alone, whether latent or actual. It is built into the very fabric of human association. Civil society is a tissue of authorities. Authority has no reality save in the allegiances of the members of an organization, be this the family, a political association, the church or the university.

Authority, function, membership: these form a seamless web in traditional society. The authority of the family follows from its indispensable function. So does that of the church, the guild, the local community and the school. When the function has become displaced or weakened, when allegiances have been transferred to other entities, there can be no other consequence but a decline of authority.

Culture, too, as Matthew Arnold wrote memorably a century ago, is inseparable from authority. There is the authority of learning and taste; of syntax and grammar in language; of scholarship, of science and of the arts. In traditional culture, there is an authority attaching to the names of Shakespeare, Montaigne, Newton and Pasteur in just as sure a sense of the word as though we were speaking of the law. There is the authority of logic, reason and genius.

Above all, there is the residual authority of the core of values around which Western culture has been formed. This core of values—justice, reason, equity, liberty, charity—was brought into being through the union of the Greek and Judaic traditions 2000 years ago. Until the present age, it has managed to withstand all assaults upon it. In the 18th and 19th centuries, conservatives, liberals and radicals, however passionately they may have fought each other, nevertheless recognized the authority of such values.

The most dangerous intellectual aspect of the contemporary scene is the widespread refusal of thinking men to distinguish between authority and power. They see the one as being as much a threat to liberty as the other. But this way lies madness—and the ultimate sovereignty of power.

There can be no possible freedom in society apart from authority. "Men are qualified for civil liberty," wrote Burke, "in exact proportion to their disposition to put moral chains upon their own appetites." It is out of this disposition toward fruitful self-discipline that authority emerges and its legitimacy is recognized. Abolish the disposition and you equally abolish the capacity for liberty.

There are those, chiefly political romantics and sentimentalists, who think these "moral chains" are a part of man's own nature and that there is consequently no need to worry about their dissolution. But the horrors of our century should have taught us the precariousness of the virtue that romantics think to lie in man's germ plasm. In truth, man's virtue is inseparable from—is as precarious as—his culture.

THE DANGER IN BOREDOM

Boredom is one of the most dangerous accompaniments of the loss of authority in a social order. Between boredom and brute violence there is as close an affinity historically as there is between boredom and inanity, boredom and cruelty, boredom and nihilism. Yet boredom is one of the least understood, least appreciated forces in human history.

Nothing so engenders boredom as the sense of material fulfillment, of goals accomplished, of affluence possessed. It is such a boredom that goes furthest, I think, to explain the peculiar character of the New Left.

I do not deny that youth brings idealism in some degree to this movement; that disenchantment with the more corrupt manifestations of middle-class society plays its part. Youth is beyond question idealistic. But in our present society, youth is also bored. And it is from boredom that so much of the intellectual character of radical political action today is derived.

I should more accurately say nonintellectual character, for it is the consecration of the *act*, the cold contempt for philosophy and program and the increasingly ruthless behavior toward even the most intellectual parts of traditional culture that give to the New Left its most distinctive character.

It is boredom born of natural authority dissolved, of too long exposure to the void; boredom inherited from parents uneasy in

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their middle-class affluence and who mistake failure of parental nerve for liberality of rearing; boredom acquired from university teachers grown intellectually impotent and contemptuous of calling that explains the mindless, purposeless depredations today by the young on that most precious and distinctive of Western institutions: the university.

We do well to take seriously the university and what happens to its authority in our culture. For among its prime functions traditionally has been that of serving as arbiter to that age group that has, at least temporarily, outgrown the authorities of family, church and neighborhood. Potentially, this age group is the most revolutionary of all groups in society, far more revoluntionary than, say, the workers, the unemployed, the impoverished.

High in intelligence, emotionally buoyant, at full physical tide, this is the age group that is channeled by the university into the several areas of the professions, that provides the intellectual leaders of society. In the university is acquired lasting motivations toward learning, toward profession, toward high culture, toward membership in the social order. But, by the same token, it is this age group in the university that has largely furnished the West with its steady supply of revolutionaries.

Who is to say that our society does not require its occasional infusion of revolutionaries? But in the present age, the revolutionaries have turned on the university itself, and this is not only destructive but totally self-destructive.

The university is the institution that is, by its delicate balance of function, authority and liberty and its normal absence of power, the least able of all institutions to withstand the fury of revolutionary violence. Through some kind of perverted historical wisdom, the nihilism of the New Left has correctly understood the strategic position of the university in modern culture and also its constitutional fragility.

Normally, there are no walls, no locked gates and doors, no guards to repulse attacks on classroom, office and academic study, Who, before the present age, would have thought it necessary to protect precious manuscripts from the hands of revolutionary marauders?

The New Left is free to say all that it wishes, but it has nothing to say. Its program is the act of destruction; its philosophy is the obscene word or gesture; its objective, the academic rubble.

FEAR OF THE VOID

It would all be a transitory charade, a tale told by an idiot, were it not for one thing: the fears aroused in a middle-class society that has lost its anchoring in natural authority. Fear of the void is for human beings a terrible fear, one that will not long be contained. And in this state of mind, it is only power that can seem redemptive, however stained with blood it may be.

The entire country watched last summer's confrontation between New Left and police in Chicago. It was violent, ugly, and could only have aroused the chill of fear in those who had chanced to see the rise of Nazism in Germany, the burning of the Reichstag and the beginnings of a police system that was in time to enclothe German society like a straitjacket.

But I know of no national poll or study that has shown other than approval of police actions by a large majority. The size of this majority will grow. Human beings, I repeat, will tolerate almost anything but the threatened loss of authority in the social order: the authority of law, of custom, of convention. The void does not have to be great, or seem great, for the fears it arouses to become sweeping, for sanity in politics to disintegrate.

We are told by the polls that a large number of people watching their television screens that night in Chicago found even the berserk actions of police and pseudopolice gratifying, reassuring, healing to the sense of security. Let us not forget that there is a strong upswell of boredom in affluent middle-class society, too. And power, as history tells us, is as often the antidote to boredom in society as to anxiety.

We need, as Max Lerner recently wrote in a thoughtful column, a new social contract in our society, one that will do for our violence-torn social order what the doctrine of the social contract in the 17th century sought to do in that age, fresh as it was from the horrors of the religious wars. But the task will be far more difficult.

The institutions of Western society are less solid and encompassing than they were then. Two centuries of convulsive social change and of remorseless increase in centralized political and economic power have seen to that. We are plagued even by our achievements, for material progress has inevitably taken toll of traditional culture.

Above all, at this moment, we need a liberalism that is able to distinguish between legitimate authority—the authority resident in university, church, local community, family, language and culture—and mere power. Failure to make this distinction between authority and power can only result in the ever-wider replacement of the former by the latter.

If our liberalism can see no profound difference between the authority of an academic dean, however fallible this may sometimes be, and the power of the police riot squad, we shall find ourselves getting ever greater dosages of the latter. The impulse to liberty can survive everything but the destruction of its contexts; and these are contexts of authority—a legitimate authority that is inseparable from institutions.

CHARLES A. VANIK ON CORPS OF ENGINEERS DIKING REPORT

HON. CHARLES A. VANIK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, May 19, 1969

Mr. VANIK. Mr. Speaker, recently, the Corps of Engineers held a briefing and meeting on their preliminary report on the diking of dredged materials in the city of Cleveland. The substance of the report was that the diking program was inconclusive since Lake Erie is so highly polluted it was impossible to determine any appreciable improvement as a result of the removal of dredged silt and polluted material into diked area adjoining Burke Lakefront Airport and other dikes throughout the Great Lakes harbors.

It was my hope to have the Assistant Secretary of the Interior Carl Klein comment upon the corps' report. My letter to Mr. Klein and his response which is contrary to the corps' position will be included at the conclusion of my remarks.

It has been my longstanding position, that removal of any and all polluted dredge from the lake's bottom can only be beneficial to the condition of Lake Erie which is so dreadfully polluted. It is inconceivable to me that any Federal agency should be allowed in any way to contribute to the repollution of the lake through open-lake dumping of highly polluted dredged spoil. It is indefensible to allow any dumping of dredged material which is acknowledged by everyone to be polluted and which obviously adds to the pollution of Lake Erie.

It is sensible to advocate stopping pollution at its source. I have been among the strongest advocates for increased authorizations and appropriation toward that end. However, we have not succeeded in increasing these funds, even though our battle in this body continues year after year. This is no reason to terminate a program of diking dredged materials which are brought out of our lake's bottom every year without fail. The dredging program will not be stopped. The material with its highly polluted contents which is dredged will still be brought to the surface. Is it not just as sensible to dispose of this material on land as it is to transport it farther out into our already devastated lake and dump it? It seems incredible to me that anyone would argue that such funds for this continuing program should be discontinued on the theory that these funds then would be diverted toward pollution control at the source of the pollution. Such is not the case and will never be the case. We must spend such funds where pollution is known to occur and one such source is the Corps of Engineers dredging program in the Great Lakes, and particularly Lake Erie. The corps' diking program to contain this polluted spoil is one solution at hand now to control this problem and should be supported and extended to as many harbors as possible as soon as possible.

I wish to include at this point in the RECORD the exchange of correspondence with Assistant Secretary Klein and my office and a very fine editorial on this subject which appeared in the Cleveland Plain Dealer of Sunday, May 18, 1969.

The letters and editorial are as follows:

MARCH 19, 1969.

Hon. CARL KLEIN,
Assistant Secretary,
Department of the Interior,
Washington, D.C.

DEAR MR. SECRETARY: Yesterday, the Corps of Engineers Report on the "Pilot Study" of Dredging Disposal in the Great Lakes contended that the "effect on water quality of polluted sediment deposited in the Great Lakes remains unknown . . ." The Corps of Engineers Report suggests that the uncertain effect of dumped polluted dredgings does not justify the cost of establishing diked areas to receive this material.

The history of the issue will indicate that the Corps of Engineers first of all denied that the dumping of dredged materials into the open waters of the Great Lakes contributed to the pollution problem. Public indignation brought about the tests and the subsequent diking program.

I do not believe that the decision on the continuation of the "diking" program to curb pollution should rest solely on the Corps of Engineers. Tests already conducted indicate the polluted nature of the dredgings. The preponderance of the evidence has identified the dredgings as a major contributing source of lake pollution. The cost-benefit ratio of diking is self-evident. The public's money is being used to prevent highly polluted material from being dumped into their source of fresh water.

I hope that you will establish a firm policy directing the dumping of polluted, dredged material only in diked and controlled areas.

Sincerely yours,
CHARLES A. VANIK,
Member of Congress.

DEPARTMENT OF THE INTERIOR,
Washington, May 8, 1969.
Hon. CHARLES A. VANIK,
House of Representatives,
Washington, D.C.

DEAR MR. VANIK: This is in response to your letter of March 19, 1969, concerning the Corps of Engineers' report on the "Pilot Study" of Dredging Disposal in the Great Lakes.

The Corps of Engineers' report has only recently been made available to this agency. The full report is a rather massive document of some twelve volumes and our review is not yet fully completed.

Our preliminary review indicates that the Corps of Engineers had assembled an impressive quantity of factual information about the Great Lakes dredging operations. To a limited degree and in some areas of this endeavor, the Federal Water Pollution Control Administration has assisted the Corps by supplying scientific data and information.

On the basis of our preliminary review, we feel there are a number of important aspects of this problem in which we cannot wholly agree with the conclusions drawn by the Corps of Engineers. Some of these are:

(a) While the study as conducted did not conclusively demonstrate a massive deleterious effect on water quality from open water dredging, it did show that polluted sediments were toxic to small forms of animal life. We believe that this fact should be recognized in the conclusions of the report.

(b) The costs of a program to prevent pollution from dredging disposal cannot be justified on a cost-benefit basis in this study without attempting to engage in the debate of cost-benefit numbers of questionable meaning. We should point out that the values to be protected by this program and other programs intended to reduce pollution in the Great Lakes are the total worth of these lakes. The real worth of these lakes to present and future generations is almost incalculable.

It is generally conceded that the present level of pollutants discharged to the lakes is seriously degrading these waters and if not abated will hasten the essential destruction of the lakes. The elimination of any source of pollution in the Great Lakes will help enhance the water quality in those lakes which, in turn, will increase the long-range financial worth of the lakes and communities adjoining the lakes.

(c) This Department has taken and is maintaining a strong position opposing the continued dumping of polluted materials in the open waters of the Great Lakes. To this end, we have consistently recommended that permits not be issued by the U.S. Corps of Engineers when such permits would allow the open-lake disposal of polluted materials.

(d) To this end, too, we will continue to press for alternative diked or on-land disposal of the vast quantities of polluted spoil dredged by the Corps. We believe that the Pilot Study has shown such alternative disposal to be a realistic alternative and highly effective from the pollution control standpoint.

I do appreciate this opportunity to place my views on the record, and I trust that your interest in and support of water pollution control activities will continue.

Sincerely yours,

CARL L. KLEIN,
Assistant Secretary.

[From the Cleveland (Ohio) Plain Dealer, May 18, 1969]

KEEP POLLUTION OUT OF LAKE

Polluted dredgings from Great Lakes harbors should be deposited in diked areas or on land to prevent further degradation of the lakes.

This will increase dredging costs, but if the nation is serious about protecting its water resources, it will have to pay the price.

A debate on what to do with polluted dredgings is shaping up in hearings being conducted by the U.S. Army Corps of Engineers. Ultimately, the debate will reach Congress, which will have to make a decision.

The corps conducted a two-year study of the problem in cooperation with the Federal Water Pollution Control Administration and other agencies and research organizations.

It found that dumping in the open lake, the customary practice of the past, produced no measurable increase in pollution levels, yet nevertheless concluded that "in-lake disposal of heavily polluted dredgings must be considered presumptively undesirable."

The reasoning: Even though the added pollution load from dredgings may not have produced measurable deterioration of water quality, it is known that dredgings from some harbors, such as Cleveland's are heavily polluted with organic material, oil and phosphates. It would not be wise to add pollutants to a lake already badly polluted.

The corps also found that depositing dredgings, behind dikes effectively prevented pollutants from reaching the lake.

It suggested further study of the problem and concluded that a 10-year program to deposit polluted material in diked areas may be desirable. It estimated the additional costs of such a program at $120 million in 10 years if all polluted Great Lakes harbors were included.

Opponents argue that it would be better to spend the $120 million in attacking pollution at the source by improving municipal treatment plants.

But Lake Erie can't wait until treatment plants are built or improved. In the words of Dr. Edward J. Martin, head of Cleveland's clean water task force, "Lake Erie has had it, and if we are serious about saving the lake, we just can't put another pound of stuff in it."

Opponents argue that diking will not make a frontal attack on the lake's algae problem. Federal pollution experts say otherwise. They have found that three-fourths of the phosphorus load to Lake Erie is deposited in the harbor sediments that are dredged in the harbor mouth. Keeping these sediments from the lake would be a major step in reducing the lake's major problem—overenrichment.

THE 25TH ANNIVERSARY OF THE BATTLE OF MONTE CASSINO

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, May 19, 1969

Mr. DERWINSKI. Mr. Speaker, Saturday, May 17, marked the 25th anniversary of the victorious Battle of Monte Cassino. This historical episode was achieved primarily through the efforts of the Polish Army fighting with the Allied forces in Italy.

The Polish soldiers were assigned to this task in the fierce battle along with other of our allies. With a great loss of men, the Polish flag was the first to appear on top of the abbey at Monte Cassino, thus opening the road to Rome. The best of Poland's sons sacrificed their lives for freedom, justice, and democracy.

There is a Polish cemetery at Monte Cassino, where 1,051 soldiers slumber in peace. Somehow they have been forgotten. The cemetery is in a pathetic state and needs restoration and maintenance.

Mr. Speaker, I must add there are three other Polish cemeteries which all, unfortunately, lack proper maintenance since the brave Polish soldiers who fought so effectively in World War II have been forgotten by their compatriots among the Allies.

Thousands of miles separate us from Monte Cassino, but it is only proper to pay tribute and homage to those heroes who so courageously fought for our ideals.

We must note, Mr. Speaker, that people of Poland continue to suffer under the oppressive rule of the Russian-maintained Communist dictatorship since the Polish forces in the Allied effort were denied the opportunity to restore freedom to the homeland due to the concessions made to Stalin at Yalta by President Franklin Roosevelt.

We recognize that communism remains a threat to freedom of all mankind and Red aggression is a constant menance to peace and freedom. I am confident that the day will come that the heroic sacrifices at Monte Cassino and other battles of World War II will be rewarded with the restoration of freedom to the homeland. Freedom remains the proper goal of all the peoples held in bondage by communism and their governmental policies must have as their ultimate goal the restoration of legitimate governments and self-determination by all peoples. We will not have a world of peace and freedom until Communist tyrants lose their power.

As we mark the 25th anniversary of the Battle of Monte Cassino, we reemphasize our belief in the ultimate triumph of freedom over communism.

CRIMES AGAINST THE UKRAINIAN PEOPLE

HON. JOEL T. BROYHILL

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 19, 1969

Mr. BROYHILL of Virginia. Mr. Speaker, on March 24, 1969, Mr. Voldymyr Y. Mayewsky, chairman of the Organization for the Defense of Four Freedoms for Ukraine, Inc., of Washington, wrote a most interesting letter to the editor of the Washington Post and several other newspapers in the Washington area.

Unfortunately, Mr. Mayewsky's letter did not receive the wide attention it deserved, particularly since he was discussing the increasing occurrence of crimes against the Ukranian people by Communist Russia.

As I should like to make Mr. Mayewsky's comments known to all who read this RECORD, with permission I include

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his letter in full at this point in the RECORD. I should also like to include the text of two articles, one from the American Ukranian Catholic Daily of February 27, 1969, and one from the Washington Post of Sunday March 16, 1969, describing some of the crimes Mr. Mayewsky refers to in his letter.

The articles follow:

ORGANIZATION FOR THE DEFENSE OF
FOUR FREEDOMS FOR UKRAINE,
INC.,
Washington, D.C., March 24, 1969.

The WASHINGTON POST,
Mr. PHILIP L. GEYELIN,
Editor,
Washington, D.C.

DEAR MR. GEYELIN: Last month the American press reported yet another crime perpetrated against the Ukrainian people by Communist Russia. The State Security Police (K.G.B.) on January 27, 1969. arrested in Lviv, Ukraine, the Most Rev. Wasyl Welychkowsky, Ukrainian Catholic Archbishop of Lviv, and a number of Ukrainian Catholic priests.

The Ukrainian Catholic Church in Ukraine was brutally destroyed by Moscow in 1945–46, as well as the Ukrainian Autochephalous Orthodox Church, however, it continued to exist underground. Priests were ordained and bishops were consecrated secretly and religious obligations were fulfilled despite the danger of arrest by the K.G.B. It was while Archbishop Welychkowsky was on his way to hear the confession of a sick person that he was apprehended by the K.G.B.

Then on March 16, 1969 the Washington Post reported the tragic news of the Archbishop's death while under arrest. With his death Moscow added another martyr to the long list of Ukrainian Catholic and Orthodox hierarchy and clergy who perished during Stalin's regime.

The arrest and subsequent death of Archbishop Welychkowsky occurred during a wave of anti-Ukrainian Catholic acts committed by the Soviet authorities. House-to-house searches were conducted by the K.G.B. for prayer books and religious articles. The Moscow Orthodox patriarchate tightened its control over the Church in Ukraine. A number of the remaining churches in Ukraine were closed by official decree. All other religious institutions, seminaries and publications had already been abolished under Stalin's regime.

The intensification of the destruction of the Ukrainian Catholic Church in Ukraine indicates the bizarre commitment of Moscow's militant atheistic institutions to their proclamation that "by 1970, the 100th Anniversary of Lenin's birth, the Ukrainian Catholic Church will be completely crushed".

It is obvious that this renewed attack upon the Ukrainian Catholic Church, just as the K.G.B. mass arrests and incarceration of Ukrainian intellectuals and wanton destruction of Ukrainian ancient and historical buildings and archives (the latest of which was the razing of the Vydubetsky Monastery with the resultant loss of many thousand volumes of priceless Ukrainian and Jewish archives) is just another phase of the brutal design by the imperialist Russians to suppress once and for all the aspiration for independence by a dauntless Ukrainian people.

Although the Russian policy of cultural and religious genocide toward Ukrainians and other non-Russian people in the U.S.S.R. is a flagrant violation of the UN charter and the Universal Declaration of Human Rights, the UN and other proper authorities are curiously silent about this. It is hoped that our press media would voice its condemnation of the Russian genocide policy and resolutely expose this morbid political expedient.

Sincerely,
VOLODYMYR Y. MAYEWSKY,
Chairman.

[From the America, Ukrainian Catholic Daily, Feb. 27, 1968]

ARCHBISHOP WELYCHKOWSKY ARRESTED IN LVIV—NEW WAVE OF PERSECUTION SWEEPS OVER UKRAINIAN CATHOLIC CHURCH

PHILADELPHIA.—According to reports received from reliable sources, the Soviet police (MVD) on January 27, 1969, arrested in Lviv Most Rev. Wasyl Welychkowsky, Ukrainian Catholic Archbishop of Lviv. The Archbishop had gone to confess a woman in her home. Police agents followed him to the woman's home and arrested him. The Archbishop was then taken back to his apartment where a thorough search was made. When the Archbishop was being taken away, members of the sick woman's family heard one of the agents say: "You'll never see him again."

On the same day a host of other Ukrainian Catholic priests were arrested. Their names have not been disclosed as yet.

It is said that about a month and a half before the Archbishop's arrest he was visited by a man who called himself a tourist. The man spoke French and said he was a priest. He told Archbishop Welychwoksky that he had come with a tourist group and had instructions from the Vatican to find out about the activities of the underground Ukrainian Catholic Church in Ukraine. The man said that he would need to have the information recorded on paper.

It soon turned out that the man was no tourist, but an agent of the MVD. Following Archbishop Welychkowsky's arrest he was shown the written notes which he had made for the "tourist."

Following the arrest of the Archbishop, searches and arrests were made in the homes of other Ukrainian Catholic priests in Lviv and in other West Ukrainian cities.

In Stanislaviv, members of the Communist Party, on instructions from the MVD, gave out lists of instructions to Ukrainian nuns. The instructions warned the nuns not to attend Masses, receive priests in their homes, baptize children, or persuade people to go to confession.

Failure to comply with the instructions would bring three years imprisonment and the loss of all civil rights.

[From the Washington Post, Mar. 16, 1969]

PRIEST'S DEATH IN RED JAIL REPORTED

ROME, March 15.—Reports circulated in church circles today that a Ukrainian Roman Catholic bishop has died in a Soviet prison where he had been confined since January 27.

He was identified as the Most Rev. Bauil Welyczkowskyj, about 65, who had been secretly consecrated a bishop several years ago and jailed for engaging in religious activities without government permission.

Informants said he died recently in a prison at Leopoli, in the Ukraine.

The Bishop was a member of the Redemptorist religious society. His work was said to be so secret that it did not appear in the Annuario Pontificio, the official Vatican yearbook listing all cardinals and bishops.

THE COMING VIOLENT CONFRONTATION WITH SDS

HON. LOUIS C. WYMAN

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Monday, May 19, 1969

Mr. WYMAN. Mr. Speaker, on the CBS television program "Face the Nation" on May 11, 1969, the national secretary of the infamous organization calling itself Students for a Democratic Society advocated that student radicals arm themselves and spoke openly for revolutionary change in our society by force and violence. Asked if SDS were a part of the international Communist conspiracy this same national secretary answered:

> There is a bit of truth to that—that we are part of an international movement. We all see ourselves fighting a common struggle . . . because the system we are up against is an international system, the system of exploitation of capitalism.

This is the same old line of violence supposedly justified by the oppressiveness of our social order—which, of course, is so much garbage, as well as excuse for the Communist line of violent overthrow of the existing order. But one thing is becoming reasonably clear: the simple truth that if organizations like SDS resort to guns and violence there will have to be a square confrontation with law enforcement whose obligation it is to protect society from violence wherever it comes from. In this event people are going to be hurt, perhaps even killed. Those in SDS who are contemplating arming themselves—for what?—ought to also contemplate that if they use those arms it may well turn out to be an invitation to suicide on their part.

Recently the Manchester, N.H., Union-Leader carried a reprint from the October 1968 Reader's Digest on the subject of SDS entitled "Engineers of Campus Chaos." Because of the current widespread interest in the nature, objectives, and tactics of this organization I am inserting it in the RECORD at this point:

THE FACTS ON SDS: ENGINEERS OF CAMPUS CHAOS

(By Eugene H. Methvin)

During the past year, college campuses across the United States from Columbia to Stanford exploded with violence, bloodshed and arson. In the thick of this disruption was an organization of self-proclaimed radicals called the Students for a Democratic Society (SDS).

This fall, as classes resume, educators and police who once shrugged off SDS as just another band of youthful rebels are bracing for more trouble. To see why, look at a sampling of SDS's recent record. At the University of Wisconsin last fall, 70 persons were injured after an SDS-organized riot against Dow chemical Co. recruiters. At the University of Georgia, SDS-led demonstrators occupied the administration building, demanding that women students be allowed to drink and stay out all night.

At San Francisco State, they launched a rampage of looting, brawling and attempted arson of a campus bookstore, all in the name of defending four hoodlums who had beaten up the editor of the student newspaper. At the University of California in Berkeley, they deployed radio-directed students as shock troops, erected barricades and fought pitched battles with police in an assault on the Oakland Induction Center.

New York University philosophy professor Sidney Hook sums it up: "By their lawless actions, the members of SDS threaten to become the true grave diggers of academic freedom in the United States."

SALABLE LINE

SDS was activated in June 1962 by a gathering of 50 collegians at Port Huron, Mich. The organization's first manifesto was the "Port Huron Statement," a 30,000-word mildly Marxist economic critique of America. In it, the members were, in one SDSer's words, "naming the enemy and then saying how to get him."

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This has proven a most salable line among the new collegiate generation. In just 14 years, America's college population has skyrocketed from 2,600,000 to seven million. Typically, at Cornell the biggest freshman and sophomore classes fell to green teaching assistants with an average age of 26; at Berkeley, 900 graduate assistants carried the instruction load in the first two years, and classes often bloated to 1500.

Thousands of students arrived on campus expecting close and intellectually enriching contact with wise professors, and instead crashed up against the increasing impersonality, the anonymity and regimented demands of today's mass universities.

Some among them began looking for a scapegoat. Yale psychologist Kenneth Keniston calls the activists a tiny minority with a "protest-prone personality." Prof. Lewis Feuer, who quit Berkeley in disgust after campus totalitarians took over, found them "possessed by a terrible, compulsive irrationality that corrupted their idealism." Another critic diagnosed this significant and talented minority as "super-idealists, unhappy because America fails to live up to its textbook image, upset because life is different from dreams."

Bored with the prospect of ordinary careers in the affluent "post-industrial" technocracy, many of these studies began cranking SDS mimeographs, walking picket lines and attending SDS rallies. By mid-1968, SDS claimed to have 6300 dues-paying members with another 35,000 unregistered participants in 250 chapters, all under the direction of SDS headquarters in a shabby two-room flat on Chicago's West Madison Street.

MINISKIRTS AND MANUALS

The student who walks into an SDS meeting today hears Marxist rhetoric often virtually indistinguishable from Radio Moscow's worst Stalinist paranoia. SDS organizers denounce "oppressors," "exploiters," and the "Al Capones who run this country." The university is a "colony" of "the military-industrial complex." Members refer openly to themselves as "professional revolutionaries" whose careers are "committed to the destruction of imperialism and capitalism." SDS National Secretary Greg Calvert boasted to a New York Times reporter: "We're working to build a guerrilla force in an urban environment. We're actively organizing sedition."

Scores of those who have swallowed the SDS hook are attracted by big issues such as slum poverty, civil rights and the Vietnam war. But SDS strategy also calls for pouncing on any issue that will excite students. At Princeton it was letting girls in the dormitories, at the University of Texas the presence of a Confederate flag, at San Francisco State a food-price protest and demand to take over the cafeteria and bookstore, at the University of Chicago a controversy over draft-deferment exams and class rankings.

"Every attempt should be made to connect campus issues with off-campus questions," advises former SDS Vice President Carl Davidson. "In the high schools, raise demands to wear long hair and miniskirts, and then politicalize them," prescribes a California SDSer. At Wisconsin, another reports, "We organized dormitory students around rules, and then it was easy to move them on such issues as the university's relation to Chase Manhattan Bank."

Specific suggestions for throwing monkey wrenches into the machinery of society include such tactics as: picking public fights with welfare workers; starting trash-can fires and pulling fire alarms in high schools as "forms of protest"; making appointments by the score with university deans and registrars—to "overuse the bureaucracy"; checking out an inordinate number of books to disrupt libraries and study programs; disrupting draft boards by registering under a false name so "federal agents will spend much time attempting to track down people who do not exist." Such tactics are far more than youthful pranks. Their ultimate goal is nothing less than the destruction of society itself.

HOW PINK?

Though the SDS has an image of independent radicalism, mounting evidence indicates it is not as much a "New Left" as it would have press and public believe. For instance:

Communists have sat in on SDS meetings and coached organizers from the start. In turn, SDS leaders have been welcomed at secret Communist conventions.

The 1965 SDS convention repealed a constitutional stipulation barring commmunists from membership. Subsequently, Communist Party leaders quietly told members they "could work through SDS." Soon a Progressive Labor Party group sympathetic to the Red Chinese moved into SDS. Today the Maoist, Stalinist and Trotskyite Communist Parties abound at SDS conventions and control some SDS chapters.

SDSers maintain contracts with Communist nations through frequent foreign travels. Tom Hayden, an SDS founder and its tactical chieftain, visited Hanoi in 1965 with top U.S. Red strategist Herbert Aptheker. He has also sojourned in Moscow, Peking and Havana. In September 1967, 10 SDSers journeyed to Bratislava, Czechoslovakia, for a week-long ultra-secret powwow with Vietcong and North Vietnamese representatives. Other leaders went to Havana for Castro's International Cultural Congress last January.

A strong Communist flavor as vividly apparent at SDS's national convention in East Lansing, Mich., last June. Moved by the romantic image of Castro, delegates spouted the maxims of Che Guevara and paraded in khakis. Of the three national officers chosen, only one failed to proclaim himself a communist. Before her unanimous election as inter-organizational secretary, non-student Bernadine Dohrn, 26, was asked if she was a "socialist." Her reply: "I consider myself a revolutionary communist." At that, the audience of 500 rose in cheers.

The SDSers marched the red flags of Communist revolution and the black flag of anarchy to the dais of their convention hall. Without a ripple of dissent, speaker after speaker espoused the dogma that American society must be destroyed by constant disruption now and revolutionary "armed struggle" when the time is ripe. "The ability to manipulate people through violence and mass media has never been greater, the potential for us as radicals never more exciting, than now," one speaker proclaimed.

Behind the scenes, FBI intelligence has revealed, a secret workshop in "sabotage and explosives" dealt with what type of bomb best destroys communications and how to fire Molotov cocktails from shotguns.

Yet it would be a mistake simply to identify all SDS members as Moscow or Peking Kremlin and non-Communist. Their Common bond "is a passionate desire to destroy, to annihilate, to tear down,'" says FBI director J. Edgar Hoover. "To put it bluntly, they are a new type of subversive, and their danger is great.

To understand how dangerous, look at the SDS in action at the most explosive of the recent disorders—the upheaval at Columbia.

REVOLT AT COLUMBIA

Late last year, 300 delegates to the SDS National Council at Bloomington, Ind., decided to launch a national campaign they dubbed "Ten days to shake the empire." Secret caucuses picked Columbia for a "beacon" demonstration whose flare would spark a nationwide conflagration.

Field general for the insurrection was junior Mark Rudd, who had been named SDS chapter chairman after returning from a January tour in Cuba. On March 27, he led a hundred followers into Low Library, Columbia's large-domed administrative center, and demanded that the university end its sponsorship of a defense research institute.

Ordered to appear for disciplinary action, Rudd announced that a new march would be made into Low Library on April 23. Blocked by 200 anti-SDS students on that date, he and his followers stormed into Hamilton Hall, Columbia's main undergraduate classroom center. There they imprisoned Dean Henry Coleman and two aides for 25 hours and unveiled a list of "demands" ranging from complete amnesty for Rudd and others to stopping construction on a nearby gym bordering Harlem. The next day, an SDS raiding party smashed into and occupied Low Library; later three other university buildings were seized.

Raiders broke into the university president's office, filched his files, handed out copies of his personal correspondence. They set up a "war room" in one building and coordinated activity through a network of 40 walkie-talkies, telephones and runners.

Shut out of their classes, other students were outraged. They formed a "Majority Coalition," swiftly marshaled 2,000 signatures demanding that the University president take "firm action." Said Coalition spokesman Paul Vilardi: "Students do have some reasonable complaints, but what SDS is doing to Columbia is like slitting your wife's throat because she eats crackers in bed."

But President Grayson Kirk vacillated. He suspended gym construction, and reportedly promised to end military research, even to tender his own resignation "for reasons of health." So 400 anti-protesters, wearing coats and ties as their own badge of protest, formed a human wall around Low Library offices to stop food and messengers. The radicals tried to storm through, swinging fists, but the blockaders held. Finally, with the radicals rumored to be arming themselves with pipes, staves, and bricks. Kirk sent the Majority Coalition home and asked police to clear the buildings.

At Low Library, 500 students and faculty blocked the way; at Fayerweather Hall, another 125. They screamed "Police brutality!" into grinding television cameras as police formed a standard riot wedge and charged, bloodying noses and heads. Police arrested 707—26 percent not on Columbia student rolls.

"This cop violence is good!" said Rudd. "We're going to get a lot of help." Grabbing the police-intervention issue, SDSers inveigled many former critics into joining a campus-wide strike. The Columbia faculty gave in and canceled formal classes for the rest of the school year.

But that was not the end of the Columbia tragedy. Four weeks later Rudd and his followers marched into Hamilton again. Campus gates were barricaded, and, following a peaceful arrest, fires were set in Fayerweather, and bricks were hurled at police. Someone even broke into the office of a professor who had condemned extremism, and there burned his manuscript and notes representing ten years of research.

TIME TO GET TOUGH

The sad lesson of Columbia was stated by New York Times education writer Fred M. Hechinger: "Any society, academic or otherwise, that lacks the will to defend itself against illegitimate disruption and takeover is crippled and, as a free society, may be doomed."

Indeed, the lessons must now be clear to all:

1—Students and faculty must support prompt action to maintain campus peace. At

XUM

Brooklyn College, when SDSers seized the registrar's office, other students condemned the disrupters as "today's version of Hitler's storm troopers," demanded "strict enforcement of the law"—and got it. College authorities summarily expelled the rebels, police carted them off, and peace returned to Brooklyn College.

2—College administrators must not appease or temporize with totalitarian minorities using coercion and anti-democratic tactics. Although the intervention of civic police was abhorrent to all, both students and administrators at Columbia admit that firm action taken against the first few hundred Hamilton Hall sit-ins would have avoided the escalation of protest to a university-wide strike. Before Columbia's troubles were over 5,000 students were involved, a serious clash with police had occurred, and the entire school had suffered an inestimable loss of prestige.

3—We must all support basic university reforms that are needed. Inevitably, a "knowledge factory" atmosphere has developed from the campus population explosion, with accompanying depersonalization and frustration. Educators must pay far more attention to the individual student and to legitimate, orderly expression of grievances.

Talking to educators and students around the country, I find a hopeful, growing determination that responsible, forceful action by the democratic can demolish the SDS "imperialist conspiracy" syndrome. "Students are usually idealists and in fact come to college to seek a better world by getting the best possible education," Columbia junior Jonathan Edelstein said to me. "But if we let a dictatorial extremist minority who think they have already found all the answers rob us of that opportunity, we will lose the future."

FALK OFFERS WAY OUT OF VIETNAM

HON. GEORGE E. BROWN, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 19, 1969

Mr. BROWN of California. Mr. Speaker, the No. 1 priority of the American Government right now should be to end our tragic military engagement in South Vietnam. All other problems facing this Nation—ranging from deployment of the Safeguard ABM to the need for tax reform and to the dismantling of the Job Corps—relate very directly to the disastrous adventurism we have been following in Southeast Asia over the past decade.

Last week's address by President Nixon was impressive only because it was his first real look at the problems of reducing our Vietnam commitment. But if the President intends to continue along a path of gradual give and take, it means only that we are in for an extremely drawnout period of negotiation and counternegotiation. Meanwhile the fighting goes on, the killing and destruction mount.

Last month, Dr. Richard A. Falk, Milbank Professor of International Law at Princeton University, presented a logical and realistic program that will bring to a quicker close the tragedy of Vietnam. I believe Professor Falk's analysis and recommendations to be of great merit, and I now submit his speech for inclusion in the RECORD at this point:

AN END FOR THE VIETNAM WAR: A PLAN AND A RATIONALE

(By Richard A. Falk, Milbank Professor of International Law at Princeton University, and fellow at the Center for Advanced Study in the Behavioral Sciences, 1968–69)

By now there is almost general assent to the assertion that the prospects for peace in Vietnam depend heavily on whether the United States Government can and will exert effective influence upon the Saigon regime. As matters now stand it seems evident that the government in Saigon headed by Nguyen Van Thieu will do what it can to prevent a negotiated end to the Vietnam War. It alone, of the four parties to the Paris talks, stands to gain from an indefinite continuation of the military stalemate and it alone stands to lose from changing this stalemate on the battlefield into a political compromise in the conference hall. In fact, the leadership of this Saigon regime cannot realistically expect to stay in power or possibly even to stay alive long after American troops are withdrawn, and it must and will act accordingly.

Vietnam is largely an agricultural country. As such, political control over the more than 12,000 villages of Vietnam is a basic ingredient of national power. Through the years the N.L.F. has created the kind of civil-military presence that gives it preponderant control in the countryside. So long as this control persists, and it is very difficult to dislodge, no hostile regime in Saigon can expect to exercise governmental authority in South Vietnam. Furthermore, the elections of 1967, although rigged by Saigon to a large extent, demonstrated that the Thieu-Ky group even lacked political support in the principal cities of South Vietnam. The Saigon regime is, in short, no political match for the N.L.F., and there is every reason to think that Thieu, Ky, and Huong understand their lack of popular support. The regime also knows that, without the Americans, it is no *military* match for the N.L.F. and so it opposes any effort to withdraw foreign troops and to remove from the scene the fantastic array of counterinsurgency weapons that the United States has brought to bear against the N.L.F. and the military units of North Vietnam.

But does the leadership of the United States understand that the Saigon regime cannot hope to survive a negotiated peace? The pursuit of peace at Paris needs to take full account of the vulnerability of the Thieu regime to peace in Vietnam. It is difficult to assess the official American attitude toward this critical issue at this stage. It seems clear that American pressure has been used to bring the Saigon regime to Paris and induced its offer of negotiations with the N.L.F. [William Shannon, of the New York Times, said that] it is President's Nixon's "guiding belief that to make peace in Vietnam with the cooperation of the Saigon regime is difficult, to make peace without it is impossible." [N.Y. Times, April 6, 1969, Sec. 4, p. 4.] My position arises from the opposite proposition—namely, that to make peace in Vietnam with the cooperation of the Saigon regime is impossible, to make peace without this cooperation is difficult. This difference in emphasis bears directly on the time needed to bring the fighting to an end in Vietnam and the stability of the political settlement reached through negotiations. On both counts President Nixon's "guiding belief" leads to bad results.

It seems important, first of all, to give some reasons for believing that the Saigon regime, as presently constituted, opposes a negotiated ending to the Vietnam War. The Thieu government opposed the original partial halt of bombing North Vietnam on March 31, 1968, and its extension to the whole of North Vietnam as of October 31, 1968; Saigon leaders have repeatedly advocated the resumption of bombing in the North and have even threatened to do so on their own. The Saigon government effort made no secret of its obstructive attitudes at every stage of the long effort to get the Paris talks started. In South Vietnam the Saigon regime continues to promise a military victory and, most significantly, to treat as a political crime the advocacy of a negotiated compromise or a coalition government. The jails of South Vietnam are filled with non-Communist political prisoners, including prominent leaders of opposition groups, conservatively estimated at 20,000 [Fellowship of Reconciliation 'White Paper'], whose only crime is to promote in Saigon the sort of compromise settlement that Thieu and Ky say in Paris that they favor. A moderate student leader in South Vietnam, Tran Van Minh, has estimated that 95 percent of the people oppose the regime and its policies toward the war. Newspapers in South Vietnam are censored, censured, and even shut down by the Government if they urge a negotiated compromise or express support for a strategy of reconciliation. As recently as March 15, 1969, a leading Buddhist figure, Thich Thien Minh, was arrested with 50 of his followers; he has been sentenced to 10 years of hard labor. The leaders of the Buddhist Struggle Movement of 1966 remain in jail under conditions of hardship and cruelty.

Truong Dinh Dzu, the Saigon lawyer who ran a strong second to the Thieu group in the elections of September 1967, remains in jail on a five-year conviction, obviously a reprisal for his peace campaign, his strength in urban areas, and his charges of fraud with respect to the election returns. If the Saigon government has imprisoned and keeps imprisoned the principal Buddhist and student leaders and has alienated even the urban middle classes, what kind of treatment could the supporters of the N.L.F. expect to receive if they disarmed themselves? Where is Saigon's base of popular support outside a conscripted, and not notably loyal, mass army, and an exceptionally corrupt civil bureaucracy? The evidence seems overwhelming that the Saigon government does not want to run the risk of a negotiated peace and that it is prepared to do all that it can to prevent its occurrence. Otherwise, it would make no sense to prohibit and punish third force politics. If this assessment is correct, then the prospects for peace remain poor so long as Saigon's assent is a condition. The United States has, on occasion, displayed some capacity to create puppets, but almost none to manipulate them. In the Orient in particular, there is a long tradition by which weak governments allow a powerful foreigner to enter the country as an ally and then manipulate him mercilessly thereafter; the trojan horse becomes a mouse, in effect. The United States has, for instance, been manipulated into burdensome policies against its own geo-political interests for two decades by tying its Asian policy so closely to the wishes of the helplessly dependent client regime of Chiang Kai Shek on Formosa. There is little reason, then, to suppose that we will have the tact and skill to induce the Saigon regime to act against its perceived interests. Whatever else, Thieu and his followers are Vietnamese, whose entire life-style, if not their life, is at stake. Let us, at least, not be so naive as to think that such leaders can be easily persuaded to act in the manner that *we* deem sensible for the service of *our* interests, which have at last apparently been crystallized around finding a way to turn a military stalemate into a political compromise.

There is one problem even with this more moderate United States war aim: the military stalemate has been possible only as the result of a massive U.S. effort during recent years. This effort has greatly exceeded the support that has been given to the N.L.F. by D.R.V.; at each stage of the war, including the present one, the simultaneous withdrawal of all *foreign* forces on both sides would seem likely to lead to rapid political and military victory by the N.L.F., the military stalemate would be broken.

Melvin Laird, Secretary of Defense, has acknowledged as much in March of 1969 when he testified before the Senate Armed Forces Committee after recently returning from Vietnam.

Mr. Laird, while reporting to the Senate that South Vietnam now has 1,000,000 men under arms, being furnished with more and better U.S. equipment, nevertheless concluded that no U.S. troop reductions could be foreseen. In Mr. Laird's words: "The current operating assumption as stated to me is that even the currently funded modernization program for South Vietnamese forces will equip the South Vietnamese forces only to withstand the V.C. insurgents that would remain after all North Vietnamese forces had been withdrawn to North Vietnam." As a result Mr. Laird was advised by U.S. military planners in Saigon "that no reduction in U.S. personnel would be possible in the absence of total withdrawal of North Vietnamese troops." Mr. Laird conceives of "beginning" [the word alone staggers the imagination] "the development of indigenous forces which would be capable of suppressing the insurgency on their own if North Vietnamese and U.S. forces were withdrawn." This is what Mr. Laird has chosen to describe [in a *U.S. News and World Report* interview (April 7, 1969, p. 31)] as "'Vietnamizing' the war," as unhappy a verbal choice as it is disastrous as a basis for U.S. policy. He explained that he preferred to describe this policy as "Vietnamizing" rather than "de-Americanizing" because in his words "[t]o many people, 'de-Americanizing' the war means that we would give up our objective, which is self-determination for the people of Vietnam. I would like to see that objective achieved by the Vietnamese people." [P. 31.]

Such a contention is so perversely absurd that it suggests ignorance rather than malice; even to mention the word self-determination in a situation in which the main progressive political forces have joined or sympathize with the N.L.F. and where the leaders of more conservative and traditional political forces are jailed as enemies of the state is to invoke an ideal whose realization has been frustrated, not advanced, by the policies we are following in Vietnam. Had the logic of self-determination ever been allowed to assert itself in Vietnam after 1954 there would never have been a war, had self-determination been our objective the war would have ended long ago and the country reunified under the modernizing leadership of the N.L.F. Let us not, after all these years, deceive ourselves at the expense of the Vietnamese. The indications are now that President Nixon's peacemaking strategy is a more moderate variant of what Mr. Laird has said. It seems based upon building up the fighting potential of the Saigon armed forces, token deescalation (say 50,000 Americans withdrawn by the end of 1969), and a long slow process of dual negotiations, public and secret. Such an approach to peace in Vietnam is inadequate. It will take much too long and it is not even likely to work. In addition, it is premised on the need to base peace on some arrangement that is *acceptable* to the Saigon regime. The effort to build the Saigon regime into something more than an isolated military apparatus has been the illusion that so many pre-Nixon Vietnam policies were fastened to. It has been neither a worthwhile or an attainable objective in the past. It is certainly not worthwhile now, and it is probably not attainable either, at least not without several more years of bloodshed and ravage. To sacrifice more lives because so many have been lost already is to compound the error, not to vindicate the commitment. President Nixon seems, against his evident will, to be drifting into an approach to Vietnam resembling his predecessors, an approach that will bring neither a military victory nor a political settlement, but merely a cruel continuation of a military stalemate, that routinely entails 1600 B–52 bombing raids per month against utterly defenseless, and often heavily populated, target areas throughout South Vietnam.

But how can a political compromise be sustained in a setting where the adversary, the N.L.F., possesses the only national structure capable of both fighting and governing in South Vietnam? The Saigon regime has no actual and little potential political base; it might eventually be able, with its huge armies and payroll, to *rule*, if not to *govern*, the country in the *absence* of the N.L.F. But whatever else, the N.L.F. is not absent, and it will not, after years of struggle and sacrifice, allow Saigon to rule South Vietnam. It is barely possible that third force groups, especially the Buddhists in conjunction with the urban middle classes, if given a measure of political freedom, might be able to organize a political party that was capable of governing or sharing power with the N.L.F., but such third force groups would lack all capacity to rule or to offset N.L.F. military pressure. Only a coalition between the third force groups and the civil-military bureaucracy would have a reasonably secure counter-structure with some prospect of power-sharing with the N.L.F. But such a coalition is impossible so long as the generals in control of the Saigon regime keep moderate politicians in prison. And, in fact, it seems impossible unless the Saigon regime itself changes its character and outlook; even then any effort at this stage to coalesce a counter-structure to the N.L.F. is up against immense odds. The N.L.F. has existed for many years, has superb organization, and has established an apparent unity of purpose that has retained its sharp focus through all these years of fighting a war of great destructive magnitude. The N.L.F., although more diverse than most Americans realize, is itself presently trying to broaden its political base to preempt the third force option. This broadening has involved cooperation with the Alliance of National, Democratic, and Peace Forces, an urban coalition founded by eminent leaders of civic life in Saigon and Hue after Tet, 1968, and it has involved an indicated policy of reconciliation and cooperation with diverse, even antagonistic, forces. One would expect the N.L.F., even more than the Saigon regime, to oppose the formation of an effective counter-structure in the closing stages of the war; without the existence of such a counter-structure the prospects of a power-sharing compromise contribute a thin veneer to disguise the realities of political defeat for the anti-N.L.F. forces in South Vietnam. There is no way to overcome this underlying political imbalance in South Vietnam by military means.

The American military effort, despite its scale and savagery, cannot expect to do more than prevent victory by the N.L.F. By being able to destroy any concentration of people and dwellings identifiable as "enemy-held," the United States can successfully thwart, punish, and deter N.L.F. strategies of "liberation," especially if directed at cities and 'liberation' is destruction and the N.L.F., however hard it is for the Americans to accept, are, unlike their Saigonese opponents Vietnamese patriots that do not act to invite unnecessary destruction of their country. The N.L.F. has often deliberately avoided visible liberation of government-occupied territories. Informal arrangements between A.R.V.N. and N.L.F. are common in the countryside where the former pays taxes and, sometimes, give supplies in exchange for a pledge of no-attack. These arrangements, so bewildering to Americans, have been described in convincing detail by Katsuichi Honda in a series of articles for the middle-of-the-road Japanese newspaper Asahi Shimbum; these articles are available in English translation and should be read by as many Americans as possible.*

By any normal test, the N.L.F. has won the war in Vietnam. Henry Kissinger, the Presidential Adviser, writing about Vietnam shortly before his appointment to office, suggested as "one of the cardinal maxims of guerrilla war" the proposition that "the guerrilla wins if he does not lose. The conventional army loses if it does not win." [Kissinger, "The Viet Nam Negotiations," 47 Foreign Affairs, 211, 214 (1969).] The United States has acted only to prevent an N.L.F. victory, hence the guerrilla has not lost; hence it has won. It is essential to grasp these facts of underlying military and political imbalance that are critical for any sense of what constitutes a reasonable settlement for Vietnam.

The United States is clearly able to inflict fantastic losses on the N.L.F. and to devastate Vietnamese society in the process of denying victory to the N.L.F. To stop this process of destruction is clearly in the interest of the N.L.F. and D.R.V., as well as ourselves. In fact, the bargaining position of the U.S. rests on its ability to stop what it is doing and get out. It does not rest on the existence of a real counter-structure to the N.L.F. that might make a genuine political case for transferring a stalemate from the battlefield to the political process. Therefore, a political settlement will, at best, be fragile as its implementation would necessarily depend on the part of the N.L.F.–D.R.V. Once U.S. forces leave Vietnam the survival of a political compromise, because of the realities of power in the country, is probably at the sufferance of the N.L.F., for the reasons outlined above: namely, that no counter-structure to the N.L.F. will have emerged and no over-balanced military counterweight will remain. But the alternative to acknowledging this situation is to go on with this barbaric war to no effect. The incentives for N.L.F. restraint in such circumstances would relate to maintaining whatever settlement process was agreed upon. If there was no prospect of a seizure of control by anti-N.L.F. forces in the course of regroupment and internal disarmament, then I think there is reason to believe that the N.L.F. leadership would not disrupt the formal settlement procedures, although the possibility of struggles among various Vietnamese groups cannot be entirely excluded. Incentives to induce compliance by the Governments in North and South Vietnam could be woven into the settlement process, especially in relation to the receipt of economic assistance for reconstruction, trade and aid, and progress toward reunification. We should understand, however, that the N.L.F. is almost certain to hold the balance of power in the South and the N.L.F.–D.R.V. in the country as a whole after the war ends. Ho Chi Minh and his government remains the transcendent expression of national liberation and unity for all of Vietnam, his ideological identity being a matter of secondary importance. The patriotic struggle for national autonomy and freedom has been carried on for several decades under the leadersihp of Hanoi, and it is this struggle, not its Western perception as a conflict between Communists and anti-Communists, that remain dominant in Vietnam today.

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*It is possible to obtain copies of Mr. Honda's two pamphlets, "Vietnam—A Voice from the Villages" and "The National Liberation Front—the so-called Viet Cong" by sending to The Committee for the English Publication of "Vietnam—A Voice from the Villages," 13–7 Nishitaka 2 Chome, Bunkyo-ku, Tokyo, JAPAN. There is a small charge depending on the quantity ordered and whether copies are sent by air or sea mail.

The conflict going on in Vietnam (and elsewhere in the ex-Colonial world) is clarified by distinguishing three outlooks:

1. Colonialist and/or neo-colonialist
2. Anti-colonialist and traditionalist
3. Anti-colonialist and modernizer

In the first category are Vietnamese who benefitted or identified with the colonial system or its neo-colonial sequel in the South, people who have willingly fought for both the French and the Americans. Many members of the ruling group of generals in Saigon have had this background, as do most leaders of the Catholic Church in Vietnam, and some large landholders. Others, most prominently Ngo Dihn Diem, Premier from 1955 until his assassination in late 1963, belong in the second category; they were anti-French, but sought to maintain intact the traditional social order of Vietnamese society based on a feudal structure of social, economic, and political privilege. The social conservative and traditionalist is likely to have been anti-French, but pro-American. In the third category are those Vietnamese who seek radical social reform, a strong central state, and a major effort to build rapidly a modern industrial state in Vietnam. In the North this third position has, of course, prevailed, being facilitated by the strong anti-colonial leadership of Ho Chi Minh that succeeded in mobilizing a wide united front in opposition to the French and organizing an effective government thereafter. In the South as a consequence of the transitional arrangements agreed upon in 1954 at Geneva, a regime was installed that was nationalist in orientation, but far less concerned with nationalist goals than with the preservation of the traditional social order of Vietnam. As a consequence, when the struggle for control broke into the open this type of Vietnamese leader accepted a neo-colonial presence in the form of American support to avoid losing power to the more radical elements in the South that began to coalesce around the N.L.F in the early 1960's after the Diem administration made it apparent that any reformist orientation would be subject to rigid repression. The perception of the conflict in Vietnam has been distorted by the fact of the Nationalist cause in the revolutionary war against the French and by the strong political significance of the ethnic minorities in the South. To the United States Government from 1950 onwards, that is, during the colonial war with the French, the radical ideology of the Vietminh and their presumed affiliation with the international communist movement has been the prime feature of the conflict, inducing our high level of economic support for the French colonial cause (the U.S. was paying 80 percent of the cost of the Indochina War in its closing years and in the spring of 1954 the United States tried to organize a cooperative Western military intervention on behalf of the French). Some conservative groups, including the leadership of the Catholic Church, tended to confirm this view of the first Indochina war, preferring colonial status to a communist orientation.

At best, Catholic leaders, like Diem himself, preferred exile to allegiance in the war of independence. On the other hand, many Vietnamese placed, and continue to do so, the struggle for national autonomy and unity far above other values, including the post-colonial orientation of the government, and for them Ho Chi Minh is a great revolutionary hero, and whether or not he is a Communist as well is of far lesser importance. For others, the importance of the anti-colonial movement does not end with the achievement of national independence, but must go on to destroy the traditional structures of domestic society and initiate the work of reconstruction and modernization. Again, the political ideology of the modernizing elite often seems less important than its commitment to these tasks. After 1954 the Diem regime in the South sought to build a strong national state without seeking to disturb the traditional structures of Vietnamese society. This brought that regime into sharp conflict with the religious sects and ethnic minorities who sought, above all else, to retain their autonomy over the affairs of their quite distinct groups; also Diem abolished elections at the village level and thereby undermined the most meaningful form of political participation for most Vietnamese in their society of villages, a form of political participation that had even existed during the colonial period. As a consequence, Diem's form of Catholic nationalism, while traditionalist in socio-economic policy, had the effect of alienating both the ethnic and religious minorities and the rural population, or, that is, most of South Vietnam. The Thieu regime has corrected some of these centralizing tendencies of Diem without threatening the traditional social and economic structure of the South, and has thereby gained some support, at least as expressed in the 1967 elections, from such ethnic minorities as the Montagnards and Chams and from such religious sects as the Cao Dai and Hoa Hoa.

The N.L.F. is both a centralizing and modernizing radical minority that threatens to break down the traditional structures of the South with a radical program of land reform, widespread public education, mass political movements, and a high degree of centralism and conformism. But the key point, so often lost on Americans, is that the Communist leadership of the N.L.F. is secondary to the struggle between traditionalism and modernism that is going on in the South. Because the traditionalists were either pro-French or aloof from the colonial war their side has been comparatively weak throughout Vietnamese society, progressively weakened in the years since 1954 because of their dependence on outside, foreign help—leading to the creation of an extreme neo-colonialist situation in which many more Western troops are in the South at far worse consequences for Vietnam than at any time during the French period.

The legitimacy of the nationalist element in the original Diem position was soon lost as a consequence of growing American prominence in South Vietnam; the issue of anti-Communism became virtually the sole rallying cry of those Vietnamese on our side (with the limited exception of certain ethnic minorities who fear a loss of their autonomy if traditional Vietnamese society is changed). For most third force groups concern about the threat of Communism is far less significant, especially at this stage in the conflict, the attainment of peace and national autonomy (the expulsion of the foreign invader is the recurrent theme and source of national glory throughout Vietnamese history); it is for this reason that even non-Communist political groups, including such socially and economically conservative groups as the Buddhists, are left-leaning in the sense of preferring to risk an N.L.F. victory rather than endure a continuation of the war under Thieu's leadership; hence, the regime's suppression of these groups and hence its inevitable political isolation. The Thieu government has by now alienated, if not worse, virtually all anti-colonial and anti-traditionalist elements in Vietnamese society. The explanation of this alienation is at the root of the weakness of the Saigon regime and helps to explain why it can never hope to survive peace or the departure of the Americans. De-Americanization is thus a cruel hoax, prolonging the agony without altering the political situation. No American effort, whether military or political, can overcome this fundamental loss of appeal and legitimacy by the Thieu government, and they know it. To suggest, then, that Vietnamese self-determination can be promoted by "Vietnamizing" the war, that is, by increasing the military capability of the Saigon regime, as Mr. Laird suggested, is to reveal how deeply we misunderstand what we are doing in South Vietnam. By now, we should at least realize that the largest obstacle by far to Vietnamese self-determination is, and has been all along, American support for Saigon.

AN OUTLINE OF A PROPOSAL TO END THE WAR IN VIETNAM

We are left, then, with the overwhelming question: How, in light of this analysis, can the war in Vietnam be brought to an end? It is generally conceded that the United States Government is unwilling at this stage to admit its mistakes and withdraw honorably from the war in Vietnam. Too much blood, too much treasure has been wasted to say so. Too many American reputations, fortunes, and careers have been and are continuing to be built on advice to Saigon and Washington about how to defeat the N.L.F. Because the error has been so momentous the scandal must be disguised. This is the initial somewhat alarming critical fact that a proposed settlement must encompass if it is to have any prospect of being acceptable. The second critical fact is the acknowledgement that there is now no way to win the war for Saigon. More blood, more treasure will produce more devastation, but not victory for the American side. As it is, Vietnam is being devastated at a rate that no country has ever endured over such a long period. We use cruel and superior weapons to inflict heavy casualties on the Vietnamese and then complain bitterly about their tactics that produce our own far smaller, but still very considerable, losses. The military-political consensus in Washington now seems built around the proposition that, although we cannot defeat the N.L.F., we can and should indefinitely prevent its victory. This military stalemate is costly in many ways and, therefore, the incentive to find a political settlement that preserves the military standoff—no N.L.F. victory—is high. The United States Government has seemed increasingly ready since March 31, 1968, to find such a negotiated compromise, but not on realistic terms. To keep the government of Thieu-Ky-Huong in power is *not* to achieve compromise. A compromise entails a power-sharing setup that corresponds to the political and military realities of Vietnam. It is essential that policy-makers in Washington begin to define a compromise in these terms.

The third critcal fact is that the assured prevention of an N.L.F. victory in peace is even harder than has been the prevention of an N.L.F. victory in war. Given the political imbalance—the strong anti-traditionalist, anti-neo-colonialist majority—it is hard to believe that a compromise would hold up after American troops left Vietnam. Therefore, Washington searches for some way by which the imbalance can be effectively denied expression, that the real dominance of the N.L.F. will be somehow kept from view in the postwar period in Vietnam. Such a search is in vain so long as third force politics are repressed by Saigon. And, of course, for the Saigon regime more than their reputations are at stake—their positions of power, and quite likely their lives would be placed in severe jeopardy, in such jeopardy that no amount of reassurance on our part or security on their part could produce confidence. And it is for this reason that the Saigon regime cannot risk peace, especially if peace entails disarming their forces and losing unilateral control over police and militia units. And unless peace implies this, the N.L.F. would have to be wildly self-destructive to participate in the arrangement.

A proposal for peace in Vietnam needs to take these considerations into account. The United States Government requires some bargaining leverage in relation to both the N.L.F.-D.R.V., but even more so, in relation to the Saigon regime. This leverage cannot be acquired by escalation or by prolonging the present level of stalemate. Deescalation is the only way to acquire diplomatic leverage in relation to both sides in the Vietnamese struggle: for Hanoi and the N.L.F., the process of deescalation is itself a prime goal as it involves, above all else, the partial withdrawal of American forces from Vietnam; for Saigon, deescalation is a way of underlining the writing already on the wall, either the regime comes to support the search for a compromise settlement, tendering its good faith by releasing the non-Communist political prisoners from jail and providing an atmosphere for the practice of third force politics, or the Americans will indeed go home and leave the regime exposed to their N.L.F. and *other* adversaries. Deescalation is a process and an attitude, not a single event located in time. Hence, one side—the N.L.F.-D.R.V.—has an incentive to strengthen the process and reward the attitude and the other side—the Saigon regime—has the incentive to stop or slow the process and undermine the attitude.

Significant deescalation is critical to a rapid settlement of the war. To illustrate this position I have prepared an outline of a settlement plan designed to suggest a direction of approach. The plan is divided into three stages and has the following main elements.

Stage I. Incremental Withdrawals: In Stage I the United States would initiate the withdrawal of its troops at a rate of between 50,000 and 100,000 every two months. The rationale of this process of withdrawal should be allowed to remain publically ambiguous. By more quiet channels of diplomatic communication withdrawal should be loosely linked to some kind of reciprocal behavior by the North Vietnamese, at least to the extent of the expectation that the D.R.V. would refrain from major combat drives or from increasing markedly the rate of infiltration. The United States should make it clear that certain kinds of D.R.V. initiatives in the war would lead to the termination, possibly even the reversal, of the withdrawal process. In our relations with Saigon we should convey the intention to continue the process of withdrawal until the regime has been dramatically liberalized, political prisoners released, and third force political activity allowed. At this point, negotiations in Paris would be more likely to achieve agreement on a political settlement as Saigon would come to realize that a bargain, however risky, was preferable to defeat. It is true that such a withdrawal process might lead to the collapse of the Thieu regime, possibly even to its sudden abdication from power. But, in my judgment, this would be a positive achievement of the policy, not a sign of its failure. The Saigon regime is not fit to govern South Vietnam or even to share in this process. Incremental withdrawal is a stage-setting prelude to a negotiated compromise that might disguise the American defeat in Vietnam for a reasonable length of time.

Phase II. The Shape of Settlement: There are several central elements in a negotiated compromise of the sort that should be attainable in Paris:

(1) The completion of the process of withdrawal of foreign troops; perhaps on an informal basis, perhaps more formally; reconnaissance capabilities could monitor any agreed rate of withdrawal without the need for any more complicated apparatus of inspection;

(2) The establishment of a partial cease-fire by agreeing to stop offensive (or initiated) operations in certain areas and by stopping certain kinds of military operations; the gradual enlargement of the cease-fire until it becomes total at a fixed date;

(3) The regroupment and disarmament of N.L.F. and A.R.V.N. main-force units in various areas, separated from each other, but not in a form that would encourage the partition of the country. This process might be observed and reported upon by an augmented International Control Commission.

(4) The formation of a South Vietnamese provisional government that includes strong representation on the part of three groups: the N.L.F., the army and civil service, and the third force constituencies, especially the Buddhists and the urban civilian classes. The Minister of the Interior in this provisional government should be a third force political figure of prominence who would be entrusted with control over police functions. The composition of the provisional government would be determined, if at all possible, by agreement among representatives of the three principal political groupings in South Vietnam and ratified through formal declarations issued on behalf of the United States and North Vietnam;

(5) A schedule and procedure for holding elections based on free political competition and certain common rules of campaigning. Elections should be held in stages; first, on a village level; second, on district and province levels; and third, on the national level. An International Election Observation Commission (IEOC) could be established to observe and report on the conduct of these elections; it would be staffed and funded on an agreed international basis and would include observers from each major Vietnamese political party. The national elections would be held within two years after the date of a formal cease-fire was declared, unless a majority of the IEOC postponed the date of the elections for reasons given in an accompanying public report. The growth of constitutional democracy should not be insisted upon at the cost of other elements of peace in Vietnam;

(6) The parties to a final settlement would make a pledge of amnesty, all prisoners would be released and exchanged, and guarantees against reprisals would be made. The United States, and possibly other countries, would agree to offer asylum for South Vietnamese applicants up to 10,000 in number. A second observation group—International Peace Observation Group (I.P.O.G.)—should be constituted to investigate and report upon allegations of reprisal. After a civil struggle of such cruelty, bitterness, and duration, there are almost certain to be, especially at local levels, some reprisals in the struggle to repay old debts or to eliminate economic or political rivals from the scene; the effort of the IPOG should try to keep reprisals at a minimum and to prevent claims and counter-claims about reprisal activity from disrupting the settlement process.

(7) The United States should pledge $1–2 billion per year for a minimum of three years for the economic reconstruction of war-ravaged Vietnam, both North and South. The funds should be administered by a small agency staffed by international civil servants and allocated for peaceful purposes according to proposals and priorities determined by the two Vietnamese governments. The Soviet Union, and possibly France, West Germany, and Japan, might also be encouraged to contribute funds in this manner for Vietnamese economic reconstruction.

(8) The reunification of Vietnam shall proceed according to a schedule determined by voluntary negotiations between the two governments of Vietnam, but not commencing until after the elections of a national government in the South. In the event that elections are not held in the South, or that the elected government is overthrown in some way, then reunification can be negotiated, provided it does not take formal effect prior to five years from the formal declaration of a cease-fire in the South. In the meantime, South Vietnam will follow a neutral foreign policy, enter no military alliance, allow no foreign bases or troops on its territory, and receive no foreign military assistance except that needed for internal police security. Relations between the North and South will be normalized within 3–6 months after the cease-fire goes innto effect, allowing free travel, trade, and relations between both parts of Vietnam.

(9) The settlement of the Vietnam War will be agreed to by the N.L.F., D.R.V., U.S., and representatives of the provisional Saigon government. This settlement will, in turn, if possible, be guaranteed by an international conference of principal states, including China, Japan, India, the Soviet Union, and the United States. At this conference an effort would be made to agree on a code of principles for the maintenance of peace in Asia.

Phase III. Sustaining Peace:

(1) The two observer groups could be withdrawn, in whole or in part, at the discretion of the elected national government in the South or, in the event national elections are not held, at any point subsequent to three years after the cease-fire is proclaimed;

(2) An annual conference of the guaranteeing parties would be held to review progress toward implementing the Vietnam settlement and toward peace in Asia. Particular attention would be given to the possibilities of neutralization of countries that seem vulnerable to civil strife and to competing interventions. A status of neutralization would not be imposed on any country unless its constituted government sought such a status and retained the right to terminate its neutralized status after three months' notice;

(3) Efforts would be made to develop normal diplomatic, economic, and cultural relations between the United States and all Asian countries, including North Vietnam and China. Offers of genuine comprise and peaceful settlement should be made with respect to disputes about the future of Okinawa and Formosa. The United States and the Soviet Union should pledge action to sponsor application for membership in the United Nations for all states that are presently non-members, including divided countries.

A CONCLUDING COMMENT ON THE PLAN OF SETTLEMENT

The outlines of this plan have been given in a general form. More detailed provisions would obviously be needed to implement this proposal. The plan is conceived of as encouraging a process of settlement that would continue even if disrupted in certain particulars. Not too much attention should be given to the provision for national elections. Few Asian countries have truly elected governments, and the polarities of South Vietnamese society make it less susceptible than most countries, even in the absence of decades of civil struggle, to the procedures of popular democracy. Certain important related problems, such as the settlement of the Laotian War, are here left out of explicit account. It is hoped that progress toward peace in the wider combat area of Southeast Asia could be achieved at the Conference of Guaranty or in some other more suitable diplomatic forum. As in Vietnam, however, internal struggles of revolutionary intensity are bound to continue between the forces of tradition and the forces of radical change throughout the post-colonial world. These forces of radical change may or may not be identified with Communist ideology in one of its several forms. In any event, these struggles will be determined primarily by the national conditions of each particular country, and efforts to reverse a political outcome by military intervention are bound to be costly and unlikely to be successful in any permanent sense. In fact, to intervene on behalf of the traditionalist faction is to revive the colonial phase of the struggle and shift those elements of a society which are nationalistic into the opposition. In the post-colonial period, unless a radical elite took control during the course of decolonialization, there is almost certain to be a radical challenge directed at the traditionalist structure of the national society once independence has been achieved. Without such a challenge, poverty,

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disease, famine, and stagnancy are almost certain to dominate the national scene.

HAVE WE LEARNED ANYTHING IN VIETNAM?

If we are ever to understand the Vietnamese experience it is essential that War is to perceive clearly both phases of the revolutionary struggle; the first, to eliminate foreign influence and control and to restore the attributes of national independence; the second, to eliminate the traditional, feudalist power structure and to reconstitute the domestic political order so that modern economic and social policies can be pursued. No national revolution is complete until it passes through both phases, although the rate and form of passage will vary greatly depending on national circumstances, and especially depending on the domestic ratios of power. This kind of disruptive process is going on throughout Asia, Africa, and Latin America. Communist and other ideologies try to relate to these fundamental pressures for change, but the realities and equities of a particular national struggle depend not on the abstract rhetoric of the cold war, but on the capabilities and backing of contending national factions. As yet, there is little evidence that revolution in the third world is understood in these terms.

Two years ago McGeorge Bundy, one of the early architects of the escalated American involvement in Vietnam, including the extension of the war to the North, commenting on American foreign policy, said that "There are wild men in the wings, but on the main stage even the argument on Vietnam turns on tactics, not fundamentals." [Bundy, "The End of Either/Or," 45 *Foreign Affairs* 189–201, 191 (197).] The argument is on fundamentals, and it is the wild men like Mr. Bundy, sadly enough, who continue to occupy the main stage. Mr. Bundy, in what was presented as a dramatic change of view, speaking at De Pauw University in October of 1968 urged that the United States deescalate its involvement in Vietnam and, in effect, de-Americanize the war. His emphasis was on the costs to American society of continuing the war: "Until the present burden of Vietnam is at least partly lifted from our society, it will not be easy—it may not even be possible—to move forward effectively with other great national tasks. This has not always been my view, but . . . it seems to me wholly clear now that at its current level of effort and cost the war cannot be allowed to continue for long. Its penalties upon us all are much too great." (De Pauw, p. 2.) Mr. Bundy says that he no longer thinks we can have both unlimited expenditures for butter and guns, and the time has come for more stress on butter. And lest he be understood as a sudden convert to matters of principle Mr. Bundy made plain that his change of position on Vietnam was a pure matter of expediency: "I remind you also, if you stand on the other side, that my argument against escalation and against an indefinite continuation of our present course has been based not on moral outrage or political hostility to the objectives, but rather on the simple and practical ground that escalation will not work and that continuation of our present course is unacceptable." There is not even a pretension of moral concern for the suffering of Vietnam brought on by the policies he advocated with such vigor a few years earlier, nor even any humility expressed with respect to the wrongheadedness of a policy that misjudged the basic character of conflict in Vietnam.

Even so ardent a liberal critic of Administration policy in Vietnam as Arthur M. Schlesinger, Jr., has written in March of 1969 that "The tragedy of Vietnam is the tragedy of the catastrophic overextension and misapplication of valid principles. The original insights of collective security and liberal evangelism were generous and wise." ["Vietnam and the End of the Age of Superpowers," *Harpers*, March 1969, pp. 41–49, 44.]

McGeorge Bundy and Arthur Schlesinger epitomize the liberal establishment in midcentury America. It is a pragmatic intelligence that does not allow its self-righteousness to fasten itself onto dogmas and rigid positions in the manner of Dean Rusk and Walt Rostow, but it is utterly numb when it comes to dealing with the senseless tragedy that we have inflicted on the Vietnamese and ourselves. It is numb to the suffering we have caused and it is blind to the realization that we are continuing to arm a government we imposed on South Vietnam for our purposes so that it can better fight against its own population in the name of self-determination.

We will learn nothing from the Vietnam war until we begin to listen directly to the Vietnamese victims of our policies. Eventually we may be able to listen to the leaders of the N.L.F. and discover that they are not demonic terrorists of a hardened Communist variety, but intelligent, dedicated Vietnamese patriots that want above all else to be given a chance, at last, to build a new and better Vietnamese society for their long-oppressed population and that they see some form of socialism as the best way to do this.

Perhaps Americans are ready to listen to those Vietnamese that have been caught in the middle during the war, have not joined up with the N.L.F., but have advocated some kind of peaceful settlement of the war. One of the most moving of these Vietnamese documents is a recently translated article of a student leader writing with the pen name Nguyen Van Minh, who supported the Buddhist Struggle Movement and has been in prison for several years. [*The Nation*, March 24, 1969, pp. 359–62.] Nguyen Van Minh estimates that as many as 95 percent of the people living in South Vietnam are enemies of the regime in the sense of favoring a negotiated compromise with the N.L.F. It is in this darkened light of overcrowded jails that we must hear the new Secretary of Defense, Melvin Laird, when he insists that our objective in South Vietnam is to secure self-determination for the people.

The future of America depends on coming to terms with who we are in light of what we have done and allowed to be done in our names in Vietnam. The argument about Vietnam does concern fundamentals, not tactics; if we are to rescue ourselves from militarism and racism, then it is the McGeorge Bundys and Arthur Schlesingers who must be driven from the main stage. We need principles, as well as tactics, to conduct our foreign policy in the nuclear age. It is time for America to stop fighting against the forces of revolutionary nationalism around the globe, it is time to abandon the cruel pretension that popular causes can be suppressed by the hardware and doctrines of counterinsurgency warfare, and it is time to redeem the future by acknowledging that what we have done in Vietnam has been not merely a mistake but a tragedy. It is a time for action, not mute acquiescence. We are further dishonored as individuals and as citizens of the United States each day that we allow the government to continue this war in Vietnam in our name.

COMMERCIAL CHURCH PROPERTIES VALUED AT $102.4 BILLION ESCAPE $2.2 BILLION IN TAXES ANNUALLY

HON. JOE L. EVINS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Monday, May 19, 1969

Mr. EVINS of Tennessee. Mr. Speaker, the Reader's Digest in a current article discloses some interesting facts and statistics with respect to church-operated businesses which enjoy tax-exempt status although their activities have no relationship to the religious function of churches.

This article discloses that the value of tax-exempt church real estate property has been valued at $102.4 billion and that this costs the American taxpayer $2.2 billion annually.

This article reports that church-operated businesses include motels, hotels, business properties, restaurants, radio stations, manufacturing and food processing plants, and racetracks, among other businesses—all of which operate with tax-free profits.

Because of the interest of my colleagues and the American people in this most important matter, I place in the RECORD herewith the article from the Reader's Digest entitled "Should Churches Be Allowed To Do Business Tax Free?"

The article follows:

SHOULD CHURCHES BE ALLOWED TO DO BUSINESS TAX-FREE?

(By O. K. Armstrong)

In 1952, three churches of Bloomington, Ill.—the First Baptist, the First Christian and the Second Presbyterian—bought the Biltmore Hotel in Dayton, Ohio, for $3,500,000, mostly on credit. They then leased back the hotel to a firm made up principally of the original owners. This firm operated it, paying the churches $250,000 annual rent. For the churches, this was tax-exempt income, and they used part of it to pay off the purchase.

This type of transaction is often called a "bootstrap sale" because in effect the business buys itself. The advantages? As tax expert H. Vernon Scott has pointed out in testimony before the House Ways and Means Committee: 1) The seller is able to ask a higher price for his business than he could get elsewhere, and so realizes a big profit—taxed at the low capital-gains rate. 2) The leasing corporation gets a high return on a small investment. 3) The church gets a profitable business—and the income, tax-free—with no risk and little if any investment. Everyone benefits except the government, which loses a source of tax revenue, and all citizen-taxpayers, who must take up the slack.

The whole procedure is entirely legal. It is a tax-avoidance plan for the business enterprise, which the church covers with the blanket of its own tax exemption. The Internal Revenue Code specifically permits churches—unlike other tax-exempt organizations such as orphanages, charitable foundations and hospitals—to engage in competitive, money-making businesses, unrelated to their religious purposes, without paying one cent of income tax. Further, churches are excused from filing any disclosure of properties or income of any kind.

Taking advantage of these provisions, numerous churches and religious orders have plunged into the world of business—by lease-back arrangements, by use of "feeder" corporations (set up to run a business and give all profits to the church), by direct ownership and operation of commercial ventures. They now own business blocks in every major city. They own apartments, restaurants, radio stations, manufacturing and food-processing plants, racetracks, even liquor stores. They produce plastics, textiles, dairy products, tires, trucks, fishing lures. And the profits are all tax-free.

BEHIND THE FAVORABLE DISCRIMINATION

According to the 1968 *Yearbook of American Churches*, there are about 240 religious bodies in the United States. They have a total

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membership of about 124 million—or 62 percent of all Americans. The members worship in some 330,000 sanctuaries, from cathedrals to small houses, and give an estimated $9 billion a year to these headquarters.

The First Amendment to the U.S. Constitution prohibits the government from passing laws "respecting an establishment of religion." And since the power to tax implies some power of control, traditionally houses of worship have never been taxed in America. Moreover, all 50 states and the District of Columbia specifically exempt from property taxation all sanctuaries and other facilities used for religious purposes.

However, property—whether real or personal—used by churches for competitive business enterprises has no constitutional basis for exemption from taxation. The laws which permit this favorable discrimination can be changed, and many responsible religious leaders, as well as many overburdened taxpayers, now urge that it be done.

Church business ventures generally fall into one or more of these three categories:

1. *Real Estate*. By analyzing the tax rolls in 14 U.S. cities and extrapolating from those figures, Dr. Martin A. Larson, author of the authoritative *Church Wealth and Business Income*, has estimated the value of tax-exempt church property in 1968 at $102.5 billion—up 26 percent in the last four years. Larson computes that this item alone, the tax exemption on real estate, cost U.S. taxpayers $2.2 billion last year!

In some states, church-owned businesses do pay a property tax; in others, they are exempt even from this assessment. Many churches have acquired large tracts of real estate. In 1939, a church purchased a 121-acre tract near New Britain, Conn., and after one body was buried in the tract, the land was classified as a cemetery, which reduced its taxes. In 27 years, the land appreciated in value many times over. All but ten acres of it was then sold to the city, at a high profit to the church—completely exempt from capital-gains taxes.

In downtown Chicago stands the 22-story Chicago Temple, owned by the Methodist Church. Several lower floors are used for worship and church-related purposes; the other floors are rented for commercial use. The Methodist Church pays a property tax on the commercial portion of the building—but no federal income tax on the rent receipts of $250,000 a year.

Many church-related colleges have state charters stipulating that their properties shall remain forever tax-free. William Jewell College, for example, a Baptist-related school at Liberty, Mo., owns business realty in many Missouri communities—all tax-exempt.

Hundreds of such investments are speeding the erosion of the tax base in communities across the country, at a time when the revenue need for schools and other essential public services has become acute. "If the trend is not checked, we may expect half or more of all property to be tax-exempt within 25 years—and more than half of that will belong to churches," says C. Stanley Lowell, associate director of Americans United for Separation of Church & State.

2. *Profit-Making Enterprises*. Each year, churches acquire millions of dollars' worth of property through gifts and bequests: securities, real estate, thriving businesses. Their tax-exemption advantage makes it tempting for the church to retain and operate the business enterprises. In addition, churches sometimes invest directly in secular businesses.

The Cathedral of Tomorrow, an independent church in Akron, Ohio, owns a shopping center, an electronics company, a plactics and wire plant, an apartment complex, and a girdle factory. A trappist monastery in Kentucky sells fruitcake, cheese, Canadian bacon and beef-sausage sticks by mail. A church organization owns two major garbage dumps outside Chicago, and leases them to a refuse collector.

Christ's Church of the Golden Rule, near Willits, Calif., purchased a luxurious ranch—once the home of Seabiscuit and other famous race horses. The church members (some 125 in number) live there while operating it as a business. They also own and operate a $500,000 motel and several other enterprises, all exempt from federal taxation.

Printing of publications for Evangelical United Brethren churches (recently merged into the United Methodist Church) used to require most of the space of a four-story building in Dayton, Ohio. When improved printing methods made much of that space redundant, the denominational officials obtained contracts to print a brand of trading stamps.

The money involved in these business operations can be considerable. In Washington, D.C., Watergate, a new $70-million high-rise luxury apartment complex beside the Potomac River, was financed by an Italy-based real-estate company in which the Vatican is said to have controlling interest. Profits accruing to the church in this venture are exempt from federal taxes.

There are now some 2200 tax-exempt nursing and retirement homes in operation. Where these are operated for the welfare of needy patrons, on a non-profit basis, they are properly tax-exempt. But increasing numbers of churches are using their tax-exempt status to turn them into money-making enterprises. In some cases, entry fees may run as high as $50,000, plus monthly charges of several hundred dollars, and the church may amortize the entire facility within five or six years.

For federal and state governments, church-owned and church-operated businesses represent a large loss of revenue—the taxes that would be collected if the enterprises were run by competitive private industry. It is impossible to calculate the loss exactly, but responsible estimates put it at $6.5 billion a year.

3. *Lease-Back Operations*. The lease-back device, exemplified by the Dayton Biltmore Hotel deal, is one of the fastest-growing ways for churches and other tax-exempt institutions to make money. An item in the Prentice-Hall *Executive Tax Report reads*: "Have you put a price on your business? You may be able to double it—by selling to a charity." And an ad in *The Wall Street Journal:* "Highly respected charitable fund (non-profit) will purchase closely held companies with minimum pre-tax profit of $250,000. Financial and other benefits very rewarding."

Any church organization, however small, can make use of this tax advantage. For example, an enterprising executive of White Plains, N.Y., together with two ministers, organized the "Stratford Retreat House," which assumed churchly functions. According to the literature of the Retreat House, its managers purchased, as a church, on lease-back arrangements. several businesses, principally electronics firms.

Yet, the U.S. Supreme Court has refused to close this loophole in the tax laws, and Congress has rejected legislation that would eliminate it.

VOICES FOR REFORM

Some churches justify their involvement in unrelated businesses on the ground that all profits are fed back into church work, religious programs and good causes. But most religious leaders now seem to take a different view. They would advocate keeping the tax exemption on *passive* income—as from stocks, bonds, interest and rents. But they would eliminate tax exemption where a church *actively* engages in business projects for profit.

"Our churches are morally bound to take the lead to eliminate operations that force unfair competition upon private, tax-paying industry," says the Rev. Clyde W. Taylor, general director of the National Association of Evangelicals, comprising 40 denominations.

"Earnings from businesses that have no direct connection with the religious purpose of the church should pay income taxes, regardless of how that income is used," agreed a conference sponsored by the Baptist Joint Committee on Public Affairs.

A 1966 study document of the National Council of Churches, which represents about half of the Protestant church membership in the United States, concluded: "Existing tax exemptions for unrelated business income of a church or church-related service agency should be discontinued."

Similar recommendations have been made by the bishops of the Protestant Episcopal Church, by the United Presbyterian Church, the Methodist Church, and the Central Conference of American Rabbis. The *Washington Newsletter*, publication of the National Council of Catholic Men, in May 1967 declared: "To require churches to pay taxes on their corporate profits would remove the undemocratic advantage they now enjoy in competing with corporations and small business."

Thus, there is a clear mandate for reform. Congress, with the cooperation of church leaders of all creeds, should take action on this matter at the earliest possible moment.

U.S. DEPARTMENT OF AGRICULTURE STUDY DISCUSSION GROUPS

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 19, 1969

Mr. RARICK. Mr. Speaker, annually the U.S. Department of Agriculture provides a graduate school, open to qualified employees of the Federal Government, to provide needed educational opportunities for Federal employees.

According to the billing the six meetings, July 7 through August 15 of this year, are called study-discussion groups and include such subjects as Swahili, American protest literature, racial conflict in the United States, and changing human behavior.

Many of the taxpayers who wonder what is going on in their National Government may question this educational expenditure as irrelevant.

Mr. Speaker, so our colleagues may see the study discussion group schedule, I insert the statement of purpose of the graduate school and the schedule of classes in the RECORD:

[From the 1969 summer catalog of the Department of Agriculture Graduate School]

STUDY-DISCUSSION GROUPS FOR FEDERAL SUMMER EMPLOYEES AND OTHER YOUNG ADULTS

Purpose of the school: The objective of the Graduate School of the United States Department of Agriculture has always been to improve the federal service by providing needed educational opportunities for federal employees. The Graduate School has six main programs: Resident evening, special, correspondence, international, public lectures, and the press. Graduate study is a primary interest of the school, but it also offers a large number of undergraduate as well as non-credit courses. All courses are open to qualified employees of the federal government and to other qualified persons as facilities permit.

SCHEDULE OF CLASSES

Registration, June 30–July 3; classes begin July 7.

NUMBER, COURSE TITLE, CREDIT, INSTRUCTOR, DAY, TIME, AND FEE

1–5: Rocks and Fossils (non-credit), Russell C. McGregor, Bureau of the Budget, W 6:10–8, $15. (Principal rock types and fossils of Central Atlantic Region. Three field trips.)

2–95: Improving Reading Ability (non-credit), Dee W. Henderson, Graduate School, USDA, Tu 6:10–8, $15. (Skills to improve reading.)

2–26: American Protest Literature (non-credit), Eleanor W. Traylor, Montgomery Community College, Tu 6:10–8, $15. (Study of selected essays, stories, and one novel.)

2–27: Significant Books of Twentieth Century (non-credit), M. Clare Ruppert, Trinity College, W 6:10–8, $15. (Greek biography and drama.)

2–32: Swahili (non-credit), Milan G. P. de Lany, Voice of America, Tu 6:10–8, $15. (Introduction to elementary Swahili.)

3–6: Preparatory Mathematics for Introductory Statistics (non-credit), William E. Kibler, Statistical Reporting Service, USDA, Tu 6:10–8, $15. (Basic review of numeric operations and algebraic manipulation.)

4–9: Basic Concepts of Data Processing (non-credit), Robert E. Nicholson, National Security Agency, W 6:10–8, $15. (Elements of data, components of machine system, and history of data processing.)

6–27: War Against Poverty USA (non-credit), Andrew S. Adams, Office of Economic Opportunity, W 6:10–8, $15. (Federal anti-poverty programs.)

6–40: Urban Systems (noncredit), Peter W. House, Washington Center for Metropolitan Studies (Coordinator), W 6:10–8, $15, (Operation of an urban gaming model—City I or City II—in which an urban area's physical development, economic base, fiscal policy, political life, public administration, and systems operation are examined.)

6–38: Civil Rights—Problems and Solutions (non-credit), Robert J. Coates, Department of Transportation, Tu 6:10-8, $15. (To develop understanding of problems facing minority groups in our society.)

6–36: Governing Science and Technology, (non-credit), Warren H. Donnelly, Legislative Reference Service, M 6:10-8, $15. (Review of substance and formation of science policy by Executive and Legislative branches.)

7–11: Public Policy and·Environmental Pollution, (non-credit), Leon G. Billings, Subcommittee on Air and Water Pollution, Senate Committee on Public Works, Tu 6:10-8, $15. (Examination of impact of air, water, and residue of human consumption on man and society.)

7–12: Conditions of Personality Growth, (non-credit), Eugene Stammeyer, St. Elizabeth's Hospital, Tu 6:10–8, $15. (Aspects of society that contribute to emotional integration.)

7–13: Changing Human Behavior, (non-credit), Joseph J. McPherson, Office of Education, Tu 6:10–8, $15. (Basic principles involved in changing human behavior.)

7–14: Your Mind: Key to Success in Government (non-credit), James M. Keys, Department of the Interior, M 6: 10–8, $15. (Traditional Aristotelian logic as valuable tool in everyday work situations, even in computerized world.)

7–16: Racial Conflict in United States (non-credit), Stuart Wright, National Institutes of Health, M 6:10–8, $15. (To review problems of Negro-white conflict and to help the student develop his own working philosophy of race relations.)

7–17: Introduction to Modern China, (non-credit), Joseph J. Simon, Central Intelligence Agency, W 6: 10–8, 15. (Social background to modern China.)

7–20: World Politics (non-credit), Stuart H. Sweeney, Attorney, W 6:10–8, $15. (Basic problems of mankind relative to government.)

7–18: Youth and Change (non-credit), Logan H. Sallada, Office of Education, Th 6:10–8, $15. (Mobility of youth and desire to establish lines of communication and identification with forces of change.)

7–38: Early Childhood Education (non-credit), Earl S. Schaefer, National Institute of Mental Health, and Lois-Ellen Datta, Office of Economic Opportunity, W 6:10–8, $15. (Social, emotional, and cognitive development and infant and pre-school intervention.)

7–19: Great Decisions 1969 (non-credit), John B. Holden, Graduate School, USDA (Coordinator), M 6:10–8, $15. (Czechoslovakia, Soviet Union, and Eastern Europe; Africa, Asia, and development decade; Southeast Asia; Western Europe and United States; Castro's Cuba; Middle East tinder box.)

7–21: Critical Issues and Decisions (non-credit), Dee W. Henderson, Graduate School, USDA (Coordinator), Th 6:10–8, $15. (Man, society, and state; democracy, mass culture, excellence, and political dissent—Federal executives as leaders.)

8–16: Architecture of Washington, D.C. (non-credit), Donald E. Jackson, National Capital Planning Association, W 6:10–8, $15. (Architecture of unique Federal City, Walking trips.)

8–17: Pencil Sketching (non-credit), James V. Cupoli, Artist, F. 6:10–8, $15. (Sketching on Georgetown Canal.)

8–18: Art Appreciation (non-credit), Edward R. Brohel, Artist, Tu 6:10–8, $15. (Survey of main collections in Washington museums, Field trip.)

8–70: Popular Photography (non-credit), Norman L. McCullough, Research Analysis Corporation, Th 6:10–8, $15. (Nontechnical demonstration course.)

SENATE—*Tuesday, May 20, 1969*

The Senate met at 12 o'clock noon, and was called to order by the Vice President.

President Hugh B. Brown, first counselor in the first presidency, the Church of Jesus Christ of Latter-day Saints, Salt Lake City, Utah, offered the following prayer:

O God, the Eternal Father, in all of the vicissitudes of life, we are aware of Thy mercy and Thy love, and we acknowledge Thy sovereignty and omnipotence. As we pause in prayer, we thank Thee for the blessings of the past. We implore Thy forgiveness for the weaknesses to which we are prone. We pray for Thy guidance and direction in the future.

We pray that Thou wilt bless the great flag of America and the Constitution of the United States, under whose wise provisions we have our freedom. We pray that Thou wilt bless the President of the United States with wisdom, with health, and with inspiration, as he carries the heavy responsibilities of his great office.

Bless, also, all those who are engaged in Thy work in the governmental affairs of our Nation, in the executive, the legislative, and the judicial arms, that all may work together for the good and welfare of the people of our great country.

Grant us peace, O Lord, both at home and abroad, and be with us with Thy Holy Spirit as we separate and go about our various responsibilities this day and always.

In the name of Jesus Christ. Amen.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Friday, May 16, 1969, be dispensed with.

The VICE PRESIDENT. Without objection, it is so ordered.

REPORT OF BOARD OF ACTUARIES FOR THE RETIRED SERVICEMAN'S FAMILY PROTECTION PLAN—MESSAGE FROM THE PRESIDENT RECEIVED DURING ADJOURNMENT

The VICE PRESIDENT laid before the Senate the following message from the President of the United States received on May 19, 1969, under the authority of the order of the Senate of May 14, 1969, which was referred to the Committee on Armed Services:

To the Congress of the United States:

Pursuant to Section 1444(b), title 10, United States Code, transmitted herewith is the Fourteenth Annual Report of the Board of Actuaries for the Retired Serviceman's Family Protection Plan, covering the administration of the Plan for Calendar Year 1967.

The Plan, inaugurated in November 1953, provides that members of the uniformed services may elect reduced retired pay during their lifetime in order to provide survivor annuities for their widows and children. The basic principle underlying the Plan is that reductions in retired pay shall be computed by the actuarially-equivalent method using actuarial tables selected by the Board. Thus, the Plan is to be self-supporting, imposing no added cost to the Federal Government, beyond administrative costs.

RICHARD NIXON.

THE WHITE HOUSE, *May 19, 1969.*

MESSAGES FROM THE PRESIDENT RECEIVED DURING ADJOURNMENT

Under the authority of the order of the Senate of May 14, 1969, the Secretary of the Senate on May 19, 1969, received messages in writing from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations received on May 19, 1969, see the end of the proceedings of today, May 20, 1969.)

REPORT OF A COMMITTEE SUBMITTED DURING ADJOURNMENT

Under authority of the Senate of May 14, 1969, the following report of a committee was received on May 19, 1969.

By Mr. McINTYRE, from the Committee on Armed Services, without amendment:

H.R. 9328. An act to amend title 37, United States Code, to provide special pay to naval officers qualified in submarines, who have the current technical qualification for duty in connection with supervision, operation, and maintenance of naval nuclear propulsion plants, who agreed to remain in active submarine service for 1 period of 4 years beyond any other obligated active service, and for other purposes (Rept. No. 91–182).

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Leonard, one of his secretaries.

REPORT ON THE NATURAL GAS PIPELINE SAFETY ACT OF 1968—MESSAGE FROM THE PRESIDENT

The VICE PRESIDENT laid before the Senate a message from the President of the United States, which, without being read, will be referred to the appropriate committee, and will be printed in the RECORD.

The message from the President was referred to the Committee on Commerce, as follows:

To the Congress of the United States:

I am pleased to transmit the first Annual Report on the Natural Gas Pipeline Safety Act of 1968. This report covers the period from August 12, 1968, through December 31, 1968.

RICHARD NIXON.

THE WHITE HOUSE, *May 20, 1969.*

EXECUTIVE MESSAGES REFERRED

As in executive session,

The VICE PRESIDENT laid before the Senate sundry messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

LIMITATION ON STATEMENTS DURING THE TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that statements in relation to the transaction of routine morning business be limited to 3 minutes.

The VICE PRESIDENT. Without objection, it is so ordered.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate go into executive session to consider the nominations on the Executive Calendar, beginning with "New Reports."

There being no objection, the Senate proceeded to the consideration of executive business.

The VICE PRESIDENT. The nominations on the Executive Calendar will be stated, as requested by the Senator from Montana.

DEPARTMENT OF DEFENSE

The bill clerk read the nomination of Daniel Z. Henkin, of Maryland, to be an Assistant Secretary of Defense.

The VICE PRESIDENT. Without objection, the nomination is considered and confirmed.

U.S. ARMY

The bill clerk proceeded to read sundry nominations in the U.S. Army.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the nominations be considered en bloc.

The VICE PRESIDENT. Without objection, the nominations are considered and confirmed en bloc.

U.S. MINT AT PHILADELPHIA

The bill clerk read the nomination of Nicholas G. Theodore, of Pennsylvania, to be Superintendent of the Mint of the United States at Philadelphia.

The VICE PRESIDENT. Without objection, the nomination is considered and confirmed.

EXPORT-IMPORT BANK OF THE UNITED STATES

The bill clerk read the nomination of R. Alex McCullough, of South Carolina, to be a member of the Board of Directors of the Export-Import Bank of the United States.

The VICE PRESIDENT. Without objection, the nomination is considered and confirmed.

FEDERAL HOME LOAN BANK BOARD

The bill clerk read the nomination of Carl O. Kamp, Jr., of Missouri, to be a member of the Federal Home Loan Bank Board.

The VICE PRESIDENT. Without objection, the nomination is considered and confirmed.

UPPER GREAT LAKES REGIONAL COMMISSION

The bill clerk read the nomination of Alfred E. France, of Minnesota, to be Federal cochairman of the Upper Great Lakes Regional Commission.

The VICE PRESIDENT. Without objection, the nomination is considered and confirmed.

NOMINATIONS PLACED ON THE SECRETARY'S DESK, THE ARMY

The bill clerk proceeded to read sundry nominations in the Army which had been placed on the Secretary's desk.

The VICE PRESIDENT. Without objection, the nominations are considered and confirmed en bloc.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of these nominations.

The VICE PRESIDENT. Without objection, it is so ordered.

LEGISLATIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to, and the Senate resumed the consideration of legislative business.

COMMITTEE MEETINGS DURING SENATE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that all committees be authorized to meet during the session of the Senate today.

The VICE PRESIDENT. Without objection, it is so ordered.

THE CALENDAR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of measures on the calendar, beginning with Calendar No. 161 and the succeeding measures in sequence.

The VICE PRESIDENT. Without objection, it is so ordered.

COMPOSITION OF THE COMMISSION FOR EXTENSION OF THE U.S. CAPITOL

The bill (S. 1888) to change the composition of the Commission for Extension of the U.S. Capitol was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the paragraph entitled "Extension of the Capitol" under the heading "Capitol Buildings and Grounds" in the Legislative Appropriation Act, 1956 (69 Stat. 515), is amended by inserting after the words "the Speaker of the House of Representatives," and before the words "the minority leader of the Senate," the following: "the majority leader of the Senate, the majority leader of the House of Representatives,".

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 173), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

SUMMARY OF THE BILL

S. 1888 would increase the membership of the Commission for Extension of the U.S. Capitol from five to seven members by adding thereto the majority leader of the Senate and the majority leader of the House of Representatives.

GENERAL STATEMENT

The Legislative Appropriation Act of 1959 (69 Stat. 515) created the Commission for Extension of the U.S. Capitol and designated that it be composed of the President of the Senate, the Speaker of the House of Representatives, the Minority Leader of the Senate, the Minority Leader of the House of

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Representatives and the Architect of the Capitol. Under this composition, both parties in the U.S. Senate are represented on the Commission only when the President of the Senate is a member of the majority party. As the Commission stands today it has no member from the majority party of the Senate. By increasing the membership of the Commission from five to seven members and designating the two additional members as the Majority Leader of the Senate and the Majority Leader of the House of Representatives, the Commission for the Extension of the U.S. Capitol will always be composed of members from both the majority and minority parties of the Senate and the House of Representatives, regardless of which party elects the President of the Senate.

COMMITTEE VIEWS

The committee, in reporting S. 1888, recognizes the importance of having the Commission for Extension of the U.S. Capitol composed of members from both parties of the Senate and the House of Representatives and urges its enactment.

THE 100TH ANNIVERSARY OF WICHITA, KANS.

The bill (H.R. 8188) to provide for the striking of medals in commemoration of the 100th anniversary of the founding of the city of Wichita, Kans., was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 174), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

GENERAL STATEMENT

The bill authorizes the Secretary of the Treasury to strike and furnish to the Wichita Centennial, Inc., not more than 100,000 medals, in quantities of not less than 2,000, in commemoration of the 100th anniversary on July 21, 1970, of the founding of the city of Wichita, Kans. No medals shall be manufactured under the authority of this legislation after December 31, 1970.

The design of the medals, including emblems, devices, and inscriptions, shall be determined by the Wichita Centennial, Inc., subject to the approval of the Secretary of the Treasury. In addition, the bill provides that the Secretary shall make these medals available at not less than the estimated costs of manufacture, including labor, materials, dies, use of machinery, and overhead expenses. Security must be furnished satisfactory to the Secretary to indemnify the United States for full payment of all costs of the medals.

RICHARD VIGIL

The bill (S. 620) for the relief of Richard Vigil was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 620

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $10,000 to Richard Vigil, of Denver, Colorado, in full satisfaction of all claims of the said Richard Vigil against the United States for personal injuries suffered by him, including the loss of his right arm, when he accidentally exploded a projectile, property of the United States, found near the boundary of Camp Hale, a United States Army base located in Leadville, Colorado, the said Richard Vigil having been eleven years of age at the time such accident occurred: *Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 175), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

The purpose of the bill is to authorize and direct the Secretary of the Treasury to pay $10,000 to Richard Vigil, in satisfaction of his claims against the United States for personal injuries suffered by him, including the loss of his right arm, when he accidentally exploded a projectile, property of the United States, found near the boundary of Camp Hale, a U.S. Army base located in Leadville, Colo., said Richard Vigil having been 11 years old at the time of the accident.

STATEMENT

The Department of the Army does not object to the enactment of this legislation. Bills were introduced in the 89th and 90th Congresses for the relief of this claimant. The Department of the Army in its report on S. 3387 of the 89th Congress relates the following:

Records of the Department of the Army reveal that on April 5, 1945, Anthony Vigil, a 13-year-old brother of Richard Vigil, while fishing in Turkey Creek at a point one-quarter of a mile outside the boundary of Camp Hale, Colo., found a live 37-millimeter high-explosive projectile on the stream bank. He did not know what it was but carried it home and his father concluded it was a surveyor's marker and directed Anthony to return it to the place where it had been found. Anthony said that he would do so, and placed the projectile on the outside sill of the kitchen window. The following morning, April 6, 1945, at about 8:30 a.m., Richard Vigil, the 11-year-old brother of Anthony, noticed the projectile in the window sill and took it with him as he left for school, intending to show it to his teacher. While walking to school, he noticed an object frozen in the ice on a bridge and attempted to break it away by striking the ice with the point of the projectile. On the third blow it exploded, mangling Richard's right hand and forearm and inflicting a compound fracture of the tibia and severe lacerations of his left leg. He was removed to a civilian hospital where his right arm was amputated 4 inches below the elbow and his other injuries were treated. He remained in the hospital until April 14, 1945, and was confined to bed at his home for an additional 2 weeks.

On October 1, 1945, Ginio Vigil, the father of Richard, filed a claim with the U.S. Army for medical, hospital expenses, and for property damage to Richard's clothing. The claim was approved in the amount of $193.25 on the basis that the father's temporary custody of the projectile did not constitute wrongful or negligent intervention and that the damages arose out of injuries incident to noncombat activities of the Army and were cognizable within the meaning of the act of July 3, 1943 (57 Stat. 372). This act limited settlements to $500 in time of peace and $1,000 in time of war, for property damage and reasonable medical and hospital expenses, and was the only remedy available for his personal injuries at the time of this accident. There is no direct evidence as to how the projectile reached the place where it was found on the bank of Turkey Creek which drains a part of Camp Hale. Fragments from the exploded projectile were identified by ordnance officer as being part of a 37-millimeter projectile. Such ammunition had been used in firing practice at Camp Hale during the period from September 1, 1943, to April 30, 1944. No contributory negligence can be attributed to the boys or to the father because of their inability to identify the ammunition. There is nothing in the record to suggest that they knew or should have known that the object was a projectile containing an explosive charge and dangerous.

The present bill had been introduced to grant relief in the amount of $10,000 to Mr. Richard Vigil, now an adult, for his disabling injuries and the amount is not deemed excessive by this Department on the basis of a review of decisions involving personal injuries decided by the Supreme Court of Colorado, the State in which this incident arose. One of the decisions held a verdict of the district court not to be excessive which awarded damages of $11,000 to the plaintiff for injuries to his arm of a permanent nature (*McCarthy* v. *Eddings,* 109 Colo., 526, 127 P. 2d 883 (1942)).

The Department of the Army is without statutory authority to compensate Mr. Vigil for his permanent injuries but is not opposed to an ex gratia award in his case. This Department did not oppose similar bills which were enacted as Private Law 86-285 and Private Law 88-258. Under the facts and applicable law in this case, there is no liability on the part of the Government, but the Department of the Army is aware of the compassionate relief granted by Congress in similar cases and would not, therefore, oppose the bill.

The committee after a study of the foregoing, concurs in the recommendations of the Department of the Army and recommends that the bill S. 620, be considered favorably.

MARIA PRESCILLA CARAMANZANA

The bill (H.R. 2948) for the relief of Maria Prescilla Caramanzana was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 176), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill is to grant first preference status to the adopted daughter of a citizen of the United States, which is the status enjoyed by the natural-born alien sons and daughters of U.S. citizens.

MARIA BALLUARDO FRASCA

The bill (H.R. 3464) for the relief of Maria Balluardo Frasca was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 177), explaining the purposes of the bill.

There being no objection, the excerpt

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was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill is to facilitate the admission into the United States in an immediate relative status of the alien child adopted by citizens of the United States.

MRS. IRENE G. QUEJA

The Senate proceeded to consider the bill (S. 564) for the relief of Mrs. Irene G. Queja, which had been reported from the Committee on the Judiciary, with an amendment to strike out all after the enacting clause and insert:

That, in the administration of the Immigration and Nationality Act, Mrs. Irene G. Queja shall be held and considered to be within the purview of section 203(a)(2) of that Act and the provisions of section 204 of the said Act shall not be applicable in this case.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 178), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill, as amended, is to preserve second preference status in behalf of the widow of a lawful permanent resident of the United States. The bill as introduced would have granted the beneficiary permanent residence in the United States. However, the committee feels that the appropriate relief would be to preserve the status to which she would have been entitled were it not for the death of her husband.

Mr. MANSFIELD. Mr. President, that concludes the call of the calendar.

MILITARY OPERATIONS IN VIETNAM

Mr. KENNEDY. Mr. President, after the cessation of bombing last November, the President issued an order to the field that American military forces were to maintain a constant and steady pressure upon the enemy. As a result, the levels of combat and casualties did not remain the same, but actually increased. The number of U.S. offensive actions making contact with the enemy grew significantly; the total number of U.S. battalion-size operations was raised; the amount of bomb tonnage dropped in the South rose to a total greater than the amount of bomb tonnage previously dropped on the North and South. In effect, the President's order of last November to maintain steady and constant pressure not only has been carried out by our military commanders in the field, but also, it has been carried out to the letter and then some.

In his April 18 press conference, President Nixon reaffirmed President Johnson's earlier directive by stating that he has not ordered, nor did he intend to order, any reduction of our activity in Vietnam. He explained that this was in the interest of maintaining the strength of our bargaining position in Paris.

I am compelled to speak on this question today, for I believe that the level of our military activity in Vietnam runs opposite to our stated intentions and goals in Paris. But, more important, I feel it is both senseless and irresponsible to continue to send our young men to their deaths to capture hills and positions that have no relation to ending this conflict.

President Nixon has told us, without question, that we seek no military victory, that we seek only peace. How then can we justify sending our boys against a hill a dozen times or more, until soldiers themselves question the madness of the action? The assault on "Hamburger Hill" is only symptomatic of a mentality and a policy that requires immediate attention. American boys are too valuable to be sacrificed for a false sense of military pride.

I was most disappointed that the President did not ask for a significant decrease in military operations and personnel in his speech of May 14. I would ask him now to issue new orders to the field—orders that would spare American lives and perhaps advance the cause of peace.

THE SAFEGUARD ANTI-BALLISTIC-MISSILE SYSTEM

Mr. SCOTT. Mr. President, I ask unanimous consent to have printed in the RECORD a resolution recently prepared by Dr. George Fox Mott, commander of National Defense Post No. 46 of the District of Columbia American Legion, for presentation to all commanders of the Department of the District of Columbia. This resolution was unanimously approved by members of National Defense Post No. 46 at its luncheon meeting Thursday, March 15, 1969. It will be presented to the department commanders on Thursday evening, May 22, 1969.

I believe that this resolution fairly presents the arguments in favor of President Nixon's proposal for a Safeguard anti-ballistic-missile system.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

RESOLUTION IN SUPPORT OF THE SAFEGUARD ANTI-BALLISTIC-MISSILE SYSTEM

Whereas the continuing consensus of The American Legion, frequently expressed at its national and department conventions, has been to maintain the essential security of the Nation against any internal or external segment of society seeking, under any pretext or for any reason, to compromise or adversely affect the Nation's defense readiness; and

Whereas The American Legion, now in its Fiftieth Anniversary Year, has always been democratically representative of every social, cultural, and occupational category of American life, without partisan, racial, religious or status prejudice of any kind; and

Whereas, all members have not only served their Nation in one or another of the military services in time of national need as determined by the elected leadership of the country, but also have rededicated themselves as Legionnaires to maintaining the clear welfare and security of the Nation; and

Whereas it has become increasingly evident that American lives and the very existence of the Nation will be continuously in jeopardy if the Congress fails to concur with, and approve and fully implement by all necessary action and support, the exceedingly modest and minimum security recommendations of the President of the United States as to the Safeguard anti-ballistic missile system; and

Whereas, this position of the American Legion has been taken only after its leadership has given tempered consideration and appropriate weight to all the evidence, including, among other, that:

(1) The USSR now exceeds the United States in ICBM megatonnage capability for a first-strike possibility, with its continuing deevlopment of the SS–9 megaton warhead designed to knock out U.S. Minuteman ICBM retaliatory missiles; and that

(2) The USSR is known to have deployed a considerable number of ABM's for defense of its own ICBM's and other military installations, and thus has a strategic advantage which is a compelling danger to the security of the United States; and that

(3) The USSR is continuing to increase the size of their submarine-launched ballistic missile force; and that

(4) A re-evaluation of evidence reported in 1967 indicates that the Soviet Union is already well on its way toward its goal of strategic superiority designed to *win* a nuclear war rather than merely *deter* one; and that

(5) Parity between the United States and Soviet Russia has come and gone with the USSR's effort to achieve nuclear superiority: Now, therefore, be it

Resolved by the District of Columbia Department of the American Legion, on this 22nd day of May, 1969,

1. That, in furtherance of the American Legion's national position and as an extension thereof, the D.C. Department supports and commends, as being in the national interest, the decision of the President of the United States to deploy as rapidly as possible the Safeguard Anti-Ballistic Missile System, and urges immediate approval by the Congress of the necessary funds to implement this essential defense measure, and

2. That the position of the American Legion be broadly disseminated through its various Departments as well as its National Headquarters, in order to encourage individual citizen and Legionnaire action to make every member of Congress keenly aware of the American Legion's support of the President's decision to deploy the Safeguard Anti-Ballistic Missile System; and, be it further

Resolved, That a copy of this Resolution be sent to the President of the United States; the Executive Secretary of the National Security Council; the Secretary of Defense; each of the Service Secretaries; the Joint Chiefs of Staff; each member of the House and Senate Armed Services Committees; each member of the Senate Foreign Relations Committee; each member of the House Foreign Affairs Committee; and each member of the House and Senate Appropriations Committees; as well as to all members of both Houses of Congress not on those Committees, who are still in their first terms as members of the Congress.

THE PROPOSED MEETING OF PRESIDENT NIXON AND PRESIDENT THIEU

Mr. SCOTT. Mr. President, I welcome the news that President Nixon will meet with President Thieu of South Vietnam at Midway Island on June 8, at that time to continue the close cooperation between the Government of the United States and the Government of Vietnam, in order to pursue our common objective for a peaceful solution of this war. I am sure that close cooperation between the two Governments has never been as effective or as well effected as at present, and that this is itself a tremendous advance in making progress toward peace.

I believe that this meeting is desirable at this time. I believe there is real hope for the solution of our many problems. I believe that Hanoi is reflecting this in its own way and to a certain degree.

I shall not try to second-guess the President on the conduct of the war because I truly believe that no man is more dedicated to ending the war than he is.

I further am convinced that what we are doing both in the military and in the diplomatic spheres are designed to end the casualties as soon as possible. I recall, and we all do, the story of the Battle of Gettysburg, the fight for the capture of Little Roundtop—which was only a hill, only a little hill—and we all remember Cemetery Ridge, and other little hills in my Commonwealth of Pennsylvania. If those hills had not been fought for with the blood of American soldiers, then the entire outcome of that war might have been different.

Therefore, I do not know whether, when Americans are ordered to take a hill and hold it, it is a military judgment of the highest worth or not. I only know that unless we continue to have our confidence in the military and in the political and diplomatic spheres, we are not ourselves advancing in the best way the cause of peace.

Mr. President, in the words of one who recorded that struggle for a little hill at Gettysburg:

> God lives!
> He forged the iron will
> That clutched, and held
> That trembling hill.

Mr. KENNEDY. Mr. President, will the Senator yield?

Mr. SCOTT. I am glad to yield to the Senator from Massachusetts.

Mr. KENNEDY. Does the Senator see any distinction between the battles for hills that our troops fought for at the time of the Revolution and during World War I and World II, and their importance in achieving our total national objective of military victory, and the objective as stated by the President in a recent speech in which he indicated that a military solution is not the objective of our national policy at the present time?

I am wondering if the Senator would distinguish between the significance and importance of achieving military victories and the capture of certain hills in connection therewith, and what now is the present administration's stated policy, which is to expedite peace.

Mr. SCOTT. Mr. President, my reaction is that it is not for me to judge the military decisions being made, but it is for me to conclude that unless we protect our forces in the field we might as well accept a total defeat and a complete withdrawal with the much greater casualties that that would entail, as any person in the military would agree. It would lead also to the massacre of hundreds of thousands of South Vietnamese. Therefore, I am not contending for a hill, but I say if our military are told to contend for a hill it is a part of the strategy which is essential to maintaining the military posture while we talk for peace.

I will add that I do not accept the Communist "talk-fight" strategy and I believe there will come a time when we will have to react accordingly. We cannot afford to permit the war to continue and to talk while casualties grow. But until that time comes, in the judgment of the President, it would be better if all of us did not try to second guess whether taking a hill is essential or not, because we are not there.

Mr. KENNEDY. Mr. President, I wish to make a further observation. The frustration reflected in my previous remarks is felt because I thought we were looking for new kinds of initiatives, and new kinds of efforts. But with the explanation the Senator from Pennsylvania has given, it would appear that we are resorting to the old kinds of approaches, which I find most disheartening and disappointing.

Mr. SCOTT. Mr. President, I reject totally any conclusion that we are not using new kinds of initiatives. Wars continue to be fought by soldiers, and wars continue to be fought in the military pattern, but within the military and diplomatic pattern, the President—and I speak with some knowledge—is definitely pursuing certain new initiatives designed to end the war. Therefore, it would not be correct to say we are not taking new initiatives and seeking new imaginative procedures and not making progress, because I suggest we are.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks informed the Senate that pursuant to the provisions of section 1, Public Law 86–42, the Speaker had appointed as a member of the U.S. delegation of the Canada-United States Interparliamentary Group the gentleman from Maine, Mr. KYROS vice Mr. SLACK.

The message announced that the House insisted upon its amendment to the bill (S. 1011) to authorize appropriations for the saline water conversion program for fiscal year 1970, and for other purposes, disagreed to by the Senate, agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. ASPINALL, Mr. JOHNSON of California, Mr. HALEY, Mr. SAYLOR, and Mr. HOSMER were appointed managers on the part of the House at the conference.

The message also announced that the House had passed the bill (S. 278) to consent to the New Hampshire-Vermont Interstate School Compact, with an amendment, in which it requested the concurrence of the Senate.

The message further announced that the House had passed the bill (S. 408) to modify eligibility requirements governing the grant of assistance in acquiring specially adapted housing to include loss or loss of use of a lower extremity and other service-connected neurological or orthopedic disability which impairs locomotion to the extent that a wheelchair is regularly required, with amendments, in which it requested the concurrence of the Senate.

The message also announced that the House had passed, without amendment, the joint resolution (S.J. Res. 104) to authorize the President to reappoint as chairman of the Joint Chiefs of Staff, for an additional term of 1 year, the officer serving in that position on April 1, 1969.

The message further announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H.R. 3667. An act to amend sections 312, 320(a), and 321(e) of the Immigration and Nationality Act;

H.R. 6790. An act to authorize an increase in the number of Marine Corps Reserve officers who may serve in an active status in the combined grades of brigadier and major general;

H.R. 6808. An act to amend section 1781 of title 38, United States Code, to eliminate the prohibition against receipt of certain Federal educational assistance benefits, and for other purposes;

H.R. 8018. An act to amend section 1072(2) of title 10, United States Code, to include a foster child within the definition of dependent;

H.R. 8020. An act to amend title 37, United States Code, to provide entitlement to round trip transportation to the home port for a member of the naval service on permanent duty aboard a ship overhauling away from home port whose dependents are residing at the home port; and

H.R. 9233. An act to amend title 5, United States Code, to promote the efficient and effective use of the revolving fund of the Civil Service Commission in connection with certain functions of the Commission, and for other purposes.

The message also announced that the House had agreed to a concurrent resolution (H. Con. Res. 207) honoring General of the Army Omar N. Bradley, in which it requested the concurrence of the Senate.

ENROLLED BILL SIGNED

The message further announced that the Speaker had affixed his signature to the enrolled bill (H.R. 6269) to provide for the striking of medals in commemoration of the 300th anniversary of the founding of South Carolina, and it was signed by the Vice President.

HOUSE BILLS REFERRED

The following bills were severally read twice by their titles and referred, as indicated:

H.R. 3667. An act to amend sections 3122, 320(a), and 321(a) of the Immigration and Nationality Act; to the Committee on the Judiciary.

H.R. 6790. An act to authorize an increase in the number of Marine Corps Reserve officers who may serve in an active status in the combined grades of brigadier and major general;

H.R. 8018. An act to amend section 1072 (2) of title 10, United States Code, to include a foster child within the definition of dependent; and

H.R. 8020. An act to amend title 37, United States Code, to provide entitlement to round trip transportation to the home port for a member of the naval service on permanent duty aboard a ship overhauling away from

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home port whose dependents are residing at the home port; to the Committee on Armed Services.

H.R. 6808. An act to amend section 1781 of title 38, United States Code, to eliminate the prohibition against receipt of certain Federal educational assistance benefits, and for other purposes; to the Committee on Labor and Public Welfare.

H.R. 9233. An act to amend title 5, United States Code, to promote the efficient and effective use of the revolving fund of the Civil Service Commission in connection with certain functions of the Commission, and for other purposes; to the Committee on Post Office and Civil Service.

HOUSE CONCURRENT RESOLUTION REFERRED

The concurrent resolution (H. Con. Res. 207) honoring General of the Army Omar N. Bradley, was referred to the Committee on Armed Services.

STEWART O. H. JONES AS U.S. ATTORNEY FOR THE DISTRICT OF CONNECTICUT

Mr. DODD. Mr. President, on May 16, the Senate confirmed the nomination of Mr. Stewart O. H. Jones, of Connecticut, to be U.S. attorney for the District of Connecticut for the term of 4 years.

Stewart Jones was a classmate of mine at Yale Law School. He is a good lawyer and will be a good U.S. attorney. I was pleased when President Nixon nominated him for the post and I am very proud that the Senate has given its advice and consent to his nomination.

JOHN DAVIS LODGE—AMBASSADOR-DESIGNATE TO ARGENTINA

Mr. DODD. Mr. President, this morning, the Ambassador-designate to Argentina, John Davis Lodge of Westport, Conn., appeared before the members of the Committee on Foreign Relations.

I have known Ambassador Lodge for many years, both as a public official and as a personal friend. His qualifications for this very important assignment are topnotch. Ambassador Lodge is a highly competent and very capable and respected diplomat.

He is a former Governor, a former Member of Congress, and former Ambassador to Spain. In all three positions, he performed his duties and responsibilities with remarkable success.

I believe that his nomination as Ambassador to Argentina was the best that President Nixon has made to date. I commend the President for his judgment, and this morning, I urged the members of this Committee on Foreign Relations to give their unanimous approval to his nomination.

It is my sincere wish that this nomination will soon be brought to the floor and that the Senate will give its advice and consent to the appointment of John Davis Lodge as our Ambassador to Argentina.

J. WILLIAM MIDDENDORF II TO BE AMBASSADOR TO THE KINGDOM OF THE NETHERLANDS

Mr. DODD. Mr. President, Mr. J. William Middendorf II, of Connecticut, who has been nominated by President Nixon to be the American Ambassador to the Kingdom of the Netherlands, appeared before the Committee on Foreign Relations this morning.

I have known Mr. Middendorf for some time and commend the President for choosing this very capable and dedicated man for this important post. Mr. Middendorf is a highly successful businessman who also devoted much of his time and his talents to civic affairs.

As our Ambassador to the Kingdom of the Netherlands, there is no doubt that he will perform his duties in a manner that will reflect great credit upon the United States.

Mr. President, I have no doubt that the Committee on Foreign Relations will render a favorable report on this nomination and that the Senate will give its advice and consent to Mr. Middendorf as the Ambassador to the Kingdom of the Netherlands.

ADDRESS BY SENATOR McCLELLAN BEFORE THE LAW ENFORCEMENT OFFICERS' RECOGNITION DINNER IN OMAHA, NEBR.

Mr. HOLLAND. Mr. President, on May 8, 1969, our distinguished colleague, the senior Senator from Arkansas, chairman of the Government Operations Committee and ranking member of the Judiciary Committee (Mr. McClellan) made a thoughtful and constructive speech in Omaha, Nebr., at the law enforcement officers recognition dinner sponsored by the American Citizens Forum, Inc.

Mr. President, I know of no one who has pursued a more relentless war on crime than has the senior Senator from Arkansas, and I know of no one more appropriate to address the law officers of this Nation than our most able colleague from Arkansas, a distinguished lawyer in his own right and who was prosecuting attorney of the seventh judicial district of Arkansas from 1926 to 1930.

Since coming to the Congress first in the House of Representatives and subsequently here in the Senate where he has served continuously since January 3, 1943, a period of over 26 years, he has distinguished himself as one of our most able and knowledgeable members in the field of criminal jurisprudence.

Mr. President, the eminent qualifications of the senior Senator from Arkansas compel one who is interested in the field of crime prevention and punishment—a field I believe we all are deeply concerned about—to pay heed to his words. I, therefore, ask unanimous consent, Mr. President, to have the speech of the senior Senator from Arkansas placed in the Record to enable our colleagues to be enlightened as have I by his excellent remarks.

There being no objection, the speech was ordered to be printed in the Record, as follows:

Remarks of Senator John L. McClellan, Law Enforcement Officers Recognition Dinner, Sponsored by American Citizens Forum, Inc., Omaha, Nebr., May 8, 1969

INTRODUCTORY REMARKS

Mr. Chairman, the war in Vietnam, rising inflation, and rapidly increasing crime were three major issues in last year's Presidential campaign. The views and the positions taken by the respective candidates on these vital issues—what they would do about them—as interpreted by the voters, were, no doubt, the decisive factors in the outcome of that election.

Therefore, ending the war, halting inflation, and controlling crime have become the chief goals of the Nixon Administration and the hope of the nation.

The President has given top priority to these three prime objectives—and, rightly so. For these paramount issues and their ramifications constitute the principal and growing burden of national concern. The compelling necessity and urgency for finding and applying correct solutions to these grave and pressing problems impose upon us a task of a scope and magnitude unparalleled in our generation.

Without minimizing in any way the tremendous costs in material resources and in human lives and suffering and without depreciating to any degree the potential consequences of the tragic war in Vietnam, I am convinced that the greatest threat—the more immediate danger—to our internal security and survival stems from the revolting lawlessness and revolutionary militancy that now afflict the social, political, and economic welfare of our nation.

More than 100 years ago, Abraham Lincoln said that if danger "ever reaches us, it must spring up among us. It cannot come from abroad. If destruction be our lot, we must ourselves be its author and finisher . . . as a nation of free men, we must live through all time or die by suicide." I think Lincoln's appraisal and prophesy were sound then and are quite applicable to conditions that prevail today.

Our country is in trouble. The preservation of the Republic and the perpetuation of our free society are endangered. Law and order and constituted authority are being persistently assaulted on many fronts by the insidious forces of crime and subversion.

Never since the Civil War have we experienced such dissension, turmoil, strife, and violence. During the past decade, an epidemic of crime has engulfed our nation and moved us far in the direction of chaos and anarchy. Crimes of violence are committed everywhere—in the streets and alleys, in our schools and churches, and in our marketplaces and homes. There is no longer any sanctuary or refuge to which one can retreat for safety or certainty of protection.

The number and frequency of murders, rapes, robberies, thefts, riots, arsons, and lootings have reached proportions which portent open rebellion against orderly society and the rule of law. Massive trespass, civil disobedience, and turbulent demonstrations and disorders are daringly advocated and resorted to for the redress of alleged grievances and for the imposition of inordinate and unlawful demands. Theats, intimidation, and blackmail are today instruments of common use to force the government, our public officials, and our free institutions to be subservient to the will and demands of the lawbreaker and the mob. The rash of campus disorders and violence that plagues our colleges and universities throughout the land today simply "accentuates the positive" and emphasizes a growing rebellion against traditional norms and constituted authority.

The lawbreaker—the habitual criminal—today enjoys greater privileges, immunities, and protections than ever before. The chances that he will be apprehended, convicted, and punished are less now than ever before. Only about one out of every 15 who commits a major crime is ultimately convicted and punished. And, too often, the punishment—the penalty imposed—is not at all commensurate with the gravity of the crime committed.

The scourge of lawlessness now being inflicted upon our nation is producing a crisis that cannot be endured. Projected at the present rate of increase, 16 percent annually, we find there will be more than 12 million

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major crimes reported in the year 1975—just six years from now—and over 20 million by 1980—11 years from now. I do not believe that our society can withstand such a vicious assault upon its structure, nor can our nation survive such a devastating blow to its sovereignty. We must remedy this condition before it is too late.

Public alarm over this mounting crime menace is prodding the Congress and the Executive Branch of the Government into legislative and administrative action to remedy this deplorable crime condition. I wish I could report that a comparable effort is being made at the highest level of the Judicial Branch of our Government—but, I cannot. For, in my judgment, the United States Supreme Court is making serious default in this area of its responsibility. Its decisions are hurting—not helping—law enforcement.

As you know, the last session of Congress passed the Omnibus Crime Control and Safe Streets Acts of 1968. This law, among other things, provides for the recruiting, training, and equipping of police forces and for a greatly expanded training program for state and local police officers at the National Academy of the Federal Bureau of Investigation.

It also creates a National Institute of Law Enforcement and Criminal Justice to begin a modern research and development venture which will put science and the laboratory to work in the detection of crime and the apprehension of criminals.

($63 million appropriated last year and another $296 million is expected to be appropriated this year to finance these programs.)

Other features of the Safe Streets Act, Titles II and III, provide law enforcement agencies with some new weapons and strong reinforcements. If Title II of the Act—which deals with arraignment and confessions and which modifies the famous *Mallory* and *Miranda* Court decisions—is interpreted, administered, and used as Congress intended, it will surely make the pursuit of crime more risky and less profitable and the apprehension, conviction, and punishment of the criminal much more probable. If correctly interpreted and applied, the provisions of this law will bring the scales of justice into better balance as between the rights of society to protection and safety and any rights that the accused may have to liberty and immunity.

Title III of the bill, authorizing the use of electronic surveillance and wire tapping under strict regulations and court supervision, provides another important and useful tool to law enforcement agencies. This evidence-gathering procedure has been represented by the Honorable Frank Hogan, District Attorney of New York County, as providing: "the single most valuable weapon in law enforcement's fight against organized crime."

Notwithstanding these two Titles of the Act were adopted overwhelmingly in the Senate by Roll Call votes and that the bill was finally enacted by a vote of 72 to 4 in the Senate and 368 to 17 in the House of Representatives, the Attorney General of the last Administration flouted the will of Congress and refused to make use of these constructive weapons. Fortunately and properly, the present Administration has announced that it will use these tools as the law provides and as Congress intended.

Already this year some 27 bills have been introduced in the Senate and referred to the Judiciary Subcommittee on Criminal Laws and Procedures. Some of them are Administration bills. Two of these measures which I introduced and which are co-sponsored by Senator Hruska, are intended primarily to aid in combating organized crime.

One of them, S. 30, would:

(1) Revamp the grand jury system;

(2) Authorize the granting of immunity to obtain testimony over objections of self-incrimination;

(3) Provide for civil contempt proceedings against recalcitrant witnesses;

(4) Eliminate outmoded evidentiary restrictions in false testimony prosecution;

(5) Authorize taking the depositions of witnesses who are in danger or threatened with reprisal, and extend physical protection to such witnesses; and

(6) Provide for increased punishment—up to 30 years—for habitual, professional, and organized crime offenders.

Today, before leaving Washington, I received a letter from Attorney General Mitchell commenting on this bill in which he says, among other things, that it is "vitally needed legislation."

The second bill that I introduced, S. 1816, would strike at the take-over or operation of legitimate businesses and other interprises by predatory criminal groups through such racketeering practices as threats of violence to life or property, or by the investment of "black money," so to speak, that is, money derived from the proceeds of trafficking in narcotics, illegal gambling, and other such syndicated crime activities. It would authorize fines, imprisonments, and forfeitures as well as civil remedies of divesture, dissolution, and injunction. This will provide the government with additional tools that it needs, both criminal and civil, to eradicate criminal influence in legitimate businesses and organizations. It would help drive the racketeers and gangsters out.

There are a number of other bills now pending before the Judiciary Committee which also have merit. Some of them, no doubt, will be enacted into law during this session of the Congress.

I believe that the Executive and Legislative Branches of the Government are now working in harmony and as a "team"—in a concerted and determined effort to strengthen law enforcement and to improve criminal justice. This is, indeed, very gratifying to me; for too often in the recent past, we have had to reject or disregard the views of the Justice Department in order to enact constructive legislation in this field.

However, as I have already indicated, there is another branch of the government whose cooperation is sorely needed if law enforcement and the protection of society are to be achieved and sustained.

Unhappily and tragically, a majority of the Supreme Court has chosen this decade of turbulence and unrest to weaken, rather than to strengthen, the agencies of social control and the forces of law and order. Instead of helping to stem the tide of permissiveness, civil disobedience, and lawlessness by adhering to and honoring long-established precedents and traditional interpretations of the Constitution, the Court has abandoned and repudiated many historic legal landmarks. It has created, largely out of whole cloth and inverse logic, a host of new "individual" rights for the accused. Some years ago, Mr. Justice Jackson, in a dissenting opinion, said:

"This Court has gone far toward accepting the doctrine that civil liberty means the removal of all restraints . . . and that all local attempts to maintain order are impairments of the liberties of the citizen. The choice is not between order and liberty. It is between liberty and order and anarchy without either. There is danger that, if the Court does not temper its doctrinaire logic with a little practical wisdom it will convert the constitutional Bill of Rights into a suicidal pact."

That warning of Justice Jackson some 20 years ago was sound, and the danger to which he referred is now upon us.

A review and a fair assessment of the Supreme Court's record in criminal cases for the last few years leads to the inescapable conclusion that it has become addicted to strained and illogical constructions and to the invoking of specious technicalities which have produced a rash of decisions that dispense unequal justice favoring the criminal and adverse to the rights of society. Many of these decisions have trampled and disparaged the valid rights of society while magnifying and exalting fictitious and exaggerated rights of the criminal.

Statistics dramatically portray the picture. Since 1960, the Supreme Court has reviewed 112 federal criminal cases and 144 state criminal cass in which it handed down written opinions. Out of these 112 federal convictions, 63—60 percent—were reversed; of the 144 state convictions, 113—80 percent—were reversed. Out of 21 habeas corpus petitions heard by the Court since 1960, 18—85 percent—were granted.

I cannot believe that our State Supreme Courts are so careless or incompetent or that our Federal and Circuit Judges are so incapable and prone to error as to warrant this overwhelming record of reversals by the Supreme Cout.

Since 1960, the Supreme Court, in the criminal justice area alone, has specifically overruled its previous decisions or rejected the reasoning of 25 of its own precedents—often by 5–4 margins. Seventeen of these decisions involved a change in Constitutional doctrine, seven represented a new interpretation of statutory language, and one may be classified as modifying the common law. As you know, these decisions have caused great frustrations and disarray in law enforcement.

Many examples could be cited, but one of the most flagrant, of course, is the famous 5–4 *Miranda* decision. In order to reach a reversal in the *Miranda* case, five members of the Court repudiated prior and traditional interpretations of the Constitution and overruled precedents that had been the law of the land since the founding of the Republic.

In 1886, in the case of *United States* vs. *Wilson;* in 1912, in the case of *United States* vs. *Powers;* and, again, as late as 1958, in the case of *Cicenia* vs. *Lagay,* the Supreme Court held that warnings such as those required in the *Miranda* decision were not a prerequisite for the admissibility of a voluntary confession. So, since 1896, 28 Justices of the Supreme Court have affirmatively held that the so-called *Miranda* warnings are not required by the Constitution—included among those Justices are such able jurists as Associate Justice Oliver Wendell Holmes, the first Associate Justice, John Marshall Harlan, and Chief Justice Charles Evans Hughes.

We have, I think, not only the right but the duty to ask and consider who is right—the five Justices who decided the *Miranda* case or the 28 who decided the three previous cases. There were no new facts or circumstances present in the *Miranda* case. The issue was the same; our Constitution is the same; and nothing really changed except that five members of the Court arrogated unto themselves the power to amend the Constitution.

Mr. Justice Harlan, in the case of *Berger* vs. *New York* decided in 1967, having in mind a number of recent Court decisions, declared that:

"Newly contrived constitutional rights have been established without any apparent concern for the empirical process that goes with legislative reform."

He further said that:

"The Court has more and more taken to itself sole responsibility for setting the pattern for criminal law enforcement throughout the country."

Since 1960, the United States Supreme Court has virtually revolutionized the way in which criminal justice must, in its view, be administered on both the federal and state levels.

There are those who contend that these reversal decisions are having no adverse impact on law enforcement and on the rising incidence of crime. Their contention is certainly repudiated by facts and statistics.

Our population in this country has increased 10 percent since 1960. Serious crime reported increased 89 percent in that same period. Operating under the new standards and requirements imposed by recent Supreme Court decisions, police clearance of serious

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crime has experienced a steady, across-the-board decline. The clearance for robbery, for example, has dropped 25.9 percent, and burglary has fallen 38.8 percent. Significantly, too, not guilty verdicts in robbery cases have increased 23 percent and in burglary 53 percent.

Our people are growing restless and becoming disillusioned. Public confidence in the Court is declining. It is now at an all-time low. A Gallup Poll last year reflected that 60 percent of the people disapprove of and are dissatisfied with the performance of the Supreme Court. A recent Harris Poll found that a majority of Americans attribute the breakdown in law and order to our courts.

Yes, the Congress, the Executive Branch of the Government, and law enforcement officials need the cooperation of the Supreme Court in this war on crime. It is quite obvious that President Nixon has—or will soon have—the opportunity to save not only the Supreme Court from the consequences of its own grievous errors but to save and preserve the nation as well by appointing new Justices to serve on the Court who will revere and construe the Federal Constitution as written and intended by our founding fathers. When this has been done, confidence and proper esteem for the highest Court in the land will be restored. The support, combined strength, and dedication of all law-abiding citizens are needed in this crucial fight against the internal forces of destruction. But, time is running out. We must use all the constitutional power and all legal weapons that can be made available to stem the tide of lawlessness that is sweeping our land. We must stop pampering agitators of violence and stop coddling criminals and condoning crime and strengthen our law enforcement machinery at all levels. We will never have safe streets and safe homes until we get the self confessed criminals and other felons off the streets and in the jails where they belong.

I am disturbed and deeply concerned, but I do not despair. For I cannot believe that a people who have attained greatness, who have built a mighty nation of unprecedented economic and military strength, and who have the genius to reach the moon and plumb the depths of the ocean have suddenly become impotent and powerless to defend and preserve their heritage and the greatness that they have achieved.

We have the ingenuity, the power, and the essential weapons with which to win the war against crime, but do we have the "will" to do it. Time, of course, will tell. But I have an abiding faith that will ultimately come through to a decisive victory.

COMMEMORATION OF THE 100TH ANNIVERSARY OF THE TERRITORY OF WYOMING AND THE 100TH ANNIVERSARY OF WOMEN'S SUFFRAGE

Mr. HANSEN. Mr. President, yesterday, May 19, 1969, marked the 100th anniversary of a memorable event in the history of the United States which was to have an unexpected impact on the history of this Nation and, indeed, of the world.

On May 19, 1869, the government of the newly-formed Territory of Wyoming was organized.

In 1867, the construction of the Union Pacific Railroad brought civilization to this part of the frontier of the Rocky Mountain west. A dozen new towns sprang up across what is now southern Wyoming as the railroad pressed toward the Pacific. Cities such as Cheyenne and Laramie appeared overnight.

Construction of the Union Pacific Railroad brought about the organization of the Territory of Wyoming. The new population centers along the railroad were not satisfied with being a part of the Dakota Territory, whose capital and centers of population were located far to the northeast. Pressure was building in Congress to form a new territory. In 1868, the time was right and the Congress carved the Territory of Wyoming out of a land area which had previously been included in the Dakota, Utah, and Idaho territories.

The centennial anniversary of the formal inauguration of the territorial government of Wyoming is occasion enough to rise in the Senate and pay tribute to the State of Wyoming. However, the government organized in Wyoming Territory 100 years ago undertook a daring experiment which has called the attention of the world to the State of Wyoming. In 1869, Wyoming Territory became the first government in the world to grant women equal voting rights.

Wyoming Territory led the way in adopting other equal rights for women. In addition to the Woman's Suffrage Act, the first territorial legislature adopted legislation establishing the right of married women to own and control property and to guarantee the enjoyment of the fruits of their labor, and to prohibit discrimination with regard to pay on account of sex in the employment of teachers. Susan B. Anthony, the great national advocate of woman's suffrage, said:

> Wyoming is the first place on God's green earth which could consistently claim to be the Land of the Free.

Legend has it that on the evening following the enactment of woman's suffrage legislation in Wyoming, the men of the territory congregated in the saloons of Cheyenne and proposed the following toast:

> To the lovely ladies of Wyoming—once our superiors—now our equals.

But the action taken by the young territory to give women equal rights was not an empty gesture. Two months after the woman's suffrage measure was adopted, Governor Campbell appointed Mrs. Esther Morris as the first woman justice of the peace in the Nation. Mrs. Morris, who had lobbied for woman's suffrage among the members of the territorial legislature, served in her post with distinction, and a statue of Esther Morris now represents Wyoming in Statuary Hall.

On July 10, 1890, Wyoming became the 44th State, and the first to grant women suffrage. The new State was promptly dubbed "the Equality State."

The election of 1924 resulted in another first for Wyoming in the field of women's rights. Nellie Tayloe Ross was elected the first woman Governor by a margin of more than 8,000 votes.

During Governor Ross' administration, the State of Wyoming adopted new coal mine safety regulations, a new banking code, and a child labor law. Governor Ross has been described by a Wyoming historian as "intelligent, tactful and gracious, a competent administrator, and an effective public speaker."

The administrative abilities of this outstanding woman were recognized by President Franklin Roosevelt. Governor Ross was appointed Director of the U.S. Mint in 1933, and served in that capacity for 20 years, throughout the Roosevelt and Truman administrations.

Yesterday, I had the privilege of hosting a luncheon in Governor Ross' honor in the Senate Dining Room, to mark the occasion of the 100th anniversary of the Territory of Wyoming and the 100th anniversary of woman's suffrage. At 90 years of age, this lady whose competent administration advanced the cause of women's rights everywhere, is as alert and charming as ever.

Today, Wyoming still enjoys the active participation of its women in the government of the State. Two of Wyoming's five elected State officials are women. Secretary of State Thyra Thomson holds the highest elective executive position of any woman in the Nation, and serves as acting Governor when the Governor is absent from the State. State Treasurer Minnie A. Mitchell has served in elective State office for over 16 years. The speaker of the Wyoming State House of Representatives, Miss Verda James, is the only woman speaker of the house in the Nation. State Senator Edness Kimball Wilkins served as majority leader of the State house of representatives before being elected to the State senate. Mrs. Wilkins was secretary to Nellie Tayloe Ross for 14 of the 20 years Governor Ross served as Director of the Mint. Mrs. June Boyle has served four terms in the State house of representatives. Mrs. Nancy Wallace is a member of the State legislature, proudly continuing the contribution her family, the Brimmers, have made to our State.

Wyoming is proud of the leadership it has provided in women's suffrage. The trail blazed by the Territory and State of Wyoming has been followed by the remainder of the States of the Union, and by many of the nations of the world. In 1920, a full 50 years after Wyoming's pioneering legislation, the United States adopted the 19th amendment to the Constitution, granting all the women of our Nation the right to vote. Today, the nations of the world are following suit.

The Members of this body are daily reminded of the wisdom of the action taken by Wyoming in 1869, as we reflect upon the outstanding accomplishments of the senior Senator from the State of Maine. Senator SMITH's brilliant career testifies to the great contribution which the women of this Nation can make to its progress and success. Senator SMITH's dedication to her work as a U.S. Senator sets a high standard for us all.

The 100th anniversary of the organization of the territorial government of Wyoming and the 100th anniversary of the adoption of the first women's suffrage legislation are proud occasions in the history of our Nation. It is an honor to represent the State of Wyoming, and to be able to call the attention of the Senate to these accomplishments of Wyoming over the past 100 years. I look forward to the future accomplishments of the great State of Wyoming.

In closing, Mr. President, I ask unanimous consent that the message I received from State Representative Nancy G. Wallace, in response to my invitation to join us for the luncheon yesterday honoring Mrs. Ross, be printed in the RECORD:

There being no objection, the message was ordered to be printed in the RECORD, as follows:

MESSAGE FROM STATE REPRESENTATIVE NANCY G. WALLACE

Very sorry that I cannot be with you on this propitious occasion marking the 100th Anniversary of Women's Suffrage. Having served in the 40th Legislature under the able leadership of Speaker Verda James made me once more cognizant of how fortunate I was to be born in the United States of America and in the great state of Wyoming, where women share with men equally the privileges of citizenship's rights and responsibilities. I trust Mrs. Nellie Tayloe Ross will be with you—as always, ably and graciously representing the women of Wyoming.

A CRITICAL SITUATION

Mr. HANSEN. Mr. President, the United States faces a critical domestic lamb marketing situation created by lamb meat imports from New Zealand and Australia.

This is a real emergency and one which must be dealt with in a meaningful way or else the whole industry stands in real jeopardy.

The exportations of lamb in the United States in recent months reveals that the American sheep producer is faced with a loss of $20 million in 1969.

Lamb imports during November and December of 1968 amounted to 5,739,000 pounds. That compares with a little more than 3 million pounds during the same period of time—in 1967. This represents an increase of more than 87 percent. The live lamb price in December of 1968 in Denver was $25.50 per hundredweight. Without the significant increase of imports the estimated Denver price should have been $27.50 per hundredweight.

With the average lamb sold in December 1968, weighing 106 pounds, the loss to the lamb feeder and producer was an astonishing $2.12 per head.

When we apply this per head loss to the total lamb slaughter of 853,000 in December, we find that the loss to the primary producer and feeder was more than $1.8 million.

The problem has not resolved itself during the first quarter of 1969. Lamb imports for that period amounted to 6.1 million pounds. For the same period in 1968, imports totaled only 3.4 million pounds. This indicated an increase in imports of 80 percent. As a matter of fact, for 1 month—March—imported lamb amounted to 4.4 million pounds for an incredible increase of 192 percent over the previous March.

There are strong indications that this situation will worsen with an expected reporting of some 8 million pounds of imports of lamb for April of 1969. This compared to April 1968, lamb imports of only 947,000 pounds.

Experts in the field tell me that spring lambs will sell for $2 under what they should be resulting in a loss to the American producer of some $800,000 in April. The wholesale price of old crop lambs has gone down $1 per week since the middle of April reflecting losses back to the producer and feeder. As one can readily see, the real cost to the American producer—as a result of March and April lamb imports—is reflected at a lower price on spring lambs and the effect that that situation will have on lambs sold the balance of the year. It appears that the loss will amount to some $20 million this year.

It is clearly apparent that some legislative action is necessary and I am pleased that Senator ROMAN HRUSKA, a member of the Senate Finance Committee which handles such legislation, is preparing a comprehensive import quota bill that will include not only beef and veal but lamb.

I am pleased to be a cosponsor of that legislation and hope that we may obtain action on it. The situation is critical for the lamb industry. I pledge my best efforts to see that they obtain the relief that is so important to them.

In this regard, Mr. Chairman, I ask unanimous consent that two recent press releases from the American Sheep Producers Council, Inc., 520 Railway Exchange Building, 909 17th Street, Denver, Colo., be included in the RECORD so that we can be aware of the significant impact lamb imports are having on the production and promotion of lamb in the United States in particular and on the entire U.S. sheep industry in general.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[Press release from the National Wool Growers Association, National Lamb Feeders Association, Denver, Colo., May 2, 1969]

U.S. SHEEP INDUSTRY TO ACT ON DELUGE OF LAMB IMPORTS

In an emergency session in Denver today, the presidents of the two largest sheep organizations expressed alarm at the steady rise in imports of lamb in recent months into the United States.

James L. Powell of Fort McKavett, Texas, president of the National Wool Growers Association, and Reed C. Culp of Salt Lake City, Utah, president of the National Lamb Feeders Association, said in a joint statement that there is extreme concern about the imports of lamb which have grown out of all proportion in the first three months of 1969.

During the first quarter of 1969 lamb imports were 180 percent of the same period in 1968, while during March of 1969 they were 292 percent of March 1968. In addition, lamb producers in the U.S. expect an increased supply of imported frozen lamb during April.

Powell and Culp said the increased imports of lamb, which is not protected under any import quota law at present, have been reflected in weakening of domestic lamb prices at wholesale during the last three weeks.

Some of the important processors of lamb, as well as labor unions, have also expressed concern over the rising lamb imports.

Powell said the NWGA also objects strenuously to any attempt to cut tariffs on imported raw wool. "We are absolutely opposed to any cut in tariff because of the difference in cost of production between the United States and exporting wool countries."

Powell added that the sheep industry is making some giant strides toward improving its production and marketing practices under the Sheep Industry Development Program, but that the imports of lamb can literally wreck this plan and with it the domestic sheep industry.

Culp supported the NWGA in this action and stated that the time has come for the domestic sheep industry to take appropriate action to save the industry. "We have just reached a point where we are turning around and progressing rapidly toward an improved and more successful industry. These imports could very well reverse this trend," Culp said.

[Press release from the American Sheep Producers Council, Denver, Colo., May 6, 1969]

LAMB IMPORTS UPSET U.S. PRODUCTION, PROMOTION

Lending full support for action to regulate imports of lamb, M. Joseph Burke of Casper, Wyo., president of the American Sheep Producers Council, said that lamb imports are undermining lamb production in the United States and raising havoc with the promotion program for lamb.

"The sheep industry has been making considerable progress in a self-help program to improve the technology of production and marketing, but the great increase in lamb imports has undercut the market," Burke said. "This means," he added, "that in the past three weeks the price of lamb has been forced downward by the heavy influx of imports by two to three dollars, or a total loss in the millions of dollars to producers, the labor force in this country, the packing industry and suppliers."

Burke also is chairman of the steering committee of the Sheep Industry Development Program, a plan to gather, evaluate and put into practice the latest techniques in production and marketing of lamb and wool. He said the program has reached the point where results will be published within the next eight months for use by sheep producers, but the imports, he added, may well short-circuit the benefits that could be realized from this program.

He pointed out that lamb feeders who bought lambs within the last six weeks have seen the margin dwindle as the pressure of imported frozen lamb reaches the retail market. "There is no other reason for it," he added.

Our promotion program for lamb, Burke said, has had to operate under a price difference that has been too much, despite the fact that the imported product is not fresh but frozen, and is shipped overseas to the United States. The quality of lamb produced in this country is the best in the world, Burke declared, and we know that some of the imported product is doing a disservice to lamb. When ASPC plans a lamb promotion it has no control over what imports might be dumped on the market.

As chairman of the steering committee of the Sheep Industry Development Program, Burke urged every sheep producer in the nation to rally behind the National Wool Growers Association, the National Lamb Feeders and the other sheep organizations in their efforts to get remedial legislation to curb lamb imports. The two largest sheep organizations last week cited the destructive force the wave of imports of frozen lamb was having on the domestic live lamb price.

It has been shown rather conclusively, Burke stated, that imports can and do seriously undermine the domestic sheep industry.

At present, there is no quota on imports of lamb. If these frozen imports are allowed to destroy the U.S. sheep industry it will certainly not be to the advantage of the consumer in the long run, Burke asserted.

The consumer also should be aware that some imported frozen mutton is coming in under the guise of lamb, which is a young tender meat, he said. In today's affluent society, most persons will gladly pay the difference for a fresh quality product, said Burke.

XUM

ORDER OF BUSINESS

Mr. CHURCH. Mr. President, I ask unanimous consent that I may be permitted to proceed for 6 minutes.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. DODD. Mr. President, will the Senator yield?

Mr. CHURCH. I yield.

ORDER FOR RECOGNITION OF SENATOR DODD

Mr. DODD. Mr. President, I understand the Senate will recess shortly, subject to the call of the Chair.

I ask unanimous consent that when the Senate reconvenes after the recess I may be permitted to speak for 20 minutes.

The VICE PRESIDENT. The Senator from Connecticut has asked unanimous consent that when the Senate reconvenes he be permitted to speak for 20 minutes. Is there objection? The Chair hears no objection, and it is so ordered.

PRESIDENT NIXON'S ADDRESS: A REASSESSMENT

Mr. CHURCH. Mr. President, in the Sunday edition of the Washington Post, Mr. Chalmers M. Roberts, one of the most knowledgeable journalists of this city, contends that the Nixon administration has made a major change in the American negotiating position on Vietnam.

Mr. Roberts writes:

> The Nixon Administration is now prepared to accept an interim coalition government in South Vietnam provided it is the first step in a political process which denies either the present South Vietnamese Government or the National Liberation Front (Vietcong) a guarantee of victory.
>
> Furthermore, if such a political process should, either by negotiation between the rivals or by an election, produce a coalition government on a permanent basis for South Vietnam, the United States will accept it.

According to Roberts, the new Nixon position is imbedded in the nuance and innuendo of the President's speech of last Wednesday evening, where, he alleges, it is hinted at "by deliberately obscure and ambiguous sentences and phrases and by careful omissions."

The interpretation Roberts gives to the Nixon address, if accurate, would indeed represent "a major scaling down of American policies from those of the Johnson administration."

In listening to the President's message, I did not detect what could well be a subtle but significant shift in our bargaining position. Frankly, so much of the rhetoric was so reminiscent of the last administration that I characterized the speech on the morning after as "the same old Johnson wine poured from a Nixon bottle."

However, after a careful, sentence-by-sentence reexamination of the Nixon text, I must concede that it is suceptible to the construction Mr. Roberts has given it; namely, that the door may have been discreetly opened, insofar as the President is concerned, to the possible formation of a coalition government in South Vietnam. If so, I applaud the President's initiative.

Perhaps the long years of bitter, brutal warfare in Vietnam leave no ground for any pact whatever between Saigon and the Vietcong. But I have long felt that such hope as may exist for a settlement of this war rests upon the possibility of forming a provisional government for South Vietnam in which both sides would participate.

Just recently, I reiterated this belief, following the submission by the National Liberation Front of its 10-point offer in Paris; I repeated it again when first reacting, last Thursday, to President Nixon's eight-point counterproposal.

If the President, as Chalmers Roberts maintains, has informed Saigon and signaled Hanoi that he is "now prepared to accept an interim coalition government in South Vietnam," this, is in my opinion, the most important development since the peace talks began over a year ago. Such a move might not break the deadlock in Paris, but it would constitute the most promising step yet taken in that direction. Moreover, it would represent, on our part, a major departure from past policy of the very kind I, myself, have urged, and would, of course, render baseless my initial criticism of the Nixon address.

With these considerations in mind, I ask unanimous consent that the two press releases to which I have referred, the first issued on May 10, in reference to the recent NLF offer; the second issued on May 15, the morning following President Nixon's address, be printed in the Record, together with the full text of the intriguing article by Mr. Chalmers M. Roberts.

There being no objection, the material was ordered to be printed in the Record, as follows:

Reaction to NLF Proposal for Peace in Vietnam

Washington, May 10.—Senator Frank Church today issued the following statement on the latest Viet Cong proposal at the Paris peace talks:

"Winning a war is one thing; settling a war is another. If the Vietnamese War is to be settled by agreement between the warring factions, then a provisional coalition government is inescapable.

"The proposal by the NLF that such a government be formed is a recognition of the realities, although the formula for creating it may prove extremely difficult to agree upon.

"The Saigon Government, on the other hand, has yet to indicate any willingness whatever to even consider a coalition government. Thus the principal disputants are still out of reach of a settlement. And the chances are they will remain so, as long as the Generals in Saigon can rely upon American troops to keep them in power.

"American diplomacy must strike off the shackles of Saigon. Since young American soldiers bear the main burden of the fighting this new NLF proposal should be examined with their interests foremost in mind. It could be a sign that the NLF is now ready for serious negotiations.

"Other hopeful ingredients in the new package proposal are these: First, the suggestion that at some stage North Vietnam may be willing to withdraw its troops from the South; second, that international supervision of troop withdrawals might become acceptable; and, third, that neither side should impose its political regime on the people of South Vietnam during the interim period, pending elections."

Initial Reaction to President Nixon's Address

Washington, May 15.—Senator Frank Church today issued the following statement in reaction to President Nixon's Vietnam address Wednesday night:

"Every week, another couple of hundred young Americans are killed in Vietnam; a thousand more are maimed or wounded. Most of these young men are conscripts, not volunteers or professional soldiers. Over a hundred thousand of them have already become casualties in this protracted war in distant Asia. Some thirty-five thousand are now dead.

"Under these somber circumstances, I cannot react to President Nixon's address of last evening in a politic, cautious, or circumspect way. I must speak my mind as my conscience directs.

"During the last election campaign, Mr. Nixon repeatedly assured the voters that he had a plan to end the war, which he would disclose at an appropriate time. Last night he revealed that the Nixon plan for ending the war is the same as the Johnson plan.

"All of the shop-worn propositions were reiterated; no departure was apparent from the static stance of the former Johnson-Rusk-Rostow triumvirate. It looked like the same old Johnson wine poured from a Nixon bottle.

"As the President himself indicated, our bargaining position still rests upon the same two legs: a mutual withdrawal of American and North Vietnamese troops from South Vietnam and free elections for the people of that country. But it remains as obscure as before how acceptable elections can be held in South Vietnam without some form of interim government to conduct them. If we intend for them to take place while the present regime in Saigon remains in control, how can we expect the Vietcong ever to agree? After all, men who dared to run against the Thieu-Ky regime during the last election there are now in prison. The recent proposal by the NLF that a coalition government be formed for the purpose of conducting such elections is a recognition of these realities.

"President Nixon, like President Johnson before him, has ruled out 'attempting to impose a purely military solution on the battlefield.' Our objective is still a political settlement of the war, meaning that agreement must be reached between the warring Vietnamese factions, which makes the formation of a transitional coalition government inescapable.

"Yet Richard Nixon, like Lyndon Johnson before him, chooses to ignore this crucial issue, while the Saigon government publicly refuses even to consider it. Nor is it likely that the Generals in Saigon will soon change their minds, as long as American troops remain in South Vietnam to do their fighting for them.

"Perhaps the President has secret information that by adopting the Johnson Administration's position on Vietnam he can somehow advance the stagnant peace talks in Paris. I fervently hope so. But, on the face of it, Nixon's address is a bitter disappointment to me. I must regard it as a refusal to acknowledge the only clear mandate to emerge from his election last November—the mandate from the American people to end this awful war."

[From the Washington (D.C.) Post, May 18, 1969]

The United States Eases Stand on Vietnam Coalition

(By Chalmers M. Roberts)

The Nixon administration is now prepared to accept an interim coalition government in

South Vietnam provided it is the first step in a political process which denies either the present South Vietnamese government or the National Liberation Front (Vietcong) a guarantee of victory.

Furthermore, if such a political process should, either by negotiation between the rivals or by an election, produce a coalition government on a permanent basis for South Vietnam, the United States will accept it.

These points plus others described below, it can now be said authoritatively, are the substance in the Nixon peace plan of which only hints were surfaced in the President's televised speech last Wednesday evening.

As spelled out by persons in a position to know, the Nixon plan—and it is said to have the detailed concurrence of South Vietnamese President Thieu—is much closer to the Front's ten-point plan of May 8 than had been known previously.

Taken as a whole, the Nixon plan, as signaled to the Communists in the Wednesday speech by direct statements, by deliberately obscure and ambiguous sentences and phrases and by careful omissions, represents a major scaling down of American policies from those of the Johnson Administration.

The central question, in the Nixon Administration's view, now is this: will Hanoi be willing to take some risks now that officials here feel Saigon at long last is willing to take risks?

If that decision has been made in Hanoi, then serious bargaining can now begin in Paris once the Communists understand what is being proffered. If that decision has not been made—and no one here has any feeling of certainty one way or the other—then the Paris talks may have to go through yet another phase of stalemate, it is believed here, while Hanoi rethinks its position and judges the meaning of its latest military offensive.

To understand what the Nixon Administration is trying to do requires viewing it in a logical progression, as follows:

Military withdrawals by the United States and North Vietnam (aside from some unilateral American withdrawals as the South Vietnamese take over some of the fighting fronts) is now viewed here as manageable issue.

This means that the obscure clause No. 3 in the Front's ten-point plan offers an acceptable device to Washington, once the political issues have been settled, so that withdrawal can be phased into the political developments. All the ends are not tied up, of course, but how that would be done is thought to be a resolvable problem for both sides.

The core issue, then, is the political future of the South, which, of course, is what the fighting has been all about.

Here the Nixon Administration, and it is said the Thieu government, have backed far off from the Johnson Administration's way of looking at it.

President Nixon's speech sought to signal Hanoi on some of the essential points in the political tangle. Secretary of State William P. Rogers' views, as made public in Saigon last Friday, are the tip of the iceberg.

As the Administration views it, and as it has said, "self-determination" is the problem to be resolved. The Administration believes that "self-determination" ought to be negotiated between Saigon and the Communists.

The United States cannot accept settlement terms which would turn the South over to the Communists and make a mockery of the years of American and South Vietnamese bloodletting. That is beyond the Nixon bounds though Hanoi may still hope for such an outcome.

But on the other hand, it is said here, the United States is not going to impose the present Thieu-Ky regime on South Vietnam forever. It is that regime which the Communists have so long castigated as "representing no one" and being no more than American "puppets."

The Administration, then, wants to see negotiation of "self-determination" which would deny a guaranteed victory to either the Communists or the Thieu-Ky regime. In short, it wants both of them to take a gamble on the outcome of the political process. Mr. Nixon believes he is taking a risk in proposing this.

Although Mr. Nixon spoke of elections being held under some form of international supervision, the Administration is not wedded to the election process. Indeed, influential officials in several important posts agree with what Douglas Pike, an American expert on Vietnam, wrote over a year ago.

The "win-lose, all-or-nothing process" of elections has "something non-Vietnamese" about it. "Voting, to a Vietnamese," said Pike, "ignores the imperatives of group harmony."

Harmony doubtless is illusory in South Vietnam after all these bloody years of brother against brother. But the tendency to accommodation, when there is no other way out, remains strong and could come into play at this time, it is felt here.

So the Administration visualizes a political process about which it has developed detailed ideas that it has discussed with Thieu. But the contention is that the Administration is highly flexible about details.

The Communist ten-point program calls for creation, first, of a negotiated "provisional coalition government," and officials here say that is not unacceptable provided it is a part of a larger and longer process.

The Communist plan also calls for this interim regime, composed of both Communists and non-Communists (and here the Administration means the Thieu regime in the latter role, something the Communists have yet to accept categorically), to be succeeded, after elections of a new Constituent Assembly, by a permanent "coalition government of South Vietnam."

Rogers in Saigon, by indirection, hinted at what is now said categorically here: the United States will accept a coalition government if it is freely negotiated or is the result of elections.

It should be noted that the Administration, as an earnest of its view that elections are not essential, has assiduously avoided the "one-man, one-vote" formulation of the Johnson Administration. The phrase has never passed Mr. Nixon's lips.

In his now famous Foreign Affairs article on Vietnam before he became Mr. Nixon's White House foreign policy adviser, Henry A. Kissinger wrote that "it is beyond imagination that parties that have been murdering each other for 25 years could work together as a team giving joint instructions to the entire country."

The Communists, during some of the Paris conference sessions, have openly ridiculed the idea of elections by citing the obvious fact that they could hardly expect to have a fair shake if they were run by the Thieu-Ky government.

The Administration has taken all this into account. Mr. Nixon, it is pointed out—and Hanoi should note it—carefully did not say in his speech that the Communists would have to enter into a political process run by the current government of South Vietnam.

What Mr. Nixon did say, it is also noted, was that any settlement must include "a guarantee that this process" of self-determination "would be a fair one."

This was an obscure way of meeting the Communist objection to taking the risk of compromise. American officials thus can visualize either some form of joint Saigon-Front commission or an international group of outsiders to provide that guarantee. The presence of American and North Vietnamese troops could do the same.

The aim, it is said, is to avoid any chance that Saigon would seize upon the Front's entry into such a political process to carry out what is described as an Indonesian-type massacre.

When all these components, some fairly clear, some still shadowy, are added together, they represent an immense change from past American policy.

They also represent a vast departure, or at least a vast potential departure, from the steps thus far publicly taken by President Thieu. Doubtless Thieu would have preferred some other type of Nixon speech on these points but, it is said, he has gone along nonetheless.

What the United States now hopes is that the Communists will decide to take the risk of compromise, without guarantee of ultimate victory for either side in the South, and then enter into negotiations at Paris on how to bring it about.

In sum, the Nixon Administration has reduced American demands to the simple one that there must be some real sense of choice for the South Vietnamese, a form of self-determination which the rivals work out themselves.

The United States is willing, as Mr. Nixon said, to join the Paris discussion with the Front as long as Saigon is there to do the main business. It is assumed that in such a case Hanoi would also be present.

When one looks back over the polemics from both sides in the past years since the massive American military intervention, one is struck by how far the Nixon Administration has moved. Because of the eye-catching line in the President's speech about withdrawal of most American troops within 12 months, the subtleties on the key political issues have been too much overlooked.

Indeed, it is said that some of the hard-sounding Nixon rhetoric in the speech, reminiscent of President Johnson, was adjudged necessary lest Hanoi and the Front still hope for total victory through either a collapse on the American home front or a collapse of the Saigon regime brought about by the Paris talks.

So it was necessary, it is added, to be sure that the Communists did not read into the flexibility that Mr. Nixon displayed or hinted at on political issues a signal that the United States is about to bug out of the war and hand the South over to them.

Coalition government long has been a perjorative term in Washington and Saigon. Dean Rusk said over and over that the United States would not "impose" a coalition on South Vietnam. More than three years and thousands of battle deaths ago, when the late Sen. Robert F. Kennedy called for admitting the Communists into "a share of power and responsibility" in Saigon, the then Vice President Humphrey compared the proposal to "letting a fox in the chicken coop."

And it now has been more than 14 months since presidential candidate Richard Nixon, declaring his opposition to a "coalition government" in Saigon, said in a campaign statement that "a coalition with the Communists is like putting a cobra and a mongoose together—they try to eat each other."

Finally, it is now nine months since the doves tore apart the Democratic Convention in Chicago with a platform plan proposing that "we will encourage our South Vietnamese allies to negotiate a political reconciliation" with the Front "looking toward a government which is broadly representative of these and all elements of South Vietnamese society."

Mutatis mutandis. Some necessary changes, indeed, have been made.

EIGHT-MILLION-DOLLAR UNNECESSARY EXPENDITURE BY DEPARTMENT OF THE AIR FORCE

Mr. WILLIAMS of Delaware. Mr. President, today I call attention to an unnecessary expenditure of $8 million by the Department of the Air Force.

The Air Force solicited competitive bids for a certain type of flight instruments for the KC/C–135 aircraft. Three bids were received: The first from Collins Radio Co. for $60.1 million; the second from Bendix for $58 million; and the third from Sperry Flight Systems for $52 million.

Notwithstanding the fact that there were two lower bids the Air Force awarded the contract to the highest bidder, Collins Radio Co., and their explanation was that "the Air Force had an urgent requirement for an integrated dual flight director/rotation go-around system" and the "total price would not be the governing factor in determining the successful offeror."

I ask unanimous consent that my letter of May 6, 1969, directed to the Secretary of Defense, asking for an explanation of this transaction, and the reply of May 13, signed by Col. John J. Shaughnessy, U.S. Air Force, be printed in the Record.

There being no objection, the letters were ordered to be printed in the Record, as follows:

U.S. Senate,
Washington, D.C., May 6, 1969.

Hon. Melvin R. Laird,
Secretary of Defense,
Washington, D.C.

My Dear Mr. Secretary: I have received a report alleging that the Department of Defense, through the Air Force, has awarded contract No. F34601–69–c–2462, which is on a KC135 aircraft.

It is alleged that this contract was awarded to the Collins Radio for $60.1 million but that there were two lower bids submitted, one by Bendix in the amount of $58 million and one by Sperry Flight Systems for $52 million.

I would appreciate a report as to whether or not this allegation is true; and if so, why was this contract not awarded to the lowest responsible bidder?

Yours sincerely,
John J. Williams.

Department of the Air Force,
Washington, D.C., May 13, 1969.

Hon. John J. Williams,
U.S. Senate,
Office of the Secretary.

Dear Senator Williams: This is in reply to your recent letter to Secretary Laird regarding a contract recently awarded to Collins Radio Company, Cedar Rapids, Iowa, for flight instruments for the KC/C–135 aircraft fleet.

The decision to award the contract to Collins Radio Company resulted from a source selection evaluation in which price and other factors were considered. The letter of request for proposal sent to interested sources highlighted that:

a. The Air Force had an urgent requirement for an integrated dual flight director/rotation go-around system to enhance safety of flight of the KC/C–135 fleet.

b. A technical evaluation would be conducted so as to select the system that best operates within the environment of the —135 series weapon system. The five major areas to be evaluated on an integrated basis were technical, supportability, operations, management/production, and cost.

c. Maximum emphasis would be placed on proven capability, reliability and performance, demonstrated mean-time-between-failure, timely kit availability, and safety.

d. Total price would not be the governing factor in determining the successful offeror.

The basis of evaluation of proposals and the weighing factors utilized in the source selection processes were established before proposals from industry were received by the Air Force. Each proposal received was evaluated impartially and in consonance with existing Air Force Regulations and Manuals concerning source selection. This evaluation established that Collins Radio Company had demonstrated the best capability for fulfilling the requirement considering all factors.

We hope this information will be helpful.

Sincerely,
John J. Shaughnessy,
Colonel, USAF, Chief, Plans Group, Legislative Liaison.

Mr. WILLIAMS of Delaware. Mr. President, my questions are: If there was only one company qualified why did they solicit competitive bids in the first place, and once having solicited bids why was not the contract awarded to the lowest responsible bidder?

This contract was awarded at a cost of 15 percent above the lowest competitive bid and represents an unnecessary expenditure of $8 million.

NEW TAX LOOPHOLES FOR OIL INDUSTRY

Mr. WILLIAMS of Delaware. Mr. President, in the April 25, 1969, issue of the Cleveland Plain Dealer, there appeared an article by Donald L. Barlett, entitled "Oil Firms 'Carve Out' New Tax Loopholes" followed by an article with a Washington dateline entitled "Oil Firms Lost Battle, Won War."

This first article furnishes an excellent record of the manner in which the oil industry escapes the payment of Federal income taxes, and at a time when we are considering the raising of the taxes of every taxpayer it should be read by every Member of Congress. Certainly this is one loophole which must be closed. This is one industry which is not paying its proportionate part of the cost of operating our Government.

I ask unanimous consent that the articles be printed in the Record.

There being no objection, the articles were ordered to be printed in the Record, as follows:

[From the Cleveland (Ohio) Plain Dealer, Apr. 25, 1969]

Oil Firms "Carve Out" New Tax Loophole

(By Donald L. Barlett)

Washington.—The petroleum industry has zeroed in on a loophole in the nation's federal income tax laws that opens the door to a billion dollar tax dodge.

Once perfected, the loophole—virtually unknown outside the minerals industry—can enable an oil company to avoid payment of all federal income taxes.

The tax gimmick already is being used by some oil companies to escape the brunt of the 10% surcharge and income taxes running into the hundreds of millions, a Plain Dealer investigation disclosed.

The loophole involves a transaction known as a carved out production payment.

It is used in a complex bookkeeping system in which income is shifted from one year to another to create special tax advantages.

The accounting device gives a company an inflated income one year and a self-induced loss the following year.

Unlike the long controversial 27½% oil depletion allowance, a tax-saving benefit that was granted by Congress, the production payment is a tax-avoiding device.

When used in conjunction with the depletion allowance, the production payment allows an oil company to:

Increase the value of the depletion allowance above the level intended by Congress when the depletion law was enacted.

Create self-induced paper losses through bookkeeping manipulations that reduce and eliminate federal income tax liability.

Lower the income tax payments of other businesses owned by the oil company, giving these firms a subsidized advantage over competitors.

Growing use of production payments was found in a continuing Plain Dealer inquiry into the federal income tax status of the oil industry.

Although aware of the tax-avoidance technique, federal agencies are just beginning to compile figures on the scope of production payment sales.

U.S. Treasury aides call the payments a "tax abuse" and Congressional tax reformers label them a "tax dodge."

A production payment is similar to a loan, with the oil in the ground serving as collateral. The oil company borrows money from a lending institution and repays the loan as oil is produced and sold.

It is a transaction that is unique to the petroleum and minerals industry in that the proceeds of the loan are treated as income for tax purposes by the oil company. This may sound like a disadvantage but it works to the company's benefit at a later time.

This special tax treatment stems from court decisions and private rulings issued by the Internal Revenue Service (IRS).

The Treasury Department, in its preliminary study, estimates the government lost a minimum of $350 million in tax revenue in 1966 as a result of the production payment loophole.

A Capitol Hill tax expert places the potential loss to the government at more than a billion, noting that oil companies started using production payments to escape income taxes only in the last few years.

The practice is spreading—on a much smaller scale—to other mineral businesses such as coal and cement.

The only government statistics available on the subject are based on a limited Treasury survey.

These figures show that the sale of carved out production payments soared 150% from 1965 to 1966, rising from $214 to $540 million.

But the Treasury figures appear to be on the conservative side.

A Plain Dealer study showed that:

Ten large and small oil companies alone sold production payments totaling $217.4 million in 1967—the last year for which complete statistics are available.

Of the 10 companies, four reported owing no federal income tax at all, while recording combined profits of nearly $140 million.

A projection of production payment sales, based on these 10 companies, places the total for 1967 in excess of $1 billion. There are dozens of major and large independent companies, thousands of smaller firms, partnerships and individuals—all eligible to sell production payments.

Preliminary figures for 1968—based on company reports still being issued—indicate a continuing rise in sales.

Use of production payments is widespread, with a sizable majority of the major and large independent oil companies reporting the transactions.

Some oil companies conceal the actual production payment figure, lumping it with other income in their financial statements.

A production payment may be compared with a home mortgage loan transaction in which an individual borrows money from a bank to purchase a house.

The bank, in return for the money it lends, receives a claim (mortgage) against the property.

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In the case of the production payment, the oil company obtains a loan from the bank, which receives a claim against the company's untapped oil reserves.

The loan usually is for one year, at a fixed rate of interest, and repaid out of the income from oil or gas produced and sold in the following 12 months.

Unlike such dealings in any other business production payment is considered as income rather than a loan.

The courts have ruled the buyer is purchasing an economic interest in the mineral in the ground—making the income of the production payment subject to the 27½% depletion allowance.

This inflates an oil company's income for one year, causing a mismatching of income and expenses for two years—a bookkeeping practice frowned upon by many professional accountants.

The mismatching occurs when the company reports the income from the production payment one year and the expenses incurred in extracting the oil the following year.

Under the depletion allowance, a company pays no federal income tax on 27.5% of its income from wells.

But the tax-free sum—according to the depletion statute—may not exceed 50% of a company's net income.

By selling a carved out production payment, the oil company bypasses the 50% limit imposed by Congress.

Using a fictitious firm, here is how the percentage depletion allowance was intended to work:

Cuyahoga Oil Co.'s income from wells was $10,000,000 for the year. Deductions for business expenses and costs totaled $8,000,000, leaving a net taxable income of $2,000,000.

Income from wells	$10,000,000
Business expenses	−8,000,000
Net income	2,000,000

The depletion allowance is based on gross income from the wells −27½% of $10,000,000. This represents $2,750,000 in tax free income.

Income from wells	$10,000,000
Depletion allowance	×.275
Tax free income	2,750,000

However, this deduction may not exceed 50% of the company's net taxable income, which in this case is $2,000,000. Fifty percent of this figure is $1,000,000.

Net income	$2,000,000
Allowable depletion	×.50
Taxable income	1,000,000

The maximum allowable depletion deduction then is $1,000,000, or $1,750,000 less than full depletion allowance.

Net income	$2,000,000
Allowable depletion	−1,000,000
Taxable income	$1,000,000

This leaves $1,000,000 on which Cuyahoga Oil Co. must pay federal income tax. At the corporate rate of 52.8%, the company pays $528,000 in income tax.

Taxable income	$1,000.000
Corporate tax rate	×.528
Federal income tax owed	528,000

Using the same figures over a two-year period, Cuyahoga Oil Co. would pay a total of $1,056,000 in federal income taxes.

Through a carved-out production payment, the company avoids federal income taxes in the following manner:

The company sells a production payment to a bank, foundation, insurance company or some other lending institution.

In this case, the production payment amounts to $8,000,000.

Added to Cuyahoga Oil Co.'s original $10,000,000, this increases the firm's income from wells to $18,000,000 in the first year.

Deductions for business expenses remain the same as before, $8,000,000, but now the net taxable income is $10,000,000.

Income from wells	$18,000,000
Business expenses	−8,000,000
Net income	10,000,000

The depletion allowance is based on gross income from the wells—or 27½% of $18,000,000. This represents $4,950,000 in tax-free income.

Income from wells	$18,000,000
Depletion allowance	×.275
Tax free income	4,950,000

Now Cuyahoga Oil Co. may deduct the full depletion allowance because it does not exceed 50% ($5,000,000) of its net taxable income.

Net income	$10,000,000
Tax free income	−4,950,000
Taxable income	5,050,000

Taxed at the corporate rate of 52.8%, the company pays $2,666,400 in federal income tax in the first year.

Taxable income	$5,050,000
Corporate tax rate	×.528
Federal income tax owed	$2,666,400

The following year the company's income from wells remains the same—$10,000,000. However, the company deducts as an expense, the funds used to satisfy the production payment (loan) of $8,000,000 leaving a balance of $2,000,000.

Income from wells	$10,000,000
Production payment	−8,000,000
Balance	2,000,000

The company's business expenses for the year still total $8,000,000, creating a self-induced paper loss of $6,000,000 and eliminating any federal income tax liability for the year.

Balance	$2,000,000
Business expenses	−8,000,000
Self induced loss	(6,000,000)

Cuyahoga Oil Co. then applies the $6,000,000 loss in the second year as an operating loss carryback, collecting a refund from the government of the $2,666,400 paid in federal income taxes in the first year.

The $6,000,000 paper loss offsets the $5,050,000 income the first year, leaving $950,000 to be carried forward or back to other years.

Self induced loss	$6,000,000
Prior taxable income	−5,050,000
Unused loss	950,000

Thus Cuyahoga Oil Co. eliminates payment of federal income taxes over the two years totaling $1,056,000 ($528,000 each year if no production payment), while showing a book profit of $2,000,000.

The company may repeat this cycle every two years, perpetually avoiding payment of any federal income tax.

The unused loss of $950,000 also may be used to reduce the tax liability of subsidiary businesses.

For example, Cuyahoga Oil Co. may own a publishing firm that reports net taxable income of $3 million.

The $950,000 paper loss is deducted from the $3 million. Instead of paying income tax on $3 million, the publishing company pays tax on $2,050,000.

This procedure is followed when the oil company files a consolidated tax return that includes all its subsidiaries.

One of the issues raised by production payment critics is the unorthodox accounting system that mismatches income and expenses over the two years.

The oil companies are so sensitive to the unique accounting procedure that it is never made public.

An oil company reports to mismatching of income and expenses only on its tax return—a secret document.

In its annual report to stockholders—a public record—the company lists the income from the production payment in the same year the oil is produced.

The duel income reporting system means two sets of financial books: one for the tax man and one for the public.

The use of production payments to elude payment of income taxes has received little publicity outside the petroleum and securities industries.

Even some members of Congress, who profess to be familiar with petroleum tax laws, seem to be unaware of the tax-avoiding potential.

Last February, Sen. William Proxmire, D-Wis., alluded to a tax loophole (production payments) which permits an oil company to use the depletion allowance to offset income from other sources.

His statement brought an immediate response from a colleague who observed that he was certain Proxmire was mistaken and added:

"It is (my) understanding . . . that the percentage depletion deduction is only available with respect to oil properties, or the income from oil properties . . . I would have to have powerful evidence to the contrary.

"Before I came to the Senate I prepared tax returns involving oil operating interests and never have I heard that percentage depletion could be offset against anything except oil production.

"Furthermore, as the Senator (Proxmire) has accurately pointed out, it cannot exceed 50% of net income, and that net income is from the oil property or the oil income and not from other income.

"This is a technical area of the tax law and I can understand how one could be confused over it."

As one tax reformer put it:

"This is a very complex issue and most people don't understand it.

"It was only a few years ago, after some court and IRS rulings, that the tax lawyers found the loophole and said, 'Oh, boy, here we go.' "

A Treasury aide told the Plain Dealer that some farsighted oil companies sold production payments to reduce or eliminate the impact of the 10% surcharge.

The companies shifted income from 1968—the year the surcharge went into effect—back into 1967.

This was accomplished by selling a huge carved out production payment in December 1967.

The Plain Dealer study of production payments showed that oil companies from the smallest to the largest utilize the tax dodging technique.

The amounts of the production payments sold varied widely.

Aztec Oil & Gas Co. of Dallas, with a net income of $2.5 million, sold a production payment for $2.2 million—nearly the full amount of its profit in 1967.

In the same year, Atlantic Richfield Co. of New York had a net income of $145.2 million and sold future production amounting to $56.3 million.

Atlantic Richfield reported owing no federal income tax from 1962 to 1967—while registering total profits of nearly a half-billion dollars.

Complete financial statistics are available only for 1967. But incoming reports for 1968 indicate another increase in production payment sales.

General Crude Oil Co. of Houston—another firm that has owed no income tax in recent years—sold a production payment for $609,000 in 1967. In 1968, the figure rose to $6 million.

The Signal Companies, Inc., Los Angeles, sold a $7.7 million production payment in 1967 and a $19.8 million payment in 1968.

Observes a Congressional tax reformer:

"Sales of production payments are increasing in geometrical proportions each year.

"As more people learn how to use production payments, they eventually will result in a greater tax loss than the depletion allowance.

"It's another example of the oil companies finding a crack in the tax laws and widening it until it reaches the proportions of a chasm."

HOW CARVE OUTS CUT TAXES

[Dollars in thousands]

	Production payments sold	Net income before taxes	Federal income taxes owed	Percent of profit owed in tax	Profit after taxes
Atlantic Richfield Co.	$56, 325	$145, 259	None	0. 0	$130, 005
General Crude Oil Co.	609	5, 500	None	. 0	5, 500
Aztec Oil and Gas Co.	2, 200	2, 516	None	. 0	2, 510
Wilshire Oil Co. of Texas	284	392	None	. 0	392
Amerada Petroleum Corp.	8, 407	103, 979	$887	. 9	58, 461
Pennzoil Co.	28, 000	16, 296	337	2. 1	15, 959
Union Oil Co. of California	26, 626	163, 820	10, 400	6. 3	144, 963
Sinclair Oil Co.	18, 500	130, 017	10, 585	8. 1	95, 372
Tenneco, Inc.	71, 541	159, 812	13, 604	8. 5	146, 208
Continental Oil Co.	4, 900	241, 362	30, 031	12. 4	149, 962
Total and tax average	217, 932	968, 953	65, 844	6. 8	748, 332

Note: This table is based on financial information obtained from reports filed with the U.S. Securities and Exchange Commission in Washington, D.C. The table, for the year 1967, shows value of carved out production payments sold, net income before taxes, Federal income tax owed, the tax rate and profits of 10 large and small oil companies. In some cases, the above figures for production payments sold are lower than the actual amounts because the companies reported the sales net of deferred income tax.

OIL FIRMS LOST BATTLE, WON WAR

WASHINGTON.—The government tried to plug a petroleum industry income tax loophole back in 1958 and the big loser was the U.S. Treasury.

The reason:

In a successful legal battle to close one loophole, worth a few million dollars to oilmen, the government opened another loophole worth an estimated billion dollars or more to the same oilmen.

Looking back on the legal proceedings, a Capitol Hill tax expert says:

"It is the most expensive victory the government ever won."

The unusual victory came in a decision handed down April 14, 1958, by the U.S. Supreme Court in a case known as the P. G. Lake Case.

For the oil industry, it was a landmark decision that opened the door to a billion dollar tax dodge through the use of carved out production payments.

The issue then before the court was this:

Should the proceeds of a production payment be taxed at the low capital gains rate of 25% or at the ordinary income tax rates that ranged up to 91%?

Until 1958, lower courts and the U.S. Tax Court had held that the sale of a carved out production payment constituted the transfer of a capital asset.

Using this interpretation of a production payment, the lower courts said the proceeds from the transaction should be taxed as a capital gains.

The Lake case was a consolidation of five separate cases, four involving oil production payments and one dealing with sulphur.

The lower courts had sustained the taxpayer's argument that the production payment represented the sale of a capital asset and thereby the lower tax rate.

In appealing the case to the Supreme Court, the government contended that the payments were merely an assignment of future income subject to taxation as ordinary income and not capital gains.

The Supreme Court upheld the government, moving The New York Times to report the following day:

"The Supreme Court held unanimously that payments for rights to future oil profits are taxable as ordinary income, not as capital gains.

"The ruling was a blow to what has become a widespread practice in the oil industry, so-called 'in-oil payments.'

"Forty-three cases are pending before the Internal Revenue Service and officials have said 'many millions' in tax revenue are at stake.

"In the government's view, the disputed practice was a way to anticipate future income and avoid paying full income tax on it."

As a result of the court's decision, the production payment device has been used by the oilmen not to "avoid paying full income tax"—but to avoid paying any income tax, as explained.

The decision paved the way for an oil company to create self-induced paper losses that may be used to reduce or eliminate the income tax payments of not only the oil company but its subsidiaries.

In the Lake case, the legal issues considered by the Supreme Court were quite narrow and did not involve the propriety of selling production payments to reduce taxes.

But the Tax Court, other lower courts and the Internal Revenue Service (IRS) all have issued similar opinions on techniques employed to lower income taxes.

Typical is a decision handed down by the U.S. Court of Appeals, Fourth Circuit, which states:

"The legal right of the taxpayer to decrease the amount of his taxes, or altogether to avoid them by means which the law permits, cannot be doubted.

"If, upon careful scrutiny, the transaction has real substance and is not a sham, it matters not whether the taxpayer's aim was 'to avoid taxes or to regenerate the world' . . . ."

In private rulings, the IRS has expressed the same opinion on production payments, saying they are proper as long as there is a bona fide transaction.

There is nothing new about the sale of carved out production payments—only the purpose of the transaction has changed over the years.

The use of production payments in the petroleum industry dates back to the turn of the century—years before the United States had an income tax.

At that time, a wildcat oil operator would grant a production payment to a landowner in exchange for the right to drill on his property.

This concept later was expanded and the wildcatters gave the production payments to drilling companies—instead of cash—for their services.

The final refinement came in the last few years when tax experts found a way to reduce and often eliminate an oil or mineral company's federal income tax liability through the sale of a production payment.

SANE ENERGY POLICIES A DESPERATE NEED

Mr. METCALF. Mr. President, the Nation urgently needs coordinated energy policies that will assure the most efficient use of our resources and, at the same time, reverse the present trend toward severe environmental damage of a kind that is often irremediable. We must strike a balance between maintaining a growing and prosperous economy on the one hand and maintaining or restoring the quality of our air, water, and land, on the other hand.

Secretary of the Interior Walter Hickel gave his full assent to this kind of balanced approach to resource development during hearings on the confirmation of his nomination earlier this year. I voted to confirm his appointment because he convinced me that he meant what he said about this.

So far I have had little reason to regret my affirmative vote, and a letter the Assistant Secretary of the Interior for Water and Power, James R. Smith, wrote to me regarding energy policies in the Northwest gives me further encouragement.

The letter was in response to a request by the senior Senator from Montana (Mr. MANSFIELD) and me to Secretary Hickel for a fully coordinated study of the electric power needs of the Northwest and the means for meeting these needs. Our contention was that current plans to meet rapidly growing electric energy needs in the Pacific Northwest rely too much on nuclear generating plants; and that alternative approaches should be considered because of the many unresolved conservation problems in connection with nuclear generation—as well as sharply escalating costs of nuclear plant components and fuel.

The alternative we suggested was the use of coal reserves in the northern Rocky Mountain and Great Plains States as a source of energy, combined with a grid of extra-high-voltage transmission lines—"electrical superhighways"—to carry the energy to markets in the Pacific Northwest and perhaps to the Midwest as well. We pointed out that certain already completed Interior Department studies point to this alternative as more economical and less damaging to the environment than the nuclear power schemes now being proposed.

Assistant Secretary Smith's reply was most encouraging because it demonstrated awareness of the problems we face, both in terms of the economics of energy development and the environmental problems involved. The letter evidenced willingness to study these questions in detail and I trust the Interior Department will soon be getting underway with such a study, although the letter makes no absolute promises.

In our letter, Senator MANSFIELD and I also urged an all-out program to develop magnetohydrodynamics, a highly promising new technology for the conversion of coal and other fossil fuels to electric energy without air and water

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pollution and at about 50 percent more efficiency than in conventional plants and even greater efficiency than in the highly inefficient nuclear plants.

It strikes me that there is a tremendous imbalance in money allocated to various new technologies for energy production with the lion's share of Federal funds now going to atomic energy and only token amounts being spent on coal research and development. There have been almost no Federal funds appropriated for MHD, for example, and the entire Office of Coal Research budget has been in the neighborhood of only about $12 million annually. This is in stark contrast to the hundreds of millions spent so far on civilian nuclear power programs by the Atomic Energy Commission.

Thus it seems quite apparent to me that the Nation is badly in need of overall coordination of its energy policies. In our letter, Senator Mansfield and I suggest studies only of energy policies in the Northwest, but I firmly believe that such studies increasingly need to be made on a national scale. I very much hope that this sort of effort will be forthcoming and I plan to work with others who wish to create the means for implementing such studies.

I ask unanimous consent to have printed in the Record the letter Senator Mansfield and I wrote to Secretary Hickel and Assistant Secretary Smith's reply.

There being no objection, the material was ordered to be printed in the Record, as follows:

March 19, 1969.

Hon. Walter J. Hickel,
Secretary of the Interior, Department of the Interior, Washington, D.C.

Dear Mr. Secretary: It has come to our attention that the Bonneville Power Administration and utilities in the Pacific Northwest, basing their plans partly on the results of a study by Battelle Institute, are contemplating a vast program to build thermalelectric generators in that region. Many, if not most, of these generators are to be nuclear.

We are concerned about the conservation aspects of this projected program, about the rapidly escalating cost of nuclear plants and about other unresolved problems in connection with nuclear generation. We would thus like to suggest study of an alternative course of action which might provide at least part of the energy needs of the Pacific Northwest region and therefore lessen the reliance on nuclear generation.

There is ample engineering evidence, we believe, to indicate that electric energy produced with coal at mine-mouth in Eastern Montana and Wyoming, then transmitted via extra-high-voltage facilities to the Pacific Northwest, would be highly competitive in cost with energy produced in the Pacific Northwest in nuclear plants. The extra-high-voltage lines could possibly be a part of a larger network of such lines which would produce a number of other benefits. Thus the cost could be brought down even further, and the coal-produced power might enjoy a clear competitive advantage over nuclear power.

It is ironic that right in the files of the Department of the Interior repose studies which appear to back up this contention. Interior's Study 190, a study of a plan to connect the entire western two-thirds of the nation with extra-high-voltage lines, outlines the benefits to be achieved through such interconnections. These benefits would be produced in the form of increased reliability and through massive interchanges between the eastern and western portions of the system, taking advantage of hydrological, seasonal and time-zone diversity. Another report, produced by Robert Nathan and Associates for Interior's Office of Coal Research, suggests that coal-produced power from Montana and Wyoming would be competitive with nuclear power produced near Pacific Northwest load centers—*even without the benefits of the Study 190 transmission system and before the recent escalation in nuclear costs.*

Other recent information indicates that coal from the Lake DeSmet area of north-central Wyoming, and probably coal in certain nearby areas of Montana, can be produced at a cost of six to seven cents per million British Thermal Units—compared to an earlier Missouri Basin low coal cost of 12 cents per million BTUs. The six-to-seven-cent cost is one of the lowest anywhere in the world.

South-central Montana and north-central Wyoming have more than adequate water for cooling purposes (although in some cases it might have to be transported to point of use). We refer here to the industrial water available from the U.S. Bureau of Reclamation's Yellowtail Reservoir in Montana, from USBR reservoirs in Wyoming, from a proposed State of Montana reservoir on the Tongue River in Montana and from the proposed (by USBR) Moorhead Reservoir on the Powder River in Montana and Wyoming.

The Montana-Wyoming coal fields are also perfectly situated for being traversed by one of the main east-west links of the Study 190 extra-high-voltage system. The coal fields would thus lie approximately half-way between large load centers on the system—in the Midwest and in the Pacific Northwest—and thus perhaps could serve both.

The potential is greatly enhanced by the possibility of the development of magnetohydrodynamics, a new technique for generating power from fossil fuels developed by a AVCO-Everett Research Laboratories. MHD (as it is called) offers a possibility for using coal to generate power without air pollution, with little need for cooling water and at about 50 percent more efficiency than in conventional coal-fired plants (and yet greater efficiency than in the relatively inefficient nuclear plants). For some unexplained reason, a $10,000,000 request for an MHD pilot plant was not included in President Johnson's 1970 budget, even though immensely greater sums are appropriated for nuclear energy.

We would like to add that the potential for large-scale extra-high-voltage interconnections appears, from experience so far, to be even greater than was anticipated during planning stages. For example, the Northwest-Southwest intertie enabled 800,000 kilowatts of capacity to be transmitted from California to the Pacific Northwest during a recent cold snap in the latter region. Originally it had been intended that only energy (as opposed to capacity) had been scheduled for northward transmission over this intertie, but the capacity was needed because of unusual weather conditions—and it was available because of the intertie. We would expect similar unforeseen benefits to accrue from massive interties between the Pacific Northwest and the Midwest.

We therefore propose that the Department of the Interior, and its agencies involved with water, energy, and power, launch as soon as possible a study to identify the combined economic benefits of the Study 190 transmission system and the use of power from Montana-Wyoming coal in the Pacific Northwest. If you could develop a price tag for the study, we would be happy to supply all possible support for appropriations at hearings this spring. We believe this to be of urgent importance in view of the present planning by BPA and Pacific Northwest utilities. It is essential that we take a careful look at alternative proposals so as to achieve a system which will provide the greatest benefits to all concerned—including the taxpayer.

We also wish to ask that an appropriation request for MHD be restored to the Budget. We would like to note that the Interior Department energy policy staff last summer recommended a total expenditure of $50,000,000 for MHD development and we think that this is a reasonable amount for a program of such important potential.

Very truly yours,

Mike Mansfield,
U.S. Senator.
Lee Metcalf,
U.S. Senator.

U.S. Department of the Interior,
Office of the Secretary,
Washington, D.C., May 8, 1968.

Hon. Lee Metcalf,
U.S. Senate,
Washington, D.C.

Dear Senator Metcalf: We deeply regret the delay in responding to your letter of March 19 and wish to acknowledge receipt of your May 5 letter on the same subject.

We were impressed with your excellent analysis of the electric power resource and related transmission economics as it pertains to the Pacific Northwest and generally to the western area of the United States. This Department agrees that all interested agencies, Federal, public and private, should continually investigate the electric power resource and transmission situation to foster the delivery of ample supply of low-cost power to the consumer. The report "A Ten-year Hydrothermal Power Program for the Pacific Northwest, January 1969" prepared by Bonneville Power Administration together with "Transmission Study 190, February 1968" prepared by the Bureau of Reclamation, Southwestern Power Administration, and Bonneville are examples of studies which lead to implementation of low-cost power development. The Public Power Council, a group of 106 publicly owned utilities in the Pacific Northwest, is considering the initiation of a study of potential electric power resources that will provide their future energy. Their studies will delve into the economies of all practical alternative energy sources. A prime portion of the PPC studies will include investigation of potential development of mine-mouth plants in low-cost coal areas in Montana, Wyoming and other Rocky Mountain and Missouri River Basin states. Other investigations involving possible import of Alaskan coal, potential Canadian coal resources, pressurized and boiling water reactors, development of prototype fast breeder reactors and prototype magnetohydrodynamic fossil fuel generation facilities may also be included in the Public Power Council programs.

We would like to respond to the particular points brought out in your letters. We agree that the report on the hydro-thermal program for the Pacific Northwest may have led you to the conclusion that nuclear generation was the major thermal power source considered. The "models" presented in the Appendix of the report do list a series of twenty nuclear plants. On the other hand, as stated elsewhere in the report, fossil fuel power resources or other thermal resources were considered to be alternatives to nuclear development. For instance, the map on page 23 of the report shows two transmission interconnections "to the East" which are designated as possible future interties which would transmit fossil fuel power into the Pacific Northwest. The first such fossil fuel (coal fired) powerplant is now being planned as a 1000-mw plant located in Southwestern Wyoming.

We are reaching the final stage in programing the first six thermal plants that follow the development of Centralia, Washington, units 1 and 2 which are now under construction. This group of seven plants will have a total capacity of about 7,500 mw. 2,400 mw of this total will be coal-fired steam-electric powerplants. These latter plants are the Centralia plant of 1,400 mw and a 1,000 mw coal-fired plant programed for development near a coal mine in Southwestern Wyoming. The other five thermal plants will probably be nuclear steamplants located in Oregon and Washington, west of the Cascades. The first of these plants is now under construction by the Portland General Electric Company at a site along the Columbia River north of Portland, Oregon. We believe it is highly desirable to develop a diversity of types of electric power supply so that economic trends that affect individual types of power sources do not excessively increase power costs.

We agree that the development of extra-high or ultra-high voltage transmission facilities, together with large coal-fired plants in Eastern Montana and Wyoming, can be expected to become competitive with nuclear power facilities located more closely to the Pacific Coast load areas.

We have had discussions with representatives of both the Peabody Coal Company concerning development of its Eastern Montana coal resources and the Reynolds Metals Company regarding its coal holdings in Northern Wyoming. From these discussions it appears that mine-mouth coal-fired plants in these areas could furnish competitively priced power to load areas in the Pacific Northwest by the 1980's. The Pacific Northwest hydro-thermal program is based on the concept that the continuing need for thermal electric power shall be obtained from the resource that provides low-cost electricity to the Pacific Northwest consumer.

The hydro-thermal program did not disregard the findings of Transmission Study 190. In fact, as pointed out previously, the program included the possibility of transmission connections to the east and importation of coal-fired thermal power. High-voltage interconnections from the Pacific Northwest to the east and southeast would allow more extensive development of coal resources in areas east of the Rockies, since the burden of transmission cost could be shared to provide the several types of power transmission benefits including transmission of power from the plant to the load areas east or west. It should be pointed out that maximum benefit of combined use of transmission facilities will be achieved when large-scale coal-fired powerplants, some 3000 mw or more, are located about midway in an east-west tie.

The six to seven-cent/million BTU cost of Montana coal mentioned in your letter would, in all probability, make power generated by this fuel competitive with almost any other available power source even though as much as one mill/kwh may be associated with extra transmission costs. We believe that your suggestion for an extension of Transmission Study 190 to include the economics of power source development, together with the cost and benefits of interconnecting extra-high voltage transmission facilities, is entirely appropriate. We have been considering this type of study extension which could be a part of our overall energy resources development program.

Your observation that the Pacific Northwest-Southwest Intertie was used this winter to transmit 800,000 kw of capacity north from California to the Pacific Northwest serves to illustrate the fact that well planned interconnections will usually be utilized to achieve benefits that exceed the amounts forecast in the feasibility studies.

MHD technology has not yet been developed to the point of commercial application but preliminary experimentation indicates that if the numerous engineering problems can be overcome that electric generation may be accomplished with reduced air pollution and water requirements along with increased efficiency. In this connection there is increasing interest in the U.S. in evaluating the need for larger scale experimentation and in coordinating U.S. efforts with those of other countries. At present, however, commercial application seems to be some years away.

The fiscal constraints under which the F.Y. 1970 budget was prepared were not conducive to the undertaking of a new MHD pilot plant of the magnitude mentioned in your letter. Basically, the 1970 budget only continues on-going pilot plant projects.

A study is presently being made by the Office of Science and Technology of the state of technology of MHD, its possible implications to the U.S. electric energy economy, and what the public policy should be toward this new development. We wish to have the benefit of the OST view to determine if funds should be requested for Federal expenditures in research. If the decision is reached to go ahead in this area, a $50,000,000 MHD research program would appear reasonable to advance this technology.

Implementation of the hydro-thermal power program for the Pacific Northwest now involves consideration of the possibility of fast breeder nuclear prototype plants. Various types of such plants are now being sponsored by several manufacturing and utility groups throughout the country. It may now be appropriate to similarly accelerate the cooperative development of prototype plants involving MHD electric generation. We believe that public, private and Federal agencies should coordinate in the sponsorship of programs that have future economic promise.

We appreciate your interest in and expert interpretation of such programs and studies as the hydro-thermal program for the Pacific Northwest and Transmission Study 190. We believe that continued interchange of ideas regarding such programs will accelerate future economic developments with due consideration of environmental factors.

Sincerely yours,

JAMES R. SMITH,
Assistant Secretary of the Interior.

GOV. ALBERT P. BREWER, OF ALABAMA, COMPLETES FIRST YEAR IN OFFICE

Mr. SPARKMAN. Mr. President, a few days ago Alabama's Gov. Albert P. Brewer completed his first year in the State's highest office. Albert Brewer was Lieutenant Governor of the State of Alabama and succeeded to the office of Governor upon the death of Gov. Lurleen Wallace.

There has been great interest in his accomplishments during the first year in office. Editorial comment has been favorable. I believe that the people of the State feel that he has rendered distinguished service and has shown great leadership qualities.

The Sand Mountain Reporter, Albertville, Ala., of May 13, 1969, published an editorial entitled "Brewer's First Year"; also, the Birmingham News of May 12, 1969, published an editorial entitled "Brewer's Year."

I ask unanimous consent that the two editorials be printed in the RECORD.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the Albertville (Ala.) Sand Mountain Reporter, May 13, 1969]

BREWER'S FIRST YEAR

Gov. Albert P. Brewer ended his first year in the state's highest office last week, and according to his own evaluation, the school program which just passed the special session of the legislature was by far the most important achievement.

Despite the wide divergence over particular parts of his program, the Alabama state legislature has a healthy measure of respect for the governor and is sympathetic toward his program of governmental reform.

Brewer somehow resists classification as a reformer. Perhaps that is because reformers are generally thought of as wild-eyed, outspoken and radical types who make all sorts of pronouncements and dire predictions about what will or will not happen if their viewpoints are not immediately impressed upon the public will.

And Brewer fills none of these requirements. Yet he is effecting governmental reform in a real and meaningful way.

For one thing, economy is not just a catchword to be used at election time. While the establishment of a car pool is the most dramatic single part of his economy move, it is by no means the only economy.

People who do business with the state have discovered that to win a state contract, or to receive purchase orders for what they're selling, they've got to come up with the lowest possible price and the best possible service.

In the matter of state insurance, for instance, agents long used to paying tribute to some minor state satrap for the privilege of doing business with the state, are finding it no longer necessary. Insurance is being bought at far lower premiums and state officials under bond are being bonded at much lower cost to the state.

The cost of road building equipment, like all other heavy machinery, has climbed steadily over the past four years. Yet in a recent purchase the State Highway Department paid far less for the same machines than when similar units were bought four years ago.

State officials who have spent with a fairly free hand in years past are finding their requisitions for supplies and equipment given a very critical scrutiny.

In short, Gov. Brewer is applying to state government the same economies that private business must practice if it is to show a profit.

But more than that—His most effective work has been in a field of governmental cooperation, of using the great resources of the federal government to help Alabama all it possibly can. To this end he organized the Alabama Programs Development Office, pulling together a group of loosely organized and ineffectual agencies into a single unit designed, geared and financed to see that the state and its cities and counties get the maximum allowable federal assistance.

And in the field of industrial growth, he has set in motion plans to reorganize the Department of Planning and Industrial Development. Planning will become a function of the Programs Development Office and the search for industry will be greatly enhanced by establishment of a "data bank" through which industries in search of a home can have, in an instant, all the information they need about a particular site.

His recent trip to New York, during which he appeared before many of the nation's leading businessmen, was a real "plus" for Alabama. Business magnates were quick to note his ability and his earnest desire to pull Alabama up from the bottom of so many economic indices.

The Governor is demonstrating his belief that the cure to Alabama's economic ills is to come in two ways—the education of its people and providing them with jobs—jobs that will sustain a far greater standard of living than at present.

He has passed an education program through the legislature that is revolutionary in its approach to the recurrent financial problems. And he is working hard on the problem of providing jobs.

An assessment of his first year in offce must be to give a "A-plus" for his effort. Only time will tell if those efforts pay off in the way he hopes they will.

[From the Birmingham (Ala.) News, May 12, 1969]

BREWER'S YEAR

The papers have been filled with assessments of President Nixon's first hundred days in the White House, a traditional time for measurement of performance.

Closer to home, the state's chief executive also has passed a significant milestone in office, and one affording a somewhat more comprehensive look at personal style, policy direction and general effectiveness than is possible in the little more than three months Mr. Nixon has served.

It was one year ago last week that Albert Brewer became governor of Alabama succeeding the late Gov. Lurleen Wallace.

His performance during that year rates high marks.

Gov. Brewer, operating essentially in a low-key way made essential by the manner in which he came to office and the delicate political situation he found himself in, has succeeded in establishing himself as his own man, governor in his own right.

Not the least important aspect of his service to date is the impression he has made nationally, where Alabama's image has been considerably enhanced by the demeanor of its governor.

Brewer has "come across" as an intelligent, level-headed, honest, poised young executive—and, important to him in view of his expressed interest in seeking a full term in office next year, this good impression has been absorbed not only outside the state but by Alabamians who previously knew of him only casually as a legislator and lieutenant governor.

The sternest political test he has faced to date came in the just-concluded special session of the Legislature. He did an enormous amount of homework on the educational situation in Alabama, and when he presented a program it was carefully thought out and thoroughly prepared. And, despite stiff opposition on some points, he won most of what he sought.

Another test looms now in the presently recessed regular session. There are many thorny issues to be defeated, and the governor inevitably will be drawn into controversy on some of them. The outcome could in a very real sense bolster or damage his chances for election to a full term in 1970.

Those chances are subject also to many other political imponderables, including the identity of possible challengers for the office and the course of events in areas beyond a governor's control.

But so far, so good—for Alabama as much as for Albert Brewer.

NIXON DRAFT REFORM MEASURE APPLAUDED

Mr. TOWER. Mr. President, 1 week ago today, President Nixon recommended new legislation to revise the military draft in order to increase its fairness and to limit to a single year the period of prime vulnerability for any young man.

The President's recommendation closely paralleled my bill, S. 760. I am therefore on record as strongly favoring a change in our Selective Service System similar to the one recommended by the Chief Executive. I am, of course, not alone in my support for this needed reform measure. I ask unanimous consent to have printed in the RECORD two editorials: one from the May 19 issue of the Washington Star, and the other from the May 15 issue of the Houston Chronicle. The editorials are indicative of the widespread national support for the President's proposal. I look forward to supporting the finalized proposed legislation when it comes before us on the Senate floor.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the Washington (D.C.) Evening Star, May 19, 1969]

A MUCH-IMPROVED SYSTEM

The President's proposed reform of the draft should satisfy most fair-minded critics of that much-criticized institution. True, he didn't come out for an all-volunteer army, but such a step is hardly possible until the Vietnam war abates considerably. If it is once conceded that we are stuck with selective service, at least for the immediate future, then Nixon's changes should largely eliminate the two glaring flaws in the present system.

The first is its unfairness. As things now stand, some young men can beat the draft entirely through deferments of one sort or another while others are caught. Under the Nixon approach every American male would stand about the same chance of being drafted. Each Selective Service year a national lottery would be held. All those who had previously turned 19 would be subject to call through an ingenious method of randomly selected birthdates. For example, if John Smith Jr. were born February 7th and that were the 340th of the 365 birthdates picked, then John would probably not be called. The system even extends to a randomized alphabet system for picking and choosing among those with the same birthdate.

Some would contend that student deferments add an element of unfairness to the random-selection procedure. We don't agree. A student, like everyone else, gets his sequence number for callup at 19 or 20. He then may be deferred until he completes his undergraduate education or a year of graduate training. But afterwards, his name goes back into the pool of potential draftees. And as he retains the same sequence number, he has precisely the same vulnerability to the draft as before.

The other flaw in the present system is the uncertainty it lends to what are, after all, the crucial years for making decisions about education, career, marriage and raising a family. These sorts of decisions are hard enough under the best of circumstances, let alone with the draft staring one in the face.

Under the revised ground rules, young men would still be eligible for the draft from the ages of 19 through 26. But there are two key differences. One is that draft boards would henceforth start drafting the 19-year-olds and work their way up rather than the other way around. Thus the draftees, on the average, would be much younger, have fewer outside responsibilities, and incidentally be in better physical shape. Second, everyone would have one—and only one—year of "maximum vulnerability" to the draft whether at 19 for those who don't go to college or afterwards for those who do.

It is to be expected that these proposed reforms of the draft will provoke considerable debate. But when all is said and done, they do represent a fair and orderly approach to the problem. In our view, they merit congressional approval this session.

[From the Houston (Tex.) Chronicle, May 15, 1969]

MAKING THE DRAFT FAIRER

President Nixon's proposals for changing the draft system—subjecting 19-year-olds to first call and deciding by lottery who among the eligibles goes—makes a lot of sense.

Granted, no draft system is perfect so long as it has to call up young men who don't want to serve. Mr. Nixon prefers a volunteer army, as we do, and he still thinks that a volunteer army is feasible once the Vietnam war is over.

But so long as a draft is necessary, then it should be as fair and as painless to the men involved as the nation is capable of making it.

Mr. Nixon doesn't propose to change the deferment system which is far from perfect, inasmuch as it favors young men from upper and middle class homes who can afford to go to college.

But he does propose that, from those who are in the eligible pool, the choice be made by lottery with every man in the pool on an equal footing.

We approve of this plan of calling 19-year-olds first, then keeping them on the vulnerable list for only one year. If they haven't been called during that year, they then would move on into the noneligible pool and proceed with their private lives without fear of any future disruption by the military.

This is a better way, we think, than having the possibility of military service hang heavily over a young man until he is 26. When the call comes late, it may completely disturb the progress he has made in education or business or sorely disrupt his personal life since by that time most men are married and have children.

Much of the resentment against the draft stems from the fact that—unlike in World War II—the armed forces don't need all the men who are eligible or available. During the past 10 years, the number of men inducted has declined from 70 percent to 50 percent of those eligible. What Mr. Nixon proposes is an improved method of choosing the one out of two who must go.

THE IMPORTANCE OF AID TO FEDERALLY IMPACTED SCHOOLS

Mr. MONTOYA. Mr. President, the Public Law 874 financial situation is in a very critical state of affairs, due to the low priority which the Nixon administration is assigning to the education of the youth of America.

Congress in its wisdom passed this legislation in recognition of the necessity to compensate local school districts for additional burdens imposed upon them by increased Federal activity in their area. The essence of this burden is precisely that of an added requirement to serve large numbers of children of Government employees, military families, and so forth, many of whom do not contribute to local tax rolls.

Yet the Nixon administration's largest single cut in our crucially important education programs is that of a $332 million cutback in Public Law 874 funds for school maintenance and operations in federally impacted or major disaster areas.

In richer States, this may not present such an overwhelming blow, but in States such as my own—with many heavily impacted school districts—it represents an intolerable situation.

Mr. President, children falling under the 3(a) provision of Public Law 874 are those whose parents live and work on Federal property. These children will receive 100 percent entitlement for a total of $145.9 million nationwide, of which New Mexico has been allocated $6.1 million.

But it is the fate of children falling under the 3(b) provision of the act—whose parents work but do not live on Federal property—that is at stake here. The Nixon administration has decided not to allocate 1 penny of their $436.5 million entitlement approved by Congress for fiscal year 1970. In my State of

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New Mexico, this will mean a loss of $6.4 million in desperately needed dollars, although the school districts have relied upon and received these funds since enactment of the legislation 18 years ago.

I fail to understand the rationale or purpose behind this action, since it is the Federal Government itself which has placed the heavy financial burden upon the affected school districts. Because of their slender tax bases, these school districts are already seriously overburdened in insuring that their own youth receive the education they have a right to expect. Many of the districts have gone into debt in behalf of their educational obligations. Indeed, because of the seriousness of the overall school crisis in New Mexico, brought about by a lack of funds, it has been necessary for the New Mexico State Legislature to call upon the citizens for additional tax money, and a $25 million State tax increase has recently been enacted, whose primary purpose is to keep the New Mexico schools open.

Clearly, then, in being deprived of Public Law 874 assistance for the operation and maintenance of their schools, the school districts of New Mexico will suffer a most serious hardship due to difficulties in replacing funds through local and State tax revenues. Time and time again educators in New Mexico have called my attention to the intolerable burden they must bear unless full entitlement under Public Law 874 is forthcoming.

In the past, both the House and Senate have affirmed a policy of fully funding 3(b) entitlements under Public Law 874, and the congressional mandate should not be ignored. We must, therefore, insure that the progress of education in impacted areas of our Nation is not seriously impaired. We must ride herd on the Federal Government's very basic obligation to these school districts and its duty to keep faith with millions of children and their right to a quality education.

Additionally, I am deeply concerned about and most strenuously urge increased funding of the Public Law 815 program for school construction in federally impacted areas.

I am informed that there is currently $72.2 million in funds available, which I would hope the administration will see fit to release immediately for the many applications pending. But the needs of New Mexico alone are about $7 million, and nationwide funding needs are estimated to be at least $247 million through fiscal year 1969, so the requirement for additional appropriations is all too apparent.

Many children in federally impacted areas of my State attend classes in buildings which have been declared firetraps, and are overcrowded and substandard. I am sure this situation is multiplied manifold nationwide.

Since 1950, both Public Law 874 and Public Law 815 have provided important assistance to school districts that are suddenly and severely overburdened with a school-age population as the result of increased Federal activity. While I acknowledge the need to curtail expenditures where possible, let us not pull the rug out from under the poor school districts of this Nation by forcing them to carry more than their fair share of added complications arising through no fault of their own. Let us act in good faith by providing them full entitlement under Public Law 874 and increased appropriations under Public Law 815, and thus help their vital educational programs receive the sustenance we in Congress clearly intended them to have.

JAPANESE-AMERICAN TRADE RELATIONS—ADDRESS BY SECRETARY OF COMMERCE STANS

Mr. STEVENS. Mr. President, the present Secretary of Commerce, Hon. Maurice H. Stans, has served this Government well in many capacities.

It was recently my privilege to discuss with him the development of Japanese-American trade relations on the myriad problems facing the United States with regard to world trade. Secretary Stans has, following the lead of President Nixon, firmly dedicated the United States to a concept of freer trade, but in doing so he has, through his European trip and through his recent trip to Japan, indicated the necessity for reciprocity and the removal of artificial trade barriers throughout the world.

I ask unanimous consent that Secretary Stans' address made before the American Chamber of Commerce in Japan and the American-Japan Society in Tokyo on May 13 be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

AN INVITATION TO PROGRESS

(An address by Hon. Maurice H. Stans, Secretary of Commerce, before the American Chamber of Commerce in Japan and the American-Japan Society, Tokyo, May 13, 1969)

It is a pleasure to visit Japan once again, and especially to see the exciting city of Tokyo at this beautiful time of the year.

I am particularly pleased to have the opportunity to speak before two organizations that have done so much to build the friendship between our two nations. This friendship is something we in the United States value highly, and want to preserve for all time.

The American Chamber of Commerce in Japan has my congratulations on turning twenty-one years old this year. In that time the whole world has marveled at the economic miracle which you have seen first hand and to which you have contributed so much.

JAPANESE-AMERICAN RELATIONS

From a standing start Japan has risen to the position of the Free World's second largest economy and fifth largest trading nation. In the United States we see tremendous evidence of that success. Japanese automobiles and motorcycles are on the streets of every major city in America. In almost any household you find a Japanese transistor radio, or tape recorder, or camera.

The United States, in fact, is Japan's leading customer. And Japan is our largest market overseas. So we have a powerful commercial bond between us.

As I have already said, the American Chamber of Commerce in Japan deserves a great deal of the credit for the development of this commercial relationship. And the America-Japan Society deserves a good measure of praise for the friendship between our peoples that has been created in the same time.

But the basic credit for Japan's economic achievements, of course, rests with the Japanese people themselves—with their determination, energy, and imagination. Starting with just those resources and not much else, they have quickly become one of the economic giants of history.

The United States is very proud to be a trading partner in that development. We have benefited from it, just as the Japanese have, and we want to bring about even greater tomorrows in the future for the good of all of us.

My presence here today signifies the great interest which the Nixon Administration has in the full development of the Far East, its countries and its people. From the President on down, we look forward to working with Japan and all the free nations of Asia as friends and equals in dealing with our broad scope of mutual interests.

THE FOUR FREEDOMS

In Asia, as it was in Europe, the immediate purpose of my travels is to reaffirm the commitment of the Nixon Administration to the principal of greater commercial freedom—greater economic interchange—among all nations and all peoples. I would like to suggest here the foundation of the policies we intend to follow to attain that goal.

We believe the future progress of the free world will most effectively be achieved through a common commitment to Four Economic Freedoms—roads across the borders of nations to mutual progress:

Freedom to Travel.
Freedom to Trade.
Freedom to Invest.
Freedom to Exchange Technology.

The rightness of these ideals has been demonstrated in the years since World War II—in the tremendous gains in living standards in the Free World.

REALITIES

But these are ideals, not yet achieved, and today we must deal with realities that stand in the way.

Take, for example, the matter of trade.

At one time in history, wars were fought over trade issues and trade routes. In the 20th century world, we have learned that solutions to trade problems can be found through frank and friendly discussions—and these solutions can change the course of history for the benefit of all.

I am now here in the pursuit of frank and friendly discussions!

When I began these travels a month ago in Europe I announced that I was doing so for several purposes:

To renew old American ties and to make new friends.

To discuss some of our problems and to acknowledge others.

To identify differences and to search for agreements.

And to establish direct communications with other nations in order to better manage our common interests.

In other words, we want to establish a new rapport, a new friendship, a new understanding, with our trading partners throughout the world. We want to lay a foundation of mutual trust and respect now which will make it possible for all of us, in the near future, to resolve the issues of today and to minimize frictions which might lie ahead.

For no country has a trade problem unto itself. What affects one must necessarily affect at least one other. And in today's age, the problem of any one most often is the problem of many.

Today there are such problems. The United States is interested in improving the climate for freer trade—so are many of the friends we trade with abroad—and yet each of us faces protectionist trends and the existence of many trade and investment restrictions.

THE OPEN TABLE

We believe it is time all of us begin to recognize the mutual gains that can be

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made by eliminating these unnecessary restrictions. To this end I have proposed an "Open Table" principle under which all nontariff barriers are brought fully into the open, are measured, probed and diagnosed, and are dealt with in the same reciprocal manner as was so effectively done with tariffs in the Kennedy Round. This proposal met with accord in almost all of my discussions in Europe. Almost all the countries expressed the hope that the United States would continue the initiative along this line.

So I think it is fair to say that we have begun to accomplish the aims which took us abroad. We have brought our difficulties out into the open. We have discussed them thoroughly. We are all better aware of our respective internal circumstances that bear on these differences. And I am confident that we have begun to walk down the right path toward a resolution of many of them.

INFLATION

But our problems today are not only the problems of trade. At home we face severe inflation, resulting from pressures which have been building for more than four years.

Inflation has had a very unfavorable effect on our balance of trade and our balance of payments, because the spiral of rising wages, costs and prices weakens our competitive position abroad.

We in America know that the chief antidote to inflation is government responsibility.

Our challenge is to administer the antidote so it will reduce the fever without killing the prosperity from which it stems.

ANTI-INFLATION MEASURES

President Nixon is walking that narrow path of responsibility and restraint. The problem has been given the highest priority of any domestic issue—and he has taken significant steps which already have begun to produce results.

He has reworked the Federal budget for 1970 into a surplus of nearly six billion dollars—after fifty billion dollars in government deficits piled up over the past five years. The age of chronic deficits has been brought to a halt.

He has asked for a limited extension of the surcharge on income taxes.

He has recommended repeal of the 7 percent investment tax credit.

He has called for a thorough overhaul of the Nation's tax system, to eliminate inequities that contribute to economic unrest.

Meanwhile, the Federal Reserve System is holding down the growth of the money supply.

Judged by several standards, these measures have begun to take hold. Interest rates show signs of leveling off. The advance in consumer spending appears to be slowing down. The shortage of credit is beginning to put the right degree of restraint on borrowing, spending and construction.

We will stop inflation in the United States!

TRADE SURPLUS

The United States economy does not live in splendid isolation. There is a close tie between domestic and international economic affairs, and we know we need a high level of exports to finance American imports from Japan and around the world. We need it, too, to finance American travel, direct investments in other countries, mutual security, and aid expenditures throughout the world.

Our trade surplus dropped sharply last year. But we are determined to restore it—we have set an export goal of $50 billion by 1973—and we will not let inflation price us out of world markets.

DIRECT INVESTMENT IN UNITED STATES

As part of our efforts to improve our balance of payments, we want to emphasize the long-standing favorable climate for foreign direct investment in the United States. We believe the far-sighted foreign investor can secure unique opportunities by having a plant or other operation located in our country.

The United States has always offered foreign investors several unusual advantages: political stability; an intelligent, inventive, hard-working labor force quick to learn, and to improve on, mechanized methods; full legal protection of property rights, including patents, whose protection is provided for in the Constitution itself; and equal treatment for foreign and domestic investors in the management of property, and the unlimited right to take out earnings or withdraw capital.

Today businessmen from every continent are attracted to invest in the United States by the world's largest and most lucrative market, by an abundance of natural resources, by a well-developed infrastructural base, by the great purchasing power of our people, by the inherent economies of large-scale production, and by access to advanced technology.

Businessmen are finding that in many cases manufacturing in the United States is a more effective and more economical means of serving this vast market than exporting to it.

Production in the United States eliminates many expenditures involved abroad in transportation, financing, warehousing, and tariffs. Although some costs of production may be higher, these often are offset by ready access to the latest in technology and managerial expertise.

And so we extend an invitation to our friends in Japan and around the world to Invest in America.

JAPANESE INVESTMENT CONTROLS

And this is where I want to stress the advantages of reciprocity. We urge the Japanese government to adopt the same open policy and withdraw its own rigid investment controls.

We hope the doors of investment opportunity which we hold open to Japan, and to businessmen from around the world, will be reciprocated in a meaningful way to us.

The United States has no restrictions on the withdrawal of capital or profits from foreign investments in our country.

We seek the freedom for Americans to do business in Japan.

It is the right time for the right action.

Japan ran a balance of payments surplus last year of more than $1 billion.

The Japanese Gross National Product has risen to the second largest in the Free World.

While our sales to Japan increased by about ten percent last year, Japanese sales to the United States increased 35 percent!

Yet with all of this great economic strength in Japan, the foreign investor faces unprecedented frustration.

Two years ago a study by a Committee of the Organization for Economic Cooperation and Development stated, "No other advanced industrialized country confronts the foreign investor with the sort of obstacles presented by Japan."

That observation, regrettably, still seems to be valid today, according to many reports I get from American businessmen:

In manufacturing, few American investors are able to establish wholly-owned manufacturing subsidiaries or to acquire a majority interest in joint ventures.

In the past five years, less than a half dozen foreign investments in the manufacturing field have been validated by the Japanese government where the foreign equity was more than 50 percent.

There is more American investment in many non-industrialized developing countries than there is in Japan, one of the world's leading industrial nations.

We think, with absolute honesty and candor, that Japan would serve its own best interests by prompt liberalization of foreign investments, including the unrestricted right of majority foreign ownership. We think that Japan would have nothing to fear from American capital and technology within its borders, living under Japanese laws. And we think that the people of Japan would be major beneficiaries if this were permitted. There is no place in the world where liberal investment policy toward American capital has failed to produce a stronger economy.

OTHER RESTRICTIONS

In the trade area, we are disappointed that Japan has not made more meaningful progress toward eliminating its remaining import controls. We would like to see Japan make a determined effort now to eliminate these quantitative restrictions that are not in accord with its commitment under the General Agreement on Tariffs and Trade. Further delay will unnecessarily aggravate trade relations between us, because these restrictions are looked upon by many Americans as a symbol of unyielding Japanese attitudes on these matters.

We are heartened by the recent increase in overseas travel allowances for Japanese citizens but look forward to the day when all limitations will be removed, so that more of the people of Japan can Discover America.

And we would like to see the exchange of technology between American and Japanese industry freed from all controls except those imposed by market forces and patent laws.

We realize these many restrictive policies had their role in the days after World War II to help Japan rebuild its economy. But now Japan has taken its place as a major industrial power. It has grown in strength to the point where it no longer needs the protections and limitations appropriate to an insecure nation.

Protectionists in the United State seize on such restrictions in other countries as justification for legislating against imports. They have succeeded in having more than 300 bills introduced in the Congress this year to impose quotas on dozens of commodities ranging from textiles to strawberries.

We know the dangers of protectionism. If one country erects a barrier, others respond in kind. The result is an escalation of barriers and a contraction of trade.

To avoid that misfortune, each country must do its part to remove its own restrictions.

There are, of course, exceptional cases in which we must understand each other's special problems and be willing to take cooperative action to solve them.

TEXTILES

The United States has a current problem that requires this kind of attention. Our textile industry has been hit hard by dramatic increases in imports, and the pressures for legislative quotas are immense. We fear that unilateral quotas, once started, could snowball to countless other products, and our aims for freer trade would be seriously set back.

There are two points of logic on this textile matter that I want to mention for everyone to know:

(1) The United States is the only remaining free market for textiles among the major nations of the world. All the others have imposed restrictions of one kind or another on imports. The United States just cannot absorb the entire potential output that all the producing nations can deliver. Isn't this understandable?

(2) If this problem is worked out promptly, no jobs need be lost in Japan or anywhere. We are willing to allow all producers to share in the growth of our market. All we seek to do is to stop a growing wave of imports that will deluge our markets and bring catastrophe to our industry and its workers. Isn't this reasonable?

Therefore, we seek an international understanding on textiles. In view of the circumstances, we regard such an accommodation as necessary to preserve the overall thrust of our policy toward freer trade. An exceptional circumstance does not deny the major premise in open markets.

FREER TRADE

For more than three decades the United States has sought freer trade, and we have made substantial progress. World production has almost doubled and world trade has trebled since 1950 alone.

The world has become too interdependent to return to the restrictive policies of a bygone age. In the new age of international business, all nations benefit from trade expansion and from investment freedoms.

No nation can expect to enjoy for long the fruits of a one-way policy.

The Nixon Administration firmly intends to keep the United States on the road toward freer trade, freer investment, freer travel and a freer exchange of technology. Reciprocity here in the Far East—in the removal of artificial trade barriers, in the creation of a new climate for freedom to invest, and in understanding of our one unusual problem—will help us all to move strongly in that direction.

CONCLUSION

As you know, President Nixon has made peace the first priority of his Administration, and he is directing the most diligent search for a way to end the war in Vietnam. I am confident he will find it and thus set the stage for a new surge of world-wide prosperity.

Next to the achievement of peace, his first priority is to restore trust and confidence to our relations with America's trading partners around the world.

Since World War II, the economic progress of the Free World has been built on a spirit of cooperation. Whenever a weak link developed, we banded together to repair it in the interest of maintaining an economic order capable of growth and expansion for the benefit of all.

Under President Nixon, the United States seeks full and frank consultation—an international open table—to further increase the traffic in people, in goods, money and technology between our country and the other nations of the Free World.

This is the way, we believe, to build people-to-people friendship; to produce more well-being at less cost for more people; and to improve the prospects for stability and peace in the world.

THE VISTA PROGRAM IN ARKANSAS

Mr. FULBRIGHT. Mr. President, the VISTA program in Arkansas, under the administration of James L. Ranchino, has proved to be an outstanding success. In these days when we hear so much of the shortcomings of so many activities with which our Government is conconcerned, it is encouraging to read the account of the VISTA program in Arkansas, published in the Arkansas Gazette of May 7, 1969.

I ask unanimous consent that it be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Little Rock (Ark.) Arkansas Gazette, May 7, 1969]

STATE VISTA PROGRAM, CALLED BEST IN NATION, ALSO TO BE THE LARGEST

ARKADELPHIA.—Arkansas will have the largest VISTA Associate program in the nation this summer, according to James L. Ranchino, assistant professor of political science at Ouachita Baptist University here.

Ranchino, who headed the first VISTA Associate program in Arkansas last year, will serve as director again this year.

The summer program allows potential VISTA volunteers, many of whom are college students, to work for the summer with poor people in their home states.

Later, they can sign up for the normal year of service with VISTA (Volunteers in Service to America). The project has been called a "domestic Peace Corps."

Last year's VISTA program in Arkansas had the lowest budget of all the VISTA programs and was rated the most effective in the nation. Of the $50,000 allotted to the Arkansas program, only $46,000 was used. This made Arkansas project the only one to end the summer with a surplus.

"When I tried to give VISTA back the rest [of the money] they were amazed," Ranchino said. "We still have money in the bank because they don't know how to take it back. We simply ran a good, inexpensive program, which produced results."

VISTA headquarters has expanded the program and allotted Ranchino $75,000 to train and provide for the expenses of 75 student volunteers from the state's colleges and universities.

Commenting on last summer's success, Ranchino said that the effectiveness was much greater than he had hoped for.

"I didn't really think it would accomplish what it did," he said. "For one thing, in every place we went there are now regular, permanent VISTAS. Its a tribute to the kids, actually."

ATTRIBUTES SUCCESS TO RECRUITING JOB

He said none of the volunteers had dropped out of the program.

"This was phenomenal, and Washington just couldn't understand it. Primarily it was because of the excellent job of recruiting."

The 48 students were recruited from colleges by four field supervisors and recruiters—all of whom are Negroes.

"We sent the students out to 32 counties in the state from Benton County in the northwest to Mississippi County in the northeast and from Texarkana across to Bradley County," Ranchino said.

"Although many areas in the state have poverty problems, we can only go where we're invited. In every one of these areas we had sponsors and we assigned our students to these agency sponsors. In Texarkana, for instance, Model Cities sponsored a couple of our people, the CAP (Community Action Program) sponsored some, and up in Newton County, the School Board sponsored us," he said.

POINTS OUT FIGURES ON POVERTY LEVEL

Ranchino said Arkansas had 68,794 families with an income of less than $1,000 a year. There are 233,410 families, or 47.5 percent of all the state's families, who make below $3,000 a year. The federal government recognizes $3,000 as the poverty level.

Forty-one per cent of Arkansas's population over 25 years of age has not finished the eighth grade, which means that there are 250,000 functional illiterates in Arkansas, he said.

"These are real needs," he said. "It's true also that in black counties such as Mississippi, poverty percentages are greater than other counties. Fifty-four per cent of the 83,000 population are poor.

"In terms of job opportunities, blacks are unemployed at the rate of two to one over whites * * * For every 15 whites who live in ramshackle houses in the state, there are 42 blacks who live in them."

FLEXIBLE PLAN HELPED IN SUCCESS

Ranchino began his plan with a budget he drew up himself. Flexibility in the program meant the difference between success and failure, such as in the Oklahoma VISTA program.

"We weren't trapped and we innovated a lot," he said. "In Hot Springs, for example, we created something called a 'Soul Exchange' where the black kids from the poverty areas could meet every night for movies, dances and so on."

"The Arkansas program was doubly tough because there were only VISTAS serving * * * in Pulaski County, Garland County and an area around Russellville.

"Up until this time VISTA had a bad name in the state because there were Northeastern kids coming into the state telling Southerners how to live and generally there was bad public relations.

"We wanted to do two things. One, we wanted to get into areas of the state where there were no other VISTAS and open them up. Secondly, we wanted to show that these VISTAS were Southerners who were concerned."

CULTURAL SHOCK BIGGEST OBSTACLE

"The biggest obstacle for the volunteer is 'cultural shock,'" he said. "Most of them are so insulated that when they suddenly find that everything they have been taught * * * does not exist in the society of the poor, it scares the daylights out of them. They become frustrated and want to quit.

"It takes about five or six days for this to happen. The first day you come you're very frightened but eager to get going. The second day you talk to some people and then Thursday night you find that nobody shows up for the meeting that everyone said they were interested in and would attend. You spend Friday and Saturday doing some serious soul searching.

"The first week is critical and that's where you have the most dropouts. We didn't have any and that's incredible. We attribute this to the work of the supervisor who saw the volunteer every day."

LACK OF INTEREST IS SECOND SHOCK

The second shock for the volunteer, according to Ranchino, is the realization that the community to which he is assigned really isn't interested in change.

"In 10 weeks you're not really going to organize and break down a system which has built up over a hundred years. One of the purposes of the VISTA Associate program is, of course, to deliver some direct services to the poor, but it is also to effect change. In the end this change must take place in the middle class society because the poor simply don't have the resources.

"Of even more importance is that it gives middle class black and white college students a picture of what their society is really all about. Hopefully, when they move back into their society they're going to be very conscious of what's going on."

STUDENTS' GRADES SHOWED IMPROVEMENT

Ranchino said a study of the volunteers after they went back to college showed their grades had improved. He attributed this to the student's increased awareness and interest in society.

"Here is a chance to get at the bedrock level, he said." "You don't sit around bulling and talking and taking surveys. You're there where the action is. You're sleeping in a poor person's home and eating with him. You'll never be the same again.

"We took a little girl from Warren, for instance, a real quiet naive sort, sent her to Blytheville along with another girl from Rogers, who had maybe seen five black people in all her life. They moved into an all black neighborhood—the first time in the history of Blytheville. They were called the 'VISTA Blockbusters' and they did a tremendous job."

In another instance, a shy Negro girl from Arkansas AM and N College at Pine Bluff was sent out to Texarkana after a week of orientation.

"We sent her to Texarkana and she was immediately sent out to the area outside of Ashdown," Ranchino said. "She organized 2,000 people in all forms of recreation in community activity. This little girl was unbelievable. We had thought she would be one of our worst volunteers, but instead she turned out to be one of the best. They even put on an integrated talent show down

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there which the community paid to come and see."

RANCHINO LOOKING FOR VOLUNTEERS

Ranhino is looking for volunteers, preferable college juniors and seniors. The only qualification is that the volunteer have a skill which he can teach.

"Any skill which a volunteer has is more than people in poverty have. Last year everyone who applied was accepted," he said.

A week prior to their assignments, the students will receive orientation at Ouachita, for which consultants will be brought in from across the country. All expenses are paid and at the conclusion of the program the volunteers get $116.

"We're recruiting right now," he said. "If you really want to have an exciting summer where you feel you're making a contribution, and for the first time really see our society and your role in it, then you ought to get involved."

THE ARMY STRATEGIC COMMUNICATIONS COMMAND

Mr. GOLDWATER. Mr. President, I am pleased to invite the attention of Senators to an organization that is most significant, not merely to my State of Arizona, but to the security of the Nation, as well.

I refer to the U.S. Army Strategic Communications Command, known as Stratcom. This is a worldwide communications-electronics organization having its global headquarters at Fort Huachuca, in Arizona. It is commanded by Maj. Gen. Walter E. Lotz, Jr.

This past weekend I enjoyed another visit to this historic fort which was the headquarters of the first unit I served in as a Reserve officer.

Stratcom, celebrating its fifth anniversary, was organized in order to provide centralized management and direction of the Army's long-haul communications by integrating all Army communications networks and the Army-operated portion of the Defense Communications System.

As we all know, the future peace of the world depends upon better communications among all countries. We also know that the free world's defense against aggression depends on instant communications in order to deploy military forces. This is the work of Stratcom—to develop and maintain global and instant communications.

Last July 27, 1968, the Arizona Daily Star, published an editorial which reflects the significance of Stratcom's worldwide communications and also tells why we in Arizona are especially gratified to have this vital organization located in our State. I am certain many Senators will find this editorial of interest. I ask unanimous consent that it be printed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

[From the Tucson (Ariz.) Arizona Daily Star, July 27, 1968]

Some Talk Is Not Cheap

"Talk," it has long been said, "is cheap!"

But when that "talk" is vital military information, to be sent swiftly and effectively to any or all of the widely dispersed U.S. armed forces all over the world, it is far from cheap. Its costs are huge, but it is one of the prices the United States pays to protect its national security, and to guarantee that there will be no "Pearl Harbors" in the future.

Where an almost inconceivable series of coincidences delayed a warning message from Washington to Pearl Harbor in 1941, making possible the debacle of that fateful Sunday morning, today, through the magic of STRATCOM, with headquarters at Ft. Huachuca, such a message would have been transmitted in minutes, rather than hours.

The U.S. Army Strategic Communications Command, to implement and maintain that ability, is spending $600.7-million each fiscal year to insure the security and coordinate the effective action of the nation's armed forces, where ever they may be.

Old Ft. Huachuca, built as an operating base for action against the Apaches, now becomes the heart of the greatest system of communications known to man.

Tucson, which has a two-fold interest in this amazing operation should be interested in the manner in which this world-wide expenditure is made. It looks like this:

	(million)
Operation and maintenance	$221.4
Military personnel costs	217.3
Housing-Management	1.6
Stock fund	18.6
Military construction	10.4
Procurement, equipment, missiles-Army	131.1

Here in Arizona, where the headquarters of this far-ranging command is located, Ft. Huachuca has become the state's ninth largest community, with a noon-time population of approximately 20,000 people, dropping to 16,000 at night, when portions of the personnel seek homes outside the station. Of the civilian personnel employed at the fort, 327 live in Tucson with their families. Others reside off base in other communities.

This increasing demand for goods and services on the part of STRATCOM people at the Fort has gained the small community of Sierra Vista, just outside the gates, an increase in business payrolls of $352,000 since March, 1967 and an increase in city tax receipts of 27 per cent.

STRATCOM had spent $19.1 million with Arizona firms, at the closing of the fiscal year; has budgeted $363,000 for its share of the house-keeping for 1968 and is paying civilian wages so far this year amounting to $8.2 million in Arizona.

The total annual military payroll for the year 1968 at Huachuca will be $24,650,000, and it will be nearly matched by the civilian payroll for the entire year of $23,608,000.

Talk, when it becomes worldwide communications for national security, is not cheap.

THE PRESIDENT'S SPEECH ON VIETNAM

Mr. MURPHY. Mr. President, last Wednesday evening, President Nixon's televised message to the American people on Vietnam met with enthusiastic, bipartisan support throughout our Nation. His reasoned and flexible approach to this conflict should hasten the peace we all seek so strongly. Even more, the President has spelled out in specific terms for all of us exactly what the situation is in Vietnam so that we may know where we stand, what we plan to do, and what we can expect in the future. Mr. President, I ask unanimous consent that an editorial commenting on the President's speech, printed in the San Francisco Examiner on May 15, 1969, be printed in the Record. I feel that the editorial fully sums up the reactions of the country as a whole to President Nixon's peace plan.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

The President's Plea for Peace

Last night the world witnessed the agony of power.

Last night the President of the strongest nation on earth humbled himself in a plea for peace.

President Nixon pushed beyond the boundaries of the past in a search for just solutions to the tortured tragedy of Vietnam.

He offered concessions of major magnitude.

He offered friendship.

He offered face-saving salvation for the enemy.

He offered hope and dignity and self-determination for the South Vietnamese.

The words were Richard Nixon's. The heartbeats behind these words were those of thoughtful citizens everywhere.

None should make the mistake of excepting portions of the address and drawing conclusions from individual elements. Such conclusions could be false. And dangerous.

While it was a speech of many parts, the message was indivisible.

Each word and thought and promise was a part of the whole.

It was a speech delivered from strength. It was a speech without the arrogance of power. But the power was there.

Let the doves and hawks in our land read and heed his plea for their support.

For he has offered terms they can support.

Let the despots of other lands who seek to dominate the world read and heed his plea for their understanding.

For he has offered terms they cannot afford not to accept.

President Nixon carried the olive branch—not an umbrella—to Hanoi.

He carried it in a mailed fist.

President Nixon sincerely seeks peace in our time.

But not at any price.

PESTICIDES: NEW PROBLEM OF POLLUTION

Mr. TYDINGS. Mr. President, this week the Commerce Subcommittee on Energy, Natural Resources, and the Environment, of which I am a member, began hearings on the effects of pesticides on commercial and sport fisheries. The hearings are a response to increased public concern over the widespread use today of persistent, toxic pesticides in our society.

An immediate cause for this concern was the seizure by the Food and Drug Administration of 28,150 pounds of Lake Michigan coho salmon that contained an excessive concentration of DDT. Preliminary reports indicated DDT levels of 19 parts per million. A dosage of above five parts per million is deemed hazardous to health.

As is well known, Sweden has banned the use of DDT for 2 years. How and why she came to this decision is related in a short piece by Robert C. Cowen in the May 16 issue of the Christian Science Monitor.

Yesterday, the distinguished junior Senator from Wisconsin, who has sought for some time to bring to the attention of this country the dangers of excessive pesticide use, testified before the subcommittee. His remarks constitute one of the best brief summaries of the pesticide problems I have come across and are well worth the attention of all those concerned with environmental quality.

I therefore ask unanimous consent that his statement and Mr. Cowen's article be printed in the Record.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

[From Christian Science Monitor, May 16, 1969]

BENEFIT OR PERIL? NATIONS WIDEN BAN ON DDT USE TO CURTAIL POLLUTION HAZARDS

(By Robert C. Cowen)

LONDON.—DDT is becoming an outlaw on this planet.

Hungary banned it some time ago.

In the United States, Michigan has banned DDT and Arizona has suspended its use for a year.

And most recently, Sweden announced its widely publicized two-year ban on the poison.

Meanwhile, both Britain and the Soviet Union are considering whether to discontinue its use.

The trend seems clearly defined. With abundant evidence that DDT and related poisons are permeating the environment on the earth, countries that can afford to do so are beginning to back off from their use.

DDT is still the cheapest, most versatile weapon for fighting crop-eating bugs and other insects. Many countries whose needs are great and whose economies are shaky would suffer by giving it up. But countries that can bear the cost are increasingly shifting to alternative chemicals that do not persist after their job is done.

CONFERENCE HELD

Commenting on this in a recent interview, Dr. Norman W. Moore cited Sweden's action as an important indicator of this trend. As head of the Toxic Chemicals and Wildlife Division of Britain's Nature Conservancy, Dr. Moore has become a world authority on pesticide contamination. As such an authority, he took part in a conference of experts from many countries which advised the Swedish authorities before they imposed their pesticide ban.

In past years Swedish wildlife was poisoned by certain mercury compounds. The authorities, in dealing with this, were alerted to the danger of environmental poisoning. Noting a rising concern elsewhere about DDT, aldrin, dieldrin, and other organochlorides, as this class of persistent poisons is called, Swedish experts began looking for contamination.

They found poison residues in the Baltic and its wildlife, especially in fish and seabirds. Moreover, the residues got bigger, the farther north they looked. This might be an effect of colder climate which could slow the processes that break down pesticides, for even organochlorides slowly break down in nature.

Concerned over these findings, Sweden decided to do something about the situation. First it called the meeting March 25–27 which Dr. Moore attended.

Scientists of many shades of opinion talked on all aspects of the pesticide problem. They underwent what Dr. Moore called "cross-examination by a high powered audience including some Cabinet ministers."

Dr. Moore said he was impressed by the breadth and fairness of the discussion. Some experts favored a ban, some didn't

Every country has to make up its own mind on this issue, Dr. Moore explained. At the meeting, it was recognized that some countries could not afford to do without DDT. This means a ban by one, or by a few countries, will not halt global pollution. Indeed even countries banning the poison may find it infiltrating from outside. It can be argued that a ban would be futile. But Dr. Moore observed, "If we all take this view, nothing will be done."

So Sweden's National Poisons and Pesticides Board listened to the experts and then acted.

CHEMICALS BANNED

It banned every use of aldrin and dieldrin from next Jan. 1.

It forbade, from the same date, putting DDT and lindane in preparations for home gardening and household use.

And all other uses of DDT will be banned during 1970 and 1971. Hopefully, during that test period, research will show what a total ban on DDT might accomplish.

Meanwhile, in Europe as a whole the pesticide picture is in a state of flux.

To mention a few cases, Hungary, in a decision little known in the West, has banned all organochloride insecticides. The Soviet Union never allowed aldrin and dieldrin to be used. Now it is eying DDT.

In France, aldrin and dieldrin are banned as spring seed dressings. The Netherlands also bans such dressings.

Britain first banned aldrin and dieldrin as spring seed dressings in 1962. In 1965 and 1966 it greatly restricted other uses of aldrin, dieldrin, and heptachlor. Now a special commission is reviewing the use of all persistent pesticides, including DDT.

"Our national policy," Dr. Moore explained, "is to ban all of these ecologically damaging pesticides. We won't stop using them all at once. But we will phase them out."

THE EFFECTS OF PESTICIDES ON SPORT AND COMMERCIAL FISHING

(Statement by Senator GAYLORD NELSON, before Subcommittee on Energy, Natural Resources, and Environment, U.S. Senate Commerce Committee, May 19, 1969)

Mr. Chairman, I want to express my appreciation to this subcommittee for making it possible for me to testify here this morning on the effect of pesticides on sport and commercial fishing.

Although I have introduced legislation to prohibit the interstate sale and shipment of DDT during the past three Congresses, this hearing represents the first opportunity that I have had to comment on this important issue before a Committee of Congress.

I know of no other single environmental pollutant which is endangering the quality of life on earth more than DDT and other persistent pesticides of the chlorinated hydrocarbon family.

While pesticides were initially developed to combat many of man's enemies, including undesirable insects, plant growth and rodents, these poisons cannot distinguish between our friends and our enemies. They can be as lethal to beneficial insects and creatures as they are to destructive ones.

In addition to being unable to isolate their targets, chlorinated hydrocarbons are also especially persistent and fail to substantially break down or decompose into harmless by-products at the point of application. Instead, they travel through the soil, air and water to pollute plant and animal life far removed from the target area.

For example, DDT, although sold commercially less than 25 years, has polluted the environment on a worldwide basis. In only one generation it has contaminated the atmosphere, the sea, the lakes and streams, and infiltrated the fatty tissue of most of the world's creatures.

The National Wildlife Federation reports roughly 75 percent of specimens of fish, birds, and mammals collected from various parts of the world, including the Arctic and Antarctic regions, contained DDT, or what it becomes after metabolism.

California marine scientists collected several hundred samples of fish and shellfish from the Pacific, in both salt water bays and the open sea. They reported 396 of the 400 samples analyzed contained measurable DDT residues.

Interior Department scientists collected 15 samples of air from nine different locations throughout the country and analysis showed that all contained DDT residues.

The long-range biological effects of this global contamination, which is building up every day that use of DDT continues, are not yet known but the potential is present for a national calamity. Indeed the damage already done is colossal.

DDT remains in toxic form in soil, water, air, and living plants and animals for many years after it is applied. It drifts with the air, flows with the rivers, falls with the rain.

This pesticide is one of the most persistent—remaining toxic for 10 years or more after application—of the more than 60,000 available chemical preparations now registered by the Federal Government.

In connection with this characteristic, its tendency to concentrate in the food chain and cause sublethal chronic effects on fish and wildlife is well established.

This is called biological magnification, which results in an increasing concentration of the pesticide progressively along the food chains until it reaches a serious and often lethal level.

A well-researched example of this dangerous phenomenon was documented in Clear Lake, California. In order to control a troublesome flying insect that hatches in the lake, the water was treated with the insecticide DDD—similar to DDT, yielding a concentration of .02 parts per million. Plankton, which include microscopic water-borne plants and animals, in the lake accumulated the DDD residues at five parts per million. Fish eating the plankton concentrated the pesticide in their fat to levels from several hundred to up to 2,000 parts per million. Grebes, diving birds similar to loons, fed on the fish and died. The highest concentration of DDD found in the tissues of the grebes was 1,600 parts per million.

After many years of general apathy by the public and governments alike, efforts are finally being mobilized at all levels to deal with the threat of pesticides to the environment, fish and wildlife and man.

Sweden has just banned the use of DDT for a period of at least 2 years. According to the London Observer, this is the first time any nation has instituted such a sanction on a pesticide.

During a recent conference on pesticides in Stockholm, evidence was presented that DDT, even in very small quantities, could affect human metabolism. One of the studies cited was Russian research that indicated that workers whose jobs bring them in contact with DDT and other organochlorine pesticides were found to suffer from changes in the liver which slowed down the elimination of wastes from the body.

Here in the United States, the establishment of firm sanctions on the use of persistent pesticides would be entirely consistent with the recent recommendations of two highly regarded presidential panels.

In my judgment, the most important recommendation of the Wiesner Committee in 1963 was the one urging cutbacks in the use of such persistent pesticides as DDT. The panel recommended:

"The accretion of residues in the environment (should) be controlled by orderly reduction in the use of persistent pesticides. As a first step, the various agencies of the Federal government might restrict wide-scale use of persistent insecticides, except for necessary control of disease vectors. The Federal agencies should exert their leadership to induce the States to take similar actions. *Elimination* of the use of persistent toxic insecticides should be the goal." (Italic added for emphasis.)

The report of the Environmental Pollution Panel of the President's Science Advisory Committee in 1965 also dealt with this subject. It recommended:

"Research should be encouraged toward the development of pesticides with greater specificity, additional modes of action, and more rapid degradability than many of those in current use.

"Pesticide effectiveness should be increased and total environmental contamination decreased by further research leading to the

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more efficient application of pesticides to the target organisms."

The State of Arizona, growing concerned about increasing residues of DDT in milk and other food products, has banned the use of DDT within its borders for a year. A Pennsylvania State Senate committee has concluded a 7-month study of pesticide use with the recommendation that DDT and other persistent pesticides be banned from use in fields and forests. In addition, the committee has proposed the creation of a Pennsylvania Board of Ecological Review to advise the public and Government officials on the interrelationships of natural vegetation and animal life with their environment.

Michigan, Illinois and Wisconsin have already issued recommendations against the use of DDT for the Dutch Elm disease, which is one of the primary targets of DDT use in the United States today.

Wisconsin is also the scene of the first major confrontation between the pesticide industry and concerned citizens and scientists. The Citizens Natural Resources Association of Wisconsin and the Izaak Walton League have filed a petition with the Wisconsin State Department of Natural Resources to ban the use of DDT in the State under any circumstances where the pesticide can enter world circulation patterns and further contaminate the biosphere.

Beginning last December, the citizens groups and the Environmental Defense Fund, a Long Island, N.Y.-based alliance of concerned lawyers and scientists, have presented extensive testimony outlining the growing pollution of the environment by persistent pesticides in the cholorinated hydrocarbon family.

Distinguished scientists, ranging from biochemists and biologists to ecologists and toxicologists, have presented volumes of testimony supporting the citizens' petition.

Dr. Robert W. Risebrough, an environmental scientist at the University of California at Berkeley, stated that the effect of pesticides on man may be very serious. He said that man accumulates 12 parts per million of DDT in his fatty tissues before the body discharges it. He said that this is enough to stimulate enzyme production, which acts as catalysts for bodily processes, such as digestion. Risebrough said that the extinction of some birds has been traced to enzyme induction by DDT, impairing their ability to reproduce.

Dr. Charles F. Wurster, Jr., an organic chemist at the State University of New York, Stonybrook, testified on the range of the pesticide residues through the world. He confirmed that DDT has been found in penguins in Antarctica and is causing the extinction of the rare Bermuda petrel, a sea bird which never has direct contact with areas where DDT is used.

Other witnesses have testified that DDT goes into the atmosphere along with evaporating water, builds up to extremely high levels in predator birds and animals, and has caused new insect problems by killing predators that once held those insects in check.

Dr. Joseph Hickey, a University of Wisconsin wildlife ecologist, said that DDT has been linked to reproduction failures of certain birds, including the eagle, the osprey and the peregrine falcon. Dr. Hickey and other researchers have traced the presence of pesticide residues to a decrease in the weight and thickness of the shells of eggs produced by these birds.

In related testimony, Lucille Stickel, the pesticide research coordinator of the Interior Department's Patuxent Wildlife Research Center, states that the presence of small quantities of DDT and its derivative DDE in the diets of mallard ducks decreased eggshell thickness, increased egg breakage and decreased overall reproductive success.

This and other testimony has represented the strongest case that has yet been presented in any public forum for new sanctions to be placed on the use of DDT, the most expendable of all the persistent pesticides.

The effect of pesticides on sport and commercial fishing became of immediate concern in the Great Lakes region earlier this year when it was learned that the Michigan Agriculture Department was withholding 146 cases of canned Lake Michigan Coho salmon due to concentrations of pesticide residues in the fish above the normally safe levels.

According to conservation officials in Wisconsin and Michigan, this was the first time that fish had been detained because they contained questionable levels of pesticide residues.

The Food and Drug Administration has the Federal responsibility for preventing foods contaminated by pesticides and other harmful substances from reaching the general public. It has a lengthy history of detaining foods that have accumulated a dangerous level of pesticide residues. But, in almost every case, the foods have been vegetables and fruits, which receive a direct application of pesticides, or milk, meat, and poultry, which are derived from animals which consumed commodities which are treated with pesticides. For the most part, this pesticide contamination has occurred because of the overuse or misuse of certain pesticides.

However, the Michigan action and the later seizure by the FDA of 28,000 pounds of Coho salmon that had been shipped in interstate commerce places an entirely different light on the whole subject of pesticides and food products.

This disclosure of high concentrations of residues in the Coho salmon proves the tremendously dangerous persistence of these pesticides. To ultimately reach the salmon, the DDT and Dieldrin probably traveled hundreds of miles through the air, water, and soil and was consumed through the normal food chain of up to a half dozen organisms.

According to the FDA, the concentration of DDT in the salmon was found to be up to 19 parts per million while the accumulation of Dieldrin was just short of 0.3 of a part per million, both levels considered hazardous by both the FDA and the World Health Organization.

At last year's Lake Michigan Water Pollution Conference, a spokesman for the U.S. Bureau of Commercial Fisheries testified that the concentration of pesticides in Lake Michigan could reach a level lethal to both man and aquatic life if the use of pesticides was continued at such a heavy rate in the Lake Michigan watershed.

W. F. Carbine, Great Lakes Regional Director for the Bureau of Commercial Fisheries, stated that "Lake Michigan has the highest concentration of *pesticides of any of the Great Lakes, which now are only slightly below levels that are known to be injurious to man or aquatic life* . . . A continuation at hight levels or an upsurge in pesticide application anywhere in the Lake Michigan basin could increase the pesticide concentration prevailing in the open lake from the present non-lethal level to a lethal value."

Mr. Carbine expressed grave concern about the buildup of polluted sediment of the Lake Michigan bottom. Studies in Lake Erie indicate that the polluted bottom sediment tends to provide a never-ending source of pollution.

"Should this be true," he said, "man will be confronted with a self perpetuating situation partly immune to active flushing action in Lake Erie, to say nothing of Lake Michigan which lacks flushing capability.

"Unless immediate measures are implemented to reduce enrichment of Lake Michigan, the deterioration will progress with increased rapidity and conditions will soon be comparable to Lake Erie. The biological, aesthetic and recreational value of Lake Michigan, the largest fresh water resource that lies entirely within the United States, is threatened with swift and early disaster."

The discovery of these pesticide-contaminated Coho salmon certainly substantiates that testimony. The future of all the Great Lakes will be imperiled unless action is taken soon to stop this poisoning of our waters by these pesticides.

Last spring pesticides were also blamed for the death of nearly 1 million Coho salmon fry. This finding has raised a serious question about the future of salmon reproduction in the waters of Lake Michigan.

Seven hundred thousand Coho salmon fry had died suddenly in hatcheries run by the Michigan Conservation Department.

According to Dr. Charles T. Black, a pesticide adviser to the Michigan department, the fatal dose of DDT was passed on to the coho fry by the adult female fish.

Black said the mature female fish picked up DDT during the time they were in Lake Michigan. These females were hatched on the West coast and stocked as fingerlings in Lake Michigan in 1966.

The adult females were in Lake Michigan for only 18 months before they were netted and used to supply eggs for hatchery operations. Eggs to be harvested in the fall of 1970 will be from first generation Michigan-bred salmon which will have been exposed an entire lifespan to the Lake's DDT level and experts fear the results may be disastrous.

According to Black, the eggs become concentrated with DDT because the coho is at the top of the lake food chain.

DDT is first absorbed by plankton, a one-celled animal. Tiny fish feed on the plankton, concentrating the poison. Small fish are eaten by larger ones and, finally, the coho eats these. By this time, the DDT concentration is much stronger than in the lake water solution.

DDT concentrates in fatty tissue, including that of the eggs. When the eggs hatch, the fry live for a short time on the fat deposits in the egg. It is the DDT in this fat that kills the young fish.

There is also growing concern among scientists that the reproduction capabilities of other fish may be harmed. This is especially the case with the Lake Trout, which spend six of seven years in the water before sexual maturity as compared with only about two years for the salmon.

Lake trout were also the subject of recent extensive research by the New York Health Commission, which reported that high concentrations of DDT are being found in Lake trout in the State's central and northern lakes.

The health commission has cited DDT concentrations in the lake trout up to 3,000 parts per million in the fatty tissues of the fish. The figure representing the concentration in the whole fish would be considerably lower since the pesticide tends to concentrate in the fat.

While some states, such as New York, Wisconsin and Michigan, have developed good pesticide monitoring and information programs, I have long believed that there is a very serious void in the amount of meaningful information regarding pesticide use in the United States available today.

Following the FDA's seizure of the Lake Michigan Coho salmon, my office began a national survey of state pesticide regulation programs. The preliminary results indicate that most states have woefully inadequate pesticide monitoring programs and lack any significant information on pesticide use in their states.

With mounting scientific evidence that persistent pesticides are infiltrating our environment and the tissues of living creatures everywhere on earth, governments at all levels are reacting much too slowly to this impending world pollution crisis.

We must bring pesticide use in the United States into better perspective and completely re-evaluate existing regulation in light of the growing documentation of their harmful effects.

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I have proposed the establishment of a permanent National Commission on Pesticides to study and investigate problems arising from the use of pesticides and to establish improved programs and regulations for their use.

The Commission would examine current pesticide use and present labeling requirements, monitor the buildup of pesticide residues in the environment, wildlife and humans, conduct basic research on pesticide degradability and develop less persistent, less toxic pesticides.

The panel would be appointed by the President and would include representatives of government agencies, scientific and medical professions, conservation groups, farm organizations and private industry.

The Commission would make annual recommendations to the President and Congress concerning improved restrictions on pesticide use and present and potential hazards to wildlife and human health. It will be a permanent body to evaluate pesticides on a continuous basis and advise the President, the Congress and the country on its findings.

My state pesticide survey has also compiled data that shows that at least a dozen states have found pesticide residues in fish above the five parts per million level recently set by the FDA. High concentrations of DDT have been found in fish in almost every region of our nation, from Maine to California and Montana to Louisiana.

These findings confirm the fear that commercial fishing in the United States faces a grave threat from pesticide pollution.

We cannot stand idly by while our multimillion dollar fishing industry is ruined by pesticides that continue to be recommended for use by the U.S. Department of Agriculture.

Last year, commercial fishing in Wisconsin added more than $1.5 million to our state's economy while Michigan received $2.5 million in fishing revenues.

I am preparing legislation authorizing the U.S. Department of the Interior to reimburse commercial fishermen who have fish barred from markets due to pesticide residues.

The program would be similar to one presently administered by the U.S. Department of Agriculture for reimbursing dairy farmers who lose milk because of pesticide contamination. Since 1964, this dairy program has provided nearly a million dollars in indemnity payments to farmers in 29 states.

As additional assistance to the fishing industry, the Small Business Administration should reactivate one of that agency's special programs to grant loans to fishing concerns whose products are not marketable due to disease or toxicity.

This special SBA program for the fishing industry was initially authorized in 1964 when a botulism threat seriously damaged the economic status of Great Lakes fishing. It is vitally important that these loans now be readily available to fishing concerns as the danger of pesticide contamination increases.

Efforts must be continued to drastically restrict the use of DDT in this country and improve present controls on other persistent pesticides. But until such restrictions are adopted, we must provide some form of insurance against financial ruin for the American fishing industry.

THE FORTAS MATTER—THE ATTORNEY GENERAL'S ROLE

Mr. GRIFFIN. Mr. President, for reasons which are difficult to understand, there has been some criticism in the news media and on the Senate floor concerning the role of Attorney General John N. Mitchell in the Fortas matter.

An editorial which appeared in the May 17, issue of the Washington Star addressed itself to that criticism.

Mr. President, I ask unanimous consent that the editorial be printed at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

THE ATTORNEY GENERAL'S ROLE

Attorney General Mitchell has been the target of criticism for the part he played in the administration's handling of the Fortas case. And by extension the same thing applies to the President. In both instances, the critics make no sense to us.

From all indications, the Department of Justice did not get into the case until after an investigator for Life magazine had dug up information damaging to Fortas. Thereafter, FBI agents and perhaps other Justice Department people were assigned to investigate. Why not? There was at least a possibility that there had been a violation of federal law, and it was the department's duty to find out whether this was so.

Most of the criticism of Mitchell relates to his visit to Chief Justice Warren and his submission of "certain information" which he said he thought might be helpful to the court. Mitchell did not confirm the fact of this visit until after the story had appeared in Newsweek, and he has never said what information he turned over the the Chief Justice.

What do the critics think Mitchell should have done? He could have done nothing, of course, and let impeachment, already being threatened, take its course in Congress. This would have been irresponsible. For an impeachment, followed by a trial in the Senate, would have been harmful to Fortas and enormously damaging to the Supreme Court. So the Attorney General took the other course. He went to the Chief Justice without publicity and submitted his information. The end result was the Fortas resignation instead of an embittered impeachment proceeding.

This was the best way out of a very bad situation. In our view, the Attorney General, and also the President, if he had anything to do with the decisions that were taken, deserve commendation rather than shallow criticism.

SOVIET MIGHT AND THE U.S. LUXURY DEFENSE BUDGET

Mr. PROXMIRE. Mr. President, the Wall Street Journal for Monday, May 19, carried a fascinating article in the Outlook section concerning the relative military strength of the Soviet Union and the United States.

The article was especially interesting to those of us who believe that this country could spend less on the military and be stronger than we now are.

The Defense Department has erected fantastically costly weapons systems which often do not work.

We have seen change orders, overruns, and buy-in bidding contracts which have resulted in a skyrocketing of costs.

We know that our major weapon systems routinely cost 100 to 200 percent more than their original estimates.

They are delivered 2 to 3 years later than their original deadline dates.

We spend huge amounts on commissary stores, post exchanges, and frills for officers clubs.

This country could, in my judgment, be much stronger for much less money. We should drastically change the ratio of 10 soldiers behind the lines or in support, for each soldier in a combat unit.

What we have now, Mr. President, is a "luxury" budget. And this budget, instead of keeping us ahead of the Russians has weakened us relative to our immediate adversary.

The Wall Street Journal article says that according to the statistics of the London based Institute for Strategic Studies as well as our own analysis:

> Russia has been getting considerably more for its defense outlays than the U.S.

The article states that while they spend the same proportion of their gross national production on defense as we do—roughly 8 to 9 percent—they spend only three quarters of the total amount that we spend.

But, and this is the key point, namely:

> Despite the massive amounts that Uncle Sam has spent on defense in recent years, the Soviet Union, which has spent far less, has about pulled even in overall military strength.

There are, of course, some logical reasons why this is so.

Our troops do require a higher standard than those of the Soviet Union. Their pay and allowances cost more. They do not live off the land. All but a few—namely, those under fire—essentially are provided Stateside food and shelter. The wages of a worker in a Soviet defense plant is not as high as those for a U.S. industrial worker. Of course, the productivity of the American worker is higher so that the Russians may not be ahead in costs per unit of output. It also costs more for us to maintain overseas bases than it does for the Russians to defend their landlocked borders.

But, as the article says, this is not the whole story.

> The Russians seem to manage to design new weapons more simply and cheaply than the U.S.

Furthermore, it states:

> The Soviets also are allocating defense funds more wisely.

The article points out that the Russians have only three support soldiers for each combat soldier, instead of 10 men in support, as is the case with our Army.

Mr. President, after all the logical reasons for the differences are given, it still is true that the Russians are getting far more defense by spending about the same proportionate amount of their GNP and only three-quarters of the actual expenditures as we do.

Let me make this country strong and free. Let us cut the military fat and strengthen the muscle.

I ask unanimous consent that the article published in the Wall Street Journal be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Wall Street Journal, May 19, 1969]

APPRAISAL OF CURRENT TRENDS IN BUSINESS AND FINANCE

In all the heated discussions about this country's "military-industrial complex," surprisingly little attention has been focused on what is perhaps the most perplexing aspect of the whole matter. It is this: Despite the massive amounts that Uncle Sam has spent

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on defense in recent years, the Soviet Union, which has spent far less, has about pulled even in overall military strength.

The Institute for Strategic Studies, the authoritative London research organization, recently gave this appraisal of Russia's military posture: "The Soviet Union must now be treated as a full equal in terms both of strategic power and of her ability to control conflict in the developing world." By the middle of this year, the report went on, the Soviet Union will probably have deployed more intercontinental ballistic missiles than the U.S. As recently as 1966, the Soviets had barely a third as many ICBMs deployed as the U.S., analysts estimate.

This catch-up has occurred even though Soviet military expenditures seem positively frugal by U.S. standards. As Mr. Soderlind noted in this column two weeks ago, Russian military spending in 1966 totaled about $47 billion, according to a survey by the U.S. Arms Control and Disarmament Agency. This was less than three-quarters the comparable U.S. amount. The report further estimated that the Russian total came to 8% or 9% of Soviet gross national product, roughly the same percentage as in the U.S.

Such statistics on Soviet military spending, to be sure, represent highly uncertain estimates by U.S. analysts. Announced Soviet military outlays do not include many military expenses. Also, it is difficult to arrive at a realistic rate for expressing rubles in terms of dollars. The ACDA, however, has attempted to take such factors into account; this a major reason the figures are for no later than 1966. ACDA economists, however, believe the 1966 comparisons still approximately pertain, though all the totals have increased.

At any rate, such statistics leave little doubt that Russia has been getting considerably more for its defense outlays than the U.S. The overriding reason seems simply that living standards are very much higher in the U.S. than in Russia. According to one estimate, the average salary of a Russian soldier comes to about one-fifth of the average for a U.S. soldier. Similarly, a Soviet defense-plant worker whose income is, say, about $2,000 annually is probably earning only one-fifth of what his U.S. counterpart earns.

An economist who studies such matters for the Defense Department says that a rough rule of thumb is that 10 U.S. soldiers are needed to support one U.S. soldier on the firing line. The comparable ratio for Russian soldiers, he says, is about three to one. One result, the economist added wryly, is that "the American soldier is a lot more comfortable than the Russian soldier."

On the matter of comfort, some observers point to this country's vast network of post exchanges and other services for U.S. military families. Many PXs are elaborate establishments, offering all sorts of luxury items, as well as comfortable eating and recreational facilities. Theoretically, these services are self-supporting, but actually they are subsidized by Uncle Sam to the tune of more than $100 million yearly, a Pentagon source says.

The Russian soldier, in contrast, depends on what one U.S. analyst terms "primitive little stores," often run with the cooperation of local farmers. Frequently, he adds, Soviet troops are expected to lend farmers a hand with harvesting in return for a supply of food.

The gulf in living standards isn't the only reason Russia gets more out of its military expenditures, some analysts say. The Russians seem to manage to design new weapons more simply and cheaply than the U.S. One U.S. official cites the MIG–21, a Russian fighter plane, as a case in point. He estimates that each MIG–21 has cost Russia about $1 million. In contrast, he estimates that each F–4, an American fighter plane, has cost several times that much. "We probably put as much money into the avionics of our plane as they put into the whole damn MIG–21," the official says. "Our plane may perform better, but is it worth that much more?"

The Soviets also are allocating defense funds more wisely, the official claims. "Do we really need 15 attack carriers, with the new ones costing $600 million per copy, for 'peace-keeping' operations?" he asks. "And if we don't, what good would they be in a big war? For what we put into one, we could buy a dozen destroyers." The Russians, he says, have "wisely" built no such carriers but have rapidly increased their submarine force. "Our Navy, I'm afraid, is a social institution that needs big capital ships to revolve around," he adds. "The carrier has replaced the battleship as the hub."

Vietnam, of course, represents a big U.S. military expense that Russia does not face; the war is costing the U.S. nearly $30 billion a year, while analysts estimate it is costing Russia perhaps $2 billion yearly. Even if U.S. spending for Vietnam were eliminated, however, America's military spending would remain far greater than Russia's, analysts guess.

Another consideration that some U.S. officials cite is the relatively high cost of maintaining overseas military establishments, a U.S. burden not faced by Russia. (On the other hand, the U.S. does not have to worry about a lengthy border with Red China.) Some observers even cite Russian use of "slave" labor as a factor in Soviet military progress. One source estimates that perhaps one million persons, mostly political prisoners, still work in Soviet labor camps, occasionally performing chores for the military. At one time under Stalin, of course, such camps held possibly 20 million persons.

In the end, there seems to be no easy solution to the problem posed by Russia's more effective military spending. Should the U.S. spend still greater sums to offset the Russian edge? Is it possible through reforms to get much more bang for the U.S. buck? Whatever the answer, it seems clear that military muscle is much harder to put on when the superpower is also superaffluent.

—ALFRED L. MALABRE, Jr.

GOLDEN ANNIVERSARY OF UNIVERSITY OF CALIFORNIA AT LOS ANGELES

Mr. MURPHY. Mr. President, one of our Nation's finest institutions of higher learning, the University of California at Los Angeles, celebrates its golden anniversary this week. UCLA has come a long way since it was known as the Southern Branch of the University of California and opened its doors in 1919 to 1,250 students. Its alumni in many fields have gained worldwide recognition. Its athletes and athletic teams are always among the finest in the land. Its splendid facilities are world renowned.

More than 28,000 students come to the UCLA campus each day, and more than 80,000 take its extension courses throughout Los Angeles County each evening.

Mr. President, the well-known author, Irving Stone, has written an article which vividly portrays much of UCLA's past and present and looks at its future. I ask unanimous consent that the article, published in the Los Angeles Times' West Magazine of May 18, 1969, be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

UCLA, 1919–69

(By Irving Stone)

(A personal memoir by a world-famous author and non-alumnus who arrived in Los Angeles the same year the University of California did, and found his life inexorably tied to it.)

Fifty years ago the University of California and the Stone family arrived in Los Angeles, if not arm in arm, at least simultaneously; not only my parents but aunts, uncles and cousins in a caravan of four Model T Fords. All had sold their homes and modest businesses in San Francisco to "start a new life in the land of golden opportunity," as my mother put it.

At that point in history Los Angeles was a comparatively small and slow-moving town, with brilliant sunlight and clear air to breathe. Except for the Red Cars that ran to Santa Monica, all streetcars ended at Western. Wilshire Boulevard ran out of civilization at La Brea. Sunset Boulevard was a wandering cowpath to the ocean. Westwood was a series of desolate rolling dunes, an area into which only the most courageous mortal dared venture. The University of California at Los Angeles, which was born at this moment, was given the name of "Southern Branch," an unfortunate appellation that created sibling rivalry and led to a psychological hang-up only recently dissipated.

My first contact with the Southern Branch occurred on a Friday afternoon, October 3, 1919, when, as a member of the Manual Arts High School Band, I watched my first game of American football between Manual and the Southern Branch; we had played 15-man Rugby at Lowell High in San Francisco. The game ended 73–0 in favor of Manual. Toward the end of the game I turned to my fellow clarinetist on the left and said, "You were right, it is an exciting sport, *but why do the rules allow only one team to score?"*

In midyear of 1922, after two years at Berkeley, I registered at the Southern Branch, which now extended two full blocks on Vermont, for a summer session. By a happy coincidence the *Cub Californian* needed a columnist. I was apparently the only applicant who was willing to spend the hours trudging from classroom to classroom to pick up scraps of stories. At the end of the six-week session, the regular staff returned to set up their expanded format for the next school year, and I offered to remain at the Southern Branch for my graduating year to continue the column. They took a full batch of my columns into the next room and locked the door behind them. They emerged about an hour later, not quite looking me in the eye. The editor handed me back my columns, murmuring *sotto voce*:

"Mr. Stone, we cannot find it in our hearts to let you make so heroic a sacrifice!"

Two years later, in the spring of 1924, I was a teaching fellow at the University of Southern California, sharing a large office with three other fellows. One day our shared secretary, a remarkably pretty girl whom the Dean kept in *his* office, phoned to say that two young men were outside and had urgent business with us. The two tall, handsome, expensively-garbed and groomed young men were ushered in. They said that they represented the Janss Investment Corp. and had a highly exciting and advantageous proposition to make us. Janss was prepared to *give* each of us a 30-by-100-foot lot in what would be the business district of a future village to be called Westwood *absolutely free*. All we had to do was guarantee that within three years we would build a $10,000 store or office building on each site.

Aside from the fact that none of us could have commanded ten thousand jelly beans, it was clear that these smooth young men were engaged in a confidence game. They tried to persuade us, by laying out architectural renderings, that there was going to be a great university built on the sand dunes. There would be a large and prosperous business district; thousands of homes would spring up to house the professors and students. (I remembered these dunes all too vividly, for I had one inadverently stumbled

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across part of them and been chased out by the lizards and jackrabbits.)

Toward the end of the presentation, all four of us fledgling economists raised our eyelids to each other. Now we knew how the charming young men got their expensive clothing and haircuts: by taking advantage of naive academics. We dismissed the two salesmen, then, since I was the youngest of the group and hence entitled to be its spokesman, I commented:

"Why don't these city slickers confine themselves to selling nonexistent oil wells?"

UCLA at Westwood, which started half a century ago, has now in its own opinion reached the august age of twenty-one and become an adult. It is a long, hard pull to convert an idea in the back of somebody's mind into a college. Thousands of individuals have to contribute their energy, educational concepts, integrity—money!—and passionate desire to create a first-rate institution of learning. On its golden anniversary UCLA has reason indeed to look back and "point with pride." Along with USC on the opposite side of town, the Music Center complex downtown, and the County Museum of Art on Wilshire, it has become one of the four cultural centers of a rapidly expanding civilization.

Its splendid library serves as the research center for all of the southwestern United States, including Arizona, Nevada and New Mexico. Its expanding medical center, headed for many years by Dr. Stafford L. Warren, and now Dr. Sherman M. Mellinkoff, has become one of the ten best in the country, along with those at Harvard, Stanford, Columbia and Chicago. Computer machines, studying the human brain, have replaced the University of Vienna's Professor Meynert and his anatomical slides; but it has also been staffed from the very beginning by permanent researchers rather than part-time clinicians.

Since Sputnik, science has been the golden-haired boy in American universities. Tens of millions of dollars have been poured into the science departments by the federal government and private industry, for the purposes of research. Of these monies UCLA has received its fair share, in part thanks to the charisma of Assistant-Chancellor Carl York, who commutes to Washington. However, UCLA had early been able to attract some of the best scientific minds, including Nobel Laureate Willard F. Libby (discoverer of the Carbon 14 process), Joseph Kaplan, U.S. chairman of the International Geophysical Year; George Kennedy, reputed by his confreres to be a great geologist; Saul Winstein, whose work in physical organic chemistry has won him several of the coveted American Chemistry Society Awards. The many like them were attracted for a variety of reasons, the climate of challenge in the building of a new campus, as well as the weather.

I saw little of the growth of UCLA during the years of its youth, for I spent my time in Europe studying and writing, and in New York, where I thought I had to live until I could find a publisher for my books. When Mrs. Stone and I returned permanently to Southern California and made our home in the San Fernando Valley, I still did not renew my acquaintance with UCLA, except for one look at the prospering Westwood Village, which confirmed me in my belief that I did not have the makings of an economist.

In the next few years I researched at the Huntington Library, where Jack London's manuscripts were housed; and at the Los Angeles Public Library at Fifth and Hope, which had, and has, a comprehensive collection of Americana. It was not until we moved into Beverly Hills (so that, in Mrs. Stone's terms, "The two children can go out the back door on their skates, or out the front door on their bicycles to get to school") that I turned my eyes west to UCLA.

Here, amid the few Romanesque buildings, I found the greatest boon to a researcher: Interlibrary Loans, presided over by an angelic librarian, Esther Euler. When I needed a rare book that was impossible to purchase, and of which no library in Southern California had a copy, Mrs. Euler would locate one at the Library of Congress in Washington or the University of Pennsylvania or the University of Georgia. Within a week the volume would be on my desk.

An accomplishment in UCLA's short span, I discovered, was that it has become an integral part of the community, aiding as well as influencing almost every sector of Southern California life.

I am not referring to the accomplishments of the Gary Behan football teams or the Lew Alcindor basektball teams, delightful as they both were to watch; but to its early cultural leadership in the theater, adult education, revolutionary modern music and contemporary art. Emphasis was placed on scientific and medical research, social welfare studies, the direct relationship between Neil Jacoby's School of Business Administration and the industrial complex of Southern California.

As with almost every campus in America today, UCLA has suffered its share of elephantiasis. There are now over 28,000 students on campus every day, and more in the libraries, laboratories, auditoriums at night. In the evenings some 80,000 people take extension courses throughout Los Angeles County, 30,000 of them on campus. More thousands attend the nightly concerts in Schoenberg and Royce halls, the plays of The Theatre Group, the art exhibits, the lectures by world famous authorities in every known discipline. At a rough guess, some 36,000 Southern Californians use UCLA's facilities every day of the week. What has now become one of the most populous automobile campuses in America requires three-story garages to house the input.

I have never been a regular student or teacher at UCLA, and so my knowledge of the University arises from my personal relationships with the faculty and administration over a long period of years. This does not hold true for Mrs. Stone; in fact, I am a charter member of the UCLA Widowers' Club. Every time I go looking for my wife she is either at a Board Meeting at the International Student Center, or putting on a performance for the Associates of the Institute of Ethnomusicology. She got to spending so much of her time on the UCLA campus that both Franklin Murphy and Charles Young decided they had better issue her a permanent parking pass. I feel lucky they did not also issue her a room in one of the girls' dormitories. UCLA has been outstanding for the tremendous number of community volunteers who have aided and abetted its growth.

However, in a deeper context I have been studying at UCLA for many years. As an example, when we were planning to go to Italy to research and write *The Agony and the Ecstasy*, Mrs. Stone started two years in advance to study Italian on the campus. Dean of Fine Arts Charles Speroni was then (1954) giving an extension course in conversational Italian, as well as teaching a course on Dante. Through this beginning, the Speroni and Stone families became close friends. When I needed a translation of Michelangelo's six hundred letters, which astonishingly had never been brought over into English, I of course turned to Speroni, who is a Tuscan by birth, and made a contract with him for the entire task, later published under the title *I, Michelangelo, Sculptor*.

At the same time we were taking a course in The Golden Renaissance under a dozen knowledgeable professors at UCLA. Both the language and the research base were of inestimable value when we went to live in Florence and Rome. Mrs. Stone and I also took a course in The Legacy of Greece and Rome. My next book, after I complete a biographical novel about Sigmund Freud, will be laid in Athens. I daresay I shan't see much of my wife during the coming year; she will be at UCLA studying modern Greek.

From the slightly paternalistic vantage point of a Berkeley graduate, UCLA began to come of age with the advent of Franklin D. Murphy as its chancellor. There had been good chancellors before him, of course, but Murphy had the peculiar combination of qualities required to turn a good and growing university into a near-great one. Murphy is a Renaissance Man: an M.D. trained in science, widely read in the humanities, knowledgeable and enthusiastic about the arts. When he arrived in Los Angeles, proclaiming publicly that he was going to make UCLA a greater university than Berkeley, I had the temerity to suggest that this might take a bit of doing. What is known hereabouts as Murphy's Miracle is that in eight short but cyclonic years he managed to come within spitting distance of his objective.

Three stories will give you the measure of the man. The first concerns a magnificent collection of African and pre-Columbian art assembled by Sir Henry Wellcome, founder of a world-wide pharmaceutical company. When it was announced that the trustees were about to give away the invaluable collection as a gift, it was assumed that it would stay in England or go to a prestigious New York institution. UCLA, with little background in the field, was not only an improbable but an impossible choice. (They had lacked the desire and skill to absorb the great Arensberg Collection of Modern Art, which the Philadelphia Museum then gobbled up.) Franklin Murphy could not have disagreed more. Aided by Dr. Donald O'Malley, Professor of Medical History, and Ralph Altman, head of the Museum and Laboratories of Ethnic Art, Murphy began a series of phone calls and negotiations that not only brought this extraordinary and irreplaceable collection to Los Angeles, but overnight made UCLA one of the major repositories for the ethnic arts.

A UCLA scholar advised Chancellor Murphy that an enormously important collection of books and artifacts relating to Persian, Arabic and Armenian studies, located in one of the provincial cities of the Middle East, was about to be sold . . . but only for dollars deposited in a Swiss bank. UCLA had no dollars to deposit in a Swiss bank. Murphy made a single phone call to a distinguished American Armenian and persuaded him to make the major portion of that deposit.

By a coincidence, I happened to be present when Murphy's third moment of "excitement and creativity," as he describes these crises of opportunity, arrived. One morning he learned that a superb collection of Judaica and Hebraica, which had been founded by a famous book company in Frankfurt, Germany, had been moved to Vienna, and then finally settled in Israel, was about to be sold because the owner had died the day before. Other bidders had already appeared on the horizon. Murphy picked up his phone, called a friend and asked if he could join him for luncheon that day. Ted Cummings, upon learning of the rarity and value of the collection, promptly provided the money to acquire it. A cable was dispatched to Israel; and this priceless collection is now part of the UCLA Library.

How arduous is it to study at UCLA, remembering that the eight campuses of the University of California are permitted to take in only the top 12 percent of the high school graduates? Is it a rough go, or is it easy to "get by"? I have seen freshmen get by with a minimum of work, but it required such enormous expenditures of energy in fabricating excuses and conning the professors that they could have gotten straight B's with only half the concentration.

Nevertheless, UCLA strikes terror in the hearts of high school seniors such as Saul Winstein, now a world authority in the field of Physical Organic Chemistry. When Winstein was a senior at Jefferson High he had several teachers who had graduated from UCLA. They told him how hard it would be for him to maintain a C average.

Winstein ran scared his entire first semester. When it was the time for the final examination he went to the student book shop to buy a mimeographed copy of examinations given in former years. When he got the booklet home he found that it was divided into eight parts. He spent the following week organizing his material so that he could get everything written into a Blue Book in the three hours that are allotted for a final.

Entering the classroom he was handed a set of questions which represented the equivalent of only one of the eight sections which he had studied from the earlier examinations. He quickly wrote the answers to this first section, and then sat for a solid hour waiting for the professor to come in and give him the next of the eight batch of questions. At that point he found out that the booklet he had bought had contained eight separate examinations. Winstein, remembering UCLA's reputation, had prepared himself to take the equivalent of all eight in three hours!

With 28,000 students, UCLA is admittedly crowded. But does this mean that it has become an impersonal plant, and that there is no contact between the student and the professor? Not to my knowledge. I remember the day when Willard Libby gathered together twenty freshmen whom he planned to take through four years as chemistry majors. It was not imperative that they go into chemistry as their life work, but merely that they be interested in science. During the four years I frequently saw this class at the Libby home, swimming and enjoying Sunday night buffet.

I remember Stanley Wolpert, chairman of the History Department, telephoning to cancel our plans to go for a long walk in the hills of a Saturday afternoon, because "some of my students asked to talk to me."

Each year many of the professors give a Christmas party for graduate and postdoctoral students and their wives. When a graduate student arrives, and is slightly broke, with a wife who is more than slightly pregnant, their instructors often lend them money to carry them through their first year until they can get a fellowship or scholarship.

Massiveness brings its own strengths and virtues. The extracurricular activities are frequently as valuable as the courses of study. The UCLA Group Theatre's productions were, by and large, better than anything I saw on Broadway during my years of residence there, and also unavailable elsewhere in Southern California. I remember back to the first fine productions of 1959: Dylan Thomas's *Under Milkwood*, Bertolt Brecht's *Mother Courage;* down through Eugene Ionesco's *The Bald Soprano* and *The Chairs* in 1964; and ending with the superb production of Harold Pinter's *The Birthday Party* in 1966.

There have been innumerable beautifully mounted art exhibitions. The Spanish Masters, in 1960, the Picasso Birthday Exhibition of 1961, the Lipchitz Retrospective, the works of Cezanne and Archipenko. Many of America's finest painters and sculptors have taught in the Art Department. What appeared to me to be a wasteland on the north end of the campus has been converted into a beautifully landscaped sculpture garden, with the works of Matisse, Henry Moore, Rodin, Archipenko, Jean Arp, Alexander Calder, David Smith, Noguchi, Bernard Rosenthal.

Since this is a personal memoir I should like to share some of my shining moments at UCLA. There was the night I debated Dr. Elmer Belt, who has given his magnificent collection of Vinciana to the University, on the subject: *Who Was the Universal Man, Michaelangelo or Leonardo da Vinci?* Dr. Belt started the debate with a monumental tribute to Da Vinci's scientific accomplishments. Mrs. Stone whispered in my ear, "If he mentions that Da Vinci also painted the Mona Lisa, you're dead." (He didn't.)

In the midst of my own impassioned presentation of the case for Michaelangelo, the lights in the auditorium suddenly went out, plunging the audience into darkness. There were howls of laughter, as though my enthusiasm had somehow contrived to blow a fuse. In the darkness I told the story of an old friend, Thorne Smith, the novelist who had come west to write a motion picture script. Thorne rented a house near UCLA, with an upstairs workroom overlooking a garden. He warned his three rambunctious youngsters on the first morning that when they played in the garden they were to be very quiet so as not to disturb Daddy. He had been working less than an hour when a tremendous earthquake rattled Southern California. His three daughters rushed up from the garden crying, "Papa, Papa, we didn't do it!"

Feri Roth, founder of the Roth String Quartet, who taught at UCLA and gave concerts in Schoenberg Hall, asked if I would speak on the life of Beethoven during the intermission of one of his recitals. I protested that I knew only about Beethoven's music, but this did not dissuade Roth. At intermission I announced that since I knew nothing about Beethoven, but was completing a book about Michelangelo, I would talk about Michelangelo instead. When I had finished speaking a student asked, "Why is it that in the lives of both Beethoven and Michelangelo, they were never able to achieve love?" I replied that perhaps love was such a fulfilling experience that it got in the way of creativity. The young girl persisted, "Then you think that anyone who wishes to accomplish important results in the creative arts must go without love?" I replied, "If I have become convinced from this evening's discussion that your thesis is sound, I shall leave Mrs. Stone tomorrow morning . . . just after she serves me breakfast."

My wife had left the hall at intermission because she had heard my stories *ad nauseam*. At that moment she came back into the auditorium, whereupon the audience rose as a man, turned to her and cried:

"Never mind, Mrs. Stone, you can come and live with us."

UCLA is by and large a functioning democracy. Faculty wives put in a lifetime of service in prosaic and sometimes even menial tasks. Whether it is to head up a volunteer group, address envelopes for the Art Council, help staff the reception center of the Hospital or push a book cart through its halls, or hostess the innumerable UCLA receptions, no judgment is made on the nature of the work so long as it serves a valuable purpose.

Six months ago, as president of the Dante Alighieri Society, I introduced Louis and Annette Kaufman to an audience in the Schoenberg Opera Workshop. The Kaufmans were giving a concert-lecture on the origins of Italian music. We had promised our members a reception at which they might enjoy refreshments, and meet and chat with the Kaufmans. Halfway through the concert I went next door to the Green Room to make sure the food and drink were being put out on the tables. There I found my wife Jean, and Dean Speroni's wife, Carmela, on their hands and knees scrubbing the carpeted floor. I exclaimed, "What on earth are you girls doing?" They looked up with wide eyes and cried, "Whoever held a party in here last night failed to take care of their mess; we had to scrub the place before we could put up the coffee!"

What kind of man and woman does UI-CA graduate? The alumni now number over 70,000 bachelor degrees, with another 22,000 of graduate degrees. Well, there is Dr. Ralph Bunche, a Nobel Peace Prize winner in 1950; Dr. Glenn T. Seaborg, chairman of the U.S. Atomic Energy Commission and Nobel Laureate in Chemistry. There is Jackie Robinson, the first Negro to play in professional baseball, who ushered in a new era in athletics; Agnes DeMille, the famous choreographer; Jerome Hines, the Metropolitan Opera basso; Louis Banks, managing editor of *Fortune* magazine; Rafer Johnson, Olympic decathlon winner; Dr. Waldo Lyon, the scientist who charted the first voyage of USS *Nautilus* under the North Pole. There is almost no discipline in which UCLA is not represented by graduates of high talent and integrity.

Over the years there have been a series of chancellors: Ernest C. Moore, Earle R. Hedrick, Clarence A. Dykstra, Raymond B. Allen, Vern O. Knudsen and Franklin D. Murphy. As with the varying schools of architecture, each chancellor has been cast in a different mold, each has made his special contribution. The present chancellor is Charles E. Young tall, good-looking, whose youth is a great advantage in these days of campus upheaval.

A few years ago Chuck Young, then a vice-chancellor, sat in at a meeting with Franklin Murphy, discussing the seats to be installed in the new Pauley Pavilion. Murphy made the decision to put in inexpensive wooden seats, then left for New York. A few moments later Vern O. Knudsen, one of America's experts on acoustics, came in:

"What's this I hear about wooden seats? It will make the Pavilion sound like an echo chamber. Unless upholstered seats are installed to absorb the sound, I wash my hands of the affair."

Chuck Young replied quietly, "Okay Vern . . . upholstered seats it is."

When Knudsen left, Tom Davis, then president of the UCLA Alumni Association, who had been listening in on both conversations said, "I just heard Murphy decide in favor of wooden seats. You've not only reversed that decision but added $25,000 to the cost."

"If Murphy had wanted wooden seats," replied Young, he should have stayed here." Murphy later agreed.

During its first half-century UCLA has suffered its share of growing pains and lacunae. Only recently has an architectural school been invested.

Good men have been lost to other universities. However, UCLA has done its share of abducting, bringing top talent not only from every corner of the United States but from the rest of the world. If it is true, as this author has written somewhere, that California is the new Valley of the Nile, then UCLA has grown into one of its shining monuments. Not an Egyptian pyramid, serving as a tomb for a dead Emperor, but a majestic beacon serving as a light and a voice for all of our residents.

During its second half-century its influence will be felt by increasingly wide circles in Southern California. It has riches to offer, the fruits of the mind, the nourishment of the arts and the humanities without which a society is barren indeed.

INCREASE IN DULLES TRAFFIC

Mr. BYRD of Virginia. Mr. President, I have received an encouraging report from the Federal Aviation Administration showing continuing gains in traffic at Dulles International Airport.

A gain of 27.3 percent in passenger traffic was recorded at Dulles for the month of March, as compared to March of last year, in spite of the fact that a 21-day strike by employees of American Airlines cut into the total volume of business.

For the first 3 months of this year, the passenger total at Dulles was nearly 470,-

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000, or almost a third greater than the same period in 1968.

At the same time, there was a slight decline in the passenger traffic at overcrowded Washington National Airport. The total passenger volume at National for January through March was 2,282,740, down 2 percent from the first quarter of last year.

Dulles also showed a gain in cargo—smaller, but still significant. For the first 3 months of this year, the cargo volume was almost 16.3 million pounds. This represented a gain of 9.4 percent over the same period last year.

As in the passenger field, National showed a small decline in cargo. FAA figures indicated a drop of 2.7 percent in cargo volume at National for the first 3 months of 1969. Total volume for this period was 39.1 million pounds.

While the gain at Dulles represents a trend in the right direction, we have to bear in mind that despite the changes in percentages, National remains overcrowded and Dulles remains underutilized.

By way of illustration, I point out that, during the first 3 months of this year National's passenger volume exceeded that at Dulles by more than 1.8 million.

Overcrowding at National remains a serious problem. Even with the small decline in traffic which has appeared so far this year, National stands to handle a passenger volume well over twice the volume for which it was designed.

The only rational answer to the congestion at National is the development of the splendid facilities at Dulles, which cost the American taxpayers $110 million and still are a long way from realization of their potential.

RURAL SLUM HOUSING

Mr. **TYDINGS**. Mr. President, events have forced Americans to recognize and confront the problems of poverty and deterioration that are transforming our central cities into concrete wastelands. Numerous programs have been proposed for rebuilding our urban slums, though the bulk of the task still lies before us.

However, too frequently, the slums that shelter the impoverished of rural America have been overlooked and forgotten. The relative silence of the rural poor must not be interpreted as a sign of contentment. Much of the slum housing in rural areas is even worse than the dilapidated and unhealthy structures that blight our cities.

Dr. Howard R. Grumpelt from the department of psychology and education of Washington College in Chestertown, Md., has circulated an excellent paper discussing the problem of rural slum housing and posing possible solutions. I commend this paper urging Government action in this area to all citizens concerned with the desperate plight of the rural poor.

Mr. President, I ask unanimous consent that Dr. Grumpelt's paper be printed in the RECORD.

There being no objection, the paper was ordered to be printed in the RECORD, as follows:

AN OPEN LETTER CONCERNING RURAL SLUM HOUSING

(By Howard R. Grumpelt, Ph.D., chairman of the Housing Committee, Kent-Queen Anne-Talbot Area Council, Centreville, Md.)

Slum housing in rural areas is probably far worse than it is in our cities. Some of the most impoverished slum housing in Maryland, and perhaps in the country, exists on the Eastern Shore of Maryland. The only governmental agency that currently has the authority and flexibility to have a significant effect on rural slum housing is the Farmers Home Administration. However, because of a very limited number of staff and meager funds for home mortgages, the impact of the Farmers Home Administration is at present almost nil. Something needs to be done.

On March 11, 1969, a meeting was held in Washington to explore this issue. The following named people and groups were represented: the boards and staff of the Kent-Queen Anne-Talbot Area Council, the Dorchester Community Development Corporation and Shore-Up, Inc., the Talbot Action Group, the Dorchester League of Women Voters, Mr. Philip Campbell, Undersecretary of Agriculture, Mr. James Smith, (National) Director of the Farmers Home Administration, and Congressman Rogers C. B. Morton, Senator Joseph Tydings and Senator Charles Mathias. Congressman Morton aided in making arrangements for the meeting.

I would like to try to summarize the presentation that was made by Mrs. William R. Hopkins, representing the poor, Mr. Samuel F. M. Adkins, representing local builders, Mrs. Edward E. Colledge, representing the Dorchester League of Women Voters, and myself, Dr. Howard R. Grumpelt, representing the Kent-Queen-Anne-Talbot Area Council. I have added a few facts in support of some of the statements which were made at the meeting.

1. Local banks are charging between 7½% and 8% interest rates on home mortgages and rates are rising ¼ of a percentage point a month. Poor people cannot afford to pay these rates and applications for home loans have decreased severely. The uninformed might think that the Federal Housing Authority would be of major value; however, this agency was developed primarily to aid cities. It is not able to have more than a minor effect in rural areas because it requires adhering to regulations which most rural areas would not be able to meet for several years (e.g., building, plumbing, electrical codes, plus a housing authority).

2. The Farmers Home Administration has both the authority and flexibility to have a very significant impact on rural slum housing. They can a) grant loans with interest rates as low as 1% depending on how poor a family is, b) check credit and job stability records of applicants and c) supervise construction to insure that a home is well built. The F.H.A. has had little success in stimulating rental housing because it is unable to make outright grants of funds. However, it can very significantly stimulate house construction for family ownership. Unfortunately, on the whole of the Eastern Shore the Farmers Home Administration has processed only 365 home mortgage loans since July of 1967, resulting in an average of 24.3 home loans in each county per year. This is hardly keeping up with the rate of home deterioration. The Farmers Home Administration does not have the staff (10, including secretaries, for the whole Shore) nor the loan funds to have an impact.

3. Currently many poor people must wait between nine months and a year in order to procure a loan from the Farmers Home Administration. Poor people generally require more aid than others in developing an application. In addition, a number of builders would like to construct large numbers of low-cost homes at once and sell after construction. This would cut costs to buyers but builders cannot tie up huge sums for long periods of time. And F.H.A., the major rural creditor for the poor at present, cannot process loans rapidly enough to allow builders to work in this manner.

4. The Eastern Shore of Maryland needs help desperately. We have a rising population, a high percentage of poor people, and housing on the Shore is miserable. Consider the following facts:

a. Between 1950 and 1965 the population of the Shore increased 15.2% (from 177,267 to 208,970—Md. Dept. Health Publication).

b. Median Income of families in 1960 was $3,992 compared to $6,309 for Maryland and $5,660 for the U.S. as a whole. The Shore is 36.7% below Maryland and 29.5% below the U.S. in median family income.

c. While family income has undoubtedly risen since 1960, one indicator suggests that we are falling further behind the rest of the state. According to a 1966 Sales Management Survey, between 1959 and 1965 there was a 24.8% increase in effective buying income per household for the Shore. However, for Maryland as a whole there was a 36.4% increase.

d. The Shore had a high percentage of people employed for less than 26 weeks per year (24.2%), a high rate of unemployment (7.6% vs. 4.8% and 5.2% for Maryland and the U.S.) and our non-white unemployment was especially large (average rate of 14.2% vs. 9.5% for Maryland and 8.7% for the U.S.) as of 1960.

e. 27.3% of homes on the Shore were considered dilapidated or deteriorating in 1960, whereas for Maryland and the U.S. as a whole the comparable figures were 13.9% and 18.8%. In addition, on the Shore 30.4% of homes had no toilets, whereas only 7.1% in Maryland and 10.2% for the U.S. lacked this facility.

In other words, we have an increasing population with a high proportion of poor families who live in wretched slum housing. The need for relief seems monumental.

5. Unless otherwise indicated, the above statistics were derived from the 1960 U.S. Census Report. Unfortunately, no more recent and reliable data is available; however, we believe that problems in housing have deepened, not diminished. One report analyzing the situation on a national level supports this view. A semi-annual survey of U.S. housing just published by Advance Mortgage Corporation concluded that the housing shortage is now the worst it has been in 20 years. For instance, an inventory of completed houses for sale at the end of 1968 showed 42,000 compared with 94,000 at year-end of 1965. Problems are compounded by a 30% increase in household formation and the fact that the home buyer today will "pay 25% more in monthly payments for the same house as a year ago," due to price, interest, tax and insurance increases. If these figures are accurate, it appears that the problem is getting worse all the time. We know of families that have temporarily broken up because only a single room could be found at reasonable rent. Some family members have to live elsewhere.

6. We understand that the Congress must establish priorities concerning how funds are spent. We feel that people on the Shore and in rural areas throughout the country consider housing to be one of the highest priorities. We have attended a number of open meetings at which angry people have come forth to complain about housing. At our local level there are few issues that people are more concerned about. And yet frustration mounts as few concrete gains are seen.

7. One grossly unfair aspect of current U.S. laws is that a middle or upper income person can pay high interest rates and then deduct this interest from the amount of his income for tax purposes. On $30,000 of bor-

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rowed money at 8% interest, a $15,000 a year man with a wife and child will save, at a very minimum, $487, on his federal tax of $2,483 (assuming standard deduction), effectively reducing his interest rate to 6.7%. The poor person who has a more diminutive loan and who is paying a small income tax will save little, if anything at all, by paying interest. Richer people get a helping hand, the poor do not.

8. While the above analysis suggests that the Eastern Shore of Maryland desperately needs help, help which could be provided by an increase of staff and loan funds from the F.H.A., it does not indicate the positive influences which could accrue from this help. These influences can be briefly described.

a. Most F.H.A. home mortgages are used by individuals to purchase a home of their own. For the poor this leads to increased pride and greater investment in their communities.

b. City government officials relate that migration to cities, especially by the poor, compounds problems that exist in urban environs. If more adequate housing was available in rural areas, fewer rural people would move to cities.

c. State and local governments are strongly in need of additional revenues. By increasing home ownership, revenues to theses groups will be enhanced.

d. The cost to the federal government of making a tremendous impact on rural slum housing is minimal because most of the funds used by F.H.A. are in the form of federally insured notes for loans which are purchased by banks and commercial credit houses. In addition, the poor have been excellent risks. Of 590 rural housing loans currently outstanding to the Farmers Home Administration from the Shore, all but 22 are up-to-date with their repayments.

e. Finally, although some areas of the country are economically overstimulated, the Eastern Shore is not. Median incomes are low on the Shore and jobs are continually being lost as farmers turn to the use of more mechanized equipment. We have estimated that an additional $54,000,000 could come to the Shore over the next five years if the F.H.A. could substantially increase their ability to process home loans.

9. We believe that the problems in housing which we have outlined are not peculiar to the Eastern Shore. We believe that if appropriate studies were undertaken, it would be found that most of rural America is suffering from the same difficulties. Must rural areas be neglected?

10. Finally, we turn to some possible ways of resolving our difficulties. We believe that the Farmers Home Administration is at present having little influence on rural slum housing. This agency in 1962 took on vast new responsibilities by becoming involved with home mortgages for a large proportion of the rural population. However, it is one of the few federal agencies that has not increased its local staff in over 22 years. In 1946 we had 10 people employed in local F.H.A. offices on the Eastern Shore of Maryland. Today we have 10, exactly the same number. The following alternatives could each aid in resolving our problems:

a. Increase the allotment of funds for staff and for the processing of mortgages. At least three times the current staff at local levels is required for the F.H.A. to be capable of significantly reducing slum housing (one secretary, one bookkeeper, one loan writer, two inspector-appraisers and one supervisor per office). This would seem to be the simplest and most equitable solution to the problem.

b. Allow state agencies and volunteer groups to aid F.H.A. offices. The law presently prohibits such aid for most of the important work in processing loans. (Recently in New Jersey, the State paid staff to work on home loans in F.H.A. offices but it was ruled that this was not allowed under present law.) In addition to changing the law, a program should be developed to train volunteer groups for some of the slightly complicated aspects of F.H.A. functioning. We currently have volunteer groups who are willing to provide some help, but they would need training to be able to perform much of the work that needs to be done.

11. We believe that it has been amply demonstrated that we have a huge number of miserable, wretched slum houses on the Eastern Shore of Maryland. We further believe that this problem is not endemic to the Shore but that housing in much of rural America has not been given noteworthy attion. One relevant, meaningful solution that could go far in ameliorating the problem has been approved by the Congress, through assigning to the Farmers Home Administration new objectives. However, while Congress granted the authority 7 years ago, it has never granted the funds for the increased staff or for the mortgage interest supplements that would allow this program to do the job it was designed to do. In the most wealthy country in the world, how much longer must rural America suffer?

COMMENDATION OF PRESIDENT NIXON'S SPEECH ON WAR IN VIETNAM

Mr. SAXBE. Mr. President, I commend President Nixon for his speech of May 14, dealing with the war in Vietnam. I thought it was a fine speech. The President demonstrated most convincingly that he realizes the war must be brought to a peaceful but honorable conclusion as rapidly as possible. I have said for many months that American troop withdrawals should begin as soon as possible, hopefully by this summer. From his statements, it is apparent that troop withdrawals are a key part of Mr. Nixon's thinking, as well.

I support the President's eight-point program for a solution of the war. The eight points should provide a meaningful basis for progress at the Paris peace talks. They show, too, that the administration is remaining flexible in its approach to the negotiations.

We have got to go a second mile in searching for peace. President Nixon's speech showed that the United States already has embarked on that second mile. The speech demonstrates, too, that the President recognizes the urgency of this matter.

U.N. REPRESENTATIVE INDICATES U.S. REVIEW OF POLICY ON HUMAN RIGHTS TREATIES

Mr. PROXMIRE. Mr. President, in February of this year, President Nixon appointed a capable and dedicated woman, Mrs. Rita Hauser, to the post of U.S. representative on the Human Rights Commission of the United Nations Economic and Social Council. Mrs. Hauser indicated at that time a particular interest in the ratification by the U.S. Senate of the United Nations Human Rights Convention, and Conventions on Genocide, Forced Labor, and the Status of Women. Recently, Mrs. Hauser has reiterated here keen interest in these conventions and I am sure that through her continuing persuasiveness and able dedication that Mrs. Hauser will become a leading force for the ratification of these important treaties. In a speech last week before the American Jewish Committee in New York, Mrs. Hauser indicated that the Nixon administration has begun a major review of policy on these human rights treaties. This is indeed most hopeful news and news that I hope the Senate will take note of. I ask unanimous consent that the article, entitled "U.S. Reviews Policy on U.N. Rights Pact," published in the New York Times, be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE UNITED STATES REVIEWS POLICY ON U.N. RIGHTS PACT

UNITED NATIONS, N.Y., May 14.—The Nixon Administration has begun a major review of policy on a series of controversial treaties aimed at protecting human rights.

This was disclosed today by Mrs. Rita Hauser, who was appointed by the Administration to the United Nations Commission on Human Rights. She referred to the policy review in a speech bitterly assailing the United States' record of refusing to approve the treaties.

Mrs. Hauser spoke at the annual meeting of the American Jewish Committee at the Waldorf-Astoria.

The United States' failure to ratify treaties has prompted questions about the Government's sincerity, she protested, adding that the word "hypocritical" was frequently applied.

The treaties go back to the 1952 convention outlawing genocide and include the 1965 convention against racial discrimination, which also covers anti-Semitism.

THE CRIMINAL JUSTICE SYSTEM

Mr. TYDINGS. Mr. President, the criminal justice system in the United States has serious problems. FBI indexes show a steadily increasing rate of reported crimes. Presidential commissions voice an urgent need for fundamental changes in our approach. In many of our great urban centers, citizens are afraid to use their parks and dare not walk the streets past dusk. They eye their neighbors with suspicion, and shrink from giving aid to those beset by thugs.

It has become too fashionable to accuse the courts of responsibility for the spiraling crime rate. Court decisions delimiting the privileges guaranteed the accused by the Bill of Rights, we are told, have so shackled the police that criminals may pursue their activities without fear of hindrance. These decisions, according to their critics, have breathed new life into crime in the streets.

This is an issue which has been typified by emotional arguments rather than facts. It is most disturbing to see the courts, for their decisions, subjected to some of the broad accusations which they have suffered. If they contribute to our crime crisis, it is not through the cases they have decided so much as through the cases they have not decided. The failure in administration of the criminal justice system has given rise to intolerable backlog and delay, challenging the viability of our court system. To the extent that this may encourage criminal activity, undercutting the deterrent effect of sanctions that come remote in time from the act to which they are a social response, and limiting the ultimate

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member of successful prosecutions, the courts may be faulted.

However, crime has its roots far beyond the criminal justice system. If we are to achieve a long-term solution to crime, we must deal with pervasive underlying social evils which generate it. We must focus on and relieve the evils of unemployment, family breakdown, inadequate education, substandard housing, frustration and despair.

For this reason I was most pleased to read the editorial entitled "Off Target," published in the Baltimore Evening Sun, which I believe sets some of the problems into better perspective. So that Senators may benefit from this viewpoint, I ask unanimous consent that the editorial be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

OFF TARGET

The attack on the Supreme Court by Will R. Wilson, United States Assistant Attorney General, carries an obvious appeal to nostalgia, to what many people prefer to remember as the "good" old days. Those who suspect the crime problem is an invention of the justices, will, regrettably, give him their applause.

Mr. Wilson harks back to a supposedly happy time when the law and its interpretation were rooted in "Victorian certainties." Since then, Mr. Wilson calls the court too zealous in guarding the rights of defendants and too cavalier in disregarding evidence gathered by police, however illegally. Most policemen share this opinion, so do most prosecutors. People more concerned with individual freedom do not.

The Supreme Court under Earl Warren did not write the Bill of Rights. The protections built into it have been there a long time; they, too, had been considered "certainties"—and even before Queen Victoria was born. In fact, however, their application has never been universal and is not so today.

Equal protection under the law has been and still is denied blacks in the South. The North is better only by comparison. The constitutionality of juvenile court procedures was called into question of 1967, and there is more than a little truth in the old lament that the rich, including rich criminals, are more equal than the poor before the law. The court's intent in recent years has not been to tie police hands. It has aimed to bring American judicial practices in line with constitutional principles, for the gap is nothing short of a national hyprocrisy.

Critics of the high court, including Mr. Wilson, would be more convincing if they looked elsewhere for the cause of crime and turmoil in American society: to state legislatures too stingy to provide funds for rehabilitating convicted criminals, to lobbyists and politicians who work against vital social reform, to slum lords and other exploiters of the poor who, through their actions, encourage the perpetuation of urban ghettos. These are the real targets, and Mr. Wilson turns a blind eye.

A HUMANISTIC TECHNOLOGY

Mr. NELSON. Mr. President, one of the most pressing issues of our time is how to make technology work for, rather than against, the future of mankind. What is needed is a new perspective by which we can dispassionately judge both the benefits and the dangers from new technology, and act accordingly.

In a recent speech, Vice Adm. H. G. Rickover of the U.S. Navy has performed another great service to his country by stating forcefully and well this issue and the need for a more rational approach. I ask unanimous consent that the text of the speech be printed in the RECORD.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

A HUMANISTIC TECHNOLOGY

(By Vice Adm. H. G. Rickover, U.S. Navy, at the convocation on ecology and the human environment of the St. Albans School in Washington, D.C., May 7, 1969)

The matter that concerns us tonight is of utmost importance and great urgency—nothing less than keeping our small crowded planet habitable. If I may use a legal expression, the "last clear chance" to avert catastrophe may soon be upon us. We have been brought to this critical situation by the scientific-technological revolution, and can extricate ourselves only by a change of direction in thought and action so drastic it would rate the term counterrevolutionary.

To the historian, this is a familiar sequence of events. During revolutions—social, political, technical—long established patterns of living are swiftly and radically altered by concentration on the attainment of a single objective without regard to cost. Eventually the cost is revealed and if it is too high there is a counterrevolution. But this takes time, perhaps more than is available to us. Few laymen as yet have any conception of the true price we pay for the marvels of technology although the mass media are now full of stories of poisoned water, air and soil, of depleted resources and of overcrowding—all clearly among its adverse effects, all crying out for remedial action.

What chiefly delays public recognition of the costs of the scientific-technological revolution is, I submit, the universal popularity of its objective: material abundance and an easing of man's earthly lot through mastery of nature, the "empire of man over nature" of which Francis Bacon dreamed three and a half centuries ago. Modern technology, solidly based on accurate scientific knowledge, comes remarkably close to this goal. Even the poorest in technically advanced countries are better fed, housed, and clothed, work in safer, more comfortable surroundings, enjoy greater leisure and more varied entertainments; live longer and healthier lives than they could ever hope for in the vast backward regions of the earth; this accounts for what W. H. Ferry calls the "stupid love affair" of the general public with technology. "Breaking up the love affair," he said, "does not mean abandoning technology, but replacing infatuation with an understanding of its toxic qualities, and finding ways to direct it to humane ends."

Fortunately we have a means to such an understanding in ecology—a science conterminous with modern technology.

Derived from the Greek *oikos,* meaning household or living place ecology deals with the interrelationships of plants and animals (including man) and their environment. Ecology, until recently a modest academic discipline chiefly serving agriculture and medicine, is destined to become the key science for correctly assessing the negative aspects of technology. St. Albans is therefore to be congratulated for including it in its curriculum. If I may, I should like to make two suggestions: *First,* limit the study to plant and animal ecology which is a fully developed branch of the exact sciences, omitting for the time being what goes under the name of social ecology. We tend in this country to try to do two or more things simultaneously; in consequence we do neither of them as well as we might. *Second,* consider the possibility of beginning the study at an earlier age. During a visit to Switzerland for the purpose of familiarizing myself with their educational system, I was much impressed by the way ecology was taught in a one-room village schoolhouse. It was part of the curriculum throughout the primary grades, being presented at first very simply—but always graphically; later on, a more complex level; and always alongside the three R's and history and government, so that the children absorb it as part of their general education.

What needs to be developed at the earliest opportunity is a habit of thinking ecologically, of being thoroughly familiar with the balance of nature which Barry Commoner, the biologist, recently defined in simple words comprehensible to the nonscientist, old or young. All living things, he said, "are dependent on the great interwoven cyclical processes, followed by the four elements that make up the major portion of living things and the environment: carbon, oxygen, hydogen, and nitrogen. All of these cycles are driven by the action of living things." Green plants convert carbon dioxide into food, fiber and fuel, and produce the oxygen in the atmosphere. Animals, living basicallly on plant-produced food, regenerate the inorganic materials: carbon dioxide, nitrates, and phosphates—all of which support plant life. This vast web of biological interactions "makes up a huge, enormously complex living machine—the ecosphere—and on the integrity and proper functioning of that machine depends every human activity, including technology. . . . If we destroy it, our most advanced technology will come to naught and any economic and political system which depends on it will founder."

I wonder, too, whether ecology, properly presented at the higher secondary school levels, might not help dissipate the tendency in contemporary thinking of regarding technology as an irresistible force with a momentum of its own that puts it beyond human direction and restraint. Mere awareness of all the adverse effects of technology may not suffice to mobilize public support for countervailing measures. What is additionally needed is a change of attitude on the part of the public and of its leaders, that is, of the prevailing concepts of what technology is and what purpose it should serve. Only when viewed humanistically—in other words, as a means to human ends—can technology be made to produce maximum benefit and do minimum harm to human beings and to the values that make for civilized living. It may even enable man to become more truly human than it has ever been possible for him to be. Of technology it can rightly be said that it is not "either good or bad, but thinking makes it so."

Technology has been defined as that which covers "the field of *how* things are commonly done or made" and "*what* things are done or made." It is tools, techniques, procedures: the artifacts and processes fashioned by modern industrial man to increase his powers of mind and body. Marvelous they are, but let us not be overawed by these man-made things. Certainly they themselves do not dictate how we should use them nor, by their mere existence, do they authorize actions that were not anteriorly lawful. We alone bear responsibility for our technology. In this, as in all our actions we are bound by the principles governing human behavior in our society. Ethics, I need hardly say, are not only personal; they are social as well.

This surely must be obvious to any reasonable man. Yet it cannot be overemphasized, for a considerable body of opinion propagates what comes close to being the opposite view. The notion is widespread that, having wrought vast changes in the material conditions of life, technology perforce renders obsolete traditional concepts of ethics and morals, as well as accustomed ways of arranging political and social relationships. Earnest debates are currently taking place as to whether it is *possible* to act morally in the new technological society, and proposals have been made—quite seriously—that science must now *replace* traditional ethics! We have here a confusion of means with ends that should be cleared up.

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The laws disclosed by science must of course be heeded by those who wish to exploit scientific discoveries; in his technological activities man is bound by the laws of science. But it does not follow that he is bound by the laws of science in his purely human relations as well. "Science," wrote Vannevar Bush, "has come a long way, in delineating the probable nature of the universe that surrounds us, of the physical world in which we live, of our own structure, our physical and chemical nature. It even enters into the mechanism by which the brain itself operates. *Then it comes to the question of consciousness and free will—and there it stops.* No longer can science prove, or even bear evidence. Those who base their personal philosophies or their religion upon science are left, beyond that point, without support."

Through technology man has been relieved of much brutal, exhausting, physical labor as well as of boring routine work; he has been provided with numerous mechanical slaves who do certain kinds of work faster, cheaper and more efficiently than people. Why should the ease and affluence made possible by technology affect precepts that have guided Western man for centuries? This may brand me as old-fashioned but I have not yet found occasion to discard a single principle that was accepted in the America of my youth. Why should anyone feel in need of a new ethical code because he is healthier or has more possessions or more leisure? Does it make sense to abandon rules one has lived by because he has acquired better tools for doing his work?

Tools are for utilizing the *external* resources at our disposal; principles are for marshaling our *inner*, our human resources. With tools we alter our physical environment; with principles we order our personal life and our relations with others. The two have nothing to do with each other.

It disturbs me to be told that technology "demands" an action the speaker favors, that "you can't stop progress." It troubles me that we are so easily pressured by purveyors of technology into permitting so-called "progress" to alter our lives, without attempting to control it—as if technology were an irrepressible force of nature to which we must meekly submit. If we reflected, we might discover that not everything hailed as progress contributes to happiness; that the new is not always better nor the old always outdated.

Perhaps we are receptive to these arguments because we tend to confuse technology with science. Not only in popular thinking but even among the well-informed the two are not always clearly distinguished. In consequence, characteristics pertaining to science are attributed to technology. The etymology of the word may contribute to this confusion. Its suffix lends to techno*logy* a false aura—as if it signified a body of accumulated, systematized knowledge, when in fact the term refers to the apparatus through which knowledge is put to practical use. The difference is important.

Science has to do with discovering the true facts and relationships of observable phenomena in nature, and with establishing theories that serve to organize masses of verified data concerning these facts and relationships. Because of the care scientists take to verify the facts supporting their theories, because of their readiness to alter theories when new facts prove an established theory to be imperfect, science has great authority. What the scientific community accepts as proven is not questioned by the public. No one disputes that the earth attracts the moon, or that atomic fission produces energy.

But technology cannot claim the authority of science. It has proved anything but *infallibly* beneficial. Much harm has been done to man and nature because technologies have been used with no thought for the possible consequences of their interaction with nature. A certain ruthlessness has been encouraged by the mistaken belief that to disregard human considerations is as necessary in technology as it is in science. The analogy is false.

The methods of science require rigorous exclusion of the human factor. They were developed to serve the needs of scientists, whose sole interest is to comprehend the universe; to know the truth; to know it accurately and with certainty. The searcher for truth cannot pay attention to his own or other people's likes and dislikes, or to popular ideas of the fitness of things. This is why science is the antithesis of "humanism," despite the fact that historically modern science developed out of and parallel to the humanism of the Renaissance.

What scientists discover may shock or anger people—as did Darwin's theory of evolution. But even an unpleasant truth is worth having; besides one can choose not to believe it! It is otherwise with technology. Science, being pure *thought*, harms no one; therefore it need not be humanistic. But technology is *action*, and often potentially dangerous action. Unless it is made to adapt itself to human interests, needs, values, and principles, more harm will be done than good. Never before, in all his long life on earth, has man possessed such enormous power to injure himself, his human fellows, and his society as has been put into his hands by modern technology.

This is why it is important to maintain a humanistic attitude toward technology; to recognize clearly that, since it is a product of human effort, technology can have no *legitimate* purpose but to serve man—man in general, not merely some men; future generations, not merely those who currently wish to gain advantage for themselves; man in the totality of his humanity, encompassing all his manifold interests and needs, not merely some one particular concern of his. When viewed humanistically, technology is seen not as an end in itself but as a means to an end, the end being determined by man himself in accordance with the laws prevailing in his society.

A word may be in order concerning the disparate meaning of the word *law*, depending on whether it is used in the ordinary sense—which is also the original sense of the word—or by scientists. Law, as commonly understood, refers to the rules of human conduct prescribed and enforced by society. The scientists have appropriated the term. They use it to describe regularities exhibited by the physical phenomena—the rules by which the cosmos governs itself. In the transition, the word has taken on a new meaning.

Law that governs human society is not the result of scientific method, but of wisdom and experience, of consensus as to what is just and fair. In autocracies, law is what the ruler decrees it to be and what he is able to enforce by naked power. The purpose of human law is to resolve conflicts by the application of definitive rules. These rules are always debatable and can be changed when there is public demand for a change or when the rule-maker desires them to be changed.

From the layman's point of view, what the scientist calls law is fact, rather than law—immutable fact. Or, if you prefer, it is law operating in a sphere where man exercises no influence. He cannot alter the laws of the cosmos; he can only discover them.

It has taken a long time to attain this rational attitude toward science, and we are conscious of the consequences of intolerance in the past. Perhaps this is why we have been exclusively tolerant toward those who claim the right to use technology as they see fit, and who are not to treat every attempt by society to regulate such use in the public interest as if it were a modern repetition of the persecution of Galileo!

Assuredly, we have the right to use the instrumentality of law and of government to protect ourselves against technological injury. Yet this simple truth is obscured by the effective way in which opponents of protective measures play upon the laymen's respect for science—in a conscious or unconscious attempt to brainwash the public so it will accept their argument without debate. When attacking legislation that would restrain the user of technology, it is common practice to argue as if at issue were acceptance of a law of science. Yet what is being discussed is not science but the advisability or legality of the technological exploitation of science. The public would not be deceived by such arguments if it clearly understood the fundamental difference between science—which is *pure knowledge*—and technology—which is *action* based on knowledge.

Whether or not a particular technology has harmful potentialities should be decided by competent and disinterested professionals; it is not a proper subject for adversary proceedings and, above all, ought never be left to those who wish to use it. Destructive technologies are often highly profitable for those promoting them. They have a vested interest in the technology; it may give them money, reputation, power. They are an interested party to the conflict between private and public interest that every potentially harmful technology poses. Moreover, they are nearly always practical men more knowledgeable about *efficiency* in using a technology than about the *legal and social implications* of such use.

I think one can fairly say that the *practical* approach to a new scientific discovery and its utilization through technology is usually *short-range* and *private*, concerned only with ways to put the discovery to use in the most economical and efficient manner, little thought being given to its ultimate consequences. The *scholarly* approach—if I may use this term—is *long-range* and *public*; it looks to the effects which a new technology may have on people in general, on the nation, on the world; on present and future generations. And this, of course, brings us back to ecology and the vital part it could play in assigning to technology its proper place in human affairs.

How we use technology profoundly affects the shape of our society. In the brief span of time—a century or so—that we have had a science-based technology, what use have we made of it? We have multiplied inordinately wasted irreplaceable fuels and minerals, and perpetrated incalculable and irreversible ecological harm. I have thought much about this, and I can find no evidence that man contributes anything to the balance of nature—anything at all. On the strength of his knowledge of nature, he sets himself above nature; he presumes to change the natural environment for *all* the living creatures on this earth. Do we, who are transients and not overly wise, really believe we have the right to upset the order of nature, an order established by a power higher than man?

These are complicated matters for ordinary citizens to evaluate and decide. How to make wiser use of technology in future is perhaps the paramount public issue facing electorates in all industrial democracies. A free society centers on man. It gives paramount consideration to human rights, interests, and needs. But once ordinary citizens come to feel that public issues are beyond their comprehension, a pattern of life may develop where technology, not man would become central to the purpose of society. If we permit this to happen, the human liberties for which mankind has fought, at so great a cost of effort and sacrifice, will be extinguished.

JACK B. MACKAY, GREAT REPORTER AND GREAT MINNESOTAN

Mr. MONDALE. Mr. President, on Sunday, Jack B. Mackay, a close friend of mine and a remarkable American, died.

Few men have been privileged to serve their community, State, and Nation more than Jack. He began his distinguished career in journalism as an Associated Press reporter in St. Paul in 1918 and remained with AP until 1964. He became the senior reporter covering the State capitol at St. Paul, and was widely regarded as one of the ablest political reporters in the Nation.

In 1960, when I became attorney general of Minnesota, I quickly came to know Jack as one of the truly magnificent men of our State. He was able to be at the same time a good friend and a tough reporter. He not only wanted to report fairly; he wanted a better State, as well.

I shall never forget his warmth, his courage, and his decency. We shall all remember and miss him.

My condolences go to his widow, Ruth, and Harvey and Carol Ann Mackay, his son and daughter-in-law, and the rest of his family. As would be expected, Jack has left a wonderful family as an additional heritage to his friends and the State he loved so much.

I ask unanimous consent that the story published in the Minneapolis Star of May 19 be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Minneapolis Star, May 19, 1969]

J. MACKAY, RETIRED AP WRITER, DIES AT AGE 69

Jack B. Mackay, retired Associated Press (AP) correspondent in St. Paul, died Sunday in Mt. Sinai Hospital of a heart attack shortly after being stricken on a suburban golf course. He was 69.

Mr. Mackay, 17 S. 1st St., became ill at Oak Ridge Country Club, Hopkins.

Services will be at 1 p.m. Tuesday at Temple Israel with burial in Temple Aaron Cemetery, St. Paul. Reviewal is at the Hodroff & Sons-Aaron mortuary.

Memorials to Mt. Sinai, of which Mr. Mackay was a member of the board of governors, are preferred.

Survivors include his widow, Ruth; two children by a previous marriage, Harvey B., Minneapolis, and Mrs. Arnold (Marjorie) Resnick, Hopkins; two brothers, Edward Makiesky, also a retired AP correspondent, Omaha; Raymond B., St. Paul; and two sisters, Mrs. Jack Gertrude Cohn, St. Paul, and Mrs. Dorothy Sontag, Chicago.

Born in St. Paul, Mr. Mackay joined the AP in St. Paul as a telephone news reader in 1918. He remained with AP or a then-subsidiary, Northwest News Bureau, until his retirement in 1964.

Mr. Mackay was St. Paul correspondent of AP from 1937 until his retirement.

Mr. Mackay helped cover many stories that that made national headlines in the Twin Cities of the 1930s. The $200,000 Bremer kidnaping, the $100,000 Hamm kidnaping, escapades of the Dillinger gang, the bloody Minneapolis truck strike of 1934 were among them.

He won a Twin Cities Newspaper Guild award and a national television "Big Story" award for his long effort that finally won freedom for Leonard Hankins, convicted of a murder in connection with a Barker-Karpis gang bank robbery in Minneapolis.

Mr. Mackay was graduated from St. Paul Mechanic Arts High School and studied at the University of Minnesota in night school.

He was married June 26, 1928, to Myrtle Natharson of St. Paul, who died in 1955. He married Mrs. Ruth Smith in 1961.

Mr. Mackay won many awards for his social work in the Twin Cities Jewish community, including the humanitarian award by Mount Zion Temple, St. Paul, in 1958.

THE MACHIASPORT SITUATION

Mr. MUSKIE. Mr. President, on May 8, 1969, the junior Senator from Wyoming (Mr. HANSEN) had printed in the RECORD a brochure entitled "The Machiasport Situation: 20 Questions for the People of Maine."

The brochure was published by the National Resources Council of Maine, a group of concerned citizens who are interested in the protection of the natural environment of Maine. The brochure was printed and sent to many of us involved in the Machiasport foreign-trade zone and refinery battle.

The Honorable Kenneth M. Curtis, Governor of the State of Maine, has prepared a statement that answers these questions posed by the council. His answers show the time, energy, and thought that is being given to every facet of the Machiasport project.

Mr. President, I ask unanimous consent that the Governor's statement be printed in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT OF GOV. KENNETH M. CURTIS IN RESPONSE TO THE NATURAL RESOURCES COUNCIL OF MAINE CONCERNING THE MACHIASPORT PROJECT

Let me commend the Natural Resources Council for its sponsorship of the recent brochure, the Machiasport Situation—Twenty Questions for the People of Maine. By reemphasizing environmental protection as a policy which must underlie Maine's future economic development, the Council reaffirms and strengthens the position of those of us who believe that the era of unrestained exploitation of our dwindling natural resources is ending. As Governor, I have been particularly pleased to note a rapidly growing public awareness for intelligent and sound use of our natural resources.

Furthermore, I would commend the Council for its commitment to explore the issue rather than assuming a stance of dogmatic opposition. The questions posed in the brochure reflect a reasonable and legitimate concern in several areas: Will Maine really benefit from the Machiasport proposal? Are measures being taken to anticipate the impact on the local communities? Are proper measures to protect the quality of the Maine environment being formulated? Taking these issues in the order in which your brochure presented them, the answer is in each case an unqualified *yes*.

I. THE ECONOMIC BENEFITS

The New England region has suffered from continually escalating fuel oil prices. The retail price of #2 heating oil in New England during the last four years has increased by 15%, or 2.2¢ per gallon which is 62% faster than the average increase outside the region. Additionally, for the past two winters threatened supply run-outs have forced New England dealers to obtain emergency quota allocations from the U.S. Department of the Interior. The proposed Machiasport project will aid New England by halting the rising price trend and by guaranteeing the region a more dependable supply of #2 heating oil. In its request for a quota allocation last June Occidental Petroleum Corp. clearly stated a commitment to reduce posted prices a minimum of 10% over Boston Harbor prices. Additionally, this application committed the refinery's operator to supply the Department of Defense jet fuel at prices a minimum of 10% below present contract prices, to lead the way in price reduction in minium 1% sulfur fuel, and to contribute 20¢ per barrel of quota allocation as a royalty to a Marine Resources Foundation for New England.

What are the specific benefits to Maine? Employment for the core refinery complex is estimated by the constructing engineers to total approximately 350 with an average annual payroll of $2.6 million. In an effort to halt the outmigration of young people from Washington County (42.8% in age group 20–24 and 32.9% in age group 25–29) and to enhance employment opportunities for all residents, we have set a target of at least 85% employment from local sources. Training programs will be offered during the construction period to help qualify local citizens (Washington County—State of Maine). Additionally, Occidental has received inquiries from former Maine residents with the technical skills required to operate a refinery seeking consideration for employment should the project be approved.

But these immediate jobs, plus the numerous jobs available during the refinery construction phase, are only a portion of the proposal's potential impact. Basic to the economic importance of this project is the concept of a core industry, one that lends itself to spin-off development. And while an oil refinery is but one example of such a core facility, it is a particularly auspicious one because of the extremely favorable growth potential of the oil industry. Furthermore, the product mix of this particular refinery, with a daily production of 53,000 BBLS of naphtha, is tailored to stimulate petrochemical development.

The increased employment opportunities that will be generated by the satellite and related industrial facilities should dwarf in significance the economic impact of the refinery. Reliable estimates available to us project a total employment level of approximately 3,000 within a ten to fifteen year period. Conceivably, it could be higher. Beyond this one must consider the continued presence of the labor force that will be required for the construction of the secondary and tertiary facilities. And finally, we can expect increased employment demands in the service sector. Economists estimate 1.5–2.5 new jobs created for every new industrial position introduced into a community.

These potential benefits are certainly not hypothetical. They are instead the result of considerable study and research and are quite reasonable in light of past industry experience and of projected demands for petroleum products and by-products. Note that while all of this is possible, none of it is automatic. Should the initial project be approved many more man-hours of work will be required to ensure that this growth is properly accomplished.

Now to the issue of why a refinery in Machiasport. Without citing endless supporting economic data, it is sufficient to note that Washington County has been officially designated a redevelopment area by the Economic Development Administration. Development of meaningful employment opportunities there is, therefore, of prime importance. The economic benefits of this installation will be of great value to Washington County and to the balanced economic development of the State.

For several reasons, I do not support the proposition that the coastal area be zoned to prevent industrial development. For one, the protection of our natural environment is a problem for all areas of the State and should not be confined to a particular zone. Similarly the recreational potential of our inland lakes and mountains is no less of a resource than our coast. And obviously, the entire State cannot be designated as a park. However, I do strongly support the notion of a

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balanced plan for the multiple use of our coastal zone. At my encouragement, the State Planning Office has prepared a proposal for a study in this area to be submitted to the New England Regional Commission for possible funding.

Furthermore, the recreational potential and present use of our sea coast, particularly Washington County, is not by itself a satisfactory answer to the needs of that economically depressed area. The outmigration of youth and the static population of the county provides sufficient evidence that many of its residents must leave to find meaningful employment. Many Maine young people will not be satisfied with seasonal careers geared to serving tourists.

Since more stable and rewarding employment opportunities are demanded, I cannot agree that the proposed project is an encroachment on our sea coast resource. Rather it is an effort to capitalize on that resource, particularly the extreme inshore depths of Machias Bay. That resource, greatly enhanced by the introduction of the supertanker era and coupled with the fact that no overland oil pipeline serves New England, dictates that if a refinery is to be constructed in Maine it must be supplied through the coast.

This does not suggest that the refinery must necessarily be located immediately on the coast. The possibility of an inland location for the refinery is being considered, and I have asked Dr. Gardiner Means to present the economic and environmental implications of such a location before the Conservation and Planning Committee and the next meeting of the State Planning Council.

The staff of the Foreign Trade Zones Board has assured us that it would be a relatively simple matter to change the boundaries of the Zone. Such a change would require a public hearing to provide full opportunity for comment by those affected by the new location. On the basis of that hearing, the Board would decide on the merits of the application for an alteration in the Zone's definition. However, an inland location will, in itself, pose certain problems (more difficult hot water dispersal, added capital investment, etc.) that must be weighed against the aesthetic advantages of moving the refinery away from the coast.

II. THE LOCAL COMMUNITIES

While discussing the exact location of the refinery and its related facilities, it is perhaps timely to respond to your concern for the local communities, the problems which the refinery-associated growth will create for them, and the possible means and methods which they might employ to cope with these new strains.

I should first emphasize that all property within a Foreign Trade Zone is taxable and that during the construction phase the imported portion of the labor force will live in temporary quarters on the site, rarely accompanied by their families, and therefore not straining local services and facilities.

Last September I appointed a Conservation and Planning Committee specifically for this project with responsibility for coordinating its multifarious social, economic, and environmental aspects. Appointed to that Committee were the heads of appropriate State agencies, leaders of the affected local communities, and representatives of regional agencies that might be able to lend financial and advisory assistance. The purpose of this Committee is a simple one—to fully involve the local citizens and to make available to them State and regional talent in a coordinated effort to reduce and control the risks that are inherent in all growth and change.

Naturally, the real thrust of this Committee's effort hinges on an affirmative decision by the Foreign Trade Zones Board. At such a time, numerous subcommittees will be appointed to meld local, state, and regional programs designed to ease the transition that the project will unquestionably foster.

There are numerous potential avenues for cooperation among local communities to distribute the burden and the benefits from the location of new industry. The creation of sanitary districts, school administrative districts, and State or local housing authorities is possible and clearly desirable if growth is to be orderly and controlled. Already an informal subgroup of the Conservation and Planning Committee has prepared an application submitted by PRIDE Inc. for a Federal technical assistance grant to assist in the development of a Plan for the Orderly Growth of the Local Communities of East Machias, Machias, Machiasport, and Rogue Bluffs. This plan will provide guidance and suggestions for the local communities in directing development outside the Zone and thus not directly controlled by the State.

In the preparation of this particular application, and in all other planning and development efforts related to the project, local residents were, and will be, fully involved. That was the very reason for the creation of the Conservation and Planning Committee.

Furthermore, the interests of the land owners on the proposed site are fully protected by the laws of our State, which originally defined those rights. Clearly the State has no intention of violating its own statutes, nor does it have any reason to. I can assure you that the interests of local residents have in no way been violated, nor shall they be. Options have been obtained for the major part of the land included in the Foreign Trade Zone application. In exercising its eminent domain powers to obtain such additional land as is necessary, the Port Authority cannot, of course, exceed its powers or move without regard for the constitutional requirement of due process of law. Should you have evidence of specific instances where personal rights have been violated, I suggest you make these known immediately.

III. THE ENVIRONMENT

Initially, let me stress that the vehicle of a Foreign Trade Zone gives us a unique opportunity to directly control the industrial operations within the Zone. Therefore, I have charged the Conservation and Planning Committee with the responsibility for developing the most effective standards possible for the control and prevention of pollution. A subcommittee has been appointed under the chairmanship of Dr. Gardiner Means and composed of local, State, and regional representatives. This group has been working with Federal, State and regional agencies to draft environmental control provisions for inclusion in any lease ultimately negotiated between the State and the Zone's tenants and/or promulgated as rules and regulations governing Zone Operations. Included in those agencies consulted have been the Federal Water Pollution Control Agency, the National Air Pollution Control Administration, the New England River Basins Commission, the Department of State (re the International Maritime Consultative Organization), and within Maine, the Water and Air Environmental Improvement Commission and the Department of Sea and Shore Fisheries.

Following the initial drafting effort, the proposed provisions will be submitted to a wide review including that of a professional consultant, who will be retained by the State, and selected in cooperation with the WAEIC. Funding to support this input is being sought from Federal agencies and foundations. Later on, once the Zone is operating, there should be additional funds available through the Marine Resources Foundation for continued research and development in improved environmental control systems.

Naturally, these provisions have to be at least as stringent as existing Federal and State requirements. Fortunately, however, through the Zone mechanism they can be more stringent, filling voids when necessary, and specifically tailored to the particular problems of the petroleum industry.

Again, through the unique structure of a Zone-type operation, the State can collect rental fees sufficient to support the employment of a professional staff for monitoring and overseeing the installation and operation of the pollution control systems.

While the initial focus of the pollution subcommittee has been on controlling the air and water effluent from the refinery and establishing procedures governing the on and off-loading facilities, it is also responsible for the development of appropriate formulas to govern losses occuring from accidental spills and potential disasters. Bonding requirements, insurance protection against demonstrated loss of livelihood, and the establishment of a claims review board will be necessary and have received a preliminary airing before the subcommittee.

Additionally, the Muskie bills presently before Congress will facilitate recovery of clean-up costs by the Federal government, and will lessen the problems of proof for private litigants.

Related to the pollution question is the ultimate location and forms of the tanker loading and off-loading facility. Preliminary surveys have been made by the Foster, Wheeler Company in order to satisfy Zone application requirements. Complete hydrographic and current surveys will be forthcoming once the project has been approved, and the final decision re the exact positioning of the marine facilities will be based upon these studies. Certainly neither the State, nor any of the proposed tenants has any intention of constructing facilities that are unsound from an engineering standpoint. Both the cost and the risk are too great to permit this to happen. Through its role as operator of the Zone, the State will have a full opportunity to review and evaluate the proposed structures, and to insist that they reflect the latest technological capabilities in soundness of design and in adequacy of environmental control systems.

A great opportunity exists for Maine, and Washington County in particular, to significantly upgrade its economy and to provide meaningful employment opportunities for all who would choose to live here. We would not move to secure this project without insisting that every possible effort be made to protect the quality of our environment. Indeed this is not a problem peculiar to Machiasport or Maine, but one which demands the serious attention of the entire nation. We must also recognize the problems and limitations imposed upon us by our existing economic base. The Machiasport proposal is an attempt to improve that base while concurrently insisting that proper environmental safeguards be incorporated into the construction and operation of the project.

In short, we are striving for a meaningful balance—one that provides increased economic opportunity without permitting the environmental decay which has unfortunately occurred in other areas. Advances in modern technology, plus the lessons learned from these past mistakes make such progress possible, provided that government exercises proper vigilance. I promise you that, as Governor, I will exercise and insist upon such vigilance.

A TRIBUTE TO "GREEN THUMB"

Mr. MUNDT. Mr. President, I ask unanimous consent to have printed in the RECORD an editorial published in the Moody County Enterprise of Flandreau, S. Dak., regarding the success of the federally supported Green Thumb project in eastern South Dakota.

The success of this program is completing a number of worthwhile projects in the rural South Dakota communities in Moody County is testimony to the fact that our Federal dollars are best spent when they can be utilized at the local level, employing local people to complete local projects. I join the Moody County Enterprise in saluting the outstanding work of those involved in the Green Thumb projects.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

[From the Moody County (S. Dak.) Enterprise, May 6, 1969]

Green Thumb Workers Helpful

This newspaper has never gone on record as supporting big governmental giveaway programs. As a matter of fact, we've been highly critical of programs that provide citizens with something for nothing. These kind of programs usually aren't appreciated by the recipient and they fulfill no useful purpose.

We can't say this about the federally supported Green Thumb program. This program is right down to the grassroots level. It employes an elerly group of men who work for what they earn. And they get the job done. We can actually see some results of their efforts.

This program, which is under the guidance of a Technical Action Panel composed of local authorities, started last spring. No. sooner had it started than a terrible wind storm hit our community and played havoc with public and private property. The Green Thumb crew was thrown into the task of helping clean up the public areas. They did a neat job and they were needed. They have accomplished a number of other projects. They have helped with painting and fixing some of the county and 4-H structures. They have been used by the city to clean up some eyesores. They have been employed to do planting in park areas. Most recently they were employed to paint the halls of the courthouse and to put in accoustical ceiling tile in that building. Although the taxpayer pays the bill for the wages of these men, at the same time they save the taxpayer money on improvement projects that might not get done otherwise—or what would be too expensive to complete. And the money for the employment of these men stays home, plus the fact that it gives these elderly men a route of employment.

Last week they were hired to do the planting of trees and seeding of the lawn at the new Flandreau High School. If these men had not been available for this project—the school board would have had to hire a landscaping crew from outside the area at thrice the cost.

Green Thumb men are employed in the Colman area too, where they have carried out some valuable programs.

COST DATA ON MAJOR WEAPONS PROGRAMS

Mr. PROXMIRE. Mr. President, I have just written Assistant Secretary of Defense Barry J. Shillito asking for detailed cost data on 21 different major weapons programs in an effort to determine the size of cost overruns on these programs.

I have repeatedly requested information from the Pentagon about overruns on a number of weapons programs. Specifically, I have asked for cost-overrun information on the SRAM, the Minuteman, and the total F–111 program.

The Pentagon's response has been totally inadequate. I am told that on some major programs, cost-overrun information "is not readily available."

On the SRAM, an air-to-ground missile, I asked the Air Force whether or not it was true that the cost for research and development increased from an original estimate of $143 million to the current estimate of $359 million. The Air Force response was that because of contract negotiations with the Boeing Co., "disclosure of any Air Force estimates is premature and could prejudice the Government's position in its efforts to obtain the best price in negotiations with the contractor."

That answer is ridiculous. The Air Force appears to be saying that although it knows how much the cost overruns are, and although Boeing knows the Air Force knows, it would in some way prejudice the Government to disclose this information.

Does the Air Force mean to say that it is concealing the cost overruns on SRAM from the contractor? Surely the contractor knows as much about its own overruns as the Air Force.

If the Air Force knows and the contractor knows, how would it prejudice the Government's case if Congress and the public knew. Unless the Air Force has something to hide.

Perhaps the Air Force is really afraid that disclosure of the SRAM cost overrun will so shock the public that a congressional inquiry would result.

Once again, I call on the Pentagon to disclose fully the facts about cost overruns on all major weapons systems. The Defense Department, in fact, recently promised full and accurate information on all procurement matters to the Congress and the public. In my letter to Assistant Secretary Shillito, I have urged prompt implementation of that promise.

I ask unanimous consent that the letter be printed in the Record.

There being no objection, the letter was ordered to be printed in the Record, as follows:

Hon. Barry J. Shillito,
Assistant Secretary of Defense for Installations and Logistics (I & L), Department of Defense, Washington, D.C.

Dear Mr. Shillito: As you know, the Joint Economic Committee has authority to make reports and recommendations on various aspects of the national economy. In several of its reports in recent years, reference has been made to the economic impact of military procurement.

Because of our continuing interest in this important area, I am writing to request information relating to a number of large weapons programs. The recent statement by Secretary Laird promising full and accurate information on all procurement matters to the Congress and the public is most gratifying. In the past, information about the costs of military programs has too often been concealed from the public, and I am hopeful that you will succeed in implementing a new policy of full disclosure of all non-classified information.

I am requesting that the cost and other data for the programs listed below be furnished to the Subcommittee on Economy in Government no later than May 29, 1969.

For each of the programs listed, by version, I would like to know:

(A) The original estimate, and date of estimate for:

(1) Total research and development costs;

(2) Total production costs;

(3) Total production units.

(B) The latest data, and date of data for:

(1) Total research and development expenditures and commitments to date;

(2) Estimate of funds requirements for research and development from present to program completion;

(3) Total production expenditures and commitments to date;

(4) Estimate of funds requirements for production from present to program completion;

(5) Total present program production units;

(6) For any programs terminated, total expenditures prior to termination;

(7) Estimated cost of annual maintenance and operations.

(C) The names of the prime contractors.

(D) The description of each program.

(E) For each of the data supplied, I would like to have the data source shown.

A list of the programs follows:

1. Polaris (by version—such as AX, AIX, AIP, A2X, A2P, A3, etc.)
2. Poseidon (by version)
3. Atlas (by version)
4. Titan (by version)
5. Thor (by version)
6. Minuteman I
7. Minuteman II
8. Minuteman III
9. Corporal
10. Redstone
11. Sergeant
12. Jupiter
13. Lance
14. Mark II
15. Mark XVII
16. F–14
17. F–15
18. Main Battle Tank
19. Attack Carriers (CVA)
20. Cheyenne Helicopter
21. SRAM

Your cooperation is deeply appreciated.

Sincerely,

William Proxmire,
U.S. Senator, Chairman, Subcommittee on Economy in Government.

MONDALE ANNOUNCES SUBCOMMITTEE ON SOCIAL PROGRAM PLANNING AND EVALUATION

Mr. MONDALE. Mr. President, I am extremely pleased to report the formation of a special Senate Subcommittee on Social Program Planning and Evaluation. The subcommittee was recently established by the distinguished chairman of the Committee on Labor and Public Welfare (Mr. Yarborough). I wish to express my personal appreciation to Senator Yarborough. He has demonstrated strong leadership and foresight in creating a special subcommittee to probe the adequacy of governmental efforts to plan and evaluate national social policies and programs.

I am also extremely grateful to each of the six Senators who will join me in the subcommittee's membership. They include the Senator from California (Mr. Cranston), the Senator from Missouri (Mr. Eagleton), the Senator from Wisconsin (Mr. Nelson), the Senator from New York (Mr. Javits), the Senator from Vermont (Mr. Prouty), and the Senator from Pennsylvania (Mr. Schweiker).

The new Subcommittee on Social Program Planning and Evaluation is being created to provide a forum within Government for on-going critical study of the Government's attempts to fulfill the Nation's social goals. It will also study proposals for improving the planning and evaluation of social policies and programs and make recommendations on such proposals to the Committee on Labor and Public Welfare.

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Two bills have already been referred to the subcommittee. One is S. 5, the proposed Full Opportunity Act, a bill declaring full social opportunity a new national goal and creating a council of social advisers to the President, an annual social report to Congress, and a joint congressional committee on the social report. S. 508, the proposal of the Senator from Oklahoma (Mr. HARRIS) to create a National Social Science Foundation, has also been referred to the new subcommittee.

I have long voiced concern over the very few firm facts we possess with respect to the success or failure of our social programs. We lack information upon which we may base reasonable and probably successful social policies and programs designed to cope with such problems as substandard housing, illiteracy, illness, and lack of social opportunity.

For example, we have only the most preliminary information about what our children are actually learning despite massive Federal spending for education in recent years. Similarly, while we have some reliable information about the strengths and weaknesses of the Job Corps program based on an unbiased sample of Job Corps' graduates and their employment records subsequent to training—a recent study by Louis Harris & Associates is a good example—we have no similar information on the other manpower programs that are offered as alternatives. Notwithstanding such information gaps, the Congress and the country are being called on to make immediate judgments about the future of Federal aid to education and the proper balance between the Job Corps and other manpower programs.

I have repeatedly said in the Senate that we cannot safely continue to legislate by hunch and intuition. Stumbling into the future is no longer acceptable. Survival from riot to riot is no longer a satisfactory measure of social progress. We are spending billions of Federal dollars each year, and many more at the State and local level, to eradicate a variety of social ills and we simply do not know which programs succeed best for the least cost or which show promise or which are counterproductive.

The new Special Subcommittee on Social Program Planning and Evaluation, which I am honored to chair, will strive to help the Senate, the Congress, and the Nation in its struggle to achieve full social opportunity for every American by minimizing the guesswork in social policymaking and program evaluation.

The subcommittee's first hearings on S. 5, the Full Opportunity Act, and the recent document entitled "Toward a Social Report," prepared by the HEW social indicators panel and issued by the Secretary, are tentatively scheduled for July. Hearings on the proposed National Social Science Foundation legislation will be scheduled at a later date.

BRUTAL FASCISTS TYRANNIZE GREECE

Mr. YOUNG of Ohio. Mr. President, since a small group of Fascist army officers seized power in Greece on April 21, 1967, the people of Greece have been living under a dictatorship reminiscent of Nazi Germany. The ruling military junta has destroyed free institutions, abolished representative government, prevented free elections, established control over press and radio, put an end to all guarantees of individual liberty, throttled freedom of speech, imposed a handpicked administration on the Greek Orthodox Church, and conducted a reign of terror against political dissenters.

Even more revolting to the conscience of free men everywhere were recent disclosures of the torturing of political prisoners. Reports of the use of torture by the regime have been filtering out of Greece for 2 years. The reports were so grotesque they seemed unbelievable. However, in the May 27, 1969, issue of Look, Christopher S. Wren, a senior editor, reported firsthand and eyewitness details of extreme torture of political prisoners in Greece. Mr. Wren writes that in Athens he "studied nearly 200 cases in personal interviews and smuggled reports." While in Athens he spoke with businessmen, priests, army officers, lawyers, housewives, and students who verified these reports.

Wren begins his article as follows:

> A succession of former political prisoners described every ordeal in detail and let me see, and touch, the scars. Now I am convinced. Torture has taken place in Greece on victims who number into the thousands. Under a frightened, unpopular military regime, torture goes on today. . . The majority are still in prison. Those released have been forced to sign statements that they were not tortured.

Mr. President, the tortures suffered by thousands of political prisoners in Greece, both men and women, are almost beyond belief. While reading Mr. Wren's account I at times found it difficult to comprehend how men and women could undergo such brutality and survive. The torture described is every bit as savage and brutal as that applied by Hitler's Gestapo beasts. With the defeat of nazism we thought we had witnessed the end of such barbarity. It is clear from Mr. Wren's article that nazism is alive in Greece. The Fascist colonels have given free rein to the sadists and torture specialists to practice their specialties in the dungeons of Greek jails. The horrors of Buchenwald, Dachau, Auschwitz, and the Gestapo basements of Nazi Germany, and the brutality afflicted in the torture chambers of the Lubianka prison in Moscow during the Stalin regime, are being relived in the basement of Asphalia prison, the headquarters of the Greek security police.

The fact is that brutal colonels and other officers who now terrorize Greece were trained by American military missions, and the weapons they used in their coup d'etat were supplied by the United States.

Unfortunately, our State Department immediately recognized the military junta in Athens. Had a ragtag group of leftwingers, instead of Mussolini-like Fascists, taken over, it would be interesting to note whether our striped-pants boys at the State Department would have closed our Embassy and President Johnson and Secretary Rusk immediately sent in our planes and paratroopers to "protect American citizens."

Our almost total involvement in the civil war in Vietnam has obscured the tragic events in Greece. However, the destruction of democratic government in that land by Fascist military officers more than 2 years ago can no longer be ignored. With every passing day the Greek dictatorship tightens its grasp on every aspect of Greek life. Purges take place mercilessly in the military, the church, and throughout Greek society.

Furthermore, since the brutal Fascists took power the United States has given almost $100 million in military and economic assistance to help maintain them in power. More than $37 million in additional military assistance is slated to be given in fiscal year 1969. How can the administration condone a policy of continuing to recognize, let alone assist, a brutal Fascist tyranny that in many respects is as heinous as that of Nazi Germany?

I ask how can Secretary of State Rogers, Assistant Secretary of State for Near Eastern Affairs Joseph J. Sisco, Director Daniel Brewster of the Greek Desk at the State Department, Roswell D. McCullough, chargé d'affaires of our Embassy in Athens, and other administration officials responsible for our policies toward Greece continue to turn their backs on the fact that the military junta is a brutal, inhuman gang of thugs and sadists?

The terror in Greece has become so oppressive that the Governments of Sweden, Norway, Denmark, and The Netherlands have filed charges against Greece in the 18-nation Council of Europe for violation of the human rights convention which forbids degrading treatment of prisoners. The Greek Government was formally put on notice that the Council will decide before the end of this year whether to expel Greece from its membership. This action was taken by a 13 to 2 vote of the Council of Ministers.

With the publication of Mr. Wren's article, officials of the State Department were prodded toward taking steps to end political repression and torture, and to restore civil liberties to the Greek people. With its usual timidity, the State Department, through Information Officer Carl E. Bartch, issued a weak, halfhearted statement which reads in part:

> We have repeatedly made clear our view—again recently to high-level Greek Government officials—that we hope for return to representative government and the full restoration of all civil liberties. We believe that this would be in the best interest of the Atlantic community of which Greece is an integral part.

Of course, nothing concrete was done by the State Department to implement this statement. It is clear that these are just meaningless words. Once again officials of the State Department have met the issue head on with driveling gobbledygook designed to lull Americans until public outrage over conditions in Greece subsides.

Mr. President, an insight into the thinking of officials of the State Department can be derived from Secretary of State Rogers' reply to a question put to him by the distinguished junior Senator from Rhode Island (Mr. PELL), when on March 27 the Secretary testified before the Senate Foreign Relations Committee

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on resumption of military aid to Greece. Senator Pell said:

> But this is a regime built on the basis of torture and the denial of civil liberties. Can you not take a hard line in future aid negotiations, and ask for assurance that torture not be a normal way of governing?

Secretary Rogers replied:

> Yes, Senator, we share your concern, not only for the torture phase but the other civil liberties. We are at present doing what we can through diplomatic circles to effect that, and we also will be conscious of the factors that you mention in subsequent negotiations.

More words—diplomatic niceties—while the torture of men and women continues in Athens. The truth is that the United States is not doing what it can to restore democracy to Greece. We continue to recognize the military junta. We continue to give military and economic assistance to help maintain the fascist regime in power. Administration officials remain silent regarding torture, oppression, and despotism in Athens, the cradle of democracy.

Despite the claims of State Department officials that the United States is without power to affect significantly the state of affairs in Greece today, it is obvious that there is much we could do.

The United States should sever diplomatic relations with the Greek dictatorship and thereby indicate our disapproval of the regime in such a way that the Greek people could not be mistaken about it.

We should suspend completely the delivery of all military and economic assistance to Greece.

Our Government has available a wide range of economic powers that it could exercise to apply pressure on the Greek Government to end the torturing of political prisoners and to restore civil liberties to the Greek people.

The United States should join forces with its friends in the Council of Europe to isolate the military junta politically and economically as various Western European governments are prepared to do.

Finally, we have the ultimate sanction of moving to expel Greece from NATO.

None of these steps has been taken, and the suffering in the torture chambers of the Asphalia continues. The freedom-loving people of Greece are looking for a sign from the United States—a genuine sign that will assist them in regaining their freedom. Mr. President, the 8-million liberty-loving Greek people regard our aid to their oppressors as the most powerful factor in keeping them in power.

Christopher Wren in his article in Look vividly described the feeling of the Greek people toward our relationship with their oppressors. He wrote as follows:

> The people of Greece believe the tortures would end if the United States just spoke out. One woman challenged: "I can't understand why Americans want democracy in their country, but smile upon people who destroy democracy in my country. Democracy is not just for the Americans." The irony is that American aid has become identified with the tortures. American M1 rifles have been used in the falanga beatings. Some of the interrogators' desks at Bouboulinas St. bear the clasped-hands emblem of the U.S. AID program. Unconscious victims have been lugged from the terrace there down to the basement ("A slaughterhouse of broken bodies" one prisoner called it) in grey American hospital blankets with "U.S." in prominent black letters. The torturers, who smoke American cigarettes while they work, like to give the impression they are only doing a job for the Americans. Most of the victims I talked to believed that Lambrou (the director of the Greek security police) and Mallios (an Asphalia torture specialist), among others, were trained in the United States, though there is no evidence of this. No wonder Pericles Korovessis, now a homeless, penniless exile, asks: "Is Lambrou your spokesman? What has happened to the American dream?" . . . Look for anti-Americanism to spread through a people who were once loyal friends.

It is clear that the political parties of the right, left, and center join in rejecting and despising the junta. Even within the armed forces its support is so limited that it still feels compelled to continue the purges of almost all the senior and experienced officers. The ablest citizens of Greece have, with few exceptions, left the service of the state as a result of purges or because they have been unwilling to serve under a government of usurpers and tyrants. The economic recession in Greece continues. The rate of economic growth, even according to the regime's doctored figures, is only half that of the years before the coup. The country's reserves of foreign exchange have disappeared. Its foreign debts have skyrocketed.

Twenty years ago, President Harry S. Truman made the decision to commit our military might and our economic resources to save Greece from the seriout threat of a Communist takeover. He asked the Congress to aid Greece to preserve a "way of life based upon the will of the majority and distinguished by free institutions, representative government, free elections, guarantees of individual liberty, freedom of speech and religion, and freedom from political oppression." His historic action which came to be known as the Truman doctrine resulted in the defeat of the Communist-led insurrection and the establishment of a democratic government in Greece. Since that time, the United States has spent almost $4 billion of American taxpayers' money for economic and military assistance to Greece, supposedly to help enable that nation to remain a bastion of freedom and democracy.

Today the Greek people are being crushed by a regime as tyrannical as any in the world. Our State Department does nothing more than pay lipservice toward restoring freedom to Greece. We continually express our concern but take no real steps toward ousting the junta.

We would do well to consider the wise words of John Gunther in his book, "Inside Europe Today":

> It is always dangerous for a democracy, like the United States, to become too closely involved with a dictator or semi-dictator, no matter how convenient this may seem to be. It is the people who count in the long run, and no regime is worth supporting if it keeps citizens down . . . if only for the simple reason that they will kick it out in time.

Mr. President, the honor of our country is at stake. Indeed, our very security demands that we cease to follow a course of action which makes us in the eyes of the Greek people and of free people everywhere the accomplices of tyranny.

The revitalization of democracy in Greece is as much in our own interest as it is to the people of Greece. Officials of our State Department should stop mouthing words and issuing press releases and start taking action toward erasing this stigma on our honor and toward restoring democracy to Greece, the land which gave democracy its birth.

SMALL BUSINESS ADMINISTRATION IN MAINE

Mr. MUSKIE. Mr. President, the complaint is often heard that the Federal Government is so big, so bureaucratic, and so far removed from the people that it is largely insensitive to their needs.

It is always a pleasure to hear otherwise from constituents.

Recently Victor and Mary Nielsen, owners and operators of Tamarak Motel, Brewer, Maine, wrote a letter to the Augusta, Maine, office of the Small Business Administration. Their business was made possible because of a $10,000 loan made by the Small Business Administration 10 years ago. It has now been repaid.

Because it expresses so well the valuable work that the Small Business Administration is doing, I ask unanimous consent that Mr. and Mrs. Nielsen's letter be printed in the Record:

There being no objection, the letter was ordered to be printed in the Record, as follows:

> April 28, 1969.
>
> Dear Small Business Administration: Enclosed is a check for the final payment toward our loan which we acquired 10 years ago.
>
> Both my wife and I want to extend our deepest thanks to you for making it possible for us to get our little motel started. If it were not for you people, we may not have opened our business because at the time we were looking for a loan 10 years ago it was next to impossible to get money.
>
> We have nothing but praise for your department who have treated us like human beings.
>
> Thank you again from—
>
> Victor and Mary Nielsen.

PRESIDENT NIXON SHOWS THE WAY

Mr. MUNDT. Mr. President, the President's address last week, in which he outlined the steps which could bring to an end the war in Vietnam, provides the opportunity for achieving the peace which has eluded that troubled part of the world for more than a quarter of a century.

In my opinion, the President's proposals puts the United States in the position of "walking that extra mile for peace."

Whether that opportunity will become reality rests in the hands of the North Vietnam Communist leadership.

In addition to presenting a method by which the outside forces—North Vietnam and the United States, in the main—can be withdrawn and thus reduce the scale of the conflict to a ques-

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tion of settling the differences between the contending forces within South Vietnam, the people of that war-stricken country, the President has opened the way for the United Nations to make a vital contribution as the international body which could supervise withdrawals, ceasefires, and elections.

The question, of course, is whether North Vietnam is going to accept the hard fact of life that its aggression will not be rewarded by a decision to turn over to Hanoi the destiny of the South Vietnamese.

The President has made clear that this country has no intention of imposing any particular form of government upon the South Vietnamese.

By the same token, there is no intention to permit such imposition from elsewhere.

The primary objective of this country, as clearly outlined by President Nixon, is a free choice for South Vietnam.

In essence, he is asking Hanoi to join in permitting the South Vietnamese people to make such a choice, free of any threat from any outside force.

The question now, Mr. President, is whether Hanoi, and its chief backer, the Soviet Union, are willing to join President Nixon in that march toward peace.

The President of the United States, Mr. Nixon, has shown the way.

RECOMMENDATIONS OF ORGANIZATION FOR ECONOMIC COOPERATIVE DEVELOPMENT

Mr. PROXMIRE. Mr. President, last week, members of the Joint Economic Committee met informally with Dr. Walter Heller, formerly Chairman of the Council of Economic Advisers.

A brilliant economist, Dr. Heller has always been most constructive and helpful to the Joint Economic Committee. No matter how busy, he has always been ready to share his information and insights with me and my colleagues on that committee.

We asked Dr. Heller to meet with us to explain the recommendations of the Organization for Economic Cooperative Development, set forth in a recent study on "Fiscal Policy for a Balanced Economy—Experience Problems and Prospects." Dr. Heller acted as chairman of a distinguished group of international economists representing the major European nations who devoted a considerable period of time studying this fundamental issue, an issue I might add that runs to the very heart of full employment policy. If our fiscal policies are not wise, then surely we shall have neither full employment nor stability for very long.

As Vice Chairman and former Chairman of the Joint Economic Committee, I was most pleased to see that the distinguished group of international economists that Dr. Heller headed gave praise to the U.S. Congress and to the Joint Economic Committee. In their report, it is pointed out that there is need for the national legislatures, when discussing economic questions, to look at issues and policies in their entirety. This need for an overall view was termed particularly important in countries where executive proposals could be substantially modified in legislative debate. As their report puts it:

> They (the Legislatures) have to take stock of the total impact of fiscal proposals and consider it in the context of the general economic situation.

The international report goes on to point up the advantages in the availability of committees like the Joint Economic Committee to the Legislatures in helping to foster a comprehensive view of issues.

The committee states, in part:

> As we have already indicated, the range of relevant policies is wide, and may include public investment programmes and, on occasion, the pricing policies of public industries. In addition to formal discussions by legislatures as a whole, there may also be advantages in having smaller specialised committees, on the lines of the Joint Economic Committee in the United States, to foster the development of fully informed views. And efficiency might be increased if an expert staff were at the disposal of legislatures.

BASES LOADED

Mr. YOUNG of Ohio. Mr. President, why is it that our Armed Forces have so many overseas bases? Unfortunately, at this time 1,513,000 American servicemen—Army, Navy, Air Force, and Marines—are serving in foreign lands at 2,170 military and naval bases. Many of these overseas bases are of no importance whatever to our national defense. A majority are obsolete from a military standpoint. They are national liabilities from a military and diplomatic standpoint. Also, tremendously costly to American taxpayers. Ending forthwith our military presence overseas in a majority of these bases and then withdrawing 200,000 men this year from Vietnam should be done. Foreigners term many of our bases as "golden ghettos." We should show commonsense and prudence. These overseas bases are an affront to the people of those countries where they are located. Let us close them, then use some of that money to tackle real ghettos in the United States.

LET US STOP HANDOUTS TO THE RICH

Mr. NELSON. Mr. President, a timely article about the tax breaks and the subsidies which the Federal Government bestows upon the well to do of the Nation, in contrast to our careful scrutiny of every bit of assistance which is proposed for the poor, appears in the June issue of True magazine. The article is authorized by the distinguished Senator from South Dakota (Mr. McGovern).

The appearance of the article is another bit of evidence of a growing revolt in this country against our double standards: one for the rich and another for the poor and the middle class.

More and more attention is being given by all our media to tax loopholes and subsidies enjoyed by those who have no real need, and our simultaneous resistance to providing food for the hungry, or raising social security benefits a little for the indigent aged, or helping improve educational opportunities in low-income areas.

I ask unanimous consent that Senator McGovern's article be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Let's Stop Handouts to the Rich

(By Senator George McGovern)

Early this year, many Americans affluent enough to have their names on a select mailing list received an expensively printed brochure from a respected New York financial counseling corporation. It was entitled *Tax Breaks That Lead to Executive Wealth* and listed on its cover 21 tax loopholes designed to help those in the upper-income brackets avoid paying the full amount of their taxes.

Among the more intriguing titles offered by the counseling firm were: "The family setup that pays college tuition with tax dollars," "Save taxes now with gifts effective at death," "Tax free life insurance for executives," and "One way to split income with your children for tax savings." Details were available at a price that many subscribers would find tax deductible.

All of the methods suggested by the firm are quite legal, and they represent just a few of the many tax devices that have been set up to benefit the rich. Not surprisingly, these benefits multiply as the tax bracket of the recipients goes up and the number of citizens eligible to revel in them decreases.

But tax loopholes are only one measure of the government's concern for people who are more than able to take care of themselves. The tax advantages are supplemented handsomely by direct payments both to these same privileged people and to the businesses they control. The total cost to the nation is a staggering sum. A compilation of all the subsidies and all the tax concessions would equal or exceed the total collected by the federal government in income taxes. It is, without question, a case of government dole for the well-to-do.

A national clamor has been raised over programs to help the hungry, and indignation rages every time a child in a rotting tenement is found to be getting more than his meager allotted share. The real scandal in this country, however, lies in the handouts to the rich, which amount to many times the $3 or $4 billion it would cost to see that hungry Americans get enough nourishing food to escape permanent mental and physical handicap in childhood, have the health and vigor to work and make a contribution to society in their adult years, and to be free from want and malnutrition when they grow old.

If the American people were aware of the full impact of giveaways to the rich, and if they were to receive the same publicity that is given the puny dole afforded fatherless children, the public outcry would compel speedy and drastic reform. Unlike programs for the poor, which are subjected (quite rightly) to never-ending scrutiny, the tax breaks and payoffs to the affluent are seldom discussed.

Critics of aid to the poor insist that federally funded programs weaken the moral fiber of the needy. Although few are willing to say that subsidies have weakened the moral fiber of the rich, one must wonder about the fiber of a nation whose priorities show such contempt for human values.

Once established, these handouts tend to perpetuate themselves and to expand, helping the rich get richer.

Take aid to farmers as an example. In the 1930's, when the Depression gripped the nation, there was genuine fear that poverty would destroy the family farms, which had been a strength of the nation since its founding. More and more small farmers were going bankrupt and trekking to the cities, where they tried to find jobs in industry.

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Limitations on payments to an individual farm operator have been rejected in Congress repeatedly, although the large Treasury checks are now making it possible for large operators with huge power implements to buy and close out the family farmers originally intended to be helped. Advocates of putting a ceiling on these payments believe $200 million to $400 million could be saved by limitations which would not seriously effect any needed production control.

Government programs were started to limit production, avoid great oversupplies and maintain reasonable market prices. Over the years they have helped many small farmers survive in agriculture, but they have helped large factories-in-the-field even more. One out of 50 farmers is able to gross $100,000 a year or more, but such farmers get one-fifth of the acreage diversion and price support payments. One big corporate farm in California drew more than $4,000,000 in 1967. The top 25 farm giants that year drew $22,766,943 from Uncle Sam.

It is virtually impossible to measure the real cost of such programs. It is known that the nation paid $3.5 billion in direct farm subsidies in 1967. But no one can be sure how many small farmers were pushed off their land because of it, and what the eventual price to the taxpayers will be in terms of added welfare costs in the cities, and programs to train these former farmers for jobs in industry. Moreover, there can be no price tag on the human suffering and the destruction of hopes and spirit.

The similar amount of tax revenue is being drained away by wealthy urbanites who go into farming. They build up cattle herds, citrus groves, farm buildings or any other capital items they can on a current expense basis, deductible from high-bracket nonfarm income as expense. Later, they liquidate these improved and accumulated farm holdings and pay taxes on a capital gains basis at a maximum 25 percent rate. There is a potential $450 net tax savings for every $1,000 of ordinary nonfarm income taxable at 70 percent, which can be converted to a capital gain at the 25 percent tax rate.

The *Wall Street Journal* reports a growing number of urban investors who can appropriately sing a new parody of an old song:

"I'm a rich cowhand of the Wall Street brand
And I save on tax, to beat the band.
Oh, I take big deductions the law allows
And I never even have to see my cows
Yippie-i-o-ki-ay"

In 1966 there were 680,000 taxpayers who deducted $1.036 billion of farm "losses" from their nonfarm income for tax purposes.

In the state of California where the Department of Agriculture estimated total net farm income at $896 million in 1965, income tax returns filed by her residents reflected instead a total net loss of $6 million from farming including $42 million supposed loss by the "farmers" residing in metropolitan Los Angeles, the movie capital.

The oil capitals and financial centers all have their tax-loss farmers, too, including a large majority of all people with million-dollar incomes, whose apparent ineptitude at farming grows in proportion to their income.

Now consider what happens to the billions that the taxpayers pay out for research. Before World War II, firms doing research for the government normally turned the results of their investigations back to the government for federal use. Then it was decided—amid considerable business pressure—that allowing the companies to patent the products of their research would add to their incentive. This has now become the general rule on military research contracts.

As a result, the public often winds up paying twice for the same invention. In one classic case, it was discovered that Republic Aviation Corporation had paid $82,500 to Lockheed in royalties for use of a wing tank on planes Republic was building for the Air Force, although the Air Force had paid Lockheed to develop the tanks.

The defense budget, with its billions of dollars for new materials every year, has become a gold mine for industrialists. They have found that selling to the government is just the reverse of an oriental bazaar. There it is not uncommon for a seller to set a price, then come down to what the buyer will pay. But defense contractors frequently set a price and then go *up* to what the Defense Department is willing to pay.

One of the most controversial elements of the trouble-plagued F-111 airplane is its engine. The engine contractor, Pratt & Whitney, originally offered to build the engines for $270,000 each. A series of increases brought the figure to $700,000. A Pentagon survey showed that about $200,000 of this cost went for wasted effort, and negotiated the price down to a "bargain" $500,000. The only thing unusual about the contract with Pratt & Whitney was the government's cutback on the final price.

In nine of every 10 major weapons systems ordered by the Pentagon, manufacturers manage to double the cost by the time the system is completed. The price quoted in the contract is merely a starting point.

Sen. Stuart Symington, a former Secretary of the Air Force, was able to look at the cost figures projected for the Anti-Ballistic Missile system with a practiced eye. He noted that the ABM cost, first estimated at $3.5 billion, rose to $5 billion, and then to $9.5 billion. With no exaggeration intended, he warned that it could reach $400 billion before it was completed—more than the total national debt.

The government also has wisely invested millions in research to curb dreaded diseases, only to find that the cure is often inexplicably high. More than $700,000 in federal funds went into research, headed by Dr. Robert Guthrie, to track down PKU—a chemical substance found in some newborns that can cause mental retardation. He devised a simple chemical test to detect the substance, and announced that kits with enough material to test 500 infants could be produced for $6. To make the test available everywhere, Doctor Guthrie licensed the Ames Division of Miles Laboratories to mass-produce them. Astounded physicians in hospitals across the nation found that the price had gone up. The kits for 500 tests were suddenly selling for $262. With imagination that matched the pricing, Miles' officials explained that the high price was needed to offset the cost of "their" research.

Experts report no major industry that does not receive some kind of government handout. Yet there is a great distaste for calling them subsidies. They are disguised in a thousand different ways, each calculated to make a subsidy look like anything but a sudsidy. Indeed, the only federal statutes using the word "subsidy" are those dealing with ship construction and ship operations.

For instance, the government's generosity in giving away the air is not called a subsidy. Yet Federal Communications Commission licenses for radio and TV stations have made a number of millionaires. Lord Thomson of Fleet, the British press czar, has called the FCC television licenses "as good as a license to print money."

Those actually called subsidies—the payments to shipowners which began in 1789 while George Washington was President—are now so numerous that it is almost impossible to sort them all out. The taxpayers not only help pay for constructing and operating ships, but also for repairing and replacing them. All military cargoes, half of other government cargoes and all exports purchased with government loans—with a few special exceptions—must be carried in U.S. flag ships. The government also improves harbors, maintains navigational aids, protects the coastal trade and provides many other substantial benefits for the American maritime industry.

Without using the term subsidy, a generous Uncle Sam likewise builds airports for the airlines, makes grants and cash contributions for railroad construction, finances highways that will benefit the truckers, pays for carrying the mail, and publishes the maps and charts so essential to the transportation industry. The government offers a Heinz variety of guaranteed loans to help businesses, and many government purchasing programs are tailored to benefit special interests of one sort or another.

Tariffs form an important, but hidden, payoff to American manufacturers. This is a form of taxation on the consumers, who must pay higher prices for imported goods. Among the industries that profit the most are automobile, steel and textiles. The tariff on cars, for instance, keeps Volkswagens from being an even greater threat to Detroit's products. The glass, electronics, optics and china industries also are helped mightily by the protective tariff.

The drug manufacturers, who recently agreed to pay $120 million in an out-of-court settlement of anti-trust suits brought against them for overcharging state and city governments, more than make up their loss with handouts from the federal government. The cost of testing new drugs can be enormous, but the drug-makers have found a way to have the taxpayers carry most of it. One physician, who specializes in testing drugs, has received enormous contracts from the National Institutes of Health. Using the equipment and know-how paid for by the government, he has been able to work for the drug industry at a fraction of what his services would normally cost.

Bankers, dedicated individualists all, take a special interest in the taxpayers' money. Hundreds of millions of dollars, on deposit by the government in federally chartered banks, are used for loans by the bankers. Taxpayers, of course, must pay interest to borrow the money they have already paid into the government. Government-guaranteed loans have also boosted the banking business at no risk to the banks. The Federal Reserve System provides a number of other free services to banks such as clearing checks and handling currency.

Even the medical profession gets its piece of the action. Although many doctors are quick to oppose benefits for their patients—the American Medical Association was a leading opponent of Social Security in the '30's as well as Medicare in the '60's—they welcome federal help for themselves. More than half the cost of going to medical school is paid by the government, and once the doctor has his degree in hand, the benefits multiply. Many hospitals the doctors use are built with federal funds; even many of the stethoscopes and little black bags they carry are tax-deductible gifts from the subsidized drug companies.

And certainly few persons have been more pampered by the government than the oil millionaires. This industry enjoys a seemingly endless number of ways to avoid supporting the country that has made oilmen among the world's richest. Back in 1926, their lobbyists pushed a bill through Congress to allow them to deduct part of their taxes on the oil they pumped out of the ground and sold for profit. In theory, they are being compensated for the loss of the oil that nature took millions of years to make.

Over the years, the oil depletion allowance has taken on a mystical, pseudo-scientific quality. For many, the allowance, 27½ percent, seems to represent some exact compensation for the damage being done to nature's storage vaults. Actually, it is nothing more than a compromise reached by Congress 43 years ago. The Senate had voted a 30 percent allowance, and the House had agreed to 25 percent. The two Houses split the difference.

The depletion allowance is only one of a great many tax dodges set up for the oilmen. As former Sen. Paul Douglas once pointed out, "A charwoman earning $55 a week paid

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more in income taxes than an oil company whose income was $26 million." Two of America's biggest oilmen pay less than $5,000 a year in income tax. H. L. Hunt, the Texas oil magnate, spends considerably more each year to fight welfare programs than he pays in taxes.

These oil millionaires are by no means unique. While there are 2.2 million families officially listed as below the poverty line who must pay taxes, there are many with exceptionally high incomes who pay no taxes at all. Our tax system, which is badly in need of total reform, supposedly places the heaviest burdens on those best able to pay. Yet the computers of the Internal Revenue Service have disclosed a surprisingly high number of citizens with incomes in excess of $1 million a year who pay at the same effective rate as men earning only $20,000. Perhaps these people who have gone through the graduated tax system so remarkably could be called taxpayers *cum laude*.

Possibly a reason that most Americans are willing to blink at the abuses of the tax system by the rich may be that they themselves have found a small loophole that helps them cut down on their own tax bill, such as being able to deduct all the interest and all the property taxes they pay from their income before computing their tax.

The slightly more affluent have more tax breaks. They can lease their automobiles as "business expenses," and write off the entire cost, a far easier method than the depreciation deductions for owned autos. Successful businessmen have found that the cost of vacation houses and expensive cabin cruisers can be charged to business expenses, and thus become deductible. They, too, have been put in a position where it is difficult for them to complain about the really costly tax breaks.

One particularly insidious—though legal—business practice gnaws away at the public through the special tax rate set up for small businesses. A considerable number of multi-million-dollar corporations have set up each of their subsections as individual corporations. In this way, each corporation pays the lower small-business tax. Some of these business giants have split themselves into hundreds of smaller corporations, and gain an annual tax saving that runs into the millions.

Similarly, many wealthy persons and corporations have exploited the tax-free status given to charitable foundations. Under this mask, they are able to deduct funds "contributed" to the foundations from their taxes, and still use the money for business and personal purposes.

It is part of the creed of a capitalist society that business must succeed or fail on its merits; that businesses take risks and profit or lose on them. With increasing frequency, however, businessmen are eliminating the risk factor from their operations with government subsidies. Much of this is a result of military contracts, which guarantee corporations a profit on their product, even when they do not perform up to contractual standards. Some of these corporations have sustained enormous losses when they ventured into the private, competitive marketplace, and have quickly retreated back to the safety of defense contracting.

Now, industry is looking for federal handouts to underwrite its adventures in the private sector. The most notorious example, perhaps, is the supersonic transport. The federal government is already subsidizing the development of this plane at a cost of $500 million. The total federal contribution that will have to be made before the SST is unloosing its sonic thunderbolts upon earthbound humans is estimated as high as $4.5 billion. The government has always been exceedingly generous to the airlines and the aircraft manufacturers, but the SST seems to be something less than the wisest possible investment of our dollars.

The handouts, doles, bribes and giveaways go into almost every segment of American life. Almost everyone gets something, but it is the rich who get the most. The net effect tightens the noose of hunger and hopelessness around the necks of Americans at the bottom of the economic ladder. It is easy to see why so many of them feel so bitter and desperate that they take their grievances into the streets.

Many of my colleagues in Congress, who are aware that the nation must cut back on its spending, believe that the giveaway programs are the logical place to start the cutting. I agree with them. It is time for everyone to start carrying a fair share of the load. The cutting should begin where it would do the most good—with the programs that cost the taxpayers the most money. They include the subsidies, tax loopholes, gifts and payoffs that give more money to the rich at the expense of other Americans.

NEW HOSPITAL WING

Mr. RIBICOFF. Mr. President, the town of Bristol, Conn., dedicated a new eight-story wing of the Bristol Hospital May 9.

It was a historic occasion. The achievement of this modern medical facility was gained by the efforts of Bristol citizens from all walks of life over a period of many years.

The people of Bristol are proud of their new hospital building—and they have every right to be.

The structure houses the very latest in medical techniques and equipment.

Yet it was an old-fashioned notion—that concerned citizens can move mountains if that is what is needed—which enabled Bristol to build the new hospital wing.

A fundraising campaign raised more than $2 million toward the cost of construction, but, equally important, is the fact that all segments of the community got behind the goal of better hospital facilities.

Here we find an example of community spirit and civic responsibility at their best.

As Carlyle F. Barnes, hospital president, said at the dedication ceremonies:

> The important thing this illustrates is not so much a matter of dollars and cents as it is the tremendous and continuous commitment which a community must make if it wishes to keep pace with the explosive rate of change of the medical sciences.
>
> I know many of you well—well enough to know that you have made a commitment rather than a "contribution." And that is the thing we really can be proud of. That is the thing that makes this a community in the truest sense of the word.

The remarks by Mr. Barnes are eloquent and truthful.

Financial resources will buy bricks and mortar. But all worthwhile civic goals are achieved when the citizens of a town work together to improve their community.

The people of Bristol are to be commended. They built themselves a new hospital building. And they worked together in the pursuit of the common good. In so doing, they have accomplished much. I salute them for it.

The Bristol Press, which played a key role in efforts to construct the hospital wing, printed a special edition May 8 commemorating the new facility. I ask unanimous consent that an editorial of that day from the Press and other articles published in the Press be printed in the Record.

There being no objection, the items were ordered to be printed in the Record, as follows:

[From the Bristol (Conn.) Press, May 8, 1969]

Bristol Hospital: A Monument to People

On the eve of the dedication of Bristol Hospital's magnificent new eight-story wing, it is only natural and proper that we send our editorial thoughts back down the path of yesteryear to recollections of the many people responsible for the creation of the hospital's splendid image as the living embodiment of the best features of this community.

Of course, mortar, bricks and steel and engineers, architects and contractors were important factors in the great growth of the vast Bristol Hospital complex as we know it today. However, we like to remember that it was people, selfless people representing all segments of our local society, who furnished the inspiration, the leadership and the drive to shepherd the institution from its birth up through the half century of growing years to its eminent status of today. These remarkable men gave their time, their dedication and themselves and they gave without expectation of material reward or personal glory.

Tomorrow's dedication in a sense will not only be the formal opening of a new building but it will also be a salute to those leaders—past and present—who truly "made" Bristol Hospital.

There were many, many such individuals but as with any large, continuing movement a few stand out. For instance, Reverend Doctor L. H. Dorchester as the first president, then pastor of Prospect Methodist Church, was a motivating force in the formal launching of a hospital organization in 1920 after the community a couple of years before had learned of the need for such. That was when the Parish House of First Congregational Church had to be used as an emergency hospital at the time of the devastating Flu Epidemic as World War I ended.

Then came the three decades from 1921 to 1951 when Fuller Forbes Barnes served as the hospital president. This most unusual man more than any other was responsible for the transition of the hospital from location in a house at South and George Streets to the present huge facility at Newell and Brewster Roads. Not only was he generous in numerous financial gifts to the hospital but, and possibly more important, he was generous in the unstinting leadership he provided in fostering growth of the institution and lending encouragement to the small army of people needed to promote and nurture that growth.

Today that same leadership is being afforded by his son Carlyle F. Barnes, the incumbent president, as is attested by the new wing to be dedicated tomorrow. Carlyle Barnes' immediate predecessor, C. Terry Treadway, Jr. also made his mark in the hospital's history for it was during his tenure that the preliminary planning for the new building was undertaken.

Down through the nearly five decades of Bristol Hospital's burgeoning expansion, hundreds of people have aided in the drive to give the city the best possible in medical care. When the first major fund drive was held way back in 1923, it was a community effort. Typical was the event when the then Bristol Press Publisher Arthur S. Barnes recruited a battalion of civic leaders to act as newsboys for a day in order to raise campaign contributions. These men, whose uniform was a Press paper bag, covered the town on a house-to-house basis and brought back a tidy sum to give the hospital drive a valuable shot in the arm.

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In 1940–41 Senator Anthony J. Rich spearheaded a highly successful drive to make possible further expansion at the hospital. Four years ago, Senator Wallace Barnes was chairman of a $1,000,000 effort to pave the way for construction of today's new wing and in recent months Terry B. Fletcher presided over a satisfactory $2,000,000 campaign for the new wing program.

There were many, many others who labored in less spectacular fashion for hospital objectives. As a representative of men who conducted themselves along these self-effacing lines, we remember the late William E. Tracy. This man was a key worker with the Hospital Building Committee and over a period of many years drove himself to keep hospital construction moving even to the point of neglecting his health and his business career. Obviously, he had lots of company or we would not have the hospital that is ours today.

Because of all these devoted people, Bristol has a hospital which ranks as one of the finest in our area. We are proud of it. We are grateful to all whose financial contributions over the past 50 years helped so very much. And we salute with humble respect those of today and yesterday who lighted the way.

[From the Bristol Press, May 8, 1969]

BARNES—FATHER AND SON—AT HELM OF BRISTOL HOSPITAL SOME 35 YEARS

Thirty years of unselfish endeavor on the part of one of Bristol's most renowned and respected men, the late Fuller F. Barnes, piloted Bristol Hospital's progress from a 21-bed facility to one of 156 beds during a tenure of president from 1921 until 1951. And now at the hospital's helm is his son, Carlyle F. Barnes, as the hospital's bed capacity becomes 275—regimes wherein first, the father, then his son, experienced periods that marked the medical center's major expansions.

Bristol Hospital's growth and the success enjoyed therewith can, in large measure, be attributed to the interest, labor and meaningful financial support provided by the Barnes family ever since the institution's beginning in the early twenties.

Fuller F. Barnes became second president of the hospital in July of 1921. Before the end of that year, a house which still stands at South and George Streets became Bristol Hospital's first location, the property having been made available by the Barnes family. Meanwhile, land was obtained for the hospital's permanent site as Mr. Barnes headed up a great amount of preliminary work of acquiring required space for the permanent site, acreage for which was obtained as gifts.

It was a busy first year for Fuller Barnes, aside from his responsibilities as an official of the world's major spring manufacturing company here. However, as later years revealed, that was only the beginning of a long and notable career of service to the hospital he wanted to be sure would adequately meet the needs of a growing population.

NEW HOSPITAL IN 1925

Under his capable direction as president, a successful fund-raising campaign was conducted in 1923. Close to a half-million dollars (a tidy sum for those times) was realized. Two years later the structure was completed, equipped and admitting patients.

Since the original of present buildings, off Newell and Brewster Roads, was opened in 1925, two of the three additions to the initial plant, as well as the nurses' home, came about during Fuller Barnes' years as the hospital's top officer. It was through his ingenuity, generosity and great guidance the hospital's service kept pace with the medical needs of a community's surging population from 1921 to 1951. As has often been said, Bristol points with pride to one of Connecticut's best hospitals because of the 30 years of unselfish endeavor of Fuller Barnes.

ANOTHER BARNES

Equipped with the same sense of civic pride and interest that was so profoundly manifested by his father, Carlyle F. Barnes is today deeply involved in hospital affairs, just as his Dad was years gone by. The hospital's usage has greatly expanded since the three decades of the elder Barnes fulfilled the presidency, a period which saw a total of 136,147 outpatients and inpatients combined.

Since becoming the hospital's fourth president in December of 1955, Carlyle Barnes' role has been an exceedingly active one. Throughout the past few years expansion of facilities mounting utilization of the hospital's various services, including all of the normal problems concerned therewith, have commanded endless hours of his time. For Carlyle Barnes, however, all has meant the building of a better Bristol, a better way of life.

The opening of Bristol Hospital's new addition is the sum result of thousands of dedicated civic-minded persons. Among them is the Barnes family, members of whom have made meeting hospital needs, and propelling hospital progress, a pleasant and satisfying service for a grateful community.

[From the Bristol Press, May 8, 1969]

PRESS PROMOTED HOSPITAL EFFORT IN 1923 DRIVE

Way back when the Bristol Press only cost 2 cents a special hospital edition appeared on May 12, 1923 to help promote the Bristol Hospital fund campaign then in progress. Two days later, a feature article was published and the headline read, "Fifty Official Newsboys Have Great Success In Selling Special Hospital Edition Of Press." This special sidebar campaign effort was arranged and directed by the late Arthur S. Barnes, the publisher of The Press.

This was the means of keeping in accord with the entire Hospital Fund Campaign then and the majority of funds collected were raised through this effort. The total proceeds (at the time of publication of the story—there were still some returns to come) of the selling of the special hospital edition resulted in a figure of $1,289.18. Prior to that time only $445 reached had been pledged to the drive citywide.

It was reported from the story in 1923 that "the unique and wholly novel corps of Official Newsboys—composed of 50 of the leading business, financial and manufacturing men and representative ladies of the city—was the biggest kind of success."

Participating as "Official Newsboys" were George F. Thomas, Arthur Fletcher, Stephen M. Wells, William S. Ingraham, John H. Sessions III, Albert L. Sessions, Frederick B. Scudder, Fuller F. Barnes, Alexander Harper, Frank S. Merrill, Edward Ingraham, Ray K. Linsley, Roger S. Newell, Elmer E. Stockton, Ray Linsley Jr., (who was then only a tot). Chas. T. Treadway, William J. Lloyd, Brown Joyce, Burton O. Barnard, Kay Finnemore, Chas L. Wooding, Joseph F. Dutton, Dr. Arthur S. Brackett, Harry N. Law, Arthur S. Barnes, Rev. William B. West, Eugene Giammatteo, John H. Hayes, Frank B. Tibbits, Roscoe L. Sessions, Dwight J. Minor, Robert J. Stack, Harry C. Barnes, Roy W. Bailey, Chas N. Gordon, Townsend G. Treadway, George S. Beach, William H. Graham, Chas C. Ball, Henry E. Cottle and Dominick Sinisgalli.

Many interested incidents are reported from the demonstration of community interest in 1923. The highest price reported for a copy of the paper was $20 and the lowest two cents, the price being whatever one wished to pay.

In one home a widow with six children was waiting for the paper and she gave a generous amount. At another residence a paper was left at the house of people who were away and on their return, a member of the family hastened to send his money to the Press office. Those who were inadvertently overlooked did not like it and said so.

Everybody understood that all the proceeds without reduction of one cent for any expense went to the Hospital Fund and this enabled some who had not before contributed to do so and others who had given to increase their gifts.

Of this list the following Bristol residents are still living: Arthur Fletcher, John H. Sessions III, Edward Ingraham, Roscoe Sessions, Robert J. Stack, and Townsend G. Treadway. Ray Linsley, Jr., a professor at Stanford University, resides in Palo Alto, California, and the whereabouts of Kay Finnemore could not be ascertained by The Press.

PRESIDENT NIXON'S CONSUMER ADVISER SUPPORTS FAIR CREDIT REPORTING ACT

Mr. PROXMIRE. Mr. President, on May 19 Mrs. Virginia H. Knauer, the Special Assistant to the President for Consumer Affairs testified in support of S. 823, the Fair Credit Reporting Act. This act would provide consumers with protection against arbitrary, erroneous or malicious credit reports. As her first appearance on Capitol Hill, Mrs. Knauer delivered a forthright and vigorous statement in support of consumer legislation.

In testifying in support of the bill, Mrs. Knauer offered several suggested changes which, in my opinion, would strengthen the bill and would provide the consumer with even more safeguards. In response to committee questions, Mrs. Knauer indicated that she was speaking not only for her office, but for the Nixon administration.

Mr. President, I think it is highly significant that on the first major piece of consumer legislation, the Nixon administration has come out solidly for the consumer. To be perfectly frank, some of us had feared that the present administration might reverse the previous proconsumer policies of the Johnson administration and adopt a harder attitude toward consumer legislation.

I am glad to report to the Senate that apparently this is not the case and that the present administration will continue the proconsumer policies of the past administration.

Mr. President, I ask unanimous consent to have printed in the RECORD the excellent statement given by Mrs. Knauer before my Subcommittee on Financial Institutions of the Banking and Currency Committee on the Fair Credit Reporting Act.

There being no objection, the testimony was ordered to be printed in the RECORD, as follows:

TESTIMONY BY VIRGINIA H. KNAUER, SPECIAL ASSISTANT TO THE PRESIDENT FOR CONSUMER AFFAIRS, ACCOMPANIED BY BETTY BAY, ACTING DIRECTOR FOR LEGISLATIVE AFFAIRS AND ELIZABETH HANFORD, ASSOCIATE DIRECTOR FOR LEGISLATIVE AFFAIRS BEFORE THE SUBCOMMITTEE ON FINANCIAL INSTITUTIONS, SENATE BANKING AND CURRENCY COMMITTEE HEARINGS ON THE FAIR CREDIT REPORTING ACT—S. 823—WASHINGTON, D.C., MAY 19, 1969

Mr. Chairman and Members of the Committee: I am pleased that my first official appearance on the Hill is before the Subcommittee on Financial Institutions, a Committee which has a long record of interest and action in consumer affairs.

I am happy to have the opportunity to comment on S. 823, The Fair Credit Reporting Act. The general purposes of this bill are to assure the consumer protection against invasion of his privacy and to meet the needs of commerce for credit and other information in a manner which is fair and equitable to the individual.

Reports regarding individuals whose credit worthiness, character and general reputation have been damaged by inaccurate credit reports offer increasing cause for concern. Problems include confidentiality; inaccurate, biased, or malicious reporting; incomplete, irrelevant or obsolete information; and machine error which can be expected to occur as reporting systems are computerized.

The conditions which have prompted consideration of this bill result from the changing pattern of American life. Since World War II, consumer credit has become virtually the lifeblood of the national economy. Twenty-five years ago, consumer credit outstanding was 5.7 billion dollars. Today it is 110 billion. The use of credit has enabled the average American consumer to enjoy some of the comforts of life as well as the necessities—a home of his own, an education for his children, a vacation, an extra car and provision for an emergency. For the poor, credit is crucial.

The credit reporting agency is a vital link in the operation of our rapidly growing consumer credit industry. Obviously, the creditor must have the potential customer's credit history so that he can properly assess any risk which might be involved in extending credit. The consumer also benefits when he can obtain credit promptly without undue red tape.

In response to the credit explosion, a vast private information network has evolved. For example, it is reported that members of the Associated Credit Bureaus, Inc. issued more than 97 million credit reports in 1967 and that over 110 million individuals are listed in their files. When dealing with such vast numbers, the dangers of unwarranted invasion of individual privacy or erroneous reports are obvious. The potential power which the credit reporting agency has over an individual's life is formidable.

The person seeking credit often feels that his whole life history is either at the mercy of merciless computers or in the hands of people who hear only one side. Unfortunately, the credit reporting agency has become associated in the consumer's mind with ultra secrecy, electronic eavesdropping, almost a privately run spy network.

Too many consumers feel that information fed to credit reporting agencies is not always full information, and sometimes not even correct information. And the consumer thinks he has no way of correcting errors.

What I would like to see is the reporting of credit without unfair discredit.

I do not view the principles contained in S. 823 as an attempt to unreasonably curtail growth of the credit reporting industry or to burden it with arbitrary rules. What we are weighing here is a procedure which will be fair to both the industry and the individual consumer. In light of the present importance of credit to the individual and the projected trend for the future, I believe a reasoned review of present practices to assure adequate safeguards for the individual is healthy. In the long run, it should build consumer confidence in the whole credit industry.

With the millions of credit reports issued annually, even a small margin of error can involve hundreds of thousands of individuals. Despite increased industry efforts to ensure confidentiality, there is evidence that such is not always the case. The problem has been compounded by the difficulty which individuals have confronted in correcting credit reports.

The recent self-policing efforts of the Associated Credit Bureaus are commendable. I am concerned, however, that the industry guidelines do not go far enough, and I feel that enforcement under a voluntary code is extremely difficult. I am further concerned about the fact that credit reporting agencies which do not belong to the industry association are not subject to its standards.

I support S. 823 in principle, but would recommend consideration of several additional points.

I assume that the use of the word "individual" throughout the bill means the "individual consumer. If this is the intent, it should be clarified by adding Section 163(e) defining the term to mean an individual and not a business establishment.

Section 164(b) provides an important protection for the individual by ensuring that upon request, he must be given a reasonable opportunity to correct information obtained by the agency which may bear adversely upon his credit rating. I believe the consumer's protection will be materially strengthened, if upon request, the contents of his report are made known to him. This helps to alleviate an atmosphere of secrecy and enables the individual to state his position on any adverse material.

It seems reasonable that Section 164(b) should also provide that the consumer may submit an explanatory statement for inclusion in his credit record if he believes the agency's record contains inaccurate or incomplete information. Such a provision should apply to the entire contents of his file, not just information of public record as in Section 164(e).

When corrections are made in a credit report, I feel, in fairness to the consumer, that consideration should be given to sending a corrected copy to each person who previously received the erroneous report.

I am concerned that the language in Section 164(d) providing for the destruction of information after it has become obsolete or after the expiration of a reasonable period of time will be subject to varying interpretation of the word "reasonable," which could weaken its intended protection for the consumer. I suggest the consideration of specific limitations providing that a credit reporting agency shall not report information concerning transactions which occurred more than seven years prior to the date on which a credit report is given except for bankruptcies of all types which should be dropped from the individual's file 14 years after the date of adjudication of his most recent bankruptcy.

Section 166(2) specifies that punitive damages shall be no less than $100 nor greater than $1,000. I do not feel that the award of punitive damages should be qualified in such a manner. Where a person's reputation can be ruined or his character permanently maligned, punitive damages serve an extremely valuable purpose. I propose that the qualifying phrase "which shall be not less than $100 nor greater than $1,000" be omitted. The amount of punitive damages should be left entirely to the discretion of the court which hears the facts and circumstances of the particular case.

In closing, I would reiterate that what we seek is a procedure which would be fair and equitable to both the individual consumer and the credit reporting industry.

Thank you.

PESTICIDE PERIL—IX

Mr. NELSON. Mr. President, last week I placed in the RECORD a report by the Conservation Foundation which in part outlined the Federal and State Government regulations and enforcement of those regulations of pesticide controls.

The report stated that "the Federal Government's regulation of pesticides is done on a piecemeal, or individual product-use basis," and that although most States have their own tolerance levels for commodities sold intrastate, "there is no telling how much abuse or misuse of pesticides takes place."

An article written by Morton Mintz and published in Sunday's Washington Post, reported on testimony before the House Intergovernmental Relations Subcommittee which established that thallium, a rat and ant poison which presumably was taken off the market by the Agricultural Research Service 2½ years ago, is still being sold and has poisoned many children as well as its intended victims.

The hearings were called by Chairman L. H. FOUNTAIN to investigate further the "serious deficiencies" disclosed by the General Accounting Office about the enforcement by ARS of the insecticide, fungicide, and rodenticide law.

The hearings revealed some other startling and very disturbing disclosures. Although the law has permitted recalls of unsafe products since 1947, no procedures for recalls were approved until last week. When the ARS actually seized an unsafe product from a retail store, it has never attempted to find out where else the product was being sold. The first criminal prosecution in 13 years was filed this year by the ARS against a company in violation of the use of a hospital disinfectant. Thirteen years after the Food and Drug Administration and the Public Health Service requested ARS to ban lindane vaporizers, a device used in restaurants which emits insecticides 24 hours a day, ARS finally this year performed tests which showed that "practically all foods packaged and unpackaged, contained illegal residues of lindane."

I ask unanimous consent that the article written by Mr. Mintz be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Washington Post, May 18, 1969]

RAT POISON FATAL TO TOTS IS STILL SOLD

(By Morton Mintz)

House investigators have established that thallium—which has poisoned children as well as its intended victims, rats and ants—was still being sold 2½ years after the Agricultural Research Service presumably had taken it off the market.

In addition, Harry W. Hays, director of pesticides regulation in the ARS, admitted that there is no way to label thallium products so that they can be effective against rats and ants but safe in a home with children. The reason is that the poison must be placed on floors and in other places reached by children as well as insects and rodents.

Disclosures such as these distressed the House Intergovernmental Relations subcommittee, which held a hearing last week to follow up "serious deficiencies" first disclosed by the General Accounting Office about enforcement by the ARS of the insecticide, fungicide and rodenticide law.

"Frightening" and "incredible," said subcommittee chairman L. H. Fountain (D-N.C.). Rep. Clarence J. Brown Jr. (R-Ohio) wondered, "Maybe we ought to try something else to govern us besides government."

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The gist of the thallium story was that in 1960 the ARS acted to limit the use of thallium products—but 400 children were poisoned in 1962 and 1963. In 1965, the agency canceled the registration of thallium products, preventing further manufacture. But there was a scanty effort to retrieve supplies in marketing channels.

In January, 1968, ARS inspectors checked 22 stores in Washington and suburban Maryland and found thallium products in six. There was no testimony about whether such products are on store shelves today.

Other disclosures in the hearing, which produced evidence of significant recent reforms:

The law has permitted recalls of unsafe products since 1947—but procedures for recalls were not approved until last Monday. The first recall was in September, 1967.

When the ARS made a seizure of an unsafe product from a retail store, it never once checked manufacturers' records to find out where else the product was being sold.

Early this year, ARS instituted its first criminal prosecution in 13 years against a violator, Hysan Products Co. of Chicago, in connection with a hospital disinfectant.

In 1953, the Food and Drug Administration and the Public Health Service, reversing previous positions on the basis of new studies, urged the ARS to ban lindane vaporizers. Used mainly in restaurants, these devices emit an insecticide 24 hours a day. Not until last February did the ARS do a test under simulated restaurant conditions. The results showed that after five days, "practically all foods, packaged and unpackaged, contained illegal residues of lindane."

GROWERS PRESENT FARMWORKERS WITH A HOBSON'S CHOICE: A COMPANY UNION OR A POWERLESS UNION

Mr. MONDALE. Mr. President, Webster's dictionary defines a Hobson's choice as being "an apparent free choice with no real alternative."

It is just such a choice that many growers wish to present their farmworkers—a choice between a company union and a powerless union.

The realities of this "Hobson's choice" were made unmistakably clear at the recent hearings by Senator Harrison A. Williams' Labor Subcommittee on S. 8, the legislation which would extend the National Labor Relations Act to the agriculture industry.

On the opening day, representatives of the United Farm Workers Organizing Committee, AFL–CIO—UFWOC—joined by representatives of other farm labor organizing efforts across the country, presented testimony that clearly indicated the need for legislation that will shift the balance of labor-management power in rural areas. Farmworkers, they pointed out, must have an opportunity to develop the strong institutions that have so long served as a bulwark of industrial democracy in other sectors of our economy. The National Farmers Union, the National Farmers Organization, and the National Grange have favored coverage of the agriculture industry under the NLRA.

The American Farm Bureau Federation president presented testimony in opposition to the enactment of S. 8, although nominally affirming the right to organize and bargain collectively. The Farm Bureau proposed alternative legislation.

Two aspects of the testimony reveal that many growers, while appearing to advocate a free choice to farmworkers, had in effect presented a Hobson's choice.

First, Mr. President, the Labor Subcommittee was presented documents, signed and sworn, that tell of the grower-formed, grower-dominated Agriculture Workers Freedom to Work Association—AWFWA. The documents exposing and confirming this most horrendous activity were official reports filed by officers of AWFWA pursuant to the section 203(b) of the Labor Management Reporting and Disclosure Act of 1959. Because of their importance and significance to all of my colleagues, I would like to have them inserted in the Congressional Record, along with some newspaper articles, at the conclusion of my remarks.

This so-called union organization was secretly provided expense money, office space, telephones, cars, and gasoline by growers in California. Money was funneled through an organization called Mexican-American Democrats for Republican Action, and it was used to finance nationwide speaking tours during which the organization efforts of Cesar Chavez and UFWOC were viciously attacked.

The important point is that growers were not offering farmworkers an opportunity to choose through democratic election procedures a genuine representative of farmworker interests, but instead they insisted on a company union that growers themselves organized and financed.

The second disturbing aspect of the testimony was that the determination of the growers to establish a grower dominated union for the farmworker has now been transferred to insuring that any union chosen by the workers is left powerless, and must exist on the terms and conditions of the growers.

Growers' testimony seemed to confirm their interest in guaranteeing a powerless union, for the subcommittee heard various grower representatives oppose coverage of the agriculture industry under the NLRA, although lipservice was paid to elections and collective bargaining.

Careful study of their specific legislative proposals sheds light on their true feelings. First, many growers would deny farmworkers the same economic weapons that are guaranteed to every other American worker by severely limiting the employees right to strike, and restraining not only the farmworkers but the entire labor movement from engaging in a primary product boycott.

Second, many growers insist on legislation that would deny both the employer and the union an opportunity to bargain over union security agreements.

Third, many growers would have their labor management relations mediated and supervised by partisan agents of the growers. The Farm Bureau, for example, has proposed that farmer and farmworker relationships should be governed by a separate statute, and not within the purview of the NLRB, an agency with an expertise in labor relations for all industries, including highly perishable agriculture packing sheds, processing operations, and the like. Instead, they would place administration of labor-management relations in the Agriculture Department, which has a more abiding interest in agriculture production than labor relations, and the Federal district courts, which are already overcrowded.

Fourth, growers are demanding limited statutory coverage of farmworkers, some suggesting that only those workers on farms that hired the equivalent of eight or more full-time, year-round employees could participate in elections of a representative, and bargain collectively with their employers.

At one point, Mr. President, I hoped that growers would simply recognize the worth and dignity of the farmworker, and urge passage of S. 8. That bill would guarantee, at least in part, some of the protections and procedures to the agriculture industry, through orderly recognition procedures and good-faith collective bargaining, encouraged by the NLRA.

Unfortunately, however, the effort and energy of growers, as evidenced by the various proposals to avoid coverage of agricultural employees under the National Labor Relations Act, particularly when read in the light of the formation of a company union, and proposals for a powerless union, dims the prospect for humane advancement in the industry.

It is regrettable that growers who must rely on their workers to reap the harvest, can give in return only a Hobson's choice. The burden is squarely on the shoulders of the growers to demand a free choice in the greatest of democratic traditions for their employees and, if the growers insist on company unions, or powerless unions, then Congress must act to bring democracy to the farm.

Mr. President, I ask unanimous consent that the documents concerning the growers' formation of a company union be printed in the Record.

There being no objection, the documents were ordered to be printed in the Record, as follows:

Agriculture Workers Freedom
To Work Association,
Delano, Calif., February 22, 1969.

Secretary of Labor,
Office of Labor Management and Welfare Pension Reports, U.S. Department of Labor, San Francisco, Calif.

Dear Sir: The undersigned officers of AWFWA herewith submit an Agreement and Activities Report (Form LM–20) and a Receipt and Disbursements Report (Form LM–21) as required by Section 203(b) of the Labor Management Reporting and Disclosure Act of 1969.

The reports may be incomplete but they reflect all the information currently available to us. We are instituting action to recover financial records of AWFWA, if they still exist, and the reports will be amended to reflect any further information as it becomes available.

AWFWA was an outgrowth of an untitled group led by the growers which hired Jose Mendoza and Gilbert Rubio to persuade the workers that there was two sides to the union story, don't be afraid of Chavez, be united and we will protect and support you. The employees and members of the group were to try to get information on plans of UFWOC. This group and others became AWFWA which was incorporated by Jose

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Mendoza, Gilbert Rubio and Shirley Fetalvero in July 1968. The three incorporators became the directors of AWFWA. The first public actions of the new organizations were counterpicketing of the United Farm Workers Organizing Committee, AFL–CIO, pickets at the homes of Giumarra foremen, crew bosses at Mc Farland and Earlimart, California in May of 1968, also at public picnic attended by 1,500 people was held at Delano Park on June 16, 1968.

Until recently AWFWA never had a meeting of the Board of Directors or an election of officers. Jose Mendoza called himself General-Secretary and sometimes Gilbert Rubio was identified as chairman. Mendoza acted as the chief-executive of AWFWA. Mendoza was advised by Mr. Basoco of the Department of Labor that a consultant was required if AWFWA had an agreement with employers connected with the grape labor dispute and boycott. Mendoza denied any agreement existed or that AWFWA was being supported by the growers.

So far as we know all of AWFWA's records were maintained by first Fernando Marquez, then by Jose Mendoza and then turned over to Donald Garaniga. We are making efforts to recover these records.

In late 1968, Jose Mendoza left Bakersfield on several trips, on his return he contacted Shirley Fetalvero and Gilbert Rubio wanting them to agree to dissolve AWFWA so it would be legally out of existence. We, with advice from Cornelio Marcias, refused to sign to dissolve the corporation. Mendoza advised he was no longer associated with AWFWA and Cornelio Marcias could be a Director in his place. He threatened to send the Department of Labor after us. In October or November 1968, Shirley Fetalvero and Gilbert Rubio informally met as a Board of Directors and elected Cornelio Marcias as Director of AWFWA.

We have been interviewed by Robert H. Holland of the San Francisco office of the office of Labor Management and Welfare Pension Reports, US Department of Labor. Mr. Holland advised us that AWFWA was covered by the filing requirements of Section 203(b) of the Labor Management Reporting & Disclosure Act of 1959 and had been delinquent in filing an Agreement and Activities Report (LM–20) since July 3, 1968 or earlier. He also advised us that a Receipts and Disbursements Report covering the fiscal year ending December 31, 1968, was due by March 31, 1969.

On February 22, 1969 Shirley Fetalvero and Gilbert Rubio held an emergency meeting of the Board of Directors of AWFWA. Cornelio Marcias could not be contacted. Gilbert Rubio was elected president and Shirley Fetalvero was elected secretary-treasurer for the purpose of 1.) submitting the required reports to the Secretary of Labor, 2.) obtaining records of AWFWA to complete this filing and other filings which may be required and 3.) to make plans as appropriate to dissolve AWFWA or to decide on future activities.

In line with the preceding the attached reports are forwarded. This letter should be considered an integral part of the filing.

GILBERT RUBIO,
President.
SHIRLEY FETALVERO,
Secretary-Treasurer.

A.—PERSON FILING

1. Name and mailing address (include ZIP code): AWFWA, aka; Agricultural Workers Freedom to Work Association, % (see attached sheet).

2. Any other address where records necessary to verify this report are kept: Donald Gazzaniga, PRI, 6408 Sally Avenue, Bakersfield, Calif.

3. Date fiscal year ends: Dec. 31, 1968.

4. Type of person:
(a) ☐ INDIVIDUAL.
(b) ☐ PARTNERSHIP.
(c) ☒ CORPORATION.
(d) ☐ OTHER (*Specify*): ______________

B.—NATURE OF AGREEMENT OR ARRANGEMENT

5. Full name and address of employer with whom made (include ZIP code): (See attached sheet).

6. Date entered into: On or about May, 1968.

7. Names of persons through whom made: Same as above.

8. Check the appropriate box to indicate whether an object of the activities undertaken, is directly or indirectly:

a. ☒ To persuade employees to exercise or not to exercise, or persuade employees as to the manner of exercising, the right to organize and bargain collectively through representatives of their own choosing.

b. ☒ To supply an employer with information concerning the activities of employees or a labor organization in connection with a labor dispute involving such employer, except information for use solely in conjunction with an administrative or arbitral proceeding or a criminal or civil judicial proceeding.

9. Terms and conditions (*Explain in detail; see Part B–9 of instructions*): (See attached sheet).

C.—SPECIFIC ACTIVITIES TO BE PERFORMED

10. For each activity, separately list in detail the information required (*see Part C–10 of instructions*):

a. Nature of activity: (see attached sheet).

b. Period during which performed: (see attached sheet).

c. Extent performed: (See attached sheet).

d. Names and addresses of persons through whom performed: (See attached sheet).

11. Identify (a) Subject employees, groups of employees, and (b) labor organizations. (See attached sheet).

D.—VERIFICATION AND SIGNATURE. The person in item 1 above and each of his undersigned authorized officers declares, under penalty of law, that all information in this report, including all attachments incorporated therein or referred in this report, has been examined by him and is, to the best of his knowledge and belief, true, correct, and complete.

Signed: Gilbert Rubio, President, at Delano, Calif., on February 22, 1969. (If other title, cross out and write in correct title above.)

Signed: Shirley Fetalever, Treasurer, at Delano, Calif., on February 22, 1969. (If other title, cross out and write in correct title above.)

No. 8 (a) Jose Mendoza; a. unknown; b. unknown; c. unknown.

Gilbert Rubio; a. unknown; b. unknown; c. unknown.

Aurelio Rios; a. unknown; b. unknown; c. unknown.

No. 9–14: Unknown.

No. 15: These are disbursements currently available to us. Additional information will be furnished when available.

M.A.D.R.A. withdrawals, June 28, 1968—$700.35 for Cashiers check to PRI endorsed Donald A. Gazzaniga for return to AWFWA.

June 28, 1968, Wonderly Electronics $84.08 for tape recorder.

June 28, 1968, Roundtree Camera $103.00 for camera and supplies $58.70, check No. 103.

Check No. 104, July 2, 1968, County of Kern—$100.00—Reservation for Hart Park.

Check No. 108, Radio Station KWAC $640, July 16, 1968 Radio advertising AWFWA.

Check No. 105, $477.07 Davenports July 2, 1968 Copying machine.

Check No. 106, July 10, 1968, Smith Radio Service $50.00 Public Address Service.

Check No. 107, July 10, 1968, Jose Mendoza $300.00 cash endorsed by Jose Mendoza.

Check No. 109, July 9, 1968, A. B. Dick Co., $168.99 for mimeograph and supplies.

Check No. 110, July 19, 1968, Delano Ambulance—Service Ambulance for Gilbert Rubio for $37.00.

Check No. 111, July 19, 1968, $20, Mrs. Rubio, repair for Gilbert Rubio's car.

Check No. 112, July 19, 1968, Golden West Telephone Company, $79.86 for payment of Jose Mendoza's telephone bill.

Check No. 113, $300.50 to Bank of America.

A.W.F.W.A. CHECKS

Check No. 117, September 9, 1968, Gilbert Rubio, expenses, $21.00.

Check No. 119, September 17, 1968, Pacific Telephone Co., $119.00.

Check No. 116, September 10, 1968, Kern County Patrol, $30.00, Bodyguard for Mendoza.

Check No. 120, October 14, 1968, Merchants Printers, $78.59.

Check No. 121, October 14, 1968, Golden West Telephone Co., $337.71.

Disbursements were made by PRI for AWFWA for salary and expenses of Mendoza, Rubio and Rios.

Telephone bills of Shirley Fetalvero and Gilbert Rubio of over $500 were paid in cash by Wanda Hillary and Jose Mendoza.

1. Shirley Fetalvero, 117 W. 15th Avenue, Delano, Calif.

5. John Giumarra, Jr., John Giumarra, Sr., Joseph Giumarra operating in whole or in part as Giumarra Vineyards Corp., Giumarra Farms, Inc. and Giumarra Bros. Fruit Co., Edison Highway, Bakersfield, Calif.

Jack Pandol, Rt. 2, Box 388, Delano, Calif.

Pandol & Sons, Rt. 2, Box 388, Delano, Calif.

Robert Sabovich, Melvin Sabovich, Sabovich Bros., P.O. Box 577, Lamont, Calif.

Eugene Nalbandian, Eugene Nalbandian Inc., P.O. Box 665, Lamont, Calif.

John J. Kovacevich, P.O. Bin 488, Arvin, Calif.

William Mosesian, Lamont, Calif.

9. During early 1968, the United Farm Workers Organizing Committee, AFL–CIO, UFWOC, was engaged in a labor dispute with several table grape growers in around Kern and Tulare Counties in California, including the Giumarra Vineyards Corporation, Highway #58, Edison, California, and Pandol & Sons, Rt. 2, Box 388, Delano, California. In May, 1968, a meeting was held at Sambo's Restaurant on Union Street in Bakersfield attended by John Giumarra, Sr., John Giumarra, Jr., Treasurer and General Counsel respectively of Giumarra Vineyards Corporation, Teresa Arrambide, a labor foreman for Giumarra, Paul Marrufo, head foreman for Sabovich Bros., grape growers, Vine & DiGiorgio Roads, Lamont, California, Louis Barazza, a former associate of Cesar Chavez, Robert Flores, personnel manager of Di Giorgio Fruit Corporation, Jess Marquez, who runs a camp for DiGiorgio, Fernando Marquez, brother of Jess, an accountant with an office in Lamont, Jack Pandol of Pandol & Sons, Gilbert Rubio, Jose Mendoza, and others.

This meeting was to outline activities of AWFWA. We were to tell workers not to be afraid of Chavez to be united and we as an organization would support and protect workers; we were to oppose UFWOC efforts to organize and boycott. This meeting and other meetings decided AWFWA would also try to enlist workers and obtain information on UFWOC's plans and activities. The meeting decided to get funds from the growers and hire Mendoza and Rubio at $120.00 a week to start opposing Chavez. AWFWA started counter-picketing UFWOC pickets at the homes of Giumarra's foremen in McFarland and Earlimart. The Giumarras furnished office space for Mendoza and Rubio in the conference room at the Edison Highway headquarters with typewriter and other office supplies.

Arrangements were made to pay Mendoza and Rubio and then Aurelio Rios through Fernando Marquez first through MADRA then through an AWFWA bank account. Several meetings involving many persons were held but only John Guimarra, Jr., Rob-

ert Sabovich, and Jack Pandol gave orders to Mendoza and AWFWA.

10. (A) AWFWA WAS TO:

(a) Counter-picket and try to drown out UFWOC pickets wherever they picketed any grape grower or they picketed any grape grower or their employees, using sound trucks, jeers, etc.

(b) Hold picnics for mass of agricultural workers giving free food, beer, and music and raffles to get them to listen to speeches against Chavez and UFWOC.

(c) Enlist the aid of all growers and their foremen in enrolling workers into AWFWA without cost with the idea that we would represent them.

(d) Try to settle grievances or disputes between farm workers and the grape growers.

(e) Picket advertisers of Catholic Register which supported Chavez and UFWOC until John Guimarra, Jr. told us to stop.

(f) Appear on radio, TV and the news with propaganda against Chavez and UFWOC.

(g) Opposed Teamsters-UFWOC boycott of Coors beer by counterpicketing.

(h) Try to get information on all UFWOC planned activities to take action to halt or disrupt them (Sanger picnic, labor day parade).

(i) To keep track of all people associated with and helping UFWOC using friends, papers, and taking pictures of people in and around UFWOC headquarters.

(j) To put out mimeographed notices, flyers, message and reports on flyers to be widely distributed to the workers and the public in Spanish and English. Obtain bumper stickers attacking the boycott and UFWOC.

(k) Counter picket stores selling New York products after New York City boycotted the table grapes, including picketing of Sachs 5th Avenue in Los Angeles.

(l) Picket news media and TV stations in Los Angeles who were giving biased coverage for Chavez and UFWOC.

(m) To use all of the above methods to get headlines, newspaper and TV coverage with statement of farm workers are not on strike and boycott is just another trick to force the Union on the workers.

10. (B) These activities were performed between May and October 1968.

10. (C) All activities were performed to the extent possible.

10. (D) All activities were carried out under the name of AWFWA or MADRA (Mexican-American Democrats for Republican Action) by the following people:

(1) Jose Mendoza, 2421 I Street, Bakersfield.

(2) Gilbert Rubio, 217 Cliff Street, McFarland.

(3) Shirley Fetalvero, 177 W. 15th Avenue, Delano.

(4) Mary Matt, 371 Oleander Drive, Bakersfield.

(5) Wanda Hillary, Baker Street, Bakersfield.

(6) Donald Gazzaniga, Sally Drive, Bakersfield.

(7) Robert Flores, DiGiorgio Fruit Corporation, Lamont.

(8) Jess Marquez, DiGiorgio Fruit Corporation, Lamont.

(9) Fernando Marquez, 4212 Alexander, Bakersfield.

(10) Cornelio Macias, Newark Rod., Sanger.

(11) Teresa Arrambide, Moffet St., Wasco,

(12) Louis Baraza.

(13) Aurelio Rios, Dover Street, Delano.

(14) Paul Maruffo.

(15) Helen Murillo, 7616 Delight Avenue, Lamont.

(16) Anna Mariano, 822 Kensington, Delano.

(17) John Giumarra, Jr., Edison Headquarters, Edison, Ca.

(18) Robert Sabovich, P.O. Box 577, Lamont.

(19) Melvin Sabovich, P.O. Box 577, Lamont.

(20) Eugene Nalbandian, P.O. Box 665, Lamont.

(21) William Mosesian, Lamont, California.

(22) John Kovacevich, P.O. Bin 488, Arvin.

(23) Sabovich Bros, P.O. Box 577, Lamont.

(24) Jack Pandol, Rt. 2, Box 388, Delano.

Many people were interested to picket and to come to picnics, etc.

11. Employees of all table grape growers in Kern, Tulare, and Fresno Counties of California, including field workers, both members and non-members of UFWOC, AFL-CIO and unorganized employees in the sheds. We were supposed to be active in the Coachella Valley but we never went.

A.—PERSON FILING

1. Name and address (include ZIP code): AWFWA, aka, Agriculture Workers Freedom To Work Association, c/o Shirley Fetalvero, 117 W. 15th Ave., Delano, Calif.

2. Any other address where records necessary to verify this report are kept: Donald Gazzaniga, Public Research Institute, 6408 Sally Ave., Bakersfield, Calif.

3. File No.

4. Period covered by this report. From: ——— To: ———.

B. Statement of receipts: Report all receipts from employers in connection with labor relations advice or services regardless of the purposes of the advice or services.

5. Name and address of employer (include ZIP code): This information is given to the best of our knowledge at this time. As more information becomes available we will submit it. See attached sheet for numbers 5, 6 and 7.

6. Termination date.

7. Amount.

C. Statement of disbursements. Report all disbursements made by the reporting organization in connection with labor relations advice or services rendered to the employers listed in Part B.

8. Disbursements to officers and employees: See attached sheet.

9. Office and administrative expenses.

10. Publicity.

11. Fees for professional services, No. 9 through 14.

12. Loans made, see attached sheet.

13. Other disbursements.

14. Total disbursements (sum of items 8-13).

D. Schedule for statement of disbursements. Use this Schedule to report *only* disbursements made for the purposes described in part D of the instructions.

15. Employer: See attached sheet.

16. To whom paid.

17. Amount.

18. Purpose.

IF MORE SPACE IS NEEDED ATTACH ADDITIONAL SHEETS

E. Verification and signature. The person in item 1 above and each of his undersigned authorized officers declares, under penalty of law, that all information in this report, including all attachments incorporated therein or referred to in this report, has been examined by him and is, to the best of his knowledge and belief, true, correct, and complete.

Signed: GILBERT RUBIO, President, at Delano, Calif., on February 22, 1969. (If other title, cross out and write in correct title above.)

Signed: Shirley Fetalvero, Treasurer, at Delano, Calif., on February 22, 1969. (If other title, cross out and write in correct title above.)

Numbers 5, 6, and 7: The checks below were deposited in the M.A.D.R.A. Account No. 0208686 at the Community National Bank at 6th and Chester Avenue in Bakersfield.

Date of check	Name and address of account	Signed by—	Amount
June 18, 1968	Kern Valley Farms, Inc., Post Office Box 505, Lamont, Calif. Office: Wheeler Ridge Rd., Mettler, Calif., phone, 858–2874. United California Bank, Bakersfield.	James Trino, Jr	$200
June 19, 1968	Dalton Richardson, Richardson Farms, Route 2, Box 520, Valpredo Rd., Mettler, Calif., phone 858–2520. Bank of America, Arvin, Calif.	Dalton Richardson	200
Do	Muzinich Farms, 207 Panorama Dr., Bakersfield, Calif., farm on Le Gray Rd., phone 858–2555, residence phone 323–2252. United California Bank, Bakersfield.	Anthony L. Muzinich	200
Do	Gagosian Farms, 2455 Produce St., Greenfield, phone 323–9493, also on DiGiorgio Rd., phone 845–1561. Bakersfield National Bank, Greenfield, Calif.	Leo Gagosian	200
Do	Griffin Spray Co., 3104 St. Mary's St., phones 871–8000 and 366–3308. Community National Bank, Bakersfield, Calif.	Thomas E. Griffin	200
June 20, 1969	Eugene Nalbandian, Inc., Post Office Box 665, Lamont, Calif., phone 845–0729, shed on DiGiorgio Rd. Bank of America, Baskersfield, Calif.	Eugene Nalbandian	200
June 22, 1969	C. Scarrone, Marie Scarrone, Route 1, Box 640, phone 858–2510, Arvin, Calif. Bank of America, Arvin branch.	C. Scarrone	200
June 28, 1968	Bianco Fruit Corp., Post Office Box 1801, Delano, Calif., phone 725-3215. Bank of America, Delano, Calif.	Bianco Fruit Corp. (machine stamp initials not discernible on microfilm copy).	200
June 30, 1968	Haddad & Berling, G St., Wasco, Calif. Made out to MADRA Research.	Harley Berling	200

Check No. 1335, July 8, 1968, from General Distributors Fresno, Ca., East Fresno Branch of the Bank of America to the amount of $250.00 paid to Berge Kirkorian c/o P.O. Box 202, Arvin, Calif. Endorsed and deposited to M.A.D.R.A. account.

Check No. 325, July 21, 1968, from Calpine Containers, 1875 Olympic Blvd., Walnut Creek, California to the amount of $250.00 to John Kovacevich, endorsed and deposited to M.A.D.R.A. account.

The checks listed below were deposited in AWFWA Account No. 0647802166, Bank of America at "H" & Broad, Bakersfield, Calif. Account was opened July 25, 1968.

Bank No.	Amount	Issued by—	Date	Payable to—
90–142, check No. 2276	$300	Mazzie Farms, Derby Rd., Arvin, Calif	July 11, 1968	AWFWA.
90–142, check No. 52641	100	San Joaquin Tractor Co., 1201 Union Ave., Bakersfield, Calif.	June 28, 1968	AWFWA.
90–139	100	Kern County Equipment Co	July 3, 1968	AWFWA.
90–90, check No. 793	100	Central California Ice Co., 3401 Chester St., Bakersfield, Calif.	July 1, 1968	AWFWA.
90–142, check No. 015703	200	California Box & Lumber Co., DiGiorgio Rd., Lamont, Calif.	July 6, 1968	AWFWA.

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Bank No.	Amount	Issued by—	Date	Payable to—
11-55, check No. 140860	$200	Blake Moffit & Towne, 2225 16th St., Bakersfield, Calif.	June 20, 1968	AWFWA.
	150	O. D. Handel & Son Farms, 413 Central Ave., Shafter, Calif.	Aug. 5, 1968	AWFWA.
Deposit, check No. 236	[1] 400	D. A. Gazzaniga, expense account, 6408 Sally Ave., Bakersfield, Calif.	Sept. 11, 1968	Jose Mendoza.
Check No. 174	500	California for Right to Work, 300 27th St., Suite C, Oakland, Calif.	Oct. 9, 1968	Do.

[1] Sept. 10, 1968.

Note: Account closed out Oct. 25, 1968.

1. Zellerbach Paper Company contributed a check for $200.00 to Farm Workers' Rally which was not deposited in the above bank accounts.

2. Jack Pandol lent AWFWA his 1968 Chevy pick-up for two months for AWFWA use.

3. Bob Sabovich gave AWFWA a 1958 Chevy station wagon for AWFWA use.

4. DiGiorgio furnished mimeograph machines and supplies to print AWFWA flyers on DiGiorgio property.

5. The Giumarra Vineyards Corporation, Edison Highway No. 84, Bakersfield, California, through John Giumarra, Sr., and John Giumarra, Jr., paid the following:

(1) A salary in an unknown amount for Jose Mendoza.

(2) Two $50 "loans" to Gilbert Rubio and one $50 "loan" to Aurelio Rios totaling $150.

The Giumarras also allowed use of conference room at Giumarra headquarters with telephone, typewriter, and office supplies.

6. They also allowed free access to the yard gas pump to obtain gas for vehicles for AWFWA business. They provided repair of automobiles in the corporate garage.

7. Fernando Marquez furnished expense money in cash and checks to Mendoza, Rubio, and Rios.

8. Don Gazzaniga paid salary to Mendoza, Rubio, and Rios through the Public Research Institute (PRI) with the cover that they were researchers for PRI. Information and pictures obtained by AWFWA were used for PRI.

[From the Los Angeles Times, Mar. 4, 1969]

RIVAL TO CHAVEZ: GROWERS HIT AS ORGANIZERS OF NEW UNION

(By Harry Bernstein)

A group of California growers, aided by members of the John Birch Society, helped create an organization of workers set up as a rival to Cesar Chavez AFL–CIO United Farm Workers Organizing Committee, it was charged Monday.

California state law prohibits employer sponsorship of unions or associations which are ostensibly formed to represent workers.

Monday's accusation followed disclosure of a bitter fight among leaders of the Agriculture Workers Freedom to Work Assn. (AWFWA).

Two officers of AWFWA reported to the Labor Department in Washington that the organization was founded by growers, not workers, as a counteraction to AFL–CIO efforts to unionize farm workers, and to boycott grape growers who have refused to hold union representation elections.

Jerry Cohen, attorney for Chavez' AFL–CIO union, said court action will be filed this week in Bakersfield against the John Birch Society, the Right to Work Committee and a group of growers on grounds that they all conspired to illegally help form the rival AWFWA.

AIDE DENOUNCED BOYCOTT

Jose Mendoza, general secretary of the AWFWA, recently made a nationwide tour to denounce Chavez and the grape boycott. He charged repeatedly that Chavez had no support among farm workers.

Mendoza, 37, was honored at a banquet of the National Right to Work Committee in Washington, D.C., and was presented with an award by Sen. Everett Dirksen (R-Ill.) on behalf of the committee for his efforts to help farm workers.

Mendoza, of Bakersfield, officially was getting financial help from the National Right to Work Committee for his nationwide tour.

A week ago, however, Gilbert Rubio, listed as president of the AWFWA, and Shirley Fetalvero, secretary-treasurer of the organization, filed a report with the Labor Department's Office of Labor Management Reports to comply with the federal Landrum-Griffin Act of 1959.

LISTS ORGANIZATION DATE

That document contended AWFWA was first conceived in May, 1968, at a meeting in a Bakersfield restaurant attended by Mendoza, Rubio and a group of about 10 key grape growers.

Rubio and Miss Fetalvero said in a sworn statement to the Labor Department that those attending the session included John Giumarra Sr., and John Giumarra Jr., treasurer and general counsel respectively of Giumarra Vineyards, the prime target of the AFL–CIO strike-boycott.

Others at the meeting included Jack Pandol, another grower, and representatives of the Di Giorgio Corp., which is one of the few companies under contract to the Chavez farm workers' union.

The meeting was called to "outline activities of AWFWA," Rubio and Miss Fetalvero said, adding:

"We were to tell workers not to be afraid of Chavez, to be united, and we would support and protect workers and oppose (AFL–CIO) efforts to organize and boycott."

He and Mendoza were offered $120 a week to start opposing Chavez, Rubio said, but that money, along with other sums, was paid to AWFWA through another organization to be called MADRA, the Mexican-American Democrats for Republican Action.

Records of the operation were kept by a "one-man public relations operation," said the union attorney, referring to Donald Gazzaniga, head of Public Research Institute, which is itself a part of a firm known as California Editors Publishing Co.

Gazzaniga recently published a booklet, "California's Number One Industry Under Attack," defending grape growers' opposition to unionization of their workers.

PAID SALARIES

It was distributed by the National Right to Work Committee.

Gazzaniga paid the salaries to Mendoza and Rubio under the cover that they were researchers for (his publication)." Rubio said.

The document filed with the Labor Department then listed dozens of checks ranging up to $500 which were allegedly used by AWFWA after they came through the Mexican-American Democrats for Republican Action.

John Giumarra Jr., reached by phone in Rochester, N.Y. where he was making a speech, said "the allegations that we gave money to Mendoza are not true and we will fight it in court."

He said Rubio had once supported the union, then joined AWFWA to fight the union, "and now seems to have switched again. None of their legal actions have been upheld in court, and this will not either."

[From the San Francisco Chronicle, Mar. 4, 1969]

FEDERAL REPORT: BIG GROWERS' SECRET ANTI-UNION ORGANIZATION

(By Dick Meister)

Government reports disclosed here yesterday that some of the State's largest growers secretly operated what they disguised as a workers' organization to try to undermine California's farm union organizers.

The organization—still in existence, but virtually inoperable since the Government demanded the reports that disclosed its true nature—is called the Agricultural Workers Freedom to Work Association (AWFWA).

Since last July, the association's general secretary, Jose Mendoza, has spoken at legislative hearings and elsewhere saying he represented a large group of farm workers who are opposed to unionization.

Mendoza, who recently left the association to carry on similar activities with the "Right to Work Committee," repeatedly denied the association had anything to do with growers.

But Gilbert Rubio, the president of the association, and Shirley Fetalvero, the secretary-treasurer, described it far differently in the Government reports.

The reports, required of labor and management groups under the Landrum-Griffin Act, finally were submitted at least eight months late—to the Office of Labor Management and Welfare Pension Reports here on February 22.

HIRED

They said the association "was an outgrowth of an untitled group led by the growers which hired Jose Mendoza and Gilbert Rubio" and made them the chief officers of the association.

It got started, they said, at a meeting in Bakersfield last May, attended by Rubio, Mendoza and the owners and managers of several of the area's larger vineyards.

Among those present, said the reports, were growers John Giummara Jr., John Giummarra Sr. and Jack Pandol; Robert Flores, personnel manager of the DiGiorgio Fruit Corporation, and a foreman, Paul Marrufo, for the Sabovich Bros. vineyard.

AGAINST

The reports said the meeting was called to outline the association's activities against the United Farm Workers Organizing Committee (UFWOC) and its efforts, under Cesar Chavez, to organize vineyard workers.

"Several meetings involving many persons were held," said the reports, "but only John Giummarra Jr., Robert Sabovich and Jack Pandol gave orders to Mendoza and AWFWA."

Among other things, the orders told the association to carry out in the name of farm workers, such acts as:

"Halt counter-picket and try to drown out UFWOC pickets . . . get information on all UFWOC planned activities to take action to halt or disrupt them."

"To keep track of all people associated with the helping UFWOC, using friends, papers and taking pictures of people in and around UFWOC headquarters."

"Picket advertisers of Catholic Register, which supported Chavez and UFWOC until John Giummarra Jr. told us to stop."

"Hold picnics for mass of agricultural workers giving free food, beer and music and raffles to get them to listen to speeches against Chavez and UFWOC."

The reports said the aim was "to get headlines" and TV coverage for statements that the organizing committee's strike against the growers, and its related grape boycott, were designed to force unions on the workers.

[From the Fresno Bee, Mar. 3, 1969]

Anti-UFWOC Group Is Called Right-Wing Unit

Los Angeles.—The formation and subsequent activities of the Agricultural Workers Freedom To Work Association (AWFWA) today were linked to southern San Joaquin Valley growers and the "right wing."

The tie-up is reported in a letter from officers of AWFWA to the U.S. Department of Labor and verbally by a member of the association who declined to be identified.

United Farm Workers Organizing Committee attorney Jerry Cohen scheduled a press conference here today to release the AWFWA letter. Cohen claims AWFWA was established deliberately as a "company union" to further what he calls the growers' anti-labor aims.

Cohen said that later this week he will amend an UFWOC suit against the AWFWA which accuses the latter of being a company union. He said the amendment will contain a long list of names of growers who contributed financially to the AWFWA.

While the AWFWA report to the Labor Department, filed in compliance with Labor Department regulations, is the key to Cohen's presentation, his allegations are supported by an independent check with a member of the AWFWA. This AWFWA member said the organization was founded "on the labor issue, but within a month we found we were part of the red guard and the main issue was the right to work."

This member said the AWFWA was started to give farm workers a voice in the battle between the UFWOC and the growers. The member then said: "But we found that we were fair game for anybody. We thought AWFWA was our organization, then we found we were a front."

Cohen, in an interview before the press conference said he plans to show that some Giumarra Rahch officials helped form the AWFWA and provided office space, telephones and gasoline for cars.

Cohen said that an organization called Mexican-American Democrats for Republican Action was used to funnel money to AWFWA.

The money the lawyer asserted was used to finance AWFWA rallies, picket lines and to pay for AWFWA Director Jose Mendoza's speaking trips. Later, the continued Californians For Right To Work, an organization which has as one of its five directors Jack Pandol, a Delano grower, began to finance Mendoza's speaking tours.

It is Cohen's contention the AWFWA was formed by growers and that Mendoza was hired at $120 a week to direct the operations.

Mendoza has since withdrawn from AWFWA and now is traveling widely and talking, as a grape worker, in the right-to-work cause.

Cohen said right-wingers, including the John Birch Society, have been involved in anti-UFWOC and anti-Chavez work. He said that in Cleveland a dial-a-number telephone provides a recorded voice that claims Sirhan Sirhan was a member of the UFWOC.

The unidentified member of AWFWA also said right-winger influence has moved in and dominated the AWFWA's actions. By California Law, according to Cohen prohibits a company union that is formed by and financed by a company in opposition to union activity.

PESTICIDE CONCERN

Mr. NELSON. Mr. President, I ask unanimous consent that a letter I wrote recently to Secretary of Health, Education, and Welfare Robert Finch regarding policies, evidence, and investigations on pesticides and his response be printed in the Record.

There being no objection, the letters were ordered to be printed in the Record, as follows:

April 22, 1969.

Hon. Robert H. Finch,
Secretary, Department of Health, Education, and Welfare, Washington, D.C.

Dear Mr. Secretary: I commend and support your action yesterday to appoint a Secretary's Commission on Pesticides and their Relationship to Environmental Health and your decision to establish an interim guideline for Food and Drug Administration action on fish with high concentrations of pesticide residues.

Although legislation which would take a similar commisison approach with regard to pesticides is now pending before Congress, your administrative action using your authority to create a Secretary's commission is certainly appropriate, especially in view of the urgent need to set tolerance levels for pesticides in fish which will assure protection of human health and provide guidelines for industries and recreational programs which depend in large part on a healthy Great Lakes fishery.

Your commission also represents an important step forward in urgently needed efforts to expand our knowledge and understanding of the increasing pesticide concentrations in our national and worldwide environment and the dangers this presents to fish and wildlife and to humans.

The findings of the commission should be significant not only for possible actions that could be taken by the U.S. Department of Agriculture to improve regulation of pesticide use, but also for future actions which could be taken by the Food and Drug Administration with regard to health protection, and also by the U.S. Department of Interior to deal with the effects of persistent, toxic pesticides as a pollutant.

Let me also commend you on the broad-ranging representation of the commission membership. The resources of not only our health scientists, but of our ecologists, our fish and wildlife biologists, and others must be brought to bear on this problem.

I should point out that I sincerely hope that the commission will be able to proceed in an entirely objective manner in arriving at recommendations for action. Its chairman, Dr. Emil Mrak, testified in 1963 before a Senate subcommittee holding hearings on coordination of federal pesticide regulatory activities that he supported the position that "no evidence is presently available that there is danger of anyone being poisoned by pesticide residues in food." He added, "Now, if there is information in this field to support the use of short-lived chemicals in place of persistent ones, we do not have it."

Further, Dr. Mrak took issue with a President's Scientific Advisory Committee report of that year which stated that ". . . although they (pesticides) remain in small quantities, their variety, toxicity, and persistence are affecting biological systems in nature and may eventually affect human health." Dr. Mrak said, "This statement is contrary to the present body of scientific knowledge available to our people."

In view of these conclusive statements by Dr. Mrak in 1963 on pesticides and their effects, I believe it would be reassuring to hear from Dr. Mrak that he does in fact approach this very critical task now without having any prejudgment which could influence the outcome of the commission's recommendations.

Let me also suggest that if significant new information on the pesticide problem develops in or out of government during the six months interim before the commission makes its recommendations, such information be brought to the public attention as quickly as possible, and acted on.

As an instance, the National Cancer Institute contracted in 1963 with the Bionetics Research Laboratories of Falls Church, Va., and Bethesda, Md., for a study of the important question of whether there are cancer-causing effects in some widely used pesticides, herbicides, and related chemical compounds.

Apparently, this study has been on the verge of release for some time, as evidenced by the fact that a summary of its early data was prepared for presentation at the annual meeting of the Society of Toxicology in Williamsburg, Va., last month, then withdrawn.

A finding of cancer-causing effects in any compound which is present in our food products would be cause for grave concern and immediate action to limit as far as is reasonably possible the presence of such a compound in our food. I understand that such action has been taken with regard to one herbicide, aminotriazole, because it was found to cause cancer.

In view of the pressing questions now before us on the effects of persistent, toxic pesticides and other chemicals in everyday use, I believe the highest priority must be given to completing and publishing not only the Bionetics study, but to completion of any other studies which may now be under way in federal public health agencies to determine other possible pesticide effects.

Finally, in view of the recent FDA seizure of frozen Coho Salmon from Lake Michigan because of high pesticide residue concentrations in the fish, I believe the immediate establishment of an interim pesticide tolerance level for fish is necessary, and I support your action establishing such guidelines. Clearly, there is enough evidence to cause serious concern for the implications of high pesticide concentrations for human health, and for further FDA action if necessary.

Legal tolerance levels have long been established by the FDA for a wide range of food products, including meat, poultry, vegetables, milk, and fruit. In addition, the World Health Organization, after intensive health studies, has established an acceptable daily allowance for human intake of DDT. I understand that by itself, a one quarter pound serving of Coho Salmon with DDT residues throughout the edible portion of the fish of 19 parts per million concentration would exceed that acceptable daily intake by more than three times, in the average-sized man.

The recent DDT ban in Michigan, and the two year ban in Sweden, only add further to the rapidly building evidence that there is need to take swift action to adequately regulate and limit the use of persistent, toxic pesticides.

I appreciate and commend your concern in this important matter.

Sincerely yours,

Gaylord Nelson,
U.S. Senator.

The Secretary of Health, Education, and Welfare,
Washington, D.C., May 13, 1969.

Hon. Gaylord Nelson,
U.S. Senate,
Washington, D.C.

Dear Senator Nelson: Thank you very much for your letter of April 22 supporting my plans for a Commission on Pesticides and their Relationship to Environmental Health and the establishment of interim guidelines on the limits of pesticides allowable in fish.

In the course of discussions leading to establishment of the Commission, I have explored its role and mission extensively with Dr. Mrak. Let me speak for both of us and assure you that the chairman plans to conduct the business of the Commission scientifically and objectively. At the time of the hearings six years ago, Dr. Mrak's state-

XUM

ment reflected his personal evaluation of the scientific evidence then available. One of the primary concerns of the new commission will be to bring together a number of different scientific specialists to review and weigh all evidence collected to date before reaching their conclusions. I am sure that Dr. Mrak and his colleagues have not prejudged these critical issues.

It has long been the policy of this Department, as you know, to publish fully and freely the results of the research and studies we support. Before such publication, however, we have the responsibility to assure that the conclusions reached are scientifically valid and that the analysis is complete and will not mislead the scientific community or the public. The paper you noted, on the work done by Bionetics Research Laboratories, was withdrawn from presentation last fall because analysis of the preliminary report by scientists of the National Cancer Institute and other agencies led us to believe that further review and reduction of the complex data was necessary to verify the conclusions with any degree of certainty. This review is being given high priority so that the results can be examined by experts and published in full detail as soon as possible. This Department will continue to collaborate with the Department of Agriculture and other appropriate agencies to bring pertinent information to the public attention quickly and to initiate regulatory measures promptly whenever they may be indicated.

As noted in your letter an interim pesticide tolerance level for fish was established on April 23. I am enclosing our press release on this subject. I would note that, while the DDT residue in the Coho salmon of 19 parts per million could result in DDT intake exceeding the maximum acceptable *daily* intake, tolerance levels are prescribed assuming continuous intake over an entire *life time*. There is no evidence that occasional ingestion of this amount of DDT causes any damage to humans. These were factors involved in the seizure of Coho salmon and in promulgation of the interim tolerance level of DDT in fish.

I appreciate your continuing interest and support in this vital program.

Sincerely,

ROBERT H. FINCH,
Secretary.

PRESS RELEASE OF U.S. DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE, APRIL 22, 1969

Residues of DDT (including derivatives) in fish shipped in interstate commerce will be limited to 5 parts per million (ppm) under an interim guideline announced today by the Food and Drug Administration.

The interim limit has been established primarily because of high residues of DDT and its derivatives found in coho salmon from Lake Michigan.

"This guildeline is intended to protect the public from excessive levels of DDT in fish while a full scientific review is completed," Food and Drug Commissioner Herbert L. Ley, Jr., M.D., explained. "It also gives the fishing industry a specific standard. Fish carrying residues higher than 5 ppm will be subject to seizure."

The FDA has asked the National Academy of Sciences-National Research Council to nominate a panel of experts to carry out the review of DDT residues in fish. The 5 ppm interim limit may be changed as the result of that study, Dr. Ley said.

There is now no formal tolerance for DDT in fish. Residues of the pesticide were not considered significant in fish until recently because the levels were generally low.

In the case of Lake Michigan coho salmon, however, concentrations of DDT have increased markedly since the species was first stocked in the lake in 1966. Since March 28, 1969, the FDA has initiated the seizure of more than 34,000 pounds of frozen coho salmon shipped from Michigan to Wisconsin and Minnesota. Residues of DDT and its derivatives in these fish ranged from 13 to 19 ppm.

The interim limit of 5 ppm for DDT residues will apply to all fish marketed interstate. Pesticide monitoring by FDA, however, indicates that DDT residues are below 1 ppm in 90 percent of the fish marketed in this country.

Tolerances for DDT residues in other foods vary from product to product. The tolerance is .05 ppm for milk and 7 ppm for a wide variety of fruits and vegetables and in the fat of meat. FDA has taken steps to reduce a number of these where experience has shown that lower levels are practicable.

Continuing studies carried out by FDA to measure the amounts of pesticides in the American diet have shown that current levels of DDT are well below the Acceptable Daily Intake established by the World Health Organization and the Food and Agricultural Organization.

In this continuing survey, one pound of fresh or frozen fish is included in a two-week diet. If this amount of fish carried 5 ppm DDT, the overall intake of the pesticide during the two weeks would be approximately one-quarter of the maximum level suggested by WHO/FAO.

Some consumers, however, may use larger amounts of fish in their diets, Dr. Ley said. If coho salmon with 5 ppm DDT were to be a regular part of the diet, consumption should be limited to an average of one-quarter pound a day to stay within the WHO/FAO recommendation, he explained.

Sports fishermen taking coho salmon from Lake Michigan should be aware of the high DDT residues in the fish. Those who choose to eat the fish can get rid of a significant part of the DDT if they use only fillets. DDT accumulates in the fat. Filleting, as ordinarily performed, disposes of concentrations of fat found under the spine and near the head and the tail of the coho salmon.

Coho salmon fillets analyzed by FDA have shown residues of DDT and derivatives ranging from about 1 to 5 ppm. These fillets were from fish taken from Lake Michigan at about the same time as the salmon later seized because of residues ranging from 13 to 19 ppm.

NIXON EDUCATION BUDGET CUTS

Mr. MOSS. Mr. President, on October 20, 1968, Richard M. Nixon, then a candidate for the Presidency of the United States, said, on a CBS radio program:

> I pledge my administration to be second to none in its concern for education.

On May 5, 1969, some 7 months later, and less than 4 months after his inauguration, President Nixon sent to Congress a message cutting the 1970 Johnson administration Federal budget request for education by some $402 million.

Mr. President, I respectfully suggest that instead of showing "concern for education"—instead of trying to "improve the quality of education," which was another Nixon campaign phrase, that the Nixon administration is now steadily undermining many of the Federal education programs which the Congress has already enacted.

The people of my State of Utah are well aware of this about-face by the Nixon administration. And they neither understand it nor like it. There is nothing we hold more important in Utah than education. We believe very strongly that we must take it upon ourselves to give all of the children in our State an opportunity for a quality education, and we are willing to bear the expense of it. We will cut funds for almost any other endeavor in Utah—in fact we have—to fully finance our schools. We have long been well at the top of the list of States in our per capita expenditure for education.

Therefore, Utah people find it hard to believe that their new President has so quickly turned his back on his promises to our school administration and our teachers and our schoolchildren and to our citizens in general, and they are writing to me to tell me in no uncertain terms how they feel. They believe, as did George Washington, that—

> In a country like this . . . if there cannot be money found to answer the common purposes of education, there is something amiss in the ruling political power . . .

The Nixon budget cuts $233.483.000 out of elementary and secondary education programs, including programs which will carry out one of the exact pledges in the education plank of the National Republican Platform adopted at the Miami convention—the pledge supporting "the development and increased use of better teaching methods and modern instruction techniques." That pledge is not yet even a year old.

President Nixon's net decrease is $233,483,000, but since $32,330,000 must be added for other purposes—interest subsidies on construction loans $1,080,000; civil rights education, $6,250,000; and $25 million for experimental schools, the true cut under Nixon's first budget revision for elementary and secondary education costs out at $265,813,000 less than the very conservative Johnson budget requests for this area.

Included in the elementary and secondary education cuts is a reduction of about one-third of the funds for the impacted area programs. These are the funds which Congress has authorized and appropriated over many years to pay school districts whose school enrollment has been swollen by children whose parents are living on Federal installations or whose parents are working on Federal contracts or other Federal services. Actually the cut is more serious than even the percentage figure would indicate. The Nixon budget request for impacted areas is for only $187,000,000—actually $650,000,000 will be needed in the fiscal year 1970 to continue the program just as it now exists.

In Utah—based on 1968 entitlement and 1968 pupil count—we would have 3,117 "A" children, those whose parents live and work on Federal property and 46,731 "B" children whose parents live or work on Federal property. Under full funding based on the fiscal year 1968 entitlement in our First Congressional District, we would expect to receive $595,712 for the "A" children and $4,299,278 for our "B" children. In the Second Congressional District with 788 "A" and 13,114 "B" children, under full funding, again based on fiscal year 1968, we could expect to receive $201,555 and $1,677,149, respectively. It is immediately apparent that elimination of payments for the "B" category children would reduce the payment to 38 school districts in the State by $5,976,428 leaving only $797,266 for distribution. Actually the loss is greater because the figures I have cited were based on the 1968 situation. They are, therefore, understated by a considerable margin. This year's entitlement nationally is now estimated to be about $650 million for Public Law 874. The figures I have cited are based on the 1968 $462,848,135 entitlement.

Such a cut in operation and maintenance funds to the schools involved would entail consequences to the taxpayers of those localities of the first magnitude. I shall do everything I can to demand full funding for all education programs and especially in this area.

Mr. President, one area of retrenchment—$56,483,000 under the Johnson budget estimates—is for the innovative programs fostered under title III ESEA for supplementary educational centers and services.

It is ironic that this program is the one program returned to and operated at the State level by State educational agencies and State advisory committees largely at the insistence of the House with a strong minority support.

The authorization for this innovative program stands at $566,500,000 for fiscal year 1970; the Office of Education estimates to the Department of Health, Education, and Welfare which were conservative, justified $214,000,000, yet only $116,393,000 is contained in the Nixon estimate. Yet if we are to find better ways of doing things and gain support for improvements in instruction, this is a program we should support to the maximum.

But here, in item after item, we find a shortsighted approach to a basic problem.

I ask unanimous consent that an April 1969, "Summary of the Fiscal Year 1970 Budget Proposals" be printed in the RECORD.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE, OFFICE OF EDUCATION (BUDGET AND MANPOWER DIVISION)

SUMMARY OF FISCAL YEAR 1970 HISTORY

	Fiscal year 1969		Fiscal year 1970				
	Authorization [1]	Appropriation [2] [3]	Authorization [1]	Estimate to Department	Department estimate to Budget Bureau	Johnson budget	Nixon amendments
Elementary and secondary education	$3,249,059,274	$1,475,993,000	$3,612,054,470	$1,553,855,000	$1,558,327,000	$1,525,876,000	$1,415,393,000
School assistance in federally affected areas	640,112,000	521,253,000	701,593,000	458,502,000	315,167,000	315,167,000	202,167,000
Education professions development	352,500,000	95,000,000	445,000,000	146,500,000	116,500,000	105,000,000	95,000,000
Teacher Corps	46,000,000	20,900,000	56,000,000	31,100,000	31,100,000	31,100,000	31,100,000
Higher education	1,689,428,706	815,444,000	1,981,700,000	1,204,372,000	1,071,188,000	897,259,000	780,839,000
Vocational education	482,100,000	248,216,000	766,650,000	444,570,000	350,216,000	279,216,000	279,216,000
Libraries and community services	275,300,000	147,144,000	425,100,000	179,675,000	168,375,000	155,625,000	107,709,000
Education for the handicapped	243,125,000	79,795,000	321,500,000	111,500,000	100,000,000	85,850,000	85,850,000
Research and training	35,000,000	87,452,000	56,000,000	161,755,000	113,200,000	90,000,000	115,000,000
Education in foreign languages and world affairs	56,050,000	18,165,000	120,000,000	29,500,000	24,000,000	20,000,000	20,000,000
Research and training (special foreign currency)	(4)	1,000,000	(4)	7,500,000	4,000,000	4,000,000	1,000,000
Salaries and expenses	(4)	40,804,512	(4)	58,412,000	46,725,000	43,375,000	43,375,000
HISTORY OF 1970 BUDGET							
Civil rights education	(4)	$10,797,000	(4)	$16,500,000	$13,800,000	$13,750,000	$20,000,000
College for Agriculture and the Mechanical Arts	$2,600,000	2,600,000	$2,600,000	2,650,000	2,600,000	2,600,000	2,600,000
Promotion of Vocational Education Act, Feb. 23, 1917	7,161,455	7,161,455	7,161,455	7,161,455	7,161,455	7,161,455	7,161,455
Student loan insurance fund	(4)	0	(4)	10,826,000	10,826,000	10,826,000	10,826,000
Higher education facilities loan fund	400,000,000	104,875,000	400,000,000	154,800,000	54,509,000	4,509,000	4,509,000
Total	7,479,682,435	3,676,599,967	8,895,358,925	4,579,178,455	3,987,694,455	3,591,314,455	3,221,745,455

[1] Includes indefinite authorizations.

[2] 1969 appropriation adjusted for comparability with 1970 appropriation structure.

[3] Includes proposed supplementals.

[4] Indefinite.

HISTORY OF 1970 BUDGET, OFFICE OF EDUCATION

	Fiscal year 1969		Fiscal year 1970				
Appropriation/Activity	Authorization	Appropriation	Authorization	Estimate to Department	Department estimate to Budget Bureau	Johnson budget	Nixon amendments
Elementary and secondary education:							
Educationally deprived children (ESEA, I)	$2,184,436,274	$1,123,127,000	$2,359,554,470	$1,171,500,000	$1,226,127,000	$1,226,000,000	$1,226,000,000
Local educational agencies (ESEA, I)	(2,072,075,264)	(1,020,438,980)	(2,238,402,205)	(1,061,414,905)	(1,115,347,932)	(1,115,222,202)	(1,115,222,202)
Handicapped children (ESEA, I)	(29,781,258)	(29,781,258)	(32,128,027)	(32,128,027)	(32,128,027)	(32,128,027)	(32,128,027)
Juvenile delinquents in institutions (ESEA, I)	(12,459,014)	(12,459,014)	(13,518,269)	(13,518,269)	(13,518,269)	(13,518,269)	(13,518,269)
Dependent and neglected children in institutions (ESEA, I)	(1,487,086)	(1,487,086)	(1,564,245)	(1,564,245)	(1,564,245)	(1,564,245)	(1,564,245)
Migratory children (ESEA, I)	(45,556,074)	(45,556,074)	(49,214,654)	(49,214,654)	(49,214,654)	(49,214,654)	(49,214,654)
State administration (ESEA, I)	(23,077,578)	(13,404,588)	(24,727,070)	(13,659,900)	(14,353,873)	(14,352,603)	(14,352,603)
Dropout prevention (ESEA, VIII)	30,000,000	5,000,000	30,000,000	27,000,000	27,000,000	24,000,000	24,000,000
Bilingual education (ESEA, VII)	30,000,000	7,500,000	40,000,000	15,000,000	10,000,000	10,000,000	10,000,000
Supplementary educational centers (ESEA, III)	527,875,000	164,876,000	566,500,000	214,000,000	172,000,000	172,876,000	116,393,000
Library resources (ESEA, II)	167,375,000	50,000,000	206,000,000	41,400,000	46,000,000	42,000,000	0
Guidance, counseling, and testing (NDEA, V–A)	25,000,000	17,000,000	40,000,000	19,800,000	18,000,000	12,000,000	
Equipment and minor remodeling (NDEA, III)	204,373,000	78,740,000	290,000,000	16,155,000	17,950,000	0	
Grants to States	(96,800,000)	(75,740,000)	(105,600,000)	(13,155,000)	0	0	0
Loans to nonprofit private schools	(13,200,000)	(1,000,000)	(14,400,000)	(1,000,000)	0	0	0
Equipment and minor remodeling (NDEA, III):							
State administration	[1] (10,000,000)	(2,000,000)	[1] (10,000,000)	(2,000,000)	0	0	0
Grants to local educational agencies	(84,373,000)	0	(160,000,000)	0	(17,950,000)	0	0
Strengthening State departments of education (ESEA, V)	80,000,000	29,750,000	80,000,000	35,000,000	32,000,000	29,750,000	29,750,000
Grants to States	(76,000,000)	(28,262,500)	(76,000,000)	(33,250,000)	(30,400,000)	(28,262,500)	(28,262,500)
Grants for special projects	(4,000,000)	(1,487,500)	(4,000,000)	(1,750,000)	(1,600,000)	(1,487,500)	(1,487,500)
Planning and evaluation (ESEA Amendments of 1967, IV)	(2)	0	(2)	14,000,000	9,250,000	9,250,000	9,250,000
Total	3,249,059,274	1,475,993,000	3,612,054,470	1,553,855,000	1,558,327,000	1,525,876,000	1,415,393,000

See footnotes at end of table.

HISTORY OF 1970 BUDGET, OFFICE OF EDUCATION—Continued

Appropriation/Activity	Fiscal year 1969		Fiscal year 1970				
	Authorization	Appropriation	Authorization	Estimate to Department	Department estimate to Budget Bureau	Johnson budget	Nixon amendment
School assistance in federally affected areas:							
Maintenance and operation (Public Law 874)	$560,950,000	$505,900,000	$622,246,000	$434,929,000	$300,000,000	$300,000,000	$187,000,000
Payments to local educational agencies	(530,950,000)	(475,900,000)	(588,796,000)	(401,479,000)	(266,550,000)	(266,550,000)	(153,550,000)
Payments to other Federal agencies	(30,000,000)	(30,000,000)	(33,450,000)	(33,450,000)	(33,450,000)	(33,450,000)	(33,450,000)
Construction (Public Law 815)	79,162,000	15,153,000	79,347,000	23,573,000	15,167,000	15,167,000	15,167,000
Assistance to local educational agencies	(66,162,000)	(1,107,000)	(68,240,000)	(12,513,000)	(3,000,000)	(3,000,000)	(3,000,000)
Assistance for school construction on Federal properties	(13,000,000)	(13,000,000)	(11,107,000)	(10,000,000)	(11,107,000)	(11,107,000)	(11,107,000)
Technical services	(2)	(1,046,000)	(2)	(1,060,000)	(1,060,000)	(1,060,000)	(1,060,000)
Evaluation	(2)	200,000	(2)	0	0	0	0
Total	640,112,000	521,243,000	701,593,000	458,502,000	315,167,000	317,167,000	202,167,000
Education professions development:							
Preschool, elementary, and secondary	350,000,000	95,000,000	440,000,000	145,000,000	115,000,000	104,500,000	95,000,000
Grants to States (EPDA pt B-2)	(50,000,000)	(15,000,000)	(65,000,000)	(20,000,000)	(20,000,000)	(15,000,000)	(15,000,000)
Training programs (EPDA pts. C, D, and F, sec. 504)	(300,000,000)	(80,000,000)	(375,000,000)	(125,000,000)	(95,000,000)	(89,500,000)	(80,000,000)
Encouragement of educational careers (EPDA)	2,500,000	0	5,000,000	1,500,000	1,500,000	500,000	0
Total	352,500,000	95,000,000	445,000,000	146,500,000	116,500,000	105,000,000	95,000,000
Teacher Corps: Operations and training (EPDA, pat. B-1.)	46,000,000	20,900,000	56,000,000	31,100,000	31,100,000	31,100,000	31,100,000
Higher education:							
Program assistance	69,541,706	63,691,000	161,120,000	70,772,000	74,772,000	48,620,000	42,120,000
Strengthening developing institutions (HEA III)	(35,000,000)	(30,000,000)	(70,000,000)	(35,000,000)	(40,000,000)	(35,000,000)	(30,000,000)
Colleges of agriculture and mechanic arts (Bankhead-Jones Act)	(12,120,000)	(11,950,000)	(12,120,000)	(12,272,000)	(12,272,000)	(12,120,000)	(12,120,000)
Proposed supplemental	(7,241,706)	(7,241,000)	0	0	0	0	0
Undergraduate instructional equipment and other resources:							
Television equipment (HEA, VI-A)	(1,500,000)	(1,500,000)	(10,000,000)	(1,500,000)	(1,500,000)	0	0
Other equipment (HEA, VI-A)	(13,000,000)	(13,000,000)	(60,000,000)	(13,000,000)	(13,000,000)	0	0
Institutional sharing of resources (HEA VIII)	(340,000)	0	(4,000,000)	(4,000,000)	(3,000,000)	(750,000)	0
Improvement of graduate schools (HEA X)	(340,000)	0	(5,000,000)	(5,000,000)	(5,000,000)	(750,000)	0
Construction	1,068,000,000	106,753,000	1,074,750,000	292,100,000	240,816,000	171,770,000	65,850,000
Public community colleges and technical institutes (HEFA, I)	(224,640,000)	(50,000,000)	(224,640,000)	(83,700,000)	(67,000,000)	(43,000,000)	(43,000,000)
Other undergraduate facilities (HEFA, I)	(711,360,000)	(33,000,000)	(711,360,000)	(166,300,000)	(133,464,000)	(87,000,000)	0
Graduate facilities (HEFA, II)	(120,000,000)	(8,000,000)	(120,000,000)	(30,000,000)	(25,577,000)	(20,000,000)	0
Interest subsidization (HEFA, III)	(5,000,000)	0	(11,750,000)	0	(2,675,000)	(10,670,000)	(11,750,000)
Proposed supplemental		(3,920,000)	0	0	0	0	0
State administration and planning (HEFA, I):							
State administration	(7,000,000)	(3,000,000)	(7,000,000)	(3,000,000)	(3,000,000)	(3,000,000)	(3,000,000)
State planning		(4,000,000)		(4,000,000)	(4,000,000)	(3,000,000)	(3,000,000)
Administration	(2)	(4,833,000)	(2)	(5,100,000)	(5,100,000)	(5,100,000)	(5,100,000)
Student aid	528,590,000	568,100,000	695,430,000	720,500,000	662,600,000	601,400,000	600,400,000
Educational opportunity grants (HEA, IV-A)	[3] (70,000,000)	(124,600,000)	[3] (100,000,000)	(179,600,000)	(175,600,000	(175,600,000)	(175,600,000)
Direct loans (NDEA, II):							
Contributions to loan funds	(210,000,000)	(190,000,000)	(275,000,000)	(211,200,000)	(194,000,000)	(155,000,000)	(155,000,000)
Loans to institutions	(4)	(2,000,000)	(4)	(2,000,000)	(2,000,000)	(2,000,000)	(2,000,000)
Teacher cancellations	(2)	(1,400,000)	(2)	(4,900,000)	(4,900,000)	(4,900,000)	(4,900,000)
Insured loans (HEA, IV-B):							
Advances for reserve funds	(12,500,000)	(12,500,000)	0	0	0	0	0
Interest payments	(2)	(62,400,000)	(2)	(81,400,000)	(62,400,000)	(62,400,000)	(62,400,000)
Computer services		(1,500,000)		(1,500,000)	(1,500,000)	(1,500,000)	(1,500,000)
Work-study programs (HEA, IV-C)	(225,000,000)	(139,900,000)	(255,000,000)	(175,500,000)	(165,000,000)	(154,000,000)	(154,000,000)
Cooperative education (HEA, IV-D):							
Program support	(340,000)	0	(8,000,000)	(5,000,000)	(5,000,000)	(1,000,000)	0
Research and training	(750,000)	0	(750,000)	(500,000)	(500,000)	0	0
Special programs for disadvantaged students (HEA, sec. 408):							
Talent search	(10,000,000)	(4,000,000)	(56,680,000)	(8,500,000)	(5,000,000)	(5,000,000)	(5,000,000)
Upward Bound		(29,800,000)		(31,700,000)	(31,700,000)	(30,000,000)	(30,000,000)
Special services in college				(18,700,000)	(15,000,000)	(10,000,000)	(10,000,000)
Personnel development	22,180,000	76,900,000	48,500,000	120,000,000	92,000,000	74,469,000	71,469,000
College teacher fellowships (NDEA, IV)	(2)	(70,000,000)	(2)	(96,600,000)	(75,000,000)	(61,469,000)	(61,469,000)
Training programs (EPDA, pt. E)	(21,500,000)	(6,900,000)	(36,000,000)	(16,400,000)	(10,000,000)	(10,000,000)	(10,000,000)
Public service education (HEA, IX)	(340,000)	0	(5,000,000)	(5,000,000)	(5,000,000)	(3,000,000)	0
Clinical experience for law students (HEA, XI)	(340,000)	0	(7,500,000)	(2,000,000)	(2,000,000)	0	0
Planning and evaluation	1,117,000	0	1,900,000	1,000,000	1,000,000	1,000,000	1,000,000
Total	1,689,428,706	815,444,000	1,981,700,000	1,204,372,000	1,071,188,000	897,259,000	780,839,000
Vocational education:							
Basic grants (Vocational Education Act of 1963, pt. B)	315,000,000	234,216,000	504,000,000	321,070,000	228,716,000	230,336,000	230,336,000
Transfer to Department of Labor	5,000,000	0	5,000,000	2,500,000	2,500,000	2,000,000	2,000,000
State advisory councils	(2)	0	(2)	3,850,000	1,850,000	1,680,000	1,680,000
National advisory council	[5] 100,000	0	150,000	150,000	150,000	200,000	200,000
Homemaking education (Vocational Education Act of 1963, pt. F)	(6)	14,000,000	25,000,000	15,000,000	15,000,000	15,000,000	15,000,000
Programs for students with special needs (Vocational Education Act of 1963, pt. B)	40,000,000	0	40,000,000	15,000,000	15,000,000	0	0
Work-study (Vocational Education Act of 1963, pt. H)	35,000,000	0	35,000,000	28,000,000	28,000,000	0	0
Cooperative education (Vocational Education Act of 1963, pt. G)	20,000,000	0	35,000,000	17,500,000	17,500,000	14,000,000	14,000,000
Innovation (Vocational Education Act of 1963, pt. D)	15,000,000	0	57,500,000	30,000,000	30,000,000	13,000,000	13,000,000
Curriculum development (Vocational Education Act of 1963, pt. I)	7,000,000	0	10,000,000	5,000,000	5,000,000	2,000,000	2,000,000
Residential vocational schools (Vocational Education Act of 1963, pt. E)	45,000,000	0	55,000,000	5,000,000	5,000,000	0	0
Planning and evaluation	(2)	0	(2)	1,500,000	1,500,000	1,000,000	1,000,000
Total	482,100,000	248,216,000	766,650,000	444,570,000	350,216,000	279,216,000	279,216.000

See footnotes at end of table.

HISTORY OF 1970 BUDGET, OFFICE OF EDUCATION—Continued

Appropriation/Activity	Fiscal year 1969		Fiscal year 1970				
	Authorization	Appropriation	Authorization	Estimate to Department	Department estimate to Budget Bureau	Johnson budget	Nixon amendments
Libraries and community services:							
Library services	$80,000,000	$40,709,000	$96,000,000	$44,000,000	42,000,000	$40,709,000	$23,209,000
Grants for public libraries (LSCA, I)	(55,000,000)	(35,000,000)	(65,000,000)	(35,000,000)	(35,000,000)	(35,000,000)	(17,500,000)
Interlibrary cooperation (LSCA, III)	(10,000,000)	(2,281,000)	(12,500,000)	(3,500,000)	(2,500,000)	(2,281,000)	(2,281,000)
State institutional library services (LSCA, IV-A)	(10,000,000)	(2,094,000)	(12,500,000)	(3,000,000)	(3,000,000)	(2,094,000)	(2,094,000)
Library services to physically handicapped (LSCA, IV-B)	(5,000,000)	(1,334,000)	(6,000,000)	(2,500,000)	(1,500,000)	(1,334,000)	(1,334,000)
Construction of public libraries (LSCA, II)	60,000,000	9,185,000	70,000,000	15,800,000	15,800,000	9,185,000	0
College library resources (HEA, II-A)	25,000,000	25,000,000	75,000,000	25,000,000	25,000,000	25,000,000	12,500,000
Acquistion and cataloging by Library of Congress (HEA, II-C)	6,000,000	5,500,000	11,100,000	5,500,000	8,500,000	7,356,000	4,500,000
Librarian training (HEA, II-B)	[7]11,800,000	8,250,000	[7]28,000,000	8,250,000	8,250,000	8,250,000	4,000,000
University community services (HEA, I)	10,000,000	9,500,000	50,000,000	14,000,000	10,000,000	9,500,000	9,500,000
Adult basic education	70,000,000	45,000,000	80,000,000	53,500,000	50,200,000	50,000,000	50,000,000
Grants to States (Adult Education Act)	----------	(36,000,000)	----------	(42,800,000)	(40,160,000)	(40,000,000)	(40,000,000)
Special projects (Adult Education Act)	----------	(7,000,000)	----------	(8,200,000)	(8,040,000)	(8,000,000)	(8,000,000)
Teacher education (Adult Education Act)	----------	(2,000,000)	----------	(2,500,000)	(2,000,000)	(2,000,000)	(2,000,000)
Educational broadcasting facilities—Grants for facilities (title III, Communications Act of 1934)	12,500,000	4,000,000	15,000,000	13,625,000	8,625,000	5,625,000	4,000,000
Total	275,300,000	147,144,000	425,100,000	179,675,000	168,375,000	155,625,000	107,709,000
Education for the handicapped:							
Preschool and school programs (ESEA, VI-A)	167,375,000	29,250,000	206,000,000	34,000,000	34,000,000	29,250,000	29,250,000
Early childhood programs (Public Law 90-538)	1,000,000	945,000	10,000,000	3,000,000	3,000,000	3,000,000	3,000,000
Teacher education and recruitment	40,500,000	30,250,000	59,000,000	41,000,000	36,000,000	30,500,000	30,500,000
Teacher education (Public Law 85-926)	(37,500,000)	(29,700,000)	(55,000,000)	(38,000,000)	(34,000,000)	(29,700,000)	(29,700,000)
Physical education and recreation (Public Law 88-164)	(2,000,000)	(300,000)	(3,000,000)	(2,000,000)	(1,000,000	(300,000)	(300,000)
Recruitment and information (ESEA, VI-D)	(1,000,000)	(250,000)	(1,000,000)	(1,000,000)	(1,000,000)	(500,000)	(500,000)
Research and innovation	26,250,000	14,600,000	36,500,000	27,500,000	21,500,000	18,350,000	18,350,000
Research and demonstrations (Public Law 88-164, sec. 302)	(14,000,000)	(12,800,000)	(18,000,000)	(18,000,000)	(15,000,000)	(14,050,000)	(14,050,000)
Physical education and recreation (Public Law 88-164)	(1,500,000)	(300,000)	(1,500,000)	(1,500,000)	(1,000,000	(300,000)	(300,000)
Regional resource centers (ESEA, VI-B)	(7,750,000)	(500,000)	(10,000,000)	(4,000,000)	(2,500,000)	(2,000,000)	(2,000,000)
Innovative programs (Deaf-blind centers) (ESEA, VI-C)	(3,000,000)	(1,000,000)	(7,000,000)	(4,000,000)	(3,000,000)	(2,000,000)	(2,000,000)
Media services and captioned films (Public Law 85-905)	8,000,000	4,750,000	10,000,000	6,000,000	5,500,000	4,750,000	4,750,000
Total	243,125,000	79,795,000	321,500,000	111,500,000	100,000,000	85,850,000	85,850,000
Research and training:							
Research and development	----------	74,976,000	----------	116,800,000	86,800,000	68,800,000	68,800,000
Educational laboratories (Coop. Res. Act)	(2)	(23,600,000)	----------	(37,200,000)	(33,600,000)	(25,750,000)	(25,750,000)
Research and development centers (Coop. Res. Act)	(2)	(10,800,000)	----------	(10,800,000)	(10,800,000)	(10,000,000)	(10,000,000)
General education (Coop. Res. Act)[8]	(2)	(26,951,000)	----------	(45,200,000)	(26,025,000)	(26,950,000)	(26,950,000)
Vocational education (VE Act of 1963)	35,000,000	(11,375,000)	56,000,000	(16,600,000)	(11,375,000)	(1,100,000)	(1,100,000)
Evaluations (Coop. Res. Act)	(2)	(1,250,000)	----------	(5,000,000)	(3,000,000)	(3,000,000)	(3,000,000)
National achievement study (Coop. Res. Act.)	(2)	(1,000,000)	----------	(2,000,000)	(2,000,000)	(2,000,000)	(2,000,000)
Major demonstrations (Coop. Res. Act)	(2)	1,000,000	----------	24,300,000	10,250,000	5,250,000	5,250,000
Experimental schools	(2)	0	----------	0	0	0	25,000,000
Dissemination (Coop. Res. Act, sec. 1206 HEA and sec. 303 VE amendments)	(2)	4,226,000	----------	7,200,000	7,200,000	7,200,000	7,200,000
Training (Coop. Res. Act)	(2)	6,750,000	----------	11,000,000	6,750,000	6,750,000	6,750,000
Construction (Coop. Res. Act)	(9)	0	----------	(9)	----------	----------	0
Educational statistical surveys (Coop. Res. Act)	(2)	500,000	----------	2,455,000	2,200,000	2,000,000	2,000,000
Total	35,000,000	87,452,000	56,000,000	161,755,000	113,200,000	90,000,000	115,000,000
Education in foreign languages and world affairs:							
Centers, fellowships, and research (NDEA, VI)	16,050,000	15,165,000	30,000,000	21,000,000	15,500,000	15,000,000	15,000,000
Fulbright-Hays training grants (Fulbright-Hays Act)	(2)	3,000,000	(2)	3,500,000	3,500,000	3,000,000	3,000,000
International Education Act	40,000,000	----------	90,000,000	5,000,000	5,000,000	2,000,000	2,000,000
Total	56,050,000	18,165,000	120,000,000	29,500,000	24,000,000	20,000,000	20,000,000
Research and training (special foreign currency program):							
Institutional development grants for training, research, and study	(2)	800,000	(2)	7,500,000	4,000,000	4,000,000	1,000,000
Research in foreign education	(2)	200,000	(2)	0	0	0	0
Total	(2)	1,000,000	(2)	7,500,000	4,000,000	4,000,000	1,000,000
Salaries and expenses: Program administration	(2)	40,804,512	(2)	58,412,000	46,725,000	43,375,000	43,375,000
Civil rights education:							
Training for school personnel and grants to school boards (Civil Rights Act, IV)	(2)	9,250,000	(2)	14,533,000	11,833,000	11,900,000	17,150,000
Technical services and administration (Civil Rights Act, IV)	(2)	1,547,000	(2)	1,967,000	1,967,000	1,850,000	2,850,000
Total	(2)	10,797,000	(2)	16,500,000	13,800,000	13,750,000	20,000,000
Colleges for agriculture and the mechanic arts: Grants to States (2d Morrill Act)	2,600,000	2,600,000	2,600,000	2,650,000	2,600,000	2,600,000	2,600,000
Promotion of vocational education act, Feb. 23, 1917: Grants to States (Smith-Hughes Act)	7,161,455	7,161,455	7,161,455	7,161,455	7,161,455	7,161,455	7,161,455
Student loan insurance fund:							
Higher education and vocational student loans: Loans purchased upon default by student borrowers (HEA IV-B)	(2)	0	(2)	10,826,000	10,826,000	10,826,000	10,826,000

See footnotes at end of table.

HISTORY OF 1970 BUDGET, OFFICE OF EDUCATION—Continued

Appropriation/Activity	Fiscal year 1969		Fiscal year 1970				
	Authorization	Appropriation	Authorization	Estimate to Department	Department estimate to Budget Bureau	Johnson budget	Nixon amendments
Higher education facilities loan fund:							
Operating costs (HEFA III):							
Commission on sales of participation certificates	(2)	0	(2)	0	0	0	0
Interest expense on participation certificates	(2)	$4,875,000	(2)	$4,800,000	$4,509,000	$4,509,000	$4,509,000
Administrative expenses	(2)	0	(2)	0	0	0	0
Loans to higher education institutions (HEFA III)	$400,000,000	100,000,000	$400,000,000	150,000,000	50,000,000	0	0
Total	400,000,000	104,875,000	400,000,000	154,800,000	54,509,000	4,509,000	4,509,000
Total, Office of Education	7,479,682,435	3,676,599,967	8,896,418,925	4,579,178,455	3,987,694,455	3,591,314,455	3,220,745,455

[1] Includes supervision which is funded under title V, ESEA.

[2] Indefinite.

[3] For new awards plus continuous cost.

[4] $25,000,000 authorized from fiscal year 1959 through duration of act.

[5] Specific authorization represents amounts only for technical assistance to carry out functions of National Advisory Council.

[6] Authorization included under "Grants to States," pt. B, Vocational Education Act of 1963.

[7] Includes library research under "Research and training."

[8] "General education" combines these prior-year activities: general education research, demonstration and development, library improvement research, and educational media research.

[9] $100,000,000 authorized over 2 5-year periods through fiscal year 1970.

Mr. MOSS. Mr. President, among the many programs for education which have high effectiveness and have shed enlightenment, are those broadly grouped under its "library programs." What I have to say about them and their operation in my State is succinctly and effectively stated in a fact sheet for Utah which was made available to me by the American Library Association's able Washington spokeswoman, Miss Germaine Krettek. I ask unanimous consent that this excellent summary be printed in the RECORD at this point in my remarks.

There being no objection, the summary was ordered to be printed in the RECORD, as follows:

INFORMATION CONCERNING EFFECT OF PROPOSED FISCAL YEAR 1970 BUDGET CUTS IN FEDERAL LIBRARY PROGRAMS—UTAH*

ELEMENTARY AND SECONDARY EDUCATION ACT—TITLE II

According to the Utah State Board of Education, 303,000 pupils and 11,000 teachers in Utah will have fewer of the needed library books and other instructional materials next year if ESEA II funds are eliminated, or even cut as proposed in the January budget recommendation.

Sixty public elementary schools and 15 public secondary schools in the State are still without libraries, and will be forced to remain without them in the absence of substantial help under the ESEA II program.

The State Board of Education also estimates that $100,000 would be needed to properly administer the ESEA II program at the State and local levels.

LIBRARY SERVICES AND CONSTRUCTION ACT

There is a backlog of eighteen needed new public library buildings, according to the Utah State Library Commission. These projected buildings would cost a total of $5,000,000.

Some of the accomplishments and needs of the State under LSCA were listed recently by Mr. Russell L. Davis, State Librarian:

We have been able to establish library service in 10 counties which previously to LSA and LSCA had no library service; and in 1968, 1,000,000 volumes were circulated to 250,000 people.

We have been able to construct 5 new library buildings in new growth areas to replace old, totally inadequate, worn out Carnegie buildings.

We now have library service in all five state institutions, where previously there was only partial library service in two of the institutions.

As a result of LSCA we now have a rapid communications network between all libraries in the state, which has been a great boon in providing truly adequate library service.

Utah still has 7 counties without library service. The state is unable to initiate this new service by itself, and because of reduced funds we have had to stop short of the goal of total library service for all residents of Utah.

"In the context of the total Federal program for education, special programs for books and equipment are considered low priority," said Under Secretary of HEW John Venneman at a budget briefing meeting April 15. This statement is clearly reflected in the Bureau of the Budget's recommendations for reducing the 1970 U.S. Budget for education by a total of $369,569,000. The proposed revision cuts out 66% of the Johnson budget proposed for programs for library users.

The 1970 Johnson Budget request for major library programs—ESEA Title II, HEA Title II and LSCA—amounted to $134,500,000. The Nixon Administration recommendations, if accepted by Congress, would provide only $46,209,000, which is $88,291,000 less than the January budget and $433,891,000 less than the amounts authorized for these programs in fiscal year 1970 (beginning July 1, 1969).

Looking at it another way, almost 25% of the recommended reductions in funding for activities under the Office of Education would come out of the principal library programs. Keep in mind, too, that this does not take into consideration the money already lopped off by the January budget proposal, which cut out NDEA Title III (equipment and instructional materials) and HEA Title VI (equipment and materials for higher education), both of which benefitted library users. The 1969 appropriations for Title III was $78,740,000, and for Title VI it was $14,500,000. As it now stands, these programs would be terminated.

If no effort is made to override these recommended cuts, the prospects for even minimal aid for library resources for school, public and academic library users will be dismal indeed. There will be no funds at all for the school library program under Title II of the Elementary and Secondary Education Act. Half of the Title I funds for public library services and all of the Title II construction money will be withdrawn from programs partially supported by the Library Services and Construction Act. And half of the college library resources funds will be cut out of the HEA Title II–A program, leaving only enough money to make basic grants of $5,000; training opportunities for librarians will be reduced by more than 50% under Title II–B; and the Library of Congress acquisition and cataloging activities now assisted by the Title II Part C program will be reduced by $2,856,000.

	Revised budget recommendation	January budget recommendation	Fiscal year 1970 authorization
Elementary and Secondary Education Act:			
Title II—School library resources, textbooks, and other instructional materials	0	$42,000,000	$200,000,000
Library Services and Construction Act	$23,209,000	49,894,000	166,000,000
Title I—Public library services	17,500,000	35,000,000	65,000,000
Title II—Public library construction	0	9,185,030	70,000,000
Title III—Interlibrary cooperation	2,281,000	2,281,000	12,500,000
Title IVA—State institution library service	2,094,000	2,094,000	12,500,000
Title IVB—Library service to the physically handicapped	1,334,000	1,334,000	6,000,000
Higher Education Act:			
Title II—College library assistance and library training and research	23,000,000	42,606,000	114,100,000
Part A—College library resources	12,500,000	25,000,000	75,000,000
Part B: Library training, including institutes	4,000,000	8,250,000	28,000,000
Research	2,000,000	2,000,000	------------
Part C—LC acquisition and cataloging	4,500,000	7,356,000	11,100,000

LIBRARY SERVICES AND CONSTRUCTION ACT

State	Title I—Services		Title II—Construction	
	Fiscal year 1969 allotments	Fiscal year 1970 budget	Fiscal year 1969	Fiscal year 1970
Alabama	$633,492	$319,145	$168,825	$0
Alaska	136,935	115,172	86,150	0
Arizona	312,656	187,354	115,407	0

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*Information compiled from replies to questionnaires sent out by the ALA Washington Office following announcement of the January budget recommendations for FY 1970.

LIBRARY SERVICES AND CONSTRUCTION ACT—Continued

State	Title I—Services		Title II—Construction	
	Fiscal year 1969 allotments	Fiscal year 1970 budget	Fiscal year 1969	Fiscal year 1970
Arkansas	$391,716	$219,830	$128,570	$0
California	2,666,778	1,154,367	507,365	0
Colorado	386,437	217,661	127,691	0
Connecticut	514,029	270,073	148,935	0
Delaware	172,884	129,939	92,135	0
District of Columbia	224,762	151,249	100,773	0
Florida	908,640	432,168	214,637	0
Georgia	743,951	364,518	187,217	0
Hawaii	203,338	142,449	97,206	0
Idaho	208,959	144,758	98,141	0
Illinois	1,746,355	776,280	354,115	0
Indiana	861,433	412,777	206,777	0
Iowa	550,334	284,986	154,980	0
Kansas	455,789	246,149	139,238	0
Kentucky	596,161	303,810	162,610	0
Louisiana	631,904	318,493	168,561	0
Maine	258,291	165,022	106,355	0
Maryland	606,374	308,005	164,310	0
Massachusetts	940,815	445,385	219,994	0
Michigan	1,377,606	624,808	292,719	0
Minnesota	657,518	329,014	172,826	0
Mississippi	455,712	246,118	139,226	0
Missouri	805,469	389,789	197,459	0
Montana	210,196	145,266	98,347	0
Nebraska	330,484	194,677	118,375	0
Nevada	146,589	119,137	87,757	0
New Hampshire	199,116	140,714	96,503	0
New Jersey	1,090,767	506,982	244,961	0
New Mexico	255,312	163,798	105,859	0
New York	2,840,719	1,225,816	536,326	0
North Carolina	844,066	405,643	203,886	0
North Dakota	203,285	142,427	97,197	0
Ohio	1,685,152	751,140	343,925	0
Oklahoma	480,232	256,190	143,308	0
Oregon	388,844	218,650	128,092	0
Pennsylvania	1,948,566	859,344	387,784	0
Rhode Island	240,363	157,658	103,370	0
South Carolina	489,102	259,833	144,785	0
South Dakota	211,135	145,651	98,504	0
Tennessee	682,542	339,293	176,992	0
Texas	1,664,458	742,639	340,480	0
Utah	245,448	159,746	104,217	0
Vermont	163,671	126,155	90,601	0
Virginia	747,843	366,117	187,865	0
Washington	565,959	291,404	157,581	0
West Virginia	403,825	224,804	130,586	0
Wisconsin	745,365	365,099	187,452	0
Wyoming	153,903	122,142	88,975	0
American Samoa	28,275	26,345	20,545	0
Guam	35,949	29,498	21,823	0
Puerto Rico	483,704	257,616	143,886	0
Virgin Islands	30,242	27,153	20,873	0
Trust territory	36,550	29,744	21,923	0

Mr. MOSS. Next, the Nixon budget reduces funds for higher education by $117,500,000. These cuts primarily affect construction grants for undergraduate academic facilities.

Mr. President, if anyone does not recognize there is a crisis in higher education in this country, they must have "dug a hole and pulled it in behind them," to use the old phrase. The crisis is partly financial. Many institutions have found it difficult to sustain current activities, let alone undertake new areas of instruction, or build new classrooms and other facilities, for ever-expanding school populations. Our young people are asking more of their universities and colleges every day—some of their demands are unreasonable, but some are unquestionably both reasonable and of prime importance, and many of them will require the renovation of obsolescent facilities and the construction of new ones if the problems are to be met.

In April of 1968, the American Association of Universities adopted a report which estimated that America must, somehow, finance new higher education construction at perhaps $2 billion annually. I ask you, is this year of 1969, the one in which we should cut Federal construction funds by over a hundred million dollars?

Such a cut will jeopardize a number of higher education construction projects in Utah. Seven new facilities have been authorized, and are under construction, or ready for construction. All would be seriously curtailed. The new facilities are the Snow College science facility, a Weber College classroom building, the Westminster fine arts project, the University of Utah physical education building, the Utah State University physical education facility, the Weber College maintenance building, and the College of Southern Utah administration building. The three projects which could be interminably delayed are the Weber College library addition, the technological building at the Utah Technical College, and the Dixie College science building.

I ask unanimous consent to place in the RECORD three letters from Utah which deal with these cuts—one from Governor Rampton, a second from Merle E. Allen, director of the coordinating council on higher education, and the third from Mr. Glen R. Swenson, director of the Utah State Building Board.

Governor Rampton's letter is particularly revealing in that he recalls that speeches by members of the Nixon Cabinet and Budget Director Robert P. Mayo at the Midwinter Governor's Conference the last of February all indicated that although there might be some cuts in the budget, the recommendations on grants in aid would be fairly close to those of President Johnson. Accepting these statements in good faith, the Governor made his recommendations to the Utah State Legislature, only to find after that body had adjourned, and there was no possibility of amending his recommendations, that President Nixon had recommended almost a 50-percent cut in section 103 funds and no funds whatsoever under section 104 of the Higher Education Facilities Act.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

UTAH STATE BUILDING BOARD,
Salt Lake City, Utah, May 6, 1969.

Hon. FRANK E. MOSS,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MOSS: The Utah State Building Board, which serves as the State Commission for programs mentioned below, is seeking your assistance and that of other members of Utah's Congressional Delegation in obtaining funding for fiscal year 1970 for Section 104 of Title I of the Higher Education Facilities Act of 1963 (P.L. 88-204) and for Title VI-A of the Higher Education Act of 1965 (P.L. 89-329).

Title VI-A of P.L. 89-329—The federal budget proposed no funds for these programs in 1970. We are not aware of any action now taken to provide for such funds in an amended budget.

In fiscal 1966, the appropriation was $15,000,000 for Title VI-A and $14,500,000 for the next three years. Utah's share of these four appropriations has been $698,496.

Far greater results have been achieved than would normally be expected at the limited level of funding. The federal government is receiving full value for its investment in this program.

Section 104—Title I of P.L. 88-204—We have received $10,322,846 since fiscal year 1965, or about an average of $2,000,000 per year. The state budgets for construction have been geared to a continuation of these grants, or at least approximately $1,500,000 per year.

Utah has some very urgently needed projects that will be deferred if these funds are not available or seriously reduced in size. Attached is a resume of some of these projects.

We will be happy to provide you with any additional information to assist you in obtaining funding next year, and we would welcome your suggestions about any action which the State Commission might take in this matter.

Yours truly,
GLEN R. SWENSON,
Director.

MEMORANDUM OF UTAH STATE BUILDING BOARD,
MAY 5, 1969

To Director of State Building Board.
From Programs & Liaison Officer.
Subject reduction in proposed Federal appropriations budgets for title I of Public Law 88-204, the Higher Education Facilities Act of 1963 and title VI-A of Public Law 89-329, the Higher Education Act of 1963.

We have been informed that the President's new budget contains nothing ("0" dollars) for Section 104 of Title I this year and only $43,000,000 for Section 103 of Title I. Title VI-A is recommended for "0" dollars also.

We suggest that all institutions make their congressmen and senators aware of this situation and of our concern for the outcome if such is realized in our State.

To bring things to the project level, we will present a few possibilities to consider. This means that Utah will receive an estimated $313,000 for Section 103, nothing for Section 104 and, of course, nothing for Title VI-A. The effect on certain projects could be as

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follows: (All figures are for the estimated Federal share.)

The Snow College Science Facility as proposed needs $560,000. It is the only Section 103 project for the next fiscal year. They would be approximately $247,000 short of having enough to proceed with construction until the next year—1970 calendar year (1971 fiscal year). The Remodeling of Noyes Building also needs $12,000.

Weber Classroom No. 2 would be cut by $428,750 this year and if the program is unchanged the same amount the following year or a total of $857,500.

Westminster Fine Arts project needs $500,000 and this reduction could cause them to delay construction for at least one year if not longer, or proceed without federal participation.

The University of Utah Physical Education Building could qualify for up to $1,700,000 in additional funds but after this year would be unable to receive any regardless of the program appropriation.

The Utah State University Physical Education Facility could use $150,000 or more under the existing contract and as much as $350,000 with the addition of the swimming pools but conditions as shown would probably void them for any additional federal share.

The Weber Maintenance Building as a result would probably have to be withheld until fiscal year 1972 for construction assuming the resumption then of Title I appropriations.

The College of Southern Utah Administration Building would probably be affected by a $200,000 cut back.

All of the preceding projects are now funded by State or private funding so the effects are almost immediate.

The following projects which have received State planning authorizations could be seriously delayed by not being able to receive the following stated federal shares when anticipated and of necessity having to be constructed some time in the far future or receiving additional State funds over the amounts requested in the 1969 Building Program and/or a reduction of project size:

Weber Library Addition—$1,720,000.

Utah Tech. College at S. L.—Technology Building—$1,900,000.

Dixie College Science Building—$547,000.

TITLE VI–A (P.L. 89–329)

For effects of Title VI–A, Utah has always had more requests than funds available for instructional equipment. Some institutions have commented that this program, although limited in scope, has done more for them than programs of a much greater scope.

STATE OF UTAH,
OFFICE OF THE GOVERNOR,
Salt Lake City, April 29, 1969.

Senator FRANK E. MOSS,
Senate Office Building,
Washington, D.C.

DEAR TED: In preparing a budget to present to the Legislature this year, it was necessary for me to estimate the amounts that would be available from federal funding in a number of areas. Following the presentation of President Johnson's budget, which as I recall occurred early in January, I made minor modifications to conform to the recommendations therein contained. During the last two days of February at the Mid-Winter Governors' meeting in Washington, most members of the Cabinet and the Budget Director spoke to the Governors in Executive Session, and following their individual talks, submitted to questioning. Most of the questioning of the Governors had to do with federal funding of the grants-in-aid programs to the states. Most of the Cabinet members deferred the question to Mr. Mayo, who was the final speaker. Mayo stated that he did not yet have the information to give as to final figures, but suggested that the Governors—most of whose Legislatures were in the final days, as was ours—should assume that the final recommendations, while differing somewhat from the Johnson budget, would be fairly close thereto. Accordingly, I made no further modifications in my recommendations to the Legislature.

The Johnson budget recommended $70 million under Sec. 103 of the Higher Education Facilities Act and $84 million under Sec. 104 of that Act. This would have given the State of Utah a total under the two sections of approximately $1,300,000. While we could have adjusted reasonably to modifications up to 10% of this amount, we are completely unprepared for the information we received today to the effect that the Bureau of the Budget was recommending $43 million under Sec. 103 and nothing under Sec. 104. This means that we will receive under these two sections somewhere around $400,000.

I wish to urge that you take whatever steps are necessary in the Congress to restore the appropriation under this Act to somewhere near the figures we were lead to believe we could rely on. I realize, of course, the need for reducing the budget in whatever areas can absorb reductions. However, it does not appear to me to be a responsible approach to the matter of state-federal relationships to make such a drastic reduction as this after the states had been lead to believe that the reductions would not be major in nature, and after the majority of the state Legislatures had adjourned.

Sincerely,

CALVIN L. RAMPTON,
Governor.

STATE OF UTAH, COORDINATING
COUNCIL OF HIGHER EDUCATION,
Salt Lake City, Utah, May 9, 1969.

Hon. FRANK E. MOSS,
U.S. Senate,
Washington, D.C.

DEAR TED: One element in the budget for fiscal 1970 that concerns us very much is the reduction in support for higher education facilities.

This is a serious problem for all of higher education and certainly a difficult one for the State of Utah. We have programmed services at our institutions on the assumption that support that had been developed by the federal government in this area would be continuing.

Higher Education in the State of Utah has been able much better to do its job because of the Higher Education Facilities Act of 1963. Now we find that the federal budget proposes no funds for programs in 1970 either under Title VI–A or Section 104 of Title I of P.L. 89–329; also that only $43,000,000 have been appropriated for Section 103 of Title I.

This means the State will face a serious shortage of funds for facilities development and our schedule will be thrown seriously out of phase for several institutions. We are facing a choice in several instances of either proceeding with inadequate building with parts chopped off to accommodate the reduction in funds, or simply postpone construction of much needed facilities until these federal funds are restored. We need dependability if we are to get maximum use out of federal dollars spent. I would urge most seriously your support for these programs and request that funds be provided for the continuance this next year.

We appreciate your efforts in our behalf.

Sincerely,

MERLE E. ALLEN, Ed.D.,
Director.

Mr. MOSS. Third, the Nixon budget would cut $47,916,000 from libraries and community service funds. This would defer funds for the purchase of public and college library books, and for public library construction, and would also reduce funds for cataloging services and acquisition of books for the Library of Congress. This latter activity, of course, saves money for every other library in the country.

Mr. President, the final cut recommended is for $3 million in overseas research and training—this is the program which provides funds for students doing overseas research—research which is important and necessary and is financed by foreign currencies excess to other government needs. Why cut it now?

Probably no budget cuts proposed by the Nixon administration could strike more cruelly at the hopes and the future of America than the drastic reductions proposed for education. Education is our most important domestic business—no nation can ever expect to be ignorant and remain free.

I am confident that committees reviewing authorizations and appropriations in the field of education will examine very carefully any recommendations which will emasculate programs which the Congress has established and supported overwhelmingly, some of them for a number of years.

I recognize the need for a ceiling on Federal spending at this time when the drain of Vietnam is inexorable. But surely we can find areas in which we can cut with less impact upon the future and well-being of the Nation than to cut our schools. I have suggested in the past, and I suggest again, that we do not deploy the Safeguard antiballistic missile, and in one stroke, we will have many times more money than we need for all of our Federal aid to education programs combined. Our scientific community is bitterly divided as to whether the ABM would even work, and if it would, there is considerable evidence that it would represent pure and unnecessary "overkill."

I say, let us forget about deploying the ABM, and fund our education programs properly.

Or, to those who insist that we must deploy the ABM just in case it might be effective, and we might need it, let me suggest that the administration put a tighter control on military spending generally, and forestall future waste such as the $2 billion extra cost of building the Lockheed C–5A. Or let us stop producing nerve gas—I understand we already have enough to kill every man, woman, child, and animal in the United States. Let us apply funds we are now wasting in the military-industrial complex on the education of our children, and our young men and women.

Mr. President, we in America are today preparing our young people to be citizens in a changing and intimate world society. The crises of this year and hour may be mild in comparison with those our children and our young people will have to meet. I am hopeful that this Congress will not succumb to the philosophy that we can rest comfortably on a set of minimum standards and maintain the status quo.

We must not settle for the Nixon administration budget cuts in the field of education.

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MARY JOAN WHITE WRITES ON "A TIME OF TESTING"

Mr. BENNETT. Mr. President, an excellent, thought-provoking analysis of current unrest across the Nation has just been brought to my attention. It appears in the May 20 edition of the Wall Street Journal, and is written by Mary Joan White, a member of the Washington bureau of Salt Lake City's Deseret News.

Mrs. White, who is the wife of the Deseret News' fine Washington correspondent, Gordon Eliot White, comes close to striking at the roots of the violence and tension that has come to characterize our Nation's social landscape.

In the article, entitled "A Time of Testing," she traces the parallels between today and conditions of the pre-Civil War era. The similarities and attitudes extant during both periods are close enough, in my opinion, to warrant pause and reflection on how we can benefit from the lessons of history and thus avert repeating past mistakes.

Mrs. White states:

> Society must not permit itself to be divided into factions, each seeing itself as the guide on the only road to light. Moderates must speak out in defense of justice, but also in defense of fair and legal roads to justice. Legitimate authority must act judiciously to curb excesses of those who would reject all authority but their own.

Because I believe the entire article is well worth reading, I ask that it be printed following my remarks:

There being no objection, the article was ordered to be printed in the Record, as follows:

A Time of Testing—Today's Tensions Parallel Those of the Pre-Civil-War Period

(By Mary Joan White)

". . . . our fathers brought forth on this continent a new nation, conceived in liberty, and dedicated to the proposition that all men are created equal.

"Now we are engaged in . . . testing whether that nation, or any nation so conceived and so dedicated, can long endure . . ."

With the omission of nine words, the opening paragraphs of Lincoln's Address at Gettysburg are forever relevant to the United States of America. Their validity in our own time is sobering.

This nation is undergoing a period of testing of a nature it has not faced since Lincoln spoke. The parallels are sufficient to recall Hegel: "Peoples and governments never have learned anything from history, or acted on principles deducted from it."

In the 1860s the question of the place of the Negro in American society was the tinder that ignited public discourse and left the rule of law ashes in the fires of unreason. Good men saw certain questions as matters of higher moral law to which even the principles embodied in the Constitution should bow. Radicals at both extremes used the race issue to stir public passion, obscuring fundamental principles of democracy and implying that, in the immediate crisis, they were of only secondary importance. The moderates allowed it to happen. Each side practiced rule-or-ruin politics. To gain its own legitimate or illegitimate ends, each was ready to sacrifice the ideal of a people governing themselves by majority rule, one side in order to prevent its application, the other to extend it.

Between the extremes, the center itself divided. James Buchanan was still President when South Carolina seceded. Believing no minority had the right to override the majority or destroy the union, he nevertheless held that the majority could not coerce the minority as a matter of principle or of national survival.

The most frightening present-day parallel to the ante-bellum period is the tendency to permit modern radicals to divide society on the basis of "morality" instead of promoting debate on the nature of the problems confronting society and the most effective means of solving the problems.

As long as slavery was a political, economic and social problem (albeit with moral overtones), the states were able to deal with it; its extension was limited and the trade curtailed. There was hope for eventual solution as late as 1850. But when the problem was forced beyond the political arena and became a moral issue, compromise and patience were no longer possible. Where once an *institution* had been condemned, subsequently fellow citizens were castigated as immoral or evil. The government of the people ceased to exist on a national basis and only war restored it.

In that war more than 617,500 men died. Legal slavery also died. Whether slavery could have been abolished short of war is questionable, but it is certain that the methods employed by the radicals stirred public passions to the point that leaders who tried to work through to a peaceable, just solution were cut off. Nor did the fearful price buy true freedom for the Negro. The nation has not finished with the bitterness, political division and racial injustice that survived the war.

Instead of sectional lines, racial and generational lines are being drawn today. Militant blacks and radical youth are attacking the problems of an admittedly imperfect society in terms of moral issues and with any means at hand. Viewing problems primarily as moral issues, however, has major drawbacks: One self and one's own solutions are necessarily seen as right. Anyone who does not support one's programs is at least blind; those who oppose or offer alternatives are not only wrong but immoral. If one's opponents are immoral, why quibble about the tactics used against the ungodly?

WHERE RESPONSIBILITY RESTS

Society must not permit itself to be divided into factions, each seeing itself as the guide on the only road to light. Moderates must speak out in defense of justice, but also in defense of fair and legal roads to justice. Legitimate authority must act judiciously to curb excesses of those who would reject all authority but their own. Whether we be parents, teachers, university administrators or government officials—or simply law-abiding, tax-paying, caring voters—we are responsible.

If a diverse people are to rule themselves, the majority (or its delegates) must decide and the minority must submit, even if the decisions are repugnant or hurtful. The minority can only try by persuasion to alter the balance. If the minority refuses to submit, society fragments and chaos results: Either the majority enforces its will by any means necessary, including war, or a period of anarchy ensues, historically followed by a tyranny of those most willing and able to use extreme measures. Self-government is dead. The founders of this nation did temper the harsh requirements of majority rule in the cause of individual liberty. Perceiving the danger implicit in "the greatest good for the greatest number," a possible tyranny by the majority, they wrote into the Constitution certain safeguards.

In their attitudes and strategy, the young radicals and black militants are the direct descendants of both the abolitionists and the Southern radicals, an uneasy mix surely. Like the abolitionists, they have a rather arrogant assurance that they are so right, that they are above the law in their choice of means to their ends. Like the Southern radicals, they are so committed to their own view of the issues that they insists on being allowed to rule or ruin the system. Their attitude and more extreme methods are absolutely totalitarian.

Latter-day Buchanans find it difficult to condemn illegal methods employed in the name of reform. Like Buchanan, they deplore the excesses but deny society's responsibility to curb them.

FINDING THE PROPER COURSE

What is the proper course for a minority that finds some aspect of national or institutional policy accepted by the majority to be morally and ethically repugnant? Must conscience be sacrificed to majority will? Or must punishment be accepted as the price of exercising one's conscience? That dilemma accounts for much of the current hesitance to act in cases of clear violation of the law.

No very agreeable solution has been found. The dissenter can stifle his objections, exile himself, accept punishment—or limit his protest to legal forms. Society, of course, can ignore the violation of its laws, but it does so at its peril. Particularly when the minority is a sizable one, to ignore disobedience of the law is to encourage wholesale disrespect for the rule of law. To excuse a violation committed in the name of conscience is to set each man's conscience above that of the majority.

The response must be to examine the issue of the individual's right to heed his conscience in relation to the importance of a people's right to self-rule. The collapse of free democratic government that safeguards basic liberties ends the individual's free exercise of conscience. The obverse does not hold. The doctrine of individual nullification is no more valid in the 1960s than was its states' rights ancestor in 1795.

Harsh as it is, the paramount importance of the right of a majority to govern must be defended—even at the cost of the use of force.

The contemporary protest movement was born in the Rev. Martin Luther King's Montgomery bus boycott. Its current form is a perversion of those unquestionably legal, peaceful and productive origins. Now, the movement embraces seizure or destruction of property; violence or threat of it against persons; the systematic harassment of law-enforcement personnel; the denial of the right of others to free speech and legitimate action; the impairment of academic freedom. Current tactics differ not only in degree but in nature from Dr. King's nonviolent civil disobedience that constituted no threat to the persons or rights of others or the rule of law. He never demanded amnesty for violating the law: He broke only those laws whose legality he wished tested against Constitutional principles, thereby forcing the law to live up to its ideals.

Where authorities do not make the mistake of using undue force against illegal forms of protest (thereby casting the protesters in the role of innocents whose demands must be granted in recompense), legal protest will serve as well and gain more of significance: Concessions rationally evolved in a spirit of community and cooperation stand more chance of being effective, leave no residue of bitterness and division, establish no precedents of disrespect for the rights of others.

In the closing days of the Convention of 1787, many of the participants were less than perfectly satisfied with their efforts at creating a Constitution. It was understood that some of the leading political figures of the day would oppose its ratification. Nearly at the end of his public service, Benjamin Franklin rose. Addressing the dissidents, he called on each to "doubt a little of his own infallibility . . ."

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As for the rest, Franklin recognized that all had some fault to find with the Constitution, yet he urged support for it because, he said, "I expect no better, and I am not sure it is not the best."

DIMENSIONS OF SECURITY

Mr. MANSFIELD. Mr. President, the chairman of the Committee on Foreign Relations, Senator Fulbright, delivered a speech to the National War College on May 19, entitled "Dimensions of Security."

The student body at the National War College is one of the most distinguished and able in the United States. Speaking to that audience provided a good occasion for the chairman of the Foreign Relations Committee to convey to that group some of the deep concern some of us feel in the Senate about the direction of our foreign policy and its relation to our military posture.

There is little I can add to the remarks which Senator Fulbright made, but I would like to emphasize that the speech ~~as~~ reported in the press may imply that the chairman of the committee has not been sympathetic and understanding and admiring of the conduct of American soldiers in the field. This simply is not true. Senator Fulbright said:

> The courage and endurance of our fighting men command the respect of all Americans; the fault in our war policy lies not with them but with the political decisions which committed them to an impossible task.

Mr. President, I ask unanimous consent that the remarks of Senator Fulbright be insert in the Record at this point.

There being no objection, the speech was ordered to be printed in the Record, as follows:

Dimensions of Security

In the old Western movies there was a standard climax in which the villain emerged from his hideout shielded behind the captive heroine and snarling: "Shoot me and the girl dies!" I perceive in this old melodrama a kind of analogue to my own relations with the military. In these years of criticizing our war policy in Vietnam, I have thought a number of times that I had my fellow politicians in the executive branch concerned—intellectually, that is—only to have them burst out of their hideout shielded behind the military in the role of the heroine, and snarling: "Shoot me and the girl dies!"

I am tired—as I expect you may be—of seeing the military used as a hostage for policies made by civilian officials. I am tired of having my criticism of the war in Vietnam interpreted as an attack on our soldiers in the field. In fact it is no such thing. The courage and endurance of our fighting men command the respect of all Americans; the fault in our war policy lies not with them but with the political decisions which committed them to an impossible task. We have been trying to defeat a nationalist insurgency on behalf of a government which has shown itself incapable of inspiring either the support of its people or the fighting spirit of its army. For reasons having nothing to do with the fighting abilities of our GI's or the leadership qualities of their officers, that task has been found impossible—not in the sense that it is beyond our military means but because it is beyond any military means that we have been morally and politically willing to employ.

Some of us have perhaps not been as aware as we should of the anguish that Vietnam has involved for our professional soldiers. In the two world wars, and even the Korean War, our armed forces were bolstered by stalwart allies and strong public support at home. Both of these are lacking in Vietnam: our client is a weak reed and the American people are divided and demoralized. These, I am well aware, are heavy psychological burdens for an army facing a resourceful and tenacious enemy.

In addition, there is the specter of having to settle for something less than victory, perhaps even something less than a standoff. That would be a new experience for American soldiers, whose morale has been built not only on their unbroken history of success but on their "can-do" spirit in the face of any challenge. That spirit has served the American people well but it also contains a pitfall: it can lead an army to misjudge its prospects, by gauging them more on the basis of its own elan than a cold appreciation of the facts of the situation.

We politicians have a different standard. In our dealings with each other victories are rare; standoffs are routine; and sometimes we get beaten. Quite obviously soldiers cannot conduct wars by the pliant standards of parliamentarianism. But there is value in the experience of settling for less than you had hoped for, of trimming your sails, and carefully distinguishing between what you can do and what you cannot do. More than a few wars have been lost—I think of France in 1870 and Germany in 1914—in part because soldiers told their civilian chiefs that they could do more than it turned out they could do. And more than once in history a peace has been lost because politicians persuaded themselves that they could do more than it turned out they could do. In this connection, it occurs to me that few Presidential advisers, military or civilian ever served their country and President better than General Ridgeway did when he advised President Eisenhower in 1954, not that we could not intervene and win in Indochina, but that we could not do it at reasonable cost, or to any useful end. I think it is a great misfortune that there were no such persuasive "no-men" serving the Johnson Administration in 1964.

Mistakes are not liquidated with glory, and Vietnam, I believe, has been a mistake. At such time and by whatever means this war is ended, we are all likely to emerge somewhat sobered. There will be little for any of us to be proud of—except for the soldiers who fought so hard in so unpromising a cause. I stress this point to you as soldiers not only because I believe it to be true but, frankly, because I have had the fear that, out of an exaggerated feeling of our own responsibility for the stalemate in Vietnam, some of our military leaders have been professing an unwarranted optimism about the war, thereby encouraging its continuation.

I. THE DILEMMA OF ENDS AND MEANS

Having emphasized as clearly as I know how that I have no criticism to make of military *men*, or their performance in Vietnam, I turn now to the influence in our affairs that I *do* criticize: not the military but *militarism*, and its effects upon American life. I do not propose to belabor you with a discourse on the military-industrial-labor-university complex. I expect you have heard something about it already—more perhaps than you have cared to hear. Nor do I propose to recite the list of our foreign installations and the names of the countries to which we have committed ourselves militarily by one means or another. I propose instead of suggest some of the ways in which our far-flung military commitments are bringing about profound changes in the character of our society and government—changes which are slowly undermining democratic procedure and values, and which, taken together, have set us on the path toward authoritarian government.

My theme is the relationship of ends to means, the connection between the objective of our foreign relations and the nature of the policies we pursue. The ultimate test of any foreign policy is not its short-term tactical success but its effectiveness in defending the basic values of the society. When a policy becomes incompatible with, or subversive of, those values, it is a bad policy, regardless of its technical or tactical effectiveness. I think we would all agree that the central, commanding goal of American foreign policy is the preservation of constitutional government in a free society. My apprehension is that we are subverting that goal by the very means chosen to defend it.

Confronted in the last generation with a series of challenges from dynamic totalitarian powers, we have felt ourselves compelled, gradually and inadvertently, to imitate some of the methods of our adversaries, seeking to fight fire with fire. I do not share the view that American fears of Soviet and Chinese aggressiveness have been uniformly paranoiac, although I think there have been a fair number of instances of that. My point is that the very objective we pursue—the preservation of a free society—proscribes certain kinds of policies to us even though they might be the most tactically expedient. We cannot, without doing to ourselves the very injury that we seek to secure ourselves against from foreign adversaries, pursue policies which rely primarily on the threat or use of force, because policies of force are inevitably disruptive of democratic values. Alexis de Tocqueville, that wisest of observers of American democracy, put it this way:

"War does not always give democratic societies over to military government, but it must invariably and immeasurably increase the powers of civil government; it must almost automatically concentrate the direction of all men and the control of all things in the hands of the government. If that does not lead to despotism by sudden violence, it leads men gently in that direction by their habits.

"All those who seek to destroy the freedom of the democratic nations must know that war is the surest and shortest means to accomplish this. That is the very first axiom of their science."[1]

For more than a decade out of the last three we have been engaged in large-scale warfare, and for the rest of that period we have been engaged in the cold war and in ever more costly preparations for war. In the wake of our disappointment with the United Nations in the forties, we have taken it upon ourselves to preserve order and stability in much of the world, purporting to do on our own the things that Wilson and Roosevelt hoped to accomplish through world organization but never dreamed of America doing on its own. As I have said, I am not one of those who believe that these vast commitments were taken on out of delusion or the conscious lust for power. The threat, though exaggerated and distorted in some instances, has been real enough in others, but in either case the effect has been the same for our internal life. War, and the chronic threat of war, have been carrying us, "gently" by our "habits," toward despotism.

The dilemma involved in all this for a soldier must be a particularly agonizing one. It must sound as though he is being asked to fight with one hand behind his back, accepting limits upon his own stock in trade of which his adversary is free. And that is exactly what you, as soldiers, are being asked to do. You are asked to conceive of security in a dimension broader than that of your own trade. You are asked to conceive of security in terms of ends as well as means, in

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[1] Alexis de Tocqueville, *Democracy in America* (New York: Harper & Row, Publishers, 1966), Vol. II, ch. 22, p. 625.

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terms of the procedures and values of a free society as well as the most efficient means of thwarting an adversary.

There are times, to be sure, when a threat may seem so great and imminent as to warrant the circumvention of democratic procedure. There are times when war is thrust upon you. But there are times when a threat turns out in retrospect to have been less ominous than it seemed; there are times when we have some choice in the matter of war and peace. Psychologists tell us that our perceptions are only partly reflections of the real world; the other part is determined by our own expectations. I think that we have perceived more menace in the world around us than is actually there. I believe that we have had more choice than we have known. Korea was perhaps forced upon us; Vietnam was not. Pearl Harbor left us with no choice; the incident in the Gulf of Tonkin left us with ample choice. The Cuban missile crisis may have warranted unusual procedures; the Bay of Pigs and the Dominican Republic patently did not.

Because of the kind of country we are, we cannot, except in the most exceptional circumstances, allow foreign policy to take priority over domestic and constitutional requirements. Given a choice between the use of force and less certain but peaceful methods, it is in our interests to take a chance on the latter. Given a choice between efficient emergency procedures and cumbersome democratic ones, it is in our interests to gamble on the latter—in full consciousness of the possibility that our democratic procedures may cost us embarrassment or worse in our foreign policy.

It is quite beside the point to contend, as some of the advocates of the anti-ballistic missile contend, that it is safer to "err on the side of security," because security is involved on both sides of the argument. One has to do with the security of *means*, the other with the security of *ends*.

For three decades we have been erring on the side of the security of means. The consequences of that error are only now coming clearly into view. I should like to suggest what some of these consequences have been—economic, political and moral—and how they have undermined our security in its broader dimension.

II. THE PRICE OF EMPIRE

Every nation has a double identity: it is both a *power* engaged in foreign relations and a *society* serving the interests of its citizens. As a *power* the nation draws upon but does not replenish its people's economic, political and moral resources. The replenishment of wealth—in this broader than economic sense—is a function of domestic life, of the nation as a society. In the last three decades the United States has been heavily preoccupied with its role as the world's greatest power, to the neglect of its societal responsibilities, and at incalculable cost to our national security. The economic cost is reflected in the disparity of almost ten to one between federal military expenditures since World War II and regular national budgetary expenditures for education, welfare, health and housing. The political cost is reflected in the steady concentration of power in the hands of the national executive, in a long-term trend toward authoritarian government. The moral cost is reflected in the unhappiness of the American people, most particularly in the angry alienation of our youth.

Speaking first of the economics of our global role: I have been told many times that in terms of our gross national product, we can well afford to do the things that need to be done at home without reducing our activities abroad. The answer to that assertion is that we are *not* in fact rebuilding our cities; we are not overcoming poverty and building schools and houses on anything approaching a scale commensurate with the need; nor are we effectively combating crime, pollution, and urban and suburban ugliness.

Even if the economic resources were there, the psychological resources are not. The war in Vietnam has drained off not only money but political energy and leadership, and public receptiveness to reform. The war has totally altered the atmosphere of a few years ago, when hopes and confidence were high and the American people seemed willing to embark upon an era of social reform. An excellent start was made with the landmark legislation of 1964 and 1965, but Vietnam cut that short, dividing the country and the Congress, and inciting dissent and disorder. These in turn have given rise to a middle class reaction based on the fear of violence and anarchy. The result is an atmosphere uncongenial to reform, urgently needed though it is. Until the war in Vietnam is ended, there can be no prospect of the nation's more sober and generous instincts reasserting themselves, no prospect of a renewal of the nation's strength at its vital domestic source.

Having promised not to lecture you on the military-industrial-labor-academic complex, I confine myself to this one observation: With military expenditures providing the livelihood of some 10 percent of our work force; with 22 thousand major corporate defense contractors and another 100 thousand subcontractors; with defense plants or installations located in 363 of the 435 Congressional districts; with the Department of Defense spending $7.5 billion on research and development this year, making it the largest consumer of research output in the nation—millions of Americans whose only interest is in making a decent living have acquired a vested interest in an economy geared to war. These benefits, once obtained, are not easily parted with. Every new weapons system or military installation soon acquires a constituency—a process which is aided and abetted by the perspicacity with which Pentagon officials award lucrative contracts and establish a new plants and installations in the districts of influential Members of Congress. I have not the slightest doubt that, if the anti-ballistic missile is deployed, it will soon acquire its own powerful constituency, and then we will be saddled with it—for reasons wholly independent of its ostensible military utility.

According to current intelligence calculations, made in terms of equivalent real purchasing power, the Russians are spending only three-fourths as much as we are on defense. Nonetheless, we are told, they threaten to pull ahead of us in strategic weapons and we must be prepared to counter that threat. I do not understand why they should be getting so much more for their money than we are. Perhaps the fault lies in inferior American efficiency—a disconcerting thought. Perhaps it lies in the lack of legislative oversight of the defense budget comparable in rigor and thoroughness to that exercised over the much smaller budgets of the other departments.

Be that as it may, by any standard the amounts spent on defense have become staggeringly disproportionate to the rest of the economy. It fills me with dismay when Department of Defense officials suggest that, as part of a "grand design" for strategic policy, we may be forced to "win" an arms race with the Russians by relying on our superior resources to spend them into bankruptcy. Such a strategy puts me in mind of the practice among the Indians of the Pacific northwest known as the "potlatch." Starting as a rivalry in gift-giving for the sake of prestige, the practice degenerated, as the tribes became wealthier, into competitive orgies of waste and destruction. An anthropologist describes it as follows:

"No longer did the potlatch serve its traditional functions of redistributing wealth, validating rank, and making valued alliances. The wealth of these new rich seemed limitless, more than they could ever consume at a potlatch. So they instead destroyed vast amounts of wealth before the horrified eyes of the guests, as well as the other contenders, to dramatize the extent of their holdings. Fortunes were tossed into potlatch fires; canoes were destroyed; captives were killed. The competing claimants had no alternatives but to destroy even more property at *their* potlatches.

"A contender for rank ultimately found himself in a position whereby the only way he could humiliate a wealthy rival was to destroy one of the precious coppers"—a kind of bank note representing vast wealth. "The act was equivalent to wiping out all the debts owed to him. It was an incredible price to pay, but the man who made such a dramatic gesture no doubt rose meteorically in rank." [3]

Quite as inevitably as if it were deliberate, our imperial role in the world has generated a trend toward authoritarian government.

Vested by the Constitution *exclusively* in the Congress, the power to initiate war has now passed under the virtually exclusive control of the executive. The "dog of war," which Jefferson thought had been tightly leashed to the legislature, has now passed under the virtually exclusive control of the executive. The President's powers as commander-in-chief, which Hamilton defined as "nothing more than the supreme command and direction of the military and naval forces," are now interpreted as conferring upon the President full constitutional power to commit the armed forces to conflict without the consent of Congress. On the one hand it is asserted that the initiation of an all-out nuclear war could not possibly await Congressional authorization; on the other hand it is contended that limited wars are inappropriate for Congressional action. There being, to the best of my knowledge, no other kinds of war besides "limited" and "unlimited," it would seem that the Congressional war power has been effectively nullified.

The treaty power of the Senate has also been effectively usurped. Once regarded as the only constitutional means of making a significant foreign commitment, while executive agreements were confined to matters of routine or triviality, the treaty has now been reduced to only one of a number of methods of entering binding foreign engagements. In current usage the term "commitment" is used to refer to engagements deriving sometimes from treaties but more often from executive agreements and even simple, sometimes casual declarations.

Thailand provides an interesting illustration. Under the SEATO Treaty the United States has only two specific obligations to Thailand: to act "in accordance with its constitutional processes in the event that Thailand is overtly attacked, and to "consult immediately" with the other SEATO allies should Thailand be threatened by subversion. But the presence of 50 thousand American troops in Thailand, assigned there by the executive acting entirely on its own authority, creates a *de facto* commitment going far beyond the SEATO Treaty. In addition, on March 6, 1962, former Secretary of State Dean Rusk and Thai Foreign Minister Thanat Khoman issued a joint declaration in which Secretary Rusk expressed "the firm intention of the United States to aid Thailand, its ally and historic friend, in resisting Communist aggression and subversion." This, obviously, goes far beyond the SEATO Treaty.

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[3] Peter Farb, *Man's Rise to Civilization as Shown by the Indians of North America from Primeval Times to the Coming of the Industrial State* (New York: E. P. Dutton & Co., Inc., 1968), pp. 150, 151.

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An even more striking illustration of the upgrading of a limited agreement into a *de facto* military obligation is provided by the series of agreements negotiated over the last sixteen years for the maintenance of bases in Spain. Initiated under an executive agreement in 1953, the bases agreement was significantly upgraded by a joint declaration issued by Secretary Rusk and Spanish Foreign Minister Castiella in 1963 asserting that a "threat to either country" would be the occasion for each to "take such action as it may consider appropriate within the framework of its constitutional processes." In strict constitutional law, this agreement, whose phrasing closely resembles that of our multilateral security treaties, would be binding on no one except for Mr. Rusk himself; in fact it is what might be called the "functional equivalent" of a treaty ratified by the Senate. Acknowledging even more explicitly the extent of our *de facto* commitment to Spain, General Wheeler, acting under instructions from Secretary Rusk, provided Spanish military authorities in 1968 with a secret memorandum asserting that the presence of American armed forces in Spain constituted a more significant security guarantee than would a written agreement.

Quite aside from questions of the merit or desirability of these commitments, the means by which they were incurred must be a matter of great concern to anyone who is concerned with the integrity of our constitutional processes. For at least thirty years powers over our foreign relations has been flowing into the hands of the executive. So far has this process advanced that, in the recently expressed view of the Committee on Foreign Relations, "it is no longer accurate to characterize our government, in matters of foreign relations, as one of separated powers checked and balanced against each other."[3] To a limited extent this constitutional imbalance has come about as the result of executive usurpation; to a greater extent it has been caused by the failure of Congress to meet its responsibilities and defend its prerogatives in the field of foreign relations; but most of all it has been the result of chronic warfare and crisis, of that all but inevitable concentration of powers in time of emergency of which Alexis de Tocqueville took notice over a century ago.

Under circumstances of continuing threat to the national security, it is hardly surprising that the military itself should have become an active, and largely unregulated, participant in the policy making process. Bringing to bear a degree of discipline, unanimity and strength of conviction seldom found among civilian officials, the able and energetic men who fill the top ranks of the armed services have acquired an influence disproportionate to their numbers on the nation's security policy. The Department of Defense itself has become a vigorous partisan in our politics, exerting great influence on the President, on the military committees of Congress, on the "think tanks" and universities to which it parcels out lucrative research contracts, and on public opinion. I was, quite frankly, disturbed to learn some weeks ago that the Department of the Army actually planned a national publicity campaign, involving exhibits and planted magazine articles to be solicited from civilian scientists, in order to "sell" the ABM to the American public and to counteract the criticisms of Congressmen and the scientific community.

Again, let me emphasize that the danger I perceive here is not military men but *militarism*. Applying the same principle to the executive as a whole, the danger of executive dominance over our foreign relations has nothing to do with the wisdom or lack of it of individual officials. A threat to democracy arises from *any* great concentration of unregulated power. I would no more want unregulated power to be wielded by the Congress than by the executive or the military—not even by the Senate Committee on Foreign Relations. The principle is an old and familiar one, and is just as valid today as it was when Jefferson expressed it in the simple maxim: "Whatever power in any government is independent, is absolute also."

In recent months the Senate has shown a growing awareness of the need for restoring a degree of constitutional balance in the making of our foreign policy. To a great extent this new attitude has been reflected in the debate on the anti-ballistic missile and a general disposition to bring the military budget under the same scrutiny that has always been applied to the budgets of the civilian agencies. In addition, the Senate is about to debate a "national commitments" resolution, the essential purpose of which is to remind the Congress of its constitutional responsibilities both for the making of treaties and the initiation of war.

These, I believe, are hopeful and necessary steps, but in the long run it is unlikely that constitutional government can be preserved solely by the vigorous exercise of legislative authority. No matter what safeguards of attitude and procedure we employ, a foreign policy of chronic warfare and intervention has its own irreversible dynamic, and that is toward authoritarian government. A democracy simply cannot allow foreign policy to become an end in itself, or anything more than an instrument toward the central, dominating goal of securing democratic values within our own society. I would indeed lay it down as a fairly confident prediction that, if American democracy is destroyed within the next generation, it will not be destroyed by the Russians or the Chinese but by ourselves, by the very means we use to defend it. That is why it seems to me so urgent for us to change the emphasis of our policy, from the security of means to the security of ends.

Finally, I would like to say a word about the moral price of our imperial role in the world. The success of a foreign policy, as we have been discovering, depends not only on the availability of military and economic resources but, at least as much, upon the support given it by our people. As we have also been discovering, that support cannot be gained solely by eloquent entreaty, much less by the devices of public relations. In the long run it can only be secured by devising policies which are broadly consistent with the national character and traditional values of the society, and these—products of the total national experience—are beyond the reach of even the most effective modern techniques of political manipulation.

History did not prepare the American people for the kind of role we are now playing in the world. From the time of the framing of the Constitution to the two world wars our experience and values—if not our uniform practice—conditioned us not for the unilateral exercise of power but for the placing of limits upon it. Perhaps it was a vanity but we supposed that we could be an example for the world—an example of rationality and restraint. We supposed, as Woodrow Wilson put it, that a rational world order could be created embodying "not a balance of power but a community of power; not organized rivalries, but an organized common peace."

Our practice has not lived up to that ideal but, from the earliest days of the Republic, the ideal has retained its hold upon us, and every time we have acted inconsistently with it—not just in Vietnam but every time—a hue and cry of opposition has arisen. When the United States invaded Mexico, two former Presidents and one future President[4] denounced the war as violating American principles. The senior of them, John Quincy Adams, is said even to have expressed the hope that General Taylor's officers would resign and his men desert.[5] When the United States fought a war with Spain and then suppressed the patriotic resistance to American rule of the Philippines, the ranks of opposition were swelled with two former Presidents, Harrison and Cleveland, with Senators and Congressmen including the Speaker of the House of Representatives, and with such distinguished individuals as Andrew Carnegie and Samuel Gompers.

The dilemma of contemporary American foreign policy is that, while becoming the most powerful nation ever to have existed on the earth, the American people have also carried forward their historical mistrust of power and their commitment to the imposition of restraints upon it.[6] That dilemma came to literal and symbolic fulfillment in the year 1945 when two powerful new forces came into the world. One was the bomb at Hiroshima, representing a quantum leap to a new dimension of undisciplined power. The other was the United Nations Charter, representing the most significant effort ever made toward the restraint and control of national power. Both were American inventions, one the product of our laboratories, the other the product of our national experience. Incongruous though they are, these are America's legacies to the modern world: the one manifested in Vietnam and the nuclear arms race, the other in the hope that these may yet be brought under control.

The incongruity between our old values and our new unilateral power has greatly troubled the American people. It has much to do, I suspect, with the current student rebellion. Like a human body reacting against a transplanted organ, our body politic is reacting against the alien values which, in the name of security, have been grafted upon it. We cannot—and dare not—divest ourselves of power, but we have a choice as to how we will use it. We can try to ride out the current convulsion in our society and adapt ourselves to a new role as the world's nuclear vigilante. Or we can try to adapt our power to our traditional values, never allowing it to become more than a means toward domestic, societal ends, while seeking every opportunity to discipline it within an international community.

We cannot resolve this dilemma by choosing to "err on the side of security," because security is the argument for both sides. The real question is: which represents the more promising approach to security in its broader dimension?

"THE HEAD OF LOCAL 1199" BY ANTHONY HARRIGAN

Mr. THURMOND. Mr. President, many of you are aware of the difficulty being experienced currently in Charleston, S.C.

Seventeen of my colleagues saw fit to sign a letter to the President urging the President's intervention in this matter. I have written each of those Senators

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[3] *National Commitments*, Report of the Committee on Foreign Relations on S. Res. 85, United States Senate, 91st Cong., 1st Sess. (Washington: U.S. Government Printing Office, 1969), p. 7.

[4] John Quincy Adams, Martin van Buren and Abraham Lincoln.

[5] Charles A. Barker, "Another American Dilemma," *Virginia Quarterly Review*, Spring 1969, pp. 239–240.

[6] The theme here developed, the dilemma posed by American power as against the commitment to an equality of rights in a community of world power, is adapted from an article by Professor Charles A. Barker of the Department of History of Johns Hopkins University, *ibid.*, pp. 230–252.

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and sent to them a copy of an article by Anthony Harrigan in the Charleston News and Courier, "A Profile: The Head of Local 1199."

Mr. President, I ask unanimous consent that the article entitled "A Profile: The Head of Local 1199" by Anthony Harrigan and the text of my letter to 17 of my colleagues be printed in the CONGRESSIONAL RECORD.

There being no objection, the letter and article were ordered to be printed in the RECORD, as follows:

A PROFILE: THE HEAD OF LOCAL 1199

(By Anthony Harrigan)

The News and Courier has obtained a file of material, including congressional reports and clippings from Communist Party journals, concerning Leon Julius Davis, president of Local 1199, Drug and Hospital Employes Union. The union is currently involved in a strike against two public hospitals in Charleston.

The record shows that Davis was born near Pinsk in Russia on Nov. 21, 1912. He came to the United States at age 9 in the company of an older brother. He became a drugstore clerk and formed Local 1199 in 1932.

In 1938, Davis was the signer of a Communist Party petition to place a candidate on the Communist Party ballot.

Davis' political activities first received considerable attention in the 1940s. He was listed in a House of Representatives report as having been affiliated with the Citizens Committee to Free Earl Browder, former head of the Communist Party in the United States.

Called to testify before the Committee on Education and Labor, Davis invoked the First and Fifth Amendments when counsel asked whether he was or ever had been a member of the Communist Party.

On Oct. 2, 1946, the Communist newspaper Daily Worker reported that Davis was one of 20 unionists in New York City who protested efforts by Democratic leaders in New York State to get the Communist Party off the ballot.

Davis' activities were not confined to the 1940s. While he is in the news this month due to his effort to organize striking hospital attendants in Charleston, his activities in the 1950s and 1960s have been fully reported in the Communist Daily Worker, The Militant, The National Guardian, The Daily World and other communist and leftwing publications.

The pattern of political activities is consistent for the period from the 1940s through the 1960s.

On April 13, 1949, Davis was a signer of an advertisement in The New York Times calling on Congress to reject the North Atlantic Treaty Organization pact.

On May 11, 1966, he signed another advertisement in The New York Times, urging a full pardon for Morton Sobell, who was convicted of atomic espionage for the Soviet Union.

On Nov. 14, 1966, Davis was a speaker at a Mobilization for Peace in Vietnam rally in New York City. The Militant reported that among the participants in the rally was Herbert Aptheker, leading Communist Party theoretician.

The Worker reported March 19, 1968 that an "all day Fast For Peace" was held by Local 1199 in New York City. Davis spoke at the meeting. Entertainment consisted of showing the film "Inside North Vietnam."

The National Guardian reported Nov. 12, 1966 that Davis took part in a "peace" rally in New York Nov. 5. Other speakers included Sue Eanet, regional coordinator of Students For A Democratic Society, and David Mitchell, draft resister.

Davis' primary field of operations has been labor affairs.

On June 7, 1960, the Greater New York Hospital Assn. cited Davis' refusal to tell a congressional committee whether he was a communist. Local 1199 had threatened a strike against 10 non-profit hospitals belonging to the association.

Thirteen days later, Davis issued an ultimatum to the 10 hospitals, urging them to cease admitting patients until the dispute was settled. Seven of the hospitals had been involved in a 46-day strike in 1959, when the union sought unsuccessfully to win bargaining recognition.

The Greater New York Hospital Assn., in a public statement, characterized Davis as a "ruthless man using the sick and suffering as hostages in an attempt to set himself up as a dictator in our voluntary, non-profit hospitals."

Three years later, Davis was arrested after a melee outside Lower Fifth Avenue Hospital in New York City. Police were called to deal with more than 100 demonstrators picketing the hospital. The police made a number of arrests for disorderly conduct and unlawful assembly.

In early June of 1962, Davis and two of his organizers, Elliott Godoff and Marshall Dubin, were sentenced to 30 days in prison for defying a court injunction barring a strike at Beth-El Hospital in New York City.

The Communist Worker of July 17, 1962, reported that Leon Davis was sentenced to another term in prison—this time for six months—by Justice David Benjamin of Brooklyn for refusing to call off the strike at Beth-El Hospital. The Worker quoted extensively from a statement by Mrs. Leon Davis in discussing the strike.

On July 14, 1968 The Worker hailed the success of Local 1199 in getting new contract terms from the League of Voluntary Hospitals in New York City. The Worker reported that Davis was considering ways for "a quick follow-up of the victory with organization in other cities along the East Coast."

U.S. SENATE,
COMMITTEE ON ARMED SERVICES,
Washington, D.C., May 20, 1969.

DEAR SENATOR: Though I had no advance word from you, it came to my attention that you were among a number of my colleagues who called on the President to intervene on behalf of Local 1199, Drug and Hospital Employees Union, which is currently striking two public hospitals in Charleston, South Carolina.

As I understand the statement in which you concurred, your reasoning was that any demonstration which is temporarily non-violent must necessarily represent a just cause; therefore, all demands should be met before any violence occurs.

I cannot agree with your argument, which to me is specious to say the least; however, I have no quarrel with your right to express your views and I am sure the American people are pleased to know where you stand.

I am enclosing for your information a copy of an article from the "Charleston News and Courier" which gives some background on Mr. Leon Davis, President of the Union which you seek to aid.

With best wishes,
Sincerely,
STROM THURMOND.

EXECUTIVE COMMUNICATIONS, ETC.

The Vice President laid before the Senate the following letters, which were referred as indicated:

REPORTS ON ANNUAL BILLS OF ALL-ELECTRIC HOMES AND STATISTICS OF PUBLICLY OWNED ELECTRIC UTILITIES

A letter from the Chairman, Federal Power Commission, transmitting, for the information of the Senate, a copy of report on All-Electric Homes in the United States, Annual Bills, January 1, 1968, Cities of 50,000 and More; and a report of Statistics of Publicly Owned Electric Utilities in the United States, 1967 (with accompanying reports); to the Committee on Commerce.

REPORT OF THE COMPTROLLER GENERAL

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on Activities of the Center for Cultural and Technical Interchange Between East and West, Department of State, dated May 20, 1969 (with an accompanying report); to the Committee on Government Operations.

REPORT OF PROJECT PROPOSALS UNDER THE SMALL RECLAMATION PROJECTS ACT OF 1956

A letter from the Assistant Secretary of the Interior, transmitting, pursuant to law, a report on the receipt of an application for a loan and grant by the Water Supply and Storage Co., Fort Collins, Colo. (with an accompanying report); to the Committee on Interior and Insular Affairs.

PROPOSED CONCESSION CONTRACT FOR PADRE ISLAND NATIONAL SEASHORE, TEX.

A letter from the Assistant Secretary of the Interior, transmitting, pursuant to law, a proposed concession contract under which Padre Island National Seashores Co., will be authorized to operate facilities and services for the public at the North Beach Development (Malaquite Beach), Padre Island National Seashore, Tex., for a term of approximately 20 years from the execution date of contract through March 31, 1990, when executed by the Director of the National Park Service (with accompanying papers); to the Committee on Interior and Insular Affairs.

PROPOSED LEGISLATION TO AUTHORIZE THE ADMINISTRATOR OF VETERANS' AFFAIRS TO ENTER INTO AGREEMENTS WITH HOSPITALS, MEDICAL SCHOOLS, OR MEDICAL INSTALLATIONS

A letter from the Administrator, Veterans' Administration, transmitting a draft of proposed legislation, to amend title 38 of the United States Code to authorize the Administrator of Veterans' Affairs to enter into agreements with hospitals, medical schools or medical installations for the central administration of programs of training for interns and residents (with accompanying papers); to the Committee on Labor and Public Welfare.

EXECUTIVE REPORTS OF COMMITTEES

As in executive session,

The following favorable reports of nominations were submitted:

By Mr. YARBOROUGH, from the Committee on Labor and Public Welfare:

John B. Martin, Jr., of Michigan, to be Commissioner on Aging; and

Ronald Rumsfeld, of Illinois, to be Director of the Office of Economic Opportunity.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the VICE PRESIDENT:

A resolution of the General Assembly of the State of Rhode Island; to the Committee on Finance:

"H1418

"Resolution memorializing Congress to institute a tax-sharing program with State and local governments

"Resolved, That the general assembly of the state of Rhode Island and Providence Plantations respectfully requests the Con-

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gress of the United States to institute a tax-sharing program with state and local governments; and be it further

"Resolved, That the secretary of state be and he hereby is authorized to transmit a duly certified copy of this resolution to each senator and representative from Rhode Island in the Congress of the United States in the hope that they will use every effort to institute and expedite such a program.

"AUGUST P. LA FRANCE,
"Secretary of State."

A resolution of the General Assembly of the State of Rhode Island; to the Committee on the Judiciary:

"S436

"Resolution memorializing Congress with respect to the establishment of a Federal Bureau of Investigation Crime Laboratory in Rhode Island

"Whereas, the Federal Bureau of Investigation has under consideration the establishment of a regional crime laboratory, and

"Whereas, the location of a regional crime laboratory in the state of Rhode Island would be of considerable value to law enforcement officials in the State by providing speedier and more complete technological assistance in the pursuit of their duties; now, therefore, be it

"Resolved, that the general assembly does hereby memorialize congress to establish a regional crime laboratory in the state of Rhode Island; and be it further

"Resolved, that the secretary of state be and hereby is authorized and directed to transmit duly certified copies of this resolution to the senators and representatives from Rhode Island in the congress of the United States.

"AUGUST P. LA FRANCE,
"Secretary of State."

Two resolutions of the General Assembly of the State of Rhode Island; to the Committee on Labor and Public Welfare:

"H1039

"Resolution memorializing Congress to amend the provisions of the Fair Labor Standards Act of 1938, as amended, to permit "school drop-outs" to be employed gainfully in industry under appropriate regulations promulgated by the Secretary of Labor

"Resolved, That the members of Congress of the United States be and they are hereby respectfully requested to make such amendment to the Fair Labor Standards Act of 1938, as amended, so that minors who are school drop-outs, so called, may be gainfully employed in industrial and manufacturing occupations involving the operation of machinery, under appropriate regulations to be promulgated by the secretary of labor for their safety and protection; and be it further

"Resolved, That the secretary of state be and he is hereby respectfully requested to transmit to the senators and representatives from Rhode Island in the Congress of the United States duly certified copies of this resolution in the hope that each will use every endeavor to have favorable action taken by Congress on this special matter.

"AUGUST P. LA FRANCE,
"Secretary of State."

"H1966

"Resolution memorializing the Congress of the United States to enact legislation establishing a Federal workmen's compensation law

"Whereas, Dissatisfaction with the adequacy and administration of state Workmen's Compensation laws is becoming widespread; and

"Whereas, An attempt was made in the 90th Congress to establish a National Commission on State Workmen's Compensation Laws which would undertake a comprehensive study and evaluation of state workmen's compensation laws and 'methods of implementing the recommendations of the Commission'; and

"Whereas, There are possibilities of the introduction of a bill setting minimum standards for all state workmen's compensation laws. One provision of which would be complete coverage of all occupations and employments, eliminating present exemptions based on the nature of the employer's business or the number of employees; now therefore be it

"Resolved, That the Congress of the United States be memorialized to enact legislation establishing a Federal Workmen's Compensation Law; and be it further

"Resolved, That the secretary of state be and he hereby is authorized and directed to transmit duly certified copies of this resolution to the senators and representatives from Rhode Island in the Congress of the United States in the hope that they will use every effort to further the passage of a Federal Workmen's Compensation Law.

"AUGUST P. LAFRANCE,
"Secretary of State."

A resolution of the General Assembly of the State of Rhode Island; to the Committee on Public Works:

"H1223

"Resolution memorializing the Members of the United States Senate and House of Representatives From the State of Rhode Island to Make Every Effort to See That Action Is Taken to Build a Breakwater in Bristol Harbor in the Town of Bristol, Rhode Island

"Whereas, Bristol, Rhode Island has suffered tremendous amounts of damage from past hurricanes, wave and tide action to its industry, business, railroad property, government property, and yachting facilities; and

"Whereas, A public hearing was held on this proposal on December 11, 1957, by the U.S. Army Corps of Engineers; and

"Whereas, Thereupon surveys and plans for this breakwater were made by the U.S. Army Corps' of Engineers in 1958; now therefore, be it

"Resolved, That the members of the United States senate and house of representatives from the state of Rhode Island are respectfully requested to take proper action to have such breakwater constructed as soon as possible in Bristol harbor in said town of Bristol, Rhode Island; and be it further

"Resolved, That the secretary of state be and hereby is authorized to transmit duly certified copies of this resolution to the Rhode Island delegation in congress.

"AUGUST P. LAFRANCE,
"Secretary of State."

A joint resolution of the legislature of the State of Alaska; to the Committee on Labor and Public Welfare:

"S.J. RES. 33

"Joint resolution requesting restoration of funds proposed to be cut from the federal aid to schools in federally impacted areas program

"Be it resolved by the Legislature of the State of Alaska:

"Whereas Alaska schools educate the children of the large number of federal employees, including the military, who reside in the state; and

"Whereas the state is struggling under financial disabilities resulting from its position of relative economic underdevelopment, but is nevertheless attempting to provide highest quality education to all of the pupils in the state; and

"Whereas federal aid to schools in federally impacted areas was established to provide funds to schools attended by large numbers of dependents of federal employees and military personnel in lieu of the revenue from state property taxes which cannot be levied on federal property; and

"Whereas, at a time when this country's commitment to education is truly beyond debate, the cutting of these funds will place an extremely heavy burden on this state and on all those states which have heavy concentrations of federal employees and military personnel, and it is an extremely shortsighted response to the growing needs of our young people for meaningful quality education;

"Be it resolved that the Legislature of the State of Alaska requests the Congress of the United States to restore the funds proposed to be cut from the federal aid to schools in federally impacted areas program.

"Copies of this Resolution shall be sent to the Honorable John W. McCormack, Speaker of the House of Representatives; the Honorable Richard B. Russell, President Pro Tempore of the Senate; and to the Honorable Ted Stevens and the Honorable Mike Gravel, U.S. Senators, and the Honorable Howard W. Pollock, U.S. Representative, members of the Alaska delegation in Congress.

"BRAD PHILLIPS,
"President of the Senate."

A joint resolution of the legislature of the State of Alaska; to the Committee on Commerce:

"SJR 16 am H

"Joint resolution relating to the protection of fish and shellfish resources in waters over the continental shelf of the United States

"Be it resolved by the Legislature of the State of Alaska:

"Where as the present nine-mile contiguous fishery zone is an artificial area based on developing custom and not on the biological needs and migratory habits of species occupying the continental shelf, its overlying or superadjacent waters; and

"Whereas destruction and incidental catches by foreign gear of protected or fully utilized species, especially king crab, tanner crab and immature halibut, are causing deep concern among scientists, fishermen and the industry; and

"Whereas some domestic fisheries are either endangered, or have virtually ceased in some areas, or have been prevented from expanding in a free and orderly manner by the admitted over-exploitation of certain stocks, pre-emption of fishing grounds or the destruction of our gear by foreign fleets; and

"Whereas additional foreign countries have sent exploratory fleets to areas of our shores and are developing the ability to further exploit the shellfish, dimersal and pelagic fishes of our continental shelf, thereby compounding a serious and alarming situation;

"Be it resolved that the Sixth Alaska State Legislature respectfully requests that the government of the United States strive to extend its jurisdiction over and protection of all fishery resources of the continental shelf adjoining the states and territories of this country, including those species occupying the overlying waters of the shelf and those superadjacent waters that admit to the exploitation of the creatures of the continental shelf.

"Copies of this Resolution shall be sent to the Honorable Richard M. Nixon, President of the United States; the Honorable John W. McCormack, Speaker of the House; the Honorable Richard B. Russell, President pro tempore of the Senate; the Honorable William Rogers, Secretary of the Department of State; the Honorable Walter J. Hickel, Secretary of the Department of the Interior; and to the Honorable Ted Stevens and the Honorable Mike Gravel, U.S. Senators, and to the Honorable Howard W. Pollock, U.S. Representative, members of the Alaska delegation in Congress.

"BRAD PHILLIPS,
"President of the Senate."

A resolution of the House of the Legislature of the State of Alaska; to the Committee on Commerce:

"H.R. 29

"House Resolution requesting an amendment to the Jones Act to exempt the ferry vessel M. V. *Wickersham* from several of its provisions

"Be it resolved by the House of Representatives:

"Whereas the State of Alaska has established, at its own instigation and expense, a modern marine highway system connecting Alaska and the 48 contiguous states through the Port of Seattle; and

"Whereas the Alaska Marine Highway System was devised and is operated to take the place of a highway because of the impossibility of actual road building in Southeastern Alaska; and

"Whereas there is a tremendous movement in commerce, trade and tourism between the South 48 states and Alaska; and

"Whereas, to better handle all of the traffic, the Alaska Marine Highway System purchased a foreign-bottomed vessel, the M. V. *Wickersham;* and

"Whereas, due to the provisions of the Jones Act, the vessel is prohibited from transporting passengers and vehicles between U.S. ports, thus creating a burden on the residents of the state, on the flow of commerce and on the visitors to Alaska; and

"Whereas, for the continued effective operation of the Alaska Marine Highway System, it is necessary that the M. V. *Wickersham* be exempted from certain provisions of the Jones Act;

"Be it resolved by the House of Representatives of the Sixth Alaska Legislature that the United States Congress is respectfully urged to amend the Jones Act to allow the transportation of vehicles and passengers between United States ports on the M. V. *Wickersham.*

"Copies of this Resolution shall be sent to the Honorable Richard M. Nixon, President of the United States; the Honorable John W. McCormack, Speaker of the House of Representatives; the Honorable Richard B. Russell, President Pro Tempore of the Senate; the Honorable Harley O. Staggers, Chairman of the House Interstate and Foreign Commerce Committee; the Honorable Warren G. Magnuson, Chairman of the Senate Commerce Committee; and to the Honorable Ted Stevens and the Honorable Mike Gravel, U.S. Senators, and the Honorable Howard W. Pollock, U.S. Representative, members of the Alaska delegation in Congress.

"J. M. Kerttula,
"Speaker of the House."

A concurrent resolution of the legislature of the State of New Jersey; to the Committee on Finance:

"S. Con. Res. 55

"A Concurrent Resolution memorializing the Congress of the United States relating to Federal taxation of State and local government bonds

"Whereas, Equity among taxpayers is essential to popular confidence in the Federal revenue system; and

"Whereas, The Ways and Means Committee of the United States House of Representatives has conducted extensive hearings on proposals for equitable reform of the Federal personal income tax; and

"Whereas, Spokesmen for the National Governors' Conference, the National Legislative Conference, the National Association of Attorneys General and the National Association of State Treasurers, Auditors and Comptrollers have endorsed the objective of tax reform while urging the committee to refrain from changes which would weaken the capacity of the States to meet the needs for State services;

"Be is resolved *by the Senate of the State of New Jersey (the General Assembly concurring)*:

"1. The New Jersey Legislature commends the Congress of the United States and in particular the Ways and Means Committee of the House of Representatives for the current efforts to improve the equity of the Federal personal income tax.

"2. The New Jersey Legislature records its concurrence with the testimony before the House of Representatives Ways and Means Committee on behalf of State Governments in the following respects:

"a. that no change be made which would deprive State and local government obligations of their traditional immunity from Federal taxation;

"b. that no change be made which would result in constriction of the market for bonds issued by the States or local governments;

"c. that no change be made which would interpose Federal judgments relating to the policies of the States or local governments; and

"d. that no change is acceptable which would subject borrowing by the States and local governments to the uncertainties of the appropriation processes of the Congress.

"3. A copy of the resolution be sent to the Speaker of the House of Representatives, the President of the Senate, and all members of Congress from the State of New Jersey.

"Henry H. Patterson,
"Secretary of the Senate."

A joint resolution of the legislature of the State of Tennessee; to the Committee on Rules and Administration:

"H.J. Res. 99

"A resolution memorializing and recommending to the Senate of the United States of America to establish a Standing Committee for the purpose of handling matters relating to veterans affairs.

"Whereas, The General Assembly of the State of Tennessee has been advised of the fact that there are numerous matters concerning veterans affairs being sent to the Congress of the United States of America; and,

"Whereas, The House of Representatives of the United States of America has established a Standing Committee for the purpose of handling matters appearing before their body that relate to veterans affairs; and

"Whereas, At the present time there are several committees in the Senate of the United States of America that are considering veterans affairs in connection with their regular duties; and,

"Whereas, The Disabled American Veterans Organization feels that this situation is not feasible and in the best interest of veterans since there are more than 27 million veterans in the nation and when the wives, widows and orphans of veterans are considered, this number constitutes about one-half of the nation's population; and,

"Whereas, It is generally felt across the United States of America that there is a sufficient number of matters concerning veterans affairs coming before the Senate of the United States of America to warrant such a Standing Committee; and,

"Whereas, In the Ninetieth Congress, a bill establishing a Senate Committee on Veterans Affairs was approved by the Senate Committee on Rules and Regulations, but the bill was never taken off the Calendar for floor action and therefore, the bill failed even though a majority of the Senators were recorded in favor of the measure; and,

"Whereas, The Veterans Administration is the second largest agency of the United States Government and it is only fair and equitable to the nation's taxpayers that all of the functions of the Veterans Administration be under one Senate Committee, as they are now under one House Committee; and,

"Whereas, In the Ninety-First Congress, efforts will once again be made to establish a Standing Committee on Veterans Affairs in the Senate; and,

"Whereas, The General Assembly of the great State of Tennessee should go on record as having made a recommendation and request to the Senate of the United States of America as to the need for such a Standing Committee,

"Now, therefore, be it resolved by the House of Representatives of the Eighty-Sixth General Assembly of the State of Tennessee, the Senate concurring, That this Body, having been advised of the above situation and the divergent conditions created thereby, does hereby memorialize, request and recommend to the Senate of the United States of America to create and establish a Standing Committee on Veterans Affairs as it appears this would be in the best interest of the citizens of this great State; and,

"Be it further resolved, That suitable copies of this Resolution be sent to each member in the Senate of the United States of America, Washington, D.C.

"William L. Jenkins,
"Speaker of the House of Representatives."

A resolution adopted by the town of Hot Springs, N.C., Carolinas Council of Housing and Redevelopment Officials opposing the proposed move of the Regional Office of the Department of Housing and Urban Development from Atlanta, Ga., to Philadelphia, Pa.; to the Committee on Banking and Currency.

A resolution adopted by the township of Morris, Morris County, N.J., opposing any change in the tax exempt status of municipal bonds; to the Committee on Finance.

A resolution adopted by the city of Elizabeth, N.J., opposing any change in the tax exempt status of municipal bonds; to the Committee on Finance.

REPORT OF A COMMITTEE

The following report of a committee was submitted:

By Mr. ERVIN, from the Committee on the Judiciary, without amendment:

S. Res. 162. A resolution for the relief of certain Kaw Indians (Rept. No. 91–183).

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. MOSS (for himself and Mr. Metcalf):

S. 2199. A bill to provide Federal assistance to States for improving elementary and secondary teachers' salaries, for meeting the urgent needs of elementary and secondary education, and for other purposes; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. Moss when he introduced the above bill, which appear under a separate heading.)

By Mr. DOLE:

S. 2200. A bill to amend the Internal Revenue Code of 1954 to provide for the valuation of a decedent's interest in a closely held business for estate tax purposes; to the Committee on Finance.

S. 2201. A bill for the relief of Unruh's, Inc.; to the Committee on the Judiciary.

By Mr. DOLE (for himself, Mr. Allott, Mr. Bellmon, Mr. Cook, Mr. Curtis, Mr. Dominick, Mr. Goldwater, Mr. Goodell, Mr. Gurney, Mr. Hansen, Mr. Javits, Mr. Miller, Mr. Pearson, and Mr. Stevens):

S. 2202. A bill to amend the Rural Electrification Act of 1936, as amended, to provide an additional source of financing for the rural telephone program, and for other purposes; to the Committee on Agriculture and Forestry.

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(See the remarks of Mr. Dole when he introduced the above bill, which appear under a separate heading.)

By Mr. MURPHY (by unanimous consent):

S. 2203. A bill entitled the "Consumer Agricultural Food Protection Act of 1969"; to the Committee on Agriculture and Forestry.

(See the remarks of Mr. Murphy when he introduced the above bill, which appear under a separate heading.)

By Mr. MURPHY (for himself, Mr. Hatfield and Mr. Tower):

S. 2204. A bill to establish the National Oceanic Agency; to the Committee on Commerce.

(See the remarks of Mr. Murphy when he introduced the above bill, which appear under a separate heading.)

By Mr. STEVENS:

S. 2205. A bill for the relief of Kerstin Elisabeth Halversson; to the Committee on the Judiciary.

By Mr. TALMADGE:

S. 2206. A bill for the relief of Clayton County Journal and Wilbur Harris; to the Committee on the Judiciary.

By Mr. MONDALE (for himself and Mr. Javits):

S. 2207. A bill to amend section 235 of the National Housing Act to provide more flexible mortgage limits in order to encourage the development of homeownership in high-cost areas for lower income families; to the Committee on Banking and Currency.

(See the remarks of Mr. Mondale when he introduced the above bill, which appear under a separate heading.)

By Mr. BIBLE (for himself and Mr. Cannon):

S. 2208. A bill to authorize the Secretary of the Interior to study the feasibility and desirability of a national lakeshore on Lake Tahoe in the State of Nevada, and for other purposes; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. Bible when he introduced the above bill, which appear under a separate heading.)

By Mr. YOUNG of North Dakota:

S. 2209. A bill to authorize and direct the Secretary of the Interior to convey certain property in the State of North Dakota to the Central Dakota Nursing Home; to the Committee on Interior and Insular Affairs.

By Mr. HANSEN:

S. 2210. A bill to amend the Federal Property and Administrative Services Act of 1949 so as to permit donations of surplus property to public museums; to the Committee on Government Operations.

By Mr. TYDINGS:

S. 2211. A bill to amend the Internal Revenue Code of 1954 to raise needed additional revenues by tax reform; to the Committee on Finance.

(See the remarks of Mr. Tydings when he introduced the above bill, which appear under a separate heading.)

By Mr. YARBOROUGH:

S. 2212. A bill to authorize the appropriation of funds for Padre Island National Seashore in the State of Texas, and for other purposes; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. Yarborough when he introduced the above bill, which appear under a separate hearing.)

By Mr. HARTKE:

S. 2213. A bill to amend the Tariff Schedules of the United States with respect to the tariff classification of certain sugars, sirups, and molasses, and for other purposes; to the Committee on Finance.

By Mr. MURPHY (for himself and Mr. Cranston):

S. 2214. A bill to amend Section 608(c)(2) of the Agricultural Marketing Agreement Act of 1937, as amended; to the Committee on Agriculture and Forestry.

(See the remarks of Mr. Murphy when he introduced the above bill, which appear under a separate heading.)

By Mr. YARBOROUGH:

S. 2215. A bill to amend the act entitled "An act to establish a program for the preservation of additional historic properties throughout the Nation, and for other purposes," approved October 15, 1966, so as to extend the provisions thereof for an additional period of 3 years; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. Yarborough when he introduced the above bill which appear under a separate heading.)

S. 2216. A bill for the relief of Jean Rawls Fairbank; to the Committee on the Judiciary.

By Mr. SCOTT:

S. 2217. A bill for the relief of Yau Pik Chau; to the Committee on the Judiciary.

By Mr. PELL (for himself, Mr. Yarborough, Mr. Randolph, Mr. Williams of New Jersey, Mr. Kennedy, Mr. Nelson, Mr. Mondale, Mr. Eagleton, Mr. Cranston, and Mr. Hughes):

S. 2218. A bill to amend the Elementary and Secondary Education Act of 1965 and related acts, and for other purposes; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. Pell when he introduced the above bill, which appear under a separate heading.)

By Mr. PASTORE (for himself, Mr. Pell, and Mr. Ervin):

S. 2219. A bill to amend the Tariff Schedules of the United States with respect to the tariff classification of braided rugs composed of tubular braids with a core; to the Committee on Finance.

By Mr. TYDINGS:

S. 2220. A bill for the relief of Gheung Fuk-Lun A15960565; to the Committee on the Judiciary.

By Mr. MURPHY:

S. 2221. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the county of Riverside, State of California;

S. 2222. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the county of Riverside, State of California; and

S. 2223. A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the county of Riverside, State of California; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. Murphy when he introduced the above bills, which appear under a separate heading.)

S. 2199—INTRODUCTION OF THE GENERAL EDUCATION ASSISTANCE ACT OF 1969

Mr. MOSS. Mr. President, I introduce today, for myself and Senator Metcalf, an important bill, the General Education Assistance Act of 1969, which is designed to stimulate vastly improved schooling for our Nation's children and youth. This legislation was drafted by the teachers of America, speaking through the National Education Association. It is identical to bills introduced in the House of Representatives by Chairman Carl D. Perkins of the Education and Labor Committee, Congresswoman Edith Green, and Congressman Arnold Olsen.

The bill provides that, beginning in fiscal year 1971, and extending through fiscal 1975, there will be two types of Federal grants to the States. The first will be computed on the simple formula of $100 per school age child, ages 5 through 17, based on the latest data, and distributed to the States on the basis of relative school population. Since my State of Utah ranks third in the Nation in this respect—outranked only by Alaska and New Mexico—we will fare well under this formula. If fully funded, grants under this section will total somewhat more than $5.25 billion during the first year.

The second grant, a flat $2.5 billion per year, will be distributed to the States on the basis of per capita personal income factor. Since the number of poor in my State is only point three of 1 percent of the population, we will not do as well under this grant as many other States, but we are grateful that this is so, and more than willing to share with those States which have a greater burden of poverty than we do.

I shall include at the conclusion of these remarks two tables—one which shows the estimated school age population as a percent of the total resident population in each State, and a second which shows the number of poor in each State and the total allocation to each State equalized under both grants in total amounts and pre-school-child payments.

The bill provides that at least 50 percent, plus the State's share of the $2.5 billion equalizing funds may be used by the State to meet other urgent needs, such as employing additional teachers and teacher aides for summer school and preschool programs, and programs and activities in which children in attendance at private nonprofit schools may participate on a shared-time basis.

The urgency of this legislation is indicated by the shockingly low holding power of our schools. In some districts, as many as 40 percent of the students drop out of high school before graduation. The armed services reject a large number of young men who are unable to pass the mental tests.

Schools find it difficult to attract and hold good teachers. Studies by the Federal Government indicate that the average urban family of four needs an income of at least $9,200 to maintain a decent standard of living; yet the average classroom teacher's salary in 1968–69 is $7,908. My home State of Utah ranks second in the Nation in State and local expenditures as a percent of personal income, according to a recent study, but falls below the national average in current expenditures for public elementary and secondary schools. Many States are similarly limited in taxing powers and are thus unable to compete effectively in the market for adequately trained educational personnel.

While the Congress has enacted many valuable programs in education, and I am proud to have strongly supported these bills over the past 11 years, I am increasingly convinced that we have reached the point of diminishing returns in categorical, or specific-purpose aid. The legislation now on the books should be continued, improved, and, wherever possible, consolidated. But the States need a massive infusion of discretionary funds to solve their own particular edu-

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cation problems. These funds must come from Washington.

This bill would help solve the critical shortage of qualified teachers and enable States to design programs to improve and equalize educational opportunity without restrictive direction from Washington. The most convincing argument for this kind of legislation comes from the teachers themselves, the people who are at the impact point of Federal legislation. They see the results of what we legislate, and they are telling us in no uncertain terms that the very quality of our education system is in peril.

Mr. President, the teachers know as well as we do that there are many urgent and competing demands on the money available for domestic programs, and that the situation is aggravated by our commitments abroad. But now is the time for Congress to examine and think through its policy on education. Federal aid, established in principle by the 1785 Northwest Ordinance, is no longer a matter for philosophical debate. We must now look at what the educational system needs and correct the deficiencies in our approach. I believe that this legislation will enable us to make a giant first step in the rebuilding of the Nation's school system.

I ask unanimous consent that the bill and the two tables be printed in the Record following my introductory remarks.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill and tables will be printed in the Record.

The bill (S. 2199), to provide Federal assistance to States for improving elementary and secondary teachers' salaries, for meeting the urgent needs of elementary and secondary education, and for other purposes, introduced by Mr. Moss (for himself and Mr. Metcalf), was received, read twice by its title, referred to the Committee on Labor and Public Welfare, and ordered to be printed in the Record, as follows:

S. 2199

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "General Education Assistance Act of 1969".

BASIC GRANTS AUTHORIZED

Sec. 2. (a) The Commissioner shall, in accordance with the provisions of this Act, make basic grants to State educational agencies for increasing the salaries of teachers and meeting the urgent needs of State educational agencies and local educational agencies within such States for current expenditures.

(b) For the purpose of making such grants there is hereby authorized to be appropriated for the fiscal year ending June 30, 1971, and for each of the four succeeding fiscal years an amount equal to $100 multiplied by the number of children, aged five to seventeen, inclusive, in all the States.

ALLOTMENTS FOR BASIC GRANTS

Sec. 3. (a) From the sums appropriated pursuant to sec. 2(b) for each fiscal year the Commissioner shall allot to each State an amount which bears the same ratio to the total of such sums as the number of children aged five to seventeen, inclusive, in such State bears to the number of such children in all the States.

(b) The number of children aged five to seventeen, inclusive, in a State and in all the States shall be determined by the Commissioner on the basis of the most recent satisfactory data available to him.

SUPPLEMENTAL EQUALIZATION GRANTS

Sec. 4. (a) For the purpose of making additional funds to local educational agencies to meet their urgent needs in providing educational services and programs, there is hereby authorized to be appropriated $2.5 billion for the fiscal year ending June 30, 1971, and for each of the four succeeding fiscal years.

(b) From the sums appropriated under subsection (a) for any fiscal year, the Commissioner shall allot not more than 3 per centum among the Commonwealth of Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands according to their respective needs for assistance under this title. The Commissioner shall allott the remainder of the sums so appropriated among the remaining States proportionately according to the number of children in the State aged five to seventeen, inclusive, in a category described in clause (A), (B), or (C) of section 103(a)(2) of the Elementary and Secondary Education Act of 1965 (assuming a "low-income" factor or $3,000). In making determinations under the preceding sentence, the Commissioner shall use the data prescribed under 103(d) of such Act.

(c) Subject to the provisions of section 6, the Commissioner shall for each fiscal year make a grant to each State educational agency equal to the State's allotment under subsection (b) for that year.

(d) From the grant made for a fiscal year under subsection (c), the State educational agency shall, except as provided in the next sentence, make a grant to each local educational agency in the State in an amount equal to the amount of the State grant which is attributable to children in the school district of such agency. Where satisfactory data are not available to determine the amount of a grant to a local educational agency under the preceding section, the State educational agency shall determine the amount of the State grant which is attributable to children in the county or counties in which the school district of such agency is located, and shall apportion the funds among the agencies whose school districts are located in such county or counties on such equitable basis as may be determined by the State educational agency, in accordance with basic criteria prescribed by the Commissioner.

(e) A grant received by a local educational agency under this section shall be used for current expenditures to meet its urgent needs in providing educational services and programs.

USES OF FEDERAL GRANTS

Sec. 5. The State educational agency shall use at least one-half of any grant or grants received under this Act from sums appropriated under section 2(b), in accordance with applications approved under section 6, for payment to local educational agencies within such State to be used by such local agencies for increasing the salaries of teachers employed by such local agencies, and for increasing the salaries of teachers employed by such State educational agency. The remainder of such grant may be used, in accordance with applications approved under section 6, for payment to local educational agencies within such State to meet the urgent needs of such local agencies for current expenditures, including expenditures for employing additional teachers and teacher aides for summer school and preschool programs, programs and activities in which children in attendance at private non-profit schools may participate on a shared-time basis, and for State educational agencies to meet the urgent needs of any such agency for current expenditures, including expenditures for summer school and preschool programs.

APPLICATIONS

Sec. 6. (a) A grant or grants under this Act shall be made to a State educational agency upon application to the Commissioner at such time or times, in such manner, and containing or accompanied by such information as the Commissioner deems necessary. Such application shall—

(1) provide that the use of the Federal funds received under this Act will be administered by or under the supervision of the State educational agency;

(2) provide assurances that funds appropriated under section 2(b) will be used in accordance with section 5, prescribe criteria for achieving equitable distribution of such funds within such State and for identifying the urgent needs for current expenditures of such State agency and of local educational agencies within such State: *Provided,* That such criteria shall not permit the amount to be distributed to a local educational agency to be affected by the amount of its grant under section 4;

(3) provide assurances that funds appropriated under section 4(a) will be used for purposes set forth in section 4(e);

(4) set forth policies and procedures which assure that Federal funds made available under this Act for any fiscal year (A) will not be commingled with State funds, and (B) will be so used as to supplement and, to the extent practical, increase the level of funds that would, in the absence of such Federal funds, be available for the purposes described in section 5, and in no case supplant such funds;

(5) provide assurances that, to the extent consistent with law, programs and services designed to meet urgent needs for current expenditures will be provided on an equitable basis to children attending private elementary and secondary schools in the State which comply with the compulsory attendance laws of the State or are otherwise recognized by it through some procedure customarily used in the State;

(6) provide for such fiscal control and fund accounting procedures as may be necessary to assure the proper disbursement of an accounting for Federal funds received under this Act, and such reporting procedures, including an evaluation of the impact of Federal funds received under this Act, as the Commissioner may reasonably require; and

(7) provide adequate procedures for affording the local education agencies within such State reasonable notice and opportunity for hearing.

(b) The Commissioner shall approve an application which meets the requirements specified by subsection (a) of this section and shall not finally disapprove, in whole or in part, any application without first affording the State educational agency submitting the application reasonable notice and opportunity for a hearing.

PAYMENTS

Sec. 7. (a) From the amount allotted to each State pursuant to section 3, the Commissioner shall pay to the State educational agency of such State which has an application approved under section 6 an amount equal to the amount needed for the purposes set forth in such application.

(b) (1) The Commissioner is authorized to pay to each State amounts equal to the amounts expended by it for the proper and efficient performance of its duties under this Act, except that the total of such payments in any fiscal year shall not exceed—

(A) 1 per centum of the total of the amount paid under this Act for that year to the State educational agency; or

(B) $150,000, or $25,000 in the case of Puerto Rico, Guam, American Samoa, the Virgin Islands, or the Trust Territories of the Pacific Islands,

whichever is greater.

(2) There is hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this subsection.

(c) Payments under this Act may be made in installments and in advance or by way of reimbursement, with necessary adjustments on account of overpayments or underpayments.

WITHHOLDING

SEC. 8. Whenever the Commissioner, after reasonable notice and opportunity for hearing to any State educational agency, finds that there has been a failure to comply substantially with any provision set forth in the application of that State approved under section 6, the Commissioner shall notify the agency that further payments will not be made to the State under this Act (or, in his discretion, that the State educational agency shall not make further payments under this Act to specified local educational agencies whose actions caused or are involved in such failure) until he is satisfied that there is no longer any such failure to comply. Until he is so satisfied, no further payments shall be made to the State under this Act, or payments by the State educational agency under this Act shall be limited to local educational agencies whose actions did not cause or were not involved in the failure, as the case may be.

JUDICIAL REVIEW

SEC. 9 (a) (1) If any State is dissatisfied with the Commissioner's final action with respect to the approval of its application submitted under section 6 or with his final action under section 8, such State may within sixty days after notice of such action, file with the United States court of appeals for the circuit in which such State is located a petition for review of that section. A copy of the petition shall be forthwith transmitted by the clerk of the court to the Commissioner. The Commissioner thereupon shall file in the court the record of the proceedings on which he based his action, as provided in section 2112 of title 28, United States Code.

(2) The findings of fact by the Commissioner, if supported by substantial evidence, shall be conclusive; but the court, for good cause shown, may remand the case to the Commissioner to take further evidence, and the Commissioner may thereupon make new or modified findings of fact and may modify his previous action, and shall file in the court the record of the further proceedings. Such new or modified findings of fact shall likewise be conclusive if supported by substantial evidence.

(3) Upon the filing of such petition, the court shall have jurisdiction to affirm the action of the Commissioner or to set it aside, in whole or in part. The judgment of the court shall be subject to review by the Supreme Court of the United States upon certiorari or certification as provided in section 1254 of title 28, United States Code.

(b) (1) If any local educational agency is dissatisfied with the final action of the State educational agency with respect to any payment to such local agency pursuant to this Act, such local agency may, within sixty days after such final action or notice thereof, whichever is later, file with the United States court of appeals for the circuit in which the State is located a petition for review of that action. A copy of the petition shall be forthwith transmitted by the clerk of the court to the State educational agency. The State educational agency thereupon shall file in the court the record of the proceedings on which the State educational agency based its action as provided in section 2112 of title 28, United States Code.

(2) The findings of fact by the State educational agency, if supported by substantial evidence shall be conclusive; but the court, for good cause shown, may remand the case to the State educational agency to take further evidence, and the State educational agency may thereupon make new or modified findings of fact and may modify its previous action, and shall certify to the court the record of the further proceedings.

(3) The court shall have jurisdiction to affirm the action of the State educational agency or to set it aside, in whole or in part. The judgment of the court shall be subject to review by the Supreme Court of the United States upon certiorari or certification as provided in section 1254 of title 28, United States Code.

PROHIBITIONS

SEC. 10. (a) Nothing contained in this Act shall be construed to authorize any department, agency, officer, or employee of the United States to exercise any direction, supervision, or control over the curriculum, program of instruction, administration, or personnel of any educational institution or school system, or the selection of library resources by any educational institution or school system, or over the content of any material developed or published under any program assisted pursuant to this Act.

(b) Nothing contained in this Act shall be construed to authorize the making of any payment under this Act for religious worship or instruction.

ADMINISTRATION

SEC. 11. (a) The Commissioner may delegate any of his functions under this Act, except the making of regulations, to any officer or employee of the Office of Education.

(b) In administering the provisions of this Act, the Commissioner is authorized to utilize the services and facilities of any agency of the Federal Government and of any other public or nonprofit agency or institution in accordance with appropriate agreements, and to pay for such services either in advance or by way of reimbursement, as may be agreed upon.

DEFINITIONS

SEC. 12. As used in this Act—

(1) The term "Commissioner" means the Commissioner of Education.

(2) The term "teacher" means any member of the instructional staff of a public elementary or secondary school who is engaged in the teaching of students, as further defined by the State educational agency of each State.

(3) The term "current expenditures" means expenditures for free public education, including expenditures for administration, instruction, attendance and health services, community services, pupil transportation services, operation and maintenance of plant, fixed charges, food services and student body activities, but not including expenditures for capital outlay, and debt service.

(4) The term "elementary school" means a day or residential school which provides elementary education, as determined under State law.

(5) The term "free public education" means education which is provided at public expense, under public supervision and direction, and without tuition charge.

(6) The term "local educational agency" means a public board of education or other public authority legally constituted within a State for either administrative control or direction of, or to perform a service function for, public elementary or secondary schools in a city, county, township, school district, or other political subdivision of a State or such combination of school districts or counties as are recognized in a State as an administrative agency for its public elementary or secondary schools. Such term also includes any other public institution or agency having administrative control and direction of a public elementary or secondary school.

(7) The term "salaries" means the annual monetary compensation paid to teachers for services rendered in connection with their employment.

(8) The term "secondary school" means a day or residential school which provides secondary education, as determined under State law.

(9) The term "State" includes, in addition to the several States of the Union, the Commonwealth of Puerto Rico, the District of Columbia, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands.

(10) The term "State educational agency" means the State board of education or other agency or officer primarily responsible for the State supervision of public elementary and secondary schools, or, if there is no such officer or agency, an officer or agency designated by the Governor or by State law.

The material presented by Mr. Moss follows:

The estimated school age population (5–17) as a percent of the total resident population, compiled by the Research Division of NEA, follows:

[In percent]

1.	Alaska	32.5
2.	New Mexico	30.9
3.	Utah	30.7
4.	North Dakota	29.6
5.	Montana	29.3
6.	Louisiana	29.1
7.	Arizona	28.9
8.	Mississippi	28.8
9.	Idaho	28.7
10.	South Dakota	28.6
	Wyoming	28.6
12.	Minnesota	28.3
13.	Vermont	28.2
14.	Michigan	28.1
15.	Delaware	27.9
	Wisconsin	27.9
17.	South Carolina	27.7
18.	Colorado	27.1
	Georgia	27.1
	Hawaii	27.1
	Maryland	27.1
22.	Alabama	27.0
	Indiana	27.0
24.	Iowa	26.9
25.	Ohio	26.8
26.	Maine	26.7
27.	Kentucky	26.5
	Nevada	26.5
29.	Texas	26.3
30.	Kansas	26.2
	Nebraska	26.2
	North Carolina	26.2
	United States	26.2
33.	Virginia	26.0
34.	Missouri	25.9
	Oregon	25.9
36.	Washington	25.8
37.	California	25.6
	New Hampshire	25.6
39.	Illinois	25.5
40.	West Virginia	25.4
41.	Arkansas	25.3
	Connecticut	25.3
	Massachusetts	25.3
44.	Florida	25.2
	Tennessee	25.2
46.	New Jersey	25.1
	Pennsylvania	25.1
48.	Rhode Island	24.8
49.	Oklahoma	24.3
50.	New York	24.1

GENERAL EDUCATION ASSISTANCE ACT OF 1969

	Number of poor 5 to 17, 1968–69 (1)	Percent of poor in each State (2)	Equalization (3)	Basic amount (4)	Total amount (5)	Total amount per child (6)
Alabama	351,430	3.9	$96,825,000	$96,200,000	$193,025,000	$200.60
Alaska	9,270	.1	2,550,000	9,000,000	11,550,000	128.35
Arizona	66,536	.7	18,325,000	48,200,000	66,525,000	138.03
Arkansas	217,890	2.4	60,025,000	51,000,000	111,025,000	217.72
California	549,753	6.1	151,475,000	493,000,000	644,475,000	130.73
Colorado	67,222	.7	18,500,000	55,400,000	73,900,000	133.39
Connecticut	58,311	.6	16,050,000	74,800,000	90,850,000	121.46
Delaware	13,706	.2	3,775,000	14,900,000	18,675,000	125.34
District of Columbia	32,782	.4	9,025,000	18,700,000	27,725,000	148.26
Florida	257,846	2.8	71,050,000	155,000,000	226,050,000	145.84
Georgia	382,068	4.2	105,275,000	124,200,000	229,475,000	184.76
Hawaii	20,302	.2	5,575,000	21,100,000	26,675,000	126.42
Idaho	26,176	.3	7,200,000	20,200,000	27,400,000	135.64
Illinois	333,125	3.7	91,800,000	280,000,000	371,800,000	132.79
Indiana	143,502	1.6	39,525,000	136,700,000	176,225,000	128.91
Iowa	133,861	1.5	36,875,000	73,900,000	110,775,000	149.90
Kansas	82,590	.9	22,750,000	60,400,000	83,150,000	137.67
Kentucky	285,909	3.2	78,775,000	85,600,000	164,375,000	192.03
Louisiana	313,896	3.5	86,500,000	108,500,000	195,000,000	179.72
Maine	39,236	.4	10,800,000	26,100,000	36,900,000	141.33
Maryland	117,588	1.3	32,400,000	102,000,000	134,400,000	131.76
Massachusetts	128,132	1.4	35,300,000	137,600,000	172,900,000	125.65
Michigan	265,053	2.9	73,025,000	245,400,000	318,425,000	129.76
Minnesota	155,441	1.7	42,825,000	103,000,000	145,825,000	141.58
Mississippi	338,596	2.7	93,300,000	67,400,000	160,700,000	238.43
Missouri	211,779	2.3	58,350,000	120,000,000	178,350,000	148.62
Montana	26,886	.3	7,400,000	20,300,000	27,700,000	136.45
Nebraska	67,258	.7	18,525,000	37,700,000	56,225,000	149.14
Nevada	6,620	.1	1,800,000	12,000,000	13,800,000	115.00
New Hampshire	14,531	.2	4,000,000	18,000,000	22,000,000	122.22
New Jersey	157,058	1.7	43,275,000	177,400,000	220,675,000	124.39
New Mexico	64,178	.7	17,675,000	31,400,000	49,075,000	156.29
New York	653,622	7.2	180,100,000	436,800,000	616,900,000	141.23
North Carolina	492,087	5.4	135,600,000	134,600,000	270,200,000	200.74
North Dakota	43,037	.5	11,850,000	18,500,000	30,350,000	164.05
Ohio	295,569	3.3	81,450,000	283,400,000	364,850,000	128.74
Oklahoma	148,811	1.6	41,000,000	61,100,000	102,100,000	167.10
Oregon	51,336	.6	14,125,000	52,100,000	66,225,000	127.11
Pennsylvania	384,566	4.2	105,975,000	293,500,000	399,475,000	136.11
Rhode Island	27,540	.3	7,575,000	22,600,000	30,175,000	133.52
South Carolina	298,168	3.3	82,150,000	74,500,000	156,650,000	210.27
South Dakota	52,139	.6	14,350,000	18,800,000	33,150,000	176.33
Tennessee	337,556	3.7	93,000,000	100,000,000	193,000,000	193.00
Texas	653,171	7.2	179,975,000	289,000,000	468,975,000	162.28
Utah	24,457	.3	6,725,000	31,700,000	38,425,000	121.21
Vermont	17,770	.2	4,875,000	11,900,000	16,775,000	140.97
Virginia	276,216	3.1	76,100,000	119,500,000	195,600,000	163.68
Washington	80,828	.9	22,250,000	84,500,000	106,750,000	126.33
West Virginia	155,659	1.7	42,875,000	45,900,000	88,775,000	193.41
Wisconsin	130,937	1.4	36,075,000	117,500,000	153,575,000	130.70
Wyoming	9,907	.1	2,725,000	9,000,000	11,725,000	130.28
United States	9,071,907	100.0	2,500,000,000	5,230,000,000	7,730,000,000	147.99
Added total			2,499,949,000		7,739,939,000	174.75

S. 2202—INTRODUCTION OF A BILL TO CREATE A RURAL TELEPHONE BANK

Mr. DOLE. Mr. President, I am introducing, along with 13 cosponsors, legislation to permit the creation of a rural telephone bank, initially under the supervision of the Secretary of Agriculture and ultimately converted to non-Federal ownership with operation and control by its borrowers.

RURAL TELEPHONE DEVELOPMENT HISTORY

The REA loan program is well known to us in the Congress. The original act authorizing rural electric loans was passed by Congress in 1936 and extended to include rural telephone loans in 1949. In 1949, only about 38 percent of the Nation's farms were receiving telephone service of any kind. In the ensuing 2 years to date, under the REA telephone program, approximately 82 percent have received telephone service. Eight subscribers per rural line was the standard set by REA when the program started, replacing the old 20 to 25 subscribers per line. With this new dial service the rural subscriber is using his telephone so much more today that the eight-party line is now more difficult to get to use than was the old system. These systems are now beng upgraded to four-party, and where economically feasible, one-party service on a systemwide basis. Under this program, loans are granted to eligible borrowers at the statutory rate of 2 percent, for which they are obligated to provide modern telephone service on an area coverage basis within their service areas. The loan repayment records of these companies—both private type and cooperative type—is outstanding. REA loans have been made to build and improve more than 500,000 route miles of telephone line to service approximately 2,400,000 subscribers in rural areas. REA telephone borrowers totaling 869—636 commercial companies and 233 cooperatives—have received loans of over $1.6 billion since the beginning of the telephone program in 1949. They will need more than twice this amount in the next 15 years. It is simply not realistic to expect Congress to provide it all through direct annual appropriations.

The present REA 2 percent lending program is being maintained at about $125 million per year. If the 2-percent program alone were to bear the burden of the expected future capital requirements, it would mean doubling the current appropriations. The Congress simply cannot be expected to provide such an amount, at such rate, but presently there is no other alternative.

NEED FOR NEW APPROACH

These REA telephone systems cannot go directly into the private money market, because most of them operate under a very low subscriber-density handicap. REA telephone borrowers have an average subscriber density of 3.8 subscribers per route mile of line as compared to a subscriber density of 16 per mile for the total independent telephone companies and over 40 per mile for the Bell System companies. Under the provisions of the bill those systems with the least density would be able to continue to secure 2-percent financing, with those systems who could afford to pay higher rates of interest borrowing directly from the bank.

With the diverse demands upon the Federal Treasury, it is imperative that new and additional sources of capital funds, at usable interest rates, be developed if these needs are to be met. This is the purpose, Mr. President, of my bill.

RURAL TELEPHONE BANK

Enactment of this legislation will assure rural telephone systems access to reasonable-cost growth capital through private sources by establishing a supplemental credit mechanism to which the borrower systems may turn for all or part of their future capital requirements, thereby reducing the drain on the Treasury both for loan funds as well as subsidies. This proposed bank is modeled somewhat after the highly successful Federal land banks which have operated for over 50 years and have long since reimbursed the Federal Treasury for the Government capital investment and have become totally borrower owned and controlled. The demand for capital is demonstrated by the current backlog of telephone loan applications on hand at REA which was over $309 million on April 30, 1969. This demand has been increasing each year and must be met if these companies are to survive and meet the demands of their subscribers and keep pace with the industry.

Through borrowings in the private money market and the mix of moneys from stock purchased by borrowers along with the Government investment in the capital stock, the bank will be able to provide additional funds needed over the present level of the 2-percent program to meet the needs of these borrowers. The Federal investment will be repaid under the provisions of this bill with interest.

A maximum of $30 million a year through the annual appropriation process will be available over a 10-year period from repayments or outstanding 2 percent loans—rather than an additional drain of new money from the Treasury—for investment in the capital stock of the bank.

CONCLUSION

Mr. President, I sincerely believe that this legislation offers a very constructive approach toward solving the capital needs of this worthwhile rural program, a program which has worked well since its inception in 1949 for rural America and contributed much to the productive capacity of our Nation's farms. I personally view this bill as an important step in bringing about a fiscal realism and responsibility in the Federal role of government as it affects this particular program and one which I believe will adequately meet the future capital demands which these telephone systems are facing in providing the kind of telephone service that our rural areas expect and deserve.

The REA program has traditionally been a program for people—the people of rural America and urban America and every time an REA financed line is built all of our people benefit. I think it is certain that if these systems are to have the growth capital that they need to extend their lines to all of our rural people and provide telephone service on a par with the city telephone subscribers, they must have this legislation enabling them to acquire much of the necessary funds from the private money market rather than total reliance on the current 2-percent program.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 2202) to amend the Rural Electrification Act of 1936, as amended, to provide an additional source of financing for the rural telephone program, and for other purposes, introduced by Mr. DOLE (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Agriculture and Forestry.

S. 2203—INTRODUCTION OF THE CONSUMER AGRICULTURAL FOOD PROTECTION ACT OF 1969

Mr. MURPHY. Mr. President, I introduce the Consumer Agricultural Food Protection Act of 1969 and ask unanimous consent that it be referred to the Committee on Agriculture and Forestry.

The VICE PRESIDENT. The bill will be received; and, without objection, will be referred to the Committee on Agriculture and Forestry.

The bill (S. 2203) the Consumer Agricultural Food Protection Act of 1969, introduced by Mr. MURPHY (by unanimous consent), was received, read twice by its title, and referred to the Committee on Agriculture and Forestry, by unanimous consent.

S. 2204—INTRODUCTION OF A BILL TO ESTABLISH A NATIONAL OCEANIC AGENCY

Mr. MURPHY. Mr. President, I introduce a most important measure. The bill is cosponsored by Senators HATFIELD and TOWER. This bill deals with a subject which has been inextricably linked with the history, the economy, and the very security of our great Nation. It involves a subject which will not only loom more important in our Nation's future, but also in the future of all mankind.

The subject about which I am speaking is the ocean—its exploration and development for the benefit of all of our people. The oceans comprise about three-fourths of the surface of the earth. Yet, as Dr. George H. Sullivan, a member of the President's Commission on Marine Science, Engineering and Resources, which recently issued a comprehensive report, entitled, "Our Nation and the Sea," stated:

> Almost nothing is known about the underwater expanse from ten miles outside New York to Le Havre, France.

The significance and importance of looking and moving seaward was succinctly stated in a passage from the President's Commission report, and I quote:

> How fully and wisely the United States uses the sea in the decades ahead will affect profoundly its security, its economy, its ability to meet increasing demands for food and raw materials, its position and influence in the world community, and the quality of the environment in which its people live.

In 1966, as a coauthor and strong supporter of the sea grant college program, I characterized our ocean effort as follows:

> For some time I have felt this nation's efforts in the exploration of the oceans have been inadequate and moving at a snail's pace . . . The Johnson Administration, however, has treated oceanology as a stepchild. It has failed to provide the leadership and the vision necessary to insure that the United States will be the leader in this endeavor.

The sea grant measure was enacted into law, and today is making an important contribution in preparing the country for an oceanology push. The President's Commission's report, to which I have previously referred, should give further impetus to our ocean efforts.

The truth is, however, Mr. President, that up to this time, we have only dipped into ocean exploration and development. I believe the time has come when we must reorganize our Nation's oceanology program for the plunge. I believe that the time has come when oceanology must be given the priority it deserves and which economic and security considerations demand.

The bill I am introducing, Mr. President, would reorganize our Nation's oceanology program to chart and give momentum to our ocean effort. The bill would establish a new National Oceanic Agency.

Mr. President, presently our oceanology effort is scattered among 23 agencies and departments with inadequate or no coordination among them. The President's Commission recommended the establishment of a new Federal agency.

Congressman BOB WILSON, of San Diego, America's Magellan of oceanology, has been advocating such an agency for years. His idea then may have been ahead of its time, but the time for the implementation of the idea is now.

I am hopeful, Mr. President, that President Nixon and his new administration will support the creation of a new agency. For, as the President's Commission in its report said:

> The nation's stake in the uses of the sea is synonymous with the promise and threat of tomorrow.

There is promise in the great economic potential of the oceans. The dangers are represented by our own pollution of this resource, and the national security implications.

We are told the world's population will double by the year 2000. Particularly alarming is the projected population growth for less developed countries where two-thirds of the world's population lives. If the growth rates for these less developed countries prove accurate, they will have four times as many people as the developed nations by the year 2000. Over the next 20 years, food producing must increase by 50 percent to keep up with population growth.

Mr. President, these are sobering statistics to a world already beset with problems of hunger and malnutrition. The need for additional sources of animal protein is already acute. Population growth will enlarge an already serious situation. The oceans hold a certain promise in helping to meet and to provide the protein need of the world.

The United States, however, lags in the harvesting of marine food products. Although, presently, fisheries represent the most important harvested economic resource of the ocean totaling over 1⅓ of all other resources and experiencing a growth rate of 6 percent yearly, the U.S. fishing industry has not participated in that growth. The U.S. catch over the past 30 years has stayed approximately the same. Our fishermen today land only 4 percent of the world's catch, despite the fact that our citizens consume approximately 12 percent of the total world harvest. In fact, our fishermen land only about one-third of the fish consumed in the United States. They harvest only one-third of the potential catch the U.S. Continental Shelf yields. With the exception of our tuna and shrimp fisheries, the U.S. fishing industry is technically outmoded. Thus, the present picture of our fishing fleet leaves a lot to be desired.

Foreign fisheries, with the benefit of great research and technological development, are rapidly moving into the global fishing areas including areas off our east and west coasts. Soviet Russia is actively fishing all over the world. The Japanese are very active. In 1956, the United States was second only to Japan as a fishing nation. When I spoke on the sea-grant proposal in 1966, we occupied fifth place, behind Japan, Soviet Russia, Red China, and Peru. Now, we are in sixth place, with Norway having moved ahead of us. This obviously is not a desirable position, fitting for the leading nation on the face of the globe. It is not a position that the American people want, nor one they should tolerate. Not only is it important that we regain prominence in the fishing competition, because we have been traditionally a nation that realizes the importance of the seas, but also the importation of fish and fish products into the United States added over $564 million in calendar year 1968 to our critical balance-of-payments problem.

Mr. President, we know that minerals abound in the oceans. Scientists tell us that the oceans contain more minerals than those which have been mined by man in all his past history. As an example, we have been taking oil from the Continental Shelf for over 30 years. At the present time, 16 percent of the total free world's oil production results from offshore efforts. Twenty-two countries now or will soon be able to drill oil from offshore areas. Private industry currently invests $1 billion a year, and this investment is increasing by 18 percent each year.

The President's Commission indicated that offshore oil production may "account for at least 33 percent of the total world production in 10 years." Today there are over 12,000 oil wells off the Nation's coast. The number grows by 1,200 each year. The concentration of oil drilling platforms is so great in the gulf area that freeways for entrance to and exits from gulf ports had to be established. Thus, man is mining the ocean in this important area.

The tragic oil spillage at Santa Barbara illustrates that economic considerations must not be the only considerations and that environmental factors must be carefully examined in connection with our offshore oil production. For, Mr. President, pollution such as occurred at Santa Barbara must be prevented. Santa Barbara made this lesson painfully clear. Santa Barbara showed us our precautions and regulations were inadequate. Santa Barbara demonstrated the inadequacies of our knowledge both in preventing oil spillages initially and the dearth of our knowledge in coping with spillages once they occur. This is an area which must be given priority.

In addition to the rich deposits of oil, gas, and sulfur on our Continental Shelf, the deep sea floor is rich in manganese, copper, cobalt, nickel, molybdenum, vanadium, zinc, and zirconium deposits. The United States now imports 66 of 77 strategic materials. Forty strategic commodities are imported from unstable areas of the world where our supply may be cut off. With world demand for minerals expected to double by 1985 and to triple by the year 2000, competition for these minerals will increase, so the United States is forced to continually look for new sources. Our ability to locate such minerals and our ability to extract them could be critical. While no one is under any illusions that the ocean will yield these key minerals easily, I am confident that our great scientific and technological know-how, which has made our recent flawless space feats possible, will be equal to the challenge of the inhospitable environment of the oceans.

Mr. President, coming from the West, I am acutely aware of the value of our priceless resource—water. The scarcity of water has tormented man down through many centuries. Today, our water needs are great and growing. Tomorrow, the demands for adequate water to supply industry, agriculture, and our exploding populations will be even greater. The world demand is expected to double before the end of the 20th century. In the United States, it has been estimated that, by 1980, water supplies will be inadequate to meet the water requirements of the population.

Yet, Mr. President, scientists tell us that the earth's original supply of water is still in use. Little has been lost or added. The centuries-old hydrologic cycles of water continue today. It is, therefore, not the total world supply that is of concern to man, but its management distribution and use that will determine whether adequate water will be available. Our water needs today and our projected needs of the future underscore the importance of accelerating our desalination efforts and environmental modification efforts.

As a member of the Senate Health Subcommittee, I naturally am interested in the use of the sea's animal and plantlife for medicinal raw materials. The President's Commission tells us:

> The medical history of people bordering the seas is replete with evidence that products with pharmaceutical applications can be obtained from the plants and animals of the sea.

We desperately search for a cure of cancer. We know the strangely, invertebrate marine animals have not acquired cancer. Why not? We need to investigate this. Some scientists also feel that compounds in vertebrates may hold a clue to the "biochemistry of sanity and insanity." No one knows, but these hints of medical possibilities show yet another possible benefit of ocean development and research. Despite these medical possibilities, only 1 percent of marine plant and animal life "known to contain biologically active materials, have been studied," according to the President's Commission.

While the economic potentials of ocean development are important, there are even higher stakes, perhaps the very survival of our Nation, that compel us to move ahead in the field of oceanology. Recently, Admiral Gorschkov, Commander and Chief of the Soviet Navy, said:

> The flag of the Soviet Navy now flies proudly over the oceans of the world. Sooner or later, the United States will have to understand that it no longer has mastery of the seas.

And, according to Admiral Rickover, Russia has just announced "a projected 50-percent increase in the size of their merchant fleet."

Mr. President, our merchant fleet has been rightfully called the Nation's fourth arm of defense. While Russia is moving full speed ahead with the development of their merchant fleet, our merchant fleet continues its decline. In 1966, our merchant fleet carried only 9 percent of our foreign trade. In 1967, this had declined to 7.9 percent. The United States has dropped to 12th place among world's shipbuilding nations. Russia, in contrast, has risen to seventh place. All this at a time when once again experience is demonstrating the importance of the merchant fleet not only in peacetime but in wartime as well. For, in this conflict our merchant fleet is again keeping the supplies, the lifeblood of our troops, and personnel moving. Nearly all of these supplies and most of the persons involved in the war have been moved by our U.S. merchant fleet. Mr. President, the Soviet Union's effort to achieve mastery of the seas has been treated with relative indifference in the United States. The Soviet space sputnik resulted in a national space effort. What bothers me, Mr. President, is that the Soviet government has quietly stepped up its program in the "inner space." I am hopeful that the Nation will not need another sputnik to make us realize the importance and necessity of extending our efforts in what has been called the neglected frontier.

Admiral Rickover, a great American and the father of our nuclear Navy, in a recent letter to Senator John Pastore, pointed out the great importance that the Soviet Union is attaching to sea power in the broadest sense. Mr. President, I ask unanimous consent that excerpts from his letter be printed in the Record.

There being no objection, the excerpts were ordered to be printed in the Record, as follows:

EXCERPTS OF LETTER FROM ADMIRAL RICKOVER TO SENATOR PASTORE

The Soviet Union is embarked on a program which reveals a singular awareness of the importance of sea power and an unmistakable resolve to become the most powerful maritime force in the world. They demonstrate a thorough understanding of the basic elements of sea power: knowledge of the seas, a strong modern merchant marine, and a powerful new Navy. They are surging forward with a naval and maritime program that is a technological marvel.

At the end of World War II, the Soviet Union had a fleet of 200 diesel-powered submarines. They then embarked on a massive building program, producing over 550 new submarines through 1968, at least 65 of which are nuclear-powered. During the same period, the United States built 99 submarines, 82 of them nuclear-powered. The Soviets have scrapped or given away all their World War II submarines as well as some built since. They now have a new submarine force of about 375; we have 143, which includes 61 diesel submarines most of which are of World War II vintage. Thus the Soviets have a net advantage of about 230 submarines. It is estimated that by the end of 1970 they will have a numerical lead in nuclear submarines.

To achieve this the Soviets greatly expanded and modernized their submarine building facilities. Just one of their numerous submarine building yards has several times the area and facilities of all U.S. submarine yards. They use modern assemblyline techniques under covered ways, permitting large-scale production regardless of weather conditions.

In the single year 1968, the Soviets put to sea a new type ballistic missile submarine as well as several new types of nuclear attack submarines—a feat far exceeding anything we have ever done. In looking to the future, it is estimated that by 1974 they will add about 70 nuclear-powered submarines to their fleet, whereas we will add but 26—further increasing their numerical superiority. In the case of the ballistic missile submarine the Soviets have undertaken a vigorous building program to surpass our Polaris fleet of 41. They have completed seven of the new Polaris-type submarines, and have the capability to turn out one a month. We have no Polaris submarines under construction or planned. We must assume that by the 1973–74 time period they will be up to us.

Numerical superiority, however, does not tell the whole story. Weapon systems, speed, depth, detection devices, quietness of operation, and crew performance all make a significant contribution to the effectiveness of a submarine force. From what we have been able to learn during the past year, the Soviets have attained equality in a number of these characteristics and a superiority in some.

In order to achieve the results so far attained in all areas of modern technology the Soviets had to develop their most important resource—technical and scientific personnel. The Soviet educational program enjoys highest national priority. The statistics on the total numbers of Soviet degree graduates are extremely impressive. The U.S. National Science Foundation data indicates that in 1966 alone, 168,000 engineers were graduated; the

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> U.S., on the other hand, produced but 36,000. With specific application to the Navy, the Leningrad Shipbuilding Institute, just one naval institute of several, had over 7,000 students in 1966 studying naval architecture and marine engineering. I doubt we had over 400 enrolled in these subjects in all U.S. colleges.
>
> While we cannot specifically count the number of Soviet scientists and engineers devoted to naval work, it is apparent that they have created a broad technological base. They have committed extensive resources to support development of their naval forces. The steady build-up of the Soviet submarine Navy from an ineffective coastal defense force at the end of World War II to the world's largest underseas navy today deserves admiration; also it should deeply worry every American. By the end of this year we face the prospect of losing the superiority in nuclear submarines we have held for many years. The threat posed by their submarine force—with their new ballistic and cruise missile launchers and new attack types, is formidable. If more sophisticated types are added in the near future, as is likely considering their large number of designers and their extensive facilities, the threat will rapidly increase.

Mr. MURPHY. Mr. President, as Admiral Rickover indicates, the Soviet Union has produced over 500 new submarines since 1968, 65 of which are nuclear-powered. The United States on the other hand has built only 99 submarines, but 82 of them are nuclear-powered. The admiral further indicated that the Soviets have a new submarine force around 375, whereas we have only 143, of which 61 are of "World War II vintage."

Thus—

According to the Admiral—

> the Soviets have a net advantage of about 230 submarines. It is established by the year of 1970 they will have a numerical lead in nuclear submarines.

It is a frightening thought that by the end of this year, the Soviet Union may gain superiority from us in nuclear submarines. We, of course, are aware of the tremendous capabilities of their Polaris—and its successor, the Poseidon—missiles, which are launched from mobile submarines having the expansive area of the oceans, 75 percent of our globe, as their area of operations. The problem of detecting and eliminating the dangers of submarine attack stagger the imagination. During World War II, my colleagues may recall, 4,786 allied merchant vessels were lost. In the early days of the war, our losses averaged around 100 per month. The Germans were able to destroy such large numbers during the early days of the war despite the fact that at the beginning of the war they had only 47 submarines. Russia, as previously indicated, has over 550. Need any more be said?

Our scientific understanding of the marine environment is obviously of vital importance to the Navy. The Navy has been the principal source of this Nation's basic research. Basic research will continue to play a major role in the Navy's total ocean program as the Navy carries out its mission of defense and deterrence. For example, the oceans, like the geography of our land, have peaks, valleys, and plateaus. There is a need to know and to map the ocean, just as there always has been a need to have maps of our land surfaces.

If we are to increase our methods to detect hostile submarines and improve our accuracy at detecting targets, greater research in oceanology is greatly needed. One priority area, and the Navy has identified it as such, is underwater sound or acoustics. For our ability to seek, detect, and destroy an enemy under water depends upon our understanding of underwater acoustics. The basic science research has helped keep our Navy ahead of any potential aggressor. But, as the President's Commission warned:

> The Navy of tomorrow may well operate in a context which a generation ago would have appeared implausible . . . It is certain, in our view, that the effectiveness of the Navy of tomorrow will be determined in considerable part by our level of scientific understanding of the marine environment, and that all aspects of basic science in this area are of concern to it.

Mr. President, in summary, I am convinced that ocean exploration and development demand greater priority of our Nation's resources. The ocean's resources, to today's explorers, might be thought of as at the same stage of development as our land resources during the days of our early pioneers. Investment in the oceans, our "neglected and last frontier," will result in great dividends for the Nation. The National Academy of Sciences has estimated that an investment of $165 million in ocean research within a decade may produce a return of as much as $3 billion yearly in resources.

Oceanology clearly is one of our tomorrow industries. In addition to promising economic returns and enhancing our national security, an accelerated oceanology effort will produce new jobs, new products, and new industries. Also, since the country is rightfully concerned with the problems of the disadvantaged, there seems to be great opportunity for employment of this group in ocean work. For example, I understand on board some of our ships, we have highly-trained oceanographers, who are doing work of technicians and technician aides. Clearly, this is a waste of skilled manpower to have these highly trained people streaming sample bottles. Information given to me indicates that such work is of a semiskilled nature and can be trained in short order. Our experience in the aerospace industry shows that for every engineer, additional technicians and technician aides are needed. A similar combination will undoubtedly hold true in our ocean programs.

Bordering the Pacific Ocean, Californians have always appreciated the importance of the ocean and have been cognizant of the benefits that might be derived by increased effort. Because of the great interest in oceanology in my State and the importance of the subject to the Nation, I urge the administration to support and the Congress to enact legislation reorganizing our total oceanic effort.

Speaking of seapower in the period when the English fleet was diminishing, Santayana wrote:

> It will be a black day for the human race when scientific blackguards, conspirators, churls and fanatics manage to supplant him.

Fortunately for the free world, Mr. President, England was supplanted by the United States, and U.S. control of the seas has not only been essential for the economic health and defense of our Nation, but it has also helped to preserve freedom around the world. I believe that Admiral Rickover's statement clearly evidences the Soviet Union's absorbing interest in seapower in the broadest sense. The question that the Congress must long ponder is whether we are equal to the challenge. I am confident that the same technology, know-how, and resources that have made us No. 1 in space will enable us to be No. 1 in oceanology. This must be our national goal.

Mr. President, I ask unanimous consent that the text of the bill to establish a National Oceanic Agency be printed in the Record.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record.

The bill (S. 2204) to establish the National Oceanic Agency, introduced by Mr. Murphy (for himself, Mr. Hatfield, and Mr. Tower), was received, read twice by its title, referred to the Committee on Commerce, and ordered to be printed in the Record, as follows:

S. 2204

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby established an independent agency which shall be known as the "National Oceanic Agency" (hereinafter referred to as the "Agency").

Sec. 2. There shall be at the head of the Agency an officer to be known as the Administrator. The Administrator shall be appointed by the President, with the advice and consent of the Senate.

Sec. 3. The Agency shall establish a coordinated national program for oceanology and related sciences including meteorology. In order to implement that program the Agency shall have authority to carry out research projects and programs of the United States in this broad area.

Sec. 4. There is hereby transferred to the Agency all functions relating to oceanology and related sciences which are vested on the date of enactment of this Act in any officer, employee, department, agency, and instrumentality of the United States. There are hereby transferred to the Agency so much of the personnel, property, records, and unexpended balances of appropriations, allocations, and other funds, of any department, agency, or instrumentality of the United States with respect to which any function is transferred under this section as the Director of the Bureau of the Budget determines necessary in connection with the exercise by the Agency of the functions so transferred.

Sec. 5. All orders, regulations, directives, and other official acts of any officer or employee of the United States with respect to functions relating to oceanology and related sciences which are transferred by this Act and which are in force on the date of enactment of this Act shall continue in force until modified, amended, superseded, or revoked by the Administrator.

Sec. 6. In the performance of his functions the Administrator is authorized—

(1) to make, promulgate, issue, and rescind rules and regulations governing the manner of the operation of the Agency and the exercise of its powers;

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(2) subject to the civil service laws and the Classification Act of 1949, as amended, to appoint and fix the compensation of such officers and employees as may be necessary to carry out its functions;

(3) to accept unconditional gifts or donations of services, moneys, or property, real, personal, or mixed, tangible or intangible;

(4) without regard to section 3648 of the Revised Statutes, as amended (31 U.S.C. 529), to enter into and perform such contracts, leases, cooperative agreements, or other transactions as may be necessary in the conduct of its work and on such terms as it may deem appropriate, with any agency or instrumentality of the United States, or with any State, territory, or possession, or with any political subdivision thereof, or with any person, firm, association, corporation, or educational institution;

(5) to use, with their consent, the services, equipment, personnel, and facilities of Federal and other agencies with or without reimbursement, and on a similar basis to cooperate with other public and private agencies and instrumentalities in the use of services, equipment, and facilities, and each department, agency, and instrumentality of the Federal Government shall cooperate fully with the Agency in making its services, equipment, personnel, and facilities available to the Agency, and any such department, agency, or instrumentality is authorized, notwithstanding any other provision of law, to transfer to or receive from the Agency, without reimbursement, supplies and equipment other than the administrative supplies and equipment;

(6) to establish within the Agency such offices and procedures as may be appropriate to provide for the greatest possible coordination of its activities under this Act with related activities being carried out by other public and private agencies and organizations; and

(7) with the approval of the President, to enter into cooperative agreements under which officers and employees (including members of the Armed Forces) of any department, agency, or instrumentality in the executive branch of the Government may be detailed by the head of such department, agency, or instrumentality for services in the performance of functions under this Act to the same extent as that to which they might lawfully be assigned in such department, agency or instrumentality.

SEC. 7. Notwithstanding any other provision of this Act, no function shall be transferred under this Act which the President determines should not be transferred in the interests of national security.

S. 2207—INTRODUCTION OF A BILL TO PROVIDE MORE FLEXIBLE MORTGAGE LIMITS

Mr. MONDALE. Mr. President, I introduce today, for appropriate reference, a bill, jointly authored by Senator JAVITS and myself, to amend section 235 of the National Housing Act. Upon discovering that we were each working on this matter independently, Senator JAVITS and I decided to pool our efforts and produce a jointly authored bill.

The purpose of this bill is to provide more flexible mortgage limits in order to encourage the development of homeownership in high-cost areas for lower income families.

BACKGROUND

All Federal housing assistance programs impose maximum limits on total dwelling development costs to insure that only modestly priced housing is built under these programs. These maximum limits vary according to program—public housing, 221(d)(3), 236, and 235—and from area to area. Each program recognizes that higher development cost limits must be allowed in high-cost areas where land and labor costs are higher. Generally speaking, the allowances for high-cost areas provided by statute for public housing and FHA multifamily programs like 221(d)(3) and 236 are realistic and adequate. This is not the case for the new 235 homeownership program. As a result, there are strong indications that the 235 program will often not prove to be economically feasible in many high-cost metropolitan areas—like New York City, Chicago or Washington, D.C.—which have some of the most severe housing problems in the Nation.

Joseph Gabler, Director of the FHA in Minnesota, has informed me that "the single major difficulty" of the section 235 program is the fact that the present mortgage limits "make it almost impossible to utilize section 235 in the metropolitan areas" of Minnesota. He points out that in the cities the only way to get new construction under this program is to build on urban renewal land where the cost has been lowered considerably below the market level.

The proposed amendment would give the Secretary of Housing and Urban Development the authority and flexibility to correct this problem when and where it arises.

THE NEED FOR THE AMENDMENT

In many high-cost areas, rental buildings costing up to $19,000 or more per unit are now being built under the public housing, 221(d)(3) and 236 programs. Given today's high construction costs, these buildings are not elaborate structures. Present law establishes considerably lower cost limits in high-cost areas for houses built under the section 235 program than for those built under the rental programs, even though the income limits of the persons to be served by the 235 and 236 programs are exactly the same. This is paradoxical because the cost of detached or semidetached houses on separate lots is considerably greater than the cost of garden apartments. As a result, many builders in high-cost areas will be discouraged by the stringent cost limits from using the 235 program, thus frustrating Congress' purpose of widening opportunities for homeownership.

An example will help indicate how the present cost limits may inhibit production. Suppose a builder has an option on a tract of land on which section 235 houses might be built. Let us assume that the land has certain environmental deficiencies—like location in a deteriorating urban area—so that houses could not be sold if they were financed conventionally. In determining whether or not to exercise the option, the builder estimates all his costs—including a small allowance for profit—if he were to build houses under section 235. Let us assume further that his estimated costs total $17,000, which is below the present statutory cost limit of $17,500 in high-cost areas. He will still probably choose not to take the land and participate in the program. He reasons that he will not complete construction for about 2 years, and that inflation may well erode his entire margin of safety by that time. Given the rapid rise of labor costs, interest rates, and lumber prices in the last few years, his actual costs may well exceed $17,500, thereby destroying his profit margin. He is not certain that this will occur, but the chance is great enough to dissuade him from taking the risk. The existence of rigid statutory cost limits is the cause of this problem. If the builder knows that the Secretary of HUD has the authority to raise cost limits in response to inflation, he will be more likely to participate in the program. But he is obviously less confident that Congress will be able to act in time to adjust existing statutory cost limits in response to inflation.

THE AMENDMENT AND ITS EFFECT

The basic statutory development cost limit—technically it is the limit on the amount of the mortgage—under the section 235 program is $15,000. The limit can be increased to $17,500 for families of five or more persons. Under present legislation, an additional allowance of $2,500 is allowed for high-cost areas.

Experience indicates that this allowance will be clearly inadequate in the years ahead. The 221(d)(3) and 236 programs permit development costs of up to 45 percent higher than their basic cost limits in high-cost areas. The proposed amendment, which adopts the language of sections 221(d)(3) and 236, would apply the 45-percent formula for high-cost areas that is used under these two sections to the 235 program.

Thus, the basic mortgage limits for ordinary sales units, units in cooperatives, and units in condominiums under section 235 would remain at $15,000—and $17,500 where the mortgagor's family includes five or more persons. But under the amendment, the Secretary would have the power to raise these limits up to 45 percent "in any geographical area where he finds that cost levels so require."

It should be emphasized that this amendment would not necessarily result in higher cost units being built under 253. Rather, the amendment would give the Secretary the flexibility to raise the development cost limits in high-cost areas where spiralling costs require such an increase. The current allowance of $2,500 does not give him sufficient flexibility.

It should also be pointed out that this amendment would not increase the monthly payments of many lower income families, since they will still pay 20 percent of their income. For those families who receive the maximum subsidy under the law, their cost per month would go up slightly in these high-cost areas. However, these families will still be better off, since there would be very little opportunity for families in high-cost areas to buy houses under section 235 in its present form; the builders are simply not going to participate in the program in such areas.

As a result of this amendment, builders

concerned about meeting cost limits will be just as likely to build sales units as they would rental units in most of our metropolitan areas. The end result will be to fully effectuate the purpose of the 235 program, which is now in serious trouble in those metropolitan areas of the country.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 2207) to amend section 235 of the National Housing Act to provide more flexible mortgage limits in order to encourage the development of homeownership in high-cost areas for lower income families, introduced by Mr. MONDALE (for himself and Mr. JAVITS), was received, read twice by its title, and referred to the Committee on Banking and Currency.

Mr. JAVITS. Mr. President, I am today joining the Senator from Minnesota (Mr. MONDALE) in a bill, which he has just offered for us both, and I ask unanimous consent that my remarks, together with a copy of the bill, may appear in the appropriate place in the RECORD.

The VICE PRESIDENT. The remarks and bill will be printed in the RECORD at an appropriate place.

Mr. JAVITS. Mr. President, it has become increasingly clear in the past few months that the success of section 235, homeownership program, has been put in doubt by the present statutory cost limitations. Under section 235, the maximum mortgage amount for a house of three bedrooms or less is $15,000, or $17,500 in high-cost areas. Since downpayments must be kept low in this program which is designed for persons of low or moderate income, these maximums on mortgage amount naturally lower ceilings on sales prices.

In high-cost areas the section 235 program has had little impact because these statutory cost limits are much too low and builders are reluctant to get involved in the face of rapidly escalating construction costs. For example, 6 years ago the median price of new single-family houses built in the Washington area was $21,300. By 1966, it had increased to $26,500, and it has now increased to $32,500. At the end of 1968, census data show that only 11 percent of new houses sold in the West and Northeast were priced at under $17,500, and in the North Central United States only 8 percent were. The problem is particularly serious near the center of major metropolitan areas where high land and labor costs make the statutory maximum cost limitations in section 235 particularly serious. An FHA survey early this year in the Washington, D.C., area uncovered no new single-family houses on the market with sales prices under $17,500. Thus, in the very areas in which this program is most needed, the housing industry is least able to meet the need.

In the face of this situation, Senator MONDALE and I—individually—were preparing legislation to amend section 235, to make the statutory cost limitations more flexible. We have decided to join in offering this bill, which would authorize the Secretary of Housing and Urban Development to increase the cost limitations by up to 45 percent in high-cost areas. Such an amended limitation on costs in high-cost areas would be consistent with a similar provision of the section 221(d)(3) program.

Such an amendment to section 235 at this time is crucial, for there is every reason to believe that costs will continue to rise. Lumber products have undergone an unprecedented price rise in the last 2 years, prompting congressional hearings and administrative action. Land and labor costs have been consistently going up, and, of course, we are all aware of the almost unprecedented increases in financing charges.

Recent statistics from the Department of Housing and Urban Development indicate that the statutory maximums have limited activity under the section 235 program in New York and in other comparable high-cost areas throughout the Nation. In a letter to me of May 16, 1969, William B. Ross, Acting Assistant Secretary-Commissioner, Federal Housing Administration, noted:

> In New York City there has been absolutely no activity under the Section 235 program. . . . To date, reservations have been requested for only 32 units for the city of Albany and 61 units for the city of Buffalo. Our experience in other major cities is very similar.

Mr. Ross continues:

> When we consider the activity this program has engendered throughout the nation and the backlog of requests for assistance amounting to over 60,000 units which we have not been able to fund, we can better judge the impact of the cost limits in the high cost areas.

Mr. President, I ask unanimous consent that the correspondence with Mr. Ross be inserted in the CONGRESSIONAL RECORD at the conclusion of my remarks.

The VICE PRESIDENT. Without objection, it is so ordered.

(See exhibit 1.)

Mr. JAVITS. Mr. President, this increase in the statutory cost limitations in high-cost areas in the section 235 homeownership program has been endorsed by several major groups. At its recent conference, the National Housing Conference approved a resolution calling for such an amendment, and in recent hearings on lumber price increases before the Housing Subcommittee of the Senate Banking and Currency Committee, the National Association of Home Builders recommended that a 45-percent increase in costs for high-cost areas be allowed under section 235. Also, in a letter to Housing and Urban Development Secretary George Romney, the Council of Housing Producers stated:

> Housing costs have increased approximately 10% or more since legislation was first drafted for the 1968 Housing Act. HUD should ask for legislation which would regulate increases on statutory limits for 235 and 236. With costs increasing as they have been in the past two years, it will be almost impossible, in many areas, to build single family housing within the present limitations. . . . Money will go unused in many cities because producers will not be able to build single family homes within the limitations.

Mr. President, I am pleased to join Senator MONDALE in offering this bill. I hope that it will have early and serious consideration in the Congress.

EXHIBIT 1

MAY 15, 1969.

Mr. MORTON BARUCH,
Director, Low and Moderate Income Housing, Department of Housing and Urban Development, Washington, D.C.

DEAR MR. BARUCH: I am deeply concerned about the possible impact of present statutory cost limits for high-cost areas in section 235 of the National Housing Act. It has been brought to my attention that the present limits are seriously inhibiting the success of this program in certain areas of the nation. Accordingly, I am considering introduction of legislation to amend section 235 to increase the cost limitations to 45 percent of existing dollar-limitations in certain geographical areas to be designated by the Secretary of Housing and Urban Development. Such a provision would be consistent with present limitations in "below market interest rate" programs.

In connection with this matter, could you indicate to me the number of applications and the general level of activity under the section 235 program in the New York Regional Office of the Department of HUD. In addition, I would appreciate information as to the level of activity in other areas of the nation with cost figures similar to that of the New York Region.

I would deeply appreciate your immediate attention to this matter. Please relay any information to my legislative assistant, Emil Frankel, in Room 320, Old Senate Office Building (225–6542).

With best wishes,
Sincerely,

JACOB K. JAVITS.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT, FEDERAL HOUSING ADMINISTRATION,
Washington, D.C., May 16, 1969.

Hon. JACOB K. JAVITS,
U.S. Senate,
Washington, D.C.

DEAR SENATOR JAVITS: I am replying to your letter of May 15, 1969, addressed to Mr. Morton A. Baruch of my staff concerning the statutory limits which have been established for the Section 235 homeownership program.

From our experience with the initial assistance funding made available to the program it would appear that the statutory maximums have limited activity in New York and other comparable high cost areas throughout the nation. In New York City there has been absolutely no activity under the Section 235 program either for project proposals for five or more units or on an individual basis for proposals involving four or less units. To date, reservations have been requested for only 32 units for the city of Albany and 61 units for the city of Buffalo. Our experience in other major cities is very similar. Assistance has been requested for only 181 units in Chicago; 250 units in Detroit; 73 units in Los Angeles and there have been no requests for assistance in the cities of San Francisco and Boston.

When we consider the activity this program has engendered throughout the nation and the backlog of requests for assistance amounting to over 60,000 units which we have not been able to fund, we can better judge the impact of the cost limits in the high cost areas.

You may be assured that within the legislative constraints every possible effort will be made to provide assistance to these areas by stressing the utilization of the Section 235(j) nonprofit rehabilitation program as well as rehabilitation under the regular homeownership assistance program. We will also permit maximum utilization of that percentage of funds available for existing housing.

In view of your request for our immediate response in this matter, I am having this letter hand carried to your office.

Sincerely yours,

WM. B. ROSS,
Acting Assistant Secretary-Commissioner.

The text of the bill is as follows:

S. 2207

A bill to amend section 235 of the National Housing Act to provide more flexible mortgage limits in order to encourage the development of homeownership in high-cost areas for lower income families

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 235 of the National Housing Act is amended—

(1) by striking out the last proviso in subsection (b)(2) and inserting in lieu thereof the following: ": *Provided further,* That the amount of the mortgage attributable to the dwelling unit shall involve a principal obligation not in excess of $15,000 (or $17,500, if the mortgagor's family includes five or more persons), except that the Secretary may, by regulation, increase the foregoing dollar amount limitations by not to exceed 45 per centum in any geographical area where he finds that cost levels so require"; and

(2) by redesignating subparagraph (C) of subsection (i)(3) as subparagraph (D), and by striking out subparagraph (B) of such subsection and inserting in lieu thereof the following:

"(B) involve a principal obligation (including such initial service charges, and such appraisal, inspection, and other fees, as the Secretary shall approve) in an amount (i) in the case of a single-family dwelling, not to exceed $15,000 (or $17,500, if the mortgagor's family includes five or more persons), or (ii) in the case of a two-family dwelling, not to exceed $20,000: *Provided,* That the Secretary may, by regulation, increase the foregoing dollar amount limitations by not to exceed 45 per centum in any geographical area where he finds that cost levels so require;

"(C) where it is to cover a one-family unit in a condominium project, have a principal obligation not exceeding $15,000 (or $17,500, if the mortgagor's family includes five or more persons), except that the Secretary may, by regulation, increase the foregoing dollar amount limitations by not to exceed 45 per centum in any geographical area where he finds that cost levels so require; and".

S. 2208—INTRODUCTION OF A BILL TO AUTHORIZE A FEASIBILITY STUDY OF ESTABLISHING A NATIONAL LAKESHORE RECREATION AREA AT LAKE TAHOE, NEV.

Mr. BIBLE. Mr. President, on behalf of myself and my colleague, Senator CANNON, I introduce, for appropriate reference, a bill to authorize a feasibility study of a proposal to establish a national lakeshore recreation area at Lake Tahoe, Nev.

This bill, Mr. President, deals with one of our Nation's most prized scenic and recreation resources. It is an irreplaceable resource. And it is a resource that is gravely threatened by the relentless march of commercial development.

Joint efforts by the States of California and Nevada and the Federal Government to save the fabled purity of this mountain lake's waters have intensified in recent years, just as commercial development has intensified. But this is just one part of the overall problem. What is left of the Lake Tahoe's magnificent natural shoreline also must be saved.

There is not too much of this natural shoreline left. And there is not much time left to save it.

The bill I introduce today culminates many years of hard work at all levels of government to preserve the lake's natural beauty and to set aside and develop a meaningful area for public recreation. It has the active support of the Governor and the Legislature of Nevada, and I am confident, the people of Nevada.

To date, the effort to provide a Lake Tahoe park and recreation area for the thousands of visitors from all over the Nation has been essentially a State project. Although State finances are obviously limited, Nevada has already committed considerable moneys to land acquisition. In working closely with former Gov. Grant Sawyer and his successor, Gov. Paul Laxalt, it has been my privilege to help secure some $3 million in special Federal allocations from the land and water conservation fund to spur this effort along.

But all of us engaged in this park effort have had to face the reality that the overall project is too big for Nevada and the relatively limited assistance available in the land and water conservation fund. The project is big enough and the cause is important enough and the needs are urgent enough to merit a development of national proportions.

Recognizing this, I first proposed the establishment of a national lakeshore recreation area in a speech before the California-Nevada section of the National Wildlife Society in San Francisco last January. But I said then that the effort first required the full support of the Nevada Legislature and Governor. A supporting resolution was subsequently approved by the legislature and signed by the Governor.

Although I believe the ultimate answer will be the establishment of a national lakeshore recreational area, I realize this is but one approach.

All approaches should be explored. The Department of the Interior, through the Bureau of Outdoor Recreation and the National Park Service, is best qualified to conduct a thorough investigation of the problems and challenges and provide the most effective solution.

I must emphasize, Mr. President, the situation at Lake Tahoe presents a major challenge and demands fast action. Already, most of the lakeshore on the California side and too much of it on the Nevada side has been developed. The mountain slopes, the rocks and trees and the white beaches of this deep blue, mile-high lake have given way to the hotdog stand and the neon light. Public access for recreation is limited to a few small beaches and picnic areas which are not adequate to the needs of a fraction of the visiting public.

Fortunately, because a great deal of land has been held undeveloped in private ownership, long reaches of the Nevada shoreline remain in their natural state. But even this land is endangered because it is not under proper management and protection and could at any time be acquired and exploited by developers.

We are in a race with the bulldozer of commercial development. It is a race we must win.

Because of this situation there is an immediate and urgent need for land acquisition beyond what the State of Nevada has achieved. I have already consulted with the U.S. Forest Service over the feasibility of acquiring the proper acreage in the near future to protect the Federal interest. This may be possible under existing authority or with a slight modification of the Toiyabe National Forest boundary in the area. I shall pursue the most effective course in this regard.

Anyone who has ever seen Lake Tahoe knows it would be criminal not to extend every effort toward preserving its legendary beauty and managing its invaluable resources for countless future generations of Americans. Anything less and we stand indicted for neglect.

I hope this measure can be expedited in Congress and that the study it authorizes will be carried forward promptly. And when the solution is before us—in the near future, I trust—I hope Congress will take quick and effective action to achieve the goals I have set forth.

So that the RECORD will be complete, I ask that the full text of Senate Joint Resolution 15 of the Nevada Legislature, endorsing the proposed study and the ultimate establishment of a national lakeshore or national recreation area, be printed following my remarks.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the joint resolution will be printed in the RECORD.

The bill (S. 2208) to authorize the Secretary of the Interior to study the feasibility and desirability of a national lakeshore on Lake Tahoe in the State of Nevada, and for other purposes, introduced by Mr. BIBLE (for himself and Mr. CANNON), was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

The joint resolution presented by Mr. BIBLE follows:

SENATE JOINT RESOLUTION 15

Senate joint resolution requesting Senator ALAN BIBLE to introduce in the U.S. Senate certain legislation concerning Lake Tahoe.

Whereas, The 55th session of the Nevada legislature recognizes the unique natural characteristics and unsurpassed beauty to be found in the Lake Tahoe basin, and further recognizes the need for immediate action to preserve the clarity of the lake and its scenic forest environs as open space and recreation reserves; and

Whereas, Opportunities exist for establishment of large areas of open space and recreation lands in Nevada and the entire basin; and

Whereas, If steps to establish a portion of the basin's undeveloped lands for recreation and open space fail, the area may be subjected to overdevelopment and, further, the natural resources of the basin may be excessively exploited and their integrity impaired; and

Whereas, The Nevada legislature in recognizing the resource needs of the Lake Tahoe basin has enacted the following major programs in its effort to preserve Lake Tahoe:

1. In 1963, purchased Marlette Lake and surrounding lands in Washoe and Ormsby

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counties for the preservation of a prime water supply and watershed;

2. In 1964, authorized the acquisition of 12,000 acres for park and recreation purposes in Washoe and Ormsby counties, which included 7 miles of shoreline, of which 3 miles have been purchased; and

3. In 1964, appropriated 1½ million dollars to finance the purchase of park lands, which, through the generosity of the Max C. Fleischmann Foundation was matched by an additional 1½ million dollars; and

Whereas, The Federal Government, through its Department of the Interior, Bureau of Outdoor Recreation, in recognizing the significance of Nevada's Lake Tahoe state park land acquisition project, approved a 3-million dollar Land and Water Conservation Fund grant to match state and foundation funds; and

Whereas, Nevada, through legislative and executive actions of the past several years, is making outstanding progress to preserve Lake Tahoe and its environs; and

Whereas, Lake Tahoe is recognized as a national attraction and deserves the financial support of the Federal Government to hasten preservation of the basin for the enjoyment of all the nation's citizenry; and

Whereas, The United States Forest Service administers national forest lands within the Nevada portion of the Lake Tahoe basin known as the Toiyabe National Forest; and

Whereas, The Toiyabe National Forest, if authorized and funded, could offer immediate assistance and supplemental support to the State of Nevada in preserving the integrity and beauty of the basin; and

Whereas, Expansion of that portion of the Toiyabe National Forest situated in the Lake Tahoe basin has not kept pace with general urban growth patterns and increased needs for additional recreation and open space lands in the basin; and

Whereas, The Toiyabe National Forest is immediately capable of contributing significantly to the overall development and protection of resource values in the Lake Tahoe basin; now, therefore, be it

Resolved by the Senate and Assembly of the State of Nevada, jointly, That Senator Alan Bible is encouraged and requested to introduce legislation in the 91st Congress of the United States:

1. Immediately to expand the Toiyabe National Forest boundary in Ormsby and Douglas counties to the shoreline of Lake Tahoe;
2. To appropriate funds to enable the United States Forest Service to implement an immediate land acquisition program for purposes of acquiring significant mountain and lakeshore lands while they are still available;
3. To authorize the Bureau of Outdoor Recreation, to conduct a recreation resource study of the entire Lake Tahoe basin to determine specifically actions and administrative direction that should take place in the management and development of federal public lands in the Lake Tahoe basin; and
4. To require that, after completion of the study, consideration be given to the establishment of a national park, national recreation area or national lakeshore in the Lake Tahoe basin, to be administered by the United States Forest Service, the United States Park Service or other appropriate state or federal agencies; and, be it further

Resolved, That copies of this resolution be transmitted forthwith by the legislative counsel to President Richard M. Nixon, Senator Alan Bible, Senator Howard Cannon and Representative Walter S. Baring.

S. 2211—INTRODUCTION OF THE TAX REFORM ACT OF 1969

Mr. TYDINGS. Mr. President, I introduce legislation to close the numerous loopholes that have destroyed the equity of our Federal tax system.

I was encouraged by the administration's recent decision to support tax reform. However, I am deeply disappointed by the limited scope of the President's proposals.

Closing certain loopholes while leaving others intact will only result in a rechanneling of tax-exempt income behind the remaining tax shelters. Billions of dollars in potential tax revenue will continue to slip through these unchallenged loopholes into the pockets of a privileged few.

This "half-way" approach to tax reform is not likely to placate the rebellious American taxpayer. He is demanding an equitable tax system which requires that each contribute his fair share. Reform that fails to eliminate all major inequities will only serve to further weaken the fading faith in our tax system.

For a serious tax revolt is brewing. From my conversations with constituents across Maryland, it is clear that the taxpayers of this country are fighting mad over the swollen size of their tax bills, and the glaring loopholes in our Federal tax structure. And well they should be.

Last year a 10-percent Federal surtax was imposed to combat inflation. At the same time, an estimated $50 billion a year that could be employed to curb price rises was escaping through the loopholes in our jerry-built tax system.

State and local sales and property taxes continue their astronomical climb to pay for needed Government services. At the same time, billions that could be used to finance these services are siphoned off for the private profit of the special interests.

The middle-income taxpayers on whom the tax burden falls most heavily and most unfairly struggle to make ends meet in this period of rapid inflation. At the same time, 155 Americans filed returns in 1967 on incomes of more than $200,000 apiece and paid not one penny in Federal taxes; 21 members of this group earned more than $1 million that year!

Is it any wonder that the average taxpayer is in a rebellious mood?

Comprehensive reform would not only relieve this growing restiveness by renewing public confidence in our tax system, it would also produce a number of significant economic benefits.

Many of the loopholes themselves contribute to inflationary pressures in the economy. Suspending the 7 percent investment tax credit would ease the inflated condition of the capital goods market. Eliminating unlimited tax deductions for hobby farms would help check the rising price of farmland.

In addition, such loopholes are indirectly responsible for the tight money policy and high interest rates that work such a hardship on State and local governments, small businesses, and on the home building industry. For example, suspending the investment tax credit would eliminate this special incentive to build capital equipment which has been feeding the demand for the Nation's scarce supply of money. The result would be a reduction in the cost of money—lower interest rates.

Finally, far-reaching tax reform would render the proposed extension of the 10-percent surtax unnecessary. Additional revenue raised by repeal of the investment tax credit alone would have the same anti-inflationary impact on the economy as half the surtax. The other nine loopholes I propose closing, along with the minimum income tax offered in this bill, would provide enough new revenue to offset the remainder of the surtax.

Extending this additional burden on the average taxpayer to preserve the special advantages of a small minority is unconscionable. Enactment of the legislation I am proposing would make possible the immediate termination of the surtax without weakening our efforts to halt inflation.

This bill would eliminate the following loopholes in our Federal tax system:

CAPITAL GAINS UNTAXED AT DEATH

Increases in the value of shares of stock and other forms of property are subject to a tax as a capital gain. But the tax is not assessed until the property is sold and the increase in value is realized.

However, under current law, some capital gains are never taxed. For if an individual does not sell his property and it passes to his heirs, neither he nor his heirs will ever have to pay income tax on the increases in the property's value realized during the benefactor's life. The heirs are only responsible for future capital gains. This loophole costs the Treasury an estimated $2.5 billion each year.

One way of eliminating this loophole is to simply tax capital gains at death. However, such a remedy might work a hardship on relatively poor beneficiaries who would be forced to liquidate their inheritance in order to pay the taxes on past capital gains.

This bill holds heirs responsible for past untaxed capital gains as well as future gains. But the taxes will not fall due until the property is sold. Thus, each time a property is sold, regardless of the number of times it has changed hands through inheritance in the interim, taxes will be paid on all capital gains realized since the previous sale of the property.

OIL AND MINERAL DEPLETION ALLOWANCES

The oil depletion allowance is one of the least justifiable and most defended loopholes in our tax system. It allows oil producers to receive 27½ percent of the gross income from their oil wells tax-free—provided it does not exceed 50 percent of net income. This is supposed to operate like the depreciation write-offs permitted in other industries.

However, unlike depreciation write-offs, the oil depletion allowance continues year after year as long as the well keeps producing; it does not stop when the cost of the well is recovered. Normal cost depreciation, by contrast, permits capital assets to be depreciated over their useful life, but total deductions cannot exceed the total cost of the asset.

The Treasury estimates the cost of the average oil well is recovered 19 times over. The effect of this on oil company tax bills is striking: In 1966, the 20 top oil companies in the United States showed a total profit of more than $4¾ billion yet they paid only 8½ percent of it in Federal income tax, about the same rate a man and wife earning $3,000 a year must pay.

In addition, 41 other minerals currently enjoy a 23-percent depletion allowance.

This bill attacks this loophole by placing a 15-percent ceiling on all percentage depletions, the ceiling currently applicable to nonprivileged minerals. The net effect of this equalizing measure will be an increase in Federal tax receipts of nearly $1 billion a year.

DIVIDING CORPORATIONS FOR TAX SAVINGS

The advantages of multiple incorporation are a product of the way the corporation tax is constructed: The first $25,000 of a corporation's earnings are taxed at 22 percent, while all earnings above that are taxed at 48 percent. By dividing a business into a number of separate corporations, each reporting earnings of $25,000 or less, the extra 26-percent tax is avoided entirely.

For example, a corporation earning $100,000 a year which splits up into four $25,000 corporations can save $19,500 a year in taxes. There is a record of one corporation that divided itself into 734 separate corporations for an annual tax saving of nearly $5 million.

By eliminating the benefits derived from multiple corporations, this bill will save the Treasury $200 million a year.

PREFERENTIAL TAX TREATMENT FOR GIFTS

Under present tax law, property given away during a donor's lifetime is taxed at the gift tax rate, which is only three-fourths as high as the estate tax rate that applies to property transferred at death. In addition, $3,000 can be given away each year without paying any gift tax.

This bill raises the gift tax rates by 25 percent, bringing them into line with the estate tax rates. No distinction would be made between property given away during a donor's lifetime or at his death. Closing this loophole would mean $150 million in additional tax receipts each year.

USE OF HOBBY FARM LOSSES TO OFFSET OTHER INCOME

The "hobby farm" loophole allows wealthy individuals who get most of their income from sources other than farming to exploit farm ownership to escape paying large amounts of taxes. Under the present law, these part-time rustics can show "tax losses" which are not true economic losses, and then use them to offset nonfarm income. The result is often a large overall tax saving.

This loophole not only costs the Treasury approximately $400 million a year, it also puts the full-time farmer at an unfair competitive disadvantage. For the genuine farmer is forced to compete in the marketplace with these wealthy hobby farmers to whom a profit in the ordinary sense is not necessary.

To deal with this problem, this bill limits the amount of nonfarm income that can be offset by farm losses in any one year. Those with nonfarm incomes up to $15,000 are allowed to use farm losses to offset this nonfarm income in full. But, for each dollar of nonfarm income in excess of $15,000, the amount of nonfarm income that can be offset is reduced by a dollar.

Thus, an individual with a nonfarm income of $30,000 or more could offset none of it with farm losses.

TAX EXEMPTION ON MUNICIPAL INDUSTRIAL DEVELOPMENT BONDS

Many communities issue municipal bonds bearing tax-free interest to finance commercial facilities and industrial plants for private profitmaking corporations. In effect, this is an unjustifiable public subsidy of plant construction for corporations fully capable of financing these plants themselves. In addition, these bonds flood the tax-exempt bond market and drive up interest rates on all tax-exempt bonds.

Virtually all States issue these bonds, which vitiates their principal function of luring businesses across State lines. Today they are no more than windfalls for private corporations provided at the taxpayers' expense.

Eliminating this loophole would save the Treasury $50 million a year.

TAX EXEMPTION ON MUNICIPAL BONDS

Interest on State and local bonds has been tax exempt since the income tax was enacted in 1913. Consequently, these bonds have long been a favorite form of investment for the very wealthy.

While there is little incentive for the average taxpayer to buy municipal bonds at 4 percent when he can purchase corporate bonds that will pay him 7 percent, the tax-free bonds are very attractive to taxpayers in the 50-percent-and-up brackets. Over 80 percent of tax-free bonds held by individuals are held by the wealthiest 1 percent of the population.

However, this tax exemption does perform the important function of enabling hardpressed States and cities to raise the money to finance needed public facilities. Taxing the interest on municipal bonds without any compensating provisions would force municipalities either to pay higher interest rates—which few could afford—or to do without badly needed public facilities.

Representative **Henry Reuss** of Wisconsin has devised a plan that would deny giving tax-free income to millionaires without penalizing municipalities seeking to raise funds for capital improvements. It calls for taxing the income from these bonds, but coupled with a direct Federal subsidy to States and cities to compensate them for their higher borrowing costs. The Treasury would come out nicely ahead on such an arrangement, since it now loses considerably more revenue—$1.8 billion in 1968—than the States and localities save in lower borrowing costs—roughly $0.9 billion.

Modeled after the Reuss plan, this bill establishes a Municipal Bond Guarantee Corporation to guarantee State and local bond issues against default, and to pay States and localities an interest subsidy sufficient to reduce their interest payments by one-third. In return for the guarantee and the subsidy, States and localities would be required to waive the tax-exempt status of the bond issues involved, thus allowing the Federal Government to tax the interest.

Under this legislation, municipalities could continue to issue tax-exempt bonds if they wished. However, in most cases, the Guarantee Corporation route would prove more attractive. According to Treasury Department estimates, municipal borrowing costs are only reduced 25 percent by their tax-exempt status; the Federal interest subsidy would diminish their borrowing costs by 33 percent.

UNLIMITED CHARITABLE DEDUCTIONS

The ordinary taxpayer may not deduct more than 30 percent of his income for charitable contributions, regardless of how much he gives. However, this is not the case for the very wealthy. They are allowed to deduct gifts to charities without limit if—in that year and 8 of the 10 preceding years—their charitable contributions plus Federal income taxes paid exceed 90 percent of their taxable income.

At first glance, it may appear that anyone this generous deserves a tax break. But there is a catch. It is only 90 percent of taxable income—not gross income—that must be given away or paid in taxes to be eligible for an unlimited deduction. The millionaire who receives most of his income from tax-exempt sources such as capital gains and municipal bonds has relatively little taxable income. A modest annual gift—possibly to his own foundation—grants him the privilege of an unlimited charitable deduction.

By eliminating this feature of our tax laws, the Treasury would stand to gain an additional $60 million a year.

SPECIAL TAX TREATMENT FOR STOCK OPTIONS

This loophole enables top executives of large corporations to pay taxes on part of their incomes at low capital gains rates. The result is an annual loss of $150 million in Federal tax receipts.

This is the way it works. If an executive is awarded a bonus or a raise by a corporation, he pays taxes on it like everyone else. However, if he is a top executive, the corporation may give him an option to purchase its stock instead.

The option permits the executive to purchase the company's stock at any time during a given future period at the price the stock is selling for at the time the option is given. Thus, he might be able to buy a stock for $100 that is currently selling for $500. The $400 difference is regarded under present law as a capital gain, taxable at the low capital gains rates.

A man who received the same amount of income in the form of salary or a bonus would pay an income tax at least double that of the executive utilizing a stock option. This clearly makes no sense.

The Revenue Act of 1964 closed this loophole somewhat. The bill would eliminate it completely.

SEVEN-PERCENT INVESTMENT TAX CREDIT

In 1962, the 7-percent investment tax credit was enacted in an effort to stimulate the economy by providing a subsidy to private investment. This credit permits business firms to subtract 7 percent of the value of eligible new equipment installed during the year from their tax bills.

However, at this point, the investment

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tax credit is doing its job too well. Projected spending for plant and equipment in 1969 amounts to $73 billion, an increase of $9 billion or 14 percent over 1968. This anticipated rise for 1969 contrasts with a 2-percent increase in 1967 and 4 percent in 1968. The presence of the 7-percent investment tax credit puts us in the paradoxical position of subsidizing the sector of economy generating the most inflationary pressure while employing monetary policies and the 10-percent surtax to cool things off.

This legislation would indefinitely suspend the investment tax credit for all property installed after its enactment, except for property which was ordered under binding contract before enactment. Doing this would increase Treasury receipts by $3 billion during the first year.

MINIMUM INCOME TAX

As explained earlier, a number of extremely wealthy individuals in this country manage to avoid paying Federal income tax each year. Closing the major loopholes in our tax structure ought to eliminate this practice.

However, to make certain, this bill calls for the creation of a minimum income tax. This will insure that all taxpayers are taxed at the regular rates on at least 50 percent of their total income, regardless of how much of their incomes come from tax exempt sources.

It is estimated that such a tax would yield roughly $500 million a year.

THE NEED FOR ACTION

We cannot afford to further delay the reform of our loophole-riddled tax system. Each loophole gives some special interest group unwarranted advantage over the average American taxpayer. Each one forces the rest of us to pay heavier taxes than we would with an equitable tax system.

Despite the outrageous nature of these loopholes and their obvious inequities, eliminating them will be a monumental task. Those who benefit from them are well-organized, well-financed, and determined to keep them on the books. The lobbyists for these special interests already are beginning to swarm over Capitol Hill.

However, the time has come to unite against those who perpetuate the privileges of the few against the many. No democracy can long tolerate such blatant inequalities in its laws and retain the confidence of its citizens.

I, for one, intend to fight for real tax reform until it is won.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 2211) to amend the Internal Revenue Code of 1954 to raise needed additional revenues by tax reform, introduced by Mr. Tydings, was received, read twice by its title, and referred to the Committee on Finance.

S. 2214—INTRODUCTION OF A BILL TO AMEND THE AGRICULTURAL MARKETING AGREEMENT ACT OF 1937

Mr. MURPHY. Mr. President, I introduce a bill to update the Agricultural Marketing Agreement Act of 1937. The purpose of the act was to assist in stabilizing prices of fruits and vegetables in the fresh market at a profitable level. Canning, the only major method of food preservation in 1937, was exempted from the act's provisions. By 1946 freezing was used commonly for food preservation and Congress again, in its wisdom, updated the act by expanding the exemption to include fruits and vegetables for freezing.

Today, many forms of processing are in use. Therefore, I think it would be advisable to place all processors of potatoes—canners, freezers, dehydrators, potato chippers and shoestring manufacturers—on a fair, equal and competitive basis.

Mr. President, I am convinced that this legislation is in the best interest of the potato industry, both growers and processors, the men and women of the working force who man the processing plants, and the consumers throughout this Nation.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 2214) to amend Section 608(c)(2) of the Agricultural Marketing Agreement Act of 1937, as amended, introduced by Mr. Murphy (for himself and Mr. Cranston), was received, read twice by its title, and referred to the Committee on Agriculture and Forestry.

S. 2215—INTRODUCTION OF A BILL TO EXTEND THE HISTORIC PRESERVATION ACT

Mr. YARBOROUGH. Mr. President, among our most valuable assets is our heritage, passed on to us from our forebears. Though this Nation is young in years, it is rich in history. Every part of this Nation has a valuable and interesting history which has been cherished and preserved by those generations which have preceded us and which we must now pass on to our children.

This heritage is made up of intangibles—attitudes, thoughts, traditions—as well as tangibles—songs, stories, and the other aspects of our glorious history. But, the most important things are the works of man and, ironically, these sometimes seem to be the most easily lost. All of us have seen the sad spectacle of a beautiful and historic old home being torn down to make way for a parking lot, a school, or some other building of architectural and historic merit being removed to make way for an apartment house, a shopping center, or a freeway. Each such removal takes us further from our past. Each such act destroys a real, touchable link with our forebears.

I introduce this bill today to help preserve this heritage. The purposes of the Historic Preservation Act have been carried out remarkably well, considering the financial limitations under which it has been forced to operate. I hope that we will not let this effort die now. I urge that we prevent such a thing happening by extending this law.

Mr. President, I ask unanimous consent that the text of this bill, to amend the Historic Preservation Act, be printed in full at this point in the Record.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record.

The bill (S. 2215) to amend the act entitled "An act to establish a program for the preservation of additional historic properties throughout the Nation, and for other purposes," approved October 15, 1966, so as to extend the provisions thereof for an additional period of 3 years, introduced by Mr. Yarborough, was received, read twice by its title, referred to the Committee on Interior and Insular Affairs, and ordered to be printed in the Record, as follows:

S. 2215

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 108 of the Act entitled "An Act to establish a program for the preservation of additional historic properties throughout the Nation, and for other purposes", approved October 15, 1966 (80 Stat. 915), is amended by deleting "three" and inserting in lieu thereof "six".

ADDITIONAL COSPONSORS OF BILLS AND JOINT RESOLUTIONS

Mr. YARBOROUGH. Mr. President, I ask unanimous consent that, at its next printing, the names of the Senator from Michigan (Mr. Hart) and the Senator from New Jersey (Mr. Case) be added as cosponsors of my bill (S. 338) to amend section 1677 of title 38, United States Code, relating to flight training, and to amend section 1682 of such title to increase the rates of educational assistance allowance paid to veterans under such sections.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. YARBOROUGH. I ask unanimous consent, at its next printing, the name of the Senator from Michigan (Mr. Hart) be added as a cosponsor of my bill (S. 1190) to provide for special programs for children with learning disabilities.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, on behalf of the Senator from Texas (Mr. Yarborough), I ask unanimous consent that, at its next printing, the names of the Senator from Vermont (Mr. Prouty) and the Senator from Massachusetts (Mr. Kennedy) be added as additional cosponsors of the bill (S. 1519) to establish a National Commission on Libraries and Information Science, and for other purposes.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that, at its next printing, the name of the Senator from California (Mr. Murphy) be added as an additional cosponsor of the bill (S. 1611) to amend Public Law 85-905 to provide for a National Center on Educational Media and Materials for the Handicapped and for other purposes.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. PELL. Mr. President, I ask unanimous consent that, at its next printing, the names of the Senator from New Jersey (Mr. Williams) and the Senator from Colorado (Mr. Dominick) be added as cosponsors of the bill (S. 1611), to amend Public Law 85-905 to provide for a National Center on Educational Media

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and Materials for the Handicapped, and for other purposes.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. HART. Mr. President, I ask unanimouse consent that, at its next printing, the names of the Senator from Idaho (Mr. CHURCH) and the Senator from Rhode Island (Mr. PELL) be added as cosponsors of my bill (S. 2029), to provide improved judicial machinery for the selection of juries, to further promote equal employment opportunities of American workers, to authorize appropriations for the Civil Rights Commission, to extend the Voting Rights Act of 1965 with respect to the discriminatory use of tests and devices, and for other purposes.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. MURPHY. Mr. President, the name of the Senator from Arizona (Mr. GOLDWATER) was inadvertently omitted as a cosponsor of S. 2120, the Older Americans Act Amendments of 1969, when the bill was introduced on May 12.

I therefore ask unanimous consent that, at its next printing, the name of the Senator from Arizona (Mr. GOLDWATER) be added as a cosponsor of the bill (S. 2120) to amend the Older Americans Act of 1965 to extend its duration to authorize assistance for projects for foster grandparents and senior companies, to provide assistance to strengthen State agencies on aging, and to otherwise strengthen and improve that act.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. GOLDWATER. Mr. President, I ask unanimous consent that, at its next printing, the names of the Senator from Colorado (Mr. DOMINICK) and the Senator from New Jersey (Mr. CASE) be added as cosponsors of Senate Joint Resolution 59, proposing an amendment to the Constitution of the United States providing that citizens of the United States shall be entitled to vote for President and Vice President without regard to excessive residence and physical requirements.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. GOLDWATER. Mr. President, I ask unanimous consent that, at its next printing, the names of the Senator from Arizona (Mr. FANNIN), the Senator from California (Mr. CRANSTON), the Senator from California (Mr. MURPHY), the Senator from Colorado (Mr. DOMINICK), the Senator from Delaware (Mr. BOGGS), the Senator from Iowa (Mr. MILLER), the Senator from Kansas (Mr. PEARSON), the Senator from Kentucky (Mr. COOPER), the Senator from Montana (Mr. METCALF), the Senator from North Dakota (Mr. BURDICK), the Senator from Oregon (Mr. PACKWOOD), the Senator from South Carolina (Mr. HOLLINGS), the Senator from Texas (Mr. TOWER), the Senator from Utah (Mr. MOSS), the Senator from Vermont (Mr. PROUTY), and the Senator from West Virginia (Mr. RANDOLPH) be added as cosponsors of Senate Joint Resolution 85, to provide for the designation of the period from August 26, 1969, through September 1, 1969, as "National Archery Week."

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. COOK. Mr. President, I ask unanimous consent that, at its next printing, the name of the Senator from Texas (Mr. YARBOROUGH) be added as a cosponsor of the joint resolution (S.J. Res. 91) establishing the Federal Committee on Nuclear Development.

The VICE PRESIDENT. Without objection, it is so ordered.

ADDITIONAL COSPONSOR OF CONCURRENT RESOLUTION

Mr. MURPHY. Mr. President, I ask unanimous consent that, at its next printing, the name of the Senator from Colorado (Mr. DOMINICK) be added as a cosponsor of Senate Concurrent Resolution 24, to express the sense of Congress to encourage research and training in aging.

The VICE PRESIDENT. Without objection, it is so ordered.

REQUEST FOR STAR PRINT OF SENATE JOINT RESOLUTION 85

Mr. GOLDWATER. Mr. President, during the next few minutes I would like to direct the attention of Senators to the development of archery as a major competitive sport in the United States.

Of course, the origin of archery can be traced to ancient times. The legends and histories of brave deeds accomplished with the bow and arrow will forever stand out in the annals of history. William Tell, Robin Hood, the American Indian, and numerous other names will always bring to mind feats of skill and courage associated with the bow.

But the sport of archery is not lost among the pages of history. Archery as a competitive sport and recreation activity has grown to an all-time high of popularity in the United States during the past few years.

The extent of the widespread interest in archery is indicated by its establishment as a major intercollegiate sport throughout the Nation. And, Mr. President, I am pleased to add that one of our Arizona institutions—Arizona State University—under the direction of Miss Margarette Klann, has been paramount in attaining a major status for the sport of archery. Arizona State University has produced four all-American archers in the past 2 years. Northern Arizona University also deserves recognition, having produced the 1965 world champion, Mr. Charles Sandlin.

Much of the credit for the rise in interest and importance of archery in this country must also be given to the National Field Archery Association, which was founded 30 years ago, in 1939. This association, with a current membership of approximately 40,000 persons, has been a leader in the promotion of competitive and recreation-type archery.

The National Field Archery Association is a true, national body, with affiliate chapters in each of the 50 States. In fact, there are 2,100 local clubs that have been established as affiliates of the organization throughout the country. Also, the NFAA has created five international organizations, representing the areas of Europe, Mexico, Japan, England, and Okinawa.

Mr. President, the NFAA is a responsible, civic-minded organization. Through its bow hunting division, it has assisted each State in enacting legislation setting limited hunting seasons and has worked to develop good conservation legislation. Each State affiliate has a local, knowledgeable archer available to assist in local and State wildlife management problems.

In the area of competitive archery, the association has developed a tournament program ranging from local and State events to national championships, both indoor and outdoor.

The NFAA feels a particular sense of responsibility to the youth of the organization. Each year a specialized committee convenes at the NFAA annual meeting to review and examine the programs established for young archers. Two years ago the association developed a youth scholarship program guided by a committee of NFAA members professionally engaged in the field of education. The purpose of this project is to provide financial assistance to those student members of the organization who have the ability and desire to attend college, but lack the financial resources to do so.

In 1967 and 1968 this program was primarily financed by general association funds and contributions by individual members and clubs. In 1969 the organization has developed a National Archery Week program of events designed to generate additional income for the scholarship fund. This period will extend from August 23 to September 1.

In view of the successful development of the NFAA since its origin, its record of civic awareness and contributions, and the parallel steep rise in the popularity and importance of archery, I concluded that it would be entirely fitting that Congress should give its official recognition, on behalf of the American people, to the sport of archery and the related activities of the NFAA.

For this reason, I have introduced a joint resolution that would authorize the President to proclaim the 7-day period from August 26, 1969, through September 1, 1969, as "National Archery Week." Mr. President, I have made a thorough check of the proclamations issued last year and the statutes enacted since then and I can assure my colleagues that this period has not been reserved for any other occasion.

This year in particular would be an especially timely occasion for the enactment of the resolution—first, because 1969 marks the 30th anniversary of the founding of the National Field Archery Association; second, because the United States will be the host country for the world archery championships; and third, because it was announced this year that archery has achieved the status of an Olympic gold medal event for all future summer Olympic games.

Mr. President, it is with great appreciation that I announce that 16 Senators have asked to join with me in sponsoring the measure. In all, these Senators represent 15 separate States, which indicates the truly national support for this proposal. In order that the names of all Senators may appear on the printed copies of the resolution and so that I may make some revisions in language to take account of information that was not available when the resolution was first introduced, I ask unanimous consent that there be a star print made of the joint resolution (S.J. Res. 85).

Also, Mr. President, I ask unanimous consent that at its next printing, the names of the Senator from Arizona (Mr. Fannin), the Senators from California (Mr. Cranston and Mr. Murphy), the Senator from Colorado (Mr. Dominick), the Senator from Delaware (Mr. Boggs), the Senator from Iowa (Mr. Miller), the Senator from Kansas (Mr. Pearson), the Senator from Kentucky (Mr. Cooper), the Senator from Montana (Mr. Metcalf), the Senator from North Dakota (Mr. Burdick), the Senator from Oregon (Mr. Packwood), the Senator from South Carolina (Mr. Hollings), the Senator from Texas (Mr. Tower), the Senator from Utah (Mr. Moss), the Senator from Vermont (Mr. Prouty), and the Senator from West Virginia (Mr. Randolph) be added as cosponsors of such joint resolution.

The VICE PRESIDENT. Without objection, it is so ordered.

SENATE RESOLUTION 197—SUBMISSION OF A RESOLUTION REPUDIATING THE BREZHNEV DOCTRINE

Mr. DODD (for himself and other Senators) submitted a resolution (S. Res. 197) repudiating the Brezhnev Doctrine.

(See the above resolution printed in full when submitted by Mr. Dodd.)

SENATE CONCURRENT RESOLUTION 26—SUBMISSION OF CONCURRENT RESOLUTION IN SUPPORT OF GERONTOLOGY CENTERS

Mr. DOLE. Mr. President, I submit for appropriate reference a concurrent resolution in order that the Congress of the United States might have an opportunity to go on record expressing our particular concern that an appropriate share of our national resources be used for basic research in the aging process. There are more than 19 million Americans age 65 or over. Our census experts tell us that their number increases at an annual rate in excess of 300,000. By the year 2000, we will have living in the United States over 30 million of our citizens who could thus be classified as older citizens.

It is my understanding that while we as a nation engage in substantial health research, that only a minor part of this is devoted to the aging process. For instance, in our great national institutes of health less than one-half of 1 percent of their research dollars are earmarked for special studies in the aging process. Gerontology is a relatively new science and those who specialize in it recognize to an increasing degree the importance of the interrelationships of such factors as economics, psychology, sociology, medicine, and biology on the aging process. As we can look further into the interdisciplinary influences, we can learn more about how to avoid or mitigate the impact of these influences on older people. There is no question for instance that poverty can lead to grave medical problems or that medical problems can often impoverish older people or that psychological problems, or either, can cause or be the result of medical or economic problems.

Our specialists tell us that almost half of the older people in our population suffer from one or more chronic diseases. There is no question but that older age can reduce our resistance to these diseases. We as a nation must be able to provide our older population with further know how in taking care of themselves I believe this great body is first to recognize that all of us look forward to more effective means of dealing with the problems of older age. Certainly effective programing in this area makes sense from a humanitarian standpoint, from a social standpoint, and from an economic standpoint, the billions of dollars expended by and for older people should be spent as wisely as we know how. I recommend that we go on record in support of this resolution expressing the sense of the Congress that programs of scientific research for training in aging will be recognized as a matter of critical national concern. In particular, I am concerned that more facilities such as is now being developed in California at University of Southern California, the Ethel Percy Andrus Gerontology Center, be recognized as a pilot effort in extending the interdisciplinary approach to aging studies.

Mr. President, I hope that this will lead to further interrelated study in this vital subject at all of our great centers of research, learning, and training, and I commend this resolution to you.

The VICE PRESIDENT. The concurrent resolution will be received and appropriately referred.

The concurrent resolution (S. Con. Res. 26), which reads as follows, was referred to the Committee on Labor and Public Welfare:

S. Con. Res. 26

Concurrent resolution in support of gerontology centers

Whereas there are over 19 million older Americans 65 and over, and

Whereas the number of older Americans increases by over three hundred thousand per year, and

Whereas by the year 2000, 34 per centum of our population will be 65 and older, and

Whereas the average life span of an American child born today is 70 years as compared with 47 years in 1900, and

Whereas Gerontology is a relatively new science, and

Whereas Congress is continually concerned with the well-being of older Americans, said concern having been demonstrated by the establishment of the Administration on Aging (Public Law 89–73); Now therefore, be it

Resolved by the Senate (the House of Representatives concurring), That it is the sense of Congress that programs of scientific research and training in aging, such as the Ethel Percy Andrus Gerontology Center located at the University of Southern California, be encouraged and supported.

FEDERAL WATER POLLUTION CONTROL ACT, AS AMENDED—AMENDMENT

AMENDMENT NO. 22

Mr. STEVENS (for himself and Mr. Kennedy) submitted an amendment intended to be proposed by them, jointly, to the bill (S. 7) to amend the Federal Water Pollution Control Act, as amended, and for other purposes, which was ordered to be printed and referred to the Committee on Public Works.

(See reference to the above amendment when submitted by Mr. Stevens, which appears under a separate heading.)

NOTICE CONCERNING NOMINATIONS BEFORE THE COMMITTEE ON THE JUDICIARY

Mr. EASTLAND. Mr. President, the following nominations have been referred to and are now pending before the Committee on the Judiciary:

R. Jackson B. Smith, Jr., of Georgia, to be U.S. attorney for the southern district of Georgia for the term of 4 years, vice Donald H. Fraser, resigning.

Charles E. Robinson, of Washington, to be U.S. marshal for the western district of Washington for the term of 4 years, vice Donald F. Miller.

On behalf of the Committee on the Judiciary, notice is hereby given to all persons interested in these nominations to file with the committee, in writing, on or before Tuesday, May 27, 1969, any representations or objections they may wish to present concerning the above nominations, with a further statement whether it is their intention to appear at any hearing which may be scheduled.

NOTICE CONCERNING NOMINATIONS BEFORE THE COMMITTEE ON THE JUDICIARY

Mr. EASTLAND. Mr. President, the following nominations have been referred to and are now pending before the Committee on the Judiciary:

Anthony J. P. Farris, of Texas, to be U.S. attorney for the southern district of Texas for the term of 4 years, vice Morton L. Susman.

Doroteo R. Baca, of New Mexico, to be U.S. marshal for the district of New Mexico for the term of 4 years, vice Emilio Naranjo.

Royal K. Buttars, of Utah, to be U.S. marshal for the district of Utah for the term of 4 years, vice Ellis Maylett.

On behalf of the Committee on the Judiciary, notice is hereby given to all persons interested in these nominations to file with the committee, in writing, on or before Tuesday, May 27, 1969, any representations or objections they may wish to present concerning the above nominations, with a further statement whether it is their intention to appear at any hearing which may be scheduled.

NOTICE OF HEARING

EVERGLADES NATIONAL PARK HEARINGS SCHEDULED FOR JUNE 3 AND 4

Mr. JACKSON. Mr. President, for the information of Members of the Senate and the general public, informational hearings on the Everglades National Park's water supply, environmental pollution, and jet airport problems, have been scheduled for June 3 and 4. The hearing will be held in room 3110 of the

New Senate Office Building at 10 a.m. before the full Committee on Interior and Insular Affairs.

Congress established the Everglades National Park in 1934 and placed it under the administration of the National Park Service to preserve certain values for the enjoyment of present and future generations. In 1948, the Corps of Engineers, pursuant to a legislative authorization, the central and southern Florida flood control project, became involved in a water supply, flood control, and land reclamation project near the park. As a result of the corps activities this project intercepts and retains most of the water which once flowed naturally into the park. Today, the park's water supply is threatened and the ecological balance and the very life of the park is endangered. More recently, agencies of local government in the State of Florida have, in connection with the Department of Transportation, become involved in a project to build a 39-square-mile superjet airport within 6 miles of the park. This action could have a detrimental impact on the park's water supply. It would cause air and water pollution. It would create a noise problem and encourage urban, commercial, industrial, and residential development near the park's boundaries.

Mr. President, a satisfactory resolution to the problems facing the Everglades is necessary if the park and its wildlife are to survive for the enjoyment of present and future generations of Americans as Congress intended when the park was authorized in 1934.

The purpose of the June 3 and 4 hearings will be twofold: First, to receive an up-to-date status report on the planning, the alternatives and the negotiation now underway to minimize damage to park values. Second, to review the process of Federal decisionmaking which has contributed to the conflicting patterns of Federal, State, and local land use which presently threaten the Everglades National Park.

The present situation at the park is apparently the result of a lack of coordination and cooperation among Federal departments and agencies, State and local government, and committees of the Congress. I am not aware of anyone who seriously questions that these inconsistent Federal land-use policies and activities have and, unless changes are made, will continue to detract from the park's values.

The present situation in the Everglades National Park shows the type of problems which arise when different departments of Government, following different legislative mandates and policies, proceed with their own separate missions without adequate coordination and consultation. One of the questions I will want answered at the hearing is why the Department of Transportation provided $500,000 for work on the proposed 39-square-mile superjet port and $200,000 for a high-speed transportation study directly adjacent to the park boundaries without first undertaking studies to determine the impact these developments would have on water quality, on fish and wildlife, and on the park values which Congress sought to preserve when the park was authorized. I will also want to know what interdepartmental consultation and discussions preceded this decision.

The real issue involved in the Everglades is not—as some Government officials are reported to contend—whether the "bird watcher types" are successful in protecting park and wildlife values. The real issue, in my judgment, is whether the Federal and State governments are doing an adequate job of cooperating in land-use planning and management. Rational planning involves the consideration of all relevant values and alternatives. On the basis of information available to me now, I do not think that all of the relevant values have been considered.

As Members of the Senate are aware, I have introduced legislation, S. 1075, designed to establish a national environmental policy. A statement of a national policy for the environment together with a requirement for official findings on the environmental impact of Federal decisions and legislative proposals would effectively make the quality of the environment everyone's responsibility. No agency would then be able to maintain—as many now do—that it has no mandate, no requirement, or no responsibility to consider the consequence of its actions on the environment.

I am preparing an amendment to S. 1075, which will require all agencies of the Federal Government to adjust their planning and their activities toward achievement of a balanced environment. This amendment will be available prior to the hearing and I will want to have the judgment of the Federal witnesses on what its effect would have been had it been enacted at the time the park was created by the Congress.

Another matter of concern which will be explored at the hearing is whether the Department of Transportation has ignored and perhaps even violated the provisions of section 4(f) of the Department of Transportation's organic act. I offered this amendment to the act which created the Department in 1966 and it was adopted by the Congress. Section 4(f)'s purpose is to direct the Secretary of Transportation to cooperate and consult with other Federal departments in developing tranportation plans. The section also provides that the Secretary shall not approve any program or project which requires the use of public park and recreational lands or wildlife refuges unless: First, there is no feasible alternative; and, second, the program includes all possible planning to minimize harm to these areas resulting from such use.

I will want detailed information with respect to whether both of these provisions have been and are being complied with in connection with the development of the superjet airport and other transportation plans in the area of the Everglades National Park. I will also want to know what alternatives were considered; what planning has been done to minimize damage to park values; what interdepartmental and interagency consultations have taken place?

I have requested the Attorney General to furnish the committee with a Justice Department opinion as to whether the Corps of Engineers has authority to issue regulations for the control of water in its projects so as to assure the Everglades a protected supply of water without first getting the concurrence of the State of Florida. It is my understanding that the corps and the Department of the Interior at one time agreed that this could be done. Subsequently, however, it is alleged, the corps has changed its position. This matter was submitted to the Attorney General for resolution in November 1968. To date, however, no decision or opinion has been made public by the Justice Department. I believe it should be. I believe that the American people and the Congress have a right to an answer to these questions.

It is my understanding that the Public Works Committees of both bodies of the Congress requested the corps, in the early 1960's, to restudy the central and southern Florida project for the purpose of improving the water supply to the park. The modified project, as passed by the Congress added $66 million to the previous authorization. The Federal Government, I am informed, bears 75 percent of these costs and 48 percent of the costs are attributed to park benefits. In view of these financing provisions, I see no reason why the water needed for the survival of the park, its wildlife and ecology could not and should not be made available.

In view of the complexity of this problem and the many different interests involved, the committee will want to receive testimony from each of the Federal agencies involved as well as from officials of the State of Florida, the Dade County Port Authority, and representatives of major conservation organizations. I have requested Secretary Volpe, Secretary Hickel, and the Chief of the Corps of Engineers, Lieutenant General Cassidy, to appear before the committee. A similar invitation is being extended to the Governor of Florida.

Mr. President, the problem of the Everglades National Park requires a reasonable and an early solution. Resolution is important because of the many scenic, recreational, wildlife, and scientific values found in the park which are found nowhere else. We cannot allow these to be destroyed; they must be preserved.

The Everglades is of importance for still another reason. It is a manifestation of what happens and what is happening in this country under the pressures of population, development, and man's applications of new technology. In pursuit of convenience and material wealth we are too often insensitive to the environment and to the values of the natural world.

NOTICE OF HEARINGS

Mr. KENNEDY. Mr. President, I wish to announce that the Subcommittee on Administrative Practice and Procedure of the Senate Judiciary Committee will hold a 1-day hearing on Monday, May 26 at 10:30 a.m. in room 2228, New Senate Office Building. The subject of the hear-

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ing will be S. 1144, a bill to remove the statutory ceiling on appropriations for the Administrative Conference of the United States.

RECESS

Mr. JAVITS. Mr. President, I ask unanimous consent that the Senate stand in recess, subject to the call of the Chair.

There being no objection, (at 12 o'clock and 31 minutes p.m.) the Senate took a recess subject to the call of the Chair.

On the expiration of the recess (at 1 o'clock and 51 minutes p.m.), the Senate reassembled, and was called to order by the Presiding Officer (Mr. ALLEN in the chair).

THE HIGH COST OF DRUGS

Mr. LONG. Mr. President, this morning a great doctor, Dr. John Adriani, of the Charity Hospital of New Orleans made a statement that I believe every doctor in America should read. His statement was about the abuses of the drug industry as it exists in America today. As chairman of the Council on Drugs of the American Medical Association, Dr. Adriani is one of the outstanding experts on this subject.

I believe that Dr. Adriani qualifies for an award for service to humanity for the kind of work he has done in trying to provide for American citizens the best drugs at the lowest cost. Dr. Adriani, in the beginning of his remarks, made the following statement:

> I preface my remarks to the committee with the statement that I am strongly biased in my views on matters pertaining to drugs and that my bias in this regard is 100 percent pro-patient and only pro-patient.

Dr. Adriani is a man who has spent his life working with drugs. He has done this not for money, but for the service that he could render to humanity. He understands the subject as well as anyone. Any doctor or any drugstore owner who would like to know why the public is complaining about the drug prices and practices and why people like the Senator from Louisiana and the Senator from Wisconsin complain and keep making speeches about the fact that the public is being victimized, oppressed, and outraged by the high prices charged for drugs produced at a low cost, ought to read Dr. Adriani's statement.

It takes great courage for a man such as Dr. Adriani to stand up and speak the honest truth when the drug companies are spending hundreds of millions of dollars trying to spread misinformation calculated to mislead and confuse the American people.

Dr. Adriani is perhaps second only to Dr. Alton Ochsner as a private citizen of Louisiana seeking to serve humanity as best he can.

Dr. Ochsner made the courageous fight in America to prove the connection between smoking and cancer, heart disease, and emphysema. He has insisted that the American Cancer Society and the American Heart Society should do something about it. He insisted that the Federal agencies should do something about the health hazard, meaning no ill will toward the tobacco industry, but thinking in terms of suffering humanity.

I have mentioned Dr. Ochsner's name in connection with Dr. Adriani because they are both presently citizens of the New Orleans area. In terms of men in medicine who have done great work for suffering humanity, these two great Americans are persons of whom Louisiana can justly be proud.

Mr. President, I ask unanimous consent that the prepared text of Dr. Adriani's remarks be printed in the RECORD. I challenge any drug manufacturer to prove Dr. Adriani wrong on a single major point.

There being no objection, the remarks were ordered to be printed in the RECORD, as follows:

STATEMENT OF JOHN ADRIANI, M.D., CHARITY HOSPITAL, NEW ORLEANS. LA., TO SENATOR GAYLORD NELSON'S SUBCOMMITTEE ON MONOPOLY, OFFICE OF THE SMALL BUSINESS COMMITTEE, U.S. SENATE

Mr. Chairman and Members of the Committee: It certainly is a compliment to me, who is familiar with so little of the vast fund of available information on drugs, to be invited to appear before this committee. You do me honor by indicating that I may be of assistance to you. The accumulation of knowledge pertaining to drugs over the past several decades has been so phenomenal that no single individual, be he a practitioner of medicine, pharmacologist, pharmacist or other person whose primary interest is drugs, can be expected to know all of the important details concerning all drugs available for use in the treatment of disease.

I preface my remarks to the committee with the statement that I am strongly biased in my views on matters pertaining to drugs and that my bias in this regard is one hundred percent pro-patient and only pro-patient.

BACKGROUND AND QUALIFICATIONS

I am John Adriani of New Orleans, Louisiana. I am a Doctor of Medicine who graduated from the College of Physicians and Surgeons of Columbia University in 1934. My specialty has been surgery, but my interests have been diversified since I began medical practice. I majored in chemistry before entering medical school and gave strong consideration to becoming a chemist and concentrating my interests in drug chemistry before I finally decided to study medicine. I also had training in physiology under the renowned Doctor Homer Smith at New York University. My Contact with surgery made me aware of the woeful lack of knowledge of the action of anesthetics and the primitive methods of administering these drugs which existed in the early 1930's. The methods were nearly as primitive as they were in 1842 when ether was first introduced as an anesthetic.

Anesthetics are drugs which are used to carry a patient halfway to eternity and back. Obviously, these drugs are lethal and the responsibility of administering them is great. The science and specialty of anesthesiology has developed as a result of the recognition by a few physicians three decades ago of the importance of the actions of these drugs and of the knowledge of their proper administration.

An anesthesiologist is one who uses and studies pain relieving drugs in patients. An anesthesiologist must also possess broad knowledge in matters pertaining to other types of drugs because the specialty encompasses the use of drugs which are either antagonists and overcome the effects of anesthetics or are used as adjuncts to augment the effects of anesthetics. In addition, some drugs are used prophylactically to prevent unanticipated and unwanted side effects. Another point of importance is that patients who require anesthesia often are taking drugs prescribed by personal physicians, internists, and other specialists to treat diseases not directly related to the surgical disease for which they are hospitalized. An example would be the use of digitalis in a patient to treat existing heart disease, reserpine for the treatment of the high blood pressure which caused the heart to decompensate, a diuretic, which facilitates the elimination of salt and prevents accumulation of water in the tissues, quinidine to make the pulse regular, a tranquilizer to prevent excitement and apprehension, a vasodilator to prevent anginal pain, an anticoagulant to prevent clotting in the vessels of the heart and brain, and insulin to control diabetes. It is not uncommon to find a patient who needs an operation having all these conditions and receiving all these drugs. How these drugs interact with those prescribed by the anesthesiologist and surgeon is a matter of great importance. Little is known about many drug interactions and the subject is now becoming one of intensive study.

The anesthesiologist is, in essence, a clinical pharmacologist who is knowledgeable in the behavior of many drugs. He is familiar with their use in human beings who are ill and who are under treatment. His knowledge of drugs stems from their actual use in patients and not merely from information gathered in studies from normal human volunteers or from animals.

My experience in matters pertaining to drugs has been quite diverse, encompassing research in pharmacology, testing of new drugs, the teaching of pharmacology for over thirty years to undergraduate medical, dental, and postdoctoral students. In addition, I am engaged in the training of nurses to administer anesthetics, gases and mists for treating pulmonary (lung) diseases.

I have been a member of the Council on Drugs of the American Medical Association for six years and Chairman from the latter half of 1967 to date. I have been a member of the Revision Committee of the U.S. Pharmacopeia for the past nine years and was a member of the panel on anesthetics of the Subcommittee on Scope of the U.S.P. ten years before I was made a member of the Revision Committee. I have been a consultant to the Food and Drug Administration since 1963 when the Kefauver-Harris Amendment was first implemented. I am now also Chairman of the Advisory Committee to the FDA on Anesthetic and Respiratory Drugs.

For the past nine years I have been Associate Director at Charity Hospital of New Orleans, Louisiana, in which capacity I have gained considerable insight into the budgetary problems concerning the care of the sick and the cost of medical supplies, particularly drugs. I have also been a member of the Pharmacy and Therapeutics Committee of Charity Hospital, serving in the capacity of pharmacologist.

My entire professional life as a physician has been devoted as a salaried employee in tax-supported institutions (Bellevue Hospital, New York, and Charity Hospital, New Orleans) in caring for those unable to finance their own cost of medical care. I have no private practice except occasional consultations, testifying as an expert in medicolegal matters, or the treatment of special cases referred to me for problems pertaining to pain. I submit this resumé of my activities to you and to your Committee, Mr. Chairman, to apprise you of the areas of my interest and experience and background in matters pertaining to drugs.

TOPICS REQUESTED TO BE DISCUSSED

I am appearing by invitation as an individual physician, representing no organization or institution. My statements reflect

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my own thinking and opinions and are not to be construed as reflecting opinions of any organization or institution with which I am associated. I have been asked to express any general views I may have on drugs, but specifically to comment on antibiotic combinations, antibiotic overuse, and particularly the overuse of Chloramphenicol.

GENERIC NAMING

The problems of drug utilization and prescription methods are complex and are increasing in complexity as the number of drugs introduced into therapeutics increases. The situation can now be described as nearly chaotic. No semblance of order can be made of the existing chaos until all drugs and combinations thereof are designated by given, common, or generic names and not by proprietary, or brand names. Proprietary or brand names are, in essence, aliases. An alias, no matter how used, tends to confuse or to be deceptive. An alias is intended to conceal the true identity of whatever or whomever is being designated by an alias. The use of brand names for drugs serves no constructive purpose; on the contrary, the practice hampers rational drug utilization, rational prescribing and dissemination of drug information. Brand names should be abolished. The public's best interests shall not be served until this is done.

It is a function of the government to do for the people what the people cannot do for themselves. No private group or scientific organization possesses the capability or is empowered to institute reforms in drug nomenclature which are so sorely needed. Obviously, then, this is something that the people cannot do for themselves. Government, therefore, must intervene and act in the public's behalf. The record of the U.S. Government in assuring the public that food products supplied to a consumer are pure and properly labelled is commendable and is known to all. The citizens of no other nation on earth have the assurance that food products which enter interstate commerce are safe, as does the citizenry of this nation. Foods are dispensed by their given names and not by aliases. The brand and the name of the vendor or producer is inscribed on the dispensing container to permit the consumer to purchase the commodity of his choice and preference. It is difficult to understand why drugs, which are equally as important, if not more important than food, to the health of a nation and well-being of the public are permitted to masquerade under aliases. In essence, the pharmaceutical industry is being granted preferential treatment by being allowed to distribute drugs using brand names, since no other major industry preparing merchandise for human consumption is granted similar special privileges. The reasons given are that merchandise of one manufacturer varies in quality from that of another and that to do otherwise interferes with the physician's prerogative or prescribing a drug of his choice. It is ludicrous to conceive that items so vital to the public health are distributed by brand names, under the guise that to do otherwise would be interfering with the physician's prerogative of selecting the product of a manufacturer which he deems best for his patient. The arguments which have been advanced for justifying the practice of using brand names are not only illogical and superfluous, but even puerile. If it is the object of the pharmaceutical industry to promote ignorance and to confuse not only the physician, but the public as well, the use of brand names effectively accomplishes this purpose. The prime motive, if one gives the matter thoughtful consideration in using aliases for drugs, is to promote sales, to establish monopolies and to stifle competition of rival manufacturers.

GENERIC LABELING

It is my belief that carefully and thoughtfully prepared legislation should be adopted, advocating that compulsory labelling of prescription drugs dispensed either in bulk to pharmacists and physicians or prescription drugs dispensed in individual packages be done by generic, or common names. "By "common names" I refer to names that are shorter or better known than the generic name. Aspirin is a more common name than the generic name—acetylsalicylic acid. The generic labelling should appear in large, bold-faced type on the label, wrapper, container, brochure and all other identifying devices or documents. The brand name of the manufacturer, if such a drug has a brand name, should be in parentheses beneath the generic name in type no larger than one-eighth the size of the type used for the generic name of the drug. Interposed between the generic name of the drug, in type no larger than that used for the manufacturer's name and the brand name but large enough to be easily legible, should be interposed the chemical name of the drug.

A pharmacist who dispenses to a patient, on a prescription from a physician, a portion of the contents of a drug packaged in bulk should be required to label the package of the drug so dispensed to the purchaser with the generic, or common name of the drug. If the physician has specified dispensing a drug of a particular manufacturer, the manufacturer's name should be indicated in parentheses below the generic name, in order that the physician, as well as the patient, will know whether or not the specified item has been supplied. The labelling on the container given to the patient should be omitted if the physician indicates "do not label" on the prescription.

NAMING OF MIXTURES AND COMBINATIONS

Mixtures of drugs would be designated as Mixtures. For example, the mixture now available as Coricidin would be labelled as Chlorpheniramine, Aspirin and Phenacetin Mixture. The brand name Coricidin would not be included in the labelling. Instead, the name, Chlortrimeton, since it is a proprietary ingredient, would appear in parentheses in type one-eighth the size of type used to name the ingredients of the mixture beneath the name of the ingredient Chlorpheniramine, together with the manufacturer's name. The labelling of mixtures should also carry the chemical names of each ingredient, in fine print, with the generic or common name in parentheses and the amount of each ingredient in each tablet, capsule, or unit of liquid measure should be indicated in both milligrams and in grains. The latter stipulation would not be a requirement of the labelling applied to the package dispensed by prescription to a patient. These are of interest primarily for the pharmacist, pharmaceutical chemist, or the toxicologist in the event this information is required in cases of poisoning, homicide, determination of purity or biologic assay. An expiration date should be indicated for drugs which have expiration dates.

LABELING OF OVER-THE-COUNTER DRUGS

Producers of "over-the-counter drugs" are likewise enjoying special privileges which are far from being in the public's best interest. As a matter of fact, the surveillance of the firms packaging over-the-counter drugs is not as close as that of firms packaging prescription drugs. The FDA has no surveillance over claims of efficacy of over-the-counter drugs made in advertisements, in newspapers, magazines, telecasts, etc., and Federal agencies empowered to take action seldom do so.

Pharmaceutical firms which package a prescription drug which may also be sold over the counter in certain dosage forms often make claims in advertising in newspapers and nonprofessional magazines that would not pass the scrutiny of the FDA. I am thinking specifically of Neosynephrine, packed by Winthrop, in the form of nose drops, which is available over the counter, which, in lay journals is claimed to be effective for "colds." The labeling of over-the-counter drugs should follow the same pattern as that of prescription drugs and the advertisements should be as informative concerning full disclosure and efficacy as prescription drugs.

REPACKAGING OF DRUGS

Drugs dispensed by "repackaging firms" should indicate the source of each ingredient, that is, the name of the manufacturer from whom each chemical was purchased. The same requirement should apply to firms distributing a repackaged drug under a brand name or to mixtures. The large manufacturing firms who buy drugs from other firms should indicate on the package that they did not make the drug, by indicating its source, in the same manner as required of the "repackaging houses."

In addition, the American Medical Association should indicate in its code of ethics that physicians should own no stock or interest in any pharmaceutical firm, repackaging firm or pharmacy, and insist that this be enforced at the county society level. No conscientious, ethical physician who lives up to his oath should object. The patient is at his mercy and purchases what he specifies and there should be no conflict of interest.

IMPACT OF GENERIC LABELING

Should one ask, "Will such a change in labelling as is being proposed be in the public's best interest?", the answer will obviously be, "It will." If one asks, "How?", the answer would be, "Everyone will learn and know the real name of a drug"; the physician, the pharmacist, the nurses who take care of the patient, the pharmacist's attendants and the relatives. Pseudonyms and aliases ultimately will disappear, without one bit of harm to the public.

Will physicians be restricted in their prescribing prerogatives if such a plan were placed into effect? The answer is, "Not at all." The physician will still be able to prescribe the drug he chooses, manufactured by the firm he prefers and in which he has confidence. He still will be able to prescribe in the dosage form he chooses and has always used in prescribing the drug. If, for medical reasons, a physician does not wish a patient to know the identity of a drug, it will still be his prerogative to request this.

Pharmacists will still be required to supply to a patient a drug a physician requests, made by the manufacturer that the physician indicates and prefers. An ethical pharmacist will not substitute an inferior drug, as has been argued that he might do by those who feel that the brand names protect the patient and protect the physician's right to prescribe as he sees fit. If a physician does not object to labelling, the patient is then told what he is to receive and can insist that the pharmacist supply exactly what is prescribed and what the patient is paying for. Patients may be able to shop and obtain a drug at its lowest cost.

The days of mystery in medicine are over. Medicine is a science as well as an art. Patients are not morons. They read, and they are becoming more knowledgeable, and there is no reason for not disclosing all pertinent information to everyone for the proper and safe use of a drug. By using a standard name for each drug, full disclosure will be provided for all persons involved. The chemically oriented physician will have the chemical name. The pharmacist, the pharmaceutical chemist, the toxicologist and the physician who have become accustomed to using brand names will have them at their disposal should they wish them, but in time they will be de-emphasized and brand names hopefully will disappear. Existing hospital formularies can be abbreviated and new ones prepared in hospitals where none now exist. Pharmacists will find that in due time physicians' prescribing habits will change and they will need fewer items on the shelves.

GENERIC EQUIVALENCY

The arguments for retaining brand names prescribing have been shrouded and wrapped in that nebulous cloud referred to as "generic equivalency." The paucity of convincing and well-documented data of clinical significance causes one to suspect that this situation has been grossly exaggerated. Should a product of one pharmaceutical firm be chemically equivalent and more effective biologically, then this would be a selling point which a pharmaceutical firm could use in its advertising. The firm could, with justification, capitalize upon this point in its advertising and utilize it as a reason for selecting the drug of that particular firm. The firm thus could boast that its product is superior and has this advantage over that of competing firms. Considerable stretch of the imagination is required for one to see the justification for the use of an alias for designation of a product merely on the basis of generic equivalency. For example, should Ether prepared by SQUIBB be found to be biologically and clinically more effective than that of competitive manufacturers, and I doubt that it would, a physician who is aware of this would request Ether—Squibb. In the event Lidocaine U.S.P. prepared by Astra were demonstrated to be biologically and clinically superior to products distributed by a competing firm, this would not necessarily interfere with a physician's choice to prescribe Lidocaine—Astra instead of the alias, Xylocaine. Neither would have been interference of the physician's prerogative to prescribe the product he deems most effective clinically, if indeed he can make such a distinction, and the best interest of the patient will still be served. The question of generic equivalency has been "ballyhooed with both scientific and pseudo-scientific data, so that it is virtually impossible to determine what is fact and what is fancy. The situation is almost laughable. Much is said about crystal size, the effect of binders and mordants, coating, etc. This all sounds impressive and has some basis of fact, no doubt, Mr. Chairman, but no one has said what happens to one of these elite, "non-generic brand name drugs" when it is introduced into the stomach of a patient, the contents of which are not known, the acidity of the juices in the stomach are not known and other variable factors which are bound to exist are not known. What happens to one of these pills or capsules after they are introduced into the stomach and are followed by a martini, potato chips, shrimp remoulade, turtle soup, a steak, potatoes, some wine, salad and dessert. If a drug is readily soluble, the chances are excellent that chemical equivalency equals biological and clinical equivalency.

One cannot deny that in some cases biologic potency may vary from one product of one manufacturer to another or even from batch to batch of a given drug by a given manufacturer, but how much is known about all of this which is factual and clinically significant? It appears to me that no one has given this matter much thought over the years and now the matter is being called to the attention of the scientific community and we are becoming aware of something that only time will prove whether or not is important. The effectiveness of a drug taken before breakfast may differ from that of taking the same drug before lunch or before supper or at bedtime, or from one day to the next. Such variable factors as fever, the presence of other drugs, hydration and liver and kidney function may influence the efficacy of a drug. Generic naming must not be confused with generic equivalency. The two terms are distinct, separate entities and not synonomous.

ACCEPTABLE STANDARDS

Standards formulated by the U.S. Pharmacopeia, the National Formulary and other agencies are acceptable, reliable standards and should be adhered to at this time until additional well documented information is available, at which time these agencies and scientific groups can revise their standards. As time passes we will no doubt learn more about the so-called "biologic equivalency" and its clinical importance. The standards will then be modified in accordance with our added knowledge, but until such a time the present-day standards are adequate.

There must be a beginning to make order out of chaos, and now is the time to effect changes. The vociferous displeasure which will be voiced will be intense but it can be readily parried by asking, "Is what is being done in the public's best interest?" How can full disclosure of all details pertaining to a drug be anything other than in the patient's best interest?

COMPLEXITY OF GENERIC NAMES

The greatest objection and difficulty that one will encounter in attempting to establish uniform nomenclature of drugs will be the complexity of some of the generic names which have been assigned to drugs. This is a matter that will have to be resolved with time. Some names undoubtedly will have to be simplified. Chlorpheniramine, mentioned in the description of Coricidin, is a name that borders on the complex side. There is a tendency among physicians to abbreviate names or use "nicknames." For instance, cyclopropane is usually referred to as "cyclo" by anesthetists. Muscle relaxants are facetiously referred to as "arrow poisons." In the case of the muscle relaxants, for example, Decamethonium is the generic name for Syncurine and succinylcholine is the generic name for Anectine or Sucostrin. Tubocurarine is a non-patented generic name for Curare and should be retained. These generic names are not difficult to pronounce or spell.

The purpose, Mr. Chairman, in my recommending that the chemical names be included on the package and in the other types of labelling is that one wishing to know the chemistry would have it available. The United States Adopted Names, a committee composed of members of the U.S.P., N.F., Council on Drugs of the AMA, and the FDA, now attempts to incorporate in the name an indication of the chemical nature of the drug. If it were known that the chemical names are required on the labelling, perhaps the USAN would be more inclined to adopt the simpler names and not attempt to follow a chemical type of nomenclature.

LICENSING SYSTEMS

A code of good manufacturing practices and other criteria with a licensing system and registration for all individual pharmaceutical products is essential. All drugs would then meet the same standards. This, of course, would be imposing the same requirements on all firms manufacturing drugs equally and would do much to solve the problem and obviate the objection which allegedly exists that some drugs are chemically equivalent but not biologically equivalent. This is not an impossible problem to resolve.

FIXED RATIO COMBINATIONS

Physicians have, for years and years, used drug combinations. They will continue to use drug combinations in the future. I see no end to this practice. It is reasonable and logical in some cases. There is a difference, Mr. Chairman, between *combinations* and *fixed ratio combinations*. Combinations are essential and not necessarily objectionable. However, there are objections to the use of *fixed ratio combinations* because no two individuals respond to the same manner to a given drug. The argument advanced in the use of *fixed ratio combinations* is that a patient then would receive all the medication in one tablet, capsule or teaspoonful of solution or injection. The use of *fixed ratio combinations* is as logical as selling combinations of salt and pepper in fixed proportions. I am sure that if pepper were combined with salt in a fixed ratio and sold on the premise that one would require only one shaker on the table instead of two the product would have limited sale. Individual tastes vary; some people would like more salt and less pepper and vice versa.

The same principle applies to drugs in combinations of fixed ratio, particularly when they are dissimilar chemically or therapeutically. I have in mind a particular fixed ratio combination which has been recently introduced on the market under the brand name of Innovar. This is a mixture of a new narcotic of great potency, Fentanyl, and a new "tranquilizer," Droperidol. The narcotic causes rigidity of the muscles and interferes with respiration. The tranquilizer has the capability of paralyzing the nerves supplying the blood vessels and causing a fall in blood pressure. The combination is packaged in a ratio of fifty parts of the tranquilizer to one part of the narcotic. When this combination is used, certain individuals overreact to the narcotic while others overreact to the tranquilizer. Such a mixture of fixed proportions is illogical. It has been promoted and, because of its newness, detailed information of its pharmacologic properties is lacking or it has not as yet drifted down to the practicing physician through the normal and unbiased drug information channels; that is, from physicians who actually are familiar with the drug and recognize its side effects. When an N.D.A. of a new product of this sort is approved by the FDA, the "detail men" are the first to acquaint the physician with the product. The package insert, in these cases, provides all of the required available information but this is not sufficient because in many cases the drug has been tested by individuals whom we facetiously refer to as "testimonial writers." Seasoned researchers are not interested in testing drugs in the manner proposed by a sponsoring manufacturer. The data on the N.D.A. applications is not always obtained from research of the highest quality. Side actions and other adverse effects often remain virtually unknown until a drug is subjected to widespread general use or is studied carefully by seasoned researchers. When a drug is first introduced, we are not fully aware of its actual usefulness and limitations. It is only with time and sad experiences that a drug finds its proper niche in therapeutics.

ANTIBIOTIC FIXED RATIO COMBINATIONS

Some fixed ratio combinations of antibiotics and chemotherapeutic agents available on the market are deemed ineffective in certain cases, from data studied by the Review Committee of the NAS–NRC. Inasmuch as the physicians and other scientists on these committees are knowledgeable in their fields and not biased, I would accept their recommendations. In instances where they say that a fixed ratio combination is not effective, this combination should be withdrawn from the market unless supplementary data of proof of efficacy is supplied by a manufacturer. Withdrawal of mixed ratio combinations of these types does not hamper the physician from using combinations. A physician will still be able to prescribe two of three drugs in quantities to suit an individual patient. Antibiotics and chemotherapeutic drugs are far from innocuous drugs. Each type is capable of producing sensitization, kidney, liver, and in some cases nerve damage. Where fixed ratio combinations are used, only one ingredient may be effective but the amount in the mixture is insufficient. The physician may increase the dose if the response is good but not as great as an-

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ticipated. It is thus possible for the amount of the ineffective agent to be increased above the toxic level and cause harm to a patient.

CHLORAMPHENICOL

I have been asked to comment on the use of Chloramphenicol (Chloromycetin). Chloramphenicol is a valuable drug and certainly nothing should be done to curtail the intelligent use of the drug by knowledgeable physicians in instances in which it is indicated. It not only would be difficult to legislate when a physician should or should not use Chloramphenicol, but such a step would be ill advised. There is no doubt that there has been and probably still is some abuse of the drug. This appears to be decreasing. There are, however, other drugs in other categories that are equally as hazardous as Chloramphenicol but in other ways. They, too, are used thoughtlessly and indiscriminately in certain cases.

PHARMACY AND THERAPEUTICS COMMITTEES

The hospital pharmacy and therapeutics committees required by the Joint Commission on Accreditation of Hospitals in accredited hospitals could manage the problem of proper drug usage quite effectively. These committees, however, should be strengthened and be more active than they now are. Their scope should be broadened to include the reporting, not only of adverse reactions, but a review of a drug utilization and promotion of drug education to the hospital visiting staff. The premise upon which the Joint Commission for the Accreditation of Hospitals bases its requirements of accreditation, as far as the medical and surgical visiting staff is concerned, is that the visiting staff governs itself. The philosophy that the staff governs itself can be workable. It is effective in certain, but not all, hospitals. Tissue committees are quite effective in most hospitals in preventing unnecessary surgery. Utilization review committees which review duration of patient stay and hospitalization likewise have been effective; therefore, the same principle could be applied to drug utilization. The pharmacy and therapeutics committee could challenge a physician for using a drug such as Chloramphenicol in situations where it was not indicated or for administering the drug without performing the proper bacteriologic and sensitivity studies. Legislation is not the answer to this problem. The solution must be by education and self-regulation by the medical profession. The use of drugs presenting hazards similar to Chloramphenicol could be "policed" in a similar manner.

ROLE OF THE AMERICAN MEDICAL ASSOCIATION

I realize that the American Medical Association has, over the years, differed with Congressional leaders and governmental agencies in its views concerning the dispensing of health care to the public. I prefer not to say that I agree or disagree with the pronouncements that have been made by the Association because I must admit that I am not familiar with both sides of the story in some cases. I have either heard or read biased sides presented by physicians or read biased sides presented by the government in the news media. Therefore, it is difficult for me to have strong feelings one way or the other in this matter. Again, when in doubt, I apply the rule which serves as my guide—"Is what is being proposed in the best interests of the public?". I would like to emphasize, Mr. Chairman, that medicine, as it is practiced today, is the best in the history of the world. It would not be in the state of development that it is today had it not been for the American Medical Association. Many years ago Abraham Flexner submitted a report on the deplorable status of the various medical schools in the United States. Following the presentation of this report the American Medical Association took the initiative and established uniform standards of medical education in this country. We then surpassed the rest of the world as far as medical standards of medical education and medical practice are concerned. The American Medical Association is a scientific body which can, if it wishes, assemble scientific and medical talent of the highest calibre. The association has and must have a political superstructure. The part of the medical association that the public knows is the "political portion," which is a small portion. After all, the American Medical Association is a democratic organization. It is organized and operates in many ways as does the Congress or the various State legislatures. It is governed by an elected House of Delegates. The actions of the Congress, as depicted in the press, sometimes appear absurd. Likewise, the actions and resolutions of the American Medical Association may appear to be ridiculous and ill conceived to one on the outside looking in who does not know all the ramifications involved in a decision. The portion of the American Medical Association that one does not see is the conglomerate of scientific councils and other divisions not involved in medico-political affairs. The Association may be likened to an iceberg, one-eighth of which protrudes above the water. This portion is the political portion which the public sees.

The functions of the American Medical Association of which the public is not aware are the scientific functions. This is the portion likened to the iceberg which is beneath the water. The Council on Medical Education, which inspects and approves medical schools, internships, residencies and postgraduate programs, a costly and important undertaking, is a little-known body of the Association which serves the best interests of the public. The Council on Drugs, of which I am a member, is promoting the formulation of drug utilization policies, adverse drug reaction reporting and dissemination of medical knowledge to physicians. The activities of the Association are financed to a large extent by physicians' dues and voluntary contributions and to a lesser extent from income from advertising in periodicals published by the Association.

I may appear to be idealistic and naive in making this statement, but I believe the governmental agencies should take into their confidence and work closely with the various scientific bodies of a national stature, including the AMA, and attempt to cooperate and work jointly for the benefit of all. Any legislation which is hastily passed, ill conceived, is restrictive and appears to encroach upon the physician's prerogative to make decisions and to practice medicine as he deems best for the patient will be construed as punitive and will arouse resentment and resistance. A frustrating situation will be created and the main goal, namely, providing the best health care possible for the public which both the government and the American Medical Association are obligated to provide, will not be attained.

THE PHARMACEUTICAL INDUSTRY

In advocating uniform nomenclature I am not castigating or opposing the pharmaceutical industry. One must remember that the pharmaceutical industry operates in a manner similar to any other industry and its primary goal is profits. It has, however, a greater responsibility to the public than any other industry. The patient does not make the decision as to which and whose drug is to be brought. The physician does. The industry should remember this fact but does not always do so. If the profit incentive is removed, then expansion and progressive development of the industry will be stunted and this would not be in the best interests of the public. I am sure that you have information from your hearings which indicates that some pharmaceutical firms have been ruthless, have fixed prices, and have committed acts which have not been in the public's best interest. Nonetheless, the pharmaceutical industry has also contributed its share to the progress of medicine in this country. We need an active and vigorous pharmaceutical industry. There should be regulation of the industry but such regulation should be nonrestrictive in nature. It should create a more competitive environment than now exists and permit a firm to expand and progress and to develop significant and better products and not duplicate products. Any restrictions which are placed upon a firm that remove incentive will not be in the best interests of the public or the medical profession. Restricting monopolistic practices will, of course, encourage competition which is healthy and which is in the best interests of the public.

The question, Mr. Chairman, then is not should we abolish brand names and use generic names, but when? The sooner the better. It can be done, and it will be a step forward in medicine.

I think I have said enough, Mr. Chairman; thank you.

S. 2212—INTRODUCTION OF A BILL TO AUTHORIZE THE APPROPRIATION OF FUNDS FOR THE PADRE ISLAND NATIONAL SEASHORE

Mr. YARBOROUGH. Mr. President, I introduce, for appropriate reference, a bill to authorize the appropriation of $4,129,829 to settle the final judgment rendered against the United States for the acquisition of lands and interests in land for the Padre Island National Seashore. This amount, plus $1,581,321 already deposited in court, will be sufficient to pay the total amount of the judgment and interests as was provided in a stipulation signed by the parties involved and entered with the U.S. District Court for the Southern District of Texas.

According to the Secretary of the Interior, this appropriation would settle the last of condemnation proceedings relating to this national seashore. I ask unanimous consent that the text of Secretary Hickel's letter be inserted in the Record at this point.

There being no objection, the letter was ordered to be printed in the Record, as follows:

U.S. Department of the Interior,
Office of the Secretary,
Washington, D.C., May 13, 1969.

Hon. Spiro Theodore Agnew,
President of the Senate,
Washington, D.C.

Dear Mr. President: Enclosed is a draft of a proposed bill "To authorize the appropriation of funds for Padre Island National Seashore in the State of Texas and for other purposes."

We recommend that the bill be referred to the appropriate committee for consideration, and we recommend that it be enacted.

The bill would authorize the appropriation of such sums as are necessary to satisfy final judgments against the United States in the last remaining condemnation proceeding which was brought to acquire property for the Padre Island National Seashore in Texas. Two proceedings were brought, numbers 65–C–54 and 66–B–1, both of which have resulted in final awards to the property owners in excess of the amounts deposited in court by the United States as estimated fair market value of the properties. With respect to number 65–C–54, the 90th Congress enacted Public Law 90–594, which authorized the appropriation of $6,-

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810,380, plus interest, to satisfy the deficiency in that case. Enactment of the enclosed bill would authorize the appropriation of $4,129,829, plus interest, to satisfy the deficiency in proceeding number 66–B–1.

This Department, in its letter to the Congress of June 4, 1968, recommended the enactment of a draft bill which would authorize appropriations sufficient to satisfy the awards in both proceedings. However, the authority with respect to proceeding number 66–B–1 was deleted by the House Committee on Interior and Insular Affairs (see House Report No. 1856, 90th Congress, 2d Session, to accompany H.R. 17787), and this deletion was concurred in by the Senate Committee on Interior and Insular Affairs (see S.R. No. 1598, 90th Congress, 2d Session). The deletion was made on the ground that a final judgment in proceeding number 66–B–1 had not been rendered, appeals filed by the Government and the former landowners with respect to tracts 14 and 16 not then having been disposed of.

Final judgments with regard to the four tracts involved in proceeding number 66–B–1 have now been rendered. The following table shows the sums involved:

Tract	Deposit	Final award	Deficiency	Judgment date
14 and 16	$1,581,321	$5,700,000	$4,118,679	Dec. 18, 1968
15	7,200	11,000	3,800	May 14, 1968
17	14,400	21,750	7,350	Jan. 8, 1968
Total	1,602,921	5,732,750	4,129,829	

With regard to tracts 14 and 16, at trial the jury awarded the former landowners $9,891,637.80. On motion of the Government, the court ordered a remitter in the amount of $2,591,637.80, which would have reduced the award to $7,300,000. Pending final action on the remitter, however, the former landowners offered to accept a total figure of $5,700,000, provided the Government agreed to revestment of title to tract 16 and a portion of tract 14 in the former owners. These lands totaled 1,628.05 acres, and were deemed not now essential to the management and development of the seashore. The Government therefore joined the former landowners in a stipulation providing for revestment of the 1,628.05 acres and an award of $5,700,000, which was approved by the court.

Under the stipulation mentioned above, interest on the deficiency with regard to tracts 14 and 16 ($4,118,679) commenced to run on January 1, 1969. Under similar stipulations covering tracts 15 and 17 interest on the deficiency on tract 15 ($3,800) will commence on May 14, 1969, and interest on the deficiency on tract 17 ($7,350) commenced January 9, 1969. Interest will accumulate against the Government at the rate of 6 percent from the above dates on the deficiencies until they are paid. The funds authorized in this draft legislation will be sufficient to complete land acquisition for this national seashore under the current plans of the Department.

The Bureau of the Budget has advised that there is no objection to the submission of this proposed legislation from the standpoint of the Administration's program.

Sincerely yours,

WALTER J. HICKEL,
Secretary of the Interior.

Mr. YARBOROUGH. Mr. President, I am very proud to have been the sponsor of the bill creating this national seashore. President John F. Kennedy signed the bill creating this national seashore on September 28, 1962. This beautiful portion of the Texas gulf coast is now preserved in practically its natural state and will be enjoyed by all Americans for generations to come.

This legislation is needed so that the last settlement can now be made for the land acquired for this seashore.

Mr. President, I ask unanimous consent that the text of my bill to authorize the appropriation of funds for Padre Island National Seashore in the State of Texas, be printed in full at this point in the RECORD.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 2212) to authorize the appropriation of funds for Padre Island National Seashore in the State of Texas, and for other purposes, introduced by Mr. YARBOROUGH, was received, read twice by its title, referred to the Committee on Interior and Insular Affairs, and ordered to be printed in the RECORD, as follows:

S. 2212

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding any other provision of law, there are hereby authorized to be appropriated such sums as may be necessary to satisfy the final judgment of $4,129,829 (that is $5,700,000 less $1,581,321 deposited in court) rendered against the United States in civil action 66–B–1 in the United States Court for the Southern District of Texas, for the acquisition of lands and interests in land for the Padre Island National Seashore. The sums herein authorized to be appropriated shall be sufficient to pay the amount of said judgment, together with interest as provided in a stipulation signed by the parties and entered with the court.

SENATE RESOLUTION 197—SUBMISSION OF RESOLUTION REPUDIATING THE BREZHNEV DOCTRINE

The PRESIDING OFFICER. Under the previous order, the Senator from Connecticut is recognized for 20 minutes.

Mr. DODD. Mr. President, I have asked for this time so that I may introduce a resolution and make some remarks about it. I consider it a very important resolution and I hope that my fellow Senators will carefully consider it.

On the heels of the invasion of Czechoslovakia, the Soviet Union promulgated the so-called Brezhnev doctrine, asserting its right to intervene in any so-called Socialist country.

Because this doctrine in effect nullifies the Charter of the United Nations and constitutes a continuing threat to the peace of the world, I believe that it would be helpful if the Senate of the United States went formally on record as repudiating the central concept of the Brezhnev doctrine, reasserting the right of all nations to sovereignty over their own affairs, and urging the Soviets to desist from intervention in Czechoslovakia.

I submit for appropriate reference a resolution designed to make these points clear to the Soviets and to world opinion.

In submitting this resolution, I am honored to be joined as cosponsors by the Senator from Indiana (Mr. BAYH), the Senator from Hawaii (Mr. FONG), the Senator from Wyoming (Mr. HANSEN), the Senator from South Carolina (Mr. HOLLINGS), the Senator from Utah Mr. MOSS), the Senator from Oregon (Mr. PACKWOOD), the Senator from South Carolina (Mr. THURMOND), and the Senators from Texas (Mr. TOWER and Mr. YARBOROUGH).

It is my hope that the administration will be encouraged by this resolution to take those diplomatic measures that can and should be taken in advance to discourage the extremists in the Soviet politburo and to impose at least some restraint on Soviet actions in Central Europe.

The Brezhnev doctrine was spawned by recent events in Czechoslovakia.

What has happened in Czechoslovakia and what is happening there today has a significance that far transcends the fate of one country.

The Czechoslovak situation, indeed, is a great historical pivot, on the outcome of which may depend the future evolution of the Soviet Union and of Communist rule in Central Europe, and of the entire relationship between the free world and the Communist world.

On March 30, the Senate Subcommittee on Internal Security released a study captioned "Aspects of Intellectual Ferment and Dissent in Czechoslovakia," which had been prepared at my request by the Legislative Reference Service of the Library of Congress. Essentially this study was an analysis of events leading up to the Soviet invasion of Czechoslovakia, and of developments from the time of the occupation until roughly mid-February.

In the statement made at the time the study was released, I said that the recent events in Czechoslovakia, coupled with the smoldering discontent in the rest of Communist Europe and in the Soviet Union itself, call into question, in the most dramatic form, both the viability of the Communist system and the ability of Moscow to control the empire which it built up in the postwar period on the bayonets of the Red army. I also said that anything could happen in Czechoslovakia and anything could happen in Central Europe

At the very moment this statement was mailed out to the press, a new and dramatic train of events began to unfold in Czechoslovakia and Central Europe.

On March 28, the victory of the Czechoslovak ice hockey team over the Soviet team triggered wildly enthusiastic demonstrations from one end of Czechoslovakia to the other. In the course of these demonstrations, certain unruly elements threw rocks at Soviet barracks and other installations, and broke into and vandalized the Soviet airline and travel office in Prague.

Responsible Czechs have charged that these provocations were the work of Soviet stooges. Whether this was so or not, the Soviets reacted in the best Stalinist tradition.

On March 31, Marshal Andrei Grechko, Soviet Defense Minister, and Vladimir Semyonov, Soviet Deputy Foreign Minister, flew into Prague unannounced, accompanied by a top-level military delegation, and demanded a meeting with the Czechoslovak leaders.

According to reports, the Soviet emissaries gave the Czech leaders an ultimatum, warning them that if they failed to act at once to stop anti-Soviet demonstrations and criticism in the press, the Soviet army would again intervene and "would run over the demonstrators with tanks."

A few days later, on April 5, the press reported that the Czechoslovak leaders had been forced to agree to the stationing of three more Soviet divisions in their country, raising the total Soviet occupation force from approximately 70,000 to roughly 115,000 men.

These events, and other events of the last few weeks, strongly suggest that the Soviet leaders, after a period of apparent indecision, have now veered back toward a hard line on Central Europe.

On April 5, the Soviet press leveled against Yugoslavia some of the strongest criticism that had been seen in Moscow in more than a decade.

On April 9, Ivan Bashev, the Bulgarian Foreign Minister, reinforced these threats by telling the press that, I quote:

> The Warsaw powers will invade any other alliance nation which follows Prague's example.

And then, on April 17, there came the ominous announcement that Dubcek was resigning as party secretary and that his place was being taken by Gustav Husak, a hardline Slovak party leader who for months now has been assailing the critics of Soviet actions.

At the point of the bayonet, the Kremlin appears to have succeeded in compelling the Czechoslovak Government to renounce their own freedom and the freedom of their people. But the situation is far from clear cut.

IN THE WAKE OF THE CZECHOSLOVAK INVASION

The Kremlin originally decided to intervene in Czechoslovakia because it felt its rule threatened by the contagion of freedom. But the process of political and ideological disintegration in Communist Europe and in the Soviet Union itself has probably only been accelerated by the invasion and occupation of Czechoslovakia.

Having invaded and overrun the country and having arrested and removed its leader, the Kremlin, for the first time in its long history of dictatorship and repression, found itself confronted with a situation which appeared to refuse to yield to force.

So united were the Czechoslovak peoples in their opposition to the old Stalinist tyranny of the Novotny regime that Moscow has had the greatest difficulty to find even the handful of traitors necessary to impose a viable quisling regime.

Czechs and Slovaks, intellectuals, students, and workers manifested their opposition to the Soviet occupation and their opposition to the reinstallation of censorship, in an unprecedented show of national unity.

On top of all these things, the occupation of Czechoslovakia resulted in the universal condemnation by world opinion, a condemnation which has by no means been limited to the ranks of the confirmed anti-Communists.

On the heels of the Czechoslovak invasion, Moscow invented the so-called Brezhnev doctrine, under which it claimed the right to intervene in any socialist country if it believes that the socialist regime is threatened.

But the Rumanian and Yugoslav Communists, instead of muting their claim to independence, became bolder and more assertive than ever.

A major reason for the growing defiance displayed by the Yugoslav and Rumanian governments is the dramatic intensification of the Sino-Soviet conflict in recent months. This intensification runs so deep that there is now a distinct possibility of larger hostilities along the Sino-Soviet frontier.

No one can with certainty foresee the final outcome of the confrontation between the brute force of the Soviet Red army and the peaceful but stubborn national resistance of the Czechoslovak people.

With their ultimatums and troop movements, the Soviets have been able to compel the Czechoslovak leaders, against their will, to impose precensorship of the press, to suspend certain publications which they found most offensive, and to dismiss a number of officials.

But, despite the reported arrests of some hundreds of oppositionists, and despite any concessions their leaders may have been compelled to make, recent news suggests that the Czechoslovak people are in no mood for total capitulation.

For example, on April 24, the press reported a sit-in strike by the philosophy students at Prague's famous Charles University, protesting against the removal of Dubcek.

Even more indicative of continuing resistance was the report that when the hardline Communists ordered their journalistic followers to break away from the journalists union and set up an independent hardline union, only 71 out of 4,000 members heeded the call.

The Kremlin unquestionably has a much greater degree of political control in Czechoslovakia today than it had 1 month ago. But its control is far from complete, and anything can still happen in Czechoslovakia.

THE KREMLIN'S DILEMMA

If the Czechoslovak peoples, despite the Red army and despite the new pressures to which they are being subjected, succeed in preserving enough of the limited freedom which they won for themselves during the first part of 1968, then the contagion of freedom is bound to spread to the other Central European Communist countries. It is bound to feed the massive intellectual ferment that has grown up in the Soviet Union since the death of Stalin.

If, on the other hand, the situation in Czechoslovakia cannot be brought under control by Husak and his small band of hardliners, and if the Kremlin in desperation decides again to move its tanks in, the chances are that there would be large-scale bloodshed. Then, the U.S.S.R. would be able to govern only by means of mass arrests and open Red army rule.

Moreover, all the indications are that this would not really solve the problem which the Kremlin faces in dealing with the growing dissidence throughout Communist Europe, including the Soviet Union.

There is a serious possibility that, instead of snuffing out the flames of discontent, a second military intervention would only serve to feed them.

And even if they should succeed in temporarily controlling the situation, the men of the Kremlin must be asking themselves how many more East German uprisings, and Poznan rebellions, and Hungarian revolutions, and how many more instances of national defiance on the pattern of Czechoslovakia, the Red army will be able to repress by brute force.

There have been a number of indications of grave concern over the still simmering discontent in Communist Poland. On the surface, the Gomulka regime has been able to stabilize the situation since it put down the nationwide student strike of March 1968. But when the Congress of the Communist-controlled Polish Peasant Party convened in Warsaw in early March of this year, the secret police found it necessary to arrest more than 100 of the delegates to the Congress to assure that the leadership retained a working majority.

A press dispatch of March 4 quoted a high-ranking Soviet party official as saying that Moscow's greatest concern at the moment is the situation in Poland. This situation he described as roughly the same as the situation in Czechoslovakia at the end of 1966, that is, before the overthrow of the conservative Novotny government.

Against this background of universal discontent the Soviet leaders must be asking themselves whether the immediate advantages the Soviets might hope to gain from a second round of military intervention in Czechoslovakia are not outweighed by the ultimate disadvantages.

They must be wondering what they would do if the smoldering spirit of revolt throughout the Communist empire, including even East Germany, should erupt simultaneously. Specifically, they must be wondering whether the Kremlin would still be able to deal with such a situation by sending in the Red army.

And, above all, the men of the Kremlin must be asking themselves whether Moscow can afford to become involved in more crises in Central Europe, with Red China growing constantly more belligerent and threatening.

These are some of the many questions that must be tormenting the Soviet leaders in the dilemma they now confront in Czechoslovakia.

No matter which way the Soviet leadership decides to move, there is no solution to the Czechoslovak problem that they can feel comfortable about. Precisely because of this, their future handling of the Czechoslovak crisis remains unpredictable.

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I would like to call to the attention of the Senate a plea addressed to American and world opinion by a group of striking Czechoslovak students. This plea has reached me via an intermediary. Why, they ask, do groups of American students protest and demand greater rights and more freedom for themselves while they completely ignore the massive denial of student rights in Czechoslovakia? Are American students only concerned with their own freedoms, but oblivious to the freedoms of students in other countries?

The letter which they wrote made this poignant remark:

> All people towards the end of the 20th Century are supposed to have a future. You are supposed to look forward to one. Today, while the world ignores us here, we wonder if there is any future.

This is a valid question.

I hope that the resolution I have submitted today will be acted on promptly by the Foreign Relations Committee and by the Senate.

What is involved here is a very simple proposition.

My resolution does not call on us to take any warlike or threatening actions.

It does not involve the application of diplomatic pressures or economic sanctions.

It does not require that we sever relationships with the Soviet Union or with the other countries which participated in the invasion of Czechoslovakia.

What, then, is the purpose of this resolution?

Its purpose is to demonstrate to our own people and to the world that we are not morally dead, that we have not lost our capacity for indignation, that we do not intend to reconcile ourselves to the monstrous policy of permanent aggression which has now been enshrined in the Brezhnev doctrine.

Its purpose is to make it clear to the world that we do not share the posture of those foolish people who tried to sweep the invasion of Czechoslovakia under the rug, or who tried to brush it off by telling us that the Soviets were taking an essentially defensive action within their own sphere of interest.

Some of these people indeed went as far as to equate the Soviet invasion of Czechoslovakia with our intervention in the Dominican Republic.

This is like equating the action of a murderer with the action of a policeman who shoots a criminal in an effort to prevent murder.

I shall be more prepared to listen to those who equate the Czechoslovakia invasion with the Dominican intervention when the Soviet Union holds free elections in Czechoslovakia under international supervision.

The purpose of my resolution, finally, is to say on behalf of the Senate of the United States that the Brezhnev doctrine and the occupation of Czechoslovakia are wholly evil things. They must be condemned in resounding terms by civilized men throughout the world.

It is my hope that this resolution will encourage other legislatures in free countries to follow our example. News of this action will get through behind the Iron Curtain so that the brave people of Czechoslovakia and of the other Communist-dominated countries will know where the American people stand on this issue.

In closing, I want to again commend Mr. Whelan's study on "Aspects of Intellectual Ferment and Dissent in Czechoslovakia" to all those who are concerned over the trend of world events. Because, if we are to develop a meaningful European policy geared to the realities of today rather than to the outdated impressions of yesterday, it is clearly essential that we give the most careful study both to the dangers and to the potentialities inherent in the Soviet-Czechoslovakia confrontation.

Mr. President, I ask unanimous consent that the full text of the resolution be printed at this point in the RECORD.

The PRESIDING OFFICER (Mr. HOLLINGS in the chair). The resolution will be received and appropriately referred.

The resolution (S. Res. 197), which reads as follows, was referred to the Committee on Foreign Relations:

S. RES. 197

Whereas the Soviet Union, with the support of four other Warsaw Pact countries, invaded and occupied Czechoslovakia in August of 1968, in flagrant violation of international law and of the United Nations Charter; and

Whereas subsequent to the occupation of Czechoslovakia, Soviet Party Secretary Leonid Brezhnev promulgated what has since come to be called the "Brezhnev Doctrine," explicitly sanctioning Soviet military intervention in any so-called socialist country, "when a threat emerges to the cause of socialism in that country" and implicitly reserving to the Soviet Union the right to define what constitutes a socialist government; and

Whereas this doctrine, in effect, nullifies the Charter of the United Nations if it is permitted to stand unchallenged; and

Whereas the Soviet government has in recent weeks threatened renewed military intervention in Czechoslovakia and reiterated its adherence to the Brezhnev Doctrine in ominous terms; and

Whereas through its military and political blackmail, the Soviet government has been able to compel the Czechoslovak government to accept a serious abridgement of its own freedom and the freedom of its people: Therefore be it

Resolved, That the Senate of the United States reiterates its adherence to the United Nations Charter and to the principle of self-determination and respect for the territorial integrity of other countries which are at the heart of the Charter; and be it further

Resolved, That the Senate, by this present resolution, advise the world and advise the Soviet leaders that it does not accept the validity of the Brezhnev Doctrine because it considers this doctrine a most serious threat to the peace of the world and to the integrity of the United Nations; and be it further

Resolved, That the Senate deplores the fact that the Czechoslovak authorities have been obliged to bow before the military and political pressures exercised by the Soviet authorities in a manner which gravely compromises Czechoslovak freedom; and finally, be it

Resolved, That the Senate appeals to the Soviet leaders to abandon their intervention in Czechoslovakia, and to reconsider their claimed right to intervene in other "socialist" countries because of the peril that this doctrine constitutes to the maintenance of peace.

Mr. MURPHY. Mr. President, will the Senator yield?

Mr. DODD. I yield.

Mr. MURPHY. Mr. President, I wish to congratulate the Senator from Connecticut for the remarks he has made today. I wish to call attention to the fact that over the years no one has expressed these sentiments more forcefully to the American people than has the Senator from Connecticut. He has constantly exhibited himself as a student of these matters—and a careful student. His statements have been couched in fact. He places his finger on one of the most important aspects of our times; namely, the necessity for the complete truth to be told without restriction, so that the people, not only of this great Nation—where we enjoy the freest society that has ever been conceived—but also the peoples of other nations who aspire to freedom will have the opportunity to know the facts and the conditions, so that they can be the judge as to how their governments will be determined and the direction their future lives will take.

I commend my distinguished colleague and congratulate him once more and wish to associate myself with the remarks he has made today.

Mr. DODD. Mr. President, I am grateful to the Senator from California for his generous references to me. I am not overly humble, but I really do not deserve them. There have been many others in the Senate who have done much—and others outside the Senate as well.

All I want is to make clear, as best I can, what I think is going on, and get the interest of others who have the same objectives in mind that I have.

The Senator from California has been a great leader in this effort.

I hope that we will do something about this resolution. For the purpose of making our moral position unmistakably clear.

I thank the Senator from California for his courtesy and his kind comments.

Mr. MURPHY. I thank my colleague.

Mr. TOWER. Mr. President, the string of rationalizations offered by the Soviet Union in justification of her occupation of Czechoslovakia have come to be known as the Brezhnev doctrine. Moreover, the Warsaw letter of July 15, 1968, from representatives of the governments of those nations who would later move against and occupy Czechoslovakia to the Central Committee of the Czechoslovak Communist Party, expressed the basic contentions of the statements issued after the occupation. The Warsaw letter warned that the Socialist community will never allow the Socialist system or the balance of power in Europe to be altered in favor of "imperialism," by peaceful means or otherwise, from within or without; and that a Socialist country can remain independent and sovereign only as a member of the Socialist community; and that no Socialist can speak of its sovereignty vis-a-vis other Socialist nations. Andrei Gromyko, in addition to reiterating the concept of the limited sovereignty of Socialist nations, in a speech before the United Nations on October 3, 1968, declared that the Socialist community is not subject to the prevailing rules of international relations since Socialist countries have their own responsibilities and vital interests such as the maintenance of mutual security and their own Socialist principles of mu-

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tual relations based on fraternal aid, solidarity, and internationalism.

The inconsistency of the intervention in Czechoslovakia with the alleged Marxist-Leninist doctrine of "self-determination" is sophistically smoothed over with the argument that this principle is based on an abstract approach to the people's sovereignty and not on reasoning within the context of class struggle. Actually it is abundantly clear that, except in those instances where to do so suits their purposes, the Soviets refuse to be bound by either international law or even by the supposed philosophy which they ostensibly embrace.

An article published in Pravda of September 26, 1968, went even further in expanding the "right" to intervention in the affairs of other nations by stating that the laws and norms of right are subject to the laws of class warfare and the laws of social development. Thus the concept of national sovereignty is restricted in this view not only in the case of Socialist countries but also throughout the world. Briefly, the right to self-determination in this interpretation is nothing more than the right to be subservient to the Soviet Union. As seen by the Soviet Union, all nations have the "right."

Since a people will find its true happiness only under "Socialist self-determination," the armed aggression of the Soviet Union and the Warsaw Pact allies has the educative effect of helping its victims to recognize their own best interests.

Mr. President, this line of reasoning is so patently specious that one need only recite it to refute it. However, it is not a new concept in Soviet ideology. Similar arguments were employed to justify the 1956–57 intervention in Hungary. In the early 1960's, Soviet ideologists drew three main distinctions in international law: international law, as it is usually understood and as it is expressed in article 2 of the U.N. Charter, which is, according to the Soviets, only applicable to relations between capitalist and Socialist countries; the principles of intervention and hegemony, which, supposedly, governs the international relations among "capitalist" nations; and Soviet internationalism. In delineating this view of international relations, the Soviets have conveniently ignored the Warsaw Pact in which the signatories, including the Soviet Union, agreed to be guided by the principles, aims, and statutes of the United Nations organization. Such duplicity, by this time, is hardly surprising.

The true Soviet policy is to follow a course of convenience toward the ultimate goal of world domination; the Brezhnev doctrine is the ideological byproduct of this policy and follows, rather than occasions, the aggressive actions of the Soviet Union. The revitalization of "Socialist internationalism," with its accompanying interventionist doctrines, in its present expanded version, is an attempt to justify the occupation of Czechoslovakia. More ominously, it anticipates justification of future intervention in both Communist and non-Communist countries.

No matter how the Soviets stretch their sophistries, the Brezhnev doctrine, as it is expressed and as it has been carried out, is a demonstration of flagrant disregard for the spirit and the letter of international law as laid down in the United Nations Charter, the Warsaw Pact, or any other source, except the tortuous reasoning of Kremlin ideologists. Beyond the verbal obfuscation, the expansionist designs of the Soviet Union are clear. We must take to heart the stern lesson in Communist psychology provided by the armed aggression of the Soviets and their allies against the people of Czechoslovakia. Furthermore, we must express our strong opposition to this oppressive and illegal action if, in the future, we are to negotiate with the Soviet Union from a position of strength and solidarity.

Mr. President, I ask unanimous consent to have printed in the RECORD an editorial published in the Dallas Morning News of May 1, 1969.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

THE BREZHNEV DOCTRINE

President Nixon could profitably add junking of the Brezhnev Doctrine to his agenda of demands when he starts talks with Russia. The new Brezhnev Policy, expounded on the ruins of Czech freedom, asserts Russia's right to use force in any communist country when its leadership strays toward free institutions.

Our own Monroe Doctrine, which Russia sneers at, only warns, foreigners out of the hemisphere. Judging by Cuba, it doesn't do a very good job of that. Our own liberals holler "world policeman" whenever the U.S. defends some little country's freedom.

Yet the Kremlin is asserting not only the right to subvert the world but also to keep conquered territories in bondage by force. The Red army stands behind the doctrine, which mocks the nominal sovereignty that the satellite nations assert.

Supporting a resolution in Congress condemning the new Red expansionist doctrine, Sen. John Tower has contrasted the Brezhnev Doctrine with the U.N. Charter, which proclaims the principles of self-determination and territorial integrity. He sees the Red policy as a "gross breach of international law" and a threat to peace and sovereignty.

It is that—and more. The Reds don't subscribe to U.N. principles but they don't scruple to condemn South Africa or Portugal or Rhodesia as being "threats to peace" because of their internal policies. The irony seems lost on the U.N., which wouldn't dare censor Russia for the dozens of captive peoples it has swallowed up.

The U.S. has no consistent policy of opposing communism wherever it shows itself in the free world. No amount of treaties and talks will make up for that deficiency or offset the explicit Red expansionist doctrine. It will be on Russia's list of nonnegotiables when Nixon comes calling.

S. 2221, S. 2222, AND S. 2223—INTRODUCTION OF BILLS ON OWNERSHIP OF CERTAIN LANDS IN RIVERSIDE COUNTY, CALIF., AND SUBMISSION OF COMPANION RESOLUTIONS, SENATE RESOLUTIONS 199, 200, AND 201

Mr. MURPHY. Mr. President, on two occasions earlier this session I submitted a series of bills and resolutions pertaining to the ownership of lands along the Colorado River. These were: On March 4—S. 1303 through S. 1360, and S. 1364, and Senate Resolution 103 through Senate Resolution 161, and on April 29—S. 2023 through S. 2028, and Senate Resolution 185 through Senate Resolution 190. On each of the occasions on which I submitted these bills and resolutions, I pointed out that the bills involved the Secretary of the Interior and lands over which he claims control and that the resolutions, in turn, pertain directly to the bills. Then, on both occasions, I asked unanimous consent, which was granted, for all of the bills together with the accompanying resolutions to be referred to the Senate Committee on Interior and Insular Affairs. I now introduce three more bills and submit three more resolutions of the same type and again request unanimous consent that all of them be referred to the Senate Committee on Interior and Insular Affairs.

The PRESIDING OFFICER. The bills and resolutions will be received and, by unanimous consent, referred to the Committee on Interior and Insular Affairs.

The bills (S. 2221) to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the County of Riverside, State of California; (S. 2222) to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the County of Riverside, State of California; and (S. 2223) to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the County of Riverside, State of California; to the Committee on Interior and Insular Affairs, introduced by Mr. MURPHY, were received, read twice by their titles, and referred to the Committee on Interior and Insular Affairs, by unanimous consent.

The resolutions (S. Res. 199) to refer the bill (S. 2221) entitled "A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the county of Riverside, State of California," to the Chief Commissioner of the Court of Claims for a report thereon; (S. Res. 200) to refer the bill (S. 2222) entitled "A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the county of Riverside, State of California," to the Chief Commissioner of the Court of Claims for a report thereon; and (S. Res. 201) to refer the bill (S. 2223) entitled "A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the county of Riverside, State of California," to the Chief Commissioner of the Court of Claims for a report thereon, which read as follows, were referred to the Committee on Interior and Insular Affairs, by unanimous consent:

S. RES. 199

Resolution to refer the bill (S. 2221) entitled "A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the county of Riverside, State of California", to the Chief Commissioner of the Court of Claims for a report thereon

Whereas there is pending in the Senate of the United States a bill designated as S. 2221 to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title

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it may heretofore claim to certain lands situated in the county of Riverside, State of California, unto David E. and Janet L. Buskirk: It is hereby:

Resolved, That the Chief Commissioner of the United States Court of Claims shall designate pursuant to section 1492 of title 28 of the United States Code, a trial Commissioner to proceed in accordance with the applicable rules to determine the facts, including facts relating to delay or laches, facts bearing upon the question whether the bar of any statute of limitations should be removed, or facts claimed to excuse the claimant for not having resorted to any established legal remedy. He shall append to his findings of facts, conclusions sufficient to inform the Congress whether the demand is a legal or equitable claim or a gratuity, and the amount, if any, legally or equitably due from the United States to the claimant.

S. RES. 200

Resolution to refer the bill (S. 2222) entitled "A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the county of Riverside, State of California", to the Chief Commissioner of the Court of Claims for a report thereon

Whereas there is pending in the Senate of the United States a bill designated as S. 2222 to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the county of Riverside, California, unto Alvine E. Johnson and Mary A. Johnson: it is hereby

Resolved, That the Chief Commissioner of the United States Court of Claims shall designate pursuant to section 1492 of title 28 of the United States Code, a trial Commissioner to proceed in accordance with the applicable rules to determine the facts, including facts relating to delay or laches, facts bearing upon the question whether the bar of any statute of limitations should be removed, or facts claimed to excuse the claimant for not having resorted to any established legal remedy. He shall append to his findings of facts, conclusions sufficient to inform the Congress whether the demand is a legal or equitable claim or a gratuity, and the amount, if any, legally or equitably due from the United States to the claimant.

S. RES. 201

Resolution to refer the bill (S. 2223) entitled "A bill to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the county of Riverside, State of California", to the Chief Commissioner of the Court of Claims for a report thereon.

Whereas there is pending in the Senate of the United States a bill designated as S. 2223 to authorize and direct the Secretary of the Interior to relinquish and quitclaim any title it may heretofore claim to certain lands situated in the county of Riverside, State of California, unto Jack and Myrtle Utz: It is hereby

Resolved, That the Chief Commissioner of the United States Court of Claims shall designate pursuant to section 1492 of title 28 of the United States Code, a trial Commissioner to proceed in accordance with the applicable rules to determine the facts, including facts relating to delay or laches, facts bearing upon the question whether the bar of any statute of limitations should be removed, or facts claimed to excuse the claimant for not having resorted to any established legal remedy. He shall append to his findings of facts, conclusions sufficient to inform the Congress whether the demand is a legal or equitable claim or a gratuity, and the amount, if any, legally or equitably due from the United States to the claimant.

A TRIBUTE TO THE OIL INDUSTRY

Mr. STEVENS. Mr. President, on Friday last, the distinguished Senator from Louisiana (Mr. LONG), made an extended statement on taxes which the oil companies pay.

I want to commend him for his comments, and particularly for the comments he made pertaining to the Alaskan oil discoveries.

I certainly want to go on record in support of his position that the incentives the American oil industry have today are absolutely responsible for the oil discoveries, in my State particularly. The discoveries of oil on the North Slope and the new vast reserves that we have up there would not have been discovered had it not been for the existing incentives open to the oil industry through the tax laws.

FEDERAL WATER POLLUTION CONTROL ACT, AS AMENDED—AMENDMENT

AMENDMENT NO. 22

Mr. STEVENS. Mr. President, today the Senator from Massachusetts (Mr. KENNEDY) and I have submitted an amendment critical in its need, addressed to an emergency health situation among the village people of Alaska—a situation which demands immediate action.

The needs and grievous conditions of existence in which many of my native people live in rural Alaska have recently been brought to the Nation's attention. And this was all for the good. An informed public, jarred into the realization of the incredible need which exists in Alaskan villages today, will, I feel, support programs designed to overcome and remedy the conditions with which these people find themselves burdened.

Our village people exist primarily on a subsistence derived from fishing and hunting, both seasonal and rural in nature. The villages in which they live are plagued by unsanitary water and waste disposal conditions, they lack sufficient educational opportunities and live in dilapidated or substandard housing. The Alaska native is currently locked into a cycle of poverty more severe than any in the country; a cycle I believe we can and must break.

The remote housing plan for Alaska native villages, authorized under the leadership of the late Senator Bob Bartlett, has received its initial appropriation. An interagency community development plan holds great promise for Bethel. And the Federal programs in the Departments of Interior and Health, Education, and Welfare, among others, continue their progress.

However, much remains to be done.

The amendment we submit today will alleviate, partially, the poor health conditions which exist in these villages. Good health is basic to the ability to perform well in other endeavors—be it a child's ability to attend and concentrate at school or a father's capability for effective work. Without good health the success of other undertakings is immeasurably lessened.

Our amendment's impact on health will be immediate. Today only 8 percent of the native homes in Alaska have adequate sanitation facilities. In village after village contaminated surface water or water from streams where the village wastes are dumped is used by the villagers for cooking and drinking. In a survey made of 28 Eskimo villages in 1965, 86 percent of the dwellings had only a bucket for sanitary facilities.

The indices of their living conditions are many and dramatic in their impact.

The following are facts which testify to the severity and depth of the problem which now challenges us:

In our State the expected lifespan of a native is less than half that of other Americans, reaching only 34 years. The death rates for influenza and pneumonia are 10 times that of other Alaskans. Native children have been estimated to suffer significant hearing loss from chronic inner ear infections up to the astounding rate of 38 percent. The infant mortality rate seems more like that of an underdeveloped country than one of our own United States. In 1966 more than one-fifth of all native deaths occurred in children under 1 year of age, and among native infants from 6 to 11 months old the death rate is more than 12 times that of white Alaskans.

Many, many more statistics could be quoted. But I believe the severity of this problem has reached us all.

We find ourselves now at the point of action.

Such action is occurring on a variety of fronts. The Indian land claims are moving toward a settlement.

The severe health problems of these people have a variety of causes, but clearly a fundamental reason is their utilization of polluted waters from these rivers and sloughs.

This presents us with an emergency situation. Access to safe cooking and drinking water and a means of safe waste disposal are clearly necessary.

To meet this emergency we have introduced the Alaska Village Safe Water Facilities Act.

This legislation will provide a source of safe water to villages in Alaska which presently have no adequate supply of such water. The Secretary is authorized to institute and carry out a program designed to provide for the installation of such safe water facilities in Alaskan villages as are necessary to provide at least one such facility in each village.

The facilities constructed under this act will be housed in a suitable structure to allow year-round use by all residents of the village and include a source of safe water for cooking and drinking. Example, a well with pumping facilities or surface water treated so it is safe for use. Each building will also have shower and washing facilities for men and women, toilet facilities, and equipment for the washing of clothes by the villagers.

Parenthetically, I state that it would cost about $1.80 for one machinefull of water in many of our native villages. In

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many of the villages the people cannot afford that kind of money.

When appropriate, a community health service office for the village may also be located in this building.

Further, to insure maximum utilization and understanding of the health benefits derived from the use of this safe water facility, this legislation authorizes an educational program on the use of these facilities, to be conducted by the health aide in the village, for its residents.

Because the lack of safe water in our villages poses an emergency situation, this bill envisages only 4 years to complete this program. The need is so critical that further time simply must not be allowed to pass. We estimate that in 4 years, 150 native villages will be reached by this program.

No facility will be built without close consultation with and prior approval of each village council. And, upon completion of the facility, the title of ownership will be transferred to the village council. The basic responsibility for maintenance and operation of the safe water facility will rest on the village. Where they find themselves without adequate financial resources to carry out this effort, grants by the Secretary are authorized in the amount necessary to insure full operation and maintenance of the facility.

Mr. President, this amendment meets a health need which is so basic to our native communities that its necessity speaks for itself. Alaskan village residents cannot continue to use and drink polluted water or to have such an abhorrent lack of sanitation facilities.

Years ago we had the Alaska public works legislation which extended to the urban communities of our State. We envision this amendment as another public-works-project act, but designed exclusively for the Alaskan native villages.

I ask unanimous consent that the full text of the amendment be printed in the RECORD at this point, and ask that the remarks that the Senator from Massachusetts will make at a later time be incorporated in the RECORD following my remarks.

The PRESIDING OFFICER. The amendment will be received, and without objection the amendment will be printed in the RECORD.

The amendment was referred to the Committee on Public Works as follows:

Amendment numbered 22 to S. 7, a bill to amend the Federal Water Pollution Control Act, as amended, and for other purposes, viz: At the end of the bill insert a new section as follows:

"SEC. 8. The Federal Water Pollution Control Act is amended further by inserting at the end thereof a new section as follows:

" 'ALASKA VILLAGE SAFE WATER FACILITIES

" 'SHORT TITLE

" 'SEC. 21. (a) This section may be cited as the 'Alaska Safe Water Facilities Act'.

" 'FINDINGS OF FACT

" '(b) The Congress hereby finds and declares that—

" '(1) in numerous villages in the State of Alaska there are presently no facilities for the provision of safe water and hygienic sewage disposal;

" '(2) because of the absence of such water and sewage facilities in such villages and the attendant insanitary conditions stemming from such absence, there is a widespread incidence of sickness and disease which is responsible for serious, and in some instances, permanent impairment or even death to the residents of such villages; and

" '(3) it is the responsibility of the Federal Government, in providing for the health and general welfare of Indian and native Alaskan citizens of the United States, to take appropriate measures to protect the lives and health of residents of such villages by enabling them to enjoy the benefits of safe water and hygienic sewage disposal facilities.

" 'DECLARATION OF POLICY

" '(c) It is therefore the policy of this section to establish a special emergency program designed to provide safe water and hygienic sewage disposal facilities in Alaskan villages which presently do not have such facilities.

" 'PROVISION OF FACILITIES

" '(d)(1) In order to provide safe water and hygienic sewage disposal facilities in villages in Alaska which presently do not have such facilities, the Secretary of the Interior (hereinafter in this section referred to as the "Secretary") is authorized to institute and carry out a program designed to provide for the installation of such safe water and hygienic sewage disposal facilities in Alaskan villages as are necessary to assure that there will be at least one facility for safe water and hygienic sewage disposal in each village.

" '(2)(A) Any facility constructed under this subsection shall be available for use by the general public and be housed in a suitable structure, designed to assure year-round use of such facility, and shall include, at a minimum, a source of clean water (such as a well with pumping facilities or utilization of surface water treated so it is safe and healthy for use), shower bath facilities, an adequate means of hygienic sewage disposal, and facilities for the washing of clothes. The building housing any such facility shall, if the Secretary determines it to be feasible and appropriate, also contain suitable quarters to be used as a community health service office.

" '(B) The location of any facility constructed under this subsection shall be determined after consultation with the village council (or other comparable governing body) of the village in which such facility is located, as well as with appropriate public agencies (such as, but not limited to, the Alaska State Housing Authority and the Federal Field Committee for Development Planning in Alaska), in order to achieve maximum coordination in public development plans and activities affecting the community in which the facility is to serve.

" '(3) (A) The Secretary shall provide for the construction of facilities under this subsection in the most expeditious manner feasible, and is authorized to provide for such construction by contract or through grants to public agencies or private nonprofit organizations, or otherwise. No contribution toward the cost of the construction of a facility will be required from the users thereof.

" '(B) Payments of any grants made under this subsection may be made in advance or by way of reimbursement and subject to such conditions as the Secretary may impose to assure that the purposes of this section will be properly carried out.

" '(C) In the construction of any facility under this subsection, there shall be utilized to the maximum extent feasible workmen from the village in which such facility is being constructed.

" '(4) It shall be the responsibility of the village council (or other comparable village governing body) to maintain and operate the safe water and hygienic sewage disposal facility constructed therein under this subsection, and, upon completion of such facility, the Secretary shall execute such transfers of title as may be necessary to vest complete ownership of such facility in such council or body. The Secretary shall not construct under this subsection any facility in any village unless he first receives satisfactory assurances from the village council (or other comparable governing body) thereof that such council or body will, upon completion of such facility, accept ownership thereof and will accept responsibility for the operation and maintenance thereof.

" '(5) For purposes of carrying out the provisions of this subsection, there is authorized to be appropriated $5,000,000 for the fiscal year ending June 30, 1970, and such sums as may be necessary for each of the next three fiscal years thereafter. Funds appropriated for any fiscal year under this paragraph shall remain available until expended and be utilized for both construction of the facilities and for the engineering and administrative costs necessary to design and plan such construction.

" '(e)(1) The Secretary shall conduct through the health aide, in each community wherein there is located a safe water and hygienic sewage disposal facility provided under subsection (d), an appropriate educational and informational program designed to familiarize the residents of such community as to the health advantages to be achieved by their full utilization of such facility.

" '(2) Whenever the Secretary determines that the village council (or comparable governing body), which has accepted ownership and responsibility for operation and maintenance of a facility provided under subsection (d), has financial resources which (when combined with the financial assistance available to it from the village, State, or other sources) are less than the amount necessary to enable such council or body properly to operate and maintain such facility, then the Secretary may make grants to such council or body in amounts which (when combined with the amounts available from other sources) will be sufficient to enable such council or body properly to operate and maintain such facility.

" '(f) The Secretary of the Department actually administering the provisions of this section shall for the fiscal year which ends June 30, 1970, and for each of the succeeding three fiscal years, submit to the Congress a full and complete report of the activities undertaken pursuant to the authority contained in this section, which report shall indicate each of the villages wherein safe water and hygenic sewage disposal facilities under subsection (d) have been established, the extent to which such facilities are being utilized and the contribution made toward such utilization by the educational and informational program established pursuant to subsection (e)(1). The report of such Secretary for the fiscal year ending June 30, 1970, shall be submitted not later than July 30, 1970, and the report for each of the three succeeding fiscal years shall be submitted not later than the July 30 which immediately follows the close of such fiscal year.

" '(g) There are hereby authorized to be appropriated for the fiscal year ending June 30, 1970, and for each succeeding fiscal year, such sums as may be necessary to carry out the provisions of subsections (e) and (f) of this section.

" '(h) In order to prevent duplication of effort and to promote economy of administration, the Secretary shall to the maximum extent feasible utilize the facilities of the Department of Health, Education, and Welfare or the facilities of other appropriate public agencies in the administration of the provisions of this section.' "

Mr. KENNEDY. Mr. President, as chairman of the Senate Subcommittee on Indian Education, I recently spent 3

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days in the State of Alaska investigating the quality and effectiveness of educational programs for Alaskan native children. In the course of our field investigation it became abundantly clear that one of the major factors causing the extremely low educational performance of native schoolchildren was the severe health problems afflicting the native population.

The health status of Alaskan natives is pointed up dramatically by the fact that, on the average, they live only half as long as the average American. It is shocking to discover that the average age at death of an Alaskan native is 34.5 years. It is even more shocking to discover that approximately 25 percent of the total native deaths occur in infants under 1 year of age.

Although the infant mortality rate has been reduced in recent years, it is still extremely severe and in any other part of our affluent Nation would be considered intolerable. During the period of time when a native infant is in the hospital following birth his mortality rate is only slightly greater than that of white Alaskans. When the infant returns to his village and home environment, during the next 20 days the mortality rate increase to 3 times that of white Alaskans. During the period from 1 to 5 months of age the mortality rate increases to 5 times that of whites, and among native infants age 6 months to 11 months the death rate exceeds more than 12 times that of white Alaskans. This is in itself a tragedy of major proportions—but it is only a part of the story.

In the course of our field investigation, we discovered that inner ear infections which cause broken ear drums and draining pus are practically universal among native children. It is obviously very difficult for a child with pus draining from his ear to function very well in school. Yet, we found these children in every village we visited and every teacher we spoke with complained of her students being hard of hearing. The long-range effect of this tragedy is borne out by a recent Public Health Service study in western Alaska which found that 38 percent of the children had significant hearing handicaps by the age of 4. There are presently over 2,000 children who have lost almost all of their hearing in one or both ears who are waiting their turn for surgical repair in Anchorage, Alaska.

It makes one angry to peer into a child's ear and find no ear drum left at all except for a rim. It makes one very angry to see children whose ears have been damaged to the extent that surgery will not help and the ear is simply sewn shut to prevent any further infections. In some cases the infection has eaten its way through to the brain causing an absess and death or permanent brain damage.

Large numbers of Alaskan native children suffer from chronic upper respiratory infections. As a result, bronchiectasis, a very serious type of residual lung damage, is seen with frequency among native children and rarely, if ever, seen among children in any other part of our Nation. Despite a massive campaign over the last 14 years, tuberculosis continues at a rate 10 times the national average. During the early 1950's there was a TB epidemic in Alaska which many native children now in school grew up in the midst of. Many of the school population presently enrolled have, themselves, had long periods of hospitalization. Many have grown up with one or both parents dead or missing for long periods of time because of prolonged hospitalization. A recent study of a group of these children, aged 10–12, found that they cannot relate well to their families or other persons, are failing in school, and are also failing to grow in a normal fashion physically. This has occurred even though it was the parents, not the child, that was ill.

Infectious diseases such as impetigo and other skin infections are very common among native children. In one instance we were told of a child whose outer ear had been completely destroyed by impetigo. In many cases the skin infections result in permanent scarring. Infectious diarrhea and hepatitis afflict substantial numbers of native children and often lead to death or permanent brain damage. Even cases of dysentary and typhoid fever are not uncommon. There is a very high incidence of mental retardation among Alaskan native children, at least 50 percent of which was preventable. Most of this is due to acute infectious diseases suffered in early life.

Dr. Martha Wilson, of the Alaska Native Medical Center, has placed the overall severity of the problem in perspective for us in her testimony before the subcommittee. She stated:

> The Alaska Native people have suffered epidemics of tuberculosis, pneumonia, influenza, otitus media, meningitis and bronchiectasis that have not to our knowledge been paralleled in any other population of the modern world!

All of the diseases I have mentioned and others combine to keep a large number of children sick a significant proportion of the time. Last year 3,000, or roughly 15 percent of the entire childhood population was hospitalized. And hospitalization itself is a very traumatic experience for native children. Imagine a child who becomes ill in a village, is taken perhaps 100 miles to a field hospital, often by someone other than his parents, transferred 400 to 600 miles to the referral hospital, spends 1 to 3 months, then returns home, again escorted by a stranger. During the period of time the child is in the hospital he more than likely does not see his parents or any relatives. The result of such an experience is often a severe emotional disturbance in the child.

In addition to disease, the Alaskan native child suffers from dietary deficiencies and general malnutrition which are, of course, debilitating in themselves as well as a significant factor in the high rate of sickness.

In summary, the health problems confronting Alaskan native children are horrendous and have a tremendous negative impact on their educational performance. Is it any wonder that up to 60 percent of the native students in rural Alaskan schools fall several years behind and drop out before completing elementary schools? Is it any wonder that over 80 percent of native students drop out of high school before graduation? Is it any wonder that 24 out of 25 native students who enter college do not finish? In my judgment the waste of human resources, the extensive human suffering and pain and desperate poverty reflected in these figures is a national disgrace and an intolerable condition unbefitting this country. It must not be permitted to continue. The situation is an emergency and should be treated as such.

As a first step, Senator STEVENS, of Alaska, and I are jointly introducing a bill aimed at eliminating a major cause of the health problems—the widespread use of polluted and contaminated water by Alaskan native villages. I consider the matter of clean water supply and adequate waste disposal to be one of top priority and therefore one where emergency action must be taken.

In most villages water supply and waste disposal practices are primitive and unsanitary, and have important ill consequences for native health.

In a recent survey conducted in the villages of northwestern Alaska, it was found that 725 village households draw upon unsatisfactory surface waters for their total water supply. In all of northwest Alaska, there were only 19 toilets, and all but one of these were in a single village. Most of the households use pots or pails indoors for human waste, and deposit the waste later on the ground or sea ice. Water for domestic purposes in most villages is obtained from rivers and creeks near the villages. The water is hauled in buckets to oil drums in the homes. Ice is melted in winter for water, even in some BIA schools.

For the 58 villages in the western part of Alaska, conditions are equally bad and often worse. All four villages visited by the subcommittee in western Alaska were found to be using unsatisfactory or polluted water supplies. And, in all four villages there were serious health problems related to inadequate and unsanitary water supplies.

The legislation which we are introducing today contains provisions for a multipurpose facility which will provide clean water and a clean water distribution system; shower and hand washing facilities for both men and women; washing and drying facilities for clothes; toilet facilities for men and women and appropriate additional waste disposal facilities. In addition, the bill will provide space and training for the native health aide and provides for a health education program for each village where a new facility is constructed.

Consultation with native leaders in Alaska has indicated that the facilities contemplated will be exceedingly well received and utilized, and in short, will have a significant impact on the health, education and general welfare of the native population.

The legislation proposed is emergency legislation designed to solve longstanding deficiencies which have had a horrendous impact on the native population of Alaska. This Nation can no longer stand apathetically by while such conditions exist in our midst—and conditions for which the Federal Government

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has a clear and longstanding responsibility. We must act now.

PERSONAL STATEMENT BY SENATOR COOPER

Mr. COOPER. Mr. President, the Washington Post of Monday, May 19, carried an article entitled "More Trouble in Paradise" by Mr. Nicholas Van Hoffman. In his article, Mr. Van Hoffman comments on the operations of the "Center for the Study of Democratic Institutions," a foundation located in Pasadena, Calif., and referred to Members of Congress, naming me as one who "gets fees and expenses for lectures and consultation" from the center.

While Mr. Van Hoffman may not have so intended, nevertheless it might be inferred from the language of his article that I have been, am now, or prospectively might be engaged and compensated by the center for lectures or consultations on a continuing basis. This is incorrect and I wish to set forth the facts for the record concerning the one honorarium I have received from the center.

Mr. President, I addressed to the editor of the Washington Post a letter dated May 19. I shall read the letter:

MAY 19, 1969.

The EDITOR,
The Washington Post,
Washington, D.C.

DEAR SIR: I have read the article by Mr. Nicholas Van Hoffman in The Washington Post of Monday, May 19th, entitled "More Trouble in Paradise", in which he comments on the "Center for the Study of Democratic Institutions", a foundation located at Pasadena, California.

In his article he stated that Members of the Congress, naming me as one, "gets fees and expenses for lectures and consultation" from the Center. As some might conclude that I have now, or have had some continuing association with the Center, for consultation or lectures, I should like to state the facts concerning my sole participation in one Conference held by the Center.

Last fall I was invited by Dr. Robert M. Hutchins, President of the Center, to participate in a Japanese-American Conference on China Policy, as viewed by Japanese and Americans, for which papers were to be prepared by participants, and on which a report was to be made. I prepared a paper, as did other members of the Conference, and the papers were used as a basis for discussion during the Conference.

The Conference was held January 24 and 25, 1969, and there were six panel discussions between the United States delegation and the Japanese delegation, in five of which I participated. I also participated in a public panel on the evening of January 26th, 1969, in Los Angeles, with members of the American and Japanese delegations.

I received an honorarium of $2,000.00 for my participation in the meetings and preparation of my paper, and I paid my air line expenses, hotel expenses at Santa Barbara, and incidental expenses—totaling about $500.00.

The above represents the only association I have ever had with the Center, and the only honorarium or payment of any kind I have ever received from the Center.

Yours very truly,
JOHN SHERMAN COOPER.

CHAIRMAN OF THE NATIONAL ENDOWMENT FOR THE ARTS

Mr. PELL. Mr. President, 2 months have passed since the present administration declined to reappoint Roger Stevens as Chairman of the National Endowment for the Arts. At that time I spoke of our Nation's debt to Roger Stevens and my hope that the administration would act quickly to fill the vacancy so that the fine work and the momentum of the Endowment would not be allowed to falter.

As sponsor of the original authorizing act and chairman of the Special Senate Subcommittee on Arts and Humanities which has congressional oversight responsibility for this program, I have a particular concern in this body in this matter.

In the 2 months since the dropping of Mr. Stevens, there has been rumor and counterrumor about a replacement for him. However, nothing definite has occurred. We have heard that it was to be a well-known museum director, newspaper publisher, former child star, businessman or other highly placed individual; however, their availability peters out with the increasing rumors.

It is interesting to note that the reason given for not reappointing Roger Stevens was that, once upon a time, some years before his appointment as Chairman, he had been a fund raiser for the Democratic Party. This profile as a Democrat is too high. Yet, evidently, the administration cannot find one of its own adherents who is interested in the more aesthetic areas of our national existence. This is truly a distressing void for it bespeaks of a lack of understanding and sympathy for this type of endeavor.

In the meantime the work of the Endowment for the Arts has been ongoing. I think the Senate should take notice of the fine work of Douglas G. MacAgy, Acting Chairman, who has very ably directed the Endowment in its continuing programs. However, on the 22d and 23d of this month the National Council on the Arts is meeting at one of its quarterly sessions, and unfortunately must meet without a chairman. And what is even sadder is that the National Council on the Arts is meeting for the first time in conjunction with its Canadian counterpart. I am afraid that the failure of the administration to fill the vacancy of chairman of the National Endowment for the Arts will put us in an ambiguous position at this international meeting.

It is my hope that this neglect of cultural activities is not indicative of the next 4 years.

To my mind, it is a sad reflection that our great Nation is unable to fill this void. Does it mean that no suitable Republican is interested? Or that there are no suitable Republicans? I would hope the answer is neither. But, then, the answer must be that the White House does not consider this a matter of priority, and that is pretty bad, too.

S. 2218—INTRODUCTION OF THE ELEMENTARY AND SECONDARY EDUCATION AMENDMENTS OF 1969

Mr. PELL. Mr. President, I introduce for myself and for Senators YARBOROUGH, RANDOLPH, WILLIAMS of New Jersey, KENNEDY, NELSON, MONDALE, EAGLETON, CRANSTON, and HUGHES, for appropriate reference, a bill to amend the Elementary and Secondary Education Act of 1965 and related acts, and for other purposes, which may be cited as the "Elementary and Secondary Education Amendments of 1969."

Mr. President, this bill would simply extend the programs authorized by the Elementary and Secondary Education Act of 1965, Public Law 874, 81st Congress, Public Law 815, 81st Congress, and the Adult Education Act of 1966, for 4 years. The extension would be without substantive change in present law and without changes from present authorizations of appropriations.

This bill is being introduced for the purpose of having hearings on elementary and secondary education which will be announced at a later date. When the hearings are held the subcommittee will consider this bill, together with other legislation affecting elementary and secondary education, which has been introduced.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2218) to amend the Elementary and Secondary Education Act of 1965 and related acts, and for other purposes, introduced by Mr. PELL (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

TRANSATLANTIC FLIGHT OF THE NC–4 IN MAY OF 1919

Mr. PELL. Mr. President, I should like to bring to the attention of my colleagues that five decades ago this month the first airplane crossed the Atlantic Ocean; and this historic occasion is being marked by the Rhode Island Heritage Month Committee, Inc., with the cooperation of the Public Affairs Office of the Newport Naval Base, by the display of exhibits recalling the flight of the NC–4 in May of 1919.

Rhode Island has much interest in this historic event. The hull of the flying boat was built by the Herreshoff Manufacturing Co., in Bristol. The commanding officer of the aircraft, Lt. Comdr. Albert C. Read, U.S. Navy, was on duty at Newport at the Naval Torpedo Station from 1913 to 1915. Among the crew of six officers and men who made the flight, one was a native of Newport, Lt. James L. Breese, Navy Reserve flyer.

The NC–4 was one of three aircraft which took off from Rockaway, Long Island, on May 8 for the first leg of their journey to Halifax, Nova Scotia. The aircraft passed over Block Island on their way northward from Halifax to Trepassy, Newfoundland, there was some mechanical trouble among the three planes. However, the three aircraft attempted the long stretch across the Atlantic to the Azores. Only one made it. From here the flight continued to Lisbon, Portugal, and Plymouth, England.

The NC–4 later that year was sent on a recruiting mission and flew up to Providence on October 1. The flyers were guests of the city overnight, and the next day visited Gov. R. Livingston Beeckman at the State capitol. On the way up Narragansett Bay it was escorted by two other aircraft. The flight deviated from its course to Providence and flew over the

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Herreshoff Manufacturing Co. buildings. All the workers waved at the NC–4 as it made its pass.

One man is still living who worked on the hull of the NC–4. He is Harry Town, who resides in Tiverton.

An exhibit of photographs and other material pertaining to this flight has been arranged by the Heritage Month Committee in the following libraries: Warwick Public Library; Newport Public Library; Providence Public Library; Westerly Public Library; Harris Institute, Wonsocket; Rogers Free Library, Bristol; North Kingstown Free Library, Wickford; and the station libraries of the Newport Naval Base and Quonset Naval Air Station.

DISPOSITION OF OBSOLETE LETHAL GASES

Mr. PELL. Mr. President, last week I remarked on some of the unresolved international legal and political aspects of the Army's plan to dispose of exceptionally large quantities of obsolete lethal gases at a point 250 miles off the coast of New Jersey; following up those remarks, I sent a letter to the Secretary of the Army asking for the legal basis of the disposal plan and requesting his comments as to the effects of the proposed action on the positions taken by the United States before both the United Nations Committee on the Peaceful Uses of the Seabed and the 18-Nation Disarmament Conference. I have received an interim reply from the Secretary. I ask unanimous consent that this correspondence be printed in the RECORD at the end of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. PELL. While awaiting the Secretary's full reply to the questions and issues which I have raised, and in view of the numerous other points of inquiry which have been brought to bear against the Army's disposal plan, I think it prudent to ask that the Army delay indefinitely its plan until the Congress and the Nation as a whole can agree on the optimum method of disposal. I, for one, do not feel that the 2- or 3-week postponement, as suggested by the Army pending a review of the scientific aspects by the National Academy of Sciences, is fully responsive to settling the present controversy, particularly in view of the doubts raised within the executive branch itself by the Departments of State and Interior. In addition to the NAS study, I would hope that these Departments will undertake investigations aimed at covering the full range of legal, political, scientific, and technical issues.

I know that my colleagues and I will want to review all such studies, as well as give careful attention to the hearings held before the House Subcommittee on International Organizations and Movements. I hope these studies and hearings will be made available as soon as possible.

Accordingly, Mr. President, I would ask that the Secretary of the Army delay indefinitely the gas disposal project until my colleagues and I have had an opportunity to study all of the pertinent facts.

EXHIBIT 1

MAY 12, 1969.

Hon. STANLEY R. RESOR,
Secretary of the Army,
Washington, D.C.

DEAR MR. SECRETARY: In regard to the Army's reported plan to dispose of a very large quantity of lethal gases by dumping them 250 miles off the coast of Earle, New Jersey, I would appreciate a detailed summary of the legal principles which you and your Department feel would permit such disposal at the selected site. I would also appreciate having any comments or observations which you may care to make as to the effect of the contemplated action on the United States position before both the United Nations Committee on the Peaceful Uses of the Seabed and the Eighteen-Nation Disarmament Conference.

Sincerely yours,
CLAIBORNE PELL,
Chairman, Subcommittee on Ocean Space.

MAY 14, 1969.

Hon. CLAIBORNE PELL,
Chairman, Subcommittee on Ocean Space, Committee on Foreign Relations, U.S. Senate.

DEAR MR. CHAIRMAN: On behalf of the Secretary of the Army, receipt is acknowledged of your letter of May 12, 1969 pertaining to legal and international implications as to the Department of the Army's plans of disposing of certain chemical munitions and agents by dumping at sea.

Action has been taken to develop the information requested and you will be advised.

Sincerely,
ROY H. STEELE,
Chief, Investigations Division Office, Chief of Legislative Liaison.

THE PROPOSED EUROPEAN CONFERENCE ON SECURITY AND COEXISTENCE

Mr. PELL. Mr. President, the April 23 issue of Le Monde carries an article by Paul Auer and titled "Free Opinions—Budapest's Appeal and NATO's Reaction," commenting on the declaration issued by the members of the Warsaw Pact in mid-March proposing a European conference on security and coexistence. I have had the article translated by the Library of Congress because it seemed to me to be a most perceptive commentary on the motivations of the Soviet Union in making this proposal.

I ask unanimous consent that the full text of the translation of the article to which I have referred be printed in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

FREE OPINIONS: BUDAPEST'S APPEAL AND NATO'S REACTION

(By Paul Auer[*])

During their Budapest meeting of March 17, 1969, the signatory states of the Warsaw Pact proposed that the European states hold a "Paneuropean Conference on Security and Coexistence."

This initiative was taken at a time when a very strict censorship was reestablished in Prague and when preparations for new shipments of Soviet troops into Czechoslovakia seemed to be in the offing.

But Budapest's appeal also coincided with the events that occurred on the Sino-Russian border.

What is all this about? What are the motives of the Russian initiative? It is obvious that the USSR tries to consolidate the present situation in the countries of Central and Eastern Europe. She would like to make sure that the NATO members, by signing a multilateral treaty, will accept the status quo as a final settlement in Central and Eastern Europe and thus indirectly be instrumental in that the happenings of 1956 in Hungary and those of 1968 in Czechoslovakia will not repeat themselves. She hopes that the signing of such a treaty will discourage the people of this area from doing something to obtain their right to self-determination.

The consolidation of the situation in Eastern Europe will become so much more important and even urgent to the USSR as China tries to organize herself politically and at the same time she prepares herself to become a nuclear power. The Kremlin knows very well of China's territorial claims against the USSR; the latter must thus concentrate more and more troops on the 6,000 km [appr. 3,720 miles] Sino-Russian border. She must therefore insure peace on her western borders and not run the risk of fighting on two fronts in case of a war with China or of being compelled to repress revolts in its own area.

It would be inadmissible to sign a treaty that would encourage the Kremlin to continue its policy of oppression of more than one hundred million Europeans and that would discourage these Europeans from even undertaking non-violent actions for the liberalization of the regime. We hoped very much that the evolution would lead to an effective liberalization in this part of the continent. Now, the events in Hungary and Czechoslovakia have, unfortunately, belied this hope. Soviet Russia's European policy will only change under Chinese pressure or under a pressure that will come from inside her own territory.

NATO's reply to Budapest's proposal, which was made when this organization celebrated its Twentieth Anniversary, testifies to wisdom. It would have been absurd to accept at this time the idea of holding a conference which would not have led to anything. On the other hand, contacts and soundings are certainly desirable, as we can hope that in the course of time the Kremlin will be obliged to revise its European policy and that the day will arrive when serious concessions can be obtained from Soviet Russia.

The leaders in the Kremlin know very well that if there were a neutralization combined with the presence of the U.N. and guaranteed by treaties and territories the USSR considers to belong to her sphere of influence, security and peaceful coexistence could be guaranteed by an international agreement. After having familiarized herself with this idea and once she will be obliged to accept this solution to the problem, the conference proposed by her can be held. Meanwhile, the list NATO intends to submit to the Eastern European governments and which shows the subject that could be discussed, should also contain disengagement and neutralization.

In their Potomac Declaration of June 30, 1944, the United States and Great Britain solemnly stated that they will never sign a treaty that "confirms or prolongs the involuntary subordination of sovereign states that have lost their freedom". The principle expressed in this declaration remains valid for all the big powers of the West and must be respected by them.

EXPLOITATION IN THE BIG THICKET—NATIONAL PARK NEEDED NOW

Mr. YARBOROUGH. Mr. President, Mr. C. L. Lundell, director of the Texas Research Foundation, has written an able but disturbing article on the exploi-

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[*] Former minister of Hungary to Paris, honorary secretary general of the League for the Self-Determination of the Peoples.

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tation of the Big Thicket. He states flatly that "immediate action by the Federal Government is imperative if any of the remaining fragments of the east Texas Big Thicket are to be preserved under the park system of the U.S. Department of the Interior." He goes on to point out that Federal action is the "last hope, a slim hope" of saving the beautiful and unique Big Thicket.

Mr. President, I can only emphasize what Mr. Lundell has said, time is indeed running out. My bill, S. 4, to establish a Big Thicket National Park of not less than 100,000 acres, must receive imimmediate consideration by the Senate if we are to save some significant portion of this great wilderness area.

I ask unanimous consent that the article entitled "Big Thicket Almost Gone," appearing in the February 2, 1969, edition of the Dallas Times Herald, be printed at this point in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the Dallas Times Herald, Feb. 2, 1969]

Big Thicket Almost Gone

(By C. L. Lundell)

Immediate action by the federal government is imperative if any of the remaining fragments of the East Texas Big Thicket are to be preserved under the park systems of the U.S. Department of the Interior.

Our state government has failed abysmally to preserve any significant portion of the Big Thicket. There is indeed a question as to whether the government of the State of Texas has ever even wished, much less tried to preserve the Big Thicket.

Federal action is the last hope, a slim hope at best. Time is running out.

The original Big Thicket, an isolated world of natural beauty and botanical wealth, covered more than 3 million acres on the southeast corner of Texas, a territory generally extending from Houston and Huntsville east to the Louisiana border.

Though the Big Thicket itself is unique and highly distinctive, its original boundaries have never been clearly drawn.

The most definitive area of the floral and the fauna that distinguish the Big Thicket ecology was an irregular stretch approximately 115 miles long and 60 miles wide that extended over eight present-day Texas counties—Montgomery, Harris, San Jacinto, Liberty, Polk, Hardin, Tyler and Jasper.

Often described as one of the last true wilderness areas of the United States, the Big Thicket within its original boundaries includes more different soil types and a greater variety of plant and animal species than any other region of comparable size in the United States. The counts stand at more than 100 species of trees and shrubs and at least 300 species of birds, including the rare ivory-billed woodpecker. Plants rare to other sections of the country are common to the area.

Botanically, the Big Thicket is the western extremity of the woodlands that cover the southeastern United States. Because of this western presence many of the Big Thicket species reveal variations in some of their characteristics from plants of the same species found farther east. The variations are so great in some instances that the Big Thicket specimens may be classified as new species. The East Texas area therefore offers evidence of being a region of speciation.

The Big Thicket, moreover, is far more important to Texas than its botanical and zoological values.

Its natural scenic beauty is without equal as a tourist attraction for Texas. Its culture, which predates the Republic of Texas, has produced five state governors: George T. Wood (1847–49), Sam Houston (1859–61), Will P. Hobby (1917–21), Allan Shivers (1951–57) and Price Daniels (1957–63).

The area adjoins the Alabama-Coushatta Indian Reservation, the only Indian reservation in Texas. The colony is immediately north of the Big Thicket, on U.S. 190 about 17 miles east of Livingston and 16 miles west of Woodville.

Today, the Big Thicket is fast becoming a tattered memory of its pristine glory. Less than one-tenth remains of the original acreage. Fire, logging, oil production and other industrial activities—as well as vandalism—have reduced the forested area to about 300,000 acres, largely in Polk, Tyler, Hardin and Liberty counties.

Chain saws, defoliants, killer chemicals and, of course, fire and vandalism are decimating the remainder at an estimated rate of 50 acres a day. The attacks are disjointed and directed on many fronts, with the result that the remaining acreage is in scattered fragments of which none is the minimum size—at least 5,000 acres—required by the National Park Service for classification as a wilderness area.

Two years ago, after studies dating back to 1938, the National Park Service proposed a Big Thicket National Monument, "a string of pearls," that would consist of nine separate units covering approximately 35,500 acres. The acreage would lie almost entirely in Liberty, Polk, Hardin, Tyler and Jasper counties.

When the public learned of the plans to convert parts of the Big Thicket into parks, the ever present vandalistic really increased in fury. Beautiful magnolias, hundreds of years old, were cut and left to rot in the ditches of thicket roads.

One magnificent magnolia, 1,000 years old, which marked the boundary corner of Liberty, Polk and Hardin counties, was deliberately destroyed with injections of arsenate of lead.

No point of natural beauty that might enhance the formation of a park was safe from vandals' hands—nor is such safe today.

For more than 60 years, men have tried to convert various areas of the Big Thicket into parks and wilderness areas. The protagonists have included many local residents of the Big Thicket, a few state officials, even fewer national figures, and more popular national conservation organizations. All have failed.

Obviously, Green Hills cannot compete with greenbacks. In East Texas, man has run and is still running true to form: Though he is the only form of life endowed with intelligence, he also is the only form of life—with the possible exception of molds and fungi—that consistently and completely destroys his natural habitat.

Unless he reverses his course in East Texas, he is going to lose something of infinite beauty and value, something neither he nor his sons nor his sons' son will ever be able to replace.

FOLK SINGER PETE SEEGER LENDS SUPPORT TO AMERICAN FOLK LIFE BILL (S. 1591)

Mr. YARBOROUGH. Mr. President, Pete Seeger is one of the best known of American folk singers. He has spent a lifetime in the folk life field, and has worked diligently to preserve and develop the musical heritage of our people. Some of his own compositions such as "Where Have All the Flowers Gone?" "If I Had A Hammer," and "Turn, Turn, Turn," have become contemporary classics. Due to his knowledge and experience in the folklife field, I am especially grateful to receive Mr. Seeger's support for my bill, S. 1591, to establish an American Folklife Foundation in the Smithsonian Institution.

I ask unanimous consent that the letter from Mr. Pete Seeger endorsing my bill, S. 1591, be printed at this point in the Record.

There being no objection, the letter was ordered to be printed in the Record, as follows:

Beacon, N.Y.,
March 29, 1969.

Dear Senator Yarborough: I hope your bill (to give Federal support to the Smithsonian Folk Life Program) passes with flying colors.

They—Ralph Rinsler, and others at the Smithsonian—have proven that they can give responsible, far-sighted, imaginative, and honest direction in the field of bringing folk culture out of the corners of our country, and once again make it beloved by millions.

Sincerely,

Peter Seeger.

THE DANGER OF CONTINGENT ELECTION: SENATE JOINT RESOLUTION 18 TO AMEND THE CONSTITUTION NEEDED NOW

Mr. YARBOROUGH. Mr. President, the election campaign of 1968 is now behind us and many Americans have already begun to forget the possibility of constitutional crisis which was so frighteningly clear less than a year ago. This crisis could have come about had the final choice of a President been forced into the House of Representatives.

To refresh my colleagues' memories, the Constitution provides that when the electoral college does not elect a President, then the choice devolves on the House of Representatives which chooses from among the three front runners. In balloting in the House, each State delegation has one vote.

If the electoral college fails to elect a Vice President, then the Senate has the responsibility of choosing a man to fill that office. The Senate selects one of the two men who have the most electoral votes and in this body, each Senator has one vote.

Mr. President, the October 11, 1968, edition of Time magazine contained an excellent essay on this potential for crisis, which should be read anew.

I should like to add, Mr. President, that I have introduced a proposal to remedy this situation. My proposal, Senate Joint Resolution 18, proposes an amendment to the Constitution to change the contingent election procedure in the House of Representatives from balloting on a one-State, one-vote basis to balloting on a one-man, one-vote basis. I believe that this very simple change in the Constitution would go far toward eliminating what Thomas Jefferson called "the most dangerous blot on our Constitution." I ask unanimous consent that the article "Allow If House Decides" be printed at this point in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

What If the House Decides?

Archaic laws and institutions are often dangerous—a truism that Americans are re-

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discovering in a rather special sense during the 1968 presidential campaign. They are doing so with the help of George Wallace. The Alabamian is gaining so many votes, says one happy Southern Congressman, that he is now as strong as "50 acres of horseradish." Other Congressmen are appalled at the possible result: the Wallace phenomenon may throw the election into the House of Representatives. The outcome could foil most voters' wishes and upset the two-party system in Congress. To House Majority Whip Hale Boggs, "the idea is absolute anarchy."

The problem is that a presidential candidate needs more than a popular plurality to win the election—he must also gain a clear majority in the Electoral College, which now has 538 electors. The Twelfth Amendment (1804) requires separate electoral votes for President and Vice President. But this originally clarifying rule has long been a potential source of confusion. If the popular winners lack electoral majorities, the House selects a President from among the three candidates who have received the most votes in the Electoral College. The Senate picks a Vice President in the same fashion, but considers only the leading two candidates for that office. Deadlocks are less likely in the Senate, with only two men at issue, than in the House with three. Under the entire system, however, incredible deals and pressures become possible.

The decision has not been referred to Congress since 1824, when Andrew Jackson lost the presidency (he later won it twice) despite having collected 42.2% of the popular vote, against 31.9% for John Quincy Adams and 13% each for House Speaker Henry Clay and Georgia's William H. Crawford. In the Electoral College, Jackson's three opponents denied him a majority. In the House, Clay threw his support to Adams, who thus became President. Though Clay hotly denied Jacksonian charges that he had made a deal, he was soon appointed Secretary of State by Adams. Tempers ran so high that Clay fought a duel with John Randolph, who had publicly vilified the Clay-Adams alliance as "the combination of the Puritan and the blackleg."

UNEASY CONTROL

A similar set-to, if not a duel, could possibly recur this year if Wallace won, say, the 47 electoral votes of Alabama, Georgia, Louisiana, Mississippi and South Carolina. In that case, either Richard Nixon or Humphrey would need 55% of the remaining electoral votes to take the election. A popular-vote cliffhanger such as 1960 might well send the election to Capitol Hill—resulting in all sorts of weird possibilities and permutations.

In the House, each state's delegation in a presidential showdown has just one vote—to be determined by a simple majority of the delegation. There are now 29 Democratic-controlled delegations in the House, with 18 controlled by Republicans, and three evenly split (a tied vote in a delegation neutralizes it). Yet 30 delegations are so closely divided that the shift of a single seat in November could change their makeup to Democratic, Republican or neutral. With the votes of 26 of the 50 House delegations needed to choose a President, the G.O.P. could increase its present control from 18 delegations to the required majority by simply electing one new Congressman in each of seven close states and two in another state.

Predicting a House decision is obviously impossible at this point. Even if the Democrats retained control of a majority of the delegations, some individual Congressmen, under pressure from constituencies or conscience, might bolt the party. Many Southern Democrats, whether pro- or anti-Wallace, might turn against the Administration leadership and vote the way their districts did—presumably for the Alabamian.

Speaker John McCormack and Majority Leader Carl Albert insist that House Democrats must stick to the party line, and they are preparing to discipline renegades severely by stripping them of seniority and desirable committee assignments if they fail to vote for Humphrey. House Republican Leader Jerry Ford has cannily avoided making any such threats to G.O.P. Congressmen. For one thing, he knows how much easier it will be for Republicans to pledge their support to Nixon than it will be for all Democrats—particularly Southerners—to promise in advance to back Humphrey. In fact, Ford is prepared to welcome defecting Democrats into the G.O.P. and assign them to new committee posts befitting their talents and seniority. If Ford gets many takers both liberal Democrats and liberal Republicans may face a new majority of G.O.P. conservatives, many of them Wallacites.

Democrats, Republicans and Wallace partisans are all thinking up speculative election scenarios. One possibility is that neither Nixon nor Humphrey might win an apparent majority of electoral votes in November. Then, between the election and the official balloting of the Electoral College on December 16, Wallace would try to bargain his electoral votes for such concessions as a voice in selecting Cabinet members or Supreme Court Justices. If that fell through, Wallace could still throw his electors to one of the candidates—and loudly claim to have elected that man President.

Another possibility is that Nixon or Humphrey might win the presidency in the House—and then find himself with a Vice President of the opposite party after the Senate has acted. One scenario now current in Washington:

On Nov. 5, Nixon emerges with the most votes, popular and electoral, in the three-man race. Humphrey follows, but Wallace has amassed enough electoral strength to deny both men the presidency. Nixon and Humphrey refuse to bargain for Wallace's electoral votes. The election therefore goes to the House, where the Democrats have retained control of 27 state delegations. At the same time, the Senate meets to name a Vice President. There, the Democrats have retained control, 53 to 47. The rules eliminates the No. 3 candidate, out goes Curtis LeMay, the Wallace running mate. And enough Southern Democrats follow party discipline to elect Edmund Muskie as Vice President. In the House, however, all three presidential candidates are eligible. Southern Democrats, enraged by Humphrey's attack on Wallace during the bitter campaign, refuse to fall in behind the Minnesotan. Some cross party lines to vote for Nixon, but for days the House remains deadlocked. Thus, in accordance with the 20th Amendment, Muskie is sworn in as Acting President on Jan. 20 and serves "until a President shall have qualified"—conceivably as long as four years, if the House impasse continues.

BIZARRE PLAUSIBILITY

There are other odd—and rather chilling—possibilities. A sample fantasy: The Wallace-LeMay ticket runs second in electoral votes behind Nixon-Agnew. On New Year's Day, the Communist Chinese strike the U.S. in Asia, perhaps in Viet Nam; a tide of reaction floods the nation. The House remains deadlocked on a presidential choice after days of belligerent debate. Wallace supporters scent victory and refuse to bolt to Nixon. The Senate, meantime, bows to the nation's angry mood and by two votes names Curtis LeMay to be Vice President. With the House still deadlocked on Jan. 20, LeMay becomes Acting President. (If the Senate tied before Jan. 20, Vice President Humphrey's vote would be decisive.)

Should both the House and the Senate remain deadlocked, of course, then, according to the rules of succession laid down in 1947, the Acting President would be 77-year-old John McCormack—assuming that he wins a fifth term as House Speaker.

One New York lawyer argues that even Nelson Rockefeller could wind up in the White House. This theory has a bizarre plausibility. Assume that Wallace carries only four Deep South states with a combined total of less than 43 electoral votes. As one result, both Nixon and Humphrey fail to gain the needed 270 majority in the Electoral College. As another, New York's 43 electors—chosen under Nixon's G.O.P. banner but not constitutionally bound to vote for him—revive old loyalties, cast their ballots for Rockefeller. Heeding the Constitution, the Electoral College sends the names of Nixon, Humphrey and Rockefeller to the House as the three top electoral vote getters. The House, unable to resolve a deadlock between Nixon and Humphrey, turns to a compromise choice—President Nelson Rockefeller.

Impossible? No, but highly improbable. And yet there is an uneasy feeling that none of these speculations can be totally dismissed. The American electoral system is so archaic and complex that, in uncertain times, it is bound to stimulate fantasy and even fear.

PEACE IN VIETNAM—OUR FIRST PRIORITY

Mr. JAVITS. Mr. President, now that the traditional moratorium surrounding the first 100 days of a new administration has ended, public discussion of the Vietnam war has been resumed and the President has himself spoken most importantly on this subject. Indeed, the search for an end to the American combat role in that conflict is uppermost in the minds of the American people.

On May 9, I addressed the Commonwealth Club in San Francisco. The subject of my remarks was: "Peace in Vietnam: Our First Priority."

President Nixon gave his first major address to the Nation concerning his administration's Vietnam policy on May 14. In view of the substance of the President's remarks and my own, I ask unanimous consent that the text of my remarks be printed in the RECORD, and that the text of a statement I released just after the President spoke also be printed in the RECORD.

There being no objection, the speech and press statement were ordered to be printed in the RECORD, as follows:

PEACE IN VIETNAM: OUR FIRST PRIORITY

(An address by Senator JAVITS, prepared for delivery to the Commonwealth Club, San Francisco, May 9, 1969)

The traditional first One Hundred Days of the Nixon Administration are over and the moratorium on public discussion of Vietnam policy has ended. Last November, the voters gave President Nixon an unmistakable mandate to end the war in Vietnam. But so far the signs indicate only that the Johnson Administration's Vietnam policy, in its essentials, continues to be the policy now as well.

If the present approach—which follows so closely the course of the previous Administration—is maintained then it is most unlikely that the new Administration will be able to carry out the will of the people expressed so clearly, as I see it, in November, 1968. If a basic change of direction on Vietnam is not soon indicated the consequences could be very serious for the President and the nation.

The time has come for a major shift away from the sterile and unsuccessful approach of the last Administration. The essential first step for the Nixon Administration is to free itself from the Johnson Administration's grievously mistaken concept of what the Vietnam struggle is all about. It must avoid giving the nation reason to believe

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that it has adopted the old concept as its own. Indeed, even the few months delay in making this clear has already limited the time available to the new Administration for transition to a new policy.

Even the rhetoric of the past keeps turning up in the statements of the new Administration's spokesmen—the old myths, the old self-delusions, and the old phraseology recur again and again. For instance, Secretary Rogers' statement of March 27 is replete with phrases so reminiscent of the statements of Dean Rusk—"honorable peace"; "external interference"; "test of good faith"; "President Thieu's announcement is an act of statesmanship"; "elements who are prepared to renounce violence", and so on. Perhaps this unfortunate repetition is attributable to the new Administration's decision to retain in certain key policy positions experienced persons who served under President Johnson. Ambassador Bunker continues on in Saigon, while his predecessor, Ambassador Lodge, is now in Paris. General Abrams, General Westmoreland and General Wheeler continue to occupy the top military positions and key positions in the State Department are held by Alexis Johnson and William Bundy (now succeeded by his former Deputy, Marshall Green).

All of these men are able, distinguished and experienced public servants. But that is not the point. The point is that we pay a price for their experience. They all played significant roles in shaping the Johnson Administration's Vietnam policy and it is understandable that they should use the familiar idiom and not be as quick to discard the old theories.

But, President Nixon, Secretary Rogers and Secretary Laird are not under the same compulsions. They are free to benefit the most from the experience and the errors of the past. The nation is searching for indications that they will do so.

If a recurrence of the bitter and divisive passions of 1967 and 1968 with respect to the Vietnam War is to be avoided the Nixon Administration must make demonstrable progress toward a peace settlement in the near future. Whatever may be the advantages and conveniences to the Administration of a policy of "private negotiations", such a course of action is not compatible with the temper of the American people in 1969.

As the Johnson Administration discovered, any policy which depends upon an acquiescent complicity of silence on the part of the Congress, the press and the American public, is *prima facie* not a viable policy. President Nixon stated his policy in this regard very succinctly at his last press conference:

"I think that is where this war will be settled—in private rather than in public. This is in the best interest of both sides, but public discussion of what I think is significant progress which is being made along the lines of private talks, I will not indulge in."

Perhaps if the American people had not been misled by the previous Administration on Vietnam so often in the past, there would be a greater willingness to rely on the President's assurances that everything is progressing satisfactorily behind the scenes.

As to what he is attempting behind the scenes, we have only the public statements to go on. From these statements it seems that the Nixon Administration is pursuing largely the same negotiating position which failed the Johnson Administration so conspicuously. In a major speech on April 21, Secretary of State Rogers explicitly announced that:

"The United States is committed to achieving a peace in Viet-Nam which will permit the people of South Viet-Nam to determine their own future, free from outside interference by anyone. *That is our objective. It has been stated many times. It is known to all concerned. It is not subject to change.* (Emphasis added.)

When you analyze our negotiating position in detail it boils down to a set of objectives which may be highly desirable but are quite unrealistic. In effect, after announcing our willingness to work out a compromise settlement, we are asking Hanoi and the NLF to give in on the very things that the war is all about.

The U.S. position asks that U.S. and North Vietnamese troops mutually withdraw, with the Demilitarized Zone reestablished and infiltration routes sealed off. This would leave the South Vietnamese government and its army facing the NLF/Vietcong. The U.S. presumably would continue to equip and supply the South Vietnamese Forces while little outside help would be available to the NLF/Vietcong.

Also, we offer something equally unrealistic on the political side. To quote the words of President Thieu's speech of April 7 to the Joint Session of the National Assembly, the following political rights would be offered to the other side:

"Those now fighting against us, who renounce violence, respect the laws, and faithfully abide by the democratic processes, will be welcomed as fully members of the national community. As such, they will enjoy full political rights and assume the same obligations as other lawful citizens under the national Constitution."

Article IV of the Constitution states:

"(1) The Republic of Vietnam opposes Communism in all forms.

"(2) Every activity designed to propagate or implement Communism is prohibited."

Moreover, the South Vietnamese election law even prohibits the advocacy of "pro-Communist neutralism" and leading politicians have already gone to jail for advocating negotiations with the NLF.

In his statement of March 21 to the Senate Foreign Relations Committee, Secretary Rogers stated his belief that we ". . . are offering a reasonable and honorable outcome." He described our "combined position on military and political matters" as "clear and compelling."

The negotiating terms which Secretary Rogers has reiterated might be realistic and appropriate if we were dealing with a defeated enemy. But they hardly seem realistic as a basis for ending a stalemated war which is costing this nation in excess of $30 billion and 10,000 lives annually. We are asking the NLF and Hanoi to stop fighting and accept the legitimacy and sovereignty of the Saigon government—the very thing they have fought to deny ever since 1956 when the Geneva Agreements which ended the 1954 war with the French, fell apart.

Perhaps because it does not have quite as much confidence that things are really progressing backstage, the Nixon Administration has suggested some unilateral steps which it may take that are not dependent on Hanoi's agreement. In his speech of April 21 Secretary Rogers stated it this way:

"We are not prepared to assume that the only alternative to early progress in the peace talks is an indefinite extension of our present role. That is why such high priority is being given to preparing South Vietnamese forces to assume a growing share of the combat burden and why the Government of South Viet-Nam is giving such high priority to developing the political unity of the country."

In private conversations and through press briefings, Administration officials have made it clear that they regard this "unilateral" course as a kind of veiled threat to the other side which is designed also as an inducement for it to negotiate a settlement along our lines.

Rephrased in a blunt way, the Administration is telling Hanoi and the NLF that they had better work out an agreed settlement with us while they have the chance because if they don't we are going to build up the Saigon government into such a military and political power that they won't be able to get anything.

In my judgment, the new line of argument is double-edged at best. If President Thieu and Vice President Ky can maintain political control in South Vietnam and if the South Vietnamese forces prove able to hold their own militarily, the Government of South Vietnam would make a tougher party to make peace with on its own without the tempering influence of the United States. On the other hand, this argument could be unrealistic and unrewarding. However, United States disengagement from Vietnam could become conditional upon the Saigon Government becoming politically secure and militarily dominant before we phase out—further limiting U.S. freedom of action. It is good to keep the enemy guessing but it will take something more than this to make peace.

For fifteen years we have been trying—at great cost but with so little success—to make a going concern out of the military effort of the governments which have come to power in Saigon. Our efforts thusfar have ended in disappointment. My doubts if present circumstances continue seem to be shared by two leading supporters of the war who are in a good position to know the facts.

Senator Stennis, the Chairman of the Senate Armed Services Committee, said in a public appearance on March 9 that the United States would be: "badly mistaken if we think we can depend too much upon this South Vietnamese Army winning this war or being able to hold the line. I don't believe they will be able to do it and I believe Hanoi knows this better than we do."

Defense Secretary Laird, in his testimony of March 19 to the Senate Armed Services Committee, said much the same thing:

"I regret to report, however, that I see no indication that we presently have a program adequate to bring about a significant reduction in the U.S. military contribution in South Vietnam. The current operating assumption as stated to me is that even the currently funded modernization program for the South Vietnamese forces will equip the South Vietnamese forces only to withstand the V.C. insurgents that would remain after all North Vietnamese forces had been withdrawn to North Vietnam."

The Nixon Administration has shown a genuine solicitude and responsiveness to the desires and sensibilities of the Saigon government and our other Southeast Asia allies. I hope very much that the United States can disengage from the Vietnam War in a manner which is satisfactory to them. But I am much more concerned that the Nixon Administration should proceed toward peace according to a plan which is responsive to the wishes of the American people and on a timetable which is compatible with the urgent and non-deferrable needs of our own severely strained society.

President Nixon's desire to deal with Vietnam in a quiet, orderly and unhurried manner is quite understandable. Under normal circumstances it would be entirely reasonable to do so. But these are not normal circumstances. This nation is under great pressure from the conjunction of a number of domestic and foreign crises, all of which have been intensified by the Vietnam War. The Vietnam War, as it was prosecuted under the Johnson Administration, resulted in a grave distortion of national priorities with respect to the allocation of national resources. For three years President Johnson attempted to assert his will concerning the Vietnam War—as it finally turned out over the will of the American people. This contest of wills became a crucible of pressures which was resolved only by the President's retirement from public life.

On May 3 the White House called the press in for a special briefing designed to counter-

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act the speeches of Senator Aiken and Senator Scott advocating early withdrawal of some U.S. troops from Vietnam. The *New York Times* reports high White House sources as saying during this briefing:

"The President will not be deflected into hasty action by public or Congressional pressure."

This characterization, of course, relates to a peace plan by the President and to escalating the Vietnam war, yet, too great has been the communications gap with the people that even in the former context statements such as the one I have just quoted have an ominous ring to them. I hope—for the good of the nation and the success of the Nixon Administration—that the President does not in fact become impervious to the will of Congress and the people with respect to the Vietnam war.

In my judgment both the Congress and the general public want very much to support and assist the President in the execution of his awesome responsibilities—including the vital search for peace in Vietnam. He has great good will and understanding on his side with respect to this issue, which can be a source of the greatest strength to him, if he takes the nation into his confidence and uses its support in a creative way.

Our negotiating posture needs to be based upon the following four principles: 1) that we will accept the determination of the people of South Vietnam as to how and by whom they intend to be governed; 2) that such self-determination can best be manifested under transitional arrangements and under international auspices which assure both Saigon and the NLF a fair opportunity to persuade the people; 3) that we are determined to phase out of the combat responsibility in Vietnam and turn it over to the South Vietnamese on a timetable and under conditions which are congenial to us; and 4) that we intend to provide effective aid for the people of Vietnam and to participate in reconstruction at the conclusion of the war.

In concluding my remarks, I wish to express my belief that there are other incentives for Hanoi to work with us for a negotiated settlement of the Vietnam War.

I think a constructive inducement exists in the traditional American willingness to contribute generously to postwar reconstruction. It would certainly be in keeping with past practice for the United States to help in a major way to rebuild the war torn areas of Vietnam, and I do not think Hanoi would be wrong to assume that it, too, could share in regional reconstruction efforts if a negotiated peace is achieved. Indeed, President Johnson said as much in his Johns Hopkins speech in 1966!

I was very much encouraged in this line of thinking by something which Ambassador Averill Harriman said on January 26, in reply to a question on "Meet the Press." Ambassador Harriman was being questioned about his experiences as chief U.S. negotiator at the Paris peace talks. In response to a question about Hanoi's objectives, Ambassador Harriman said:

"They want to be independent of Peking. They want to have contacts with the West. They want to get technical assistance from the West. They are very interested in getting miracle rice, you know. They want to be independent of China for their rice supply. There are issues of that kind which are not normally considered. . . ."

In my judgment, these are just the kind of issues which should be given the highest priority and I urge the Administration to do so. I believe that our negotiating position can and should be reordered in a positive and creative manner. I am confident that the President would receive strong public support for an effort of this kind, and I believe the chances of reaching a negotiated peace settlement would be significantly enhanced in the process.

SENATOR JAVITS' STATEMENT REGARDING PRESIDENT NIXON'S VIETNAM SPEECH

The President's address was restrained, and properly recognized that the American people expect from this Administration an end to the Vietnam war. The specification of conditions was a suitable response to the ten-point plan of the NLF. The major new point was that international auspices must be provided when the people of South Vietnam exercise their right of self-determination under a peace arrangement as to who will govern them. But, what we are still up against is the question of a de facto veto by the government in Saigon as to when and how we can end our involvement in the Vietnam war. That Rubicon must still be crossed. This address is a real step on the road to peace, but we are not yet within sight of the end.

PRESIDENT NIXON'S POLICY ON THE VIETNAM WAR

Mr. GORE. Mr. President, President Richard Nixon has now spoken to the American people and stated his policy on the Vietnam war. I have made a careful examination of the President's speech, and I have, with some diligence and staff help, compared the President's statements and the points he made with statements of position by the previous administration and with previous statements of position by President Nixon, both before and since his election.

Moreover, Mr. President, I have undertaken to examine the speech for what the President did not say, particularly in comparison with what the President, both before and since election, has said, and with what the previous administration said.

I hope that I can make this comparison and draw certain deductions without the slightest tinge of partisanship. Certainly such is not intended. I seek rather to examine this as an historic example of subtle change—or subtle development—in the President's Vietnam war policy.

I would like first to examine the President's statements. Later I will allude to the omissions of points and to statements from the speech.

Early in the speech, the President said:

> The time has come for new initiatives. Repeating the old formulas and the tired rhetoric of the past is not enough. While Americans are risking their lives in war, it is the responsibility of their leaders to take some risks for peace.

This was a hopeful beginning. After this hopeful beginning, there followed, in softened rhetoric, essentially the policy outlines of the last administration. However, the President omitted from his remarks certain important matters on which both he and the former administration had placed emphasis.

It may be, Mr. President, that we shall see that what the President did not say may be a better guide to the new negotiating position and may constitute the reasons why Mr. Thieu of the Saigon government insists upon a personal conference with the President. But first let me proceed with a comparison of what the President said last week with what he had previously said and with what the administration had previously said.

When the President spoke, I listened intently and my mind turned back to an event that occurred over 3 years ago when former Secretary of State Rusk was appearing before the Senate Foreign Relations Committee.

The then Secretary Rusk—and this was on February 18, 1966—presented the points constituting the Johnson administration's "elements for an honorable peace."

Beginnning with this and with the statement of former President Johnson I would like to cite certain quotations from these distinguished Americans.

President Nixon said:

> We seek no bases in Vietnam.

Secretary Rusk said:

> We want no bases in Southeast Asia.

President Nixon said:

> We insist on no military ties. We are willing to agree to neutrality if that is what the South Vienamese people freely choose.

Mr. Rusk phrased it this way:

> The countries of Southeast Asia can be nonaligned or neutral if that be their option.

President Nixon said:

> We believe there should be an opportunity for full participation in the political life of South Vietnam by all political elements that are prepared to do so without use of force or intimidation.
>
> We are prepared to accept any government in South Vietnam that results from the free choice of the South Vietnamese people themselves.

Secretary Rusk said:

> We support free elections in South Viet-Nam to give the South Vietnamese a government of their own choice.

President Nixon said:

> We have no intention of imposing any form of government upon the people of South Vietnam, nor will we be a party to such coercion.

Secretary Rusk did not address himself to this point that day—but President Johnson in a speech to the Tennessee State Legislature on March 15, 1967, said:

> We do not seek to impose our political beliefs upon South Vietnam. Our republic rests upon a brisk commerce in ideas. We will be happy to see free competition in the intellectual marketplace whenever North Vietnam is willing to shift the conflict from the battlefield to the ballot box.

President Nixon said:

> We have no objection to reunification if that turns out to be what the people of South Vietnam and the people of North Vietnam want; we ask only that the decision reflect the free choice of the people concerned.

Secretary Rusk said:

> The question of reunification of Viet-Nam should be determined by the Vietnamese through their own free decision.

Then the President went on to propose specific measures as a negotiating position. But before I proceed to that, Mr. President, I ask if any essential difference emerges thus far from a comparison of these statements? The senior Senator from Tennessee is unable to detect any.

President Nixon said, on the withdrawal of troops:

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> As soon as agreement can be reached all non-South Vietnamese forces would begin withdrawals from South Vietnam.

President Johnson told members of my State's Legislature 2 years ago:

> We will begin with the withdrawal of our troops on a reasonable schedule whenever reciprocal concessions are forthcoming from our adversary.

Secretary of Defense Clifford said on November 12, 1968, that, even without approval by the South Vietnamese Government, "we can sit down with Hanoi and begin to work out programs that would call for the withdrawal, both of North Vietnamese forces and of American forces."

President Nixon said:

> An international supervisory body, acceptable to both sides, would be created for the purpose of verifying withdrawals, and for any other purposes agreed upon between the two sides.

Mr. President, here is where I wish to call to the attention of the Senate the development of a divergence. Let me repeat this sentence and call attention by way of emphasis to the last clause of the sentence:

> An international supervisory body, acceptable to both sides, would be created for the purpose of verifying withdrawals, and for any other purposes agreed upon between the two sides.

The Manila declaration of October 24, 1966, states that "any negotiations leading to the end of hostilities incorporate effective international guaranties. They are open-minded as to how such guaranties can be applied and made effective."

President Nixon said:

> As soon as possible after the international body was functioning, elections would be held under agreed procedures and under the supervision of the international body.

I call to the attention of the Senate that insofar as I can now recall—and I believe it is correct—this particular sentence is the first reference that President Nixon made in his speech to elections. And I reread the sentence in order to emphasize that the elections to which the President makes reference are to be under the supervision of an international body rather than under and by the terms of the constitution of South Vietnam.

Mr. President, before going further, I wish to emphasize that I am not attempting to be critical. I do not desire so to be. In the hope of adding to the information of the Senate and, possibly, of the American people, I wish to analyze this subtle, possibly major and historic, change in policy.

If my view of the speech is correct, President Nixon must have reached a decision to extricate the United States from the Vietnam war as quickly as he can, as best as he can, as honorably as he can. I believe this to be the case. I wish him well in that endeavor. I have some apprehension to which I will refer later. But I wish to proceed at this point in trying to understand what has been proposed.

Let me reread this sentence. President Nixon said:

> As soon as possible after the international body was functioning, elections would be held under agreed procedures and under the supervision of the international body.

I have already quoted President Johnson's views in support of elections. President Nixon said:

> Arrangements would be made for the earliest possible release of prisoners of war on both sides.

The Manila declaration stated the United States' "willingness to meet under the auspices of the ICRC—International Committee of the Red Cross—or in any appropriate forum to discuss the immediate exchange of prisoners."

President Nixon said:

> All parties would agree to observe the Geneva Accords of 1954 regarding Vietnam and Cambodia and the Laos Accords of 1962.

President Johnson said many times, as he told the Tennessee legislators in 1967:

> We believe that the Geneva Accords of 1954 and 1962 could serve as the central elements of a peaceful settlement.

Finally, President Nixon said that he was "quite willing to consider other approaches," and that "we are willing to talk about anybody's program. Hanoi's four points, the NLF's 10 points—provided it can be made consistent with a few basic principles I have set forth here."

Point No. 6 of Secretary Rusk's 14-point peace package contained in his statement to the Foreign Relations Committee on February 18, 1966, was that at a peace conference, "Hanoi's four points could be discussed along with other points which others might wish to propose."

So there you have it: The new initiatives, formulas, and rhetoric look suspiciously like "more of the same," amounting to a plea for time and patience at home. For years the American people have been subjected to pleas for a little more time. All the while the killing has continued, with the American losses now surpassing the total in the Korean war. Since President Johnson's decision on March 31, 1968, that a military victory was not in the cards, nearly 14,000 American boys have made the final sacrifice for their country in Vietnam and many, many more have been crippled for life.

> While Americans are risking their lives in war—

The President said Wednesday night—

> It is the responsibility of their leaders to take some risks for peace.

The risks which the President took are difficult to find. The killing of Vietnamese and Americans continues on Hamburger Hill and elsewhere—I think inexcusably so. Yet, Mr. President, I do take some heart from the President's speech, particularly in what he did not say. A careful examination of what President Nixon did not say may, in fact, as I have said, be a better key to his present negotiating position. For example, he did not refer to victory, not once. Indeed, he eschewed a military settlement of the issue in Vietnam.

Then, again, he did not refer to a coalition government of South Vietnam, as both he and the previous administration have heretofore done.

When a coalition government was proposed by the late Senator Robert Kennedy, former Vice President Humphrey denounced it as "letting the fox into the chicken coop."

Just a little more than 1 year ago, President Nixon said:

> A coalition with the Communists is like putting a cobra and a mongoose together. They try to eat each other.

However, from the speech last Wednesday, it is plain that the President would be satisfied, if not downright pleased, with a "self-determination" process through negotiation instead of election. Indeed, as I have pointed out, he only referred to an "election" after an "international control commission" is agreed upon, and that the election be held under the supervision of that international control commission, not under the South Vietnamese constitution, which would surely contemplate a temporary coalition or a temporary agreement upon some kind of transitional regime satisfactory to both sides.

President Johnson had called for elections—"one man, one vote." Mr. Nixon avoided this term altogether, or any other reference to a popular election, until after an election control commission should be in charge. As far as President Nixon went in this regard was that a settlement should include "a guarantee that this process of self-determination" would be fair.

Mr. President, election fairness is a Western value which we hold precious. But the Vietnamese people have had but scarce experience with fairness in elections.

I must acknowledge that as I listened to the President's speech on the radio, I was impressed that there was very little difference, if any, in what he had said from what he had previously said or from what former President Johnson or his Secretary of State had said.

It was only when I started examining what he had not repeated and what he did not say that it began to occur to me that a decided change had been made, but made very subtly, and that perhaps the President was speaking the Johnson-like hard rhetoric largely for home consumption, while the message to both Hanoi and Saigon was to be found in the omissions from the speech or, in other words, from what he did not say. Perhaps that is an explanation as to why our distinguished Secretary of State, Mr. Rogers, was dispatched to be in Saigon at the time of the President's speech, and perhaps there to explain and, if possible, to placate the Saigon generals. Apparently he was not too successful because President Thieu has demanded a personal meeting with President Nixon which, according to the announcement today, is soon to occur.

I cite this without criticism, but in the hope to bring public understanding of the developments which are now occurring and for which I wish the greatest good fortune.

One deep apprehension I have is that out of an inability to achieve a peaceful settlement, or out of an unwillingness to

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accept the kind of peaceful settlement that may be available, President Nixon might turn to the alternative that I believe has been already prepared, which is a phased withdrawal of troops with a commitment that sufficient American troops would remain to maintain the Saigon regime in power. In my view, this would not be a formula for peace but, instead, for prolonged war and long term commitment on the order of South Korea, a costly client state.

In 1964 the American people voted against involvement in a land war in Asia. In 1968 they rejected the policies of the Johnson administration which brought on the very war they had voted against—a war in which their President had plunged them without the authorization of their elected representatives, brought our Nation to the brink of civil war, the dollar close to collapse, and the revulsion of much of mankind.

President Nixon was elected on a pledge to end this tragedy which has so sapped our Nation's spirit, our young men, and our treasure. I have waited for 4 months for a change in policy. I had hoped that on Wednesday night the President would turn away from the discredited and rejected policies of the past and reveal bold new initiatives for peace.

As I said, the bold new initiatives were hard to find, but a careful examination, in my opinion, does reveal a change, subtle though it may be, obscure though the sentences and omissions may appear.

This is a delicate and difficult political operation which the President of our country now undertakes.

Let us acknowledge that politics make wars and wars make politics, bitter and tragic politics, and that men's lives are lost while politicians avoid losing political face. This, too, is said in no criticism, but in order that we may understand or attempt to understand the difficulty of settling a war, particularly in a democracy, without victory. It will try the patience of our country and test the talents of our leaders.

Mr. MURPHY. Mr. President, will the Senator yield?

Mr. GORE. I yield.

Mr. MURPHY. Mr. President, I wish to thank the distinguished Senator from Tennessee for a most enlightening analysis of the past history of the attempts of the former administration and the former Secretary of State, and efforts up to the present time to find a solution to the unfortunate problems in Southeast Asia.

Last year at the request of the President I did go to South Vietnam as one of those persons selected to observe the election. I did make a report when I came back that would indicate that the people of South Vietnam have had experience because I witnessed what I believe to be the freest and most carefully guaranteed election I had ever seen. I believe I recounted the story of some people who came to vote in a little town called Tilly Wah. I was supposed to be at that polling place. The head man had invited me to have a cup of tea. On the way into this little village, I had stopped to thank him for his courtesy, during which time two plastic bombs went off, which had been set, I imagine, to get me. Two people were killed and 37 were injured badly. Of the 37 people who were injured, 36 went to the hospital and had their wounds treated, and they then walked back to vote. I have never witnessed a greater determination for democracy than I witnessed in that small country.

I sincerely hope, and I know the distinguished Senator from Tennessee joins me, that the time will come when these people will be given the chance to express their wishes and desires with respect to their own system of government, that all foreign governments can be taken away from the country, and that they can get back to living their own lives as they did for so many hundreds of years in the past. I hope that this can be accomplished as a result of the efforts of the former administration, added to by the efforts of the present administration.

Mr. GORE. Mr. President, I thank the able Senator for his generous remarks. I do recall his eloquent report after his visit to Vietnam. I point out that this election and all elections for a long while now, have been under the military protection of U.S. Armed Forces, and that the particular election to which he refered was held under the Vietnamese Constitution, which forbids certain of its citizens to vote or run for office. Indeed, a goodly number of political and religious leaders, even editors of newspapers, who have dared to suggest a peaceful settlement, a coalition government, or even neutrality of the area, have been thrown into jail. Only today the Associated Press publishes a story that two or three more newspapers have been suspended. That is why I took some encouragement from President Nixon's reference to elections under the supervision of an international control commission.

It seems to me that we must move in the direction of the Geneva accords, and that this is a step in that direction, the Geneva accords having been endorsed in principle by the leaders of all sides of this tragic contest.

I thank the able Senator from California for his generous references.

THE ABM SAFEGUARD SYSTEM

Mr. MURPHY. Mr. President, as with many of the proposed deterrent weapons systems in the past, a great furor has been raised lately throughout the country, and in the press and communications media, over the President's decision to begin construction of the Safeguard ABM missile system. The confusion caused by sudden, supposedly knowledgeable persons, including highly publicized scientists with impressive credentials, I think has done a great injustice to those charged with military decisions and those charged with our national security. It has caused anxiety and confusion among our people and in general has been a disservice to the peace and tranquility of this country.

Mr. President, we have listened at great length to the arguments against development and deployment of the Safeguard system. Clearly, and on close inspection, I, for one, have heard nothing to dissuade me in my belief that this system is not only badly needed but should also be deployed without question as quickly and as successfully as possible.

In fact, it is time, I believe, to ask the question whether this is a move against the ABM system alone or is it really a move by some of the leaders of the opposition to continue unilateral disarmament of the United States?

The most important factor in all the debate which I have heard to date is to decide: Who sees the world as it is today, and who is seeing it as they wish it to be? Whether we deal in fact and reality, or in fantasy and fiction on great questions such as this, it becomes necessary, I believe, to view the facts as pragmatically as possible. I, for one, am most wary of those who would have us accept the view that this planet is one where we are so civilized that war cannot be possible, especially when it is widely acknowledged that one monolithic, political system has announced and continues to announce that it intends to dominate a free people by whatever means are available to it.

Some of those who oppose the ABM system have the advantage of having no responsibility for the security of this Nation. They are usually private citizens whose views on national defense are well known and who do not have to bear the consequences, should our country not be able to defend itself, should, pray God, it ever be needed. Many of these historic hysterical "pacifists" who seem to be affected only by obvious Soviet propaganda—who are now being joined by some of their frantic "peace at any price" brethren, backed up by some "international appeasers" who are mainly responsible, I believe, for our present dilemma because of their bad judgment in the past—are now suggesting that we walk into the four-power meeting, with nothing to trade, and attempt to bargain for the future security of our Nation from a position of extreme weakness.

Mr. President, this makes absolutely no sense to me. There are some who traditionally question all statements and policies made on our side and continue to rate credible all statements made on the side of the Soviets, a great deal of which is known to be pure propaganda. We know from history that attack is most surely invited by weakness. I sense from every corner of the Nation that the majority of Americans are steadfastly opposed to any further reduction in our military deterrent strength, as they know all too well that such reduction would invite aggression and further trouble where there is already too much trouble existing. Yet the appeasers would have us believe that the Soviet nations would rather have a cup of tea, so to speak, and not necessarily tea brewed in China.

Mr. President, I think it is important for us to examine the past records of some of those who oppose the ABM. One well-known scientist has a history of opposition to the development, for instance, of the Polaris submarine. He said the problems of guidance were so nearly insoluble that it won't work. Before that, this same gentleman opposed the

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ICBM as being complete folly. Surely, it is now realized that had we heeded his advice, we would now be armed to fight our enemies—unfortunately, if we had to defend ourselves—possibly with slingshots, were there still any of us left alive or unenslaved to go to the defense of our country.

I have heard another, with supposedly distinguished credentials, say that we have no defense against Soviet attack and that it is not possible to build one. If he is right, if there is no defense, then I would suggest that we might immediately turn our country over to those who have insisted they will dominate us eventually. Then we would have the great privilege of enjoying the kind of freedom we have seen lately imposed upon the great people of Czechoslovakia and, before that, the people of Hungary, who wish to be free.

Certainly, the American people are not fooled by these bursts of quasi-scientific rhetoric, since they know well that had we not been able to defend ourselves since World War II, we would quite possibly now be even in worse condition than we find ourselves.

Mr. President, some have said that the Soviets have stopped deployment of their ABM for various reasons, including the one, "maybe it does not work," or the "Soviets do not want to contribute to the arms race."

I heard one distinguished expert witness say with great authority that the Soviet ABM system would not work. I asked him whether that was from exact, scientific knowledge, or merely opinion. He agreed that it was merely opinion. I pointed out that was a dangerous statement to make, and might confuse people as between his scientific background and credentials and the mere expression of his personal opinion.

Their basic thesis that the Soviets have slowed down or stopped deployment may or may not be correct. I am inclined to believe that it is not correct. But they have missed one very important possibility, and that is that if they were the Premier of Russia and observed the United States agonizing over whether to deploy the ABM—a weapon that the Soviets had already deployed and had already tested—what would they do? The Premier would hear the voices of those who would advise the American President not to build an ABM, appear to abandon his own system, placing his bet on the possibility that perhaps the United States might misread his reasons, and might not proceed in matters concerning its own defense.

Some scientists who oppose an ABM do so for technical reasons. They say it will not work. Some of these same scientists in years past said that jet aircraft would not work; that we could not break the sound barrier; that supersonic aircraft were not acceptable to the scientific world. All material was supposed to disintegrate from the impact on approaching the sound barrier. They said that nuclear weapons and ICBM's were not possible, either. Yet when American ingenuity, inventiveness, industry, and determination were turned to these problems, they worked beyond our wildest expectations.

I would compliment the Senator from Rhode Island, who recently quoted from a letter he received from Adm. H. G. Rickover, who said:

> As for the assertion that the ABM cannot be made to work, I must disagree. If there is one lesson I have learned in the many years I have devoted to the development of nuclear powerplants, it is that, given the soundness of a theoretical concept, it can, with drive and imaginative engineering, be made to work.

Mr. President, some note must be made at this point of the status of Soviet preparedness and its so-called first-strike capability. It was only a short time ago that there was no necessity for concern about the Soviet capability. Now the question arises and there are some who are concerned that possibly the seat of power has changed from the United States and resides in the Soviet Union. We have heard much lately of the very powerful and versatile new Soviet weapon, the SS-9. The Soviets also have in their ICBM nuclear inventory the SS-7, SS-8, SS-11, and SS-13. The SS-13 is the Soviet mobile ICBM, which is difficult to locate, extremely difficult to destroy, and has not yet been shown publicly.

I call to the attention of this distinguished body that just on last May Day, for the first time in 23 years, the Soviet Union did not display any of its armaments. It had them. Its increase in deployment and manufacture has gone beyond our expectations, and the armaments were in the area of Moscow. It is believed by some persons that the decision not to display them was made at the very last minute. But they were there. They were present. We know that the Soviets can launch 2,450 warheads as soon as 1971, or 1,905 warheads by early next year. It is not a comfortable position, and I cannot understand those who say it is foolhardy for us to do everything possible to defend this great Nation.

What about the technical story of the Russian ABM? The Soviets began deployment in 1963, and its development was based on an organization founded as far back as 1954. This organization enjoys equal importance and status with the Russian Army, Navy, and Air Force. The Soviets are well aware of the value of their system, and they have obviously given it great emphasis. In fact, the ABM's deployed around Moscow are now, we believe, in operational status.

It is important for us to realize, as we proceed in consideration of the President's request for funds to begin the deployment of the Safeguard, that some of those who oppose the program do so with good intentions and honest intentions, but some of them would misguide us as to its technical capabilities, the status of Soviet armaments, and our position as a strong and free nation.

They represent some of those who have made mistakes in judgment before, who are overtrusting of our enemy, and who come from a group which seems to want our Nation to be run by a staff of self-selected intellectuals in residence rather than by the elected representatives of the people who meet in the Congress under the Constitution and the democratic processes which have made our country so great.

As the distinguished minority leader in the House of Representatives has said, those who oppose the deployment of an ABM are often the same people who would unilaterally disarm the United States. They do our country a disservice and, if acceded to, they may place us in great peril.

Mr. President, I would, after careful consideration, suggest that the ultimate safety of our people and our Nation must not be neglected in these matters. It demands the most careful scrutiny and study of all possibilities. As the highly publicized scientists admit, insofar as I am able to ascertain, there is no other system available. There are highly publicized scientists whose reputation in the past, I am sure, is as great as that of those who oppose, who urge with all enthusiasm that we should proceed with deployment of the ABM, proceed with research and development, and do everything possible to make certain that this great Nation not become a second-rate nation simply because we have neglected our duties to our people.

Mr. President, I look forward to an extended debate here in this Chamber on this most important matter, and I sincerely hope that the entire debate will be carried by the communications media to our people, so that all may understand all of the conditions, all may understand the necessity, all may understand the true figures and the facts.

In closing, I would hope, as sincerely as anyone here, that, at long last, in the coming meetings which our President is preparing to attend, we may find some other solution than the need of great armaments and great deterrents, at tremendous cost to our already overtaxed people. But until such agreements, with safeguards and guarantees, are arrived at, I recommend that the President's request for the ABM be acceded to and that the Members of this body stand firmly in his position, in his corner, so that the security of this country may be as safe as it is possible for scientific achievement and for the will and wishes of the men representing our people in this Chamber to achieve.

I thank the Senator, and I yield the floor.

MESSAGE FROM THE HOUSE—ENROLLED JOINT RESOLUTION SIGNED

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the Speaker had affixed his signature to the enrolled joint resolution (S.J. Res. 104) to authorize the President to reappoint as Chairman of the Joint Chiefs of Staff, for an additional term of 1 year, the officer serving in that position on April 1, 1969.

THE DOUGLAS RETAINER

Mr. CURTIS. Mr. President, a second shock and a second wave of sadness has struck the American people in connection with the Supreme Court of the United States. It was but a few days

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ago that an Associate Justice of the Court resigned because of circumstances growing out of the receiving of money from a foundation which had a connection with a defendant who had been indicted and convicted.

Now the people are confronted with a new account which recites that between the years 1962 and 1968 Supreme Court Justice William O. Douglas was paid $72,000 by the Parvin Foundation, a tax-exempt institution which has ownership in several gambling hotels and casinos in Las Vegas.

Back in 1965 I spoke against the confirmation of Mr. Abe Fortas for an Associate Justice of the Supreme Court. At that time I called the attention of the Senate to Mr. Fortas' role in the Bobby Baker and Walter Jenkins cases. I said then and I repeat now that I do not hold a lawyer guilty of any offense by reason of the fact that he represents clients who have violated the law. My objection to Mr. Fortas was that in many instances he practiced fixing and did not practice law.

On October 22, 1965, I opposed the confirmation of another Bobby Baker lawyer for U.S. attorney in the District of Columbia. The record will show that my objection was based upon the fact that the nominee issued a statement, which was never repudiated, to the effect that he did not know that Bobby Baker was connected with the Serv-U Corp. At that time I expressed my disapproval of the fact that the Bobby Baker gang was taking over our Government.

Now, Mr. President, we again find traces of Bobby Baker in the Justice Douglas matter. The article by Mr. Dan Thomasson in the Washington Daily News for May 19, 1969, reports the recent developments in the Douglas matter. Among other things it says that in 1965 when the Fremont Casino was purchased by Parvin-Dohrmann that there was an agreement that Edward Levinson, then an officer of the Fremont Casino, was to be paid $100,000 a year for 5 years. The Mr. Parvin of the Parvin-Dohrmann Co. is the Mr. Parvin of the Parvin Foundation from which Mr. Douglas was paid his money.

The Washington Daily News item further points out that the Mr. Levinson, who was so generously treated by the Parvin interests, invoked the fifth amendment against possible self-incrimination when called before the Senate committee investigating Bobby Baker.

Mr. President, this whole story is a sad one. How can we have a return to morality, honesty, and law obedience on the part of all Americans until those individuals in high places of authority in our Government possess an integrity that is beyond reproach? High Government officials are leaders of the Government and leaders of the Nation and they should be the type of individuals who the entire Nation can look up to.

Mr. President, I ask unanimous consent to have printed in the Record the article from the Washington Daily News for May 19, 1969, to which I have referred.

There being no objection, the article was ordered to be printed in the Record, as follows:

Foundation to Douglas: $72,000 for Advice

(By Dan Thomasson)

Between 1962 and 1968, Supreme Court Justice William O. Douglas was paid $72,000 for his advice on how to spend about $450,000 in charitable contributions made by the Parvin Foundation, a tax-exempt institution partially financed by an interest in a Las Vegas gambling hotel.

Justice Douglas' association with the foundation, which ignited a flurry of controversy when first revealed two years ago, has come under renewed public and congressional attack in the wake of the resignation from the Supreme Court of his fellow associate justice and protege, Abe Fortas.

In Congress the question is being asked whether Mr. Fortas' acceptance, but later return, of a $20,000 fee from the family foundation of jailed financier Louis E. Wolfson is much different from the $12,000 a year Justice Douglas earns as president of another foundation created by a man once named by the government as an alleged co-conspirator with Wolfson in a stock manipulation case.

That man is Albert Parvin, former president of the Parvin-Dohrmann Co., a firm that originally supplied equipment for hospitals and other businesses but later acquired interests on the Las Vegas gambling strip. Mr. Parvin set up the foundation—principally supported by an interest in the Flamingo Hotel in Las Vegas—in 1960 after reading a book by Justice Douglas.

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He asked Justice Douglas to serve as president and director and Justice Douglas, according to another director, ex-newspaper editor Harry S. Ashmore, named a board to guide the foundation's activities.

Most of the activity over the last six years has centered on Justice Douglas' own pet project of stimulating the understanding of Western culture in Latin America's underdeveloped nations through granting fellowships to promising young scholars from "emerging nations."

Besides the original Flamingo Hotel interest, the foundation owns shares of Parvin-Dohrmann which, in turn, owns the Alladin, Fremont and Stardust hotels' casinos in Las Vegas.

BAKER LINKS

In 1965 when the Fremont casino was purchased by Parvin-Dohrmann the agreement stipulated that Edward Levinson, then an officer of the Fremont casino, was to be paid $100,000-a-year for five years. Mr. Levinson invoked the Fifth Amendment against possible self-incrimination when called before a Senate Committee Investigating the dealings of Robert G. (Bobby) Baker, former secretary of the Senate who later was convicted on several criminal counts.

Mr. Levinson was a co-stockholder with Baker in the Serv-U Corp., a vending machine firm from which some of Baker's troubles stemmed. The firm's counsel during part of the Serv-U case was Mr. Fortas.

The Parvin Foundation, it was learned, also hired Mr. Fortas wife, attorney Carolyn Agger, in 1966 to look at his tax situation at a time when the IRS had begun an investigation of the foundation.

Mr. Ashmore said Mrs. Fortas employed the services of an independent auditing firm which proved nothing was wrong in the foundation's tax returns. Mr. Ashmore said he believes the IRS was satisfied because no action against the foundation ever was taken.

He said the difficulties with IRS apparently stemmed from the foundation's stock portfolio, which was being managed by a finance committee headed by Mr. Parvin. It was about this time that the foundation, in its 1966 returns, finally reported to IRS a transaction which took place in 1961.

In the 1961 deal, Mr. Parvin sold the foundation 95,000 shares of Webb and Knapp, Inc., a real estate and construction firm now in receivership at market value.

Mr. Ashmore said he believes this transaction and the general management of the portfolio had caused IRS concern. Since then the foundation's stock inventory has been managed by an independent brokerage firm, he said.

Mr. Parvin himself was named by a Federal grand jury in a bill of particulars as an alleged co-conspirator with Wolfson in the Merritt-Chapman Scott stock manipulation case. Mr. Parvin never was indicted.

Mr. MURPHY. Mr. President, will the Senator yield for a question?

Mr. CURTIS. I yield.

Mr. MURPHY. The Senator referred in his speech to the purchase by Parvin-Dohrmann of the Fremont Casino in Las Vegas.

Mr. CURTIS. I quoted the Washington Daily News.

Mr. MURPHY. This Senator would inquire, what is the Fremont Casino?

Mr. CURTIS. I would yield to the distinguished Senator from California to describe it. I understand it is a hotel.

Mr. MURPHY. A hotel?

Mr. CURTIS. Yes.

Mr. MURPHY. Does the hotel contain a gambling house?

Mr. CURTIS. There again, I would have to rely upon someone else to tell me.

Mr. MURPHY. It is located, to the best of the Senator's knowledge, in Las Vegas; is that not true?

Mr. CURTIS. That is right. It is generally reported by the newspapers as being a part of the gambling apparatus.

Mr. MURPHY. Here again, as is often the case, this is not the type of establishment that used to be familiar to the Senator from California as a casino. Mrs. Murphy and I danced, years ago, in a place in New York, in Central Park, which was known as the Central Park Casino—a place where they had music and dancing, and served food, but there was no gambling. This is, I believe, a different type of casino, where they serve food, and it is also basically a gambling casino, is that correct?

Mr. CURTIS. That is my understanding from the press descriptions, yes.

Mr. WILLIAMS of Delaware. Mr. President, will the Senator yield?

Mr. CURTIS. I am happy to yield to the Senator from Delaware.

Mr. WILLIAMS of Delaware. I might add to the Senator's comments that there is no question as to where the money comes from or their source of revenue. It is well known that the major part of the assets of the Dohrmann Co. is derived from gambling activities. As I understand, the only two agreements for payments were made to Mr. Levinson and Justice Douglas. So here we have a member of the Supreme Court and a man who takes the fifth amendment to avoid self-incrimination, both planning to get on the payroll of the same group of Las Vegas gambling interests.

I think that is not the type of person we should have on the Supreme Court. I must say I have been very much concerned that the bar association itself has not paid more attention to the Douglas

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transaction. I expressed concern in this body 3 or 4 years ago about Justice Douglas' being on the payroll of this foundation.

I think that the bar association has a responsibility when it recommends all these people who have been referred to as Bobby Baker's friends. It recommended them most enthusiastically, including Mr. Fortas, Justice Douglas, Mr. Bress—all of them. They supported all of them when their nominations were before the Senate. I think the bar association has a duty to investigate the conduct and character of those it recommends a little bit more carefully than it has been doing.

Mr. CURTIS. I thank the Senator. I think, in fairness to some of the members of the American Bar Association, many of them have expressed regret and chagrin at the bar association's endorsement, for instance, of Mr. Abe Fortas for Chief Justice. Later on, those responsible for the endorsement seemed to contend they were speaking only as to legal ability.

Mr. President, that should not be. The selection of a Supreme Court Justice is a very serious and far-reaching matter. Anybody can turn to Martindale and find out how someone is rated as a lawyer.

No individual, no organization, or no committee should recommend to the U.S. Senate that an individual be elevated to the Supreme Court of the United States without knowing what they are talking about, after having made a thorough investigation as to the man's total background and his total competence to serve in that capacity.

I am sure that this ill-advised action of a committee of the American Bar Association was disapproved by many members of that organization.

Mr. WILLIAMS of Delaware. There is no question about that; it is a matter of record. Many members of the bar did oppose their confirmation, and I think the bar association has learned its lesson not to conduct just a preliminary telephone conversation with a few members just to approve someone when the President is trying to get one of his cronies on the bench. I believe that in the future we will get a little more careful study from the bar association; at least I hope so.

Mr. CURTIS. Mr. President, I agree with the Senator completely. It is also my opinion that no President should send to the Senate a nomination of any person for the Supreme Court who is not recognized by everyone as an eminent lawyer or an eminent judge. Otherwise, I cannot see much good service in a bar association's recommendations with respect to the Supreme Court.

I would not apply that rule to other courts, to specialized courts, tax courts, and the like, because it would not be infrequent that we would have a nominee unfamiliar to many Senators. Their professional organizations, if they do a thorough job and examine their total qualifications, can render a service. But it is inconceivable that any President of the United States should send to the Senate the name of someone for a lifetime appointment to the Supreme Court of the United States unless that individual had established his preeminence as a lawyer and a judge in the eyes of the general public before such nomination was made.

THE AMERICAN BAR ASSOCIATION CONDEMNS FORTAS

Mr. WILLIAMS of Delaware. Mr. President, under date of May 7, 1969, I addressed a letter to Mr. William T. Gossett, the president of the American Bar Association in Chicago.

I read the letter:

U.S. Senate,
Washington, D.C., May 7, 1969.

Mr. William T. Gossett,
President, American Bar Association,
Chicago, Ill.

Dear Mr. Gossett: Canons 4 and 24 of the Judicial Ethics of the American Bar Association read as follows:

"Canon 4: A judge's official conduct should be free from impropriety and the appearance of impropriety; he should avoid infractions of law; and his personal behavior, not only upon the Bench and in the performance of judicial duties, but also in his everyday life, should be beyond reproach."

"Canon 24: A judge should not accept inconsistent duties; nor incur obligations, pecuniary or otherwise, which will in any way interfere or appear to interfere with his devotion to the expeditious and proper administration of his official functions."

In this week's Life magazine Justice Fortas is charged with having accepted a $20,000 fee from a private foundation controlled by Louis Wolfson, who at the time was under investigation by various agencies of the United States Government, including the Department of Justice.

I am sure that the American Bar Association has read both the charges as outlined in Life as well as Justice Fortas' answer thereto; therefore, I am asking the question: Does Justice Fortas' acceptance of this fee under circumstances as outlined violate the Canons of Judicial Ethics of the American Bar Association?

Yours sincerely,
John J. Williams.

This letter was mailed on May 7. I have just received a letter from Mr. Gossett which was hand delivered about 3 minutes ago. It is a copy of the letter as that contained in the press release which was released by their office 2 hours ago downtown.

It reads:

May 20, 1969.

Senator John J. Williams,
New Senate Office Building,
Washington, D.C.

Dear Senator Williams: This is in response to your letter of May 7, requesting an interpretation of Canons 4 and 24 of the American Bar Association Canons of Judicial Ethics.

The ABA Standing Committee on Professional Ethics, having considered the matter at my request, has issued a Formal Opinion and an Informal Opinion, a copy of each of which is enclosed.

Both Opinions are being released to the news media today.

Sincerely yours,
William T. Gossett.

I will read the enclosures. The first one is signed by the committee. It reads:

American Bar Association,
Standing Committee on Professional Ethics,
Chicago, Ill., May 18, 1969.

Hon. William T. Gossett,
President of the American Bar Association,
Chicago, Ill.

In re informal opinion No. 1114 former Associate Justice Abe Fortas.

Dear Mr. Gossett: The Standing Committee on Professional Ethics of the American Bar Association, whose jurisdiction includes both professional ethics and judicial ethics, in view of the importance to the profession and in recognition of the public interest in the controversy, is submitting to you as President of the Association the Committee's opinion on this question: Did former Justice Abe Fortas' conduct and relationship with Louis E. Wolfson and the Wolfson Family Foundation violate the Canons of Judicial Ethics?

The Committee is aware that during the pendency of the controversy, Mr. Justice Fortas resigned from the Supreme Court of the United States. Nevertheless, it is the Committee's judgement that the circumstances require that its opinion be submitted to you so that, to the extent possible, the ethical issues shall be made clear for the legal profession, for members of the judiciary, and for the public.

STATEMENT OF FACTS

The Committee is not and has no means of acting as a fact-finding body. Therefore, we have assumed the essential accuracy of the following statement of facts taken from then Justice Fortas' letter, in connection with his resignation, to Chief Justice Warren, of which a copy is attached. Any substantial difference between these stated facts and any facts that may be subsequently disclosed might change our conclusions.

1. Prior to his appointment and confirmation as an Associate Justice of the Supreme Court of the United States, former Justice Fortas was engaged in the private practice of law as a senior partner in a prominent law firm, and the firm represented certain corporations, in which financier Louis E. Wolfson and his associates held high office or had substantial investments, in connection with securities law problems. Mr. Fortas became acquainted with Mr. Wolfson, and they discussed the program of the Wolfson Family Foundation, established by Mr. Wolfson and his family, for improvement of community relations and the promotion of racial and religious cooperation, which were of special interest to Mr. Fortas, as well as the legal matters being handled by Mr. Fortas' law firm.

2. In the fall of 1965, after he became a member of the Supreme Court, Justice Fortas indicated to Mr. Wolfson his continuing interest in the Foundation's program, and they discussed the participation of Justice Fortas in the project on a long-term basis, for which he would receive $20,000 per year for his life, with arrangements for payments to his wife if she survived him. Pursuant to the agreement, the Foundation paid $20,000 to Justice Fortas in January of 1966. In June of 1966, Justice Fortas attended a meeting of the trustees of the Wolfson Family Foundation in Jacksonville, Florida. Louis Wolfson may not have been present at the meeting. After the meeting, Justice Fortas visited with Mr. Wolfson at his farm residence near Ocala, Florida, apparently staying overnight.

3. During this period (fall of 1965-June of 1966), federal authorities were conducting intensive investigations of Mr. Wolfson and his associates, for possible criminal violation of federal security laws. Justice Fortas was aware of the investigation, and Mr. Wolfson talked and wrote to Justice Fortas about the problems.

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4. Some time during June, or perhaps earlier in 1966, Justice Fortas learned that Mr. Wolfson's file had been referred to the Department of Justice for consideration as to criminal prosecution. In the latter part of June of 1966, Justice Fortas wrote a letter to the Wolfson Family Foundations' general counsel, cancelling the $20,000 per year agreement subject to completing projects for the year and reciting only the burden of Supreme Court work as the reason for the cancellation.

5. In September and October of 1966, Mr. Wolfson was indicted on separate federal charges stemming from stock transactions. In December of 1966, Justice Fortas returned to the Foundation the entire $20,000 which it had paid to him the preceding January.

SUPPLEMENTAL FACTS

Mr. Wolfson, in 1967, was convicted of at least one of the charges for which he had been indicted in the fall of 1966, and in April of 1969, the Supreme Court with Justice Fortas announced as not participating, refused to review the conviction.

The relationship between Mr. Fortas and Mr. Wolfson was the subject of an extensive article, signed by William Lambert, in the issue of Life Magazine released on or about May 4, 1969, which immediately resulted in wide publicity and discussion. Mr. Fortas stated in his letter to the Chief Justice that he did not, while a member of the Court, intercede or take part in any legal, administrative or judicial matter affecting Mr. Wolfson or anyone associated with him.

On May 14, 1969, Mr. Fortas submitted his resignation as Associate Justice to the President, and it was accepted. The resignation was made public on May 15, 1969.

ETHICAL CONSIDERATIONS

In 1924, the American Bar Association promulgated its Canons of Judicial Ethics, stating in the preamble, ". . . the American Bar Association, mindful that the character and conduct of a judge should never be objects of indifference, and that declared ethical standards tend to become habits of life . . . adopts the following Canons, the spirit of which it suggests as a proper guide and reminder for judges, and as indicating what the people have a right to expect from them."

The following provisions of the Canons of Judicial Ethics bear upon the Fortas question:

Canon 1. "The assumption of the office of judge casts upon the incumbent duties in respect to his personal conduct which concern his relation to the state and its inhabitants . . ."

Canon 4. "A judge's official conduct should be free from impropriety and the *appearance* of impropriety; . . . *and his personal behavior, not only upon the Bench and in the performance of judicial duties, but also in his everyday life, should be beyond reproach.*"

Canon 13. "A judge, . . . should not suffer his conduct to justify the impression that any person can improperly influence him or unduly enjoy his favor, or that he is affected by the kinship, rank, position or influence of any party or other person."

Canon 24: "A judge should not accept inconsistent duties; nor incur obligations, pecuniary or otherwise, which will in any way interfere *or appear to interfere* with his devotion to the expeditious and proper administration of his official functions."

Canon 25: "A judge . . . he should not . . . enter into any business relation which in the normal course of events reasonably to be expected, might bring his personal interest into conflict with the impartial performance of his official duties."

Canon 26: "A judge . . . should, so far as reasonably possible, refrain from all relations which would normally tend to arouse the suspicion that such relations warp or bias his judgment, or prevent his impartial attitude of mind in the administration of his judicial duties."

Canon 31: ". . . He may properly act as arbitrator or lecturer upon or instruct in law, or write upon the subject and accept compensation therefore, *if* such course does not interfer with the due performance of his judicial duties, and is not forbidden by some positive provision of law."

Canon 34: "In every particular his conduct should be *above reproach*. He should be . . . indifferent to private political or partisan influences; he should . . . deal with his appointments as a public trust; he should not allow other affairs or his private interests to interfere with the prompt and proper performance of his judicial duties, nor should he administer the office for the purpose of advancing his personal ambitions or increasing his popularity."

Viewed in the light of the foregoing provision, it is our opinion that the conduct of Mr. Fortas, while a Supreme Court Justice, described in his statement of the facts, was clearly contrary to the Canons of Judicial Ethics, even if he did not and never intended to intercede or take part in any legal, administrative or judicial matters affecting Mr. Wolfson.

The Chairman of the Committee having recused himself did not participate in the deliberaitons leading up to or the action approving this opinion.

The opinion of the committee is unanimous.

Respectfully submitted,

Thomas J. Boodell,
C. A. Carson III,
Charles W. Joiner,
Kirk M. McAlpin,
Samuel P. Myers,
Floyd B. Sperry,
Benton E. Gates,
Acting Chairman.

I ask unanimous consent that the enclosed formal opinion, No. 322, accompanying this letter be printed at this point in the Record.

There being no objection, the opinion was ordered to be printed in the Record, as follows:

Formal Opinion 322

All judges, of the lowest as well as the highest courts, must in all their personal business and social intercourse act not only in a manner that is lawful and proper but one which gives the impression and appearance to the public that it is proper. Appearance of impropriety is to be determined from all facts and circumstances and will vary depending on all facts, including matters beyond the judge's control. A judge must order his life so as to avoid the appearance of impropriety.

Canons Interpreted: Judicial Ethics 1, 4, 13, 24, 25, 26, 31, 32, 33, 34.

In view of the current public interest in the conduct of judges, the Committee on Professional Ethics has formulated this opinion as to the ethical propriety related to personal, social and business activities of judges.

The Canons of Judicial Ethics that may have some bearing on this matter are as follows:

CANON 1. RELATIONS OF THE JUDICIARY

The assumption of the office of judge casts upon the incumbent duties in respect to his personal conduct which concern his relation to the state and its inhabitants, the litigants before him, the principles of law, the practitioners of law in his court, and the witnesses, jurors and attendants who aid him in the administration of its functions.

CANON 4. AVOIDANCE OF IMPROPRIETY

A judge's official conduct should be free from impropriety and the appearance of impropriety; he should avoid infractions of law; and his personal behavior, not only upon the Bench and in the performance of judicial duties, but also in his everyday life, should be beyond reproach.

CANON 13. KINSHIP OR INFLUENCE

A judge should not act in a controversy where a near relative is a party; he should not suffer his conduct to justify the impression that any person can improperly influence him or unduly enjoy his favor, or that he is affected by the kinship, rank, position or influence of any party or other person.

CANON 24. INCONSISTENT OBLIGATIONS

A judge should not accept inconsistent duties; nor incur obligations, pecuniary or otherwise, which will in any way interfere or appear to interfere with his devotion to the expeditious and proper administration of his official functions.

CANON 25. BUSINESS PROMOTIONS AND SOLICITATIONS FOR CHARITY

A judge should avoid giving ground for any reasonable suspicion that he is utilizing the power or prestige of his office to persuade or coerce others to patronize or contribute, either to the success of private business ventures, or to charitable enterprises. He should, therefore, not enter into such private business, or pursue such a course of conduct, as would justify such suspicion, nor use the power of his office or the influence of his name to promote the business interests of others; he should not solicit for charities, nor should he enter into any business relation which, in the normal course of events reasonably to be expected, might bring his personal interest into conflict with the impartial performance of his official duties.

CANON 26. PERSONAL INVESTMENTS AND RELATIONS

A judge should abstain from making personal investments in enterprises which are apt to be involved in litigation in the court; and after his accession to the Bench he should not retain such investments previously made, longer than a period sufficient to enable him to dispose of them without serious loss. It is desirable that he should, so far as is reasonably possible, refrain from all relations which would normally tend to arouse the suspicion that such relations warp or bias his judgment, or prevent his impartial attitude of mind in the administration of his judicial duties.

He should not utilize information, coming to him in a judicial capacity, for purposes of speculation; and it detracts from the public confidence in his integrity and the soundness of his judicial judgment for him at any time to become a speculative investor upon the hazard of a margin.

CANON 31. PRIVATE LAW PRACTICE

In many states the practice of law by one holding judicial position is forbidden. In superior courts of general jurisdiction, it should never be permitted. In inferior courts in some states, it is permitted because the county or municipality is not able to pay adequate living compensation for a competent judge. In such cases one who practices law is in a position of great delicacy and must be scrupulously careful to avoid conduct in his practice whereby he utilizes or seems to utilize his judicial position to further his professional success.

He should not practice in the court in which he is a judge, even when presided over by another judge, or appear therein for himself in any controversy. If forbidden to practice law, he should refrain from accepting any professional employment while in office.

He may properly act as arbitrator or lecturer upon or instruct in law, or write upon the subject, and accept compensation therefor, if such course does not interfere with the due performance of his judicial duties.

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and is not forbidden by some positive provision of law.

CANON 32. GIFTS AND FAVORS

A judge should not accept any presents or favors from litigants, or from lawyers practicing before him or from others whose interests are likely to be submitted to him for judgment.

CANON 33. SOCIAL RELATIONS

It is not necessary to the proper performance of judicial duty that a judge should live in retirement or seclusion; it is desirable that, so far as reasonable attention to the completion of his work will permit, he continue to mingle in social intercourse, and that he should not discontinue his interest in or appearance at meetings of members of the Bar. He should, however, in pending or prospective litigation before him be particularly careful to avoid such action as may reasonably tend to awaken the suspicion that his social or business relations or friendships, constitute an element in influencing his judicial conduct.

CANON 34. A SUMMARY OF JUDICIAL OBLIGATION

In every particular his conduct should be above reproach. He should be conscientious, studious, thorough, courteous, patient, punctual, just, impartial, fearless of public clamor, regardless of public praise and indifferent to private, political or partisan influences; he should administer justice according to the law, and deal with his appointments as a public trust; he should not allow other affairs or his private interests to interfere with the prompt and proper performance of his judicial duties, nor should he administer the office for the purpose of advancing his personal ambitions or increasing his popularity.

At the outset, attention should be called to a limitation of the jurisdiction of this Committee pertaining to questions of law. Rule 1 of the Committee provides that it shall not render opinions on questions of law and the Association's By-Laws giving rise to the Committee prohibit the Committee from dealing "with questions of judicial decisions or judicial discretion". The Committee at all times has refused to become involved in any questions about what is or what is not legal. Its function is to determine the ethical propriety of actions as prescribed by the Canons of Professional and Judicial Ethics of the American Bar Association. Therefore, any statement contained herein is not to be construed as dealing with the lawfulness of actions.

The Canons also make a careful effort to deal directly with some of the activities of judges that may give the appearance of impropriety even though no impropriety may actually exist. For example, Canon 32 prohibits a judge from accepting presents or favors from litigants or from lawyers. Canon 31 prohibits a judge of a superior court from practicing law. Canon 25, specifically grounded on avoidance of suspicion that a judge is utilizing the power or prestige of his office, enjoins him from persuading others to patronize or contribute to private business ventures or charitable enterprises and specifically states that he should not enter into private business or pursue any course of conduct that would justify such a suspicion, nor use the power of his office or the influence of his name to promote the business interest of others. He should not solicit charities nor enter into any business relationship which in the normal course of events could be reasonably expected to bring his personal interests into conflict with the impartial performance of his official duties. Canon 24 deals with the problem of inconsistent duties and states that he should not incur obligations, pecuniary or otherwise, that would interfere with the devotion to the expeditious and proper administration of his official function. Canon 13 specifically enjoins the judge from acting in controversies in which there might be the impression that he could be improperly influenced because of rank or kinship or position or influence of a party or other person. Canon 4 deals specifically with the broad problem, stating that the judge's conduct should remain free from impropriety and the appearance of impropriety. It enjoins him to keep not only his official but his everyday life beyond reproach.

The thrust of all this is that although the judge may continue to mingle in social intercourse and is not to be deprived of the everyday enjoyments of living, he is and should be very much circumscribed in what he can do appropriately, and the lines are drawn not only as to what is lawful and what is proper, but as to what appears to be lawful and what appears to be proper. Because of the position of the courts and because of the needs of the citizens to understand that the courts are above reproach, the lives of our judges are far more circumscribed than the rest of us.

Most of the opinions interpreting the Canons of Judicial Ethics deal with actions of judges of inferior courts and courts of general jurisdiction. There are very few opinions involving judges of courts of review. The reason for this is obvious for there are many fewer judges of courts of review and as a matter of course they are farther removed from the ordinary activities of the ordinary lawyer. However, it should be clear that these Canons of Ethics apply to judges at all levels and probably, as they relate to appearances of impropriety, apply with greater strictness to the judges of higher courts, for the conduct of judges of higher courts sets the tone for the whole judiciary.

The opinions rendered by this Committee have made clear that the philosophy enunciated in the Canons has been carried forward in the opinions and that appearances of impropriety are equally as important as improper actions themselves.

Early in the history of this Committee it was asked to render an opinion upon the action of a judge in testifying as to the good character of a defendant in a criminal case; and although the Committee could find no inherent impropriety in giving such testimony and although the Committee recognized that there could be cases in which such testimony would be appropriate, the judge was cautioned that in so testifying he must give serious thought to the weight of his judicial position and dignity. He was specifically cautioned against "attempts of the defense to throw into the scales the weight of his judicial position." Formal Opinion 15. The Committee on two separate occasions has proscribed a judge from appearing on commercial radio broadcasts. Formal Opinions 166 and 298. It has also prohibited judges from accepting loans from lawyers. Formal Opinion 89. It has prohibited judges from becoming involved in solicitation of funds for charitable purposes. Formal Opinion 238 and Informal Opinion 390.

The Committee on one occasion, Formal Opinion 52, wrote that a judge who was writing a column for a newpaper on matters involving political and controversial subjects for which he should receive substantial remuneration, was not acting in accord with the standards prescribed by the Canons of Judiciary Ethics. The Committee pointed out that there "are many things which involve no wrong doing and which would not be considered as subject to criticism in the case of a lawyer, but are derogatory to the dignity of a judge". It specifically cited Canon 4 pertaining to the avoidance of impropriety and Canon 24 involving inconsistent duties, as well as Canon 34 pertaining to conduct above reproach. The Committee believed that although Canon 31 specifically permits a judge to lecture and instruct in law, this did not permit him to write in the form of specific articles for the paper for extra compensation, because of the possibility of bringing the judicial system into disrepute, because of the fact that the outside activity might lead to the impairment of judicial efficiency and because of the public expression of views might influence the judge's decision on the bench. It is clear that this Committee has been consistent throughout its history in giving as much attention to the appearance of impropriety as to the question of impropriety.

It is therefore the opinion of the Committee there is nothing wrong with a judge maintaining his friendship with individuals with whom he had had social contact prior to going on the bench or with whom he had done business prior to this time. However, he must be careful to avoid action that may reasonably tend to awaken suspicion that his social or business relations or friendships constitute an element in influencing his judicial conduct. The kind of activity that may involve appearances of impropriety, of course, will vary from case to case and will depend in part upon matters beyond the judge's control. Efforts on the part of persons suggesting that they have special influence should alert the judge to the problems of propriety in connection with his personal affairs and to the appearance of impropriety in continuance of a relationship with such a person. The kind of relationship also will be of significance.

The thrust of the Canons and the opinions under the Canons make it clear that while few single acts of conduct in this area are specifically to be condemned, in each instance the judge is commanded to order his life in such a way that there are no appearances of impropriety and admonished that these can come from a combination of circumstances, some within and some without the judge's control. When the appearance of impropriety comes from beyond the judge's control, his obligation is greater to do, or refrain from doing, acts contributing to that appearance.

The right of the judge to disqualify himself on matters before the court does not answer all questions of impropriety of individual relationship to a judge for the Canon specifically proscribes actions by a judge that creates the appearance of impropriety. Friendship alone, prior representation alone, acceptance of fees alone might not be enough to make impropriety, but the Canons direct that the total appearance of the transactions be weighed. Although there may be no inherent impropriety in any specific act performed by a judge, a person in his position must give serious thought to the weight of his judicial position and dignity and is cautioned against permitting any person to throw onto the scales of justice the weight of his judicial position. See Formal Opinion 15. These principles apply to all judges, including the judges of the highest as well as the lowest courts of the land; and the reasons therefor are that the public must have absolute faith in the competence and the integrity of the courts and must have complete belief that the places of justice are wholly untainted and untarnished by scandal or suspicion of scandal.

The public is conscious of problems of possible conflicts of interest at the present time. The public is rightfully concerned with the interests of legislators, of lawyers, of businessmen and the basis on which their decisions are made. The public rightfully is interested in the appearance of impropriety on the part of its judges, and the public's judges should conform to the standards set forth many years ago by the thoughtful members of the legal profession and codified in the Canons of Judicial Ethics.

In view of the Judicial Canons and the opinions herein referred to, the Committee feels that a judge or justice should not undertake any obligations or enter into any

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relationship of any kind or nature whatsoever which might in any way be inconsistent with his duties and obligations as a judge or which in any way might point to impropriety on the part of a judge.

Mr. WILLIAMS of Delaware. I ask unanimous consent to have printed in the RECORD the press release of the American Bar Association in connection with the same series of correspondence.

There being no objection, the press release was ordered to be printed in the RECORD, as follows:

AMERICAN BAR COMMITTEE SAYS FORTAS VIOLATED JUDICIAL ETHICS CANONS

WASHINGTON, May 20.—The American Bar Association Committee on Professional Ethics held in an informal opinion made public today that the relationship of former Supreme Court Justice Abe Fortas with Louis E. Wolfson and the Wolfson Family Foundation was "clearly contrary" to the Canons of Judicial Ethics.

The opinion was transmitted by ABA President William T. Gossett to Senator John J. Williams (R–Del.) in response to the Senator's request for an interpretation of the Canons as they applied in the Fortas case. It was made public simultaneously by the bar association.

The ABA ethics panel said it reached its conclusion unanimously on the basis of statements made by Justice Fortas in the letter he wrote to Chief Justice Warren when he resigned from the Supreme Court last week.

The committee cited eight separate Canons of Judicial Ethics as "bearing on the Fortas question," including several which stress the duty of a judge not only to avoid improprieties in his official conduct, but also any acts which might in any way give the appearance of improprieties.

"Viewed in the light of the foregoing provision, it is our opinion that the conduct of Mr. Fortas, while a Supreme Court Justice, described in his statement of the facts, was clearly contrary to the Canons of Judicial Ethics, even if he did not and never intended to intercede or take part in any legal, administrative or judicial matters affecting Mr. Wolfson," the opinion said.

The ethics committee said it was submitting the "informal opinion" (one given in response to a specific inquiry) in view of its "importance to the legal profession and in recognition of the public interest in the controversy" surrounding the case. The committee's statement to President Gossett added:

"The Committee is aware that during the pendency of the controversy Mr. Fortas resigned from the Supreme Court. Nevertheless, it is the Committee's judgment that the circumstances require that the opinion be submitted to you so that, to the extent possible, the ethical issues shall be made clear for the legal profession, for members of the judiciary, and for the public."

The committee said it addressed itself only to the question: "Did former Justice Fortas' conduct and relationship with Louis E. Wolfson and the Wolfson Family Foundation violate the Canons of Judicial Ethics?" Since the opinion was limited to ethical considerations, it should "not be construed as dealing with the lawfulness of actions" involved, the committee made clear.

The opinion said the committee "assumed the essential accuracy" of statements made by Justice Fortas in his letter to the Chief Justice, including the assertion by the former justice that he did not while a member of the Court intercede or take part in "any legal, administrative or judicial matter affecting Mr. Wolfson or anyone associated with him". In relying on the Fortas communication, the committee explained that it is not a fact-finding body, its function being solely to interpret the Canons of Professional Ethics (applicable to lawyers) and the Canons of Judiciary Ethics.

At the same time it rendered its informal opinion, the ABA Committee also released a separate "formal opinion" (a general interpretive discussion of specific Canons) holding that all judges—"of the lowest as well as the highest courts"—must in their public and private lives "act not only in a manner that is lawful and proper, but (in a manner) that gives the impression and appearance to the public that it is proper".

The formal opinion cited ten Canons which have to do with propriety in judicial conduct.

"The Canons make a careful effort to deal directly with some of the activities of judges that may give the appearance of impropriety even though no impropriety may actually exist", the formal opinion said.

"For example, Canon 32 prohibits a judge from accepting presents or favors from litigants or from lawyers. Canon 31 prohibits a judge of a superior court from practicing law. Canon 25 . . . enjoins him from persuading others to patronize or contribute to private business ventures or charitable enterprises, and specifically states that he should not enter into private business or pursue any course of conduct that would justify such a suspicion.

"Canon 24 deals with the problem of inconsistent duties and states that he should not incur obligations, pecuniary or otherwise, that would interfere with his devotion to the expeditious and proper administration of his official functions . . .

"The thrust of all this is that the judge . . . is and should be very much circumscribed in what he can do appropriately. The Canons of Ethics apply to judges at all levels, and probably, as they relate to appearances of impropriety, apply with greater strictness to the judges of the higher courts, for the conduct of judges of higher courts sets the tone for the whole judiciary".

The committee announced that all of its seven members joined in the formal opinion, but that Chairman Walter P. Armstrong, Jr., of Memphis, had not participated in the informal finding with respect to Justice Fortas. Justice Fortas is a former resident of Memphis.

Committee members in addition to Armstrong are Thomas J. Boodell, Chicago; C. A. Carson III, Phoenix, Ariz.; Benton E. Gates, Columbia City, Ind.; Charles W. Joiner, Detroit; Kirk M. McAlpin, Atlanta; Samuel P. Myers, Racine, Wis.; and Floyd B. Sperry, Bismarck, N.D.

Mr. WILLIAMS of Delaware. Mr. President, I appreciate the fact that the American Bar Association has ruled on the propriety of the conduct of Justice Fortas. Certainly, as they state in their letter, not only the American people but also Congress has a right to know the position of this organization, whose recommendations are sought and very properly given consideration at the time these appointments are made.

However, at the same time, I feel it incumbent upon the American Bar Association to follow the activities of these men and to render its opinion when we find something wrong, as it has in this instance involving Justice Fortas.

Therefore, I am most respectfully asking that they expedite a reply to my next letter, raising the same questions as to the propriety of Justice Douglas being on the payroll of the Parvin Foundation, whose sponsors likewise have been questioned by various agencies of the Government as to some of their activities. I am asking the Bar Association for a similar ruling as to whether or not Justice Douglas' being on the payroll of that foundation violates their canon of ethics.

Mr. President, I ask unanimous consent that the text of my letter to the American Bar Association relating to the inquiry with respect to Justice Douglas be printed at this point in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

U.S. SENATE,
Washington, D.C., May 20, 1969.

Mr. WILLIAM T. GOSSETT,
President, American Bar Association, Washington, D.C.

DEAR MR. GOSSETT: Canons of the Judicial Ethics of the American Bar Association read as follows:

"Canon 1: The assumption of the office of judge casts upon the incumbent duties in respect to his personal conduct which concern his relation to the state and its inhabitants. . . ."

"Canon 4: A judge's official conduct should be free from impropriety and the appearance of impropriety; he should avoid infractions of law; and his personal behavior, not only upon the Bench and in the performance of judicial duties, but also in his everyday life, should be beyond reproach."

"Canon 13: A judge . . . should not suffer his conduct to justify the impression that any person can improperly influence him or unduly enjoy his favor, or that he is affected by the kinship, rank, position or influence of any party or other person."

"Canon 24: A judge should not accept inconsistent duties; nor incur obligations, pecuniary or otherwise, which will in any way interfere or appear to interfere with his devotion to the expeditious and proper administration of his official functions."

"Canon 25: A judge . . . should not . . . enter into any business relation which in the normal course of events reasonably to be expected, might bring his personal interest into conflict with the impartial performance of his official duties."

"Canon 26: A judge . . . should, so far as reasonably possible, refrain from all relations which would normally tend to arouse the suspicion that such relations warp or bias his judgment, or prevent his impartial attitude of mind in the administration of his judicial duties."

"Canon 31: . . . He may properly act as arbitrator or lecturer upon or instruct in law, or write upon the subject and accept compensation therefore, if such course does not interfere with the due performance of his judicial duties, and is not forbidden by some positive provision of law."

"Canon 34: In every particular his conduct should be above reproach. He should be . . . indifferent to private political or partisan influences; he should . . . deal with his appointments as a public trust; he should not allow other affairs or his private interests to interfere with the prompt and proper performance of his judicial duties, nor should he administer the office for the purpose of advancing his personal ambitions or increasing his popularity."

I have your letter of May 20, 1969, stating that the conduct of Mr. Fortas in accepting a $20,000 fee from the Wolfson Foundation while a Supreme Court Justice was "clearly contrary to the Canons of Judicial Ethics."

It is also a matter of public record that Justice Douglas has been on the payroll of the Parvin Foundation at a salary of $12,000 per year, and the principals behind this tax-exempt foundation have likewise been the subject of investigation by various agencies of the Government, including the Department of Justice.

XUM

I am sure that the American Bar Association is familiar with Justice Douglas' arrangements for accepting fees from this foundation, whose members have close relationship with the Las Vegas gambling industry; therefore, I am asking the question: Does Justice Douglas' acceptance of this $12,000 annual retainer from the Parvin Foundation violate the Canons of Judicial Ethics of the American Bar Association?

Yours sincerely,

JOHN J. WILLIAMS.

ORDER FOR ADJOURNMENT UNTIL FRIDAY, MAY 23, 1969

Mr. **MANSFIELD**. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 12 o'clock noon on Friday next.

The **PRESIDING OFFICER**. Without objection, it is so ordered.

AUTHORITY TO RECEIVE MESSAGES, FILE REPORTS, AND SIGN DULY ENROLLED BILLS

Mr. **MANSFIELD**. Mr. President, I ask unanimous consent that during the adjournment of the Senate from today until noon on Friday next, all committees be authorized to file their reports, including any minority, individual or additional views; and that during the same period, the Secretary of the Senate be authorized to receive messages from the President of the United States and from the House of Representatives and that they may be appropriately referred; and that the Vice President be authorized to sign duly enrolled bills and joint resolutions.

The **PRESIDING OFFICER**. Without objection, it is so ordered.

"MAJORITY AND MINORITY LEADERS OF THE SENATE"—A COMPILATION

Mr. **MANSFIELD**. Mr. President, I send to the desk an original resolution, and ask for its immediate consideration.

The **PRESIDING OFFICER**. The resolution will be stated.

The legislative clerk read as follows:

S. RES. 198

Resolved, That a compilation entitled "Majority and Minority Leaders of the Senate", prepared under the direction of the Secretary of the Senate, Francis R. Valeo, by the Senate Parliamentarian, Floyd M. Riddick, shall be printed with certain tables as a Senate document, and that an additional 2,000 copies be printed for distribution by the Secretary of the Senate.

The **PRESIDING OFFICER**. Is there objection to the present consideration of the resolution?

There being no objection, the Senate proceeded to consider the resolution.

Mr. **MANSFIELD**. Mr. President, this meets with the approval of the distinguished minority leader. I know of no opposition to it. I understand it comprises less than 30 pages and is within the rules.

The **PRESIDING OFFICER**. The question is on agreeing to the resolution.

The resolution (S. Res. 198) was agreed to.

THE NATIONAL COMMITMENT RESOLUTION

Mr. **MANSFIELD**. Mr. President, earlier, today, the majority conference met in the Old Supreme Court Chamber. At the opening of the meeting I made a statement to the conference. I ask unanimous consent that this statement be printed at this point.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT OF MIKE MANSFIELD, MAJORITY LEADER, BEFORE THE DEMOCRATIC CONFERENCE, TUESDAY, MAY 20, 1969

This conference has been called, principally, to report to you on certain procedural matters. These matters have been under intense and, heretofore, confidential consideration in the Democratic Policy Committee. Since the beginning of the session, we have been examining in that Committee the situation of the Democratic Majority in the Senate in the light of the Republican occupancy of the Presidency.

For eight years, Democrats in the Senate looked to Democratic Presidents—to Presidents Kennedy and Johnson—for political as well as national leadership. In that same period, the strength of the national Democratic Party was measurable in major parts by the barometric readings which the people took of the efforts of the two Democratic Presidents. Democrats in the Senate could let the lead, so to speak, come from the White House. That is, obviously, no longer the case.

In present circumstances, as we examined them in the Policy Committee, a new approach by the Party in the Senate was indicated. We found, for example, that Democratic Senators were asking from time to time for a statement of the position of the Leadership on national issues before the Senate. Heretofore, Democratic Presidents had largely supplied that yardstick.

We felt, too, that the manner in which Senate Democrats lived among themselves—so to speak—and the ways in which Democrats responded to a Republican administration and to their Republican colleagues in the Senate would be closely watched for the next several years by the people of the nation. What was involved in what we did and how we did it in the Senate, it seemed to us, was not only the future of the Democratic Majority in the Senate but also, in significant degree, that of the Democratic Party in the nation.

Above all else, there was the question of how to evoke the largest possible contribution from the Democratic Majority in the Senate to the welfare of the nation, during a Republican administration.

In the light of considerations such as these, it was agreed that an effort should be made to delineate Democratic positions in the Senate on certain issues of significance in which there existed a substantial degree of unity among members of the Party.

This responsibility is assumed reluctantly by the Policy Committee. We are—all of us—aware of the difficulties which are inherent in trying to find common ground amidst our diversities. Yet, we believe the effort must be made. The Policy Committee is the political arm of the Democratic Conference of the Senate and it has a basis in law for the performance of the function. In addition, as presently constituted—that is, combined with the Legislative Review Committee—the Committee is accurately representative of the principal philosophical inclinations and the geographic derivations of the party in the Senate.

Lest there be any doubt, I want to make it very plain that the Committee will not intrude, in any way, upon the functions of any of the Legislative Committees. On the contrary, it will continue to follow its customary practice with regard to the regular scheduling of legislation for floor action. There will be no disposition now, anymore than in the past, to hold any legislation of significance from the floor. On the contrary, matters of prime importance to the nation, whether of Republican or Democratic origin, will receive every consideration and prompt scheduling. Routine legislation will continue to be scheduled by the Committee and disposed of by the Leadership—as in the past—on the basis of consultation, with as much accommodation as possible to the needs and wishes of individual members, both Republicans and Democrats.

What is additionally contemplated in the way of new procedures is for the Policy Committee to act on a special agenda. This agenda will be selected from issues submitted by members of the Committee itself or the Legislative Committees. The Committee will take a policy position on those issues which, in its judgment, lend themselves to broad support by Democratic members of the Senate. When the Policy Committee has agreed upon a position of this kind, the Leadership will then identify that position to the Democratic members, either in a Democratic Conference or by other means.

May I stress here the point that the Legislative Committee will, as always, delineate the legislation for floor consideration. What we are suggesting is in the nature of a political supplement to that responsibility.

In a similar fashion, the Committee has not the slightest intention of presuming to replace a Senator's individual judgment with a Party judgment. We may offer a Committee view, but members will continue to vote on the issues on the basis of their conscience and wisdom. Indeed, even when a position has been delineated by the Policy Committee, its individual members will still vote as they see fit when the issue reaches the Senate floor.

In sum, the new procedures are designed simply to re-introduce among the Democratic members of the Senate some of the unifying party cement which was formerly supplied by a Democrat President in the White House. Admittedly, it is not the equal. Equally, however, the arrangement can do much to insure that Senate Democrats will make, as a group, the maximum possible contribution to the nation in present circumstances.

May I say that the new approach will produce on occasion, differences with the Republican minority. That is to be expected, even as we have had differences in the past. On other occasions, however, the general position of the Republicans is likely to be similar or identical to that which may be taken by the Majority Policy Committee. In any event, it would be my hope and expectation that the two leaderships in the Senate will continue to work together for the benefit of the nation.

There is no predisposition whatsoever in this new approach to oppose for the sake of opposition. The Leadership will continue to give the President whatever support can be given in good conscience. He is the President, not of the Republican Party or of the Democratic Party. He is the President of the United States and he will be treated in that light.

In conclusion, I would point out that in addition to the unanimous endorsement of this new approach by the members of the Policy Committee, the chairman of the Legislative Committees with whom I met on May 7, also agreed, without objection, to this proposed course. I ask the Conference, now, as the organization of the Democratic Party in the Senate—not for votes—but for your confidence and cooperation in this effort.

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Mr. MANSFIELD. The statement is self-explanatory. The new approach of the majority policy committee which is outlined therein received the unanimous vote of the Democratic conference.

Subsequent to the adoption of that policy statement, the conference was advised of the first formal action of the majority policy committee under the new approach. It pertained to Senate Resolution 85, the so-called "national commitment resolution." The policy committee had agreed unanimously to support this resolution. This fact was communicated to the majority conference in a statement which I now ask unanimous consent be printed at this point in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR MIKE MANSFIELD, CHAIRMAN OF THE MAJORITY POLICY COMMITTEE, BEFORE THE DEMOCRATIC CONFERENCE ON SENATE RESOLUTION 85, MAY 20, 1969

In the near future, the Senate will consider Senate Resolution 85, the so-called "National Commitment Resolution." It was ordered reported from the Committee on Foreign Relations on March 12, 1969. The resolution has to do with emphasizing anew the constitutional functions of the Senate and the Congress in certain aspects of foreign policy, notably the commitment of the armed forces of this nation abroad. It is a measure which should help to strengthen the President no less than the Congress in the responsible management of the foreign affairs of this Government.

The substance of this resolution is, in no sense, partisan in nature. A similar resolution was reported out unanimously last year under a Democratic Administration. This year I believe the only Committee opposition is that of a Democratic Member.

It would be my hope that Members on the Republican side of the aisle would give the resolution their support on the floor, as was done by the Republican Members in the Committee on Foreign Relations. May I say that I have already notified the Minority Leader of my intention of bringing this matter before the Majority Conference.

Members of the Majority Conference are now advised that the Policy Committee has considered S. Res. 85. In that connection, the Policy Committee has had the advice and cooperation of the Chairman of the Committee on Foreign Relations. On May 13, 1969, the Democratic Policy Committee adopted the following resolution:

"Whereas, the Senate Majority Policy Committee has met and considered S. Res. 85, a resolution reported from the Committee on Foreign Relations, expressing the sense of the Senate reltaive to commitments to foreign powers;

"*Resolved*, that the members of the Democratic Policy Committee agree that S. Res. 85 should be adopted in the Senate since it is of constructive significance to the nation in its restatement of the Constitutional function of the Senate relative to the foreign relations of the United States."

Mr. MANSFIELD. The conference was not asked, as a caucus, to endorse the position of the policy committee as set forth in the statement. A vote was not sought. Democratic Members will be expected, on the national commitment resolution, as on any other, to vote not a party position but a personal conviction when the question reaches the floor.

The national commitment resolution is in no sense a partisan matter. It is a Senate matter and a national matter. In my personal judgment, it will strengthen the capacity of the President no less than the Senate and Congress in asserting responsive and responsible control over the far-flung activities of this Government abroad. To emphasize the complete absence of partisanship, may I say to the Senate, that I notified the distinguished Republican leader, the Senator from Illinois (Mr. DIRKSEN), in advance, of my intention of bringing up the matter in the Democratic conference, and requested that he consider doing the same with the Republican Members of the Senate. I ask unanimous consent that my letter to the minority leader with respect to the national commitment resolution be printed at this point in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

MAY 20, 1969.

Hon. EVERETT DIRKSEN,
Minority Leader,
U.S. Senate.

DEAR EV: I thought it proper and appropriate that I call to your attention the fact that I am today bringing up before the Democratic Conference S. 85, the so-called National Commitment Resolution.

This resolution was reported out of the Foreign Relations Committee unanimously last year, but was never called up. This year it was reported out of the Foreign Relations Committee with one Member, a Democrat, dissenting. This resolution has been discussed in the Democratic Policy Committee, and on the basis of its instructions, I am taking it up with the Democratic Conference today.

The point I want to emphasize, this is not—I repeat—this is not a Partisan proposal; nor is there anything personal or political behind it. It is a reassertion of the Senate's responsibilities, and, it is my belief, concurred in by my colleagues on the Policy Committee, that a resolution of this sort will not only be helpful to the Senate as an institution, but will be very helpful to the President, whoever he may be, at any given time. It does not take away any of the President's powers, rather it brings the Senate into a form of partnership arrangement, and does not preclude the President from acting instantly under extraordinary circumstances. It is not binding on the President; it is an indication of the Senate's interest as an institution, and regardless of Party, in the field of Foreign Affairs and overseas commitments; it is an indication of desire for more intensive collaboration and discussion; and a decided lessening of the policy of jumping into a situation before we think the matter through.

I would appreciate very much your bringing this to the attention of the Republican Conference, which is meeting today. I am asking for no assurances whatsoever, nor am I asking for any assurances or commitments from the Democrats in conference assembled. It will be called to their attention in the hope that if they see fit to do so, they will support it. It is being called to your attention so that you and your colleagues will be aware of what I am doing, and it is done so on the basis of seeking no assurances and no commitments, but only calling an important topic of prime interest to the Senate to your consideration.

With best personal wishes to you and your colleagues in conference assembled, I am

Most sincerely,

MIKE MANSFIELD.

Mr. KENNEDY. Mr. President, I suggest the absence of a quorum.

The **PRESIDING OFFICER.** The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. KENNEDY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

ADJOURNMENT UNTIL FRIDAY, MAY 23, 1969

Mr. KENNEDY. Mr. President, if there be no further business to come before the Senate, I move, in accordance with the previous order, that the Senate stand in adjournment until 12 noon on Friday next.

The motion was agreed to; and (at 4 o'clock and 16 minutes p.m.) the Senate adjourned until Friday, May 23, 1969, at 12 o'clock noon.

NOMINATIONS

Executive nominations received by the Senate May 19, 1969, under authority of the order of May 14, 1969:

DIRECTOR OF THE GEOLOGICAL SURVEY

William T. Pecora, of New Jersey, to be Director of the Geological Survey.

IN THE AIR FORCE

Spencer J. Schedler, of New York, to be an Assistant Secretary of the Air Force.

TENNESSEE VALLEY AUTHORITY

Aubrey J. Wagner, of Tennessee, to be a Member of the Board of Directors of the Tennessee Valley Authority for the term expiring May 18, 1978, (reappointment).

IN THE AIR FORCE

The following-named officers for promotion in the Regular Air Force, under the appropriate provisions of chapter 835, title 10, United States Code, as amended. All officers are subject to physical examination required by law.

Major to lieutenant colonel

LINE

Abbey, Charles E., 0023917.
Abbott, John K., 0041009.
Abbott, John R., 0041770.
Abrams, Carl R., 0028167.
Abrams, Harold R., 0041500.
Acker, Jack E., 0041960.
Acock, Benny E., 0042216.
Adam, Donald A., 0041881.
Aderholt, Warren F., 0041231.
Agnew, Malcolm J., 0018313.
Ahern, Edward J., Jr., 0041119.
Ahlf, Burkhardt C., 0041350.
Ahlstedt, Harry P., 0042083.
Ainslie, Robert E., 0018635.
Akard, Charles E., 0042076.
Albers, Edgar H., Jr., 0040990.
Albert, John G., 0018314.
Alderson, Jerry D., Jr., 0019945.
Alexander, Ellis J., 0040509.
Allard, Thomas L., 0041946.
Allen, Jack K., 0041767.
Allen, James J., 0041048.
Allen, John L., 0040531.
Allen, Joseph B., 0040994.
Allen, Joseph W., 0023772.
Allshouse, Herman D., 0019712.
Allsop, Lloyd A., 0042290.
Almquist, Adolph S., 0027688.
Altemose, Lawrence J., 0041031.
Alter, James R., 0042174.
Altman, Donald M., 0028182.
Amaral, James P., 0042016.
Ambrose, David E., 0040570.
Ambrosia, Harry C., 0041178.
Amerine, Ernest M., 0041827.
Ames, Melvin S., 0040708.
Amidon, John W., 0041420.
Amos, James H., 0018661.

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Andersen, Arne, 0042287.
Anderson, Charles F., 0018643.
Anderson, Charles R., 0042217.
Anderson, Charles W., Jr., 0018315.
Anderson, Clarence R., 0060044.
Anderson, Donald F., 0041059.
Anderson, Duane S., 0042271.
Anderson, Earl W., 0040481.
Anderson, James C., 0025709.
Anderson, Roy, 0041683.
Anderson, William C., 0040973.
Anderson, Willis S., 0040827.
Andrus, John S., 0018316.
Andrus, Robert E., 0041616.
Angelus, Ellis W., 0042198.
Ansbro, Mathew J., 0041142.
Anthony, Shelton J., Jr., 0064576.
Apgar, William C., 0040795.
Arantz, Carl F., Jr., 0018318.
Archer, Earl J., Jr., 0028272.
Armstrong, Ben L., 0041234.
Armstrong, Charles L., 0023939.
Armstrong, Harry L., 0040905.
Armstrong, John W., 0018320.
Armstrong, Richard C., 0040597.
Armstrong, Richard K., 0040737.
Arnberg, George C., Jr., 0042028.
Arneson, Milton A., 0041866.
Arno, David H., 0040783.
Arnold, David L., 0018321.
Arnold, Lacy H., 0040733.
Arnold, Tom M., Jr., 0026799.
Arnstein, Walter H., 0040620.
Arrington, Curtis H., Jr., 0024384.
Asay, Chester H., 0042183.
Asire, Donald H., 0041525.
Atkinson, James W., 0040975.
Atkinson, Richard H., 0041030.
Auld, David H., Jr., 0041421.
Austin, William F., 0042170.
Axelsen, Max M., 0040663.
Axt, Richard C., 0041346.
Ayotte, Austin C., 0040523.
Babcock, Dan E., 0026524.
Bacha, Theodore, 0018674.
Bachelder, Donald R., 0025857.
Back, Doyle R., 0041882.
Backes, Ralph G., 0025858.
Badgett, John N., Jr., 0040497.
Bagnard, Donald, 0041972.
Bahr, Lester M., 0040886.
Baier, Joseph F., Jr., 0040607.
Bailey, Frank D., 0042146.
Bailey, Kenneth F., 0041198.
Bailey, William M., Jr., 0041828.
Baird, Ora J., Jr., 0028273.
Baker, Alfred C., Jr., 0041028.
Baker, Charles M., 0042134.
Baker, Forest E., 0041556.
Baker, Gerald C., 0040571.
Balides, Theodore, 0052726.
Ball, Francis W., 0041702.
Ballard, Wallace B., 0041549.
Banister, Arthur W., 0018324.
Banks, Robert K., 0041330.
Bannan, Richard J., 0041553.
Barbee, Bud., 0041559.
Barber, Donald C., 0041085.
Barker, George F., 0019720.
Barkley, Richard M., 0040598.
Barlow, John W. B., 0018634.
Barmettler, Robert S., 0018613.
Barnard, Hage N., 0052660.
Barnes, Frank G., 0018326.
Barnes, Robert A., 0040711.
Barnes, Rufus E., Jr., 0041080.
Barnes, Willard A., 0048846.
Barnett, Charles W., 0041706.
Barney, Russell D., 0040683.
Barnhill, Loy J., 0042099.
Baron, Robert L., 0042218.
Barrett, Francis E., 0041923.
Barrett, Franklin, 0040670.
Barrow, Sterling E., 0040919.
Barrows, Malcolm C., 0041010.
Barry, Henry A., 0041829.
Bartalsky, Steven L., 0024536.
Bartholomew, Robert R., 0040895.
Bartolomei, Frank, 0041164.
Batcheldor, Robert E., 0041351.
Bates, Randolph C., Jr., 0023874.
Battershell, Byron E., 0040323.
Bauer, George M., Jr., 0041053.
Baumgarten, Harry E., Jr., 0018329.
Baxter, Walter L., Jr., 0041365.
Beach, Fred D., 0041161.
Beaucond, Maurice J., 0060059.
Beaulieu, Norman H., 0064546.
Becker, Marion C., 0019798.
Bedford, James R., Jr., 0024549.
Beebe, Frederick A., 0041406.
Beebe, Robert H., 0026474.
Beeley, John C., 0019704.
Beez, William J., 0041192.
Bell, Elbridge T., 0041560.
Bell, Lloyd E., 0041396.
Benagh, Thomas M., 0027689.
Bench, Eugene D., Jr., 0041687.
Bennet, Mortimer F., 0028326.
Bennett, George F., 0019854.
Bensun, Otis O., 0024750.
Bentley, Wilbur C., 0032411.
Berg, Robert L., 0024527.
Berg, Robert S., 0018332.
Berger Loyd D., 0040949.
Bergerut, Paul A., 0028274.
Bergquist, Carl G., 0040698.
Bergstrom, Airus E., 0023866.
Berner, Benjamin P., 0042155.
Besaw, William J., 0018605.
Beyers, Robert L., 0028181.
Bigge, Louis G., 0041470.
Billar, William L., 0040855.
Billington, Robert J., 0052653.
Billups, Rufus L., 0019722.
Binder, Edwin M., 0040873.
Bird, John A., 0041824.
Bird, Robert F., 0041668.
Black, Lloyd H., Jr., 0028307.
Blackwell, Ralph C., 0040761.
Bladergroen, Herman, 0040572.
Blair, James H., 0040538.
Blake, Thomas F., Jr., 0018333.
Blakely, Jack A., 0040299.
Blakely, Sylvester F., 0019685.
Blankenbecler, Raymond M., 0040930.
Blankinship, William J., 0040465.
Blanton, Auty D., Jr., 0041661.
Blanz, Clarence E., Jr., 0039009.
Blauw, Robert E., 0040585.
Blilie, James L., 0027702.
Blomberg, Richard T., Jr., 0042001.
Blood, Gordon L., 0041543.
Blow, James M., 0041771.
Bocquin, Victor E., 0041065.
Bodager, Bill W., 0018335.
Boden, Dale P., 0041731.
Boeman, John S., 0064551.
Bohn, Frank L., 0040458.
Bohnhoff, Edward S., 0042219.
Bonin, Bernard O., 0040793.
Bonner. M. M., 0018337.
Bonney, Charles A., Jr., 0041830.
Borden, Thomas G., 0055739.
Borgert, Robert O., 0040635.
Borovilos, James, 0041751.
Boswell, Sherwin W., 0041090.
Bottom, Richard D., 0052727.
Boughton, William S., 0041144.
Bounds, Lee E., 0041015.
Bowen, Myron A., 0041694.
Bowers, Charles L., Jr., 0042158.
Bowman, Richard C., 0018338.
Box, Tommy, 0026454.
Bracewell, U. C., 0041831.
Brady, Eugene L., 0022855.
Branan, William C., 0023820.
Brannan, Charles E., 0040876.
Brantley, Marvin E., Jr., 0040744.
Breighner, Jesse V., 0041745.
Brenckman, Emil K., 0040484.
Brewer, George W., 0048852.
Brewer, William C., 0041933.
Brewis, Randa M., 0041279.
Bricka, Hays, 0052754.
Bricker, Jerome G., 0019699.
Bridges, Albert C., 0064607.
Briggs, Charles C., Jr., 0018602.
Brockett, David H., 0041293.
Brooke, John E., 0018622.
Brooks, Eugene F., 0041714.
Brooksher, Dan A., 0019549.
Brower, James M., 0041991.
Brown, Charles H., Jr., 0018343.
Brown, Conrad M., 0040576.
Brown, Everett C., 0041398.
Brown, Jack E., 0041764.
Brown, James H., 0041423.
Brown, John J., 0041394.
Brown, Kenneth, 0041711.
Brown, Leonard H., 0041717.
Brown, Marvin L., 0018676.
Brown, Ralph O., 0042151.
Brown, Richard F., 0040801.
Brown, Richard S., 0024506.
Brown, Robert S., Jr., 024379.
Brown, William, 0041810.
Browne, Charles H., 0060070.
Brown, Lewis C. L., 0018344.
Browning, George E., 0060067.
Bruce, Walter S., 0041407.
Bruflat, Leroy A., 0042004.
Brundage, Lew D., 0048850.
Brunette, William T., 0042220.
Brunhart, Ruy C., 0018345.
Bruns, Wayne H., 0024862.
Bryant, Carl L., 0040713.
Bryder, Paul W., 0040724.
Bubb, Frank J., Jr., 0041316.
Bubb, James E., 0041495.
Buchanan, John E., 0025856.
Buck, Vincent K., Jr., 0025540.
Buice, William R., 0028230.
Bullock, Thomas F., 0018346.
Bundy, Haskell L., 0052764.
Burden, George R., 0041468.
Burger, Earl W., 0040574.
Burke, Walter H., 0023825.
Burnett, Albert F., 0041228.
Burns, Richard F., 0041397.
Burns, Robert, 0025627.
Burton, Emmett, B., 0041787.
Bush, William J., 0040727.
Bushong, Richard B., 0041938.
Butcher, James T., 0043002.
Butler, Barry R., 0052706.
Button, Richard F., 0041558.
Bynum, Harold L., 0042010.
Byrne, Charles A., 0018349.
Calafato, Eugene F., 0019923.
Caldwell, Gordon T., 0052740.
Caldwell, James O., 0040544.
Call, Luwell E., 0040659.
Cameron, William G., 0017992.
Campbell, Billy B., 0052658.
Campbell, Edward J., 0018351.
Campbell, Lawrence G., 0041176.
Campbell, Thomas J., 0042147.
Canham, Harry G., 0040475.
Cannava, Robert P., 0040640.
Capers, Jack H., 0041049.
Capps, Robert S., 0041236.
Carelock, James M., 0025828.
Carle, Melvin A., 0041619.
Carlson, John M., 0024746.
Carlson, Kenneth R., 0040940.
Carnell. Ben H., 0042124.
Carpenter, Thomas J., 0018656.
Carper, Walter E., 0041682.
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Hughes, Frank T., 0060054.

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Humphries, Daniel E., 0041442.
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Roehling, Arthur J., 0060049.
Rogers, Alexander L., 0032408.
Rohde, Arthur J., 0041588.
Rohrer, Glenn E., 0040679.
Romeo, Albert W., 0042248.
Rooney, Laurence J., 0042292.
Roper, Clarence H., 0040474.
Roper, Kenneth H., 0018524.
Rosanbalm, John W., 0041876.
Rose, Andrew, Jr., 0040630.
Rosser, Edward J., 0041497.
Roth, Jerome R., 0041246.
Rottman, Robert J., 0048845.
Routt, Clyde B., 0040469.
Rowden, Richard A., Jr., 0042106.
Rowe, Berry W., 0018616.
Rubenstein, Morris B., 0041299.
Rubino, John A., Jr., 0019727.
Rubner, Chester H., Jr., 0052737.
Ruddock, William O., 0052675.
Rudloff, Paul W., 0041294.
Rumney, Richard G., 0018527.
Rutherford, Robert S., 0042095.
Rutherford, William F., 0028166.
Ryall, Zacheus W., Jr., 0041449.
Ryan, James W., 0041258.
Ryan, William B., 0041136.
Ryder, Dale D., 0023823.
Saavedra, Joaquin A., 0019737.
Sadler, Thomas M., 0041899.
Sage, Hubert F., Jr., 0041685.
Salisbury, Robert L., 0041900.
Salmeier, Dean E., 0041574.
Sandoval, John V., 0041877.
Saulsbury, Jack L., 0042059.
Saunders, Floyd E., 0022793.
Savidge, William, Jr., 0024382.
Sawyer, Julian D., 0041878.
Sayers, Rubert O., 0042202.
Sayre, Robert H., 0028283.
Scarboro, William E., 0041027.
Scharling, Stanley V., 0024532.
Scharmen, Merrill E., 0041531.
Scheuer, James C., 0018631.
Schindler, Hallman W., 0042286.
Schlusser, William L., 0018530.
Schmitt, Edward J., 0041378.
Schmitt, John G., Jr., 0040756.
Schnebelen, Arthur A., Jr., 0041935.
Schneider, Carl G., 0024373.
Schneider, George J., 0040834.
Schoen, Donald W., 0042143.
Schoenborn, Robert L., 0041786.
Schoeneman, Richard H., 0018532.
Schoenemann, Leroy J., 0042200.
Scholtz, John C., Jr., 0018533.
Schoning, William M., 0023819.
School, Jerome A., 0025533.
Schuett, Carl A., 0040517.
Schuler, James W., 0041158.
Schultz, Charles M., 0041450.
Schurr, Harry W., 0041901.
Schutt, Carlton E., 0023895.
Schwarzrock, Charles R., 0042026.
Scott, Benjamin A., Jr., 0041993.
Scott, Cassius C., 0026450.
Scott, Lloyd M., 0024748.
Scurlock, Robert, 0023763.
Seale, James E., 0039405.
Sebring, William L., 0041712.
Seebers, Richard H., 0041617.
Sellars, Benjamin F., Jr., 0040508.
Senio, Walter P., 0041478.
Senter, Lewis B., 0041181.
Serangeli, Giuseppe, 0040480.
Setter, Louis C., 0019859.
Sexton, Richard W., 0041826.
Shabsin, Edward, 0042011.
Shacklette, Elijah W., Jr., 0018650.
Shannon, Richard L., 0042159.
Shapiro, Alvin M., 0041250.
Sharp, David W., 0019815.
Sharp, Homer W., 0041766.
Sharpless, Leslie H., 0042244.
Shaulis, Elwood M., 0018047.
Shaw, Charles W., 0040586.
Shaw, William S., 0040596.
Shea, Richard H., 0041966.
Sheeley, James D., 0041201.
Shepherd, William F., Jr., 0041626.
Sherlock, William H., 0041636.
Sherrill, Guy J., 0019706.
Shinault, Thomas W., 0042282.
Shipley, Billy S., 0064600.
Shirley, Harold J., 0018538.
Short, James F., 0042112.
Showers, Clarence E., 0024776.
Siano, Thomas F., 0042236.
Sibrel, John R., 0042237.
Sieczynski, Ervin E., 0040779.
Sienkiewicz, Henry V., 0042251.
Siglin, Paul F., 0041300.
Silliman, Clayton, 0041381.
Silva, Bertram A., Jr., 0064582.
Simone, Thomas, 0041123.
Simpson, Edgar H., 0041382.
Simpson, Jefferson A., 0018540.
Sisley, George J., 0041135.
Skinner, Elton A., 0040542.
Skliar, William L., 0024735.
Skoog, Robert E., 0041451.
Skuby, Vladimir W., 0041140.
Slater, Harry E., 0040837.
Slaybaugh, Thomas J., 0041796.
Slizeski, Robert S., 0018541.
Sluter, Robert S., 0040631.
Smart, Curtis L., 0041225.
Smigielski, Richard J., 0041565.
Smith, Arthur C., Jr., 0024605.
Smith, Billy D., 0064591.
Smith, Bobbie L., 0040757.
Smith, Charles A., 0040781.
Smith, Clyde O., Jr., 0040513.
Smith, Edmund G., 0017990.
Smith, Eugene G., 0041404.
Smith, Frederick H., 0023832.
Smith, George W., Jr., 0028026.
Smith, Gilbert E., 0042183.
Smith, Harding E., Sr., 0042179.
Smith, Henry R., 0041278.
Smith, Jack M., 0040758.
Smith, James W., 0041657.
Smith, James W., 0041552.
Smith, John R., 0042118.
Smith, John R., 0024444.
Smith, Philip F., 0041244.
Smith, Russell H., 0018544.
Smith, Samuel R., 0041808.
Smith, Theron A., 0041947.
Smith, Thomas H., 0041510.
Smith, William F., III, 0021565.
Smith, William L., 0041915.
Smith, William R., 0041977.
Smith, William R., 0042001.
Smittle, Ray T., Jr., 0041858.
Smoak, Daniel B., 0041602.
Smothers, Robert W., 0022849.
Snipes, William R., 0040699.
Snook, Keo L., 0041000.
Snow, Harold S., 0041197.
Soltesz, William R., 0041276.

Sotomayor, Juan B., 0041383.
Spalding, John H., 0041238.
Sparks, Robert O., 0041859.
Spaulding, J. E., 0041453.
Speckman, Roland E., 0042176.
Spector, Milton N., 0041107.
Spence, Jack L., 0040494.
Spencer, Earl F., Jr., 0019733.
Spencer, Robert M., 0018547.
Sperry, Edward G., 0019738.
Spillers, Willum H., Jr., 0018548.
Spitzbarth, Charles A., 0040584.
Sponaugle, Troy G., 0042090.
Spragins, Stewart V., 0018549.
Sprecher, Arnold F., 0041879.
Stahl, Melvin R., 0041860.
Stanley, Ellis E., 0022792.
Stansberry, Darrell D., 0041519.
Stansberry, James W., 0018550.
Stark, John T., Jr., 0064571.
StClare, Donald E., 0041089.
Stefanik, Robert A., 0017998.
Steffens, Randall L., 0041902.
Steger, Michael J., 0018551.
Steiger, Arthur R.., 0023771.
Steiner, Harold A., 0040950.
Stephens, Edward W., 0040558.
Stephenson, Howard H., 0041215.
Sterne, Kenneth L., 0019814.
Stevens, Kenneth H., 0060073.
Stevenson, Everett E., 0041707.
Stewart Laslie M., 0018098.
Stewart Martin V., 0042199.
Stillson, James R., 0018556.
Stine, Robert M., 0042034.
Stockton, Lloyd, 0041071.
Stockwell, John H., 0041997.
Stodghill, Clifford A., 0024481.
Stoehrer, Frank A., 0064601.
Stokes, Quentin C., 0041648.
Stone, Robert J., 0041253.
Stone, Robert N., 0040507.
Stoufer, Roy D., 0041077.
Stout, Richard G., 0041922.
Stout, Robert G., 0042274.
Stout, Robert W., 0041187.
Straight Danley E., 0041026.
Strong, Curtis T., Jr., 0041680.
Strong, Helen E., 0041481.
Strong, James M., II, 0041555.
Strube, Delbert H., 0040551.
Stubbs, Harold T., 0069711.
Subr, Robert J., 0041454.
Sullivan, John H., 0040590.
Sullivan, Joseph V., Jr., 0026796.
Sumner, Thomas M., 0041573.
Sunderman, James F., 0041303.
Svendsen, Leroy W., Jr., 0026806.
Swantz, Robert F., 0018559..
Swift, Henry L., 0019799.
Swigart, William J., 0041542.
Swihart, Freddie L., 0040893.
Swindle, Elro M. Jr., 0041703.
Swindle, Norris R., 0041930.
Sylvester, George H., 0018560.
Taff, Angus B., 0040592.
Tarbox, Luther A., 0018089.
Tarter, Bill, 0041609.
Taylor, Abbott L., 0023799.
Taylor, Chester D., Jr., 0028474.
Taylor, Clifford V., 0060057.
Taylor, Harry W., Jr., 0022790.
Taylor, Julius H., 0064575.
Taylor, Leroy J., 0040681.
Taylor, William P., 0040675.
Tefas, Steve G., 0019900.
Terrell, William B., Jr., 0018561.
Terry, Bobby E., 0042115.
Thomas, Clyde M., 0026684.
Thomas, David F., 0041052.
Thomas, David W., 0041743.
Thomas, Edward C., 0041477.
Thompson, Arby J., 0041018.
Thompson, Donald P., 0040954.
Thompson, Forrest G., 0052701.
Thompson, Joseph J., 0018562.
Thompson, Richard G., 0042178.
Thomson, Cecil M., Jr., 0042120.
Thornton, Robert O., 0041587.
Tibbs, Harold A. W., 0042078.
Timmermans, Anthony J. G., Jr., 0019861.
Titorchook, Walter H., 0041697.
Titus, Robert F., 0026472.
Tolbert, Joseph S., 0041726.
Tolbert, Raymond W., 0041163.
Tom, Hunter, 0041779.
Tomasini, Dante H., 0041601.
Totten, Jess R., 0019875.
Touby, Robert H., 0040537.
Tracy, Donald J., 0041799.
Travers, Medford J., 0041903.
Tremblay, Roger J., 0041586.
Trent, Clyde B., Jr., 0041101.
Treyz, Fred A., 0042263.
Tripp, Howard G., 0041385.
Trousdale, Ralph W., 0040611.
Trusty, George D., 0041567.
Tuck, George R., 0041789.
Tucker, Archie W., 0018046.
Tucker, Kiefer G., Jr., 0041861.
Tullar, Allan S., 0019873.
Turner, Claude H., Jr., 0024702.
Turner, Claude W., 0040813.
Turner, William S., 0041491.
Turoff, Christopher G., 0052755.
Tuttle, Harold E., 0040689.
Tuxworth, William J., 0041583.
Twombly, Donald J., 0041809.
Tye, Joe B., Jr., 0018568.
Ulreich, Alexander Jr., 0041646.
Unverzagt, William C., 0042131.
Urankar, John S., 0041550.
Valenta, Louis E., 0028275.
Valentine, George B., 0040581.
Vanbrussel, Peter B., Jr., 0041904.
Vance, John G., 0040976.
Vancleeff, Jay, 0018569.
Vandelune, Gerritt R., 0041536.
Vanderhei, Vivian S., 0040452.
Vanderkarr, Donal I., 0019876.
Vandervoort, John M., Jr., 0018570.
Vanmeter, Clarence M., 0052678.
Vannoppen, Vern F., 0041455.
Vanreenen, Neil D., 0040715.
Vanvleck, John F., 0040800.
Vaughan, Joseph A., Jr., 0028270.
Vavrinek, Raymond H., 0023894.
Verndoy, Russell A., 0040972.
Viall, Harold S., 0019513.
Vitko, James D., 0019880.
Vogl, John J., 0040240.
Vogt, William J., 0041949.
Volk, James P., 0041862.
Vonwiedenfield, Paul W., 0026808.
Vosper, Howard A., 0040490.
Vrastil, Robert C., 0042053.
Waaland, Arthur T., 0040460.
Wade, Charles H., Jr., 0019718.
Wadsworth, Robert E., 0041863.
Wagener, Raymond R., 0041577.
Wagner, William L., 0024574.
Wahab, Thomas W., 0041055.
Wakefield, Victor R., 0018572.
Walker, Charles E., 0024791.
Walker, Charles F., 1908390.
Walker, Henry L., 0064545.
Walker, Henry M. G., Jr., 0041905.
Walker, Ira E., 0042021.
Walker, Leonard N., 0040880.
Wall, James S., 0024450.
Wall, Orlando A., 0018574.
Wallace, Jay R., 0018575.
Wallace, John T., 0016576.
Wallace, Richard B., 0052730.
Walser, Roy S., 0041166.
Walter, Alonzo J., Jr., 0019896.
Walter, John A. III, 0018577.
Wampler, Roy W., 0041456.
Wantz, Sherman P., 0041006.
Ward, Morris J., 0019894.
Warden, Murray L., 0040907.
Ware, Gordon F., 0042165.
Warner, Marshall R., 0019935.
Wasemiller, Marion D , 0052687.
Wason. Charles P., 0020047.
Waterman, Gerald L., 0018055.
Waters, Jack W., 0041386.
Watson, Billy G., 0052745.
Watson, Robert T., 0052704.
Watson, William J. H., 0024592.
Way, Thomas Z., 0041655.
Weart, Douglas S., 0018578.
Weathersby, Earl E., Jr., 0048835.
Weaver, Lem J., Jr., 0052739.
Weaver, Robert B., 0018579.
Weaver, Robert T., 0041034.
Weber, Louis W., 0042044.
Weber, Richard G., 0041035.
Weedman, Freeman J., 0041116.
Weeks, James L., 0041230.
Weeks, John M., Jr., 0060055.
Weeks, Thomas J., Jr., 0040914.
Weimer, Franklin E., 0052710.
Weinberg, Bernard B., 0060069.
Weinberg, Sidney, 0023789.
Welch, Gordon M., 0040696.
Wells, William D., 0041663.
Wentsch, George M., 0018586.
Wentz, Frank J., Jr., 0041633.
Wessel, John A., 0041096.
West, Roy L., 0052671.
Westfall, Frederick R., 0018581.
Weston, Frank H., 0048849.
Weston, Ralph A., 0052734.
Weston, William A., Jr., 0026871.
Wheat, James W., 0019691.
Wheeler, Herbert K., 0052729.
Wheeler, Richard K., 0040980.
White, Donald S., 0040608.
White, Ralph W., 0018048.
Whitehead, Asa S., 0041191.
Whiteside, John J., 0041490.
Whitlock, Thomas W., 0022779.
Wicker, Irving B., Jr., 0042239.
Wilcox, Andrew R., 0042125.
Wilcox, Floyd J., 0042150.
Wilde, Lawrence D., Jr., 0042207.
Wilkins, Alfred J., 0041002.
Willard, Ernest N., III, 0064605.
Willcox, Tilton L., 0018086.
Williams, Harland D., 0060074.
Williams, Harley R., 0042064.
Williams, James A., 0041437.
Williams, James M., 0041651.
Williams, Joe J., Jr., 0041822.
Williams, Richard L., 0052718.
Williams, Warren H., 0040639.
Wilson, Carrol D., 0028179.
Wilson, Charles G., 0064606.
Wilson, Charles L., 0025588.
Wilson, Frederick L., 0040889.
Wilson, Jack E., 0041273.
Wilson, John H., 0040707.
Wilson, Marion P., 0040682.
Wilson, Talmadge A., 0052703.
Wilsted, Leroy M., 0040616.
Winn, George C., 0041388.
Winter, Clifford M., Jr., 0019584.
Wintersole, Lloyd E., 0042267.
Wirth, James W., 0040961.
Wise, John Q., 0041864.
Wiswall, Clifton E., 0041261.
Withrow, Stanton R., 0064547.
Wittbrodt, Glennon H., 0040456.
Wofford, James D., 0048843.
Woford, Charles B., 0041125.
Wolot, Willard E., 0024434.
Wolgemuth, Clarence E., 0041204.
Wolter, John E., 0019804.
Woods, Donald R., 0018591.
Woodward, Robert A., 0041528.
Woolley, Jed B., 0052585.
Word, Charles E., 0026497.
Workinger, William C., Jr., 0018593.
Worms, Delmar A., 0041544.
Worrall, Robert L., 0041307.
Worrell, William C., 0041865.
Worsley, Wion W., 0064566.
Wright, Robert C., 0024488.
Wright, Thomas B., 0060079.
Wronski, William R., 0064563.
Wroot, Wallace K., 0021563.
Wyman, Rankin D., 0041757.
Wynne, Hugh, 0018594.
Yary, William W., 0021806.
Yates, Bernard J., 0041389.
Yates, Murray M., 0040569.
Yopp, Ivan, 0064572.
Young, Braxton L., 0052708.
Young, Charles A., 0041338.
Young, Marvin, 0042188.
Young, Raymond D., 0041526.
Zebarth, Orrin G., 0041632.

XUM

Zimmer, Arnold E., 0042157.
Zimmer, Charles E., 0041962.
Zimmerman, Elsworth J., 0018595.

Chaplains

Ansted, Harry B., 0027662.
Bean, Curtis M., 0026752.
Beckley, Robert H., 0027663.
Brewer, Charles D., 0055147.
Davis, James W., 0064296.
Deming, Robert T., 0064294.
Eardley, Edward L., 0055137.
Eastland, James H., 0055139.
Ellis, Frederick J., Jr., 0048629.
Engstrom, Leonard M., 0055128.
Esch, George L., 0055144.
Fader, John J., 0048631.
Gallen, Francis H., 0064299.
Haney, Paul S., 0028156.
Harkness, Allen J., 0055149.
Hays, James L., 0055133.
Holland, Harvey C., 0055140.
Holler, Adlai C., Jr., 0027665.
Israel, Kenneth R., 0048628.
Jeffery, Francis E., 0026650.
Johnson, Mervin R., 0025735.
Johnston, Roy B., 0027664.
Kilde, Paul R., 0055142.
Lewis, Leroy H., 0048624.
Mann, Glenn M., 0055141.
Metsy, Norman G., 2253075.
Meyer, Daryl G., 0055136.
Monsen, Ralph R., 0028155.
Montgomery, William F., 0048625.
Moore, Robert M., 0032426.
Nelson, Elmore P., 0048623.
O'Brien, Joseph T., 2250873.
Pegues, David K., 0055148.
Poorman, J. W., 0064295.
Porter, Edwin A., 0055145.
Posey, Charles R., 0046627.
Powell, Omer T., 0064300.
Rowland, Wayne E., 0048622.
Schoewe, Theodore M., 0055135.
Smart, John L., 0064301.
Sundloff, Frederick D., 0032425.
Swaffar, Ersmond, 0048625.
Walters, Benjamin H., 0055122.
Webster, Stanley B., 0027666.
Williams. James L., 0055131.
Wojtanowski, Elmer J., 0055134.

DENTAL CORPS

Baker, Bill R., 0029656.
Dickman, Wilbur J., 0056158.
Hall, Gaylord L., 0027526.
Hanson, Harold O., 0029773.
Johnson, Carl E., 0029293.
Karr, Robert A., 0029867.
MacDonald, Charles I., 0032358.
Maybury, Joseph E., 0051006.
Muns, Herman R., 0029418.
Pedersen, Robert E., 0029419.
Quesinberry, Burleigh W., 0025734.
Rainey, Bernard L., 0032027.
Seamons, Dick C., 0032577.
Tindall, Leroy E., 0025718.
Wilson, Maurice R., Jr., 0029774.

MEDICAL CORPS

Amdall, Robert O., 0049666.
Antonelli, John H., 0076722.
Barrett, John A., Jr., 0026743.
Batson, Andrew P., 0029863.
Dean, Robert M., 0080968.
Earle, Jack L., 0027991.
Edwards, Robert H., 0029281.
Holt, Clinton L., 0027638.
Houle, Dudley B., 0026377.
Jarvie, Thomas A., 0027641.
Kent, James R., 0031913.
Lang, Robert H., 0026371.
Lindall, Dale R., 0027992.
Lumpkin, Lee R., 0032314.
Mahan, Frank L., 0026367.
McGuire, Terence F., 0032313.
McIver, Robert G., 0051326.
Michels, Max I., 0029478.
Moore, John A., 0026637.
Ohern, Thomas M., 0029477.
Redmond, William M., 0075753.
Rice, Donald E., 3001332.
Smith, Robert E., 0027633.
Sparks, John C., 0032316.
Stagg, Paul A., 0026638.
Swaim, Terry J., 0029411.
Taylor, Ellis R., 0027630.
Thorpe, James H., 0028134.
Vandenbos, Kermit O., 0026698.
Williams, Marion, J., 0028136.
Wing, Morgan E., 0029280.
Wolff, Richard C., 0027508.
Wolst, Mack D., Jr., 0076225.

NURSE CORPS

Cole, Margaret J., 0051370.
Combes, Mary A., 0025748.
Elser, Florence F., 0021887.
Garrecht, Claire M., 0051368.
Gerlack, Rachel M., 0054947.
Goodard, Mary A., 0029514.
Masten, Billye, 0062923.
Miedwig, Ruth C., 0027544.
Shiflett, Billie L., 0025750.
Wilson, Dorothy J., 0064243.

MEDICAL SERVICE CORPS

Ashlin, Clarence L., 0021642.
Boruff, Maryln W., 0021640.
Cox, Paul S., 0048997.
Frentress, Marvin I., 0049004.
George, John J., 0048996.
Harper, Oliver F., Jr., 0023237.
Kelley, Robert G., 0023227.
McCullough, Frederick, 0049002.
McHugh, Walter P., 0049000.
Sagner, Charles E., Jr., 0040434.
Short, Hassell, M., 0076261.

VETERINARY CORPS

Collins, Warren E., 0026647.
Hanson, Roland L., 0027531.
Massie, Erby L., 0027528.
Verplank, Maurice S., 0051121.

BIOMEDICAL SCIENCES CORPS

Davis, Irving, 0049006.
Fesenmyer, Mary K., 0049738.
Houpt, Frank R., 0076596.
Kislin, Benjamin, 0049903.
Moore, Carl B., 0049001.
Potts, Pauline, 0032472.
Schwartz, Norman H., 0076260.

Second lieutenant to first lieutenant

LINE

Abbes, Douglas C., 3190543.
Abbott, Wayne R., 3175822.
Abel, Raymond E., Jr., 3173987.
Abel, Thomas R., 3173774.
Abels, J. Arthur, 3177503.
Acher, Robert P., Jr., 3153492.
Adams. David J., 3190371.
Adams, Jim D., Jr., 3176358.
Adams, Walton F., Jr., 3176899.
Adler, John W., 3158690.
Ahern, John J., Jr., 3194909.
Ainsworth, James S., IV, 3194910.
Alber, Antone F., 3175709.
Albertson, Fred W., Jr., 3194911.
Alexander, John R., 3177688.
Allan, Douglas B., 3173860.
Allen, Jerrold P., 3194912.
Allen, John D., 3170875.
Allen, John J., 3194913.
Allen, Robert E., 3157719.
Allen, Stanley M., 3171581.
Allphin, Robert C., Jr., 3177621.
Almand, Larry M., 3194914.
Almquist, Tommy B., 3162187.
Amels, Bernard J., 3194915.
Amundson, Robert C., 3190406.
Andersen, Richard D., 3171441.
Andersen, Robert N., 3154088.
Anderson, James R., 3199016.
Anderson, John R., 3182638.
Anderson, John F., 3178852.
Anderson, Lynn R., 3190902.
Anderson, Martin G., 3183796.
Anderson, Parker J., 3194916.
Andrade, Martin G., 3194917.
Andrews, Franklin J., 3194918.
Andrews, Victor C., 3194940.
Andrlik, Jerry E., 3170533.
Anthony, Ron A., 3194921.
Aoki, Jerald K., 3189016.
Apgar, Robert C., 3194922.
Apple, Robert C., 3178703.
Arceneaux, Ronald J., 3150260.
Armentrout, Alden H., 3193425.
Ash, Robert K., Jr., 3171524.
Ashton, William B., 3194924.
Ast, Daniel A., 3150222.
Atchley, Lonnie S., 3189075.
Aten, Ronald B., 3192743.
Atkins, William D., Jr., 3148815.
Atkinson, David E., 3162790.
Aykroyd, Geoffrey B., 3194925.
Baarstad, Roger A., 3170703.
Badgwell, Don H., 3176410.
Bagley, Larry C., 3194926.
Bailey, Edward P., Jr., 3194919.
Baker, Bob L., 3192007.
Baker, Carl L., 3194927.
Baker, Joseph D., 3152377.
Baker, Robert W., 3183869.
Baldwin, Charles A., II, 3163122.
Baldy, Paul J., 3190318.
Ballester, Jon G., 3170980.
Bancale, Michael A., 3153241.
Bandy, John L., 3152668.
Bane, David C., Jr., 3179464.
Bangert, Robert W., Jr., 3171506.
Banmiller, Brian F., 3181848.
Barber, Raymond E., 3173011.
Barber, Thomas J., 3193381.
Barber, William D., 3158967.
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Stanfield, Harry T., 3174691.
Stanley, James M., 3189916.
Stanley, Rowland D., 3157807.
Stark, Howard S., 3152832.
Starke, Bruce F., 3149879.
Starnell, Peter J., 3172189.
Starr, Ronald L., 3177587.
Starr, William, 3177894.
Steadman, Eugene, Jr., 3176195.
Stecklein, Bernard, 3154050.
Steele, John R., 3195309.
Steele, Robert G., 3162069.
Stegeman, William M., 3152640.
Stegenga, Stuart, 3152087.
Stein, Paul E., 3195310.
Stengel, Joseph E., Jr., 3157744.
Stevens, Dale A., 3192120.
Steward, Donald E., 3195311.
Stewart, John W., 3153095.
Stierle, James E., 3195312.
Stirrat, Thomas M., 3195313.
Stites, Hugh D., 3179389.
Stith, John A., 3195314.
Stockamp, Torval A., 3190670.
Stockreiser, Emile J., 3152605.
Stokes, David R., 3154117.
Stokes, Ray K., 3183788.
Stokholm, Paul G., 3183789.
Stone, Rodney H., 3198554.
Stone, William M., 3195397.
Stopkotte, Jackie L., 3183833.
Strahl, Frederick R., 3191581.
Strickland, Daniel M., 3188965.
Strong, Frederick W., III, 3195315.
Strzemieczny, Alan L., 3195316.
Stuart, Bryan J., 3195317.
Stuart, William O., III, 3195320.
Studdard, Gary L., 3193201.
Suarez, Robert M., 3155456.
Sublett, Carlos G., 3198956.
Suerken, John F., 3191198.
Sugg, Joseph P., 3195319.
Sullivan, Edwin P., 3195321.
Sullivan, Lawrence G., 3199005.
Suro, George A., 3195382.
Sutherland, Mont E., 3195318.
Sutherland, Robert D., 3163208.
Sutherland, Robert B., 3195323.
Sutter, David L., 3158498.
Sutton, Stephen J., 3191124.
Sutton, William C., 3190603.
Svoboda, Joseph F., 3195324.
Swanson, John G., 3195326.
Swartz, Steven L., 3195327.
Swenson, Stanley B., 3177699.
Swisher, William S., 3179446.
Swope, James R., 3193034.
Sykes, Ronald D., 3175943.
Szczypien, John, Jr., 3190201.
Taffet, Morris R., 3174160.
Taiclet, Robert, 3178892.
Talbut, Michael J., 3160627.
Talcott, Ronald T., 3195328.
Tanner, Morris A., Jr., 3195329.
Tasker, Peter S., 3191125.
Tatum, Charles T., 3152942.
Tauzel, Franklyn, 3193754.
Taylor, Michael L., 3195331.
Taylor, Ulysses S., III, 3178452.
Taylor, Wade A., Jr., 3179517.
Teak, James W., 3170970.
Teetz, Connie O., 3195332.
Terrill, Richard J., 3149574.
Tesar, George K., 3158847.
Thames, James D., 3195333.
Thomas, Donald J., 3193605.
Thomas, Jerry F., 3162702.
Thompson, Albert T., 3176133.
Thompson, Donald Y., 3195334.
Thompson, James D., 3195325.
Thompson, Richard G., Jr., 3195330.
Thompson, Tommy G., 3195340.
Thoreson, Paul T., 3193809.
Thornton, Cyrl W., 3171320.
Thorsen, Tom S., 3183791.
Thurn, Warren E., 3183792.
Ticktin, Thomas L., 3154085.
Tilley, James W., II, 3195335.
Tingey, Thomas J., 3193345.
Titus, James R. W., 3181559.
Tolson, Billy E., 3198958.
Tomlin, Stephen L., 3189664.
Toney, David H., 3175183.
Toney, Virgil J., Jr., 3195336.
Tooley, Edward S., 3195337.
Toro, Bruce R., 3195338.
Towne, Geoffrey W., 3195339.
Tracy, Charles H., 3183884.
Traudt, Larry W., 3195341.
Trodden, Michael J., 3152294.
Tucker, Michael D., 3189366.
Tucker, Ronald R., 3159127.
Turk, Randall L., 3158653.
Turpen, Louis A., 3195342.
Tway, Duane C., Jr., 3195344.
Twigg, Robert H., 3173300.
Tyler, Paul E., 3183841.
Tymitz, George P., 3172197.
Uber, Jerald D., Jr., 3154040.
Uda, Robert T., 3161407.
Urner, Ronald M., 3195345.
Utley, James P., 3171075.
Vairo, Joseph M., 3190313.
Valido, John, 3179770.
Vandeputte, Gary G., 3177690.
Vandervoort, Stephen R., 3190970.
Vandongen, William O., 3173589.
Vanduyn, John E., Jr., 3195346.
Vangilder, Walter L., 3176241.
Vanvalin, Gary A., 3195347.
Varn, Dewey J., 3179859.
Varnadore, Henry C., III, 3177989.
Vaughan, Donald R., 3195348.
Veach, Charles L., 3195349.
Vercruyse, Roger J., 3153816.
Veve, Rafael A., 3192529.
Viertel, Walter K., Jr., 3152809.
Vincent, Halton R., 3195350.
Viney, Daniel C., 3198961.
Viotti, Paul R., 3195351.
Vivian, David J., 3177241.
Vogel, Carl J., 3195352.
Volin, David R., 3195353.
Voll, Richard A., 3195354.
Vondrak, Richard E., 3172088.
Voss, Charles B., 3177280.
Vraa, Ronald D., 3174902.
Wacker, William L., 3195355.
Wade, John L., 3183793.
Wade, Paul R., Jr., 3198962.
Wagner, Thomas M., 3152231.
Waldron, Allie L., 3162969.
Walker, Donald R., 3195356.

Walker, Robert A., 3195377.
Wallace, Lee E., 3191584.
Wallace, William C., Jr., 3195357.
Waller, James E., Jr., 3153719.
Walsh, John A., Jr., 3195358.
Walters, Neal R., 3199078.
Wammer, David H., 3173574.
Ward, David R., 3182394.
Ware, Gary R., 3153584.
Warfel, Joseph R., 3191358.
Warren, John A., Jr., 3179978.
Wasson, Donald L., 3181909.
Waters, Dudley F., 3172438.
Watson, Charles D., 3195359.
Watson, Frank D., 3193040.
Watson, Richard B., 3195161.
Wayman, Ira L., 3153310.
Webb, Henry D., Jr., 3193504.
Webb, James G., 3190672.
Webb, Thomas A., Jr., 3162734.
Weber, Harold W., 3152700.
Webster, James C., 3195360.
Weddle, Dennis R., 3134353.
Weed, Harold V., Jr., 3195361.
Weidman, James D., 3172288.
Weihe, Tyson E., 3195362.
Weinman, Arnold L., 3195363.
Dendrock, Robert F., 3190010.
Wernle, Charles F., II, 3189069.
Westbrooke, Durren L., 3183763.
Wetterling, Jerry D., 3172199.
Wetzel, Kenneth R., 3195364.
Wheeler, Michael D., 3195365.
Wheeler, Wayne B., 3189220.
Whipple, George N., 3171849.
White, Mark A., 3198975.
White, Michael H., 3198969.
White, William R., Jr., 3195366.
Whiteman, William S., 3154070.
Whiton, Roger C., 3190179.
Wideman, Terry R., 3171222.
Wiggins, Wallace L., 3154307.
Wilhite, Ronald B., 3159229.
Wilke, Carl E., Jr., 3191859.
Wilkinson, Charles D., 3195367.
Willett, David A., 3195368.
Willette, Edward D., 3183837.
Williams, Charles E., 3172970.
Williams, Lawrence R., 3158876.
Williams, Myron R., 3193891.
Williams, Roger, 3162673.
Williams, Tereld T., 3168998.
Williford, James V., 3195403.
Willis, Donald E., 3193892.
Willoughby, James S., 3160034.
Wilson, George E., III, 3154360.
Winn, Larry D., 3183857.
Winslow, Richard P., 3183794.
Winterberg, Ferris L., 3189510.
Winters, James J., 3189500.
Wise, Sidney J., 3195369.
Wiser, Gordon J., 3195398.
Withycombe, Frederick K., 3195370.
Woelz, Karl J., 3180047.
Woidtke, Roger W., 3172440.
Wolcutt, Kent E., 3191638.
Wolf, Patricia H., 3153471.
Wolfe, Alex V., 3191808.
Womack, Carl L., 3195372.
Wood, Dennis D., 3161334.
Wood, Kenneth C., Jr., 3195404.
Woodruff, John D., 3193202.
Woody, James R., 3195373.
Woody, John W., 3163414.
Woolace, James L., 3191586.
Work, Terrell W., 3195374.
Wormington, John R., 3195375.
Worthen, Russell F., 3190781.
Wright, George R., 3178295.
Wright, James C. W., 3192959.
Wright, John R., Jr., 3195376.
Wynne, Michael W., 3195399.
Ybarra, Dennis B., 3157747.
Yenzer, Dwight L., 3149901.
York, Alan D., 3171780.
Young, Douglas, 3154048.
Young, Reginald A., 3178458.
Young, Samuel E., Jr., 3178072.
Youngblood, Phillip L., 3180171.
Zambelli, Anthony C., 3195378.
Zeillmann, Raymond K., 3189864.
Zent, Llewellyn, II, 3195379.
Zielinski, Stanley J., Jr., 3153122.
Zomnir, Paul A., 3195380.

NURSE CORPS

Bennett, Bettye J., 3200536.
Ford, Pamela S., 3185084.
Haughey, Susan R., 3200840.
Lichtenwalner, Ann D., 3199437.
Maier, Janet T., 3189951.
Oxenham, Mary A., 3200662.
Pearce, Hilda G., 3187661.
Rinne, Michael S., 3201019.
Shaver, Barbara Ann, 3186085.
Whitcomb, Elizabeth J., 3199209.

MEDICAL SERVICE CORPS

Arnold, Colin B., 3194923.
Bateman, Val J., 3176834.
Bates, Thomas G., 3170981.
Bloomquist, Carroll R., 3172653.
Bristow, Charles L., 3161347.
Brown, Charles W., III, 3199417.
Chappelle, Ray J., Jr., 3176425.
Christiana, Ronald W., 3183714.
Collins, Ben A., 3185051.
Copeland, Billy M., 3184611.
Dematte, Eugene M., 3195006.
Dick, William W., 3177117.
Dikes, James E., 3172982.
Driver, David C., 3161358.
Elliott, David J., 3185344.
Forister, Thomas C., 3177324.
Garcia, Joe, 3199508.
Harrison, James T., 3175830.
Hodgerland, David L., 3195101.
Janco, Robert L., 3195113.
Kaigler, James S., 3173714.
Knauss, Albert C., 3185234.
Knight, Jimmy M., 3199584.
Koliner, Charles M., 3195134.
Leyba, Guillermo, 3185713.
Lindsey, Garold D., 3172900.
McCausland, Orrin J., 3173595.
McMullen, Malcolm, 3200361.
McNamee, Peter M., 3192096.
Morgan, Howard W., Jr., 3195202.
Petermann, Mark H., 3176964.
Phill, Charles Michael, 3186958.
Raynor, Richard R., 3200529.
Sanderson, John N., 3195276.
Seith, William F., Jr., 3195396.
Shepler, Thomas R., 3195293.
Wilson, Ira D., 3181043.
Zahradka, James F., 3177284.

BIOMEDICAL SCIENCES CORPS

Adams, Ernest D., Jr., 3170531.
Aumueller, Robert J., 3174522.
Bittrick, Richard W., 3192293.
Bowen, Victor G., 3183877.
Brannon, Larry D., 3185711.
Campbell, James M., 3183709.
Cardosa, Albert J., 3183710.
Clegern, Robert W., 3171480.
Cobb, Russell V., III, 3190490.
Gibson, Sidney C., 3183807.
Hughes, Robert O., 3183817.
Kaylin, Bernice M., 3185192.
Kilian, John P., 3172804.
Ladd, Sheldon L., 3133376.
McConnell, Ann W., 3200279.
McLean, Jerry A., 3185048.
Meyer, Barbara A., 3184781.
Tremblay, James W., 3196960.
Wood, David G., 3189862.

Executive nominations received by the Senate May 20, 1969:

Federal Power Commission

John N. Nassikas, of New Hampshire, to be a Member of the Federal Power Commission for the remainder of the term expiring June 22, 1970, vice Lee C. White.

Agency for International Development

Lane Dwinell, of New Hampshire, to be an Assistant Administrator of the Agency for International Development.

Board of Parole

William E. Amos, of Maryland, to be a Member of the Board of Parole for the term expiring September 30, 1974, vice Homer L. Benson.

U.S. Attorney

Wade H. Ballard III, of West Virginia, to be U.S. attorney for the southern district of West Virginia for the term of 4 years, vice Milton J. Ferguson.

U.S. Marshal

Harold S. Fountain, of Alabama, to be U.S. marshal for the southern district of Alabama for the term of 4 years, vice George M. Stuart.

George L. Tennyson, of South Dakota, to be U.S. marshal for the district of South Dakota for the term of 4 years, vice Leonard T. Heckathorn.

In the Army

The following-named officer under the provisions of title 10, United States Code, section 3066, to be assigned to a position of importance and responsibility designated by the President under subsection (a) of section 3066, in grade as follows:

To be lieutenant general

Maj. Gen. Patrick Francis Cassidy, O32809, Army of the United States (brigadier general, U.S. Army).

CONFIRMATIONS

Executive nominations confirmed by the Senate May 20, 1969:

Department of Defense

Daniel Z. Henkin, of Maryland, to be an Assistant Secretary of Defense.

U.S. Army

Gen. Theodore John Conway, O19015, Army of the United States (major general, U.S. Army), to be placed on the retired list in the grade of general, under the provisions of title 10, United States Code, section 3962.

The following-named officers, under the provisions of title 10, United States Code, section 3066, to be assigned to positions of importance and responsibility designated by the President under subsection (a) of section 3066, in grades as follows:

Lt. Gen. John Lathrop Throckmorton, O19732, Army of the United States (major general, U.S. Army), to be general.

Maj. Gen. Melvin Zais, O33471, Army of the United States (brigadier general, U.S. Army), to be lieutenant general.

U.S. Mint at Philadelphia

Nicholas G. Theodore, of Pennsylvania, to be Superintendent of the Mint of the United States at Philadelphia.

Export-Import Bank of the United States

R. Alex McCullough, of South Carolina, to be a member of the Board of Directors of the Export-Import Bank of the United States.

Federal Home Loan Bank Board

Carl O. Kamp, Jr., of Missouri, to be a member of the Federal Home Loan Bank Board for the remainder of the term expiring June 30, 1971.

Upper Great Lakes Regional Commission

Alfred E. France, of Minnesota, to be Federal cochairman of the Upper Great Lakes Regional Commission.

In the Army

The nominations beginning Donald W. McAvoy, to be colonel, and ending Francis N. Yokoi, to be captain, which nominations were received by the Senate and appeared in the Congressional Record on May 7, 1969; and

The nominations beginning David M. Schofield, to be second lieutenant and ending Norris W. Whitlock, to be second lieutenant, which nominations were received by the Senate and appeared in the Congressional Record on May 7, 1969.

HOUSE OF REPRESENTATIVES—*Tuesday, May 20, 1969*

The House met at 12 o'clock noon.

Rev. Danny Cottrell, Church of Christ, West Memphis, Ark., offered the following prayer:

Holy God, our Father, Creator of heaven and earth, we thank Thee for this day of life and the blessings thereof. We pause to pay homage and praise to Thy holy and righteous name. We ask Thy guidance upon the deliberations of this great body of Representatives. We pray Thy blessings upon all those who lead in the affairs of our Nation. During this time of international crises and internal turmoil, may we find the solution to our problems through the guidance of Thy word. Through Thy divine direction, may this Nation return to righteousness. We pray for a rededication to the basic principles upon which this great Nation was founded. And above all, help each of us, from the smallest to the greatest, to learn to rest our faith in Thee, the true and the living God.

For this is our prayer, in Jesus' name. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Leonard, one of his secretaries.

RESIGNATION FROM THE CANADA-UNITED STATES INTERPARLIAMENTARY GROUP

The **SPEAKER** laid before the House the following resignation from the Canada-United States Interparliamentary Group:

MAY 6, 1969.

Hon. JOHN W. McCORMACK,
Speaker of the House,
House of Representatives,
Washington, D.C.

DEAR MR. SPEAKER: It is with much regret that I must advise you of my necessity to resign from the Canada-U.S. Interparliamentary Group. I understand this conference will take place in Canada from June 3 to June 8, and in checking my schedule for this time I find I have already accepted an invitation to address the graduating class of the Dunbar High School in my district.

This is an invitation which was extended and accepted last November, and it would cause serious difficulties if the date were to be altered or my presence canceled. Therefore, I thought it best that I disassociate myself from the Group in view of these circumstances.

Yours sincerely,

JOHN M. SLACK.

The **SPEAKER**. Without objection, the resignation will be accepted.

There was no objection.

APPOINTMENT AS MEMBER OF THE U.S. DELEGATION OF THE CANADA-UNITED STATES INTERPARLIAMENTARY GROUP

The **SPEAKER**. Pursuant to the provisions of section 1, Public Law 86-42, the Chair appoints as a member of the U.S. delegation of the Canada-United States Interparliamentary Group the gentleman from Maine, Mr. KYROS, to fill the existing vacancy thereon.

GUEST CHAPLAIN, DANNY COTTRELL

(Mr. ALEXANDER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ALEXANDER. Mr. Speaker, it is a real privilege for us to have a young minister from my home district with us today to offer our opening prayer.

Danny Cottrell is minister of the Church of Christ in West Memphis. At 29, he has already distinguished himself in several areas, having been recognized for his writing, speaking, and spiritual leadership. Just last year he was a winner of a Freedom Foundation Award for public address.

We in Congress are acutely aware that many of our problems can be solved only in the hearts and minds of our people, not by legislation. It is the dedication and leadership such as Mr. Cottrell is giving in eastern Arkansas that gives me cause for optimism as we face these troubled times.

I am proud to represent Mr. Cottrell and am proud to introduce him to my colleagues here today. It is my hope that we can have him lead us in prayer again in the future.

POLITICAL JOBS

(Mr. HAYS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HAYS. Mr. Speaker, I have here a piece from the ticker which I would like to call to the attention of that assiduous watchdog of superfluous supergrades, the gentleman from Iowa (Mr. GROSS). This article on the ticker just in reads as follows:

POLITICAL JOBS

(By H. L. Schwartz III)

WASHINGTON.—While the Nixon Administration talks about taking politics out of the Post Office, more and more jobs are being created in other departments that could be used for patronage.

In the past month, the Agriculture Department has gotten authority to create 20 new positions in the Farmers Home Administration.

A department official said frankly the jobs are of "political interest."

"We wanted them available but we don't have any plans right now to fill them," he said.

Most other Cabinet members have asked for and received Civil Service Commission authority to create new jobs with fat paychecks that can be filled at the Secretary's whim. . . .

The jobs in question fall under two categories known as schedule C and noncareer executive assignments or NEA.

NEA posts cover the so-called supergrades in the general schedule or GS scale and carry salaries between $20,000 and $30,000. . . .

Housing and Urban Development said its NEA and schedule C positions have increased from 86 to 95 and it wants six more.

Health, Education and Welfare had 84 positions, now has 95 and is asking for more but won't say how many.

Transportation, which got authority to create five new jobs, was the only other agency queried that declined to say how many more it was seeking.

The Justice Department had 53 positions before inauguration, now has 60 and wants another.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. HAYS. I am glad to yield to the gentleman.

Mr. GROSS. I am glad that the gentleman called my attention to this matter. The Johnson administration last year asked, as I remember it, for about 450 more supergrades. This administration is presently asking for 150 additional supergrades.

Mr. HAYS. That is in addition to the 450.

Mr. GROSS. No, no; 150 supergrades.

Mr. HAYS. The gentleman raised a big fuss about the supergrades last year. How does he feel about them this year?

Mr. GROSS. The gentleman from Iowa will look very carefully at the request for even 150. He opposed the 450 request last year.

Mr. HAYS. I want to stop this 150, and then we will be even—right where we started.

PERMISSION FOR SUBCOMMITTEE ON TRANSPORTATION AND AERONAUTICS, COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE, TO SIT DURING GENERAL DEBATE TODAY

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the Subcommittee on Transportation and Aeronautics of the Committee on Interstate and Foreign Commerce may be permitted to sit during general debate today.

The **SPEAKER**. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

PERMISSION FOR SUBCOMMITTEE ON COMMUNICATIONS AND POWER, COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE TO SIT DURING GENERAL DEBATE TODAY

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the Subcommittee on Communications and Power of the Committee on Interstate and Foreign Commerce may be permitted to sit during general debate today.

The **SPEAKER**. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

VIETNAM—WITHDRAWAL OF AMERICAN TROOPS

(Mr. GILBERT asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. GILBERT. Mr. Speaker, the Congress and the American people have, I believe, been generous with President Nixon. He was elected to office on a pledge to bring us peace. It was a pledge that exceeded all others in its importance and its appeal. He even promised the revelation of a secret plan for achieving peace. But, in his recent speech on Vietnam, he has offered us nothing but a modest modification of the program that failed President Johnson and the American people so grievously in the effort to extricate us from the war. It is small wonder that we are disappointed.

My purpose, however, is not to criticize the President, Mr. Speaker; that is a sterile exercise. My concern, rather, is for our country and for the men who are giving their lives every day to a cause that does not justify their blood.

Mr. Nixon says he is seeking a peace "we can be proud of." I am not sure what he means. But I am convinced that the act of which we as a people would be most proud, now and in the future, is the declaration that we will undertake no further offensive action in Vietnam and will begin withdrawing our troops at once. With that objective in mind, Mr. Speaker, I join a group of my colleagues in the introduction of House Concurrent Resolution 256, which declares that—

> It is the sense of Congress that the President should call for an immediate cease-fire and should direct an immediate unconditional withdrawal of one hundred thousand United States troops from Vietnam.

SOUTH FLORIDA MIGRANT LEGAL SERVICES PROGRAM, INC., RECOMMENDED FOR RE-FUNDING BY OEO

(Mr. FASCELL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. FASCELL. Mr. Speaker, yesterday I was advised that the Office of Economic Opportunity, after evaluating the work of the South Florida Migrant Legal Services Program, Inc., over the last 2 years, has recommended that this program be re-funded in fiscal year 1970.

I concur wholeheartedly with these findings and urge support of this program so that it can continue to provide desperately needed legal services to migrants in a six-county area of south Florida.

The evaluators have said:

> The program has reached the people in the camps, has won their confidence and has achieved formidably in their behalf, perhaps most notably in obtaining, in settlement of a law suit against American Foods, the only migrant labor bargaining agreement within recall of Florida memory. This view is shared by a number of non-migrants interviewed, including non-project lawyers.

I can think of no higher praise than this for a program which is specifically designed to help the poor—both migrant and nonmigrant—who are perhaps the least well represented group in our Nation.

Mr. Speaker, there has been some controversy over this program, primarily due to a lack of communication between different elements of the six-county area. However, as the evaluation report notes in its conclusion—

> The abuse this program has taken publicly is remarkably disproportionate to the actual evidence of wrongdoing which can be produced against it.

The evaluation team did take note of some inadequacies in the program and made recommendations to correct them. However, its overall determination is that it is a good program which should be continued. I am delighted with these findings and join in the recommendation that the program be re-funded.

REPUBLICANS PRAISE PRESIDENT'S NUTRITION PROGRAM

(Mr. MORTON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MORTON. Mr. Speaker, 64 of our colleagues join with me today in expressing heartfelt appreciation of the leadership President Nixon has given congressional efforts to banish hunger from our land.

In the last two sessions, congressional initiative has scored gains. Yet, as it must be under our system, meaningful programs to eliminate hunger and malnutrition had to await the comprehensive action available only to a President.

The national nutrition program proclaimed by Mr. Nixon in his message on May 6, 1969, is a major social breakthrough directed at a root cause of poverty in America.

Personally, and in the name of those in need, I pay tribute to the new leadership which offers realistic proposals to resolve contemporary social problems.

SUPPORT FOR THE PRESIDENT'S NATIONAL NUTRITION PROGRAM

(Mr. ANDREWS of North Dakota asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ANDREWS of North Dakota. Mr. Speaker, I am pleased to join with my colleagues in calling attention to and expressing support for the President's national nutrition program.

Coming from the most agricultural State of the Union, I feel I can speak on behalf of the great farmers of this country who are willing to provide the foodstuffs necessary to feed the vast number of hungry persons in this Nation.

Throughout the history of the United States, the farmers of this Nation have, without fanfare, provided food to support a vast majority of our people. And now I am confident our farmers are ready, willing, and anxious to grow the food necessary to provide a nutritious diet for all our citizens.

The problem of hunger must be approached immediately to eliminate this blight from our country.

President Nixon's proposal provides the leadership to get to the root of the problem.

The President has laid the groundwork. It is now our duty to join the campaign.

THE NATIONAL NUTRITION PROGRAM

(Mr. SHRIVER asked and was given permission to address the House for 1 minute.)

Mr. SHRIVER. Mr. Speaker, last week President Nixon sent to Congress a proposal for a comprehensive program to combat the problem of hunger wherever it exists in this country.

About a year ago I sponsored legislation in the House—H.R. 17611—which would have established a bipartisan commission with the responsibility of evaluating the problem of hunger and recommend remedial action.

Unfortunately, when the executive branch failed to support this measure, the Commission was not authorized.

Now the President has provided the leadership we sought last year to get to the root of the problem of hunger. He has mobilized the resources of the Federal Government to accomplish the objectives we sought a year ago.

I am pleased to join in this statement of support for the initiatives which the President has taken in meeting the needs of several million forgotten Americans.

CALL OF THE HOUSE

Mr. DERWINSKI. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 56]

Adair
Ashbrook
Ashley
Baring
Barrett
Bates
Biaggi
Biester
Blanton
Blatnik
Brock
Broomfield
Buchanan
Burlison, Mo.
Bush
Byrne, Pa.
Cahill
Carey
Chisholm
Clark
Coughlin
Cowger
Culver
Davis, Ga.
Dawson
Delaney
Dent
Dwyer
Eckhardt
Edwards, La.
Eilberg
Esch
Ford, William D.
Frey
Fulton, Tenn.
Gallagher
Garmatz
Gaydos
Gray
Green, Pa.
Hall
Hastings
Hébert
Helstoski
Hicks
Hogan
Howard
Hungate
Jacobs
Kee
King
Kirwan
Kuykendall
Lowenstein
Lujan
Lukens
McClory
McCloskey
McCulloch
McKneally
Mayne
Minshall
Mizell
Mollohan
Moorhead
Morgan
Morse
Murphy, Ill.
Murphy, N.Y.
Myers
Nichols
Nix
O'Hara
Ottinger
Pelly
Pettis
Pollock
Powell
Pryor, Ark.
Pucinski
Railsback
Reifel
Riegle
Rodino
Ronan
Rooney, Pa.
Rostenkowski
Rumsfeld
Ruppe
St Germain
St. Onge
Sandman
Scheuer
Schwengel
Shipley
Skubitz
Smith, N.Y.
Steed
Steiger, Wis.
Stuckey
Talcott
Thompson, N.J.
Tunney
Waggonner
Watkins
Weicker
Whitehurst
Wilson, Bob
Wydler
Yates
Yatron
Zablocki

The SPEAKER. On this rollcall 322 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

PERMISSION FOR COMMITTEE ON RULES TO FILE CERTAIN PRIVILEGED REPORTS

Mr. COLMER. Mr. Speaker, I ask unanimous consent that the Committee on Rules may have until midnight tonight to file certain privileged reports.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

PERMISSION FOR SPECIAL SUBCOMMITTEE ON EDUCATION, COMMITTEE ON EDUCATION AND LABOR, TO SIT DURING GENERAL DEBATE TODAY

Mrs. GREEN of Oregon. Mr. Speaker, I ask unanimous consent that the Special Subcommittee on Education be permitted to sit this afternoon during general debate.

The SPEAKER. Is there objection to the request of the gentlewoman from Oregon?

There was no objection.

HELEN KELLER MEMORIAL WEEK

Mr. ROGERS of Colorado. Mr. Speaker, I ask unanimous consent for the immediate consideration of the Senate joint resolution (S.J. Res. 99) to authorize the President to issue annually a proclamation designating the first week in June of each year as "Helen Keller Memorial Week."

The Clerk read the title of the Senate joint resolution.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

The Clerk read the Senate joint resolution, as follows:

S.J. Res. 99

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That, in recognition of Helen Keller's outstanding contribution to the education, welfare, and rehabilitation of blind and deaf persons throughout the world, the President is authorized and requested to issue annually a proclamation designating the first week in June as "Helen Keller Memorial Week", calling upon the people of the United States to observe such week with appropriate ceremonies and activities.

AMENDMENT OFFERED BY MR. ROGERS OF COLORADO

Mr. ROGERS of Colorado. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ROGERS of Colorado: On page 1, line 6, after the word "issue" strike out the word "annually".

On page 1, line 7, after the word "June" insert "of 1969".

The amendment was agreed to.

The Senate joint resolution was ordered to be read a third time, was read the third time, and passed.

The title was amended so as to read: "To authorize the President to issue a proclamation designating the first week in June of 1969 as 'Helen Keller Memorial Week'."

A motion to reconsider was laid on the table.

PRODUCE THE TAX REFORM PACKAGE

(Mr. VANIK asked and was given permission to address the House for 1 minute, to revise and extend his remarks and to include extraneous matter.)

Mr. VANIK. Mr. Speaker, almost every Member of this body has spoken of the tremendous urgency for tax reform and tax relief reported from every section of America.

I continue to be amazed that the administration feels it can defer meaningful, revenue-raising tax reform until next year. Further study is not an acceptable substitute for action.

What is the administration position on depletion, capital gains and production payments? What will the administration learn in November that is not known now?

The urgency of these times must be utilized to produce the tax reform package for which America has waited a long time.

PERMISSION FOR SUBCOMMITTEE ON NATIONAL PARKS AND RECREATION TO SIT DURING GENERAL DEBATE TODAY

Mr. TAYLOR. Mr. Speaker, I ask unanimous consent that the Subcommittee on National Parks and Recreation of the Committee on Interior and Insular Affairs may be permitted to sit during general debate today.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER laid before the House the following communication from the Clerk of the House of Representatives:

MAY 19, 1969.

The SPEAKER,
U.S. House of Representatives.

DEAR SIR: I have the honor to transmit herewith a sealed envelope addressed to the Speaker of the House of Representatives from the President of the United States, received in the Clerk's Office at 3:05 p.m., on Monday, May 19, 1969, and said to contain a Message from the President wherein he transmits to the Congress the Fourteenth Annual Report of the Board of Actuaries for the Calendar Year 1967.

With kind regards, I am
Sincerely,
W. PAT JENNINGS,
Clerk, U.S. House of Representatives.

FOURTEENTH ANNUAL REPORT OF THE BOARD OF ACTUARIES—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Armed Services:

To the Congress of the United States:

Pursuant to Section 1444(b), title 10, United States Code, transmitted herewith is the Fourteenth Annual Report of the Board of Actuaries for the Retired Serviceman's Family Protection Plan, covering the administration of the Plan for Calendar Year 1967.

The Plan, inaugurated in November 1953, provides that members of the uniformed services may elect reduced retired pay during their lifetime in order to provide survivor annuities for their widows and children. The basic principle underlying the Plan is that reductions in retired pay shall be computed by the actuarially-equivalent method using actuarial tables selected by the Board. Thus, the Plan is to be self-supporting, imposing no added cost to the Federal Government, beyond administrative costs.

RICHARD NIXON.

THE WHITE HOUSE, *May 19, 1969.*

FIRST ANNUAL REPORT ON THE NATURAL GAS PIPELINE SAFETY ACT OF 1968—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER laid before the House the following message from the President of the United States, which was read, and, together with accompanying papers, referred to the Committee on Interstate and Foreign Commerce.

To the Congress of the United States:

I am pleased to transmit the first Annual Report on the Natural Gas Pipeline Safety Act of 1968. This report covers the period from August 12, 1968, thru December 31, 1968.

RICHARD NIXON.

THE WHITE HOUSE, *May 20, 1969.*

PRIVATE CALENDAR

The SPEAKER. This is Private Calendar day. The Clerk will call the first individual bill on the Private Calendar.

MUTUAL BENEFIT FOUNDATION

The Clerk called the bill (H.R. 2214) for the relief of the Mutual Benefit Foundation.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. HUNT and Mr. BROWN of Ohio objected, and, under the rule, the bill was recommitted to the Committee on the Judiciary.

FRANK KLEINERMAN

The Clerk called the bill (H.R. 3377) for the relief of Frank Kleinerman.

Mr. HUNT. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

PEDRO IRIZARRY GUIDO

The Clerk called the bill (H.R. 5000) for the relief of Pedro Irizarry Guido.

Mr. HUNT. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to

the request of the gentleman from New Jersey?

There was no objection.

REDDICK B. STILL, JR., AND RICHARD CARPENTER

The Clerk called the bill (H.R. 6400) for the relief of Reddick B. Still, Jr., and Richard Carpenter.

There being no objection, the Clerk read the bill, as follows:

H.R. 6400

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $17,318.90 to Reddick B. Still, Junior, of Spartanburg, South Carolina, and Richard Carpenter of Greenville, South Carolina, in full settlement of their claims against the United States for services rendered the Post Office Department in obtaining options on land within the city of Spartanburg, South Carolina, in connection with the relocation of the main post office in that city for which they were never compensated because the Government elected to condemn the land upon which the options to purchase had been secured. No part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

NOEL S. MARSTON

The Clerk called the bill (H.R. 6378) for the relief of Noel S. Marston.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. HUNT and Mr. BROWN of Ohio objected, and, under the rule the bill was recommitted to the Committee on the Judiciary.

JOHN VINCENT AMIRAULT

The Clerk called the bill (H.R. 2552) for the relief of John Vincent Amirault.

Mr. HUNT. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

MARIA CAMILLA GIULIANI NIRO

The Clerk called the bill (H.R. 5615) for the relief of Maria Camilla Giuliani Niro.

There being no objection, the Clerk read the bill, as follows:

H.R. 5615

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of the Immigration and Nationality Act, the provisions of section 312(1) of that Act shall be inapplicable in the case of Mrs. Maria Camilla Giuliani Niro.

With the following committee amendment:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That, the provisions of section 316(a) of the Immigration and Nationality Act as they relate to residence and physical presence requirements for naturalization, shall be inapplicable in the case of Maria Camilla Giuliani Niro."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

REFERENCE OF H.R. 1691—JESUS J. RODRIGUEZ

The Clerk called the resolution (H. Res. 86) referring the bill (H.R. 1691) to the Chief Commissioner of the Court of Claims.

Mr. HUNT. Mr. Speaker, I ask unanimous consent that this resolution be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

EAGLE LAKE TIMBER CO., A PARTNERSHIP, OF SUSANVILLE, CALIF.

The Clerk called the bill (H.R. 1749) for the relief of Eagle Lake Timber Co., a partnership, of Susanville, Calif.

There being no objection, the Clerk read the bill, as follows:

H.R. 1749

Be it enacted by the Senate and House of Representatatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay out of any money in the Treasury not otherwise appropriated, to Eagle Lake Timber Company, a partnership comprised of M. W. Crook, John B. Crook, R. H. Emmerson, and A. A. Emmerson, of Susanville, California, the sum of $43,690, in full satisfaction of all claims of the said Eagle Lake Timber Company against the United States for compensation for losses incurred in connection with the performance of a timber sale contract (dated May 25, 1964, Numbered 11-150) between the said Eagle Lake Timber Company and the Forest Service, Department of Agriculture, the said Eagle Lake Timber Company having failed, under the provision of the contract for amortizing road costs, to recover a substantial portion of the road construction cost incurred before the contract was terminated by mutual consent of the parties thereto.

SEC. 3. No part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this section shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CAPT. JOHN W. BOOTH III

The Clerk called the bill (H.R. 1808) for the relief of Capt. John W. Booth III.

Mr. HUNT. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

MRS. BEATRICE JAFFE

The Clerk called the bill (H.R. 1865) for the relief of Mrs. Beatrice Jaffe.

Mr. GROSS. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

CERTAIN CIVILIAN EMPLOYEES PAID BY THE AIR FORCE AT TACHIKAWA AIR BASE, JAPAN

The Clerk called the bill (H.R. 2238) to provide for the relief of certain civilian employees of the Air Force.

There being no objection, the Clerk read the bill, as follows:

H.R. 2238

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That any person who was a civilian employee of the Air Force at Tachikawa Air Force Base, Japan, during the period beginning on April 2, 1961, and ending on April 13, 1963, and who was promoted during that period and erroneously granted an increased living quarters allowance although his actual housing expenses were substantially well covered by the living quarters allowance applicable to him before that promotion, is relieved of all liability to refund to the United States the amounts, which were otherwise correct, received by him as a resut of this erroneous increase in his living quarters allowance. Any person who has made a repayment to the United States of any amount paid to him as a result of an erroneous increase in living quarters allowance covered by this section is entitled to have refunded to him the amount repaid.

SEC. 2. In the audit and settlement of the accounts of any certifying or disbursing officer of the United States, credit shall be given for the amount for which liability is relieved by this Act.

SEC. 3. Appropriations available to the Department of the Air Force for the pay and allowances of civilian personnel are available for refunds under this Act.

With the following committee amendment:

On page 1, lines 3 and 4, strike "of the Air Force at Tachikawa Air Force Base," and insert "paid by the Air Force Accounting and Finance Officer at Tachikawa Air Base,".

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended so as to read: "A bill to provide for the relief of certain civilian employees paid by the Air Force at Tachikawa Air Base, Japan."

A motion to reconsider was laid on the table.

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MRS. AILI KALLIO

The Clerk called the bill (H.R. 1999) for the relief of Mrs. Aili Kallio.

Mr. **EDMONDSON**. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The **SPEAKER**. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

MRS. EZRA L. CROSS

The Clerk called the bill (H.R. 4744) for the relief of Mrs. Ezra L. Cross.

Mr. **EDMONDSON**. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The **SPEAKER**. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

COMDR. EDWIN J. SABEC, U.S. NAVY

The Clerk called the bill (H.R. 5419) to provide relief for Comdr. Edwin J. Sabec, U.S. Navy.

Mr. **HUNT**. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The **SPEAKER**. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

ALFRED LORMAN

The Clerk called the bill (H.R. 3006) to fix date of citizenship of Alfred Lorman for purposes of War Claims Act of 1948.

Mr. **HUNT**. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The **SPEAKER**. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

AMALIA P. MONTERO

The Clerk called the bill (H.R. 6375) for the relief of Amalia P. Montero.

Mr. **HUNT**. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The **SPEAKER**. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

LT. COL. EARL SPOFFORD BROWN

The Clerk called the bill (H.R. 6377) for the relief of Lt. Col. Earl Spofford Brown, U.S. Army Reserve, retired.

Mr. **HUNT**. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The **SPEAKER**. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

BERNARD A. HEDGEMANN

The Clerk called the bill (H.R. 6581) for the relief of Bernard A. Hegemann.

There being no objection, the Clerk read the bill, as follows:

H.R. 6581

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the legal guardian of Bernard A. Hegemann, incompetent, Beatrice, Nebraska, son of the late Bernard Anthony Hegemann, Senior (Veterans' Administration claim numbered XC 02097952), the amount which the Administrator of Veterans' Affairs certifies to him that would have been payable for said son of the veteran as death pension for the period prior to September 11, 1967, if application therefor had been filed within one year from May 19, 1965. No part of the amount appropriated in this Act for the payment of any claim in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with such claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MAJ. CLYDE NICHOLS

The Clerk called the bill (H.R. 6850) for the relief of Maj. Clyde Nichols, retired.

Mr. **HUNT**. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The **SPEAKER**. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

ANTHONY SMILKO

The Clerk called the bill (H.R. 8136) for the relief of Anthony Smilko.

There being no objection, the Clerk read the bill, as follows:

H.R. 8136

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of the annual leave account of Anthony Smilko, of Milwaukee, Wisconsin, an employee of the General Services Administration, there shall be added a separate account of three hundred and twenty-one hours of annual leave, in full settlement of claims of the said Anthony Smilko against the United States for compensation for the loss of such leave which was earned by him during the period beginning April 1959, and ending December 1965, inclusive, which, through administrative error, was not credited to his leave account.

Sec. 2. Section 6304 of title 5 of the United States Code shall not apply with respect to the leave granted by this Act, and such leave shall not affect the use or accumulation, pursuant to applicable law, of other annual leave earned by the said Anthony Smilko. None of the leave granted by this Act shall be settled by means of a cash payment in the event such leave or part thereof remains unused at the time the said Anthony Smilko is separated by death or otherwise from the Federal service.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CLIFFORD L. PETTY

The Clerk called the bill (H.R. 9088) for the relief of Clifford L. Petty.

There being no objection, the Clerk read the bill, as follows:

H.R. 9088

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) Clifford L. Petty of Seattle, Washington, a former member of the United States Navy, is hereby relieved of liability to the United States in the sum of $588.50 representing amounts paid him as extrahazardous diving pay at the rate of $5.50 an hour for dives performed in August, September, and October 1959, as a member of a Navy underwater demolition team in connection with a series of special dives near Wake Island. In the audit and settlement of the accounts of any certifying or disbursing officer of the United States, credit shall be given for the amount for which liability is relieved by this Act.

(b) The Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Clifford L. Petty, an amount equal to the aggregate of any amounts paid by him or withheld from sums otherwise due him by reason of the liability referred to in this Act. No part of the amount appropriated in this section in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JACK W. HERBSTREIT

The Clerk called the bill (H.R. 10149) for the relief of Jack W. Herbstreit.

There being no objection, the Clerk read the bill, as follows:

H.R. 10149

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of employee rights and entitlements conferred by or pursuant to subchapter IV of chapter 35, title 5 of the United States Code, the three-year limitation imposed therein or pursuant thereto shall be waived with respect to Jack W. Herbstreit, and such employee rights and entitlements shall be extended (1) until the expiration of his current term as an elected official of the International Telecommunications Union or until he ceases to serve in that capacity, whichever first occurs, and (2) for such additional periods following his separation and application for reemployment as are specified in said subchapter or regulations pursuant thereto. However, service as such an official is not creditable service for the purpose of the civil service retirement system if such service forms the basis, in whole or in part, for an annuity or pension under the retirement system for the International Telecommunications Union.

The bill was ordered to be engrossed and read a third time, was read the third

XUM

time, and passed, and a motion to reconsider was laid on the table.

FRANCES VON WEDEL

The Clerk called the bill (H.R. 10153) for the relief of Frances von Wedel.

There being no objection, the Clerk read the bill, as follows:

H.R. 10153

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of the net proceeds of interest representing vested property held in the United States Treasury, the sum of $34,625.11 to Frances von Wedel, of Staten Island, New York, in accordance with the opinion rendered in the congressional reference case, Frances von Wedel versus the United States, numbered 1–67, filed on January 6, 1969, by the Chief Commissioner of the Court of Claims. The amount stated in this Act is to be paid to the said Frances von Wedel in full settlement of her claims against the United States for the return of money and proceeds of securities vested in and transferred to the Attorney General of the United States pursuant to vesting order numbered 10108 dated November 13, 1947, issued under the authority of the Trading With the Enemy Act, as amended.

No part of the amount appropriated in this Act in excess of 20 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

On page 1, line 6, strike "$34,625.11" and insert "$35,625.11".

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. BOLAND. Mr. Speaker, I ask unanimous consent that the further call of the Private Calendar be dispensed with at this time.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

PFC. JOSEPH ANTHONY SNITKO

Mr. FEIGHAN. Mr. Speaker, I ask unanimous consent for the immediate consideration of Private Calendar No. 75, H.R. 1948, to confer U.S. citizenship posthumously upon Pfc. Joseph Anthony Snitko.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

The Clerk read the bill, as follows:

H.R. 1948

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Private First Class Joseph Anthony Snitko, a native of Poland, who served honorably in the United States Army from September 11, 1967, until his death on June 13, 1968, shall be held and considered to have been a citizen of the United States at the time of his death.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

L. CPL. THEODORE DANIEL VAN STAVEREN

Mr. FEIGHAN. Mr. Speaker, I ask unanimous consent for the immediate consideration of Private Calendar No. 90, S. 256, to confer United States citizenship posthumously upon L. Cpl. Theodore Daniel van Staveren.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

The Clerk read the bill, as follows:

S. 256

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Lance Corporal Theodore Daniel Van Staveren, a native of the Netherlands, who served honorably in the United States Marine Corps from February 24, 1967, until his death on April 10, 1968, shall be held and considered to have been a citizen of the United States at the time of his death.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

L. CPL. PETER M. NEE

Mr. FEIGHAN. Mr. Speaker, I ask unanimous consent for the immediate consideration of Private Calendar No. 94, H.R. 10060, for the relief of L. Cpl. Peter M. Nee, 2465662.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

The Clerk read the bill, as follows:

H.R. 10060

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Lance Corporal Peter M. Nee (2465662), a native of Ireland, who served honorably in the United States Marine Corps from April 15, 1968, until his death on March 31, 1969, shall be held and considered to have been a citizen of the United States at the time of his death.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

SECOND SUPPLEMENTAL APPROPRIATION BILL, 1969

Mr. MAHON. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 11400) making supplemental appropriations for the fiscal year ending June 30, 1969, and for other purposes; and pending that motion, Mr. Speaker, I ask unanimous consent that general debate thereon be limited to not to exceed 3 hours, the time to be equally divided and controlled by the gentleman from North Carolina (Mr. JONAS) and, myself.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

The SPEAKER. The question is on the motion offered by the genleman from Texas.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 11400, with Mr. HOLIFIELD in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the unanimous-consent agreement, the gentleman from Texas (Mr. MAHON) will be recognized for 1½ hours, and the gentleman from North Carolina (Mr. JONAS) will be recognized for 1½ hours.

The Chair recognizes the gentleman from Texas.

Mr. MAHON. Mr. Chairman, I yield myself 10 minutes.

Mr. Chairman, we come to the consideration of the second supplemental appropriation bill for 1969, the first major appropriation bill for the 91st Congress. It deals with the fiscal year 1969 insofar as the funds are concerned. And it contains an important provision—an expenditure ceiling—with respect to fiscal year 1970.

I hope the items in the bill will be explored by the Members and that the House will work its will on this bill. In the Committee on Appropriations, we think we have done the best we could, but we make no claim of infallibility. We have cut the requests by some $581 million. If there are further reductions which are desired, Members of course, are free to offer the amendments to bring about the reductions.

SUMMARY OF THE PENDING BILL

We have reduced the budget estimates which were before us by about 13 percent. Most of the items and the bulk of the total requests before the committee were of a mandatory character and we had no practical option to recommending approval of the necessary funds. We had to provide funds, for example, for pay increases which had been provided in previous legislation.

It is an old refrain that Congress in the regular appropriation bills reduces the annual money measures and then early in the next session restores the reductions which were made, and that therefore the reductions originally made result in no reductions at all. This is not correct. For example, in this bill less than 1 percent of the new funds provided represents a restoration of funds which were reduced last year. And the restorations—some $34 million—represent about one-third of 1 percent of the approximately $12 billion cut last year in new funds requested for fiscal 1969. That, I think, is a rather good record.

There are many, many items in the bill before us, and there is no way to be fully familiar with the contents of the bill other than to study the bill and the report, so I would commend to all a careful reading of the report on the bill.

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There are innumerable items representing, I believe, practically every department and agency of the Government.

The bill proposes new appropriations, or budget authority, in the sum of about $3,783,000,000. It is, as I said, about $581 million less than the budget requests, a cut of about 13 percent.

Mr. Chairman, under leave to extend, I include, for purposes of elaboration, excerpts from the report summarizing the main features of the bill:

SUMMARY OF THE BILL

The bill is divided into five titles: I—Military operations in Southeast Asia, II—General supplementals (various), III—Increased pay costs, IV—Ceiling on 1970 expenditures, and V—General provisions.

The grand total of new budget (obligational) authority recommended in the bill is $3,783,212,766, a reduction of about 13%, or $580,794,190, from the revised budget requests of $4,364,006,956 considered.

In addition, under title II there are proposed increases of $82,500,000 in limitations on annual contract authorizations involving interest subsidies for homeownership and rental housing assistance and college housing. The budget requests for these total $104,500,000, so there is a reduction of $22,000,000. Also, numerous provisions in the bill would release $82,766,000 held in reserve under the cutback provisions of Public Law 90–364.

The amounts in the bill are within the overall totals of budget authority for 1969 shown in the administration's budget review released April 15th. That is, they are well within the totals contemplated in that review. And they are also well below the supplemental provisions contemplated for fiscal 1969 in the budget last January.

The January budget projected fiscal 1969 budget authority supplementals of $4,813,000,000, inclusive of $198,000,000 dependent on legislation which is not yet enacted. Of the remainder ($4,615,000,000), a total of $4,365,000,000 in new budget authority was submitted to the House and considered in connection with the accompanying bill. An additional $221,000,000 in new budget authority requests for 1969—finalized after House Committee hearings were closed out—was submitted to the Senate (S. Doc. 91–18) for consideration in connection with this bill. Thus the total of such budget authority requests now indicated is $4,586,000,000, or, in round figures, $29,000,000 below the $4,615,000,000 mentioned above.

This is the way the total picture stands on 1969 supplementals as of this date. It is a net result; the new administration reviewed and revised many of the supplemental requests submitted by the previous administration and made a number of reductions. But as the totals now stand, increases submitted have offset all but $29,000,000 of the decreases from the January budget that were projected on April 15 (again, not counting the $198,000,000 that hinges on legislation).

Summary by titles

Title I, Defense military, includes $1,234,000,000 for military operations in Southeast Asia. This compares with the revised request of $1,496,900,000, a reduction of $262,900,000, or about 17 percent.

Title II, for sundry general supplementals, includes $1,365,914,312, a reduction of $39,736,850, or just under 3% from the budget requests of $1,405,651,162 in new budget (obligational) authority. Some releases of reserves and other non-add provisions are involved. Increases of $82,500,000—a reduction of $22,000,000 from the request—are also proposed in limitations on annual contract authorizations in certain interest subsidy programs in the housing field.

The details are set forth under the various chapters in the committee report, but the great bulk of title II relates to items not subject to effective discretionary control in the annual bills. Some 83% or $1,132,000,000, of the total, for example, is involved in grants to states for public assistance; veterans compensation, medical, and other costs; unemployment compensation payments; military retired pay; and disaster relief.

Title III, for increased pay costs, includes $1,183,298,454 in new budget (obligational) authority, an overall reduction of $278,157,340, or about 19 percent from the revised budget requests of $1,461,455,794. Release of $62,277,000 of P.L. 90–364 reserves is also involved, plus numerous transfers between appropriations to enable greater absorption of pay costs.

These supplementals relate to unabsorbed portions of pay raises generally effective last July 1 that were not taken into account in the regular 1969 appropriations.

The Executive Branch had combed the estimates initially and the new administration had also reexamined them. Since the estimates are for mandatory-type costs that have been running all fiscal year, the Committee could not make drastic additional cuts all across the boards this late in the fiscal year without creating unacceptable disruption to operations.

Title IV, limitation on 1970 budget outlays, proposes an overall ceiling on expenditures of the government during the fiscal year 1970 that begins on July 1, 1969. The proposal is explained in considerable detail beginning on page 118 of the report of the committee on the bill.

Title V, general provisions, contains general provisions customarily carried.

Approximate effect on 1969 expenditures—budget outlays

It is the committee's tentative estimate that the reduction of $580,794,190 in new budget (obligational) authority requests, plus the relatively minor changes in requested transfers between appropriations, and reserve releases, will translate into a reduction of approximately $464,000,000 in budget outlays previously projected *for fiscal year 1969,* by titles of the bill roughly as follows: title I, $165,000,000; title II, $26,000,000; and title III, $273,000,000. The reductions in the interest subsidy contract authorizations limitations would not affect projected 1969 outlays.

The outlay effect of the remainder of the reduction in new budget authority and interest subsidy contract authorization limitations would be of some consideration in determining the impact of congressional actions on fiscal 1970 budget outlays; perhaps to a minor extent, even on fiscal 1971 outlays.

I believe there will be a desire on the part of the House to discuss some of the military implications involved, and the war in Southeast Asia. Some may want to discuss the antiballistic missile program and other controversial or semicontroversial matters. We have agreed on the 3 hours in which to discuss these matters.

EXPENDITURE CEILING PROPOSAL—TITLE IV

Mr. Chairman, I should like to claim your attention, if I may, at this time for the purpose of discussing a portion of the bill which appears on page 61. The report deals adequately with this proposal. It proposes an expenditure limitation—a spending ceiling. I believe it is important that all Members be familiar with the expenditure ceiling.

I should like to read the ceiling which we propose to fix in this bill. Page 61 of the bill, title IV:

Expenditures and net lending (budget outlays) of the Federal Government during the fiscal year ending June 30, 1970, shall not exceed $192,900,000,000: *Provided,* That whenever action, or inaction, by the Congress on requests for appropriations and other budgetary proposals varies from the President's recommendations thereon, the Director of the Bureau of the Budget shall report to the President and to the Congress his estimate of the effect of such action or inaction on expendiures and net lending, and the limitation set forth herein shall be correspondingly adjusted.

Mr. Chairman, that is the ceiling provision, subsection (a) of it.

Subsection (b) is the reporting provision, which I insert here for reference purposes:

(b) The Director of the Bureau of the Budget shall report periodically to the President and to the Congress on the operation of this section. The first such report shall be made at the end of the first month which begins after the date of approval of this Act; subsequent reports shall be made at the end of each calendar month during the first session of the Ninety-first Congress, and at the end of each calendar quarter thereafter.

Mr. Chairman, under leave to extend, and before porceeding further, let me insert an excerpt from the report which briefly states the nature of the proposition:

The committee has included a provision in the bill that would place an overall ceiling on budget expenditures during the fiscal year 1970 that begins on July 1, 1969. The precise terminology is "Expenditures and net lending"—which, taken togethter, constitute "budget outlays".

The amount specifically stated in the provision, $192,900,000,000, is a beginning figure, not an ending figure. It is the revised projection of 1970 budget outlays announced by the President on April 12 and summarized in the Review of the 1970 Budget released on April 15. That summary appears in the Congressional Record of April 16, 1969, at pages 9351–9354.

Coupled to the $192.9 billion figure is language providing—"* * * *That whenever action, or inaction, by the Congress on requests for appropriations and other budgetary proposals varies from the President's recommendations thereon, the Director of the Bureau of the Budget shall report to the President and to the Congress his estimate of the effect of such action or inaction on expenditures and net lending, and the limitation set forth herein shall be correspondingly adjusted.*"

In other words, Congress would work from the President's proposed total spending estimate. It would do so through its actions, or its inactions, on requests for appropriations and other budget obligational authority and outlay proposals in the various appropriation bills and certain other bills affecting the budget.

The language would operate continuously to adjust the ceiling, as appropriate, to comport with the estimated expenditure effect of specific congressional actions or inactions having budgetary impact.

It is a flexible provision—but in terms of aggregate spending, flexible only on the action of the Congress, not the Executive.

It does not seek to declare something of the end from the beginning; it sets a beginning point against which Congress would work in deciding, through its various spending actions, what the ultimate total should be, and supplies a mechanism for resetting the ceiling accordingly.

Unlike last year's ceiling provision, it does not impose an arbitrary broad-axe type ceiling cutback that would leave to the Executive the allocation of any congressional ex-

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penditure reduction to specific agencies and programs.

It would be the first ceiling ever to place directly in the hands of Congress the specific decision as to the maximum amount to be taken out of the Treasury for payment of the Government's bills in a given 12-month period.

Mr. Chairman, we are at a moment when for the first time in the history of this Republic, Members of Congress are being called upon to vote on an expenditure ceiling which covers the entire Federal Government. This kind of legislation has never been passed by the Congress during the history of the country.

This is an expenditure limitation which is all inclusive. It includes the Veterans' Administration. It includes the Defense Department. It includes the war in Vietnam. It includes interest on the national debt. It includes all expenditures. Nothing is exempt.

POTENTIAL REDUCTION EFFECT AND COMPARISON TO LAST YEAR'S CEILING

We have an expenditure limitation for fiscal year 1969 and we had an expenditure limitation of sorts in the prior year. But in the fiscal 1969 version we have a series of exceptions and exemptions. Indeed we exempted about $99 billion of fiscal 1969 currently estimated expenditures.

The Congress reduced expenditures by about $6 billion in the fiscal year ending on June 30. However, we did not reduce net expenditures of the Government significantly due to increases in exempted areas. In those areas where we had made exemptions, expenditure increases totaled approximately $6 billion. That offsetting increase left a relatively slight net reduction in the January 1968 budget estimate of expenditures for fiscal 1969. On the other hand, except for our action last year, expenditures would no doubt have increased by several billions.

Mr. Chairman, at this point I include additional excerpts from the committee report comprising title IV of the pending bill with last year's ceiling and drawing attention to the reduction potential of the ceiling now proposed.

It is a rigid ceiling; it cannot be exceeded except upon action by the Congress. And as indicated above, the ceiling would decrease if congressional actions on the budget so provide.

It lays the basis for potentially very significant retrenchment in expenditures. If such a ceiling had been adopted—and strictly adhered to—over the last many years, billions of expenditures would have been avoided.

More specifically, taking all 14 budgets for the post-Korea fiscal years 1955 through 1968, the projected expenditure totals in the original annual budgets were cumulatively exceeded by about $50 billion. In 11 of the 14 years, the overruns aggregated $53.3 billion. In 3 years, there were underruns aggregating $3.5 billion. But overall for the 14 years, the government actually expended—for a variety of reasons—about $50 billion more than the sum total of what was projected in the original budgets. That averages to about $3.4 billion a year. So the potential is great, if the ceiling is adopted and adhered to.

Unlike the expenditure ceiling provisions enacted in the last session applicable to fiscal 1969, nothing would be exempt from the ceiling. Last year's ceiling provisions had a very significant impact on government spending in fiscal 1969. They significantly restrained the growth of spending that undoubtedly would have otherwise occurred. And on the latest figures, it seems beyond reasonable debate that in the absence of the ceiling provisions, a much needed budget surplus for 1969 would not now be in prospect. But even with the ceiling and the $6 billion cutback Congress did not, by its actions, diminish the originally projected budget expenditure (outlay) total of $186.1 billion.

It did prevent that total from being exceeded. And it did restrain growth of spending.

More specifically, Congress exempted 50%—$92.6 billion—of the $186.1 billion from the $6 billion cutback, and expressly permitted overruns to the extent determined necessary in the exempted programs. Those overruns were reestimated in the April 15 budget review at $6.1 billion. The overruns in exempted areas wiped out the $6 billion cutback in non-exempt areas.

In its specific actions on the individual appropriation and other spending bills, Congress last year contributed roughly $3.7 to $3.9 billion (depending on variable calculations) to the $6 billion overall cutback, leaving the remainder to be allocated by the Executive. The April 15 Review reflects a total cutback of $7.3 billion from the original estimates for non-exempted areas. Offsetting this gross cutback are the $6.1 billion overruns in exempted areas leaving a net estimated cutback, as of April 15 of $1.2 billion from the originally projected total.

Thus the latest estimate of spending for 1969 is $184.9 billion, $1.2 billion less than the $186.1 billion projected in the original 1969 budget. But it should be noted that about $1.5 billion of the $7.3 billion reduction now shown in non-exempted areas is not a cut in the more conventional sense, but rather financing adjustments because the Banks for Cooperatives, the Federal Intermediate Credit Banks, and the Federal National Mortgage Association secondary market operations, which were in the original $186.1 billion budget total, subsequently became 100% privately owned and thus dropped from the Federal totals.

Of course, the $7.3 billion reduction figure is a composite of the specific congressional actions, the financing adjustments, actual curtailments of outlays, and administrative reestimates of expenditures—both up and down—in many items as conditions changed. There are signs that further reestimates upward in certain programs will substantially diminish the $7.3 billion figure and thus in turn the $1.2 billion figure.

The ceiling proposed in this bill would afford opportunity for maximum flexibility within the overall total to meet, as fully as reasonably possible, changed and changing expenditure requirements in certain specific programs that cannot be foreseen with great precision. The new administration has variously indicated that it intends to seek, on a continuing basis, economies in operations and to look for lower-priority areas when it needs room for increases within its stated policy of strict fiscal restraint. An aggregate ceiling would be facilitating in this regard.

Of course, the President can seek supplemental relief to meet necessary but unforeseen and unavoidable outlay increases which he finds cannot be accommodated within the overall total.

Setting a beginning ceiling in this fashion should in no way discourage the Executive Branch from its continuing commitment—and responsibility—for seeking to conduct the day-to-day management of government programs at the very minimum cost consistent with the public necessities, refraining from spending every dollar that can reasonably be saved. Constructive economy in public spending is not only a matter of legislative decision. It is also a matter of administration. The new administration has attached high priority to quality of performance in administering the government. Wasteful and needless expenditures often do not become so until funds are poorly managed. The primary burden of getting a dollar's value for every dollar justifiably appropriated to the purposes of government lies mainly with those who administer, not with those who legislate.

The **CHAIRMAN**. The time of the gentleman has expired.

Mr. **MAHON**. Mr. Chairman, I yield myself such time as I may require.

Now, there was a good basis last year for exempting agencies, but let me say to you that there is, in my judgment, based on presently available information, no good basis for exempting agencies this year. Last year, we were cutting the estimate of expenditures by $6 billion and therefore we did feel some exemptions were desired and these exemptions were proposed. Then, of course, there were additional exemptions which were provided later. Last year, we proposed a cut in the estimate of expenditures, but in title IV of the pending bill, we are not proposing any cut in the estimate of expenditures. So it makes no sense to exempt the Veterans' Administration, or the interest on the national debt, or any other item. It makes no sense to exempt anything in this bill, because we are proposing an expenditure limitation or ceiling at the exact and precise limitations which have been estimated in the revised budget of the administration.

The budget this year ought to be more accurate in many respects than it was in many previous years, because ordinarily a budget is put into shape to a very considerable extent in the fall of the year preceding the year for which it begins, that is, the following January 1. However, we are now operating on an expenditure budget which was refined, redesigned, and reexamined since January 20. It is more up to date and should be more trustworthy. The revised budget of the administration on which this provision is based was submitted only a month ago.

So I hope we will not at this time yield to the temptation of trying to make any exemptions whatever.

THE ARITHMETIC AND MECHANICS OF THE PROPOSED CEILING

Mr. Chairman, let me hasten to add—and I realize this is a dull subject, but it is very important and will become increasingly more important—let me add that we will change this ceiling if we appropriate more money than was estimated for appropriation in the budget. In other words, if we increase appropriations and spending through appropriations, then this will be translated to the ceiling and increase the ceiling. If this year we were to do what we did last year when we reduced the President's appropriation budget by about $12 billion, that would be translated into an expenditure reduction amount not of $12 billion but into the amount that would be spent in the forthcoming year, fiscal 1970. That might be half that sum or one-third of that sum or some other percentage.

This ceiling is mandatory; it is inflexible; it is the law of the land from which the executive branch cannot escape. The executive branch will of course have the authority to make adjustments within various programs and within those programs accommodate to better management and so forth. The administration can come to Congress and say, "Our estimates which we made as to spending last April have proved to be faulty and we would ask you to make certain adjustments to the ceiling." This would then be a matter for Congress to decide upon.

So, if we increase appropriations for various programs, then the budget ceiling will go beyond $192.9 billion by whatever figure might be mandated by the increase.

Mr. Chairman, so that the RECORD will reflect more precisely how the ceiling would work, I include additional exploratory excerpts from the committee report:

THE ARITHMETIC AND MECHANICS OF THE CEILING

The ceiling begins by legislating a *net* reduction of $2,372,000,000 in budget outlays projected for 1970 in the original (January) budget—from $195.3 billion down to the $192.9 billion April 15 revised projection of the present administration. But the *gross* ceiling reduction is $4,020,000,000; this was offset by $1.6 billion in the recent budget review by upward "corrections" in several specific projections in the original budget.

The $4 billion cutback in outlays includes $1.1 billion in defense, $1 billion for a modification of the previously proposed $1.6 billion increase in social security benefits, and $1.9 billion for programs affecting almost every Federal agency.

In the April 15 review in which the $4 billion cutback in outlays was projected the administration also proposed *gross* cutbacks of $5.5 billion ($4.2 billion, net after the "correcting" adjustments of $1.3 billion) in appropriation and other budget obligational authority requests. $3 billion of this is in defense and $2.5 billion in all other areas of the budget. Budget obligational authority (appropriations, essentially) is the traditional basis on which appropriation and authorization bills are stated and voted on regardless of the year or years in which the funds are to be actually disbursed in the form of budget outlays.

The gross total for new budget authority for 1970 in the January budget is $210.1 billion, and in the April 15 revision, $205.9 billion—including so-called permanent budget authority, such as interest, trust funds, etc., which does not actually appear in the annual bills.

The Committee on Appropriations and several other committees have before them for consideration these revised appropriation requests and other budgetary recommendations for fiscal 1970. What Congress does in the bills dealing with these various budget authority proposals plus a handful of other proposals involving outlays but not budget authority basically determines what happens to the $192.9 billion beginning ceiling in the accompanying bill.

For example, net reductions made through the appropriation bills would translate into net downward adjustments to the $192.9 billion figure. And in this general connection, some $38 billion of the appropriation budget requests are first subject to processing through the various annual authorization bills.

In the area of proposed legislation for which the outlay budget includes specific sums, several have the effect of holding the outlay total lower than it otherwise would be. Several, of course, involve additional outlays. For example, if Congress does not enact the proposed postal rate increase, the outlay ceiling, according to the latest estimate available, would be adjusted *upward* by some $600 million. This is because postal revenues are counted as offsets to expenditures, not as budget receipts.

If the budget proposal to authorize the Farmers Home Administration to make insured rather than direct operating loans is not enacted, the outlay ceiling, according to the budget, would be adjusted *upward* by $292 million.

If the budget proposal for legislation to restrict public assistance medical aid for patients in mental institutions to 120 days is not enacted, the outlay ceiling, according to the budget, would be adjusted *upward* by $126 million.

Several legislative proposals designed to diminish budget outlays by the Veterans Administration are priced in the outlay total to save some $288 million in 1970. Failure of those, according to the budget figures, would be the basis for an equivalent *upward* adjustment in the ceiling.

These four examples aggregate $1.3 billion. On the other hand, again for example, if the President's proposal for social security benefit increases is not enacted, the $600 million (of the original budget amount of $1.6 billion) in the revised budget outlay figure would not now be needed for that purpose, in which case the outlay ceiling would *drop* by $600 million.

As to the mechanics for adjusting the ceiling, timeliness in accommodating government programs to congressional changes is essential to orderly administration. Congress will be processing budgetary recommendations in many different bills, passing through various legislative stages over a period of several months—virtually all after the fiscal year begins. And it seems essential in the interest of consistency and otherwise to center responsibility in one place for at least tentative determination of congressional action impact.

The Director of the Budget is probably in the best position to make such determinations. The monthly reports submitted by the Director under subsection (b) of the ceiling provision can be evaluated currently. They can be checked for consistency and reasonableness with tentative estimates frequently made through the budget "scorekeeping" reports of the Joint Committee on Reduction of Federal Expenditures and with those of the Committees on Appropriations. Amendatory action can be taken if that seems to be necessary in the circumstances.

AUTHORIZATIONS AND APPROPRIATIONS: THE KEYS TO SPENDING CONTROL

Mr. Chairman, for a long time, I fought along with others the so-called Bow amendment fixing a ceiling on expenditures, and I do not apologize for that. But, I have come to the conclusion that an expenditure ceiling can be meaningful, and that it will encourage greater focus of attention by Congress and the country and the press upon spending. But in embracing this idea of an expenditure ceiling as here proposed, I do not want us for any means to delude ourselves. The best means and the most appropriate and effective way to reduce Government spending is to hold the line on authorizations and appropriations. That is a lead pipe cinch method of holding down Government spending. It is the surest and the safest. In a limit on spending in a given fiscal year—and this would limit spending only for the fiscal year, 1 year, which begins on July 1—we do not rescind the money, we do not recapture the authority—we simply say that in fiscal year 1970 you cannot spend more than so much, but the funds which have been appropriated in prior years will remain available for expenditure. So by all means, the best way for us to achieve a reduction in the cost of Government and effective control of Government spending is to quit authorizing and appropriating so generously.

But, there are reasons other than those which I have stated for supporting an expenditure limitation. Government is growing bigger and more complex.

Now, let me give this figure which may shock some of the public, but which may not shock Members of Congress who are more aware of fiscal complexities.

If we should today appropriate all of the money and grant all of the authority requested by the administration in the pending budget in fiscal 1970 on July 1 the Government would have $431 billion available for expenditure. But it is not now projected by the administration that more than $192.9 billion will be spent. So, in this expenditure ceiling for the first time in the history of the Nation we are undertaking to say, "Yes, we fix the annual appropriations, but we are going a step further this year and are going to fix the annual expenditures." While we have previously authorized all the carryover funds involved, we by this limitation fix the overall rate of spending for a given year, namely fiscal year 1970.

This limitation, this ceiling, has been fixed in such a way that it ought to be, it seems to me, palatable to the rank and file of the Members of the Congress. We have drawn the limitation in such a way as to get, we hope, majority support.

Mr. Chairman, on the question of the most effective means of controlling spending, I include an additional excerpt from the report of the committee. It reflects a position long held in the committee:

While there are some grounds for doubt that the outlay (bill-paying) stage of the fiscal process is the most logical or the most effective point at which the Congress should seek to control government spending, an overall ceiling on outlays in a given year has some usefulness as a short-run regulating device, especially when the economic and fiscal situations are under great stress as at present. But there is room for great doubt that such a ceiling can realistically be regarded as an effective long-run control procedure.

As today is the consequence of yesterday, so tomorrow is the consequence of today. Legislative authorizations are the seedbeds of future expenditure growth. Initial authorization of a program or project is the beginning point in the legislative spending process. If the program or project, whatever it may be, is not authorized by the Congress, then no appropriation is in order. But the facts are that virtually every year new programs and projects are authorized, and old programs are often extended and expanded. Seldom are existing programs and activities deauthorized via the basic legislative route. Fiscally, the cumulative result is increasing demands on the Federal Treasury.

In the long range sense as distinguished from any particular fiscal year, too much emphasis is attached to controlling growth of government spending by applying the control at the *end* of the spending process. It is more logically and effectively applicable at the authorization and appropriation stages.

Appropriations are not in order unless there is first a legislative authorization. No funds can be withdrawn from the Treasury but in consequence of valid authority granted by the Congress to first create an obligation in behalf of the Government. That is the key to the situation. The most consistently accurate barometer to future spending levels is the dimensions of budget authority enacted by the Congress to enter into obligations on behalf of the Government.

Authorize something new or enlarge an existing authorization and a request for new obligating authority is almost certain to follow.

Denial of authority to obligate precludes a subsequent expenditure.

Curtail the input of new appropriations (and other forms of obligating authority) and spending will come down.

Grant authority to obligate and the obligation inevitably will follow in due time.

Once the obligation is made and the bill comes due, the check to pay it (the outlay) must also inevitably follow in due time.

FLEXIBILITY OF THE PROPOSED CEILING

Mr. FLOOD. Mr. Chairman, will the gentleman yield?

Mr. MAHON. I yield to the gentleman from Pennsylvania.

Mr. FLOOD. Mr. Chairman, I direct the gentleman's attention to the report where it says that this will be the first ceiling ever to be placed directly in the hands of the Congress. This is what the committee says in the report.

Mr. MAHON. Yes. It would be the first overall ceiling placed in the hands of the Congress, and Congress can work its will, and what Congress can do today, of course, it can modify tomorrow.

Some have said that the ceiling ought to be inflexible on the Congress. If you make it a mandate on the executive, they ask, why not make it a mandate on the Congress? There is no power on earth to fix a ceiling or a limitation on expenditures on the Congress itself. What Congress can do today it can undo tomorrow.

Mr. EVINS of Tennessee. Mr. Chairman, will the gentleman yield?

Mr. MAHON. I yield to the gentleman from Tennessee.

Mr. EVINS of Tennessee. As the distinguished chairman of the Committee on Appropriations has pointed out, and as I understand the matter, we have set a spending ceiling at $192.9 billion, about $193 billion, which is exactly the Nixon budget, as a level.

We have set the ceiling at this level, which means spending cannot go beyond this amount, but if Congress takes action to increase the appropriations, by being a flexible ceiling, it goes up, or if the Congress fails to take action which is recommended in the budget it may go up or down, according to what the Congress does. The committee has set the budget at the Nixon level, but what may be the ultimate result will be dependent upon what Congress does in appropriations and in authorizations.

Mr. MAHON. The gentleman is correct. But this is going to be a limitation which is not aimed at the administration itself, as the gentleman will agree.

Mr. EVINS of Tennessee. Certainly.

Mr. MAHON. We have set for the last couple of years limitations of sorts, but they have not been passed this early in the year as this one would be, and they have been limitations predicated on cuts below the budget. Title IV of the pending bill is quite a different matter.

Mr. EVINS of Tennessee. If the gentleman will yield further, we are here setting a flexible limitation at the very outset on the Congress, which can be revised up or down, depending upon the actions of the Congress.

Mr. MAHON. That is correct.

I want to say this in defense of the administration, or of any administration: It is impossible for any administration to predict in January or April precisely what may be spent. It may be that the administration will find that certain adjustments cannot be made depending on the trend of events in the war, or otherwise, which might bring about a requirement for a change.

The administration of course would have the liberty, as it always does, to come before us with a supplemental—and the bill before us today is nothing but a supplemental presented to us by the present administration, the Nixon administration. It is a supplemental, and we inevitably have to have supplementals at times though they must be avoided wherever possible.

Mr. EVINS of Tennessee. Would the gentleman point out further that this is a flexible ceiling—I mean, this is a flexible thing which can be revised up or down, depending upon the actions of the Congress.

UNEXPENDED CARRYOVER BALANCES AND THE DIMENSIONS OF ANNUAL ACTIONS

The gentleman further points out in his report to the unobligated and unexpended carryovers. I believe this is very significant, as found on page 122 of the report. It says:

> For example, total unexpended carryover balances at the beginning of fiscal 1970 will approximate $226 billion—

That is, $226 billion of money unspent in carryovers from previous actions of the Congress:

Mr. MAHON. This $226 billion figure may at first glance seem to be perfectly outrageous and a reflection upon the Congress in making available such large sums that will be carried over in the pipeline to the next fiscal year.

But much of this money is in social security funds that have not been expended.

Much of it is in military procurement programs.

Much of it relates to space and atomic energy and such things as I am about to relate in this unexpended category. It ranges over the whole Government, really.

For example, the Federal Deposit Insurance Corporation has about $3 billion. It is not anticipated that this will be expended, but it is available for expenditure. It is an unobligated carryover.

For example, the Congress passed a bill granting riot insurance and flood insurance, and there are $500 million—a half billion dollars—involved in this fund. In all probability they would not be expended, but they are within the $226 billion. I shall elaborate on that question a little further in my remarks.

Mr. EVINS of Tennessee. Would the gentleman say that this is a moderate limitation? Some have thought that it is a very small limitation, and it should go further. Would the gentleman characterize his amendment as a moderate one?

Mr. MAHON. I would so characterize it, and I thank the gentleman. I would say it is a moderate one.

It may be too firm for the Director of the Bureau of the Budget. I can see why the Director may prefer not to have to live with this amendment. But it will help the Director of the Bureau of the Budget hold the line with the Government agencies and Government departments. If he gets into difficulty that is in any manner unavoidable, he can seek relief from the Congress.

There are also those who say it is meaningless, that it has no teeth, so it must be pretty good since we have opposition from both sides.

Mr. Chairman, under leave granted, I include further exploratory material from the committee report on the matter of carryover balances. And in this connection, I am inserting supplementary statistical material:

UNEXPENDED CARRYOVER BALANCES AND THE DIMENSIONS OF ANNUAL ACTIONS

The proposed ceiling provision, being all-inclusive, covers expenditures in fiscal 1970 from budget authority to be newly granted in this session; expenditures from so-called permanent appropriations that flow automatically from earlier laws; and expenditures from unexpended carryover balances of prior years. Very substantial portions of the $192.9 billion beginning ceiling figure spring from each of these three general sources of expenditure availability.

For example, total unexpended carryover balances at the beginning of fiscal 1970 will approximate $226 billion—about $100 billion in social security and other trust funds and $126 billion in Federal funds. But some $77 billion of the $126 billion of Federal funds will have been obligated for programs across the government but not yet actually paid out. The remaining $49 billion, not obligated and not expended, is in many accounts across the government; there is a comprehensive and informative special analysis of it in the January budget, Special Analysis G, pp. 78–93.

But of the $226 billion total beginning carryover, trust and federal funds combined, roughly $86 billion is projected for expenditure (disbursement, that is) in fiscal 1970, and roughly that amount is thus counted in the $192.9 billion ceiling figure. The remainder—some $138 billion after a small lapse amount—becomes part of the total unexpended carryover projected into the following year, fiscal 1971.

Roughly then, it can be seen that only about $107 billion of the newly projected outlay total for 1970 ($192.9 billion, less the $86 billion from carryovers) is estimated to come from the $205.9 billion new budget authority requested or estimated for that same year of 1970. Funds appropriated in a given year are expended partly in that year and partly in subsequent years because of long lead-times, construction time, and other factors.

To put the relationship of budget authority and outlays in some better focus by way of extreme illustration, if the whole $205 billion of new budget authority for 1970 failed, the expenditure outlay reduction *in 1970*, based on the budget, would be only $107 billion. The remainder would be an expenditure avoided in subsequent years.

But to put the picture in sharper focus, it must be noted that Congress does not *annually* act on anywhere near the entire new budget authority total. Some of it is in the form of requests and some of it is in the form of estimates. Roughly $66 billion, net, of the new budget authority total is estimated to go on the books in 1970 automatically—so-called permanent appropriations—under earlier laws, mainly trust funds, interest on the debt, and several others. The other $139 billion goes through the annual bill process—mostly the appropriation bills—but it involves projected ex-

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penditures, as to 1970, of roughly only $90 billion, more or less which means that *Congress, in the various annual bills, normally deals with new budget authority amounts that, in total, relate to less than half of the budget outlays projected for that same year*. As noted, more than half of budget outlays in a given year now derive from carryover balances and from new budget authority that goes on the books automatically under various permanent appropriation arrangements enacted over the years.

The size of the unexpended carryover pipeline, of course, depends on what is put in and what is taken out. Addition of more new budget authority than is expended in a year increases the pipeline. During fiscal 1970, based on the recent budget projections, the total unexpended pipeline would increase from $226 billion to $237 billion, but all of the increase is more than accounted for in trust fund accumulations of balances. In Federal funds, there is a drop of $1 billion, from $126 billion to $125 billion. Depending on congressional actions, this could drop further.

CONTROLLABLE VERSUS UNCONTROLLABLE EXPENDITURES

All expenditures are, of course, controllable by the Congress. All expenditures *are* controlled by Congress, because they flow from laws enacted by Congress. But as a very practical matter, not all are subject to effective discretionary control through the normal *annual* budget and appropriations process.

Very considerable expenditures arise from so-called permanent appropriations that do not pass through the annual appropriation bills. Interest on the debt and trust funds are examples.

Several programs that do pass through the annual bill process involve mandated-type expenditures fixed in basic law, which unless changed through legislation operate as a practical limit on the discretionary power to control them annually. Veterans pensions and public assistance matching grants are examples.

Payments for prior year contracts and obligations falling due cannot effectively be avoided. These run across the whole government.

There are a number of others. The January budget classifies some $98 billion, or about half of the 1970 outlay budget, as "relatively uncontrollable civilian outlays under present law." The figure for the April 15 budget review under this classification is $100 billion, meaning that better than half of the outlay budget for the year is not, as a practical matter, subject to the normal discretionary powers of appropriation without changes in the basic laws that more or less ordain them.

Similarly, though the makeup in detail does not exactly correspond, in the $6 billion cutback provision of the Revenue and Expenditure Control Act last session, Congress exempted from the ceiling and from the cutback, programs involving about half of total outlays, in effect recognizing their relative uncontrollability without changes in the basic laws applicable or other compelling circumstances giving rise to them.

Looking at the matter in terms of increases rather than totals, about 75% of the outlay increase, 1970 over 1969, projected in the January budget was in these so-called relatively uncontrollable items. The proportion applicable to the $8 billion outlay increase, 1970 over 1969, projected in the new administration's budget review is even greater.

The outlay ceiling proposed by the committee for 1970, while rigid and all-encompassing, does not and cannot of course come to grips with these fundamentals of basic laws. But by covering both controllable and "uncontrollable" outlays, it will focus on the total, and keep it in focus.

It will tend to force attention on possible alternatives and substitutions when upward pressures are exerted on the ceiling.

It will keep the hands of Congress on it.

TABLE 8.—BALANCES OF BUDGET AUTHORITY (FROM THE JANUARY 1969 BUDGET FOR FISCAL YEAR 1970)

[In millions of dollars]

Department or other unit	Start 1968		End 1968		End 1969		End 1970	
	Obligated	Unobligated	Obligated	Unobligated	Obligated	Unobligated	Obligated	Unobligated
Funds appropriated to the President:								
International financial institutions	1,004	6,447	1,226	6,427	1,591	6,633	1,880	6,633
Military assistance	2,114	2,764	1,804	2,468	1,737	2,393	1,767	2,193
Economic assistance	3,790	860	3,685	690	3,248	391	3,364	622
Office of Economic Opportunity	1,140	6	982	8	1,018	5	1,207	6
Other	345	112	645	111	563	−87	578	−180
Agriculture	5,446	2,749	5,562	2,680	6,464	2,111	6,869	2,177
Commerce	973	225	1,086	258	1,241	209	1,254	122
Defense—Military	32,077	15,116	30,884	14,829	32,818	11,594	35,055	10,970
Defense—Civil	302	248	345	247	441	158	496	50
Health, Education, and Welfare	6,403	28,043	7,820	30,778	8,669	35,729	8,908	42,756
Housing and Urban Development	6,674	14,462	8,254	14,743	7,050	13,495	8,076	12,139
Interior	845	609	947	612	1,141	359	1,175	234
Labor	495	10,790	498	11,919	478	12,709	656	13,680
Transportation	7,271	3,409	7,286	4,154	8,531	4,679	9,070	5,102
Treasury	102	26	103	24	87	25	94	22
Atomic Energy Commission	1,138	320	1,115	385	1,563	56	1,486	
National Aeronautics and Space Administration	1,820	313	1,616	381	1,624	118	1,552	(1)
Veterans' Administration	1,034	8,139	1,030	8,768	1,120	8,341	1,181	8,387
Civil Service Commission	642	17,690	701	18,505	834	20,522	981	21,936
Export-Import Bank	2,367	3,749	2,996	2,687	3,638	2,387	4,585	1,026
Federal Deposit Insurance Corp	248	6,340	257	6,590	281	6,870	297	7,176
Federal Home Loan Bank Board	30	3,468	61	3,697	33	4,033	17	4,447
Railroad Retirement Board	112	4,240	127	4,375	130	4,525	137	4,596
Other agencies	2,195	4,740	2,306	6,804	2,494	1,985	2,694	1,521
Allowance for contingencies					50		200	
Total balances	78,567	134,864	81,336	142,142	86,844	139,238	93,597	145,616
MEMORANDUM								
Federal funds	69,839	54,095	72,043	54,988	77,410	49,090	83,301	44,986
Trust funds	8,728	80,769	9,293	87,154	9,434	90,148	10,278	100,630

Less than $500,000.
Note: Totals slightly revised in table that follows this table.

BUDGET REVIEW OF APRIL 15, 1969—CHANGE IN UNEXPENDED BALANCES

[In billions]

	January budget				Budget review estimate			
	Federal funds	Trust funds	Intragovernmental transactions	Total	Federal funds	Trust funds	Intragovernmental transactions	Total
Unexpended balance, June 30, 1968	$127.0	$96.4		$223.5	$127.0	$96.4		$223.5
1969 Budget authority	148.8	53.3	−$7.5	194.6	149.9	53.3	−$7.5	195.7
Expiring authority in 1969, etc	−1.2	−7.1		−8.3	−1.2	−7.1		−8.3
Less outlays	148.2	43.0	−7.5	183.7	149.5	42.9	−7.5	184.9
Estimated unexpended balance, June 30, 1969	126.5	99.6		226.1	126.2	99.8		226.0
1970 Budget authority	158.2	60.0	−7.9	210.1	154.3	59.5	−8.0	205.9
Expiring authority in 1970, etc	−1.7			−1.7	−1.7			−1.7
Less outlays	154.7	48.4	−7.9	195.3	153.8	47.1	−8.0	192.9
Estimated unexpended balance, June 30, 1970	128.3	110.9		239.2	125.0	112.2		237.2

BUDGET AUTHORITY

[Fiscal years, in billions]

Description	1968 actual	1969 estimate	1970 estimate
Available through current action by the Congress:			
Previously enacted	$134.4	$128.9	
Proposed in this budget			$134.4
To be requested separately:			
For supplemental requirements under present law		4.5	0.1
Upon enactment of proposed legislation		0.2	1.2
Allowances:			
Civilian and military pay increase			2.8
Contingencies			0.4
Subtotal, available through current action by the Congress	134.4	133.6	138.9
Available without current action by the Congress (permanent authorizations):			
Trust funds (existing law)	47.8	53.5	59.1
Interest on the public debt	14.6	16.3	17.3
Other	5.4	5.4	4.3
Deductions for offsetting receipts:			
Interfund and intragovernmental transactions	−6.9	−8.7	−9.2
Proprietary receipts from the public	−4.7	−4.3	−4.5
Total budget authority	190.6	195.8	205.9

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ESTIMATED EXPENDITURES (BUDGET OUTLAYS) FISCAL YEARS 1969 AND 1970

Mr. Chairman, we have been referring to the beginning ceiling figure of $192.9 billion representing budget outlays projected by the administration in its budget review of April 15. I include a table based on figures in that review, showing a breakdown by departments and agencies of the $192.9 billion:

TABLE 8.—BUDGET OUTLAYS, 1969 AND 1970

[In millions of dollars]

Agency	1969 current estimate	1970 revised estimate
Agriculture	8,409	7,197
CCC	(5,492)	(4,482)
Commerce	872	1,079
Defense—military and military assistance	78,400	77,903
Corps of Engineers	1,192	1,159
Health, Education, and Welfare	46,259	50,551
Trust funds	(32,981)	(35,324)
Housing and Urban Development	2,017	2,823
Interior	889	830
Justice	517	730
Labor	3,503	3,690
Unemployment trust funds	(2,749)	(2,866)
Post Office	929	412
State	434	428
Transportation	6,211	6,753
Treasury	16,603	17,559
Interest on the public debt	(16,300)	(17,300)
Atomic Energy Commission	2,451	2,504
General Services Administration	413	407
NASA	4,247	3,897
Veterans' Administration	7,719	7,554
All other:		
Foreign economic assistance	1,925	1,760
Office of Economic Opportunity	1,880	1,870
Other agencies	5,136	6,538
Allowances for:		
Civilian and military pay increases		2,800
Contingencies		200
Undistributed intragovernmental transactions	−5,105	−5,745
Total	184,901	192,899

Note: Detail may not add due to rounding.

Mr. RIVERS. Mr. Chairman, will the gentleman yield?

Mr. MAHON. I yield to the distinguished gentleman from South Carolina (Mr. RIVERS), chairman of the Committee on Armed Services.

MILITARY SPENDING PROGRAMS

Mr. RIVERS. Mr. Chairman, I wonder if the gentleman realizes that the Congress is not acting—but that we are reacting. The gentleman knows, of course, that whenever we get ready to reduce expenditures, everybody looks to the military.

Now you have the terrible situation of the people assigning the worst sort of conduct and motives to the so-called military-industrial complex. I am sure the gentleman knows that on Mr. McNamara's procurements for ships there was a cost overrun and Secretary Packard tells me that it will be an overrun of $100 million.

This morning and on Thursday we are trying to find out what caused an inaccurate estimate—it is not all overrun—on the C-5A aircraft. There are a number of factors involved. The gentleman knows as well as I do that this Congress has not got the courage to stand up here and stop some of these crazy programs that we have, for instance, the Job Corps and the OEO and a lot of these things we are spending money on all over hell's half acre. But they will go to the military and cut them to smithereens. This is what it is coming to.

We have inaccurate estimates all over the lot in the military and when you superimpose that on the escalation caused by the increased cost of living, our military is going to come up short and we are going to have half a defense.

It would be far better to abolish certain items for the military and come clean with the American people and say, "We do not want you to have the Polaris program—we do not want you to have new bombers—even though the B–52's are 15 years old. We do not want you to modernize your navy yards. We do not want you to have a good merchant marine program. We do not want you to go on with the new fighter needs that were denied us under the McNamara programs. We do not want you to have a moon-shot."

This is where these things are coming to. That is the weakness of provisions such as the one to which the gentleman referred. Why do we not cross each bridge at the time we come to it?

Mr. MAHON. That is what we propose to do. We will cross each bridge at the time we come to it as each appropriation bill is before us, or each bill from a legislative committee which mandates certain expenditures is before us. Action on these bills will in effect maintain, or lower, or raise the expenditure ceiling.

Mr. RIVERS. We probably hold longer hearings in our committee than any committee of the Congress. We have a number of subcommittees going now. They are trying their best to save money. The distinguished chairman's committee, in its wisdom, has acted, and I would like to say that if there is anyone for whom I have a higher regard than the chairman of the Appropriations Committee, I have not found him. But let me say this: We cannot approach it in the manner proposed with any degree of accuracy. We cannot have all the programs. I have enumerated unless we have sufficient funds. I am afraid we are going to come up short in our commitments to our own people, and to the security of America and our commitments with whatever other friends we have, if we have any.

I want the gentleman to know that I do not agree with this approach. We should act on each program instead of reacting to the entire budget. The Constitution specifically provides that the one arm of our Government that has the direct responsibility of the Congress is the military. Yet we are neglecting this responsibility by provisions of the sort proposed, and I am afraid it is a mistake.

Mr. MAHON. According to the estimates—and we are, for the time being, accepting the expenditure estimates of the administration—the military will expend about $78 billion this fiscal year and a similar amount for next year. The full amount so estimated for next year—fiscal 1970—is provided for in the proposed spending ceiling in the bill before us.

If our military people, those with stars on their shoulders and those in civilian capacities, will run the Defense Department in a businesslike and efficient way, I would think that sums available and in prospect would be adequate. I would hope that the sums are more than adequate.

One of the things that disturbs me is that there have been so many mistakes made by the military. This has tended to generate a lack of confidence. I grant that the problems have been of great magnitude and complexity.

Let me say that I have confidence in the military. I do not have unlimited confidence in their managerial ability.

Mr. RIVERS. I do not know anybody who does.

Mr. MAHON. Let me give an example. I joined in cutting the military budget $5 billion plus, last year. I am not beholden to any department of this Government. I want to make that clear. I am sure the gentleman from South Carolina shares this attitude completely.

With respect to management, just think of the humiliation we suffered a few days ago when the Navy, through neglect, let a submarine in a Navy shipyard go to the bottom. And what is that going to cost us? $25 million. Of course, if we are going to let the defense dollar go down the drain in any such irresponsible manner as that, it would not be possible to supply the military with adequate funds.

I would say this: I have confidence in the administration and feel that expenditures in the military area will not be cut without any regard to the welfare of the country. I am aware that the Secretary of Defense served on the Committee on Appropriations of the House and the Defense Subcommittee for many years.

I cannot think of him in a role of an appeaser or a nonspender when it comes to necessary defense expenditures. So I would say, let us take the Pentagon at its word as a starting point on the amount of funds needed. When our hearings on defense programs are completed we can reduce or increase the budget figure and the final figure agreed upon by Congress and enacted into law will determine what can be spent in fiscal 1970.

Now, before I yield to my good and distinguished friend, my able colleague, let me say that I believe in the ABM. I believe in a strong military program. I deplore the low estate in which the military finds itself. I want to see confidence restored in this area. We need to have respect and to have reason to have respect for all departments and branches of Government.

I yield to the gentleman from South Carolina.

Mr. RIVERS. Mr. Chairman, the gentleman gave wings to the very things I was talking about. I do not wear anybody's collar either. I am looking for encomiums, and I do not get them around Washington, as the gentleman knows.

I want to say this, that the military now has reached deplorable conditions. We nave 60 percent of our fleet which is not fit to live on or in because someone budgeted too low. The chairman has not heard the last of the results of McNamara's systems analysis crowd. We have not heard the last of that. They are bringing disrespect and derision on military men who have not made a decision over there since McNamara darkened the doors of the Pentagon. We have deficits coming up day in and day out, day in and day out, over which the military men had no control.

We cannot think we can just put a hard, hidebound ceiling on any kind of restrictions and think we can let each tub sit on its bottom. That is, in my opinion, a mistake.

Mr. MAHON. There are some leaks in Government tubs and we are trying to close some of them.

Mr. RIVERS. I do not deprecate the efforts of the chairman, but I am sure an enlisted man did not pull the seacock on that submarine. It could have been sabotaged.

Mr. MAHON. I do not know who is responsible, but the Navy should find out who is responsible and see that he is adequately disciplined. If they want to gain higher respect, this kind of action must be taken.

Mr. RIVERS. I agree. We must restore responsibility in the military—and then hold them responsible. And let me tell the chairman, our committee is going to investigate that incident and, for whatever it is worth, we are going to report to the Chairman on this.

THE SO-CALLED PEACE DIVIDEND IN FEDERAL FUNDS

Mr. MAHON. Mr. Chairman, I thank the gentleman. The chairman of the Armed Services Committee has made a statement which makes it appropriate at this time for me to discuss a further situation.

Many of the programs and ships and weapons of the military are obsolete or are becoming obsolescent. There is no doubt of that. Large programs are going to be necessary to outfit the Navy and the other services with modern ships, aircraft, and other weapons. Defense spending is not going to toboggan downward when the war ends in Vietnam. There will be reductions but the costs will remain high.

Military spending is going to have to remain high because survival is the first law of nations. It is inescapable that the military programs are going to remain high and we are going to have to support them. That is one of the reasons we want a better job done by the military—by civilians and those in uniform—in order that we may get more for the dollar.

But those who are writing in the papers and saying in their speeches, "Wait until the war is over, and then we will have unlimited resources for all the social programs," are too optimistic. Some seem to think that Secretary Finch will have all the money he wants for education, for health, and the poor, and the Secretary of Housing and Urban Development will have all the money he wants to for housing and related needs.

That is incorrect. They are not going to have all the money they want. There is not enough money in the Nation to meet all these demands.

Besides that, money is not the only answer in defense, and it is not the only answer in our social programs. I think it is a little bit cruel for us to make statements which would lead the cities and the mayors and the poor and others to believe that when the war is over we will have unlimited funds for all purposes which may be desired. We just will not have that kind of money, and let us tell the people that now.

Mr. SMITH of Iowa. Mr. Chairman, will the gentleman yield?

Mr. MAHON. I yield to the gentleman from Iowa.

SUPPLEMENTALS FOR INTEREST SUBSIDY PROGRAMS

Mr. SMITH of Iowa. Mr. Chairman, the gentleman said he does not want any exceptions to his limitations provision but, in fact, by not including some of the practices or programs under the limitation, there are exceptions. For example, there is no limit on the amount that they can obligate for interest subsidies. And now it is proposed, instead of having current expenditures within the fiscal year for a direct loan program and grants for college facilities, they will have a program to pay only $11 million this year and obligate us for $440 million, which does not show up in this year's budget. So in effect the limitation is no limitation so long as that is permitted, is it?

Mr. MAHON. I wish the gentleman would let his own statement stand as he made it. I am not quite sure of the import of the statement.

Mr. SMITH of Iowa. But it does not limit them from obligating us to pay for the next 35 years under these programs.

Mr. MAHON. Oh, I see what the gentleman means and his point is well taken.

I call the attention of the gentleman from North Carolina (Mr. JONAS) to this matter. Under the housing programs there is a provision in the bill providing authority for $80 million for subsidies for 1 year. We provide a certain amount for 1 year, but when we do this we obligate ourselves for 40 years.

I believe the gentleman from North Carolina has tabulated the total amount of money in these housing programs that will be mandated as a result of this bill if we pass it. Will the gentleman give that figure?

Mr. JONAS. If the gentlemen will yield, it will be 40 times 80, and that is $3.2 billion we will be obligating the taxpayers to pay over the 40-year period.

I remind the chairman that already in this fiscal year, we have provided $50 million for those two programs, so we have to add that to the $3.2 billion. You will find in these two programs, sections 235 and 236 of the housing law as amended, we will be obligating the taxpayers of this country to the amount of $5.2 billion over the 40-year period.

Mr. MAHON. About $5.2 billion. It looks very minimal when one looks at the bill, but when one looks at the costs which we are obligated to pay over 40 years it is about $5.2 billion.

Mr. JONAS. Mr. Chairman, will the gentleman yield further?

Mr. MAHON. I yield.

Mr. JONAS. This has been said, but needs to be emphasized. This spending limitation does not purport to remain in effect beyond next year. It is only for 1 year; is that not true?

Mr. MAHON. It is only for 1 year. It might be for only 30 days, if we change it, but this is not proposed for more than 1 year. Next year we can do something similar with respect to fiscal 1971 if we so determine.

Mr. MICHEL. Mr. Chairman, will the gentleman yield?

Mr. MAHON. I yield to the gentleman from Illinois.

Mr. MICHEL. If I might make a further point with respect to the institutions of higher learning and their construction needs, there is $3.9 million in this bill for interest subsidy, which will construct $145 million worth of college facilities. If you do not want that, then just wipe out the interest subsidy. It all depends on how much we appropriate in this bill for the interest subsidy, as to where that ceiling goes.

As the gentleman from North Carolina says, this is an expenditure ceiling for just the 1 year, not for 30 or 40 years.

Mr. SMITH of Iowa. Mr. Chairman, will the gentleman yield?

Mr. MAHON. I yield to the gentleman from Iowa.

Mr. SMITH of Iowa. This illustrates my point very well. If they get the $3.9 million interest subsidy, they will withhold the $150 million already appropriated for direct loans. That $150 million would be under the limitation, whereas the $3.9 million is all of the $145 million that shows up in the fiscal year. This is a big loophole.

Mr. MICHEL. It is not a permanent loophole if you choose to use that word. It is effective only for this year.

What we are saying is that since we are in such a bind, instead of a direct appropriation of $145 million for direct loans let us do it by the interest subsidy route, and finance the balance through the private sector.

SCOPE OF PROPOSED EXPENDITURE CEILING FOR 1970

Mr. DE LA GARZA. Mr. Chairman, will the gentleman yield?

Mr. MAHON. I yield to the gentleman from Texas.

Mr. DE LA GARZA. I should like to commend the gentleman from Texas for a most interesting and enlightening statement. I should like to ask a question on a problem I have dealing with appropriations.

An item in my district which was necessary was not included in the Nixon budget. Under this limitation would it preclude the Nixon administration from amending the budget and providing an item that is not in the present budget?

Mr. MAHON. There is nothing in this limitation that would preclude the Nixon administration from amending the budget and placing the item in it. There is nothing in this limitation which would preclude Congress from providing the funds for the unbudgeted items. So there is nothing inflexible insofar as the gentleman's problem is concerned in the resolution now before us.

Mr. DE LA GARZA. Therefore, if I understand the gentleman correctly, the limitation goes only to the amount and the Congress can act independently or the executive can revise its budget. Is that what the gentleman stated?

Mr. MAHON. I think the point is clear.

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Mr. DE LA GARZA. I thank the gentleman.

Mr. ROGERS of Florida. Mr. Chairman, will the gentleman yield?

Mr. MAHON. I yield to the gentleman from Florida.

Mr. ROGERS of Florida. I do not think this is such a novel approach. The Congress considered it before and in effect we have done it before.

Mr. MAHON. I believe we have never done it before, I will say to the gentleman. Not quite.

Mr. ROGERS of Florida. I think we have put a limitation in effect before when we put a limitation, for instance, on the national debt. In effect, we said that there was a limitation on the borrowing budget.

The gentleman will recall that the Hoover Commission recommended and this Congress debated the proposal that limitations on spending be placed upon each governmental department. In other words, taking the overall limitation which you are now proposing and breaking it down. The reason for the spending limitation was that the Congress could then control the expenditure budget, which we do not now control. All we can do here is appropriate the money, and the executive controls the rate of expenditure. The Hoover Commission's proposal, which you are proposing to carry out now, was to put a limitation on what the Congress itself might control. It does not mean that you cannot vary that figure if conditions change which call for it. Congress can vary it. But it is a restraint on additional spending. It also advises the Congress, the way it was originally proposed, and if there were slippages, we could find out why there were, and if there were overages proposed, we could find out why. So it is not so novel.

Mr. MAHON. The gentleman in effect is in favor of the limitation?

Mr. ROGERS of Florida. I certainly am. And I think it should be done even more. We should do it on each department. I wish the chairman had agreed some years ago, along with some other members of the Committee on Appropriations, to place expenditure limitations on Government departments because we could have been doing it all these years and prevented a great deal of the wild spending that we have had.

I thank the gentleman for yielding.

Mr. MAHON. My friend is entitled to his views. The ceiling should help but holding down authorizations and appropriations is the surest way to cut spending. No one can predict just what Congress will do, but I hope that the proposal here will be well supported by the House and by the other body.

COMPARISON OF TITLE IV OF PENDING BILL WITH THE LEGISLATIVE BUDGET PROPOSAL IN THE 1946 REORGANIZATION ACT

Mr. Chairman, in elaboration, may I add that the discussion recalls the efforts of the Congress, some 22 years ago, to enact a legislative budget, an important and really key feature of which was to put a ceiling on Government spending. I think it might be useful to insert an analysis comparing that effort with title IV of the pending bill:

By proposing a ceiling on the aggregate of government spending for fiscal 1970, title IV of the pending bill would secure something of what the framers of the legislative budget plan in the 1946 Reorganization Act had in mind, but which Congress in fact never accomplished. It would be useful to recall briefly what that plan was about, refer to the experiences in attempting to carry it out, and make some note of the similarities and dissimilarities between the provisions of the 1946 plan and title IV of the pending bill.

THE 1946 LEGISLATIVE BUDGET PLAN

The legislative budget plan was spelled out in the 1946 law. It is now a part of Rule XLII of the Rules of the House, and reads as follows:

"(a) The Committee on Ways and Means and the Committee on Appropriations of the House of Representatives, and the Committee on Finance and the Committee on Appropriations of the Senate, or duly authorized subcommittees thereof, are authorized and directed to meet jointly at the beginning of each regular session of Congress and after study and consultation, giving due consideration to the budget recommendations of the President, report to their respective Houses a legislative budget for the ensuing fiscal year, including the estimated over-all Federal receipts and expenditures for such year. Such report shall contain a recommendation for the maximum amount to be appropriated for expenditure in such year which shall include such an amount to be reserved for deficiencies as may be deemed necessary by such committees. If the estimated receipts exceed the estimated expenditures, such report shall contain a recommendation for a reduction in the public debt. Such report shall be made by February 15.

"(b) The report shall be accompanied by a concurrent resolution adopting such budget, and fixing the maximum amount to be appropriated for expenditure in such year. If the estimated expenditures exceed the estimated receipts, the concurrent resolution shall include a section substantially as follows: 'That it is the sense of the Congress that the public debt shall be increased in an amount equal to the amount by which the estimated expenditures for the ensuing fiscal year exceed the estimated receipts, such amount being $_____.' "

In other words, the joint committee, after study of the budget and consultations otherwise, was to bring in, early in the session, a *concurrent* resolution proposing an expression of the judgment of the Congress as to the probable budget revenues for the coming fiscal year and fixing a maximum budget expenditure *goal* for the year.

There was nothing mandatory or compelling about any ceiling so fixed upon.

It was not an enactment requiring approval of the President.

It was to be not a binding statute but only a target for the guidance of the Congress in processing the spending and revenue bills.

It was not directed to the Executive spending agencies, but only to the Congress. In its individual actions in the appropriation and the other spending bills, and on the revenue side, Congress could either hue to the disciplines implicitly suggested by the ceiling thus set, or it could ignore the ceiling.

In the first effort—in 1947—to put the plan into effect, both Houses adopted a concurrent resolution. The House proposed an overall cut of $6 billion from projected fiscal 1948 budget expenditures. The Senate proposed a $4.5 billion reduction. The conferees did not resolve the differences and the resolution died in conference. Thus no target ceiling was set.

The next year, Congress, on February 27, 1948, did adopt such a concurrent resolution with respect to fiscal 1949, setting—for itself—the goal of a $2.5 billion reduction in budgeted expenditures by expressing the judgment, "based upon presently available information", that * * * "expenditures during such fiscal year shall not exceed 37.2 billion dollars * * *".

Actual budget expenditures in fiscal 1949 were $40 billion; they exceeded the target by $2.8 billion, in effect wiping out the reduction goal of $2.5 billion. They exceeded the original budget projection of $39.7 billion by some $300 million.

In 1949, a move was made to set the date for action on the legislative budget for fiscal 1950 back from February 15 to May 1. Nothing further happened. Nothing further has been done in direct response to the legislative budget plan.

Many post-mortems have been rendered on the experiment. It was said that the joint committee of 102 members was unwieldy.

It was said that the time limit of February 15 was too short.

It was said that to name an expenditure reduction total in advance *in the manner proposed* approximated a court rendering a verdict without evidence. It was said that to vote for a blanket reduction in advance of hearings and consideration of the individual budget proposals was a vote to cut without knowing what is to be cut, how much is to be cut, or where the cut is to be made.

It was said that no legislative budget, logically premised, could precede a detailed study of the estimate.

The majority report accompanying the first concurrent resolution submitted to the House in February, 1947, suggesting the goal of a $6 billion cutback, had this acknowledgment:

"Of course, if the accompanying resolution be adopted there is no commitment as to any reduction in specific items contained in the budget. The resolution expresses an overall objective and its realization depends entirely upon the final action of the Congress upon budget estimates, individually and collectively."

THE 1946 PLAN AND TITLE IV—SIMILARITIES AND DISSIMILARITIES

There are a number of basic differences between the 1946 plan and title IV. There are also some similarities.

Of course, title IV does not deal with the revenue side. The 1946 plan did. But Congress knows what the revenue estimates of the Executive Branch are—although it should be noted that an up-dating of the January figures are needed; the April 15 budget review of President Nixon dealt only with appropriations and spending, not with revenues. The budget surplus of $5.8 billion projected by President Nixon is subject to revision on that account.

Perhaps the most basic difference between title IV and the spending ceiling in the legislative budget resolutions of 1947 and 1948 is that title IV would legislate *a rigid ceiling* into law, whereas the earlier resolutions merely sought to set *a goal* against which Congress would work in its actions on the various spending bills.

The earlier "ceiling" was not really a ceiling because it was not enacted as a law and was not binding on either Congress or the Executive. Title IV would set a binding statutory ceiling. The ceiling figure, insofar as congressional decision is concerned, is a beginning, not an ending figure. But whatever figure Congress would wind up setting, that would become a maximum on the Executive Branch, changeable only by subsequent action of Congress. That was not the case in the 1947 and 1948 efforts.

Unlike the earlier efforts which sought to declare at the beginning that the spending budget "should" be cut by not less than a pre-determined, arbitrary amount but which was cast in such a way as not to ensure it, title IV would not impose any reduction in advance—either as a "goal" for Congress or as a "ceiling" that would leave to the

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Executive the allocation of an arbitrary cut to specific agencies and programs.

Unlike King Canute who commanded the tide not to come in but was powerless to ensure it, title IV, unlike the earlier efforts "commands" that expenditures shall not exceed a certain sum and carries the mechanism to ensure the result. Of course, Congress can change tomorrow what it decides today, but that power, as to expenditures, is reserved to Congress by title IV.

Unlike the earlier effort, nothing in title IV calls on Congress to vote for a reduction—either as a "goal" or a "ceiling"—below the President's announced spending budget in advance of individual item consideration. The mechanism is there to adjust the initial ceiling figure—up or down—to comport with what Congress decides on each spending bill and proposition.

Not unlike what the majority report—quoted above—said about final results under the 1947 resolution "goal", what happens under title IV (which adopts the budget figure as a starting point)—. . . "depends entirely upon the final action of the Congress upon budget estimates, individually and collectively".

Like the words used in both the 1947 and 1948 resolutions, title IV is "based upon presently available information". The legislative budget effort was based on the initial budget. Title IV is also based on the initial projection of the new administration.

Like the earlier efforts, title IV encompasses expenditures from unexpended carryover balances of previous appropriations as well as expenditures from appropriations to be newly enacted in this session for fiscal 1970.

And unlike the noble but ineffective and impractical plan of 1946, title IV is a proposal logically based and practical of operation. If adopted and adhered to, it will not only focus on the total of government expenditures, but will keep the hands of Congress on the total. And the potential for retrenchment in expenditures is considerable.

CONTRIBUTIONS OF MILITARY PROGRAMS AND LEADERS

Now, Mr. Chairman, I wish to return to a matter I mentioned earlier, which is the business of military spending.

As I said in the colloquy with the gentleman from South Carolina (Mr. RIVERS), I believe in military strength. I believe we can negotiate with the Soviet Union better if we have military strength. I believe our main opponent in the world is not Korea or North Vietnam but the Soviet Union and Red China. I think we have to keep ourselves militarily strong. I do not think we ought to permit those to succeed who are trying to destroy the image of our civilian and uniformed military personnel. It is true our military establishments have prevented world war III, which was and is the great catastrophic threat that has confronted us since World War II. Our military have won their wars insofar as they were able to do so under all of the facts and circumstances which pertained.

They have reflected great credit upon this country and they have also shown some considerable managerial ability.

It was Admiral Raborn who headed up the Polaris program. In this Polaris program he demonstrated leadership that was incomparable.

It was Adminral Rickover who headed up the development of the atomic submarine program. He has performed a magnificent job in that field.

It was Gen. Ben Schriever who headed up the intercontinental ballistic missiles program of the Air Force.

Many good jobs have been done. There are countless examples of success by our military and civilian leaders. We cannot look only at shortcomings. We must look at the successes also, and we have reason to be proud.

Mr. Chairman, I have taken more time than I had anticipated but I believe it has given the members of the committee an opportunity to propound certain questions about programs in which they are interested.

UNEXPENDED CARRYOVER BALANCES

Mr. EVINS of Tennessee. Mr. Chairman, will the gentleman yield.

Mr. MAHON. I yield to the gentleman from Tennessee.

Mr. EVINS of Tennessee. I alluded earlier to unexpended carryover balances. The report reflects $226 billion. I will ask if it is not correct that this $226 billion unexpended carryover balance, if added to the Nixon budget request for new spending authority of $205 billion, would not make a total of $431 billion available for expenditure if the Nixon budget were approved as submitted?

Mr. MAHON. This is right. This $431 billion would be, technically, available for expenditure in 1970. If we adopted the appropriation or obligational budget proposed by the President, there would be about $431 billion available in fiscal 1970. But this requires a lot of understanding and analysis before it is intelligible to the average citizen. It is a very complex matter.

Mr. EVINS of Tennessee. If the gentleman will yield further, it is a very flexible budget and it is not really putting a crimp on the Bureau of the Budget the $192.9 billion spending figure is the full amount projected by the Nixon budget review.

Mr. MAHON. I thank the gentleman for his contribution.

(Mr. BOW (at the request of Mr. JONAS) was given permission to extend his remarks at this point in the RECORD.)

Mr. BOW. Mr. Chairman, H.R. 11400 is the usual supplemental appropriation bill which we have each spring for those items not provided for in our regular appropriations bills approved during the preceding calendar year.

Overall, I think this is a good bill. The committee considered appropriation requests totaling $4.3 billion, and approved appropriations of $3.8 billion, thus we cut almost $600 million below the requested amount. Moreover, the $4.3 billion request was reduced some $250 million by the Nixon administration under the amounts requested in the Johnson budget before we considered the request.

While I shall not repeat the detail presented by our distinguished chairman, the gentleman from Texas (Mr. MAHON), I do want to point out that of the $3.8 billion provided $1.2 billion is for military operations in Southeast Asia; $1.2 billion is for pay increases resulting from the Pay Act of last year; and the balance of $1.4 billion is for a variety of programs throughout the Government service.

Significant among the amounts provided are the funds requested by the administration to fight crime throughout the United States. This effort to cope with organized crime should be welcomed by all law-abiding citizens. It is my hope that substantial inroads can be made by the Department of Justice and other investigatory and regulatory agencies in coping with the criminal problems which face us.

Although each of the individual chapters in the bill will be handled by the respective ranking Republican Members, I do want to point out that this bill provides for a spending limitation in fiscal 1970 which will restrict budget expenditures to $192.9 billion. This $192.9 billion figure is some $4 billion below the adjusted amounts projected by the Johnson budget.

As we all know, President Nixon had the departments and agencies conduct an extensive review of their financial needs earlier this year, and the President was able to reduce projected expenditures by the aforementioned $4 billion. As all members of the Committee know, for more than 3½ years I have offered the so-called Bow expenditure limitation amendment on most appropriation bills, and while it was adopted on a number of occasions by the House, in some instances unanimously, it was never approved by the Senate on an individual appropiration bill. However, last year such limitation was included in the Revenue and Expenditure Control Act of 1968 and it has had the effect of reducing projected Federal spending in the current fiscal year by some $6 billion.

The provision before us which would limit budget expenditures in fiscal 1970 to $192.9 billion is much more rigid than was the expenditure limitation of last year because a number of budget expenditure items were exempted from the provisions of the limitation last year. Expenditures in the current fiscal year for the war in Vietnam, expenditures for interest on the public debt, those for veterans benefits and compensation, and so forth, were excluded from the limit and their exemption had the effect of increasing spending for exempted programs and in the so-called uncontrollable areas by approximately $6 billion above original estimates.

For example, interest on the public debt is up $1.1 billion above the original estimate of a year ago and farm price support outlays have risen $1.6 billion above the original estimate of last year.

Of the $192.9 billion of proposed spending for fiscal 1970, some $106.3 billion is in the relatively uncontrollable category. That includes $81.1 billion for uncontrollable civilian programs and $25.2 billion for special Southeast Asia support. Of the $81.1 billion for relatively uncontrollable civilian programs $49 billion is for outlays in the social security and public assistance programs.

Thus it seems to me that the adminitration will have serious difficulty holding expenditures in fiscal 1970 at $192.9 billion since there are no exemptions for the uncontrollables such as the war in Vietnam, interest on the public debt, and so forth.

While it is true that expenditures may rise above or fall below the $192.9 billion ceiling depending upon action or inaction by Congress on requests for appropriations, the ceiling is indeed rigid and leaves little leeway for unexpected changes in budget outlays.

As the ceiling is written in the bill it provides the following:

> That whenever action, or inaction, by the Congress on requests for appropriations and other budgetary proposals varies from the President's recommendation thereon, the Director of the Bureau of the Budget shall report to the President and to the Congress his estimate of the effect of such action or inaction on expenditures and net lending, and the limitation set forth herein shall be correspondingly adjusted.

If, for example, Congress fails to approve the postal rate increase in the amount of some $600 million, budget expenditures will rise by that amount since postal receipts are treated as offsets against spending. Similarly, the $192.9 billion ceiling will rise by $600 million since the postal rate proposal is accounted for in the expenditure total. But, it also follows that where other uncontrollable expenditures exceed current budget estimates, then expenditures for controllable programs would have to be cut below current estimates.

Mr. Chairman, I think this is a good bill in terms of the reductions which we have made in obligational authority, and I urge favorable action by the House on it. I am somewhat distressed, however, by the rigid ceiling on spending since history clearly shows a wide variation between actual expenditures and those projected in a budget document some 18 months before the close of a given fiscal year.

Mr. JONAS. Mr. Chairman, I yield myself 10 minutes.

Mr. Chairman, we have just listened to 50 minutes of what I believe to be as interesting a discussion of budget problems that I have ever heard in this Chamber. The gentleman from Texas has handled this subject in a masterful way and in my opinion has covered it adequately. Actually, I see no real reason why I should extend the discussion, because I doubt if I can add anything that he has not already covered.

However, there are a few points that I would like to make primarily by way of emphasizing what the gentleman from Texas has said. Actually, this bill contains four separate titles. They will be discussed, undoubtedly, by the chairmen of the various subcommittees that handle those topics and by the ranking minority members who work with them.

In summary, it can be said that in this supplemental bill the committee considered budget requests amounting to $4.364 billion, reduced that total request by $580,794,190, and recommend to the House a bill providing for $3,783,212,766, a reduction of 13 percent.

Mr. Chairman, it is not unusual to hear remarks to the effect that the House Committee on Appropriations marched up the hill last year and cut the budget by $14 billion and now it is marching down the same hill and restoring nearly $4 billion of that cut. But, as the chairman has pointed out, only about 1 percent of the funds contained in this bill amount to restoration of funds that were eliminated in the regular bills last year.

The remaining part of the bill covers mandatory increases that have been made necessary because of action taken by the Congress subsequent to the enactment of the appropriation bills last year.

I would like to discuss briefly the title of the bill which covers independent offices, and with particular reference to the Department of Housing and Urban Development, because that subject was raised in the colloquy between the gentleman from Texas and a member of the committee.

It is customary to read in the press that Congress has been very remiss in looking after the problems of the cities; that we have neglected them and that we have spent a lot of money on farm programs and allowed the cities to grow up in slums and what-not. I believe at times such as these that it is appropriate to remind those who read the Record, and who report on these deliberations—because it is not necessary to remind the Members of the House, because I am sure they are all familiar with the facts—but to those who are not familiar with the facts, I believe they need to be reminded occasionally that Congress has been pretty generous in spending the taxpayers' money on urban problems.

For example, we have been hearing a lot this afternoon about unexpended balances; and the budget does reflect that there will be on hand at the end of 1969 $226 billion in unexpended funds. But I do not believe it has been mentioned—and this is the most significant part of that figure—that $139,238,000,000 of that total is not even obligated. The total of $226 billion includes unspent and unobligated funds, but there is approximately $140 billion in the hands of the executive branch of the Government in previously appropriated funds which have not even been obligated, or will not be obligated at the end of fiscal 1969.

The Department of Housing and Urban Development has on hand—or will have at the end of this year—$20 billion of previously appropriated money which has not been spent. Some of it has been obligated, but it will have $13.5 billion of unobligated funds at the end of this year.

We have appropriated to that Department nearly $1 billion since 1967—$948 million, to be exact, for the new model cities program, and very little of it has been spent. They announced nine grants a few months ago, and over the last weekend three more were announced.

I do not know what causes the delay. I know it took the previous Secretary of Housing and Urban Development 7 months after he had all of the plans in to even select the first group of cities.

So I do not believe Congress can be justly charged with any lack of a sense of urgency about these problems. I believe much of the delay can be attributed to paper shuffling, foot dragging and bureaucracy in the department.

Let me tell you in brief capsule form some of the programs Congress has funded for the aid of cities.

Urban renewal is one of the important ones. Do you know that through 1969 the Congress has provided HUD and its predecessor with $4.6 billion for urban renewal? Through 1969 the Congress has provided nearly $3 billion public housing subsidies? Let me show you how the cost of the subsidy for public housing is increasing as the years go by.

The total was $208 million in 1965.

It went up to $241 million in 1966.

It went to $261 million in 1967.

Then to $295 million in 1968.

It went to $350 million, plus a $16 million supplemental or to $366 million in 1969.

The 1970 budget calls for $473 million.

New public housing starts are scheduled at 130,000 in 1970.

We have the rent supplement program.

We have the homeownership program, and we have the rental subsidy program.

We have the housing for the elderly and the rehabilitation program.

We have the below-market interest program and we have the community facilities program; the open-space land programs.

You name them—there are about 70 different programs in the Department of Housing and Urban Development being funded by the Congress from funds extracted from all of the taxpayers of the United States—70 different programs operated by one Department of the Government, in various aid to the cities.

Yet we are accused of doing nothing.

The truth of the matter is that we are spending about $30 billion a year on urban problems.

The CHAIRMAN. The time of the gentleman from North Carolina has expired.

Mr. JONAS. Mr. Chairman, I yield myself 5 additional minutes.

Mr. Chairman, in a colloquy with the chairman earlier, I responded to the question as to what brandnew programs we are funding in this supplemental and what they will cost—and I refer now to the programs under section 235, that is the homeownership program, a program under which the Government will subsidize the interest for a homeowner who wishes to buy a house and cannot pay the interest charges.

The subsidy will amount to the interest which exceeds 1 percent. So if the current interest rate is 7½ percent, the Government will subsidize it at no more than 6½ percent.

We put in the regular bill last year $25 million in contract authority for that program, and we are including in the supplemental an additional $40 million in contract authority. That is $65 million that is being voted this fiscal year for this new program which is just getting under way. That contract authority simply means that we give the department authority to commit the Government to spend $65 million a year on homeownership interest subsidies for 40 years—or $2.6 billion.

There is a companion program under section 236, known as the rental housing assistance program, which carried the same figure of $25 million in the regular bill and another $40 million in this supplemental. So under these two sections, these two new programs, in addition to public housing and in addition to urban area and in addition to community facilities and in addition to all of these other programs—here are two additional programs that are going to cost—even if we do not ever give them another dime in future years—that are going to cost the taxpayers $5.2 billion.

Mr. MAHON. Mr. Chairman, will the gentleman yield?

Mr. JONAS. I yield to the chairman of the committee.

Mr. MAHON. The gentleman is pursuing a very interesting aspect of Federal spending. I hope that he will place in the RECORD in connection with his remarks, if the figures have been assembled—and I know the gentleman's subcommittee has asked for them—the continuing costs that are mandated by previous actions on all these various housing-type programs, rent supplements, and so forth.

The reason I make this request is that there are those who feel that Congress is losing control of the purse. I think we are not losing control of the purse at all. When we appropriate money, we expect it to be spent for the programs which we have endorsed. In the past we have not tried to fix a rate of expenditure of the funds which we have provided for various programs except to a limited degree, which we discussed earlier. But if you approve a series of long-term programs and you grant the first down payment on a 40-year program, then for 40 years the Government is committed to that particular expenditure, because it is fixed by an action of the Congress. It is done by Congress. It is not a loss of control by Congress in the beginning, but we lock just that much more into the fixed and subsequently uncontrollable area of expenditure.

I would like to have the gentleman's views on that matter.

Mr. JONAS. I certainly agree with the chairman, and I believe he would agree with me that we ought to begin giving closer scrutiny to requests for contract authority. That is where the process begins. We cannot keep up with what is going on unless, as we grant contract authority, we know how long that authority is to extend and the total amount that will be involved, because when we grant contract authority, what we do is to pile up mandatory appropriations over the period of the contract. Some of those contracts go for 35 years, most of them for 40 years. What we are doing here, in funding sections 235 and 236, is a clear example of the mistake we make when we talk about appropriating $80 million when the cost of the program is $3.2 billion.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. JONAS. I yield to the gentleman from Iowa.

Mr. GROSS. Between the statements of the distinguished chairman of the committee and the distinguished gentleman from North Carolina, we are almost drowned in figures concerning this bill, and it is proper that the chairman and the gentleman from North Carolina give us the figures contained in this bill. But let me see if I can get a small-sized handle on this big spending proposal in this way: This bill provides for a ceiling of $192,900,000,000, is that correct?

Mr. JONAS. That is correct.

Mr. GROSS. What are the total estimated expenditures for this fiscal year? In other words, this bill would fix a ceiling of $192.9 billion for fiscal 1970. What will be the amount spent in this fiscal year which ends on June 30?

Mr. MAHON. Mr. Chairman, will the gentleman yield?

Mr. JONAS. I yield to the chairman of our committee.

Mr. MAHON. The expenditure for this year will be about $185 billion. So, under the administration's expenditure projection, expenditures would go up by $8 billion, 1970 over 1969, and appropriations would go up by about $10 billion.

Mr. GROSS. The gentleman refers to the $192.9 billion. Does that include the expenditures that he is giving the House now for the present fiscal year? Does that include the $3.8 billion in this supplemental?

Mr. MAHON. Yes; the $3.8 billion is all within these figures.

Mr. GROSS. They definitely include the $3.8 billion in this supplemental?

Mr. MAHON. The gentleman is correct.

Mr. JONAS. Mr. Chairman, I am glad the gentleman from Iowa made that point, because I did not want to forget to remind the Committee that if we adopt the recommendations of our committee with respect to the spending limitation, that will not be the end. We are going to have to work hard on every single appropriation bill to make reductions, because otherwise any reductions that are made will have to be made by the executive branch of the Government. There are Members of this body who do not want to give him the discretion or authority to decide where cuts shall be made. So we reserve the right, if we do our duty and live up to our responsibility and do not abdicate to the President the authority to make these cuts, to make the cuts in subsequent appropriation bills for fiscal year 1970 as they come before the House for adoption.

We cannot just adopt this spending limitation and then sit back and rubberstamp all the appropriation bills, and we do not intend to do it, but we have to have some support on this floor.

I have already heard rumors that efforts are going to be made to increase the Nixon budget. While the majority leader in the other body is making statements that spending should be reduced $10 billion below the Nixon budget. And, there are people on this side of the Capitol who are saying already that the spending cuts are too deep. I think it is true, as it has been in all but 3 of the last 14 years, that spending has been underestimated by whoever was in the White House, and I think spending this year in the 1970 budget is underestimated. I am sure it is underestimated in the interest on the national debt and in some other areas also.

I agree with the chairman that this is not going to be any sweet pill for the administration to swallow. It is something that the administration would like to avoid, I am sure. I certainly would not want to have to live under this limitation if I were the Executive or if I were his Director of the Bureau of the Budget, but they understand full well that they have the responsibility of trying their dead-level best to live up to these spending limitations, and they are going to have to live up to them unless Congress should unwisely I think exceed the budget requests on some appropriation bills.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. JONAS. I yield to the gentleman from Iowa.

Mr. GROSS. Mr. Chairman, I thank the gentleman for yielding. I do so merely to make the point that I agree again with the gentleman from Texas (Mr. MAHON) and the gentleman from North Carolina (Mr. JONAS) that we cannot emphasize too strongly the necessity for watching the authorization bills as they come in.

In that regard, I am not aware of a single authorization bill that has been approved so far in this session of Congress that has not carried an increase in spending. Is the gentleman aware of an authorization bill that has not been increased?

Mr. JONAS. I am aware of the fact that one adopted on the floor of this House a few days ago was substantially above the budget.

Mr. GROSS. I do not know of a single one that has not provided for an increased outlay of money.

Mr. JONAS. The gentleman from Iowa is correct. That is the first place to start. The second place to start is within the Appropriations Committee, and I think we are going to bring some substantial cuts here for the consideration of the House, and we are going to ask for the Members' cooperation as we undertake to make some substantial reductions this year.

Mr. Chairman, I yield 10 minutes to the gentleman from California (Mr. LIPSCOMB).

Mr. LIPSCOMB. Mr. Chairman, the need for supplemental appropriations for the Department of Defense for fiscal year 1969 has been recognized as needed and required for many months.

The Committee on Appropriations in their report dated July 19, 1968, No. 1735 on the Department of Defense appropriation bill for fiscal year 1969, discussed the budgetary effect of the war in Vietnam and the possibility of added funds. The report stated:

> It is probable that the funds provided will not be entirely adequate through the end of the current fiscal year and that a supplemental request will be made in the next session of Congress. This has been the case in the past several years.

The committee in their report also informed the House that funds were not included for military or civilian pay increases which became effective July 1, 1968. The committee report when discussing other fiscal considerations stated:

> In accordance with longstanding custom, this bill does not include funds for the military and civilian pay increase for fiscal year 1969, which became effective this month. There will be, as has been the case in the past, a supplemental estimate presented to the next session of Congress covering such costs government-wide.

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On September 11, 1968, when the fiscal year 1969 bill was before the House of Representatives, I remarked on the need for added appropriations as follows:

> It should also be noted that the Department of Defense will require additional fiscal year 1969 funds in order to meet present requirements, particularly in Southeast Asia. A supplemental request will be required. This has been the case in the past several years. Known increases already indicate consumption of certain specific ammunition items has greatly increased. Force deployments already approved are in excess of those upon which the budget was based. If the war continues at the present rate of expenditure of material, other costs will rise. The military and civilian pay increases which went into effect July 1, 1968, are not included in the budget now before the House.

The additional new obligational authority recommended in this second supplemental appropriation bill for fiscal year 1969, H.R. 11400, now before the House, for the Department of Defense, in titles I, II, and III is a net total of $2,312,068,000.

These additional funds are required to support United States and our allies military operations in Southeast Asia. Funds are included for the pay of military personnel, for operation and maintenance, and for procurement of items to replace combat losses. The total request also includes funds for military and civilian pay increases already implemented under provisions of previously enacted laws and mandatory increases in military retired pay.

The supplemental budget estimates for fiscal year 1969 for the Department of Defense as proposed and transmitted to the Congress by President Johnson, January 17, 1969 totaled $3,011,900,000. A reassessment by President Nixon's administration was completed in April and the revised estimate to Congress totaled $2,871,200,000 a reduction of $140,700,000. The Appropriations Subcommittee on the Department of Defense after devoting considerable time to analyzing the request, recommended a further reduction of $559,132,000. The $2,312,068,000 total recommended in this bill represents a total decrease of $699,832,000 below the January 17, 1969 estimate.

For title I the revised estimates for military operations in Southeast Asia totaled $1,496,900,000. The committee reduced this amount by $262,900,000 and recommends appropriations totaling $1,234,000,000.

In title II the committee recommends appropriations totaling $226,050,000, a reduction of $23,632,000 below the revised request of $249,682,000. The largest part of the funds requested in this title, $175,000,000, is for "Retired pay, military." The requirement for additional funds results from increased benefits paid in accordance with cost of living allowances previously authorized by law.

The balance of the appropriations in title II is funding for increased per diem costs for reservists in travel status based on a new law, Public Law 90–168, premium pay and employee benefits for National Guard technicians, depot overhaul of Guard equipment and aircraft, and funds for training and other operational costs.

Under title III there is recommended $852,018,000 for military and civilian pay increases. This is a reduction of $272,600,000 below the revised request. The subcommittee reduced all requests for funds to meet increased pay costs as the requests were estimated on the total annual requirements which were based on first quarter obligations. Many of the estimates have been proven to be overstated at this point in time.

The gross amount recommended for the Department of Defense in this bill for military and civilian pay increases under titles I and II is $903,768,000. Of this amount $678,950,000 is for military pay and $224,818,000 is for civilian pay. The additional pay costs and added funds stem from the second phase comparability pay adjustments effective last July 1. These increases were authorized in Public Law 90–206, the Federal Salary Act of 1967, and Public Law 90–207, increasing the basic pay for members of the uniformed services.

The Appropriations Subcommittee on the Department of Defense spent considerable time in analyzing the request for the funds requested to be assured that only those additional funds actually required were recommended. We feel that the funds which are included in this bill are needed and the appropriation should be approved.

MILITARY OPERATIONS IN SOUTHEAST ASIA

President Johnson's budget for fiscal year 1969 submitted in January, 1968, proposed defense expenditures for support of Vietnam operations in the amount of $25.8 billion. It was known during 1968 that figure was a low estimate.

The present estimate for military operations in Vietnam for fiscal year 1969 is $28.8 billion in expenditures. This amount includes the estimates submitted in connection with the pending bill.

In January of this year the supplemental requirement for fiscal year 1969 in support of military operations in Vietnam was estimated at $1.632 billion. The reassessment which the new administration completed in April confirmed the validity of the requirement but reduced the funds requested to $1.497 billion.

The committee, in the bill before us, recommends $1.234 billion in funds for military operations in Southeast Asia which provides:

	Millions
For additional personnel pay costs	$239.5
For operational support and maintenance of equipment	354.4
For procurement of ammunition and ground force equipment	640.1
Total	1,234.0

These additional requirements result directly from factors and events not contemplated when the fiscal year 1969 budget was prepared.

First, in January 1968 the Communist Tet offensive required the deployment of additional forces to Vietnam and required increased support operations, additional equipment, ammunition, and other consumables. Losses sustained were great and material had to be repaired or replaced.

Second, the seizure of the U.S.S. *Pueblo* and other aggressive actions by the North Koreans resulted in the callup of Reserve Forces to meet the possible military threat, deployment of additional air and sea forces to the area, additional equipment, and other requirements.

This request now before us does not provide for increases to our current force levels which are somewhat below the presently authorized deployment of 549,500.

The committee procurement recommendation provides equipment and consumables for American and Allied ground forces and also to upgrade our production base. More than 65 percent of the procurement funds—$419.5 million—is for ammunition.

The operation and maintenance appropriations require supplemental appropriations for Reserve callup and additional deployment, maintenance of material, aircraft fuel and oil and increases and modernization of the Armed Forces of the Republic of Vietnam.

Included in this supplemental are additional funds for the modernization and upgrading of the South Vietnamese Armed Forces. This is a very significant part of this supplemental bill.

President Nixon on Wednesday, May 14, said that the strengthening of the South Vietnamese forces has been speeded up and the President said:

> That time is approaching when South Vietnamese forces will be able to take over some of the fighting fronts now being manned by Americans.

The funds in this bill will directly aid the speed up of the strengthening of the South Vietnamese forces.

Significantly this bill as recommended by the committee includes a total of $246.4 million in funds which are for purposes which will enable the South Vietnamese to eventually defend themselves and thus to gain the opportunity to determine their own future.

Funds are included to procure for the South Vietnamese Armed Forces ammunition and equipment such as armored cars, trucks, rifles, communications, and electronic devices. Also included are funds for South Vietnamese training, as well as general supplies, spare parts, transportation, and depot operations associated with the major end items provided the South Vietnamese.

We must welcome the effective assumption by South Vietnamese forces of a larger share of combat operations for certainly our overall national interests do dictate that we begin reductions of U.S. forces as soon as is feasible and that our forces not remain in substantial number indefinitely if a negotiated settlement proves unattainable.

It is clear the administration requires the additional defense funds to meet our commitment in Southeast Asia and other already incurred obligations as provided in this bill.

Mr. Chairman, the committee has made every effort in deleting unessential items and funds not related to Southeast Asia military operations as well as correcting estimates which were overstated.

The funds recommended are necessary and should be appropriated.

Mr. JONAS. Mr. Chairman, I yield 10

minutes to the gentleman from Illinois (Mr. MICHEL).

Mr. MICHEL. Mr. Chairman, there is a portion of this bill to which I would like to address myself, and it is that having to do with the Departments of Labor, Health, Education, and Welfare. This involves $700 million of the bill, broken down as follows: $35.9 million for the Department of Labor and $677 million for the Department of Health, Education, and Welfare.

The first item having to do with the Department of Labor is a $20 million item for unemployment compensation for Federal employees and ex-servicemen.

The members of the committee will recall that earlier in the year we passed a supplemental in the amount of $36 million. This will be in addition to that in order to rectify those faulty estimates that were submitted to us at the beginning of fiscal year 1969.

Then, too, there is also an item of $15.9 million for employees' compensation, claims and expenses. Now, both of these items are mandatory payments required by law. Both were set up by the Nixon administration, because the previous estimates, as I said, were too low.

Mr. Chairman, I think it should be borne in mind that compensation benefits paid to surviving children are involved in this particular item. Back in 1966 when we amended the law we provided that full-time students could receive payments until the age of 23; whereas, before they were cut off at the age of 18. We were told in our testimony that these payments to these children average $110 a month or $1,320 per year per child. This is one of the factors which goes into this increase.

Then, too, there is an item for the cost-of-living increase, and an increase in the maximum monthly allowance from $525 to better than three times that amount, $1,600. That amount has led to many of our Federal employees choosing workmen's compensation instead of sick leave. An injured employee has the choice or option to use sick leave or receive compensation. Twelve years ago only about 37 percent of our injured employees chose to use the compensation route rather than choosing sick leave. But today that figure is practically reversed to 57 percent of the employees using compensation rather than sick leave.

In the area of higher education the first item of interest is that of interest subsidy grants in the amount of $3,920,000. This will initiate a new program of debt service grants authorized in the higher education amendments that we passed last year.

That was Public Law 90–575, signed into law October 16, 1968. It replaces the same amount of direct Federal loans permitting a substantial reduction in Federal expenditures for fiscal years 1969 and 1970, as we pointed out earlier in our colloquy on the subject with the gentleman from Iowa (Mr. SMITH). The Federal Government in this program pays the difference between the 3-percent interest rate and the going rate—and incidentally, in the fiscal year 1970 budget there is an item for interest subsidy in the amount of $10,670,000, which will provide for an increase then of $6,750,000 for fiscal year 1970. Obviously this manifests itself in a greater construction of facilities at our institutions of higher learning in the years to come.

Incidentally, they told us in our hearings that there are applications on file for in excess of $200 million worth of construction. As I said, this $3.9 million will give us $145 million of construction this first year.

Mr. JONAS. Mr. Chairman, will the gentleman yield?

Mr. MICHEL. I yield to the gentleman from North Carolina.

Mr. JONAS. I believe the gentleman is approximately correct. We have the same problem in our bill in our subcommittee in funding HUD's requests. It is a lot better, I believe, to provide assistance with interest payments than for the Federal Government to go into the money market and compete with business enterprises and individuals for the available credit, and thus put our fiscal house more in disorder than is already the case.

Mr. MICHEL. I believe the gentleman from North Carolina makes a good point. Of course, Congress so expressed itself when we passed this law in October of 1968 providing for this.

I might say that this year we have about 6 million college students, and the projection is that in 1970 we will have 10 million students at our institutions of higher learning, so the need for the construction of facilities is paramount.

There is also an item in here of $7,241,000. This is for the Federal City College, a direct payment, or a one-lump-sum payment to the Federal City College in the District of Columbia. This was the amount authorized in Public Law 90–354 as a one-time lump-sum appropriation in lieu of a land grant for the Federal City College in the District of Columbia. We were told that this sum will at the moment be invested in Government bonds to realize a return of some $360,000 for the Federal City College of the District of Columbia to be used for salaries and other expenses of the university.

I might say, too, that over and above this the Federal City College will also receive a share of the annual appropriation for land-grant colleges under the Bankhead-Jones Act, and that allotment in fiscal year 1970 will be approximately $168,000, out of a total figure of something like $12 million for the entire country. So here we are for fiscal year 1970 giving the District of Columbia a proportionate cut of the shares that normally go to the other 50 States.

Then too under the second Morrill Act the Federal City College would come in for another share of $50,000 out of the total allotment of $2,600,000 for the country.

In the item of the public health service, comprehensive health planning and services, there is an item of $128,000 for increased pay under Public Law 90–206 and 207. $9,600,000, the biggest item here, is for a program to combat German measles, better known as Rubella, the 3-day type of measles. We have now been told that an effective vaccine has been developed and is expected to be licensed within the very near future.

What we are doing here is actually a forward funding so that we will not have to wait to get this program underway until the normal appropriation bill can be passed later in the year.

Incidentally, to give you some idea of the proportions of the problem here, there is expected to be another epedemic either this year or next year. If we look back to the last Rubella epedemic that we had in 1964, there were some 20,000 children born with defects. The testimony before our committee states that this will cost us in the end some $2.8 million in medical costs without even considering the rehabilitation costs for these poor children, the 20,000 or more who were born with deformities of one kind or another as a result of that Rubella epedemic in 1964.

So it is a very worthwhile project and one which should go forward immediately.

Then for District of Columbia medical facilities there is an item here of some $15 million. This is a portion of the amount authorized under Public Law 90–457 for grants and loans to construct hospitals and other medical facilities in the District of Columbia.

The item was included in the 1970 appropriation bill but we moved it forward here in this supplemental to enable hospitals in the District of Columbia to move ahead with their construction which is already underway.

We have been told there are some very serious financial troubles among the various hospitals here in the District of Columbia.

This is a very worthwhile item.

The biggest item in this supplemental consists of HEW and has to do with grants to States for public assistance. This is a total of $651.546.000. This figure merges together three appropriation requests—maintenance payments to States in the amount of $343,524,000 and this is $30 million under their request. Although we were told in the testimony that this is a legitimate figure now that adjustments have been made in the States and that is is a bona fide figure.

If you add this supplemental to what we have appropriated in the 1969 regular bill of $3,051,900,000, you have a total amount of payments to States for public assistance for maintenance alone an aggregate of $3,395,424,000.

The second item is for medical assistance in this supplemental for $278,022,000.

If you add that to the original appropriation in 1969 of $2,118,300,000—we have a total in this item for the fiscal year of 1969 of $2,396,322,000 or a grand total in this fiscal year 1969 in grants to the States of $5,791,746,000. For the fiscal year 1970—and hold on to your hats—it is going up again—the projections are that it will be $6,600,000,000.

The reasons they gave us for the increased payments are—and these are all required by law—the deferral of the AFDC—that was pushed back as you will recall; the increased average payments; the increases in the number of recipients; the increased use of intermediate care facilities; then finally the rising medical costs.

So this is an astronomical figure that we are talking about here in these grants to the States for public assistance and something certainly has to be done to reorient this whole program or else we are going to have to shoot the moon in the future to come up with sufficient funds to cover these programs that have been authorized.

Mr. ANDREWS of Alabama. Mr. Chairman, I yield 3 minutes to the gentlewoman from Washington (Mrs. HANSEN).

Mrs. HANSEN of Washington. Mr. Chairman, inquiries have been made about chapter VI, the Interior and related agencies section of the supplemental bill, particularly in regard to additional funding for the increased production of timber.

There is $610,000 provided in chapter VI to accelerate timber production in the fiscal year 1969 on national forest and Indian lands as part of the national effort to increase the timber supply and thus ameliorate the current shortage which has contributed materially to the increased price of lumber. Of that amount, $150,000 is provided for the Bureau of Indian Affairs and $460,000 is for the U.S. Forest Service. It is estimated this will produce an additional 75 million board feet from the BIA forests and an additional 270 million board feet from the U.S. Forest Service lands.

Mr. JONAS. Mr. Chairman, will the gentlewoman yield?

Mrs. HANSEN of Washington. I yield to the gentleman from North Carolina.

Mr. JONAS. I am very glad that the gentlewoman from Washington made that explanation, because the timber shortage, I am told, is quite acute. It is very appropriate that we open up these lands for the scientific production of timber. I am very glad indeed that the record will show that these steps are being taken and that additional timber will be made available.

Mrs. HANSEN of Washington. I thank the distinguished gentleman from North Carolina. May I add that in the regular hearings of the committee for fiscal year 1970, volume 3, on the U.S. Forest Service, you will find an excellent discussion between the U.S. Forest Service and the committee on timber requirements and the funds that need to be spent in the national forests. You will also find similar discussions with the Bureau of Land Management and the Bureau of Indian Affairs in our 1970 hearings. The funding in this supplemental bill, $610,000, is just "a piece of adhesive tape" to meet the total problem before us. I assure you the committee in its consideration and markup of the regular 1970 bill intends to provide the maximum funds possible for the increased production of timber.

Mr. JONAS. Mr. Chairman, I yield to the gentleman from Minnesota.

Mr. LANGEN. Mr. Chairman, I take this brief time merely to call to the attention of the House the items that are in the supplemental bill relating to the Department of Agriculture. There are just four items, each of which is demanded because of an emergency, or because of mandatory provisions which require the expenditures, which is the true purpose of the supplemental appropriation bill, in my estimation.

The first item is a matter of $1,400,000, which is needed in order to combat a very serious outbreak of screw-worm in the Southwest part of the United States, which we were unable to forecast during the course of the regular appropriations for the fiscal year 1969. This amount of money has actually already been spent. The Director of the Bureau of the Budget has the authority to authorize these expenditures in order to meet the emergency, and for that reason they have to be reimbursed at this time.

In addition, there is an item of $218,000 which is to meet the mandatory Federal contribution to the retirement fund for the State extension personnel. These payments are related to the increased funds provided by the Congress in the regular 1969 appropriation bill to place the extension jobs on a salary basis more comparable with other agricultural personnel.

Then there is an item of $7,500,000, which is necessary in order to meet the regular sugar beet payments, which is a mandatory payment that must be made. The increased moneys become necessary because the crop last year was greater than the estimate.

There are also increased pay costs necessary to be paid. They total more than approximately $28 million, but there is only $12,900,000 which is provided by supplemental appropriations. $10 million is provided by releases from Public Law 90–364 reserves, and another $5,182,000 is provided by transfers from funds within the Department.

Probably the most significant item within this supplemental appropriation as it relates to the Agriculture Department is the transfer of $25 million out of unobligated funds from the FHA direct loan account to the emergency credit revolving fund. This becomes necessary in order to meet the emergency needs for credit. Some very unusual demands have been placed upon this emergency fund because of floods that have occurred throughout the Midwest, in Minnesota, North Dakota, South Dakota, Illinois, Missouri, California, and several other places. The demands are such that they are necessary in order to keep farm operations going during this coming fiscal year.

In view of the fact that the Department is out of money in this category now, it becomes most essential that these moneys are provided by a transfer from the direct loan account, and requiring also that the account be repaid as the loans are repaid.

I am sure it will be provide much needed relief to a great many farmers who otherwise would find themselves in economic distress were it not for this appropriation.

In conclusion, let me say that each of these items is essential and necessary to the proper operation of the Department of Agriculture. I can very heartily recommend them to the House for approval.

Mr. JONAS. Mr. Chairman, I yield 5 minutes to the gentleman from Kansas (Mr. SHRIVER).

Mr. SHRIVER. Mr. Chairman, as the ranking minority member on the Subcommittee on Foreign Operations, I support and the minority members support the committee's recommendation for supplemental appropriations for the Cuban refugee program. The committee recommends the appropriation of $2,700,000 of the $2,853,000 requested in new obligational authority, and the release of $35,000 of the $38,000 in requested transfers from the Revenue and Expenditure Control Act reserves.

The requested increase for this program will fund the following activities:

There is $1,254,000 for unanticipated welfare costs of refugees resettled outside the Miami area, due to the higher number of refugees requiring such assistance. The Federal Government has a commitment to reimburse the various States for these welfare expenditures.

There is $755,000 for increased per-pupil rates for Cuban children in the Dade County, Fla., school system. This increase is due to increased operating costs to the Dade County system because of higher teacher salaries and other costs. These per-pupil rates will be studied again when the committee considers the fiscal 1970 budget requests.

There is $844,000 for costs of transporting refugees from Cuba to Miami. Last year, Congress included language in the fiscal 1969 appropriation bill to fund this expense from this account, instead of the State Department account as had been the case in the past. It was hoped at the time that these costs could be absorbed by the program, but this has not occurred, thus these funds are necessary.

Although the committee is recommending the appropriation of most of this request, I think it would be well to point out the rapidly increasing cost of the Cuban refugee program. In fiscal 1968, Congress appropriated $49 million for this program; in fiscal 1969, including this supplemental, this figure had increased to $70.7 million; and the committee now has pending before it a request for fiscal 1970 of $87.3 million.

This represents an increase of $38.3 million, or 78 percent, for the Cuban refugee program in only 2 years. The American people have been very generous with this program through the years, and our country has benefited from the influx of these energetic and enthusiastic immigrants. At the same time, we should be aware of these growing costs. In an effort to insure the most efficient operation possible for this program, the committee has recommended a decrease of $153,000 from the request for new obligational authority. It is expected that the administrators of this program can program these cutbacks to continue the effectiveness of their operations.

Mr. MAHON. Mr. Chairman, I yield 10 minutes to the gentleman from Florida (Mr. SIKES).

Mr. SIKES. Mr. Chairman, first let me touch on the immediate thrust of the

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military sector of this bill. It is designed to provide weapons and equipment to strengthen the South Vietnamese forces; to permit these forces to assume a greater share of the burden of battle. This is most important. The South Vietnamese forces are showing greater capability and their battle effectiveness is much more encouraging. It would appear that American forces will no longer have to carry such a great part of the conflict and significantly, the South Vietnamese will be in stronger position to enforce peace when it comes. This is a very meaningful change in the overall picture.

As we consider overall additional expenditures for defense purposes, we find ourselves buffeted by conflicting winds from many sources. There is a taxpayers' revolt against high levels of spending by Government and of course the principal offender from the standpoint of the number of dollars involved is the military. This is an inevitable part of the inflation that we in Government have helped to build; have almost permitted to get out of hand. The cost of weapons and equipment is fantastically high and the costs of development of a new weapons system is even higher because of the unknown factors which are encountered. There have been a series of blunders, some of them colossal, which have shaken the faith of the people in the military and indeed in Congress and the Government. There was the TFX—the F-111 series—which was to be Mr. McNamara's great contribution and a great money saver. In the final analysis, it cost about twice as much as had been anticipated and, in some phases, has been junked. Just a few days ago, a new submarine sank at its dock while being fitted for service. It is absolutely inconceivable that such carelessness in workmanship could have or would have been permitted.

There is the usual flap about the dangers of chemical and biological weapons which always is good for column after column of horror stories in the liberal elements of the press. What they do not print is that the Russians have seven or eight times our capability in this field, and that we could be dangerously exposed in time to a Russian attack with these weapons as an alternative to a nuclear confrontation. In the field of nuclear weapons, we can at least trade destructiveness.

The question of the ABM has been greatly overplayed. It is a simple case of survival for our nuclear weapons capability. I have felt that at least equal protection should have been provided for people in cities but apparently in an effort to negate the antivotes, the administration has cut back on the scope and purpose of the ABM. Both aspects should have been approved.

In other words, we in America find ourselves completing the cycle we have seen on so many other occasions in our country. The commentators tell us that people are getting tired of war—that they want it ended—and that they want no more involvement in foreign affairs. They are saying in effect that we want to retreat to the security of our own continent. All of this is more than a little disconcerting. I do not believe this fallacy is reflected in the thinking of the average American. I believe that a substantial majority of the American people know why we are fighting in Vietnam. They want this war won. They do not want us walking away from Vietnam with our tail between our legs, setting the tragic stage for another war when the Communists get ready for another takeover of territory and peoples.

Our first mistake was in trying too hard to fight this war without inconveniencing anyone—to fight it so that we could have both guns and butter. It is never possible to fight a war without inconveniencing someone. The fact of 35,000 being killed in a war which is not yet resolved attest to the fallacy of this approach in the Vietnamese conflict. The people should have been told why we were fighting. They should have been shown that it is in America's best interests to fight now and win rather than to risk having all of the Pacific fall into Communist hands in the years to come. We should have been told that it is patriotic to wear the uniform, patriotic to be proud of the flag, patriotic to stand up for our country. Because this was not done, the antiwar crowd has had a field day, with the Communists happily at work stirring up anti-American sentiment at every point.

As a part of this pattern, attacks are now being leveled at our military leadership. Unfortunately, this too has always been a part of the American way of conducting its affairs. When those in uniform are winning wars for us, they are our heroes. When we no longer need them, we pick them to pieces. The fact that many people now believe it is administration policy to get out of Vietnam regardless of the cost in strengthening the efforts of every person who seeks the eventual downfall of the American system of government.

The uncertainty which is sweeping America is not confined to defense. It goes much broader. It involves the whole spectrum of national security, and in this I include all of the unrest which is reflected in the news media day after day and which in too many instances is promoted by them.

We here in the House of Representatives have our responsibility. It has not changed because there is wholesale attack upon the military, or because there is concern about the cost of spending, or because people are tired of taxes. We have a responsibility to insure that those who fight our battles in Vietnam, under whatever orders they fight, receive insofar as it is possible for us to do so, every single item that they need. We have the responsibility of demonstrating to the world that we are determined that this Nation shall not, if we can avoid it, become defenseless in the years ahead. We have a responsibility to demonstrate that there is solidarity in Government, and that we will confront communism everywhere with determination. Don't think for a moment that the Communists are not watching what is happening here on the floor of the House of Representatives today. Do not think for a moment that they are not noting loud and clear what we say and what we do. I do not think I need to remind those here today that we could, by responsible action, help set the stage to throw away in Paris what the uniformed services have fought for on the battlefields of Vietnam. We could throw away whatever chance is left for success in this long, terrible and costly struggle.

Those who say that America has lost the war or cannot win it, do our country a great disservice, for neither is true. By their steadfastness on the battlefield, America's fighting forces have brought the Communists to the point where they want peace. Now they are trying to achieve at the conference table what they could not achieve on the battlefield. More than ever, there is reason for unity at home and for a show of strength for America in this body, which really speaks with the voice of the American people.

One of the items of great interest is the ABM. The question of deployment of this system should be resolved without further controversy. I hope the House will follow with me some comments from informed sources on the real function and the need for an ABM system. For instance there are those who urge continuing research and development—and not deployment. The principal purpose of ABM under the present proposal is to offer protection, as needed, to our deterrent forces.

As Secretary Laird points out:

> Simply continuing research and development on the ABM without any initial deployment, would leave us with no option to provide defense to our deterrent on the schedule that might be required by the Soviet threat if we do not reach an agreement with the Soviets on limiting strategic forces.

Before and since Secretary McNamara first included defense of our strategic deterrent as an option of the Sentinel system, there has been a substantial body of testimony supporting the effectiveness of this type of deployment.

Dr. Harold Brown said in testifying before the House Armed Services Committee in 1967:

> Because our missile sites are small hardened targets, they are much easier to defend than cities. The exchange ratio is favorable to us for the defense of this type of target.

Dr. Edward Teller said in a recent U.S. News & World Report interview:

> Twelve years ago it seemed that a missile defense was 30 times as expensive as an offense. Today the ratio is estimated at 3 to 1, although still in favor of offense. In some respects it is even estimated at 1 to 1. The main point is we don't really know. We can't find out except by actual deployment.

In rebutting recent unfavorable comment on the feasibility of defending Minuteman sites against a heavy threat, Dr. Foster made the following comment:

> Various estimates of the cost of an interceptor including its assigned fraction and the radar and other systems costs have varied between $2.5 million and $7 million. The present cost to the U.S. and probably the Soviet Union for an offensive R/V is in excess of $10 million. The advances which we

> expect in our forces over the next few years may reduce these to about $3 million. . . . In other words, the cost to attack and to defend in the 1970 time frame are roughly one to one.

Moreover, those who are responsible for our national defense have said that now is the time to get on with the deployment of the Safeguard system to defend our Minuteman sites. I agree.

Secretary Laird said before the Senate Foreign Relations Committee on March 21 of this year:

> We cannot delay the decision beyond this budget that we presented to this Congress, covering the program for fiscal year 1970, which begins on July 1, 1969. We must include this deployment on two sites in this particular budget.

He had earlier said:

> We have sufficient strength today in the combination of our strategic forces—our missiles, our bombers, and our Polaris capability—to respond to any attack that might be launched against the United States.
>
> As Secretary of Defense, it is my obligation and my intention to keep it that way beyond any reasonable doubt. This is what the ABM discussion is all about.
>
> And that is why we have no alternative but to protect our options to safeguard our deterrent forces. If the Soviet threat turns out to be, as the evidence strongly indicates, an attempt to erode our deterrent capability, we must be in a position to convince them that a first strike would always involve unacceptable risks.

In addition, and again quoting Secretary Laird:

> Safeguard . . . offers protection, as needed, of the entire country from a small attack, such as the kind of attack that could be possibly delivered by the Chinese Communists during the decade of the 1970's or from an accidental launch.
>
> The estimate of our intelligence community is that the earliest the Red Chinese could have this kind of capacity would be in the 1972–73 time period, and the estimate is that in the time period of 1975 and beyond, that the Red Chinese could have the capacity and the capability to have 15 or more missiles.

Dr. Edward Teller, in U.S. News & World Report, said:

> A small nuclear force such as they will have in a few years could wreak real havoc on an undefended United States. We might have to give in to Chinese demands affecting not only South Vietnam but also Taiwan and even Japan, rather than take the slightest risk of their not bluffing.

In regard to the Sentinel system as a defense against the Chinese threat, Secretary McNamara stated July 1967:

> This austere defense could probably preclude damage in the 1970's almost entirely.

Dr. Foster stated more recently—on May 12, 1969:

> The Safeguard system has been designed by competent people, and the best that are available. Its design has been reviewed by outside experts. Those who do, in fact, study the aspects of the system that are within their area of technical expertise are convinced it will do what it is designed to do. There are some eminent scientists who, for one reason or other, claim it won't work. On that I'd like to say . . . that they have offered no problem which we have not long since addressed and resolved."

Finally Under Secretary Packard stated on March 14, 1969:

> Locating sites away from major cities should make clear to the Soviet Union that the American defense is designed to preserve our deterrent—not to change the strategic balance.

It has been suggested in some quarters that the administration has somehow misled Congress about its intentions in deploying the Safeguard system.

I think it is useful to review the letter of the law here.

The current authorizations for the ABM defense system for procurement, research and development and military construction for the Army read as follows:

Public Law 90–500, for procurement:

> SEC. 101. Funds are hereby authorized to be appropriated during the fiscal year 1969 for the use of the Armed Forces of the United States for procurement of aircraft, missiles, naval vessels, and tracked combat vehicles, as authorized by law, in amounts as follows: . . . For missiles: for the Army, $956,140,000.

Public Law 90–500, for research and development:

> SEC. 201. Funds are hereby authorized to be appropriated during the fiscal year 1969 for the use of the Armed Forces of the United States for research, development, test, and evaluation, as authorized by law, in amounts as follows: For the Army, $1,611,900,000.

Public Law 90–408, for military construction:

> SEC. 101. The Secretary of the Army may establish or develop military installations and facilities by acquiring, constructing, converting, rehabilitating, or installing permanent or temporary public works, including site preparation, appurtenances, utilities, and equipment for the following projects:
>
> UNITED STATES ARMY AIR DEFENSE COMMAND
>
> CONUS, various locations: Operational and training facilities, maintenance facilities, supply facilities, medical facilities, administrative facilities, troop housng, community facilities, utilities, and real estate, $227,460,000.

The defense and military construction appropriation acts contain even broader language.

Clearly both the Safeguard and Sentinal systems fit under the language of the law.

In fact, there is an understanding in the Congress and in the Defense Department that funds must be spent for the purposes for which they were authorized and appropriated.

In the case of the ABM system, the purpose for which they were authorized and appropriated was to provide a defense against ballistic missiles. To accuse the officials of this administration of bad faith for deploying the best balanced ABM they can design is simply to disregard the previous actions of Congress.

Congress should not get into the business of trying to design the anti-ballistic-missile system either in its minute technical details or in its tactical deployment configuration. These decisions should be left to defense planners. I suspect that much of the agreement we hear, including many of the technical arguments, are being put forth by people who are already over their head or who are not apprised of all the facts.

Congress has in the past given rather broad authority for the construction of the ABM system. If it wishes to change this method of operation, it can do so when the additional funds which will be required for the deployment of phase I of the Safeguard system are authorized and appropriated for fiscal year 1970.

There are other items of more than average importance which are likely to escape specific attention because they are not sensational and because there appears to be no pressing need that they receive other than casual consideration. Yet these may be of very great importance.

For instance, there is the problem of maintenance of real property facilities. The taxpayers should be very directly concerned with this problem. So should be the military officials. So it would seem would be the Congress.

Nevertheless, this subject presents an increasingly aggravated picture which I want to discuss at this point.

The Committee on Appropriations has for many years been urging that the military services properly and adequately maintain the extensive real property holdings within their jurisdictions. Some 15 years ago this interest was manifested in the appropriation of funds above the budget estimates for the then existing backlog of deferred maintenance. The committee found that much of this claimed deferred maintenance either did not rest on valid estimates or the need was subsequently ignored by the services and the practice of appropriating over the budget for real property maintenance ceased.

Indeed, during the ensuing several years it became apparent that moneys justified to Congress for the maintenance of real property facilities were being diverted to other uses in the absence of any restrictive law or legislative history. Consequently in recent years, the committee has recommended, and Congress has agreed to, language in the appropriation acts establishing floors or minimums in the amounts of money which must be devoted to real property maintenance. In the current Appropriation Act for the fiscal year 1969, for example, the language reads for the Navy: "of which not less than $155,600,000 shall be available only for maintenance of real property facilities."

In the case of the Marine Corps the language reads similarly: "of which not less than $22,661,000 shall be available only for the maintenance of real property facilities."

House Document No. 91–50 proposed revisions reducing those amounts. Testimony in the hearings on the second supplemental appropriation bill indicated that reductions were made in the floors on real property maintenance based on "congressional intent." It appeared from the testimony that this interpretation of congressional intent was based on the Revenue and Expenditure Control Act of 1968 and its effect on Government expenditures generally.

It would seem to me, Mr. Chairman, that we have here a situation of either ignoring, or violating, congressional intent by the military.

I should like to point out that the Revenue and Expenditure Control Act of 1968 was enacted into law on June 28, 1968, Public Law 90–364. While its terms and conditions allowed some flexibility, some considerable flexibility in the executive branch, there was not in connection with its enactment—at least to my knowledge—any discussion of an intent to cutback on the maintenance of real property facilities of the Department of Defense. Congress does not want these cutbacks.

Now I should like to point out that the appropriation bill for the Department of Defense for the fiscal year 1969 was enacted into law by virtue of the signature of the President on October 17, 1968, Public Law 90–580. The appropriation bill contains as a matter of law the phrases which I have previously quoted. I do not believe it likely that the Department can find a shred of evidence in the debate or in the committee reports on the defense appropriation bill indicating that the language of the law was intended to be set aside by any assumed or presumed interpretation of congressional intent stemming from the earlier enactment of the Revenue and Expenditure Control Act of 1968. On the contrary, it could be presumed that the enactment of the floors on maintenance of real properties in specific numbers and at a later date indicates the precise opposite, namely, that it is the intent that such an amount must in fact be expended for the purpose.

It is clear that much of the difficulty that we encounter in Congress, in the academic world, and through all facets of our society, stem from misinterpretations of honestly presented sets of facts. It is further clear that in most instances, if not in all instances, those who so misinterpret do totally and completely escape any remonstrance, much less punishment, for their willful acts.

Although I do not wish to magnify the incident out of all proportion, it is safe to say that the taxpayers of the country will at some future date have to shoulder the burden of new construction prematurely or unnecessarily because of failure to adequately maintain facilities that are now in being. Certainly, someone should be called to task for permitting such a situation to exist.

The CHAIRMAN. The time of the gentleman from Florida has expired.

Mr. MAHON. Mr. Chairman, I yield 5 additional minutes to the gentleman from Florida.

The CHAIRMAN. The gentleman from Florida is recognized for 5 additional minutes.

Mr. MAHON. Mr. Chairman, will the gentleman yield?

Mr. SIKES. I yield to the gentleman from Texas.

ANTI-BALLISTIC-MISSILE SYSTEM

Mr. MAHON. The gentleman from Florida made reference to the anti-ballistic-missile program. The gentleman is aware that in the fiscal year 1970 budget which is before Congress, but which is not under consideration in this bill, there is about $860 million for a continuation of the ABM program.

In my opening remarks, I took the position that we should go forward with the ABM program. I would like to amplify that by giving, in part, some of the reasons why we have been working on this program for years. The Soviet Union, our most formidable opponent, has a somewhat limited anti-ballistic-missile system deployed. It seems to me that it would be militarily and politically unsound and indefensible for us not to undertake to have a defense against the intercontinental ballistic missiles of the Soviet Union and of Red China.

My opinion is that we must proceed now with the anti-ballistic-missile program. It is my feeling that the Members of Congress, generally, will approve of this view, and I am convinced that the American people will approve of this view. I do not believe the American people want to be completely defenseless with respect to the intercontinental ballistic missiles of the Soviet Union or of Red China. This would be illogical while the Soviet Union is providing some defense for its people. Whether or not their system is very far advanced begs the question. Therefore we should undertake to provide some defense against the possibility of attack by intercontinental ballistic missiles of either nation.

I believe the gentleman's opening remarks should be read by all Members of the Congress.

Mr. SIKES. The gentleman from Texas has stated the situation precisely and he has stated it very well.

We are trying to assure at this point that we can retaliate if the need should develop—we are seeking to insure for our country a capability which at least parallels the development which has been proceeding on an ABM system within Russia for a number of years. I feel that the American people demand that this be done. I feel that their voice is not really being heard in the quarters where protests are raised against the ABM system.

It is my opinion that we would be making a most serious mistake if we should not proceed with at least the small ABM program that has now been proposed.

Mr. MAHON. Mr. Chairman, if the gentleman will yield further, I would ask the gentleman further if an article in the U.S. News & World Report, by Dr. Teller, one of the great scientists of the country, and a discussion by Dr. Wiesner, another great scientist, who are both very familiar with this problem, has been called to his attention.

We are aware that there is much discussion of the ABM in the scientific community, but as I see it this issue is one of judgment, and that is not an issue to be settled by the scientists alone. I would hope that those interested in this matter will probe deeply enough to understand what the fundamental issue is, and that is whether or not we shall let our chief opponent have a protection against our missiles and have none ourselves against his.

Mr. SIKES. The gentleman has stated the situation perfectly.

Mr. LIPSCOMB. Mr. Chairman, will the gentleman yield?

Mr. SIKES. I yield to the gentleman from California.

Mr. LIPSCOMB. Mr. Chairman, I concur completely with the gentleman from Florida and the gentleman from Texas in the need for the Safeguard ABM. I believe that it is absolutely necessary that we go ahead on this modified program as recommended by President Nixon.

The decision of President Nixon announced on March 14, 1969, calling for the deployment of the Safeguard anti-ballistic-missile system was made only after a searching and exhaustive analysis of the clearly emerging threat to the Nation and its people in the mid-1970's. All the available options and alternatives were thoroughly examined leading to the determination that Safeguard would provide a beginning toward the best protection against those threats.

In the judgment of the President, and of others within the Government who are charged with the direct responsibility for preserving our national security, the initial deployment of Safeguard represents the minimum action which must be taken now to preserve the credibility of our nuclear deterrent in the immediate years ahead.

The decision to deploy Safeguard is remarkable for the controversy which it has generated. Some Members of the Congress and some persons within the scientific community have taken issue with the President's decision. They have been joined in their opposition by others who find in Safeguard an excellent opportunity to give vent to their frustrations over the course of events in Vietnam, thereby injecting an emotionalism into a debate which, because of its critical importance to national security, should be governed only by rational and reasoned factual presentations.

Because the President is Commander in Chief of our military forces and, more than any other one man charged with the awesome responsibility of providing for the national defense, many Members of Congress, in the exercise of their constitutional responsibilities, have normally followed the practice of according great weight to such momentous determinations by the President. The President has immediately at hand the most sensitive intelligence information upon which these vital decisions must be based.

For my own part, I would have to be absolutely convinced that I was right and the President was wrong before I could, in good conscience, oppose him on a national security matter of this magnitude. Moreover, in cases where the issue might be described as somewhat doubtful, my conscience would dictate that such doubts be resolved in favor of the President's determination that his recommended action is necessary for our country's protection. This has been my position with respect to all Presidents, of either political party.

It is obvious that all the people of the United States have a vital stake in the

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decision we make as to whether or not we should attempt a ballistic missile defense. It is appropriate to determine the desires of the people. And I mean all the people—not just those with the resources to publish and circulate their views, nor just those who participate in organized letterwriting campaigns to Congress.

When President Nixon assumed office in January of this year, he inherited from his predecessor the beginnings of deployment of an ABM system, the Sentinel. The decision of President Johnson, announced in September 1967, to begin deployment had been endorsed by Congress in 1968 and funds had been provided for a start on the system. Production of the various components of the system had been initiated, sites acquired, and, at some sites, work had commenced.

The Nixon administration suspended work on Sentinel deployment while it conducted a broad and thorough review of the general problems of ballistic missile defense including specifically the basic possible missions of such defenses and an analysis of the actual and potential Soviet and Chinese nuclear threat capabilities to our cities and to our strategic retaliatory capability.

An important part of the review included an analysis of the many alternative ways of accomplishing the ballistic missile defense missions. The alternatives examined included:

First, not building any ballistic missile defense at this time, maintaining the research and development program, and relying on improvements in our retaliatory weapons to deter Soviet and Chinese attacks on our cities and strategic retaliatory forces;

Second, defending our strategic retaliatory forces—our second-strike capability—by hardening our missile silos and further dispersing of our bomber bases; and

Third, several alternative ABM deployments, including: a "heavy" defense against Soviet nuclear attacks on our major cities, ballistic missile defense of our strategic retaliatory forces, the Sentinel defense against the expected Chinese threat and accidental attacks, a sea-based anti-ballistic-missile intercept system—SABMIS—and various combinations of these alternatives.

Finally, the review included a careful evaluation of the technical and operational feasibility of ballistic missile defense systems based on current technology and current intelligence.

After a careful consideration of the alternatives, President Nixon reached the following conclusions: First, the concept on which the Sentinel program of the previous administration was based should be substantially modified; second, the safety of our country requires that we should proceed now with the development and construction of the new system in a carefully phased program; third, this program will be reviewed annually from the point of view of technical development, the threat, and the diplomatic context including any talks on arms limitation.

The Safeguard system has been designed so that its defensive intent is unmistakable. It will be implemented not according to some fixed, theoretical schedule, but in a manner clearly related to a periodic analysis of the threat.

The Safeguard system provides for the phased protection of our land-based forces and the light, overall protection of population. This deployment will permit a shift of radar and missile sites away from major cities.

Both the Nixon administration and the Johnson administration agree on the capabilities and limitations of the ABM system which technology permits us to deploy at the present time.

Both administrations agree that our ABM system at its present stage of development cannot be expected, no matter how deployed, to provide an effective defense of all our Nation's population against a heavy nuclear attack.

Both administrations agree that our ABM system does have the capability, in several types of deployment, of defending all our population against a light nuclear attack.

Both administrations agree that our ABM system does have the capability of providing a strong, although not preclusive, defense of a specific target of limited area against a heavy nuclear attack.

This evaluation, concurred in by both administrations, is extremely important. It was not made lightly, nor by any one person, or by any persons specializing in one field. This is not just a weapon, but a weapon system. It consists of a number of components, including nuclear warheads, which were and continue to be designed and tested underground by our nuclear physicists; missiles, which have been designed, constructed, tested, repeatedly improved, and tested further; data processing equipment, which has also been built and tested; missile site radar, which has been built and tested; and perimeter acquisition radar, all the components of which have been tested. In addition, the system utilizes technology dealing with such diverse areas as component hardening and command and control.

An evaluation of the ABM system is a complex matter, requiring the participation of many specialists from various and sundry science and engineering fields, who base their evaluations on the results of the tests performed. This, however, is the very type of careful evaluation which enabled the Johnson administration and, thereafter, the Nixon administration to conclude that our ABM system would work, and would do the job proposed for it.

Obviously, no one scientist, however learned, can credibly assume personally to evaluate the entirety of the system, particularly if he has not been privy to the testing accomplished with the components of the system. An impressive number of scientists, however, believe that it either will work or can be made to work.

The Johnson administration, based on an evaluation of the limitations and capabilities of the ABM system, devised a proposed deployment to provide a defense of our cities against the potential Chinese Communist capability to launch a light nuclear attack in the mid-1970's. This is what the Sentinel system, as designed by the Johnson administration, would have done; and this Safeguard will continue to do.

The preceding administration was also very much aware of the possibility that the Soviet Union might seek to develop a capacity to overwhelm our land-based missiles and bombers. It continued to watch the missile buildup in the Soviet Union, believing, however, as Secretary McNamara said in January 1968, that the growth of the Soviet ICBM force would decelerate instead of continuing at a high rate.

The Sentinel system of the Johnson administration has three purposes, according to Secretary Clifford:

First, to "prevent a successful missile attack from China through the late 1970's."

Second, to "limit damage from an accidental launch from any source."

Third, to "provide the option for increased defense of our Minuteman force, if necessary in the future."

Safeguard will provide for the first two purposes as enumerated by Secretary Clifford, but most importantly, it also will provide for the defense of our Minuteman force which under Sentinel, had been only optional.

Neither Secretary McNamara nor Secretary Clifford believed that the relative invulnerability of the missile forces of the United States was assured for the indefinite future. Both warned that additional steps might be required if that invulnerability was to be maintained in the 1970's. Just before leaving office, Secretary Clifford expressed his "increasing concern" about "the continuing rapid expansion of Soviet strategic offensive forces." He went on to warn that—

> We must continually re-examine the various ways in which the Soviets might seek to strengthen their strategic forces beyond what now seems probable, and take appropriate actions now to hedge against them.

The decision on whether or not to deploy the Safeguard system turns, it seems to me, on the answer to two questions:

First. What is the nature of the threat which there is reason to believe will confront our Nation in the mid-1970's?

Second. Is Safeguard an effective way of coping with that threat?

When I speak of a threat to our security, I am not engaging in speculation about the intentions of any foreign power. As we should have learned from the Cuban missile crisis of 1962, it is dangerous to base our policy on assumptions relating to intentions. Anyone who is not privy to deliberations in the Kremlin can hardly speak with assurance about Soviet intentions at the present time. Even certain knowledge of present intentions would be a poor basis for judging the intentions of those who may be in power in the Soviet Union 5 years or more from now.

We would be derelict in our responsibility to the people if we failed to base our policies on an estimate of the capability that the Soviet Union or Communist China will have in the future if they continue on their present course and if we failed to take timely action to thwart that capability.

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Projecting into the future the current rate of construction and deployment of the SS–9, we arrive at a figure of 600 such ICBM's in operation in the Soviet Union by 1976. If each SS–9 is equipped with three independently aimed warheads—a capacity which is technically feasible and on which the Soviet Union is working—our force of 1,000 long-range Minutemen would be in danger of annihilation from the 1,800 Soviet warheads. Let me quote Dr. John S. Foster, Assistant Secretary of Defense for Research and Engineering, on this point:

> A missile system having a 20 percent failure rate and carrying 3 re-entry vehicles per missile, would require only 420 missiles to attack 1,000 silos. If the yield of each reentry vehicle was a reasonable 5 megatons and the accuracy a reasonable ¼ of a mile, about 95% of the silos could be destroyed. This would mean 50 of the 1,000 Minutemen survive.

Our present strategic offensive force includes, of course, not only land-based long-range missiles but missile-carrying manned bombers and Polaris submarines. Can we not be complacent about the future, some may ask, since two of the three elements of our deterrent force would still be in existence after an SS–9 attack on Minuteman sites thereby enabling us to inflict retaliatory devastation on an attacking nation?

There are two answers to this question. First, if prudence had not required that we keep three elements in our deterrent force, we would not have developed and maintained three in the past. Our security is assured with three. The loss of one would leave us considerably less secure. We might get by with two, but that involves risks that we have been unwilling to take in the past. Further, we should remember that our bombers, even today, are to some degree vulnerable and that our submarines may become vulnerable in the future. We must now plan for our defense through the next decade. We know that the Soviet Union is at work on a fractional orbital bombardment system and other weapons which could make both bombers and submarines vulnerable to attack in the future. To assume that both will continue to be safe from attack would be sheer folly.

I do not want to overstate the case. In order to achieve, in fact, the capability of eroding our assured destruction capability in the future, it will be necessary for the Soviets to do a number of things, but all are things which they have demonstrated a competence to accomplish. They would have to equip their SS–9 missiles with multiple, individual targeted reentry vehicles and improve their accuracy. They would have to continue to increase the number of such ICBM's deployed. They would have to continue their ambitious submarine program and possibly add a submerged launch missile utilizing a depressed trajectory. They could improve and deploy a more effective ABM system around their cities. The accomplishment of these improvements in forces, or combinations of these programs, on all of which they are now engaged, could create doubts of the effectiveness of our assured destruction capability, provided we take no steps not already programed to prevent, or to prepare to prevent, such an erosion.

Because the Chinese ICBM development program has not progressed as rapidly as estimated a year or two ago, there has been a tendency to overlook this potential threat in the present debate on the ABM issue. Today, the intelligence community is indicating that the Chinese Communists may have an operational ICBM within 3 to 4 years. If that happens, it will be incumbent on the United States to have an adequate protective force.

There are a number of factors which point out the need for Safeguard to counter this growing Chinese threat. Most of them have to do with demographic factors. The United States has 63 percent of its population living in the 1,000 largest cities. The Chinese, on the other hand, have only 11 percent of their population living in China's 1,000 largest cities. One can conclude that the Chinese population is widely dispersed throughout her large land mass. Furthermore, as Mao Tse-tung has pointed out on numerous occasions, China, with its population of 800 million, could survive even with a loss of 200 million people from a nuclear attack. Thus, it is reasonable to conclude that our ability to deter Communist China with our strategic offensive forces is considerably less certain than in the case of the Soviet Union, whose population is much more concentrated than China's.

The population concentration factor has a vital bearing on our decision to proceed with the Safeguard program. The Chinese, with only a few, relatively crude ICBM's could inflict a great deal of damage on the United States. For the United States to retaliate against such a strike might require a greater portion of our deterrent force than we could safely commit. For, by responding to a Chinese provocation, we could leave ourselves naked to a Soviet attack.

These reasons, I believe, point out that Safeguard is a good investment for protecting against a possible Chinese attack as well as insuring the credibility of our deterrent against any possible Soviet attack.

The second question which we must ask to reach the decision about deploying Safeguard has to do with its effectiveness. Of all possible courses of action which we might take to guard against the potential threat of the mid-1970's, Safeguard is the most effective, the least costly, the least provocative.

There is strong support among the most respected scientists who are familiar with all aspects of our ABM program for the conclusion that Safeguard will provide effective protection to enough of our offensive force to make an attack upon that force unprofitable for any aggressor.

Among the eminent scientists who have publicly expressed support for deployment of Safeguard are: Dr. Edward Teller, Lawrence Radiation Laboratory, recognized as one of the world's foremost nuclear physicists; Dr. Eugene P. Wigner, Princeton University nuclear physicist, elected to the National Academy of Sciences 1945, Atoms for Peace Award 1960, Nobel Prize for Physics, 1963; Dr. William G. McMillan, University of California at Los Angeles, professor of chemistry, noted specialist on strategic nuclear matters such as reentry vehicle vulnerability, penetration aids, nuclear weapons effects, and missile vulnerability.

If we could delay our decision on Safeguard until we determine whether or not the Soviet Union continues to increase its capability to threaten our security—or whether success comes of negotiations to limit arms, I would be in favor of deferring the decision. Unfortunately, we cannot wait. It will require more than 4 years to complete phase I of the Safeguard system, the deployment of protection for two missile sites in Montana and North Dakota. In the absence of authorization from Congress for fiscal year 1970, the Defense Department would be required to stop the activity in which it has been engaged under authority granted last year. It would have to close down developmental production lines, discharge skilled personnel, and cease engineering on sites. If Congress then gave authority to proceed in the next year, the program would be delayed 2 years, and the first two sites would not be in operation until 1976. Time would be lost in the search for personnel with the necessary skills and in the training of a new force to begin the work anew.

If we are not ready at the time a threat to our security comes into being, we will be no better off than we would have been if we had done nothing at all. As Secretary of Defense Melvin R. Laird has said:

> Too little and too late has been the epitaph of more than one great nation in history. It must not be ours.

If, in fact, the decision to deploy Safeguard imposed an obstacle to fruitful negotiations toward arms limitation, this might well give us pause. But let us remember that Premier Kosygin in 1967, speaking of the embryonic ABM system which the U.S.S.R. had already begun to deploy, said:

> I believe that defensive systems, which prevent attack, are not the cause of the arms race, but constitute a factor preventing the death of people.

Let us remember, too, that President Johnson's decision to deploy the Sentinel system, instead of hampering negotiations, was followed 4 days later by a statement of the Soviet leaders that they were interested in beginning talks on arms restrictions.

Safeguard is an inducement to arms limitation and a building block toward peace. We will go forward with talks on arms control with a better chance that these talks will result in effective agreements if it is clear to all the world that the United States does not intend to stand idly by while its capacity to defend its people is undermined. Indeed, an important inducement toward agreement is missing if the U.S.S.R. is led to believe that we will unilaterally limit our defensive capacity.

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Safeguard is purely defensive. It is not an escalation of the arms race. It does not increase one whit the capacity of our country to inflict damage on any other nation. It is far more moderate step than the alternative some of its opponents propose—an increase in the size of our offensive missile force, or the reckless launching of our missiles upon a warning, that may or may not be valid, that we are about to be attacked. Increasing our offensive forces would step up the arms race and might give Soviet leaders some plausible ground for fearing that we were seeking a first-strike capability.

If the threat that may confront us in the mid-1970's fails to develop, whether because of international agreement on arms control or a change in the pace or character of the Soviet buildup, or for any other reason, Safeguard can be slowed down, altered, or abandoned altogether. Deployment is divided into phases so that our defensive precautions will match the threat and not become an overreaction to it.

President Nixon clearly made these points in his announcement of his decision on Safeguard on March 14 of this year. He said:

> I have directed the President's Foreign Intelligence Advisory Board—a non-partisan group of distinguished private citizens—to make a yearly assessment of the threat which will supplement our regular intelligence assessment. Each phase of the deployment will be reviewed to insure that we are doing as much as necessary but no more than that required by the threat existing at that time.
>
> Since our deployment is to be closely related to the threat, it is subject to modification as the threat changes, either through negotiations or through unilateral actions by the Soviet Union or Communist China.

To keep in perspective the decision which the Congress will be called on to make this year, it is important to keep in mind the phased program of deployment that is proposed. This year, we decide only whether to begin on phase I so that by 1974 we may have in being an antimissile defense of two of our missile sites. We do not commit ourselves to go beyond that, and the Congress will have ample opportunity to check on the progress of deployment and to reassess periodically the continued need for the system.

If in fact Safeguard deprived us of resources needed to deal with our pressing domestic problems, that fact might give us pause. But Safeguard is not shortchanging any program designed to cure domestic ills. The decision to deploy this system involves spending in fiscal year 1970 only $250 million more than would be spent if we limited ourselves to continuing with research and development. But a decision to defer deployment would add $250 million to the total cost now estimated for deployment. The expenditure proposed for deployment in the next fiscal year amounts to three-tenths of 1 percent of the outlays proposed for defense. It amounts to a little more than one-tenth of 1 percent of proposed total Federal outlays. In its initial costs, it will be substantially less expensive than Sentinel would have been.

The estimated expenditure for the total Safeguard program is in the neighborhood of $8 billion, including the warheads. This expenditure would, of course, be made over the course of many years. It is unlikely that in any year Safeguard will demand spending that would equal even one-half of 1 percent of the budget.

To my mind, the basic issue which the Safeguard proposal presents is the degree of risk to which we are willing to expose the American people. I am not inclined to gamble when the stakes are the survival of our Nation and the safety of its people. I would rather be wrong by providing a measure of defense that the future might show we did not need than be wrong by failing to provide the protection required.

I hope that all Members of Congress, when they vote on Safeguard, are conscious that they may well be voting on the survival of the United States.

Mr. MAHON. Mr. Chairman, will the gentleman yield further?

Mr. SIKES. I am happy to yield to the chairman of the committee.

Mr. MAHON. Mr. Chairman, there is the feeling on the part of many—and that includes myself—that if we move forward with our own ABM system, and we can move forward only at a certain rate of speed, that if we move forward with this program the likelihood will be enhanced that we can sit down at the conference table with the Soviet Union and arrive at some arms control agreement, not on disarmament, which I believe is unobtainable, but some agreement for a limitation on armaments. But so long as the Soviet Union goes forward with the deployment of its ABM and we take no steps at all, we are placed in a position in this particular field of defense—and this is defense, and not offense—of dealing from a position of weakness.

Mr. SIKES. It was after it was announced that we in this country were going ahead with the ABM system that the Soviets first agreed to hold a discussion on disarmament. This in itself is indicative of the validity of the statement the gentleman has just made: if we have a basis of strength from which to negotiate the Russians are much more interested in negotiating. There is no reason for them to negotiate if they have the field for themselves.

The CHAIRMAN. The time of the gentleman from Florida has again expired.

Mr. MAHON. Mr. Chairman, I yield the gentleman from Florida 5 additional minutes.

Mr. SIKES. I thank the gentleman for yielding the additional time.

CANCELLATION OF WEAPONS SYSTEMS

Mr. MAHON. Mr. Chairman, if the gentleman will yield further, the committee was advised yesterday of the cancellation of the procurement of the Cheyenne helicopter. It was canceled because it had not been possible for the contractor to solve the problems involved in developing this system. Of course, this program is subject to investigation by various appropriate committees. The Appropriation Committee intends to take a look at it.

The military from time to time, in their sincere desire to provide superior weapons programs attempt to stretch the state of the art. They undertake to do things which are highly desirable by way of weapons development, but some of these things are not within the state of the art and cannot be accomplished.

Many years ago, we spent $1 billion on a nuclear-powered aircraft, and finally we agreed that the state of the art had not progressed to where it was feasible to produce an acceptable plane of this type.

It is unfair and improper to condemn those who try to stretch the state of the art in order to improve our weapons. They make great efforts to add to the Nation's protection and to the budgeting capability of our servicemen.

Is it not understandable that in a stretching of the state of the art it is from time to time necessary to admit defeat? We are prone to call that "money down the drain," but if it is in the interest of trying to provide better defense it is not in the truest sense always money down the drain.

Mr. SIKES. This is of course the only way we can perfect our weapons systems. There must be trial and error. It is through this procedure that we have been able to develop the highly effective systems that we have. Fortunately most of them have not encountered problems as serious as the Cheyenne did.

In the case of the Cheyenne, unfortunately, hopes did not work out. Defense officials were seeking to develop a more effective weapons capability in a fast helicopter. The helicopter is largely a defenseless aircraft and yet it has been tremendously useful and has filled an extremely important need in Vietnam.

But it is highly vulnerable and the military were simply trying to provide a faster helicopter with an improved weapons capability that would enable it to stand off enemy attack and to provide greater support for the troops on the ground.

The thought was good. It would have been an extremely important development had it worked out—and eventually it probably will work out.

But in the effort to develop within a short time something that would be useful in the Vietnamese war, considerable moneys were expended. It has not been possible to develop the capability that is needed and rather than to continue to spend money on top of this already costly program, the military has decided to cancel the Cheyenne.

Mr. MAHON. Is it not true that the object of producing the Cheyenne was an effort to make our military men more effective and to save the lives of American soldiers in Vietnam?

Mr. SIKES. Yes, the purpose is to save lives—that is the primary purpose. It would have reduced the vulnerability of the helicopter, which is a very important vehicle, and made it into a gun ship.

Mr. MAHON. Pursuing the matter further, reference was made today to the so-called TFX and the Navy version, the F–111B.

Here was an effort to produce an airplane which would be suitable for all of the services. The objective was highly desirable. A great effort was made to achieve it, but as we look back with

20/20 hindsight, and I am sure the gentleman from Florida would agree, it was a mistake to undertake to make the F-111 conform to the Navy's requirements, which are in some ways quite different from the Air Force requirements.

Mr. SIKES. Yes, but we did not realize that at the time. The defense officials again felt that this was a way to save money. They made a very determined effort. The effort failed and we have to share in the blame because we financed what we thought would be a workable concept.

Mr. DAVIS of Wisconsin. Mr. Chairman, will the gentleman yield?

Mr. SIKES. I yield to the distinguished gentleman.

Mr. DAVIS of Wisconsin. I think all of us are indebted to the chairman of the committee and to the second ranking member of the defense subcommittee and the ranking minority member of the committee for this colloquy which is putting some of these things in the proper perspective, particularly with respect to the ABM system. I think this colloquy has made it clear that we do not, as a practical matter, have a choice between the development of the ABM system on the one hand and some agreement or other limiting arms on the other. Quite to the contrary, if we were to unilaterally make the decision and announce to the world, as some of our colleagues would have us do, that we are not going to defend ourselves against the ICBM, we would thereby destroy our capability of reaching any meaningful agreement with reference to either the ICBM or the ABM.

Certainly, if we announce beforehand that we are not in a position to defend ourselves, and that we do not intend to be in a position to defend ourselves, then we would be going to the conference table with no cards at all.

The **CHAIRMAN.** The time of the gentleman from Florida has expired.

Mr. MAHON. Mr. Chairman, I yield 5 additional minutes to the gentleman from Florida.

Mr. SIKES. Mr. Chairman, I take this additional time, first, to thank the distinguished gentleman from Wisconsin for this contribution which is sound, logical and meaningful.

Mr. MAHON. Mr. Chairman, will the gentleman yield?

Mr. SIKES. I yield to the gentleman.

Mr. MAHON. It seems to make news to be against a major defense program, at this time the ABM, but it does not make news to be in favor of providing this barrier against an attack which might come from China or from the Soviet Union.

There has been so much talk in the country and so many news columns written in opposition to our building a defense system designed to help to protect the lives of American citizens and to avoid world war III, it occurs to me that it is well for the world to know that there are many—and in my opinion the overwhelming majority of people in this country who believe that this kind of protection, as imperfect as it may be, is something we must seek to attain.

I wish to thank the gentleman and my colleagues for making reference to these matters. No one can convince me that the people of the United States want to be second best when it comes to self-defense. I do not think that we want our country to be second best, and I predict it will not be second best. I thank the gentleman for yielding.

Mr. SIKES. Let me add that the deployment of the ABM system, which is now proposed, does not mean that we will have an imperfect system. We will have a system which has the benefit of years of research and development, and as deployment progresses, it will be possible to build into it any improvements which the state of the art permits, to insure that we will have a fully workable and an effective system.

Mr. MAHON. Mr. Chairman, will the gentleman yield further?

Mr. SIKES. I yield to the gentleman from Texas.

Mr. MAHON. Is not one of the principal obectives of those of us who support the ABM to bring about a situation which will enable the United States and the Soviet Union—and other countries, we hope—to make some reduction in arms expenditures? That, after all, is our objective. I would hope we can join together in this effort and eventually through these procedures bring to a lower figure the vast resources we have to provide for defense.

Mr. SIKES. That is our objective. It is what we are working toward, and I believe it is a meaningful step in that direction.

The **CHAIRMAN.** The gentleman from North Carolina (Mr. JONAS) is recognized.

Mr. JONAS. Mr. Chairman, I have no further requests for time.

I yield back the balance of my time.

Mr. MAHON. Mr. Chairman, I yield 8 minutes to the gentleman from New York (Mr. RYAN).

Mr. RYAN. Mr. Chairman, it is unfortunate and regrettable that the supplemental appropriation bill before us lumps together funds which are necessary and essential for important domestic programs with a request, as set forth in title I, for some $1.2 billion for additional support for military operations in Southeast Asia.

Once again we are faced with a choice of either approving the entire package recommended by the Appropriations Committee, and thereby allocating still more funds to the prosecution of the war in Vietnam, or having to vote against the entire supplemental appropriation bill. I regret that the Appropriations Committee has put us in this situation again. There is strong and conscientious opposition to continuing to fund the war, and Members should have an opportunity to vote separately on the $1.2 billion for military operations in Southeast Asia.

When the bill is open for amendment under the 5-minute rule, I intend to offer an amendment to strike title I of this bill, in order to eliminate the $1.2 billion earmarked for Southeast Asian military operations. This would permit us to have an opportunity to vote on this question. However, of course, we know under the parliamentary procedure followed, there would be no opportunity for a rollcall vote. If my amendment does not prevail, then I intend to offer a motion to recommit if I have the opportunity.

I believe that as long as these funds remain in this bill, it should be defeated. I have pointed out that one-third is allocated for the prosecution of the war in Vietnam. We have already allocated for this fiscal year some $27 or $28 billion for the war in Vietnam. Now we are confronted again with another supplemental request.

Mr. MAHON. Mr. Chairman, will the gentleman yield?

Mr. RYAN. I am happy to yield to the distinguished chairman of the committee.

Mr. MAHON. Mr. Chairman, one of the things that has been undertaken in this bill is to provide additional funds for the equipping of the South Vietnamese military forces, so that a lesser effort will be required by the U.S. forces. I believe that this portion of the plan—of transferring to the Government of South Vietnam a greater responsibility for fighting the war and maintaining the peace when the war comes to an end—probably would meet with the approval of the gentleman from New York.

Mr. RYAN. Mr. Chairman, I would appreciate it if the gentleman from Texas, the chairman of the committee, would spell out exactly how much of the funds in the bill is for equipping the forces for South Vietnam. But it is clear also from the testimony, as I read it, that the supplemental provides funds for approximately 17,400 more American servicemen than were planned originally in the fiscal year 1969.

Mr. MAHON. Mr. Chairman, in the Army procurement portion of the bill before us, of the $640 million, there are $393.7 million for U.S. forces and $246.4 million for the South Vietnamese Armed Forces modernization and improvement program. So a quarter of a billion in this bill is for the improvement and modernization of the equipment of the South Vietnamese forces. It is this quarter billion that the gentleman from Texas had in mind in propounding the inquiry of the gentleman. There are additional sums related to this procurement, such as $50 million for the transportation of equipment, and so forth.

Mr. RYAN. Mr. Chairman, I appreciate the explanation of the chairman. Nevertheless, that does leave for U.S. Southeast Asian military operations approximately $1 billion—a little less perhaps. And it raises a further question about our overall policy in Vietnam in relation to the forces of South Vietnam.

In any event, let me point out that according to the testimony, on page 361, of General Taylor, the supplemental also provides funds for 17,400 more troops, that is U.S. troops, than had been originally intended.

It also provides funds for a 50-percent increase in bombing by B-52's in South Vietnam. I should point out that in answering a question raised by the distinguished gentleman from Alabama (Mr. ANDREWS), General Crow said that the effect of the B-52 bombings was to make certain areas of South Vietnam look like the surface of the moon. The gentleman

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from Alabama then observed that the United States has used more bombs in Vietnam than in World War II and asked:

> I wonder how it is going to look when we get through over there. Will it be habitable? (Hearings, p. 296).

I think that is a good question: Will it be habitable? Will anything be left? Or will we continue to destroy the country in order to save it?

Mr. MAHON. Mr. Chairman, will the gentleman yield?

Mr. RYAN. I am happy to yield to the gentleman from Texas.

Mr. MAHON. Mr. Chairman, as the gentleman knows, this bill does not provide funds to send additional American fighting men to South Vietnam. It provides for the payment of the men who were sent over there as a result of the Tet offensive which caused us to increase our forces. It is not the intent of this bill to increase our manpower in South Vietnam.

Mr. RYAN. I understand the gentleman's argument. The impact, nevertheless, is to provide funds for a higher level of troops there than had been budgeted for fiscal year 1969.

Mr. LIPSCOMB. Mr. Chairman, will the gentleman yield?

Mr. RYAN. I yield to the gentleman from California.

Mr. LIPSCOMB. Mr. Chairman, on the point the gentleman is making and the point the chairman of the Appropriations Committee made, the planned strength for U.S. forces in Southeast Asia has not been reached as yet, but the reason we are implementing funds in this supplemental bill is because the Tet offensive did extensive damage over there and made it necessary for us to commit more troops and more ammunition and other equipment.

Then, the seizure of the U.S.S. *Pueblo* by Communist North Korea took place. It caused us to supplement our efforts in the Korean area.

It was aggressive action by North Vietnam and North Korea which made this supplemental which is before us necessary. We are just supplying additional funds for those two aggressive actions by the Communists. That is the purpose of this supplemental.

Mr. RYAN. I do not quite understand how funds for the Korean situation come under title I, which is entitled "Military Operations in Southeast Asia."

Mr. LIPSCOMB. If the gentleman will yield, I will explain it.

Mr. RYAN. I do not have sufficient time.

Mr. MAHON. Mr. Chairman, I yield the gentleman 2 more minutes.

Mr. RYAN. I yield to the gentleman from California.

Mr. LIPSCOMB. At the time of the *Pueblo* incident, the House of Representatives and the Senate, in the appropriation bills, had included funds for Korea with funds for Southeast Asia.

I might point out to the gentleman that there are South Korean troops who are helping the United States and the South Vietnamese effort in South Vietnam.

Mr. RYAN. This supplemental appropriation bill is before us because of an underestimation of the cost of the war in Southeast Asia. Each year for the past 5 years Congress has been asked to appropriate supplemental money for the war in Vietnam.

I have pointed out on each one of those occasions—in 1965, 1966, 1967, 1968, and now 1969—that the only means the House has to change the Vietnam policy is to exercise the power of the purse. This bill presents us with another opportunity to vote on the conduct of the war.

Since last May, when the Paris peace talks were started, over 12,000 American servicemen have been killed in this war. There is no end in sight. The only way that the Congress, if it feels that this war must be ended, as I do, can exercise any influence on the direction of our foreign policy in Southeast Asia, is to vote "No" to these funds.

Therefore, I will offer an amendment under the 5-minute rule to strike title I. I hope it will have wide support so that we will be able to separate out the money for Southeast Asia military operations from the very essential funds contained in this bill for domestic programs.

Almost one-third of this appropriation is for military operations in Southeast Asia. H.R. 11400 provides total appropriations of $3,783,212,766. Of this, $1,234,000,000 or about 31 percent is allocated for Southeast Asia. This is above and beyond an estimated $27.6 billion which Congress has already appropriated for Vietnam for fiscal year 1969.

Although President Nixon said in his nationwide television address last Wednesday that he intends to seek a mutual withdrawal of American and North Vietnamese troops from South Vietnam, testimony from officials of the Department of Defense suggests an increase in the size and scope of our military operation in Vietnam. The testimony of Gen. A. B. Taylor, director of the Army budget, reveals that approximately 17,400 more soldiers were deployed in Southeast Asia then were originally specified in the fiscal year 1969 budget. According to General Taylor, these troops were not sent as replacements but as additions to the existing force. General Taylor went on to say that additional troops would be deployed during the next fiscal year. Hearings on second supplemental appropriations bill, 1969, page 361.

For 5 years supplemental appropriations bills have been used to escalate the war and to deepen our military commitment in Southeast Asia. Although the appropriations sought in this bill may not result in the dramatic escalation that has occurred in the past, they will nonetheless be used to increase still further the killing and destruction that continues in Vietnam.

Each year the costs of the war have been underestimated in the initial budget. This happened in 1965, 1966, 1967, 1968, and now again in 1969. But each year the Congress has chosen to abdicate its responsibility to pass judgment on the war and has, instead, channeled more money into the quagmire in Southeast Asia.

For 5 years now, the critics of the war in Vietnam have been urging that we pursue alternative policies in Southeast Asia. In 1964, I urged a specific strategy for the neutralization of Southeast Asia to avoid broadening the conflict. But the conflict was broadened. In 1965, I argued against the Americanization of the war and against escalating our military commitment. But the war was Americanized and our commitment escalated. In 1966, I tried again to point to the policy alternatives available to us. But the choice of continued escalation was made. In 1967, I called again for renewed diplomatic efforts and an end to the bombing in the north. But diplomacy was secondary to the continued attempt to impose a military solution.

As I pointed out earlier in my remarks, the request for supplemental funds for Southeast Asian military operations has been tied in to other appropriations for some vital domestic programs which I support and, in some cases, have even proposed.

On January 30, I introduced an omnibus supplementary appropriation bill, H.R. 5562, to fully fund several important programs established under the Housing and Urban Development Act of 1968. Later, I reintroduced this legislation with 29 cosponsors—H.R. 7760, H.R. 7761. This legislation would provide supplementary appropriations to bring the section 235 homeownership program, the section 236 rental and cooperative housing program, the rent supplement program, the urban renewal program, and the urban renewal component of the model cities program to the full amount of funding authorized by Congress.

The bill before us today includes supplemental appropriations for three programs—section 235, section 236, and low-rent public housing program. Both section 235 and section 236 would receive an additional $40 million for fiscal year 1969—which still leaves each program $10 million less than the amount authorized by Congress. The low-rent public housing program—which remains the only effective way to reach low-income people in our larger cities—would receive an additional $7,168,000 for fiscal year 1968 and $16 million for fiscal year 1969 in contract authorization.

While I am pleased that the Appropriations Committee has recommended supplementary appropriations to these three programs, I am disappointed that the bill does not provide additional funds for the rent supplement program, the urban renewal program, or the urban renewal sector of the model cities program. Each year the rent supplement program has been starved for funds; the current fiscal year is no exception. While the administration recommended $65 million for rent supplements for fiscal year 1969, Congress appropriated only $30 million. Similarly, urban renewal in model cities, although it was authorized to receive $500 million, has appropriated only $312 million.

These programs must be funded to the full amount authorized by Congress if we are to mount an effective attack on the crisis in urban housing which confronts this Nation. As has been the case

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so often before, the appropriations provided for Southeast Asian military operations in H.R. 11400 alone are greater than the amount which would be required to fully fund these vital housing programs.

I am also disturbed that a request from the Department of Housing and Urban Development for an additional $2 million to carry out fair housing activities under title VIII of the Civil Rights Act of 1968 was denied by the committee. As Housing and Urban Development Secretary Romney stated in his testimony in support of this appropriation:

> "It is simply impossible to attain this goal (providing a decent home in a suitable living environment for every American family) without a major and continuing effort in pursuit of fair housing for every person in this country." (Parenthesis added) (Hearings on Second Supplemental Appropriation Bill, 1969, p. 570.)

At present, the fair housing program has received only $2 million to carry on that effort from Congress. If fair housing is to be guaranteed in this country, we must allocate more resources to pursuing that goal.

No doubt the argument will be made that, since the pending bill contains funds for several agencies which require supplemental allocations for their operations, as well as for programs, such as section 235 and section 236, it should be supported despite the title I appropriation for the war. I cannot accept that argument, which ignores two basic factors.

First, if the House refused to approve this bill as long as it contained war appropriations funds earmarked for military operations in Vietnam would be removed; and the other parts of the bill would come back to the floor.

Second, and more basic, it must be recognized that vital domestic programs will not be funded adequately until the bloody and costly war in Vietnam is ended. So long as appropriations bills continue to allocate one-third of our available resources to Southeast Asian military operations—as this one does—our cities will continue to rot, and the social fabric of our Nation will continue to be ripped apart. We will never mount the concentrated attack on the multitude of domestic problems facing us—including housing, education, discrimination, and pollution—so long as these programs receive only leftover scale allocations. The solution of our domestic crisis, in other words, must be preceded by an end to the war in Vietnam.

For 5 years the Congress has acquiesced in a disastrous policy. Some 35,000 American servicemen have been killed, and many more wounded and crippled. The country which we supposedly set out to save today lies in chaos and ruin. For 5 long years the resources of this country have been poured into an ill-conceived war, only to see our policymakers return the next year with requests for still more funds.

How long will this war go on? Another year? Another 2 years? Another 3 years?

If we are truly concerned with the continuation of this war—after it was thoroughly and roundly repudiated in the elections of last year; if we are concerned that after 1 year of negotiations in Paris we have not achieved peace; if we are truly desirous of terminating the death and distruction which continue to be wreaked on a small and unhappy nation—then let us now call a halt to this war through the only power the House possesses: the power of the purse.

Mr. MAHON. Mr. Chairman, I should like to state to the Members of the House that it is the purpose of the Committee to have read the first paragraph of the bill, which deals with "Military personnel, Army," lines 6 and 7 on page 2, and then I expect to move that the Committee rise. Of course, amendments will be in order, but I expect to be recognized by the Chairman to move that the Committee rise, and then the amendment period would come tomorrow.

I should like to say further that it is proposed on tomorrow before we begin further consideration of the bill, that the Rules Committee will offer a rule which will make in order the expenditure limitation, which is carried in title IV of the bill.

So, if the rule is adopted—and, of course, we hope it will be adopted—we will proceed with the reading of the bill under the 5-minute rule.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. MAHON. I yield to the gentleman from Iowa.

Mr. GROSS. The language that you would have read this afternoon, do I understand, goes to line 7 on page 2?

Mr. MAHON. Yes. It would end at the figure $110 million in line 7 on page 2.

Mr. GROSS. That includes no language, then, that is subject to a point of order?

Mr. MAHON. No.

Mr. GROSS. The rule is designed to waive points of order.

Mr. MAHON. The rule is designed to protect against points of order only in title IV, which relates to the expenditure limitation. It will not protect any other part of the bill than the expenditure limitation.

The CHAIRMAN. The time of the gentleman from Texas has expired. All time has expired.

The Clerk will read.

The Clerk read as follows:

H.R. 11400

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated out of any money in the Treasury not otherwise appropriated, to supply supplemental approriations (this Act may be cited as the "Second Supplemental Appropriations Act, 1969") for the fiscal year ending June 30, 1969, and for other purposes, namely:

TITLE I

MILITARY OPERATIONS IN SOUTHEAST ASIA

DEPARTMENT OF DEFENSE—MILITARY

MILITARY PERSONNEL

MILITARY PERSONNEL, ARMY

For an additional amount for "Military personnel, Army", $110,000,000.

Mr. MAHON. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. HOLIFIELD, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 11400) making supplemental appropriations for the fiscal year ending June 30, 1969, and for other purposes, had come to no resolution thereon.

GENERAL LEAVE TO EXTEND

Mr. MAHON. Mr. Speaker, I ask unanimous consent that all Members speaking on the bill this afternoon may be permitted to revise and extend their remarks and that I may be permitted to revise and extend my remarks and insert certain tables and excerpts relating to the bill.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

SMALL BUSINESS ADMINISTRATOR ATTEMPTING TO COVER UP FUENTES AFFAIR

(Mr. PATMAN asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. PATMAN. Mr. Speaker, on April 26, Mr. Hilary Sandoval, Jr., the Administrator of the Small Business Administration, appeared before the Banking and Currency Committee to discuss an SBA loan to a New York company with alleged underworld ties.

Shortly before the hearing, I received a telegram from the Honorable HENRY B. GONZALEZ, a distinguished member of the committee, concerning "an alleged shakedown" of a small business loan applicant by Mr. Albert Fuentes, special assistant to Mr. Sandoval.

The telegram follows:

WASHINGTON, D.C.,
April 25, 1969.

Hon. WRIGHT PATMAN,
Washington, D.C.:

Affidavits in my possession and on file with the Federal Bureau of Investigation show that there is reason to believe that Albert Fuentes, special assistant to the Administrator, Small Business Administration, has engaged in or attempted to engage in shakedowns of SBA loan recipients. I have requested the administrator to suspend Fuentes pending full investigation and request that you join in this action. I request that the committee under your able leadership investigate all loans either made or pending in Texas offices of SBA since Fuentes entered his position and that investigation be made particularly in the San Antonio area.

Sincerely,

HENRY B. GONZALEZ,
Member of Congress.

When Mr. Sandoval appeared before the committee, I asked him to look into the Fuentes situation and to report his finding to the committee. Mr. Sandoval agreed to this request. The transcript of the hearing clearly spells out what in-

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formation Mr. Sandoval was to provide. The transcript states:

> The CHAIRMAN. Now I will ask you to take this telegram and give me a report on Mr. Fuentes. You can do that, I assume?
>
> Mr. SANDOVAL. Yes, sir.
>
> The CHAIRMAN. And also to give me all the information about the loans in the San Antonio area.
>
> Mr. SANDOVAL. Yes, sir.
>
> The CHAIRMAN. And if any of them provoke your thinking along the lines as not being regular, call them to our attention.
>
> Mr. SANDOVAL. Yes, sir.

Following Mr. Sandoval's appearance, I learned that SBA investigators had visited the San Antonio SBA office and looked into the Fuentes situation. After allowing a reasonable length of time for the investigators' report to be forwarded to Washington, I wrote to Mr. Sandoval on May 12. The letter asks Mr. Sandoval not only to provide the Fuentes report but also to furnish the committee with a document that is extremely important to the committee's investigation of the New York loan to the alleged criminal controlled company. The letter follows:

> MAY 12, 1969.
>
> Mr. HILARY SANDOVAL, Jr.,
> *Administrator, Small Business Administration, Washington, D.C.*
>
> DEAR MR. SANDOVAL: It has come to my attention that a memo dated January 5, 1967, from Mr. William Bowling to then Small Business Administration Administrator, Bernard Boutin, contains a great deal of background information concerning SBA's involvement with A.N.R. Leasing Corporation. This memo is of vital importance to the Committee's examination of the A.N.R. loans and because of this, it is imperative that the Committee be given a copy of the complete memo immediately.
>
> It is my understanding that there may be a problem in releasing the memo in that it contains FBI and Justice Department information. In this regard, it would be appreciated if you would take action to secure the release of the memo from the Justice Department and immediately forward it to the Committee.
>
> In addition, you will remember that during your appearance before the Committee on April 26th, I asked you to make a complete investigation of the charges made against Mr. Albert Fuentes. While I realize you have turned the matter over to the FBI, it is my understanding that SBA investigators have been looking into Mr. Fuentes' relationship with the San Antonio office. Because of the importance of this matter, it would be appreciated if you would immediately inform the Committee as to the results of your investigation of this incident and also if any other loans involving alleged improper action on the part of Mr. Fuentes have been uncovered. Your earliest reply would be appreciated.
>
> Sincerely,
>
> WRIGHT PATMAN,
> *Chairman.*

It is quite clear from even a most casual reading of the letter that two different subjects are covered in the letter. The staff of the Banking and Currency Committee had been informed by SBA officials that the memo from Mr. Bowling to Mr. Boutin contained information from the FBI and Justice Department and that permission would have to be obtained from these departments to release the memo. Because of this, my letter specifically asked Sandoval to take action to secure release of the memo to the committee because of its important nature to our investigation.

The last paragraph of the letter deals solely with Mr. Sandoval's promise to supply the committee with the report on the Fuentes case.

It does not suggest that the Fuentes report, promised the committee by Mr. Sandoval, should be turned over to the Justice Department, nor does the letter make any reference to the Justice Department in connection with the Fuentes case.

After the letter was sent to Mr. Sandoval, a member of the Banking and Currency Committee staff called SBA to find out when the Fuentes report would be made available. He was assured that the report would be in the committee office the following morning, along with some other material that the committee had requested. The following morning, SBA did send information concerning its lending activities in cases under study by the committee, but did not send the Fuentes report. The SBA official who brought the material to the committee stated that he did not have a copy of the Fuentes report but that he would call back to his office and make certain that the report was placed on his desk and that he would personally hand deliver the report that afternoon. Later in the day, still another SBA official reported to the committee staff that the committee would not be able to get a copy of the report that afternoon because, "I do not know where a copy of the report is and even if I did, I do not have authority to release it."

He said that Mr. Sandoval was out of town and could not be reached. The following day, several members of the Banking and Currency Committee staff attempted to obtain copies of the report but were unsuccessful. The reason given at that time for the report not being made available was that Mr. Sandoval was out of town and the report could not be released without his approval. When the committee staff attempted to locate Mr. Sandoval they were told by his office that—

> He is in New York but I don't know where to get in touch with him or exactly where he is.

The following day, Mr. James Reed, congressional relations director for SBA, called the committee staff to state that the Fuentes report had been turned over to the Justice Department and would not be made available to the committee.

Following Mr. Reed's disclosure, the committee staff contacted the Criminal Division of the Department of Justice and was told that the committee could not have the document. The Justice official did state, however, that if I wrote a letter to Justice stating that the report would be kept confidential, they would consider releasing the report to the committee. The Justice Department was informed that the SBA report on Fuentes did not belong to the Justice Department since it was the committee that suggested that SBA conduct the investigation and the suggestion was agreed to by Mr. Sandoval. The Justice Department official admitted that his Department had not asked SBA to conduct such a study but, in fact, that the direction for the study came from the committee.

On Monday, Mr. Speaker, Mr. Sandoval responded, in a highly unresponsive manner, to my letter of May 12. The letter follows:

> SMALL BUSINESS ADMINISTRATION,
> *Washington, D.C., May 19, 1969.*
>
> Hon. WRIGHT PATMAN,
> *Chairman, Committee on Banking and Currency, House of Representatives, Washington, D.C.*
>
> DEAR MR. CHAIRMAN: We have discussed your written request of May 12, 1969, with the Department of Justice as you suggested and have been unable to secure the release of any part of the information sought.
>
> We understand the staff of the Criminal Division of the Department of Justice has apprised your staff of the Department's attitude in this matter.
>
> We are sorry we cannot assist you at this time, but please be assured that when the Department of Justice is willing to release the material we will be most happy to cooperate with your Committee in any area in which we may be of service.
>
> Sincerely,
>
> HILARY SANDOVAL, Jr.,
> *Administrator.*

It should be noted that Mr. Sandoval has attempted to merge both of the points in my letter into one convenient alibi for his failure to live up to the promise that he made before the Banking and Currency Committee. No mention was made in my letter of consulting with Justice concerning the Fuentes case, since the matter was clearly between SBA and the Banking and Currency Committee.

I can only conclude from what transpired last week between SBA and the staff of the Banking and Currency Committee and Mr. Sandoval's letter that the Small Business Administration is attempting to cover up the Fuentes case.

Over this past weekend, Mr. Fuentes called a press conference in San Antonio in which he repeatedly referred to Congressman GONZALEZ as an "unmitigated liar." Mr. Fuentes denies the allegations against him and, in fact, indicates that he will bring a number of suits against the people involved in making the charges.

It seems strange to me, Mr. Speaker, that while Mr. Fuentes is calling press conferences to deny his guilt and calling a respected Member of this body an "unmitigated liar," the Small Business Administration refuses to release its investigative reports on the Fuentes situation. In short, if Mr. Fuentes is innocent of any wrongdoing, Mr. Sandoval would be more than willing to comply with the commitments that he made to the Banking and Currency Committee.

It certainly is convenient that just when it appears that Mr. Sandoval will have to make good on his promise and provide the committee with the Fuentes information, the Justice Department rushes in and impounds the report, a report which I repeat was requested not by the Justice Department but by the Banking and Currency Committee. At virtually the same time this is happening, Mr. Fuentes calls a press conference to deny any wrongdoing.

Despite the attempt by Mr. Sandoval to cover up the Fuentes situation, I want to assure this body that the Banking and Currency Committee will not be fooled by the literary slight of hand and devious actions of Mr. Sandoval.

To this end, the Banking and Currency Committee will hold a hearing at 10 a.m. next Saturday, May 24, in room 2128, Rayburn House Office Building, to find out why Mr. Sandoval has not complied with the promises he made to the committee. I have asked Mr. Sandoval and other officials of the Small Business Administration to appear at that time and to deliver to the commitee the Fuentes report.

If Mr. Sandoval does not provide the committee with the report, then I will seriously consider asking the staff of the Banking and Currency Committee to undertake a full and complete investigation of the Fuentes incident.

Perhaps this will be the only way that we can learn the true facts of the Fuentes case.

THE NADIR IN UNNECESSARY WEAPONS AND BARBARIC WARFARE

(Mr. PODELL asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. PODELL. Mr. Speaker, evidence mounts daily that our Nation has committed itself to a significant extent to preparing for the waging of chemical, bacteriological, and radiological warfare.

Research goes on apace at several facilities into the ultimate in horror—germ and chemical warfare. Nerve gas is stockpiled in several areas. Poison gas is retained and stored. Its very presence is a danger, as recent events have shown.

These are grisly facts, indeed. Destructive power of such newly developed agents approaches that of the most powerful nuclear or thermonuclear devices. Further, we know quantities are being produced and stored which pass beyond the unnecessary and enter the realm of the irrational.

Worldwide epidemics which were thought to have been buried with old wars are now a definite possibility. Such weapons are cheap to produce, compared to thermonuclear weapons systems. Their testing is infinitely less difficult than earthquake-causing proofs required of other devices. No bombers or missiles are necessary with which to deliver them. No massive defensive systems are a potential barrier to their delivery. As a result, we are producing and proliferating a poor nation's world destroyer—chemical and bacteriological devices.

We already know too that these weapons are much more susceptible to mishaps, as the Utah sheep kill proved. Damages awarded are mute proof that this is what transpired there.

It is with deep sadness that I again confess to our use of defoliants and irritating agents in Vietnam. Do we wish to edge closer to the thin, condemned ranks of those who used poison gas in war since 1925, when the Geneva protocol against use of poison gas was signed? Will we join a list headed by the Egyptians in Yemen and Japanese warlords in China? Ethiopia in the 1930's was the only other recorded instance. Do we wish to proudly stand alongside Nasser and the old warlords? How melancholy a sight we would present.

We are toying with elementary forces of nature, loosing them upon an unsuspecting world and people as well as upon a helpless, vulnerable environment. Nothing is known about tests of these horrors, because this is still another secret the people must be kept from knowing about for their own good. Where are they being tested? How? For how long? With what results? With what accidents? With what consequences to us in the future? I am not satisfied with feeble excuses and transparently false answers from gentlemen who vanish behind locked doors. If we allow this to continue, we shall fully deserve the fate which will overtake us.

There must be open hearings on this subject. We do not need this research, testing, or preparation for such methods of waging war. We must not take such chances with our Nation, world, and environment by toying with such volatile elementary forces. Even if we gain expertise and a "lead" over our potential opponents, in the process we shall compromise our ideals as a nation and our self respect as a people.

This country never appended its signature to the Geneva protocol of 1925 on use of poison gas. Would it not be an excellent step in the direction of world easing of tensions for the President to resubmit the protocol to the Senate for ratification?

Mr. Speaker, there is no rational argument in the mind of man which could possibly argue successfully for expansion or retention of our capability to wage such warfare. It is brutally against our history and daily protestations of virtue and morality. By its very nature it does violence to the spirit of man. For decades and more we have done honor and paid lip service to those who freed men from nature's scourges. Each time God laid a curse upon man, he gave another man insight with which to lift it from the brow of his children. Are we then to lift the cover caging the fiend from the pit who so many good and sublime people have sacrificed so much to place and imprison there? Are we to do so in the name of all ideals we claim to hold holy? Do they still mean anything after that?

ENVIRONMENTAL POLICY

(Mr. DADDARIO asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. DADDARIO. Mr. Speaker, a major issue before Congress and the Nation is the quality and productivity of our natural environment. The variety of legislation and the number of different committees involved with these problems grows each session. I have noted on a number of occasions a call for a national policy to guide the activities of both the private sector and governmental agencies. I believe that such a policy now exists and is well agreed upon. I come to this conclusion on the basis of two substantial efforts of policy formation.

Last July 18 a joint Senate-House colloquium on a national policy for the environment was convened by Senator HENRY JACKSON, chairman of the Senate Committee on Interior and Insular Affairs, and Representative GEORGE P. MILLER, chairman of the House Committee on Science and Astronautics. The colloquium met for an entire day with leaders from industry, universities, and Government. Formal presentations were received from Mr. Laurance S. Rockefeller, Chairman of the Citizens' Advisory Committee on Recreation and Natural Beauty; Secretary of the Interior Stewart L. Udall; Secretary of Housing and Urban Development Robert C. Weaver; Assistant Secretary of Agriculture John A. Baker; Dr. Donald F. Hornig, Director, Office of Science and Technology; Secretary of Health, Education, and Welfare Wilbur J. Cohen; Dr. Philip Lee, Assistant Secretary, Health and Scientific Affairs, Department of Health, Education, and Welfare; and Mr. Don K. Price, dean, John Fitzgerald Kennedy School of Government, Harvard University.

Over 100 informed and interested persons made up the participating audience, and the proceedings included written submissions from over 30 persons expert in one or another phase of environmental quality. As a result of the colloquium, the Legislative Reference Service prepared a congressional white paper on "A National Policy for the Environment," which was submitted to Congress over the signatures of Senators HENRY M. JACKSON and Thomas H. Kuchel, and Representatives GEORGE P. MILLER, JOHN A. BLATNIK, JAMES G. FULTON, CHARLES A. MOSHER, and myself. Support for this effort to set down the elements of policy is thus bipartisan and bicameral. The white paper lists the following essential elements:

> It is the policy of the United States that:
>
> Environmental quality and productivity shall be considered in a worldwide context, extending in time from the present to the long-term future.
>
> Purposeful, intelligent management to recognize and accommodate the conflicting uses of the environment shall be a national responsibility.
>
> Information required for systematic management shall be provided in a complete and timely manner.
>
> Education shall develop a basis of individual citizen understanding and appreciation of environmental relationships and participation in decisionmaking on these issues.
>
> Science and technology shall provide management with increased options and capabilities for enhanced productivity and constructive use of the environment.

The second major policy delineation has come from the Committee on Environmental Quality of the Federal Council for Science and Technology in the Executive Office of the President. In response to my suggestion, a group of experts from a number of executive departments and agencies was convened to examine the proposals of the white paper and provide a coordinated statement of response. The result is most impressive because the basic principles of the congressional report are endorsed and some valuable extensions and additions are suggested. In particular I would call your attention to the executive branch policy proposal for a stipulation that: First, each person has a fundamental right to a healthful environment, and, second, each person has a responsibility to contribute to the preservation of the quality of the environment.

Mr. Speaker, the exact words of these policy statements are not critical. We could very likely gather yet another group of environmental specialists and public scholars and produce different languages; but the essential points would remain the same. Therefore, I propose that the national policy is now clear in terms of the executive and legislative branch statements listed above. These elements of policy should now be accepted by the various congressional committees as they consider environmental ramifications of problems in their jurisdiction. It is imperative that the widest distribution of these policy statements be made to the public and to organizations and individuals for opinion leadership. With these elements of policy the executive branch should bring the action programs of the various agencies into conformity.

The President has proposed a Cabinet-level environmental coordinating committee. Several congressional proposals have been made for a Council of Environmental Advisers or similar high-level groups. The recognition and acceptance of policy may be more important at this time than the detailed form of organization.

We are familiar with the frequent episodes and dramatic ecological disruptions which are testimony to policy inadequacies. It is easy to become engrossed in the DDT story, offshore oil slicks, ocean disposal of CBW agents, or other headline-creating alarms. But preoccupation with these incidents is like skipping a flat stone across the water. It is interesting as it hops along but it soon slows and sinks leaving nothing changed. To continue the allegory, what Congress should be concerned with is a policy which will float and support our activities in the environment over the long voyage. Policy planning is slow and unglamorous but it is the basis for a real solution to the deep problems revealed by these occassional attention-getting events.

With the discussion and development of policy accomplished we can concentrate on a reduction to practice of these national objectives. Every action of the individual citizen, local community, State and regional agencies, industry, and Federal departments can be tested against these clear and simple statements. The results should be guidelines for everyday decisions in management of technology and the economy which will bring immediate and appreciable results. Environmental quality and productivity have never been mutually exclusive, but the balance has usually been far from optimum. With the economic and technological resources at hand, these policy statements generated from both the executive and legislative branches should equip our organizational institutions to proceed in a logical manner toward specific practical gains for our natural environment and human welfare.

I include the communication from the Executive Office of the President, Office of Science and Technology, at this point in the RECORD:

APRIL 24, 1969.

DEAR MR. DADDARIO: Your letter of November 29, 1968, invited comments on the Congressional White Paper on A National Policy for the Environment.

In response to your suggestion, I invited the members of the FCST Committee on Environmental Quality (CEQ) to examine the proposals of the White Paper and to provide me with a coordinated statement of their personal views. Their comments and suggestions have been fully considered in the preparation of the enclosed document. Comments are restricted to Part III of the White Paper.

These comments are not to be taken as department or Administration views, but rather the personal views of individuals deeply involved in environmental quality matters.

We certainly appreciate the chance to comment on the White Paper and hope our reply will contribute to the formulation of a national policy for the environment.

Sincerely yours,

JOHN L. BUCKLEY.

COMMENTS ON PART III OF THE CONGRESSIONAL WHITE PAPER

1. We endorse the basic principles implicit in the five points listed in bold face in Part III of the White Paper as vital elements of any national policy dealing with the problems of the environment, namely:

a. Recognition of the worldwide and long-range character of the problem of environmental quality;

b. Essentiality of purposeful and intelligent management of the problem as a matter of national responsibility;

c. Continuing need for fuller, up-to-date information through intensified, in-depth research on the nature of the problems, as essential to responsible and effective management;

d. Systematic use of education on all levels as a means of facilitating public understanding and, as appropriate, of laying the ground for responsible citizen participation in community action programs;

e. Application of science and technology in developing and executing policies and programs concerned with the abatement and correction as well as the improvement of present conditions.

2. We suggest that the following additional issues are of major importance and should be raised to the level of basic principles:

a. The interrelationship between deteriorating environmental quality, rapidly expanding technology and population growth which necessitates an effort to bring the needs of the population into balance with natural resources, and

b. The international spread of environmental problems which calls for positive action on an international scale.

3. We wish to give special emphasis to the following points made in the balance of Part III, without prejudice to the order of priority:

That "the policy must recognize the responsibility to future generations of those presently controlling the development of natural resources . . .

That "priorities and choices among alternatives . . . must . . . be planned and managed at the highest level of our political system (and that) all levels of government must require developments within their purview to be in harmony with environmental quality objectives . . .

That "alteration and use of the environment must be planned and controlled rather than left to arbitrary decision . . .

That "the system of free enterprise democracy must integrate long term public interests with private economic prosperity . . .

That "decisions to make new technical applications must include consideration of unintended, unanticipated, and unwanted consequences (and that) technology should be directed to ameliorating these effects so that the benefits of applied science are retained."

4. We propose that, in addition, a national policy dealing with the environment contain the following elements:

a. A declaration pronouncing the environment as a public resource whose quality must be:

(1) Defined and assured in terms of safety, healthfulness, productivity, social amenity, cultural portent and aesthetic appeal;

(2) Protected against abuse, irreversible damage and irretrievable loss; and

(3) Managed to provide an optimum state of physical, mental and social well-being and, at the same time, to permit the widest range of beneficial uses of the environment that is possible, without risk of degradation, to satisfy the present and future needs of man;

b. A stipulation that:

(1) Each person has a fundamental right to a healthful environment; and

(2) Each person has a responsibility to contribute to the preservation of the quality of the environment;

c. A national commitment upholding the first line responsibility of state and local governments to manage their environment, affirming the responsibility of the Federal Government to manage environmental problems which are of nation-wide scope or exceed the competencies of state and local governments, and recognizing the authority of Federal, state and local governments, within their respective area of jurisdiction to:

(1) Set priorities in dealing with environmental problems;

(2) Make a technological assessment to determine the effects of present and new activities on the quality of the environment;

(3) Study the ecological, biological, economic and social effects of environmental changes;

(4) Develop criteria and promulgate standards defining desirable levels of environmental quality;

(5) Establish measurements, mechanisms and systems for monitoring levels of pollution;

(6) Issue regulations prescribing observance of established standards and ensure that such regulations are effectively enforced so that parties responsible for breach of regulations be held fully accountable for their action;

(7) Utilize economic incentives designed to stimulate private enterprise to act in the public interest insofar as environmental protection and management are concerned; and

(8) Coordinate, as far as practical and desirable, activities of governments on various levels in the exercise of these responsibilities;

d. A definition of the role of the science community in its broadest sense in providing policy makers and program managers with the needed data and criteria for decision-making, specifically

(1) By devising measures for immediate action aiming at the arrest, abatement and correction of the most critical problems;

(2) By developing long-range programs aiming not only at the elimination of existing and the prevention of future hazards but at the restoration and the progressive improvement of the quality of the environment in its ecological, physical, social, cultural and aesthetic aspects;

(3) By formulating alternatives that might be available to decision-makers in all major programs and actions affecting the environment;

(4) By intensifying in-depth research on the nature, causes and effects of environmental changes with a view to determining critical thresholds of deterioration requiring preventive or corrective action;

(5) By choosing a systematic inter-disciplinary approach which will ensure the integrated use of resources of the natural as well as the social sciences and the cooperation of scientists dealing with the physical and biological aspects of the problem and of those dealing with social and economic, specificially behavorist and managerial, aspects; and finally

(6) By facilitating coordination among competent non-governmental organizations and by enlisting their assistance and mobilizing their resources in support of government programs and those of inter-governmental organizations;

e. An appeal to the citizenry

(1) To alert people everywhere to the existence and the growth of present hazards caused by abuse of the environment and by technological changes;

(2) To arouse interest in the need for systematic use of information media and of educational institutions on all levels for purposes of public enlighment; and

(3) To foster a sense of civic responsibility on the part of the private citizen for broad community action in support of programs aiming at the preservation and improvement of the environment;

f. Recognition of the international aspects of the environmental problems based on the assumptions:

That, ecosystems are not limited by national boundaries;

That, for the sake of future generations, all of mankind has a responsibility to preserve the viability of this planet and the quality of the environment;

That, with the accelerated spread and transfer of technology creating new environmental hazards, and with pollutants drifting across political frontiers, more and more peoples and their national resources will be exposed to the threat of mutual pollution and degradation;

That, in view of the pressing population problem, depletion and destruction of national resources has become a matter of international concern and conservation a matter of common responsibility;

That, even where deterioration is purely a local or national phenomenon, similarity of causes, symptoms and effects to those in other countries is creating a worldwide community of interest of peoples thus affected;

That the difficulty in coping with these problems is compounded by the disparity of resources available for research, development and demonstration and remedial action, notably of developed as against less developed countries;

That, whereas the bulk of the problem and the heavier responsibility will continue to rest with national governments and local authorities, intergovernmental agencies and international non-governmental organizations must increasingly assume a subsidiary responsibility, notable for the solution of problems which exceed national capabilities and which require the mobilization and the coordinated use of national resources in support of agreed international priorities;

g. And a pledge of support of multilateral initiatives, resolutions and programs sponsored by intergovernmental or international non-governmental organizations and aiming at:

(1) Immediate measures to arrest, abate or prevent further deterioration in critical areas of the environment threatened by serious hazards to human life and health or with the extinction of important biotic communities and species;

(2) The development of international arrangements to coordinate existing or initiate new programs, providing on a continuing or regularized basis:

Exchange of information and transfer of technical expertise;

Training of experts;

Worldwide information and education programs;

Joint research programs to help governments establish baselines, criteria and standards;

National, regional and global monitoring systems to measure pollution hazards and levels of pollution and lay the ground for a "world pollution watch," and eventually;

The establishment of a permanent international system to act as a coordinating body for the above activities carried out under national or international auspices, with authority to recommend the adoption of specific measures to national governments.

Mr. Speaker, a letter to the President follows, and is inserted as a significant step in the development of environmental policy:

MAY 14, 1969.

The PRESIDENT,
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: The quality and productivity of the environment have been recognized by both the Congress and Executive agencies as a major public policy issue. Your personal long-term interest in this question together with some recent important results of Congressional programs prompts me to suggest the possibility of immediate action which would enhance the productivity and quality of our natural environment.

In discussions of matters such as pollution, pesticide practice, and major ecological disruptions the appeal for guiding policies is made. I believe that the national goals and objectives which make up these elements of policy are now clear. An immediate declaration of policy by the Administration and the Congress could provide valuable guidelines for decisions affecting the environment which are made daily by individuals, corporations and the government.

Last July 18 a joint Senate-House colloquium brought together over 100 experts and opinion leaders from the private sector, and over 20 committee chairmen, interested Senators and Representatives. As a result of this day-long meeting a Congressional White Paper on a National Policy for the Environment was submitted to the Congress over the signatures of Senator Henry M. Jackson, Representative George P. Miller, Senator Thomas H. Kuchel, and Representatives John A. Blatnik, James G. Fulton, Charles A. Mosher, and myself. The support was bipartisan and bicameral. The White Paper identified the following elements of policy:

"It is the policy of the United States that:

"Environmental quality and productivity shall be considered in a worldwide context, extending in time from the present to the long-term future.

"Purposeful, intelligent management to recognize and accommodate the conflicting uses of the environment shall be a national responsibility.

"Information required for systematic management shall be provided in a complete and timely manner.

"Education shall develop a basis of individual citizen understanding and appreciation of environmental relationships and participation in decisionmaking on these issues.

"Science and technology shall provide management with increased options and capabilities for enhanced productivity and constructive use of the environment."

On April 24, 1969 I received a communication from Executive leaders in the Committee on Environmental Quality of the Federal Council for Science and Technology which added several valuable elements to the statements developed by Congress. Taken together, it is remarkable and significant that there is no point of disagreement in these elaborations of a national policy.

Having reached this stage, I am convinced that the call for policy can now be answered. The exact language or words of the statement are not crucial. With your leadership and the cooperation of Congressional interests it should be possible to move beyond this policy discussion stage into improvement of existing action programs. The setting of priorities for future Federal efforts can do much to reconcile the conflicts of use of our environmental resources and enhance the quality of our surroundings. In addition, a declaration of policy would enable this country to proceed effectively in the international situation which is so obviously a necessary context for many urgent environmental decisions. The United States should be in a position of demonstrated accomplishment and leadership at the time of the proposed United Nations Conference in 1972.

I believe that the Administration and the Congress must act promptly to bring these policy statements to the widest possible audience of citizens and to forums of opinion everywhere. I offer my personal cooperation to pursue this matter in the Legislative Branch, and I believe that a parallel declaration of policy from your office would give the greatest impetus to this effort. Could arrangements be made to this end?

Sincerely yours,
EMILO Q. DADDARIO,
Chairman, Subcommittee on Science, Research, and Development.

STATEMENT OF PRESIDENT NIXON'S PROGRAM TO COMBAT HUNGER

(Mr. SCHWENGEL asked and was given permission to address the House for 1 minute, to revise and extend his remarks and to include extraneous matter.)

Mr. SCHWENGEL. Mr. Speaker, President Nixon is certainly to be congratulated for his excellent, forward-looking program for dealing with hunger in America. It is a reasoned and rational program which should be a good deal more effective than the emotional and uninformed response we have so often seen in earlier programs to eliminate hunger.

It was just a short while ago that we were hearing rumors from some quarters that President Nixon had "sold out" insofar as the hunger program was concerned. Those responsible for these rumors should be very red-faced indeed, for they should now be aware that President Nixon will in due time advance reasoned responses to the problems of this country. They should now end their repeated calls for instant solutions to the problems of this country.

An excellent summary of the steps and procedures leading to the final program is contained in an article by Mr. Godfrey Sperling, Jr., carried in the Christian Science Monitor of May 13, 1969:

NIXON'S PLAN TO BAN HUNGER NEVER FALTERED

(By Godfrey Sperling, Jr.)

WASHINGTON.—The inside story on the President's recently announced $1 billion

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hunger program is that it was never shelved—as was widely reported.

Instead, it moved along steadily over a three-month period.

In fact, at no point did the President even slightly move away from the goal he set forth in a March 17 meeting of his urban affairs council, which was to develop the program:

"This administration," he told the group, "will produce the first comprehensive, far-reaching attack on the problem in our history."

The incident provides further—and highly significant—insight into the President's approach to decisionmaking.

What stirred reports that the President had pulled away from a hunger program, and, moreover, that it was presidential domestic-affairs adviser Dr. Arthur Burns who had dissuaded him from moving ahead?

The answer, from documents made available to this reporter and from conversations with those who were in on the decision-making process; is as follows:

The false reports came from certain officials within the Departments of Agriculture and Health, Education, and Welfare who thought they saw their hopes for a hunger program dashed by a Nixon budget that showed only $15 million additional money for hunger-type programs.

STRONG QUESTIONS RAISED

At the same time, Dr. Burns was raising strong questions within the Urban Affairs Council about the hunger program. He asked where the money would come from, how much hunger there actually was in the United States, and he challenged the philosophical approach of providing free food stamps to the poor, without incentives.

These interested parties, at HEW and Agriculture, together with several highly interested congressmen and senators, put the small budget allocation and the Burns position together and came to the conclusion that the program was shelved.

So said a number of newsmen who reported the demise of a program that really was just moving along in the way that Mr. Nixon fully encourages—with much debate and with the pros and cons argued strongly.

Those close to the decision actually are not certain what Dr. Burns' position was. They say he is quite enigmatic in such a context. He is often the devil's advocate. But regardless of whether he was actually opposed or whether he merely was trying to encourage a full discussion, there was one outcome:

He stirred up a response of additional and better staff work on the subject. From this, the final program emerged.

At this time Secretary of Agriculture Clifford M. Hardin produced a new in-depth analysis of hunger in low-income areas of Texas, Louisiana, New York, and Kentucky. Other surveys and analysis also were provided to the council.

DATA CALLED SOFT

Budget Director Robert Mayo also was involved. He and Mr. Hardin worked closely together in searching for budget areas where money could be found—and reallocated—for a hunger campaign.

They found $1 billion, of which White House sources will only say: "It was not taken from programs that were in any way connected with aiding the poor."

In describing the slow, emerging process involved in the making of the hunger program, one White House source said:

"The trouble was that the data on hunger was relatively soft, not the sort of thing you have in mathematics or economics. It is hard to prove empirically who the poor and hungry are, where they are, how many there are."

It was Dr. Burns who pushed the group, and, particularly, Mr. Hardin, toward the gathering of ever more solid information.

What Dr. Burns wanted was some indication of how many people were suffering from malnutrition because they didn't have enough money to buy the food they should be eating.

GROUP REMINDED

He wanted to separate this group from those who are suffering from malnutrition because of ignorance or misinformation—but who, in fact, have enough money to buy the necessary food.

Finally, the information desired was gathered and it was from this data that the President's expanded food-stamp program was put together.

It is directed toward helping those who are hungry because they are poor. This was seen as No. 1 priority.

Thus, the administration's program will for the first time provide free food stamps for those in the very lowest income brackets.

What then of the pressure from the critics on Capitol Hill? Did it have no bearing on the administration coming up with a hunger program?

The role of Congress in this instance does not appear to have been controlling, despite stories to this effect.

It is true that advocates of the program, within the Urban Affairs Council, at times reminded the group of the political liabilities involved in delaying too long an announcement of a program.

But—from at least one reading of the evidence—the question was never really whether there would be a Nixon hunger program or whether the President wanted such a program.

It was merely a question of how long it would take to put the program together.

In the last analysis, congressional critics may well have helped in hastening the putting together of the hunger package.

ROGERS OF FLORIDA SAYS OVERTHROW OF CASTRO WILL MARK SECOND INDEPENDENCE OF CUBA

(Mr. ROGERS of Florida asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ROGERS of Florida. Mr. Speaker, I would like to join with freedom-loving Cubans around the world who are celebrating the 67th anniversary of Independence Day for Cuba.

Unfortunately, the day which normally takes a very high place in any nation's holidays, will not be celebrated in Cuba. For the people now living in Cuba are not allowed to celebrate Independence Day.

I find it sadly ironic that on this Cuban Independence Day, the people of Cuba are more dependent on a foreign power than at any time in this century. Russia's annual ransom to Fidel Castro for the use of the Cuban people and the island itself is now more than $1 million per month.

Yet last week it was necessary for Castro to initiate rationing on bread to a quarter a pound per person per day. It is obvious that Castro's asking price from Russia for the enslavement of Cuba has been adequate to support him to the extent that he has lived well, but has not been enough to even feed the Cuban people.

Castro has perpetrated himself through a dictatorship without even the pretense of free elections which he promised when he came into power. But this is not unusual. He has broken about every promise he made to the Cuban people. Their economy continues to slide downward and they continue to be a state enslaved by communism.

I think it interesting that even Castro has noted in recent speeches that acts of economic sabotage are on the increase. Especially noteworthy is the fact that most of this comes via robberies of food and clothing stores.

Since Castro took control, more than half a million Cubans have fled their homeland rather than live as Soviet slaves.

I can only say that I hope someday all Cubans will be able to celebrate the second Cuban Independence Day. That day will mark the date when Fidel Castro has been overthrown and a Cuban Government again controls the affairs of the Cuban people.

I am sure that the free nations of the Western Hemisphere and all democracies of the world look forward to that day when we all can join in the celebration of the independence of Cuba from its present enslavement.

And I hope that day will not be long in coming.

MISUSE OF FUNDS—A CLASSIC EXAMPLE

(Mr. GIAIMO asked and was given permission to address the House for 1 minute, to revise and extend his remarks and to include extraneous matter.)

Mr. GIAIMO. Mr. Speaker, I have always advocated the use of Federal funds and grants from independent organizations such as the Ford Foundation in a sincere effort to solve the many problems which exist in our cities today. I have always felt that the problems of poverty, ignorance and hunger, among others, must be attacked with all the resources at our command.

Yet today I and many other concerned Americans are disgusted with what appears to be a chronic misuse of these funds, which are supposed to be used to create jobs, provide better housing, and improve education. We are disturbed over the flagrant use of these funds to promote activities which in no conceivable way are improving the lot of America's poor. We are dismayed by the seemingly callous attitudes of community action program employees toward these funds. Finally we are concerned about the improper use of tax-exempt grants and about the apparent attitude of the Ford Foundation and the organizations which receive these grants that they do not have to be accounted for.

The instances of this misuse of money are too numerous to mention here, but I would like to relate one classic example which occurred in my district recently. The incident, which concerned the activities of a VISTA employee in New Haven, Conn., also leads me to question the propriety of recent actions by certain federally paid poverty workers.

In order to describe both the chronology of events and my complaints, I would like to include at this point the text of my letter to the Office of Economic Opportunity, which runs the VISTA program and sponsors the New Haven anti-poverty program, Community Progress, Inc..

MAY 9, 1969.

Mr. BERTRAND M. HARDING,
Acting Director, Office of Economic Opportunity, Washington, D.C.

DEAR MR. HARDING: I am greatly concerned about the actions of a worker in your VISTA program in New Haven, Connecticut. Mr. Herbert Johnston was employed by VISTA at a salary of $220 per month at the time of his arrest on February 26, 1969, for disorderly conduct at Lee High School.

According to the Hartford Courant of February 27, Johnston was arrested: "following an unscheduled speech he made at a Lee High School assembly program last week that erupted into fighting. Five students and one teacher were injured during the melee.

"According to some present, Johnston used inflammatory language in addressing approximately 800 black and white students attending a National Brotherhood Week program at the school."

As to what was said by this supposed "Volunteer in Service to America," I quote from the Connecticut Sunday Herald of April 20:

"Students questioned by The Herald after the disturbance said that a man they described as a 'Black Panther' grabbed the microphone and began spouting off against whites. He ridiculed everything and everybody in the white society, some said, and, as one girl put it, 'knocked us constantly and unmercifully.' "

Johnston is currently awaiting his trial on the disorderly conduct charge in the Sixth Circuit Court of Connecticut.

It disturbs me that a worker who is paid with Federal funds and who is supposed to be working for the betterment of his country has become involved in such an incident.

I am also distressed by the fact that $100 of Johnston's legal fees was advanced to him by Community Progress, Inc., the New Haven anti-poverty agency, out of funds granted to that agency by the Ford Foundation. This "loan" to Johnston was admitted last week by CPI Executive Director Milton Brown after he had received a telephone inquiry from Ford Foundation Vice President for National Affairs Mitchell Svirldoff.

While this loan was admitted by CPI only last week, I had been aware of it since early March, at which time I made inquiry to the Ford Foundation about it. In a letter dated April 4, Assistant Secretary William H. Nims replied, "Although in many cases it is within the rights of non-profit organizations to provide support for legal defense, it was not within the terms of our grant to Community Progress, Inc. We accordingly brought this to the attention of the Director, and the funds were replaced by contributions received subsequently."

I do not believe that this loan constituted proper use of tax-exempt funds, nor do I consider such action proper for a community action program under your auspices. Furthermore, there are agencies which could and would have afforded legal counsel to Mr. Johnston at no charge. This incident is another classic example of the misuse of money, and it reflects the callous attitudes of many of your community action program people towards funds which were intended to promote better jobs and housing for the poor. I want to know what steps you plan to take as the acting director of OEO to prevent this chronic mishandling of money by OEO-sponsored organizations.

I am even more interested, however, in a rumor that pending the disposition of his criminal case, Mr. Johnston has been employed recently by CPI. I hardly think that this action should have been taken at this time, but again it is so typical of the actions of community action agencies.

I would appreciate your looking into this matter.

Sincerely yours,
ROBERT N. GIAIMO,
Member of Congress.

According to their reply of May 15, the OEO is looking into the matter.

Even though the charges against Herbert Johnston were subsequently dropped, I still question his involvement in this incident and the role of Community Progress, Inc., and the Ford Foundation in his defense.

When I first became aware of this situation I wrote to the Ford Foundation asking for an explanation. The reply I received did nothing to answer my questions about the guidelines used by the foundation to govern its tax-exempt grants. I therefore found it necessary to write a second letter to Ford Foundation, the text of which I will include at this point in the RECORD. I have not yet received any acknowledgment of this letter:

MAY 9, 1969.

Mr. MCGEORGE BUNDY,
President, the Ford Foundation,
New York, N.Y.

DEAR MR. BUNDY: On March 14, I wrote to you concerning the role your Foundation played in disbursing funds which were used to help defray legal expenses for Mr. Herbert Johnston, a VISTA worker in New Haven. I reiterate my statement that the time has come for Foundations which use tax-exempt monies to account for many of their actions. I again express interest in the guidelines, if any, which govern grants to organizations such as Community Progress, Inc.

The April 4 reply from Assistant Secretary William H. Nims did absolutely nothing to answer my questions. Mr. Nims told me that Mr. Johnston was arrested for breach of the peace in connection with an incident at Lee High School. I already knew this. He told me that CPI used $100 to cover part of Johnston's legal expenses. This I obviously was aware of since I brought it to your attention. Finally, Mr. Nims admitted that this use of Ford Foundation funds "was not within the terms of our grant to Community Progress, Inc."

What were these terms, Mr. Bundy? That was one of the things I wanted to know and still want to know. What kind of control does your organization have over such grants? How do you determine the manner in which the grant money is to be used, and how do you insure that it will be used for those purposes?

Mr. Nims also noted that the funds used for Mr. Johnston's defense "were replaced by contributions received subsequently." Does this absolve CPI from blame? Can any organization which receives a Ford Foundation grant use the money any way it chooses as long as it replaces that money at a later date? Do you prescribe and enforce penalties for misuse of your funds?

I am greatly concerned that apparently such misuse of tax-exempt funds must be brought to your attention before it will be corrected. I wonder how many cases of this sort are never brought to your attention and are thus never corrected. How many organizations are using your funds improperly and what are you going to do about it?

It would seem that the highly sophisticated Ford Foundation could at least require a periodic audit or a statement from the grantee organizations accounting for how its grants are being used. If you do not use such a system at present, I strongly recommend that you give serious consideration to this proposal.

It is ironic that while many individuals connected with the Ford Foundation and grantee organizations decry the so-called "secrecy" of some portions of the Federal establishment, the Ford Foundation itself continues to issue large grants of tax-exempt funds in an equally secretive manner. I am pleased to note I am not the only legislator who is demanding that many of these grants be explained. In this time of increasing taxes, the people have a right to know how tax-exempt money is being spent. I will do everything in my power to see that they find out.

Please send me a complete description of the terms of your grant to CPI and an explanation of your guidelines for this and other grants. I suggest that you owe Congress and the public an explanation as to why the Ford Foundation should not be accountable for tax-exempt funds and why its funds should be tax-exempt in the first place.

In your 1968 annual report, you state, "The Ford Foundation is a private, non-profit institution dedicated to the public well-being. It seeks to identify and contribute to the solution of problems of national and international importance." I think it is high time that the Ford Foundation proves that its grants are indeed being used to solve such problems.

Sincerely yours,
ROBERT N. GIAIMO,
Member of Congress.

I might note here that my distinguished colleague, the chairman of the House Ways and Means Committee, has also expressed interest in this case and has received copies of both letters.

The questions I have raised remain unanswered. I and many other Americans want them answered quickly. It is time for the Ford Foundation and similar groups to explain why they should not be accountable for tax-exempt money. It is time for the Office of Economic Opportunity to stop this waste of money which is badly needed elsewhere. It is time for the local community action programs to use every cent of their money to improve the lot of the poor in this country.

For if Community Progress, Inc., and other poverty agencies can afford to defend the Herbert Johnstons, while at the same time providing better jobs, housing, and education for the millions who desperately need it, perhaps we will not have to appropriate more funds for them. If they cannot afford to do both, and I am sure they cannot, I say that it is time for them to help us complete the unfinished business of America in stead of misusing the resources which should be directed toward that goal.

MINING INDUSTRY WORKMEN'S COMPENSATION IMPROVEMENT ACT OF 1969

(Mr. DANIELS of New Jersey asked and was gven permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DANIELS of New Jersey. Mr. Speaker, I introduce, for appropriate reference, a bill entitled "The Mining Industry Workmen's Compensation Improvement Act of 1969." The purpose of this bill is to encourage the States to improve their workmen's compensation laws to assure adequate coverage and

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benefits to employees injured in the mining industry.

It is an appalling fact that today by conservative estimates over 100,000 men suffer coal miners' pneumoconiosis—commonly called black lung disease. An additional 20,000 more coal workers have some state of silicosis and another 5,000 have a mixed dust pneumoconiosis.

Death and disability from coal dust inhalation is the price that coal miners have had to pay for their employment in an occupation among the most hazardous in the United States. In Great Britain, dust-derived diseases have been compensable since 1943, but in this country in only seven of the 26 States with coal mining is coal miners' pneumoconiosis specifically compensable.

Earlier this year, the eyes of the Nation focused on the activities of three courageous doctors in West Virginia who fought decades of apathy, tradition, and entrenched interests to lead the coal miners in a successful fight to win approval by the State legislature for a long-overdue black lung compensation bill.

Theirs was a noble effort. Today I propose that the Congress of the United States follow their leadership and consider this bill which would stimulate every State to compensate for these dust diseases in the mining industry and to provide compensation for those workers and their families who have suffered deaths and injuries prior to the enactment of this legislation and would have been entitled to compensation had this act been in effect.

The workmen's compensation system in this country is basically a series of independent State programs of private insurance administered by the States under State laws. Each system is separate from other disability programs, such as social security, and can be viewed as an independent unit.

This program is a major source of support for the families of about 14,000 persons who are killed at work each year and for a large number of the 2.2 million who are injured. In 1967, some $2.2 billion of benefits was paid under workmen's compensation programs, one-third for medical costs and two-thirds for cash payments.

Despite the size of the program, some workers in the mining industry may not be covered because their employers elected not to come under the State's workmen's compensation law—23 States have elective rather than compulsory laws—or because their employers are exempt from the law as a result of an exemption for small firms. Even where the employment is covered, the workers may not be protected because of a restrictive definition or interpretation of what constitutes an occupational disease or because of inadequate time limit provisions for filing occupational disease claims.

The standard specified in most State laws for cash benefits is 66⅔ percent of the worker's own average weekly wage. However, because of statutory monetary maximums in these laws, only six States today actually equal or exceed this standard. In 1940, by contrast, 37 States met this standard.

PURPOSE OF THE BILL

The purpose of this bill is to stimulate and encourage the States to conduct an inventory of the serious inadequacies of their present laws relating to compensation for employees in the mining industry who are disabled by work-related accidents or diseases, and to amend such laws so that these employees and their dependents will not suffer substantial economic hardship.

To assist the States in improving their administration, they are authorized to apply for grants up to 75 percent of any additional administrative costs they incur as a result of cooperating in this program.

If the States within a certain period do not have or extend the coverage of their workmen's compensation laws as prescribed in the proposed act, the act would apply the procedures of the Longshoremen's and Harbor Workers' Compensation Act generally to uncovered employees of employers engaged in the mining industry. Further, if within the same period the States do not have or increase the benefits of their workmen's compensation laws for such workers to the level of the benefits of the Longshoremen's and Harbor Workers' Compensation Act, employers engaged in the mining industry must secure insurance providing benefits not less than that of the Longshoremen's and Harbor Workers' Compensation Act.

Since this bill is applicable to the entire mining industry, the insurance costs would be applied uniformly throughout the country and thus would eliminate unfair competition among the various States.

PROVISIONS OF THE BILL

TITLE I—GRANTS FOR ADMINISTRATION

Over a period of 5 years the Secretary is authorized to make grants to the States for the additional cost of improving the administration of their workmen's compensation laws relating to the mining industry. Grants may be made for additional costs of administration during the fiscal year immediately preceding enactment and in subsequent years.

Thus, to determine the additional costs which will be financed under this title, the Secretary will use as a base, upon which to make the determination, the costs to the State during the second fiscal year prior to enactment of the act. Before payment of the grant may be made, the State law, as administered, must also meet certain specified reporting, expenditure, and reimbursement requirements.

TITLE II—EXTENSION OF LONGSHOREMEN'S AND HARBOR WORKERS' COMPENSATION ACT TO EMPLOYEES IN THE MINING INDUSTRY NOT COVERED BY STATE WORKMEN'S COMPENSATION LAW

Two years from the end of the calendar year in which the proposal is passed all employees of employers engaged in the mining industry, if such employees are not covered by State workmen's compensation laws, will have extended to them the provisions of the Longshoremen's and Harbor Workers' Compensation Act, as amended. This title will also extend specific coverage to employees in the mining industry who suffer death or disability from pneumoconiosis.

The administration of this title will be under the procedures of the Longshoremen's and Harbor Workers' Compensation Act in the same manner as the administration of extensions of that act to other classes of employees, such as those of defense base contractors. It will thus be necessary for employers subject to this title to secure insurance as required by such act.

TITLE III—MINIMUM COMPENSATION BENEFITS FOR EMPLOYEES COVERED BY STATE LAWS OBLIGATIONS OF EMPLOYERS TO SECURE

Two years from the end of the calendar year in which the bill is passed, employers engaged in the mining industry will be required to secure compensation for their employees covered by State workmen's compensation laws at least equal to the benefits of the Longshoremen's and Harbor Workers' Compensation Act, as amended. The employer may satisfy his obligation either by purchasing insurance or by qualifying as a self-insurer. Certain terms of the insurance policy are specified.

CLAIMS PROCEDURE

In those States where the level of compensation benefits is less than that prescribed by the proposed Act and where an agreement has been made with the Secretary, the person claiming benefits under the State law may concurrently file a claim with the State agency for an order to bring total compensation to the level as herein proposed. Where there is no such agreement, the claim may be filed with the Secretary. The State determination will be final except as to benefits. In cases where uninsured employers within the time period specified by the Secretary or his designee fail to pay compensation due, the Secretary will make payments from the Employees' Benefit Fund established under section 305 of the Act. The Secretary would be subrogated to all rights of the person receiving such payment. Appeals from awards in excess of State levels shall be processed in accordance with section 21 of the Longshoremen's and Harbor Workers' Compensation Act.

AGREEMENT WITH STATES

The Secretary of Labor may enter into agreements with the States to utilize their services and employees in processing claims subject to his jurisdiction, and to recompense the States for the services performed.

EMPLOYEES' BENEFIT FUND

In order to provide a fund out of which the Secretary of Labor may pay compensation to employees of employers who fail to secure payment of compensation at the level of the Longshoremen's and Harbor Workers' Compensation Act, as required by title III, the proposal establishes an employees' benefit fund in the Treasury of the United States. The manner of establishing the fund and for paying benefits from the fund is specified in the proposal. The fund would be primarily financed by amounts recovered by the Secretary from defaulting employers. Other sources of revenue, including appropriations from general revenues, are also authorized in order to

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give the fund initial revenues and at other times when additional funds are necessary.

CRIMINAL PENALTIES

Employers failing to secure payment of compensation will be subject to a fine of not more than $1,000 or by imprisonment for not more than 1 year, or both. Employers who dispose of property with the intent of avoiding payment of compensation to an injured employee are subject to a similar penalty. Any person who willfully makes false statements for the purpose of obtaining or defeating any benefit shall likewise be subject to fine or imprisonment or both.

TITLE IV—ADMINISTRATIVE PROVISIONS

RULES AND REGULATIONS—SUBPENA POWERS

The Secretary is authorized to issue necessary rules and regulations to carry out the provisions of this act. The Secretary is also authorized to issue subpenas, administer oaths, and compel the attendance of witnesses and production of books, and the district courts of the United States are given jurisdiction to enforce the orders of the Secretary under this section.

PRESUMPTION OF INJURY

Provides for a rebuttable presumption that the claim comes within the act if the worker was employed for 5 years or more in the mining industry.

PRESIDENT'S MESSAGE ON NUTRITION

(Mr. GERALD R. FORD asked and was given permission to address the House for 1 minute, to revise and extend his remarks, and include extraneous matter.)

Mr. GERALD R. FORD. Mr. Speaker, in addressing the 1968 Republican National Convention as permanent convention chairman on August 6, 1968, I made a number of prophecies as to what the election of a Republican administration would mean to America.

One of my shortest predictions contained just five words—"And nobody will go hungry."

Mr. Speaker, House Republicans are elated that President Nixon has moved swiftly and surely to make good that prediction during his first hundred days in office. In testimonial to that Presidential action born of compassion and determination to solve a shameful national problem, House Republicans today are placing in the CONGRESSIONAL RECORD a statement regarding President Nixon's national nutrition program.

I join with my colleagues in calling special attention to the President's program of nutrition for a healthy America because I believe the problem of hunger and malnutrition to be second to none in this land. I also take great pride in the fact that a commitment to free this Nation from hunger and malnutrition has been implanted in the heart of America by a Republican President.

No program coming before Congress in this or any other year can be more important than the Nixon administration's proposals for properly meeting the nutrition needs of low-income Americans.

I urge the Congress to go on record—as the Nixon administration already has done—in support of a new national goal, an end to both hunger and malnutrition in America. This is one of the most meaningful contributions Congress could make to raising the level of life in our country.

Mr. STEIGER of Wisconsin. Mr. Speaker, President Nixon's legislative and administrative recommendations to end hunger and malnutrition constitute a truly comprehensive approach to this pervasive problem.

The food stamp and food distribution programs are in need of an extensive overhaul, because quite simply those who are malnourished and hungry often do not receive the food. Substantial numbers of poverty-stricken families cannot even afford the cost of food stamps. Present commodity distribution programs result in severely limited quantities and varieties of food reaching those who most urgently need them. Hundreds of counties still do not have any kind of food supplement program. Hundreds of others administer the programs they have in such a manner as to exclude large numbers of malnourished individuals.

The reforms President Nixon suggests will bring a measure of effectiveness to the antihunger programs that they have lacked in the past. The President has responded to the challenge of hunger and malnutrition in America in an imaginative and responsible manner. The Congress can certainly do the same.

Mr. McCLORY. Mr. Speaker, more than a year ago, the President's Science Advisory Committee reported on the world food problem. The report opened with a quotation from the Bible. As I recall, it began:

> And lo a black horse; and he that sat on him had a pair of balances in his hand.

Mr. Speaker, I am pleased to join my colleagues today who have presented a statement expressing support for President Nixon's proposal to get to the root of the problem of hunger. There is not a person within the sound of my voice who can—in conscience—reject this proposal embodied in the message of May 6, 1969, knowing that the specter of hunger haunts this land and that malnutrition weighs down the "pair of balances" by which the true progress of our Nation is determined.

Part of the President's proposal involves revision of the food stamp program. This well-intentioned plan has failed to meet the needs of hungry Americans despite the availability of surplus foods and the bargain services which our coordinated food stamp program can provide.

President Nixon seeks to correct these deficiencies by: First, providing poor families with enough food stamps to purchase a nutritionally complete diet, and, second, by providing food stamps without cost to the very poor and permitting others to purchase stamps at no more than 30 percent of their income. The President's plan is also aimed at cordinating the food stamp program with public welfare and directing the Secretary of Agriculture to work closely with county and local officials.

Many other changes have been recommended by the President, some of which may need legislative support, and others which can be accomplished through administrative action.

To quote President Nixon:

> More is at stake here than the health and well-being of 16 million American citizens. . . . Something very like the honor of American democracy is at issue. . . . America has come to the aid of one starving people after another. But the moment is at hand to put an end to hunger in America itself. For all time. . . . It is a moment to act with vigor; it is a moment to be recalled with pride.

Mr. Speaker, I pledge my unqualified support to the President's program to banish the fifth horseman—hunger—from the American scene. Constructive action by Congress, consistent with the recommendations in President Nixon's message, can hasten the day when this goal may be attained.

Mr. BURTON of Utah. Mr. Speaker, President Nixon's crusade against hunger has started, and in my opinion, it is more than mere rhetoric.

The President has found that we are still operating under programs which were started decades ago—noneffective programs that meant promise in the thirties, but not the seventies.

Mr. Nixon has stated:

> That hunger and malnutrition should persist in a land such as ours is embarrassing and intolerable.

No one would disagree with that. Why should we—the richest and most progressive nation in the world—be in such a position?

True, we in Utah do not have the multitude of problems faced by Los Angeles, Chicago, New York, or here in Washington, D.C. But we are knowledgeable about the problems of hunger and economic deprivation as outlined in Mr. Nixon's message.

The root causes of hunger in our Nation must be examined and then dealt with comprehensively by all the agencies of government involved. If this requires legislation, then it should have the support of every Member of Congress.

As we all know, the Hunger Commission, established last year, did not receive Executive support. We now have that Executive support under President Nixon. His statement on hunger, announced on May 6, hits at the core of hunger problems in every State of the Union. I invite my colleagues to support his proposals and bring an end to what we all know exists—hunger in America.

Moreover, the President's message is proof of the administration's recognition of the hunger problem in America and its determination to deal vigorously with it, and to ascertain why our Federal food programs are not reaching millions of impoverished Americans.

Mr. WYMAN. Mr. Speaker, I rise to join in expressing approval of the President's national nutrition program, a program which will take great steps toward alleviating the disgraceful problem of hunger which plagues too many of the American people today.

By his action in this area, President Nixon has greatly complemented his progressive and action minded administration. By carrying the involvement of

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the Federal Government beyond the stages of recognition and into a specific and comprehensive proposal, he has bolstered the faith of the American people in our commitment to meet this problem and deal with it squarely. Surely his response to this continuing dilemma will provide the leadership necessary to involve those outside of Government as well, recognizing as he has that participation by the private sector of our economy is of great importance if the battle against gross inequality is to be won.

I share the hope of other Members of this body that Congress will give its undivided support to the President's proposal, and that the ills of economic deprivation will soon be a thing of the past for all segments of our society.

Mr. DON H. CLAUSEN. Mr. Speaker, I should like to take this opportunity to join with my colleagues in commending President Nixon on his plan to combat hunger which he presented to Congress on May 6.

The President has clearly outlined a program of action, a program that is not just an idea, but a practical plan for combating the very serious problem of hunger in this country. I concur with the President's statement that it is inconceivable that, in a country with the riches of America, there should be those who do not have food to put on their table.

On July 29, 1966, a House task force on agriculture reported, and I quote:

> Unless the United States remains able to meet its own food needs without the fear of scarcity, our Government will never be in a position to provide even token assistance to the hungry nations of the world.

So, Mr. Speaker, we not only must assume the commitment to our own people, we have the responsibility of setting an example for the entire world. And, in "Famine, 1975," the authors predict that by 1975, the United States, even with its huge productive capacity, will be unable to produce enough food to stave off famine in the underdeveloped nations of the world, unless drastic measures are taken to meet this crisis.

I would remind you that communism has advanced only in areas where the people are hungry. As evidence of this, we need only recall the peasants of Cuba and the masses of China. We must remember that the minds and hearts of men can be most effectively won for freedom only after the pangs of hunger in their stomachs has been stilled.

How, then, are we to be able to supply the food to stave off the famine of the world, if in fact we cannot provide the necessary nutrition for our own countrymen?

To me, the answer can be found in two key words—"production" and "technological genius" that has put three men in orbit around the moon. Technology must be combined with our great productive genius in the agricultural field. We can no longer be satisfied with restricting our present level of production of agricultural products, but we can and must expand as we look to the future.

We also must make this genius available to the underdeveloped nations of the world. What is really needed are "flying farmers"—men and women with the knowledge and bilingual capabilities who can go into hungry corners of the world to work with and to assist those people in increasing their food productivity.

In the final analysis, in my judgment, those countries that produce and/or control the world's food supply, will direct the destiny of man.

Mr. Nixon has set in motion a program that is well thought out, dynamic, and practical, and goes to the heart of the problem here at home. Also, we can and must push forward at our earliest opportunity with a viable, multinational program that has as its goal the monumental task of eliminating starvation worldwide, and gives the people of the underdeveloped nations the food resources and productive capability of filling the empty stomachs of their people.

I sincerely believe we have the technological and productive capacity and ability to turn our agricultural production efforts into a major advantage in our arsenal of "nonmilitary weapons" that will ultimately win the cold war and promote the cause of peace with freedom in every section of the globe.

At this point, I would like to insert a copy of a speech I made at a statewide 4-H convention at the University of California at Davis on August 22, 1967, with the thought that it might hold some interest for my colleagues:

REMARKS OF CONGRESSMAN DON H. CLAUSEN TO THE 4-H CONVENTION AT UNIVERSITY OF CALIFORNIA, DAVIS, AUGUST 22, 1967

No doubt you are wondering what a Congressman from Washington could possibly have to say at a 4-H Convention? First, let me say, as a statement of my qualifications to speak to you, that I was born and raised on a farm and that I am a product of the 4-H system. In Humboldt and Del Norte Counties, where I have spent the better part of my life, and where I have served in both business and public service, I have literally grown up with the farmer and his problems. My first elective office was to that of President of the Ferndale 4-H Club in Humboldt County.

Many of the concepts and principles on which my philosophy of government and life are based, were forged on my Father's dairy farm and in the rural atmosphere of Humboldt. And as a former County Supervisor in Del Norte County, I became intimately familiar with every phase of agriculture from beginning to end—or, you might say—from manure to marketing and that, I think, covers quite a broad spectrum.

This experience has been invaluable to me in Washington. As a Congressman representing the First Congressional District of California, it has been my great privilege to represent one of California's and, indeed, one of America's truly great agricultural areas. In Congress, I have worked closely with the agencies concerned, in an attempt to develop plentiful supplies of low-price agricultural water for our North Coastal counties. In addition, I have worked consistently to correct inequitable quotas on imports of foreign beef, poultry, dairy products, sugar, wines, lamb, wool and lumber. Mainly, however, I have devoted my efforts toward strengthening agricultural production in America which I have many times described as "The Backbone of Our Nation."

But, enough about me. What I really want to talk about today is agriculture and what I believe its role will be in the future—not only in California and throughout the Nation—but throughout the world.

In case you don't know it, many non-Californians are quite confused as to exactly what we do out here in the "Golden State". Many think our economy is based on making movies, or entertaining tourists, or in defense contracts. In fact many "out-of-staters" are, frankly, quite surprised to learn that our major industry in California is agriculture. For those of you who have not traveled far beyond our borders, I can tell you that, back East, we do not have an agriculture image here in California. But, what are the facts?

California agriculture, over the years, has set a record of productivity that is the envy of the world. This is so, mainly, because we have been able to operate units of sufficient size to make farm mechanization and farm technology feasible. We are proud of that record and we have every right to be proud. I regret to say, however, and I trust you will note this fact well—there is an effort underway at present to break up the very system which has made California's agricultural output the best in the world. I refer to the attempt by some misguided social planners in Washington to impose acreage limitations in large areas of California where Congress never intended them to be. To this end, a federal suit has been filed in the U.S. District Court in San Diego to impose acreage limitations in the vast 500,000 acre Imperial Irrigation District. And similar actions are reported to be in the making in the one-million-acre area of the Kings River and in the 350,000 Kern River basin.

If successful, these court actions would have the effect of destroying some of the world's most productive farms by breaking up our highly efficient and highly successful units into small, subsistence size farms. Such "land reform myths", in light of progress made and the tremendous challenge of the future, just don't make sense! This type of thinking, moreover, represents a dangerous trend in American agriculture which we have seen developing for some years.

Agriculture is still the major industry in California, in spite of the tremendous decrease in American farms in the past 10 years. In fact, it appears obvious to me that soon we will need to develop a term to replace agriculture, such as "Urbiculture", for instance. Your own organization is, perhaps, the best example of this trend.

Of the 40,268 young people now enrolled in 4-H projects in California, only 12,547 actually live on farms—less than a third! As a matter of fact, more are listed as "urban" than "suburban". This means, quite simply, that the majority of you who are engaged in 4-H projects, actually live in towns and cities. I hasten to add, that this in no way is detrimental to 4-H; it merely points up the fact that there has, indeed, been a vast shift in our geographical distribution in America. In contrast to this, nearly 75% of those involved with 4-H work lived on farms when I was a youth. So, we see vividly what is happening to the farm picture in general in this country.

What does all this mean—this apparent "phasing out" of the American farmer and our capacity to produce agricultural products? This brings us to the "nitty gritty" of the problem in terms of your future, America's role in that future, and which way the world is going to go in the next 15 years.

As you well know, the world has many problems today. We bounce from one crisis to another—each seemingly threatening to "blow the lid off" any hope for peace we ever expected or dreamed of. And, like people in crisis, we have a problem of being "too close to the forest to see the trees"—as we say in the Redwood Empire. What I mean is, that we have become so accustomed to viewing everything with alarm—such as Vietnam and the riots—that we have completely overlooked an impending crisis more critical than

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Vietnam and more imminent than the dangerous threat of nuclear holocaust.

I submit to you today that, of all the world's problems, the awesome prospects of a world population explosion and the potential it holds for the year 1980, is, by far, the most critical.

What is at stake, quite frankly, is the fact that by 1980, the world is going to have five times more mouths to feed than it does now in 1967. With present world food problems and the curtailments which have predominated American agriculture in recent years—think for a moment what this means. In terms of escalating hunger, I see the world developing in three significant stages. The first is critical shortages of food in certain underdeveloped countries beginning in 1968. Unless this food crisis can be quickly met and resolved, the next stage will be widespread famine in about 1975. And, if we are not able to stem the initial stages, there will follow large scale hunger throughout the world accompanied by acute malnutrition and starvation of such magnitude as to stagger the imagination.

At this point, I want to say that I do not tell you this to frighten you but to "spur you on" to greater heights in 4–H work. What I am telling you is the best judgment of experts in the field of population growth and world food resources. Two such experts, are William and Paul Paddock who have written an excellent and authoritative book entitled "Famine 1975", which I commend to your reading. Last year, the Congress made extensive studies on the potentials of world hunger. The House Committee on Agriculture made its findings known in a 704-page report which they called "World War on Hunger—1966". From that title, I need not tell you what their specific findings were.

In view of these facts, what has been done to meet the awesome challenge that lies ahead? The President, several years ago, appeared concerned when he talked about "Food for Peace". In fact, he even appointed an Assistant Secretary of State for Food-for-Peace. Unfortunately, however, this man retired seven months ago and no successor has ever been named. In addition, the Administration has failed to make public its 1966 report on "Food-for-Peace", which it was supposed to do last April. This is tragic because President Eisenhower's "Food for Peace" program has been one of our most successful, in the field of foreign affairs.

The next logical question which arises, is, can we meet this challenge, based on our present capability and efforts in this regard? On July 29th, a House Task Force on Agriculture reported (and I quote): ". . . Unless the United States remains able to meet its own food needs without fear of scarcity, our Government will never be in a position to provide even token assistance to the hungry nations of the world." And, in "Famine 1975", the authors predict that by 1975, the United States, even with its huge productive capacity, will be unable to produce enough food to stave off famine in the underdeveloped nations.

At the present time, the underdeveloped nations of the world are capable of producing only about 650 million tons of food each year. To meet the population increase of those already born, these underdeveloped nations are going to require, by 1980, an additional 400 million tons each year—or more than half of what they are now capable of producing. To meet these minimum tonnage and nutritional requirements would require a capital investment of $80 billion. That, in statistical terms, is the "long and short" of the problem.

Must America, however, in the face of such evidence try to pretend the problem doesn't exist? Should we, because of these findings, give up? When I think of a starving world pleading at America's doorstep for food to survive—my mind conjures up all of the challenges we have had to face in the past. The answer, my friends, is no—we must not give up in the face of this crisis and, indeed, we cannot unless we are prepared to fall victim to it ourselves. If you share that feeling with me, let us, then, examine ways to overcome it.

As farm-oriented people, you know that food cannot be grown or produced over night. Crops take time and, like any other industry, agriculture has to be "geared up" before mass production can be realized. We tried this in WW II when our farm industry was operating at peak capacity and, I would remind you, we encountered serious problems. To meet the needs of the 1940's we had to revert to food rationing and food substitutes on a National scale.

Today, although we have made great strides in food production techniques, we nevertheless have fewer farms and fewer farmers, and the potential food demand of the 1970's makes the need of WW II seem like "chicken feed". The question then, is, "where *is* the food going to come from to feed five times more people?" In search of that answer, it is first necessary to examine the nature of the problem.

In some respects, the picture is not all black. Population growth need not continue to explode indefinitely even though those who will be 35 in the year 2000 are already born. Advancements of biomedical science have made family planning feasible and both the United States and the United Nations have made significant progress in the field of birth control. Decreasing the birth rate of the world is not the answer, nor the solution to this problem, alone, but it is a vital adjunct.

Quite honestly, I have long felt the need to completely overhaul our agricultural policies—it's time we "took the bit out of the mouth" of American agricultural production.

In the field of foreign assistance alone, we would be much better off to cut loose American agriculture and send our grain surpluses to hungry countries of the world rather than propping up some corrupt governments with U.S. funds—look what this would do to help our balance-of-payments problem.

All this money would be paid to American farmers—the dollars would remain in this country to re-circulate for the benefit of everyone.

We could then establish a phase-out of subsidies in this country and offset this unrealistic funding by permitting increased production.

As I've said many times, American agricultural genius and the food it produces can be the most effective weapon in our arsenal as we seek ways and means of beating the Communists in the Cold War.

The most critical aspect of this problem is the fact that a livable world cannot long exist where two-thirds don't get enough to eat while the remaining third is overfed. It goes without saying, I think, that the future of all mankind is now being ground out in India. If man fails to solve this problem, all the world will live like India, where, today, people die in the streets from starvation.

From what we have said, thus far, it is obvious that the United States just is not capable of feeding the world. The key is helping them produce their own food, concentrating first on the underdeveloped countries. To this end, we can furnish assistance but with a lesser emphasis on dollars. If our foreign aid programs of the past have taught us anything at all, *it is that people can't eat money.* Together—helping them produce their own food coupled with technical assistance from us—we can rise to the challenge with some assurance of minimizing its devastating effects. That, realistically, is the best we can hope for, but it is a goal.

In spite of the Administration's neglect in facing the reality of tomorrow, there are some concerned Members of Congress who are aware of the problem. Last month, for example, I had the pleasure of cosponsoring a bill in the House calling for establishment of a "World Food Study and Coordinating Commission". This group of experts—the best minds we can find in this field—would examine every facet of an impending world food shortage and develop concrete plans to meet it, along the lines I have mentioned.

I have deliberately left for last, why it is so important that America rise to meet this challenge. If you remember anything I say here today—remember this: "Whoever Controls the World's Food Supply Will Direct the Destiny of Man!"

For more than 20 years, man has been forced to accept a very inadequate substitute for peace. "Cold War" has been that substitute while man desperately ponders how to achieve true peace. During that period, we, in this country, have had some widely varying views on just where we "lost peace" and how to regain it. The fact that we have yet to find the answer is indicative of the means we have employed to achieve peace and, tragically, we are now "paying the price" in Vietnam. Some have said that the "Cold War" is a battle to see whether Communism or Democracy can win the "hearts and minds of people everywhere". The "Cold War" in actuality is ideological warfare between free nations and the Communist states.

In the first instance, I would remind you that Communism has advanced only (and I stress only) in areas where people are truly hungry. As evidence of this, we need only recall the peasants of Cuba or the masses of China.

In the second instance, I submit that the "minds and hearts of men" can most effectively be won for freedom only after the pangs of hunger in his stomach have been stilled. The security that man seeks, begins with such basic needs as security from hunger and freedom from want. A hungry man cares very little about political idealism and the more hungry he becomes—the less he cares. Hitler proved this simple doctrine in "selling" Nazism to a hungry Germany after WW I and Communism has exploited this problem wherever they could. To me, it is inconceivable that we have failed to recognize this basic human factor and to employ it in the struggle against Communism.

In the final analysis, in my judgment, the country that can respond by 1980—not with promises but with food—for the general uplift of mankind everywhere, will truly win the hearts and minds of the people of the world. If America is that country and meets that challenge, Communism will fade like a "leaf in the Fall" and be exposed as the farce that it is. And that experience, in my view, will negate any need for guns and bombs being used to halt aggression.

This, then, is the challenge we face. No—on second thought, this is the challenge *you* face. Each of you here today, is in an extremely unique position, to make a meaningful and previously undreamed of, contribution to American agriculture and to world peace. As you emerge from 4–H projects into the world of "human projects", I challenge you—based on what you have heard today—to "think big." As we enter the 1970's (and that's only three years away), we can no longer afford to think in terms of food supply and demand as we have previously known them. The fact of the matter is, the supply is low, the source is limited—and the demand defies our present capabilities.

What I am saying, really, is that in the future, you cannot be satisfied with just being a good farmer—or home economist—or agricultural specialist—or farm management analyst. To extend the genius of American Agriculture to a hungry world, you must be willing and able to go out into that world

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and communicate with the hungry and those who can do something about that hunger.

This requires us to tap another promise of the future—America's aviation genius. If we are to do the job for which we are being called—we must literally "Put Wings on American Agriculture." In a word—what we really need are "Flying Farmers", men and women with a bilingual capability who can go into the hungry corners of the world to work and talk with the people. This is the kind of an America I think we are capable of becoming.

It is true that we have our problems. Trying to do what's right in the face of insurmountable odds—always creates problems and that has been America's plight for too long. But make no mistake about it—America is a great country and great countries produce great people. Contrary to popular opinion in some circles, America has great faith in you—the youth of our Nation. This is a big order and a great challenge but I know you have what it takes to do the job that lies ahead.

In the long run, America has never "dropped the ball" and, so long as our freedoms remain intact, America will meet the challenge and grow greater than ever before. You the 4–H Clubber, can contribute to this worthy goal today by "thinking big" about tomorrow and then setting your course to make the "best of America even better."

Mr. BROYHILL of North Carolina. Mr. Speaker, in recent months, we have been startled out of the complacent belief that the American people enjoy a universal high standard of health. Now that although we have obtained for a broad segment of our society a very high standard, we can see deep problem areas and we must move ahead to correct this situation.

We in Congress, I believe, should start by exploring legislation to expand the national health survey to cover each of the 50 States so that we will have a better understanding of the nature and extent of such hunger and malnutrition as exists in the country. It is disturbing that the U.S. Public Health Service can tell us in some detail about the health of much of the rest of the world, but is unable to provide a very full picture about our own Nation. I hope we will correct this situation in the very near future.

As we consider the various programs now operated by the Federal Government, we should give serious attention to the role which private industry, particularly food processing, can play. We must find new ways to develop the means that will contribute to balanced diets and good nutrition in the country. Protein-enriched food, for instance, is clearly needed as much as the vitamin-enriched bread and milk we now have.

The President's message has indicated some of the areas in which action is needed. But if malnutrition and hunger are to be removed from the American scene, all Americans must be involved, and we in Congress must start by taking positive action on those proposals which have been put before us by the President. We must act, not because of America's honor or some other abstract concept, but because the health and well-being of our people require that we respond meaningfully and effectively to the problem.

Mrs. MAY. Mr. Speaker, I am happy to join in commending the President for his bold and comprehensive proposal for a program to combat the problems of hunger and malnutrition wherever they exist in this country.

President Nixon and his administration, with this proposal, have moved confidently forward to assume leadership in what must be a concerted effort—both public and private—to assure every man, woman and child in the United States of the opportunity to obtain adequate food and nutrition.

As a member of that small coalition of Representatives here in the House who 1 year ago called for a Presidential commission to make an emergency evaluation of the problem of hunger and to recommend remedial action, and who expressed our earnest desire to "press impatiently and urgently on every front available to us to alleviate this problem immediately and eliminate it quickly," I am highly pleased and gratified that the President has recognized the urgent necessity of a direct frontal attack with a force and battle plan adequate to do a thorough and effective job.

Hunger in this food-rich nation is indeed "embarrassing and intolerable," in the words of our President. But it is an exceedingly complex problem, he also pointed out, not at all susceptible to fast or easy solutions, and his program is not one that can be achieved with the wave of a magic wand. It will require time, energy and effort.

The issue of malnutrition and hunger in the United States has reached deeply into the social consciousness of the more fortunate and affluent of the American people. Weekly, or monthly, food expenditures are a matter of no small concern to the great majority of our families. But authenticated stories of real hunger in this land of plenty have carried heavy shock value.

It is less important in the national scale of values that food, for the family costs less than 1 day of work from a 5-day workweek; that no other similar-size population group in all history has obtained their food with so small a fraction of their total production effort; or even that our overall national affluence has reached the present high level. More important, to most of us, is that hunger—and hidden hunger—should exist among our fellow citizens, and show in the faces and bodies of children. The great majority of the American people are willing and eager to participate in a national effort to eradicate hunger and malnutrition from this country and have welcomed the President's recommendations to achieve that objective.

A factor of major importance in the President's national nutrition program is his recognition that the efforts of Government alone are insufficient. In seeking the involvement of the private sector through mobilization of the agricultural industries, the President has reaffirmed the need for creative Government-industry partnership in important areas of national concern.

President Nixon's hunger proposal is more than just a program recommendation. It is evidence of a commitment by this new administration to meet the problems of our Nation head on, to grapple with them face to face, and to deal with them through direct, effective action.

Our President has provided the leadership—now it is up to us to give him the support he needs to carry his plans through to fruition and success. It is my sincere and deep hope that my colleagues here in Congress and the American people will join together behind the administration to provide that needed support freely and in a spirit of national cooperation.

Mr. HOSMER. Mr. Speaker, last week the President sent to Congress his proposal for a comprehensive program to combat the problem of hunger that exists in this country. I join our President in being concerned over the widespread hunger and malnutrition that exists in so many families. In our land of plenty and scientific know-how, it is hard to believe hunger and malnutrition could stalk so many of our people. Mr. Nixon has outlined his ideas for coping with the difficult task of reaching these people. We must endeavor to find out whether the principal cause of inadequate diets is poverty or ignorance. We must do everything within our power to improve our Government food programs. Our advertising industry must develop educational advertising and packaging campaigns to publicize the importance of good food habits. Whether or not we agree on the number of hungry persons in our land there is no doubt we must improve our food programs for the needy. We have a number of programs already operating but Congress must make an effort to improve and implement these programs. Mr. Nixon's program offers a redirection of our efforts. The efforts of the Government alone is not sufficient. We must seek the involvement of the private sector of our land through mobilization of our agricultural industries and advertising media. Our effort should be bipartisan and should involve all citizens of this country interested in making realistic the hope that in our land of affluence no one is hungry. I commend our President for his leadership and foresight in trying to get to the root of this problem.

Mr. ERLENBORN. Mr. Speaker, our consciences stirred by revelations that hunger and malnutrition are realities in the United States, this House last year called for the creation of a National Commission on Hunger. This House action followed on the heels of intensive hearings by the Education and Labor Committee during which the testimony we heard was often conflicting and the documents presented were frequently not as objective as they should have been, hence, the recommendation for a comprehensive study to determine the scope and extent of the problem, and thus the remedy.

The glaring disclosure of the hearings was testimony by the then Secretary of Agriculture that, in spite of the fact that the Federal Government had been spending over $950 million a year since 1964 on food programs, he said:

> The reason there have not been programs in some places has not been the lack of funds where direct distribution is concerned. It has been a lack of machinery.

Although our proposal for a Hunger Commission did not come to fruition, a Select Committee on Nutrition and

Human Needs was created in the Senate and a national nutritional survey was embarked upon by the Public Health Service. More to the point, I believe our proposal for a Commission on Hunger laid the groundwork for the study President Nixon's Council on Urban Affairs instituted on coming into office in January and the resulting machinery the President has started moving to make our food programs work, to make the funds for these programs do the job intended.

The national nutrition program announced last week by the President means action, not empty promise. I support the President in his commitment, and I believe Congress will, also.

Mr. **HOGAN**. Mr. Speaker, our President has demonstrated again last week that his first 100 days in office have been utilized as the catalyst for a broad legislative and executive program which will extend throughout his years in the White House.

The President's proposal for a comprehensive program to combat the problem of hunger wherever it exists in this country reflects the extensive research and analysis which have gone into its formulation in the past 3 months. Although any program of this type will require months of additional work to resolve the details of efficient administration, it is most beneficial that the President has recognized the urgency of this problem by laying the groundwork so soon in his administration.

While we applaud the President's early response, we must, however, recognize the fact that action on this problem is long overdue. This country has for many years harkened to the cries of famine and starvation in other lands and has replied with massive food assistance from our own agricultural surpluses. But while we heeded the summons abroad, it appeared that we could not even hear the call of our own plight.

Many of my distinguished colleagues in both Houses of Congress have investigated this problem in detail. With their findings before us, we can justify no recourse but to take the opportunity which the President's proposals afford us and establish a viable means of eradicating the dire conditions which exist in some parts of our country. The time for examination has past. The time for action—immediate action—by the legislative branch as well as the executive branch of Government has come.

I wholeheartedly urge that we listen and hear the domestic cries where, in the past, we have not heard but have ignored.

Mr. **KUYKENDALL**. Mr. Speaker, despite our incredible standard of living, which is the highest in the history of the world, it is a shameful fact that there are children in the United States who go to bed hungry, and that there are Americans who suffer from malnutrition.

The President has given us a goal—to put an end to hunger in America. He has recommended various legislative and executive steps to accomplish this most worthy endeavor, and we should lose no time on our end of things in helping him accomplish it.

It is estimated that it will cost $2.5 billion a year. This is a mammoth sum, not to be bandied about lightly. But really, is there any better place it could go?

If there were suddenly discovered a tribe of starving people in South America, a boat would already be on the way. If malnutrition walked the land in Canada, our Federal dollars would flow to our northern neighbor. If the war in Vietnam were ended tomorrow morning, our relief trucks would be feeding the Vietnamese people tomorrow afternoon.

Can we do less for our own?

Mr. **PETTIS**. Mr. Speaker, hunger? Malnutrition? Surely these are problems of underdeveloped countries. At least this was the assumption until recent years. To Americans, whose standard of living is a wonder for the rest of the world, it is not only distressing to learn that millions of their countrymen suffer from malnutrition—it is embarrassing.

Recognition of the situation is but the first step in conquering a problem, and I applaud President Nixon's proposals to end hunger and malnutrition in our land by offering a plan of action.

The President's proposals are many faceted—the result of a 3-month study by the Urban Affairs Council. This comprehensive program calls for involvement of the private sector of our economy together with internal reorganization of Government programs to make more effective use of our resources.

Certainly this great Nation which has come to the aid of starving people all over the world must now take the necessary action proposed by our President to make these United States a land of plenty for all Americans.

I am proud to support President Nixon's national nutrition program.

Mr. **POLLOCK**. Mr. Speaker, hunger—that faceless, formless enemy—has plagued mankind since its beginnings.

But here—in America—it had been our proud boast that we had beaten this enemy at home and were fighting it elsewhere. We were the breadbasket, feeding the hungry of other lands from our rich stores.

Now we must face the unhappy fact that this enemy has not been beaten here at home. We have our own hungry, our malnourished, our rickets-ridden, our belly-swollen, leading less-than-productive lives or falling early victim to disease.

But now we have the opportunity to strike at the roots of this problem of hunger. President Nixon has proposed a program of action, not of words, toward conquering this scourge. I pledge my full support to the President's program.

Mr. **VANDER JAGT**. Mr. Speaker, the time for action has come. Hunger and its related problems should no longer be permitted to exist in the midst of our unparalleled wealth. On May 6 the President sent to Congress his proposal for a comprehensive program to combat the problem of hunger in America. This great step forward has conveyed a feeling of action on Capitol Hill, a feeling that at long last an administration is willing to act and commit itself to ending once and for all the disgrace of hunger in America. I urge that Congress act positively as President Nixon expressed in his May 6 proposal:

> I ask this of a Congress that has already splendidly demonstrated its own disposition to act. It is a moment to act with vigor; it is a moment to be recalled with pride.

Mr. **RUPPE**. Mr. Speaker, I would like to add my voice to those who praise the President's bold efforts to mount an all-out campaign against hunger and malnutrition. During the 90th Congress, I was among the original sponsors of legislation to seek an open-ended authorization for the food stamp program. Bipartisan efforts in the 90th Congress to create a Commission to learn more of this critical problem were not sanctioned by the previous administration. However, we were successful in focusing attention on the breadth and seriousness of hunger in our American society.

Now President Nixon has put the full weight of his office behind the effort to eradicate this menace. Executive support should now lead to the establishment of the Hunger Commission and a better program for the distribution of food stamps. The President has clearly demonstrated his concern by making the hunger campaign one of the initial elements of his administration. Never before has any administration clearly acknowledged the problem of hunger or sought actively to eliminate it.

Mr. Speaker, I feel that there can be no right more basic than the right to have enough to eat in a land that produces a surplus of food. I wish to commend the President for his initiative and for the direction of his policy to rid the Nation of hunger once and for all time.

Mrs. **REID** of Illinois. Mr. Speaker, I am happy to join my colleagues in expressing support for President Nixon's goal of eliminating hunger and malnutrition in America.

Sometimes we Americans forget how truly fortunate we are. With only 6 percent of the world's population this country has set a standard of agricultural production without equal anywhere on the globe. Nevertheless, many Americans today find themselves incapable for one reason or another of providing adequate and nutritional food for themselves and their families. While the solution to this problem is not to be found in any instant program expected to eradicate overnight the blight of malnutrition and insufficient diet, it is clear that we must pursue an effective and well-thought-out course of action. In this regard, President Nixon's proposals merit serious consideration and I applaud his initiative.

I am particularly gratified that our President has included as a key portion of his program the necessity of private sector involvement. This program should be particularly well suited to a creative Government-industry partnership of the kind the President has advocated in other important areas of national concern. With the help of Congress, President Nixon can inaugurate this drive to end hunger in America with sound, reasoned solutions to the problem.

Mr. **WINN**. Mr. Speaker, hunger can-

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not be tolerated in the most affluent society in the history of man.

President Nixon and Congress are about to establish a program which will put an end to hunger in America.

The President's message, which follows guidelines recommended by congressional leaders, includes these major changes in the food-stamp program:

First, allotments of stamps to furnish a minimum adequate diet for all families;

Second, free food stamps for families at the very bottom of the income scale;

Third, a limit on the cost of stamps to other families at 30 percent of income; and

Fourth, authority for the operation of food stamps along with distribution of surplus foods simultaneously in localities where this is requested by local officials.

These measures are a step in the right direction toward the goal of eliminating the consequences of poverty and deprivation.

We cannot stop here.

Certainly, the virtues taught in the Judeo-Christian ethic should help guide us. A hungry man cannot work effectively. A nation of hungry people cannot work effectively either.

Mr. QUIE. Mr. Speaker, the President's nutrition program is a multipronged attack on hunger and malnutrition in this country. I trust Congress will soon approve the legislation necessary to implement it completely and that the Executive will move quickly to implement those portions which need no new authority.

Having authored the amendment to the 1967 OEO amendment which established the emergency food and health service program, I am pleased that the President has found the service "invaluable" and is recommending expansion of it. The community action agencies have proven that they are in a better position to find people needing emergency food and health care than other governmental agencies. An expansion of this program should go a long way toward eliminating hunger from that segment of society which has suffered in silence.

I support the President's proposal to have direct distribution of food programs in the same county with stamp programs. While the Department of Agriculture contends that the usual drop off in the number of persons participating in a supplementary food program when a county converts from a direct distribution program to a food stamp program results because ineligible persons accepted the surplus foods in the direct distribution program, I doubt that this is the case. The administrative procedures in the food stamp program should be simplified so that they do not scare off persons who are stymied by bureaucratic mazes. Providing both programs concurrently in a county will give eligible persons a broader spectrum from which to obtain required food elements.

It is also encouraging that the President's nutrition proposals portend a revision of the total welfare system. If his welfare reform is as comprehensive as his nutrition program, it should meet the needs of deserving citizens very adequately.

Mr. BEALL of Maryland. Mr. Speaker, the President's national nutrition program is the basic first step toward the national goal of a poverty-free nation. Certainly this plateau will not be easy to reach and may never come within our grasp. However, the recognition of the widespread deprivation of food for many in our land, and the implementation of a comprehensive program to combat it, is a giant stride forward.

As the Representative from a district which includes areas of Appalachia, I can testify to the need that exists. It is a deep need, of much wider scope than many of us like to admit. But now at last, we are going after it on a scale that will produce results.

The result will not only be more persons with full stomachs. Our efforts on this front will show up in the classroom where the hungry child before did not have the strength or motivation to concentrate on educational materials. It will be demonstrated, I predict, by an eventual lessening in the number of young men rejected for military service for physical reasons. It will, most probably, be reflected in a diminishing number of children born with mental deficiency caused by nutritional imbalance in the diet of the mother. Those trained in medicine and nutrition could go on and on as to the physiological effects that we can expect, I am sure.

And we, Mr. Speaker, can be proud that we have the opportunity to serve in Congress which will be the first to make an all out attack on this most fundamental of all problems. When we visit our districts now and are confronted with conditions of hunger, we can tell our people that thanks to the initiative taken by our President, vigorous action is being taken so that hunger does not continue to be a problem in our rich and bountiful land.

Mr. ZWACH. Mr. Speaker, I would like to associate myself with the remarks of my distinguished colleagues in regard to the President's program to end malnutrition of millions of Americans. I believe that for the first time, very practical, solid measures are recommended to implement and to carry out this vital program.

The President's plan would extend the present food stamp program to provide more poor families with enough food stamps to enable them to have a nutritionally complete diet. More importantly, a flexible program would be implemented in the remaining 440 counties which do not yet have either the direct distribution or the food stamp program.

In addition to making these recommendations, the President's plan has also emphasized that it takes more than just making these programs available, and has made the necessary administrative changes which will coordinate all Federal food programs so that more needy people will have greater access to these programs.

We as a Nation should be embarrassed that poverty still exists in many areas, and it is time that we set priorities and meet these priorities with positive action. The additional funds that have been requested can be furnished by an evaluation of priorities and reasoned judgment to make these funds available.

Food alone will not solve the complex problem of poverty but I am sure no one will deny that this program is a step in the right direction.

Mr. TAFT. Mr. Speaker, I have from the outset questioned the effectiveness and operation of the food stamp program in meeting the nutritional needs of those Americans needing such help. The Nixon administration's early review of the problem of hunger and the alarming conclusions drawn indicate that my doubts were well founded. It was better than nothing, but was doing the least for those who needed help the most.

Therefore, I strongly welcome the President's new approach to the problem and the meaningful steps he has already taken. We in Congress should rapidly implement them with necessary financial support and needed changes in operational authorization.

Mr. KLEPPE. Mr. Speaker, I strongly endorse President Nixon's program to eliminate the specter of hunger, wherever it may exist in this country. American agriculture produces an abundance of food—enough not only to meet the nutritional needs of our own people, but also enough to share with our friends in other lands. Certainly at this time in this country there can be no justification for the continued existence of hunger. Obviously our past efforts to provide food for the needy have not been completely successful. Now, for the first time, a comprehensive program to meet the problem of hunger has been put forward by President Nixon.

Mr. BROTZMAN. Mr. Speaker, I agree with President Nixon's statement that the persistence of hunger and malnutrition in America is intolerable. A nation that has come to the aid of one starving nation after another cannot continue to accept this contradiction in its midst.

I applaud the initiative of the President in calling for a unified and determined program to weed out the pockets of malnutrition scattered across our land.

The President's proposal for establishment of food assistance programs by 1970 in the 440 counties without any food stamp distribution will greatly accelerate previous commitments to this program.

At the same time the emphasis on balanced diet in the new programs will end one of the most serious criticisms of the program to date.

Mr. Speaker, the President's plans for better coordination of the food distribution effort and for tapping the expertise of the private sector through a White House Conference on Food Distribution Problems are positive steps toward ending the blight of hunger in America. But the most hopeful sign, I feel, is the priority given this entire program in the administration's domestic program. I am encouraged by such leadership and applaud the President for it.

Mr. CONABLE. Mr. Speaker, all of us have been disturbed by the reports of malnutrition and hunger in our own country which have come to public atten-

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tion in the recent past. Americans are accustomed to hearing of these problems in other nations and acting vigorously to alleviate them. Certainly we must respond with the same compassion and energy to these conditions in our own country.

President Nixon has summoned the Nation to meet the needs of those Americans who are not receiving an adequate diet. Typically he has called upon the private sector as well as the Government to join in efforts to eliminate hunger; wisely, he has recognized that the problem is more than a matter of money and food, but also one of education, distribution, and cooperation.

The direct distribution program has the capacity to make large quantities of basic goods available economically and efficiently, and I am pleased that the President proposes to expand these efforts to areas where the need is evident. The special aid he proposes to prevent malnutrition among pregnant women and infants is highly commendable. Concentrated administration of the food programs in a single agency is also desirable to make the best use of our food resources.

Creation by the President early in his administration of an Urban Affairs Council to coordinate planning and direction of domestic programs was a sound decision, and I believe the food program devised to meet this basic national problem testifies to the valuable role being fulfilled by the Urban Affairs Council.

Mr. McDADE. Mr. Speaker, for more than a year I have worked diligently pursuant to my deep concern over the problem of hunger in America. In that time, through the work of my Committee on Appropriations, we have taken substantial steps toward alleviating the problem of hunger among our schoolchildren in the District of Columbia.

Now there has come a step from the White House that all of us must applaud vigorously. I refer, of course, to President Nixon's statement on hunger in his message to Congress on May 6 of this year.

I vigorously concur with the President's request to add a billion dollars to our fight against hunger in America. Added to the $1.5 billion already requested, this $2.5 billion represents a wise, prudent, and very humane expenditure of our national resources. I am certain all of my colleagues will applaud the President for his message, and will support it vigorously when it comes before the Congress in legislative form.

Mr. HARVEY. Mr. Speaker, I think it is pretty clear that President Nixon and this administration, with the cooperation and help of Congress, intends to wage a real fight against the hunger and malnutrition which exists in the most bountiful and, yes, compassionate, country in the world.

On May 6, the President announced his special message and the action that was to be taken. He spelled out a major five-point program which included family food assistance programs; special supplemental food program; administration of food programs; private sector involvement; and interagency efforts.

The President also said it well when he stated:

> More is at stake here than the health and well-being of 16 million American citizens who will be aided by these programs and the current Child Food Assistance Programs. Something very like the honor of American democracy is at issue.

I applaud the President's vigorous program. It is of particular significance that this is one of the major domestic programs that he has presented in the early days of his administration.

Mr. CAMP. Mr. Speaker, few, if any of us have ever experienced the gnawing pain of hunger that many Americans feel each and every day of their lives.

National attention has been focused on the plight of our poverty stricken and the severe effects of malnutrition, especially among the young.

The President has proposed actions to combat malnutrition in America, and in doing so has made a major commitment to meet the nutrition needs of every American. His proposals deserve our fullest and unqualified support.

When he took office, the President found that our food and nutrition programs were not doing the job. He did not seek to place the blame on anyone—he sought answers to why the programs were unworkable. He asked us for a new legislative approach to more effectively use this country's resources—both private and Government. The President proposes a great crusade to banish hunger from our land and deliver on commitments made decades ago.

In President Nixon's words:

> The moment is at hand to put an end to hunger in America itself. For all time. It is a moment to act with vigor.

I urge my colleagues to devote their immediate attention to respond in a manner similar to the President. Let us work together with the hope that America—the land of plenty—will no longer have many who have so little. In a land as bountiful as ours, we should not have anyone feeling the gnawing pangs of hunger.

Mr. FISH. Mr. Speaker, I rise to join my colleagues in discussion of President Nixon's attack on hunger and the tragic results of hunger in our Nation. The program to combat hunger as outlined by President Nixon combines both wisdom and heart—the wisdom to promulgate a program that will cut at the root of hunger, the heart to know that such a program is long overdue in our country.

President Nixon well understands that one of the basic drawbacks to the food stamp program as it existed in the past, is that the very needy could not participate, as they had no money with which to purchase stamps. Yet, any county could elect either the stamp program, or the surplus commodity program. They could not elect both. President Nixon's proposal that food stamps be provided at no cost to those in the very lowest income brackets will adequately surmount this problem.

Mr. Speaker, although I only touch on this one aspect of the President's proposed program, the same combination of understanding, and sympathy runs throughout it. I believe such a solid national attack on hunger in the United States is long overdue. That this new approach is needed one realizes when it is indicated over 440 counties have no food assistance programs of any sort at the present time. I believe President Nixon's program will fill the need, and meet the crisis problem of malnutrition in the United States.

Mr. BROOMFIELD. Mr. Speaker, I wish to join with my colleagues today in endorsing the President's message to Congress on hunger in America. He has called for an expansion and improvement of Federal food assistance programs and for the development of comprehensive data on which future improvements can be based.

The President's nutrition program can play a key role in attacking the problems of the disadvantaged. I see our long-range goal as enabling the children of today to have the sense of responsibility and the capability to care for the children of tomorrow. We cannot expect to achieve a society which all have the opportunity to develop and flourish if we cannot achieve a society in which all have the opportunity to survive. If we want to see each child of today grow up to be a responsible, educated, contributing member of our society tomorrow, we have to take steps to provide his mind and body with the food they need to grow and develop normally and adequately.

The most advanced nation in the world, a nation which pays its farmers not to produce, certainly has the resources and the technology to do this. And I would like to applaud in particular the President's plans to give special attention to the needs of pregnant women and mothers of infants, to study the relation of malnutrition and mental retardation, and to educate families about good nutrition.

Last year I cosponsored legislation to establish a National Commission on Hunger. The Commission would have identified the problem of hunger and malnutrition in detail and recommended improvements in Federal programs to meet it. This legislation was passed by the House, but not by the Senate. I commend the President for assuming the leadership role in accomplishing these objectives.

Mr. DELLENBACK. Mr. Speaker, hunger in America is often virtually invisible. We rarely see the physical deformities that can result from sheer starvation; yet malnutrition can leave marks that are just as deadly. Even though the effects are not always clearly visible, it is an acknowledge fact that hunger and malnutrition have far-reaching consequences for their victims in our country. As the National Nutrition Survey pointed out, "hidden hunger" in America often irreversibly cripples the physical and mental development of its victims. The survey also reveals:

> No one seems to be more vulnerable to this insidious . . . hidden hunger than the child under six years.

Tragically it is too late to help many Americans whose developments have already been irreparably damaged. The individual who has been anemic through-

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out his school years, always lacking the energy to learn, has been harmed beyond the possibility of complete cure. But President Nixon's proposals offer an opportunity to revise the trend for millions of children who are potential victims of hidden hunger. The President's plans to improve the food stamp, direct distribution, and special package programs would set up immediate means to alleviate malnutrition. The establishment of a Food and Nutrition Service and the encouragement of private assistance would make it possible for programs to be extended, strengthened, and supplemented by long-range solutions.

I urge my colleagues to act immediately on the President's proposals so that we may help those children for whom there is still time. In the recent past, Congress has demonstrated a concern about malnutrition that went beyond partisan considerations. I am convinced that continuing this nonpartisanship will strengthen our efforts to combat the tragic hidden hunger in our Nation.

GENERAL LEAVE

Mr. GERALD R. FORD. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the subject of my 1-minute speech today, the President's message on nutrition.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

There was no objection.

INDIANA DUNES NATIONAL LAKESHORE

(Mr. LANDGREBE asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. LANDGREBE. Mr. Speaker, inserted in the RECORD of May 19 was a statement by the Honorable ABNER J. MIKVA of Chicago, Ill., who availed himself of this means for attacking my bill H.R. 11084, which was introduced with the intention of restoring some sanity to the matter of providing for a Federal park in North Porter County. Mr. MIKVA's surprise by my proposal is no greater than mine at his reckless statements of yesterday. For the record, I should like to make the following comments in response to Mr. MIKVA's statement, which I find to be loaded with misleading statements and glaring untruths.

H.R. 11084 does in fact specifically define the boundaries for a national park in Porter and La Porte Counties in Indiana. While Mr. MIKVA contends the boundaries of countless other national parks, national seashores, and national recreational areas have been defined by reference to a public map or drawing, I wish to point out that those areas that he refers to specifically such as Spruce Nob, Bighorn Canyon, et cetera, are all Federal parks established in undeveloped and, in many cases, completely unpopulated areas of our country. I beg to remind the gentleman from Illinois that there is no comparison to highly populated Porter County, where in 1966 the Honorable Paul Douglas, then senior Senator from Illinois, with the political power available to him by virtue of his seniority, and with the cooperation of a Democratic administration and Democratic controlled House and Senate, was able to impose upon the good people of Porter and La Porte Counties the seven-segmented, noncontiguous monstrosity called the Indiana Dunes National Lakeshore, defining its boundaries only by reference to a public map or drawing.

Yes, H.R. 11084 would reduce the overall land area in comparison to the Douglas bill, and it is my intention to do just that. H.R. 11084 exempts the heavily developed areas of Beverly Shores, Tremont, and Baileytown, which have hundreds of homes, small businesses, streets, roads, and so forth. Not only would confiscation of those homes and businesses result in substantial hardship to the present occupants, but would result in permanent loss of local tax revenue so badly needed to provide education, transportation, protection, and other services of vital importance in a fast-growing community.

Mr. MIKVA makes reference to the 8,721-acre area in the proposed Indiana Dunes National Lakeshore. But the fact is that the 2,100-acre Indiana Dunes State Park is always erroneously included in the total land area by the proponents of the original Douglas bill. This is completely misleading to the general public and extremely offensive to Hoosiers who still believe in States' rights and who are proud of the fine park that has been operated in the dunes area by the State of Indiana for many years. Indiana, to the best of my knowledge, has no intention of giving up the Dunes State Park under any circumstances.

The land area encompassed in my bill when added to the Indiana Dunes State Park will provide for a total of about 7 square miles of recreation and conservation areas and preserve those areas in north Porter County which still remain in their natural state. It is my sincere opinion that the Federal park as defined in my bill plus the Indiana Dunes State Park will provide adequate and reasonable recreational facilities as well as retention of areas of educational and conservation value.

Mr. MIKVA states further:

> If it is true that the present boundaries of the park include private homes—which I do not know of my own knowledge * * *

Yet he has told me personally that he enjoys a summer home just east of the area encompassed by the Douglas bill. He, therefore, must be familiar with the many homes in the area that will be destroyed should the Douglas park remain in its present form.

The Chicago South Shore Railroad is not building a marshalling yard on land supposedly set aside for park purposes nor has anyone proposed a jetport in that specific area. Mr. MIKVA's statement, "I know that some people still think longingly of building a harbor facility on Dunes land," must be a figment of his imagination and further evidence of the "big lie" aimed at the destruction of hundreds of homes and millions of dollars worth of private property under the guise of conservation and recreation. I personally do not minimize the importance of conservation or recreation. However, in America today, food, shelter, and gainful employment are still of primary importance and must be balanced against the 765 million acres of land already under the ownership and control of the Federal Government.

Also, Mr. MIKVA makes reference to the need for recreational facilities for the millions of persons within a 2-hour drive of the dunes. I wish to remind the gentleman from Illinois that within a 2-hour drive of his own congressional district in Chicago, there are 15 State parks located in Illinois, five in Michigan, 10 in Wisconsin, and four in Indiana, in addition to the many parks and forest preserves provided by the city of Chicago itself. If, however, the gentleman wishes to become involved even further in the Federal park issue, perhaps he could consider establishing a Federal park between 55th Street and Garfield Avenue in Chicago. Such a park would be even more convenient to the people that he is elected to serve than the Indiana Dunes Area. This idea is no more ridiculous than destroying hundreds of homes and consuming large developed areas in northern Indiana for a Federal park.

In conclusion, I find that the arguments put forth by the gentleman from the Second District of Illinois regarding my bill to be equally as invalid and misleading as those of his political mentor, the former Illinois Senator Paul Douglas.

If Congressman MIKVA would agree, I would respectfully suggest that hereafter he address his time and energies to the problems of the Second District of Illinois and I, in turn, will confine my interests to those of the Second District of Indiana, which it is my privilege and honor to represent in the U.S. House of Representatives.

NATIONAL NUTRITION PROGRAM

(Mr. BROWN of Michigan asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. BROWN of Michigan. Mr. Speaker, the new national nutrition program honors an oft repeated American commitment. Mr. Nixon has put first things first for hunger is the most pernicious of the facts of poverty.

Severe protein deficiency in pregnancy and the early years of life can cause irreversible brain damage, condemning its victim to a lifetime of dependency.

Hunger in later years saps the will to learn and thus the ability to earn.

The medical toll of malnutrition in terms of lowered resistance and diseases is measured in lost pay, industrial accidents, and listlessness.

Clearly, the inroads of hunger impair, if not frustrate, other programs, both public and private, to help the poor help themselves, yet we have pathetically little precise knowledge of how and why.

The President has directed intensive

research to determine with scientific accuracy the relationship between malnutrition and human development. This action, long overdue, offers at least the hope that we may at last be on the road to discovery of one of the root causes of poverty.

TRADE RESTRICTIONS

(Mr. ASHLEY asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. ASHLEY. Mr. Speaker, the time has come for new initiatives to spur East-West trade by reducing export restrictions on trade between the United States and the Soviet Union and the other Communist nations of Eastern Europe.

Mr. Speaker, the Export Control Act, which expires on June 30 unless extended by the Congress, was enacted in 1949 as a temporary measure as a necessary weapon in the evolving cold war. Western Europe, still economically weak from the ravages of the Second World War, appeared to the Congress then to be in realistic danger of attack from the monolithic Sino-Soviet bloc under the leadership of Stalin; and it was further believed, comparing our industrial might with both Eastern and Western Europe at that time, that goods withheld from the Soviets by means of controls on American commodities could not be elsewhere obtained.

Now, 20 years later, these underlying premises have drastically changed. From the standpoint of our national security and the conduct of foreign affairs, which of course remain paramount in our consideration of export controls, as well as from the vantage point of domestic economic considerations, the time has come for Congress to assess realistically the changes that have taken place and to reshape our export controls so that they are in accordance with and responsive to policies being pursued by the United States today.

Responding to the aggressive, monolithic Communistic structure which confronted the free world in 1949–50, two separate administrative agencies were established to impose restrictions on free world trade with Eastern Europe. One was our own Office of Export Control and the other was the combined CoCom apparatus by which Western Europe, Japan and the United States sought cooperatively to withhold certain goods and commodities from the Communist bloc countries.

One of the controlling facts before us is that these two mechanisms, both designed to restrict trade with the Communist nations, have never been closely coordinated. In mid-1968, for example, there were some 1,300 export control commodity classifications unilaterally administered by the Office of Export Control of the Department of Commerce but not controlled by CoCom.

Of these 1,300 commodity classifications, each of which requires the issuance of a validated license for each shipment by an individual U.S. exporter, it is estimated that 1,100 represent goods which cannot be unilaterally controlled by the United States because they are freely available from other sources, including CoCom nations. And of the remaining 200, many are not of a military or strategic character.

I think it can be accurately stated that the reason for the disparity in the administration of our Export Control Act and the multilateral CoCom arrangement is that the United States has taken a very different view of East-West trade than Japan and the countries of Western Europe have taken.

The United States has demonstrated an almost compulsive tendency to regard the denial of trade with Communist nations as a primary instrument or weapon of the cold war, whether trade be in strategic or nonstrategic goods. The countries of Western Europe and Japan, on the other hand, have sought through CoCom to prevent strategic exports to Communist bloc nations but they have regarded trade in nonstrategic goods and commodities to be not only in their commercial interest but also a means of reducing East-West tensions.

Ironically, Mr. Speaker, this lack of alinement between the policies of the United States and our trading allies has hurt our country economically far more than it has the Communist nations, and instead of improving the political relationship between the United States and the Communist world, it has resulted in tensions between the United States and our CoCom partners while political relationships have been building between Western Europe plus Japan and the Communist countries of Eastern Europe.

If there is any question about this, we need only consider the fact that the trade of Eastern Europe with the non-Communist world in 1967 was almost $14 billion, of which Western Europe and Japan accounted for almost $9 billion. The United States is virtually a nonparticipant in this trade. While we account for about 16 percent of world exports, we have only about three-tenths of 1 percent of the exports to Eastern Europe. It is worth mentioning, too, that East-West trade has more than doubled during the past 10 years and has grown faster than trade either within the Eastern European bloc or among the Western countries themselves. Over the past decade, world trade has been growing at about 8 percent a year, while East-West trade has been growing at about 12 percent. But because of the frozen trade policy pursued by the United States, we have forfeited any advantage from this increased commerce, and in so doing have given other trading nations a most unique and enviable competitive position.

Mr. Speaker, the bill that I am introducing today is predicated upon the same essential findings as the Export Control Act of 1949; namely, that the availability of certain materials at home and abroad varies so that the quantity and makeup of U.S. exports and their distribution among importing countries may affect the welfare of the domestic economy and may have an important bearing upon fulfillment of the foreign policy of the United States; and that the unrestricted export of materials without regard to whether they have significant military applicability may adversely affect the national security of the United States.

However, Mr. Speaker, I want to be clear about the changes that are incorporated in my bill. Most important is the additional finding that expanded trade in peaceful goods and technology with all countries with which we have diplomatic or trading relations can further the sound growth and stability of the U.S. economy as well as further its national security and foreign policy objectives. Let me emphasize that I am talking about trade in peaceful goods. The United States and CoCom nations would continue to maintain lists of products of direct military relevance which we all agree should not be sold or transferred to Eastern Europe. These include direct military items, items in the atomic energy field, and a list of nonmilitary items which are considered to be closely related to the military capabilities of the Soviet Union and the other Communist nations of Eastern Europe. These items are embargoed and are not sold at all, or if sold, are sold only after full consultation with the members of CoCom. This would continue to be the situation.

Briefly stated, the basis for this new finding is no more than a return to the historic and traditional policy of the United States to engage in world commerce with nations with whom we are not at war. Our Nation has many obligations but none is more important than our responsibility to the cause of peace. This cause, as we know from our history, can be promoted by contacts—including trade—with nations with whom we have very real ideological differences. It is equally clear that inflexibility and refusal to communicate and explore contacts can only foster deeper antagonisms and bring us closer to war.

There logically follows from this a new, additional congressional declaration that it is the policy of the United States to encourage trade in peaceful goods and technology with all countries with which we have diplomatic or trading relations, except those countries with which such trade has been determined by the President to be against the national interest. There has been an entirely unwarranted stigma attached to legitimate trade with Eastern Europe which has inhibited many firms from actively pursuing trade opportunities which would cumulatively serve our national security, foreign policy, and economic welfare. It is time to remove what may be even so much as a hint or trace of any such stigma.

American exporters should feel free to trade in peaceful goods with any nation other than those for which an embargo has been instituted. Such embargoes should be established only in an emergency for the most compelling reasons of national interest, and subject to review by the Congress which has the authority "to regulate commerce with foreign nations" under article I of the Constitution.

To effectuate the policies set forth, the President is authorized to prescribe rules

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and regulations requiring that express permission and authority be sought and obtained to export articles, materials, or supplies, including technical data, or any other information, from the United States, its territories and possessions, to any Communist nation if the President determines that such exported item is capable of a significant military application which would prove detrimental to the national security and welfare of the United States. It is further provided that the export of a particular item shall not be denied unless there is substantial evidence that the particular exportation is likely to be used for military purposes.

The grant of this authority would enable the President to remove from the commodity control list administered by the Department of Commerce the hundreds of classifications which are unrelated to any significant military application which would prove detrimental to our national security. Denials of validated licenses would be based on evidence of an item's likely military use, not speculation or conjecture.

Finally, the bill establishes the requirement that the Government agencies and their officials responsible for implementing export controls more fully inform exporters about any considerations which may cause prospective license requests to be denied or to be the subject of lengthy examination, that these officials advice of any circumstances arising during the Government's consideration of an export license application which are cause for denial or for further examination, and that these officials inform the exporter of the reasons for a denial of an export license request.

This provision is meant to better enable U.S. exporters to coordinate their business activities with our export control policies and procedures. I have already mentioned the stigma attached to trading with Eastern Europe. It is not the only factor inhibiting an aggressive marketing campaign in that area by U.S. firms. Many businessmen believe, either correctly or incorrectly, that a sales trip through Eastern Europe might come to naught because their subsequent license applications would be denied or so delayed so as to make such sales efforts fruitless. The framework should be established to insure that there is no lack of information available here which might diminish the incentive to seek trade opportunities.

The businessman who does decide to pursue Eastern European opportunities and who obtains sales orders which lead him to request export licenses should be informed of circumstances making for delay or probable denial, so that he can better communicate with his prospective customer and make better choices in allocating his marketing resources. And in view of the fact that there are a variety of bases for denial, often arising out of the specific circumstances of the case, the exporter should not be deterred from further effort in this area because he does not know how general or special and specific is the ground for the denial.

In sum, within the framework of national security, the American exporter should be afforded, to the greatest extent possible, information which will minimize uncertainty about the Eastern European market.

Mr. Speaker, it has been many years since a positive step has been taken in our posture toward Eastern Europe. Extension of the Export Control Act with the proposed amendments offers a distinct opportunity to advance our foreign policy and strengthen our economy while we maintain national security.

THE HONORABLE JOHN M. COYNE

(Mr. FEIGHAN asked and was given permission to address the House for 1 minute, to revise and extend his remarks and to include extraneous matter.)

Mr. FEIGHAN. Mr. Speaker, Brooklyn, Ohio, has had an outstanding civil servant as their mayor for the last 22 years. His name is John M. Coyne.

The Cleveland Plain Dealer recently printed an article about Mayor Coyne. The story of this unusual man is of interest to all concerned Americans because his example of fine civic leadership is one that should be emulated.

Mayor Coyne has guided Brooklyn in the right direction. His positive leadership in all areas is noteworthy. I believe that it is appropriate that I include this informative article in the RECORD for the benefit of my colleagues. It follows:

BROOKLYN MAYOR KEEPS IN PERPETUAL MOTION

Dear Everett Dirksen: If people who sniff at naming the marigold the national flower and rock'n'roll recording magnates ever cause you to decide to retire from the U.S. Senate, you might drop off in Brooklyn, O., on your way home to Illinois to pay respects to a man who says you're the only politician he would go 25 miles just to see. He thinks you are fantastic.

He also is a politician. The mayor of Brooklyn, in fact. The first time he ever voted, he voted for himself. He has not been without a public office for 30 years.

What makes his feelings for you a bit unusual is that he's a Democrat. In fact, he was a delegate to their last national convention.

John M. Coyne was in his office in Brooklyn City Hall, perpetual motion in one man's museum.

There on the wall were Bobby, Lyndon, G. Mennen Williams, Hubert, Walter Reuther and even Dick Nixon. All with John Coyne.

On the desk and bookcase and window sill were Buddhas, ceramic cowboy boots, a pair of fighting cocks made out of feathers. Gifts from small boys or distinguished foreign visitors. You never know when one might come back unexpectedly.

Never at rest among his dust catchers, Coyne is always either getting up or sitting down. He takes down the autographed picture of Bobby Baker from the corner where he keeps him just for kicks. He puts up his picture of Tony Celebrezze framed with a pre-depression oversized dollar bill. He dashes out to another office for a statistic or a scrapbook.

Fifteen years ago, Coyne was a 118-pound weakling with an ulcer. He quit smoking and became a full-time mayor, and his stomach settled down.

Coyne got into politics because something was wrong in the community, he decided. His parents' home burned to the ground because Brooklyn had inadequate fire equipment.

Years later, when Cleveland sought an income tax, Coyne was the only suburban mayor to support it. He remembered the times Cleveland fire equipment had helped Brooklyn.

Coyne was first elected mayor 22 years ago. Before that he was treasurer for two years and clerk-auditor for six years.

"I don't know about retiring," he said. "I look at some of my friends who have retired from public office and they're not happy. This job is like a personal electric train. It's a fascinating business."

Coyne sees his job as "taxes and services." "Keep the taxes down and the services up."

Because industry pays more than 75% of Brooklyn's tax dollar, services are good. The city is one of the few in the county that picks up all garbage and rubbish. The school district plans to build its own vocational school. Most other districts have had to combine for this service.

"We need good schools more than the school needs the city," Coyne said. "I really care about what happens to them." So he favors all the industry Brooklyn can get.

Coyne is known around the county for the tight rein he holds on his council and city employees.

"Nine times out of 10, the guy making a fuss in council wants to be mayor," he said. "We don't have that here. I don't think people like fighting in their city administration any more than they like domestic fights. At least that's not our tradition in Brooklyn."

Coyne is a member of the study commission that is looking at new ways to run the county government. He personally thinks the county government is in pretty good shape now except for a low budget.

He is intrigued with the idea of an elected executive who could be called a mayor. He thinks the mayor of Cuyahoga County might prove impressive to federal money holders.

A countywide airport commission or water commission is out, he thinks, because Cleveland would not give up control of anything that makes money.

JUSTICE WILLIAM DOUGLAS AND THE CENTER FOR THE STUDY OF DEMOCRATIC INSTITUTIONS

(Mr. RARICK asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. RARICK. Mr. Speaker, high in the hills overlooking the Pacific Ocean at Santa Barbara, Calif., is located the Center for the Study of Democratic Institutions.

This controversial enterprise has among its more recent projects the promotion of U.S. recognition of Red China as well as a seat for her in the United Nations and rewriting the U.S. Constitution.

The center over the past 8 years has been the eager recipient of some $177,000 advanced by the Albert Parvin Foundation whose manager is Justice William O. Douglas of the Supreme Court. But then Justice Douglas is also identified as the chairman of the board of the center.

While Justice Douglas is salaried for his labors at the tax-free foundation, the reports indicate that he only receives fees and expenses from the center, which are recorded as $500 per day plus expenses.

Other notable fellows connected with the center are Robert M. Hutchins, Stringfellow Barr, Linus Pauling, Bishop James A. Pike, John R. Feeley, Rexford

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Guy Tugwell, and Harry Ashmore, the center's executive vice president.

Are we expected to believe that Justice Douglas' association and remuneration from these institutions carries no influence on his judicial opinions? As shocking as the very questionable financial arrangements are, how could any person, especially a judge, remain moderate and open-minded when saturated with such one-sided philosophy and narrow intellectual contacts?

What is good behavior in a Supreme Court Justice? This perversion of our judicial system cries for congressional action. We must reform our Federal judiciary so that Americans can regain confidence in "equal justice under law"—the motto inscribed over the building housing our Supreme Court.

Mr. Speaker several articles on this subject follow:

[From the Washington Post, May 19, 1969]

More Trouble in Paradise

(By Nicholas von Hoffman)

Santa Barbara, Calif.—The Union Oil Company continues to soil paradise. The natives hear reports that the wells still aren't repaired although the volume of refouling liquid has lessened. They report that when the wind blows from the wrong direction, the sticky stuff returns to smear their beaches again.

Even when the wind isn't bringing in more, they say so much oil has soaked into the sands that your feet are black after a short walk on the shore. A few days ago 150 seal pups, half the baby seal population, were found dead on San Miguel Island. Santa Barbara probably hates all politicians.

But not all that's slippery and slick around here is the black goo spoiling one of the world's most moving combinations of sea and mountain. There's another sticky situation. High up in the hills overlooking the ocean is the intellectual lamasery called the Center for the Study of Democratic Institutions.

The Center's president is Robert M. Hutchins, its board chairman, Supreme Court Justice William O. Douglas. It has many famous and highly regarded fellows, writers, philosophers, social and physical scientists: Stringfellow Barr, Linus Pauling, Bishop James Pike, John R. Feeley and Rexford Guy Tugwell, who is working on the 35th draft of his new constitution for the United States.

Every day when Dr. Hutchins rings a bell, these men and their guests meet to discuss the problems of mind and man. Their words are carefully taped, edited and printed in pamphlet or book form for us to read and be guided by.

Two hundred and forty-two of these tapes are available for $7.50 each. One is called The Ocean and Common Heritage, which the Center might consider offering gratis to the Union Oil Co. or the Secretary of the Interior.

Justice Douglas is the manager of the Albert Parvin Foundation, which has given the Center $177,000 over the past eight years. Harry Ashmore, the Center's executive vice president, is a director of the Parvin Foundation. Carol Agger Fortas, Abe's wife, is the Parvin Foundation's lawyer. Ashmore says that while Douglas received no compensation as the Center's Board Chairman, he gets fees and expenses for lectures and consultations, as is the case with members of Congress. The ordinary honorarium, as it's called in these circles, is $500 a day plus expenses.

This information isn't new. It was developed by the Los Angeles Times, which has been digging into the Douglas-Parvin relationship for a long time. It hasn't received wide play in the East, perhaps because the liberal editors there are reluctant to bring out such questions about men they admire and who are in many respects admirable.

Ashmore certainly is. He was the editor of the Arkansas Gazette during the bad days of Little Rock, the man whose newspaper fought the segregationists. After being the editor of the Encyclopedia Britannica, he came here and in the course of his work went to Hanoi, bringing back a version of the war which put him forehead to forehead against the Johnson Administration.

For all the good things that he and his circle of friends have done, what they are doing now at the lamasery may raise some eyebrows. If it were discovered that H. L. Hunt was paying Justice Byron R. White to run a foundation that had Sen. John Tower on the payroll, you can bet your sweet bippy there would be a big noise.

"Bill gets $12,000 a year from the Parvin Foundation. It's a Caesar's wife case, somewhat different from Abe's," says Ashmore. "Bill keeps the whole foundation's business in his hat. Bill's the entire staff. He didn't want to take expense money. He took it that way so it could be reported as income. I can't imagine he could net more than $5000 or $6000 on it.

"Douglas is a slightly unconventional fellow by Supreme Court standards, but to blow this up like the Fortas matter is to compare apples and oranges. There has never been any secret about it, and you have to remember he has alimony to pay. He bats around the country lecturing in order to get along. I suppose any lawyer of equal status would probably be making $250,000 a year in private practice."

Ashmore feels pretty much the same way about members of Congress even when they get their stipends from an organization whose board chairman is a Supreme Court Justice: "They work from morning to night. There's no lolling around the beach. In the case of Congress, this sort of thing goes back as far as I can remember. I've known a hell of a lot of them in the past 30 years. They've had to supplement their incomes by going on a sort of Chatauqua circuit. This seems to me the most innocuous way of doing it."

Members of Congress are paid $42,500 a year; Supreme Court justices get 60 grand. By the standards the fellow citizens must live by, these are gigantic salaries, and yet apparently they're not enough. They seem to feel they must scavenge the countryside for more dough while explaining to us self-sacrificing they are to endure the penury that public life imposes on them.

Even leaving aside the question of undue influence, which might border on the unconstitutional in the case of the judge sitting on top of an organization hiring members of Congress, there is still the question of when do these guys get time to do their proper work? If the Parvin Foundation is a bonafide operation, how can Douglas handle it, and also be the head of the Center and still run around making speeches for money while reserving his best attention for judging?

But what gives with the Parvin Foundation? You call Albert Parvin's office in Los Angeles and you're given the run-around by a girl on the phone who says she is alone there and doesn't know where her boss is, and isn't going to know where her boss will be, and he's the only one who can talk about the Foundation. Ashmore, on the other hand, argues that, "It's all a private crusade of the Los Angeles Times. They've whacked time after time.

"Parvin's constantly being shaken down by the Internal Revenue Service. I've never seen anybody who's been gone over as often, but nobody's ever charged him with anything. The allegation was made by the IRS that Parvin was using the Foundation's funds to his own benefit, but that wasn't proven. He's one of those wheeler-dealer types."

Maybe you have to be a wheeler-dealer to get rich. Another contributor to the Center's work is Bernard J. Cornfeld, who put up the money for a conference in Geneva, Switzerland, where people and their wives were flown over, all expenses paid, to discuss world peace. Cornfeld is an international stock market and mutual fund operator who, like Parvin, has had his troubles with the Securities and Exchange Commission.

Ashmore contends that the Center is not the place to look for abuses of tax-exempt foundations, that the real scandals are elsewhere. He may have something there. Some miles south of the lamasery in Santa Monica you will find the J. Paul Getty Museum. Some $10 million worth of classical art has been taken off the tax roll by the museum, whose board of directors consists of four members of the Getty family, Getty's lawyer and a Getty Oil Company employe. The collection is sequestered on Getty's baronial estate. There, behind walls and "no trespassing" signs, guarded by dogs, this public exhibition may be viewed between the hours of 2 and 4 p.m. on Wednesdays and Saturdays by appointment only. A maximum of 24 appointments are granted on each day.

This sort of thing backs up Ashmore. But it doesn't satisfy doubts about the way people in Government are behaving. There is now a great calling for real tax reform, including the use of foundations as tax shelters, but how are members of Congress going to act if they are beneficiaries of the system? What are they going to do about the clubby arrangements of you-sit-on-my-board-and-I'll-sit-on-yours? To ask the question is to answer it.

[From Human Events, May 24, 1969]

As Result of Fortas Revelations: Will Look Into Douglas' Affairs Come Next?

(By Alice Widener)

While the Justice Department and Congress are looking into Associate Justice Abe Fortas' allegedly questionable activities from the moral and ethical point of view, why don't they look into those of Justice William O. Douglas, specifically, his connection with and fund-raising for the tax-exempt Fund for the Republic and its Center for the Study of Democratic Institutions at Santa Barbara, Calif.?

The May 1969 issue of the *Center Magazine* lists Justice Douglas as chairman of the Fund for the Republic. As chairman and fund-raiser for the Fund, what subsidies or fees or travel expenses does Justice Douglas receive? Moreover, is Justice Douglas the Center's supreme voice? In matters involving issues before the Supreme Court, do the Center's "occasional papers" and "discussions" (all of which are printed and widely distributed) form the basis of Justice Douglas' decisions on the bench? Or does he formulate issues for the Center that involve eventual judicial decision and sort of shepherd them on up through a tortuous path to the High Court?

All this is of much greater import to the American people than it might seem. For example, important cases involving student subversion probably will be brought before the Supreme Court before we see the end of violence on campus.

In a May 1969 press release by the Center, Robert M. Hutchins, director of the Fund for the Republic, president of the Center, and close associate of Justice Douglas, declares that no matter how bad things get on campus the police should not be called in. "They cannot be trusted," declares Hutchins, "and an invitation to them to enter in the name of 'law and order' is evidence that the university has given up trying to become a center for independent thought and criti-

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cism, for such a center can live only by discussion."

How much discussion can take place during a race riot and arson, such as occurred at City College in New York City recently? What does Hutchins mean by saying the police cannot be trusted? Trusted by whom for what? And how can Justice Douglas remain chairman of a Fund and "consultant" to a Center in company with a fellow executive who believes the police cannot be trusted to maintain law and order?

How much money does Justice Douglas receive as "consultant" to the Center? Is he paid on a per diem or annual basis? Does anyone know? What is the connection, if any, between his having been a director of the Parvin Fund in Las Vegas and his being chairman of the Fund for the Republic? Is there any interlock between the Las Vegas gambling enterprise and the Santa Barbara tax-exempt funds?

Recently, Americans were shocked by black militant James Forman's demand to churches for $500 million "reparations" to blacks for their "exploitation." But we aint seen nothin' yet. John R. Feeley—permanent "Fellow" of Chairman Douglas' Funded Center—proposes in a May 1969 press release issued by the Center that universities "issue a full and general confession, plus a self-imposed and large-scale penance, plus an irrevocable promise of radical refrom, plus guarantees thereof" and declares the penance might be "a refund to all students of all expenses, say, for five years of their lives of the 15 or so given over so far to their miseducation."

Obviously, it isn't only Justice Fortas' finances and ethical conduct that ought to be investigated. Justice William O. Douglas' activities ought to be, too, because his extracurricular association with the Fund for the Republic and Center for the Study of Democratic Institutions appears to be much more serious and has far graver implications.

[From "Strike From Space" by Phyllis Schlafly and Chester Ward]

THE OFF-CENTER STUDY

An indispensable factor in creating the climate is to have a "foundation"—a rich, free-flowing gusher of tax-free money to finance books and publications, sponsor prestige meetings, and discreetly subsidize those in education, communications, religion, and even Government, who will spread the gravediggers' message. The perfect answer turned out to be the Center for the Study of Democratic Institutions. It soon began to play the same role in promoting U.S. unilateral disarmament that the notorious Institute of Pacific Relations played in the 1940s in persuading the U.S. State Department to assist the Communists to take over China.

The Center, a wealthy offshoot of the Ford Foundation with lineage through the malodorous Fund for the Republic, defines itself as an "intellectual community." The Honorary Chairman is Paul G. Hoffman, who has made a life career of losing other people's money: at Studebaker, as U.S. foreign aid czar, and now with the UN Special Fund. The Chairman of the Board is William O. Douglas, Supreme Court Justice who advocates recognition of Red China but nonrecognition of God in our public life and public schools. The President is Robert M. Hutchins who, when asked by an official State legislative investigating committee how much he knew about Communism, replied under oath: "I am not instructed on the subject." In 1964 Hutchins wrote: "My candidate for President is Norman Thomas. I voted for him in 1932 and I'd like to do it again."

The Center's own list of Directors, Consultants, Staff Members, Participants in Publications, or Recipients of Grants, shows how far-reaching are the tentacles of this foundation in education and communications. This list includes Professor Linus Pauling; Henry Luce of *Time, Life* and *Fortune;* Reinhold Neibuhr of Union Theological Seminary; George Gallup of the Gallup Poll and Elmo Roper of the Roper Poll; Harvey Wheeler and the late Eugene Burdick, co-authors of *Fail-Safe;* Eleanor Garst, cofounder of Women Strike for Peace; Barry Bingham, editor of the *Louisville Courier-Journal;* Cyrus Eaton, moneybags of the Pugwash Conferences; Erich Fromm, friend of SANE; Justice William J. Brennan, Jr. of the Supreme Court; Arthur Larson, chairman of the discredited National Council of Civil Responsibility, a hypocritical front which claimed to be impartial and available for tax-deductible gifts, although it was secretly subsidized by the Democratic National Committee; nuclear strategist Henry A. Kissinger; Hans Bethe, Pugwasher and participant in another gravedigger conference called "Scientists on Survival"; Stanley Kramer, director of the movie *On the Beach;* Mike Wallace and the late Edward R. Murrow of television; James Reston of the *New York Times;* Adam Yarmolinsky, the man who had the strangest background and the most sensitive job in the Pentagon; Walter Reuther; and Hubert Humphrey. The President's Report in 1962 listed Robert S. McNamara as one of the 54 Founding Members who "contribute $1,000 or more each year."

The senior gravedigger on the staff of the Center for the Study of Democratic Institutions is Walter Millis, author of numerous books and pamphlets urging the dismantling of American military strength. In his pamphlet *Permanent Peace* published by the Center, Millis says:

"If the price of avoiding all-out thermonuclear war should prove to be acquiescence in the 'Communist domination of the world,' or any other of the unpleasant imaginings against which we cling, futilely, to the war system to preserve us, *it seems probable that the price will be paid."* (emphasis added)

The Vice President of the Center is the same W. H. "Ping" Ferry who, at the Democratic Party's Western States Conference in Seattle on August 6, 1962 made an attack on FBI Director J. Edgar Hoover so outrageous that Attorney General Robert Kennedy immediately apologized to Mr. Hoover for the insult. On January 13, 1960, the Santa Barbara *News-Press* printed a long letter to the editor by Ferry urging the U.S. to junk all its weapons "of whatever kind," and "accept as a possibility" that "this country would be taken over by the Reds" as well as Western European countries. Though such a future is a "desperate and repellant vision," Ferry nevertheless finds it "thinkable" and urges unilateral disarmament upon us as "an alternative to our present policy."

Is the Center influential? Justice William O. Douglas boasted that more than 2,000,000 copies of its pamphlets and reports are now in circulation; and that "the faculty and students of hundreds of educational institutions—ranging from large universities to high schools—are using the publications as reference material and classroom texts."

[From the Washington Post, May 20, 1969]

LAS VEGAS TIES ARE SEVERED BY DOUGLAS' FOUNDATION

(By Robert L. Jackson)

The Albert Parvin Foundation, the charitable organization of which Supreme Court Justice William O. Douglas is the only paid officer, has severed virtually all its ties with Las Vegas gambling interests, it was learned yesterday.

Harvey Silbert, secretary of the Los Angeles based Foundation, said it sold its remaining 21,791 shares in the Parvin-Dohrmann Co. in early March. The firm owns three Las Vegas casinos.

Silbert said a mortgage on the Flamingo Hotel and gambling casino, from which the Foundation has derived income, also has been paid off within the last few months.

Douglas first came under criticism in Congress three years ago after the Los Angeles Times revealed he was being paid $12,000 a year by the Foundation, which drew substantial income from the gambling industry.

This arrangement with the Parvin Foundation was recalled by newspapers and Congressmen during the recent controversy that forced another member of the high court—Abe Fortas—to resign last week.

Spokesmen for the Foundation had said all along that they knew of no appreciable change in the organization's assets. However, Silbert, in discussing the stock sales yesterday, said the Foundation's board—which includes Douglas as president—decided to dispose of its Parvin-Dohrmann stock "because we thought it was a good price at the time."

The Foundation sold its shares through a New York brokerage house for $1,999,324, or more than four times the value assigned to the stock on its 1967 Internal Revenue Service return. The selling price was $91.75 a share.

ANNIVERSARY OF CUBA'S INDEPENDENCE

The SPEAKER pro tempore (Mr. HANNA). Under previous order of the House the gentleman from Florida (Mr. FASCELL) is recognized for 60 minutes.

Mr. FASCELL. Mr. Speaker, 65 years ago today, on May 20, 1904, a great moment came to pass in the history of the Cuban people:

The flag of the sovereign Republic of Cuba was unfurled in Havana, marking the success of one of the longest, most costly in human terms, and tragic struggles for liberty in the Americas.

On that memorable day, Spain's colonial empire in the Western Hemisphere reached its end.

And the history of the free Cuban Republic began.

Like the records of much of mankind's progress through time, that history has been filled with different, at times contradictory, passions and emotions—joy and tragedy, hope and despair, exhilaration and disillusionment.

Yet at all times, the history of the Cuban people has been characterized by a certain air, a certain style: It has been, above all, the history of a people who passionately love life and freedom, who delight in a song, beauty and excitement; who work hard and achieve much; but who also know how to enjoy the fruits of their labor.

Unfortunately, their moment of freedom was short. History, which has a habit of repeating itself, came the full circle. Tyranny once again reestablished its sway over the beautiful island of Cuba and its people.

In Fidel Castro, the Cuban people came to experience the embodiment of all the dictators, demagogs, petty ideologists and other assorted tyrants who have had their moment on the Latin American political scene—and then, in the words of William Shakespeare, "were heard of no more."

Propped up and supported by his shadowy masters in the Kremlin, thinly disguised in the garb of a self-proclaimed "liberator," Castro has occupied the center of the stage in Cuba for nearly a decade—talking, haranguing, oppressing, squelching the people's initiative, stamping out freedom.

In many respects, therefore, this is a sad day—because Cuba's present condition is tragic.

But it is also a day to honor and celebrate—for the cause of freedom continues alive, dwelling in the heart of every true Cuban, be it in Havana, Miami, Fla., or in some distant part of the world.

We must recognize this fact as we commemorate the anniversary of Cuba's independence.

And because of that factor, the day will come when the political and spiritual heirs of such great Cuban patriots as Maximo Gomez, Antonio Maceo, and Jose Marti will once again feel at home in Havana and in every hamlet and town across the length and the breadth of the island of Cuba.

Thousands of Cubans, in and out of Cuba, are longing and working for that day. Here in Washington today are Jose R. Julia, president of the Cuban Crusade for Relief and Rehabilitation and other representatives who join in this commemoration and pledge undying zeal for the restoration of liberty to Cuba.

To those of us who share their love of freedom and liberty, the course before us is clear:

We must continue to do all in our power to hasten the day when the legitimate aspirations of the Cuban people—for freedom, justice, and a better life—will be realized.

The United States of America has supported that goal. I am confident that under the new administration of President Richard Nixon we will continue to work with freedom-loving Cubans, and all the sons of liberty in our hemisphere, for the achievement of the goal of Cuban liberation.

Mr. Speaker, in closing I want to read the following communication from Joseph R. Julia, president of the Cuban Crusade:

CUBAN INDEPENDENCE DAY, 1969—CRUSADE 1969–70 MESSAGE HONORING PRESIDENT THEODORE ROOSEVELT'S MEMORY

His Excellency, President Richard M. Nixon and administration, Hon. Speaker John McCormack, Congressman Dante B. Fascell, and Members of the House and Senate.

May 20th Anniversary of the liberation of Cuba, gained through the payment of American and Cuban blood, spilt purchasing freedom and liberty to live as free men under God is the very symbol of American hemispheric brotherhood. For the first time in United States history, its citizens volunteered offering their lives to defend the birthright of every north or south American, it being, life, spiritual and material, liberty, and the pursuit of happiness unhampered by any colonial system of oppression.

Today, more than ever, Americans and Latin-Americans have an urgent call to heed, the distant cry of the Spanish-War American and Cuban dead to remember the first victory won by Hemispheric brethern fighting as one to win freedom for all. May 20th, Cuban—American or Latin—American Solidarity Day is the Anniversary of the very first day of Hemispheric Brotherhood.

We honor today, the late Theodore Roosevelt, President of the United States, leader of the American Rough Riders, who aided their Cuban brothers win their liberty and who once stated, "Speak softly, but carry a big stick". This message should be remembered and deeded by all of our hemispheric peoples, especially Americans on this date. We should extend charity to all wherever possible, but *always* be prepared to defend yourself and way of life at all times against aggressors.

JOSEPH R. JULIA,
President.

HOUSE OF REPRESENTATIVES, *May 20, 1969.*

Mr. McCORMACK. Mr. Speaker, to the Cuban people freedom and independence came the hard way, and after suffering under the oppressive Spanish colonial government more than 400 years. Even after they had attained full freedom in 1902 by the withdrawal of the U.S. military authorities and the establishment of the Cuban Republic, the people of Cuba did not enjoy their freedom in peace, because political disturbances and the resulting rise of dictatorial regimes made a mockery of freedom.

This large island with an area of 44,000 square miles, rich in natural resources and fertile soil, was part of the overseas Spanish empire from its discovery by Columbus in 1492 until 1898. During that time the Cuban people worked hard and were exploited by their overlords. At times they rebelled against their rulers, but were not successful in their fight until they were aided by the intervention of the United States in 1898. When the short Spanish-American War ended by the Treaty of Paris in December 1898, Spain agreed to relinquish Cuba to the United States "in trust for its inhabitants." From January of 1899 until May 1902 Cuba was governed by U.S. military rule, though most of the offices were filled by Cubans. After this brief period of tutelage and training, on May 20, 1902, the U.S. authorities granted full and unconditional freedom to the Cubans. That day marked the Cuban Independence Day and became a memorable date in its history.

After that historic event Cubans became masters of their national destiny, and their government became a member of the community of free and sovereign states. They made good use of the riches of their island homeland and lived in prosperity. But they have not always lived in peace. Political disturbances have been frequent there, and often these have given rise to dictatorial regimes. And the freedom for which the Cuban people fought and which eventually they won, became a casualty under such regimes. That was true for certain periods before the last war, and has been true since the end of that war, especially since the establishment of Fidel Castro's Communist regime in 1959.

In today's Cuba Castro's dictatorial regime is the master of Cuba's destiny, but some 8,000,000 Cubans do not enjoy the freedom which is their inalienable right. Today they are almost as cruelly treated and exploited by Castro's tyrannical government as were their ancestors by the colonial rulers of Spain. They are prisoners in their island homes, and at present they are unable to better their political lot. But on the observance of Cuban Independence Day, let us all hope that soon a way will be found to free these unfortunate Cubans from Fidel Castro's tyranny.

Mr. PEPPER. Mr. Speaker, it is sad and tragic that Cuban people in exile are forced to observe the 67th anniversary of Cuban Independence Day today removed from the native land they love and cherish. I am reminded of the verses:

> Yo soy un hombre sincero
> de donde crece la palma,
> y antes de morirme quiero
> echar mis versos del alma.
>
> Cultivo una rosa blanca
> en julio como en enero,
> para el amigo sincero
> que me da su mano franca.
>
> Y para el cruel, que me arranca
> el corazón con que vivo,
> cardo ni ortiga cultivo;
> cultivo la rosa blanca.

The Cuban patriot understands well the meaning and longing of these verses for its author, Jose Marti, was as revered in Cuba's struggle for independence as was George Washington in this country.

Marti, called the Apostle of Cuban Independence, still commands the widespread devotion of the Cuban people, who consider him the greatest hero of their independence movement.

The Cuban Revolution of 1895 began with the Grito of Baire—a town near Santiago in eastern Cuba—on February 24. Maceo from the Dominican Republic, and Marti and Gomez from the United States, set sail for Cuba with recruits gathered in the United States, Mexico, Central America, and the Caribbean islands. Gomez and Marti landed on the Cuban coast on April 11, 1895, and began a march to Santiago to unite the revolutionists. On May 19, en route to Santiago, the group was attacked by a Spanish patrol, and Marti was killed in the skirmish. Of Marti's death, a Cuban historian wrote, "Jose Marti died, but a people was born." The loss of the beloved leader fused the people of Cuba into an adamant struggle for their freedom. The revolution had been his creation, and he remained the first among many martyrs and heroes of revolutionary Cuba.

It is regrettable that there is today the need for further struggle and a call for more heroes to challenge the Communist dictatorship that has been entrenched for a full 10 years just off our southern shores.

We, as Americans, must pledge and dedicate ourselves to the task of working with the Cuban patriots in exile to achieve the liberation of our island neighbor.

Mr. BUCHANAN. Mr. Speaker, 67 years ago today a new feeling of hope and encouragement spread through Cuba as that nation convened its first all-Cuban congress and proclaimed itself a republic.

Today that feeling of encouragement is gone, but for many there remains hope that they will overcome the yoke of Communist domination which suppresses their individualism.

As we rejoiced in their success 67 years ago, so we join in the sorrow today that

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they are unable to express that freedom for which they fought so long.

But we must marvel at the strength and determination of the majority of the Cuban population who continue to strive to return liberty to their nation.

There have been many, who, fearing death because they disagree with the present government, have fled to the United States.

Twice a year in Birmingham, on Law Day and Thanksgiving, naturalization ceremonies are conducted in the United States District Court. In nearly all of these sessions, former Cuban citizens disavow their homelands to embrace U.S. citizenship. The story behind these changes is evident in their expressions as they verbally renounce allegiance to their native lands.

For, many fled their homeland—a country which they dearly loved but one in which they could no longer live because of the suppression of freedom. Each has a story to tell of his happiness in at last finding liberty, but each also carries the sadness of friends and family left behind to live in oppression.

There are many thousands more, however, who remain in Cuba to take what action they can to restore the hope their nation held in 1902 as the first republic's flag was raised.

The Cuban Government, under Fidel Castro, cannot deny that its citizens are unhappy. Last year incidences of sabotage against the Castro regime rose to 28,000 according to official Cuban Government reports. And so far this year, the rate is known to be even higher.

Cuba's population is increasing at a tremendous rate and is expected to reach 8.35 million by next year and 18 million by the year 2000.

Although it is a rapidly growing country, it faces many economic problems—difficulties which have led to the rationing of almost everything from shoes to gasoline and cigarettes.

But Premier Castro has been quoted as saying:

> With technology and science it is possible to produce enough so that a large population can receive everything it needs.

He made no mention of the freedom of expression and political belief that his countrymen need and for which they have so long striven.

Their struggle has been a continuous one. In recent years it has taken tantamount strength on the part of non-Communist Cubans to merely survive. But, the spirit of independence which the nation revelled in in 1902 persists in the hearts of many and urges them forward today to recapture their now lost liberty.

It is fitting today that we pay tribute to the thousands of Cubans who fought several bloody wars to overthrow the domination of a foreign nation. The parallels to today's Cubans are evident, but this time they seek to eradicate domination by an internal power.

And so, although Cuba obtained its independence 67 years ago, its people are still fighting today to maintain that freedom. With their continuous courage it is my hope and belief that they will prevail.

Mr. MAILLIARD. Mr. Speaker, I want to join my distinguished colleague from Florida, the Honorable DANTE B. FASCELL, chairman of the Subcommittee on Inter-American Affairs, in commemorating Cuba's Independence Day.

Many of us, I am certain, greet this occasion with mixed emotions. While we rejoice with freedom-loving Cubans in honoring their country's long and successful struggle for liberty, we cannot ignore the tragic plight of their countrymen today.

What Maximo Gomez, Antonio Maceo, and Jose Marti fought for, what another generation of Cubans was able to wrestle from Spain, is no longer being enjoyed by the people of Cuba.

They are neither free, nor well-to-do, nor content with their present condition.

As much as Castro may try to deceive the world and the Cuban people themselves with his endless diatribes about the Communist paradise which he is attempting to fashion for Cuba, the facts of life in that country stand out for all to see.

Under Castro's regime, most of the people who possessed the skills and talents necessary to develop a nation have been decimated and driven from Cuba.

The average Cuban worker lives today in a condition of enforced labor and persistent want—rarely able to secure even ordinary articles of clothing and footwear for his family.

And the entire "socialist" experiment—and I use that word in quotes—survives on two key factors: the reign of terror instituted by Castro to do away with all political opposition; and the massive outpouring of Soviet dole which props up the faltering economy and enables it to stagger along.

We should not mistake these facts. No matter how much Castro may try to flaunt his "independence," he remains a stooge of the Kremlin, critically dependent on the Soviet Union for his very survival.

Similarly, his ruthless elimination of all opposition makes a lie of his claim to be the vanguard of a democratic, socially-oriented revolution in Cuba and elsewhere in Latin America.

All of us, I am certain, are aware of these facts.

We decry them—and we extend our profound sympathy to the people of Cuba who have been isolated from their brothers and friends in this hemisphere, and forced to suffer their present condition, by Castro's shenanigans.

Mr. Speaker, the spirit of liberty which sustained the Cuban people during the bitter decades of the 19th century while they struggled to shed the Spanish colonial yoke, will again sustain them in their hour of trial.

I am certain that all Cubans, whereever they may be for the present, cherish the dream of one day living again in a free and independent Cuba, ruled by a government responsive to the aspirations of the Cuban people.

I know that we, in the United States, will continue to do all we can to help them realize that dream.

GENERAL LEAVE TO EXTEND

Mr. MARSH. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on Congressman FASCELL's special order on Cuban independence.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

THE GENERAL FUND FOR THE OPERATIONS OF THE FEDERAL GOVERNMENT IS STILL IN DEFICIT AND NOT IN SURPLUS

The SPEAKER pro tempore. Under previous order of the House the gentleman from Virginia (Mr. MARSH) is recognized for 30 minutes.

Mr. MARSH. Mr. Speaker, the President is to be commended on the revised budget, particularly for the reductions it reflects; however, it still must be understood by the Congress and by the country that the general fund for the operations of the Federal Government is still in deficit and not in surplus based on present estimates.

True, the deficit has been reduced below the deficit in the proposed Johnson budget for fiscal year 1970, but it is still in deficit.

President Johnson's budget anticipated a surplus of esitmated gross receipts collected by the Federal Government from all sources including social security trust funds—which are not available for expenditure for general opeating costs of government—over all Federal payments including checks to social security beneficiaries—to be the sum of $3.4 billion.

Some time ago, I pointed out to the House the serious misunderstanding occurring because of the new budget concept which was first adopted for fiscal year 1969. This system of showing Federal accounts is misleading, unless all those who consider Federal surpluses clearly recognize what the new budget concept includes in Federal receipts, trust fund receipts, particularly social security collections. The Congress cannot spend for the operation of Government over $45 billion of expected receipts because these are social security funds collected in trust from employers and employees for future beneficiaries of the social security system. The new budget concept as applied to fiscal year 1970 budget merely states that the total number of dollars paid to the Federal Government from all sources will exceed total Federal payments for all purposes—including social security checks—by over $5 billion under President Nixon's budget, and $3.4 billion in the Johnson budget.

The surplus which many are applauding but some are criticizing is a surplus in trust funds, not in general revenues. The trust fund surplus is about $10.2 billion over amounts paid to the Treasury and amounts to be paid to trust beneficiaries. The hard cold fact is there is a deficit in general fund revenues which go to the operation of Government and come from the following principal sources—personal income tax, corporate income taxes, excise taxes, and miscellaneous collections. This deficit in general funds in the proposed Johnson budget is $6.8 billion. In the budget revised by President Nixon, it is approximately $5.5 billion. It is quite likely that this deficit will be financed in whole or in part by borrowing from the trust fund receipts. The fact these trust fund loans must be repaid demonstrates clearly we do not have a surplus in the true sense of the word.

In this connection, I am particularly grateful to Mr. Paul Wilson, assistant clerk and staff director of the Committee on Appropriations, for his assistance to me in pulling out of the original and revised budgets the key figures necessary to an understanding of the revenue and expenditure projections.

I should emphasize, however, that the remarks I make at this time represent my own observations and conclusions and do not reflect, necessarily, those of any other member of the committee, or of any member of its professional staff.

In the Johnson January budget for fiscal year 1970, using the so-called unified budget concept, the outgoing President projected a budget surplus of $3.4 billion. The word projected is the right word to use here because like all budgets, it rests on a number of assumptions, and these assumptions include certain legislation on both the revenue and expenditure side.

The $3.4 billion projected surplus is a net figure; that is, it is a combination of a projected surplus of about $10.3 billion in the trust funds of the Government, offset by a projected deficit of about $6.8 billion in Federal funds.

Trust fund receipts are projected at $58.693 billion; trust fund expenditures are projected at $48.431 billion; producing a projected surplus in trust funds of $10.262 billion.

As to Federal funds, expenditures are projected at $154.722 billion; receipts are projected at $147.874 billion, with a resulting projected deficit in Federal funds of $6.848 billion.

Thus deducting the $6.848 billion deficit in Federal funds from the $10.262 projected surplus in trust funds produces the projected unified budget surplus of $3.414 billion in the Johnson budget.

President Nixon's review of President Johnson's budget did two things. It first went through an exercise of "correcting" certain of the estimates in the Johnson budget which the Nixon administration said were underestimated. On the expenditure side, those corrections amounted to an addition of $1.6 billion in round figures, and involved principally interest on the debt, farm price supports and several other items.

From the expenditure side of the Johnson budget as thus corrected, the Nixon administration review and revisions proposed expenditure reductions of $4 billion. Thus, the net reduction from the Johnson January figures is $2.4 billion—increase of $1.6 billion offset by $4 billion of proposed cutbacks.

A significant item of the $4 billion proposed cutbacks by Nixon is $1 billion relating to social security trust funds. President Johnson had included in his spending total for trust funds, $1.6 billion of additional expenditures relating to his legislative proposal to increase social security benefits effective early next calendar year. In the Nixon budget review, this $1.6 billion was skimmed back to $600 million—thus the cut of $1 billion.

Since the net cutback in proposed spending by President Nixon as compared to President Johnson's original spending estimate is $2.4 billion, and since $1 billion of that relates to the social security item just mentioned, $1.4 billion relates to various Federal programs.

Proceeding with the arithmetic, first as to the trust funds:

First. The $1 billion cutback on social security, being a reduction in proposed expenditures, would increase the projected surplus of $10.3 billion to $11.3 billion.

Second. The remaining net cutback of $1.4 billion mentioned above would operate to reduce the Johnson budget deficit in the Federal funds by that amount—that is, from $6.9 billion down to $5.5 billion.

Third. Thus, combining the $11.3 billion surplus projection for trust funds with the $5.5 billion projected deficit in Federal funds gives the net surplus of $5.8 billion projected by President Nixon in his April 15 budget release.

An important footnote to this is that the $5.8 billion projected Nixon surplus is an interim, incomplete figure for the reason that, while President Nixon updated the Johnson spending budget, he did not update the Johnson revenue budget.

If he had updated, or when he does update, the revenue side of the Johnson budget, at least two main factors would have a bearing on the $5.8 billion projected Nixon surplus:

First. President Johnson had included in his revenue assumptions $1.7 billion of increased social security taxes that would be collected in fiscal year 1970 under the proposed legislation to increase social security benefits. Well, President Nixon has proposed that that proposition be cut back on the spending side by $1 billion, but he did not propose any corresponding cut back in the $1.7 billion revenue figure. Not to do so seems unrealistic; the two more or less hang together.

Second. The most important consideration in estimating Federal revenues is the performance of the economy. Probably, if either President were making a forecast today rather than last December as to the revenue outlook based on the economic outlook, he certainly would produce a revenue estimate different from the one that is in the January budget, and I believe most economists probably would say that the revenue estimate would be higher than what is in the Johnson budget.

In any event, a reestimate of revenues would have some effect on this $5.8 billion-surplus projection—you cannot realistically update one side of the budget without updating the other side.

Third. The principal legislative assumption involved in the Johnson budget revenue estimates was the assumption that Congress would extend the 10-percent surtax for all of fiscal year 1970. President Nixon has subsequently recommended that it be extended at the 10-percent rate only for the first 6 months of fiscal 1970, and at a 5-percent rate for the last 6 months of fiscal 1970. This would mean some revenue loss, but it probably would be either wholly or substantially offset if Congress adopts President Nixon's recommendation for repeal of the 7-percent investment tax credit.

There are some other big "if's" in the Johnson budget as revised by President Nixon which, if not met, will send the above deficit figures soaring. The first "if" is extension of the surtax. If it is not extended at the rate of 10 percent, then add $9-plus million to the deficit. Another "if" is the postage hike. If it is not enacted, add nearly $600 million. Another "if" is the user fee revenues. If these transportation user fees are not enacted, add about $400 million.

If these budget conditions are not met, instead of having a deficit of nearly $5.5 billion, it could exceed $15 billion.

This unreal, or at least unavailable, surplus contained in the new budget concept harbors a risk for the country, the Congress, and the administration as we face up to the hard realities ahead in this first session of the 91st Congress. This is the risk of misunderstanding what we can or cannot do.

If the country believes the Federal accounts are in surplus, when for the operation of Government they are in deficit, where will be the support for additional revenue measures such as the surtax extension on which the current budget is predicated? If it is believed there is a surplus, can we expect less demands on the Federal purse, or adequately explain expenditure controls if the Congress enacts them?

If the Congress believes there is a surplus, will there be more or less legislative restaint in authorizing and funding programs?

The reduction made by the administration in the budget, including approximately $1 billion in proposed improvements in social security benefits, are modest, and, outside of defense, total $2.9 billion. Already, however, the attack is being mounted on these reductions. Why, some are asking, should such reductions be made, in the face of great domestic needs, to obtain a surplus of $5 plus billion? Why not reduce the surplus and thereby not achieve it at the expense of domestic programs?

The irony is there is no surplus, there never has been, there never will be—at least not in fiscal year 1970.

WHAT IS BEING DONE WITH OUR MONEY?

The SPEAKER pro tempore (Mr. Hanna). Under a previous order of the House, the gentleman from New York (Mr. Podell) is recognized for 60 minutes.

Mr. PODELL. Mr. Speaker, during the decade of 1957 to 1966, America spent upward of $520 billion on armaments

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and space programs. Our entire society has been affected and partially militarized. Half our national budget now is spent on arms which increasingly are called into question in terms of actual performance. Repeated failures of military contractors to produce workable systems after years of time and billions spent is undermining faith of many Americans in our system. They question military performance, truth of their Government, viability and meaning of their institutions, and intrinsic worth of their own contributions.

We have been struck in recent months by a series of stunning revelations on useless weapons systems. Among these have been the TFX airplane, C–5A, Cheyenne helicopter, and main battle tank. Massive cost overruns have come to light which have run into billions. This is especially true of the TFX–F–111 and C–5A transport aircraft. No wonder Members of Congress are asking why we have allowed such expenditures and countenanced such failures. In a case involving the main battle tank, we are confronted with the Army's continuation of work on a project it knew was a failure in order to maintain a flow of appropriations. In the case of the Lockheed C5A, a high Pentagon civilian official acted in a highly questionable manner, in order to protect the stock market position of a major military contractor.

The list of faulty or canceled projects undertaken in the name of national defense is as sad as it is lengthy. Billions upon billions of dollars have been poured into one dead end endeavor after another. A list of their names is a catalog of frustration and national shame.

We tried to create a jet-powered seaplane, abandoning the attempt after it cost us in excess of $400 million; $1,100 million sailed down the drain marked "useless projects" before we canceled the atomic-powered bomber. Before the Snark missile was canceled, we spent $677 million. We wasted $679 million on the Navajo missile before heaving it onto the national junkpile. Of course, the B–70 is a classic. For a mere $1 billion we received exactly one museum piece—perhaps the most expensive one in history. The Skybolt missile, masterpiece of inaccurate missilery, drained off $440 million before it was aborted. An already obsolete Bomarc missile merited $2 billion before its gravy train was derailed. Knowing the missile was unworkable for its basic purpose, the military still insisted on constructing more of them. Yet the little black box and how it grew provides us with perhaps the most damning evidence of the monster raging unchained across the Potomac from this Capitol. The little black box is otherwise known as Mark II, the avionics of the black box electronics of the F–111, including radar, navigating equipment, and computer. Mark I was not precise enough, so the Air Force gave the contract to produce a new, advanced model to Autonetics Division of North American Rockwell Corp. Just 2 months after receiving the contract, the contractor asked for relaxation of agreed-upon standards. In March 1967, the first batch of finished products was found to be costing $357 million, almost three times original projected cost.

What choices confronted the Air Force? Strict enforcement of contract regulations to set an example throughout the defense procurement and production establishment was one. Weak-kneed kowtowing to the contractor, making a mockery out of the agreement and giving every contractor carte blanche to violate contracts with impunity was the other.

The decision was in favor of allowing the company to triple its cost at expense of the Nation. The black box, in fact, makes Topsy seem like a century plant. In June of 1966, cost of an estimated 800 of these units was $610 million. In November 1968, costs for the same number had escalated, to borrow a term, to $2,510 million.

Yet how are we to know of these overnight gems of growth? The Air Force began bunching together all F–111 costs, including avionics, to hide the Mark II cost spiral. Another method discovered of doctoring cost estimates is the tidy maneuver of omitting cost of auxiliaries for any piece of hardware. We delved into this world of many wonders on the C–5A, of blessed memory.

Perhaps it is a mistake to operate under the assumption that a contract, legally binding and solemnly covenanted, is enforceable and binding. Perhaps it is correct for chief procurement officers of a military service to act as if they were vice presidents in charge of profits and protection of the contractor involved. Maybe it is honorable for senior military officers to hide cost figures in memos to their superiors on cost of a project.

These are but a few highlights of a situation which is already insufferable. In light of projected major new military projects which would stretch out over many years and involve even greater expenditures, Congress must prevent further repetition. It must create an agency or method of scrutiny to act as a critical, revealing, scanning agent.

Some would argue against such action, citing already existing safeguards on Capitol Hill and in the executive branch of Government. Such procedures and and agencies are either ineffective, unable or unwilling by their very makeup to play a guardian or watchdog role.

The second line of defense for Government and taxpayer has become just as weak for purposes of scrutiny and criticism of military expenditures. It was my understanding that our Bureau of the Budget was supposed to act as a devil's advocate, scrutinizing and criticizing all budget requests to keep all agencies of Government fiscally responsible. Such has not been the case as far as military matters are concerned. It is increasingly obvious that while the Bureau of the Budget painstakingly requires projected civilian expenditures to be fully explained, it does not treat Department of Defense fund requests similarly. No eloquent denials, explanations, excuses or hedging explains away the fact that the Pentagon and major military contractors have all but placed the U.S. Treasury on wheels, treating it as a private preserve, all to the detriment of crying social needs. No hand has been raised to stop this headlong rush over the fiscal precipice.

We know the Bureau of the Budget consults with the Pentagon closely on all money matters, in a cozy family-style manner more conductive to polite questioning and acquiescence than to constructive criticism. A limited number of staff members are assigned to review Pentagon fund requests. Further, the Bureau of the Budget is a Presidential agency, responding to the Executive's wishes, rather than those of Congress.

The broad outlines emerge clearly. Fund requests are brought with minimal critical questioning from the Pentagon to appropriate committees on Capitol Hill. After secretive meetings and agreements within these committees, bills for military spending emerge and go to the House floor under a closed rule. They are then slammed through the House with a maximum of swiftness and a minimum of critical probing. This is how the lion's share of our annual Federal budget is being allocated and spent. Is it any wonder why our military and major military contractors feel free to perpetrate such atrocities upon America as the TFX, main battle tank and the C–5A? Should there be surprise over difficulties which beset the M–16 rifle? Is this not an explanation of the fiscal horror of the Cheyenne helicopter? Do not worse pitfalls lie ahead in the form of the ABM, if we allow such permissive procedures to continue? There is no agency which critically examines or holds the Pentagon and contractors responsible for mistakes.

Congress, which is supposed to act as critic, financial watchdog and guardian of the public interest, has allowed the many closed committees of the House and Senate to spend vast sums as they see fit. Members of Congress may not question past rulings or daily determinations.

So instead of mass transit, we have the TFX. Instead of low-cost housing, we got the main battle tank. Rather than air and water pollution funds, we have been given the C–5A. The only trouble is that none of them work, or are worth even a portion of money poured into them by agencies I have referred to. Blame resposes as much in Congress as in the Pentagon. Furthermore, the greater the abdication by Congress of its overseeing function, the faster temptation grows to take advantage of the power vacuum left by our nonperformance.

Those who question are taken to task by innuendo, direct attack, or other methods of assault on grounds we are unpatriotic or indifferent to defense of the Nation. How macabre. If questioning these military abortions is unpatriotic, then show me patriotism. Does it consist of blind obedience to orders and patriotic catchwords? Criticism of established policy is the hallmark of a society which places premiums upon people and their rights rather than on slogans and hardware.

It devolves upon Congress to rectify the situation by placing a permanent, unforgiving eye upon any major expenditure such as those already touched upon.

Congress must find a tool with which to exercise its overseeing function. We have it close at hand in the form of our General Accounting Office.

The GAO is an independent agency under the Comptroller General of the United States. In short, he is the chief accountant of the Nation. This is our potential tool and probe which Congress may utilize to obtain proper objective investigation and scrutiny of executive branch expenditures, especially military ones. Therefore, Congress should and can provide GAO with a specific legislative command to provide regular, annual scrutiny of Government contracts of all executive agencies, and report publicly to Congress and the public any violations of contract agreements, particularly in the area of date of delivery and cost increase.

In this manner, Congress would restore its own and the public's rightful access to knowledge of fraud and misuse of funds by those who now consistently hide such information from public view. This is money we are charged with responsibility for, and this measure would allow us to fulfill that responsibility, reclaiming our prerogative to do so in the process. Once this information is in such a manner reported to Congress and the Nation, it will be a matter of open record for both Congress and the public to debate and correct.

This is a reform in guise of a congressional tool, a means for acquiring knowledge now denied us. Arguments about patriotism and national security simply would not wash. There must be an end to abuse of trust, misspending of money, and self-defeating secrecy.

I am, therefore, submitting this day a bill that would effectively curb this intolerable situation, placing us in a position to insure that there will be no more C–5A's; insuring that highly placed civilians in the Pentagon will never again dare to protect a company's position in the stock market at expense of the American people. It will insure that the Pentagon will not be able to disappear behind locked doors on Capitol Hill, hiding another national disgrace like the main battle tank. It will allow us to see what is being done with national resources, so that never again will a group of uncommunicative elected officials be able to stand and say that in the name of God, mother, Bunker Hill, and apple pie, the people have no right to know. Our people do have the right to know, and they will exercise that right.

My measure would amend the Legislative Reorganization Act of 1946 to provide for annual reports to Congress by the Comptroller General concerning price increases in Government contracts and failures to meet Government contract completion dates.

The bill reads as follows, amending section 206 of part I of title II of the act (31 United States Code, section 60):

H.R. 11493

A bill to amend the Legislative Reorganization Act of 1946 to provide for annual reports to the Congress by the Comptroller General concerning certain price increases in Government contracts and certain failures to meet Government contract completion dates

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 206 of part 1 of title II of the Legislative Reorganization Act of 1946 (31 U.S.C. § 60) is amended by—

(1) inserting "(a)" immediately following "Sec. 206.", and

(2) adding at the end thereof the following new subsection:

"(b) Within 90 days following the close of each fiscal year the Comptroller General shall submit to Congress a report on each contract of the United States in which the price was increased in such fiscal year to an amount in excess of 110 percent of the price estimated by the person contracting with the United States at the time the contract was signed or which was completed in such fiscal year at a date more than six months after the completion date estimated by the person contracting with the United States at the time the contract was signed. For purposes of his subsection, the term 'contract of the United States' means any contract executed by the United States (including contracts subject to chapter 137 or 139 of title 10 of the United States Code) for—

"(1) services, including research and development,

"(2) the construction, alteration, or repair of any public building or public work of the United States, or

"(3) the manufacture or furnishing of any materials, supplies, articles, or equipment, in which the price estimated by person contracting with the United States at the time the contract was signed was $10,000 or more."

(b) The heading for such section 206 is amended by adding at the end thereof "; reports on Government contracts".

This, then, is the shape of the reform I introduce now. Let us remember that if we do not control this monster we have created, it will, in the end, destroy us.

SCANDAL AT SBA—VII

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. Gonzalez) is recognized for 10 minutes.

Mr. GONZALEZ. Mr. Speaker, I am advised by the newspapers that Albert Fuentes, Special Assistant to the Administrator of the Small Business Administration, is on leave of absence without pay, at his own request. I assume that the leave without pay is being taken not as a gesture of his concern for the public purse, but simply because he is not entitled to any other kind of leave, not having worked long enough to have earned any leave.

In any event, this man is still employed by SBA, and the Administrator has taken no action to suspend him, despite my repeated requests that he do so, and despite growing evidence that he, indeed, is not worthy of the high trust that was placed in him. Indeed, Chairman Patman informs me that the SBA has gone to great lengths to conceal the results of its investigation into this affair, having lost contact with the Administrator for a mysterious period when he was "out of town" and could not be reached, until his subalterns turned over what they claim is the sole copy of their investigation to the Department of Justice, where it remains safely out of reach of this House and its committees.

I would be interested in studying the investigation into this case. Although both the SBA and the FBI say that they have completed their studies, neither the FBI nor SBA investigators ever contacted me to ask for the material and information in my possession. That being so, one can only wonder how zealously the investigators carried out their tasks. One wonders, too, how closely the Civil Service Commission investigated Mr. Fuentes, and what, if anything, they found.

Whatever has been found is now sealed in the safes of the Department of Justice, whence it may never emerge. Fuentes, conveniently, is in San Antonio conducting a campaign against those who have dared reveal their mistrust in him, and their fears that he has done wrong, and acted contrary to the public interest.

Fuentes has filed—or rather mailed in—several affidavits regarding his conduct. Even assuming these affidavits to be wholly true, and assuming that the case is what Fuentes himself says it is, he is still subject to serious questioning, and I believe that enough evidence exists out of his own mouth that he should be dismissed, forthwith.

Mr. Speaker, tomorrow I shall examine the case from Mr. Fuentes' side, and show the reasons for my concern and belief that he has violated the public trust, even conceding him every benefit of the doubt.

TRIBUTE TO A DEDICATED PUBLIC SERVANT

(Mr. ASPINALL asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. ASPINALL. Mr. Speaker, I take great pleasure in this moment from my regular congressional duties to pay tribute to a fellow Coloradan, who has gained a monumental reputation among the people of Colorado for his perceptive ability, willingness to serve, and his sound commonsense approach to his administrative responsibilities.

I have had great pleasure in serving with Mr. Hamil while a member of the Colorado General Assembly and have maintained throughout these years a most harmonious working relationship with him in whatever capacity he has accepted to dedicate his time, energy, and ability.

At this point, I include the editorial in the Record:

A Homecoming: What Lies Ahead for REA?

For many new Nixon appointees, the adjustment to life in the Washington Establishment has been decidedly painful. Not so for David A. Hamil, administrator of the Rural Electrification Administration.

Hamil's return, in fact, was a homecoming of sorts. He had been REA administrator under the Eisenhower Administration between 1956 and 1961. The faces of many of his aides were familiar. When he sat down at his desk, it was with the smooth grace of an accomplished horseman (which he is) easing himself into the saddle of Old Paint, the faithful ranch horse he used to ride regularly but hasn't seen in years.

The new REA administrator arrived in Washington with mixed emotions. On the one hand, he was eager to get to work tackling new problems facing REA—for example, the growing accumulation of rural electric and rural telephone system loan applications—but on the other, he found Washington, the city, more problem-ridden than it had been during his earlier tenure ("you see whole

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busloads of people and not one smiling") and the creaky Federal bureaucracy somewhat stifling to a Colorado rancher used to getting things done promptly in a congenial Big Sky Country "can-do" atmosphere.

A genial, friendly man with a Westerner's natural story-telling ability. David Hamil is an expert both at the legislative and public relations infighting, which has marked the relationship between the REA and private investor-owned electrical companies over the years, and the tough task of placating members of his constituency—the rural electric cooperatives—when the latter complain that the Federal Government is not doing enough to protect their interests.

Since its establishment in 1935 by Franklin D. Roosevelt as an emergency relief program to alleviate widespread unemployment and rejuvenate depressed rural areas, the REA has spent considerable amounts of its institutional energy fending off charges by the commercial power industry and other that it is a classic example of a bureaucratic agency which was set up for one specific purpose, but which continues to endure by developing new reasons for its existence long after its original goals have been met.

In recent years, commercial power companies and electrical cooperatives getting low-cost REA loans have been at each other's throats over the issue of territorial invasion of certain regions in the area of power generation and transmission, as opposed to power distribution. From the power companies' point of view, in short, the rap against the REA over the years is that the REA, using its advantage of Government subsidization, has steadily encroached on the prerogatives of the free enterprise power industry, to the latter's disadvantage.

A spokesman for the Edison Electric Institute, the national trade association of investor-owned electric light and power companies serving about 80 percent of the Nation's electric customers, summed up the EEI position this way during congressional testimony last year:

"Our position is that the distribution cooperatives should continue strong and healthy, and that they should be granted subsidies where needed," he said. "We believe firmly, however, that there is no need for authorizing monies to be loaned by the Rural Electrification Administration for generation and transmission purposes when the distribution cooperatives can obtain their power supply at reasonable rates from existing sources of supply."

And a Wisconsin power company official, testifying against "rural electric bank" bills, said: "The original concept of REA has been badly warped by decisions of its administrators in recent years. The original purpose, to distribute power into rural areas, would be officially scrapped . . . and the new concept of a totally integrated power system would be given the blessings of the Congress."

Representatives of rural electric cooperatives, however, see the matter quite differently.

One testified that the commercial power companies have been "high-handed and monopolistic," had launched a "shameful propaganda campaign" against his cooperative and were trying to "harass and spend" the cooperatives into "submission."

The battle continues, and the man in the middle these days is David Hamil, who must constantly remain aware of his obligations both to the forces of economy in the White House and on Capitol Hill and to the needs of his rural constituents.

"Just during the period between June 1956, when I left this job, and the present," Hamil said, "there's been a tremendous change in the electric utility business. It's bigger and more complex than ever. The increase in capacity of transmission lines has been dramatic . . . voltage has doubled . . . it's the same ball game, but it's being played before a larger crowd in a bigger park."

"The way we see it is that both the REA and the commercial companies are needed to meet the demand. The REA cooperatives have developed into a part of the utility business that is on the scene to stay as long as the service is needed. Territorial integrity can't be handled only one way, and that has to be by legislation within the states."

When he got to Washington, Hamil said, he found a "flood" of rural electrical and telephone system loan applications on his desk.

The electric loan, backlog reached $386 million in February, and continued to rise. By March, REA was holding 226 applications—all but 10 from its rural distribution systems—for a total of more than $416 million in loans. And by the end of March, the figure totaled $436 million.

Addressing cooperative members, Hamil said: "During the period ahead, we ask your continued cooperation in holding cash requisitions to as low a figure as possible and in increasing your cushion of credit."

The Rural Electrification Act of 1936 requires that "no loan shall be approved unless the administrator certified in his judgment that it was reasonably well secured" (opponents in the past have attacked loan grants for specific projects on this ground alone). Congress later fixed the interest rate on REA loans at two percent per annum and the maximum repayment period at 35 years.

To many hard-headed businessmen, the two percent loan provision rates in the same class with the penny newspaper, the 35-cent steak dinner, the nickel cigar and the $12,000 house. To them, it is offensive on principle in an era of high-interest loans and highly damaging to them as free enterprise competitors.

Among the problems facing Hamil is the present campaign by rural cooperative leaders to establish a nongovernmental financing agency that will provide an estimated $4.25 billion over 15 years for expansion of co-op electric systems.

During the past 34 years, the co-ops, now numbering about 1,000, have gotten their financing almost entirely from Government loans. Congressional loan authority has averaged about $350 million during each of the past few years. But as of March, the REA loans available were far less than the backlog of requests.

Last January, co-op leaders recommended creation of a private credit institution to be held by co-ops and to provide funds to members.

As is the case now, all loan applications would come through the Washington REA office, and REA would determine the best way of handling applications.

When the proposal was first made, Hamil said: "I will need a little time to study it . . . it will be necessary to check with important committees of Congress which provide funds for REA programs, and the Bureau of the Budget will also have something to say about the proposal."

Hamil said, however: "I'm in 100 percent agreement that there should be a means of bringing outside credit into the rural electrification program in addition to that provided by Congress."

Since his college days, Hamil has been a rancher engaged in the cattle-feeding business in Logan County, Colo., and he and a brother, Donald, also raise sugar beets, alfalfa and corn.

"I miss the ranch," he said, "and I don't mind a bit when REA business takes me out that way and I can spare a few hours to check on things at home."

He first became active in the rural electrification program in 1939 when he helped organize part of the Highline Electric Association of Holyoke, Colo.

"People today don't realize the thrill thousands of rural residents got back in those days when they first got electricity," he said. "Electricity and a phone meant the whole world to a farmer whose nearest neighbor was four or five miles away. It's hard to remember that a lot of today's suburban areas were quite rural 25 years ago."

Under House Agricultural Committee consideration this session was a bill (H.R. 7) to create a telephone bank which would make intermediate, four percent loans to rural telephone systems. The loans would be intended to serve rural telephone systems capable of paying a higher rate than the two percent required under the existing REA loan program, but not capable of paying higher rates in the private money market. As amended in committee, the bill would bar applicants from receiving two percent loans if their net worth amounted to 20 percent of assets.

REA Administrator Hamil said: "The Administration rejects the ridiculous claim we hear so often that the job of rural electrification is done. Nothing could be further from the truth.

"How can the job be done in rural America when the record shows that the input of power into our systems is doubling every seven to 10 years and that new consumers are coming on our lines at the rate of better than 150,000 a year?"

Unlike many other, Hamil sees the rural-to-urban population trend reversing itself in the not too distant future.

"There's just no other solution to the problems of city overcrowding," he said with a faraway Big Sky Colorado glint in his eye. "Rural areas will be where the opportunities are in years to come."

DEPARTMENT OF AGRICULTURE APPROPRIATIONS

(Mr. EDWARDS of California asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. EDWARDS of California. Mr. Speaker, the Members of this Chamber will soon be called upon to vote on the fiscal 1970 appropriations for the Department of Agriculture. Before this matter is before us for a vote, I wish to raise an issue which reflects on the ability of the Department of Agriculture to expend those sums in accord with Federal law.

Title VI of the Civil Rights Act of 1964 prohibits the use of Federal funds in programs that discriminate on the basis of race, color, or national origin. I am distressed to report that the Department of Agriculture is a flagrant violator of that law. As Attorney General John Mitchell recently wrote in a letter to Secretary of Agriculture Hardin:

> Patterns of violations of Title VI and the Department of Agriculture's implementing regulations persist, . . . and despite the evidence of these widespread violations of law . . . I am not aware of any meaningful action which has been taken to correct this situation.

In 1965, the U.S. Commission on Civil Rights released a shocking report entitled "Equal Opportunity in Farm Programs." Its review of the Cooperative Extension Service, Farmers Home Administration, Soil Conservation Service, and Agricultural Stabilization Service showed widespread discrimination in employment and discriminatory program administration.

Unfortunately, the situation is little changed today. A staff report on the U.S. Commission on Civil Rights hearings in Montgomery, Ala., last year includes the statement that—"the Extension Service and Farmers Home Administration have been important in increasing the incomes and economic well-being of farmers throughout the Nation." In Alabama and the Blackbelt they have been instrumental in assisting and financing the transition from cotton to other agricultural enterprises. Their services however, have not benefited the black poor of the 16-county hearing area. In short, the Commission found that "Testimony at the hearing in Montgomery showed conditions described in the 1965 report are substantially unchanged in 1968."

Among the Commission's findings are the following:

First. The Cooperative Extension Service renders assistance on a racially segregated basis with whites serving whites and Negroes serving Negroes.

Second. In 12 Alabama counties studied by the Commission last year, there were 46 white extension workers and only 26 Negro extension workers to serve a rural population of potential recipients of more than 72,000 blacks and 27,000 whites. Thus each Negro agent had a potential caseload almost five times as great as each white worker.

Third. Widespread discrimination in 4-H club programs persists. For example, white agents who work with 4-H club youths are assigned to white schools in Alabama while Negro agents are assigned to Negro schools. Local program administrators argue that instead of desegregating the 4-H clubs they are waiting for the schools to become desegregated. Some States have desegregated these clubs since 1965, however.

Fourth. There is a great disparity in the programs to which Negro and white 4-H club youths have access. For example, in Alabama, white youths tended to be enrolled in programs such as tractor use, raising of beef cattle, and so forth, while black youth were enrolled in such projects as field crops and poultry.

Fifth. The Farmers Home Administration gives Negroes in the same economic status as whites smaller loans. In a 16-county area of Alabama, whites in 1966 and 1967 constituted 24 percent of the borrowers but received 57 percent of the funds; blacks, who constituted 76 percent of the borrowers, received only 43 percent of the funds.

Sixth. Loans by FHA to Negroes are for different purposes than loans to whites; 64 percent of the money loaned to Negroes in the 16-county hearing area in 1966 and 1967 was for subsistence or marginal development. Most of the money loaned to whites was for rural housing and farm ownership loans which are rarely available to blacks.

In addition, findings of the 1965 study covering the Soil Conservation Service and the Agricultural Stabilization and Conservation Service Committee in the South revealed widespread discrimination. The SCS provided less service to Negroes. No Negro had ever been appointed to a State ASCS committee in the South and Negroes were not employed in Federal or county ASCS positions in the South. While not specifically covered in the 1968 staff report, these conditions have improved only slightly.

The Civil Rights Commission has prepared yet another report which also documents the serious failures of the Department of Agriculture to provide equal opportunity. This report, the "Mechanism for Implementing and Enforcing Title VI of the Civil Rights Act of 1964," was transmitted to the Department of Agriculture and the Attorney General in October 1968. It finds that the Department's title VI operation is severely understaffed and suffers from a lack of clear cut authority to command agency performance. It scores failure to collect the racial data which precludes meaningful evaluation of the effect of USDA programs on minority group recipients. It documents the lack of civil rights training for program staff charged with implementing the civil rights aspects of the programs. In addition, it makes a series of specific recommendations designed to correct some of the deficiencies in the administration of agriculture programs. Unfortunately, most of the recommendations of this report have not yet been implemented. Further, it is my understanding that additional funds requested by the previous administration for the civil rights enforcement program have now been stricken from the Department of Agriculture budget request.

Attorney General Mitchell, who has chief responsibility for coordinating the title VI enforcement efforts of the Federal agencies, in an April 16, 1969, letter to Secretary Hardin outlined some of the flagrant violations of law perpetuated at Agriculture and made a series of specific recommendations for substantial change in the USDA procedures.

The Attorney General's recommendations include the following:

First. Replacement of the present Office for Civil Rights in the USDA with a centralized Equal Opportunity Office, directly responsible to the Secretary, with authority like that of the Office for Civil Rights at HEW and the Assistant Secretary for Equal Opportunity at HUD. The new organization's proposed functions are spelled out in the Attorney General's letter and are sufficiently comprehensive so as to affect a major change in the Department's ability to achieve equal opportunity should the recommendation be implemented.

Second. Improved functioning of the Equal Opportunity Office. The recommendations specifically note the need to (a) clear up long-standing refusals to file adequate program assurances, including refusals of the State of Louisiana to submit an acceptable plan for desegregaing its extension service; (b) increase the use of complaint investigations and compliance reviews made by the Office of Inspector General; and (c) provide a more uniform and comprehensive compliance review procedure for all program areas supervised by the Equal Opportunity Office.

Third. Assignment of full-time equal opportunity personnel to program areas and provision of training programs specifically related to types of assistance provided by the Department so as to increase delivery of services to eligible minority group beneficiaries.

Fourth. Establishment of a comprehensive racial data collection system to provide a factual basis for follow-up efforts aimed at improving minority group participation.

The Attorney General prefaced these recommendations to Secretary Hardin with the comment:

> In my view it is imperative that your Department develop and implement an effective program to assure compliance with the requirements of law that federally assisted programs be conducted on a basis which provides for equal opportunity to all; and that it commit its time and adequate resources to accomplish that end.

Mr. Speaker, I could not agree more with the statement of the Attorney General. Because this matter is vital to the integrity of the entire Federal civil rights program and critically affects the lives of so many of our citizens, I have written to Secretary Hardin asking what steps he has taken or is planning to take to implement the recommendations of the Attorney General and the Civil Rights Commission.

Hunger and rural poverty need not exist in America today. The exclusion of millions of the Nation's rural Negroes from full and equal participation in the programs administered by the Department of Agriculture has severely crippled their ability to improve the basic conditions of their lives. If USDA programs are not to be administered as required by law so as to provide equal participation for all, the Congress should evaluate whether continued support for the programs is justified.

Mr. Speaker, in order to inform my colleagues more fully as to the seriousness of the issue at hand, I include my letter of May 19 to Secretary Hardin at this point in the RECORD. I also include the Attorney General's letter of April 16, as well as the two reports to which I have referred in my remarks. The first report is a staff report of the U.S. Commission on Civil Rights on farm programs and was released in July, 1968. The second report, the mechanism for implementing and enforcing title VI of the Civil Rights Act of 1964, has been withheld from the Congress and the public until recently. I urge all Members to study these documents which reveal the extent to which Federal law is being subverted by the USDA:

DEMOCRATIC STUDY GROUP,
U.S. HOUSE OF REPRESENTATIVES,
Washington, D.C., May 19, 1969.

Hon. CLIFFORD M. HARDIN,
Secretary of Agriculture,
Washington, D.C.

DEAR MR. SECRETARY: Several reports prepared by the U.S. Commission on Civil Rights documenting the failures of your Department to enforce laws against discrimination in federal programs have recently come to my attention. In addition, I have reviewed Attorney General Mitchell's letter of April 16, 1969, to you commenting on the seriousness of the situation and recommending several

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specific steps to improve civil rights enforcement in the programs of your Department.

I find the materials included in the Civil Rights Commission report of its hearings in Montgomery, Alabama last year and the report entitled *The Mechanism for Implementing and Enforcing Title VI of the Civil Rights Act of 1964* extremely shocking. I am further concerned by reports that additional sums requested for the USDA Title VI implementation program by the previous Administration have now been stricken from the budget requests. In addition, I understand that several authorized positions on the USDA staff for civil rights program monitoring remain unfilled.

The above facts coupled with the Attorney General's conclusion in his April 16 letter that "Despite the evidence of widespread violations of law disclosed by your Department's investigations, I am not aware of any meaningful action which has been taken to correct the situation," raise serious questions as to the ability and willingness of the USDA to conduct its programs in compliance with federal law.

Therefore, I ask that you advise me at your earliest convenience—and in any event before the Agriculture Appropriations bill reaches the House floor—of the steps you have taken or are planning to take to implement the suggestions of the Attorney General and the U.S. Commission on Civil Rights.

Sincerely,

Don Edwards,
Chairman,
Task Force on Civil Rights.

April 16, 1969.

Hon. Clifford M. Hardin,
Secretary of Agriculture,
Washington, D.C.

Dear Secretary Hardin: By letter of October 8, 1968, the United States Commission on Civil Rights forwarded to your Department its report on a study of the Department of Agriculture's implementation of Title VI of the Civil Rights Act of 1964 which prohibits discrimination in Federally assisted programs. In connection with our responsibilities under Executive Order 11247 (1965), assigned the Attorney General the function of coordinating the Title VI enforcement programs of all Federal agencies, we received and have reviewed the report of the Commission based on that study.

Before commenting upon the specific recommendations made by the Commission, however, I want to express our concern as to the adequacy and effectiveness of the past efforts of the Department of Agriculture to achieve equal opportunity in its programs.

The underlying objective of Title VI is to assure that all persons are given a fair and equal opportunity to participate in, and receive the benefits from Federally aided programs. Viewed in terms of the programs receiving assistance from the Department of Agriculture, this objective coincides with the priorities which we understand you have established for your Department that are directed at alleviating hunger and malnutrition among the rural poor and other deprived members of our society.

Title VI took effect on July 2, 1964. Since that time, as pointed out in your predecessor's letter of January 17, 1969, to Mr. Glickstein, the Department of Agriculture had made some progress in eliminating discrimination in programs receiving financial assistance from the Department. Yet patterns of violations of Title VI and of the Department of Agriculture's implementing regulations persist. For example, audits of six state cooperative extension services conducted by the Office of the Inspector General of your Department revealed substantial and widespread noncompliance with civil rights requirements in each of these states (see Report p. 37). An earlier publication of the Commission, Cycle to Nowhere (1968), states (p. 22) that in Alabama and elsewhere in the South the practice of assigning extension workers on the basis of race is widespread. Since there are proportionally fewer Negro extension agents, that practice means that Negro farmers do not receive a fair and adequate share of the services provided. Thus, even apart from being a flagrant violation of law, this practice denies Negroes the opportunity to improve their farming methods and economic status. The evidence available to this Department suggests that the conditions found by your investigations are widespread and continuing.

Despite the evidence of these widespread violations of law disclosed by your Department's investigations, I am not aware of any meaningful action which has been taken to correct the situation. The failure of state extension services to achieve their full potential with respect to serving memmers of minority groups could aggravate such problems as migration from rural to urban areas and the inability of families to provide adequate diets. Conversely, meaningful enforcement of Title VI in regard to the cooperative extension services and other programs of your Department could contribute to your effort to alleviate hunger and rural poverty.

In my view it is imperative that your Department develop and implement an effective program to assure compliance with the requirements of law that Federally assisted programs be conducted on a basis which provides for equal opportunity to all; and that it commit its time and adequate resources to accomplish that end.

The recommendations for substantial change which I set forth below reflect our concern over the lack of adequate progress to date.

1. ORGANIZATION OF TITLE VI ENFORCEMENT

Our experience with the Title VI compliance operations of other Federal agencies tends to support the view of the Civil Rights Commission that the present office for Civil Rights in the Department of Agriculture be replaced by a centralized Equal Opportunity Office, directly responsible to the Secretary, with authority like that of the Office for Civil Rights at HEW (see 32 Fed. Reg. 15190) and the Assistant Secretary for Equal Opportunity at HUD. The new organization would have responsibility for implementation and enforcement of Title VI, including the authority to initiate all compliance reviews and complaint investigations, and to secure compliance where the reviews indicate lack of compliance. It would also be given authority to conduct negotiations; make settlements; initiate compliance proceedings; refer cases to the Department of Justice for suit where necessary; and work with constituent program agencies at Agriculture in translating equal opportunity requirements into program delivery terms. The director of this Office would need direct and continuing contact with and support from the Secretary, as well as authority commensurate with these responsibilities vis a vis the program administrators. In addition to a substantial staff which should be assigned directly to the new Office, it may be desirable to assign one or more full-time equal opportunity personnel to each of the major Agriculture programs affected by Title VI (FES; C and MS; FHA; and ASCS).

We would also agree with the desirability of combining in this Office all equal opportunity responsibilities, including those derived from Departmental regulations, from Executive Order 11246 with respect to contract compliance, and those concerning the programs directly administered by your Department.

2. FUNCTIONING OF THE EQUAL OPPORTUNITY OFFICE

The Commission's report highlights several specific areas where improvement in the effectiveness of the equal opportunity office's functioning might be sought. Of particular interest to us among these findings were those related to (a) clearing up long-standing situations of refusals to file adequate assurances, including the refusals of the State of Louisiana to submit an acceptable plan for its extension service (see page 16 of the Report); (b) increasing the use made by the equal opportunity office of complaint investigations and compliance reviews conducted by the Office of Inspection General, particularly their three-phased audit of the overall civil rights enforcement operation, and their special audit of the activities of six of the State Cooperation Extension Services (see pages 19 and 34–37); and (c) providing a more uniform and comprehensive compliance review procedure for all program areas, supervised by the equal opportunity office (see pages 26–33.)

3. PROGRAM IMPACT

The strengthening of the equal opportunity office would be the necessary first step towards improving the Title VI compliance capability of the Department of Agriculture. In addition, we think it important that your Department adopt methods for making certain that equal opportunity requirements are effectively translated into increased delivery of services to eligible minority group beneficiaries who presently may not be receiving their fair and intended share of Department of Agriculture assistance. Assigning full-time equal opportunity personnel so that continuing day to day liaison with program personnel can be maintained, and organizing a training program specifically designed to relate to the types of assistance provided by your Department, are two methods mentioned in the Commission's Report for moving towards this objective which we support.

4. RACIAL DATA COLLECTION

We agree with the Commission that there is a need for establishing a comprehensive racial data collection system that would provide a meaningful factual foundation upon which follow-up efforts aimed at improving minority group participation can be based. We believe this to be an essential part of any effort aimed at making the equal opportunity requirements of Title VI meaningful in program terms.

Although a Committee on Program Review and Evaluation has been created in your Department, I understand that this Committee has not considered its mandate broad enough to implement a uniform agency-wide policy for data collection and evaluation in terms of minority group participation. The providing of such authority, either as part of the function of a reconstructed equal opportunity office, or as a responsibility to be shared between that office and the regular program, planning and budgeting staff, would be one available method for initiating the data collection and evaluation function at your Department.

I hope that these comments, in conjunction with the more detailed findings and recommendations of the Commission's Report, will be of some assistance to you.

If you feel that it would be useful, the Attorney General's Special Assistant for Title VI would be available at your convenience to discuss the Commission's Report and our comments with your representative, and perhaps also a representative from the Civil Rights Commission.

I will be looking forward to your response.

Sincerely,

John Mitchell,
Attorney General.

U.S. COMMISSION ON CIVIL RIGHTS: STAFF REPORT

FARM PROGRAMS

The Cooperative Extension Service and the Farmers Home Administration, together with the Agricultural Stabilization and Conservation Service (ASCS) and the Soil Conservation Service, are the major technical and financial assistance agencies of the Department of Agriculture. This briefing paper deals with the Cooperative Extension Service and the Farmers Home Administration. The Soil Conservation Service was not treated at the Montgomery hearing and the ASCS is the subject of a separate report by the Alabama State Advisory Committee to the Commission on Civil Rights, copies of which have been distributed.

The Extension Service and the Farmers Home Administration have been important in increasing the incomes and economic well-being of farmers throughout the nation. In Alabama and the Blackbelt they have been instrumental in assisting and financing the transition from cotton to other agricultural enterprises. Their services, however, have not benefitted the black poor of the 16 county hearing area.

The Commission on Civil Rights in 1965 studied the Extension Service and the Farmers Home Administration in its report, "Equal Opportunity in Farm Programs". The testimony at the hearing in Montgomery showed that the conditions described in the 1965 report are substantially unchanged in 1968.

Cooperative Extension Service

The Commission investigated the Alabama Cooperative Extension Service to determine whether black farmers are receiving its benefits and whether the Service is effective in improving the farming practices and home life of black farmers and rural residents.

The Cooperative Extension Service, a joint Federal-State program of the Department of Agriculture, supplies current information about improvements in farming and homemaking practices to farmers and rural families, helping them identify their problems and assisting in devising solutions. At the Commission's hearing, testimony indicated that (1) the Alabama Cooperative Extension Service is not meeting the needs of black people—particularly those who are poor with only a few acres to farm; (2) the services it provides are racially segregated and unequal in violation of Title VI of the Civil Rights Act of 1964, and (3) the Extension Service discriminates in employment against black people.

Failure of Program To Reach Low-Income People

The work of the Cooperative Extension Service is carried out by the State Extension Services of the land-grant colleges in each State through a system of more than 11,000 farm and home agents in almost every county of the United States. These agents, acting as joint representatives of the Department of Agriculture and the land-grant colleges, work with local people on how to apply knowledge and information developed at the colleges to improve their farm, home, and community life. Linking the agents to the colleges are subject matter specialists who keep the agents informed on new agricultural advances and conduct demonstrations on how this knowledge should be applied.[1]

In addition, the Extension Service organizes 4–H clubs and home economics clubs. The 4–H clubs, usually organized in public schools, enroll young people in projects which provide information and demonstrations on such subjects as farming and career exploration. The home economics clubs provide women with information and demonstrations on such subjects as food preparation, family budgeting and money management, health and sanitation.

The Extension Service programs, however, are not reaching many poor people. No special plan to reach low income people has been devised in Alabama. Dr. Fred R. Robertson, the State Extension Service Director, said that there are some demonstration programs but that they are inadequate because they are "vastly under-funded." The failure to reach low-income people particularly affects black people, who in the 16 county hearing area constitute 66 percent of the rural population and over 87 percent of the rural poor. Common responses to Commission investigators by black farmers and women were that they had never seen or had rarely seen Extension agents.

A reason for the Extension Service's failure to reach low income black farmers was suggested by Calvin Orsborn, black owner of a cotton gin in Selma and business manager of the predominantly black Southwest Alabama Farmers Cooperative Association (SWAFCA). Mr. Orsborn told the Commission that the inability of many poor black farmers to follow recommended farming practices stems from their lack of resources to finance the necessary costs.

> (We) can determine how many pounds or tons of fertilizer a man needs or what variety of seeds he needs and all this. And how much insecticide he needs on his crop. That is all well and good, to tell this man this. But now, if this man cannot follow recommended practices, if he doesn't have the finances and . . . the means to get finances to follow recommended practices, you are telling him (something that) does no good.
>
> I think Extension realizes this, and if they are short staffed, then why bother with these little people who can't follow recommended practices anyway? . . . you're spinning your wheels really, so Extension has to concentrate on people who can follow recommended practices so their program will be successful. . . .

Mrs. Clara Walker, a farmer in Dallas County and an administrative assistant in SWAFCA, testified that many members "did not even know what a soil test was, they hadn't heard about it."

The Department of Agriculture has programs under the Farmers Home Administration which provide loan funds to farmers to follow recommended practices. But, as the hearing testimony on the Farmers Home Administration indicated, the loan programs of the Farmers Home Administration have little impact on the poorest black farmers. SWAFCA has attempted to remedy this by lending money to its members so that they can put into practice the recommendations of SWAFCA's field representatives and horticulturists.

Discriminatory and Unequal Service to Negro Farmers

Even when black farmers receive services, they generally are not equal to those received by white farmers. The inequality stems from the fact that (1) nearly all visits by white agents are to white farmers and nearly all visits by black agents are to black farmers, (2) black agents have a much heavier caseload than white agents, since there are many more white than black agents serving a population which is predominantly Negro, and (3) white agents have received better inservice training than Negro agents and have been able to specialize, while Negro agents remain generalists.

(*a*) *Racially segregated services.*—Historically the Extension Service in Southern States was segregated. Black agents were trained at segregated agricultural schools, occupied separate offices and worked only with black farmers, families and youth. Title VI of the Civil Rights Act of 1964 prohibited racial discrimination in programs receiving Federal financial assistance, and the Department of Agriculture in implementing regulations specifically prohibited "discrimination in making available or in the manner of making available instructions, demonstrations, information, and publications offered by or through the Cooperative Extension Service." Nevertheless, the Commission in its 1965 report, "Equal Opportunity in Farm Programs" made the following finding:

> Responsibility for work with Negro rural residents, in counties where Negro staff are employed, is assigned almost without exception to the Negro staff and the caseloads of Negro workers are so high as not to permit adequate service.

In 1968, the conditions disclosed at the hearing showed that there has been little change in blackbelt Alabama since the Commission made its finding three years earlier.[2]

Staff members in their investigation analyzed activities reports of agents in 12 Alabama Black Belt counties. These reports show services rendered to rural persons by race in two months (April and October) of 1967. It was found that 91 percent of the office and field visits made by white extension personnel were made to whites. At the same time, 97 percent of visits to black farmers, rural families and 4–H youths were made by black agents. Dr. Robertson, the State Extension Service Director, testified that the Extension Service is "supposed to work by the demonstration method, and through volunteer leadership." Service has "always been on a freedom of choice basis" and "this perhaps is due to custom and tradition and longevity that you would have a natural inclination by many Negro farmers and homemakers to request services from people of their own race." The Extension Service, however, was racially segregated as a dual system until 1965 and there is no evidence to suggest that any procedures for a meaningful choice have been instituted since that time. "Freedom of choice", moreover, cannot explain why black agents are assigned to work with 4–H youth only in black schools and white agents only in white schools. Dr. Robertson testified that

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[1] Extension work is financed from Federal, State, county and local sources. Primarily the funds are used to employ the county agents and specialists who conduct the educational programs of the Extension Service. In fiscal year 1967, the breakdown of funds for Alabama was as follows: Federal: $2,585,740 (41.4%); State: $2,579,270 (42.0%) and County: $1,035,694 (16.6%). Hearings of the Subcommittee on Agriculture of the House Committee on Appropriations "Department of Agriculture and Related Agencies Appropriations for 1968," 90th Cong., 1st Sess., Pt. II, p. 431.

[2] In its 1965 Report "Equal Opportunity in Farm Programs" the Commission recommended that the President direct the Secretary of Agriculture to end discriminatory practices in the Department. In a report on "Progress of Cooperative Extension Service in Meeting Adverse Findings of the Report 'Equal Opportunity in Farm Programs' ", the Department's statement on segregated service is as follows:

> Subject matter assignments are made with increasing frequency on the basis of agents working in their areas of specialty without regard to race. However, with regard to 4–H and Home Economics activities, progress is particularly needed to ensure that no assignments are made on the basis of the race of the agent or the clientele. Since consolidation of white and Negro county offices, and the assignment of staff members on a program or subject matter basis, efforts have been made to increase the amount of time Negro agents spend in assisting white clientele, and the amount of time white agents spend in assisting Negroes. (Letter of May 23, 1968, from Secretary Freeman to Rev. Abernathy in response to requests made by the Poor People's March, Attachment D.)

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instead of desegregating the 4-H clubs he was waiting for the schools—now, fourteen years after *Brown v. Board of Education,* virtually segregated, with roughly 1.7 percent out of the Negro children in the 16 county area attending all-Negro schools—to become integrated:

You have to make a choice as an administrator. What you can do to serve the most good—now, I had the choice to pull out all the 4-H clubs from the schools and go to a community basis and say, these are going to be open to 4-H Club meetings and no discrimination—or, in other words, just let the chips fall where they may.

And the other alternative was to remain in the schools, and as the schools become integrated, the clubs would become integrated. I chose the latter.

. . . Now the State of Mississippi did [the former], and I think they have perhaps a fourth as many 4-H Club members. So it is a value judgment as an administrator, which course to take.

(b) *Disparity between case loads of white and Negro agents.*—In the twelve counties studied, there were 46 white extension agents and only 26 Negro extension agents to serve a rural population of potential recipients of more than 72,000 Negroes and 27,000 whites. In view of the degree of segregation in services, each Negro agent had a potential workload almost five times that of each white agent. In Greene County, for example, there was a single Negro male agent for more than 2,400 Negro farm operators and young men of 4-H club age—potential recipients of extension services—while there were two white male agents for only approximately 400 white farm operators and young men of 4-H club age. In Hale County there was a single Negro female agent for nearly 3,100 Negro women and girls of home economics club and 4-H club age but there were two white female agents for only 1,100 white women and girls of home economics club and 4-H club age. Thus if a black person was served at all, it was by a Negro agent who was overworked; the white person was served by a white agent who had the time to spend on his problems.

(c) *Better inservice training and greater specialization.*—Black and white agents, most of whom have been graduated from segregated land grant colleges, may have been equally well trained at the time of graduation. Over the years, however, black agents have been left out of the information meetings, seminars and training institutes attended by their white peers, and their land-grant institutions have received less appropriations for agricultural research than white agricultural schools and therefore have been less able to serve them well. Furthermore, counties generally hired only one black agent and two or more white agents. The whites were able to concentrate on specialties, such as 4-H work, livestock and agricultural enterprises. The black agent, on the other hand, served a much larger population and had to be a generalist. As a result the black agents, knowing less than the white agents, have provided less satisfactory service to the farmers they serve.

The gap in training between white and Negro agents was confirmed by the State Extension Service Director. Asked whether there would be problems if Negro agents were told that in the future they should go out and serve white people and white agents were told to serve Negroes, Dr. Robertson said it would be difficult to select which agents should serve those of another race and that if a Negro were sent out "you might run into trouble on some of the technical information in relation to beef cattle or some of the other highly technical subjects."

(d) *Underenrollment of black youth in 4-H Club projects aimed at furthering social and economic opportunity.*—Among the aims of 4-H projects are giving young people knowledge of scientific agriculture and home economics, exploring career opportunities and continuing needed education. These aims, however, are more fully realized for white youth than for black youth. For example, in Alabama white youth tended to be enrolled in such projects as tractor use, raising of beef cattle, personal development, career exploration and home management while black youth tended to be enrolled in such projects as field crops and poultry. This difference in project emphasis is explained in part by the fact that, following "custom," the Extension Services assigns black agents to service the Negro schools. The black agents usually do not specialize in the subject areas involved because historically Negroes have been limited to traditional agricultural activities and restricted in their opportunities.

3. Discrimination Against Negroes in Extension Service Employment

The testimony also disclosed that black people are excluded from significant positions in the Service. Although twelve of the counties in the hearing area were predominantly Negro, the State Director, Mr. Robertson, who appoints persons to the positions of County Extension Chairman and associate chairman, testified that no black people held these positions because no local governing board—all of which are controlled by white persons—had ever recommended a black person.[3] He gave the following explanation:

". . . as you know, we work on a cooperative basis, about 42 percent of our budget comes from Federal and about 58 [percent] from the State and county. And over the years we have, and we still think this is a basically sound idea, to stay with the power structure in order to keep the lines of communication and the rent coming in."[4]

Asked whether he would affirmatively suggest to a local governing board that it recommend a Negro county chairman, Dr. Robertson replied:

"I don't think this would be a good administrative move, frankly. I don't do it because he is a Negro but I have a lot of compassion and feeling for his effectiveness and his future.

* * * * *

"I think you have to recognize the fact to be a county chairman there is a great deal more than just being a representative of the county. You have to maintain contact with the technical field, with the land grant universities and with the business community. And the county people and so forth.

Negro extension workers in the Alabama State Extension office at Auburn are given titles different from whites although they do the same work. For example, in 4-H work the black agents are known as 4-H Club Specialists and their white counterparts are known as 4-H Club Leaders. In home economics work, two black workers are known as District Home Agents while their four white counterparts are known as Associate District Extension Chairmen. In work with farmers, the two black agents are known as District Farm Agents while their four white counterparts are known as District Extension Chairmen. Of the 112 employees, only eight—all transferred from Tuskegee Institute in order to comply with the Civil Rights Act of 1964—are black. Black extension workers, regardless of experience, are subordinated to white extension workers.

The Commission's hearing and investigation also disclosed that the Department of Agriculture has not dealt satisfactorily with the matter of eliminating segregated offices. In Montgomery, a Commission staff member observed that the black agent and his secretary occupy an office in the Post Office building isolated from the area where all of the white agents and their secretaries have their offices. Another incident was described in testimony at the hearing.

When the Sumter County Extension Office was directed to desegregate in 1965, the black employees were moved from another building into the same building as the white employees, but their offices were located in another section of the building. The Chairmen of the Sumter County Extension Service, B. B. Williamson, Jr., testified that in 1967 he was ordered by the Department of Agriculture to desegregate his office. This was accomplished by moving the black secretary into what had been the storage room and moving the supplies into the office used by the two white secretaries. The white supervisor of the home demonstration agents shared her office with a white subordinate, while the subordinate black demonstration agent was placed in an office by herself. The two white farm agents also shared an office, while the black agent had an office to himself.

This practice of office segregation not only violates the prohibition of the 1964 Civil Rights Act against discrimination in federally assisted programs, but it facilitates choices by whites to seek service from whites and blacks from blacks. Sumter County had one of the highest rates of segregated service in any of the counties investigated by the Commission—95 percent of white agents' time and visits were with whites and 98 percent of black agents' time and visits were with blacks.

Farmers Home Administration

The Farmers Home Administration was established in 1938 to help small tenant farmers get out of debt, acquire family size farms, and build decent homes and communities. The financial and technical assistance provided by FHA over the years has been an important factor in maintaining the family farm as a significant part of American agriculture.

The Commission discovered, however, that in the 16-county Black Belt region of Alabama FHA programs have had only a negligible effect on black rural poverty and that white farmers and rural residents, who represent only 38 percent of the rural population in the 16 counties, receive by far the greater share of FHA resources. Testimony at the Commission's hearing also showed that the loan practices of FHA tend to perpetuate rather than alleviate the economic dependency of black farmers and rural residents by providing them primarily with marginal subsistence loans rather than growth and development loans.

The Commission learned that for Negro farmers agriculture is little changed from the 1930's. They continue to plant only a few acres of cotton and some feed corn. They plow and cultivate with mules and sow, fertilize and spread insecticides and weed poisons by hand. They mortgage their crops before the planting season to their landlords and to the furnishing merchants[5] for rent, seed, fertilizer, poisons and rations or cash for subsistence, for which they are charged six to eight percent interest on the principal and outstanding indebtedness. At the end of the harvest they have nothing and often owe more than they have taken in. Approximately two-thirds of the black farmers in the 16 county area of rural Alabama investigated by the Commission farm less than fifty acres. Economic progress has been made in Southern agriculture, but today black farmers are not significant in the farm econ-

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[3] Of the approximately 1,385 county chairmen in the 16 Southern States, none are Negro.

[4] The county contribution to Extension work in Alabama averages only about 16% of the total Alabama Extension Service budget.

[5] A "furnishing merchant" makes advances of goods to farmers in return for a mortgage on the farmer's crop.

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omy of the Black Belt except as a source of economic exploitation by white landowners, furnishing merchants and others.

Unequal Participation in FHA Programs

Contrary to the original intent of Congress in establishing the Farmers Home Administration, poor black farmers in Alabama have benefitted little from FHA programs.

Much of the capital required to finance the shift from row crops, such as cotton, to diversified farming has been provided by FHA at favorable interest rates. In addition, FHA County Supervisors have been active in encouraging many farmers to diversify and have provided the necessary technical assistance to make the transition a successful one.[6] But this assistance has mainly benefitted white farmers.

Today only 32 percent of white-operated farms in Alabama are still classed as cotton farms; 78 percent of Negro-operated farms are so classified. Robert C. Bamberg, State FHA Director, explaining the role of FHA in financing the shift from cotton to diversified agriculture, stated that "I expect that we financed 75 percent of the dairymen in Alabama. . . ." Dairying was a $50 million farm business in Alabama in 1967, but of the State's 1,400 commercial dairy farms only 65 were operated by Negro dairymen. The Farmers Home Administration has helped many farmers with only small acreage to enter the poultry business, which is Alabama's number one source of farm income for 1967. But of the State's 5,900 commercial poultry farms only 32 are operated by blacks. FHA has been the single most important source of financing for livestock operations of all sizes, but less than 4 percent of the black operated farms were considered livestock farms while nearly one-fifth of the white operated farms were livestock operations.

FHA Loan Programs

Generally individual farmers and rural residents obtain five types of loans from the Farmers Home Administration—operating loans, farm ownership loans, rural housing loans, emergency or disaster loans and economic opportunity loans. The loans are made on favorable terms at low interest rates. FHA closely supervises the loans by placing funds in supervised accounts, devising a farm-home plan with the borrower, and furnishing him with technical assistance from FHA experts in farm management, home construction, livestock management and other farming practices. This active supervision of high risk loans reduces the rate of failures and affords the borrower the benefit of FHA management experience.

The testimony of Charles Griffin, a black farmer who farmed all his life on the plantation of J. H. Hain in Dallas County and who was evicted two years ago, suggests what FHA could mean to poor black farmers. He and 11 other black tenant farmers, after great effort, secured economic opportunity loans from FHA which they used to purchase some acreage. He testified what his first year of farm ownership meant to him.

"When I was on the Hain place, I was just blind, didn't know nothing but work, make it and give it to him, but now if I make anything I know which way it went, I know what I made and know what it bought and everything. That's a lot better; just 25 or 30 years too late. I hope it ain't though. I hope I have some more years to live and get some enjoyment out of it."

Black farmers however, are not participating in proportion to their numbers in FHA loan programs. White farmers and rural residents received the majority of FHA loan funds in the 16 county area and a proportion of funds far greater than the proportion of the population which they represent. Whites in 1966 and 1967 constituted 24 percent of the borrowers but received 57 percent of the funds;[7] blacks, who constituted 76 percent of the borrowers, received 43 percent of the funds.

In the 16 county area, during 1966 and 1967, applications for loans and loans to black farmers were concentrated in the operating and opportunity loan programs. Of a total of 1,875 FHA loans made to Negroes in this area, 1,565 were operating or economic opportunity loans. Operating loans consist of advances for the purchase of feed, seed, and fertilizers. Although these funds can be used to purchase machinery or livestock, very few of the operating loans made to Negroes were approved for these purposes. Economic opportunity loans are made to increase the income-producing capacity of rural residents.[8]

In dollar amounts, FHA loaned $3,034,960 to Negroes in all FHA programs in 1966 and 1967; of this amount $1,958,840 was in the operating and economic opportunity loan programs. This means that 64 percent of the money loaned to Negro farmers went for subsistence or marginal development purposes rather than for growth and capital improvements. Most of the money loaned to whites was concentrated in rural housing and farm ownership loans, and thus were for growth and development.

NUMBER AND TOTAL AMOUNT OF FHA LOANS, 16 ALABAMA BLACK BELT COUNTIES, FISCAL YEARS 1966 AND 1967

	White		Black	
	Number	Amount	Number	Amount
Operating	306	$1,208,220	1,226	$1,493,700
Farmownership	71	950,832	53	359,380
Rural housing	184	1,730,300	155	664,590
Economic opportunity	26	43,840	339	465,140
Emergency	9	41,660	102	52,150
Total	616	3,974,852	1,875	3,034,960

The size of a loan, in part, is related to the ability of the borrower to repay the loan and those borrowers with larger operations, proportionately more of whom are white, are more likely to be able to repay larger loans. As State FHA Director Bamberg explained, "some people have more resources to borrow more money than others . . . it goes back to this, in many cases our nigger [sic] population has small acreage . . . Well, there is a tremendous difference [between] what we would loan to a man who has 170 acres and one who had 2 or 12."[9]

The Commission heard testimony that to borrow money, a farmer needs security, a history of crop production and some means of repaying the loan. Many of the black farmers were unable to meet these conditions.

Calvin Orsborn, business manager of the Southwest Alabama Farmers Cooperative Association, a predominantly black farmers cooperative, testified:

"A large segment of our people don't either have one of these basic requirements . . . most of these fellows have worked 30 or 40 years in a plantation type setup. All of the production that they made, everything that they did for 30 or 40 years, the credit did not go to him, the credit went to the plantation, which means when this fellow is put off of this place or when he decides to move he has no history. He can show no basic method of repaying this loan and he has no security nine times out of ten."

One result is that black farmers must seek credit from furnishing merchants who have done business with them for many years instead of going to banks or the Farmers Home Administration. L. R. Haigler, a white furnishing merchant who does business in Lowndes County, was asked why black farmers came to him rather than to banks for financing, despite the fact that his interest rates were higher. He answered:

"Well, just been doing business with us so long. I reckon that would be the answer. We have been in business down there—my father did this business and my grandfather did it. So I just imagine that's the reason . . . The banks don't—wouldn't go out on a limb like I would, naturally, because they don't know too much the history of these people like we do, see."

Rural Housing Loans

The Commission heard testimony that the need for housing for blacks in rural areas of Alabama is "grave." More than 90 percent of the rural housing occupied by blacks is substandard. Farm tenant evictions continue to create many homeless black people in the 16-county area.

In 1966, FHA made rural housing loans to 64 whites and 63 blacks in the 16 counties; blacks received less than half the money loaned to whites. In 1967, the Farmers Home Administration made 212 rural housing loans in the 16 counties. Whites received 120 of the loans which totaled $1,141,140. Blacks received loans totaling $440,460.

Reverend Daniel Harrell, who directs a self-help housing project in Wilcox County, testified that even if FHA loaned all its rural housing money to blacks it would not help those who need help the most:

"Now through Self-Help housing we can reach only a certain group of people. Because they have to have the ability to repay the loan. And a lot of people in Wilcox County are not making over $500 a year . . . these people are left out."

Reverend William Branch of Greene County told the Commission how the black

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[6] The Commission's 1965 Report "Equal Opportunity in Farm Programs" noted:

"A borrower is not left to decide for himself what kind of loan he will request and receive. The FHA staff plays a vital role in helping him decide the uses to which FHA funds will be put. . . . When a farmer comes in to apply for a loan, the FHA county supervisor often takes the initiative, and recommends the acquisition of additional land, enlarged allotments, off-farm employment, soil conservation assistance, and the use of extension specialists or other educational resources to improve the economic position of the farmer." at p. 72.

[7] Thus, the situation is substantially unchanged since the Commission, in its 1965 report "Equal Opportunity in Farm Programs", surveyed 13 Southern Counties (two of which were Wilcox and Greene Counties in Alabama) and found that 33 percent of the borrowers were white and received 66 percent of the funds.

[8] The maximum limit on economic opportunity loans is $3,500 per borrower. The average economic opportunity loan to Negroes in the 16 county area was $1,506 (the average economic opportunity loan to whites was $1,712).

[9] Mr. Bamberg—the person responsible for administering Farmers Home Administration programs in Alabama—also operates a 4,000 acre farm in Perry County. He rents on a share basis to about 25 black farm families, advances them seed, fertilizer, cash for rations and charges six percent interest on balances through September 1 of each year. As State Director of the Farmers Home Administration he is responsible for administering loan programs that provide funds for purposes similar to those for which he lends money to his tenants and for which the Government charges five percent interest. Asked whether this practice was inconsistent with his responsibility for administering programs designed to lift tenant farmers out of the debt cycle Mr. Bamberg stated that he runs his office by the rules and his farm to make the most money for his family. He also volunteered to the Commission: "The 'human kingdom' is just like the 'animal kingdom'. The strong take it away from the weak, and the smart take it away from the strong."

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community drew on its own meager resources to house evicted tenant families after they were turned down by FHA:

"Many of them went to the FHA there in the county to try to secure some help in building these houses. But, due to the small acreage or the small lots, and due to having no income whatsoever, they were not approved, their loan was not approved."

* * * * *

"And we have spent many, many nights calling people together who already have land. We couldn't buy land from the whites, and calling these people together who had land and we had to sit down and sometimes had to reflect on the Scripture saying, "When the Master came," we said, "When I was outdoors you took me in, when I was naked you gave me clothes." And we used that statement, and we have converted a lot of people who owned land to be willing to permit those people to either live on their land free of charge, until they can do better, or sell them a portion of that land."

Discrimination by FHA Committees

All loans made by the Farmers Home Administration are first approved by a local committee in each county composed of three persons representative of the rural population eligible for FHA assistance. Negro witnesses stated their belief that racially discriminatory attitudes on FHA County Committees may be a factor in refusing loans to black applicants.

Reverend Daniel Harrell, who has assisted a number of evicted tenant families in purchasing land on which to build, testified that:

"I think FHA is okay, but I am kind of questioning FHA's committee. I do know of a case down in Coy, where Mr. Le Croy (the county supervisor) and I sat down in his office. I took into him 14 applications, we discussed them and he knowing most of the people because he has been in the county for maybe 15 or 16 years, maybe more than that. He and I came to the conclusion that nine of these said persons would pass. However, out of the whole group after the committee meeting, out of the total group of 14 persons, only one passed. And so I kind of question the committee a little bit."

The Farmers Home Administration has directed that at least one black person be placed on each local committee. Although this directive has been followed, in no county in which black rural residents predominate has more than one black person been named to the local committee.

Supervised Credit

Testimony was heard that the supervised credit policy of FHA when applied to self-help cooperatives conflicts with efforts to establish initiative and self-reliance in the members. William Harrison, president of the largest black cooperative in Alabama, the Southwest Alabama Farmers Cooperative Asociation (SWAFCA), told the Commission that "the whole idea behind SWAFCA is to create some kind of economic basis by which people will be able to think for themselves." Supervised credit by FHA, according to Mr. Harrison, "would simply destroy the whole philosophy behind the co-op . . . that individuals will learn and do for themselves. As I view the restrictions, it simply means that FHA will have a co-op in Southwest Alabama, rather than a board of directors running the co-op . . ."

Mr. Calvin Orsborn, business manager of SWAFCA, stated:

"Under ordinary circumstance, I wouldn't hesitate one minute to take this loan. But SWAFCA, being as controversial as it is, being a whipping boy for politicians, having all of the difficulties that it does have, there is a possibility that this loan, would be carried to the letter."

The proposed loan restrictions included such requirements as FHA participation in all meetings of the board of directors, weekly and monthly reports on specific accounts, a ban on demonstration plot farming and loans by SWAFCA to members, all sales on a 30-day cash basis to members, and a number of others relating to reserve accounts and security. The State Director of FHA is authorized to require additional security or to release security as well as to make other important decisions within his discretion to determine "that such action will not be to the financial detriment of the FHA." [10]

Mr. Bamberg, State FHA Director, who is responsible for administering the FHA loan to SWAFCA, testified that supervised credit "is one of the successes of the Farmers Home Administration." He added:

"Of course you can see this, it takes less supervision with certain intelligent people than others. You have got that, it doesn't take as much with some people as it does with another one."

Mr. Bamberg did not think SWAFCA's chances for success were great. He said:

"The chairman here [Dr. Hannah] knows the ingredients that is necessary for a successful co-op, and if they haven't the ingredients, I see no reason. All I can say is that that we, that are employed in FHA are dedicated to try and make it a successful venture if and when the funds are funded."

Mr. Bamberg's position on the requirement of supervised credit and the total involvement of FHA in all management decisions of the board of directors is shared by FHA officials in the Department of Agriculture. Thus FHA, which is not reaching many poor black farmers with its programs, also is imposing restrictions which probably will inhibit aid to black farmers who seize the initiative and join together to help themselves.

RESOLUTION BY VIRGINIA JAYCEES

(Mr. MARSH asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. MARSH. Mr. Speaker, the U.S. Jaycees share the concern of many citizens, including the President, on the need to strengthen public support of the American position in Vietnam in order to achieve an honorable conclusion of that war. Evidence of this Jaycee concern is manifested in a recent resolution that was adopted by the Virginia Jaycees, which is set out below.

It is interesting to note that during World War II, the Jaycees similarly went on public record in support of extending the draft, which support, many feel, was crucial to the success of the extension effort.

I call to the attention of my colleagues this resolution of the Virginia Jaycees, and point out that the resolution follows with only slight modification the proclamation issued by the U.S. Jaycee president, Wendell E. Smith, who met with President Nixon on Monday to give him the Jaycee proclamation:

RESOLUTION

The following is a resolution the Virginia Jaycees adopted in support of President Nixon's recent peace proposal:

"A proclamation in support of President Richard M. Nixon's peace proposal.

"Whereas, the Jaycees stand at full support of the efforts of President Nixon in his quest for an honorable and positive peace in the country of South Vietnam, and,

"Whereas, we support the more than one-half million Americans in South Vietnam and salute and pay tribute to those 35,000 men who gallantly and unselfishly sacrificed their lives in this quest for peace, and

"Whereas, we seek nothing for America but rather a climate for a self-determination of the proposals of South Vietnam, and

"Whereas we believe that now is the time to indicate to the other side that they should not plan on the resolve of the United States to crumble from within, be it, therefore, resolved that we, the United States Jaycees, seek the individual support of every organization, every American, to provide a positive unity behind the President of the United States of America in his efforts to effect a lasting world peace."

As evidence that this expression is national in spirit, although individual resolutions may differ in phraseology, Mr. Speaker, I include a press release dealing with the meeting with the President of United States Jaycees executives on yesterday, as follows:

U.S. JAYCEES FAVOR WORLD PEACE PROPOSAL

WASHINGTON, D.C., May 19.—President Richard M. Nixon learned today at a White House conference that the United States Jaycees firmly support his proposal for world peace through self-determination for all mankind. The Jaycees feel that only through a strong display of national unity can the goal be achieved.

During the meeting, U.S. Jaycees president Wendell E. Smith pledged the support of the 300,000-member Jaycee organization in spearheading a move to unite the American people. Smith was joined at the conference by Richard Headlee, a past national president of The U.S. Jaycees.

Jaycee Chapters throughout the country are working to have Memorial Day also observed as a Day of National Unity in support of the President's position on Vietnam as enunciated in his address to the nation on May 15. The program was organized and initiated by the Jaycees immediately following the speech.

"We would like the world to see and hear what support a vast majority of Americans, young and old, give to the principles laid down by President Nixon," Smith said.

"We firmly believe that a strong show of unified support for the administration's efforts toward world peace will definitely aid in future negotiations," stated the 35-year-old Jaycee leader.

"Toward this goal," added Smith, "Jaycee chapters in 6,400 communities across the country will conduct special Memorial Day observances in our effort to bring about a renaissance of positive public support toward our country's commitment to world peace."

Plans also include a national "Lights for Peace" project, whereby drivers will be encouraged to drive during the entire Memorial Day weekend with their headlights on to symbolize peace. All citizens will also be asked to light up the exterior lights of their homes for the full weekend of May 30–31.

Endorsement telegrams from local Jaycee chapters began arriving today at the White House. In the past three days, seventeen states have passed resolutions and are mobilizing unit drives.

The official Jaycee proclamation presented to President Nixon by Smith stated:

"Whereas, The United States Jaycees stand in complete support of the efforts of President Richard M. Nixon in the quest for honorable and positive peace in the country of South Viet Nam as well as the rest of the world, and

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[10] FHA Instruction 451.3, Sheet 1, Pt. III, U.S. Department of Agriculture, Farmers Home Administration (5–25–65).

"Whereas, we enthusiastically support the more than one-half million Americans in South Viet Nam and proudly salute and pay tribute to those 35,000 Americans who have gallantly and unselfishly sacrificed their lives in this quest for peace, and

"Whereas, we believe that the National Liberation Front and the North Vietnamese government should unquestionably understand the resolve of the people of the United States, not to crumble from within but to stand firmly and resolutely in support of our President in the quest for honorable peace and the right of self-determination in South Viet Nam;

"Therefore, be it resolved, that we, The United States Jaycees, encourage and solicit the support of every organization and every American in providing complete and positive unity in support of the President of the United States of America in his efforts to effect a lasting world peace and pledge to him our continued support for his endeavors in our behalf as Americans."

Some eighty-seven civic and service organizations have been contacted by the U.S. Jaycees and encouraged to adopt similar resolutions and forward them to the President.

Several times in the past, the Jaycees have endorsed national policies of the President of the United States. In 1940, the organization was the first group to give full endorsement to the peacetime draft. In 1965, the Jaycees adopted a resolution supporting the nation's Viet Nam involvement in defense of freedom throughout the free world.

FEDERAL CONTROL OF EDUCATION

(Mr. SAYLOR asked and was given permission to extend his remarks at this point in the Record and to include extraneous material.)

Mr. SAYLOR. Mr. Speaker, the superintendent of education for the State of California, Dr. Max Rafferty, writes a syndicated column which appears in most newspapers in the country. In one of his recent articles, Dr. Rafferty drew attention to the real aims and purposes of the National Education Association, being complete federalization of the American education system.

In the official indoctrinating manual called Profiles of Excellence: Recommended Criteria for Evaluating the Quality of a Local School System, NEA advises that a school district is superior if its lunch program is educational as well as nutritious, but inferior if it refuses to provide payroll checkoffs for National Education Association dues; it is good if its teachers are all certified by the State, but is not so good if it uses merit pay to reward good teaching; and it is commendable if the system spends at least twice as much per pupil as it did 10 years ago, but not among the superior school systems if it does not take advantage of all Federal-aid programs.

As Dr. Rafferty has indicated, anyone familiar with the power and influence of the NEA is aware of the "futility of questioning such an establishment bible as this." However, it is a sad and ironic tragedy as well as an indictment against the NEA and its practices, that increasing numbers of our young people today, after 12 years of schooling for which they receive a high school diploma, are unable to obtain a job because they do not know the fundamentals of mathematics, or how to read an instruction and understand its meaning, or even write a letter which is coherent.

I agree thoroughly with Dr. Rafferty in his statement that our school districts have a fetish for raising tax money and then spending it on the most glamorous, most attractive programs, but none of them having much to do with the basics of education.

I include, as a part of my remarks, the article by Dr. Rafferty:

[From the Johnstown (Pa.) Tribune-Democrat, Apr. 28, 1969]

GOOD SCHOOLS DEFINED

(By Dr. Max Rafferty)

You didn't know, I'll wager, that a school system is good (a) if its lunch program is educational as well as nutritious, (b) if its teachers are all certificated by the state and (c) if it spends at least twice as much per pupil as it did 10 years ago.

Contrariwise, I doubt your awareness that a school system is automatically no good (a) if it uses merit pay to reward good teaching, (b) if it refuses to provide payroll checkoffs for National Education Association dues and (c) if it doesn't take advantage of federal aid programs.

See? I told you you'd be surprised. You question my criteria? I'm sorry. You simply cannot do that. They aren't my criteria at all, you see; they're the National Education Association's criteria.

I was, in fact, citing examples from an official NEA manual called "Profiles of Excellence: Recommended Criteria for Evaluating the Quality of a Local School System." There are 124 of these criteria, and presumably any school district lucky enough or sufficiently diligent to meet all 124 would qualify forthwith for education's Hall of Fame, with its superintendent a cinch for either canonization or apotheosis.

If by any chance you happen to be an educator, you're aware of the futility of questioning such an establishment bible as this. It would be unthinkable

However, to be purely hypothetical, here's what you might be saying if you did dare to disagree with the NEA's definition of what makes a school system good.

"A school district is superior not because it's big enough to provide all necessary educational services within its boundaries, as NEA avers, but because the educational services it does supply turn out graduates who are cultured, learned and good citizens.

"And despite 'Profiles of Excellence,' school system is not necessarily inferior just because it refuses to grab all the federal money in sight. It's inferior only if its pupils do not read and spell and calculate up to their own innate potentials."

I guess I'm a little bothered about a rating system for schools which refuses to concern itself with the only reason for a school's existence: the systematic imparting of organized and disciplined subject matter to its pupils in such a way as to insure their maximum mastery of the essentials of human knowledge.

This isn't so tough an outcome to measure, incidentally. In California, statewide annual tests in the "Three Rs" are required by law and have been conscientiously administered by every public school since 1962. We know precisely which are our best school systems, and we are even now conducting research to find out exactly how they get that way.

Certainly America's schools need more money. Equally certainly, money alone will not make children learned. Beautifully kept school grounds are nice. Good teacher salary schedules should be the goal of every school system. Adequately staffed guidance and cunseling services are highly desirable.

But confound it! A school can have all these advantages and at least 121 more, and it can still turn out graduates who can't tell the difference between Andrew Jackson and Andrew Johnson or between the Wars of the Roses and the Flowering of New England.

The trouble with so many school districts is their penchant for first raising tax money and then funneling it into umpteen glittering, seductive channels, all glamorous, all attractive, but none of them having much to do with education in depth.

Remember this: If your school system's philosophy includes such concepts as abolishing report cards, using the look-say Egyptian-hieroglyphic approach to reading, abandoning history and geography in favor of the mishmash known as "social studies," then it won't make much difference how much money it uses to water its educational wastelands.

PRESIDENT NIXON'S PROGRAM TO COMBAT THE PROBLEM OF HUNGER IN AMERICA

(Mr. CONTE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CONTE. Mr. Speaker, I would like to take this opportunity to join my distinguished colleague, the gentleman from Maryland (Mr. Morton), in expressing support for President Nixon's program to combat the problem of hunger in America.

The elimination of hunger in America must be given high priority. There is simply no justification for hunger in any nation, let alone one whose agricultural system produces more food than it can consume.

The President has given the necessary high priority to this problem by adding over $1 billion to family food assistance programs, strengthening special supplemental food programs, and streamlining administration of these and related programs.

The existence of hunger in the United States is distressing. It is regrettable that it has taken so long to publicly acknowledge it. On the other hand, recognition of the problem is encouraging because it represents a first step from which we must, and we will, move forward.

There has been much publicity in the last few months about hunger in America. I remember watching the highly acclaimed CBS special on hunger not too long ago. What I saw was amazing. I doubt that anyone who saw that show will soon forget those vivid scenes.

The problem of hunger is, as President Nixon has said, an "exceedingly complex" one. To those who would falter because of its complexity, I would merely point out the implications of their inaction.

We are all aware of the rising tensions in every segment of our society. There is no easy answer to this unrest just as there is no easy answer to each of the factors responsible for it. This does not

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mean that we should close our eyes and ignore it.

On the contrary, the need to work toward solving these problems is greater now than it has ever been in the past. Hunger is certainly one of the great problems facing us today. We have a moral obligation to eliminate it. We also have a social obligation to eliminate it because it is such an important factor contributing to domestic unrest.

For all these reasons, I am pleased with the President's forthright initiative. I look forward to working with my colleagues in Congress in this fight against hunger in America.

Thank you, Mr. Speaker.

LOW INTEREST RATE ON SERIES E AND H BONDS

(Mr. FASCELL asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. FASCELL. Mr. Speaker, my concern with the low interest rate paid by the Government to the purchasers of series E and H bonds has been previously noted. I had been encouraged, however, by the Treasury Department's expressions of realization that the holders of savings bonds should receive a more realistic interest rate than the 4¼ percent that is presently paid. In the past several months Treasury has indicated that it is working on the matter and that it expected to request some legislative relief from the 4¼ percent interest ceiling, but it has not yet taken any decisive steps in that direction.

The large purchasers of Government obligations are earning as much as 6½ percent on their investments. Most savings bonds, however, are bought under regular payroll plans by our lower and middle income citizens. That they should receive a more equitable rate of interest is beyond argument. I realize that the savings bonds interest problems must be considered in the whole context of the Government's financial needs and the actions that are necessary to stem inflation. The plain fact is, however, that the purchasers of savings bonds are being hit twice, both by the low return on the bonds, and the eroding effect of inflation.

A very realistic appraisal of the situation was made in a recent editorial in the South Dade News Leader of Homestead, Fla. I commend its May 5, 1969, lead editorial to all Members and am pleased to insert it in the Record:

Inflation Is Gnawing at U.S. Savings Bonds

Suppose the deal were put as follows:

Deposit your money with us, let us use it for 10 years and at the end of that time we'll give you back something less, maybe a lot less, than 100 per cent of what you deposited.

Takers, obviously, would be hard to find and no financial organization interested in attracting loose money would think of offering such disadvantageous terms. Neither would the U.S. Treasury. But it is, in effect, the deal investors in U.S. savings bonds are receiving.

The government is not, of course, deliberately defrauding citizens. The villain is inflation, currently chewing into the dollar's real value at a 4.7 per cent annual rate. It doesn't take an expert in economics to recognize that at this rate, savings bonds, at 4.25 per cent for series "E" and "H," are obviously losing ground in the inflationary spiral.

And to the Treasury's increasing concern, savers—millions of Americans currently holding some $52 million in bonds—are becoming increasingly aware of the situation. For the first quarter of this year, more savings bonds were cashed in than sold—a net overflow of $61 million in January, $13 million in February and a record $78 million in March. Should redemptions continue to exceed sales, the Treasury could find itself in a real payments pinch after June 30, when the annual budgetary doldrums set in.

One way out would be to raise the interest rate, set by Congress, to something like the return the small investor can expect from private institutions, currently around 5 per cent from savings and loan associations and mutual savings banks. The administration is reported considering such a move.

But it would be only partial and temporary at best. Congress already has raised the interest rate five times since 1941, when the original "E" bonds returned 2.9 per cent. The latest boost, from 4.15 to 4.25 per cent, came as recently as last June.

Curbing inflation is the only satisfactory solution. Until the erosion of the dollar's real value is brought under control, the government will continue to offer a poor deal to millions of its citizens. Neither they nor the government can afford it.

PRESIDENT'S PROPOSALS TO COMBAT HUNGER

(Mr. MORTON asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. MORTON. Mr. Speaker, I am joined in this statement by Representatives John B. Anderson, of Illinois; William H. Ayres, of Ohio; Mark Andrews, of North Dakota; J. Glenn Beall, Jr., of Maryland; Donald G. Brotzman, of Colorado; Garry Brown, of Michigan; James T. Broyhill, of North Carolina; John Buchanan, of Alabama; Laurence J. Burton, of Utah; Daniel E. Button, of New York; John N. Happy Camp, of Oklahoma; Don H. Clausen, of California; Barber B. Conable, Jr., of New York; Silvio O. Conte, of Massachusetts; William O. Cowger, of Kentucky; William C. Cramer, of Florida.

John R. Dellenback, of Oregon; Florence P. Dwyer, of New Jersey; John N. Erlenborn, of Illinois; Marvin L. Esch, of Michigan; Paul Findley, of Illinois; Hamilton Fish, Jr., of New York; Gerald R. Ford, of Michigan; James R. Grover, of New York; Seymour Halpern, of New York; James Harvey, of Michigan; Lawrence J. Hogan, of Maryland; Craig Hosmer, of California; Thomas S. Kleppe, of North Dakota; Dan Kuykendall, of Tennessee; Robert McClory, of Illinois; Paul N. McCloskey, Jr., of California.

Also Representatives Catherine May, of Washington; Robert H. Michel, of Illinois; Joseph M. McDade, of Pennsylvania; Martin B. McKneally, of New York; Clark MacGregor, of Minnesota; Wiley Mayne, of Iowa; Clarence E. Miller, of Ohio, William E. Minshall, of Ohio; Jerry L. Pettis, of California; Howard W. Pollock, of Alaska; Albert H. Quie, of Minnesota; Charlotte T. Reid, of Illinois; John J. Rhodes, of Arizona; Howard W. Robison, of New York; Philip E. Ruppe, of Michigan; Herman T. Schneebeli, of Pennsylvania; Fred Schwengel, of Iowa; Garner E. Shriver, of Kansas; J. William Stanton, of Ohio; William A. Steiger, of Wisconsin; Robert Taft, Jr., of Ohio; Burt L. Talcott, of California; Guy Vander Jagt, of Michigan; William C. Wampler, of Virginia; Lowell P. Weicker, Jr., of Connecticut; G. William Whitehurst, of Virginia; Larry Winn, Jr., of Kansas; Wendell Wyatt, of Oregon; John W. Wydler, of New York; Louis C. Wyman, of New Hampshire; John M. Zwach, of Minnesota; Frank Horton, of New York.

The President's national nutrition program, submitted to the Congress on May 6, exemplifies the new approach to the Presidency. Born of the first 100 days, blending compassion and pragmatism, in the Nixon style, the new food programs mean action, not empty promise.

On taking office, the President found our food and nutrition programs were not doing the job. He sought not scapegoats, but answers. He offered not promise, but action to meet the needs of several million forgotten Americans.

He found stopgap programs for the thirties had become permanent institutions. So he directed that solutions for the seventies be devised.

He found legislative oversight and contradiction. So he asks a new approach to make more effective use of resources.

He found an administrative morass. So he directed internal reorganization.

He found funding inadequate to meet the promise. So he asks a greater commitment consistent with the new priorities.

He found the efforts of Government alone insufficient. So he seeks the involvement of the private sector through mobilization of the agriculture industries.

The President proposes a great crusade to banish hunger from our land and deliver on commitments made decades ago. The Congress should support him gratefully and with pride, for it is here in our Capitol that the groundwork for Mr. Nixon's new food proposals was laid.

In 1967, hunger was no longer a problem in America—at least officially. Free distribution of surplus commodities was being phased out. Replacing the program was the "food stamp system," designed to teach even the poorest the virtues of saving; for under this program, unlike commodity distribution, no food was free.

In 1967, the tragic conditions existing in some areas of this country were forcefully brought to the attention of the Congress by civil rights groups. So dire was the story that Senator Stennis introduced legislation to provide medical and nutritional support for any citizen found to be suffering from hunger or severe malnutrition. While never enacted as such, this concept was implemented through the Office of Economic Opportunity under amendments to the act offered in the House by Representative Quie.

Just a year ago, in rare bipartisan concord, Members of this House called for the creation of a Presidential commission to evaluate the problem of hunger and recommend remedial action. On May 8, 1968, in a statement issued jointly by Representatives AYRES, FOLEY, GOODELL, GREEN, MAY, MICHEL, MORTON, PERKINS, QUIE, SMITH OF IOWA, SULLIVAN, TEAGUE OF CALIFORNIA, and UDALL, we called for an emergency study as the basis for a report to be filed on January 1, 1969. We said:

> We have formed this coalition of Congressmen to press impatiently and urgently on every front available to us to alleviate this problem immediately, and eliminate it quickly. . . . We pledge ourselves to do all in our power to eliminate these conditions without delay.

Hearings were held; increased authorizations were passed. Limited expansion of funding and administrative improvement literally were wrung from a reluctant executive branch. This progress was the result of an all too unusual display of congressional initiative.

Without Executive support, the Hunger Commission measure failed. Thereupon, a bipartisan bloc in the Senate pushed through the creation of a select committee which has ably carried forward a program designed to place the facts before America.

President Nixon has delivered the action we sought less than a year ago. In 100 days, the great resources of the Federal Government have been mobilized in a comprehensive action program to accomplish the objectives we sought.

Those who lead our Government today know hunger is but one face of poverty. They seek the elimination of the root causes of economic deprivation.

This commitment—and greater understanding of the nature of this complex and interrelated contradiction in our lives—makes realistic the hope that someday no one will be left behind in America's great surge of affluence.

Let none doubt that history will judge the President's actions a monument to his philosophy of the Presidential institution, and a milestone on the march to realization of the American dream.

PAY TV

(Mr. O'HARA asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. O'HARA. Mr. Speaker, I am today introducing a bill which is designed to protect American television viewers from the threat of a financial whirlpool—pay television—which could result in many American families running up bills of $20, $30, and $40 a month to watch television.

Unless Congress acts quickly, there is a real danger that some of the television programs which we have enjoyed without charge will soon cost $1, $2, and $3 each. Those of us who watch college and professional football games on weekend afternoons may have to pay for this entertainment.

Unless pay television is stopped, those television viewers who touch the edge of the whirlpool by paying for a few television programs, may find themselves drawn into pay television completely, leaving free television showing vacuous soap opera reruns. This will put a heavy burden on low-income groups, especially the elderly who have limited incomes and who rely heavily on free television for their entertainment.

For this reason, I am introducing a bill which will prohibit the Federal Communications Commission from authorizing pay television stations. The Commission decided last December that it will begin granting licenses for pay television stations after June 12. That decision is being appealed to the U.S. Court of Appeals in Washington. While the appellate court could rule against pay television, prompt action by Congress would be decisive.

I appeal to the Members of Congress to examine closely the threat of pay television. Just one example of one professional football game amply demonstrates the potential economic impact of pay television.

This year, NBC paid $2.5 million to professional football to carry the Superbowl Game which was seen on 20.4 million television sets. But NBC and the other networks would be easily outbid if the 20.4 million TV set owners paid $1 each for the game, bringing in $20.4 million for the pay television network.

With far greater revenue potential than the commercial networks, the pay television network could easily obtain the television contracts for the majority of college and professional sports and the better TV "specials."

The Commission, in its decision last December, did prohibit pay TV from showing any sports events which have been shown for the previous 2 years. However, it is possible under the Commission's decision for the professional football leagues, for example, to take a financial loss by refusing their games to be shown on television for 2 years. After the 2 years, the pro football leagues could sell their television rights to the highest bidder, which could easily be pay TV.

The 2-year loss then could be quickly recouped in succeeding years by selling the television rights at higher prices.

There is no question that pay television programs would be shown at prime-time viewing, making a deep impact at the same time that the commercial networks obtain their greatest advertising revenues. By showing their best fare at prime time, the pay television stations could gradually draw away the free-TV audiences, leaving the commercial networks with smaller and smaller audiences and less and less advertising dollars to pay for programs now seen free.

The Federal Communications Commission was obviously motivated by a deep concern for greater program diversification on television when it approved the pay television system. However, I believe that pay television will reduce diversification by cornering the best programs on a single station, while free TV deteriorates to programing insignificance. It is certainly hoped that the FCC selects another means to obtain program diversification.

Pay television is certainly one case where the end does not justify the means. If the means—pay television—is allowed to go unchecked, there is still no guarantee that television viewers would have greater diversification. There is only the distinct possibility that we will be paying for the same programs which we are now watching free of charge.

DR. WILLIAM P. TOLLEY HITS THE NAIL RIGHT ON THE HEAD WITH REFERENCE TO TURMOIL ON OUR CAMPUSES

(Mr. HANLEY asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. HANLEY. Mr. Speaker, a few weeks ago Dr. William P. Tolley, the distinguished chancellor of Syracuse University, spoke at the university's annual athletic awards dinner. In discussing the turmoil on our campuses, I believe Chancellor Tolley hit the nail right on the head. His remarks, which were both timely and perceptive, should be read by every student, college administrator, faculty member, and every legislator in the country.

They follow herewith:

REMARKS BY CHANCELLOR WILLIAM P. TOLLEY

At a recent meeting in Williamsburg the president of Sheffield University, Dr. H. N. Robson, reminded us that man is a member of the animal kingdom and of all the members of that kingdom he is the most aggressive. He went on to say that this human animal is, of course, most aggressive when it is young. "If you are troubled about student unrest," he said, "perhaps we should give more attention to the primary biological problem." He stopped at this point, but I think each one of us in thinking about it for a moment begins to see the problem in different terms.

Primitive man spent much of his time, as other animals do, in the search for food. He had to struggle to live. Nature showed him no mercy. Neither did his enemies. If he survived it was because he was aggressive.

As a member of the animal kingdom man has not changed. The aggressive impulses that are a part of his nature are as strong as ever and in many parts of the world as necessary as ever. Here in America, however, and in a considerable part of the civilized world children no longer have to forage for food. They don't have to hunt or fish in order to eat. They don't even have to work on a farm.

What does civilization do to this aggressive animal? It keeps him confined in a school. It puts such pressure on the importance of schooling that he is branded a failure if he doesn't continue until he gets a college degree.

What happens to his aggressive impulses? Remember they are as powerful as ever and are going to be expressed in one way or another. Moreover, they are not expressed in the classroom. To me this is the most cogent argument I can think of for a universal program of intramural and intercollegiate athletics in which every student participates and every student works out of his system some of the aggressive impulses he now directs against the university and the other institutions of society.

Ralph Keyes, assistant to the publisher of Newsday, in speaking about student disruption remarked that students came to Antioch College at Yellow Springs, Ohio with a very high protest level. When they get there they

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find very little to protest against. As a consequence last year they almost hung the barber.

In proposing an expansion of our intramural and intercollegiate program, I am not suggesting that this is the only answer. I think we will always have protests and, of course, as a university we flourish when we are a place of dissent and dialogue. With the exception of the playing field, however, the university is totally unprepared for violence and it has been singularly inept in dealing with it.

The truth is that violence will stop on the campuses of our colleges just as soon as students learn that they are no longer protected by *in loco parentis* and that a jail sentence awaits them whenever they break the law. The problem of campus disruption cannot be solved by presidents alone. It can be solved only when the moderate students and the moderates on the faculty agree that rules must be enforced and that all who are guilty will be punished. Administrators have been trapped between arrogant adolescents on the one hand and incredibly naive professors on the other. The professors still plead for amnesty regardless of the offense. Students are not fools. So long as no one is punished why shouldn't the fun and games continue?

What the faculty doesn't appear to recognize is that they are the group who have the most to lose. What is threatened is their academic tenure and their academic freedom. What is at stake is the autonomy of the university—the very idea of the university. There are faculty members at the University of Chicago who understand this. I understand there are a few now at Columbia and Cornell. Our hope is that the members of the faculty will wake up before the battle for autonomy of the university is lost. The public has been warning us now for some time. If we don't learn to govern ourselves they will do it for us. We have no time to lose in doing it for ourselves.

Having gotten this out of my system, I should like to get back to the field of athletics. In doing so let me ask four questions: The first, What is the place of discipline in American education? Second, How important is performance as distinguished from potential? Third, What is the relationship of the individual to the larger units of society? And fourth, Does participation in athletics contribute to the search for courage, endurance, honesty, and self-respect?

Let us turn to the first question. What is the place of discipline in American education? We are free men. We are committed to freedom of speech, freedom of the press, freedom of religion, and freedom of the mind. Is there a place for discipline? The answer is to be found in the science laboratory where a universe under law requires hard work, patience and accuracy. It is only the disciplined mind that is equipped to observe, analyze, reflect, and put back together again. The life of the scientist is the life of strict discipline. Only by long and arduous training does anyone contribute to the advancement of science.

Again on the playing field there is no instant knowledge, no instant leadership and influence, no short cuts to success and power. Skill comes only after endless hours of running, push ups, drill and practice. Poise comes with experience. Self-control is the product of effort, leadership is not given, it is earned.

The New Testament reminds us that, "Strait is the gate, and narrow is the way, which leadeth unto life, and few there be that find it." (Matthew VII, v. 14). In a day of affluence and ease to learn this by personal experience is of priceless value.

Our second question is, How important is performance as distinguished from potential? For the moment, American society is preoccupied with the problem of undeveloped potential. This is the great problem of both our schools and our colleges. Nature is lavish in its distribution of talents—but poor schools leave talents undeveloped and students seriously disadvantaged.

I agree that this is the current problem in our slums and backward areas. I do not share the feeling that it is our only problem. In education there must always be an emphasis on performance as well as potential. If I were an admissions officer a boy's performance in the high school classroom would tell me far more than his scores in College Boards.

What counts most in life is motivation. This is what makes the difference. Desire, competitive spirit, a willingness to pay the price, habits of work, the refusal to quit, these are the qualities we should look for.

Only performance counts in the classroom. Only performance counts on the playing field. Only performance counts in life after graduation. This is the lesson we must all learn. The earlier it is learned, the better it will be for the learner.

On balance I think our coaches teach this lesson even more effectively than do the other members of the faculty. The New Testament reminds us that, "I am the true vine, and my Father is the vinedresser. Every branch of mine that bears no fruit, he takes away, and every branch that does bear fruit he prunes, that it may bear more fruit." (John XV, v. 1, 2). Every week the coach judges every boy that plays. Every week he takes away the branch that bears no fruit, prunes the one that does so that it will bear more fruit. He may not realize it, but this hard nosed doctrine comes straight from the Good Book.

My third question is, "What is the relationship of the individual to the larger units of society? In dealing with the current generation of students one cannot help but be impressed by the extent to which they are wrapped up in themselves. Perhaps this has always been true. One has to go back a long way in time, however, to find such a high percentage of egocentric students leaders. What they regard as important appears to be all that counts. They have answers but no questions, voices but no ears. They know more than their teachers, more than the administrators and much more than the trustees.

Fortunately they are brought back to earth on the playing field if nowhere else. The classroom teaches discipline and the place of performance quite as well as the playing field. Nothing, however, teaches teamwork and the importance of the team like athletics. The subordination of the individual to the team is an experience I wish all students could have. The boy who listens and learns, the boy who obeys instructions, who learns to block and tackle as well as run, who gives his best effort in any position to which he is assigned and who hangs in there every day and every week regardless to how much he plays on Saturday, this is the boy who finds out what life is all about.

In the closing years of the twentieth century scientific advance is more and more the result of team effort. Again, every social and economic advance requires cooperative action. It is becoming a day when even the most gifted must function as a member of a team. I am grateful that this all important lesson is taught so well on the playing field.

And finally, Do sports contribute to the search for courage, endurance, honesty and self-respect? Education that is complete must take into account the needs of the whole man. The molding of character, the contagion of ideals, the teaching of values often takes place outside of the classroom but this does not make it any the less important. It comes from the force of example, from the personal influence of those whom students respect, and from direct personal involvement.

Here again the science laboratory could be cited, for accuracy, truthfulness, and honesty are requirements without excuse or exception. But the playing field teaches these qualities too, and in addition teaches courage, endurance and self-respect.

The lessons of obedience, of loyalty, of courage—all three are learned as well as the value of a total response. To do what you thought couldn't be done, to give that last extra effort that makes so great a difference, to endure without whining or complaint, to practice until perfect, to make the key block that lets your teammate score—these are experiences I wish everyone could have. For each of us there is a desert to travel, a star to discover, and a being within ourselves to bring to life. The boy who gives all that he has, not only brings to life the highest being within him, but gives hope for all humans striving. And as he learns the meaning of honesty and self-respect he is rewarded with pride and dignity and honor.

CENTER FOR THE STUDY OF DEMOCRATIC INSTITUTIONS

(Mr. RARICK asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. RARICK. Mr. Speaker, today I spoke on the association of Justice William O. Douglas as being the chairman of the board of the Center for the Study of Democratic Institutions.

So that our colleagues will know the nature of this center with which the Justice is so deeply committed, I include the following documents: Church League of America's "Special Report" of October 1965; "Guide to Tumult in America," February 9, 1968; and "Funded Disruption" of January 12, 1968.

The above-mentioned material follows:

[From the Special Report, Church League of America, October 1965]

CENTER FOR THE STUDY OF DEMOCRATIC INSTITUTIONS

FUND FOR THE REPUBLIC

The Fund for the Republic was authorized was incorporated with a Board of Directors in October 1951, and a sum of a million dollars was appropriated for it at the time. The Fund was incorporated with a Board of Directors in December 1952. In February 1953, the Ford Foundation appropriated $14,000,000 for the Fund. At that time, the Fund assumed a completely independent status.[1]

Since it was founded, the Fund has sponsored a number of projects. One of these projects was the distribution of 110 copies of a film which portrayed a television interview between atomic scientist, Dr. J. Robert Oppenheimer and Edward R. Murrow, of the Columbia Broadcasting System,[2] after the former had been found to be a security risk on June 29, 1954.[3] The interview was a clear attempt to show Oppenheimer to be a victim of character assassination due to anti-Communist hysteria.[4]

In a speech which he made on July 21, 1955, Congressman B. Carroll Reece of Tennessee stated: "Ignored entirely in this Ed Murrow propaganda film were the details of the charges against Oppenheimer, including his own admission that he had lied repeatedly to security officers of the Manhattan District and the FBI regarding his contacts with the Soviet espionage agent, Haakon

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Chevalier, as well as other vital security matters."[5]

Dr. Oppenheimer has had a record of affiliation with Communist front organizations, such as the American Committee for Democracy and Intellectual Freedom, American Friends of the Chinese People, and the Independent Citizens Committee of the Arts, Sciences and Professions. In 1953, Oppenheimer himself stated that he was not a Communist, but had probably belonged to every Communist front association on the West Coast and signed many petitions in which Communists were interested. He made periodic contributions through Communist Party functionaries to the Communist Party in the San Francisco area in amounts aggregating not less than $500 nor more than $1,000 a year during a period of approximately four years ending in April 1942.[6]

Another project of the Fund was the financing of wide-scale mail distribution of a special issue of the "Bulletin of Atomic Scientists", which was published by an outfit having as chairman of its board of sponsors none other than J. Robert Oppenheimer. This special issue was devoted entirely to the twin objectives of defending Oppenheimer and attacking the security program.[7]

An action by the Fund for the Republic which has aroused much controversy was the $5,000 award which it made to the Plymouth Quaker Meeting of Plymouth Meeting, a village near Philadelphia, Pennsylvania, for its alleged retention of Mrs. Mary Knowles as librarian of the William Jeans Memorial Library, which was owned and operated by the Plymouth Monthly Meeting.

On May 8, 1953, Mr. Herbert Philbrick appeared before the Senate Internal Security Subcommittee and swore that Mary Knowles was a member of the Communist Party, "in fact a member of my own pro-group underground cell." Philbrick also identified Mary Knowles as the secretary to Harrison Harley, director of the Samuel Adams School for Social Studies, which was placed on the Attorney General's list as subversive and Communist.[8]

On May 21, 1953, Mary Knowles appeared before the Senate Internal Security Subcommittee, and when asked if she was a member of the Communist Party now, she dived behind the Fifth Amendment and refused to answer that question. Following her plea of the Fifth Amendment, she subsequently submitted her resignation as branch librarian to the trustees of the Norwood, Massachusetts, library. Mrs. Knowles then took a similar position with the William Jeans Memorial Library, a library of the Plymouth Monthly Meeting of Friends, a Quaker group at Plymouth Meeting, Pennslyvania. The actual employment of Mrs. Knowles was done by the Library Committee of Plymouth Meeting.[9]

When Mrs. Knowles went to Plymouth Meeting, veterans organizations and others asked her to take a loyalty oath. She refused. Thereafter, the Plymouth Township School Board, the governing authorities of Plymouth and Whitemarsh Townships, and the Conshohocken Community Chest, withdrew financial support of the library. The Plymouth Township School Board forbade teachers to take children to the library, and three members of the Library Committee itself resigned.[10]

Resolutions were passed by local chapters of the American Legion and the DAR, calling for the dismissal of Mrs. Knowles. Some of the Quakers of the community, who disapproved of the hiring of Mary Knowles, got up a petition for the purpose of having Mrs. Knowles discharged. This petition was voted down in a maneuver, although it appears that a majority favored the petition.[11] In fact, 61 of the 108 members of the Plymouth Meeting signed a petition for her removal, and only 28 of the 108 are known to have approved her hiring.[12]

Robert Maynard Hutchins, the president of the Fund for the Republic, announced a special $5,000 award to the Quaker Monthly Meeting, "for courageous and effective defense of Democratic principles, in refusing to fire Mrs. Knowles." He said that "the award was being made because the Fund for the Republic hopes that the example that was set in this case will be followed elsewhere in America—particularly when our libraries, which seem to be a special target of self-appointed censors and amateur loyalty experts, are involved."[13]

Actually, it was not the Quaker Monthly Meeting that hired Mrs. Knowles, and that refused to get rid of her; it was the Library Committee. The employment of Mrs. Knowles by the Library group continued to meet with overwhelming opposition, not only by the members of the Plymouth Quaker Meeting, but also by the vast majority of the residents of the community.[14]

Another activity in the Fund for the Republic's propaganda field is the free and unsolicited distribution of books to judges and college presidents throughout the U.S. One of these books is "Grand Inquest", by Telford Taylor, of which the Fund distributed 450 copies to Federal judges.[15] According to Congressman B. Carroll Reece of Tennessee, Taylor "has a red flag on his file at the Civil Service Commission with the warning unresolved question of loyalty."[16]

The Fund for the Republic distributed 35,000 copies of a book entitled "The Fifth Amendment Today" by Erwin N. Griswold, primarily to judges and lawyers.[17] In its May 31, 1955, report, the Fund listed Griswold as one of its directors.[18] This book has been described as "a thinly-disguised propaganda argument that any witness is entitled to invoke the Fifth Amendment without having any inference drawn of possible hidden guilt."[19]

The Fund for the Republic distributed 25,000 copies of a Harper's magazine article by Richard H. Rovere entitled "The Kept Witnesses", to business executives and labor officials.[20] This article, as its name implies, castigates the use of former Communists as witnesses in loyalty-security proceedings.[21] The Fund also distributed 25,000 copies of "Faceless Informers and Our Schools", a pamphlet by Lawrence Martin, to State School Board associations.[22] This pamphlet has been described as "a scaresome piece intended to show that teachers are too intimidated to teach properly; and other items of similar ilk."[23]

In November 1954, the Association of the Bar of the City of New York Fund, Inc., received $100,000 from the Fund for the Republic for "a study and report by the Special Committee on the Federal Loyalty-Security program."[24] The Fund for the Republic intimated that this report would be unbiased and objective. However, its liaison man with this Special Committee turned out to be Walter Millis. In a televised debate on September 11, 1955, Millis stated that it was not the procedures of the loyalty-security program to which he objected; it was the entire program.[25]

The May 31, 1955 report of the Fund for the Republic stated that an advisory committee headed by Adam Yarmolinsky would be set up to obtain records of individual cases involving the loyalty-security program.[26] The study, when completed, was used by leftists to attack the program.[27]

The Fund for the Republic distributed copies of a "See It Now" television program on book censorship in California to Southern California civic groups.[28] This program was an attempt to discredit a Mrs. Ann Smart of Marin County, California, for conducting a campaign to eliminate certain nauseatingly lewd and pornographic books, and others that were little sort of seditious, from the libraries of her community.[29]

In May 1955, the Fund for the Republic made a $150,000 grant to the American Friends Service Committee for "a two-year program of support in legal cases to strengthen the right to freedom of conscience."[30] It turned out that part of this grant was used in behalf of 28 individuals who were on trial in New York State. The "freedom of conscience"—the "conscientious non-conformism" for which they were on trial—was non-conformism in refusing to obey the civil defense laws of the State of New York—specifically, in refusing to obey police orders to go into an air raid shelter during a practice air raid in New York City on June 15, 1955. The leader of the group of 28 was Dorothy Day, editor of the Catholic Worker, a left-wing periodical which is not a publication of the Catholic Church.[31]

In June 1953, the Fund for the Republic appropriated $300,000 for "an account of Communist influence in major segments of U.S. Society."[32] This project was divided into a number of sub-projects. One of these, entitled "History of the Communist Party in the United States (1919–1945)", was headed by Theodore Draper.[33] Draper began his career some years ago as a reporter for the Daily Worker and from there, after years of service, was graduated to the more erudite New Masses.[34] On his payroll was Earl Browder, former American Communist leader.[35] Browder had been expelled from the U.S. Communist Party, but is still considered sympathetic to its aims.[36]

Robert M. Hutchins, president of the Fund for the Republic, stated that he would hire a Communist "for a job he was qualified to do—provided I was in a position to see that he did it." He admitted that the Fund had hired as a temporary press officer, a man who had previously pleaded the Fifth Amendment when questioned by the Senate Internal Security Subcommittee about Communist Party membership. Hutchins alleged that the man, Amos Landman, had "left the (Communist) Party in 1939." Landman was hired by the Fund on July 28, 1955, three weeks after his appearance before the subcommittee, and served until November 1, 1955.[37]

When asked if the hiring of Landman was "an affront to the American people," Hutchins replied: "Not at all. The Fifth Amendment is part of the Bill of Rights."[38]

Another study of Communism by the Fund for the Republic was inaugurated in June 1953, when $64,500 was appropriated for "a study of the Communist Record, including a bibliography digest, and microfilms." The chairman of this project was Arthur E. Sutherland, Professor of Law at Harvard University.[39] One of the results of this project was "a digest of the principal judicial and administrative hearings in which the Communst Party has been involved, together with a full bibliography."[40] However, Frederick Woltman, staff writer for the Scripps Howard newspapers, in his column for October 28, 1955, stated that the work was so ineptly done as to omit a vast collection and assortment of some of the most effective and illuminating books in existence on the anti-Communist side. He quoted Phillip Taft, of the Economics Department at Brown University, as having told Professor Sutherland: "You deserve a vote of thanks from the Communist Party."[41]

Some of the individuals who have been connected with the Fund for the Republic have records of affiliations. The May 31, 1955 Report of the Fund for the Republic listed Professor Robert E. Cushman as a consultant to the Fund.[42] In 1934 Cushman was a contributing editor to the subversive periodical "New Theatre" which was the official organ of the League of Workers Theatres, a Com-

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munist project. According to the testimony of Walter S. Steele before the Special Committee on Un-American Activities in 1938, Cushman was identified as a member of the Advisory Committee of the Moscow University Summer School.[43]

Professor Cushman sponsored a reunion dance under the auspices of the new Theatre League on April 18, 1941. This organization has been cited as a Communist front by the Special Committee on Un-American Activities and by the California Committee on Un-American Activities. In 1949, he was listed as a sponsor of the Scientific and Cultural Conference for World Peace, which was held in New York City under the auspices of the National Council of the Arts, Sciences, and Professions. Both organizations were labeled as subversive by the HCUA in 1951.[44]

According to the Report of the Fund for the Republic, dated May 31, 1955, Walter Gellhorn of the Columbia University School of Law was given a fellowship or grant by the Fund for the Republic for "research assistance in preparing the 1956 Edward Douglass White lectures." [45] On Dec. 23, 1952, Gellhorn was identified as a member of the Communist Party by Louis F. Budenz, before the Select Committee to Investigate Tax-Exempt Foundations and-Comparable Organizations.[46]

In December 1954, the Fund for the Republic appropriated $75,000 for "awards for outstanding original drama and documentary scripts on civil liberties themes." [47] According to an announcement which appeared in Variety, September 14, 1955, Julien Bryan was selected by the Fund as a script contest judge.[48]

In 1933, Bryan was listed as an endorser of the National Committee of the Friends of the Soviet Union, which was a forerunner of the National Council of American-Soviet Friendship, Inc. In 1936, Bryan gave an illustrated lecture at Washington High School in New York, under the auspices of "Soviet Russia Today", which has been cited as a Communist-controlled publication.[49]

That same year, the Washington Times editorially criticized the production of "Communist approved films" by the March of Time. The pictures were said to have been photographed in Russia by Julien Bryan, a professional lecturer on Soviet Russia, and a member of the National Committee of the Friends of the Soviet Union in 1933. He was an executive director of the International Film Foundation, Inc., which promoted film plays on Russia, and was listed as a "guide or tour conductor to the Soviet Union." [50] Julien Bryan was listed as a lecturer on behalf of the periodical New Masses, which has been officially cited as a "Communist periodical" by the U.S. Attorney General.[51]

In September 1954, the Fund for the Republic appropriated $150,000 for a project entitled "Fear in Education", which was to be a study of attitudes of college and high school teachers. One of the members of the Advisory Committee which was set up on this project was Helen M. Lynd, Professor of Social Philosophy at Sarah Lawrence College.[52] Helen Lynd has been affiliated with nine organizations that were cited as subversive.[53]

The report of the Fund, dated May 31, 1955, stated that, in order to investigate problems concerning housing for minority groups, especially Negroes, the Fund had established a Commission of Race and Housing. Two of the members of this Commission were Gordon W. Allport, Professor of Psychology at Harvard University, and Charles S. Johnson, President of Fisk University.[54] Both of these men have been affiliated with subversive organizations.[55]

Robert Maynard Hutchins, who became the President of the Fund for the Republic on June 1, 1954,[56] had been named as a member of the Commission for Academic Freedom of the National Council of the Arts, Sciences and Professions in the September 13, 1948, issue (page 6) of the Comunist newspaper, Daily Worker. He was listed as a sponsor of a conference held by the National Council of the Arts, Sciences, and Professions, October 9–10, 1948, in the leaflet "To Safeguard These Rights . . . ", which was published by the Bureau on Academic Freedom of the National Council of the Arts, Sciences and Professions. The National Council of the Arts, Sciences, and Professions was cited as a Communist-front organization by the Committee on Un-American Activities in House Report No. 1954, April 26, 1950.[57]

On April 21, 1949, Dr. Hutchins, testifying before the Broyles Commission, stated that it was not yet established that it was subversive to be a Communist.[58] He was reported in the Daily Worker for June 25, 1951, page 2, as one of those who opposed the Supreme Court decision affirming the conviction of the 11 Communist leaders in New York Federal Court on October 14, 1949.[59]

In the May 31, 1955, Report of the Fund for the Republic, Hutchins made the following statement: "A political party in this country has been identified with the 'enemy'. Those associated with this party have therefore come under suspicion as an imminent danger to the state . . . The treatment accorded suspected persons in Congressional investigations and administrative hearings has not always been that contemplated by the Sixth Amendment. A kind of continuous propaganda and social pressure has been kept up that has tended to suppress conscientious non-conformity. Political advantage has accrued from claiming that others were indifferent to the threat of Communism." [60]

In September 1954, the Fund for the Republic appropriated $100,000 for a study of blacklisting in the motion picture, radio, and television industries.[61] It was announced that this report would be published early in 1956.[62] When the report came out, hundreds of pages of it were filled with material that was supposed to show how people in various fields of entertainment and people and organizations outside the entertainment field have, in effect, conspired to have people fired from their jobs because of Communist or Communist-front affiliations.[63]

Hearings were held by the HCUA regarding the so-called blacklisting report. Commenting on the report, Francis E. Walter, Chairman of the HCUA, stated: "The facts revealed at the hearings have established that there is not and never has been in the entertainment industry any practice of depriving people of employment because of 'political affiliations or beliefs', but that a number of people who have been identified as hard-core members of the Communist conspiracy have been refused access to mass media of Communications.

"This fact was established, not only by the examination in public session of John Cogley, who conducted the bogus investigation for the Fund for the Republic, but also by the testimony of the ablest leaders of nationwide anti-Communist organizations, including the American Legion and the Veterans of Foreign Wars. These leaders roundly condemned the Fund for the Republic report as a fraud and a tool for use by the Communists in preventing the immunization of Communist agents from the entertainment circles of this Nation." [64]

The "Report on Blacklisting" by the Fund for the Republic was written by John Cogley and Michael Harrington. During the HCUA's 1956 investigation of the Fund's report, Harrington was identified as a member of the Young Socialist League, the apparent youth arm of the Marxist Independent Socialist League. Harrington has also been listed as National Chairman of the Young Socialist League as of Dec. 1956.[65]

Some of the other activities of the Fund for the Republic were a project involving the study of "extremist groups" and grants to such organizations as the Catholic Interracial Council of Chicago, the National Council of Churches, the Southern Regional Council, the NAACP Legal Defense and Education Fund, and the Anti-Defamation League of B'nai B'rith, as well as grants to various church bodies for work in "racial and cultural relations." [66] The Fund's "Bulletin" for June 1956 stated that almost one-third of the effort of the Fund had gone into "questions of race relations."

Among the organizations that have been concerned about the activities of the Fund for the Republic was the American Legion. On September 12, 1955, Seaborn P. Collins, the National commander of the American Legion, called on Legionnaires to "avoid any identification with activities sponsored by the Fund for the Republic." Collins stated: "I am issuing this alert to our membership because it appears that the Fund for the Republic, headed by Dr. Robert Maynard Hutchins, is threatening and may succeed in crippling the national security." He said he hoped "that American Legion elements at the State and local levels will have no truck with Fund for the Republic enterprises. If American Legion posts and departments (State organizations) are offered financial aid by the Hutchins group, to carry out the group's programs, I sincerely hope they will decline." [67]

On November 17, 1955, J. Addington Wagner, who had succeeded Seaborn P. Collins as National Commander of the American Legion declared that "The American Legion formally charges that by its action under its current direction, the Fund for the Republic renders comfort to the enemies of America" and that the American Legion is "convinced that the Fund is doing evil work." He also stated that the Legion "believes that the Bureau of Internal Revenue should study the activities of the Fund, and determine whether it qualifies for tax-exempt status." [68]

In its National Convention in Los Angeles, September 3–6, 1956, the American Legion commended the HCUA for its hearings on the Fund for the Republic urged Congress to appropriate sufficient funds for continuing the hearings, and recommended that the tax exemption status of the Fund be revoked.[69]

Senator Joe McCarthy called on President Eisenhower to assume personal leadership in the fight against the destruction of the government security program, which he said was being gravely threatened. McCarthy mentioned, particularly, the Fund for the Republic. He said that the method used by the Fund in "evaluating" the security program was to compile alleged employee grievances collected from the attorneys of the people involved (with no information whatsoever on the government side of the story), and publicize these to prove that the security program is a political witch-hunt.[70]

On November 18, 1955, Senator McCarthy said that he would demand, as soon as Congress convened, a thorough investigation of why the Fund for the Republic was granted the privilege of tax immunity. He stated: "It is unthinkable that the Fund for the Republic—along with other left-wing organizations propagating a soft view of Communism and a hard view of Congressional investigations of subversion—should be exempted from paying taxes on the grounds of educational work." [71]

As of 1956, the largest single grant ever awarded by the Fund for the Republic, a sum of $445,000, was given to the Southern Regional Council, Inc.[72] On March 8, 1957, speaking before the State of Louisiana Leg-

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islative Committee on Segregation, Manning Johnson identified the Southern Regional Council as a "Southern Red front." He revealed that the Council was formed by James E. Jackson, a Southern organizer of the Communist Party.[73]

In expressing a personal view on March 7, 1957, Meyer Kestnbaum, a Director of the Fund for the Republic, said that the U.S. "should make clear that Red China, under suitable conditions, can look forward to recognition and admittance to the United Nations." He said that he didn't think that there was any hope that the Nationalist leader, Chiang Kai-shek, would ever lead China again. and that "we are going to have to deal with the people who actually run China." [74]

In a report put out by the Fund for the Republic, it was asserted that corporations and other organizations and institutions were a threat to American freedom in this country. The report suggested that a more powerful government was the answer to the threat.[75]

In a speech before the American Friends Service Committee on October 11, 1958, Hallock Hoffman, secretary of the Fund for the Republic, suggested that the U.S. buy the islands of Matsu and Quemoy from the Nationalist Chinese and give them to "the Communist Chinese people." He said that the U.S. could use the money it was spending to maintain the 7th Fleet off the Chinese Coast to buy the islands. "Nobody would lose, everybody would win and we would even save money", he said. He called his suggestion "a fanciful illustration of creative ways to handle big problems." [76]

On page 13 of the December 1957 issue of The Saturday Review, there appeared an advertisement entitled "Subversion in Dallas." This insertion was published by the American Traditions project, a "popular education" program of the Fund for the Republic, Inc. This article commented about objections to a picture drawn by artist Ben Shahn, which was included in a traveling exhibition entitled "Sports in Art." Prior to the scheduled showing of the collection at the Dallas (Texas) Museum of Fine Arts on March 25, 1956, the Dallas Patriotic Society demanded that the Dallas Art Association eliminate Shahn's picture and three others "on the ground that the artists who painted them were reported to have 'Communist or Communist-front records.' "

The trustees of the Dallas Art Association rejected the demand of the Dallas Patriotic Society. The Fund for the Republic's article commented that "the right to see was not impaired in Dallas" and declared that "the stand of the trustees of the Dallas Art Association is an example of the countless ways in which Americans are strengthening the tradition of fair play in their daily lives . . ." [77]

According to the Fund's "Three-Year Report" dated May 31, 1956, page 62, Michael Harrington was employed as a journalist in connection with their American Traditions Project. According to the Daily Worker of May 24, 1957, page 4, Harrington was listed as National Chairman of the Young Socialist League.[78]

After an article attacking the FBI appeared in the October 14, 1958 issue of The Nation, the Fund for the Republic requested permission to place in commercial airplanes several hundred copies of this article.[79]

On March 26, 1958, Congressman Francis E. Walter, chairman of the HCUA, sent a letter to the Secretary of the Treasury questioning the tax-exempt status of the Fund for the Republic. This letter was based on a staff study by the HCUA, which stated in part that "while some projects of the Fund appear to be objectively presented, the majority of its operations are based on biased investigations and result in findings which not only fail to present both sides of a given question, but, even further, actually conceal facts necessary for an honest understanding of the subject matter." [80]

The HCUA report demonstrated that the Fund "engaged in propaganda and attempted to influence legislation in violation of Section 501(c)(3) of the Internal Revenue Code." Based upon HCUA findings, an investigation of the Fund was instituted by the Internal Revenue Service (IRS) of the Department of the Treasury. At the conclusion of the investigation, IRS agents "recommended that the Fund . . . be denied tax-exempt status" in violation of the aforementioned statute. After the Treasury Department had taken no action in the matter, the HCUA, on September 1, 1959, adopted a resolution urgently requesting the Secretary of the Treasury "to make public the facts developed as a result of the investigation of the Fund . . . as well as the findings and conclusions of the Department of the Treasury on the Fund . . ." [81]

Several days prior to the HCUA's action, the 41st National Convention of the American Legion passed a resolution urging the Secretary of the Treasury "to withdraw the tax exemption status" of this foundation.[82]

The Center for the Study of Democratic Institutions was established by the Board of Directors of the Fund for the Republic and began operations in Santa Barbara, California, on September 15, 1959. The main headquarters of the Fund was moved from 60 East 42nd Street, New York City, to 2056 Eucalyptus Road, in Santa Barbara, California.[83] A pamphlet published by the Center for the Study of Democratic Institutions, stated that, although the Fund for the Republic maintained small offices in New York, Chicago, and Berkeley, its main program was now that of the Center, and that most of the members of the staff now lived in Santa Barbara.[84]

This pamphlet also contains a list of various publications of the Center for the Study of Democratic Institutions. Among these publications is a book entitled "The Tradition of Freedom" which is advertised as "selections, edited by Milton Mayer, from the writings that shaped the concepts of freedom and justice in America." [85] According to the Syracuse Post-Standard, February 17, 1947, Milton Mayer told his audience: "We must haul down the American flag. And if I wanted to be vulgar and shocking I would go even farther and say haul it down, stomp on it, and spit on it." [86]

In March 1960, a study entitled "The Churches and the Public", which had been conducted by the Center for the Study of Democratic Institutions, was published. It stated that American churches have a responsibility to speak out on political, social and moral issues, but should avoid using coercion to impose their sectarian views on the community.[87]

A pamphlet produced by the Center for the Study of Democratic Institutions, entitled "A Community of Fear", contains (on page 34) the following statement: "There is rather clearly a military elite emerging in the United States which is dedicated to a position of perpetual hostility toward the Soviet Union and which wields enormous political as well as military power . . . Indeed, the military elite is clearly in a position to assume political command over the U.S. striking forces if there are serious signs of 'weakness' in U.S. foreign relations." [88]

In February 1961, the Center for the Study of Democratic Institutions produced two pamphlets, the titles of which were "A World Without War", and "Permanent Peace", both of which were written by Walter Millis. In "A World Without War", Millis declares: "Many of the anti-Communist measures taken in the name of 'internal security' during the 'McCarthy era' were really in the nature of tribal rites. If one can discern a purpose in them it was to cement the old social bonds, to organize the group, to reestablish common values in face of the anomic (sic) and atomization of the technological age." [89]

In the introduction to "Permanent Peace", Millis states that "if the price of avoiding all-out thermonuclear war should prove to be acquiescence in the 'Communist domination of the world' or any other of the unpleasant imaginings against which we cling, futilely, to the war system to preserve us, it seems probable that the price will be paid." He also alleged that a notion such as that of "Communist domination of the world" is an elusive notion "inapplicable to the actual power relations which concern us." [90]

On June 1, 1961, a dinner was given for Supreme Court Justice Hugo Black by the Fund for the Republic, Inc. Guest speakers at this dinner were Reinhold Niebuhr, vice-president emeritus of Union Theological Seminary, and Robert M. Hutchins, president of the Center for the Study of Democratic Institutions. Dr. Hutchins concluded his talk by saying: "We must revive and reconstruct the political community of the United States because the task before us is nothing less than the organization of the world political community." [91]

In January 1962, the Center for the Study of Democratic Institutions issued a bulletin entitled "Caught on the Horn of Plenty", which was written by W. H. Ferry, Vice-President of the Fund for the Republic, Inc. In this bulletin, Ferry claimed that "the individualism of the eighteenth and nineteenth centuries is a casualty of technology, as are old theories of private property. Government must intervene more and more in the nation's industrial life." [92] He also alleged that "we shall have to find means, public or private of paying people to do no work." [93]

On August 6, 1962, Mr. Ferry spoke at a Democratic conference in Seattle. In his speech, he accused J. Edgar Hoover of creating a false picture of Communism's strength, branding the picture "sententious poppycock." He termed Hoover's warnings of Communist subversion "a mischief-making tapestry of legend and illusion, if there ever was one" and referred to Hoover as "our official spy-swatter" and "the indubitable mandarin of anti-communism in the United States." [94] In this connection, it is interesting to note that in a television interview on May 4, 1958, which was subsidized by the Fund for the Republic as a contribution to "survival and freedom", Cyrus Eaton declared that there were no Communists in the United States "to speak of, except in the mind of those on the payroll of the FBI." Cyrus Eaton, Cleveland industrialist, is a friend of Khrushchev and a winner of the Lenin Peace Prize.[95]

Reliable sources have stated that Scott Buchanan, staff consultant for the Center of Democratic Institutions, has visited Pugwash, Cyrus Eaton's mansion in Nova Scotia, to be entertained by Eaton as a house guest and intellectual companion.[96]

In President Robert M. Hutchins' report on the Fund for the Republic and Center for the Study of Democratic Institutions, dated March 31, 1962, is found the following statement:

"In September 1961, the Center was host to five Soviet scientists, following their participation in the twelve-nation Conference on Science and World Affairs at Stowe, Vermont. The Santa Barbara meeting was arranged by Harrison Brown and Amron Katz of RAND corporation. For two days the possibilities and problems of disarmament and scientific cooperation were discussed, mainly

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Footnotes at end of article.

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on the basis of papers prepared by Mr. Brown and by Walter Mills, of the staff of the Center . . .[97]

In May 1963, a pamphlet entitled "The Elite and the Electorate" was published by the Center for the Study of Democratic Institutions. The pamphlet urged that the President be given expanded powers and that Congress be stripped of its authority to thwart him under the constitutional checks-and-balances system.[98]

In a conference held at the University of Chicago Law School in January 1963, Robert M. Hutchins, President of the Fund for the Republic, Inc., contended that federal aid to education was inevitable and that no concern for religious belief should interfere with this "overriding public interest."[99]

Paul Jacobs, trade union expert for the Center for the Study of Democratic Institutions, was a defense witness in a libel suit for former Washington State Representative John Goldmark. In his testimony, Jacobs stated that a Communist workers school which he and Mrs. Goldmark attended "was more of an adult education center in a way."[100]

In May 1964, a conference was held under the auspices of the Center for the Study of Democratic Institutions at the Johnson Foundation Conference Center in Wingspread, Wisconsin. At this conference, influential voices were raised in favor of a world government. Typical of these was that of Professor Hans J. Morgenthau of the University of Chicago, who stated, "Let's face the issue squarely. Nuclear weapons have made the nation-state obsolete—as obsolete as the steam engine made feudalism."[101] It was, in fact, generally agreed by the participants in the conference that "absolute national sovereignty is out of step with the times" and that "there is a need for widened public international authority."[102]

Three individuals from Communist countries participated in the conference. They were Dr. Marian Dobrosielksi, Counselor of the Polish Embassy, Washington, D.C.; Georgi Kornienko, Minister Counselor of the Soviet Embassy, Washington, D.C.; and Josip Presburger, Counselor of the Yugoslav Embassy, Washington, D.C.[103]

An employee of the Center for the Study of Democratic Institutions (Fund for the Republic) has been whipping up opposition to U.S. efforts to halt Communist aggression in Vietnam. Robert Scheer, who performed similar work on behalf of Castrophiles before and during the Cuban missile crisis, was scheduled to give a talk in Berkeley, California, on June 5, 1964, under sponsorship of the Women for Peace organization. On May 14, 1964, Scheer delivered the introduction to a University of California showing of a Communist film on Vietnam which was seized in New York by Federal authorities. He has also announced plans for a book on Vietnam.[104]

A former executive committee member of the University of California Fair Play for Cuba Committee, Scheer paid an unauthorized visit to Cuba in 1960. Along with Ken Cloke, University of California student and son of two identified Communists, Scheer was one of the speakers at an antiblockade rally at the University of California during the Cuban missile threat. With Maurice Zeitlin, a former University of California student and an ardent Castroite, Scheer has written a book entitled "Cuba: Tragedy in our Hemisphere". Its thesis is that "a little U.S. love and understanding would have prevented Castro's growing up to be a Communist bad boy."[105]

An article in TOCSIN, June 8, 1964, stated that Scheer now headed a group called the Opposition, which had recently launched a left-wing institution called the San Francisco New School.[106]

At a dinner which was given in Los Angeles on July 25, 1964, by the Center for the Study of Democratic Institutions, Associate Supreme Court Justice William O. Douglas was a speaker. In his speech, he alleged that "the psychology of fear and apprehension produces the radical right . . ."[107]

On February 18, 1964, a radio (KPFA, Berkeley, Cal.) broadcast featuring Chicago law professor Harry Kalven, Jr., explored the theory that sit-ins could be legally justified under the First Amendment. The program, which had been produced by Florence Mischel at the Center for the Study of Democratic Institutions, was scheduled to be re-broadcast August 31, 1964.[108]

Commenting on this theory, Ben Levine, columnist for the Worker, stated, on June 21, 1964, "such an argument could, given the right circumstances, put a people's revolution under the protection of the First Amendment."[109]

A conference entitled the International Convocation to Examine the Requirements of Peace, which was sponsored by the Center for the Study of Democratic Institutions, was held in New York City on February 18–20, 1965. The purpose of the meeting was to scrutinize Pacem In Terris (Peace on Earth), an encyclical of Pope John XXIII. At this convocation, addresses were given by Vice-President Hubert Humphrey, U.N. Secretary General U Thant, Chief Justice Earl Warren, Mayor Willy Brandt of West Berlin, historian Arnold Toynbee, and scientists Linus Pauling. Individuals from the Soviet Union and from Soviet bloc countries were among those attending the convocation.[110]

Among those invited to take part in panel debates were James Farmer of CORE: Dagmar Wilson, Women Strike for Peace founder, who was under indictment for contempt of Congress; James G. Patton, president of the National Farmers Union; H. Stuart Hughes, Harvard professor and "peace" candidate for Congress; Norman Cousins of SANE; Bayard Rustin, executive-Secretary of the War Resisters League and organizer of the 1963 March on Washington; and A. J. Muste of the pacifist Fellowship of Reconciliation.[111]

According to the Worker, the Center for the Study of Democratic Institutions invited Gus Hall, Communist Party boss "and others prominent in the American Left" in connection with this conference.[112]

A campaign to mobilize the American clergy in support of the peace movement will be sponsored by the Fellowship of Reconciliation, a radical pacifist organization, in cooperation with the Center for the Study of Democratic Institutions. On August 29, 1965, Frank H. Kelly, a vice-president of the Center, announced that the campaign would include more than 100 conferences in various cities to discuss the moral and technological implications of the requirements of world peace.[113]

An advertising leaflet announcing these conferences indicated that they would take place in 1965, 1966, and 1967. The theme of the conference is to be "Peace on Earth: Moral and Technological Implications." The leaflet also stated that a gift of $100,000 for the convocations would be presented to the Fellowship of Reconciliation upon the contingency of its providing funds to match this amount.[114]

A bulletin of the Fellowship of Reconciliation announced that the program had been made possible "through the generosity of Irving F. Laucks, Santa Barbara, California."[115] An advertising leaflet announcing the "International Convocation on the Pacem in Terris," which was held in New York City. February 18–20, 1965, listed Irving F. Laucks as a consultant to the Center for the Study of Democratic Institutions.[116]

An editorial in the Chicago Tribune, commenting on the program which is to be sponsored by the Fellowship of Reconciliation and the Center for the Study of Democratic Institutions, made the following statement:

"Any seminars promoted by these outfits will certainly preach the wickedness of the United States and the nobility of the Viet Cong and North Vietnamese Communists. The Hutchins group has already distributed a screed entitled 'How the United States Got Involved in Viet Nam,' which says that American anti-communism is just plain fascism and no more respectable than communism itself."[117]

FOOTNOTES

[1] "Report of the Fund for the Republic", May 31, 1955, pp. 9–10.

[2] "Report of the Fund for the Republic", May 31, 1955, pp. 21, 41.

[3] Congressional Record, July 21, 1955. Statement by Congressman B. Carroll Reece.

[4] The American Legion Firing Line, November 15, 1955, p. 123.

[5] Congressional Record, July 21, 1955.

[6] The American Legion Firing Line, May 1, 1955, p. 47; "Guide to Subversive Organizations and Publications: 1961", pp. 17, 21, 84.

[7] Fulton Lewis, Jr., "Washington Report" June 14, 1955, reprinted in the Congressional Record, July 21, 1955. According to the "Report of the Fund for the Republic", May 31, 1955, p. 41, 25,000 copies of the "Bulletin of Atomic Scientists" were distributed by the Fund.

[8] Congressional Record, July 21, 1955.

[9] Congressional Record, July 21, 1955. See also "The Fulton Lewis Jr. Report on the Fund for the Republic", pp. 46–47.

[10] Congressional Record, July 21, 1955; "The Fulton Lewis Jr. Report on the Fund for the Republic", p. 47.

[11] "The Fulton Lewis Jr. Report on the Fund for the Republic", p. 47; Congressional Record, July 21, 1955.

[12] The Philadelphia Inquirer, July 20, 1956, Reprinted in The American Legion Firing Line, August 15, 1956, p. 67.

[13] "The Fulton Lewis Jr. Report on the Fund for the Republic", p. 47.

[14] "The Fulton Lewis Jr. Report on the Fund for the Republic", p. 47; Washington Post, August 28, 1956 (letter to the editor by Francis E. Walter, Chairman of the HCUA). In his letter, Congressman Walter stated that the Plymouth Quaker Meeting did not accept the award which was tendered by the Fund for the Republic.

[15] "Report of the Fund for the Republic, May 31, 1955, p. 41; Congressional Record, July 21, 1955.

[16] Congressional Record, July 21, 1955. Statement by Congressman B. Carroll Reece.

[17] "Report of the Fund for the Republic", May 31, 1955, p. 41.

[18] "Report of the Fund for the Republic", May 31, 1955, p. 5.

[19] "Facts Forum News", November 1955, p. 5.

[20] "The Report of the Fund for the Republic", May 31, p. 42.

[21] "Facts Forum News", November 1955, pp. 5–6.

[22] "Report of the Fund for the Republic", May 31, 1955, p. 41.

[23] "Facts Forum News," November 1955, pp. 5–6.

[24] "Report of the Fund for the Republic," May 31, 1955, p. 24.

[25] "Facts Forum News," November, 1955, p. 6.

[26] "Report of the Fund for the Republic," May 31, 1955, p. 15.

[27] "Communism and Your Child," by Herbert Romerstein, quoted in "The Top of the News with Fulton Lewis Jr.", April 6, 1962.

[28] "Report of the Fund for the Republic," May 31, 1955, p. 41.

[29] "The Fulton Lewis Jr. Report on the Fund for the Republic," p. 8.

[30] "Report of the Fund for the Republic," May 31, 1955, p. 24.

[31] "The Fulton Lewis Jr. Report on the Fund for the Republic," pp. 64–65.

[32] "Report of the Fund for the Republic," May 31, 1955, p. 28.

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[33] "Report of the Fund for the Republic," May 31, 1955, p. 37.

[34] "The Fulton Lewis Jr. Report on the Fund for the Republic," p. 92.

[35] "The Fulton Lewis Jr. Report on the Fund for the Republic," pp. 92–93. Also see Chicago American, November 21, 1955, p. 10.

[36] Chicago Sun-Times, November 8, 1955, p. 10.

[37] Chicago Sun-Times, November 8, 1955, p. 10.

[38] Chicago Sun-Times, November 8, 1955, p. 10.

[39] "Report of the Fund for the Republic," May 31, 1955, pp. 12–13, 28, 38.

[40] "Report of the Fund for the Republic," May 31, 1955, pp. 12–13.

[41] "The Fulton Lewis Jr. Report on the Fund for the Republic," pp. 106–107.

[42] "Report of the Fund for the Republic," May 31, 1955, p. 36.

[43] The American Legion Firing Line, September 15, 1955, p. 92; "Facts Forum News," November 1955, pp. 4–5. Also see "Guide to Subversive Organizations and Publications," 1961, p. 234.

[44]. The American Legion Firing Line, September 15, 1955, p. 92; "Facts Forum News," November 1955, p. 4; also see "Guide to Subversive Organizations and Publications," 1961, pp. 65, 118–119, 127.

[45] Report of the Fund for the Republic", May 31, 1955, p. 40.

[46] The American Legion Firing Line, December 1, 1955, p. 128.

[47] "Report of the Fund for the Republic", May 31, 1955, p. 29.

[48] The American Legion Firing Line, November 15, 1955, p. 124.

[49] The American Legion Firing Line, November 15, 1955, p. 124. Also see "Guide to Subversive Organizations and Publications", 1961, p. 201.

[50] The American Legion Firing Line, November 15, 1955, p. 124.

[51] The American Legion Firing Line, November 15, 1955, p. 124. Also see "Guide to Subversive Organizations and Publications", 1961, p. 194.

[52] "Report of the Fund for the Republic", May 31, 1955, pp. 29 and 39.

[53] The American Legion Firing Line, November 15, 1955, p. 125.

[54] "Report of the Fund for the Republic", May 31, 1955, p. 19.

[55] The American Legion Firing Line, November 15, 1955, p. 125.

[56] "Report of the Fund for the Republic", May 31, 1955, p. 10.

[57] The American Legion Firing Line, September 15, 1955, p. 91. See also "Guide to Subversive Organizations and Publications", 1961, pp. 118–119.

[58] Congressional Record, July 21, 1955. Statement of B. Carroll Reece.

[59] Congressional Record, July 21, 1955. Statement of B. Carroll Reece.

[60] "Report of the Fund for the Republic", May 31, 1955, p. 11.

[61] "Report of the Fund for the Republic", May 31, 1955, p. 28.

[62] "Report of the Fund for the Republic", May 31, 1955, pp. 15–16.

[63] The American Legion Firing Line, July 15, 1956, p. 59.

[64] Washington Post, August 28, 1956 (letter to editor by Congressman Francis E. Walter).

[65] The American Legion Firing Line, January 15, 1957, pp. 6–7.

[66] "Report of the Fund for the Republic", May 31, 1955, pp. 25–28; "The Fund for the Republic Bulletin", May 1956; "The Fund for the Republic Bulletin", June 1956.

[67] The American Legion Firing Line, September 15, 1955, pp. 89–90; "The Fulton Lewis Jr. Report on the Fund for the Republic", pp. 40–42.

[68] The American Legion Firing Line, November 19, 1955, pp. 122–123; Los Angeles Examiner, November 19, 1955. pp. 1–2.

[69] The American Legion Firing Line, September 15, 1956, p. 80.

[70] "The Fulton Lewis Jr. Report on the Fund for the Republic", p. 57.

[71] Los Angeles Examiner, November 19, 1955, p. 2.

[72] The American Legion Firing Line, April 15, 1957, p. 34; The American Legion Firing Line, May 15, 1957, p. 41.

[73] The American Legion Firing Line, April 15, 1957, pp. 34–35.

[74] The American Legion Firing Line, April 15, 1957, p. 35.

[75] American Legion Magazine, July 1958, pp. 6–7.

[76] The Sunday Press, Binghamton, N.Y., October 12, 1958.

[77] The American Legion Firing Line, January 15, 1958, pp. 7–8.

[78] The American Legion Firing Line, January 15, 1958, p. 8.

[79] The American Legion Firing Line. December 15, 1958, p. 95.

[80] The American Legion Firing Line, November 1, 1959, p. 83.

[81] The American Legion Firing Line, November 1, 1959, p. 83.

[82] The American Legion Firing Line, November 1, 1959, p. 83.

[83] The American Legion Firing Line, November 1, 1959, p. 83; "Report of the President, 1959–60: Center for the Study of Democratic Institutions", p. 3.

[84] "Report of the President, 1959–60: Center for the Study of Democratic Institutions", p. 3.

[85] "Report of the President, 1959–60: Center for the Study of Democratic Institutions", p. 26.

[86] Quoted in The Blu-Print, Oakland, California, p. 1.

[87] The Miami Herald, March 14, 1960, p. 10–A.

[88] Quoted in Indianapolis Star, March 24, 1961.

[89] "A World Without War", by Walter Millis, (Santa Barbara, California: Center for the Study of Democratic Institutions, 1961), p. 13.

[90] "Permanent Peace", by Walter Millis, (Santa Barbara, California: Center for the Study of Democratic Institutions, 1961), pp. 6–7.

[91] The Evening Star, Washington, D.C., June 2, 1961, p. A–13.

[92] "Center for the Study of Democratic Institutions Bulletin", January 1962, p. 1.

[93] "Center for the Study of Democratic Institutions Bulletin", January 1962, p. 7.

[94] Chicago Daily Tribune, August 8, 1962.

[95] U.S.A., August 24–September 6, 1962, pp. 8–9.

[96] U.S.A., August 24–September 6, 1962, p. 9.

[97] Quoted in U.S.A., August 24–September 6, 1962, p. 8.

[98] The Chicago Tribune, May 27, 1963.

[99] The Chicago Tribune, October 14, 1963.

[100] Tocsin, January 22, 1964, p. 2.

[101] Chicago Daily News, May 19, 1964.

[102] "The Center Diary", July 1964, pp. 3–4.

[103] "The Center Diary", July 1964, p. 5.

[104] Tocsin, June 8, 1964, p. 4.

[105] Tocsin, June 8, 1964, p. 4 (quoted from).

[106] Tocsin, June 8, 1964, p. 4.

[107] Chicago Tribune, July 27, 1964.

[108] Tocsin, August 29, 1964, p. 1.

[109] Tocsin, August 29, 1964, p. 1.

[110] "Operation Understanding: Edition of Our Sunday Visitor, February 21, 1965" (reproduced in Lutheran News, February 22, 1965, p. 12); The St. Louis Review, February 26, 1965 (quoted in Lutheran News, March 8, 1965, p. 12); Tocsin, March 11, 1965, p. 4.

[111] Tocsin, March 11, 1965, p. 4.

[112] Tocsin, March 11, 1965, p. 4.

[113] The New York Times, August 30, 1965.

[114] "A General Prospectus on the Convocation Series in Major American Cities" (Advertising Leaflet).

[115] "Fellowship Peace Information Edition", August 1965, p. 3.

[116] "Prospectus for the International Convocation of Pacem in Terris" (Advertising Leaflet).

[117] Chicago Tribune, September 29, 1965, p. 22.

[From U.S.A., vol. XIV, No. 26, Feb. 9, 1968]

GUIDE TO TUMULT IN AMERICA: A REVIEW OF "STUDENTS AND SOCIETY"

(By Alice Widener)

(NOTE.—A report by the Fund for the Republic's Center for the Study of Democratic Institutions on its three day conference "Students and Society" held at the Center, Santa Barbara, California, late in August 1967.)

Are you worried about the violence, tumult, immorality and revolutionary activism on the American campus?

Are you at a loss to understand and explain the link between revolutionary activity on campus and in city streets as demonstrated in riots, illegal civil disobedience, defiance of our laws and disaffection from our way of life?

Do you feel in need of documentation to support your arguments against these activities? Do you want to have black-on-white proof that your concern is well based?

If so, you need look no further for substantiation of your worst fears than the 64-page document "Students and Society" issued December 1967 by the Fund for the Republic's Center for the Study of Democratic Institutions at Santa Barbara, California. The report carries the major part of discussions that took place at the Center during its three-day conference late last August on "Students and Society." In a foreword to the document, W. H. Ferry, vice president of the Center, says that the discussions might have been called "The Worried Citizen's Guide to Tumult on the Campus."

That would be a most accurate title. But Mr. Ferry's concept of the worried citizen is far different from that of most Americans. The "mood" of the Funded conference, he says, was "hammering discontent." The participants, he explains, "look on the United States and find it abounding in hopeless contradictions, hypocrisy, and wrongdoing. They see no benevolence in the works of the nation outside its borders, only a new imperialism that takes vicious and irrational form in Vietnam and shows itself everywhere else only as the selfish exploitation of human beings."

That is quite an indictment. Our declared enemies could not say worse.

Year after year, it seems the mood of conferences financed and sponsored by the Center at Santa Barbara in hot summertime grows uglier and uglier, more and more threatening. It bodes ill for our country.

It was in August 1965, according to an article by Paul White in the *Houston Post*, that Julian Bond, Simon Casady, Stokely Carmichael and a host of militants assembled "at the facilities of the Center for the Study of Democratic Institutions" to found the National Conference for New Politics which, in September 1967, held a Communist-Black Power dominated conference in Chicago that made nationwide headlines for its revolutionary radicalism and disgracefully undemocratic procedures.

It was on August 24, 1967, that Tom O'Brien, staff writer for the *Santa Barbara News-Press*, reported under the headline "University Destruction" that "A master plan of how best to destroy the American university system as it is today seemed to be the goal as a conference of militant student leaders and ex-students opened yesterday at the Center for the Study of Democratic Institutions here. The participants were described by the Center as all having been prominent in demonstrations and movements within their own colleges and universities."

Mr. O'Brien further reported, "Devereaux Kennedy, student body president at Washington University, St. Louis, Mo., called for outright revolution and the overthrow of the United States Government. He advocated terrorism on such a scale that it would 'demoralize and castrate America.' "

Now in February 1968, we have not yet witnessed the full workings of the master plan. But most of its strategy and tactics can be found in the Center's report on the conference "Students and Society." The Center publishes its documents, described as "occasional papers," with disclaimers of responsibility for the contents. Yet the foreword by W. H. Ferry to the December 1967 report states:

"Themes of the meeting and arrangements for it were the responsibility of four Junior Fellows of the Center, who had spent the summer in residence: Frederick Richman; Jeffrey Elman; Stephen Saltonstall; and Daniel Sisson.

"This is an edited record of the proceedings. It also contains extracts from papers presented by the Junior Fellows that sought to expose the main issues.

"After nine hours of discussion restricted to the young members of the conference, the Center's Senior Fellows—in attendance throughout—joined the conversation for a half-day.

"The unedited transcript, including formal papers, runs to some 75,000 words. This publication contains approximately two-thirds that number. The effort has been to leave substance, tone, and style unimpaired."

Mr. Ferry concludes his foreword with the following acknowledgement: "The conference on Students and Society was made possible by a generous contribution from S. Herbert Meller of New York City." Inquiry at the Fund for the Republic's offices in New York City elicited the information that Mr. Meller is an investment banker with offices at One Chase Manhattan Plaza.

The official Center list of student conference participants, including Junior Fellows identified with an asterisk, is as follows:

Jeffrey Alexander, Harvard *Crimson*, Harvard University.

Anthony Andalman, Editor, *The Worrier*, University High School, Los Angeles.

Frank Bardacke, University of California, Berkeley.

John Blood, Student Body President, Indiana University.

Ewart F. Brown, Student Body President, Howard University.

Kristin G. Cleage, Wayne State University.

*Jeffrey Elman, Harvard University.

Michael Goldfield, Radical Education Project, Ann Arbor, Michigan.

Michael Higgins, Claremont College.

Devereaux Kennedy, Student Body President, Washington University.

Sheila Langdon, Marlboro College.

Michael Lerner, Executive Committee, Free Speech Movement, University of California, Berkeley.

Bruce Levine, Editor, *Thought*, Valley Stream High School, New York.

Peter Lyman, Student Body President, Stanford University.

Ray Mungo, Boston University.

Robert Pardun, Secretary for Internal Education, Students for a Democratic Society, Chicago, Illinois.

Mary Quinn, Mount Mercy College.

*Frederick Richman, New York University.

* Stephen Saltonstall, Yale University.

David Seeley, University of California, Santa Barbara.

*Daniel Sisson, Claremont College.

Stanley Wise, Executive Secretary, Student Nonviolent Coordinating Committee, Atlanta, Georgia.

The "Junior Fellows" also are listed as organizers of the conference. The Center Senior Fellows who took part in the final discussion were: Robert M. Hutchins; Stringfellow Barr; Scott Buchanan; John R. Seeley; James A. Pike (formerly Bishop Pike); Rexford G. Tugwell; Harvey Wheeler, Hallock Hoffman; W. H. Ferry; and John Wilkinson.

FIRST SESSION

The first session of "Students and Society" opened with presentation of a paper "The Disenfranchised Majority" by Junior Fellow Frederick Richman. He states that "the generation gap" today is such that society ought to adapt itself to youth who are "largely disenfranchised in terms of traditional political power" yet desirous of "social control" over the conditions affecting their lives. "Students today," he writes, "tend to dismiss *all* people over 30, including the older radicals from the 1930's."

The last part of his statement is not true. Many radical students of today are hand-in-hand with such older members of the Communist Party, U.S.A. as Herbert Aptheker, Arnold Johnson, Claude Lightfoot and Richard Criley. The latter three played key roles in the National Conference for New Politics meeting in Chicago last September.

What Richman wants is the politicalization of the university. "The reform I propose," he writes, "is that the university become a political institution." He wants "political activism" to become "the central educational experience."

Robert M. Hutchins, president of the Center, asked Richman several challenging questions, among which was "How do you keep from growing old?"

Richman replied, "The main contention in my paper is that youth is now in a position to exert considerable power. . . . The police action against the teenyboppers on Sunset Strip in Los Angeles was as significant as the student strikes at Berkeley. Both incidents reflect a society that oppresses its youth . . . However, if we are going to achieve a revolution consciously carried forth by American youth, that youth will have to be organized as youth and given a new position in America . . ."

Michael Lerner, of the Free Speech Movement at Berkeley, said it would be "very dangerous" for students to gain more control over the university without their struggling for control "as part of a larger struggle of people from the ghetto and abroad for control over *their* institutions." Lerner said he doesn't want to help focus the growing energy of students "into the main stream" of society. He said he doesn't want students' alienation from society to be transformed "into alignment with a lousy, corrupt society." He called for permanent forms of alienation even "after the revolution," and said the student power struggle must be "part of the struggle going on in the ghetto and Vietnam and in Latin America" and that student radicals should try to "bring people to that awareness."

Devereaux Kennedy said that if student power at universites were exerted only for "reformists' reforms" then it could be a reactionary force; he wants student power to demand "revolutionary reforms" that can't be met within the logic of the existing American system.

Jeffrey Elman of Harvard University said students should have the ability "to determine how the university is going to be run."

Daniel Sisson of Claremont College said the real problem is how to "activate" the students.

Michael Lerner declare, "National liberation struggles have become the order of the day."

John Blood, Peter Lyman, and Frank Bardacke have other ideas, arguing for less directly political and perhaps more educational activism in the universities. Devereaux Kennedy argued that politics are implicit "in the way the university is structured. You can't change, for instance, the fact that Boards of Regents or Boards of Trustees run the universities and that they are all businessmen. As far as I am concerned they have no business at all to do with the universities. . . ."

The discussion bogged down for a while into argument over whether students should revolutionize the university first, or join in the movement to revolutionalize all society in general.

Michael Goldfield of the Students for a Democratic Society's Radical Education Project charged that at the University of Chicago things are "tied up to the Daley political machine in the city, to the college structure in Chicago, to the corporate structure, and particularly to the military."

After more debate, Ewart Brown of Howard University said, "I think we agree that the revolution is necessary and that you don't conduct a revolution by attacking the strongest enemy first. You take care of your business at home first, and then you move abroad. Thus, we must make the university the home of the revolution. . . ."

Stanley Wise of Snick said "Youth must view themselves as *being* the government and not as petitioning the government." He defined youth as "anything from twelve up." He then defined present day education as "counter-revolutionary." He charged that educational institutions today are training individuals "in an art called criminology" whose object is to prevent poor people from getting the food and clothing they need.

Stephen Saltonstall called on students to be "the instruments of change." The kind of change he wants is a "strategy of disruption," which he elucidated in a paper presented at the third conference session. After discussion by Cleage, Higgins and Lyman, Robert Pardun of Students for a Democratic Society said, "It is important to understand, if we are going to consider ourselves revolutionaries in any sense of the word, that revolution is never made out of empathy for other people. Revolution comes out of your guts. . . ."

Devereaux Kennedy attacked the whole idea of the "corporate structure" of the university and alleged it is undemocratic. He said that students can, if they work hard enough "get women in their rooms and get control of the regulations over their conduct. . . ."

SECOND SESSION

A paper presented by Jeffrey Elman of Harvard University was discussed at the second session of the Students and Society conference at the Fund for the Republic's Center at Santa Barbara. "The university today is sick," declared Elman. He charged that the position of students is one of "second-class citizenship." He praised past events at Berkeley and said, "Many other campuses are responding positively to the Berkeley example." He too demanded "sole control" by students over their behavior, and he pooh-poohed the university administration's past claim at Berkeley that it acts *in loco parentis*. Students, said Elman, should determine "their own social code."

There was discussion of elite and non-elite universities, of big and small ones, and genral agreement that all are undemocratic. Devereaux Kennedy said that David Seeley of the University of California at Santa Barbara and other students had been using the word "revolution" loosely and mumbling it under their breath. "I'm going to say loudly and explicitly what I mean by revolution," said Kennedy. "What I mean by revolution is overthrowing the American government and American imperialism and installing some sort of decentralized power in this country."

The student body president of Washington University at St. Louis, Devereaux Kennedy, went on to say, "I'll tell you the steps that I think will be needed. First of all, starting up fifty Vietnams in Third World countries. This is going to come about by black rebellions in our cities joined by some white people. People in universities can do a number of things to help it. They have access to money and they can give these people guns, which I think they should do. They can engage in acts of terrorism and sabotage outside the ghetto. Negro people have trouble getting out because they cordon those areas off, but white activists can go outside, and they can blow things up and I think they should.

"But that's just a minor part of it. The major thing student activists can do while all this is going on—I mean completely demoralizing and castrating America—is to give people a vision of something other than what they have now. They can give them a vision of people living as whole men, not as engineers for Monsanto or McDonnell Aircraft. . . . They can show people what America is capable of if it ends imperialism and installs a different kind of system, where, for example, people only have to work two hours a day and might spend twenty years in and out of the universities learning a few things. . . ."

At this point in the published report on the conference "Students and Society" held at the Center at Santa Barbara, last summer, there is no evidence in the text that any Senior Fellow interrupted Devereaux Kennedy's remarks, or interposed any objection. Nor are there any appended remarks or comments by Senior Fellows at the end of the text on the Second Session. What Devereaux Kennedy said is presented without even a whisper of demurral by allegedly more mature intellectuals.

The Fund for the Republic's Center for the Study of Democratic Institutions enjoys tax exemption granted by our Federal government. Under the existing Federal terms for tax-exemption, can Devereaux Kennedy's remarks be legitimately regarded as "educational"? Were the plottings of Mafia hoods at the notorious Appalachia meeting in New York any more inimical to our society?

In commenting on Kennedy's outburst, Frank Bardacke talked about "the life of the mind" at universities and said its present function is to teach students how to behave in large organizations. He said, "I think the immediate goal of the student movement on the university campus is to teach people how to *misbehave* in large organizations, how to misbehave creatively. . . . It's no accident that recruits for the New Left always come from the best students on the campus, the ones who are really interested in getting an education. I would like to hear less talk about revolution and more thought about what at the moment we can actually achieve." Bardacke charged that New Left impatience for immediate results led to defections from their group by students who became hippies. "Sure, you want revolution;" he agreed, "sure, you want to change this country fundamentally—absolutely agreed. You have to have that long-range goal, but you also have to think about what actually can be achieved in our own lifetimes. . . ."

Devereaux Kennedy objected that Bardacke's statements about the New Left were inaccurate. He said that Students for a Democratic Society (SDS) started out with three or four thousand members and now has 30,000. He said that when they found out they couldn't stop the Vietnam War and take care of other social problems, they got a thing called the Radical Education Project and the New Left Notes, "which are probably the most sophisticated sociology coming out of the United States today." He said the New Left had not become hippie, that it had become "revolutionary," and that there is now more revolutionary talk and action in SDS than when it was founded in 1962.

Stanley Wise of SNICK said he didn't think revolution would come in our country for at least 75 to 100 years. "I think I'll see controlled, very sophisticted guerrilla activity before I die," he said, "and I will possibly see sophisticated sabotage before I die. But I don't think I'll see revolution."

He advocated "positive non-violent activity, if for no other reason than that it can disrupt the life-line institutions in this country." He announced, "The process has begun."

Jeffrey Alexander of Harvard said that a good way to accomplish students' objectives "is to try to organize a boycott of classes, which is about the only way to bring a university to a halt. And it's the one thing students can do."

There was more talk in the second session of the conference on "Students and Society" at the Center for the Study of Democratic Institutions, talk about who would furnish plans for a new society "once the country is on its knees," and also talk about constructive and destructive revolutionary and social programs. In conclusion, there was present a paper by Michael Lerner which called for student power through students' joining in "radical struggles" and using their intellectual training "as their major weapon in the struggle."

THIRD SESSION

At the outset of the third conference session, Stephen Saltonstall, a Yale student, presented a paper entitled "Toward a Strategy of Disruption." His remarks were so inflammatory that some of them found their way into the press which quoted them in shocked dismay; but few editors expected, one would suspect, that a tax-exempt, allegedly respectable organization would later publish Saltonstall's remarks for widespread distribution.

Saltonstall's thesis is that "students are capable of sabotaging the society with disruption." He says, "Our contemporaries in the ghettos are way ahead of us. They have demonstrated that a small, concentrated minority group can significantly disrupt American society. . . . The universities, populated by a large, exploited, powerless mass, are the middle-class-ghettos. With a little effort, they too can be made to explode."

Stephen Saltonstall went on to say students could "immobilize the R.O.T.C. on the campuses"; could stop defense research from being carried out at universities. "The introduction of a small quantity of LSD in only five or six government department coffee-urns might be a highly effective tactic."

It might be so effective as to be murderous!

The Commissioner of Narcotics Control in New York City and also the medical authorities say that if a person suffering from a heart condition, or diabetes, or any one of several other diseases, were to take LSD unknowingly, the effect might be exceedingly harmful and even fatal.

How can any responsible source be a party to publishing such wicked tripe as Stephen Saltonstall's blabbering and then subsidize its distribution to students, educational, church and civic groups? How could any organization pretending to be interested in democracy publish without denunciation such a criminal suggestion as Saltonstall's? Authorities in the Justice Department say there are strict Federal laws against tampering with government property; a government coffee-urn or drinking fountain is protected from willful contamination by those laws. Supreme Court Justice William O. Douglas is an official consultant to the Center for the Study of Democratic Institutions which published Saltonstall's LSD suggestion in the Center's document "Students and Society." Does Justice Douglas believe that suggestions for possibly murderous tampering with government property comes under the heading of free speech and is protected by the First Amendment?

There is no limit, it seems to young Saltonstall's creative imagination for malicious disruption. Nor does it seem, is there any limit to the kind of malice against our nation that the Fund for the Republic's Center at Santa Barbara will give voice to, claiming it belongs under the decent heading of "intellectual dialogue." For example: Stephen Saltonstall suggests that students "overuse the bureaucracy" of the university through making appointments "by the score" with assistants to deans and registrars "just for the hell of it." He suggests that "an inordinate number of library books can be checked out" to disrupt the university. He suggests "IBM cards can be bent so they will be rejected by computers."

To disrupt the economy, Saltonstall suggests that "small bits of sabotage by individuals—the sending of business reply cards through the mails, or overpaying one's phone bill by a penny—would have a decided cumulative effect."

In a final burst of destructiveness, Saltonstall writes the following exhortation which is put into print by the Center at Santa Barbara: "We have the power to bring the American Juggernaut to a halt. Let us paralyze the university; let us ball up the economy. One day soon, Congressmen and Presidents may petition us not we them. Let us therefore disrupt. We have nothing to lose."

In the discussion following presentation of Saltonstall's strategy. several conferees brought up the question of what students would do with power once they achieved it. David Seeley and Devereaux Kennedy were concerned with parietal hours at the university. Seeley objected that due to university regulations "you can't make love when you want—you've got to wait." Kennedy said students should inform university authorities "I ought to have my own say over when I have whom in my dorm."

During the Third Session, Michael Goldfield of the SDS Radical Education Project related in detail how radical anti-draft activity was plotted and carried out at the University of Chicago. What Goldfield said should be studied by every responsible patriotic school and university administrator in our nation for his tale is an extremely concise and clear exposition of revolutionary technique:

"When the decision was made at Chicago that class ranks would be turned in to the draft board, a group of people in the local SDS decided that the undergraduates in the university would be really up tight about the draft. This is a gut issue. So we picked this issue and went to the administration and demanded that ranking be ended."

Goldfield describes how the SDS agitators went "through channels" to the university administration merely as a way of "educating" the student body. Then he describes how the agitators drew up and circulated a petition, got signatures of faculty and students "just dealing with that one issue," and then organized a meeting of the petitioners. "At that point," relates Goldfield, "people demanded that if the administration didn't come through in the next two weeks they would take over the administration building." Goldfield went on to explain, "If you keep as your central demand that students have a right to control everything involving them, that this demand isn't negotiable and you'll disrupt until they give in, then you have a certain amount of leverage. What's important however small the issue you start with, is to keep everything centered on the question of control. That's the way you educate people as to how the university works and to how power reacts to demands which are central to the vested interests in the university. If you are dealing with a very reactionary institution, you have to plan your dealings with it very strategically."

At the end of the Center's edited report on the third session of the conference "Students and Society," there are four brief com-

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ments by Senior Fellows of the Center. Among them is one by Hallock Hoffman who was its Secretary and Treasurer for many years and is now listed as chairman of the board of the tax-exempt Pacifica Foundation which subsidizes the very controversial radio station WBAI in San Francisco and New York. (The radical Students for a Democratic Society announced this month that its New York City regional group will be given a 15-minute weekly program by WBAI–FM on Wednesday evenings at seven o'clock. This is not surprising in view of Senior Fellow Hallock Hoffman's comments on Junior Fellow Stephen Saltonstall's paper and the ensuing discussion that took place at the Center last August.) Mr. Hoffman said:

"You have to make some reasonable connection between the means you have chosen and the ends you seek. Suppose you and a variety of other oppressed [sic] minorities succeed in causing coercion and sabotage against property of the kind you describe. Don't you have to show how this will forward your interest in stopping the war or bringing about a more just, more humane society?"

Mr. Hoffman's acceptance of Mr. Stephen Saltonstall of Yale and Mr. Jeffrey Alexander of Harvard as members of an "oppressed minority" has to be seen in print to be believed. What adult sycophancy for juvenile intellectual delinquency!

FOURTH SESSION

A paper entitled "The Dialogue: Youth and Society" was presented by Daniel Sisson of Claremont College as opener for the fourth session of the Center conference at Santa Barbara. Its tenor may be judged by this Sissonism: "Youth everywhere are rejecting the institutions that have dominated their lives, while the adults are demanding ever more loudly that they had better 'come around.' Simply taking one example—the adults' attitude toward drugs—it is not implausible to estimate that by 1980, 85 per cent of the young will be felons while the other 15 per cent will be Fascists, trained to keep them under control."

Sisson is against violence and for "dialogue." He wants peaceful dialogue to lay the groundwork for peaceful revolution. He was a "soft" socialist among the hard-nosed activists at the Center conference.

An accurate summary of the differences in revolutionary opinion among the Junior Fellows and "student" participants in the Center conference of last August appears in the foreword by W. H. Ferry. He writes:

"Two divisions appear early in the proceedings, never to be reconciled. The first is between the radicals—those prescribing a clean sweep of corrupt American institutions and their replacement by others formed on democratic and compassionate lines—and the reformists—those believing that all needed improvements, however imperative, can be made from within society's present structures."

There is nothing at all new in this difference of opinion, which is as old as socialism itself, as old as the split early in our century between the Second and Third International, as old as the split between the Mensheviks and Bolsheviks, as old as the split between Kerensky and Lenin, as old as the split between Norman Thomas and the Communist Party, U.S.A.

Only the split isn't a lasting or effective or irrevocable one, because the fundamental objective of the Leftists is the same—the destruction of capitalism and the middle class—and whenever it is expedient for them to do so, the reformist socialists and the revolutionary socialists join forces. Historically, the reformists and violent revolutionaries have worked together toward one goal; it is only when they approach its final achievement that reformists and revolutionaries disagree on how to deliver the death blow. At that moment, the reformists shrink away from use of unlimited violence. But it is too late for them to oppose the violent revolutionaries, so the reformists are thrust aside or liquidated and the merciless "gut fighters" take over.

In reply to Daniel Sisson's paper, Michael Lerner of the Berkeley Free Speech Movement said:

"Nobody here with any sort of sanity is claiming that the revolution that will change this country is a student revolution. What we are claiming is that students have a role to play in that revolution. . . . Nobody is saying that the students themselves or the radical parts of the student body are going to make a revolution, but they can add something to a revolution of oppressed people in this country, which is part of the revolution of people over the world."

Devereaux Kennedy said: "What we have to do, first of all, is to define what we think the enemy is. There's no doubt in my mind about the enemy. It's monopoly capitalism and imperialism. . . ."

That monopoly capitalism and imperialism are "the enemy" is what Karl Marx, Lenin, Stalin, Khrushchev, Kosygin, Mao Tse Tung, Fidel Castro, Gus Hall and every other Communist has said. Communism *is* the theory that capitalism is by nature monopolistic and that the most advanced stage of capitalism is imperialism.

Devereaux Kennedy explained:

"When I talk about revolution, that's what I mean. I'm not talking about eliminating dialogue; I'm saying that you have to place your dialogue within this context of events. I see this process coming a lot quicker than our friend from SNCC see it. I don't think it's going to take seventy-five years. I think you are going to see chaos in the United States and in the world within our lifetime, in the next twenty-five years."

The discussion of the fourth session of the Students and Society conference at the Center for the Study of Democratic Institutions last August is followed in the Center's report by a paper on the student press by Raymond Mungo of Boston University. He accuses the American press of perpetuating myths—"The Great Myth, the Camelot legend of America," and secondary myths, "such as God, the Flag, family, the Pot Menace, the Unpunctured Hymen, the Value of the American Dollar, and the Importance of an Ordered Life," Mungo says that "working with an established framework of student newspaper and radio stations. . . the radical on campus has more power than in an SDS office or student-government sham post." He calls for assumption of "international responsibilities" by the student press and radio "far beyond merely relating to the war in Vietnam" and he says the student media must be prepared to send its representatives around the world to produce an international journalism that is "removed from ties with the American economic system. Students must come to view their relationship with what is happening in Cuba, in China, in North Vietnam, and in the fascist and racist-by-policy states—South Africa, Greece, Spain. The effective way to overcome their national consciousness and loyalties is to replace it with an international one . . ."

A footnote to the Mungo paper states that the author was unable, at the last moment, to take part in the conference at Santa Barbara.

FIFTH SESSION

After hours of listening to the Junior Fellows and their age-and-ideological brothers, the Senior Fellows of the Center for the Study of Democratic Institutions got their chance to speak up at the fifth and final session of the conference "Students and Society." The first to take the floor was President Robert M. Hutchins. His main criticism of the students' moral and intellectual position was, "I didn't hear anyone give an intelligible idea of what he thought the university ought to be, or what he thought education was. One of the things I expected to learn from the conference was what kind of university, what kind of education, you wanted."

Mr. Hutchins certainly seems to know what kind of university and what kind of education he himself doesn't want. "During the years that I have lived in California," he said, "nobody has said anything about the University of California in its behalf except that it has a great deal of money, a great deal of acreage, a great many students, a lot of Nobel Prize winners, and sometimes some good football players."

Mr. Hutchins went on:

"The question about your rhetorical position and your strategy runs something like this. A real crime has been committed against the younger generation and that is that it can't get educated. And this is something that you know something about. You don't know any more about monopoly capitalism or the war in Vietnam than your elders, but you do know something about the difficulties of getting educated in the United States. If I were seeking to bring the university to a halt, I would try to bring it to a halt on educational grounds . . . if you change the university you change society."

In his commentary, President Hutchins said not a single word in defense or praise of our country, its economic system, its way of life. He let stand uncorrected every libel against the American people and their government.

So did Stringfellow Barr. His concern was that the students didn't express what they would like to have happen to their minds. "I was a little shocked at this excitement about power without any clear idea that I was able to apprehend of your purpose in getting power," he said. "We have been treated to a pretty heavy dose in the last few years of the uses of power; and I get the impression from the White House and the military that early in the Vietnamese engagement, for instance, we were going to give the world an example of how power can conclusively solve problems. . . ."

Scott Buchanan said the students were talking about power "in ways that make me want to spank you. . . . The only purpose that I can see that you connect to this power, and which might make it substantial, is a form of socialism, a very primitive form of socialism. All your Marxian talk about it is superficial and comes to one sharp point—and that is that you are very sure that the people who now have the power that you are going to take will not give it up unless you hit them over the head. This is a Marxian theme that has shifted a good deal in the last few years. It seems to me that you ought to revise some of your thoughts accordingly."

Mr. Buchanan continued, "The thing that makes me weep, almost literally, is the impression I get that you, as a generation, have never had any good teaching." Mr. Buchanan's main concern was with the quality of teaching, which he wants to see regenerated. "This is what's missing; and you have confirmed this loss beyond all my expectations here this week."

John R. Seeley, Dean and Director of Program at the Center, put forth what he described as "liberal" objections to what the students advocated because they had not described "a going model of how it might be when all tyrannies are finally relegated to the dustbin of history." He said, "What can I recommend? Not that you abate your revolutionary fervor or extend your revolutionary timetable. Not even that this revolution be carried forward in the spirit of the original Free Speech Movement . . ."

Praising the original movement, Mr. Seeley described it as "a strange mix of near hippyism, good humor, and standard high-mindedness and revolutionary fervor." Evidently, he is enamored of the hippies. He asked Junior Fellows and fellow conferees, "Should you turn so lightly away from an alternative way? One that could also bring down the managed, exploitative, imperialist society by withdrawal of what it depends upon: brains, bodies, and the willingness to manipulate things and people?" Mr. Seeley said it is not yet clear that the radicals can attract greater numbers to their cause than the hippies can, and he suggested to the radicals "that at least, while the warring armies march and countermarch, lay waste the world they cannot otherwise save, they reserve a special place (like the medieval monasteries) for the hippies—a special place not just geographic but honorific."

James Pike, formerly Bishop Pike, said not a single word of reproof concerning the conferees' remarks. His only point was how does one keep a continuity of values between that which is to come and that which most people would agree ought to come "and at the same time get things the way they ought to be?"

Rexford Tugwell said "I have some news for my younger colleagues here—there isn't going to be any revolution. I don't think any of you really expect that there will be one. There will be a kind of revolution, but it won't be one you are talking about." He said he had seen many changes in his lifetime and that American history would change "even more fundamentally" in the next two decades. He said Americans will get mastery of the technology "that at the moment seems to have got the best of us" and that, "One of you may become President of the United States some day, and then, I assure you, you will take a very different view of revolution."

Mr. Tugwell's statement provoked an outburst from the next speaker, Senior Fellow Harvey Wheeler, co-author of the novel "Fail-Safe." "I think it is inexcusable for us to berate these students in this way. We have almost with one voice expected them somehow to produce some kind of idea of a university and put it into practice. . . . This avuncular stance is not the proper one for us to take in this kind of meeting." Mr. Wheeler called for "enclaves of radicalism" inside the university and said, "The most that you can do in the short years of passage is to provide some kind of cauldron that can be kept burning."

Hallock Hoffman, former Secretary and Treasurer of the Center and present board chairman of the Pacifica Foundation said, "I wish to dissociate myself from the general weight of the comments of my colleagues. My response to you is one of excitement, enjoyment, and enthusiasm about the way you are challenging everything." He went on to make a strong plea for young people to be "CO's," conscientious objectors to military service.

W. H. Ferry said, "I agree with everybody." He advised the radical students to "get out of the ghettos and into the suburbs. There's no Negro problem but there is an enormous white problem." He said that in the suburbs, which are full of the middle class, the students "might be able to do a good deal more than you can in ghettos or other places where things are already popping like hell."

Senior Fellow John R. Seeley called for re-examination of a proposal he made several years ago—a suggestion that "we try to institute a university in which activism—at every level that people are willing to commit themselves to—will be a requirement and a core of the university apart from its own self-government." He said he further suggested that all education be organized around that activism in terms of a form that would release "the full moral force and full energy of students at the same time that they were acquiring an education relevant to what they were doing."

Mr. Seeley's advocacy of activism is paradoxical for a self-professed Center Senior Fellow admirer of the hippies. His remarks are illustrative of the dangerous intellectual confusion, plain muddleheadedness, and utter nonsense of what passes for "intellectual dialogue" at the Center for the Study of Democratic Institutions.

If it were not that the Center is subsidizing and giving logistic support to violent radicals with whom some Senior Fellows are afraid to go along but are willing to promote and foist upon the American people, the Fund for the Republic's Center for the Study of Democratic Institutions would not be worth an iota of serious attention. But the Center—in August 1965 and August 1967—was a womb for monstrous activism such as that which took place at the National Conference for New Politics meeting in Chicago last Labor Day weekend, and the demonstration at the Pentagon last October.

Evidently, what goes on at Center conferences in August does indeed furnish worried American citizens with exactly what W. H. Ferry, vice president of the Center, says it does—a "guide to tumult" in America, on and off campus.

[From U.S.A. magazine]

FUNDED DISRUPTION

(By Alice Widener)

NEW YORK CITY, January 12, 1968.—Each dollar of income received by a tax-exempt foundation is a dollar that did not furnish revenue to the U.S. Government. All money received by foundations is granted exemption from taxation by the U.S. Treasury, meaning by grace of all Americans. Is it to our national interest, I should like to ask, for the Treasury to grant tax-exemption to the Fund for the Republic?

The Fund subsidizes a think-tank, The Center for the Study of Democratic Institutions, at Santa Barbara, California. Currently, it is distributing widely a document, "Students and Society" which is a report on a student conference held at the Center last summer. In the report is a paper presented to the conference by student Stephen Saltonstall of Yale University, who entitled his work "Toward a Strategy of Disruption." What Mr. Saltonstall wishes to disrupt is our society and he calls for small, disciplined groups of student "shock troops" to achieve his aims. In print, at U.S. taxpayers' sufferance, the Fund for the Republic's Center permits Stephen Saltonstall to call for the "intimidation and humiliation" of public figures such as Vice President Humphrey and Defense Secretary McNamara.

What has "intimidation" to do with democratic procedures and institutions? Intimidation is the weapon of autocracy or tyranny. Mr. Saltonstall calls on students to harry university professors and researchers "at their homes." Is invasion of privacy a part of "democratic" procedure? Stephen Saltonstall also suggests—in Funded black-on-white, believe it or not—"The introduction of a small quantity of LSD in only five or six government department coffee-urns might be a highly effective tactic."

It could be a lethal one. State and federal narcotics control officials have informed me that a dose of LSD administered in coffee to a person suffering from an undetected physical ailment, such as a heart condition or diabetes, could be extremely harmful physically and perhaps fatal. From state and federal legal authorities, I learned that tampering with government property—such as a coffee urn or drinking fountain—is illegal.

How does it further the general welfare or "democratic institutions" for the Fund for the Republic to subsidize Saltonstall's suggestions for illegal student activity in a strategy of disruption?

A foreword to "Students and Society" by W. H. Ferry, vice president of the Fund's Center, states, "This is an edited record of the conference proceedings. Therefore Saltonstall's suggestions were printed with malice aforethought." Mr. Ferry also states, "The conference on Students and Society was made possible by a generous contribution from S. Herbert Meller of New York City." Mr. Meller is an investment banker with Meller & Co., One Chase Manhattan Plaza.

He and the Fund for the Republic helped finance the following printed statement in "Students and Society" by Devereaux Kennedy, student body president, Washington University: "I'm going to say loudly and clearly what I mean by revolution. What I mean by revolution is overthrowing the American government and American imperialism and installing some sort of decentralized power in this country." As steps to accomplish his purpose, Devereaux Kennedy proposes "starting up fifty Vietnams in Third World countries . . . acts of terrorism and sabotage outside the ghetto . . . I mean completely demoralizing and castrating America . . ."

Mr. W. H. Ferry says "the mood" of Students and Society is "hammering discontent, combined with impatience for action." The Fund for the Republic and Mr. Meller are subsidizing that mood. It bodes ill for all of us.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. Randall, for Wednesday, May 12 and Thursday, May 22, on account of official business—to address graduating classes at commencement.

Mr. McCloskey (at the request of Mr. Gerald R. Ford), for the week of May 19, on account of official business.

Mr. Wiggins (at the request of Mr. Gerald R. Ford), for May 20 through June 3, on account of official business.

Mr. Railsback (at the request of Mr. Gerald R. Ford), for the week of May 19, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. Lipscomb (at the request of Mr. Beall of Maryland), for 30 minutes, on May 21, to revise and extend his remarks and include extraneous matter.

Mr. Podell for 60 minutes, today, to revise and extend his remarks and include extraneous matter.

(The following Members (at the request of Mr. Marsh) and to revise and extend their remarks and include extraneous matter:)

Mr. Gonzalez, for 10 minutes, today.

Mr. Corman, for 60 minutes, on June 10.

EXTENSIONS OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. Edmondson in three instances and to include extraneous matter.

Mr. Saylor and to include extraneous matter.

Mr. Madden and to include an editorial.

(The following Members (at the request of Mr. Beall of Maryland) and to include extraneous matter):

Mr. Minshall in three instances.

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Mrs. HECKLER of Massachusetts in three instances.

Mr. SCHWENGEL in two instances.

Mr. FINDLEY.

Mr. DERWINSKI in two instances.

Mr. ROUDEBUSH.

Mr. MATHIAS.

Mr. KLEPPE.

Mr. ZWACH.

Mr. WYMAN in two instances.

Mr. WINN.

Mr. MICHEL.

Mr. WOLD in two instances.

Mr. CONABLE.

Mr. MILLER of Ohio in two instances.

Mr. CHAMBERLAIN.

Mr. PRICE of Texas.

Mr. CARTER.

Mr. BOB WILSON.

Mr. ESCH.

Mr. COLLINS in two instances.

Mr. ANDERSON of Illinois in two instances.

Mr. HORTON in two instances.

Mr. LIPSCOMB in three instances.

Mr. BROOMFIELD.

(The following Members (at the request of Mr. MARSH) and to include extraneous matter:)

Mr. GONZALEZ in two instances.

Mr. RARICK in four instances.

Mr. WOLFF in three instances.

Mr. VANIK in two instances.

Mr. FRASER in two instances.

Mr. MATSUNAGA.

Mr. BOLAND.

Mr. MARSH in two instances.

Mr. BOLLING.

Mr. CORMAN.

Mr. LONG of Maryland in two instances.

Mr. BURTON of California in two instances.

Mrs. GRIFFITHS.

Mr. BIAGGI.

Mr. HAGAN in four instances.

Mr. OLSEN in two instances.

Mr. O'HARA in two instances.

Mr. BINGHAM in two instances.

ENROLLED BILLS SIGNED

Mr. FRIEDEL, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 6269. An act to provide for the striking of medals in commemoration of the 300th anniversary of the founding of South Carolina.

SENATE ENROLLED BILLS SIGNED

The SPEAKER announced his signature to an enrolled Joint Resolution of the Senate of the following title:

S.J. Res. 104. Joint resolution to authorize the President to reappoint as Chairman of the Joint Chiefs of Staff, for an additional term of 1 year, the officer serving in that position on April 1, 1969.

BILLS PRESENTED TO THE PRESIDENT

Mr. FRIEDEL, from the Committee on House Administration, reported that that committee did on this day present to the President, for his approval, bills of the House of the following titles:

H.R. 6269. An act to provide for the striking of medals in commemoration of the 300th anniversary of the founding of South Carolina.

ADJOURNMENT

Mr. MARSH. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 2 minutes p.m.), the House adjourned until tomorrow, Wednesday, May 21, 1969, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

787. A communication from the President of the United States, transmitting proposed amendments to the requests for appropriations transmitted in the budget for the fiscal year 1970 (H. Doc. No. 91–117); to the Committee on Appropriations and ordered to be printed.

788. A letter from the Comptroller General of the United States, transmitting a report on the activities of the Center for Cultural and Technical Interchange Between East and West, Department of State; to the Committee on Government Operations.

789. A letter from the Assistant Secretary of the Interior, transmitting a copy of a proposed concession contract providing for the operation of facilities and services for the public at the North Beach development (Malaquite Beach), Padre Island National Seashore, Tex., for a term of approximately 20 years, pursuant to the provisions of the act of July 31, 1953 (67 Stat. 271), as amended; to the Committee on Interior and Insular Affairs.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. DAWSON: Committee on Government Operations. H.R. 10791. A bill to amend the budget and Accounting Act, 1921, to direct the Comptroller General to establish information and data processing systems, and for other purposes (Rep. No. 91–258). Referred to the Committee of the Whole House on the State of the Union.

Mr. YOUNG: Committee on Rules. House Resolution 413. Resolution for consideration of H.R. 11271, a bill to authorize appropriations to the National Aeronautics and Space Administration for research and development, construction of facilities, and research and program management, and for other purposes (Rep. No. 91–259). Referred to the House Calendar.

Mr. COLMER: Committee on Rules. House Resolution 414. Resolution for consideration of H.R. 11400, a bill making supplemental appropriations for the fiscal year ending June 30, 1969, and for other purposes (Rep. No. 91–260). Referred to the House Calendar.

Mr. STAGGERS: Committee on Interstate and Foreign Commerce. H.R. 8261. A bill to amend the Federal Aviation Act of 1958, as amended, and for other purposes; with amendment (Rep. No. 91–261). Referred to the Committee of the Whole House on the State of the Union.

Mr. STAGGERS: Committee on Interstate and Foreign Commerce. H.R. 11102. A bill to amend the provisions of the Public Health Service Act relating to the construction and modernization of hospitals and other medical facilities by providing separate authorizations of appropriations for new construction and for modernization of facilities, authorizing Federal guarantees of loans for such construction and modernization and Federal payment of part of the interest thereon, authorizing grants for modernization of emergency rooms of general hospitals, and extending and making other improvements in the program authorized by these provisions; with amendment (Rep. No. 91–262). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BOW:

H.R. 11440. A bill to provide for the more efficient development and improved management of national forest commercial timberlands, to establish a high-timber-yield fund, and for other purposes; to the Committee on Agriculture.

By Mr. BOLAND:

H.R. 11441. A bill to amend title 39, United States Code, to exclude from the U.S. mails as a special category of nonmailable matter certain obscene material sold or offered for sale to minors, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. BURTON of California:

H.R. 11442. A bill to amend the act, entitled "An act to promote the safety of employees and travelers upon railroads by limiting the hours of service of employees thereon," approved March 4, 1907; to the Committee on Interstate and Foreign Commerce.

H.R. 11443. A bill to amend the Immigration and Nationality Act to provide for the expeditious naturalization of certain former alien employees of the United States who have been admitted to the United States for permanent residence; to the Committee on the Judiciary.

H.R. 11444. A bill to provide for improved employee-management relations in the postal service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. BURTON of Utah:

H.R. 11445. A bill to amend the Federal Aviation Act of 1958 in order to establish certain requirements with respect to air traffic controllers; to the Committee on Interstate and Foreign Commerce.

By Mr. CAHILL:

H.R. 11446. A bill to amend title II of the Social Security Act so as to liberalize the conditions governing eligibility of blind persons to receive disability insurance benefits thereunder; to the Committee on Ways and Means.

By Mr. CLEVELAND:

H.R. 11447. A bill to amend title 28, United States Code, to limit the appellate jurisdiction of the Supreme Court in certain cases relating to the apportionment of population among districts from which Members of Congress are elected; to the Committee on the Judiciary.

By Mr. CORBETT:

H.R. 11448. A bill to amend the Public Health Service Act to provide for the making of guaranteed loans for the modernization of hospitals and other health facilities and otherwise to facilitate the modernization and improvement of hospitals and other health facilities; to the Committee on Interstate and Foreign Commerce.

By Mr. EDWARDS of California:

H.R. 11449. A bill to establish fee programs for entrance to, and use of, areas administered for outdoor recreation and related purposes by the Secretary of the Interior and the Secretary of Agriculture, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 11450. A bill to amend section 3006A of title 18, United States Code, relating to representation of defendants who are financially unable to obtain an adequate defense in criminal cases in the courts of the United States; to the Committee on the Judiciary.

H.R. 11451. A bill to provide that disabled individuals entitled to disability insurance benefits under section 223 of the Social Security Act or to child's or widow's insurance benefits on the basis of disability under section 202 of such act, and individuals in the corresponding categories under the Railroad Retirement Act of 1937, shall be eligible for health insurance benefits under title XVIII of the Social Security Act without regard to their age; to the Committee on Ways and Means.

By Mr. GETTYS:

H.R. 11452. A bill to provide for the more efficient development and improved management of national forest commercial timberlands, to establish a high-timber-yield fund, and for other purposes; to the Committee on Agriculture.

By Mr. GIAIMO:

H.R. 11453. A bill to amend the Legislative Reorganization Act of 1946 to provide for the inclusion of certain cost estimates of certain measures reported by the standing committees of the House of Representatives; to the Committee on Rules.

By Mrs. GRIFFITHS:

H.R. 11454. A bill to establish a national policy and program with respect to wild predatory mammals, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. HALPERN:

H.R. 11455. A bill to amend the Civil Service Act of January 16, 1883, to eliminate the provisions of section 9 thereof concerning two or more members of a family in the competitive civil service; to the Committee on Post Office and Civil Service.

H.R. 11456. A bill to modify the regulatory requirement that the son or daughter of an employee of the postal field service may be appointed to summer employment in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 11457. A bill to amend the Social Security Act to increase OASDI benefits and raise the earnings base, with subsequent adjustments as the cost of living rises, to increase widows' and widowers' benefits, and to liberalize eligibility for disability benefits; to make disabled beneficiaries eligible for medicare without regard to age, to finance the medical insurance program entirely from general revenues, and to cover prescription drugs; and to provide for a study of child health care; to the Committee on Ways and Means.

H.R. 11458. A bill to amend title II of the Social Security Act to provide that an individual may qualify for disability insurance benefits and the disability freeze if he has enough quarters of coverage to be fully insured for old-age benefit purposes, regardless of when such quarters were earned; to the Committee on Ways and Means.

H.R. 11459. A bill to amend title II of the Social Security Act to eliminate the reduction in disability insurance benefits which is presently required in the case of an individual receiving workmen's compensation benefits; to the Committee on Ways and Means.

By Mr. HANLEY:

H.R. 11460. A bill to aid the U.S. Postal Establishment in providing for the accumulation, analysis, and dissemination of reliable and meaningful financial, statistical, and accounting information in regard to all third-class mail matter, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 11461. A bill to amend title II of the Social Security Act so as to liberalize the conditions governing eligiblity of blind persons to receive disability insurance benefits thereunder; to the Committee on Ways and Means.

By Mr. PERKINS:

H.R. 11462. A bill to amend title XVIII of the Social Security Act to include drugs requiring a doctor's prescription among the medical expenses with respect to which payment may be made under the voluntary program of supplementary medical insurance benefits for the aged; to the Committee on Ways and Means.

H.R. 11463. A bill to amend title XVIII of the Social Security Act to eliminate the requirement that extended-care services follow hospitalization in order to qualify for payment thereunder; to the Committee on Ways and Means.

By Mr. PURCELL:

H.R. 11464. A bill to amend the Internal Revenue Code of 1954 to encourage higher education, and particularly the private fund ing thereof, by authorizing a deduction from gross income of reasonable amounts contributed to a qualified higher education fund established by the taxpayer for the purpose of funding the higher education of his dependents; to the Committee on Ways and Means.

By Mr. RARICK:

H.R. 11465. A bill to amend title 39, United States Code, to provide for the mailing of mail matter by relatives to members of the Armed Forces overseas at no cost to such relatives; to the Committee on Post Office and Civil Service.

H.R. 11466. A bill to amend the Internal Revenue Code of 1954 to exempt wages of certain seasonal employees from withholding; to the Committee on Ways and Means.

By Mr. SCOTT:

H.R. 11467. A bill to amend the Communications Act of 1934 to establish orderly procedures for the consideration of applications for renewal of broadcast licenses; to the Committee on Interstate and Foreign Commerce.

By Mr. TAFT:

H.R. 11468. A bill to amend title 13, United States Code, to increase the penalties for wrongful disclosure of information by employees of the Bureau of the Census; to the Committee on Post Office and Civil Service.

By Mr. VANIK (for himself, Mr. Anderson of California, Mr. Addabbo, Mr. Annunzio, Mr. Brademas, Mr. Clay, Mr. Cohelan, Mr. Diggs, Mr. Flood, Mr. Halpern, Mrs. Hansen of Washington, Mr. Hechler of West Virginia, Mr. Matsunaga, Mr. Olsen, and Mr. Scheuer):

H.R. 11469. A bill to amend title II of the Social Security Act to provide a 15-percent across-the-board increase in monthly benefits, with subsequent cost-of-living increases in such benefits and a minimum primary benefit of $80; to the Committee on Ways and Means.

By Mr. WOLFF (for himself, Mr. Yates, Mr. Vanik, Mr. Anderson of California, Mr. Chappell, Mr. Pryor of Arkansas, Mr. Ashley, Mr. Hamilton, Mr. Ashbrook, Mr. Hagan, Mr. Edwards of California, Mr. Marsh, Mr. Clark, Mr. Smith of Iowa, Mrs. Heckler of Massachusetts, and Mr. Fulton of Pennsylvania):

H.R. 11470. A bill to amend the Internal Revenue Code of 1954 to provide the same tax exemption for servicemen in and around Korea as is presently provided for those in Vietnam; to the Committee on Ways and Means.

By Mr. ADAMS (for himself, Mr. Diggs, Mr. Fraser, Mr. Jacobs, and Mr. Kyros):

H.R. 11471. A bill to establish, in the House of Representatives, the office of Delegate from the District of Columbia, to amend the District of Columbia Election Act, and for other purposes; to the Committee on the District of Columbia.

By Mr. ASHLEY (for himself and Mr. Rees):

H.R. 11472. A bill to amend the Export Control Act of 1949; to the Committee on Banking and Currency.

By Mr. BELL of California:

H.R. 11473. A bill to promote the advancement of biological research in aging through a comprehensive and intensive 5-year program for the systematic study of the basic origins of the aging process in human beings; to the Committee on Education and Labor.

By Mr. BUTTON:

H.R. 11474. A bill to reclassify certain key positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. CLEVELAND (for himself, Mr. Rees, Mr. Adams, Mr. Anderson of Illinois, Mr. Biester, Mr. Brademas, Mr. Brock, Mr. Conable, Mr. Fraser, Mr. Gibbons, Mr. Hamilton, Mr. Hathaway, Mr. Howard, Mr. Hungate, Mr. Jacobs, Mr. Lowenstein, Mr. MacGregor, Mr. Morton, Mr. Moss, Mr. Reuss, Mr. Rumsfeld, Mr. Schwengel, Mr. Steiger of Wisconsin, Mr. Taft, and Mr. Bob Wilson):

H.R. 11475. A bill to improve the operation of the legislative branch of the Federal Government, and for other purposes; to the Committee on Rules.

By Mr. DANIELS of New Jersey:

H.R. 11476. A bill to encourage the States to improve their workmen's compensation laws to assure adequate coverage and benefits to employees injured in the mining industry, and for other purposes; to the Committee on Education and Labor.

By Mr. DINGELL:

H.R. 11477. A bill to amend the act of August 1, 1958, to authorize restrictions and prohibitions on the use of insecticides, herbicides, fungicides, and pesticides which pollute the navigable waters of the United States; to the Committee on Merchant Marine and Fisheries.

By Mrs. DWYER:

H.R. 11478. A bill to afford protection to the public from offensive instrusion into their homes through the postal service of sexually oriented mail matter, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. EDWARDS of California:

H.R. 11479. A bill to establish the Interagency Committee on Spanish-American Affairs, and for other purposes; to the Committee on Foreign Affairs.

By Mr. EVANS of Colorado:

H.R. 11480. A bill providing for Federal railroad safety; to the Committee on Interstate and Foreign Commerce.

By Mrs. HECKLER of Massachusetts:

H.R. 11481. A bill to provide for financial disclosure by members of the Federal judiciary; to the Committee on the Judiciary.

By Mr. LONG of Maryland:

H.R. 11482. A bill to amend title 5 of the United States Code to authorize certain agreements relating to withholding of State income taxes; to the Committee on Ways and Means.

By Mr. McFALL:

H.R. 11483. A bill to amend title II of the Social Security Act to provide that an individual may qualify for disability insurance benefits and the disability freeze if he has enough quarters of coverage to be fully insured for old-age benefit purposes, regardless of when such quarters were earned; to the Committee on Ways and Means.

By Mr. MATHIAS (for himself and Mr. Don H. Clausen):

H.R. 11484. A bill to amend chapter 44 of title 18, United States Code, with respect to the sale or delivery of ammunition; to the Committee on the Judiciary.

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By Mr. MILLER of Ohio:

H.R. 11485. A bill to amend the Communications Act of 1934 so as to prohibit the granting of authority to broadcast pay television programs; to the Committee on Interstate and Foreign Commerce.

By Mr. MONTGOMERY:

H.R. 11486. A bill to provide for the more efficient development and improved management of national forest commercial timberlands, to establish a higher-timber-yield fund, and for other purposes; to the Committee on Agriculture.

By Mr. MOSS:

H.R. 11487. A bill to require the Federal Aviation Administrator to prescribe a minimum altitude of flight for aircraft in the airspace over Mount Vernon estate, the home of George Washington, in Fairfax County, Va.; to the Committee on Interstate and Foreign Commerce.

By Mr. O'HARA:

H.R. 11488. A bill to amend the Communications Act of 1934 to prohibit the granting of authority by the Federal Communications Commission for the broadcast of pay television programs; to the Committee on Interstate and Foreign Commerce.

By Mr. OLSEN:

H.R. 11489. A bill to designate the Lincoln back-country wilderness "Helena National Forest," "Lewis and Clark National Forest," and "Lolo National Forest" in the State of Montana; to the Committee on Interior and Insular Affairs.

H.R. 11490. A bill to expedite the interstate planning and coordination of a continuous Lewis and Clark Trail Highway; to the Committee on Public Works.

By Mr. PATMAN:

H.R. 11491. A bill to provide for the withholding of Federal assistance from colleges and universities found to be negligent in maintaining order on their campuses; to the Committee on Education and Labor.

H.R. 11492. A bill to authorize the Secretary of Commerce to conduct research and development programs to increase knowledge of tornadoes, squall lines, and other severe local storms, to develop methods of detecting storms for prediction and advance warning, and to provide for the establishment of a National Severe Storms Service; to the Committee on Interstate and Foreign Commerce.

By Mr. PODELL:

H.R. 11493. A bill to amend the Legislative Reorganization Act of 1946 to provide for annual reports to the Congress by the Comptroller General concerning certain price increases in Government contracts and certain failures to meet Government contract completion dates; to the Committee on Government Operations.

By Mr. QUILLEN:

H.R. 11494. A bill to amend title 38 of the United States Code so as to provide that monthly social security benefit payments and annuity and pension payments under the Railroad Retirement Act of 1937 shall not be included as income for the purpose of determining eligibility for a veteran's or widow's pension; to the Committee on Veterans' Affairs.

By Mr. RANDALL:

H.R. 11495. A bill to provide a 15-percent across-the-board increase in monthly benefits payable under title II of the Social Security Act; to fix minimum primary benefits at $80 per month; and to require automatic adjustments in benefits to reflect cost-of-living increases; to the Committee on Ways and Means.

By Mr. SCHADEBERG:

H.R. 11496. A bill to amend the Federal Food, Drug, and Cosmetic Act to include a definition of food supplements, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. SIKES (for himself, Mr. Fuqua, Mr. Bennett, Mr. Haley, Mr. Chappell, Mr. Fascell, Mr. Rogers of Florida, Mr. Burke of Florida, Mr. Pepper, Mr. Cramer, Mr. Frey, and Mr. Gibbons):

H.R. 11497. A bill to rename a pool of the Cross-Florida Barge Canal "Lake Oklawha"; to the Committee on Public Works.

By Mr. BOB WILSON:

H.R. 11498. A bill to amend the act of August 27, 1954 (commonly known as the Fisherman's Protective Act), to strengthen the provisions therein relating to the protection of U.S. vessels on the high seas; to the Committee on Merchant Marine and Fisheries.

By Mr. BELL of California:

H.J. Res. 729. Joint resolution authorizing the President to proclaim annually the week including December 15 as "National Bill of Rights Week"; to the Committee on the Judiciary.

By Mr. ESHLEMAN:

H.J. Res. 730. Joint resolution proposing an amendment to the Constitution relating to the terms of office of Judges of the Supreme Court of the United States; to the Committee on the Judiciary.

By Mr. SATTERFIELD:

H.J. Res. 731. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. SCHADEBERG:

H.J. Res. 732. Joint resolution authorizing the President to proclaim the period September 15 through October 15 of each year as "Youth Activities Month"; to the Committee on the Judiciary.

By Mr. SPRINGER:

H.J. Res. 733. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. ADDABBO:

H. Con. Res. 268. Concurrent resolution expressing the sense of the Congress with respect to the production and distribution in interstate and foreign commerce of motion pictures and television programs which degrade or demean racial, religious, or ethnic groups; to the Committee on Interstate and Foreign Commerce.

By Mr. BIAGGI:

H. Con. Res. 269. Concurrent resolution creating a joint committee of Congress to investigate the production, distribution, and exhibition of movies that criticize or degrade ethnic, racial, or religious groups; to the Committee on Rules.

By Mr. CHAPPELL:

H. Con. Res. 270. Concurrent resolution, support of gerontology centers; to the Committee on Education and Labor.

By Mr. GIAIMO:

H. Con. Res. 271. Concurrent resolution, support of gerontology centers; to the Committee on Education and Labor.

By Mr. MILLER of California:

H. Con. Res. 272. Concurrent resolution expressing the sense of the Congress with respect to the production and distribution in interstate and foreign commerce of motion pictures and television programs which degrade or demean racial, religious, or ethnic groups; to the Committee on Interstate and Foreign Commerce.

By Mr. TAFT:

H. Con. Res. 273. Concurrent resolution, support of gerontology centers; to the Committee on Education and Labor.

By Mr. JOELSON:

H. Res. 416. Resolution to amend the Rules of the House of Representatives to create a standing committee to be known as the Committee on Physical and Mental Health; to the Committee on Rules.

H. Res. 417. Resolution to amend the Rules of the House of Representatives to create a standing committee to be known as the Committee on Housing and Urban Development; to the Committee on Rules.

H. Res. 418. Resolution to amend the Rules of the House of Representatives to create a standing committee to be known as the Committee on Consumer Protection; to the Committee on Rules.

By Mr. TAFT:

H. Res. 419. Resolution to amend the Rules of the House of Representatives to create a standing committee to be known as the Committee on the Environment; to the Committee on Rules.

By Mr. WYMAN:

H. Res. 420. Resolution to amend rule XXII of the Rules of the House of Representatives; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BURKE of Massachusetts:

H.R. 11499. A bill for the relief of Kyoungho Metardus Cynn, M.D.; to the Committee on the Judiciary.

By Mr. BURTON of California:

H.R. 11500. A bill for the relief of Mr. and Mrs. John F. Fuentes; to the Committee on the Judiciary.

By Mr. CHAPPELL:

H.R. 11501. A bill for the relief of Maria Luisa Gorostegui deDourron, M.D.; to the Committee on the Judiciary.

By Mr. DELANEY (by request):

H.R. 11502. A bill for the relief of Bruno and Sylvia Burruto; to the Committee on the Judiciary.

By Mr. DONOHUE:

H.R. 11503. A bill for the relief of Mr. Wylo Pleasant, doing business as Pleasant Western Lumber Co. (now known as Pleasant's Logging & Milling, Inc.); to the Committee on the Judiciary.

By Mr. FALLON:

H.R. 11504. A bill for the relief of Roberto Valenzuela; to the Committee on the Judiciary.

By Mr. VAN DEERLIN:

H.R. 11505. A bill for the relief of Herman Gibson; to the Committee on the Judiciary.

H.R. 11506. A bill for the relief of Gloria R. Harkness; to the Committee on the Judiciary.

H.R. 11507. A bill for the relief of Frank Lowe; to the Committee on the Judiciary.

By Mr. FRIEDEL:

H. Res. 415. Resolution authorizing the payment of a gratuity from the contingent fund of the House of Representatives on behalf of a deceased former employee of the House of Representatives; to the Committee on House Administration.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

115. By Mr. ROBISON: Petition of the Broome County Legislature, Binghamton, N.Y., memorializing opposition to the inclusion of local bonding in tax-preference regulation; to the Committee on Ways and Means.

116. Also, petition of the employees of Susquehanna Valley High School, Conklin, N.Y., relative to increasing the individual tax exemption from $600 to $1,200 per dependent; to the Committee on Ways and Means.

117. By the SPEAKER: Petition of Miss Betty Sue Crigger, Johnson City, Tenn., relative to redress of grievances; to the Committee on the Judiciary.

118. Also, petition of the City Council, Elizabeth, N.J., relative to the tax exemption on municipal bonds; to the Committee on Ways and Means.

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EXTENSIONS OF REMARKS

UTILITY POLICY ON ADVANCE DEPOSITS BY CUSTOMERS

HON. LEE METCALF

OF MONTANA

IN THE SENATE OF THE UNITED STATES

Tuesday, May 20, 1969

Mr. METCALF. Mr. President, some utility companies have been criticized because of discriminatory policy with respect to advance deposit requirements. Deposits have been required of persons whose credit may be excellent, but who live in a poor neighborhood or are engaged in menial work. Deposits often are not required of persons in more expensive neighborhoods and engaged in more prestigious work, even though these persons may be poor risks financially. There is some evidence that the poor have been more prompt in payment of utility bills than the well to do, despite the burden of advance payments which, in some cases, were not refunded as they should have been after credit was established.

Last year I asked the Federal Power Commission, Federal Communications Commission, and National Association of Regulatory Utility Commissioners what policy obtained in the various States with respect to advance deposit requirements. I learned that, as so often is the case in utility matters, information on the subject was not readily available. However, I am pleased to report, it was the feeling at both the Federal Commissions and at NARUC that this information should be obtained.

Former NARUC Chairman James W. Karber appointed an Ad Hoc Committee on Customer Deposit Practices of Utilities. It sent a questionnaire to the chairmen of the regulatory commissions in the various States. The information received was analyzed, after which the NARUC executive committee approved draft model State commission rules governing establishment of credit for utility services.

Mr. President, I wish to commend NARUC for its efforts to remove discriminatory practices in this area, NARUC has welcomed comments on its draft model rules. I ask unanimous consent that they be printed in the RECORD.

NARUC's office, for those who wish to comment on the proposed rules, is at 3327 Interstate Commerce Commission Building, Box 684, Washington, D.C. 20044.

There being no objection, the remarks were ordered to be printed in the RECORD, as follows:

MODEL STATE COMMISSION RULES GOVERNING ESTABLISHMENT OF CREDIT FOR UTILITY SERVICES

Section 1. *Declaration of public policy.*—The Public Service Commission of this State, hereinafter referred to as the "Commission", declares that it is in the public interest for each utility to fairly and indiscriminately administer a reasonable policy reflected by written regulations, in accord with these Rules, which will permit an applicant for service to establish, or an existing customer to re-establish, credit with the utility for the use of its service. The Commission further declares that when it is necessary for an applicant or customer to make a cash deposit to establish or re-establish credit in accord with these Rules, the making of such deposit is in the public interest because it avoids, to the extent practicable, the creation of a burden arising from uncollectible bills which would have to be borne ultimately by the ratepayers. The Commission further declares that the essential ingredient in each utility's administration of deposit policy in accord with these Rules is its equitable and indiscriminate application to all applicants for service and customers throughout the service area without regard to the economic character of the area or any part thereof, and such deposit policy shall be predicated upon the credit rating of the individual over and above the collective credit reputation of the area in which he lives or does business.

Section 2. *Establishment of credit.*—(a) Each utility may require an applicant for service to satisfactorily establish credit which will be deemed established if:

(i) The applicant owns a significant interest in the premises to be served or other real estate within the territory served by the utility unless the applicant has an unsatisfactory credit rating; or

(ii) The applicant demonstrates a satisfactory credit rating by appropriate means, including but not limited to, the production of credit cards, letters of reference, or the names of references which may be quickly and inexpensively contacted by the utility; or

(iii) The applicant has been a customer of the utility for a similar type of service within a period of twenty-four consecutive months preceding the date of application and during the last twelve consecutive months of that prior service has not had more than two occasions in which a bill was not paid within thirty days after it became due; *provided,* that the periodic bill for such previous service was equal to at least fifty per centum of that estimated for the new service; and *provided further,* that the credit of the applicant is unimpaired; or

(iv) The applicant furnishes a satisfactory guarantor to secure payment of bills for the service requested in a specified amount not to exceed the amount of the cash deposit prescribed in Section 4 of these Rules; or

(v) The applicant makes a cash deposit to secure payment of bills for service as prescribed in Section 4 of these Rules.

(b) The establishment of credit under the provisions of this Section, or the re-establishment of credit under the provisions of Section 3 of these Rules, shall not relieve the applicant for service or customer from compliance with the regulations of the utility as to advance payments and the prompt payment of bills, and shall not constitute a waiver or modification of the practices of the utility in regard to the discontinuance of service for the non-payment of bills due for service furnished.

Section 3. *Re-establishment of credit.*—(a) An applicant for service who previously has been a customer of the utility and whose service has been discontinued by the utility during the last twelve months of that prior service because of non-payment of bills, may be required to re-establish credit in accordance with Section 2 of these Rules; *except,* that an applicant for domestic service shall not be denied service for failure to pay such bills for other classes of service.

(b) A customer who fails to pay bills within thirty days after they become due and who further fails to pay such bills within five days after presentation of a discontinuance of service notice for non-payment of bills (regardless of whether or not service was discontinued for such non-payment), may be required to pay such bills and re-establish his credit by depositing the amount prescribed in Section 4 of these Rules.

(c) A customer may be required to re-establish his credit in accordance with Section 2 of these Rules in case the conditions of service or basis on which credit was originally established have materially changed.

Section 4. *Deposit; amount; receipt; interest.*—No utility shall require a cash deposit to establish or re-establish credit in an amount in excess of two-twelfths of the estimated charge for the service for the ensuing twelve months. Each utility, prior to receiving a deposit, shall furnish a copy of these Rules to the applicant for service or customer from whom a deposit is required and such copy shall contain the name, address and telephone number of the Commission.

(b) Concurrently with receiving a cash deposit, the utility shall deliver to the applicant for service or customer, a receipt showing: (i) the date thereof; (ii) the name of the applicant or customer and the address of the premises to be served or served; (iii) the service to be furnished or furnished; and (iv) the amount of the deposit and the rate of interest to be paid thereon. Each utility shall provide reasonable means to refund the deposit of a customer, when he is so entitled, if the original receipt cannot be produced.

(c) Each utility shall pay interest on a deposit at the rate of five per centum per annum, or at the rate equal to the average rate of interest paid by the utility for short term debt during the twelve months' period ending on the December 31 immediately preceding the date the deposit is made, whichever rate is higher. Interest on a deposit shall accrue annually and shall be annually credited to the customer by deducting such interest from the amount of the next bill for service following the anniversary date of the original deposit. A utility shall not be required to pay interest on a deposit held less than ninety days, and shall not be required to pay interest on a deposit for the period following three years after discontinuance of service, if during such three year period the utility has made a reasonable effort to refund the deposit. Thereafter, an unclaimed deposit, plus accrued interest, shall be credited to an appropriate account.

Section 5. *Refund of deposit.*—(a) Upon discontinuance of service, the utility shall promptly and automatically refund the customer's deposit plus accrued interest, or the balance, if any, in excess of the unpaid bills for service furnished by the utility. A transfer of service from one premises to another within the service area of the utility shall not be deemed a discontinuance within the meaning of these Rules.

(b) After the customer has paid bills for service for twelve consecutive months without having had more than two occasions in which a bill was not paid within thirty days after it became due, the utility shall promptly and automatically refund the deposit plus accrued interest. If the customer has had more than two such past due bills for such period, the utility shall thereafter review the account every twelve months and shall promptly and automatically refund the deposit plus accrued interest after the customer has not had more than two such past due bills during the twelve months prior to any review.

(c) The utility shall promptly return the deposit plus accrued interest at any time upon request, if the customer's credit has

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been otherwise established in accordance with Section 2 of these Rules.

(d) At the option of the utility, a deposit plus accrued interest may be refunded, in whole or in part, at any time earlier than the times hereinabove prescribed in this Section.

Section 6. *Record of deposit.*—Each utility holding a cash deposit shall keep a record showing: (a) the name and current address of each depositor; (b) the amount and date of the deposit; and (c) each transaction concerning the deposit.

Section 7. *Appeal by applicant or customer.*—Each utility shall direct its personnel engaged in initial contact with an applicant for service or customer, seeking to establish or re-establish credit under the provisions of these Rules, to inform him, if he expresses dissatisfaction with the decision of such personnel, of his right to have the problem considered and acted upon by supervisory personnel of the utility. Each utility shall further direct such supervisory personnel to inform such an applicant or customer, who expresses dissatisfaction with the decision of such supervisory personnel, of his right to have the problem reviewed by an official of the Commission and shall furnish him the name of the Commission official to be contacted and his address and telephone number.

COMMISSIONER BENNETT SPEAKS FOR AMERICAN INDIANS

HON. ED EDMONDSON

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 20, 1969

Mr. EDMONDSON. Mr. Speaker, one of the great American Indian leaders of this generation is Commissioner Robert L. Bennett of the Bureau of Indian Affairs. Commissioner Bennett has provided remarkable leadership in creating a partnership between the Indians and the Federal Government through the Bureau.

This leadership has been an expression of Commissioner Bennett's philosophy that the American Indian must move into society as a constructive and contributing force, while at the same time maintaining and cherishing his Indian heritage and the Indian tribal organizations.

The Bureau under Commissioner Bennett's leadership has placed special emphasis on the role of the young Indians. This emphasis reflects the Commissioner's understanding of the problems facing the Indian children and young adults, both on and off the reservations.

Mr. Speaker, Mr. Bennett summed up his philosophy quite well in a speech he made last fall to the National Congress of American Indians in Omaha, Nebr., and I would like to have this speech printed in the RECORD. I would especially like to call the attention of my colleagues to the final section of this speech, the section on "Indian Youth":

THE FUTURE AND THE FIRST AMERICANS

It is a pleasure for me as your Commissioner, friend, fellow Indian American, and member of NCAI to provide you with a report of my efforts during the past 29 months. By the way, 29 months is a new record for an Indian Commissioner, as the only other Indian Commissioner, Major Eli Parker, was allowed to serve only 26 months.

No Commissioner has received such wonderful support as you have given me. I want you to know that it is appreciated more than I can say. With this kind of support you have made my job easier, the burdens, cares and worries lighter, and the satisfaction from whatever progress has been made much greater.

Indeed, the past several months have been a time of several "firsts" for the First Americans.

For the first time in history—in this year 1968—a President of the United States sent to Congress a message dealing exclusively with American Indians and the social and economic problems confronting them.

For the first time in history, Indian tribal organizations have begun to take an active part in State and regional economic development planning, so that Indian lands will no longer be surrounded by that invisible barrier that separates reservation economies from growth opportunities with their neighboring communities.

For the first time, Indian people are being afforded a partnership with the Federal Government in Indian affairs.

For the first time, the President in his special message, and the Senate in the passage of S. Con. Res. 11 have taken affirmative action to bury the unilateral termination policies of the 1950's and instead offer new hope to the Indian people that they will be masters of their own fate.

For the first time, the education of Indian children has been given priority attention, not only in terms of dollars expended to quantify it but in terms of brainpower invested in giving it *quality*, from kindergarten to college. Hopefully there will never be another generation of Indians who suffer a kind of second-class citizenship because of their second-rate schooling.

Most important of all, for the first time in this century the Indian people have rediscovered themselves as a great people and have begun to reestablish cultural and historic identity. We are on the way once again to full command of our own future.

Now, I am providing you the first Commissioner's report to the Indian people. It is my fervent hope that this will set a precedent so that each and every Commissioner of Indian Affairs will come to you regularly and give an accounting of his administration. You are entitled to this.

Because you will have an opportunity to read this report at your leisure, I will not dwell upon it too much this afternoon. If you have any questions, comments, or criticisms, please feel free to write me. I want you to be fully informed and I hope satisfied that we are working together to achieve partnership in reality and in spirit. The spirit of true partnership is that spirit which makes us in the Bureau of Indian Affairs work in partnership with you because we want to and not because someone told us to.

Although we can develop the capability to meet your needs by providing opportunities for adequate food, clothing, and shelter, I feel that you will be satisfied only if you have a voice in the development of these opportunities. I promise you that as long as it is my honor to be your Commissioner, your voice will be heard.

I believe that our greatest progress has been in the changing role of the Bureau of Indian Affairs to meet the changing times. No part of my position gives me more difficulty or more pleasure than that of being your advocate in Government.

I am not unmindful of my obligations to the Federal Government as an executive officer, but I do find a lot of running room to advocate your interests and I use it. I am grateful that Secretary Stewart Udall has supported the Bureau in this role of advocate.

We cannot rest upon our record because we can never be satisfied as long as some of the people are without adequate opportunities to obtain food, clothing and shelter. We can never rest as long as we are confronted with new ideas of concern.

For this reason in particular it is important that we spend time during this convention to analyze certain new issues in Indian affairs that will have a growing and lasting impact upon the ultimate destiny of the Indian people.

These three issues are: The rights of individual Indians under the Constitution of the United States; problems of Indians who are increasingly congregating in off-reservation communities; and, last but hardly least, the young among us.

Each of these issues is a reflection of the fact that the lives of Indians are becoming more and more enmeshed with society as a whole. It is a trend we cannot reverse; and therefore we must help ease the transition so we do not lose.

CIVIL RIGHTS

The civil rights of American Indians under the Constitution of the United States have been won slowly but not easily. Citizenship has been guaranteed only since 1924. Until the Civil Rights Act of 1964, voting rights of Indians under various State laws were frequently questioned. Job discrimination against Indians existed in many areas of heavy Indian population until equalization of employment opportunities for minorities was further protected by recent Federal law. Most recently, the Civil Rights Act of 1968 gives further protections to the Indian citizenry of this country.

Under the 1968 Act are several titles—II through VII, to be specific—pertaining directly to Indians. Title II, for example, provides redress through Federal courts against arbitrary and capricious treatment by tribal authorities in violation of Constitutional rights. Title IV of the Civil Rights Act relates to the assumption by States of criminal and civil jurisdiction over Indian country. It makes a significant change in Public Law 280, 83rd Congress, by requiring consent of the Indian tribe before assumption of jurisdiction by any State not now having such jurisdiction; and it further provides authority for the United States to accept a retrocession of jurisdiction from States which have previously acquired it.

It would appear that the intent of Congress, under this new Act, is to assure uniformity of justice to all Indians while providing the means for a healty strengthening of tribal law enforcement authority. It calls for a new model code for the few remaining courts under BIA jurisdiction and for the training of judges in such courts. Such a model code, and such professional training could well be applicable to tribal courts.

We hope that you will join us to render a service to member tribes—and, conceivably, to other tribes, as well—by providing leadership to see that in time existing tribal laws will relate to the requirements of the new Civil Rights Act. This concept has taken a long time to be supported by law and we must take the opportunity to make it meaningful.

This organization can also help member tribes obtain fullest benefit from other new legislation: The Juvenile Delinquency Prevention and Control Act; and the Omnibus Crime Control and Safe Streets Act. Both of these laws provide funds for help in improving law enforcement services and in administering justice effectively. These laws qualify Indian tribes for direct participation.

The BIA is ready and willing to help you in this matter.

OFF-RESERVATION INDIANS

Another issue—one is which this organization and all tribes must move to find solutions—is the question of off-reservation Indians. Thousands of Indian people are moving away from reservation communities, sometimes to nearby towns, sometimes to cities some miles distant. Not all of the numbers who are now settling in such diverse

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places as Rapid City, South Dakota; the Twin Cities of Minneapolis and St. Paul; Chicago, San Francisco; and Los Angeles are doing so through the BIA's Adult Vocational Training and Employment Assistance services.

The BIA's mission has not extended to Indians who leave the reservation, except to the extent that it provides short-term services for those on reservations who seek BIA help in relocating.

Neither does the BIA mission extend to Indians whose reservation lands are not under Federal trusteeship control. Large pockets of Indian population in northern New York and Maine, for example, are beyond BIA's purview. So are smaller groups scattered along the east coast from Massachusetts to Georgia, and groups in California that have been "terminated."

Indian organizations, therefore, are the hope of these groups. Through your structure and that of your tribes', you can help them to rally public attention to their cause and public aid to alleviate their pressing needs. Through State and local governments, the Federal Government disburses billions of dollars annually for such services as public schooling, health and welfare, development of community projects, and manpower training. The question is: Are the off-reservation Indians, and the Indians on reservations not under trusteeship, getting a fair share of their community's total Federal outlay?

You need also come to grips with the problems which develop in relationships between those of you who live in Indian communities, and those who live away. We are all of one blood, we all have the same basic goals, we are too few to have any political voice unless we are united.

Indians in far away communities are proud of their Indian heritage, have organized themselves because of their common interest, and seek a meaningful relationship with those of you who are in positions of tribal responsibility.

We need to sit down and start discussions that will open the way for understanding between resident and non-resident Indians. I am sure we will find that we have much in common and that most differences can be resolved. We cannot afford the luxury of disunity, so I suggest that the NCAI use its good offices to bring about useful meetings between those who live in Indian communities and those who are away.

INDIAN YOUTH

As the forces of change are at work all over the world—and since the reservation is no longer isolated from the rest of society because of T.V., radio, and all communication media, Indian youth is in turmoil over what they see and hear. This turmoil is good if it is founded in the realities of the issues of today. And, the reality of the young Indian people in Indian country is—that they must learn to live in two worlds so as not to become the victims of both. My concern is that Indian young people not become diverted in their quest for meaningful places in society by those elements who are attempting to tear apart the fiber of American lifeways and who see this period of change as a means to achieve leadership through anarchy. Indian young people should not use their youthful energies to burn themselves out in hate and destruction as some young people are doing, but rather they should use these energies in the agonizing search for social justice. They need to look forward with goals in mind—and not backward in anger. To look backward in anger would only perpetuate discontent, provide no basis for revival of Indian spirit, and use of energies which are needed to build a better future.

We need to appraise our relationship with Indian youth before we find ourselves in treacherous waters—before passion replaces reason—before slogans replace issues—before carrying of signs replaces carrying of pride and dignity. We owe them our best efforts because we look to them for the fulfillment of our dreams. They are our prime resources of vitality and new ideas, and our greatest resource.

How do we establish communication between them and us? We need to create an environment for them to speak out with a sense of responsibility and not of futility. We need to provide a forum by which they can make their voices heard on public issues. We need to talk and listen to each other with mutual respect, and the desire for understanding—and we need to make them feel comfortable in this dialogue, but we do not need always to agree with them. We need to understand them. They want to talk to you—the Indian leaders—and not to others. The reason I know this is because many, many young people in the last few months have told me this.

We should seek to build and not to destroy—because in seeking to destroy we become our own victims. We need to think and communicate in realistic terms with sincerity as its basis. And, we need to face life in our times. We need to draw upon the past—but not to rest upon it. We need to keep Indian heritage a living thing—and keep it from becoming stagnant. And the only suggestion I could make on the theme for this conference is to have the word "Living" before Indian Heritage because a stagnant or a dead heritage is of no value. Indian youth are coming on us very strong. They are coming on us in large numbers—they are coming on us better educated—they are coming on us more sophisticated. Fifty percent of the general population of this country is approximately 28 years of age and under. These young people as they come on can be a positive force for good, or they can be a negative force for evil—this is our challenge. Indian culture does not provide a place for the young person because in the Indian culture you went from child to man or from child to woman. Wisdom was related to age, and silence among the young was a virtue. But because the minds of our young have been stimulated by education and new experiences, more than ever before they want to know "why?" and we need to answer. They possess everything to build healthy personalities. They have heredity in which they want to take pride—they come from an environment with which they know they must cope—but they know that they alone must accept responsibility for how they respond to the situations that they will be confronted with in daily life. They will have to accept their heredity, cope with their environment, and say to themselves, "Now what shall I do with myself?"

The rate of suicides among younger Indians is greater than the young people in society generally. The rate of suicides among older Indians is lesser than that of older people in society generally. Young Indian people need to find and know themselves. If they don't find themselves they will not be any good to themselves or to anyone else. It could be that we have not provided them with the sources of strength, we have not helped them to see life in proper perspective, and develop values around which to build their lives. We have not taken them into our confidence to give them the recognition they so desperately want. We have not provided them a means by which they can see that they will ever derive a sense of fulfillment. We must see to it that they get the opportunity to build our Indian heritage anew and help keep it *living and great;* so they can live wholesome lives in the image of man and God.

But, we must start now, because today is already too late for some, and tomorrow will be too late for others. You can do this. In my experience, living on the reservation, going to school, with Indian young people, and 35 years of work among you I've developed an unshakable faith and abiding confidence in Indian people. I know you can rise to this challenge as you have risen to challenges in the past. I look to you for ideals, for goals and for inspiration. I am proud of the restraint and dignity that you have shown in this period of our history.

I am very optimistic for the Indian future because of the leadership that we have and is currently emerging among Indian people both young and adult. I am proud to be one of you.

ANTIBALLISTIC MISSILE SAFEGUARD SYSTEM

HON. STROM THURMOND

OF SOUTH CAROLINA

IN THE SENATE OF THE UNITED STATES

Tuesday, May 20, 1969

Mr. THURMOND. Mr. President, it is a pleasure for me to congratulate the WAGL radio station in Lancaster, S.C., for the fine editorial on the antiballistic missile Safeguard system which was broadcast on May 7, 1969. The editorial is an excellent example of a great public service to keep the radio audience in the Lancaster area well informed on a vital issue affecting our national security.

It is reassuring for a responsible news medium to accept its obligation to the people to explain difficult and complex critical issues. It is especially important for a responsible medium to take a position on these issues. I commend Mr. B. L. Phillips, Jr., president of WAGL, for his outstanding editorial in support of the ABM Safeguard system. It reflects a wise understanding of what is involved and clearly presents the urgent need for this defensive protection of our Nation's nuclear deterrent.

I ask unanimous consent that the editorial be printed in the Extensions of Remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

WAGL EDITORIAL

Very soon in the Congress of the United States, our Representatives and Senators will be voting on whether or not this nation should build and deploy the Safeguard System, which is President Nixon's version of the much discussed ABM . . . Anti Ballistic Missile System.

WAGL would, for the following reasons, cast a yea vote on this issue in favor of construction and deployment.

First, the Safeguard ABM System would give creditability to the United States' retaliatory position in that it would protect our minuteman missile sites which are designed to deal a devastating retaliatory blow to any country launching a first strike against us.

Secondly, the Safeguard ABM System would be an effective defense against an accidental launch of one or two missiles by any foreign country against the United States through either human or mechanical error.

And third, while the Safeguard ABM System is not designed to be, and therefore would not be, an effective defense of our cities against an all out attack by the Soviet Union, it would be an effective defense against any limited attack Red China may be capable of launching against the United States for the next few years.

WAGL feels that in the face of the knowledge that the Soviet Union has built their SS–9 missile which is capable of delivering a 25 megaton warhead on target, President Nixon's strategy of deploying the Safeguard

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ABM missiles around our minuteman sites is a sound one since the Soviet Union's intention of such a powerful weapon can only be to destroy our retaliatory missiles in their underground silos making us incapable of of retaliation to any first strike they may deal. Their intention is clear since our military minds tells us that to completely destroy a major city, only a one to two megaton weapon is needed.

Further evidence that the Soviet Union is placing itself in a position of first strike capability is their own ABM System, which is deployed to protect not their missile sites, but their cities. This would indicate that when this ABM System is called on to defend, their missiles having been already launched in a first strike will not be there to defend . . . rather it will be their cities that will need defending against the United States' retaliatory wrath.

There are those who would oppose the Safeguard ABM System on the grounds that it would be further escalation of the arms race. However, we point out that Safeguard is entirely a defensive system and is in no way offensive. It could not be used to attack, only to defend, and at that only to defend our Minuteman missile sites, not our cities. Opponents also say that to build an ABM System may be to risk offending the Soviet Union. Please remember, however, that the Soviet Union thought lightly of offending the United States when they built their ABM System. Other opponents say that the costs of safeguard may exceed the estimated 5 to 7 billion dollars and that this expenditure would cause social welfare efforts to suffer financially. WAGL would remind these opponents that if we ever actually incur a first strike from the Soviet Union so many American lives will be lost as to make our social welfare problem look indeed small by comparison.

The United States has depended in the past for its deterrent ace in the hole, on the fact that the Soviet Union knew that if they launched a nuclear attack against us, we both could and would launch a nuclear attack right back on them. Now with the advent of the Soviet Union's 25 megaton SS–9 missile, our ability to return a nuclear attack to them has been greatly diminished, and therefore nullifying our deterrent ace in the hole, leaving this country defensively naked before the Soviet Union. Remember that the leaders of the Soviet Union have repeatedly threatened to quote "bury us". WAGL says, let us not for one moment turn our back on the Soviet Union, lest we by so doing permit them to carry out their threat.

The Safeguard ABM System is the soundest insurance *for* peace and *against* war that the United States can buy in 1969, for the 1970's. WAGL urges each and every citizen to write their Congressmen and Senators expressing support for the construction and deployment of President Nixon's Safeguard ABM System.

ABM—A SENSIBLE SAFEGUARD

HON. RICHARD L. ROUDEBUSH

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 20, 1969

Mr. ROUDEBUSH. Mr. Speaker, the VFW magazine of May 1969, published an excellent article on the ABM, written by the VFW's Commander in Chief Richard Homan. Mr. Homan's article, entitled "ABM—A Sensible Safeguard," presents a logical and reasonable case for going ahead with the Safeguard program.

Having once served the Veterans of Foreign Wars of the United States as commander in chief, I know this organization. The VFW speaks for grassroots America. It represents a vast cross section of our society. It includes men who have fought to preserve the security of this country, and they want to perpetuate it. I am impressed with the position taken by Mr. Homan and the VFW. The VFW feels that President Richard M. Nixon should be given the tools he needs to achieve peace through preparedness. Because of the timeliness and significance of the ABM issue, I include Mr. Homan's article in the RECORD:

ABM—A SENSIBLE SAFEGUARD

(By Richard Homan)

A vital issue facing America and one on which hinges the future security and perhaps survival of the United States is the Anti-Ballistic Missile (ABM) defense plan currently being debated.

While readers of the *V.F.W. Magazine* are familiar with the issues surrounding the Vietnam war, it is likely only a few are thoroughly cognizant of those involved in the ABM question.

In order to place ABM in perspective, it is necessary to review a few of the events leading up to the Safeguard Plan, which President Nixon recently enunciated.

Former President Johnson had chosen to proceed with the Sentinel ABM system, which envisioned the installation of ABM radar and missilery in such a way that the civilian population would be protected against an early Chinese Inter-Continental Ballistic Missile (ICBM) threat.

Under this system, incoming enemy missiles would be detected by radar. Defensive missiles would then intercept and explode them before they reached heavily populated areas of the United States.

Moreover, the Johnson Sentinel system could easily have been expanded into a heavier defense of American cities against Soviet missiles.

President Nixon's Safeguard Plan has modified Sentinel by emphasizing defense of missile sites, rather than major population centers, to guarantee nuclear retaliation against any nation that would mount a first nuclear strike against the United States.

President Nixon's plan also involves a carefully phased deployment, as he said in announcing it:

"Each phase of the deployment will be reviewed to insure that we are doing as much as necessary but no more than that required by the threat existing at that time.

"Moreover, we will take maximum advantage of the information gathered from the initial deployment in designing later phases of the program."

The V.F.W., therefore, is supporting President Nixon's Safeguard Plan because:

1. It is defensive and designed to protect the nation's capability to retaliate.

2. Deployment of an American ABM system strengthens this country's bargaining position in any disarmament negotiations with the Soviets.

3. Deterrence of a strike against this country is essential. As Secretary of Defense Laird said, "we must be in a position to convince them (Soviets) that a first strike would always involve unacceptable risks."

4. A hermetically-sealed defense is not needed to defend missile sites, compared with major population centers.

5. Defense of strategic forces is the best protection of populations because it will make an aggressor think twice before launching an attack.

6. China's irrational behavior indicates the possibility of dealing a first blow. By the middle of the 1970s China may have two dozen missiles.

I agree with the wisdom of reducing expenditures on defensive missile systems if they have to be built at the expense of quality offensive systems which offer the primary deterrent to nuclear warfare. It seems fair to assume that any given offensive missile would have a better chance of hitting its target than a defensive missile would have to head it off.

In considering ABM defenses for the United States, more is involved than our own defense posture. We also must consider the security of our allies and friends, and we must consider what the Soviet Union and Red China are doing about their ABM defenses. Thus far, neither the Soviet Union nor Red China, nor any other Communist government has shown compassion for the weak and the meek. They have, on numerous occasions, shown their disdain for disorganized groups and their respect for boldness based on unity and strength. Thus, in recent years, the Soviet Union has shown a willingness to negotiate on certain aspects of nuclear weaponry.

Americans must face the fact that until an arms agreement can be made with the Soviet Union, both nations will continue to live with the possibility, albeit remote, of a nuclear war.

Some students of Soviet power and policy believe that relationships between the Soviet Union and the United States may have reached the threshold of improvement rather than further deterioration. This is because the Soviet Union has built a strong industrial base which Soviet leaders would not like to see destroyed. In addition, there is the spectre of Red China's hordes moving across the Soviet Union's boundaries to claim territories which have shifted ownership throughout the centuries. Soviet leaders also face numerous and complex problems among their satellites, some of which would like to become independent of the Mother Russia complex.

So, it may be that the Soviet government does want to negotiate some sort of a nuclear peace with the United States. If so, Soviet leaders are hard bargainers. We know this from experience after experience following World War II.

Not only can President Nixon offer better protection to the United States by offering another counter to ballistic missile aggression; but also, he can bargain for the United States and allies from a position of strength rather than weakness.

Soviet leaders evidently believe in an ABM system of defense. They have built ABM defenses around Moscow and it is highly likely that they are continuing to refine and improve the systems which they have built. Obviously, Soviet leaders regard ABM defense as added protection in a nuclear war.

The United States' construction of an ABM defense should encourage respect from Soviet military and political leaders and it should encourage their cooperation for realistic discussions on nuclear arms control.

Because of this and because the Veterans of Foreign Wars has always believed that the United States' security should be second to none, I commended President Nixon on the wisdom of his decision in a letter which appears on this page.

I urge our membership to reach out to all Americans in support of President Nixon's decision for the modified ABM defense plan called Safeguard.

As Commander-in-Chief, I urge our national, state and local leaders to follow the ABM discussions closely. Let us remember that the President has not placed our national feet in concrete on this matter. He has left room to make changes as conditions change. His decision on Safeguard was made in the context of today's conditions. It is not irrevocable. Should the situation change, the President has reserved the option to modify the entire Safeguard program, or eliminate it if it is not needed. Surely it cannot be said that this program will escalate the arms race, for the Soviets know, as well as we, that the entire system has no offensive capability. The ABM decision deserves the support of all Americans. Let us hope that it will be the first of many decisions and efforts by President Nixon to reach a sane and peaceful world for us, and our children and grandchildren.

COMMANDER IN CHIEF'S LETTER TO THE PRESIDENT

Writing in behalf of the 1,450,000 members of the Veterans of Foreign Wars of the United States, I wish to congratulate you on your recent anti-ballistic missile (ABM) decision to proceed with this program in such a manner that you minimize the incentive for an escalation of the arms race.

Specificially, Mr. President, I commend your proposal for a modified Sentinel plan which is designed to protect certain of our land-based launching sites. This decision should make it plain to friend and potential foe that our government is determined to deter nuclear war, and that the best deterrent is a protective shield for our long-range missiles ashore and the vastness of the ocean depths for our Polaris-type missiles afloat.

Based on the technical knowledge now available to the public, it would seem patently impossible to prevent mass destruction to both sides in a massive exchange of nuclear-tipped missiles. Should the radars, ours or those of a nuclear opponent, become saturated by sheer numbers, the ballistic missile defenses—ours or those of a nuclear opponent—would probably become as futile and outdated as the Maginot Line of World War II.

I further commend you on your course of 'determination and restraint' in this highly complicated type of warfare. You have reserved the option to curtail or re-orient this program to reflect the results of international negotiations and technical developments.

In search for improved missile defense systems, it may be that you will run across some sort of a system which would make it possible to intercept the opponents' missiles on their way up rather than on their way down. Further, should you find a way to destroy them on their way up, any atomic explosions and contaminated fallout from anti-ballistic missiles would occur near the aggressor's launching sites and far away from U.S. shores.

Regardless of what the future brings, I know you are proceeding with a strong and urgent research program, and I am indeed hopeful that our talented teams of scientists and engineers will find some technological breakthrough which will minimize the danger and security risks to the United States' populated areas against any and all types of missile systems.

In summary, Mr. President, you have chosen the course on the ABM which tells both Red China and the Soviet Union that we are determined to remain up-to-date and push ahead in our research, and you have left open the pathways of negotiation should either the Soviet Union or Red China, or both, care to join us.

You have our support.

YEAR OF THE STUDENT—ADDRESS BY DR. WILLIAM WOOD, PRESIDENT, UNIVERSITY OF ALASKA

HON. TED STEVENS

OF ALASKA

IN THE SENATE OF THE UNITED STATES

Tuesday, May 20, 1969

Mr. STEVENS. Mr. President, on May 19, 1969, I had the pleasure of attending the commencement exercises at the University of Alaska. Dr. William Wood, the president of the university, delivered an excellent address which is pertinent to our society today. I commend his remarks to the Senate and ask unanimous consent that the address be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

YEAR OF THE STUDENT

Class of 1969, world-wide the months and days preceding this ceremonial occasion have been identified and tagged as the year of the student. The student as "revolutionary" has been analyzed, interpreted, praised, damned and publicized until the paying public is heartily sick of the subject. Thousands of pictures, millions of words, horrible facts and horrible lies, nonsense from the far left, equally nonsense from the far right, have created an ugly, at times obscene, image of youth in this year of the student.

One hesitates to add more words to the drivel lest he increase the distortion. Youth is not ugly, not obscene, yet the calculated provocative acts and words of the few are increasingly so viewed by the many.

The disorders in some streets and on some campuses are real. There is violence. In our heart we may not believe, yet our ears hear and our eyes see militant against the system, against the Establishment (whatever it is at the moment said to be by the militant) man against man, student against faculty, against police, student against student. The confrontations are real. They happen on issues relevant as well as on issues meaningless. There are burnings and lootings. There are wastelands of confusion and chaos around the globe.

Class of 1969, from 65 degrees North all of us this year have been privileged to take the cool view. For one I am deeply appreciative of your own constructive and responsible efforts to keep this oasis well-tended and productive as you seek with your vigorous young faculty new and improved ways to enhance the quality of learning and living.

Yet yours is the legacy of the Year of the Student. In our midst, perhaps in this audience, certainly in this community and in this State, are some entirely convinced of the non-existence of virtue of any sort in Youth. A student is bad, ergo all students are bad. With this attitude of distrust you must now contend, just as you must contend with the disorders of our time, and more particularly with the root causes of these disorders.

There is so little choice before you, before any of us. Together we shall still militant disorder or perish. Unless we are intelligent enough to recognize the root causes of disorder in our complex mixture of preindustrial, industrial, and post-industrial ways of living, there is little hope of confronting them successfully.

A "better way" for the subsistence man has for generations challenged the strongest effort of industrial man to produce in quantity goods and services desired by all, but not wisely distributed nor always wisely used. The amazing technology of production now brings within reach the means to eliminate ignorance and poverty and hunger and disease in near totality.

Especially in Alaska, not confounded by masses of people, but blessed with abundance of resources and the availability of the productive wonders of automation, the old dream of industrial man even now seems within our grasp. We can and shall eradicate illiteracy, unemployment, inadequate housing, and other hazards to health and well-being.

And then? What are the goals of the affluent, the post-industrial man? This enigma, also, you must confront. With this, too, you must contend. The outmoded philosophy of the radical right holds no answer. No matter how loud its proponents shout, it will not suffice for post-industrial time. The radical left have no clearly stated philosophy of their own and readily admit the fact. The proponents have no power to construct; they can only destruct. Affluence provides merely an outlet in violence, or in aimless avoidance of reality, for their frustrations and insecurities.

Youthful idealists proclaiming themselves the honest ones angrily denounce hypocrisy that so obviously exists on the other side of the generation gulch. The contention is neither self-perceptive nor honest. Can the weathered side of the shingle be blamed for not abating the storms that as yet have not touched the protected side? Can one without a philosophy in all honesty attack another for not living up to his own?

Beyond affluence, what? I see no final answer in protest as protest, in the use of violence to protest the use of violence by others, in indifference for the victim while exuding compassion for the criminal.

I see no final answer coming from the greatest concentration of power the world has known, that of the electronic communications media. If the input at one end of the tube specializes in disorder, the output at the other end will tend to disorient and ultimately destroy both the individual and the family.

If the family fails, can the schools be far behind? If the church is confused in purpose, can the community long survive?

Let us remind ourselves, as well as the media, that ideas and constructive happenings and persons merit publicizing, too. These are the heart of the enterprise that is higher education, the magnificent enterprise of freedom without which there is little hope for future man, affluent or not.

In this Year of the Student higher education, in part through its own inadequacies but only in part, has been shoved down in priority, vilified, slurred by insinuation and innuendo, the 91% tarred by association with the 9% in this nation as in other nations, and sadly, for we know better, by some even in Alaska.

Class of 1969, in the mirror of tomorrow the future facing you, is you facing the future. Meet the issues frankly and responsibly as you have done this year with me and with all your associates on campus, your colleagues, the faculty and staff.

Together you have not indulged excesses on the far right nor the far left but have involved yourselves intelligently along the path between the extremes where effort toward improvement in quality is most effective.

Let us remember the heart-warming occasions, the memorable moments we have shared at 65 degrees North during this Year of the Student: the splendid success of the delegation to Juneau, the exceptional academic achievements of Cynthia who never attended a high school, the stirring accomplishments of Milo as player and person, Barbara again winning All American, the successful steering of an evaluation of academic programs and instruction through the University Assembly, the acquisition of the Big Dome. Old fashioned? A bit corny? This is Dullsville for the modern media. A pot party around Wood's hole would attract more coverage.

Class of 1969, I am proud of you, of your mature outlook, your resistance to panic, your independence, your honesty with yourselves as well as with others, your non-conformity to the far-out lures of the times.

Best of luck to each of you. You will be missed on campus and welcome everywhere.

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ANDERSON PRAISES AQUANAUTS

HON. JOHN B. ANDERSON

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 20, 1969

Mr. ANDERSON of Illinois. Mr. Speaker, I wish to join with all Americans in expressing pride in the Apollo 10 mission and in wishing the astronauts a successful mission and a safe return. At the same time, I wish to bring to the attention of my colleagues and the American public the success of another mission which has received very little publicity of public attention yet has made an immeasurable contribution to science and mankind.

I am referring to Project Tektite, a 60-day underwater mission conducted by four American aquanauts off St. John Island in the Virgin Islands. Project Tektite is the longest underwater exploration to date and the aquanauts and their supporting crew deserve our highest praise and commendation. The four aquanauts are: Mr. John F. Van Derwalker of Washington, D.C.; Mr. Conrad Mahnken of Brainbridge Island, Wash.; Dr. Edward Clifton of Los Altos, Calif.; and Mr. Richard Waller of Oxon Hill, Md. Last week the aquanauts were presented with Distinguished Service Awards by Vice President AGNEW in his capacity as Chairman of both the Space Council and the Marine Resources Council. They were also honored on Capitol Hill in an appearance before the Oceanography Subcommittee of the Merchant Marine and Fisheries Committee. I wish to associate myself with the remarks made by my colleagues at that session.

The success of the mission is a real tribute to American ingenuity and the cooperative efforts of the public and private sectors. The underwater habitat was designed and built by General Electric and the project was jointly conducted by the Department of the Interior, the Office of Naval Research, and NASA along with the participation of the Coast Guard.

The purpose of the mission was twofold: First, to study man's behavioral and biomedical response to a situation of isolation and duration; and second, to conduct oceanographic research work. The results of the first study will make a significant contribution both to future space and underwater missions. And the work done on the marine life and environment will certainly further our efforts in the field of oceanography.

Two weeks ago I appeared before the Oceanography Subcommittee and expressed my interest in the creation of an independent executive agency to oversee our national ocean program. I think the concern expressed by the aquanauts that this type of work be continued speaks directly to the need for a national program for the oceans and the organizational means for its implementation. In the words of one of the aquanauts:

> If we are to reap the wealth of the continental shelf, this type of work should be furthered.

Mr. Speaker, as we approach the international decade of ocean exploration, I am most concerned that America is adequately equipped and oriented to make a substantial contribution to this endeavor. Contrary to popular myth, the wealth of the oceans is not ours for the asking; its extraction and full utilization will depend on a national commitment and a positive program. Or, to rephrase that myth, the wealth of the oceans is ours for the acting.

I include in the RECORD, as part of my remarks, two interesting and informative articles describing the goals and accomplishments of Project Tektite:

[From the New York Times, Apr. 20, 1969]

TEKTITE PROJECT POINTS THE WAY TOWARD EVENTUAL CONTROL OF THE OCEAN DEEPS BY MAN

(By Richard D. Lyons)

CHARLOTTE AMALIE, St. Thomas, V.I., April 19—Can man who evolved from the sea to dominate the land reverse the process by returning to the oceans and asserting his control over their depths?

In long-range thinking the answer would seem to be yes, with man's return to the sea not taking nearly so long as his evolution to land.

Yet it is highly doubtful that, in the short run, the answer can be so positive, although the scientific, economic and military rewards might be substantial.

Man is reaching these conclusions about the outlook for living and working in the ocean as a result of increasing exploration. The latest major effort concluded this week as four Project Tektite aquanauts emerged after spending 60 days on the ocean bottom, a record, off the nearby island of St. John.

That project and the Navy's Sealab 3 experiments are concerned with the question of living and working on the continental shelf.

Living in the ocean basins, those areas below 3,300 feet that cover more than half the ocean, appear to be beyond expectation for generations to come.

The immediate hope is to exploit the continental shelves vast plateaus that range downward in depth to 600 feet and cover 10 million square miles of ocean floor, an area three times as large as the United States.

THRIVING MARINE LIFE

The waters between sea level and the shelves thrive with animal and vegetable life that could be used to enrich the diets of a world that is half hungry.

Mineral and petroleum resources of immense value also remain to be exploited, and will not be until the economic return more than balances the huge investments needed to develop these reserves.

Militarily, these areas could also be used as hiding places for nuclear missile emplacements or underwater tracking stations to monitor the movements of hostile submarines.

But at today's prices the cost of such undertakings would be staggering. One Federal oceanographic commission reported earlier this year that mounting a civilian program would cost about $1-billion a year for the next decade. Then the price would double.

DEEP DIVING IS COSTLY

"The seas are vast, complex, subtle and often hostile to men and his works," said the Commission on Marine Sciences, Engineering and Resources. "They will not yield their secrets in a decade or a generation."

Almost no amount of money will buy, at the present time, rapid advances in underwater technology.

Many small submarines capable of deep diving are being constructed at great cost. But these are mainly reconnaissance craft.

For commercial exploitation of the shelves, there would be a need for systems that would allow aquanauts to live under water for many months, as well as range outside their living quarters to work on the sea floor.

Officials of the Federal Government and private oceanographic concerns have talked optimistically of routinely working at depths of down to 1,000 feet. Yet the three main ingredients of such an ambitious program are far from being perfected.

BREATHING SYSTEM NEEDED

These are a simple yet effective breathing system for deep dives; a dependable habitat, and a rapid resupply system.

None have been achieved, and it will probably be years before these three major problems are solved.

The Navy's ambitious $10-million Sealab project, on which hopes had been pinned for rapid advances in deep diving systems, had been stalled by the mysterious death of an aquanaut two months ago and repeated problems with the underwater capsule in which he and eight other marine explorers were to have lived at a depth of 600 feet off the California coast.

The Sealab 3 project was originally scheduled to start six months ago, but technical problems are likely to add up to a delay of at least a year.

The infant state of the undersea art and the problems with Sealab appear to have chilled, at least temporarily, the Navy's emerging interests in underwater research and development.

The Office of Naval Research was the managing agency for the Tektite project. While the project was largely successful, although limited in scope, the Navy went out of its way to hold down publicity about it, possibly because of the earlier problem with Sealab 3.

The Department of the Interior, the National Aeronautics and Space Administration and the General Electric Company were partners with the Navy in the Tektite project.

BRIEF CONGRATULATIONS

Officials of these organizations were seen to seethe with anger when the Navy abruptly canceled several news conferences about Tektite, prevented reporters from conducting previously agreed-upon interviews with the aquanauts while they were under water, ordered photographers away from the site several times, denied newsmen access to telephones at a base camp set up on the shore, and eventually declared the camp off limits to the press.

Public relations officials with the space agency and to beat the drums for Tektite and harvest some publicity for the project and their organizations, but the Navy obviously did not.

Even President Nixon's congratulatory telegram to the aquanauts on the completion of their stay under water, at a depth of 42 feet, contained only 22 words, short shrift for a project he termed "a milestone in human achievement."

Tektite was hardly that, although it doubled the record for underwater living time. The program, which cost $2.5-million, was designed mainly to determine if men could live and perform meaningful work for an extended period at a relatively shallow depth. It did prove just that.

With the exception of the specialty designed living quarters, called a habitat, most of the equipment was composed of items previously in use.

Tektite also proved the value of the so-called nitrogen saturation diving technique, a method that is far simpler and more economical than the helium saturation system employed in deep diving projects. The two saturation methods employ mixtures of the respective gases under pressure, plus oxygen to sustain the aquanauts' life support sytem.

HELIUM GAS EXPENSIVE

Before the aquanaut enter their undersea environment, their bodies are saturated with one of these gases to counteract the extreme

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pressures of the water on their bodies in the deeps.

The cost of the gas in the helium system is about $5,000 a week for the Sealab 3 project. Pure oxygen itself cannot be used because under pressure it can produce convulsions in the diver.

At 600 feet the water presses in on the human body at a pressure of more than 18 times that of the sea-level atmosphere.

Helium systems also require the designing of electrical equipment, and complicate communications because of the so-called "Donald Duck effect. The human voice, when a helium-oxygen mixture is breathed, becomes distorted and squeaky. Therefore, nitrogen saturation is a simpler method.

Until Tektite it had been feared that physiological problems might arise through the breathing of massive amounts of nitrogen for many weeks. These fears proved unfounded.

FINDS VALUE PROVED

Dr. James W. Miller, the Navy's chief scientist on Tektite, said that the program had proved the value of the nitrogen system and urged a follow-on underwater program that would test nitrogen saturation diving at depths of 75 to 100 feet.

But beyond those depths, nitrogen narcosis affects the aquanaut. Under this condition, the massive amounts of nitrogen in the body cause a feeling of inebriation, giddiness and inattentiveness that could be disastrous under water.

Tektite's chief aquanaut, Richard A. Waller, an oceanographer, said that the program's most serious mistake had been not making use of "closed-circuit" breathing apparatus that employ supercooled gases. These systems are being built by the General Electric Company for the Navy and some of them are secret.

The closed-circuit systems not only provide the aquanauts with oxygen but also freeze his expended carbon-dioxide and retain it in the system.

Mr. Waller's point was that improved breathing systems would extend the range and flexibility of marine scientists exploring the continental shelves. Advanced closed-circuit systems such as the Navy's Mark 10 could allow underwater excursions of up to eight hours, compared with the one hour allowed by scuba gear.

Mr. Waller pointed out that the Tektite aquanauts were equipped with scuba gear originally developed a generation ago by Jacques-Yves Cousteau, the French underwater explorer.

In a congratulatory message to the Tektite aquanauts, Secretary of the Interior Walter J. Hickel foresaw the day of underwater resort areas and even cities. Such ambitious dreams, however, are far from being just around the corner.

After 36 hours at a depth of 42 feet, for example, 20 hours of decompression are needed to rid the body's tissues of the excess of nitrogen that could cause the bends.

This led Mr. Waller to comment that he did not think even underwater resorts would be practical "because commuting would be a real problem if you have to work for a livelihood."

[From the Washington (D.C.) Post, Apr. 19, 1969]

AQUANAUTS SAY 60-DAY SEA STAY BECAME EASIER AFTER EXPERIENCE

(By Thomas O'Toole)

The four aquanauts who spent a record 60 days on the Virgin Islands ocean floor said yesterday that the longer they stayed down the better they could perform undersea work.

Their underwater stay went so smoothly, said Team Leader Richard Waller, 34, of Oxon Hill, Md., that they had more trouble with their support personnel on the surface than with any equipment in their underwater habitat or with sea life they encountered outside the habitat.

The thing that bothered the aquanauts most, Waller said at a news briefing held on the island of St. Thomas, was the eavesdropping of surface-watchers on their off-duty conversations.

"We felt the best way to show our displeasure," said Waller, "was to turn off the microphones inside the habitat for two hours every day."

Waller, Conrad Mahnken, John Van der Walker and H. Edward Clifton, all marine scientists with the Interior Department, spent a record 434 hours outside their twin-tower structure, which was anchored in 50 feet of water in Great Lameshur Bay near the island of St. John.

The more they got used to living in their undersea habitat, the more daring the aquanauts became in their time outside the habitat.

During their first two weeks underwater, they spent 35 to 40 hours each week outside the habitat, never moving farther than 300 feet from the well-lit cabin.

But by the end of their stay, the four were averaging 70 hours a week in the water and were swimming out of sight of the habitat, as far away as 3000 feet.

The aquanauts also spent much of the time during their last weeks swimming at night, when the men watching their movements from the surface found it hard to see them.

Fully a third of the total time they spent swimming outside their habitat was at night.

In the entire time (they "spashed-up" last Tuesday) the four men were on the ocean floor, the most serious threat to their health was a transient ear infection, which struck all four men for brief periods, but never all four at once.

Outside the habitat, the only danger came when a five-foot moral eel swam into their shark cage on the habitat's front porch and refused to leave. The aquanauts were faced with only one choice: one of them swam into the cage and killed the dangerous eel with a knife.

While all four reported spotting barracuda near them in the water, none ever saw a shark.

One of the questions the Tektite experiment set out to answer was whether it is better to have men dive into the water to work or to have them live in the water while they work.

One official of the Office of Naval Research said he felt Tektite answered that question fairly clearly, while Waller himself said he was convinced "more can be done by men living on the bottom."

A combined venture of the Navy, the Interior Department, the Coast Guard, the National Aeronautics and Space Administration and General Electric, Tektite cost an estimated $2.5 million—$500,000 of which was spent on the undersea living quarters.

NATIONAL COLLECTION OF FINE ARTS

HON. JACOB K. JAVITS

OF NEW YORK

IN THE SENATE OF THE UNITED STATES

Tuesday, May 20, 1969

Mr. JAVITS. Mr. President, I ask unanimous consent to have printed in the RECORD an editorial published in the Washington Star of May 4, 1969; also an article dated May 2, 1969.

I wish to add my own personal tribute to Dr. Scott, who has been the heart and soul of the National Collection of Fine Arts. David W. Scott is an extraordinary person. He is modest, quiet, almost retiring, but nevertheless has a will of iron in the cause to which he has devoted, and is devoting, his talents—bringing the world of art to play a meaningful role in our world. He is an expert's expert, as well as a layman's expert. He has an understanding for those qualities of art which make it grasp at the heart of the child as well as the intellect of the critic.

It is my understanding that Dr. Scott may soon move on to another task, having accomplished the seemingly impossible of making the NCFA into, as the Washington Star says, "a remarkable phoenix-like achievement." We in Washington in particular, but also in the Nation for which Washington should stand as something special, have strong reason to thank Dr. Scott for what he has done, and to wish him well in his new and challenging assignment.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

LOVABLE ART

(By Donnie Radcliffe)

Remember that agony of childhood—the warning "don't touch?"

Well, philosophies have changed a little over at the Smithsonian's National Collection of Fine Arts and in the newly-opened Junior Museum, the invitation is "do touch"—sticky fingers and all.

Yesterday, a vanguard of small fry, stuffed with punch and cookies, touched, hugged, squeezed and kissed nearly a dozen small-scale 19th-century animal sculptures to the smiling approval of mommies and museum officials.

The grown-ups knew, even if the youngsters did not, that the patina of each creation, many by Paul Manship, was safely protected by a plastic wax.

"They still cannot touch things in the museum proper," said Director David Scott.

"But here the idea of touching is meant to be part of the orientation before they tour the museum."

It is an extension of the National Collection's highly successful concept of involving the child physically in art and sculpture rather than losing him in lectures.

Ann Glascock, in charge of the children's tours, calls the Junior Museum a "warm-up" or "exercise" room.

"We'll bring them here, tell them to become machines and then 'turn' them on. Next we'll ask them to be a statue and in that way begin to explain the difference between a machine and a statue.

"Finally, we'll work into color and texture and ask them to feel things."

From the Junior Museum, exiting by a diamond-shaped hole in an otherwise commonplace door (the entrance is through a circle), youngsters tour the collection where docents invite them to act out the paintings and sculptures they see.

"Can anybody find something to be?" one docent asked a group of small charges yesterday as she showed them an exhibit on the first floor.

"I need to go to the bathroom," piped up one wee voice while his companions silently transformed themselves into table legs and other nonhuman objects.

Not everything in the Junior Museum is in the readily recognizable shapes of turtles, deer, leopards and bears in bronze.

On one wall hangs the room's only painting, an 18-foot ceiling-high striped canvas by Gene Davis entitled "Raspberry Icicles."

There is also Lyman Kipp's specially-designed four-foot minimal sculpture called

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"Salamanca" meant to be sat on or climbed up.

Richard Calabro's aluminum sculpture may be assembled and reassembled.

And Adam Peiperl's "Astrolite No. 84," similar to those now in the private collections of Laurence Rockefeller, Otto Preminger, and John Hay Whitney is a mesmerizing glass ball filled with water and colorless plastic rings which, when viewed through a polaroid screen, turn into dazzling floating colors.

"I hope we may be able to designate this the Nancy Kefauver Junior Museum someday," said Scott, looking around at the children.

"Nancy's two great loves were art and children."

Yesterday, as the small guests left, each was invited to select a postcard reproduction of one of the National Collection's works of art.

Money for these gifts came from a fund established in memory of the late Mrs. Kefauver who was head of the State Department's "Art in Embassies" program.

NCFA AT ONE

This weekend the National Collection of Fine Arts celebrates its first year in its handsome quarters in the Old Patent Office Building.

The location itself is worth celebrating. A few short years ago, this architectural monument was scheduled for destruction and was to be paved with asphalt for parking. The NSFA has revealed the gracious interiors in their elegant purity as they had not been seen in many decades.

The NCFA itself is today a remarkable phoenix-like achievement. For many years it was a semi-moribund, little known division of the Smithsonian. Then, under the forceful leadership of director David W. Scott, the NCFA came out from behind the stuffed elephant and has become an extraordinary center of art in Washington.

The collection has been reshaped as an assemblage of American painting and sculpture which grows before the eyes of the regular visitor. A brilliant series of special exhibitions has shown in depth the contributions of many individual American artists of the past and present. This nation's artistic heritage has been given a place of its own in the Nation's Capital.

May the extraordinary productive year now ending be the first of many for the NCFA and Dr. Scott.

COMMEMORATING 75TH ANNIVERSARY OF NORTH ADAMS STATE COLLEGE

HON. SILVIO O. CONTE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 20, 1969

Mr. CONTE. Mr. Speaker, in 1894, on a small patch of land in North Adams with a view of the beautiful Hoosac Valley and the impressive Berkshire Hills, a college was born. Over the years it has grown and continues to grow, and it can proudly take its place among the many fine colleges and universities that are found in the First Congressional District of Massachusetts. And so it gives me great pleasure to call to your attention that this year marks the 75th anniversary of the founding of North Adams State College.

In 1894, the Massachusetts General Court established the State Normal School at North Adams. It remained a 2-year college until 1932 when the name was changed to the State Teachers College at North Adams and a 4-year course leading to a bachelor of science degree in education was introduced.

Thus, 1937 marked a memorable year in the history of the college, for in that year two important events happened. The college became coeducational and graduate courses leading to a master of education degree were for the first time offered. Improvement and expansion were the guiding words for the State Teachers College.

Many years ago, when I was a State senator from Massachusetts, I realized what excellent educational benefits the college was providing to area residents and I realized the crying need for expansion—so that more of these benefits could be provided to more people. And so when in 1956 an appeal was made by North Adams State Teachers College to the Commonwealth of Massachusetts for approximately $1,500,000 for construction of a new science-auditorium-gymnasium project. I fought long and hard to see that this money would be appropriated. I filed a bill to try to secure this money, but the bill was continually stalled in the legislature. But I would not give up, because I realized the great importance of this money for the future of the school and thus ultimately for the future of the citizens of the area. Finally, after almost 2 years of struggle, I could be happy to report that $1,500,000 had been appropriated by the State legislature for the new building project.

In 1960, the Commonwealth of Massachusetts authorized the college to grant the bachelor of arts degree, and appropriate courses were then offered. A few years later, a new and special program was introduced. This program prepares men and women as medical technologists and it is run in affiliation and cooperation with Pittsfield General Hospital. And it was just last year that Hoosac Hall, an eight-story dormitory which happens to be the tallest building in all Berkshire County, was opened. For the future, new classrooms, a new library, amphitheaters, an administration building, and other structures are in the process of being constructed, and new programs and courses are being planned. It is apparent, I think, that North Adams State College has dedicated itself to expanding its facilities to provide educational opportunities to more people, and has dedicated itself to the continual improvement of those educational opportunities.

The college catalog lists the present objectives of the college:

> To provide both a sound liberal and professional education on the undergraduate level, graduate study for teachers in service in both liberal and professional education, and to provide certain public services to the area, such as liberal arts evening courses for a degree or personal enrichment, consultant services, and a clinic for vocational testing and reading problems.

The North Adams State College is to be commended for all this. It has done in the past, and continues to do in the present, an outstanding job in all these educational endeavors. We are all very proud of the achievements of the college and proud to note today the 75th anniversary of North Adams State College.

INFLATION AND INVESTMENT

HON. VANCE HARTKE

OF INDIANA

IN THE SENATE OF THE UNITED STATES

Tuesday, May 20, 1969

Mr. HARTKE. Mr. President, trying to cool our rambunctious economy is not unlike the effort required to break a wild horse. Each requires a great deal of patience and perseverance as well as a willingness to sustain a few bruises. Unfortunately, this current inflationary period has proven itself to be unusually high spirited, with the result that the American consumer is quickly turning a brilliant black and blue. Virtually all the economic indicators show that the current inflation is not being significantly abated, even in the face of stringent monetary and fiscal policies. Thus, time has long since past for urging continued patience and perseverance in the face of obvious failure.

In an address delivered before the New York Society of Security Analysts' Portfolio Management Seminary on April 17, 1969, Henry Kaufman highlighted with unusual ability and incisiveness the root causes of inflation and the methods which might be used to combat it. Mr. Kaufman acknowledges that we are now all victims of an inflationary psychology which, if not cured, will serve to further complicate any ultimate solution to the problem. He points to the fact that the bond market has recently shown an unsettling softness which he feels is directly attributable to inflationary influences. He also pinpoints certain new economic forces which have gained importance in the last 20 years and which have had the effect of propelling the economy forward at an accelerated pace.

Mr. President, I ask unanimous consent that Mr. Kaufman's address be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

THE CHANGING INVESTMENT CLIMATE

(By Henry Kaufman)

If it were in my power to wave a magic wand this afternoon and order up the perfect environment for institutional investments, what would be your wishes? What is it that you would like to assure a cloudless investment horizon and therefore an unusually profitable investment decision? I suspect that we would all agree on some very fundamental and important prerequisites. Probabaly most basic and crucial of all, we would favor peace because wars have such disruptive influences, especially on our economic aspirations. Concerning the state of the economy itself, we would probably all favor a backdrop of moderate assured growth, moderate unemployment, some unused physical resources and price stability. This setting would permit the normal economic growth rate plus some acceleration without bumping into economic and financial ceilings. Under these circumstances, the financing of our economic requirements would pose no problems to our monetary authorities and the international position of the dollar should strengthen. To these blessings, we might also add domestic, political and social stability, which Americans take for granted.

In looking back, we have never had a period of time in the post World War II years in which all of these perfect conditions prevailed. There has always been the absence of at least one or several beneficial environmental forces. Immediately following World War II, we suffered from the war's inflationary aftermath, the adjustment to a peacetime economy, and the problems of fiscal and monetary management in the new environment. There was also the disruptive influence of the Korean War in the early 1950's. Perhaps the nearest we came to the perfect investment climate was in 1962–63. At that time, the economy had moved well out of a recession. The unemployment rate was falling but still at 5.5%. Plant utilization in manufacturing was slightly above 80%. The trend in wholesale commodity prices had been virtually flat since 1958. The dollar was still strong but admittedly was showing the first real signs of international weakness.

The current setting does not score high in meeting our test for a perfect investment environment. There is both economic and financial friction. There is a high utilization of labor resources, strong inflationary momentum and expectations of never-ending inflation. Interest rates are very high and the availability of credit is shrinking. To many, these economic and financial disequilibria suggest that we may again be at a cyclical turning point. While I do not entirely disagree with this kind of observation, I find it rather simplistic. There is a tendency in cyclical analysis to overlay comparable periods. This, however, is rather statistical and does not take account of some very fundamental structural changes which have been occurring. These changes have had a profound influence on economic and financial decisions and will probably continue to affect our future investment climate. Therefore, in order to fully understand the complexity of the changing investment climate, I should like to discuss some of these new forces.

INTERNATIONAL COOPERATION

In the post World War II period immense strides have been made in bringing the people of the world closer together through technological, political, and economic measures. To be sure, we are far from a Utopian international arrangement, but think back to the days of Hitler, the 1930 depression, the feudal times of Europe, or even to the days of Alexander the Great, and ponder when was there a greater feeling of hope for man to break his bondage with misery and ignorance. Was it then or now? Of course, it is now.

Twenty years after World War I, we were at the brink of another war. Nearly twenty-four years have passed since the end of World War II and while there have been several limited wars, a worldwide confrontation has been avoided. Indeed, the ultimate weapons, the atom and hydrogen bombs, have become war deterrents instead of the final enticement to aggression.

The progress towards world integration is perhaps best visible in transportation and communication. There is hardly a spot left on earth that is not readily accessible or within range of telephone, radio or television. Travel has become a growth industry, and escape places for the venturesome are increasingly difficult to find.

The integration of the world has also been helped along through regional efforts such as the Common Market and through the growth of the multi-national corporation and through the stability of the international financial system. Admittedly, our international financial system has been battered and tattered lately but it has survived because of either enlightenment or self-interest, or both. This is in sharp contrast to the developments after World War I when currencies were devalued, gold was revalued, exchange restrictions multiplied and, eventually, trade contracted sharply.

In any event, all of these international developments and others not mentioned have on balance turned the world more to political stability than to instability and this in turn has been a powerful positive force for the investment climate.

EFFECTIVENESS OF SOCIAL DEMANDS

In the post World War II period, there has also been a great awakening to social demands. It is not that the need to alleviate poverty and to improve our health, education and welfare facilities weren't there before but rather that these needs attained a strong political voice. It was probably a culmination of events that contributed to this new force. The depression of the 1930's, the rapid rise in our standard of living, World War II, and the improvement in technology all seemed to have been contributing factors. All political platforms now recognize our social problems and requirements and our major parties are more closely united than divided in facing the social challenges of our times.

Many social aspirations have become realities in the past two decades. Many others are still to be fulfilled and new ones have emerged. The awareness of our Government of these aspirations has been a powerful influence on our investment climate. Let me illustrate this in two ways—one is the gradual abatement in the fear of another depression, which lingered for quite a while following World War II. The Government has, of course, instituted many important stabilizing programs and the fact is that there have been very few and only short interruptions in the growth of the economy.

My other illustration concerns the way we now view the period following the Vietnam War as compared with the attitude of our people as they looked forward towards the years immediately after World War II and the Korean War. At that time, there were generally fears of recessions and even depressions as military spending would be cut drastically and the magnitude of private economic demand was uncertain. In contrast, because of the greater recognition of the requirements of our society, we currently long for the post Vietnam years and the re-deployment of war capacity for productive civilian use.

THE NEW POPULATION

A third very powerful new force is our new population. Here I am referring to the increasing number of young people coming into our labor force. Their skills, their background, and their desires are in many ways different from young entrants into the labor force several decades ago.

This new population, having been reared in the post World War II period, possesses none of the economic fears so evident in earlier generations. Consequently, their traits differ. They spend freely and at an early age in their adult life. They do not generally possess a strong feeling about our Puritan heritage. It is nearly absent. Benjamin Franklin's saying, "Who goeth a borrowing goeth a sorrowing" does not apply to them. Generally, our new population has allocated an increasing percentage of earnings to debt service and has relied more on contractual than on discretionary savings for providing funds for that rainy day.

Another important characteristic of this new population is its drive to implement aggressive economical and financial decisions when put into leadership positions. The increasing emphasis on performance in portfolio management is the result of the initiative and prodding of the young. The conglomerate movement was surely given added momentum from the young, both in financial institutions and in business corporations. It is also no surprise to find that young people frequently dominate the rapidly growing new sectors of our private economy while the policies of stable and traditional industries are still set by an older generation.

In looking towards the future, I should like to make only a few observations on the significance to the investment climate of this new population. Their propensity to spend will probably increase and so will their reliance on contractual savings. Moreover, the new generation will be more highly skilled, trained and educated than their counterparts several decades ago. Consequently, as they enter the labor force, they will be asking and indeed will be entitled to relatively high starting salaries and wages which will allow them a high standard of living at the start. They will also be moving into less cyclical working endeavors, which will also enhance their credit worthiness. From an investment viewpoint, it is also worth wondering as to what will happen when command of the traditional and stable business is relinquished to the young.

One factor frequently overlooked about our emerging new population is the influence of the underprivileged. As we strive to overcome our bigotry, the Negro and other oppressed minority groups will enter the mainstream of our economy. Their skills and educational background will be raised, enabling them to help man the machines, program the computers and even enter the management class of our society.

In turn, this newly emerging group will be entitled to a higher standard of living. Its demands for goods and services will increase and change. The "Ghettoed" man of today will be tomorrow's home buyer, summer vacationer, and Ph. D. Thus, we will also have new savers and investors. In essence, many of our social problems today actually enhance our future opportunities. As we meet these challenges, the economy will strengthen immeasurably and so will our democracy.

TECHNOLOGICAL PROGRESS

The most evident feature of our times, which has captured the imagination of all, is technological progress. The technological innovations thus far in this century are unparalleled in the history of mankind. We differ from the past in that we incorporate technological change into our thinking, our plans, and our decisions and we confidently look forward to rapidly increasing technological improvements. Contributing to this optimism is talk about a new leisure class and a post-industrial society. The romance of technology has generated tremendous optimism and hope in the future.

Our rapid industrial strides are quickly laying to rest one of the great fears of technological advances—namely, technological unemployment. It has been a myth all along because innovations and new processes generate new services and products and with them the demand for new skills and additional labor. In many ways, labor is in a more advantageous bargaining position in a highly mechanized and computerized business than in an industry still heavily dependent on manual labor.

Technology has forced us to accept another change. A wealth of a nation cannot be judged anymore merely by its natural wealth and resources or its total population. It is the skill of its people which is becoming an increasingly important determinant, particularly as industrial activity diminishes in relative importance and secondary activities gain in significance. Perhaps real wealth will be increasingly identified with knowledge, which it has always been anyway, but in the future it may have a higher market value.

PLANNING

One of the important by-products of our economic progress has been the advent of planning as part of an effective business approach. Today we have corporate long-range planning, product planning, investment strategies and market objectives, ranging from local to international in scope. Perhaps some of the plans may not materialize. Nevertheless, long-range plans help to define and clarify the future, add optimism to business objectives and therefore tend to strengthen the investment environment.

However, because of the increasing popularity of planning, the analyst is put into the difficult position of having to evaluate projections. Accurate judgments on future

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plans are difficult to make. It often requires a look around the corner and not the extension of a trend line. We still have not developed adequate techniques for assessing the real risk in embarking on new programs. Unfortunately, there are no future facts but only past ones. For example, it has become highly fashionable lately to put in new plant and equipment quickly, in order to replace labor with machines and to produce in larger quantities. We hear that to some extent these decisions have been motivated by the rising costs of labor and equipment. Therefore, it is valid to ask to what extent do these decisions neglect the risk of obsolescence, particularly if rapid technological advance is a new feature of our environment and international competion can be expected to intensify. In other words, wrong planning decisions in our technological age are going to have a much more dramatically adverse impact on earnings than did the scuttling of a labor assembly line. The planning lead time in an advanced industrial economy tends to be long and thus enhances the risk in the capitalization of research and development expenditures and in huge expenditures for fixed assets.

Long-range planning, including the defining of objectives and the allocation of resources, has not been adopted by all sectors of our economy. Surprisingly, its popularity in the United States lies with the private sector, especially with business. In the totalitarian countries, it is the sport of Governments, which frequently utilize long-range plans for slogans and public relations objectives. Unfortunately, the lack of even intermediate planning by our Federal Government has often been a de-stabilizing influence on our economy.

THE INSTITUTIONALIZATION OF SAVINGS AND INVESTMENTS

On the financial side, the most significant development during the past two decades has been the institutionalization of savings and investments. It provided the means by which our enormous economic growth could be financed efficiently and accommodatingly by our enormous savings. It also gave our financial system additional depth and resiliency, thus providing institutions with broader lending and investing potentials and with the ability to adjust smoothly to new market conditions.

The enormous size of this institutionalization is staggering. Twenty years ago the net inflow of new funds to non-bank financial institutions totalled $10 billion annually as compared with $40 billion in 1968. In the early years following World War II, the annual increase in bank credit rarely exceeded $6 billion, while last year it totaled $38 billion. These large flows into financial institutions facilitated the financing of increasing credit demands. In 1968, the net demand for credit totaled $84 billion as compared with only $11 billion two decades ago. In 1968, the net volume of mortgage financing and net new corporate bond flotations was three times as large as in 1948, and municipal financing five times as large.

The intermediation role of our financial institutions has grown rapidly in the post World War II years not only because of our rapid economic strides but also because of our confidence in the dollar. Generally, savers have turned over their savings to financial institutions in return for a fixed compensation. In addition, most new funds of financial institutions have been invested in bonds and mortgages. In fact, over ninety-five per cent of the credit demands of our economy in the past twenty years has been financed through the issuance of debt instruments. Consequently, the ability to borrow has contributed importantly to the financing of our Federal and local Governments, of business, and of the household sector.

However, during the last few years our financial system has come under increasing pressure from a surge in inflationary expectations. This development raises the perplexing question of whether our financial structure will survive in its present form if inflation is not checked quickly. The fact that our credit markets have survived a rather vicious battering thus far should offer little solace. The battering has inflicted scars deep enough to hamper the efficiency of the marketplace. Let me just recite a few of the problems that have surfaced in our credit markets:

In recent years, the net volume of home mortgage financing has made little headway while total credit expansion has soared. The net volume of 1–4 family mortgages, which reached a postwar peak of $15.7 billion in 1963, fell to $10.7 billion in 1966, recovered only to $15.3 billion last year and, according to our estimates, should fall to about $13 billion this year.

In the corporate bond market, it is virtually impossible for anyone but the highest-rated borrower to issue a straight debt bond. This has forced many medium and lower-rated borrowers to issue convertible bonds. For example, the net new volume of convertible bonds represented 33% of all net new corporate bond issues in 1968 as compared with less than 4% in 1963.

For the second time in four years, the tax-exempt market is unable to finance the demand as monetary policy is restrictive and the commercial banks, the largest buyer of tax-exempts, have no new investment funds.

The U.S. Government market has largely become a market of money market instruments. It has suffered not only from the problems associated with excessive private economic and financial demands but also from large financing requirements of the Federal Government itself.

The high level of market rates has repeatedly hampered our deposit institutions. Here, too, for the third time in three years a substantial slowdown in savings flows to these institutions is in process. Moreover, life insurance companies are again having to cope with an increase in policy loans which were already above average levels in 1968.

The shift in the portfolio preferences of institutional investors from bonds to equities and debt obligations with equity kickers is even more rapid and intense than the statistics suggest. For example, the annual net new purchases of bonds and mortgages by non-bank financial institutions accounted for 85% of their total new funds in 1958, 78% in 1963, and 70% last year. Thus, while their total new inflow of money has increased substantially, their commitments in mortgages and bonds have decreased percentage-wise and have been flat dollarwise. However, there is a gap in our information. We do not know how much of the volume of mortgages and bonds purchased by non-bank institutions contains an equity inducement. It has probably been on the increase and therefore the figures which I just cited to you are really too conservative and understate the shift away from the investment in fixed income securities.

INEPT STABILIZATION POLICIES

These financial distortions are largely due to inept stabilization policies, which is the responsibility of Government. Since the escalation of the Vietnam War, the record of stabilization policies has been very poor. The inflationary rate has been high. The timing and implementing of official actions has lacked the skills so widely heralded by the "New Economics." There was the failure to legislate tax increase quickly as the war intensified, the massive credit reflation in 1967 and the quick reversal in monetary policy from restraint to ease in mid-1968.

The complexity of this failure goes beyond a willingness by Government to accept moderate inflation as the price for fuller utilization of resources. Policymakers completely neglected the impact of inflationary policies on expectations. An increasing number of participants in the private sector of our economy have become aware of the inflationary bias in national policies, have accepted it and are incorporating this bias in their own decisions. This, of course, tends to freeze the rate of inflation or increase it.

The most important deficiency in combating inflation is the failure to recognize the new forces which have surfaced in the past twenty years and which are propelling the economy ahead. I spoke of them earlier. If international cooperation (be it ever so inconsistent) is nevertheless fostering optimism, if social demands have attained a strong political voice, if our new population is aggressive and talented, if technological progress is capturing our imagination, if planning is spreading in the private sector, and if our savings and investment process is largely institutionalized now, then the inherent long-term strength of the economy is much greater than envisioned in the actions of our policymakers which have often been dominated by fears of "over-kill."

It therefore seems that two different strategies are at work. There is the strategy of the private sector, which is heavily influenced by intermediate and long-term factors. In contrast, there are the actions of official policymakers which are short-term and based on the feeling that the private sector is fragile and has fundamentally changed very little. The private sector is incorporating the basic changes into its plans but Government is not. Government also tends only to react and not to anticipate, and it therefore frequently lacks a planned strategy.

THE ALTERNATIVES

As we look ahead, therefore, the key question is whether our fiscal and monetary managers can formulate a stabilization strategy which takes into consideration our new environment. In this connection, there is some hope. In the last few months a new consensus has emerged to resolve our inflationary economic and financial woes and to return the economy to orderly and sustainable growth. The Federal Reserve has moved to monetary restraint and the new Administration has assigned a high priority to the fight against inflation. However, it is much too early to conclude that a return to anything but fleeting stability is assured.

If the Federal Reserve has adopted a new long-range strategy, it will require some time to become evident and to really convince the marketplace. The current restrictive credit posture of the Fed is not unusual. It is what we would typically expect when confronted with rampant inflation in a setting of high utilization of resources. This is a classical showdown in which the Federal Reserve will win this first round. It will continue to shrink credit availability until there is a sufficient abatement in the economic and inflationary momentum. It has done this before. However, whether or not the Federal Reserve has embarked on a new and more disciplined strategy will become evident only thereafter when the economic indicators begin to slide and business expectations turn somewhat hazy. This will be the time for the Federal Reserve to demonstrate that it will not repeat the mistakes of 1967 and 1968 and that it will not reflate the banking system quickly and massively. It will be a difficult task because the economic background will differ from the current exuberance, there will be more political opposition, and the Fed itself will have to be convinced that the economy is not fragile but has enormous underlying vitality.

Success or failure by the Federal Reserve will have very significant implications for the investment climate. Assuming that the Federal Reserve will persist with its new restrictive strategy, the consequences should be a very substantial slowdown in economic activity later on this year, the appearance of a real profit squeeze, a decline in interest rates, followed in 1970 by a gradual economic recovery. A sharp de-escalation of the war effort would provide the opportunity to accomplish this transition without some very painful moments in our financial markets as well as dislocations.

These events would be a small price to pay for the return to stability. However, this view is not shared by all. There are some who would prefer to keep the economic throttle wide open and others who feel that the Federal Reserve will compromise its new strategy as soon as the economy slows down. Let us assume that the Federal Reserve will not succeed in curbing the current excesses. What would be the consequences? The current inflationary expectations would be validated. This would encourage more spending and less savings and therefore hamper the savings and investment process, a key determinant of economic growth. The flight from the dollar would accelerate both domestically and internationally. Protectionism and trade restrictions would appear again.

For business corporations, operations would become exceedingly difficult. The practice of financing nearly all external financing requirements through debt would quickly come to a halt because investors would insist on earnings participation. Therefore, the average maturity of corporate debt would fall sharply; straight bond financing would decrease and convertible and equity financing would increase, thus penalizing earnings per share.

Moreover, in an inflationary environment ready access to the credit market is not certain to the business corporations. This is because with continued inflation our Federal Government, municipalities and home owners would find it extremely difficult to finance their needs through the issuance of debt. Under these circumstances, it is highly likely that the Government would initiate procedures to allocate economic and financial resources based on some predetermined socially desirable objectives. Thus, institutional investors might be required to allocate a predetermined percentage of their net new funds for the purchase of securities, financing specific social projects, and only the remainder would be available for business. Furthermore, business pricing policies would come under increasing Governmental surveillance and wage demands could not be effectly curbed by Government.

For the security analyst, it should now be very clear that a flourishing fixed income market will be extremely helpful to stocks while the demise of bonds would be an ominous omen.

THE ABM AND THE NATIONAL SECURITY

HON. GLENARD P. LIPSCOMB

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 20, 1969

Mr. LIPSCOMB. Mr. Speaker, on May 4 and May 6, 1969, the Los Angeles Times published editorials which I feel merit entry in the CONGRESSIONAL RECORD. The May 4 editorial, "The ABM and the National Security," is not a defense of the ABM, but more of an appeal against the unilateral disarmament type of psychology which has been coming to the fore.

As the editorial highlights, the main purpose of the ABM proposed by the President is to insure the survival of a significant proportion of our land-based Minuteman ICBM's—and of our bomber forces—in the event of a first strike by the Soviets. Safeguard is designed secondarily to protect virtually the whole country against the kind of smaller scale ICBM threat which Communist China will be able to pose in the 1970's. Finally, if a missile were to be fired accidentially in our direction from any quarter, Safeguard would enable us to shoot it down.

The perspective maintained throughout the editorial in discussing the arguments for and against the ABM, the Russian missile activities, and the usefulness of the proposed ABM is to be commended. It is this type of unemotional perspective that is critically needed in the current debates on the ABM.

The editorial follows:

VIEWPOINT OF THE TIMES: THE ABM AND THE NATIONAL SECURITY

President Nixon vows to fight as hard as he can for the proposed "Safeguard" missile defense system because he believes "it is absolutely essential to the security of this country."

ABM critics, in turn, deride the proposed system as a military boondoggle, and charge that its deployment will set off a new arms race, divert resources from badly needed domestic programs and "turn the United States into a garrison state."

The controversy, which turns on whether Congress will or will not vote $900 million for the first phase of the $7 billion project, is developing an emotional intensity of the same sort which caused the country to tear itself apart over Vietnam.

In a statement calling for rational debate instead of name-calling, Freedom House correctly observed that opposition to the ABM does not necessarily signify indifference toward the security of the United States.

But the moderate, nonpartisan society also warned that ABM supporters should not be dismissed as "bloodthirsty warmongers, tools of the 'military-industrial complex' or the like."

ARGUMENT HAS GROWN

If there is more heat than light in the debate, it is because the confrontation has escalated into much more than an argument over the merits of a specific weapons system.

Aviation Week, which is anything but hostile to defense spending, made precisely this point in a recent editorial.

The uproar over the ABM, the journal warned its readers, represents an "emotional explosion" against the growth of the military establishment into what many people see as a "vast octopus consuming enormous amounts of blood and money without producing very much security for the nation."

As a result, a jaundiced congressional eye is being cast not just on the ABM, but on military spending as a whole.

Some members of the Senate, in particular, are demanding slashes of a magnitude which would condemn the United States to a second-best military posture relative to the Soviet Union—a situation which most Americans, if faced with a conscious choice, are not prepared to accept.

MUST BE PUT IN FOCUS

If the new skepticism toward defense spending is to serve constructive ends, some perspective is needed, both in regard to the ABM itself and to the larger issue of allocating more resources to civil needs and less to the military.

What is Safeguard?

It is important to understand first what the ABM system, as announced by the Nixon Administration on March 14, would not do.

It would *not* protect the cities of the United States against the kind of massive missile attack which the Russians are capable of launching, nor is it intended to.

As the White House put it, "There is no way of doing that. Even if we built a 'thick' defense around our cities at enormous cost, some attacking missiles would get through—enough to inflict extremely high casualties and damage."

To deter the Russians from launching such an attack, Mr. Nixon would continue to rely—as did his predecessors—on keeping the Kremlin convinced that we could absorb a surprise blow and still destroy the Soviet Union with what is left of our missiles and bombers.

As of now, there is absolutely no doubt but that the United States has this capability. The question is whether we will have it in the period from 1973 on.

Russian buildup

In 1965, the year of the massive U.S. escalation in Vietnam, the Soviet Union had some 200 land-based intercontinental ballistic missiles in place compared to our 854.

As of last summer, the Russians had 800 ICBMs compared with our 1,054. Today, they have something over 1,000—and are still deploying more every month—while we have leveled off at 1,054.

The Administration readily agrees that, as of now, our superior bomber forces and missile-firing Polaris submarines give us a clear edge, despite the parity in land-based ICBMs.

The Russians, however, are not standing still.

If they continue to deploy ICBMs at the rate of 200 to 250 a year, while the United States indulges in a unilateral missile freeze, they could have twice as many ICBMs as us by 1973.

Furthermore, the ICBMs now being deployed are the big SS–9 or Scarp missiles which can carry single warheads up to 25 megatons or three smaller multiple-reentry warheads—each of which is several times larger than the warheads atop our Minutemen.

The Russians, meanwhile, also are building missile-firing submarines of their own, as well as killer subs which presumably are intended, in event of hostilities, to knock our Polaris subs out of action before they can fire their missiles.

Finally, they have already built a relatively unsophisticated ABM system around Moscow, and are known to be conducting research and development toward a more advanced system.

The Pentagon's best judgment is, as President Nixon told a recent news conference, that the Soviet Union may be "substantially ahead of us in overall nuclear capability" in 1972 or 1973, unless something is done now.

Defense Secretary Melvin Laird is convinced that the Russians are trying to build a "first strike" capability—that is, the ability to knock us out with a surprise blow.

There is no proof of that. But, as Mr. Nixon put it, "We have to base our policies on their capability"—and this capability is rising in an ominous way.

Enter Safeguard

The main purpose of the ABM proposed by the President is to insure the survival of a significant proportion of our land-based Minuteman ICBMs (and of our bomber forces) in the event of a first strike by the Soviets.

Safeguard is designed secondarily to protect virtually the whole country against the kind of smaller-scale ICBM threat which Communist China will be able to pose in the 1970s.

Finally, if a missile were to be fired accidentally in our direction from any quarter, Safeguard supposedly would enable us to shoot it down.

Negotiations

In announcing a proposed go-ahead on the ABM, President Nixon made it plain that he hopes it will not be necesasry to build the whole $7 billion system. Construction

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can be stopped whenever arms control talks with the Russians produce results.

In the first phase, what amounts to prototype ABM installations would be built in the vicinities of two Minuteman complexes (in Montana and North Dakota) which are said to contain about 350 ICBMs.

Mr. Nixon is convinced that these two ABM complexes alone should, upon their completion in 1973, go a long way toward deterring a would-be enemy from the temptation of a surprise attack by the United States.

Whether the remaining ten Safeguard complexes would ever be built depends upon the progress of arms control talks with Moscow.

The opposition

One thing which makes the ABM debate so confusing to the ordinary American is the sharp disagreement among the so-called experts.

The Safeguard system, which has been likened to "shooting a bullet with a bullet," involves an extremely complex marriage of radars, computers and missiles.

Some of our most eminent scientists sincerely doubt that, if built, it will work—and they have mounted a vigorous and highly effective lobbying effort to impress their skepticism upon Congress and the public.

Other scientists, equally qualified and sincere, are confident that Safeguard will do the job it is designed to do, and believe it should be built.

Officials recall that both the hydrogen bomb and the Polaris submarine were developed—fortunately for the security of the United States—in the face of similar disagreement among the "experts."

Dean Acheson, who chaired a presidential advisory group on the hydrogen bomb question 20 years ago, says that "everything which is being said at the present time was said to me then." And he added: "Then, as now, scientists were acting as professors of morality."

Calling Dr. Strangelove

Assuming Safeguard will work, there are still a lot of knowledgeable people who argue that it will not really provide the protection advertised.

If the Communist Chinese were to decide to commit national suicide by launching a nuclear attack on the United States in the 1970s, it is argued, the existence of Safeguard would not stop them.

AN EASY JOB

They would need only to lob in a few short-range missiles from offshore submarines, or smuggle some A-bombs aboard freighters bound for Los Angeles, New York or other port cities.

In the event of a massive Soviet missile attack on the United States, ABM opponents argue that we could fire off our Minutemen before the incoming missiles arrived.

Even if we failed to do so, they insist, the Russians would still have to score near-perfect bull's-eye on virtually all of our Minuteman silos, bomber bases and Polaris subs—else they would face certain destruction from our retaliatory blow.

The survival of a substantial retaliatory force is best guaranteed, in the opinion of many experts, not by installing ABMs, but by building more offensive missiles, putting multiple warheads on them—and perhaps mounting some on hard-to-hit mobile platforms such as barges or railroad cars.

Surely, argue the ABM critics, a start on Safeguard can at least be postponed for a few months more. By that time, arms control talks should be under way, and we will have better intelligence on whether the Soviet ICBM buildup is aimed at achieving parity with the United States or an intimidating superiority.

SOME ROOM FOR DOUBT

The Nixon Administration has not, as a matter of fact, been entirely convincing in its insistence that the country faces a now-or-never decision on the ABM. Even if one assumes the worst about Soviet intentions, a few months' delay does not have to condemn the United States to a position of interior power.

The U.S. Senate, however, will gravely and irresponsibly imperil the security of the United States if it votes down the ABM without serving clear notice that the action is provisional—that the Soviet Union is expected to match our own show of good faith by stopping its buildup of offensive missiles.

If Moscow disappoints these expectations, the anti-ABM senators should make plain, they will support President Nixon in doing whatever is necessary to maintain the American nuclear lead.

Unfortunately, there is no evidence that the more emotional foes of the ABM are prepared to exercise that kind of statesmanship.

THE SITUATION IN VIETNAM

HON. STROM THURMOND

OF SOUTH CAROLINA

IN THE SENATE OF THE UNITED STATES

Tuesday, May 20, 1969

Mr. THURMOND. Mr. President, the State is one of the principal newspapers in the State of South Carolina, and enjoys an enviable reputation for its judgment and accuracy. In particular, its editorial page consistently shows thoughtfulness and vision. Therefore, I was particularly impressed with the State's recent editorial on the Vietnam situation.

The State comment on published reports that the United States may attempt to get Hanoi to agree to a mutual pull-out; and if this fails, the United States may order a unilateral pullout. The State points out that Hanoi has no reason to accept a mutual reduction of forces, leaving a unilateral withdrawal inevitable. This would be equivalent to abandoning the Vietnamese and all that we have at stake.

Mr. President, the State argues that this solution is not acceptable to the public's frame of mind, judging by public opinion surveys, and concludes that we must be prepared to buck the pacifist tide of minority dissent.

Mr. President, I commend these sentiments, and I ask unanimous consent that the editorial "Unilateral Insanity," published the State of Monday, May 5, 1969, be printed in the Extensions of Remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

UNILATERAL INSANITY

The Nixon administration, according to reports from Washington, finally has settled on a "solution" to the Vietnam war. The plan breaks down into two parts: (1) Paris negotiators will attempt to get Hanoi's signature to an agreement for mutual troop withdrawal, but (2) if this fails, Washington will order a unilateral pull-out.

Further details are unknown at the moment, Chalmers Roberts of the *Washington Post* says a new enemy offensive could gum up the schedule, forcing the Nixon administration to bring the troops home slowly. But the word is out that, whatever Hanoi does, President Nixon plans to begin scaling down American participation in the war effort, probably as early as this summer and no later, certainly, than fall.

Questions inevitably arise as to the wisdom of the plan. To begin with, a mutual reduction of forces seems highly unlikely, especially in view of Washington's intention to go it alone. Why should Hanoi de-escalate under these circumstances? In addition, it is foolish to suppose that South Vietnamese forces can take up the slack left by the departing GIs—or that the Saigon government will be able to survive the upheavals that are bound to occur once U.S. military support is removed.

In short, the plan seems to have been designed to accomplish a single purpose: to get America out of Vietnam, and never mind what happens once we leave. This was not the original objective, which was to preserve South Vietnam from Ho Chi Minh's troops and fifth columnists of the National Liberation Front. The original objective, in fact, is inconsistent with an American troop withdrawal. South Vietnam's forces, by common consent, are not yet up to resisting unassisted the Communists, who are well-trained, well-armed, fanatical and entrenched throughout the south.

There is this possibility, however: that the proposed backdown in Vietnam is a "trial balloon, hoisted in an attempt to define the limits of U.S. public opinion. How badly does the nation want peace? Badly enough to abandon Vietnam and, if need be, the rest of Southeast Asia? If this is the public's frame of mind, any political administration in Washington would want to know about it.

But it is not the public's frame of mind, to judge by polling results. Public opinion, every survey shows, is heavily weighted against a unilateral troop pull-out and in favor of military escalation if the Paris talks collapse. This is what the public wants and what national honor demands. The question is whether the Nixon administration, unlike its predecessor, is prepared to buck the pacifist tide of minority dissent.

TAINTED GLORY ALWAYS EXPLODES

HON. ROBERT H. MICHEL

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 20, 1969

Mr. MICHEL. Mr. Speaker, although Justice Fortas has resigned from the Supreme Court, I am sure we have not heard the last of this incident. Meanwhile, I noted an editorial from the May 16, 1969, edition of the Peoria Journal-Star which addresses itself to this and other similar problems during the Johnson administration.

I recommend it to my colleagues as a good example of how the folks back home evaluate and consider these issues which are often so close to us that our perspective tends to become somewhat blurred. I include the editorial in the RECORD at this point:

TAINTED GLORY ALWAYS EXPLODES

Lyndon Baines Johnson began his presidency with the Bobby Baker mess, and ends it with the Abe Fortas mess.

The irony is that after Bobby Baker and Billy Sol Estes, the American people in massive numbers and the commentators and entertainment figures and a massive swatch of academia, persuaded themselves to believe Lyndon Johnson's campaign oratory.

They weren't interested in the "means" only in the "ends," themselves, for the practices and policies they had become enamored of—and they chose Lyndon Johnson as their "means," they thought.

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He was a consummate politician, and they took pride in this. "He knows how to get things done," they said, and gloated at how he would "manage" affairs to the results they desired.

LBJ'S EXPEDIENCIES

Instead, of course, Johnson's presidency, after election, was a catastrophe from start to finish.

It required no great amount of brains, but just a small amount of balance, here in Peoria for us to comment just before that fateful election, that some of the statements by which Barry Goldwater was driving away votes were true, and that in any case, Goldwater was an honest man.

And it didn't take much brains, and only a little bit of maintaining one's balance, to comment that Mr. Johnson was making statements that were not true to attract votes, and pledging himself to policies that he could not perform.

It didn't take much brains to predict that Mr. Johnson would be elected, and that after election he would perform many of the things Mr. Goldwater had openly forecast and been derided for.

Can you imagine what might happen in this country if people with a lot of brains kept a little bit of balance? If they foreswore such fanatic feeling for "ideologies" in favor of some old good-fashioned respect for honesty and honorable methods—instead of putting ends before means in their "morality"?

It is discouraging, and makes people bitter and cynical when a Bobby Baker affair explodes, and more so when an Abe Fortas comes tumbling down, from such a high eminence.

When I was new at newspapering, these things shocked, disillusioned and made me cynical.

Not any more.

For Bobby Baker's playhouse did come crashing down around his ears, and achieving Supreme Court of the United States has no honor or pleasure in it when it ends one's life career in humiliation and disgrace.

Indeed the presidency which Lyndon Johnson sought all his life became not only a hollow victory, but a shattering, bitter experience—tasting of gall and wormwood—and ending in humiliation. It did not produce the glories and the wonders and the satisfactions he expected, but the very opposite.

ABLE MEN BUT . . .

These were and are extremely able men. They had to be. They had unlimited possibilities and vast satisfactions open to them on their merits. They didn't have to apply themselves with extra drive, and cut corners, or disregard high ethical standards.

The moment they did so, rather than better assure their success, they built into that success a fatal flaw which no future performance could, in the end, overcome.

When such performances are repeated, it isn't difficult, even in a comparatively short life in this business to see people who seem to be doing very well, indeed, and whose methods are questionable—and to say, "He's riding for a fall."

After many such experiences, this newspaperman is no longer the cynic of his first experiences. I now look upon such without cynicism, but with patience and confidence, that such persons have compromised their ultimate chances of fulfillment, and already inflicted the wound on themselves for which the pain comes later.

And there is no vengeance sharper than for the man who reaches to within an inch of the final, topmost goal, and says, "I got away with it!", so that just at this moment. the prize turns to a burning coal in his hand.

That breaks something inside of a man that even physical direct punishment cannot.

Especially when, the rest of his days, he must say to himself, "I could have done it. I was good enough. I had the ability. Why did I blow it all by wanting too much and being too careless how I got it?"

This lesson ought not be that people can get to such high places when engaging in some shady methods. The lesson should be that such attainment explodes in your face, if it is tainted.

The very hour of glory becomes the hour of the collapse, more often than not.

Integrity, a sense of honor, is still important—to this country, and its future, and to the individual human being who seeks a genuine fulfillment and satisfaction in his own life.

This is not a world of hypocrisy.

Honor exists. It needs to exist more widely, and to be more widely respected.

It is very "relevant" indeed to a "whole" life for the individual—and to society.

It's about time the "realists" quit treating honor as "camp" and started treating it as the realism it is in our supposed art, literature, humor, communications, and colleges.

PROCLAMATION IN SUPPORT OF PRESIDENT NIXON'S PEACE PROPOSAL

HON. HARRY F. BYRD, JR.

OF VIRGINIA

IN THE SENATE OF THE UNITED STATES

Tuesday, May 20, 1969

Mr. BYRD of Virginia. Mr. President, I ask unanimous consent to have printed in the Extensions of Remarks a proclamation which was issued on May 18, 1969, by the U.S. Jaycees in support of President Nixon's peace proposal.

There being no objection, the proclamation was ordered to be printed in the RECORD, as follows:

PROCLAMATION

The official Jaycee proclamation presented to President Nixon by Smith stated:

"Whereas, The United States Jaycees stand in complete support of the efforts of President Richard M. Nixon in the quest for honorable and positive peace in the country of South Viet Nam as well as the rest of the world, and

"Whereas, we enthusiastically support the more than one-half million Americans in South Viet Nam and proudly salute and pay tribute to those 35,000 Americans who have gallantly and unselfishly sacrificed their lives in this quest for peace, and

"Whereas, we believe that the National Liberation Front and the North Vietnamese government should unquestionably understand the resolve of the people of the United States, not to crumble from within but to stand firmly and resolutely in support of our President in the quest for honorable peace and the right of self-determination in South Viet Nam;

"Therefore, be it resolved, that we, The United States Jaycees, encourage and solicit the support of every organization and every American in providing complete and positive unity in support of the President of the United States of America in his efforts to effect a lasting world peace and pledge to him our continued support for his endeavors in our behalf as Americans."

Some eighty-seven civic and service organizations have been contacted by the U.S. Jaycees and encouraged to adopt similar resolutions and forward them to the President.

Several times in the past, the Jaycees have endorsed national policies of the President of the United States. In 1940, the organization was the first group to give full endorsement to the peacetime draft. In 1965, the Jaycees adopted a resolution supporting the nation's Viet Nam involvement in defense of freedom throughout the free world.

THE CENSUS IN PERSPECTIVE

HON. ARNOLD OLSEN

OF MONTANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 20, 1969

Mr. OLSEN. Mr. Speaker, I want to discuss briefly another aspect of the decennial census which has been subjected to unjustified attack. This concerns its mandatory character—the requirement that people must be enumerated.

Now we all know that the most laudable endeavor can be portrayed in such a way as to make it appear deplorable. I suppose we could poison the attitude of a stranger toward baseball, the national pastime, if we simply asked if he approved a sport in which one player can injure another by hitting him in the head with a ball, hard as a rock and thrown at lightning speed. Something of this sort is taking place in connection with one of our oldest national institutions—the decennial census.

It almost defies response when a person asks a question like this: "Do you think you should be slapped in jail for refusing to tell the Government in Washington how you heat your house?"

Or like this: "Do you think it's right to take a man to court for refusing to tell the Government what kind of work he was doing last week?"

By the same token, it begs agreement when one person tells another he thinks it is terrible that some blabbermouthing bureaucrat demands to know how old you are.

These one-sided questions and comments not only miss the point, but they mislead the public. Let us analyze this kind of distortion from two points of view.

First, a penalty for refusal to answer the questions has existed since the census originated in 1790. Yet, in all these years very few persons have been fined. Very few cases have been taken to court. No one has ever been put in jail. The courts could impose a penalty of up to $100 and 60 days in jail. However, I think it is worth noting that the census managed to get along from 1790 to 1920 with the courts empowered to levy only a fine and no jail sentence. The latter was added for the 1930 and subsequent censuses—not bureaucratically, keep in mind, but by the Congress itself to emphasize the need for all people to respond.

I trust that no one is under the impression that the census takers—or the courts, for that matter—are interested in flouting the rights vested in them by law. The record scotches any such notion. In 1970, as in every previous census, the people will be required only to answer the questions to the best of their knowledge and ability. The penalties were not conceived, nor have they ever been used, to embarrass anyone who does not respond with 100 percent, unequivocal accuracy. That should be clear. At the same time it should be remembered that no nation in the world can or does rely upon a voluntary census. And no Congress of the United States, from 1790 onward, has regarded the census as any-

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thing except an obligation of citizenship. The law has always recognized what experience with many voluntary surveys has shown: that the returns from a universal survey such as a census, if taken on a voluntary basis in whole or in part, would be of such low statistical quality as to be meaningless for many of the small areas for which census data are needed, and for many of the uses to which census statistics are put.

Furthermore, the mandatory provision emphasizes the significance of the census and the importance of sharing this responsibility equally among all the people. It is indispensable to a successful census. Without it the people would in effect be told that they really do not have to respond, that they can do no great harm by throwing the form away. Millions would probably do so.

In these times many of us are understandably weary and sometimes resentful of so much paper work. But let us not choose the wrong target for destruction. Let us acknowledge the unique and vital role of the census. Let us accept the fact that full participation is imperative for a census to be effective. And let us view the penalty provision in that light.

So much for the background. Now to the current point.

Those critics who single out one question or another and link it with an extremely remote threat of punishment neglect the main consideration. The answering requirement was adopted to apply to the entire census—to the whole set of related figures that emerge from this nationwide canvass of the people. It enables the Government, acting in the broadest public interest, to collect sufficient data from which to draw a clear picture of our attainments and our needs.

I know from my years of experience as a member of the Subcommittee on Census and Statistics that no item is accepted for the census questionnaire without the most careful evaluation. Each must serve a definite public and governmental purpose.

A question on heating systems, for instance, has been included in every census since 1940, the year in which the scope of the decennial canvass was expanded to cover housing as well as population. The type of heating equipment is a key indicator of living conditions. Local agencies use the data in appraising community health and safety standards. The question, incidentally, will be asked of only one in five households next year. It will not be asked, you may be sure, because some insolent bureaucrat wants additional grounds for putting innocent citizens in jail.

For a much longer period—back to 1840, in fact—census takers have been asking citizens about the kind of work they do. The census is the only source of data embracing all persons engaged in some form of economic activity. And detailed census tabulations provide the only source of information on occupational skills of the labor force in States and local areas. This reservoir of data has a multitude of uses—for example, to lay out economic development and manpower training programs. This inquiry, I want to add, also will be made of residents in only one of every five households.

As for how old you are, I can assure you that no one involved in the census is interested in the age of any particular person. But since age is an important factor in examining the makeup of the population, the item has been included since the census began in 1790. It has many specific uses, too, in such program areas as social security, health, housing, and education.

So we see that if anyone chooses, he can hammer away at the census by taking a question out of context—by distorting its meaning—by exaggerating its language—or by spreading the idea that the census is an excuse for turning loose a posse of prosecutors against unsuspecting, law-abiding citizens. That kind of assault is as unreasonable as it is unfair.

The truth is that every question approved for the census is designed to fulfill a specific governmental need for information. It is important in itself. And it is an important part of the whole body of information which Americans are called upon to assemble only once every 10 years.

ESSAY BY MISS JANE E. O'LEARY, WHAT IT MEANS TO BE AN AMERICAN CITIZEN

HON. CLAIBORNE PELL

OF RHODE ISLAND

IN THE SENATE OF THE UNITED STATES

Tuesday, May 20, 1969

Mr. PELL. Mr. President, recently, I have had correspondence with Miss Jane E. O'Leary of 79 Michael Drive, Warwick, R.I. She enclosed an essay that she had written, entitled "What It Means To Be an American Citizen," which I believe is worthy of the attention of Members of Congress.

I ask unanimous consent that her essay be printed in the Extensions of Remarks, for it clearly indicates that this young woman has grasped the real meaning of citizenship in our great country.

There being no objection, the essay was ordered to be printed in the RECORD, as follows:

WHAT IT MEANS TO BE AN AMERICAN CITIZEN

There is a Bill of Rights in the United States that guarantees every American citizen the right to freedom. The four rights below are ones that I have had first-hand experiences with. The people in some countries do not have the freedoms that we do. We are fortunate that the men who wrote the Bill of Rights realized what freedoms there should be.

Every American has the freedom of speech. You may talk to your friends in whatever manner you please. If people want to know what you think about this and that, you may tell them what you think without being afraid of being locked up. I wrote to the Editor of the Providence Journal and told him what I thought about the war in Viet-Nam. It was published on the editorial page for people to read if they wanted. And that is the freedom of speech.

There is a freedom of religion in America. If you do not choose to go to church, you do not have to; but that doesn't mean that you can't. If you like, you may visit a church once or twice to see what it is like. In some countries there is no freedom of religion. The Germans didn't like Jews and killed six million of them. At one time in Russia the government closed all of the churches because they wanted to have more control over the people.

A right to own property is another of the many rights. You may put a fence around your yard if you don't want people in your yard. If you own something and someone tries to take it from you, you can get help from the police. Every American person has the right to buy property that he can afford—you may not be turned away because of your race or religion. We should be proud for this right because some countries are without it, for instance China.

There is one more freedom I would like to mention, called trial by jury. This means you have a right to go on trial and have a jury determine whether you are innocent or guilty. You are not punished unless you are found guilty. You may sue someone if they are doing something illegal against you or someone else. I have never been on trial but I visited a courtroom when a man was on trial for larceny. There were two sides with witnesses on each side. There was a lawyer on each side but only one judge. After they were through talking with the witnesses the judge made the final decision. He ended up letting the man go free because one person should have been in court to testify and he wasn't and a search warrant should have been issued. Trials are very interesting and I would like to visit another some time.

I had this essay finished but something made me change it. In the mail I unexpectedly received a letter and it was from Senator Pell commending me on a recent press release. That shows me that leaders, very busy ones, still find time to write to young people in our country. Where else could this happen but America—this land was made for you and me.

EXCERPTS FROM A SPEECH BY CONGRESSMAN GEORGE BUSH, DELIVERED AT THE ANNUAL SPRING DINNER OF THE NATURAL GAS MEN OF HOUSTON

HON. ROBERT PRICE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 20, 1969

Mr. PRICE of Texas. Mr. Speaker, our distinguished colleague, Hon. GEORGE BUSH, recently addressed the annual spring meeting of the Natural Gas Men of Houston, Tex. It was a speech in which Mr. BUSH made some very timely remarks on the oil depletion allowance, and on the emotional climate now attached to that particular issue. I wholeheartedly concur with his position and remarks. In light of the high interest now focused on this matter, I think it would benefit us all in our understanding of this situation to read excerpts from Mr. BUSH's address, which I now submit for insertion in the RECORD:

EXCERPTS FROM A SPEECH BY CONGRESSMAN GEORGE BUSH, DELIVERED AT THE ANNUAL SPRING DINNER OF THE NATURAL GAS MEN OF HOUSTON

As much of the attack on the oil industry and oil taxation has been primarily emotional, I have urged that the intellectual level of the debate be escalated. The time is at hand for sobriety of judgment in this matter rather than additional excesses of argument based on emotional sentiment.

In reviewing the record now before the Ways and Means Committee, the evidence clearly reveals that:

(a) on total taxes, the oil industry does pay its share of taxes.

(b) the oil industry is not disproportionately profitable. Using return on invested capital as a yardstick, the industry ranks right in the middle of all other industries. It is not more profitable than most manufacturing enterprises.

(c) the price of petroleum products has not risen nearly as fast nor gone nearly as high as products of other industries.

(d) there is an acute need to find more domestic reserves; the ratio between proved reserves and consumption has declined rapidly.

(e) the gas industry picture is exceptionally perilous in terms of long-range supply and consumption.

The above points were not substantially challenged in our committee, and yet incessant emotion prevails—the myth continues of the "rich oil man" getting fat at the expense of other taxpayers.

Here is a key example of emotion on the question of oil taxation. You have all heard of the 154 cases of really rich people, nontaxable individuals who pay no tax year after year. If you ask the man in the street why these rich people pay no tax at all, they reply "They are rich oil people using that oil depletion allowance."

And yet the figures provided to the Ways and Means Committee on these cases show that total income for these people came to $112 million and depletion on their income came to less than *1 percent* of the total. And yet the industry still gets blamed—depletion still gets blamed—depletion is still called a dangerous loophole.

I hope the committee will separate fact from fiction.

I am pleased that President Nixon one week ago reaffirmed his position that the depletion allowance must remain unchanged. This reflects Mr. Nixon's awareness of the eminent importance this provision has in relation to our nation's future.

I am pleased that the Treasury's tax recommendations did not contain suggestions for changing the intangible drilling charge-off provisions of the tax laws. If these provisions were ever necessary, the time is now. Although these provisions are under assault in our committee, and in the Congress, I will continue to fight for their preservation. We must separate emotion from fact.

There is a widespread feeling around Washington that if we opened the floodgates to foreign oil there would be lower gasoline prices—lower fuel prices.

To this, I say you might see a temporary price reduction but our domestic industry would be driven to its knees and rendered impotent by a flood of foreign oil, and then the price of that foreign oil will surely rise. We'd be over a barrel and the Arabs would know it. Up would go our price.

NOTE.—Since Congressman Bush speaks from notes rather than a text, there may be additions to, or changes in, the above. However, the Congressman will stand by the above quotes.

ADDRESS BY MRS. HENRY STEWART JONES

HON. STROM THURMOND

OF SOUTH CAROLINA

IN THE SENATE OF THE UNITED STATES

Tuesday, May 20, 1969

Mr. THURMOND. Mr. President, the delegates to the Continental Congress of the Daughters of the American Revolution recently received a warm and spirited welcome on National Defense Night from Mrs. Henry Stewart Jones. Mrs. Jones' address was a fine example of patriotism and a noble expression of American ideals. Mrs. Jones maintained that patriotism "is not a matter of idle flag waving, but a most solemn and pressing duty." This is a great and spirited sentiment.

Mrs. Jones argued convincingly to maintain our strong military posture. She praised Secretary of Defense Melvin Laird for his analysis of the Soviet threat, and warned of the dangers posed by godless communism.

Mrs. Jones also contrasted the moral basis of the American cause with the aggression of the Soviets. She said:

> To us, National Defense represents something more than a strong military posture. We seek to preserve the moral, the spiritual and the Constitutional values which brought this Nation to the pinnacle of greatness and gave the American people a degree of freedom unparalleled in history. This is a positive program which can engage the mind and heart of every member.

Mr. President, I congratulate Mrs. Jones on her stirring message and ask unanimous consent that it be printed in the Extensions of Remarks.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

ONE NATION, ONE CONSTITUTION, ONE DESTINY

(By Sara Roddis Jones)

It is my privilege tonight to extend warmest greetings to you all—distinguished guests and Daughters of the American Revolution. I also want to extend special greetings to those Daughters who are attending a Continental Congress for the first time. One cannot leave these halls without deep pride that no Daughter has ever conceded that patriotism is old-fashioned. For us, patriotism is not a matter of idle Flag waving, but a most solemn and pressing duty. Our first objective, therefore, is to do all in our power to help preserve our constitutional Republic, to keep America strong and free—in other words, to keep America, American.

To this end, we seek "to cherish, maintain and extend the institutions of freedom." To us, National Defense represents something more than a strong military posture. We seek to preserve the moral, the spiritual and the constitutional values which brought this Nation to the pinnacle of greatness and gave the American people a degree of freedom unparalleled in history. This is a positive program which can engage the mind and heart of every member.

Here I want to pause a moment and express gratitude to the many Daughters who help promote these ideals by forwarding contributions to Dollars for Defense. These dollars aid immeasurably in carrying on the work of the National Defense Committee.

I also want to express appreciation for the fine cooperation given by our National Vice Chairmen and State Chairmen and Chapter Chairmen of National Defense during the past year.

I wish I could share with you all the many fine letters that come in from men and women from all walks of life thanking the DAR for its leadership and unflinching patriotism.

During the past year, our President General has had as her theme Daniel Webster's famous words: "One Nation, One Constitution, and One Destiny." This theme is a timely reminder that the future of our Country lies in our hands. Either we love our Country and guard its Constitution—or one day we will lose both.

We speak of the DAR as a great service organization. What greater service can we render our fellow countrymen than to hold aloft the principles which made this Country great, to do all in our power to keep America sovereign, solvent and free. We are unashamed in our determination to hang on to America. We do not propose to find ourselves a disarmed province in a godless and socialistic, one-world government. We will not willingly surrender our present enviable status as "One Nation under God" for one world without God.

It is our purpose, therefore, to expose and oppose anything which threatens constitutional government or our own survival as a Nation. Through the years, we have expressed the belief that a strong military posture was the best guarantee of peace. So long as we remain free and strong, all the world can hope for ultimate delivery from tyranny. If we fail, the lights of freedom will go out all over the world.

With this in mind, during the past year we have expressed our grave misgivings over the recently ratified Nuclear Nonproliferation Treaty. We are not a political organization. At no time did we expect to succeed in opposing the Treaty, but we chose to take our stand on principles with the 15 courageous Senators who had the vision and intestinal fortitude to vote against it. And why?

Because the Treaty is aimed at nonnuclear nations! Actually the greatest threat of nuclear warfare stems from the Soviet Union itself, and ultimately Red China which is not a party to the Treaty.

Because the Treaty will not stop the arms race! It leaves the Soviet Union free to continue development and build-up of nuclear weapons, but will effectively prevent the modernization of armaments for the defense of Europe.

Because the Treaty denies and excludes the option of the United States to selectively proliferate purely defensive weapons to hard pressed allies! Thus, its main effect is to bind the nations of the noncommunist world and simultaneously to extend United States commitments to defend the free world.

Because the Soviet Union sacrifices nothing and has repeatedly shown itself no respecter of treaties! On January 8, 1969, at the very moment the Soviet Union was pressing for United States ratification of the Treaty, Moscow showed its contempt for the spirit of the Treaty by concluding an agreement with Cuba under which the Soviet Union undertook to help Cuba expand its nuclear program. There was no indication that this help would be confined to purely peaceful uses—and Cuba is just 90 miles off our shores.

These are but a few of the reasons why we fear the consequences of this Treaty. We deplore the fact that almost anything can be put over in this Country in the name of "peace." But we have no peace—and not since we joined the United Nations have we fought a war we were allowed to win. First there was Korea, and now we are bogged down in Vietnam in one of the longest and most unpopular wars in our history.

The Soviet Union is not only supplying 80 percent of the military supplies to North Vietnam but is testing our will to win this or any other war. If the war in Vietnam is to be won, it must first be won in the United States. Our boys are committed to victory, but no army is stronger than the people behind it.

Here at home, the "disarmers" and the "doves" are gambling with our future by arguing about the wisdom of deploying an antimissile system. The Soviet Union has already deployed about 80 percent of its antiballistic missile system. Secretary of Defense Melvin Laird, who makes terrifying sense in his defense of a United States antiballistic missile system, has testified that the costly Soviet weapons programs are clearly aimed to gain nuclear superiority. The Soviets are spending billions to destroy our missile sys-

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tems, yet the "doves" of this Nation argue that it is folly to protect our missile sites. We do not presume to know all the answers to this thorny problem, but we do know that events long have proved that the Soviets respect only strength. If we let down our guard, we can expect no sweet charity from the Soviet Union. How can this or any other nation sit idly by and fail to protect its defensive striking power?

In asking this question, it is not suggested that this Nation succumb to Maginot-line thinking. The best defense is still a good offense. But this Nation's leaders have announced that we will never be the first to use nuclear weapons. Shall we also deny ourselves effective second-strike weapons and retaliatory power?

These are grim questions. But we must find the answers if we are not to go the way of Carthage some 21 centuries ago. Here was a nation that so loved peace that no price to keep the peace was too exorbitant to pay. The people of Carthage disarmed unilaterally—exactly as we are doing today. They made endless concessions to Rome but, in the end, it was not enough. They lost everything—their lives, their homes and their wealth. A great civilization disappeared from the earth. May God forbid that we follow that same trail to oblivion in our quest for peace.

Here one must note that it is not just armaments which will save this Nation. If a man has nothing to believe in, he has nothing to defend. The communists long since have undertaken a systematic program designed to encourage disregard for authority and disbelief in values that we hold dear.

God and the doctrine of eternity, they say, are myths to perpetuate slavery, Cast off your chains, they cry, and follow the doctrine of reason, not religion. The tragedy of it all is that communism has made successful inroads in two-thirds of the earth's surface because it offered a new dedication to those who had none.

We must match that dedication with a renewed dedication to our own ideals and way of life, for where in the world are the most chains? In the communist world, of course. Ours is the authentic revolution! Ours was the revolution that made men free. In this Nation we have always believed that liberty was God-given—and our reward has been a degree of freedom that is the envy of the world.

Despite this, here in our own America, the communists have successfully involved themselves in areas of racial strife and student unrest, seeking not the benefit of the group they have infiltrated, but seeking rather to keep strife and riots going so that the ultimate beneficiary will be the communists.

Let us listen, therefore, to the warning of J. Edgar Hoover, Director of the Federal Bureau of Investigation:

"Communism has hurled us a mortal challenge. Our response, and the response of freemen everywhere, will determine whether or not freedom survives. It is no longer sufficient for us to adopt the negative approach of merely reacting negatively and defensively to every shift of communist tactics. We must place greater emphasis on the positive role which our democratic way of life can perform in this struggle."

A demonstrated faith in our great heritage is the mightiest weapon we have in the fight for freedom and against communism. The place to start is in our schools, in our churches, and in our homes.

Let us root out the permissiveness which becomes anarchy, a life without standards, a body without a soul. Let us substitute, instead, the ancient virtues of self-discipline, morality, honesty, patriotism, and, above all, love of God.

We need not sit forever idly by and permit the Supreme Court to deny our children simple prayers in our schools. The constitutional prohibition against state support of "an establishment of religion" was never intended to obliterate all references to Divine power from public activities in which the State has a part.

Just recently it came to our attention that there was a plan afoot to remove all mention of God from the military. The emphasis was to be on morality—not God. But, and let us never forget this—every moral code has its roots in religion. Without religion, there is neither a moral code nor morality.

The first duty of education is now, and always has been, to build a responsible citizenry. We are presently engaged in a life-and-death struggle for our God-given liberty and against the dialectic materialism of atheistic communism. We will not win that battle by denying the Faith of our Fathers. There is no middle ground between communism and a freedom based on the self-discipline of religion.

Benjamin Franklin summed up this thought when he said: "Man will ultimately be governed by God or tyrants." Alexis de Tocqueville put it another way when he said: "Despotism may rule without faith, but liberty cannot."

Each of us has a part in defending the moral, the spiritual and the constitutional values on which our freedoms are based, and as we do so, let us remember:

I am only one, but I am one. I cannot do everything, but I can do something, and what I should do and can do, by the Grace of God I will do.

ROCKFORD SCHOOL BOARD HONORED

HON. JOHN B. ANDERSON

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 20, 1969

Mr. ANDERSON of Illinois. Mr. Speaker, no one can question the unique and vital role played by the local board of education in American life. It is the epitome of democracy at work in our local communities and citizens who serve on school boards are entrusted with a great responsibility and a high honor. The school board in turn is entrusted with the responsibility to provide an educational program which truly meets the needs of the community and is responsive to the demands of our changing times.

It was therefore with a great deal of pride that I participated in an awards ceremony this past weekend honoring the Board of Education of Rockford, Ill., for its outstanding accomplishments in the field of public education. The occasion was the 1969 National Education Association-Thom McAn school board awards program held at the NEA headquarters on Sunday and Monday, May 18 and 19, 1969.

The Rockford Board of Education was awarded "National First Place for Systems Over 6,000 Enrollments." The award was in recognition of a unique program started in the Rockford district in response to parent dissatisfaction with educational opportunities provided for their children. The resulting program was a new communications link with the black community and a teacher academy that have nurtured many educational innovations in the Rockford School District.

I wish to commend the National Education Association and the Thom McAn Shoe Co. for making these awards possible and I wish to extend my heartiest congratulations to the Rockford Board of Education for this outstanding achievement and the example they have set for other school systems in our country.

I think special recognition is due the former president of the Rockford Board of Education, Mr. Clifford Carlson; superintendent of schools, Dr. Thomas A. Shaheen; and Rockford Education Association president, Mrs. Bernice Domeier. Also on hand for the awards presentation was Mrs. Marcella Harris, a member of the Rockford School Board.

At this point in the RECORD I introduce a description of the Rockford program as it appeared in the awards brochure:

ROCKFORD BOARD OF EDUCATION DISTRICT No. 205, ROCKFORD, ILL.: NATIONAL FIRST PLACE—SYSTEMS OVER 6,000 ENROLLMENTS

In the city of Rockford, Illinois, the Board of Education was confronted with two problems: a lack of communication between the schools and the black community and a lack of communications between classroom teachers and other educational innovators. As a response to parent dissatisfaction with the educational opportunities provided for their children, this Board of Education established the Washington Community School with Ombudsmen in the black community and a teacher academy.

The Washington Community School is a junior high school staffed only with those teachers who want to be there. A team of three Ombudsmen provides a communications link between school and community and works out conflicts that arise. Teams are being developed for the four feeder elementary schools and two receiving senior high schools of the area.

The Teacher Development Center has served as the proving ground for many educational innovations in the Rockford District. This center provides classroom teachers an opportunity to work with outstanding teachers and to learn about the latest methods and equipment. This enables them to incorporate their new knowledge into their own classroom teaching.

The Rockford Education Association points out that, though these unique and inventive school projects have been in existence only a short time, the results have already been felt by the lay and educational community.

CLIFFORD CARLSON,
President, Rockford Board of Education.
THOMAS A. SHAHEEN,
Superintendent of Schools,
BERNICE DOMEIER,
President, Rockford Education Association.

THE ROLE OF THE INDIVIDUAL

HON. TED STEVENS

OF ALASKA

IN THE SENATE OF THE UNITED STATES

Tuesday, May 20, 1969

Mr. STEVENS. Mr. President, on May 19, 1969, the University of Alaska honored Robert O. Anderson by awarding him an honorary degree of doctor of laws.

Mr. Anderson is a remarkable individual. He is chairman of the board of the Atlantic Richfield Co., chairman of the Aspen Institute for Humanistic Studies, vice president of the John F. Kennedy Center for the Performing Arts, regent of New Mexico State University, and trustee of the California Institute of Technology.

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His deep understanding of the complexity of the individual as a whole being and his concept of the essential relationship of the arts and industry have exercised a stimulating, worldwide influence on educational and cultural affairs.

His address to the convocation dealt with the role of the individual in today's society. In an age of ferment fostered by just such a search by our Nation's youth, I commend his remarks to the attention of the Senate.

I ask unanimous consent that the remarks be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

THE ROLE OF THE INDIVIDUAL

Members of the Board of Regents, Members of the Faculty, Distinguished Guests, Candidates for Degrees: I am greatly honored to have been asked to address this convocation, and have looked forward to this day with keen anticipation, for it affords me the chance to appear before a group of men and women who will face unique challenges and opportunities in their lifetime. I say this in spite of the obvious problems that seem to confront the world on all sides today.

Your University is most remarkable. It has literally seen and been part of the course of Empire.

Since the discovery of the new world and the dream of a Northwest Passage from Europe to the Orient, men have sought, and died seeking, their fortune in the far North. Hendrick Hudson searched in vain during the early 17th Century. He was followed 160 years later by another ill-fated dreamer, Captain James Cook. Many more men with their same character and determination, together with a strong and varied native tradition have helped to form the vigor and character of you and your fellow Alaskans.

A scant century ago two incidents in history played a definitive role in determining the course of this country and the existing world balance of power.

The first was the death of Emperor Maximillian of Mexico many thousands of miles to the south. The other was the decision of Alexander II of Russia to sell a piece of land that at that time represented little more than a source of furs to the Russian court and nobility.

With the first event, the presence and ambition of the Austro-Hungarian Empire in the New World came to a final conclusion. The second event a few months later saw the presence of Imperial Russia removed from the continent. Thus the year 1867 was truly a year to remember. The presence of two great European powers of the last century vanished from the American scene.

As difficult as it may seem, nevertheless, up until some 200 years ago, the idea that people could improve their life simply did not exist. Certainly, the hope of a better life is as old as mankind, but the exciting prospect of 18th Century political philosophy was that such a dream could be realized by free men working together for their common good.

Democracy was a new and revolutionary concept. For the first time, people realized they might look to the future with hope rather than fear and anxiety.

Here, in Colonial America, far from the tradition of England, scholars and students alike were largely free of political retaliation and enjoyed a level of academic freedom virtually unknown by their European counterparts. No wonder, then, that the concept and principles of a free society grew and were first realized in the birth of this nation.

The success of the American Revolution and subsequently the French Revolution came on the eve of the industrial revolution, and thoughtful men quickly saw that the latter coupled with a free society offered the means to a better and more secure life. Unfortunately, the early years of the industrial revolution were largely years of disappointment, despair, and unforeseen difficulty for the European nations, difficulties that we in America were destined to escape.

As a new country, with vast resources and a seemingly endless frontier, we could welcome all, and each could find a life to his liking. The catalyst was the concept of the strong and reliant individual reacting to an endless variety of opportunities. These are the hopes and conditions of Alaska today. As a relatively new nation, we have been through many difficult periods, yet we stand today, the oldest revolutionary government in the world and the largest and wealthiest of the free nations—as such we have inherited responsibilities that we cannot ignore.

These are the responsibilities of leadership; they are the responsibilities that men and nations alike must accept as those that go with advantage or privilege. As a people and as a nation, we have advantages and resources heretofore unknown and, if we cannot use these wisely and well, we cannot expect more of others. As a nation, we must offer cooperation and assistance to the free world without injecting ourselves into the affairs of others. As individuals, we have to accept the responsibilities of citizenship and actively work for a better and fuller life. With technological advances, we continually exceed our goals in the manufacture of goods and our agricultural output continues to exceed or own needs. Coupled with scientific and medical advances, we can be virtually assured that in the coming decades, we will have the ability to produce material goods far in excess of our present consumption. Our problem will be to see that our vast ability to produce is distributed in such a fashion that poverty and suffering are reduced and eventually eliminated.

Although our country has succeeded in utilizing science and technology within the framework of a free society to provide a high standard of living, we must not forget that important as our material needs may be, they alone cannot provide a full life. Only the individual can achieve this. No amount of recreation or entertainment can replace or be an adequate substitute for personal intellectual enjoyment.

During the last twenty years, we have given greater and greater emphasis to scientific development—a need accentuated by a political war in which productive capability might be the decisive factor. Aside from our military needs, we have developed thousands of practical tools and aids that we use in our everyday life, and yet we are only on the threshold of scientific discovery and appreciation! Still, with all of this, we are a troubled people as we look at ourselves and the world around us. Even with the many accomplishments of recent decades, the majority of the world's people, and many of our own, are restless and confused. The major questions of our time center about the individual, his welfare, and most importantly, his relationship to society and his state.

Our entire political philosophy is based on the essential concept that the individual at all times remain sovereign to his government. We are governed by our own consent with our government subservient to its people. In order for such a government to function in an effective and orderly manner and provide an environment in which the citizen can retain his liberty and personal security, we as individuals consent to be governed by, and respect the decisions of, the majority.

In sharp contrast, the Soviet Marxists world believes that the individual is totally subservient to his or her government, and, as such, his individuality must be submerged or even denied. He or she is virtually the property of the state and the subservient individual becomes the desired standard. In such a world, academic freedom along with personal freedom become dangerous and cannot be tolerated. The naked and arrogant display of power in Czechoslovakia last year was eloquent testimony to the fact that individual freedom cannot exist in a collective society.

Within your lifetime, a majority of people throughout the world will decide what their relationship will be to their government. This troubles them and it most certainly troubles us. If our way of life is to prevail, it can only do so if we continually exert ourselves to keep the individual in the proper perspective. We have the material means to provide an adequate standard of living, but that by itself is not enough. We must educate people, not only to earn a living, but how to live a fuller life.

To assist us toward this end, a vast array of all human knowledge has been directed towards helping man discover the all too often hidden potentiality of his own mind and spirit. Generally speaking, the group of scholarly traditions which focus upon this are described as the Humanities. Unfortunately, they have been somewhat neglected in our present pre-occupation with scientific inquiry.

The Humanities are usually considered to include the study of history, literature, the arts, religion and philosophy. The fine arts and the performing arts are modes of expressing thoughts and feelings visually, verbally, and aurally. The method of education associated with the Humanities is based on the liberal arts tradition we inherit from classical antiquities.—The basic attitude toward life centers on a concern for the human individual, for his emotional development, for his moral, religious, and aesthetic ideas, and for his goals, including in particular, his growth as a rational being and a responsible member of his community.

The classical concept of the Universal man is essentially that of a personal embracing of a broad range of interests, ideas and abilities.

Intellectual curiosity is a much better gauge of age than physical condition and we must continue to question and challenge ideas as we go through life.

You leave here today with various degrees, yet your true education can and should continue for your lifetime. Books and the country around you offer a lifetime of exploration into the ideas of man and the subtleties of nature. We humans have not been too kind to our planet, and I hope it receives more of your attention now that it has in the past. Reservation of our natural environment is as important as any intellectual achievement.

The wheel has been described as man's greatest invention, yet it is puny in comparison to the achievement of that first distant caveman, who, sitting in a group, said, "If we are going to get anything done, the first thing we have to have is a little order." At that point civilization was born!

Today, order and the personal security that goes with it are in serious jeopardy. This, and not the wheel, is the single greatest problem confronting us if we are to meet and resolve the many social and economic issues that must be resolved during the balance of this century.

While I personally come from the great desert country of our American Southwest, I have always felt an affinity for the North country. Aside from the obvious attractions for the fly fisherman such as myself, I have always admired the people themselves. Like our New Mexican, you see and accept people for what they really are. Character, rather than position and wealth are the basis of acceptance.

In a society which is becoming increasingly complex and urban oriented, I believe people like ourselves who live in the less populated areas enjoy a much greater chance

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to know each other and particularly ourselves. I wish to emphasize the latter, as we cannot really know or understand others until we know and understand ourselves.

The vast majority of you are Alaskans and live in what I believe to be an exciting State. I can assure you that it will be even more exciting during your lifetime.

I know of no greater fortune than to be part of a developing country, and for you fortunate few, the opportunity for personal growth and achievement is at its maximum.

Alaska today is a new frontier for young people of the so-called lower '48 and many of the more venturesome and hardy will join you here in the next decade or so.

Together you cannot possibly become anything but a winning team. The resources and opportunities are limited only by the people who have the will and determination to resolve them.

The development of the Arctic is still in its infancy and what you have seen is only the start of a much larger effort. It is difficult to portray the great change ahead, but it will dwarf anything in the State's history.

Ironically enough, the discovery of large accumulations of hydrocarbons in the Arctic Slope, within sight of a range of mountains still bearing the name of the Russian royal family, occurs at the very time that Russia itself is facing impending shortage of petroleum that may very well adversely effect its own future for at least another decade or more. Their posture and position in the middle east may well be based on economic necessity rather than political expansion.

In closing, I would simply like to say I am optimistic about Alaska and its people. Problems abound and many more are yet to arise, yet we live in an exciting world and I am confident that this State and its people will measure up to anything that may be required of it.

Now I cannot resist passing along an observation or two on life that I believe stand out above all else I have learned in the 30 short years since I, myself, received my college degree. The first is simply the fact that life passes with extreme swiftness, and unless one is continually aware of this, much of life will pass you by. Maybe it is merely a foot race with death, but the satisfaction of achievement and accomplishment will go to those who run the fastest. The second, and possibly the most important is to try to see the world through the eyes of others. You will be surprised how much more you will see and find in life.

ABM: SHOULD THE UNITED STATES GO AHEAD?

HON. GLENARD P. LIPSCOMB

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 20, 1969

Mr. LIPSCOMB. Mr. Speaker, I am entering the second part of two articles on the ABM, which the Los Angeles Times published on May 4 and May 6, 1969. I have already entered the entire May 4 editorial, "The ABM and the National Security," in the CONGRESSIONAL RECORD and feel that the May 6 editorial deserves equal treatment.

The May 6 editorial, "ABM: Should the United States Go Ahead", explores the dangerous implications of a unilateral missile freeze and examines some of the current assumptions regarding "excessive" military spending.

The editorial points up the oft-overlooked facts that first, in 1960, long before the Johnson escalation in Vietnam, defense spending accounted for 8.7 percent of the gross national product and 47 percent of the total Federal budget; second, in 1969, defense spending is $35 billion higher than it was 9 years ago. But it still accounts for only 8.8 percent of GNP and 43 percent of the total Federal budget; third, during the Vietnam war years, spending for major social programs has more than doubled, while defense outlays are up only 52 percent. Moreover, while the United States has been involved in Vietnam, the Russians have been aggressively building their military strength.

The Institute for Strategic Studies estimates that total Soviet military spending is now on a parity with the non-Vietnam portions of ours—and as a percentage of GNP, is almost twice as large. More important, 4 years ago, we had a 4-to-1 lead in ICBM's. Today, the Russians have caught up with us and may be going beyond parity to superiority.

Because of its contribution to the ABM discussion, I am happy to enter the entire Los Angeles Times May 6 article in today's CONGRESSIONAL RECORD:

ABM: SHOULD THE UNITED STATES GO AHEAD?

Sen. Henry Jackson (D-Wash.) noted the other day that we were spending five times as much on defense against manned bombers at the end of the 1950s as we would spend on the "Safeguard" missile defense system proposed by President Nixon.

Why was there so little outcry then and so much now?

The answer, of course, lies in the rising resistance to military spending—the feeling among Americans that we have allowed our national priorities to get out of whack.

To keep the record straight, the polls show that the American people as a whole still favor a strong defense establishment. And, of those who have made up their minds on the ABM, over 60% are for it.

There is no question, however, but that sentiment for a tight rein on Pentagon spending is on the increase.

PAPER EAGLE

As far as the average citizen is concerned, the new resistance to military spending has many roots. These include frustration over high taxes, inflation—plus the seeming inability of the world's most powerful military establishment to defeat a rag-tag army of Vietnamese Communists, or prevent the kind of humiliation we suffered in the Pueblo incident.

CREDIBILITY GAP

Leaving disenchantment of that sore aside, the heart of the trouble is the growing cost and complexity of modern weapons systems.

During World War II, destroyers and submarines cost in the neighborhood of $5 to $9 million apiece; today, the going price is closer to $200 million. Today's fighter planes can carry price tags a hundred times higher than the models which outfought the Germans and Japanese 25 years ago.

What particularly angers congressional critics are the cases where costs run 200% to 300% higher than estimated. The overrun on the big C-5A transport plane alone is now calculated at $2.1 billion.

Even after soaking up enormous resources, the new weapons systems are sometimes a flop, the prime example being the Navy version of the F-111 swing-wing jet fighter.

PORK BARREL, 1969 STYLE

While all these factors are relevant, they are not the whole story.

WALK AROUND VIETNAM

In hard-rock political terms, what we are seeing is the opening round in a fight over the so-called Vietnam dividend—the billions of dollars which will be up for grabs when the war ends or is drastically reduced.

In this context, the so-called military industrial complex is locked in a struggle with competitive power centers—made up of scientists, educators, anti-poverty warriors etc.—which want federal money for their own projects.

Since the end of the Vietnam tunnel is not in sight, these interests tend to favor a big slash in the non-Vietnam portion of the defense budget now.

The ABM, because of its controversial nature, makes an attractive target. If the first domino falls, reason the more zealous anti-Pentagon crusaders the political atmosphere will be conducive to congressional veto of other portions of the defense budget.

Fair is fair

There can be no question but that the attack on America's urban ills—poverty, slum housing, snarled transportation, environmental pollution and the like—deserves a far greater claim on the country's resources than it has enjoyed in the past.

If the new skepticism is to serve a constructive purpose, however, it is important to separate fact from distortion. And the facts are as follows:

In 1960, long before the Kennedy-Johnson escalation in Vietnam, defense spending accounted for 8.7% of the gross national product and 47% of the total federal budget.

In 1969, defense spending is $35 billion higher than it was nine years ago. But it still accounts for only 8.8% of GNP and 43% of the total federal budget.

During the Vietnam war years, spending for major social programs has more than doubled, while defense outlays are up only 52%.

To cite specifics, the federal contribution to welfare programs is almost twice what it was six years ago. Outlays for education and manpower training have more than quadrupled, as has spending for community and regional development. Medical expenditures, thanks to Medicare, are up more than 700%.

Where to cut?

These statistics hardly bear out the picture, assiduously cultivated by Pentagon critics, of a country which has turned its back on human needs in the name of national security.

Obviously, however, the pertinent standard for "sufficiency" in the war on poverty and environmental blight is not the past but the future.

We can do better—if ways can be found to cut the military budget, which is the largest single category of federal spending. And given sufficient determination, ways can be found.

It is hard to believe, for example, that the United States really needs all the 429 major and 2,972 minor military bases which it maintains around the world. Surely a substantial number can be closed if U.S. overseas commitments are reviewed hardheadedly.

Another obvious target is the Pentagon's contracting and weapons evaluation procedures, so that the problems of cost overruns and "white elephant" weapons systems can be reduced to manageable proportions.

The Soviet enigma

Inevitably, such a tightening up means that more weapons projects must be vetoed before too much money is invested in them—and Safeguard, all things considered, is a borderline case.

What must be avoided, however, is the know-nothing approach which manages simultaneously to be against the ABM, advanced new bombers and fighters, modernization of the Navy and upgrading of our Minuteman and Polaris missiles—all without regard to what the Russians are up to.

And, the Russians have been up to plenty while the United States has been otherwise engaged in Vietnam.

In fiscal 1965, the last year before the massive escalation of the U.S. role in the war, our defense spending totaled $50 billion.

As a result of war outlays, the total figure soared to $80 billion—but the non-Vietnam portion of the military budget is still not much over $50 billion.

The downhold in non-Vietnam spending was accomplished, to a considerable degree, by postponing or stretching out new strategic weapons projects.

As Sen. Jackson observed the other day, the budget for strategic forces is actually almost 50% less than it was in fiscal 1962, if inflation is taken into account.

While we were cranking down our side of the arms race the Russians have been cranking their side up.

The Institute for Strategic Studies estimates that total Soviet military spending is now on a parity with the non-Vietnam portion of ours—and as a percentage of GNP, is almost twice as large.

Beyond parity?

Four years ago, we had a four to one lead in ICBMs. Today, the Russians have caught up with us and may be going beyond parity to superiority.

We still have a big lead in bombers, ballistic missile-firing submarines and total number of warheads. But the Soviets are now building Polaris-type subs of their own, as well as subkillers which could be used against our Polaris fleet.

As for the big U.S. lead in warheads, UCLA Prof. William G. McMillan, a longtime defense consultant, warns that the Russians may be using a different kind of arithmetic.

They may figure that one nuclear torpedo can destroy a Polaris submarine and all 16 of its missiles. One suborbital missile could take out a bomber field with a score of B–52s and a much larger number of H-bombs.

At this point, no one says for sure that the Soviets are shooting for an intimidating strategic superiority. But the evidence is too strong to be ignored.

Missile freeze

Both the Administration and ABM opponents agree that the best solution is a Big Two arms control arrangement which would effectively prevent either side from gaining a first strike capability over the other.

Mr. Nixon argues that an immediate start on Safeguard is essential to the U.S. bargaining position in such talks. Sen. William Fulbright (D-Ark.) charges that a start on the ABM would imperil the arms control talks and provoke the Russians to countermoves.

Neither argument stands up to critical analysis.

The Kremlin, it turns out, has accepted President Nixon's announcement on the ABM with more equanimity than the chairman of the Senate Foreign Relations Committee. Arms controls talks are still expected within a few weeks or months.

This is not surprising. After all, the Russians have 67 ABMs of their own in place around Moscow, and are thus in no position to argue that defensive missiles are provocative.

U.S. DETERMINATION VITAL

Beyond that, the Kremlin leaders understand, if Fulbright and like-minded senators do not, that deployment of ABMs around ICBM silos—as distinct from cities—is not the act of a nation which is thinking in terms of a surprise attack on the other side.

There would be little point, after all, in spending billions to protect empty silos against a retaliatory blow.

Compromise

It does not necessarily follow, however, that congressional approval of Safeguard is essential to success of arms control negotiations.

What is essential is that the Russians know that the United States is not prepared to indulge in a unilateral missile freeze while the Kremlin indulges in a unilateral drive for strategic supremacy.

Unfortunately, the ABM opponents are coming perilously close to creating the opposite impression.

What, then, is the solution? Two alternatives suggest themselves:

Congress can approve a go-ahead on phase one of Safeguard—with language putting the Administration on notice that construction should be stopped if arms control talks show promise.

Congress can withhold approval—but with language putting the Soviets on clear notice that we are prepared to escalate our side of the arms race if the Soviets do not halt their own missile buildup.

The latter alternative is preferable.

If the lawmakers choose neither of these alternatives, but instead turn the ABM down in a euphoric atmosphere of unilateral disarmament, they will be not only wrong but irresponsible.

VITAL PROBLEMS OF SPAIN AND PORTUGAL

HON. STROM THURMOND

OF SOUTH CAROLINA

IN THE SENATE OF THE UNITED STATES

Tuesday, May 20, 1969

Mr. THURMOND. Mr. President, it is a pleasure for me to invite the attention of Senators to three articles on Spain and Portugal written by Mr. Thomas Waring, editor of the News & Courier, Charleston, S.C. Mr. Waring recently returned from a visit to Spain and Portugal where he obtained firsthand knowledge for in-depth reporting.

I congratulate Mr. Waring for his outstanding articles on the vital problems of Spain and Portugal and the relationship of these problems to U.S. foreign policy. Mr. Waring presents a keen anaylsis of the issues involved in U.S. military bases in Spain and in Portugal's longstanding interests in Angola, Mozambique, and Guinea. I commend these articles to Senators for a better understanding of these problems which are of great importance to the United States.

I ask unanimous consent that the articles be printed in the Extensions of Remarks.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

BULWARK OF WEST: PORTUGAL IN AFRICA

(By Thomas R. Waring)

LISBON, PORTUGAL.—While Portugal has many unsolved problems, Prime Minister Marcello Caetano's government sees new hope for restoring peace to the African provinces. Dr. Caetano has just returned from a visit to Mozambique, where joyous crowds welcomed the successor to Dr. Antonio Salazar. It was the first such state visit in many years.

Dr. Alberto Franco Nogueira, minister of foreign affairs, granted me an interview in his office near the waterfront of Lisbon's busy harbor. Earlier in the day, I had watched a military band at a pier, and a detachment of soldiers preparing to embark for service in Africa. Half of Portugal's national budget is spent on governing the three African territories of Angola, Mozambique and Guinea, and the drain on manpower as well as money is heavy.

"Much improvement has occurred in Africa," Dr. Franco Nogueira told me. "The terrorists have no hope of success. They lack support of the masses and some have joined the Portuguese authorities in Mozambique and Angola. In fact they are going through a boom of industrial development. Many now realize Portuguese policies in Africa are more realistic, and that they can meet the problems of the people. Some other African countries are cooperating.

"In the United Nations and elsewhere, disillusionment, frustration and disappointment are appearing over U.N. policies."

For years, the United Nations, with support of the United States, has been pressuring Portugal to leave Africa—a contingent to which the Portuguese were the first to carry Western European civilization. The navigators and settlers went there before white men came to America. The Portuguese have no more intention of yielding the African provinces than Americans have of giving back their country to the Indians.

One of the incidents to which Dr. Franco Nogueira referred was the surrender of Chief Kavandame of the warlike Makonde tribe in Mozambique. This tribe, estimated by some at 200,000 in number, has supplied most of the manpower for the revolt against Portugal. The Portuguese say 60,000 Makonde warriors have laid down their arms—an estimate that some observers call an exaggeration. Time will tell whether Chief Kavandame, at 65, or younger leaders schooled by communists in terrorism carry more weight with the black masses. Without the Makonde, the main guerrilla organization called FRELIMO would be crippled.

Dr. Franco Nogueira declined to specify other African countries now cooperating with Portugal. Another source said that Dr. Hastings Banda, in Malawi, was showing interest in a hydroelectric dam on the Zambesi River planned by the Portuguese to serve that region. Zambia also looks to the Portuguese ports as outlets for its copper.

The foreign minister was asked to comment on his country's relations with the United States. He has just returned from Washington.

"It is no secret," he said, "that there has been strain and many difficulties in past years. We believe, with a change in views toward Africa and the reasons behind Portuguese policies which are in the long-range interest of the West, we can expect better understanding from U.S. public opinion.

He declined to elaborate on expectations from the Nixon administration. Earlier this spring, during the American Society of Newspaper Editors' convention at Washington, Nixon administration spokesmen declined to predict changes in U.S. attitudes toward the Republic of South Africa, Rhodesia and Portugal, the three leading governments controlling the Southern part of Africa. All three have been the targets of terrorism organized by communists from Russia, China or Cuba.

Southern Africa is a rich prize for whoever can hold it. In choosing sides, Western powers need to weigh their own strategic interests along with the current political fashions about independence and colonialism. The Portuguese believe they still represent Western civilization in clinging to their overseas provinces—last of the European empires.

THE SPANISH ATTITUDE: U.S. BASES IN SPAIN

(By Thomas R. Waring)

MADRID.—While doubts have been raised in Washington, about the whole system of strategic U.S. military bases overseas, a negative attitude prevails also in influential circles of Spanish opinion over renewing arrangements for U.S. Air Force and Navy installations in Spain.

The differences are much more complex than money.

Insofar as Spain is concerned, both national security and the dignity on which Spaniards lay such stress are big issues. A full understanding of all the factors would require a review of Spanish history and customs. More specifically, the current history

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of this ancient nation, including the Civil War and 30 years of government by Generalissimo Franco, shape both official attitudes toward other nations and the temper of a proud people.

Isolated for centuries from the rest of Europe by the Pyrenees, and successively conquered by Romans, Visigoths and Moors, Spain then underwent the agony of a civil war that left the country exhausted. Franco managed to avoid entanglement in World War II, saving Spain from total catastrophe. Neither he nor others, who are looking anxiously to the future when this chief of state no longer governs, want to turn Spain into another battleground just as it is achieving a measure of prosperity.

Inside the country, various forces are jockeying for position: Labor unions, the new middle class, "liberals" of many hues, monarchists, restless students and as always the Roman Catholic Church.

As recently as 1953, when negotiations began for building U.S. bases in Spain as a deterrent to Soviet aggression in Europe, Spain and its small neighbor Portugal were very much alone on the Iberian peninsula. Both were virtually police states under one-man dictatorships. The peace they enjoyed entailed some sacrifices. Among these sacrifices was the esteem of other countries, absorbed with their own notions of democracy and individual liberty.

In some circles, notably in the United States, Spain and Portugal became pariahs—the object of contempt on the ground of "fascism." While communist powers wiped out both life and liberty wholesale elsewhere in the world, the Iberian countries bore the brunt of criticism in the "Free World."

The U.S. bases supplied the most important opening of Spain to the outside world in many years. Tourism blossomed and opened new windows for two-way vision. Foreigners learned some of the good things about Spain, and the Spaniards began to pick up pointers from the visitors, both military and civilian.

Meanwhile Spain began to achieve other measures of international "respectability", including admission to the United Nations. Spain now holds a seat on the Security Council. It yearns for admission to the European Common Market.

Since France dropped its military commitments in NATO, Spain has grown in importance as a European bastion against communist threat. Yet Spain is not a member of NATO.

Lack of recognition is painful to these people. While the United States "builds bridges" in the hope that more contacts will foster better understanding with declared enemies, it has seemed to Spaniards that the Americans are unaccountably cool toward their Spanish friends. All these and other factors too complicated for further discussion lie behind the reappraisal of U.S. military presence.

The five-year lease on three air fields and the sea base at Rota expired last Sept. 26, and a six-month grace period expired March 26 of 1969. Unless new arrangements are made—and not even the final deadline date is legally clear—the United States may have to remove its men, planes and ships from installations that it built on Spanish soil.

While the strategic considerations that prevailed in 1953 have changed, others have arisen that cause at least a preponderant military judgment in the United States to declare the bases essential for defense against the USSR.

Some Spaniards have a real anxiety about exposing their country to nuclear attack in the event of war between Russia and the USA. Such a view was expressed in an article in ABC, one of Spain's leading newspapers. ABC supports the monarchy. The author of the article, a supporter of Don Juan for king, is an old-line statesman who served in the pre-civil war cabinet of Primo de Rivera. His name is Jose de Yanquas Messia.

After reviewing his reasons stated in previous articles as early as 1952 in opposition to the U.S. bases, Mr. Yanquas Messia noted recent statements about negotiations in the American press, including one attributed to "a Pentagon official." He quoted this source as saying the transaction was a simple military agreement between two countries: one pays to use the installations and nothing more.

To this elder statesman of Spain, whose voice still carries weight, this attitude is "nothing more or less than if one were handling the rental of a farm or city property."

The United States, he points out, no longer has a monopoly of nuclear arms. The magnitude of nuclear war is the chief antidote for avoiding it. Clear foresight counsels against the "uncontrolled risk" that would result, he said, from continuing to keep in Spain bases that would be prime targets in the event of war between nuclear powers—a conflict which we would have no part in initiating.

The matter, he concluded, should not be treated as a matter of "compensations." Rather he regards it as a matter of concession. I am an advocate of political friendship and economic cooperation with the United States," he concludes. "I am not, and I think I should say so, for renewal of the bases."

Whether this article is a trial balloon sanctioned by the government to help Spanish negotiators, a preparation of public opinion for departure of Americans or just another newspaper article is not clear. When the press is controlled as closely as it is in Spain, and when public officials are reluctant to be committed on pending matters, such an editorial opinion nevertheless is worth considering.

Fundamentally, the interests of Spain and the United States seem closely identified. It should be possible to fit them into common action if each side observes sympathy and forbearance in approaching the other. If friends can't get together, what hope is there for reconciling enemies short of annihilation?

Lesson for Americans: Weakness of Spanish Republic Sparked Civil War

(By Thomas R. Waring)

Madrid.—While following news of civil disorder in the United States and reflecting on events leading up to the Spanish Civil War in 1936, some uncomfortable similarities come to mind.

From where I sit in a house on the outskirts of Madrid, I can see the Guadarrama mountains, still snowy on the peaks, over which Spaniards fought bitterly in that tragic conflict. In another direction I can see in the suburbs some of the angular apartment houses that monotonously gird all the bulging cities of Spain today. Though graceless, they represent peace and a measure of prosperity.

While campus riots, strikes and civil rights marches in the United States have not approached the excesses of agony that Spain endured, some of the angry words and brutal deeds being reported daily from America have an ominous resemblance to Spain's prelude to civil war.

Mobs inflamed by irresponsible leaders caused death and destruction throughout Spain. The republic, proclaimed in 1931 as a democratic way to freedom from monarchy and a means to substitute progress for decay, proved unable to govern. By 1936, anarchy was opening Spain to communism. It was a deliberate plot, according to some observers, for Russian conquest on the cheap.

The Nationalist Army, led by Gen. Francisco Franco, triumphed in 1939 over the republic and pacified the country. Thirty years later, though grumbling is heard about oppressive control, people and property are reasonably secure and the country prospers.

Man's memory is short. It needs constant refreshing from the records of history. Americans have something to learn from this venerable land. Luis Bolin has provided a readable account in his book called "Spain: The Vital Years" (Lippincott, 1967). A journalist and Spanish patriot who had a key role in the nationalist movement from the beginning, he personally engineered the transfer of Franco from the Canary Islands to lead the uprising in continental Spain. As a press officer for Franco, Bolin had a front seat view of the times about which he writes. And he writes English better than most of his English-speaking colleagues.

While this comment is not intended as a review of Bolin's book, some excerpts from it are so timely in their phrasing that they might have referred to another decade and another country.

Among the leaders of the movement that established the Second Spanish Republic in 1931, and later one of its numerous premiers, was Alejandro Lerroux Garcia. Bolin lists Lerroux as one of the three men who deserve the most blame for failure of the republic. The others were Zamora, who gave Spain's gold reserve to the Russians, and Gil Robles. As a sample of Lerroux' philosophy, here is what he is recorded as having told his followers before he came to office:

"Pillage and sack this decadent civilization; destroy its churches and its gods, raise the veils worn by nuns and make mothers of them. Burn all the deeds to private property and elevate the proletariat to judicial rank! Do not hesitate before sepulchers and altars! Fight! Kill! Die!"

No public official has spoken like this in America, but others have—and Lerroux was not in office when he uttered his brutal counsel.

Commenting on the invason of law courts at Salamanca by a mob bent on lynching magistrates, judges and lawyers, a "liberal" writer for whom these excesses had become sickening said:

"The horde was made up of mere boys who raised clenched fists, and filthy toothless harpies carrying a poster with the words, 'Long live free love'. This grotesque mob paraded the streets under the protection of the authorities. Our revolution is filling up large cities with human dregs no longer tolerated in smaller towns and allowing them to merge with the rottenness that already exists there."

Indalecio Prieto, a Socialist said:

"Spaniards have never, but never, witnessed anything so tragic as the spectacle their country now offers to the world. Spain is totally discredited abroad. Its lifeblood is being drained by strife and disorder devoid of any revolutionary purpose and the resources of government and national vitality are being worn down by a state of chronic unrest which is proving too much for the people."

Though this socialist saw no revolutionary purpose in such anarchism, the purpose must have been strong undercover. In an article Jan. 3, 1936, the year civil war began, the communist leader Joaquin Maurin said:

"Our revolution, which began by overthrowing Primo de Rivera" (the military dictator who had given Spain firm government prior to abdication of King Alfonso XIII) "is now in its seventh year, which may well be a decisive year for all. The Asturias affair was only a prologue, a dress rehearsal for much that is yet to come."

The Asturias affair concerns the wanton sacking of Oviedo, in which 4,000 were killed and much fine property destroyed by Asturian miners with dynamite. At the time of Maurin's statement, 60,000 children in Madrid were out of school, partly because many school houses had been burned, and unemployment totaled 900,000 in Spain.

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Bolin lists three phases of the Republic: 1) unqualified zealots ignored rights and misused authority; 2) the will of the people at the polls was ignored and opposition quelled by violence and 3) the Popular Front encouraged terror and threatened to split the country into Soviet republics to make way for communism.

Answering critics of the use of force for peace and justice, Bolin quotes Lord Melbourne's defense of his handling of British labor riots in 1831:

"To force, nothing but force can be successfully opposed. All legislation is impotent and ridiculous unless the public peace can be preserved and the liberty and property of individuals saved from outrage and invasion."

Bolin also quotes the U.S. Declaration of Independence on the right and duty of the people, after long abuse, "to throw off such government and to provide new guards for their future security."

Though nothing so violent as the terror in Spain has yet occurred in the United States, some of the disorders in streets and campuses have been accompanied by startlingly similar threats uttered by militants and protesters against American society.

The spark that set off the Spanish civil war was assassination of Calvo Sotello, a member of parliament in opposition to the government.

When author Bolin told a British audience in 1936, he believed Spain was on the brink of revolution, he was not believed. He recalled the War of the Roses, and the American Civil War—then only 70 years finished. Forty days later the Civil War began.

After three years of bitter fighting, which cost an estimated 600,000 lives and untold suffering, Franco won. He has ruled the country ever since with a firm, sure hand.

As usual with a one-man government, orderly succession presents a grave problem. Spain is now a monarchy without a king. What happens after Franco? The best guess seems to be restoration of a king to the throne and selection of somebody in Franco's circle as a new chief of government.

The second republic, and an earlier disastrous experiment with democracy in the 1870s, have made "republic" a dirty word in Spain. Fortunately, Americans have long and successful experience with the republican system. They know how to make it work. They can save their republic from the wreckers if they follow the rules and act in time. They can avoid Spain's agony by studying the record of anarchy and revolution, and stamping them out before civil war and heavy policing are necessary to keep order.

JOHNSTOWN JUNIOR FIRE DEPARTMENT AWARDS

HON. JOHN P. SAYLOR

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 20, 1969

Mr. SAYLOR. Mr. Speaker, for the 18th consecutive year, the fire department of the city of Johnstown, Pa., gave awards to the participants in their junior fire department program and to the winners of their fire prevention poster contest. To the best of my knowledge, this junior fire department program is the only one of its kind in the Nation and it deserves special recognition because of the impact on the community. More importantly, perhaps with recognition, other fire departments around the country might institute similar programs and thus multiply the awareness of home fire prevention action throughout the Nation.

The 1969 program involved approximately 100 hours of instruction in fire prevention and resulted in finding and eliminating approximately 6,800 home fire hazards in the community with a total of 1,255 children from 19 public and parochial schools taking part in the program. The first is the "fire chief" section, wherein those children reporting and correcting the most fire hazards are made honorary chiefs of the department.

In the first category of the program where children reported and corrected the most fire hazards, Mark Spenger of Central Catholic School became the 1969 Junior Fire Chief of Johnstown, Pa. Also there were honorary district fire chiefs as follows: Becky Dull of the Chandler School for district 1; Joetta Kay Johncola of Tanneryville School for district 2; Roberta Wilson of Central Catholic School in district 3; Alan Balak of St. Patrick's School in district 4; and, for the first time in the years of the competition, there was a tie for honors in district 5: Kenard Pruey and Tim Cover of the Maple Park School will share the honor of district fire chief for 1969 in district 5.

The second part of the competition is the fire prevention poster contest. In this category first prize went to Mark Strandquist of Westwood School; second prize was awarded to Philene Weaver of Visitation School; with the third prize being given to David Condo of Westwood School. It is interesting to note than an estimated 90 percent of the pupils involved in the total program submitted posters on fire safety.

Mr. Speaker, I highly commend the Johnstown Fire Department and all the principals and teachers involved in this program for making fire prevention at home a concern of every child. I also extend my special congratulations to the new Johnstown Junior Fire Chief for 1969, Mark Spenger, and the district junior fire chiefs which will serve under him during the year.

INTEREST RATES ON U.S. SAVINGS BONDS

HON. MARTHA W. GRIFFITHS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 20, 1969

Mrs. GRIFFITHS. Mr. Speaker, recently I received the following letter from a constituent of mine, Lester Wegrzecki, concerning the interest rates on U.S. savings bonds. His comments voice the feelings of many persons today, and I would like to place his letter in the Record for everyone to read. The letter follows:

Detroit, Mich.

Dear Congressman: During the last few years we bought very month one E-Bond, not so much as capital investment, as to prove my voluntary support for the monetary system of our government. E–Bonds pay 4.25% on maturity and do not bring any interest for the first 4 months after purchase. Recently, the Federal Government-Treasury Department started issuance of the new kind of notes with much better terms. It means 6.42% on maturity—after the same 7½ years—and interest payable with checks mailed to the owner every six months.

Do I have to drop my patriotic habit of buying E–Bonds, cash all my savings bonds and savings notes and switch to the new kind of notes? I feel rather bad about being cheated by our authority—myself and many of my friends and co-workers, and many more working people who trusted their small savings buying E–Bonds for security. Is there any legal way to protest such a practice, and protect E–Bond investors from that kind of disappointment. Can you do something positive about it.

Lester Wegrzecki.

STATE OF THE COUNTY MESSAGE IN MONROE COUNTY, N.Y., REVEALS SERIOUS NATIONAL FISCAL AND SOCIAL PROBLEMS

HON. FRANK HORTON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 20, 1969

Mr. HORTON. Mr. Speaker, my distinguished colleague and fellow Representative of the county of Monroe in New York, Barber B. Conable, Jr., and I wish to call the attention of this body to a very timely and meaningful message. I am referring to the "state of the county" message, delivered to the Monroe County Legislature by County Manager Gordon A. Howe in January.

As the Congress begins to grapple with legislation that will attempt to deal with the great foreign, domestic, and fiscal problems facing our land, it is too easy to look upon these problems from a purely Federal standpoint. The Federal Government is not alone in having a critical shortage of resources needed to fulfill demands for programs and services. We are not alone in our temptation to look to other levels of Government to do what we cannot do.

Mr. Speaker, the budgetary and inflationary crisis we face, brought on in some measure by the Vietnam war, has brought on a crisis of astronomical proportions in State and local governments. We at the Federal level share the responsibility for responding to many new needs of this Nation in the past decade. We have set up new agencies, new programs, new goals—all in response to an increasingly urbanized and socially conscious America. In many instances, the Federal Government stepped in to fulfill needs, some local in nature, which State and local governments either could not or would not fulfill.

Slowly in many of these areas, the Congress has had to give way to resource realities, and to hold back on full funding of many authorized commitments. Within the Federal perspective, these moves were necessary, and are necessary. But we have left in the wake of reduced Federal help, State and local governments which are faced with catastrophic revenue problems.

At the same time they face heightened expectations for services and programs on the part of their constituencies.

As County Manager Howe ably points out, many of these problems, particularly at the local level, are brought on by

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inadequate or nonexistent intergovernmental relationships. The Federal attitude has been one of coaxing and incentive—offering the lure of funds to States and localities that would adopt a worthy Federal goal as their own. These worthy programs have too often fallen outside the realm of budget planning and revenue availability; and their effect has too often been the creation of perennial budget crises at the local level.

Particularly in this difficult time, when the demands of a costly war and the effects of inflation limit our flexibility, we must take into consideration at every turn, both the benefits and consequences of our actions for the States and localities, and we must take bold initiatives to improve the fiscal picture for all levels of government.

Tomorrow morning, Mr. Speaker, a distinguished and unique delegation from Monroe County, N.Y., will begin a 2-day series of meetings with Federal legislative and executive officials, to point up these severe problems of local government, and to support Federal policies which would facilitate the solutions of these problems.

The arrival in Washington of 24 of Monroe County's 29 county legislators to plead the case of local government before the policymakers of the Federal Government represents a significant initiative in intergovernmental relations. They are making a positive and sincere attempt to communicate and cooperate with the Federal Government on common problems and goals.

The delegation includes the following county legislators:

Hon. Gordon B. Anderson; Hon. R. Graham Annett; Hon. Robert E. Cappon; Hon. Kenneth P. Courtney, president of the legislature; Hon. Joseph R. Esposito; Hon. Joseph N. Ferrari; Hon. Edwin A. Foster; Hon. Gerald Jed Hanna; Hon. John Richard Hoff; Hon. William C. Kelly; Hon. Frederick W. Lapple; Hon. Hyman T. Maas; Hon. Edward B. Mogenhan; Hon. Lucien A. Morin; Hon. Robert P. Neilon; Hon. Dorothy M. Riley; Hon. John J. Romano; Hon. Nicholas R. Santoro; Hon. Robert H. Scheerschmidt; Hon. Gary E. Smith; Hon. Peter J. VanderTang; Hon. Anna Mae Watson; Hon. Charles W. Westfall; Hon. Henry W. Williams, Jr.

Accompanying the legislators are several other distinguished citizens of the county of Monroe, all of whom have helped to organize and carry out this journey to Washington. Richard M. Rosenbaum, county Republican chairman, Mr. Joseph Bonavilla, Miss Josephine Lombardo, Mr. Walter Meunch, Mr. Alexander Peyton, Mr. Philip Profetta and Mr. Arthur Robinson, Mr. Michael Casella, Mr. William F. Dwyer, coordinator of the trip, and Mr. Alan Van Campen will also be attending the legislators' meetings on Capitol Hill, at the White House, and at executive agencies.

Both Congressman CONABLE and I are proud of this effort.

President Nixon, as one of his first official policies, announced redoubled efforts to cooperate and communicate with other levels of government. While our intentions at every level have been good, we too often have begun needless competition for revenue, for programs, and for policymaking power. Competition between levels of government is just too costly to justify its benefits. We must all work together toward the goal of a better America for all our people. The need for renewed and expanded intergovernmental cooperation and discussion is well expressed in Mr. Howe's message. We implore each Member of this body to take a few minutes to read his message, as a means of immersing himself, if only for a few moments, in the detailed and difficult problems faced by a progressive metropolitan county.

The state of the county message follows:

STATE OF THE COUNTY MESSAGE, JANUARY 7, 1969

(By Gordon A. Howe, county manager)

Ladies and Gentlemen: While this day opens a new year, the final year of the 1960s, it also places us on the threshold of a new decade in which the challenges of public administration will be greater than ever before.

The public today is more conscious of the cost of government than at any time in many years. Despite every effort that could be made, it was necessary for the County of Monroe to join other units of government in increasing its tax rate for this year. The combined effect of the tax increase by the City of Rochester, the towns, school districts and special districts has been to arouse the public and focus public attention on the demands made today on local government.

Comparatively, the Monroe County resident still will live in a county with one of the lowest tax rates in the State of New York. The following table shows what the typical Monroe County taxpayer would pay in property tax if he lived in one of the other major counties of New York State:

Average family's 1969 property tax bill

County:	
Nassau	$215.00
Suffolk	211.00
Westchester	200.00
Onondaga	177.00
Monroe	148.40
Erie	147.00

In noting the tax burden upon the people, it should be noted that the same family which has a county property tax in Monroe County of $148.40 in 1969 will pay the Federal Government $1,507.24 in Federal income taxes for the same period.

The fact that we have a comparatively low property tax here does not lessen our responsibility to do all in our power to operate government at the lowest possible cost as we have in the past.

The growth of this County and the accompanying growth of revenues will help ease the tax burden on county property owners in the 1970s. Expanding sales tax income, for example, will assure town residents that their property taxes will be lower in the 1970s than they are this year. The assumption by the County of millions of dollars of services previously financed by the City will mean that City residents should benefit by a lower tax load.

COUNTIES TO LEAD WAY IN DECADE OF 1970'S

County government today and in the next decade will be the major local unit of government. However, we have reached a critical point in our growth and development. While the County assumed major city costs, City taxes have continued to rise. When the County agreed to expand its aid to schools from the sales tax, the result shifted revenues from towns and villages and their tax rates rose accordingly without any reduction in the school tax. Instead of recognizing these changes as benefits many taxpayers unfortunately seem to believe that the County alone is responsible for higher taxes. This is not the case. It will take a major public education effort to dispel such a belief and illustrate to the average citizen the vast range of vital services which his county tax dollar buys for him, his family and his community.

The environment in which we live is affected in crucial ways by County government activities. Clean air, pure water, open spaces for play, modern interurban roadways, protection from communicable diseases all are elements of modern life which are affected by County programs. The County of Monroe, in short, has a direct affect on the quality of our community. If most people believe we live in a pleasant community, the County can take credit for its important role in maintaining the environment.

The administration of justice is a large County responsibility—and a costly one. The court system and our system of justice are major services of county government. Few people stop to think of this benefit which is financed by their tax dollars.

COUNTY MUST CARE FOR UNFORTUNATE

Those who are unfortunate or unable to care for themselves are County charges. While there are many problems stemming from the welfare burden in this community, the fact is that the County is bound by law to provide food, clothing, shelter and medical, psychiatric, nursing, and many other kinds of care to the needy and the unfortunate who cannot provide for themselves. Without County administration of the social service program, the City of Rochester—the place of residence of 90 per cent of the welfare caseload—would be bankrupt and there would be no uniform system for caring for the needy, aged and infirm on a communitywide base.

No government is perfect. The County of Monroe in the decade of the 1960s has been singled out for praise across the nation on many occasions. We have high quality government that is recognized as outstanding in the nation. Nevertheless, the prospect of a new decade of the 1970s with new kinds of challenges places us in a period when reappraisal of the County's role is in order.

We should not assume that our programs of the 1960s will meet our needs or serve our purposes for the 1970s.

YEAR 1969 IS TIME TO REEVALUATE

The year 1969 should be used as a time to re-evaluate our local government services and to set public policy goals for the 1970s. We need a framework of public policy which has the support of the public. We need guidelines for our operations. If we determine we no longer can afford all of the services of the past, we should make a solid determination that specific services are no longer to be County responsibilities.

The County Legislature is the policy making body of County government. It is representative of all of the people of the community. County legislators are the legislators closest to the people. Each represents approximately 22,500 persons compared to a constituency of nearly 75,000 for a district councilman in the City of Rochester. It is proper that your Honorable Body should undertake a reappraisal of the policies which guide this County.

The year 1969 will be patterned after policies determined in the adoption of the County budget. It is a year in which some County services were abandoned because of fiscal pressures. We will no longer have a mobile chest x-ray unit, a traveling library, an historian's office operating with a full-time staff, and there are severe personnel restrictions placed on the County government for the year.

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LEGISLATURE SHOULD SET POLICIES FOR 1970'S

County government will function better and will serve the public better if we establish clear guidelines within which we are to function in the 1970s.

There are numerous areas in which a new look at public policy can produce important results. This can be done through the medium of your own committees.

Following are some policy areas which should receive the attention of your Honorable Body in the months ahead if we are to set meaningful public policy goals for the 1970s:

Social Services: This has become a costly burden upon the County largely because of State and Federal requirements. Furthermore, the Federal portion of these requirements are decidedly unfair to the taxpayers of the State of New York and the County of Monroe. The needy in the community receive full support as defined under a very liberal policy mandated upon us by the State of New York. Moreover, this assistance has risen sharply. In 1963, a family of four—husband, wife, boy age 14 and girl age 8—received a payment of $238.85 if they qualified for subsistence. Today, this is up to $321.00 per month. In contrast, the same family would receive only $253.59 per month if they resided in Ohio; only $93.09 per month if they were Mississippi residents; and only $89.00 per month if they resided in Florida. There is no question but that the national imbalance of standards has placed the taxpayer in this State and County in the position of paying a heavy premium in social services because of extraordinarily liberal conditions prescribed by the State under State and Federally financed social service programs.

Present regulations which mandate such an expenditure in the County of Monroe are unrealistic in the absence of fair and equitable national standards for subsistence payments. If the present unfair situation is to be changed, change can begin with a statement of policy and a petition to both State and Federal governments urging adoption of national standards.

FEDERAL POLICIES ADD TO PROBLEMS

Monroe County taxpayers also have been victims of the failure of the Federal government to live up to its promises to combat poverty with federal funds. Although numerous programs were undertaken in good faith by local governments, the Federal government withdrew its support. As a result, the County of Monroe, in the recent past, has had to assume the cost of hundreds of thousands of dollars worth of programs which it did not originate and which it is doubtful it can continue to afford if the local tax rate is to be kept within reasonable bounds. At any rate, the entire package of programs from which Federal support has been withdrawn should be reviewed. It must be determined if these programs individually have sufficient value to the community to be continued along with the millions of dollars of County funds which are being funneled to the poor, the ill and the needy under County-funded programs. The County of Monroe for years has funded an effective program to assist the poor and even without the Federally-inspired poverty programs, the County still will be operating an effective and comprehensive program to help the needy of this community.

There should be a limit to the amount of money local taxpayers are expected to contribute toward programs which essentially are started by other levels of government. Programs which are worthwhile should be continued or possibly even expanded. Those that do no work or cannot justify their existence by showing positive contributions to people should be ended so available funds can support the effective programs.

MONROE SHOULD LEAD IN WELFARE CHANGES

There are many State requirements that need intensive review. Numerous State mandates to Monroe County are needless or inefficient and the burden of both State and Federal social service programs has grown heavy enough that the entire field should be scrutinized. There is a definite need for major changes. Monroe County, based on our experience with the huge increases in social service costs, should be in a position to contribute recommendations for change which will benefit both the taxpayers and the people who need the social services.

Intergovernmental Relations: The failure of the Federal government to maintain support of poverty programs illustrates the need for the examination of intergovernmental relations and intergovernmental financing of public programs. The County has taken over both City of Rochester and Federal programs in the recent past. It has been suggested that the County take over additional City programs. There is logic to placing planning and traffic engineering on a countywide basis, for example. Whether these and other such consolidations are to take place is a matter of policy and should be discussed by your Honorable Body. The County also supports a number of activities through "authorized agencies." These are not strictly government services in every case and, as the tax load grows heavier, it should be decided as a matter of policy if the County's taxpayers are to continue to support these public-private partnerships.

TOWNS, VILLAGES NEED VOICE

To preserve the voice of the towns and villages in the fabric of local government, it would be timely to study the feasibility of a "Council of Governments" to provide a formal voice to these units of government in decisions affecting them and the county. Town supervisors, village mayors, and town, village and city officials have responsibilities which are affected in important ways by the actions of the County. It is appropriate that they should have a more formal voice in the affairs of local government than they do at present and possibly a "Council of Governments" could open up this line of communication in the public interest.

Taxation and Finance: In assessing our policy goals for the 1970s, no area is more important than the field of taxation and finance. The City Manager has suggested a countywide income tax as a means of generating revenues which the City cannot now raise to ease the City's budget problems and those of the schools. The census of 1970 will make a major readjustment in the distribution of the sales tax revenues which will help local governments meet the growing obligations upon them. Tax and financial policies for the 1970s can have an affect upon the economic growth of this community and this, in turn, can reflect itself in the employment picture. These are basic and important policy areas which should be given attention by your Honorable Body and its finance committee.

Public Safety: The burden of funding police services has grown to sizeable proportions in certain major towns. As a result, there has been preliminary discussion about possible establishment of a consolidated police unit to serve the entire community. There are Federal funds available for studies of such consolidation. The establishment of a countywide police service unquestionably will reach a point of decision in the 1970s. It is timely to begin studies of this area of government service and to determine County policy in relation to policing this metropolitan community.

NEW DISTRICT COURT COULD SPEED JUSTICE

In connection with public safety, the load on our courts deserves consideration. The existing court structure is overburdened. This has a direct effect on the efficiency with which justice is administered. It is time to think in terms of relief of the courts possibly by establishment of a new civil court to operate on a district basis. Such a court structure would handle important civil matters which now burden other courts. It could be established without upsetting the present court structure.

The cost of our courts and court-related services has reached above $6-million per year. This is a large amount and, essentially, the County has little control over the courts operations but must meet heavy court expenses. Because of the State of New York's involvement in the system of justice in this State, these costs properly should be State expenses. Administratively, the State has the major voice in the operations of the Courts yet the main burden of expense still rests on the shoulders of the local taxpayer. This inequity already has brought about proposals at the State level to place the costs of the courts on the State. The County should encourage and promote such a step as a matter of justice to the taxpayer.

Parks and Recreation: During the 1960s, the County of Monroe embarked on a major land-purchasing program to preserve natural areas of the County for future parklands. Parklands are a resource which cannot be created once open spaces are urbanized. This program has been virtually without equal in the nation. We have sought to tailor our land purchases to known demand of our growing population. Land costs have soared during the 1960s and there is little doubt that this inflation will continue unabated or even at an accelerated pace in the 1970s.

EXAMINATION URGED OF PARKS PROGRAM

It is appropriate for your Conservation, Recreation and Natural Resources committee to examine where we stand in order to develop a policy for the 1970s. We should decide on a recreation policy and determine the line between countywide recreational programs and those that properly belong with the City and the towns and villages. We should decide if park fees are to be designed to make park programs self-sustaining or at what level they properly can be subsidized.

Public Works: The County of Monroe operates a complex series of structures and services. These include the Civic Center and its 1,300 car parking garage, the Rochester-Monroe County Airport, the Iola complex of County buildings, the Community College at its new 4,000-student campus, the downtown County Office Building and the new 10-story Health-Social Services building on Westfall Road.

The 1970s will project the County further into the public works area if we accept the challenge to undertake a countywide refuse disposal district and if we proceed with development of a master drainage control program for the County. The "pure waters" program will involve tens of millions of dollars in construction of sewage treatment facilities.

We will need to review and determine new public policies in relation to many of our public works projects. For example, the future of the Port of Rochester is a current consideration and this service should be reevaluated. The direction and control of our handling of drainage problems is another matter which is growing to serious proportions. We will face a question on the future development and expansion of water service to meet the total community needs as the City of Rochester's water service needs grow beyond the City's capability to produce water through its present system. It is possible that water demands will indicate the desirability of creating a countywide water district to provide the most efficient and workable framework to keep ahead of the rapidly expanding need for water both in the City and the suburbs.

The entire public works area involves major policy considerations. Public works projects are among our most costly and important operating programs. The policies which guide our operations in this field in the 1970s will help guarantee the public that tax funds are used on the most essential

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programs for the benefit of the greatest number of people.

ROAD, RAIL NEEDS MUST BE MET

Transportation: The long-awaited metropolitan area transportation study now is in the hands of Monroe County's consulting engineers for review and recommendations. It has been the intent of the County administration and your Honorable Body to undertake a major cash expenditure on County highways year by year in the 1970s. This policy pre-dates, however, the most recent budget and the difficult fiscal squeeze upon the County of Monroe. Therefore, your Honorable Body should review the County's highway needs for the 1970s and set a policy on both cash expenditure on highways and the scope of a program undertaken with highway bonds. Also, the issue of expanded bus-versus-rail transit to serve our future needs should receive a critical review so the transportation program ultimately recommended will fit into policies set down for this county.

Employee Relations: There is continuing discussion at the State level and in other counties of major changes in the Taylor Law which gives employee unions the right to organize and negotiate with the County administration. Any proposed changes in this law must be studied to determine their effect on the excellent relationship which exists between the County administration and the employee negotiating units which were recognized in 1968 by your Honorable Body under the Taylor Law.

The County of Monroe is a large, dynamic and growing service business. We rank among the ten largest employers and our gross budget ranks County government well within the ten largest enterprises in the community. We serve a population which will reach 700,000 people in the opening weeks of 1970. Our rate of population growth is accelerating—Monroe County's population rose 8,700 people between 1960 and 1961 but between 1969 and 1970 it will grow by an estimated 16,000 persons. This places new responsibilities and challenges upon County government. In meeting our responsibilities, we must run County government on a businesslike basis within clear policy guidelines which reflect the desires and needs of the public.

LEGISLATURE SEEN AS BEST FORUM

In setting public policy goals for the 1970s, all segments of today's society should be consulted. You, as County Legislators, are the best channel of communications through which your constituents can express their views. Government will be stronger and more effective if the people have such a voice in the policies which will govern them in these changing and challenging times.

You can be assured of the complete cooperation of the administration in developing policy guidelines. Upon the request of your committees, you can receive thorough reviews of current programs and proposals for future policies.

We have both an opportunity and a responsibility to set before ourselves new public policy goals for the coming decade. This is a program worthy of our best efforts throughout 1969 so Monroe County can continue to occupy a position in the 1970s as one of the nation's finest, best governed counties. That must be our overriding goal for the future as it has been throughout our history.

ROTC VITAL TO DEFENSE EFFORT

HON. CHARLES E. CHAMBERLAIN

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 20, 1969

Mr. CHAMBERLAIN. Mr. Speaker, in view of the recent attacks made on ROTC units at some of our universities I would like to make some observations in this area.

There are today some 353 colleges and universities that have ROTC programs. They represent a vital part of our defense effort. This June the Army expects to graduate a recordbreaking 16,606 new officers with ROTC commissions. By comparison West Point will turn out only 750 second lieutenants.

It is interesting to note that with all the concern about Vietnam, ROTC enrollment has been growing rather than declining. The Defense Department states that they have a backlog of some 335 petitions from colleges seeking either Army, Air Force, or Navy Reserve training programs.

This is not to say that there is not room for improvement. Secretary Laird has indicated that changes are to be made in the ROTC curriculums providing for more elective courses, greater local control over the programs, more university level training as well as less military drill.

Although it may appear that our ROTC programs are weathering their assaults, it is clear that the current activities to disrupt these programs at our colleges and universities are indeed serious and cannot be ignored, for our ROTC system with its reservoir of manpower is essential to our national security.

It is ironic that those who have sought to attack the ROTC programs on our campuses have failed to recognize the fact that these very programs have made our services virtually dependent upon the citizen-soldier, thereby helping to safeguard the country against the rise of a military elite.

Two recent editorials appearing in the State Journal, of Lansing, Mich., on Tuesday, May 13, 1969, and the Jackson Citizen Patriot, of Jackson, Mich., on Wednesday, May 14, 1969, discuss this situation particularly well, and I commend them to the attention of my colleagues:

[From the Lansing (Mich.) State Journal, May 13, 1969]

COLLEGES SHOULD BACK ROTC PROGRAMS

Certain campus extremists who evidently wish to dictate just about every phase of university and college activities have now started, inevitably, to zero in on the Reserve Officers' Training Corps (ROTC).

Protests are spreading on various campuses with some of the more radical groups demanding that ROTC be abolished from the colleges entirely. Other more moderate organizations are arguing that ROTC should be a non-credit course.

The two views need to be separated to be clearly understood.

Those of the extreme radical bent, in calling for abolishment of ROTC, are following a familiar pattern of attacking any organization which stands as a potential barrier to their goals.

ROTC for decades has served the nation well in providing a ready officer reserve in time of national need. On a majority of campuses it is a voluntary program as far as students are concerned. There is no reason whatever why young men who wish to serve their country in this program should be denied that right by self-appointed groups who declare themselves as exclusive judges of what people can do or not do.

We are told by some of the radicals that ROTC teaches and instills violence in the minds of young men. This has about as much credibility as saying that professional football makes killers out of fans or that a youth who reads Hamlet will become a murderer.

The other more moderate argument is that military credit courses should not be offered on campuses devoted to arts and sciences and where faculty does not control the content of the curriculum. It is said that ROTC should be extracurricular if it is to remain on campus.

While the second claim is more understandable, it could also be argued that no academic credit should be offered for students choosing medicine or law careers, since they, too, are controlled by agencies outside the university.

Throughout American history there has always been an anti-military undercurrent running through the land—a fear of making the military too attractive a life.

It would be ideal, indeed, if this nation could abandon military training and reliance on reserves. Unfortunately, and regardless of the rantings of the radical groups, there is no evidence that other major powers hostile to this nation have shown any inclination to reduce their armed forces or their reserves.

Most of those leading the protests today are too young to remember or perhaps care about the pre-World War II period when Adolph Hitler frequently boasted that soft American youth would never be able to stand in his way.

Only geography and the fighting delay provided by allied nations gave this nation time to disprove that claim.

History has never favored any country that abandoned its capacity for defense. It would be nice to believe otherwise but at this stage of history there is no evidence to support the hope that anything has changed.

Young men should have the right to serve their country as they see fit, including through ROTC, without dictation from those who have decided that they alone know what's best for the nation.

[From the Jackson (Mich.) Citizen Patriot, May 14, 1969]

ROTC OPPONENTS PRESENT PARADOX

Secretary of Defense Laird has joined those who see campus protests against the Reserve Officer Training Corps as totally incongruous with resistance, from the same source, to the draft system.

Pointing out that ROTC is one of the "big building blocks" in the Nixon Administration's program to end the draft and establish a basically volunteer military force, Secretary Laird says, "you can't have it both ways."

The logic in Mr. Laird's argument is obvious. Since its inception the ROTC has, indeed, been one of the nation's guarantees of a military force, either volunteer or conscripted, which is primarily civilian in nature. The citizen-soldier concept has done well for America in all its history.

If the protesters are successful in killing the ROTC program the nation would have to fall back on a purely professional officer class, something the dissidents should fear even more.

The paradox of the protests, however, has an explanation, although one largely devoid of logic.

The ROTC is a handy, visible target for hard-core protesters who are seeking to discredit the American system any way they can. Currently they are making the system of higher education their target. Their aim is to disrupt and destroy it, even though they may have no plans for rebuilding it.

ROTC, being a part of the higher educational scene and having a direct connection with the military, is a target of opportunity.

The more moderate students who follow the New Left agitators against ROTC hardly are thinking the proposition through. They are unhappy about the war in Vietnam and

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easily are led into attacks on the ROTC because it is of a military nature. Yielding by college administrators and faculties to demands to downgrade ROTC tend to give respectability to a cause which has its inception in the desire of the New Leftists to destroy America as it is.

The opposition to ROTC does not, as Secretary Laird indicates, make any sense. But neither do any other objectives of the New Leftists. The pity is that so many more moderate and loyal students allow themselves to be misled.

A RESOLUTION AUTHORIZING INVESTIGATION BY CONGRESS AND THE FCC OF THE DENIGRATORY STEREOTYPING OF ETHNIC GROUPS IN MOTION PICTURES AND ON TELEVISION

HON. MARIO BIAGGI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 20, 1969

Mr. BIAGGI. Mr. Speaker, I introduce this resolution in righteous anger. It is indefensible in the one Nation on earth where liberty is most cherished, where equality before the law is espoused and brotherhood advocated, that the mass media should continually and unabashedly produce and distribute material which defames ethnic groups, creates unrest, promotes discord, and foments bitterness in ethnic, racial, and relious group relationships.

Both the motion picture and television industries have codes which outlaw this type of denigration of minority groups, but these codes are flagrantly ignored. I am particularly aware of the portrayal of Italian Americans as shady, underworld characters, typically involved in the Mafia or the Cosa Nostra; but other groups are similarly defamed as ignorant, shiftless, cunning, rapacious, or drunkards.

With all our outrage against prejudice, fought with legislation that attempts to force its demise, we nevertheless continue, in this Nation proudly hailed as a "melting pot," to allow malicious sterotyping in the field of entertainment.

We all know that the way to end prejudice is to teach our children to view all people with an open mind, to judge each man individually on his own merits, and to make judgments unencumbered by the preconceived opinion known as prejudice.

As the song from "South Pacific" goes:

We've got to be taught to hate and fear.
We've got to be taught to hate all the people
  our relatives hate.
We've got to be carefully taught.

The children of today are influenced more than ever before by television and motion pictures. They are being taught, not brotherhood, but intolerance, not acceptance of human differences but hatred of their fellow man. We abhor the violence of the entertainment media for its effect on the young. We should be similarly aware of the corrupting influence it has over their minds in stereotyping ethnic groups. The entertainment media should not be permitted to exploit our children and our future by perpetrating lies about ethnic groups. These media have a responsibility to the Nation to live up to espoused American values and to do their part in preparing for a better tomorrow.

That we continue to allow certain groups to be maligned, while espousing ideals of brotherhood and tolerance, is the worst kind of hypocrisy, and it has no place in America. It is time that the Congress of the United States investigate the flagrant disregard of the television and motion pictures industries' codes that ban this kind of defamation.

Italian Americans, German Americans, Irish Americans, and others who have contributed so much to the building of America, who helped settle her, who contribute to her industry, perform the obligations of citizenship with unquestioning pride, and fight and die for America—these decent and patriotic people deserve better. We are a nation of immigrants, and this has been our strength. It is contrary to all the cherished ideals of Americans that the defaming of these groups should be permitted to continue in films and on television, and to be allowed to poison the minds of our children. It is imperative that we take determined steps to investigate this matter and to set things right.

NEW PRESIDENT FOR IOWA MEDICAL SOCIETY

HON. FRED SCHWENGEL

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 20, 1969

Mr. SCHWENGEL. Mr. Speaker, the Iowa Medical Society recently chose as its president, Dr. J. H. "Jack" Sunderbruch of Davenport, Iowa. The doctors of Iowa could not have made a sounder choice. Dr. Sunderbruch is a man with a proven record of public service, and this new position is a continuation of the heavy contribution which we have come to expect from him.

Mr. Speaker, I include a newsclipping pertaining to this subject in the RECORD, as follows:

HE'LL FIND THE TIME

If you want a job done well, find a busy man to do it. So the saying goes, and Iowa Medical Society members apparently believe it.

Dr. J. H. (Jack) Sunderbruch of Davenport has been mighty busy, hereabouts, on a great number of worthwhile things. Now the state's medics have tapped him to head their organization.

This energetic general practitioner was city health physician here for about a quarter-century. He also has served as president of the Davenport Chamber of Commerce, the Scott Medical Society and the Mercy Hospital staff, and as secretary of the St. Luke's Hospital staff. He also was an unsuccessful candidate for mayor.

He's the father of six children and grandfather of 11. He's an avid sports fan, and an activist in political and civic affairs.

He is the first from Scott County to head the state medical unit since Dr. Gordon Harkness held the post in the early 30s.

The state society in honoring him salutes the medical profession in Scott County.

Dr. Sunderbruch simply hasn't time for another job—which is a way of saying he'll do the new one well.

THE DALLAS JOB FAIR

HON. JAMES M. COLLINS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 20, 1969

Mr. COLLINS. Mr. Speaker, early in 1968, Dallas business and civic leaders, under the energetic direction of Mayor Erik Jonsson and Morris Hite, became convinced that private enterprise represented the only long-range solution to providing meaningful jobs and opportunities for the underprivileged youth in the greater Dallas area.

Through their efforts they involved more than 500 Dallas businessmen who gave unselfishly of their time and effort to seek summer employment opportunities for Dallas area youth. That first year, 1968, the first Dallas Job Fair brought these dedicated employers together with more than 5,000 youngsters. By the end of the day over 3,200 young people could attest to the success of the 1968 Job Fair. The Dallas business community had employed the youngsters in a wide variety of occupations from construction and clerical help to defense contract plants and motion picture theaters.

Mr. Speaker, many of the youngsters employed that summer of 1968 used the money they made to further their education. And Job Fair, 1968, went down in history as a tremendous success—but Dallas had already begun plans for an even more productive second Job Fair to be held on May 15, 1969.

Mr. Speaker, I bring to your attention this article entitled "National Officials Say Job Fair Great," which appeared in the Friday, May 16, edition of the Dallas Morning News:

NATIONAL OFFICIALS SAY JOB FAIR GREAT

The Job Fair in Dallas already has become more successful than similar programs operating twice as long in other cities, the deputy director of the President's Council on Youth Opportunities said here Thursday.

Howard Phillips said Dallas "has made great strides" toward solving the problems of youth unemployment through its Job Fair program.

"The Chamber of Commerce and business leaders work together here better than any city I have seen so far," Phillips said. "This is a must for successful summer youth hiring project."

Phillips and Andy Gallegos, southwest regional coordinator for the President's Council on Youth Opportunities, were in Dallas to observe afternoon Job Fair activities at Memorial Auditorium.

More than 3,500 young people were offered jobs during the day and approximately 1,500 more will receive opportunities later through the Texas Employment Commission placement service.

Phillips said 10 major cities utilize the Job Fair idea for summer work opportunities. Many have been in operation for five years, he added.

"President Nixon has often said that business leaders can do more than any federal office to overcome unemployment problems," he said. "We hope to encourage youth hiring programs such as this one any way we can."

Gallegos said a key problem of Job Fair is convincing employers that young people really are interested in getting and holding good jobs.

"Most of these kids are from slum areas where they've never been given a chance by

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> anyone," he said. "If an employer shows an interest, the youngster often proves to be his best worker."
>
> Phillips said his Washington office presently is working with youth coordinators in 50 major cities to set up education and job training programs.
>
> In addition, the President's Council supports efforts to provide a number of fine arts programs for youngsters in low income areas.
>
> "We're pretty busy these days," the deputy director said. "But we can't do it all without the help of private individuals."

As these U.S. officials so aptly point out, the Dallas 1969 Job Fair was the most successful program of its type in the entire Nation.

Mr. Speaker, Dallas has conclusively demonstrated that where there is civic and business imagination and leadership, there is no need to depend on the ever growing Federal Government to provide assistance. The Dallas Job Fair program speaks well for local leadership and determination, and should be considered an exemplary case study for our Nation's other metropolitan areas.

I would like to commend our Dallas mayor, Erik Jonsson, and our president of the Dallas Chamber of Commerce, Morris Hite, for the inception of this remarkable program.

In addition, the 1969 Job Fair attracted more than 8,000 youngsters, and found jobs for more than 5,000 on the very first day. The cochairmen this year deserve our thanks: Mr. Morris Hite, Mr. Billy Medina and Mr. Frank Clarke. No fair is a success without a successful job solicitation—and this year it was expertly handled by Mr. Sydney Peatross and Mr. Joe Kirven. And the youth participation was some 8,000 strong due to the leadership of Mr. Willard Crotty.

Mr. Speaker, most certainly the Members of Congress know that no large program can be successful without extensive and careful planning. The Dallas Job Fair had a logistics and systems committee, headed by Mr. Tom Mikulecky and Mr. Roosevelt Johnson, which was responsible for the smooth running of the entire operation. And Mr. Richard Moynihan, as executive director of the 1969 Dallas Job Fair, should certainly be commended for his outstanding leadership.

I know my colleagues join with me in praise of the city of Dallas, and its innovative approach to employment opportunities for our underpriviledged youngsters of the Dallas area.

NATIONAL JEWISH HOSPITAL AND RESEARCH CENTER

HON. PHILLIP BURTON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 20, 1969

Mr. BURTON of California. Mr. Speaker, I should like to call to the attention of my colleagues in the House, the outstanding scientific and humanitarian work which is being performed by the National Jewish Hospital and Research Center at Denver.

The National Jewish Hospital is a nonsectarian treatment and research center for tuberculosis, severe asthma, emphysema, and other chronic chest diseases.

A testimonial dinner is to be held in San Francisco on June 18 for the benefit of the hospital. I could not let this occasion pass without noting with gratitude the over 189,000 days of free care which the National Jewish Hospital has provided to residents of the State of California.

I am sure my colleagues would wish to join with me in recognizing and paying tribute to this outstanding and selfless contribution to the health and wellbeing of others and to extend to the officers and staff of the National Jewish Hospital and Research Center our appreciation and best wishes for continued success in the struggle against chest diseases.

A BILL TO CHANGE THE DEFINITION OF "AMMUNITION"

HON. ROBERT B. (BOB) MATHIAS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 20, 1969

Mr. MATHIAS. Mr. Speaker, I am today introducing legislation to remove the unreasonable and unnecessary restrictions on the sale of ammunition placed on our sportsmen, hunters, and businessmen. This legislation will change the definition of "ammunition" under the Gun Control Act of 1968, to exclude all ammunition other than that used in destructive devices.

By removing ammunition or cartridge cases, primers, bullets, or propellent powder from the law, would make it possible to make purchases without having to go through the complex registration and recordkeeping procedures now required. The adoption of this amendment would completely eliminate the burdens which the Gun Control Act places on our law-abiding citizens.

The present definition reads:

> The term "ammunition" means ammunition or cartridge cases, primers, bullets, or propellant powder designed for use in any firearm.

The new definition in the legislation I am introducing reads:

> The term "ammunition" means ammunition for a destructive device.

A destructive device is any explosive, incendiary, or poison gas; any type of weapon, other than a shotgun or a shotgun shell, which may be readily converted to, expel a projectile by the action of an explosive or other propellant, and which has any barrel with a bore of more than one-half inch in diameter; or any combination of parts either designed or intended for use in converting any device into a destructive device.

I think the provisions of the law concerning the sale of ammunition not only goes too far, but the intent of Congress has been surpassed by the regulations established by the Treasury Department under the Johnson administration.

The Gun Control Act, in section 922(b)(5), clearly states that the one selling or delivering any firearm or ammunition must note the name, age, and place of residence of the person making the purchase.

However, in addition to these three questions, the Treasury Department has issued regulations that require: first, the date; second, manufacturing; third, caliber, gage, or type of component; fourth, quantity; and fifth, mode of identification. The issue here is not the questions, for they in themselves are meaningless, but the real issue is that a registration of any type is required of our honest hunters and sportsmen.

The forcing of this type of registration on all purchases of ammunition is, in my opinion, placing both undue and unnecessary restrictions on citizens. I feel, and I know that many Californians feel, the enforcement of such regulations will not be significant factors in reducing the incidence of crime. The harassment and inconvenience to both the buyer and the shopkeeper, who is required to keep such records, is not justified by a reasoning that this is a necessary crime control measure.

I envisioned when this act was being considered in the House of Representatives in October 1968, that the restrictions placed on the sale of ammunition would discriminate against and place undue hardships on sportsmen, hunters, and businessmen. This was one of the major reasons why I voted against the final version of the Gun Control Act when the vote was taken on October 10, 1968.

The legislation I am introducing today will correct the present injustices and will permit our citizens to once again buy ammuintion without being intimidated or harassed by the Federal Government.

THREE MARYLAND SOLDIERS DIE IN VIETNAM

HON. CLARENCE D. LONG

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 20, 1969

Mr. LONG of Maryland. Mr. Speaker, Sp4c. Harry N. Stonesifer, Sp4c. Philip T. Regan, Jr., and M. Sgt. James G. Case, three fine young men from Maryland, were killed recently in Vietnam. I wish to commend their courage and honor their memory by including the following article in the RECORD:

> THREE MARYLAND GI'S, STONESIFER, REGAN, CASE, DIE IN VIETNAM
>
> Three Army servicemen from Maryland, including a career soldier who was serving his second combat tour, have been killed in Vietnam, the Defense Department announced yesterday.
>
> Those killed were:
>
> Spec. 4 Harry N. Stonesifer, son of Mr. and Mrs. Grayson A. Stonesifer, of 4208 Baltimore street, Baltimore Highlands.
>
> Spec. 4 Philip T. Regan, Jr., son of Mr. and Mrs. Philip T. Regan, of 2707 Hughes avenue, Adelphi.
>
> M. Sgt. James G. Case, husband of Mrs. Patricia A. Case, of 81-A Shamrock road, Cumberland.
>
> Specialist Stonesifer, 25, was killed April 30 when a military vehicle he was riding struck a mine during a combat mission.

He enlisted in the Army in July of 1965, and after extensive training as an armament repairman was sent to Vietnam in July, 1967.

After his year-long tour of duty was over, he was sent to Germany, where he was stationed for about eight months. He was sent for a second tour in Vietnam on April 10.

According to his father, Specialist Stonesifer intended to make the Army a career.

Besides his parents, he is survived by a brother, Grayson A. Stonesifer, Jr., who lives in New Jersey; and three sisters, Mrs. Katherine H. Beech, of Pasadena, Mrs. Sylvia Fry, of Baltimore, and Mrs. Evelyn Shaffer, of Glen Burnie.

Specialist Regan was killed April 27 during a combat mission. He had been in Vietnam since July, 1968.

Born in Washington, he was a graduate of High Point Senior High School in Adelphi, where he was a member of the school's golf team that won the metropolitan Washington high school championsip in 1966.

After graduation from high school in June, 1966, he attended the University of Maryland for a year and then volunteered for the draft.

His father said that letters home indicated that his son was in combat "almost the entire time he was there."

Besides his parents, he is survived by four sisters and a step-brother.

RESULTS OF 1969 QUESTIONNAIRE

HON. CARLETON J. KING

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 20, 1969

Mr. KING. Mr. Speaker, I would like to take this opportunity to inform the House of the results of my annual questionnaire which I recently mailed to more than 138,000 families in the 30th Congressional District of New York.

As in the past, the residents of the 30th District responded enthusiastically to this request for their views and opinions on some of the most critical domestic and international issues of the day.

To date, I have received more than 27,000 replies to the poll, which I believe indicates an extremely high level of interest in national affairs, a fact that I greatly appreciate.

I know that my colleagues in the House will be interested in the results of my 1969 questionnaire. I therefore insert at this point in the RECORD the final tabulated results of my poll:

TABULATED RESULTS OF 1969 QUESTIONNAIRE

[Results in percent]

1. Would you favor a resumption of all-out bombing of North Vietnam if the enemy continues to step up its action during Paris peace talks?

Yes	81
No	14
Other	5

2. Should tax incentives be granted to encourage private industry to help meet our social and economic problems?

Yes	65
No	28
Other	7

3. Do you favor converting the Post Office Department into a Government-owned corporation to operate on a self-supporting basis?

Yes	71
No	28
Other	7

4. Do you favor my bill to increase the $600 Federal income tax exemption to $1,000?

Yes	93
No	5
Other	2

5. Should young men who have avoided the draft by fleeing the country be given amnesty when hostilities cease in Vietnam?

Yes	10
No	86
Other	4

6. Should Congress take the necessary steps to correct deficiencies in the present electoral college system?

Yes	91
No	6
Other	3

7. Do you favor dismantling the Office of Economic Opportunity (Poverty Program) and transferring some of its functions to other departments?

Yes	70
No	20
Other	10

8. Should the income from investments of private foundations, religious organizations and social clubs be taxed?

Yes	77
No	19
Other	4

9. Should federal aid be denied college students who engage in disorderly demonstrations, disrupting the administration of our colleges?

Yes	93
No	6
Other	1

10. Do you favor continuing our Nation's space program at about present level of $4 billion a year?

Yes	54
No	39
Other	7

11. Would you support an automatic cost-of-living increase for those under Social Security and Railroad Retirement Acts?

Yes	85
No	12
Other	3

12. Do you favor extending the National Labor Relations Act to agriculture? (The NLRA authorizes elections to determine when a union is to be recognized as the collective bargaining agent of workers subject to the Act.)

Yes	41
No	42
Other	17

13. Do you favor lowering the voting age to 18?

Yes	41
No	57
Other	2

14. Would you favor legislation fixing the minimum wage at $2.00 per hour?

Yes	52
No	44
Other	4

U.S. RESPONSIBILITY TO PROTECT ITS FISHERMEN

HON. BOB WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 20, 1969

Mr. BOB WILSON. Mr. Speaker, I am today introducing legislation which is intended to bring the Peruvians and other Latin American countries that illegally seize American fishing vessels on the high seas to meaningful negotiations to settle this longstanding dispute.

This bill, authored earlier by our distinguished colleague, Congressman TOM PELLY, would prohibit U.S. imports of fish and fish products from these countries in the event of future seizures, unless the nations involved were negotiating in good faith with the United States.

Our fishermen, the boatowners, and those of us in Congress who have struggled so long with this frustrating problem recognize that a permanent solution can be achieved only through a negotiated settlement. Our frustration results from the fact that Peru, Ecuador, and Chile refuse to enter into meaningful negotiations on this fishery limit dispute. Just 5 days ago another of our tuna boats was seized on the high seas by a Peruvian patrol boat—less than 24 hours after a Peruvian delegation had returned from the United States where it had been discussing the problem of Peru's expropriation of American-owned oil properties in that country. Such acts of piracy make us wonder just how sincere Peru is about trying to settle the oil property seizure and the fishing limit dispute.

While Peru complains that actions by Congress are unwarranted and unfair exercises of economic pressure, Peru has failed to take into account that her own unilateral use of force to impose her position on the jurisdictional question is a far more unfriendly act since it involves the use of weapons by one country against the citizens of another country in waters accepted by nearly all nations as being the high seas.

Until Peru, Ecuador, and Chile sit down with the U.S. negotiators and conduct serious, meaningful talks to settle this dispute, the United States has every right, indeed a responsibility, to protect its fishermen in this matter, including the use of economic sanctions against any nations that continue to seize our vessels. Under this bill, the United States would shut off its market for these fish imports only if the seizing nation refused to enter negotiations. We recognize the economic hardship this could cause these Latin nations, for in 1968, the United States imported nearly $65 million in fish products from Peru and more than $12 million in fish products from Ecuador.

I am pleased that the chairman of the Fisheries Subcommittee of the Merchant Marine and Fisheries Committee has already agreed to hold hearings early next month on this legislation. And I hope that when the legislation is reported out of committee, the House will give it early attention and approve it.

THE CONSEQUENCES OF PUSSYFOOTING AT HARVARD

HON. LOUIS C. WYMAN

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 20, 1969

Mr. WYMAN. Mr. Speaker, the continuing failure of many university authorities to deal firmly, responsibly, and swiftly with outrageous insubordination on the part of individual students is approaching the proportions of a national disgrace. If it keeps up, the only thing to do is close the school long enough to get a new university administration that at the very least can keep its own house in order. A part of this package is a new contract with students on an individual basis in which it is agreed that expulsion will follow willful violation of university regulations, accompanied by forfeiture of tuition.

Students who take over a university building and refuse to get out upon request should be kicked out of school then and there. Students should know that if they do this, or engage in similar willful violations of university rules, they will be expelled forthwith. College administrators can make this clear merely by stating the policy to prevail at their college. Why do they not?

The state of approaching chaos bordering on anarchy prevailing on some campuses was predictable as infractions of the rules were blinked at or the other cheek turned by college heads who just would not risk the security and comfort of their jobs on a flat confrontation with the ringleaders. Well, that confrontation is here and it must be faced. Failure to face it at Harvard was the subject of an interesting and challenging commencement address at Franklin Pierce College in New Hampshire by Al Capp last month. The extent of the contempt with which many citizens regard the pussyfooting weakness of spineless university administrators is admirably expressed in Mr. Capp's address, which I am including in the Record at this point because of the serious importance of the subject.

A Blasting Capp Is Touched Off Under Fair Harvard

(By Al Capp)

(Al Capp has always been outrageous. In the first place, he is an outrageously funny man, as the author of the zany cartoon strip "Li'l Abner." Then in the 1950s, his ideas outraged the political right. Today, he outrages the left, but he claims that the political spectrum has shifted, not he. In the following speech, delivered to the graduating class at Franklin Pierce College in Rindge, N.H., April 27, Capp outrages some people at Harvard. Franklin Pierce, incidentally, awarded him the honorary degree of doctor of humanities.)

I live in Cambridge, Mass., a stone's throw from Harvard—but if you duck you aren't hurt much—and I know you'll believe me when I tell you I'd rather be speaking here today. It's safer, and it's at your sort of college that I can use the commencement speaker's traditional phrase. I can say you're the hope of the future without bursting out laughing, as I would if I said it at a Harvard commencement—assuming, of course, that there will be a commencement there this year. They haven't heard from the Afros or the SDS yet.

Three or four of the Afros may decide that commencements are racist institutions, and then five or six SDSers may decide that commencements are a CIA plot, and then of course the entire faculty, administration and student body of Harvard, with the courage that has made them a legend, will replace its commencement by some sort of ceremony more acceptable—something they know the boys will approve of—say, a book burning; they loved that at Columbia, or a dean killing; they never quite accomplished that at University Hall. Dean Ford let them down by having recuperative powers they didn't count on.

But the fact that you can have a commencement here without getting down on your knees to a student wrecking crew, or without calling up the riot squad, is mainly luck. You enjoy advantages Harvard doesn't.

For one thing, you have the advantage of not being so revered for the wisdom and courage of past generations of administrators that you haven't noticed the moral flabbiness and intellectual flatulence of the majority of your present generation of administrators and faculty. You show me any institution with such a glorious past that anyone presently employed by it is regarded as retroactively infallible, and I'll show you a collection of sanctimonious fatheads.

But the greatest advantage Franklin Pierce has over Harvard is that you are not rich enough to hire three such famous professors as Rosovsky, Galbraith and Handlin and not extravagant enough to waste the wisdom of the only one of them with guts and sense—Handlin. All three are world-renowned historians. All three this week have helped make history.

Prof. Henry Rosovsky was born in Danzig. When the young Nazis invaded the University of Danzig in the '30s and beat up its professors and disrupted its classes, Rosovsky's family gave up their citizenship and fled to the United States. In the '60s, Rosovsky was teaching at Berkeley. When the young Nazis invaded there, Rosovsky gave up his professorship and fled to Harvard. When the young Nazis invaded there the other day, Rosovsky gave up the chairmanship of his department and started packing.

Prof. Galbraith, as national chairman of the ADA, was the intellectual leader of the Democratic Party in the last election and one of the Nation's few political thinkers over 19 who mistook Sen. McCarthy's menopausal capriciousness for high-principled statesmanship.

Prof. Handlin has won the Pulitzer Prize and other honors for his histories of those groups who, so far, have risen from their ghettos by sweating blood instead of shedding it, by shaping up instead of burning down.

Although Harvard is the home of these three wise men and hundreds more, it was the only bunch in town that was dumfounded at what happened there. Everybody else in the community expected it. We had all watched Harvard for the last few years educate its young in the rewards of criminality. We had watched Harvard become an ivy-covered Fagin.

We saw it begin a couple of years ago when Secretary of Defense McNamara was invited to speak at Harvard. Now, it is true that McNamara was a member of a despised minority group, the President's Cabinet, but under the law, he had the same rights as Mark Rudd. Harvard's Students for a Democratic Society howled obscenities at McNamara until he could not be heard.

He attempted to leave the campus. The SDS stopped his car, milled around it, tried to tip it over. McNamara left the car. The SDS began to club him on the head with the poles on which their peace posters were nailed. If it hadn't been for the arrival of the Cambridge police, who formed a protective cordon around McNamara and escorted him through a series of interconnecting cellars of university buildings to safety, he might have been killed.

The next morning, Dean Monroe was asked if he would punish the SDS. And he said—and if you want to know where the malignancy started that has made a basket case of Harvard, it started with this—Dean Monroe said that he saw no reason to punish students for what was purely a political activity. Now, if depriving a man of his freedom to speak, if depriving him of his freedom to move, if damn nearly depriving him of his life—if that's political activity, then rape is a social event and sticking up a gas station is a financial transaction.

Now, there's nothing unusual about a pack of young criminals ganging up on a stranger on their turf as the SDS ganged up on McNamara; it's called mugging. And there's nothing unusual about a respected citizen, even a dean, babbling imbecilities in an emotional crisis; it's called a breakdown.

Both are curable by the proper treatment, but there was something unusual, and chilling, too, about seeing the responsible authority, Harvard, treat a plain case of mugging as democracy in action and a plain case of hysterics as a dean in his right mind.

MEAT CLEAVER TACTICS

Well, after Harvard taught its young that the way to settle a difference of opinion is to mug anyone who differed with them, it was no surprise that they'd soon learn that shoving a banana into an instructor's mouth is the way to win a debate and bringing a meat cleaver to a conference is the way to win a concession. Because that's what's happened at Harvard in the last month.

When its militants stormed into the opening class in a new course on the causes of urban unrest and stopped it because they found it ideologically offensive, the instructor attempted to discuss it with them. So one of the militants shoved a banana into his mouth. This stopped the instructor, of course, he stopped the class and then Harvard dropped the entire course.

This week, the Crimson published a photograph of a black militant leaving a historic conference with the administration—historic because it was here that the administration granted black students, and only black students, hiring, firing and tenure powers equal to that of any dean. The militant was holding a meat cleaver. The next day, President Pusey said that Harvard would never yield to threats. Shows how silly a man can look when he doesn't read his local paper.

President Pusey said that, by the way, at a televised mass meeting advertised as one in which all sides of the question would be fairly represented. The Harvard student body was represented by a member of the SDS (numerically, they are less than 1 per cent). The average resident of the Cambridge community was represented by a black militant graduate student who lives in Roxbury and commutes in a new Cadillac. And anyone who'd call that unfair representation would have been mean enough to say the same thing about the Chief Rabbi of Berlin being represented by Adolf Eichmann.

And so when Harvard was raped last week, it had as much cause to be surprised as any tart who continued to flounce around the fellas after they'd unbuttoned her bodice and pulled down her panties.

APING MAYOR DALEY

What surprised the world was Harvard's response. Nowhere in the world was Mayor Daley's response to precisely the same sort of attack by precisely the same sort of mob more loftily denounced than at Harvard. Yet in its moment of truth, Harvard responded in precisely the same way Daley did.

Pusey called for the cops just as Daley did, and the cops treated the criminals at Harvard just as firmly as they treated the criminals in Chicago. The Harvard administration applauded President Pusey's action to a man. There is no record that they ever applauded Daley.

That either proves that the Harvard administration believes in the divine right of kings to act in a fashion that, in a peasant, is considered pushy. Or it may prove that President Pusey is just as Neanderthal as Mayor Daley. Or it may prove that President Pusey learned how to handle Neanderthals from Mayor Daley. At any rate, if they're looking for a new president of Harvard, I

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suggest they teach Mayor Daley to read and write and offer him the job.

Let's forgive the president of Harvard for not having the grace to thank the Mayor of Chicago for teaching him how to protect his turf; they aren't strong on graciousness at Harvard this year. But as a member of the Cambridge community, what alarms me is that Harvard doesn't have the brains to protect itself, and the community, from further, more savage and ineviably wider-ranging attacks. And I feel that I have the right to speak for some in the Cambridge community, possibly equal to that of any resident of Roxbury who parks his car there for a few hours a few days a week.

I've lived in Cambridge over 30 years. My children and grandchildren were born and raised in Cambridge. I help pay the taxes that support Harvard. I help provide Harvard with the police that it will increasingly need to protect it from the once-decent kids it has corrupted into thugs and thieves, and the worst kind of thugs and thieves—the sanctimonious kind.

I ask, and my neighbors in the Cambridge community are asking: If a horde of howling, half-educated, half-grown and totally dependent half-humans can attack visitors in their cars, and deans in their offices, and get away with it, how long before they'll widen their horizons a block or two and attack us in our homes?

If they can use clubs and meat cleavers on the Harvard community today and get away with it, who stops them from using clubs and meat cleavers on the Cambridge community tomorrow? Certainly not the Harvard community. If it was necessary last week for Harvard to organize a round-the-clock guard to prevent the untoilet-trained pups they've made into mad dogs from blowing up the Widener Library and the Fogg Museum, must we of the Cambridge community prepare to defend ourselves from the pack Harvard has loosed among us? Or should we all pull a Rosovsky and take off to safe, sane Saigon where it's legal to shoot back at your enemy?

A REPLACEABLE FEW

When the president of Harvard proved that, in a crisis, he was the intellectual equal of the Mayor of Chicago and called the cops, it was his finest hour. Although it was true that he had presided over the experimental laboratory that created the Frankenstein's monster that stomped mindlessly into University Hall, fouling everything in its path, he did, at long last, recognize what he had wrought and took the steps to rid his university and our community of the filthy thing.

After throwing the SDS out physically, the next sane move was obviously to keep them out officially, and expel them. And leave them to the criminal courts to educate, or to the Army, or to the gutters of Toronto, or to the rehabilitation centers and public charity of Stockholm. Their few score places at Harvard, and those of their sympathizers, could have been instantly filled by any of the tens of thousands of fine youngsters, black and white, they had been chosen instead of.

And Harvard could have gone on with pride and strength as an institution of learning, as an example of the vigor of the democratic process to other universities, instead of degenerating into the pigpen and playpen it is today. But after the president of Harvard made the one move that might have saved Harvard, the Harvard faculty, in the words of San Francisco State President Hayakawa, betrayed him.

RUN OR RESTRUCTURE

And that brings us back to Rosovsky and Galbraith. And to Handlin.

Rosovsky, whose family had given up and fled when the German Nazis invaded the University of Danizg, who gave up and fled when the California Nazis invaded Berkeley, gave up the chairmanship of his course and started packing when the Cambridge Nazis invaded University Hall. And all over this country—at Cornell, in New York—other professors are using the Rosovsky solution: giving up and running away. The only trouble with it is that, sooner or later, you run out of places to run away to.

Now, the Galbraith solution is one that is bound to be popular with his fellow puberty-worshipers: those who have just achieved puberty, and those who worship those who have just achieved it as sources of infinite wisdom and quite a few votes. But I'm not criticizing Galbraith's religious convictions. What I say is, in this country, any professor who is panting to get back into public life is free to worship the SDS chapter of his choice.

Galbraith's solution is to promptly restrucure our universities—and Harvard more promptly than any other, because, in Galbraith's opinion, those who administer Harvard have "little comprehension of the vast and complex scientific and scholarly life they presume to govern." Well, now, who does Galbraith presume to replace them with?

If those who created Harvard, and made it into the vast and complex scientific and scholarly structure it became, must be restructured out of it because they have too little comprehension, who has enough? The only ones who claim they have, and who will shove a banana into the mouth of anyone who denies it, are the student militants.

And so the Galbraith solution is a forthright one: Let the lunatics run the asylum.

Well, I'm going to tell Galbraith the news: they've already tried your sort of restructuring, Ken. They tried it at Berkeley; they tried it at Cornell; they tried it at Harvard all last week, and the result was that on Friday, a mob of militant students, of a Harvard frenziedly restructured to suit their wildest whims, marched into the Harvard planning offices.

They shouted obscene charges at Planner Goyette. When he attempted to answer, they shouted him down with obscenities. They demolished the architectural model of Harvard's building plans, they kicked over files, they hurled telephones to the floor. And while Goyette cowered and his secretaries screamed, they marched out, uninterfered with by the six policemen who were summoned there presumably to see that they remained uninterfered with, unrebuked and, of course, unsatisfied.

And they won't be satisfied until Harvard is restructured the way they restructured Hiroshima. They'll be back, on another day, to another office. Possibly Galbraith's.

Well, those were the voices that prevailed at Harvard, the resigners like Rosovsky, the restructurers like Galbraith*. There was another voice, however, the voice of Oscar Handlin.

Prof. Handlin said he was appalled at the argument that the students' takeover of University Hall, their attack on the deans, their destruction of private property and their thefts from personal files were unwise but not criminal. It *was* criminal, said Handlin, by every decent standard.

If Harvard had not chickened out, said Handlin, if it had had the courage to recognize the criminality on its campus over the last few years, beginning with the beating up and silencing of McNamara and continuing through innumerable other incidents of the brutal deprivation by its mad-dog students of the rights of those who dared to dissent with them, it "would not be in the position it is in today—following the road that Berkeley has followed, following the road that has destroyed other universities."

A CIVIL RIGHTS REVERSE

Oscar Handlin urged Harvard not to go down that road. That was last week. This week, Harvard has gone so far down the road that it can never turn back. In this last frantic, fatal, foolish week, Harvard has reversed the civil rights advances of the last 20 years.

Today at Harvard, any student with the currently fashionable color of skin is given rights denied to students of the currently unfashionable color. Harvard, which educated the President who brought America into the war that defeated fascism, today honors and encourages and rewards its fascists. Harvard, which once turned out scholars and gentlemen, now turns out thugs and thieves—or let me put it this way: now, if you are a thug and thief, Harvard won't turn you out.

Once people were attracted to the Cambridge community because Harvard was there. Today, because Harvard is there, people are fleeing the Cambridge community, even Harvard's own.

Harvard's tragedy was that it was too arrogant to consider that it too might be vulnerable to the cancer that is killing other universities. And when Oscar Handlin diagnosed it as malignant, Harvard was too cowardly to endure the radical surgery that could save its life.

And that's why I can say that colleges like yours, as yet too unproven to have become arrogant, and too determined to prove yourself to be anything but courageous, are the hope of the future. Because I believe that America has a future.

It has become unfashionable to say this; it may be embarrassing to hear it; but I believe that America is the most lovely and livable of all nations. I believe that Americans are the kindest and most generous of all people.

I believe there are no underprivileged Americans; that even the humblest of us are born with a privilege that places us ahead of anyone else, anywhere else: the privilege of living and working in America, of repairing and renewing America; and one more privilege that no one seems to get much fun out of lately—the privilege of loving America.

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*Prof. Galbraith, it seems has decided on the Rosovsky method for himself. He has announced that he is taking off for Trinity College at Cambridge University for one year while the restructuring goes on.

UNIVERSITY OF IOWA MUSEUM OF ART

HON. FRED SCHWENGEL

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 20, 1969

Mr. SCHWENGEL. Mr. Speaker, the Christian Science Monitor of April 3, 1969, featured a story on the new museum of art at the University of Iowa. It would be difficult to list the many persons who should be recognized for making this outstanding museum possible. Suffice it to say that they should all feel immensely proud of themselves for having a part in this magnificent gift to the University of Iowa, and the people of Iowa. There is, however, one person who should be singled out for his almost superhuman efforts to make the museum a reality, and that person is Frank Seiberling, director at the school of art. Frank is a tireless worker, and is certainly to be commended for his efforts on behalf of the museum.

The article follows:

IOWA'S NEW MUSEUM: AN "OPEN" PLACE FOR ART

(By Christopher Andreae)

IOWA CITY, IOWA.—The best way to describe the new Museum of Art at the University of Iowa is to say that the visitor intent on see-

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ing the art it contains is unlikely to notice the building, except perhaps its central sculpture court—and, from the exterior, its attractive position on the west bank of the Iowa River.

Part of the growing Iowa Center for the Arts, the museum is the work of the New York firm of Harrison and Abramovitz. The architects have made the interior "open," with galleries differentiated by a variety of levels instead of connected by too many small openings. There is little or nothing about the building which seems to interfere with the easy circulation of people and the easy display of paintings and sculpture.

And the University of Iowa has a by-no-means miserable collection of these commodities to display. It first of all has the large and intense "Mural" which Jackson Pollock painted for Peggy Guggenheim, and which was given by her to the university. It has a small Miró, painted on burlap, an enigmatic thing of considerable delight as well as some dread that goes generally under the name of "Rosalie." Its full title, however, is possibly the longest of any painting and certainly one of the prettiest: "A Drop of Dew Falling From the Wing of a Bird Awakens Rosalie Asleep in the Shade of a Cobweb." But, in spite of its title, this purchase by the university in 1948 apparently produced in the Midwest recurrent ripples of aesthetic distress and rural contumely.

LIKE A DISCOVERY

"Carnival Triptych," by Max Beckmann, was another early purchase, characteristic of the German artist's work in its allegorical attack on violence and suffering.

The most recent large addition to the collection is a fountain sculpture by the Belgian artist Pol Bury. The work was commissioned to coincide with the opening of the museum, and is a permanent part of it.

Consisting of two stainless steel upright forms, curved back to back, "Kinetic Fountain" stands in water and has on each side numerous projecting elements over which water trickles from above. The elements are moved silently by a hidden motor, but their nervous motion is so slight that it has to be watched for; it is like a discovery that something which is presumably inert may in fact be alive. In this piece Bury has made a further variation on an idea which has occupied him since the early '50's.

The biggest private gift to the university museum (and the initial reason for its being built) is the Owen and Leone Elliott Collection. This almost entirely European collection of paintings, drawings, prints, and silver contributes very substantially to the size and quality of the museum's holdings. It includes small paintings by Picasso, Matisse, Léger, Braque, Gauguin, Kandinsky, Bonnard, Gris, de Chirico, Morandi, and Jawlensky (among others). The Jawlensky is a particularly proud, tough painting (of his wife) called "Spanish Woman with Mantilla"—magnificent evidence of the strength of this German expressionist's abilities with color and bold form.

This museum and its collection can hardly fail to be an asset to the university. Its directors, Ulfert S. Wilke (director) and Gustave von Groschwitz, are both men with no small experience in the museum field. Mr. Wilke (an avid collector, particularly of African art and artifacts) is apparently determined to keep the exhibitions in the museum continually changing, except for the core of major works.

MONUMENTAL

At present, to celebrate the opening, there is a showing of works by former and present teachers as well as graduates, of the university's school of art; a few sculptures on temporary loan; and a rather dull exhibition of prints by former students of a teacher in the school of art, Mauricio Lasansky.

Among the sculptures on loan are two large constructions by Mark di Suvero, one of which is a supremely monumental sculpture consisting for the most part of a yellow snowplow (which is hung so that it can swing) and a gigantic tire from an earthmover. It is an uncompromising, heroic, and—both by association and construction—an elemental object. If the university could find a way of acquiring it, this piece would be an admirable addition to its collection.

Among its former teachers, the art school numbers Grant Wood, Philip Guston, and more recently, the English artist David Hockney. Works by each of them are on show, together with that of many others, of varying interest.

A week-long celebratory festival begins this Sunday (May 4). It consists of almost anything appropriate from an ice-cream social to concerts, poetry readings, films, an extravaganza, a happening, and the first public marionette performance of Aeschyus's "The Libation Bearers." Participating visitors will include Hans Haacke, Allan Kaprow, Roger Stevens, and a panel of art people: Brian O'Doherty, Dore Ashton, Jack Burnham, Max Kosloff, and George Rickey.

DIXIECRAT-CONSERVATIVE REPUBLICAN COALITION

HON. RICHARD BOLLING

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 20, 1969

Mr. BOLLING. Mr. Speaker, the United Association Journal in its May 1969, issue contains an article about the House coalition of Southern Democrats and conservative Midwestern Republicans. The article is written by the able and respected general president of the United Association of Journeymen and Apprentices of the Plumbing and Pipe Fitting Industry of the United States and Canada—AFL–CIO—Peter T. Schoemann. The article is based on a study issued earlier this year by the Democratic study group. President Schoemann in his article quite properly points out that this political coalition is responsible in large measure for the dearth of effective and comprehensive legislation to remedy our domestic needs. It follows:

DIXIECRAT-CONSERVATIVE REPUBLICAN COALITION

(By Peter T. Schoemann)

In a city where initials are accepted as part of the scenery there's a set of capital letters that have gone mostly unnoticed.

I'm referring to the DSG—it stands for the Democratic Study Group. And that stands for some 120 dues paying members of progressive Democratic Congressmen, elected primarily from districts in the Northeast, Midwest and the West, all densely populated areas.

A harder working or more closely knit bunch of people you'll not find on Capitol Hill. And the Wall Street Journal and the New York Times attest to DSG muscle in stories they print every so often.

The public is not generally aware of the extraordinary efforts this group makes and also the good legislation this group helps to pass.

The DSG was organized in September of 1959 to counterbalance the power of the House coalition of Southern Democrats and conservative Midwest Republicans.

Back in the fall of 1959 the Democrats had a clear and fat majority in the House, 283 to 153 and in the eyes of the voters the 86th Congress was indeed a Democratic-controlled Congress.

And the Democratic members from the big cities and industrial centers fully realized they would have to run for reelection on the record of that same Congress.

These Congressmen were worried because time after time they were being defeated in their attempts to pass progressive legislation by a well-disciplined Dixiecrat-Republican coalition.

The final indignity was the successful passage by the coalition of the Landrum-Griffin Act.

Senator (then Representative) Lee Metcalf, of Montana was the guiding light of the DSG in those days and he was elected chairman by the 120 members recruited from 34 states.

Other officers elected by those DSG charter members were: Frank Thompson, Bill Green, Abraham Mutler, Sidney Yates, John Blatnik, James Roosevelt and Frank Coffin.

And in March of 1960 the DSG achieved their first notable victory when they successfully opposed a Treasury-backed bill raising long-term interest rates. They accomplished their objective by first delaying and then finally killing the measure after it had been reported by the Ways and Means Committee.

Since that time the DSG has grown from what was initially described as a "loose and informal" association of like-minded members into an elaborate organization with an executive committee, a full-time staff, a vote-rallying whip system, and a campaign fund-raising committee.

NEW DSG STUDY

It does a good deal of research and frequently will hold chalk talks for its members before a crucial vote.

The DSG recently completed a study I found to be quite interesting and I want to share the contents of this paper with you because it spells out the very reason for the existence of the DSG and it brings us up-to-date on the condition of the Dixiecrat-conservative Republican coalition.

The study is based primarily on 30 key votes cast during the 90th Congress, selected to provide a representative picture of voting patterns based on four factors:

Liberal-Conservative Persuasion—The 30 votes include most of the major liberal-conservative tests of the 90th Congress.

Administration Support—The Democratic Administration took a stand on all but four of the 30 issues.

Support of Democratic Party Principles—Twenty of the 30 votes involved programs and policies advocated in the 1964 Democratic Party platform and many of the remaining 10 involved traditional Democratic policies.

Party Unity—On 27 of the votes a majority of Democrats voted one way while the majority of Republicans voted the opposite.

Therefore the gist of the study was to pinpoint support or opposition to the national Democratic Party positions, policies or programs.

The study was broken down into two parts. Part One examined the voting patterns of Democrats associated with the DSG as compared wih non-DSG Democrats and Republicans. Part two examined the voting records of Democratic committee and subcommittee chairmen.

In Part One it brought out that on vital humanitarian and social issues such as hunger, poverty, and education DSG Democrats voted 96% in support of Democratic programs and policies compared with only 38% for non-DSG Democrats and 36% for Republicans.

The national Democratic position prevailed on only 13 of the 30 key votes, and in the 17 defeats 76% of the non-DSG Democrats teamed up with 86% of the Republicans in opposition to the majority of Democratic members.

The non-DSG members included a total of 75 Democrats who voted against more often than in support of the national Democratic position on the 30 key votes in this survey.

All but two of these Democrats were con-

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servative to ultra-conservative members from Southern and border states. Their opposition was directly responsible for two-thirds of the 17 Democratic defeats.

Part Two of the study showed that during the 90th Congress there were a total of 114 chairmen heading 21 standing committees and 141 subcommittees. The difference is caused because several members chaired more than one subcommittee.

There were 75 Democrats who voted more in opposition than in support of the Democratic programs, and Part Two records that 42 of the 75 were committee and subcommittee chairmen.

DISSIDENT CHAIRMEN

As a group these 42 Democratic chairmen voted an average of only 13% in support of Democratic programs.

This was almost exactly opposite the record of the other 72 Democratic chairmen who averaged 88% support.

So, on many of the most crucial votes of the 90th Congress, one-third of the Democratic committee chairmen voted against the Democratic Administration, Democratic Party principles, and the majority of their Democratic colleagues and were responsible for the defeat of many Democratic programs.

These 42 include eight of the 21 standing committee chairmen: Colmer of Mississippi; Mills of Arkansas; Ichord of Missouri; Rivers and McMillan of South Carolina and Poage, Mahon and Teague of Texas.

The extent of their alienation from and opposition to the Democratic programs can be seen in the fact that 34 of these 42 chairmen exceeded the average Republican in their opposition to the national Democratic position on the 30 votes in the study.

As a group these 34 chairmen voted only 8% in support of the national Democratic position on the 30 votes surveyed. The overall Republican record was 24% support.

The 34 included six committee chairmen, Colmer, Mills, Ichord, Rivers, McMillan and Poage whose average as a group was only 12% support.

A summary of the findings found that DSG Democrats voted 91% in support of Democratic policies and programs.

But non-DSG Democrats nearly equalled the Republicans in opposing Democratic programs, 69% to 76%.

The opposition of non-DSG Democrats was responsible for two-thirds of the 17 Democratic defeats on the 30 key votes.

Democratic committee chairmen and subcommittee chairmen alone were responsible for over half the 17 defeats.

One out of every three Democratic committee and subcommittee chairmen, 42 out of 114, voted more often against, than in support of Democratic programs.

Thirty-four Democratic chairmen, including six full committee chairmen exceeded the Republicans in their opposition to Democratic programs, 92% to 76%.

The other 72 Democratic chairmen voted 88% in support of Democratic programs.

OPPOSITION INCREASES

And finally the study shows that the number of Democrats voting more in opposition than support of Democratic programs has been steadily increasing over the past 16 years, from zero in the 83rd Congress to 53 in the 90th.

Eight of the 34 chairmen (including one full committee chairman, Colmer) voted 100% against national Democratic programs, and principles on the 30 key issues. Fourteen others voted more than 90% in opposition.

All but one (Baring of Nevada) of the 42 Democratic chairmen who voted more in opposition than support are from Southern and border states. However, analysis of their voting records would seem to indicate that the extreme opposition of these chairmen is not necessarily due to regional differences over race and civil rights, but involves instead a basic disagreement with Democratic programs, policies and principles in general.

This conclusion is supported by the voting records of the 42 Democratic chairmen on non-civil rights issues in the 89th Congress as well as the 90th. In the 89th Congress, for example, three out of four of the 42 chairmen voted against such basic Democratic programs as Medicare, aid to education, model cities, anti-poverty, rent supplements, distressed area aid for Appalachia, and minimum wage increases.

THE POWELL CENTENNIAL IN GREEN RIVER, WYO.

HON. JOHN WOLD

OF WYOMING

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 20, 1969

Mr. WOLD. Mr. Speaker, today the attention of the world is focused upon our three bold astronauts who are speeding toward the moon in a final test for the journey that will allow man, for the first time in his history, to set foot upon another heavenly body.

They are in the truest sense the descendants of other equally bold explorers—men such as Prince Henry, Columbus, Copernicus, Keppler, and our American astronauts, beginning with Commander Shepard.

Therefore, I think it especially appropriate that we should think back 100 years to a man of equal courage; a man who charted a course through the least-known region of this great land of ours. That man, Maj. John Wesley Powell, set out from Green River, Wyo., on May 24, 1869, to run the Colorado River and its tributary, the Green River.

Many and fierce were the dangers his nine companions and four wooden boats faced. But Major Powell, undaunted even by four men who quit, conquered a truly hazardous and unknown land.

We are men who live by the promise of the future and the fulfillment of the past. In knowing that Major Powell succeeded, we can know man will set his foot upon the moon.

The great area that Major Powell opened up 100 years ago has truly become a land flowing with "milk and honey."

The sterile desert land made fertile by the hand of man, the settlements that have sprung up in the Great Plateau are all testimony to the foresight and vision of this man, John Wesley Powell.

Therefore, I think it fitting that a summer-long series of celebration and festivities in Major Powell's honor will be held by cities along the river.

On Saturday, May 24, on the 100th year to the day that Major Powell set out, a host of dignitaries will gather at Green River in my district, the great State of Wyoming, to recognize this man by a reenactment of the launch, an unveiling of the design for a commemorative stamp, and the dedication of a granite marker.

Because of the significance of the day, I include at this point an article from the May 18, 1969, Washington Star, entitled, "Celebration Will Mark Famous Powell Expedition," in the RECORD:

CELEBRATION WILL MARK FAMOUS POWELL EXPEDITION

(By Carrick Leavitt)

GREEN RIVER, WYO.—"The good people of Green River turn out to see us start. We raise our little flag, push the boats from shore, and the swift current carries us down."

It was May 24, 1869, and the man who wrote those words was to go down in American history as one of the bravest and best known of scientific explorers.

Maj. John Wesley Powell, a one-armed Civil War veteran, and nine other men floated down and charted the Green and Colorado Rivers from this Wyoming town through the awesome Grand Canyon to what is now Lake Mead in Nevada.

This year marks the centennial anniversary of the Powell expedition. A celebration will begin with the dedication of a national monument here May 24, on the shores of the Green River, and a centennial expedition will depart by boat to run the river using the same time table as the Powell expedition.

Among the groups to observe the centennial will be the National Geographic Society, U.S. Geological Survey and the Smithsonian Institution's bureau of ethnology, all of which Powell was instrumental in founding.

Cities along the rivers will hold celebrations throughout the summer.

"Our boats are four in number," Powell wrote 100 years ago. "Three are built of oak; stanch and firm; double-ribbed, with double stem and stern posts, and further strengthened by bulkheads, dividing each into three compartments. It is expected these will buoy the boats should the waves roll over them in rough water.

"The fourth boat is made of pine, very light, but 16 feet in length, with a sharp cutwater, and every way built for fast rowing, and divided into compartments as the others.

"The little vessels are 21 feet long, and, taking out the cargoes, can be carried by four men."

BRAWNY CREW

Questions of the unknown surging river gnawed at the men. Were there crashing waterfalls ahead that would hurl the frail boats hundreds of feet below? What of the foam-crested rapids? Would they become trapped within the towering canyon walls to face slow starvation? What of the fierce Indian tribes dwelling in the regions of Utah, Colorado, Arizona and Nevada?

"J. C. Sumner and William H. Dunn are my boatmen in the 'Emma Dean'; then follows 'Kitty Clyd's sister,' manned by W. H. Powell and G. Y. Bradley; next, the 'No Name,' with O. G. Howland, Seneca Howland, and Frank Goodman; and last comes the 'Maid of the Canyon,' with W. R. Hawkins and Andrew Hall."

Of this brawny crew only six would make the journey's end. Constant dunkings and sheer terror brought on by the swirling, rock-studded river dampened Goodman's enthusiasm and he left the party within a month.

Skeptical indians along the way told Powell sections of the river could not be run. "Water heap catch'em," the Indians said.

And an old Indian named Pariats told the explorers of the fate of a member of his tribe who attempted the river.

Powell records the account:

" 'The rocks,' he said, holding his hands above his head, his arms vertical, and looking between them to the heavens, 'the rocks h-e-a-p, h-e-a-p high; the water go h-oo-woogh, h-oo-woogh; waterpony h-e-a-p buck; water catch'em; no see'em injun any more! No see'm squaw any more! No see'em papoose any more!' "

By the end of the first month the expedition had mapped about 300 miles of the Green River. They had sailed through the rapids of Flaming Gorge, Canyon of Lodlore, Whirlpool Canyon up to Split Mountain in Eastern Utah.

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On June 9 the "No Name" was wrecked and shattered into pieces at a 12-foot waterfall Powell was to name Disaster Falls. A thousand pounds of supplies were lost to the river.

But the men continued. They wound through desolation and labyrinth canyons across the rapids pulling the boats over whitewater too rugged to ride.

Late in the afternoon of July 17 "the water becomes swift and our boats make great speed," Powell wrote. "An hour of this rapid running brings us to the junction of the Grand Green, the foot of Stillwater Canyon, as we have named it. These streams unite in solemn depth, more than 1,200 feet below the general surface of the country."

DOWN THE COLORADO

This confluence of the Green and Colorado Rivers awed the expedition, and Powell noted in his daily log:

"Ten thousand strangely carved forms . . . a whole land of naked rock with giant forms carved on it; cliffs that cannot be scaled and canyon walls that shrink the river into insignificance with vast, hollow domes, and tall pinnacles and shafts set on the verge over head. . . ."

On the group sailed, down the mighty Colorado, past the junction of the San Juan River, through colorful Glen Canyon and into the mouth of the untamed Grand Canyon.

August 13, and Powell wrote of the approaching ride through the roaring Grand Canyon. "We are now ready to start our way down the great unknown," he said.

"What falls there are, we know not; what rocks beset the channel, we know not; what walls rise over the river, we know not."

The frantic, bone-jarring ride was made through the roaring canyon and by Aug. 27 three men decided Powell's wild ride must end. The Howland brothers and Bill Dunn elected to abandon the party and hike overland to find a Mormon settlement in the north.

The three were reported to have died later at the hands of Indians.

A few days later the six men remaining floated around a bend and one of them exclaimed, "yonder's an Indian in the river." But upon approaching closer the explorers found the "Indians" were Mormon fishermen. The settlements of St. Joseph and St. Thomas were nearby.

The journey was over!

In the weeks and years that followed, Powell and his crew were hailed from coast to coast for their feats and for the scientific information gathered during the three-month expedition.

LAND POLLUTANTS

HON. MARGARET M. HECKLER

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 20, 1969

Mrs. HECKLER of Massachusetts. Mr. Speaker, in our country today, much attention is given the problems of air and water pollution. There is yet another pressing problem of pollution, however, which receives less publicity: this is the problem of "land" pollution. I should like to share with my colleagues the very interesting remarks of Mr. Fred S. Farr, Coordinator for Highway Beautification, Bureau of Public Roads, on the topic of land pollutants, when he posed the challenge of "cleanup" to the congressional breakfast of the Scrap Iron & Steel Institute on April 17, 1969.

The address follows:

LAND POLLUTANTS

(Remarks of Fred S. Farr, Highway Beautification Coordinator, Bureau of Public Roads, at the congressional breakfast, Scrap Iron & Steel Institute, Apr. 17, 1969)

Disposal of solid waste, as you gentlemen so well know, is a serious problem throughout our country. It is simply the question: can a highly sophisticated, industrialized society such as ours get rid of its own garbage?

While air and water pollutants are indeed a serious problem, so likewise are the land pollutants. What do we do with old stoves, refrigerators, washing machines, hot water heaters, and many other used-up, worn-out domestic appliances? The steel mills refuse to take this kind of metal for reprocessing, and the sanitary land-fill people don't want it either.

The most serious part of our solid waste disposal program is the scrapped automobile. It is estimated that there are some 30 million used cars lying around the countryside today—some on hillsides in Maryland, West Virginia, California, or Tennessee, where you will see two to five abandoned cars, and others in large automobile graveyards, and still others in scrap metal yards just sitting there rusting. Others, fortunately, are in metal salvage yards, working their way back into steel and iron production. To this natural junk pile, we add some one and one-half to two million additional scrapped autos each year.

The Highway Beautification Act of 1965, which is concerned with the physical and aesthetic appearance of the highway corridor, addresses itself to one phase of the solid waste disposal, but is not intended as a cure of what to do with the basic problem of junked cars.

As you know, in 1965 Congress stated that the purpose of the Act was to protect the public investment in our highways, promote safety and recreational value of public travel, and preserve the natural beauty through the control of outdoor advertising and junkyards, the scenic enhancement of the highway corridor, through landscaping, acquiring scenic strips of land, developing scenic overlooks, and promoting safety rest areas and information centers for the traveling public.

The 1965 Act is concerned with the physical appearance of the roadside as well as the road itself.

Our Highway Beautification Act has had problems, particularly due to the strong opposition to outdoor advertising controls and the lack of money to accomplish its goals.

Congress, in the 1965 Act, provided for the control of auto salvage yards located within 1,000 feet of and visible from an Interstate or primary highway. Effective control for existing auto wrecking yards is accomplished by screening, through landscaping or fencing, or by removal where fencing is not possible to accomplish. Scrap metal processing plants located in industrial areas are not required to be screened or removed, although Federal funds are available for screening these yards in such areas.

The immediate impact of this legislation is to prevent the unchecked sprawl of visual blight along our highways. Auto salvage yards may no longer be established, outside of industrial areas unless they are screened from view or located so as not to be visible from the main highways.

Auto salvage yards as most people know were junkyards in existence on October 22, 1965, the date of enactment of the Highway Beautification Act, must be screened if possible. Otherwise removed, owners shall be compensated on a seventy-five percent Federal-25 percent State participation for screening or removal costs.

Thus far, 40 States have enacted enabling legislation and the program has received strong support from private industry. Nevertheless, we have made but a small dent in the Nation's salvage yard problem. A 1966 inventory indicated that there were 17,500 so-called junkyards located along interstate and primary highways that would have to be screened or removed.

Although $20 million was authorized for each of the fiscal years 1966 and 1967 to carry out Title II of the Highway Beautification Act, only $11,500,000 was apportioned to the States for these two years for salvage yard control due to the States' then inability to use more money. Early in the program most States needed additional legislation to perform this work off the highway right-of-way and they had not had time to act adequately in this area. Most States are now geared up to meet their obligation but Congress appropriated no funds for 1968 and 1969, and for fiscal year 1970 $3 million has been authorized but not yet appropriated.

The 1966 estimate indicated that it would cost a total of $121 million to screen or remove the 17,500 so-called junkyards scattered along 268,000 miles of interstate and primary highways. Of this cost, $90 million would be the Federal share.

As of March 31, 1969, 110 of these yards had been removed, 1,443 had been screened; approximately 10 percent have been screened or removed.

While screening or removal bans the salvage yard from the motorist's view, the ideal goal is to recycle the steel scrapped autos back into the iron and steel industry. A number of Federal agencies have been working with private industry to find a solution to this problem. We in the Federal Highway Administration have received excellent cooperation from the Scrap Iron and Steel Institute. We have met with representatives of the steel companies, and, recently, Thomas Mann, President of the Automobile Manufacturers Association brought to our office some of his members from Ford, Chrysler, General Motors, and American Motors. We have asked the Automobile Manufacturers Association to help us set up a Government-industry task force to define the problem of where lies the bottleneck in getting scrapped cars back into the steel industry.

Just this week in Alexandria Bill Storey and I visited a scrap metal processing yard and saw automobiles being shredded up at the rate of one car every 27 seconds; some 700 cars a day or 250,000 cars a year are being recycled back into the steel industry by this one yard alone. Fortunately, there is a good supply of junked cars available, and steel mills are located within a range that makes shipment economically feasible for this scrap processor.

The majority of shredders are located in large population centers—not far from steel mills. However, there are many automobile hulks lying in auto graveyards where the owner, dreaming of the old World War II bonanza in junked cars, hangs tight and won't sell. Many other cars lie out in fields or beside roads or in gulleys, no one willing or available to haul them to a shredding plant.

The problem of the automobile recycling starts out with abandonment, pick-up, titling, disposal to an auto parts dealer—moving from auto parts dealer to scrap dealer, crushing and baling cars, transportation to scrap processors having available the proper type of equipment to cut or shred up the scrapped car, as well as having an available market for steel scrap. These are all part of the intricate problem of solid waste disposal. In addition, pollution control laws, while desirable, handicap the burning of auto seats and upholstery in many processing yards.

Somewhere along the line, we will find the answer to why these junked cars don't move—it will probably cost additional money. Before projecting as to where that money will come from—taxes, additional registration fees, etc.—we feel it essential to

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find out what is the problem—identify it first, and then find out how much it will cost. That, we feel, is our immediate task.

I would be remiss in not complimenting the many communities that have gone out on a clean-up campaign of their own. Some of the States, such as Vermont, are making it attractive to bring in scrapped cars, and now Maryland is moving ahead in this important effort.

The Business and Defense Services Administration, of the Department of Commerce, and the Bureau of Mines, in the Department of the Interior, are making important contributions to the Government-industry approach.

The Highway Beautification Act will accomplish its goal when newer auto salvage yards are located so as not to be visible from the main traveled highways, and when the metal and other waste disposal plants along our roadsides are screened from the motorist's view. All of these efforts should contribute to improving the appearance of our highway corridor for the enjoyment of motorists and non-motorists alike, as well as contribute to the re-use of an important natural resource.

There is a big job ahead in cleaning up roadside clutter. Only by the best of effort by Government—Federal, State, and local—working with private industry will we be able to clean up our roadside garbage. The problem of solid waste disposal is with us and growing—if we don't lick it soon it will soon lick us. The task is there!

LEICESTER B. YATES—IN THE BEST TRADITION OF THE TEACHING PROFESSION

HON. JAMES C. CORMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 20, 1969

Mr. CORMAN. Mr. Speaker, an example of the most unusual dedication to the career of teaching has come to my attention. This concerns Leicester B. Yates, who is retiring this June after more than 30 years of teaching at the U. S. Grant High School, San Fernando, Calif., which is in my congressional district.

In the world today, where it would appear that there are tremendous problems at all levels of teaching; where the very relevancy of education itself has been questioned; and where, even at the starting point of elementary and secondary education, the quality of education in this Nation is at stake, it is heartening to know about Leicester B. Yates and how he has spent the past 30 years in discharging with distinction the responsibility and obligation to develop and train youngsters, and to provide them with guidelines essential for effective and creative progress into higher education and into society itself.

The colleagues of Leicester B. Yates have commented on what it is that has made Mr. Yates the best of the teaching profession.

I would like to share their comments with the Members of the House, and in so doing, to extend my congratulations to Mr. Yates on the excellence of his service to his students, their parents, the community, and to the Nation itself, and to wish him well in his retirement.

I quote his colleagues' letter in part:

> The colleagues of Leicester B. Yates, who is retiring this June after more than thirty years of teaching, at U.S. Grant High School in the San Fernando Valley, feel that Les has been in the best tradition of that oft-maligned and little acknowledged profession.
>
> Thirty years of daily work with children of all ages and all backgrounds has not dimmed the enthusiasm with which Les has approached each day's task of helping to broaden the lives of his charges. His devotion to the needs of the youth of Los Angeles is legendary among the members of the education fraternity. He is on the job early and late. He shares his wealth of materials, painstakingly collected in his wide travels, with his colleagues. An acknowledged expert on the Civil War period, he shares his knowledge in speeches and lectures and enriches the lives of his students and the student body with the expertness with which he arranges displays about the school.
>
> Feeling that the expression "a sound mind in a sound body" is more than a platitude, Les has encouraged participation, has coached, and has officiated for many years at school-boy, college, and Amateur Athletic Union events.
>
> As preparation for his career as a teacher, Les started out in the field of advertising. He early discovered that he had something more important to sell and turned to teaching. He has taught high school students Government, U.S. History, California History, Economics, Contemporary American Problems, and French. In adult education programs he has specialized in Government, Citizenship, and American History. He has sat on Los Angeles curriculum and textbook committees; he has served the Board of Education as a consultant in Social Studies; and at the school level he has sponsored clubs, coached track and field, and been his department's chairman.
>
> Leicester Yates has spent his lifetime in the service of the young people of our society. Many of our youth have benefited from his devotion and dedication. In this he is typical of the best of our nation's teachers who will be calling it a career this June. They give of themselves; they give of their time; they give their very lives for the benefit of our children. And all this for very little financial reward.
>
> There are few occupations more demanding and more often condemned than that of school teacher. It is time that we recognized the efforts these dedicated people perform in our behalf. There is no more fitting time than now as the school year is approaching its end when many thousands are closing out a career and preparing for a well earned retirement.
>
> Leicester Yates and his colleagues are deserving of our best thanks.

GRATITUDE FOR OUR LAW ENFORCERS

HON. MARIO BIAGGI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 20, 1969

Mr. BIAGGI. Mr. Speaker, May 15 has been established as "Peace Officers Memorial Day" in legislation passed by Congress and signed by President Johnson. Those of us who serve or have served as law-enforcement officers appreciate the honor being paid our fellow officers who have died defending society against criminal activities.

As the principal defenders of law and order in our Nation, peace officers deserve our gratitude. They are daily faced with a perpetual and increasing stream of law breakers. According to FBI statistics, serious crime in the United States increased 17 percent in 1968 when compared with 1967. Crimes of violence were up 19 percent, led by robbery up 29 percent, murder and forcible rape up 14 percent each, and aggravated assault up 12 percent. The crimes against property rose by 17 percent as a group. This alarming growth of crime in 1968—and throughout the 1960's—has been met by an almost static growth in police strength throughout the same period. This has caused a great increase in the pressure placed on our law enforcement agencies. Despite this handicap, our peace officers have done a remarkable job.

Efforts have been made by the police to improve the service they provide society. Innovations in training and technology are being sought. Much work has been done in an effort to improve police-community relations and to allow citizens to air their grievances.

In attempting to perform their lawful duties many of our law enforcers have risked their lives. An increasing number are being killed. In 1967, for example, 76 officers were killed by criminal action. This raised the toll of tragic deaths to 411 for the 8-year period from 1960 to 1967. In addition, 247 law-enforcement officers were killed in accidents during the same period. In 1967 there was an 11-percent rise in the rate of assaults on police officers. Nationally there were 13.5 assaults every 100 officers. In the face of this danger our police agencies have continued to fight crime and disorder to the best of their ability.

It is to these brave defenders of social order and stability that we pay our respect today. They need and deserve our support. This support would be of little value if it were maintained only on Peace Officers Memorial Day. In view of the increase in crimes both against the police and against society it is necessary for all Americans to help our police every day of the year. By helping the police we are protecting ourselves, our families, and our Nation from crime.

I HAVE A DREAM

HON. JOHN J. RHODES

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 20, 1969

Mr. RHODES. Mr. Speaker, it is a real privilege to insert in the CONGRESSIONAL RECORD the remarks made by Dr. John F. Prince, president of the Maricopa County Junior Colleges District, on May 1, in Phoenix, Ariz., when 70 applicants were admitted to citizenship by U.S. District Court Judge Carl Muecke.

Dr. Prince, who received his undergraduate and Ph. D. degrees in philosophy from the University of Arizona, was the main speaker on this very special occasion. I believe all who read his remarks will agree with me that a man with a deeper understanding of the dreams and aspirations of all men, as well as of the very essence of America, could not have been selected to welcome these fine new Americans to our midst. Dr. Prince's remarks follow, and I am proud to share them with my colleagues:

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I Have a Dream

A revered American a few years ago said with simple Biblical eloquence, "I Have a Dream. . . ." And he went on to express the hopes for his people, using the age-old philosophical device of man—imaging the world as it would be: cutting away the dirt and ugliness, brightening the picture of life with warm, loving colors expressing man's hunger for the good life.

When a couple, warmed by love for each other, has their wedding day, joyous is the occasion and they have a dream in which the years ahead glow with the promise of the good life—the home, children to love, and success in their sharing the years.

When a child is born, the parents have a dream for him—that he will be strong, brave, and will lead the good life and enter into his manhood alert, educated, and his days will be rich in honors and sweetened by success.

The farmer plants the seed and in his dream he sees the brown soil greened by a rich crop that markets well and prosperity come through his efforts.

The merchant hangs out his sign and his dream has in part come true, and his single strength will strive to make the remainder of the dream come true.

The door opens and the newly hired man goes in to his first day's work on the new job. He has a dream that sees him rise steadily in the business or factory, his efforts bringing success and recognition.

So, important beginnings are often enriched by good intentions, brightened by a dream of what can come from this day on, the wedding, the christening ceremony, the grammar school graduation, the first job—the day a person becomes a citizen in a new country.

It is our privilege to share this memorable occasion with 70 of you—new citizens of the United States. You come from 19 countries. America has grown great on such as you—the bearers of old and rich cultures that in time blend into the American way of life. With few exceptions, each of us in the courtroom today either came or our early families came from the distant shores. We share like ancestors and like beginnings—all starting as new citizens. I don't think any of us forget our national origins. We liken ourself to the people of this or that nation. When I war within myself, I say, "It's the English and Irish blood of my ancestors locked in combat—North Ireland vs. South Ireland. When one of my children argues with me I remind her of the Irish blood she carries in her veins. Her behavior is to be expected. Hot-headed, freckle-faced Irish girl. The past is to each of us a matter of pride.

When you first came to the United States, it was a new beginning and you had a dream. It is our sincere hope that the dream is becoming a realization. It is our hope that this simple but most important ceremony renews your dream and re-invigorates your efforts to make it all come true.

One of our good New England writers said: ". . . if one advances confidently in the direction of his dreams, and tries to live the life which he has imagined, he will meet with a life unexpected in common hours."

And so each of us has a dream. As fellow American citizens, each of us has a hope for our Nation.

Would our mutual hopes for America be something like these?

That we can have peace with honor for us, our children, and their children down through the years. . . .

That every American can have equal opportunity to make his life meaningful and dignified in the manner deserved by man created in the image and likeness of God. . . .

That we will grow in wisdom, learning to live together in our land, and with all nations of the world in peace and mutual respect, because brotherly love is the highest wisdom.

Would these be the hopes we would have?

All of us American citizens can as Thoreau said make our dreams come true if we endeavor to live the life which Americans have imagined in the Declaration of Independence, the Constitution, and the Bill of Rights.

We have the machinery to do it—the flexible government that can effect change. We have a body of law that is sensitive to the rights of the majority, the minority, the individual. In hundreds of courts, men work each day to find the just and fair way to resolve the problems of life.

We have the schools and colleges to train our minds and bodies for productive living, the doors being open for peoples of all ages.

Join the team! Live well your individual American lives so that you will meet with a success unexpected in common hours.

Join the team to make the United States the land we have dreamed it can be. Participate in the work to make the dreams for our country come true.

Welcome to the United States! Welcome, fellow Americans!

TWO MARYLAND MARINES KILLED IN VIETNAM

HON. CLARENCE D. LONG

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 20, 1969

Mr. LONG of Maryland. Mr. Speaker, Pfc. John Linn and Pfc. Carlisle O. Wark, Jr., two fine young men from Maryland, were killed recently in Vietnam. I would like to commend their courage and honor their memory by including the following article in the RECORD:

Two Marines From Maryland, Both 20, Killed in Vietnam

Two 20-year-old Marine privates first class from Maryland were killed by enemy fire in Vietnam, May 11, the Defense Department announced today.

Killed while on search-and-destroy missions near the An Hoi combat base in Quang Nam province were:

Pfc. John Linn, son of Mr. and Mrs. Oscar D. Linn, of 9809 Telegraph road, in Seabrook, Prince Georges county.

Pfc. Carlisle O. Wark, Jr., son of Mr. and Mrs. Carlisle O. Wark, Sr., of 1308 Popular evenue, Arbutus.

Marine Corps spokesmen were unable to say yesterday whether the two young marines were killed in the same action.

BOTH IN SAME BATTALION

Private Linn, whose mother said he had just returned to combat action in Vietnam after three months in a military hospital in Guam after catching malaria, was assigned to H. Company, of the 3d Battalion, 5th Marine Regiment.

Private Wark was assigned to L Company of the same battalion.

Both young men trained at Parris Island and Camp Lejeune, S.C., then went to Camp Pendleton, Calif., for final training before being sent overseas.

Private Wark, who was raised by his grandparents, Mr. and Mrs. Ernest C. Wark, in Cape St. Claire, Md., enlisted in the Marines last spring, then entered the service a few days after graduating from Severna Park High School.

"He enlisted because he wanted to be a United States Marine," his stepmother, Mrs. Carlisle O. Wark, Sr., said yesterday. "He was very proud to be a marine."

Private Wark, had no brothers or sisters, is survived by his grandparents, his father and stepmother, and by an aunt and uncle, Mr. and Mrs. Lewis Russell, of Cape St. Claire.

Private Linn, who went to Vietnam last October, two months before Private Wark, left a job as a gas-station attendant and mechanic last February to enlist in the Marine Corps.

"He thought that he might be drafted," his mother, Mrs. Oscar D. Linn, said yesterday. "So, rather than be drafted, he enlisted."

Besides his parents, Private Linn is survived by two brothers, Staff Sgt. Orie Linn, stationed in Washington, and James Linn, and a sister, Miss Frances Linn.

THE ABM CONTROVERSY

HON. JOHN O. MARSH, JR.

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 20, 1969

Mr. MARSH. Mr. Speaker, as with most Members of this House, I hope to maintain a flexible view on all matters of national defense, in order to respond appropriately to changes in defense requirements as reflected either from technological advances or diplomatic developments.

There has been called to my attention, however, a statement which I believe is significant in that it comes from an organization not known for any arbitrary position on a national policy decision in the field of national defense—the AFL–CIO Executive Council.

As I believe the statement is worthy of study in our consideration of a major defense commitment, I include it at this time under leave to extend my remarks in the Extensions of Remarks, as follows:

Statement by the AFL–CIO Executive Council on the ABM Controversy

Last year Congress authorized and appropriated funds for the deployment of the "Sentinel" anti-ballistic missile (ABM) system designed primarily for the defense of our cities. The issue before the country today is whether the entire idea of an ABM system should be dropped or whether it should be deployed on a more limited scale.

The proposal for a more limited "Safeguard" ABM system—primarily for the protection of some of our nation's retaliatory forces—was made by President Nixon, on March 14, 1969, when he declared "I am announcing a decision which I think is vital for the security and defense of the United States, and is also in the interest of peace throughout the world. . . . It is a safeguard of our deterrent system, which is increasingly vulnerable due to the advances that have been made by the Soviet Union since the year 1967 when the Sentinel program was first laid out." In his plea to Congress not to abandon but to proceed with the work on the deployment of an ABM system, the President emphasized his belief that "it is essential for the national security, and it is essential to avoid putting an American President, either this President or the next President, in the position where the United States would be second rather than first, or at least equal to any potential enemy."

The AFL–CIO Executive Council believes the above declaration embodies a sound doctrine of national defense for our country. While we recognize that there can be honest differences of opinion over a particular method of assuring maximum security for our country, we emphasize that there can never be a good argument for our country's not assuring itself the best available national defense.

From our founding convention in 1955 to

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date, the AFL–CIO has consistently supported the goal of a strong national defense. We have never joined in attacks upon the efforts of any Administration to carry out this solemn responsibility, and we shall not do so now.

We have always underscored the urgency of acting to meet the pressing social and economic problems facing our country. We do not believe that the pursuit of either objective should be regarded as precluding the other. Both are essential to the security and progress of the nation and both must be faithfully and vigorously pursued.

American labor has always worked for peaceful solutions of international differences. We are, however, awake to the grim facts of international life today. The USSR has been expanding its military budget by at least ten percent annually. This mounting strength centers on missiles with multiple, independently targetable warheads of high accuracy. It constitutes a potential grave threat to our country's land based missiles, bombers, and bomber-bases. Since 1962, the USSR has been developing and deploying an extensive ABM system.

The proposed Safeguard system provides only for safeguarding American lives and defense capacities. It does not call for increased American retaliatory power.

More than two years ago, when questioned about the Soviet ABM system, Soviet Premier Kosygin himself declared that "a defense system which prevents attack is not a cause of the arms race but represents a factor preventing the death of people."

No expert can guarantee in advance how effective any weapon can be in defense or offense. The President's proposal calls for continuation of research and development and each successive deployment phase is to be constantly examined and reviewed annually in the light of technological advances and the international situation at hand.

The Executive Council does not join in any debate over how effective the proposed ABM system will actually be in action. We hope there will never arise the need for such a test. But certainly this nation must at least endeavor to protect enough of our deterrent force to enable our country to discourage any potential enemy from initiating a nuclear assault against the American people.

Under these circumstances, the AFL–CIO Executive Council declares that the President of the United States, as our nation's Commander-in-Chief and as the one primarily responsible for our country's foreign policy, should be supported in fulfilling his duty to determine—in consultation with scientists, military experts, the Congress and other Constitutionally appropriate authorities—the most effective ways of meeting the vital defense needs of our country.

Failure to be militarily prepared does not lead to peace.

CIGARETTE SMOKING

HON. LESTER L. WOLFF

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 20, 1969

Mr. WOLFF. Mr. Speaker, recently I received a telegram from the Nassau County, N.Y., Medical Society that eloquently pointed to the health problems created by cigarette smoking. Because this subject is currently a topic of debate here in Washington and throughout the country, and because this telegram is so much to the point, I include it in the Record so that my colleagues will have an opportunity to read this message:

Garden City, N.Y.,
May 7, 1969.

Honorable Lester L. Wolff,
House Office Building,
Washington, D.C.:

Strong congressional action is needed to prevent the insidious and persistant promotion of the public health menace of cigarette smoking. Unconcerned and physical promotion of cigarettes is direct conflict with indisputable medical proof that chronic bronchitis, lung cancer, coronary vascular disease and emphysema are directly attributed to cigarette smoking. The 2,200 divisions of Nassau County urge congress to take strong action to warn people, particularly our young people about the serious health hazards of cigarette smoking. This is a national problem. A manpower problem, a medical problem and, most important a problem effecting the good health of every potential cigarette smoker and every presently smoking American.

Nassau County Medical Society.

SCHILLER CORP. IS SUBCONTRACTOR OF THE YEAR

HON. JAMES G. O'HARA

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 20, 1969

Mr. O'HARA. Mr. Speaker, last week I had the honor of presenting Mr. James R. Schiller, president of the Schiller Corp. of Warren, Mich., with the Small Business Administration's Small Business Subcontractor of the Year Award.

Mr. Schiller accepted the award plaque on behalf of his firm's subsidiary corporation, Speedring, which manufactures components for aircraft, space, and missile systems.

The Schiller Corp. was founded just 22 years ago by Mr. Schiller and a few partners who invested $35 weekly to set up a machine shop in the rear of a Detroit service station.

Today the Schiller Corp. employs 425 people in the parent company and four subsidiary operations. They manufacture laser optical systems and ultraprecision navigation components for airborne vehicles including commercial transports and those in the Government's scientific research programs. Schiller components—some of them honed to a tolerance as fine as one-millionth of an inch—are aboard 75 percent of all our space vehicles.

Schiller components are responsible in great part for the navigational precision of all of America's space flights. Its laser optical systems have resulted in space photography whose precision and detail provide invaluable information to scientists above earth resources. And now the newest application of Schiller's laser scanning technology is in electronic data processing.

I also commend the Small Business Administration and other Government and private participants for their imagination in launching this program of recognition for small businesses. It has resulted in subcontracts to small firms throughout the country increasing from $3.6 billion in 1964 to more than $6.5 billion in 1968.

I want to point out, too, that Schiller won out in very tough competition. Thousands of firms throughout the Nation, which employ fewer than 500 people, were eligible to be considered. The Schiller Corp.'s Speedring subsidiary was one of eight area winners—and then took top honors nationally among 150 nominees. The Schiller subsidiary earned a "superior" rating on all counts. The company was cited for product perfection, accuracy of cost estimates and delivery schedules, its valuable engineering studies, technological ingenuity, and management competence.

I include the press release from the Small Business Administration announcing the award and feature articles about the Schiller Corp. from the Detroit News and Detroit Free press in the Record, as follows:

[From a Small Business Administration press release]

Speedring Corporation, a Warren, Michigan firm, won the nation's top subcontracting award today, when it was chosen as the Small Business Subcontractor of the Year by the government-industry judges.

The competition, initiated by the Small Business Administration, involved approximately 150 small subcontractor-suppliers nominated for the award by major government prime contractors. Speedring won the top subcontracting honors for the firm's outstanding performance in small business subcontracting.

The firm manufactures aircraft components principally geared to ultra-precision, electro-optical work and assemblies. This includes inertial and celestial guidance subsystems and computer assemblies used in aircraft, space and missile systems applications.

The Warren, Michigan, firm employs 375 workers and has been in business 22 years. Approximately 60 percent of Speedring's work is in government procurement.

In announcing the winner Hilary Sandoval, Jr. SBA Administrator said that the little concern is extremely capable and has a superior production record with the nation's major prime contractors.

"Speedring's proposals are exceptionally accurate. Their anticipated costs are well within their projections," Sandoval said.

An honorary plaque will be presented at the Small Business Administration's Second Annual Subcontracting Conference and Workshop to be held in Washington, today.

While Speedring Corporation won the national award, seven runners-up were honored as "area" winners.

Judges for the national small business subcontractor award represented McDonnell Douglas Corporation, Hughes Aircraft Company, Ling-Temco-Vought, Inc., Martin Marietta Corporation, National Aeronautics and Space Administration, General Services Administration and the Department of Defense.

[From the Detroit (Mich.) Free Press, Aug. 12, 1968]

MOONLIGHTER TO A MILLIONAIRE ON $35

(By David C. Smith)

The trip from hard-pressed moonlighter to hard-working millionaire is a long one, but James (Bob) Schiller has shown it still can be made.

Schiller and five of his co-workers at Holley Carburetor Co. in Detroit decided 21 years ago that their regular jobs didn't provide enough income to make ends meet.

So each put up $35 a week to start a new company which could be operated at night and on weekends. The only customer at the outset was Holley Carburetor.

Schiller later emerged as sole owner of the fledgling company, which today is Speedring Corp. of Warren, a producer of sophisticated

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precision parts for the aircraft and aerospace industries.

In the process, Schiller has become a millionaire many times over. His stock interest in Speedring alone is worth more than $11 million at present prices.

Last December 240,000 Speedring shares were offered to the public and the stock is now listed on over-the-counter nationally.

Schiller continues to hold some 560,000 shares, roughly 70 percent control. Eventually he expects to broaden the base of ownership in the company.

Like most founders, however, Schiller says he'd "like to keep 51 percent" control.

Speedring stockholders approved an increase in authorized shares from 1 to 2 million at the annual meeting in July.

Speedring today has 4,200 stockholders in all 48 continental U.S. states who received their first quarterly dividend—six cents a share—in March. Another six cents was paid in June. Schiller says this rate will not change during the foreseeable future.

From its meager start, Speedring's sales have risen to $7.2 million for the fiscal year ended March 31, up from $6.4 million the prior year and $4.6 million as recently as fiscal 1963. Earnings for last fiscal year reached about $505,000, up sharply from $316,000 a year ago and only $98,000 in 1963.

Although Speedring hasn't reported audited figures for the first fiscal quarter ended June 30, Schiller has estimated profits of $180,000, or 21 cents, on $1.8 million in sales for the period. This is up from $172,000, or 31 cents (on a weighted average there were a greater number of shares outstanding) on $1.7 million sales a year earlier.

Schiller has predicted "substantial improvements" for the full fiscal year ending next March 31.

Schiller, 48, dropped out of Northwestern High School in Detroit during his sophomore years after his father, a machinist, died.

He first served as an apprentice machinist at Congress Tool & Die Co. in 1937, rising to foreman and then plant manager. During World War II he served as a combat infantryman in Europe, returning to Detroit to manage several tool-and-die shops.

In 1946 he joined Holley—at a cut in pay to get into research work involving precision machined parts.

"I couldn't afford to work there without adding to my income, so I asked the manager whether he could give us (this five partners and himself) some work we could do at night," Schiller recalls.

Management agreed to give the group a subcontract for manufacturing governor systems for military aircraft.

"After this start we were able to get other customers in the same field," he says.

But not without a few trials and tribulations. When it came time to send Holley its first billing, the group realized it hadn't even adopted a company name.

"We sat around at lunch one day trying to come up with some names, but we couldn't agree on anything. Then one of the guys suggested we use the name of his squadron in the war—Speed-Ring. We liked it so we took out the hyphen and we've been called that ever since."

In those early days the six partners worked at their regular jobs from 7:30 a.m. to 5 p.m. six days a week, then went to their small machine shop behind a service station on Ford Road near Telegraph to put in another seven hours or so. They also spent all day Sunday at their "moonlighting" job.

Of the original six partners, two sold out within the first three months. Two more dropped out after two years. In 1955 the company became a corporation with just two of the original six partners still involved. Schiller assumed full ownership in 1958.

Only one of the partners—Arthur Brown has remained with Speedring since its inception. Two others, however, have since rejoined the firm. They are George Hill, now vice president for engineering, and Robert Dopke.

A hard worker who boasts he can handle most of the complex jobs in Speedring's 55,000-square-foot main plant and offices. Schiller's ordinary work day begins at 7:30 a.m. and is completed nearly 12 hours later.

Except for an occasional round of golf and a few weeks each winter in Florida, Schiller continues to devote most of his time to Speedring. He is married, has two daughters and three grandchildren.

His "second family" is comprised of the 260 workers at Speedring who turn out complex parts precise to the millionths of an inch for use in government hardware and the commercial aircraft industry.

Close-tolerance Speedring components are used in the Polaris submarine and the Minuteman and Poseidon missile systems. Optical devices are produced for the Apollo, Gemini and Surveyor space programs. Speedring components go into the super-secret navigational system for the Air Force's F–111 fighter-bomber. The company also makes parts for the mammoth C–5A military transport.

On the commercial side, Speedring is making brake parts for Boeing's 747 airbus and parts for computers.

Schiller, fully aware of Speedring's dependence on the whims of federal budget planners, has pushed to win new civilian business. The company's backlog a year ago was topheavy with government work (95 percent) and scanty with commercial (5 percent). Today this has been narrowed to 65–35.

"Fifty-fifty would be a nice balance," he says, adding that two acquisitions are in the mill.

Speedring booked $2,003,381 in new business last month, boosting its current backlog to $5,790,001, more than double the year-earlier figure of $2,684,192.

Speedring claims to be the nation's largest independent user of beryllium, a pure metal that weighs one-fourth that of steel. On the C5A alone Schiller estimates weight savings of 1,600 pounds per set of brakes.

By employing its own know-how in a variety of technical fields (chemistry, metallurgy, machining, hydraulics, electronics, coating) and by using a number of "exotic" materials, Speedring has capitalized on its ability to create unique products.

"We're like the Yankees," says Schiller. "Everybody is taking potshots at us." Unlike the now lowly Yankees, however, Speedring has weathered the "potshots" to retain leadership in its specialized field.

Maybe Schiller should have compared his company with the Tigers.

[From the Detroit (Mich.) News, Sept. 13, 1968]

Speedring Helps Spacecraft Soar

(By Edwin G. Pipp)

When American astronauts make the first flight of the Apollo spacecraft next month they will navigate with a star telescope containing parts built in Warren.

Astronauts who make the first landing on the moon will be relying on parts built by the same plant for navigation and for the blastoff from the lunar surface. . . .

In fact, some 75 percent of all the nation's aerospace projects have some parts produced by Speedring Corp., with headquarters at 7111 East 11 Mile, Warren.

Speedring is the largest independent suppliers of precision components, assemblies and subsystems for the aero-space and commercial aviation industries in the United States.

Its products are built to tolerancy that only a few years ago were impossible.

"Mass production of items that have tolerances of two or three millionths of an inch goes on at the rate of two or three a month.

Some sub-assemblies for spacecraft are so precise that contaminants as small as a grain of face powder would wreck them.

Workmen worry about the heat of their bodies, sweat of their hands and even their breath which can change the dimensions of metal they are working.

Speedring was started 21 years ago by a group of "moonlighting" machinists employed by Holley Carburetor Co.

They rented the back of a garage and began doing work on a contract basis for their own employer. Holley agreed to the arrangement, because it would have had to pay overtime if the work had been done in the Holley plant.

Soon the moonlighters had more work than they could handle on this basis, and went into full-time business for themselves.

When they sent out their first bill for services, the machinists realized their partnership didn't have a name. They called it Speedring because that was the name of a Navy fighter plane squadron in which one of the group served in World War II.

For the first 10 years the company did an unspectacular business, making precision aircraft parts out of conventional metals such as stainless steel.

The business began to change dramatically in 1957 with the development of "exotic" space-age materials such as beryllium. These materials combine extreme lightness with qualities which make it possible to shape them to precise sizes.

Today about 60 to 70 percent of Speedring's production uses beryllium.

One of the machinists who * * * James R. (Bob) Schiller, now 49. He was born in Smiths Falls, Ontario, came to Detroit as a boy, and ended his formal education with graduation from Northern High School.

Five years ago Schiller bought out his partners and became sole owner of Speedring.

He said the firm now has a "leg up" on other precision aerospace firms because of the wide variety of work it can do, not only with beryllium but with other metals, ceramics and oxides.

"Other companies can reach the same precision we can for parts of an item, but then have to go outside to get it completed," he said. "We can complete the job in our plant with the plasma coatings, or whatever else is required."

On a recent tour of the plant, which includes three "clean rooms" and a white tile floor in the main work area, he remarked often that "the cost of precision comes high."

He picked up one piece of beryllium about eight inches long and four inches in diameter, with a number of fine holes and a variety of angles.

"This is for an Air Force satellite. Its cost is about $15,000."

For its precision work Speedring is permitted a 14½ percent profit, before taxes, by the government. This compares to 8 to 10 percent for other aerospace firms, he said.

Average pay for most of the 325 employes at the main plant is $14,000 to $19,000 a year.

Speedring operates a wholly owned subsidiary plant, Cullman Avionics Inc., at Cullman, Ala., near the Marshall Space Flight Center at Huntsville, Ala., and several other small units at various Michigan locations. One location is secret, because the work involves atomic energy.

The firm recently established an Ultrasonics Division in Eaton, Ohio.

Frank Holmes, vice-president for marketing, said the firm now is getting into electronics and optics and expects to enter the oceanography field as the aerospace industry moves into this new field.

Last December the company made a public sale of some of its stock, and these shares are now traded in the over-the-counter market. Schiller still owns 70 percent of the stock.

In the fiscal year ended last March 31 Speedring had sales of $7,194,922 and net profits of $505,003.

Brian McMahon, vice-president for finance,

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said the company is estimating that sales for the current fiscal year, ending next March 31, will rise to about $9 million. He said profits are expected to be about $650,000.

Based on the 800,000 shares now outstanding, last year's earnings were 63 cents a share and the projected figure for the current year will be 81 cents a share.

However, in its annual report Speedring based the per-share figure on an adjusted average of outstanding shares last year. Under this method, last year's earnings were 80 cents. Cash dividends of 6 cents a share.

WITHDRAW FROM GRAIN TREATY

HON. PAUL FINDLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 20, 1969

Mr. FINDLEY. Mr. Speaker, the grim outlook for U.S. wheat exports, which in my view is directly related to our obligations under the international grains arrangement, is reported in the following article by Burt Schorr in the Wall Street Journal of March 12. It provides further reason for the United States to take steps to withdraw from the treaty, so it will no longer be handicapped by the international grains arrangement's inflexibility while other wheat exporters grab the markets.

The article follows:

ANALYSTS PESSIMISTIC THAT U.S. EXPORTS OF WHEAT WILL COME OUT OF SLUMP SOON

(By Burt Schorr)

WASHINGTON.—Agriculture Department analysts are increasingly pessimistic about chances that U.S. wheat exports will recover anytime soon from their current slump.

Foreign sales of U.S. wheat and flour in the crop year beginning July 1 at best will only match the depressed 500 million to 550 million bushels expected as the current year's total, department experts believe. Last year, exports totaled 761 million bushels. In 1965–66 a record 867 million bushels of wheat and flour equivalent moved out of the country.

In any case, barring massive crop losses from drought or other accidents of nature, U.S. producers and traders could well find themselves confronted by a near-billion-bushel carry-over of wheat stocks by July 1, 1970. Such a figure portends heavy Government storage expenses, which could prove unpopular with taxpayers lulled by the heavy drawdown of grain stocks during the mid-1960s thanks to heavy food aid and commercial export demand.

The pile-up of unsold U.S. wheat is only one aspect of a world wheat glut. Canada, for example, probably will begin its new crop year on Aug. 1 with a record 800 million bushels or so. Although close to the expected U.S. figure for the comparable period, this carry-over looms enormous when judged in light of Canada's relatively small national economy as compared with that of the U.S.

To grain traders and some Federal lawmakers, Uncle Sam's wheat-export troubles are greatly aggravated by the International Grains Arrangements (IGA) between wheat importing and exporting nations. The agreement, which took effect last July 1, was forged during a period of tight world grain supplies and threatened famine in India as a vehicle for orderly wheat trading as well as for cooperative food aid.

GOOD IDEA OF THE TIME

"It seemed the right thing to have at a time when we thought the world was going to starve to death," says an IGA expert in the department's foreign agricultural service.

Now, however, Agriculture Department officials openly concede that U.S. wheat export prices, aided by Government subsidies, have been consistently below IGA floors in recent months to meet world competition. There's general acknowledgment here, in fact, that only Canada scrupulously observed IGA price minimums, and Ottawa announced in March that henceforth it, too, would price wheat to meet world competition.

From the trade viewpoint, though, the department's export subsidy policy hasn't matched the aggressiveness of foreign wheat competitors. Moreover, the grains arrangement itself contains a built-in handicap for American wheat, grain handlers complain, because IGA prices largely are based on U.S. quotations at Gulf ports. "There's no way we can play footsy with our prices. They're visible to everyone," grumbles a grain company executive here.

The U.S. grain trade suspects that foreign competitors' price cuts may be even deeper than appears on the surface. A Telex message received in the Washington office of a major world grain company the other day seems to confirm trade charges that flouting the IGA pays off in wheat sales.

Sent by the company's man in Lisbon, the message reported on responses to wheat requests recently issued by the Portuguese government buying agency. U.S. soft red winter wheat was offered at $63.33 a metric ton delivered, the communications noted—a figure about $2 or $3 below the IGA minimum. However, West Germany, France and Spain also IGA signatories, offered their wheat to Portugal at still lower prices. The Lisbon agent speculated that the Spanish price of only $54.5 a ton would get most of the contract with the balance going to Rumania, which like other Communist-bloc nations is outside any IGA restrictions.

LOSING TRADITIONAL MARKETS

Because Portugal until recently depended heavily on U.S. wheat purchases, it's cited by IGA critics as further proof that this country is being shouldered out of its traditional markets. Australian sales to Peru and bilateral wheat agreements that Chile has signed with Argentina and Australia are other bits of evidence used in support of this argument.

Indeed, newly released Agriculture Department figures show that foreign shipments, excluding flour, by the five major wheat exporters—the U.S., Canada, Australia, Argentina and France—fell about 14% during the eight months ended Feb. 28, but the U.S. alone was down almost 40% in the same period.

Most of the reasons for this slide seem to have nothing to do with competition or the IGA, though. Pakistan and India, both massive consumers of American grain in past years, appear to have made permanent advances in their own production and have sharply pared their long-term credit purchases under the food-for-peace program. Shorter-term factors in the poorer showing were the temporary halt (since rescinded) that the Japanese ordered in U.S. wheat shipments when they discovered a dampness problem, and the dock strike earlier this year.

But then there's the problem of Brazil—a non-IGA member—whose American wheat imports slid to 21 million bushels in the eight months ended Feb. 28 from 38 million a year earlier. When Brazil sought 100,000 tons of wheat in March, it was deluged with some 75 offers and alternates aggregating 15 times that amount. It wound up taking 100,000 tons of Rumanian wheat plus another 50,000 tons from the U.S. (The U.S. purchase undoubtedly was influenced by Brazil's continued need for Public Law 480 shipments, one knowledgeable trade source here speculates.)

IGA GETS BACKING

For the present, the Nixon Administration is trying to keep the lid on anti-IGA sentiments. For one thing, most grower organizations, including the National Association of Wheat Growers and the National Farmers Union, continue to back the agreement. There is also the fear that dismantling the IGA might open the door to widespread commodity dumping, bilateral trading and other trade ills the U.S. has sought to cure since World War II.

"We must be patient" was the theme of Agriculture Secretary Hardin's reply to a recent suggestion by Rep. Findley (R., Ill.) that the U.S. quit the IGA. Speaking for the State Department, William B. Macomber Jr., assistant secretary for Congressional relations, wrote Mr. Findley that "the department believes that the arrangement has helped to keep (world wheat) prices higher than would otherwise be the case. . . . The (IGA) food aid convention has been helpful in diverting some foreign supplies from Commercial markets, thus making room for U.S. commercial sales."

This optimism could be sorely tested in the coming months if the continuing world oversupply of wheat continues to hold down U.S. exports as anticipated.

YOUTH SEES PURPOSE IN MILITARY SERVICE

HON. JOHN J. RHODES

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 20, 1969

Mr. RHODES. Mr. Speaker, the following article "Youth Sees Purpose in Military Service" which appeared in the Phoenix Gazette of May 7, 1969, should warm the hearts of all of us who are exposed daily to the complaints, the criticisms, the rebellions, and the confrontations of many American youths of Luis Ortega's age. I am proud to claim him and his family as my constituents, and I hope the example they set will serve to strengthen our belief in our American way of life.

The article follows:

[From the Phoenix Gazette, May 7, 1969]

TEMPEAN "SAVING PEOPLE'S LIVES": YOUTH SEES PURPOSE IN MILITARY SERVICE

TEMPE.—A 20-year-old Spanish-American youth takes a vastly different view of his Army service in South Vietnam from that held by many his age in the United States.

"I really don't mind being here and I like my job of saving people's lives," wrote Spec. 4 Luis Ortega to his brother, Eddie, 8.

LUIS, A 1967 graduate of McClintock High School and member of its athletics Hall of Fame, is serving with the 237th Medical Detachment near Da Nang.

In the letter to Eddie, the six-month veteran of the undeclared war in Vietnam, wrote of his job as medic crew chief recovering wounded troops from a battle area to the nearest hospital.

"We do all we can to help them and, Eddie, like they say at hospitals here, 'We treat them, God heals them.'

"I've seen everything from a baby being born to bringing guys in with their arms and legs blown off and still alive.

"It's a wonderful thing to see a baby come into the world but I feel sorry for them because they are so innocent and don't know what is going on around them."

Luis told Eddie that he has seen some of his best friends die "and I guess that's why I'm writing you such a long letter". . . "believe me, Eddie, it really matures you to be over here."

His mother, Mrs. Margarita Ortega of 1417 Newberry, said she prays daily to Santo Nino

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(Baby Jesus) to bring Luis back safely . . . "the same as He did for John Bill Jr."

Spec. 4 John Bill returned in January after serving a year with Company A, 715th Artillery Battalion, and now is stationed at Camp Carson, Colorado. He is a 1966 graduate of Westwood High in Mesa.

Mrs. Ortega said she and her husband, a mechanic, are proud of their military sons and also of the other six boys and three girls.

In simple language and with undisguised patriotism, Mrs. Ortega said she and her husband "are trying to bring up our children to be good citizens and if our country wants our other boys they will serve, too."

ETV—ITS PRESENCE AND POTENTIAL

HON. CLAUDE PEPPER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 20, 1969

Mr. PEPPER. Mr. Speaker, a review of community television broadcasting and the untapped impact potential of ETV in the State of Florida was presented in an eloquent address by the Honorable Floyd T. Christian, commissioner of education for Florida, on May 1 to the Subcommittee on Communications of the Committee on Commerce of the U.S. Senate.

Commissioner Christian spoke out in support of S. 1242 which may be reaching this body in the not too distant future. Mr. Speaker, I commend the statement of the honorable commissioner of education to my colleagues.

The statement follows:

Statement of the Honorable Floyd T. Christian

My name is Floyd T. Christian. I appear before you as a member of the Board of Directors of the National Association of Educational Broadcasters, and as the Commissioner of Education for Florida, as well as a citizen extremely interested in the matters presently under consideration by this subcommittee.

I represent the following eight community television broadcast stations:

1. WTHS–TV, Channel 2, Miami.
2. WEDU–TV, Channel 3, Tampa-St. Petersburg.
3. WJCT–TV, Channel 7, Jacksonville.
4. WSRE–TV, Channel 23, Pensacola.
5. WFSU–TV, Channel 11, Tallahassee.
6. WMFE–TV, Channel 24, Orlando.
7. WUSF–TV, Channel 16, Tampa.
8. WUFT-TV, Channel 5, Gainesville.

These eight stations receive their financial support from State and local sources. In addition, channels 2, 3, 7, 23, and 24 receive gifts and donations from their community. The majority of our ETV stations have been in operation for ten years or more. The expenditure to upgrade our present stations to full power and to provide playback and minimum production of color would cost $2,536,000. To provide a network which would interconnect all our ETV stations, and additional cost for construction would be $3,498,000. Florida has two FM radio stations, WUFT, Gainesville, and WFSU, Tallahassee.

The lack of adequate resources of financial support for educational broadcasting has been an ever-present deterrent to the realization of the potentials for education inherent in this meeting.

During the past fourteen years there has been evidence of dramatic impact by the educational broadcasting system as it now exists, and great strides in forming the kind of system that can readily distribute effective instructional and educational materials to all levels of our society. In a recent review of accumulated research concerning the use of instructional television for instruction, Godwin C. Chu and Wilbur Schramm conclude, "There can no longer be any real doubt that children and adults learn a great amount from instructional television. The effectiveness of television has now been demonstrated in well over 100 experiments and several hundred separate comparisons performed in many parts of the world, in developing as well as industrialized countries, at every level from preschool through adult education, and with a great variety of subject matter and method." (Chu and Schramm, *Learning From Television: What the Research Says*, page 1.)

In 1967–68 the Florida Television Committee under the State Department of Education sponsored two outstanding experimental programs. I think the two programs are worthy of mentioning because of the impact they had on educational television in our state. To make possible the political broadcasts, it was necessary to change the Florida statutes, and this was accomplished by the 1967 Legislature. In October 1968 the Television Committee programmed the first statewide hook-up on political candidates. We sponsored four one-hour programs for the two candidates running state-wide for the United States Senate. The candidates were provided free time on an educational network with a panel of distinguished newspaper reporters questioning them on the vital issues of the day. From the reports, telegrams, and telephone messages received we feel we had the largest listening audience ever obtained on educational television. Both commercial television and newspapers gave a large volume of space to these programs. In early November of 1968, the six candidates running for State Supreme Court were granted two one-hour programs that were also enthusiastically received.

A program that did not receive as much newspaper and television support as the political broacast, but in my judgment, served a greater purpose for the community, was the Racial Tension Programming. The purpose of it was to "keep it cool." These were planned programs by the large cities over educational television stations. The community television stations in Miami, Tampa, Palm Beach, Gainesville, Pensacola and Tallahassee were given grants through the State Department of Education and the Television Committee. These were one-hour programs each week from members of the minority community and the disadvantaged group working with the power structure to prevent rioting and destruction of properties. The fact that these groups had an opportunity to have their grievances heard in a panel discussion prevented what could have been a "hot summer."

The United States Office of Education disclosed in a report of a survey conducted by its National Center for Educational Statistics in cooperation with state education agencies that there were a million more pupils enrolled in our elementary and secondary schools in 1968 than there were in 1967. (*New York Times*, Tuesday, April 15, 1969).

The population explosion and our commitment to mass education create a need for education to turn to techniques which facilitate the equalization of adequate learning opportunities for all citizens. This clearly indicates that technology must play a continuing role in the future. It is through the extension and improvement of our educational television and radio stations that we may create a basic backbone system that can distribute instructional materials to our citizenry.

The recently completed National Project for the Improvement of Televised Instruction, 1965–1968, conducted by the NAEB envisions and recommends in its final report, "Educational 'stations' could logically be developed into cooperatively supported, community communication resources that can house the staff and technologies for the proper structuring of many kinds of educational communications. They can serve as central "switchboards" to move experiences to appropriate places at appropriate times."

Pupils are being reached by television through closed circuit television, cable television, 2500 Megacycle transmission, and open circuit broadcasting. A comprehensive tabulation of the total number of student hours is not available. We do know, however, that the Lawrence McKune *Compendium of Television Education* (September 1, 1967, Volume 14) reported that 122 television stations had enrollments in excess of 6 million pupils; but perhaps even more significant is the inclusion in the report that some "99,107 teachers of Mathematics, Reading, Art, ETV Utilization, and Language Arts, in that relative order," receive training via television. (Foreword.)

For this system to mature in an effective manner, there is a need for continued stimulation with federal dollars. In many of the existing facilities, equipment, now obsolete after ten to twelve years of use, prohibits maximum effectiveness in instructional programs. Many stations are not able to transmit and produce programs in color; many stations are not currently broadcasting at maximum power; and yet, it is with these facilities that we might best approach some of the more serious problems confronting education today.

We need to apply television effectively to help the preschool child, to reach him in his home and bring him to a state of cultural readiness for the early school years. One notable demonstration of the application of television to this problem is found in the Children's Television Workshop, which will circulate via ETV stations extensive pre-school programming. Beginning this fall, this workshop is designed to stimulate the intellectual and social growth of approximately 12 million preschool children and prepare them for the beginning of their formal education.

We need to increase teacher productivity by extending our teacher training programs through television that can indeed reach our professionals effectively and efficiently.

We must assure that the instructional television materials reach the remote communities and segments of our population to whom quality instruction may not be readily accessible.

We must continue to emphasize the role of television in reaching the social problems in our urban areas.

The time is probably not far distant when academic buildings of every kind will be equipped with some sort of internal distribution of television and radio signals. Many are now. It seems essential that the experience with and knowledge about the development of materials for these systems be made available rapidly and effectively through a system of inter-connected broadcasting facilities.

There are noteworthy strides in many of our states to harness television's ability to provide instantaneous replicability and enhance the effective dissemination of instructional programs.

In the years to come, it is not unlikely that a greatly increased use of instructional technology will be applied to every level of education; and techniques developed may be applied to specific educational problems beyond the normal school day and outside the school institution as well as within. This development may help make possible higher

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levels of instructional productivity and efficiency needed for a truly universal system of mass education.

I close these remarks with a final urging that this Committee treat favorably this bill for funds to serve as a continued stimulation toward bringing effective technology to bear on the critical problems found in education today, and which will surely continue to face us in the future.

RUSSIAN AIRLINE OFFICIAL PREDICTS SST SERVICE TO NEW YORK IN 1970

HON. THOMAS M. PELLY

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 20, 1969

Mr. PELLY. Mr. Speaker, many times I have taken to the floor to discuss a matter of grave concern, particularly to the future of aviation in the United States. That is the lead the Soviet Union is building in the aviation field with their supersonic transport. And, we must not forget that the British and French have now flown two prototypes of their SST.

I have, over and over again, pointed out that Russia is swiftly becoming a fierce competitor in the airlanes of the world, and most recently the International Association of Machinists and Aerospace Workers newspaper, the Machinist, has pointed out that on the Moscow-New York run, Aeroflot, the Russian airline competing with Pan American World Airways, will have carried more than twice the number of passengers than Pan Am by the end of July 1969.

Mr. Speaker, this is dramatic proof that the United States must not fall behind in the prototype development of the SST, which already is sliding behind schedule. I urge the President to quickly recommend a solution to the financing problem facing the American SST, and to proceed swiftly with the development of this vital program to American aviation, to the American labor force, and to our delicate balance of payments.

For the information of my colleagues I insert this newspaper article from the May 22, 1969, issue of the Machinist at this point of the Record:

RUSSIAN AIRLINE OFFICIAL PREDICTS SST SERVICE TO NEW YORK IN 1970

A Russian airline official has given the first hint of a production schedule for the Soviet Union's supersonic transport, the TU-144.

The latest issue of *Aviation Week* magazine reports on a recent speech in Dublin, Ireland, by Gen. Leonid V. Zholudev, deputy chief of Russia's government-owned airline, Aeroflot. Zholudev predicted that the TU-144 would be flying commercially within a year.

Commenting on Aeroflot's success during the first nine months of Moscow-New York service, Zholudev commented that the Russian SST could be flying that route by the end of 1970. That timetable would put the TU-144 in service about two years ahead of the British-French Concorde and at least eight years ahead of the U.S. Boeing 2707-300.

As Aeroflot and Pan American World Airways round out their first year of air service between the U.S. and Russia, Aeroflot holds a big lead in passengers. Estimates are that during the first year, ending in July, Aeroflot will have carried 10,000 passengers to Pan Am's 4,000.

Aviation sources in U.S. and Russia agree that exclusive supersonic service on Aeroflot will undoubtedly increase tourism to Russia and give Aeroflot an even bigger lead in the passenger traffic.

VTOL deal—In addition to its SST, the British aerospace industry is building its reputation in vertical take-off and landing aircraft (VTOL).

The Department of Defense budget for fiscal year 1970 includes a request of fifty-six million, six hundred thousand dollars for the Marine Corps to buy 12 British-built Hawker Siddeley Harrier jet fighters. The Harrier now flying with the Royal Air Force, rises straight up like a helicopter and can fly at supersonic speeds.

In exchange for the Harriers, the Marines are willing to give up fifty-six and one-half million dollars worth of McDonnell Douglas F-4J Phantom fighters.

Tipping the balance of trade scales by slightly more than one hundred million dollars with the Harrier may only be a sample of what's to come if the U.S. falls behind in other areas of aerospace technology. SST opponents, take note.

GRAPES, GRAPES, WHO IS BUYING GRAPES?

HON. PHILLIP BURTON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 20, 1969

Mr. BURTON of California. Mr. Speaker, the struggle to achieve social justice for those who work in the fields and farms of our Nation continues.

As one who is and has been vitally concerned for a number of years with this pressing question, I was most concerned when I heard a report on WTOP-TV Newsday on April 24, entitled "Grapes, Grapes—Who's Buying Grapes?"

I should like to place in the Record at this point the text of that interview for the benefit of my colleagues who may have missed this program:

GRAPES, GRAPES—WHO'S BUYING GRAPES?

David French. The national boycott against California grapes has been going on longer than any other action of its kind, but the government isn't co-operating according to syndicated columnist Tom Braden.

Tom Braden. Did you think of the Department of Defense as a boycott breaker? Well, let's have a look at the record.

Out in California, Cesar Chavez has been trying to get the grape growers to bargain with his union. In most industries, collective bargaining is a matter of law, but not in agriculture. So Chavez has organized a nation-wide boycott to try to get the growers to come to the table. Privately the growers admit that the boycott is working. Grape sales in grocery stores across the country have been cut by as much as 20 per cent. But the grape growers have found a much easier way to sell grapes.

Where? Why, of course, to the Department of Defense. This year the Defense Department will ship eight times as many table grapes to Viet Nam as in any previous year. The figure is already 2 million and will reach 4 million pounds by the end of the year. That's eight pounds of table grapes for every American in Viet Nam. And the army at home is also doing its share. All in all, the Defense Department will buy 16 million pounds of California table grapes, up from 7 million pounds from last year.

So congressional critics will be pleased to know that, though our weapons systems may not be delivered on time, and there are complaints about helicopters and rifles, the vaunted U.S. delivery capability works in one respect. We can sure get the grapes there. And those Americans who have been supporting the grape boycott with their food budgets, are breaking it with their taxes.

SAFEGUARD ABM SYSTEM AND THE CAUSE OF PEACE

HON. GLENARD P. LIPSCOMB

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 20, 1969

Mr. LIPSCOMB. Mr. Speaker, in a May 17 speech before the North Dakota Motor Carriers Association in Fargo, N. Dak., our colleague, Congressman Mark Andrews, forcefully spoke on the "Safeguard ABM System and the Cause of Peace." Representing a North Dakota congressional district where one of the proposed ABM sites would be located, Congressman Andrews has taken the initiative in stating the need for the defensive missile system.

Drawing from his experience on the House Committee on Appropriations, Mr. Andrews has carefully and thoroughly outlined his reasons for supporting the Safeguard ABM System. I commend Congressman Andrews for his timely and informed contribution to the current ABM debate.

Under leave to extend my remarks, I submit the text of Congressman Andrews speech for inclusion in the Record:

SAFEGUARD ABM SYSTEM AND THE CAUSE OF PEACE

We have now entered an age of missilery, yet the basic fundamentals involved in our nation's protection are little different now from what they have always been. Some 194 years ago, a silversmith in New England named Paul Revere, mounted his horse one April night and rode, as history tells us, through "every Middlesex, village and farm", to warn his neighbors of military invasion. Our American ancestors were few in number in 1775 and not blessed with an abundance of worldly goods.

The colonists were obviously no match for the power of England with its enormous professional army and the world's largest fleet. You may well ask, "What was Paul Revere actually doing? What was the practical purpose of his famous ride?" He was buying time for himself and his neighbors to prepare. They had no way of knowing when the British Crown would turn loose on them a full scale military assault. They could not know whether they were inviting a new 30 year's war or a hundred year's war.

How could they be expected to fathom the intentions of an autocratic King. But knowing history, they were aware that the British Crown had always put down rebellion in its Dominions, and all the leaders were sent to London Dock to be hanged for treason. It was this knowledge which prompted the famous comment by Benjamin Franklin, after signing the Declaration of Independence, "We must all hang together, or assuredly we shall all hang separately."

So a few days or a few hours of advanced warning could make a difference between life and death for them, or between organized resistance and the need to disperse into the wilderness beyond the King's authority.

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Reflecting on American defense problems and the cost today, one is struck with the close parallel between the situation facing the colonists of 1775 and our own uncertain outlook. We are a nation without imperial pretensions. We have no desire to occupy any other nation or to bend its people to our will. We have set up a vast establishment called the Department of Defense, and we insist that its mission be confined directly to the defense of this Republic. Even so, we find that billions each year must be applied to defense activities. Why is this so?

It is so mainly because we cannot know the true intentions of our enemies, and we must try to prepare for every eventuality. We must buy time for survival and response if such a situation is ever forced upon us. And, even more important, we must make sure that our technical knowledge is advancing at a constant rate so that we have available to our nation the latest in sophisticated know-how in this age of satellites, moonshots and many other advances that were only dreamed of a decade or two ago.

We cannot hope to match the manpower of the 1,300,000,000 persons behind the iron and bamboo curtains of censorship and secrecy. We have no means of certifying the true intentions of their leadership. We can only be guided by assessment of their past actions. The history written in the U.S.S.R. since 1917 offers small reason to place confidence in their good intentions. For over 50 years they have preached that an agreement with the capitalist is nothing but a chance to take advantage of a sworn enemy. During the same 50 years they have done everything in their power to weaken self-government anywhere in the world and to promote the creation of police states.

Their essential attitudes have not changed, but we must face each new day with the realization that they are in the world with us. They do have very advanced weaponry. Their commitments are unreliable. Their objectives are uncertain. Their good faith is obscured by regular planned actions which seem to support continuation of an international strategy of terror. And, worst of all, their interpretation of just what advantage may be gained from any given situation is unknown on this side of the ocean until after they have acted.

While we all hope for a mutual cutback in armaments, the cutback must be mutual, and verification by the U.S. must be assured, so that we can know for certain what is going on in the closed society of the Communist World. Unfortunately, the Communists have never been willing to agree to the kind of verification considered necessary for our safety.

So much for the past and the present. What, then, of the future. If the foregoing statements do not still hold—if the mission of our Defense Department therefore, is to be changed—then the people must so signify. If our people are willing to risk a little more on Soviet good intentions, if our people feel that we don't need to stay abreast of technological improvements, then we can spend much less on national defense. But a decision of that kind, with today's weapons and tomorrow's advancements, can involve the very life or death of the entire nation. It cannot and should not be made by the President or Secretary of Defense or the Congress alone. The defense of our nation is a decision that involves all of us and should only be made by all Americans. First, of course, we must have all the facts. Public Officials can only weigh the risks, make available information and offer suggestions for protection from those risks. If the time arrives when the people conclude that the cost of that protection is too high, then the decision to recede and accept the greater risks must be the people's to make, as the risks are theirs to shoulder.

And, let's look frankly at the American mood of today. First, we're approaching the end, we hope, of a war—a war that has probably been the most unpopular our nation has ever been engaged in. Every time our nation has concluded a war there has been an overwhelming public opinion toward disarmament and against the military. It happened after the Civil War, after the Spanish-American War, After World War I, World War II and after Korea. Add to this feeling the fact that during the last few years the Defense Department has been less than prudent in many of its major contracts. The TFX scandal, for example, or the Sheridan tank case. Also, the draft, designed for the full mobilization of World Wars I and II, has been a bone of contention among our young men.

Thus, the situation is ripe for political opportunists who jump at the chance to exploit concern and seek headlines, rather than give the facts—self-seekers who fan the flames of discontent and attempt to cater to the mood and the emotions of the present, rather than the need, opportunities and obligations of the future.

It is easy to strike a responsive cord by saying, "Think of all the good things you can have by refusing to spend money for defense."—easy, that is, if you forget to add into your figures the cost of the risk of losing our freedom.

We even have a prominent politician in our own state who points out that the Minuteman Missile System was constructed to be impervious to nuclear attack. He asks, "What has changed that now makes it vulnerable?" This kind of statement certainly gains him the headlines he desires, but it completely avoids the obvious facts. He conveniently forgets that Soviet technology hasn't stood still in the last decade. Among other things, the Soviets have developed the SS–9 intercontinental ballistic missile, with a 20-plus megaton warhead, which is far more powerful than anything we have. With its payload equivalence of more than 20 million tons of TNT, if an SS–9 dropped anywhere near one of our Minuteman sites, the site would be totally ineffective. If we were to follow his logic, we would all still be driving around in Model T Fords and farming with horses, since there would be no such thing as obsolescence. The French would still be safe behind their Maginot Line which was built in the early 30's as totally impregnable. But, of course, technology caught up and passed them, and France was overrun.

The greatest need for President Nixon's ABM Program is not solely to deploy two sites or twelve sites or to protect us from a small Russian attack or a foreseeable Chinese attack, or a stray missile that may come in by mistake. The greatest need is to give continuity to the development of technology on our side of the iron curtain—technology that can give us the lead time we might so badly need in some difficult time in the future.

Roosevelt was told by many scientists that the atomic bomb would never work. President Truman had most of the scientific community in his time opposed to his go-ahead on the hydrogen bomb. President Eisenhower had the professors saying that we couldn't take accurate photos from satellites miles up in space to allow us to know what the enemy was doing. But, these Presidents all had the courage of their convictions. They all recognized that the military safety and thus the future of America depended on one thing—staying ahead in technical knowledge. Where would we have been during the time of the Cuban Missile Crisis if President Kennedy hadn't had at his disposal the lead in technology given this nation by the action and wisdom of Presidents Roosevelt, Truman and Eisenhower.

I have no way of knowing who the President of the United States might be a decade or so from now sitting at a world conference table with the leaders of the other nations that share this globe with us. But, whoever he might be, and whatever the time in history, it is vital to our best interests that he represent an America that is a first-rate power militarily.

When I was first elected to represent you some six years ago, the national budget totalled $111 billion. This year Congress is asked to consider a budget in which the funds requested total $192.9 billion. During the six years total spending by the government has risen almost 74 percent. Our Defense budget request this year, of course, is still the largest one in our budget. Yet, in the time that I have been privileged to serve in Congress, defense spending has actually dropped from 45% to 41% of the budget, even though we've been involved in Viet Nam. These actual budget figures certainly belie the argument that our nation's fiscal problems are solely due to "runaway defense budgeting."

Now, what of the Safeguard System, originally called the Sentinel, the very development of which has spurred so much dissension. The idea of an ABM System is not new. It has been the subject of research for over 15 years—15 years during which daramatic advancements have been scored in our knowledge and abilities in space. A decade ago there was little hope held for its eventual success, but within the past two years we have seen giant strides made that now indicate the state of the art has progressed sufficiently to justify on-site deployment testing of such a system.

So much has been said and written about the Safeguard System that mass confusion seems to have resulted. I believe, therefore, it would be helpful to summarize for you at this point first, what the Safeguard is designed to do as part of our Nation's defenses; secondly, the positions taken by those who oppose it; and, thirdly, the responses of those who support it.

First of all, about the Safeguard System itself. As now proposed it would include two sites being set up for in-place, functional testing. If, at the end of this testing, it was found that the system performed well the two sites would be expanded to twelve which would then give us coverage of our country.

As now proposed, it is designed to do three things, and President Nixon pointed out these three in his message to the nation outlining the deployment of this system and the significant changes made from the Johnson sentinel concept. Mr. Nixon indicated it should: first, protect our present landbased ballistic missile forces, which because of new developments in the Soviet Union, were no longer as secure as we once had reason to believe; secondly, the Safeguard System would be capable of intercepting a minor attack from new and emerging nuclear powers such as China; thirdly, and perhaps most important, the Safeguard System would give us the opportunity of intercepting and shooting down a mistaken attack by a handful of missiles launched in error from Soviet Russia or anywhere else.

With over 2,000 missiles on both sides of the world ready to go, the possibility of a circuit closing by mistake is always with us. At the present time our only reaction against a mistaken attack would be massive retaliation with our own missiles.

Yet, we've heard one of our state's prominent politicians state, ". . . Why do we now seek to protect, with an ABM system, silos whose retaliation Minuteman missiles should be long gone in event of attack?" (unquote) I think most of us feel that if our nation is to remain dependent on the sole alternative of massive retaliation and instant incineration for the world in case of a small attack, then we indeed have entered an age of nuclear madness.

A defensive missile system is a long overdue complement to our offensive missile system. The Safeguard system contemplates the

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deployment of two units, one in North Dakota and one in Montana, to be constructed as research and development projects. The total cost is not tens of billions of dollars, as some would have you believe, but $2.1 billion with an initial expenditure of $900 million during the next fiscal year. These are, indeed, fantastic sums, but this expenditure next year represents slightly over one percent of our Defense budget. If for this we can gain a workable missile defense system and an alternative to massive retaliation, we will have made, I feel, a wise investment.

Now, just what is the Safeguard System. It is an interception and destruct system, utilizing both long-range and short-range radar identification of incoming enemy missiles, and long-range and short-range interception capabilities. The long-range anti-missile, the Spartan, can intercept at a distance of several hundred miles. The short-range missile, the Sprint, can intercept up to 25 miles traveling at unusually high speeds to meet any enemy missiles that may have avoided contact with the Spartan. The long-range anti-missile, the Spartan, has been tested on many occasions, as has the Sprint. The new radar with a 360 degree detection ability has been used in our moonshot. The computers are within the state of the art and have now progressed sufficiently to justify on-site testing. Thus, while all the component parts are in existence at present, the "entity" needs to be tested and certified for real reliability.

The main substance of the arguments of the opponents of the ABM System can be grouped in four distinct categories.

First, that this is being done to keep the pipeline of the defense industries full and is stimulated solely by the military-industrial establishment.

Second, that the installation would be obsolete before it is built.

Third, that it would cost far too much money—money much better spent for the domestic needs of our nation.

Fourth, that this would escalate the arms race and make even more difficult the anticipated strategic arms control talks with the Soviet Union.

All of these arguments have been repeatedly met and answered by the President and other proponents of the Safeguard deployment. No solution has been given by the opponents to the three needs that the President stressed in justifying the ABM deployment:

One, the protection of a portion of our retaliatory force against a first strike.

Two, a protection of our nation against a small attack from a lesser nuclear power such as China.

Three, a way to deal with a missile fired in error by malfunction from one of the major powers.

The philosophy behind the Safeguard decision is, of course, the conviction that first strike capability is a threat of nuclear war, while second strike capability is a deterrent to war. Our defense officials are convinced that the Soviet Union is attempting to maintain second strike or deterrent force against our ICBM weapons. If the ABM is effective and deployed, we will have an assured second strike deterrent—far better than depending solely on massive numbers of offensive missiles as at present. There is no serious doubt that the best way to deter a nuclear attack is to maintain the unmistakable ability to inflict unacceptable damage on any agggressor even after absorbing a first strike on our forces.

It is interesting to observe at this point that after the announcement of the Safeguard System there were no questions raised by the Soviets regarding our desire to maintain an ability to inflict second strike damage. Initial reaction by the Soviet Press indicated very little concern about the matter because they feel it's proper for us to protect our defensive capabilities.

In fact, in a press conference in London on February 9, 1967, shortly after President Johnson announced the study of an ABM System, Premier Kosygin was asked: "Do you believe it is possible to agree on the moratorium on the deployment of an anti-missile defense system?" He replied in part:

"I believe that defensive systems, which prevent attack, are not the cause of the arms race, but constitute a factor preventing the death of people. Some argue like this: What is cheaper, to have offensive weapons which can destroy towns and whole states or to have defensive weapons which can prevent this destruction? At present the theory is current somewhere that the system which is cheaper should be developed. Such so-called theoreticians argue as to the cost of killing a man—$500,000 or $100,000. Maybe an anti-missile system is more expensive than an offensive system, but it is designed not to kill people but to preserve human lives."

Kosygin's argument could well be used in our nation also. Moreover, it was after former President Johnson's announcement to proceed with the more provocative city-oriented Sentinel ABM System that the Soviet Union agreed to engage in strategic arms limitation negotiations. It is also significant that the Soviets are now on their second generation of deploying an ABM System, and that the British Government, as well as most of our NATO allies, have publicly supported the concept of the ABM. So much for the ABM System as military hardware and its effect on world opinion.

But, as I mentioned earlier, our people are suspicious of the expenditures made for defense. Who could help but be when one reads these stories in the newspaper about the TFX scandal. The plane contract was awarded, not to the low bidder, but to a company in Texas, which turned out a plane that not only cost three times as much as the original estimate, but has not been able to be used effectively yet by the Air Force. Also, the $1.3 billion Sheridan tank fiasco, which has produced a tank that at present is almost as hazardous for its crew as it is for the enemy.

Actions such as these cannot be condoned by any American, regardless of political party, and we can only hope that the Defense Department, under new leadership, will see that this type of contracting is not allowed to continue. But abuses of the procurement system cannot be allowed to be used as the justification for America to cut back much needed defense system deployment.

Certainly, the President, who is hard-pressed today to start new programs he feels desirable for the internal growth of our nation, would like to avoid the funding necessary for weapons of this type and use the money instead for dams, roads, bridges, education, and anti-crime programs and all of the many other things that America needs. He knows, however, because of the information he has at hand, that this system is absolutely necessary and vital for our nation's future.

All the billions spent on national defense during the "cold war" years are nothing but a repetition of Paul Revere's ride—an effort to buy security for ourselves, and time for the world to mature and solve its most dangerous problems without resorting to nuclear warfare. We can even, in some ways, compare Paul Revere's horse to the scientist's laboratory. Both have the ability of giving us that extra time we need so desperately. Time to stay ahead while we attempt to resolve our differences peacefully.

Fortunately, many weapons have been purchased and deployed but never used; and on reaching obsolescense were consigned to the scrap heap—but they kept the peace while they were on duty, and this is why they were developed.

Faced with all of these facts, what, then, will be my position as your Representative.

First, as of this time, I feel it is highly necessary to deploy—as research and development prototypes—these two Safeguard installations.

Second, it is important to know that despite what the confusers would have you believe, this is not an ongoing authorization to proceed. Anything beyond the original two prototype sites will take a new authorization and a new appropriation by Congress. I will not support further funding beyond the $2.1 billion for these prototypes unless there is convincing evidence that the system does in fact work. Reliance on a faulty deterrent is more dangerous than no deterrent at all.

Third, I will not in any event base my position on blind acceptance of the good intentions of the Soviet Union. History forbids it. In the Cuban crisis we held a missile superiority of three to one and the showdown was resolved in our favor. But with all of the talk about our country being satisfied with parity or less in weaponry now, we must realize that the Reds might misinterpret and since they still do not understand free and open debate in an open society, may miscalculate our power. Hitler miscalculated and he confused himself into believing that America did not have the capability to resist and would not, in fact, resist. So, he took a chance and World War II resulted. Our apparent weakness invited that war.

Preservation of peace and avoidance of nuclear conflict has been a continuing effort. Our journey on that path has never been a partisan, political issue. It would be tragic if this tradition no longer holds. Perhaps many leading opponents of the ABM have always favored compromise at any cost. They fear confrontation. They fear the use of power by the American people. Yet, history teaches us that only evident military supremacy on the part of the free world can prevent war.

Fourth, I think it is a mistake to put the sole reliance on our nation's strategic defense in one system. We must face the fact that science is universal and holds no permanent secrets for exclusive use by any nation. Any weapon that can be built, will be built; but it might not be used. Such was the case with gas, and bacteria warfare weapons in World War II. Because both sides had them in quantity, they were not used.

It should be the function of diplomacy to concentrate on securing such international agreements as will encourage friendships among all nations and gradually make weapon building an expensive folly. Meanwhile, we have to remember that a police state will use any weapon if it can do so with impunity, as Hitler did with the V-2 rockets against England.

Fifth, I accept the definition of the Safeguard system as a wholly defensive weapon. A system with a range of a few hundred miles can hardly be an aggressors weapon, yet listen to the outcry from the same voices that always cry out in fear of any change on the chess board of world affairs—in the immediate postwar era when we decided to build a nuclear weapons force; next when we decided to build a hydrogen bomb; then when we decided to deploy an intercontinental rocket force; and again when we decided to construct the Polaris submarine fleet. Each time, the same people sang the same tune—we were aggressors, building weapons to blackmail the world.

Now by some tortured logic, these same people would tell us the system of rockets to cover a few hundred miles is escalation of the war threat because we are reducing the ability of an enemy to use his rockets

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against us. And, if we have an enemy who worries about that point, then he must have aggressive intentions. Presumably they would have us trust the Russians' good intentions as did the people of Czechoslovakia.

Sixth, I am convinced that we must reduce our total defense spending, which now stands at 8.9 percent of our gross national product. I would like to see us work toward a figure averaging 7 percent or less if possible. This should be able to be done without compromising our basic and necessary research programs or our strategic deterrent. Some policy of this kind is required or we will be drawn into a permanent and continuing role as world policeman.

I have confidence in our technology and our ability to remain ahead of an enemy qualitatively for as long into the future as we must, but since 1954 we have virtually alone held together the ranks of the free world and communism has been exposed in all of its weaknesses. It is now time for other nations to exert and defend their nationhood, if they will, and to police their own areas. If they won't, our sons should not be offered as hostage for their failures.

We must move toward the conference table on disarmament, but we must also insist on verification of the other side so we can be sure that an agreement is not merely a worthless scrap of paper. The Kremlin has used our defense expenditures as an alibi for the obvious weaknesses of their political and economic system, their failure to unify their satellites, their failure to develop Russia internally, and their failure to meet consumer goods demand. It is to our long-term advantage to shatter that alibi and force exposure of their weakness in the eyes of their own people. We must do this by fostering the interchange of ideas and people between our countries, not by allowing an iron curtain to bar their peoples' eyes from what opportunities and freedoms exist in the rest of the world. We must move to have them understand us better, and we they. But, of course, once again let me add that in any dealings with the Russians, we have to make sure that all the cards are played face up on the table.

And, finally, let's not forget that the search for knowledge and the desire to broaden our technology must be a constant and sustained thing if we are to remain ahead.

Knowledge and design of this Safeguard ABM or any other weapons system is merely one more step in the drive to remain abreast or ahead of those who would oppose us and all we stand for. If, after site testing, it is a proven addition to the national security and if changing events in the world require it as a response, and if there is no acceptable alternative to meet the three identifiable dangers as laid out by President Nixon, then it certainly deserves support and deployment. That decision must be made in the 70's, but we will have the opportunity to make it only if we move ahead with test site deployment now. One very prominent and Senior Democratic Member of the House put it bluntly, "I'd rather not need it and have it than need it and not have it."

Actually, a decision in support of ABM is no different than the first great military decision of our country, when the Continental Congress started its own Navy by purchasing and armoring the old French Ship "Bon Homme Richard", and directed John Paul Jones to patrol the Atlantic as a first line of defense for this continent.

In conclusion, I believe that the great majority of the people I have the privilege to represent in Congress—and, indeed, the great majority of the people throughout the nation, with their down-to-earth common sense, are having a tough time swallowing the so-called sophisticated arguments that conclude it is somehow bad to defend ourselves. Frankly, I don't understand those who regard deployment of an ABM by our country as provocative, but not provocative of the Soviet Union to have already deployed two ABM Systems. Nor do I understand why it would be provocative of us to defend our Minuteman forces against a developing Soviet preemptive first strike capability, whereas it is not provocative of the Soviets to develop that destabilizing capability. We are told, if you pause to think about it, to stop our provocative action of punching the Soviets on their fist with our eye. I sincerely hope that such an inverted Alice-In-Wonderland view of the world will not be allowed to prevail.

In the context of the total picture of history as it has been written, I would consider support of continued ABM development to be the action of a dove, not a hawk, for history leaves no doubt that only the strong can discourage attack and bring peace to the world of men.

THE AFL–CIO COMMENTS ON THE ANTI-BALLISTIC-MISSILE SYSTEM

HON. JOHN WOLD

OF WYOMING

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 20, 1969

Mr. WOLD. Mr. Speaker, each day that passes bring the Congress closer to the day when it must decide whether to provide funds for the "Safeguard" anti-ballistic-missile system. The issue is controversial; we had debate on the subject even before President Nixon announced his decision.

The arguments pro and con have ranged from the logical to the scientific, to the philosophical.

The executive council of the American Federation of Labor–Congress of Industrial Organizations, which represents the millions of Americans engaged in collective bargaining, has come forth with an especially worthwhile comment on the ABM controversy and I include it in the Extensions of Remarks of the RECORD:

STATEMENT BY THE AFL–CIO EXECUTIVE COUNCIL ON THE ABM CONTROVERSY, MAY 15, 1969, WASHINGTON, D.C.

Last year Congress authorized and appropriated funds for the deployment of the "Sentinel" anti-ballistic missile (ABM) system designed primarily for the defense of our cities. The issue before the country today is whether the entire idea of an ABM system should be dropped or whether it should be deployed on a more limited scale.

The proposal for a more limited "Safeguard" ABM system—primarily for the protection of some of our nation's retaliatory forces—was made by President Nixon, on March 14, 1969, when he declared "I am announcing a decision which I think is vital for the security and defense of the United States, and is also in the interest of peace throughout the world. . . It is a safeguard of our deterrent system, which is increasingly vulnerable due to the advances that have been made by the Soviet Union since the year 1967 when the Sentinel program was first laid out." In his plea to Congress not to abandon but to proceed with the work on the deployment of an ABM system, the President emphasized his belief that "it is essential for the national security, and it is essential to avoid putting an American President, either this President or the next President, in the position where the United States would be second rather than first, or at least equal to any potential enemy."

The AFL–CIO Executive Council believes the above declaration embodies a sound doctrine of national defense for our country. While we recognize that there can be honest differenes of opinion over a particular method of assuring maximum security for our country, we emphasize that there can never be a good argument for our country's not assuring itself the best available national defense.

From our founding convention in 1955 to date, the AFL–CIO has consistently supported the goal of a strong national defense. We have never joined in attacks upon the efforts of any Administration to carry out this solemn responsibility, and we shall not do so now.

We have always underscored the urgency of acting to meet the pressing social and economic problems facing our country. We do not believe that the pursuit of either objective should be regarded as precluding the other. Both are essential to the security and progress of the nation and both must be faithfully and vigorously pursued.

American labor has always worked for peaceful solutions of international differences. We are, however, awake to the grim facts of international life today. The USSR has been expanding its military budget by at least ten percent annually. This mounting strength centers on missiles with multiple, independently targetable warheads of high accuracy. It constitutes a potential grave threat to our country's land based missiles, bombers, and bomber-bases. Since 1962, the USSR has been developing and deploying an extensive ABM system.

The proposed Safeguard system provides only for safeguarding American lives and defense capacities. It does not call for increased American retaliatory power.

More than two years ago, when questioned about the Soviet ABM system, Soviet Premier Kosygin himself declared that "a defense system which prevents attack is not a cause of the arms race but represents a factor preventing the death of people."

No expert can guarantee in advance how effective any weapon can be in defense or offense. The President's proposal calls for continuation of research and development and each successive deployment phase is to be constantly examined and reviewed annually in the light of technological advances and the international situation at hand.

The Executive Council does not join in any debate over how effective the proposed ABM system will actually be in action. We hope there will never arise the need for such a test. But certainly this nation must at least endeavor to protect enough of our deterrent force to enable our country to discourage any potential enemy from initiating a nuclear assault against the American people.

Under these circumstances, the AFL–CIO Executive Council declares that the President of the United States, as our nation's Commander-in-Chief and as the one primarily responsible for our country's foreign policy, should be supported in fulfilling his duty to determine—in consultation with scientists, military experts, the Congress and other Constitutionally appropriate authorities—the most effective ways of meeting the vital defense needs of our country.

Failure to be militarily prepared does not lead to peace.

OUR FLAG

HON. PHILIP J. PHILBIN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 20, 1969

Mr. PHILBIN. Mr. Speaker, under unanimous consent to revise and extend

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my remarks in the RECORD, I include herein an outstanding poem entitled, "Our Flag," written by Mrs. Vivian E. Bennett, Waltham, Mass.

This poem is very impressive, and very well done, and it is a real contribution to poetic expressions concerning our great flag of which we are all so proud.

OUR FLAG

(By Vivian E. Bennett, Waltham, Mass.)

Oh teach them the meaning
and the reverence too
Of our emblem of Liberty
The Red White and Blue.

The Red is for valor
To defend native sod,
Blue is for Loyalty
And reverence to God.

The White for truth
And Hope for me and you,
Each Star a State
On the field of blue.

Teach them their heritage
Why Freedom we enjoy,
Make "Old Glory" revered
By each girl and boy.

A real Patriot is proud
to defend it alway,
So the pledge of Allegiance
We recite each day.

This proud flag has flown
On land and sea,
A symbol of freedom
For you and for me.

Teach them Freedom's not free,
'Till we give it to others
And in Peace we can live
With all men as brothers.

In song and in poetry
Long may it wave,
O'er the land of the free
And the home of the brave.

NOTE.—The meaning of the colors was taken from the book "Our Flag," published by Edward J. Cronin, Secretary of the Commonwealth, June 1949. He was the beloved Secretary of State for 10 years.)

HIS EXCELLENCY AUGUST ZALESKI

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 20, 1969

Mr. DERWINSKI. Mr. Speaker, I remind the Members that the Polish government in exile continues to function in London and the voices of its officials are far more representative of the people of Poland than the mutterings of the Moscow-controlled puppets in Warsaw.

Therefore, I insert into the RECORD the address of His Excellency August Zaleski, president of the Polish Republic in exile, May 10, 1969, at Caston Hall in London, at the opening of a new session of the Council of the Republic of Poland, which functions as a parliamentary body in exile.

The text of President Zaleski's speech follows:

"In opening this session of the Council of the Republic of Poland, the second of the present term, I have first to state with sadness that the political, as well as economic and cultural, position of the country has not improved. We note rather a worsening of the situation in various fields of the national life under the imposed Communist régime.

Since the March events of 1968, when Communist reprisals against students and writers reduced the Polish people to silence, almost nothing has remained of the illusory hopes of the "Polish October".

Nearly every field of activity is under control of the ruling Communist party which permeates and tries to mould in its own fashion every field of creative endeavour. Shortages in shops, defective supplies, an ailing industry—such are the results of the centrally directed so-called economic planning.

Particularly hard must be the life of Polish youth, the generation on which the future of the nation depends. So-called "socialist construction" has brought the youth into a cul-de-sac. School-leavers face increasing prospects of unemployment, all the more so that these are the numerically strong age-groups of the post-war population boom.

The despotic state is afraid of any independent opinion and tries to mould its citizens according to a single pattern. Centrally organised mass-meetings, demonstrations, false information, demagoguery in the press and radio, reprisals against writers and intellectuals—all these are daily occurrences in present-day Poland living under the yoke of Russian communism.

The Communist régime did particularly great damage to the good name of Poland in the world through its anti-Zionist campaign, which soon went over into anti-semitism, and through its participation in the invasion of Czechoslovakia undertaken in the interest and by order of Soviet Russia.

Only an imposed Communist rule could have forced Poland, a country with a long tradition of tolerance and freedom, to such heinous deeds.

The coordinated struggle against the Church and religion in Poland goes on. The Communist party and its territorial branches continue to harass the clergy and the faithful—an action which, incidentally, often leads to results diametrically opposed to those intended.

Also in the international field there is little ground for comfort. In the United States, after 8 years of Democratic rule, the Republican Party has come to power. At the head of the new Administration is President Nixon, who visited Poland in 1959. He has there enthusiastically received and he spoke many fine words. It is to be hoped that the new President will not follow into the footsteps of his predecessor President Roosevelt who in Tehran and Yalta has surrendered to Russia the entire eastern half of Poland and has accorded Russia such rights and privileges over the rest of the country that Poland has virtually become a Russian colony. Poland was not even admitted to the conference table where her fate was being decided, although there was in existence a Polish Government which was recognized by the Allies, and Poland had armed forces which with all their might had contributed to the Allied cause.

The changes which we are witnessing at the moment in France will undoubtedly have far-reaching consequences not only for France alone, but for the European Community as well, So far France has played a dominant part in this community. Now the crux of the matter is that Europe is facing a choice between a United Europe with Britain and one in which the most powerful state will be Germany. The German Federal Republic with a population of 59 million, with a huge industry and strong currency, is a power to be reckoned with. British membership would provide a certain counter-weight against a possible German attempt to dominate the Europe Community.

It has to be said that it is in the interest of Poland that there should exist a United Europe of which a free Poland would also be a part. The Polish claim to participation in a grouping of Western European states is self-evident both for economic reasons and in view of her age-long association with Western civilization.

Russia, after a period in which terror was somewhat relaxed under Khrushchev, is now reverting to her traditional role of oppressor and suppressor of any deviation from the political line dictated by the Kremlin. Outstanding proof of this trend is the so-called "Brezhnev doctrine", the persecution of Russian writers who dare to vent views not quite in line with those of the rulers in the Kremlin, and the invasion of Czechoslovakia with the participation of some of Russia's satellites.

But the Kremlin has at the moment its own troubles. I mean the challenge to Moscow orthodoxy in the Communist camp, especially the ideological struggle with Mao Tse-tung which has recently taken the form of acute frontier clashes. This may have quite incalculable consequences, particularly in view of the fact that China increasingly voices her demands for the return of territories forcibly annexed by Tsarist Russia.

Thus the settlement imposed upon the world by the great powers after the Second World War, often in violation of law and justice, has failed to give the world the much desired peace.

Peace treaties envisaged in the Potsdam agreement failed to materialize, and there is no ground to believe that they would materialize soon.

The tasks of the Polish Emigration and the means at our disposal are different from those of Poles in Poland. We can and we should fully represent the full Polish raison d'etat. It is our duty to inform the world about Poland, to protect and put forward demands in a way in which our captive country can not.

A great source of moral strength for the Polish emigration is the presence in their midst of the rightful authorities of the Polish Republic. This is what the Great Emigration of 1831–32 lacked, as did the emigration after the January Insurrection of 1863. They lacked the continuity of legal state institutions, and this was their weakness, notwithstanding the high moral calibre of their leaders.

We are all aware what sort of Poland we want. We want a free and democratic Poland in which we shall be our own masters under a Government of our own choice, living in a system and with laws of our own making.

This year we celebrate the 400-th anniversary of the Union of Lublin, one of the few cases in history when many peoples became united of their own free will in a single Commonwealth. This act had the motto: "Let the free unite with the free, and equals with equals". It welded the Polish Crown and the Grand Duchy of Lithuania into "a single indivisible body, a single Commonwealth which made two states and peoples into one".

I hope that Poles outside their captive Fatherland will duly honour this great deed of the past of which Poland is so proud.

The Government will put before the Council reports of their activities and will present their plans for the future.

I declare the second session of the Council of the Republic of Poland open, and pray that God may bless you in your deliberations.

VA PROSTHETICS

HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 20, 1969

Mr. TEAGUE of Texas. Mr. Speaker, under leave to extend my remarks, I in-

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clude a most thoughtful and informative article appearing in the April 1 issue of U.S. Medicine, by Dr. Turner Camp, area medical director of region 5 of the Veterans' Administration's system of hospitals. Dr. Camp has served with distinction in the Veterans' Administration. He served in the medical corps of the Navy during World War II and the Korean conflict and is still a Reserve officer doing frequent weekend duty in the Washington area. The article which follows shows the great steps which the Veterans' Administration has made in this field which not only has helped the veterans of this country, but all who suffer any sort of disability:

VA PROSTHETICS

(By Turner Camp, M.D.)

Thanks to modern medical practice combined with the incredible teamwork of the front-line medic, the helicopter pilot and the military surgeon, today's combat casualty has a far better chance of survival, a much greater potential for faster recovery, and more complete functional restoration than ever before in the history of warfare.

This message, emanating from the prosthetic program at the Veterans Administration Hospital in San Francisco, is intended not only as a tribute to military medicine and its combat-zone medical teams, but also as a feed-back report of the VA's contributions to the field of prosthetic care.

On 24 November 1967, Tommy Eugene Raper, a 19-year-old Army private, sustained injuries resulting in amputations of all four extremities as well as a perforated eardrum due to the explosion of an enemy mortar shell near the Cambodian border in Vietnam.

That he survived at all is remarkable. It may be attributed to the elasticity of youth, to the availability of whole blood administered on the spot by the front line medic, to the helicopter pilot who brought him to a medical station within the hour, and to the skilled two-man surgical team, one working on the left side, one on the right. We hope this report will reach these men.

FOLLOWUP VISITS

Although he has been a civilian since 18 September 1968, Tommy has had some followup visits at the Army's Letterman General Hospital, Presidio of San Francisco, in regards to the Chopart's amputation of his left leg, which must remain in a walking cast for a while longer.

On his first visit to our prosthetic clinic on 6 December 1968, Tommy was wearing his bilateral arm prostheses previously furnished at Letterman Hospital. He came in a wheelchair only because the leg cast on his left precluded extensive use of his above-the-knee artificial leg on the right.

As usual at clinic sessions, all of the specialists were there to carefully evaluate Tommy's needs, including a prosthetically trained orthopedic consultant, physiatrist, a prosthetic specialist who coordinates this activity, a physical therapist, a social worker and several prosthetists representing commercial artificial limb companies under contract with the VA.

In Tommy's case it was immediately apparent that only minimal deliberations by the team would be required to take care of his immediate needs. His post-surgical fitting and rehabilitation training at Letterman obviously had been excellent.

All Tommy wanted now was "to get my artificial arms fixed as soon as possible."

This was understandable considering the evidence of hard usage and the resulting changes in his stumps. The need for a new left below-elbow arm and a new socket for his right above-elbow prostheses was indicated and prescribed together with a few additional items that Tommy had not considered before.

POWER DRIVEN WHEELCHAIR

To provide unassisted mobility during occasions when his artificial legs are not in use, a power driven wheelchair adapted for control by use of his hooks was specified together with a lightweight folding wheelchair easily transportable in his car. A hydraulic lift was considered for installation by his bathtub but Tommy would have none of this, preferring to settle for a shower chair.

His lower extremity prostheses will await evaluation at a later date. At that time his upper extremity stumps should be sufficiently stabilized to then consider spare arm prostheses so as to provide uninterrupted functioning whenever his present limbs break down or need repairs since he lives a considerable distance from any limb shop facility.

Not too long ago, the harsh term "basket case," with all of its dour connotations would automatically have been applied, labeling this young man for life. Hopefully, the term is becoming obsolete. Certainly in Tommy's case it does not apply for even before our services have well begun, he is still a sure shot with a deer rifle as he was before his military service. He drives an automobile, rides horseback and even looks forward to resuming his favorite hobby—drag racing!

Important work remains to be done, nevertheless, and Tommy will make many trips from his ranch home in Dos Palos, California to the clinic, a distance of some 150 miles, with expenses paid by the VA. Some will be even farther since he has selected a prosthetist in Vallejo to fabricate his new prostheses.

FEWER CLINIC VISITS

His visits to the clinic will become progressively less frequent, however, due largely to the streamlining of the VA's administrative procedures. For instance, the numerous personal visits or writing of letters back and forth to request or approve needed repairs or adjustments have been virtually eliminated. Adoption of the credit card idea in the form of a prosthetic service card has made this possible.

His recurrent need for replacement of stump socks involves only the mailing of a postage free request card to the VA distribution center in Denver, Colo., where prompt shipment is made directly to his home.

Tommy's punctured eardrum fortunately does not present a problem yet. At this stage he does not consider his slight hearing loss to be a handicap.

Nevertheless, another aspect of VA's interservice collaboration will be brought to bear if needed.

Audiology service will scientifically test his qualitative and quantitative hearing loss and determine specifications for an individually fitted hearing aid best suited to his particular needs. Prosthetic service will procure it and a spare if the need is indicated. His battery replacements will be provided in the same manner as his stump socks and he will use a prosthetic service card to obtain factory repair services whenever needed.

ARTIFICIAL EYE CLINIC

Despite his multiple injuries, Tommy will not require the services of our plastic artificial eye and restorations clinic, except for the possible future fitting and fabrication of ear molds for use with a hearing aid.

For many other veterans, however, this is an extremely important part of our prosthetic service program, including the fabrication and fitting of custom-made plastic artificial eyes, lifelike custom designed body and facial restorations, occular implants, surgically implantable skull plates and a large variety of special devices usually not available from commercial sources.

With Tommy's permission we have used his story to illustrate some of the typical prosthetic services being provided today for thousands of disabled veterans.

The same teamwork approach, involving carefully planned coordination with other elements and disciplines concerned, is similarly applied in serving all of our beneficiaries, regardless of the type of physical impairment involved. In this respect the term "prosthetic service" is at best a misleading one, but for lack of better terminology the VA "prosthetic service" encompasses a wide variety of benefits and services many of which are totally unrelated to the word "prosthetic" as it is generally defined.

To be more specific "prosthetic services" as used in the VA includes the furnishing, replacement, maintenance and training in the use of such items as the following: for the blinded veteran, special canes, Braille writing equipment, shatterproof dark glasses, portable radios, Braille alarm clocks and pocket or wrist watches, disc or tape type recording equipment, and standard or portable typewriters.

In addition to prostheses, it also includes all conceivable types of orthopedic appliances such as braces, elastic hose, corsets and belts, orthopedic footwear, arch supports, splint and shoe modifications.

Depending upon the disability involved, "prosthetic service" relates to such other items as standard or motorized wheelchairs, adjustable hospital type beds, invalid lifts, respirators, oxygen equipment, cardiac pacemakers, air conditioning units and even home installations of hemodialysis equipment.

In essence, whatever is needed to assist in the physical, functional or cosmetic restoration of the veteran can usually be supplied as a "prosthetic service," if it is obtainable and if it is medically prescribed as part of specific treatment authorized by the VA.

POSTWAR DEVELOPMENT

This report could not have been made prior to the end of World War II at which time the VA faced a chaotic situation and an organized prosthetic program as such did not exist.

In fact, some mandatory government regulations at that time relating to the procurement of prosthetic appliances, reflected far greater concern for short-sighted economy than they did for the welfare of the disabled veteran.

Additionally, sources of supply for many types of appliances and devices were inadequate, extremely limited or nonexisting. Artificial limbs, for example, were available from only a few hundred small shops and more often than not both the facilities and quality of product bore a striking resemblance to what, in earlier years, you might have encountered at "Ye Olde Village Smithe."

There was little in the way of theoretical knowledge and no standardization or quality control; each limbmaker being guided by his own pet ideas or "trade secrets" which were jealously guarded. In the words of a House committee publication issued during the 90th Congress, "The plight of the amputee became spectacular."

REMEDIAL LEGISLATION

To remedy this situation, in 1945 Public Law 268 was passed by the 79th Congress, granting new wide-ranging authority to the administrator of veterans affairs in fulfilling the needs of eligible veteran beneficiaries. This significant law not only defined the basic prosthetic services to be provided, but further stipulated that these services could be procured "by purchase, manufacture, contract or in such other manner as the administrator may determine to be proper without regard to any other provision of law."

Upon this foundation a "prosthetic service" was established as a separate entity in the VA's department of medicine and surgery and for the first time in our history, appliances and related devices and services could be furnished to eligible veteran beneficiaries, not

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in strict accordance with rigid rule books but rather on the basis of sound medical judgment, professional advice and human considerations.

But the best medical judgment and professional advice available at that time left something to be desired, principally because of an almost complete lack of any basic body of scientific knowledge related specifically to prosthetic devices.

For instance, everything there was to know anatomically about the function and structure of human joints was known and yet no where in available literature could be found any comprehensive analysis of the principles of human locomotion and the application of these principles to the design, construction, and fitting of an artificial limb.

In response to the obvious need for basic research and development in the entire field of prosthetic and sensory aids, in 1948 a continuing annual appropriation was authorized by Congress to the VA for this purpose.

RAPID PROGRESS

The impact of the prosthetic research and development program during the past two decades is perhaps best expressed by quoting one of our severely disabled Spanish-American War veterans who recently observed, "It is evident to me that more progress has been made during the past 20 years toward improving the quality of prosthetics devices and services than was previously accomplished in the entire history of man."

Our job at the more than 80 prosthetic services established in designated VA treatment facilities throughout the nation, is to assure that every eligible veteran living within the jurisdiction is afforded the fullest measure of authorized prosthetic services commensurate with his individual needs.

The responsibility for fulfilling this objective on a day-to-day basis rests primarily on the shoulders of the VA's prosthetic representative. Each of these employes, in addition to his extensive training and experience in all aspects of prosthetic care, has personally demonstrated his own ability to overcome a major physical handicap, and because of these special qualifications together with personal dedication, is able to establish the kind of rapport with veteran beneficiaries that is so essential to the success of this type of program.

Referring back to our observation at the beginning of this report, we hope that the military surgeon and all of his colleagues, who are engaged in saving lives and bodies wherever they are being attacked, will take encouragement from this report. To you and to the disabled we mutually serve, we pledge a continuing effort toward an ever improving program of prosthetic services.

ARE WE ALREADY TOO LATE?

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 20, 1969

Mr. RARICK. Mr. Speaker, many Americans, especially those who are learned in world conditions, are exasperated at the continued harassment and attacks against our military leaders charged with the security of our Nation.

We must remember that military men win wars—they do not start them. Overwrought pacifists and blundering diplomats bear that responsibility.

Having made every diplomatic blunder possible even before World War II, our leaders should not be discussing preparedness and defense—they should be moving forward with all dispatch at their command motivated by the urgency of survival: Are we already too late?

Mr. Speaker, I insert an editorial from the Daily Oklahoman for May 13, and another newsclipping following my remarks:

[From the Oklahoma City (Okla.) Daily Oklahoman, May 13, 1969]

ARE WE ALREADY TOO LATE?

The Communist conquest and domination of the entire world has been the unswerving ambition of the Soviet Union since the days of Lenin. Russia now has an army more powerful than any three other nations combined. All it needs to attain its goal is a navy which can overwhelm the navy of the United States.

With this in mind, for the past several years, Russia has vastly enlarged its ship building capacity and this year will turn out 28 new submarines to the United States one or two.

At the present time, Russia already has 250 attack submarines compared to the United States 105. Of this number, 100 are missile launching submarines compared to only 41 of the United States. Of surface to surface missile carrying ships, Russia has 25 and the United States has none.

Of minecraft, Russia has 300 and the United States only 86. Of missile patrol boats, Russia has 150, the United States none.

Of destroyers, the United States has 177, of which 163 are more than 20 years old. Russia has 86 destroyers, all of them less than 20 years old.

Of the attack submarines, 60 of the 105 in the United States are more than 20 years old. All of Russia's 250 are less than 20 years old.

At the present rate of construction, within four years Russia can have more than three times as many attack submarines as the United States and they will be armed with bigger missiles than the Polaris and their estimated range is 1,500 miles.

For years many of our defense experts have talked about intercontinental missiles to be launched by Russia from within the Soviet Union.

Apparently very little thought has been given to the fact that Russia, in a few years, will be able to place 50 missile attack submarines off our Atlantic coast, another 50 within the Gulf of Mexico, another 50 in range of our Pacific coast and all could be commanded to discharge their missiles at the same second of time, aimed at every military airport, every naval base and installation and at every electric power station of size in the country.

Russian missiles could strike every one of our metropolitan cities and create a nationwide panic. We would have no means of defense, other than our submarines, if located near Russia.

The defense of the United States could be paralyzed within 15 minutes and the United States could become a Russian satellite.

No other country in the world could oppose the might of Russia and Russian commissars could take over the governments of any or every nation. China would be the only likely nation to offer resistance and that would be futile, for Russian hydrogen bombs would destroy China's nuclear bases and could destroy any Chinese city.

It is likely that in addition to the submarine armada, Russia would place in orbit a half dozen space ships loaded with hydrogen bombs of which one could be orbiting over the United States every 15 minutes and their bombs could be dropped on any desired target at Russia's pleasure.

President Nixon might be the last elected president of this country.

For the last eight years, our defense department has concentrated its attention and spent its money upon Vietnam. It soon may have to give additional attention to North Korea. Both North Korea and North Vietnam are supplied by Russia with abundant weapons and ammunition and tactical experts to supervise their warfare.

It is to Russia's advantage to keep the war going in Vietnam and start another in Korea. It probably will not permit North Vietnam to accept a peace settlement.

Only one thing will deter Russia from taking over the United States through submarine warfare, and that one thing would be such a powerful navy and submarine force of the United States that it could do damage to Russia equal to the destruction it caused in the United States.

A number of our miliary leaders recognize the doom that awaits us but for fear of alarming the public have spoken only in guarded terms.

The ABM safeguard system might be able to shoot down 80 percent of intercontinental missiles from Russia, but the other 20 percent could destroy us. It would afford no protection against submarine missiles. It is so much simpler for Russia to attack us by submarine that the use of intercontinental missiles would be only supplementary.

If the United States had as many as 75 nuclear powered submarines equipped with Poseidon missiles and maintained most of them within target range of Russia's vital cities and military installations, Russia would be unlikely to attack our country.

A crash program to enormously increase our naval strength and merchant marine, regardless of cost, appears to be the only deterrent to a capture of this country by Russia.

[From the Washington (D.C.) Evening Star, May 19, 1969]

CHINA POLICY STATEMENT KEEPS UP FIRE AT U.S.

TOKYO.—Communist China virtually told the United States today the price of improved relations between the two countries is American abandonment of Formosa and of the American policy of containment.

The Chinese policy statement in the Peking People's Daily, the organ of the Chinese Communist party, made clear that there has been no softening in Peking's attitude toward the United States by the leaders chosen by the ninth party congress last month.

The statement made no mention of a resumption of the Warsaw talks between the ambassadors of the two nations.

It denounced President Nixon as a "hypocritic priest" and "gangster" wielding "a blood-dripping butcher's knife."

SEES DOUBLE TACTICS

"Nixon resorts to crafty counter-revolutionary, double-faced tactics toward socialist China," it said. "On the one hand, he talks loudly about so-called 'peaceful coexistence' and plays the trick of sham relaxation; on the other hand, he persists in continuing to occupy China's territory of Taiwan (Formosa), carrying out repeated military provocations against our country, and further stepping up the rigging-up of military encirclement of China."

It charged that Nixon is plotting a new military alliance with Japan as its backbone to replace the Southeast Asia Treaty Organization.

While quoting Communist Chairman Mao Tse-tung that China will not attack unless it is attacked, the paper said the Chinese people "are determined to liberate their sacred territory of Taiwan."

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PODGORNY CRITICAL

The United States also came under attack from Soviet President Nakolai Podgorny, who said the Americans have concentrated troops near the Soviet and North Korean borders and are today "the source of tension" in the world.

Winding up a visit to North Korea, Podgorny assured Premier Kim Il-sung the Soviet Union is the "reliable ally and friend" and would stand with North Korea "at the post of defending the common gains of socialism."

CLEVELAND ORCHESTRA MUST BE SAVED

HON. MICHAEL A. FEIGHAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 20, 1969

Mr. FEIGHAN. Mr. Speaker, in an editorial yesterday, the Cleveland Plain Dealer described the severe financial plight of the Cleveland Orchestra. It is most saddening to realize that a truly great orchestra, which provides untold enjoyment to every segment of society, because it is unable to meet its annual operating expenses, faces possible demise.

Our Government has only recently begun to acknowledge the importance of the arts in society. Last year $5.9 million was channeled into theaters, ballet companies, and orchestras by the Federal Government. This year the Appropriations Committee has before it an administration request for $16,744,000 for the arts and humanities, of which $7.5 million would be allotted to the National Council on the Arts for assistance to needy sources, such as the Cleveland Orchestra. This is a mere pittance to support a nationwide program of the arts. More is needed—much more—to do justice to the several worthy programs that face possible extinction due to excess fiscal strain.

I will do my utmost to bring about congressional approval of sufficient funds for the arts and for the Cleveland Orchestra. All who have taken pleasure in hearing a concert or opera; all who have viewed a ballet or dramatic production should pay careful heed to the calls of their local cultural centers when their aid is sought in meeting these financial responsibilities.

For the interest of my colleagues, I have appended the editorial from the May 19, 1969, issue of the Cleveland Plain Dealer:

ORCHESTRA MUST BE SAVED

The Cleveland Orchestra is in grave financial trouble. It plays to packed houses but still must dip into endowment funds to meet expenses. Another year of operating losses could see its demise.

This cannot be permitted to happen. The Cleveland Orchestra is one of the world's great orchestras. Its loss would be a blow to the musical arts and would severely damage the prestige of the city.

The orchestra must be saved, by greater support from foundations and private and industrial givers, by support from governments.

The Cleveland Orchestra has joined other financially troubled orchestras in New York, Boston, Philadelphia and Chicago to seek new sources of financial aid.

This is a good start. Working together, the orchestras will be better able to impress on the sources of wealth the economic crisis faced by the performing arts in America.

It is ironical that at a time when interest and participation in cultural activities are growing, the arts are in financial trouble. It is ironical but it is a fact that American creative and performing artists are acknowledged as the finest in the world and yet, while living in the world's most affluent society, many of them have to subsidize their own creative work with outside jobs.

The arts play a vital role in establishing and shaping the values of society. They must be kept viable.

The orchestra should point out to industry that cultural and economic development go hand in hand.

They should appeal to Congress for greater financial assistance. Government support of orchestras, ballet companies and theaters is well established in many nations. It has barely started in the United States.

They should approach state and local governments for aid. Some cities already contribute significantly to the maintenance of their cultural institutions. Cleveland does not.

They should continue trying to win new public support with summer concerts, as the Cleveland Orchestra is doing at the Blossom Music Center. The orchestra is counting heavily on Blossom income to help offset operating losses, but this will not be enough. Outside help will be imperative.

OIL AND GAS EXPLORATION IN LAKE ERIE

HON. THADDEUS J. DULSKI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 20, 1969

Mr. DULSKI. Mr. Speaker, the people in my area of western New York State are rightfully concerned about the pending proposals for leasing underwater lands in Lake Erie for the purpose of drilling for natural gas.

Everyone already is fully aware of the acute pollution problem in Lake Erie and of the extensive measures which are being taken to halt the deterioration of this great body of water.

Now come these plans for oil and gas exploration along the lake bottom.

The matter of our natural resources is one of concern to all of us and their exploitation must be carefully supervised.

In the case of my home area, including the city of Buffalo, N.Y., and its adjacent communities, we are rightfully concerned about any action that might further affect Lake Erie, which is our chief source of domestic water supply.

At its meeting in Buffalo on May 6, the legislature of Erie County, N.Y., adopted the following resolution:

A RESOLUTION BY LEGISLATURE OF ERIE COUNTY, N.Y.

Whereas, there are presently proposals for leasing under-water lands in Lake Erie for the purpose of drilling for natural gas, and

Whereas, Lake Erie is the source of domestic water supply for millions of people, and

Whereas, the present pollution of Lake Erie serves as a threat to its continued use as a source of domestic water supply, and

Whereas, it has been demonstrated in other parts of the country that the drilling for gas and oil in under-water lands has frequently led to the pollution of bodies of water, and

Whereas, it has been demonstrated that all known safeguards cannot prevent equipment failure or human error in drilling operations, and

Whereas, the pollution of Lake Erie is a major concern of the citizens of Erie County as well as the citizens of the State of New York.

Now, therefore, be it resolved, that the Erie County Legislature does hereby express its vehement opposition to the leasing of under-water lands in Lake Erie for either natural gas or oil exploration, and be it further

Resolved, that a copy of this resolution be forwarded to the President of the United States, the leaders of both houses of Congress, the Governor of the State of New York, the leaders of both houses of the New York State Legislature, the New York State Conservation Department, the State Health Department, and all members of the New York State Legislature who represent the County of Erie.

ALBERT N. ABGOTT,
NORMAN J. WOLF,
LESTER S. MILLER,
JOSEPH A. TAURIELLO.

Attest:

BENJAMIN DE YOUNG, Jr.,
Clerk of the Legislature of Erie County.

THE IACP'S 76TH ANNIVERSARY

HON. MARIO BIAGGI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 20, 1969

Mr. BIAGGI. Mr. Speaker, I want to take this opportunity to extend my congratulations to the International Association of Chiefs of Police. The IACP, as it is known in the trade, is a professional, nonprofit organization based here in Washington. Its membership is made up of more than 7,000 executives in the law enforcement profession, representing approximately 60 countries including the United States and Canada. The current president is Chief Thomas Cahill of San Francisco, and the longtime executive director is Mr. Quinn Tamm, one of the most esteemed men in the field.

The IACP is dedicated to improving the profession, both for the men who work in it and, most importantly, for the citizens of this Nation whom it serves. The organization is, and I quote from one of their recent publications, "dedicated to continuous study and research in improved methods for the protection of life, liberty and property through the lawful exercise of police power."

Organized back in 1893, the International Association of Chiefs of Police has seen our society change and, with it, the role of the policeman. We have always had crime, but we have not always had the complex technology and unsettled social conditions which characterize modern life. In recent years particularly, police work, like the society it serves, has been in a state of flux.

IACP efforts are concentrated in four major areas of law enforcement, two of which—training and education, and research and development—are directly aimed at keeping the law enforcement

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profession abreast of the times. In the area of education and training, the organization has been active in developing and promoting the widespread adoption of higher standards both for the education required of recruits, and for preservice training. The IACP has campaigned diligently and effectively against the all-too-common situation of the rookie cop's being handed a badge, a gun, and a billy-club and told to go out and enforce the law. The other two areas of special interest are managerial consultation and highway safety. Technical guidance is provided in these areas on an individual basis, when requested, and in the forms of surveys and studies conducted and disseminated by the organization.

The importance of the International Association of Chiefs of Police as both the voice of the Nation's police and as a source of expertise on the national crime situation received official recognition last year when it was asked to provide a spokesman to testify before both the Democratic and Republican platform committees. The IACP recommended endorsement of two basic law enforcement principles: First, the primacy of local law enforcement; and second, the necessity for swift, sure justice to wrongdoers. It urged enactment of legislation which would include severe penalties for assaulting police officers, inciting riots, participating in organized crime activities, trafficking in LSD, and violating traffic laws. In an editorial in the IACP's monthly publication, the Police Chief, the executive director, Mr. Quinn Tamm wrote:

> In summary, the committees were informed, no one is more anxious than the police to return our communities to havens of law and order where every citizen is afforded the protection that is his due regardless of his race, color, social or economic status. They were advised that those in the police service feel that definite advancement has been made toward this goal, but that final attainment is not possible until every citizen and his elected representatives fulfill their responsibilities to respect the law and support law enforcement.

It is an honor for me, both as a former member of the New York City Police Department and as a Congressman, to salute the International Association of Chiefs of Police on their 76th anniversary, and to commend them for their leadership in the law enforcement field.

J. CLARK SAMUEL HONORED AT TESTIMONIAL

HON. MARGARET M. HECKLER

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 20, 1969

Mrs. HECKLER of Massachusetts. Mr. Speaker, for 21 years, the Foxboro, Mass., Reporter has enjoyed the leadership and prospered from the wisdom of J. Clark Samuel, who retires as editor this month. The wide respect and admiration of the community is demonstrated through designation of Mr. Samuel as "Editor Emeritus." I share the sadness of citizens of the Foxboro area in the loss of this outstanding community leader. Mr. Samuel will always be remembered in the community to which he so unselfishly has devoted himself throughout his newspaper career. Although we shall certainly miss him in Foxboro, I join the many well-wishers who hope that Mr. Samuel's retirement will be most enjoyable and gratifying.

Under unanimous consent I submit an article from the Foxboro Reporter entitled "J. Clark Samuel Honored at Stirring Testimonial" for inclusion in the CONGRESSIONAL RECORD, as follows:

[From the Foxboro (Mass.) Reporter, May 14, 1969]

"COUNTRY EDITOR" J. CLARK SAMUEL HONORED AT STIRRING TESTIMONIAL

(By Art Brennan)

"You will never see another Selectmen's meeting like this one" Selectman Edward Fox warned, and he had never seen one like it before either, as a startled "Reporter" editor, J. Clark Samuel, was tendered a testimonial at the Town Hall attended by representatives from many clubs and town departments.

As Clark expressed it, after a stream of speakers and letters had commended his twenty-one years of journalistic service to the town of Foxboro, "I am totally overwhelmed." Visibly struck by the surprise affair, Clark said that he and his wife Jeanne would be leaving Foxboro in a physical sense only.

Mr. Samuel retires at the end of the month and the well known and well liked couple will then pack up and head South to Red Point Beach, North East, Maryland, where they have a home on a picturesque knoll overlooking Chesapeake Bay.

In honor of his upcoming retirement, representatives of the many clubs and town agencies whose activities he has reported over the years turned out last night for the testimonial, many giving scrolls and gifts as tokens of their appreciation.

EDITOR EMERITUS

Rep. Robert Aronson (R) Foxboro-Sharon spoke in behalf of Governor Francis Sargent, whom he described as a man who gave out citations only when he thoroughly knew the kind of individual it was for and the purpose of it. Rep. Aronson said that after hearing his description of Clark, the Governor said "If a man like that is going to retire, we can't have that; we'll make him 'Editor Emeritus'." and so the citation was composed.

Rep. Aronson also presented a citation of his own which was read by Selectman Fox, in which he said, "If ever a man personified the combination of integrity and humor, of wisdom and tact, of involvement and determination, it is you." In his remarks in behalf of the Governor he said he hadn't had the chance to become a truly close friend of Clark's but in talking with him, reading his articles, etc., he became a friend of Clark's in attitude, coming to know and respect how Clark thinks and writes.

CONGRESSWOMAN HECKLER

Congresswoman Margaret Heckler also sent a citation noting the retirement and stated, "For twenty one years you have given selflessly of your time and energy in the interest of community service."

Senator John M. Quinlan, unable to attend, sent a congratulatory letter expressing his warmest wishes noting, "We have all benefited from your being editor of "The Foxboro Reporter", which he described as one of the best newspapers in the state.

Also unable to attend, but forwarding a warm message, was local School Superintendent William A. Glynn, who said he would miss Clark in both a personal and a professional way, as a friend over the recent years and as a "good friend to education in Foxboro". He noted that when Clark had criticized the schools in any way it had always been constructive criticism.

During his 21 years in Foxboro, Mr. Samuel has been a member of the Foxboro Lions Club and a past president. He did not hold nor did he seek public office since he felt that it would create a conflict of interest in his work as editor of The Reporter.

He has been active in professional organizations, and is a member of the New England Professional Chapter of Sigma Delta Chi, the national journalistic society, president four terms of the Massachusetts Press Association, and member and director of the New England Press Association, and member of the National Newspaper Association.

PRESENTATIONS

Others making presentations in behalf of local organizations included Mrs. Helen Fuller for the Boyden Library Trustees who gave to Clark a foot-tall replica of the Civil War Soldier which stands atop Memorial Hall as a memento of the town.

Also: Commanders Thomas McGowan of the Lawrence W. Foster Post, American Legion and Gordon Winget of the Foxboro VFW Post, 2626, who gave citations thanking Clark for his assistance and publicity coverage throughout the years enabling the local veterans organizations to carry out their community projects.

The Board of Selectmen read a formal proclamation in behalf of the town recognizing Clark's service to the community and wishing him good fortune in continued successes during his retirement in Maryland.

Norman Lawton, 4–H representative, expressed the thanks of the 4–H organization for Clark's help in nurturing their activities throughout the years and said that if the Samuels would be able to attend, he planned to present them with a special gift at a 4–H event coming up on May 23rd.

St. Alban's Lodge, AF & AM, represented by John Fuller, also presented a message from the Masonic Lodge commending Clark's achievements for the community over the twenty-one year span. Mr. Fuller, noting the 150th anniversary of the Lodge, also gave Clark a supply of the commemorative "wooden nickels," noting that their value was strictly as a memento of the town.

Robert Conkey delivered a message of congratulations of the College of William and Mary president, Dr. Davis Paschal, with whom he had talked earlier in the day. President Paschal congratulated Clark and reminded him it had been William and Mary "where he polished his English".

COMRADE IN ARMS

Long time colleague on the paper, Vin Igo, finished off the program giving some examples of his and Clark's experiences over the years and said that Clark always wished to be thought of as the typical country editor, even as the town grew. "When the day comes when people and their roles are rated," he said, "that of the country editor will rank high on the list."

Citing his warm personal friendship with Clark, Mr. Igo presented a sum of money and a portable electric typewriter in behalf of many friends in the town.

GUESTS

Representatives present included the School Committee, Housing Authority, Town Clerk, Town Collector, Planning Board, Po-

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lice and Fire Departments, Highway Department, school staff, Advisory Board, Foxboro Federal Bank, Rodman Ford Sales, Republican and Democratic Town Committees, Foxboro Knights of Columbus, the Association of University Women, League of Women Voters, Jaycees and Jaycee Wives, Little League, Lions Club, Assessors, Quaker Hill Restaurant, Town Hall employes, local neighborhood, Plymouth Bay Council of Girl Scouts, St. Mary's Council, several of the local clergymen, Foxboro Grange, as well as many other friends.

A collation was served following the testimonial.

Clark first came to Foxboro from New York City where he was engaged in public relations work. Prior to that he had worked as a reporter and rewrite man on these newspapers: The Waterbury (Conn.) Republican; The Albany (N.Y.) Times Union, and Knickerbocker Press, also Albany; The Philadelphia (Pa.) Public Ledger, Atlantic City, N.J., bureau.

He began his newspaper career at the age of 18 as a club reporter on his hometown paper, The Wilmingon (Del.) Morning News, and was also a reporter on the old Wilmington Every Evening, and the present Wilmington Evening Journal.

He attended Friends School, public schools and Tower Hill School in Wilmington. He also attended The College of William & Mary in Virginia at Williamsburg.

KOREA AND VIETNAM: THE PRICE IN BLOOD OF BANKRUPT POLICY

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 20, 1969

Mr. RARICK. Mr. Speaker, the United States is now engaged in one of its longest and bloodiest wars since the formation of the Union. It is an undeclared war against an unidentified enemy. In its course the leaders of our Government have consistently prevented the professional officers of our Armed Forces from ending the conflict in the only way that war can be successfully terminated—a decisive victory.

In an address to the House of May 14, 1969, on "Korea and Vietnam: The Penalty of Perfidy," I discussed at some length the background of our Korean-Vietnam involvement and quoted two significant published statements: one by Adm. U. S. Grant Sharp, former Commander in Chief, Pacific, on "We Could Have Won in Vietnam Long Ago" in the May 1969 issue of the Reader's Digest; and a second by Dan Smoot on "More *Pueblos*" in the April 28 issue of the Dan Smoot Report. In addition, I invited attention to my remarks to the House of Representatives in the RECORD of June 14, 1967, on "Crisis in World Strategy: What Would MacArthur Do?"

Because of the little known facts presented in my May 14 address and the documents cited therein, I would again urge all concerned with the formulation of our Vietnam policy to study it, especially the quoted parts, and not to depend upon editorials in the Washington Post.

In looking up the history of the Washington Post, which is, unfortunately, the only major morning newspaper in the Capital City of our Nation, I find some very interesting facts. It was acquired by its present ownership at the depth of the great depression at auction for only a fraction of the value of this important property. It thereupon became strongly pro-Soviet even to the extent of forcing the resignation of its able editor-in-chief, Ira E. Bennett, after he refused to write editorials urging U.S. diplomatic recognition of Soviet Russia. It has also had an internationalist editorial policy favoring escalation followed by U.S. intervention in European wars with results against the best interests of Western civilization. It has advocated the surrender by the United States of its treaty based sovereign control over the Canal Zone at a time when such action plainly implies the surrender of the Panama Canal to Red power. It supports the unilateral withdrawal of U.S. forces from the Vietnam war and advocates a hostile policy against friendly Southern African countries, especially the strategic Republic of South Africa and Rhodesia.

Mr. Speaker, is it the policy of certain elements in our Government for the United States to withdraw from a conflict that Communist power does not wish us to win in Southeast Asia in order to embark upon a vastly more sanguinary one in southern Africa that these same internal forces manifestly wish the United States to undertake against the highly civilized non-Communist Republic of South Africa and non-Communist Rhodesia? As I stated on May 14, the once great organization, the Carnegie Endowment for International Peace, has published a general staff type of war plan for war against South Africa.

With such controlling editorial policies as I have noted above, the castigation of Adm. U. S. Grant Sharp by an unsigned May Day editorial in the May 1, 1969, issue of the Washington Post for his forthright signed article on the conduct of the Vietnam war conforms to the well-established pattern of this paper's performance over many years. In this connection, let it not be forgotten that the Washington Post appeared to trail the New York Times in support of Castro's takeover of Cuba.

It was, therefore, with much interest that I read in the May 13, issue of the Washington Post a number of ably written letters to the editor commenting on the indicated editorial, two of them by professional officers of our Armed Forces with a background of vast experience as regards the current war: Gen. Wallace M. Greene, U.S.M.C., retired, former Commandant of the Marine Corps; and Maj. Gen. Thomas A. Lane, U.S. Army, retired, formerly on the staff of General MacArthur in the Pacific.

Because of the relevance of the indicated letters to current problems in Southeast Asia facing our Government, I include with my remarks four of the letters and invite special attention to those by Generals Greene and Lane:

[From the Washington Post, May 13, 1969]

LETTERS TO THE EDITOR—CONCERNING "ADMIRAL SHARP'S KNIFE"

Having read your lead editorial of May 1 ("Admiral Sharp's Knife") which appears to have been written by some intemperate, uninformed and emotional person, I would like to take a stand by the side of Admiral Sharp and attest to the factual accuracy and reasonable conclusions of his article in the May issue of the *Reader's Digest* ("We Could Have Won the War in Vietnam Long Ago").

As with the questions of the F–111, the C5–A and the electronic barrier at the DMZ, the American people deserve to be told the facts regarding the management of the military campaign in Vietnam. In that respect Admiral Sharp's "knife" has served a useful purpose.

On the other hand, your article, in my opinion, certainly was not of much help in presenting the truth of the situation to your readers. With the sources of information open to a great newspaper like the *The Washington Post* and with the former Secretary of the Navy now the president of your paper and certainly available to you for consultation, it seems to me that you might have done better.

Gen. WALLACE M. GREENE,
U.S. Marine Corps (Ret.).

Admiral Sharp is right in asserting that the United States should have won the Vietnam war long ago. Instead, gradualism has given us another Korea; only this time it might drag on another ten years. War is a risky business: people get killed, nations are destroyed, so when the United States enters a war it should pull no punches. Worrying about the Russians or Chinese is immaterial in Vietnam because they are not supplying troops, only equipment. If they choose to become involved that is one of the risks, and the Russians and Chinese know the possible consequences of such an action. In short, the United States should put up or pull out.

J. S. TAYLOR,
Virginia Polytechnic Institute.

I reply to your May Day editorial concerning the recent comments of Admiral U.S. Grant Sharp.

More than anything else that editorial showed that Admiral Sharp's knife hurts where it cuts.

In the period 1966–68 the Admiral no doubt expressed his views. Even though they were not those of the decision makers, he, like any high member of our armed forces, did not engage in public disagreement with his civilian superiors. If in this time period he had said what he thought, as you suggested, *The Washington Post* would have been among the first to demand his removal. Admiral Sharp has timed his public comments as he should, after retirement.

I wonder who "Virtually every . . . authority" includes. The Admiral's thesis is a professional military judgment based on complete data. Because of his widely respected military ability and experience and his practically unlimited access to relevant intelligence, I accept his judgment relative to a military question rather than that of *The Post* or some relatively low level officials whose knowledge of North Vietnam is limited to what they saw in South Vietnam.

What he says, that we got where we are because of ineffective use of military power as ordered by civilian authorities, is a valid point of view held by many responsible people. It is fitting and proper that this view be expressed in print and that the military leadership be allowed to defend itself against charges that it is responsible for what has happened in Southeast Asia.

Essentially, *The Post* is saying that Admiral Sharp is wrong because you say he is wrong. I suppose you would have your readers believe that *The Post* staff, sitting in Washington reading press dispatches, knows more of what happened in Vietnam than does the commander of the headquarters

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through which most all intelligence, orders, analyses etc., were handled.

BOB CLARK, Jr.,
University of Virginia.

Your editorial of May 1, 1969 attacking Admiral U. S. Grant Sharp for his article in May Reader's Digest, "We Could Have Won The War In Vietnam Long Ago", is a mean and unprincipled assault on a distinguished public servant. Its distortion of the Admiral's essay seems designed to smother by smear constructive discussion of what you call "a war which has obviously gone wrong".

It is your editorial writer and not Admiral Sharp who suggests that "civilian policy-makers in Washington were stupid, cowardly or naive—or all three". Admiral Sharp's restrained narrative implied only that their judgments were wrong.

Admiral Sharp's statement that "Secretary McNamara arbitrarily and consistently disregarded the advice of his military advisers" is a statement of fact and not of opinion. It is attested by Defense civilians engaged in the process. The observation of your editorial writer that the responsibility for decision rested with President Johnson seems calculated to obscure the fact that the President acted upon the recommendation of Secretary McNamara.

Just what competence does your editorial writer have to challenge the "competence and intelligence" of Admiral Sharp? This personal attack betrays an incapacity to respond cogently to the Admiral's thesis. It is not Admiral Sharp who suggests that the war goes badly "because someone was stupid or cowardly or false"; these are Washington Post words. Admiral Sharp kept the discussion on the level of good or bad judgment, where it should be. Your editorial introduces emotional irrelevancy to the debate.

When Admiral Sharp reported that the closing of Haiphong Harbor was vetoed because "closing Haiphong would not affect the enemy's capability of waging war in South Vietnam", he gave the more credible excuse for the veto. Your suggestion that closing the port would have brought Chinese and/or Soviet counter attacks is the counsel of irrational fear. That is what some people said to President Kennedy when he imposed a quarantine on Cuba.

I disagree with Admiral Sharp's judgment that effective conventional bombing and blockade would have ended the war, though I believe both measures should have been taken. But I think the challenge to Admiral Sharp should be made in constructive analysis for the benefit of our citizens and not in the vituperation to which the Post editorial has resorted.

I hope we may hereafter see in the Post a more mature and dispassionate consideration of important public issues.

Maj. Gen. THOMAS A. LANE,
U.S. Army, Retired.

[From the Washington Post, May 1, 1969]

ADMIRAL SHARP'S KNIFE

The Vietnam war is not over, or ended, but the re-writing of history has begun. The latest chapter is from Admiral U. S. Grant Sharp, the former commander of U.S. forces in the Pacific, who has written an article in the *Reader's Digest* entitled "We Could Have Won The War in Vietnam Long Ago." The Admiral's thesis is that airpower could have won it by destroying the North Vietnamese economy; the principal villain is former Secretary of Defense Robert S. McNamara. "We could have won the war long ago—perhaps by the end of 1967," Sharp writes. "We could have achieved victory with relative ease, and without using nuclear weapons or invading North Vietnam." The Admiral explains that now that he is retired, "I feel obliged to speak out, to warn the American people against the folly of conducting a major war on a piece-meal basis."

Thanks, Admiral. It is nice to know that now, in 1969. It is information which might have been somewhat more valuable in 1968 or 1967 or 1966 or earlier, but at that time Sharp was formulating and partly responsible for the policy he now turns his back on. As far back as 1965, he predicted that the tide was turning, that the allies were "no longer losing the war." Now he breaks silence in the *Reader's Digest,* in a piece filled with cheap shots like this one: "In his handling of the war . . . Secretary McNamara arbitrarily and consistently disregarded the advice of his military advisers. His insistence that we pursue the campaign on a gradualistic basis gave the enemy plenty of time . . ." As Sharp knows better than any of us, it is the President who made the decisions on the air war in North Vietnam. But a former President, even an unpopular one, is a bit tougher target than an unpopular Secretary of Defense.

The Admiral's basic argument, which would be disputed by virtually every civilian and military authority with actual experience inside South Vietnam (experience which Sharp, headquartered in Honolulu, did not have), centers around the efficacy of airpower to destroy North Vietnam and thereby win the war. He states that in 1965 "we could have quickly broken North Vietnam's resistance." He would have bombed railroad yards and power stations in Hanoi, and the docks in Haiphong. In a 2000-word article, there is scant mention of the risks of Chinese or Russian intervention in the event of unrestrained attack on the North. It is possible (though not plausible or realistic) to make a case that there would have been no intervention; but Sharp does not discuss that question, except to say, from his Hawaiian vantage point that the risk was "minimal," and his implication is that civilian policy-makers in Washington were stupid, cowardly, or naive—or all three. All along, he writes, "our military leaders" recommended that Haiphong harbor be closed. The recommendation was vetoed because "it was claimed that closing Haiphong would not affect the enemy's capability of waging war in South Vietnam . . ." Wrong, Admiral. It was vetoed because of the fear of a wider war, a war possibly involving Chinese troops in the South or Russian troops elsewhere (Berlin, for example).

The re-writings will come in abundance now, and not all of them will be from military men. The knives are out—military vs. civilian, officialdom vs. the press, younger officer vs. older, and so on and on. These are efforts to assess responsibility for a war which has obviously gone wrong. Admiral Sharp's contribution represents the worst kind of apologia, a misconception and distortion of events so serious as to call into question both his competence and his intelligence. This is an article which does damage not so much because it is wrong (which it is), but because of what it says to the men who have fought and died in South Vietnam. It says to them, and to the rest of us: Look, none of that need have happened. A few more bombs on a power plant in Hanoi or a dock in Haiphong, heavy bombing from the beginning in the North, and the back of the insurgency would have broken. 34,000 Americans need not have died in South Vietnam. *We could have won the war in the South by bombing the North, if they had let us.* It panders to an ancient American belief, that things go badly not because they are inherently difficult (or intractable) but because someone was stupid, or cowardly or false. It refuses to accept the reality that events are sometimes outside the control of the United States, even the armed forces of the United States.

But Sharp's is an article which will receive notice, get play in the newspapers, cause comment. "*We could have won in Vietnam long ago.*" It has a fine, resonant sound; and is as empty and hollow as a Chinese gong.

ROYBAL PROPOSES NATIONAL WELFARE STANDARDS, WITH FEDERAL GOVERNMENT TO PAY 90 PERCENT OF COST

HON. EDWARD R. ROYBAL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 20, 1969

Mr. ROYBAL. Mr. Speaker, I have introduced a bill, H.R. 11044, to relieve State and local taxpayers of the major financial burden of supporting the country's fast-growing public assistance programs, while establishing uniform national standards for minimum welfare benefits to apply across the board in all 50 States.

Public assistance is a national problem, with constantly rising costs now exceeding the funding capability of many of our local jurisdictions to handle by any further increases in sales, income, or property taxes.

They have about reached their limit, and the Federal Government is long overdue in assuming its responsibilities in this area.

The recent U.S. Supreme Court decision, eliminating residency requirements for welfare recipients, adds urgency to the need for quick action to help solve the acute fiscal crisis facing already overburdened State and county governments in trying to meet the mounting cost of caring for those eligible for the Nation's public assistance programs.

In addition to setting up uniform minimum benefits and eligibility standards, and authorizing 90 percent Federal cost-reimbursement—covering programs for aid to the aged, blind, disabled, and families with dependent children, medicaid; as well as emergency assistance and local administrative expenses—with higher maximum welfare payment ceilings, H.R. 11044 would also repeal the controversial child-welfare "freeze" provisions of the program for aid to families with dependent children—AFDC.

Regarding the AFDC "freeze," now scheduled to go into effect this summer, I believe such a regressive Federal aid cutback would simply attempt to shift the financial burden to local taxpayers, and would result in imposing even greater hardships on America's dependent children—who are neither responsible for their situation, nor able to help themselves in any way.

SUMMARY OF H.R. 11044

Mr. Speaker, in order to provide a somewhat more specific and detailed explanation of my bill, H.R. 11044, I would like to include in the CONGRESSIONAL RECORD the following narrative summary of the bill's major provisions:

SUMMARY

H.R. 11044 would amend the public assistance provisions of the Social Security Act by (1) increasing the Federal matching contribution for payment to public assistance recipients to 90 percent, (2) establishing nationally uniform minimum standards for assistance, and (3) repealing the child-aid freeze in the AFDC program.

TITLE I—INCREASE IN FEDERAL MATCHING

Section 101 of Title I provides for an increase to 90 percent in the Federal matching

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contribution to the States for Old-Age Assistance. The maximum payment which would be matched is $125 a month. In addition to 90 percent matching for cash payments, the bill provides for 90 percent Federal matching for allowable premiums under part B of title XVIII (Medicare) and for other insurance premiums for medical or any other type of remedial care, and for expenditures under the program of medical assistance for the aged. The Federal Government would also pay 90 percent of the costs of administering the program.

The program of Aid to Families with Dependent Children would be amended under section 102 to provide for 90 percent Federal matching for payments to AFDC recipients up to a maximum payment level of $70 a month ($100 for foster care). A Federal share of 90 percent would also be provided for premiums under part B of title XVIII (Medicare), for insurance premiums for medical or any other type of remedial care, and for emergency assistance to needy families with children. The Federal Government would also assume 90 percent of the cost of administering the AFDC program.

Section 103 would amend the provisions relating to the program of Aid to the Blind in the same manner as it amends the program of Old-Age Assistance. The amendment provides for 90 percent Federal matching up to a maximum payment level of $125 a month, the same amount allowable under OAA.

Under present law each State receives Federal reimbursement for public assistance payments under a complicated formula which involves a "Federal percentage" based on the State's per capita income. Section 104 of the bill would eliminate this provision to conform with the new provision for 90 percent Federal matching for all States.

Section 104 would also eliminate the present Federal payment limitations for Puerto Rico and the Virgin Islands, providing instead that they would receive the same matching as the States. The dollar limitations would be retained for Guam.

Under section 105 the program of Aid to the Permanently and Totally Disabled would be amended in the same way as the other adult categories of Old-Age Assistance and Aid to the Blind. Ninety percent Federal matching would be provided, with a maximum payment level for matching purposes of $125 a month.

Present law provides that States may combine the administration of the three adult categories. Section 106, recognizing the need for administrative simplicity, would allow the States to continue this method of administration and would provide 90 percent Federal matching up to a maximum payment level of $125 a month, as is provided for the separate programs.

Section 107 would increase the Federal contribution to the States for programs under Title XIX (Medicaid). Under the bill the States would receive 90 percent Federal matching for the cost of payments made under Medicaid, including the cost of administering the program.

The effective date of all of the changes made under Title I would be December 31, 1969, as provided in Section 108.

TITLE II—UNIFORM MINIMUM STANDARDS AND ELIGIBILITY REQUIREMENTS

Title II of H.R. 11044 amends the public assistance titles of the Social Security Act to require that the States provide in their State plans for minimum standards and acceptance requirements for all applicants of public assistance. Section 201, which includes this requirement, would affect all of the public assistance categories, including Old-Age Assistance, Aid to the Blind, Aid to the Permanently and Totally Disabled, and Aid to Families with Dependent Children.

Section 202 requires the Secretary of Health, Education and Welfare to establish the minimum amount of assistance which would have to be paid to recipients under the various public assistance categories. The Secretary would also determine eligibility requirements, such as the amounts of other income and resources which must be taken into account in determining the need for assistance.

The minimum standards of payment and the acceptance requirements are to apply uniformily throughout the United States, and are to take into account the full need of all recipients. However, variations may be allowed between the various programs and also to take into account variations in cost of living in difference geographic areas.

The minimum standards and acceptance requirements are to be up-dated annually.

Under section 203 the Secretary of HEW would be required to determine the expenditures made by the States in order to comply with the new requirements in Title II, and to reimburse them for these amounts.

TITLE III—REPEAL OF AFDC FREEZE

Section 301 would repeal the section of present law which would limit Federal matching to the proportion of all children under age 18 who were receiving AFDC payments on the basis of a parent's absence from the home in each State as of January 1, 1968. The "freeze" is now due to go into effect on July 1, 1969.

TEXT OF H.R. 11044

Mr. Speaker, at this point in the CONGRESSIONAL RECORD, I would like to include the verbatim text of H.R. 11044:

H.R. 11044

A bill to amend the public assistance provisions of the Social Security Act to increase the Federal share of a State's expenditures under the public assistance programs (including administrative expenses) to 90 per centum, to provide for the establishment of nationally uniform minimum standards for aid or assistance thereunder, and to repeal the freeze on the number of children with respect to whom Federal payments may be made under the aid to families with dependent children program

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

TITLE I—INCREASE IN FEDERAL SHARE OF PUBLIC ASSISTANCE EXPENDITURES

SEC. 101. (a) Section 3(a) of the Social Security Act is amended to read as follows:

"(a) From the sums appropriated therefor, the Secretary of the Treasury shall pay to each State which has a plan approved under this title, for each quarter, an amount equal to 90 percent of—

"(1) the total amount expended during each month of such quarter as old-age assistance under the State plan (including expenditures for premiums under part B of title XVIII for individuals who are recipients of money payments under such plan and other insurance premiums for medical or any other type of remedial care or the cost thereof), not counting so much of any expenditure with respect to such month as exceeds the product of $125 multiplied by the total number of recipients of old-age assistance for such month (which total number, for purposes of this subsection, means (A) the number of individuals who received old-age assistance in the form of money payments for such month, plus (B) the number of other individuals with respect to whom expenditures were made in such month as old-age assistance in the form of medical or any other type of remedial care);

"(2) the total amount expended during such quarter as medical assistance for the aged under the State plan (including expenditures for insurance premiums for medical or any other type of remedial care or the cost thereof); and

"(3) the total amount expended during such quarter as found necessary by the Secretary of Health, Education, and Welfare for the proper and efficient administration of the State plan."

(b)(1) Section 2(a)(12)(C) of such Act is amended by striking out "section 3(a)(4)(A)(i) and (ii)" and inserting in lieu thereof "section 3(a)(3)".

(2) Section 3(c) of such Act is repealed.

(3) Section 6(c) of such Act is repealed.

(4) Section 1902(a)(20)(C) of such Act is amended by striking out "section 3(a)(4)(A)(i) and (ii)" and inserting in lieu thereof "section 3(a)(3)".

SEC. 102. (a) Section 403(a) of the Social Security Act is amended to read as follows:

"(a) From the sums appropriated therefor, the Secretary of the Treasury shall pay to each State which has an approved plan for aid and services to needy families with children, for each quarter, an amount equal to 90 percent of—

"(1) the total amount expended during such quarter as aid to families with dependent children under the State plan (including expenditures for premiums under part B of title XVIII for individuals who are recipients of money payments under such plan and other insurance premiums for medical or other type of remedial care or the cost thereof, and including emergency assistance to needy families with children), not counting so much of any expenditure with respect to any month as exceeds (A) the product of $40 multiplied by the total number of recipients of aid to families with dependent children for such month (which total number, for purposes of this subsection, means (i) the number of individuals with respect to whom such aid in the form of money payments is paid for such month, (ii) the number of other individuals with respect to whom expenditures were made in such month as aid to families with dependent children in the form of medical or any other type of remedial care, and (iii) the number of individuals, not counted under clause (i) or (ii), with respect to whom payments described in section 406(b)(2) are made in such month and included as expenditures for purposes of this paragraph), plus (B) the product of $30 multiplied by the total number of recipients of aid to families with dependent children (other than such aid in the form of foster care) for such month, plus (C) the product of $100 multiplied by the total number of recipients of aid to families with dependent children in the form of foster care for such month; and

(2) the total amount expended during such quarter as found necessary by the Secretary of Health, Education, and Welfare for the proper and efficient administrtaion of the State plan."

(b)(1) Section 408(c) of such Act is amended by striking out "clause (A) of".

(2) Section 408(d) of such Act is amended by striking out "section 403(a)(3)" and inserting in lieu thereof "section 403(a)(2)".

(3) Section 409(b) of such Act is amended by striking out "section 403(a) (3) and (4)" and inserting in lieu thereof "section 403(a)(2)".

SEC. 103. (a) Section 1003(a) of the Social Security Act is amended to read as follows:

"(a) From the sums appropriated therefor, the Secretary of the Treasury shall pay to each State which has an approved plan for aid to the blind, for each quarter, an amount equal to 90 percent of—

"(1) the total amount expended during such quarter as aid to the blind under the State plan (including expenditures for premiums under part B of title XVIII for individuals who are recipients of money payments under such plan and other insurance premiums for medical or any other type of remedial care or the cost thereof), not counting so much of any expenditure with respect

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to any month as exceeds the product of $125 multiplied by the total number of recipients of aid to the blind for such month (which total number, for purposes of this subsection, means (A) the number of individuals who received aid to the blind in the form of money payments for such month, plus (B) the number of other individuals with respect to whom expenditures were made in such month as aid to the blind in the form of medical or any other type of remedial care); and

"(2) the total amount expended during such quarter as found necessary by the Secretary of Health, Education, and Welfare for the proper and efficient administration of the plan."

(b) Section 1003(c) of such Act is repealed.

SEC. 104. (a) Section 1101(a) of the Social Security Act is amended by striking out paragraph (8).

(b) Section 1108 of such Act is amended by striking out everything down through "(d) Notwithstanding the provisions of sections 502(a) and 512(a)" and inserting in lieu thereof the following:

"LIMITATION ON CERTAIN PAYMENTS TO GUAM

"SEC. 1108. Notwithstanding the provisions of sections 502(a) and 512(a)".

(c) Section 1118 of such Act is repealed.

(d) Section 1121(c) of such Act is amended by striking out ", except that" and all that follows and inserting in lieu thereof a period.

SEC. 105. (a) Section 1403(a) of the Social Security Act is amended to read as follows:

"(a) From the sums appropriated therefor the Secretary of the Treasury shall pay to each State which has an approved plan for aid to the permanently and totally disabled, for each quarter, an amount equal to 90 percent of—

"(1) the total amount expended during such quarter as aid to the permanently and totally disabled under the State plan (including expenditures for premiums under part B of title XVIII for individuals who are recipients of money payments under such plan and other insurance premiums for medical or any other type of remedial care or the cost thereof), not counting so much of any expenditure with respect to any month as exceeds the product of $125 multiplied by the total number of recipients of aid to the permanently and totally disabled for such month (which total number, for purposes of this subsection, means (A) the number of individuals who received aid to the permanently and totally disabled in the form of money payments for such month, plus (B) the number of other individuals with respect to whom expenditures were made in such month as aid to the permanently and totally disabled in the form of medical or any other type of remedial care); and

"(2) the total amount expended during such quarter as found necessary by the Secretary of Health, Education, and Welfare for the proper and efficient administration of the plan."

(b) Section 1403(c) of such Act is repealed.

SEC. 106. (a) Section 1603(a) of the Social Security Act is amended to read as follows:

"(a) From the sums appropriated therefor, the Secretary of the Treasury shall pay to each State which has a plan approved under this title, for each quarter, an amount equal to 90 percent of—

"(1) The total amount expended during each month of such quarter as aid to the aged, blind, or disabled under the State plan (including expenditures for premiums under part B of title XVIII for individuals who are recipients of money payments under such plan and other insurance premiums for medical or any other type of remedial care or the cost thereof), not counting so much of any expenditure with respect to such month as exceeds the product of $125 multiplied by the total number of recipients of such aid for such month (which total number, for purposes of this subsection, means (A) the number of individuals who received such aid in the form of money payments for such month, plus (B) the number of other individuals with respect to whom expenditures were made in such month as aid to the aged, blind, or disabled in the form of medical or any other type of remedial care);

"(2) the total amount expended during such quarter as medical assistance for the aged under the State plan (including expenditures for insurance premiums for medical or any other type of remedial care or the cost thereof); and

"(3) the total amount expended during such quarter as found necessary by the Secretary of Health, Education, and Welfare for the proper and efficient administration of the State plan.

(b)(1) Section 1602(a)(16)(C) of such Act is amended by striking out "section 1603 (a)(4)(A) (i) and (ii)" and inserting in lieu thereof "section 1603(a)(3)".

(2) Section 1603(c) of such Act is repealed.

(3) Section 1902(a)(20)(C) of such Act is amended by striking out "section 1603 (a)(4)(A) (i) and (ii)" and inserting in lieu thereof "section 1603(a)(3)".

SEC. 107. (a) Section 1903(a) of the Social Security Act is amended to read as follows:

"(a) From the sums appropriated therefor, the Secretary (except as otherwise provided in this section) shall pay to each State which has a plan approved under this title, for each quarter, an amount equal to 90 percent of—

"(1) the total amount expended during such quarter as medical assistance under the State plan (including expenditures for premiums under part B of title XVIII for individuals who are recipients of money payments under a State plan approved under title I, X, XIV, or XVI, or part A of title IV, and, except in the case of individuals 65 years of age or older who are not enrolled under part B of title XVIII, other insurance premiums for medical or any other type of remedial care or the cost thereof); plus

"(2) the total amount expended during such quarter as found necessary by the Secretary for the proper and efficient administration of the State plan."

(b) (1) Section 1903(c)(1) of such Act is amended—

(A) by striking out "that the Federal medical assistance percentage for such State applicable to" and inserting in lieu thereof "that 90 percent of the total amount expended as medical assistance under the State plan, with respect to"; and

(B) by striking out "shall be the Federal medical assistance percentage (instead of the percentage determined under section 1905 (b)) for such State" and inserting in lieu thereof "shall be substituted for 90 percent of the total amount expended as medical assistance under the State plan in applying subsection (a)(1) with respect to such State".

(2) Section 1905(b) of such Act is repealed.

SEC. 108. The amendments made by this title shall be effective with respect to expenditures made during calendar quarters beginning after December 31, 1969.

TITLE II—UNIFORM MINIMUM STANDARDS AND ELIGIBILITY REQUIREMENTS FOR PUBLIC ASSISTANCE

SEC. 201. (a) Section 2(a) of the Social Security Act is amended—

(1) by striking out "and" at the end of paragraph (12),

(2) by striking out the period at the end of paragraph (13) and inserting in lieu thereof "; and"; and

(3) by adding after paragraph (13) the following new paragraph:

"(14) provide, with respect to all individuals seeking or receiving assistance under the plan at any given time, for the application of the minimum standards and acceptance requirements promulgated and in effect at such time under section 1122."

(b) Section 402(a) of such Act is amended—

(1) by striking out "and" at the end of clause (22), and

(2) by striking out the period at the end of clause (23) and inserting in lieu thereof "; and (24) provide, with respect to all individuals seeking or receiving aid under the plan at any given time, for the application of the minimum standards and acceptance requirements promulgated and in effect at such time under section 1122."

(c) Section 1002(a) of such Act is amended—

(1) by striking out "and" at the end of clause (12), and

(2) by striking out the period at the end of clause (13) and inserting in lieu thereof "; and (14) provide, with respect to all individuals seeking or receiving aid under the plan at any given time, for the application of the minimum standards and acceptance requirements promulgated and in effect at such time under section 1122."

(d) Section 1402(a) of such Act is amended—

(1) by striking out "and" at the end of clause (11), and

(2) by striking out the period at the end of clause (12) and inserting in lieu thereof "; and (13) provide, with respect to all individuals seeking or receiving aid under the plan at a given time, for the application of a minimum standards and acceptance requirements promulgated and in effect at such time under section 1122."

(e) Section 1602(a) of such Act is amended—

(1) by striking out "and" at the end of paragraph (16),

(2) by striking out the period at the end of paragraph (17) and inserting in lieu thereof "; and", and

(3) by inserting after paragraph (17) the following new paragraph:

"(18) provide, with respect to all individuals seeking or receiving aid under the plan at any given time, for the application of the minimum standards and acceptance requirements promulgated and in effect at such time under section 1122."

(f) The amendments made by this section shall be effective with respect to calendar quarters beginning after December 31, 1969.

SEC. 202. Title XI of the Social Security Act is amended by adding at the end thereof the following new section:

"NATIONAL MINIMUM STANDARDS AND UNIFORM ACCEPTANCE REQUIREMENTS

"SEC. 1122. (a) The Secretary shall from time to time (as provided in subsection (c)) determine and promulgate—

"(1) the minimum amount of aid or assistance which (with appropriate adjustments based on other income and resources as required by the relevant provisions of this Act) would have to be paid to eligible recipients under titles I, X, XIV, and XVI, and part A of title IV, and

"(2) the manner in which other income and resources should be taken into account in determining need for aid or assistance under such titles and the other conditions which it might be appropriate to impose in determining eligibility for such aid or assistance,

in order to assure that the purposes of such titles are being carried out effectively and without discrimination between applicants and recipients in different States. The minimum standards determined and promulgated under paragraph (1), and the acceptance requirements determined and promulgated under paragraph (2), shall (subject to subsection (b)) apply uniformly and equally throughout the United States with respect to aid and assistance provided under State plans approved under such titles.

"(b) The minimum standards and acceptance requirements determined and promul-

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gated under subsection (a), which shall take into account the full need of all recipients, may vary as between the several programs of aid or assistance involved to the extent necessary to take into account the different requirements of the classes of individuals to whom such programs respectively apply, and may vary as between individuals in different geographic areas to the extent necessary to take into account any differences between cost levels in such areas; but any such variations shall be designed only to prevent aid or assistance under the programs involved from being of greater net benefit to one individual or class of individuals than to another.

"(c) The minimum standards and acceptance requirements described in subsection (a) shall be promulgated by the Secretary between January 1 and March 31 of each year, beginning with the year 1970, and such promulgation shall be conclusive for each of the four calendar quarters in the period beginning with the July 1 next succeeding such promulgation; except that the Secretary shall initially promulgate such standards and requirements as soon as possible after the enactment of this section and such initial promulgation shall be conclusive for the two calendar quarters in the period beginning January 1, 1970, and ending June 30, 1970."

SEC. 203. The Secretary of Health, Education, and Welfare shall, in the case of each State, from time to time determine the expenditures made during periods after December 31, 1969, under the plans of such State approved under titles I, X, XIV, and XVI, and part A of title IV, of the Social Security Act, which are necessitated by compliance with the new requirements under such titles imposed by the amendments made by this title, and shall pay to such State the amount of the expenditures so determined.

TITLE III—REPEAL OF AFDC FREEZE

SEC. 301. Section 403(d) of the Social Security Act is repealed.

POSTAL RATE INCREASE

HON. THADDEUS J. DULSKI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 20, 1969

Mr. DULSKI. Mr. Speaker, the administration has proposed an increase in postal rates even though the third step of the rate increase approved in December 1967 has not yet gone into effect.

My own conviction, as I have stated before, is that we should not consider further increases in postal rates until we take some effective steps to bring about a reorganization of the postal system.

Our Post Office and Civil Service Committee now is conducting extensive hearings on postal reform and I believe that we will come up with comprehensive recommendations in the next few weeks. Although I do not accept all of the conclusions he has reached, I believe that the recent column by David Lawrence in the Washington, D.C., Star touches on many of the factors involved as we look at the postal rate schedule. Following is Mr. Lawrence's column:

POSTAL RATE RISE, MORE INFLATION

(By David Lawrence)

The government does more to create inflation than is perhaps realized. Thus, the administration has just proposed to Congress an increase in postal rates. While many letters and other articles put in the mails are exchanged between individuals, a large proportion of the postal revenue is collected from private businesses. As postal rates go up, the charges to the consumer have to be raised accordingly.

Perhaps the most unfortunate phase of the government's hike in postal rates is related to the discrimination that is practiced. A person may drop a letter in the mail box near his home addressed to a store or friend in the same city, but the postage stamp costs just as much as if the letter were going 3,000 miles away. There was a time when the Post Office Department made a lower charge for letters to addresses within a city, but this practice has been discontinued.

Even higher costs for letters or articles mailed to the Midwest or points across the continent by residents of the east would cause little resentment if prompt delivery were assured. But it takes a long time for some letters to reach destinations, and the increases in postage which have been made in recent years have not helped matters at all.

In fact, private companies now are carrying lots and lots of packages long distances so as to insure prompt delivery. But even when publications, for instance, are sent across the continent by private airplane or trucking service, they must then be delivered to a Post Office and the regular postage rates have to be paid just the same.

Such inequitable factors have been given little consideration by Congress. It costs, for instance, less in postage to send a newspaper or other publication by what is known as second-class mail. But the rates have been steadily moved up, and it now is proposed that they shall be raised another 20 percent in the next year. These increases will undoubtedly be passed on to the consumer, so the general public will have to pay more.

The printed word is, of course, fundamental in the educational process of the nation, and there are still vast numbers of citizens who get their basic information from the print media. But the public pays a relatively small amount, because advertising revenues are expected to meet the expense and provide a profit. This doesn't always happen, and many a publication of large circulation has gone out of business because it could not get enough advertising to sustain itself.

One of the principal reasons why the publications are having difficulties today is that their competitors—television and radio—are absorbing a large part of the advertising revenue in the country. Although radio and television companies collect hundreds of millions of dollars each year from advertising "commercials," they pay to the government only a small license fee for using the airwaves. The charge is $75 to a radio station for three years and $150 to a TV station for three years.

Today, too, as a large number of trains have been discontinued, transportation by rail of package mail has been substantially diminished, and anybody who prints a publication that has to be distributed across the land has to add to other cost the heavy expenses of using trucks and commercial airplane service in order to reach all parts of the country promptly. Many publishing companies also have to bear the cost of sorting the mail in advance and putting it in pouches to help get better delivery from the Post Office Department.

A publication pays a relatively uniform rate of postage for news and editorial sections but the postage cost for the advertising pages varies according to the distance from the mailing point. This runs up to four times more for delivery in one area than in another, and constitutes, in effect, a tax on advertising.

Many companies that deliver publications all over the United States would not object to the rates they are being charged if they could be assured of prompt delivery. But they wonder why their competitors in television and radio are immune from any government levies at all on the advertising they distribute over the air through channels allocated to them by the Federal Communications Commission.

Meanwhile, as postal rates go up, prices of publications go up, and that's the story of inflation in America in many a business and industry.

ONLY OURSELVES TO BLAME, BUT REASON MUST PREVAIL

HON. LESTER L. WOLFF

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 20, 1969

Mr. WOLFF. Mr. Speaker, millions of words have been written by editorial writers looking at the problem of violence on our campuses from every direction. Of all that I have read while studying this problem a recent editorial in the outstanding weekly newspaper, the Westbury Times, struck me as a solid assessment of the situation. The editor of this consistently high quality newspaper, Martin E. Weiss, correctly deplores the sometimes apathetic response to the mayhem on our campuses. At the same time Mr. Weiss makes the equally valid point that change brought about by violence and in disregard of the democratic process is unacceptable.

Because I regard Mr. Weiss' comments as quite probing I commend this editorial to my colleagues' attention and insert it in the RECORD at this point:

[From the Westbury Times, May 8, 1969]

ONLY OURSELVES TO BLAME, BUT REASON MUST PREVAIL

Perhaps the most amazing thing about the protests, sit ins, lock-outs, strikes, building seizures and riots that have swept college campuses around the nation is the relative calm with which the public has greeted each new outburst.

It may well be that people have become inured to it all, but we suspect that the general attitude is simply one of laissez-faire.

In actuality, it is just such thinking that is the root cause of much of the problem.

Success and well-being have led far too many people to adopt the policy of letting someone else worry about the situation—but legislators, administrators, faculty, and law enforcement officials are no substitute for what is, too often, parental failure.

And, if we remain more interested in new cars, television sets, vacations, and all the other elements of pleasure, than in the message our young people are trying to get across, then we will have only ourselves to blame for that which will almost surely follow.

The other side of the coin is that no one person, nor any group of persons, is above the law. Moreover, college campuses are not sanctuaries meant to be inviolate from the dictates or mores of society.

If there is to be change, it must come through the democratic process—not at the end of a gun; if that which is wrong is to be righted, reason must prevail. Substituting one madness for another is insanity.

The inequities which exist, and our involvement in Vietnam, will not be ended by destroying the foundations of higher education. Rather, young people of serious intent will use their learning experience to provide themselves with the wisdom to make meaningful change.

They must, however, understand that if such change is to be lasting it must be obtained through the democratic process; that which is obtained through anarchy can be taken away in the same manner.

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HOUSE OF REPRESENTATIVES—*Wednesday, May 21, 1969*

The House met at 12 o'clock noon.

Rev. Father Ward W. White, Vincentian Fathers House of Studies, Washington, D.C., offered the following prayer:

O God, You who have taught us to call You our Father, we need a father's care. We are tired, Lord, grant us energy. We are fearful, grant us courage. We are nearsighted, grant us vision. We are in turmoil, grant us peace. When we grow callous, teach us compassion. When we are tempted, teach us integrity. When we grow haughty, teach us true perspective.

Grant the Cuban people, Lord, a full share in Your courage, Your vision, Your peace, and that freedom without which human life is not fully human. This we ask in the name of the Lord Jesus. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed without amendment bills of the House of the following titles:

H.R. 2948. An act for the relief of Maria Prescilla Caramanzana;

H.R. 3464. An act for the relief of Maria Balluardo Frasca; and

H.R. 8188. An act to provide for the striking of medals in commemoration of the 100th anniversary of the founding of the city of Wichita, Kans.

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 564. An act for the relief of Mrs. Irene G. Queja;

S. 620. An act for the relief of Richard Vigil; and

S. 1888. An act to change the composition of the Commission for Extension of the U.S. Capitol.

THE CRISIS FOR THE AMERICAN FOOTWEAR INDUSTRY

(Mr. WYMAN asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. WYMAN. Mr. Speaker, the present threat to the American footwear industry from foreign imports of shoes and leather now out-of-hand, is beyond the peril point. Unless action is taken now, this year, this quarter, to check the import flood there will be additional thousands of American shoe workers out of a job and additional closings of American shoe factories. An indication of the growing, dismaying number of closings of shoe plants appears in the Extensions of Remarks in this RECORD.

The 1968 figures on foreign footwear imports are truly shocking. In 1968 foreign imports rose from 87 million pairs in 1967 to 175 million pairs—more than 100 percent. This is a substantial portion of the entire American consumption. U.S. footwear production is off nearly 10 percent for the first quarter of 1969 alone.

We who represent constituencies with a substantial shoe and leather employment are asking Members to sign a letter appealing to President Nixon to initiate immediate negotiation with principal foreign supplying nations directed toward the establishment of voluntary import limitations. Shortly our capable chairman, the distinguished Member from Massachusetts (Mr. BURKE) or myself, will present this letter to you for signature. It is a worthy cause, a meritorious appeal, and its objective is a valid and continuing concern to all Members whether or not they have constituents who are employed in the footwear industry.

I hope all Members will join in signing this urgent request of President Nixon for action now to help protect this important domestic industry.

SGT. DALE K. LARSON

(Mr. HANSEN of Idaho asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. HANSEN of Idaho. Mr. Speaker, on March 25, 1969, and again on April 3, 1969, the gentleman from Illinois (Mr. FINDLEY) inserted in the CONGRESSIONAL RECORD a list of the names of Americans who have lost their lives in the war in Vietnam.

The name of a fine young man from Idaho was apparently inadvertently omitted from that list. Sgt. Dale K. Larson, the son of Mr. and Mrs. Verl K. Larson of Burley, Idaho, was killed in Vietnam on November 12, 1968, while serving aboard a helicopter during a combat mission. Prior to his death, Sergeant Larson had served with valor and distinction in Vietnam, having volunteered for over 50 combat missions during the 4 months he was in Vietnam. Among the honors he received were the Air Medal with seven Oak Leaf Clusters and the Bronze Star.

I know my colleagues will want to join me in acknowledging the debt of gratitude owed by this Nation to Sergeant Larson for having paid the supreme sacrifice while in the service of his country and in extending to his parents, Mr. and Mrs. Verl K. Larson, and other members of the family, our sincere sympathy at their loss.

PELLY REISSUES CALL FOR COAST GUARD PROTECTION OF U.S. FISHERMEN OFF PERU

(Mr. PELLY asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. PELLY. Mr. Speaker, the deterioration of relations between the United States and Peru, coming on the heels of the seizure of another American fishing vessel last Friday, increases my concern over the upcoming fishing season off the Peruvian coast during which time a good number of U.S. fishermen will be working for tuna.

It is because of this concern that today I have requested that the President take the action necessary in providing Coast Guard protection off the Latin American coast for American fishermen.

This is not an idle concern, Mr. Speaker, because it is my thinking that as much as Americans on the high seas should be protected from illegal harrassment and seizure, the rights of the coastal nation's 12-mile limit also should be protected. My request for the presence of our Coast Guard beyond the 12-mile limit is also to assure that our fishermen do not violate any international law, conservation agreement, or treaty.

Meanwhile, I again call to the attention of my colleagues my legislation which would cut off the importation to this country of fish and fish products from any country seizing U.S. fishing boats beyond the 12-mile limit and urge support of this measure as a means of getting these differences on fishing issues between the United States and Peru to a conference table where such matters as our historic rights on the seas can be properly discussed.

PERMISSION FOR COMMITTEE ON APPROPRIATIONS TO FILE PRIVILEGED REPORT

Mr. STEED. Mr. Speaker, I ask unanimous consent that the Committee on Appropriations have until midnight Thursday, May 22, to file a privileged report on the Treasury-Post Office Departments appropriation bill for the fiscal year 1970.

Mr. JONAS reserved all points of order on the bill.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

CALL OF THE HOUSE

Mr. HALL. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 57]

Anderson, Ill.
Anderson, Tenn.
Baring
Barrett
Bates
Bingham
Blatnik
Buchanan
Cahill
Carey
Chappell
Chisholm
Clark
Clay
Collier
Conyers
Cowger
Culver
Dawson
Dent
Edwards, La.
Ford, William D.
Frey
Gallagher
Giaimo
Green, Pa.
Hastings
Hathaway
Hébert
Heckler, Mass.
Helstoski

Hogan
Howard
Joelson
Kirwan
Lowenstein
Lujan
McCloskey
McMillan
Meskill
Mollohan
Morse
Murphy, N.Y.
Murphy, Ill.
Ottinger
Pollock
Powell
Railsback
Randall
Reifel
Riegle
Rodino
Rumsfeld
Sandman
Scheuer
Shipley
Sisk
Skubitz
Smith, N.Y.
Stokes
Stratton
Symington
Waggonner
Whalen
Wiggins

The SPEAKER. On this rollcall 367 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

END THE SURTAX

(Mr. VANIK asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. VANIK. Mr. Speaker, yesterday before the Ways and Means Committee, Secretary of the Treasury David M. Kennedy and the Honorable Paul W. McCracken, Chairman of the President's Council of Economic Advisers, testified that President Nixon's proposal to extend the surtax would result in a budgetary surplus of $6.3 billion. They also testified that a December 31, 1969, termination of the 10-percent surtax would result in a $4.1 billion surplus while a September 30, 1969, termination of the 10-percent surtax would provide the administration with a balanced budget.

I oppose any extension of the surtax. It is quite evident that moderate revenue-producing tax reforms and the repeal of the investment credit can provide the administration with sufficient revenues to permit a balance in the 1970 budget. Termination of the surtax will stimulate aggressive action for revenue-producing reform.

Signs of a growing taxpayer revolt are evidenced throughout the Nation in the defeat of vital school and local issues. Under these circumstances, we must make every effort to lighten the taxpayers' burdens.

The termination of the surtax will provide needed and immediate relief.

CRITICAL OF FEDERAL TRADE COMMISSION

(Mr. FUQUA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. FUQUA. Mr. Speaker, the Federal Trade Commission has undertaken drastic regulation of cigarette labeling and advertising without regard for the fact that this matter is under very serious consideration by the House Commerce Committee.

I personally oppose their action.

It seems to me that this is a slap at the Congress and is not in keeping with the proper function of our two governmental bodies.

This is the same course that the Federal Communications Commission took earlier this year.

It seems to me that when a matter is under active and very serious consideration by the Congress, then an agency such as the Federal Trade Commission shows very poor judgment and lack of good taste in issuing orders which would promulgate actions which may or may not be enacted in such legislation.

But at the very least, the Federal Trade Commission should not have moved until the present Congress had had an opportunity to enact or reject legislation which is currently pending on this very subject.

It may be that the House Commerce Committee might recommend more stringent regulation or it may be that they will propose something entirely counter to the directive of the Federal Trade Commission.

The point is that Congress should have the time to act and that any Federal agency shows a lack of judgment and good taste when it usurps the lawmaking function of the Congress.

Regardless of the merits of the case, the Federal Trade Commission did not act properly in this instance. I think it is more reason than ever for the House Commerce Committee to get on with its deliberations and give the Members of the Congress an opportunity to express themselves on this subject.

PERSONAL ANNOUNCEMENT

Mr. BURLISON of Missouri. Mr. Speaker, yesterday's CONGRESSIONAL RECORD reflected that I was not present for the quorum call. This was an accurate reflection. I would like for the RECORD to state at this point the reason for my absence. I was in my home district in Missouri attending the funeral of an immediate member of the family.

SUPPLEMENTAL APPROPRIATIONS BILL

(Mr. MILLER of Ohio asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. MILLER of Ohio. Mr. Speaker, I intend to cast my vote against the second supplemental appropriations bill for one reason—this will be the first and only opportunity Members of Congress have had to go on record against the recent exorbitant pay increases granted to Congressmen, the President, the Supreme Court, Federal judges, and other high Federal officials. I have consistently voiced opposition to these untimely and inflationary pay increases that were effected by a parliamentary subterfuge.

Let me state firmly that I realize the necessity of fully supporting our fighting men in Vietnam and I do endorse additional funds to provide the material and equipment needed for their operations. I also would support needed expenditures for other worthy Government programs that are funded in this bill.

I want to go on record as favoring the Government spending limitation to be imposed by this bill. I personally believe the ceiling should be set at a much lower level, but the concept of definite spending controls is highly desirable and long overdue. Congress should insure that the Government lives within its means. An expenditure ceiling is a step in this direction.

The pay raise issue outweighs the merits of the necessary and beneficial programs for which additional funds are required. A more responsible procedure would be a separate vote on the appropriations for the pay raises and I will support all efforts to remove the pay raise provisions from the bill for a separate vote. Should such efforts fail, I will have no choice but to vote against the entire package.

PROVIDING FOR THE WAIVER OF POINTS OF ORDER AGAINST TITLE IV OF H.R. 11400

Mr. COLMER. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 414 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 414

Resolved, That during the consideration of the bill (H.R. 11400) making supplemental appropriations for the fiscal year ending June 30, 1969, and for other purposes, all points of order against title IV of said bill are hereby waived.

Mr. COLMER. Mr. Speaker, I yield the customary 30 minutes to the minority, to the very able and distinguished gentleman from California (Mr. SMITH). Pending that I yield myself such time as I may consume.

Mr. Speaker, I shall not use all the time on this resolution. This is a rather unusual situation that we find ourselves in, parliamentarily speaking. We have debated the supplemental appropriation bill at some length under the privileged status of the Appropriations Committee. Now we come in with a resolution from the Rules Committee for one purpose and one purpose alone; that is, to waive points of order against a particular section of the bill.

Mr. Speaker, really, the legislative issue that is made in order here is a rather important one in my opinion and one which under different circumstances I should like to address myself to at some length but which I shall not do now.

The language that the rule waives the point of order against is found in title IV of the bill. Title IV of the bill places a ceiling upon the amount of the expenditures that the Chief Executive can make within the fiscal year. Now, that amount is, roughly, $192 billion.

Frankly, Mr. Speaker, I am just a little surprised that the Chief Executive or the departments downtown have not raised some points of order themselves against this bill. But, I am very happy that they have not done so. I say that because here the burden of holding down expenditures is placed upon the President. In other words, he is placed in a straitjacket as it were. I do not think on the other hand, Mr. Speaker, that there is a great deal of difference in the manner in which this bill is supposed to be handled than the one last year under a previous administration. In the final analysis I think there is a great similarity in that the Chief Executive at that time was somewhat placed in a straitjacket also. However, Mr. Speaker, what I want to emphasize in these few remarks as I have done so many, many times on the floor of this House is the importance, yes, the necessity of cutting down on expenditures by the Federal Government.

Mr. Speaker, we hear a great deal about a tax revolt, and it is not being confined to the Federal Government by any means. I noticed that down in my great State some elections have been held recently for municipal offices which resulted in a considerable upheaval and people were thrown out of office who had held those offices for a long period of time. In my judgment that was a part of this reaction to high taxes that exist all over the country.

We, of course, here in the Congress set the pattern a long time ago and the States, the counties, the municipalities and the boroughs are falling in line. You cannot blame the people when we realize the very high taxes that we are extracting from them at every level of Government. In my opinion this upheaval, this general unrest among the taxpayers is going to not only continue, but it is going to accelerate. So what we are talking about here is the effort to place a ceiling upon the amount of money that can be expended and thereby apply the brakes to this ruinous inflation which threatens our entire economy.

Mr. Speaker, we might as well realize that it will cause some hardships, that it will cause some pet projects to go down the drain, and that it will necessitate some real sacrifices. But if we do not live up to this expenditure limitation—and in the final analysis the Congress is going to have to live up to it as well as the Executive—the control on unbridled spending can be wiped out, whatever good intentions there might be. It can be wiped out overnight through the simple method of supplemental appropriation bills such as the one we have here at this moment—so the Congress has its responsibilities as well as the Chief Executive.

Mr. Speaker, if anyone here on the floor is interested—and frankly, I am not sure that many are—I just want to emphasize a point which is of vital interest to the taxpayers. I was sitting here with a very able member on the staff of the Committee on Appropriations, a moment ago, and the discussion led to the amount of our national debt which as most of us know is now in the neighborhood of $365 billion. But even more startling and more important is the fact that the second largest item of governmental appropriations is for the payment of interest on that debt.

Now, in answer to a question he pointed—and I do not know how many minutes I have been talking here, but let us say that I have been talking for 20 minutes—that the interest on the national debt is about $31,000 per minute. Now, while I have been talking for 20 minutes, the interests on the national debt has increased $620,000. Surely this should make all of us stop and consider whither we are headed.

Mr. Speaker, maybe we ought to stop, look, and listen. I just wanted to raise some warning signals again here this afternoon, for whatever they are worth, that some day down the line there is going to be a day of reckoning.

Mr. Speaker, who would have thought that we would have ever gotten to the point where we would be spending $192 billion a year, 10 or 20 years ago? Yet now we are trying to limit that expenditure to these $192,900 million.

Mr. Speaker, I have been over this so many times that I should not pursue it further.

Mr. JONAS. Mr. Speaker, will the gentleman yield?

Mr. COLMER. I am happy to yield to my friend, but before I do, may I say that the gentleman from North Carolina (Mr. JONAS), along with the gentleman from Texas (Mr. MAHON), the chairman of the committee, have both in my judgment done an excellent job of trying to apply the brakes here.

Mr. Speaker, I now yield to my colleague, the gentleman from North Carolina.

Mr. JONAS. Mr. Speaker, on behalf of the distinguished chairman of the committee, the gentleman from Texas, and also for myself I would like to express appreciation to the distinguished chairman of the Committee on Rules for his generous remarks. I agree with the gentleman from Mississippi that this spending limitation is going to create quite a burden for the executive branch of the Government.

It is already evident that the spending levels projected in the revised budget are too low. The gentleman from Mississippi mentioned the national debt and the interest on it. I think that before the year is over, we will find that the interest on the national debt will be substantially higher than it was estimated to be in the budget. Other examples could be cited but it is sufficient I think to remark that this limitation is going to be hard to live with.

While the revised budget is about $4 billion under the original budget which we received in January, it nevertheless is about $8 billion higher than the spending levels of 1969. In this respect I do not see how it can be regarded as austere. And as I frequently voted for spending limitations last year, and I offered several limiting amendments myself, I feel that I should vote for this one this year. To do otherwise, would put me in an inconsistent position and a "no" vote by me this year would be regarded as a relaxation of my feeling that substantial spending reductions are necessary if we are to win the battle against inflation and return to a sound fiscal policy, importance of the limitation of spending just because there has been a change in the administration downtown. Just as I supported and voted for and offered some of the amendments last year, I am supporting this spending limitation this year.

I would point out to those who are worried for fear the Government will run out of money under this spending limitation that there always is the opportunity, as the gentleman from Mississippi has already explained, for the executive to come back to the Congress and submit a request and there will be opportunities all during the session for the Congress itself to impose some spending limitations on the individual appropriation bills as they come from our committee. We are going to have two on the floor next week.

So there is not any reason to be worried about the Government coming to an end because we impose this spending limitation.

This is an effort on our part to invoke some fiscal responsibility and to strike a blow for the economy which I think will be helpful to the Government and to the taxpayers of the country as well.

Mr. COLMER. Mr. Speaker, the gentleman certainly would agree with me, and this is one of the points I wanted to make and did make—that if this House—if this Congress wants really to have a confrontation with this situation that one of the best things it can do, if not the very best thing, is to stop authorizing new programs with built-in accelerations costs in them from year to year. I am sure the gentleman will agree.

Mr. JONAS. I agree with the gentleman 100 percent. I would go one step further. I will say that the first place to call a halt is on the authorizing bills. The second place is on appropriation bills which the committee reports and recommends to the House, and the third place is right here—this Chamber when the Members vote on final passage.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. COLMER. I yield to the gentleman from Iowa.

Mr. GROSS. Mr. Speaker, I commend the gentleman for his statement on the general subject of fiscal responsibility.

I wonder if the gentleman knows of a single bill providing for spending that has been brought before the House of Representatives up to this day and hour that has not called for increased spending?

Mr. COLMER. I would have to answer the gentleman in the negative.

Mr. GROSS. So that while the gentleman from Mississippi and the gentleman from Iowa fervently hope that this $192,900 million ceiling, if imposed, will work—we hope it will work—but we hope for the best and fear the worst—would that be representing the thoughts of the gentleman from Mississippi?

Mr. COLMER. I will go along with my friend, as usual.

Mr. GROSS. The gentleman from Iowa will have to see better evidence than he has seen, however, in this session of Congress to convince him that this ceiling will have any meaning at all.

Mr. COLMER. I thank the gentleman. We can only hope and continue to try—otherwise we are lost.

Mr. ROGERS of Colorado. Mr. Speaker, will the gentleman yield?

Mr. COLMER. I yield to the gentleman from Colorado.

Mr. ROGERS of Colorado. Did I cor-

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rectly understand the gentleman to state that the proposed limitation is along the same line of that contained in the resolution we adopted at the last session of the Congress in which there was a cutback of $4 billion? Is this similar to that?

Mr. COLMER. In effect, to my mind, yes.

Mr. ROGERS of Colorado. It is.

Mr. COLMER. In that we place a limitation.

Mr. ROGERS of Colorado. Is there any language to guarantee that the veterans will be paid their pensions under this setup, as was provided in the resolution in the 90th Congress, to which I referred?

Mr. COLMER. My understanding, I may say to the gentleman from Colorado, is that there no exemptions and no exceptions provided for in this bill. I know the gentleman is a very devoted friend of the veteran, as most of us are. I am rather happy that he used that illustration because, as I said, we are all for the veteran, and I put my record up against the gentleman's or anybody else's on that. But what I want to say to the gentleman from Colorado is that I believe firmly that the veterans of this country who bared their breasts to the enemy on foreign soil, who flew across the trackless oceans, and who are now dying in Vietnam are perfectly, and would be perfectly willing, if it came to that, to make some financial sacrifice as well as to offer their blood on the altar of their country. I am firmly of the opinion, that the man who is willing to defend his country on the battlefield is willing to make a little sacrifice, if it comes to that, on the homefront. Moreover, I believe that most, if not all, of our veterans would like to see the rest of us make a little sacrifice in order to save the country here on the homefront.

But permit me to say further, to the gentleman from Colorado, that I see no reason for concern here. It has been my observation in my long years of service here, that this Congress is always zealous of the interest of those who have fought the battles of this country in times of war. If it develops that this procedure which we are adopting here today to save the Republic from the enemy of inflation and that our veterans may be hurt, I am confident that this Congress will see that our veterans are not hurt.

Mr. ROGERS of Colorado. Mr. Speaker, will the gentleman yield further on that point?

Mr. COLMER. I yield to the gentleman from Colorado.

Mr. ROGERS of Colorado. As I understand, in this Congress we have not as yet approved any of the 12 or 14 appropriation bills, that is, the regular appropriation bills.

Mr. COLMER. The gentleman is correct.

Mr. ROGERS of Colorado. It is anticipated that when July 1 comes, probably we shall not have approved half of them by that time, if any. If this resolution is adopted, at the coming of July 1, when we have a resolution to continue the appropriations of last year, so to speak, how would this resolution be applied? Would it be applied in a reduction of a quarter of a billion dollars on last year? In what manner will it be applied if we have continuing appropriations?

Mr. COLMER. I think I can answer that question, but I would prefer to yield to the gentleman from Texas, the chairman of the Appropriations Committee, to answer the question and I would prefer that my friend from Colorado, for whom I have a high regard, would direct his technical questions to the chairman of the Appropriations Committee.

I yield to the gentleman from Texas.

Mr. MAHON. With respect to operations on and after July 1, 1969, for the agencies for which appropriation bills are not enacted into law by that time, there would, of course, have to be a continuing resolution. But we would act prior to that time—certainly in the House we hope to—on the independent offices appropriation bill, which usually contains the funds for the Veterans' Administration.

When we bring to the House a continuing resolution next month, the continuing resolution will be written in such a way as to take care of the situations which may be before us.

The $192.9 billion ceiling which is placed on expenditures for next year by title IV, I might say, is, in the aggregate, about $8 billion above the estimated total expenditure figure for the current fiscal year 1969.

There is another significant thing about this ceiling. This ceiling does not provide for any reduction whatever from the President's projected spending total. Last year, Congress made a $6 billion cutback, and that had to be cut out of the hide of the budget. Title IV provides that the beginning ceiling of $192.9 billion will increase or decrease, dependent upon what Congress does on the various spending bills involved, as they are considered. If Congress increases the budget on which the beginning ceiling figure is based, then the ceiling will go up; if the budget is reduced, then the ceiling is to be adjusted downward appropriately.

If there is a Member of this House who is not a friend of the veteran, or who has a spirit of ingratitude toward the veteran, I do not know who that Member is. I cannot see any thought or probability that any injustice will be done to the veterans. I, myself, will vote to provide any funds and will support any funds that are required or in any way reasonably justified before the Congress for such purposes. I think of all people who should have no concern about what Congress will do, the veterans are in the most secure position.

Mr. ROGERS of Colorado. Mr. Speaker, will the gentleman yield further?

Mr. COLMER. I yield to the gentleman from Colorado.

Mr. ROGERS of Colorado. Mr. Speaker, the gentleman from Texas states that if it becomes necessary to have an extension—as we will, no doubt, have in certain areas—after July 1, as we did last year when I think we went each month until November, if these things develop they will be taken care of at that time. Is it not possible we could put this kind of resolution for the continuation of appropriations over until that month?

Mr. MAHON. Mr. Speaker, will the gentleman yield?

Mr. COLMER. Mr. Speaker, I yield further to the gentleman from Texas.

Mr. MAHON. Mr. Speaker, when we have the continuing resolution before us next month, we can call before us the director of the Veterans' Administration or hear anyone else we need to, but we will make sure that the resolution is drawn in such a way that all needs are met for the returning veterans. Of course, there are accelerating costs and requirements. Everybody is in favor of taking care of them. There is no problem about taking care of that kind of thing.

Mr. ROGERS of Colorado. But what is wrong with postponing this resolution about the limitation until such time as it is actually before the House for consideration? This is a gestation of what we are going to say, of cutting down. Why do we not then and there, when the continuing resolution on the appropriations may be considered, make the determination rather than adopt this resolution at this time—which nobody seems to know exactly the meaning of?

Mr. MAHON. Everyone who will take the time to read the proposal, I think, will be able to ascertain what it means. It is on page 61 of the bill. I know the capabilities of the gentleman from Colorado. It is very plain here. It is a governmentwide proposal. It simply says:

> Expenditures and net lending (budget outlays) of the Federal Government during the fiscal year ending June 30, 1970, shall not exceed $192,900,000,000: *Provided*, That whenever action, or inaction, by the Congress on requests for appropriations and other budgetary proposals varies from the President's recommendations thereon, the Director of the Bureau of the Budget shall report to the President and to the Congress his estimate of the effect of such action or inaction on expenditures and net lending, and the limitation set forth herein shall be correspondingly adjusted.

Mr. ROGERS of Colorado. I wanted to ask the gentleman from Texas another question.

The SPEAKER pro tempore. The gentleman from Mississippi has consumed 25 minutes.

Mr. COLMER. I thank the Chair.

I am sorry I cannot yield any further time to the gentleman from Colorado.

Mr. COHELAN. Mr. Speaker, will the gentleman yield?

Mr. COLMER. I yield briefly to the gentleman from California.

Mr. COHELAN. I just want to make a quick announcement at this time. I do not oppose the rule. However, when the matter comes up for debate, I will introduce an amendment to strike title IV and I will make my arguments at the appropriate time.

Mr. TEAGUE of Texas. Mr. Speaker, will the gentleman yield?

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Mr. COLMER. I yield to the gentleman from Texas (Mr. TEAGUE) whatever time I have remaining.

Mr. TEAGUE of Texas. Mr. Speaker, I thank the gentleman from Mississippi. I will not need that much time.

Mr. Speaker, I have been very much disturbed about this legislation as it pertains to our veterans' program. We all know there is a war going on in Vietnam, but few people realize the impact of the Vietnam war on our veterans' program. Demands on every major program of the VA are up over last year. Listed are the comparsions between the first 9 months of fiscal year 1968 and fiscal year 1969:

GAINS IN KEY WORKLOAD ITEMS EXPERIENCED BY THE DEPARTMENT OF MEDICINE AND SURGERY DURING THE FIRST 9 MONTHS OF FISCAL YEARS 1968 AND 1969

Workload items	1st 9 months of— Fiscal year 1968	1st 9 months of— Fiscal year 1969	Increase
Hospital care in VA and Non-VA facilities:			
Admissions	498,518	512,839	+14,321
Discharges	501,266	515,553	+14,287
Patients treated	615,209	623,131	+7,922
Average monthly turnover rate (percent):			
VA hospitals	54.7	59.8	+5.1
Non-VA hospitals	96.1	110.5	+4.4
Percent of VA hospital discharges to post-hospital care	46.4	47.3	+.9
Nursing home care:			
Average daily census:			
Total	7,932	8,637	+705
VA	3,429	3,683	
Community	2,732	2,826	
State	1,771	2,128	
Patients treated (total)	17,035	18,661	
Outpatient visits, staff and fee:			
Total	4,828,397	5,115,076	+286,679
Compensation and pension	221,947	250,460	
Outpatient treatment	2,465,612	2,553,777	
Posthospital care	790,727	894,692	
Prebed care	64,566	72,227	
Need for hospital or domiciliary care	807,659	866,880	
All other	477,886	477,040	
Dental examinations (total)	482,916	504,959	+22,043
Staff	478,477	492,857	
Fee	4,439	12,102	
Dental treatment cases (total)	196,200	211,700	+15,500
Staff	189,855	198,926	+22,844
Fee	6,345	12,774	+6,429
Patients receiving new prosthetic appliances	264,583	287,427	+22,844
Social work caseload (3d quarter average)	98,733	105,732	+6,999
Mental hygiene clinic (active cases Mar. 31)	70,414	74,319	+3,905
Clinical laboratory weighted work units	43,730,643	48,928,304	+5,197,661
Voluntary service man-hours (1st 6 months)	4,705,752	4,965,733	+259,981
Prescriptions filled	7,428,030	8,431,043	+1,003,013
Residents in training program (non-career):			
Physicians	3,515	4,000	+485
Dentists	56	66	+10
Interns in training:			
Physicians	374	506	+132
Dentists	45	60	+15

GAINS IN KEY WORKLOAD ITEMS EXPERIENCED BY THE DEPARTMENT OF VETERANS BENEFITS DURING THE FIRST 9 MONTHS OF FISCAL YEARS 1968 AND 1969

Compensation and pension: claims received	1,424,089	1,650,202	+226,113
Education:			
Applications and authorizations	1,574,062	2,019,517	+445,455
Counseling actions	133,226	155,773	+22,547
Loan guarantee:			
Appraisal requests	247,951	266,287	+18,336
Eligibility determinations	434,823	437,897	+3,074
GI loan applications	191,317	188,449	−2,868
GI loans closed	175,518	169,118	−6,400
Gardianship: Beneficiaries (total as of Mar. 31)	668,667	730,024	+61,357
Contact:			
Personal interviews	1,992,213	2,105,205	+112,992
Telephone interviews	3,238,510	5,025,607	+1,787,097
Administrative:			
Incoming mail	40,762,970	44,972,017	+4,209,047
Applications processed	457,708	565,982	+108,274
Folder lookups	18,631,179	20,329,494	+1,698,315

We get 75,000 new veterans discharged each month. Every single program the VA is in has gone up. Yet, we have not added a bed in a hospital. The VA hospital system is receiving the casualties directly from the military and this is a substantial added burden. Last year the VA hoped to get 4,000 additional employees for kidney machines and heart machines and intensive care, and so on. Instead of getting those 4,000, they were ordered to go back to the 1966 level, which meant getting rid of about 4,000 employees.

In the second session of the 90th Congress at the time the surtax was imposed, an agreement was reached between the Ways and Means Committee and the Senate Finance Committee that personnel levels in the Federal Government would be rolled back to the June 30, 1966, level. This was accomplished by section 201 of the Revenue and Expenditures Control Act of 1968.

When the provisions of the conference agreement came to our attention we found that every agency of the Federal Government was to be placed on a personnel reduction formula until the entire Federal Government reached the June 30, 1966, level. Since VA is a rapid turnover agency, the agency would have been required to remain on the reduction formula for approximately 30 months and would have cost approximately 30,000 employees. This would have lead to the closing of at least 15 hospitals. The conference was reopened and a commitment was secured from the conferees and the Bureau of the Budget that the personnel ceilings would be applied agency by agency, therefore, VA was required to remain on the reduction formula until it reached its own June 30, 1966, personnel level which required the reduction of about 5,000 employees rather than 30,000.

VA has reached its June 30, 1966, level and was required to give up its request in the fiscal year 1968 budget for about 5,000 additional personnel mostly in medical which were needed to install new programs.

The Johnson budget was prepared under the assumption that the personnel ceiling would be removed, and the Johnson estimates contained funds for 3,587 additional employees in medical at a cost of $31,567,000, an increase of 498 in medical and prosthetic research at a cost of $5 million, an increase of 378 in the Veterans Benefits Office at a cost of $3,200,000. The revised budget removed these recommended increases which, of course, are not needed unless the personnel ceiling can be removed.

I would remind the Members of this House that virtually all the legislation which has been enacted for veterans in recent years, and particularly that of the Vietnam era, has passed the Congress unanimously. We meant for these returning veterans to have the best that we could provide and this, Mr. Speaker, is going to cost some money, not only in benefits but in employee and personnel for the agency which administers these benefits. There is a greatly increased workload in all areas of the Veterans' Administration which deal with adjusted benefits. There is a backlog in the adjudication of claims, the highest which has existed since the end of World War II. If we vote in any way to curtail the activities of individuals processing these claims or the general administrative work of the Veterans' Administration, service which is already deplorable in some areas will decline even more and the Congress will be flooded with claims which in some instances will be justified, of unwarranted delays or lack of attention, and a general breakdown of handling of claims for compensation and pension, education, loan guaranty, insurance, and so forth.

Members should not forget, Mr. Speaker, that the casualties of the Vietnam war are being treated promptly in Veterans' Administration hospitals without the necessity of building a single new hospital. These new patients have been absorbed in the general workload of the Veterans' Administration and we are all happy and proud of that fact, but we cannot permit this agency in the middle of a war to suffer a cut that will impair its operations. The Subcommittee on Hospitals has just concluded a series of hearings in which every facet and phase of the hospital program of the Veterans' Administration has been carefully explored. The subcommittee heard eminent deans of outstanding medical schools, perhaps the best in the country, testify that the patient-employee ratio in the Veterans' Administration has reached shocking proportions, sometimes one-half, and in some instances one-third of what is found in well-run community hospitals or a hospital affiliated with a medical school. Without additional personnel and funds it will be necessary to provide further cutbacks in this great medical program which, I am sure, most of us upon mature reflection do not want to see occur.

Our Subcommittee on Hospitals also found great deficiencies in financial resources for research and medical education, both of which are vital if the type and quality of care which our veterans deserve is to be maintained.

Veterans organizations are concerned about this. The text of telegrams from veterans organizations are as follows:

The American Legion is gravely concerned about the ability of the Veterans Administration to carry out its mission to war veterans and their dependents unless that agency is exempted from the ceilings on budget expenditures for FY 1970 as proposed in Title 4 of H.R. 11400.

Some 70,000 new veterans, many of whom are disabled, are returning to civilian life each month from the Vietnam war. This, together with increasing workloads in benefits and service to all war veterans, is severely impairing VA's ability to effectively administer its programs. The cost of war and veterans benefits—a delayed cost of war—are essential obligations of our government.

The American Legion urgently recommends your support of an amendment to H.R. 11400 to be offered by Congressman Olin E. Teague to remove VA from spending and personnel ceilings so that the veterans program will not be further jeopardized.

Herald E. Stringer,
Director, National Legislative Commission.

Veterans Administration will be unable to meet the many demands resulting from Vietnam war under the proposed ceiling for fiscal year 1970, as provided in H.R. 11400, supplemental VA appropriation bill. Urgently recommend your support and vote of Teague amendment which will eliminate ceiling on veterans programs.

Richard Homan,
Commander in Chief, Veterans of Foreign Wars of the United States.

The 280,000 members of the Disabled American Veterans urge you to support an amendment to be offered by Congressman Olin E. Teague, exempting the Veterans Administration from the spending ceiling proposed in H.R. 11400. The increased demands on the Veterans Administration caused by the casualties of the Vietnam war and the need for updating legislation makes such an exemption essential for the welfare of America's disabled veterans.

Charles L. Huber,
National Director of Legislation.

AMVETS urge you to support the Teague amendment to H.R. 11400 which will exempt the VA from the ceiling on expenditures proposed under this legislation. The Vietnam war is creating 70,000 new veterans each month, as long as it continues this number will grow. Certainly our young, brave veterans are entitled to the full range of benefits already granted by the Congress in its wisdom and to proper service for their future needs. We call upon you to represent them now as unselfishly as they represented America in her most difficult war. There is no ceiling on death, injury or loss of civilian pursuits, how can there be a ceiling on the compassion of our country? AMVETS look to you to speak for the new veterans of this Nation.

Joseph V. Ferrino,
National Commander.

May 20, 1969.

We support wholeheartedly the amendment you are going to offer today to H.R. 11400 to exempt the VA from the ceiling on expenditures proposed in this legislation. We have sent telegrams to key Members of Congress stating our support of this amendment.

Victor V. Miller,
National Commander, Veterans of World War One, U.S.A., Inc.

So this is the kind of situation we are in in the Committee on Veterans' Affairs. I appreciate very much the words of the chairman. I had an amendment, which I am not going to offer, with the understanding that when our veterans bill comes along they will give consideration to these facts.

It does not make any difference if Congress gives VA all the money on earth if VA does not have sufficient employees to run the hospitals and provide the care necessary and handle pending claims. On the other side, it does not make any difference to provide all the employees, without the money to pay for them.

In the other body, in the last couple of weeks, they have been very critical of the VA not doing enough to tell our veterans what is going on. The situation today is completely different from that of World War II. When the servicemen came home from World War II they sat around in barracks for a week, and had plenty of time to be counseled. Today, when they come back from Europe, Korea, or Vietnam, they are right out of the service.

What we have done is go to Vietnam to establish centers. The results have been very good. We should have information centers in Korea. We should have information centers in Germany.

The Veterans' Administration maintains a staff of 10 contact representatives at seven locations in Vietnam. As of April 30, 1969, a total of 718,164 soon to be discharged GI's had been oriented on their potential GI benefits. Since the inception of this program more than 77,000 personal interviews have been conducted and almost 30,000 actual applications for benefits have been filed by GI's before departure from Vietnam. VA representatives assigned to duty in Vietnam are all volunteers and their tours are for 6 months' duration. Two VA contact representatives have been killed in Vietnam while carrying out their responsibilities.

CONTACT ASSISTANCE IN MILITARY HOSPITALS

The VA is conducting a comprehensive bedside assistance program while wounded GI's are still hospitalized in 115 military hospitals. During fiscal year 1968 more than 7,000 visits were made to military hospitals and personal interviews were conducted with 61,867 disabled servicemen. Vocational rehabilitation applications totaled 20,269 and claims for compensation approximated 25,000.

CONTACT SERVICE AT MILITARY SEPARATION POINTS

Preseparation group orientation on benefits is provided at 288 military separation points each month. During fiscal year 1968 almost 8,000 visits were made to these separation points by VA contact representatives, over 496,000 servicemen were oriented and 70,265 personal interviews were conducted.

LOCATIONS OF VIETNAM CONTACT CENTERS

Air Force: Tan Son Nhut, Bien Hoa, Cam Ranh Bay, and De Nang.

Army: Cam Ranh Bay and Long Binh.

Marine: De Nang.

Itinerant service: Phan Rang, Tuy Hoa, Phy Cat, Chu Lai, U.S. Naval Hospital, De Nang, and 29th Evacuation Hospital, Saigon.

Yet in this today there has been cut $500,000 off this kind of program, when they have the biggest backlog they have had at any time in the VA program.

I want to say to the chairman that I will appear before your committee when this budget comes along, because I do not believe they are treating the VA right.

Mr. MAHON. Mr. Speaker, will the gentleman yield?

Mr. TEAGUE of Texas. I am glad to yield to the gentleman from Texas.

Mr. MAHON. The main problem here, I believe, which the gentleman from Texas (Mr. Teague) has so well presented, is that of personnel limitations which were fixed in section 201 of the Revenue and Expenditure Control Act last year.

Let me say that in appropriation bills this year for the fiscal year 1970, we will probably propose to recommend some set-aside of that provision of the law as to personnel. We have already included such a set-aside provision in the versions of the bills which have been marked up to date. We expect to report the first one tomorrow. So the personnel problem can, I feel confident, be handled selectively and appropriately.

With respect to the amount of funds needed, that will be a matter for the House to decide. I am sure all of us are going to give our veterans the benefit of the doubt and see to it that they get ample funds for the various veterans programs.

Let me read to the committee the provision on personnel that we would propose to include in the bill making appropriations for the Veterans' Administration. It reads:

> Positions in the agencies covered by this Act—

Which would include the Veterans' Administration—

> whether financed from funds contained in this Act or from other sources, may be filled during the fiscal year 1970 without regard to the provisions of Section 201 of Public Law 90–364—

That is the tax bill—

> and such positions shall not be taken into consideration in determining numbers of employees under subsection (a) of that section or numbers of vacancies under subsection (b) of that section.

In other words, it sets aside the limitation on personnel which is in operation at this time, and which is permanent law. It is, as I said, prepared to include this provision in the bill for the forthcoming fiscal year. I believe this will meet the situation adequately as to personnel ceiling restrictions on the Veterans' Administration.

Mr. SMITH of California. Mr. Speaker, I yield myself such time as I may use.

Mr. Speaker, I believe the very distinguished chairman of the Committee on Rules, together with the colloquy which has taken place between the gentleman from North Carolina (Mr. Jonas), and the other gentlemen, has ably explained this resolution which is pending before the House.

To some extent my understanding is just a little different, and I will mention that for what it may be worth.

I believe this is an unusual procedure, to handle it in this way today. It is necessary, for otherwise the resolution would have to lie on the desk for 24 hours, in order to have general debate.

I believe the approach of providing the

administration with a top ceiling is probably the first time that is has ever been placed into effect by the Congress, as to a ceiling limit for what they could spend. Last year we made them cut certain amounts, but this language, under title IV, will mean that they cannot spend more than $192.9 billion.

Now, where I differ a little bit, if I understood the colloquy so far as the Veterans' Administration or anything else is concerned, is that this language does not apply to the action taken by the Congress of the United States. In our authorization bill for the veterans, we can exceed the money, in that authorization bill, that is set forth in the budget. If it is appropriated, that money can be spent, and the $192.9 billion would be increased by whatever action Congress takes in authorizing and appropriating money over the budget top of $192.9 billion.

I ask the gentleman from Texas (Mr. MAHON) is that not correct?

Mr. MAHON. The gentleman is entirely correct.

Mr. SMITH of California. In other words, we do not bind the Congress. We can come in next week and change this. We can repeal it. We can add to it. We can do whatever we want with any single authorization or appropriation bill, and the veterans will be taken care of when the independent offices appropriation bill comes in, after the authorizing legislation has been approved.

So other than that, Mr. Speaker, I think it is up to the Congress to cooperate. We have already taken one action in the maritime authorization bill, which increased the money over and above the budget request. That amount, if appropriated, will raise this ceiling by the difference between what the administration asked for and what this House of Representatives asked for last week. Next week we will have the space bill. A rule was granted on it yesterday. There is an additional amount in the space program, in the authorization bill, over and above the budget request. If that is approved by the House of Representatives and the Senate and if the money is appropriated over and above that figure, in my opinion, that will increase the $192.9 billion. If I am not correct in that, I would like to have somebody straighten me out.

Mr. WAGGONNER. Mr. Speaker, will the gentleman yield?

Mr. SMITH of California. I yield to the gentleman from Louisiana.

Mr. WAGGONNER. Mr. Speaker, I think the Committee on Appropriations and its chairman ought to be congratulated for the manner in which they are handling the spending ceiling this year. The chairman of the committee, the distinguished gentleman from Texas, and Mr. COLMER, the chairman of the Committee on Rules, and the ranking minority member of the Committee on Rules (Mr. SMITH) have explained in detail how this ceiling will work.

This ceiling limits the administration and the Bureau of the Budget, but it places no limitation on any action that the Congress might choose to take either to raise or to lower in any instance any agency's budget. We all, to a man, share a sincere concern for our veterans. I know that this Congress is not going to be insensitive to the needs of our veterans or anyone else. We are doing a better job with placing a limitation on expenditures this year in this manner, in my personal opinion, than we did last year, because we placed too much of a burden for reducing expenditures on the executive branch of the Government and did not shoulder the responsibility in the legislative. We can raise or lower the budget any time we want to here in the Congress. It is up to the Congress, and that is where the responsibility ought to be.

Mr. FARBSTEIN. Mr. Speaker, will the gentleman yield?

Mr. SMITH of California. I yield to the gentleman for a question.

Mr. FARBSTEIN. Would you agree that by labeling this as a limitation on appropriations it is a misnomer and actually it is solely a limitation on expenditures and not a limitation on appropriations?

Mr. SMITH of California. I do not think it is a limitation on appropriations.

Mr. FARBSTEIN. I admit it is not a limitation on appropriations but just on expenditures. You are calling it a limitation on appropriations, and this is a misnomer.

Mr. SMITH of California. I do not think the language says that. I do not think anybody says that. It is a limitation on the amount of money that the administration can spend in fiscal year 1970 unless Congress raises it or lowers it.

Mr. FARBSTEIN. The gentleman evidently agrees with me except that he uses more words than I to say so.

Thank you very much.

Mr. SMITH of California. It is going to be awfully tough for the administration under the present setup to live under this figure. Congress will have to help in every way that it can.

Mr. COLMER. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER pro tempore (Mr. EDMONDSON). The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. RYAN. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 326, nays 53, not voting 54, as follows:

[Roll No. 58]

YEAS—326

Abbitt
Abernethy
Adair
Adams
Addabbo
Albert
Alexander
Anderson, Tenn.
Andrews, Ala.
Andrews, N. Dak.
Annunzio
Arends
Ashbrook
Aspinall
Ayres
Beall, Md.
Belcher
Bell, Calif.
Bennett
Berry
Betts
Bevill
Biaggi
Biester
Blackburn
Blanton
Blatnik
Boggs
Boland
Bow
Brasco
Bray
Brinkley
Brock
Brooks
Broomfield
Brotzman
Brown, Mich.
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burke, Fla.
Burke, Mass.
Burleson, Tex.
Burlison, Mo.
Burton, Utah
Bush
Button
Byrnes, Wis.
Cabell
Caffery
Camp
Carter
Casey
Cederberg
Celler
Chamberlain
Chappell
Clausen, Don H.
Clawson, Del
Cleveland
Cohelan
Collins
Colmer
Conable
Conte
Corbett
Corman
Coughlin
Cramer
Cunningham
Daddario
Daniel, Va.
Daniels, N.J.
Davis, Ga.
Davis, Wis.
de la Garza
Delaney
Dellenback
Denney
Dennis
Devine
Dickinson
Diggs
Donohue
Dorn
Dowdy
Downing
Dulski
Duncan
Dwyer
Eckhardt
Edmondson
Edwards, Ala.
Erlenborn
Esch
Eshleman
Evans, Colo.
Evins, Tenn.
Fallon
Fascell
Feighan
Findley
Fish
Fisher
Flood
Flowers
Flynt
Foley
Ford, Gerald R.
Ford, William D.
Foreman
Fountain
Frelinghuysen
Friedel
Fulton, Pa.
Fulton, Tenn.
Fuqua
Galifianakis
Garmatz
Gettys
Giaimo
Gibbons
Goldwater
Gonzalez
Goodling
Gray
Green, Oreg.
Griffin
Griffiths
Grover
Gude
Hagan
Haley
Halpern
Hamilton
Hammerschmidt
Hanley
Hanna
Hansen, Idaho
Hansen, Wash.
Harsha
Harvey
Hechler, W. Va.
Henderson
Hicks
Holifield
Horton
Hosmer
Hull
Hungate
Hunt
Hutchinson
Ichord
Jacobs
Jarman
Joelson
Johnson, Calif.
Johnson, Pa.
Jonas
Jones, Ala.
Jones, N.C.
Jones, Tenn.
Karth
Kazen
Kee
Keith
King
Kleppe
Kluczynski
Kuykendall
Kyl
Kyros
Landgrebe
Landrum
Langen
Latta
Lennon
Lipscomb
Lloyd
Long, La.
Long, Md.
Lowenstein
Lukens
McClory
McClure
McCulloch
McDade
McDonald, Mich.
McEwen
McFall
McKneally
Macdonald, Mass.
MacGregor
Madden
Mahon
Mailliard
Mann
Marsh
Martin
Mathias
Matsunaga
May
Mayne
Michel
Miller, Calif.
Miller, Ohio
Mills
Mink
Minshall
Mize
Mizell
Mollohan
Monagan
Montgomery
Morgan
Morton
Myers
Natcher
Nelsen
Nichols
O'Konski
O'Neill, Mass.
Passman
Patman
Patten
Pelly
Perkins
Pettis
Pickle
Pike
Pirnie
Poage
Poff
Preyer, N.C.
Price, Tex.
Pryor, Ark.
Pucinski
Purcell
Quie
Quillen
Rarick
Reid, Ill.
Reid, N.Y.
Rhodes
Rivers
Roberts
Robison
Rogers, Colo.
Rogers, Fla.
Rooney, N.Y.
Rostenkowski
Roth
Roudebush
Roybal
Ruppe
Ruth
St Germain
St. Onge
Satterfield
Saylor
Schadeberg
Scherle
Schwengel
Scott
Sebelius
Shriver
Sikes
Sisk
Slack
Smith, Calif.
Smith, Iowa
Snyder
Springer
Stafford
Staggers
Stanton
Steed
Steiger, Ariz.
Steiger, Wis.
Stephens
Stubblefield
Stuckey
Sullivan
Symington
Taft
Talcott
Taylor
Teague, Calif.
Teague, Tex.
Thompson, Ga.
Thomson, Wis.
Tiernan
Udall
Ullman
Utt
Vander Jagt
Vanik
Vigorito
Waggonner
Waldie
Wampler
Watkins
Watts
Weicker
Whalen
Whalley
White
Whitehurst
Whitten
Widnall
Williams
Wilson, Charles H.
Winn
Wold
Wolff
Wright
Wyatt
Wydler
Wylie
Wyman
Yatron
Young
Zion
Zwach

NAYS—53

Anderson, Calif.
Barrett
Bingham
Bolling
Brademas
Brown, Calif.
Burton, Calif.
Byrne, Pa.
Chisholm
Clay
Conyers
Derwinski
Edwards, Calif.
Eilberg
Farbstein
Fraser
Gaydos
Gilbert
Gross
Hall
Hathaway
Hawkins
Hays
Kastenmeier
Koch
McCarthy
Meeds
Mikva
Minish
Moorhead
Mosher
Moss
Nix
Obey
O'Hara
Olsen
Ottinger
Podell
Price, Ill.
Rees
Reuss
Ronan
Rooney, Pa.
Rosenthal
Ryan
Scheuer
Schneebeli
Stokes
Thompson, N.J.
Tunney
Van Deerlin
Yates
Zablocki

NOT VOTING—54

Anderson, Ill.
Ashley
Baring
Bates
Cahill
Carey
Clancy
Clark
Collier
Cowger
Culver
Dawson
Dent
Dingell
Edwards, La.
Frey
Gallagher
Green, Pa.
Gubser
Hastings
Hébert
Heckler, Mass.
Helstoski
Hogan
Howard
Kirwan
Leggett
Lujan
McCloskey
McMillan
Meskill
Morse
Murphy, Ill.
Murphy, N.Y.
Nedzi
O'Neal, Ga.
Pepper
Philbin
Pollock
Powell
Railsback
Randall
Reifel
Riegle
Rodino
Rumsfeld
Sandman
Shipley
Skubitz
Smith, N.Y.
Stratton
Watson
Wiggins
Wilson, Bob

So the resolution was agreed to.

The Clerk announced the following pairs:

Mr. Hébert with Mr. Bates.
Mr. Kirwan with Mr. Rumsfeld.
Mr. Dent with Mr. Dawson.
Mr. Edwards of Louisiana with Mr. Clancy.
Mr. Gallagher with Mr. Sandman.
Mr. Philbin with Mr. Anderson of Illinois.
Mr. Rodino with Mr. Morse.
Mr. Shipley with Mr. Lujan.
Mr. Leggett with Mr. McCloskey.
Mr. Culver with Mr. Pollock.
Mr. O'Neal of Georgia with Mr. Meskill.
Mr. Murphy of New York with Mr. Railsback.
Mr. Pepper with Mr. Cowger.
Mr. Carey with Mr. Smith of New York.
Mr. Baring with Mr. Frey.
Mr. Howard with Mr. Cahill.
Mr. Murphy of Illinois with Mr. Gubser.
Mr. Nedzi with Mr. Skubitz.
Mr. Randall with Mr. Hastings.
Mr. Clark with Mr. Reifel.
Mr. Ashley with Mr. Watson.
Mr. Dingell with Mr. Riegle.
Mr. McMillan with Mr. Wiggins.
Mr. Powell with Mrs. Heckler of Massachusetts.
Mr. Helstoski with Mr. Hogan.

Mr. BRASCO changed his vote from "nay" to "yea."

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

SECOND SUPPLEMENTAL APPROPRIATION BILL 1969

Mr. MAHON. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 11400) making supplemental appropriations for the fiscal year ending June 30, 1969, and for other purposes.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill H.R. 11400, with Mr. HOLIFIELD in the chair.

The CHAIRMAN. When the Committee rose on yesterday, the Clerk had read through line 7 on page 2 of the bill.

Mr. CEDERBERG. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I will not take the full 5 minutes, but I do feel I want to express, as a member of the Committee on Appropriations, my concern regarding the excessive use of supplementals. You know, we have reached a point here where the ink is no more dry on the regular appropriations bills until we get the first supplemental. Then we get the second and the third and finally 30 days before the end of the fiscal year here we are up with another massive supplemental bill.

I recognize that we in Congress do take certain actions that sometimes do require consideration in the area of supplementals, but I just want to tell the House and the members of my committee that I do not like this approach at all. I am very unhappy with it. I think the time has come when we in the Committee on Appropriations should control ourselves better as to the handling of supplementals. Further, what we ought to do is tell the executive agencies not to come up with supplementals as prolifically as they do now.

In my opinion about one or two supplementals a year is enough. I am expressing my opposition to a supplemental bill in these amounts, 30 days before the end of the fiscal year in some instances with agencies trying to get money that was already denied in their regular appropriation bill.

Mr. Chairman, I object to this approach and I hope, Mr. Chairman, that something can be done to control what I consider to be an abuse of the supplemental appropriations procedure.

Mr. MAHON. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD on the subject of supplementals.

I would say that with respect to the matter of restoration of reductions made last year, less than 1 percent of the funds in this bill represent money for functions which were reduced in appropriations made by Congress last year. The amount so involved is some $34 million. It is only about one-third of 1 percent of the approximately $12 billion cut last year from the requests for new funds for fiscal year 1969. That is a pretty good record, I would say.

We always have a supplemental bill for the current fiscal year in the new session. This one, it is true, has been delayed somewhat longer than usual. I agree that we should avoid supplementals wherever and whenever we reasonably can. Most of this pending supplemental is for costs associated with the war in Vietnam, or for pay increases voted and put into effect last year, plus a few other items that are either mandatory under basic law or rest on other requirements that the committee found justifiable.

But I appreciate the views of the gentleman from Michigan. Some supplementals are more or less inevitable for a variety of reasons. The basis for those in this bill are, of course, explained in the committee report accompanying the bill.

AMENDMENT OFFERED BY MR. RYAN

Mr. RYAN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

> Amendment offered by Mr. RYAN: Strike out title I (beginning on page 2, line 1, and ending on page 3, line 5), and redesignate the succeeding provisions of the bill accordingly.

Mr. RYAN. Mr. Chairman, the purpose of this amendment is to strike out title I of the bill entitled "Military Operations in Southeast Asia" which would appropriate in supplemental funds some $1.2 billion for the war in Vietnam.

This amendment is also sponsored by other concerned Members of the House, including my distinguished colleagues, the gentleman from New York (Mr. LOWENSTEIN), and the gentleman from California (Mr. BURTON).

Mr. Chairman, my amendment is appropriate at this point because it offers the only means that the House has to vote on the conduct of the war in Vietnam. The power of the purse is the one power that we in the House of Representatives have to call a halt to the continued infusion of men and money into the conflict in Southeast Asia—and the continued sacrifice of lives. If we do not seize upon this opportunity, then we will once again have abdicated the responsibility which we have to review and control the administration's exercise of foreign policy.

Again this year, as for each of the past 5 years, we have before us a request for supplemental appropriations to prosecute the war in Vietnam. For the fifth year in a row the costs of the war have been underestimated in the initial budget presentation.

Mr. Chairman, one-third of the funds contained in this bill, $1.234 billion out of $3.783 billion is for military operations in Southeast Asia under title I. The increased funds are needed to pay for increased troop strength over that originally estimated and budgeted for fiscal year 1969. Other funds are required because there has been an increase by 50 percent in bombings by B–52's in South Vietnam following the cessation of the bombing in the north.

A greater tonnage of bombs has been used in Vietnam than the United States used in all of World War II.

Despite the President's statement last week that the United States does not seek a military victory, the level of our military involvement in Southeast Asia is no less today than it was 1 year ago. The brutal fact that over 12,000 American servicemen have been killed since the Paris peace talks began is proof that the level of violence and destruction has not subsided. Witness the loss of 43 American lives and the wounding of 290 other American soldiers in the 11 assaults upon Apbin Hill, known as "Hamburger Hill" since about May 10.

Although the American people expressed their opposition to the continuance of the war through the political process last year, there has been no fundamental change in policy which would lead to the disengagement of American forces.

Mr. BURTON of California. Mr. Chairman, will the gentleman yield?

Mr. RYAN. I yield to the gentleman from California.

Mr. BURTON of California. Mr. Chairman, I would like to congratulate our distinguished colleague, the gentleman from New York (Mr. RYAN), for bringing this matter at issue before the Committee of the Whole House on the State of the Union. It is obvious to every single person on this floor that unless we slow down and reduce the level of violence and the level of expenditures in Southeast Asia, we will not be able to cope with the other problems confronting this Nation.

I believe the gentleman from New York is to be highly commended by all of us for having the insight to give us an opportunity to express ourselves at this very important point in time in the war in Vietnam.

Mr. KOCH. Mr. Chairman, will the gentleman yield?

Mr. RYAN. I yield to the gentleman from New York.

Mr. KOCH. Mr. Chairman, I would like to commend the gentleman from New York and ask the gentleman for his permission to join in cosponsorship of this amendment.

Mr. RYAN. Mr. Chairman, I appreciate the support of the gentleman from New York for this amendment. I believe the gentleman from California (Mr. BURTON) has pointed out very cogently that, as long as the war continues to drain some $27 or $28 billion as it already has done in fiscal year 1969, according to the report of the Committee on Appropriations, the necessary resources will not be devoted to solution of the pressing problems which confront us domestically.

This bill before us is inadequate in its treatment of domestic programs. The rent supplement program, for instance, was funded at less than 50 percent of the Johnson administration's budget request. Yet this bill provides no supplemental appropriations for rent supplements.

The section 246 interest subsidy program for rental and cooperative housing is still $10 million under the authorization.

Mr. Chairman, it is essential that this war end. By voting against supplemental appropriations for it, we will tell the administration that, with all the urgent domestic problems facing our country, it will have to get along in Vietnam with the paltry amounts of money which have already been appropriated for fiscal year 1969—some $27 billion or $28 billion.

The only way to force a change in policy is to refuse to approve the allocation of any additional funds for the war.

As long as Congress continues to acquiesce in appropriations for the war, as long as Congress continues to rubber-stamp administration policy, then Congress must share the responsibility with the administration for the continuation of that war. If Congress wants to bring the war to a close, it has the power to do so.

Mr. Chairman, in 1965, 1966, 1967, and 1968 I voted against supplemental appropriation bills which permitted the war to be expanded and escalated. I shall do so again today. It is time to halt the violence and destruction which have claimed the lives of so many Americans and Vietnamese.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MAHON. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, as everyone knows, our Government is seeking to bring the war in Vietnam to a satisfactory conclusion. Peace talks are underway in Paris, and we certainly do not want to weaken the position of our Government at this strategic time. It is hoped that more and more of the fighting will be assumed by the South Vietnamese forces. This bill contains a quarter of a billion dollars for strengthening and modernizing the South Vietnamese Army in order to better equip them for taking over the fighting.

Mr. Chairman, it would be most ill-advised to pull the rug out from under our forces in Vietnam, so to speak, and out from under our negotiators at the Paris talks.

So, Mr. Chairman, I would hope that we can vote on this amendment at this time, and vote the amendment down.

Mr. OTTINGER. Mr. Chairman, will the gentleman yield?

Mr. MAHON. I yield to the gentleman from New York.

Mr. OTTINGER. Mr. Chairman, I would ask the gentleman how much of the additional appropriations, particularly as they relate to military pay costs for additional personnel, are for the addition of troops beyond those presently in Vietnam?

Mr. MAHON. There are no funds for the addition of troops beyond those presently in Vietnam.

Mr. OTTINGER. There is no money in here for additional troops?

Mr. MAHON. No, that is correct.

Mr. OTTINGER. I thank the gentleman for yielding.

Mr. MAHON. Mr Chairman, I ask for a vote on the amendment.

Mr. LOWENSTEIN. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I speak today because the confluence of recent events have made the timing of this discussion fateful for the country.

Last March 26, in a speech on the floor of this House I said:

> Soon we in the Congress will be asked again for the funds to continue prosecution of the war, and then, as before, Members of Congress will face the most unacceptable of alternatives; for they will be told that to refuse to appropriate money to protect our fighting men is to consign to death yet more of those Americans who are surely among those least deserving to die—those Americans who are carrying out the orders of their Government with a valor and loyalty in the face of the great difficulties and uncertainties of the situation that must rank with the highest such response of our history.
>
> Yet valor and loyalty do not make wrong things right, or senseless policies sensible, or hopeless pursuits hopeful. So there will be those who feel that to vote money for the further prosecution of the war is not to protect lives, but indeed to make more certain that more lives will be pointlessly lost.
>
> It is the imminence of this decision and the existence of stalemate and escalation in Paris and Vietnam that leads me then to urge the President the following steps:
>
> First, the United States should begin at the earliest possible moment to withdraw with all deliberate speed as large a part of our Armed Forces in South Vietnam as would be consistent with the continued safety of those men who remain behind.
>
> Second, the United States should make clear, to those whom we have supported and opposed alike, that it is our intention to continue to withdraw American troops from South Vietnam until none shall remain, providing only that during this continuing withdrawal the Government of North Vietnam and the Vietcong will participate in good faith efforts to resolve by negotiation the negotiable questions mentioned above.
>
> Third, the United States should reiterate its willingness to assist in the relocation of people who do not wish to remain in South Vietnam under new circumstances that must arise in any peace settlement, and to assist through international agencies in the reconstruction of the land devastated by so many years of war.
>
> There has been hesitation to begin the removal of American troops on the theory that to take such a step while negotiations are in progress could weaken the bargaining position of the United States and of the Government of South Vietnam. But I have become convinced that the opposite is in fact the case, unless we are still seeking to negotiate what are not in fact negotiable goals.
>
> For if in fact the early withdrawal of American troops is one of our objectives in the negotiations, to begin that withdrawal could hardly be called a step away from achieving that one of our objectives. It even seems likely that to begin realizing that objective might well make it easier to realize other objectives as well.
>
> The carrot of continuing the American withdrawal should increase the incentive for the Vietcong and the North Vietnamese to negotiate in good faith; while the stick of beginning the American withdrawal could hardly fail to make clear to the South Vietnamese government that we finally mean what we have been saying for so many years—that the war in Vietnam will be de-Americanized. That simple fact should prove a greater inducement to the government of South Vietnam to negotiate in good faith than all the exhortations that words can construct. It would at least remove their greatest incentive not to negotiate: the confidence that as long as there are not successful negotiations there will be an American army on hand to keep them in power.
>
> Therefore, should the President begin the withdrawal of American troops and accompany that withdrawal with public declarations such as those proposed here, he would, I believe, facilitate negotiations rather than hinder them, and thus he would make a major start toward removing the barriers that separate the American people from the most nearly satisfactory resolution of their most difficult dilemma.
>
> In short, it now seems clear that the beginning of the withdrawal of American troops would in fact strengthen our bargaining

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> position if we want to get all the Vietnamese involved to work out the quickest possible way to end the war and the least painful way to begin the reconstruction.
>
> In any event, once these steps were taken and America's purposes were clear, there would be new unity at home in support of those who are negotiating and new hope for a healing of the spirit of this land; and there would be at last an irrefutable rebuttal to those who have denied the efficacy of the democratic process and who would tear it down the pretext that it has collapsed or has never worked.
>
> The money necessary for the "protection" of the lives of those Americans still in the combat area would then be voted without the haunting sense that each dollar proclaimed as protection might in fact increase the likelihood of destruction.

Mr. Chairman, Americans ought today to be feeling great pride because our fighting men gained what is called a great victory in a battle in Vietnam.

Instead, many millions of Americans feel a gnawing and growing wound at their heart, because in fact several hundred more of our finest young men have become casualties in what must be the most irrelevant battle in our history since the Battle of New Orleans. How bitter the taste—and the fruits—of such a "victory" at such a price.

But what is most tragic about this "victory" is that the Battle of Hamburger Hill is simply a concentrated dose of what goes on all the time in less concentrated form, what goes on pointlessly, dangerously, and apparently interminably.

So the moment of "the most unacceptable of alternatives" has now arrived as expected, and once again we are asked for new funds to fight more such battles, to seek more such "victories" on the fevered road to disaster.

And since the withdrawal of American troops has not begun, since the President has not felt he could state the national goals in Vietnam in a fashion that would suggest that the beginning of such withdrawal is imminent since we still seem unwilling to use negotiations to pursue those things that are negotiable—above all, since military commanders still feel free to spill unmeasured blood to gain transient possession of distant hilltops—in these circumstances, I am convinced that to vote more money is to squander more lives.

I cannot believe that anyone here or anywhere else thinks that it is in the national interest to continue this war, to pile up more bodies on more Hamburger Hills. But that is what we authorize when we vote more money at this bloody moment.

We do not "strengthen our bargaining position" by such a vote, on the contrary, we make it less likely that the President will read correctly the national will to get out of Vietnam. We give the green light, in fact, to the continuation of the policies that have led to all this unredeemable slaughter.

Many of us will not do this. We will vote to save American lives. We will vote to salvage the security and honor of the Nation. The only way to do that under the present circumstances is to vote "no" on this appropriation and on all subsequent appropriations to prosecute the war. We vote no with the prayer that these votes will help persuade the President to reverse the course before the national unraveling becomes irreversible.

If the Congress abdicates its obligation to make this judgment on the national policy, it will do so to the peril of this country that we love next only to liberty and justice themselves.

So it seems to me that this is the place and this is the moment to say "No; not another dollar—not another profligate expenditure of lives. Begin instead today the withdrawing of troops, the de-Americanizing of the war, and begin at home with the pressing national agenda so long and so dangerously deferred and already so difficult to address." Then we can close ranks in support of the President, in support of his negotiators. We can vote the money for the closing-out in Vietnam and for the starting-in at home. We can offer protection for the South Vietnamese Government against massacres during transition if it will seek peace, or we can depart and let it tend to its own future if it prefers to fight. We can, in short, stop imposing a government on the people of South Vietnam and a war on the people of that country and our own.

I concluded my remarks here on March 26 by reading something that had been said by Senator Robert F. Kennedy a year ago. I read it again now haunted by the sense that grows more prophetic with each tragic day:

> I am concerned . . . that the course we are following at the present time is deeply wrong . . . I am concerned that, at the end of it all, there will only be more Americans killed, more of our treasure spilled out, and because of the bitterness and hatred on every side of this war, more hundreds of thousands of Vietnamese slaughtered; so that they may say, as Tacitus said of Rome: "They made a desert and called it peace." I don't think that's satisfactory for the United States of America. I do not think that is what this country stands for.

Mr. KOCH. Mr. Chairman, I move to strike the last word.

The CHAIRMAN. The gentleman is recognized.

Mr. KOCH. Mr. Chairman, in March of 1968 the American people made emphatically clear that they no longer would support a government that persisted in the further prosecution of the Vietnam war.

Here we are today—15,000 American lives and $27 billion later—being asked to approve more money for more killing in Vietnam. May I respectfully submit that the new administration and this Congress have failed the American people.

Earlier this year, I said on the floor of this House that I will oppose any appropriations for the further prosecution of the Vietnam war—that I will not vote a single dollar for more killing. The manner in which this supplemental appropriations bill is presented does not permit a separate vote on title I which is devoted exclusively to military operations in Southeast Asia. There are nonmilitary appropriations in this bill which deserve support but we are told that such items are inseparable from the war appropriation. I resent the intention and effect of such a procedure. I do not think it shows proper respect for those Members who deeply oppose our involvement in Vietnam and I regret to say that it appears to show a contempt for the outrage and agony that the American people feel over the continuation of this unconscionable war.

It is because of this procedure, knowing that any amendment to strike title I from this bill will fail, that I have no alternative but to vote "No" against the entire appropriations bill.

AMENDMENT OFFERED BY MR. ECKHARDT TO THE AMENDMENT OFFERED BY MR. RYAN

Mr. ECKHARDT. Mr. Chairman, I offer an amendment to the amendment offered by the gentleman from New York (Mr. Ryan).

The Clerk read as follows:

> Amendment offered by Mr. Eckhardt to the amendment offered by Mr. Ryan: Strike out lines 1 through 5 on page 3.

Mr. ECKHARDT. Mr. Chairman, for at least 2 years now I have had deep concern about our involvement in Vietnam. I feel most sincerely that what we have been doing has many mistaken premises and has extended beyond reasonable bounds activity of the U.S. Government which is for our benefit. Nevertheless, I have voted for all appropriations which included support of the troops in Vietnam. I have come to the point today, however, where I feel so strongly, along with some of my colleagues who have spoken here before, that I must express my protest against a wrongness of direction and a wrongness of pumping funds into that area.

Yet I am not willing to vote for an amendment that would strike all of title I, which includes military personnel, Army; military personnel, Navy; military personnel, Air Force; and also includes operation and maintenance, Army, Marine Corps, and Air Force, because I feel that many of these items necessarily must be spent or have been spent with respect to the necessary requirements of the personnel in the field.

However, I note that the items involved for military personnel, Army, are at $110 million; Navy, $14,500,000; Air Force, $115 million; and then operations, $96,310,000.

Operation and maintenance, Marine Corps, $15,390,000.

Operation and maintenance, Air Force, $242,700,000.

But the procurement item is far greater than any of these items and is $640,100,000. The procurement item is largely prospective, and I believe that this is the place at which we should make our point, that continuation of procurement, in order to prosecute an effort on the part of the United States that is harmful, in my opinion, to the Nation, that that amount of procurement in this bill should be cut out as a strong statement against continuation of the war unchanged and unabated. For that reason I have offered the amendment to the amendment which would cut out the prospective portion of title I, the procurement section.

I would appreciate an "aye" vote. I believe this is a proper way to show we want to turn around, but at the same time we would not be withdrawing support of men in the field at this time.

Mr. BINGHAM. Mr. Chairman, will the gentleman yield?

Mr. ECKHARDT. I yield to the gentleman from New York.

Mr. BINGHAM. Mr. Chairman, I thank the gentleman from Texas for yielding, and I commend him for the amendment he has offered. It offers a welcome opportunity for those of us who want to register at this time our strong feelings against the Vietnam war, and our belief that scaling down of the violence will help produce peace. I support the amendment offered by the gentleman from Texas, as well as the amendment offered by the gentleman from New York. There is plenty of money already available to do whatever is necessary to provide the forces now in Vietnam with what they need.

Mr. FARBSTEIN. Mr. Chairman, will the gentleman yield?

Mr. ECKHARDT. I yield to the gentleman from New York.

Mr. FARBSTEIN. Mr. Chairman, I thank the gentleman from Texas for yielding.

Mr. Chairman, I want to go on record as concurring in the amendment offered by the gentleman from Texas to the amendment offered by the gentleman from New York. To my mind it makes good sense.

I do not think we should deny to our soldiers medical care, food, clothing, and housing. I do not think we should deny the needs of our personnel who are in the armed services, deny them the necessities of life.

However, I believe we can pretty well make evident our feeling insofar as the continuing of the Vietnam war; make evident this concern by concurring in this amendment and voting for this amendment. As I said before, it makes good sense and it is about time we turned over the fighting of this war to the Vietnamese.

Mr. OTTINGER. Mr. Chairman, will the gentleman yield?

Mr. ECKHARDT. Mr. Chairman, I yield to the gentleman from New York.

Mr. OTTINGER. Mr. Chairman, I rise in support of the amendment. I congratulate the gentleman and associate myself with his remarks.

Mr. SIKES. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I would like to restate the thrust of the amendments before us. The amendment offered by the gentleman from Texas to the amendment offered by the gentleman from New York would eliminate the possibility of providing additional weapons and equipment for the South Vietnamese forces and thereby limit their effectiveness in battle. Most importantly the amendment would make it more difficult for the Vietnamese to assume a greater part of the role in Vietnam which they now are prepared to do and have shown the ability to do. This is something we have long desired.

The amendment to strike title I offered by the gentleman from New York would simply, in addition to eliminating weapons and equipment for the South Vietnamese and replenishment of our own depleted combat stocks, which is badly needed, would have a further very serious and undesirable effect. It also cut off the pay—listen to this—cut off the pay of the members of the armed services who are on duty in Southeast Asia. Regardless of intent, this would be the effect of the amendment.

Is that what we want to do?

We are being asked to show a vote of no confidence in the men who literally are fighting and dying for this country. This amendment truly would jerk the rug out from under them.

Just a little while ago we were being told that all the Communists wanted was to have us stop the bombing and they would be ready for realistic steps for peace. The bombing was stopped a year ago. What happened? Nothing. The allied forces have been subjected to offensive after offensive, and the negotiations which have been in progress for months in Paris are still fruitless.

There still are requirements for the war in Vietnam which must be met. There is no way to avoid our own responsibilities.

That is why these amendments should be rejected, and they should be rejected overwhelmingly.

Mr. Chairman, I ask for a vote.

Mr. LIPSCOMB. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I have been listening to the debate in favor of the amendment. I felt the arguments made were not even worthy of being debated. It is an extremely serious matter to challenge the provision of the weapons and supplies needed in Vietnam. We must support our troops there to the full extent of our ability and we must strengthen the troops of the Government of South Vietnam so that they can assume the major role in the defense of their country.

This is a supplemental appropriation. We are proposing to give the fighting men the material they need to work with. The $640 million recommended in Army procurement includes over $393.7 million for our own men, $338 million of which is for ammunition. Over $246 million is to provide for going ahead with phase I and phase II of modernizing and equipping the Vietnamese so they can take over more of the war effort, and we can bring our boys home sooner.

This is what the $640 million is for.

And we are replenishing the equipment destroyed in the Communist's Tet offensive of last year.

We are replenishing some funds we had to spend because the North Koreans became more aggressive in their actions, and seized the U.S.S. *Pueblo*.

I cannot understand why we should support amendments to abandon the responsibilities that we have supported with our wealth and with the lives of fine Americans. Therefore, I oppose the amendment to the amendment, and I oppose the amendment. I believe we should go ahead and make this appropriation for our military operations in Southeast Asia.

Mr. YATES. Mr. Chairman, will the gentleman yield?

Mr. LIPSCOMB. I am happy to yield to the gentleman from Illinois.

Mr. YATES. I am informed by the staff of the Appropriations Committee that there are unobligated funds in the Army procurement appropriations of $3.9 billion. Would that not be adequate to cover the $600 million sought to be stricken out by this amendment?

Mr. LIPSCOMB. At this point in time, the Army is operating under deficiencies in some appropriations. On May 5 of this year, the Deputy Secretary of Defense sent a letter to Congress notifying us that in military personnel and operations and maintenance they were operating in a deficiency condition. This is not true of the procurement account in which funds remain available until expended, but as the gentleman knows—he is a member of the Appropriations Committee—the funds which are unobligated are committed to specific programs and have been taken into account in arriving at the sum now recommended.

Mr. YATES. Mr. Chairman, will the gentleman yield?

Mr. ECKHARDT. Mr. Chairman, I ask unanimous consent to withdraw the amendment to the amendment in order that it may be offered at the proper time.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. HUNGATE. Mr. Chairman, I rise in opposition to the amendment and move to strike the requisite number of words.

Mr. Chairman, I speak not critically either of President Johnson or of President Nixon, and perhaps at the same time critically of both of them. I believe they are using their best judgment in this situation. They are both in a better position, or should be, to know what is needed under the circumstances than are we. For this reason I think the supplemental appropriations as requested should be supported.

I think it is regrettable that we in the Congress, as the elected Representatives of all the people, have no real control over the expenditures of lives in Vietnam. This is not a declared war; it is a conflict which has gone on for some years; so it cannot be said to be a temporary, emergency, expediency measure.

I am further concerned, Mr. Chairman. It seems to me I recall that a few years ago under the administration of President Johnson an announcement was made that draft calls would be drastically reduced. I think they were cut in half. It seems to me that announcement preceded an election by not very much. I know that my phone rang constantly at the same time, and almost every reservist throughout my district was called up—without the benefit of a press release.

I am concerned at this time, Mr.

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Chairman, because I hear rumors that 50,000 men may be coming home, and the July draft call may be drastically reduced. I have just been home. I was getting, at one point, three telephone calls an hour from men who might be drafted in June. The size of the May and June draft callups are not the subject of euphoric press releases.

This is a matter that concerns me. I hope we in the Congress can find some way better to control the expenditures of manpower in this country.

Mr. GIAIMO. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in support of the amendment of the gentleman from New York.

Let me make it clear at the outset that I do not intend in any way to shortchange our fighting men in Vietnam. During the many years that I have had the privilege of serving in this House, I have consistently supported the requests of the Department of Defense, but I think the time has come when we in the Congress must exercise our responsibility to see to it that the Department of Defense is brought to task and required to justify its expenditures. For too long a period of time, Defense officials have come before us in a high and mighty fashion saying in effect, "Unless you give us every dollar that we ask for, either in the regular Defense budget or, if we miss the mark, in our supplementals, you are not being loyal to your country and you are not being loyal to the proper defense of your country." I believe this is nonsense. I think the defense of the United States is the absolute first priority of all of us in this Nation, but that does not mean that I have to put a rubber stamp of approval on every appropriation request of the Department of Defense. If we study their actions in recent years, we will see that the mark has been missed many, many times. Again, I say that we in Congress must compel the Defense Department to stop the loose spending and in some instances the squandering of billions of the taxpayers' dollars.

Today we are talking about a request for $1.2 billion. We are now being told that if we do not appropriate this money we are jeopardizing our entire effort in Vietnam. Mind you, with a budget in the neighborhood of $90 billion, the Defense Department is telling us that without this money it cannot afford to conduct operations in Southeast Asia. I believe that it can. I believe the Defense Department can tighten up. Most importantly of all, I think the success of this amendment will serve as notice to the Department of Defense that the Congress intends to exercise its rights and to perform its function by requiring that the taxpayers' money be accounted for properly.

Mr. MAHON. Mr. Chairman, will the gentleman yield?

Mr. GIAIMO. I am delighted to yield to my chairman.

Mr. MAHON. The gentleman well knows that all of the funds requested by the Department of Defense last year were cut by more than $5 billion. In the request which is before us, in the title we have up now, the Committee on Appropriations recommended, and the amount contained in the bill represents, a cut of $262.9 million. In the entire bill there is a cut of $559 million below the budget request for the military. So this is not by any means a rubber stamping of the requests that have been made. I thought in connection with the gentleman's statement that this fuller statement might be made.

Mr. GIAIMO. I understand, Mr. Chairman. While I realize that this is only the first step in the progress of this supplemental appropriation bill, I sincerely believe that the time has come for us to take a stand in the Congress to compel the DOD to be more responsive to the will of the American people and to the will of the Congress. In my opinion, the passage of this amendment is the only way in which this can be accomplished.

Mr. MAHON. Mr. Chairman, I ask unanimous consent that all debate on this amendment do now close.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

Mr. FRASER. Mr. Chairman, I object.

MOTION OFFERED BY MR. MAHON

Mr. MAHON. Mr. Chairman, I move that all debate on the pending amendment do now close.

The motion was agreed to.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York (Mr. Ryan).

The question was taken; and on a division (demanded by Mr. Sikes) there were—ayes 25, noes 140.

So the amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

PROCUREMENT

PROCUREMENT OF EQUIPMENT AND MISSILES, ARMY

For an additional amount for "Procurement of equipment and missiles, Army", $640,100,000, to remain available until expended.

AMENDMENT OFFERED BY MR. ECKHARDT

Mr. ECKHARDT. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. Eckhardt: On page 3, strike lines 1 through 5.

Mr. ECKHARDT. Mr. Chairman, this is the same amendment that was offered a moment ago but, technically, since it was offered to a motion to strike out all of the title, there was no amendment that was appropriate to be offered at that time. So, I withdrew it and I am reoffering it at this time.

Much of the debate and opposition to the first amendment went to the argument that we should support the men overseas, to which I agree, and I, therefore, voted against the first amendment. This is an amendment which in nowise jeopardizes the position of our men overseas. It merely calls a halt to the mad armaments spending in a war halfway around the globe, which constitutes most of title I of this bill.

So, Mr. Chairman, I urge that the Members vote in support of the striking of the sum of $640 million for procurement, which is prospective for the obtaining of further military materiel, to continue a war which we hope will close, and we should be doing everything we can to close it.

Mr. YATES. Mr. Chairman, would the gentleman yield?

Mr. ECKHARDT. I yield to the gentleman from Illinois.

Mr. YATES. Mr. Chairman, a few moments ago in an interchange with the gentleman from California (Mr. Lipscomb), I made the point that the staff of the Committee on Appropriations had informed me that there were unexpended funds in this item of $3.9 billion. That point has been verified. There are unobligated and unexpended funds of that amount in this item.

It is true, I am told, that they have been programed, but the fact remains that they are not expended, nor are they obligated at the present time.

Mr. LIPSCOMB. If the gentleman will yield, there is a further point that the gentleman should make, and that is that they are committed funds.

Mr. ECKHARDT. There is nothing that we commit that we may not uncommit by this amendment.

Mr. PUCINSKI. Mr. Chairman, I rise in opposition to this amendment.

I suggest that there is a serious incongruity among those who, on the one hand, say that we have got to get out of Vietnam, and that we have got to turn more of this war over to the South Vietnamese and then proceed to support this amendment which would deny equipment to South Vietnam. They are biting off their noses to spite their faces, because this $640 million when broken down shows $393 million for U.S. forces in South Vietnam to replace the equipment that is being used up so very rapidly in the toughest war we have ever fought, and the other $294 million would go to buy military equipment for the South Vietnamese forces. This amount, when broken down, shows $80 million for ammunition, $2.6 million for weapons, and other combat vehicles, $9.7 million for tactical support vehicles, $17.3 million for communication and electronic equipment, and $53 million for other support equipment.

How in the world can you say on the one hand that you want the South Vietnamese to take a bigger share of fighting in this war—and I support that position, and so does the President, and so do most of the Members of the Congress—how can you say on the one hand that you want the South Vietnamese to take on a bigger responsibility in the prosecution of this war and then not give them equipment with which to wage the war?

Mr. Chairman, I suggest that this amendment should be rejectd by the overwhelming vote.

It would be my hope that the people of South Vietnam, their soldiers, and our own American soldiers who are fighting in South Vietnam in the cause of freedom, would receive renewed confidence and hope from the vote we just cast which rejected by this House overwhelmingly the previous amendment by a 6-to-1 vote, and that it would be an indication to them that we here in Congress support their struggle for freedom as we did when we overwhelmingly adopted the Tonkin Bay resolution, which put us into Vietnam in the first place.

If my memory is correct, I believe there was one dissenting vote in this Chamber, and that there were two or three dissenting votes in the other Chamber on the Tonkin Bay resolution.

Mr. Chairman, we have stood by the people of South Vietnam because we know this: the collapse of South Vietnam would only be the beginning of putting into captive bondage all the nations of Southeast Asia by the Soviet Union, just as the Communists put into Soviet bondage the captive nations of Europe and as the Soviets are now trying to put in Communist bondage and create captive nations out of all the nations in the Middle East.

Mr. Chairman, I am amazed at those who stand here today and say that they want us to get out of South Vietnam when they know that the Communists have 73 other countries on three continents earmarked for the same kind of brutal, barbaric, cruel aggression through subterfuge, and terror that they have tested for 5 years in Vietnam, and are continuing to use to this very date, if the forces of freedom should falter in South Vietnam.

I congratulate the committee for understanding the military needs of the people of South Vietnam and of the forces of South Vietnam, and if we really want the South Vietnamese to take on a bigger share of responsibilities, I suggest that you overwhelmingly reject this amendment.

Mr. GERALD R. FORD. Mr. Chairman, will the gentleman yield?

Mr. PUCINSKI. I yield to the gentleman.

Mr. GERALD R. FORD. From the figures given by the gentleman from Illinois and the figures given by the gentleman from California and the gentleman from Florida, it is perfectly obvious that if this amendment is approved as offered by the gentleman from Texas you will slow down and materially hinder and hamper the effort to give greater responsibility to the South Vietnamese.

Mr. PUCINSKI. Precisely.

Mr. GERALD R. FORD. Therefore, I hope that for the benefit of the American military forces in South Vietnam that the amendment is defeated.

Mr. PUCINSKI. Mr. Chairman, I yield back the balance of my time.

Mr. MAHON. Mr. Chairman, I ask unanimous consent that all debate on this amendment and on this title do now close.

Mr. BURTON of California. Mr. Chairman, I object.

The CHAIRMAN. Objection is heard.

MOTION OFFERED BY MR. MAHON

Mr. MAHON. Mr. Chairman, I move that all debate on this amendment and on this title close in 5 minutes, and that the 5 minutes be given to the gentleman from California (Mr. BURTON).

PARLIAMENTARY INQUIRY

Mr. BURTON of California. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman from California will state the parliamentary inquiry.

Mr. BURTON of California. Mr. Chairman, I deeply appreciate the chairman of the Committee on Appropriations suggesting that I be given the 5 minutes, but I am sure we all recall that on the Tonkin Bay matter, we had all of 60 minutes and we spend less than 2 hours annually discussing these matters in Committee of the Whole. My point of inquiry, Mr. Chairman, is if you really think 5 minutes is adequate time to discuss the pending matter?

The CHAIRMAN. Will the gentleman from Texas please repeat his motion.

MOTION OFFERED BY MR. MAHON

Mr. MAHON. Mr. Chairman, I move that all debate on this amendment and on amendments to title I close in 15 minutes.

The CHAIRMAN. The question is on the motion offered by the gentleman from Texas (Mr. MAHON).

The motion was agreed to.

The CHAIRMAN. The Chair has noted the names of Members standing to be recognized under the limitation of time.

The Chair recognizes the gentleman from California (Mr. BURTON).

Mr. BURTON of California. Mr. Chairman, we have heard this old saw every time a supplemental appropriation comes before us, that but for these few billions of added dollars that was not anticipated—but for the approval of these few billions—all the American effort is going down the drain.

We have heard the old saw today that finally we are going to turn over the fighting to the South Vietnamese, if only we approve of this supplemental appropriation.

What absolute nonsense. The fact of the matter remains that we have uncommitted funds right now, if the Department of Defense wanted to use these funds, to arm or to train or to do whatever, with the South Vietnamese Army, and they could spend all the required money even if we do not do a darn thing but reject the pending proposal.

Mr. Chairman, I urge the adoption of this amendment so that we can reduce our excessive military expenditures on this occasion.

The CHAIRMAN. The Chair recognizes the gentleman from New York (Mr. LOWENSTEIN).

Mr. LOWENSTEIN. Mr. Chairman, I feel like Alice must have in Wonderland. Or maybe Rip Van Winkle. We talk as if nothing goes on outside this room. We talk as if it were 5 years ago. We talk nonsense in circles—vicious circles.

Outside this room this country spirals into worsening crisis. We are impervious. We debate the longest war in our history, the most disputed adventure of our national experience, for half an hour. Thirty minutes. Then time is up. But if we cannot discuss these matters here, where can we? What is it we are so busy doing here?

Various Members have proclaimed today that we have an obligation to the Americans in Vietnam. That is one point we can all agree about: we have an obligation to the Americans in Vietnam. We have an obligation to the integrity of this Nation. That obligation is not met by abdicating the functions of the supreme legislative body of the greatest democracy on earth. It is not met by quartermaster-like issuing of ever more money to fight this pointless war which cannot be won and which is destroying national unity, poisoning the national purpose, crippling the national interest.

Does anyone still believe that voting supplemental funds to make possible supplemental Hamburger Hills will save American lives? Will increase the national security? Does anyone believe the Duke of Wellington is Chairman of the Joint Chiefs of Staff? Can all us Alices leave Wonderland long enough to face the consequences of acting on this proposal by rote, by slogan, by habit, while all around us men and women in ever-less-quiet desperation and ever-larger numbers despair of the democratic process and despair for the sanity of the Nation. If we cannot stop long enough to debate, can we at least stop long enough to think?

Mr. Chairman, that is what this vote is all about.

The CHAIRMAN. The Chair recognizes the gentleman from Minnesota (Mr. FRASER).

Mr. FRASER. Mr. Chairman, I have participated in the very limited way that has been possible in this debate as it has recurred from time to time on the floor. I think every time I have had a chance to speak on this subject the time has been restricted to 1 or 2 minutes. I have been thoroughly unimpressed with the role of the committee in affording any direction other than to rubberstamp, essentially, the policies of the President. At some point the House of Representatives, if it is going to stand on its own feet and exercise its constitutional responsibilities, ought to face the policy questions involved here much more squarely than has happened in the past.

I do not believe that the Vietnam war has proven to be a wise venture. I take it from the actions and speeches of many of the Members here today that they think it has been a great venture for the American people. They support it. They are prepared to involve us in more Vietnams in neighboring countries in Southeast Asia. I deeply regret that we do not have more time to discuss these questions.

The CHAIRMAN. The Chair recognizes the gentleman from New York (Mr. RYAN).

Mr. RYAN. An appropriation bill is indeed the only opportunity which we have to vote on the fundamental policy inherent in the Vietnam war. I would like to point out, with respect to the question of military personnel which was raised earlier, that the funds under title

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I are intended to cover and pay for increased deployment to Southeast Asia of some 17,400 Army personnel. According to the testimony of Gen. L. B. Taylor, director of Army budget, on page 361 of the hearings, and very significantly, in answer to a question posed by the gentleman from Alabama (Mr. ANDREWS) which was:

> Do you have any plans to send any more there in the near future?

General Taylor said:

> I think it goes up approximately [deletion] in the next fiscal year.

In other words, troop commitments in Vietnam will go up a certain number in the next fiscal year, according to General Taylor. Yet we do not have the benefit of knowing how many additional servicemen are scheduled for Southeast Asia because that has been deleted or censored by the Pentagon.

Mr. Chairman, I again urge the House to exercise its proper role and make it clear to the President that this war must be brought to a prompt conclusion.

The CHAIRMAN. The Chair recognizes the gentleman from Texas (Mr. ECKHARDT).

Mr. ECKHARDT. Mr. Chairman, the lack of foresight that pervades the whole philosophy of those who would go pell-mell further into a war after they get to the level where the water is reaching their nostrils is illustrated by the argument here that we are going to arm and train the South Vietnamese Army under a supplemental appropriation.

The CHAIRMAN. The Chair recognizes the gentleman from New York (Mr. PODELL).

Mr. PODELL. Mr. Chairman, I congratulate the gentleman from Texas (Mr. ECKHARDT) and the gentleman from New York (Mr. RYAN) and associate myself with their remarks. I think it is about time that we in the Congress reclaimed the prerogative of Congress to initiate and to declare war and to stop war when it becomes an insanity as is Vietnam. I think it is time that we issued our protest of the war in Vietnam in forceful terms. I think this is an opportunity for the Members of the House to make this protest heard.

Once again we are asked to acquiesce in approval of more funds for Vietnam. Contained in title I of the supplemental appropriations bill before us, this request is yet another testimonial to muddled political thinking and futile military efforts.

Again we shall hear the same chorus of voices telling us military victory is just around the corner. We know it is not. Again we shall be assured that just a few more billion and a few more divisions are all that is needed for real power bargaining at the negotiating table. I refuse to believe it.

Once more we shall be told about viable patriotic democrats and heirs of Thomas Jefferson running the government in Saigon. We know they are a patchwork military junta whose jails are crammed with non-Communist opponents.

Still again we shall be told Ky and the Armed Forces of South Vietnam are almost ready to take over a more meaningful role in the war. I have seen too many dead Americans.

Taking all these factors into full consideration, I emerge with one major conclusion—that this war is a civil conflict where we can only continue to waste our substance in vain. Further, that we are only pouring good men and money down a bottomless drain.

I feel we have reached a point where the military of our own country must be curbed and held in tether. Also, their never-ending sources of national funds must be choked off, and there is no better time or place for it to begin than right here and now.

The CHAIRMAN. The Chair recognizes the gentleman from New York (Mr. OTTINGER).

Mr. OTTINGER. Mr. Chairman, our colleague (Mr. PUCINSKI), related the fact of the overwhelming support of Congress for the Gulf of Tonkin resolution. Since that time a great many Americans and a great many Members of this Congress have felt that the policies then approved have proved to be bankrupt.

It is time that we reverse the inexorable increase in the amount we give to the military to prosecute the war and to ever expand it; it is time to stop pouring billions after billions of dollars down the bottomless pit of the military, especially when the military comes to us in this Congress and deliberately falsifies information and seeks to deceive us as it did in the case of the C–54 cargo plane. We simply can no longer take at face value that everything the military describes as "essential" is in fact essential.

We are now spending $82.5 billion on the military. This constitutes some 60 percent of our free funds, not committed to payment of interest on the national debt. This is the largest and fastest rising item in the budget. Its rise must stop.

Many of us feel that the national security of our country is more threatened by internal explosion than by external invasion. A far greater proportion of our free funds must be devoted to education, job training, housing, and our environment if we are to survive. It is past time that we reverse the trend toward an ever larger war in Vietnam and an ever larger military commitment, all made perversely in the name of "peace."

This increase is a good place to start.

The CHAIRMAN. The Chair recognizes the gentleman from New York (Mr. GILBERT).

Mr. GILBERT. Mr. Chairman, I voted for the Ryan amendment to eliminate title I of the supplemental appropriations bill. I felt a vote for tile I is a vote to continue the unpopular war in Vietnam. My support of the Ryan amendment is meant to indicate the dissent in my district and in the country. People are opposed to the Vietnam war, and we in Congress must make every effort to appeal to the President to take steps to end the war. Our best way in Congress to support our troops, is to withdraw them, as I proposed just a few days ago in a resolution introduced in Congress with several of my colleagues. In supporting the Ryan amendment, I have attempted to register my protest, and that of my constituency, over any action to prolong fighting in Vietnam.

The CHAIRMAN. The Chair recognizes the gentleman from New York (Mr. BINGHAM).

Mr. BINGHAM. Mr. Chairman, I would think Members of this House would have learned something from the events of the past year and a half: That the intensity of the fighting in Vietnam does not bring peace closer, but that restraint does.

We would not even be negotiating as we are today in Paris if President Johnson had not shown restraint by stopping the bombing of North Vietnam. Support of this amendment would indicate support of the idea of restraint in the future by keeping down the violence and would bring peace closer.

The CHAIRMAN. The Chair recognizes the gentleman from Illinois (Mr. PUCINSKI).

Mr. PUCINSKI. Mr. Chairman, we are in Vietnam because of the overwhelming vote in the House and in the Senate in support of the Gulf of Tonkin resolution which put us there. America went there with its eyes open. Congress knew what the consequences would be and that it would be a tough war. Just because it has been a difficult war, they should not be coming in here whimpering to pull out.

The President was right when he said if the needless suffering continues at the hands of the North Vietnamese, we will have to reconsider our alternatives. I think there is a very good chance we may have to resume the bombing of the North. The last year during which we have had the pause in the bombing has only brought more casualties of American boys and no subsequent progress toward peace.

I believe we may very well have to resume the bombing of the North and at the same time withdraw our troops from Vietnam so that North Vietnam will realize it is in for a long bombing siege. Only then may we see some progress in Paris.

This money and equipment is needed to win the war. This war is not going to be won in this Chamber; it will be won by the fighting in Vietnam.

The CHAIRMAN. The Chair recognizes the gentleman from New York (Mr. KOCH).

Mr. KOCH. Mr. Chairman, it is not because this is a tough war or a hard war that I oppose it but because it is an immoral war, which is to say our involvement is politically, militarily, and economically indefensible. We therefore ought to get out of Vietnam.

The vote on this supplemental war appropriation is symbolic. If we were to vote it down, the President would know that we want a cease-fire now and a start of the withdrawal of American troops now.

This vote transcends the simple question of an appropriation; it is rather an opportunity for those who oppose the war to demonstrate their opposition.

We are told that we must vote for this appropriation in order to support our soldiers in Vietnam. I support our men in Vietnam. I want to bring them home.

The CHAIRMAN. The Chair recognizes the gentleman from New York (Mr. FARBSTEIN).

Mr. FARBSTEIN. Mr. Chairman, 5 years ago I remember the then Secretary of Defense and the military saying the war would be over in a couple of months. This is a broken record of constant reiteration and the war still goes on.

I think the only way we can effectively turn this war over to the South Vietnamese is by denying any further funds for procurement of materiel. There is sufficient funds in the pipeline for materiel so the Vietnamese can take over the war.

I believe this additional equipment is unnecessary to provide full protection to our present forces in Vietnam. It could only serve as a means of escalating the American presence in Vietnam and discouraging the South Vietnamese from taking over a greater degree of responsibility for the prosecution of the war.

I believe that the passage of the amendment offered by the gentleman from Texas to delete this $640,100,000 would take us a significant step closer to the goal of getting out of Vietnam.

The CHAIRMAN. The Chair recognizes the gentleman from Michigan, the minority leader (Mr. GERALD R. FORD).

Mr. GERALD R. FORD. Mr. Chairman, unfortunately the amendment as drafted is sloppy and poorly put together. The net result, however, is that we are faced with whether or not we will go along with the desire of the American people to transfer to our allies, the South Vietnamese, a greater and greater share and ultimately the total burden of the fighting in Vietnam.

If we vote for this amendment, we are voting to set back and to roadblock the effort to give the South Vietnamese a greater share of the fighting. Therefore, I truly hope that the amendment, badly drafted as it is, is defeated.

The CHAIRMAN. The Chair recognizes the gentleman from California (Mr. LIPSCOMB).

Mr. LIPSCOMB. Mr. Chairman, the Nixon administration and the Subcommittee on Defense Appropriations have examined the requests for funds for military operations in Southeast Asia and has reduced them where not essential. The Subcommittee on Defense went very deeply into the requests and reduced over $262 million in the revised request for procurement funds.

The amount requested in the procurement account are the very minimum needed to support not only our own effort in Vietnam, but to equip and modernize the South Vietnamese.

I ask a no vote on the amendment.

Mrs. CHISHOLM. Mr. Chairman——

The CHAIRMAN. The Chair must inform the gentlewoman from New York that under the time limitation she is not eligible for recognition.

Mrs. CHISHOLM. May I ask another Member to yield?

The CHAIRMAN. Yes. The gentlewoman may ask another Member to yield.

The Chair recognizes the gentleman from Texas (Mr. MAHON) to close debate on the amendment.

Mr. MAHON. Mr. Chairman, I yield my time to the gentlewoman from New York (Mrs. CHISHOLM).

Mrs. CHISHOLM. Mr. Chairman, I have just one brief statement to make, because I think most of the statements pertaining to the reasons why we should withdraw from this war in Vietnam have been made.

I speak on behalf of a minority in this country, the women and the mothers, the mothers whose sons have been lost in this war. Unfortunately, here in this body we do not have enough women to speak out on behalf of the women of this country who have been suffering as a result of the loss of their sons in this war.

I think there has to come a time when we have to recognize that we must withdraw, that we cannot continue to lose the cream of the crop of the young men in this country in a war that is unjust, a war that is highly immoral.

The mandate of the people of this country has not been paid any attention. We are supposed to be representing the people of the United States in this Chamber, and the mandate means absolutely nothing in terms of what the women of this country are speaking out about.

Thank you very much.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas (Mr. ECKHARDT).

The question was taken; and on a division (demanded by Mr. BURTON of California) there were—ayes 23, noes 134.

So the amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

AGRICULTURAL STABILIZATION AND CONSERVATION SERVICE

SUGAR ACT PROGRAM

For an additional amount for "Sugar Act program", $7,500,000.

Mr. OTTINGER. Mr. Chairman, I move to strike the last word.

I rise to ask the chairman whether the amount listed on lines 11 and 12 of page 3—"For an additional amount for 'Salaries and expenses', for 'Plant and animal disease and pest control,' includes any amount that involves the spreading of pesticides such as DDT and other nondegradable pesticides, or whether this refers only to the sterile fly program for elimination of the screw-worm referred to in the report."

Mr. MAHON. Will the gentleman direct his question to the gentleman from Mississippi (Mr. WHITTEN) the chairman of the Subcommittee on Agriculture?

Mr. OTTINGER. I am glad to.

Mr. WHITTEN. This is limited to the sterilization of flies and the effort to stop the screw-worm infestation. Most of it represents money already expended under authority which permits deficit spending where life and property would otherwise be endangered.

None of it has the purpose in mind that the gentleman refers to.

Mr. OTTINGER. In that case I have no objection. Thank you.

I yield back the balance of my time.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

CHAPTER III

DISTRICT OF COLUMBIA

FEDERAL FUNDS

FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA

For an additional amount for "Federal payment to the District of Columbia", for the general fund of the District of Columbia, $10,365,000.

Mr. GROSS. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise to ask someone on the Committee on Appropriations whether there are funds in this bill for the restoration of buildings that have been gutted by arson and fire and other acts of property damage at Howard University, including the destruction of a $30,000 fire truck.

Mr. NATCHER. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I am glad to yield to the gentleman.

Mr. NATCHER. I would like for the gentleman to know that in this bill we have no money whatsoever for that purpose.

Mr. GROSS. I thank the gentleman.

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

MORTGAGE CREDIT

HOMEOWNERSHIP AND RENTAL HOUSING ASSISTANCE

The limitation on total payments that may be required in any fiscal year by all contracts entered into under section 235 of the National Housing Act, as amended (82 Stat. 477), is increased by $40,000,000 and the limitation on total payments under those entered into under section 236 of such Act (82 Stat. 498) is increased by $40,000,000.

Mr. FRASER. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I want to indicate my support for the provision in H.R. 11400 which provides $40 million in new contract authority for the section 235 homeownership program. I would like to have seen the Appropriations Committee approve the administration's full request of $50 million for section 235 but the money in this bill will at least enable the program to continue operating. It is essential that we follow up action on this $40 million supplemental appropriation with approval later in the session of the full 1970 budget of $100 million for section 235.

The section 235 program has only been in operation in my district since the first of the year but already it is beginning to have a significant impact. In January the Minneapolis FHA office was allocated mortgage subsidy funds for 100 homes. Within 3 months all these funds had been obligated and the office now has a waiting list of over 200 eligible families.

The Minneapolis Housing and Redevelopment Authority has found that section 235 is a particularly useful aid for moderate income families displaced by

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the urban renewal projects. A MHRA staff member wrote to tell me that three families relocated from a north Minneapolis renewal project had recently obtained FHA mortgages subsidized under 235:

> They bought good houses—houses they could not have purchased without the subsidy. Home ownership will not be a burden because payments are related to their ability to pay. But for every home purchased, we had at least 8 inquiries. Many families are continuing to look for homes pending appropriations of more funds.

The following cases from the Housing Authority files provide interesting examples of how section 235 can make a real difference for families in need of good housing:

FAMILY "C"

> Mr. and Mrs. "C" have two children, ages 3 and 2. The "Cs" purchased a FHA repossessed home in northeast Minneapolis. The home is a two story frame structure with four bedrooms, bath and kitchen, living room and dining room. It was built about 50 years ago and has been well maintained.
>
> FHA approved a mortgage with a local savings and loan association on February 27, 1969. It was set at 7½% for $17,300 with a $200 down payment under Section 235. The "Cs" moved into their new home on April 1. Their share of the monthly payments is $86.71 with a Section 235 subsidy of $72.57 for a total of $159.28 per month.

FAMILY "H"

> Mr. and Mrs. "H" have three children, ages 10, 8 and 7. They are expecting their fourth child in August. The "Hs" bought a two-story home built in the early 1900s. A special attraction of this home is its location next to a school, so their daughter with cerebral palsy doesn't have to walk.
>
> The "Hs" purchased their home for $14,800. The total monthly mortgage payment is $133.51. The "Hs" will pay $82.15 and the government will subsidize $51.36. The payment of $82.15 is 20% of Mr. "Hs" adjusted monthly income. The reasonable amount of the "Hs" monthly payments should enable them to stay financially secure and build an equity from this purchase.

The human element in this new program is conveyed very effectively by a constituent who recently wrote:

> I had been paying $113.00 per month and I was only earning about $300.00 per month for almost 10 years. With paying this much per month, I could hardly make any repairs. Things had reached the point where it was raining in every bedroom. When my children needed more and I could not keep up the payments, I was given 30 days to move out. This was the point where 235 came to my rescue.
>
> Now with my small house, easy upkeep and the monthly payments are much less, I feel more confident in the future. I hope this greatly needed program may be expanded. I know from experience how terrible it is not to have a decent place to come home from work. When I see friends and neighbors under the conditions I was in, I feel I should try to let you know how much this can mean to people and how more should be done.

Mr. Chairman, the passage of the 1968 Housing Act held out the hope of homeownership for millions of low-income families. Now, a year later, when the initial excitement over this historic legislation has died down, it is up to us to make sure that the new housing programs really work. Unless we vote adequate funds for section 235 and the other innovative programs, the 1968 act will be nothing more than a token attempt to meet our country's critical housing needs.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

SALARIES AND EXPENSES

> For an additional amount for "Salaries and expenses", equal to the total amounts of gifts, bequests, and devises of money, and other property received by each Endowment under the provisions of section 10(a)(2) of the National Foundation on the Arts and the Humanities Act of 1965, as amended, not to exceed a total of $3,000,000, to remain available until expended.

AMENDMENT OFFERED BY MR. GROSS

Mr. GROSS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

> Amendment offered by Mr. GROSS: On page 13, strike out all of lines 13 through 20; and on page 14, strike out all of lines 1 and 2.

Mr. GROSS. Mr. Chairman, let me emphasize that this is a big bill. This is a $4 billion supplemental appropriation bill making additions to the regular appropriation bills of last year. And, I want to underscore what the gentleman from Michigan (Mr. CEDERBERG) said earlier. He said, in effect, that these supplemental appropriation bills are coming too fast. They make meaningless the validity of the regular appropriation bills.

Mr. Chairman, my amendment would strike out the $3 million for the Arts and Humanities Foundation. I would like to ask the proponents for handing over another $3 million to this Arts and Humanities Foundation if they have read the latest casualty figures for Vietnam war, if they have, whether they do not think it is more than slightly tragic to be spending this money for poetry reading and ballet dancing when we are in the midst of a horribly costly full-scale war in men and money. We have lost 35,000 men killed in action in Vietnam, nearly another 6,000 dead from various other causes in connection with this war and 225,000 wounded. These arts and humanities people seem to be concerned mostly with bailing out bankrupt cultural centers, such as the one in Atlanta, Ga., while the Federal debt climbs and inflation gallops on.

I remind you of the testimony of Charles Mark, the planning and analysis director of this organization. He wants this money so they can transport actors from Louisville, Atlanta, Cincinnati, and Minneapolis—among other places—to Broadway at the expense of the taxpayers. When they get there, Mr. Mark said, they will dance dances, present chamber opera, whatever that is, and give poetry readings.

Mr. Mark failed to give any testimony on the subject of where the public's money has already gone at the hands of this Arts and Humanities setup.

It would be interesting to know, too, if they plan any more grants to study Apache Indian history, or to make a computer analysis of style problems in epic poetry; or for research for a book on medieval comic opera.

Are they going to shell out more money for a study of aspects of Wordsworth's reading and writing "which have gone unnoticed or misinterpreted"?

Perhaps they have another grant in mind to study the background of 17th century members of Parliament.

Maybe they plan another grant or two for a study of the leading literary critics of the 19th century Spanish literature.

These people have never, as far as I can determine, financed a study of the flight of our gold to foreign countries, nor has there been a grant to find out what tune Nero was playing when Rome burned. Maybe we could use that tune today as a sort of a second national anthem, when we talk in terms of giving an additional $3 million to people who engage in spending the taxpayers' money for purposes of this kind. Here is $3 million we could save, and we had better start saving the millions or we are never going to save the billions.

Mr. Chairman, I urge adoption of the amendment and yield back the balance of my time.

Mr. THOMPSON of New Jersey. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I will not take 5 minutes. It is not necessary, I believe, because my beloved friend from Iowa has not caught up yet with the question that he asked 3 years ago when, of all things, being from an agricultural State, he said that he did not know the difference between a bale of hay and a ballet dancer. That is rather remarkable, being from that area. One might expect that someone from Manhattan or places like that would not know that difference, at least, they would not know a bale of hay.

Mr. Chairman, the fact of the matter is that this is really a startlingly small amount of money, even though it is what was requested for matching grants. The gentleman from Iowa and some of the members of the committee might find it perfectly easy to deride such things as interpretation of poetry and 19th-century Spanish literature, or anything else that makes life beautiful.

Mr. Chairman, to equate this amount of money with what happens in Vietnam is, I believe, ridiculous. Probably this amount of money would not even pump the water out of that submarine at Mare Island.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. THOMPSON of New Jersey. I will be glad to yield to my friend from Iowa.

Mr. GROSS. Well, it might help.

Mr. THOMPSON of New Jersey. It might help. It would cost, probably, much more than $3 million to pump it out, that is true.

Mr. GROSS. I did not know in New Jersey that $3 million could be spent on notice, but perhaps that is true.

Mr. THOMPSON of New Jersey. That what?

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Mr. GROSS. That $3 million could be spent on notice, that it had any real meaning.

Mr. THOMPSON of New Jersey. This has very real meaning, I will say to my friend from Iowa. This covers the entire governmental operation with respect to those grants to the arts and the humanities, to scholarship, and to the beautiful things in life.

Mr. ALBERT. Mr. Chairman, will the gentleman yield?

Mr. THOMPSON of New Jersey. I am delighted to yield to the distinguished majority leader.

Mr. ALBERT. Mr. Chairman, I wish to associate myself with the remarks of the gentleman from New Jersey. This appropriation item gives us the opportunity to get private contributions into this very important area. On another point, while the gentleman has called attention to some areas, that might be humorous to some of us, certainly, none of us would, I hope, undertake to hamstring the artists and humanists of this country by trying to circumscribe the areas in which they operate. This program has been well run. I have had an opportunity to examine its scope and operations, and I commend the great men who have administered it.

Mr. THOMPSON of New Jersey. I quite agree with the distinguished majority leader.

Mr. ST GERMAIN. Mr. Chairman, will the gentleman yield?

Mr. THOMPSON of New Jersey. I yield to the gentleman from Rhode Island.

Mr. ST GERMAIN. Mr. Chairman, I thank the gentleman for yielding. I would like to quote a project that took place just recently in Rhode Island. It was a very healthy and excellent demonstration. As a result of funding from the arts and humanities in Rhode Island, we had a project called Discovery which visited the high schools of the entire State—the theater.

The children who were benefited by this program were very disappointed when they found out that Project Discovery might very well not be continued this year because of lack of funding.

So they put on a demonstration march to the State House hoping that the State would help to fund and that private funds would come in so that they could continue Project Discovery.

I feel that if this type of demonstration can be generated from this funding, certainly it is a healthy thing for the future of our Nation.

Mr. THOMPSON of New Jersey. The gentleman has pointed out something that is very valuable, as has the majority leader.

The fact is that since the passage of this legislation nearly every State in the Union has formed its own State arts council and has turned the attention of the youngsters and of the populace of the States to the beautiful things in life. They may not have much value to some of us, but they do to me and they do to the children and they do to elderly people, such as my friend, Dr. Barnaby Keeney.

This money will generate probably three times as much as the appropriation provided for here. The Endowments on the Arts and the Humanities have done a truly magnificent job with very meager resources.

Mr. HUNGATE. Mr. Chairman, will the gentleman yield?

Mr. THOMPSON of New Jersey. I yield to the gentleman.

Mr. HUNGATE. Mr. Chairman, if I understood the gentleman correctly, the possibility may be that some of our colleagues cannot distinguish a ballet dancer from a bale of hay, and I believe that this would justify a considerable expenditure for cultural enrichment.

Mr. THOMPSON of New Jersey. I suppose it would.

Mr. Chairman, I would like to express my appreciation to the subcommittee and to the committee and my gratitude and the gratitude of our great constituencies who are interested in the arts and humanities for their work and for this very modest contribution.

Mrs. HANSEN of Washington. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, the $3 million placed in this bill is to provide for matching grants. For every dollar that the Government spends here, another dollar or more of grants will be donated and used to further the program of the arts and humanities.

After listening to the debate a little earlier on another subject, I am just going to repeat what I said last year.

We have solved many technical problems. We have made magnificent contributions in the sciences and, yet, not yet does this Nation understand the depth of its soul. A better understanding of ourselves can be the contribution of the humanities.

To the gentleman from Iowa, may I ask, what is wrong with knowing the history—the proud history of the Apache Nation?

Mr. Chairman, I want to read a statement by a rather well-known business enterprise. A page advertisement was taken in the newspapers of the West about 3 weeks ago by the Pacific Northwest Bell.

At the top of the page appear the words "The Big Change in Arts and Culture." At the bottom it says:

> Like many others in the business world today we recognize that the opportunity to enjoy the arts is an important part of the quality of living we enjoy here in the Pacific Northwest. And like any part of our environment, their growth must be nurtured and stimulated. You might say that's been our theme in this Big Change series. For what we've been saying is that the assets we have in Washington must be matched by the deeds of men if we are all to enjoy the productive life. And that's an unchanging assignment.

I strongly urge you to defeat this amendment.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mrs. HANSEN of Washington. I yield to the gentleman.

Mr. GROSS. How about the history of the Comanches, and the Arapahos and all the rest of them—the Mohawks, the Sioux, the Cherokees, and all other Indian tribes?

Mrs. HANSEN of Washington. If the gentleman will yield, I think the history of every group who has been part of this country's history is part and parcel of this country's great heritage and should be more widely known. It is part of our culture.

I am personally proud to have worked with the Indian people of this Nation and to understand their role and their relationship in today's world.

Mr. GROSS. The gentlewoman in the very brief hearings that we held on this subject said it was her understanding that the appropriations——

The CHAIRMAN. The time of the gentlewoman from Washington has expired.

Mr. McDADE. Mr. Chairman, I merely wish to point out to the Members on both sides of the aisle that this is a recommendation that comes from the subcommittee in unanimous fashion. We gave it what we thought was an important and extensive hearing. In our judgment, it is an item in which our Government, our Nation, our people, ought to be interested.

The question is really at what level. I believe all of us will agree that this is a minimal level of Federal funding. I would urge my colleagues on both sides of the aisle to support the position of the subcommittee and defeat the amendment offered by my colleague from Iowa.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. McDADE. I am happy to yield to the gentleman from Iowa.

Mr. GROSS. Did not the gentlewoman from Washington, in opening the quick hearing on this $3 million item, say that, in effect, she was surprised that they would be asking for this funding since she thought supplemental appropriations dealt with emergencies? What kind of emergency is there in this situation?

Mr. McDADE. I would say to my colleague—and the gentlewoman from Washington, of course, is able to speak for herself ably—but I would point out that this is a matching program in which we are making an effort to stimulate non-Federal funding in this area, and in order to do this we are providing funds which can be matched in this bill.

Mr. GROSS. But that scarcely makes an emergency out of this thing.

Mr. McDADE. I think we have to do it in order to stimulate the non-Federal funding. We ought at least to come forward with some Federal funding to keep faith. That is what we are doing.

Mrs. HANSEN of Washington. Mr. Chairman, will the gentleman yield?

Mr. McDADE. I yield to the gentlewoman from Washington.

Mrs. HANSEN of Washington. May I say that in our committee questions were asked to develop the fullest amount of information necessary to find out what the funds were designed to do. We were told that for every dollar that would be provided in the Federal funding there is

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more than a dollar pledged in gifts to the arts and humanities under the matching program. We did not want to appropriate more than would be necessary. We did want to know why, exactly, we needed the money at this time, and the complete answers are in the record of our hearings.

Mr. MAHON. Mr. Chairman, I ask unanimous consent that all debate on the amendment close.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

Mr. JOELSON. Mr. Chairman, I object.

MOTION OFFERED BY MR. MAHON

Mr. MAHON. Mr. Chairman, I move that all debate on this amendent close in 5 minutes.

The CHAIRMAN. The question is on the motion offered by the gentleman from Texas (Mr. MAHON).

The motion was agreed to.

The CHAIRMAN. The Chair recognizes the gentleman from New Jersey (Mr. JOELSON).

Mr. JOELSON. Mr. Chairman, I rise in opposition to this amendment. I think that when the history books of our Nation are written, we are going to be judged not on the number of angry bombs we were able to produce, or the screaming missiles, or the whining bullets, but by what kind of culture or civilization we created.

The gentleman from Iowa mentioned Vietnam. I believe the people of this country want to acknowledge that there are more things to life than wars, and that there are the pursuits of peace, and the advantages and the blessing of peace. We would like to acknowledge that we are a humane, an interested, and an aware people.

I do not think a Congress that today is appropriating $1.2 billion for killing has the right to turn its back on a token $3 million for the appreciation of culture and the blessings of democracy and learning. This may seem a very paltry matter, but I think it goes to the heart of what America is and what America would like to be and what America could become if we are willing to invest our wealth in our minds and our spirits. We must not become a nation of Philistines. We are not barbarians; we are human beings.

As one who would have chosen over Sparta, I urge the rejection of this negative amendment.

The CHAIRMAN. The Chair recognizes the gentleman from Iowa (Mr. MAYNE).

Mr. MAYNE. Mr. Chairman, I would not want to take the position that $3 million is a small amount of money, but considering the vast scope of this project, the National Foundation on the Arts and Humanities, this seems to me to be a very reasonable expenditure in this bill. I, therefore, speak in opposition to the amendment.

Cultural activities of this kind have never in the history of civilization operated at a profit. It has always been necessary to have either some Government subsidization or some other type of contribution from patrons or sponsors to bring great works of art and literature to the peoples of the world. This has been necessary to make progress in raising the cultural and artistic standards of the human race.

We are not talking here about some vague experimental program, but of a program which has already proved its worth operating within the confines of a relatively modest budget.

As the gentleman from New Jersey (Mr. THOMPSON) said, the arts councils have been very successful throughout the United States. I can certainly assure my colleagues that the Iowa Arts Council, under the direction of Jack E. Olds, has been an outstanding success. This has been a bipartisan effort in the State of Iowa commenced during the administration of a Democratic Governor with an appropriation of $50,000. This year a Republican Governor has recommended an appropriation of $61,460 and the full amount has been voted by a Republican legislature. Using State and Federal funds, the Iowa Arts Council has been able to bring great music, great literature, and great drama to every corner of the State. The 1967–68 biennium report of the council shows that 33 projects were undertaken and presented in a great majority of Iowa's 99 counties.

To mention some of these, there were performances by the Des Moines Civic Ballet at Marshalltown and Des Moines and a performance by the Dubuque City Youth Ballet Company in collaboration with the University of Northern Iowa.

An extended tour by the University of Northern Iowa Concert Chorale and Concert Band; a tour of western counties by the Iowa State Symphonic Band; recitals by the internationally known Iowa violinist, Charles Treger, the only American to win the famous Wieniawski competition in Poznan, Poland, and by Pianist David Kaiserman.

A tour of 24 communities by poets from Iowa colleges and universities who read and interpreted their poems to an estimated 5,000 high school students; a drama consultation and technical services project from Iowa State University which brought staff members as consultants to about six communities.

An artist-in-residence program which brought the celebrated painter, Marion J. Kitzman, of Iowa State University, to two communities; a touring exhibition of prints by 12 Iowa printmakers; a traveling program showing and discussing films as an art form was presented in four communities.

An Iowa designer-craftsmen touring exhibit assembled by Donn Young, director of the Cedar Rapids Art Center, which has toured 22 communities.

These are some of the extremely worthwhile programs which the Iowa Arts Council has been carrying forward with the aid of grants from the National Foundation on the Arts and Humanities, and from the Iowa State Legislature. Even more extensive and rewarding programs for the people of Iowa are being planned for next year, if sufficient funds such as those provided for in this bill can be made available through the Arts and Humanities Foundation. The Iowa Legislature has already done its share having appropriated the full amount of $61,460 recommended by Governor Ray for the 1969–70 biennium. I strongly urge that this House similarly show its confidence in the worthiness of the program, by overwhelmingly rejecting this amendment, the purpose of which is to delete all supplemental funds for the Arts and Humanities Foundation.

Evidently some Members of the House are still unaware of the vigorous cultural and artistic activity which has long thrived in the State of Iowa. There has even been some intimation that one of the most beautiful of the performing arts, the ballet, is completely unknown in Iowa. Nothing could be further from the truth. In addition to fairly frequent appearances by national touring companies, a number of Iowa colleges, universities, and cities sustain their own ballet groups. I can assure the House that many Iowans know what ballet dancers look like. Thanks to the Iowa Arts Council and the National Foundation on the Arts and Humanities, increasing numbers of Iowans are having an opportunity to decide for themselves whether their lives are indeed enriched by the humanities and the arts. I urge all my colleagues to vote against this amendment.

The CHAIRMAN. The Chair recognizes the gentleman from Indiana.

Mr. JACOBS. Mr. Chairman, the author of this amendment has said we should start with a half million dollars or with $3 million before we can expect to save billions of dollars. The House has just rejected an opportunity to register a protest against the literally billions of dollars in waste which has been exposed in the Defense Department. Therefore, I would suggest a slogan for this amendment: "Billions for defense waste, but not one cent for what we are supposed to be defending."

The CHAIRMAN. The question is on the amendment offered by the gentleman from Iowa (Mr. GROSS).

The question was taken; and on a division (demanded by Mr. GROSS) there were—ayes 21, noes 99.

So the amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

OFFICE OF EDUCATION

HIGHER EDUCATIONAL ACTIVITIES

For an additional amount for "Higher educational activities", including payments authorized by section 108(b) of the District of Columbia Public Education Act, as amended (Public Law 90–354, approved June 20, 1968), and annual interest grants authorized by section 306 of the Higher Education Facilities Act, as amended (Public Law 90–575, approved October 16, 1968), $11,161,000, of which $3,920,000 shall remain available until expended for said annual interest grants: *Provided*, That, in addition, $160,000 shall be derived by transfer from "Community mental health resource support", Public Health Service, fiscal year 1969.

AMENDMENT OFFERED BY MR. SCHERLE

Mr. SCHERLE. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. Scherle: On page 15, at the end of line 6, strike the period and insert the following: "*Provided further,* That none of the funds appropriated by this Act for annual interest grants authorized by section 306 of the Higher Education Facilities Act, as amended by P.L. 90–575, shall be used to formulate or carry out any grant to any institution of higher education unless such institution is in full compliance with section 504 of such Act."

Mr. SCHERLE. Mr. Chairman, the amendment I am proposing would prohibit any part of the funds appropriated by H.R. 11400—under chapter VII, higher education activities found on page 14 of this supplemental appropriation bill—for the purpose of such annual interest grants to be granted to any institution which is not in full compliance with the provisions of section 504 of the Higher Education Amendments of 1968.

Under chapter VII of the bill before us, Congress is asked to appropriate $3.9 million for interest subsidy grants for college construction loans. This Federal financial assistance would result in the colleges being able to obtain an estimated $145 million in loans from non-Federal sources.

The taxpayers have a large stock in the higher educational institutions in this country—billions of their tax dollars aid it each year. There is an urgent need for college administrators to eliminate the radical troublemakers. The clear congressional intent is that the colleges either ought to clean up their campuses or suffer the consequences.

I can think of no more powerful way to impress upon the administrators the seriousness of their failure to impose section 504 than to tell them that such failure would mean that they will not be eligible for this additional type of aid.

Section 504—Public Law 90–575—basically requires that if any student is found, after a hearing by the college or university, to have either have been convicted of a crime in a court of record or violated a school regulation which was of a serious nature and contributed to a disruption which prevented his faculty or other students from attending to their duties or engaging in studies, then that student shall not be eligible for certain Federal student loan programs for at least 2 years.

Some colleges are laboring under the false impression given by former Secretary of Health, Education, and Welfare, Wilbur Cohen, who felt that enforcement of section 504 was not mandatory. However, the present Secretary of Health, Education, and Welfare, Robert Finch, in testimony before a House Subcommittee on Special Education, of which I am a member, on April 18, 1969, made it clear that section 504 imposed a mandatory obligation on the college. Secretary Finch said:

> As with any provision of law, Section 504 demands compliance in good faith by those to whom it applies. So we expect that colleges and universities will strive in good faith to implement its provisions for aid termination where the facts disclose the "abuses" have taken place.

The amendment only requires the institution of higher education which wishes to qualify for funds under the annual interest grant program to obey the law as far as section 504 of the Higher Education Amendments of 1968 is concerned. Surely no institution of higher education can make any claim that it should be "beyond the law" in any respect, or that it should not have to comply with the provisions of section 504. It is in fact "bad faith" on the part of an institution of higher education if it applies for one form of Federal assistance while it is guilty of refusal or failure to comply with the requirements of the law in its administration of another Federal assistance program.

The intent of Congress that the colleges must hold hearings is most clear. Not only was it clear from the language used in section 504, but in addition the Congress last year passed substantially similar amendments to three different appropriations bills. They were the Labor and Health, Education, and Welfare Act for fiscal 1969, Independent Offices Appropriation Act—Public Law 90–550—and NASA appropriation—Public Law 90–373.

This amendment does not bring the Federal Government into the field of academic discipline. It merely states that none of the funds under this section will be granted to any institution that is unwilling to comply with the present Federal law.

The amendment is important not so much in the program that it amends, but in the principle that it establishes. The relatively new and small annual interest grants program is the only rather general assistance program relating to institutions of higher education in the present bill. My amendment will help the annual interest grant program, by insuring that the limited funds will go to those institutions which are willing to help themselves and to curb the violence and disorders disrupting and in many ways destroying these institutions by using all appropriate means available, including the tools made available to these institutions by section 504 of the Higher Education Amendments of 1968. Denial of an annual interest grant will not invoke serious injury upon any institution, but it would show the institutions that Congress is concerned and demands compliance with section 504 of the Higher Education Amendments of 1968. The experience gained under this amendment would be of great interest when the Congress considers Department of Health, Education, and Welfare Appropriations legislation for fiscal year 1970 later this year, and when it considers other legislation in the field of Federal assistance to higher education.

In brief, my amendment simply says that section 504 of the present law must be enforced, not ignored; that the time to stop disorder on the campuses of our Nation is now, not later; and that the American people are fed up with placid college administrators who are unwilling or unable to carry out their responsibilities to their colleges, their communities, or their country.

Mr. MAHON. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, as I understand the amendment offered by the gentleman from Iowa, he is drawing attention to section 504 of the Higher Education Act and to sections of the Labor-Health, Education, and Welfare appropriation bill, the independent offices appropriation bill, and the Defense appropriation bill of last year which contain certain restrictive language with regard to aid to the colleges. To some extent, the gentleman's amendment merely seems to endorse the present law. I have no authority to speak for the Committee on Appropriations, but personally I do not see anything objectionable about the amendment.

I would ask, Mr. Chairman, unanimous consent that all debate on this amendment be closed in 10 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

The CHAIRMAN. The Chair recognizes the gentleman from New York (Mr. Podell).

Mr. PODELL. Mr. Chairman, it disquiets me to see an effort afoot in the House to coerce universities and colleges into taking action against student protestors. Offered in the form of an amendment to the supplemental appropriations bill we are considering, it aims at a Federal intrusion onto almost every campus in the Nation, deciding who shall be penalized, and who shall not be.

Such an amendment requiring institutions of higher learning applying for Federal interest subsidies for construction projects to certify that they are complying with a legislative antidisorder measure passed by Congress last year. Here we have those who cry the loudest about Federal intervention, demanding such intervention in the worst possible manner.

Such an overshadowing Federal presence and the threat implied is the very antithesis of what Congress intentions were when Federal aid to colleges and universities was enacted into law. Shall the National Government use its freely offered aid to education to require each school to retain or expel students? Is the Government about to set up standards for scholarship as well?

Enactment of such a coercive measure would be the first step toward abrogation of all the liberties our campuses embody and teach. Academic freedom and the right to dissent will be next. This is intrusion with a vengeance.

I hold no brief for those who bring weapons onto campuses or destroy property. I have no sympathy with those who use the right of protest to prevent the vast majority from attending classes and obtaining educations.

Simultaneously, Mr. Chairman, I am vehemently opposed to those who have so little faith in our young people, our ideals and our institutions. At the first sign of trouble, their answer is coercion, abrogation of traditional liberties and the imposition of harsh laws and harsher penalties. Already overreaction is visible in the form of midnight arrests and pounding on the door in the wee hours.

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This is no solution. It is the very antithesis of our country. We must not allow ourselves to be carried away by the frightened cries of those with little faith and no understanding of democracy.

The CHAIRMAN. The Chair recognizes the gentleman from New York (Mr. KOCH).

Mr. KOCH. Mr. Chairman, the potential effect of this amendment is most abhorrent. It would substitute the judgment of the Secretary of HEW for that of the chancellor of every university with respect to student discipline. And cruelly, if such oversight were exercised so as to find the university chancellor derelict, then under this amendment the Federal funds granted to the university for the construction of academic facilities would be withdrawn affecting all students, good and bad alike, violent and nonviolent.

Those who have always feared the assertion of Federal power in education now seem bent on using it in a punitive manner. Students must be held responsible for their conduct—but the Federal Government has no business using its funds to play schoolmaster.

This amendment establishes an ugly precedent and I oppose it.

The CHAIRMAN. The time of the gentleman from New York has expired.

The Chair recognizes the gentleman from Ohio (Mr. HARSHA).

Mr. HARSHA. Mr. Chairman, I rise in support of this amendment. The American people are fed up with the violence, destruction of property, intimidations, and disruptions on the college campuses. They are sick and tired of seeing their tax dollars used for purposes for which they were never intended. They are sick and tired of seeing educational facilities which they funded abused and misused for purposes for which they were never intended.

This amendment merely serves notice on the faculties and administrators that they must enforce the law on their campuses and they must put their own house in order so that academic freedom can be maintained in these institutions, so that the great majority of students who earnestly desire an education may pursue their efforts to improve their knowledge and skills in an atmosphere conducive to that goal.

This amendment is not repressive. It does not impose Federal intervention on the universities, but to the contrary will help insure academic freedom. It should serve notice, however, to the faculties and administrators that unless they do put their own house in order and bring a halt to this nonsense, that they themselves have encouraged, that the American people will no longer stand for such actions and that this Congress will undoubtedly take far sterner measures in the event that they continue to fail to meet their responsibilities.

This is a most proper amendment and is a proper area in which this Congress can act. Certainly there is a Federal interest involved here because of the great expenditure of Federal funds in the name of higher education, and the Congress has a responsibility to see that these funds are properly used and that the facilities constructed with these funds are not destroyed or damaged.

I have been approached from several sources inquiring whether or not I would offer my bill as an amendment to this legislation, and I was also asked, in the event I did not offer my bill, if someone else offered it, would I support it as an amendment to this supplemental appropriations bill.

I informed those who made such inquiries that I would not offer my bill nor support anyone else who did in that event. While I feel very strongly on this issue, it is my feeling that the Special Subcommittee on Campus Disorders under the chairmanship of the distinguished lady from Oregon has acted very equitably and fairly in this matter.

They are conducting hearings on the issue and have been doing so for several weeks. They have afforded me an opportunity to express my views on behalf of my legislation and afforded others a similar opportunity. It is my feeling that we first should exhaust the usual legislative process before we resort to any other methods to legislate on this issue.

Therefore, I have indicated that I would not offer my legislation at this time.

I think the proper procedure is to let the committee work its will and to inquire into all the ramifications of this issue. I am convinced the committee is doing that and will come up with some suggested legislation to cope with this issue of such concern to the American people. In the event it does not, there will be ample time and opportunity to offer my legislation or other measures to cope with the situation.

I see nothing contradictory with that approach in supporting this amendment as the amendment merely clarifies existing law and tells the faculties and administrators that before they receive any future funds they must certify to the Secretary of Health, Education, and Welfare that they will comply with existing law. This is little enough to ask of these faculties and administrators, and I would hope that the committee would accept this amendment.

The CHAIRMAN. The Chair recognizes the gentleman from Maine (Mr. HATHAWAY).

Mr. HATHAWAY. Mr. Chairman, I rise in opposition to the amendment. As I understand, the gentleman proposes that institutions of higher education certify that they are in compliance with section 504 of the Higher Education Act as a prerequisite to making application for programs which will be funded under the second supplemental appropriation bill for fiscal year 1969. As a practical matter, this will mean that institutions will be required to make this certification with respect to just one program—the program providing Federal payments to reduce interest charges on loans obtained from the private money market for the construction of academic facilities.

Mr. Chairman, the bases for my opposition to this amendment are numerous. First of all, the amendment will be most selective in its application. Under the $3.9 million supplemental appropriation proposed for the interest subsidy program, it is estimated that less than 250 institutions of higher education, out of a possible 2,000, will be able to participate in the program. Thus, under the amendment only a small percentage of our Nation's colleges and universities will be obligated to meet the requirement mandated by the gentleman's amendment. All other institutions, many of them carrying on extensive student assistance programs, will not be required under the gentlemen's amendment to file a certification of compliance.

Mr. Chairman, more objectionable than this, however, is the very dangerous precedent which this amendment would establish. Action taken last year in the Higher Education Amendments of 1968 was directed at disruptive students. This amendment was not directed at institutions of higher education as is the gentleman's amendment. We must not confuse our purposes for it is a much different matter to suggest that we punish colleges and universities than it is to say that we should punish students for illegal actions.

As you know, the Subcommittee on Special Education has conducted extensive hearings on the question of student unrest and, not one witness, and I include Secretary Finch and Attorney General Mitchel, has suggested that we enact legislation directed at institutions of higher education. Quite the contrary is the case. Just yesterday, Attorney General Mitchel advised us that he did not recommend any additional Federal legislation at this time. What he was saying to us is what should be repeated here today—that there is sufficient existing authority to meet the problem.

There is clearly sufficient authority to deal with any institution of higher education which refuses to comply with section 504. There is absolutely no need to add the requirement the gentleman's amendment suggests. It can only be viewed as a totally unnecessary amendment which would be selective in its application and which would establish a most dangerous precedent.

The CHAIRMAN. The time of the gentleman from Maine has expired.

The Chair recognizes the gentleman from Colorado (Mr. EVANS).

Mr. EVANS of Colorado. If the proponent of the amendment would answer a question, I would like to pose an inquiry. If his amendment passes, how and by whom is it going to be determined as to whether a college or university is in compliance with the laws as passed last year?

Mr. SCHERLE. Mr. Chairman, will the gentleman yield?

Mr. EVANS of Colorado. I yield to the gentleman from Iowa.

Mr. SCHERLE. Under section 504, if they comply with the law as I indicated, there would be no problem whatsoever.

Mr. EVANS of Colorado. My question is how and by whom is it determined that they are complying with the laws which have been previously passed?

Mr. SCHERLE. We leave the determination in the hands of the college administrators, exactly where it belongs, and they will have to make the determination as to whether they are in compliance with the statutes.

Mr. EVANS of Colorado. When the gentleman mentions "compliance with the statutes," who will judge as to whether or not they are in compliance with such statutes under the gentleman's amendment?

Mr. SCHERLE. The Secretary of Health, Education, and Welfare will have final jurisdiction in the matter.

The CHAIRMAN. The time of the gentleman from Colorado has expired.

The Chair recognizes the gentleman from Iowa (Mr. Scherle).

Mr. SCHERLE. Mr. Chairman, the statement was made a moment ago that this is punitive with reference to the penalty involved. Certainly there should be a penalty. I think it is very important that the penalty be available for use. This is exactly what it would amount to: It would leave the authorization in the colleges and universities where it belongs and all we say is, "You enforce the law." We take no jurisdiction away from them. The discretion lies in the areas of the college and university and all we are asking is that they enforce the law.

Mr. EVANS of Colorado. Mr. Chairman, will the gentleman yield?

Mr. SCHERLE. I yield to the gentleman from Colorado.

Mr. EVANS of Colorado. If it remains in the hands of the office of education it would be handed over to the commissioner of education?

Mr. SCHERLE. It will rest in the Secretary of Health, Education, and Welfare.

Mr. EVANS of Colorado. In other words, he will have jurisdiction over every college and university which receives Federal funds?

Mr. SCHERLE. No, the decision to comply with section 504 would remain with the college and university administrators. If they do not comply with the law then funds would be cut off.

The CHAIRMAN. The time of the gentleman from Iowa has expired.

The Chair recognizes the gentleman from New Hampshire (Mr. Wyman).

Mr. WYMAN. Mr. Chairman, I rise in support of this amendment. It was my privilege to draft and introduce those portions of section 504 that do not relate to conviction. There is no reason why we should not now require compliance with statutes that were passed by this Congress by a vote of 6 to 1. The only action required on the part of the schools is either that someone should be convicted or that, after notice and hearing, they have been found by the school to have wilfully participated in a serious disruption of the university administration. This amendment would leave the control of the situation in the school administration where it belongs, except in cases of convictions in court, which, incidentally, I hope will be extended to include convictions for contempt of court at some later date.

Mr. Chairman, I think the amendment is a worthy one in coping with some aspects of the problems which we are now experiencing at our educational institutions. This is not the complete legislative response, but it helps. In due course hopefully the subcommittee headed by the distinguished gentlewoman from Oregon (Mrs. Green) will present additional general legislation firmly imposing sanctions and appropriate penalties for the reprehensible deliberate insurrection we have been witnessing with dismay on too many campuses in this country.

The CHAIRMAN. The time of the gentleman from New Hampshire has expired.

The Chair recognizes the gentlewoman from Oregon (Mrs. Green).

Mrs. GREEN of Oregon. Mr. Chairman, section 504 was adopted by this Congress last year by an overwhelming majority. As I understand the amendment this does not cut off funds. It requires each university which wants to apply for funds to file a certificate of compliance—simply a statement to the effect that they will comply with the law.

I do not believe there is anything repressive about this; I do not believe it is punitive, but it serves notice upon the colleges and universities of this country that the Congress of the United States has a legitimate concern about the violence which is now current on our college campuses.

This Congress is concerned when advance amnesty is demanded. This Congress is concerned when it appears that a college faculty capitulates to nonnegotiable demands at the point of guns. This Congress is concerned when the faculty of a liberal arts college of a great university votes to ask that criminal charges be dropped for over 200 students and faculty members who participated in a recent riot. This serves notice that the patience of this Congress of the American people is not unlimited. This is to serve notice to the far left that we are sick and tired of the violence we see in this country, and that this Congress is determined to do whatever it can to see that it is stopped. This is to serve notice to the small minority in the SDS, in the Black Panthers that this country will not tolerate the tyranny of the minority.

My committee, I believe, will have other legislation that we hope will be helpful in this situation. I hope that it will be considered in an atmosphere that is calm—that reason will prevail. I will not support legislation that will fall into the plans of the militants. I hope that this legislation will come to the floor of this House within the next few weeks. But I say that I see nothing repressive about the amendment that has been offered today, and I rise in support of the amendment.

The CHAIRMAN. The Chair recognizes the gentleman from Pennsylvania to close the debate.

Mr. BARRETT. Mr. Chairman, the Housing and Urban Development Act of 1968 made many important advances in our efforts to provide good housing and good neighborhoods for all of our citizens. There is nothing in the 17 titles of that bill, however, that is more important than the new interest subsidy programs designed to foster homeownership for families which could not otherwise afford it and a greatly expanded rental housing program. We all know the basic role which homeownership plays in our American way of life by giving families a sense of pride and dignity, a sense of responsibility for the community in which they live, and a sense of participation. The benefits of this aid for homeownership will go far beyond the individual families which receive them.

Mr. Chairman, I want to commend the Committee on Appropriations for the positive approach which they have displayed on most items in the complex supplemental appropriation request. At the same time I deeply regret that they failed to authorize the full $50 million request for each of the interest subsidy programs. I am hopeful that the other body will grant the full request and hold it in conference. Another reduction which deeply concerns me is the complete elimination of the modest request for funds to enable HUD to carry out its extensive responsibilities under the fair housing legislation. The $2 million requested in this supplemental is sorely needed for responsible administration of these duties. Again I am hopeful that the other body will include the full amount in its bill. In addition we should all stand behind the budget requests for the coming fiscal year which contains the full authorization for interest subsidies in the amount of $100 million for each of the programs. In the case of fair housing funds, I am hopeful that the committee can be persuaded that the original budget proposal of $14 million is fully justified.

Mr. Chairman, there is an urgent need to move ahead with housing legislation already on the books. My Subcommittee on Housing recently concluded hearings on our national housing goals and the witnesses were unanimous that these goals can be met if our existing authorizations are fully and promptly funded. I urge all of my colleagues to support this bill today so that we can get on with the job of providing a good home and a decent environment for every American family.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Iowa (Mr. Scherle).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. SMITH OF IOWA

Mr. SMITH of Iowa. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

> Amendment offered by Mr. Smith of Iowa: On page 14, delete lines 24 and 25 and on page 15, delete lines 1 and 2 and the first four words on line 3 and insert in lieu thereof: "$7,241,000".

Mr. SMITH of Iowa. Mr. Chairman, this amendment eliminates the permission to begin a new program of interest subsidies for college construction in this supplemental bill. The bill carries $3.9 million for this purpose. The Department has stated that if this permission is approved it will withhold direct loans from appropriations that have already been made for this fiscal year for the purpose of college construction.

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Under this new program that they propose to fund, either colleges, junior colleges that are now being built, and universities, will sell bonds, and the Government will pay the interest above 3 percent. They do not propose to sell below face value in order to give an effective yield at the going rate of interest, and the Government pay the difference between the return and the face value, but instead to merely pay 1 year of the subsidy now, and then to go in debt for the rest, and pay it each year over a 35-year period.

So we see that obviously this is a gimmick to avoid the limitation in the Expenditure and Control Act of last year, or a gimmick to avoid the Mahon amendment limitation in this very same bill.

This proposition will cost $140 million, but only $3.9 million shows up in the budget, and we go into debt for the rest. This is only part of an overall plan that has been explained to us. In fiscal year 1970, they propose to spend $7 million under the interest subsidy programs and to substitute that completely for the program of direct loans and grants to 4-year colleges. In other words, there will be no direct grants and no direct loans for undergraduate and gradute schools if we approve this approach.

Now in the two bills—$3.9 million plus $7 million plus a second year payment of $3.9 million is all that shows up.

The cost of the Government is $440 million. But all that shows up in the budget is about $15 million and we will pay the rest over a period of 35 years.

This is deficit financing and backdoor financing and defeats the limitations in the Bow and Mahon amendments and in addition to that it makes the time that we spent on debt limitation bills a waste of time.

To make it more palatable, now they call this, "relying more on the public sector." But a rose by some name is still a rose. No matter what they call it. It is nothing but deficit financing.

I would not mind so much if we did not hurt junior colleges and colleges and universities at the same time.

I was on this subcommittee chaired by the gentlewoman from Oregon (Mrs. GREEN) when we developed the legislation that finally became this Higher Facilities Act. I thought we were trying to help the colleges, but now this is to be turned into a bill for the relief of investment bankers and it is not going to give the aid needed to the colleges.

The colleges face about a 50 percent or more increased enrollment in the next 7 or 8 years. They have already engaged in selling as many bonds as they feel they can market with the full interest rate. In addition to that, they need to get some grants and some direct loans to supplement what they can raise through contributions.

I think it is an involved subject and if we are going to substitute completely an interest subsidy program for the good college grant and direct loan programs, it should not be in a supplemental and it should be fully discussed here.

If we do not carry this amendment, then these debt limit bills, limitations on expenditures and the Expenditure Control Act, and the Nixon budget, which claimed a $4 billion reduction, all are as phony as a $3 bill.

If my amendment does not pass, the cost to the Federal Government will be more, most of the cost will be hidden and colleges will be in worse financial condition.

I urge my colleagues to adopt this amendment.

Mr. FLOOD. Mr. Chairman, I rise in opposition to the amendment. Mr. Chairman, it pains me that I must oppose my colleague on my subcommittee who is generally my strong right arm.

The facts are these. Congress authorized this method of financing in Public Law 90–575, approved just last October 16; so Congress is on record as being for it. The exact number of dollars and appropriation language that is in the bill was requested of the Congress by the Johnson administration; so the Johnson administration was for it. It was approved by the present Nixon administration; so they are for it. Of course, it would not be in the bill if the Committee on Appropriations were not for it.

Thus, under no circumstances will the appropriation circumvent the Mahon and Bow expenditure limitation proposal which applies to the 1970 budget.

Mr. JONAS. Mr. Chairman, will the gentleman yield?

Mr. FLOOD. I yield to the gentleman.

Mr. JONAS. Is it not true that the force and effect of this amendment would be to return to Treasury borrowing?

Mr. FLOOD. That is correct.

Mr. JONAS. And that it would require the Treasury to go out into the market and borrow $145 million for a program which we can handle in the way the committee proposes to handle it.

Mr. FLOOD. The only thing wrong with that statement is that I did not think of it. That is absolutely correct.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Iowa (Mr. SMITH).

The amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SALARIES, OFFICERS AND EMPLOYEES

Office of the Speaker: From and after March 1, 1969, the basic annual lump-sum ceiling allowance applicable under this appropriation is hereby increased by $2,230.

AMENDMENT OFFERED BY MR. NATCHER

Mr. NATCHER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. NATCHER: On page 16, strike out line 16 through 19, inclusive.

Mr. NATCHER. Mr. Chairman, this line item is no longer necessary. The amendment meets with the approval of the Speaker.

Mr. GROSS. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise to ask why this item is being stricken.

Mr. ANDREWS of Alabama. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Alabama.

Mr. ANDREWS of Alabama. When the committee met, we were requested by the Speaker to increase the basic lump-sum ceiling allowance for his office. Since that time the Speaker has lost his most valuable "right arm," his former administrative assistant, and has now promoted his legislative assistant to that position. The situation has changed and there is now no occasion for the item. I believe the gentleman would agree.

Mr. GROSS. I agree and I appreciate the gentleman's explanation.

Now that we are on the subject of a pay increase, and since there are salary increases on almost every page of this bill, and it is hard to pull together in any one place information with respect to them, let me ask the gentleman this question: Where are the funds for the pay increases for the Members of Congress that went into effect recently?

Mr. ANDREWS of Alabama. Page 23, in another section of the bill.

Mr. MAHON. Page 23, line 12.

Mr. GROSS. Page 23, line 12; and this is for what period of time for Members of the Congress?

Mr. ANDREWS of Alabama. To the end of the current fiscal year, that is, to midnight of June 30, 1969.

Mr. GROSS. Are there any funds in this bill, is there any forward funding in the bill providing pay increases for the leadership of the House and the other body? Are there any funds in this bill at all for the possible funding of the increase contained in the bill that passed the House and then was shelved in the Senate?

Mr. ANDREWS of Alabama. I again refer the gentleman to the figure on line 12, page 23, for the same period of time, for the rest of this fiscal year.

Mr. GROSS. For forward funding of the legislation that was passed by the House and that is now gathering dust over in the Senate? Surely there is no funding for the leaders' pay increase which has not been authorized.

Mr. ANDREWS of Alabama. Yes, it is in there.

Mr. GROSS. In the bill we are considering?

Mr. ANDREWS of Alabama. Yes.

Mr. GROSS. You are putting up the money without an authorization?

Mr. ANDREWS of Alabama. We held these hearings over 2 months ago, and inserted the funds to carry out the bill which had passed the House at the time. I should add, of course, that the funds cannot be paid unless the House bill passes the Senate and becomes law.

Mr. GROSS. How much other money is there in this bill on the basis of forward funding for items that have never been authorized by the Congress?

Mr. ANDREWS of Alabama. Referring to the bill in question, one-third of the annual amount involved. The actual amount would be $19,835.

Mr. GROSS. One-third of the annual amount involved?

Mr. ANDREWS of Alabama. For these particular jobs.

Mr. GROSS. For these particular jobs?

XUM

Mr. ANDREWS of Alabama. That is correct.

Mr. MAHON. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I am glad to yield to the gentleman from Texas.

Mr. MAHON. The funds cannot be expended unless they are authorized. There is some money here in anticipation of authorization. That money remains in the bill, but as final action has not been taken on the legislative authorization, it is still alive as an issue, and there is nothing to be gained by striking this from the bill.

Mr. GROSS. Then this is not even a supplemental appropriation bill? Is this the procedure of the House Appropriations Committee to put in the supplemental bills funds for items that are not even authorized by Congress?

Mr. ANDREWS of Alabama. Mr. Chairman, we have not had a situation like this since I have been on the committee. This is the last supplemental bill for the current year and the last opportunity for the committee to fund these increased salaries—if the bill becomes law. The funds are in here on that contingency.

Mr. GROSS. If the leader's pay increase becomes law, there would be every opportunity to bring a bill to the House floor.

Mr. ANDREWS of Alabama. I hope this will be the last supplemental bill for this fiscal year.

Mr. GROSS. Does the gentleman mean it could not put it in a regular appropriation bill?

Mr. ANDREWS of Alabama. We will not have another one affecting this particular subject.

Mr. GROSS. Will we not have a housekeeping bill before this session is over?

The CHAIRMAN. The time of the gentleman from Iowa has expired.

(By unanimous consent, Mr. GROSS was allowed to proceed for 2 additional minutes.)

Mr. ANDREWS of Alabama. Mr. Chairman, if the gentleman will yield further, we will not have an appropriation bill for the legislative establishment for the remainder of this fiscal year. I doubt if we will get the regular legislative bill for fiscal year 1970 on the floor before the 1st of July.

Mr. GROSS. This is a most unusual procedure, I will say to the gentleman.

Mr. ANDREWS of Alabama. I say to the gentleman this is the first time we have had a situation like this since I have been on the committee. The money cannot be spent, and will revert to the Treasury if the bill now pending before the other body does not become law.

Mr. GROSS. If it is not acted upon by July 1.

Mr. ANDREWS of Alabama. That is correct. The extra funds can only be used if the bill pending in the other body becomes law.

Mr. GROSS. Then what is the gentleman going to do if the bill subsequently is passed?

Mr. ANDREWS of Alabama. We will not have anything to act on.

Mr. GROSS. After July 1, if the bill subsequently is passed by the other body, then what will the gentleman do in order to get the money for the leadership?

Mr. ANDREWS of Alabama. We are meeting that contingency, making provision for that contingency in this bill. I say to the gentleman that this is the last opportunity this fiscal year that we will have to fund the increased salaries if the bill becomes law and the salaries are increased. If the bill does not become law, then the money will not be spent.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Kentucky (Mr. NATCHER).

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

TREASURY DEPARTMENT

BUREAU OF THE PUBLIC DEBT

ADMINISTERING THE PUBLIC DEBT

For an additional amount for "Administering the public debt", $1,978,000; (and release of $334,000 reserved under this appropriation pursuant to section 201 of Public Law 90–364).

Mr. GROSS. Mr. Chairman, I move to strike the necessary number of words.

Mr. Chairman, I would like to ask the distinguished chairman of the Appropriations Committee about the increase of nearly $2 million—apparently it becomes more than $2 million if we take into account the release of other funds—for the Bureau of Public Debt. Why would there be a supplemental in this regard?

Mr. STEED. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Oklahoma.

Mr. STEED. In this item of operation in the Government there are certain fees they have to pay to the Federal Reserve Banks and to the commercial banks throughout the country for services rendered in the cashing of bonds and other transactions. The major part of this item here is what is needed to finish paying the claims they will have for the remainder of this fiscal year. The volume of this sort of business is turning out to be considerably more than the original estimates over a year ago.

Mr. GROSS. So the debt is going up? Is that what the gentleman is saying and increasing the business of the Bureau of the Public Debt?

Mr. STEED. Some of this item could be attributed to the fact that the debt has gone up. Most of it is in the item of reimbursement we make to the Federal Reserve Banks and to the commercial banks for various services they perform for the Treasury Department.

Mr. GROSS. But that deals with the Federal debt. What is the total appropriation for the operation of the Bureau of the Public Debt? What is the annual cost this one agency of the Government to administer what it does with respect to the Federal debt?

Mr. STEED. I think, with the approval of the supplemental, it will bring the total cost for this item for this year to $58 million.

Mr. GROSS. Between $58 million and $60 million, is that correct?

Mr. STEED. That is correct.

Mr. GROSS. It seems to me the $3 million which was just approved for culture could very well have been used to take care of the running expenses of the Bureau of the Public Debt. The public debt now is around $370 billion. Is the interest alone on the debt about $16 billion a year? What is the latest figure?

Mr. STEED. The interest on the pubic debt for the coming fiscal year is estimated to be $17.3 billion.

Mr. GROSS. $17.3 billion. It is going up fast. So is the cost of administering it. I can remember when that cost was down to around $20 million. Does the gentleman remember that?

Mr. STEED. It has gone up $300 million in the estimate since last January.

Mr. GROSS. Mr. Chairman, I yield back the remainder of my time.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

LEGISLATIVE BRANCH

HOUSE OF REPRESENTATIVES

COMPENSATION OF MEMBERS

Compensation of Members, $1,975,000;

SALARIES, OFFICERS, AND EMPLOYEES

"Office of the Speaker", $4,015;

POINT OF ORDER

Mr. GROSS. Mr. Chairman, I make a point of order against the language on page 23, lines 12, 13, and 14, on the ground that, as admitted by the committee, this contains moneys to be appropriated that have not been authorized by Congress.

The CHAIRMAN. The Chair will inquire: Does the gentleman's point of order refer to lines 12, 13, and 14?

Mr. GROSS. Lines 11, 12, 13, and 14.

The CHAIRMAN. Does the gentleman from Texas desire to be heard on the point of order?

Mr. MAHON. Mr. Chairman, the gentleman, I believe, does not seek to reduce funds for the Office of the Speaker, as shown on line 14. The gentleman is, I believe, only referring to the pay increase for the Speaker and other Members—the item on line 12.

Mr. GROSS. Very frankly, I do not know which one of these line items contains all the funds, so I am just trying to take as much as I can to be sure I get the funds covered. If the gentleman will tell me what line they are in I will amend my point of order, with the permission of the Chair.

Mr. MAHON. The funds which have not been authorized are included in line 12, in the $1,975,000 figure.

Mr. GROSS. Those are the only funds that have not been authorized?

Mr. MAHON. Yes; that is the figure involved. A small portion of that has not been authorized.

The CHAIRMAN. Will the gentleman from Texas yield for a clarifying question on the part of the Chair? As the Chair reads this language it says, "for increased pay costs authorized by or pursuant to law." If the Chair understands language, this refers to a cost already authorized by and pursuant to law that is now in existence. Is that true?

Mr. MAHON. The Chair is correct.

The CHAIRMAN. The Chair is ready to rule.

XUM

Mr. GROSS. May I be heard, Mr. Chairman?

The CHAIRMAN. The gentleman from Iowa is recognized.

Mr. GROSS. The committee admits there are funds contained in line 12 that are not authorized by law.

Mr. MAHON. The $19,835 included in line 12 has not been authorized. That is correct.

Mr. GROSS. You mean the $1,975,000?

Mr. MAHON. No; $19,835 has not been authorized. But it cannot be paid unless it is authorized. Otherwise, it would revert unused to the Treasury.

The CHAIRMAN. The Chair again is confused. The Chair sees no reference to a figure of $19,835 in the bill or in the language referred to here.

Mr. MAHON. It is part of the figure of $1,975,000.

The CHAIRMAN. Does the gentleman from Texas state to the Chair that of the amount of $1,975,000 there is $19,835 that is not authorized?

Mr. MAHON. $19,835.

The CHAIRMAN. The Chair is still in a quandary because the language in line 7 says, "for increased pay costs authorized by or pursuant to law."

Mr. MAHON. Mr. Chairman, all compensation due by law to Members of Congress is authorized. If it is not authorized, it cannot be paid.

The CHAIRMAN. Yes.

Mr. MAHON. And this is for compensation for Members. Unless you go behind these figures it is clear that the whole sum would be authorized. What other sum Congress wishes to authorize can be authorized. It could be considerably above the $1,975,000 because it is for the compensation of Members. If the figure is too high or in error, it is still authorized by law, because there is authorization for the payment of Members. Therefore, I have some doubt that the point of order lies against this. But the debate has disclosed the facts.

The CHAIRMAN. The Chair is constrained to hold that the gentleman's point of order is not well taken, because the money amount in line 12 cannot be used for any other purpose than increased pay costs authorized by or pursuant to law. Therefore, the gentleman's point of order is overruled.

Mr. GROSS. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. GROSS. What was the purpose of the bill which passed the House and is now in the hands of the Senate with no action taken upon it in that body? That was the authorization bill.

The CHAIRMAN. The Chair, of course, does not have that language before him and cannot answer the gentleman's question.

AMENDMENT OFFERED BY MR. HALL

Mr. HALL. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. HALL: On page 23, line 12, strike "$1,975,000" and insert "$1,068,789".

Mr. HALL. Mr. Chairman, the purpose of this amendment is very simple. This amendment simply deducts $906,211, which is the amount of pay increase for ourselves in this body and on which we did not vote at any time. It does not apply to the 2 months which have already been paid.

In other words, Mr. Chairman, this would deduct that amount of this appropriation for our pay increase, only for the months of May and June. Assuming there is no forward funding in this portion of the $1,975,000 that pertains to the pay of the Members of the House of Representatives, by taking one-sixth of $12,500, times the number of Members in this House, one arrives at this figure. Deducting it from the $1,975,000, we have the remainder of $1,068,789. It does not affect the pay of the judiciary or the executive branches.

The entire purpose of this amendment is clear cut. It is to avoid any more of the "sky being the limit" philosophy of raising our own pay. It is to get back in the groove and on the right track with the general belt tightening, the general economy and cuts that we are asking other branches, departments and people to make. It is starting at the epitomy and establishing a top in priority, where economy should begin and that is with ourselves. It is an attempt to rescind, in the hope that we can continue to rectify, when the next appropriation act affecting legislation of the pay of the Members themselves in fiscal year 1970 occurs, instead of the "Valentine's massacre" which I referred to on the floor of this House once before, as a massacre of the taxpayers when it was known that this pay raise which was brought on by this Commission would become effective on February 11, 1969. It did not. It became effective March 1, 1969. We have been paid for that and for the month of April, and this amendment calls for no retroactivity or payback of the Members.

This would simply deduct that amount which will be paid for in May and June, the balance of this fiscal year 1969.

Mr. Chairman, I hope the future good judgment of the Members of the House will preclude further payment in fiscal year 1970. It is that simple.

I urge support from those of you who have received many letters demeaning you for allowing a pay increase to go through without asserting or working the will of the House and voting ourselves in this matter.

Mr. GROSS. Mr. Chairman, I am pleased that my friend from Missouri has offered this amendment. We have long been joined in the fight against the unconscionable pay increase for Members of Congress, the judiciary, and the executive branch of Government.

It is most unfortunate that under the law it is impossible to get at the pay increases for others, some of whose paychecks were increased by an outrageous 70 percent.

Here is the opportunity by supporting the amendment to rectify part of the mistake that was made when the pay increase bill was slipped through the backdoor of the House while the Members were conveniently on vacation last February.

And the Members of the House should be on notice, that unless the amendment of the gentleman from Missouri is adopted, a vote for this supplemental appropriation will be a vote for the first time by the Members of the House to give themselves an unconscionable 41-percent increase.

Mr. MAHON. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, there are a variety of views in the House with respect to the pay raise which was made effective for members of the judicial and executive and legislative branches of the Government. Some of us thought that a pay raise, while clearly justifiable in some respects was not timely at the moment it was put into effect and that the amount of the raise was too great.

I was among the group opposing the pay raise, but the pay raise has been enacted into law, and it is the law of the land. It has been in effect since March 1.

If this law is to be changed, then it is a matter for the appropriate committee of the Congress to consider, and it would be very inappropriate through this procedure to undertake to nullify the law with regard to one of the branches of the Government involving the pay raise.

So, regardless of one's original views as to the wisdom of the pay raise, to me it is clearly out of order at this time to undertake on an appropriation bill to revise or to modify the law with respect to the pay raise. The proper procedure would be through a legislative bill covering the entire Government and worked out by the Committee on Post Office and Civil Service and presented to the House.

There was not a direct vote on the pay raise legislation this year. There was a rollcall vote in 1967 when the Commission was authorized to set up a pay raise scale for officials of the Government. I was among those who voted against that proposal but it became the law.

As I stated, there was no direct vote on the pay raise issue this year but there was a rollcall vote in regard to the issue. Prior to the Lincoln Day recess it was proposed that the House not recess without taking a vote on the issue of the pay raise. I was among those voting not to adjourn for the recess because adjournment would have precluded any chance for a vote on the issue. I voted not to adjourn without taking action on the pay raise issue but a majority vote was to the contrary. This vote related to the issue but was, of course, not a direct vote on the issue. The debate in the House on February 5 just prior to the vote on adjournment made clear that the pay raise was the issue.

Mr. ALBERT. Mr. Chairman, will the gentleman yield?

Mr. MAHON. I yield to the gentleman from Oklahoma.

Mr. ALBERT. Mr. Chairman, I would ask the distinguished chairman of the Committee on Appropriations if it is not true that, if this amendment were adopted, the entire pay raise and all parts thereof would be nullified.

XUM

Mr. MAHON. Yes, it would cover the entire pay raise, as I understand it.

Mr. ALBERT. The Members could not get any portion of the pay raise.

Mr. MAHON. Yes; as I understand it, it would eliminate all the pay raises for the members of the legislative branch, but not other branches of the Government.

Mr. GERALD R. FORD. Mr. Chairman, will the gentleman yield?

Mr. MAHON. I yield to the gentleman from Michigan.

Mr. GERALD R. FORD. Mr. Chairman, I fully share the views of the distinguished chairman of the Committee on Appropriations in urging that the amendment be defeated.

Mr. MAHON. Mr. Chairman, I move that all debate on this amendment close, and I ask for a vote.

The motion was agreed to.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Missouri (Mr. HALL).

The question was taken, and the Chairman announced that the ayes appeared to have it.

Mr. KYL. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. HALL and Mr. MAHON.

The Committee divided, and the tellers reported that there were—ayes 49, noes 165.

So the amendment was rejected.

The Clerk proceeded to read the bill.

Mr. MAHON. Mr. Chairman, in view of the fact that the remainder of title III of the bill deals in various pay raises for the various agencies of the government, funds to meet those pay raises as provided by law, I ask unanimous consent that the remainder of title III be considered as read; in other words, that the bill be considered as read up to line 5, page 61, which is the end of title III, and that the bill be open for amendment up to that point.

Mr. GROSS. Reserving the right to object, did the gentleman say page 61?

Mr. MAHON. Up to line 5, page 61, which would be the end of these various parts relating to various portions of the Government—the end of title III of the bill.

Mr. GROSS. Amendments would be in order?

Mr. MAHON. Amendments would be in order to that section.

Mr. GROSS. Let me ask the gentleman, under my reservation, one question: Does the gentleman have any idea of the amount of salary increases carried in this $4 billion supplemental appropriation bill?

Mr. MAHON. Does the gentleman mean the pay raises to all agencies of the Government?

Mr. GROSS. The total contained in the bill.

Mr. MAHON. That total is contained in the chapter of the report entitled "Increased Pay Costs," that can be found on page 73 of the report. The total amount shown is approximately $1.3 billion.

Mr. GROSS. $1.3 billion?

Mr. MAHON. Yes.

Mr. GROSS. Out of a $3.8 billion appropriation?

Mr. MAHON. Yes; $1.2 billion plus is in title I for the Defense Department for the war in Vietnam; title III relates to pay raise money for the various agencies and departments of the Government. There are some pay costs in title II. The pay raises were brought about by actions of the last Congress, as the report explains on page 73.

Pay funds in titles II and III—which are recapitulated on page 73 of the report—total just under $1.3 billion.

Title II, of course, contains a number of supplementals not related to pay costs.

Mr. HALL. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Missouri.

Mr. HALL. May I ask the distinguished chairman of the Committee on Appropriations if, in that portion which the Clerk has just read prior to the unanimous-consent request, there is, to his knowledge, any more forward funding of the pay increase of the employees of the House? Those that I will speak of as the "employees" of the House?

Mr. MAHON. So far as I know, there is none whatever.

Mr. HALL. I thank the gentleman.

Mr. GROSS. Mr. Chairman, I withdraw my reservation of objection.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

The CHAIRMAN. The bill is considered as read to line 5, page 61. Amendments are in order. Are there any amendments?

Mr. FINDLEY. Mr. Chairman, I move to strike the last word.

A moment ago, when my good friend, the gentleman from Arizona (Mr. UDALL), came down to the well and took 30 seconds of his 5 minutes, I had hoped to catch his attention because I wanted to tell him that, despite the fact that I had labored long and hard on a statement in support of a pay cut for this body, and despite the fact that I am aware that the gentleman from Arizona, himself, put in a lot of time this afternoon preparing an appropriate attack upon my amendment, nevertheless, I witnessed with tears in my eyes the expression of the sentiment of the House on the pay-cut amendment offered by my friend from Missouri, and I want the gentleman from Arizona and the rest of the Members of this body to know that I accept the decision as final.

Accordingly, I will not offer my amendment.

My amendment in effect would have placed a temporary ceiling of $36,250 on congressional salaries. This would reduce by one-half the recent pay increase.

This was not an appealing amendment for me to consider offering nor for Members to contemplate voting upon. No one will contemplate a cut in his pay with enthusiasm. Most of us believe—justifiably I hope—that we are worth every penny of $42,500. The expenses of running a congressional office are enormous and often outstrip our allowance. And on top of it all, I can tell you that the Findley family has encountered no difficulty spending all of my paycheck. With this in mind, I recognize that acceptance of my amendment would have been truly extraordinary—an unprecedented event.

Unprecedented is also the right word to describe the factors which motivated me to draft the amendment.

Inflation is the most serious domestic problem confronting us today. In March of this year, the increase in the cost of living was the largest since February 1951. Consumer prices have risen more in the first quarter of this year than at any time since 1956. Unless we bring this under control quickly, we are in serious trouble.

Fiscal restraint is a necessity, and nothing would be more helpful than for Congress itself to show some restraint. The bill before us now which includes money for the salary increase quite properly includes what is described as a "rigid" limitation on total federal expenditures. Because of budget pressures, many needed federal programs are being cut back or eliminated, and the surtax undoubtedly will be extended. The outlook for an increase in social security benefits is unclear to say the least.

In light of these factors, the 41-percent increase in congressional pay was poorly timed, to say the least, and the outrage which taxpayers have voiced is completely understandable. If the increase had been staged over 2 or 3 years, it would have been more acceptable.

In this period of deep fiscal crisis, when an emergency surtax is required, Congress should attempt to set an example for the rest of the country.

AMENDMENT OFFERED BY MR. HALL

Mr. HALL. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

> Amendment offered by Mr. HALL: On page 61, after line 4 insert the following:
>
> "GENERAL PROVISIONS
>
> "The Commission on Executive, Judicial, and Legislative Salaries established under Public Law 90–206 is hereby abolished. The salary increases recommended by the President as a result of the actions of said Commission are hereby rescinded."

Mr. MAHON. Mr. Chairman, I reserve points of order on the amendment on the ground that it appears to be legislation on an appropriation bill.

The CHAIRMAN. The gentleman from Texas reserves points of order on the amendment.

The gentleman from Missouri is recognized.

Mr. HALL. Mr. Chairman, I appreciate the gentleman from Texas reserving points of order in order that I may speak to this amendment.

Again this is a straightforward open-faced amendment. I do not accept the fact that our action here today on my prior amendment decision is final, especially without the Members of this House of Representatives ever having voted on their own pay increase. It is true that they did vote on the Commission as established for executive, judicial, and legislative salaries, back in 1967.

XUM

Up to this time, I have tried to be careful and be within the dictates of the Constitution. Members will note that the last amendment involved no one—those stating to the contrary notwithstanding—except we who are in the legislative branch and indeed we in this House of Representatives.

Now, of course, under the restrictions or rescindments or actions under rule XXI and the "Holman rule," we can, in an appropriation bill, take action by the act of the House to eliminate anything that costs additional expense from the General Treasury and that has been acted on previously.

I think that the amendment is in order. Certainly it is germane. Certainly it is a retrenchment on its face.

Very simply, this amendment would eliminate the Commission that has poor backing, poor strategy, and has been demonstrated to have poor timing, in that it has recommended without any vote of the Members and with them able to evade—as indeed we did in January and February—confrontation with a vote on our constitutional requirement to raise our own pay, which is just as much a requirement as it is for us to raise and support the armed services.

I do not believe we ever should have delegated this to the responsibility of the executive branch. I think it is time that we had an amendment to abolish the Pay Commission, which does retrench expenditures by the reduction of the salaries of the officers of the United States and, therefore, falls under the "Holman rule." This rule allows us to legislate in an appropriation bill—and there are resplendent examples, and many areas in which we can prove that it has been accepted in the past, and they can be quoted both from Cannon's Procedures and from our own manual.

Be that as it may, Mr. Chairman, all of us knew what the salaries were when we ran for office. Few of us have found that there was a sparsity of those who were ready to run against us at the same income rate. Many of us serve in the interest of representative government and the Republic as a duty, and at a financial sacrifice.

Finally, I think we should have stood and been counted on our bill setting up this spurious Commission and I am giving one additional chance for everyone to vote in support of abolishing it. Its being delegates our authority as legislators, our constitutional rights, and indeed our responsibilities, to the executive branch every 4 years to designate what the salaries of the executive and the judicial and the legislative branch will be.

Mr. HUTCHINSON. Mr. Chairman, will the gentleman yield?

Mr. HALL. Mr. Chairman, I yield to the gentleman from Michigan.

Mr. HUTCHINSON. Mr. Chairman, I thank the gentleman from Missouri for yielding.

Mr. Chairman, I am in complete sympathy with the amendment offered by the gentleman from Missouri, but I advise the gentleman that under article III of the Constitution it says the pay of judges shall not be diminished during their continuance in office, and I wonder how a rescission of pay increase as provided in the gentleman's amendment would apply to the salary of the judges.

Mr. HALL. Mr. Chairman, that was in the amendment that was defeated on the vote a while ago. The intent here is to abolish the Commission.

It would abolish the Commission which would in the future bring forth recommendations every 4 years, and they would go into effect unless one or the other body of Congress took action against them within 60 days, having been revised down from the 90 days according to the original Reorganization Act of 1949.

Mr. HUTCHINSON. I thank the gentleman. I apologize for having misunderstood the purpose of the amendment.

Mr. HAYS. Mr. Chairman, will the gentleman yield?

Mr. HALL. I yield to the gentleman from Ohio.

Mr. HAYS. Did I understand the gentleman's amendment as read abolished the Commission and abolished the pay raise the Commission ordered?

Mr. HALL. I would be glad to ask unanimous consent that the amendment be reread. It simply intends to abolish the Commission.

Mr. GROSS. Mr. Chairman, again I wish to commend my colleague from Missouri for offering this amendment which would repeal the authority of a Presidentially appointed and Presidentially annointed commission to recommend the salaries of Members of Congress.

This is one of the most unholy delegations of power and authority ever made by Congress. To give a commission—any commission—and the President—any President—the power to recommend the pay of Congress is unthinkable.

No Member of the House or Senate should want to be in any way a pawn of any President and this amendment seeks to restore the independence of the legislative branch—independence which was supinely delegated in the 1967 pay act.

The time to correct that mistake is here and now.

The CHAIRMAN. The time of the gentleman from Missouri has expired.

Mr. MAHON. Mr. Chairman, this is a supplemental appropriation bill. I renew my point of order on two grounds: First, the proposal of the gentleman from Missouri is legislation on an appropriation bill; and, second, it is not germane to the supplemental appropriation bill.

The CHAIRMAN (Mr. Holifield). The Chair is ready to rule.

The Chair has examined the amendment and the precedents, and would call attention of the House to Cannon's Precedents, volume 8, page 480, section 2914, which reads as follows: "to a section proposing legislation for the current year an amendment rendering such legislation permanent was held not to be germane."

Then, in section 2915: "to a provision in an appropriation bill proposing legislation for the fiscal year provided for by the bill an amendment proposing to make the provision permanent legislation was held not to be germane."

The Chair therefore rules that the amendment offered by the gentleman from Missouri is not germane and therefore not in order; and the Chair sustains the point of order.

Mr. HALL. Mr. Chairman, I move to strike the last word.

I wish to apologize to the gentleman from Ohio (Mr. Hays) because on rereading the typed amendment—a copy of which I supplied him—I observe the last sentence does include therein—and this apology also would go to the gentleman from Michigan (Mr. Hutchinson)—the elimination of the actions taken by the Commission which I sought to eliminate. I offer my apology. I made a misstatement of fact, and I ask unanimous consent that the Record be corrected.

The CHAIRMAN. Without objection, the Record will be corrected.

There was no objection.

Mr. MAHON. Mr. Chairman, am I correct in assuming that the portion of the bill beginning on line 5, page 61, has not been read?

The CHAIRMAN. The gentleman is correct.

Mr. MAHON. I ask that the Clerk read.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

TITLE IV

LIMITATION ON FISCAL YEAR 1970 BUDGET OUTLAYS

Sec. 401. (a) Expenditures and net lending (budget outlays) of the Federal Government during the fiscal year ending June 30, 1970, shall not exceed $192,900,000,000: *Provided*, That whenever action, or inaction, by the Congress on requests for appropriations and other budgetary proposals varies from the President's recommendations thereon, the Director of the Bureau of the Budget shall report to the President and to the Congress his estimate of the effect of such action or inaction on expenditures and net lending, and the limitation set forth herein shall be correspondingly adjusted.

(b) The Director of the Bureau of the Budget shall report periodically to the President and to the Congress on the operation of this section. The first such report shall be made at the end of the first month which begins after the date of approval of this Act; subsequent reports shall be made at the end of each calendar month during the first session of the Ninety-first Congress, and at the end of each calendar quarter thereafter.

AMENDMENT OFFERED BY MR. COHELAN

Mr. COHELAN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. Cohelan: On page 61, line 5, strike out all of title IV and renumber title V on page 62 as title IV.

Mr. COHELAN. Mr. Chairman, as I announced earlier, at the time we were considering the rule, I rise in opposition to the expenditure limitation placed on fiscal year 1970 outlays by this supplemental appropriation bill, and, of course, my amendment moves to strike title IV limitation entirely.

I want the Committee to know I did not arrive at this conclusion lightly. I pondered long and hard over the meaning and the effects of the limitation. As

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a matter of fact, earlier I was disposed to support the measure on the theory that this was the beginning of a possible legislative budget. I recognize the desirability of an annual congressional assessment of the appropriate levels of Federal revenues and expenditures.

In fact, as Members may know, I strongly endorse the fine recommendations of our former Secretary of the Treasury, Joe Barr, for the creation of a legislative budget.

I recognize, too, the need to maintain a restrained fiscal policy so that rising prices may be controlled.

However, I recognize, also, that the all too likely outcome of this ceiling—and mark this, please—the all too likely outcome to this ceiling is to guarantee substantial cuts in spending for urgently needed social programs.

Let me explain.

Under the provisions of this limitation total Federal spending for the 12 months of the next fiscal year cannot exceed $192.9 billion unless Congress takes specific action to increase expenditures. This ceiling will be reduced by the amount of the spending reductions implicit in appropriation cuts which will, no doubt, be made in some areas by the Congress. The trouble is that the budget contains a very large number of mere estimates as to expenditures. Most of these estimated items represent civilian open-ended or fixed-cost programs. These are programs like social security, public assistance, medicaid, farm subsidies, veterans' benefits, and interest on the national debt. I refer you to page 16 of the President's 1970 budget on this.

These are all expenditures which the Government is by law committed to meet. Thus, if spending for these programs exceeds the budget estimates, the excess will have to be taken from spending for some other programs also authorized by the Congress.

Reductions in spending to offset these unbudgeted increases can be made only in that portion of the budget which is controllable.

The fact is that the controllable portion of the budget is comparatively small, and it contains almost all the social programs—such as antipoverty, education, health, job training, and housing—which a good many of us strongly believe must be substantially increased and not decreased.

Estimates of outlays for fiscal year 1970 show this: $81.1 billion in civilian noncontrollable programs like social security and veterans' benefits. Our colleague, the gentleman from Texas, and others devoted to the veterans' programs were on the floor speaking about this today. Of the remaining $111.8 billion, Defense accounts for $80.4 billion, and $31.4 billion is for other accounts. However, of the $31.4 billion, $18.9 billion is accounted for by uncontrollable expenditures due on obligations entered into in the previous fiscal year. This leaves us only with $12.5 billion in civilian controllable expenditures.

If the current fiscal year is any example, the noncontrollable items will exceed their estimates by $3 billion to $6 billion and, if the practice of taking the reductions out of the hides of the social programs, rather than defense spending, is again followed, we could well find that spending for controllable domestic programs will have to be cut back by a staggering 25 to 50 percent.

Mr. Chairman, I urge an aye vote on this amendment.

Mr. MAHON. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, the proposal for an expenditure limitation, as set out in title IV of the bill, has been debated for 2 days.

The proposal, as explained in the committee report, has been available for Members to review for 5 or 6 days. The matter was rather thoroughly discussed at the time we had the rule before the House today and the rule was passed overwhelmingly. This does not necessarily mean that everyone who voted for the rule is for the expenditure limitation. But, undoubtedly, the overwhelming majority of those who voted for the rule are in favor of the expenditure limitation.

The proposal was extensively debated here yesterday. I refer especially to the debate beginning on page 13123 of the RECORD of yesterday.

The gentleman from California has somewhat oversimplified the problem and the purpose of what is actually proposed in the expenditure limitation. I see no reason to belabor this issue further. We have had opportunity to discuss it in great depth previously and have done so.

Mr. JONAS. Mr. Chairman, will the gentleman yield?

Mr. MAHON. I yield to the gentleman from North Carolina (Mr. JONAS).

Mr. JONAS. Mr. Chairman, the only reason I asked the chairman of the Committee on Appropriations to yield is to agree with the chairman that this suggestion has been thoroughly explored on yesterday and today. I concur in the chairman's views. I think this spending limitation will have a salutary effect. Therefore, I am opposed to the amendment and I join the chairman in asking that it be voted down.

Mr. MAHON. I thank the gentleman.

Mr. Chairman, I move that all debate on this amendment do now close and that all debate on the bill do now close.

The CHAIRMAN. The question is on the motion offered by the gentleman from Texas.

The motion was agreed to.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California (Mr. COHELAN).

The amendment was rejected.

AMENDMENT OFFERED BY MR. COHELAN

Mr. COHELAN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. COHELAN of California: On page 62, line 3, add the following as a new section:

"(c) The limitation set forth in subsection (a), as adjusted in accordance with the proviso to that subsection, shall be increased by an amount equal to the aggregate amount by which expenditures and net lending (budget outlays) for the fiscal year 1970 on account of items designated as "Open-ended programs and fixed costs" in the table appearing on page 16 of the Budget for the fiscal year 1970 may be in excess of the aggregate expenditures and net lending (budget outlays) estimated for those items in the April review of the 1970 budget."

Mr. MAHON. Mr. Chairman, I make a point of order against the amendment in that it is legislation on an appropriation bill.

Mr. Chairman, the rule pertaining to title IV only protects what is in the bill, not amendments to the bill.

Mr. COHELAN. Mr. Chairman, all this amendment does is to exempt from the outlay limitation noncontrollable civilian expenditures. It is what I regard as a fallback amendment, just to make sure that if we are going to have this expenditure ceiling we are not going to take it out of the hide of the controllable expenditures.

Incidentally, Mr. Chairman, all this amendment does is to insure that social programs will not be needlessly reduced by exempting from outlay limitations noncontrollable civilian expenditures.

Mr. HALL. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state his parliamentary inquiry.

Mr. HALL. Mr. Chairman, is the gentleman speaking on the point of order raised by the chairman of the committee?

The CHAIRMAN. The Chair will state that the Chair has requested the gentleman from California to speak on the point of order, and the Chair assumes that the gentleman is so doing.

Mr. COHELAN. On the point of order, Mr. Chairman, I am merely trying to explain the amendment, and its validity and its germaneness. It is similar to one offered by the Bureau of the Budget, and other provisions of last year's Expenditure Control Act. It differs only in that it calls for South Vietnam expenses to be controllable, and thus would not exempt them from the budget ceiling. There is also an additional advantage to my amendment which I could explain if I had the time, but in sum my amendment would insure that if the budget estimates for noncontrollable civilian expenditure programs were low, the increase would not have to come from expenditures in housing, health, education, job training, and the like.

It also treats all defense expenditures as controllable items.

Mr. MAHON. A point of order, Mr. Chairman. The gentleman is discussing the merits of the proposed amendment, and not the point of order.

The CHAIRMAN. The Chair is ready to rule.

The Chair has examined title IV. This is a new subparagraph to title IV. Title IV is legislation in a general appropriation bill, and all points of order have been waived in title IV, as a result of it being legislation. Therefore the Chair holds that the amendment is germane to the provisions contained in title IV and overrules the point of order.

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The gentleman from California is recognized for 5 minutes.

Mr. HALL. Mr. Chairman, a point of order. Did not the previous unanimous-consent action of the House eliminate all further general debate?

The CHAIRMAN. The Chair will state that the gentleman is correct.

Mr. COHELAN. A parliamentary inquiry, Mr. Chairman.

The CHAIRMAN. The gentleman will state his parliamentary inquiry.

Mr. COHELAN. Mr. Chairman, is it all right for me to urge a "yea" vote on the amendment?

The CHAIRMAN. The question is on the amendment offered by the gentleman from California (Mr. COHELAN).

The amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

TITLE V

GENERAL PROVISIONS

SEC. 501. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

AMENDMENT OFFERED BY MR. VANIK

Mr. VANIK. Mr. Chairman, I offer an amendment, but I cannot talk about it, as I understand.

The Clerk read as follows:

Amendment offered by Mr. VANIK: On page 61, line 10, After "$192,900,000,000," insert ", of which the amount expended by the Department of Defense shall not exceed $77,500,000,000".

The CHAIRMAN. Under the previous action of the Committee, all further debate has been eliminated.

Mr. VANIK. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state his parliamentary inquiry.

Mr. VANIK. Mr. Chairman, am I barred by the motion that was adopted previously? Does that preclude me from telling the House that this is a $2.5 billion reduction?

The CHAIRMAN. The Chair will state that the gentleman from Ohio is precluded from debate on his amendment in view of the action taken by the House on the limitation of debate.

The question is on the amendment offered by the gentleman from Ohio (Mr. VANIK).

The question was taken; and the Chair announced that the noes appeared to have it.

Mr. VANIK. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. VANIK and Mr. MAHON.

The Committee divided, and the tellers reported that there were—ayes 38, noes 165.

So the amendment was rejected.

Mr. DORN. Mr. Chairman, I favor the expenditure ceiling that would hold spending next year to the $192 billion level. I have already voted for the rule. Later today I must leave and may not be here for final passage of the bill due to a commitment I made to the student leaders at Virginia Polytechnic Institute several months ago. Tonight I will talk with the students at VPI about present campus unrest and academic freedom, and I feel I should honor this commitment. If I were here to vote on final passage, I would vote to hold spending to the $192 billion level and reduce Federal spending wherever possible.

One of the greatest problems facing our country today is spiraling inflation. The housewife is finding her grocery bills are higher each week. The consumer is being shortchanged. Excessive Government spending bears down most heavily on the American housewife, the elderly, those drawing retirement benefits and pensions, and the American wage earner.

Last year I voted in favor of the $6 billion cut in Federal spending. The question before the House now is the same as it was then—the stability, integrity, and purchasing power of the American dollar. We must cut every nonessential expenditure of the Federal Government and save the American dollar.

Mr. BIAGGI. Mr. Chairman, like so many Americans, I am opposed to the war in Vietnam, but I have voted for the supplemental appropriations bill which has nearly one-third of its expenditures earmarked for military operations in Southeast Asia.

I have listened to opponents of the bill who have argued that Congress could halt the war by refusing to authorize the military appropriations. On that basis, they have sought rejection of this bill in spite of the fact that more than two-thirds of the appropriations are for nonmilitary purposes.

I supported an amendment to have the military appropriations voted on separately and I regret that the majority of my colleagues rejected this move. It would have brought the war into focus and would have given us the opportunity of concentrating completely on that very important matter.

As the bill now stands, we have very little discretionary control over these nonmilitary appropriations which represent the lion's share of the expenditures because the previous Congress has committed us to them. They involve, for example, grants to States for health and welfare; veterans compensation; medical and other costs; unemployment compensation payments; military retirement pay; college housing; social and rehabilitation services and disaster relief.

They are obligations that require fiscal responsibility and must be met.

If we rejected this bill because of its military appropriations at a time when we are at the conference table negotiating for peace, I fear the consequences could be disastrous. We would be announcing to the world that we no longer intend to defend ourselves. We would be going to the conference table with no cards at all.

Yes, let us hasten the process for peace. I agree that we are lingering too long at the conference table. I agree that our boys should be returned to American soil. I agree that they should not have to sacrifice their lives in the jungles of a foreign land where we are engaged in the most unpopular war in our history.

But while Americans are fighting in Vietnam, we have an abiding responsibility to give them everything they need for survival. Our fighting forces have brought the Communists to the point where they are trying to achieve at the conference table what they could not achieve on the battlefield.

Are we to tell the world at this time that we are abandoning our military effort; that we are pulling our purse strings tight? I am sure that now, more than ever, is the time for solidarity at home. I am convinced that we must stand united if we are to secure a meaningful peace at the conference table.

The military sector of this bill is designed to permit the South Vietnamese forces to assume a greater share of the burden of battle and to enforce peace when it comes.

Two major events that have occurred since the original budget requests for fiscal 1969 were submitted to Congress also contribute largely to the need for the passage of this bill. I am referring to the Tet offensive in Vietnam which caused losses of equipment far in excess of what was anticipated and the seizure of the *Pueblo* by the North Koreans which led to the callup of military forces to meet this military threat.

While I support this bill chiefly for the reasons set forth here, I remain deeply concerned about a war that has already taken 35,000 American lives and has caused our Nation to become most restless. The administration and this Congress must give the utmost priority to the attainment of an honorable peace in Vietnam. Every effort must be exerted to accomplish that goal as soon as possible.

I believe we can attain the peace we want under the circumstances we want reasonably soon if our Government does not buckle under the task that lies ahead and instead carries unity and strength to the conference table. That is why I do not oppose the military appropriations at this time.

After considering all facets of this bill and its importance to America at home and abroad, I could do nothing less than urge its passage.

Mr. BINGHAM. Mr. Chairman, there are several necessary and desirable items included in this bill, but I shall vote against the bill as a whole if the unnecessary appropriations for additional procurement and other items related to the war in Vietnam remain intact.

If the bill were to be defeated at this stage, which would be most surprising, it could be promptly resubmitted to the House in appropriately modified form.

Mr. BARRETT. Mr. Chairman, the Housing and Urban Development Act of 1968 made many important advances in our efforts to provide good housing and good neighborhoods for all of our citizens. There is nothing in the 17 titles of that bill, however, that is more important than the new interest subsidy programs designed to foster homeownership for families which could not otherwise afford it and a greatly expanded rental housing program. We all know the basic role which homeownership plays in our American way of life by giving families a sense of pride and dignity, a sense of responsibility for the community in which they live, and a sense of participation. The benefits of this aid for homeownership will go far beyond the individual families which receive them.

Mr. Chairman, I want to commend the Committee on Appropriations for the positive approach which they have displayed on most items in the complex supplemental appropriation request. At the same time I deeply regret that they failed to authorize the full $50 million request for each of the interest subsidy programs. I am hopeful that the other body will grant the full request and hold it in conference. Another reduction which deeply concerns me is the complete elimination of the modest request for funds to enable HUD to carry out its extensive responsibilities under the fair housing legislation. The $2 million requested in this supplemental is sorely needed for responsible administration of these duties. Again, I am hopeful that the other body will include the full amount in its bill. In addition, we should all stand behind the budget requests for the coming fiscal year which contains the full authorization for interest subsidies in the amount of $100 million for each of the programs. In the case of fair housing funds, I am hopeful that the committee can be persuaded that the original budget proposal of $14 million is fully justified.

Mr. Chairman, there is an urgent need to move ahead with housing legislation already on the books. My Subcommittee on Housing recently concluded hearings on our national housing goals and the witnesses were unanimous that these goals can be met if our existing authorizations are fully and promptly funded. I urge all of my colleagues to support this bill today so that we can get on with the job of providing a good home and a decent environment for every American family.

Mr. SNYDER. Mr. Chairman, I congratulate the gentleman for his courage in offering this amendment.

The whole pay package adopted pursuant to the Koppel Commission is inflationary. Unfortunately the parliamentary situation will not permit an amendment to attack the other pay increases or for the abolition of the Commission.

Let me say, the taxpayers are entitled to have the whole pay package voted on by their representatives in this body. The only way that can happen is for Members to sign the discharge petition on H.R. 7778. There has been no stampede to the Clerk's desk, and I suppose the prospects are rather slim that we will get a vote on that bill.

But, we can begin to regain the respect of the taxpayers if we approve this amendment—which I confess is unlikely.

As the author of H.R. 7778 to repeal the whole Koppel package. As the sponsor of the discharge petition, I can say to the gentlemen he is to be congratulated for his courage. This amendment will not win him many friends here. I know. But the gentleman well represents his people and the sentiment of the country. I urge a favorable vote.

Mr. VANIK. Mr. Chairman, during the consideration of amendments to this bill, I expect to offer an amendment to title IV to provide that the expenditure limitation of $192,900 million shall include a further limitation of expenditures by the Department of Defense of $77,500 million.

This amendment would reduce defense expenditures by $2½ billion from budgetary requests of approximately $80 billion. It appears that there is no other way to achieve reduced defense spending. This amendment would leave the discretion for spending cutbacks within the Defense Department and the further action of Congress.

Better housekeeping in the Defense Department should make it possible to reduce the overall expenditures by 3 percent without impairing any essential defense need.

Recent reports of waste in the purchase of defective aircraft, tanks, and leaky submarines indicate that too little attention is directed toward careful management and prudent economy in our Defense Establishment.

If the civilian sector of our Government can face budgetary cutbacks of almost $3 billion, it seems to me that the defense sector should make the same kind of an effort.

I cannot support legislation which exempts the military sector from effective congressional oversight.

Mr. WOLFF. Mr. Chairman, there are those who make these regular supplemental appropriations a test of support or dissent regarding our policy in Vietnam. This strikes me as a superficial and erroneous interpretation of the legislative process.

An examination of the legislation turns up item after item of national concern. There are within this appropriation specific allocations that cannot be refused without doing serious harm to important domestic programs. The following examples of specific requests in this $3.8 billion appropriation make this point rather clearly:

The vital programs of the Department of Health, Education, and Welfare are scheduled to receive an additional $666.7 million through this appropriation. An important new program of interest subsidies for higher education facilities construction is included within this allocation.

Included in this appropriation is a nondiscretionary appropriation of $35.9 million for the Department of Labor for unemployment and employee compensation claims. Obviously these are expenses that must be met.

Recognizing the grave national problem caused by a shortage of low- and middle-income housing this appropriation provides $80 million for the homeownership and rental housing interest subsidy programs.

Included in the appropriation is $25.4 million for the vital conservation programs of the Department of the Interior.

The National Transportation Safety Board which is involved in the crucial matters of flight, rail, and auto safety is to receive additional funds under this appropriation. The merit of such an expenditure is patently obvious.

These are just examples of the needed and obligated expenditures to be covered by this supplemental appropriation.

Also contained in this legislation is a necessary ceiling on Federal expenditures for fiscal 1970. This ceiling is set at the administration's requested budget of $192.9 billion and is a first step in reducing Federal spending in a wide variety of wasteful, unnecessary, and duplicative areas.

Establishment of this ceiling at this time, with the expectation that a lower ceiling and spending cuts can be established when tax legislation is considered, is an important means of controlling the steadily rising Federal budget.

In another realm this appropriation contains the funds for mandated pay for Federal employees. This accounts for $1.3 billion or more than a third of the appropriation. This part of the Federal payroll is established by law and obligated. Therefore the funds must be appropriated or we will cause budgetary havoc in the various departments and agencies of Government.

Now, turning to the matter of Vietnam, it must be noted that the appropriation does include $1.2 billion for military operations in Southeast Asia with a substantial amount of this to be used to cover expenses resulting from increasing tensions in Korea.

But the fact remains that the largest part of this section of the supplemental appropriation involves expenses connected with the war in Vietnam. This is not, however, a new appropriation. Nor will these funds affect our search for peace.

The appropriation will be used to pay for materials already contracted for by the Defense Department. By appropriating these funds we are discharging a commitment of the Federal Government for these are truly obligated moneys for defensive and support operations in the field.

As I have said in the past, I do not believe we can responsibly deny a single American boy in Vietnam the material to defend himself.

As I reiterate that these are obligated funds already contracted for, it becomes clear that we have no choice but to approve the appropriation. I am prepared to vote for the appropriation with the knowledge that these funds will not be used to enlarge the scope of the war in Vietnam and with the knowledge that contained herein are the funds for many important domestic programs.

Now there is no one more interested in achieving peace in Vietnam than I. Since coming to Congress more than 4 years ago I have repeatedly dissented from our policy in Vietnam in order to offer proposals for peace.

And I am deeply disappointed that we have failed to make greater strides for

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peace. The President's recent message acknowledged something I have said for years, "We must take risks for peace," and I believe we must do exactly that.

When, I ask, when will we take these necessary steps to end the war? The continued loss of American lives and the steady flow of our needed resources into Vietnam is a responsibility that the new administration cannot escape. Peace in Vietnam is essential if we are to join the domestic wars against poverty, hunger, joblessness, inadequate housing, and substandard education. Certainly these domestic needs deserve a priority.

Moreover as one who has long dissented from American policy in Vietnam, I must repeat my strong feeling of unhappiness at the failure of the South Vietnamese to assume their role in the fighting. For months we have been told that the South Vietnamese will take on a greater combat role enabling us to begin bringing American boys home. I am tired of waiting for this action. If the South Vietnamese are not prepared to fight their own war I see no reason why we should fight it for them.

The appropriation before us today, however, is not a test of support or dissent on the matter of Vietnam. Although I dissociate myself from our unsuccessful and inexcusable policy errors in Vietnam, I would consider a vote against this appropriation irresponsible and a dereliction of my duty as a Member of the Congress.

But I also consider it the height of irresponsibility to give American lives in a war for a people that are unwilling to protect themselves.

Just as the Congress must vote approval of the appropriation before us today, so must the administration immediately move toward peace in Vietnam. To do less would be to violate the trust of the American people.

Mr. COHELAN. Mr. Chairman, after much travail and thought, I have concluded that I must vote against the passage of this bill.

In arriving at this position in opposition to the bill I have given consideration to the demands for fiscal restraint, to the virtues of the committee's action in support of low-cost housing to the purchase of additional lands for the Redwood National Park, and to other necessary and worthwhile programs. However, I have also given consideration to the potentially devastating effects of the expenditure ceiling, to the implications of continued funding of Vietnam expenditures at their present levels, and to the intrusion of the Federal Government into university affairs as provided in amendments to the bill.

On balance, I have concluded that there is more bad than good in this bill.

I would like for a moment to expand on these compelling considerations.

I have been a strong supporter of the efforts to enact and secure full funding for the section 235 homeownership assistance program and for the section 236 rental assistance program. Accordingly, I was pleased with the action of the committee in recommending the authorization of $40 million in additional contractual authority for each of these programs. I am only disappointed that the full $50 million requested by both the past and the present administrations was not granted. I am hopeful however that the Senate will approve the full request for these urgently needed funds.

As one of the original sponsors of the legislation to create the Redwood National Park in California, I am appreciative of the promptness with which the Subcommittee on Interior Appropriations, under the able leadership of Chairwoman JULIA HANSEN, has acted in appropriating funds for this park. This bill authorizes the expenditure of another $19 million to complete the purchase of lands obtained by the Government under a decree of legislative taking. The previous appropriation earlier this year, together with the funds provided in this bill, bring to $72 million the amounts available for the purchase of the park in the very first year after its creation. I am warmly supportive of the appropriation of these funds, and am deeply pained that other objectionable provisions of the bill prevent me from supporting the entire measure.

I have today at some length attempted to explain to the Members of this body the evils I see in the expenditure limitation which is provided in this bill. In a nutshell, it is my fear that—while this limitation appears on its face not to reduce domestic expenditures below the levels requested in the budget—it will have the result of requiring enormous reductions in social spending to make up for underestimates of noncontrollable spending, like the interest on the public debt. I am not willing to lend my support to this action which has the potential to gut the urgently needed and presently underfunded programs for health, education, housing, job training, pollution control, and antipoverty efforts.

Mr. Chairman, we have today heard many very thoughtful statements on the situation in Vietnam. I have for several years closely followed the tragic events in that tragic far away country. I have witnessed for the past 2 dozen months the growing revulsion with the war by the American and Vietnamese people. And throughout the same period I have witnessed small changes in the allied conduct of that war in the effort to wind down the conflict and find a stable peace. However, I have witnessed no new and major allied policy changes. Earlier this year I urged the President and his advisers to not only attach larger importance to the urgency of finding a solution in Vietnam, but to conduct a thorough review of our policy objectives with regard to the war and the settlement which would be acceptable to us. President Nixon in his recent statement offered to take some steps toward troop withdrawal and the recognition of a coalition government. But the conditions attached to these statements indicate that we have not yet conducted a thorough rethinking of our position in Vietnam. Accordingly, I am troubled today by this bill which appropriates funds to support continued fighting at current levels.

I am troubled too by amendments which have been adopted today which augur for a greater Federal involvement in the troubles of our colleges. As the representative in Congress of one of the most troubled of these communities, I can say that it is my considered judgment that in all but the most extreme circumstances it is best to leave the university problems to the university. Only when violence exceeds the capability of the local authorities is there any appropriate role for Federal intervention—and then only as a mediator, conciliator, and factfinder.

In sum, Mr. Chairman, I have weighed the virtues and shortcomings of this bill, and I have found it lacking in sufficient merit to overcome the substantial dangers it opens up.

I urge the defeat of this bill.

Mr. ZWACH. Mr. Chairman, an honest attempt was made to regain the leadership that our country is so vitally needing in the battle of funding our Nation's economic needs.

An amendment was offered to withhold that portion of the supplemental appropriations bill which goes toward paying the increase in congressional salaries.

Washington is the only place that we can control inflation. Congress must lead the fight against inflation, not lead the parade for more inflation.

It is my fear that by this unreasonable salary increase that we are leading a fight for inflation. We must be in a position to be able to say to people, "Do as we do," and not in the position where we are, of saying "Don't do what we do, but do as we say."

Because of this, I was one of those 49 to walk down the aisle to prevent this unreasonable increase in congressional salaries.

Mr. OTTINGER. Mr. Chairman, I am opposing this supplemental appropriation bill because it carries forward what I consider to be grossly distorted priorities in the use of our limited resources.

We simply cannot afford to go on spending at the rate of better than $81.5 billion per year, 60 percent of our free funds, for the military while we shortchange vital domestic programs for education, job training, housing, food distribution and environmental protection. This is particularly so when so great a proportion of the military budget is either wasted on defective weapons systems or spent in a counterproductive way to continue the expansion of the Vietnam war.

Indeed, the imbalance of our budget allocations is staggering beyond belief indicating that our priorities are completely topsy turvy. Consider that the military appropriations are more than 250 times what we spend to help feed hungry children suffering from malnutrition in our own country. We give away $4 billion a year to farmers not to grow crops in a starving world—90 percent of it to rich farmers—and this is 40 times

XUM

what we spend to feed our own people suffering from malnutrition. Five billion dollars goes to build highways while less than 3 percent, some $212 million is spent on mass transit systems to relieve the auto strangulation of our urban areas and enable people to get to jobs. The $4 billion we spend on space is four times what we spend to alleviate rat-infested slums that pervade all our cities. We embark on a record $10 billion public work program in the midst of an inflation that is already robbing our working people of all their salary gains and is impoverishing everyone who must live on a fixed income. We close down Job Corps centers that take youngsters off the streets and give them an opportunity for employment—in a time of soaring crime rates—supposedly to save $100 million. These priorities are hardly short of insane. We simply must restore a sounder allocation.

Yet this supplemental appropriation does nothing but carry forward mandated increases in State aid in the fields of education, health, employment, housing and environment. Its principal effect is to swell further the disproportionate share of Federal spending consumed by the military.

I was pleased to join today with my able colleague from Texas (Mr. Eckhardt) in his endeavor to strike from this bill the $640 million allocated for additional military hardware. As the gentleman from Illinois (Mr. Yates), a member of the Appropriations Committee, pointed out, there is already unspent in the pipeline for military hardware for Southeast Asia some $3.9 billion. It is claimed that this money is already committed to other purposes and the new appropriations are needed to equip the South Vietnamese so that they can take over a greater share of the fighting.

I did not, however, support the amendment of my esteemed colleague from New York (Mr. Lowenstein), which would have eliminated all title I expenditures, including items for pay and operations of the men already in Vietnam. I feel we owe them every possible support. They should in no way be penalized for errors of policy made by their superiors.

It is my strong opinion that we should start now phasing out our military involvement in Vietnam, trying to see if we cannot achieve a de facto mutual deescalation, regardless of the progress in the Paris talks. Even Dean Rusk claimed that the Vietnam war was more likely to be ended by mutual de facto decreases in military activity than by formal agreement. Yet we have never given this route to ending the war a try. We have always accompanied every gesture toward peace with a contradictory increase in military activity elsewhere. I think we should try withdrawing 50,000 to 100,000 troops to see if the other side will not match us. The weapons needed to supply these troops could then be turned over to the South Vietnamese without the need for additional procurement.

In the face of our pronouncements for peace, the price of the war goes even skyward. Our engagements and bombings become more intense. More of the cream of our youth are sent to their deaths. If we really want peace it is well time that we acted as if we wanted peace.

With regard to the overall exaggerated emphasis on military spending, it was particularly unfortunate that the amendment of the gentleman from Ohio (Mr. Vanik) was rejected. It would merely have placed a ceiling on military spending of some $77 billion, just a small percentage cut in the military portion of the budget. We simply cannot provide the funds needed to meet the crises at home within our present tax levels unless we make at least this modest start in restraining military profligacy. Without some reduction in military spending, furthermore, the overall ceiling the bill imposes on spending is sure to reduce still further the amounts we can devote to essential domestic concerns.

A particularly mischievous feature of the bill is the Scherle amendment. While I join in decrying the grave excesses of militant students who burn buildings, destroy books, paper, and property, and engage in other destructive illegal acts—and equally join in criticizing college administrations that permit these excesses—it is no answer to cut off Federal aid to colleges that fail to take action against the students. The amendment plays right into the hands of the militants who want to wreak maximum damage upon the colleges. It intrudes the Federal Government into an area where it does not belong. And it uses a nondiscriminating blunderbuss to penalize colleges regardless of the circumstances in each individual case. The major obstacle to Federal aid to education has always been fear of Federal control. Today our educational system needs far more aid than it is getting to meet the educational needs of the Nation to cope with the challenges of the seventies. This amendment will make it much harder to meet this national need. It constitutes Federal interference of the grossest variety.

In summary, this bill does far more harm than good. I approve of the salary increases and adjustments for State aid for veterans compensation, health costs, unemployment insurance, military retirement pay and disaster relief that it carries forward. But I heartily disapprove of its main thrust to swell further the swollen militarism represented in our national budget. I feel strongly that the bill should be defeated as distorting further our already horrendously distorted national priorities.

The Clerk concluded the reading of the bill.

Mr. MAHON. Mr. Chairman, I move that the Committee do now rise and report the bill back to the House with sundry amendments with the recommendation that the amendments be agreed to and that the bill, as amended, do pass.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. Holifield, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 11400) making supplemental appropriations for the fiscal year ending June 30, 1969, and for other purposes, had directed him to report the bill back to the House with sundry amendments be agreed to and that the bill as amended do pass.

Mr. MAHON. Mr. Speaker, I move the previous question on the bill and all amendments thereto to final passage.

The previous question was ordered.

The SPEAKER. Is a separate vote demanded on any amendment?

Mr. GERALD R. FORD. Mr. Speaker, I demand a separate vote on the so-called Scherle amendment to page 15, at the end of line 6.

The SPEAKER. Is a separate vote demanded on any other amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER. The Clerk will report the amendment on which a separate vote has been demanded.

The Clerk read as follows:

> Amendment: On page 15, at the end of line 6, strike the period and insert the following: "*Provided further*, That none of the funds appropriated by this Act for annual interest grants authorized by section 306 of the Higher Education Facilities Act, as amended by PL 90–575, shall be used to formulate or carry out any grant to any institution of higher education unless such institution is in full compliance with section 504 of such Act."

The SPEAKER. The question is on the amendment.

Mr. GERALD R. FORD. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 329, nays 61, not voting 43, as follows:

[Roll No. 59]

YEAS—329

Abbitt
Abernethy
Adair
Addabbo
Albert
Alexander
Anderson, Ill.
Anderson, Tenn.
Andrews, Ala.
Andrews, N. Dak.
Annunzio
Arends
Ashbrook
Aspinall
Ayres
Baring
Barrett
Beall, Md.
Belcher
Bell, Calif.
Bennett
Berry
Betts
Bevill
Biaggi
Biester
Blackburn
Blanton
Boggs
Boland
Bow
Bray
Brinkley
Brock
Brooks
Broomfield
Brotzman
Brown, Mich.
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burke, Fla.
Burke, Mass.
Burleson, Tex.
Burlison, Mo.
Bush
Byrne, Pa.
Byrnes, Wis.
Cabell
Caffery
Camp
Carter
Casey
Cederberg
Chamberlain
Chappell
Clancy
Clausen, Don H.
Clawson, Del
Cleveland
Collier
Collins
Colmer
Conable
Conte
Corbett
Coughlin
Cramer
Cunningham
Daniel, Va.
Daniels, N.J.
Davis, Ga.
Davis, Wis.
de la Garza
Delaney
Dellenback
Denney
Dennis
Derwinski
Devine
Dickinson
Dingell
Donohue
Dowdy
Downing
Dulski
Duncan
Dwyer
Edmondson
Edwards, Ala.
Eilberg
Erlenborn
Esch
Eshleman
Evans, Colo.
Evins, Tenn.
Fallon
Fascell
Feighan
Findley
Fish
Fisher
Flood
Flowers

XUM

Flynt
Ford, Gerald R.
Ford, William D.
Foreman
Fountain
Friedel
Fulton, Pa.
Fulton, Tenn.
Fuqua
Galifianakis
Garmatz
Gaydos
Gettys
Giaimo
Gibbons
Goldwater
Gonzalez
Goodling
Gray
Green, Oreg.
Griffin
Griffiths
Gross
Grover
Gubser
Gude
Hagan
Haley
Hall
Halpern
Hamilton
Hammerschmidt
Hanley
Hansen, Idaho
Hansen, Wash.
Harsha
Harvey
Hays
Hechler, W. Va.
Heckler, Mass.
Henderson
Hicks
Horton
Hosmer
Hull
Hungate
Hunt
Hutchinson
Ichord
Jacobs
Jarman
Joelson
Johnson, Calif.
Johnson, Pa.
Jonas
Jones, Ala.
Jones, N.C.
Jones, Tenn.
Karth
Kazen
Kee
Keith
King
Kleppe
Kluczynski
Kyl
Kyros
Landgrebe
Landrum
Langen
Latta
Lennon
Lipscomb
Lloyd
Long, La.
Long, Md.
Lukens
McClory
McClure
McCulloch
McDade
McDonald, Mich.
McEwen
McFall
McKneally
Macdonald, Mass.
Madden
Mahon
Mailliard
Mann
Marsh
Martin
Mathias
May
Meeds
Michel
Miller, Calif.
Miller, Ohio
Mills
Minshall
Mize
Mizell
Mollohan
Monagan
Montgomery
Morton
Mosher
Murphy, Ill.
Myers
Natcher
Nedzi
Nelsen
Nichols
Obey
O'Konski
Olsen
O'Neal, Ga.
O'Neill, Mass.
Passman
Patman
Pelly
Pepper
Perkins
Pettis
Philbin
Pickle
Pike
Pirnie
Poage
Poff
Preyer, N.C.
Price, Ill.
Price, Tex.
Pryor, Ark.
Pucinski
Purcell
Quie
Quillen
Rarick
Reid, Ill.
Rhodes
Rivers
Roberts
Robison
Rogers, Colo.
Rogers, Fla.
Ronan
Rooney, N.Y.
Rooney, Pa.
Rostenkowski
Roth
Roudebush
Ruth
St Germain
Satterfield
Saylor
Schadeberg
Scherle
Schneebeli
Schwengel
Scott
Sebelius
Shriver
Sikes
Sisk
Slack
Smith, Calif.
Smith, Iowa
Snyder
Springer
Stafford
Staggers
Stanton
Steed
Steiger, Ariz.
Steiger, Wis.
Stephens
Stratton
Stubblefield
Stuckey
Sullivan
Symington
Taft
Talcott
Taylor
Teague, Calif.
Teague, Tex.
Thompson, Ga.
Thomson, Wis.
Tiernan
Tunney
Udall
Ullman
Utt
Van Deerlin
Vanik
Vigorito
Waggonner
Wampler
Watkins
Watson
Watts
Weicker
Whalen
Whalley
White
Whitehurst
Whitten
Widnall
Williams
Wilson, Bob
Wilson, Charles H.
Winn
Wold
Wright
Wyatt
Wydler
Wylie
Wyman
Yatron
Young
Zablocki
Zion
Zwach

NAYS—61

Adams
Anderson, Calif.
Ashley
Bingham
Bolling
Brademas
Brasco
Brown, Calif.
Burton, Calif.
Button
Celler
Chisholm
Clay
Cohelan
Conyers
Corman
Daddario
Diggs
Eckhardt
Edwards, Calif.
Farbstein
Foley
Fraser
Frelinghuysen
Gallagher
Gilbert
Green, Pa.
Hanna
Hathaway
Hawkins
Holifield
Kastenmeier
Koch
Leggett
Lowenstein
McCarthy
Matsunaga
Mayne
Mikva
Minish
Mink
Moorhead
Moss
Nix
O'Hara
Ottinger
Patten
Podell
Powell
Rees
Reid, N.Y.
Reuss
Rosenthal
Roybal
Ryan
St. Onge
Stokes
Thompson, N.J.
Waldie
Wolff
Yates

NOT VOTING—43

Bates
Blatnik
Burton, Utah
Cahill
Carey
Clark
Cowger
Culver
Dawson
Dent
Dorn
Edwards, La.
Frey
Hastings
Hébert
Helstoski
Hogan
Howard
Kirwan
Kuykendall
Lujan
McCloskey
McMillan
MacGregor
Meskill
Morgan
Morse
Murphy, N.Y.
Pollock
Railsback
Randall
Reifel
Riegle
Rodino
Rumsfeld
Ruppe
Sandman
Scheuer
Shipley
Skubitz
Smith, N.Y.
Vander Jagt
Wiggins

So the amendment was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. Hébert for, with Mr. Scheuer against.

Mr. Dorn for, with Mr. Carey against.

Mr. Kirwan for, with Mr. Dawson against.

Mr. Edwards of Louisiana for, with Mr. Helstoski against.

Mr. McMillan for, with Mr. Murphy of New York against.

Until further notice:

Mr. Rodino with Mr. Cahill.

Mr. Howard with Mr. Sandman.

Mr. Shipley with Mr. Meskill.

Mr. Dent with Mr. Bates.

Mr. Blatnik with Mr. Morse.

Mr. Morgan with Mr. Riegle.

Mr. Randall with Mr. Railsback.

Mr. Clark with Mr. McCloskey.

Mr. Culver with Mr. Smith of New York.

Mr. Hogan with Mr. Rumsfeld.

Mr. Wiggins with Mr. Cowger.

Mr. Burton of Utah with Mr. Ruppe.

Mr. Vander Jagt with Mr. Frey.

Mr. Pollock with Mr. Hastings.

Mr. Reifel with Mr. Skubitz.

Mr. MacGregor with Mr. Kuykendall.

The result of the vote was announced as above recorded.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT

Mr. CEDERBERG. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. CEDERBERG. I am, Mr. Speaker, in its present form.

The SPEAKER. The Clerk will report the motion to recommit.

The Clerk read as follows:

> Mr. Cederberg moves to recommit the bill H.R. 11400 to the Committee on Appropriations.

The SPEAKER. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER. The question is on the motion to recommit.

The motion to recommit was rejected.

The SPEAKER. The question is on the passage of the bill.

Mr. MAHON. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 349, nays 40, nct voting 44, as follows:

[Roll No. 60]

YEAS—349

Abbitt
Abernethy
Adair
Adams
Addabbo
Albert
Alexander
Anderson, Ill.
Anderson, Tenn.
Andrews, Ala.
Andrews, N. Dak.
Annunzio
Arends
Ashley
Aspinall
Ayres
Baring
Barrett
Beall, Md.
Belcher
Bell, Calif.
Bennett
Berry
Betts
Bevill
Biaggi
Biester
Blackburn
Blanton
Blatnik
Boggs
Boland
Bolling
Bow
Brademas
Brasco
Bray
Brinkley
Brock
Brooks
Broomfield
Brotzman
Brown, Mich.
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burke, Fla.
Burke, Mass.
Burleson, Tex.
Burlison, Mo.
Bush
Button
Byrne, Pa.
Byrnes, Wis.
Cabell
Caffery
Camp
Carter
Casey
Celler
Chamberlain
Chappell
Clausen, Don H.
Clawson, Del
Cleveland
Collier
Collins
Colmer
Conable
Conte
Corbett
Corman
Coughlin
Cramer
Cunningham
Daddario
Daniel, Va.
Daniels, N.J.
Davis, Ga.
Davis, Wis.
de la Garza
Delaney
Dellenback
Denney
Dennis
Derwinski
Devine
Dickinson
Dingell
Donohue
Dowdy
Downing
Dulski
Duncan
Dwyer
Eckhardt
Edmondson
Edwards, Ala.
Eilberg
Erlenborn
Esch
Eshleman
Evans, Colo.
Evins, Tenn.
Fallon
Fascell
Feighan
Fish
Fisher
Flood
Flowers
Flynt
Foley
Ford, Gerald R.
Ford, William D.
Foreman
Fountain
Frelinghuysen
Friedel
Fulton, Pa.
Fulton, Tenn.
Fuqua
Galifianakis
Gallagher
Garmatz
Gaydos
Gettys
Giaimo
Gibbons
Goldwater
Gonzalez
Goodling
Gray
Green, Oreg.
Green, Pa.
Griffin
Griffiths
Grover
Gubser
Gude
Hagan
Halpern
Hamilton
Hammerschmidt
Hanley
Hanna
Hansen, Idaho
Hansen, Wash.
Harvey
Hathaway
Hays
Hechler, W. Va.
Heckler, Mass.
Henderson
Hicks
Holifield
Horton
Hosmer
Hull
Hungate
Hunt
Hutchinson
Ichord
Jacobs
Jarman
Joelson
Johnson, Calif.
Johnson, Pa.
Jonas
Jones, Ala.
Jones, N.C.
Jones, Tenn.
Karth
Kazen
Kee
Keith
King
Kleppe
Kluczynski
Kyros
Landgrebe
Landrum
Langen
Leggett
Lennon
Lipscomb
Lloyd
Long, La.
Long, Md.
Lukens
McCarthy
McClory
McClure
McCulloch
McDade
McDonald, Mich.
McEwen
McFall
McKneally
Macdonald, Mass.
Madden
Mahon
Mailliard
Mann
Marsh
Martin
Mathias
Matsunaga
May
Mayne
Meeds
Michel
Miller, Calif.
Mills
Minish
Mink
Minshall
Mize
Mizell
Mollohan
Monagan
Montgomery
Moorhead
Morton
Moss
Murphy, Ill.
Myers
Natcher
Nedzi
Nichols
Nix
Obey
O'Hara
O'Konski
Olsen
O'Neal, Ga.
O'Neill, Mass.
Passman
Patman
Patten
Pelly
Pepper
Perkins
Pettis
Philbin
Pickle
Pike
Pirnie
Poage
Poff
Preyer, N.C.
Price, Ill.
Price, Tex.
Pryor, Ark.
Pucinski
Purcell
Quie
Rarick
Reid, Ill.
Reid, N.Y.
Reuss
Rhodes
Roberts
Robison
Rogers, Colo.
Rogers, Fla.
Ronan
Rooney, N.Y.
Rooney, Pa.
Rostenkowski
Roth
Roudebush
Roybal
Ruth
St Germain
St. Onge
Satterfield
Saylor
Schadeberg
Scherle
Schwengel
Scott
Sebelius
Shriver
Sikes
Sisk
Slack
Smith, Calif.
Smith, Iowa
Snyder
Springer
Stafford
Staggers
Stanton
Steed
Steiger, Ariz.
Steiger, Wis.
Stephens
Stratton
Stubblefield
Stuckey
Sullivan
Symington
Taft
Talcott
Taylor
Teague, Calif.
Teague, Tex.
Thompson, Ga.
Thompson, N.J.

Thomson, Wis.
Tiernan
Tunney
Udall
Ullman
Utt
Van Deerlin
Vander Jagt
Vigorito
Waggonner
Waldie
Wampler
Watkins
Watson
Weicker
Whalen
Whalley
White
Whitehurst
Whitten
Widnall
Williams
Wilson, Bob
Wilson, Charles H.
Winn
Wold
Wolff
Wright
Wyatt
Wydler
Wylie
Wyman
Yates
Yatron
Young
Zablocki
Zion
Zwach

NAYS—40

Anderson, Calif.
Ashbrook
Bingham
Brown, Calif.
Burton, Calif.
Cederberg
Chisholm
Clancy
Clay
Cohelan
Conyers
Diggs
Edwards, Calif.
Farbstein
Fraser
Gilbert
Gross
Haley
Hall
Harsha
Hawkins
Kastenmeier
Koch
Kyl
Latta
Lowenstein
Mikva
Miller, Ohio
Mosher
Ottinger
Podell
Powell
Quillen
Rees
Rosenthal
Ruppe
Ryan
Schneebeli
Stokes
Vanik

NOT VOTING—44

Bates
Burton, Utah
Cahill
Carey
Clark
Cowger
Culver
Dawson
Dent
Dorn
Edwards, La.
Findley
Frey
Hastings
Hébert
Helstoski
Hogan
Howard
Kirwan
Kuykendall
Lujan
McCloskey
McMillan
MacGregor
Meskill
Morgan
Morse
Murphy, N.Y.
Nelsen
Pollock
Railsback
Randall
Reifel
Riegle
Rivers
Rodino
Rumsfeld
Sandman
Scheuer
Shipley
Skubitz
Smith, N.Y.
Watts
Wiggins

So the bill was passed.

The Clerk announced the following pairs:

Mr. Hébert with Mr. Nelsen.
Mr. Dent with Mr. Riegle.
Mr. Carey with Mr. Cahill.
Mr. Murphy of New York with Mr. Meskill.
Mr. Rodino with Mr. Sandman.
Mr. Edwards of Louisiana with Mr. Frey.
Mr. Morgan with Mr. Railsback.
Mr. Watts with Mr. Burton of Utah.
Mr. Clark with Mr. Reifel.
Mr. Culver with Mr. Findley.
Mr. Dorn with Mr. Cowger.
Mr. Helstoski with Mr. Rumsfeld.
Mr. McMillan with Mr. Skubitz.
Mr. Rivers with Mr. Bates.
Mr. Randall with Mr. McCloskey.
Mr. Shipley with Mr. Kuykendall.
Mr. Howard with Mr. Hogan.
Mr. Scheuer with Mr. Dawson.
Mr. Smith of New York with Mr. MacGregor.
Mr. Pollock with Mr. Lujan.
Mr. Wiggins with Mr. Hastings.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. MAHON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the bill just passed.

The SPEAKER pro tempore (Mr. Albert). Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. MAHON. Mr. Speaker, I ask unanimous consent that all Members speaking on the bill may be permitted to revise and extend their remarks and that I may be permitted to revise and extend my remarks, and insert certain tabular material and pertinent extracts otherwise.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

THE WORLDWIDE POPULATION CRISIS

(Mr. SCHEUER asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. SCHEUER. Mr. Speaker, on behalf of myself and Mr. Bush, Mr. Anderson of Illinois, Mr. Ashley, Mr. Bingham, Mr. Blackburn, Mr. Buchanan, Mr. Button, Mrs. Chisholm, Mr. Cohelan, Mr. Conable, Mr. Conyers, Mr. Coughlin, Mr. Dellenback, Mr. Diggs, Mr. Edwards of California, Mr. Esch, Mr. Fisher, Mr. Fraser, Mr. Hammerschmidt, Mr. Hawkins, Mr. Koch, Mr. Leggett, Mr. McCloskey, Mr. Matsunaga, Mr. Mikva, Mrs. Mink, Mr. Mize, Mr. Ottinger, Mr. Moss, Mr. Podell, Mr. Pryor of Arkansas, Mr. Rees, Mr. Rosenthal, Mr. Schneebeli, Mr. Stokes, Mr. Taft, Mr. Thompson of New Jersey, Mr. Udall, and Mr. Wold, I am introducing today legislation which will enable this Nation to do its part in combating the growing worldwide population crisis and to assure the availability of family planning services to all women in this country who desire them. Similar legislation has been introduced in the other body by Senator Tydings and 19 of his colleagues.

Mr. Speaker, the urgent problem of ever-burgeoning populations throughout the world must no longer be ignored. Unchecked population growth continues to hold back the advancement of underdeveloped nations and threatens the present social and economic standards of industrialized nations.

The recent report of the President's Committee on Population and Family Planning, chaired by John D. Rockefeller III, and Wilbur J. Cohen stated:

> Rapid population growth is a direct result of man's enhanced ability at death control. Modern medicine and improved nutrition have cut death rates throughout the world, thus upsetting the traditional balance between births and deaths and producing rates of population growth unprecedented in the history of man. If present growth rates remain unchecked, the present world population of 3½ billion will double to seven billion by the end of the century.
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> More than 80 per cent of this increase will occur in the developing nations. With growth rates averaging 2½ per cent per year, the developing nations are suffering an acute imbalance between births and deaths, and throughout much of Asia, Africa and Latin America, successful efforts at economic development find their gains diluted by ever-increasing numbers of people. Most of the additional population will, therefore, come into the world with limited prospects of adequate food, shelter, education and employment.
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> In the industrialized nations, declines in death rates have been followed by declines in birth rates. In the United States, the resulting rate of natural population increase has been about one per cent per year. This rate of growth cannot be maintained indefinitely. Eventually, it will mean severe social and economic dislocations.

In recent days, Secretary General U Thant of the United Nations has warned of the stark urgency of the problem posed by the population explosion looming ahead of us. He warned that we have only one short decade before current crisis becomes irreversible and unmanageable catastrophe.

And in a recent stirring address to the student body of Notre Dame University, Robert S. McNarama, president of the World Bank, issued a resonant plea for action:

> I have chosen to discuss the tangled problem of excessive population growth because my responsibilities as President of the World Bank compel me to be candid about the blunt facts affecting the prospects for global development.
>
> The bluntest fact of all is that the need for development is desperate.
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> One-third of mankind today lives in an environment of relative abundance.
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> But two-thirds of mankind—more than two billion individuals—remain entrapped in a cruel web of circumstances that severely limits their right to the necessities of life. They have not yet been able to achieve the transistion to self-sustaining economic growth. They are caught in the grip of hunger and malnutrition; high illiteracy; inadequate education; shrinking opportunity; and corrosive poverty.
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> The gap between the rich and poor nations is no longer merely a gap. It is a chasm. On one side are nations of the West that enjoy per capita incomes in the $3,000 range. On the other are nations in Asia and Africa that struggle to survive on per capita incomes of less than $100.
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> What is important to understand is that this is not a static situation. The misery of the underdeveloped world is today a dynamic misery, continuously broadened and deepened by a population growth that is totally unprecedented in history.
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> This is why the problem of population is an inseparable part of the larger, overall problem of development.
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> There are some who speak as if simply having fewer people in the world is some sort of intrinsic value in and of itself. Clearly, it is not.
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> But when human life is degraded by the plague of poverty, and that poverty is transmitted to future generations by too rapid a growth in population, then one with responsibilities in the field of development has no alternative but to deal with that issue.
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> To put it simply: the greatest single obstacle to the economic and social advancement of the majority of the peoples in the underdeveloped world is rampant population growth.

If this problem is not met quickly and decisively by reasonable men desiring to improve the quality of life, the opportunity for action might well be forfeited to those who seek repressive solutions, at variance with our system of values. In the August 1968 issue of Law and Society, Prof. Albert P. Blaustein, of the Rutgers Law School faculty states:

> Laws designed to limit population growth must meet two criteria: they must, first, actually accomplish that objective, and, second, they must do so without reducing the significance of human life and the value

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> of individual dignity. Such laws must not be enacted on an ad hoc basis. They must not be based on a "feeling" on the part of legislators that these laws can do the job; such laws must not come in response to emotion-based public sentiment or reaction . . .
>
> We have already heard legislative proposals that any woman who bears two illegitimate children should be sterilized following a court order. We have already heard proposals that welfare payments should be denied for the support of those who have illegitimates. But would such laws have any effects? Even disregarding our ideals and our other social values, certainly we should not pass laws of this type until we analyze their effects and know that they will work to curtail population.

Our Nation must take a leading role in solving the population crisis. We have failed up to this point.

We were late to begin. Only in the past few years have we begun to support—through our foreign assistance programs—family planning programs abroad. Yet, funds have been inadequate and programs loosely organized.

Our effects at home have been even less effective. Although we have an urgent national interest in helping women plan and space their families, the Federal Government's role in family planning programs has been characterized by timidity, hypocritical moralizing, scroogish financing and wasteful, overlapping, unplanned, uncoordinated, and generally inept administration.

No one will deny the basic right of a family unit to determine—according to the dictates of its conscience—the number and spacing of its children.

Middle-class persons have been limiting the number of offspring for years. Today, eight of every 10 nonpoor American couples practice some form of birth control. Eight million American women take the pill every day although neither this nor any other present form of contraception is totally safe and provably effective.

But women of low-income families do not use, to any significant extent, the variety of birth control methods available. In fact, poverty and family size are linked together in a very direct and alarming causal relationship. A recent GAO report on family planning shows that one of every five American children lives in poverty; that one-third of all families with five or more children live in poverty; that almost half of all children living in poverty live in families of five or more children. The report also states:

> There are significant health benefits to be derived from family planning. These are associated with controlled timing and spacing of births and can be measured by lower maternal and infant mortality rates, fewer premature births, and a lower incidence of both mental and physically crippling diseases in infants. In addition, there are important economic benefits—in contrasts to other health programs—which offer the analyst the opportunity to relate the provision of health services directly to the reduction of poverty. Finally, the program has social and mental advantages which are for the most part the result of giving families the opportunity to have the number of children they desire, when they desire.
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> It has been recognized, for many years, that the poor have more children than the nonpoor and, in addition, have more children than they desire. No study or evaluation is necessary to know that a large family increases both the social and economic problems of being poor.

If poverty and family size are so closely related we ask, "Why don't poor women stop having babies?"

Mr. Speaker, just as access to adequate food, clothing, housing, and education seem to be the right only of the nonpoor so is access to adequate family planning information and services seemingly assured mainly to those who are not poor.

As an ad hoc measure, several years ago I proposed making family planning a national emphasis program of the Office of Economic Opportunity and authorizing that agency to make project grants for family planning services. This proposal was passed by the Congress as part of the OEO Act of 1967 and today there are 160 OEO family planning projects operating in 38 States, the District of Columbia, and Puerto Rico. They will reach over 200,000 women this year.

Although the program has had excellent results, it is not even marginally adequate to the need. There are over 5 million low-income women who want, but cannot afford, family planning services. All efforts—Federal, State, and private—will reach fewer than 800,000 women this year, barely 15 percent of low-income women in their child-bearing years urgently needing family planning services. And no perfect contraceptive method will be available to these women, or to the women who will seek family planning services from private physicians.

It was these twin problems—the inadequacy of existing programs to serve low-income women, and the lack of an absolutely effective, safe, convenient form of contraception, compounded by the utter failure of the Congress, or the executive branch, to create a design for a comprehensive, coordinated national family planning program—that led me last year to call together a group of specialists in the population field to see if some overall strategy for a Manhattan project type of approach to an integrated family planning program could be devised.

In May, September, and October of 1968, I invited the following experts to meet with me for a series of three meetings:

Prof. Alfred Blumstein, director, Urban Systems Institute, School of Urban and Public Affairs, Carnegie-Mellon University, Pittsburgh, Pa.

Mr. William M. Capron, senior fellow, Brookings Institution; formerly Assistant Director, Bureau of the Budget.

Mr. George Coleman, Deputy Director, Population Service, AID, Washington, D.C.

Dr. Ralph Dorfman, Syntex Corp., Palo Alto, Calif.

Mr. Irving Friedman—representing Mr. Robert S. McNamara—economic adviser to President of World Bank, Washington, D.C.

Mr. Kermit Gordon, president, Brookings Institution, Washington, formerly Director, Bureau of the Budget.

Mr. William Gorham, president, Urban Institute; formerly Assistant Secretary for Planning and Evaluation of Health, Education, and Welfare.

Dr. Oscar Harkavy, program officer in charge of population division, the Ford Foundation, New York City.

Mr. Frederick Jaffe, vice president, Planned Parenthood-World Population, New York City.

Dr. Gary D. London, director, health services office, community action program, Office of Economic Opportunity.

Dr. John Maier, population division, Rockefeller Foundation, New York City.

Dr. Paul Schultz, senior scientist, economic department, Rand Corp., Santa Monica, Calif.

Mr. Charles L. Schultze, senior fellow, Brookings Institution; formerly Director, Bureau of the Budget.

Dr. Harry Rudel, associate director, biomedical division, Population Council, New York City.

Dr. Sheldon Segal, director of the biomedical division, Population Council, New York City.

Dr. Anna L. Southam, program officer, international division, the Ford Foundation.

The bill substantially reflects the consensus of the experts who attended these three meetings that Federal family planning programs are both inadequate to meet the need, and that the bulk of them are fragmented among various agencies at HEW, poorly staffed and administered.

These meetings produced two important developments. The first was the presentation—by Dr. Alfred Blumstein—of a complete diagram of the essential components of a comprehensive family planning program. I include it at this point in the RECORD:

TABLE 1.—COMPONENTS OF A FAMILY-PLANNING PROGRAM

RESEARCH

Improved techniques of contraception	Process of distribution and use
Reproductive biology:	Understanding of attitudes of target Populations—United States and foreign:
1. Germ cell production.	1. Ethnic/religious constraints.
2. Restriction on flow of germ cells.	2. Factors in family-size decisions.
3. Attacks on germ cell vitality.	3. Responsiveness to alternative incentives.
4. Inhibition of implanation of fertilized egg.	4. Responsiveness to alternative educational programs.
	5. Responsiveness to alternative contraceptive modes and systems of distribution.
	Analysis of institutional operations:
	1. Analysis of domestic community institutions (churches, health clinics, welfare offices, corrections agencies) and their appeals to various target population.
	2. Analysis of foreign community institutions local leaders, government offices, health clinics, economic institutions) and their appeals to various target population.

TABLE 1.—COMPONENTS OF A FAMILY-PLANNING PROGRAM—Continued

Improved techniques of contraception	Process of distribution and use
DEVELOPMENT	
Development of New Contraceptive Techniques, Devices, and Means of Application: 1. Safety. 2. Effectiveness. 3. Long-term effectiveness per application. 4. Easily applied, requiring minimum training, especially nonmedical. 5. Requires positive action to restore fertility. 6. Low cost.	Development of distribution programs: 1. Design of incentives and distribution procedures focused on individual population groups. 2. Design of logistics system (e.g., quantities required, pipeline, distribution personnel and facilities, supervision) to provide information, techniques, training, and "maintenance" (checkups on use, effectiveness and safety).
TEST AND EVALUATION	
1. Laboratory evaluation. 2. Animal tests. 3. Human experimentation.	1. Identification of evaluation of successful and unsuccessful programs and reasons for success or failure in particular contexts. 2. Continuing evaluation of comparative safety, effectiveness and cost of techniques and alternative distribution procedures. 3. Analysis of components of cost.
PRODUCTION AND DISTRIBUTION	
1. Reduced production costs. 2. Feedback of evaluations. 3. Development of indigenous production capability.	1. Identification of needs and interests for various population groups. 2. Design of distribution appeals mechanisms matched to population groups. 3. Identification of personnel, materiel, and institutional resource requirements. 4. Development and institution of required personnel training programs, especially using local personnel. 5. Provision of required technical support to back up distribution system. 6. Collection and analysis of mechanisms and information for program evaluation.

TABLE 2.—ORGANIZATIONAL ALTERNATIVES IN DEVELOPING AN INTEGRATED NATIONAL FAMILY-PLANNING PROGRAM

Mode of operation	Principal advantages	Principal disadvantages
A. Present system	Minimum complexity in resolving new bureaucratic difficulties.	Retention of old bureaucratic difficulties and cracks into which the important problems fall.
	Existence of multiple sources of funds—"bet hedging."	No single source at which to direct large appropriations. Split loyalties between family planning and other mission objectives. No 1 organization has total system concern and responsibility.
B. Lead Government agency	Single central governmental authority concerned with family-planning problems.	Reluctance of other parts of Government to relinquish control over their programs to new "czar".
	Direct governmental control and authority over programs and resources elsewhere in Government from a total systems viewpoint.	Difficulties inherent in a Government agency dealing with politically sensitive problems.
	Direct congressional appropriation to a single agency.	Difficulty in receiving or exercising control over non-Government funds. Difficulty in recruiting quality staff into Government. Opposition to greater Federal involvement in individual's private matters.
C. Private institution	Creation of a single organization with total system concern, albeit with less authority than in a Government agency.	Lack of authority over programs, outside the institution, especially those in Government—No single Government agency through which to report.
	Relative freedom from political pressures	Congressional reluctance to relinquish detailed control by creating a non-Government agency as a conduit of Federal funds.
	Freedom to receive funds from many sources, including Government. Greater flexibility in staff recruitment and program operations.	
D. Lead Government agency backed up by a private technical support institution.	Combined advantages of B. and C	Communication problems and administrative difficulties between the Government agency and the private organization.
	Flexibility in using Government or private organization for what is done best in each.	

The second is the legislation which I introduce today.

Let me describe the situation at HEW. Nearly 2 years ago, in November 1967 testimony adduced at the Gruening hearings on the population crisis first outlined the deficiencies in HEW family planning programs. A report prepared for HEW by Dr. Oscar Harkavy of the Ford Foundation pointed out the inadequacy of funds, an incoherent administrative structure, and the absence of family planning staff. The situation has not materially improved since then.

I expressed my chagrin that a pressing national interest could have induced us to create a comprehensive design and a specific timetable for a massive, coordinated effort involving both the public and private sector to produce the ultimate death-dealing weapon, the atomic bomb; but that for an equally pressing national—indeed global—interest, a similar comprehensive, coordinated Manhattan Project-type of approach aimed at producing the ultimate in life dealing—a worldwide system for population planning and birth control— has not yet been initiated. High officials of HEW promised to follow this report's recommendations in affecting administrative changes.

At the same time title IV and V of the Social Security Amendment of 1967 gave HEW important new responsibilities in the family planning field. Title V specified that at least 6 percent of all funds available for maternal and infant care and maternal and child health each year must be allocated to family planning. Congress then reemphasized its concern in this field by stipulating in the HEW appropriation bill that 10 percent rather than the minimum 6 percent of funds available in fiscal year 1969 be used for family planning.

Almost 2 years have passed. The Harkavy report recommendations and HEW's promises before the Gruening committee have never been implemented. HEW's family planning programs are still scattered, uncoordinated, and ineffective.

In theory, the Deputy Assistant Secretary for Population and Family Planning has responsibility for formulating family planning policy; communicating that policy to Congress, the public and professional groups; and coordinating and evaluating of programs within the Department. In actual fact, the Office has carried out none of these functions. It has almost no staff. It has almost no funds. Most importantly, it is totally isolated from the operating locus of the major family planning programs.

The Deputy Assistant Secretary for Population and Family Planning reports directly to the Assistant Secretary for Health and Scientific Affairs who oversees the bulk of the Federal health programs. The title V family planning project grants program is administered, in turn, by the Children's Bureau of the Social and Rehabilitation Service. Neither the Deputy Assistant Secretary nor the Assistant Secretary has any control or effective jurisdiction over the policymaking or funding processes of the project grants program.

The title V program represented a challenging opportunity for HEW to take the reins of Federal leadership in this field and to provide a vital service to millions of American women. It has been an opportunity unappreciated and largely unused.

After the social security amendments were adopted in December 1967, the program was given little publicity. Nevertheless, a great number of communities expressed interest. They were met with a long series of administrative roadblocks set up by the Children's Bureau. Conflicting statements as to the purposes of the program confused applicants. Guidelines were late in appearing and only sparsely distributed. Funding procedures resembled the Cretan labyrinth. Despite all this, when funds became available July 1, 1968, a number of applications were already in. Eight months later only 10 projects had been funded. Only $2.6 million of the $12 million available had been obligated.

Today—15 months after passage of the law—not one single additional woman in the entire Nation has received family planning services through this program.

Although the family planning project grant program is a sizable one, the Children's Bureau does not have even one single full-time family planning staff member either in Washington or in the regional offices to help interested institutions in applying for grants or to review applications submitted.

Lack of adequate staff and any demonstrable interest in the family planning field is not limited to the Children's Bureau. Although the Medical Services Administration, the Assistance Payments Administration, the Health Services and Mental Health Administration, and the Office of Education all have substantial responsibilities in this field, not one of them has any full-time staff to carry out their programs. Nor is there even one Federal employee in any regional office designated as a full-time family planning specialist whose duty is to advise communities in developing plans for Federal assistance under existing programs.

The need for family planning programs is obvious and urgent. This bill will establish a reasonable administrative structure, increase funds available for family planning projects and stimulate desperately needed research in contraceptive methods.

Mr. Speaker, the Children's Bureau obviously does not have the leadership, the staff, the understanding or the desire necessary to execute an adequate family planning program—nor do any of the other HEW agencies that presently have some role in this field. The answer, we are convinced, is to be found in the creation of a new agency located in the health arm of HEW to combine the service and research programs in this field. This arrangement will further close relations with other health services and programs, will facilitate rapid application of research findings in the field and will allow for the systematic training of necessary personnel, both professional and paraprofessional.

If all family planning project grant and population research programs of HEW are moved to this new office, if it is given authority to coordinate and evaluate other HEW family planning and population programs and if it is assigned responsibility for continuing communication and coordination with foreign programs, then at long last a cohesive population and family planning effort will become possible.

Therefore, the bill authorizes the creation of a National Center for Population and Family Planning in HEW, directly under the Assistant Secretary for Health and Scientific Affairs, which will—

First, administer all special project grants related to population and family planning over which the Secretary of Health, Education, and Welfare has administrative responsibility;

Second, administer and be responsible for all population and family planning research carried on by HEW or through grants to or contracts with public and nonprofit agencies;

Third, act as a clearing house for information pertaining to domestic and international population and family planning programs;

Fourth, serve as a liaison with the activities carried on by other agencies of the Federal Government relating to population and family planning;

Fifth, provide or support training for the professional and paraprofessional manpower required to implement our domestic and foreign family planning programs and research; and

Sixth, be responsible for the evaluation of all HEW family planning programs and make periodic recommendations to the Secretary.

Consolidation of responsibility and authority in an office whose sole activity is family planning should bring reason, direction and sheer hardheaded competence to the administration of those programs. We will know there is a high-level official responsible for family planning programs, who will be conducting ongoing scrutiny, evaluation, oversight, and coordination. We will be assured it has not fallen in the wastebasket of a third-level bureaucrat. The program at last will have "a daddy," someone located at stage center, in full charge.

In order to encourage long-range planning in this field, the Secretary is required to develop a 5-year plan for providing family planning services to the 5.3 million women in need, and for providing necessary manpower and research in the field. This plan, and yearly reports on progress in carrying out its goals, will be submitted to the Congress.

Mr. Speaker, this proposal is one of the most valuable suggestions that is contained in the report of the President's Committee on Population and Family Planning. It will encourage disciplined planning at HEW, and will also permit Congress to scrutinize the administration of family planning programs.

Finally, the bill will expand and improve services and research activities of private and public nonprofit agencies and institutions by authorizing: $30 million in special project grants for actual family planning service; $10 million in formula grants to State health agencies for planning, establishing, maintaining and evaluating family planning services; $35 million in grants for biomedical, contraceptive technology, and behavioral research related to population research centers; and $12 million in grants for the construction of population research centers; and $2 million in grants for training professional and paraprofessional personnel in the family planning field.

This comes to a total of $89 million in new authorizations for fiscal year 1971.

Mr. Speaker, this legislation offers the first hope of a comprehensive, rational, coordinated, national program, involving both the public and private sector, designed to provide all the necessary tools for insuring the availability of family planning services to all who desire them. Such a comprehensive design could put us on the road to finding an ideal set of contraceptive choices, as well as establishing the necessary programs for manpower training, distribution, financing, and education and orientation, necessary to make family planning programs a lifesaving program around the world.

The rewards of reduced poverty and infant mortality, and increased family stability and individual opportunity for every child make the effort worthwhile.

The rewards of saving the world community from strangling in the otherwise predictable population explosion makes the efforts a categorical imperative.

Just as we must find the wisdom to avoid the instant death by atomic incineration of hundreds of millions of people in the decades to come, we must likewise rise to the epic challenge of avoiding the slow lingering death by starvation of billions of humankind in this and the next century.

Mr. BUSH. Mr. Speaker, as my colleague, the gentleman from New York (Mr. SCHEUER), so ably pointed out, family planning is a public health matter. Long ago Congress began the attempt to deal with the problem of over population and unwanted children on a national basis. And, for a long time, some of us have been uneasy that we were not obtaining optimum results.

Senator Gruening's hearings on the population crisis confirmed our fears. Testimony produced revealed inadequate funding, incoherent administration and the absence of any real family planning staff in the Department of Health, Education, and Welfare.

At the same time privately financed programs, like Houston's Planned Parenthood, were growing so fast that they had outstripped their ability to attract the necessary funds from private sources.

The purpose of the bill we have introduced today is to correct some of the structural problems that have developed. As my colleague mentioned the bill would authorize the creation of a National Center for Population and Family Planning in HEW directly under the Assistant Secretary for Health and Scientific Affairs, would encourage long-range planning by requiring the Secretary to develop a 5-year plan to provide family planning services to those who want it and would expand and improve the research and service activities of public and private nonprofit agencies.

Without giving every woman who wants it the ability to obtain family planning information now we are only creating immense problems for the future. The 300 million people who will live in the United States in the year 2000 will be forced to live in a world without

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the benefits of environment and affluence that we enjoy today. Furthermore, they will not be able to successfully meet the crisis—it will be too late. So it is extremely important that the Congress, as well as the administration, act now.

GENERAL LEAVE TO EXTEND

Mr. SCHEUER. Mr. Speaker, I ask unanimous consent that such Members as wish to do so may extend their remarks on the subject of the legislation which we are jointly introducing today.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

IN SUPPORT OF A PRESIDENTIAL COMMISSION TO STUDY THE USE OF MARIHUANA

(Mr. KOCH asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KOCH. Mr. Speaker, I am pleased to reintroduce my bill to establish a Presidential Commission on Marihuana. That bill now has nine cosponsors, including the following Members: JOHN B. ANDERSON, ABNER J. MIKVA, JOHN J. DUNCAN, DON EDWARDS, CHARLES C. DIGGS, JR., JAMES H. SCHEUER, CLAUDE PEPPER, BENJAMIN S. ROSENTHAL, and GILBERT GUDE. Because I believe the increased use of marihuana requires our immediate attention, I have organized a conference to be held on June 20 at Mount Sinai Hospital in New York City. At this conference the following questions will be raised:

First, does the use of marihuana cause violent crime or aggressive antisocial behavior?

Second, does the use of marihuana produce conditions of dependence, psychosis, or other harmful effects requiring medical treatment?

Third, does the use of marihuana lead to the use of heroin?

Fourth, are the current criminal penalties for the possession of marihuana appropriate?

These questions will be discussed by a group of participants representing various medical and legal points of view. The participants thus far include Dr. Sidney Cohen, Director of the Division of Narcotic Addiction and Drug Abuse of HEW; Mr. Frederick M. Garfield, Assistant Director for Science and Education of the Bureau of Narcotics and Dangerous Drugs of the Justice Department; Dr. Helen H. Nowlis, research consultant for student affairs and professor of psychology at the University of Rochester; Mr. Harold J. Rothwax, director of mobilization for Youth Legal Services; Mr. Bardwell Grosse, associate director of the National Student Association; Dr. Henry Brill of Pilgrim State Hospital in West Brentwood, N.Y.; and Dr. Joel Fort, physician and professor of biology at San Francisco State College.

However, there is no question but that to do full justice to this subject, it will be necessary for a Presidential Commission to hold exhaustive hearings and bring in a definitive and authoritative report to the President and this Congress. Nevertheless, local forums and reports are helpful in educating the public; and I would hope that other Members might consider holding similar conferences on marihuana in their districts.

FRANCHISES

(Mr. ROGERS of Colorado asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. ROGERS of Colorado. Mr. Speaker, heretofore, I have introduced H.R. 3645 dealing with franchises, and one of the newest phenomena on the American scene today is franchising. It has almost slipped up on us unnoticed until now it is, roughly, a $90 billion business annually.

It's importance to the survival of small businesses is difficult to ignore. It has, perhaps, been the savior of what we know as the "momma and poppa" type of operation which began disappearing after World War II because they were not price competitive with bigger, expanding businesses.

Historically, important personages during the Middle Ages were granted what today might be called franchises. The holders of the franchises could collect revenues in return for various services. Franchising did not become prevalent in England until the 18th or 19th century when certain specified privileges were extended in return for some obligations. The privileges, usually long-term, were granted by royalty or legislative bodies. These franchises were only granted to persons already in stations of power or wealth or nobility—or all three—and quite often was of a scurrilous nature.

This was the image of franchising which has plagued the industry, even though most persons probably are unaware that its origins began so long ago. In this country, franchises before World War II generally were available only for gasoline stations and variety drugstores.

In 1955, franchising began emerging in the United States as we know it today, until such names as McDonald's, Dunkin' Donuts, and Aamco Transmission Centers are fairly well known throughout the land.

Franchising has brought business independence to numerous men and women who otherwise could not have gone into business for themselves. In 1967, total sales for the franchise industry was estimated at $89.2 billion. About $13.1 billion of that total was from sales of small business franchises, classified as franchises costing under $100,000 including working capital. This $13.1 billion itself was an increase of 64 percent over 1963 sales.

In 1960, members of the franchise industry banded together to organize the International Franchise Association, Inc., with headquarters in Chicago. And, in 1968, the association—IFA—published a booklet, "Franchising: The Odds-On Favorite." This was an in-depth study on marketing. Its author was J. F. Atkinson, B.S., M.B.A. He undertook the study for his masters degree from the Graduate School of Business, Northwestern University, Chicago.

Mr. Atkinson found that, within the limits of his study, the small businessman who buys a franchise stands an increased chance of remaining in business compared to the completely independent businessman. The chances of remaining in business after 1, 5, and 10 years are shown in the following table:

[In percent]

Number of years	Franchise owner	Independent
1	97	62
5	92	23
10	80	16

In other words, a franchise owner has a 97-percent chance of still being in business after 1 year while an independent has only a 62-percent chance.

Over a 10-year period, a franchise owner has a probability of earning $142,678 more income than the independent operator. Franchise benefits include not only reduction of failure risks, but interest rate reductions—due to franchisor backing; reduced supplier costs—because of quantity discounts; reduced capital requirements—due to franchisor backing; and franchisor services—aid to franchisees.

The average small business investment in a franchise has been $23,200. It is in this connection between franchising and small business that I would like to cite the example of one franchise company which combines the two: franchises and small businesses.

General Business Services, Inc., at 7401 Wisconsin Avenue, here in Washington, is a business counseling organization specializing in services to small businessmen. A GBS franchise costs $7,500, so it automatically appeals to the small businessman or the couple who does not have much money to invest. The GBS services for other small businessmen provide guidance in recordkeeping, tax services, data processing, and the things that are needed in the financial management area.

Several years ago, the Small Business Administration issued a report showing that 87.9 percent of businesses which fail do so because they neglected to have a bookkeeping system which would warn the business owner of impending financial problems in time for him to take corrective action. Thus, the services which GBS offers to small businessmen can be seen. Also, it is an interesting fact that no business failures have been reported among any small business clients—of the GBS franchises—who have used the GBS bookkeeping system for 2 years.

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GBS began in 1962. Its president, and the man who started it, is Bernard S. Browning, of Browning, Mo. Mr. Browning was a one-man business himself for many years. He decided that the services which he was selling in Washington and Virginia and Maryland would be just as helpful in other States and he decided that the most effective way to merchandise his product would be to franchise it. With G. E. Gaw, now executive vice president, he founded GBS. The company now has some 500 franchises. These franchised independent small businessmen and women work in 45 States, offering their services to other small businessmen and women.

Nation's Business, in its April issue, quoted Mr. Browning as saying that businesses go broke because "they keep too many records. Or not enough." The item about Mr. Browning, which appeared in the "Executive Trends"' section of the magazine, was brief and also said in part:

> Every new bookkeeper adds something else to the stack of paperwork. But he seldom eliminates any.
>
> "And paper shuffling eats up profits," Bernard S. Browning, president, General Business Services, Inc., says.
>
> "On the other hand, every businessman must keep essential records—like a monthly profit and loss statement, which tells him where he's going and whether he should change course.
>
> "Unfortunately, too many don't."
>
> One out of two new businesses fails within the first two years, he points out.

Like all reputable franchise firms, GBS, after selling a franchise, provides the purchaser with training at the home office. It furnishes him enough material to last for several months, secures the franchisees' investment with a $10,000 life insurance policy, furnishes its franchise holders a continuous service through newsletters and meetings, and solves problems which come in from the franchise holders in the field.

It possibly is this backup service which makes franchising so helpful. The man or woman who originates a franchise business, who has the original better idea, knows the problems and mistakes which his franchise holders will encounter: he has traveled that road himself. So when one of his franchised representatives calls on him for advice, the advice is given from experience. This is that extra something which is not always available for the man or woman who goes into business completely alone.

In my opening remarks, I mentioned that franchising perhaps has helped save the "momma and poppa" type business. In 1957, 2 years after franchising really began in America, there were 8,737,665 sole proprietorships in the United States. In 1966, there were 9,086,714, an increase of 349,049. That is not a tremendous increase, and the growth has not been consistent. Of course, no one is claiming that the franchise industry should reap all the credit.

But it does show that one of our American institutions—the "momma and poppa" store—is not on the way out. That, too, is good news worth considering.

TOWARD EFFECTIVE CONTROL OF OBSCENITY

(Mr. WATSON asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. WATSON. Mr. Speaker, in President Nixon's message to Congress on May 2, a program was outlined to deal with the alarming increase in sex-oriented advertisements and publications which are sent to people without their consent. The President's plan is a good one, and I fully support it. Nevertheless, it does not strike at the heart of the matter. It should now be obvious to even the most casual observer that pornography in American life is becoming so widespread that decent citizens are just baffled as to how to cope with this critical national problem. While the President's proposals, if passed by Congress, should limit mail-order pornography, I believe that Congress must now take steps legislatively to offset various Supreme Court and lower Federal court decisions in obscenity cases.

Certainly there are statutes on the books now which provide stiff penalties for anyone engaged in the mailing of obscene materials, but the Post Office Department has been totally frustrated in its attempt to enforce the law because of court decisions in that vast no man's land called free speech. In addition, States and local communities have laws and ordinances which reflect their attitude on obscenity. Here again, by and large, the Federal courts have ignored the wishes of the people. There are indeed ample laws throughout this Nation on the local level which clearly indicate that free speech does not include the right to impose upon people obscene speech as reflected in so many magazines and paperback novels on the newsstands and in the overwhelming majority of movies shown at so-called family theaters. Unfortunately, the Supreme Court, in the interesting yet totally inane dictum "any redeeming social content," to quote the Chief Justice himself, has abandoned this area of the law.

Tragically, the Supreme Court has set a precedent of legal confusion in actions involving obscenity, and now local jurisdictions are not able to prosecute for fear of falling within the broad interpretation of first amendment rights by the High Court. Consequently, despite the decisive objections of the people in a given community, citizens find their newsstands, bookstores, and movie screens cluttered with every form of smut, and there is very little they can do to prevent this affront to their integrity and intelligence.

A glaring example of the adverse effect of the Court's ruling in obscenity cases is seen in the advertisements for so-called dirty films, pictures, magazines, and books circulated by the underground press, although it is very much overground today. These advertisements are always very careful to point out that their product has a socially redeeming value as established by the Supreme Court and, therefore, they are not considered obscene. Well, any number of my constituents have forwarded these unsolicited advertisements to me to bring to the attention of the Post Office Department, and they are about as socially redeemable as a coiled rattlesnake. The smut publishing houses pay fantastic sums for various mailing lists, and as a result people in every walk of life throughout America receive offensive sexually oriented material without having asked for it.

Now, the Court has ruled that such material is protected by freedom of speech, and therefore the sender is acting with his legal rights. But what about the rights of innocent people who receive this filth? If we are to take the Court's view to its inevitable conclusion, it can only be decided that they have no rights. So the Court is saying in effect that the smut peddlers have rights, but the decent, conscientious, law-abiding citizen of this Nation has no rights. Of course, the Court circumvents this by saying that the citizen has the right to refrain. How does one refrain from opening his mail? If an envelope arrives in the mail and it contains a pornographic advertisement, chances are the addressee would not realize this until he has actually seen it. The same is true in regard to many television programs and advertisements which are becoming more and more bold in their offensive language and subject matter.

Mr. Speaker, I have always supported the right of any citizen to speak freely. This concept is basic to our way of life. But the purveyors of obscenity are betraying this freedom by using it as an excuse to encourage the acceptance of loose moral standards in our society. The time is past due for Congress to bring about some system of order concerning the trial and review of criminal actions involving obscenity, and it can certainly be done without infringing upon anyone's freedom of speech. This can be brought about through a very basic principle in our legal system; namely, the old dictum that local standards should govern. Our colleague in the other body, the senior Senator from Illinois, Mr. DIRKSEN, has introduced a bill which can attain this objective. Today, I am introducing a companion bill in the House.

This legislation would deny appellate jurisdiction to any Federal court of a decision by a jury in regard to criminal actions involving obscenity. Additionally, no Federal court would have the authority to review, reverse or set aside a decision by a court of a State or its subdivision regarding local obscenity statutes.

I may be old fashioned, but I believe that the vast majority of the American people do not accept low moral standards as a way of life. To invade one's privacy by dumping indecent pornography in his mailbox or to make pornographic material available to young and impressionable minds is wrong. Enactment of legislation to clear away the ridiculous and confusing legal cobwebs placed in the paths of local jurisdictions by the Supreme Court in obscenity cases is the

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best answer. Mere fines and slaps on the wrist are not going to curb the pornography traffic, but I can assure you that a few stiff prison sentences would get the job done. This is exactly what will happen to the smut merchants when they have to face local juries and good, old-fashioned law and order judges.

SMALL BUSINESS CRIME INSURANCE ACT OF 1969

(Mr. ANNUNZIO asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. ANNUNZIO. Mr. Speaker, today I have introduced legislation entitled "The Small Business Crime Insurance Act of 1969."

The legislation is designed to fill an important need in our economy—crime insurance for small businessmen.

In recent years, small businessmen across the Nation have found it increasingly difficult to obtain insurance against burglaries, robberies, vandalism, and other criminal acts. Where such insurance is available, the premium rates are so high that most small businessmen cannot afford the policies. Thus, there is no difference from the nonavailability of insurance or insurance that is available but at rates so high that it cannot be afforded by the small businessman.

The blame for this situation must lie squarely with the insurance industry which has made little or no effort to provide insurance at a reasonable rate.

While the lack of insurance does work a great economic hardship on the small businessman, it also is highly significant to our overall economy in general and our tax structure in particular.

Much has been written in recent months about tax reforms and the need for more tax dollars. One of the best ways to bring in more tax revenue is to increase the tax base. Thus, the more businesses that are in operation, the more taxes that will be collected on a local, State, and Federal level.

But if the small businessman cannot obtain insurance, he cannot stay in business and when he goes out of business, our entire economy suffers. This is happening across the country with alarming frequency and something must be done to correct the problem.

Basically, the legislation that I have introduced today will provide for the direct writing of crime insurance to small businesses by the Small Business Administration. This morning, I appeared before the Senate Select Small Business Committee, at which time I outlined the proposals in my legislation. I am including in my remarks a copy of my testimony and a press release which I have issued concerning the legislation, as well as a copy of the bill. These documents will fully outline my proposal:

Statement by the Honorable Frank Annunzio, U.S. Representative From the Seventh District of Illinois, Before the Senate Small Business Committee, May 21, 1969

Mr. Chairman, Members of the Committee, it is not only a pleasure to be here but also a great honor, particularly since you have afforded me the opportunity to be the opening witness in your series of hearings dealing with crime and small business.

I want to be brief and to the point this morning so that we can get on with the task of providing some assistance to small business in this important area.

In 1967, I introduced the Small Business Protection Act to provide for a study to determine the best ways that small businesses could protect themselves from criminal acts. The study, which your Committee has printed, contains many facts which were presented for the first time. I do not contend that the study is the solution to the crime problem but rather that it does set out areas of investigation where a majority of the efforts should be concentrated in solving the problems.

I am unhappy that the study devotes too much space to the statistical side of crime against small business and not enough space in telling the small businessman how to safeguard his property from hoodlums and vandals. I sincerely hope, Mr. Chairman, that your Committee will not fall victim to the statistical syndrome that seems to arrive whenever the question of crime is raised. At this point we do not need studies to show that crime is, indeed, a problem to small businessmen. We can learn this by picking up a newspaper from any metropolitan city. In fact, in many cities the crime rate has risen to such a height that the newspapers do not have enough space to devote to crime stories but instead must summarize the crime news on a "boxscore" basis, much the same way that the statistical aspects of baseball games are reported.

I am certain, Mr. Chairman, that under your guidance, the Committee will search for solutions, not statistics, for all the statistics in the world will not prevent a holdup at the corner grocery store.

Mr. Chairman, one of my greatest concerns in the overall area of crime against small business is that small businessmen, in far too many cases, are unable to obtain adequate insurance, even though small businesses outside of high crime areas are finding it difficult, if not impossible, to obtain insurance policies which cover claims dealing with crime connected losses. In some cases, the insurance industry has not denied coverage but rather it has raised the premium rates to such a height that it is impossible for a small businessman to pay for the coverage. Clearly, the blame for this must lie with the insurance industry of our country.

The SBA crime study dwells at length on the problems faced by small businessmen in getting crime insurance. To this end, when the House of Representatives meets this afternoon, I will introduce legislation to provide for the direct writing of crime insurance by the Small Business Administration. It is unfortunate that the insurance industry has not taken positive steps in the past two years to correct the insurance situation. But rather the insurance industry, instead of seeking to help the small businessman, while at the same time obtaining an adequate profit for the shareholders of the industry, has sought to gouge exorbitant premiums from small businessmen.

Recently, a special Subcommittee of the House Banking and Currency Committee conducted hearings in Chicago to look into charges that the insurance industry has used a portion of the 1968 Housing Act designed to help small businessmen obtain insurance to increase many policy premiums by 200 and 300 percent. We found that many areas of Chicago were arbitrarily redlined, that is, businesses in those areas were either denied coverage or found their premium rates doubled and tripled. Insurance officials have attempted to justify the redlining by claiming that these are areas where riots have occurred or have high rates of crime. However, we found a number of such areas that were considerable distances from any place where riots had occurred and in addition, these areas had no greater crime rate than the rest of the city.

In short, Mr. Chairman, the Subcommittee found that rather than using the FAIR plans set up in the 1968 Housing Act to help small businesses with their insurance problems, the insurance industry was using the FAIR plan for its own personal profit motives.

Therefore, I think it is clear that we have waited long enough for the insurance industry to pick up the ball. Because of this, we must now go to a program of government-sponsored crime insurance. At first glance, this may sound like a rather startling departure from traditional government operations. However, there is clearly a precedent for such insurance. The Federal Government presently insures deposits in banks, savings and loan institutions and mutual savings banks. It also insures mortgages on homes, as well as covering crop losses and losses resulting from floods. These programs have been highly successful and in the case of the home mortgage insurance, the insurance aspect was one of the major factors that has provided this country with the highest standard of housing in the world. There is no question but that the average wage earner would not have been able to afford adequate housing had it not been for the direct program of government mortgage insurance.

Let me take just a minute or two to discuss a few of the highlights of my bill. The legislation, quite simply, would establish a new position in the Small Business Administration—the Associate Administrator for Insurance. The Associate Administrator, working in conjunction with the Small Business Administration Administrator, would establish a schedule of insurance premiums based on the needs of the small businessman and the type of risk to be covered. To be eligible for the insurance coverage, a business owner would have to qualify as a small business under the size standards set by the Administration, and, as in the case of Small Business Administration loan programs, the small businessman would have to show that he is unable to obtain insurance at reasonable rates and terms.

The funds for the insurance pool would be obtained with a $50 million loan from the Treasury Department. As premiums were paid, the funds would be placed in a separate revolving fund within the Small Business Administration. At the end of each year, the amount of claims paid during the year would be deducted from the revolving fund. An adequate portion of the remaining money would be set aside for reserves and the balance would be used to repay the loan from the Treasury Department. Eventually, as the reserves increase, there will no longer be a need to borrow funds from the Treasury and the program will become self-sustaining.

Since the money obtained from the Treasury will be a loan and not a grant, this program will not cost the taxpayers any funds except for the personnel administration of the program and I do not feel that this is too great a price to pay for assisting small businesses. To me, Mr. Chairman, the most important aspect of this legislation is its simplicity. Since it does not provide for the creation of a new bureau, agency or department, there would be a minimal delay in establishing the insurance program and it could be in operation as quickly as the regulations were established.

In the beginning, the insurance coverage would be limited to coverage for losses due to criminal acts. This would still give the

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insurance industry the opportunity to write other forms of insurance for small businesses and, hopefully, correct some of their premium inequalities. However, I want to make it clear that if the insurance industry does not exercise its responsibility in this area, then I will offer an amendment to the legislation to provide for the direct writing of all small business insurance. I would add that, based on past experience, I am not optimistic that the insurance industry will cooperate.

Mr. Chairman, once again, let me thank you for the opportunity to appear before your Committee and on behalf of small businessmen throughout the country, let me commend you for the fine work that your Committee is performing.

[From Congressman Frank Annunzio's News Release, May 21, 1969]

Government Would Write Small Business Insurance Under Annunzio Legislation

Legislation calling for the direct writing of small business crime insurance by the Federal Government was introduced today by Congressman Frank Annunzio (D., Ill.).

Under the Annunzio bill, the Small Business Administration would be empowered to write crime loss insurance for any small businessman who could show that he was unable to obtain such insurance at a reasonable rate. Premiums for the insurance would be established by the Small Business Administration and the program would be under the direction of the Agency's Associate Administrator for Insurance, a new position created by the legislation.

In discussing his legislation before the Senate Select Small Business Committee, Annunzio told the Senators that direct Government insurance is necessary because the insurance industry has turned its back on the small businessman in the area of crime insurance. Annunzio's announcement of the legislation came during the Senate Committee's hearings on the effects of crime on small business. The Chicago Democrat, in 1967, authored legislation that provided for a study of the crime problems among small business and the best methods that small businessmen could use to protect themselves against burglaries, robberies, vandalism, shoplifting and other criminal acts. Congressman Annunzio noted that the study devoted a great deal of space to the problems that small businessmen have, not only in obtaining insurance but also keeping the policy once it has been written.

"In many instances," said Congressman Annunzio, "the study concluded that small businessmen do not report small crime damage to their insurance companies for fear that the policies will be cancelled."

Congressman Annunzio added that an attempt to aid businessmen with their insurance problems through the 1968 Housing Act has turned into a bonanza for the insurance industry. He told the Senate Committee that recent hearings in Chicago, conducted by a special Subcommittee of the House Banking and Currency Committee discovered that a portion of the 1968 Housing Act, designed to help small businessmen obtain insurance coverage at reasonable rates, has been used by the insurance industry to double and triple the insurance premiums.

"We also found out," said Annunzio, "that insurance companies are arbitrarily redlining or blacklisting certain sections of Chicago and other cities and refusing to write coverage in these areas."

"Supposedly, the redlining was because these areas had been affected by the civil disorders or had high rates of crime. However, a number of these areas were well removed from sections of the cities where any riots had occurred and also they had no higher crime rate than the rest of the city."

The Chicago Democrat explained that there is clearly a precedent for direct Federal writing of insurance, since the Government presently writes insurance for home mortgages, bank, savings and loan and mutual savings deposits, crops and flood losses. The funds for the insurance would be obtained by borrowing the money from the Treasury. These funds would be repaid with premium proceeds in excess of losses. Initially, the Small Business Administration would borrow $50 million to get the program in action but Annunzio estimated that the program would be able to repay all of the Government money and operate on its own in a few years.

The Small Business Administration will be limited solely to writing insurance for crime losses. But Annunzio added that if the insurance industry does not "pick up the ball" and begin writing other insurance at rates small businessmen can afford, then he will amend his legislation to allow SBA to write all types of insurance coverage for small businessmen.

"Based on past experience, I am not optimistic that the insurance industry will cooperate," he concluded.

H.R. 11512

A bill to amend the Small Business Act to make crime protection insurance available to small business concerns

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Section 1. This Act may be cited as the Small Business Crime Insurance Act of 1969.

Sec. 2. The Small Business Act is amended by adding at the end thereof the following new title:

"TITLE II—SMALL BUSINESS CRIME INSURANCE

"Sec. 201. The Small Business Crime Insurance Division (referred to in this title as the 'Division') is established as a division of the Small Business Administration. The Division shall be under the direction of an Associate Administrator for Insurance appointed by the Administrator.

"Sec. 202. The Associate Administrator for Insurance shall make available to small business concerns insurance policies insuring against losses resulting from criminal acts to the extent that such insurance is not available from other sources on reasonable terms. The installation, where appropriate, or burglar alarms or other improvements to reduce the risk of loss may be made a condition to the issuance of the insurance.

"Sec. 203. As its initial capital, the Division shall borrow from the Treasury, and the Treasury shall lend to the Division, the sum of $50,000,000 on such terms and conditions as the Secretary of the Treasury shall prescribe. Such additional sums, if any, shall be loaned from the Treasury to the Division as may be necessary to operate the program provided under this title on a sound basis, but the total borrowings from the Treasury outstanding at any time shall not exceed $100,000,000.

"Sec. 204. All funds loaned under section 203 shall be deposited in a revolving fund in the Treasury to be known as the Small Business Crime Insurance Fund (referred to in this Act as the 'Fund'). Any moneys held in the Fund may be invested in obligations of the United States. All premium income, interest income, and other income shall be deposited in the Fund, and all losses shall be paid from the Fund.

"Sec. 205. No administrative expenses may be paid from the Fund. There are authorized to be appropriated such sums as may be necessary to carry out the purposes of this title."

Sec. 3. The third sentence of section 4(b) of the Small Business Act (15 U.S.C. 633(b)) is amended (1) by changing "three" to read "four" and (2) by inserting "and the Associate Administrator specified in title II of this Act" immediately before the closing parenthesis.

A GREAT DEAL OF CREDIT DUE THE AMALGAMATED MEAT CUTTERS & BUTCHER WORKMEN, AFL–CIO

(Mr. FOLEY asked and was given permission to address the House for 1 minute, to revise and extend his remarks and to include extraneous matter.)

Mr. FOLEY. Mr. Speaker, the Amalgamated Meat Cutters & Butcher Workmen, AFL–CIO, deserves a great deal of credit for its all-out support of strong and effective meat and poultry inspection legislation. This labor union mobilized and led other unions and consumer groups in legislative activities on behalf of truly consumer-protective provisions in the Wholesome Meat Act and the Wholesome Poultry Act.

As a sponsor of this legislation, I greatly appreciate the amalgamated's efforts. Congress and the legislation benefited from this union's work.

Since the enactment of the meat and poultry inspection laws, the Amalgamated Meat Cutters & Butcher Workmen, AFL–CIO, has turned its attention to the administration and enforcement of these statutes. It is concerned that these laws be enforced as effectively as Congress meant them to be. There is currently some reason for fear on that point.

The union is also greatly involved in the effort to enact the first inspection program for fish processing. Its members work in that industry also and it realizes that fish inspection is as badly needed as meat and poultry inspection. No mandatory Federal fish inspection program whatsoever exists today.

To outline the union's policies concerning consumer protection on foods, the executive board of the Amalgamated Meat Cutters & Butcher Workmen, AFL–CIO, adopted a statement at its meeting in Chicago on April 29. It is a clear and very practical document. Its proposals are wise and sound.

Mr. Speaker, under unanimous consent, I insert the policy statement of the executive board of the Amalgamated Meat Cutters & Butcher Workmen, AFL–CIO, on consumer protection concerning food at this point in the Record:

Policy Statement of the International Executive Board of the Amalgamated Meat Cutters & Butcher Workmen, AFL–CIO, on Consumer Protection Concerning Food, April 29, 1969

The Amalgamated Meat Cutters and Butcher Workmen (AFL–CIO) believes it has a responsibility to champion consumer causes—especially those involving the products on which our members work. Our Union has, therefore, effectively exerted leadership to increase consumer protection involving various foods.

We shall continue to follow this policy. We recognize that previously-won protections must be safeguarded against erosion and that new hazards must be met by establishing additional protections.

Unfortunately, some recent events involving food inspection activity and legislation are disturbing. They pose dangers to consumer protection. They require action by our Union.

I. FISH INSPECTION

New Legislation—Strong and effective fish inspection legislation is before Congress. It has been introduced in the Senate by Sen. Philip A. Hart (D., Mich.) and 21 other Senators. In the House of Representatives, it is sponsored by Reps. Claude Pepper (D., Fla.) and John D. Dingell (D., Mich.). The bill is based on the Wholesome Meat Act and the Wholesome Poultry Act.

Action by our International Convention in 1968 and previous resolutions by this Executive Board have made a fish inspection law one of our Union's top legislative goals for 1969. The Amalgamated is therefore currently organizing support for the legislation—as we did for meat and poultry inspection.

We hope that a bitter legislative fight on this bill can be avoided. We hope that the seafood industry will do as the poultry industry, which generally worked for effective consumer protection during the 1968 effort for a stronger poultry inspection law.

Weakening Proposals—Unfortuntely, these hopes have so far been dashed. The various trade associations, which claim to speak for the firms of the industry, have announced that they support fish inspection. But they seek numerous amendments which would make the consumer protection meaningless.

Most disturbing is that the trade associations oppose the stationing of an inspector in the plant during all times of processing. They are against continuous inspection, which has been in effect in meat and poultry inspection—and even in the present voluntary fish inspection—for many years.

Union Policy—The Amalgamated will work for fish inspection legislation which is every bit as effective and consumer-protective as the Wholesome Meat Act and Wholesome Poultry Act. Anything less—especially legislation without continuous inspection—would be a farce to delude the consumer into a false sense of security.

Our Union will fight against any such trickery. If there must be a bitter battle to win consumer protection concerning fish, then we shall participate in and even lead it. This Executive Board therefore instructs our Washington Office to launch an effort to inform the public fully on the need for this vital legislation and to wage a forthright campaign for strong and effective fish inspection.

II. EGG INSPECTION

Health Protection—Discussions are currently underway among leading Senators, Congressmen and the U.S. Department of Agriculture (USDA) officials concerning egg inspection legislation. Our Union and industry groups have participated in these talks. Major firms in the egg industry are urging inspection legislation to prevent more outbreaks of illness due to the consumption of adulterated processed eggs.

The measure under discussion would provide the continuous federal inspection of plants where eggs are processed. It would provide a spot check of plants handling shell eggs.

The Amalgamated will support such legislation when it is introduced in and considered by Congress. We regard it as an important health protection.

III. MEAT AND POULTRY INSPECTION

State Pressures—During its work on the Wholesome Meat Act and Wholesome Poultry Act, Congress made clear that it wanted strong federal standards to serve as the model and basis for state compliance with the two laws. In numerous sections of the statutes, Congress established federal dominance in meat and poultry inspection.

State bureaucracies fought these decisions, but lost in the 1967 and 1968 legislative battles. Now, they are attempting to win through pressure on the USDA what they were unable to get through pressure on the U.S. Congress.

Under the euphemism of "greater state-federal cooperation," many proposals have been made to increase state authority and state control over meat and poultry inspection. A favorite scheme is to increase the use of the Talmadge-Aiken Act and to water down the use of federal supervision and federal standards on joint projects carried out under that law.

Federal Program Best—The Amalgamated supports legitimate state-federal cooperation, but not at the expense of weakening consumer protection. We firmly believe that federal meat and poultry inspection—despite some drawbacks—still offers the best program and the least liable to pressure.

We would regard it as a disaster to consumers, workers and the companies if 51 different inspection programs with 51 different degrees of enforcement were to compete for regulation of the meat and poultry industries. The Amalgamated will therefore strongly oppose any watering down of the authority or activity of the federal inspection program from what is provided in the Wholesome Meat and Wholesome Poultry Acts.

Fund Shortages—The effectiveness of meat and poultry inspection also faces dangers because of the current budget hysteria. The program needs large increases to fulfill the added responsibilities provided by the new laws. We urge that Congress fully provide those needed funds, that is, at least the $119.3 million requested in the original budget estimate for fiscal year 1970.

To economize in this area is self-defeating. A cut in the needed funds can endanger public health. What is more, an interstate plant cannot operate without an inspector supervising its activity. A shortage of inspectors therefore would result in less production, less employment, less business and, therefore, less tax revenue for the federal government.

Personnel Shortage—In addition, the requirement in the 1968 surtax law limiting federal employment poses hardships for meat and poultry inspection. This program must expand in the number of employees, as well as in costs, if it is to do the job ordered by Congress. The USDA has avoided a manpower crisis so far by taking staff jobs from other parts of the Department and allocating them to the inspection program. But this cannot go on indefinitely.

Obviously, an inspection program cannot function well if it does not have the necessary personnel. The Amalgamated therefore urges that USDA priority continue to be given to an adequate inspection force. In addition, we shall strongly support legislation to exempt the inspection program from the surtax law's employment requirements if such a bill becomes necessary.

Small Plant Shutdowns—A great hue and cry is underway by the owners of some small meat plants that they will be forced out of business if the Wholesome Meat Act is enforced on them. Many of these complaints stem from an ignorance of the law's provisions and of the Congressional declarations of intent concerning the legislation.

Congress made clear during the enactment of the meat law that the Secretary of Agriculture must use the "rule of reason" in enforcing the inspection regulations among existing plants which are to be newly inspected. Thus, for example, if a rail does not meet regulation specifications because it is too low, it needs to be changed *only* if carcasses drag on the floor or are otherwise in danger of adulteration.

The Amalgamated believes that the use of the "rule of reason" is wise. It achieves the double goal of preventing unnecessary interference with production while, at the same time, preventing any conditions which endanger or shortchange consumers.

Bible Bill—Some plants will have to make costly changes to comply with the important consumer-protective provisions of the Wholesome Meat Act. Sen. Alan Bible (D., Nev.), chairman of the Senate Select Committee on Small Business, has, therefore, introduced legislation to provide special small business loans to small meat firms. The bill (S. 1750) would bring quick financial help, as in the case of disaster relief.

The Amalgamated will support the enactment of this legislation. We consider it to be an effective means of both assuring consumer protection and preventing plant shutdowns for lack of finances.

New Opportunities—The Bible bill is an example of constructive and imaginative ways to ease the problems of transition to compliance with the Wholesome Meat Act and the Wholesome Poultry Act. The full effectiveness of these laws need neither be terrifying nor overly difficult. Instead, it represents an opportunity to assure consumer that not a single pound of filthy, diseased or adulterated red meat or poultry can be legally sold in the United States. It will be an opportunity to let the consumer have added confidence in meat and poultry products.

The Amalgamated Meat Cutters and Butcher Workmen (AFL–CIO) is proud of its part in providing these opportunities. We hope they will also be available shortly for fish and eggs.

OPERATION OF THE DEFENSE DEPARTMENT

(Mr. DUNCAN asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. DUNCAN. Mr. Speaker, for the past several years we have had drilled into our ears noisy propaganda from publicity agents about how efficient and businesslike the Defense Department was being operated.

As time goes on we know that this is not true. In fact, if those who were in charge of the Defense Department ran a business in the same manner they have operated the Defense Department, they could not be hired to run a peanut stand.

The true picture of this operation is now slowly emerging. We read of noncompetitive bids being awarded; former Defense Department employees joining contractors they formerly aided; hypothetical calculations in awarding bids, and large overruns on contracts.

A good example of the inefficiency of this Department has today been called to my attention.

Recently an employee of a radio station in my district had in his possession a small connector he had used to connect cables in sound systems while he served in the military service. His station decided that this type connector would be suitable for their purpose. They

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proceeded to order 10 connectors according to the number on the connector and did not have any idea what the charge would be. The bill came with the cost of $48.10 per connector.

The radio station found they could order the same connector under a civilian number for just 70 cents each. This information is in a catalog published by United Cost Service, 645 Stewart Avenue, Garden City, N.Y., and this catalog lists all manufacturers' prices.

They placed their first order on January 3, 1969, using the military number. When they found the cost to be $48.10 the station returned the connectors and reordered using the civilian number on February 7, 1969.

The connector itself is a small, simple device used to connect cables in sound systems. It is about as big around as an average writing pencil and perhaps three-fourths inch long. I am told it is manufactured by Amphenol Corp., of Broadview, Ill., and distributed in my area by Freck Radio Supply, of Asheville, N.C.

This situation is shocking, as it was to the radio station when they discovered the difference in prices. The radio station did confirm the prices with the distributor so there is no question but what the Defense Department was guilty of gross waste in such outrageous buying.

PROGRAM FOR BALANCE OF THE WEEK

(Mr. GERALD R. FORD asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GERALD R. FORD. Mr. Speaker, I have requested this time for the purpose of asking the distinguished majority leader the program for the remainder of this week.

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. GERALD R. FORD. I yield to the gentleman from Oklahoma.

Mr. ALBERT. Mr. Speaker, in response to the inquiry of our distinguished minority leader, we have finished the legislative business for the week.

Tomorrow is the day of the annual trip to New York City, as Members know. The only thing that we might do tomorrow would be unanimous-consent requests to file reports or something like that. However, there will be no legislative business.

We will have the program for next week ready for announcement on tomorrow. We do not have it ready tonight.

SCANDAL AT SBA—VIII

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. GONZALEZ) is recognized for 10 minutes.

Mr. GONZALEZ. Mr. Speaker, yesterday I addressed the House and repeated the request I have been making of the Administrator of the Small Business Administration, Mr. Hilary Sandoval, that he suspend or release the man he had appointed as his special assistant, Albert Fuentes, Jr. I made this request yesterday just a few hours before Mr. Sandoval issued a news release announcing he had summarily dismissed Albert Fuentes, Jr. because he had wilfully disobeyed the Administrator's explicit orders. He did not say that Fuente's involvement in the highly questionable transaction I have reported to this body in great detail for almost a month was the reason for the dismissal. But just as surely as 2 and 2 make 4 the dismissal certainly did following immediately on the heels of the charges made by the great chairman of the House Banking and Currency Committee, the Honorable WRIGHT PATMAN, that Sandoval had been deliberately trying to deceive the committee with respect to the alleged investigation ordered to be made of the charges I had levelled, said investigation to be made by the SBA itself and promised by the Administrator to be returned to the committee.

So Fuentes has been dismissed and the Justice Department has ordered that the matter be turned over to the Federal district grand jury in Texas, but the questions still remains about the propriety of administration.

At no time has any investigator talked to me. Some of the key persons involved, as far as I know, have not been contacted either.

Regardless of the criminal culpability of Fuentes, I am basically far more interested in seeing to it that the SBA performs its services as the Congress has intended that it should.

As for Fuentes, in the future I will bring forth additional information and documented material that will clearly implement and further corroborate what I have said all along.

Yes, Mr. Speaker, I have never been accused before, even by my worst enemies, of being an "unmitigated liar." And it has taken exactly 76 hours and 33 minutes to bring forth and show who the real "unmitigated liar" has been.

Incidentally, just to show the amount of speculation the Fuentes appointment had been causing in Texas, I offer for the RECORD at this point an article appearing in the latest issue of the Texas Observer of May 23, 1969:

PRAY FOR A LOAN

WASHINGTON, D.C.—Take a double-take: still it seems to be the case that something funny is going on in the Small Business Administration with some Republican Texas-Mexicans in the middle of it.

Hilary Sandoval of El Paso is the SBA chief under Nixon. Two of Sandoval's most important assistants are Antonio Gonzalez, the Catholic priest from San Antonio, and Albert Fuentes, none other.

Fuentes was once a leading figure in PASO, the super-militant *chicanos* for a span of several years. However, Fuentes shot the angels, and when he ran for lieutenant governor the *Observer* did not endorse him.

Gonzalez was one of the two or three most conspicuous leaders of the farm workers' Valley March during the Starr County strike. There was always something personally ambitious about Gonzalez' charisma. One wants a priest to come on like gang-busters, but is a little surprised to sense that the man is running for office, here or somewhere. I don't know why this should be surprising: obviously some people who become ministers should have become politicians, and sometimes do. Bill Crook, for instance.

In Washington, now, Father Gonzalez is identified as a key adviser to Sandoval; Fuentes wheels and deals, too, in those sanitary government halls. The suspicion has formed in the vile minds of certain Washington-watchers that small business loan applicants from Texas might get especially friendly attention if they are influential with segments of the Texas-Mexican vote that might vote for John Tower in 1972, a hard year for him with someone like Edward Kennedy running for president against Nixon.

Already there are complaints in Washington and Los Angeles, that the Small Business Administration is refusing loans to the struggling types of small business, including ghetto small business, that really need help. To get an SBA loan now you have to be in such good shape that you can do without it.

Perhaps all will be well with the SBA. When a priest becomes a bureaucrat, perhaps the Kingdom of Heaven has found its office number. And perhaps not. R.D.

PROPOSAL TO REPEAL 7-PERCENT INVESTMENT TAX CREDIT

(Mr. PATMAN asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PATMAN. Mr. Speaker, the Joint Economic Committee, of which I have the honor of serving as chairman, has been very concerned about our inflation in this country which is still running at a rate of approximately 4 percent. In January and February, when we held hearings on the Economic Report of the President, members of the committee devoted a good deal of time and attention to the various ramifications of the inflation problem, and we have recommended a number of measures designed to cope with it. These appear in the report of the Joint Economic Committee which was filed with Congress on April 1 of this year.

One of the factors in our economy that impressed us deeply is the great rate of increase in private investment spending intentions. Our review of private and public investment surveys, new orders for machinery and equipment, and construction contracts for business plant indicated a very substantial rise in fixed business investment for the year 1969. Further, investment plans were revised upward repeatedly over the last 5 months. One of the most recent—the March release from the Department of Commerce—showed projected investment spending for 1969 would be 14 percent over 1968. This compares to increases of 4 percent in 1968 and 2 percent in 1967. In manufacturing investment, the expected rise is now up to 16 percent.

It is obvious that this great exuberance which our economy definitely does not need right now is encouraged by

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existing tax policy. Industry is given a 7-percent investment tax credit which is a strong and continuing spur to increased investment. This is obviously just the wrong medicine for our inflated economy.

I would like to take this occasion to point out that the Joint Economic Committee expressed concern about the inflationary character of the investment credit back when it was first proposed in 1962. We indicated that it would "accentuate the instability of investment by encouraging overinvestment in boom periods" and that it would "lower Government revenues in times when revenues should be rising to curb inflationary pressures" and that it would "make Federal revenues relatively higher in recession periods when Government receipts should be reduced." We therefore concluded in our report that this 7-percent investment credit should be repealed and that some other means of investment help provided for small business only.

The recommendation in the joint economic report of April 1, 1969, is as follows:

> First priority in tax reform should be given to repeal of the 7-percent investment tax credit as a significant step toward reducing inflation. Small businesses should be protected either by retaining their right to the credit or by changes in the corporate tax rates.

Mr. Speaker, the case against the investment credit is irrefutable. It is just plain bad economics and is depriving the Government of $3 billion in revenues which the Government should receive. Accordingly, I have today introduced a bill to repeal the investment credit. In so doing, I would like to take this occasion to discuss in a little more detail some of the basic reasons why this provision should be repealed promptly:

First. The rate of expenditure on plant and equipment is and has been excessive. In the face of a sharply lower operating rate of less than 85 percent in manufacturing, business has reported plans for increasing investment outlays this year by 13 to 14 percent. Even more is planned for 1970–72, according to the McGraw-Hill survey.

Second. The investment credit promotes the business cycle, encouraging larger swings in activity instead of damping down fluctuations as good tax policy should.

Third. The credit distorts business incentives, encouraging investment in lower paying projects which business should not be undertaking either from the standpoint of its own long-term rate of return on capital or from the social viewpoint of encouraging a high productivity economy.

Fourth. The investment credit tends to promote inflation since it encourages excessive investment in boom years and then requires that additional demand stimulus be provided in the resulting recessions if unemployment is to be cured.

Fifth. Business has an adequate flow of funds to finance its investments even without this credit, hence this device may be causing excess funds to flow abroad, worsening the balance of payments.

Sixth. At a time when the Federal Government needs such large sums for high priority programs that we face extension of the 10 percent surtax, the investment tax credit costs the Treasury a revenue loss of at least $3 billion per year.

Seventh. The investment credit is very discriminatory and if the time ever comes that a demand stimulus is needed again, the appropriate course would be a tax cut for consumers.

AMENDMENT TO LIMIT FARM PAYMENTS

The SPEAKER pro tempore (Mr. ALBERT). Under a previous order of the House, the gentleman from Illinois (Mr. FINDLEY) is recognized for 30 minutes.

Mr. FINDLEY. Mr. Speaker, I am placing in the RECORD a listing of recipients whose payments under farm programs in 1968 exceeded $25,000.

This is of current interest, because the agriculture appropriations bill scheduled for floor action next Tuesday provides funds for additional farm payments of this sort in 1969–70.

The data shows which people will likely be affected by the amendment I will offer which establishes a $20,000 limitation on individual payments.

The data lists recipients by name, hometown, county, State, and amount received. Sugar and wool payment details are not included and will be supplied later by USDA.

As an addition to information compiled by USDA, I have identified those counties which have not established Federal food-aid programs for their poor even though the direct-distribution program has been readily available for years to any county requesting it.

It will be argued, no doubt, as it has been in the past that the appropriation bill is no place to make a fundamental change like this and the legislative committee should be given time to produce something better. Speaker after speaker used this line of argument during debate last summer, pleading for "just 1 more year."

Ten months have passed, normally an adequate time for gestation, without result. Hearings have not even been scheduled. With "just 1 more year" about up, it seems to me reasonable for the House to seize this opportunity and at long last call a halt to these inordinately high payments, if for no other reason than to stimulate the legislative process.

Last July 31 on a record vote—CONGRESSIONAL RECORD, volume 114, part 19, page 24412—the House accepted an almost identical farm-payment limitation by a vote of 230 to 160 but the provision was dropped in conference.

Developments since then argue even more persuasively for the limitation.

A USDA study, prepared last fall, shows this limitation would have no "serious adverse effects on production or on the effectiveness of production adjustment programs" and would yield "budget savings ranging from $200 to nearly $300 million." Requested by President Johnson October 11, 1968, and released recently by Dr. John A. Schnittker, former Under Secretary of Agriculture, the study also concluded:

> Administrative problems . . . are not good reasons for opposing payments limits.

Full text of study in CONGRESSIONAL RECORD, on pages 10867–10873, April 30.

Budget savings are crucially needed to combat inflation. March increase in cost of living was greatest in 18 years. First-quarter increase in consumer prices was the largest in 13 years.

With many Federal programs cut back or cut out, social security increases uncertain but extension of the surtax likely, huge payments to wealthy farmers are more outrageous than ever.

The argument that the limitation would get other crops into trouble by forcing cotton planters to shift to soybeans, and so forth, is contradicted by a recent Louisiana State University study of soybean-cotton competition. It shows cotton more profitable, even without payments, than soybeans. This means taxpayers need not make these tremendous payments in order to get cotton farmers to cooperate.

My amendment will free resources badly needed to carry out the President's recommendations to expand food stamps and other nutrition programs.

As you reflect on this summary of big payments to farmers under various programs in 1967—latest table available—remember that my amendment will still leave each with a hefty $20,000:

Range	Number of farmers	Amount
$15,000 to $24,999	9,894	$186,931,864
$25,000 to $49,999	4,843	161,642,642
$50,000 to $99,999	1,285	84,603,708
$100,000 to $499,999	388	64,883,041
$500,000 to $999,999	15	9,556,372
$1,000,000 and over	5	10,889,036
Total	16,430	518,506,663

The limitation will affect only crops planted for harvest in 1970, so USDA and farmers will have ample notice and no contracts will be impaired.

My amendment will effect a $20,000 limitation on aggregate payments to any recipient under cotton, feed grains, wheat and wool programs.

The data which follows does not show completely all recipients likely to be affected by my amendment. Unfortunately, the only tabulation immediately available to me was one which listed only those payments exceeding $25,000. Therefore, a number of farmers—those receiving between $20,000 and $25,000 and therefore likely to be affected by my amendment—are not listed.

The lists referred to follow:

CALENDAR YEAR 1968

LISTING OF NAMES, ADDRESSES, AND TOTAL PAYMENTS OF $25,000 OR MORE UNDER ASCS PROGRAMS—EXCLUDING PRICE SUPPORT LOANS, AND SUGAR AND WOOL PAYMENTS

ALABAMA

County and name	Address	Total payments
Autauga County:		
McQueen Smith Farms.	R.R. 1, Prattville	$138,125
Autauga Farming Co.	Autaugaville	36,709
J. D. Dismukes	R.R. 1, Box 113, Autaugaville.	36,644
C. Milton Johnson	R.R. 3, Selma	27,468
M. S. Murfee	R.R. 2, Box 65, Prattville.	26,860
Total payees in county, 5.		265,806
Barbour County:		
W. L. Corcoran	R.R. 2, Eufaula	83,624
Emmett Scroggins	R.R. 2, Eufaula	47,191
Total payees in county, 2.		130,815
Bibb County:		
James Brothers	Brent	43,672
Young Brothers	do	38,234
J. C. Goodson	R.R. 1, Brent	34,187
Total payees in county, 3.		116,093
Blount County:		
Dean Pruett	R.R. 2, Altoona	80,174
Johnny Whitley	do	28,299
Total payees in county, 2.		108,473
Butler County:		
Harry Poole	R.R. 1, Forest Home	29,748
Alvin Reynolds	R.R. 2, Greenville	25,096
Total payees in county, 2.		54,844
Calhoun County: Sorrell Bruce Wesson.	R.R. 1, Glencoe	28,868
Total payees in county, 1.		28,868
Cherokee County:		
Ellis Bros.	R.R. 1, Centre	38,249
Sewell Brothers	R. R. 1, Leesburg	27,964
Total payees in county, 3		94,838
Coffee County:		
J. A. Wise & Son	Samson	26,280
Total payees in county, 1		26,280
Colbert County:		
W. E. & W. C. Reid	Cherokee	72,121
Herbert C. Harris, Jr.	Box K, Cherokee	65,303
Billy Pullen	R.R. 2, Town Creek	43,713
Eugene V. Blythe	Leighton	43,553
R. Gordon Pruitt	R.R. 2, Tuscumbia	41,588
Daniel Counts	R.R. 2, Tuscumbia	31,051
V. Dewees Crockett	Leighton	30,428
Willie Posey	R.R. 3, Cherokee	29,462
Paul Reid	R.R. 2, Cherokee	29,159
Bill Blackburn	R.R. 2, Cherokee	29,008
J. J. Johnson	R.R. 1, Leighton	27,822
W. T. Davenport	R.R. 1, Leighton	26,531
Roe S. Woodis	R.R. 2, Cherokee	25,080
Total payees in county, 13		494,819
Conecuh County:		
J. T. Ward	R.R. C, Evergreen	32,667
Total payees in county, 1		32,667
Covington County		
W. G. Foshee, Jr	Red Level	27,144
Total payees in county, 1		27,144
Cullman County		
Carmon Maze	R.R. 2, Arab	29,227
T. J. Pate	R.R. 2, Bremen	28,913
Total payees in county, 2.		58,140
Dale County:		
Borland Bros	Pinckard	38,196
Jin Espy	Midland City	30,772
Total payees in county, 2.		68,968
Dallas County:		
Joe I. McHugh	Boy 17, Orrville	121,718
Beers Brothers	Tyler	61,411
James A. Minter, Jr	Tyler	52,674
J. W. Suttle	P.O. Box 52, Orrville	35,175
W. H. Watts and Son	Sardis	33,813
Carl Henderson	R. 2 Box 127, Orrville	32,766
Cedar Creek Farms	% Don Smith, Prattville.	30,937
Dallas County—Continued		
W. J. Neighbors	Rt. 1, Box 278, Selma	$30,659
R. Furniss Ellis	R.R. 2, Box 10, Orrville.	28,418
Nelson Norris	Rt. 1, Sardis	28,341
Robert Culpepper	Sardis	27,786
Total payees in county, 11.		483,698
Elmore County:		
J. Melvin Taylor	R.R. 2, Tallassee	56,712
Garnand and Thornton	R.R. 4, Wetumpka	40,796
Wood T. Dozier	R.R. 2, Tallassee	32,333
Ralph Till	Elmore	27,679
Total payees in county, 4.		157,520
Etowah County:		
Emory Johnson	Centre	28,375
Total payees in county, 1.		28,375
Fayette County:		
J. C. Randolph	R.R. 3, Fayette	45,961
Total payees in county, 1.		45,961
Greene County:		
N. G. Garth	Gainesville	32,625
Bayne Ethridge	Rt. 1, Box 25, Forkland	28,086
Total payees in county, 2.		60,711
Hale County:		
W. J. Chandler & Sons.	Moundville	72,340
Turpin Vise	Greensboro	35,229
Marvin D. Johnson	R.R. 1 Box 53, Greensboro.	29,964
Total payees in county, 3.		137,533
Jackson County:		
W. C. McCord	Box 339, Scottsboro	27,314
Total payees in county, 1.		27,314
Jefferson County:		
Jimmy M. Bagwell	R.R. 1, Empire	28,991
Total payees in county, 1.		28,991
Lauderdale County:		
Robert L. Winters	511 Cypress Mill Rd., Florence.	32,278
Andrew C. Walker	R.R. 2, Florence	28,417
Harvell J. Walker	739 Dixie Ave., Florence.	25,999
Theo Scott	R.R. 2, Florence	25,205
Hugh L. Rice, Jr	R.R. 2, Florence	25,018
Total payees in county, 5.		136,917
Lawrence County:		
E. F. Mauldin	Box 116, Town Creek	154,966
Albemarle Corp	Box 215, Courtland	76,229
G.T. Hamilton	R.R. 2, Hillsboro	72,776
Grady Windle Parker	Box O, Courtland	62,974
Dewberry Bros	Wheeler	55,176
Daniel Gilchrist	Courtland	46,596
James Blythe, Jr	Courtland	45,529
D. L. Martin, Jr	Courtland	40,908
W. W. Hamilton	R.R. 2, Hillsboro	39,344
Dan Claborn	Courtland	38,797
Guy Parker	Courtland	38,169
Lynn Cross	Courtland	31,725
Samuel R. Letson	R.R. 3, Moulton	31,294
W. J. Lee	R.R. 2, Town Creek	31,254
Grady B. Rose	R.R. 2, Town Creek	30,916
Russell Armstrong	Town Creek	30,259
J. C. Claborn	Box 242, Courtland	29,601
C. D. Brackin	Tuscumbia	29,324
Harold Green	Courtland	28,413
Hubert Coffey	Wheeler	28,413
Billy Pitts	R.R. 2, Town Creek	26,084
Paul Henry Kirby	R.R. 3, Town Creek	25,959
Total payees in county, 22.		994,706
Lee County:		
T. W. Collier	R.R. 1, Auburn	45,849
Robert E. Gullatte	R.R. 1, Salem	26,795
Nelson Hillyer	Rt. 1 Box 132, Opelika	26,363
Total payees in county, 3.		99,007
Limestone County:		
Joe R. Murphy	R.R. 1, Tanner	57,570
Walter B. Shaw	R.R. 1, Tanner	56,425
Ned Johnson	R.R. 2, Madison	43,663
James E. Horton, Jr	R.R. 1, Madison	41,758
Vester M. Leonard	R.R. 1, Tanner	40,794
Anderson Farms, Inc.	703 14th Ave., SE., Decatur.	38,534
Henry Charles Baucom	R.R. 1, Madison	38,387
Fred William Hays	R.R. 4, Athens	38,020
John D. Anderson	R.R. 1, Madison	37,372
Gene Thomas Burgreen	R.R. 1, Madison	37,210
Limestone County—Continued		
Dan Atkinson	R.R. 1, Madison	$36,718
Robert W. Anderson	703 14th Ave., SE., Decatur.	36,438
James T. Sanderson	R.R. 1, Harvest	34,839
Glennes V. Moore	Belle Mina	32,775
Thomas H. Vann	Capshaw	32,506
Rowe B. Sanderson	Tanner	31,362
Hargrave Brothers	R.R. 1, Madison	30,917
Wendell Barron	R.R. 7, Athens	29,819
L. V. Moore	R.R. 1, Tanner	29,336
Lloyd P. Black	R.R. 2, Madison	28,610
Delton E. Sandy	R.R. 1, Tanner	26,956
Glenn Black	R.R. 2, Athens	26,113
Total payees in county, 22.		806,122
Lowndes County:		
B. C. Rhyne	Benton	60,547
Harrell Hammonds & J. W. Casey	A partnership, Calhoun	42,620
O. P. Woodruff	Lowndesboro	33,707
Fred W. Holladay	R.R. 1, Tyler	26,169
G. T. Meadows, Jr	St. Clair	25,043
Total payees in county, 5		188,086
Macon County:		
Mrs. H. A. Torbert & Sons	R.R. 2, Opelika	44,864
A. L. Lazenby, Jr	R.R. 2, Auburn	31,387
Englehardt & Thompson.	R.R. 1, Shorter	31,201
Roy M. Hammonds	E. Tallassee	26,214
Total payees in county, 4.		133,666
Madison County:		
William H. Gray	R.R. 1, New Market	114,881
Douglass & Vandiver	R.R. 2, Madison	58,776
John W. McCrary	R.R. 2, Madison	53,314
Carl A. Williams	Madison	53,013
McDonald Farms	Madison	44,606
Glenn Parsons	R.R. 4, Huntsville	41,071
James E. Patterson, Jr.	R.R. 1, Huntsville	41,064
Elon Balch	R.R. 1, Harvest	39,220
W. R. Spears	New Hope	39,154
W. Homer Tate	R.R. 1, Huntsville	35,671
Wilburn B. Douglass	R.R. 3, Huntsville	35,606
John W. Hays	Rt. 1, Hays Rd., Gurley	35,301
John W. League	R.R. 1, Toney	35,174
Donald Sublett	R.R. 1, Harvest	34,204
Robert L. Pickens	P.O. Box 264, Madison	32,350
Ray Vandiver	New Market	31,327
Jack T. Clift	Madison	30,813
Hunter Brothers	R.R. 4, Fayettville, Tenn.	30,362
R. F. Vandiver	New Market	29,286
Dennis O. Bragg	R.R. 1, Toney	27,709
C. Q. Lowery	P.O. Box 8, Madison	27,586
Tom E. Lowery	R.R. 3, Madison	27,073
Don Martin	R.R. 4, Madison	25,670
Wesley Thomas	6802 Madison Pike NW., Huntsville.	25,218
Total payees in county, 24.		943,449
Marengo County:		
James W. Glass	R.R. 1, Box 55, Faunsdale.	33,988
Total payees in county, 1.		33,988
Montgomery County:		
W. H. McLemore	R.R. 5 Box 301, Montgomery.	47,722
T. O. McLemore	R.R. 5 Box 297,	31,304
A. J. McLemore, Jr	R.R. 5, Box 301, Montgomery.	26,842
Total payees in county, 3.		105,868
Morgan County:		
Percy Sharp	Rt. 2, Decatur	28,839
Total payees in county, 1.		28,839
Perry County:		
J. C. Moore Mercantile Co.	R.R. 1, Marion	65,802
T. J. Jones	Sprott	30,731
Total payees in county, 2.		96,533
Russell County:		
Ben F. Bowden	R.R. 2, Box 113, Eufaula.	79,674
Total payees in county, 1.		79,647
Shelby County:		
D. E. Morris	Harpersville	40,192
L-B-L Ranch	R.R. 2, Wilsonville	31,566
John M. Thompson	Vincent	25,753
John D. Kidd	Harpersville	25,370
Total payees in county, 4.		122,881

CALENDAR YEAR 1968

LISTING OF NAMES, ADDRESSES, AND TOTAL PAYMENTS OF $25,000 OR MORE UNDER ASCS PROGRAMS—EXCLUDING PRICE SUPPORT LOANS, AND SUGAR AND WOOL PAYMENTS—Continued

ALABAMA—Continued

County and name	Address	Total payments
St. Clair County:		
Norris K. Waites	Harpersville	$42,329
Total payees in county, 1.		42,329
Talladega County:		
Clyde A. Walker	Cropwell	26,702
Robert M. Gambrell	Hawthorne St. Talladega.	26,143
Total payees in county, 2.		52,845
Tallapoosa County:		
William M. Wisener	R.R. 1, East Tallassee	58,774
Dan Herren, Jr	R.R. 1, East Tallassee	31,236
Total payees in county, 2.		90,010
Tuscaloosa County:		
Joe Rice, Jr	Northport	43,740
Darden D. Barton	R.R. 1, Ralph	32,359
J. L. Harper	Northport	31,082
Spiller Farms	R.R. 1 Box 183, Tuscaloosa.	28,268
Henry Rice	Drawer Q, Northport	25,858
Fletcher Barnes	P.O. Box 337, Northport.	25,030
Total payees in county, 6.		186,337
Total payees in State, 170.		6,624,115

ARIZONA

County and name	Address	Total payments
Cochose County:		
J. L. Kidd, Jr	1207 W. Ave. H, Lovington, N. Mex.	$78,734
Floyd Robbs	Box 905, Willcox	60,135
Kinard Bros	Rt. 3, Box 7, Willcox	59,256
Jones Ranches	Box 718, Bowie	52,629
Montierth Farms	Box 995, Bowie	45,145
M. H. Barnes	San Simon	42,670
E. V. Hart	Box 836, Willcox	42,462
Jack Robison & Sons	Rt. 3, Box 50, Willcox	39,310
Charles Wade	Box 277, Bowie	38,075
Marvin Holmes	Rt. 3, Box 89, Wilcox	36,982
Buckner & Kidd	Rt. 3, Box 26, Willcox	34,063
Eddie Jay, Sr	Rt. 3, Box 34A, Willcox	32,585
F. L. Heidel	Box 1298, Lovington, N. Mex.	31,469
Eaton Fruit Co., Inc	Rt. 3, Box 22, Willcox	30,535
Wicks Ranches	Box 304, Bowie	28,104
J. F. Schmelzle	Rt. 1, Box 2, Willcox	25,938
Boyd Smith	Rt. 3, Box 39, Willcox	25,742
Total payees in county, 17.		702,834
Graham County:		
Melvin R. Bryce	Box 456, Pima	37,652
Daley Brothers	Box D, Thatcher	29,171
Total payees in county, 2.		66,823
Maricopa County:		
Farmers Inv. Co	Box 7, Sahuarita	504,389
Youngker Farms	Box 398, Buckeye	273,657
Goodyear Farms	Litchfield Park	227,568
Community Gin	P.O. Box 3546, Scottsdale.	196,457
Southmountain Farms, Inc.	Rt. 1, Box 705, Laveen	174,806
Waddell Ranch Co	Waddell	158,826
David A. Shumway	Rt. 1, Box 19, Queen Creek.	149,409
Leyton Woolf	4419 W. Royal Palms Rd., Glendale	141,772
Fridenmaker Farms	223 S. 4th St., Phoenix.	126,021
Ed Ambrose	Rt. 1, Box 118B, Buckeye.	118,376
Jacob S. Stephens	P.O. Box 338, Buckeye.	116,495
Raymond D. Schnepf	Rt. 1, Box 42, Queen Creek.	111,602
Harris Cattle Co	Box 456, Chandler	111,389
F. C. Layton	Box 175, Tolleson	108,616
H. L. Anderson	R. 1, Box 475, Peoria	101,485
Arena Co. of Ariz	P.O. Box 37, Glendale	100,769
Martori Bros	P.O. Box 878, Glendale.	100,261
J. L. Golightly, Jr	1730 North Stapley Dr., Mesa.	99,911
J. L. Hodges Farming Co.	P.O. Box 68, Buckeye	97,535
Morrison Bros	Rt. 1, Box 13, Higley	91,829
Woodrow Lewis	500 West Toledo, Chandler.	89,444
CCG Farms, Inc	P.O. Box 968, Glendale.	83,639
Lee Wong Farms, Inc	P.O. Box 866, Glendale.	82,568
Sutton Bros	Rt. 4, Box 769, Phoenix.	82,551
Maricopa County—Continued		
D & R Farms	Rt. 2, Box 167, Chandler.	$82,357
W. A. Heiden & Son	Box 576, Buckeye	78,049
Hardesty Bros	1013 Narramore, Buckeye.	77,012
Ben Riggs & Son	Rt. 2, Box 95, Chandler.	75,794
Ted A & Ted R. Pierce.	501 Arizona Ave., Buckeye.	75,759
Wallace Bales	401 North 6th Ave., Buckeye.	74,456
Power Ranches, Inc	Rt. 1, Box 72, Highley	74,108
Don B. Co	P.O. Box 2003, Phoenix.	74,030
Phelps & Palmer	222 North Westwood St., Mesa.	73,965
Henry L. Voss	48 West Glenn Dr., Phoenix.	71,679
Don H. Bennett	P.O. Box 517, Buckeye.	69,037
C. W. Neely	Box 172, Gilbert	68,619
C. O. Pitrat & Sons	Rt. 1, Box 12, Laveen	67,230
Travis H. Jones	609 Ironwood Dr., Buckeye.	66,909
S & P Farms, Inc	Box 228, Gila Bend	65,428
J. S. Hoopes	Rt. 1, Box 115, Chandler.	61,540
W. H. Haggard, Jr	Rt. 1, Box 35, Buckeye.	61,313
M. I. Vance & J. A. Mortensen, Jr.	Rt. 2, Box 550 Tempe	60,724
J. R. Tucker	Rt. 1, Box 122, Buckeye.	60,459
Skouse & Hastings	Rt. 1, Box 44, Queen Creek.	59,956
William Hardison	P.O. Box 98, Palo Verde.	59,541
D. L. Hadley	Rt. 2, Box 47, Chandler.	59,538
Robert B. Coplen	Box 25, Laveen	58,485
Barney-Mecham	Rt. 1, Box 26, Queen Creek.	58,299
King Farms	Rt. 1, Box 162, Buckeye.	58,214
Dougherty Ranch	4414 North 36th St., Phoenix.	56,198
Phil Ladra	5825 West Harmont Dr., Glendale.	55,682
Joe A. Sheely	Rt. 1, Box 64, Tolleson.	54,867
Chico Farms	Rt. 1, Box 75, Tolleson.	54,507
Gladden	P.O. Box 476, Cashion	54,199
James M. Hamilton	Rt. 2, Box 152, Chandler.	53,488
Dobson & Patterson	2345 West Baseline Rd., Mesa.	53,433
Baskett Farms	Rt. 1, Box, Glendale	52,646
Bell Road Farms	P.O. Box 441, Peoria	52,023
Donald Wiechens	Rt. 3, Box 856, Glendale.	50,368
Carl E. Weiler	3314 E Monte Vista, Phoenix.	49,750
Trimble Farms	Rt. 2 Box 345, Tempe	49,601
Sossaman Farms	Rt. 1 Box 80, Higley	47,832
Germain H. Ball	608 W. Montebello, Phoenix.	47,286
M B M Farms	1315 W. Palm Lane, Phoenix.	47,187
John M. Williams, Jr	Rt. 1, Box 705, Laveen.	46,626
Desert Carmel Dev	P.O. Box 1079, Casa Grande.	46,580
F. M. Garrell	Star Rt., Box 470, Buckeye.	46,490
Sam Cambron	Rt. 1, Box 211, Buckeye.	45,992
Jewell Turner Farms	Rt. 1, Box 275, Buckeye.	45,386
Holly Ranch	Rt. 1, Box 69A, Buckeye.	45,310
Salt River Farms	2550 E. Southern Ave., Mesa.	43,979
George Knapple	Box 124, Laveen Stage Phoenix.	43,807
Tommy Wheelis	P.O. Box 214, Maricopa.	43,714
James M. Shahan	P.O. Box 735, Gilbert	43,464
Ed Weiler	Rt. 1, Box 273, Buckeye.	42,804
Bill R. Moore	4950 W. Northern Av., Glendale.	41,026
A Tumbling T Ranch	Rt. 1, Box 21, Goodyear.	40,294
Belluzzi Farms, Inc	Box 223, Avondale	39,896
Escobedo Bros	501 W. Toledo, Chandler.	39,797
Earl C. Recker Co	P.O. Box 978, Mesa	39,773
Fred G. Hilvert Co., Inc.	P.O. Box 65, Palo Verde.	39,767
Turner Ranches	2959 E. Brown Rd., Mesa.	39,664
E. G. Rhodes	Box 848, Avondale	39,623
Emory J. Hurley, Est	134 E. Palm Lane, Phoenix.	39,099
Gordon Cameron	Box 626, Buckeye	38,999
Kempton & Snedigar	221 E. Loma Vista, Tempe.	38,831
Moore & Taylor	DBA J T Ranches, Waddell.	38,771
Arid Zone Farms	P.O. Box 11331, Phoenix.	38,381
W. P. Haggard & Son	Rt. 1, Box 114, Laveen.	37,465
Maricopa County—Continued		
Bartlett-Heard Co	Rt.1, Box 384, Phoenix.	$36,572
Paul Smith	720 Edison St., Buckeye.	36,063
Robert Ellsworth	Rt. 1, Box 48, Queen Creek.	35,985
O. E. McGinty	Rt. 1, Box 146A, Buckeye.	35,890
William Wade	Rt. 1, Box 12, Goodyear.	35,145
A. A. Freeman & Sons.	1412 N. Center St., Mesa.	34,899
J D J Ranches, Inc	Box 585, Mesa	34,846
Ray & Wayne Vanosdell.	Box 517, Cashion	34,005
Lloyd Martin	Rt. 1, Box 152–8, Buckeye.	33,773
Win Farms	801 N. 1st Ave., Phoenix.	33,605
J. A. & R. Blasdell	P.O. Box 277, Litchfield Park.	33,324
J. L. Woolf	540 W. Vista Ave., Phoenix.	33,176
Chet John & Sons	P.O. Box 698, Glendale.	33,133
Reed J. Kerby	Rt. 2, Box 156, Chandler.	32,958
J. V. Pace	Box 514, Chandler	32,828
Jon A. Tucker	Rt. 1, Box 106A, Buckeye.	32,692
Willis Livestock Co	Rt. 2, Box 32, Chandler.	32,082
Ray Farms Co	P.O. Box 765, Litchfield Park.	32,074
W. H. Jarnagin	Rt. 1, Box 14, Peoria	32,061
L. R. Layton	Rt. 1, Box 115A, Chandler.	31,694
Nichols & Nichols	713 Narramore, Buckeye.	31,236
Wm. G. Brandon	885 N. Evergreen, Chandler.	30,485
Milford Hutchison	Rt. 3, Box 711, Glendale.	30,009
J. A. Wood Co	Box 218, Tolleson	29,716
Kenly Farms	8517 N. 15th Dr., Phoenix	29,582
Jerome Thompson	Box 37, Dateland	29,569
Robert L. Cook	Rt. 3, Box 752, Glendale.	29,532
Bob Stump	2850 W. Buckeye Rd., Phoenix.	29,381
Otto B. Neely	Box 81, Gilbert	29,202
Jack Palmer	501 W. Dublin, Chandler.	28,813
West Valley	23311 Newton Ave., Stratford, Calif.	28,637
Rudolph Johnson	9702 W. Glendale Ave., Glendale.	28,593
Sands Trading Co	Box 95, Glendale	28,492
Russell Badley	P.O. Box 708, Peoria	28,473
James Marioneaux	Rt. 1, Box 207, Buckeye.	28,276
Rala Singh	P.O. Box 908, Glendale.	28,227
Fremon Coker, Jr	214 5th Ave., Buckeye	28,206
John D. Hamilton	P.O. Box 772, Chandler.	28,055
George Dykes	Box 601, Litchfield Park.	27,857
Marion I. Vance	Rt. 2, Box 550, Tempe	27,565
Richard Mayfield	P.O. Box 295, Tolleson.	27,541
S. L. Narramore	546 W. Lewis, Phoenix.	27,114
Fisher Miller Hay & Dev. Co.	P.O. Box 35, Gilbert	27,111
Henry F. Backer	P.O. Box 67, Chandler	27,007
James L. McBride	Rt. 4, Box 356, Phoenix.	26,994
Jack Barnes	409 N. Washington, Chandler.	26,758
Howard Henry	Box 66, Buckeye	26,740
W. H. Miller	410 N. Hartford, Chandler.	26,369
Ladell S. Wood	Star Route Box 190, Buckeye.	26,153
Robt. E. Robertson	Rt. 1, Box 114, Glendale.	26,049
R. I. Dean	Star Route, Tonopah	25,963
Anthon R. Cluff	Rt. 2, Box 174, Chandler.	25,672
Norman L. Knox	Rt. 1, Box 175, Chandler.	25,641
Radius A. Hudson	Rt. 1, Box 21, Laveen	25,500
J. B. Hill	Box 522, Buckeye	25,447
Joe R. Petty	Box 423, Waddell	25,330
Roach & Baker	Rt. 1 Box 748, Peoria	25,277
Percy L. Smith	Rt. 1 Box 675, Peoria	25,077
Total payees in county, 147.		8,694,935
Mohave County:		
Eldon K. Parish	Box, 128, Mohave Valley.	86,227
Total payees in county, 1.		86,227
Pima County:		
BKW Farms, Inc	Box 186, Marana	331,512
John KAI	Box 488, Marana	156,272

XUM

CALENDAR YEAR 1968

LISTING OF NAMES, ADDRESSES, AND TOTAL PAYMENTS OF $25,000 OR MORE UNDER ASCS PROGRAMS—EXCLUDING PRICE SUPPORT LOANS, AND SUGAR AND WOOL PAYMENTS—Continued

ARIZONA—Continued

County and name	Address	Total payments
Pima County—Continued		
John J. & Ola V. Lord	P.O. Box 5761, Tucson	$153,992
J. Boyd White	Rt. 1 Box 239, Marana	80,645
Dan W. Clarke	4500 S. Mission Rd., Tucson.	75,436
Avra Lnd & Catle	% A. Young Co., Tucson, Ft. Tucs.	71,521
C & W Ranches, Inc	St. Rt. Box 17, Marana	63,272
Watson Farms	P.O. Box 156, Marana	58,056
J. R. Norton Co	P.O. Box 1027, Glendale.	50,728
Buck Sam Chu	Marana	47,784
Midvale Farm Co	1601 W. Valley Rd., Tucson.	46,532
Wallis Farms, Inc	Box 307, Marana	45,270
Gladden Farms A Part	Box 456, Marana	43,569
Ludd Payne	Marana	42,596
Ray V. Gibson	1260 W. Las Lomitas, Tucson.	34,426
Bull Farms A Part	Box 470 T., N. St. Rt., Amado.	30,942
E. C. Barnett	Box 274, Marana	30,557
R. G. Buckelew	Box 268, Sell St. Rt., Tucson.	30,078
Woodrow Jarvis	1932 W. Calle'Armenta, Tucson.	29,619
L. D. Ulmer	Box 638, Marana	26,886
Evco Farms, Inc. Synd	Box 275, Marana	26,053
Albert S. Oshrin	Box 3943, Tucson	25,441
Total payees in county, 22.		1,501,187
Pinal County:		
Hamilton Farms	Rt. 1 Box 325, Eloy	430,822
Red River Land Co	Box 566, Stanfield	396,561
C&V Sheep & Cattle Co., Inc.	Box 368, Maricopa	385,128
AK Chin Farms	Rt. 1, Box 12, Maricopa.	308,625
John D. Singh	Box DD, Casa Grande	292,031
Arizona Farming Co	Box 907, Eloy	239,802
Bogle Farms, Inc	Box 485, Chandler	237,384
Gila River Farms	Box 397, Sacaton	234,975
Kirby Hughes	7200 San Anna, Tucson	221,659
Coury Bros	Rt. 1, Box 87, Queen Creek.	196,210
W. T. Golston Farms	Box 698, Stanfield	177,599
J. A. Roberts	Rt. 1, Box 207, Casa Grande.	164,230
L–4 Ranches, Inc	Box 366, Queen Creek	157,591
Rancho Tierra Prieta	Box 938, Eloy	142,320
Isom & Isom	110–C E. Florence Blvd., Casa Grande.	138,615
Talla Farms, Inc	Box 668, Stanfield	137,112
Finley Bros	Box L96, Gilbert	126,198
Thunderbird Farms	Box 1984, Phoenix	124,342
Peter J. Robertson	Box 578, Coolidge	117,632
Imperial Valley Cattle Co.	Box 148, Arizona City	116,749
Milton P. Smith, Jr	Rt. 1, Box 85, Maricopa	113,113
McFarland & Hanson Ranches.	Box 1497, Coolidge	111,032
Empire Farms	Rt. 1, Box 326, Eloy	105,451
McCarthy-Hilderbrand Farms.	Rt. 1, Box 246-A, Eloy	105,212
Fred Enke	1405 N. Kadota, Casa Grande.	104,049
Bud Antle, Inc	Box 68, Red Rock	93,229
Diwan Ranches, Inc	Rt. 1, Box 485, Casa Grande.	88,100
M. M. Alexander	Rt. 1, Box 249, Eloy	87,395
Sunset Ranches, Inc	Rt. 1, Box 220, Eloy	86,723
Anderson Bros	Drawer KK, Casa Grande.	86,613
Crouch Bros	Rt. 1, Box 32, Maricopa	85,576
Daley & Bogle	1454 N. Morrison, Casa Grande.	83,870
H. L. Kendrick	Box 315, Eloy	83,414
C. J. & L. Farms, Inc	Box 607, Casa Grande	82,433
Paul Brophy	Box 528, Casa Grande	81,852
Chas. Urrea & Sons	3256 E. Main, Mesa	81,278
L. Z. Farms, Inc	900 N. Brown, Casa Grande.	80,107
Glenn Lane	871 W. Roosevelt, Coolidge.	77,519
Telles Ranch, Inc	Box 886, Eloy	75,655
Duane Ellsworth	Box 138, Queen Creek	75,311
Combs & Clegg Ranches, Inc.	Rt. 1, Box 96, Queen Creek.	74,827
Tracy Hutchins	Rt. 2, Box 315, Casa Grande.	74,503
Charles Hill	800 W. Oakland, Chandler.	74,257
K. K. Skousen	Rt. 1, Box 85, Chandler.	74,114
H. L. Holland	Box 1598, Coolidge	73,913
A. C. T. Ranches, Inc.	Rt. 1 Box 247–2, Eloy	73,426
Jay Wilson	Rt. 2 Box 323, Casa Grande.	73,168
Jack Ralston	Box 185, Maricopa	72,884
Pinal County—Continued		
Anderson-Palmisano Farms.	Rt. 1 Box 39-A, Maricopa.	$72,740
Wilbur Wuertz	914 N. Picacho, Casa Grande.	72,001
Martin Talla	Box 668, Stanfield	71,799
Alex & Norman Pretzer	Box 786, Eloy	70,874
Dunn Farms	Rt. 1 Box 6, Maricopa	70,828
El Dorado Ranch, Inc.	Box 607, Casa Grande	69,694
C. Ray Robinson	Box 93, Eloy	69,382
Santa Cruz Farms, Inc.	Box 998, Eloy	68,882
Southwest Grazing, Inc.	Box 296, Casa Grande	68,626
Pinal Farms, Inc	Box 728, Stanfield	68,347
P. W. Vensel	803 W. Pinkley, Coolidge.	67,341
John Smith	Box 57, Maricopa	66,610
J. O. Thompson	Rt. 1, Box 482, Casa Grande.	63,988
P. S. Thompson	Box 787, Eloy	62,810
Robert D. Bechtel	2020 S. 9th St., Coolidge.	62,762
Robert W. Brooks	Box 431, Queen Creek	62,756
G. Buster Brown	1104 N. Olive Dr., Casa Grande.	62,286
Buckshot Farms, Inc	Box 428, Stanfield	62,252
Emmett Jobe	Rt. 1, Box 53, Queen Creek.	61,518
Sunshine Valley Ranches.	Box 788, Eloy	60,786
Rex Neely	483 N. Jay St., Chandler.	60,542
Chanan Singh	Rt. 2, Box 630, Casa Grande.	57,851
Kortsen & Kortsen	Box 297, Stanfield	57,536
Franklin B. Cox	Rt. 2, Box 189, Chandler.	56,927
Dan C. Palmer	808 W. Wilson, Coolidge	56,633
R. C. Smith	Star Route, Casa Grande.	55,087
Rodney Kleck	Rt. 1, Box 17–E, Coolidge.	55,080
R. W. Neely	Star Rt. 1, Box 35, Florence.	54,706
Independent Gin Co	Box J, Casa Grande	54,612
Margie L. Hanna	Box 1155, Coolidge	54,283
J. H. Farms	Box 333, Coolidge	54,195
Howard Arthur Wuertz	Rt. 1, Box 115A, Coolidge.	54,114
R. P. Anderson	Box 1236, Coolidge	54,060
Black Land Farms, Inc.	Box 938, Eloy	53,108
Roy Wales	Box 82, Queen Creek	52,926
Red Eye Farms, Inc	Box 428, Stanfield	52,836
Noel E. Martin	Rt. 2, Box 590, Casa Grande.	52,122
M. & S. Ranches, Inc	Box 546, Stanfield	52,003
Otice Self	Box 217, Stanfield	51,893
R. B. Elsberry	Box 125, Coolidge	51,554
Buford Gladden	Rt. 1 Box 222, Casa Grande.	51,411
Jack Nutter	Box 8, Casa Grande	51,230
C. S. C. Farms, Inc	Rt. 1 Box 16, Florence	51,213
John Dermer	1100 N. Lehmberg, Casa Grande.	49,585
J. B. Johnston	5802 Lafayette, Phoenix.	49,184
Hugh Bennett	Box 818, Eloy	49,065
Bianco Bros	Rt. 2 Box 350, Casa Grande.	48,637
M. & W. Farms, Inc	Rt. 1 Box 115–A, Coolidge.	48,013
Larry R. Scott	Box 273, Arizona City	47,907
Edward Pretzer	401 E. 5th St., Eloy	47,773
Paul Ollerton	1125 E. Laurel, Casa Grande.	47,571
Fred R. North	Box 76, Eloy	47,320
Max Nichols	1300 E. McMurray, Casa Grande.	47,096
Ernest McFarland	306 W. Royal Palms, Phoenix.	47,089
McFaddin Ranches, Inc.	915 E. McMurray, Casa Grande.	46,772
Harvey Davison	Box 655, Eloy	46,703
Harlan Russell	1105 N. Gilbert, Casa Grande.	46,505
Era Mae Barnes	774 W. Cleveland, Chandler.	46,334
D. H. Cole & Son	Box 883, Coolidge	46,196
C. W. England	Box 897, Florence	45,561
Jack Crain	1112 N. Olive Dr., Casa Grande.	45,491
Worth K. Bartlett	Rt. 1 Box 9, Coolidge	44,622
Frank Lang	Box J, Casa Grande	44,529
Cameron Sides	Rt. 1 Box 212, Casa Grande.	44,462
Wm. E. Foster	Box 1093, Casa Grande.	43,426
Dr. P. F. Hartman	Rt. 1 Box 28, Maricopa	43,411
E. I. & J. E. Jones	807 W. Central, Coolidge.	42,857
Marathon Farms	Box 206, Casa Grande	42,789
Harold L. Earley, Sr	Box 1122, Casa Grande.	42,571
Polly Getzwiller	Rt. 2 Box 701, Casa Grande.	42,444
W. & J. Farms	Box 428, Stanfield	42,012
Pinal County—Continued		
Avra Plantations, Inc	Box 428, Marana	$41,557
Jones Ranches, Inc	404 1st St., Eloy	41,301
Aulton S. Harris	Box 153, Stanfield	40,687
England & England	676 W. Palo Verde, Coolidge.	40,277
Pinal Ranches	Rt. 1 Box 38, Queen Creek.	40,198
Debb Stephens	Rt. 2 Box 375, Casa Grande.	40,013
Stanley Ellis	Box 572, Coolidge	39,579
M. H. Montgomery	1301 N. Park, Casa Grande.	39,577
Herman & Carl Myers	535 E. Manor, Casa Grande.	39,021
Robert M. Davis	Rt. 1 Box 486–A, Casa Grande.	38,989
Warren E. Cox	Rt. 1 Box 213, Eloy	38,017
Rodney Delange	Rt. 1, Box 400, Eloy	37,996
Raymond Ford	Box 137, Eloy	37,099
Woodman Moore	Box 1463, Coolidge	37,088
Robert Ellsworth	Box 173, Queen Creek	37,042
Florence Farms, Inc	Box 1288, Coolidge	36,954
Grant E. Peterson	Box 593, Coolidge	36,938
Luis Flores	Box 116, Arizona City	36,762
Hughes & Ganz Cattle Co.	Box 176, Queen Creek	36,112
W. S. Connors	Box 454, Maricopa	35,989
Rio Bravo Ranches, Inc.	Box 566, Stanfield	35,849
Paul Pearce	304 West 11th St., Eloy.	35,248
John Payne	Box 396, Florence	35,157
Thayer A. White	Box 25, Red Rock	34,912
Dell Sellers	Rt. 1, Box 53, Coolidge	34,873
Agnes K. Beggs	816 East 11th, Casa Grande.	34,803
Marie White	Rt. 1, Box 325, Eloy	34,340
James R. Urton	822 West Pima Ave., Coolidge.	34,046
Hamilton Farms, Inc	Rt. 1, Box 18, Florence	33,913
Barbara Earley	Box 714, Casa Grande	33,770
C. P. Honeycutt	Box 307, Maricopa	33,540
R. C. Goree	Rt. 1, Box 8, Coolidge	33,536
Howell Wadsworth	Box 872, Casa Grande	33,217
Max K. Schnepf	Box 172, Queen Creek	33,215
C. & A. Equipment Co.	Drawer KK, Casa Grande.	33,087
Duncan Butler	1205 North Olive Dr., Case Grande.	33,085
J. O. Burns	Box 806, Eloy	32,991
W. W. Ritchey	Box 473, Casa Grande	32,932
W. A. Ladd	Box 1111, Randolph	32,908
Storey Ranches, Inc	900 East 2d St., Casa Grande.	32,541
Rogers & Rogers	Box 845, Eloy	32,541
J. E. Robinette	1116 North Olive Dr., Casa Grande.	31,939
Delbert Lewis	Rt. 1, Box 8, Florence	31,286
Earl Lane Estate	Box 668, Stanfield	31,255
Robert Kirkland	835 West Central, Coolidge.	31,034
Paul E. Sexton	1270 Palo Verde Lane, Coolidge.	30,609
Carlton Farms, Inc	Box 556, Casa Grande	30,521
Frank Graham	Box 874, Coolidge	30,507
Picacho Buttes Farms	Box DD, Casa Grande	30,461
C. L. Skousen & Son	Rt. 1, Box 77, Coolidge	30,450
Marcus Vanderslice	1301 North French, Casa Grande.	30,416
Ellsworth & Kortsen	Box 421, Stanfield	29,885
David Tolmachoff	Box 1128, Casa Grande	29,867
W. H. Lane	714 East Brenda, Casa Grande.	29,353
Roger Goff	Box 416, Stanfield	28,914
Wayne Ray	Rt. 1 Box 117, Casa Grande.	28,750
Koenig Aviation Inc	Drawer 10, Casa Grande	28,576
W. D. Storie	Box 25, Maricopa	28,405
Irene McGown Waugh	Box 205, Casa Grande	28,182
Robert A Taylor	Rt. 1 Box 12, Florence	27,960
J. E. Lawson	1157 E. McMurray, Casa Grande.	27,835
Allen McFaddin	915 E. McMurray, Casa Grande.	27,799
Forrest W. Cooper	Rt. 1 Box 20, Florence	27,754
R. F. Cunningham	Rt. 1 Box 40, Coolidge	27,724
Claude H. Evans	315 E 8th, Casa Grande	27,483
Emmett Grasty	Box 1097, Casa Grande	27,422
Paul J. Prechel	1210 Orlando Dr, Coolidge.	26,928
Jack Connelley	Box 237, Stanfield	26,832
Louis L. Johnson	Box 428, Stanfield	26,742
C. B. Shiflet	800 W Pinkley, Coolidge	26,653
Robert Kanaga	Rt. 1 Box 114, Queen Creek.	26,528
Frank Hale	104 W 6th St., Eloy	26,514
Guy Gilbert Farms	Drawer C, Casa Grande.	26,354
Jim Pate	331 Orange Dr, Casa Grande.	26,081
Frank W. Shedd, Jr	Rt. 1 Box 400, Eloy	25,876
Leonard Anderson	701 E 8th St, Casa Grande.	25,450
Bill Warren	Box 301, Eloy	25,128
Charles E. Wright	Rt. 1 Box 246, Eloy	25,087

XUM

CALENDAR YEAR 1968

LISTING OF NAMES, ADDRESSES, AND TOTAL PAYMENTS OF $25,000 OR MORE UNDER ASCS PROGRAMS—EXCLUDING PRICE SUPPORT LOANS, AND SUGAR AND WOOL PAYMENTS—Continued

ARIZONA—Continued

County and name	Address	Total payments
Pinal County—Continued		
J. M. Self Jr.	907 E 2nd St., Casa Grande.	$25,059
Total payees in county, 198.		13,148,057
Yuma County:		
Barkley Co of Ariz.	R.R. 1, Box 73, Somerton.	336,823
Bruce Church Inc.	P.O. Box 1009, Yuma	222,394
J. W. Olberg and Son	P.O. Box 1710, Yuma	197,400
Ben Simmons	P.O. Box 744, Parker	190,616
Colo River Trading Co.	P.O. Box T, Parker	185,592
Sherrill-Lafollette	5001 E Wash, Phoenix	163,226
Glen Holt	R.R. 1 Box 27H, Parker.	161,149
Texas Hill Farms	P.O. Box 1283, Yuma	130,663
Earl Hughes	P.O. Box 218, Gadsden.	128,104
C. M. S. Farming Co	801 N First Ave, Phoenix.	123,742
Woods Co	P.O. Box 1294, Yuma	104,330
Ed Hall	Box Y, Bouse	95,558
Arthur Blohm	R.R. 1 Box 100, Wellton.	92,721
W. J. Scott	R.R. 1 Box 695A, Yuma.	80,709
Mobley and Bonham	P.O. Box 1063, Blythe, Calif.	76,301
Fred Nussbaumer	P.O. Box 186, Wellton	75,671
C and V Growers, Inc.	Box 368, Maricopa	73,531
Stanley Snitzer	801 N. First Ave., Phoenix.	69,751
M and V Farms	P.O. Box 82, Ehrenberg.	63,895
Mauldin Mauldin	2753 Maple, Yuma	61,412
Wm. M. Harrison	R.R. 3 Box 336A, Yuma.	59,074
M. E. Lee	R.R. 1 Box 112, Somerton.	54,667
Robert Cockrill	801 N. 1st Ave, Phoenix.	49,514
Clayton Farms	P.O. Box 82, Ehrenberg.	48,911
James A. Wilson	3081 Palmaire Ave., Yuma.	46,847
Clyde Curry	P.O. Box 316, Somerton.	46,656
Ferguson and Sons	R.R. 3 Box 326, Yuma	43,572
J. R. Cullison	P.O. Box 204, Wellton	41,378
John C. Smith, Jr.	R.R. 1 Box 40, Somerton.	41,180
T. W. Williams	R.R. 1 Box 684C, Yuma.	40,799
Wm. Thacker	R.R. 1 Box 777C, Yuma.	38,393
Chrismer Farms	R.R. 1 Box 78K, Parker.	37,825
Archie Mellon	1185 4th Ave., Yuma	37,329
W. M. Wootton	R.R. 1 Box 40, Wellton	36,523
Pete Pasquinelli	P.O. Box 1750, Yuma	35,412
Mcelhaney Farms	R.R. 1 Box 98, Wellton	34,903
Valley Packing Co of CA.	P.O. Box 1751, Yuma	33,894
Louie Kehl	R.R. 1 Box 855B, Yuma.	33,213
Julian E. Woodruff	R.R. 1 Box 120, Coolidge.	32,526
Wayne Sprawls	R.R. 1 Box 11R, Maricora.	32,490
Mark and Howard Moore.	2456 4th Pl., Yuma	32,418
Henry Leivas	R.R. 1 Box 48B, Parker.	32,341
Keller Farms	Box 415, Salome	32,277
Garland Wisby	R.R. 1 Box 85, Roll	32,101
AZ Cottonseed Prod. Co.	3550 N. Cent Ave., Phoenix.	31,599
Gunther & Shirley	1890 10th Ave., Yuma	30,989
Jack Ramsey	Star Rt. 4 Box 72, Yuma.	30,310
Oscar Walls	R.R. 1 Box 795, Wellton.	29,760
Dunn Farms	R.R. 3 Box 384, Yuma	28,067
A. C. Cockrill	R.R. 1 Box 470, Eloy	27,917
Glen Sturges	P.O. Box 215, Roll	27,427
Cuming and Sons	R.R. 1 Box 135, Somerton.	26,096
Clarence Phillips	1529 11th Ave., Yuma	25,974
Tom Howell	P.O. Box 61, Roll	25,398
Peters & Nall	R.R 2 Box 216, Blythe, Calif.	25,279
Moenk Fletcher	R.R. 1 Box 136, Wellton.	25,205
Total payees in county, 56.		3,921,852
Total payees in State, 443.		28,121,915

ARKANSAS

County and name	Address	Total payments
Ashley County:		
W. W. & Earl Cochran.	Portland	$63,562
Gus-Pugh Sons, Inc.	Portland	60,244
Guy Botsford	Portland	45,906
C. C. Morschheimer, Jr.	Parkdale	39,669
John H. Ralph	Parkdale	37,281
James B. Young	Portland	31,823
Kenneth Rice	R.R. 1, Montrose	31,422
Bobby Foster	Wilmot	30,875
E. D. Gregory Co.	Parkdale	30,845
Ashley County—Continued		
Victor Edwards	Montrose	$29,168
B. E. Fisher	Portland	29,046
William B. Deyampert.	Wilmot	29,044
C. R. C. Lynn, Inc.	Montrose	28,517
R. E. Lee	R.R. 1, Montrose	26,942
W. T. Files	Parkdale	26,506
James H. Gay	R.R. 1, Portland	25,539
Total payees in county, 16.		566,389
Chicot County:		
Pylate Brothers	P.O. Box 100, Eurdora.	57,374
Maurice R. Gibbs	Eudora	31,329
Yellow Bayou Plt, Inc.	Rt. 1, Lake Village	29,535
B. and V. Pieroni	St. Rt. 1, Box 139, Lake Village.	29,072
Alvin Ford, Sr.	St. Rt. 1, Box 105, Lake Village.	27,899
Fred Woodall	Rt. 1, Eudora	27,323
Keith Brothers	St. Rt. 1, Box 110, Lake Village.	25,418
Total payees in county, 7.		227,950
Craighead County:		
W. W. Holmes Gin Co.	Bay	27,108
Virgil Booth	R.R. 1, Caraway	26,470
Total payees in county, 2.		53,578
Crittenden County:		
Carlson Brothers	R.R. 1, Box 568, Marion.	106,807
A. Angeletti, Inc.	Box 71, Crawfordsville.	97,870
Bond Pltg. Co.	Box 446, Clarkedale	95,539
Total payees in county, 3.		300,216
Crittenden County:		
Pacco Inc.	Turrell	81,045
Bruins Plng. Co.	Hughes	80,110
J. F. Twist Plantation	Twist	76,893
Pirani & Sons	R.R. 1, Turrell	72,397
Alpe Brothers	Crawfordsville	71,274
Mallory Farms	Chatfield	67,186
Allen B. Helms	Clarkedale	66,066
Lake Plantation	% L. Taylor Jr., Hughes.	65,983
E. H. Clarke & Co.	Hughes	62,730
J. O. E. Beck Trust	Hughes	59,564
N. S. Garrott & Sons	Proctor	58,443
Bloodworth Co.	Crawfordsville	55,583
D. & J. Inc.	Box 45, Crawfordsville.	54,725
Morrison Bros.	Earle	53,898
David Harrison, Jr.	Box 16341, Memphis	51,163
Charles S. Riggan	501A Missouri, West Memphis.	49,455
Ragland Plant Inc.	% C. G. Morgan, Hughes.	49,162
Nickey-Eason Plantation.	Hughes	48,980
William B. Rhodes Co.	Marion	47,950
Herman C. McDaniel	Crawfordsville	47,793
O'Neal & Son, Inc.	do.	46,613
Richland Plan, Inc.	R.R. 2, Hughes	44,817
Johnny Greer	R.R. 1, Box 100, Heth	43,169
Julian L. Hardin	Marion	42,903
Carter Planting Co.	Clarkedale	42,652
Earl C. Beck, Jr.	R.R. 1, Box 50, Hughes.	42,426
James W. Young, Jr.	Crawfordsville	40,785
Alton Grant Farms	Box 225, Turrell	40,120
Oliver Bros.	Proctor	39,245
Looney Bros.	Proctor	38,998
Jack W. Ray	Crawfordsville	38,188
Fogleman & Son	Marion	35,812
E. J. Barham, Jr.	1131 Main St, Earle	35,635
Joe Currie	R.R. 1, Box 500, Marion.	34,842
Bollinger Bros.	Hulbert	34,616
Milton, Lubin	Turrell	34,146
F. G. Barton Cotton Co.	Box 1564, Memphis	33,405
Burlison & Merrick	R.R. 1, Box 104, Earle	33,139
Dan Springfield, Jr.	Crawfordsville	32,410
E. P. Rainey & Sons	R.R. 2, Tyronza	32,395
Rembert & Miller Farms.	Hulbert	32,186
Joe Rodgers	507 Barton, West Memphis.	32,089
Smith & Wallace	Box 327, Blytheville	32,056
Manuel T. Sharp	Box 66, Crawfordsville.	31,865
Joe & Willie Bramucci.	Earle	31,601
Cottondale Farm, Inc.	Earle	31,246
B. P. Kelley	Box 296, Parkin	30,184
Lehi Plantation	R.R. 1, Box 586, Marion.	30,055
L. G. Byford	R.R. 1, Proctor	29,304
H. P. Sisk	Box 648, Parkin	28,811
Hester Parker	507 Home St., Marked Tree.	28,053
C. L. Eubanks & Sons.	Proctor	27,917
Adolph Pirani	Box 386, Marion	27,822
L. C. Smith	R.R. 2, Hughes	26,984
Pirani Brothers	Marion	26,533
E. M. Ott	Crawfordsville	26,450
Crittenden County—Continued		
F. H. Griffin	Clarkedale	$26,260
Ray D. Ross	Box 147, Gilmore	25,832
C. B. Britton	Box 73, Crawfordsville.	25,605
J. W. Prescott	Hughes	25,398
Erle Biggs	Proctor	25,048
John M. Swepston	Crawfordsville	25,019
Total payees in county, 65.		2,913,250
Cross County:		
E. D. McNight	Parkin	75,908
W. M. Smith and Sons.	Birdeye	53,337
Hill Farms, Inc.	% Eagle Nest Plan, Parkin.	50,262
John H. Johnston	Box 528, Wynne	40,947
Ruston Farms	Parkin	35,035
Irvin Sisk, Jr.	Parkin	32,036
Simpson and Proctor	Parkin	31,735
S. A. Atkison	Parkin	28,692
Ira F. Twist	Twist	28,327
Robert Twist	% Ira Twist, Twist	28,288
Richard Twist	Box 38 A, Earle	28,004
John A. Brenner	Parkin	26,476
Robert W. Spencer	R.R. 1, Earle	26,407
Leslie Nix	R.R. 2, Box 283, Wynne.	25,590
Paul McCutchen	R.R. 2, Box 101, Parkin.	25,152
Twist Parkin Co.	Box 38 A, Earle	25,087
R. W. Byrd	R.R. 2, Parkin	25,000
Total payees in county, 17.		586,283
Desha County:		
R. A. Pickens & Son Co.	Pickens	234,251
Stimson Veneer & Lumber Trust.	Dumas	80,970
Clay Cross	PDLT. Route, Dumas	42,464
Desha Farms, Inc.	R.R. 3, Elaine	41,065
Brooks Griffin	R.R. 3, Elaine	39,963
Baxter Land Co.	Dermott	35,490
Reedville Farms	Dumas	34,590
Leroy Johnson	Box 43, Lundell	33,273
McCulloch Planting Co.	PDLT. Route, Dumas	33,000
P. W. Teeter & Sons Co.	R.R. 1, Tillar	31,299
Bickham Bros.	R.R. 1, Tillar	28,431
Martin Wood	Box 34, Snow Lake	26,770
Stimson Katterhenry Trust.	Dumas	26,716
J. L. Britt	Snow Lake	25,687
Total payees in county, 14.		713,969
Drew County:		
Tillar & Co.	Tillar	67,414
William Bulloch	604 S. Main, Dermott	30,151
Total payees in county, 2.		97,565
Faulkner County:		
J. W. Brown, Jr.	R.R. 2, Conway	33,996
Total payees in county, 1.		33,996
Jackson County:		
G. L. Morris, Jr.	McCrory	65,342
Doyle and Wilmans Partners.	Diaz	46,713
R.D. Wilmans & Sons Co.	Diaz	32,259
Julia W. Harper	Rt. 1, Newport	36,933
Burton Merc & Gin Co.	Beedeville	36,889
Total payees in county, 5.		225,136
Jefferson County:		
Cornerstone Farm & Gin Co.	Box 7008, Pine Bluff	111,387
Elms Planting Corp.	Altheimer	77,456
B N Word Co Inc.	Wabbaseka	60,372
Bost Farms	R.R. 1, Altheimer	54,300
Jimmy Blair	Sherrill	50,558
Lyons Planting Co., Inc.	R.R. 2, Altheimer	48,932
Hudgens Jeter	R.R. 1, Altheimer	48,282
R. E. Watkins & Son	R.R. 1, Altheimer	44,394
Lake Dick Elms Farming Co.	Altheimer	43,352
Noah S. Peek, Jr.	England	42,387
D. Stratton Inc.	R.R. 5, Box 740, Pine Bluff.	39,829
Luchen A. Walls	2808 Byron, Pine Bluff.	38,774
Earl Chadick & Sons	R.R. 1, Sherrill	38,366
Richland Planting Co.	Moscow	37,799
Stillwater Farming Co., Inc.	Altheimer	37,771
New Gascony Elms Farming Co.	Altheimer	36,565
A. C. Hunter	R.R. 1, Sherrill	35,860
Pipkin Farm	R.R. 1, Sherrill	34,511
James Terkeurst	1225 Olive St, Pine Bluff.	34,367

CALENDAR YEAR 1968

LISTING OF NAMES, ADDRESSES, AND TOTAL PAYMENTS OF $25,000 OR MORE UNDER ASCS PROGRAMS—EXCLUDING PRICE SUPPORT LOANS, AND SUGAR AND WOOL PAYMENTS—Continued

ARKANSAS—Continued

County and name	Address	Total payments
Jefferson County—Continued		
W. A. Albright	Sherrill	$33,830
S. R. Baugh	Star City	32,100
Richardson Elms Farming Co.	Altheimer	31,505
E. L. Burgess	Sherrill	31,310
Chambliss Farms	R.R. 3, Box 360, Pine Bluff.	30,902
Luckie Brothers	Reydel	28,278
W. W. West Co	Wabbaseka	26,598
Leon Callaham	R.R. 1, Altheimer	26,579
L.L. Dutton & Son	Box 59, Moscow	26,153
Fish Lake Farms	129½ Main St., Pine Bluff.	25,880
Rob Roy Plantation	Box 1331, Little Rock	25,707
Oscar Homer Jones, Jr.	Box 288, Wabbaseka	25,651
Clarence Dutton & Son.	R.R. 1, Box 195, Grady	25,648
Total payees in county, 32.		1,285,403
Lafayette County:		
Lawrence E. Taylor	Bradley	52,395
Troyce E. Endsley	R.R. 1, Bradley	43,625
Mickey Walding	R.R. 1, Bradley	31,453
Andrew Whisenhunt	R.R. 1, Bradley	30,408
Carl Adams, Jr	R.R. 1, Bradley	27,407
J. G. Allen, Jr	R.R. 1, Bradley	26,257
Marvin McCalman	R.R. 1, Bradley	25,838
Total payees in county, 7.		237,383
Sweet Brothers	Widener	88,413
H T Dillahunty & Sons	Hughes	68,732
C E Yancey & Sons	R.R. 4, Marianna	53,810
Robert May	R. 1, Brickeys	52,540
Barker Farms Inc	Box 730, Marianna	44,339
Miller Farms, Inc	Marianna	40,910
Dan Felton & Co	Marianna	39,357
Ed Vaccaro	Box 193, Marianna	37,407
E. J. Chaffin, Jr	Hughes	36,348
C. M. Cooke	Brickeys	33,677
Lindsey Farms, Inc	Marianna	31,399
Dick Ed Thomas	Marianna	30,466
J. E. Ivy	Box 428, Marianna	30,259
Ellis Evans	R.R. 3, Marianna	25,448
Total payees in county, 14.		613,105
Lincoln County:		
Arkansas State Penitentiary.	Box 500, Grady	154,412
Holthoff Brothers	Gould	50,222
N. M. Ryall & Sons Inc.	Rt. 3 Box 174, Star City.	48,943
H.R. Wood & Son, Inc.	Grady	47,323
K. Berzent Blagg	Tyro Rt. Dumas	45,955
Frizzell Farms, Inc	Rt. 3, Star City	42,318
Marion F. Baugh	RFD 2 Box 56, Star City.	39,912
R. E. Dreher & Sons	Grady	38,432
C. H. Clowers & Co	Rt. 1, Star City	34,311
J. L. McEntire & Sons, Inc.	Rt. 3, Pine Bluff	26,783
A. O. French	Rt. 1, Pickens	26,758
Knight Brothers	Gould	25,145
Total payees in county, 12.		580,514
Little River County:		
E. C. Lavoice and Sons	Foreman	29,658
Total payees in county, 1.		29,658
Lonoke County:		
Sam McNeil	R.R. 2, England	41,113
R. W. Morris	Keo	40,084
A. P. Pat Henderson	Box 8, England	38,094
Albert Eugene Yarbrough.	England	37,454
James Carroll Rollins	R.R. 3, England	36,313
Basel Henderson	Coy	35,780
Odes Perry	R.R. 3, England	34,204
James W. Phillips	Box 15, Keo	31,857
Robert L. Dortch, Jr	Scott	29,814
Bobby Gene Wright	Box 311, Coy	28,278
Wm. J. Bevis	R.R. 2, Box 40, Scott	27,989
Waylon B. Sims	R.R. 2, Box 138, Scott	25,835
Robert Edward Johnson.	R.R. 3, England	25,656
Arnold Oneal	R.R. 3, England	25,468
Total payees in county, 14.		457,939
Miller County:		
Price Plantation, Inc	Box 157, Garland	31,491
Doyle Stevens	Garland	28,503
Total payees in county, 2.		59,994
Mississippi County:		
Lee Wilson & Co., d.b.a. Keiser S.	Keiser	$473,670
Wesson Farms, Inc	Victoria	156,953
Armorel Planting Co	Armorel	105,021
Harold Senter	R.R. 1, Wilson	89,298
Midway Farms, Inc	R.R. 1, Joiner	85,566
R. D. Hughes	Box 67, Blytheville	77,556
C. J. Lowrance & Sons	Driver	71,849
Jack Hale	Box 261, Blytheville	67,243
Lowrance Bros. & Co	Driver	67,002
Rufus C. Branch	Joiner	62,291
R. Creecy & T. Tate	R.R. 2, Box 446, Osceola.	61,298
Larry Woodard Farms, Inc.	Box 477, Lepanto	60,951
W. J. Denton Est	% Ruby C. Denton, Exrx, Wilson.	60,564
Semmes Farm Corp	Box 205, Joiner	59,646
M. J. Koehler	Dell	55,863
Clide Barnett	Keiser	55,717
C. B. Robinson	Box 253, Osceola	51,562
Crosthwait Farms, Inc.	Osceola	50,893
J. A. Crosthwait	Box 351, Osceola	50,699
John A. Edrington	R.R. 2, Box 605, Osceola.	50,422
H. T. Bonds Sons, Inc.	R.R. 1, Lepanto	47,863
C. W. Bowles	R.R. 1, Box 567, Osceola.	47,682
R. C. Langston	Luxora	47,445
B. C. Land Co	Leachville	47,161
Charles Nick & Richard Rose.	Roseland	47,134
R. J. Gillespie	Luxora	46,661
Russell Gill	R.R. 1, Osceola	46,354
Riggs Bros	R.R. 4, Box 268, Blytheville.	44,443
J. E. Crain Est	Wilson	43,880
Wesley Stallings	R.R. 2, Box 47, Blytheville.	43,453
Henry Battle	Box 157, Joiner	42,286
Sullivan Bros	Burdette	42,140
John M. Stevens, Jr	Dell	40,980
R. G. Edwards	R.R. 1, Manila	40,928
Joe H. Felts	R.R. 1, Joiner	38,316
Larry J. Woodard	Box 477, Lepanto	38,129
John E. Crain, Jr	Wilson	37,298
Glenn A. Cook	R.R. 4, Box 235, Blytheville.	37,238
John M. Speck	Frenchmans Bayou	36,043
C. L. Denton, Jr	R.R. 1, Tyronza	35,028
Amon Eugene Holt	R.R. 2, Manila	34,988
Golden Lake Farms	Wilson	34,171
Ben Wood Farms	R.R. 1, Joiner	33,589
Clifford Gillespie	611 W. Union, Osceola	33,059
W. T. Metzger, Jr	R.R. 1, Blytheville	31,589
A. A. Banks	R.R. 1, Box 151, Tyronza.	31,460
Nancy M. Trimue	Frenchmans Bayou	31,305
W. M. Taylor, Jr	R.R. 2, Osceola	31,132
Earl H. Wildy	R.R. 2, Leachville	31,111
A. E. Teaford	Luxora	30,840
Taylor Bros	R.R. 2, Box 230, Blytheville.	30,669
Stanall Farms	Box 173, Wilson	30,15
J. D. Smith	Box 126, Keiser	29,820
Chas. Robert Jackson	R.R. 2, Blytheville	29,734
E. H. Riley	Osceola	29,489
Cullom Bros	R.R. 1, Wilson	28,837
Ira G. Ashley	R.R. 2, Box 310, Osceola.	28,741
Chiles Planting Co	Box 191, Joiner	28,683
Ohlendorf Farms	Box 312, Osceola	28,141
Bryce Grant	R.R. 1, Manila	28,005
Joe Dilldine	R.R. 3, Box 140, Blytheville.	27,921
Richard Cromer Farm	R.R. 1, Osceola	27,915
Charles D. and Donald L. Baker.	R.R. 1, Box 338, Luxora	27,369
Speck Bros	Frenchmans Bayou	27,314
Clyde Whistle	Osceola	26,488
James H. Woodard	R.R. 2, Box 290, Osceola	26,379
John E. Gann	1008 West Main, Blytheville.	26,067
Willis, Stutts	R.R. 1, Manila	25,590
John B. Wilson	Joiner	25,499
D. V. Craven	Box 424, Lepanto	25,112
Forrest Moore	2516 West Rose, Blytheville.	25,090
Total payees in county, 71.		3,570,818
Monroe County:		
Ralph Abramson	Holly Grove	46,427
Carter-Clifton Co	Cotton Plant	27,906
Floyd H. Shaw	R.R. 1, Clarendon	27,432
Ray Fuller	Ridgemont Rd., Helana	26,387
Amos Everett	R.R. 1, Clarendon	25,472
Total payees in county, 5.		153,624
Phillips County:		
Howe Lumber Co., Inc	Wabash	206,379
Brooks Griffin	Elaine	113,352
Phillips County—Continued		
Highland Lake Farm	46 Waverly Wood, Helena.	$107,223
Alexander Farms, Inc	46 Waverly Wood, Helena.	91,644
Tunney Stinnett	Elaine	65,758
Wood-Sanderlin Farm	Crumrod	63,107
Buron Griffin	Box 571, Helena	52,839
R. J. Suddath	R. 1, Box 180, Helena	46,177
King-Wells Farm	R. 1, Box 290, Helena	44,153
E. T. Wells, Inc	R. 1, Box 101, Helena	42,698
Loveless Farms, Inc	Elaine	41,666
Dave Inebnit	R. 2, Box 92, Holly Grove.	41,299
Ray Dawson	R. 1, Box 195, Lexa	40,912
Riverside Farm	R. 1, Box 330D, Helena	40,663
Delta Plantation, Inc	325 York, Helena	40,398
Dixie Farm Co	Crumrod	39,009
David Solomon	Crestwood, Helena	37,729
T. W. Keesee	326 Walnut St., Helena	36,331
Solomon Bros., Inc	P.O. Box 490, Helena	35,346
C. E. Barnes	Box 481, Elaine	35,057
Curtis Clark	80 Highland Park, Helena.	34,777
R. J. Young	Poplar Grove	34,294
Lundell Plantation	C/O Geo. Brandon, Lundell.	34,292
Lily Peter	Rt. 2 Box 192, Marvell	33,734
Chesterfield Crisp	Rt. 2 Box 199, Marvell	32,090
Harry Stephens	345 St. Andrews Terr., West Helena.	31,180
James E. Yancey	Rt. 1 Box 49, Marvell	30,006
M. M. Crisp	Elaine	29,528
Catron Plantation	Helena Nat. Bank Bldg., Helena.	28,230
J. O. Wheeler	Box 237, Helena	28,019
M. J. Lake	R.R. 3, Box 269, Marianna.	27,728
James Harold Byrd	Rt. 3, Dundee	27,721
R. L. Carnathan	332 S. 9th West Helena.	27,699
Oneida Planting Co	Oneida	27,422
Wooten-Epes Co	Helena	26,397
Louis, Johnson	520 W. Sims, Osceola	26,076
Buford Culp	Rt. 1 Box 97, Marvell	25,948
F. O. Grifin, Jr	Rt. 1, Helena	25,594
Jake Crow	Elaine	25,339
R. M. Hornor	323 Beech, Helena	25,050
Winston Foster	Rt. 1 Box 14, Marvell	25,029
Total payees in county, 41.		1,827,893
Poinsett County:		
St. Francis Valley Farms.	Marked Tree	131,179
Hyneman Farms, Inc	P.O. Box 30, Trumann	127,199
Dan F. Portis	Lepanto	57,517
Fairview Farms Co	Tyronza	47,245
Citizens Gin Co., Inc	Lepanto	46,802
B. & H. Farms	P.O. Box 337, Marked Tree.	37,879
H. F. Underwood	Harrisburg	37,679
S. C. Chapin	Trumann	35,531
Stuckey Bros., Inc	Lepanto	33,515
Cecil H. Justus, Jr	Tyronza	32,141
Frank Dean	P.O. Box 503, Marked Tree.	31,762
Guy L. Prince	Marked Tree	28,870
Paul Earnhart	Lepanto	28,552
Moreland Barton	Tyronza	28,226
W. T. Pearson	P.O. Box 116, Tyronza.	26,821
Norcross Farming Co	Tyronza	26,150
Total payees in county, 16.		757,068
Prairie County:		
John D. Naill, Jr	Biscoe	25,790
Total payees in county, 1.		25,790
Pulaski County:		
Reber McGhee	Box 83, Scott	32,043
Walter Isgrig	6503 Fourche Dam Pike, Little Rock.	31,290
Walter C. Estes	R.R. 1 Box 56, Scott	30,033
W. A. Ratcliffe, Jr	Box 146, Sweet Home	29,194
J. B. Morgan	R.R. 2 Box 164, Little Rock.	26,205
Chapman Bros. Farm	R.R. 1 Box 122, Scott	26,121
Total payees in county, 6.		174,886
St. Francis County:		
Miller Lumber Co	Marianna	92,940
J. G. Adams and Son	Hughes	92,453
Shannon Bros. Entp	Box 2863 DeSoto Sta., Memphis.	68,305
W. W. Draper, Jr	402 Mockingbird Lane, Forrest City.	67,840
Kellogg and Hughey	Hughes	47,797
John T. Higgins & Son	Box 428, Forest City	47,298
L. E. Burch, Jr	Hughes	44,374
A. B. Farms, Inc	Hughes	44,360
Chappell & Moore	Box 166, Forest City	41,636
Robert Brewington	2829 Mary Dr., Forrest City.	40,752

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CALENDAR YEAR 1968

LISTING OF NAMES, ADDRESSES, AND TOTAL PAYMENTS OF $25,000 OR MORE UNDER ASCS PROGRAMS—EXCLUDING PRICE SUPPORT LOANS, AND SUGAR AND WOOL PAYMENTS—Continued

ARKANSAS—Continued

County and name	Address	Total payments
St. Francis County—Continued		
Belle Meade Plantation	Hughes	$39,224
C. J. Beasley and Son	Heth	37,807
Red Gum Plantation	Hughes	37,585
J. C. Rice and E. Stough.	R.R. 2, Widener	36,866
Claud Buford	Box 523, Forrest City	35,457
Joe Burch	Hughes	34,908
McCain Farms, Inc	Widener	34,434
Davis Biggs	Hughes	33,501
B. McCollum, Jr	Hughes	32,871
Thomas McDaniel	R.R. 2, Forrest City	32,638
R. T. Landrum	Hughes	32,131
C. D. Brown & Sons, Inc.	Hughes	31,668
John C. Lindsey, Sr	Caldwell	31,145
Jack Bridgforth	Forrest City	31,129
Freeman Nichols	R.R. 1, Forrest City	30,868
F. W. Derossitt and Son.	1509 N. Div, Forrest City.	30,590
A. B. Malkin, Jr	Heth	30,257
Lindsey Brothers	Caldwell	30,064
Ida Mae Norsworthy	R.R. 1 Box 51, Widener	29,566
Harold Trigger Wall	Box 505, Hughes	28,718
V. E. Beene	Hughes	28,673
Earl Dean Williams	Box 26, Widener	27,981
Mound Planting Co	501 N. Missouri St., Memphis.	27,568
Betty M. Stoddard	Box 625, Hughes	27,543
France Bros	Heth	27,139
Vance and Bentley	R.R. 2, Hughes	26,441
Bob K. McKenzie	P.O. Box 156, Hughes	25,713
Carl H. Morris	203 Tenn, Forest City	25,437
A. L. Devereux	R.R. 1, Widener	25,404
Rex Twist	Belswood Farms, R.R. 1, Widener.	25,267
B. E. Beene	Hughes	25,005
Total payees in county, 41.		1,541,353
Woodruff County:		
Gregory Farm, Inc	Augusta	49,142
Bruce D. Tarkington	Cotton Plant	40,453
L. L. Cole & Son, Inc	Cotton Plant	32,404
Gum Ridge Corp	Box 8, Augusta	30,201
W. L. McAdams	Rt. 1 Box 124D, Augusta.	26,588
Total payees in county, 5		178,788
Total payees in State, 397.		16,912,332

CALIFORNIA

County and name	Address	Total payments
Fresno County:		
Giffen, Inc	Box 7, Huron	$2,772,187
Vista Del Llano Farms	37423 Belmont, Firebaugh.	745,647
Boston Ranch Co	Star Rt. 2, Box 100, Lemoore.	448,158
Jack Harris, Inc	Rt. 1, Box 420, Coalinga.	379,075
Telles, Ranch, Inc	46031 W. Nees, Firebaugh.	291,209
Airway Farms, Inc	1221 Fulton, Fresno	246,766
Timco	5720 S. Washoe, Mendota.	204,518
Price Giffen Ranch	2025 N. Fairfax, Firebaugh.	199,980
J. E. O'Neill, Inc	P.O. Box 2114, Fresno	195,918
Raymond Thomas, Inc	25810 Avenue 11, Madera.	189,828
M. J. & R. S. Allen	P.O. Box 925, Coalinga	185,397
Coit Ranch, Inc	2578 S. Lyon, Mendota	182,204
Schramm Ranches, Inc.	Box 487, San Joaquin	175,234
W. J. Deal	Box 427, Mendota	174,878
Sullivan & Gragnani	Box 128A, Tranquillity	162,850
Redfern Ranches, Inc	Box 305, Dos Palos	152,703
V. C. Britton Co	P.O. Box 397, Firebaugh.	139,801
The Desert Ranch	47375 W. Dakota, Firebaugh.	134,468
Wood Ranches	P.O. Box 247, Lemoore	122,562
Sumner Peck Ranch, Inc.	P.O. Box 507, Mendota	120,991
O'Neill Farms, Inc	P.O. Box 5, Huron	112,202
Hammonds Ranch, Inc	47375 W. Dakota, Firebaugh.	111,854
Weeth Ranches, Inc	Box 924, Coalinga	109,241
Coelho Farms	P.O. Box 645, Riverdale	107,099
Rabb Bros	Box 736, San Joaquin	97,680
Linneman Ranches, Inc.	P.O. Box 156, Dos Palos.	97,490
Pilibos Bros., Inc	2141 Tuolumne, Fresno	95,488
Britz Chemical Co	P.O. Box 366, Five Points.	$91,533
Wm. H. Noble	P.O. Box 506, Kerman	89,491
Giusti Farms, Inc	Ste. 904, 2220 Tulare, Fresno.	85,807
John & Alex Kochergen.	523 N. Brawley, Fresno.	74,212
J & J Ranch	P.O. Box 155, Firebaugh.	71,877
Sierra Dawn Farms	45949 W. Shields, Firebaugh.	71,546
Ryan Bros	P.O. Box 268, Mendota	71,071
Pacific Farms Co	1047 M Street, Firebaugh.	70,980
Griffin & Griffin	Box 1193, Coalinga	70,409
Starkey & Erwin	P.O. Box 669, Avenal	68,879
Telles Farms	46031 W. Nees, Firebaugh.	65,006
Hogue Produce Co	Box 66, Firebaugh	64,863
Pappas & Co., Inc	P.O. Box 477, Mendota	64,689
Kriesant Operating Co., Inc.	Box 125, Mendota	64,008
Milo Erwin	6082 E. Butler, Fresno	63,763
Sam & D. M. Biancucci.	P.O. Box 337, Firebaugh.	63,315
Vernon Swearingen	11050 W. Mt. Whitney, Riverdale.	61,429
Aladdin Ranch	1221 Fulton Mall, Rm. 614, Fresno.	61,176
Gordon Bros	P.O. Box 366, Tranquillity.	60,904
M. L. Dudley & Co	515 N. Harrison, Fresno.	60,420
S. E. Lowrance Ranch	Box 36, Tranquillity	60,175
Willson Farms Inc	2220 Tulare St. 711, Fresno.	59,205
Vincent Kovacevich	8580 W. Whitesbridge, Fresno.	58,927
J. C. Conn, Inc	P.O. Box 615, Coalinga	55,105
C. H. & G. Farms, Inc	08297 E. Sanders, Fresno.	54,800
Drew Farms, Inc	50860 W. Herndon, Firebaugh.	54,598
J. C. Andresen	10610 W. Whitesbridge, Fresno.	54,476
Enrico Farms, Inc	Box 755, Firebaugh	53,559
Vierhus Farms	P.O. Box 733, Coalinga	52,524
Michael Giffen Ranch Inc.	805 Patterson Blvd., Fresno.	51,983
Marchini Bros	P.O. Box 1, Tranquillity.	51,698
Rusconi Farms	P.O. Box 65, San Joaquin.	50,976
S. & S. Ranch ,Inc	Box 22, Mendota	49,200
Reuben Crosno	15444 S. Fowler, Selma.	49,054
John L. Errecart	P.O. Box 7, Tranquillity.	48,991
Melcombs Ranch, Inc	P.O. Box 618, San Joaquin.	48,976
Deavenport Ranches Inc.	910 E. Swift, Fresno	48,198
Sommerville Farms, Inc.	P.O. Box 155, Huron	48,000
W. F. Mc Farlane	7600 E. Barstow, Clovis	47,983
Robert Cardwell	8265 W. Annadale, Fresno.	47,302
Joe M. Lovelace	P.O. Box 438, Coalinga	46,948
William E. Glotz	P.O. Box 86, Tranquillity.	46,571
Poso Dairy Farms, Inc	38282 W. Silaxo, Firebaugh.	45,638
Richard Swearingen	20705 S. Bishop, Riverdale.	44,318
Fred Rau	10255 W. Manning, Fresno.	44,056
Half Moon Fruit & Produce Co.	P.O. Box 159, Lemoore.	43,311
Davis Drier & Elevator, Inc.	Box 425, Firebaugh	43,136
Harold O. Banion	P.O. Box 745, Dos Palos.	42,826
William Erickson	5250 W. Jefferson, Fresno.	42,801
Western Ranches	P.O. Box 471, Los Bands.	42,082
Davis & Huey, Inc	P.O. Box 187, Tranquillity.	41,716
Donald Bellando	Box 575, San Joaquin	39,467
W. A. Klepper & Son	P.O. Box 545, Caruthers	39,257
A. & H. Farms	P.O. Box 502, Kerman	38,653
Raven Land Co	5700 E. Clarkson, Selma.	38,635
Claremont Farms	Box 98, Huron	38,368
Del Testa Farms	27439 W. Lincoln, Tranquillity.	37,876
Fairless Bros	Box 449, Caruthers	37,637
Rogers Ranchers, Inc	P.O. Box 42, Helm	37,553
Joe E. Yraceburu	3060 W. Madison, Fresno.	37,447
Fairless & Pifferini	Box 269, San Joaquin	37,259
Pucheu Ranch	7444 S. Marin, Tranquillity.	36,722
Irby Abercrombie	16110 W. American, Kerman.	36,542
Goodman Traction Ranch.	Box 427, Tranquillity	$36,426
Arthur J. Cuelho	1308 W. Mt. Whitney, Riverdale.	35,905
Dean E. Pryor	P.O. Box 165, Burrel	35,601
Clayton Brown	13672 Road 23, Madrea.	35,589
Martin Costales	P.O. Box 67, Tranquillity.	35,033
Hanson & Fortune	9289 N. Oxford, Firebaugh.	34,621
Perez Bros	P.O. Box 456, Firebaugh.	34,298
Edward Azhderian	15289 Top Hill Rd., Los Gatos.	32,331
Bill & Ed Koda	P.O. Box 67, So. Dos Palos.	31,945
J. Teore & G. Tavares.	3495 S. Blythe, Fresno.	30,800
H. Carter & Son	P.O. Box 238, Selma	30,667
B. T. V. Farms	P.O. Box 235, Tranquillity.	30,632
E. Weeth & Son	Box 984, Coalinga	29,738
Jarrott Ranch	Box 247, Firebaugh	29,625
Double J Farms	Rt. 2 Box 41, Dos Palos.	29,158
Gramis Bros	Box 476, Mendota	29,060
John Teixeira	Rt. 1, Box 80, Dos Palos.	28,999
Leavelle Bros	2562 S. Judy, Fresno.	28,087
C. L. Anderson	14650 W. McKinley, Kerman.	27,982
Levon Azhderian	644 Monroe, Los Banos.	27,776
Nichols & Wood	Box 781, Coalinga	27,753
Markarian Farms	10278 S. Elm, Fresno	27,646
Dubs Puckett	13196 S. Chestnut, Selma.	27,292
Hale Bros	23820 W. Adams, San Joaquin.	27,262
Melvin Coelho	1055 E. North, Fresno	27,141
United Packing Co	Box 546, Fresno	26,741
Nicolini & Maitia	7372 Canal, Firebaugh.	25,607
Diamond R Farms	7463 El Dorado, San Joaquin.	25,353
Alex Maul	4950 E. Shields, Fresno.	25,319
Carvalho Farms, Inc	24741 W. Central, Tranquillity.	25,230
Bert O. Neill Ranch	P.O. Box 215, Huron	25,055
Total payees in county, 121.		12,260,027
Imperial County:		
H. B. Murphy Co	P.O. Box 74, Brawley	323,754
Elmore Co	P.O. Box 119, Brawley.	267,454
George B. Willoughby.	Box 860, El Centro	208,101
W. E. Young and W. E. Young, Jr.	Box 267, Calipatria	184,181
Jack Elmore	Box 156, Brawley	180,926
Sinclair Ranches	Box 234, Calipatria	153,635
Irvine Co	1296 Pepper Dr., El Centro.	153,180
J. H. Benson Ranches, Inc.	Box 239, Brawley	132,058
Russell Bros. Ranches, Inc.	Box 275, Calipatria	129,167
Gerald R. Elmore	P.O. Box 603, Calipatria.	123,773
C. T. Dearborn	P.O. Box 6055, Calipatria.	113,758
Antone Borchard Co	200 Andrita Pl., Brawley.	107,196
Donald H. Cox	560 North 8th, Brawley.	106,243
Hugh Hudson Ranches	P.O. Box 201, Calipatria.	99,946
Donald K. Donley	2454 5th St., Yuma, Ariz.	97,253
Stephen H. Elmore	Box 156, Brawley	96,413
Raymond O'Connel & Son.	Rt. 1, Box 73, Brawley	89,873
Williams & Quick	Box 217, Calipatria	87,667
Neil Fifield Co	Rt. 2, Box 26, Brawley	87,594
Kenneth Reynolds	Box 6041, Calipatria	86,593
Stafford Hannon	P.O. Box 1141, Brawley.	85,261
Salton Sea Farms	Box 277, Calipatria	77,400
Davis Beauchamp	Rt. 1, Box 132, Calipatria.	75,855
Abatti Bros	P.O. Box 466, El Centro.	75,363
Fifield Farms	229 Main St., Brawley	74,345
Griset Bros	2324 Oakmont Ave., Santa Ana.	73,041
Charles Vonderahe	Box 215, Brawley	66,571
California Sturges Ginning Co.	Box 409, Yuma, Ariz	65,056
Fifield Land Co	Rt. 2, Box 26, Brawley	60,096

CALENDAR YEAR 1968

LISTING OF NAMES, ADDRESSES, AND TOTAL PAYMENTS OF $25,000 OR MORE UNDER ASCS PROGRAMS—EXCLUDING PRICE SUPPORT LOANS, AND SUGAR AND WOOL PAYMENTS—Continued

CALIFORNIA—Continued

County and name	Address	Total payments
Imperial County—Continued		
Jack Bros., & McBurney, Inc.	P.O. Box 116, Brawley	$56,907
Dearborn & Maraccini	P.O. Box 6055, Calipatria.	56,770
Adamek & Dessert	P.O. Box 787, Seeley	56,299
Harry Schmidt Farms	Box 32, Brawley	52,999
Bonanza Farms	1404 Ross, El Centro	51,005
C. W. Sanders	Rt. 1, Box 178, Brawley.	50,606
John Baretta	Rt. 1, Box 28, Calipatria.	47,702
R. S. Reese	Box 338, Westmorland	45,590
Hawk & Sperber	Box 847, Holtville	45,510
J. Emanuelli & Sons	330 El Cerrito Dr., Brawley.	45,180
Valjon Trust	895 Broadway, El Centro.	44,411
J. N. Osterkamp Ranches.	445 South Rio Vista, Brawley.	43,794
Moiola Bros	Rt. 2, Box 41, Brawley	42,600
Connie B. Cloud	P.O. Box 727, Bard	42,399
Leroy Edwards	307 West 8th, Holtville	40,959
San Pasqual L. & C. Co.	Box 1234, Brawley	39,427
Edward M. Wavers	Box 489, Yuma, Ariz	38,442
J. M. Bryant	P.O. Box 25, Calipatria.	37,801
House & Haskell	P.O. Box 426, El Centro.	36,342
Ed Wiest	133 West J St., Brawley.	34,534
James A. Taylor	Rt. 2 Box 199, Brawley.	34,287
John H. Borchard	1425 Cypress St., El Centro.	34,222
M. J. Labrucherie Rch.	Box 1420, El Centro	33,914
Brock Ranches	Box 1869, El Centro	33,431
Johnny P. Singh	Box 175, Brawley	33,089
Dixie Ranches	P.O. Box 585, El Centro.	31,675
Robinson & Layaye	Box 81, Calipatria	31,524
Baretta & Little Farms	P.O. Box 285, Calipatria.	31,062
Sundial Farming Co	Box 76, Brawley	31,022
Deen & Sandhu	Box 365, Brawley	30,904
Correll Farms Inc	P.O. Box CC, Calipatria.	30,446
Dahm Bros	4304 Forrester, Brawley.	30,129
L. L. Lyerly	P.O. Box 124, Calipatria.	30,105
J. R. & B. R. Smith	1593 E. Gonder Rd, Brawley.	30,101
R. B. Wilson Co	Box 176, Brawley	29,777
DuBois Ranch	Rt. 2 Box 187, El Centro.	29,239
Deol & Sunghera	1909 Johnson Lane, El Centro.	29,014
Robert C. Brown	P.O. Box 1424, Brawley.	28,945
Perez & Morrell	P.O. Box 701, Winter-Haven.	28,345
Earl W. Ashurst	173 J St., Brawley	28,019
C. S. Sandhu	Box 241, Calipatria	27,730
Fleming & Jack	Box 1022, Brawley	27,686
Fritz Kuhn, Jr	Box 529, El Centro	27,611
Lerno Bros	2555 West Main, El Centro.	27,541
Loma Farms	Box 134, Brawley	27,471
Allen B. Griffin	260 K St., Brawley	27,353
Edward Dearborn	P.O. Box 231, Calipatria.	27,153
John V. Merten	Rt. 2 Box 363, Holtville.	27,009
Michael D. Ayala	222 W. K St., Brawley	26,995
Sweetwater Feeders	605 S. Rio Vista, Brawley.	26,908
Berylwood Investment Co.	Box 58, Palo Verde	26,847
Claverie Bros	1267 Mets Rd., Holtville.	26,430
James C. Simons	Box 7, Brawley	25,618
Brandt Bros	P.O. Box 118, Brawley	25,518
Edwin Chew	P.O. Box 818, Imperial.	25,344
Total payees in county, 84.		5,413,494
Kern County:		
Kern County Land Co.	Box 380, Bakersfield	669,741
S. A. Camp Farms Co	Bin D, Shafter	489,641
Guimarra Vineyard Corp.	Box 1969, Bakersfield	250,802
Ridgeside Farms	Bakersfield Sav & Ln Bldg., Bakersfield.	213,384
Houchin Bros. Farming.	Box 493, Buttonwillow.	204,254
W. B. Camp & Sons	P.O. Box 2028, Bakersfield.	199,315
Kern County—Continued		
Santiaga Ranch	R.R. 3, Box 893, Bakersfield.	$195,425
C. J. Vignolo	Box 1268, Shafter	180,899
B. V. Farms & Miller & Lux.	550 Kearney, San Francisco.	180,812
Joe Mendiburu	Box 5096, Oildale	165,220
Twin Farms	R.R. 1, Box 91, Buttonwillow.	162,108
Mazzie Farms	Box 698, Arvin	151,734
D. M. Bryant, Jr	Box 450, Pond	142,099
Reynold M. Mettler	P.O. Box 473, Bakersfield.	139,738
McKittrick Ranch, Inc.	1921 Bradford, Bakersfield.	131,598
Bidart, Bros	R.R. 1, Box 860, Bakersfield.	122,929
EM H. Mettler & Sons	Box 1298, Shafter	115,588
Cattani Bros	R.R. 6, Box 215, Bakersfield.	114,052
M. & I. Farms	P.O. Box 700, Delano	111,256
Wheeler Farms	R.R. 1, Box 860, Bakersfield.	105,626
Tejon Ranch Co	P.O. Box 1560, Bakersfield.	104,255
Coberly West Co	626 Wilshire Blvd., Los Angeles.	102,912
Willis & Kurtz	R.R. 6, Box 533, R Bakersfield.	99,488
Rossi Bros	R.R. 7, Box 470, Bakersfield.	96,722
Milham Farms	P.O. Box 976, Bakersfield.	96,212
Sill Prop, Inc	212 Sill Bldg., Bakersfield.	94,150
The Mirasol Co	P.O. Box 757, Buttonwillow.	92,524
W. A. Banks	R.R. 7, Box 376, Bakersfield.	90,824
M. Lane	Box 905, Shafter	85,938
Voth Farms, Inc	450 G. St., Wasco	85,668
Paul Pilgrim	666 Sycamore St., Shafter	84,426
L. I. Rhodes & Sons	R.R. 1, Box 475, Wasco.	81,208
E. O. Mitchell, Inc	P.O. Box 195, Arvin	79,647
L. A. Robertson Farms, Inc.	29536 W. Lerdo, Shafter.	76,867
H. Buller Farms	1730 Locust Ravine, Bakersfield.	75,483
C. Mettler	Box 473 Bakersfield	75,229
Sanders & Sanders	R. 2, Box 393, Bakersfield.	74,338
Tracy Ranch, Inc	R.R. 1, Box 177, Buttonwillow.	73,834
Antongiovanni & Jarrard.	1318 Baldwin Rd., Bakersfield.	73,734
A. H. Wegis & Sons	P.O. Box 613, Buttonwillow.	72,647
Palm Farms, Inc	4016 Stockdale Hwy, Bakersfield.	72,623
Wayne Kirschenmann	5109 Lansdale Dr., Bakersfield.	71,493
A. L. Muzinich	207 Panorama Dr., Bakersfield.	70,585
Cerro Bros	R.R. 2, Box 749, Bakersfield.	70,406
Kern Valley Farms	Box 505, Lamont	68,986
Sanders Farms	R.R. 3 Box 969, Bakersfield.	68,056
Wedel Farms	P.O. Box L, Wasco	67,257
Three H Ranch	1709 30th St., Bakersfield.	65,745
Parsons Ranch	R.R. 1, Box 57, Buttonwillow.	65,215
B. S. Baldwin & Sons	2908 McCall St., Bakersfield.	65,191
Kenmar Farm	R.R. 1, Box 318, Arvin	64,488
H & H Farms, Inc	R.R. 2, Box 560, Bakersfield.	64,338
Di Giorgio Fruit Corp	Box 308, Di Giorgio	63,561
John Valpredo	R.R. 2 Box 460, Bakersfield.	63,069
Fredlo Farms	P.O. Box 174, Arvin	62,944
Opal Fry & Sons	R.R. 2 Box 403, Bakersfield.	62,916
J. Antongiovanni	191 Oleander Ave., Bakersfield.	61,445
James O. Payne	Star Rt. Box 96, Wasco.	61,228
Henson & Sons	R.R. 3, Box 920, Bakersfield.	59,283
Antongiovanni Bros	Rt. 7, Box 532, Bakersfield.	59,171
Belluomini Bros	R.R. 1, Box 89, Buttonwillow.	57,936
Diablo Farms	P.O. Box 505, Arvin	57,479
J. Kroeker Sons	30335 Orange St., Shafter.	57,363
Bloemhof Hay Co	P.O. Box 147, Buttonwillow.	55,997
Camp & Lachenmaier	Bin D. Shafter	55,886
Barling Bros	640 G St, Wasco	55,830
Joe Freitas, Jr	R.R. 2, Box 89, Bakersfield.	53,381
Garone Bros	1005 E. Hoskins Rd., Bakersfield.	53,047
Kern County—Continued		
Barnard Bros	2902 Kingsley Lane, Bakersfield.	$52,645
Porter Land Co	Box 393, Bakersfield	52,413
Tejon Potato Co	P.O. Box 655, Arvin	49,794
Little & Hanes	P.O. Box 795, Wasco	49,634
Johnston Farms	P.O. Box 65, Edison	49,518
Scarrone Bros	R.R. 1, Box 640, Arvin	48,666
Claude Botkin Co., Inc.	P.O. Box 162, Arvin	48,045
D. C. Crawford & Son	1856 First St., Wasco	47,182
W. A. Kirschenmann	4800 Greenbrier Court, Bakersfield.	46,846
Gal-Co Farms	Rt. 2 Box 450, Bakersfield.	45,795
Stoller Bros., Inc	1813 Chevy Chase Dr., Bakersfield.	45,708
Patterson & Hale	3105 Alta Vista Dr., Bakersfield.	45,630
Livi Palla	R.R. 3, Box 517, Bakersfield.	45,369
Delfino & Luchetti Farms.	P.O. Box 128, Buttonwillow.	45,109
Angel & Eugene Fanucchi.	R.R. 3, Box 1022, Bakersfield.	45,030
Elo & Vido Fabbri	Box 523, Pond	44,833
R. B. Tucker	400 Campus Ave., Arvin.	44,675
Bill L. Gibson	2318 Silver Dr., Bakersfield.	44,[illegible]
Cammon Bros	330 South Garnsey Ave., Bakersfield.	44,060
M. B. McFarland & Sons.	Box 1458, McFarland	43,995
E. L. Goodspeed	Box 206, Buttonwillow	43,558
Mike Hankins	331 Village Ave., Shafter.	43,357
Bruno Baggiani & Lido Isola.	Box 57, Buttonwillow	43,338
Kirschenmann Farms	608 Kentucky St., Bksfld.	43,205
Maple Leaf Farms	Bin E, Wasco	43,102
Haddad & Barling	640 G St., Wasco	42,871
R. A. Jacobsen	P.O. Box 605, Shafter, Bakersfield.	42,795
Jimmie Icardo	1415 18th St., Rm. 310, Bakersfield.	42,164
Weidenbach Bros	357 Atlantic Ave., Shafter.	14,937
Enbe Ranch	400 Central Valley Hwy., Shafter.	41,902
Banducci & Son	R.R. 1, Box 85, Buttonwillow.	41,416
K. Malofy & Son	30592 Merced Ave., Shafter.	40,967
Torigiani Farms	P.O. Box 483, Buttonwillow.	40,726
Sandrini Bros	R.R. 1, Box 362, McFarland.	40,725
H. Miller Tr	c/o Vernon Chinn, R.R. 3, Box 8931, Bakersfield.	40,648
R. H. Garlow Farms	P.O. Box 63, Bakersfield.	40,494
Chase & Harmon Farms.	Box 422, Arvin	40,452
John Kovacevich	Bin 488, Arvin	40,395
Russell Bros	Box 506, Pond	40,375
Woods Stone	Box 592, Wasco	40,179
Bonanza Farms	2612 Elm St., Bakersfield.	39,889
J. L. Billington	R.R. 1, Box 578, Wasco.	39,842
A. Haddad & Sons Farm, Inc.	160 Ventura, Encino.	39,148
D & R Farms	29389 Fresno Ave., Shafter.	38,941
C. A. Sanders	2331 Brite St., Bakersfield.	38,939
Carter Farms	304 Perkins Ave., McFarland.	38,929
V & C Farms	R.R. 2, Box 380, Bakersfield.	38,543
Pandol & Sons	R.R. 2, Box 388, Delano.	38,097
Tazioli & Son	Box 162, Buttonwillow	37,964
Joe G. Fanucchi & Sons.	R.R. 2, Box 318, Bakersfield.	37,905
Melvin McConnell Farms.	P.O. Box M, Wasco	37,799
Floyd Billington	2911 Chester Ave., Bakersfield.	37,443
Shafter Wasco Invest. Co.	P.O. Box 606, Shafter	37,321
Joseph J. Trino	P.O. Box 6278, Bakersfield.	37,311
Howard Frick	R.R. Box 437, Bakersfield.	37,151
Russell J. Ogrady	2724 Driller Ave., Bakersfield.	37,015
Standard Oil Co	Box 5278, Oildale	36,230
L. A. Grant & Sons	Bin V, Wasco	35,989
Tollie Barton	R.R. 3, Box 1059, Bakersfield.	35,455
W. D. Henry	Star R.R. Box 99, Wasco.	35,241
D. & B. Moore	3712 Claremont Dr., Bakersfield.	34,727

CALENDAR YEAR 1968

LISTING OF NAMES, ADDRESSES, AND TOTAL PAYMENTS OF $25,000 OR MORE UNDER ASCS PROGRAMS—EXCLUDING PRICE SUPPORT LOANS, AND SUGAR AND WOOL PAYMENTS—Continued

CALIFORNIA—Continued

County and name	Address	Total payments
Kern County—Continued		
Robert T. Johnson	1902 Niles St., Bakersfield.	$34,432
B F B Farms	R.R. 4, Box 396, Bakersfield.	34,290
M. Parker	3618 Elcia Dr., Bakersfield.	34,255
Costa Farms	10101 S. Union, Bakersfield.	34,238
Toretta Farms	R.R. 1, Box 565, Buttonwillow.	34,154
J. E. Siemens	29550 Merced Ave., Shafter.	34,112
C. Valpredo	R.R. 2, Box 468, Bakersfield.	34,001
Jack G. Thomson	R.R. 1, Box 183, Bakersfield.	33,958
A. Palla	2323 Beech St., Bakersfield.	33,747
F. Palla	R.R. 1, Box 102, Buttonwillow.	33,492
Alina Farms	R.R. 1, Box 292, McFarland.	33,475
Rancho Trio	2465 Pine St., Bakersfield.	33,298
Allen Bottorff	P.O. Bos 266, Buttonwillow.	33,167
A. Perelli Minetti & Sons.	Box 818, Delano	33,413
D. M. Steele & Son, Inc.	R.R. 1, Box 1100, Delano.	33,026
Merkel & Neufeld	1941 Jubilee Dr., Wasco.	32,655
Hillside Farms	212 Sill Bldg., Bakersfield.	32,642
O. Torigiani Farm	Box 545, Buttonwillow	32,458
Sam Andrews Sons	401 W. 5th St., Holtville.	31,511
Crettol Farms	1923 Sunset, Wasco	31,408
Torrigiani Bros	P.O. Box 223, Buttonwillow.	31,259
V. C. McLain Est	1420 7th St., Wasco	31,216
C. G. Muzinich	R.R. 2, Box 558A, Bakersfield.	31,168
G. H. Baumgardt	933 Princeton Ave., Bakersfiled.	31,151
Deno Fanucchi	R.R. 1, Box 79, Buttonwillow.	31,010
Banducci Farms	R.R. 3, Box 1103, Bakersfield.	30,967
Freeborn Bros	R.R. 1, Box 51, Buttonwillow.	30,427
Scott J. Hodges	20 Panorama Gardens, Bakersfield.	30,310
Ted Visser & Son	Star R.R. Box 102, Wasco.	30,171
Triple J Farms, Inc	4016 Stockdale Hwy., Bakersfield.	30,129
Double L Farms	R.R. 1, Box 315, Arvin	30,043
Mahoney & Mahoney	R.R. 6, Box 241, Bakersfield.	29,952
W. B. Camp, Jr., Inc	R.R. 1, Box 500, Bakersfield.	29,663
Beck & Sons	R.R. 2, Box 225, Delano.	29,549
F. W. Handel Farm Co.	Box 695, Shafter	29,409
Romanini Bros	R.R. 1, Box 90, Buttonwillow.	29,360
L. M. Betti	P. O. Box 203, Buttonwillow.	29,298
Clare Rexroth	R.R. 1, Box 112, McFarland.	29,245
Lester Neufeld & Son	P.O. Box N, Wasco	28,955
Campco Farming Co	Bin D, Shafter	28,712
K & P Farms, Inc	Box 147, Edison	28,509
P. N. Jeffries	Bin B, Shafter	28,192
Pomeroy & Jewett	2201 F St., Bakersfield	28,094
W. S. Kimmel	12520 Jasmine Ave., Bakersfield.	28,078
E. Neuman	P.O. Box 1506. Shafter	27,969
Meadow Gold Farms	R.R. 3, Box 405, Bakersfield.	27,966
O. D. Handel & Son	413 Central Ave., Shafter.	27,908
David B. Jackson	1500 Sunset St., Wasco	27,804
Lowrimore & Wood	R.R. 1, Box 353, Wasco	27,793
W. Carabajal	R.R. 1, Box 1186, Delano.	27,785
Precie Farms	R.R. 1, Box 166, McFarland.	27,552
W. P. Romero	R.R. 3, Box 430, Bakersfield.	27,512
Eugene Black	R.R. 1, Box 382, McFarland.	27,341
Frank C. Bury	P.O. Box 1911, Bakersfield.	27,155
Guido Romanini	R.R. 1, Box 90 A, Buttonwillow.	26,948
A. Neufeld Farms	1740 Locust Ravine, Bakersfield.	26,572

CALIFORNIA—Continued

County and name	Address	Total payments
Kern County—Continued		
Pete Romanini Farms	R.R. 1, Box 89, A. Buttonwillow.	$26,562
Geo Norcian	P.O. Box 61, Del Kern Sta., Bakersfield.	26,491
Fox & Williams Farms	P.O. Box 1446, Shafter	26,474
L. C. Kreim	1009 Kensington, Delano.	26,035
Dale Snell	R.R. 1, Box 149, McFarland.	25,346
SO Lake Ranch	R.R. 3, Box 959, Bakersfield.	25,176
M. L. Stephens	Rt. 1, Box 84, McFarland.	25,102
Destefani Farms, Inc	R.R. 7, Box 502, Bakersfield.	25,094
Edwin J. Neufeld	4231 Country Club, Bakersfield.	25,047
Total payees in county, 194.		12,024,795
Kings County:		
J. G. Boswell Co	P.O. Box 877, Corcoran	3,010,042
South Lake Farms	P.O. Box 848, Corcoran	1,177,320
Salyer Land Co	P.O. Box 488, Corcoran	786,459
Westlake Farms	23311 Newton Ave., Stratford.	341,797
Vernon L. Thomas, Inc.	P.O. Box 8, Huron	339,863
Gilkey Farms Inc	P.O. Box 426, Corcoran	237,803
West Haven Farming Co.	24487 Road 140, Tulare	170,674
J. G. Stone Land Co	Box 146, Stratford	158,587
Boyett Farming	P.O. Box 386, Corcoran	121,972
Borba Bros	5521 22nd Ave., Riverdale.	119,575
R. A. Rowan & Co	20600 19th Ave., Stratford.	111,205
H. L. Yocum & Sons	17801 10th Ave., Hanford.	102,115
Schwartz Farms Inc	21451 20th Ave., Stratford.	89,337
Jones Farms	Box 275, Stratford	84,162
Peterson Farms	Box 877, Corcoran	81,869
G. W. Nickel, Jr	Drawer D, Wasco	74,993
Newton Brothers	P.O. Box 117, Stratford	74,526
Wesley Hansen	P.O. Box 995, Corcoran	70,886
Lone Oak Ranch	Box 386, Corcoran	66,422
W. W. Boswell, Jr	700 Whitley Ave., Corcoran.	64,001
P. Hansen Ranch	P.O. Box 295, Corcoran.	63,410
Harp & Hansen	P.O. Box 295, Corcoran.	60,961
R. S. Barlow	P.O. Box 220, Lemoore.	55,712
S. P. Land Co	65 Market St., San Francisco.	54,917
Murray Farms, Inc	P. O. Box 171, Hanford.	52,244
South Fork Ranch, Inc.	10122 21½ Ave., Lemoore.	51,036
Avila Bros. J. L. C	4470 11th Ave, Hanford.	50,567
Verburg Brothers	12778 HFD–Armona Rd., Hanford.	45,023
Inco Farms, Inc	P.O. Box 185, Bonsall	40,449
L. E. Culp d.b.a. Culp Ranches.	405 College, Coalinga	39,357
Couture Farms	P.O. Box 38, Huron	37,054
R. Gonsalves	11744 2nd Ave., Hanford.	34,683
Eastside Farms	21451 20th Ave., Stratford.	34,364
Wedderburn Bros	210 Fox St., Lemoore	32,853
Ralph Marshall	1330 N. Douty, Hanford.	32,319
James & Paul Avila	15836 Lacey Blvd., Lemoore.	29,117
Basin Farms, Inc	P. O. Box 448,Corcoran.	27,468
Double O Ranch	23626 Fairfax Ave., Lemoore.	27,355
Dunlop Farms	Box 427, Corcoran	27,095
S. L. Newton, d.b.a. Newton Farms.	Box 133, Stratford	26,616
C. Elmer Spafford	12 Byron Dr., Lemoore.	26,259
Fagundes Bros	8576 Fargo Ave., Hanford.	25,945
W. J. Badasci	883 Lemoore Ave., Lemoore.	25,792
Costa & Quintel, Inc	7705 18th Ave., Lemoore.	25,679
Tule Ranch Apts	P.O. Box 685, Corcoran.	25,447
John Hild	6865 Kansas Ave., Hanford.	25,418
Total payees in county, 46.		8,254,748
Los Angeles County:		
John Fuson	P.O. Box 875, Lebec	47,114
Godde & Ritter	666 W. Ave. I, Lancaster.	34,182
Total payees in county, 2.		81,296

CALIFORNIA—Continued

County and name	Address	Total payments
Madera County:		
Newhall Land & Farming	10302 Ave. 7½, Firebaugh.	$234,432
Dave Mendrin & Sons	23448 Ave. 5, Madera	217,463
Schuh Bros	377 Circle Dr., Chowchilla.	111,287
Chiarelli Ranches	10651 Rd. 25, Madera	88,312
Hooper Farms, Inc	4823 Ave. 24, Chowchilla.	84,794
Red Top Ranch	P.O. Box 1, Red Top	71,984
W. L. Nesmith	27765 Ave. 15½, Madera.	57,628
Baker Brothers	20376 Rd. 11, Chowchilla.	50,104
Johnny Deniz	19594 Ave. 17, Madera.	46,374
El Peco Ranch	10462 Rd. 21, Madera	44,757
A. K. Baker	164 No. Park Drive, Madera.	40,635
Frank J. Martin	5152 Rd 28, Madera	40,557
Burkhart Farms	P.O. Box 6, Firebaugh	40,431
Sherman Thomas	25808 Ave. 11, Madera.	39,714
Bill G. Clay	21626 Robertson Blvd., Chowchilla.	38,594
H–M Farming Company	7765 Ave. 22, Chowchilla.	38,202
Triangle T Ranch	4408 Hays Dr., Chowchilla.	37,370
Logoluso Farms	7567 Rd 28, Madera	37,061
Larry Chapman	22449 Rd. 9, Chowchilla.	36,772
Red Top Cotton Growers	P.O. Box 25, Red Top	34,551
Richard Maddalena	10616 Ave. 22½ Chowchilla.	33,425
Forrest Clayton	P.O. Box 116 El Nido	32,882
D. B. Hope	105 Spring Way Madera.	31,714
Howard Glantz	15576 Rd. 19, Madera	31,258
Fred Toschi	13630 Rd. 25, Madera	30,317
George Andrews	4844 Rd 19, Madera	28,620
John L. Van Curen	13196 Ave. 23½, Chowchilla.	28,142
Claud Clayton & Sons	4831 Hwy. 152, Chowchilla.	27,344
Ben Curutchet	18465 Ave. 21, Chowchilla.	27,175
Total payees in county, 29.		1,661,899
Merced County:		
Sam Hamburg Farms	P.O. Box 547, Los Banos.	170,531
Wolfsen Land and Cattle.	Box 311, Los Banos	129,345
Bowles Farming Co	11609 S. Hereford, Los Banos.	76,889
San Juan Ranching Co.	Rt. 1 Box 171B, Dos Palos.	68,407
Lindemann Farms, Inc.	1420 11th St., Los Banos.	55,858
Carl V. Grissom	6863 S. Plainsburg Rd., Le Grand.	40,734
Edward E. Thiel	6565 So. Holbrook Rd., Le Grand.	40,685
Brights Nursery	5246 Plainsburg, Le Grand.	39,316
Santa Rita Ranch Co	Rt. 1 Box 164, Dos Palos.	33,717
Vernon Porter	Rt. 2 Box 203H, Dos Palos.	33,326
Sorg Bros	2502 Linden, Dos Palos.	33,307
Findley M. Upton	P.O. Box 506, Chowchilla.	32,704
J. A. Clay	4444 Ave. 24, Chowchilla.	31,410
Norman Vogt	Rt. 1, Box 168 C, Dos Palos.	30,912
Woo Bros	Rt. 1, Box 3051, Los Banos.	30,656
Emory Obanion	P. O. Box 127, Dos Palos.	28,075
Cozzi Bros	R.R. 1, Box 90, Dos Palos.	27,885
Bisignani Bros	13816 W. Bisignani Rd., Los Banos.	27,424
Roy Martinelli	Rt. 1, Box 177, Dos Palos.	25,141
Total payees in county, 19.		956,322
Riverside County:		
Wilco Produce	Box 1179, Blythe	282,148
Riverview Farm & Cattle.	500 N. Broadway, Blythe.	279,733
Clarence Robinson	P.O. Box 1064, Blythe	117,323
Kennedy Bros	79700 Ave 54, Indio	112,121
John Norton Farms	P.O. Box 1000, Blythe	110,685
Scott & Knappenberger.	Rt. 2, Box 180, Blythe	74,721
Rummonds Bros. Ranches.	Rt. 1, Box 726, Thermal.	72,266
Delta Ranches, Inc	P.O. Box 211, Blythe	67,787
Pi-land & Cattle Co	Rt. 2, Box 368, Blythe	61,050
Sunrise Farms	P.O. Drawer 5, Blythe	51,494

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CALENDAR YEAR 1968

LISTING OF NAMES, ADDRESSES, AND TOTAL PAYMENTS OF $25,000 OR MORE UNDER ASCS PROGRAMS—EXCLUDING PRICE SUPPORT LOANS, AND SUGAR AND WOOL PAYMENTS—Continued

CALIFORNIA—Continued

County and name	Address	Total payments
Riverside County—Continued		
Fisher Ranch	Rt. 2, Box 302, Blythe	$51,264
Schindler Bros	Box 215, Ripley	50,464
George Arakelian	P.O. Box 656, Blythe	48,582
W. K. Kenworthy	301 East Chanslorway, Blythe.	44,646
E. C. Apodac	Box 1570, Indio	42,488
High & Mighty Farms	P.O. Drawer AO, Blythe.	42,148
Lawrence Chaffin	Box 187, Boythe	41,728
Joe H. Ulmer	Rt. 2, Box 135, Blythe	41,514
E. O. Ehlers	P.O. Box 68, Blythe	41,097
J. & R. Enterprises	411 N. 2d St., Blythe	40,993
Verne Wuertz	P.O. Box 75, Ripley	39,881
Harboe-Ensley	P.O. Drawer 1787, Indio.	39,758
Dale Hull	Rt. 2, Box 210, Blythe.	34,950
Sam Keqseyan	P.O. Box 238, Coachella.	29,860
G. & S. Farms	81-291 Ave. 42, Indio	29,281
Bud Antle, Inc	P.O. Box 68, Redrock, Ariz.	29,180
Hanna Farms, Inc	Box H, Blythe	28,626
Harold Horton	Rt. 1, Box 460, Blythe	27,999
Peter Rabbit Farms	P.O. Box 96, Coachella.	26,644
Total payees in county, 29.		1,960,431
San Joaquin County:		
M and T Inc	P.O. Box 408, Walnut Grove.	35,926
River Investment Co	Box 325, Walnut Grove	30,249
Total payees in county, 2.		66,175
San Luis Obispo County:		
Jackson & Reinert	P.O. Box 1107, Paso Robles.	43,032
John J. Pond	Box 157, Shandon	31,437
Grayson Owen Co	Star R Box 91, Santa Margrta.	29,482
Miller Brothers	Shandon Star Rt., Paso Robles.	27,837
Total payees in county, 4.		131,788
Santa Barbara County:		
R. L. Calhoun	P.O. Box 1336, Taft	43,081
Total payees in county, 1.		43,081
Solano County:		
Moore Bros	R.R. 2 Box 64, Lincoln	29,742
Peter Cook, Jr	P.O. Box 785, Rio Vista	29,456
Total payees in county, 2.		59,198
Tulare County:		
C. J. Shannon & Sons	24487 Rd. 140, Tulare	212,671
Roberts Farms, Inc	15366 Rd. 192, Porterville.	136,215
Nichols Farms	13762 1st Ave., Hanford.	130,783
John Valov	18275 Rd. 28, Tulare	117,934
Shuklian Bros., Inc	26591 Hwy. 99, Tulare	108,641
F. J. McCarthy & Sons	Box 1138, Tulare	105,394
G. L. Pratt	31599 Rd. 132, Visalia	104,148
Roy D. Murray	Rt. 1 Box 3, Earlimart	90,140
Don & Vern Thiesen	Rt. 1 Box 432A, Kingsburg.	82,423
Correia Brothers	6401 Avenue 296, Visalia.	69,511
E. W. Merritt Farms	11188 Rd. 192, Porterville.	67,032
Panetta & Loftis	12771 Rd. 112, Tipton	61,252
Morris Stuhaan	29001 Rd. 48, Visalia	60,306
Marion Harris	20421 Rd. 44, Tulare	59,762
R. E. Smith & Sons	P.O. Box 45, Pixley	59,242
Jack Phillips	P.O. Box 548, Delano	58,883
Glenn Schott & Sons	14565 Ave. 120, Pixley	57,522
R. A. Hildebrand	340 Sill Building, Bakersfield.	56,992
Doe Cattle & Land Co	P.O. Box 401, Visalia	56,311
A. E. Panetta Farms	12771 Rd. 112, Tipton.	55,418
E. Batsch	18384 Ave. 200, Strathmore.	53,749
J. D. Andreas & Sons	Rt. 1 Box 855, Delano	52,295
M. Curti & Sons	P.O. Box 158, Waukena.	51,643
Mitchellinda Ranches	P.O. Box 145, Alpaugh	50,807
G. E. Paxton	25248 Rd. 140, Tulare.	49,189
T. V. Cardoza & Sons	19505 Road 68, Tulare.	48,198
Tulare County—Continued		
Bill White	10769 Ave. 96, Pixley	$47,143
Menezes Bros	6010 Ave. 184, Tulare	46,830
Atilio Belezzuoli	P.O. Box 94, Tipton	46,327
L. W. Turk	16382 Ave. 152, Tipton	46,226
Manuel Torrez	17183 Road 80, Tulare	45,768
Rogers Farming Co	P.O. Box 348, Pville	44,642
Richard Berry & Sons	37955 Rd. 132, Cutler	43,751
Hochuli Bros	17929 Ave. 96, Terra Bella.	42,151
Baker Bros	18371 Ave. 40, Earlimart.	41,902
Andy Wheat	P.O. Box 277, Corcoran	41,559
C & W Ranches	21890 Road 140, Tulare.	40,670
Galbraith Brothers	15785 Avenue 152, Tipton.	39,918
Edgar Schieler & Sons	Rt. 1, Box 191, Terra Bella.	37,751
Doyle Ritchie	226 Carl Drive, Visalia	37,253
S. K. Ranch	12021 Ave 328, Visalia	36,902
Sherman Land & Cattle Co.	260 No. L St., Tulare	36,319
Carl & Paul Shannon	25705 Rd. 140, Visalia	36,297
Glenn Newsom	P.O. Box 647, Pixley	36,194
Melvin Miller	7998 Ave. 272, Visalia	36,127
Edward L. Irwin	1727 E. Bardsley Road, Tulare.	35,158
J. R. Morehead	P.O. Box 798, Pixley	34,577
Tarheel Ranch	578 W. Fairhaven Ave., Porterville.	34,472
Nagatani Farms	Rt. 1, Box 885, Delano	34,471
J. J. and Joe Aguiar	37210 Road 36, Kingsburg.	34,374
Lapadula Farms	12412 Road 124, Pixley	34,367
Vernon Hutsell	20600 Road 36, Tulare	32,945
Guthrie Farming Co	20210 Ave. 176, Pville	32,709
Dick Anderson	3197 Avenue 232, Tulare.	32,116
Wm. H. Rogers	P.O. Box 413, Tipton	31,525
C. J. Ritchie	2800 N. Akers Rd., Visalia.	31,325
Lawrence Taylor	39390 Road 116, Cutler	30,698
Richard Stuhaan	4414 Ave. 296, Visalia	30,552
Benson Brothers	9160 Avenue 184, Tulare.	30,335
Joe W. Ramos	12385 Road 96, Tipton	30,266
Earl Royer	19011 Road 196, Strathmore.	30,197
Fisher Bros	963 Terrace Park, Tulare.	30,081
W. L. Kiggens	P.O. Box 246, Earlimart.	29,911
Robert Taggart	4083 Ave. 216, Tulare	29,571
Mary Rocha	21207 Road 60, Tulare	29,414
Wayne Murray	1847 Ave. 144, Corcoran.	29,089
Robert F. Bowman	3142 Ave. 136, Corcoran.	29,050
James A. Gordon	16734 Ave. 192, Strathmore.	28,408
Hash Nursery	34319 Road 112, Visalia.	28,392
Onel C. Jackson	Rt. 1 Box 112, Earlimart.	28,341
Clyde Quillin, Jr	12667 Road 96, Tipton	28,224
A. T. & J. R. Villard	1406 Main St., Delano	28,173
J. X. Bettencourt	P.O. Box 212, Tipton	28,064
S. K. Warkentin	5936 Ave. 392, Dinuba	27,874
Clark Bros	7078 Ave. 240, Tulare	27,562
Sam W. Bell	708 Vassar Ave., Delano.	27,285
Overholt Brothers	17787 Ave. 152, Pville	27,162
Don Eisner	17024 Avenue 192, Strathmore.	26,613
Donald Bergantz	3474 W. Prosperity, Tulare.	26,568
Geo. Shannon	15930 Ave. 240, Tulare	26,536
Coy M. Daffern	5482 Avenue 252, Tulare.	25,940
Harvey Lauritzen	2680 West Pleasant, Tulare.	25,728
Hank Anderson	22593 Road 28, Tulare	25,469
Watte Brothers	20189 Rd. 52, Tulare	25,422
Toomey Brothers	P.O. Box 213, Visalia	25,187
Louie F. Morris	P.O. Box 412, Alpaugh	25,054
Total payees in county, 86		4,049,395
Yolo County:		
C. Bruce Mace Ranch, Inc.	Box 190, Davis	59,765
Layton Knaggs	Box 970, Woodland	39,068
Heidrick Farms, Inc	Rt. 1 Box 1215, Woodland.	37,306
Kirtlan Bros	Rt. 1 Box 42, Clarksburg.	35,960
E. L. Wallace	Rt. 2 Box 360, Woodland.	28,528
Total payees in county, 5.		200,627
Total payees in State, 624.		47,163,276

COLORADO

County and name	Address	Total payments
Adams County:		
Kalcevic Farms Inc	19 Del Mar Cr, Aurora	$54,984
Monaghan Farms Inc	Box 358, Commerce City.	49,310
Box Elder Farms Co	Equitable Bldg, Denver	39,426
Total payees in county, 3.		143,720
Arapahoe County:		
Tom Bradbury	990 Ridge Road, Littleton.	25,168
Total payees in county, 1.		25,168
Baca County:		
T. F. Arbuthnot	Box 296, Springfield	53,562
William Greathouse	Walsh	39,826
Samuel Thompson	do	39,404
Russell Loflin	91 Circle Dr., La Junta	38,270
C. V. Cogburn	Care of Arden Cogburn, Walsh.	37,510
Bernard Neill	South R.R., Springfield	35,557
Homsher Farms and Ranches.	724 Tipton, Springfield	28,873
Wayne Orebaugh	Two Buttes	28,163
Lewis Robbins	Walsh	27,315
Total payees in county, 9.		328,480
Bent County:		
Grover Swift	Rt. 4, Las Animas	47,478
Jake Broyles	R.R. 2, Box 126, Lamar	37,073
George C. Camilli	R.R. 4, Las Animas	35,104
Spady Brothers	R.R. 2, Las Animas	26,711
Raymond J. Oberlander.	Box 282, Las Animas	26,059
Total payees in county, 5.		172,425
Cheyenne County:		
John Kriss	Colby, Kans	58,989
Jeanne L. James	Burlington	37,687
August Kern & Sons	Cheyenne Wells	30,156
Henry Funk	Arapahoe	29,176
J. A. Watson	Sublette, Kans	28,910
Archie M. Lowe & Sons.	Cheyenne Wells	26,823
Dale Mitchek	Cheyenne Wells	25,546
Total payees in county, 7.		237,287
Huerfano County:		
Dale Davis	La Veta	25,000
Total payees in county, 1.		25,000
Kiowa County:		
Olive W. Garvey	% Garvey Farms Montgomery County, Colby, Kans.	86,851
Stum & Schuler	Towner	45,482
Harold Wyckoff	Arlington	39,537
Ruth G. Fink	% Garvey Farms, Montgomery County, Colby, Kans.	35,689
John A. Stavely	Haswell	34,921
George A. Jacobs	Eads	33,717
C. W. Schwerdfeger	Syracuse, Kans	31,787
Edwin Negley	Eads	31,698
M. E. Templer	Eads	30,707
Woolfolk Grain Company.	Towner	28,462
W. Harold Tuttle	Towner	27,746
Gene Schwerdfeger	Coolidge, Kans	26,348
Wayne E. Tallman Farms Co.	Brandon	26,304
Total payees in county, 13.		479,249
Kit Carson County:		
Baughman Farms, Inc.	Liberal, Kans	276,500
Delmer Zweygardt	Burlington	112,690
Penny Ranch	Burlington	52,690
Leonard Feldhousen	Burlington	51,475
Wm. E. Colwell	Hay Springs, Nebr	45,443
Hinkhouse Bros	Burlington	44,880
Dannie Weaver	Burlington	38,060
Reed Ranches	Burlington	36,267
Marvin Grusing	Burlington	35,828
Russell Scott	Burlington	35,011
Orville Chapin	Burlington	34,338
Iron Mueller, Inc	Bird City, Kans	33,257
Dale D. Hanna	Burlington	32,881
Raymond Thomas Downey.	Stratton	32,353
Q. G. Demmitt	Meade, Kans	32,166
Wm. A. Davis & Sons	Goodland, Kans	31,837
Francis McCaffrey, Sr	Flagler	31,305

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CALENDAR YEAR 1968

LISTING OF NAMES, ADDRESSES, AND TOTAL PAYMENTS OF $25,000 OR MORE UNDER ASCS PROGRAMS—EXCLUDING PRICE SUPPORT LOANS, AND SUGAR AND WOOL PAYMENTS—Continued

COLORADO—Continued

County and name	Address	Total payments
Kit Carson County—Continued		
C. E. McCartney	Burlington	$31,036
Rex Hitchcock	do	30,174
Warren Hodge	do	29,510
George Andrews	do	28,685
John R. Zurcher	Stratton	27,951
Geiken & Hargrove	Seibert	27,455
Ernest Pottorff	Stratton	26,152
Herman Ridder	Burlington	25,111
Total payees in county, 25.		1,183,055
Las Animas County:		
John T. Oxley	Enterprise Bldg., Tulsack.	34,136
Total payees in county, 1.		34,136
Logan County:		
Wood Land Co	% Philip Hellman, Haxtun.	30,480
Total payees in county, 1.		30,480
Phillips County:		
Sprague Bros	Holyoke	27,839
Total payees in county, 1.		27,839
Prowers County:		
X Y Ranch Co	% Ray Jameson, Granada.	65,373
Reyher Farms	% Herb Reyher, president, McClave.	61,178
Howard A. Ragsdale	Box 510, Lamar	49,514
C. E. Willhite	Box 546, Holly	46,586
L. W. Bailey	Manter, Kans	46,318
C. H. Fletcher	Box 11, Lycan	42,878
Jack Herrin	R.R. 3, Box 83, Lamar	37,838
C. Hart Farms, Inc	% Clifford Hart, Holly.	36,685
J. Willhite and Son	Box 546, Holly	35,891
Gene and Claude Hammit.	Box 653, Holly	32,027
Eugene Rundell	Box 796, Lamar	30,961
C. A. Barth and Robert Barth.	Box 455, Holly	30,766
J. Marvin Willhite	Box 216, Holly	30,414
Creamer Ranch	R.R. 3, Box 97, Lamar	27,733
Curtis Duvall	Star Route, Granada	26,966
Lamar Farms	31 Cedar Hills, Lamar	25,326
Total payees in county, 16.		626,454
Sedgwick County:		
Wm. Stretesky	Julesburg	33,666
Total payees in county, 1.		33,666
Washington County:		
Alfred Ward and Son	Akron	35,202
Andrew Blake	Woodrow	32,359
V. V. Davie	501 Main, Akron	27,052
Floyd Starlin	Henry Rt. Akron	26,381
R. G. Weninger	Akron	25,591
Total payees in county, 5.		146,585
Weld County:		
Jean Eichheim	Nunn	45,668
Lyle V. Cooksey	Roggen	27,826
Total payees in county, 2.		73,494
Total payees in State, 91.		3,567,038

FLORIDA

County and name	Address	Total payments
Jefferson County:		
Pinckney Hill Plantation.	Box 219, Monticello	37,459
Total payees in county. 1.		37,459
Santa Rosa County:		
J. E. Golden	Rt. 1, Jay	39,765
Lem Strickland	Rt. 3, Brewton	30,260
J. W. Baldree	Rt. 2, Jay	$29,323
Total payees in county, 3.		99,348
Total payees in State, 4.		136,807

GEORGIA

County and name	Address	Total payments
Baker County:		
Newberry Angus Farms, Inc.	R.R. 3, Colquitt	$33,214
Total payees in county, 1.		33,214
Bartow County:		
J. C. Evans	R.R. 1, White	52,589
W. P. Lanier	Taylorsville	43,469
Smith Gin Co	Cartersville	36,457
H. E. Harris	R.R. 1, Taylorsville	33,234
J. M. Maxwell and W. Smith Partnership.	R. 1, Rydal	29,257
Glenn Nelson	R.R. 2, Kingston	28,114
Total payees in county, 6.		223,020
Ben Hill County:		
J. H. Dorminy, Jr	219 S. Main, Fitzgerald	33,038
Total payees in county, 1		33,038
Brooks County:		
H. R. Crosby	R.R. 1, Pavo	28,801
Total payees in county, 1.		28,801
Bulloch County:		
H. S. Blitch and Son	R.R. 4, Statesboro	42,222
Total payees in county, 1.		42,222
Burke County:		
Roy Barefield	Alexander	71,643
B. G. Collins	Waynesboro	52,549
Quinton Rogers	Waynesboro	51,358
Kitchen and Land	Gough	45,381
T. R. Rowland	Vidette	43,459
Eliz O. Barefield	Alexander	41,265
Paul Shivers	Rt. 3, Louisville	40,546
R. L. Webster	Rt. 1 Box 115, Waynesboro.	37,312
H. W. Mobley	R. 1 Box 1, Waynesboro.	35,172
J. H. Rowland	Midville	34.677
A. H. Sandeford	Midville	33,732
Frank C Griffin	Rt. 1, Waynesboro	33,524
T. W. and R. W. Mobley.	Waynesboro	32,774
James Beall	P.O. Box, Waynesboro	31,632
Percy Dixon	Girard	29,492
Farris L. Wren	Rt. 3, Louisville	28,057
Lamar Prescott	Rt. 3 Box 36, Waynes-Boro.	26,862
J. B. Walden	Gough	25,089
Porter W Carswell	Rt. 3 Box 124, Waynesboro.	25,030
Total payees in county, 19.		719,554
Calhoun County:		
R. M. Jordan	Leary	26,593
J. S. Cowart Jr	Arlington	25,928
Total payees in county, 2.		52,521
Candler County:		
M. J. Bowen	Metter	28,882
Colquitt County:		
Samuel F Brewer	Box 67, Moultrie	28,596
Joe Parker	Doerun	25,594
Total payees in county, 2.		54,190
Coweta County:		
W. J. Estes	Haralson	46,016
Total payees in county, 1.		46,016
Crisp County:		
Noel Williams	R.R. 1, Cordele	28,517
Total payees in county, 1.		28,517
Dodge County:		
James J. Mullis	R.R. 1, Chester	$51,272
Candler Farms	Eastman	38,665
S. A. Rogers	Chester	31,133
Total payees in county, 3.		121,070
Dooly County:		
Asbury Wright	Pinehurst	63,306
Draughon and Griggs	Pinehurst	41,568
RHA McCleskey, Jr	Pinehurst	40,492
W. R. Jackson, Jr	Vienna	40,026
Ike Everett	Pinehurst	39,944
R. L. Calhoun	Unadilla	29,118
John S. Williams	Pinehurst	28,737
Eugene McCleskey	Pinehurst	27,871
Madison B. Coley, Jr	Vienna	26,249
L. L. Minor, Sr	Butler	26,028
Olen J. Burton	Vienna	25,854
Warren Taylor	Byromville	25,596
Total payees in county, 12.		414,969
Early County:		
Singletary Farms	263 N. Main St., Blakely.	53,238
Leonard White	R.R. 1, Blakeley	28,776
Total payees in county, 2.		82,014
Emanuel County:		
Frank Flanders	Swainsboro	49,900
D. E. Brown	Garfield	26,966
Total payees in county, 2.		76,866
Gordon County:		
Moss Land Co	P.O. Box 204, Calhoun	41,642
Total payees in county, 1.		41,642
Hart County:		
Hubert Cheek, Jr	Bowersville	81,212
Willis Bond	R.R. 1, Canon	30,310
Total payees in county, 2.		111,522
Henry County:		
Grover A. Walls	Hampton	30,684
Total payees in county, 1.		30,684
Houston County:		
Charlie T. Kersey	Elko	56,194
Gunn Farms	Byron	33,494
John E. Richards	263 Candler Dr., Macon.	28,093
W. V. Brannen	Unadilla	25,262
Total payees in county, 4.		143,043
Jefferson County:		
Bryants, Inc	Bartow	62,861
G. C. and Johnny McGahee.	Stapleton	45,396
Harry and A. P. Jones	R.R. 3, Louisville	38,127
Judson McNair	Wrens	37,109
T. B. Kelly Estate	Louisville	34,250
Total payees in county, 5.		217,743
Jenkins County:		
T. L. Black	R.R. 2, Millen	36,583
Wayburn R. Roberts	R.R. 1, Perkins	27,969
Buck Brinson	R.R. 2, Millen	25,762
Total payees in county, 3.		90,314
Johnson County:		
W. R. & J. L. Jackson	C/o J. L. Jackson, Wrightsville.	48,472
Newte Jordan	Wrightsville	27,374
Total payees in county, 2.		75,846
Laurens County:		
W. A. Rountree	R.R. 5, Dublin	94,805
W. H. Lovett	Dublin	70,818
Jack Cook	Montrose	31,919
A. L. Parker	R.R. 1, Montrose	27,152
E. B. Claxton, Jr. (Executor estate E. B. Claxton).	Dublin	27,033
H. L. Harper	R.R. 1, Montrose	26,812

CALENDAR YEAR 1968

LISTING OF NAMES, ADDRESSES, AND TOTAL PAYMENTS OF $25,000 OR MORE UNDER ASCS PROGRAMS—EXCLUDING PRICE SUPPORT LOANS, AND SUGAR AND WOOL PAYMENTS—Continued

GEORGIA—Continued

County and name	Address	Total payments
Laurens County—Continued		
R. L. Hogan Estate (1st Nat'l Bank Executor).	Macon	$26,402
Total payees in county, 7.		304,941
Macon County:		
Hixon Guest	Oglethorpe	47,240
Mack Ham	R.R. 2, Montezuma	30,414
C. J. Harp, Jr.	Oglethorpe	29,084
Emily H. Harp	Reynolds	25,157
Total payees in county, 4.		131,895
Madison County:		
Whitehead Farms	W. J. Patton, mgr., Comer	36,687
Total payees in county, 1.		36,687
McDuffie County:		
James E. Harrison	R.R. 5, Thomson	25,102
Total payees in county, 1.		25,102
Meriwether County:		
Gay and Keith	Gay	41,264
A. G. Estes Inc.	Gay	29,436
W. R. Arnall	Luthersville	25,657
Total payees in county, 3.		96,357
Mitchell County:		
Billy Hatcher	Sale City	36,438
Dan Palmer, Jr.	R.R. 3, Box 295, Camilla.	27,332
C. B. Cox	R.R. 1, Box 81, Camilla.	26,893
H. G. McGahee	R.R. 4, Box 15D, Camilla.	25,733
Total payees in county, 4.		116,396
Morgan County:		
D. W. & B. H. Malcom.	Bostwick	75,500
Otis Whitlock	Box 113, Bostwick	60,502
Bonny Shepherd	Rutledge	42,598
W. N. Bryans	Newborn	28,996
Total payees in county, 4.		207,596
Oconee County:		
Fonnie F. Dickens, Jr.	R.R. 1, Watkinsville	38,124
Joe D. Murrow	P.O. Box 61, Farmington.	34,181
Total payees in county, 2.		72,305
Oglethorpe County:		
Carl C. Culbertson	Colbert	31,472
Total payees in county, 1.		31,472
Pike County:		
R. F. Strickland Co.	Concord	43,451
R. D. Crawford	do	33,624
Total payees in county, 2.		77,075
Pulaski County:		
John W. Dawson	R.R. 3, Hawkinsville	63,634
George P. Anderson	Box 276, Hawkinsville	28,840
Total payees in county, 2.		92,474
Randolph County:		
Edward Sanders	R.F.D. 3, Cuthbert	39,730
J. R. Curry	Main St., Shellman	35,664
Total payees in county, 2.		75,394
Screven County:		
Millhaven Co.	J. K. Boddiford, manager, R. 1, Sylvania.	60,041
G. L. Rouse	702 South Main St., Sylvania.	54,941
T. V. Parker	R.R. 1, Rocky Ford	31,298
W. P. Sanders	R.R. 1, Sylvania	27,818
Paul K. Newton	R.R. 4, Box 198, Sylvania.	25,309
J. A. Thompson, Jr.	P.O. Box 181, Sylvania.	25,299
L. E. Pryor	R.R. 1, Newington	$25,291
Total payees in county, 7.		249,997
Seminole County:		
Raymond Odom	Iron City	37,256
Total payees in county, 1.		37,256
Stewart County:		
W. C. Bradley Co.	P.O. Box 140, Columbus.	55,482
M. J. Lane	Omaha	29,988
Total payees in county, 2.		85,470
Sumter County:		
T. E. Stephens, Jr.	Cobb	39,069
Harold J. Israel	Smithville	29,438
Gene Reeves	Rt. 1, Americus	29,371
Neill Hodges	Andersonville	26,824
Total payees in county, 4.		124,702
Taylor County:		
O. W. Payne, Jr.	Box 466, Reynolds	33,996
Total payees in county, 1.		33,996
Telfair County:		
Z. D. Studstill, Jr.	Box 74, Milan	25,821
Total payees in county, 1.		25,821
Terrell County:		
W. K. Jones	Johnson St., Dawson	40,073
Wilbur Gamble	R.F.D. 1 Box 57, Dawson.	38,400
Don Bridges	R.F.D. 4 Box 285, Dawson.	36,582
Hugh Lee	R.F.D. 5 Box 140, Dawson.	36,554
Huson Brim	Sasser	33,848
W. B. Johnson	Bronwood	27,392
Total payees in county, 6.		212,849
Thomas County:		
L. D. West	Rt. 2, Meigs	29,514
Total payees in county, 1.		29,514
Turner County:		
E. G. Pirkle	R.F.D. 1, Sycamore	32,724
Total payees in county, 1.		32,724
Warren County:		
Guy H. Shivers, Sr.	Norwood	75,806
Loyd Langford	R.R. 1, Warrenton	28,429
Harrison Farms	R.R. 5, Thomson	25,692
Total payees in county, 3.		129,927
Washington County:		
Eugene Cook	Harrison	37,856
E. B. Price, Jr.	Wrightsville	35,699
L. A. Garrett	Bartow	35,128
Gilmore Bros.	Sandersville	27,243
Total payees in county, 4.		135,926
Worth County:		
Taylor Farms	% J. R. Saunders, R.R. 2, Doerun.	32,272
Total payees in county, 1.		32,272
Total payees in State, 138.		5,093,836

IDAHO

County and name	Address	Total payments
Bingham County:		
Lenard Schritter	Aberdeen	$34,039
Lloyd Stolworthy, Inc.	182 Hartert Ave., Idaho Falls.	29,317
Matsuura Bros. Co., Inc.	1132 East Walker, Blackfoot.	25,268
Total payees in county, 3.		88,624
Bonneville County:		
[This county has no Federal food-aid program for poor families]		
E. Bud Johnson	Ririe	$45,889
J. R. Hays & Son, Inc.	Box 25, Idaho Falls	38,879
Jess Croft & Son	R.R. 5, Box 116, Idaho Falls.	34,283
Thurman Simmons & Sons.	Iona	26,565
Elmer N. Jensen	R.R. 1, Box 51A, Idaho Falls.	25,168
Total payees in county, 5.		170,784
Caribou County:		
[This county has no Federal food-aid program for poor families]		
Barker Bros.	Soda Springs	47,517
Total payees in county, 1.		47,517
Cassia County:		
[This county has no Federal food-aid program for poor families]		
Rivera Farms	c/o G. Grigg, Box 789, Burley.	37,350
Hegier Ranch, Inc.	1658 Burton Ave., Burley.	35,660
Parr Bros., Inc.	902 H St., Rupert	29,875
Cold Springs Farm	c/o Royden Benson, Newton, Utah.	29,132
Raymond H. Johnson	2460 Burton Ave., Burley.	28,348
Total payees in county, 5.		160,365
Idaho County:		
Green Bros.	923 South B, Grangeville.	47,845
Total payees in county, 1.		47,845
Jefferson County:		
[This county has no Federal food-aid program for poor families]		
Snake River Equipment.	Box 780, Idaho Falls	30,644
Total payees in county, 1.		30,644
Kootenai County:		
Drechsel Bros.	2021 Penn. Ave., Coeur D'Alene.	25,224
Total payees in county, 1.		25,224
Latah County:		
Pfaff Bros., Inc.	Garfield, Wash.	41,891
Total payees in county, 1.		41,891
Lewis County:		
Joe Lux	Nezperce	29,719
Total payees in county, 1.		29,719
Madison County:		
[This county has no Federal food-aid program for poor families]		
Seth Wood	166 S. Center, Rexburg.	25,857
Total payees in county, 1.		25,857
Minidoka County:		
[This county has no Federal food-aid program for poor families]		
Vernon B. Clinton	Box 58, Rupert	59,708
Morgan Shillington Farms Co.	Box 535, Rupert	50,712
Total payees in county, 2.		110,420
Nez Perce County:		
Wagner Brothers, Inc.	1126 3d Street, Lewiston.	68,998
McIntosh and Sons	2034 14th St. Lewiston.	64,174
Meacham Land and Cattle Co.	Lapwai	60,471
Stanton Becker Farms.	Genesee	32,111
Herndon Farms	Culdesac	30,047
Total payees in county, 5.		255,801
Power County:		
Wallace Hayes	Rockland	34,210
Wesley W. Hubbard & Sons, Inc.	Arbon	31,771

CALENDAR YEAR 1968

LISTING OF NAMES, ADDRESSES, AND TOTAL PAYMENTS OF $25,000 OR MORE UNDER ASCS PROGRAMS—EXCLUDING PRICE SUPPORT LOANS, AND SUGAR AND WOOL PAYMENTS—Continued

IDAHO—Continued

County and name	Address	Total payments
Power County—Continued		
Fred G. Mayer & Sons	American Falls 83211	$25,227
Total payees in county, 3.		91,208
Teton County:		
Shayne Linderman	Rexburg	26,213
Total payees in county, 1.		26,213
Twin Falls County:		
[This county has no Federal food-aid program for poor families]		
W. B. Savage Ranches	Joe Savage, R.R. 2, Hansen.	29,489
W. T. Williams, Inc.	R.R. 2, Twin Falls	27,175
Total payees in county, 2.		56,664
Total payees in State, 33.		1,208,776

ILLINOIS

County and name	Address	Total payments
Alexander County:		
Dowco Land Co.	432–28th St., Cairo	$60,655
Elott Raffety Farms, Inc.	Wyatt, Mo.	37,239
Total payees in county, 2.		97,894
Boone County:		
Frank Bullard	R.R. 1, Poplar Grove	25,172
Total payees in county, 1.		25,172
Bureau County:		
Ronald Wolf	R.R. 2, Walnut	28,107
Total payees in county, 1.		28,107
Cook County:		
Marvin Dunteman	R.R. 2, Box 229, Barrington.	43,865
Total payees in county, 1.		43,865
De Kalb County:		
O. M. Johnson	Shabbona	39,879
Dean N. Lake	Earlville	27,620
Edward Weaver	Clare	27,230
Total payees in county, 3.		94,729
De Witt County:		
C. H. Moore Trust Estate	South Center St., Clinton.	92,772
Total payees in county, 1.		92,772
Douglas County:		
Ray Wax	Newman	29,232
Total payees in county, 1.		29,232
Fulton County:		
Meadowlark Farms	I. H. Reiss, Fisher Bldg., Sullivan, Ind.	96,534
Lowell Wier	R.R. 1, Canton	28,299
Total payees in county, 2.		124,833
Gallatin County:		
Pat Scates, Sr.	Shawneetown	44,629
Lawrence Roliman	Shawneetown	27,661
Total payees in county, 2.		72,290
Jackson County:		
Roger Novack	2004 Wall St., Murphysboro.	26,613
Total payees in county, 1.		26,613
Jefferson County:		
C. E. Brehm	P.O. Box 648, Mt. Vernon.	27,878
Total payees in county, 1		27,878
Jersey County:		
M. E. Isringhausen	R.R. 4, Jerseyville	36,256
Isringhausen L. C., Inc.	503 Hi View, Jerseyville.	30,932
Total payees in county, 2.		67,188
Kane County:		
Donn W. Lull	Box 327, Sugar Grove	$38,839
Baert Bros.	Rt. 1 Box 445A, St. Charles.	28,840
Lyle Lawson	Rt. 1, Elburn	28,087
John A. Gorenz	Rt. 2, Hampshire	26,888
Total payees in county, 4		122,654
Kankakee County:		
Tallmadge Ranch Inc.	R.R. 1, Momence	83,634
Cote Farms Inc.	St. Anne	40,534
Sunset Farms, Inc.	R.R. 1, Manteno	26,720
Total payees in county, 3.		150,888
Knox County:		
James S. Thompson	R.R. 1, Galesburg	32,567
Total payees in county, 1.		32,567
Lake County:		
Elza Gwaltney	Box 1411, Gages Lake Rd., Gages Lake.	27,958
Tempel Farms	Village of Old Mill Creek, Wadsworth.	26,414
Total payees in county, 2.		54,372
Lawrence County:		
Earl Minderman	R.R. 2, Lawrenceville	30,318
Total payees in county, 1.		30,318
Lee County:		
Martin Ravnaas	R.R. 3, Rochelle	25,322
Total Payees in county, 1.		25,322
Logan County:		
John L. White	New Holland	27,500
Harold Park	R.R. 3, Lincoln	26,458
Total payees in county, 2.		53,958
McHenry County:		
Meyer & Schuring	6105 Meyer Rd., Marengo.	35,433
George Raabe	7608 Blissdale Rd., Marengo.	25,262
Total payees in county, 2		60,695
Montgomery County:		
W. Darrell Kilton	Litchfield	55,057
Total payees in county, 1.		55,075
Morgan County:		
James O. Harris	Alexander	36,241
Total payees in county, 1.		36,241
Piatt County:		
Allerton Farm	301 Mumford Hall, Urbana.	26,825
Total payees in county, 1.		26,825
Randolph County:		
H. F. Herschbach	Doanes, 415 East Main, Belleville.	29,147
Total payees in county, 1		29,147
Sangamon County:		
Vincent Braner	Pl. Plains	28,826
Lillie E. Mayfield, Administratrix.	C. Mayfield Estate, Sherman.	27,271
Dowson Bros., a Partnership.	Divernon	27,196
Total payees in county, 3.		83,293
White County:		
Frank H. Ackerman	R.R. C, Carmi	28,813
Wilburn Duvall	R.R. 3, Carmi	25,639
Total payees in county, 2.		54,452
Whiteside County:		
Rosengren Bros.	R.R. 2, Rock Falls	30,504
William J. Mencarow	1st Nat'l Bank Bldg., Moline.	25,608
Total payees in county, 2.		56,112
Winnebago County:		
Lester Gummow	Rockton	27,847
Leroy Benson	R.R. 1. Box 100A, Belvidere.	26,400
David Nystrom	R.R. 1, Blomberg Rd., Cherry Valley.	25,811
Total payees in county, 3.		80,058
Woodford County:		
Martin Bros. Implement Co.	Roanoke	$53,952
Total payees in county, 1.		53,952
Total payees in State, 49.		1,736,502

INDIANA

County and name	Address	Total payments
Daviess County:		
Graham Farms, Inc.	R.R. 1, Washington	$47,048
Capehart Farms	R.R. 1, Washington	31,822
Total payees in county, 2.		79,370
Fountain County:		
Dr. Lee Maris	606 S. Brady St., Attica.	35,506
Total payees in county, 1.		35,506
Gibson County:		
John C. Blood	140 Saint Joseph St., Mt. Carmel, Ill.	37,283
Total payees in county, 1.		37,283
Hamilton County:		
Dan Taylor	R.R. 2, Noblesville	29,157
Total payees in county, 1.		29,157
Henry County:		
Sam Goldman	R.R. 1, Straughn	27,065
Total payees in county, 1.		27,065
Jasper County:		
William Gehring, Inc.	R. 6, Rensselaer	75,668
Fred & Austin Moore	R. 1, Rensselaer	43,517
Savich Farms	R. 1, Rensselaer	39,906
James D. Green, Tr.	Box N, Chicago, Ill.	36,592
Savich & Green	R. 2, Francesville	34,251
Robert Schoon	R. 1, Wheatfield	30,513
R. and D. Farms	R. 2, Francesville	29,298
Richard Schoon	R. 1, Wheatfield	27,034
Stewart Farms	R. 5, Rensselaer	25,768
Total payees in county, 9.		342,547
Knox County:		
Schenk Farms, Inc.	R.R. 4, Vincennes	32,188
Knox County:		
Thompson Farms, Inc.	R.R. 1, Decker	30,992
William R. Huey	R.R. 2, Sandborn	27,640
G. A. Steckler and E. C. Steckler.	R.R. 5, Vincennes	25,890
Total payees in county, 4.		116,710
Kosciusko County:		
Creighton Bros.	R.R. 5, Warsaw	53,801
Herbert Fervida	R.R. 2, Milford	26,945
Total payees in county, 2.		80,746
La Porte County:		
R. and J. Gumz Farms, Inc.	North Judson	30,080
Frank Leroy and Sons	R.R. 1, Mill Creek	25,422
Total payees in county, 2.		55,502
Lake County:		
Verle Little	R.R. 2, Hebron	29,315
Cur. Kamminga	R.R. 2, Hebron	25,428
Total payees in county, 2.		54,743
Marshall County:		
Triple E. Farm, Inc.	Box 195, Etna Green, Indiana.	41,963
Total payees in county, 1.		41,963
Newton County:		
[This county has no Federal food-aid program for poor families]		
Robert A. Churchill	Lake Village	51,351

XUM

CALENDAR YEAR 1968

LISTING OF NAMES, ADDRESSES, AND TOTAL PAYMENTS OF $25,000 OR MORE UNDER ASCS PROGRAMS—EXCLUDING PRICE SUPPORT LOANS, AND SUGAR AND WOOL PAYMENTS—Continued

INDIANA—Continued

County and name	Address	Total payments
Newton County—Continued		
Albert Molson, Jr.	Morocco	$35,973
Everett Madison	Momence	32,863
Mark J. Mahan	Morocco	30,298
James L. Churchill	Beecher	26,156
Total payees in county, 5.		176,641
Parke County:		
Adams Farm Company, Inc.	Rockville	46,943
Kenneth Ramsay	Waveland	28,891
Total payees in county, 2.		75,834
Posey County:		
New Harmony Realty	Melvin Fisher, New Harmony.	46,332
Edward C. Culley	R.R. 4, Mount Vernon	28,093
Total payees in county, 2.		74,425
Pulaski County:		
Overmyer Farms	% Lee Overmyer, Francesville.	95,531
Arthur P. Gumz	North Judson	65,612
Total payees in county, 2.		161,143
St. Joseph County:		
Fisher Madison Farm	L. F. Fisher, Jr., R.R. 1, Wakarusa.	31,752
Martin Bland	58995 St. Rd. 123, South Bend.	25,417
Total payees in county, 2.		57,169
Starke County:		
Richard Gumz	North Judson	101,109
Benjamin O. Bierly	R.R. 3, Walkerton	27,245
Jack Brown	R.R. 1, North Judson	25,921
Total payees in county, 3.		154,275
Sullivan County:		
John Gray Kelly	R.R. 1, Fairbanks	57,722
Mann Seed Farms	R.R. 1, Merom	31,717
Total payees in county, 2.		89,439
Tippecanoe County:		
James Kellerman	R.R. 1, Romney	33,628
William Banta	R.R. 1, West Point	26,627
Total payees in county, 2.		60,255
Vanderburg County:		
Donald E. Kolb	R.R. 2, Evansville	53,600
Total payees in county, 1.		53,600
Vermillion County:		
Harvey Estate	Newport	38,832
Total payees in county, 1.		38,832
Vigo County:		
James Harlan	R.R. 1, Terre Haute	40,224
Burch Harlan	R.R. 1, Terre Haute	29,677
N & N Farms, Inc.	411 South 21st St., Terre Haute.	28,300
Peter A. Farmer	R.R. 1, Terre Haute	26,002
Total payees in county, 4.		124,203
Warren County:		
Richard Clark	R.R. 1, West Lebanon	27,438
Total payees in county, 1.		27,438
Warrick County:		
Alcoa Warrick Works	Box 10, Newburgh	37,444
Total payees in county, 1.		37,444
Wayne County:		
Richmond State Hospital.	Richmond	$25,735
Total payees in county, 1.		25,735
Total payees in State, 55.		2,057,025

IOWA

County and name	Address	Total payments
Audubon County:		
Melville Farms	% Lyle Hansen, Audubon	$25,913
Total payees in county, 1.		25,913
Boone County:		
George Uthe	R.R. 1, Madrid	29,058
Total payees in county, 1.		29,058
Buchanan County:		
Charles Hoffman	Walker	26,767
Total payees in county, 1.		26,767
Carroll County:		
Garst Co.	Coon Rapids	45,212
Total payees in county, 1.		45,212
Cero Gordo County:		
Wayne Van Duzer	Nora Springs	28,598
Louis A. Kopple, Md.	2729 N. Kimball Ave. Chicago, Ill.	25,014
Total pyaees in county, 2.		53,612
Cherokee County:		
John Heline	Pierson	29,793
Dennis Lundsgaard	Cherokee	26,323
Total payees in county, 2.		56,116
Crawford County:		
Leonard Heistand	Dow City	26,083
Total payees in county, 1.		26,083
Des Moines County:		
Robert L. Gabeline	Morning Sun	30,196
Total payees in county, 1.		30,196
Fayette County: [This county has no Federal food-aid program for poor families]		
Agricultural Investors Inc.	Farmersville	36,415
Total payees in county, 1.		36,415
Floyd County:		
Julius Huxsol	205 Riverside Dr. Charles City.	48,959
D. L. Trowbridge	Box 311, Charles City	29,459
Total payees in county, 2.		78,418
Franklin County:		
Steven C Stockdale	R.R. 3, Iowa Falls	35,907
Staley Farms Inc.	118 1st NE. Hampton	31,092
Lawrence W Hamilton.	R.R. 1, Hampton	25,861
Total payees in county, 3.		92,860
Fremont County:		
Payne Valley Farms, Inc.	% M. N. Payne, Hamburg.	76,369
Reeves Farms	% J. E. Good, Hamburg.	41,974
Walter M Doyle	Hastings	30,638
Total payees in county, 3.		148,981
Hancock County:		
Fraser Farms, Inc.	Dale Fraser, Pres., Humboldt.	35,285
Total payees in county, 1.		35,285
Hardin County:		
Thelma L. Warman	R.R. 3, Alden	$30,095
Total payees in county, 1.		30,095
Ida County:		
William Piper	Ida Grove	25,780
Total payees in county, 1.		25,780
Iowa County:		
Amana Society	Middle Amana	152,972
Total payees in county, 1.		152,972
Madison County:		
Baur Farms, Inc.	Van Meter	29,403
Total payees in county, 1.		29,403
Mills County:		
R. C. Good	Glenwood	53,699
Jane Gammon	By R. C. Good Tr, Glenwood.	27,251
Total payees in county, 2.		80,950
Mitchell County:		
E. B. Mohr	Box 1890, Dallas, Tex.	27,374
Total payees in county, 1.		27,374
Monona County:		
Charles E. Lakin	Odebolt	94,885
Lakin Ranch, Inc.	% Frank Seitzinger, Onawa.	41,453
Hanson Bros.	Little Sioux	26,564
Total payees in county, 3.		162,902
Pocahontas County:		
Grinnell Shoe Co.	R. Locke, agent, Clarion.	25,350
Total payees in county, 1.		25,350
Washington County:		
Robert M. Flynn	Keota	30,250
Total payees in county, 1.		30,250
Woodbury County:		
Baltzell Ranch	Anthon	25,961
Total payees in county, 1.		25,961
Worth County:		
Beverly Land	323 Frances Bldg., Sioux City.	36,891
Total payees in county, 1		36,891
Wright County:		
Joe Keller	Blairsburg	29,304
Total payees in county, 1		29,304
Total payees in State, 35.		1,342,148

KANSAS

County and name	Address	Total payments
Allen County: [This county has no Federal food-aid program for poor families]		
Harold Whitaker	R.R. 2, Humboldt	31,055
Total payees in county, 1.		31,005
Barber County: [This county has no Federal food-aid program for poor families]		
Fred Schupbach, Jr.	Kiowa	33,614
G. M. Groendycke Est.	% A. Groendycke Adm, Kiowa.	31,036
2 Bar Cattle Co.	918 Board of Trade, Kansas City, Mo.	28,364
Total payees in county, 3.		93,014

XUM

CALENDAR YEAR 1968

LISTING OF NAMES, ADDRESSES, AND TOTAL PAYMENTS OF $25,000 OR MORE UNDER ASCS PROGRAMS—EXCLUDING PRICE SUPPORT LOANS, AND SUGAR AND WOOL PAYMENTS—Continued

KANSAS—Continued

County and name	Address	Total payments
Barton County:		
[This county has no Federal food-aid program for poor families]		
Schartz Bros	Leroy Schattz, Rt. 3, Great Bend.	$25,816
Total payees in county, 1.		25,816
Dickinson County:		
[This county has no Federal food-aid program for poor families]		
Laurence Clemence	Rt. 4, Abilene	26,189
Total payees in county, 1.		26,189
Edwards County:		
[This county has no Federal food-aid program for poor families]		
David Britton	Lewis	29,442
McClean Bros	Lewis	25,893
Total payees in county, 2.		55,335
Finney County:		
[This county has no Federal food-aid program for poor families]		
Garden City Co	Box 597, Garden City	74,428
Andrew E. Larson	Rt 1, Garden City	55,885
Lawrence miller	Holcomb	45,410
Tom Linville	Holcomb	34,298
Emanuel Doll	Ingalls	34,215
Leroy F. Colley	Eminence Rt., Garden City.	32,993
Leland L. Crist	Holcomb	32,426
Roger Ramsey	Imperial Rt., Garden City.	30,702
Leigh Warner	Cimarron	29,470
Marion L. Russell	Eminence Rt., Garden City.	28,684
Raymond G. Morris	Box 476, Garden City	27,652
Frank McClure	Imperial Rt., Garden City.	27,244
Clarence Gigot	S. Star Rt.,Garden City.	26,937
John Miller	Holcomb	26,135
Eugene F. Ware	905 Center, Garden City.	25,010
Total payees in county, 15.		531,489
Gove County:		
[This county has no Federal food-aid program for poor families]		
R. S. Coberly	Gove	30,245
Karlin Farms	% Marne Karlin, Grinnell.	25,080
Total payees in county, 2.		55,325
Grant County:		
J. David Sullivan	Box 423, Ulyssss	34,849
Wiebe Bros., Inc	P.O. Box 56, Ulysses	34,266
Tuttle & Tuttle & Mawhirter.	509 N. Durhm, Ulyss	34,074
Herman Cockreham	Johnson	28,745
Total payees in county, 4.		131,934
Gray County:		
[This county has no Federal food-aid program for poor families]		
Sidney Warner	Cimarron	50,366
W D. Brady	205 La Mesa Drive, Dodge City.	37,700
Cecil Obrate	Ingalls	29,962
Lester Clark	1105 Pershing, Garden City.	25,846
Total payees in county, 4.		143,874
Greeley County:		
[This county has no Federal food-aid program for poor families]		
Kleymann Brothers	% Frederick Kleymann, Tribune.	69,275
Dale Steele	Ford	62,539
Hobart-Tschudy-Hobart.	Wiley Bldg. Hutchinson.	46,910
Smith Ranch Company.	% Joe E. Smith, Tribune.	46,473
Ervin Schneider	Tribune	43,077
Jay A. Hoffman	Tribune	32,858
Duane F. Schneider	Tribune	29,242
H. C. Wear	% W. V. Dixon, Tribune.	29,201
Greeley County—Continued		
J.V. Kuttler	Tribune	$28,197
A Sell Est	% M Sell , 1744 Monaco Parkway, Denver, Colo	27,220
Floyd Tuttle & Son	Tribune KS	26,497
Lemon & Maness	% Everett Howell, Tribune.	26,215
Total payees in county, 12.		467,704
Hamilton County:		
D. W. Burnett	Syracuse	35,251
Forrest L. Smith	Coolidge	29,705
Jesse I. Wilcoxen, Jr	Ford	25,198
Total payees in county, 3.		90,154
Haskell County:		
[This county has no Federal food-aid program for poor families]		
Haskel Land Co	% Robt. Josserand, Sublette.	57,819
Clyde F. Mercer	901 Center, Garden City.	39,642
Dorsey Elliott	Sublette	34,812
Paul J. Brown	Sublette	33,572
Kirby B. Clawson	Satanta	30,828
Forrest Cox	Sublette	29,353
Randall Bird	Sublette	28,246
Ed Hall	Sublette	25,708
Total payees in county, 8.		279,980
Jewell County:		
[This county has no Federal food-aid program for poor families]		
Clare Roe & Sons	Superior, Nebr	27,669
Neil Durham	Scottsville	27,040
Total payees in county, 2.		54,709
Kearney County:		
Ethel M. Martin	Box 669, Syracuse	45,535
Raymond, Dienst, Sr	Lakin	38,427
Vernon G. Kropp	100 West 14th St., Winfield.	32,246
D. E. Steenis	Deerfiled	30,375
Gordon W. Crone	Lakin	29,969
Ray Rohlamn	Syracuse	29,947
W. T. Rooney, Jr., Estate.	1613 York St., Garden City.	25,273
Total payees in county, 7.		231,772
Logan County:		
[This county has no Federal food-aid program for poor families]		
John W. & V. A. James.	515 Hudson, Oakley	52,075
J. Ernest Bertrand	315 Maple, Oakley	45,531
Charles Bertrand, Tr	Holdrege, Nebr	39,139
Keller Bros	Page City	34,856
Total payees in county, 4.		171,601
Marion County:		
[This county has no Federal food-aid program for poor families]		
Vestring Bros	Burns	29,359
Total payees in county, 1.		29,359
Meade County:		
Maud Collingwood Estate.	% D. J. Wilson, Meade	40,444
W. R. Cottrell	Meade	33,472
Total payees in county, 2.		73,916
Mitchell County:		
[This county has no Federal food-aid program for poor families]		
Paul Mears	R.R. 3, Beloit	39,740
Max D. Remus	Osborne	25,817
Total payees in county, 2.		65,557
Morton County:		
[This county has no Federal food-aid program for poor families]		
W. J. Light	Rolla	31,350
Glenn Sipes	Manter	26,506
Paul Light	Rolla	25,218
Total payees in county, 3.		83,074
Neosho County:		
Wesley Kroeker	R.R. 1 Box 132, Enid, Okla.	$44,116
Total payees in county, 1.		44,116
Ness County:		
[This county has no Federal food-aid program for poor families]		
R. T. McCreight	Ness City	38,708
Total payees in county, 1.		38,708
Osborne County:		
[This county has no Federal food-aid program for poor families]		
Adrian Schweitzer	Osborne	27,634
Total payees in county, 1.		27,634
Phillips County:		
[This county has no Federal food-aid program for poor families]		
John B. Wyrill, Jr	Kirwin	37,803
Cox Bros. Farming Trust.	Long Island	29,721
Angie S. Wyrill	Kirwin	29,639
Total payees in county, 3.		97,163
Scott County:		
[This county has no Federal food-aid program for poor families]		
Edna E. Collingwood	Johnson	45,211
Floyd M. Krebs	712 Ora, Scott City	44,231
Marion Hutchins	Box 336, Scott City	34,692
Claude Hughes	9th & Court, Scott City	29,942
Felt Farms	W. Moore Man, 1201 Jackson, Albion, Mo.	27,788
J. E. Kirk & Sons	Box 36, Scott City	26,864
Total payees in county, 6.		208,728
Seward County:		
[This county has no Federal food-aid program for poor families]		
Hitch Lnd. Cttl. Co	Bill Logsdon Agt., Box 76, Guymon.	33,436
Kenneth Martin	Moscow	31,708
J. R. Allen	do	27,129
Total payees in county, 3.		92,273
Sheridan County:		
[This county has no Federal food-aid program for poor families]		
E. A. Baalman & Sons	Menlo	48,266
Total payees in county, 1.		48,266
Sherman County:		
Lloyd Kontny	1004 Harrison, Goodland.	53,718
S. Everett Dennis	Box 393, Scottsbluff, Nebr.	45,071
C. Wilber White	Box 240, Goodland	43,249
Kenneth House	McDonald	38,307
Charles L. Silkman	Box 262, Goodland	36,695
Walker Briney	Rt. 2, Goodland	32,678
Arnold Schields	Box 293, Goodland	32,014
Vernon Irvin	923, Arcade, Goodland	28,026
Iron H. Mueller	Box 415, Bird City	27,119
Golden Wheat Ranch	Box 424, Goodland	26,638
Fred H. Schield	Rt. 2, Box 42A, Goodland.	25,935
Total payees in county, 11.		389,450
Smith County:		
[This county has no Federal food-aid program for poor families]		
Ferguson Bros	R.R. 1, Kensington	38,136
Total payees in county, 1.		38,136
Stafford County:		
[This county has no Federal food-aid program for poor families]		
Carl McCune Sons	Stafford	27,491
Total payees in county, 1.		27,491
Stanton County:		
[This county has no Federal food-aid program for poor families]		
G. H. J. Farms Ltd	Johnson	84,304

XUM

CALENDAR YEAR 1968

LISTING OF NAMES, ADDRESSES, AND TOTAL PAYMENTS OF $25,000 OR MORE UNDER ASCS PROGRAMS—EXCLUDING PRICE SUPPORT LOANS, AND SUGAR AND WOOL PAYMENTS—Continued

KANSAS—Continued

County and name	Address	Total payments
Stanton County—Continued		
Clarence Winger & Sons.	Johnson	$58,574
John Shore	Johnson	55,108
Paul E. Plummer & Sons.	Johnson	42,544
Kansas University Endowment Association.	Box 530, Lawrence	41,711
Max Hume	Manter	40,875
Theodore J. Julian	Johnson	40,834
Walter Herrick	Johnson	38,922
Kendrick Farms	Johnson	34,754
Guy Rorick	Manter	34,026
Vivian Glenn Estate	Rt. 1, Johnson	33,954
R. H. Trostle	Johnson	33,484
John Lewis	Syracuse	27,997
Charles Lucas	Johnson	27,189
Forrest Lewis	Johnson	26,636
Milt Graber	Manter	26,532
Hoopingarner Bros	Manter	26,337
Lester Canny	Johnson	25,889
Total payees in county, 18.		699,670
Stevens County: [This county has no Federal food-aid program for poor families]		
Warren Spikes	Hugoton	63,863
Carl N. Brollier	Moscow	54,971
Lawrence J. Lightcap	Hugoton	43,104
Cullison Bros	Box 315, Satanta	31,127
A. E. Kramer, agent, Pelajo Properties.	Hugoton	28,578
T. R. Gooch	Rt. 2, Hugoton	27,415
Paul Sundgren	Hugoton	26,420
James Ford	Hugoton	25,390
Total payees in county, 8.		300,868
Sumner County: [This county has no Federal food-aid program for poor families]		
Stewart Farm Account.	Wellington	34,469
Total payees in county, 1.		34,469
Thomas County: [This county has no Federal food-aid program for poor families]		
James S. Garvey	Box 517, Colby	81,855
Willard J. Garvey	Box 517, Colby	46,681
Marshall Farms	R.R. 1, Box 36, Brewster.	43,743
Sam Medford	R.R. 1, Box 60, Levant.	43,617
B. A. Hutton	P.O. Box 266, Brewster.	34,052
Harold Hills, Jr	P.O. Box 913, Colby	27,298
Evertt O. Curry	R.R. 1, Box 20, Levant.	26,249
Total payees in county, 7.		303,495
Wallace County: [This county has no Federal food-aid program for poor families]		
J. E. Ely Estate	A. E. Larson, Adm., Box 404, Garden City.	53,719
Gareth J. McFadden	Box 482, Goodland	28,210
N. D. Sexson	Weskan	27,821
Frasier Farms	Sharon Springs	25,192
Total payees in county, 4.		134,942
Washington County: [This county has no Federal food-aid program for poor families]		
Herman Bott	Palmer	50,636
Total payees in county, 1		50,636
Wichita County: [This county has no Federal food-aid program for poor families]		
Bernice M. Smith	Rozel	34,887
J. W. Zellner	Marienthal	27,966
Leo Harkness	Leoti	26,175
Total payees in county, 3.		89,028
Total payees in State, 148		5,266,930

KENTUCKY

County and name	Address	Total payments
Henderson County:		
Reynolds Metals Co	R. 3, Henderson	$43,941
Total payees in county, 1.	Trigg	43,941
S. D. Broadbent, Jr	R.R. 1, Cadiz	46,667
Total payees in county, 1.		46,667
Total payees in State, 2.		90,608

LOUISIANA

County and name	Address	Total payments
Bossier County: [This county has no Federal food-aid program for poor families]		
Scopena Plantation	R.R. 1. Bossier City	124,157
L. H. Woodruff	McDade	65,083
Rosedale Plantation Inc.	R.R. 1, Benton	51,695
Elm Grove Plantation Inc.	McDade	40,818
Joe Clark	R.R. 1, Box 401–B, Bossier City.	40,621
Curtis Planting Co	R.R. 1, Box 418, Bossier City.	39,454
R. J. Viola	2304 Benton Rd., Bossier City.	34,170
I. W. Whittington Jr	R.R. 1, Box 213, Benton.	28,279
E. D. Barnett	Box 277, Plain Dealing	28,065
R. T. Stinson	2301 Arlington, Bossier City.	25,285
Total payees in county, 10.		477,627
Caddo County:		
Mission Planting Co	Box 248, Ida	69,148
Dalton R. Pittman	4809 Camellia LN, Shreveport.	68,168
Sam W. Smith Jr	P.O. Box 5475, Shreveport.	51,327
Dan P. Logan	P.O. Box 181, Gilliam	49,851
A. C. Dominick Jr	Box 46K, Mira	48,010
J. W. Lynn Plantation	P.O. Box 125, Gilliam	46,967
G. A. Frierson	R.R. 1, Shreveport	46,197
L. S. Frierson Jr	R.R. 1 Box 389–L, Shreveport.	45,501
L. R. Kirby Jr	P.O. Box 175, Belcher	44,944
Stinson Brothers	P.O. Box 175, Gilliam	44,011
Webb & Webb	R.R. 1 Box 210, Shreveport.	42,226
Paul Dominick	Mira	42,050
F. E. Volentine & Son Inc.	R.R. 5 Box 192, Sport	41,140
T. A. Tinsley	R.R. 5 Box 923, Shreveport.	39,709
C. N. Frierson	R.R. 1, Shreveport	39,414
G. W. Van Hoose Sr	453 College Lane, Shreveport.	36,946
Robinson Co	R.R. 1 Box 282, Shreveport.	36,437
W. J. Hutchinson Sons	Caspiana	36,143
E. R. Cupples	R.R. 1 Box 223–B, Shreveport.	34,190
A. L. Sentell	Dixie	33,726
C. M. Hutchinson Jr	R.R. 1 Box 265, Shreveport.	32,570
R. L. Nance Jr	Dixie	32,274
Eunice W. Feist	518 Commerce Shreveport.	31,490
Paul Dominick Jr	Box 47, Mira	30,587
Clifton, Dodson	Dixie	30,053
C. C. Whittington	R.R. 1 Box 222–B Shreveport.	28,975
G. W. Van Hoose Jr	Box 204, Belcher	28,965
Yearwood Bros	R.R. 1 Box 366, Shreveport.	28,476
J. W. Glassell	Box 217, Belcher	27,744
J. L. Teer	Box 304, Dixie	26,892
Bryan Connell	P.O. Box 122, Belcher	26,808
J. B. Carlisle	Box 362, Dixie	25,918
Tom P. Moore, Jr	131 Gen. Lee Dr., Vivian.	25,346
Total payees in county, 33.		1,272,203
Caldwell County:		
Rowland Bros	R.R. 2, Monroe	44,903
Lelon Kenney	R.R. 1, Box 52F, Columbia.	34,227
Harold E. Cooper	R.R. 1, Colubmia	27,456
Total payees in county, 3.		106,586
Catahoula County:		
George Yarbrough	Sicily Island	96,750
Carrol Rice	Sicily Island	82,679
Jimmy Goode	Sicily Island	29,676
Total payees in county, 3.		209,105

LOUISIANA—Continued

County and name	Address	Total payments
Concordia County:		
Harriss and Sons	Star Route, Vidalia	$42,410
Panola Land Dev. Co	Box 848, Ferriday	35,410
Lucerna Planting Co	Star Route, Vidalia	30,921
Pittsfield Pltn	Star Route, Ferriday	27,823
Total payees in county, 4.		136,564
DeSoto County:		
James E. McMullen	R.R. 2, Mansfield	43,258
Total payees in county, 1.		43,258
East Carroll County:		
Epps Plantation	R.R. 1, Box 188, Epps	87,958
Hollybrook Land Co., Inc.	Lake Providence	84,935
J. P. Brown	Box 329, Lake Providence.	83,049
Russell Fleeman	Box 431, Lake Providence.	55,198
J. E. Brown & Sons	R.R. 2 Box 222, Lake Providence.	44,319
J. H. Gilfoil III	Box 632, Lake Providence.	43,356
Keener Howard	R.R. 2 Box 30, Lake Providence.	42,085
Jack Hamilton	R.R. 1 Box 3, Lake Providence.	41,042
W. H. Crews	Box 268, Lake Providence.	37,605
Quitman Fortenberry	Transylvania	35,385
J. B. McPherson, Sr	R.R. 1, Lake Providence.	35,077
Wendell Downen	R.R. 2 Box 116, Lake Providence.	33,884
Fred Phillips	Lake Providence	33,183
W. H. Bullock	R.R. 1, Epps	32,629
Jessie M. Blair	R.R. 2, Lake Providence.	31,056
Edward Burgess	R.R. 1, Epps	30,996
Orville Coody	Box 786, Lake Providence.	30,288
Bernard Rosenzweig	711 Davis, Lake Providence.	28,728
Shepherd & Shepherd	R.R. 2, Lake Providence.	27,765
Houston Condrey	R.R. 1 Box 198, Epps	27,689
Clyde Robinson	R.R. 2 Box 117, Lake Providence.	27,680
Howington Bros	Box 466, Lake Providence.	27,586
H. D. Harvey	R.R. 1, Lake Providence.	27,368
Oliver Baker & Oliver	R.R. 1, Lake Providence.	26,284
Philip Brown	R.R. 2, Lake Providence.	25,787
H. H. Howington, Jr	Box 47, Lake Providence.	25,531
Reese Coleman	R.R. 1 Box 182, Epps	25,025
Total payees in county, 27.		1,051,488
Franklin County:		
Riley H. Graham	Wisner	37,626
Carl D. Batey	Rt. 1, Wisner	32,362
Yarbrough Brothers	Sicily Island	31,769
C. J. Grayson	Ft. Necessity	31,532
Ernest Reeves	Rt. 1, Gilbert	29,040
Gerald Sadler	Wisner	26,427
Earl Carroll	Gilbert	25,396
Total payees in county, 7.		214,152
Grant County:		
Gordon Randolph	R.R. 2 Box 220, Colfax	33,883
Total payees in county, 1.		38,883
Madison County:		
Dudley Pillow, Sr	Greenwood, Miss	62,012
Dudley Pillow, Jr	Delta	56,805
Ashly Plantation	R.R. 2, Box 117, Tallulah.	55,286
Harrison Evans	Shuqualak, Miss	39,644
E. C. Woodyear	Mound	33,078
Maxwell Plantation	Mound	31,267
William Yerger	Mound	29,675
Albert H. Paxton	Box 748, Tallulah	28,439
Elton Fortenberry	R.R. 1, Tallulah	28,166
Robert Graves	Box 1072, Tallulah	25,682
Jeff Marsh & Sons	R.R. 1, Sondheiner	25,336
Total payees in county, 11.		415,390
Morehouse County:		
Barham, Inc	% Joe Barham, Oak Ridge.	89,916
James U. Yeldell, Jr	Mer Rouge	60,368
H. A. Pipes, Jr	Oak Ridge	53,328
J. A. Davenport III & W. Davenport.	Mer Rouge	42,358
Duke Shackelford	Jones	39,854
Mott & Mott	Oak Ridge	38,164
F. Earl Hogan	Oak Ridge	37,670
Erle M. Barham	Oak Ridge	34,093
N. W. Mott	Oak Ridge	31,748

XUM

CALENDAR YEAR 1968

LISTING OF NAMES, ADDRESSES, AND TOTAL PAYMENTS OF $25,000 OR MORE UNDER ASCS PROGRAMS—EXCLUDING PRICE SUPPORT LOANS, AND SUGAR AND WOOL PAYMENTS—Continued

LOUISIANA—Continued

County and name	Address	Total payments
Morehouse County—Continued		
Wesley Bunch	Jones	$31,315
Kelly Bros	Collinston	30,382
Max Brodnax	R.R. 1, Bonita	30,096
C. L. Clark, Jr	Mer Rouge	29,187
J. B. Newman	Box 85, Bastrop	26,553
James McClendon	Box 586, Bastrop	26,364
Herbert Johnson	Boita	25,179
David Doles, Jr	Box 43-C, Bonita	25,029
Total payees in county, 17.		651,604
Natchitoches County:		
J. H. Williams	Rt. 1, Box 211, Natchitoches.	144,403
Prudhome Bros	Rt. 2, Natchez	45,166
Murry Lambre	Rt. 1, Natchez	39,184
J. Alton Lambre	Rt. 2, Natchez	34,567
G. C. Messenger	Rt. 1, Boyce	31,460
Estate Sarah J. Hertzog.	% Matt Hertzog, Natchez.	30,178
Estate H. Cohen	%H. Cohen, Jr., Natchez.	29,789
Charles E. Cloutier	Rt. 1 Box 269, Natchitoches.	29,671
Richard L. Williamson	R. 1, Natchez	25,314
Estate of J. C. Carnahan.	Cloutierville	25,038
Total payees in county, 10.		434,770
Ouachita County:		
W. A. Calloway	Bosco	71,093
Mason & Godwin	R.R. 2, Monroe	68,127
J. B. Johnston, Jr	Sterlington	46,149
J. A. Moore	R.R. 4 Box 109, Monroe.	45,544
Travis Howard	100 Rogers Road, West Monroe.	44,429
George P. Smelser	R.R. 4 Box 283A, Monroe.	43,631
A. C. Ransom & Son	Box 4337, Monroe	39,524
C. M. McMullen	R.R. 1 Box 201, Monroe.	38,520
J. M. Pratt, Sr	R.R. 4 Box 285-B, Monroe.	28,952
Fred W. Huenefeldt	Rt. 3, Monroe	26,213
Total payees in county, 10.		452,182
Rapides County:		
Christopher R. Keller, Jr.	R.R. 2 Box 53, Alexandria.	38,394
John H. Robert	R.R. 1, Boyce	28,352
Henry C. Boone, Jr	R.R. 1, Le Compte	27,059
Weil Company, Inc	Box 1548, Alexandria	25,992
Frank J. Dautremont	Le Compte	25,564
Woodrow DeWitt	R.R. 1 Brown Bend, Alexandria.	25,433
Total payees in county, 6.		170,794
Red River County:		
Wyche T. Coleman	R.R. 4 Box 140, Coushatta.	36,798
J. T. Bierden, Jr	R.R. 4 Box 280, Coushatta.	33,440
F. I. Waltman	R.R. 1 Box 359C, Shreveport.	32,114
Paul Bundrick	R.R. Box 339, Shreveport.	26,293
William Prince	R.R. 4 Box 206, Coushatta.	25,383
Larry Bundrick	R.R. 1 Box 342, Shreveport.	25,264
Total payees in county, 6.		179,292
Richland County:		
R. R. Rhymes Farm	R.R. 5, Rayville	61,668
C. W. Pardue	Alto	45,353
Goldmine Plt	Scott Truck & Tractor, Winnsboro.	35,039
Elton Upshaw, Jr	Box 4304, Monroe	30,727
Geo B. Franklin & Son, Inc.	Holly Ridge	30,492
Guy C. Pardue	Box 274, Mangham	29,689
C. L. Morris	Box 321, Rayville	28,368
Clyde Cartlidge	R.R. 5, Rayville	27,640
Charles D. Ware	Box 7, Rayville	25,644
Total payees in county, 9.		314,620
St. Landry County:		
J. A. Pickett	Box 117, Morrow	70,825
Hudspeth Bros	Rosa	31,012
St. Landry Country—Continued		
Nick D. Dubuisson	Union St. Opelousas	$30,345
Total payees in county, 3.		132,182
Tensas County:		
Panola Co	% W. A. Guthrie, Newellton.	77,610
E. R. McDonald & Sons.	Newellton	68,812
Somerset Pltn	Newellton	52,579
Frank Burnside	Newellton	33,748
G. C. Goldman	Box 277, Waterproof	30,099
H.C. Miller, III	Waterproof	28,824
Russell Ratcliff	Rt. 2, St. Joseph	27,749
Cypress Grove Pltn	% E. A. Poe, Newellton.	26,849
Total payees in county, 8.		346,270
Union County: E. R. Rogers.	Farmerville	26,152
Total payees in county, 1.		26,152
West Feliciana County: Louisiana State Penetentiary.	Angola	50,725
Total payees in county, 1.		50,725
Total payees in State.		6,723,847

MARYLAND

County and name	Address	Total payments
Kent County:		
Edwin C. Fry	Chestertown	25,061
Total payees in county, 1.		25,061
Total payees in State, 1.		25,061

MICHIGAN

County and name	Address	Total payments
Cass County:		
Gerald Wright	Vandalia	27,500
Total payees in county, 1.		27,500
Ingham County:		
Diehl Fields	925 S. Jackson Rd., Dansville.	32,684
Total payees in county, 1.		32,684
Lenawee County:		
Leland Bush & Sons	R.R. 2, Tecumseh	38,081
Muellers, Inc	Oliver Mueller, Britton.	33,052
Richard Walters	R.R. 1, Blissfield	26,525
George Vanhaerents	Deerfield	25,944
Total payees in county, 4.		123,602
Monroe County:		
Albert Heath	16312 Cone, Milan	38,883
Total payees in county, 1.		38,883
Total payees in State, 7.		222,669

MINNESOTA

County and name	Address	Total payments
Lyon County:		
Edward Delanghe	R.R. 2, Marshall	25,916
Total payees in county, 1.		25,916
Marshall County:		
E. G. Melo	Box 205, Stephen	34,379
Total payees in county, 1.		34,379
Mower County:		
Martin Bustad	1302 4 St., SW, Austin	28,550
Total payees in county, 1.		28,550
Nobles County:		
Jack C. Boote	Box 66, Worthington	28,960
Total payees in county, 1.		28,960
Renville County:		
George Rauenhorst	Olivia	$27,581
Total payees in county, 1.		27,581
Sibley County:		
Melvin Nagel	Arlington	38,410
J. W. Easland & Son, Inc.	Gaylord	27,420
Total payees in county, 2.		65,830
Swift County		
Minn Farms Co	C/o H. Wesner, Box 489, Appleton.	29,881
Total payees in county, 1.		29,881
Wilkin County:		
[This county has no Federal food-aid program for poor families]		
James J. Walton	Breckenridge	34,076
Total payees in county, 1.		34,076
Total payees in State, 9.		275,173

MISSISSIPPI

County and name	Address	Total payments
Attala County:		
Gideon W. Atwood	R.R. 4, Kosciusko	29,047
Parket Bros., Inc	415 North Jackson St., Kosciusko.	26,359
Total payees in county, 2.		55,406
Benton County:		
Leak Bros	R.R. 1, Lamar	28,778
Total payees in county, 1.		28,778
Bolivar County:		
Delta & Pine Land Co.	Scott	605,796
Dan Seligman	Shaw	131,699
Robbins & Long	Rosedale	115,273
Allen Gray Estate	Benoit	96,090
Charles A. Russell	Beulah	91,168
McMurchy Farms	Box 227, Duncan	87,608
Brooks Cotton Co	Shelby	84,180
J. A. Howarth, Jr	Rt. 2, Cleveland	81,712
Dossett Plantation, Inc.	Beulah	79,216
Lewis Barksdale, Jr	Rt. 1, Duncan	68,818
Carr Planting Co	O. C. Carr, Jr., Clarksdale.	64,746
M. Pickett Myers III	Box 191, Greenville	59,902
Maryland Plantation, Inc.	Care of Jim Goodman, Shelby.	59,487
J. G. Gourlay	Rosedale	59,283
Zumbro Planting Co	Cleveand	57,609
H. B. Hood	Rt. 1, Box 149, Duncan.	53,527
Max Dilworth	Shelby	52,035
H. H. Lawler	Rosedale	51,117
D. A. and J. E. Williams.	Box 165, Cleveland	50,895
R. N. & E. C. Tibbs	Hushpuckena	50,684
Sunrise Dairy	Cleveland	50,459
Cloverdale Planting Co.	Box 38, Alligator	47,502
R. C. Malone	Paco	46,627
T. E. Pemble	Merigold	45,390
William Peacock	309 McClain, Cleveland.	43,527
L. B. Pate & Sons	Rt. 2, Cleveland	41,536
Shelby Farms	Care of E. G. Shelby, Shelby.	40,212
B. E. McDearman, Jr	808 Maple, Cleveland	39,384
W. H. Howarth	Skene	39,263
M. J. Dattel	Rosedale	38,861
Rudolph Massey	Deeson	38,713
W. F. and W. H. Hardin.	Box 163, Duncan	38,475
Rogers Hall	1206 College, Cleveland.	38,105
Boyd Lane Plantation	Gunnison	37,488
Will Gourlay	Rosedale	36,411
A. D. Murphree, Jr	Shelby	36,251
Allendale Planting Co.	Shelby	36,121
Warfield Brothers Farms, Inc.	Gunnison	36,057
E. M. Walton	Beulah	34,449
James L. Maxwell	Rt. 1, Box 85, Benoit	34.232
Ralph W. Ray	Benoit	34,179
F. H. Nance	1201 College, Cleveland.	34,107
Charles Speakes	Benoit	34,046
S. D. Long	Shelby	33,066
J. R. Parkinson	Benoit	32,500
Cowan & Franklin	Shelby	31,034
Denton Mfg. Co., Inc	Shelby	30,940

XUM

CALENDAR YEAR 1968

LISTING OF NAMES, ADDRESSES, AND TOTAL PAYMENTS OF $25,000 OR MORE UNDER ASCS PROGRAMS—EXCLUDING PRICE SUPPORT LOANS, AND SUGAR AND WOOL PAYMENTS—Continued

MISSISSIPPI—Continued

County and name	Address	Total payments
Bolivar County—Continued		
James B McGowan	Box 369, Shelby	$30,654
Alfred Butler	Alligator	29,900
J. R. Dodson	Hillhouse	29,570
L. E. Murphy	Box 301, Pace	29,157
Sidney Levingston	Ruleville	29,008
M. L. & W. M. Payne	Lamont	28,990
J. & V. Aguzzi	Cleveland	28,962
Triumph Farms	Jeanette Hill owner, Merigold.	28,406
Long & Robbins	Rosedale	28,259
Elmer Prewitt	Shaw	27,662
F. R. Armstrong	Gunnison	27,250
J. W. Reynolds	Rt. 1, Box 12, Shelby	27,250
Mrs. Ruth Abroms	Box 277, Shaw	27,160
C. T. Stanford	Skene	27,146
A. R. Mann, Jr	Skene	26,984
R. P. Herbison	Boyle	26,800
Delbert Farmer	Benoit	26,667
I. C. Rayner, Jr	Merigold	26,514
Robert L. Yeager	Boyle	26,474
W. T. Burroughs	Hushpuckena	26,438
Hiter Farms	Merigold	25,772
A. J. Cowart	Rt. 1, Duncan	25,626
Dalton Taylor	Rt. 1, Box 44A, Gunnison.	25,344
George B. Noland	Box 964, Clarksdale	25,106
Total payees in county, 71.		3,690,879
Calhoun County:		
Grady Easley	Rt. 1, Slate Spring	55,271
Total payees in county, 1		55,271
Carroll County:		
J. W. Hobgood	Avalon	39,165
Bardin Redditt	304 Riverside Dr., Greenwood	38,567
W. H. Morgan, Jr	906 Weightman, Greenwood.	36,603
B. B. Sanders	Vaiden	36,151
R. C. Colvin	Greenwood	27,635
Total payees in county, 5.		178,121
Chickasaw County:		
Coleman Farms	Okolona	78,951
W. J. Linn	R.R. 3, Houston	60,219
J. Q. Demoville	Okolona	37,874
Preston Sullivan	Okolona	25,258
Total payees in county, 4.		202,302
Claiborne County		
E. A. Porter	Pattison	25,437
Total payees in county, 1.		25,437
Clay County:		
J. T. Brand	Rt. 1, Prairie	39,294
John E. Judson	Rt. 3, West Point	37,167
Total payees in county, 2.		76,461
Coahoma County:		
John B. McKee, Jr	Friars Point	228,948
Roy Flowers	Mattson	196,679
Roundaway Planting Co.	Alligator	116,413
Oakhurst Co	Box 335, Clarksdale	115,763
Kline Planting Co	Alligator	113,395
King & Anderson Inc	P.O. Box 745, Clarksdale.	105,418
J. H. Sherard & Son	Sherard	97,016
Fred Tavoleti & Sons	1101 W. Second, Clarksdale.	84,760
Graydon Flowers	Mattson	75,125
W. S. Heaton, Jr	Lyon	72,331
Mohead Planting Co	Lulua	72,126
Garrett & Son	R.R. 2 Box 24, Clarksdale.	69,710
Leon C. Bramlett	R.R. 3, Box 599, Clarksdale.	65,970
Sigmon Planting Co	Sherard	62,694
H. H. Twiford	Alligator	61,814
Carr-Mascot Planting Inc.	R.R. 2 Box 161, Clarksdale.	61,709
Wheeler-Graham	Coahoma	59,763
Maryland Planting Co	R.R. 2, Box 23B, Clarksdale.	58,038
T. M. Luster	R.R. 3 Box 597C, Clarksdale.	56,675
Charles Monty, Jr	R.R. 3, Box 575, Clarksdale.	54,549
Johnson Brothers	Friars Point	54,541
Weeks Plantation Inc	R.R. 2, Clarksdale	53,839
Dan Crumpton, Jr	924 Oakhurst, Clarksdale.	53,560
Oscar Connell Farm	Box 790, Clarksdale	53,064
Coahoma County—Continued		
Presley & Hudspeth	308 West Second, Clarksdale.	$51,700
Connell & Company	Box 790, Clarksdale	51,173
R. W. Jones & Sons Inc.	Lulua	49,994
Viney Ridge Farms	P.O. Box 611, Clarksdale.	49,808
Kirk Haynes	Jonestown	49,483
P. F. Williams & Sons	P.O. Box 729, Clarksdale.	48,913
J. H. Pruett	Lyon	48,844
J. F. Humber, Jr	Farrell	47,710
Lucille & C. M. Fyfe, Jr.	Lulua	47,599
Flowers Brothers	Dublin	46,814
H. M. Haney	Jonestown	44,368
Fant Brothers	Coahoma	44,346
Allen & Ritch	R.R. 1, Lyon	43,932
G. L. McWilliams, Sr	R.R. 1, Clarksdale	43,393
J. W. Henderson	403 Cypress, Clarksdale.	43,207
David S. Manker	R.R. 2, Clarksdale	42 748
Simmons Planting Co	Box 426, Clarksdale	42,076
J. B. Laney	Lyon	41,667
Dulaney Farms, Inc	R.R. 2, Box 140, Clarksdale.	41,293
Rives & Brewer	R.R. 1, Coahoma	40,423
Morris Eason	Mattson	40,309
King & Anderson Ent	P.O. Box 745, Clarksdale.	40,177
Eastover Plantation	Bobo	40,071
Robert G. Johnson	R.R. 2 Box 131, Clarksdale.	40,038
L. B. Shipp	Box 86, Lula	39,788
John H. Garmon, Jr	Box 518, Clarksdale	39,444
Prairie Planting Company.	Stovall	39,428
W. H. Maynard, Jr	939 Maple, Clarksdale	39,322
Allen C. Evans	Lula	39,286
Stribling Planting Co	Box 83, Clarksdale	38,156
J. L. Stribling & Son	P.O. Box 83, Clarksdale.	38,033
W. C. Luckett Farms	Dublin	37,923
Stribling & Smith	Box 83, Clarksdale	37,508
Omega Planting Co	R.R. 1, Lyon	37,273
David B. Mullens	Ridgecrest Lane, Clarksdale.	36,549
R. N. McWilliams	R.R. 1, Box 283, Clarksdale.	36,192
L. S. Powell Estate, Inc.	Dundee	35,982
Wilbur Welch	Rich	35,654
M. J. Commer	Jonestown	35,365
R. L. Perryman	Lula	34,578
M. H. Mabry	Dublin	34,464
Lake Roberson, Jr	R.R. 1, Box 257, Lyon	34,438
J. T. Longino, Jr	Jonestown	33,520
M. C. Stovall, Inc	Stovall	33,345
Edwin J. Mullens	930 West Second, Clarksdale.	32,880
John T. Hays & Son	Dublin	32,791
Andrew J. Donelson	Box 112, Farrell	32,718
Travis H. Taylor, Jr	736 W. Second, Clarksdale.	32,525
Russell Planting Company.	Jonestown	31,560
Weakley Brahan	Lula	31,371
Ellendale Planting Co	R.R. 2, Box 2778, Clarksdale.	31,201
Rocco G. Morris	Friars Point	30,847
W. W. Cooper	440 Cypress, Clarksdale.	30,657
Eaglenest Planting Co	R.R. 2, Box 40, Lyon	30,509
R. M. Aust	R.R. 1, Box 662, Clarksdale.	30,268
John C. Taylor	1117 Anderson, Clarksdale.	30,162
E. V. Catoe, Jr	Lyon	29,741
Massey Farms, Inc	Lyon	29,397
T. Earl Johnson	R.R. 1, Tutwiler	28,969
B. B. Smith	Dublin	28,618
Mattie B. Boone	Lyon	28,138
Dana Haynes	Jonestown	27,613
Preston P. Bennett	Vance	27,570
Sam Parolli	Box 884, Clarksdale	27,325
Mac-Wan Farms	R.R. 3, Box 335, Clarksdale.	27,264
L. T. Payne	R.R. 3, Box 45, Clarksdale.	27,231
Richard Russell	Jonestown	26,407
Graham Bramlett	Bobo	26,255
Robert A. Boyce	Jonestown	26,163
John P. Pelegrin	Stovall	25,462
Total payees in county, 94.		4,623,886
Copiah County:		
W. S. Reed	Utica	40,751
Total payees in county, 1.		40,751
Covington County:		
Homer Rutland	R.R. 4, Collins	54,862
Toxie Allen	R.R. 1, Mount Olive	30,165
Total payees in county, 2.		85,027
DeSoto County:		
Topanga Caine Farm	Lake Cormorant	$159,984
Banks & Co	Hernando	95,862
P. L. Sanders	Walls	78,379
Howard & Blythe Plantation.	Lake Cormorant	77,504
R. S. Jarratt	Walls	59,583
E. F. Crenshaw	Rt. 9, Memphis	56,740
Red-Bud, M. W. Jefcoat.	Lake Cormorant	46,834
Tract-O-Land Plantation.	Lake Cormorant	44,618
Herman Koehler	Robinsonville	44,195
C. E. Clifton	Hernando	39,164
Pidgeon Roost Ranch	Box 547, West Memphis, Ark.	35,197
J. S. Dollahite	Lake Cormorant	32,627
Richard Leatherman, Jr.	Robinsonville	32,555
J. A. Earnheart	Rt. 2, Nesbit	30,840
A. A. Whiten	R.R. 1, Nesbit	10,703
M. C. Sparks & Son	R.R. 1, Lake Cormorant.	30,442
Dudley Bridgeforth	Rt. 1, Nesbit	30,058
R. L. Sullivan	Walls	29,966
J. R. Summers	Rt. 1, Nesbit	29,186
Total payees in county, 19.		984,427
Grenada County:		
B. A. Little	R.R. 1, Holcomb	36,041
Kraetzer Cured Lumber Co.	Box 908, Greenwood	35,936
Thomas A. Ligon	Avenue of the Pines, Grenada.	27,666
Total payees in county, 3		99,643
Hinds County:		
Redfield Plantations	Edwards	73,359
Gaddis Farms, Inc	Raymond	67,999
C. D. Noble	Edwards	55,539
C. C. Floyd	do	49,764
B. H. Virden	R.R. 3, Box 413, Jackson.	38,447
Gaddis & McLaurin, Inc.	Bolton	31,949
Total payees in county, 6.		317,057
Holmes County:		
Egypt Planting Co	Cruger	84,080
J. E. Cunningham, Jr	Tchula	75,577
Stonewall Planting Co	P.O. Box 11, Thornton	65,003
Shotwell Plantation, Inc.	R.R. 1, Tchula	62,909
Lynchfield Planting Co.	Tchula	62,439
Pluto Planting Co	Thornton	52,695
E. W. Hooker	406 Spring St., Lexington.	46,828
W. J. Waits	Goodman	46,447
Paul Wilson	R.R. 1, Tchula	45,929
George D. Wynn	R.R. 1, Pickens	45,551
Byron B. Sharpe	Tchula	43,582
D. C. Conn	R.R. 2, Tchula	42,403
Charley Wade	R.R. 2, Cruger	41,147
J. E. Hays	Tchula	39,062
R. T. Hardeman	Cruger	38,212
Donald Parrish	R.R. 5, Lexington	33,756
Gum Grove Planting Co.	R.R. 2, Tchula	32,634
H. F. Flemming	Cruger	32,312
J. O. Love	Tchula	32,037
S. J. Foose, Jr	Tchula	31,806
H. H. Howard	Cruger	31,768
Wayne Watkins	R.R. 1, Cruger	31,257
R. L. Peaster Co	R.R. 2, Tchula	31,147
J. A. Killebrew	R.R. 1, Cruger	30,996
Humphrey Farm	Ebenezer	29,981
M. K. Shute	Tchula	28,545
J. A. Barrett	Cruger	28,311
Graves Planting Co	Tchula	28,115
Joe Fratesi	Indianola	26,652
Bonanza Plantation	Thornton	26,211
J. R. Peaster, Jr. Estate.	R.R. 2, Tchula	25,326
Total payees in county, 31.		1,273,718
Humphreys County:		
B. W. Smith Planting Co.	Louise	140,968
The Delta Co	% T. L. Reed III, Belzoni.	120,328
C. B. Box Co	Midnight	97,376
James E. Coleman	R.R. 4, Yazoo City	87,713
Nerren Bros	Isola	76,562
Spencer H. Barret	Belzoni	69,343
Halbrook Farms	Belzoni	59,226
R. D. Hines	R.R. 4, Yazoo City	53,998
A. B. Jones, Jr	Box 37, Belzoni	49,198
B. A. Holaday Co	Louise	46,372
Gladstone B. Mortimer.	Belzoni	45,267

CALENDAR YEAR 1968

LISTING OF NAMES, ADDRESSES, AND TOTAL PAYMENTS OF $25,000 OR MORE UNDER ASCS PROGRAMS—EXCLUDING PRICE SUPPORT LOANS, AND SUGAR AND WOOL PAYMENTS—Continued

MISSISSIPPI—Continued

County and name	Address	Total payments
Humphreys County—Continued		
T. M. Simmons, Jr.	R.R. 2, Belzoni	$43,043
D. W. King	Inverness	39,716
Rodgers Farms	R.R. 2, Belzoni	39,332
Wm. L. Dillard	Louise	38,771
John M. Welch	403 Marie Ave., Indianola.	37,306
R. P. Hairston	Silver City	35,923
R. B. Harris	Midnight	34,287
R. D. Bearden	Isola	32,731
Homer Martin, Jr.	Belzoni	32,234
J. D. Upshaw	Louise	32,054
C. M. Parker, Jr.	R.R. 1, Belzoni	31,777
Clint B. Aycock	R.R. 1, Belzoni	31,639
S. W. Gardner	Silver City	31,192
James G. Outlaw	R.R. 1, Silver City	30,647
Curtis F. Johnson	Midnight	30,497
Irby Turner	Belzoni	30,423
Edwards Farms	R.R. 2, Box 2, Belzoni	29,982
B. A. Seward	Louise	29,719
T. N. Turner Farms, Inc.	Belzoni	29,358
Gammons Farm	100 Wister Dr., Belzoni.	29,152
Reed Bros.	Silver City	28,160
Bearden Bros.	Isola	27,917
Jones Planting Co.	Tchula	27,476
Hillsdale Pltn.	% C. D. Williams, Yazoo City.	27,437
R.R. Roberts	R. 2, Belzoni	27,334
Rokeby Pltn.	% H. M Love, Yazoo City.	27,243
Robert L. Powell	Box 221, Louise	27,218
G. H. Hairston Jr.	Silver City	26,478
Seward & Son Inc.	Louise	26,416
Crawford Brothers	Isola	26,359
Wise Brothers	Yazoo City	26,070
R. P. & Tom P Ellis	Daybreak Pltn, Belzoni.	26,049
O. J. Turner III	Belzoni	25,855
W. A Pearson	R.R. Box 161, Isola	25,531
Claude R. Gholson	Silver City	25,422
W. T. Turner	Belzoni	25,205
Total payees in county, 47.		1,942,304
Issaquena County:		
W. T. Touchberry	Glen Allen	112,807
Levee PLT Inc.	% James Hand III, Rolling Fork.	44,568
Johnson Brothers	Valley Park	42,561
Loyd M. Heigle	Mayersville	37,469
Harper R Myres	Mayersville	33,976
Rudy Plt.	% P. L Ross, Glen Aulan.	27,834
W. C. Woodruff	Grace	26,099
Total payees in county, 7.		325,314
Jeff Davis County:		
Hubert Rutland	Jayess	28,478
Total payees in county, 1.		28,478
Lafayette County:		
Valley Plantation	Box 265, Oxford	43,004
Walker E. Downs	R.R. 1, Oxford	39,060
R. B. Anderson	R.R. 2, Oxford	38,164
J. T. Smith	315 Sisk, Oxford	25,649
Total payees in county, 4.		145,877
Leake County:		
Grady Williams	Box 2, Walnut Gove	30,398
Total payees in county, 1.		30,398
Lee County:		
H. M. Scruggs	R.R. 2, Saltillo	30,341
Total payees in county, 1.		30,341
Leflore County:		
Buckhorn Planting Co.	R.R. 2, Greenwood	146,510
Wildwood Plantation	R.R. 3, Greenwood	120,470
West, Inc.	R.R. 1, Sidon	112,260
Four Fifths Plantation.	R.R. 3, Greenwood	106,458
Annapeg, Inc.	% Rufus Stainback, Minter city.	98,561
The Brown Farm	Schlater	94,183
O. F. Bledsoe Plantation Establishment.	R.R. 3, Greenwood	91,036
Race Track Plantation	R.R. 3, Greenwood	90,551
H. C. McShan	Schlater	83,269
L. W. Wade Farms, Inc.	Box 1136, Greenwood	80,227
Joe Pugh	Itta Bena	78,445
Roebuck Plantation	Sidon	76,755
Ruby Planting Co.	% J. F. Shaw, Box 174, Money.	72,879
Leflore County—Continued		
Runnymede Plantation.	Box 277, Itta Bena	$63,887
D. E. Reynolds, Jr.	Glendora	62,519
R. L. Pillow	Box 128, Itta Bena	62,402
W. H. and J. C. Morgan	Morgan City	58,298
F. T. Leavell	Minter City	53,541
Hugh M. Arant	R.R. 2, Ruleville	53,172
King Plantation	1100 Poplar, Greenwood.	51,559
Ed Hunter Steele	Morgan City	50,861
Hobson Gary	Schlater	50,252
Keirn-Switch Planting Co.	% R. T. Hardman, Cruger.	50,065
Sturdivant & Bishop	Minter City	49,596
W. J. Roberson	Minter City	48,959
T. J. Carter	Box 304, Money	48,957
B. B. Provine, Jr.	113 Howard St., Greenwood.	48,923
William C. Maloney	R.R. 1, Box 250, Itta Bena.	46,139
Tupelo Plantation	505 E. Park, Greenwood	44,923
B. G. McGeary	Box 426, Sidon	42,429
Holly Grove Plantation.	Sidon	42,060
W. L. Craig	R.R. 2, Greenwood	42,059
I. T. McIntyre III	ITTA Bena	40,278
Jeff L. Cole	709 Parsons, Greenwood.	38,886
W. D. Bradford	R.R. 2, ITTA Bena	38,858
Ray Tribble	Money	37,174
J. Wayne Bush	Schlater	37,006
BCS Corp.	R.R. 2, Box 48, Minter City.	36,974
E. H. Neill	R.R. 3, Greenwood	36,896
Hugh A. Warren	Sidon	36,210
Fort Loring Plantation	R.R. 1, Itta Bena	35,632
Landrum & Leavell	Minter City	35,340
Lake Henry Plantation	Box 1136, Greenwood	35,021
Pee Dee Planting Co.	% Hunter Chitton, Schlater.	34,619
French Bend Plantation.	Room 11, Freeman Bldg., Greenwood.	34,530
L. L. Walter & Sons	Minter City	34,043
James Morgan, Jr.	804 Weightman, Greenwood.	33,487
R. T. Wade	R.R. 1, Minter City	32,973
Lock Eleven	Swiftown	32,727
B & S Planting Co.	Glendora	32,140
C. L. Patridge	Box 347, Schlater	31,778
Hayward Jacks	Box 5, Philipp	31,698
Sam Balkin Trust Estate.	Schlater	31,313
Murphey Bros.	P.O. Box 36, Itta Bena.	30,817
Shoe String Plantation	Box 588, Greenwood	30,427
W. G. Somerville	Minter City	29,922
Carrie P. Avent & Jones.	R.R. 1, Minter City	29,714
M. C. Tillman	Schlater	28,899
F. R. Morgan, Jr.	Morgan City	28,398
W. P. Kimbrough, Jr.	605 Lamar St., Itta Bena.	27,759
E. D. Strain, Jr.	Morgan City	26,401
Bishop Cottonland	Glendora	26,340
Lamar Makamson	R.R. 1, Sidon	26,034
Glen Burr Plantation	R.R. 3, Greenwood	26,028
W. C. Haynes	420 East Park, Greenwood.	25,745
Lee Murphree	R.R. 1, Greenwood	25,525
Total payees in county, 66.		3,321,815
Lincoln County:		
C. C. Clark	Ruth	25,911
Total payees in county, 1.		25,911
Lowndes County:		
J. A. Hanson	R.R. 2, Hamilton	35,080
Saunders B. Carson	R.R. 1, Crawford	29,834
James C. Richards	R.R. 2, Caledonia	26,620
Total payees in county, 3.		91,534
Madison County:		
J. D. Rankin	R.R. 3, Canton	74,248
George H. Moore	do	60,520
Dudley R. Bozeman	Box 270, Flora	53,348
Thomas L. James	Finney Rd., Canton	53,180
M. S. Cox, Jr.	Madison	39,487
E. D. Mansell	R.R. 1, Pickens	37,652
Ben Stribling	R.R. 2, Box 64 AA, Canton.	34,355
J. R. Tate	Canton	31,205
E. K. Bardin	Flora	27,119
Total payees in county, 9.		411,114
Marshall County:		
Odell J. Wilson	R.R. 3, Holly Springs	60,417
W. G. Ash	Holly Springs	50,841
L. E. Devore	Rossville	43,342
Polly R. Curl	Holly Springs	37,645
Marshall County—Continued		
C. B. Robinson	Waterford	$36,365
Byron Hurdle	R.R. 1, Lamar	35,721
Lonnie Bolden	R.R. 1, Holly Springs	32,154
Jack McClatchy	Red Banks	30,744
J. W. Cocke	R.R. 2, Holly Springs	29,548
Wayne Briscoe	Red Banks	28,255
C. S. Hurdle	R.R. 1, Moscow, Tenn.	27,384
Total payees in county, 11.		412,416
Monroe County:		
Sid T. Sanders	R.R. 2, Hamilton	36,559
Fay Nevins	do	26,241
Total payees in county, 2.		62,800
Noxubee County:		
E. F. NLNN & Co.	Shuqualak	172,559
Circle M. Ranch, Inc.	Paulette	49,463
Valley Farm	Bigbee Valley	38,819
A. B. Stevens, Jr.	R.R. 1, Macon	28,340
Ralph Spurgeon, Jr.	Cliftonville	26,319
Total payees in county, 5.		315,500
Panola County:		
Donald Bartlett	Como	54,501
W. S. Taylor, Jr.	Como	46,992
Robert McMillan	R.R. 5, Batesville	44,60
J. H. Magee & Sons	Batesville	44,436
Raymond Birdsong	R.R. 3, Box 272, Batesville.	42,899
Short Planting Co.	Como	39,135
Hays Bros. & Hall	R.R. 2, Box 196, Sardis.	37,310
J. B. Wardlaw & Co.	Como	35,923
Clarence Taylor	Como	32,826
W. P. Lemaster	R.R. 2, Box 240, Sardis.	30,915
Alton Milam	R.R. 5, Batesville	30,403
Leslie Busby	R.R. 2, Enid	30,090
Maury R. Harris & Sons, Inc.	Box 25, Sledge	29,851
Clarence Overall, Jr.	R.R. 2, Sardis	28,577
Leon Crigler	R.R. 1, Box 171, Crenshaw.	28,074
Estate of Fred Taylor, Sr.	Como	27,674
Stanford McNemar	Star Rt., Sardis	27,353
Steve Short	Sledge	26,094
Dilmore & Austin	C/o B. Austin, R.R. 5, Batesville.	26,062
Taylor Bros.	736 West Second St. Clarksdale.	25,427
F. F. Lunceford	R.R. 5, Box 202, Batesville.	25,238
W. S. Hamer	Dyersburg	25,230
Crenshaw Bros., Inc.	Crenshaw	25,110
Total payees in county, 23.		764,725
Quitman County:		
Yandell Brothers	Vance	121,943
Roger Davidson	Box 245, Marks	96,127
John B. Ford	Darling	89,091
L. J. Barksdale, Sr.	Marks	62,903
Self & Co.	Marks	62,548
G. H. Barker	Marks	61,294
P. M. B. Self Estate	Marks	52,861
F. R. Trainor	Lambert	51,254
Garmon Farm	R.R. 1, Marks	45,784
Posey Mound Planting Co.	Marks	45,578
Wise Bros.	Jonestown	45,485
H. T. Pittman	Marks	42,479
T. C. Potts	Crenshaw	39,805
Fulmer Farms	C/O T. J. Ware, Jr., R.R. 2, Marks	38,682
E. Q. Vance, Jr.	Vance	38,632
C. W. Denton	Belen	38,550
Burl and Jearl Mahan.	Falcon	38,393
Noel Wilborn	Lambert	37,432
Belen Planting Co.	Box 40, Marks	36,628
Fletcher S. Haynes	R.R. 1, Box 267, Lambert.	35,467
E. M. Fedric Farms, Inc.	Vance	34,667
Longstreet Planting Co.	305 West 2d, Clarksdale.	33,274
Joe E. Benson	Marks	32,577
Corbin Bros.	R.R. 1, Sledge	32,361
Lent E. Thomas, Jr.	R.R. 5, Lambert	32,020
F. R. Wright, Jr.	R.R. 3, Lambert	28,083
Mississippi State Penn.	Parchman	27,885
Starr Farm	Sledge	27,219
B. O. Tedford	R.R. 1, Box 185A, Lyon.	26,918
A. L. King, Jr.	Vance	25,940
B. H. Cobb	Lambert	25,625

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CALENDAR YEAR 1968

LISTING OF NAMES, ADDRESSES, AND TOTAL PAYMENTS OF $25,000 OR MORE UNDER ASCS PROGRAMS—EXCLUDING PRICE SUPPORT LOANS, AND SUGAR AND WOOL PAYMENTS—Continued

MISSISSIPPI—Continued

County and name	Address	Total payments
Quitman County—Continued		
L. P. Butler Estate and J. D. Peterso.	Belen	$25,196
Total payees in County, 32.		1,432,701
Rankin County:		
J. W. Patrick, Jr	Brandon	82,330
Paul Cross	R.R. 1, Pelahatchie	27,456
J. B. Williamson	Fannin	25,739
Total payees in County, 3.		135,525
Sharkey County:		
Pantherburn Co	Pantherburn	158,521
Murphy Jones	Nitta Yuma	104,129
Cameta Plantation, Inc.	Anguilla	95,928
H. G. Carpenter	Rolling Fork	86,390
Raymond Brown and J. M. Brown.	Anguilla	62,501
Moore Planting Co., Inc.	Cary	59,026
James A. Boykin	Delta City	54,658
Lynndale Planting Co., Inc.	Cary	54,496
Little Panther Plantation.	Leland	54,491
Carter Brothers	Rolling Fork	53,774
Evanna Plantation, Inc.	Cary	52,425
Reality Plantation, Inc.	Rolling Fork	52,187
Martin Planting Co., Inc.	Anguilla	49,870
Powers Company, Inc.	Cary	49,019
Baconia Plantation, Inc	Cary	48,334
S. M. Montgomery	Rt. 2, Rolling Fork	46,083
M. C. Ewing Co., Inc.	Anguilla	42,638
G. C. Cortright	Rolling Fork	42,300
H. T. Greer	Anguilla	38,339
Council Bend, Inc.	% V. B. Schimmel, Rolling Fork.	36,368
Ike Grundfest Estate	Cary	36,268
Patton Planting Co	Nitta Yuma	35,758
Charles Kline	Anguilla	32,951
T. W. Harris	Cary	32,468
Rebekah Fields and Billy C. Fields.	Rolling Fork	31,490
Darden Co	Onward	29,445
T M and Q Farm	P.O. Box 151, Rolling Fork.	29,422
Pat R. Dunaway	201 South First St., Rolling Fork.	28,381
Neff Farms, Inc.	Box 278, Hollandale	26,703
A. B. Williams	Delta City	25,961
Dudley Moore	Rolling Fork	25,835
Total payees in county, 31.		1,576,159
Sunflower County:		
Eastland Plantation, Inc.	Doddsville	116,978
Billups Plantation, Inc.	Indianola	101,591
J. Levingston Estate, Inc.	Ruleville	99,325
Kelly R. Mahan	Batesville	99,250
Duncan Farms, Inc	Rt. 2, Inverness	92,225
W. D. Patterson	Rome	82,894
Allen and Brashier Planting Co.	Indianola	80,036
Douglas Mallette	Indianola	70,605
H. T. Bonds	Rt. 1, Shelby	63,579
Frank T. Brumfield	Inverness	63,339
P. K. McGregor	Inverness	61,169
Billy Joe Waldrup	Drew	60,589
Lipe Farms Inc.	% George Lipe, Indianola.	60.221
J. H. Hill	Indianola	59,390
W. P. Scruggs	Doddsville	58,084
C. S. Simmons, Jr	Inverness	55,038
William M. Pitts	Indianola	54,798
Pauline V. Adair	Doddsville	53,816
Garrard Estate	% W. M. Garrard Jr., Indianola.	51,979
Brewer, Morgan	Sunflower	48,620
J. M. Montgomery, Jr	Inverness	48,355
H. A. Recker	Route 1, Indianola	48,043
J. W. Stowers	Inverness	47,688
Shurden & Owens	Drew	46,637
V. A. Johnson	Indianola	46,536
Poindexter Brothers	Inverness	46,435
Ruby, Morgan & Sons	Sunflower	46,224
James Bradshaw	do	45,861
Phillip Fratesi	Indianola	43,040
George Rice	do	42,788
Herbert Stricklin	Baird	42,485
J. B. Baird	Inverness	42,431
R. M. & C. H. McClatchy.	Sunflower	41,540
F. L. Tindall	Indianola	41,190
Sunflower County—Continued		
Parker-Springer Planting Co.	P. O. Box 6, Drew	$40,328
W. E. Austin	Clover Drive, Indianola.	40,158
W. O. Shurden	Drew	40,079
N. H. McMath	Isola	39,832
A. J. Hill	Rome	39,705
Ethel Lyon	Route 1, Shaw	39,434
H. T. Miller Planting Co., Inc.	Drew	39,299
Fletcher Brothers	Indianola	38,479
F. T. Clark	Ruleville	37,946
H. P. Watson	Box 95, Lexington	37,882
A. K. Maxwell	Moorhead	37,575
J. P. Fisher, Jr	Sunflower	36,559
A. E. Schuyler	Shelby	36,426
W. E. Jefcoat	Doddsville	36,346
Patterson, Brothers	Merigold	35,267
Lake O. Lindsey	Doddsville	34,517
Dyche Plantation, Inc.	Blaine	34,483
St. Rest Plantation, Inc.	Holly Ridge	34,347
Pitts Planting Co., Inc.	Indianola	33,940
Glenn, McCoy	Rt. 1, Box 126, Clarksdalems.	33,646
Jones Brothers	Inverness	33,376
L. D. McCoy, Jr	Drew	33,264
Hugh Medders	Shaw	33,224
Allen Brothers	Indianola	32,739
McWilliams & Pyron	Holly Ridge	32,096
Robert Mullins	Blaine	31,780
Dick Barrett	Indianola	31,253
H. W. King	Drew	31,002
R. K. Clark	Drew	30,854
J. A. Ely, Jr	Shaw	30,533
W. E. Lamastus, Jr	Drew	30,308
Louis Millen	Drew	30,045
Parker Planting Co	Drew	29,842
F. T. Clark and Son	Ruleville	29,815
L. A. Safley	Rome	29,814
J. T. McGregor	Indianola	29,814
Mittie P. Toler	Inverness	29,812
J. S. Parker, Jr	Sunflower	29,693
J. B. Failing	Indianola	29,646
Brashier-Allen	Indianola	29,631
Peeples & Poss Farm	P.O. Box 226, Winterville.	29,572
Will A. Price	Inverness	29,390
Herbert Pearce	Cleveland	29,203
Bruce Brumfield	Inverness	29,096
C. A. McGregor	Inverness	28,695
W. L. Patterson	Sunflower	28,123
L. A. & L. E. Braswell	Rt. 1, Shaw	28,032
M. & F. Planting Co	Box 578, Indianola	28,003
Kansas Plantation Inc.	Holly Ridge	27,430
W. O. Shurden, Inc	Drew	27,390
Jack Curry	Ruleville	27,383
W. D. Marlow III & Son.	Ruleville	27,294
Grittman and Adams	Drew	27,134
Hubert Robertson	Indianola	27,124
V. E. Lester	Isola	27,107
J. G. Prichard	Inverness	26,709
W. H. Baird	Indianola	26,620
Hugh G. Fisher	Indianola	26,569
F. E. Mitchell	Box 117, Rome	25,582
Earl W. Pittman	Sunflower	25,576
J. R. Dockery	Rt. 2, Cleveland	25,573
G. D. Lyon	Rt. 1, Shaw	25,476
H. C. Eastland	Doddsville	25,100
P. H. Brown Farms	% P. H. Brown, Indianola.	25,099
Total payees in county, 98.		4,080,848
Talahatche County:		
M. T. Hardy	Webb	122,799
Mike P. Sturdivant	Glendora	93,600
E. C. Fedric	Glendora	80,115
Twilight Planting Co	Glendora	78,538
J. L. Hill & Co	Webb	78,417
Hoparka Plantation	% F. M. Mitchener, Sumner.	71,068
Cotton Dixie, Inc	% J. B. Baker, Webb	65,660
J. R. Flautt & Sons	Swan Lake	61,656
T. C. Buford	Glendora	60,904
A. A. Mabus	Philipp	60,084
Ralph T. Hand, Jr	Glendora	59,226
E. D. Graham	Sumner	58,485
Equen Planting Co	% Melza Wilson, Minter City.	57,882
Jerry Falls	Webb	55,590
Triple M Planting Co	Sumner	55,188
Rainbow Planting Co	¥ W. W. Pearson, Webb.	54,282
S. M. Fewell & Co	Vance	53,934
F. M. Mitchener, Jr	Sumner	52,909
J. A. Townes	Minter City	52,632
Frank Sturdivant	Minter City	51,846
Frank Sayle	Charleston	48,342
H. T. Bond, Jr	R.R. 1, Shelby	48,253
Martha B. Lowe	Glendora	47,040
J. C. Hardy	R.R. 2, Charleston	45,344
Herbert Rice	Webb	43,457
Talahatche County—Continued		
J. Noel Reed	400 E. Hardin, Greenwood.	$43,030
T. B. Abbey, Jr	Webb	42,850
Benford Brown	Charleston	42,766
James Brothers	% Bill James, Tippo	42,326
Phil Thornton III	Tutwiler	39,971
M. L. McMillan	Minter City	39,010
Stuart Denman	R.R. 2, Charleston	38,134
A. G. Murphey	Tippo	37,699
N. J. McMullen	Sumner	37,576
M. E. Foreman	Webb	37,227
M. S. Dale	405 E. Monroe, Greenwood.	36,927
Bailey Brake Farm	% Geo. B. Peters, Charleston.	35,703
T. W. George & O. L. Ferguson.	Philipp	33,303
William Tribble	R.R. 3, Charleston	31,752
Ray Roberson Farm, Inc.	Philipp	29,653
Bilbo Pennington	Vance	29,515
John W. Sherman	R.R. 1, Enid	28,133
Casburn Bros	Sumner	27,624
W. G. Burkhalter	Enid	27,138
R. W. Mabry	Tutwiler	27,055
Worley & Son	Sumner	26,527
Sammie Brasher	R.R. 2, Cascilla	26,500
C. E. Waldrup	R.R. 2, Drew	26,139
Ernest Brasher, Jr	R.R. 1, Cascilla	25,973
B. A. Marley	Sumner	25,879
Margaret M. Norman	Box 790, Cleveland	25,526
Maggie W. McLellan	Charleston	25,171
Total payees in county, 52.		2,446,358
Tate County:		
M. P. Moore	Senatobia	71,422
E. E. Moore	Senatobia	51,593
R. G. Roseborough	Senatobia	29,441
Tom Wilson	Senatobia	27,327
W. P. Veazey Jr	Coldwater	27,222
Thomas Smith	R.R. 1, Coldwater	26,803
Total payees in county, 6.		233,808
Tunica County:		
B. F. Harbert Co	Robinsonville	115,098
Abbay and Leatherman, Inc.	Robinsonville	111,795
H. R. Watson and Sons.	Tunica	99,790
D. C. Parker	Rt. 1, Tunica	87,778
Bibb, Inc	Box 122, Tunica	82,371
M L Earnheart Co	Tunica	81,424
S. A. Arnold Jr	Tunica	79,391
Owen Bros	Rt. 1, Tunica	75,830
R. W. Owen, Inc	Rt. 1, Tunica	72,550
Carl C. May	Rt. 2, Box 599, W. Helena	68,543
S. C. Wilson & Son	% Shelby T. Wilson, Dundee.	68,444
Paul Battle, Jr	Box 232, Tunica	68,391
Arnold Farms, Inc	Tunica	66,311
Oaklawn Plantation, Inc.	Rt. 3, Box 36, Dundee	64,929
Clinton P. Owen	Robinsonville	57,572
Withers & Seabrook	Tunica	53,367
A. C. Caperton	Tunica	53,172
Austin Brothers	Rt. 3, Box 14, Dundee	51,694
A. S. Perry & Sons Inc.	Tunica	50,465
Youngblood Company	Rt. 2 Box 41, Dundee	46,604
McClintock Farms, Inc.	Box 115, Tunica	45,558
Irwin Company, Inc	Robinsonville	45,148
T. O. Earnheart Co., Inc.	Tuncia	44,609
Boyd Brothers	Rt. 1, Box 167, Dundee	43,935
B. R. Smith	Rt. 3, Box 132, Dundee	42,997
Hood Farms, Inc	Box 845, Tunica	42,876
W. H. Houston, Jr	Tunica	42,023
Lloyd E. Ryals	Box 98, Dundee	39,286
C. H. Block & Co	Box 847, Tunica	37,222
A. T. Earnheart	Tunica	37,108
W. C. Bynum	Rt. 1, Box 143, Tunica	34,604
C. Buck Graves	Sarah	34,487
R. I. Abbay	Tunica	33,762
Alterra Planting Co	Tunica	30,976
Ewing and Son, Inc	Box 292, Robinsonville	28,687
Flowers & Parker	Post Office Box 38, Tunica.	27,963
Clyde J. Perry	Tunica	27,670
C. E. Pegram and Son.	Rt. 2, Box 79, Dundee	27,268
E. J. Lake	Rt. 3, Box 3, Dundee	26,662
Jonnson & Frank	Rt. 3, Box 5, Dundee	26,532
Ransom A. Myers	Rr. 2, Box 62, Dundee	26,521
Jack W. Perry & Company, Inc.	Tunica	25,687
Total payees in county, 42.		2,227,103

XUM

CALENDAR YEAR 1968

LISTING OF NAMES, ADDRESSES, AND TOTAL PAYMENTS OF $25,000 OR MORE UNDER ASCS PROGRAMS—EXCLUDING PRICE SUPPORT LOANS, AND SUGAR AND WOOL PAYMENTS—Continued

MISSISSIPPI—Continued

County and name	Address	Total payments
Union County:		
Hugh Stephens	Box 186, New Albany	$84,104
Total payees in county, 1.		84,104
Warren County:		
Aden Brothers, Inc.	Valley Park	78,413
H. A. Downey, Jr.	Rt. 1, Box 320 Vicksburg	38,971
B. N. Simrall and Son, Inc.	Redwood	36,140
W. O. Miller	2701 Clay St., Vicksburg.	33,847
Dorothy G. Butts	Redwood	26,897
Total payees in county, 5.		214,268
Washington County:		
Potter Bros, Inc.	Box 349, Arcola	227,768
Crowe Farms	Arcola	223,835
Trail Lake Plantation	Tralake	146,478
R. A. Ingram	Leland	136,739
H. K. Hammett and Sons.	Box 512, Greenville	123,106
Husbandville Plantation.	%W. T. Rortson, Holly Ridge.	107,318
Torrey Wood and Son.	Hollandale	106,769
I. D. Nunnery, Jr.	Arcola	102,055
Hagan and Bruton Farm.	Box 226, Hollandale	101,639
Baker Planting Co.	Leland	84,322
Walker Farms, Inc.	% George R. Walker, Stoneville	77,891
Glinockie Planting Co.	Leland	75,517
Fairfax Plantation	Ben Walker, Tribbett	74,079
W. G. Trotter	Box 113, Winterville	71,681
Edward Trotter	R.R. 2, Box 745, Greenville.	63,353
Alex Curtis	602 South Deer Creek Dr. West, Leland.	61,957
M. H. Rich, Jr.	Chatham	60,401
Ganier Brothers	Hollandale	60,050
Dan L. Smythe	Tribbett	58,525
Clyde V. Gault	Leland	57,816
D. K. Morrow	Gamwyn Park, Greenville.	57,794
Dogwood Plantation	W. E. Taylor, R.R. 2, Box 822, Greenville.	57,504
W. C. Skates & Son	Avon	57,007
James Middleton	Darlove	56,579
John T. Dillard	503 Cypress St., Leland.	53,538
Refuge Plantation, Inc.	R.R. 2, Box 667, Greenville.	53,268
Arcola Planting Co.	J. R. Shaw, Arcola	53,189
F. L. Gerdes, Jr.	Box 255, Leland	51,932
Faith Plantation	%J. M. Dean, Tribbett	51,842
Barton Ingram	Box 352, Arcola	51,151
Lakeland Farms	R.R. 1, Box 380, Hollandale.	50,199
Highland Plantation	R.R. 2, Box 225, Greenville.	49,208
Dean and Co.	Tribbett	48,901
Billy Percy	Trail Lake Gin Co., Tralake.	47,813
Franklin Trotter	Rt. 1, Box 507, Greenville.	47,595
Deloach Cope	103 Church St., Hollandale.	46,688
Cope and Neff	Box 278, Hollandale	46,437
Metcalfe and Weathers.	% T.W. Weathers, Metcalfe.	45,462
E. J. Ganier	Percy	44,670
Andrews Bros	A. L. Andrews, Leland	44,401
J. C. Reed	R.R. 2, Leland	44,261
Stevens Brothers	Glen Allan	43,157
Deandale	%Cameron Dean, Tribbett.	43,025
Walnut Bayou Planting Co.	% James S. Brown, Leland.	42,934
Mounds Plantation, c/o Com. Nat. Bk.	Box 777, Greenville	41,542
Robert N. Aldridge & Sons.	Box 38, Hollandale	41,274
Four C. Land Co.	% Gordon Crowe, Arcola.	39,830
Wilmot Planting Co.	Ross Underwood, Arcola.	38,694
H. T. Cochran & Son	Rt. 2, Hollandale	37,875
Thomas A. Hollingsworth and Co.	Hollandale	37,269
Isola Plantation	%H. W. Branton, R.R. 1, Leland.	36,973
Gus Pieralisi	R.R. 2, Leland	36,648
Osceola Plant Co.	%S. R. Underwood, Arcola.	36,264
E. W. and G. W. Stone	Chatham	35,852
Word Planting Co.	Leland	35,785
V. L. & L. A. Nunnery	208 Bermuda, Greenville.	35,598
A. G. Mahalitc	Rt. 1, Box 116A, Rolling Fork.	35,256
Washington County—Continued		
W. H. Neill and Sons	Leland	$34,828
W. O. Hester	R.R. 3, Box 91, Greenville.	34,516
Walcott Planting Co.	Box 37, Hollandale	34,315
Harris and Harris	Box 367, Hollandale	34,072
Ralph Owens	Metcalfe	33,962
Munn and Morgan	Box 838, Leland	32,168
James A. Petty	Wayside	31,784
Hampton Collier	Hollandale	30,931
David B. Flanagan	508 S. Deer Crk. Dr. W., Leland.	30,466
Montgomery and Grissom.	Leland	29,941
C. D. Verner	% Whitehall Pltn., Leland.	29,872
Delta Experiment Station.	Stoneville	28,941
John J. Hall, Jr.	R.R. 1, Box 109, Leland.	28,629
Clinton Mitchell	Tribbett	28,222
Marathon Plantation	J. P. Fisher & Sons, Glen Allan.	28,148
O. R. Horton	R.R. 2, Hollandale	28,108
Park Farms	% Marlowe R. Park, Winterville.	27,431
V. L. Sandifer	Hollandale	27,174
Glen Taylor	1940 Susan Dr., Greenville.	27,111
E. E. Cooper	Leland	27,108
J. P. Wilkerson	Winterville	26,653
Edward P. Vieh	Box 12, Hollandale	26,495
Winston Walker	R.R. 1, Box 155, Greenville.	26,230
Sam Sabatini	613 Third St., Leland	25,773
Don O. Baker	Leland	25,690
W. A. Dunaway & Son	Box 35, Hollandale	25,475
G. G. & G. W. McCool	Rt. 1, Box 151, Glen Allan.	25,020
Total payees in county, 84.		4,487,777
Yalobusha County:		
J. C. Sides, Sr.	Box 197, Coffeeville	99,831
John N. Covington, Jr.	Box 177, Coffeeville	45,570
H. H. White	116 South Main, Water Valley.	38,000
W. C. Hall	R.R. 5, Water Valley	34,513
W. V. Moore	Oakland	30,341
Total payees in county, 5.		248,255
Yazoo County:		
E. T. Jordan & Sons	R.R. 4, Yazoo City	89,416
H. S. Swayze	R.R. 2, Benton	87,513
Ruby Walker	Bentonia	84,217
Lakeview Planting Co.	R.R. 4, Yazoo City	83,439
D. H. Dew, Jr.	Eden	66,594
D. H. Dew, Sr.	Eden	62,311
S. Coleman	R.R. 5, Yazoo City	57,858
Ray Scroggins	Box 781, Yazoo City	53,930
E. T. Schaefer	P.O. Box 305, Yazoo City.	51,781
Seward & Harris	Midnight	50,773
Kinkhead Plantation	R.R. 1, Yazoo City	40,815
Ivanhoe Plantation	% R.E. Coker, Box 868, Yazoo City.	40,718
John J. Peaster	R.R. 1, Yazoo City	38,272
M. S. Johnson, Jr.	R.R. 1, Bentonia	37,094
John S. Howie	R.R. 1, Benton	36,849
Eldorado Planting Co.	R.R. 4, Yazoo City	36,629
Barrier & Barbour	Box 51, Yazoo City	35,426
L. M. Phillips	Holly Bluff	34,940
J. N. Hart	Satartia	34,139
Frazier Thompson	Bentonia	32,795
Koalunsa Plantation	Box 51, Yazoo City	32,155
J. V. Whitaker	Satartia	30,630
W. T. Clark, Jr.	R.R. 4, Yazoo City	30,436
W. E. Paul	R.R. 4, Yazoo City	30,223
W. F. Cresswell	R.R. 5, Yazoo City	29,918
Allen Bridgforth	R.R. 1, Vaughan	28,280
T. E. Fouche	R.R. 2, Benton	28,027
A. S. Nichols	Vaughan	27,784
Barrier Bros	Box 51, Yazoo City	27,558
D. H. Shipp	R.R. 2, Benton	27,101
E. L. Coleman	R.R. 4, Yazoo City	26,694
Thomas R. Stricklin	R.R. 6, Satartia	26,509
Seward & Son	Louise	26,468
Hamel Farms, Inc.	Yazoo City	26,393
Total payees in county, 34.		1,453,685
Total payees in State, 817.		38,266,282

MISSOURI

County and name	Address	Total payments
Atchison County:		
[This county has no Federal food-aid program for poor families]		
Bass Farms	By Fred Bass, Tuscola, Ill.	47,123
Atchison County—Continued		
Dean Bolton	Fairfax	$38,071
Scamman and Co.	By J. P. Scamman, Tarkio.	33,035
William M. Griffin	Rock Port	32,083
Jimmie Low	Tarko	29,583
Orville Wolf	Rock Port	27,555
George Opp	Rock Port	26,312
Total payees in county, 7.		233,762
Audrain County:		
[This county has no Federal food-aid program for poor families]		
A. C. Farms, Inc.	Box 218, Mexico	28,652
Total payees in county, 1.		28,652
Bates County:		
[This county has no Federal food-aid program for poor families]		
True Beisly	Box 282, Nevada	25,395
Total payees in county, 1.		25,395
Boone County:		
[This county has no Federal food-aid program for poor families]		
Dorsey M. Bass	228 East Parkway, Columbia.	33,965
Total payees in county, 1.		33,965
Buchanan County:		
Sonnenmoser Br.	% J. A. S., R.R. 1, Weston.	27,750
Total payees in county, 1.		27,750
Carroll County:		
[This county has no Federal food-aid program for poor families]		
R. E. Wiese Farms, Inc.	De Witt	36,787
D. N. M. Grain Co.	918 Br. of Tr. Bldg., Kansas City.	33,889
Kipping Brothers	R.R. 4, Carrollton	32,140
Brayton Farms, Inc.	1123 North Jefferson, Carrollton.	27,046
Famuliner Brothers	R.R. 2, Carrollton	26,490
Total payees in county, 5.		156,352
Cass County:		
[This county has no Federal food-aid program for poor families]		
Virgil Carlile	Pleasant Hill	26,106
Total payees in county, 1.		26,106
Chariton County:		
[This county has no Federal food-aid program for poor families]		
Quinn Bros	Salisbury	62,590
W. L. Dickinson	Keytesville	27,575
C. S. Bramble & Sons	Glasgow	27,229
Total payees in county, 3.		117,394
Daviess County:		
L. L. Cook	Gallatin	26,084
Total payees in county, 1.		26,084
Dunklin County:		
Harris Farms, Inc.	% Paul Harris, Senath.	25,455
Total payees in county, 1.		25,455
Holt County:		
[This county has no Federal food-aid program for poor families]		
Patterson Farms, Inc.	% G. D. Patterson, Maitland.	73,437
Donald E. Morris	Fortescue	65,516
Jack Windle	1921 First Ave., Nebraska City, Nebr.	39,965
G. D. Patterson	Maitland	28,544
Haer Farms	% Emmett Haer, Craig.	27,558
Total payees in county, 5.		235,020
Howard County:		
[This county has no Federal food-aid program for poor families]		
Roy J. Davis	Boonville	50,526
Total payees in county, 1.		50,526
Jackson County:		
Rlds. Church	% Don Elefson, Rlds. Audit, Independence.	67,463
Batman Farms	% Ray Batman, Grain Valley.	46,850
Total payees in county, 2.		114,313

CALENDAR YEAR 1968

LISTING OF NAMES, ADDRESSES, AND TOTAL PAYMENTS OF $25,000 OR MORE UNDER ASCS PROGRAMS—EXCLUDING PRICE SUPPORT LOANS, AND SUGAR AND WOOL PAYMENTS—Continued

MISSOURI—Continued

County and name	Address	Total payments
Knox County: [This county has no Federal food-aid program for poor families]		
James B. Washburn	La Belle	$31,237
Total payees in county, 1.		31,237
Livingston County:		
Marshall Meservey	Chula	28,279
Total payees in county, 1.		28,279
Mississippi County:		
Marshall Lands, Inc.	Box 3, Charleston	78,461
Wolf Island Farms	Wolf Island	76,788
Dearmont, Oliver	R.R. 1, East Prairie	75,627
H & D Duenne	R.R. 2, Charleston	71,563
Burke Bros & Giltz, Inc.	405 Cypress, Charleston.	57,586
Big Oak Farms	R.R. 2, East Prairie	50,852
W. C. Bryant	R.R. 2, East Prairie	48,423
Lankheit Plantation	R.R. 2, Charleston	36,072
Thurmond Farms, Inc.	Charleston	32,925
Pulltight Farms	P.O. Box 70, East Prairie.	32,389
Choate Farms, Inc.	Charleston	29,386
Mt. Level Farms	Box 7, East Prairie	29,186
Robert C. Jackson	R.R. 1, Charleston	28,708
Babb & Deline	R.R. 2, Charleston	28,614
Shelby Farms, Inc.	Charleston	26,026
M & M Farms	% H. V. Morrow, R.R. 1, Bertrand.	25,296
Total payees in county, 16.		727,902
Moniteau County: [This county has no Federal food-aid program for poor families]		
Knipp Bros	% Ernest Knipp, Tipton.	41,035
Total payees in county, 1.		41,035
New Madrid County:		
Swiney & Sons	Catron	54,947
Byars Orton	R.R. 2, Portageville	46,442
E. B. Gee, Jr	John R. Bailey, AGT, Portageville.	45,937
Walter O. Swiney	Box 375, Morehouse	43,407
Aubra Wrather	R.R. 1, Portageville	36,878
Raymond Ashley	Catron	36,382
Charles Pikey, Jr	Conran	36,063
Ernest Carpenter	New Madrid	35,581
Fletchers Gin, Inc.	Gideon	34,732
A. C. Riley	New Madrid	34,565
Lorwood Plantation	Parma	32,550
George Dawson	R.R. 1, New Madrid	31,756
David Barton	Catron	30,235
W. V. Riley	New Madrid	28,164
Wesselrodt & Campbell.	T. L. Maschmeyer, Lilbourn.	28,121
S. L. Hunter, Jr	% Arline Avery, AGT, New Madrid.	27,595
Oren Ross	Lilbourn	25,727
J. J. Bloomfield	New Madrid	25,462
Total Payees in county, 18.		634,544
Nodaway County:		
Felton Grain & Livestock Co.	R.R. 3, Maryville	25,541
Total Payees in in county, 1.		25,541
Pemisoot County:		
D. H. Acom Farms, Inc.	Wardell	51,631
L. Berry Farms, Inc.	Holland	51,518
R. O. Pierce	Caruthersville	37,904
Dolphin Land Co	R.R. 2, Box 120, Steele.	36,997
Orton and Toton	R.R. 2, Portageville	35,417
J. R. Hutchison Jr	Box 78, Caruthersville.	32,383
Mehrle Farms	Caruthersville	32,149
Watkins Farms Inc	R.R. 1, Hayti	32,113
T. R. Cole & Sons	Pascola	31,363
Coy Wilson	R.R. 2, Portageville	29,281
Donald Rone	Portageville	28,502
W. E. Smith, Jr	R. 2, Box 213, Portageville.	28,199
A. P. Kersey, Jr	Caruthersville	26,776
Lloyd Massey	R.R. 1, Hayti	26,697
W. W. Burlison	Wardell	26,223
J. R. Ward	Box 285. Deering	25,731
P. S. Capehart	Holland	25,713
Pemisoot County—Continued		
John R. Franklin	Hayti	$25,631
Total payees in county 18.		584,228
Perry County:		
O. F. Gremaud	R.R. 3, Perryville	62,271
H. N. Bruckerhoff	R.R. 3, Perryville	43,830
Total payees in county, 2.		106,101
Pike County:		
Dundee Cement Co	% Bob Watts, Box 67, Clarksville.	27,080
Total payees in county, 1.		27,080
Ray County: [This county has no Federal food-aid program for poor families]		
Green Top Farms, Inc.	Rt. 4, Richmond	61,584
F. O. Handley	R.R. 3, Richmond	34,355
Total payees in county, 2.		95,939
Saline County:		
Stonner Brothers	Miami	63,173
Eugene Elson	R.R. 1, Miami	56,727
L. W. Van Dyke & Co.	101 N. Fayette, Marshall.	46,919
Jim Franklin	R.R. 1, Slater	31,352
L. J. Rasse Est	By Fred R. Klinge, Marshall.	30,747
Total payees in county, 5.		228,918
Scott County:		
E. P. Coleman, Jr	P.O. Box 250, Sikeston.	65,467
North Ridge Co	Charleston	44,652
Herman Smith	R.R. 1, Sikeston	42,820
F. S. Hunter	Box 158, New Mardid.	34,999
Total payees in county, 4.		187,939
St. Charles County:		
Saale Bros. Farm & Grain Co.	West Alton	43,544
Total payees in county, 1.		43,544
Ste. Genevieve County: [This county has no Federal food-aid program for poor families]		
Bartels Farms, Inc.	St. Marys	50,708
Loida Brothers	Rt. 1, Bourbon Rd., Ste. Genevieve	33,677
Aubuchon Farms	Rt. 2, Ste. Genevieve	25,508
Total payees in county, 3.		109,893
Stoddard County:		
W. P. Hunter	% Blair Dalton, Bell City.	83,868
Taylor Brothers	Essex	60,928
Mahan, Mahan & Radcliff.	Parma	53,238
The Albert Plantation Co., Inc.	Painton	46,041
Claude Keasler	Parma	36,217
Gary Crump	Bernie	28,677
Total payees in county, 6.		308,969
Total payees in State, 110.		4,281,922

MONTANA

County and name	Address	Total payments
Beaverhead County:		
Jones Ranches, Inc.	R.R. 1, Box 48, Dillon	25,085
Total payees in county, 1.		25,085
Big Horn County:		
Campbell Farming	Hardin	162,897
Erwin Schnad	424 Silver Lane Billings.	47,409
A. G. Ballensky	Hardin	46,095
Pryor Land Company	Pryor Star Route, Billings.	45,941
Floyd Warren, Inc.	Hardin	45,634
Robert Formanack	Lodge Grass	29,243
Total payees in county, 6.		377,219
Blaine County:		
Rasmussen Farming Corp.	Harlem	$31,010
Total payees in county, 1.		31,010
Broadwater County:		
V. R. Cazier & Sons	Toston	40,038
Total payees in county, 1.		40,038
Carter County: [This county has no Federal food-aid program for poor families]		
Adolph Fix	Ekalaka	27,522
Total payees in county, 1.		27,522
Cascade County:		
R. S. Oday, Jr	Highwood Star Rte., Great Falls.	52,454
Sheffels Farms, Inc.	P.O. Box 1545, Great Falls.	32,219
Donald Bowman	Belt	29,896
Zoller Farms	2101 1st Ave., South Great Falls.	25,235
Total payees in county, 4.		139,804
Chouteau County:		
Onstad Grain Co	% Paul J. Onstad, Carter.	48,850
Morris B. Stewart	Fort Benton	41,512
Fred A. Booth	Highwood	34,711
Chris Onstad	Carter	34,262
Robertson Ranch Co	Carter	34,062
Oscar A. Kalgaard	Big Sandy	32,491
Juedeman Grain Co	Geraldine	31,388
J. G. Robertson Corp	2008 5th Ave. N., Great Falls.	28,912
Birkeland & Son, Inc.	Fort Benton	28,295
Raymond Romain	Fort Benton	26,873
Total payees in county, 10.		341,356
Daniels County:		
	Helena	551,719
Total payees in county, 1.		551,719
Hill County:		
Leo M. Kraft	Box 909, Havre	54,866
Dees Brothers	% Donald Dees, Kremlin.	28,827
Lineweaver Farms	% Lineweaver, Inverness.	28,562
Marlin Spicher	Hingham	27,743
Thebadeau Farms	% J. Romain, 901 7th St., Havre.	27,217
Spicher Brothers	Hingham	27,101
Howard Bailey	Kremlin	27,055
Miller Brothers	Gildford	26,071
Total payees in county, 8.		247,442
Lewis and Clark County:		
Diehl Ranch Co	East Helena	26,694
Total payees in county, 1.		26,694
Liberty County: [This county has no Federal food-aid program for poor families]		
Allen C. Kolstad	Ledger	42,961
McNutt Brothers	Box 296, Springfield	33,641
Clarence Romain	Chester	32,674
Gordon and or John Kammerzell.	Chester	32,097
Dayton Kolstad	Ledger	26,988
John Wanken	Chester	26,612
Total payees in county, 6.		189,973
McCone County: [This county has no Federal food-aid program for poor families]		
Fidy Trustee OH Yrly. Meet Frds.	Chesterhille, Ohio	39,409
Otis S. Waters	Richey	38,005
Total payees in county, 2.		77,414
Pondera County:		
John Keil & Sons, Inc.	Ledger	42,152
Loren Warwick	Conrad	33,871
New Miami Colony	Pendroy	30,194
Tom McCracken	Ledger	26,924
Total payees in county, 4.		133,141

XUM

CALENDAR YEAR 1968

LISTING OF NAMES, ADDRESSES, AND TOTAL PAYMENTS OF $25,000 OR MORE UNDER ASCS PROGRAMS—EXCLUDING PRICE SUPPORT LOANS, AND SUGAR AND WOOL PAYMENTS—Continued

MONTANA—Continued

County and name	Address	Total payments
Roosevelt County:		
Schnitzler Corp.	Froid	$48,405
Fort Peck Tribes	℅ BIA, Poplar	44,031
MOE Farm Corporation.	Poplar	31,920
A. A. Werner	Poplar	25,386
Total payees in county, 4.		149,742
Sheridan County:		
Nash Brothers	Redstone	60,665
E. J. Lander and Co.	Grand Forks, N. Dak.	27,625
Total payees in county, 2.		88,290
Toole County:		
[This county has no Federal food-aid program for poor families]		
Bill McCarter	Galata	45,843
S. A. Adaskavich	424 Main, Shelby	35,217
Kenneth Leck	Galata	27,202
Total payees in county, 3.		108,262
Yellowstone County:		
Pearlie Lee	Blue Creek Rt., Billings.	27,623
Total payees in county, 1.		27,623
Total payees in State, 56.		2,582,334

NEBRASKA

County and name	Address	Total payments
Adams County:		
Ruth Hunt	Box 445, Hastings	47,225
Total payees in county, 1.		47,225
Boone County:		
Choat & Sons, Inc.	938 South Seventh, Albion.	34,049
Dobson Brothers	℅ R. Dobson, Cedar Rapids.	31,481
Total payees in county, 2.		65,530
Box Butte County:		
Edward Jelinek	Fowling Rt., Alliance	28,457
Total payees in county, 1.		28,457
Buffalo County:		
John C. Rogers	Miller	30,370
Total payees in county, 1.		30,370
Burt County:		
[This county has no Federal food-aid program for poor families]		
Hundahl Farms	℅ Ernest Hundahl, Tekamah.	55,105
John Tobin & Sons	℅ John Tobin, Tekamah.	43,593
Van Newell	Tekamah	26,541
Robert & James Chatt PTNP.	℅ R. Chatt, Tekamah	26,452
Mariane Tobin	Tekamah	25,270
Total payees in county, 5.		176,961
Chase County:		
Yaw Farms, Inc.	Champion	37,543
Bernard O'Neil	Wauneta	25,884
Total payees in county, 2.		63,427
Colfax County:		
F. J. Higgins Farms, Inc.	Schuyler	78,816
Langemeier and Wagner Company.	Schuyler	25,185
Total payees in county, 2.		104,001
Cuming County:		
Albers Dehy Co.	Wisner	47,409
Total payees in county, 1.		47,409
Custer County:		
Reuben R. Squier	Anselmo	32,650
Pirnie Brothers Cattle Co.	Weissert	27,333
Total payees in county, 2.		59,983
Dakota County:		
Leo C. Andersen	Dakota City	$43,633
Beermann Farms, Inc.	℅ G. D. Beermann, Dakota City.	31,358
Total payees in county, 2.		74,991
Dawson County:		
Central Alfalfa, Inc.	115 West Fifth, Lexington.	34,920
Noel Cover	Box 92, Cozad	31,180
Dawson County Feed Products, Inc.	Box 398, Lexington	31,024
Platte Valley Products, Inc.	Box 618, Lexington	27,881
Total payees in county, 4.		125,005
Deuel County:		
Grace Land and Cattle Co.	Lewellen	31,488
W. H. Palser Farms, Inc.	Big Springs	29,517
Total payees in county, 2.		61,005
Dodge County:		
Harland S. Milligan	Hooper	47,650
Total payees in county, 1.		47,650
Douglas County:		
Roy Johnson	Elkhorn	28,214
Father Flanagan's Boys Home.	Boys Town	26,867
Total payees in county, 2.		55,081
Fillmore County:		
[This county has no Federal food-aid program for poor families]		
Dale Lovegrove	Fairmont	28,262
Lauber Seed Farms	Geneva	25,795
Total payees in county, 2.		54,057
Franklin County:		
W. J. Bach	Riverton	33,372
Total payees in county, 1.		33,372
Frontier County:		
Albert Farr & Fred H. Farr.	Cambridge	27,340
Total payees in county, 1.		27,340
Furnas County:		
Johnson Bros. & Jones.	By C. Johnson, ptr., Cambridge.	54,308
Kenneth Carpenter, Sr.	Arapahoe	25,071
Total payees in county, 2.		79,379
Gage County:		
John Krause & Sons	Adams	27,554
Total payees in county, 1.		27,554
Garden County:		
Leo Jessen	Oshkosh	43,546
Total payees in county, 1.		43,546
Greeley County:		
James H. Dugan	Rt. 1, Greeley	31,949
Marvin W. Dugan	Box 276, Greeley	25,315
Total payees in county, 2.		57,264
Hall County:		
Wm. Packer & P. H. Packer, Partners.	Wood River	29,442
Total payees in county, 1		29,442
Hamilton County:		
Farm Inc., W. Wilcynski, president.	1413 7th, Aurora	39,067
Kreutz Bros., Inc.	℅ Roger R. Kreutz, Giltner.	31,450
Total payees in county, 2.		70,517
Harlan County:		
Bernard Lueking	Oxford	32,242
Total payees in county, 1.		32,242
Holt County:		
Fred Horne, Jr.	R.R. 4, Atkinson	47,893
Holt County—Continued		
Wm. A. Curry	Box 588, Columbus	$26,161
Total payees in county, 2.		74,054
Jefferson County:		
[This county has no Federal food-aid program for poor families]		
A. L. Rosener & Sons	Daykin	54,915
Lee A. Snyder Estate.	1109 I St., Fairbury	29,472
Total payees in county, 2.		84,387
Kearney County:		
Wells Brothers	R.R. 1, Box 113, Axtell.	30,729
Total payees in county, 1.		30,729
Keith County:		
Walter Armstrong	Brule	29,923
Total payees in county, 1.		29,923
Kimball County:		
[This county has no Federal food-aid program for poor families]		
Raymond Jessen	Lodgepole	29,811
Total payees in county, 1.		29,811
Lancaster County:		
Warner Hereford Farm	Waverly	27,986
Loren E. Schwaninger	Princeton	26,027
Total payees in county, 2.		54,013
Lincoln County:		
Miron Moore	Sutherland	27,688
Total payees in county, 1.		27,688
Madison County:		
Elkhorn Valley Cattle Co.	Box 632, Norfolk	25,486
Total payees in county, 1.		25,486
Merrick County:		
Dinsdale Bros., Inc.	Palmer	34,802
Total payees in county, 1.		34,802
Nance County:		
Bryce Sample	Fullerton	28,526
Total payees in county, 1.		28,526
Nemaha County:		
A. B. Ritchie, Jr.	Box 295, Auburn	33,464
Wm. E. Rogge	R.R. 1, Brownville	25,481
Total payees in county, 2.		58,945
Nuckolls County:		
A. C. Jones	Nora	27,175
Total payees in county, 1.		27,175
Otoe County:		
Hammond Farms	Shrewsbury Agt., 1010 10th Avenue, Nebraska City.	52,812
Forrest Binder	Table Rock	25,810
Total payees in county, 2.		78,622
Perkins County:		
Svoboda & Hannah	Box 57, Ogallala	39,296
Kjeldgaard Farms, Inc.	℅W. Kjeldgaard, Big Springs.	25,585
Total payees in county, 2.		64,881
Phelps County:		
Sam T. Schrock, Jr.	Elm Creek	34,070
Total payees in county, 1.		34,070
Polk County:		
[This county has no Federal food-aid program for poor families]		
K. D. Strong	Stromsburg	26,237
Total payees in county, 1.		26,237
Red Willow County:		
[This county has no Federal food-aid program for poor families]		
Myers Bros.	407 Park Ave., McCook	34,684

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CALENDAR YEAR 1968

LISTING OF NAMES, ADDRESSES, AND TOTAL PAYMENTS OF $25,000 OR MORE UNDER ASCS PROGRAMS—EXCLUDING PRICE SUPPORT LOANS, AND SUGAR AND WOOL PAYMENTS—Continued

NEBRASKA—Continued

County and name	Address	Total payments
Red Willow County—Continued		
Ervain Friehe	1502 Norris, McCook	$25,696
Total payees in county, 2.		60,380
Richardson County:		
Ralph J. Stalder and Ralph M. Stalder.	Salem	41,214
Keith Sherburne	Humboldt	26,164
Total payees in county, 2.		67,378
Saline County: [This county has no Federal food-aid program for poor families]		
Mahloch Farms Co., Inc.	%Harvey Mahloch, Dewitt.	29,694
Total payees in county, 1.		29,694
Saunders County:		
Arthur Gifford	1915 Nye St., Fremont	26,499
Ralph Raikes	Ashland	25,003
Total payees in county, 2.		51,502
Sheridan County:		
James Van Rossum	Gordon	28,312
Total payees in county, 1.		28,312
Thurston County:		
Willis Leinart	Walthill	28,703
Total payees in county, 1.		28,703
Webster County:		
Delbert Lewis	Red Cloud	35,269
Total payees in county, 1.		35,269
York County:		
Broadwell, Inc	R.R. 3, York	56,807
T. W. Harrington	Bradshaw	50,599
Wm. H. Otto	Box 38, York	26,166
Total payees in county, 3.		133,572
Total payees in State, 77.		2,585,967

NEVADA

County and name	Address	Total payments
Clark County:		
Donald George Whitney.	P.O. Box 308, Logandale.	100,000
Total payees in county, 1.		100,000
Humboldt County:		
Rio King Land & Investment Co.	16 Calif. St., San Francisco, Calif.	32,873
Total payees in county, 1.		32,873
Nye County: [This county has no Federal food-aid program for poor families]		
Walter J. Williams	1223 Park Circle, Las Vegas.	96,539
Tim Hafen Ranches, Inc.	P.O. Box 236, Pahrump.	37,000
Total payees in county, 2.		133,539
Pershing County:		
Brinkerhoff Ranch	R.R. 1 Box 36, Lovelock.	47,872
Herman Dennler	Box 1703, Reno	37,745
Total payees in county, 2.		85,617
Total payees in State, 6.		352,029

NEW MEXICO

County and name	Address	Total payments
Chafes County:		
A. W. Langenegger	Box 503, Hagerman	$74,875
Crawford Brothers	3103 N. Garden, Roswell	55,689
Hal Bogle	Dexter	54,226
H. C. Berry	Box 226, Dexter	48,128
J. P. White, Jr	Box 533, Roswell	39,101
Fletcher Brothers	Box 356, Dexter	35,008
Clardy Farms, Inc	Box 102, Roswell	29,141
Jack Patterson	Box 938, Roswell	27,909
Bronson Corn	Dunlap Route, Roswell	27,530
Melvin Pearson	Lake Arthur	26,714
Rosendo Casarez	R.R. 2, Box 152, Roswell.	26,538
Willard Watson	Hagerman	26,137
Total payees in county, 12.		470,996
Curry County:		
John Garrett and Sons	Box 520, Clovis	111,799
Garrett Corporation	do	94,423
Eldon Blackburn	St. Vrain	83,166
George Hammond	2829 Gidding, Clovis	77,475
Dale Elliott	R.R. 1, Clovis	73,911
James E. and John Garrett.	Box 520, Clovis	73,429
Lockmiller and Son	1401 Piedmont, Clovis	71,850
John H. Spearman	Box 1000, Clovis	61,703
C. Elton Green	Star Route, Clovis	57,876
Lee Ross Hammond	1616 E. 21 St., Clovis	51,842
Hanes and Demaio	1400 Pile St., Clovis	49,440
L. R. Talley	Rt. 1, Texico	46,868
John Garrett, Jr	Box 520, Clovis	46,853
Eva B. Smith	R.R. 2, Box 225, Clovis	46,599
The Hecht Company	R.R. 2, Clovis	46,502
David Turner	Rt. 1, Texico	45,606
Frank Wicks	Box 246, Clovis	45,051
O. H. Pattison	Star Rt. Box 58, Clovis	44,775
J. W. Graham	R.R. 1, Dimmitt, Tex	43,355
M. M. Snell	R.R. 3, Clovis	43,337
L. E. Davis	3517 Corlington Ln., Clovis.	41,963
Cecil Porter	3112 Ross St., Clovis	41,901
Harold House	R.R. 3, Clovis	41,690
John W. Gunter, Jr	R.R. 2, Muleshoe, Tex	41,389
D. D. Myrick	R.R. 2, Clovis	39,609
Ronnie Mitchell	R.R. 1, Box 162, Clovis	39,438
Sid Pipkin	Star Rt., Clovis	37,035
Gormand Hand	R.R. 1, Clovis	36,895
Lester Merrill	Box 218, Clovis	36,258
Haney Tate	R.R. 2, Clovis	36,205
Vachrel Ridley	Bellview	35,770
James E. Garrett	1305 E. 21st Street, Clovis.	35,000
Max L. Kelso	Star Rt. Box 43, Clovis	34,276
C. E. Christian	Box 536, Farwell, Tex	34,167
J. L. Wall	R.R. 1, Clovis	34,118
Archie Baker	Star Route, Clovis	33,761
Leon Marks	R.R. 3, Box 107B, Clovis.	33,534
Fern Castor	2700 Axtell, Clovis	33,485
Malcolm Garrett	R.R. 2, Clovis	33,372
John W. McIntosh	R.R. 3, Clovis	33,092
Virgle Harrison	1905 Wilshire Blvd, Clovis.	32,760
Wayne Martin, Jr	R.R. 3, Box 124A, Clovis.	32,274
Frank Blackburn	R.R. 2, Clovis	31,446
J. R. Shumate, Jr	Star Route, Clovis	31,223
Willie O. Wall	R.R. 1, Texico	30,881
Tom Cobb, Jr	1409 Gidding St, Clovis	30,787
Leslie Pattison	1121 Pile, Clovis	30,741
W. W. Bomar	1212 E. 21st, Street, Clovis.	30,153
A. R. Kleeman	R.R. 3, Clovis	29,548
Francis L. Decker	R.R. 1, Broadview	29,403
Elbert Mitchell	R.R. 1, Clovis	29,023
Calvin Stout	Grady	28,903
Ingram Brothers	Box 929, Clovis	28,485
Golder West Seed, Co	Box 325, Texico	28,483
Joe Paul Cobb	321 Kathie Dr., Clovis	28,179
E. C. Murrell	3107 Roos, Clovis	27,980
N. E. Thompkins	912 John Doe, Clovis	27,971
Billy J. Dodd	Star Route, Melrose	27,488
Fred Northcutt	320 Murray, Clovis	27,484
Edgar Campbell	Route 1, Texico	27,323
Dudley Bailey	R.R. 1, Clovis	27,285
Waymon Mitchell	R.R. 1, Clovis	26,621
Robert D. Martin	R.R. 3, Clovis	26,337
Ollie Damron	1408 Claremont Drive, Clovis.	26,274
H. W. Harmon	R.R. 2, Clovis	25,877
Paul P. Harrison	R.R. 1, Texico	25,749
Donald R. Rucker	R.R. 1, Texico	25,467
Ray E. Castelberry	Box 654, Farwell, Tex	25,383
Joel Sealey	Star Rt. Box 51A, Clovis.	25,349
Roy Williams and Son.	Route 2 Box 200, Clovis.	25,196
J. C. Eshleman	Route 1 Box 166, Clovis.	25,179
Total payees in County, 71.		2,824,070

NEW MEXICO—Continued

County and name	Address	Total payments
Dona Ana County:		
Stahmann, Farms, Inc	Box 550, Las Cruces	$42,374
Tharp Farms	R.R. 1, Bx 1338, Las Cruces.	29,561
Robert S. Hayner	Hatch	28,164
J. K. Nakayama	R.R. 1 Bx 1614, Las Cruces.	25,107
Total payees in county, 4.		125,206
Eddy County:		
Snodgrass and Carlisle.	P. O. Box 2091, Roswell.	58,939
Moutray Bros., Inc	Box 280, Carlsbad	58,735
Roy Ingram	609 Richardson, Artesia.	47,107
Draper Brantley	706 Riverside Dr. Carlsbad.	32,715
Tom E Vandiver	700 Hermosa Dr, Artesia.	25 221
Total payees in county, 5.		222,717
Hidalgo County:		
Richins Brothers, Inc	S. R. Box 274, Animas	42,433
Bill Veck	Star Rt., Box 237, Animas.	40,282
Sidney O. Wright	Star Rte., Box 246, Animas.	26,566
Billy Veck	P. O. Box 12, Animas	25,326
Total payees in county, 4.		134,607
Lea County:		
Emma Lawrence	Box 2309, Hobbs	159,927
Elvis Jones	Rt. 1, Box 141, Lovington.	49,961
C. O. Price	801 W. Tyler, Lovington.	40,828
Taylor & Heidel, Inc	Rt. 1, Box 360, Lovington.	37,425
John Richardson	Rt. 1, Box 341, Lovington.	35,096
G. Bradford Feed Pens	308 N. 8th St., Lovington.	33,554
W. G. Turnipseed	Rt. 1, Box 620, Lovington.	32,716
L. E. Sims	E St. Rt., Lovington	28,152
McClish Farms	Box 86, McDonald	27,646
Dwain F. Woody	E. St. Rt., Box 96A, Lovington.	27,337
Total payees in county, 10.		472,642
Luna County:		
L. G. Guaderrama	405 W. Ethel, Las Cruces.	46,803
Wilma Jean Lyle	811 W. Kovaya, Tucson, Ariz.	27,136
Total payees in county, 2.		73,939
Quay County:		
Odus Rush	McAlister	51,849
Jack Gunn	St. Vrain	39,346
Charley Roy Best	Grady	37,919
Ivan Rush	Rt. 2, Melrose	37,512
D. F. McCasland	Forrest	34,638
J. V. Curtis	Rt. 2, Melrose	33,365
Olen L. Yocom	Box 1151, Tucumcari	33,113
Jennings Stock Farm	McAlister	29,773
Total payees in county, 8.		297,515
Roosevelt County:		
Glenn W. Thompson	Box 1101, Morton	36,208
Harvey L. and Ava L. Balko.	Lingo	34,571
Thetford and Massey	Rt. 1, Rogers	34,484
Sidney E. Pool	Lingo	32,981
Allen Chapman	1521 S. Abilene, Portales.	28,436
Brown and Brown	Rt. 2, Texico	27,923
Claudie W. Reeves	So. Star Rt., Portales	26,567
E. B. Robbins, Jr	W. Star Rt., Box 128B, Portales.	26,048
Total payees in county, 8.		247,218
Socorro County:		
Gerald Brawley	Box 25, Socorro	27,882
Total payees in county, 1.		27,882
Union County:		
Arthur Jernigan	Amistad	29,979
Matt D. Irwin	R.R. Star, Texline, Tex.	27,461
Total payees in county, 2.		57,440
Total payees in State, 127.		4,954,232

CALENDAR YEAR 1968

LISTING OF NAMES, ADDRESSES, AND TOTAL PAYMENTS OF $25,000 OR MORE UNDER ASCS PROGRAMS—EXCLUDING PRICE SUPPORT LOANS, AND SUGAR AND WOOL PAYMENTS—Continued

NEW YORK

County and name	Address	Total payments
Genesee County:		
My-T-Acres	8127 Lewiston Rd., Batavia.	$26,872
Total payees in county, 1.		26,872
Total payees in State, 1.		26,872

NORTH CAROLINA

County and name	Address	Total payments
Anson County:		
John Robinson	Box 126, Morven	$31,179
Edwin J. Wall	Rt. 1, Morven	25,291
Total payees in county, 2.		56,470
Beaufort County:		
A. D. Swindell	Pantego	56,688
Total payees in county, 1.		56,688
Cleveland County:		
Morgan & Co. Inc	Shelby	33,394
Total payees in county, 1.		33,394
Edgecombe County:		
M. C. Braswell Farms	Battleboro	75,908
Peoples Bank	Claude Etheridge Est. Rocky Mount.	29,425
Total payees in county, 2.		105,333
Halifax County:		
Bill Pickette	101 Cherry St. Scotland Neck.	30,553
A. F. Whitehead	Scotland Neck	29,068
Charles L. Tillery	P.O. Box 142, Halifax.	27,612
Total payees in county, 3.		87,233
Hoke County:		
Dundarrach Trading Co.	Box 1736, Laurinburg	32,529
W. S. Thomas	Box 451, Raeford	31,778
R. L. Gibson	R.R. 1, Red Springs	27,279
J. K. McNeil Farms	115 Fulton St., Raeford.	26,692
Alfred K. Leach	R.R. 1, Raeford	25,224
Total payees in county, 5.		143,502
Lenoir County:		
Parrott Farms	Box 481, Kinston	26,938
Total payees in county, 1.		26,938
Montgomery County:		
Robert Chappell	Candor	45,518
Mack Chappell	P.O. Box 397, Candor	25,937
Total payees in county, 2.		71,455
Northampton County:		
Henry Bennett	Rich Square	52 865
Reuben Turner	Garysburg	33,699
M. C. Dunlow	Rt. 1, Garysburg	28,608
John G. Burgwyn	Jackson	26,733
Total payees in county, 4.		141,910
Robeson County:		
McNair Farms	Laurinburg	351,596
Southern National Bank.	Lumberton	170,044
D. D. McColl	Box 748, St Pauls	61,512
Maxton Supply Co	Maxton	45,315
R. E. Parnell	Parkton	38,981
Allen M. Shook	Box 301, Red Springs	36,425
Waccamaw Bank	Box 518, Lumberton	35,707
J. D. Hagler	Box 26, Maxton	34,900
Dan McArthur, Jr	Rt. 2. Red Springs	29,453
Tom McRimmon	Rt. 2, Rowland	27,365
Neil Watson	Rt. 1, Maxton	25,125
Total payees in county, 11.		856,423
Scotland County:		
J. T. John Co., Inc	Laurinburg	$69,913
Z. V. Pate Inc	Gibson	55,124
James R. McKenzie	Laurinburg	52,265
A. R. McMillan Jr	Wagram	44,007
Emerson Langley	Laurinburg	43,808
John Carmichael	Laurinburg	43,019
Jesse Snead	R.R. 2, Laurinburg	41,997
Evans Brothers	Box 8, Laurinburg	36,760
A. D. Gibson Store	R.R. 2, Laurel Hill	30,834
Richard Tatum	Laurinburg	30,712
Blue Invest Co., Agt	Katie G. McNeill, Laurinburg.	26,864
J. N. Gibson Jr	Gibson	26,653
Total Payees in county, 12.		502,046
Washington County:		
J. B. Bell	R.R. 1, Pantego	49,159
Total payees in county. 1.		49,159
Total payees in State, 45.		2,130,551

NORTH DAKOTA

County and name	Address	Total payments
Bottineau County:		
The Witteman Company.	Mohall	$37,037
Ballantyne Brothers	Westhope	34,486
Willis Glinz	Newburg	26,966
Total payees in county, 3.		98,489
Burleigh County:		
T. Clem Casey	P.O. Box 1582, Bismarck.	26,433
Patterson Land Company.	Box 1033, Bismarck	25,890
Total payees in county, 2.		52,323
Divide County:		
Lawrence Hagen	Alamo	26,642
Total payees in county, 1.		26,642
Golden Valley County:		
Lloyd Weinreis	Golva	28,198
Total payees in county, 1.		28,198
Grand Forks County:		
Ryan Farms	East Grand Forks, Minn.	25,690
Elk Valley Farms	Larimore	25,085
Total payees in county, 2.		50,775
Hettinger County:		
Swindler Bros	Mott	46,421
John F. Swindler	Mott	39,732
Benjamin Schaible	Mott	30,932
Milton Hertz	Mott	27,410
Arthur Schaible	Mott	26,006
Total payees in county, 5.		170,501
Kidder County:		
Ward Whitman	Robinson	42,788
Total payees in county, 1.		42,788
McKenzie County:		
Joe Gudbranson	New Town	29,167
Total payees in county, 1.		29,167
Morton County:		
Wachter Ranch	Bismarck	40,814
Total payees in county, 1.		40,814
Mountrail County:		
Otto Engen	311 9th St. SE., Minot	50,389
Total payees in county, 1.		50,389
Slope County:		
[This county has no Federal food-aid program for poor families]		
C. E. Dilse	Scranton	33,461
Total payees in county, 1.		33,461
Stutsman County:		
Eddy Farms	Box 1239, Jamestown	72,504
Arvel Glinz	Eldridge	59,187
Total payees in county, 2.		131,691
Towner County:		
W. A. Schmidt	Bisbee	$28,450
Total payees in county, 1.		28,450
Traill County:		
J. S. Dalrymple	W. R. Grabarkewitz, Hillsboro.	27,715
Total payees in county, 1.		27,715
Ward County:		
Earl Schwartz Co	Earl Schwartz manager, Kenmare.	43,077
Morris Anderson	North Hill Bowl, Minot.	27,877
Total payees in county, 2.		70,954
Total payees in State, 25.		882,357

OHIO

County and name	Address	Total payments
Butler County:		
Glenn R. Bonham	2551 Canal Rd., Hamilton.	$32,449
Total payees in county, 1.		32,449
Champaign County:		
Harry Booher	1868 W. Dallas Rd., Urbana.	37,866
Avery Linville	1988 N. Rt. 68, Urbana.	25,251
Total payees in county, 2.		63,117
Clark County:		
Kenneth Michael	Rt. 2, New Carlisle	25,348
Total payees in county, 1.		25,348
Clinton County:		
Midwest Farms, John Going.	R.R. 3, Sabina	34,205
Total payees in county, 1.		34,205
Erie County:		
Wensink Brothers	Rt. 1, Monroeville	25,566
Total payees in county, 1.		25,566
Franklin County:		
Darby Dan Farm Co	Gallway	26,947
S. Hartman, c/o Opekasit, Inc.	183 W. High, London	26,793
Total payees in county, 2.		53,740
Greene County:		
Trelawny South Farms	183 W. High St., Opekasit, London.	27,486
Total payees in county, 1.		27,486
Madison County:		
AG Lands	R.R. 1, London	37,028
Total payees in county, 1.		37,028
Marion County:		
Ward Walton and Asso., Inc.	R.R. 4, Upper Sandusky.	119,105
W. S. Guthery & Son, Inc.	2454 Richwod Larue, Larue.	28,297
Total payees in county, 2.		147,402
Miami County:		
Mark Knoop	2645 St. Rt. 41, E. Troy	28,409
Total payees in county, 1.		28,409
Pickaway County:		
Jean Clow Crites	Scioto Land Co, Box 2, Ashville.	34,409
Donald Miller, Sr	R.R. 1, Circleville, Ohio.	25,852
Total payees in county, 2.		60,261
Sandusky County:		
B. J. Gries	Rt. 4, Fremont	32,169
Total payees in county, 1.		32,169

CALENDAR YEAR 1968

LISTING OF NAMES, ADDRESSES, AND TOTAL PAYMENTS OF $25,000 OR MORE UNDER ASCS PROGRAMS—EXCLUDING PRICE SUPPORT LOANS, AND SUGAR AND WOOL PAYMENTS—Continued

OHIO—Continued

County and name	Address	Total payments
Wyandot County:		
David J. Needs	R.R. 4, Upper Sandusky.	$26,885
Total payees in county, 1.		26,885
Total payees in State, 17.		594,065

OKLAHOMA

County and name	Address	Total payments
Bryan County:		
Smith Lee Farms	Box 604, Durant	$28,099
Total Payees in county, 1.		28,099
Caddo County:		
S. G. Stevens	Gracemont	32,787
C. M. Ulery	R.R. 1, Apache	25,934
Total Payees in county, 2.		58,721
Canadian County:		
Margaret Petree	707 So. Hoff, El Reno	30,632
Total Payees in county, 1.		30,632
Cimarron County:		
Billy R. Gowdy	Box 90, Boise City	38,577
Mabry Foreman	Felt	32,180
Lee D. Rice	W. Star Rt. Boise City	31,579
Clifford Hinds	R.R. 1, Boise City	26,257
L. J. & Clovis Stafford	Keyes	25,113
Total Payees in county, 5.		153,706
Custer County:		
George Fransen	Rt. 2 Box 8, Clinton	32,870
Isaac Fransen	300 S. 9, Clinton	32,438
J. G. Stratton Sr	515 S. 14th, Clinton	27,240
Total Payees in county, 3.		92,548
Garfield County:		
E. B. Mitchell & Sons	J. C. Mitchell, Kremuin.	26,835
Total Payees in county, 1.		26,835
Grant County:		
C. W. Leforce and Son	Nash	32,415
Total Payees in county, 1.		32,415
Greer County:		
Frankie Johnson	R.R. 1, Duke	25,635
Total payees in county, 1.		25,635
Harmon County:		
[This county has no Federal food-aid program for poor families]		
F. E. Motley	424 N. Glover, Hollis	61,668
Paul-Chas. Horton	Box 313, Hollis	39,240
Arlis Motley	Rt. 1, Hollis	38,986
G. D. Payne	Rt. 1, Gould	33,583
Elmo Jones	Rt. 3, Hollis	29,111
L. H. Christian	415 E. Chestnut, Hollis	27,348
Shelby-Kirby	Rt. 1, Hollis	26,123
Carrick Bros	511 E. Eula, Hollis	25,859
A. C. Mayhugh	Rt. 1, Hollis	25,178
Total payees in county, 9.		307,096
Jackson County:		
Wayne Q. Winsett	2028 Willard Dr, Altus	70,732
Harold Worrell	1141 Hickory, Altus	51,261
Murray R. Williams	1831 N. Main, Altus	48,572
Brewer Bros	Eldorado	39,647
Glen C. Southall	818 E. Elm, Altus	33,156
Gordon Thomas	800 E. Commerce, Altus	33,045
Roy. A. Holsey	R.R. 3, Altus	32,171
Carthal F. Mock & Son.	108 S. Park, Altus	32,005
Clayton Tinney	920 E. Commerce, Altus.	26,417
Rober Robbins	2112 Bluebird, Atlus	25,534
Total payees in county, 10.		392,540
Kingfisher County:		
Frank Schulte	Okarche	$29,675
Total payees in county, 1.		29,675
Kiowa County:		
Levi Portwood	Snyder	29,381
Glenn and Sam Pfenning Partners.	Rt. 1, Hobart	27,138
E. F. Bunch	Lone Wolf	27,113
W. C. Pfenning	Hobart	25,160
Total payees in county, 4.		108,792
McCurtain County:		
Virgil Jumper	Idabel	32,793
R. M. Tapley	Rt. 3, Idabel	28,925
Total payees in county, 2.		61,718
Muskogee County:		
Dick Sheffield	Webbers Falls	61,252
Pearson Bros	Webbers Falls	33,461
Total payees in county, 2.		94,713
Sequoyah County:		
Sloan Farms	% C. E. Sloan, Gore	33,441
Toal payees in county, 1.		33,441
Texas County:		
H. C. Hitch, Jr	Box 1308, Guymon	78,841
Wort Jeffus	601 West 4th, Guymon	50,595
Irvin Clark	Texhoma	41,026
Fred R. Sweet	Texhoma	31,015
Long Brothers	Optima	30,755
Walter M. Anderson	Turpin	27,791
C. F. Webb	Eva	27,628
Total payees in county, 7.		287,651
Tillman County:		
H. W. Campbell	Rt. 2, Frederick	29,938
Izyal Stout	308 South 13th, Frederick.	27,147
Total payees in county, 2.		57,085
Wagoner County:		
Austin Livesay	Rt. 1, Broken Arrow	28,476
Clifford C. Hatfield	Rt. 2, Coweta	25,307
Total payees in county, 2.		53,783
Washita County:		
Ridling Brothers	% Barton Ridling, Sentinel.	29,834
Total payees in county, 1.		29,834
Woods County:		
[This county has no Federal food-aid program for poor families]		
Bouziden Brothers	Box 236, Alva	55,365
Maxwell Brothers	Box 590, Alva	25,516
Total payees in county, 2.		80,881
Total payees in State, 58.		1,985,800

OREGON

County and name	Address	Total payments
Gilliam County:		
Wilkcox Investment Co.	506 SW 6th, Portland	$44,470
Bert Grieb	Rt. 3, Walla Walla, Wash.	29,539
Total payees in county, 2.		74,009
Jeferson County:		
Haycreek Rang & Cattle.	Ashwood St. Rt. Madras.	42,755
Kenneth Binder	Rt. 2 Box 1660, Madras.	26,705
Total payees in county, 2.		69,460
Morrow County:		
Tucker Ottmar Farms Inc.	Echo	50,215
Ralph S. Crum	Ione	42,048
Marquardt Ranch	Lexington	33,116
Morrow County—Continued		
Frank Anderson	Heppner	$32,170
Almanda S. Duvall	Heppner	28,278
Lee Pettyjohn	Ione	26,619
Kenneth Batty	Heppner	25,679
Total payees in county, 7.		238,125
Polk County:		
R. L. Walke Farms	R.R. 1 Box 25, Amity	26,487
Total payees in county, 1.		26,487
Sherma County:		
Charles Allen Tom	1815 Liberty Way, The Dalles.	33,693
Total payees in county, 1.		33,693
Umatilla County:		
Cunningham Sheep Co.	Box 1186, Pendleton	84,993
B. L. Davis Ranch Inc.	Admas	59,455
Glenn Thorne	Holdman Rt. Pendleton.	48,825
Robert G. Bafus	Rt. 1 Bo 61, Adams	47,864
McCormmach Bros	Star Rt. Pendleton	40,577
S. E. Brogoitti	Box 368, Helix	37,329
Coppinger & Son Ranches.	Rt. 2, Echo	36,211
Key Bros., Inc	Rt. 1, Milton Freewater.	36,039
T. M. Campbell	Helix	32,381
Timmermann & Co	908 S.E. Byers, Pendleton.	32,318
Hawkins Co., Inc	Holdman Rt., Pendleton.	31,088
Barnett Rugg, Inc	Box 475, Athena	30,196
H. T. Rea, Inc	Rt. 3, Walla Walla	29,989
H. & L. Barnett, Inc	103 N.E. Ellis, Pendleton.	29,634
Johns Smith & Beamer.	Bo 263, Athena	29,251
Hill Ranches, Inc	208 N.E. Furnish, Pendleton.	29,009
Richard Hampton	215 N.W. 12th, Pendleton.	28,788
Marvin Tucker & Sons.	240 Stone, Walla Walla, Wash.	27,683
R. & T. Ranches	Box 142, Athena	27,660
V.R. Ranch	Rt. 1, Helix	27,256
John P. Weidert	Box 87, Athena	27,255
Hansell Farms, Inc	Rt. 1, Athena	26,372
Raymond & Son, Inc	Rt. 1, Helix	25,945
Total payees in county, 23.		826,118
Robert A. Brogoitti	R.R. 2, Box 99, La Grande.	28,177
Total payees in county, 1.		28,177
Wasco County:		
The Miller Ranch Co.	5 Greenwood Ave., Bend.	27,274
Total payees in county, 1.		27,274
Total payees in State, 38.		1,323,343

PENNSYLVANIA

County and name	Address	Total payments
Dauphin County:		
Hyles Hagy, Jr	R.D. 1, Dauphin, Pa	$29,955
Total payees in county, 1.		29,955
Lehigh County:		
James Delong	Route 1, Orefield, Pa	41,693
Morris Kemmerer	Route 1, Mertztown, Pa.	36,741
Total payees in county, 2.		78,434
Northampton County:		
Schoeneck Farms Inc	R.D. 3, Nazareth, Pa	45,149
Howard Seiple	40 and Wm Penn Hwy, Easton, Pa.	38,580
Keystone Dehydrators	Box 204, Nazareth, Pa	30,138
Green Acre Farms	Nazareth, Pa	26,812
Total payees in county. 4.		140,679
Total payees in State, 7.		249,068

CALENDAR YEAR 1968

LISTING OF NAMES, ADDRESSES, AND TOTAL PAYMENTS OF $25,000 OR MORE UNDER ASCS PROGRAMS—EXCLUDING PRICE SUPPORT LOANS, AND SUGAR AND WOOL PAYMENTS—Continued

SOUTH CAROLINA

County and name	Address	Total payments
Aiken County:		
Mackey Scott & Sons	Rt. 6 Box 306, Aiken	$33,560
B. W. Garvin	R.R. 2, Wagener	27,929
M. R. Warner & Son, Inc.	R.R. 1, Wagener	27,406
K. L. Flanders	R.R. 2 Box 686, Aiken	27,058
Total payees in county, 4		115,953
Allendale County:		
Kirkland & Best	P.O. Box 97, Ulmers	64,783
W. M. Terry	General delivery, Martin.	48,673
G. L. Rouse	General delivery, Luray.	43,970
J. V. Spigener	P.O. Box 575, Allendale.	37,031
C. O. Handberry	Rt. 1 Box 154, Martin	31,500
Cecil L. Dunbar	Rt. 1 Box 77, Martin	30,353
J. C. Oswald	General Delivery, Allendale.	27,590
N. B. Loadholt	P.O. Box 236, Fairfax	27,115
W. R. Johns, Jr	P.O. Box 158, Allendale.	26,367
Total payees in county, 9.		337,382
Anderson County:		
Lee Dobbins	R.R. 6, Anderson	26,471
Total payees in county, 1.		26,471
Bamberg County:		
H. W. Herndon	R.R. 1, Bamberg	52,917
James W. Hutto	R.R. 2, Denmark	38,745
C. & S. Storage Co., Inc.	Norway	37,502
H. D. Free	Bamberg	35,851
H. L. Free	do	28,177
Total payees in county, 5.		193,192
Barnwell County:		
W. H. Hutto, Jr	Box 356, Blackville	31,091
Harold R. Lott	212 N. Lartique, Blackville.	25,682
Total payees in county, 2.		56,773
Calhoun County:		
F. M. Wannamaker	Box 197, St Matthews	34,745
Wiles Farm	% J. D. Wiles, R.R. 1, Fort Motte.	33,860
W. W. Wannamaker Seed Farms, Inc.	St. Matthews	31,379
D. S. Davis	R.R. 1, Swansea	27,279
Total payees in county, 4.		127,263
Chester County:		
H. H. Robinson	R.R. 4, Chester	32,848
Total payees in county, 1.		32,848
Chesterfield County:		
J. Calvin Rivers	Chesterfield	57,218
Thomas R. King, Gillum E. King, Jr.	McBee	54,720
Burr Farms	Box 227, Cheraw	45,032
Hector R. McLeod	McBee	26,648
Total payees in county, 4.		183,618
Clarendon County:		
H. Fox Tindal	Pinewood	60,018
Charles N. Plowden	Box 308. Summerton	49,265
Samuel E. Durant	Alcolu	36,079
C. D. Smith, Jr	R.R. 1, Lake City	33,108
D. Leslie Tindal	Pinewood	31,242
Henry T. Everett	Box 247, Summerton	29,252
Jack Witherspoon	R.R. 1, Box 106, Alcolu	27,675
Rickenbaker and Sconyers.	Summerton	26,519
J. R. Briggs	R.R. 2 Box 122, Summerton.	26,347
R. V. Elliott	Summerton	26,333
Dorothy J. Everett	Box 247, Summerton	26,038
Durant Brothers	R.R. 1, Gable	25,799
Paul Burke	Alcolu	25,060
Total payees in county, 13.		422,735
Colleton County:		
W. H. Varn Jr., Inc	P.O. Box 8, Smoaks	$44,745
Total payees in county, 1.		44,745
Darlington County:		
Cokers Ped Seed Co	In care of David L. Allen, Hartsville.	53,242
William Howard, Jr	509 Brittian Dr., Darlington.	39,621
A. R. Mims	Lydia	37,867
Posey D. Kelley	R.R. 2, Hartsville	34,183
Gary E. Byrd, Jr	R.R. 1, Hartsville	30,289
Total payees in county, 5.		195,202
Dillon County:		
L. S. McColl, Jr	Little Rock	51,748
Brown & Marion R. McCallum.	Dillon	27,077
T. C. McSwain	Minturn	27,056
Total payees in county, 3.		105,881
Edgefield County:		
Cecil Yonce	R.R. 2, Box 205, Johnston.	26,703
Total payees in county, 1.		26,703
Florence County:		
Cleo A. Young	Timmonsville	42,822
E. S. Willis, Jr	R.R. 1, Florence	40,177
Total payees in county, 2.		82,999
Hampton County:		
Hugh T. Lightsey	Brunson	51,727
C. P. Barnes	Estill	28,433
Total payees in county, 2.		80,160
Kershaw County:		
Lugoff Farms, Inc	R.R. 2, Box 107, Lugoff	41,345
Robert M. Marsh	R.R. 1, Box 52, Camden	25,373
Total payees in county, 2.		66,718
Laurens County:		
J. T. Hollingsworth	R.R. 1, Cross Hill	41,161
Total payees in county, 1.		41,161
Lee County:		
J. E. Mayes	Mayesville	70,745
E. B. McCutchen	R.R. 3, Bishopville	56,148
C. E. Atkinson	R.R. 3, Bishopville	55,067
C. B. Player, Jr	R.R. 3, Bishopville	46,909
Hamilton Corbett	Mayesville	41,238
M. N. White	R.R. 1, Bishopville	40,107
H. R. Colclough	Ridge St., Bishopville	37,075
R. Joe and Richard Hearon.	Bishopville	35,046
R. V. Segars, Sr	R.R. 1, Oswego	35,038
S. McBride Rhodes, Jr.	R.R. 1, Box 6, Mayesville.	34,003
Marion J. Barnes	Bishopville	32,846
C. R. Woodham	R.R. 2, Bishopville	31,960
James W. Scott, Jr	R.R. 2, Lynchburg	29,472
J. E. McCutchen, Jr	R.R. 3, Bishopville	28,889
Ashton Cribbs, Jr	Lynchburg	28,688
Clyburn Bros. and Son.	R.R. 4, Bishopville	28,071
Willis Woodham	R.R. 3, Bishopville	25,251
Total payees in county, 17.		656,553
Marion County:		
Hubert Baxley	1015 Cherokee Ave., Marion.	26,607
Total payees in county, 1.		26,607
Marlboro County:		
Lawrence E. Pence	Rt. 1, Box 93, McColl	109,038
Estate of J. A. McDonald.	Rt. 2, McColl	74,374
Claude P. Polston, Jr	Rt. 1, Box 16, Blenheim.	68,958
Charles E. Lynch	Bville, S.C	61,106
Thomas A. & Charles Oneal.	Rt. 1, Blenheim	60,448
Frank B. Rogers, Jr	110 Townsend St., Bville.	43,638
Richard M. Adams	Rt. 1, Box 100, Gibson, N.C.	43,465
Ernest C. McInnis	Clio S.C	43,267
E. M. Otuel	P O. Box 39, Bville	39,391
A. L. Calhoun, Jr., Co.	Clio	39,135
James Lytch	Rt. 1, Box 112, Laurinburg, N.C.	37,249
Marlboro County—Continued		
Hugh Driggers	Rt. 1, Blenheim	$36,131
William C. Covington	Clio	36,041
Brooks Odom	125 Cook St., Bville	35,452
George B. Kerr, Inc	Bennettsville	33,019
Joseph P. Hodges	131 Jordan St., Bville	32,796
F. M. Hinson	R. 3, Box 97, Bville	32,135
John F. Everett	Bennettsville	31,658
John D. Kinard	R. 3, Box 175, Bville	31,022
Jimmie C. Baker	R. 2, Box 66, Bville	29,911
Jimmy P. Wallace	607 Lakeshore Dr., Bville.	27,921
Rufus M. Pegues	R. 4, Box 149, Bville	27,549
Marion F. Wright	Clio	27,439
W. Alex Hinson	P.O. Box 236, Bville	26,796
Julian M. Drake	R. 1, Blenheim	25,359
Total payees in county, 25.		1,053,298
Orangeburg County:		
E. E. Gasque and Son	Elloree	55,179
Edgar L. Culler	R.R. 5, Orangeburg	49,326
J. W. Williamson, Agt	Norway	45,667
John David Clark	Holly Hill	40,927
T. W. Irick	Vance	38,521
Woodford Gin Co., Inc	Woodford	34,762
Earl J. Smoak	R.R. 2, Box 994, Orangeburg.	34,575
Norman V. Hughes	Rowesville	33,100
Vallentine, S	% R. A. Vallentine, a part, Cope.	31,774
Magnolia Lane Farm	% T. T. Traywick, Cope.	30,828
J. Walter Whisenhunt	R.R. 3, Orangeburg	28,987
J. M. Russell, Jr	Holly Hill	28,419
Rossie P. Hughes	Neeses	28,150
W. B. Bookhart	Elloree	26,192
Julian Crum	971 Whitman St., Orangeburg.	25,883
Total payees in county, 15.		532,290
Richland County:		
Robert Lee Scarborough.	Eastover	28,218
Alfred Scarborough	Box 398, Sumter	26,769
Total payees in county, 2.		54,987
Saluda County:		
R. M. Watsons Sons	Ridge Spring	50,179
Total payees in county, 1.		50,179
Sumter County:		
W. R. Mayes	Mayesville	156,284
J. F. Bland, Jr	do	101,032
J. E. Mayes	do	95,237
B. J. Barnett, Inc	Box 267, Sumter	40,122
Marvell W. Goza	Mayesville	34,666
J. M. Edens, Jr	Dalzell	33,665
Clayton Lowder	1165 Broad St. Ext., Sumter.	27,732
J. T. Brogdon III	R.R. 1, Manning	26,934
Riverdale Farms, Inc	Oswego	25,764
Total payees in county, 9.		541,436
Willamburg County:		
S. Wayne Gamble	R.R. 1, Box 40, Lane	46,178
Leroy S. Epps, Jr	R.R. 2, Box 190, Greeleyville.	30,350
T. V. Ligon	Lane	27,092
Total payees in county, 3.		103,620
York County:		
Roy J. McFadden	R.R. 1, Catawba	28,154
Total payees in county, 1.		28,154
Total payees in State, 134.		5,186,928

SOUTH DAKOTA

County and name	Address	Total payments
Beadle County:		
A Cotton Estate	C. Cotton, 332 Forest Ave., Vermillion.	$38,585
Total payees in county, 1.		38,585
Bennett County:		
Elkhorn Farm	Martin	29,079
Total payees in county, 1.		29,079
Brown County:		
Clark Brothers, Inc	% Jac C. Swisher, Putney.	34,694
Total payees in county, 1.		34,694

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CALENDAR YEAR 1968

LISTING OF NAMES, ADDRESSES, AND TOTAL PAYMENTS OF $25,000 OR MORE UNDER ASCS PROGRAMS—EXCLUDING PRICE SUPPORT LOANS, AND SUGAR AND WOOL PAYMENTS—Continued

SOUTH DAKOTA—Continued

County and name	Address	Total payments
Brule County:		
Helen Christiansen	Kimball	$25,676
Total payees in county, 1.		25,676
Butte County:		
McLeod Smith Ranches and Farms.	Nisland	37,579
Total payees in county, 1.		37,579
Davison County:		
Doyle Aslesen	708 East 12, Mitchell	39,526
Total payees in county, 1.		39,526
Marshall County:		
Dalton Docter	Amherst	29,967
Total payees in county, 1.		29,967
Sanborn County:		
Vernon Amick	Letcher	36,462
Total payees in county, 1.		36,462
Shannon County:		
Orville Schwarting	Gordon, Nebr	26,508
Total payees in county, 1.		26,508
Spink County:		
Glendale Colony	Frankfort	25,529
Total payees in county, 1.		25,259
Sully County:		
[This county has no Federal food-aid program for poor families]		
William J. Asmussen	Agar	68,626
Stanley Asmussen	Agar	56,178
Dean Nelson	Onida	53,754
Kenneth Kinkler	Blunt	29,621
Total payees in county, 4.		208,179
Turner County:		
Bones Hereford Ranch	Parker	54,642
Total payees in county, 1.		54,642
Washabaugh County:		
Donald Hancock, Inc.	Longvalley	27,780
Total payees in county, 1.		27,780
Total payees in State, 16.		613,936

TENNESSEE

County and name	Address	Total payments
Carroll County:		
John A. Shoaf	Milan	$38,811
Total payees in county, 1.		38,811
Fayette County:		
Cowan Bros	LaGrange	66,069
Ames Plantation	Grand Junction	56,658
Thomas Fowler & Alex W. More.	Somerville	46,163
Jerry Skelton	Collierville	45,937
L. J. & J. A. Williams	R.R. 2, Mason	42,150
B. L. Davis	R.R. 3, Whiteville	38,602
H. H. Farley	Rossville	36,439
Allien M. Nunn	Laconia	33,141
J. W. Owen	Moscow	32,113
A. K. Morrison	Rossville	31,382
M. D. McClanahan	R.R. 5, Somerville	28,979
Total payees in county, 11.		457,633

TENNESSEE—Continued

County and name	Address	Total payments
Franklin County:		
David R. Owens	Rt. 1, Elora	$41,353
Emmett Owens	Rt. 1, Huntland	39,167
Total payees in county, 2.		80,520
Gibson County:		
Kermit Cates	R.R. 1, Bradford	31,001
Total payees in county, 1.		31,001
Hardeman County:		
J. L. Chambers	Hickory Valley	51,192
J. W. Bishop	Whiteville	26,540
Mrs. Ruth R. Parham	Grand Junction	26,347
Total payees in county, 3.		104,079
Haywood County:		
Tommy B. Willis	122 Rooks Dr., Brownsville.	46,071
Haywood County:		
Billy Frank Morris	R.R. 1, Stanton	43,559
Clyde Caldwell	Stanton	28,979
Charles Haynes	R.R. 2, Brownsville	26,328
Total payees in county, 4.		144,937
Lake County:		
W. T. Jamison, Jr	Tiptonville	63,746
Tipton Bros. and Sullivan.	Tiptonville	45,999
W. E. & Bruce Dunlap	Ridgely	40,349
Walter Delaney	Tiptonville	37,803
Bruce D. Wyatt	Ridgely	37,432
Buddy Wade Moore	Tiptonville	27,219
Nard Shull	Ridgely	27,021
G. F. Parker	Tiptonville	26,395
George Dial	Ridgely	25,314
Total payees in county, 9.		331,278
Lauderdale County:		
Jim Fullen	Ashport	47,269
Kenneth Harley Blackwood.	R.R. 3, Ripley	37,392
George Lawson Elder	R.R. 3, Ripley	36,764
Ft. Pillow State Farm	Ft. Pillow	30,932
E. C. Charlton	Trenton	26,810
Lauren Shoaf	Box 30, Ripley	26,759
Jack Crutcher	Henning	26,579
Total payees in county, 7.		232,505
Lincoln County:		
Billy N. Scivally	Elora	27,509
Total payees in county, 1.		27,509
Madison County:		
Lynn Haynes	R.R. 2, Jackson	37,421
Neely Robley	R.R. 2, Denmark	28,525
Total payees in county, 2.		65,946
Shelby County:		
Riggan Planting Co	Box 978, West Memphis, Ark.	73,451
H. S. Mitchell	P.O. Box 98, Millington.	69,302
T. A. Densford & Son	R.R. 2, Millington	45,310
Horne Brothers	R.R. 2, Arlington	36,328
Cedar Hill Farms	161 So. Front St. Memphis.	32,036
Robert G. Wilson	Arlington	29,563
James L. Mann	Collierville	29,112
Aubrey Howell	R.R. 2, Arlington	26,264
Thurman Chapman	R.R. 1, Box 391, Millington.	25,621
Total payees in county, 9.		366,987
Tipton: County.		
Horace E. Moore & Sons.	Frenchmans Bayou, Ark.	41,707
Charles L. Walker	Atoka	41,438
R. W. Anderson	Rte. 1, Mason	34,799
R. M. Wooten	Munford	31,986
John C. Bolton	Wilson, Ark	30,901
Johnson Brothers	Frenchmans Bayou, Ark.	30,888
John A. McIntyre	R.R. 3, Covington	30,778
L. A. Pinner	Burlison	25,778
Total payees in county, 8.		268,275
Total payees in State, 58.		2,149,481

TEXAS

County and name	Address	Total payments
Andrews County:		
[This county has no Federal food-aid program for poor families]		
W. H. Vanlandingham	Box 456, Seminole	$35,834
Total payees in county, 1.		35,834
Armstrong County:		
[This county has no Federal food-aid program for poor families]		
Parker Cattle Co	Box 599, Canyon	34,741
James Bible	Wayside	27,173
McGehee Brors	Wayside	25,374
Robert L. Grigsby	Box 424, Canyon	25,249
Total payees in county, 4.		112,537
Bailey County:		
[This county has no Federal food-aid program for poor families]		
Carl C. Bamert	R.R. 3, Box 114, Muleshoe.	96,348
J. Bert Williams	R.R. 1, Farwell	67,248
Bill Jim St. Clair	R.R. 3, Muleshoe	65,305
W. T. Millen	R.R. 1, Muleshoe	59,529
Horace Hutton	R.R. 1, Box A, Muleshoe.	58,692
J. G. Arnn	619 West Seventh St. Muleshoe.	50,256
Homer Richardson	Box 56, Maple	47,968
Buffalo Farms, Inc	Goodland	46,204
M. E. Little	R.R. 2, Muleshoe	46,126
W. B. Little	502 West 20th Muleshoe.	44,902
James Adolph Greener	R.R. 6, Box 93B, Lubbock.	43,479
T. D. Davis	Goodland	42,700
Jack Schuster	Rt. 5, Muleshoe	42,271
J. F. Furgeson	St. Rt. 1, Morton	42,155
Joe L. Smallwood	Box 602, Muleshoe	40,594
W. M. Pool	318 East Elm, Muleshoe.	40,509
John R. Young	1807 West Avenue H., Muleshoe.	39,498
C. J. Feagley	1805 West Avenue H., Muleshoe.	38,851
Jim Claunch	St. Rt. 1, Enochs	37,521
Van Rogers	St. Rt., Sudan	36,530
Lester Howard	R.R. 5, Box 59, Muleshoe.	36,200
O. A. Jones	R.R. 1, Farwell	35,841
B. G. Free	Rt. 1, Box 124, Muleshoe.	35,135
Wilbert Kalbas	R.R. 1, Farwell	35,124
M. A. Snider, Jr	Box 128, Farwell	35,078
H. R. West	906 College Ave. Cevelland.	32,499
A. P. Fred	R.R. 2, Morton	32,345
Jesse Carter	R.R. 5, Muleshoe	31,016
C. L. Saylor	R.R 2, Muleshoe	30,599
Robert Hunt	R.R. 2 Box 209, Muleshoe.	30,330
Johnnie Prater	R.R. 5, Muleshoe	30,230
F. W. Hagaman	Box 23, Conway	30,109
Byron Gwyn	R.R. 2, Muleshore	29,914
W. Lewis Scoggin	R.R. 2, Muleshoe	29,743
A. R. McGuire	1916 West Ave G, Muleshoe.	29,695
B. J. Gable	R.R. 1 Box 121, Muleshoe.	29,556
Wesley Warren	Box 65, Maple	29,169
Lewis Brothers	R.R. 5, Muleshoe	28,198
J. R. Austin, Jr	St. Rt., Enochs	28,172
W. E. Latimer	St. Rt., Baileyboro	27,881
John W. Gunter	Box 725A, Enochs	27,567
Elmer L. Hargrove	Box 473, Farwell	27,063
Wiley R. Baker	Box 116, Florence, Mont.	26,492
J. P. Tarlton	St. Rt. 1, Morton	26,132
Virgil Wood	R.R. 2, Morton	25,409
Karl Clayton	Cayton Bldg., Lamesa	25,329
Joe Signor Kimbrough	Rt. 3, Muleshoe	25,160
Total payees in county, 47.		1,796,672
Baylor County:		
[This county has no Federal food-aid program for poor families]		
Portwood Ranch & Co.	Rt. 3, Seymour	27,304
Total payees in county, 1.		27,304
Bee County:		
Amko Farming, Inc	Box 1438, Corpus Christi.	29,453
Total payees in county, 1.		29,453
Borden County:		
[This county has no Federal food-aid program for poor families]		
John Springer Stephens.	R.R. 1, O'Donnell	42,574

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CALENDAR YEAR 1968

LISTING OF NAMES, ADDRESSES, AND TOTAL PAYMENTS OF $25,000 OR MORE UNDER ASCS PROGRAMS—EXCLUDING PRICE SUPPORT LOANS, AND SUGAR AND WOOL PAYMENTS—Continued

TEXAS—Continued

County and name	Address	Total payments
Borden County—Continued		
Wolf Brothers	Vincent Rt., Coahoma	$27,461
Total payees in county, 2.		70,035
Bowie County: [This county has no Federal food-aid program for poor families]		
Three Way Land Co	Dekalb	206,883
Elwood Elkins	R.R. 3, DeKalb	77,342
Waymon W. Elrod	DeKalb	43,966
William H. Farris	R.R. 4, DeKalb	43,173
H. L. Vance	Box 1044, DeKalb	34,162
Guy W. Farris	Box 448, DeKalb	29,260
Ely T. Moores	R.R. 3 Box, 427A, Texarkana	26,353
Total payees in county, 7		461,139
Brazos County: [This county has no Federal food-aid program for poor families]		
Tom J. Moore	Navasota	289,883
H. H. Moore & Sons	Box 7, Navasota	283,962
Brazos A. Varisco	Varisco Bldg., Bryan	122,592
J. P. Terrell and Son	Navasota	74,850
Lee J. Frazzino	R.R. 1 Box 259, Bryan	65,438
Tony Varisco, Jr	R.R. 1 Box 250, Bryan	41,232
Vince Court	R.R. 1 Box 261, Bryan	39,229
Matt Morello	R.R. 1 Box 230, Byran	33,706
Don Angonia	R.R. 1 Box 204, Bryan	32,384
Joe Varisco	R.R. 4 Box 161, Bryan	28,731
Total payees in county, 10		1,012,007
Briscoe County: [This county has no Federal food-aid program for poor families]		
Joe B. Mercer	Box 576, Silverton	55,978
L. O. Weaks	Route T, Silverton	54,346
D. T. Northcutt	Box 822, Silverton	48,641
G. W. Lee	Route Q, Silverton	47,735
Fred W. Mercer	Box 356, Silverton	44,154
Gordon Montague	1109 Canyon, Plainview.	40,888
Clyde Mercer	Box 704, Silverton	37,259
Ray Teeple	Route 1, Silverton	36,517
Carroll Garrison	Route T, Silverton	33,656
Troy Burson	Box 722, Silverton	32,575
J. D. McGavock	Box 811, Silverton	31,180
Alva C. Jasper	Route 1, Silverton	30,830
H. F. Parker	Route V, Tulia	29,115
George Long	Box 38, Silverton	29,039
Roy Montague	Route 1, Silverton	28,831
Harold Storie	Route F, Silverton	27,760
Frank Mercer	Rt. 1, Silverton	25,990
Total payees in county, 17		634,494
Brooks County:		
C. W. Brodnax, Jr	% A. & I. College, Kingsville.	42,646
Total payees in county, 1.		42,646
Burleson County:		
Holland Porter	R.R. 2, Caldwell	136,620
Est. Geo. C. Chance	307 S. Main, Bryan	122,792
H. H. and Edgar Baker	R.R. 2, Somerville	82,77
Joe C. Scarmardo	R.R. 2, Caldwell	48,619
Marvin M. Porter	do	46,295
Phil Scamardo	1406 Skrivanek, Bryan	44,002
Mitt A. Bush	3808 Sunnybrook, Bryan.	34,271
A. & M. Plantation	Box 205, College Sta	32,862
Sandyr Scarmardo	R.R. 2, Caldwell	29,563
Marion J. Malazzo	R.R. 3, Caldwell	29,372
Joe S. Campise	904 Mitchell, Bryan	28,455
Tony J. Varisco	2404 Burton Dr., Bryan	28,056
Luke Restivo	R.R. 2, Caldwell	27,452
John W. Giesenschlag	R.R 1, Somerville	27,130
Frank J. Fojt, Jr	Snook	26,970
Total payees in county, 15.		745,229
Caldwell County:		
C. Fleetwood Richards, Jr.	1215 Spruce St., Lockhart.	27,19
Total payees in county, 1.		27,197
Calhoun County: [This county has no Federal food-aid program for poor families]		
Roy Smith	Box 8149, Corpus Christi.	$54,122
Henry C. Wehmeyer	Box 715, Port Lavaca	34,684
Total payees in county, 2.		88,806
Cameron County:		
Martha M. Russell	Rt. 3, Box 21, San Benito.	146,772
Oscar Mayfield & Sons	Taft	120,237
Elijah B. Adams & Sons.	1019 N. First, Harlingen.	78,428
Simpson & Wilson	P.O. Box 393, Rio Hondo.	77,749
John A. Abbott	Rt. 2, Harlingen	75,558
Rio Grande Equipment Co.	South Highway 77, Harlingen.	70,033
Robert F. Ashley	South Kansas City Rd., La Feria.	64,673
Porter & Wentz, Inc	P.O. Box 870, Brownsville.	60,237
Herbert W. Bode	Rt. 3, Box 82E, San Benito.	57,009
Schmitt Bros. Farms Plantation.	Box 545, Los Fresnos	56,698
Rex L. McGarr	P.O. Box 906, San Benito.	56,691
L. R. Cherrington	1929 Laurel, Harlingen	53,923
Eubanks Bros	P.O. Box 8, Santa Rosa	53,550
Rodolfo B. Samano	P.O. Box 372, San Benito.	52,039
Henry V. Macomb	P.O. Box 451, Los Fresnos	50,293
Herman Lynch	Rt. 2, Harlingen	48,996
Estate, D. L. Smith	do	48,207
Joe S. Wolf	P.O. Box 591, La Feria	48,134
Scoggins Bros	P.O. Box 483, Rio Hondo.	46,872
Robert I. Taylor, Jr	Rt. 3, Los Fresnos	46,365
Ballenger & Ballenger	P.O. Box 84, Sebastian	45,969
George L. Labar & Sons.	Rt. 2, Harlingen	44,343
Owsley Hill	Los Fresnos	44,030
McElwrath Farms	P.O. Box 434, Combes	43,617
Oval A. Martin	Rt. 3, Box 16A, Los Fresnos.	42,450
Elmer E. Meek	Los Fresnos	42,370
Santa Monica Farms	P.O. Box 870, Brownsville.	39,595
George Nixon	P.O. Box 394, Los Fresnos.	39,151
Shimotsu Farms	Rt. 4, Box 128, San Benito.	37,436
P. Maurin & J. T. Maurin.	Box 407, Rio Hondo	37,418
William J. Bryan	Rt. 3, Box 56, Los Fresnos.	36,002
Berg & Berg	1642 Throckmorton, Harlingen.	35,867
Jack Lomax	Rio Hondo	34,890
James A. McCarthy	Rt. 1, Box 256, Rio Hondo.	34,794
Lamon & Lamon	Rt. 2, Harlingen	34,276
Walter L. Clore	P.O. Box 506, Harlingen.	33,538
Bauer Bros	Rt. 1, La Feria	32,085
J. L. & Bill Gray	Rt. 3, Harlingen	31,863
Wolf Farms Plantation.	P.O. Box 364, La Feria.	31,123
Edward E. Billings	Rt. 1, Box 336, San Benito.	30,640
Horace Wells	Rt. 1, Box 64 San Benito.	30,493
Robert L. Shuckman	P.O. Box 222, Los Fresnos.	30,442
Wentz & Kincannon	P.O. Box 870, Brownsville.	30,220
Pilar Cabrera	Rt. 2, Box 565, Brownsville.	29,740
Kenneth Shuckman	P.O. Box 547, Los Fresnos.	29,382
Adolph Thomas, Jr	842 North Milam, San Benito.	29,287
E. W. Ligon	P.O. Box 134, Weslaco.	28,903
Hollie C. Lewis	P.O. Box 638, La Feria	28,408
Sams-Porter Corp	P.O. Box 870, Brownsville.	28,361
Cholick Farms	Rt. 1, Box 230, Rio Hondo.	27,862
Smith & Smith	Rt. 3, Harlingen	27,192
Edwin W. Caughfield	P.O. Box 13, Combes	27,087
Lloyd G. Payne Jr	Rt. 3, Harlingen	27,083
J. G. Wreden	833 W. Gem, Raymondville.	26,576
W. B. Mack	801 W. Whitehouse Cir, Harlingen.	26,345
Critz Brothers	85 Calle Jacaranda, Brownsville.	26,131
Clifford L. Smith	Rt. 2, Box 52, Lyford	26,114
Ross D. Waters	P.O. Box 433, Rio Hondo.	26,084
Cameron County—Continued		
Robert Mathers	600 Riverside, Brownsville.	$25,828
F. H. Cherrington	Rt. 2, Harlingen	25,305
S. M. & W. M. Halbert	Rt. 4, Box 77, San Benito.	25,136
Total payees in county, 61.		2,645,900
Carson County:		
Frank Robinson	Panhandle	74,337
Texas Technological Research F.	Pantex	51,850
Sam Kotara	Groom	45,999
John D. Kelly Jr	Panhandle	37,372
A. L. Stovall	Panhandle	33,333
Raymond Blodgett	White Deer	32,135
Marvin Urbanczyk	White Deer	30,717
Clinton Williams	Panhandle	30,290
B. F. Urbanczyk	Panhandle	28,597
Phil H. Hawkins	Panhandle	26,309
John Kotara Jr	White Deer	26,230
Leo M. Britten	Groom	26,194
H. L. Beddingfield	Panhandle	26,083
Leonard Olson	Panhandle	25,991
Geo Rohan	Panhandle	25,357
Rolla J. Sailor, Jr	Rt. 2, White Deer	25,041
Total payees in county, 16.		545,835
Castro County: [This county has no Federal food-aid program for poor families]		
Hill Farms	Hart	174,815
Jimmy Cluck	Rt. 2, Hart	142,345
G. L. Willis Jr	Box 458, Dimmitt	108,630
Homer Hill	Hart	107,658
J. F. Martin	Box 1306, Hereford	80,559
Chas. E. Armstrong	609 West Stinson, Dimmitt.	76,505
Carl Bruegel	Box 175, Dimmitt	75,924
Clements Corp	Box 304, Plainview	62,589
Otto Steinberg	Box 242, Plainview	61,027
George Gabel	Dimmitt	60,712
Jerry Cluck	Rt. 2, Box 33, Hart	58,891
Hugo Beyer	909 West Bedford, Dimmitt.	58,597
Gilbreath Farm Co	701 West Lee, Dimmitt	56,603
Homer A. Hill	1601 Western Circle Dr., Dimmitt.	56,213
Kenneth Heard	Rt. 1, Littlefield	56,161
Dan J. Heard	Box 577, Dimmitt	49,464
H. D Smith	Box 467, Hart	48,240
Margaret H. Ware	703 Vaughn Bldg., Amarillo.	45,393
Woodrow Nelson & Sons.	Box 1006, Dimmitt	44,938
Lorenzo Lee	Rt. 2, Hart	44,674
Henry W. Golden	Box 97, Dimmitt	44,447
Geo. Ed Bennett	Box 302, Hart	41,278
Clint B. McFarland	Box 431, Hart T	41,236
Fred Bruedel, Jr	Box 923, Dimmitt	40,634
John H. Burnett	Star Rt., Hereford	40,395
Dick Ellis	Rt. 2, Hereford	39,564
Paul T. Brooks	Rt. 3, Hart	37,937
Chas Heck, Jr	Rt. D, Nazareth	37,789
W. W. Gilbreath	Box 609, Dimmitt	37,291
Milburn and Eddie Haydon.	Rt. 2, Box 100, Hart	37,015
J. M. Wright	Rt. 5, Dimmitt	36,855
Miller Farms	701 North Main, Fort Worth.	35,428
B. L. Moore	704 Maple, Dimmitt	34,538
Melvin Barton	Star Rt., Hereford	33,957
David Nelson	Rt. 1, Hart	33,834
Max Sageser	Star Rt., Hale Center	33,724
Truvis Campbell	600 Maple, Dimmitt	33,215
James H. Bradley	Box 689, Hereford	33,084
Tom W. Miller	Box 666, Dimmitt	33,065
Shirley L. Garrison	Rt. 2, Hereford	32,717
Don Carpenter	Box 876, Dimmitt	32,680
Lamar Found	Care of Citizens National Bank, Lubbock.	32,636
George Sides	Rt. 4, Dimmitt	32,590
Leo Witkowski	215 North Texas Ave., Hereford.	32,573
W. W. Lemons	Box 421, Hart	32,120
Geo. and Kenneth Frye, Partnership.	Rt. 3, Friona	32,104
Ray Robertson	611 W. Etter, Dimmitt	31,545
Jim Elder	Rt. 5, Dimmitt	31,155
Joe M. Scott	Rt. 1, Dimmitt	31,132
W. J. Giles	703 W. Lee, Dimmitt	30,784
A. D. Lee	Box 754, Tulia	30,472
W. E. Warrick	Rt. 2, Hereford	30,431
Ed Wilson	806 W. Jones, Dimmitt	30,161
Loyd Farris	Rt. 2, Hart	28,869
Merle L. McFarland	Rt. 2, Happy	28,826
Jack George	Rt. 2, Hart	27,961
Clyde H. Damron	Rt. 4, Dimmitt	27,867
M. N. Smith	Box 646, Tulia	27,782
E. Herring Estate	308 1st Nat Bnk Bldg, Amarillo.	27,726

CALENDAR YEAR 1968

LISTING OF NAMES, ADDRESSES, AND TOTAL PAYMENTS OF $25,000 OR MORE UNDER ASCS PROGRAMS—EXCLUDING PRICE SUPPORT LOANS, AND SUGAR AND WOOL PAYMENTS—Continued

TEXAS—Continued

County and name	Address	Total payments
Castro County—Continued		
William Baldridge	R.R. 4, Dimmitt	$27,258
Robert L. Hawkins	Rt. 2, Box 166, Hart	27,178
Bill Rich	St. Rt., Kress	27,162
W. V. Struve	Rt. 2, Hereford	27,136
Harvey C. Davis & Sons.	Box 234, Hart	27,089
G. E. McFarland	Rt. 2, Happy	26,878
Jay Lee Touchstone	Box 123, Dimmitt	26,700
Andy Nelson	Box 625, Dimmitt	26,620
L. M. Blanton	Rt. 2, Hart	26,591
H. C. Nelson	1002 Maple, Dimmitt	26,591
H. M. Boozer	Rt. 4, Dimmitt	26,544
Carl L. Kemp	105 N. W. 12th, Dimmitt.	26,475
Floyd Cole	Rt. 2, Hereford	26,209
S. A. Hodges, Jr	Rt 2, Happy	25,503
Lonnie Bell	714 Maple, Dimmitt.	25,232
Fritz Smith	Box 124 Rt. 2, Hereford.	25,161
Kenneth Christie	Box 73, Summerfield	25,016
Total payees in county, 76.		3,236,758
Childress County:		
Carroll Seal	708 H. SE, Childress	40,306
Ralph Sides	Rt. 3, Kirkland	32,540
Total payees in county, 2.		72,846
Cochran County:		
J. K. Griffith	Rt. 2, Morton	320,315
John A. Wheeler	Rt. 1, Lorenzo	161,010
C. C. Slaughter Farms	Box 575, Morton	93,941
F. O. Masten	Sudan	93,212
T. K. Williamson	Box 931, Morton	76,711
Jimmy Millar	St. Rt. 2, Morton	69,920
Erma Griffith	Rt. 2, Morton	64,419
H. B. Barker	602 E. Lincoln, Morton	63,573
J. E. Polvado	Rt. 2, Morton	57,281
D. E. Benham	Rt. 2, Morton	56,119
E. L. Polvado	304 E. Grant, Morton	55,459
R. L. Polvado	Rt. 1, Morton	52,366
Weldon Newsom	Rt. 2, Morton	49,329
Hub Baggett	Rt. 4, Levelland	47,984
Slaughter Hill Co	Box 758, Levelland	47,333
J. C. O'Brien	St. Rt. 2, Morton	39,541
Max Bowers Estate	Rt. 2, Morton	38,775
Ike Williams	St. Rt. 2, Morton	38,386
C. C. Harvey	St. Rt. 2, Morton	35,928
Bobby Smith	401 E. Harding, Morton	34,529
Leonard O. Coleman	605 E. Grant, Morton	32,522
W. B. Merritt	Box 726, Morton	31,879
Mrs. R. B. Chandler	3314 40th St., Lubbock	31,590
W. C. Eubanks	Box 22, Maple	29,629
Emmett E. Thomas	204 E. Hayes, Morton	29,293
Clayton Stokes	509 SE. 8th, Morton	28,853
Ronald Coleman	Rt. 1, Morton	28,261
George Smith	Box 448, Whiteface	28,169
Mrs. Dona Doughty	St. Rt. 2, Morton	28,081
H. Y. Christian	719 E. Madison, Morton	27,481
Dalton Redman	Rt. 2, Morton	27,293
W. L. Foust	308 E. Grant, Morton	26,151
E. E. Silhan	504 SE. 9th, Morton	26,140
C. E. Buchanan	Rt. 1, Morton	25,840
H. H. Kern	602 E. Garfield, Morton	25,390
Total payees in county, 35.		1,922,703
Collingsworth County:		
[This county has no Federal food-aid program for poor families]		
James Doneghy	Wellington	26,842
Total payees in county, 1.		26,842
Collin County:		
[This county has no Federal food-aid program for poor families]		
Glynn Dodson	Box 73, Royse City	29,596
Joe Doyle	Rt. 1, Nevada	25,090
Total payees in county, 2.		54,686
Colorado County:		
[This county has no Federal food-aid program for poor families]		
J. K. J. Mahalitc	R.R. 1 Box 14F, Eagle Lake.	26,577
Total payees in county, 1.		26,577
Cottle County:		
Jack Tippen & Son	Box 686, Paducah	$34,724
Don Brothers	Box 895, Paducah	33,634
Jack Parnell	Box 818, Paducah	33,325
Loyd Mayes	Box 517, Paducah	30,235
Total payees in county, 4.		131,918
Crosby County:		
Leslie Mitchell	Box 439, Crosbyton	86,782
Luis Garcia/Sons, Inc.	Rt. 1, Box 136, Spur	83,117
G. J. Parkhill, Jr	Box 275, Crosbyton	73,171
Lloyd Gambrel	Box 729, Ralls	67,911
Delton Caddell	Rt. 1, Ralls	66,823
J. P. Beck	Box 873, Ralls	47,874
Donald Aycock	Rt. 1, Box 75, Lorenzo	46,836
Lynn T. Smith	Rt. 1, Crosbyton	43,620
The McLaughlins	Drawer AA, Ralls	43,424
Jesse L. Reese	Rt. 1, Ralls	42,532
R. H. Farris, Jr	415 S. Jefferson, Crosbyton.	40,822
Elton Ellison	Box 206, Ralls	40,308
H. N. Watson, Jr	Box 296, Ralls	40,227
Billie McClaran	Rt. 1, Petersburg	39,708
Marvin O. Greer	Box 844, Ralls	39,147
Bob Kimbrough	Box 478, Ralls	38,784
Cleve Cypert	Rt. 1, Ralls	37,967
Elvis O. Martin	Star Rt., Ralls	37,475
John L. Haynes	Star Rt., Ralls	37,275
Compton Cornelius	416 S. Jefferson, Crosbyton.	36,949
T. W. Stockton, Jr	Box 426, Crosbyton	36,650
Clyde Crausbay	McAdoo	35,399
Wayne Wilson	Box 368, Ralls	35,086
Tom F. Oats	Box 460, Ralls	34,885
W. O. Lockwood	R. 1, Box 168, Lorenzo	34,865
Bill N. Gilbreath	Box 903, Ralls	34,849
Wheeless & Wheeless	Rt. 2,Crosbyton	34,742
D. J. Moses	Rt. 1, Box 11, Crosbyton.	34,634
Lynn E. Campbell	Rt. 2, Crosbyton	34,304
Arvis E. Moore	St, Rt., Crosbyton	34,109
I. B. Davis	Box 248, Ralls	33,962
O. D. Moore	Rt. 2, Crosbyton	33,847
Kenneth Summerford	538 Jefferson, Crosbyton.	33,648
Kenneth Gray	Box 1, Lorenzo	33,097
Clause Adams	Box 805, Ralls	33,086
David A. Prewitt	Box 823, Ralls	32,517
Clyde Crump	St. Rt., Ralls	32,300
James W. Holman	504 Keith, Crosbyton	32,124
Carroll Himmel	Rt. 2, Crosbyton	31,704
Rex Wheeler	Rt. 1, Crosbyton	31,517
Jack E. Robertson	Box 825, Ralls	31,338
Craig McDonald	St. Rt, Ralls	30,756
Robert Fullingim	Rt. 1, Petersburg	30,688
Donald Wooten	Box 639, Crosbyton	30,670
Ray Marsh	Box 417, Ralls	30,619
Gene Fullingim	Rt. 1, Petersburg	30,542
James A. Boydston	Box 786, Ralls	30,506
T. B. Edwards	2103 53rd St, Lubbock	30,431
James W. Sales	St. R, Ralls	29,987
W. T. Leon	Rt. 1, Petersburg	29,896
J. W. Jackson	Box 164, Crosbyton	29,721
John R. Green	Box 277, Lorenzo	29,647
Darrell J. Dunn	St. Rt. Bo 166, Ralls	19,595
J. R. Terrell	St. R, Ralls	29,585
L. Don Anderson	R. 2, Crosbyton	29,169
Burl Griffith	Box 357, Ralls	28,086
Harold Hodges	536 S. Grain, Crosbyton.	28 034
R. P. Kirkendall	Rt. 2, Crosbyton	27,760
Eldred L. Mize	Box 296, Crosbyton	27 348
W. Clayton Sellers	Rt. 1, Ralls	27,197
Loyd B. Parkhill	434 S. Grain, Crosbyton.	27,060
J. B. Prewitt	Box 925, Ralls	26,930
Dewey E. Wells, Jr	Box 446, Ralls	26,883
Johnnie Nunley	Box 842, Ralls	26,372
F. Eugene Woodard	St. Rt., Ralls	26,291
Nelton Chote	Star Route, Ralls	25,964
Billy Crump	Rt. 1, Ralls	25,884
Jimmy R. Fullingim	Petersburg	25,579
Will D. Griffin	Rt. 1, McAdoo	25,292
Dee Cash	527 Keith, Crosbyton	25,081
Ross Cash	602 South Grain, Crosbyton.	25,081
Curtis M. Wheeler	Rt. 1 Box 77, Lorenzo	25,064
Total payees in county, 72.		2,571,133
Culberson County:		
Lee Talley	Van Horn	33,166
Olen Lane	Box 625, Van Horn	27,183
Total payees in county, 2.		60,349
Dallam County:		
Elmer Heiskell	R.R. 2, Box 212, Dalhart.	65,815
Hugh L. Gordon	Box 624, Dalhart	48,262
Dallam County—Continued		
Kerrick Land & Cattle Co.	Kerrick	$42,431
Jimmie O. Brewster	802 Denver, Dalhart	41,825
Leo J. Field	523 Denrock, Dalhart	39,828
James E. Crabtree	R.R. 2, Box 226, Dalhart.	39,708
Alex Stafford	R.R. 3, Box 390, Dalhart.	38,578
George H. Noble	R.R. 2, Box 202, Dalhart.	35,696
Leo H. Moore	R.R. 3, Box 3007, Dalhart.	35,514
Roy Nall	Box 107, Boise City, Okla.	34,509
Ray T. Taylor	Box 35, Kerrick	33,963
Horace D. Estes	Box 887, Dalhart	33,834
Wall & Sons	Rt. 1, Box 126A, Dalhart.	33,325
Tim E. Field	Box 968, Dalhart	33,233
R. L. McMurtry	2222 Hughes, Amarillo	32,294
H. Friemel & Sons	Rt. 1, Canyon	31,992
David P. McBryde	Box 307, Stratford	31,333
Billy Chesnut	R.R. 1, Box 126, Dalhart.	30,634
William W. Allen	R.R. 2, Stratford	30,438
Raman L. Chandler	Box 1176, Dalhart	30,158
Clancy Cummings	Rt. 3, Box 324, Dalhart.	29,901
Don W. Slaughter	4610 21 St., Lubbock	29,644
Norval W. Bressler	North Sed. Rt. Box 501, Dalhart.	29,521
Summerour Brothers	R.R. 1, Box 117, Dalhart.	28,840
Webb/Webb/Johnson	Box 9272, Stratford	28,353
James H. Warnken	R.R. 1, Box 122, Dalhart.	27,828
Si G. Darling	Box 1771, Hereford	27,253
J. T. McAdams	N. Sedan, Rt. Box 528, Dalhart.	26,787
Carl W. Miller	Box 422, Amarillo	26,435
Triple M. Farms	Rt. 3, Box 332, Dalhart.	26,315
Marvin Gibbs	N. Sedan, Rt. Box 521, Dalhart.	25,647
Billy G. Moore	Rt. 1, Box 115, Dalhart.	25,218
Total payees in county, 32.		1,075,202
Dallas County:		
Olin B. Curry	200 W. Main St., Lancaster.	39,299
Ralph B. Pickett	R.R. 2, Garland	30,712
Geo. F. Willis	204 Avenue B, Seagoville.	30,573
Reagan Glenn	105 Water St., Seagoville.	25,769
Roddy Brothers	735 W. Main St., Lancaster.	25,430
Total payees in county, 5.		151,783
Dawson County:		
Bill Weaver	502 S. Houston, Lamesa.	136,105
Donnell Echols	St. Rt. 4, Lamesa	81,405
Sam C. Jenkins	Box 497, Lamesa	77,613
Gordon V. Waldrop	Rt. C, Lamesa	73,596
Woodward Farms, Inc.	1355 Corvadura, Graham.	52,746
B. L. Middleton	Rt. 2, O'Donnell	51,317
R. M. Middleton	Box 905, O'Donnell	51,076
Bill Treadaway	1007 N. 21 St., Lamesa.	45,430
E. D. Adcock	Rt. C, Lamesa	44,913
Ray Allen Noret	Box 597, Lamesa	44,897
Adcock Farming Co., Inc.	Rt. C, Lamesa	44,236
George Eiland	1005 N. 10th, Lamesa	41,970
Charles Warren	Rt. D, Lamesa	41,066
Henderson & Son	121 N. 19th, Lamesa	38,697
C. R. Taylor	St. Rt. 1, Lamesa	37,421
Eiland Crawley Palmore.	402 N. Dallas, Lamesa	36,464
John D. Banta	St. Rt. 1, Lamesa	35,914
Robert F. Hardberger	Drawer B, Lamesa	34,409
Donovan V. Phipps	Box 35, Welch	32,332
Carson Echols	220 Highland, Rt D, Lamesa.	31,894
O. H. Preston, Jr	1010 N. 21st, Lamesa	28,078
C. M. Pearce	Rt. 1, O'Donnell	27,630
Doyle Terry	211 N. Lynn, Lamesa	27,583
Lloyd Cline	810 N. 15th, Lamesa	26,575
David Hughes	Rt. C, Lamesa	26,526
V. W. McGee	105 Juniper Dr., Lamesa.	25,937
Total payees in county, 26.		1,195,830
Deaf Smith County:		
[This county has no Federal food-aid program for poor families]		
Taft McGee	Box 69, Hereford	177,238
R. C. Godwin	Box, 1026, Hereford	109,495

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CALENDAR YEAR 1968

LISTING OF NAMES, ADDRESSES, AND TOTAL PAYMENTS OF $25,000 OR MORE UNDER ASCS PROGRAMS—EXCLUDING PRICE SUPPORT LOANS, AND SUGAR AND WOOL PAYMENTS—Continued

TEXAS—Continued

County and name	Address	Total payments
Deaf Smith County—Continued		
B. T. Spear	Star Rt., Wildorado	$108,015
Perrin Bros	Box 12, Hereford	97,049
W. H. Gentry	400 Sunset, Hereford	96,796
Virgil F. Marsh	Rt. 5, Hereford	94,487
Delmar R. Durrett	Box 1081, Amarillo	87,605
White Farms & Cattle Co.	Box 719, Canyon	69,584
J. R. Durrett Trusts	Box 1081, Amarillo	69,338
Billy Wayne Sisson	114 Liveoak, Hereford.	65,540
Clarence D. Carnahan.	Box 64, Hereford	58,228
Vernon Denson	Rt. 5, Hereford	57,247
Herbert Friemel	Rt. 1, Canyon	55,151
Wm. J. Schulte	Box 188, El Reno, Okla.	51,316
D. T. Reed	Rt. 5, Hereford	51,218
James A. Bullard	Rt. 4, Hereford	51,150
West AC Farms, Inc	Rt. 4, Hereford	49,068
A. C. Hays, Jr	Box 668, Dimmitt	48,607
O. D. Bingham	6406 Dreyfuss, Amarillo.	48,483
Joseph J. Friemel	Umbarger	46,518
Anthony Paschel	Rt. 4, Hereford	46,454
Melvin May	722 Thunderbird, Hereford.	46,198
John & Ray Brorman	Star Rt., Adrian	45,731
A. R. Dillard	217 N. Texas Ave., Hereford.	45,351
Brorman Bros	Rt. 4, Hereford	43,175
Forrester Ranch, Inc.	Box, 546, Amarillo	41,998
Harry Brorman	Rt. 1, Hereford	41,199
Higgins & London	Rt. 4, Hereford	40,407
McCathern & Heck Farms.	401 Western, Hereford.	39,847
Solomon Bros	Rt. 5, Hereford	39,778
Jerrell T. Cate	1007 Holiday, Plainview.	39,741
Glenn B. Allred	Box 117, Wildorado	38,972
Cruce G. Richardson	Drawer B, Vega	38,927
Montgomery Farms	Box 287, Vega	38,870
Reinauer Bros	Box 1537, Hereford	37,839
Quien Sabe Farms	Rt. 4, Hereford	37,198
Hosea Foster Estate	2006, 3rd Ave., Canyon.	36,878
Brooks & Brooks	Box 426, Hereford	36,677
James Fangman	Rt. 4, Hereford	36,677
Iverson Leake	Box 346, Canyon	36,647
W. F. Ponder	Box 431, Hereford	36,146
Billy J. Cleavinger	Star Rt., Wildorado	36,027
Morris W. Blankenship.	Rt. 4, Hereford	36,013
A. G. Flippin	Rt. 1, Vega	35,409
Donald Kimball	3518 Carlton Dr., Amarillo.	35,360
Joe Lyons & Lyons	119 Douglas, Hereford	34,435
Garrison Bros. & Nelson.	Rt. 2, Hereford	34,424
Meyer Bros	Wildorado	34,406
Steve Bavousett	407 W. 15th, Friona	34,077
B. C. Hodges	Star Rt., Vega	33,675
Charles T. Noland	204 N. Texas Ave., Hereford.	31,920
Matt Webb	1200 Bowie, Amarillo	31,053
Oneway Farms	Jerry Roberts, Rt. 4, Hereford.	31,047
Hickman Farms, Inc	814 Ave. K, Hereford	30,952
Jim Monroe	Rt. 4, Hereford	30,671
Herbert E. Bippus	401 S. 25 Mile Ave., Hereford.	30,639
J. T. Gilbreath, Jr	240 Ranger Drive, Hereford	30,370
Gary McQuigg	Rt. 5, Hereford	29,821
Floyd E. Tomlinson	Box 817, Canyon	28,808
Robert R. Lindsey	910 Main, Borger	28,761
Johnny Jesko	Rt. 4, Hereford	28,585
S. A. Fangman	Rt. 5, Hereford	28,467
Meiwes Bros	Rt. 4, Hereford	28,198
W. T. Beckman & Sons.	244 Elm, Hereford	27,520
Bridwell Ranch West	% Herman Sifford, Adrian.	27,448
Edwin Morrison	Star Rt., Adrian	27,441
D. Neumayer	708 W. Lee, Dimmitt	26,935
Donald Hicks	Rt. 4, Hereford	26,806
Henry J. Kuper	Box 51, Summerfield.	26,738
E. C. R. Corporation	Rt. 1, Hereford	26,636
Joseph A. Meyer	Star Rt., Wildorado	26,431
Helen Godwin	2808 Bonham, Amarillo.	26,245
Norman Hodges	Rt. 2, Hereford	26,171
John A. & Raymond Smith.	Rt. 4, Hereford	25,996
Samie West	Rt. 4, Hereford	25,878
Frank V. Zinser, Jr	Rt. 5, Hereford	25,794
Luther Ellis	321 Ave K, Hereford	25,454
Bertram Jack	Rt. 2, Friona	25,425
Bob Veigel	Rt. 4, Hereford	$25,287
Mary Inman Hipes	306 Vaughn Bldg, Amarillo.	25,017
Total payees in county, 80.		3,487,183
Denton County: [This county has no Federal food-aid program for poor families]		
Bennett Griffin	R.R. 2, Frisco	29,210
Elmo & Ernest Chesney.	R.R. 2, Celina	28,623
Total payees in county, 2.		57,833
Dickens County:		
G. B. Morris	Crosbyton	56,437
Paul Dale Hagins	Rt. 2 Box 34, Spur	34,862
Paul Braddock	Afton	29,025
Raymon Harris	McAdoo	25,067
Total payees in county, 4.		145,391
Donley County: [This county has no Federal food-aid program for poor families]		
Hall S. Hardin	Box 882, Clarendon	33,238
Total payees in county, 1.		33,238
El Paso County:		
R. T. Hoover Farms	Box 816, Fabens	143,064
Lee Moor Farms	Clint	73,849
Ralphs Farms Inc	San Elizario	43,076
L. R. Allison Co	Box 137, Tornillo	36,769
Jerry Rogers	Box 366, Clint	33,535
Mike Maros	Box 698, Fabens	29,418
Fabens Prod Inc	Fabens	28,684
Louis Burrus	Rt. 1 Box 488, El Paso	28,575
H. D. Hilley	Rt. 1 Box 60, El Paso	28,412
Bills & Ellis Farms	Box 56, Fabens	28,122
Total payees in county, 10.		473,504
Ellis County: [This county has no Federal food-aid program for poor families]		
H. R. Burden	Box 368, Ennis	59,851
J. B. & Jas. Underwood.	1615 Hill Lane, Waxahachie.	45,340
C. T. James	Ferris	38,898
Phillip N. Jeffers	Ferris	29,351
B. D. Wakeland	1614 Hill Lane, Waxahachie.	27,933
C. O. Nash	R.R. 3, Waxahachie	26,630
Total payees in county, 6.		228,003
Falls County:		
Basil Abate	Box 99, Bremond	88,331
W. T. Helbert	R.R. 2, Box 109B, Lorena.	60,446
Felix Tusa	Highbank	51,442
Jack Falco	R.R. 1, Marlin	51,254
Morris Scamardo	2505 Wayside, Bryan	43,075
Louis Corpora	R.R. 1, Box 137F, Marlin.	39,557
Falsone Brothers	Highbank	33,563
W. A. Hudgens	R.R. 1, Troy	29,258
Tony Abate	405 Williams, Marlin	27,701
Total payees in county, 9.		424,647
Fannin County:		
R. A. Harling Ag	Riverby Ranch, R.R. 2, Telephone.	86,952
Total payees in county, 1.		86,952
Fayette County:		
John E. Morgan	Plum	30,282
Total payees in county, 1.		30,282
Fisher County:		
Max Carriker	Roby	29,837
John D. Ferguson	Hamlin	25,927
Total payees in county, 2.		55,764
Floyd County:		
Marble Brothers	Box 91, South Plains	123,177
John C. Alford	Box 28, Petersburg	68,454
Dorris Jones	506 S. White, Floydada	65,001
R. I. Bennett	Lockney	58,734
Marvin Shurbet	R.R. 1, Petersburg	57,129
Hershel Carthel	R.R. 1, Box, Lockney	54,416
Floyd County—Continued		
J. S. Hale, Jr	R.R. 1, Floydada	$53,077
J. E. Franklin	R.R. 1, Lubbock	53,029
J. R. Turner	R.R. 3, Floydada	50,943
L. N. Johnson	R.R. Q, Lockney	50,688
Thomas Bros	Box 697, Lockney	47,445
Gene Belt	R.R. 1, Lockney	45,517
Ewald Quebe	R.R. 2, Lockney	43,987
W. L. Norman	Dougherty	43,857
R. G. Dunlap	Box 117, Floydada	43,299
Watson Jones	Floydada	44,578
Luther B. Brandes	R.R. 1, Lockney	41,364
Richard F. & Robert Stovall.	Box 1058, Plainview	41,262
Ward Borthers	R.R. 2, Floydada	39,818
J. B. Robertson	R.R. 1, Petersburg	38,995
Malvin A. Jarboe	R.R. 4, Floydada	38,406
Kinder Farris	Floydada	38,347
Lane Decker	614 So. 3rd, Floydada	37,924
Johnney West	Star Route, Floydada	37,386
K. E. Probasco	R.R. 3, Floydada	36,845
Tom Snead	836 W. Tenn, Floydada	36,443
Robert L. Smith	R.R. F. Lockney	35,923
Reed Lawson	R.R. F, Lockney	35,349
Tri C. Corp	R.R. 2, Box 2, Lockney	34,632
Dale Widener	R.R. F, Lockney	34,630
Louis Pyle	R.R. 1, Floydada	34,579
W. R. Ware	R.R. 2, Lockney	34,488
Everett Miller	R.R. 1, Petersburg	33,918
Tate Jones	R.R. 4, Floydada	33,851
H. L. Porter Jr	R.R. 1, Petersburg	33,392
Roy H. Tinsley	Star Route, Lockney	33,236
Fred Zimmerman, Jr	522 W. Kentucky, Floydada.	32,993
C. E. Flippin	R.R. 1, Lockney	30,868
Ocsar Golden	Aiken	30,685
C. L. Henderson	R.R. F, Lockney	30,430
Buren C. & Lucy Gates.	807 W. California, Floydada.	30,045
Early P. Pritchett	R.R. 2, Lockney	29,841
L. T. Wood	Box 287, South Plains	29,120
Kenneth Bean	Star Route, Floydada	28,678
J. A. Welch	R.R. 2, Lockney	28,485
Walter W. Taack	R.R. M, Lockney	28,472
L. L. Rhodes	Box 236, Lockney	28,205
G. C. Cattle Co., Inc	902 Buckley, Brownfield.	27,808
J W. Taylor Estate Partnership.	R.R. Q, Lockney	27,777
Loyd Widener	Box, 385, Lockney	27,403
R. Fred Brown	500 1st, Floydada	27,371
William E. Whitfill	R.R. 2, Lockney	27,327
Bruce W. Davis	Box 606, Petersburg	27,102
W. M. Staniforth	South Plains	27,006
W. H. Simpson	Floydada	26,868
C. T. Hammonds	R.R. 2, Floydada	26,814
George Taylor & Tom Fortenberr.	R.R. 2, Lockney	26,757
G. W. Smith	R.R. 4, Floydada	26,559
Billy W. Fulton	R.R.1, Floydada	26,319
Weldon Hammonds	R.R. 1, Floydada	25,967
Donal Aiken	R.R. 3, Floydada	25,953
Bobby McCormick	Box 791, Lockney	25,777
Charlie Boedeker	R.R. 1, Lockney	25,770
Eugene Gilly	Silverton Route, Floydada.	25,725
Stewart Farms	% Sam M. Stewart, Petersburg.	25,562
Lewis Reddy	R.R. 1, Floydada	25,434
Mack Hickerson	507 W. Ga St, Floydada	25,297
Fred Jackson	R.R. 3, Floydada	25,297
George D. Probasco	Silverton Route, Floydada.	25,233
C.C. Whittle	815 W. Grover, Floydada.	25,040
J. R. Belt Jr., Farming Inc.	Lockney	25,000
Total payees in county, 71.		2,591,188
Fort Bend County: [This county has no Federal food-aid program for poor families]		
Texas Department of Corrections.	Central Farm 520, Sugarland.	294,301
Sugarland Industries Inc.	Box 45, Sugarland	61,259
Foster Farms Inc	% J. M. Schrum, Sugarland.	47,133
Total payees in county, 3.		402,693
Frio County:		
Bennett Bros Inc	Pearsall	59,088
Clyde Cox	Pearsall	44,583
Al Klopek	Dilley	41,715
Eulan Cox	Box 485, Charlotte	37,873
Tony Mann	Bigfoot	36,117
A. E. Schletze Farms	106 N. Bryan, Pearsall	35,374
Jay Kay Ranch	% John Kain, Pearsall	28,226
W. E. Stacy & Sons	Bigfoot	27,988
J. H. Woodward	Pearsall	25,902
Total payees in county, 9.		336,866

CALENDAR YEAR 1968

LISTING OF NAMES, ADDRESSES, AND TOTAL PAYMENTS OF $25,000 OR MORE UNDER ASCS PROGRAMS—EXCLUDING PRICE SUPPORT LOANS, AND SUGAR AND WOOL PAYMENTS—Continued

TEXAS—Continued

County and name	Address	Total payments
Gaines County:		
[This county has no Federal food-aid program for poor families]		
John Henry Jones	Box 34, Welch	$74, 000
Vernon Goodwin	Box 395, Seagraves	66, 485
Paul Morgan	707 N. 18th, Lamesa	60, 549
Shamrock Farms	Drawer B, O. Donnell	58, 526
Earl Layman	Box 836, Loop	57, 887
Leon Foote	Route 3, Seminole	47, 856
F. C. Clemens	Star Route 4, Lamesa	45, 991
Moody Neeley	Route C, Lamesa	45, 409
Bill Oates	Box 415, Loop	42, 846
Troy Martin	Route 2, Box 576, Seagraves.	41, 828
E Bar S Ranch	Route 2, % James Ratcliff, Mesquite.	41, 394
Douglas Floyd	Route 2, Seagraves	40, 866
J. A. Benthall	311 S.W. 15th, Seminole.	40, 780
J. A. Grammer	907 North 9th, Lamesa.	39, 982
R. I. Oliver	Box 1261, Seagraves	38, 585
D. G. Chiles	1602 N. Avenue G, Lamesa.	36, 434
W. O. Fortenberry Estate.	Box 207, New Deal	36, 383
Forris L. Sneed	Box 1747, Seminole	36, 226
Roy Apple	Route 4, Seminole	33, 658
Alvin Ward	Box 39, Route 1, Seminole.	33, 157
Marion C. Bowers	9 6 E. Oak St., Brownfield.	33, 097
B. J. Smith	East Star Route,	33, 058
Norman Hicks	Box 341, Seagraves	32, 963
Robert Sneed	Box 1197, Seminole	32, 869
Kenneth Hancock	Box 695, Seagraves	32, 168
Jeff Hays	Route 1, Florey	32, 094
M. H. Nance	Tarzan	31, 725
W. E. Berry, Jr	Box 1206, Seminole	31, 153
W. G. and G. R. White	Box 238, Lamesa	31, 133
Tommy Lacy	Box 1073, Seagraves	30, 632
Tommy Billings	Route 1, Seagraves	30, 256
A. W. Byrd	St. Rt., Loop	29, 867
Paul J. Condit	Rt. 4, Seminole	29, 799
Vester Smith	Star Route, Loop	29, 593
Ray Garrett	Rt. 4, Seminole	28, 788
E. T. Foshee	Rt. 2, Seagraves	28, 738
Charles Medlin	Rt. 2, Seagraves	28, 008
Kenneth Bass	604 SW. 16th Street, Seminole.	27, 984
Rinehard Vogler	Rt. 4, Seminole	27, 851
Earnest Spradlin	Box 663, Seagraves	27, 708
Bill Moore	Rt. 1, Seagraves	27, 701
Thomas Michael Jenkins.	Rt. 4, Seminole	27, 550
M. T. McIlwain	Rt. 2, Seminole	27, 141
Tom Hunt	Loop	27, 086
Cline E. Morris	507 SW. Ave. E., Seminole.	26, 970
Joe Tarbet	704 Hickory, Levelland.	26, 960
Billy J. Evans	R.R. 2, Box 949, Midland.	26, 839
Keith Young	Rt. 2, Seagraves	26, 667
Delmon Ellison	Rt. 2, Seminole	26, 632
Harmon Mills	Box 294, Seagraves	26, 499
Bob Moffatt	1408 North Dallas, Lamesa.	26, 449
Alton Billings	Rt. 1, Seagraves	26, 281
Claude-Doak Hearne	Box 545, Seagraves	26, 156
Dennis Nix	610 N. 20th Street, Lamesa.	25, 999
V. H. Williams	Rt. 2, Seagraves	25, 769
N. B. Fields	Box 1056, Seagraves	25, 315
H. Dale Cope	Box 848, Loop	25, 084
Total payees in county, 57.		1, 979, 424
Garza County:		
[This county has no Federal food-aid program for poor families]		
H. V. Wheeler	Box 117, Slaton	40, 836
Avery Moore, Jr	R.R. 1, Post	39, 974
Total payees in county, 2.		80, 810
Glasscock County:		
[This county has no Federal food-aid program for poor families]		
Bednar Bros	St. Lawrence Rt., Garden City.	39, 224
Eugene E. Hirt	St. Lawrence Rt., Garden City.	28, 890
Edwards & Edwards	603 Permian Bldg., Big Spring.	27, 227
Bennie W. Wilde	Rt. 1, Box 108, Ballinger.	25, 827
Glasscock County—Continued		
Fred J. Hoelscher	St. Lawrence Rt., Garden City.	$25, 469
Total payees in county, 5.		146, 637
Grayson County:		
Bob Light	Collinsville	28, 856
Total payees in county, 1.		28, 856
Grimes County:		
Harris Farms	R.R. 1, Box 37, Navasota.	47, 960
Paul Keelan & Sons	Rt. 1, Navasota	35, 368
Total payees in county, 2.		83, 328
Guadalupe County:		
Frank P. Watson, Jr	R.R. 3, Box 92, San Marcos.	36, 445
Total payees in county, 1.		36, 445
Hale County:		
Ercell Givens	Box 817, Abernathy	156, 583
I. F. Lee	R.R. 2, Hale Center	131, 881
J. C Mills	Drawer G, Abernathy	127, 463
James Cannon	R.R. 1, Lockney	76, 817
Jason H. Allen	4602 15th St., Lubbock	71, 830
Ballard and Hurt	Olton Route, Plainview	68, 031
T. R. Joines	R.R. 2, Abernathy	67, 162
E. A. Houston	Box 838, Abernathy	62, 812
Elmo Stephens	Olton Rt., Plainview	62, 579
Frank Moore	1400 West 7th, Plainview.	55, 369
W. D. Scarborough, Jr	Box 247, Petersburg	55, 133
Warren Mathis	R.R 1, Lockney	54, 589
Neal and W. E. Burnett.	R.R. 2, Plainview	53, 788
Swann Pettit	R.R 1, Hale Center	53, 143
A. J. Givens	Olton Rt., Plainview	52, 522
Ralph Wheeler	Edmondson	51, 486
G. O. King	800 Itasca, Plainview	50, 160
John Trimmier, Jr	Box 426, Hale Center	48, 817
Lee C. O'Neil	1714 31st, Lubbock	47, 533
Jimmy McLaughlin	R.R. 1, Plainview	47, 224
Winston T. Jones	R.R. 1, Plainview	46, 623
Clayton Terrell	R.R. 2, Plainview	46, 467
Frank Stanton, Jr	R.R. 1, Petersburg	46, 429
John C. Carter	1100 Dallas, Plainview	45, 396
W. C. Harper	1203 Ennis, Plainview	45, 233
T. C. Clanton	R.R. 1, Plainview	44, 762
Lonnie Cannon	St. Rt., Hale Center	44, 617
Horne Brothers	Box 21, Plainview	43, 857
Bob Riley	Box 92, Abernathy	42, 553
Jim Bob Curry	R.R. 2, Hale Center	42, 340
Brownlake Farms	% K. Gregg, Box 43, Edmonson.	42, 111
C. T. Minchew and Miller Trust.	Hale Center	41, 478
O. A. and C. E. Webb	R.R. 2, Abernathy	41, 289
O. D. Rhodes	3502 41st, Lubbock	40, 543
Leo Mathis	Olton Rt., Plainview	39, 518
John M. Norfleet	R.R. 1, Hart	39, 462
Benson Farms, Inc	St. Rt., Hale Center	39, 399
C. R. Kay	R.R. 33, Plainview	39, 384
Bradshaw and Meador	R.R. 1, Idalou	38, 790
William Thomas Joines.	3014 56th, Lubbock	38, 679
E. J. Pope, Jr	R.R. 2, Abernathy	38, 172
A. E. Lewellen	503 Kirchwood Dr., Plainview.	37, 957
Harvey Lutrick	Box 5, Abernathy	37, 946
Johnnie J. Maberry	Box 844, Plainview	37, 561
Charles W. Lambert	R.R. 2, Box 106, Abernathy.	37, 461
Ralph E. Davis	R.R. 2, Abernathy	37, 292
Heck Gin, Inc	507 Kirchwood R.R. 1, Plainview.	37, 022
Marcus Breland	R.R. 4, Olton	36, 604
J. H. Kirby and Sons	R.R. 2, Hale Center	36, 329
John A. Bell	Olton Route, Plainview	36, 274
Alton Leach	Olton Rt., Plainview	36, 187
Carl Phillips	Box 640, Abernathy	36, 000
C. P. Smith	R.R. 1, Hale Center	35, 884
Heath Brothers	R.R. 2, Hale Center	35, 666
J. W. Pope	Box 429, Abernathy	35, 109
Davis Cannon	R.R. 1, Hale Center	34, 709
Virgal Pierson	R.R. 2, Petersburg	34, 613
Rae Groce	R.R. 2, Petersburg	34, 577
C. A. McWilliams	2312 W. 12th, Plainview	34, 509
Kenneth R. Wiese	R.R. 2, Petersburg	34, 432
Horace N. Wardlow	Box 811, Plainview	34, 251
Wallace Cannon	R.R. 1, Plainview	33, 342
Gordon H. Branham	3015 Dimmitt Hwy, Plainview.	33, 294
Clyde Benn	R.R. 2, Abernathy	33, 047
Oliver Harmel	Olton Rt., Plainview	32, 874
Joe Sherrod	R.R. 1, Hale Center	32, 751
Donald Lee Terrell	210 Yucca Terrace, Plainview	32, 621
Burgess Farm Account	Box 660, Hale Center	32, 620
Hale County—Continued		
Ralph Mc Ferrin and Sons.	Box 63, Cotton Center	$32, 456
Witten Farms	Star Rt., Kress	31, 922
S. R. Heard	R.R. 1, Plainview	31, 916
Raymond Akin	2205 Smythe, Plainview.	31, 539
Carl J. Marshall	Box 418, Hale Center	31, 049
Herman S. Tennell	R.R. 2, Abernathy	30, 929
Arthur W. Sorelle	Box 1568, Plainview	30, 867
Edwin Adams	605 Kirchwood Dr, Plainview.	30, 566
Mrs. J. S. McBeth	Box 661, Hale Center	30, 084
Earl G. Beach	Star Route, Hale Center.	29, 960
William H. Finkner	Box 231, Petersburg	29, 923
U. O. Hobgood	Box 389, Abernathy	29, 856
Donald C Ebeling	Olton Rt., Plainview	29, 817
C. E. Hobgood Est	2101 22nd St, Lubbock	29, 814
Melvin Mahagan	Box 479, Hale Center	29, 603
R. L. Tullis	Star Rt., Hale Center	29, 601
Wesley Davis	Box 567, Hale Center	29, 506
Ross and Thompson	Box 1376, Plainview	29, 473
Bill Riley	Box 383, Abernathy	29, 443
Jack Robertson	R.R. 2, Plainview	29, 404
Clayton Enger	R.R. 1, Abernathy	29, 148
Irvan Rhodes	Box 187, Abernathy	28, 984
B. L. Griffith	Box 261, Abernathy	28, 788
Paul Stukey	R.R. 3, Plainview	28, 660
Herschel Blankenship	R.R. 2, Plainview	28, 638
Don Cannon	Box 369, Hale Center	28, 603
Lewis F. Thompson	Star Rt., Hale Center	28, 529
James W. Davis	Box 776, Abernathy	28, 521
Owen Benn	R.R. 2, Abernathy	28, 458
C. E. Carter and Son	1408 Borger, Plainview.	28, 437
The Waters Trust	% Citizens Nat Bank, Lubbock.	28, 313
Jerry V. Young	R.R. 1, Plainview	28, 301
R. Bruce Walker	Olton Rt, Plainview	27, 831
Perry McWilliams	510 W. 8th, Plainview	27, 789
Lafont Farms	Box 1173, Plainview	27, 637
Otey Shadden	Star Rt., Hale Center	27, 626
Orval Boyd	Box 546, Hale Center	27, 424
Lewis Lutrick	R.R. 2, Abernathy	27, 389
Joe Barton	Star Route, Hale Center.	27, 280
Ray R. Copeland	Box 101, Olton	27, 190
John Joe Kirchoff	R.R. 1, Plainview	27, 174
W. E. McPherson	1106 Amarillo, Plainview.	27, 108
Elmer Koenning	R R 3, Plainview	27, 064
Wesley A. Schumacher	R R 2, Plainview	26, 843
Jake Q. Finney	Box 503, Edmonson	26, 818
Earl M. James	2101 W. 24th, Plainview.	26, 776
Joe Sharp	713 Nassau, Plainview	26, 638
Laura Faye McDougal	R R 2, Abernathy	26, 608
Wallace W. Klatt	R R 6, Lubbock	26, 577
Wilson Brothers	Box 1480, Plainview	26, 538
Elbert Harp	R R 2, Abernathy	26, 515
Charles L. King	R R 1, Hale Center	26, 165
Millard J. Hancock	R R 2, Abernathy	26, 125
W. T. Settle	Box 182, Abernathy	26, 102
Austin O'Neil, Jr	Star Rt., Hale Center	26, 006
Loy Eldon Teague	R R 2, Abernathy	25, 869
Kathryn Raymond	R R 2, Abernathy	25, 826
Frank Woods	R R 2, Plainview	25, 739
Kit McDaniel, Jr	Box 634, Hale Center	25, 690
J. L. Miller, Jr	Box 252, Abernathy	25, 591
Weldon Reed	Olton Rt., Plainview	25, 453
L. K. Gregory	R R 2, Petersburg	25, 409
Dee W. Martin	Olton Rt., Plainview	25, 265
Mac Houston	R R 2, Abernathy	25, 150
R. N. Hopper	R R 1, Petersburg	25, 082
C. E. Monroe	R R 3, Plainview	25, 020
Total payees in county, 134.		5, 083, 411
Hall County:		
[This county has no Federal food-aid program for poor families]		
Henry S. Foster	Memphis	35, 415
Allen L. Monzingo	1212 Dover, Memphis	31, 806
J. A. McAnear	Clarendon	29, 820
Tom W. Collins	Estelline	29, 506
Jim Hutchins	Estelline	28, 082
Carroll Fowler	Lakeview	26, 937
W. H. Reed	Memphis	25, 061
Total payees in county, 7.		206, 627
Hansford County:		
[This county has no Federal food-aid program for poor families]		
Jack Hart	Gruver	63, 894
R. L. Porter, estate	Rt. 2, Box 5, Spearman	54, 961
R. E. and Rue Sanders	515 S. Bernice, Spearman.	44, 848
C. H. Clawson	Box 358, Gruver	42, 057
Don Hart	Box R, Gruver	39, 374
Gus O. Birdwell	Box 325, Spearman	36, 747
Collier Bros, Inc	Box 1058, Spearman	35, 746
Louis Baxter	Chivington, Colo	35, 518
Carl Archer	Box 488, Spearman	33, 804

CALENDAR YEAR 1968

LISTING OF NAMES, ADDRESSES, AND TOTAL PAYMENTS OF $25,000 OR MORE UNDER ASCS PROGRAMS—EXCLUDING PRICE SUPPORT LOANS, AND SUGAR AND WOOL PAYMENTS—Continued

TEXAS—Continued

County and name	Address	Total payments
Hansford County—Continued		
J. P. Armes	Box 423, Gruver	$33,313
Lynn & Jon Hart	Box 707, Gruver	32,376
D. C. Dilley Est	Box 1106, Borger	31,861
J. L. Whitaker	Box 727, Gruver	31,779
Roy Roper	R.R. 3, Sunray	30,700
Willard McCloy	Box 12, Morse	28,922
Lloyd Buzzard	Box 65, Spearman	28,189
W. R. Murrell	Box 277, Gruver	27,805
Wm. F. D. Etling	Gruver	27,634
Robert H Novak	R.R. 1 Box 4, Spearman.	26,675
Woodville Jarvis	Box 687, Spearman	26,646
Hez M. Frazier	Box 182, Gruver	25,880
C. Ralph Blodgett	Box 638, Spearman	25,694
Joel D. Stavlo	Gruver	25,517
Pittman & Sons, Inc.	Box 91, Morse	25,372
Betty Bros	1102 S. Grinnell, Perryton.	25,061
Total payees in county, 25.		840,373
Hardeman County:		
Robert Nippert	400 W. 15 St., Quanah.	36,033
M. E. Watson, Jr	Rt. 3, Kirkland	35,283
1st National Bank & Trust, C. G. Conley.	Box 540, Wichita Falls.	30,153
Roy Hines	610 Ave. E. NW, Childress.	28,218
James W. Tabor	Rt. 2., Quanah	26,673
Total payees in county, 5.		156,360
Hartley County: [This county has no Federal food-aid program for poor families]		
Carl J. Kuper	1414 Denrock Ave., Dalhart.	95,556
Harold H. Hogue	1415 Denrock Ave., Dalhart.	79,904
John W. Bookout	Hartley	59,668
Framach Farms	Box 5792, Amarillo	57,503
Frantz & Frantz	Hartley	39,896
G. Malcolm Bryant	Hartley	34,346
U Anchor Cattle Co	Box 190, Amarillo	33,436
Leopold J. Schmidt, Sr.	624 Rock Island, Dalhart.	30,272
Bobby G. Green	Hartley	29,769
Doyce W. Franklin	5625 Delores, Houston.	28,808
Gary K. George	Rte. 3, Perryton	27,081
Howell L. McCleskey	Rte. 1 Box 137, Dalhart.	27,030
Joe D. Keast	Box 1413, Dalhart	26,798
G. Ivory Edlin	Channing	26,383
Exum Ranch	Rte. 1, Dalhart	25,302
Total payees in county, 15.		621,752
Haskell County:		
Johnny D. Reid	Route 1, OBrien	46,350
Thomas J. Bevel & Son.	Star Rt., Rochester	35,733
Burson And Burson	Star Route, Haskell	34,604
John L. Grindstaff, Jr	Box 363, Knox City	28,806
William G. Ellis	Rt. 1, O. Brien	27,628
Melvin C. Josselet	Rt. 1, Weinert	27,183
E. H. Tankersley, Jr	O' Brien	25,796
Total payees in county, 7.		226,100
Hidalgo, County:		
Engelman Farms	Box 307, Elsa	155,011
Krenmueller Farms	Rt. 1 Box 77, San Juan.	128,907
Rio Farms Inc	Edcouch	122,537
Shary Farms Inc	Box 433, Mission	115,429
Valley Acres	Box 128, Santa Rosa	102,348
J. W. Wallace & Sons	Box 929, Edinburg	92,953
Ben Estes Bearden	Box 387, Santa Rosa	86,375
Sam Sparks	Rt. 1, Santa Rosa	85,955
Beckwith Farms	Drawer 616, Progreso	80,215
J. B. Hardwicke Co., Plantation	Box 1990, McAllen	80,186
Davis & Candy	301 Austin, Edinburg	75,558
Carl Schuster	Rt. 1, Box 77-A, San Juan.	73,074
Guerra Bros	Box 38, Linn	67,554
Byron Campbell	795 W. Rockey, Raymondville	65,883
J. R. Stump	Box 851, Elsa	63,626
Sebastian Cotton & Grain Corp.	Box 104, Sebastian	63,597
Knapp Farms	Box 205, Weslaco	62,915
C. C. & Jack Harbison	Rt. 1, Mercedes	62,378
J. B. Pollock	Box 238, Hargill	60,360
Fay M. Willis	Rt. 1, Box 109, Mercedes.	57,062
Bill Burns	Box 1106, Raymondville.	56,258
Hidalgo County—Continued		
C. B. Shields, Jr	Rt. 1, Box 284, Edcouch.	$53,403
La Perla Farms	Box 837, Edinburg	52,653
Frank Schuster	Rt. 1, San Juan	50,415
Fuller Farms	Rt. 2, Box 52, Weslaco	49,516
Jerry Block	Box 1234, McAllen	48,033
Geo. T. Helle	Rt. 2, Box 82-E, Mission.	45,653
American Farm, Inc	Box 41, Weslaco	45,196
Evergreen Farms, Inc	Rt. 1, Edcouch	44,767
Marvin A. Schwarz	Box 152, Mercedes	44,721
Turberville Farms	Box 686, Elsa	44,538
Bell Bros	Box 335, Elsa	44,223
M. D. & N. J. Moore, Jr.	Rt. 2, Box 6, Weslaco	43,434
Bryan Hanks	Rt. 3, Box 211-D, Edinburg.	43,364
Barr Ewing	Rt. 2, Box R-39, Mercedes.	42,766
Edgar R. Smith	Rt. 2, Box 184, Weslaco.	41,674
Shiba & Kakuda Farms.	Rt. 1, Box 42, Mission	41,394
Las Palmas Farms	Box 325, Weslaco	39,595
Bradford & Eoff Ptns	105 E. Hiway, Weslaco	38,877
P. D. Moore, Jr	1102 Ivy, McAllen	37,759
Holcomb & Black	Rt. 2, Box 29C, Weslaco.	36,204
Wyatt & Ware	Box 521, Corpus Christi.	36,131
J. R. Russell	909 Ash, Weslaco	34,833
W. J. McMikle	1309 Mississippi St., Tallulah, La.	34,262
N. H. Kitayama	Box 1535, Donna	34,254
Franklin Dusek	Rt. 1, Box 390, Mission.	33,060
L. H. Freeman	Box 296, Elsa	30,651
E. J. Blake	Rt. 1, Mercedes	30,615
Roy W. Barnes	517 W. Cherokee, Pharr.	30,195
Ed Good	Donna	29,641
J. S. & Quinn McManus	Box 568, Weslaco	29,448
W. A. Odom, Jr	Rt. 1, Edcouch	29,132
Boyce Farms, Inc	Box 1116, Donna	29,101
Headley & Brandt	908 Chicago, McAllen	29,019
La Strawberry & Vegetable Distribution Co.	Box 1286, McAllen	28,973
L. J. Krska	Rt. 2, Box 181, Edinburg.	28,120
R. O. Wade Farms, Inc.	Rt. 1, Box 24, Edcouch.	27,819
Homer Ramsey	617 Kendlewood, McAllen.	26,945
M. A. Drewry	2513 Crestview, Edinburg.	26,351
Marialice Shivers	Box 433, Mission	26,303
Everett Bell	Rt. 3 Box 125-A. Mission.	26,021
Edith Tyner	Box 644, Donna	25,930
James Dyer	Rt. 1 Box 188, Weslaco.	25,876
T. E. Bottom	Box 322, Donna	25,855
Griffin & Brand	Box 1840 Mcallen	25,719
M. F. Klose, Sr	Rt. 1 Box 151, Lometa	25,479
Keith Pollock	225 Enfield Dr., Edinburg.	25,099
W. H. Drawe	Rt. 2, Mercedes	25,012
Total payees in county, 68.		3,426,210
Hill County:		
Daniel Pustejovsky	Rt. 2 Hillsboro	31,611
G. Ray Sawyer	Rt. 1, Hillsboro	30,778
Seth Orr	1101 East Walnut, Hillsboro.	28,335
Total payees in county, 3.		90,744
Hockley County:		
White Face Farms, Inc.	Box 1030, Levelland	83,424
Post Montgomery	921 Austin St., Levelland.	77,371
Billy Ray Mcinroe	R.F.D. 2, Levelland	62,129
Aubrey L. Lockett	% J. H. Roberson, Rt. 1, Ropes.	57,476
J. Walter Hobgood	Box 777, Anton	53,723
Flora Hamill Crenshaw.	R.F.D. 2, Levelland	44,822
George H. Hamill	R.F.D. 3, Levelland	44,347
Harry L. Fitzgerald	Rt. 4, Levelland	39,673
Neal Caswell	Rt. 2, Anton	38,399
Gordon McMillan	Box 74, Levelland	38,177
Joe W. Cook, Jr	Rt. 1, Ropesville	37,688
Don Brazil	Rt. 2, Anton	37,483
Barry Armes	Star Rt. 2, Littlefield	37,048
Jim J. Hobgood	Box 97 Anton	36,774
Fred G. Owens	202 Tanglewood Lane, Levelland.	35,539
Marvin E. Green	R.F.D. 1, Levelland	35,371
Spade Ranch, Inc	1107½ Ave. K, Lubbock.	35,081
L. E. Mitchell	Box 1367, Levelland	34,399
James T. Rackler	203 Willow Wood, Levelland.	34,271
H. Joe Schwartz	Box 97, Ropesville	33,936
Hockley County—Continued		
Edward Pinkert	Rt. 4, Levelland	$33,165
Chester Borders	103 Park Dr, Levelland.	32,484
Carl E. Ratliff	1703 Great Plains Life, Lubb.	31,643
W. L. Harris	1406 8th St. Levelland.	31,501
E. W. Sanford, Est	CIT NTL Bank Trust Dept, Lub.	31,449
W. N. Halliburton	R.F.D. 2, Levelland	31,009
Elwood Patterson	R.F.D. 3, Levelland	30,887
Sam Hoover	R.F.D. 3, Levelland	30,476
Jewel D. Melton	Rt. 2, Littlefield	29,914
Joe B. Pate, Jr	2510-60th, Lubbock	29,613
William E. Carr Jr	R.F.D. 1, Levelland	29,513
H. E. Mowry	103 Mike St, Levelland.	29,364
Frank Motl	Box 675, Anton	29,159
Slaughter Farms	919 T&P Pass Sta, Ft. Worth 2.	28,757
Troy M. Overman	2308 58th, Lubbock	28,600
Ben M. McWhorter	Rt. 5, Lubbock	28,518
Elbert C. White, Jr	Box 465, Whiteface	28,412
William Clements	Rt. 5, Levelland	27,965
Cecil B. Helms	112 15th ,Levelland	27,527
Douglas Kauffman	200 Mike St, Levelland.	27,514
William J. Brazil	Rt. 2, Anton	27,429
Palmer & Dowell	Rt. 5, Levelland.	26,895
William M. Cain	Box 55, Ropesville	26,747
L. E. Mitchell, Jr	Box 1367, Levelland	26,704
Catharine C. Whittenburg.	Box 684, Levelland	26,640
Felix J. Silhan	Star Rt. 1, Littlefield	26,618
J. T. Hall, Jr	RFD 5, Levelland	26,571
Ralph F. Wade	Rt. 2, Littlefield	26,241
George R. Martin	Box 346, Whiteface	26,063
Johnnie Keen	RFD, 3, Levelland	25,945
Mallet Ranch	Lub Natl Bank Bldg, Lubbock	25,653
George Wade Jr	Rt. 2, Littlefield	25,644
Julius Blair	Rt. 1, Ropesville	25,567
S. J. Clevenger	Rt. 2, Anton	25,370
L. C. Vance	3602 38th, Lubbock	25,193
Jerry Biffle	Box 586, Anton	25,086
Erland D. Gresham	RFD 1, Levelland	25,049
Total payees in county, 57.		1,937,659
Houston County:		
G. L. Potter	920 State St, Lafayette.	37,690
Wade Minter, Sr	R.R. 1, Crockett	28,831
C. A. Snell	R.R. 2, Crockett	25,730
T. J. Maples	R.R. 2, Crockett	25,499
Total payees in county, 4.		117,750
Howard County:		
Delbert Stanley	1601 Phillips Rd., Big Spring.	45,686
Edgar Phillips	Acklerly Rt., BigSpring.	36,255
James C. Barr	Vincent Rt., Coahoma	33,616
Harvey Fryar	Rt. 1, Big Spring	32,234
Donald Lay	Coahoma	31,124
G. C. Broughton, Jr	1705 Harvard, Big Spring.	29,783
Robert V. Fryar	Garden City Rt., Big Spring.	29,062
Oliver Nichols	Garden City Rt., Big Spring.	27,150
R. T. Shafer	Vincent Rt, Coahoma	26,555
Shirley W. Fryar	Rt. 1, Knott	26,340
Paul Adams	Rt.1, Ackerly	25,952
Bence O. Brown	Vincent Rt, Coahoma	25,892
Bigony Farms	% W. J. Rogers, Knott Rt., Big Spring.	25,527
Total payees in county, 13.		395,176
Hudspeth County: [This county has no Federal food-aid program for poor families]		
C. L. Ranch	Dell City	72,452
B. E. Walker	Fort Hancock	44,801
Grady E. Miller, Jr	Fort Hancock	41,931
Dave Payne	7450 Emory Rd., El Paso	30,404
Total payees in county, 4.		189,588
Hunt County: [This county has no Federal food-aid program for poor families]		
Guy E. Ray	R.R. 3, Greenville	25,902
Total payees in county, 1.		25,902
Hutchinson County:		
Claude Higley	407 Phillips Dr, Dumas.	51,449
Mrs. M. W. McCloy & Sons.	Box 106, Morse	42,242
Jack Johnson, Jr	Box 34, Morse	34,984
Henderson & Parks	Box 47, Morse	31,571

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CALENDAR YEAR 1968

LISTING OF NAMES, ADDRESSES, AND TOTAL PAYMENTS OF $25,000 OR MORE UNDER ASCS PROGRAMS—EXCLUDING PRICE SUPPORT LOANS, AND SUGAR AND WOOL PAYMENTS—Continued

TEXAS—Continued

County and name	Address	Total payments
Hutchinson County—Continued		
Armstrong & Thornton	Box 413, Amarillo	$25,541
Total payees in county, 5.		185,787
Jim Wells County:		
R. W. Miller	Box 1076, Mathis	33,415
Don Boggan	Rt. 2, Box 125, Alice	30,635
C. A. Lowman	901 Henderson, Bishop	27,580
Leon Eschberger	Box 86, Alice	26,329
J. M. Dellinger, Jr	Rt. 2, Box 319, Alice	25,914
Total payees in county, 5.		143,873
Johnson County:		
[This county has no Federal food-aid program for poor families]		
James E. Kemp	20th Fl. Mercantile Bank Bldg., Dallas	72,323
Total payees in county, 1.		72,323
Jones County:		
Hoke Propst	Rt. 3, Anson	74,925
Herman A. Propst	1301 Avenue O, Anson	47,265
W. C. Matchett	1000 West Lake Dr., Hamlin.	46,703
Chas. M. Herndon	Rt. 1, Hawley	32,562
Herman B. Propst	2132 Avenue N, Anson	27,903
Bill Pritchard	Rt. 2, Stamford	26,219
Total payees in county, 6.		255,577
Karnes County:		
Burnell B. Tips	Box 426, Kenedy	29,122
Total payees in county, 1.		29,122
Kaufman County:		
[This county has no Federal food-aid program for poor families]		
Monty Clayton	R.R. 1, Crandall	52,685
Vernon Griffin	R.R. 1, Scurry	31,540
Star Brand Cattle Co	Kaufman	26,286
Total payees in county, 3.		110,511
King County:		
Allen D. Goodwin	Guthrie R.R., Paducah	31,058
Total payees in county, 1.		31,058
Knox County:		
Eugene L. Thompson	Munday	44,300
Floyd L. Reed	do	40,520
William J. Goode	Seymour	33,965
George L. Floyd	Munday	30,681
Total payees in county, 4.		149,466
Lamar County:		
[This county has no Federal food-aid program for poor families]		
Mashburn Farms, Inc	R.R. 5, Paris	69,012
Hicks Graves	Petty	58,840
H. L. Schlottman	R.R. 6, Paris	48,688
Total payees in county, 3.		176,540
Lamb County:		
McDonald Maric McCluskey Picka.	114 West 10th, Kansas City, Mo.	142,778
Busby Farms	Star Rt. 2, Olton	111,592
J. D. Smith	109 East 11th St., Littlefield.	68,488
E. K. Angeley	Rt. 1, Box 152, Muleshoe.	67,493
L. C. Hewitt	Box 806, Littlefield	59,691
Parish Farms	Box 187, Springlake	59,233
Lonnie R Smith	Box 634, Olton	59,067
Billy W. Clayton	Box 38, Springlake	55,061
L. J. Welch	Rt. 4, Muleshoe	54,669
F. M. Smith	Box 308, Sudan	49,773
T. A. King, Jr	Box 517, Sudan	49,576
John Bridges	Rt. 2, Earth	46,877
Ray Wood	Box 575, Sudan	45,956
D. R. Hopkins	%Charles Edgemon, Rt. 1, Anton.	45,708
W. C. Stout	Rt. 4, Muleshoe	44,897
Fred Welch	do	44,664
H. M. Gable	Rt. 1, Muleshoe	42,125
Lamb County—Continued		
Regional Stephens	Rt. 1, Anton	$40,665
R. L. Masten	Rt. 2, Sundan	39,960
Gordon B. Timms	Rt. 1, Anton	39,671
Barton Bros	Box 456, Earth	39,443
Royce Collins	Box 451, Olton	38,867
Charles W. Wiseman	Box 35, Sudan	38,733
L. B. Montgomery	Box 1143, Littlefield	38,484
J. A. Stubblefield	Rt. 1, Anton	37,493
James A. Littleton, Jr	Box 23, Earth	37,428
T. V. Murrell	Earth	36,900
Devurn Mandrell	Box 30, Olton	36,301
Charles Flowers	Rt. 1, Shallowater	35,620
Willie Steffey	Rt. 1, Littlefield	35,282
Donald J. Bryant	Rt. 1, Box 140 Muleshoe.	35,278
B. M. Farmer	200 E. 11th St., Littlefield.	34,450
M. P. Thedford	931 W. 1st St., Littlefield.	34,089
Thomas Harris	Box 512, Littlefield	33,064
Gene Templeton	St. Rt. 1, Earth	33,002
James E. Steffey	Rt. 1, Anton	32,498
Joe F. Miller	Rt. 2, Springlake	32,162
D. W. Bawcom	301 Hall Ave., Littlefield.	32,045
Leo V. Smith	Box 457, Olton	31,879
J. B. James	Rt. 1, Olton	31,871
Jack Allcorn	Rt. 1, Olton	31,095
W. B. Jones	Rt. 1, Anton	30,424
Royce McFadden	Rt. 1, Olton	30,400
Wesley Neinast	St. Rt. 2, Littlefield	30,158
H. M. Sheats	3707 36th St., Lubbock.	29,606
Harley Bussanmas	302 E. 19th St., Littlefield.	29,483
Raymond Durham	Rt. 1, Olton	29,103
James Sanderson	Box 98, Springlake	29,080
F. D. Clayton	Box 382, Earth	29,033
Jack Nix	Rt. 1, Anton	29,019
George E. Brown, Sr	Box 368, Olton	28,993
Dewitt Tiller	Rt. 1, Sudan	28,569
E. E. Watson	Box 206, Springlake	28,003
Wayne McLarty	Rt. 2, Anton	27,896
N. W. Emfinger	Rt. 1, Littlefield	27,831
R. D. Nix	Box 155, Sudan	27,635
Wm. R. Morris, Jr	Box 555, Earth	27,423
W. M. Smith	Box 128, Olton	27,250
Kenneth Hinson	Box 155, Springlake	27,196
Neil Wood	404 E. 12th St., Littlefield.	26,805
Donald Street	Rt. 4, Dimmitt	26,584
Kenneth Wiseman	Box 568, Sudan	26,470
Ernest E. Jones	Rt. 1, Hart	26,340
Dan Wood	Box 398, Sudan	26,329
Tavie Lee Simmons	Box 95, Bushland	26,192
Paul Yarbrough	Box 142, Littlefield	26,118
Calvin Wood	Box 383, Earth	26,113
Jerry W. Kelley	Box 36, Earth	26,014
Doug G. Sopher	Rt. 4, Box 6, Olton	25,960
A. B. Roberts	St. Rt. Littlefield	25,940
Matt Nix, Jr	Box 154, Sudan	25,744
Eddie Wallace	St. Rt. Enochs	25,710
James E. Jones	Rt. 1, Springlake	25,658
L. E. Downs	Rt. 1, Anton	25,518
E. O. Feagley	Rt. 1, Littlefield	25,463
O. L. Walker	402 Crescent Dr., Littlefield.	25,420
Robert Stence	Rt. 3, Box 433, Lubbock	25,280
Phillip Haberer	Box 17, Earth	25,187
Total payees in county, 78.		2,913,875
Leon County:		
Oscar O. Brown	Nineveh	34,920
Total payees in county, 1.		34,920
Limestone County:		
Walter B. Honeycutt, Jr.	R.R. 1, Mart	36,805
Total payees in county, 1.		36,805
Lubbock County:		
William E. Armstrong	Rt. 2, Lubbock	105,526
Dulaney Bros	% Jack Culaney, Box 239, Shallowater.	90,973
Medlock Farms Inc	Route 2, Box 183, Lubbock.	86,329
James F. Davis, Jr	Rt. 1, Box 89, Lorenzo	73,269
Standefer-Gray Inc	Box 711, Lubbock	70,724
A. L. Cone	P.O. Box 871, Lubbock	69,866
L. L. Lawson	3307-43rd St., Lubbock	61,555
Coyne E. Killian	Star Rt., Lorenzo	61,002
R. E. Jones	Rt. 6, Box 287, Lubbock	53,257
Howard L. Alford	Rt. 4, Lubbock	52,931
J. Carter Caldwell	Box 206, Slaton	52,591
Debusk, Bros	% Elijah M. Debusk Rt. 1, Idalou.	50,180
Wendell D. Vardeman	Rt. 1, Slaton	50,112
J. W. Furgeson	Rt. 2, Petersburg	49,246
Middlebrook Farms	% D. Middlebrook, Rt. 2, Lubbock.	48,831
Lubbock County—Continued		
Fred E. McNabb	Rt. 4, Box 110, Lubbock.	$47,678
George Oliver Jackson.	Rt. 1, Abernathy	47,375
Kirby Hobgood	Rt. 1, Petersburg	46,442
Billy J. Robbins	Rt. 1, Box 86, Idalou	45,979
McFarling & Clark	Rt. 2, Box 25, Lubbock	45,538
B. J. Hutcheson	Box 367, Wolfforth	41,962
Davis-Son	% Don E. Davis, Rt. 1 Box 22, Ropesville.	41,858
Johnnie Joiner	Box 66, Idalou	40,064
Weldon M. Boyd	Box 1195, Idalou	39,824
George A. Taylor Jr	Rt. 2, Slaton	39,310
Greenlee Farms	403 GPL Bldg, Lubbock.	38,530
San Augustine Ranch	% A. L. Cone, Box 871, Lubbock.	38,293
Jay Stanton	Rt. 1, Shallowater	37,810
L. T. Foster	4207-46th, Lubbock	37,305
Graham C. Holmes	1301 Ave A, Lubbock	36,979
The Dunlap Co	% A. B. Enloe Jr., Rt. 4, Lubbock.	36,692
M. B.–R. B. Stanton	% R. B. Stanton, St. Rt. Lorenzo.	36,581
J. C. Heinrich	Rt. 1, Idalou	35,997
Leroy, Grawunder	Rt. 1, Shallowater	35,893
Max Barnett	Rt 2, Slaton	35,346
Ward W. Carroll	Rt. 3, Box 286, Lubbock.	35,336
Albert C. Henderson	Rt. 1, Shallowater	33,648
O. B. Chesshir	2128-68th, Lubbock	33,580
Hugh V. Newton	4511 W 11th, Lubbock	33,520
Morris S. Smith	Star Rt., Lorenzo	33,026
Davies-Robertson	Rt. 2, Box 34, Slaton	32,721
Debusk Enterprises, Inc.	Box 364, Idalou	32,174
Smith Brothers	Box 74, Slaton	31,354
Roy Hugh McKelvy	3306-40th St. Lubbock	31,074
Earl Reasoner	1015 W. Lubbock, Slaton.	31,055
Joe B. Lovelace	Rt. 2, Abernathy	30,818
Melville Hankins	2309 Broadway, Lubbock.	30,168
C. W. Teal	Rt. 3, Lubbock	30,091
Medfred Weaver	3504-63rd Dr, Lubbock	30,022
John M. Clark	5422-33rd, Lubbock	29,751
Billy Meyers	Rt. 2, Box 175, Lubbock.	29,720
Robert Melcher	4408-17th, Lubbock	28,817
J. Pete Thompson	Box K, Abernathy	28,748
Alton L. Lawson	Rt. 3, Box 406, Lubbock.	28,716
Sam A. Durham	Rt. 4, Box 116, Lubbock.	28,252
France Baker	Box 2335, Lubbock	28,126
John T. Patterson	Box 326, Wolfforth	28,017
B. B. Hobgood	Box 126, Wolfforth	27,835
Clifford Hamilton	Rt. 3, Box 295, Lubbock.	27,562
William V. Halford	Box 597, Abernathy	27,469
Charles W. Wood	Rt. 2, Box 109, Lubbock.	27,203
Chester B. Gilmore	Rt. 1, Idalou	27,092
Durward D. Mahon	314 Lubbock Natl Bk, Lubbock.	26,978
Gilbert H. Ragland	Rt. 2, Slaton	26,776
David S. Enger	2306–55th St., Lubbock.	26,707
Olan K. Dorsett, Jr	Rt. 4, Box 79, Lubbock.	26,654
Pace & Keller Partners.	% S. Keller, Rt. 1, Lubbock.	26,436
Robert Fehleison	Rt. 6, Box 78 Lubbock.	26,378
Arthur Albert Wuensche.	2502–70th St., Lubbock.	25,797
Wesley W. Ferguson	Rt. 1, Lorenzo	25,713
Walter O. Heinrich	Rt. 2, Slaton	25,656
Raymond R. Marshall	2701–24th, Lubbock	25,640
Bennie L. James	Rt. 2, Anton	25,478
Edward S. Smith, Jr	Box 716, Lorenzo	25,453
Roy C. Forkner	Rt. 1, Lubbock	25,226
Total payees in county, 75.		2,936,645
Lynn County:		
[This county has no Federal food-aid program for poor families]		
W. C. Huffaker, Jr	Tahoka	85,119
Cass Edwards, II	725 Commerce Bldg., Ft Worth..	78,917
Cecil Dorman	Box 506, Tahoka	57,662
J. W. Gardenhire	R.R. 1, O'Donnell	53,013
John Saleh	Box 593, O'Donnell	52,929
Heirs Edwards Estate	725 Commerce Bldg., Ft. Worth	48,293
L. C. Unfred	R.R. 4, Tahoka	48,208
Wm. G. Lumsden	Box 117, Wilson	43,150
Dallas Vaughn	O'Donnell	39,079
C. R. Phifer, Jr	Box 295, New Home	38,477
L. H. Nettles	R.R. 4, Tahoka	38,240
Billy G. Gardenhire	R.R. 2, O'Donnell	37,309
W. T. Kidwell	Box 847, Tahoka	36,705
J. Weldon Martin	R.R. 2, Tahoka	35,725
Felix H. Macha	R.R. 6, Lubbock	34,953
C. G. Kieth	R.R. 4, Tahoka	34,804

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CALENDAR YEAR 1968

LISTING OF NAMES, ADDRESSES, AND TOTAL PAYMENTS OF $25,000 OR MORE UNDER ASCS PROGRAMS—EXCLUDING PRICE SUPPORT LOANS, AND SUGAR AND WOOL PAYMENTS—Continued

TEXAS—Continued

County and name	Address	Total payments
Lynn County—Continued		
Natt Park	R.R. 4, Tahoka	$34,768
Lynn West	R.R. 1, Wilson	33,485
D. J. Bessire	R.R. 2, O'Donnell	30,947
A. P. Edwards	3205 Canyon Rd, Lubbock.	29,560
Carl Sanders	R.R. 2, O'Donnell	28,470
R. L. Warren	Box 58, Tahoka	27,992
Bryan Wright	Box 816, Tahoka	27,742
C. A. Moore	Box 398, O'Donnell	27,740
Jack Webb	Box 101, O'Donnell	27,469
C. E. Thetford	6002 Nashville, Lubbock.	27,429
Oscar Lowrey	R.R. 4, Tahoka	27,382
J. T. Forbes	Box 488, O'Donnell	26,628
Wayne Carroll	Box 537, O'Donnell	26,151
W. A. Russ	R.R. 1, Tahoka	25,912
W. J. Kahl	R.R. 1, Tahoka	25,067
Total payees in county, 31.		1,189,325
Martin County:		
Glen Cox	Star Rt., Lenorah	71,922
A. C. Woodward	Star Rt., Tarzan	53,942
Raymond T. Kingsfield	Star Rt., Tarzan	49,998
Billy Fryar	Garden City Rt., Big Spring.	37,002
Eddie C. Cook	Rt. 1, Box 10B, Stanton	36,786
Woody Brothers	Rt. 1, Stanton	33,592
James Newman Biggs	Rt. 1, Stanton	33,034
Ralph Wesley Williams	Rt. A, Lamesa	28,765
Charlie A. Nichols	705 Highland Dr., Big Spring.	28,118
Dan Meek	Box 323, Stanton	27,539
Floyd Martin	Star Rt., Tarzan	27,500
Jack Hershell Kuhlman.	Star Rt., Lenorah	26,357
Total payees in county, 12.		454,555
Maverick County:		
Roseta Farms	Box 719, Eagle Pass	93,946
Jack Keisling	Box 37, El Indio	29,530
Total payees in county, 2.		123,476
McLennan County:		
James M. Warner	P.O. Box 7186, Waco	57,022
J. Weldon Youngblood	R.R. 2, Box, 242B, Waco.	49,325
Jim Radle	R.R. 6, Waco	27,893
Lankart Seed Farms	R.R. 6, Box 303, Waco	27,847
Total payees in county, 4.		162,087
Midland County:		
[This county has no Federal food-aid program for poor families]		
Alan Spinks	3200 Boyd, Midland	46,232
Eugene F. Jones	Rt. 1, Box 93, Midland	44,376
Carl Leonard, Jr	Rt. 2, Box 117, Midland.	28,109
Total payees in county, 3.		118,717
Milam County:		
Daniel D. McDaniel	R.R. 3, Cameron	75,328
Cobb Bros	109 Wallace Cameron	57,828
Walter Pyle	Calvert	42,750
L. K. Simmer, Trustee	825 Bank of Southwest, Houston.	34,562
Wilburn E. Beckhusen	Box 157, Buckholts	29,026
Total payees in county, 5.		239,494
Mitchell County:		
[This county has no Federal food-aid program for poor families]		
A. K. McCarley, Jr	Rt. 1, Colorado City	44,529
Chas. N. Stubblefield	Rt. 3, Colorado City	36,643
Travis P. Turner	Rt. 3, Colorado City	35,995
W. H. Narrell	Box 145, Loraine	35,951
L. A. Browne	Route 1, Colorado City.	29,841
A. Preston Morris	Star Route, Colorado City.	29,821
Warren Anderson	Rt. 3, Colorado City	28,764
D. M. Smith	2151 Locust, Colorado City.	27,133
Harold Hester	Route 1, Colorado City.	25,799
Total payees in county, 9.		294,476
Moore County:		
Paul Hays	Rt. 1, Kress	$79,825
Marshall Cator	Box T, Sunray	62,064
Arthur B. Stavlo	Box 272 Sunray	60,000
Morris L. Hunt	Box 862, Dumas	47,476
Gaston Wells	112 Chelsea, Dumas	45,134
Gossetts, Inc	Etter Rt., Box 45, Dumas.	44,319
Raymond O. McMurry	Box 441, Dumas	42,466
Gordon Taylor	Box 670, Sunray	40,548
Stringer Farms, Inc	311 Mills, Dumas	38,298
Rex Hall, Jr	302 Bruce, Dumas	36,008
John H. Goodwin	Box 5, Sunray	34,538
Thurman E. Fisher	Box 191, Sunray	33,538
Jesse C. Cooper	Etter Rt., Dumas	32,685
J. W. Huff	Box 943, Dumas	31,897
Schuman Farm, Inc	Sunray Rt., Box 4, Dumas.	31,185
Carl Beauchamp	Box 777, Dumas	31,047
Jack H. Mills	309 Mills, Dumas	30,787
Robert J. Ownbey, Est	Box 625, Spearman	30,498
Dale M. Coleman	Etter Rt., Dumas	29,314
H. D. Lewis	120 Bellaire, Dumas	28,322
Edward M. Stallwitz	Box 1225, Dumas	27,340
Edward L. Stallwitz	Box 114, Dumas	27,001
D. Rex Langley	Rt. 3, Sunray	26,892
Harold N. Keisling	Box 293, Sunray	26,638
Verdie & Lloyd Beauchamp.	Box 656, Dumas	26,214
Earl B. Byrd	Rt. 2, Box 66A, Stinnett.	26,201
W. M. Toliver	122 Amherst, Dumas	26,097
Thomas E. Harbert	Box 475, Dumas	26,093
Total payees in county, 28.		1,022,452
Motley County:		
Claudie A. Matney	Matador	26,715
Total payees in county, 1.		26,715
Navarro County:		
[This county has no Federal food-aid program for poor families]		
Fortson Farms	Rice	96,632
Drew Gillen	Blooming Grove	70,415
William F. Mahoney	1700 E. Beverly, Corsicana.	34,067
Webb Armstrong	301 N. Preston, Ennis	33,617
Bancroft Brothers	Powell	29,430
Trinity Farms, Inc	Box 7395, Waco	28,888
James Mitcham	Dawson	27,034
Robert L. Colquitt	300 Forrest Lane, Corsicana.	26,629
Total payees in county, 8.		346,712
Nolan County:		
D. S. Riggs	Box 427, Roscoe	42,859
Ronda H. Whorton	Box 294, Roscoe	40,278
Philip V. Haynes & Ray Hendrick.	Roscoe	39,685
Max Wright	R.R. 1, Roscoe	38,948
Joe G. Williams	Box 117, Roscoe	35,045
T. D. Young	1401 Hailey, Sweetwater.	30,424
J. B. Cooper, Jr	Box 444, Roscoe	30,337
George E. Parrott	R.R. 2, Roscoe	29,843
Clifford C. Etheredge	R.R. 2, Roscoe	29,352
Homer L. McLeod	Roscoe	27,381
Clyde H. Ater	Box 456, Roscoe	26,465
Dean D. Alexander	R.R. 1, Roscoe	25,920
Raymond E. Althof	R.R. 2, Roscoe	25,653
Herbert L. Williams	R.R. 2, Roscoe	25,592
Total payees in county, 14.		447,782
Nueces County:		
W. E. Scarborough	R.R. 1, Robstown	37,890
W. W. Walton, Jr	R.R. 3, Box 391, Cor Chr.	31,797
Horace Caldwell	R.R. 1, Bishop	29,377
Hale & Hale	Box 172, Chapman Ranch.	26,634
W. M. Bevly	Box 60025, Cor Christi	25,804
W. M. Bevly, Jr	Box 60025, Cor Chr	25,596
Randy Farenthold	Box 60088, Cor Chr	25,259
Total payees in county, 7.		202,357
Ochiltree County:		
[This county has no Federal food-aid program for poor families]		
Earl Leslie	1302 Maple, Alva, Okla.	41,187
Earl D. McGarraugh	Liberal Star Rt., Perryton.	29,489
Total payees in county, 2.		70,676
Oldham County:		
[This county has no Federal food-aid program for poor families]		
Everett Wiseman	Vega	63,007
Oldham County—Continued		
George B. Doshier	Vega	$58,644
Herman Grusing	32 Oldham Circle, Amarillo.	46,307
E. Duane Allred	Box 34, Wildorado	29,484
Vega Land Cattle Co., Inc.	3715 Lynette, Amarillo	27,925
B. F. W. Grain Co., Inc., Stout.	Rt. 1, Kress	27,351
Charles B. Short	Box 181, Friona	27,277
Total payees in county, 7.		279,995
Parmer County:		
[This county has no Federal food-aid program for poor families]		
Clarence Martin	Rt. 2, Box 146, Friona	116,932
Ranza Boggess	Box 283, Friona	76,182
J. C. Mills	Drawer G, Abernathy	74,088
Verney Towns	3713 68th, Lubbock	72,715
Bruce Parr	Rt. 3, Friona	62,348
Ralph W. Shelton	Box 726, Friona	58,648
Sloan Osborn	Rt. 2, Friona	58,007
Roscoe Q. Silverthorne	P.O. Drawer 10, Plainview.	51,100
Floyd T. Dyer	Box 385, Bovina	50,655
Fangman Farms, Inc	Rt. 3, Friona	49,303
Edward D. Chitwood, Jr.	Rt. 3. Box 95, Muleshoe.	48,225
William L. Lee	Rt. 3, Box 29F, Bovina	47,760
Mike Allen	Star Rt. 1, Hereford	46,707
Dave M. Thompson	Box 1027, Friona	46,217
John Renner	Rt. 3, Friona	45,835
James W. Barnett	Rt. 3, Friona	45,416
Glenn Phillips	Farwell	42,975
M. A. Black	404 West 14th St., Friona.	42,884
Van E. Nichols	605 Arrah, Friona	42,561
J. D. Kirkpatrick	Box 27, Bovina	42,261
R. J. Renner, Jr	Rt. 3, Friona	40,294
Edwinston Clark	1301 West 6th, Friona	39,876
W. O. Chadwick	Rt. 2, Farwell	38,672
Leonard L. Grissom	Rt. 1, Farwell	38,475
Clawson Building Co	4608 21st St., Lubbock	38,302
Tom Caldwell	Rt. 1, Farwell	38,069
T. F. Taylor	Bovina	36,674
Jack Moseley	Box 832, Friona	36,139
Keith Garner	Star Rt., Bovina	35,564
Robert G. Sparks	do	35,545
Walter R. Mabry	Rt. 1, Friona	35,355
Herman D. Geries	Star Rt., Bovina	35,353
Thomas N. Browning	805 Portland, Plainview.	34,845
J. G. McFarland	901 Summit, Friona	34,184
Thomas L. Whaley	Box 26, Friona	33,070
J. T. Mayfield	Rt. 1, Friona	33,039
Wyle M. Bullock	Rt. 1, Box 32, Muleshoe.	32,197
Joe F. Blair	Box 41, Farwell	31,982
Richard B. Vaughn	Rt. 2, Box 82, Friona	31,923
A. Dargin Kirk	Box 67, Farwell	31,853
Raymond K. Schueler	Rt. 2, Friona	31,139
R. W. Jones	Box 314, Friona	30,840
James Ensor	Rt. 1, Farwell	30,551
C. V. Potts	Rt. 2, Friona	30,322
Alphonse L. Reznik	Rt. 3, Box 16, Friona	30,280
Melborn C. Jones	Rt. 1, Farwell	30,167
Gilbert E. Wenner	Rt. 1, Friona	30,054
John L. Ray	Rt. 2, Friona	30,031
Eulynn G. Phipps	Box 641, Friona	29,961
J. E. Knight	Box 365, Friona	29,333
Marion H. Carson	Box 327, Bovina	29,295
Billy J. Thorn	Rt. 1, Friona	29,290
Arlin L. Hartzog	Rt. 1, Farwell	29,201
Lawrence J. Martin	Rt. 2, Box 149, Friona	29,027
Deon Awtrey	402 Jay, Friona	28,708
Vernon C. Willard	Box 367, Bovina	28,373
John W. Littlefield	Rt. 1, Friona	28,201
David H. Carson	Friona	28,185
John Agee	Rt. 3, Muleshoe	28,006
Gilbert A. Kaltwasser	Rt. 1, Farwell	28,005
Bill W. Carthel	Rt. 3, Friona	27,464
Herbert I. Howell	Star Route, Bovina	27,435
Louis L. Welch	Rt. 2, Box 131, Friona	27,164
Charles L. Mercer	603 Lela, Friona	26,914
Thomas D. Ware	Rt. 2, Farwell	26,512
J. H. Dunbar	Rt. 1, Farwell	26,473
John E. Bingham	102 E. 11th, Friona	26,456
Robert H. Schueler	Rt. 2, Friona	26,436
A. O. Dickson	Rt. 2, Sudan	26,428
J. T. Ford	Box 44, Farwell	26,253
Dalton K. Caffey	Box 488, Friona	25,995
Melvin G. Sachs	Rt. 2, Friona	25,957
D. E. Richards	202 N. 14th, Lamesa	25,902
Ellis W. Tatum	610 Arrah, Friona	25,720
Charles E. Trimble	Box 132, Bovina	25,624
David T. Patterson	Rt. 1, Friona	25,403
Edgar E. Boggess	Rt. 1, Box 177, Friona	25,315
Royce G. Welch	Rt. 3, Friona	25,307
Donald Christian	Rt. 1, Farwell	25,172
Total payees in county, 79.		2,919,129
Pecos County:		
Coyanosa Farms	Box 235, Coyanosa	160,663
Elvin Crow	Box 1130, Pecos	108,648

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CALENDAR YEAR 1968

LISTING OF NAMES, ADDRESSES, AND TOTAL PAYMENTS OF $25,000 OR MORE UNDER ASCS PROGRAMS—EXCLUDING PRICE SUPPORT LOANS, AND SUGAR AND WOOL PAYMENTS—Continued

TEXAS—Continued

County and name	Address	Total payments
Pecos County—Continued		
Girvin Farms	Box 1387, Ft Stockton	$98,032
A. B. Foster	Box 891, Pecos	95,572
Belding Farms Inc	Rt. 1 Box 140, Ft Stockton.	91,369
C. and C. Farms	Box 1387, Ft Stockton	88,976
Mike A. Burkholder	Box 1562, Pecos	88,743
Melvin H. McKinney	Box 728, Pecos	72,023
Albert J. Hoelscher	1902 Jackson, Pecos	71,689
Trans Pecos Farms Inc.	Box 1210, Pecos	60,395
David C. McAteer	1603 W. Callaghan, Ft. Stockton.	59,953
Harrell and Harrell	Box 246, Ft Stockton	48,142
Lakeside Farms	Box 691, Ft Stockton	41,814
Luther C. Holladay	300 S. Colpitts, Ft Stockton.	40,851
Harlan Black	605 N. Dees, Ft Stockton	36,258
Glen J. Ellis	Box 1252, Pecos	35,513
Marshall G. Nevill	Box 987, McCamey	29,598
Lelan D. Hare	Box 1073, McCamey	29,368
Ralph C. Dickson	Drawer KK, McCamey	28,462
Total payees in county, 19.		1,286,069
Potter County:		
C. B. Emeny	Box 1230, Amarillo	33,751
Randolph Johnson	320 Main, Muleshoe	32,119
E. B. Fite	Rt. 1 Box 432, Amarillo.	27,015
Total payees in county, 3.		92,885
Presidio County:		
Charles Spencer	Box 533, Presidio	44,442
Valley Farms Co	Box 822, Presidio	39,846
Total payees in county, 2.		84,288
Simon G. Elliott	Box 577, Happy	44,623
Earnest L. Barnett	Rt. 2, Box 75, Amarillo	42,845
Jack R. C. Vincent	3212 Ong, Amarillo	42,302
Robert C. Sims	Box 12, Happy	41,693
Paul Schneiderjon	Bushland	38,789
Fred S. Fegal	310 Fisk Bldg., Amarillo.	38,063
Vernon Andrus	Box 187, Tulia	36,054
John A. Williams	Box 786, Canyon	35,794
Eldon Durrett Trust	Box 1081, Amarillo	35,737
Max Rarick	Bushland	34,426
Clinton Glenn	Rt. 2, Box 210A, Canyon.	32,257
D. L. Allison	Box 96, Happy	31,519
Pete A. Fischbacher	Rt. 1, Box 133, Canyon	31,461
Math Albracht & Sons	2304 Judy, Amarillo	30,469
John L. Butler	Box 447, Happy	27,703
Walter A. Graham	Rt. 2, Happy	27,307
R. B. Elliott	Route 1, Happy	25,687
W. W. Wagner	Rt. 1, Box 673, Amarillo	25,546
Johnny Sluder	Bushland	25,467
John E. Frost	Box 125, Happy	25,385
Charles Wright	Rt. 2, Canyon	25,205
Total payees in county, 21.		698,332
Red River County:		
1st American Farm Inc.	% J. Bradford, R.R. 4, Clarksville.	33,212
Total payees in county, 1.		33,212
Reeves County:		
[This county has no Federal food-aid program for poor families]		
Worsham Bros	Box 1411, Pecos	176,036
Kesey Bros	Box 1368, Pecos	156,759
Kenneth Lindemann	Box 1947, Pecos	147,663
Clark and Roberts	1927 Jackson, Pecos	134,085
W. A. Sullivan	2100 Wyoming, Pecos	132,584
Smallwood Farms	Box 1507, Pecos	128,981
Reetex Farms	Box 741, Pecos	98,634
Cedarville Corp	Box 1288, Pecos	92,716
W. T. Lattner & Son	2114 Johnson, Pecos	87,754
Loy Kilgore	1721 Jefferson, Pecos	80,556
Joe Lee McMahon	Box 68, Verhalen	80,305
Raymond Beauchamp	605 Ross Blvd., Pecos	79,001
W. W. Hill	2203 Johnson, Pecos	77,337
Winterrowd Bros	Box 1049, Pecos	74,119
J. F. Crews	Box 352, Pecos	69,967
Trans-Pecos Dairy	Box 1383, Pecos	68,669
Jack Duke	1314 Plum, Pecos	66,919
Rowe & Turnbough	Box 1, Toyahvale	65,131
Davidson Bros	Box 1286, Pecos	58,992
William R. Ramsey	1815 Jefferson, Pecos	58,330
G. G. Passmore	1800 Jefferson, Pecos	57,665
Reeves County—Continued		
Broyles Pecos Farm	509 Colpitts, Fort Stockton.	$55,840
W. W. Clem	1120 Willow, Pecos	54,543
R. J. Lefevere	Box 1806, Pecos	50,800
Tom Passmore	1901 Jackson, Pecos	50,510
Coy Fraley	Box 586, Pecos	49,538
Weinacht Bros	602 Hackberry, Pecos	47,962
F. F. Bradley	Box 1370, Pecos	47,162
David D. Davis	1805 Jefferson, Pecos	46,898
J. W. Bryan	1916 Jackson, Pecos	45,397
Dale Toone	Box 86, Verhalen	44,316
H. R. Hudson, Jr	1801 Jackson, Pecos	43,406
T. J. Wilson	2018 Jackson, Pecos	42,569
Peppy McKinney	1701 Jefferson, Pecos	41,924
J. B. Hopkins	1847 Jackson, Pecos	41,488
J. T. McKinney	Box 1462, Pecos	40,032
James L. Sears	Box 1089, Pecos	39,847
Clem Crowley	1905 West 3d, Pecos	39,447
B. V. Shaw	Box 1448, Pecos	39,311
Frank Bounds	2015 Jackson, Pecos	39,030
B. C. Kesey	1826 Jackson, Pecos	38,627
Dingler Farms, Inc	2110 Cactus, Pecos	38,238
Robert M. Owen	Box 733, Pecos	37,095
L. Barrett Johnson	1716 Jefferson, Pecos	36,862
Jerry Jenkins	1610 Park, Pecos	36,030
J. T. Moore & Son	1812 Jefferson, Pecos	35,091
W. L. Kington	2402 Eddy, Pecos	33,976
Hermosa Farms, Inc	1905 Jefferson, Pecos	33,910
W. W. Hill	W. R. Sage, 2203 Johnson, Pecos.	33,403
Charles Spence	Box 175, Pecos	32,543
Ronald Miller	Box 1202, Pecos	32,334
Don Watkins	Box 217, Ralls	31,974
A. J. Carpenter	Box 1329, Pecos	29,464
Roy Blahosky	1749 Jackson, Pecos	28,617
C. S. Hess & Son	1705 Jefferson, Pecos	28,476
James C. Passmore	1740 Adams, Pecos	28,315
Rudolph Hoefs	Box 227, Balmorhea	26,817
Jack Davis	2100 Washington St. Pecos.	26,674
Virgil M. Glenn	Box 906, Pecos	26,563
Kenneth Staniford	1707 Alamo, Pecos	26,033
Robert G. Davis	Box 715, Altus, Okla	25,996
Total payees in county, 61.		3,519,231
Refugio County:		
[This county has no Federal food-aid program for poor families]		
Wright Bros. Farms	Rt. 3, Robstown	32,797
Hartmann and Schubert.	Woodsboro	29,961
G. H. Frazier	Austwell	27,494
Voges & Boenig	Woodsboro	26,737
Total payees in county, 4.		116,989
Roberts County;		
[This county has no Federal food-aid program for poor families]		
W. R. Holland	Box 43, Miami	33,435
Total payees in county, 1.		33,435
Robertson County:		
John W. Nigliazzo	Box 786, Hearne	103,581
Joe Reistino	Box 152, Hearne	100,694
James H. Jones	507 Barton St., Hearne	94,633
Vence Corpora	701 Anderson St., Hearne.	85,835
Goodland Farms, Inc	Box 193, Hearne	78,142
John C. Reistino	1002 San Jose St. Hearne.	61,678
Louis Muse	Rt. 1, Hearne	54,788
Sam Degelia, Sr	409 Brenken St., Hearne.	54,516
Clara Barton	Calvert	51,131
Thomas D. Wilson	Rt. 1, Hearne	48,687
Fred J. Ferrara	809 Anderson St., Hearne.	44,732
Anthony Denena & Son.	209 Hall St., Hearne	44,325
Gathan Reistino	Box 152, Hearne	43,886
Joe Scarpinato	Rt. 1., Hearne	42,899
J. W. Foster, Jr	Calvert	40,714
William P. Scamardo	Box 326, Mumford	40,302
Ned Fachorn	Route 1, Hearne	38,255
Pete L. Scamardo	Mumford	34,046
Anthony L. Scamardo	Mumford	32,751
N.R. Lutz	Calvert	32,483
Pauline Doermus	Calvert	32,325
Sam Destefano	708 Anderson St., Hearne.	31,655
Sam Frank Destefano	Box 265, Mumford	31,129
Rose F. Denena	209 Hall St., Hearne	30,922
Ross Cash	501 Brenken St., Hearne.	30,733
Frank B. Seale Estate	903 Jane Lane, Bryan	29,345
A. M. Lampson	Rt. 1, Hearne	28,838
Joe Reistino, Jr	Route 2, Calvert	27,032
Frank Destefano	403 Hall St., Hearne	26,099
Ben Perrone	1310 Liveoak, Hearne	26,068
James & Tony Cortemelia.	901 San Antone, Hearne.	25,707
Robertson County—Continued		
Charlie P. Briggs, III	Calvert	$25,093
Total payees in county, 32.		1,473,105
Rockwall County:		
[This county has no Federal food-aid program for poor families]		
Henry Zollner	Rt. 2 Box 13, Royse City.	33,331
A. R. Seabolt, Jr	202 Summit Ridge, Rockwall.	31,269
Total payees in pounty, 2.		64 600
Rusk County:		
[This county has no Federal food-aid program for poor families]		
Otho Morris	R.R. 2, Laneville	38,784
Total payees in county, 1.		38,784
San Patricio County:		
Vahlsing Christina Corp.	Box 386, Mathis	116,072
Heirs of Joseph F. Green.	Rt. 1, Box 7, Taft	76,531
Fred Williams	Box 276, Taft	56,475
McKamey Farms	P. O. Box 68, Gregory	56,056
Charles H. Mayo	Rt. 2 Box 10, Taft	41,960
Floyd Webb, Jr	Rt. 2, Mathis	41,436
Floerke Bros	Box 38, Taft	35,703
R. E. Hart	925 E. Market, Sinton	33,379
Howard H. Webb	Rt. 1, Sinton	28,403
Dave Odem	Box 1145, Sinton	27,403
J. D. Patrick, Jr	Box 658, Taft	26,956
H. G. Ritchie, Jr	Box 174, Taft	26,870
Total payees in county, 12.		567,244
Scurry County:		
Billy Huddleston	Clr. Rt., Snyder	37,886
J. B. Autry	Rt. 1, Colorado City	35,133
Clements Bros	Rt. 1, Snyder	33,043
LeRoy Key	Rt. 1, Snyder	30,761
C. A. Daugherty	Box 45, Fluvanna	29,814
Total payees in county, 5.		166,637
Sherman County:		
[This county has no Federal food-aid program for poor families]		
Ezra F. Fisk	Texhoma, Okla	51,379
Wood B. Craig	Sunray	46,759
Orland Lasley	Stratford	39,671
R. M. Buckles	Stratford	39,459
McClellan & McClellan.	Sunray	37,677
William R. Murrell	Gruver	37,006
R. M. Buckles, Ind. Exec.	Stratford	36,981
Cartrite Bros	Sunray	34,166
Jack Heil	Stratford	33,765
Claude W. Sloan	4415 West Second, Amarillo.	32,273
Morris & Morr, Inc	V. L. Morr, Pres. Etter Rt., Dumas.	31,831
Dietrich & Gurley	% D. Gurley, Stratford.	29,874
Glenn Reed	Stratford	28,583
Verne W. Foreman	Stratford	27,481
Huber R. Tillery	Box 751, Stratford	27,075
Frank Berry, Jr	Texhoma, Okla	27,014
Sam R. Cluck	Gruver	25,267
K. Price Murfee GDN	404 Vaughn Bld., Amarillo.	25,143
Total payees in county, 18.		611,404
Starr County:		
Charles Roos, III	Box 501, Rio Grande City.	136,735
Starr Produce Farm Acct.	Box 432, Rio Grande City.	54,897
La Casita Farms, Inc	Box 505, Rio Grande City.	47,128
John Fish	Box 10, Garciasville	41,696
Valley Onions, Inc	P.O. Box 35, McAllen	29,397
Total payees in county, 5.		309,853
Swisher County:		
Fowler E. McDaniel	Box 6, Tulia	136,102
Warner Reid	Box 694, Tulia	121,937
B. Raymond Evans	49 Travis Rd., Tulia	79,343
Miller Farms Co	Box 390, Tulia	71,622
Grady Shepard	R.R. 1, Hale Center	66,152
Robert Devin	603 SE. 2d., Tulia	64,109
Lloyd M. Hale	R.R. 1, Tulia	60,116
J. L. Francis	Rt. 1, Kress	59,452

CALENDAR YEAR 1968

LISTING OF NAMES, ADDRESSES, AND TOTAL PAYMENTS OF $25,000 OR MORE UNDER ASCS PROGRAMS—EXCLUDING PRICE SUPPORT LOANS, AND SUGAR AND WOOL PAYMENTS—Continued

TEXAS—Continued

County and name	Address	Total payments
Swisher County—Continued		
Tyline N. Perry	Star Rt., Kress	$58,822
S. A. Barrett	Rt. 1, Kress	52,438
Corliss H. Currie	Rt. 2, Happy	51,025
Hinton Brothers	R.R. 1, Happy	48,444
Tye/Sons	Rt. 1, Kress	45,045
Jack G. Foster	Box 404, Happy	44,440
M. T. Glenn	Box 172, Tulia	44,390
James W. Cox	9 Travis Rd., Tulia	43,701
Lloyd Glenn	R.R. 1, Tulia	43,620
L. G. Mahagan	Rt. 1, Kress	42,546
Hoyet Burnam	Rt. 1, Tulia	42,477
James Cruce	Star Rt., Kress	39,834
A. H. Jennings	Rt. 1, Tulia	36,144
A. B. Raymond	Box 476, Tulia	36,119
Harley L./Gene King	R.R. 2, Tulia	36,091
E. L. Howard	R.R. 1, Friona	35,655
D. E. McEachern	Star Rt., Kress	35,115
H. O. Thompson	2300 W. 12th, Plainview.	34,876
Nelson Borchardt	Rt. 1, Tulia	34,534
James Vineyard	Rt. 1, Kress	34,364
Jack D. Loring	301 NE. 6th, Tulia	33,955
Buck Garrett	Rt. 3, Plainview	33,771
Kathryn M. Benefield	611 W. 11th, Plainview.	33,483
Andrew Price	% L. Foster, Box 603, Kress.	32,996
Emily Holmes	R.R. 2, Tulia	32,688
Daryl R. Dixon	Rt. 1, Kress	32,060
Otis Harman	122 NW. 6th, Tulia	32,027
Street Brothers	R.R. 1, Kress	31,888
Allen Glenn	Box 172, Tulia	30,883
Dr. Wm. B. Childress	114 SW 2d, Tulia	30,492
Delbert L. Devin	Rt. 2, Tulia	30,218
Lonnie G. Todd	Rt. 1, Tulia	30,205
John Spilman	Rt. 2, Tulia	30,193
R. H. Gayler	Kress	29,598
Woodie Boston	Box 273, Kress	29,393
Graham Brothers	Box 622, Tulia	29,342
Wylie A. Byrd	Rt. 2, Tulia	28,987
Jack Middleton	Rt. 1, Tulia	28,436
Cone W. Johnson	Rt. 2, Happy	28,177
Jim Doan	55 Fannin Dr., Tulia	28,116
Jake Jones	Rt. 1, Kress	28,043
Robert K. Brooks	609 SE 2d, Tulia	28,032
R. W. McClure	Star Rt., Kress	27,617
Larry Nelson	Rt. 1, Tulia	27,352
Glenn Terrell	1101 Garland, Plainview.	27,218
Billy W. Evans	Star Rt. Box 51–A, Kress.	26,382
Eugene Mote	417 North Crosby, Tulia.	25,937
Curtis Latham	Rt. V, Tulia	25,839
Odell Jennings	Rt. 1, Tulia	25,518
B. H. Williams	Box 213, Kress	25,146
W.R. & Buddy Stovall	Star Rt., Kress	25,097
Total payees in county, 59.		2,407,602
Terry County:		
Howard Hurd	1008 East Tate, Brownfield.	80,072
Muldrow Farms	1612 East Reppto, Brownfield.	72,957
W. A. Fulford	1305 East Buckley, Brownfield.	67,216
Milton Addison	1015 East Tate, Brownfield.	62,724
Robert Beasley	R.R. 1, Meadow	53,178
Charlie Caswell	R.R. 1, Meadow	49,421
Doyle Moss	R.R. 5, Brownfield	48,911
Norman Caswell	R.R. 1, Meadow	47,112
Graham Swain	R.R. 5, Brownfield	46,886
G. M. Newsom	1501 East Cardwell, Brownfield.	45,931
Kenneth Purtell	1306 East Cardwell, Brownfield.	42,975
Dan A. Day	R.R. 1, Meadow	42,645
Olane Caswell	Box 165, Meadow	41,986
Bonard Stice	R.R. 4, Brownfield	41,353
Carter Farms, Inc	1603 E. Reppto, Brownfield.	41,091
Don C. Day	R.R. 1, Meadow	40,885
Davis Beasley	R.R. 1, Meadow	40,839
L. D. Hamm Estate	Box 31, Wellman	40,538
M. E. Hinson	R.R. 5, Brownfield	38,700
Troy Phillips	R.R. 5, Brownfield	37,536
D. A. Kelly	R.R. 4, Brownfield	36,746
L. T. Hawkins	R.R. 5, Box 65, Brownfield.	36,731
D. Tatum Estate and Freddie Tatum.	R.R. 1, Brownfield	36,585
W. M. Hunter	2323 59th St., Lubbock.	36,124
Clarence Faught	R.R. 5, Brownfield	35,602
Val Garner	1102 E. Tate, Brownfield.	35,455
D. S. Carroll	Box 215, Meadow	35,057
Homer C. Hinson	1702 Gillham Dr., Brownfield.	34,619
Terry County—Continued		
T. T. T. T. & L	% Maurice Thompson, Box 1014, Brownfield.	$34,163
Jess McWherter	1218 E. Tate, Brownfield.	34,100
W. C. Cabe	R.R. 3, Brownfield	33,925
Mack Wilmeth	R.R. 1, Tokio	33,896
W. C. Faulkenberry	Box 1243, Seagraves	33,715
Frank Ratliff, Jr	R.R. 1, Seminole	32,210
R. R. McNeil	R.R. 3, Brownfield	32,087
H. L. King	1214 E. Tate, Brownfield.	32,005
Melton Briscoe, Jr	801 Tahoka Rd., Brownfield.	31,080
George Weiss	502 E. Buckley, Brownfield.	30,844
James G. Davis	R.R. 5, Brownfield	30,785
Bill W. Blackstock	805 E. Cardwell, Brownfield.	30,672
Cletus Floyd	R.R. 5, Brownfield	30,608
Tom Adams	1202 E. Harris, Brownfield.	30,487
G. I. Sims	R.R. 3, Brownfield	29,766
Elmo Adair	R.R. 3, Brownfield	29,761
Joe Joplin	R.R. 5, Brownfield	29,688
Robert Baumgardner	1007 E. Reppto, Brownfield.	29,183
N. R. Marchbanks, Jr	1608 E. Tate, Brownfield.	29,083
Billy Timmons	R.R. 5, Brownfield	29,068
Odell L. Lowe	3204 30th St., Lubbock.	28,976
L. M. Williams	Box 84, Meadow	28,900
Lloyd Hahn	1314 E. Cardwell, Brownfield.	28,857
J. V. Riley	R.R. 5, Brownfield	28,496
Gene Newsom	R.R. 2, Brownfield	28,280
L. L. Banta	1608 E. Cardwell, Brownfield.	28,159
Russell Hendricks	R.R. 1, Meadow	27,862
Keith Vandivere	1602 E. Tate, Brownfield.	27,856
Donald Hancock	R.R. 3, Brownfield	27,535
M. H. Wagner	R.R. 1, Brownfield	27,356
David Turnbough	Box 1275, Seagraves	27,330
R. D. Jones, Jr	R.R. 3, Brownfield	27,228
R. O. Webb	Box 222, Seagraves	27,163
W. Wayne Lewis	R.R. 1, Brownfield	26,956
Buel Draper	R.R. 4, Tahoka	26,730
J. C. Wooley	R.R. 2, Brownfield	26,669
Byron Cabbiness	Box 724, Brownfield	26,525
C. A. Winn	1001 E. Lake, Brownfield.	26,227
Fred H. Turner	Box 518 Sylvester	26,116
Billy R. Jones	R.R. 2, Brownfield	26,053
James J. Martin	1407 E. Tate, Brownfield.	26,005
George Kempson	1208 E. Bdwy, Brownfield.	25,986
Robert E. Smith	1218 E. Cardwell, Brownfield.	25,861
Art W. Adair	R.R. 3, Brownfield	25,575
Murphy May	621 E. Tate, Brownfield.	25,365
Billy McCallister	R.R. 1, Meadow	25,166
R. L. Burnett	R.R. 2, Brownfield	25,155
Rufus Dill	R.R. 3, Brownfield	25,144
V. H. Wheatley	R.R. 2, Brownfield	25,118
Total payees in county, 77.		2,675,650
Throckmorton County: [This county has no Federal food-aid program for poor families]		
Francis D. Hamilton, Jr.	606 S Ave., C, Olney	25,294
Total payees in county, 1.		25,294
Tom Green County:		
Dewey Parmer, Jr	Veribest	39,650
B. R. Weatherford	Rt. 2, Miles	37,718
Edwin J. Wilde	Wall Rt, San Angelo	25,575
Total payees in county, 3.		102,943
Walker County:		
Texas Dept. of Corr	Bryon W. Firerson, Surgarland.	75,619
Total payees in county, 1.		75,619
Wharton County: [This county has no Federal food-aid program for poor families]		
Mahalitic Bros	Rt. 1, Eagle Lake	43,846
W. D. McMillan	Rt. 1, Box 402, Wharton.	26,960
Total payees in county, 2.		70,806
Wheeler County: [This county has no Federal food-aid program for poor families]		
J. M. Tindall	Twitty	37,121
Total payees in county, 1.		37,121
Wilbarger County:		
Waggoner Trust Estate.	Drawer 2130, Vernon	$132,218
John H. Turner	3704 Cedar Elm, Wichita Falls.	29,453
Robert H. Belew	2221 Powell St, Vernon.	27,425
Total payees in county, 3.		189,096
Willacy County:		
Daniel Gustafson	Box 27, Lyford	64,456
K. L and D. E. Morrow, partners.	Box 341, Lyford	58,126
S. & S. Seed	Box 1208, Raymondville.	57,704
Alden Johnson	Rt. 2, Box 191, Lyford	52,896
Chester A. Johnson	Rt. 1, Box 39, Lyford	51,655
Wayne Labar	725 Citrus Ter., Harlingen.	50,551
Funk Farms, Inc	117 Brentwood, Harlingen.	50,235
B. W. Kirsch	Box 1118, Raymondville.	47,788
Alazan Farms	117 Brentwood, Harlingen.	47,095
Adele M. Schmidt	Rt. 2, Box 148, Lyford	42,931
Emil B. Lagerstam, Jr	Rt. 1, Box 119C, Lyford	40,238
O. L. and James Whitfield.	Rt. 1, Box 271, Edcouch	36,151
Funk Bros	117 Brentwood, Harlingen.	32,430
Virgil D. Oakes	Rt. 2, Box 18A, Lyford	32,307
W. Don Stone	Box 766, Raymondville	31,242
S. R. and C. D. Stone TST.	Drawer I, Aransas Pass	29,956
G. M. and C. Ring	Ring Bldg., Washington, D.C.	29,518
A. C. Durivage	Rt. 2, Lyford	28,715
Fred Klostermann	Rt. 3, Box 42, Raymondville.	28,119
Total payees in county, 19.		812,113
Williamson County:		
Stiles Farm Foundation.	Box 158, Thrall	41,755
Total payees in county, 1		41,755
Yoakum County: [This county has no Federal food-aid program for poor families]		
Wheeler Robertson	Idalou	58,802
R. G. Hartman	Plains	50,227
Olen Edwards	Plains	41,655
Don & Max Hawthorne.	R.R. 1, Plains	39,073
Russell S. Faulkenberry.	Box 8, Plains	32,931
Louis Eubanks	Plains	32,461
Darwin Hobbs	R.R. 1, Seagraves	31,341
Robert A. Long	R.R. 1, Seagraves	31,091
Truett F. Jones	Tokio	29,998
Rayford E. Bearden	Tokio	28,426
W. M. Nelson	R.R. 1, Seagraves	27,545
James W. Warren	Plains	27,401
W. R. Nelson	R.R. 1, Seagraves	26,356
T. A. Elmore	Tokio	25,488
Total payees in county, 14.		482,795
Zapata County:		
Ralph Hinkle	Rt. 1, Box 32, Laredo	27,982
Total payees in county, 1.		27,982
Zavala County:		
Norment Foley	Box 208, Uvalde	104,391
Leslie H. Laffere	Box 1504, Uvalde	61,347
Ritchie Bros	Box 54, Crystal City	49,490
Evans-Wortham	1019 Mem. Prof. Bldg., Houston.	39,520
Hardin Farm	Boz 17, Batesville	30,942
H. W. Kruse	Box 125, Batesville	30,793
J. D. Lambert, Jr	401 Minter, Uvalde	25,838
Total payees in county, 7.		342,321
Total payees in State, 1,826.		74,190,026

UTAH

County and name	Address	Total payments
Box Elder County:		
D. Rigby Family Partnership.	210 W. Center, Logan	$31,948
Wayne & Dallas Sandall.	721 N. 3 E., Tremonton.	30,660
Norman Grover	404 East 2 South, Brigham City.	27,228
Total payees in county, 3.		89,836

CALENDAR YEAR 1968

LISTING OF NAMES, ADDRESSES, AND TOTAL PAYMENTS OF $25,000 OR MORE UNDER ASCS PROGRAMS—EXCLUDING PRICE SUPPORT LOANS, AND SUGAR AND WOOL PAYMENTS—Continued

UTAH—Continued

County and name	Address	Total payments
Washington County:		
E. J. Graff	Hurricane	$40,634
Total payees in county, 1.		40,634
Total payees in State, 4.		130,470

VIRGINIA

County and name	Address	Total payments
Southampton County:		
C. E. Moore	R-2, Emporia	$29,815
Total payees in county, 1.		29,815
Virginia Beach County:		
Frank T. Williams	R.R. 3, Box 3110, Virginia Beach.	34,355
Malbon Brothers	875 Old Dam Neck Rd., Virginia Beach.	25,437
Total payees in county, 2		59,792
Total payees in State, 3.		89,607

WASHINGTON

County and name	Address	Total payments
Adams County:		
D. E. Phillips	Lind	$79,792
Leonard & Henry Franz.	Lind	64,428
Hutterian Brethren Inc.	R. 1, Espanola	52,432
Dwayne Blankenship	Washtucna	46,778
Ralph Gering	108 W. 11th, Pitzville	43,704
Elwyn & Rex Lyle	Box 62, Ritzville	41,492
Richard L Kagele	R. 1, Ritzville	40,994
Robert A Franz	Ritzville	40,327
Rober V. Phillips	Sind	36,509
J. Boyd Phillips	Box 158, Lind	36,245
Arthur Johnson	Star R, Cunningham	31,873
Donald Damon Estate	Cunningham	31,138
John G. Schlomer	Benge	30,118
Walter E. Franz	Box 250, Lind	28,036
Baumann Farm Inc	% Richard Baumann, Washtucna.	27,142
Nick Seivers	Box 215, Lind	26,332
Gene Kagele	Ritzville	26,164
Total payees in county, 17.		683,504
Benton County:		
Bi County Farms	Box 310, Prosser	51,558
Volmer—Bayne	Box 129, Prosser	50,488
Bateman Bros	6629 W. Quinault, Kennewick.	44,587
Gould Bros	Box 311, Prosser	41,828
Horrigan Inv Co	405 1st Nat Bldg, Phoenix	34,764 34,764
Emerson L. Eby	214 S. Highland Dr., Kennewick.	30,073
Horrigan Farms	PO Box 927, Pasco	29,038
Simmelink & Sons	Box 6163, Kennewick	26,888
Wirth Bros	940 Parkside Dr, Prosser.	25,188
Total payees in county, 9.		334,412
Columbia County:		
Broughton Land Co	P.O. Box 27, Dayton	140,695
Herres Bros	R.R. 1, Pomeroy	33,814
Mead Ranch	R.R. 2, Dayton	30,835
Wilfred Thorn	Box 87, Dayton	29,323
Dallas W., Long	R.R. 3, Dayton	26,551
Dewey Donohue & Sons.	506 E. Richmond, Dayton.	26,413
Eslick Farms	R.R. 1, Dayton	26,018
Total payees in county 7.		313,649
Douglas County:		
Russell Hunt	Rt 1 Box 1684, Ephrata	27,137
Loebsack & Sons	Waterville	26,153
Josh Barnes & Son	% H. E. Barnes, Waterville.	25,117
Total payees in county, 3.		78,407
Franklin County:		
Herron Bros	Box 207, Connell	46,359
Kenneth Owsley	1250 East Sumach, Walla Walla.	32,808
Melvin Moore and Sons.	Box 56, Kahlotus	31,607
J. H. Klundt & Sons	207 N 8th., Pasco	28,203
Francis Havlina	Box 296, Connell	26,496
E. Roger Moore	Connell	26,373
Total payees in county, 6.		191,846
Garfield County:		
Geo D. Brown, Sons	Pomeroy	$39,326
Klaveano Ranches Inc	Virgil Klaveano, Thornton.	35,834
Ferrell and Luvaas	Pomeroy	30,027
Wayne Beale	Pomeroy	28,004
Total payees in county, 4.		133,191
Grant County:		
Neil Rasor	Box 117, Royal City	61,265
Lourence Dormaier	Marlin	32,040
Higginbotham Brothers.	Hartline	31,059
Kelley Brothers	Hartline	27,927
Lars Hansen	Wilson Creek	26,844
Total payees in county, 5.		179,135
Klickitat County:		
Robert Andrews	Box 248, Prosser	27,773
Total payees in county, 1.		27,773
Lincoln County:		
State of Wash	Dept. of Natural Resources, Ephrata.	146,764
The Sheffels Co., Inc	Wilbur	49,051
Timmco, Inc	% Duane Timm Pres, Harrington.	31,764
L. Sheffels & Son, Inc	Wilbur	31,651
A. Bodeau and Sons	Rt. 1, Box 61, Wilbur	28,729
S. and E. Barr Ranch	M. Ebert, mgr., Edwall	28,114
Rockdale Farms/P/	% Jack Cole, Edwall	27,255
Total payees in county, 7.		343,328
Spokane County:		
Osborne Belsby	Amber	38,563
Total payees in county, 1.		38,563
Walla Wala County:		
Cecil R. Anderson	Star Rt., Prescott	53,595
Lonneker Farms, Inc	1204 Portland, Walla Walla.	48,047
Kenneth Smith	Box 7, Waitsburg	47,469
Grote Farms, Inc	% Ben Grote, Prescott	43,612
Tucker Farms, Inc	641 Bryant Ave., Walla Walla.	40,061
Kent Land Co., Inc	Box 447, Walla Walla	38,282
Twain Bodmer	1437 Sturm, Walla Walla.	37,745
Hofer Bros	% P. E. Hofer, Star Rt. Box 129, Prescott.	37,721
John H. Rea	Rt. 1, Box 77, Touchet	37,358
Martin Farms, Inc	% E. F. Martin, Rt. 5, Walla Walla.	34,102
Matt Lyons	Rt. 1, Waitsburg	32,541
Eugene Valaer	Rt. 4, Walla Walla	30,314
Foundation Farm, Inc	Box 400, Walla Walla	29,580
Robert D. Frazier	104 N. Division, Walla Walla.	29,466
Gar Ran, Inc	P.O. Box 1002, Walla Walla.	29,366
Robison L. and L. Co	Box 1018, Walla Walla	27,670
Henry V. Zuger	Box 366, Waitsburg	27,571
H. Vincent and W. Johnson.	1438 Modoc, Walla Walla.	27,485
S. Earl Cochran	Rt. 1, Box 31, Prescott	26,627
Robert E. Anderson	Star Rt., Prescott	26,303
Erwin Bros	% Samuel H. Erwin, Prescott.	25,732
Dwelley Jones	Rt. 4, Walla Walla	25,016
Total payees in county, 22.		755,663
Whitman County:		
Glen Miller	R.R. 2, Colfax	116,844
McGregor Land & Livestock Co.	Hooper	59,602
Dippel Brothers	Garfield	45,043
E. C. Hay	Tekoa	41,892
Harold Boyd	R.R. 2, Box 158, Pullman.	38,888
Urgel Bell	Lacrosse	37,082
Ira Scott	Lacrosse	34,488
James Knott	Endicott	32,477
John W. Smith	R.R. 1, Box 56, St. John.	32,243
James R. Davis	St. John	31,818
Nelson Bros	R.R. 2, Thornton	30,574
Clark Farms, c/o Asa Clark.	R.R. 1, Box 76, Pullman.	30,550
Herbert Camp	Lacrosse	30,184
Curtis Cattle Co	R.R. 2, Garfield	30,079
M. E. Davis	R.R. 2, Box 136, Moscow, Idaho.	29,900
Bennett Land Co	% John Dailey, R.R. 1, Colfax.	29,887
Richard E. Despain	Winona	29,557
William H. Evans	Star Route, Lacrosse	29,429
Harold H. Smick	Endicott	29,101
Glorfield Bros	Jack, Benny, St. John	25,902
Total payees in county, 20.		765,540
Yakima County:		
Virgil Feezell	Box 158, Mabton	26,170
Total payees in county, 1.		26,170
Total payees in State, 103.		3,871,181

WISCONSIN

County and name	Address	Total payments
Dane County:		
Stoughton Farms, Inc	D. Soldwedel, Rt. 1, Deforest.	$48,643
Total payees in county, 1.		48,643
Dodge County:		
Willard Nehls	R.R. 1, Juneau	42,495
Total payees in county, 1.		42,495
Racine County:		
Charles H. Kuiper	Rt. 1, Box 75, Union Grove.	32,212
Total payees in county, 1.		32,212
Rock County:		
K. E. Sherman	R.R. 2, Durand, Ill	37,670
Stuart Rahberg	R.R. 2, Clinton	28,792
Stuart Shadel, Jr	R.R. 1, Avalon	28,151
Total payees in county, 3.		94,613
Walworth County:		
[This county has no Federal food-aid program for poor families]		
James L. Mawhinney	712 E. Wisconsin St., Delavan.	26,236
Total payees in county, 1.		26,236
Waukesha County:		
Bishop Farms, Inc	R.R. 1. Mukwonago	33,854
Total payees in county, 1.		33,854
Total payees in State, 8.		278,053

WYOMING

County and name	Address	Total payments
Carbon County:		
Anderson Farms, Inc	Encampment	$41,081
Total payees in county, 1.		41,081
Total payees in State, 1.		41,081

NATIONWIDE EDUCATIONAL EXCELLENCE ACT

(Mr. PERKINS asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PERKINS. Mr. Speaker, I am today introducing a bill, the short title of which is "Nationwide Educational Excellence Act." The legislation comes about as a result of an extensive study made by Leon H. Keyserling on behalf of the American Federation of Teachers. Mr. Speaker, the thrust of the legislation is to assure in every school system financial support for the education of each child totaling $1,600 from Federal, State, and local resources. Under the proposed legislation, this goal would be reached over a 10-year period. While the formula measuring payments to each State to accomplish this goal is rather complex, in essence it measures the rate of increased school expenditures in each State for the period 1961 through 1967, relates this to the increase in the gross national product so as to establish a desirable pattern for increased State and local expenditures for education over the 10-year period the formula would operate to provide grants to States. At the end of the projected 10-year period Federal payments to all the States would make up 38.9 percent of the financial support of elementary and secondary education. However, the percentage of Federal support would vary from State to State, reflecting the equalizing effect of utilizing State spending patterns in relationship to the gross national product. At this point in the RECORD I would refer my colleagues' attention to the following table:

ALLOCATING EXPENDITURES FOR PUBLIC ELEMENTARY AND SECONDARY EDUCATION, BY SOURCE, FOR U.S. REGIONS AND STATES, PROJECTED 1976-77 (METHOD NO. 2—BASED ON PAST CHANGE IN STATE AND LOCAL EXPENDITURES)

[Amounts in thousands of 1967 dollars]

	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15		16		17	
												Change, 1966-67 to 1976-77								
	Estimated expenditures by State and local governments		Average Annual rate of change, 1961-67	Percent increase in State and local expenditures, 1967-76		Federal expenditures, 1966-67		Projected goal expenditures, 1976-77							Total (percent)		Federal (percent)		State and local (percent)	
				GNP inc. $=\frac{1967\text{–}77}{1961\text{–}67}=\frac{5.3}{5.1}=103.922$																
	1961 ¹	1967		Average annual	Total	Total	Percent of total	Total	State and local	Federal	Federal as percent of total	Total	Federal	State and local	Total	Average annual	Total	Average annual	Total	Average annual
United States	19,569,890	26,062,756	4.9	5.1	64.45	2,289,574	8.1	70,127,000	42,848,748	27,278,252	38.9	41,774,670	24,988,678	16,785,992	147.34	9.5	1,091.41	28.0	64.40	5.1
New England	1,011,774	1,398,771	5.5	5.8	75.7	109,803	7.3	3,548,417	2,458,601	1,089,816	35.5	2,039,843	980,013	1,059,830	135.22	8.9	892.25	260.0	75.77	5.8
Connecticut	318,125	408,333	4.2	4.4	53.8	23,765	5.5	953,725	628,098	325,627	34.1	521,627	301,862	219,765	120.72	8.2	1,270.20	29.0	53.82	4.4
Maine	80,337	101,307	3.9	4.1	49.5	12,393	10.9	350,634	151,403	199,231	56.8	236,934	186,838	50,096	208.39	11.9	1,607.61	32.0	49.45	4.1
Massachusetts	450,141	638,946	6.0	6.2	82.5	52,554	7.6	1,633,955	1,166,013	467,942	28.6	942,455	415,388	527,067	136.29	9.0	790.40	23.0	82.49	6.2
New Hampshire	51,442	86,050	9.0	9.4	124.5	6,776	7.3	217,392	193,156	24,236	11.1	124,566	17,460	107,106	134.19	8.9	257.67	9.9	124.47	9.4
Rhode Island	73,487	105,902	6.3	6.5	87.7	10,730	9.2	252,457	198,789	53,668	21.3	135,825	42,938	92,887	116.46	8.0	400.17	14.9	87.71	6.5
Vermont	38,242	58,233	7.3	7.6	108.	3,585	5.8	140,254	121,142	19,112	13.6	78,436	15,527	62,909	126.88	8.5	433.11	15.8	108.03	7.6
Mideast	4,347,972	6,217,443	6.1	6.3	84.2	420,862	6.3	12,678,929	10,127,947	2,550,982	20.1	6,040,623	2,130,120	3,910,504	90.99	6.7	506.13	19.7	62.89	4.
Delaware	64,135	90,016	5.9	6.1	80.8	5,644	5.9	189,343	162,749	26,594	14.0	93,683	20,950	72,733	97.93	7.1	371.19	16.7	80.80	6.1
Maryland	326,870	538,159	8.8	9.1	138.9	53,224	9.0	1,290,333	1,174,203	116,130	9.0(3.6)	698,950	62,906	636,044	118.19	8.1	118.19	8.1	118.19	8.1
New Jersey	755,546	1,034,000	5.4	5.6	72.4	66,000	6.0	2,138,868	1,782,616	356,252	16.7	1,038,868	290,252	748,616	94.44	6.9	439.78	18.4	72.40	5.6
New York	1,963,889	3,095,344	7.9	8.2	119.9	152,656	4.7	5,315,612	5,065,778	249,834	4.7(3.0)	2,067,613	97,178	1,970,434	63.66	5.0	63.66	5.0	63.66	5.0
Pennsylvania	1,166,250	1,385,071	2.9	3.0	34.4	107,462	7.2	3,506,341	1,861,535	1,644,806	47.0	2,013,808	1,537,344	476,464	134.93	8.9	1,430.59	31.0	34.40	3.0
District of Columbia	71,282	74,853	.8	.8	8.3	35,876	32.4	238,432	81,066	157,366	66.0	127,703	121,490	6,213	115.33	8.0	338.64	15.9	8.30	.8
Southeast	3,210,177	4,255,813	4.8	5.0	62.9	707,118	14.2	17,237,173	7,191,283	10,045,890	58.3	12,274,242	9,338,772	2,935,470	247.31	13.3	1,320.69	30.0	68.98	5.4
Alabama	240,341	302,667	3.9	4.1	49.5	46,833	13.4	1,528,764	452,487	1,076,277	70.4	1,179,264	1,029,444	149,820	337.41	15.9	2,198.12	37.0	49.50	4.1
Arkansas	122,604	159,819	4.5	4.7	58.3	38,467	19.4	792,434	252,993	539,441	68.1	594,148	500,974	93,174	299.64	14.9	1,302.35	30.0	58.30	4.7
Florida	457,545	676,721	6.7	7.0	96.7	104,712	13.4	2,159,906	1,331,110	828,796	38.4	1,378,473	724,084	654,389	176.40	10.7	691.50	23.0	96.70	7.0
Georgia	321,652	433,480	5.1	5.3	67.6	73,514	14.5	1,872,387	726,512	1,145,875	61.2	1,365,393	1,072,361	293,032	269.31	14.0	1,458.72	32.0	67.60	5.3
Kentucky	226,709	253,621	1.9	2.0	21.9	51,579	16.9	1,192,156	309,164	882,992	74.1	886,956	831,413	55,543	290.61	14.6	1,611.92	32.0	21.90	2.0
Louisiana	363,160	463,985	4.2	4.4	53.8	59,110	11.3	1,395,524	713,609	681,915	48.9	872,429	622,805	249,624	166.78	10.3	1,053.64	28.0	53.80	4.4
Mississippi	157,486	190,097	3.2	3.3	38.4	43,437	18.6	1,037,877	263,094	774,783	74.7	804,343	731,346	72,997	344.42	16.1	1,683.69	33.0	38.40	3.3
North Carolina	370,470	484,422	4.6	4.8	59.8	84,148	14.8	2,096,792	774,106	1,322,686	63.1	1,528,222	1,238,538	289,684	268.78	13.9	1,471.86	32.0	59.80	4.8
South Carolina	205,871	241,224	2.7	2.8	31.8	42,235	14.9	1,143,068	317,933	825,135	72.2	859,609	782,900	76,709	303.26	15.0	1,853.68	35.0	31.80	2.8
Tennessee	231,444	363,719	7.8	8.1	117.9	62,181	14.6	1,535,776	792,543	743,233	48.4	1,109,876	681,052	428,824	260.60	13.7	1,095.27	28.0	117.90	8.1
Virginia	335,093	506,836	7.1	7.4	104.2	75,065	12.9	1,767,196	1,034,959	732,237	41.4	1,185,295	657,172	528,123	203.69	11.7	875.47	26.0	104.20	7.4
West Virginia	157,802	179,222	2.1	2.2	24.3	25,837	12.6	715,293	222,773	492,520	68.9	510,234	466,683	43,551	248.82	13.3	1,806.26	34.0	24.30	2.2
Great Lakes	4,064,462	5,060,383	3.7	3.8	45.2	301,471	5.6	13,408,249	7,498,775	5,909,474	44.1	8,046,395	5,608,003	2,438,392	150.06	9.6	1,860.21	35.0	48.19	4.0
Illinois	1,095,649	1,246,825	2.2	2.3	25.5	78,175	5.9	3,352,062	1,564,765	1,787,297	53.3	2,027,062	1,709,122	317,940	152.99	9.7	2,186.28	37.0	25.50	2.3
Indiana	524,899	673,224	4.2	4.4	53.8	36,928	5.2	1,872,387	1,035,419	836,968	44.7	1,162,235	800,040	362,195	163.66	10.2	2,166.49	37.0	53.80	4.4
Michigan	1,020,457	1,321,600	4.4	4.6	56.8	78,400	5.6	3,134,669	2,072,269	1,062,400	33.9	1,734,669	984,000	750,669	123.90	8.4	1,255.10	30.0	56.80	4.6
Ohio	1,021,119	1,234,246	3.2	3.3	38.4	74,604	5.7	3,702,696	1,708,196	1,994,500	53.9	2,393,846	1,919,896	473,950	182.90	11.0	2,573.45	39.0	38.40	3.3
Wisconsin	402,338	584,488	6.4	6.7	91.3	33,364	5.4	1,346,435	1,118,126	228,309	17.0	728,583	194,945	533,638	117.92	8.1	584.30	21.0	91.30	6.7
Plains	1,656,324	2,042,819	3.6	3.7	43.8	173,953	7.8	5,645,208	2,990,125	2,655,083	47.0	3,428,436	2,481,130	947,306	154.66	9.8	1,426.32	31.0	46.37	3.9
Iowa	278,184	348,875	3.8	3.9	46.6	19,525	5.3	974,763	511,451	463,312	47.5	606,363	443,787	162,576	164.59	10.2	2,272.92	37.0	46.60	3.9
Kansas	271,969	288,567	1.0	1.0	10.5	28,192	8.9	855,547	318,867	536,680	62.7	538,788	508,488	30,300	170.09	10.5	1,803.66	34.0	10.50	1.0
Minnesota	455,614	609,052	5.0	5.2	66.0	46,548	7.1	1,290,333	1,011,026	279,307	21.6	634,733	232,759	401,974	96.82	7.0	500.00	19.6	66.00	5.2
Missouri	373,966	486,650	4.5	4.7	58.3	42,317	8.0	1,500,714	770,367	730,347	48.7	971,747	688,030	283,717	183.71	11.0	1,625.89	33.0	58.30	4.7
Nebraska	136,503	147,731	1.3	1.4	14.9	14,077	8.7	504,913	169,743	335,170	66.4	343,105	321,093	22,012	212.04	12.1	2 280.98	37.0	14.90	1.4
North Dakota	71,040	83,801	2.8	2.9	33.1	8,187	8.9	252,457	111,539	140,918	55.8	160,469	132,731	27,738	174.45	10.6	1,621.24	33.0	33.10	2.9
South Dakota	69,048	78,143	2.1	2.2	24.3	15,107	16.2	266,481	97,132	169,349	63.6	173,231	154,242	18,989	185.77	11.1	1,021.00	27.0	24.30	2.2
Southwest	1,448,850	1,760,377	3.2	3.3	38.4	244,045	12.2	6,388,552	2,513,333	3,875,219	60.7	4,384,130	3,631,174	752,956	218.72	12.3	14,879.11	32.0	42.77	3.6
Arizona	154,908	222,595	6.2	6.4	86.0	37,143	14.3	659,192	414,027	245,165	37.2	399,454	208,022	191,432	153.79	9.8	5,600.57	21.0	86.00	6.4
New Mexico	94,231	140,745	6.9	7.2	100.4	31,948	18.5	448,812	282,053	166,759	37.2	276,119	134,811	141,308	159.89	10.0	4,219.70	17.9	100.40	7.2
Oklahoma	227,726	248,255	1.4	1.5	16.1	38,745	13.5	932,686	288,224	644,462	69.1	645,686	605,717	39,969	224.98	12.5	15,633.42	32.0	16.10	1.5
Texas	971,985	1,148,782	2.8	2.9	33.1	136,209	10.6	4,347,862	1,529,029	2,818,833	64.8	3,062,871	2,682,624	380,247	238.36	13.0	19,694.91	35.0	33.10	2.9

Footnote at end of table.

ALLOCATING EXPENDITURES FOR PUBLIC ELEMENTARY AND SECONDARY EDUCATION, BY SOURCE, FOR U.S. REGIONS AND STATES, PROJECTED 1976–77 (METHOD NO. 2—BASED ON PAST CHANGE IN STATE AND LOCAL EXPENDITURES)—Con.

[Amounts in thousands of 1967 dollars]

	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15		16		17	
												Change, 1966–67 to 1976–77								
	Estimated expenditures by State and local governments		Average Annual rate of change, 1961–67	Percent increase in State and local expenditures, 1967–76 GNP inc. $=\frac{1967-77}{1961-67}=\frac{5.3}{5.1}=103.922$		Federal expenditures, 1966–67		Projected goal expenditures, 1976–77							Total (percent)		Federal (percent)		State and local (percent)	
	1961 [1]	1967		Average annual	Total	Total	Percent of total	Total	State and local	Federal	Federal as percent of total	Total	Federal	State and local	Total	Average annual	Total	Average annual	Total	Average annual
Rocky Mountains	565, 232	717, 840	4. 1	4. 3	52. 4	58, 895	7. 6	1, 949, 525	1, 093, 510	856, 015	43. 9	1, 172, 790	797, 120	375, 670	150. 99	9. 6	1, 353. 46	31. 0	52. 33	4. 3
Colorado	238, 849	304, 590	4. 1	4. 3	52. 4	25, 410	7. 7	778, 407	464, 195	314, 212	40. 4	448, 407	288, 802	159, 605	135. 88	9. 0	1, 136. 57	29. 0	52. 40	4. 3
Idaho	63, 665	83, 203	4. 6	4. 8	59. 8	9, 657	10. 4	294, 533	132, 958	161, 575	54. 9	201, 673	151, 918	49, 755	217. 18	12. 2	1, 573. 14	32. 0	59. 80	4. 8
Montana	91, 622	110, 132	3. 1	3. 2	37. 0	9, 968	8. 3	273, 495	150, 881	122, 614	44. 8	153, 395	112, 646	40, 749	127. 72	8. 6	1, 130. 08	29. 0	37. 00	3. 2
Utah	123, 925	166, 564	5. 1	5. 3	67. 6	12, 153	6. 8	469, 850	279, 161	190, 689	40. 6	291, 133	178, 536	112, 597	162, 90	10. 1	1, 469. 07	32. 0	67. 60	5. 3
Wyoming	47, 171	53, 351	2. 1	2. 2	24. 3	1, 707	3. 1	133, 240	66, 315	66, 925	50. 2	78, 182	65, 218	12, 964	142, 00	9. 2	3, 820. 62	44. 0	24. 30	2. 2
Far West	2, 926, 563	4, 609, 310	7. 9	8. 2	119. 9	273, 427	5. 6	9, 291, 803	8, 164, 485	1, 127, 318	12. 1	4, 409, 066	853, 891	3, 555, 175	90. 30	6. 6	312. 29	15. 2	77. 13	5. 9
California	2, 164, 394	3, 586, 980	8. 8	9. 1	138. 9	169, 020	4. 5	6, 816, 326	6, 509, 591	306, 735	4. 5	3, 060, 326	137, 715	2, 922, 611	81. 48	6. 1	81. 48	6. 1	81. 48	6. 1
Nevada	34, 965	63, 992	12. 9	13. 4	251. 7	6, 406	9. 1	168, 304	152, 988	15, 316	9. 1	97, 906	8, 910	88, 996	139. 07	9. 1	139. 07	9. 1	139. 07	9. 1
Oregon	241, 536	306, 710	4. 1	4. 3	52. 4	24. 510	7. 4	750, 358	467, 426	282, 932	37. 7	419, 138	258, 422	160, 716	126. 54	8. 5	1, 054. 35	27. 0	52. 40	4. 3
Washington	394, 371	491, 441	3. 7	3. 8	45. 2	37, 559	7. 1	1, 171, 117	713, 572	457, 545	39. 1	642, 117	419, 986	22, 131	121. 38	8. 3	1, 118. 20	28. 0	45. 20	3. 8
Alaska	27, 088	51, 709	11. 3	11. 7	202. 4	23, 341	31. 1	119, 216	82, 140	37, 076	31. 1	44, 166	13, 735	30, 431	58. 85	4. 7	58. 85	4. 7	58. 85	4. 7
Hawaii	64, 209	108, 478	9. 1	9. 5	147. 8	12, 591	10. 4	266, 482	238, 768	27, 714	10. 4	145, 413	15, 123	130, 290	120. 11	8. 2	120. 11	8. 2	120. 21	8. 2

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[1] Estimated by converting State and local government revenue receipts to an expenditure basis as follows: (a) In current dollars total expenditures from all sources in 1960–61 was $16,807,934,000 of which $16,001,153,000 or 95.2 percent was from State and local sources (HEW–NEA estimates); (b) based on State and local revenue receipts totaling $14,738,039,000 in 1960–61, expenditures for each of the States were estimated by raising revenue receipts by a factor of 1.327849, representing the product of (1) the ratio of expenditures to revenue receipts in current dollars (1.08570), and (2) adjusted in terms of 1967 dollars using the State and local government expenditure deflator from 1961–67 (1.22303).

At this point also in the Record, I would like to have placed a letter of transmittal from Mr. Carl J. Megel, director of legislation for the American Federation of Teachers, dated May 21, a copy of the bill, and other material describing and stressing the importance of this legislation:

American Federation of Teachers,
AFL–CIO, Department of Legislation,
Washington, D.C., May 21, 1969.
Hon. Carl D. Perkins,
House of Representatives,
Washington, D.C.

My Dear Congressman: It is my great privilege to present a draft of the proposed bill which we respectfully request you to introduce during the 91st session of Congress.

The legislation is entitled "Nation-wide Educational Excellence Act". This legislation is based upon a comprehensive study of nationwide educational needs prepared by the eminent economist, Dr. Leon Keyserling for the American Federation of Teachers. A copy of this study accompanies the draft of the legislation.

For numerous years, educators and educational organizations have proposed various sums of money for educational needs and purposes. These sums were largely pronounced without basis in fact. Accordingly the American Federation of Teachers commissioned Dr. Keyserling to prepare a complete study of educational needs throughout the 50 states of this Nation.

In considering the legislation, reference must be made to the AFT-Keyserling publication. In this study, the preferred method for projecting Federal and State and local expenditures for the public schools is *Method Two.* This method is described on page 60 of the study. The Federal and State and Local expenditures under Method Two, as of 1967 and 1977, are set forth in the chart on page 67 of the study.

The study is based upon a ten-year period running from the school year 1967 to the school year 1977. Roughly speaking, this comports with the fiscal years 1967 and 1977, and the two concepts will be used interchangeably hereinafter.

As we are now in May 1969, the study should be utilized as if it projected a ten-year program from the school year 1969 to the school year 1970 (or from fiscal 1969 to fiscal 1979), with the first year of the program relating to the school or fiscal year 1970. Also, the entire study is in 1967 dollars, and adjustments need to be made for changes in the level since then, as will be indicated subsequently in this letter.

The table which I am transmitting herewith gives a complete picture of Federal and State and local public school expenditures for the school year 1967 and projected for the school year 1977, and the respective shares of the Federal Government and the States and localities for each of these two periods. It also shows how Method 2 is used to arrive at the 1977 projections. In addition, it shows the dollar increases in Federal and in State and local expenditures from 1967 to 1977, as well as the percentage increases.

Let us look first at the total U.S. or nation-wide picture, as shown on this table. Federal expenditures were about 2.3 billion dollars in 1967, and would rise to about 27.3 billion in 1977, a rise of about 25 billion or an average annual rate rise of about 2.5 billion. Thus, if the first year of the program were fiscal 1970, Federal contributions for that year should be about 2.5 billion above the 2.3 billion in 1967, or about 4.8 billion in fiscal 1967 dollars, which would come to about 5.3 billion in estimated fiscal 1970 dollars. According to the President's most recent Budget, contemplated Federal aid to primary and secondary schools for fiscal 1970 is estimated at 2.4 billion. Therefore, under the plan, the Federal share in fiscal 1970 would be about 3 billion dollars above this 2.4 billion estimate.

The total State and local outlays in fiscal 1970 would exceed the total State and local outlays of about 26 billion in 1967 by about one-tenth of the total increase in State and local outlays from 1967 to 1977 (from 26 billion to about 43 billion, or about 17 billion), coming to 1.7 billion, which, added to about 26 billion in 1967, would come to 27.7 billion in 1970, and this, adjusted to fiscal 1970 dollars would come to 30.5 billion.

The Federal and State and local outlays in any State may be derived from the table by exactly the same method as set forth above. For example, the Federal contribution to that State in fiscal 1970 would be above the Federal contribution in fiscal 1967 by one-tenth the amount that the Federal contribution in the year 1977 as shown on the chart would be above fiscal 1967, with the fiscal 1970 Federal contribution adjusted upward by about 10 percent to take care of the change in the price level. The State and local outlays in the same State would be derived in the same manner from the table.

Sincerely yours,

Carl J. Megel,
Director of Legislation.

H.R. 11546

A bill to establish a national program of assistance to the States with the goal of achieving equalized excellence in schools throughout the Nation over a ten-year period.

Be it enacted by the Senate and the House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Nationwide Educational Excellence Act".

STATEMENT OF PURPOSE

Sec. 2. It is the purpose of this Act to set forth goals of educational excellence and a realistic program for achieving these goals over a ten-year period in cooperation with the States and local communities. This program is intended to meet such major goals as a level of expenditures for education of $1,600 per pupil throughout the nation within a ten-year period, measured in 1967 dollars; full participation of all children aged 5 to 17 in high-quality schooling; substantially increased numbers of teachers to achieve a lower student-teacher ratio; improved teachers' salaries; increased numbers of educational personnel other than teachers, including school aides; summer programs, adult education, and school meals and medical and health services for all who need them; and safe, modern school facilities for all school children.

AUTHORIZATION

Sec. 3. (a) The Commissioner of Education shall make payments in accordance with this Act to State education agencies for grants to local educational agencies to be used in meeting educational needs in the areas served by such agencies.

(b) There are hereby authorized to be appropriated such sums as may be necessary for the fiscal year ending June 30, 1970, and each succeeding fiscal year prior to July 1, 1979 to enable the Commissioner to make the allotments to which States are entitled under section 4.

ALLOTMENTS TO STATES

Sec. 4. (a) Out of the sums appropriated for each fiscal year, the Commissioner shall allot to each State an amount equal to the product obtained when the number of children aged 5 to 17, inclusive, within each such State is multiplied by the Federal share per pupil for the State.

(b) The Federal share per pupil for each State for each fiscal year shall be equal to the difference between the total projected increase in average per pupil expenditure and the State's anticipated increase.

(c) No State shall receive an allotment under this Act for any fiscal year with respect to which that State does not maintain the State's anticipated increase (as defined in paragraph (2) of subsection (d) in the State's basic average per pupil expenditure.

(1) The "total projected increase in average per pupil expenditure" for each fiscal year means an amount equal to the difference between $1,600 and the State's basic average per pupil expenditure for the base year, divided by 10 and multiplied by the number of years between the base year and the year for which the determination is being made.

(2) The "State's anticipated increase" for each fiscal year means an amount equal to the product of—

(A) the State's basic average per pupil expenditure for the base year, multiplied by—

(B) the percentage rate equivalent to:

1. The average annual percentage rate of increase in that State's basic average per pupil expenditure during the period of years from 1961 through 1967, multiplied by:

2. The number of years between the base year and the year for which the determination is being made.

3. The "base year" means the year immediately preceding the first fiscal year for which appropriations are made to carry out this Act.

4. The dollar allotments as set forth in this section shall, for each fiscal year, be adjusted to allow for decreases in the purchasing power of the dollar, as measured by the Consumer Price Index, since 1967.

ASSURANCES FROM STATES

Sec. 5. (a) Any state desiring to receive funds under this Act shall submit through its State educational agency to the Commissioner an application, in such detail as the Commissioner deems necessary, which provides satisfactory assurance—

(1) that payments under this Act will be used only for programs and projects which have been approved by the State educational agency and which met the applicable requirements of this Act and that such agency will in all other respects comply with the provisions of this Act, including the enforcement of any obligations imposed upon a local educational agency under this act.

(2) that such fiscal control and fund accounting procedures will be adopted as may be necessary to assure proper disbursement of, and accounting for, Federal funds paid to the State (including such funds paid by the State to local educational agencies) under this Act; and

(3) that the State educational agency will make to the Commissioner such reports as may be reasonably necessary to enable the Commissioner to perform his duties under this Act, and that such agency will keep such records and afford such access thereto as the Commissioner may find necessary to assure the correctness and verification of such reports.

(b) The Commissioner shall approve an application which meets the requirements of this Act, and he shall not finally disapprove an application except after reasonable notice and opportunity for a hearing to the State educational agency.

WITHIN-STATE EQUALIZATION

Sec. 6. The Commissioner shall not approve an application by a State for funds under this act unless there is satisfactory assurance that such funds will be allocated among the local educational agencies within that State in such a manner that, when added to the State's basic average per pupil expenditure, there will be, to the extent feasible, approximately equal levels in the total average per pupil expenditure throughout all areas of the State.

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APPLICATIONS FROM LOCAL EDUCATIONAL AGENCIES

SEC. 7. (a) A local educational agency may receive a grant under this Act for any fiscal year only upon application therefor approved by the appropriate State educational agency, upon its determination (consistent with such basic criteria as the Commissioner may establish)—

(1) that payments under this part will be used for programs and projects which are designed to meet educational needs in school attendance areas served by each local educational agency;

(2) that, to the extent consistent with the number of children in the school district of the local educational agency who are enrolled in private elementary and secondary schools, such agency has made provision for including special educational services and arrangements (such as dual enrollment, educational radio and television, and mobile educational services and equipment) in which such children can participate;

(3) that the local educational agency has provided satisfactory assurance that the control of funds provided under this Act, and title to property derived therefrom, shall be in a public agency, and that a public agency will administer such funds and property;

(4) in the case of any project for construction of school facilities, that the project is not inconsistent with overall State plans for the construction of school facilities and that the requirements of section 8 will be complied with on all such construction projects;

(5) in the case of a project for the construction of school facilities, that, in developing plans for such facilities, due consideration has been given to compliance with such standards as the Secretary of Health, Education, and Welfare may prescribe or approve in order to insure that facilities constructed with the use of Federal funds under this Act shall be, to the extent appropriate in view of the uses to be made of the facilities, accessible to and usable by handicapped persons;

(6) in the case of a project for the construction of school facilities, that, in developing plans for such facilities, due consideration has been given to excellence of architecture and design, and to the inclusion of works of art (not representing more than 1 per centum of the cost of the project); and

(7) that the local educational agency will make an annual report and such other reports to the State educational agency, in such form and containing such information, as may be reasonably necessary to enable the State educational agency to perform its duties under this Act, and will keep such records and afford such access thereto as the State educational agency may find necessary to assure the correctness and verification of such reports.

(b) The State educational agency shall not finally disapprove in whole or in part any application for funds under this Act without first affording the local educational agency submitting the application reasonable notice and opportunity for a hearing.

(c) Prior to the disbursement of Federal funds to any State, the chief school officer shall file with the U.S. Commissioner of Education a plan acceptable to the Commissioner for the distribution of such federal funds. The plan for distribution of federal funds within the State shall be based upon consideration for the fiscal ability of a local school district or other non-public school to support educational services and upon the extent of educational need within the district as determined by the reading achievement of pupils within the districts.

LABOR STANDARDS

SEC. 8. All laborers and mechanics employed by contractors or subcontractors on all construction projects assisted under this Act shall be paid wages at rates not less than those prevailing on similar construction in the locality as determined by the Secretary of Labor in accordance with the Davis-Bacon Act, as amended (40 U.S.C. 276a–276–5). The Secretary of Labor shall have with respect to the labor standards specified in this section the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (15 F.R. 3176; 5 U.S.C. 133z–15) and section 2 of the Act of June 13, 1934, as amended (40 U.S.C. 276c).

WITHHOLDINGS

SEC. 9. Whenever the Commissioner, after reasonable notice and opportunity for hearing to any State educational agency, finds that there has been a failure to comply substantially with any assurance set forth in the application of that State approved under this Act, the Commissioner shall notify the agency that further payments will not be made to the State under this Act (or, in his discretion, that the State educational agency shall not make further payments under this Act to specified local educational agencies affected by the failure) until he is satisfied that there is no longer any such failure to comply. Until he is so satisfied, no further payments shall be made to the State under this Act, or payments by the State educational agency under this Act shall be limited to local educational agencies not affected by the failure, as the case may be.

JUDICIAL REVIEW

SEC. 10. (a) If any State is dissatisfied with the Commissioner's final action with respect to the approval of its application submitted under section 5, or with his final action under section 9, such State may, within 60 days after notice of such action, file with the United States Court of Appeals for the circuit in which such State is located a petition for review of that action. A copy of the petition shall be forthwith transmitted by the clerk of the court to the Commissioner. The Commissioner thereupon shall file in the court the record of the proceedings on which he based his action, as provided in Section 2112 of title 28, United States Code.

(b) The findings of fact by the Commissioner, if supported by substantial evidence shall be conclusive; but the court, for good cause shown, may remand the case to the Commissioner to take further evidence, and the Commissioner may thereupon make new or modified findings of fact and may modify his previous action, and shall file in the court the record of the further proceedings. Such new or modified findings of fact shall likewise be conclusive if supported by substantial evidence.

(c) Upon the filing of such petition, the court shall have jurisdiction to affirm the action of the Commissioner or to set it aside, in whole or in part. The judgment of the court shall be subject to review by the Supreme Court of the United States upon certiorari or certification as provided in section 1254 of title 28, United States Code.

FEDERAL CONTROL OF EDUCATION PROHIBITED

SEC. 11. Nothing contained in this Act shall be construed to authorize any department, agency, officer, or employee of the United States to exercise any direction, supervision, or control over the curriculum, program of instruction, administration, or personnel of any educational institution or school system, or over the selection of library resources, textbooks, or other printed or published instructional materials by any educational institution or school system.

DEFINITIONS

SEC. 12. As used in this Act—

(a) The term "Commissioner" means the Commissioner of Education.

(b) The term "State" includes, in addition to the several States of the Union, the Commonwealth of Puerto Rico, the District of Columbia, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands.

(c) The term "State educational agency" means the State board of education or other agency or officer primarily responsible for the State supervision of public elementary and secondary schools, or, if there is no such officer or agency, an officer or agency designated by the Governor or by State law.

(d) The term "local educational agency" means a public board of education or other public authority legally constituted within a State for either administrative control or direction of, or to perform a service function for, public elementary or secondary schools in a City, county, township, school district, or other political subdivision of a State, or such combinations of school districts or counties as are recognized in a State as an administrative agency for its public elementary or secondary schools. Such term also includes any other public institution or agency having administrative control and direction of a public elementary or secondary school.

(e) The "average per pupil expenditure" in a State for any fiscal year shall be the aggregate current expenditures of all local educational agencies in the State, plus any direct current expenditures by the State for operation of such agencies, divided by the aggregate number of children in average daily attendance to whom such agencies provided free public education during such year.

(f) The "State's basic average per pupil expenditure" means the average per pupil expenditure in a State exclusive of funds derived from Federal sources and, if the State so determines, exclusive of State funds for special educational purposes.

ACHIEVING NATIONWIDE EDUCATIONAL EXCELLENCE—AMERICAN FEDERATION OF TEACHERS 10-YEAR PROGRAM FOR OUR PUBLIC SCHOOLS

(A study prepared for the American Federation of Teachers by Leon H. Keyserling[*])

During the past decade and a half or longer, the vulnerable and dangerous condition of many of our public schools throughout the Nation has received ever-increasing attention. This attention has been accompanied by much action at Federal, State, and local levels. Conditions in our public schools today are far ahead of where they would have been if such action had not been taken. But because adequate long-range action has not yet been taken, our public schools are far behind where they ought to be now, and will fall even further behind in the years ahead unless a corrective programs is quickly set in motion.

We need to start as soon as possible, under the galvanizing influence of new and adequate Federal legislation, but involving related efforts at all levels, a balanced ten-year program to achieve by 1977 standards of equalized excellence in every public school serving every State, county, and locality throughout the United States.

Equalized excellence means a minimum nationwide standard which all should reach by 1977. But it does not mean a ceiling or straight jacket. Each State would receive enough Federal aid (contingent upon continued State and local efforts based upon recent trends and capabilities) to reach this by 1977. Yet every State should and would be free to go as far beyond this nationwide standard as its own State and local resources would permit.

The main minimum-standard of excellence goals to be achieved by 1977, representing ten years of progress 1967–1977, are these:

(1) *Per pupil outlays for all purposes related to public schools,* measured in 1967 dollars, would average $1,534 in 1977 in every region and State, compared with a nationwide average of $600 in 1967. The average

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[*] Former Chairman, Council of Economic Advisers. Consulting economist and attorney, 1001 Connecticut Avenue, NW., Washington, D.C. 20036.

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was only $503 in one region and $874 in another region in 1967. Total outlays for all purposes per pupil would increase at average annual rates ranging from 6.1 percent in one region to 11.8 percent in another region.

(2) *Enrollment in the public schools* by 1977, through four years of high school, of every child age 5–17 not served by private schools, i.e., a 'participation' rate of 100 percent of the public-school population by 1977. Today, the 'nonparticipation' rate—the portion of the public-school population not enrolled—is as high as 9 percent in one region comprising twelve States. Nationwide enrollment in the public schools needs to increase from 43.0 million in 1967 to 45.7 million in 1977, or 6.3 percent. But because of the varying current participation rates in different regions, there is one region where the increase in enrollment needs to be only 2.3 percent, while there is one where it needs to be 13.9 percent.

(3) *Classroom teachers* should increase greatly. By 1977, the ratio of fully-accredited classroom teachers to enrollment should be one to twenty for the Nation at large, and also in every region and State. The nationwide ratio in 1967 was one to twenty-four. This calls for a nationwide increase in such classroom teachers from 1,788,000 in 1967 to 2,286,000 in 1977, or 27.8 percent. To attain the minimum-standard of excellence for teacher services throughout the nation by 1977, the increase in the number of teachers by region must range from 12.9 percent to 46.3 percent.

(4) *Teachers' salaries* in the public schools, measured in 1967 dollars, should rise from a nationwide average of $6,830 in 1967 to $10,711 in 1977, an average annual increase of 4.6 percent. To attain the minimum-standard of excellence in the treatment of both pupils and teachers, this floor by 1977 should be $10,711 in every region and State. Toward this nationwide goal, in one region where the average pay in 1967 was $5,797, the average annual increase would need to be higher than in another region where the average in 1967 was $8,154. Total outlays for teachers' salaries should rise from 12.2 billion dollars in 1967 to 24.5 billion in 1977.

(5) *Nonteacher instructional staff* throughout the Nation should rise from 188,000 in 1967 to 1,523,000 in 1977. Some of this increase would be for principals, supervisors, librarians, and guidance and psychological personnel; but more than 1,100,00 of this increase should represent individuals (not fully-accredited teachers) assisting teachers in instructional functions. The average salaries of nonteacher instructional staff should rise at the same rates as those of fully-accredited teacher. Up to the minimum-standard of excellence floor, equalization of services (a pupil-teacher noninstructional staff ratio of thirty to one) and equalization of average pay for nonteacher instructional staff in each region and State, should be attained by 1977. Outlays in this category should rise from 1.8 billion dollars in 1967 to 13.9 billion in 1977.

(6) *Other current outlays*, for administration and operation and maintenance of plant, salaries of noninstructional personnel (including school aids) and programs for summer schools, adult education, and school lunches, should rise from 9.4 billion dollars in 1967 to 22.2 billion in 1977.

(7) *The available supply of classrooms* in the public schools should rise from 1,653,455 in 1967 to 2,285,000 in 1977. These are needed to take care of increased enrollment and reduced class size. Taking account also of elimination of unsatisfactory conditions, migrations and abandonment, an anual average of 123,200 new classrooms should be constructed during the 1968–1977 inclusive, aggregating 1,232,000 over the ten-year period. Total capital outlays should rise from 4.0 billion dollars in 1967 to 6.8 billion in 1977, and interest on the school debt would rise from 0.9 billion to 2.7 billion.

(8) *Total nationwide outlays* to meet public-school needs up to the minimum-standard of excellence, measured in 1967 dollars, should rise from 28.3 billion dollars in 1967 to 70.1 billion in 1977, involving an average annual rate of increase of 9.5 percent. But because of grossly disparate conditions now among the regions and States, the average annual rates of increase—taking into account all sources of funds—should range from 6.6 percent in one region to 13.3 percent in another region.

(9) *Drastic changes in the sharing of costs between the States and localities on the one hand, the Federal Government on the other hand*, is imperative if the foregoing goals are to be achieved. In 1967, 91.9 percent of the total cost of education in our public schools was borne by the States and localities, and only 8.1 percent by the Federal Government. The very unequal distribution of economic and financial capabilities among regions and States, the fact that progress must be so much faster in some regions and States which, through no fault of their own, are now furthest below the 1977 goal of excellence, the fact that during 1946–1966 State and local outlays for all purposes rose more than three times as fast as Federal outlays for all purposes while State and local debts grew more than ten times as fast as the national debt, and the immense relative advantages enjoyed by the Federal Government in the raising of revenues through equitable methods geared to economic growth—these facts make it desirable that by 1977 the State and local share in the total 70.1 billion dollar cost of public-school education in that year be reduced to 61.1 percent or 42.8 billion dollars, and that the Federal share be lifted to 38.9 percent, or 27.3 billion, both measured in 1967 dollars. Consistent with this, the average annual increase in State and local outlays during 1967–1977 would be 5.1 percent, and in Federal outlays 28.0 percent, resulting in the needed overall average annual rate of increase of 9.5 percent.

(10) *The recommended formula* toward this end, consistent with the goal of equalization of services in all regions and States up to the minimum-standard of excellence, despite vast differences in economic and financial capabilities and the size of the job to be done, is that the increases in outlays by each region and each State continue approximately in accord with their respective recent rates of increase (adjusted somewhat upward in accord with goals for a somewhat more rapid average annual rate of income and economic growth throughout the Nation), and that the Federal Government make up the difference in each region and State, subject only to the modification that the Federal percentage share of total outlays in no State in any year should fall below what it was in 1967. On this basis, in one region where total outlays would need to increase at an average annual rate of only 6.6 percent, State and local outlays would increase at 5.9 percent and Federal outlays at 15.2 percent, with the Federal share rising from 5.6 percent in 1967 to 12.1 percent in 1977. In another region where total outlays need to rise at an average annual rate of 13.3 percent, State and local outlays would increase at an average annual rate of 5.4 percent, and Federal outlays at 30.0 percent, with the Federal share rising from 14.2 percent in 1967 to 58.8 percent in 1977.

(11) *This program is very well within our economic and financial capabilities.* The increase in State and local outlays for public education would be approximately in accord with recent trends. The increase in Federal outlays for public-school education, rising from 2.3 billion dollars in 1967 to 27.3 billion in 1977, contemplates in 1977 total Federal outlays for education (including outlays for purposes other than public schools) rising from 4.7 billion dollars in the fiscal 1969 Federal Budget to 32.9 billion in calendar 1977. In a fully-growing economy, this rise would be from an estimated 0.53 percent of total national production in fiscal 1969 to an estimated 2.38 percent in calendar 1977. In fiscal 1969, proposed outlays of 89.5 billion in the Federal Budget category of national defense, space technology, and all international outlays come to 10.11 percent of estimated total national production. Allowing for needed expansion in public programs and services across the board in response to the totality of our national needs, and estimating appropriate Federal participation in this progress, and even assuming (without arguing for) substantial further increases in Federal outlays for national defense, space technology, and all international outlays, it would still be true that, in a properly expanding national economy, total Federal outlays for all purposes, standing at an estimated 21.02 percent of total national production in fiscal 1969, would not be larger in ratio to total national production in calendar 1977.

(12) *The "economic growth dividend" should pay for the program.* Measured in fiscal 1969 dollars, our total national production was 829 billion in calendar 1967. With optimum economic growth, it should rise to 1,390 billion dollars in calendar 1977, and even at a considerably lower growth should rise to 1,170 billion. This means that our *average annual output* of goods and services during the ten years 1968–1977 inclusive would be 197–296 billion dollars higher than it was in calendar 1967. With this "economic growth dividend", it is inconceivable that we should not commit ourselves to using about 7.5—12.5 percent of it on the average over the years ahead through 1977 to increase our total investment in our public schools.

(13) *The problem of inflation* is really entirely irrelevant to the proposed public-school program. With optimum or even adequate economic growth, the proposed program would place no excessive pressures upon our total ability to turn out goods and services. But even if it should exert such pressures at some time, we should not sacrifice first what we need most, but instead should re-order our national priorities and values so as to put first things first by imposing some very small restraints upon the expendible or superfluous. Entirely hypothetically, if the proposed 70.1 billion dollar level of total expenditure for our public schools in 1977 should require a cutback somewhere of even as much as 20 billion dollars to curb inflation, that 20 billion dollars would be only about 3.5 percent of our "economic growth dividend" in 1977 alone, and only about 1.4 percent of our total national production in 1977 alone, under conditions of full resource use. We could certainly find better places to make cutbacks of this size than in our public schools.

(14) *The program contemplates freedom and flexibility at State and local levels.* It combines recognition of nationwide responsibility for the education of young people who are citizens of the Nation with recognition that the States and localities are fundamentally charged with responsibility for the conduct and support of our public schools. Goals embodied in the program are pointed only toward delineating the respective responsibilities of the States and localities and the Federal Government toward achieving by 1977 the minimum-standard of educational excellence in the public schools. But with respect to every element in the program, those States and localities which are able to do so can and should rise far above this floor.

There is nothing within the program which would discourage any such State or locality from promoting increases in enrollments in higher education; paying teachers and other personnel in the public schools in 1977 far more than the nationwide standard, and increasing these salaries from 1967 forward far

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more rapidly than the attainment of the nationwide standard by 1977 requires; establishing even lower pupil-teacher ratios; bringing the physical plant in the public schools up to even higher levels than the nationwide goal, etc. Entirely to the contrary, the greatly increased Federal aid in absolute terms, which every State would receive under the program, would encourage and amplify the capabilities of the more fortunate States and localities to rise far above the nationwide standards. Nor do these nationwide standards, dealing as they do with averages for the regions and States, import that within any region or State the averages be the same in every school or in every locality, or that every teacher receive the same salary, or that every classroom be the same size, etc. The standards only import that each region and State shall in its average performance be brought up to the minimum-standard of excellence by 1977. This will increase rather than diminish the opportunities for freedom and flexibility everywhere.

(15) The first essential step is Federal legislation, committing the Nation and the people at large to this program which will be of such incalculable benefit to the Nation and the people at large. It is understood that the American Federation of Teachers through its Legislative Department will use all of its facilities to "Achieve Nationwide Educational Excellence" as outlined by this study.

Brief Outline of the Leon Keyserling Study—AFT

1. Enrollment will increase from 43 million to 45,700,000.

2. Pupils outlay per capita would increase from $660 to $1534.

3. Number of teachers will increase from 1,788,000 to 2,286,000.

4. Nationwide teacher average salaries would increase from $6830 to $10,711 in 1967 prices, plus such cost-of-living adjustments as might be needed.

5. Nonteacher instructional staff would increase from 188,000 to 1,523,000 including 1,100,000 paraprofessionals, or one for every two teachers.

6. Classrooms would increase from 1,653,000 to 2,285,500.

7. Total nationwide outlay would increase from $28.3 billion to $70.1 billion.

8. Changes in sharing of costs:

In 1967, local and State pay 91.9 percent, Federal government pays 8.1 percent.

In 1977, local and State shall pay 61.1 percent, Federal government shall pay 38.9 percent.

9. The program is very well within our economic and financial capabilities.

10. The economic growth dividend should pay for the program, with freedom and flexibility at the State and local level.

American Federation
of Teachers, AFL–CIO,
Washington, D.C., April 16, 1969.

Re AFT Keyserling study.

Greetings: In an address entitled, "Federal Education Legislation Trends", by Francis D. Murnaghan, Jr., President, Board of School Commissioners of Baltimore City, given on April 13, 1969 at the National School Boards Association Annual Convention the following excerpts are reproduced verbatim.

THE AMERICAN FEDERATION OF TEACHER'S 10-YEAR PLAN TO SAVE THE SCHOOLS

"This past fall, the American Federation of Teachers unveiled its Ten-Year Plan to Save the Schools. Leon H. Keyserling, former Chairman of President Truman's Council of Economic Advisers, was commissioned by the A.F.T. to develop the Ten-Year Plan. The Plan is perhaps the most carefully authenticated and thoughtfully presented analysis to date of the urgent needs of our elementary and secondary schools, of the top national priority our education needs must be given, and—for the first time—of the capacity of our national economy to meet those needs.

"Like the Research Council's Federal Foundation, the A.F.T.'s Ten-Year Plan sets a program goal. Instead of bringing each school district up to a minimum per pupil investment, however, the Plan insures that each state's average education will be at least equal to a nationwide minimum standard of equalized excellence. Under the Plan, by the end of 1977 each state would be spending an average of $1534 per pupil. The nationwide cost of this investment would be $70.1 billion with the federal government paying approximately 40 percent of the total cost.

"Keyserling uses an equalization formula to allot the federal portion of the Plan's funds among the states. He does not base his formula, however, on a states wealth, but rather on its proven economic capacities. Keyserling shows that some states with high measurable wealth have demonstrably low capacities for economic growth and vice versa. Thus, he takes as his measure of a states need for federal funds: (1) the increase in total investment in education the state must undertake before it is spending an average of $1534 per pupil, and (2) the financial capacity of the state as measured by its recent economic growth. For each state, the two factors are taken into consideration, a determination is made as to the yearly rate of increased investment in education required to enable the State to reach the $1534 level by 1977, and a calculation is made as to the proportions of state and federal contribution to the yearly increase.

"One of the most significant contributions that Keyserling makes in his demonstration of how well within the nation's economic capacities it is for us to fulfill our commitment to an equal educational opportunity. Each state would continue its present annual rate of growth in its investment in education, no radical change. Each year, the federal government would add to the total state contribution a total amount of funds, nationwide, equal to only its present level of investment in education plus 7.5 percent of the increase in the gross national product (7.5 percent of our annual "economic growth dividend"). Assuming a steady rate of increase in our GNP (a rising rate is more probable), the Ten-Year Plan would maintain our present ratio between federal expenditures and our total national production. The Ten-Year Plan would require no additional federal taxes but would find the source of increased federal investment in education in having the same tax rates applied to the normal, annual increase in our GNP.

"In the thoroughness, statistical basis, and careful economic orientation of its argument, the Ten-Year Plan adds a new depth to the movement for massively increased federal investment in education. Any organization who would enter the debate in favor of increased federal investment will do well to build on the firm foundation provided by the Ten-Year Plan. All who would deny the need for massively increased federal aid or challenge our capacity to afford massivey increased aid to education must answer the Plan's persuasive arguments.

THE NEXT STEP: POLITICAL ACTION

"Individuals and organizations committed to significantly improving the level of federal investment in equal educational opportunity must now develop an awareness of the need for concerted political action. Educators and laymen who are interested in education have often tried to divorce the process of teaching our children from the process of fighting in the political arena for increased education funds. Now we recognize that money is the fuel on which our schools, like most things in our society, run. We can develop innovative curricula, do research into the fascinating problems of education, and hold conferences to exchange important ideas and information; but our children will not get the education that they deserve, and that our mation, as a matter of enlightened self-interest, needs to give them, until our school districts have adequate financial support. Many of us interested in education also used to have a fear of the strong hand of federal control over our local school districts. Today, however, we recognize that federal education programs, inadequate as they have been, have given us new freedoms, not new controls. They have given us the freedom to develop programs, to train and hire staff, and to buy equipment that we could not other wise afford. Federal programs enable us to give more of our children an equal educational opportunity. Funds are not freely given to us, however; we must fight for them in competition with other popular, politically aware, and powerful interest groups."

Fraternally,

Carl J. Megel,
Director of Legislation.

THE ANTI-DEFAMATION LEAGUE AND THE WAR ON POVERTY

(Mr. PERKINS asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. PERKINS. Mr. Speaker, the Anti-Defamation League of B'nai B'rith, an organization whose good work and accomplishments are well known to all of us, recently provided the Committee on Education and Labor with a most eloquent and pursuasive statement in support of the extension and expansion of the Economic Opportunity Act.

We are urged by the Anti-Defamation League, as we have been urged by other interested and concerned national organizations, to intensify our commitment to end poverty in America, by continuing and expanding Job Corps, Headstart, Legal Services, and other antipoverty programs which "have all made a significant contribution toward the elimination of poverty" and "have given the poor renewed hope and encouragement for the future."

Because I feel that this very excellent statement deserves a very wide audience, I should like to share it with my colleagues. The statement follows:

Anti-Defamation League of
B'nai B'rith,
Washington, D.C., May 8, 1969.

Hon. Carl D. Perkins,
Chairman, House Education and Labor Committee, Rayburn Office Building, Washington, D.C.

Dear Congressman Perkins. The Anti-Defamation League of B'nai B'rith welcomes this opportunity to submit its views on the proposed amendments to the Economic Opportunity Act of 1964.

The Anti-Defamation League is the educational arm of B'nai B'rith which was founded in 1843 and is America's oldest and largest Jewish service organization. It seeks to improve relations among the diverse groups in our nation and to translate into greater effectiveness the principles of freedom, equality and democracy. It is dedicated to securing fair treatment and equal opportunity for all Americans regardless of race, religion, color or national origin.

From the very beginning of the war on poverty ADL has joined with many religious, educational, civic, labor and other organizations in a united and determined effort to help combat and eliminate poverty in the United States, and to help build an America in which every individual would have the opportunity to share in the abundance

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of our society and the chance to develop to his fullest potential. On July 14, 1967, we submitted a statement to this Committee affirming our support for the anti-poverty program "as a major aspect of the fight for equality of opportunity and freedom from discrimination." At that time we cited many of the successes and advances made in the struggle to reduce poverty in America saying:

"A new vocabulary and new concepts—Head Start, Upward Bound, Vista, Job Corps—unheard of before OEO came into existence not quite three years ago, are now commonplace in the American lexicon. But they are more than mere words and ideas. They have given new meaning to the lives of millions of Americans and opened new vistas for the less fortunate among us."

In 1963, before the Office of Economic Opportunity came into being, there were 35.4 million poor people in this country. By the end of 1967, a little more than three years after the enactment of the Economic Opportunity Act of 1964, this number had been reduced to 26.7 million. And in its year-end report for 1968, OEO estimated that an additional 4 million Americans succeeded last year in climbing above the poverty line. While these statistics are impressive, they cannot obscure the central fact that the dimension of poverty in America is still staggering.

In his message to the Congress on February 19, President Nixon affirmed that "the blight of poverty requires priority attention . . . It cannot and will not be treated lightly or indifferently . . ." If we are to give that priority to our antipoverty efforts, we believe it is essential that OEO be continued and strengthened as the central agency for coordinating and directing the war on poverty and that it be given adequate funds so that it can be even better equipped to do battle with the deep-rooted problems of poverty.

During the less than five years of its existence, OEO has provided creative and constructive overall direction of the war on poverty. It has prodded other agencies into undertaking new programs and modifying and changing out-dated philosophies. As an innovator and experimenter in the laboratory of poverty OEO has been the acknowledged leader. Through its community action program it has given the poor a voice in the processes of democracy. Through its Neighborhood Legal Services program the poor have been able to secure greater justice in the market place and the law has been fashioned into a tool for needed social reforms. Last year alone, neighborhood health centers brought comprehensive health service programs to an estimated million people in poor neighborhoods. Head Start has spotlighted the crucial importance of the child's earliest years in his subsequent growth and development. And the Job Corps has helped thousands of young people to break out of lives of idleness and despair. These programs have all made a significant contribution toward the elimination of poverty. But more important, they have given the poor renewed hope and encouragement for the future.

To be sure, not all of OEO's programs have been successes or free of shortcomings. Indeed some have been the subject of justifiable criticism and have fallen short of their intended mark. But when we deal with new and untried programs, failures can be anticipated. As President Nixon said in his February 19th anti-poverty message, "We often can learn more from a program that fails to achieve its purpose than from one that succeeds. If we apply those lessons, then even the 'failure' will have made a significant contribution to our larger purposes." The effectiveness of the anti-poverty program will ultimately be judged in the annals of a generation and it is important therefore that while we do not ignore the mistakes, we dwell less on the past and instead look ahead to the future.

If we are to fully honor our national commitment to launch a frontal full-scale attack on poverty, we must be willing to provide the funds necessary to do the job. The cost of eliminating poverty will not be cheap, but it will be small when measured against the price already paid by society in human suffering, misery and degradation. For who can measure the cost of a young child's dulled mind, the untimely death of a mother in childbirth because she lacked the availability of our vast stores of modern medical knowledge, or the skilled craftsman who never came to be because a young man was denied job training and education. In face of the massive effort needed if we are to eradicate poverty from our midst, the budget request of slightly more than $2 billion to carry on OEO's activities during fiscal 1970 must therefore be viewed as a minimum.

Like others who have voiced their reservations, we too are concerned over the plan to save $100 million by closing down 59 Job Corps training centers and reducing by approximately one-third the number of youths to be trained in the remaining 54 centers as well as in the 30 new smaller urban centers to be opened later in the year.

Last year according to OEO, more than 67,000 "out-of-school, out-of-work" young men and women, 16-21, received training in Job Corps centers. For all their problems the Job Corps centers have seen thousands of society's would-be dropouts go through their doors and on to useful lives in industry, schools and the military. We believe we can ill afford to shut these doors on these young people.

The establishment of OEO represented a commitment on the part of our government to help America's poor and disadvantaged who have too long been excluded from the mainstream of American life to break out of the cycle of poverty. OEO has served as their spokesman at the highest levels of government and has been a symbol to them that they are no longer forgotten. It is the one agency in government whose sole constituency has been the poor and the young, white and black alike. And more than any other government body, it has awakened the national conscience to the shame of poverty in America. For these reasons the Anti-Defamation League renewed its support for an expanded anti-poverty effort just last month when at its 56th annual National Commission meeting held here in Washington it adopted a resolution urging that the federal government intensify its commitment to end poverty in America by continuing to fund and strengthen all programs which help our nation's disadvantaged and which will provide a more rewarding life for all Americans.

We hope that Congress will do its share as a full partner in the effect to eliminate poverty by giving OEO the needed authority and wherewithal to continue the task which Congress entrusted to it five years ago. The story of those five years clearly demonstrates that OEO can do the job if given the necessary support.

We respectfully request that this statement be included in the printed record of the hearings.

Sincerely yours,

Samuel Dalsimer,
National Chairman.

ISRAEL'S POSITION ON PEACE TALKS

(Mr. BURTON of California asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. BURTON of California. Mr. Speaker, on April 2, the San Francisco Examiner ran an editorial entitled "Israel's Position on Peace Talks." In the weeks that have intervened, the wisdom of the position outlined in this editorial has become more and more apparent.

As one who is gravely concerned with the question of peace in the Middle East and unsweringly committed to the preservation of the territorial integrity of Israel and the safety of her people, I am taking the liberty of placing the text of the San Francisco Examiner editorial in the Record at this time:

Israel's Position on Peace Talks

The Big Four—the United States, the Soviet Union, Britain and France—are preparing to meet at the United Nations in an effort to settle the 20-year-old Middle East dispute.

Israel has made it known, in advance of the meeting, that she will reject any settlement that prejudices her national security and that the Middle East problem must be settled in the Middle East, not at the United Nations.

This last contention is in line with U.S. policy. The State Department has made it clear that a final settlement of the Arab-Israeli issue can be reached only among the warring parties. Thus the Big Four meeting is, by U.S. standards at least, limited in its function and effectiveness.

The Israeli declaration is based on a realistic appraisal of this limitation. Israel has reason to be skeptical of "settlements" arrived at by those not immediately concerned in the Arab-Israeli dispute. In 1956 Israel withdrew from Egypt's Siani Desert on the basis of U.S. promises that she would be allowed use of the Suez Canal and that other conditions of peace would be met. Egypt rejected the U.S. "settlement" and the promises to Israel were not kept.

For 20 years the U.N. was unable to stop Syrian bombardment of Israel from the Golan heights. The bombardments ceased when the heights were seized by Israel in the 1967, six-day war. In addition, the war gave Israel a cease-fire line on the Jordan River, a far more realistic border—in terms of national security—than the fragile, unnatural boundaries that existed before 1967.

Thus, on the basis of experience, Israel has no intention of placing her future in the hands of the U.N., nor should she. The Big Four meeting should acknowledge this and realize that the best contribution it can make to the Middle East dispute is to stay out of it.

If the Soviet Union insists on pouring arms into the Arab states, the Israelis should have access to arms on the open market. In this manner she will take care of herself.

As regards peace, the Arab-Israeli issue can only be settled by talks between Arabs and Israelis, and the sooner everyone realizes this the better.

AMERICA'S FOOTWEAR INDUSTRY AT THE PERIL POINT

(Mr. WYMAN asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. WYMAN. Mr. Speaker, supplementing my earlier remarks today on the crisis facing the American footwear industry, I include in the Record at this point, first, a fact sheet on leather and vinyl footwear; second, a list of New England shoe plants closed due to imports; and, third, the text of an open letter to President Nixon requesting that steps be taken to enter into negotiations

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with foreign supplying nations directed toward the establishment of voluntary import limitations so the shoe manufacturing industry of the United States may continue as a healthy and viable segment of our economy.

This situation cries out for responsible alleviating action. The case for affirmative relief for the American footwear industry is compelling. Every Member of Congress should join in this action to defend and protect American workers and employers from the prospect of bankruptcy and liquidation.

The material follows:

FACT SHEET ON LEATHER AND VINYL FOOTWEAR

1. Footwear imports are increasing at an alarming rate, while exports are insignificant.

	Imports		Exports	
	Pairs	F.o.b. value	Pairs	F.o.b. value
Year:				
1955	7,810,000	$13,571,000	4,639,532	$14,362,113
1960	26,617,000	53,257,000	3,244,316	9,399,731
1965	87,632,000	118,478,000	2,491,038	7,829,566
1968	175,438,000	328,543,000	[1] 2,417,290	[1] 8,076,142

[1] Estimated.

2. Growth of domestic footwear manufacturing has been almost halted by imports. U.S. footwear production for the first four months of 1969 is off 9.5%. Output for 1969 is now estimated 595 million pairs, or only 10 million pairs more than in 1955.

3. Footwear imports for 1975 have been projected to reach 468 million pairs.

A. This would be 48% of an estimated consumption of 97 million pairs of footwear in 1975.

B. This would amount to 90% of an estimated domestic production of 519 million pairs of footwear in 1975.

4. The imbalance in footwear trade is caused mainly by the wide wage differential existing between the U.S. footwear industry and those in foreign countries. Average hourly labor costs for 1968 including fringe benefits are estimated as follows: U.S., $2.62; Italy, $1.04; Japan, 58¢; and Spain, 56¢.

5. Footwear imports mean a growing loss of job opportunities in the U.S. footwear manufacturing industry. In 1968, 64,200 job opportunities were lost because of footwear imports. By 1970, imports are expected to eliminate 80,500 job opportunities; and by 1975, they could mean a loss of 168,600 job opportunities in footwear manufacturing.

6. The U.S. footwear manufacturing industry employs many unskilled workers from groups where unemployment is greatest. With a decline in domestic production and employment as imports grow, the industry will offer no opportunities for jobs as critical unemployment problems mount.

7. Industries with much greater growth, equal or better profits, and with less import penetration than footwear have received help (see attached table).

Cotton and steel have voluntary bilateral quotas. Wool apparel and manmades have been promised voluntary quotas by President Nixon. Dairy products, meat and oil have quota programs.

8. The U.S. footwear manufacturing industry is deeply concerned with the unfairness of two trade policies: free trade for industries which have not been able to muster sufficient political power and a protectionist policy for those that have powerful political constituents. This is completely discriminatory and contrary to American ideals of justice and fair play.

Commodity	Growth			Profits (percent)		Market penetration by imports (percent)
	1958	1968	Percent increase	1958	1968	
Gross national product [1] (billions)	[1] $447.3	[1] $860.7	+92.4			3.8.[1]
Total industrial products [1] (indexes 1957–59=100).	[1] 93.7	[1] 165.3	+76.4	4.2	5.0	
Steel [2] (index 1957–59=100)	[2] 87.8	[2] 134.6	+53.3	5.4	4.5	16.7.[3]
Textile mill products (indexes of products 1957–59=100).	[4] 94.3	[4] 151.3	+60.4	[1] 1.6	3.1	
Apparel and related products (indexes of products 1957–59=100).	[4] 95.3	[4] 149.9	+57.3	[1] 1.0	2.4	Cotton apparel: 8.1.[3] Wool apparel: 7.5.[3]
Manmade fibers [2] (indexes of products 1957–59=100).	[2] 89.6	[2] 365.0	+307.4	([5])	([5])	4.4.[3]
All footwear (millions of pairs)	[6] 587.1	[6] 645.9	+10.0	[7] 2.1	[8] 3.2	21.4.[3]
Shoes except slippers (millions of pairs)	[6] 516.5	[6] 539.0	+4.4	([5])	([5])	([5]).

[1] Economic Report to the President, January 1969.
[2] Survey of Current Business.
[3] NFMA estimates based on U.S. Department of Agriculture and U.S. Department of Commerce official statistics.
[4] Federal Reserve Board.
[5] Not available.
[6] Current Industrial Reports, "Shoes and Slippers," U.S. Department of Commerce.
[7] NFMA survey of 125 representative footwear manufacturers.
[8] Preliminary.

NEW ENGLAND SHOE PLANTS CLOSED DUE TO IMPORTS

Companies which have ceased operations due to "imports competition," published in the trade papers:

Sanford Shoe Company.—Sanford, Maine, Subsidiary of A. Sandler Company, "We can't compete successfully . . . because of the tremendous volume of imports."

Fronia Shoe Company.—Martin & Tickells Shoe Co.—Dover, N.H. "Closed plant due to imports."

Dartmouth Shoe Company.—Brockton, Massachusetts, "Shutdown due to influx of imports."

Pittsfield Shoe Company.—Newmarket, New Hampshire plant, "Closing due to drop in orders because of heavy imports."

David Shoe Company.—Lynn, Massachusetts. Forced to liquidate company because "we just can't compete with imports any longer, especially from the Orient . . . Five years ago there were probably six or seven factories in New England, making our grade shoes. Today, with our closing, there aren't any left."

Shapiro Bros. Shoe Co.—Auburn, Maine. In closing its volume factory the Shapiro spokesman said "imports forced us to close our second plant." This company continues to operate its Lo Sarge Footwear Corporation subsidiary plant producing women's branded shoes retailing between $15 and $20.

Caswell Shoes, Inc.—Lynn, Massachusetts. Note: This company closed May 9, 1969 and no statement has as yet appeared been published. This company's Montclare Shoe Division liquidated its operations late in 1968.

MAY 21, 1969.

THE PRESIDENT,
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: The undersigned have become acutely aware of the intensive foreign competition now facing the United States shoe manufacturing industry. We are particularly interested in this industry because of its high labor content. There are over 1,100 factories located in over 600 communities—the vast majority of which are small towns where shoe manufacturing is the major source of income and employment. There are already signs of the damage which has been done to medium and small manufacturers—the backbone of this employment.

The full magnitude of this problem and the threat which it presents is apparent and becoming increasingly severe. In the first half of 1969 seven New England shoe factories closed, with imports an important factor in each case. Evidence indicates that there will be more. Total imports of foreign leather shoes (non-rubber) which entered the United States in 1968 were over 36 percent greater than in 1967. Since 1960 shoe imports have increased by 600 percent. Imports equalled almost 28 percent of the total domestic production in 1968. We have every reason to believe that, if unchecked, this rate of increase in shoe imports will continue to absorb the industry's growth in domestic footwear production and will continue to cause a loss of job opportunities for American shoe workers.

This problem is of immediate and critical proportions. We therefore, respectfully ask that you take steps to enter into negotiations with principal foreign supplying nations directed toward the establishment of voluntary import limitations so that both now and in the future the shoe manufacturing industry of the United States may continue as a healthy and viable segment of our economy.

To quote Secretary Stans in a different although related context, "we do not seek to close our market. We do seek to establish some order in the marketing process that will permit all suppliers, foreign and domestic, to share equitably in the growing demand."

Sincerely,

———— ————.

CRISIS IN MILITARY LAWYER RANKS

(Mr. PIRNIE asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PIRNIE. Mr. Speaker, as I indicated in remarks on May 12, the dawn of a new day is fast approaching as far as the legal rights of our service men and women are concerned. An August 1, the Military Justice Act of 1968 becomes effective. On that date military lawyers around the world will take on the new, more demanding responsibilities of providing counsel at nearly every stage of pretrial and trial proceedings required by this landmark act. To fully meet the letter and spirit of this law, approximately 800 additional military lawyers will be necessary.

I have introduced legislation—H.R. 4296—to insure that the military services will have enough experienced lawyers to do the job properly. The Department of Defense is reported to be reviewing many other areas where alleged officer specialty shortages exist and I recently read that an alternative approach to my bill will be offered by the Department. Last week's Army Times lead editorial entitled "Officer VRB" outlines some of the developments which have been and are presently taking place about this subject. I think it will be of interest to my colleagues. The editorial follows:

OFFICER VRB

The Pentagon is warming up to an officer bonus system that would parallel, in most respects, the enlisted variable re-up bonus (VRB) program. The basic idea is that as a severe shortage of a particular officer job group threatens, or develops, the Pentagon would offer a VRB-type bonus to certain officers in that skill, to remain longer in service.

With Defense's approval, each service would offer bonuses, within limits, to the groups it felt were the most critical. When the manning situation eased enough, the faucet would be turned off—no more bonuses in that particular skill, at least for a while.

What it amounts to is an extension to officers generally of the kind of authority already provided to medical officers through their special bonus. Similar authority also is about to be provided Navy's nuclear submarine officers.

A special bonus bill taking care of the latter group is awaiting Senate action.

Rep. Alexander Pirnie (R.-N.Y.) has been pushing for extra money and credit for JAGs and other military officers who have spent several years and considerable expense acquiring advanced degrees.

His drive is credited with interesting the Pentagon in considering the broader approach—that is, to base the bonus payments on each service's job needs and let the military decide which groups should receive bonuses.

Congress may not like the idea of granting such broad authority, but it did it in the enlisted VRB program. And it is the only feasible way to do it.

The bonus idea, though certainly not a cure-all for all retention woes, apparently has produced some modest improvements in retention in skills where it has been turned on. It has not been shut off in enough of them, however, to provide a good reading on what happens when it is withdrawn.

In any event, the basic idea of an officer VRB seems sound and we hope the government firms it up.

I am very pleased that the Department of Defense is finally giving serious thought to this problem. However, I want to emphasize that while I am certainly interested in seeing all the retention problems of the services solved, I have not in any way relinquished my belief that H.R. 4296 represents the best approach to the lawyer retention problem. We must be wary of the oversimplistic comparison of apples and oranges. What is necessary to retain junior submarine officers for example, may not be the correct approach to the lawyer retention problem. I am not very enthusiastic about applying a one-time, limited discretionary bonus plan to all the situations needing attention. On the other hand, if the Department feels that a general approach is more desirable, I will give it objective consideration and support it provided it is truly responsive to the JAG retention problem.

As I indicated earlier, the effective date of the "Military Justice Act of 1968," namely August 1, is close at hand.

SOMETHING OLD; NOTHING NEW; MOST OF IT BORROWED, AND WE'RE ALL BLUE

(Mr. PODELL asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PODELL. Mr. Speaker, it is with sadness that I note a lack of initiative on the part of our Government in terms of making the first move in Vietnam. Eagerly I awaited President Nixon's most recent pronouncement, only to find out that I have heard this song before, played on a similar instrument by a different musician. Clearly the message came across to my own ear, and the music does not cast its spell. So I shall answer it with another familiar refrain.

Our cities are choking and collapsing in upon themselves. Traffic grows worse and pollution heightens everywhere. Mass transit is starving for Federal funds. Our water is foul and our air noxious with pollution and filth. Housing in the cities is bad and getting worse. All the while, the President is carving apart every basic program aimed at aiding us in our struggle against these evils. Urban guerrilla warfare in our cities looms as a distinct possibility. We do not require an ABM, main battle tank or advance manned strategic aircraft. We want and must have tax reform, antipollution programs, low-cost housing, aid to mass transit, and a total reversal of social priorities nationally. Most of all, we do not need 542,000 troops in Vietnam. It is the established opinion of many observers, including military attachés of friendly foreign states on the spot, that we could withdraw upward of 50,000 troops without harming our military effort there. This would be a beginning, as well as a moneysaver. Simultaneously, we would serve notice upon our opponents that we are ready to and will take the initiative toward peace. When one discovers that construction units are building massive movie theaters, we can understand what is really going on.

Our substance should be spent here at home rather than abroad in the quicksand of an Asian war. I am sick unto death of militarism and all its works, particularly its technical failures in the name of national defense. I am disgusted with an establishment which prattles of patriotism as it lacks the courage to enforce contracts when military contractors fail to perform.

How many times have these gentlemen trooped up to Capitol Hill, whining their tired old excuses about victory being just around the corner, as they hide latest casualty lists in some convenient rathole? How many times has this Congress blindly fallen into line and agreed to vote them sums which have been torn from the toil of the mass of our people? How many more times will we supinely allow these honorable men to assassinate truth so they can keep the money for Mars, god of war, flowing freely? The god of war is a harsh master, indeed. He is more demanding of his slaves than any narcotics pusher. He demands ever more of our substance to be shoveled frenziedly into his gaping, voracious maw.

Blindly we obey, pouring the struggled-for fruits of our labor down his insatiable throat. Fed in this manner and bursting with new energy, he stalks our land and our world, sword in hand, always demanding fresh sacrifices. And we feed him, washing our hands afterward and calling it patriotism, victory, and noble sacrifice.

Death and pestilence match Mars stride for stride and portion for portion. Sorrow and heartbreak are their outriders. Where they walk, there is no peace. Where they touch, there is no life. Where they pass, there is no happiness.

Is this the America my forebears loved and came to as a haven? Is it America the golden and America the adored? Is it America the shining light to the world?

In the past, that America shunned the embrace of these macabre figures as it shunned dictatorship, militarism, and censorship. Now we eagerly leap forward to clasp them to our national bosoms, so we may partake of their bounty. Graves, agony, and shame are our lot, and I, for one, will have no more part in it. I shall not abide such a horror any longer. It is time for President Nixon to start acting as a statesman and lover of peace. Let the withdrawals begin.

THE SURTAX HOAX

(Mr. PODELL asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PODELL. Mr. Speaker, the administration has come before the tax-writing committee of this House, requesting an extension of the income tax surcharge for another year. I see no reason why we should continue to load down America's lower- and middle-income taxpayers with this obnoxious extra tax, particularly in light of another option available to us, meaningful tax reform. Such reform would make enough revenue available to the Federal Government to replace that lost through abolition of the surcharge.

How ludicrous to squeeze people further for expenditures which are increasingly being funneled into arms spending at the cost of domestic demands. How self-defeating to turn our backs completely upon a national outcry for tax reform. From every corner of the Nation these voices are heard with greater clarity and urgency. People want to see loopholes now making a mockery of our tax system closed in the faces of the few who are profiting by them at expense of all the Nation.

Instead of moving forward in this area, we are presented with the spectacle of highest authority requesting continuation of our most unfair tax. Millionaires

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still pay no taxes in too many cases. Why? Because no provision has been made for minimum tax. The oil depletion allowance daily bleeds the average American white. Individual oil companies thumb their corporate noses at our tax laws through domestic and foreign depletion allowances. So while the average wage earner pays and pays, including the 10-percent surcharge, oil companies write off for domestic tax purposes 27½ percent of all oil they produce overseas.

And these new directions Mr. Nixon so often lectured us about during his campaign? As I panted under the effect of his eloquence, I expected more than this. Let us be charitable and apply a heavy cosmetic coating to motives. Yet at the same time, let us not lose this golden opportunity to aid the "Forgotten American" Mr. Nixon spoke of so often when he ran for the Presidency. That "Forgotten American" is paying appalling taxes, and continuing the surcharge while denying him tax relief he is demanding, is worse than the same old thing. Instead of unloading part of his burden, Mr. Nixon proposes to whip him harder.

Mr. Speaker, we have studied tax reform until there is print on our eyeballs. We know what is wrong and how to correct it. We are aware of how unnecessary the surcharge is in the face of our choice of tax reform. At long last we have a chance to do something our people desperately want. What are we going to do?

It is intriguing to note that the administration and its champions are much taken with honesty and morality in the name of the people. They charge through already open doors with fierce, virtuous shouts. Well, here is a living, breathing challenge to their reform instincts. Will they take an easy way out in the form of continuing the surcharge? Or will these ardent champions of virtue and justice do something for people they are so eager to protect from various ghosties and ghoulies and things that go "boomp" in the Capitol. Crying virtue is one thing. Changing an evil situation is another.

Tax reform is what is called for, and we can begin with total abolition of the oil depletion allowance, both domestic and foreign. Let us give people of our cities some tax relief, and let the oil barons weep their crocodile tears to the wall. Let them offer feeble excuses and loose salvos of pliable statistics to a new wailing wall, with no loopholes in it. Let us see what Mr. Nixon does now.

LIMITATION ON FARM LOSS DEDUCTIONS

(Mr. SCHWENGEL asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. SCHWENGEL. Mr. Speaker, during recent months, the House Committee on Ways and Means has been engaged in a serious and much needed study of the Federal tax structure. The committee is to be commended for such an arduous undertaking. Now, everyone is anxious to see the type of reform bill that the committee will report.

One measure that must be included in any overall reform program is the curtailment or, hopefully, the complete abolition of the tax gimmick whereby wealthy individuals and corporations are able to set up farm and ranch operations purely for tax reduction purposes. These high-income taxpayers are able to manipulate their activities so that they will be able to report large farm losses as offsets to their nonfarm income. These are not genuine economic losses but rather manipulated losses which enable them to take advantage of the tax laws.

In order to insure a stop to this type of willful manipulation, I have cosponsored H.R. 8952, which several other Congressmen and I introduced on March 13, 1969. Although other bills have been introduced in order to correct this abuse, it is my belief that H.R. 8952 is the proposal that most clearly merits consideration and passage.

An examination of the general provisions of the bill, and the objectives of the bill, show conclusively why I believe that my approach is more adequate than other proposals.

Mr. Speaker, H.R. 8952 provides generally that, for taxpayers who are not engaged in the business of farming as their principal business activity, the deductions attributable to farming may not exceed the gross income from farming. If the individual has his principal residence on the farm, he may deduct his losses up to the amount of his gross income from the farm, and royalties from property on which the taxpayer's farming operations are conducted.

An individual is deemed to be engaged in farming as his principal business if the net income from farming in the 3 preceding years—or so many of such preceding years as the taxpayer was engaged in farming—is at least two-thirds of his total net income for those years.

I fully realize that certain circumstances require some deviation from general rules. H.R. 8952 takes such circumstances into account. The bill does not disallow any deductions attributable to: First, drought, flood, hail or other abnormal weather conditions, disease, fire, storm, other casualty, or theft; second, research or experimental farming operations sponsored by the Federal or State department of agriculture or agricultural school; and third, to farming operations of egg or broiler production.

Also, a temporary exemption from the application of the bill is provided for a farming enterprise if it is acquired from a decedent or by foreclosure, or if it is part of an estate that had been used principally for farming by the decedent. This exemption of a few years will allow the taxpayer who acquires the business an opportunity either to sell the business or put it on a profitmaking basis.

H.R. 8952 does not set forth specific statutory language dealing with taxpayers engaged in more than one farming enterprise, or to a business of farming carried on by a partnership or small business corporation. The bill provides that these situations should be governed by regulations set forth by the Secretary of the Treasury. However, the bill requires that the regulations must provide that income and deductions of a partnership or small business corporation shall be treated as the income and deductions of the partners or shareholders.

The bill applies to taxable years beginning after 1969.

What are some of the serious consequences of allowing the wealthy to continue reducing their taxes by charging off farm losses against nonfarm income?

Other taxpayers must bear a heavier part of the tax burden necessary for financing the operation of the Government. Other economic and social distortions result. The most adverse of these is the resulting distortion in the farm economy.

As a result of an unwarranted tax benefit, wealthy individuals are able to undercut the ordinary farmer or rancher and make it more difficult for him to obtain a favorable price for his products. Moreover, these high income individuals bid up the price of farmland and ranchland. This creates additional cost to the ordinary farmer or rancher who wishes to buy land for legitimate agricultural purposes.

Individual income tax returns show that the losses incurred by farm businesses increase substantially relative to profits for taxpayers in the high income groups. For example, according to preliminary Internal Revenue Service data for 1967, individuals with incomes up to $20,000 had net profits of $4.9 billion and losses of $1.8 billion. Thus, for these income classes, profits were three times larger than losses. But when we look at taxpayers having incomes over $100,000, we see that profits were only about a fourth as much as losses. Profits amounted to $25.6 million and losses $93.4 million. Moreover, there were 4,363 taxpayers with incomes over $100,000 that incurred farm losses compared with only 1,304 individuals in the same income brackets that reported farm profits. If we look at nonfarm businesses, we see the reverse situation. Individuals in nonfarm business with incomes over $100,000 had profits six times larger than losses.

It is difficult to believe that individuals in the high-income groups can continue to incur substantial farm losses year after year while other businesses are substantially more successful.

Large-scale advertisements and other literature that discuss how wealthy individuals can save money by incurring losses in farm operations are further evidence that the farm loss deduction is used as a lucrative loophole by the high-income individual. It is not fair to other heavily burdened taxpayers to allow this tax avoidance to continue. H.R. 8952 is designed to eliminate this inequity from the tax structure.

As I already mentioned, other bills have been introduced to eliminate or reduce the opportunity of wealthy taxpayers to use the farm loss deduction for tax-saving purposes. One leading proposal would place a dollar limit on the

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deduction of the farm loss against nonfarm income. It would further exempt from the bill taxpayers who use the accrual method of accounting as opposed to the cash method of accounting. This proposal, however, would have the effect of compelling many taxpayers who are not now abusing the law to adopt the more complex accrual method of accounting.

The Treasury Department has also set forth a recommendation in its April 22 statement before the House Committee on Ways and Means. I welcome the recognition by the Treasury Department that the farm loss deduction is abused by high-income individuals and to a growing extent by corporations.

The current Treasury Department proposal is similar to one that was proposed by the administration in 1963 and received widespread opposition. It failed then to be recommended by the House Ways and Means Committee. It has several weaknesses. It would apply to legitimate farmers and ranchers as well as those abusing the tax laws. It permits the deferment of excess deductions in the taxable year to subsequent years—which provision will certainly enable those who now abuse the deduction to manipulate their accounts and transactions to take advantage of the provision. Third, although it allows deductions for uncontrollable expenses such as for droughts, these expenses will have the effect of reducing the maximum amount of other allowable deductions by legitimate farmers and ranchers in subsequent years.

In conclusion, I would like to say that it is obvious that certain taxpayers in high-income groups and also some corporations have invested in farming and ranching operations solely for purposes of deriving tax benefits. This has been recognized by the Treasury Department, many Congressmen, legitimate farm organizations, and others. Various proposals have been made to correct this type of abuse. All of these proposals have their merits. However, H.R. 8952, which I have cosponsored, and the comparable Senate bill (S. 1560), which my distinguished colleague from Iowa, Senator Jack Miller, introduced, constitutes, I believe, the best approach to halting the abuse. I earnestly hope the Committee on Ways and Means recognizes the superiority of these bills and recommends a similar approach in its forthcoming tax reform package. If not, I hope the Congress will take immediate and appropriate action.

TAX REFORM

(Mr. MILLER of Ohio asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. MILLER of Ohio. Mr. Speaker, tax reform is one of the major movements developing in this session of Congress. The Federal tax laws have not been extensively reviewed or revised since 1954. The mail received by most Members will attest to the mounting indignation expressed all over the country about the loopholes and inequities that permit many wealthy people to pay minimal or no taxes at all, while lower- and middle-income groups carry most of the tax burden.

The Committee on Ways and Means has just completed extensive hearings on tax reform. These hearings have disclosed abuses of the exemptions granted to large educational and charitable foundations. Also illuminated were the inequities of tax-sheltered trust funds, farm-loss deductions from other profitable enterprises, and exorbitant charitable deduction provisions. All of these devices operate to the advantage of the wealthy and increase the tax load on the average wage or salary earning family and small businessman.

We must make our system of collecting taxes as fair, simple, and equitable as possible. We must restore public confidence in the fairness of the tax structure. There should be nothing partisan about a more equitable tax system. The Nation is demanding action on this important matter.

COMMENCEMENT ADDRESS BY SENATOR MARLOW W. COOK

(Mr. CARTER asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. CARTER. Mr. Speaker, I would like to recognize the comments of the junior Senator from Kentucky, Hon. Marlow W. Cook, during a commencement address given to Bellarmine College, Louisville, Ky.

His speech was interesting and quite stimulating and, I think, is worthy of attention and study by the Members of the House.

Commencement Address by Senator Marlow W. Cook at the Bellarmine College Commencement, Louisville, Ky., May 14, 1969

On this, the day you bid farewell to this institution of your choosing I am confident that you are thinking back of your four years here, of both the good times and the bad times, the successes and the opportunities lost, the men or women you have known including those you are about to marry and those you will only occasionally think of again, the courses you have excelled in and those you barely passed or worse. In a way I hesitate to interrupt the nostalgia of the moment but the issues of the day require that I bring you to the present and beyond, to examine the future of our nation and its institutions, in particular the college campus.

All around us authority is being challenged. This includes the previously accepted omnipotence of the family, the church, the government and most dramatically the university, where the challenge to authority has most blatantly crossed the boundary between peaceful protest and violent disruption. And it is therefore to this institution that we should direct our examination today. Exploring the sources of discontent and recommending some remedial course of action would seem to be in order on a commencement day such as this.

As we all know, student unrest is not solely an American phenomenon. In recent years England, Germany, Italy, Spain, Mexico and Japan have experienced such uneasiness and for decades students in Latin America have, at times, even brought down governments. Since we cannot assume that students all over the world are irrational, violent creatures which is, of course, ridiculous, then it is necessary to attempt to uncover the causes of discontent. This is required before we can make a rational judgment as to how to deal with them. Let us examine some of these sources of unrest.

To many students the source is inextricably intertwined with the course of the Vietnam war into which we plunged ourselves, against the warnings of many about the consequences of involvement in Asian land wars. There is a widespread feeling throughout the land not only among the student generation but others as well, that the war was not only conceived in bad military advice but has been nurtured to a position of support for a corrupt government which is pitted against the egalitarian demands of its people. The years of death and destruction have painted a vivid picture for the American people—a picture of over 30,000 American boys who have died. These lives were lost, many feel, in support of a government which opposes not only the NLF, which is certainly justifiable, but which even more vigorously opposes and suppresses the leaders of the vast middle group in South Vietnam which opposes both the minority on the Left—the NLF—and the minority on the Right—the Saigon government. The reason the war will not and cannot be won in a military sense is as Doctor George Wald put it, "The Vietnamese have a secret weapon. It's their willingness to die beyond our willingness to kill." But the war in itself is a topic of paramount significance which time will not allow me to treat in greater detail today except to say that it has certainly been a major cause of disillusionment and discontent among today's youth.

Another major cause of disillusionment on the campus is the draft. The young man of draft age today thinks of conscription as an institution, a way of life, which he cannot justify and is unable to change. The draft was instituted in 1941 as a temporary emergency measure due to the exigencies of a coming war but has remained with us as an institution. It seems to the students as if we have always had a draft and a large army, but the facts are that it is a relatively new thing. Before World War II our entire armed force consisted of about 139,000 men. We were up to 8 million during the war which was, of course, necessary. But in 1950, even after the internationalist pronouncements of the Truman Administration our forces consisted of only about 600,000 men. And what is the situation today? Three and one half million men are in uniform. However, only 600,000 of these are in Vietnam. Our men are scattered out in remote bases all over the world twiddling their thumbs for lack of anything to do. Our military force must be reduced because as it has been said, as long as we keep an army that big, it will find something to do. Even though I will support interim measures to implement draft reform, a volunteer army is the answer.

Another source of the disillusionment of our youth is the growth of the military establishment which they view as the force behind our ill-advised intervention in Vietnam, our continued escalation of the arms race between ourselves and the Soviet Union, and unjustified continuation of the draft. This excessive military spending offends youthful idealism because it indicates that the priorities of the nation are toward arms and international conflict and away from attempts to deal with domestic injustices. However, I am hopeful that the military establishment will again be relegated to its proper role in American life. As I said in a speech calling for reduction of the influence of the military establishment several weeks ago I say again today. A number of forces are at work militating against the continuation of our current level of military appropriations. The military establishment, confident of its secure position, has pushed for a number of projects which will be difficult to justify such as the TFX, F-111, AMSA, SST and, of course, the Safeguard ABM. But our society is a great balancer. When any one component becomes too powerful, the other parts turn on it and bring it into line.

Let us now turn from off-campus sources of discontent to the campus where the manifestations of student frustration have been most apparent. I would be the first to admit and I do so publicly today, that not all student grievances have their genesis off the campus. Many legitimate student complaints are being voiced even though they are often lost amidst the tumult of violence and confrontation. The American college is as HEW Secretary Robert Finch described it this week, "More rigid than almost any other institution in our whole society." A columnist has recently arued and I certainly agree that there is surely a connection between the increasingly intense battle to get into college and the subsequent demands for participation in the university decision-making process. There is also an intensified search to determine what should be the role of the university in society. This has especially been the subject of debate at the so-called "elite" colleges. A good example of this is found at Swarthmore where its sensitive, articulate and highly respected president, Courtney Smith, became the first casualty of the war on the campus, dying of a heart attack at the height of a week of student unrest. Doctor Smith had raised the percentage of black enrollment at Smarthmore during his 16 years from virtually nothing to 5% of the total enrollment. He had done this by meticulously adhering to entrance requirements while conducting talent searches around the country for those black students who were qualified for admission.

During the last week of his life he was presented with a number of black student demands calling for actions which would basically change Swarthmore. The demands essentially called for an effort on behalf of the college to increase its numbers of black enrollees, even if standards were not met, thus helping to fulfill what the black group felt was a social obligation to improve the lot of the Negro in America. Doctor Smith knew there were strong arguments on both sides of the proposition. This was a legitimate subject for discussion and subsequent resolution. He and the Dean of Admissions were very much aware of previous criticisms of elitist schools expressed by novelist Peter De Vries when he said,

"Of course they graduate the best—it's all they'll take . . . They will give you an education the way banks will give you money—provided you can prove to their satisfaction that you don't need it."

I cite the Swarthmore experience as one example of a legitimate campus complaint which would be the proper subject for administrative, faculty and student examination on any college. But the real issue, as is often the case, is not the question of ends but of means because, you see, the students at Swarthmore took over the office of the Dean of Admissions and held it for a week.

The black group at Swarthmore is called the Swarthmore Afro-American Students Society—SASS. In singling out a black students group I do not mean to imply that all student militants are black. This is certainly not the case. But the fact remains that the focal point of most campus unrest leading to violence has been over issues dealing with the black student and his relationship to the university and the society. I only wish these students could have heard or, should I say, would have listened to Justice Thurgood Marshall. The first black man elevated to the Supreme Court and long-time attorney for the NAACP said last week in a commencement address at Dillard College in New Orleans that "Anarchy is anarchy and it makes no difference who practices it. It is bad; it is punishable and it should be punished." He pointed out that the Negro could not look for solutions in sudden, planned action for the sole purpose of getting on television. The Justice said the seeds of anarchy had been planted but that no purpose could be derived from allowing them to be nourished. To the proposition often suggested that violence had dramatized the plight of the black man he answered, okay, but why do it over and over again?"

The fact that there is violence in Vietnam, an unfair draft and improper budgetary priorities in granting the military establishment unlimited resources will not justify a resort to violence by campus minorities. Regardless of the justness of the causes which more moderate students espouse they are lost in the furor and violence fomented by the radical left and will certainly bring reprisal from the predominantly white conservative establishment unless the responsible students, faculty and administrators act to protect their institutions.

What should be the reaction of our government and of our administrators to campus violence? I recommend the following restraints by the federal government and actions by local college officials:

(1) Federal loans or grants should be revoked for students who precipitate campus violence. However, Secretary Finch has made it clear and I agree that such determinations must be made by local college administrators. It is not only administratively impossible but imprudent for HEW to keep a master list of the one and one-half million students who are getting loans or grants. In addition, the federal government is certainly too far from the scene to make decisions about loan or grant terminations.

(2) Along with Secretary Finch, I oppose as dangerous and unwarranted any effort to make the federal government a campus cop. College administrators have telephones and they should have the backbone to call local police should that unfortunate course of action be necessary. This should, of course, be done only as a last resort because it tends to make the radicals even more effective once there are objects of force present at which they can direct their abuse.

(3) A university must not be closed except in an extraordinary emergency. It serves no useful purpose to deny classes to the great majority as a result of the activities of a few.

(4) Each campus should adopt its own anti-weapon rule. Resort to physical violence or use of guns, disruption of classes or the closing of buildings should be met by that degree of force necessary to put it down *immediately*. However, dissent and peaceful protest must be protected as an integral part of the open atmosphere essential to any college.

(5) Students violating college rules of peaceful participation in the decision-making process, which ought to be adopted by each university, should be irrevocably expelled. The reward for violence must be expulsion from the academic community.

The goals of ending the war, terminating the draft, and reducing the role of the military establishment in our lives are a governmental concern which those of us in Washington should more vigorously seek to achieve. Unfortunately, this will take more time but as we all know impatience is one of the curses of youth, but as long as your impatience is directed toward alleviating injustice, I share it. You are now and I hope will continue to be, idealistic. I hope I am not too old to have lost all the idealism of youth. You are offended by conditions around you which you feel are the result of a generation which is self-satisfied and cynical about obtaining real progress. To a great extent your feelings are accurate and I agree with them. But to all of you and especially those who have not yet graduated or are going on to graduate school, I hasten to point out that the large portion of the responsibility for preserving our free and open institutions rests upon your shoulders. I implore you not to let the radical few speak for the majority. Do not let the pleas for responsible and necessary change in the colleges be lost in the tumult of shouting and violence. For if you let the few advocates of violence speak for the many who seek to preserve the peaceful intercourse of ideas it will be said of this institution and others as Courtney Smith said of his college, "We have lost something precious at Swarthmore, the feeling that force and disruptiveness are just not our way."

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. RANDALL (at the request of Mr. ALBERT), for today, on account of official business.

Mr. FOREMAN (at the request of Mr. GERALD R. FORD), for the period May 26 through June 6, 1969, on account of official business with the Committee on Armed Services.

Mr. POLLOCK (at the request of Mr. GERALD R. FORD), for today, on account of official business.

Mr. MESKILL (at the request of Mr. GERALD R. FORD), for today, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. SCHERLE); to revise and extend their remarks and include extraneous matter:)

Mr. FINDLEY, for 30 minutes, today.

Mr. BIESTER, for 60 minutes, on May 22.

Mr. TALCOTT, for 25 minutes, on Tuesday, May 27.

Mr. LIPSCOMB, for 30 minutes, on May 22.

(The following Members (at the request of Mr. STOKES); to revise and extend their remarks and include extraneous matter:)

Mr. GONZALEZ, for 10 minutes, today.

Mr. FARBSTEIN, for 20 minutes, on May 22.

EXTENSIONS OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. DULSKI in three instances.

Mr. HECHLER of West Virginia in three instances.

Mr. GROSS following the remarks of Mr. HALL of today on the bill H.R. 11400.

(The following Members (at the re-

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quest of Mr. Scherle) and to include extraneous matter:)

Mr. Stanton in three instances.
Mrs. Heckler of Massachusetts.
Mr. Mize.
Mr. Gude in two instances.
Mr. Blackburn.
Mr. Hall.
Mr. Ashbrook in two instances.
Mr. Button.
Mr. Zwach.
Mr. Collins in four instances.
Mr. Schwengel in two instances.
Mr. Eshleman in two instances.
Mr. Lipscomb in two instances.
Mr. Fulton of Pennsylvania in five instances.
Mr. Bob Wilson in five instances.
Mr. Foreman.
Mr. Dellenback.
Mr. Minshall in two instances.
Mr. Halpern in two instances.
Mr. Price of Texas in two instances.
Mr. Rhodes in five instances.
Mr. Watson in two instances.
Mr. Esch.
Mr. Broyhill of Virginia in two instances.
Mr. Brown of Michigan in two instances.
Mr. Bray in two instances.
Mr. Miller of Ohio in two instances.
Mr. Utt.

(The following Members (at the request of Mr. Stokes) and to include extraneous matter:)

Mr. Giaimo.
Mr. Kastenmeier in three instances.
Mr. Anderson of California in two instances.
Mr. Ottinger in two instances.
Mr. Celler.
Mrs. Griffiths.
Mr. Biaggi in three instances.
Mr. Gonzalez in two instances.
Mr. Kyros.
Mr. Downing in two instances.
Mr. Rarick in four instances.
Mr. Patten in two instances.
Mrs. Chisholm.
Mr. Randall in two instances.
Mr. Scheuer in three instances.
Mr. Farbstein in two instances.
Mr. Helstoski.
Mr. Matsunaga.
Mr. Hamilton in two instances.
Mr. Moorhead in two instances.
Mr. Byrne of Pennsylvania.
Mr. Diggs in two instances.
Mr. Andrews of Alabama in two instances.
Mr. Alexander in two instances.
Mr. Stuckey.
Mr. Dowdy in two instances.
Mr. Rosenthal in five instances.
Mr. Ryan in three instances.
Mr. Stratton.
Mr. Meeds.
Mr. Dulski.
Mr. Zablocki in two instances.
Mr. Burton of California.
Mr. Hagan in two instances.
Mr. Nix.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 564. An act for the relief of Mrs. Irene G. Queja; to the Committee on the Judiciary.

S. 620. An act for the relief of Richard Vigil; to the Committee on the Judiciary.

S. 1888. An act to change the composition of the Commission for Extension of the U.S. Capitol; to the Committee on Public Works.

ENROLLED BILLS SIGNED

Mr. FRIEDEL, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 2948. An act for the relief of Maria Prescilla Caramanzana;

H.R. 3464. An act for the relief of Maria Balluardo Frasca; and

H.R. 8188. An act to provide for the striking of medals in commemoration of the 100th anniversary of the founding of the city of Wichita, Kans.

SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 256. An act to confer U.S. citizenship posthumously upon L. Cpl. Theodore Daniel Van Staveren.

BILLS PRESENTED TO THE PRESIDENT

Mr. FRIEDEL, from the Committee on House Administration, reported that that committee did on this day present to the President, for his approval, bills of the House of the following titles:

H.R. 2948. An act for the relief of Maria Prescilla Caramanzana;

H.R. 3464. An act for the relief of Maria Balluardo Frasca; and

H.R. 8188. An act to provide for the striking of medals in commemoration of the 100th anniversary of the founding of the city of Wichita, Kans.

ADJOURNMENT

Mr. STOKES. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 7 minutes p.m.), the House adjourned until tomorrow, Thursday, May 22, 1969, at 12 o'clock noon.

CONTRACTUAL ACTIONS, CALENDAR YEAR 1968, TO FACILITATE NATIONAL DEFENSE

The Clerk of the House of Representatives submits the following reports for printing in the Congressional Record pursuant to section 4(b) of Public Law 85–804:

Assistant Secretary of Defense,
Washington, D.C., May 17, 1969.

Hon. John W. McCormack,
Speaker of the House of Representatives,
Washington, D.C.

Dear Mr. Speaker: In compliance with Section 4(a) of Public Law 85–804, the calendar year 1968 report on extraordinary contractual actions to facilitate the national defense is transmitted herewith.

Table I shows that 342 contractual actions were approved with a cost to the Government of $2,870,000, and that 93 actions were disapproved. Included in the number of actions approved are 100 actions for which a potential Government liability cannot be estimated.

Reported also in Table I are 45 actions for the Department of the Army using the authority of Public Law 85–804 to require a standard employee compensation clause in all contracts for construction work at the Cape Kennedy complex. The clause specified various items of compensation based on a Project Stabilization Agreement negotiated by and between the Patrick Air Force Base Contractors Association, the Brevard (Fla.) Building and Construction Trades Council and the Building and Construction Trades Department, AFL–CIO. Adoption of this clause resulted from a determination that adherence to the money provisions of the Project Stabilization Agreement by all contractors and subcontractors performing work at the Patrick Air Force Base and Cape Kennedy complex is desirable in the interest of prompt and orderly performance of construction contracts at these sites.

Table II lists the actions which have an actual or potential cost to the Government of $50,000 or more. Included in this list are the above mentioned contingent liabilities (Table IIa) for which a potential dollar cost cannot be estimated.

Sincerely,

Barry J. Shillito,
Assistant Secretary of Defense,
(Installations and Logistics).

TABLE I.—SUMMARY REPORT OF CONTRACTUAL ACTIONS TAKEN PURSUANT TO PUBLIC LAW 85–804 TO FACILITATE THE NATIONAL DEFENSE JANUARY–DECEMBER 1968

[Dollar amounts in thousands]

Department and type of action	Actions approved			Actions denied	
	Number	Amount requested	Amount approved	Number	Amount
Department of defense, total	342	$5,165	$2,870	93	$12,053
Amendments without consideration	3	1,248	654	29	10,672
Correction of mistakes	146	2,958	1,893	61	1,363
Formalization of informal commitments	42	959	323	3	18
Contingent liabilties	100				
Disposition of property	4				
Other	47				
Army, total	116	2,867	1,415	31	7,472
Amendments without consideration	1	600	600	11	6,637
Correction of mistakes	33	1,408	553	18	822
Formalization of informal commitments	29	859	262	2	13

TABLE I.—SUMMARY REPORT OF CONTRACTUAL ACTIONS TAKEN PURSUANT TO PUBLIC LAW 85-804 TO FACILITATE THE NATIONAL DEFENSE JANUARY-DECEMBER 1968—Continued

[Dollar amounts in thousands]

Department and type of action	Actions approved			Actions denied	
	Number	Amount requested	Amount approved	Number	Amount
Contingent liabilities	4				
Disposition of property	4				
Other (employee compensation clauses ASPR 18-703.2)	45				
Navy, total	101	$405	$370	14	$1,016
Amendments without consideration				3	695
Correction of mistakes	23	381	370	10	316
Formalization of informal commitments	4	24		1	5
Contingent liabilities	74				
Air Force, total	55	1,637	927	18	3,001
Amendments without consideration	2	648	54	8	2,973
Correction of mistakes	28	951	849	10	28
Formalization of informal commitments	1	38	24		
Contingent liabilities	22				
Other (contract modification or termination)	2				
Defense Supply Agency, total	70	256	158	30	564
Amendments without consideration				7	367
Correction of mistakes	62	218	121	23	197
Formalization of informal commitments	8	38	37		

Source: Office of the Secretary of Defense, Directorate for Statistical Services, May 6, 1969.

TABLE II.—LIST OF CONTRACTUAL ACTIONS WITH ACTUAL OR POTENTIAL COST OF $50,000 OR MORE TAKEN PURSUANT TO PUBLIC LAW 85-804 TO FACILITATE THE NATIONAL DEFENSE, JANUARY-DECEMBER 1968

Name and location of contractor	Actual or estimated potential cost	Description of product or service	Justification
Amendments without consideration:			
Army: Telectro-Mek Inc., 2700 Nuttman Ave., Fort Wayne, Ind.	$600,000	Intercommunication sets C-2298/VRC.	The C-2298 control set is an essential component of the VRC/12 radio which is currently used in Southeast Asia. The VRC/12 radio cannot be utilized in an armored vehicle application without this control set as it provides the necessary interlock which permits the radio to be used both for external and internal communications necessary to the control of the movement of the vehicle and the effective use of its firepower. The known requirements for this set during March-July 1968 was 15,847 units of which 8,303 units were required for Southeast Asia. The supply status was zero and the earliest receipt of production from other contractors was July 1968. Without this amendment the company would not have been able to complete its production and the required units would not have been delivered when needed.

TABLE II.—LIST OF CONTRACTUAL ACTIONS WITH ACTUAL OR POTENTIAL COST OF $50,000 OR MORE TAKEN PURSUANT TO PUBLIC LAW 85-804 TO FACILITATE THE NATIONAL DEFENSE, JANUARY-DECEMBER 1968—Continued

Name and location of contractor	Actual or estimated potential cost	Description of product or service	Justification
Correction of mistakes:			
Army:			
The Boeing Co., Vertol Division, 100 Woodland Ave., Morton, Pa.	$92,923	Repair of airframe components.	The contract contained an option which gave the Government the right to negotiate for an extension on a yearly basis. The supplemental agreement establishing firm labor rates for the 1st year was entered into subsequent to the renewal agreement and the wording did not expressly provide that the firm labor rate agreed to would apply only to the 1st year of the contract. The contracting officer concluded that it established the labor rate for the duration of the contract.
Campeau Tool & Die Co., 31657 Michigan Ave., Wayne, Mich.	68,066	Brake shoe assemblies	The contractor submitted his bid on the basis that the item required was in production. He later discovered his bid was in error and requested that the contract be canceled. Because of need for the item the contract was not canceled, but it was ascertained that both the contractor and the Government mistakenly believed that the contractor was currently producing the same item as required under the solicitation. Relief under Public Law 85-804 was granted.
Firth Sterling, Inc., 3113 Forbes Ave., Pittsburgh, Pa., on behalf of Kennedy Van Saun Manufacturing & Engineering Corp.	192,167	APDS-T 105 mm projectiles	Kennedy Van Saun Manufacturing & Engineering Corp. as a subcontractor for Firth Sterling, Inc., was to supply components for APDS-T 105 mm. projectiles during the period January 1962 through January 1963. From the start of production through December 1962 samples of lots manufactured during the same period were tested and it was found that the projectile did not meet the accuracy requirements desired by the Government. It was mistakenly considered both by KVS and the Government, whose inspectors could not discover the reasons for the inaccuracy, that the fault was attributable to some error in manufacture. In early 1963 it was discovered that the specifications were inadequate. It has been determined that the contractor should be reimbursed for his losses due to inadequate specifications.
Air Force: General Electric Co., Flight Propulsion Division, Cincinnati, Ohio.	707,859	C-5 engines	The contract's option prices mistakenly reflected an overhead rate for general and administrative expenses of 7.4 percent instead of the 7.86 percent agreed to by both parties.
Navy: United Aircraft Corp., Pratt & Whitney Aircraft Division, East Hartford, Conn.	50,000	Turbojet aircraft engines	The contract is being amended to state that engineering changes to correct deficiencies in design or configuration discovered after completion of all qualification tests required to be conducted by the contractor will be subject to compensation.
Formalization of informal Commitment:			
Army: St. Louis-San Francisco Railway Co., 3253 East Trafficway, Springfield, Mo.	104,263	Operational railroad switching services at Fort Leonard Wood.	Normal procurement procedures were not available to the procurement office at Fort Leonard Wood at the time the services were required and the contractor performed the switching services without benefit of a formal agreement.

CONTINGENT LIABILITIES

Provisions to indemnify contractors against liabilities on account of claims for death or injury or property damage arising out of nuclear radiation, use of high energy propellants, or other risks not covered by the contractor's insurance program were included in 100 contracts (the potential cost of these liabilities cannot be estimated inasmuch as the liability to the Government, if any, will depend upon the occurrence of an incident as described in the indemnification clause). Items procured are generally those associated with nuclear-powered vessels, nuclear armed guided missiles, experimental work with nuclear energy, handling of explosives or performance in hazardous areas.

TABLE IIa

Name of contractor	Number of contracts		
	Army	Navy	Air Force
Aerojet General Corp			3
Air America, Inc			1
Avco Corp		1	
Bendix Corp		1	
Boeing Co			2
California Nuclear, Inc		1	
General Dynamics Corp		25	
General Electric Co		10	
Hercules, Inc			2
Hughes Aircraft Co			1
Ingalls Shipbuilding Corp		1	
Interstate Industrial Uniform		1	
Litton System, Inc		1	
Lockheed Aircraft Corp		5	1
Martin Marietta Corp			1
Newport News Shipbuilding & Drydock Co		11	
North American Rockwell Corp		8	7
Northrop Corp		1	
Ocean Systems, Inc		1	
Raytheon Co		2	
Sylvania Electric Products Inc		1	
Thiokol Chemical Corp			4
Vitro Corporation of America		1	
Western Electric Co., Inc	1		
Westinghouse Electric Corp		3	
Proposed awards	3		
Total	4	74	22

In addition to the above, indemnification clauses will be inserted into all air transportation contracts entered into by the Military Airlift Command for transportation services to be performed by air carriers which own or control aircraft which have been allocated by the Department of Transportation to the Civil Reserve Air Fleet.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

790. A letter from the Deputy Assistant Secretary for Administration, Department of Transportation, transmitting a list of the purchases and contracts made by the U.S. Coast Guard under clauses 11 and 16 of section 2304(a) of title 10 of the United States Code during the period November 1, 1968, through April 30, 1969, pursuant to the provisions of 10 U.S.C. 2304(e); to the Committee on Armed Services.

791. A letter from the Assistant Secretary of Defense (Installations and Logistics), transmitting a report on extraordinary contractual actions to facilitate the national defense for 1968, pursuant to the provisions of section 4(a) of Public Law 85-804; to the Committee on the Judiciary.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ANDERSON of California:

H.R. 11508. A bill to amend the act of August 27, 1954 (commonly known as the Fishermen's Protective Act), to strengthen the provisions therein relating to the protection of U.S. vessels on the high seas; to the Committee on Merchant Marine and Fisheries.

By Mr. ANDERSON of Tennessee:

H.R. 11509. A bill to amend the Communications Act of 1934 to establish orderly procedures for the consideration of applications for renewal of broadcast licenses; to the Committee on Interstate and Foreign Commerce.

H.R. 11510. A bill to provide for the appointment of an additional district judge for the middle district of Tennessee; to the Committee on the Judiciary.

H.R. 11511. A bill to provide for the appointment of 69 additional district judges, and for other purposes; to the Committee on the Judiciary.

By Mr. ANNUNZIO:

H.R. 11512. A bill to amend the Small Business Act to make crime protection insurance available to small business concerns; to the Committee on Banking and Currency.

By Mr. BIAGGI:

H.R. 11513. A bill to provide for the more efficient development and improved management of national forest commercial timberlands, to establish a high-timber-yield fund, and for other purposes; to the Committee on Agriculture.

H.R. 11514. A bill to equalize the retired pay of members of the uniformed services retired prior to June 1, 1958, whose retired pay is computed on laws enacted on or after October 1, 1949; to the Committee on Armed Services.

H.R. 11515. A bill to promote health and safety in the building trades and construction industry in all Federal and federally financed or federally assisted construction projects; to the Committee on Education and Labor.

H.R. 11516. A bill providing for Federal railroad safety; to the Committee on Interstate and Foreign Commerce.

By Mr. BROYHILL of Virginia:

H.R. 11517. A bill to amend the Federal Food, Drug, and Cosmetic Act to include a definition of food supplements, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. BYRNE of Pennsylvania:

H.R. 11518. A bill to amend the Communications Act of 1934 to establish orderly procedures for the consideration of applications for renewal of broadcast licenses; to the Committee on Interstate and Foreign Commerce.

By Mr. CARTER:

H.R. 11519. A bill to amend section 8332, title 5, United States Code, to provide for the inclusion in the computation of accredited services of certain periods of service rendered States or instrumentalities of States, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. COLLINS:

H.R. 11520. A bill to amend the Internal Revenue Code of 1954 to encourage the construction of facilities to control water and air pollution by allowing a tax credit for expenditures incurred in constructing such facilities and by permitting the deduction, or amortization over a period of 1 to 5 years, of such expenditures; to the Committee on Ways and Means.

H.R. 11521. A bill to provide for orderly trade in iron ore, iron and steel mill products; to the Committee on Ways and Means.

By Mr. DAVIS of Georgia:

H.R. 11522. A bill to amend the public assistance provisions of the Social Security Act to require the establishment of nationally uniform minimum standards and eligibility requirements for aid or assistance thereunder; to the Committee on Ways and Means.

By Mr. DORN:

H.R. 11523. A bill to amend the Railroad Retirement Act of 1937 to provide that men who have attained the age of 62 may retire on a full annuity thereunder upon completion of 30 years of service; to the Committee on Interstate and Foreign Commerce.

H.R. 11524. A bill to amend title II of the Social Security Act so as to liberalize the conditions governing eligibility of blind persons to receive disability insurance benefits thereunder; to the Committee on Ways and Means.

By Mr. EDWARDS of Louisiana:

H.R. 11525. A bill to improve rice inspection; to the Committee on Agriculture.

By Mr. FALLON (for himself and Mr. Gray):

H.R. 11526. A bill to authorize an adequate White House Police force, and for other purposes; to the Committee on Public Works.

By Mr. FISH:

H.R. 11527. A bill to amend chapter 44 of title 18, United States Code, to exempt ammunition from Federal regulation under the Gun Control Act of 1968; to the Committee on the Judiciary.

By Mr. GOODLING:

H.R. 11528. A bill to adjust agricultural production, to provide a transitional program for farmers, and for other purposes; to the Committee on Agriculture.

By Mrs. GREEN of Oregon:

H.R. 11529. A bill to provide that certain survivor benefits received by a child under public retirement systems shall not be taken into account in determining whether the child is dependent for income tax purposes; to the Committee on Ways and Means.

By Mrs. GRIFFITHS:

H.R. 11530. A bill to amend the Internal Revenue Code to designate the home of a State legislator for income tax purposes; to the Committee on Ways and Means.

By Mr. GUBSER:

H.R. 11531. A bill to amend section 8e of the Agricultural Adjustment Act of 1933, as amended, as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended, and as amended by the Agricultural Act of 1961, so as to provide for the extension of the restrictions on imported commodities imposed by such section to imported raisins and prunes; to the Committee on Agriculture.

By Mr. HALPERN (for himself, Mr. Wydler, Mr. McEwen, Mr. Grover, Mr. Broomfield, Mr. Corbett, and Mr. Fish):

H.R. 11532. A bill to clarify and strengthen the cargo-preference laws of the United States, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. HALPERN (for himself, Mr. McEwen, Mr. Broomfield, Mr. Corbett, Mr. Fish, and Mr. Grover):

H.R. 11533. A bill to amend the Merchant Marine Act, 1936, to encourage shipbuilding, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. HANSEN of Idaho:

H.R. 11534. A bill to amend chapter 1 of part I of title 28, United States Code, to provide that Federal judges shall annually report certain financial interests to the Clerk of the Supreme Court; to the Committee on the Judiciary.

By Mr. HAWKINS:

H.R. 11535. A bill to provide for the more efficient development and improved management of national forest commercial timberlands, to establish a high-timber-yield fund, and for other purposes; to the Committee on Agriculture.

By Mr. HELSTOSKI:

H.R. 11536. A bill to amend the Communications Act of 1934 so as to prohibit the granting of authority to broadcast pay television programs; to the Committee on Interstate and Foreign Commerce.

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By Mr. JOHNSON of Pennsylvania:

H.R. 11537. A bill to provide for orderly trade in footwear; to the Committee on Ways and Means.

By Mr. KEE:

H.R. 11538. A bill to amend the Internal Revenue Code of 1954 to provide that a portion of the salary of a full-time policeman or other State or local law enforcement officer shall not be subject to the income tax; to the Committee on Ways and Means.

By Mr. KOCH:

H.R. 11539. A bill to amend title II of the Social Security Act so as to liberalize the conditions governing eligibility of blind persons to receive disability insurance benefits thereunder; to the Committee on Ways and Means.

By Mr. KOCH (for himself, Mr. Anderson of California, Mr. Diggs, Mr. Duncan, Mr. Edwards of California, Mr. Gude, Mr. Mikva, Mr. Pepper, Mr. Rosenthal, and Mr. Scheuer):

H.R. 11540. A bill to provide for the establishment of a Commission on Marihuana; to the Committee on the Judiciary:

Mr. LEGGETT:

H.R. 11541. A bill to provide for the more efficient development and improved management of national forest commercial timberlands, to establish a high-timber yield fund, and for other purposes; to the Committee on Agriculture.

By Mr. MILLER of California (for himself, Mr. Daddario, Mr. Fulton of Pennsylvania, Mr. Bell of California, Mr. Davis of Georgia, Mr. Mosher, Waggonner, Mr. Lukens, Mr. Brown of California, Mr. Cabell, Mr. Podell, Mr. Fuqua, and Mr. Pettis):

H.R. 11542. A bill to promote the advancement of science and the education of scientists through a national program of institutional grants to the colleges and universities of the United States; to the Committee on Science and Astronautics.

By Mr. MINSHALL:

H.R. 11543. A bill to amend the act, entitled "An act to provide for the recognition of the services of the civilian officials and employees, citizens of the United States, engaged in or about the construction of the Panama Canal," approved May 29, 1944, as amended, so as to provide benefits for certain persons not now covered by such act; to the Committee on Merchant Marine and Fisheries.

By Mr. MOSS (for himself and Mr. Dingell):

H.R. 11544. A bill to amend the Communications Act of 1934 to prohibit the transfer, assignment, or other disposition of a construction permit granted under that act; to the Committee on Interstate and Foreign Commerce.

By Mr. PATMAN:

H.R. 11545. A bill to amend the Internal Revenue Code of 1954 to terminate the credit for investment in certain depreciable property; to the Committee on Ways and Means.

By Mr. PERKINS:

H.R. 11546. A bill to establish a national program of assistance to the States with the goal of achieving equalized excellence in schools throughout the Nation over a 10-year period; to the Committee on Education and Labor.

By Mr. PRICE of Texas:

H.R. 11547. A bill to amend the Consolidated Farmers Home Administration Act of 1961, as amended, to increase the loan limitation on certain loans; to the Committee on Agriculture.

By Mr. RIVERS:

H.R. 11548. A bill to amend title 10, United States Code, to permit naval flight officers to be eligible to command certain naval activities, and for other purposes; to the Committee on Armed Services.

By Mr. ROSENTHAL:

H.R. 11549. A bill to amend the Fair Packaging and Labeling Act to require the disclosure by retail distributors of unit retail prices of packaged consumer commodities, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. SCHEUER (for himself, Mr. Bush, Mr. Button, Mrs. Chisholm, Mr. Conable, Mr. Conyers, Mr. Dellenback, Mr. Diggs, Mr. Esch, Mr. Fraser, Mr. Hawkins, Mr. Leggett, Mr. McCloskey, Mr. Mikva, Mr. Ottinger, Mr. Podell, Mr. Rosenthal, Mr. Stokes, Mr. Taft, and Mr. Udall):

H.R. 11550. A bill to promote public health and welfare by expanding, improving, and better coordinating the family planning services and population research activities of the Federal Government, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. SCHEUER (for himself, Mr. Anderson of Illinois, Mr. Ashley, Mr. Bingham, Mr. Blackburn, Mr. Buchanan, Mr. Cohelan, Mr. Coughlin, Mr. Edwards of California, Mr. Fisher, Mr. Hammerschmidt, Mr. Koch, Mr. Matsunaga, Mrs. Mink, Mr. Mize, Mr. Moss, Mr. Pryor of Arkansas, Mr. Rees, Mr. Schneebeli, Mr. Thompson of New Jersey, and Mr. Wold):

H.R. 11551. A bill to promote public health and welfare by expanding, improving, and better coordinating the family planning services and population research activities of the Federal Government, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. TEAGUE of California (for himself, Mr. Utt, Mr. Mathias, Mr. Moss, Mr. Smith of California, and Mr. Holifield):

H.R. 11552. A bill to establish fee programs for entrance to, and use of, areas administered for outdoor recreation and related purposes by the Secretary of the Interior and the Secretary of Agriculture, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. TIERNAN:

H.R. 11553. A bill to amend title II of the Social Security Act to increase from $1,680 to $2,400 (or $3,600 in the case of a widow with minor children) the amount of outside earnings permitted each year without deductions from benefits thereunder; to the Committee on Ways and Means.

By Mr. VANIK (for himself, Mr. Chappell, Mr. Feighan, Mr. Gaydos, Mr. Kluczynski, Mr. Minish, and Mr. Pepper):

H.R. 11554. A bill to amend title II of the Social Security Act to provide a 15-percent across-the-board increase in monthly benefits, wtih subsequent cost-of-living increases in such benefits and a minimum primary benefit of $80; to the Committee on Ways and Means.

By Mr. WATSON:

H.R. 11555. A bill to amend title 18 and title 28 of the United States Code with respect to the trial and review of criminal actions involving obscenity, and for other purposes; to the Committee on the Judiciary.

By Mr. WOLD:

H.R. 11556. A bill to provide for the more efficient development and improved management of national forest commercial timberlands, to establish a high-timber-yield fund, and for other purposes; to the Committee on Agriculture.

H.R. 11557. A bill to amend the Federal Property and Administrative Services Act of 1949 so as to permit donations of surplus property to public museums; to the Committee on Government Operations.

By Mr. YATRON:

H.R. 11558. A bill to provide for the issuance of a commemorative postage stamp in honor of Anthony Sadowski; to the Committee on Post Office and Civil Service.

H.R. 11559. A bill to amend title 38 of the United States Code to provide that certain income from private retirement, annuity, endowment, and similar plans and programs be excluded in computing the annual income of certain pensioners under chapter 15 of such title; to the Committee on Veterans' Affairs.

By Mr. ADDABBO:

H.R. 11560. A bill to provide for the more efficient development and improved management of national forest commercial timberlands, to establish a high-timber-yield fund, and for other purposes; to the Committee on Agriculture.

By Mr. BIAGGI:

H.R. 11561. A bill to amend the Communications Act of 1934 so as to prohibit the granting of authority to broadcast pay television programs; to the Committee on Interstate and Foreign Commerce.

By Mr. BRAY:

H.R. 11562. A bill to improve and clarify certain laws affecting the Coast Guard Reserve; to the Committee on Merchant Marine and Fisheries.

By Mr. BROWN of Michigan:

H.R. 11563. A bill to amend the Export Control Act of 1949; to the Committee on Banking and Currency.

By Mr. CONYERS:

H.R. 11564. A bill to provide for the more efficient development and improved management of national forest commercial timberlands, to establish a high-timber-yield fund, and for other purposes; to the Committee on Agriculture.

H.R. 11565. A bill to provide for the District of Columbia an elected Mayor, City Council, Board of Education, and for other purposes; to the Committee on the District of Columbia.

H.R. 11566. A bill to amend the National Labor Relations Act to make its provisions applicable to public and private hospitals; to the Committee on Education and Labor.

H.R. 11567. A bill to amend title 18, United States Code, by repealing chapter 102 (the antiriot provisions) thereof; to the Committee on the Judiciary.

H.R. 11568. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee of Post Office and Civil Service.

H.R. 11569. A bill to amend the Federal Employees Health Benefits Act of 1959 to provide that the entire cost of health benefits under such act shall be paid by the Government; to the Committee on Post Office and Civil Service.

H.R. 11570. A bill to amend subchapter III of chapter 83 of title 5, United States Code, relating to civil service retirement, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 11571. A bill to provide for improved employee-management relations in the postal service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. DULSKI:

H.R. 11572. A bill to amend the act, entitled "An act to promote the safety of employees and travelers upon railroads by limiting the hours of service of employees thereon," approved March 4, 1907; to the Committee on Interstate and Foreign Commerce.

H.R. 11573. A bill providing for Federal railroad safety; to the Committee on Interstate and Foreign Commerce.

By Mr. JOHNSON of Pennsylvania:

H.R. 11574. A bill to provide for the orderly expansion of trade in manufactured products; to the Committee on Ways and Means.

By Mr. MOSS:

H.R. 11575. A bill to repeal title II of the Internal Security Act of 1950, relating to emergency detention of suspected security risks; to the Committee on Internal Security.

By Mr. PODELL (for himself, Mr. Addabbo, Mr. Jacobs, Mr. Brasco, Mr. Koch, Mr. Hastings, Mr. Adams, Mr. Bingham, Mr. Conyers, Mrs. Chisholm, Mr. Lowenstein, Mr. Fish, Mr. Halpern, Mr. O'Hara, Mr. Brade-

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mas, Mr. Hathaway, Mr. Hechler, of West Virginia, Mrs. Heckler of Massachusetts, Mr. Helstoski, Mr. Joelson, Mr. Rees, Mr. Karth, Mr. Symington, Mr. Kyros, and Mr. Giaimo):

H.R. 11576. A bill to amend the Legislative Reorganization Act of 1946 to provide for annual reports to the Congress by the Comptroller General concerning certain price increases in Government contracts and certain failures to meet Government contract completion dates; to the Committee on Government Operations.

By Mr. WOLFF:

H.R. 11577. A bill to establish the Federal Medical Evaluations Board to carry out the functions, powers, and duties of the Secretary of Health, Education, and Welfare relating to the regulation of biological products, medical devices, and drugs, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. ANDERSON of Tennessee:

H.J. Res. 734. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. BRAY:

H.J. Res. 735. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mrs. CHISHOLM:

H.J. Res. 736. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. HAMILTON:

H.J. Res. 737. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. ROSENTHAL:

H.J. Res. 738. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. MINISH:

H. Con. Res. 274. Concurrent resolution expressing the sense of the Congress with respect to the production and distribution in interstate and foreign commerce of motion pictures and television programs which degrade or demean racial, religious, or ethnic groups; to the Committee on Interstate and Foreign Commerce.

By Mr. FARBSTEIN:

H. Res. 421. Resolution to provide for the emigration of Iraqi Jews; to the Committee on Foreign Affairs.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

181. By Mr. ALBERT: Memorial of the 32d Oklahoma Legislature memorializing the Congress of the United States to refer a proposed amendment to the U.S. Constitution authorizing the several States to establish residency requirements for welfare recipients within their boundaries; to the Committee on the Judiciary.

182. By the SPEAKER: Memorial of the Legislature of the State of Hawaii, relative to transferring the Federal food stamp program for the Department of Agriculture to the Department of Health, Education, and Welfare; to the Committee on Agriculture.

183. Also, memorial of the Legislature of the State of Hawaii, relative to establishing a veterans' home in the State of Hawaii; to the Committee on Veteran's Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. LEGGETT:

H.R. 11578. A bill for the relief of Patricia Hiro Williams; to the Committee on the Judiciary.

By Mr. MINISH:

H.R. 11579. A bill for the relief of Domenica Alampo; to the Committee on the Judiciary.

By Mr. PUCINSKI:

H.R. 11580. A bill for the relief of Miss Athina Hatzivasiliou; to the Committee on the Judiciary.

H.R. 11581. A bill for the relief of Mr. and Mrs. Michel Stylianou; to the Committee on the Judiciary.

By Mr. FEIGHAN:

H. Res. 422. Resolution opposing the granting of permanent residence in the United States to certain aliens; to the Committee on the Judiciary.

REGULATION OF LOBBYING ACT

In compliance with Public Law 601, 79th Congress, title III, Regulation of Lobbying Act, section 308(b), which provides as follows:

> (b) All information required to be filed under the provisions of this section with the Clerk of the House of Representatives and the Secretary of the Senate shall be compiled by said Clerk and Secretary, acting jointly, as soon as practicable after the close of the calendar quarter with respect to which such information is filed and shall be printed in the Congressional Record.

The Clerk of the House of Representatives and the Secretary of the Senate jointly submit their report of the compilation required by said law and have included all registrations and quarterly reports received.

QUARTERLY REPORTS

The following reports for the fourth calendar quarter of 1968 were received too late to be included in the published reports for that quarter:

A. Actors' Equity Association, 165 West 46th Street, New York, N.Y.
D. (6) $2,500. E. (9) $2,500.

A. Ad Hoc Committee of the Construction Industry Advancement Funds, 1016 20th Street NW., Washington, D.C.

A. AFL–CIO Maritime Committee, 100 Indiana Avenue NW., Washington, D.C.
D. (6) $1,500. E. (9) $11,567.12.

A. Air Traffic Control Association, Inc., Suite 409, Arba Building, Washington, D.C.

A. Nicholas E. Allen and Merrill Armour, 444 Shoreham Building, Washington, D.C.
B. Music Operators of America, Inc., 228 North LaSalle Street, Chicago, Ill.

A. The American Beekeeping Federation, Minco, Okla.
D. (6) $3,314.92. E. (9) $3,269.39.

A. The American College of Radiology, 20 North Wacker Drive, Chicago, Ill.
D. (6) $1,399.92. E. (9) $1,399.92.

A. American Dental Association, 211 East Chicago Avenue, Chicago, Ill.
D. (6) $4,360.26. E. (9) $4,360.26.

A. American Humane Association, 5351 Roslyn Street, Englewood, Colo.
E. (9) $1,500.

A. The American Legion, 700 North Pennsylvania Street, Indianapolis, Ind.
D. (6) $227.99. E. (9) $33,481.84.

A. American Merchant Marine Institute, Inc., 11 Broadway, New York, N.Y.
E. (9) $2,064.64.

A. American Mutual Insurance Alliance, 20 North Wacker Drive, Chicago, Ill.
E. (9) $340.

A. American Nurses' Association, Inc., 10 Columbus Circle, New York, N.Y.
D. (6) $9,612.74. E. (9) $9,612.74.

A. American Society of Consulting Planners, 1815 H Street NW., Washington, D.C.
E. (9) $2,250.

A. William C. Anderson, 425 13th Street, NW., Washington, D.C.
B. American Farm Bureau Federation, 1000 Merchandise Mart Plaza, Chicago, Ill.
D. (6) $1,729.17. E. (9) $25.88.

A. Robert E. Ansheles, 1028 Connecticut Avenue NW., Washington, D.C.
B. Consolidated International Trading Corp., 180 Madison Avenue, New York, N.Y.
D. (6) $400. E. (9) $98.30.

A. Arnold & Porter, 1229 19th Street NW., Washington, D.C.
B. Record Industry Association of America, Inc., 1 East 57th Street, New York, N.Y.
D. (6) $4,166.66. E. (9) $179.42.

A. The Arthritis Foundation, 1212 Avenue of the Americas, New York, N.Y.
E. (9) $1,219.16.

A. Association of Mutual Fund Plan Sponsors, Inc., 50 East 42d Street, New York, N.Y.
D. (6) $32,443.25. E. (9) $20,523.67.

A. A. V. Atkinson, 1925 K Street NW., Washington, D.C.
B. Communications Workers of America, 1925 K Street NW., Washington, D.C.
E. (9) $4,540.21.

A. Davis M. Batson, 611 Madison Office Building, Washington, D.C.
B. The Ethyl Corp., 611 Madison Office Building, Washington, D.C.
D. (6) $900.

A. Mrs. Dita Davis Beard, 1707 L Street NW., Washington, D.C.
B. International Telephone & Telegraph Corp., 1707 L Street NW., Washington, D.C.
D. (6) $1,110. E. (9) $1,585.

A. Lowell R. Beck, 1819 H Street NW., Washington, D.C.
B. The Urban Coalition Action Council, 1819 H Street NW., Washington, D.C.
D. (6) $37.50.

A. Daniel S. Bedell, 1126 16th Street NW., Washington, D.C.
B. International Union, United Automobile Aerospace & Agricultural Implement Workers of America, 8000 East Jefferson Avenue, Detroit, Mich.
D. (6) $2,065. E. (9) $495.30.

A. Helen W. Berthelot, 1925 K Street NW., Washington, D.C.
B. Communications Workers of America, 1925 K Street NW., Washington, D.C.
E. (9) $4,592.88.

A. Andrew J. Biemiller, 815 16th Street NW., Washington, D.C.
B. American Federation of Labor and Congress of Industrial Organizations, Federation of Trades and Labor Unions, 815 16th Street NW., Washington, D.C.
D. (6) $6,230. E. (9) $273.60.

A. Joel D. Blackmon, 910 17th Street NW., Washington, D.C.
B. International Mailers Union, 2240 Bell Court, Denver, Colo.

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A. C. B. Blankenship, 1925 K Street NW., Washington, D.C.

B. Communications Workers of America, 1925 K Street NW., Washington, D.C.

E. (9) $4,647.26.

A. Rev. Eugene L. Boutilier, 110 Maryland Avenue NE., Washington, D.C.

B. National Campaign for Agricultural Democracy, 110 Maryland Avenue NE., Washington, D.C.

D. (6) $3,527.47. E. (9) $97.28.

A. Joseph E. Brady, 122 Sheraton Gibson Hotel, Cincinnati, Ohio.

B. National Coordinating Committee of the Beverage Industry.

A. Cyril F. Brickfield, 1225 Connecticut Avenue NW., Washington, D.C.

B. American Association of Retired Persons, National Retired Teachers Association.

E. (9) $1,500.

A. Brotherhood of Railway, Airline & Steamship Clerks, 1015 Vine Street, Cincinnati, Ohio.

D. (6) $26,581.33. E. (9) $26,581.33.

A. Charles S. Burns, 1100 Ring Building, Washington, D.C.

B. American Mining Congress, Ring Building, Washington, D.C.

D. (6) $584.50. E. (9) $97.06.

A. Dan L. Butler, 734 15th Street NW., Washington, D.C.

B. Harold K. Howe, on behalf of the National Automatic Merchandising Association, 734 15th Street NW., Washington, D.C.

A. Dan L. Butler, 734 15th Street NW., Washington, D.C.

B. Harold K. Howe, on behalf of the Outdoor Power Equipment Institutes, Inc., 734 15th Street NW., Washington, D.C.

A. Charles A. Campbell, 1615 H Street NW., Washington, D.C.

B. Chamber of Commerce of the U.S.A.

A. Donald E. Campbell, 1705 DeSales Street NW., Washington, D.C.

B. American Bar Association, 1705 DeSales Street NW., Washington, D.C.

A. Canal Zone Central Labor Union-Metal Trades Council, AFL–CIO, Post Office Box 471, Balboa Heights, C.Z.

D. (6) $1,745.74. E. (9) $681.

A. Marvin Caplan.

B. Industrial Union Department, AFL–CIO, 815 16th Street NW., Washington, D.C.

D. (6) $2,094.40. E. (9) $82.10.

A. Paul N. Carlin, 3150 Spring Street, Fairfax, Va.

B. National Audio-Visual Association, Inc., 3150 Spring Street, Fairfax, Va.

D. (6) $1,562.50. E. (9) $84.88.

A. Richard M. Carrigan, 1201 16th Street NW., Washington, D.C.

B. Legislation & Federal Relations, National Education Association, 1201 16th Street NW., Washington, D.C.

D. (6) $2,145.01. E. (9) $63.03.

A. Casey, Lane & Mittendorf, 26 Broadway, New York, N.Y.

B. South African Sugar Association, Post Office Box 507, Durban, South Africa.

D. (6) $10,530. E. (9) $1,065.34.

A. E. Michael Cassady, 1130 17th Street NW., Washington, D.C.

B. Mississippi Valley Association, 1130 17th Street NW., Washington, D.C.

A. A. H. Chesser, 400 First Street NW., Washington, D.C.

B. Brotherhood of Railroad Trainmen.

E. (9) $150.

A. Albert T. Church, Jr., 1155 15th Street NW., Washington, D.C.

B. Committee of American Steamship Lines, 1155 715th Street NW., Washington, D.C.

D. (6) $300. E. (9) $17.16.

A. Citizens for a Postal Corporation, Inc., Post Office Box 1807, Washington, D.C.

A. Robert M. Clark, 1100 Connecticut Avenue NW., Washington, D.C.

B. The Atchison, Topeka & Santa Fe Railway Co., 80 East Jackson Boulevard, Chicago, Ill.

A. Committee for Study of Revenue, Bond Financing, 55 Liberty Street, New York, N.Y.

D. (6) $121,915. E. (9) $6,738.37.

A. Paul R. Conrad, 491 National Press Building, Washington, D.C.

B. National Newspaper Association, 491 National Press Building, Washington, D.C.

E. (9) $140.21.

A. Bernard J. Conway, 211 East Chicago Avenue, Chicago, Ill.

B. American Dental Association, 211 East Chicago Avenue, Chicago, Ill.

D. (6) $1,749.49.

A. Donald M. Counihan, 1000 Connecticut Avenue, Washington, D.C.

B. American Corn Millers' Federation, 1030 15th Street NW., Washington, D.C.

A. Donald M. Counihan, 1000 Connecticut Avenue NW., Washington, D.C.

B. Classroom Periodical Publishers Association, 38 West Fifth Street, Dayton, Ohio.

A. Counihan, Casey & Loomis, 1000 Connecticut Avenue NW., Washington, D.C.

B. Linen Supply Association of America.

A. Paul L. Courtney, 1725 K Street NW., Washington, D.C.

D. (6) $300 or less.

A. Francis D. Cronin, 1100 Ring Building, Washington, D.C.

B. American Mining Congress, Ring Building, Washington, D.C.

D. (6) $300.

A. Cuna International, Inc., 1617 Sherman Avenue, Madison, Wis.

D. (6) $5,020.72. E. (9) $1,759.51.

A. Daniels & Houlihan, 1819 H Street NW., Washington, D.C.

B. American Importers Association, Textile and Apparel Group, 111 Fifth Avenue, New York, N.Y.

A. Daniels & Houlihan, 1819 H Street NW., Washington, D.C.

B. American Textile Importers Association, New York, N.Y.

A. Daniels & Houlihan, 1819 H Street NW., Washington, D.C.

B. Japan Chemical Fibres Association, 3, 3-Chome, Muromachi, Nihonbashi, Chuo-ku, Tokyo, Japan.

A. Daniels & Houlihan, 1819 H Street NW., Washington D.C.

B. Japan Woolen & Linen Textiles Exporters Association, 4, 4-Chome, Bingomachi, Nigashiku, Osaka, Japan.

A. Daniels & Houlihan, 1819 H Street NW., Washington D.C.

B. Unione Industriale Pratese, Prato, Italy.

D. (6) $44.

A. Daniels & Houlihan, 1819 H Street NW., Washington D.C.

B. Vorort des schweizerischen Handels-und Industrie-Vereins, Borsenstrasse 26, Zurich, Switzerland.

A. John C. Datt, 425 13th Street NW., Washington, D.C.

B. American Farm Bureau Federation, 1000 Merchandise Mart Plaza, Chicago, Ill.

D. (6) $1,083.34.

A. Ronald W. DeLucien, 1133 20th St. NW., Washington, D.C.

B. National Canners Association, 1133 20th St. NW., Washington, D.C.

D. (6) $400. E. (9) $225.

A. Ray Denison, 815 16th Street NW., Washington, D.C.

B. American Federation of Labor and Congress of Industrial Organizations, 815 16th Street NW., Washington, D.C.

D. (6) $4,573.60. E. (9) $396.98.

A. Timothy V. A. Dillon, 1001 15th Street NW., Washington, D.C.

B. Department of Water Resources, State of California, Post Office Box 388, Sacramento, Calif.

D. (6)$2,218.97. E. (9) 193.97.

A. Timothy V. A. Dillon, 1001 15th Street NW., Washington, D.C.

B. Sacramento Municipal Utility District, Post Office Box 15830, Sacramento, Calif.

D. (6) $1,070.83. E. (9) $20.83.

A. Timothy V. A. Dillon, 1001 15th Street NW., Washington, D.C.

B. Yuba County Water Agency, Marysville, Calif.

D. (6) $1,203.50. E. (9) $3.50.

A. Evelyn Dubrow, 1710 Broadway, New York, N.Y.

B. International Ladies' Garment Workers' Union, 1710 Broadway, New York, N.Y.

D. (6) $2.715.44. E. (9) $93.34.

A. Henry I. Dworshak, 1100 Ring Building, Washington, D.C.

B. American Mining Congress, Ring Building, Washington, D.C.

D. (6) $553.14.

A. Harmon L. Elder, 1900 L Street NW., Washington, D.C.

B. Wilson E. Hamilton, 1900 L Street NW., Washington, D.C.

D. (6) $250. E. (9) $10.20.

A. Ethyl Corp., 611 Madison Office Building, Washington, D.C.

E. (9) $2,014.90.

A. Clinton M. Fair, 815 16th Street NW., Washington, D.C.

B. American Federation of Labor and Congress of Industrial Organizations, 815 16th Street NW., Washington, D.C.

D. (6) $4,345. E. (9) $58.42.

A. William J. Fannin, 1615 H Street NW., Washington, D.C.

B. Chamber of Commerce of the U.S.A.

A. Mello G. Fish, 100 Indiana Avenue NW., Washington. D.C.

B. AFL–CIO, Maritime Committee, 100 Indiana Avenue NW., Washington, D.C.

D. (6) $815.85. E. (9) $160.13.

A. Roger Fleming, 425 13th Street NW., Washington, D.C.

B. American Farm Bureau Federation, 1000 Merchandise Mart Plaza, Chicago, Ill.

D. (6) $1,483.34. E. (9) $17.77.

A. Gordon Forbes, 207 Union Depot Building, St. Paul, Minn.
D. (6) $500.

A. Owen V. Frisby, 821 15th Street NW., Washington, D.C.
B. The Chase Manhattan Bank, 1 Chase Manhattan Plaza, New York, N.Y.
D. (6) $187.50. E. (9) $370.60.

A. Mary Condon Gereau, 1201 16th Street NW., Washington, D.C.
B. National Education Association, 1201 16th Street NW., Washington, D.C.
D. (6) $2,623.50.

A. James M. Goldberg, 1616 H Street NW., Washington, D.C.
B. American Retail Federation.

A. Jack Golodner, 286 N Street SW., Washington, D.C.
B. Actors' Equity Association, 165 West 46th Street, New York, N.Y.
D. (6) $2,500. E. (9) $310.

A. Douglas R. Gordon, 1616 H Street NW., Washington, D.C.
B. American Retail Federation.

A. Donald E. Graham, 1200 17th Street NW., Washington, D.C.
B. National Council of Farmer Cooperatives, 1200 17th Street NW., Washington, D.C.

A. Hoyt S. Haddock, 100 Indiana Avenue NW., Washington, D.C.
B. AFL–CIO Maritime Committee, 100 Indiana Avenue NW., Washington, D.C.
D. (6) $600. E. (9) $226.65.

A. Wilfred H. Hall, 1701 K Street NW., Washington, D.C.
B. National Oil Jobbers Council, 1701 K Street NW., Washington, D.C.

A. Carlton B. Hamm, 1900 L Street NW., Washington, D.C.
B. National Oceanography Association, 1900 L Street NW., Washington, D.C.

A. Robert N. Hampton, 1200 17th Street NW., Washington, D.C.
B. National Council of Farmer Cooperatives, 1200 17th Street NW., Washington, D.C.
D. (6) $4,549.98. E. (9) $461.49.

A. L. James Harmanson, Jr., 1200 17th Street NW., Washington, D.C.
B. National Council of Farmer Cooperatives, 1200 17th Street NW., Washington, D.C.
D. (6) $6,874.98. E. (9) $143.25.

A. Lou Ann Harral, 1133 20th Street NW., Washington, D.C.
B. National Canners Association, 1133 20th Street NW., Washington, D.C.
D (6) $150. E. (9) $50.

A. Herbert E. Harris II, 425 13th Street NW., Washington, D.C.
B. American Farm Bureau Federation, 1000 Merchandise Mart Plaza, Chicago, Ill.
D. (6) $1,670.83. E. (9) $21.33.

A. Anthony Haswell, 333 North Michigan Avenue, Chicago, Ill.
B. National Association of Railroad Passengers, 333 North Michigan Avenue, Chicago, Ill.

A. Kit H. Haynes, 425 13th Street NW., Washington, D.C.
B. American Farm Bureau Federation, 1000 Merchandise Mart Plaza, Chicago, Ill.
D (6) $1,625. E. (9) $40.43.

A. Phil D. Helmig, 1001 Connecticut Avenue NW., Washington, D.C.
B. Atlantic Richfield Co., 717 Fifth Avenue, New York, N.Y.
D. (6) $150. E. (9) $150.

A. Home Manufacturers Association, 1625 L Street NW., Washington, D.C.
E. (9) $30.

A. Harold A. Hosier, 2240 Bell Court, Denver, Colo.
B. International Mailers Union, 2240 Bell Court, Denver, Colo.

A. Harold K. Howe, 400 Walker Building, Washington, D.C.
B. National Automatic Merchandising Association, 400 Walker Building, Washington, D.C.

A. Harold K. Howe, 400 Walker Building, Washington, D.C.
B. Outdoor Power Equipment Institute, 400 Walker Building, Washington, D.C.

A. Philip A. Hutchinson, Jr., 1735 New York Avenue NW., Washington, D.C.
B. The American Institute of Architects, 1735 New York Avenue NW., Washington, D.C.
D. (6) $1,000. E. (9) $2,530.

A. Institute of Scrap Iron & Steel, Inc., 1729 H Street NW., Washington, D.C.
D. (6) $300. E. (9) $1.50.

A. International Brotherhood of Teamsters, 25 Louisiana Avenue NW., Washington, D.C.
E. (9) $13,637.04.

A. International Mailers Union, 2240 Bell Court, Denver, Colo.

A. Raymond M. Jacobson, 1815 H Street NW., Washington, D.C.
B. American Society of Consulting Planners, 1815 H Street NW., Washington, D.C.
D. (6) $2,250.

A. Ralph K. James, 1155 15th Street NW., Washington, D.C.
B. Committee of American Steamship Lines, 1155 15th Street NW., Washington, D.C.
D. (6) $440. E. (9) $37.69.

A. Gene Johnson, 814 Fleming Building, Des Moines, Iowa.
B. International Mailers Union, 2240 Bell Court, Denver, Colo.

A. Ned Johnston, 1105 Barr Building, Washington, D.C.
B. International Association of Ice Cream Manufacturers & Milk Industry Foundation, 1105 Barr Building, Washington, D.C.

A. Francis M. Judge, 1615 H Street NW., Washington, D.C.
B. Chamber of Commerce of the U.S.A.

A. Eugene Adams Keeney, 1616 H Street NW., Washington, D.C.
B. American Retail Federation.

A. James J. Kennedy, Jr., 400 First Street NW., Washington, D.C.
B. Brotherhood of Railway, Airline & Steamship Clerks, 1015 Vine Street, Cincinnati, Ohio.
D. (6) $3,213.22. E. (9) $1,208.32.

A. Edward F. Kenney, 225 South Meramec, St. Louis, Mo.
B. Mississippi Valley Association, 1130 17th Street NW., Washington, D.C.

A. Franklin E. Kepner, Berwick Bank Building, Berwick, Pa.
B. Associated Railroads of Pennsylvania, 1022 Transportation Center, Philadelphia, Pa.

A. J. Don Kerlin, 1108 Stuart Road, Herndon, Va.
B. Time, Inc., Rockefeller Center, New York, N.Y.
D. (6) $100. E. (7) $50.

A. Robert E. Kline, Jr., 409 LaSalle Building, 1028 Connecticut Avenue NW., Washington, D.C.
B. Bowling Proprietors' Association of America, Inc., West Higgins Road, Hoffman Estates, Ill.
D. (6) $1,250. E. (9) $46.18.

A. Keith R. Knoblock, 1100 Ring Building, Washington, D.C.
B. American Mining Congress, Ring Building, Washington, D.C.
D. (6) $300.00.

A. George W. Koch, 205 East 42d Street, New York, N.Y.
B. Grocery Manufacturers of America, Inc., 205 East 42d Street, New York, N.Y.

A. Robert M. Koch, 702 H Street NW., Washington, D.C.
B. National Limestone Institute, Inc., 702 H Street NW., Washington, D.C.
E. (9) $23.50.

A. Ronald J. Kolodziej, 887 Wentworth Avenue, Calumet City, Ill.
B. The Related Organization, 887 Wentworth Avenue, Calumet City, Ill.

A. Donald Lerch, Jr. & Co., Inc., 1522 K Street NW., Washington, D.C.
B. Japan Chemical Fibres Association, 3, 3-Chome, Muromachi, Nihonbashi, Chuo-Ku Tokyo, Japan.

A. Donald Lerch, Jr. & Co., Inc., 1522 K Street NW., Washington, D.C.
B. Shell Chemical Co., 110 West 31st Street, New York, N.Y.

A. Lindsay, Nahstoll, Hart, Dafoe & Krause, Ninth Floor, Loyalty Building, Portland, Oreg.
B. Master Contracting Stevedore Association of the Pacific Coast, Inc., San Francisco, Calif.
D. (6) $7,250. E. (9) $700.72.

A. Lindsay, Nahstoll, Hart, Dafoe & Krause, Ninth Floor, Loyalty Building, Portland, Oreg.
B. National Maritime Compensation Committee, Ninth Floor, Loyalty Building, Portland, Oreg.
D. (6) $1,348.94. E. (9) $651.06.

A. Don F. Lobb, 1619 Massachusetts Avenue NW., Washington, D.C.
B. Southern Pine Industry Committee.
E. (9) $110.94.

A. John M. Lumley, 1201 16th Street NW., Washington, D.C.
B. National Education Association, Legislation and Federal Relations, 1201 16th Street NW., Washington, D.C.
D. (6) $4,437. E. (9) $355.79.

A. John C. Lynn, 425 13th Street NW., Washington, D.C.
B. American Farm Bureau Federation, 1000 Merchandise Mart Plaza, Chicago, Ill.
D. (6) $2,900. E. (9) $22.33.

A. Joseph J. McDonald, 1001 Connecticut Avenue NW., Washington, D.C.
B. United Steelworkers of America, 1500 Commonwealth Building, Pittsburgh, Pa.
D. (6) $3,635. E. (9) $577.80.

A. Stanley J. McFarland, 1201 16th Street NW., Washington, D.C.
B. National Education Association, Legislation and Federal Relations, 1201 16th Street NW., Washington, D.C.
D. (6) $2,842.51. E. (9) $90.03.

A. F. Howard McGuigan, 815 16th Street NW., Washington, D.C.
B. American Federation of Labor and Congress of Industrial Organizations, Federation of Trades and Labor Unions, 815 16th Street NW., Washington, D.C.
D. (6) $4,732. E. (9) $303.10.

A. Marvin L. McLain, 425 13th Street NW., Washington, D.C.
B. American Farm Bureau Federation, 1000 Merchandise Mart Plaza, Chicago, Ill.
D. (6) $2,495.83. E. (9) 15.78.

A. John S. McLees, 1615 H Street NW., Washington, D.C.
B. Chamber of Commerce of the U.S.A.

A. William H. McLin, 1201 16th Street NW., Washington, D.C.
B. National Education Association, Legislation and Federal Relations, 1201 16th Street NW., Washington, D.C.
D. (6) $2,700. E. (9) $133.21.

A. William F. McManus, 777 14th Street NW., Washington, D.C.
B. General Electric Co., 570 Lexington Avenue, New York, N.Y.
D. (6) $525. E. (9) $135.30.

A. George E. MacKinnon, 800 Investors Building, Minneapolis, Minn.
B. Investors Mutual, Inc., Investors Stock Fund, Inc., Investors Variable Payment Fund, Inc.
E. (9) $256.29.

A. Jos. R. MacLaren, 4 Linden Drive, Hudson Falls, N.Y.
B. Potlatch Forests Inc., Post Office Box 3591, San Francisco, Calif.

A. Don Mahon, 1028 Connecticut Avenue NW., Washington, D.C.
E. (9) $1,064.32.

A. Ben J. Man, 100 Indiana Avenue NW., Washington, D.C.
B. AFL–CIO Maritime Committee, 100 Indiana Avenue NW., Washington, D.C.
D. (6) $1,427.19. E. (9) $477.45.

A. Edwin E. Marsh, 600 Crandall Building, Salt Lake City, Utah.
B. National Wool Growers Association, 600 Crandall Building, Salt Lake City, Utah.
D. (6) $3,588.63. E. (9) $596.83.

A. Michael Marsh, 400 First Street NW., Washington, D.C.
B. Railway Labor Executives' Association, 400 First Street NW., Washington, D.C.
D. (6) $503.96.

A. Albert E. May, 1155 15th Street NW., Washington, D.C.
B. Committee of American Steamship Lines, 1155 15th Street NW., Washington, D.C.
D. (6) $436. E. (9) $46.38.

A. Arnold Mayer, 100 Indiana Avenue NW., Washington, D.C.
B. Amalgamated Meat Cutters and Butcher Workmen of North America (AFL–CIO), 2800 North Sheridan Road, Chicago, Ill.
D. (6) $4,700. E. (9) $180.

A. Medical-Surgical Manufacturers Association, 342 Madison Avenue, New York, N.Y.
B. Medical-Surgical Manufacturers Association, 342 Madison Avenue, New York, N.Y.
D. (6) $3,000. E. (9) $1,371.63.

A. Kenneth A. Meiklejohn, 815 16th Street NW., Washington, D.C.
B. American Federation of Labor and Congress of Industrial Organizations, 815 16th Street NW., Washington, D.C.
D. (6) $4,732. E. (9) $171.71.

A. Ellis E. Meredith, 2000 K Street NW., Washington, D.C.
B. American Apparel Manufacturers Association, Inc., 2000 K Street NW., Washington, D.C.
E. (9) $1,700.

A. Hermon I. Miller, 5116 Moorland Lane, Bethesda, Md.
B. National Turkey Federation, Mount Morris, Ill.

A. Clarence Mitchell, 422 First Street SE., Washington, D.C.
B. National Association for the Advancement of Colored People, 1790 Broadway, New York, N.Y.

A. Mobile Housing Association of America, 39 S. LaSalle Street, Chicago, Ill.
E. (9) $2,500.11.

A. Joseph E. Moody, 1000 16th Street NW., Washington, D.C.
D. (6) $625.00.

A. Carlos Moore, 25 Louisiana Avenue NW., Washingon, D.C.
B. International Brotherhood of Teamsters, 25 Louisiana Avenue NW., Washington, D.C.
D. (6) $5,004.

A. Jo V. Morgan, Jr., 815 15th Street NW., Washington, D.C.
B. American Humane Association, Post Office Box 1266, Denver, Colo.
D. (6) $1,500.

A. John J. Murphy, Jr., 815 15th Street NW., Washington, D.C.
B. Bricklayers, Masons & Plasterers International Union of America, 815 15th Street NW., Washington, D.C.
D. (6) $2,925. E. (9) $359.80.

A. Kenneth D. Naden, 1200 17th Street NW., Washington, D.C.
B. National Council of Farmer Cooperatives, 1200 17th Street NW., Washington, D.C.
D. (6) $8,625. E. (9) $493.01.

A. Micah H. Naftalin, 1510 H Street NW., Washington, D.C.
B. The Ethyl Corp., 611 Madison Office Building, Washington, D.C.
D. (6) $750.

A. National Associated Businessmen, 1000 Connecticut Avenue, Washington, D.C.
D. (6) $1,001.40. E. (9) $1,677.95.

A. National Association for the Advancement of Colored People, 1790 Broadway, New York, N.Y.

A. National Association of Home Builders of the United States, 1625 L Street NW., Washington, D.C.
D. (6) $22,484.18. E. (9) $17,771.19.

A. National Association of Insurance Agents, Inc., 96 Fulton Street, New York, N.Y.
E. (9) $648.64.

A. National Association of Railroad Passengers, 333 N. Michigan Avenue, Chicago, Ill.
D. (6) $5,852.60. E. (9) $4,702.08.

A. National Association of Real Estate Boards, 1300 Connecticut Avenue, Washington, D.C.
E. (9) $10,142.66.

A. National Association of Social Workers, Inc., 2 Park Avenue, New York, N.Y., 1346 Connecticut Avenue NW., Washington, D.C.

A. National Audio-Visual Association, Inc., 3150 Spring Street, Fairfax, Va.
E. (9) $776.99.

A. National Automobile Dealers Association, 2000 K Street NW., Washington, D.C.
D. (6) $3,619.22. E. (9) $3,619.22.

A. National Campaign for Agricultural Democracy, 110 Maryland Avenue NE., Washington, D.C.
D. (6) $6,711.50. E. (9) $7,594.17.

A. National Coal Policy Conference, Inc., 1000 16th Street NW., Washington, D.C.
E. (9) $1,553.07.

A. The National Committee for the Recording Arts, 9300 Wilshire Boulevard, Beverly Hills, Calif.
D. (6) $87,642.92. E. (9) $23,949.80.

A. National Committee for Research in Neurological Disorders, care of Dr. A. B. Baker, Division of Neurology, University of Minnesota Hospital, Minneapolis, Minn.
E. (9) $4,000.

A. National Congress of Parents and Teachers, 700 North Rush Street, Chicago, Ill.

A. National Council of Farmer Cooperatives, 1200 17th Street NW., Washington, D.C.
D. (6) $20,062.84. E. (9) $17,047.

A. National Council, Junior Order United American Mechanics, 3027 N. Broad Street, Philadelphia, Pa.

A. National Counsel Associates, 421 New Jersey Avenue SE., Washington, D.C.
B. Cenco Instruments Corp., 2600 S. Kostner Avenue, Chicago, Ill.
D. (6) $900. E. (9) $126.83.

A. National Counsel Associates, 421 New Jersey Avenue SE., Washington, D.C.
B. Committee for the Study of Revenue Bond Financing, 55 Liberty Street, New York, N.Y.
D. (6) $1,666.65. E. (9) $89.56.

A. National Counsel Associates, 421 New Jersey Avenue SE., Washington, D.C.
B. National Association of Railroad Passengers, 333 N. Michigan Avenue, Chicago, Ill.
D. (6) $3,750. E. (9) $347.24.

A. National Cystic Fibrosis Research Foundation, 202 E. 44th Street, New York, N.Y.
E. (9) $2,000.

National Education Association, 1201 16th Street NW., Washington, D.C.
E. (9) $20,556.37.

A. National Farmers Organization, 720 Davis Avenue, Corning, Iowa.
E. (9) $1,493.84.

A. National Federation of Business and Professional Women's Clubs, Inc., 2012 Massachusetts Avenue NW., Washington, D.C.
D. (6) $65,312. E. (9) 6,243.71.

A. National Limestone Institute, Inc., 702 H Street NW., Washington, D.C.
D. (6) $1,452.90. E. (9) $1,452.90.

A. National Livestock Feeders Association, Inc., 309 Livestock Exchange Building, Omaha, Nebr.
D. (6) $1,943. E. (9) $1,943.

A. National Multiple Sclerosis Society, 257 Park Avenue South, New York, N.Y.
E. (9) $1,013.09.

A. National Oil Jobbers Council, 1701 K Street NW., Washington, D.C.

A. National Reclamation Association, 897 National Press Building, Washington, D.C.
D. (6) $7,275.78. E. (9) $7,597.74.

A. National Rehabilitation Association, 1522 K Street NW., Washington, D.C.
D. (6) $13,836.25. E. (9) $1,078.50.

A. National Rural Electric Cooperative Association, 2000 Florida Avenue NW., Washington, D.C.
E. (9) $1,514.80.

A. National Tax Equality Association, Inc., 1000 Connecticut Avenue Building, Washington, D.C.
D. (6) $7,323.80. E. (9) $746.21.

A. National Turkey Federation, Mount Morris, Ill.

A. National Wool Growers Association, 600 Crandall Building, Salt Lake City, Utah.
D. (6) $29,429. E. (9) $4,558.39.

A. Ivan A. Nestinger, 1000 Connecticut Avenue NW., Washington, D.C.
B. CUNA International, Inc., 1617 Sherman Avenue, Madison, Wis.
D. (6) $300. E. (9) $947.90.

A. John A. Nevius, 1000 Vermont Avenue NW., Washington, D.C.
B. Association of Mutual Fund Plan Sponsors, Inc., 50 East 42 Street, New York, N.Y.
D. (6) $5,415.48. E. (9) $1,424.30.

A. Robert H. North, 1105 Barr Building, Washington, D.C.
B. International Association of Ice Cream Manufacturers and Milk Industry Foundation, 1105 Barr Building, Washington, D.C.

A. Richard T. O'Connell, 1200 17th Street NW., Washington, D.C.
B. National Council of Farmer Cooperatives, 1200 17th Street NW., Washington, D.C.
D. (6) $4,899.96. E. (9) $279.86.

A. O'Connor, Green, Thomas, Walters & Kelly, 1750 Pennsylvania Ave. NW., Washington, D.C.
B. Investors Diversified Services, Inc., Investors Building, Minneapolis, Minn.
D. (6) $2,600. E. (9) $362.

A. Samuel Omasta, 702 H Street NW., Washington, D.C.
B. National Limestone Institute, Inc., 702 H Street NW., Washington, D.C.
E. (9) $13.50.

A. Order of Railway Conductors and Brakemen, O.R.C. & B. Building, Cedar Rapids, Iowa.
E. (9) $6,465.32.

A. John A. Overholt, 10400 Connecticut Avenue, Kensington, Md.; 1106 Munsey Building, Washington, D.C.
B. National Association of Retired Civil Employees, 1909 Q Street NW., Washington, D.C.
D. (6) $2,125.

A. J. Allen Overton, Jr., 1100 Ring Building, Washington, D.C.
B. American Mining Congress, Ring Building, Washington, D.C.
D. (6) $1,200.

A. Lew M. Paramore, Post Office Box 1310, Kansas City, Kans.
B. Mississippi Valley Association, 1130 17th Street NW., Washington, D.C.

A. Michael L. Parker, 1910 Russ Building, San Francisco, Calif.
B. Kaiser Foundation Health Plan, 300 Lakeside Drive, Oakland, Calif.
D. (6) $3,085.48. E. (9) $1,895.48.

A. J. Francis Pohlhaus, 422 First Street SE., Washington, D.C.
B. National Association for the Advancement of Colored People, 1790 Broadway, New York, N.Y.

A. Ragan & Mason, 900 17th Street NW., Washington, D.C.
B. The Department of Tourism and Trade Development, Hamilton, Bermuda.
D. (6) $1,666.

A. Ragan & Mason, 900 17th Street NW., Washington, D.C.
B. Sea-Land Service, Inc., Post Office Box 1050, Elizabeth, N.J.
D. (6) $900.

A. Ragan & Mason, 900 17th Street NW., Washington, D.C.
B. South Atlantic & Caribbean Line, Inc., 250 Park Avenue, New York, N.Y.
D. (6) $200.

A. Ragan & Mason, 900 17th Street NW., Washington, D.C.
B. Stimson Lumber Co., Post Office Box 68, Forest Grove, Oreg.
D. (6) $1,000.

A. Sidney C. Reagan, 6815 Prestonshire, Dallas, Tex.
B. Southwestern Peanut Shellers Association, 6815 Prestonshire, Dallas, Tex.
D. (6) $150.

A. Recreational Vehicle Institute Inc., 2720 Des Plaines Avenue., Des Plaines, Ill.
E. (9) $1,230.61.

A. Robert E. Redding, 1101 17th Street NW., Washington, D.C.
B. Transportation Association of America, 1101 17th Street NW., Washington, D.C.

A. The Related Organization, 887 Wentworth Avenue, Calumet City, Ill.

A. Retired Officers Tax Credit Committee, Post Office Box 1965, Annapolis, Md.
E. (9) $250.90.

A. Harry H. Richardson, 335 Austin Street, Bogalusa, La.
B. Louisiana Railroads.

A. Mark Richardson, 342 Madison Avenue, New York, N.Y.
B. National Footwear Manufacturers Association, Inc., 342 Madison Avenue, New York, N.Y.
D. (6) $250. E. (9) $250.

A. Richard N. Rigby, Jr., 1900 L Street NW., Washington, D.C.
B. Wilson E. Hamilton & Associates, Inc., 1900 L Street NW., Washington, D.C.

A. John Riley, 1625 L Street NW., Washington, D.C.
B. National Association of Home Builders of the United States, 1625 L Street NW., Washington, D.C.
D. (6) $628. E. (9) $28.62.

A. Carl Roberts, 1225 Connecticut Avenue NW., Washington, D.C.
B. American Association of Retired Persons, National Retired Teachers Association.
E. (9) $750.

A. Stephen Philip Robin, 1000 Connecticut Avenue NW., Washington, D.C.
B. International Public Relations Co., Ltd. (N.Y.), d/b/a Japan Steel Information Center, 230 Park Avenue, New York, N.Y.

A. James A. Rock, 423 13th Street NW., Washington, D.C.
B. American Farm Bureau Foundation, 1000 Merchandise Mart Plaza, Chicago, Ill.
D. (6) $164.58. E. (9) $3.91.

A. Nathaniel H. Rogg, 1625 L Street NW., Washington, D.C.
B. National Association of Home Builders of the United States, 1625 L Street NW., Washington, D.C.
D. (6) $1,500. E. (9) $117.90.

A. Michael J. Romig, 1730 Rhode Island Avenue NW., Washington, D.C.
B. CUNA International, Inc., 1617 Sherman Avenue, Madison, Wis.
D. (6) $543.46. E. (9) $66.75.

A. James S. Rubin, 1225 Connecticut Avenue NW., Washington, D.C.
B. American Association of Retired Persons, National Retired Teachers Association.
E. (9) $932.21.

A. William H. Scheick, 1735 New York Avenue NW., Washington, D.C.
B. The American Institute of Architects, 1735 New York Avenue NW., Washington, D.C.
D. (6) $50

A. Stanley W. Schroeder, 1100 Ring Building, Washington, D.C.
B. American Mining Congress, Ring Building, Washington, D.C.
D. (6) $300.

A. Clayton A. Seeber, 1201 16th Street NW., Washington, D.C.
B. National Education Association, Legislation & Federal Relations, 1201 16th Street NW., Washington, D.C.
D. (6) $2,700. E. (9) $94.29.

A. Theodore A. Serrill, 491 National Press Building, Washington, D.C.
B. National Newspaper Association, 491 Press Building, Washington, D.C.
E. (9) $117.39.

A. John J. Sheehan, 1001 Connecticut Avenue NW., Washington, D.C.
B. United Steelworkers of America, 1500 Commonwealth Building, Pittsburgh, Pa.
D. (6) $4,300. E. (9) $2,846.20.

A. Laurence P. Sherfy, 1100 Ring Building, Washington, D.C.
B. American Mining Congress, Ring Building, Washington, D.C.
D (6) $575.

A. Robert L. Shortle, 1147 International Trade Mart Tower, New Orleans, La.
B. Mississippi Valley Association, 1130 17th Street NW., Washington, D.C.

A. Single Persons Tax Reform Lobby, 1692A Green Street, San Francisco, Calif.
D. (6) $18.73. E. (9) $134.

A. Jonathan W. Sloat, 1632 K Street NW., Washington, D.C.
B. Grocery Manufacturers of America, 205 East 42d Street, New York, N.Y.

A. Irvin A. Smith, 418 East Rosser Avenue, Box 938, Bismarck, N. Dak.
E. (9) $24.35.

A. James E. Smith, 815 Connecticut Avenue NW., Washington, D.C.
B. The American Bankers Association, 90 Park Avenue, New York, N.Y.
D. (6) $2,000. E. (9) $500.

A. Marvin J. Sonosky, 1225 19th Street NW., Washington, D.C.

A. W. Byron Sorrell, 1140 Connecticut Avenue NW., Washington, D.C.
B. Mobile Housing Association of America, 39 South LaSalle Street, Chicago, Ill.
D. (6) $2,025. E. (9) $475.11.

A. W. Byron Sorrell, 1140 Connecticut Avenue NW., Washington, D.C.

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B. Recreational Vehicle Institute, 2720 Des Plaines Avenue, Des Plaines, Ill.
D. (6) $1,500. E. (9) $230.61.

A. Southern Pine Industry Committee, 520 National Bank of Commerce Building, New Orleans, La.
D. (6) $600. E. (9) $297.12.

A. Southwestern Peanut Shellers Association, 6815 Prestonshire, Dallas, Tex.
D. (6) $150. E. (9) $150.

A. John F. Speer, Jr., 1105 Barr Building, Washington, D.C.
B. International Association of Ice Cream Manufacturers and Milk Industry Foundation, 1105 Barr Building, Washington, D.C.

A. Roy H. Stanton, 1625 L Street NW., Washington, D.C.
B. National Association of Home Builders of the United States, 1625 L Street NW., Washington, D.C.
D. (6) $2,250. E. (9) $123.44.

A. Mrs. Annalee Stewart, 120 Maryland Avenue NE., Washington, D.C.
B. Women's International League for Peace and Freedom, 120 Maryland Avenue NE., Washington, D.C.

A. Philip W. Stroupe, 1100 Ring Building, Washington, D.C.
B. American Mining Congress, Ring Building, Washington, D.C.
D. (6) $450.

A. Frank L. Sundstrom, 1290 Avenue of the Americas, New York, N.Y.
B. Schenley Industries, Inc., 1290 Avenue of the Americas, New York, N.Y.

A. Sutherland, Asbill & Brennan, 1200 Farragut Building, Washington, D.C.
B. Retail Credit Co., Post Office Box 4081, Atlanta, Ga.

A. Monroe Sweetland, 1705 Murchison Drive, Burlingame, Calif.
B. National Education Association, 1201 16th Street NW., Washington, D.C.
D. (6) $335. E. (9) $50.

A. Russell D. Tall, 1200 17th Street NW., Washington, D.C.
B. National Council of Farmer Cooperatives, 1200 17th Street NW., Washington, D.C.

A. Evert S. Thomas, Jr., 1730 Rhode Island Avenue NW., Washington, D.C.
B. CUNA International, Inc., 1617 Sherman Avenue, Madison, Wis.
D. (6) $2,703.83. E. (9) $744.86.

A. Julia C. Thompson, 1030 15th Street NW., Washington, D.C.
B. American Nurses' Association, Inc., 10 Columbus Circle, New York, N.Y.
D. (6) $3,243.18.

A. E. Linwood Tipton, 1105 Barr Building, Washington, D.C.
B. International Association of Ice Cream Manufacturers and Milk Industry Foundation, 1105 Barr Building, Washington, D.C.

A. Dwight D. Townsend, 1012 14th Street NW., Washington, D.C.
B. Cooperative League of USA, 59 East Van Buren Street, Chicago, Ill.
D. (6) $7,000. E. (9) $8,780.

A. Matt Triggs, 425 13th Street NW., Washington, D.C.
B. American Farm Bureau Federation, 1000 Merchandise Mart Plaza, Chicago, Ill.
D. (6) $2,164.58. E. (9) $28.03.

A. Paul T. Truitt, 1700 K Street NW., Washington, D.C.
B. National Plant Food Institute, 1700 K Street NW., Washington, D.C.

A. Trustees for Conservation, 251 Kearny Street, San Francisco, Calif.
D. (6) $346.50. E. (9) $132.87.

A. W. Lloyd Tupling, 235 Massachusetts Avenue NE., Washington, D.C.
B. Trustees for Conservation, 251 Kearny Street, San Francisco, Calif.
E. (9) $198.

A. United Cerebral Palsy Associations, Inc., 66 East 34th Street, New York, N.Y.
E. (9) $1,355.15.

A. The Urban Coalition Action Council, 1819 H Street NW., Washington, D.C.
E. (9) $43.30.

A. Charles R. Van Horn, 17th and H Streets NW., Washington, D.C.
B. Baltimore & Ohio Railroad Co. and Chesapeake & Ohio Railway Co., Charles and Baltimore Streets, Baltimore, Md.

A. Reno F. Walker, 425 13th Street NW., Washington, D.C.
B. American Farm Bureau Federation, 1000 Merchandise Mart Plaza, Chicago, Ill.
D. (6) $1,125. E. (9) $12.38.

A. Thomas G. Walters, 1909 Q Street NW., Washington, D.C.
B. National Association of Retired Civil Employees, 1909 Q Street NW., Washington, D.C.
D. (6) $3,365.60. E. (9) $3,900.25.
A. Merrill A. Watson, 342 Madison Avenue, New York, N.Y.
B. National Footwear Manufacturers Association, Inc., 342 Madison Avenue, New York, N.Y.
D. (6) $250. E. (9) $250.

A. E. E. Webster, 4533 Decoursey Avenue, Covington, Ky.
B. Brotherhood Maintenance of Way Employees, 12050 Woodward Avenue, Detroit, Mich.

A. Robert L. Weneck, 9121 West 73d Street, Shawnee Mission, Kans.
B. Weneck International Marketers, Inc., 2 East Gregory, Kansas City, Mo.

A. Edwin M. Wheeler, 1700 K Street NW., Washington, D.C.
B. National Plant Food Institute, 1700 K Street NW., Washington, D.C.

A. Donald F. White, 1616 H Street NW., Washington, D.C.
B. American Retail Federation.

A. Robert P. Will, 201 Massachusetts Avenue NE., Washington, D.C.
B. The Metropolitan Water District of Southern California, 1111 Sunset Boulevard, Los Angeles, Calif.
D. (6) $3,600. E. (9) $1,056.66.

A. Kenneth Young, 815 16th Street NW., Washington, D.C.
B. American Federation of Labor and Congress of Industrial Organizations, 815 16th Street NW., Washington, D.C.
D. (6) $4,732. E. (9) $355.15.

QUARTERLY REPORTS

The following quarterly reports were submitted for the first calendar quarter 1969:

(NOTE.—The form used for registration is reproduced below. In the interest of economy in the RECORD, questions are not repeated, only the essential answers are printed, and are indicated by their respective letter and number.)

FILE ONE COPY WITH THE SECRETARY OF THE SENATE AND FILE TWO COPIES WITH THE CLERK OF THE HOUSE OF REPRESENTATIVES:

This page (page 1) is designed to supply identifying data; and page 2 (on the back of this page) deals with financial data.

PLACE AN "X" BELOW THE APPROPRIATE LETTER OR FIGURE IN THE BOX AT THE RIGHT OF THE "REPORT" HEADING BELOW:

"PRELIMINARY" REPORT ("Registration"): To "register," place an "X" below the letter "P" and fill out page 1 only.

"QUARTERLY" REPORT: To indicate which one of the four calendar quarters is covered by this Report, place an "X" below the appropriate figure. Fill out both page 1 and page 2 and as many additional pages as may be required. The first additional page should be numbered as page "3," and the rest of such pages should be "4," "5," "6," etc. Preparation and filing in accordance with instructions will accomplish compliance with all quarterly reporting requirements of the Act.

Year: 19_______ ◄

REPORT

PURSUANT TO FEDERAL REGULATION OF LOBBYING ACT

P	QUARTER			
	1st	2d	3d	4th
(Mark one square only)				

NOTE ON ITEM "A".—(a) IN GENERAL. This "Report" form may be used by either an organization or an individual, as follows:

(i) "Employee".—To file as an "employee", state (in Item "B") the name, address, and nature of business of the "employer". (If the "employee" is a firm [such as a law firm or public relations firm], partners and salaried staff members of such firm may join in filing a Report as an "employee".)

(ii) "Employer".—To file as an "employer", write "None" in answer to Item "B".

(b) SEPARATE REPORTS. An agent or employee should not attempt to combine his Report with the employer's Report:

(i) Employers subject to the Act must file separate Reports and are not relieved of this requirement merely because Reports are filed by their agents or employees.

(ii) Employees subject to the Act must file separate Reports and are not relieved of this requirement merely because Reports are filed by their employers.

A. ORGANIZATION OR INDIVIDUAL FILING:

1. State name, address, and nature of business.

2. If this Report is for an Employer, list names of agents or employees who will file Reports for this Quarter.

NOTE ON ITEM "B".—*Reports by Agents or Employees.* An employee is to file, each quarter, as many Reports as he has employers, except that: (*a*) If a particular undertaking is jointly financed by a group of employers, the group is to be considered as one employer, but all members of the group are to be named, and the contribution of each member is to be specified; (*b*) if the work is done in the interest of one person but payment therefor is made by another, a single Report—naming both persons as "employers"—is to be filed each quarter.

B. EMPLOYER.—State name, address, and nature of business. If there is no employer, write "None."

NOTE ON ITEM "C".—(*a*) The expression "in connection with legislative interests," as used in this Report, means "in connection with attempting, directly or indirectly, to influence the passage or defeat of legislation." "The term 'legislation' means bills, resolutions, amendments, nominations, and other matters pending or proposed in either House of Congress, and includes any other matter which may be the subject of action by either House"—§ 302(e).

(*b*) Before undertaking any activities in connection with legislative interests, organizations and individuals subject to the Lobbying Act are required to file a "Preliminary" Report (Registration).

(*c*) After beginning such activities, they must file a "Quarterly" Report at the end of each calendar quarter in which they have either received or expended anything of value in connection with legislative interests.

C. LEGISLATIVE INTERESTS, AND PUBLICATIONS in connection therewith:

1. State approximately how long legislative interests are to continue. If receipts and expenditures in connection with legislative interests have terminated, ☐ place an "X" in the box at the left, so that this Office will no longer expect to receive Reports.

2. State the general legislative interests of the person filing and set forth the *specific* legislative interests by reciting: (*a*) Short titles of statutes and bills; (*b*) House and Senate numbers of bills, where known; (*c*) citations of statutes, where known; (*d*) whether for or against such statutes and bills.

3. In the case of those publications which the person filing has caused to be issued or distributed in connection with legislative interests, set forth: (*a*) Description, (*b*) quantity distributed; (*c*) date of distribution, (*d*) name of printer or publisher (if publications were paid for by person filing) or name of donor (if publications were received as a gift).

(Answer items 1, 2, and 3 in the space below. Attach additional pages if more space is needed)

4. If this is a "Preliminary" Report (Registration) rather than a "Quarterly" Report, state below what the nature and amount of anticipated expenses will be; and if for an agent or employee, state also what the daily, monthly, or annual rate of compensation is to be. If this is a "Quarterly" Report, disregard this item "C4" and fill out item "D" and "E" on the back of this page. Do not attempt to combine a "Preliminary" Report (Registration) with a "Quarterly" Report.◄

AFFIDAVIT

[Omitted in printing]

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Note on Item "D."—(*a*) *In General.* The term "contribution" includes *anything of value.* When an organization or individual uses printed or duplicated matter in a campaign attempting to influence legislation, money received by such organization or individual—for such printed or duplicated matter—is a "contribution." "The term 'contribution' includes a gift, subscription, loan, advance, or deposit of money, or anything of value, and includes a contract, promise, or agreement, whether or not legally enforceable, to make a contribution"—Section 302(a) of the Lobbying Act.

(*b*) **If This Report Is for an Employer.**—(i) *In General.* Item "D" is designed for the reporting of all receipts from which expenditures are made, or will be made, in accordance with legislative interests.

(ii) *Receipts of Business Firms and Individuals.*—A business firm (or individual) which is subject to the Lobbying Act by reason of expenditures which it makes in attempting to influence legislation—but which has no funds to expend except those which are available in the ordinary course of operating a business not connected in any way with the influencing of legislation—will have no receipts to report, even though it does have expenditures to report.

(iii) *Receipts of Multipurpose Organizations.*—Some organizations do not receive any funds which are to be expended solely for the purpose of attempting to influence legislation. Such organizations make such expenditures out of a general fund raised by dues, assessments, or other contributions. The percentage of the general fund which is used for such expenditures indicates the percentage of dues, assessments, or other contributions which may be considered to have been paid for that purpose. Therefore, in reporting receipts, such organizations may specify what that percentage is, and report their dues, assessments, and other contributions on that basis. However, each contributor of $500 or more is to be listed, regardless of whether the contribution was made solely for legislative purposes.

(*c*) **If This Report Is for an Agent or Employee.**—(i) *In General.* In the case of many employees, all receipts will come under Items "D 5" (received for services) and "D 12" (expense money and reimbursements). In the absence of a clear statement to the contrary, it will be presumed that your employer is to reimburse you for all expenditures which you make in connection with legislative interests.

(ii) *Employer as Contributor of $500 or More.*—When your contribution from your employer (in the form of salary, fee, etc.) amounts to $500 or more, it is not necessary to report such contribution under "D 13" and "D 14," since the amount has already been reported under "D 5," and the name of the "employer" has been given under Item "B" on page 1 of this report.

D. **Receipts** (**Including Contributions and Loans**):

Fill in every blank. If the answer to any numbered item is "None," write "None" in the space following the number.

Receipts (other than loans)

1. $________Dues and assessments
2. $________Gifts of money or anything of value
3. $________Printed or duplicated matter received as a gift
4. $________Receipts from sale of printed or duplicated matter
5. $________Received for services (e.g., salary, fee, etc.)
6. $________Total for this Quarter (Add items "1" through "5")
7. $________Received during previous Quarters of calendar year
8. $________Total from Jan. 1 through this Quarter (Add "6" and "7")

Loans Received

"The term 'contribution' includes a . . . *loan* . . ."—Sec. 302(a).

9. $________Total now owed to others on account of loans
10. $________Borrowed from others during this Quarter
11. $________Repaid to others during this Quarter

12. $________"Expense money" and Reimbursements received this Quarter

Contributors of $500 or more
(from Jan. 1 through this Quarter)

13. Have there been such contributors?

Please answer "yes" or "no": ________

14. In the case of each contributor whose contributions (including loans) during the "period" from January 1 through the last days of this Quarter total $500 or more:

Attach hereto plain sheets of paper, approximately the size of this page, tabulate data under the headings "Amount" and "Name and Address of Contributor"; and indicate whether the last day of the period is March 31, June 30, September 30, or December 31. Prepare such tabulation in accordance with the following example:

Amount	*Name and Address of Contributor*
	("*Period*" from Jan. 1 through ________________, 19____)
$1,500.00	John Doe, 1621 Blank Bldg., New York, N.Y.
$1,785.00	The Roe Corporation, 2511 Doe Bldg., Chicago, Ill.
$3,285.00	Total

Note on Item "E".—(*a*) *In General.* "The term 'expenditure' includes a payment, distribution, loan, advance, deposit, or gift of money or anything of value, and includes a contract, promise, or agreement, whether or not legally enforceable, to make an expenditure"—Section 302(b) of the Lobbying Act.

(*b*) **If This Report Is for an Agent or Employee.** In the case of many employees, all expenditures will come under telephone and telegraph (Item "E 6") and travel, food, lodging, and entertainment (Item "E 7").

E. **Expenditures** (**Including Loans**) in connection with legislative interests:

Fill in every blank. If the answer to any numbered item is "None," write "None" in the spaces following the number.

Expenditures (other than loans)

1. $________Public relations and advertising services
2. $________Wages, salaries, fees, commissions (other than item "1")
3. $________Gifts or contributions made during Quarter
4. $________Printed or duplicated matter, including distribution cost
5. $________Office overhead (rent, supplies, utilities, etc.)
6. $________Telephone and telegraph
7. $________Travel, food, lodging, and entertainment
8. $________All other expenditures
9. $________Total for this Quarter (Add "1" through "8")
10. $________Expended during previous Quarters of calendar year
11. $________Total from January 1 through this Quarter (Add "9" and "10")

Loans Made to Others

"The term 'expenditure' includes a . . . *loan* . . ."—Sec. 302(b).

12. $________Total now owed to person filing
13. $________Lent to others during this Quarter
14. $________Repayment received during this Quarter

15. Recipients of Expenditures of $10 or More

In the case of expenditures made during this Quarter by, or on behalf of the person filing: Attach plain sheets of paper approximately the size of this page and tabulate data as to expenditures under the following heading: "Amount," "Date or Dates," "Name and Address of Recipient," "Purpose." Prepare such tabulation in accordance with the following example:

Amount	*Date or Dates—Name and Address of Recipient—Purpose*
$1,750.00	7-11: Roe Printing Co., 3214 Blank Ave., St. Louis, Mo.—Printing and mailing circulars on the "Marshbanks Bill."
$2,400.00	7-15, 8-15, 9-15: Britten & Blaten, 3127 Gremlin Bldg., Washington, D.C.—Public relations service at $800.00 per month.
$4,150.00	Total

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A. Charles D. Ablard, 1629 K Street NW., Washington, D.C.
B. Magazine Publishers Association, Inc., 575 Lexington Avenue, New York, N.Y.
D. (6) $2,500. E. (9) $329.58.

A. Clarence G. Adamy, 1725 I Street NW., Washington, D.C.
B. National Association of Food Chains, 1725 I Street NW., Washington, D.C.
D. (6) $160.

A. S. Allan Adelman, 1660 L Street NW., Washington, D.C.
B. American Gas Association, Inc., 605 Third Avenue, New York, N.Y.
D. (6) $735. E. (9) $60.

A. Aerospace Industries Association of America, Inc., 1725 DeSales Street NW., Washington, D.C.
D. (6) $6,290.70. E. (9) $6,290.70.

A. Air Traffic Control Association, Inc., 409 Arba Building, Washington, D.C.

A. Air Transport Association of America, 1000 Connecticut Avenue NW., Washington, D.C.
D. (6) $2,584.71. E. (9) $2,584.71.

A. Aircraft Owners & Pilots Association, Post Office Box 5800, Washington, D.C.

A. John R. Ale, 1701 K Street NW., Washington, D.C.
B. American Life Convention, 211 East Chicago Avenue, Chicago, Ill.
D. (6) $224.60.

A. Herbert F. Alfrey, 1750 Pennsylvania Avenue NW., Washington, D.C.
B. National Rural Letter Carriers' Association, 1750 Pennsylvania Avenue NW., Washington, D.C.
D. (6) $415. E. (9) $27.

A. Mrs. Donna Allen, 3306 Ross Place NW., Washington, D.C.
B. National Committee to Abolish HUAC/HISC, 555 North Western Avenue, Los Angeles, Calif.

A. Frederick N. Allen, 952 Pennsylvania Building, Washington, D.C.
B. National Water Company Conference, 952 Pennsylvania Building, Washington, D.C.

A. Kenneth D. Allen, 1701 K Street NW., Washington, D.C.
B. Health Insurance Association of America, 1701 K Street NW., Washington, D.C.
D. (6) $46.75. E. (9) $8.14.

A. Nicholas E. Allen and Merrill Armour, 444 Shoreham Building, Washington, D.C.
B. Music Operators of America, Inc., 228 North La Salle Street, Chicago, Ill.
E. (9) $160.33.

A. Amalgamated Transit Union, AFL–CIO, 5025 Wisconsin Avenue NW., Washington, D.C.

A. Amalgamated Transit Union, National Capital Division 689, 100 Indiana Avenue NW., Washington, D.C.

A. American Automobile Association, 1712 G Street NW., Washington, D.C.

A. American Cancer Society, 219 East 42d Street, New York, N.Y.
E. (9) $7,743.40.

A. The American College of Radiology, 20 North Wacker Drive, Chicago, Ill.
D. (6) $1,770.94. E. (9) $1,770.94.

A. American Committee for Flags of Necessity, 25 Broadway, New York, N.Y.

A. American Farm Bureau Federation, Merchandise Mart Plaza, Chicago, Ill., 425 13th Street NW., Washington, D.C.
D. (6) $32,541. E. (9) $32,541.

A. American Federation of Labor and Congress of Industrial Organizations, 815 16th Street NW., Washington, D.C.
E. (9) $45,832.85.

A. American Gas Association, Inc., 605 Third Avenue, New York. N.Y.

A. American Hospital Association, 840 North Lake Shore Drive, Chicago, Ill.
D. (6) $15,274.76. E. (9) $15,274.76.

A. American Hotel & Motel Association, 221 West 57th Street, New York, N.Y.

A. American Industrial Bankers Association, 1629 K Street NW., Washington, D.C.
D. (6) $1,650. E. (9) $1,650.

A. American Israel Public Affairs Committee, 1341 G Street NW., Washington, D.C.
D. (6) $5,194. 78. E. (9) $3,180.79.

A. American Justice Association, Defense Highway, Gambrills, Md.
D. (6) $2. E. (9) $2.

A. American Landowners Association, Route 1, Box 294, Harpers Ferry, W. Va.
D. (6) $231.48.

A. American Life Convention, 211 East Chicago Avenue, Chicago, Ill.
D. (6) $751.10. E. (9) $15.60.

A. American Maritime Association, 17 Battery Place, New York, N.Y.; 1612 K Street NW., Washington, D.C.
E. (9) $207.57.

A. American Medical Association, 535 North Dearborn Street, Chicago, Ill.
E. (9) $20,521.31.

A. American Mutual Insurance Alliance, 20 North Wacker Drive, Chicago, Ill.
E. (9) $547.50.

A. American Nurses' Association, Inc., 10 Columbus Circle, New York, N.Y.
D. (6) $8,629.39. E. (9) $8,629.39.

A. American Optometric Association, care of J. C. Tumblin, O.D., 4836 Broadway NE., Knoxville, Tenn.
D. (6) $25,275. E. (9) $8,863.

A. American Paper Institute, Inc., 260 Madison Avenue, New York, N.Y.

A. American Petroleum Institute, 1271 Avenue of the Americas, New York, N.Y.
D. (6) $25,275. E. (9) $8,863.

A. American Podiatry Association, 20 Chevy Chase Circle, Washington, D.C.
E. (9) $574.

A. American Pulpwood Association, 605 Third Avenue, New York, N.Y.

A. The American Short Line Railroad Association, 2000 Massachusetts Avenue NW., Washington, D.C.
D. (6) $1,011.96. E. (9) $1,011.96.

A. American Society of Travel Agents, Inc., 360 Lexington Avenue, New York, N.Y.

A. American Stock Yards Association, 1712 I Street NW., Washington, D.C.
D. (6) $1,350. E. (9) $900.

A. American Taxpayers Association, 326 Pennsylvania Building, Washington, D.C.

A. American Textile Machinery Association, 224 Ellington Road, Longmeadow, Mass.
D. (6) $338.90.

A. American Textile Manufacturers Institute, Inc., 1501 Johnston Building, Charlotte, N.C.
D. (6) $13,193.53. E. (9) $13,193.53.

A. American Trucking Associations, Inc., 1616 P Street NW., Washington, D.C.
D. (6) $10,290.06. E. (9) $14,496.81.

A. American Veterinary Medical Association, 1522 K Street NW., Washington, D.C.
E. (9) $76.

A. The American Waterways Operators, Inc., 1250 Connecticut Avenue, Washington, D.C.
D. (6) $3,762.26. E. (9) $3,762.26.

A. Cyrus T. Anderson, 400 First Street NW., Washington, D.C.
B. The National Football League, 410 Park Avenue, New York, N.Y.

A. Cyrus T. Anderson, 400 First Street NW., Washington, D.C.
B. Spiegel, Inc., 2511 West 23d Street, Chicago, Ill.

A. Edward T. Anderson, 245 Second Street NE, Washington, D.C.
B. Friends Committee on National Legislation, 245 Second Street NE., Washington, D.C.
D. (6) $1,111.

A. Walter M. Anderson, Jr., Montgomery, Ala.
B. Alabama Railroad Association, 1002 First National Bank Building, Montgomery, Ala.

A. George W. Apperson, 100 Indiana Avenue NW., Washington, D.C.
B. Amalgamated Transit Union, National Capital Division 689, 100 Indiana Avenue NW., Washington, D.C.

A. Arkansas Railroad Association, 1100 Boyle Building, Little Rock, Ark.
B. Class No. 1 railroads operating in and through the State of Arkansas.

A. Carl F. Arnold, 1101 17th Street NW., Washington, D.C.
B. American Petroleum Institute, 1271 Avenue of the Americas, New York, N.Y.
D. (6) $3,208.32. E. (9) $1,053.20.

A. Arnold & Porter, 1229 19th Street NW., Washington, D.C.
B. Record Industry Association of America, Inc., 1 East 57th Street, New York, N.Y.
D. (6) $12,500. E. (9) $949.83.

A. The Associated General Contractors, Inc., 1957 E Street NW., Washington, D.C.

A. Associated Railroads of New Jersey, Pennsylvania Station, Newark, N.J.

A. Associated Third Class Mail Users, 1725 K Street NW., Washington, D.C.

A. Association of American Physicians and Surgeons, Inc., 230 North Michigan Avenue, Suite 1000, Chicago, Ill.
D. (6) $500. E. (9) $500.

A. Association of American Railroads, American Railroads Building, 1920 L Street NW., Washington, D.C.
D. (6) $2,070.91. E. (9) $2,070.91.

A. Association on Broadcasting Standards, Inc., 1741 DeSales Street NW., Washington, D.C.

XUM

A. Association on Japanese Textile Imports, Inc., 551 Fifth Avenue, New York, N.Y.
E. (9) $1,000.

A. Association of Mutual Fund Plan Sponsors, Inc., 50 East 42d Street, New York, N.Y.
D. (6) $15,567.90. E. (9) $18,876.67.

A. Association of Oil Pipe Lines, 1725 K Street NW., Washington, D.C.
E. (9) $240.

A. The Association of Western Railways, 224 Union Station Building, Chicago, Ill.

A. Atlanta Committee for Democratic Republican Independent Voter Education, 2540 Lakewood Avenue SW., Atlanta, Ga.
D. (6) $7,945. E. (9) $6,887.31.

A. Atlantic Richfield Co., 717 Fifth Avenue, New York, N.Y.
E. (9) $300.

A. Robert L. Augenblick, 61 Broadway, New York, N.Y.
B. Investment Company Institute, 61 Broadway, New York, N.Y.
E. (9) $36.

A. Richard W. Averill, 1026 17th Street NW., Washington, D.C.
B. American Optometric Association, care of J. C. Tumblin, O.D., 4836 Broadway NE., Knoxville, Tenn.
D. (6) $800. E. (9) $301.

A. Michael H. Bader, 1730 M Street NW., Washington, D.C.
B. Association on Broadcasting Standards, Inc., 1741 DeSales Street NW., Washington, D.C.

A. Harry S. Baer, 1725 DeSales Street NW., Washington, D.C.
B. National AeroSpace Services Association, 1725 DeSales Street NW., Washington, D.C.
E. (9) $240.

A. John C. Bagwell, 723 Investment Building, Washington, D.C.
B. Hawaiian Sugar Planters' Association, Honolulu, Hawaii.

A. Ernest L. Barcella, Washington, D.C.
B. General Motors Corp., 3044 West Grand Boulevard, Detroit, Mich.

A. John Barnard, Jr., 61 Broadway, New York, N.Y.
B. Investment Company Institute, 61 Broadway, New York, N.Y.

A. Robert C. Barnard, 1250 Connecticut Avenue NW., Washington, D.C.
B. Cleary, Gottlieb, Steen & Hamilton, 1250 Connecticut Avenue NW., Washington, D.C.

A. Arthur R. Barnett, 1140 Connecticut Avenue NW., Washington, D.C.
B. National Association of Electric Companies, 1140 Connecticut Avenue NW., Washington, D.C.
D. (6) $695.63. E. (9) $11.81.

A. David S. Barrows, 214 Century Building, Portland, Oreg.
B. Association of Oregon and California Land Grant Counties, Douglas County Courthouse, Roseburg, Oreg.
D. (6) $750. E. (9) $86.50.

A. A. Wesley Barthelmes, 2133 Wisconsin Avenue NW., Washington, D.C.
B. Insurance Company of North America; Life Insurance Company of North America, 1600 Arch Street, Philadelphia, Pa.
D. (6) $432.40. E. (9) $297.50.

A. Eugene T. Bartkowiak, 3829 W Street SE., Washington, D.C.
B. The National Association of Polish Americans, Inc., 3829 W Street SE., Washington, D.C.

A. James P. Bass, 1101 17th St. NW., Washington, D.C.
B. American Airlines, Inc., 1101 17th St. NW., Washington, D.C.

A. Ross Bass Associates, 1120 Connecticut Avenue NW., Washington, D.C.
B. Record Industry Association of America, 1 East 57th Street, New York, N.Y.

A. Lucius D. Battle.
B. Communications Satellite Corporation, 950 L'Enfant Plaza South SW., Washington, D.C.

A. Mrs. Dita Davis Beard, 1707 L Street NW., Washington, D.C.
B. International Telephone & Telegraph Corp., 1707 L Street NW., Washington, D.C.
D. (6) $3,800. E. (9) $5,510.

A. John H. Beidler, 1000 Wisconsin Avenue, NW., Washington, D.C.
B. Committee for Community Affairs, 1000 Wisconsin Avenue NW., Washington, D.C.
D. (6) $2,969.54. E. (9) $333.18.

A. James F. Bell, 1100 Connecticut Avenue NW., Washington, D.C.
B. National Association of Supervisors of State Banks, 1101 17th Street NW., Washington, D.C.
D. (6) $937.50. E. (9) $8.45.

A. Ernest H. Benson, 400 First Street NW., Washington, D.C.
B. Brotherhood of Maintenance of Way Employes, 12050 Woodward Avenue, Detroit, Mich.
D. (6) $6,000.

A. Reed A. Benson, 1028 Connecticut Avenue NW., Washington, D.C.
B. The John Birch Society, Inc. 395 Concord Avenue, Belmont, Mass.

A. Berlack, Israels & Liberman, 26 Broadway, New York, N.Y.
B. General Public Utilities Corp., 80 Pine Street, New York, N.Y.
E. (9) $88.80.

A. Andrew J. Biemiller, 815 16th Street NW., Washington, D.C.
B. American Federation of Labor and Congress of Industrial Organizations, Federation of Trades and Labor Unions, 815 16th Street NW., Washington, D.C.
D. (6) $7,561. E. (9) $351.20.

A. Walter J. Bierwagen, 5025 Wisconsin Avenue NW., Washington, D.C.
B. Amalgamated Transit Union, AFL–CIO, 5025 Wisconsin Avenue NW., Washington, D.C.

A. S. G. Bishop, 400 First Street NW., Washington, D.C.
B. Transportation-Communication Division, Brotherhood of Railway & Airline Clerks, 3860 Lindell Blvd., St. Louis, Mo.

A. Sidney W. Bishop, American Insurance Association, 85 John Street, New York, N.Y.
B. American Insurance Association, 85 John Street, New York, N.Y.
D. (6) $2,500. E. (9) $58.72.

A. John H. Bivins, 1101 17th Street NW., Washington, D.C.
B. American Petroleum Institute, 1101 17th Street NW., Washington, D.C.
D. (6) $760.

A. Robert W. Blair.
B. New Process Co., Warren, Pa.
E. (9) $184.

A. Thomas D. Blake, 1108 16th Street NW., Washington, D.C.
B. James R. Sharp, 1108 16th Street NW., Washington, D.C.

A. Wm. Rhea Blake, 1918 North Parkway, Memphis, Tenn.
B. National Cotton Council of America, Post Office Box 12285, Memphis, Tenn.

A. William Blum, Jr., 1815 H Street NW., Washington, D.C.
B. Committee for the Study of Revenue Bond Financing, 55 Liberty Street, New York, N.Y.
D. (6) $1,960. E. (9) $519.23.

A. Eugene F. Boygan, 1000 16th Street NW., Washington, D.C.
B. Investment Company Institute, 61 Broadway, New York, N.Y.

A. Book Manufacturers Institute, Inc., 161 East 42d Street, New York, N.Y.

A. Lyle H. Boren, Seminole, Okla.
B. The Association of Western Railways, 224 Union Station Building, Chicago, Ill.

A. Robert T. Borth, 777 14th Street NW., Washington, D.C.
B. General Electric Co., 570 Lexington Avenue, New York, N.Y.
D. (6) $1,000. E. (9) $333.35.

A. G. Stewart Boswell, 1120 Connecticut Avenue NW., Washington, D.C.
B. American Textile Manufacturers Institute, 1501 Johnston Bldg., Charlotte, N.C.
D. (6) $575. E. (9) $12.30.

A. Eugene L. Boutilier, 110 Maryland Avenue NE., Washington, D.C.
B. National Campaign for Agricultural Democracy, 110 Maryland Avenue NE., Washington, D.C.
D. (6) $4,039.50. E. (9) $414.36.

A. Melvin J. Boyle, 1200 15th Street NW., Washington, D.C.
B. International Brotherhood of Electrical Workers, AFL–CIO–CLC, 1200 15th Street NW., Washington, D.C.
D. (6) $5,000.

A. Samuel E. Boyle, 428 South Avenue, Pittsburgh, Pa.
B. The Christian Amendment Movement, 804 Penn Avenue, Pittsburgh, Pa.
D. (6) $1,950. E. (9) $409.15.

A. Wayne Bradley, 1 Farragut Square South, Washington, D.C.
B. American Medical Association, 535 N. Dearborn Street, Chicago, Ill.
D. (6) $1,875. E. (9) $550.39.

A. Charles N. Brady, 1712 G Street NW., Washington, D.C.
B. American Automobile Association, 1712 G Street NW., Washington, D.C.

A. Joseph E. Brady, Sheraton Gibson Hotel, Cincinnati, Ohio.
B. National Coordinating Committee of the Beverage Industry.

A. Parke C. Brinkley, 1155 15th Street NW., Washington, D.C.
B. National Agricultural Chemicals Association.

A. Wally Briscoe.
B. National Cable Television Association, Inc., 1634 I Street NW., Washington, D.C.
D. (6) $135. E. (9) $16.50.

A. Florence I. Broadwell, 1737 H Street NW., Washington, D.C.

XUM

B. National Federation of Federal Employees, 1737 H Street NW., Washington, D.C.
D. (6) $4,175.20.

A. David A. Brody, 1640 Rhode Island Avenue NW., Washington, D.C.
B. Anti-Defamation League of B'nai B'rith, 315 Lexington Avenue, New York, N.Y.
D. (6) app. $250.

A. W. S. Bromley, 605 Third Avenue, New York, N.Y.
B. American Pulpwood Association, 605 Third Avenue, New York, N.Y.

A. Joseph P. Brosnan, 9160 Springhill Lane, Greenbelt, Md.
B. Air Force Sergeants Association, 1501 Pennsylvania Avenue SE., Washington, D.C.
D. (6) $100.

A. Brotherhood of Painters, Decorators & Paperhangers of America, 217 N. Sixth Street, Lafayette, Ind.
E. (9) $1,825.

A. Brotherhood of Railway, Airline & Steamship Clerks, 1015 Vine Street, Cincinnati, Ohio.
D. (6) $20,804.83. E. (9) $20,804.83.

A. J. D. Brown, 2600 Virginia Avenue NW., Washington, D.C.
B. American Public Power Association, 2600 Virginia Avenue NW., Washington, D.C.
D. (6) $300.

A. Brown, Lund & Levin, 1625 I Street NW., Washington, D.C.
B. Ebasco Industries Inc., 2 Rector Street, New York, N.Y.
D. (6) $882.50.

A. Brown, Lund & Levin, 1625 I Street NW., Washington, D.C.
B. General Public Utilities Corp., 80 Pine Street, New York, N.Y.
D. (6) $300.

A. Lyman L. Bryan, 2000 K Street NW., Washington, D.C.
B. American Institute of CPA's, 666 Fifth Avenue, New York, N.Y.

A. George S. Buck, Jr., Post Office Box 12285, Memphis, Tenn.
B. National Cotton Council of America, Post Office Box 12285, Memphis, Tenn.

A. George S. Bullen.
B. National Federation of Independent Business, 15th Street and New York Avenue NW., Washington, D.C.

A. George J. Burger, 250 West 57th Street, New York, N.Y.
B. Burger Tire Consultant Service, 250 West 57th Street, New York, N.Y.

A. George J. Burger, 921 Washington Building, Washington, D.C.
B. National Federation of Independent Business, 921 Washington Building, Washington, D.C.

A. J. J. Burke, Jr., 40 East Broadway, Butte, Mont.
B. The Montana Power Co., Butte, Mont.
E. (9) $47.25.

A. Burley & Dark Leaf Tobacco Export Association, P.O. Box 860, Lexington, Ky.
D. (6) $7,025.96. E. (9) $843.77.

A. Mrs. Margot Burman, 100 7th Street NE., Washington, D.C.
B. National Committee To Abolish HUAC/HISC, 555 North Western Avenue, Los Angeles, Calif.
E. (9) $226.40.

A. George Burnham 4th, 1625 K Street NW., Washington, D.C.
B. United States Steel Corp., 525 William Penn Place, Pittsburgh, Pa.
D. (6) $518. E. (9) $397.20.

A. George B. Burnham, 120 C Street NE., Washington, D.C.
B. Numerous stockholders of the Burnham Chemical Co., 120 C Street NE., Washington, D.C.
D. (6) $370. E. (9) $370.

A. David Burpee, Fordhook Farms, Doylestown, Pa.
E. (9) $99.79.

A. Herbert H. Butler, 438 Pennsylvania Building, Washington, D.C.
B. United States Independent Telephone Association, 438 Pennsylvania Building, Washington, D.C.
E. (9) $210.

A. Monroe Butler, 1801 Avenue of the Stars, Los Angeles, Calif.
B. The Superior Oil Co., 1801 Avenue of the Stars, Los Angeles, Calif.

A. Robert B. Byrnes, 2514 17th Street NW., Washington, D.C.
B. National Railroad Pension Forum, Inc., 2403 East 75th Street, Chicago, Ill.
E. (9) $48.96.

A. Gordon L. Calvert, 425 13th Street NW., Washington, D.C.
B. Investment Bankers Association of America, 425 13th Street NW., Washington, D.C.
D. (6) $2,000. E. (9) $2,300.

A. Carl C. Campbell, 1200 18th Street NW., Washington, D.C.
B. National Cotton Council of America, P.O. Box 12285, Memphis, Tenn.
D. (6) $267.19.

A. Marvin Caplan.
B. Industrial Union Department, AFL–CIO, 815 16th Street NW., Washington, D.C.
D. (6) $2,117.95. E. (9) $184.40.

A. Ronald A. Capone, Farragut Building, Washington, D.C.
B. Committee of European Shipowners, 30–32 St. Mary Axe, London E.C.3, England; CENSA/CES Joint Container Committee, 30–32 St. Mary Axe, London E.C.3, England.
D. (6) $5,625. E. (9) $361.89.

A. Michael H. Cardozo, Washington, D.C.
B. Association of American Law Schools, 1521 New Hampshire Avenue NW., Washington, D.C.

A. Philip Carlip, 650 Fourth Avenue, Brooklyn, N.Y.
B. District 2, National Marine Engineers Beneficial Association.
D. (6) $1,000. E. (9) $158.70.

A. Philip Carlip, 675 Fourth Avenue, Brooklyn, N.Y.
B. Seafarers International Union.
D. (6) $2,500. E. (9) $1,478.50.

A. Carr, Bonner, O'Connell, Kaplan & Scott; John P. Diuguid, Philip A. Gorelick, 1001 Connecticut Avenue NW., Washington, D.C.
B. Association of Federal Investigators, 815 15th Street NW., Washington, D.C.
D. (6) $111.50.

A. Braxton B. Carr, 1250 Connecticut Avenue, Washington, D.C.
B. The American Waterways Operators, Inc., 1250 Connecticut Avenue, Washington, D.C.
D. (6) $3,066.66. E. (9) $217.80.

A. Blue A. Carstenson.
B. The Farmers' Educational and Co-Operative Union of America (National Farmers Union), 1575 Sherman Street, Denver, Colo.; 1012 14th Street NW., Washington, D.C.

A. Eugene C. Carusi, 1629 K Street NW., Washington, D.C.
B. American Committee for Flags of Necessity, 25 Broadway, New York, N.Y.
D. (6) $100.

A. Ralph E. Casey, 1120 Connecticut Avenue NW., Washington, D.C.
B. American Institute of Merchant Shipping, 1120 Connecticut Avenue NW, Washington, D.C.
D. (6) $700. E. (9) $130.32.

A. E. Michael Cassady, 1130 17th Street NW., Washington, D.C.
B. Mississippi Valley Association, 1130 17th Street NW., Washington, D.C.

A. Michael J. Cefalo, 4880 MacArthur Boulevard NW., Washington, D.C.
B. International Union of District 50, UMWA, 4880 MacArthur Boulevard NW., Washington, D.C.
D. (6) $3,376.41.

A. Chamber of Commerce of the United States of America, 1615 H Street NW., Washington, D.C.

A. Chapman, DiSalle & Friedman, 932 Pennsylvania Building, Washington, D.C.
B. International Association of Game, Fish, and Conservation Commissioners, 5757 Blake Road, Minneapolis, Minn.
D. (6) $900. E. (9) $417.38.

A. Chapman, DiSalle & Friedman, 932 Pennsylvania Building, Washington, D.C.
B. The National Committee for the Recording Arts, 9300 Wilshire Boulevard, Beverly Hills, Calif.
D. (6) $16,666.67. E. (9) $237.

A. Chapman, DiSalle & Friedman, 932 Pennsylvania Building, Washington, D.C.
B. Newspaper Committee for a Free and Competitive Press, 33 N. Dearborn Street, Room 920, Chicago, Ill.
D. (6) $1,000. E. (9) $12.70.

A. Chapman, DiSalle & Friedman, 932 Pennsylvania, Building, Washington, D.C.
B. Strohmeyer & Arpe Co., 260 West Broadway, New York, N.Y.
D. (6) $175. E. (9) $44.30.

A. James W. Chapman, 1625 I Street NW., Washington, D.C.
B. Retired Officers Association, 1625 I Street NW., Washington, D.C.
D. (6) $1,700.

A. Leslie Cheek 3d, 1025 Connecticut Avenue NW., Washington, D.C.
B. American Insurance Association, 1025 Connecticut Avenue NW., Washington, D.C.
D. (6) $1,500. E. (9) $250.

A. A. H. Chesser, 400 First Street NW., Washington, D.C.
B. United Transportation Union.
E. (9) $200.

A. The Christian Amendment Movement, 804 Pennsylvania Avenue, Pittsburgh, Pa.
D. (6) $1,628.36. E. (9) $5,745.90.

A. Edwin Christianson.
B. The Farmers' Educational and Cooperative Union of America (National Farmers Union), 1575 Sherman Street, Denver, Colo.; 1012 14th Street NW., Washington, D.C.

A. Lowell T. Christison, 1026 17th Street NW., Washington, D.C.
B. American Optometric Association, care of J. C. Tumblin, O.D., 4836 Broadway NE., Knoxville, Tenn.
D. (6) $429. E. (9) $258.05.

A. Citizens Committee on Natural Resources, 1346 Connecticut Avenue NW., Washington, D.C.
D. (6) $9,363.50. E. (9) $7,363.50.

A. Allen C. K. Clark, 1730 K Street NW., Washington, D.C.
B. Shipbuilders Council of America, 1730 K Street NW., Washington, D.C.

A. Earl W. Clark.
B. Labor-Management Maritime Committee, 100 Indiana Avenue NW., Washington, D.C.
D. (6) $1,400. E. (9) $36.32.

A. James E. Clark, Jr., 1303 New Hampshire Avenue NW., Washington, D.C.
B. Fleet Reserve Association, 1303 New Hampshire Avenue NW., Washington, D.C.

A. Robert M. Clark, 1100 Connecticut Avenue NW., Washington, D.C.
B. The Atchison, Topeka & Santa Fe Railway Co., 80 East Jackson Boulevard, Chicago, Ill.

A. Clay Pipe Industry Depletion Committee, Post Office Box 13125, Kansas City, Mo.
D. (6) $181.65.

A. Cleary, Gottlieb, Steen & Hamilton, 1250 Connecticut Avenue NW., Washington, D.C.
B. Houston Chemical Co., 1 Gateway Center, Pittsburgh, Pa.; Ethyl Corp., 451 Florida, Baton Rouge, La.; E. I. du Pont de Nemours & Co., Inc., Wilmington, Del.
E. (9) $10.30.

A. Earle C. Clements, 1735 K Street NW., Washington, D.C.
B. The American Tobacco Co.

A. Earle C. Clements, 1735 K Street NW., Washington, D.C.
B. Brown & Williamson Tobacco Corp.

A. Earle C. Clements, 1735 K Street NW., Washington, D.C.
B. Liggett & Myers, Inc.

A. Earle C. Clements, 1735 K Street NW., Washington, D.C.
B. Philip Morris, Inc.

A. Earle C. Clements, 1735 K Street NW., Washington, D.C.
B. R. J. Reynolds Tobacco Co.

A. Earle C. Clements, 1735 K Street NW., Washington, D.C.
B. The Tobacco Institute, Inc.

A. David Cohen, 1000 Wisconsin Avenue NW., Washington, D.C.
B. Committee for Community Affairs, 1000 Wisconsin Avenue NW., Washingon, D.C.
D. (6) $2,386.35. E. (9) $479.04.

A. Coles & Goertner, 1000 Connecticut Avenue NW., Washington, D.C.
B. Committee of American Tanker Owners, Inc., 1 Chase Manhattan Plaza, New York, N.Y.

A. William J. Colley, 1 Farragut Square South, Washington, D.C.
B. American Medical Association, 535 N. Dearborn Street, Chicago, Ill.
D. (6) $1,875. E. (9) $625.60.

A. Collier, Shannon & Rill, 1625 I Street NW., Washington, D.C.
B. National Broiler Council, 1155 15th Street NW., Washington, D.C.
D. (6) $100.

A. Collier, Shannon & Rill, 1625 I Street NW., Washington, D.C.
B. Tool and Stainless Steel Industry Committee, care of Carpenter Technology Corp., Reading, Pa.
D. (6) $1,250. E. (9) $450.

A. James F. Collins, 1000 16th Street NW., Washington, D.C.
B. American Iron and Steel Institute, 150 East 42d Street, New York, N.Y.
D. (6) $500. E. (9) $125.

A. Colorado Railroad Association, 702 Majestic Building, Denver, Colo.

A. Harrison Combs, Jr., 1427 I Street NW., Washington, D.C.
B. United Mine Workers of America, 900 15th Street NW., Washington, D.C.
D. (6) $3,290.

A. The Committee for Broadening Commercial Bank Participation in Public Financing, 50 S. LaSalle Street, Chicago, Ill.
D. (6) $175.

A. Committee for Community Affairs, 1000 Wisconsin Avenue NW., Washington, D.C.
D. (6) $10,176.02. E. (9) $10,176.02.

A. Committee for Study of Revenue Bond Financing, 55 Liberty Street, New York, N.Y.
D. (6) $9,450. E. (9) $5,620.97.

A. Raymond F. Conkling, 1001 Connecticut Avenue NW., Washington, D.C.
B. Texaco, Inc., 135 E. 42d Street, New York, N.Y.
D. (6) $260. E. (9) $247.57.

A. Howard M. Conner, 1725 K Street NW., Washington, D.C.
B. Pacific Gas & Electric Co., 245 Market Street, San Francisco, Calif.
D. (6) $1,092. E. (9) $1,476.09.

A. John D. Conner, 1625 K Street NW., Washington, D.C.
B. Book Manufacturers Institute, Inc., 161 E. 42d Street, New York, N.Y.

A. Robert J. Conner, Jr., 1100 Connecticut Avenue, Washington, D.C.
B. Chrysler Corp., 341 Massachusetts Avenue, Detroit, Mich.
D. (6) $280. E. (9) $165.

A. Paul R. Conrad, 491 National Press Building, Washington, D.C.
B. National Newspaper Association, 491 National Press Building, Washington, D.C.
E. (9) $159.25.

A. Eileen D. Cooke, 200 C Street SE., Washington, D.C.
B. American Library Association, 50 East Huron Street, Chicago, Ill.
D. (6) $72.48.

A. Edward Cooper.
B. Motion Picture Association of America, Inc., 918 16th Street NW., Washington, D.C.

A. Joshua W. Cooper, 626 South Lee Street, Alexandria, Va.
B. Portsmouth-Kittery Armed Services Committee, Inc., Post Office Box 1123, Portsmouth, N.H.
D. (6) $3,750. E. (9) $1,083.72.

A. Mitchell J. Cooper, 1001 Connecticut Avenue, Washington, D.C.
B. Council of Forest Industries, 1477 West Pender Street, Vancouver, B.C., Canada.
D. (6) $3,000. E. (9) $18.80.

A. Mitchell J. Cooper, 1001 Connecticut Avenue, Washington, D.C.
B. Footwear Division, Rubber Manufacturers Association, Inc., 444 Madison Avenue, New York, N.Y.
D. (6) $6,000. E. (9) $83.85.

A. Darrell Coover, 1 Farragut Square South, Washington, D.C.
B. American Medical Association, 535 North Dearborn Street, Chicago, Ill.
D. (6) $2,100. E. (9) $859.62.

A. Corcoran, Foley, Youngman & Rowe, 1511 K Street NW., Washington, D.C.
B. The Committee for Broadening Commercial Bank Participation in Public Financing, in care of P. W. K. Sweet, 50 South LaSalle Street, Chicago, Ill.

A. Owen M. Connell, Jr., 1625 K Street NW., Washington, D.C.
B. Del Monte Corp., 215 Fremont Street, San Francisco, Calif.
D. (6) $500. E. (9) $50.

A. Emmet P. Corrigan, 922 24th Street NW., Washington, D.C.
B. United Association of Journeymen & Apprentices of the Plumbing and Pipe Fitting Industry of the United States and Canada, 901 Massachusetts Avenue NW., Washington, D.C.

A. Allan D. Cors, 1629 K Street NW., Washington, DC.
B. Corning Glass Works, Corning, N.Y.
D. (6) $125.

A. Council for a Livable World, 1346 Connecticut Avenue NW., Washington, D.C.
D. (6) $44,922.24. E. (9) $22,557.80.

A. Council of Mutual Savings Institutions, 60 East 42d Street, New York, N.Y.
E. (9) $145.76.

A. Council of State Chambers of Commerce, 1028 Connecticut Avenue, Washington, D.C.
D. (6) $1,016.92. E. (9) $1,016.92.

A. Donald M. Counihan, 1000 Connecticut Avenue, Washington, D.C.
B. American Corn Millers Federation, 1030 15th Street NW., Washington, D.C.

A. Donald M. Counihan, 1000 Connecticut Avenue, Washington, D.C.
B. Classroom Periodical Publishers Association, 38 West Fifth Street, Dayton, Ohio.

A. Counihan, Casey & Loomis, 1000 Connecticut Avenue, Washington, D.C.
B. Linen Supply Association of America, 975 Arthur Godfrey Road, Miami, Fla.

A. Covington & Burling, 701 Union Trust Building, Washington, D.C.
B. American Machine Tool Distributors' Association, 1500 Massachusetts Avenue NW., Washington, D.C.

A. Covington & Burling, 701 Union Trust Building, Washington, D.C.
B. A. P. Moller, 8 Kongens Nytorv, Copenhagen, Denmark.

A. Covington & Burling, 701 Union Trust Building, Washington, D.C.
B. Electronic Industries Association, 2001 I Street NW., Washington, D.C.

A. Covington & Burling, 701 Union Trust Building, Washington, D.C.
B. National Machine Tool Builders' Association, 2139 Wisconsin Avenue NW., Washington, D.C.

XUM

A. Covington & Burling, 701 Union Trust Building, Washington, D.C.
B. National Ready-Mixed Concrete Association, 900 Spring Street, Silver Spring, Md.
D. (6) $250.

A. Covington & Burling, 701 Union Trust Building, Washington, D.C.
B. National Tool, Die & Precision Machining Association, 1411 K Street NW., Washington, D.C.

A. Covington & Burling, 701 Union Trust Building, Washington, D.C.
B. Truck Mixer Manufacturers Bureau, 900 Spring Street, Silver Spring, Md.
D. (6) $250.

A. Covington & Burling, 701 Union Trust Building, Washington, D.C.
B. The Wisconsin Corp., Route 3, Box 3747, Bainbridge Island, Wash.
D. (6) $1,000.

A. Cox, Langford & Brown, 1521 New Hampshire Avenue NW., Washington, D.C.
B. The National Collegiate Athletic Association, Midland Building, Kansas City, Mo.

A. W. J. Crawford, Post Office Box 2180, Houston, Tex.
B. Humble Oil & Refining Co. (A Delaware Corp.), Post Office Box 2180, Houston, Tex.
E. (9) $20.

A. H. C. Crotty, 12050 Woodward Avenue, Detroit, Mich.

A. J. A. Crowder, 1200 17th Street NW., Washington, D.C.
B. National Association of Wool Manufacturers, 1200 17th Street NW., Washington, D.C.
D. (6) $1,500.

A. Michael B. Crowsen, 1132 Pennsylvania Building, Washington, D.C.
B. Distilled Spirits Institute, 1132 Pennsylvania Building, Washington, D.C.

A. J. Steele Culbertson, 1225 Connecticut Avenue NW., Washington, D.C.
B. National Fish Meal & Oil Association, 1225 Connecticut Avenue NW., Washington, D.C.
D. (6) $150. E. (9) $118.40.

A. John T. Curran, 905 16th Street NW., Washington, D.C.
B. Laborers' International Union of North America, 905 16th Street NW., Washington, D.C.
D. (6) $6,000. E. (9) $2,886.83.

A. John R. Dalton, 1508 Merchants Bank Building, Indianapolis, Ind.
B. Associated Railways of Indiana, 1508 Merchants Bank Building, Indianapolis, Ind.

A. F. Gibson Darrison, Jr., 2000 L Street NW., Washington, D.C.
B. Penn Central Co., 230 Park Avenue, New York, N.Y.

A. John C. Datt, 425 13th Street NW., Washington, D.C.
B. American Farm Bureau Federation, 1000 Merchandise Mart Plaza, Chicago, Ill.
D. (6) $1,125. E. (9) $39.46.

A. Philip J. Daugherty.
B. Industrial Union Department, AFL–CIO, 815 16th Street NW., Washington, D.C.
D. (6) $588. E. (9) $18.85.

A. John Davenport, 2000 Florida Avenue NW., Washington, D.C.
B. National Rural Electric Cooperative Association, 2000 Florida Avenue NW., Washington, D.C.
D. (6) $165.

A. Aled P. Davies, 59 East Van Buren Street, Chicago, Ill.
B. American Meat Institute, 59 East Van Buren Street, Chicago, Ill.
D. (6) $1,000. E. (9) $233.58.

A. Charles W. Davis, 1 North LaSalle Street, Chicago, Ill.
B. Inland Steel Co., 30 West Monroe Street, Chicago, Ill.

A. Charles W. Davis, 1 North LaSalle Street, Chicago, Ill.
B. Northwest Industries, Inc., 400 West Madison Street, Chicago, Ill.

A. Charles W. Davis, 1 North LaSalle Street, Chicago, Ill.
B. Sears, Roebuck & Co., 925 South Homan Avenue, Chicago, Ill.
D. (6) $14,212.50. E. (9) $255.36.

A. Charles W. Day, 815 Connecticut Avenue NW., Washington, D.C.
B. Ford Motor Co., Dearborn, Mich.
D. (6) $118. E. (9) $122.

A. Michael B. Deane, 611 National Press Building, Washington, D.C.
B. Meat Importers Council of America, Inc., 25 Broadway, New York, N.Y.

A. Tony T. Dechant.
B. The Farmers' Educational and Cooperative Union of America (National Farmers Union), 1575 Sherman Street, Denver, Colo.; and 1012 14th Street NW., Washington, D.C.
D. (6) $1,875. E. (9) $207.05.

A. L. E. Deilke, 163–165 Center Street, Winona, Minn.
B. National Association of Direct Selling Companies, 163–165 Center Street, Winona, Minn.
D. (6) $4,500.

A. Richard A. Dell, 2000 Florida Avenue NW., Washington, D.C.
B. National Rural Electric Cooperative Association, 2000 Florida Avenue NW., Washington, D.C.
D. (6) $150.

A. Vincent A. Demo, 25 Broadway, New York, N.Y.
B. New York Committee of International Committee of Passenger Lines, 25 Broadway, New York, N.Y.
D. (6) $6,250.

A. Ray Denison, 815 16th Street NW., Washington, D.C.
B. American Federation of Labor and Congress of Industrial Organizations, 815 16th Street NW., Washington, D.C.
D. (6) $4,547.10. E. (9) $552.05.

A. Max A. Denney, 1629 K Street NW., Washington, D.C.
B. American Industrial Bankers Association, 1629 K Street NW., Washington, D.C.
D. (6) $900.

A. Leslie E. Dennis, 400 First Street NW., Washington, D.C.
B. Brotherhood of Railway, Airline & Steamship Clerks, 1015 Vine Street, Cincinnati, Ohio.
D. (6) $2,625. E. (9) $1,485.24.

A. Lloyd J. Derrickson, 888 17th Street NW., Washington, D.C.
B. National Association of Securities Dealers, Inc.

A. Russell C. Derrickson, 4000 Cathedral Avenue NW., Washington, D.C.
B. Responsive Environments Corp., 1025 Connecticut Avenue NW., Washington, D.C.
D. (6) $1,000. E. (9) $200.

A. C. H. DeVaney, 425 13th Street NW., Washington, D.C.
B. American Farm Bureau Federation, 1000 Merchandise Mart Plaza, Chicago, Ill.
D. (6) $1,458.32.

A. George S. Dietrich, 1741 DeSales Street NW., Washington, D.C.
B. Association on Broadcasting Standards, Inc., 1741 DeSales Street NW., Washington, D.C.

A. Timothy V. A. Dillon, 1001 15th Street NW., Washington, D.C.
B. Department of Water Resources, State of California, Post Office Box 388, Sacramento, Calif.
D. (6) $1,506.72. E. (9) $156.72.

A. Timothy V. A. Dillon, 1001 15th Street NW., Washington, D.C.
B. Sacramento Municipal Utility District, Post Office Box 15830, Sacramento, Calif.
D. (6) $1,647.44. E. (9) $97.44.

A. Timothy V. A. Dillon, 1001 15th Street NW., Washington, D.C.
B. Yuba County Water Agency, Marysville, Calif.
D. (6) $1,208.33. E. (9) $8.33.

A. Disabled American Veterans, National Service Headquarters, 1221 Massachusetts Avenue NW., Washington, D.C.
B. Disabled American Veterans, 3725 Alexandria Pike, Cold Spring, Ky.
D. (6) $14,500. E. (9) $3,657.42.

A. Robert N. Distelhorst, Jr., 812 Pennsylvania Building, Washington, D.C.
B. U.S. Savings and Loan League, 221 North LaSalle Street, Chicago, Ill.
D. (6) $600.

A. William H. Dodds, 1126 16th Street NW., Washington, D.C.
B. International Union, United Automobile, Aerospace & Agricultural Implement Workers of America (UAW), 8000 East Jefferson Avenue, Detroit, Mich.
D. (6) $954.50. E. (9) $122.20.

A. Paul R. M. Donelan, 1 Farragut Square South, Washington, DC.
B. American Medical Association, 535 North Dearborn Street, Chicago, Ill.

A. C. L. Dorson, 501 13th Street NW., Washington, D.C.
B. Retirement Federation of Civil Service Employees of the U.S. Government, 1128 Warner Building, Washington, D.C.
D. (6) $2,591.12.

A. F. Raymond Downs, 1730 E Street NW., Washington, D.C.
B. The Procter & Gamble Manufacturing Co., 301 East 6th Street, Cincinnati, Ohio.

A. Robert H. Doyle, 2029 K Street NW., Washington, D.C.
B. National Society of Professional Engineers.
D. (6) $3,000.

A. Franklin B. Dryden, 1735 K Street NW., Washington, D.C.
B. The Tobacco Institute, Inc.

A. Evelyn Dubrow, 1710 Broadway, New York, N.Y.
B. International Ladies' Garment Workers' Union, 1710 Broadway, New York, N.Y.
D. (6) $2,845.44. E. (9) $1,115.90

A. William DuChessi, 1126 16th Street NW., Washington, D.C.
B. Textile Workers Union of America, AFL–CIO, 99 University Place, New York, N.Y.
D. (6) $975.15. E. (9) $100.

XUM

A. William E. Dunn, 1937 E Street NW., Washington, D.C.
B. The Associated General Contractors of America, Inc., 1957 E Street NW., Washington, D.C.

A. J. D. Durand, 1725 K Street NW., Washington, D.C.
E. (9) $240.

A. Robert G. Dwyer, 1511 K Street NW., Washington, D.C.
B. The Anaconda Co., 25 Broadway, New York, N.Y.
D. (6) $250.

A. Roy W. Easley, 1735 DeSales Street NW., Washington, D.C.

A. Macon T. Edwards, 1918 N. Parkway, Memphis, Tenn.
B. National Cotton Council of America, Post Office Box 12285, Memphis, Tenn.

A. John Doyle Elliott, 5500 Quincy Street, Hyattsville, Md.
D. (6) $3,175.44. E. (9) $3,090.19.

A. John M. Elliott, 5025 Wisconsin Avenue NW., Washington, D.C.
B. Amalgamated Transit Union, AFL–CIO, 5025 Wisconsin Avenue NW., Washington, D.C.

A. D. A. Ellsworth, 400 First Street NW., Washington, D.C.
B. Brotherhood of Railway, Airline & Steamship Clerks, 1015 Vine Street, Cincinnati, Ohio.
D. (6) $3,285.24. E. (9) $611.72.

A. Perry R. Ellsworth, 1025 Vermont Avenue NW., Washington, D.C.
B. Retail Jewelers of America, Inc., 1025 Vermont Avenue NW., Washington, D.C.

A. Ely & Duncan, 1200 Tower Building, Washington, D.C.
B. American Public Power Association, 2600 Virginia Avenue NW., Washington, D.C.
D. (6) $2,100.

A. Ely & Duncan, 1200 Tower Building, Washington, D.C.
B. Coachella Valley County Water District, Coachella, Calif.
D. (6) $1,200.

A. Ely & Duncan, 1200 Tower Building, Washington, D.C.
B. Department of Water and Power of the city of Los Angeles, Calif., 111 North Hope Street, Los Angeles, Calif.
D. (6) $3,200.

A. Ely & Duncan, 1200 Tower Building, Washington, D.C.
B. East Bay Municipal Utility District, 2130 Adeline Street, Oakland, Calif.
D. (6) $1,200.

A. Ely & Duncan, 1200 Tower Building, Washington, D.C.
B. Imperial Irrigation District, El Centro, Calif.
D. (6) $2,100.

A. Ely & Duncan, 1200 Tower Building, Washington, D.C.
B. Six Agency Committee, 909 South Broadway, Los Angeles, Calif.
D. (6) $3,000.

A. James C. England, 1317 F Street NW., Washington, D.C.
B. National Retail Merchants Association, 100 West 31st Street, New York, N.Y.
E. (9) $116.92.

A. Grover W. Ensley, 200 Park Avenue, New York, N.Y.
B. National Association of Mutual Savings Banks, 200 Park Avenue, New York, N.Y.
D. (6) $883.20. E. (9) $84.60.

A. John D. Fagan, 200 Maryland Avenue NE., Washington, D.C.
B. Veterans of Foreign Wars of the United States.
D. (6) $2,375. E. (9) $24.50.

A. Clinton M. Fair, 815 16th Street NW., Washington, D.C.
B. American Federation of Labor and Congress of Industrial Organizations, 815 16th Street NW., Washington, D.C.
D. (6) $4,693.90.

A. The Farmers' Educational and Cooperative Union of America (National Farmers Union), 1575 Sherman Street, Denver, Colo.; 1012 14th Street NW., Washington, D.C.
D. (6) $58,989.22. E. (9) $16,999.23.

A. Arthur S. Fefferman, 1701 K Street NW., Washington, D.C.
B. American Life Convention, 211 East Chicago Avenue, Chicago, Ill.

A. Herbert A. Fierst, 607 Ring Building, Washington, D.C.
B. Council of Forest Industries of British Columbia, 1477 West Pender Street, Vancouver, Canada.
D. (6) $7,500. E. (9) $165.

A. Herbert A. Fierst, 607 Ring Building, Washington, D.C.
B. Joint Committee of Printing and Publishing Industries of Canada, 117 Eglinton Avenue East, Toronto, Canada.
D. (6) $2,250. E. (9) $30.75.

A. Francis S. Filbey, 817 14th Street NW., Washington, D.C.
B. United Federation of Postal Clerks, 817 14th Street NW., Washington, D.C.
D. (6) $3,750.

A. Firearms Lobby of America, 415 Second Street NE., Washington, D.C.
D. (6) $2,966. E. (9) $3,215.32.

A. William J. Flaherty, 1221 Massachusetts Avenue NW., Washington, D.C.
B. Disabled American Veterans, 3725 Alexandria Pike, Cold Spring, Ky.
D. (6) $4,500.

A. Roger Fleming, 425 13th Street NW., Washington, D.C.
B. American Farm Bureau Federation, 1000 Merchandise Mart Plaza, Chicago, Ill.
D. (6) $1,550. E. (9) $28.14.

A. Frank U. Fletcher, 1225 Connecticut Avenue NW., Washington, D.C.
B. National Association of FM Broadcasters, 665 Fifth Avenue, New York, N.Y.

A. Fletcher, Heald, Rowell, Kenehan & Hildreth, 1225 Connecticut Avenue NW., Washington, D.C.
B. National Association of FM Broadcasters, 665 Fifth Avenue, New York, N.Y.

A. Floyd O. Flom, 260 Madison Avenue, New York, N.Y.
B. American Paper Institute, Inc., 260 Madison Avenue, New York, N.Y.

A. Gene Fondren, Post Office Box 192, Taylor, Tex.
B. Texas Railroad.
D. (6) $3,406.53. E. (9) $1,092.

A. Gordon Forbes, 207 Union Depot Building, St. Paul, Minn.
D. (6) $500.

A. Frederick W. Ford.
B. National Cable Television Association, Inc., 1634 I Street NW., Washington, D.C.
D. (6) $417. E. (9) $18.

A. James W. Foristel, 1 Farragut Square South, Washington, D.C.
B. American Medical Association, 535 North Dearborn Street, Chicago, Ill.
D. (6) $1,950. E. (9) $239.60.

A. Ronald J. Foulis, 2000 L Street NW., Washington, D.C., and 195 Broadway, New York, N.Y.
B. American Telephone & Telegraph Co., 195 Broadway, New York, N.Y.
D. (6) $725.

A. John G. Fox, 2000 L Street NW., Washington, D.C., and 195 Broadway, New York, N.Y.
B. American Telephone & Telegraph Co., 195 Broadway, New York, N.Y.
D. (6) $291.70.

A. Morley F. Fox, 300 New Jersey Avenue SE., Washington, D.C.
B. Central Arizona Project Association, 1124 Arizona Title Building, Phoenix, Ariz.
E. (9) $39.15.

A. Walter L. Frankland, Jr., 1625 I Street NW., Washington, D.C.
B. Silver Users Association, 1625 I Street NW., Washington, D.C.
D. (6) $500.01. E. (9) $139.62.

A. R. Frank Frazier, 1155 15th Street NW., Washington, D.C.
B. National Broiler Council, 1155 15th Street NW., Washington, D.C.
D. (6) $150.

A. Robert M. Frederick, 1616 H Street NW., Washington, D.C.
B. The National Grange, 1616 H Street NW., Washington, D.C.
D. (6) $3,750.

A. James O. Freeman, 812 Pennsylvania Building, Washington, D.C.
B. United States Savings & Loan League, 221 North LaSalle Street, Chicago, Ill.
D. (6) $1,625. E. (9) $74.25.

A. James H. French, 1625 K Street NW., Washington, D.C.
B. Book Manufacturers Institute, Inc., 161 East 42d Street, New York, N.Y.

A. Joseph Freni, Jr., 1629 K Street NW., Washington, D.C.
B. American Industrial Bankers Association, 1629 K Street NW., Washington, D.C.
D. (6) $750.

A. Philip P. Friedlander, Jr., 1343 L Street NW., Washington, D.C.
B. National Tire Dealers & Retreaders Association, Inc., 1343 L Street NW., Washington, D.C.
D. (6) $35. E. (9) $15.

A. Friends Committee on National Legislation, 245 Second Street NE., Washington, D.C.
D. (6) $23,565. E. (9) $10,170.

A. Frank W. Frisk, Jr., 2600 Virginia Avenue NW., Washington, D.C.
B. American Public Power Association, 2600 Virginia Avenue NW., Washington, D.C.
D. (6) $225.

A. Gadsby & Hannah, 1700 Pennsylvania Avenue NW., Washington, D.C.
B. Anchor et al.
D. (6) $500. E. (9) $89.72.

A. Gadsby & Hannah, 1700 Pennsylvania Avenue NW., Washington, D.C.

B. Royal Crown Cola Co., Columbus, Ga.
E. (9) $10.

A. Henry E. Gardiner, 1511 K Street NW., Washington, D.C.
B. The Anaconda Co., 25 Broadway, New York, N.Y.
D. (6) $525. E. (9) $270.58.

A. William B. Gardiner, 1221 Massachusetts Avenue NW., Washington, D.C.
B. Disabled American Veterans, 3725 Alexander Pike, Cold Spring, Ky.
D. (6) $3,750. E. (9) $159.75.

A. Marion R. Garstang, 30 F Street NW., Washington, D.C.
B. National Milk Producers Federation, 30 F Street NW., Washington, D.C.
D. (6) $200. E. (9) $1.35.

A. Gas Appliance Manufacturers Association, 2000 K Street NW., Washington, D.C.

A. Gas Supply Committee, 1725 DeSales Street NW., Washington, D.C.
D. (6) $13,000.

A. General Public Utilities Corp., 80 Pine Street, New York, N.Y.
E. (9) $331.25.

A. Arthur P. Gildea, 2347 Vine Street, Cincinnati, Ohio.
B. International Union of United Brewery, Flour, Cereal, Soft Drink & Distillery Workers of America, 2347 Vine Street, Cincinnati, Ohio.

A. Joseph S. Gill, 16 East Broad Street, Columbus, Ohio.
B. The Ohio Railroad Association, 16 East Broad Street, Columbus, Ohio.

A. Dave Givens, 916 Nashville Trust Building, Nashville, Tenn.
B. Class I Railroads in Tennessee.

A. Glassie, Pewett, Bebbe & Shanks, 1819 H Street NW., Washington, D.C.
B. Eastern Meat Packers Association, Inc., 1820 Massachusetts Avenue NW., Washington, D.C.
D. (6) $5. E. (9) $4.20.

A. Glassie, Pewett, Beebe & Shanks, 1819 H Street NW., Washington, D.C.
B. The National Independent Meat Packers Association, 1820 Massachusetts Avenue NW., Washington, D.C.
D. (6) $150. E. (9) $19.65.

A. Glenn F. Glezen, 1303 New Hampshire Avenue NW., Washington, D.C.
B. Fleet Reserve Association, 1303 New Hampshire Avenue NW., Washington, D.C.

A. Vance V. Goodfellow, 828 Midland Bank Building, Minneapolis, Minn.
B. Crop Quality Council, 828 Midland Bank Building, Minneapolis, Minn.
D. (6) $4,500.

A. W. S. Gokin, 112 North Central Avenue, Phoenix, Ariz.

A. John A. Gosnell, 1225 19th Street NW., Washington, D.C.
D. (6) $1,833.34.

A. Edward Gottlieb & Associates, Ltd., 485 Madison Avenue, New York, N.Y.
B. Florists' Transworld Delivery Association, 900 West Lafayette Boulevard, Detroit, Mich.

A. Government Employes Council, AFL–CIO, 100 Indiana Avenue NW., Washington, D.C.
D. (6) $11,798.86 E. (9) 5,063.33.

A. Donald E. Graham, 1200 17th Street NW., Washington, D.C.
B. National Council of Farmer Cooperatives, 1200 17th Street NW., Washington, D.C.

A. Grain & Feed Dealers National Association, 500 Folger Building, Washington, D.C.

A. George Grant, 1619 Massachusetts Avenue NW., Washington, D.C.
B. National Forest Products Association, 1619 Massachusetts Avenue NW., Washington, D.C.
D. (6) $1,100.

A. Cornelius R. Gray, 1712 G Street NW., Washington, D.C.
B. American Automobile Association, 1712 G Street NW., Washington, D.C.

A. George O. Gray, 1625 I Street NW., Washington, D.C.
E. (9) $4,031.41.

A. James A. Gray, 2139 Wisconsin Avenue NW., Washington, D.C.
B. National Machine Tool Builders' Association, 2139 Wisconsin Avenue NW., Washington, D.C.

A. Robert G. Gray, 1735 K Street NW., Washington, D.C.
B. Hill & Knowlton, Inc., 150 East 42d Street, New York, N.Y.

A. Mrs. Virginia M. Gray, 3501 Williamsburg Lane NW., Washington, D.C.
B. Citizens Committee for UNICEF, 20 E Street NW., Washington, D.C.
D. (6) $62.50. E. (9) $16.86.

A. Samuel A. Grayson, 611 Idaho Building, Boise, Idaho.
B. Union Pacific Railroad Co., 1416 Dodge Street, Omaha, Nebr.

A. Clifford P. Greck, 1826 Jefferson Place NW., Washington, D.C.
B. American Educational Publishers Institute, 432 Park Avenue South, New York, N.Y.
D. (6) $250.

A. Dale Greenwood, 302 Hoge Building, Seattle, Wash.
B. Washington Railroad Association, 302 Hoge Building, Seattle, Wash.

A. William G. Greif, 1155 15th Street NW., Washington, D.C.
B. Bristol-Myers Co., 630 Fifth Avenue, New York, N.Y.

A. John F. Griner, 400 First Street NW., Washington, D.C.
B. American Federal of Government Employees, 400 First Street NW., Washington, D.C.
D. (6) $8,072.40. E. (9) $2,440.90.

A. Ben H. Guill, 2000 K Street NW., Washington, D.C.
B. National Automobile Dealers Association and American Zinc.
D. (6) $4,100. E. (9) $1,850.

A. Jerome R. Gulan.
B. National Federation of Independent Business, 921 Washington Building, Washington, D.C.

A. Hoyt S. Haddock.
B. Labor-Management Maritime Committee, 100 Indiana Avenue NW., Washington, D.C.
D. (6) $1,400. E. (9) $58.21.

A. John R. Haire, 61 Broadway, New York, N.Y.
B. Investment Company Institute, 61 Broadway, New York, N.Y.

A. Matthew Hale, 815 Connecticut Avenue NW., Washington, D.C.
B. The American Bankers Association, 815 Connecticut Avenue NW., and 90 Park Avenue, New York, N.Y.
D. (6) $50. E. (9) $60.

A. J. G. Hall, Detroit, Mich.
B. General Motors Corp., 3044 West Grand Boulevard, Detroit, Mich.

A. Keith Halliday, 1725 K Street NW., Washington, D.C.
B. Associated Third-Class Mail Users, 1725 K Street NW., Washington, D.C.
D. (6) $300.

A. Norman S. Halliday, 1140 Connecticut Avenue, Washington, D.C.
B. National Association of Electrical Companies, 1140 Connecticut Avenue, Washington, D.C.
D. (6) $302.50. E. (9) $207.74.

A. Thomas A. Halsted, 1346 Connecticut Avenue, Washington, D.C.
B. Council for a Livable World, 1346 Connecticut Avenue NW., Washington, D.C.
D. (6) $5,000.

A. Hamel, Morgan, Park & Saunders, 888 17th Street NW., Washington, D.C.
B. National School Supply & Equipment Association, 79 West Monroe Street, Chicago, Ill.

A. Hamel, Morgan, Park & Saunders, 888 17th Street NW., Washington, D.C.
B. United Student Aid Funds, Inc., 845 Third Avenue, New York, N.Y.

A. Harold F. Hammond, 1101 17th Street NW., Washington, D.C.
B. Transportation Association of America, 1101 17th Street NW., Washington, D.C.
D. (6) $60. E. (9) $40.

A. Robert N. Hampton, 1200 17th Street NW., Washington, D.C.
B. National Council of Farmer Cooperatives, 1200 17th Street NW., Washington, D.C.
D. (6) $5,016.66. E. (9) $170.55.

A. Edward F. Harding, 140 New Montgomery Street, San Francisco, Calif.
B. The Pacific Telephone & Telegraph Co., 140 New Montgomery Street, San Francisco, Calif.
D. (6) $408. E. (9) $355.

A. William E. Hardman, 1411 K Street NW., Washington, D.C.
B. National Tool, Die & Precision Machining Association, 1411 K Street NW., Washington, D.C.

A. Mrs. Mildred B. Harman, 640 Warner Bldg., Washington, D.C.
B. National Woman's Christian Temperance Union, 1730 Chicago Avenue, Evanston, Ill.
D. (6) $862.50.

A. William B. Harman, Jr., 211 East Chicago Avenue, Chicago, Ill.
B. American Life Convention, 211 East Chicago Avenue, Chicago, Ill.
D. (6) $276.

A. L. James Harmanson, Jr., 1200 17th Street NW., Washington, D.C.
B. National Council of Farmer Cooperatives, 1200 17th Street NW., Washington, D.C.

A. Lou Ann Harral, 1133 20th Street NW., Washington, D.C.
B. National Canners Association, 1133 20th Street NW., Washington, D.C.
D. (6) $150. E. (9) $50.

A. Herbert E. Harris 2d, 425 13th Street NW., Washington, D.C.
B. American Farm Bureau Federation, 1000 Merchandise Mart Plaza, Chicago, Ill.
D. (6) $1,712.50. E. (9) $18.40.

A. F. Donald Hart, 605 Third Avenue, New York, N.Y.
B. American Gas Association, Inc., 605 Third Avenue, New York, N.Y.

A. David Hartsough, 243 Second Street NE., Washington, D.C.
B. Friends Committee on National Legislation, 245 Second Street NE., Washington, D.C.
D. (6) $667.

A. Clifford J. Harvison, 1616 P Street NW., Washington, D.C.
B. National Tank Truck Carriers, Inc., 1616 P Street NW., Washington, D.C.

A. Paul M. Hawkins, 1701 K Street NW., Washington, D.C.
B. Health Insurance Association of America, 1701 K Street NW., Washington, D.C.

A. Kit H. Haynes, 425 13th Street NW., Washington, D.C.
B. American Farm Bureau Federation, 1000 Merchandise Mart Plaza, Chicago, Ill.
D. (6) $1,687.50. E. (9) $103.23.

A. Hays & Hays, Warner Bldg., Washington, D.C.
B. Motor Commerce Association, Inc., 4004 Versailles Road, Lexington, Ky.
D. (6) $300.

A. John C. Hazen, 1317 F Street NW., Washington, D.C.
B. National Retail Merchants Association, 100 West 31st Street, New York, N.Y.
E. (9) $45.10.

A. Health Insurance Association of America, 1701 K Street NW., Washington, D.C.
D. (6) $160.53. E. (9) $160.53.

A. Patrick B. Healy, 30 F Street NW., Washington, D.C.
B. National Milk Producers Federation, 30 F Street NW., Washington, D.C.
D. (6) $300. E. (9) $90.29.

A. Robert B. Heiney, 1133 20th Street NW., Washington, D.C.
B. National Canners Assn., 1133 20th Street NW., Washington, D.C.
E. (9) $1,202.88.

A. Kenneth G. Heisler, 1200 17th Street NW., Washington, D.C.
B. National League of Insured Savings Associations, 1200 17th Street NW., Washington, D.C.
D. (6) $300.

A. Phil D. Helmig, 1001 Connecticut Avenue NW., Washington, D.C.
B. The Atlantic Richfield Co., 717 Fifth Avenue, New York, N.Y.
D. (6) $150. E. (9) $150.

A. Edmund P. Hennelly, 150 East 42d Street, New York, N.Y.
B. Mobil Oil Corp., 150 East 42d Street, New York, N.Y.
D. (6) $1125. E. (9) $1470.77.

A. John K. Herbert, 575 Lexington Avenue, New York, N.Y.
B. Magazine Publishers Association, 575 Lexington Avenue, New York, N.Y.
D. (6) $191.57.

A. Maurice G. Herndon, 1223 Pennsylvania Building, Washington, D.C.
B. National Association of Insurance Agents, 96 Fulton Street, New York, N.Y., and 1223 Pennsylvania Bldg., Washington, D.C.
E. (9) $648.64.

A. Clinton M. Hester, 432 Shoreham Building, Washington, D.C.
B. National Football League, 1 Rockefeller Plaza, New York, N.Y.
D. (6) $10,000.

A. Clinton M. Hester, 432 Shoreham Building, Washington, D.C.
B. Savage Arms, Westfield, Mass; Redfield Gun Sight Co., Denver, Colo.; and Browning Arms Co., Morgan, Utah.
D. (6) $6,416.50. E. (9) $92.12.

A. Hester & Stone, 432 Shoreham Building, Washington, D.C.
B. United States Brewers Association, 535 Fifth Avenue, New York, N.Y.
D. (6) $5,000. E. (9) $68.95.

A. George T. Higgins, 1100 Connecticut Avenue, Washington, D.C
B. Chrysler Corp., 341 Massachusetts Avenue, Detroit, Mich.
D. (6) $400. E. (9) $125.

A. John W. Hight, 1028 Connecticut Avenue NW., Washington, D.C.
B. Legislative Committee of the Committee for a National Trade Policy, Inc., 1028 Connecticut Avenue NW., Washington, D.C.
D. (6) $100.

A. J. Eldred Hill, Jr., 720 Hotel Washington, Washington, D.C.
B. Unemployment Benefit Advisors, Inc.
D. (6) $2,000.

A. James J. Hill, 5025 Wisconsin Avenue NW., Washington, D.C.
B. Amalgamated Transit Union, AFL–CIO, 5025 Wisconsin Avenue NW., Washington, D.C.

A. Harry R. Hinton, 1 Farragut Square South, Washington, D.C.
B. American Medical Association, 535 N. Dearborn Street, Chicago, Ill.
D. (6) $2,100. E. (9) $563.21.

A. Lawrence S. Hobart, 2600 Virginia Avenue NW., Washington, D.C.
B. American Public Power Association, 2600 Virginia Avenue NW., Washington, D.C.
D. (6) $290.

A. Claude E. Hobbs, 1000 Connecticut Avenue NW., Washington, D.C.
B. Westinghouse Electric Corp., 3 Gateway Center, Pittsburgh, Pa.
D. (6) $900. E. (9) $195.

A. Ralph D. Hodges, Jr., 1619 Massachusetts Avenue NW., Washington, D.C.
E. (9) $123.10.

A. Irvin A. Hoff, 1001 Connecticut Avenue, Washington, D.C.
B. United States Cane Sugar Refiners' Association, 1001 Connecticut Avenue, Washington, D.C.

A. Bryce P. Holcombe, 1925 K Street NW., Washington, D.C.
B. Brotherhood of Painters, Decorators & Paperhangers of America, AFL–CIO, 217–19 North Sixth Street, Lafayette, Ind.
D. (6) $1,825.

A. Lee B. Holmes, 829 Pennsylvania Building, Washington, D.C.
B. American Mutual Insurance Alliance, 20 North Wacker Drive, Chicago, Ill.
E. (9) $248.25.

A. John W. Holton, 815 Connecticut Avenue NW., Washington, D.C.
B. The American Bankers Association, 90 Park Avenue, New York, N.Y.
D. (6) $1,500.

A. Frances I. Holway, Box 47, Rye, N.H.
B. Animal Welfare, Inc., 910 17th Street NW., Washington, D.C.
E. (9) $424.61.

A. Edwin M. Hood, 1730 K Street NW., Washington, D.C.
B. Shipbuilders Council of America, 1730 K Street NW., Washington, D.C.

A. Thomas B. House.
B. National Association of Frozen Food Packers, 919 18th Street NW., Washington, D.C.
D. (6) $100.

A. Joe L. Howell, 1225 Connecticut Avenue NW., Washington, D.C.
B. Allstate Enterprises, Inc., Allstate Plaza, Northbrook, Ill.

A. Joe L. Howell, 1225 Connecticut Avenue NW., Washington, D.C.
B. Allstate Insurance Companies, Allstate Plaza, Northbrook, Ill.

A. Charles L. Huber, 1221 Massachusetts Avenue NW., Washington, D.C.
B. Disabled American Veterans, 3725 Alexandria Pike, Cold Springs, Ky.
D. (6) $6,250. E. (9) $3,197.15.

A. William J. Hull, 1660 L Street NW., Washington, D.C.
B. Ashland Oil & Refining Co., 1409 Winchester Avenue, Ashland, Ky.

A. William J. Hull, 1660 L Street NW., Washington, D.C.
B. Ohio Valley Improvement Association, Inc.

A. Edward W. Hummers, Jr., 1225 Connecticut Avenue NW., Washington, D.C.
B. National Association of FM Broadcasters, 665 Fifth Avenue, New York, N.Y.

A. Robert R. Humphreys. 1000 Connecticut Avenue NW., Washington, D.C.
B. Air Transport Association, 1000 Connecticut Avenue NW., Washington, D.C.
D. (6) $320. E. (9) $94.25.

A. James L. Huntley, 1741 DeSales Street NW., Washington, D.C.
B. Retail Clerks International Association, AFL–CIO, 1741 DeSales Street NW., Washington, D.C.
D. (6) $4,875. E. (9) $1,817.55.

A. Elmer P. Hutter, Post Office Box 2255, Washington, D.C.
D. (6) $5.

A. Elmer P. Hutter, Post Office Box 2255, Washington, D.C.
B. William R. Smith, Washington, D.C., et al.
D. (6) $1. E. (9) $357.

A. Frank N. Ikard, 1271 Avenue of the Americas, New York, N.Y.
B. American Petroleum Institute, 1271 Avenue of the Americas, New York, N.Y.

A. Bernard J. Imming, 777 14th Street NW., Washington, D.C.
B. United Fresh Fruit & Vegetable Association, 777 14th St. NW., Washington, D.C.

A. Independent Natural Gas Association of America, 1660 L Street NW., Washington, D.C.
D. (6) $1,300.

A. Industrial Union Department, AFL–CIO, 815 16th Street NW., Washington, D.C.
D. (6) $3,259.20. E. (9) $3,259.20.

A. Institute of Scrap Iron & Steel, Inc., 1729 H Street NW., Washington, D.C.
D. (6) $300. E. (9) $38.50.

XUM

A. Insurance Company of North America, 1600 Arch Street, Philadelphia, Pa.

A. International Association of Machinists & Aerospace Workers, 1300 Connecticut Avenue NW., Washington, D.C.
E. (9) $5,372,42.

A. International Economic Policy Association, 1625 I Street NW., Washington, D.C.
E. (9) $4,031.41.

A. International Union of District 50, UMWA, 4880 MacArthur Boulevard NW., Washington, D.C.
E. (9) $3,376.41.

A. Investment Company Institute, 61 Broadway, New York, N.Y.
E. (9) $1,590.12.

A. Iron Ore Lessors Association, Inc., 1500 First National Bank Building, Saint Paul, Minn.
D. (6) $19,757.55. E. (9 $7,053.83.

A. Chas. E. Jackson, 1200 18th Street NW., Washington, D.C.

A. Robert C. Jackson, 1120 Connecticut Avenue NW., Washington, D.C.
B. American Textile Manufacturers Institute, 1501 Johnston Building, Charlotte, N.C.
D. (6) $2,750.000. E. (9) $186.06.

A. Walter K. Jaenicke.
B. National Forest Products Association, 1619 Massachusetts Avenue NW., Washington, D.C.
D. (6) $700. E. (9) $150.

A. Japanese American Citizens League, 1634 Post Street, San Francisco, Calif.
E. (9) $200.

A. Daniel Jaspan, Post Office Box 1924, Washington, D.C.
B. National Association of Postal Supervisors, Post Office Box 1924, Washington, D.C.
D. (6) $6,143.01. E. (9) 62.18.

A. Chas. B. Jennings, 1712 I Street NW., Washington, D.C.
B. American Stock Yards Association, 1712 I Street NW., Washington, D.C.
D. (6) $400.

A. Hugo E. Johnson, 600 Bulkley Building, Cleveland, Ohio.
B. American Iron Ore Association, 600 Bulkley Building, Cleveland, Ohio.

A. Reuben L. Johnson.
B. The Farmers' Educational and Co-Operative Union of America (National Farmers Union), 1575 Sherman Street, Denver, Colo.; 1012 14th Street NW., Washington, D.C.
D. (6) $3,600. E. (9) $178.79.

A. Spencer A. Johnson, 1025 Vermont Avenue NW., Washington, D.C.
B. National Retail Furniture Association, 1150 Merchandise Mart, Chicago, Ill.
D. (6) $300.

A. Geo. Bliss Jones, Montgomery, Ala.
B. Alabama Railroad Association, 1002 First National Bank Building, Montgomery, Ala.

A. L. Dan Jones, 1110 Ring Building, Washington, D.C.
B. Independent Petroleum Association of America, 1110 Ring Building, Washington, D.C.
E. (9) $60.

A. Oliver H. Jones, 1707 H Street NW., Washington, D.C.
B. Mortgage Bankers Association of America, 1707 H Street NW., Washington, D.C.
D. (6) $11,450. E. (9) $4,136.

A. Mrs. Frits R. Kahn, 9202 Ponce Place, Fairfax, Va.
B. National Congress of Parents and Teachers, 700 N. Rush Street, Chicago, Ill.
E. (9) $15.25.

A. Karelsen, Karelsen, Lawrence & Nathan, 230 Park Avenue, New York, N.Y.
E. (9) $10.36.

A. William J. Keating, 500 Folger Building, Washington, D.C.
B. Grain & Feed Dealers National Association, 500 Folger Building, Washington, D.C.

A. Howard B. Keck, 1801 Avenue of the Stars, Los Angeles, Calif.
B. The Superior Oil Co., 1801 Avenue of the Stars, Los Angeles, Calif.
E. (9) $300.

A. W. M. Keck, Jr., 1801 Avenue of the Stars, Los Angeles, Calif.
E. (9) $275.

A. Charles C. Keeble, Post Office Box 2180, Houston, Tex.
B. Humble Oil & Refining Co., Post Office Box 2180, Houston, Tex.
E. (9) $16.30.

A. Daniel C. Kellick, 1317 F Street NW., Washington, D.C.
B. National Retail Merchants Association, 100 West 31st Street, New York, N.Y.
E. (9) $46.95.

A. Harold V. Kelly, 720 Hotel Washington, Washington, D.C.
B. Unemployment Benefit Advisors, Inc.
D. (6) $1,000.

A. John T. Kelly, 1155 15th Street NW., Washington, D.C.
B. Pharmaceutical Manufacturers Association.

A. Edward F. Kenehan, 1225 Connecticut Avenue NW., Washington, D.C.
B. National Association of FM Broadcasters, 665 Fifth Avenue, New York, N.Y.

A. I. L. Kenen, 1341 G Street NW., Washington, D.C.
B. American Israel Public Affairs Committee, 1341 G Street NW., Washington, D.C.

A. Harold L. Kennedy, 420 Cafritz Build ing, Washington, D.C.
B. Marathon Oil Co., Findlay, Ohio.
E. (9) $95.05.

A. James J. Kennedy, Jr., 400 First Street NW., Washington, D.C.
B. Brotherhood of Railway, Airline & Steamship Clerks, 1015 Vine Street, Cincinnati, Ohio.
D. (6) $3,277.49. E. (9) $1,652.77.

A. Edward F. Kenney, 225 South Meramec, St. Louis, Mo.
B. Mississippi Valley Association, 1130 17th Street NW., Washington, D.C.

A. William F. Kenney, New York, N.Y.
B. Shell Oil Co., 50 West 50th Street, New York, N.Y.

A. Kenyon & Kenyon, 59 Maiden Lane, New York, N.Y.
E. (9) $150.

A. Thomas P. Kerester, 1025 Connecticut Avenue NW., Washington, D.C.
B. Gulf Oil Corp., Pittsburgh, Pa.
D. (6) $750. E. (9) $150.

A. J. Don Kerlin, 1108 Stuart Road, Herndon, Va.
B. Time, Inc., Rockefeller Center, New York, N.Y.

A. Joseph T. King, 1028 Connecticut Avenue NW., Washington, D.C.
B. Associated Equipment Distributors and Sprinkler Irrigation Association.
E. (9) $1,202.93.

A. T. Bert King, 812 Pennsylvania Building, Washington, D.C.
B. U.S. Savings and Loan League, 221 North LaSalle Street, Chicago, Ill.
D. (6) $825.

A. Mr. and Mrs. Harry L. Kingman, 535 San Luis Road, Berkeley, Calif.
D. (6) $2,075. E. (9) $2,075.

A. John M. Kinnaird, 1616 P Street NW., Washington, D.C.
B. American Trucking Associations, Inc., 1616 P Street NW., Washington, D.C.
D. (6) $1,000. E. (9) $854.50.

A. Kirkland, Ellis, Hodson, Chaffetz & Masters, 800 World Center Building, Washington, D.C.
B. Grocery Manufacturers of America, Inc., 1133 Avenue of the Americas, New York, N.Y.

A. Ernest A. Kistler, 901 Hamilton Street, Allentown, Pa.
B. Pennsylvania Power & Light Co., 901 Hamilton Street, Allentown, Pa.
D. (6) $193.70. E. (9) $336.17.

A. Ralph W. Kittle.
B. International Paper Co., 220 East 42d Street, New York, N.Y.

A. Robert E. Kline, Jr., 409 LaSalle Building, 1028 Connecticut Avenue NW., Washington, D.C.
B. Bowling Proprietors' Association of America, Inc., West Higgins Road, Hoffman Estates, Ill.
D. (6) $1,250. E. (9) $49.29.

A. James F. Kmetz, 1427 I Street NW., Washington, D.C.
B. United Mine Workers of America, 900 15th Street NW., Washington, D.C.
D. (6) $4,790.

A. George J. Knaly, 1200 15th Street NW., Washington, D.C.
B. International Brotherhood of Electrical Workers, AFL–CIO & CLC, 1200 15th Street NW., Washington, D.C.
D. (6) $5,000.06.

A. John D. Knodell, Jr., 1025 Connecticut Avenue NW., Washington, D.C.
B. Humble Oil & Refining Co., Post Office Box 2180, Houston, Tex.
E. (9) $912.26.

A. George W. Koch, 1133 Avenue of the Americas, New York, N.Y.
B. Grocery Manufacturers of America, Inc., 1133 Avenue of the Americas, New York, N.Y.

A. Robert M. Koch, 702 H Street NW., Washington, D.C.
B. National Limestone Institute, Inc., 702 H Street NW., Washington, D.C.
E. (9) $35.

A. William L. Kohler, 1616 P Street NW., Washington, D.C.
B. American Trucking Associations, Inc., 1616 P Street NW., Washington, D.C.
D. (6) $1,200. E. (9) $360.63.

A. Horace R. Kornegay, 1735 K Street NW., Washington, D.C.
B. The Tobacco Institute, Inc.

A. Kenneth S. Kovack, 1001 Connecticut Avenue NW., Washington, D.C.
B. United Steelworkers of America, 1500 Commonwealth Building, Pittsburgh, Pa.
D. (6) $3,450. E. (9) $1,338.80.

XUM

A. June Kysilko Kraeft, 2000 Florida Avenue NW., Washington, D.C.
B. National Rural Electric Cooperative Association, 2000 Florida Avenue NW., Washington, D.C.
D. (6) $81.

A. Germaine Krettek, 200 C Street SE., Washington, D.C.
B. American Library Association, 50 East Huron Street, Chicago, Ill.
D. (6) $560.30.

A. Herman C. Kruse, 245 Market Street, San Francisco, Calif.
B. Pacific Gas & Electric Co., 245 Market Street, San Francisco, Calif.
E. (9) $2,330.48.

A. Lloyd R. Kuhn, 1725 DeSales Street NW., Washington, D.C.
B. Aerospace Industries Association of America, Inc., 1725 DeSales Street NW., Washington, D.C.
D. (6) $5,472. E. (9) $806.55.

A. Labor Bureau of Middle West, 1155 15th Street NW., Washington, D.C.; 11 South LaSalle Street, Chicago, Ill.

A. Labor-Management Maritime Committee, 100 Indiana Avenue NW., Washington, D.C.
D. (6) $9,873. E. (9) $8,312.88.

A. Laborers' International Union of North America, AFL–CIO, 905 16th Street NW., Washington, D.C.
E. (9) $10,761.83.

A. Laborers' Political League, 905 16th Street NW., Washington, D.C.
D. (6) $9,623.19. E. (9) $8,697.66.

A. A. M. Lampley, 400 First Street NW., Washington, D.C.
E. (9) $100.

A. Albert Lannon, Jr., 1341 G Street NW., Washington, D.C.
B. International Longshoremen's & Warehousemen's Union, 150 Golden Gate Avenue, San Francisco, Calif.
D. (6) $2,786.22. E. (9) $601.78.

A. Glenn T. Lashley, 1712 G Street NW., Washington, D.C.
B. District of Columbia Division, American Automobile Association, 1712 G Street NW., Washington, D.C.

A. Dillard B. Lasseter, 1616 P Street NW., Washington, D.C.
B. American Trucking Associations, Inc., 1616 P Street NW., Washington, D.C.
D. (6) $1,200. E. (9) $525.

A. George H. Lawrence, 1660 L Street NW., Washington, D.C.
B. American Gas Association, Inc., 605 Third Avenue, New York N.Y.
D. (6) $425. E. (9) $75.

A. John V. Lawrence, 1616 P Street NW., Washington, D.C.
B. American Trucking Associations, Inc., 1616 P Street NW., Washington, D.C.
D. (6) $1,200.

A. Robert F. Lederer, 835 Southern Building, Washington, D.C.
B. American Association of Nurserymen, Inc., 835 Southern Building, Washington, D.C.
D. (6) $20. E. (9) $267.84.

A. Legislation for Animal Welfare, Inc., 3045 P Street NW., Washington, D.C.
D. (6) $825. E. (9) $697.20.

A. Legislative Committee of the Committee for a National Trade Policy, Inc., 1028 Connecticut Avenue NW., Washington, D.C.
D. (6) $500. E. (9) $253.

A. Nils A. Lennartson, 1140 Connecticut Avenue NW., Washington, D.C.
B. Railway Progress Institute, 1140 Connecticut Avenue NW., Washington, D.C.
D. (6) $9,999.96.

A. Leva, Hawes, Symington, Martin & Oppenheimer, 815 Connecticut Avenue NW., Washington, D.C.
B. The American Waterways Operators, Inc., 1250 Connecticut Avenue NW., Washington, D.C.
D. (6) $8,765. E. (9) $670.41.

A. J. Stanly Lewis, 100 Indiana Avenue NW., Washington, D.C.
B. National Association of Letter Carriers, 100 Indiana Avenue NW., Washington, D.C.
D. (6) $2,812.00.

A. Liberty Lobby, Inc., 132 Third Street SE., Washington, D.C.
D. (6) $30,670.29. E. (9) $15,334.81.

A. Lester W. Lindow, 1735 DeSales Street NW., Washington, D.C.

A. Lindsay, Nahstoll, Hart, Dafoe & Krause, ninth floor, Loyalty Building, Portland, Oreg.
B. Master Contracting Stevedore Association of the Pacific Coast, Inc., San Francisco, Calif.

A. Lindsay, Nahstoll, Hart, Dafoe & Krause, ninth floor, Loyalty Building, Portland, Oreg.
B. National Maritime Compensation Committee, ninth floor, Loyalty Building, Portland, Oreg.

A. Charles B. Lipsen, 1741 DeSales Street NW., Washington, D.C.
B. Retail Clerks International Association, AFL–CIO, 1741 DeSales Street NW., Washington, D.C.
D. (6) $5,480.00. E. (9) $1,367.99.

A. Robert G. Litschert, 1140 Connecticut Avenue NW., Washington, D.C.
B. National Association of Electric Companies, 1140 Connecticut Avenue NW., Washington, D.C.
D. (6) $417.38. E. (9) $147.52.

A. Harold O. Lovre, 1616 P Street NW., Washington, D.C.
B. American Trucking Associations, Inc., 1616 P Street NW., Washington, D.C.
D. (6) $1,200. E. (9) $295.50.

A. Otto Lowe, Cape Charles, Va.
B. National Canners Association, 1133 20th Street NW., Washington, D.C.
D. (6) $1,500.

A. Otto Lowe, Cape Charles, Va.
B. Norfolk & Western Railway Co., Roanoke, Va.
D. (6) $600.

A. Milton F. Lunch, 2029 K Street NW., Washington, D.C.
B. National Society of Professional Engineers.

A. John C. Lynn, 425 13th Street NW., Washington, D.C.
B. American Farm Bureau Federation, 1000 Merchandise Mart Plaza, Chicago, Ill.
D. (6) $3,000.

A. LeRoy E. Lyon, Jr., 11th and L Building, Sacramento, Calif.
B. California Railroad Association, 11th and L Building, Sacramento, Calif.

A. Breck P. McAllister, 25 Broadway, New York, N.Y.
B. American Committee for Flags of Necessity, 25 Broadway, New York, N.Y.

A. William C. McCamant, 1725 K Street NW., Washington, D.C.
D. (6) $300 or less.

A. John A. McCart, 100 Indiana Avenue NW., Washington, D.C.
B. Government Employees Council, AFL–CIO, 100 Indiana Avenue NW., Washington, D.C.
D. (6) $2,357.25.

A. Bruce E. McCarthy, 1730 Rhode Island Avenue NW., Washington, D.C.
B. National Electrical Contractors Association, 1730 Rhode Island Avenue NW., Washington, D.C.

A. McClure & Trotter, 1100 Connecticut Avenue NW., Washington, D.C.
B. The Coca-Cola Co., Post Office Drawer 1734, Atlanta, Ga.

A. McClure & Trotter, 1100 Connecticut Avenue NW., Washington, D.C.
B. Gulf & Western Industries, Inc., 437 Madison Avenue, New York, N.Y.

A. McClure & Trotter, 1100 Connecticut Avenue NW., Washington, D.C.
B. International Packers Ltd., 410 North Michigan Avenue, Chicago, Ill.

A. McClure & Trotter, 1100 Connecticut Avenue NW., Washington, D.C.
B. Mobil Oil Corp., 150 East 42d Street, New York, N.Y.

A. E. L. McCulloch, 400 First Street NW., Washington, D.C.
B. Brotherhood of Locomotive Engineers, Brotherhood of Locomotive Engineers Building, Cleveland, Ohio.
D. (6) $284.60. E. (9) $81.50.

A. Albert L. McDermott, 777 14th Street NW., Washington, D.C.
B. American Hotel & Motel Association, 221 West 57th Street, New York, N.Y.
D. (6) $125.

A. Angus H. McDonald.
B. The Farmers' Educational and Cooperative Union of America (National Farmers Union), 1575 Sherman Street, Denver, Colo.; 1012 14th Street NW., Washington, D.C.
D. (6) $3,415.30. E. (9) $176.01.

A. Marshall C. McGrath.
B. International Paper Co., 220 East 42d Street, New York, N.Y.
D. (6) $445. E. (9) $170.16.

A. F. Howard McGuigan, 815 16th Street NW., Washington, D.C.
B. American Federation of Labor & Congress of Industrial Organizations, 815 16th Street NW., Washington, D.C.
D. (6) $4,702.70. E. (9) $226.50.

A. Clarence M. McIntosh, 400 First Street NW., Washington, D.C.
B. Brotherhood of Railway, Airline & Steamship Clerks, 1015 Vine Street, Cincinnati, Ohio.
D. (6) $2,770.74. E. (9) $993.25.

A. William F. McKenna, 1200 17th Street NW., Washington, D.C.
B. National League of Insured Savings Associations, 1200 17th Street NW., Washington, D.C.
D. (6) $85.

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A. Marvin L. McLain, 425 13th Street NW., Washington, D.C.
B. American Farm Bureau Federation, 1000 Merchandise Mart Plaza, Chicago, Ill.
D. (6) $2,537.50. E. (9) $60.49.

A. William F. McManus, 777 14th Street NW., Washington, D.C.
B. General Electric Co., 570 Lexington Avenue, New York, N.Y.
D. (6) $725. E. (9) $135.70.

A. Clarence M. McMillan, 1343 L Street NW., Washington, D.C.
B. National Candy Wholesalers Association, Inc., 1343 L Street NW., Washington, D.C.

A. Robert L. McNeill, 815 Connecticut Avenue NW., Washington, D.C.
B. Ford Motor Co., Dearborn, Mich.; Emergency Committee for American Trade, 1000 Connecticut Avenue NW., Washington, D.C.
D. (6) $32.35. E. (9) $26.33.

A. Shane MacCarthy, 5223 River Road, Washington, D.C.
B. Printing Industries of America, 5223 River Road, Washington, D.C.
D. (6) $750. E. (9) $1,125.

A. H. E. Mahlman, 1026 17th Street NW., Washington, D.C.
B. American Optometric Association, care of J. C. Tumblin, O. D., 4636 Broadway NE., Knoxville, Tenn.
D. (6) $700. E. (9) $27.35.

A. Robert L. Maier, 900 17th Street NW., Washington, D.C.
B. Kaiser Industries Corp., 900 17th Street NW., Washington, D.C.

A. Carter Manasco, 5032 Chesterbrook Road, McLean, Va.
B. National Coal Association, 1130 17th Street NW., Washington, D.C.
D. (6) $6,000. E. (9) $137.65.

A. Manufacturing Chemists' Association, Inc., 1825 Connecticut Avenue NW., Washington, D.C.
D. (6) $5,000. E. (9) $3,000.

A. Mrs. Olya Margolin, 924 Dupont Circle Building, Washington, D.C.
B. National Council of Jewish Women, Inc., 1 West 47th Street, New York, N.Y.
D. (6) $2,250. E. (9) $147.23.

A. James Mark, Jr., 1427 I Street NW., Washington, D.C.
B. United Mine Workers of America, 900 15th Street NW., Washington, D.C.
D. (6) $4,790.

A. Rodney W. Markley, Jr., 815 Connecticut Avenue NW., Washington, D.C.
B. Ford Motor Co., Dearborn, Mich.

A. Winston W. Marsh, 1343 L Street NW., Washington, D.C.
B. National Tire Dealers & Retreaders Association, Inc., Washington, D.C.

A. J. Paull Marshall, 300 New Jersey Avenue SE., Washington, D.C.
B. Association of American Railroads, American Railroads Building, Washington, D.C.
D. (6) $53.75.

A. Thomas A. Martin, 1625 K Street NW., Washington, D.C.
B. Mid-Continent Oil & Gas Association, 300 Tulsa Building, Tulsa, Okla.
D. (6) $500. E. (9) $120.

A. Mike M. Masaoka, 919 18th Street NW., Washington, D.C.

A. Mike M. Masaoka, 919 18th Street NW., Washington, D.C.
B. Association on Japanese Textile Imports, Inc., 551 Fifth Avenue, New York, N.Y.
D. (6) $1,000.

A. Mike M. Masaoka, 919 18th Street NW., Washington, D.C.
B. Japanese American Citizens League, 1634 Post Street, San Francisco, Calif.
D. (6) $200.

A. Mike M. Masaoka, 919 18th Street NW., Washington, D.C.
B. West Mexico Vegetable Distributors Association, Post Office Box 848, Nogales, Ariz.
D. (6) $500.

A. Alfred Maskin, 1612 K Street NW., Washington, D.C.
B. American Maritime Association, 17 Battery Place, New York, N.Y.
D. (6) $100. E. (9) $57.74.

A. Walter J. Mason, 815 16th Street NW., Washington, D.C.
B. Building and Construction Trades Department, AFL–CIO, 815 16th Street, Washington, D.C.
D. (6) $5,499.91. E. (9) $1,300.

A. Charles D. Matthews, 1140 Connecticut Avenue, Washington, D. C.
B. National Association of Electric Companies, 1140 Connecticut Avenue, Washington, D.C.
D. (6) $423.50. E. (9) $122.62.

A. P. H. Mathews, 300 New Jersey Avenue SE., Washington, D.C.
B. Association of American Railroads, American Railroads Building, Washington, D.C.
D. (6) $314.89. E. (9) $422.

A. Charles E. Mattingly, 1608 K Street NW., Washington, D.C.
B. The American Legion, 700 North Pennsylvania Street, Indianapolis, Ind.
D. (6) $3,298.50. E. (9) $142.50.

A. C. V. & R. V. Maudlin, 1111 E Street NW., Washington, D.C.
B. Georgia Power Co., 270 Peachtree Street, Atlanta, Ga.

A. Arnold Mayer, 100 Indiana Avenue NW., room 410, Washington, D.C.
B. Amalgamated Meat Cutters and Butcher Workmen of North America, AFL–CIO, 2800 North Sheridan Road, Chicago, Ill.
D. (6) $4,750. E. (9) $430.

A. Anthony Mazzocchi, 1126 16th Street NW., Washington, D.C.
B. Oil, Chemical & Atomic Workers International Union, 1840 California Street Denver, Colo.
D. (6) $1,750. E. (9) $227.50.

A. George G. Mead, 128 C Street NE., Washington, D.C.
B. American Society of Radiologic Technologists, 645 North Michigan Avenue, Chicago, Ill.
D. (6) $1,200. E. (9) $721.71.

A. James E. Meals, Air Line Pilots Association, 1329 E Street NW., Washington, D.C.
B. Air Line Pilots Association, 1329 E Street NW., Washington, D.C.

A. Medical-Surgical Manufacturers Association, 342 Madison Avenue, New York, N.Y.
B. Medical-Surgical Manufacturers Association, 342 Madison Avenue, New York, N.Y.
D. (6) $5,032.53. E. (9) $1,224.92.

A. Carl J. Megel, 1012 14th Street NW., Washington, D.C.
B. American Federation of Teachers, AFL–CIO, 1012 14th Street NW., Washington, D.C.
E. (9) $9,950.

A. Kenneth A. Meiklejohn, 815 16th Street NW., Washington, D.C.
B. American Federation of Labor and Congress of Industrial Organizations, 815 16th Street NW., Washington, D.C.
D. (6) $4,702.70. E. (9) $352.88.

A. Lawrence C. Merthan, 1735 K Street NW., Washington, D.C.
B. Hill & Knowlton, Inc., 150 East 42d Street, New York, N.Y.

A. Metropolitan Washington Board of Trade, 1616 K Street NW., Washington, D.C.

A. George F. Meyer, Jr., 1625 I Street NW., Washington, D.C.
B. Retired Officers Association, 1625 I Street NW., Washington, D.C.
D. (6) $625.

A. Midland Cooperative Dairy Association, Shawano, Wis., and Box 128 Cazenovia, N.Y.

A. Capt. A. Stanley Miller, 1629 K Street NW., Washington, D.C.
B. American Committee for Flags of Necessity, 25 Broadway, New York, N.Y.
D. (6) $100.

A. Dale Miller, 377 Mayflower Hotel, Washington, D.C.
B. Dallas, Tex., Chamber of Commerce.
D. (6) $1,950.

A. Dale Miller, 377 Mayflower Hotel, Washington, D.C.
B. Gulf Intracoastal Canal Association, 2211 South Coast Building, Houston, Tex.
D. (6) $2,625.

A. Dale Miller, 377 Mayflower Hotel, Washington, D.C.
B. Texas Gulf Sulphur Co., Newgulf, Tex., and New York, N.Y.
D. (6) $2,250.

A. Edwin Reid Miller, 1815 Capitol Avenue, Omaha, Nebr.
B. Nebraska Railroads Legislative Committee, 1815 Capitol Avenue, Omaha, Nebr.
D. (6) $4,099.98.

A. Hermon I. Miller, 5116 Moorland Lane, Bethesda, Md.
B. National Turkey Federation, Mount Morris, Ill.

A. Joe D. Miller, 535 North Dearborn Street, Chicago, Ill.
B. American Medical Association, 535 North Dearborn Street, Chicago, Ill.
D. (6) $875.

A. Joseph L. Miller, 1612 K Street NW., Washington, D.C.
B. The Maytag Co., Northern Textile Association, National Parking Association.

A. Lester F. Miller, 1750 Pennsylvania Avenue NW., Washington, D.C.
B. National Rural Letter Carriers' Association, 1750 Pennsylvania Avenue NW., Washington, D.C.
D. (6) $415. E. (9) $28.

A. Luman C. Miller, 912 Failing Building, Portland, Oreg.
B. Oregon Railroad Association, 912 Failing Building, Portland, Oreg.

A. Jack Mills, 1735 K Street NW., Washington, D.C.
B. The Tobacco Institute.

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A. Marion Daniel Minchew, 610 Ring Building, Washington, D.C.
B. National Cotton Council of America, Post Office Box 12285, Memphis, Tenn.
D. (6) $206.25. E. (9) $7.09.

A. Thomas F. Mitchell, 1735 I Street NW., Washington, D.C.
B. Georgia-Pacific Corp., Post Office Box 311, Portland, Oreg.
E. (9) $87.

A. Mobile Housing Association of America, 39 South LaSalle Street, Chicago, Ill.
E. (9) $2,427.51.

A. Carl A. Modecki, 1712 G Street NW., Washington, D.C.
B. American Automobile Association, 1712 G Street NW., Washington, D.C.

A. Willis C. Moffatt, Post Office Lock Box 829, Boise, Idaho

A. Michael Monroney.
B. Communications Satellite Corporation, 950 L'Enfant Plaza South SW., Washington, D.C.
D. (6) $1,750.

A. Joseph E. Moody, 1000 16th Street NW., Washington, D.C.
D. (6) $500.

A. Robert E. Morin, 1311 Delaware Avenue SW., Washington, D.C.
B. National Association of Mutual Insurance Agents, 520 Investment Building, Washington, D.C.
E. (9) $3,122.96.

A. Morison, Murphy, Abrams & Haddock, Pennsylvania Building, Washington, D. C.
B. The Sperry & Hutchinson Co., 330 Madison Avenue, New York, N.Y.

A. James G. Morton, 1825 Connecticut Avenue NW., Washington, D.C.
B. Manufacturing Chemists' Association, Inc., 1825 Connecticut Avenue NW., Washington, D.C.
D. (6) $2,500. E. (9) Under $50.

A. Lynn E. Mote, 1619 Massachusetts Avenue NW., Washington, D.C.
B. Automobile Manufacturers Association, Inc., 320 New Center Building, Detroit, Mich.
D. (6) $1,000.

A. Motor Commerce Association, Inc., 4004 Versailles Road, Lexington, Ky.
D. (6) $500. E. (9) $462.75.

A. T. H. Mullen, 4301 Columbia Pike, Arlington, Va.
B. Union Camp Corp., 233 Broadway, New York, N.Y.

A. John J. Murphy, Jr., 815 15th Street NW., Washington, D.C.
B. Bricklayers, Masons & Plasterers International Union of America, 815 15th Street NW., Washington, D.C.
D. (6) $2,925. E. (9) $339.80.

A. John J. Murphy, 33 Wileliner Drive, Edgewater, Md.
B. National Customs Service Association.

A. William E. Murray, 2000 Florida Avenue NW., Washington, D.C.
B. National Rural Electric Cooperative Association, 2000 Florida Avenue NW., Washington, D.C.

A. Kenneth D. Naden, 1200 17th Street NW., Washington, D.C.
B. National Council of Farmer Cooperatives, 1200 17th Street NW., Washington, D.C.
D. (6) $9,208.32. E. (9) $556.06.

A. John J. Nangle, 215 Watergate Office Building, Washington, D.C.
B. National Association of Independent Insurers, 30 West Monroe Street, Chicago, Ill.

A. Augustus Nasmith, Pennsylvania Station, Newark, N.J.
B. Associated Railroads of New Jersey, Pennsylvania Station, Newark, N.J.

A. The Nationwide Committee on Import-Export Policy, 815 15th Street NW., Washington, D.C.
D. (6) $7,300. E. (9) $7,576.16.

A. National Agricultural Chemicals Association, 1155 15th Street NW., Washington, D.C.

A. National Association of Credit Management, 44 East 23d Street, New York, N.Y.

A. National Association of Electric Companies, 1140 Connecticut Avenue NW., Washington, D.C.
D. (6) $64,834.85. E. (9) $9,097.12.

A. National Association of Food Chains, 1725 I Street NW., Washington, D.C.
D. (6) $100. E. (9) $100.

A. National Association of Frozen Food Packers, 919 18th Street NW., Washington, D.C.

A. National Association of Letter Carriers, 100 Indiana Avenue NW., Washington, D.C.
D. (6) $709,397.07. E. (9) $44,136.67.

A. National Association of Mutual Savings Banks, 200 Park Avenue, New York, N.Y.
D. (6) $2,533.29. E. (9) $2,533.29.

A. The National Association of Polish Americans, Inc., 3829 W Street SE., Washington, D.C.

A. National Association of Postal Supervisors, Post Office Box 1924, Washington, D.C.
D. (6) $35,000. E. (9) $15,642.85.

A. National Association of Travel Organizations, 1100 Connecticut Avenue NW., Washington, D.C.
D. (6) $39,746.18. E. (9) $682.50.

A. National Automobile Dealers Association, 2000 K Street NW., Washington, D.C.
D. (6) $2,119.57. E. (9) $2,119.57.

A. National Broiler Council, 1155 15th Street NW., Washington, D.C.
D. (6) $250. E. (9) $250.

A. National Campaign for Agricultural Democracy, 110 Maryland Avenue NE., Washington, D.C.
D. (6) $19,230. E. (9) $8,049.21.

A. National Canners Association, 1133 20th Street NW., Washington, D.C.
D. (6) $355,962.38. E. (9) $5,273.24.

A. National Coal Policy Conference, Inc., 1000 16th Street NW., Washington, D.C.
E. (9) $6,433.69.

A. National Committee to Abolish HUAC/HISC, 555 N. Western Avenue, Los Angeles, Calif.
D. (6) $1,709.18. E. (9) $1,709.18.

A. National Committee for Research in Neurological Disorders, care of Dr. A. B. Baker, Division of Neurology, University of Minnesota Hospital, Minneapolis, Minn.
E. (9) $5,000.

A. National Conference of Non-Profit Shipping Associations, Inc., 2309 Fannin, Houston, Tex.

A. National Cotton Council of America, Post Office Box 12285, Memphis, Tenn.
D. (6) $2,899.08. E. (9) $2,899.08.

A. National Council of Farmer Cooperatives, 1200 17th Street NW., Washington, D.C.
D. (6) $19,348.36. E. (9) $23,325.16.

A. National Council, Junior Order United American Mechanics, 3027 N. Broad St., Philadelphia, Pa.

A. National Council of Naval Air Stations Employee Organizations, 239 Beach Road, Alameda, Calif.

A. National Council of Technical Service Industries, 888 17th Street NW., Washington, D.C.
B. National Council of Technical Service Industries, 888 17th Street NW., Washington, D.C.
D. (6) $765. E. (9) $834.08.

A. National Counsel Associates, 421 New Jersey Avenue SE., Washington, D.C.
B. Cenco Instruments Corporation, 2600 S. Kostner Avenue, Chicago, Ill.
D. (6) $1,050. E. (9) $173.17.

A. National Counsel Associates, 421 New Jersey Avenue SE., Washington, D.C.
B. Committee for the Study of Revenue Bond Financing, 55 Liberty Street, New York, N.Y.
D. (6) $1,500. E. (9) $65.

A. National Cystic Fibrosis Research Foundation, 202 East 44th Street, New York, N.Y.
E. (9) $1,500.

A. National Electrical Contractors Assn., Inc., 1730 Rhode Island Ave. NW., Washington, D.C.

A. National Electrical Manufacturers Association, 155 East 44th Street, New York, N.Y.

A. National Federation of Federal Employees, 1737 H Street NW., Washington, D.C.
D. (6) $221,164.35. E. (9) $13,039.51.

A. National Federation of Independent Business, Inc., 920 Washington Building, Washington, D.C.
D. (6) $25,762.86. E. (9) $25,762.86.

A. National Forest Products Assn., 1619 Massachusetts Avenue NW., Washington, D.C.
D. (6) $298.54. E. (9) $337.82.

A. The National Grange, 1616 H Street NW., Washington, D.C.
E. (9) $9,350.

A. National Housing Conference, Inc., 1250 Connecticut Ave. NW., Washington, D.C.
D. (6) $64,289.61. E. (9) $48,356.70.

A. National League of Insured Savings Associations, 1200 17th Street NW., Washington, D.C.
D. (6) $420,447.47. E. (9) $425.

A. National Limestone Institute, Inc., 702 H Street NW., Washington, D.C.
D. (6) $1,240. E. (9) $1,240.

A. National Livestock Feeders Association, Inc., 309 Livestock Exchange Building, Omaha, Nebr.
D. (6) $7,367.16. E. (9) $7,367.16.

A. National Milk Producers Federation, 30 F Street NW., Washington, D.C.
D. (6) $4,242.70. E. (9) $4,242.70.

A. National Multiple Sclerosis Society, 257 Park Avenue South, New York, N.Y.
E. (9) $439.22.

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A. National Parking Association, 1101 17th Street NW., Washington, D.C.
E. (9) $825.

A. National Reclamation Association, 897 National Press Building, Washington, D.C.
D. (6) $5,464.05. E. (9) $7,376.06.

A. National Rehabilitation Association, 1522 K Street NW., Washington, D.C.
D. (6) $8,344.29. E. (9) $1,221.75.

A. National Retail Furniture Association, 1150 Merchandise Mart, Chicago, Ill.
E. (9) $383.35.

A. National Retail Merchants Association, 100 West 31 Street, New York, N.Y.
E. (9) $5,717.

A. National Rural Letter Carriers' Association, 1750 Pennsylvania Avenue NW., Washington, D.C.
D. (6) $1,818. E. (9) $8,520.

A. National Small Business Association, 1225 19th Street NW., Washington, D.C.
D. (6) $5,000. E. (9) $2,562.52.

A. National Society of Professional Engineers, 2029 K Street NW., Washington, D.C.
B. National Society of Professional Engineers.
D. (6) $325,000. E. (9) $20,000.

A. National Tire Dealers & Retreaders Association, 1343 L Street NW., Washington, D.C.
D. (6) $50. E. (9) $50.

A. Alexander W. Neale, Jr., 1101 17th Street NW., Washington, D.C.
B. National Association of Supervisors of State Banks, 1101 17th Street NW., Washington, D.C.
D. (6) $2,062.

A. Alan M. Nedry, 888 17th Street NW., Washington, D.C.
B. Southern California Edison Co., Post Office Box 351, Los Angeles, Calif.
D. (6) $2,500. E. (9) $2,274.61.

A. Allen Neece, Jr., 537 Washington Building, Washington, D.C.
B. National Association of Small Business Investment Companies, 537 Washington Building, Washington, D.C.
D. (6) $300.

A. Samuel E. Neel, 1200 18th Street NW., Washington, D.C.
B. Mortgage Bankers Association of America, 1707 H Street NW., Washington, D.C.
D. (6) $6,250. E. (9) $871.

A. Frances E. Neely, 245 Second Street NE., Washington, D.C.
B. Friends Committee on National Legislation, 245 Second Street NE., Washington, D.C.

A. George R. Nelson, 1300 Connecticut Avenue NW., Washington, D.C.
B. International Assoc. of Machinists and Aerospace Workers, 1300 Connecticut Avenue NW., Washington, D.C.
D. (6) $2,250. E. (9) $622.42.

A. William E. Neumeyer, 1120 Connecticut Avenue NW., Washington, D.C.
B. GT&E Service Corp., 730 Third Avenue, New York, N.Y.
D. (6) $20.25.

A. Louis H. Nevins, 1300 Connecticut Avenue NW., Washington, D.C.
B. National Association of Real Estate Boards, 155 E. Superior Street, Chicago, Ill. and 1300 Connecticut Avenue NW., Washington, D.C.
D. (6) $2,334. E. (9) $85.65.

A. John A. Nevius, 1000 Vermont Avenue NW., Washington, D.C.
B. Association of Mutual Fund Plan Sponsors, Inc., 50 East 42d Street, New York, N.Y.
D. (6) $6,960. E. (9) $372.07.

A. Sarah H. Newman, 1029 Vermont Avenue NW., Washington, D.C.
B. National Consumers League, 1029 Vermont Avenue NW., Washington, D.C.
D. (6) $1,650.

A. Patrick J. Nilan, 817 14th Street NW., Washington, D.C.
B. United Federation of Postal Clerks, Washington, D.C.
D. (6) $6,712.30. E. (9) $919.61.

A. James W. Nisbet, 280 Union Station Building, Chicago, Ill.
B. The Association of Western Railways, 224 Union Station Building, Chicago, Ill.

A. Robert W. Nolan, 1303 New Hampshire Avenue NW., Washington, D.C.
B. Fleet Reserve Association, 1303 New Hampshire Avenue NW., Washington, D.C.
D. (6) $100.

A. Charles M. Noone, 1225 Connecticut Avenue NW., Washington, D.C.
B. National Association of Small Business Investment Companies, 537 Washington Building, Washington, D.C.
D. (6) $1,500. E. (9) $906.75.

A. Robert D. Nordstrom, 1133 20th Street NW., Washington, D.C.
B. National Canners Association, 1133 20th Street NW., Washington, D.C.
D. (6) $400. E. (9) $225.

A. Graham T. Northup, 1707 H Street NW., Washington, D.C.
B. Mortgage Bankers Association of America, 1707 H Street NW., Washington, D.C.
D. (6) $6,450. E. (9) $11,368.

A. Michael J. Norton.
B. National Milk Producers Federation.

A. Ira H. Nunn, 1155 15th Street NW., Washington, D.C.
B. National Restaurant Association, 1155 15th Street NW., Washington, D.C., and 1530 North Lake Shore Drive, Chicago, Ill.
D. (6) $3,125. E. (9) $250.

A. Seward P. Nyman, 20 Chevy Chase Circle, Washington, D.C.
B. American Podiatry Association, 20 Chevy Chase Circle, Washington, D.C.
D. (6) $650.

A. Richard T. O'Connell, 1200 17th Street NW., Washington, D.C.
B. National Council of Farmer Cooperatives, 1200 17th Street NW., Washington, D.C.
D. (6) $5,183.32. E. (9) $135.63.

A. O'Connor, Green, Thomas, Walters & Kelly, 1750 Pennsylvania Avenue NW., Washington, D.C.
B. American Transit Association, 815 Connecticut Avenue NW., Washington, D.C.
D. (6) $4,500. E. (9) $207.

A. O'Connor, Green, Thomas, Walters & Kelly, 1750 Pennsylvania Avenue NW., Washington, D.C.
B. Upper Mississippi Towing Corporation, 7703 Normandale Road, Minneapolis, Minn.
D. (6) $2,500. E. (9) $123.

A. John B. O'Day, 11 East Adams Street, Chicago, Ill.
B. Insurance Economics Society of America, 11 East Adams Street, Chicago, Ill.
D. (6) $33,381.55.

A. John A. O'Donnell, 1616 P Street NW., Washington, D.C.
B. American Trucking Associations, Inc., 1616 P St., NW., Washington, D.C.
D. (6) $1,200.

A. Jane O'Grady, 1000 Wisconsin Avenue NW., Washington, D.C.
B. Committee for Community Affairs, 1000 Wisconsin Avenue NW., Washington, D.C.
D. (6) $2,142.75. E. (9) $144.32.

A. Richard C. O'Hare, 1120 Investment Building, Washington, D.C.
B. Harness Tracks of America, 333 North Michigan Avenue, Chicago, Ill.

A. The Ohio Railroad Association, 16 East Broad Street, Columbus, Ohio.

A. Alvin E. Oliver, 500 Folger Building, Washington, D.C.
B. Grain & Feed Dealers National Association, 500 Folger Building, Washington, D.C.

A. Edward W. Oliver, 5025 Wisconsin Avenue NW., Washington, D.C.
B. Amalgamated Transit Union, AFL–CIO, 5025 Wisconsin Avenue NW., Washington, D.C.

A. Robert Oliver, 400 First Street NW., Washington, D.C.
B. The Sperry & Hutchinson Co., 330 Madison Avenue, New York City.

A. Claude E. Olmstead, 1750 Pennsylvania Avenue NW., Washington, D.C.
B. National Rural Letter Carriers' Association, 1750 Pennsylvania Avenue NW., Washington, D.C.
D. (6) $415. E. (9) $25.

A. Samuel Omasta, 702 H Street NW., Washington, D.C.
B. National Limestone Institute, Inc., 702 H Street NW., Washington, D.C.
E. (9) $10.

A. Jerry H. Opack, 815 Connecticut Avenue NW., Washington, D.C.
B. Sears, Roebuck & Co., 925 South Homan Avenue, Chicago, Ill.

A. Franklin L. Orth, 1600 Rhode Island Avenue NW., Washington, D.C.
B. National Rifle Association of America, 1600 Rhode Island Avenue NW., Washington, D.C.
D. (6) $625.

A. Kermit Overby, 2000 Florida Avenue NW., Washington, D.C.
B. National Rural Electric Cooperative Association, 2000 Florida Avenue NW., Washington, D.C.
D. (6) $185.

A. Raymond S. Page, Jr., Mill Creek Terrace, Gladwyne, Pa.
B. Campbell Soup Co., 375 Memorial Avenue, Camden, N.J.

A. Walter Page, Box 128, Cazenovia, N.Y.

A. Norman Paige, 1132 Pennsylvania Building, Washington, D.C.
B. Distilled Spirits Institute, 1132 Pennsylvania Building, Washington, D.C.

A. Lew M. Paramore, Post Office Box 1310, Kansas City, Kans.
B. Mississippi Valley Association, 1130 17th Street NW., Washington, D.C.

A. J. D. Parel, 300 New Jersey Avenue SE., Washington, D.C.
B. Association of American Railroads, American Railroads Building, Washington, D.C.
D. (6) $18.91.

A. Michael L. Parker, 1910 Russ Building, San Francisco, Calif.

B. Kaiser Foundation Health Plan: Prepaid Group Medical Care, 300 Lakeside Drive, Oakland, Calif.

D. (6) $1,833.33. E. (9) $1,464.18.

A. George F. Parrish, Post Office Box 7, Charleston, W. Va.

B. West Virginia Railroad Association.

D. (6) $6,000.

A. Robert D. Partridge, 2000 Florida Avenue, 2000 Florida Avenue NW., Washington, D.C.

B. National Rural Electric Cooperative Association, 2000 Florida Avenue NW., Washington, D.C.

D. (6) $79.20.

A. Pennzoil United, Inc., 900 Southwest Tower, Houston, Tex.

E. (9) $999.55.

A. D. V. Pensabene, 1700 K Street NW., Washington, D.C.

B. Standard Oil Co. of California, 1700 K Street NW., Washington, D.C.

D. (6) $50. E. (9) $25.

A. J. Carter Perkins, 1700 K Street NW., Washington, D.C.

B. Shell Oil Co., 50 West 50th Street, New York, N.Y.

A. A. J. Pessel, 1001 Connecticut Avenue NW., Washington, D.C.

D. (6) $1,800.

A. A. Harold Peterson, 715 Cargill Building, Minneapolis, Minn.

B. National REA Telephone Association, 715 Cargill Building, Minneapolis, Minn.

D. (6) $2,500. E. (9) $1,397.43.

A. Michael Petresky, 400 First Street NW., Washington, D.C.

B. Brotherhood of Maintenance of Way Employees, 12050 Woodward Avenue, Detroit, Mich.

D. (6) $612.

A. Walter T. Phair, 900 17th Street NW., Washington, D.C.

B. Kaiser Industries Corp., 900 17th Street NW., Washington, D.C.

D. (6) $350. E. (9) $210.

A. Pharmaceutical Manufacturers Association, 1155 15th Street NW., Washington, D.C.

A. John P. Philbin, 1100 Connecticut Avenue, Washington, D.C.

B. Mobil Oil Corp., 150 East 42d Street, New York, N.Y.

D. (6) $1,125. E. (9) $124.82.

A. William G. Phillips, 1300 Connecticut Avenue NW., Washington, D.C.

B. Association of Schools of Public Health, Inc., Chapel Hill, N.C.

D. (6) $1,800. E. (9) $784.55.

A. James F. Pinkney, 1616 P Street NW., Washington, D.C.

B. American Trucking Associations, Inc., 1616 P Street NW., Washington, D.C.

D. (6) $1,000. E. (9) $114.

A. James H. Pipkin, 1001 Connecticut Avenue NW., Washington, D.C.

B. Texaco, Inc., 135 East 42d Street, New York, N.Y.

D. (6) $700. E. (9) $1,460.

A. S. Z. Placksin, 400 First Street NW., Washington, D.C.

B. Transportation-Communication Division, Brotherhood of Railway & Airline Clerks, 3860 Lindell Boulevard, St. Louis, Mo.

A. Plains Cotton Growers, Inc., 1720 Avenue M, Lubbock, Tex.

D. (6) $113,325.66. E. (9) $1,350.

A. Joseph M. Pollard, 1001 Connecticut Avenue NW., Washington, D.C.

B. County of Los Angeles, State of California, Hall of Administration, 500 West Temple Street, Los Angeles, Calif.

E. (9) $1,050.

A. Frederick T. Poole, 425 13th Street NW., Washington, D.C.

B. American Farm Bureau Federation, 1000 Merchandise Mart Plaza, Chicago, Ill.

D. (6) $400. E. (9) $4.81.

A. Robert R. Poston, 908 Colorado Building, Washington, D.C.

B. National Association of Mutual Savings Banks, 200 Park Avenue, New York, N.Y.

D. (6) $900. E. (9) $139.65.

A. George G. Potts, 15 East Cliff Street, Alexandria, Va.

B. National Association of Mutual Insurance Agents, 520 Investment Building, Washington, D.C.

E. (9) $45.

A. William J. Potts, Jr., 1730 M Street NW., Washington, D.C.

B. Association on Broadcasting Standards, Inc., 1741 DeSales Street NW., Washington, D.C.

A. Richard M. Powell, 1210 Tower Building, Washington, D.C.

B. National Association of Refrigerated Warehouses, 1210 Tower Building, Washington, D.C.

A. William I. Powell, 1110 Ring Building, Washington, D.C.

B. Independent Petroleum Association of America, 1110 Ring Building, Washington, D.C.

E. (9) $18.90.

A. Carlton H. Power, 1918 North Parkway, Post Office Box 12285, Memphis, Tenn.

B. National Cotton Council of America, Post Office Box 12285, Memphis, Tenn.

D. (6) $540. E. (9) $31.52.

A. William C. Prather, 221 North LaSalle Street, Chicago, Ill.

B. United States Savings & Loan League, 221 North LaSalle Street, Chicago, Ill.

D. (6) $450. E. (9) $291.35.

A. William H. Press, 1616 K Street NW., Washington, D.C.

B. Metropolitan Washington Board of Trade, 1616 K Street NW., Washington, D.C.

D. (6) $7,800.

A. Jerry C. Pritchett, 59 Ivy Street SE., Washington, D.C.

B. National Association of Plumbing-Heating-Cooling Contractors, 1016 20th Street NW., Washington, D.C.

D. (6) $3,666. E. (9) $3,666.

A. Earle W. Putnam, 5025 Wisconsin Avenue NW., Washington, D.C.

B. Amalgamated Transit Union, AFL–CIO, 5025 Wisconsin Avenue NW., Washington, D.C.

A. Joseph E. Quin, 1616 H Street NW., Washington, D.C.

B. The National Grange, 1616 H Street NW., Washington, D.C.

D. (6) $600.

A. Luke C. Quinn, Jr., 1001 Connecticut Avenue NW., Washington, D.C.

B. American Cancer Society, New York, N.Y., et al.

D. (6) $13,449.98. E. (9) $8,977.95.

A. Thomas H. Quinn, 1750 Pennsylvania Avenue NW., Washington, D.C.

B. Committee for Study of Revenue Bond Financing, 55 Liberty Street, New York, N.Y.

D. (6) $1,420. E. (9) $176.25.

A. James H. Rademacher, 100 Indiana Avenue NW., Washington, D.C.

B. National Association of Letter Carriers, 100 Indiana Avenue NW., Washington, D.C.

D. (6) $3,375.

A. Alex Radin, 2600 Virginia Avenue NW., Washington, D.C.

B. American Public Power Association, 2600 Virginia Avenue NW., Washington, D.C.

D. (6) $297.66.

A. Edward F. Ragland, 6917 Marbury Road, Bethesda, Md.

B. The Tobacco Institute, Inc., 1735 K Street NW., Washington, D.C.

A. Railway Progress Institute, 1140 Connecticut Avenue NW., Washington, D.C.

A. Alan T. Rains, 777 14th Street NW., Washington, D.C.

B. United Fresh Fruit & Vegetable Association, 777 14th Street NW., Washington, D.C.

A. William A. Raleigh, Jr., 1000 16th Street NW., Washington, D.C.

B. National Coal Policy Conference, Inc., 1000 16th Street NW., Washington, D.C.

D. (6) $4,750.

A. Carl R. Ramsey, 239 Beach Road, Alameda, Calif.

B. National Council of Naval Air Stations Employee Organizations, 239 Beach Road, Alameda, Calif.

A. James A. Ransford, 1701 Pennsylvania Avenue, Washington, D.C.

B. Getty Oil Co.

A. Robert E. Redding, 1101 17th Street NW., Washington, D.C.

B. Transportation Association of America, 1101 17th Street NW., Washington, D.C.

A. George L. Reid, Jr., 1616 P Street NW., Washington, D.C.

B. American Trucking Associations, Inc., 1616 P Street NW., Washington, D.C.

D. (6) $799.98.

A. Ronald E. Resh, 1300 Wyatt Building, Washington, D.C.

B. Wyatt & Saltzstein, 1300 Wyatt Building, Washington, D.C.

D. (6) $416.66.

A. Retired Officers Association, 1625 I Street NW., Washington, D.C.

D. (6) $2,325.

A. Retired Officers Tax Credit Committee, Post Office Box 1965, Annapolis, Md.

D. (6) $8,393.27. E. (9) $422.66.

A. Retirement Federation of Civil Service Employees of the U.S. Government, 13th and E Street NW., Washington, D.C.

D. (6) $4,956.85. E. (9) $8,708.10.

A. Vincent P. Reusing, 1026 17th Street NW., Washington, D.C.

B. American Optometric Association, care of J. C. Tumblin, O.C., 4836 Broadway NE., Knoxville, Tenn.

D. (6) $107.50. E. (9) $79.49.

A. William L. Reynolds, 1200 17th Street NW., Washington, D.C.

B. National League of Insured Savings Associations, 1200 17th Street NW., Washington, D.C.

D. (6) $40.

A. James W. Richards, 1000 16th Street NW., Washington, D.C.

B. Standard Oil Co. (Indiana), 910 South Michigan Avenue, Chicago, Ill.

D. (6) $1,207.70. E. (9) $11.33.

A. Harry H. Richardson, 335 Austin Street, Bogalusa, La.

B. Louisiana Railroads.

D. (6) $25.30. E. (9) $97.30.

A. William Neale Roach, 1616 P Street NW., Washington, D.C.

B. American Trucking Associations, Inc., 1616 P Street NW., Washington, D.C.

D. (6) $1,200.

A. Paul H. Robbins, 2029 K Street NW., Washington, D.C.

B. National Society of Professional Engineers, 2029 K Street NW., Washington, D.C.

D. (6) $500.

A. Roberts & Holland, 1301 Avenue of the Americas, New York, N.Y.

B. John D. Rockefeller 3d, 30 Rockefeller Plaza, New York, N.Y.

E. (9) $66.98.

A. Roberts & Holland, 1301 Avenue of the Americas, New York, N.Y.

B. Trustees of the Bernice P. Bishop Estate, 319 Halekauwila Street, Honolulu, Hawaii.

A. Stephen Philip Robin, 1000 Connecticut Avenue NW., Washington, D.C.

B. International Public Relations Co., Ltd. (N.Y.), Japan Steel Information Center, 230 Park Avenue, New York, N.Y.

A. Charles A. Robinson, Jr., 2000 Florida Avenue NW., Washington, D.C.

B. National Rural Electric Cooperative Association, 2000 Florida Avenue NW., Washington, D.C.

D. (6) $185.

A. John P. Roche, 150 East 42d Street, New York, N.Y.

B. American Iron & Steel Institute, 150 East 42d Street, New York, N.Y.

D. (6) $500. E. (9) $210.

A. James A. Rock, 425 13th Street NW., Washington, D.C.

B. American Farm Bureau Federation, 1000 Merchandise Mart Plaza, Chicago, Ill.

D. (6) $168.75. E. (9) $4.79.

A. Frank W. Rogers, 1700 K Street NW., Washington, D.C.

B. Western Oil & Gas Association, 609 South Grand Avenue, Los Angeles, Calif.

D. (6) $688.80.

A. Walter E. Rogers, 1660 L Street NW., Washington, D.C.

B. Independent Natural Gas Association of America, 1660 L Street NW., Washington, D.C.

D. (6) $1,000.

A. William E. Rollow.

B. National Capital Area Council of Sportsmen.

A. William E. Rollow, 815 15th Street NW., Washington, D.C.

B. The National Skeet Shooting Association.

A. Robert J. Routier, 1701 K Street NW., Washington, D.C.

B. American Life Convention, 211 East Chicago Avenue, Chicago, Ill.

A. Royall, Koegel & Wells, 200 Park Avenue, New York, N.Y., 1730 K Street NW., Washington, D.C.

B. Great Salt Lake Minerals & Chemical Corp., 579 Fifth Avenue, New York, N.Y.

A. James S. Rubin, 1225 Connecticut Avenue NW., Washington, D.C.

B. American Association of Retired Persons and National Retired Teachers Association.

E. (9) $1,461.37.

A. John Forney Rudy, 902 Ring Building, Washington, D.C.

B. The Goodyear Tire & Rubber Co., Akron, Ohio.

A. Harland J. Rue.

B. New Process Co., Warren, Pa.

E. (9) $184.81.

A. Albert R. Russell, 1918 N. Parkway, Memphis, Tenn.

B. National Cotton Council of America, Post Office Box 12285, Memphis, Tenn.

D. (6) $382.50. E. (9) $249.28.

A. J. T. Rutherford & Associates, Inc., 1555 Connecticut Avenue NW., Washington, D.C.

B. The American College of Radiology, 20 North Wacker Drive, Chicago, Ill.

D. (6) $750. E. (9) $1,020.94.

A. J. T. Rutherford, 1616 P Street NW., Washington, D.C.

B. American Trucking Associations, Inc., 1616 P Street NW., Washington, D.C.

D. (6) $1,200. E. (9) $472.

A. William H. Ryan, Machinists Building, Washington, D.C.

B. International Association of Machinists and Aerospace Workers, Machinists Building, Washington, D.C.

D. (6) $2,006.25. E. (9) $480.

A. Francis J. Ryley, 519 Title & Trust Building, Phoenix, Ariz.

B. Standard Oil Co. of California, San Francisco, et al.

A. Carl K. Sadler, 400 First Street NW., Washington, D.C.

B. American Federation of Government Employees, 400 First Street NW., Washington, D.C.

D. (6) $3,521. E. (9) $7,911.74.

A. Robert A. Saltzstein, 1300 Wyatt Building, Washington, D.C.

B. American Business Press, Inc., 205 East 42d Street, New York, N.Y.

D. (6) $4,000. E. (9) $2,359.23.

A. C. Herschel Schooley, 815 15th Street NW., Washington, D.C.

B. Independent Bankers Association of America, Sauk Centre, Minn.

D. (6) $4,250. E. (9) $2,762.07.

A. John W. Scott, 1616 H Street NW., Washington, D.C.

B. The National Grange, 1616 H Street NW., Washington, D.C.

D. (6) $5,000.

A. Durward Seals, 777 14th Street NW., Washington, D.C.

B. United Fresh Fruit & Vegetable Association, 777 14th Street NW., Washington, D.C.

A. Ronald C. Seeley, 1357 Nicolet Place, Detroit, Mich.

E. (9) $241.49.

A. W. O. Senter, 1725 DeSales Street NW., Washington, D.C.

B. Gas Supply Committee, 1725 DeSales Street NW., Washington, D.C.

A. Theodore A. Serrill, 491 National Press Building, Washington, D.C.

B. National Newspaper Association, 491 National Press Building, Washington, D.C.

E. (9) $88.61.

A. Leo Seybold, 1000 Connecticut Avenue NW., Washington, D.C.

B. Air Transport Association of America, 1000 Connecticut Avenue NW., Washington, D.C.

D. (6) $1,125. E. (9) $215.65.

A. Robert L. Shafer, 1700 Pennsylvania Avenue NW., Washington, D.C.

B. Chas. Pfizer & Co., Inc., 235 East 42d Street, New York, N.Y.

D. (6) $700. E. (9) $265.

A. James R. Sharp, 1108 16th Street NW., Washington, D.C.

B. American Fur Merchants' Association, 224 West 30th Street, New York, N.Y.

E. (9) $250.

A. Arnold F. Shaw, Esq., 503 D Street NW., Washington, D.C.

B. The National Committee for the Recording Arts, 9300 Wilshire Boulevard, Beverly Hills, Calif.

D. (6) $8,333.33.

A. Kenneth D. Shaw, 400 First Street NW., Washington, D.C.

B. Brotherhood of Railway, Airline & Steamship Clerks, 1015 Vine Street, Cincinnati, Ohio

D. (6) $750.

A. Shaw, Pittman, Potts, Trowbridge & Madden, Barr Building, Washington, D.C.

B. Doubleday & Company, Inc., 277 Park Avenue, New York, N.Y.

A. Ira Shesser, 2000 Florida Avenue NW., Washington, D.C.

B. National Rural Electric Cooperative Association, 2000 Florida Avenue NW., Washington, D.C.

A. Max Shine, 1126 16th Street NW., Washington, D.C.

B. American Federation of Technical Engineers, 1126 16th Street NW., Washington, D.C.

D. (6) $992.50. E. (9) $20.

A. Alvin V. Shoemaker, 425 13th Street NW., Washington, D.C.

B. Investment Bankers Association of America, 425 13th Street NW., Washington, D.C.

D. (6) $1,000. E. (9) $1,100.

A. Robert L. Shortle, 1147 International Trade Mart Tower, New Orleans, La.

B. Mississippi Valley Association, 1130 17th Street NW., Washington, D.C.

A. Grant S. Shotwell, 1957 E Street NW., Washington, D.C.

B. The Associated General Contractors of America, Inc., 1957 E Street NW., Washington, D.C.

A. Charles B. Shuman, Merchandise Mart Plaza, Chicago, Ill.

B. American Farm Bureau Federation, Merchandise Mart Plaza, Chicago, Ill.

D. (6) $1,000.

A. Sidley & Austin, 1625 I Street NW., Washington, D.C.

B. Associated Third Class Mail Users, 1725 K Street NW., Washington, D.C.

A. David Silver, 61 Broadway, New York, N.Y.

B. Investment Company Institute, 61 Broadway, New York, N.Y.

A. Silver Users Association, 1625 I Street NW., Washington, D.C.

D. (6) $6,304. E. (9) $3,779.74.

A. Six Agency Committee, 909 S. Broadway, Los Angeles, Calif.

D. (6) $21,855. E. (9) $3,000.

XUM

A. Carstens Slack, 1625 I Street NW., Washington, D.C.

B. Phillips Petroleum Co., Bartlesville, Okla.

A. Stephens Slipher, 812 Pennsylvania Building, Washington, D.C.

B. United States Savings & Loan League, 221 North LaSalle Street, Chicago, Ill.

D. (6) $3,125. E. (9) $18.50.

A. Donald E. Smiley, 1025 Connecticut Avenue NW., Washington, D.C.

B. Humble Oil & Refining Co. (a Delaware corporation), Post Office Box 2180, Houston, Tex.

A. Gordon L. Smith, 1145 19th Street NW., Washington, D.C.

B. Edward Gottlieb & Associates, Ltd., 485 Madison Avenue, New York, N.Y.

E. (9) $73.26.

A. Irvin A. Smith, 418 East River Avenue, Box 938, Bismarck, N. Dak.

E. (9) $45.40.

A. Milan D. Smith, 1133 20th Street NW., Washington, D.C.

B. National Canners Association, 1133 20th Street NW., Washington, D.C.

A. Robert B. Smith, 2000 Florida Avenue NW., Washington, D.C.

B. National Rural Electrical Cooperative Association, 2000 Florida Avenue NW., Washington, D.C.

D. (6) $150.

A. Robert W. Smith, 815 Connecticut Avenue NW., Washington, D.C.

B. Ford Motor Co., Dearborn, Mich.

D. (6) $440. E. (9) $105.

A. Dr. Spencer M. Smith, Jr., 1709 N. Glebe Road, Arlington, Va.

B. Citizens Committee on Natural Resources, 1346 Connecticut Avenue NW., Dupont Circle Building, Washington, D.C.

D. (6) $2,800.50. E. (9) $2,924.25.

A. Wallace M. Smith, 829 Pennsylvania Building, Washington, D.C.

B. American Mutual Insurance Alliance, 20 North Wacker Drive, Chicago, Ill.

E. (9) $299.25.

A. Wayne H. Smithey, 815 Connecticut Avenue NW., Washington, D.C.

B. Ford Motor Co., Dearborn, Mich.

D. (6) $315. E. (9) $278.85.

A. Lyle O. Snader, 300 New Jersey Avenue SE., Washington, D.C.

B. Association of American Railroads, American Railroad Building, Washington, D.C.

D. (6) $100.94. E. (9) $114.

A. Frank B. Snodgrass, 1726 M Street NW., Washington, D.C.

B. Burley & Dark Leaf Tobacco Export Association, Post Office Box 860, Lexington, Ky.

D. (6) $425. E. (9) $418.77.

A. Society for Animal Protective Legislation, Post Office Box 3719, Georgetown Station, Washington, D.C.

D. (6) $6,501.83. E. (9) $5,377.14.

A. Carl A. Soderblom, 1 East First Street, Reno, Nev.

B. Nevada Railroad Association, 1 East First Street, Reno, Nev.

A. W. Byron Sorrell, 1140 Connecticut Avenue NW., Washington, D.C.

B. Mobile Housing Association of America, 39 South LaSalle Street, Chicago, Ill.

D. (6) $2,025. E. (9) $402.51.

A. William W. Spear, 1000 16th Street NW., Washington, D.C.

B. Standard Oil Co. (Indiana), 910 South Michigan Avenue, Chicago, Ill.

D. (6) $1,065.40. E. (9) $3.56.

A. Frank J. Specht, 1725 DeSales Street NW., Washington, D.C.

B. Schenley Industries, Inc., 1290 Avenue of the Americas, New York, N.Y.

A. Nicholas J. Spiezio, 1707 H Street NW., Washington, D.C.

B. Mortgage Bankers Association of America, 1707 H Street NW., Washington, D.C.

D. (6) $2,625. E. (9) $2,751.

A. Melvin L. Stark, 1025 Connecticut Avenue NW., Washington, D.C.

B. American Insurance Association, 1025 Connecticut Avenue NW., Washington, D.C.

D. (6) $3,000. E. (9) $350.

A. Mrs. Nell May F. Stephens, Post Office Box 6234, Northwest Station, Washington, D.C.

A. Steptoe & Johnson, 1250 Connecticut Avenue NW., Washington, D.C.

B. California Olive Association, Sheldon Building, Market and First Streets, San Francisco, Calif.; and Green Olive Trade Association, Inc., 80 Wall Street, New York, N.Y.

D. (6) $500.

A. Steptoe & Johnson, 1250 Connecticut Avenue NW., Washington, D.C.

B. Teachers Insurance & Annuity Association of America, 730 Third Avenue, New York, N.Y.

E. (9) $33.55.

A. B. H. Steuerwald, 400 First Street NW., Washington, D.C.

B. Brotherhood of Railroad Signalmen, 2247 West Lawrence Avenue, Chicago, Ill.

A. Eugene L. Stewart, 1001 Connecticut Avenue, Washington, D.C.

B. Trade Relations Council of the United States, 1001 Connecticut Avenue, Washington, D.C.

D. (6) $200. E. (9) $126.

A. Eugene L. Stewart, 1001 Connecticut Avenue, Washington, D.C.

B. World Trade Committee of Parts Division, Electronic Industries Association, 2001 I Street NW., Washington, D.C.

D. (6) $300. E. (9) $130.

A. Stitt, Hemmendinger & Kennedy, 1000 Connecticut Avenue, Washington, D.C.

B. Imported Footwear Group, American Importers Association, New York, N.Y.; Japan General Merchandise Exporters Association and Japan Rubber Footwear Manufacturers Association, Tokyo, Japan.

E. (9) $100.

A. Stitt, Hemmendinger & Kennedy, 1000 Connecticut Avenue NW., Washington, D.C.

B. Japan Iron & Steel Exporters' Association, Tokyo, Japan.

D. (6) $10. E. (9) $10.

A. Sterling F. Stoudenmire, Jr., 61 St. Joseph Street, Mobile, Ala.

B. Waterman Steamship Corp., 61 St. Joseph Street, Mobile, Ala.

A. William M. Stover, 1825 Connecticut Avenue NW., Washington, D.C.

B. Manufacturing Chemists' Association, Inc., 1825 Connecticut Avenue NW., Washington, D.C.

D. (6) $3,937.50. E. (9) $63.75.

A. Herald E. Stringer, 1608 K Street NW., Washington, D.C.

B. The American Legion, 700 North Pennsylvania Street, Indianapolis, Ind.

D. (6) $5,050.50. E. (9) $451.68.

A. William A. Stringfellow, 6004 Roosevelt Street, Bethesda, Md.

B. National Association of Mutual Insurance Agents, 520 Investment Building, Washington, D.C.

A. Norman Strunk, 221 North LaSalle Street, Chicago, Ill.

B. United States Savings & Loan League, 221 North LaSalle Street, Chicago, Ill.

D. (6) $1,875. E. (9) $420.60.

A. Walter B. Stults, 537 Washington Building, Washington, D.C.

B. National Association of Small Business Investment Companies, 537 Washington Building, Washington, D.C.

D. (6) $600.

A. Barry Sullivan, 536 Washington Building, Washington, D.C.

B. National Association of River & Harbor Contractors, 3900 North Charles Street, Baltimore, Md.

D. (6) $750.

A. John T. Sun, 1712 G Street NW., Washington, D.C.

B. American Automobile Association, 1712 G Street NW., Washington, D.C.

A. Sutherland, Asbill & Brennan, 1200 Farragut Building, Washington, D.C.

B. Retail Credit Co., P.O. Box 4081, Atlanta, Ga.

D. (6) $2,500. E. (9) $333.13.

A. C. Austin Sutherland, 1616 P Street NW., Washington, D.C.

B. National Tank Truck Carriers, Inc., 1616 P Street NW., Washington, D.C.

A. Irving W. Swanson, 1155 15th Street NW., Washington, D.C.

B. Pharmaceutical Manufacturers Association.

A. Noble J. Swearingen, 224 East Capitol Street, Washington, D.C.

B. National Turberculosis & Respiratory Disease Association, 1740 Broadway, New York, N.Y.

D. (6) $950. E. (9) $75.45.

A. John R. Sweeney, 1000 16th Street NW., Washington, D.C.

B. Bethlehem Steel Corp., Bethlehem, Pa.

A. Russell A. Swindell, Post Office Box 2635, Raleigh, N.C.

A. Gary Tabak, 200 Florida Avenue NW., Washington, D.C.

B. National Rural Electric Cooperative Association, 2000 Florida Avenue NW., Washington, D.C.

D. (6) $150.

A. Charles P. Taft, 1028 Connecticut Avenue NW., Washington, D.C.

B. Legislative Committee, Committee for a National Trade Policy, Inc., 1028 Connecticut Avenue NW., Washington, D.C.

A. Russell D. Tall, 1200 17th Street NW., Washington, D.C.

B. National Council of Farmer Cooperatives, 1200 17th Street NW., Washington, D.C.

A. Rev. Charles C. Talley, 100 Angus Court, Charlottesville, Va.

B. National Congress of Parents & Teachers, 700 North Rush Street, Chicago, Ill.

XUM

A. L. D. Tharp, Jr., 1660 L Street NW., Washington, D.C.
B. Independent Natural Gas Association of America, 1660 L Street NW., Washington, D.C.
D. (6) $300.

A. Wm. B. Thompson, Jr., 300 New Jersey Avenue SE., Washington, D.C.
B. Association of American Railroads, American Railroads Building, Washington, D.C.

A. William H. Tinney, 2000 L Street NW., Washington, D.C.
B. Penn Central Co., 230 Park Avenue, New York, N.Y.

A. Tobacco Associates, Inc., 1101 17th Street NW., Washington, D.C.
E. (9) $1,511.

A. H. Willis Tobler, 30 F Street NW., Washington, D.C.
B. National Milk Producers Federation, 30 F Street NW., Washington, D.C.
D. (6) $3,187.49. E. (9) $346.47.

A. David R. Toll, 1140 Connecticut Avenue, Washington, DC.
B. National Association of Electric Companies, 1140 Connecticut Avenue, Washington, D.C.
D. (6) $626.06. E. (9) $650.34.

A. Dwight D. Townsend, 1012 14th Street NW., Washington, D.C.
B. Cooperative League of U.S.A., 59 East Van Buren Street, Chicago, Ill.
D. (6) $1,750. E. (9) $2,200.

A. F. Gerald Toye, 777 14th Street NW., Washington, D.C.
B. General Electric Co., 570 Lexington Avenue, New York, N.Y.
D. (6) $1,000. E. (9) $89.15.

A. John P. Tracey, 1705 DeSales Street NW., Washington, D.C.
B. American Bar Association, 1705 DeSales Street NW., Washington, D.C.
D. (6) $400. E. (9) $50.

A. Trade Relations Council of the United States, 1001 Connecticut Avenue NW., Washington, D.C.
E. (9) $326.

A. Transportation Association of America, 1101 17th Street NW., Washington, D.C.
E. (9) $4.89.

A. Matt Triggs, 425 13th Street NW., Washington, D.C.
B. American Farm Bureau Federation, 1000 Merchandise Mart Plaza, Chicago, Ill.
D. (6) $2,218.75. E. (9) $54.50.

A. Bernard H. Trimble, 1730 Rhode Island Avenue NW., Washington, D.C.
B. National Electrical Contractors Association, 1730 Rhode Island Avenue NW., Washington, D.C.

A. Glenwood S. Troop, Jr., 812 Pennsylvania Building, Washington, D.C.
B. U.S. Savings & Loan League, 221 North LaSalle St., Chicago, Ill.
D. (6) $5,000. E. (9) $35.10.

A. Trustees for Conservation, 251 Kearny Street, San Francisco, Calif.
D. (6) $436.95. E. (9) $329.26.

A. Dick Tullis, 607 Maple Terrace, Dallas, Tex.
B. Superior Oil Co., Houston, Tex., and Los Angeles, Calif.
D. (6) $100. E. (9) $100.

A. Richard F. Turney, 835 Southern Building, Washington, D.C.
B. American Association of Nurserymen, Inc., 835 Southern Building. Washington, D.C.
D. (6) $20. E. (9) $287.84.

A. John D. Tyson.
B. International Paper Co., 220 E. 42d Street, New York, N.Y.
D. (6) $369.60. E. (9) $134.80.

A. United Cerebral Palsy, Associations, Inc., 66 East 34th Street, New York, N.Y.
E. (9) $1,398.68.

A. United Federation of Postal Clerks, 817 14th Street, NW., Washington, D.C.
D. (6) $666,425.24. E. (9) $48,002.97.

A. United States Cane Sugar Refiners' Association, 1001 Connecticut Avenue, Washington, D.C.
E. (9) $193.79.

A. U.S. Savings & Loan League, 221 North LaSalle Street, Chicago, Ill.
E. (9) $34,138.23.

A. John A. Vance, 1725 K Street NW., Washington, D.C.
B. Pacific Gas & Electric Co., 245 Market Street, San Francisco, Calif.
D. (6) $2,450. E. (9) $3,131.62.

A. Theodore A. Vanderzyde, Machinists Building, Washington, D.C.
B. International Association of Machinists, and Aerospace Workers, AFL–CIO.
D. (6) $2,006.25. E. (9) $480.

A. Mrs. Lois W. Van Valkenburgh, 1673 Preston Road, Alexandria, Va.
B. Citizens Committee for UNICEF, 20 E Street NW., Washington, D.C.

A. John Robert Vastine, Jr., 1000 Connecticut Avenue NW., Washington, D.C.
B. Emergency Committee for American Trade, 1000 Connecticut Avenue NW., Washington, D.C.
D. (6) $250. E. (9) $200.

A. G. W. Vaughan, 233 Broadway, New York, N.Y.

A. Richard E. Vernor, 211 East Chicago Avenue, Chicago, Ill.
B. American Life Convention, 211 East Chicago Avenue, Chicago, Ill.
D. (6) $250.50. E. (9) $15.60.

A. L. T. Vice, 1700 K Street NW., Washington, D.C.
B. Standard Oil Co. of California, 1700 K Street NW., Washington, D.C.
E. (9) $85.

A. Volume Footwear Retailers of America, Inc., 51 East 42d Street, New York, N.Y.
E. (9) $582.85.

A. James H. Wadlow, Jr., 952 Pennsylvania Building, Washington, D.C.
B. National Water Company Conference, 952 Pennsylvania Building, Washington, D.C.

A. E. R. Wagner, 888 17th Street NW., Washington, D.C.
B. National Council of Technical Service Industries, 888 17th Street NW., Washington, D.C.
D. (6) $184.60. E. (9) $50.52.

A. Richard B. Walbert, 888 17th Street NW., Washington, D.C.
B. National Association of Securities Dealers, Inc.

A. Wald, Harkrader & Rockefeller, 1225 19th Street NW., Washington, D.C.
B. Insurance Company of North America, 1600 Arch Street, Philadelphia, Pa.

A. Harold S. Walker, Jr., 605 3d Avenue, New York, N.Y.
B. American Gas Association, Inc., 605 3d Avenue, New York, N.Y.

A. Reno F. Walker, 425 13th Street NW., Washington, D.C.
B. American Farm Bureau Federation, 1000 Merchandise Mart Plaza, Chicago, Ill.

A. Franklin Wallick, 1126 16th Street NW., Washington, D.C.
B. International Union, United Automobile, Aerospace and Agricultural Implement Workers of America, Solidarity House, 8000 East Jefferson Avenue, Detroit, Mich.
D. (6) $3,851.52. E. (9) $823.05.

A. Thomas G. Walters, 1909 Q Street NW., Washington, D.C.
B. National Association of Retired Civil Employees, 1909 Q Street NW., Washington, D.C.
D. (6) $2,884.80. E. (9) $3,314.84.

A. William A. Walton, 820 Quincy Street, Topeka, Kans.
B. Kansas Railroad Committee, 820 Quincy Street, Topeka, Kans.

A. Richard D. Warden, 815 16th Street NW., Washington, D.C.
B. American Federation of Labor and Congress of Industrial Organizations, 815 16th Street NW., Washington, D.C.
D. (6) $3,987.50. E. (9) $96.

A. James A. Warren, 1101 17th Street NW., Washington, D.C.
B. REA Express, 219 East 42d Street, New York, N.Y.
D. (6) $600. E. (9) $200.

A. Washington Consulting Service, 1435 G Street NW., Washington, D.C.
B. American Occupational Therapy Association, 251 Park Avenue South, New York, N.Y.
D. (6) $350. E. (9) $285.

A. Washington Consulting Service, 1435 G Street NW., Washington, D.C.
B. Association of Schools of Allied Health Professions, 2011 I Street NW., Washington, D.C.
D. (6) $600. E. (9) $460.

A. Washington Consulting Service, 1435 G Street NW., Washington, D.C.
B. Rehabilitation Institute of Chicago, 401 East Ohio Street, Chicago, Ill.
D. (6) $900. E. (9) $800.

A. Merrill A. Watson, 342 Madison Avenue, New York, N.Y.
B. National Footwear Manufacturers Association, Inc., 342 Madison Avenue, New York, N.Y.
D. (6) $250. E. (9) $250.

A. Charles A. Webb, 839 17th Street NW., Washington, D.C.
B. National Association of Motor Bus Owners, 839 17th Street NW., Washington, D.C.

A. E. Jerome Webster, Jr.
B. National Association of Frozen Food Packers, 919 18th Street NW., Washington, D.C.
D. (6) $100.

A. Dr. Frank J. Welch, 3724 Manor Road, Chevy Chase, Md.
B. The Tobacco Institute, Inc., 1735 K Street NW., Washington, D.C.

A. Joseph E. Welch, 1630 Locust Street, Philadelphia, Pa.
B. Wellington Management Co., 1630 Locust Street, Philadelphia, Pa.

A. West Mexico Vegetable Distributors Association, Post Office Box 848, Nogales, Ariz.
E. (9) $500.

A. John L. Wheeler, 815 Connecticut Avenue NW., Washington, D.C.
B. Sears, Roebuck & Co., 925 South Homan Avenue, Chicago, Ill.

A. John C. White, Suite 700, 1317 F Street NW., Washington, D.C.
B. Private Truck Council of America, Inc., 1317 F Street NW., Washington, D.C.

A. Whitlock, Markey & Tait, 1032 Shoreham Building, Washington, D.C.
B. American Institute of Laundering, Joliet, Ill., and National Institute of Drycleaning, 909 Burlington Avenue, Silver Spring, Md.
D. (6) $500.

A. Louis E. Whyte, 1660 L Street NW., Washington, D.C.
B. Independent Natural Gas Association of America, 1660 L Street NW., Washington, D.C.

A. William E. Wickert, Jr., 1000 16th Street NW., Washington, D.C.
B. Bethlehem Steel Corp., 701 East Third Street, Bethlehem, Pa.

A. Leonard M. Wickliffe, Eleventh and L Building, Sacramento, Calif.
B. California Railroad Association, Eleventh and L Building, Sacramento, Calif.
D. (6) $2,799.99. E. (9) $1,932.88.

A. Claude C. Wild, Jr., 1025 Connecticut Avenue NW., Washington, D.C.
B. Gulf Oil Corp., Pittsburgh, Pa.
D. (6) $1,000. E. (9) $250.

A. Billy Glen Wiley, 1000 16th Street NW., Washington, D.C.
B. Standard Oil Co., (Indiana), 910 South Michigan Avenue, Chicago, Ill.
D. (6) $692.30. E. (9) $16.68.

A. Wilkinson, Cragun & Barker, 1616 H Street NW., Washington, D.C.
B. American Society of Travel Agents, Inc., 360 Lexington Avenue, New York, N.Y.
E. (9) $38.46.

A. Wilkinson, Cragun & Barker, 1616 H Street NW., Washington, D.C.
B. Arapahoe Indian Tribe, Fort Washakie, Wyo.

A. Wilkinson, Cragun & Barker, 1616 H Street NW., Washington, D.C.
B. Confederated Salish and Kootenai Tribes of the Flathead Reservation, Mont.

A. Wilkinson, Cragun & Barker, 1616 H Street NW., Washington, D.C.
B. Estate of Albert W. Small, in care of Mrs. Albert W. Small, 5803 Green Tree Road, Bethesda, Md.

A. Wilkinson, Cragun & Barker, 1616 H Street NW., Washington, D.C.
B. The Hoopa Valley Tribe, Post Office Box 817, Hoopa, Calif.

A. Wilkinson, Cragun & Barker, 1616 H Street NW., Washington, D.C.
B. National Congress of American Indians, 1346 Connecticut Avenue NW., Washington, D.C.

A. Wilkinson, Cragun & Barker, 1616 H Street NW., Washington, D.C.
B. Quinaielt Tribe of Indians, Taholah, Wash.

A. Wilkinson, Cragun & Barker, 1616 H Street NW., Washington, D.C.
B. The Three Affiliated Tribes of the Fort Berthold Reservation, New Town, N. Dak.

A. John Willard, Box 1172, Helena, Mont.
B. Montana Railroad Association, Box 1172, Helena, Mont.

A. Francis G. Williams.
B. National Association of Frozen Food Packers, 919 18th Street NW., Washington, D.C.
D. (6) $100.

A. John C. Williamson, 1300 Connecticut Avenue NW., Washington, D.C.
B. National Association of Real Estate Boards, 155 East Superior Street, Chicago, Ill., and 1300 Connecticut Avenue NW., Washington, D.C.
D. (6) $5,000. E. (9) $75.99.

A. Kenneth Williamson, One Farragut Square South, Washington, D.C.
B. American Hospital Association, 840 North Lake Shore Drive, Chicago, Ill.
E. (9) $551.08.

A. E. Raymond Wilson, 245 Second Street NE., Washington, D.C.
B. Friends Committee on National Legislation, 245 Second Street NE., Washington, D.C.
D. (6) $1,470.

A. Earl Wilson, 400 First Street NW., Washington, D.C.
B. Brotherhood of Railway, Airline & Steamship Clerks, 1015 Vine Street, Cincinnati, Ohio.
D. (6) $2,770.74. E. (9) $237.83.

A. Frank J. Wilson, 888 17th Street NW., Washington, D.C.
B. National Association of Securities Dealers, Inc.

A. W. E. Wilson, 623 Ockley Drive, Shreveport, La.
B. Pennzoil United, Inc., 900 Southwest Tower, Houston, Tex.
D. (6) $600. E. (9) $399.55.

A. R. J. Winchester, 900 Southwest Tower, Houston, Tex.
B. Pennzoil United, Inc., 900 Southwest Tower, Houston, Tex.
D. (6) $500. E. (9) $322.

A. Richard F. Witherall, 702 Majestic Building, Denver, Colo.
B. Colorado Railroad Association, 702 Majestic Building, Denver, Colo.

A. Peter L. Wolff, 1521 New Hampshire Avenue NW., Washington, D.C.
B. Association of American Law Schools, 1521 New Hampshire Avenue NW., Washington, D.C.

A. Nathan T. Wolkomir, 1737 H Street NW., Washington, D.C.
B. National Federation of Federal Employees, 1737 H Street NW., Washington, D.C.
D. (6) $5,729.60. E. (9) $976.28.

A. James Woodside, 1126 16th Street NW., Washington, D.C.
B. American Federation of Technical Engineers, 1126 16th Street NW., Washington, D.C.
D. (6) $240. E. (9) $20.

A. Albert Young Woodward, 815 Connecticut Avenue NW., Washington, D.C.
B. The Flying Tiger Line Inc., Los Angeles International Airport, Los Angeles, Calif.

A. Albert Young Woodward, 815 Connecticut Avenue NW., Washington, D.C.
B. The Signal Companies, Inc., 1010 Wilshire Boulevard, Los Angeles, Calif.

A. Perry W. Woofter, 1101 17th Street NW., Washington, D.C.
B. American Petroleum Institute, 1271 Avenue of the Americas, New York, N.Y.
D. (6) $1,541.66. E. (9) $580.03.

A. Frank K. Woolley, 230 North Michigan Avenue, Chicago, Ill.
B. Association of American Physicians and Surgeons, Inc., 230 North Michigan Avenue, Chicago, Ill.

A. World Trade Committee of Parts Division, Electronic Industries Association, 2001 I Street NW., Washington, D.C.
D. (6) $430. E. (9) $430.

A. Jack Yelverton, 1303 New Hampshire Avenue NW., Washington, D.C.
B. Fleet Reserve Association, 1303 New Hampshire Avenue NW., Washington, D.C.

A. John H. Yingling, 905 16th Street NW., Washington, D.C.
B. First National City Bank, 399 Park Avenue, New York, N.Y.
D. (6) $100. E. (9) $29.

A. J. Banks Young, 610 Ring Building, Washington, D.C.
B. National Cotton Council of America, Post Office Box 12285, Memphis, Tenn.
D. (6) $300.

A. Kenneth Young, 815 16th Street NW., Washington, D.C.
B. American Federation of Labor & Congress of Industrial Organizations, 815 16th Street NW., Washington, D.C.
D. (6) $4,702.70. E. (9) $237.88.

A. M. William Youngblood, Jr., 1001 Connecticut Avenue NW., Washington, D.C.
B. Eugene L. Stewart, 1001 Connecticut Avenue NW., Washington, D.C.
D. (6) $220. E. (9) $20.65.

A. Robert C. Zimmer, 1250 Connecticut Avenue NW., Washington, D.C.
B. Cleary, Gottlieb, Steen & Hamilton, 1250 Connecticut Avenue NW., Washington, D.C.

A. Zimring, Gromfine and Sternstein, 1155 15th Street NW., Washington, D.C., and 11 South LaSalle Street, Chicago, Ill.

A. Albert H. Zinkand, 1701 Pennsylvania Avenue NW., Washington, D.C.
B. Getty Oil Co.

XUM

REGISTRATIONS

The following quarterly reports were submitted for the first calendar quarter 1969:

(Note.—The form used for registration is reproduced below. In the interest of economy in the Record, questions are not repeated, only the essential answers are printed, and are indicated by their respective letter and number.)

File One Copy With the Secretary of the Senate and File Two Copies With the Clerk of the House of Representatives:

This page (page 1) is designed to supply identifying data; and page 2 (on the back of this page) deals with financial data.

Place an "X" Below the Appropriate Letter or Figure in the Box at the Right of the "Report" Heading Below:

"Preliminary" Report ("Registration"): To "register," place an "X" below the letter "P" and fill out page 1 only.

"Quarterly" Report: To indicate which one of the four calendar quarters is covered by this Report, place an "X" below the appropriate figure. Fill out both page 1 and page 2 and as many additional pages as may be required. The first additional page should be numbered as page "3," and the rest of such pages should be "4," "5," "6," etc. Preparation and filing in accordance with instructions will accomplish compliance with all quarterly reporting requirements of the Act.

Year: 19_______ ◄

REPORT

Pursuant to Federal Regulation of Lobbying Act

P	QUARTER			
	1st	2d	3d	4th
(Mark one square only)				

Note on Item "A".—(a) In General. This "Report" form may be used by either an organization or an individual, as follows:

(i) "Employee".—To file as an "employee", state (in Item "B") the name, address, and nature of business of the "employer". (If the "employee" is a firm [such as a law firm or public relations firm], partners and salaried staff members of such firm may join in filing a Report as an "employee".)

(ii) "Employer".—To file as an "employer", write "None" in answer to Item "B".

(b) Separate Reports. An agent or employee should not attempt to combine his Report with the employer's Report:

(i) Employers subject to the Act must file separate Reports and are not relieved of this requirement merely because Reports are filed by their agents or employees.

(ii) Employees subject to the Act must file separate Reports and are not relieved of this requirement merely because Reports are filed by their employers.

A. Organization or Individual Filing:

1. State name, address, and nature of business.

2. If this Report is for an Employer, list names of agents or employees who will file Reports for this Quarter.

Note on Item "B".—*Reports by Agents or Employees.* An employee is to file, each quarter, as many Reports as he has employers, except that: (*a*) If a particular undertaking is jointly financed by a group of employers, the group is to be considered as one employer, but all members of the group are to be named, and the contribution of each member is to be specified; (*b*) if the work is done in the interest of one person but payment therefor is made by another, a single Report—naming both persons as "employers"—is to be filed each quarter.

B. Employer.—State name, address, and nature of business. If there is no employer, write "None."

Note on Item "C".—(*a*) The expression "in connection with legislative interests," as used in this Report, means "in connection with attempting, directly or indirectly, to influence the passage or defeat of legislation." "The term 'legislation' means bills, resolutions, amendments, nominations, and other matters pending or proposed in either House of Congress, and includes any other matter which may be the subject of action by either House"—§ 302(e).

(*b*) Before undertaking any activities in connection with legislative interests, organizations and individuals subject to the Lobbying Act are required to file a "Preliminary" Report (Registration).

(*c*) After beginning such activities, they must file a "Quarterly" Report at the end of each calendar quarter in which they have either received or expended anything of value in connection with legislative interests.

C. Legislative Interests, and Publications in connection therewith:

1. State approximately how long legislative interests are to continue. If receipts and expenditures in connection with legislative interests have terminated, ☐ place an "X" in the box at the left, so that this Office will no longer expect to receive Reports.

2. State the general legislative interests of the person filing and set forth the *specific* legislative interests by reciting: (*a*) Short titles of statutes and bills; (*b*) House and Senate numbers of bills, where known; (*c*) citations of statutes, where known; (*d*) whether for or against such statutes and bills.

3. In the case of those publications which the person filing has caused to be issued or distributed in connection with legislative interests, set forth: (*a*) Description, (*b*) quantity distributed; (*c*) date of distribution, (*d*) name of printer or publisher (if publications were paid for by person filing) or name of donor (if publications were received as a gift).

(Answer items 1, 2, and 3 in the space below. Attach additional pages if more space is needed)

4. If this is a "Preliminary" Report (Registration) rather than a "Quarterly" Report, state below what the nature and amount of anticipated expenses will be; and if for an agent or employee, state also what the daily, monthly, or annual rate of compensation is to be. If this is a "Quarterly" Report, disregard this item "C4" and fill out item "D" and "E" on the back of this page. Do not attempt to combine a "Preliminary" Report (Registration) with a "Quarterly" Report.◄

AFFIDAVIT

[Omitted in printing]

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XUM

A. S. Allan Adelman, 1660 L Street NW., Washington, D.C.

B. American Gas Association, Inc., 605 Third Avenue, New York, N.Y.

A. American Federation of Invention Associations, 1401 21st Street NW., Washington, D.C.

A. The American Honey Producers Association, Inc., Minco, Okla.

A. American Maritime Association, 17 Battery Place, New York, N.Y.

A. Erma Angevine, 1012 14th Street NW., Washington, D.C.

B. Consumer Federation of America, 1012 14th Street NW., Washington, D.C.

A. Arnold & Porter, 1229 19th Street NW., Washington, D.C.

B. Fairchild Camera and Instrument Corp., 464 Ellis Street, Mountain View, Calif.

A. Associated Credit Bureaus, Inc., 6767 Southwest Freeway, Houston, Tex.

A. Association of Federal Investigators, 815 15th Street NW., Washington, D.C.

A. John F. Banzhaf III, 500 N Street SW., Washington, D.C.

B. Legislative Action on Smoking and Health, 2000 H Street NW., Washington, D.C.

A. Robert C. Barnard, 1250 Connecticut Avenue NW., Washington, D.C.

B. Cleary, Gottlieb, Steen & Hamilton, 1250 Connecticut Avenue NW., Washington, D.C.

A. Robert C. Barnard, 1250 Connecticut Avenue NW., Washington, D.C.

B. Cleary, Gottlieb, Steen & Hamilton, 1250 Connecticut Avenue NW., Washington, D.C.

A. David S. Barrows, 214 Century Building, Portland, Oreg.

B. Association of Oregon & California Land Grant Counties, Douglas County Courthouse, Roseburg, Oreg.

A. Lowell R. Beck, 1819 H Street NW., Washington, D.C.

B. The Urban Coalition Action Council, 1819 H Street NW., Washington, D.C.

A. Berlack, Israels & Liberman, 26 Broadway, New York, N.Y.

B. General Public Utilities Corp., 80 Pine Street, New York, N.Y.

A. Robert J. Bird, 918 16th Street NW., Washington, D.C.

B. The Paul Revere Corp., Worcester, Mass.

A. Charles G. Botsford, 1225 Connecticut Avenue NW., Washington, D.C.

B. Fairchild Hiller Corp., Germantown, Md.

A. Robert R. Brauer, 761 Ninth Avenue, North, St. Petersburg, Fla.

B. Sr. Telesforo Diaz Portillo, Director, Ministry of Foreign Relations, Department of Information, 5ta. y G., Vedado, Havana, Cuba.

A. Charles H. Brown, 1250 Connecticut Avenue NW., Washington, D.C.

B. Cleary, Gottlieb, Steen & Hamilton, 1250 Connecticut Avenue NW., Washington, D.C.

A. Anne Bryant, 1025 Connecticut Avenue NW., Washington, D.C.

B. Comac Co., 1025 Connecticut Avenue NW., Washington, D.C.

A. J. J. Burke, Jr., 40 East Broadway, Butte, Mont.

B. The Montana Power Co.

A. John H. Callahan, 1126 16th Street NW., Washington, D.C

B. International Union of Electrical, Radio & Machine Workers, AFL–CIO, 1126 16th Street NW., Washington, D.C.

A. Carr, Bonner, O'Connell, Kaplan & Scott, 1001 Connecticut Avenue NW., Washington, D.C.

B. Association of Federal Investigators, 815 15th Street NW., Washington, D.C.

A. James M. Cesnik, 1126 16th Street NW., Washington, D.C.

B. American Newspaper Guild, 1126 16th Street NW., Washington, D.C.

A. Cleary, Gottlieb, Steen & Hamilton, 1250 Connecticut Avenue NW., Washington, D.C.

B. Houston Chemical Co., One Gateway Center, Pittsburgh, Pa.; Ethyl Corp., 451 Florida, Baton Rouge, La.; and E. I. du Pont de Nemours & Co., Inc., Wilmington, Del.

A. Cleary, Gottlieb, Steen & Hamilton, 1250 Connecticut Avenue NW., Washington, D.C.

B. The Oil Shale Corp., 680 Fifth Avenue, New York, N.Y.

A. Raymond W. Cocchi, 472 Bridge Street, Springfield, Mass.

A. Comac Co., 1025 Connecticut Avenue NW., Washington, D.C.

A. Committee on Metropolitan Washington Banking, care of C. Jackson Ritchie, Union Trust Building, Washington, D.C.

A. Corcoran, Foley, Youngman & Rowe, 1511 K Street NW., Washington, D.C.

B. The Committee for Broadening Commercial Bank Participation in Public Financing, care of P. W. K. Sweet, 50 South LaSalle Street, Chicago, Ill.

A. Corcoran, Foley, Youngman & Rowe, 1511 K Street NW., Washington, D.C.

B. Committee on Metropolitan Washington Banking, care of C. Jackson Ritchie, 15th and H Streets NW., Washington, D.C.

A. Owen M. Cornell, Jr., 1825 K Street NW., Washington, D.C.

B. Del Monte Corp., 215 Fremont Street, San Francisco, Calif.

A. Counihan, Casey & Loomis, 1000 Connecticut Avenue NW., Washington, D.C.

B. American Corn Millers Federation, 1030 15th Street NW., Washington, D.C.

A. Counihan, Casey & Loomis, 1000 Connecticut Avenue NW., Washington, D.C.

B. Classroom Periodical Publishers Association, 38 West Fifth Street, Dayton, Ohio.

A. Carson W. Culp, 9116 Seven Locks Road, Bethesda, Md.

B. Moramec Basin Association, 114 West Madison Avenue, Kirkwood, Mo.

A. Philip J. Daugherty.

B. Industrial Union Department, AFL–CIO, 815 16th Street NW., Washington, D.C.

A. DeHart and Broide, Inc., 1150 Connecticut Avenue NW., Washington, D.C.

B. Record Industry Association of America, New York, N.Y.

A. Claude J. Desautels & Associates, 1028 Connecticut Avenue NW., Washington, D.C.

B. American Society of Composers, Authors & Publishers, 575 Madison Avenue, New York, N.Y.

A. C. H. DeVaney, 425 13th Street NW., Washington, D.C.

B. American Farm Bureau Federation, 1000 Merchandise Mart Plaza, Chicago, Ill.

A. Francis S. Filbey, 817 14th Street NW., Washington, D.C.

B. United Federation of Postal Clerks, 817 14th Street NW., Washington, D.C.

A. Miss Bernice Friedlander, 950 25th Street NW., Washington, D.C.

B. Legislative Action on Smoking & Health 2000 H Street NW., Washington, D.C.

A. General Public Utilities Corp., 80 Pine Street, New York, N.Y.

A. Vance V. Goodfellow, 828 Midland Bank Building, Minneapolis, Minn.

B. Crop Quality Council, 828 Midland Bank Building, Minneapolis, Minn.

A. Lewis B. Hastings, 1619 Massachusetts Avenue NW., Washington, D.C.

B. Automobile Manufacturers Association, Inc., 320 New Center Building, Detroit, Mich.

A. Wm. Graham Hinkle, 2011 I Street NW., Washington, D.C.

B. Executives Consultants, Inc., 2011 I Street NW., Washington, D.C.

A. Wm. Graham Hinkle, 2011 I Street NW., Washington, D.C.

B. National Association of Self-Employed Individuals, Inc., 2011 I Street NW., Washington, D.C.

A. Frances I. Holway, Box 47, Rye, N.H.

B. Animal Welfare, Inc., 910 17th Street, Washington, D.C.

A. James L. Huntley, 1741 DeSales Street, NW., Washington, D.C.

B. Retail Clerks International Association, AFL–CIO, 1741 DeSales Street NW., Washington, D.C.

A. INA Corp., 1600 Arch Street, Philadelphia, Pa.

A. Harry A. Inman, 1200 17th Street NW., Washington, D.C.

B. The New York Botanical Garden, Bronx Park, New York, N.Y.

A. Robert A. Jackson, 627 Allison Street NW., Washington, D.C.

B. Association for Children with Learning Disabilities, 627 Allison Street NW., Washington, D.C.

A. Robert L. James, 730 15th Street NW., Washington, D.C.

B. Bank of America N.T. and S.A., 300 Montgomery Street, San Francisco, Calif.

A. H. Bradley John, 1100 Ring Building, Washington, D.C.

B. American Mining Congress, Ring Building, Washington, D.C.

A. Charlie W. Jones, 815 Connecticut Avenue NW., Washington, D.C.

B. Signal Companies, Inc., 1010 Wilshire Boulevard, Los Angeles, Calif.

A. Kevin J. Kearney, 1025 Connecticut Avenue NW., Washington, D.C., and 1500 North Woodward Avenue, Birmingham, Mich.

B. Comac Co., 1025 Connecticut Avenue NW., Washington, D.C.

A. Stephen E. Kelly, 575 Lexington Avenue, New York, N.Y.

B. Magazine Publishers Association, 575 Lexington Avenue, New York, N.Y.

A. Horace R. Kornegay, 1735 K Street NW., Washington, D.C.

B. The Tobacco Institute, Inc., 1735 K Street NW., Washington, D.C.

A. Legislative Action on Smoking and Health, 2000 H Street NW., Washington, D.C.

A. Legislative Task Force, 700 Oglethorpe Street NW., Washington, D.C.

A. Bruce E. McCarthy, 1730 Rhode Island Avenue NW., Washington, D.C.
B. National Electrical Contractors Association, 1730 Rhode Island Avenue NW., Washington, D.C.

A. John F. McCarthy, 1700 K Street NW., Washington, D.C.
B. United Utilities, Inc., 2330 Johnson Drive, Shawnee Mission, Kans.

A. McClure & Trotter, 1100 Connecticut Avenue NW., Washington, D.C.
B. Gulf & Western Industries, Inc., 437 Madison Avenue, New York, N.Y.

A. John L. McConnell, 1660 L Street NW., Washington, D.C.
B. New York Stock Exchange, 11 Wall Street, New York, N.Y.

A. Earl S. Mackey, 425 13th Street NW., Washington, D.C.
B. Investment Bankers Association of America, 425 13th Street NW., Washington, D.C.

A. Mike Manatos, 1730 K Street NW., Washington, D.C.
B. The Procter & Gamble Manufacturing Co., 301 East Sixth Street, Cincinnati, Ohio.

A. Mike M. Masaoka, 919 18th Street NW., Washington, D.C.
B. West Mexico Vegetable Distributors Association, Post Office Box 848, Nogales, Ariz.

A. Alfred Maskin, 1612 K Street NW., Washington, D.C.
B. American Maritime Association, 17 Battery Place, New York, N.Y.

A. Joe D. Miller, 535 North Deaborn Street, Chicago, Ill.
B. American Medical Association, 535 North Dearborn Street, Chicago, Ill.

A. Lloyd S. Miller, 1700 K Street NW., Washington, D.C.
B. United Utilities, Inc., Post Office Box 11315, Plaza Station, Kansas City, Mo. and Natural Rubber Bureau, 1108 Sixteenth Street NW., Washington, D.C.

A. Michael Monroney.
B. Communications Satellite Corp., 950 l'Enfant Plaza South, SW., Washington, D.C.

A. Robert E. Morin, 1311 Delaware Avenue SW., Washington, D.C.
B. National Association of Mutual Insurance Agents, 520 Investment Building, Washington, D.C.

A. National Association of Credit Management, 44 East 23d Street, New York, N.Y.

A. National Limestone Institute, Inc., 702 H Street NW., Washington, D.C.

A. Robert D. Nordstrom, 1133 20th Street NW., Washington, D.C.
B. National Canners Association, 1133 20th Street NW., Washington, D.C.

A. Kenneth T. Peterson, 100 Indiana Avenue NW., Washington, D.C.
B. Aldens, Chicago, Ill.

A. Kenneth T. Peterson, 100 Indiana Avenue NW., Washington, D.C.
B. D.C. Psychological Association, Washington, D.C.

A. Kenneth T. Peterson, 100 Indiana Avenue NW., Washington, D.C.
B. Hotel & Restaurant Employees & Bartenders International Union, 6 East Fourth Street, Cincinnati, Ohio.

A. William G. Phillips, 1300 Connecticut Avenue NW., Washington, D.C.
B. Association of Schools of Public Health, Inc., Chapel Hill, N.C.

A. Frederick T. Poole, 425 13th Street NW., Washington, D.C.
B. American Farm Bureau Federation, 1000 Merchandise Mart Plaza, Chicago, Ill.

A. George G. Potts, 15 East Cliff Street, Alexandria, Va.
B. National Association of Mutual Insurance Agents, 520 Investment Building, Washington, D.C.

A. Darrell G. Renstrom, 1201 16th Street NW., Washington, D.C.
B. National Education Association, Legislation and Federal Relations, 1201 16th Street NW., Washington, D.C.

A. James J. Reynolds, 1120 Connecticut Avenue NW., Washington, D.C.
B. American Institute of Merchant Shipping, 1120 Connecticut Avenue NW., Washington, D.C.

A. Richard N. Rigby, Jr., 1900 L Street NW., Washington, D.C.
B. National Oceanography Association, 1900 L Street NW., Washington, D.C.

A. Roberts & Holland, 1301 Avenue of the Americas, New York, N.Y.
B. John D. Rockefeller 3d, 30 Rockefeller Plaza, New York, N.Y.

A. Sharon, Pierson & Semmes, 1100 17th Street NW., Washington, D.C.
B. Anchor Corp., et al.

A. Sharon, Pierson & Semmes, 1100 17th Street NW., Washington, D.C.
B. Hershey Trust Co., trustee for Milton S. Hershey School, Chocolate Avenue, Hershey, Pa.

A. Shipley, Akerman & Pickett, National Press Building, Washington, D.C.
B. Independent Broker Dealers' Trade Association, 472 Bridge Street, Springfield, Mass.

A. Grant S. Shotwell, 1957 E Street NW., Washington, D.C.
B. The Associated General Contractors of America, 1957 E Street NW., Washington, D.C.

A. Raymond S. Smethurst, 5185 MacArthur Boulevard NW., Washington, D.C.
B. National Association of Engine & Boat Manufacturers, 537 Steamboat Road, Greenwich, Conn.

A. Frank J. Specht, 1725 DeSales Street NW., Washington, D.C.
B. Schenley Industries, Inc., 1290 Avenue of the Americas, New York, N.Y.

A. Allan J. Stanton, 405 Lubrs Building, Phoenix, Ariz.
B. The Atchison, Topeka & Santa Fe Railway, 121 East Sixth Street, Los Angeles, Calif., and Southern Pacific Co., 65 Market Street, San Francisco, Calif.

A. Steptoe & Johnson, 1250 Connecticut Avenue NW., Washington, D.C.
B. International Telephone & Telegraph Corp., 320 Park Avenue, New York, N.Y.

A. Steptoe & Johnson, 1250 Connecticut Avenue NW., Washington, D.C.
B. Teachers Insurance & Annuity Association of America, 730 Third Avenue, New York, N.Y.

A. Eugene L. Stewart, 1001 Connecticut Avenue NW., Washington, D.C.
B. Trade Relations Council of the United States, 1001 Connecticut Avenue NW., Washington, D.C.

A. Eugene L. Stewart, 1001 Connecticut Avenue NW., Washington, D.C.
B. World Trade Committee of Parts Division, Electronic Industries Association, 2001 I Street NW., Washington, D.C.

A. G. Don Sullivan, 1100 Ring Building, Washington, D.C.
B. American Mining Congress, Ring Building, Washington, D.C.

A. Frank L. Sundstrom, 1735 K Street NW., Washington, D.C.
B. The Tobacco Institute, Inc., 1735 K Street NW., Washington, D.C.

A. Irving W. Swanson, 1155 15th Street NW., Washington, D.C.
B. Pharmaceutical Manufacturers Association.

A. John B. Tacke, 1744 R Street NW., Washington, D.C.
B. Silver Committee, American Mining Congress, Ring Building, Washington, D.C.

A. Clarence M. Tarr, 1909 Q Street NW., Washington, D.C.
B. National Association of Retired Civil Employees, 1909 Q Street NW., Washington, D.C.

A. Trade Relations Council of the United States, 1001 Connecticut Avenue, Washington, D.C.

A. Bernard H. Trimble, 1730 Rhode Island Avenue NW., Washington, D.C.
B. National Electrical Contractors Association, 1730 Rhode Island Avenue NW., Washington, D.C.

A. The Urban Coalition Action Council, 1819 H Street NW., Washington, D.C.

A. Wald, Harkrader & Rockefeller, 1235 19th Street NW., Washington, D.C.
B. INA Corporation, 1600 Arch Street, Philadelphia, Pa.

A. Richard D. Warden, 815 16th Street NW., Washington, D.C.
B. American Federation of Labor and Congress of Industrial Organizations, 815 16th Street NW., Washington, D.C.

A. James A. Warren, 1101 17th Street NW., Washington, D.C.
B. REA Express, 219 East 42d Street, New York, N.Y.

A. Terrell M. Wertz, 1606 K Street NW., Washington, D.C.
B. The American Legion, 700 North Pennsylvania Street, Indianapolis, Ind.

A. West Mexico Vegetable Distributors Association, P.O. Box 848, Nogales, Ariz.

A. Wilkinson, Cragun & Barker, 1616 H Street NW., Washington, D.C.
B. The Hoopa Valley Tribe, P.O. Box 817, Hoopa, Calif.

A. Robert P. Will, 201 Massachusetts Avenue NE., Washington, D.C.
B. The Metropolitan Water District of Southern California, 1111 Sunset Boulevard, Los Angeles, Calif.

A. Jack Wisdom, Congressional Hotel, Washington, D.C.
B. H. L. Hunt, Dallas, Tex.

A. World Trade Committee of Parts Division, Electronic Industries Association, 2001 I Street NW., Washington, D.C.

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A. John H. Yingling, 905 16th Street NW., Washington, D.C.

B. Association of Corporate Owners of One Bank, 905 16th Street NW., Washington, D.C.

A. M. William Youngblood, Jr., 1001 Connecticut Avenue, Washington, D.C.

B. Eugene L. Stewart, 1001 Connecticut Avenue, Washington, D.C.

A. Robert C. Zimmer, 1250 Connecticut Avenue NW., Washington, D.C.

B. Cleary, Gottlieb, Steen & Hamilton, 1250 Connecticut Avenue NW., Washington, D.C.

A. Albert H. Zinkand, 1701 Pennsylvania Avenue NW., Washington, D.C.

B. Getty Oil Co.

A. John L. Zorack, 1000 Connecticut Avenue NW., Washington, D.C.

B. Air Transport Association of America, 1000 Connecticut Avenue NW., Washington, D.C.

A. Nicholas H. Zumas, 1225 19th Street NW., Washington, D.C.

B. National Music Publishers Association, 460 Park Avenue, New York, N.Y.

EXTENSIONS OF REMARKS

TO OUR FALLEN SON

HON. MARIO BIAGGI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 20, 1969

Mr. BIAGGI. Mr. Speaker, recently I had the opportunity to read an article which appeared in the March 1969 issue of the Reader's Digest. It was a moving experience to read this wonderful tribute as written by Mr. Al Dewlen to his son, who died in Vietnam. I am pleased to include this article in the RECORD for all to read:

To Our Fallen Son

(By Al Dewlen)

This, my son, is how it was, and is.

It was Friday, 5:15 p.m., cloudy and still hot as I turned into our drive and continued on into the garage. I was standing over the littered workbench, debating which chore deserved first claim on the remaining daylight, when someone called my name. In the doorway I saw a preacher.

As I went to meet him, your mother came hurrying toward me from the house. Nothing about her looked right; there was the impression of calamitous change, entire and final. The minister reached for my arm. Then Jean took my hand, and I felt her trembling. My impulse was to shout at her, to demand that she restore the smile she had been wearing only an hour before. I asked, "What has happened?" She answered, "Mike has been killed."

How can I tell you how much like death life was at that instant? I pictured you as clearly as ever I have seen you, in all the ways I've ever seen you: as a fat baby drooling on my shoulder, as a Little Leaguer straining to throw down to second base, as a rugged softie sobbing from the sight of a starved dog, as the fiery captain of those good football teams. I saw you grown, a man blooming with pride in the Marine Corps uniform, so strong and tough and openly sentimental. And I thought: You, Mike, shot down in battle? Preposterous, a lie. That you could die at all was unthinkable; that you could have lain dead for days without our having known it, or sensed it, was not possible. But there was Jean, wavering before me as the wreckage a woman is when she has lost her only child, and I could lay hold of nothing to fend off belief.

The agony was utter, crippling. I was unable to speak to your mother or to take her in my arms. For a moment I saw you without life, cold and still, and out of my guts sprang an awful rancor against God. I wanted to summon Him down to be battered with this rage and pain, to force Him to account.

"It's Mike," Jean said. "They do mean Mike, and he is dead."

We went into the house. Lynn was waiting. Earlier, she had been talking about your first wedding anniversary, just three days away. A week ago, she had sent you a piece of your wedding cake, saved in the freezer as a surprise, and she had been much concerned that the mails might mash it. Now she stood wide-eyed and lost. Beside her were two Marines. They met me with quiet expressions of regret and the gentle warning that there was no mistake, that we should not cling to hope.

Time passed before I could react enough to gather in our women, yours and mine. I held them like a pair of broken dolls.

Soon people came flooding into the house. Dishes of food and flowers appeared. It had begun, the terrible two weeks of wet pillows, of escapes to the closet for private grief, of alternating collapse and recomposure, while we waited the return of your body from Danang.

It is difficult to tell you about those weeks, even to separate one day from the other. Your mother dwindled by 15 pounds. She hardly slept, but would lie staring at the darkness, remembering the mother things, taking tearful inventory of the treasures she had been storing in her heart since the morning you were born. Through the days, Lynn made herself the angel of our consolation; nights, she lay crying in your bed. Sometimes exhaustion stunned me into periods of stupored rest, and they were hateful. For at each awakening the news struck me afresh, as if with every sunrise you died again, right before my eyes.

Everything prompted us to recollection. Your clothes hanging in the closet, your fishing and hunting gear piled about. On the kitchen doorframe were the pencil marks recording your growth. We heard you in our talk, through the ridiculous nicknames and lighthearted phrases you invented and installed so deeply in the family language that now, try as we might, we could not avoid them. Hundreds of people called to speak well of you. Still, because Lynn and your mother agreed I should, I got myself together amid all this to write your eulogy.

Remember the talk we had, the day before you shipped out? "I expect to be back," you told me. "But if I should buy the farm, I want to be buried as a Marine." Make it short and simple, you said, "and in my dress blues."

This was how we did it. You had Marines like gleaming statues as an honor guard, Marines as pallbearers. There was a rifle volley, and taps, at the cemetery. You would have been proud of your women: your mother, controlled, her head high; Lynn, wearing the dress you liked best and looking indescribably beautiful, with mute tears streaking her cheeks as she accepted the memorial flag off your coffin.

Much later, the details came to us. Your 70 Marines and six 105s stood vulnerable and isolated in a sea of elephant grass, on a hill near the Laotian border. The attack came after midnight, and it was massive. Besides the mortar fire and hail of grenades, a battalion of enemy infantry penetrated the position, creating havoc and confusion. You were in the command tent, armed only with a .45. You dashed downslope under fire, rallying the men as you went, wringing organization out of chaos. With five others, you jumped directly into the enemy and fought it out in darkness, hand-to-hand among the guns, through a desperate half hour. It was a burst from a Russian AK–47 automatic rifle that cut you down. They tell us your death was instant. Four of your party died with you. The fifth fell, severely wounded.

But you had won. Thereafter, the crews you had rallied brought the 105s into action, getting off point-blank more than 200 beehive rounds. A probable massacre was changed into an astounding triumph. You would like knowing that the battery has received special commendation; that its men declare you saved their lives; that they requested and held a memorial service for you; that they nominated you for your decoration. How splendid of you, my son, to have given yourself as you did; to have willed us this boundless piece of gallantry as your estate.

We pore over this final report card with vaulting pride. But it has not surprised us. Bravery was like you, from the time you took on the neighborhood bully, on through the bruises of a hundred football games, into those later hours when you stood firm in allegiance to standards abandoned to ridicule by others of your generation.

Thinking of you and your clear sense of honor and self-respect, I am compelled to the question that has twisted inside me like a dagger since the moment I knew you were gone. Did not we, your parents, point you toward this death? Didn't we, out of our own unqualified love of country and rigid definition of duty, actually rear you to die at war?

Perhaps we did. From the first we taught you reverence for America's flag, her laws, traditions and institutions. We trained you to the habit of everyday joy in your citizenship. We encouraged your development into an aggressive competitor for excellence in a free society. We saw to it that you would regard the defense of your homeland and the support of her commitments as a privilege. We deliberately cultured in you the presently unfashionable belief that a man is responsible for himself, the fabricator of his own consequences. You listened well. You accepted yourself as what you had to work with, granted yourself no excuse, adjusted your life to its seasons. You decided that the student's role was one of learning, not once misconstruing it as a franchise for the destruction of order or the dismantling of authority.

It was natural, then, that you should have considered Vietnam not debatable. That your country had pledged itself was sufficient. There was never a doubt that you would volunteer. Many of your contemporaries must have thought you a hopeless non-swinger, a well-groomed heir to their arch-rival establishment, while we applauded you.

But on that terrible Friday, with the cost of our handcrafted patriotism there before us in the cemetery, we had to ask ourselves whether we had meant what we preached, whether we would continue meaning it through the years ahead. If granted a second chance, would we repeat the course? Or would we find ways to permit and justify, to retract and consent, knowing that the resultant irresponsibility might save your life?

To answer, we look about us at others of your age. We considered the man in our end of town who ducked into teaching, marriage and parenthood as part of an announced strategy for frustrating the draft. We regarded those fleeing to Canada or burning their draft cards under the rationale of a "love" cultism. We took into account the pot and LSD sets, the peaceniks and raceniks

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and mobniks. We regarded the infragrant yippie packs caterwauling that America is 200 years mistaken. We considered carefully the whole miscellany of non-people people, whose sole product is division, whose single achievement is the treasonable encouragement of the enemy that killed you—and we became too sick to go on.

No, my son. We could not have given you an exempted conscience, could never have consigned you to the company of these. We prefer this tearful sorting out of your things, this sorrowful laying away of your hopes, those brokenhearted pilgrimages to your grave. We would do it again.

Yet, even in your transcendence, you are owed a score of apologies. We hate it that your sacrifice goes little noticed, and unpraised, by a press which chooses instead to euphemize treason as "the peace movement," mass criminality as "demonstration," and exhibitionistic anarchy as "protest" and "dissent." We apologize for abiding the kick-seeking "new left" with its spewing seditions; for tolerating government that woos the insurrectionist; for the souring churches; for the disemboweling of the national heritage. Yes, I beg your forgiveness for everything that enfeebled America during your brief days of manhood and your instant of dying.

Along with these apologies, I confess, there is anger. You have purchased me the right to it. It sends me bellowing out of my place in the obedient, silent citizenry where the blames are conveniently dumped, and into a new radicalism of my own. I think I have become dangerous. They shall not mutilate the flag in my sight; they'll not sing their Ho Chi Minh chants in my hearing. They shall not mock your widow; I'll allow no one to belittle or slander or even forget you. I give you these promises, that you must already have known I would make, and I swear to them.

There remains, then, just this: How, my son, do I say farewell?

The willow, the one you joked of as our "family tree" that gay day we made such ceremony of planting it, withered and dropped its leaves the week after you died, as if June were autumn. But the chrysanthemums which were sent us in memorial are doing well, out under the north eave where we put them, and it appears that they are near to blooming again. We wear our gold stars for you, and we have hung your sword on the wall. We are keeping fresh the good memories, and more often now, as we speak of you, it is with joy.

The three of us who loved you and buried you thank you eternally. America has had no better than you. And you were ours.

Good-by, Mike. Good-by.

FLAG LADY

HON. LESTER L. WOLFF

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 20, 1969

Mr. WOLFF. Mr. Speaker, in the period of great dissent here at home, when the flag is often the unfortunate symbol of student discontent, it is reassuring to know that many Americans maintain great respect for our flag as a symbol of our country and its principles.

One person who had that great respect for our flag was Mrs. Olga F. Brereton of Carle Place, N.Y., who recently passed away. For years Mrs. Brereton would raise and lower the flag at the Carle Place American Legion Park and became so identified with this volunteer effort that she was known as the "Flag Lady." Mrs. Brereton is gone, but her devotion to her country remains as a lasting reminder for people throughout this Nation that our flag is a proud symbol of the principles of freedom and democracy upon which this country are founded.

Under leave to extend my remarks, I wish to include in the RECORD Mrs. Brereton's obituary from the Westbury Times:

[From the Westbury Times, May 8, 1969]

"FLAG LADY" OLGA BRERETON DIES AT 56

A requiem Mass was said at St. Brigid's Church, Westbury, on April 22, for Mrs. Olga F. Brereton, 56, of 236 Stonehange Lane, Carle Place. She was known as the "flag-lady of the community" for raising and lowering the flag at the American Legion Park, in Carle Place for the past five years.

Mrs. Brereton was a charter member of the Carle Place American Legion Post No. 1718 Ladies Auxiliary, and was a member of the St. Brigid's Chapel Rosary Society and Choir.

She is survived by her husband, Michael C. Brereton, Sr., a son, Michael C. Jr., of Lake Ronkonkoma, and five sisters—Mrs. Antonia Wallace, Mrs. Martha Fetiak, Mrs. Mildred Perkowski, and Sister Mary Louise, a Dominican nun, all of Huntington, and Mrs. Ernest Montgomery, of Rochester.

DR. JOSEPH K. LYNCH

HON. MARGARET M. HECKLER

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 20, 1969

Mrs. HECKLER of Massachusetts. Mr. Speaker, I should like to share with my colleagues a brief but deeply meaningful tribute to the memory of one of the outstanding citizens of the 10th Congressional District of Massachusetts. Dr. Lynch was beloved by all who knew him. I am only one of many who share his family's deep sense of personal loss. A man of great stature and humanitarian impulse, Dr. Lynch will be fondly remembered by all who were privileged to know him. The tribute follows:

[From the Foxboro (Mass.) Reporter, May 14, 1969]

DR. JOSEPH K. LYNCH

The unexpected passing of Dr. Joseph K. Lynch has saddened many a Foxboro heart. Despite his affluence, Dr. Lynch never forgot his early struggles to gain an education and preeminence in his chosen profession of dentistry.

Dr. Lynch's dedication to his family, to the town and to his church were hallmarks in the life of this remarkable man, mourned by his family, his patients, and by a wide circle of friends.

There were many in Foxboro who were grateful recipients of Dr. Lynch's generosity in times of need. These kind acts, private and unpublicized, exemplified the character of this good man.

The Reporter extends its sincere sympathies to the family of Dr. Joseph K. Lynch, a truly exceptional individual.

MANY ATTEND RITES HERE FOR DR. JOSEPH K. LYNCH

A solemn requiem high mass was celebrated at 12 noon last Saturday from St. Mary's Church for Dr. Joseph K. Lynch, a prominent dentist and life long resident of Foxboro who passed away suddenly on May 7, 1969.

The Rev. Joseph V. Mullen, was celebrant. He delivered a eulogy citing Dr. Lynch as a christian living man who set an example for other parishioners by attending mass daily, as he did the day he was stricken. Deacon was the Rev. Henry F. Doherty of St. Ann's of Peabody, and sub-deacon the Rev. John F. Finnegan of the Delayed Vocation Seminary in Weston, both former curates here.

Seated on the altar were the Rev. William P. Castles, pastor of St. Mary's; the Rev. William F. Bene, curate at St. Mary's; the Rev. George J. Connolly, chaplain at the Foxborough State Hospital; the Rev. Gerard T. McMahon, of St. Rafael's of West Medford, former curate; the Rev. Donald O'Connor, pastor of Our Lady of Sorrows, of Sharon and his curate the Rev. John F. O'Donnell.

Bearers were: William P. Lynch, a cousin; John T. Davison Jr., a nephew; Lawrence Powers, president of the Home Owners Savings Bank of Boston; Finnbar Murphy, of Newton, a cousin; J. Herbert Marsden, former director of the Foxborough Savings Bank, Dr. Francis C. Buckley, and Dr. Rafael Mora, Supt. of the Foxborough State Hospital.

Organist for the mass was Mrs. Robert Morgan of Canton. Vocalists were Mrs. Mary Knowles of Canton and Michael Ahern of Sharon.

The mass was largely attended by relatives and friends including many from dental profession and by State and Town officials.

Graveside services were held in the family lot in St. Mary's cemetery.

A communicant of St. Mary's church he was regarded as a church benefactor over the years. He was a Boston College graduate with the class of 1928, Tuft's Dental in 1933 and Harvard Dental Graduate School in 1939.

He was on the medical staff of both Norwood and Sturdy hospitals.

He was a trustee at The Foxborough State Hospital, a director of the Foxborough Savings Bank, a member of the Harvard Odontological Society and the North Attleboro Elks.

He was the son of the late Timothy and Grace (King) Lynch.

He is survived by his wife, Mrs. Elizabeth M. (Dolan) Lynch; a daughter, Mrs. Daniel J. (Grace) Lynch of Washington, D.C.; a brother, Timothy F. Lynch, a sister Mrs. John T. (Alice) Davison, both of Foxboro, and four grandchildren.

The Joseph P. Keating Funeral Home was in charge of the arrangements.

DISTRICT OF COLUMBIA CRIME—THE SELF-HELP SOLUTION

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 20, 1969

Mr. RARICK. Mr. Speaker, we hear frequently about the necessity of reforms in the local judiciary to overcome the backlog of untried criminal cases. We hear many arguments about preventive detention, in bonding of individuals accused of crime. We have even witnessed police officers promptly suspended when their duty necessitated taking the life of persons engaged in felonies.

Last week a citizen of the District demonstrated the public lack of confidence in existing security here in the Nation's Capital. Possibly believing that home rule begins at home, she completely bypassed the police and courts and shot and killed the rapist who attacked her in her own home.

Argument could be raised that the rapist was denied the benefit of counsel, was probably not even advised of his rights, and was certainly the victim of a summary execution. Furthermore, he may have been impoverished, a school dropout, underprivileged, discriminated against, and hard-core unemployed.

However, it is quite apparent that if

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this "self-help" solution to our crime problem becomes general, it could have the effect of reducing the backlog of criminal cases and practically eliminating the problem of freeing criminals on bond to rerape or rerob.

Mr. Speaker, I include in the Record the news clipping:

[From the Washington Daily News, May 17, 1969]

Housewife Kept Pistol Under Pillow: Kills D.C. Rapist

A 44-year-old Northwest woman, whose husband gave her a gun after she was raped a year ago, yesterday shot and killed a man who attempted to rape her in her home, police said.

The man was identified by District police as Eugene Washington, 24, a plasterer, whose last known address was in the Richmond, Va., area.

They said the woman, who is white, was alone and napping in the basement apartment of her R-st. home when the man entered thru an unlocked window.

She told police she woke up with the man on her bed kissing her. She said the man asked her to have intercourse with him and attacked her when she refused.

She told police she reached under her pillow for a pistol and shot the man once in the chest. Police said her husband gave her the gun after she was raped on March 17, 1968. Police said a man entered the same apartment and assaulted her while holding a gun on her husband.

The man was taken to Washington Hospital Center where he died at 7:05 p.m., two hours after he was shot. His body was taken to D.C. Morgue under a "John Doe" label pending identification.

Charges against the woman have been waived pending a coronor's inquest at 10 a.m. Wednesday to determine if the homicide was justified.

The rape attempt and shooting followed other rapes Thursday afternoon and Friday morning in Northwest. A 66-year old woman was attacked at knife-point in the storage room of her Cleveland Park apartment and a 26-year old woman was raped by a gunman in her home just off Willard av. Both attackers were Negroes.

RURAL DEVELOPMENT THREATENED BY BUDGET CUTS

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 21, 1969

Mr. HAMILTON. Mr. Speaker, I am distressed with the President's decision to reduce sharply funds for the construction of rural water and sewer lines.

Few of the Nation's priorities are more important than the improvement of the quality of life in rural America. I need not go into great detail about the history of our rural areas and the exodus from those areas to already-crowded cities. Until we improve conditions in the rural areas, we are going to have a continuing parade of dissatisfied rural dwellers to the burgeoning, problem-plagued urban centers.

The President's proposed reduction is not only a disservice to this segment of America, but it is bad economics, it seems to me. The Farmers Home Administration's grant and loan program for rural and sewer lines is one of the most effective means by which rural areas are creating improved standards of health and housing, a better climate for industry, and improved living conditions.

The National Advisory Commission on Rural Poverty stresses the necessity of a policy to give rural residents equality of access to public services, and no public service is more vital than water.

If water and sewage systems are integrated into rural area development, the communities prosper and tax revenues increase sharply. In that sense, the Government gets its money back many times over.

The Ninth Congressional District of Indiana, which I represent, is a grouping of 16 rural counties which depends in large measure upon the proper development of water resources for its economic growth.

In recent years, I have watched several of these FHA-sponsored rural water lines develop. Invariably, land values increase, there are inquiries from industry, and health and housing standards improve.

The FHA has been—or now is—involved in 69 water or sewage projects in the ninth district. Through the FHA program of grants and loans, more than 10,000 rural families and 51 schools either have—or soon will have—water and sewage facilities.

As of January, this year, more than $29 million has been expended, or applied for, to carry out these water and sewage projects.

No single step permits a rural community to help itself more effectively than the installation of water and sewage lines. We should not hamper this kind of development in the name of economy.

AMERICAN SEAPOWER, 1969

HON. THOMAS N. DOWNING

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 21, 1969

Mr. DOWNING. Mr. Speaker, on May 14 the Hampton Roads Maritime Association honored our distinguished former colleague, the Honorable Porter Hardy, Jr., with its award for distinguished service. This new accolade to Porter entitled him to be called "Mr. Hampton Roads of 1969." On hand for the ceremonies in Norfolk was one of our Members who was associated with former Congressman Hardy for many years on the House Committee on the Armed Services, the most able Representative of the Third District of Florida, the Honorable Charles E. Bennett.

As chairman of the Special Subcommittee on Sea Power, Congressman Bennett used the occasion to deliver a timely address entitled "American Seapower, 1969." Its message was of great significance, and I am pleased to have it included in the Record:

American Seapower, 1969

(By Congressman Charles E. Bennett, Hampton Roads Maritime Association, Golden Triangle Hotel, Norfolk, Va., May 13, 1969)

It is a pleasure for me to be here tonight with my good friend and your dynamic Congressman Tom Downing, a decorated war hero, outstanding lawyer, and one of the most distinguished Members of the Congress. I appreciate the invitation from Larry Pentecost to speak to the Hampton Roads Maritime Association tonight.

Since the end of World War II, Soviet Russia has completely reevaluated its Naval position so that they now—in accordance with their avowed desire for world conquest—plan for Soviet domination of the ocean surface of the earth. This is a marked change from their prior concentration on land forces. Such is the distilled center thrust of the testimony which came before the House Seapower Committee in its recent hearings on the state of the U.S. Navy.

The conclusions of this subcommittee, which I have been honored to head, were set out in the report of the Committee as follows:

"1. The United States Navy is about to be put into a serious situation because of the age of its ships. 2. The Navy is as effective as it is now primarily as a tribute to the unbelievable efforts and devotion to duty particularly of the officers and crews of the older ships. 3. It is imperative that the Navy have a well-balanced program for the construction of new ships to start immediately. 4. To the greatest possible extent the construction program should not be a crash program, but should be extended out over a period of years, thus preventing future block obsolescence. 5. The Navy should have a fleet of 850 modern ships by the 1980's. 6. In considering the fleet to be built, there must be considered: a. The need to have as many ships as free from fuel oil logistics as possible. b. The need to have an American presence in many areas of the world formerly covered by the United Kingdom. c. The need to meet the increasing submarine threat of the Soviet. d. The need to meet the increasing Soviet Navy anywhere in the world. e. The desirability of using the Fleet for more strategic purposes."

You will note our first conclusion was that the United States Navy is about to be put into a serious situation because of the age of its ships. Fifty-eight per cent of our naval combatant ships are twenty years old or older, whereas the Soviet Navy has less than one per cent that old. The average age of the ships in the United States Navy is seventeen and one-half years. Since 1964 the Navy has had funded only three ships capable of living in a total environment that is capable of fighting air, surface and sub-surface opposition.

It has not been the Navy's fault that the present situation is as bad as it is. From 1962 through 1969 the President's budget has been less than the monies requested by the Navy in the total amount of 30.9 billion dollars. Significantly, of this 31 billion dollars about 7 billion was for shipbuilding and ship conversion; and 3 billion for operation and maintenance. Perhaps it is no one's fault that this has occurred as it has been primarily the result of not attributing first priority to these U.S. Naval needs in the presence of other demanding needs for the taxpayer's dollar in the period that has elapsed. Now, however, the result of continually postponing action in the field of modernizing the U.S. Navy has brought us to a point where the needs of the Navy in this cannot be patriotically overlooked any longer.

It is appropriate to observe some of the most significant developments in the Soviet Russia Navy. The Soviets have seven major shipbuilding yards capable of constructing 20 nuclear attack submarines each year as well as all of the surface ships which might be needed. All are of essentially post World War II vintage. One of the yards is the largest shipbuilding yard in the world. The submarine building yards have covered fabrication and machine shops greatly in excess of the amount available to U.S. submarine building yards.

The Soviets, in 1966, had 7,000 enrolled in school as naval architects and marine engi-

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neers, whereas the United States had only 300. The Soviets graduated 184,000 engineers and scientists in 1966 whereas the United States had only 106,000.

The Soviets are rapidly progressing in missiles, with the 20-mile missile patrol boat *Styx* and the surface-to-surface cruise missile which are unlike any missile we have; with radars, the helicopter carrier *Moskva* has a highly developed three dimensional radar; and with lasers, the Soviets have the highest powered laser in the world.

On several occasions Soviet destroyers have demonstrated seaworthy qualities superior to U.S. destroyers, but probably at a sacrifice in habitability and other areas.

The Soviets build ships with greater horsepower and higher sustained speed capability than concurrent U.S. ships.

The Soviet missile submarines have developed from diesel powered submarines with surface fired missiles. Now they have nuclear powered submarines capable of launching ballistic missiles while submerged.

They also have submarines capable of firing cruise missiles (surface-to-surface missiles capable of ranges up to three-four hundred miles) which represent a great potential threat to allied naval forces today.

In the post war years, the Soviets designed and built about 20 classes of surface ships totaling over 550 ships. Most of these were developed and built after 1962. Since 1945 they also developed about 20 different classes of submarines for a current total of approximately 400 submarines.

Having this new fleet, the Soviets have begun to use it more and more extensively. They have a large group in the Mediterannean and more ships than we have in the Indian Ocean. They have also begun to use their replenishment vessels in open ocean operations so as to extend the range of their submarines.

Contrasting with the opulent treatment which the Soviet Navy has received from its government in recent years, is the picture of what has been happening to the U.S. Navy during this same period of time, as has already been indicated. The construction of new ships in America has not kept up with the Navy's requirements and the requests made by the Navy to our government in this field.

Neither have there been as many overhauls of our Naval ships as are necessary for their economic and best use. This has been not only because of the lack of funds appropriated but also because of the increased tempo of operations in the Southeast Asia area.

There are insufficient spare parts, partly caused by the age of the ships and the fact that many original suppliers have since stopped making the parts or have gone out of business completely. Because of their age the ships show signs of corrosion, worn out materials and inadequate equipment.

When the older ships have been modernized, it has frequently been at the expense of habitability. Modern equipment requires more men who have to be berthed in less desirable areas. Many of the older ships can no longer be modernized either because there is not enough space, or because adding the new equipment would adversely change the seaworthy qualities of the ship, such as its buoyancy.

The living quarters on the older ships are not satisfactory, neither in the sleeping areas nor in the bathing areas. The combination of hard work required to maintain the ships and the unsatisfactory living conditions leads to fewer reenlistments on the older ships as compared to the newer ships, and has a negative thrust against personnel retention generally.

U.S. Navy ships have been maintained primarily by the devotion to duty of the crews, many of whom work as long as 80 hours a week to try to keep going. Even with these long hours of work while the ship is deployed, many crews still have to put in heavy work hours when in port—as, for instance, boilermen.

There has been a dilution of the experience level of the personnel in the fleet during the Vietnam War. Approximately half of the personnel on the ships in the fleet have been on their ships less than one year.

Of course, the most exacting requirements are now being placed on our Pacific Fleet. It is well to look for a moment at some of the specific problems in the Pacific Fleet. In it approximately 54 percent of our combatant ships are 20 years old or older. About 85 percent of its auxiliaries are in the same category. Of course this Fleet is assisted by temporary assignments from the Atlantic Fleet.

Testimony before our Committee showed that in the Pacific Fleet the hull-plating of our ships has become so thin in places that failures are common. The results are flooded spaces and repairs which often require expensive drydocking. There are frequent breakdowns in the older ships as a result of the pace that must be maintained in view of the tempo of operation in South Vietnam. These occur across the total spectrum of the machinery, including main propulsion units. There is trouble from leaking joints, pipes, tanks and the general deterioration which comes with age. On occasion, it has been necessary to tow an old ship home because of the failure of her ancient main propulsion machine.

Of the 9 attack carriers in the Pacific Fleet four are between 20 and 25 years of age. Although they have been magnificent ships, they have just about reached the limit of their capability. There is no growth factor left. They cannot normally operate several of the new aircraft. For the past four years they have experienced more than double the accident rate in flying from the larger-deck Forrestal class. The problem is simply that aircraft size and speed have become excessive for the limited size of the World War II carrier decks. The older attack aircraft carriers cannot handle the newer planes because of the limitations on the catapaults, the arresting gear, the elevators or the strength of the landing deck.

The Navy has been experiencing personnel deficiencies in the Pacific Fleet. One of the greatest problems is the shortage of the E–5s and E–9s, those in supervisory skills. The reason for these shortages is that the people do not reenlist in the desired numbers. One of the principal reasons for the low rate of reenlistment is the extremely high tempo of operations in Vietnam. It is a problem of excessively long hours, day in and day out, coupled with the personnel problem of long family separations, necessitated by the War in Vietnam. The young men serving in the Navy in Vietnam are beginning to detect that the load of the war is not equally distributed among all young people and this has created a morale factor.

The United States no longer enjoys clearcut military and technological superiority over Russia. The Soviet Union is devoting major attention to the sea and to modern uses of the sea. They are developing a massive program, which is well balanced in virtually all phases of seapower. Such a program presents a formidable challenge to the traditional freedom of the world's oceans maintained for years by a substantial American superiority in seapower. This superiority is now eroding by the new Soviet buildup. The Soviets appear to understand seapower at the highest levels of government, and convey this understanding through the employment of their total seapower as a prime government instrument, utilizing commercial, experimental and military aspects in a total seapower development.

The policy decisions concerning seapower, both from a military and a commercial standpoint, in the Soviet Union, are made at the top of government. On the other hand, our Navy and our merchant marine interests are layers below on the organizational chart when compared to Soviet Russia.

That is why I have written to President Nixon and suggested to him that he name a Special Assistant for Seapower. This Seapower Assistant would bring together all of the information available, the men concerned with government policies and decisions in this field and the public parties involved, including labor unions, ship builders, shippers and other commercial interests.

The Seapower Assistant should have a special Cabinet status so that he can be the alter ego of the President to coordinate the President's seapower program in the many departments in which there is government personnel, not only the Navy Department and Department of Defense but also Departments of Commerce, Interior and Transportation.

I have good reason to believe that President Nixon will look favorably on my suggestion. It was last September in Seattle that he promised support of a major shipbuilding program to increase the portion of U.S. trade carried by American flagships from the present rate of 5.6 percent to a rate of "over 30 percent" by the mid-1970s.

In the same speech he promised to seek a a higher level of coordination between naval and merchant shipbuilding, to take another look at nuclear merchant vessel propulsion, to expand the oceanography program and to adopt a vigorous research and development program leading to new solutions and new vitality for American ships and American crews.

I also have hopes that the President may look favorably on the suggestion recently made by Chairman Mendel Rivers that bilateral agreements be entered into to protect U.S. commerce by sea, just as we do for our air transport industry.

The Seapower Committee of the House Armed Service Committee is assuming the function of the suggested Seapower Assistant at the moment. We are considering the United States' role on the high seas at every government and nongovernment level.

The second phase of our investigation is now underway. We have moved from a detailed examination of the needs of the U.S. Navy now and in the future to the consideration of our status in the world in the commercial shipping field. The third phase of our work will deal with ship construction and repair at public and private yards.

If possible defense aspects are developed, it will consider our fishing interests and the development of food from the sea, and then oceanography and perhaps international law on the sea. But absent of defense implications we do not expect such a wide scope of hearings. Chairman Mendel Rivers of the full committee has given us a wide responsibility and we are anxious to insure that America remain secure through an adequate use of sea power.

The Seapower Committee has already heard from Rear Admiral F. J. Harlfinger, Assistant Chief of Naval Operations for Intelligence, on the Soviet commercial shipping strength.

In this phase of our investigation we will hear from the Secretary of Commerce and the Maritime Administration, which is now in the Department of Commerce. We have asked for detailed material on the number of ships, age and capacity of vessels from the leading commercial shipping nations of the world. We will consider what kind of cargoes these ships carry and where the cargo is carried. We will cover the Military Sea Transportation Service and the ships under that command, what cargoes are carried, the amounts, kinds, and destinations. We may look into the Fast Deployment Logistic Ship concept and possible alternatives. The question of subsidized and unsubsidized lines will be part of this phase of hearings.

It is the feeling of the House Armed Services Committee that we could make a major contribution to the defense of our nation by exploring all the elements of seapower. We are working with the House Merchant Marine and Fisheries Committee and have invited the members of that committee, including Congressman Downing, to participate in our hearings. Many of them are actively participating in the hearings.

The only conclusions by the committee so far have been on the need for a more up-to-date Navy but we feel they have been valuable hearings.

We feel that the United States Navy can make a greater contribution toward security from nuclear attack, and from surprise attack, by more utilization of the seas of the world for the dispersal of nuclear weapons. Weapons at sea, utilizing missile age geography, would place additional and expensive burdens upon the Soviet Union because they would greatly magnify the Soviet's problems. The survivability of sea-based systems greatly inhibits the will to strike and the feasibility of striking first in a surprise nuclear attack upon the United States. Thus better use of the sea can be one of the greatest opportunities we may have to deter attack and to secure and maintain world peace.

A decision to shift emphasis to sea-environment weapons, after a judicious reallocation of national resources to implement it, might be less expensive in the long run and more effective than present approaches to the strategic problem. It has the element in it of being more likely to secure peace because the ability to move about at sea with weaponry capable of attacking major land targets makes it impossible for any potential aggressor to be sure he can win.

By emphasizing the coordinated use of all elements of seapower in support of foreign policy in peace and war, the United States would be able to enhance its chances of success.

Without a strong and modern Navy, the United States may be placed in a position of making commitments that are less desirable because there is no other choice open consistent with our national security.

Luckily for us there are no dangers in our present situation which cannot be met be adequate funding, because our knowledge of the state of the art in the United States is at least up to that of Russia in almost every instance in the field of seapower. They lag behind us in some areas, for instance, in the range of missiles from submarines. Our lack lies fundamentally in insufficient financing for the U.S. Navy.

We should give the Navy the 100 nuclear attack submarines they have requested in place of the present 69 nuclear and 39 diesel submarines. We should give the Navy the anti-submarine carriers which it has requested in order to meet the great Soviet submarine threat. There should be nuclear escorts for any nuclear powered carriers; and there should also be nuclear powered ships available for independent missions.

In the field of new types of ships we can foresee requests for the new undersea, long-range missile ships, called the ULMS, and the seabased antiballistic missile (SABMIS) and the ballistic missile surface ship (BMS). SABMIS could be an important part of the overall mix for a defense against ballistic missiles, constituting a defense in depth against it. It can provide 360 degree protection for the country against any type of missile. Most important, it could give the enemy so much doubt as to where these ABM's were located that it would be a very effective war deterrent or thrust for peace.

America is at a crossroads and must make important choices. It is clear from the hearings of the Seapower Subcommittee that a choice urgently needed today is a choice for a modern, up-to-date Navy. In fact, it may be the primary defense challenge of our times, to require such a Navy.

PETITION OF TAXPAYER'S EDUCATIONAL ASSOCIATION, INC.

HON. ED FOREMAN

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 21, 1969

Mr. FOREMAN. Mr. Speaker, I have been pleased and impressed by a petition which has been presented to me by the Taxpayer's Educational Association, Inc., a nonprofit organization with headquarters at Austin, Tex., of which Mr. Gene O. Parker is president, and Mr. Joseph E. Bacon is executive director.

This petition has been circulated in each of the 50 States and contains many thousands of names. It is, without question, the largest I have ever seen or received. It deals in part with the preservation of the percentage depletion principle and is impressive testimony that Americans from all walks of life are aware of this necessary and long-established depreciation allowance on depleting capital assets. This unusually large petition signifies that a tremendous group of people from all sections of this great country are aware of, and pleased with, the service, quality, and availability of the thousands of products possible from the dynamic free-enterprise American petroleum and mining industries.

I commend to the Congress the objectives of this petition, which follows:

A PETITION TO THE CHAIRMAN OF THE WAYS AND MEANS COMMITTEE AND MEMBERS OF THE U.S. CONGRESS

We, the undersigned taxpayers, hereby exercise our rights as citizens to petition the Chairman of the Ways and Means Committee and its members, as well as all members of the United States Congress, pertaining to a proposal to change the tax provisions applying to natural resources and extractive industries.

Whereas, the tax revision bills proposed by some members would cut the depletion allowance on oil from the present rate of 27½ per cent to 15 per cent; and

Whereas, this proposal would be far-reaching and disruptive; it would discourage development of our essential energy supplies, inflict hardships on large segments of our economy, including hundreds of petroleum industry service and supply organizations, employment, and tax revenues in more than 30 petroleum producing states; and

Whereas, this tax proposal, designed to impose an additional tax burden on the oil and gas producing industry, would discourage investment activities, shrink our resource base of vital energy supplies, and defeat our tax policy goal of stimulating economic activity in the nation's largest resource industry; and

Whereas, the mining and petroleum industries can ill afford an increase in their tax load; and

Whereas, in our opinion, if the proposed tax change on the depletion allowance is enacted, it will increase the price of gasoline to the consumer approximately five cents per gallon; and

Whereas, any tax changes affecting the oil industry will have dire consequences upon the entire economic life of all citizens throughout the United States, including our schools, churches, charities, home owners, wage earners and all businesses, large and small.

Therefore, we urge the Ways and Means Committee and members of the Congress to reject any proposal to repeal or change the present depletion allowance. In consideration of the petroleum industry's great impact on the economic life of this country, we further urge the rejection of any and all proposals which would adversely change historic petroleum tax policies.

All petitions should be mailed to: Taxpayers Education Association, Inc., P.O. Box 9352, Northwest Station, Austin, Texas 78757.

RECOMMENDATION FOR INCREASE IN FARM OWNERSHIP AND OPERATING LOANS PRINCIPAL INDEBTEDNESS LIMITATION

HON. ROBERT PRICE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 21, 1969

Mr. PRICE of Texas. Mr. Speaker, there is need to raise the limits on the amount of indebtedness that may be authorized for farm ownership and operating loans by the Farmers Home Administration. The principal indebtedness limitation of $60,000 for farm ownership loans and $35,000 for operating loans was established in 1961 under the Consolidated Farmers Home Administration Act. These limitations were considered adequate at that time to finance the full range of family farming operations for farmers and ranchers who could not obtain the credit they needed from private and cooperative credit sources.

Since 1961 changing economic conditions, progress in agricultural technology, the extent of mechanization and the increase in the scope of farming and ranching operations have caused these limitations to become progressively inadequate to serve the needs of the full-range family farmers and ranchers who are unable to obtain the credit suited to their needs.

The average operating capital used per farm has increased substantially since the $35,000 operating loan indebtedness limitation was established in 1961. This is illustrated by a comparison of the total of the average operating capital investment plus the annual operating expenses for selected systems of farming for a base period 1957–59 as compared to 1967. This total increased from $98,023 to $114,053 for northern Rocky Mountain cattle ranches; from $35,243 to $53,184 for Northern Plains cattle ranches; from $44,229 to $84,269 for hog-beef fattening farms and from $30,107 to $50,290 for grade A dairy farms in eastern Wisconsin. In systems of farming where income is received only once or a few times each year, credit is needed for annual operating expenses as well as for the operating capital investment.

According to studies made by the Economic Research Service of the U.S. Department of Agriculture the national index of average value per acre was 176 on November 1, 1968, based on the 1957–59 index of 100 percent. Land values have increased by 70 percent in the decade ending March 1, 1968, and increased 37 percent nationwide from November 1, 1962, to November 1, 1967. These studies show that commercial farms had an average value of $100,000 on March 1,

1968. The Under Secretary of Agriculture stated in an address on May 2, 1969, that the average investment on 200 to 400 acres of land alone might run from $40,000 to $160,000. Buildings would cost from $20,000 to $40,000 and land improvements could cost an additional $20,000.

The scope of farming operations has increased substantially since the Consolidated Farmers Home Administration Act was adopted in 1961. The average acreage per farm increased from 288 acres in 1959 to 377 acres by 1969. This has increased the need for more credit to acquire and develop land and necessary equipment as well as for meeting the increased operating expenses on the expanded acreage.

During the past 7 years, the investment in farm machinery on farms and ranches has increased by 79 percent, the cash input annually for fertilizer has increased 64 percent and for purchased feed has increased 33 percent. The use of pesticides has increased at an annual rate of approximately 20 percent per year for the past decade.

The greatly increased operating capital required per farm, the higher cost of acquisition and development of land, increased building costs, the increased size and farming operation and the larger operating expenses per farm have combined to greatly increase the need for increasing substantially the limitation principal indebtedness for farm ownership and operating loans.

A higher loan limitation is needed to make it possible to adequately meet the credit needs of eligible farmers in the following categories:

First. Those who need loans to make adjustments and improvements in their operation and adequate land resources to become fully efficient and competitive producers in order to remain in farming or ranching.

Second. Those who have debts on short terms and other conditions they presently cannot meet but require restructuring of their debts and reorganizing of their farming operation to continue in business.

Third. Those beginning farm and ranch families who desire to take over the operation of farms or ranches of retiring farmers and ranchers but do not have the cash resources or equities or other financial backing needed to become properly established on a successful basis.

Because of the varying nature of farming operations and the varied investment costs between farming enterprises and the declining available land, the present indebtedness limitations restrict lending activities significantly more in some areas of the country than in others. This results in inequitable treatment of operators of family farms and ranches in different areas of the country.

For these reasons, an increasing number of family-type farmers and ranchers will be forced out of business each year unless the loan limitations are substantially increased to meet their needs.

It is recommended that the principal indebtedness limitation for farm ownership loans be increased from $60,000 to $100,000 and the $35,000 principal indebtedness limitation for operating loans be increased to $50,000.

AL CAPP: LOUD AND CLEAR AGAINST CAMPUS DISORDERS

HON. WILLIAM E. MINSHALL

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 21, 1969

Mr. MINSHALL. Mr. Speaker, Al Capp's superb speech, delivered on April 27, to the graduating class at Franklin Pierce College, was reprinted in last Sunday's Washington Post.

I would not attempt to embellish his remarks with any of my own, other than to say that I think they should be required reading for every American, particularly parents of college students, college students themselves, and, most emphatically, every college administrator and faculty member. And, I must add, by those in the Congress and those in responsible positions in the executive branch who cannot or will not see the obvious solution to an increasingly impossible and dangerous situation.

The speech follows:

A BLASTING CAPP IS TOUCHED OFF UNDER FAIR HARVARD

(By Al Capp)

(NOTE.—Al Capp has always been outrageous. In the first place, he is an outrageously funny man, as the author of the zany cartoon strip "Li'l Abner." Then in the 1950s, his ideas outraged the political rights. Today, he outrages the left, but he claims that the political spectrum has shifted, not he. In the following speech, delivered to the graduating class at Franklin Pierce College in Rindge, N.H., April 27, Capp outrages some people at Harvard. Franklin Pierce, incidentally, awarded him the honorary degree of doctor of humanities.)

I live in Cambridge, Mass., a stone's throw from Harvard—but if you duck you aren't hurt much—and I know you'll believe me when I tell you I'd rather be speaking here today. It's safer, and it's at your sort of college that I can use the commencement speaker's traditional phrase. I can say you're the hope of the future without bursting out laughing, as I would if I said it at a Harvard commencement—assuming, of course, that there will be a commencement there this year. They haven't heard from the Afros or the SDS yet.

Three or four of the Afros may decide that commencements are racist institutions, and then five or six SDSers may decide that commencements are a CIA plot, and then of course the entire faculty, administration and student body of Harvard, with the courage that has made them a legend, will replace its commencement by some sort of ceremony more acceptable—something they know the boys will approve of—say, a book burning; they loved that at Columbia, or a dean killing; they never quite accomplished that at University Hall. Dean Ford let them down by having recuperative powers they didn't count on.

But the fact that you can have a commencement here without getting down on your knees to a student wrecking crew, or without calling up the riot squad, is mainly luck. You enjoy advantages Harvard doesn't.

For one thing, you have the advantage of not being so revered for the wisdom and courage of past generations of administrators that you haven't noticed the moral flabbiness and intellectual flatulence of the majority of your present generation of administrators and faculty. You show me any institution with such a glorious past that anyone presently employed by it is regarded as retroactively infallible, and I'll show you a collection of sanctimonious fatheads.

But the greatest advantage Franklin Pierce has over Harvard is that you are not rich enough to hire three such famous professors as Rosovsky, Galbraith and Handlin and not extravagant enough to waste the wisdom of the only one of them with guts and sense—Handlin. All three are world-renowned historians. All three this week have helped make history.

Prof. Henry Rosovsky was born in Danzig. When the young Nazis invaded the University of Danzig in the '30s and beat up its professors and disrupted its classes, Rosovsky's family gave up their citizenship and fled to the United States. In the '60s, Rosovsky was teaching at Berkeley. When the young Nazis invaded there, Rosovsky gave up his professorship and fled to Harvard. When the young nazis invaded there the other day, Rosovsky gave up the chairmanship of his department and started packing.

Prof. Galbraith, as national chairman of the ADA, was the intellectual leader of the Democratic Party in the last election and one of the Nation's few political thinkers over 19 who mistook Sen. McCarthy's menopausal capriciousness for high-principled statesmanship.

Prof. Handlin has won the Pulitzer Prize and other honors for his histories of those groups who, so far, have risen from their ghettos by sweating blood instead of shedding it, by shaping up instead of burning down.

Although Harvard is the home of these three wise men and hundreds more, it was the only bunch in town that was dumfounded at what happened there. Everybody else in the community expected it. We had all watched Harvard for the last few years educate its young in the rewards of criminality. We had watched Harvard become an ivy-covered Fagin.

We saw it begin a couple of years ago when Secretary of Defense McNamara was invited to speak at Harvard. Now, it is true that McNamara was a member of a despised minority group, the President's Cabinet, but under the law, he had the same rights as Mark Rudd. Harvard's Students for a Democratic Society howled obscenities at McNamara until he could not be heard.

He attempted to leave the campus. The SDS stopped his car, milled around it, tried to tip it over. McNamara left the car. The SDS began to club him on the head with the poles on which their peace posters were nailed. If it hadn't been for the arrival of the Cambridge police, who formed a protective cordon around McNamara and escorted him through a series of interconnecting cellars of university buildings to safety, he might have been killed.

The next morning, Dean Monroe was asked if he would punish the SDS. And he said—and if you want to know where the malignancy started that has made a basket case of Harvard, it started with this—Dean Monroe said that he saw no reason to punish students for what was purely a political activity. Now, if depriving a man of his freedom to speak, if depriving him of his freedom to move, if damn nearly depriving him of his life—if that's political activity, then rape is a social event and sticking up a gas station is a financial transaction.

Now, there's nothing unusual about a pack of young criminals ganging up on a stranger

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on their turf as the SDS ganged up on McNamara; it's called mugging. And there's nothing unusual about a respected citizen, even a dean, babbling imbecilities in an emotional crisis; it's called a breakdown.

Both are curable by the proper treatment, but there was something unusual, and chilling, too, about seeing the responsible authority, Harvard, treat a plain case of mugging as democracy in action and a plain case of hysterics as a dean in his right mind.

MEAT CLEAVER TACTICS

Well, after Harvard taught its young that the way to settle a difference of opinion is to mug anyone who differed with them, it was no surprise that they'd soon learn that shoving a banana into an instructor's mouth is the way to win a debate and bringing a meat cleaver to a conference is the way to win a concession. Because that's what happened at Harvard in the last month.

When its militants stormed into the opening class in a new course on the causes of urban unrest and stopped it because they found it ideologically offensive, the instructor attempted to discuss it with them. So one of the militants shoved a banana into his mouth. This stopped the instructor, of course, he stopped the class and then Harvard dropped the entire course.

This week, the Crimson published a photograph of a black militant leaving a historic conference with the administration—historic because it was here that the administration granted black students, and only black students, hiring, firing and tenure powers equal to that of any dean. The militant was holding a meat cleaver. The next day President Pusey said that Harvard would never yield to threats. Shows how silly a man can look when he doesn't read his local paper.

President Pusey said that, by the way, at a televised mass meeting advertised as one in which all sides of the question would be fairly represented. The Harvard student body was represented by a member of the SDS (numerically, they are less than 1 per cent). The average resident of the Cambridge community was represented by a black militant graduate student who lives in Roxbury and commutes in a new Cadillac. And anyone who'd call that unfair representation would have been mean enough to say the same thing about the Chief Rabbi of Berlin being represented by Adolf Eichmann.

And so when Harvard was raped last week, it had as much cause to be surprised as any tart who continued to flounce around the fellas after they'd unbuttoned her bodice and pulled down her panties.

APING MAYOR DALEY

What surprised the world was Harvard's response. Nowhere in the world was Mayor Daley's response to precisely the same sort of attack by precisely the same sort of mob more loftily denounced than at Harvard. Yet in its moment of truth, Harvard responded in precisely the same way Daley did.

Pusey called for the cops just as Daley did, and the cops treated the criminals at Harvard just as firmly as they treated the criminals in Chicago. The Harvard administration applauded President Pusey's action to a man. There is no record that they ever applauded Daley.

That either proves that the Harvard administration believes in the divine right of kings to act in a fashion that, in a peasant, is considered pushy. Or it may prove that President Pusey is just as Neanderthal as Mayor Daley. Or it may proved that President Pusey learned how to handle Neanderthals from Mayor Daley. At any rate, if they're looking for a new president of Harvard, I suggest they teach Mayor Daley to read and write and offer him the job.

Let's forgive the president of Harvard for not having the grace to thank the Mayor of Chicago for teaching him how to protect his turf; they aren't strong on graciousness at Harvard this year. But as a member of the Cambridge community, what alarms me is that Harvard doesn't have the brains to protect itself, and the community, from further, more savage and inevitably wider-ranging attacks. And I feel that I have the right to speak for some in the Cambridge community, possibly equal to that of any resident of Roxbury who parks his car there for a few hours a few days a week.

I've lived in Cambridge over 30 years. My children and grandchildren were born and raised in Cambridge. I help pay the taxes that support Harvard. I help provide Harvard with the police that it will increasingly need to protect it from the once-decent kids it has corrupted into thugs and thieves, and the worst kind of thugs and thieves—the sanctimonious kind.

I ask, and my neighbors in the Cambridge community are asking: If a horde of howling, half-educated, half-grown and totally dependent half-humans can attack visitors in their cars, and deans in their offices, and get away with it, how long before they'll widen their horizons a block or two and attack us in our homes?

If they can use clubs and meat cleavers on the Harvard community today and get away with it, who stops them from using clubs and meat cleavers on the Cambridge community tomorrow? Certainly not the Harvard community. If it was necessary last week for Harvard to organize a round-the-clock guard to prevent the untoilet-trained pups they've made into mad dogs from blowing up the Widener Library and the Fogg Museum, must we of the Cambridge community prepare to defend ourselves from the pack Harvard has loosed among us? Or should we all pull a Rosovsky and take off to safe, sane Saigon where it's legal to shoot back at your enemy?

A REPLACEABLE FEW

When the president of Harvard proved that, in a crisis, he was the intellectual equal of the Mayor of Chicago and called the cops, it was his finest hour. Although it was true that he had presided over the experimental laboratory that created the Frankenstein's monster that stomped mindlessly into University Hall, fouling everything in its path, he did, at long last, recognize what he had wrought and took the steps to rid his university and our community of the filthy thing.

After throwing the SDS out physically, the next sane move was obviously to keep them out officially, and expel them. And leave them to the criminal courts to educate, or to the Army, or to the gutters of Toronto, or to the rehabilitation centers and public charity of Stockholm. Their few score places at Harvard, and those of their sympathizers, could have been instantly filled by any of the tens of thousands of fine youngsters, black and white, they had been chosen instead of.

And Harvard could have gone on with pride and strength as an institution of learning, as an example of the vigor of the democratic process to other universities, instead of degenerating into the pigpen and playpen it is today. But after the president of Harvard made the one move that might have saved Harvard, the Harvard faculty, in the words of San Francisco State President Hayakawa, betrayed him.

RUN OR RESTRUCTURE

And that brings us back to Rosovsky and Galbraith. And to Handlin.

Rosovsky, whose family had given up and fled when the German Nazis invaded the University of Danzig, who gave up and fled when the California Nazis invaded Berkeley, gave up the chairmanship of his course and started packing when the Cambridge Nazis invaded University Hall. And all over this country—at Cornell, in New York—other professors are using the Rosovsky solution: giving up and running away. The only trouble with it is that, sooner or later, you run out of places to run away to.

Now, the Galbraith solution is one that is bound to be popular with his fellow puberty-worshipers: those who have just achieved puberty, and those who worship those who have just achieved it as sources of infinite wisdom and quite a few votes. But I'm not criticizing Galbraith's religious convictions. What I say is, in this country, any professor who is panting to get back into public life is free to worship the SDS chapter of his choice.

Galbraith's solution is to promptly restructure our universities—and Harvard more promptly than any other, because, in Galbraith's opinion, those who administer Harvard have "little comprehension of the vast and complex scientific and scholarly life they presume to govern." Well, now, who does Galbraith presume to replace them with?

If those who created Harvard, and made it into the vast and complex scientific and scholarly structure it became, must be restructed out of it because they have too little comprehension, who has enough? The only ones who claim they have, and who will shove a banana into the mouth of anyone who denies it, are the student militants.

And so the Galbraith solution is a forthright one: Let the lunatics run the asylum.

Well, I'm going to tell Galbraith the news: they've already tried your sort of restructuring, Ken. They tried it at Berkeley; they tried it at Cornell; they tried it at Harvard all last week, and the result was that on Friday, a mob of militant students, of a Harvard frenziedly restructured to suit their wildest whims, marched into the Harvard planning offices.

They shouted obscene charges at Planner Goyette. When he attempted to answer, they shouted him down with obscenities. They demolished the architectural model of Harvard's building plans, they kicked over files, they hurled telephones to the floor. And while Goyette cowered and his secretaries screamed, they marched out, uninterfered with by the six policemen who were summoned there presumably to see that they remained uninterfered with, unrebuked and, of course, unsatisfied.

And they won't be satisfied until Harvard is restructured the way they restructured Hiroshima. They'll be back, on another day, to another office. Possibly Galbraith's.

Well, those were the voices that prevailed at Harvard, the resigners like Rosovsky, the restructurers like Galbraith*. There was another voice, however, the voice of Oscar Handlin.

Prof. Handlin said he was appalled at the argument that the students' takeover of University Hall, their attack on the deans, their destruction of private property and their thefts from personal files were unwise but not criminal. It *was* criminal, said Handlin, by every decent standard.

If Harvard had not chickened out, said Handlin, if it had had the courage to recognize the criminality on its campus over the last few years, beginning with the beating up and silencing of McNamara and continuing through innumerable other incidents of the brutal deprivation by its mad-dog students of the rights of those who dared to dissent with them, it "would not be in the position it is in today—following the road that Berkeley has followed, following the road that has destroyed other universities."

A CIVIL RIGHTS REVERSE

Oscar Handlin urged Harvard not to go down that road. That was last week. This week, Harvard has gone so far down the road that it can never turn back. In this last frantic, fatal, foolish week, Harvard has reversed the civil rights advances of the last 20 years.

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*Prof. Galbraith, it seems, has decided on the Rosovsky method for himself. He has announced that he is taking off for Trinity College at Cambridge University for one year while the restructuring goes on.

Today at Harvard, any student with the currently fashionable color of skin is given rights denied to students of the currently unfashionable color. Harvard, which educated the President who brought America into the war that defeated fascism, today honors and encourages and rewards its fascists. Harvard, which once turned out scholars and gentlemen, now turns out thugs and thieves—or let me put it this way: now, if you are a thug and thief, Harvard won't turn you out.

Once people were attracted to the Cambridge community because Harvard was there. Today, beause Harvard is there, people are fleeing the Cambridge community, even Harvard's own.

Harvard's tragedy was that it was too arrogant to consider that it too might be vulnerable to the cancer that is killing other universities. And when Oscar Handlin diagnosed it as malignant, Harvard was too cowardly to endure the radical surgery that could save its life.

And that's why I can say that colleges like yours, as yet too unproven to have become arrogant, and too determined to prove yourself to be anything but courageous, are the hope of the future. Because I believe that America has a future.

It has become unfashionable to say this; it may be embarrassing to hear it; but I believe that America is the most lovely and liveable of all nations. I believe that Americans are the kindest and most generous of all people.

I believe there are no underprivileged Americans; that even the humblest of us are born with a privilege that places us ahead of anyone else, anywhere else: the privilege of living and working in America, of repairing and renewing America; and one more privilege that no one seems to get much fun out of lately—the privilege of loving America.

IRAQI JEWS

HON. LEONARD FARBSTEIN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 21, 1969

Mr. FARBSTEIN. Mr. Speaker, the situation of the pitifully small number of Jews remaining in Iraq is intolerable. Government intimidation and persecution of the approximately 2,500 Iraqi Jews is a blight on the conscience of the world. Economic deprivation and public executions are the weapons of the Iraqi Government. Iraqi Jews are denied the right to earn a decent living. Employers are pressured to discharge Jewish employees, movement is restricted, and Jews are not even permitted to have a telephone in their homes—even if they could afford one.

Worst of all, Jews are not permitted to emigrate in spite of an announcement by the Iraqi President that there are no restrictions on emigration.

Mr. Speaker, it is difficult for me to analyze the objectives of the Iraqi Government in its policies toward the Jews in Iraq. Obviously, the Jews are not wanted in Iraq and yet they are not permitted to leave. The answer must be that the Iraqi Jews are being held as hostages of a government whose announced policies are to destroy Israel. They are the innocent victims of a war which they did not start and cannot influence.

If this is not the reason then the objective could be the eventual extermination of the Jewish population of Iraq. For if a man cannot earn a living and he cannot leave, then the consequences are clear: starvation and eventual death.

Whatever the reason, the repressive actions of the Iraqi Government are reminiscent of the worst days of Nazi tyranny.

Mr. Speaker, the United States must attempt to influence the Iraqi Government, either unilaterally or in concert with other nations or international bodies, in whatever way is possible.

When the civil and human rights of one man are denied, the rights of all of us suffer in some way. We must never be content with the status quo when it means the recognition of illegal and barbarous actions. Something must be done to alleviate the suffering of the Iraqi Jews. A way must be found to induce the Iraqi Government to adopt a policy which will permit the Iraqi Jews to leave this unhappy country.

I, therefore, submit this resolution calling upon the President to take whatever diplomatic action that he can to secure and facilitate the emigration of the Iraqi Jew. I know that this will not be easy, but something must be done quickly.

BERGEN AMPOLS RESOLUTION ON POLISH CONSTITUTION DAY

HON. HENRY HELSTOSKI

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 21, 1969

Mr. HELSTOSKI. Mr. Speaker, the Americans of Polish extraction in Bergen County, N.J., in order to advance the heritage, culture, and understanding of its mother country, Poland, have formed a group which calls itself the Bergen Ampols. Through this organization the Polish-speaking citizens of Bergen County present a united front in the fight to regain freedom for Poland and to instill the spirit of Poland into the hearts of our youngsters and to carry on the traditions of their forefathers.

On the 3d of May citizens of Polish origin, as well as the Congress of the United States traditionally commemorate one of the outstanding events of Polish history—the Polish Constitution of 1791.

On this day, Poland pioneered freedom and liberalism in Europe and on this day we recall in America that this early assertion of democracy was made in Poland and that self-government was achieved without a bloody revolution.

The Bergen Ampols, in commemorating this historic occasion have adopted a resolution which was sent to me and which I wish to have brought to the attention of this honorable body.

Mr. Speaker, under leave to extend my remarks, I include this resolution in the Record.

The resolution follows:

Resolution

Whereas we, the Bergen Ampols organization shall of May 3rd mark the 178th anniversary of the Polish constitution as an independent state; and

Whereas said constitution followed ours by less than a decade and was patterned on the U.S. Constitution, and that it aimed to prevent partition and oppression from neighboring states, which peril existed since Poland's inception as an entity in 963 A.D.; and

Whereas in the present day the people of Poland are again smothered by an aggressor despite their continuing fight for freedom as manifest by various stirrings of unrest, and the refusal of the Polish spirit to die; and

Whereas the people of Poland are manifestly anti-communist; now therefore

Be it resolved that we, the Bergen Ampols, shall align ourselves with the 600,000 plus Americans of Polish extraction here in New Jersey, and the millions of us, regardless of ethnic origin, who hold freedom as a God-granted right, to oppose such stricture of a free-born people; and further

Be it resolved that these convictions be conveyed directly to the President of the United States, the Governor of New Jersey, through our representatives in the Congress of the United States, the Senate and Assembly of New Jersey, to be indelibly placed on the public record of our great Nation; and

Be it suggested that May 3, 1969, be proclaimed State and Nationwide as Polish Constitution Day; and further

Be it ordered that full copies of this resolution be sent to the President and the Governor, and be forwarded specifically to our representatives on the State and National level.

A 10-YEAR TENURE FOR SUPREME COURT JUSTICES

HON. EDWIN D. ESHLEMAN

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 21, 1969

Mr. ESHLEMAN. Mr. Speaker, I introduced a joint resolution for constitutional amendment yesterday which would change the term of office for Supreme Court Justices from "good behavior" to a specific tenure of 10 years. Following each 10-year term, a Justice could be renominated and reconfirmed for another decade, but the change would assure that appointment to the Court is not a guarantee of lifetime insulation from the ebb and flow of American society. This is legislation which I had previously introduced in the 90th Congress but which received no definitive consideration. I am hopeful that the 91st Congress will favorably consider the merits of this proposal.

I believe a change in the tenure provisions for Justices has been dictated by the Supreme Court itself. In recent years the Court has forged a role for itself which would seem to make necessary some means for assuring that its personnel are atuned to the voice of the American people. While I do not pretend to be a constitutional lawyer, it is rather obvious that what the Court has done in the past few years is act when the legislature refused to act. In a sense, the Court has become an alter ego in the legislative function. Yet, I can observe no constitutional mandate which requires

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such an assumption of power by the Nation's highest judicial body. But given the Court's movement into extra-constitutional arenas, I believe that the requirement of specific terms subject to regular reapproval should apply to the Justices just as it applies to other public servants entrusted with the lawmaking role in the Government.

While some of the alterations in the pattern of American life dictated by recent Supreme Court decisions are disturbing in themselves, the fact that those decisions were rendered without consideration of their possible effects on our society is perhaps more distressing. The present immunity of the Justices from assuming responsibility for their actions means that their decisions, no matter how convulsive, cannot be subjected to public question. Unlike the officials in the legislative branch, the Supreme Court Judges answer to no one for their actions. The isolation of the Court which was meant to provide an atmosphere for judicial objectivity has most recently been a source of protection from social responsibility.

I believe that a 10-year term for Supreme Court Justices would preserve the proper climate for purely judicial decisionmaking, but would also provide a regular interval for national evaluation of the Supreme Court's performance.

NEWSLETTER

HON. JAMES B. UTT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 21, 1969

Mr. UTT. Mr. Speaker, under unanimous consent, I submit for inclusion in the Extensions of Remarks of the RECORD my current Washington Report, which will be sent out to my constituents this week. The newsletter follows:

There has been some feeling expressed in Washington as well as in other parts of the nation that President Nixon should not have gone on television reporting to the nation with reference to the Vietnam situation unless he had something new and startling to tell the people.

I do not share that feeling. It must be remembered that the Viet Cong had let it be known in the leading capitals of the world that North Vietnam wanted peace and set forth some nine points for consideration. If the President had not gone on the air in response to these feelers, it would have been interpreted around the world that the position of the United States did not indicate a sincere determination to end the conflict. The communists would have been the first to have made that charge, and so I believe that the President's response, outlining eight points upon which we would negotiate a peaceful settlement, was proper, even though nothing new and startling, by way of encouragement for immediate cessation of hostilities, was given to the public.

More than this, there was a clamor building up in Congress, in both the Senate and House, for some verification of the pledges made during the campaign to the effect that the President had a plan to effect peace. The President's message to the nation and to the world (for in fact it was more for foreign rather than for domestic consumption) bought an additional thirty, sixty, or ninety days of time for intensive negotiations, in response to the clamor for action, and already a summit meeting has been arranged at Midway Island between President Nixon and President Thieu. Let us all hope for specific and tangible signs of a peaceful settlement without surrender and without a coalition government prior to free elections in Vietnam.

The matter of the resignation of Justice Fortas still is a hot topic. I do not believe that the House and Senate would have impeached him, as surely there was personal judgment involved and, as yet, it has not been established that any criminal law had been violated. His connections with Wolfson and accepting a fee from the Wolfson Family Foundation while he was on the bench certainly reflected on the entire Court, which is not enjoying the highest reputation at the present time.

Incidentally, the recommended revision of the Internal Revenue Code involving tax-free foundations will prohibit any such payment or grant.

There are always interesting sidelights to happenings such as Justice Fortas' resignation, but the one that takes the first prize is the reaction of one Drew Pearson, a completely irresponsible columnist in Washington. His Washington Merry-Go-Round column of May 17th, referring to Fortas, led off as follows:

> "When a man is down, everyone rushes in to kick him. It is the popular and cowardly thing to do . . . When a man's down, he's down. But I for one do not intend to be part of the Fortas-kicking brigade."

These remarks are from a man who has spent most of his life kicking people down, and kicking them after they are down. He has fired a continuing barrage leveled against Otto F. Otepka, who was removed from the State Department because he testified before a Senate Committee with reference to subversive influences in the State Department. Such testimony, as viewed by the State Department, was treason, so he was fired. President Nixon, recognizing the injustice of this matter, appointed Otepka to the Subversive Activities Control Board, at a salary of $36,000 a year. This appointment has to be confirmed by the Senate, and I cannot count on my fingers the number of derogatory columns written by Drew Pearson about Otepka, making every effort to keep him from being confirmed. (The nomination is still pending in the Senate, although passed overwhelmingly out of the Judiciary Committee, in spite of the efforts of Senator Ted Kennedy and his liberal cabal. Senator Kennedy says he will carry the fight to the Floor of the Senate. That will be interesting.) One thing you cannot accuse Drew Pearson of, is being consistent.

Another point of inconsistency and double standards: U.R.O.C. (United Republicans of California) issued an invitation to Prime Minister Ian Smith of Rhodesia to address their annual convention in California last month. They requested the State Department to grant Mr. Smith a visa to come to America, but the State Department refused because of something they call sanctions levied against Rhodesia as being a threat to world peace. Ha! Ha! Ha! It is the most peaceful nation in the world and one of the most anti-communist nations in the world, and one of the best friends of the United States, in spite of this slight.

Now, just prior to this, the State Department had issued a visa to Nikolai Blokhin, president of the Institute for Soviet-American Relations and Deputy to the Supreme Soviet of the U.S.S.R., and another visa to Yuri Zhukov, Pravda political commentator and also Deputy to the Supreme Soviet, and visas for eleven other top communists to come into America and have a political conference with several prominent Americans. Among those Americans attending were David Rockefeller, President of the Chase Manhattan Bank; Arthur Larson, Director of the World Rule of Law Research Center at Duke University; Norman Cousins, Editor, *Saturday Review;* Dr. Franklin D. Murphy, Chairman of the Board, Los Angeles Times-Mirror (he fits); and Norton Simon of Hunt Foods, Fullerton, California.

So here we have the State Department refusing a strong anti-communist permission to come in and talk to a patriotic organization, but the State Department let down the bars for the communist journalists and commentators to oome in. If this is not a case of double standard, one will never be discovered.

THE PUBLIC'S DEBT TO LAW-ENFORCEMENT OFFICERS

HON. WM. J. RANDALL

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 21, 1969

Mr. RANDALL. Mr. Speaker, with few or minor exceptions police officers are "good neighbors, good friends, and dedicated guardians, sworn to protect life and property, if need be, with their very lives."

These were the words spoken last week by Police Chief Gene Burden of Warrensburg, Mo., in referring to the theme of Police Week, which was observed this year May 11 through 17.

There can be no doubt that among the hundreds of thousands of law-enforcement officers across the country, there are some policemen who overreact; there are some who should not be entrusted with the responsibilities of maintaining law and order. But the great wonder is that there are not more of these so-called misfits, spawned by the growing trend of putting policemen on trial along with the criminals they bring to court. It is miraculous, in the light of the revolting practice of some courts to protect the rights of criminals to the detriment of the law-abiding community and to the extent of crippling the credibility of arresting officers, that the vast majority of policemen remain honest and dedicated to their sworn duties.

In the May 14, 1969, issue of the Warrensburg Daily Star Journal, published in the congressional district it is my privilege to represent, there appeared an editorial on the public's debt to law enforcement, which I commend to the attention of my colleagues. I wish to call special attention to the prayer at the end of this editorial, which was adopted by the Law and Order Committee of the American Legion, Department of Missouri, tendering to the police officers of America the thanks due them for their devotion to duty. The editorial follows:

PUBLIC OWES DEBT OF GRATITUDE TO LAW-ENFORCEMENT OFFICERS

Quick to criticize and slow to commend, perhaps sums up the attitude of too many persons today toward those manning the police forces of our community, our state and our nation.

More prevalent than ever before is an often expressed repugnance toward those responsible for maintaining law and order. To circumvent the odious interpretation that the phrase "law and order" by itself implies unfair discrimination toward the downtrodden,

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it has become necessary to add the phrase "with justice."

Of course, revulsion of policemen stems from the growing disrespect for authority in the nation. The sentiment of those radicals and members of the New Left which leads them to refer to the police as "pigs" is obnoxious to the average citizen.

That there are policemen who over react or who do not carry out their duties conscientiously is undeniable, but they number a very few among the thousands who act responsibly. It is as ridiculous to condemn all police force members because of this, as it is to make the claim that firmly supporting the police means advocating a police state.

With minor exceptions police officers are "good neighbors, good friends and dedicated guardians, sworn to protect life and property. If need be, with their very lives" as Warrensburg Police Chief Gene Burden stated in referring to the theme of this year's Police Week, set aside by an act of Congress.

On behalf of the community we say a sincere "Thank You" to Chief Burden and the men of his staff for the service they are providing for Warrensburg, to Sheriff Harland Tempel and his deputies for their vigilance in Johnson County and to the members of the Missouri State Highway Patrol who work so diligently to maintain safety on our highways and provide law enforcement in the state of Missouri.

We hope individual citizens will take the time to express personally their appreciation to police officers of the area. All citizens are indebted for the protection they give us.

In honoring all law enforcement officers, though using the term "police," the Law and Order Committee of the American Legion Department of Missouri adopted a prayer at a recent meeting. We quote: "A Citizen's Prayer" in recognition of Police Week, May 11–17:

"We thank Thee, Father, for our policemen. Please Give Them the Strength, Courage and Perseverance to Endure the Unjust Condemnation, Danger and Physical Abuse to Which They Are at Times Subjected. Sustain and Protect Them, Father, From Those Who Would Destroy Them or Their Effectiveness by Physical Violence or False Accusation. So That They Can Continue to Guard Us, Our Loved Ones, Our Homes and Our Property. Without One Police There Is No Hope—Only Death, Destruction and Chaos. Amen."

NORWEGIAN CONSTITUTION DAY

HON. JOHN M. ZWACH

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 21, 1969

Mr. ZWACH. Mr. Speaker, there is a warm bond of friendship and kinship existing between the peoples of Minnesota and the peoples of Norway. Many sons of Norway, and daughters, too, migrated to Minnesota where they found a warm, friendly climate, a climate they had come to know in their motherland.

It is no wonder that Norwegians feel at home in Minnesota and in America. Their own Constitution is patterned after that of the United States, and in Minnesota the Norwegians find the forests, lakes, streams, and bracing climate which was their heritage from birth.

May 17 is Norwegian Constitution Day, the 155th anniversary of the adoption of that document in 1814.

In our Sixth Congressional District of Minnesota, Norwegians are our second most populous nationality, almost 20 percent of our total foreign stock.

In many of our communities, Norwegian Constitution Day is observed in a special way.

I wish to pay tribute to our Norwegians on this day and to mark the event by recording my admiration and good wishes in the pages of the CONGRESSIONAL RECORD.

AT THE SIT-IN FOR PEACE IN ISRAEL

HON. EDWARD J. PATTEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 21, 1969

Mr. PATTEN. Mr. Speaker, with all the concern for peace in the world today, I would like to call to the attention of my colleagues the efforts and dedication of Rabbi Kemelman of the East Brunswick Jewish Center. His remarks follow:

AT THE SIT-IN FOR PEACE IN ISRAEL

(Opening remarks by Rabbi Kemelman)

It is my happy privilege and joy to welcome you all at this Sit-In for peace in Israel and greet you with the most ancient and most modern salutation of peace: Shalom.

We are gathered here today to reflect upon the deeper meaning and value of Shalom. And it is altogether proper that we should meet here, in the comforting shades of this shrine—G-d's temple.

For when we invoke Shalom (and Jews do so three times in their daily prayers, morning, afternoon and night) we utter not only a word, but state a wish, a prayer, a yearning. We make ourselves the recipients of G-d's greatest gift to man: Peace. So precious is peace in the eyes of G-d that when man comes to his most perfect condition, he identifies himself with G-d and calls Him Shalom.

As G-d is harmony and unity, so is peace; "—— —— ——" a condition without which man becomes fragmented, alienated and beastly frustrated. But like many other things in life, words have become abused and adulterated, loss of meaning and loaded with hypocrisy. Perhaps this is why we have a generation gap on our hands: we have too many words without meaning and often use them to obscure truth and purpose. And so modern man may be losing his soul in a Babel of meaningless words.

Words, words, words, but what do they mean?

In Israel Shalom still means today what it meant to the ancient prophets of Israel. It means peace, it means wholeness, Shalom; it means holiness, it means life itself. And they give their lives for twenty years now, to attain it.

But above all, peace to the Israeli, means normal living, in one piece and without threat of destruction. And to him it is such a natural craving, that Shalom is a welcome, a greeting, hello, and goodby. But, alas, to others peace has a different meaning. To the Arabs who say Sallam, it is never used as a communicative word of normalizing relations with their Israeli neighbors.

And there are those outside the area who would impose their concept of peace which would mean nothing more than the fragile cease fire arrangements that have been tried for 21 years and have failed dismally and disastrously.

We have a right to believe that vision will not perish in the land of ancient visionaries; and that the ennobling and humanizing concept of unitive peace and human harmony—envisioned by the shepherd-dreamers and G-d-seekers of old—will be no vanquished dream in the land where prophecy is reality and the miraculous practical.

We have a right to believe that prophecy will not be banished from the land of the prophets; and the people that had seen the darkness of terror and conflict and death for thousands of years will at last see the great light of peace and life and joy. Because if prophecy has no place in its own home and fulfillment is a mockery, what hope is there for the rest of the world!

We have a right to believe that the only city in the world called "peace," Yerushalyim, shall have the righteousness and justice of true and lasting peace for which she is destined. Because if we scoff at her promise and deride the visions of her ancient books what else is left for us!

It is the irony of our times that those who have mercilessly and brutally choked off the free life of Czechoslovakia and have rearmed the Arabs to a capacity of renewed conflict, should now lend their hands to a peace-package which may very well have the wrappings of a Munich. What a strange export-job-of-peace to send to the mountain of the Lord's house, the cradle of vision for universal peace!

Peace is not an imposed arrangement by those who don't even know its meaning within themselves, and by those who know it well for themselves but fail to extend it to others. Peace is a covenant of relationships, a dialogue of communication; it is, in the words of prophecy, "the work of righteousness," for the meek who will inherit the earth. It is in the mutual trust of beating swords into plowshares and tanks into tractors, and by turning the expenses of weapons of destruction into the tools of rehabilitation and redemption. It is in the unitive togetherness that will transform the animal kingdom of man's jungle and close the gap toward youth innocence, when "a little child shall lead them" toward salvation.

Peace is a condition of the heart, a covenant of universal hope and redemption.

G–d who can do miracles and accomplish the impossible, does not undertake to perform the miracle of affecting peace by absenteeism. He is known as the עושה שלום Maker of peace. Even G–d has to work for peace to accomplish it. And those who pretend to do what G–d Himself will not do, those who say that peace can be arranged in ivory glass towers by proxy, and later imposed, remind us of what Tacitus said a long time ago, "Where they make a desert, they call it peace."

And Israel's cry today for peace echoes Jeremiah's despair when he laments: "Peace, peace, peace, and there is no peace." Yet, in spite of everything, deep in my heart I do believe. I believe in prophecy and its fulfillment: "How beautiful upon the mountain are the feet of him that bringeth good tidings, and issues forth peace."

HON. L. MENDEL RIVERS

HON. GEORGE W. ANDREWS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 21, 1969

Mr. ANDREWS of Alabama. Mr. Speaker, at noon today, the Reserve Officers Association held a luncheon for our colleague, Hon. MENDEL RIVERS. This association is one of the most patriotic organizations in the United States. The luncheon was in recognition of the great contribution made by MENDEL RIVERS to the security of this Nation. A telegram was read from our colleague EDWARD HÉBERT. I hope every Member will read the telegram, written as only EDDIE can do. The telegram is included as a part of my remarks.

WASHINGTON, D.C.,
May 21, 1969.

Col. JOHN T. CARLTON,
Executive Director, Reserve Officers Association of the United States, Washington, D.C.:

I deeply regret my inability to be present to pay tribute to my old friend and colleague, truly a great American. MENDEL RIVERS in my book is first and last and always a patriot, a statesman, and a friend. I hope that RIVERS, like Tennyson's brook, rolls on forever.

F. EDWARD HÉBERT.

MEAT AND POULTRY PACKAGING STUDY

HON. PETER N. KYROS

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 21, 1969

Mr. KYROS. Mr. Speaker, I would like to insert in the RECORD at this time, an interesting report recently brought to my attention by Mr. Joseph Benson of E. J. Benson & Associates, food technology consultants, Berkeley Heights, N.J.

Mr. Benson has performed an evaluation of the use of an absorption pad in the packaging of fresh meat and poultry products for the Cellu Products Co. of Patterson, N.C., and the results of his study follow:

USE OF THE CELLU ABSORPTION PAD

E. J. Benson and Associates was retained by Cellu Products Company of Patterson, North Carolina to evaluate the use of an absorption pad in the packaging of fresh meat and poultry products. An absorption pad can be described as a pad consisting of many layers of paper with the capacity of absorbing a large amount of moisture. The pad is manufactured in various thicknesses and dimensions depending upon the product being packaged. This pad is normally placed in the bottom of a pulp or foam tray utilized in the packaging of fresh meat and poultry.

The complete report as presented by E. J. Benson and Associates is available upon request. The following represents a brief summary.

The Legislation being proposed in various cities and states dictates the use of a clear plastic tray with up to 98% visibility. The only allowance is for the label. This, of course, prohibits the use of a meat and poultry absorption pad. It has been found that there are many benefits derived when an absorption pad is utilized, especially, when used in conjunction with fresh poultry. These benefits are primarily for the consumer. However, the retailer and processor will also benefit. The obvious benefits are as follows:

1. The product has a better appearance.
2. The package is free from unsightly moisture (blood and water). This moisture when present frequently ends up on the clothes of the consumer or soaks into the paper shopping bag causing disintegration of the bag.
3. A package free from leakage when there is an unsatisfactory seal.
4. A package that will not have to be re-wrapped by the retailer. The re-wrapping is necessary when loose moisture causes package failure.

The more important benefits are not quite so obvious. These studies have proven that when a pad is utilized with fresh cut-up poultry, it restricts the re-absorption of the juices back into the product. This re-absorption has been associated with spoilage. Under a wide range of storage conditions, shelf life can be extended up to two days. In other words, the poultry will remain edible for an additional two days when stored under proper temperature conditions. The tests run were primarily odor evaluations which have subsequently been substantiated by tests conducted by a government agency. The government agency found that off-odors developed sooner in trays without pads in 19 out of 20 packages. The development of odor also indicates a build-up of bacteria.

There are areas currently being evaluated in an effort to provide the consumer with a better product. The clear plastic legislation is very restrictive and will discourage this type of research.

EQUAL RIGHTS FOR WOMEN

HON. SHIRLEY CHISHOLM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 21, 1969

Mrs. CHISHOLM. Mr. Speaker, when a young woman graduates from college and starts looking for a job, she is likely to have a frustrating and even demeaning experience ahead of her. If she walks into an office for an interview, the first question she will be asked is, "Do you type?"

There is a calculated system of prejudice that lies unspoken behind that question. Why is it acceptable for women to be secretaries, librarians, and teachers, but totally unacceptable for them to be managers, administrators, doctors, lawyers, and Members of Congress.

The unspoken assumption is that women are different. They do not have executive ability, orderly minds, stability, leadership skills, and they are too emotional.

It has been observed before, that society for a long time, discriminated against another minority, the blacks, on the same basis—that they were different and inferior. The happy little homemaker and the contented "old darky" on the plantation were both stereotypes produced by prejudice.

As a black person, I am no stranger to race prejudice. But the truth is that in the political world I have been far oftener discriminated against because I am a woman than because I am black.

Prejudice against blacks is becoming unacceptable although it will take years to eliminate it. But it is doomed because, slowly, white America is beginning to admit that it exists. Prejudice against women is still acceptable. There is very little understanding yet of the immorality involved in double pay scales and the classification of most of the better jobs as "for men only."

More than half of the population of the United States is female. But women occupy only 2 percent of the managerial positions. They have not even reached the level of tokenism yet. No women sit on the AFL–CIO council or Supreme Court. There have been only two women who have held Cabinet rank, and at present there are none. Only two women now hold ambassadorial rank in the diplomatic corps. In Congress, we are down to one Senator and 10 Representatives.

Considering that there are about 3½ million more women in the United States than men, this situation is outrageous.

It is true that part of the problem has been that women have not been aggressive in demanding their rights. This was also true of the black population for many years. They submitted to oppression and even cooperated with it. Women have done the same thing. But now there is an awareness of this situation particularly among the younger segment of the population.

As in the field of equal rights for blacks, Spanish-Americans, the Indians, and other groups, laws will not change such deep-seated problems overnight. But they can be used to provide protection for those who are most abused, and to begin the process of evolutionary change by compelling the insensitive majority to reexamine its unconscious attitudes.

It is for this reason that I wish to introduce today a proposal that has been before every Congress for the last 40 years and that sooner or later must become part of the basic law of the land—the equal rights amendment.

Let me note and try to refute two of the commonest arguments that are offered against this amendment. One is that women are already protected under the law and do not need legislation. Existing laws are not adequate to secure equal rights for women. Sufficient proof of this is the concentration of women in lower paying, menial, unrewarding jobs and their incredible scarcity in the upper level jobs. If women are already equal, why is it such an event whenever one happens to be elected to Congress?

It is obvious that discrimination exists. Women do not have the opportunities that men do. And women that do not conform to the system, who try to break with the accepted patterns, are stigmatized as "odd" and "unfeminine." The fact is that a woman who aspires to be chairman of the board, or a Member of the House, does so for exactly the same reasons as any man. Basically, these are that she thinks she can do the job and she wants to try.

A second argument often heard against the equal rights amendment is that it would eliminate legislation that many States and the Federal Government have enacted giving special protection to women and that it would throw the marriage and divorce laws into chaos.

As for the marriage laws, they are due for a sweeping reform, and an excellent beginning would be to wipe the existing ones off the books. Regarding special protection for working women, I cannot understand why it should be needed. Women need no protection that men do not need. What we need are laws to protect working people, to guarantee them

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fair pay, safe working conditions, protection against sickness and layoffs, and provision for dignified, comfortable retirement. Men and women need these things equally. That one sex needs protection more than the other is a male supremacist myth as ridiculous and unworthy of respect as the white supremacist myths that society is trying to cure itself of at this time.

A HARD LOOK AT THE U.S. TECHNOLOGICAL POSTURE

HON. DURWARD G. HALL

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 21, 1969

Mr. HALL. Mr. Speaker, although I am not an advocate of the Members of Congress involving themselves in the contractual problems of business and industry, and by the same token the Air Force or any other branch of service included, I would like to have the article "A Hard Look at the U.S. Technological Posture," which appears in the Air Force and Space Digest magazine, inserted in the RECORD for all who are interested, in view of the current trends of discussion of times without full and bilaterally objective information.

The article follows:

A HARD LOOK AT THE U.S. TECHNOLOGICAL POSTURE

(By Edgar E. Ulsamer, associate editor, Air Force/Space Digest)

Among paramount Air Force technology requirements are comprehensive upgrading of test facilities, which are "stretched to the breaking point at present," an infusion of about $300 million in advanced development work across the R&D spectrum, more modification of existing weapon systems, a hypersonic follow-on to the X-series of test aircraft, and "greater technological togetherness" of all sectors of government.

These views were expressed recently to Air Force/Space Digest by the Commander of the Air Force Systems Command, Gen. James Ferguson, and some of his principal staff officers.

Rating the national technology posture as "not as good as it should be or could be," General Ferguson said a recent Air Force study of specific areas of laboratory-type technology in need of intensified exploration showed that "$300 million is the sum total—certainly not a staggering amount and only a fraction of what it costs to fight the war in Vietnam for a week—of all the items that we consider productive and worthy of effort over and above what we are according them now."

The Achilles' heel of the US technology effort, in the view of AFSC, however, is the inadequate condition of US test facilities—a matter of concern not merely to the Air Force but to all components of the Department of Defense, as well as NASA, other government agencies, and industry.

In this area "we are literally stretched to the breaking point. We are using facilities that go back to Peenemünde [the German World War II missile center]. We had to put protective barriers around some of the compressors so that if they disintegrate, they won't injure everybody in the vicinity," General Ferguson explained.

The current test-facility crisis centers on large and costly aerospace facilities involving test ranges, scientific laboratories, space chambers, wind tunnels, shock tubes, instrumented aircraft, computerized analysis, advanced reentry vehicle test tools, and synthetic battleground test capabilities. Planning and constructing such facilities involve a five- to ten-year lead time. These facilities are the incubators and the ultimate pacing factor of future technological advance, according to General Ferguson, and should be viewed by the government as "capital investment" to assure this country's "continued ability to operate profitably and compete effectively."

What is needed, in General Ferguson's view, is the same kind of vision and boldness as the late Dr. Theodore von Kármán displayed in 1945 when he campaigned for a Mach 3 wind tunnel and associated test facilities, which turned out to be the very foundations of today's technology but which were derided at the time by the sceptics as extravagant and unnecessary.

"We need the willingness to support technology by exploring the unknown, to build something that isn't necessarily in direct support of an approved program. We need to do this not only for the sake of progress but because there are other people in this world who are doing just that. The probability is great that they eventually will force a breakthrough of immense usefulness . . . and we will have to cope with the full lead time to catch up," General Ferguson said.

The need for improved and modernized test facilities, to a large measure, hinges on cost considerations. The inability to test the C–5's engine, the TF39, in that portion of its performance envelope ranging from sea level to 5,000 feet because existing wind tunnels were inadequate for the massive airflow requirement, made it necessary to use a modified B–52. This was not only costly but also disadvantageous because a much greater volume of data can be accumulated in a single hour of test cell operation than is generated by days of flight testing. (Similar test restrictions apply to the General Electric GE4 engine, slated to power the SST.)

The lack of adequate wind-tunnel facilities to test up to Mach 24, for instance, escalates costs of hardware like the Advanced Ballistic Reentry System (ABRES). In place of relatively inexpensive ground simulation, actual test firings are required during the preliminary phase of the program.

The absence of wind tunnels capable of testing V/STOL aircraft in all modes of operation, in the view of General Ferguson, explains in part why fifty-five different prototypes were built in the past few years, "all without sufficient success to justify production." A similar condition prevails with regard to WS–120, the proposed advanced ICBM, which is complicated by the absence of adequate rocket test cells.

Savings achieved by shortchanging the test facilities program may well prove penny-wise and pound-foolish. The Air Force believes, for instance, that the absence of advanced dynamic simulation facilities to test landing gears extracts a price substantially higher than the cost of building such an installation.

THE PROBLEM OF NATIONAL TEST FACILITIES

A number of special circumstances complicate, as well as intensify, the problem of national test facilities, according to General Ferguson. There are indications that Soviet efforts in developing sophisticated test facilities are progressing rapidly. The implication is, as he told the Preparedness Investigating Subcommittee of the House Armed Services Committee, that "the Soviets intend to develop new systems advanced enough to require these facilities . . . by itself a provocative realization." He added, "We must also recognize that Soviet development-to-development lead time will be effectively shortened, [for] facilities in their economy as in ours are long lead-time items, indispensable to the timely development of new systems."

He urged, therefore, an "imaginative, comprehensive, long-range plan for the design, development, and acquisition of those facilities that will be needed to provide the critical simulation environments, dimensions, and time durations for future systems. I feel such a plan is needed, just as surely as such facilities will be needed, and it must be national in scope."

"It occurs to me that when the nation has to spend $50 million or more per facility [about $100 million for a wind tunnel to test engines of up to 60,000 pounds of thrust], then we should have a plan that spells out in order of priorities where and how the nation should allocate these funds," General Ferguson said. He added that an integrated facilities program should be formulated on an interagency basis to reflect the government-wide utility and national resource character of advanced test facilities. AFSC presently administers test facilities and laboratories representing a capital investment of $1.5 billion. Total DoD facilities are valued at $2.2 billion, while the government-wide total represents an $11.2 billion investment.

General Ferguson advocated expansion of the concept of "technological togetherness" to include the aerospace industry in the sharing and development of test facilities. Without questioning industry's need for, and right to have, test facilities of its own, or proposing that "we should confine ourselves to just one facility of a kind in the nation," he suggested that "maybe we have gone too far in building separate facilities [in industry], for in the final analysis it is the government which directly or indirectly pays for them."

He, therefore, proposed that more government facilities be made available to adequate rates to industry, a practice already in effect with regard to some AFSC installations which are industrially funded.

"I can't see any other way of providing these massive facilities which have a primary defense orientation but also furnish invaluable service for the civilian sector," he said. "If you had to test, say, a 100,000-pound-of-thrust jet engine for a future commercial jet transport under ambient conditions," General Ferguson said, "the task would be colossal for industry to undertake on its own."

"Yet, if the company with such a need were to participate in extending our facility at [the Arnold Engineering Development Center in] Tullahoma, Tenn., I would think that we have a situation that is very much in the national interest. We have a precedent of sorts—although not with the private sector—because NASA paid $4 million toward extending the AEDC wind tunnel to test the upper stages of Saturn, with the result that both its own and the Air Force's capabilities are enhanced."

Other AFSC test facilities which also were used for non-DoD purposes are, in General Ferguson's words:

The 15,000-foot instrumented runway and excellent weight and balance facility at Edwards AFB, Calif., have been made available in support of the DC–8, DC–9, 727, and 737 jetliner certifications.

At the Inhalation Exposure Facility of our Aero-Med Laboratory, technicians are studying the implications of long-term exposure to common chemicals threatening pollution to the atmosphere. The findings of these studies will be applied to the federal standards being set for "clean air."

That same lab's Bio-Acoustic Research Facility is measuring possible effects of the sonic boom on communities, and collaborating with other federal agencies in auto crash research.

And at the Cape, Air Force tracking equipment has been used to track commercial communication satellites from launch to orbit.

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General Ferguson stressed that parochialism has no place in orchestrating a national test facilities program, and that management of a given government facility should be exercised by the primary using agency. "This approach works well between us and NASA. For instance, NASA ran tests for the Air Force on the F–X effort; is now testing the F–111 in Sunnyvale, [Calif.]; and will be working with us on the F–15. NASA, of course, was also involved in the C–5 program, and will be in the F–12 effort," he said. As far as DoD's plans for test facilities are concerned, an *ad hoc* committee representing the three services is currently preparing a list of specific requirements for the 1970s.

THE NEED FOR POOLING TECHNOLOGY

Pooling of technology on a nationwide basis as a means of streamlining and also reducing costs in the R&D area was stressed by General Ferguson. The Air Force and NASA, the General pointed out, have held intensive discussions on "where we go from here, in space, for instance. . . . We expect to distill our common goals, determine what technologies are needed to achieve them, and decide on who has the best capability to undertake individual jobs." Among these goals, he said, "is the key to the future in space, the ability to shuttle back and forth between the ground and orbiting space vehicles, which requires exploration of new reentry methods and new hypersonic vehicles."

General Ferguson explained that in addition to the HL–10 and X–24 subsonic lifting-body vehicles currently under test, there is the need to develop hypersonic vehicles in the form of a new family of X-series aircraft. "Perhaps we don't need as many as we had before, but there is a categoric need for a follow-on effort to the X–15 beyond the small, inexpensive proposal that we have submitted jointly with NASA. But we should launch such an effort to explore the hypersonic performance envelope, even if it isn't tied to a specific program but rather as an insurance policy against technological surprise."

Intensified cooperation, he said, should also extend to such agencies as the Department of Transportation and its Federal Aviation Administration. General Ferguson said he planned to discuss with FAA Administrator John H. Shaffer the civilian potential of a number of Air Force projects, such as the long-term promise and "great national importance of the communications-navigation identification [CNI] project." Both military and commercial aircraft are overburdened at present, General Ferguson explained, with the "black boxes" which perform the CNI functions. The Air Force CNI system concept envisions a combination of satellites and ground computers with only one black box, weighing about fifty pounds and miniaturized into one cubic foot of space aboard each aircraft.

Aircraft incorporating this kind of equipment "could be under continuous air traffic control, and could, in all weather, without recourse to conventional ground and air navigation, determine their absolute position within 600 feet," an obvious boon to both military and commercial airspace utilization. Other promising technology areas with a civilian spinoff potential include heads-up displays, advances in electro-optical systems, and lightweight instrument landing systems (ILS).

General Ferguson said he felt that there are opportunities for "joint ventures" such as examining and treating the Air Force's Light Intratheater Transport (LIT) project "right from the outset in the light of both its military and civilian utility" (*see AF/SD, July '68, "LIT—Flexible Airlift for the Front Lines"*). Because of the LIT's proposed size, range, speed, and payload—which coincide closely with the commercial requirement—General Ferguson said, "I think both the military and the civilian applications can be worked out without compromise to either side. This, of course, doesn't mean that the military aircraft should be built to civilian specifications or vice versa. But perhaps it might be possible to build a military fuselage and civilian fuselage, or different wings."

The very least that suggests itself in terms of commonality, he added, is "a joint program involving the prototype from which either side can evolve its own final design." This, he said, applies also to the avionics system. "Obviously, LIT illustrates the opportunity for joint approaches and the concomitant substantial economies that could be realized," he said. "Without attempting to express a new national philosophy," he continued, "it seems to me that we could share in the funding" of such an effort. The Department of Transportation, General Ferguson suggested, might well be the agency to arrange the civilian aspect of the program, while DoD could be charged with "working out the military side of the bargain." He pointed out that the airline industry has already proved its willingness to advance money toward development of an aircraft deemed necessary. This has occurred in the US SST program, which is in part funded by the airlines.

FLEXIBLE DESIGN AND DEVELOPMENT CONCEPTS

Historically, there has been a tendency toward stereotype, or, as Dr. John Foster, Director of Defense Research and Engineering, put it, "procrustean rather than innovative" approaches to the design, development, and procurement of sophisticated weapon systems. In General Ferguson's view, the inherent problem has been one of pendulum swings from the extremes of full hardware development on the one hand to all paper studies on the other. "Neither is necessarily a correct approach. The idea is to stop the pendulum somewhere halfway," he said, with the result that AFSC advocates in certain instances a concept formulation combined with hardware development or "competition with hardware" policies.

"The approach, of course, must vary depending on what it is you want to undertake, but there are a number of programs about to be launched that are amenable to the prototype approach," he said. Systems Command feels that these projects require carrying the development beyond the paper study to the point of proving out critical components, a combination of components, a new technology, a new material, or an entire system, General Ferguson pointed out.

"It is no more than good business to make sure that the $5 billion or $10 billion you spend on a major weapon system results in a product that gives you the longest life and the greatest productivity. This means taking a modicum of risk and making a moderate investment early in the program to assure that what you will produce at many times the cost and effort of the R&D phase will do what you want it to do, in a manner you want it to, and at a price you are willing to pay," General Ferguson emphasized.

He pointed out that SCAD (the subsonic cruise attack decoy) lends itself to "full prototype flyoff involving two or more contractors." The Light Intratheater Transport, he said, is also being examined with an eye toward the prototype approach, especially with regard to such sophisticated techniques as "stowed-rotor technology where we might want to test out several individual designs."

General Ferguson and his staff experts rated the temptation of dogmatic approaches and the "blind adherence" to one form of contracting and acquisition as the principal pitfall of the national R&D effort. The tendency to seek "panaceas" has encouraged total negation of "whatever previous approach you might have taken. As you eliminate what you consider a faulty element of your tactics, you are apt to discard all the good points along with it," one AFSC staff officer stressed.

The emergence of the initial-development concept as a prudent approach in certain cases, therefore, should not sound the death knell for total package procurement or any other technique. Nevertheless, General Ferguson feels that during the past eight years too much preference has been given the "paper-study" approach. "If you analyze the total costs of an intricate system, premised on a data base that is not validated, and compare them with one where you have proved out the more demanding hardware aspects, more often than not you will discover that the latter is the cheaper and more efficient route to go," General Ferguson said.

"In the long run, it generally costs less to go slow in the initial program phase by uncovering technical difficulties, by solving them, and by eliminating the need to make changes downstream in the program when the price for change is much higher," he said. The political advantage of the study approach, of course, is that the initial costs are low and easily defensible in terms of fiscal policy.

General Ferguson cautioned that "we can't go back to the approaches used in the past when we were able to build, either in prototype or production form, thirty-three different fighter airplanes within a decade. The complexity and cost of modern systems make this impossible. But we must get back to a level of hardware activity where we can keep the irreplaceable design teams alive. We must intensify efforts to modify the current family of systems, especially aircraft, and periodically produce something that is clearly a step beyond what we have in service today," General Ferguson said.

General Ferguson emphasized that the French aircraft industry has shown exceptional resourcefulness and ingenuity in using modification of existing aircraft as a means to beget "whole families of aircraft, something on the order of what the US automobile industry has also been able to do."

Dassault, he said, "very cleverly paralayed" the original Mirage prototype into a nuclear bomber, a VTOL fighter, and a number of aircraft, by altering engine arrangements, using different wings, including variable sweep, while retaining a cohesive "family resemblance" in all of them.

"Whenever they had a system that was proved out, they didn't start from scratch but used it in the next model, often simply scaling to the new requirements. The French now have a range of aircraft that enables them to sell one type of plane to the Israelis, another one to the Peruvians, and a supersonic swing-wing version to the Japanese, all traceable to one prototype that has been incrementally improved and carried forward for over a decade," he said.

The United States, by contrast, General Ferguson said, has done "very little with modification as a means to add to our inventory or our store of knowledge. . . . With hindsight, it would seem that we should have done what the Russians did, such as experimenting with swinging just the outboard half of a variable-sweep wing. We also might be further along if we had prototyped existing aircraft for more intensified work on variable camber, of the type which we plan to incorporate in the F–15," he said.

THE C–5—MISUNDERSTOOD AND MALIGNED

While not a categoric advocate of the total-package procurement concept, General Ferguson defends the performance of this approach in regard to the C–5 Galaxy without reservation and "without need for being protective or defensive about it. . . . Anything we have done in conjunction with this program," he stressed, "we are perfectly willing to go over step by step with any responsible group. The C–5 program is both very much misunderstood and maligned."

From the very outset, the AFSC Commander stressed, the contract defined clearly through a specific formula that the government would make accommodations deemed necessary in conjunction with inflation, increased prices on the subcontractor level, competitive factors involving the suppliers as induced by the Vietnam requirements, and high engineering risks. "Therefore, we provided for a contract step between production run A and run B [first and second half of a total initial buy of 120 aircraft] to look at our experience, our real costs in engineering man-hours, and what really happened in the country as far as inflation is concerned and compare them to our original forecasts," he said.

While this phase has not yet been reached, the actual cost increase, over and above the increase induced by inflation and covered by the inflation clause, "is about ten percent above our forecast, and not 200 percent as claimed" in Congress and by the press, he pointed out.

In conjunction with the six-month slippage of the C–5 program (*see AF/SD, April '69 "Such a Nimble Giant"*), he said there has been a general overemphasis of "the sanctity of the IOC [Initial Operational Capability]" not just concerning the C–5, but other weapon systems as well. "It is much more important to create something that is reliable and based on solid engineering design before you commit yourself, and have something proved and useful when it does get into the inventory, than to meet a deadline set several years ago," he said.

General Ferguson made clear that the Air Force plans to continue to stress the utility and capability of the system to be acquired in all its procurement efforts, in conjunction with hard looks at IOC. "That way," the Commander of Air Force Systems Command said, "you are ahead in all respects."

CAMPUS FIDGETS

HON. ROBERT N. C. NIX

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 21, 1969

Mr. NIX. Mr. Speaker, I appeared on the KYW–TV program "Pennsylvania Opinions." On that occasion, among other things, I reemphasized the fact that I am in thorough accord with the use of one's constitutional right to protest lawfully, to express his or her views, although they may differ from some others in our society, but I condemn the use of force that exceeds the limit of legality.

The vast majority of the people in my district, which is located in the city of Philadelphia, are in complete accord with my views.

I have received a communication in the form of a poem, entitled "Campus Fidgets," by Samuel Bakove, which I wish to incorporate as a part of my remarks. I hope that my colleagues will benefit from the sentiments therein:

CAMPUS FIDGETS

(By Samuel Bakove)

Nicholas "Miraculous" Butler, Columbia don,
Now long gone,
Stirred in his grave.
He vowed to save the sanctuary
On the Heights
From the adversary
Of academic rights.
The wind breathed low, the sky was hid,
As if by a lid.
The prexy felt—
As T. Roosevelt had held—miraculous; transmuted:
Stony-eyed, gritty—
Nature's laws confuted—
He traversed the city.

He heard the turbulent Hudson roar,
And thought of the Stygian shore—
The Styx, river of hate,
And Charon's freight of dead souls
Ferried to infernal places.
Alas! what are the goals
In this strife of the races?

Half-blinded by neon-bright Broadway,
He wended his way
To the campus,
Where the rumpus had reached its height.
Perched on an urn,
He discerned rays of black light,
And heard: "Burn, baby, burn!"

The Urns of Morningside held their open cup
Symbolically pointed up,
Though walls of learning
Were now burning and the drooping
Ivy, rain-soaked, wept.
Our don, throughout the raucous trooping,
His temporal vigil kept.

"O tempora! O mores!" he intoned.
A cold wind moaned
The fate of Alma Mater
Impelled to barter her quintessence
For distress,
Compelled to learn the lessons
Or racial stress.

Betwixt Scylla, the treacherous rock, and
The whirlpool Charybdis, like quicksand,
The University seemed doomed.
Then loomed, in the corridor of time,
As thought through fate,
A harbinger of a newer clime:
"Love's stronger than hate."

Old Miraculous thundered,
As all wondered:
"Columbia is wholly alive!
We'll strive to keep pace
With the rate
Of progress. Brothers, embrace
And relate."

"Subdue the black-power crew!" he harangued.
"Smash the white back-lash!" Someone banged
The door of tomorrow.
To his sorrow, all hell erupted.
Stormy petrels, black-and-white, thronged
And screeched uninterrupted:
"We've been wronged! We've been wronged!"

He lumped—his heart arrested,
As they wrested
Words like "freedom", "justice", "truth".
Idealists, forsooth! belching volcanoes that harden
The soil and cause decay.
But the sea-tide won't beg your pardon,
Nor the hurricane inquire the way.

In truth . . . extremists are not the epitome of our youth.

STRAIGHTENING THE RECORD

HON. FRED SCHWENGEL

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 21, 1969

Mr. SCHWENGEL. Mr. Speaker, the editor of the Tipton Conservative, Mr. Herb Clark, has pointed out that our effort to correct the record with respect to the pork industry has not been entirely successful, at least with respect to production figures.

Mr. Clark's editorial follows:

PORK CENTER

The argument as to who raises the most hogs is a long way from settled. During an hour-long tribute to the hog by Congressman Fred Schwengel, Congressman Paul Findley of the 20th Illinois district inserted into the Congressional Record of April 22 a series of stories from the Pike County Press of Pittsfield, Ill., asserting that Pike county, Illinois, is the "Pork Capital of the World," having produced 100,000,000 pounds of pork in 1968.

Mechanicsville, basing its claim on pig production of Cedar county, has long proclaimed itself as the "Pork Center of the World."

Pike county admits that Henry county, long considered the biggest pork producer in the world, raises more hogs than any other county. Then quoting some misguided characters—Walter Delhart, Lawrence Smith and Winifred Dean—it is claimed that the only Iowa competition is from Clinton county.

We don't think that Fred should let this kind of heresy go unchallenged. Last year it was Delaware county that was first in Iowa in hog production. Cedar county was second, Plymouth county third, followed by Washington, Johnson and Clinton counties.

Cedar county has always been one of the great hog producing areas, as had Washington and Johnson counties, all of which are in the First Iowa Congressional district. Clinton county, while it produces hogs, isn't really in the same class as Cedar.

Mechanicsville's claim as "Pork Center of the world," based on intensive hog production on the farms of Dayton and Fremont townships—and the rest of Cedar county—is certainly as valid as the claim of Pike county Illinois.

All we want is to have the record—the Congressional Record—set straight on this matter, even if we may be accused of being a bit "piggish" about it.

NEW STANDARDS OF JUSTICE ON THE CAMPUS

HON. ROBERT N. GIAIMO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 21, 1969

Mr. GIAIMO. Mr. Speaker, a dangerous concept is evolving on some of our college campuses today. It is apparent by the actions of some students and faculty members that they think they are above the law. It is apparent that they think the university is a haven from the responsibilities of society. It is apparent that they think academic freedom can be used as a license to hate, disrupt, and destroy.

It is ironic that college students, who decry the violence, hate, and dual standards in society in general, are apparently willing to support and condone it on their own campuses. It is disturbing that the college campus, the place where one would expect to find a deep commitment to equality and justice, is becoming a spawning ground for an obvious dual standard of justice.

In a speech before the Connecticut Jaycees' State convention on May 10, I discussed this issue in greater detail, I

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would like to include the text of that speech in the RECORD at this point:

Speech of Hon. Robert N. Giaimo, U.S. Representative, Third District, Connecticut, at the Connecticut Jaycees' State Convention, Bridgeport, Conn., May 10, 1969

No words ever written were more symbolic of the ideals of this Nation than the simple phrase "Equal Justice Under Law."

Unfortunately, we in America have never achieved this ideal. Slowly, ever so slowly, we have attempted to surmount the obstacles of hate, fear and corruption, but we have not yet reached the summit of true equality under law.

We do indeed have dual standards of justice in America; standards which treat black one way and white another, rich one way and poor another, influential one way and unknown another. This, ladies and gentlemen, must be corrected. The law must be equal in its application, equal in its enforcement and equal in its compassion. Without equal justice we are hypocrites; with it we are the greatest Nation the world has ever seen.

We have always felt that the young people of America would be the ones to make this noble concept a reality. We have always felt that the leaders of tomorrow would do what the leaders of today could not. Therefore, it deeply disturbs me to note that a new dual standard of justice is evolving on the college campus, a standard which is just as dangerous and just as hypocritical as any we have had up to now. I am disturbed because the college campus is the place in which we should expect to find the deepest commitment to truly equal justice for all.

It has become apparent that certain students and faculty members think they are above the law. It has become apparent that certain elements on campuses throughout the country are treating academic freedom as a license to hate, disrupt and destroy. It has become apparent that certain people believe that the campus is a haven from the responsibilities of society.

Let me make it clear that I am not speaking as a reactionary. I am not saying that colleges must be ruled with an iron hand. I am not saying that students should not have a greater say in the administration of a college. I am not saying that too many college administrators are not overly resistant to change at a time when change is all-important. What I am saying is that in order to be responsive to the needs of society, a college must be responsive to society itself. The people who call for relevance and responsiveness must realize that responsiveness is a two-way street. A college cannot hide from the responsibility of society in an academic shell, coming out only when its purposes are suited.

The mass media, unfortunately, has treated much of the campus unrest in this country as a struggle of students against the so-called establishment. They are either failing to notice or failing to mention the obvious dual standards of justice.

Let me cite some examples. A black man in the ghetto has only to talk back to a police officer and chances are he will be arrested. Yet a black student can arm himself and hurl obscenities at fellow students, administrators and the police, knowing full well that he will be protected by cries of "amnesty" and "academic freedom." Isn't this a dual standard?

What if you went downtown, took over an office and destroyed much of its interior? You would be arrested quickly, I am sure. Yet the same thing is being done in college offices throughout the country almost at will. Isn't this a dual standard?

Suppose you went to a luncheon meeting and disrupted it by pushing the speaker off the platform and threatening the audience. Wouldn't you expect to be arrested? Yet on some campuses the same disruptive tactics are being used to stop teachers from teaching and students from learning. According to their supporter, however, these people are only exercising "academic freedom" Isn't this a dual standard?

This, ladies and gentlemen, is sheer hypocrisy, practiced by the very people who decry hypocrisy in society itself. The ill-named students for a democratic society resort to tactics which are the antithesis of democracy. The black power groups use methods which are even abhorrent to most of their black brothers.

While these activities strike at the concept of civil law as we know it, I believe that they are only symptoms of a crisis in attitude on our college campuses, in the midst of this turmoil, many of us have actually forgotten the real purpose of a university.

In a recent New York Times article, William V. Shannon wrote that the purpose of a university is "to transmit knowledge and wisdom and to enhance them by research and study. It is not a forum for political action. It is not a training ground for revolutionaries. It is not a residential facility for the psychiatrically maladjusted. It is not a theater for the acting out of racial fears and phantasies . . . reason and civility are essential to its very nature because its aim is truth, not power."

I submit that many of our campus difficulties have come about because of our failure to remember what a university should and should not be. It is time to restate this purpose and adhere to it. It is also time for the students themselves to comprehend what the violence and disruption is doing to the goals which they are rightly seeking. It is time for them to realize that their legitimate grievances will never be resolved this way. It is time for them to see that many sympathetic individuals are rapidly becoming disgusted with the actions of a few, and are losing faith in all college students.

For instance, many college students claim that they are treated like children I am sure that this claim is often justified. Yet students do not show their maturity when they scream "give us what we want or we will destroy this university." As Shannon put it, these radical students "clamor for instant solutions which do not exist and throw violent tantrums because they have never learned to fear real consequences or to postpone immediate gratifications for greater benefits later. Like earlier misfits they will have to work out their own lives as best they can. It is not the university's responsibility to babysit for them."

A mature adult knows he will not always win, that he will not always get his way. A mature adult knows that he must compromise with those of differing viewpoints. I believe that in order for a student to be treated like an adult, he must act like one. Most students can and should be treated this way, but once again the actions of a few are spoiling things for the overwhelming majority.

There are many other examples of the selfishness and mindless dissent of the new left. For instance, college students have often been the most vocal defenders of the concept of individual and minority rights. Yet many of these rights are being denied others by students themselves. If a student wants to enroll in a voluntary ROTC program on campus, why can't he? If a student wants to talk to a military recruiter on campus, why can't he? If a student wants to question an official of Dow Chemical Company on career opportunities, why can't he? If a student wants to hear the Secretary of Defense speak on his campus, why can't he?

The concept of individual and minority rights goes beyond Vietnam, beyond the "military-industrial complex" beyond the so-called "racist society" theme. It is the basis of all freedom stands for. But again it is a two-way street. The vocal and irresponsible minorities on campus are quick to scream that they are being denied their rights, but they are just as quick to deny these rights to others.

Another aspect of the trend toward irrational thinking on many campuses is the cry of black students for separate courses and separate dormitories. While it is important for the black man to have pride, while it is important that he and others learn about his history and culture, it is totally absurd for him to demand a curriculum which has no relevance to today's society. What sense does it make for a black American who is deficient in English to demand a course in Swahili? How will this help him win the equality he seeks in America?

Bayard Rustin, who is certainly no standpatter in Civil Rights matters, pointed to this very thing recently when he called on college officials to "stop capitulating to the stupid demands of Negro students . . . and see that they get the remedial training they need.

"What the hell are soul courses worth in the real world?" Rustin asked. "In the real world no one gives a damn if you have taken soul courses. They want to know if you can do mathematics and write a correct sentence."

As to the matter of separate dormitories, I say that it is high time we decided what is right and what is wrong in matters of race. If white racism is wrong, black racism is equally wrong. If segregation is wrong when practiced by whites, it is equally wrong when practiced by blacks. Black men have fought for 300 years for integration. It is ironic that their quest is now being imperiled by confused black militants.

Thus we are confronted with a problem of major proportions in our colleges. I maintain that these radicals, both independently and in concert, may well destroy the system of higher education in this country. I do not care who, if anyone, is behind them; I only care what they are doing to their fellow students, to the campuses and to this country.

I believe that most responsible "activist" students and professors realize what is being done to their causes by these violent minorities. Unfortunately, few of them seem willing to seek solutions to the problem. In too many cases the faculty, out of fear and indecision, has undercut responsible decisions by administrators. Time and again, at such places as Harvard, Cornell and San Francisco State, positive steps to eliminate the violence and its causes have been negated by supposedly intelligent professors.

Shannon perhaps best expressed the reasons for this when he wrote, "These simple truths ought to be clear to faculty members. But in several recent confrontations, many members of the faculty have been with those who would subvert the university. This should be no surprise. Professors are unaccustomed to exercising power and are uncomfortable with the hard choices which power entails. As a result, on even the greatest university campuses, the faculties have in time of decision been irresponsible. At Harvard and elsewhere, they have second-guessed their presidents and deans when they should have rallied firmly to their support."

I have so far mentioned irresponsible students and indecisive faculties as contributors to the mess in which universities find themselves today. I cannot, however, exclude administrators from a share of the blame.

There are too many college officials who are insensitive to all demands, whether or not they are legitimate. These officials, who try to run a university as if it were a boarding school, are asking for trouble. They do not

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leave room for discussion; they do not leave room for compromise; they do not allow the student any say in the decisions which will affect his life. It seems to me that these administrators, who are again only a minority, must climb down from their ivory towers so they can hear what their own students are saying. For it is obvious that at least part of the problem is the result of a lack of meaningful communication.

While the reasons for campus unrest can usually be found on the campus itself, we must remember that we ourselves have been at fault. Too many of us have shown a lack of faith in our students. Too many of us have equated those who would change with those who would destroy. Too many of us have refused to admit that our students are mature, are concerned and are willing to work to improve society. The aspirations of our students are noble, but without our faith, trust and assistance, they can never be achieved.

It is time, therefore, for all of us to end this age of confrontation and to begin instead an age of reason. It is time for the so-called apathetic majority of students to wrest power from the radical left who would destroy them and all they stand for. It is time for the learned professors to back the administrations in working for an end to violence and disruption. It is time for all administrators to foster a sense of involvement among their students rather than to stifle it. Above all, it is time for all of us to reaffirm the belief that segregation, hate, intimidation and violence have no place in college or in America.

I have heard that today's student's want to get involved. I have heard that today's students care. I have heard that today's students want to complete the unfinished business of this society.

I say it is time for them to start doing just that, here and now. I say they must replace violence with reason, insanity with sanity and hate with love on their own campuses before they can do it throughout the world. For the campus is their proving ground. If they cannot save their university, they cannot save society. If they cannot accept this challenge now, they will be unable to accept the greater challenges which lie ahead.

It is up to them, ladies and gentlemen, but it is also up to us, for they are watching us to see what we can do. I believe that we can make this a better society. I believe we can have equal justice. I believe we can become the kind of Nation that these idealistic students want.

Let us resolve, therefore, to do what we can, as professional people and concerned citizens, best do. Let us reaffirm our commitment to equal justice for all. Let us strive for equal justice in the courtroom, in the Congress and in the classroom.

But at the same time we must speak out on those things which we believe are tearing apart our academic communities. We must tell these young people that though they may disagree with certain laws, they are obliged to obey all laws. We must tell them that such conduct is necessary for the survival of society itself and that without it we will have anarchy.

We must remind college faculties and administrations that the extremist is not easily appeased. We must remind them that concessions made in an atmosphere of fear and threats will only lead to more impossible demands.

Finally, we must state in the strongest possible terms that by closing our eyes to violations of the law we are only encouraging more violations. We must enforce the law equally, my friends, in the ghetto, in the suburbs and on the campus. We must do this not to suppress academic freedom but to save it.

We must begin these tasks right now, ladies and gentlemen, so that when we give this world to the leaders of tomorrow we can truly say, "we tried our best today."

LAW DAY, U.S.A.

HON. JOHN DOWDY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 21, 1969

Mr. DOWDY. Mr. Speaker, I would like to insert a speech by a Lufkin, Tex., attorney, the Honorable George Chandler, which was delivered on Law Day to the Lufkin Rotary Club. I think Mr. Chandler's speech is worthy of recognition, and I incorporate it in the Extentions of Remarks as follows:

[From the Lufkin (Tex.) News, Apr. 22, 1969]

LAW DAY, U.S.A.

It is indeed a pleasure to be asked to speak to you again about "Law Day, U.S.A." I especially welcome this opportunity because it gives me another chance to share some thoughts that I have about my favorite subjects—the rule of law and America.

May Day has been celebrated for over 2,000 years. In ancient Rome it originated as a joyous festival to commemorate the coming of spring.

In our twentieth century, May Day has assumed a strange and sinister spectacle. Communism has set May Day, or May 1st, aside as the day for their annual review of their weapons of destruction. Thus, Thursday, May 1, 1969, May Day, will be observed in the Communist countries by the ominous tramp of marching feet passing in military review, the clank of massive tanks rolling through Red Square and the whistling screams of jet bombers overhead.

It is particularly significant that we have chosen May 1st to celebrate Law Day, U.S.A. The President of the United States of America together with Congress has set aside May 1st as a day for all Americans to remind themselves of the blessings that flow our way because of our government of law.

The contrast between the rule of law and the rule of men is vividly portrayed in the respective observances of May Day by the United States and the Communist world today. The Communist flaunt their military might and think in terms of world destruction. Americans quietly pray their tribute to the rule of law and for peace among mankind.

This day has been set aside for Americans to re-examine the tremendous privileges that we enjoy as a free country. You know we are blessed with more luxury and more things of life than any country that has ever come before us. I would like to share with you some facts that I discovered while doing some recent reading relative to the privileges of Americans.

First, imagine that all the people on this planet lived in a town called World. Although the actual world population now stands at 3.3 billion, we will reduce this large number to 1,000 people for our imaginary town. Doing so sets up some interesting comparisons:

In the town of World as a whole, 305 persons are from the Western Hemisphere and 695 are from elsewhere.

The Western Hemisphere controls approximately 70% of the total wealth produced by World's farms and industries.

Of the 1,000 people in World, 60 persons are Americans; 64 are Russians; and 225 are Communist Chinese.

The 60 Americans have nearly half the total income of the town. The other 940 persons share the other half.

The 60 Americans have an average life expectancy of 70 years. On an average, all others can expect to live less than 40 years.

The Americans have 10 times as much to eat per person as all the rest of the people.

The 60 Americans use 10 times as much electric power as all the rest of the people in World; 20 times as much coal; 21 times as much petroleum; 30 times as much steel; and 30 times as much in general equipment of all types.

Many of the non-Americans in World are literally hungry, sick, uneducated and poor. More than 400 cannot read or write. About 800 average 2,150 calories a day—barely adequately to keep them alive. Moreover, while food production in World increases 2.2% each year, food consumption each year goes up 3.5%.

Of the 1,000 people in World, about 320 live on land that is controlled by Communism.

Thus, we Americans enjoy the highest standard of living ever achieved by mankind. Let us ask this question. Why is this so? Is it because we were blessed by the good Lord with the World's greatest natural resources?

In making some research in the "World Almanac," I find that the United States by no means has a monopoly on the world's natural resources. We think of natural resources as contributions to the wealth of a country, but let's look at these facts:

The greatest oil resources are found in Transylvania, Arabia and Persia.

The best coal mines on the earth are in the Saar Territory.

Most of the gold is found in South America and South Africa.

The United States does not have but one small diamond mine, yet the people of the United States own 78% of all the cut diamonds.

England still has the best of all iron ore.

Many countries have as rich land as ours. The most fertile land found in the world is a 2000 mile strip found along the Yangtze River in China.

Argentina has more cows per person than we do in America.

The rain forests of South America have more potential timber than we do in America.

Thus, we can see that it is not because of our natural resources that explain how America has achieved the greatest standard of living known to mankind. Thus, let us consider the question how did America accomplish it? As I have mentioned earlier, May 1st is used by the Communist countries as a day to parade their military might and unveil their newly designed weapons of mass destruction. In a sense, we too have chosen to use the First day of May to unveil America's greatest weapon. The question as to how America has achieved the greatest standard of living known to mankind and its abundant freedom is answered when we unveil America's greatest weapon.

America's greatest weapon is a weapon that was first unveiled in 1776. This weapon was demonstrated for all the world to see on the slopes of Bunker Hill. America's great weapon that holds the answer to America's success has been revealed time and time again to the world.

It was revealed and demonstrated to the world by 185 brave men at a tiny Mission called the Alamo. It was demonstrated again at the bloody drama that was the Little Big Horn. It was demonstrated by those brave Rough Riders in the mountains of San Juan. It was again demonstrated on the rolling green hills of Gettysburg.

America's greatest weapon was shown in the bloody real estate that was Argonne Forest. America's great weapon has been demonstrated at such strange sounding places as the sandy beaches of an island called

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Guadalcanal. America's weapon was demonstrated by a group of heroic United States Marines who raised America's flag on the mountainous slopes of Mount Surabachi on a remote island in the South Pacific called Iwo Jima.

America's great weapon was demonstrated on the beachheads of Normandy and rocky terrain that was Korea. America's great weapon is demonstrated this very hour for all the world to see in the rice paddies of Vietnam.

America's great weapon that holds the answer to our success is not a classified document nor a disguised plot to take over the world. It is not stored in a safe in the bowel of the Pentagon or behind walls of barbed wire. This great weapon is being demonstrated all over the world by Americans every day in schoolrooms, hospitals and Church Missions. America's weapon is demonstrated in our homes, and in our schools. It is demonstrated in our Churches and in our Temples, in our universities and our Courts, in our elections, in a free press and in all the institutions of our free society.

America's great weapon is even found in this very room. Our great weapon is almost totally indestructible. There is but one force that our weapon has no defense against. The only enemy to our weapon is the enemy of individual apathy. Because of the danger that individual apathy opposes to our great weapon that holds all the answers to the success of America, we have chosen May First to remind ourselves of the blessings of our great Country.

Again considering the answer to our question, as to how our great Country has achieved its great success, the answer is found in our great weapon itself. And what is our weapon? Our weapon is simply a habit and a frame of mind which affirms that one must play by the rules, and one which assumes that the rules shall be fair and equal. Our great weapon, gentlemen, is the Spirit of Liberty.

In closing, and in paying my tribute to our great weapon and in saluting May 1, 1969, which is Law Day, U.S.A., I close with six simple but very meaningful words:

"Long Live Liberty"
and
"God Bless America."

MAYOR ALBERT ISEN OF TORRANCE, CALIF.

HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 21, 1969

Mr. ANDERSON of California. Mr. Speaker, I rise today to pay tribute to Mayor Albert Isen for his 14 years of outstanding service to the All-America City of Torrance, Calif.

Mayor Isen is almost a native of Torrance, having finished both his elementary and secondary education in the Torrance public school system. In fact, when he graduated from Torrance High School he was the first person to complete his entire grade school and high school education in the Torrance publice schools.

Mayor Isen later went on to receive his bachelor's degree from the University of Southern California and was awarded his law degree from USC Law School. Upon his admission to the bar, Mayor Isen set up his law practice in Torrance.

His career in public service began in 1954 when he was elected to the Torrance City Council. After serving for only 1 year on the city council, he was selected mayor of Torrance by his colleagues. Three years later Mr. Isen was elected mayor, the first mayor of Torrance to be elected by the people.

For nearly two decades Mayor Isen has provided the city of Torrance with outstanding dedication and leadership. During this time Torrance has undergone rapid growth and now boasts a sizable share of southern California's industrial development. During his tenure as mayor, the population of Torrance has grown by over 100,000 people and Mayor Isen deserves much credit for this as well as for his role in attracting many well-known national corporations to Torrance.

Along with his busy public responsibilities, Albert Isen has maintained a keen and active interest in the law, his chosen profession. As an example, he spearheaded the successful drive to move the southwest district superior court to Torrance, and worked diligently as president of the South Bay Bar Association.

On May 26, Mayor Isen will be honored by the Torrance Junior Chamber of Commerce for his unselfish devotion and dedication to make the city of Torrance a better place to live. It is my privilege to join in saluting Mayor Albert Isen for the outstanding job he has done as mayor of Torrance, Calif.

IS HIGHER EDUCATION FOR EVERYONE GOOD OR BAD?

HON. JOHN M. ZWACH

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 21, 1969

Mr. ZWACH. Mr. Speaker, our people are becoming increasingly concerned over the disturbances on the campuses.

Some of these people, people of education and sound judgment, are asking if higher education should be receiving aid from the Federal Government, if, in fact, it should be made available to everyone.

Typical of the reaction in my Sixth Congressional District of Minnesota, is a letter which I received from Clifford Hedberg, radio station owner at Morris, Minn.

Mr. Hedberg graduated from the University of Minnesota. For more than 20 years he was a newspaper publisher. He attended law school part time and received his degree in law. Later he disposed of his newspaper interests and went into the radio station operating business.

Mr. Speaker, I commend the reading of this letter to my colleagues as an example of the backlash that is developing as a result of our campus disturbances:

KMRS RADIO,
Morris, Minn., May 7, 1969.

Congressman JOHN ZWACH,
Washington, D.C.

DEAR MR. ZWACH: The college riots have reached a point where the federal government should, I believe, curtail grants for colleges.

Instead, I believe a commission should be set up to determine whether college educations are in the public interest.

Is the Vietnam draft filling our colleges with people who shouldn't be there?

Are college campuses being cluttered up with graduates who are seeking a master's or doctor's degree in order to get into a higher income bracket?

Does a master's degree make a teacher a better teacher?

Are college campuses taking young men who would be better craftsmen, and would be far happier if they were working with their talents rather than books?

The vote for mayor in Minneapolis indicates the feeling of the people. As you know, a member of the police department got the highest vote in the primary.

Despite this "age of education" crime has increased, the use of drugs has increased, and morality, we are told, has decreased. UMM brought a play to the campus where the lead man walked around stark naked all evening. It was defended by faculty members as art.

I seriously think a study is needed to determine if higher education for every one is good or bad.

Yours truly,

CLIFFORD L. HEDBERG.

LEGISLATION TO AMEND THE EXPORT CONTROL ACT OF 1949

HON. GARRY BROWN

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 21, 1969

Mr. BROWN of Michigan. Mr. Speaker, I have today introduced legislation to amend the Export Control Act of 1949. The present Export Control Act expires on June 30 of this year and many may feel routine renewal for another 4 years is the legislative action we should take.

The situation and conditions of today dictate otherwise, I believe. I shall expand upon the many considerations which are incorporated in this amendatory legislation at a later date, but today I wish only to bring to the attention of my colleagues the changes I am proposing and a brief explanation of their impact and a similarly brief justification for such modifications.

For reasons which I shall subsequently expand upon, my amendatory legislation should not be labelled a "liberalization" or a "tightening" of export controls. Rather, I believe my approach to modification of existing law recognizes realistically existent conditions and attempts to have the law reflect present circumstances and considerations.

As stated, my bill would make several changes in existing law. First, it would amend section 1(b) of the Export Control Act of 1949 by deleting from that subsection the words "without regard to their potential military and economic significance." Further, section 1(b) would add the word "certain" in addition to the words "information and technology." The new section 1(b) would then read as follows:

The unrestricted export of certain materials, information and technology may adversely affect the national security of the United States.

The amendment of section 1(b) would conform to an amendment which I propose to section 3(a), the intent of both of which I shall explain at a later point in my discussion.

Section 2(1) is proposed to be amended by adding the following new sentence at the end thereof:

> The authority contained in this Act may not be used in any instance in implementation of the policy contained in Clause (B) of the foregoing sentence until after the President has communicated to the Congress his intention to do so in that instance.

The purpose of the amendment to section 2(1) is to insure formal congressional knowledge and review of executive department actions in furtherance of our foreign policy. It is not intended, however, to tie the hands of the President with regard to his conduct of foreign policy, but rather to assist him in the formulation of policy which will evoke congressional advice and support.

It has often been suggested that a legitimate aim of export controls is to assure that countries whose policies are antagonistic to the interests of the United States do not benefit from trade with the United States. But embargo is a serious step; it is less a sanction against the prohibited trading partner than a demonstration of the united will of a country to break off normal relations. Some international lawyers suggest that such a step should require specific legislative action in each case. My amendment to the Export Control Act would not require specific legislative action, but it would require that before such action is undertaken, the Congress be informed.

Perhaps only a few Members of Congress realize that the implementation and administration of a virtual total U.S. embargo against Southern Rhodesia stems from authority contained in the Export Control Act, as well as the United Nations Participation Act of 1945. Unless a Member of Congress had read carefully the quarterly reports required under the Export Control Act, he probably would be totally unaware of the fact that an obscure 1967 Executive order authorized the United States to participate in a trade embargo of Southern Rhodesia. Conceivably at a future date the United Nations might decide to attempt to effectuate a total embargo of the Union of South Africa or some other nation the internal political policies of which were contrary to the will of a majority of U.N. members. Such future embargo could be participated in by the United States with little or no specific knowledge of the Congress prior to the action taking place. It should be emphasized that an act of total embargo against a foreign nation is extremely serious and throughout history has often been one of the last steps taken prior to a formal declaration of war or commencement of significant acts of hostility.

Presumably, the implication of a virtual total embargo against Red China, North Vietnam, and Cuba also finds its authority in section 2(1). Under the circumstances, had my amendment been in effect at the time these embargoes were undertaken, there is no question that the communication to Congress by the President of his intention to do so would have met with full approval. Virtual total embargoes against a nation such as Southern Rhodesia, on the other hand, undoubtedly would have precipitated valuable congressional deliberation and debate.

As previously mentioned, in conformity with my proposed change in section 1(b) of the congressional "Findings," the third sentence of section 3(a) would be amended by deleting from existing law the language, "shall determine that such export makes a significant contribution to the military or economic potential of such nation or nations which" and replace with language which would read that the President may prohibit or curtail exports if he "determines, taking into consideration availability from other nations with which the United States has defense treaty commitments, that such export" would prove detrimental to the national security and welfare of the United States.

This amendment would remove as a statutory consideration incident to control, the extent to which certain exports make a significant contribution to the military or economic potential of the purchasing nation or nations and in its place would grant to the President complete flexibility to deny those exports which in his opinion would "prove detrimental to the national security and welfare of the United States."

The intent of my amendment to section 3(a) is to remove what I consider to be rather meaningless and cumbersome language, while at the same time injecting a new consideration. It would seem to me to be apparent that Congress intends that license to export any articles, materials, supplies, or technical data detrimental to the national security and welfare of the United States should be denied, regardless of their potential military or economic contribution. There should be no need to justify either in military or economic terms the prohibition of exports which in the opinion of the President, after being advised by intelligence sources, would be detrimental to our national security.

Perhaps my proposed amendment to section 3(a) could be criticized to the extent that it would expand the degree of delegated authority vested in the executive branch over that which is currently the law. This argument, however, overlooks the fact that the day to day implementation and administration of the Export Control Act must by its very nature reside entirely in the executive branch and because the traditional procedures and functions of Congress are inappropriate and awkward.

The requirement that "economic potential" of certain exports be taken into consideration in the implementation of the act resulted from a 1962 amendment. Nevertheless, since 1962 the list of exports denied to Communist countries has in fact been reduced, so it can hardly be claimed that the intent of the 1962 amendment has been of any great influence. Removal of economic considerations by itself, however, as has been proposed by S. 1940, might seriously inhibit the executive branch in an area where Congress has delegated its authority for good cause. My amendment would reflect that which is already a fact; namely, the executive branch already has and should continue to retain ample flexibility in the implementation of an act aimed at controlling certain exports to foreign nations where such action is felt to be in the national interest.

Consistent with my effort to amend the act in a realistic fashion, I would add new language to section 3(a) requiring as a matter to be considered in connection with controlling exports, the availability of such exports from other nations with which the United States has defense treaty commitments. Although the quarterly reports of the Office of Export Control reveal that availability elsewhere already is a matter taken into consideration, I think it is important for Congress to make clear that this should be a policy consistently applied. At the same time, the availability of such exports from nations with which we have defense treaty commitments would not force approval of export licenses where such approval would be contrary to our national security and welfare. Hopefully, by amending the act in this manner, the Office of Export Control would undertake a complete review of existing controls, especially with respect to exports currently under control which are readily available from nations with which we have defense treaty commitments or from U.S. subsidiaries and multinational corporations where our controls collide with the problem of extraterritorial application of U.S. law.

It should be emphasized that my proposed amendment to section 3(a) increasing the President's flexibility while at the same time insisting that alternative sources of supply be considered is not meant to be interpreted as an opening up of one valve while closing another. Delegation to the President of the job of determining those exports which he considers to be inconsistent with our own national security and welfare is entirely reasonable. But for the President to reach these decisions without being directed to weigh the impact of trade which is being permitted and in some cases encouraged by trading partners with whom we have defense treaty commitments is an unreasonable reliance upon the effectiveness of unilateral controls.

I expect my proposed amendment to section 3(a) will also have the indirect effect of strengthening the more restrictive trade policy position of the United States within Cocom, a group of nations which during the post-World War II period have attempted to control the exportation of certain highly strategic goods to the Soviet Union and Eastern Europe on a multilateral basis.

Section 4(a) of the Export Control Act of 1949 is proposed to be amended by adding the following new sentence at the end thereof:

> Consistent with consideration of national security, the President shall seek information and advice from private industry in connec-

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tion with the making of these determinations.

The intent of this amendment needs little explanation. It would merely insure that in determining what shall be controlled, information and advice from private industry shall be sought. This is already being done to some extent. By amending section 4(a) it would be the intent of Congress that a greater degree of reliance should be placed upon information secured from private industry sources. It is the further intent of this amendment that, consistent with considerations of national security, representatives of private industry shall be consulted, at least in an advisory capacity. My amendment to section 4(a) further takes into consideration that most of the technical information and data which goes into the formulation of export control policy is supplied by the U.S. corporate community.

My bill would amend section 6 of the Export Control Act by adding the following new subsection:

> In the administration and enforcement of this Act reporting requirements shall be so designed as to reduce the cost of preparation of reports and record keeping required under this Act to the extent feasible, consistent with effective enforcement and compilation of useful trade statistics. Report and record keeping requirements shall be periodically reviewed and revised in the light of developments in the field of information technology.

Testifying before the Senate Banking and Currency Committee on April 29, 1969, Mr. Arthur E. Bayless, the national director of the National Committee on International Trade Documentation, said:

> The way in which the policing of the current Export Control Act is being enforced costs American exporters approximately $100 million per year, just for filling out, filing and processing of the control piece of paper known as the Shippers' Export Declaration.

Mr. Bayless emphasized that the same controls and the same Government information can be assured through the expenditure of only a small fraction of this amount and that any extension of the Export Control Act should carry with it an admonition relative to such recordkeeping and reporting requirements.

Referring to the 83d quarterly report of the Office of Export Control, Mr. Bayless said that in fiscal year 1967 6 million shippers export declarations were caused to be prepared resulting in 169 preliminary inquiries and 210 new investigations. Of these, 29 cases were referred to the general counsel for consideration of administrative or other punitive action. The department's Office of General Counsel referred six of these cases to the Department of Justice for consideration of criminal prosecution. In the same year, the Department of Commerce recalled to the United States only one shipment valued at $13,854. During the same year, district directors of customs seized 208 shipments which the Customs Bureau appraised at $29,276 from which only one severe penalty carrying a fine of $1,400 was invoked. It seems clear that the filing and processing of 6 million shippers export declarations produced evidence of only a few violations of law. My amendment suggests the possibility that more practical means of policing the Export Control Act are available and should be applied. Certainly, in a period of declining trade balances the United States should reduce any needless paper work and costs associated with our export industries.

Section 2 of my bill provides that in each fiscal year, the first quarterly report to the Congress shall contain a report of the progress being made toward reducing the costs associated with policing this act.

Finally, my bill would extend the Export Control Act to June 30, 1973.

CITIZENS PROTEST SMUT PEDDLERS

HON. BILL ALEXANDER

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 21, 1969

Mr. ALEXANDER. Mr. Speaker, citizens are outraged over the rising tide of filth that is being fed into their homes through the mails.

Some of these filth peddlers apparently assume that, because they have lost all respect for personal standards and decency, the mass of people throughout this great country have also lost all respect for personal morals. The vast majority of our citizens still find such obscenity repugnant and objectionable.

The U.S. Post Office should not be allowed to subsidize this disgusting industry. Our citizens should not have to pay taxes to help finance the transportation of this smut into their homes, unwanted and unasked for.

If the 91st Congress accomplishes nothing else, they should provide relief for the vast majority of our citizens who plead for help in ridding their homes of this obscenity.

I would like at this time to include a copy of a letter that I received from one of our outstanding chiefs of police in the First Congressional District of Arkansas, Mr. George Ford, Jr., of Blytheville. Mr. Ford expresses the scope and dangers of this problem as well as anyone I have heard.

The letter follows:

OFFICE OF THE CHIEF OF POLICE,
Blytheville, Ark., May 7, 1969.

Hon. BILL ALEXANDER,
U.S. Representative, Room 1110, Longworth House Office Building, Washington, D.C.

DEAR MR. ALEXANDER: We have received complaints in the past, from citizens in this area who have received material through the U.S. mail, that should be classified as obscene. Attached is material which was received this week. This office has, in the past, referred these items to the local post office; who, in turn, referred them to the Postal Inspector. A duplicate of the attached material was released to Mr. Hugh Hudson, local Postmaster, this past week by a local citizen.

We understand, following a U.S. Supreme Court ruling, that present postal regulations require that a recipient of obscene material must fill out a U.S. postal form requesting the firm to remove their name from the mailing list. After this form is completely filled out, signed and mailed, then the mailing company is in violation of a federal law if subsequent obscene material is received by this recipient. The law-abiding citizen who does not desire this filth should receive more protection than this.

The material that we are enclosing is advertising, for sale, 8 mm. film, posters, and books. There are forty reproduced photographs of nude men and women engaged in sexual intercourse. Also, there are forty-five reproduced paintings and drawings which show nude or partially nude men and women. These paintings and drawings depict heterosexual and bisexual and homosexual activities.

All of the above photographs, paintings, and drawings can only be classified as printed filth.

After viewing the attached material, I fail to visualize a normal person entertaining the idea of purchasing any of the items advertised. I can, however, visualize the impact that material of this type could have on a community if it was in the hands of a perverted individual who had access to teenage children.

If our Courts have ruled that a person has the right to judge what is, and what is not, obscene, and this decision legalized the mailing of pornographic material, where will this end? It seems to me that this decision has given the sender of pornographic material the right to flood our country with materials that he classifies as not being obscene. This, in my opinion, has taken away the right of other citizens who receive such material. The recipient's decision is made upon receipt and after exposure is made.

I recommend that the Congress of the United States view the enclosed material so as they can decide if they would welcome these items to be mailed to their homes and perhaps opened by their children.

With kindest personal regards, I am
Very truly yours,
GEORGE C. FORD, Jr.,
Chief of Police.

A DRAFT CASE

HON. MARTHA W. GRIFFITHS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 21, 1969

Mrs. GRIFFITHS. Mr. Speaker, recently I was contacted by a businessman in my district, Mr. Larry Manto, regarding a constituent of mine, 20 years old, who faces the draft. I would like to insert in the RECORD Mr. Manto's letter to me. The case of Larry Langohr, which he writes about, focuses on some of the problems in our draft system and this whole question of fairness.

Larry Langohr did not pursue a college education. He is not eligible for any student deferment. As a member of a large family, he went to work at an early age. Through the years, he worked hard and long hours and saved his money to establish the business he operates today. Mr. Manto asks what is to happen to this business if he must leave for the service now. He notes the fine caliber of this young man and emphasizes that from a family of nine sons who have had four called to service in the last 3 years, with one wounded in Vietnam, he is not one to shirk his duty.

The questions Mr. Manto raises are questions we must ask ourselves. The answers are vital if we are to secure fairness for all boys.

The letter follows:

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DETROIT, MICH.,
May 3, 1969.

DEAR CONGRESSWOMAN GRIFFITHS: I am writing you about a matter I would like you to try and do something about. This concerns a young man who worked for me for over three years, saved his money and has started a small business of his own. He has gone into the cement business, doing patios, driveways, etc.

This young man is going on twenty-years old. He has never been in trouble nor has he given anyone else any. He has worked very hard for me about fourteen hours a day, six days a week after he turned eighteen, so he could get a business of his own. How many young men do you find around like that today? Not many.

He has saved everything he made and put it into his business. I hired this young man when he was just sixteen. I am the manager of a restaurant at Northland shopping center in Southfield.

The young man has nine brothers. Already four of them have seen service; two in Viet Nam, where one was wounded. This young man's name is Mr. Larry Langohr.

He has been called up to take his physical and he will be getting his classification any day now. I am hoping you can do something to get him deferred.

If he has to go into the service now, what happens to the business he worked so hard to get started?

You would have to look far and wide to find a young man of his caliber. I think he should have the chance to make a go of his business. I see so many of the long-haired hippie types walking around who are his age or older, and haven't contributed a thing to these United States except protest everything we stand for. Now here we have a boy who put in seventy-four hours a week of hard work, started a business of his own and will probably be drafted unless you see he gets the chance he worked so hard for. It's not that he doesn't want to serve his country. He is level headed about it, but I think he should have the chance to contribute through his business, in the tax he will have to pay and the people he has working for him. I only hope they do not keep taking this mother's sons until one gets killed. She has nine sons and every time they have called one into the service, she has gone through hell. And, like I said, four have gone so far in the last three years. It gives you and me something to think about, doesn't it? Hoping you will take action on this matter.

I will list the young man's name and address below.

Sincerely yours,

LARRY MANTO.

MR. LARRY LANGOHR.

A CONSTITUTIONAL WAY OF BANNING UNSOLICITED PORNOGRAPHY FROM THE MAILS

HON. EDWARD P. BOLAND

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 21, 1969

Mr. BOLAND. Mr. Speaker, exploiters of sex and sensationalism are using this country's mail system for the unsolicited distribution of hard-core pornography to minors. Material that is conventionally considered hard-core pornography—material exclusively and explicitly depicting sex in a context wholly devoid of what the Supreme Court terms "redeeming social value"—is being sent unsolicited through the mails to children as young as 10 or 12 years. The neighborhood postman is delivering to children, in their own homes, pornography dealing with the most bizarre sexual perversions. Clearly, Mr. Speaker, the Congress must act to end this practice.

I am introducing today legislation that would accomplish this goal in a way that would pose no threat to the constitutional right of freedom of speech.

I am well aware that judgments or the wisdom of such legislation are likely to become highly emotional.

On the one hand, strong feelings of indignation are evoked when homeowners and parents receive such mail—mail that intrudes unwanted into their homes, assails their privacy, offends their sense of decency and undermines their attempts to rear their children in what they consider a wholesome atmosphere.

On the other hand, strong feelings of apprehension are aroused when any attempt is made which may be construed as, or which may have the effect of, empowering any governmental officials with authority to censor what passes through the mails. This smacks too much of Government dictatorship to be palatable to Americans who traditionally cherish their right to be free of Government suppression.

I fully understand both positions and am sensitive to the delicate balance that must be struck in insuring the right to privacy of the individual in his home, on the one hand, and the right of Americans generally to be free of unwanted Government interference in the expression of ideas whether transmitted through the mails or otherwise, on the other.

The legislation I am introducing appears to me to best accomplish this balance.

First, I will summarize the provisions of my proposed legislation, then I will explain why I think such legislation is needed and, still further, why legislation in the particular form I sponsor is, in my judgment, best suited to meet the need.

My bill would add to the present postal law, 39 U.S.C., provisions which would exclude from the U.S. mails as a special category of nonmailable matter, certain obscene material sold or offered for sale to minors, or delivered to a home where a minor resides, if an adult did not request it.

My bill contains provisions which in some detail describe the material which is excluded from the mails so that there can be no misunderstanding as to what is excluded.

The bill also contains certain provisions and prohibitions with respect to carrying through the mails sexually oriented advertisements. There is a requirement that the sender of such advertisements must place his name on the envelope. Moreover, any person may file with the Postmaster General a statement that he does not desire to receive such advertisements. The mails are then closed to sending such advertisements to individuals whose names are on the Postmaster General's list.

With respect to enforcing the proposed provisions relative to advertising, if the Postmaster General believes that the provisions of the law are being violated, he may request the Attorney General to commence a civil suit against the offender in a district court. And a new section would be added to title 18 of the United States Code, the Federal criminal law, which would make it a Federal crime to send through the mails such sexually oriented advertisements.

The need for this legislation is plain. Let me first set forth a few facts that demonstrate a pressing need for legislation of the kind I am introducing.

The quantity of obscene material being circulated in this country is hard to assess accurately although the evidence indicates it is enormous. I offer some statistics to show how extensive is the problem, and, knowing how statistics are frequently selected to bolster an argument and to lend it an aura of mathematical precision in a manner that at times tends to distort rather than to clarify the true state of affairs, I have attempted to limit my statistics to those I believe to be accurate and not based on guesses.

Since my proposal is limited to material passing through the mails, I think that the statistics compiled by the Post Office Department in its most recent annual report are significant.

The Post Office reports that in fiscal 1968 it completed 3,693 investigations and obtained 263 convictions of dealers whose unsolicited and unwanted pandering advertisements were sent into homes. It further reports that international pornographic rings operate in this country and that the U.S. Post Office Department through cooperative efforts with Canadian authorities and Interpol resulted in the arrest of 39 members of such rings in 1968—1968 Annual Report of the Postmaster General, House Document No. 2, 91st Congress, first session at page 38.

The President, in his recent report to Congress recommending legislation to deal with the flow of sex-oriented mail, referred to the fact that since 1964 the number of complaints to the Post Office about unwanted salacious mail has almost doubled and that tens of thousands of letters have been written to Members of Congress and to the White House protesting against this mail—House Document No. 114, 91st Congress, first session, page 1.

In the 1967 hearings held by the Subcommittee on Postal Operations, a good deal of testimony was offered showing the scope of the problem. For example, Congressman OLSEN testified that one seller of such material sent out 9 million announcements seeking subscriptions to his pornographic magazines—hearings before the Subcommittee on Postal Operations of the Committee on Post Office and Civil Service, House of Representatives, 90th Congress, first session, "Obscene and Pandering Advertisement Mail Matter," page 9.

Insofar as the form which new legislation should take, I have been guided by recent holdings of the U.S. Supreme Court with respect to the power of Congress to regulate the dissemination of obscene material especially when such material is sent through the mails.

The Supreme Court has sustained convictions under the current postal criminal obscenity law, 18 United States Code, section 1461, indicating a recognition of the principle that Congress has the power to legislate under its postal power to close the mails to obscene material, see *Roth* v. *United States* (354 U.S. 476 (1967); *Ginsberg* v. *United States* (383 U.S. 463 (1966)).

These and other decisions have also laid down guidelines which may be followed in drafting an enforceable obscenity law. For example, in the Roth case supra, the Court held that "when the proper standards" for judging obscenity are applied, that obscene material can be barred from the mails—(pages 491–2). As to what constitute the "proper standards" the Court laid down certain criteria for making such a determination. These criteria comprise what is known as the "Roth test", which, as amplified in later decisions, is still considered to be the legal yardstick for ascertaining whether material is obscene.

Before a work is considered to be legally obscene according to the standards laid down in the Roth test, as amplified in later decisions, the following three elements must coalesce: first, the dominant theme of the material taken as a whole appeals to prurient interest in sex; second, the material is patently offensive because it affronts contemporary community standards relating to the representation of sexual matters; and, third, the material is utterly without redeeming social value—*A Book Named "John Cleland's Memoirs of a Woman of Pleasure"* v. *Atty. Gen. of Mass.* (383 U.S. 413 (1966)).

It has been difficult for Government authorities to sustain convictions in the past because the application of the Roth test to material sought to be banned has resulted in findings—especially by appellate courts—that much of the material was not legally obscene, and in part because so many of the statutes were worded in language so vague that there was some doubt as to the nature of the offense and too wide an area of discretion was left to the enforcing authorities.

The kind of specific language used in my bill describing what is proscribed by the statute initially grew out of attempts to draft a law that would meet these criticisms: first, that the statute was void for vagueness in that it left too great an area of doubt as to what constituted an offense under it and too great an area of discretion to the enforcing authorities, and second, that the application of the Roth test in determining what is obscene makes it virtually impossible to draft an enforceable law which would prevent the dissemination to children of material considered to be harmful to them, but which the courts held could not be barred as legally obscene because it did not appeal to the prurient interest of adults.

My bill, in describing in detail what is considered to be obscene if sent to children, follows precedent established recently when the Court upheld a conviction under a similarly worded New York penal law *Ginsberg* v. *New York* (390 U.S. 629 (1968))—not the same defendant as in the earlier decision.

My bill in its provisions on the mailing of sexually oriented advertisements finds support in the Court's holding in *Ginsberg* v. *United States* (383 U.S. 463) (1966))—a different defendant from the other case cited with a similar name. In that case, the Court emphasized the "pandering" element in which the material in question was being offered for sale in upholding a conviction under the Federal postal criminal obscenity law—18 United States Code, section 1461. This pandering is the deliberate offering of the material as erotica emphasizing its prurient appeal. The material before the Court in that case was borderline obscenity and probably could not have been barred from the mails under the Roth test had it not been for the circumstances of its production, sale, and publicity.

This pandering element plus the right of an individual to be secure in his home seem to me to support the approach taken in my bill. In my judgment, my proposal does not provide for Government censorship which intrudes on our constitutional rights, but rather offers us Government support in our efforts to secure our rights. Those provisions that are designed to protect children appear to be entirely reasonable and those provisions which affect adults, only apply when the mail is unsolicited and when the adults do not want it. It is the citizen's determination that it be stopped, not the determination of a Government official.

THE YAHOOS

HON. WM. J. RANDALL

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 21, 1969

Mr. RANDALL. Mr. Speaker, in "Gulliver's Travels," a "yahoo" was one of a filthy race of brutes having the form and all the vices of man. According to Webster, a "yahoo" is a degraded or vicious man; a lout or bumpkin.

The Benton County Enterprise, published in Warsaw, Mo., by our friend, Mahlon N. White, calls campus demonstrators "yahoos" and defines them as spiritual descendants of the "know nothings," the brown shirts of Hitler's Germany, and the disciples of Stalin.

As this knowledgeable editorialist puts it:

> There's probably plenty to demonstrate about at any college. There always has been.

In my own college career back in the early 1930's, I recall there may have been some students who might have demonstrated because there were not enough jobs available to enable them to work their way through college. One of my staff members told me this morning that the most frequently heard gripe during his college days was that smoking was not permitted in dormitories.

Many of the complaints from campuses today involve issues that cannot stand the light of thorough examination. No student has ever been promised a perfect education under completely ideal conditions. All that can be promised is an opportunity for all who want it to get an education. The scores of enactments by this Congress in recent years, involving Federal commitments in the billions of dollars, have served to back up this promise. But the "yahoos" today seem bent on tearing down our educational institutions and destroying their facilities as fast as the taxpayers can build them up.

The real losers, of course, will be the students who bury themselves in their studies instead of those who hide their frustrations in outrageous dress, asinine demands and actions that are destructive of all that has made this a land of opportunity. Another group of losers are the taxpayers who foot the bill. But the heaviest losers—if there is no reversal of current trends on too many campuses—will be future generations of Americans, deprived of leadership training by today's campus preoccupation with devastation rather than education.

In no fewer than five acts of Congress last year provisions were included for cutting off Federal funds to students and institutions of learning when rioting joins the other three "R's" and makes a fourth "R" of education. But to make these suspensions effective, college administrators must make certain findings. So far, there has been a deplorable hesitancy on the part of college administrators in this respect.

Mr. Speaker, I am privileged to share with my colleagues the following editorial from the Benton County Enterprise of May 15, 1969:

THE YAHOOS

The missing ingredient in the current rash of college demonstrations is reason.

Sweet reason.

There's probably plenty to demonstrate about at any college.

There always has been.

There always will be, no matter how quickly and in what vast numbers "demands" are adopted.

Lives there a college graduate who publicly praised the food he ate at college?

So, many of today's demands are for good food.

It's not cooked at colleges.

More up to date teachers and subjects?

Ancient Greece undoubtedly saw some rumbles on this subject.

Ethnic subjects?

Roy Wilkins, executive director of the National Association for the Advancement of Colored People, shot this one down.

The former Kansas Citian, who must rank as one of the most effective champions of black Americans, commented:

"If students want to study about their ancestors they should study them on the side and concentrate in school on algebra, calculus, jets and the great world of communications.

"If this is to be a black world, as the militants would like, black people better learn to run computers, how to levy tariffs and have a better knowledge of the world. It's not how a black man wears his hair but what he has inside his head."

The possible tragedy of it all is that, so shortly after rights are won which should have been part of the American way all along, the demonstrating collegians of all hues may be bringing on a new period of yahooism.

As a matter of fact, some of the demonstrators, of all hues, are yahoos themselves. Yahoos, of course, are spiritual descendants of the Know-Nothings, the Brownshirts of Hitler's Germany and the disciples of Stalin.

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They don't really want to win any battles. They just want to bring everything crashing down around them.

There is no excuse for allowing a small group on any campus to disrupt the efforts of the majority to get an education.

Student bodies all over the country are already reacting against the disrupters.

It's high time the college administrations did likewise.

CHAGRIN FALLS HERALD ASKS OF VIETNAM: "IS IT WORTH IT?"

HON. WILLIAM E. MINSHALL

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 21, 1969

Mr. MINSHALL. Mr. Speaker, the Chagrin Falls Herald, one of Ohio's most outstanding weekly newspapers, has published a thoughtful, thought-provoking editorial containing deeply moving commentary on the war's effect on two young Chagrin men. It is a story being tragically repeated in American towns and cities every day.

I wish to share the sentiments expressed in this editorial with my colleagues in the House. In doing so, I would be remiss not to extend my compliments to those men who have made the Herald a voice which is heeded with great respect in the community: James C. Toedtman, publisher; Allen J. Tenny, vice president, and Roy C. Meyers, editor. Their standards of excellence, of fair-minded reporting, and editorial integrity have established the Herald as a potent force.

And, in inserting this editorial in the RECORD, I wish to join in the nationwide hope that this war will soon end, that our young men will be returned home safely and soon, and that future tragedies will be averted by the establishment of lasting peace.

The editorial follows:

IS IT WORTH IT?

As the Paris peace talks drone on and the Viet Cong heighten their terrorist activities, the United States government seems to be showing little sign of pulling out of Vietnam.

Over 33,000 American men have lost their lives so far in a war that increasingly seems to make little sense.

Peace movements and militant protestors have made little impact on the government—but maybe public opinion from the average American can do what others have been unable to do.

And that is to make the government realize that the war is fruitless and that the average American is rapidly becoming disenchanted with it.

Don and Art Carley went to Kenston High School and both brothers joined the Army together.

Art was sent to Vietnam while Don went to Korea. Later Don, a helicopter gunner, was transferred to Vietnam, where both are still serving.

This is one of Don's latest letters to his mother, Mrs. Charlotte Carley, 17109 Overlook Dr., Lake Lucerne.

"The Cav is up around Tay Ninh border now so we are flying a lot. There are 'Boo Coo' (many) Gooks around there which makes life miserable.

"I got shot down again April 28. We were flying in formation with seven ships going on a combat assault when Charles opened up with a 50 cal. machine gun.

"We took hits and went down. Luckily we landed in a clearing and no one was hurt bad.

A convoy got hit outside of Quan Loi on the main road south.

"We watched the whole thing plus we took 2 rounds through the tail. We also helped medivac guys while under fire, so that might mean a medal. I doubt it, but maybe.

"It's always the guys who sit behind desks that get medals, but who cares as long as I get home.

"I feel I've put too much into this war already. I'm ready to quit. My obligation is fulfilled—at least I feel it is.

"Everybody in the States thinks the war is almost over because of the number of our guys being killed. But even if only one guy is killed, that's bad.

"People just don't and can't realize how bad it is to look at dead guys—your own kind of people.

"Almost all the guys getting killed are around 20—young guys. But to look at about 10 guys laying stiff in ponchos which are wide open on the ground, expressionless with flies and bugs crawling around and the smell of death . . .

"Some days the chopper is so full of bodies it can't lift off, so you have to throw a couple off . . . Is it worth it?

"No one dies for his country. It just happens that way.

"I got about 6 more months to go, at least I hope so. So I'll have to watch myself because I didn't fight this hard just to come home in a poncho.

The two items below—one a letter from a local boy now in Vietnam, and the other a story of a boy who won't be coming back, might be the type of article that could make a difference.

The saddening part is that these articles aren't unique. They could very well be written by any one of the thousands of community newspapers across the country,

If a clipping of these stories would be sent to their Congressmen by all of The Herald's nearly 8000 subscribers—and the same thing done by thousands of others across the land—it wouldn't be long before Washington would realize the sheer futility and the tragedy of the Vietnam war.

In September of 1943, David L. Urban was only about five months old.

His mother, Mrs. George Urban of Chardon, did what many mothers have done in Baby Books over the years and penned a note to her newborn son.

"My dear son," wrote Mrs. Urban. "It is with great pride and deep feeling I write that word. I had never hoped to have a son, and am truly grateful to God for sending you to us.

"A normal, healthy boy, David, you were born in a struggling wartorn world. Fathers and families have been separated.

"Your father has been fortunate enough to be with you this long. We are so thrilled with you, David, and I do not expect any more from you than that you will develop into a healthy man, and will always be a 'fair-player,' honest, a diligent worker, with an aim to be achieved.

"I pray there will be no more wars, and that you will always be a defender of peace.

"Your father and I will endeavor to prepare you that you can face life squarely and unafraid."

And David lived up to his parents' fondest dreams—After graduation from Chardon High School, he went on to Mt. Union College and, following his graduation, he joined the Peace Corps, spending two years on the island of Truk in the Pacific.

David answered his country's call even further, and was drafted into the Army on March 19 of last year.

After distinguishing himself in basic training and at paratrooper school at Fort Benning, he left for Vietnam last Oct. 26.

Thirty-three days later, on Dec. 3, he was killed in action in Vietnam.

In January of this year, the Army posthumously awarded him the Silver Star, the nation's third highest military honor for trying to save some of his wounded comrades, even though he was mortally wounded.

"My prayer—the prayer of all mothers for centuries—was not to be granted. However everyone who knew Dave, also knew he was a fair-player and did face life unafraid," said his mother.

IOWA LEGISLATURE BEATS CONGRESS TO THE PUNCH

HON. FRED SCHWENGEL

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 21, 1969

Mr. SCHWENGEL. Mr. Speaker, I recently had the opportunity to visit the demonstration of a data retrieval system which Pat Jennings set up for the benefit of Members. The system proposed by Mr. Jennings would appear to have many advantages and would be most helpful to the Members. Imagine my chagrin when I learned in a recent story in the Iowa City Press-Citizen that the Iowa Legislature already has in operation, a system similar to that proposed by Mr. Jennings. If we are to have any realistic success in dealing with the problems of this Nation, we must update our tools, and our procedures, soon.

The article follows:

TV-LIKE DEVICE LINKED TO COMPUTER—INSTANT INFORMATION FOR LAWMAKERS

DES MOINES.—Lawmakers have been using computer-linked visual display terminals for instant research on legislative proceedings.

The IBM terminals, which resemble small television sets with an attached keyboard, provide instant graphic status reports on all bills and resolutions introduced in the current session. The display units, stationed near the House and Senate chambers and in other key government offices, are connected by telephone lines to an IBM computer which stores the legislative data.

Implementation of the system marks a milestone in the use of computers by Iowa state government.

Serge Garrison, director of the legislative research bureau, said volume on the information network is expected to reach 1,000 inquiries a day. "The convenience and speed of this information system gives legislators and other officials an invaluable research capability," Garrison said.

"This development represents another example of how the state is applying the latest in technology for more efficient operation."

Garrison said a total of 33 of the 2260 terminals are presently installed. Besides the four terminals serving the legislature, units are located in the offices of the governor, state insurance commissioner and the comptroller, as well as in the departments of revenue and finance.

William Kendrick, chief clerk of the house, said about 1,500 bills will be introduced this session.

"The information which can be displayed on the terminal screen for any bill or resolution includes the name of the sponsor of the bill," he said, "as well as a phrase describing the bill's content.

In addition, the report will pinpoint the status of the bill in the legislative cycle as of the close of the preceding day's business."

Kendrick said a legislator can isolate the measure in which he is interested through simple index and coding procedures. The most comprehensive index is a general subject file of some 600 categories, ranging alphabetically from "agriculture" to "zoo".

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Marvin Selden Jr., state comptroller, said the new information program complements Iowa's computer-based statute retrieval system which includes computer indexing and storage of some 3,000 pages of state laws and 30 pages of the state constitution.

"This system is as timely as we can make it," Selden said. "In the future, we expect to be able to place a newly passed law in the statute file within hours after the governor signs it."

The statute retrieval program has been operative for two years.

TWENTY-FIFTH ANNIVERSARY OF MONTE CASSINO BATTLE

HON. EDWARD J. PATTEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 21, 1969

Mr. PATTEN. Mr. Speaker, May 18, 1969, marked the 25th anniversary of the capture of Monte Cassino by the Polish forces for the Allies during World War II. To commemorate this historical event Polish veterans from all over the world will gather in August 1969 at Monte Cassino. One of the many ceremonies will be the handing over to the Polish Boy Scouts the future care of the graves of Polish soldiers at Monte Cassino.

Monte Cassino is the monastery of the Benedictine monks, which during World War II was ravaged into a heap of ruble from fallen walls and columns. This monastery has been a source of inspiration to the Christian world when monks were sent to different countries to teach the art of reading and writing.

It was not without purpose that all nations sent their best sons to shed their blood for freedom during the last war. The Allies, with each of several wonderful American divisions fought with typical courage of their nation. Alongside the Americans, was the French Algerian division, which combined the tactical skill for which the French are known. Later imperial forces were committed. But to no avail. The honor of completing the capture of Monte Cassino was to fall to the men of the II Polish Corps under the leadership of Gen. W. Anders. He had but 10 minutes with his staff to make the decision to attack. They were victorious after a bitter fight with the German 1st Parachute Division. This division was the elite of the German Army. Victory belonged to the Polish Forces, who at long last hoisted the white and red Polish flag to signify capture for the Allied army.

No words can measure the contribution this hard fought conflict made toward ultimate victory in Italy. Those who fought there and died, opened the road to Rome for all who came later. However, the road home for the Poles was closed by the Yalta Pact. Poland, the country that Roosevelt called "an inspiration to nations" became occupied by Soviet soldiers.

The world would like to forget this grave injustice done to Poland at Yalta. But its conscience will not rest easily as long as those 1,500 crosses dotting Monte Cassino stand as mute evidence of the betrayal of the Polish soldiers. They gave their souls to God and their hearts to Poland. On a foreign battlefield, they gave their lives for their neighbors' freedom—but their freedom was denied them, denied their countrymen and denied their country Poland.

Those of my constituents who were in the Polish Army II Corps and who were awarded the Monte Cassino Cross are as follows: Waclaw Janulewicz, Aleksander Jankowiak, Mieczyslaw Jesionka, Wladyslaw Horezga, Jan Kot, Ludwik Kula, Tadeusz Kurabinski, Pawel Moszkowski, Kuzma Mironowicz, Jozef Mroz, Kazimierz Nagiecki, Tadeusz Rychter, Hipolit Pienkowski, Jozef Piotrowicz, Waclaw Sosnowski, Waclaw Szwarcowski, Michal Sadowy, Wladyslaw Sosulski, Jozef Siatkowski, Czeslaw Werno, Wincenty Zaler, Piotr Zukowski, Edmund Nowacki, and Jozef Koziol.

WILL THE VALUE-ADDED TAX SOLVE OUR FOREIGN TRADE PROBLEMS?

HON. CHESTER L. MIZE

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 21, 1969

Mr. MIZE. Mr. Speaker, as chairman of the task force on international trade of the House Republican conference, I am examining, along with my colleagues on the task force, all aspects of our world trade policies and how they should be revised. In this regard, I noted with interest an article in the May issue of Banking by the former Secretary of the Treasury, Joseph W. Barr, under the title, "Will the Value-Added Tax Solve Our Foreign Trade Problems?"

Mr. Barr, now vice chairman of American Security Trust Co., Washington, D.C., calls upon his own considerable knowledge in the area of world trade to provide a thoughtful examination of the value-added tax approach, based on how it has been used to good advantage by other countries. Mr. Barr makes some recommendations for this country to follow in improving our trade relations and in restoring a trade surplus. These recommendations are worthy of study not only by the international trade task force, but by all my other colleagues as well. Under leave to extend my remarks, I include this article in the Record:

Will the Value-Added Tax Solve Our Foreign Trade Problems?

(By Joseph W. Barr)

Recently the February figures on our international trade balance were published and they showed a staggering deficit in excess of $350,000,000 for the month. This was a new record. True, there was a dock strike, but we have had dock strikes before. Inevitably there will be an intense reexamination of our trade position.

Any reexamination will immediately flush out the major villain—the inflation that has plagued us for too long. But I believe that the reexamination will also point up a basic factor that seems to work against the United States as an exporter. Put quite plainly, we are probably at a serious disadvantage in international trade because we rely almost exclusively on an income tax to raise our national revenue. The common market countries are turning quickly to a form of national sales tax called the "value-added" tax as a major source of their revenue.

Because of international agreements entered into about 20 years ago, the sales tax or value-added tax can be rebated to exporters without becoming an illegal subsidy. We on the other hand can give no relief under the corporate tax without running afoul of the charge of subsidizing.

I referred to this point in my testimony before the Joint Economic Committee on January 17 and indicated that Secretaries Dillon, Fowler, and I had come to the conclusion that something had to be done. I offered as my personal opinion a form of border taxes under international control as the best solution. I also volunteered the opinion that it was not necessary for us to tear up our present corporate tax system and adopt some form of value-added tax to remove the present inequities.

This statement did not create much stir. I suppose that it was drowned out by the uproar over another remark I made referring to a "middle class taxpayers' revolt." Quite possibly the press and the public did not completely understand what I was talking about.

Whatever the reason, I would like to call this problem area to the attention of bankers. It can be of crucial importance to banking. Any major move toward a value-added tax can involve banking in more headaches than I like to contemplate. As I am now a banker, it seems fitting that I explain and amplify my remarks of last January 17. Believe me this is one area that bankers should understand.

SOME BACKGROUND FACTS

First of all, let's look at the history. It was the great dream of governments and economists in the World War II period and immediately thereafter to set up a world in which trade moved freely between nations under certain definite and equitable rules. The terribly restrictive trade policies of the 1930s were obviously a severe deterrent to an expansion of world trade. It was hoped to create an international institution similar to the World Bank and the International Monetary Fund to establish the rules of trade and to enforce them.

This dream proved impossible to negotiate, so the second best route was chosen and an executive agreement among nations was worked out called the General Agreement on Tariff and Trade. Through this agreement (which soon came to be known as GATT) trading rules were set up designed to make trade among nations as free as possible. Special attention was devoted to the problems of national subsidies for exports and national controls on imports.

In the area of taxation they came to an agreement that a sales tax (an indirect tax) always was added to the cost of production and ended up in the price of the finished product. They also agreed that a corporate tax was paid by the corporate shareholders and never ended up as a factor in the price of a finished article.

In GATT they further agreed that exports should not bear the burden of domestic taxes in their price, as they left the country, but that imports should carry their fair share of the domestic tax burden.

Therefore, it was agreed that a domestic sales tax would be rebated to the manufacturer (or exporter) on all articles he sold as exports. They also agreed that imports coming into the country would be subject to the domestic sales tax.

However, as they had determined that the corporate tax had no relation to the price of an article, no adjustments were allowed for the corporate tax.

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I should say at this point that this policy was in line with economic thinking in the late 1940s and early 1950s and this nation raised no serious objection. Then, too, the whole focus of policy in the late 1940s was directed at getting world trade going again, and a reading of history would indicate that we were willing to put this nation at a trading disadvantage. This policy ran through our foreign aid, military, and trade policies at that time. Looking back I suppose that this was not surprising in view of the chaos and destruction that prevailed in Europe and Japan.

As the nations of Europe recovered and as they entered the Common Market, the advantages of the tax arrangements made under GATT became more apparent. First of all there was an examination of the effect of the direct national sales tax. It was soon discovered that this tax tended to "cascade" or pyramid. The tendency for these taxes to pyramid occurred because each step in the production line in essence paid a tax on a tax, and the final tax to the consumer was inflated. The system also made it very difficult to determine just how much tax was carried in the price of a finished product.

INTRODUCED BY FRANCE

The French pioneered in a system called the "value-added" tax designed to eliminate the "cascade" effect and to pinpoint the precise tax paid. The value-added system accomplishes this by, in effect, requiring a separate tax invoice to accompany each transaction. This means, with respect to exports, that the entire amount of the tax can be precisely measured and rebated whereas, under the "cascade" system, there was often undercompensation because of the difficulty of identifying the tax element in exports.

The Common Market countries have been so attracted to the French plan that they have moved to harmonize their tax systems on a value-added basis and to end up at a 15% rate.

For the Common Market nations this is all fine and quite fair. Their exports leave their borders free of a large share of the domestic tax burden while imports coming in carry the same load of taxation borne by domestic producers.

But look at the manufacturer in the U.S. There are probably some state and local sales taxes that he has paid, but his principal tax is the corporate tax. Under GATT rules no relief can be granted and his product leaves the U.S. carrying the full weight of U.S. taxation. Conversely he must compete against imports that have escaped a large portion of the domestic tax burden if they were produced in the Common Market. One can only conclude that this is a "hell of a way to run a railroad."

In the past eight years U.S. manufacturers have complained bitterly to Secs. Dillon, Fowler, and to me that they were faced with an unfair situation, and asked us to devise some comparable relief under our tax laws. However, we always ran squarely up against the GATT formula stating that corporate taxes had nothing to do with prices and any relief for exports in the corporate tax was prohibited because it constituted a subsidy.

A DEBATABLE QUESTION

The academics were also divided. The old question of who paid the corporate tax—share-holders or consumers—was still the subject of intense debate. After eight years of surging prosperity, however, I believe the consensus shifted more strongly toward the consumer. In strong markets it became apparent that corporate managers were aiming for a cash flow and to achieve their goal had to factor the corporate tax into their pricing decision.

The most telling blow was administered last November when the Germans reduced their border taxes and the French increased their value-added taxes at the border to alter trade patterns in favor of France and against Germany. This course was followed rather than increasing the value of the mark and decreasing the value of the franc. So far as I was concerned this action clinched my conviction that the U.S. was at a disadvantage in relation to the Common Market because of our differing tax policies.

TWO POSSIBLE ROUTES

If one accepts this thesis what can we do about it? There are two routes open

(1) The U.S. could adopt a national value-added tax which would be superimposed on the corporate tax if we wanted to raise more revenue, or it could be designed to replace a portion of the corporate tax. The latter is the course recommended by the Committee for Economic Development and possibly the course with the most support. This route involves no tedious international negotiations. It is perfectly permissible under present GATT rules. It would, however, set off a domestic donnybrook. States and cities would argue that we were invading their tax areas. Labor unions have never liked sales taxes. Finally it opens up a whole new can of worms for banking and finance.

(2) The other route and the one I favor is to renegotiate GATT and to restudy its tax provisions to equalize treatment between nations who choose to rely on corporate taxes and those who choose to rely on national sales or value-added taxes. This could be done in one of two ways. It could be decided to eliminate all or part of the rebate granted to exporters in saes tax countries. Or corporate tax countries could be permitted to impose equalizing taxes at their borders. For example, the U.S. might be permitted to impose a 5% to 10% tax on imports at our borders, and the proceeds would be used as a subsidy of 5% to 10% to exporters. I believe that this latter route has a better chance in international negotiations.

Now why should bankers be worried about a value-added tax? First of all bankers are treated comparatively well under the corporate tax—not so well as savings and loan associations, mutual savings banks, lumber companies, or the international oil companies, but still much better than the average manufacturing corporation. Banking's advantages in order of importance lie in the tax exempt status of state and local obligations, the special capital gains treatment accorded banks, and the fact that our bad debt reserves for tax purposes are considerably in excess of our experience ratio. There is simply no other way to read the record except to conclude that banking is in a favored position with respect to the corporate tax—not the most favored because the industries I listed above get much better treatment—but still favored. So any hasty embracing of the value-added tax is not too sensible.

We can, and perhaps equity indicates that we should, lose some of our favored position (provided the savings and loans, savings banks, and lumber and oil companies also lose their shelter) and still have a pretty fair life with the corporate tax. But to adopt a value-added tax raises the specter of what amounts to a gross (not net) income tax on our receipts for interest and services. The Common Market countries have largely excluded financial transactions from the scope of the value-added tax. We would probably not be so fortunate unless we were prepared to wage a bitter fight.

I have lived eight years with the tax writing committees of the Congress, and the mere thought of trying to get banks and financial transactions out from the clutches of a value-added tax makes me shudder.

FOUR CONCLUSIONS

In conclusion let me summarize my position.

(1) I have no doubts that the Common Market countries have a distinct advantage over the U.S. in their ability to export because of the GATT rules on the treatment of direct as opposed to the corporate tax when applied to exports.

(2) The U.S. should attempt to renegotiate the GATT rules on taxation. This effort should have the full support of U.S. bankers.

(3) Banking should oppose a value-added tax as a substitute for a portion of the corporate tax.

(4) The best solution is probably a system of border taxes for every country—direct or corporate tax countries—under strict international control.

Bankers should give our Government positive and meaningful support in its attempts to restore our trade surplus. However, we should also be in a position to assess the impact of different solutions on our part of the U.S. economy.

SALES VERSUS VALUE-ADDED TAX

To illustrate the pyramiding effect of a sales tax and how a value-added tax eliminates such pyramiding, let us trace the course of iron ore from the mine, to the steel mill, to an automobile manufacturer, and to the consumer.

Under a 15% sales tax, $100 worth of iron ore costs the steel mill $100 plus a sales tax of $15, or a total of $115. The mill converts this into steel which it sells to an automobile manufacturer for $400 plus a sales tax of $60, or a total of $460. The manufacturer makes a car from this steel which he sells for $1,000 plus a sales tax of $150, or a total of $1,150. The taxes paid amount to $15 plus $60 plus $150, or a total of $225.

Under a value-added tax, the 15% applies only to the value added to the product at each step. The steel mill stills pay $115 for the iron ore—$100 for the ore and $15 in taxes. That's because the iron ore producer, as the original handler, added the full value of $100 to the product. But when the steel is sold to the automobile manufacturer, the tax is reckoned only on the value added by the steel mill. In this case it would be the value of the steel ($400) minus the cost of the ore ($115) or $285. The steel costs $400 plus a tax of $42.75 (15% of $285), or a total of $442.75. Similarly, the automobile manufacturer who pays $442.75 for the steel and fashions it into a car worth $1,000, adds a value of $557.25 to the steel. When the car is sold, the consumer pays $1,000 plus a 15% tax on the $557.25, or a total of $1,083.59.

The taxes paid under a value-added system amount to $15 plus $42.75 plus $83.59, or a total of $141.34. This is appreciably less than the $225 paid under the sales tax method.

NEW BANKING AND REGULATION CHANGES

HON. EMANUEL CELLER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 21, 1969

Mr. CELLER. Mr. Speaker, under leave to extend my remarks in the RECORD, I include my address to the Continuing Management Education Co. seminar, held at the New Yorker Hotel in New York City, Friday, May 16, 1969. The address follows:

NEW BANKING AND REGULATION CHANGES

As in many other aspects of American society, dramatic changes are taking place in the banking industry. We in America have long prided ourselves on our talent to stimulate and derive social benefits from changing conditions. Acceleration in the rate of change, however, particularly in the last year, threatens to overwhelm long standing concepts about the structure of the American

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banking industry and the role of Federal banking regulation.

Banking in the United States has developed differently from other industrial countries. The concept of "unit banking" has been our keystone. Locally oriented, independent, banks have been relied upon to provide facilities and services to people of particular areas. Other industrial countries, Great Britain, Germany, and France, for example, have centralized banking systems that reduce to a minimum local and regional influences.

The unit banking system has played a key role in our economic development. It assures the fullest application of competitive forces. It provides opportunity to realize local community objectives, and in so doing provides stability to the political base.

Because of its unique relationship to nearly all other business activity, and because it is an essential part of the Nation's fiscal and monetary system, the banking business long has had special attention from the Federal Government. Special laws and regulations over banking have existed almost from the beginning of the Country.

During this century, Government regulation has been preoccupied with the effort to find methods to arrest or control the steady increase in bank concentration. With very few exceptions, since the Depression, when 4,000 banks suspended operations in 1934, the number of banks in the United States has steadily declined. This loss of independent banks, from 15,940 in December 1935 to 13,693 in March 1969, in large part has resulted from mergers and consolidations. The House Antitrust Subcommittee in 1955 reported that bank mergers had resulted in a net loss of 850 banks in the period 1950 to 1955. The 1965 report on "Interlocks in Corporate Management," notes that in the period 1950–1959, 1,503 banks were absorbed by merger, against 887 new bank charters.

Not only has the number of banks decreased, at the same time the volume of business has increased, and in most of the metropolitan areas a few large banks have most of the added business. In 1952, the 14,046 commercial banks in the United States had deposits of $172.9 billion and loans of $64.1 billion. By March 1969, the number of commercial banks had declined 473 (to 13,673), while deposits had increased 82 percent (to $402.4 billion), and loans had more than tripled (to $264.4 billion).

Now, in the United States, the typical metropolitan area is one in which assets are heavily concentrated in a few large banks, with a small remaining share diffused among a substantial number of small units. A 1962 study shows that the 4 largest banks had more than 90 percent of the assets in 5 of our principal financial cities (Providence, Pittsburgh, Boston, Atlanta and Richmond), and in 6 other centers the 4 largest banks had more than 80 percent (Minneapolis, Cleveland, Detroit, Dallas, Baltimore and Washington).

The persistent and powerful trend toward increased concentration has overshadowed Government regulation of banking throughout the post World War II period. Government antitrust officers and bank supervisory officials alike sought legislation to stem or to direct the bank merger tide. After the enactment of the Celler-Kefauver Act in 1950, I proposed an amendment to the antitrust laws that would reach bank mergers that were accomplished through asset acquisitions. In 1960, this effort was suspended when enactment of the Bank Merger Act required the banking agencies to take into consideration antitrust standards when they passed on bank mergers.

Additional legislative controls over bank concentration were obtained in 1956 on enactment of the comprehensive regulations in the Bank Holding Company Act. That Act vested power in the Federal Reserve Board to control the growth of bank holding companies and to restrict their activities to those that were closely related to banking so that the abuses and the anticompetitive results of concentrated economic power could be avoided.

During the 1950's and early 1960's, the Government's attitude about bank mergers and banking concentration was one of concern. In 1968, startling changes occurred that changed this attitude to one of alarm. The rapidity and extent of these changes threaten to overwhelm the customary process of continuing adjustment and accommodation between industry's private motivations and the Government's public responsibilities.

Statistics on the one-bank loophole in the Bank Holding Company Act illustrate the problem. In 1956, Congress exempted from regulation a holding company that controlled only one bank. At that time, there were 117 one-bank holding companies which controlled deposits of $11.6 billions.

The one-bank exception was granted to protect and foster local ownership of small unit banks in communities that otherwise might not be able to support a bank. Some were old operations where a commercial enterprise acquired or opened and operated a bank. Coca-Cola Co., for example, acquired Atlanta Trust. The overwhelming majority of one-bank holding companies owned small banks, however, which were combined with even smaller interests in nonbanking activities. Although the one-bank exemption was a minor exception to a general rule, throughout this period, for uniformity and equality of treatment the Federal Reserve Board sought to close this loophole. All one-bank holding companies would have been required to register and would be limited to fields closely related to banking.

For a decade the one-bank loophole did not create much concern. With about 40 new one-bank holding companies formed each year, in most cases by small banks, by 1965, there were 550 with deposits of $15.1 billion. Even as late as September 1968, 85 percent of the existing one-bank holding companies had deposits of less than $30 million each.

In 1965, the Boston Safe Deposit and Trust Company pioneered the use of the one-bank holding company exemption to diversify into nonbanking fields. From one subsidiary in 1965 it has grown to 15. Together they furnish a wide variety of financial services—from the management of pension funds to consultation on oil ventures.

In the Fall of 1967, Union Bank of Los Angeles organized as a one-bank holding company, Union Bancorp, to acquire a mortgage brokerage concern. It has since moved into insurance brokerage, and through subsidiaries has become a property and casualty insurer.

Union Bancorp's move started the stampede to financial congenerics. Some banks have turned to the loophole to go into nonbanking business. By December 1968, 34 of the largest commercial banks, with deposits over $100 billion had announced expansions into fields oft times unrelated to banking.

The assets of one-bank holding companies that have been formed or proposed now exceed those of the banks covered by the Act. In June 1968, there were 106 registered bank holding companies under the Act, and they had deposits of $48.9 billion. On September 1, 1968, there were 684 unregistered one-bank holding companies, and they had total deposits of $17.8 billion. By December 31, 1968, the one-bank holding companies exempted by the loophole had grown to 783 existing or announced companies, and their deposits amounted to $108.2 billion. In summary, the one-bank loophole exempts 7 times the number of banks subject to holding company regulation, and these exempt banks control more than double the deposits of the holding companies that are subject to Federal Reserve Board regulation. Nearly one-third of the deposits of the Nation's banking system are in institutions that are free to diversify into nonbanking activities that are beyond the scope of banking supervision.

The nonbanking business of one-bank holding companies is substantial and extensive. In September 1966, one-bank holding companies engaged in as many as 99 different types of nonfinancial businesses. These activities ranged from farming to electronics manufacture, from radio and television broadcasting to motion picture production. They include transportation services, retail sales and real estate builders.

This sudden surge in the rate of concentration in 1968 is not limited to the explosion in bank holding companies. Although in the last half of 1968, 34 of the 100 largest commercial banks became occupied with one-bank holding company organization problems, the normal type of bank mergers continued at a high level. There were 67 bank mergers in 1968, 84 in 1967, 75 in 1966, and 76 in 1965.

In the industrial sector of the economy, a similar acceleration occurred. In 1967, there were 169 acquisitions of companies with assets of $10 million or more, with total assets of $8.2 billion. This was more than double the $4.1 billion of acquired assets in such acquisitions in 1966. The rate quickened to $12.6 billion acquired assets in 1968, and the Federal Trade Commission reports first quarter 1969 figures indicate an annual rate of $18 billion for 1969.

In 1968 there were 4,462 merger announcements, and this was a 50 percent increase from the 2,975 announcements in 1967. There were 2,442 manufacturing and mining mergers consummated in 1968, which was 1½ times the 1967 level and 3 times the 1960 level. According to the Federal Trade Commission, 82 percent of the mergers in 1968 fell into their conglomerate categories.

What is the cause of this dramatic surge into higher concentration in 1967–1968? Why should some bankers feel the need to expand into nonbank businesses? What has occurred that focuses so much effort on acquisitions in a multitude of seemingly unrelated markets?

The answers are not clear. The House Antitrust Subcommittee now is collecting information in an effort to evaluate the industrial conglomerate merger movement. More will be known when this information is analyzed.

One thing does seem to be present. There has been a revolution in business fact-handling techniques. The computer and automatic data processing permits retrieval and application of mountains of facts. This has brought new dimensions to business management. Ready access to facts and the ability to retrieve and to use vast areas of experience heretofore unavailable because of lack of time has expanded our ability to control the business environment. In financial areas, these new tools have facilitated the drive into broader fields than those traditional for banking.

Whatever the cause, the results are clear. Government officials on all sides are concerned that these changes threaten the basic structure of the American industrial system. The one-bank loophole could be a vehicle to link together major financial and industrial interests in an alliance beyond the power of effective regulation. On all sides there is a conviction that something must be done quickly. The House Banking and Currency Committee held hearings on this problem as early as September 1968, and on February 11, 1969 published a detailed staff report on the "Growth of Unregistered Bank Holding Companies." Representative Patman introduced his bill to close the one-bank loophole on February 17, 1969.

President Nixon on March 24, 1969, requested legislation to deal with one-bank holding companies. He stated:

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"Left unchecked, the trend toward the combining of banking and business could lead to the formation of a relatively small number of power centers dominating the American economy. This must not be permitted to happen; it would be bad for banking, bad for business, and bad for borrowers and consumers."

William McChesney Martin, Chairman of the Federal Reserve Board has expressed similar concern. He is of the view that the rapid increase in one-bank holding companies, if unchecked "could affect the whole economic system of the United States."[1]

Secretary of the Treasury Kennedy also sees pervasive changes. Unless the merging of banking and commerce are stopped, he says:

"Our economy could shift from one where commercial and financial power is now separated and dispersed into a structure dominated by huge centers of economic and financial power. Each would consist of a corporate conglomerate controlling a large bank, or a multi-billion-dollar bank controlling a large nonfinancial conglomerate."

There is another side to this story. Spokesmen for the banking industry point out that the move to one-bank holding companies is in response to a squeeze play against banks by well organized commercial and financial groups. Henry Harfield, an eminent authority on banking law and a partner in the law firm of Shearman and Sterling, told the Bank Counsel Seminar on April 26, 1968:[2]

"The banking industry is in a squeeze today. The pressure is applied at many points and in many ways . . .

"The right of a national bank to sell insurance has been judicially denied in a Federal court in Georgia. The right of a national bank to provide travel services is under judicial attack in a Federal court in Massachusetts. The ability of national banks to underwrite revenue bonds has been judicially denied by a Federal court in the District of Columbia. The right of a national bank to perform fiduciary services for its customers through a commingled investment account has been challenged, so far successfully, in the Federal court in the District of Columbia. The right of national banks to perform computer services for their customers is under attack in Federal courts in Minnesota and in Rhode Island. This is the squeeze on the business of banking.

"The common denominator is the effort of organized commercial and financial groups to protect their profitable areas by compressing the permissible area of banking."

These statements make it clear that the Government officials with banking responsibilities have a wide area of agreement that prompt action is needed to regulate and control this threat. This change in industry conditon has been so swift and so basic that it will not permit much delay in corrective legislation. As usual, in anything that directly affects both political and financial interests, there is wide divergence in viewpoint on the appropriate method to protect the public interest.

These differences, particularly differences about selection of the regulatory body to be responsible for supervision of bank holding companies, and differences about the extent and type of new nonbank financial services to be permitted bank holding companies, are fundamental. The decisions that must soon be made on these questions will shape the course of the banking industry, industrial growth, and Government effectiveness for years to come. The magnitude of the changes now underway is a measure of the importance of these differences.

This Country has had its full share of bitter experience with abuses that flow from efforts by bankers to pursue business ventures that are not closely related to banking. No man can serve two masters. Bank regulation since the Civil War basically has been an attempt to keep bankers and banking (the suppliers of money) separate from commerce and industry (the users of money).

We have had the Pujo investigation in 1913. We have had the Pecora investigation in 1934. These investigations produced mountains of evidence on the evils, both business and political, that flow when bank managers dilute their interests and become oriented toward different objectives in other businesses. As a people, we know from experience that when banking institutions are permitted to take on nonfinancial interests some bankers become infected with a speculative fever and undertake practices and transactions that have the direct consequences for the public.

It is no matter that the great majority of banks and bankers throughout these periods have comported themselves with honor and with dignity in dealing with nonfinancing interests. Nearly all regulatory laws, in any field, is forced not by the conduct of the majority but from the misbehavior of the few.

The record of corporate holding companies in the United States is full of examples of unlawful securities manipulation, corruption of public officials and abuse of economic power. For years after the 1920's the term "holding company" was synonymous with scandal. We have but to recall the excesses in utilities empire building and the securities manipulation of some investment bankers to recognize the necessity to keep financial management interests separate from industrial management interests.

The record shows there is a constant threat that the management of the holding company may become more interested in securing additional funds for expansion than in the efficient operation of his subsidiaries. The lure of short term savings in current stock prices all too often lead to operations that injure or destroy long run profitability.

It is to the credit of the Federal Reserve Board that the holding companies it regulates under the Bank Holding Company Act have not been permitted to engage in these misleading practices. There has been no pyramiding or watering of stock to weaken financial stability. For this reason it is argued that the Federal Reserve Board's surveillance should be extended to the one-bank holding company, and that its record is good. On the other hand, as is provided in the Administration amendment to the Bank Holding Company Act, regulation lies with a troika, namely the Federal Reserve Board, the Federal Deposit Insurance Corporation and the Comptroller of the Currency. All regulatory orders must be with the unanimous consent of all three agencies. That means any agency would have the right of veto. Personally I believe if all three agencies are to be involved unanimity of all three is impracticable.

The Nixon Administration has recommended amendments that would permit all bank holding companies—not just one-bank holding companies—to undertake activities that would not meet the test of being "closely related to the business of banking."

At the present time, the Bank Holding Company Act permits registered bank holding companies to acquire "shares of any company, all the activities of which are financial, fiduciary, or insurance nature and which the [Federal Reserve] Board . . . has determined *to be so closely related to the business of banking* . . . as to be proper incident thereto . . ."

The Administration would amend Section 4(c)8 to permit registered bank holding companies—both *one-bank and multi-bank*—to acquire shares in any company engaged exclusively in activities which have been determined by unanimous agreement of the Comptroller of the Currency, the Federal Deposit Insurance Corporation, and the Board "(1) to be financial *or related to finance* in nature of a fiduciary or insurance nature, and (2) to be in the public interest when offered by a bank holding company or its subsidiaries."

This language is somewhat vague and should be clarified by amendment or the report on the bill by the Committee or the legislative history of the bill as revealed in debate must make crystal clear the Congressional intent of the words used. *This* is certain, purely business operations must be excluded.

What is needed, if the test "closely related to the business of banking" is not used, is for Congress to define with a fair degree of precision the list of nonbanking activities that affiliates of holding companies will not be permitted to undertake. Congress cannot take the chance that banks will be permitted to expand into all manner of services that are not directly related to the banking business.

If an amendment is needed for permissible areas of holding company activity, Congress should define a list of permissible nonbanking businesses. Congress should not assign this task to the limbo of a regulatory committee. We have had all too much experience with symbiosis between the regulators and the regulated.

Both of the bills now being considered by the Banking and Currency Committee contain a number of additional changes in bank holding company regulations. Although such questions as the "grandfather clause," additional prohibitions against interlocking directorates, application of a "size" test in acquisitions, to mention only a few, are important, they are overshadowed by the pressing need to close the one-bank loophole itself, and to provide a way to delimit permissible nonbanking activities of holding companies. The hearings and report of the Banking and Currency Committee will furnish a much more substantial basis for final decision on these ancillary matters.

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[1] Statement, April 18, 1969, House Banking and Currency Committee, Hearings on H.R. 6778.

[2] *Why Banks Leave Home*, Bank Stock Quarterly, September 1968.

CRISIS IN THE MIDDLE EAST

HON. SEYMOUR HALPERN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 21, 1969

Mr. HALPERN. Mr. Speaker, an outstanding and pertinent analysis of the developing crisis in the Middle East has been made by Congressman HAMILTON FISH, Jr. I believe that Congressman FISH's observations are of such merit that they should me studied by all Members of the Congress. Accordingly, I am inserting them in the CONGRESSIONAL RECORD.

In view of the dangerous situation in the Middle East, I feel we would be well advised to heed the timely and important questions raised by Congressman FISH. These questions reflect both wisdom and propriety with respect to the development of American policy.

We have every right to be concerned about the unwillingness of the Arabs to make a real peace with Israel, the Arab resolution of the pattern of violence and the pressures exerted on behalf of the Arabs by the Soviet Union and the other Communist states. I commend Congress-

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man Fish's remarks to the attention of my colleagues:

Crisis in the Middle East

It is a pleasure to be here tonight and to be able to report to you that many members of the Congress share with me the conviction that the fate of the State of Israel is directly related to the security interests of NATO, the United States, and the Free World.

As indicative of this position, I was joined by 63 other members of the Congress in a Sense of Congress Resolution early in January, opposing the one-sided condemnation of Israel by the United Nations, and which opened with the statement, "The United States must continue the pursuit of an honorable Arab-Israel peace in her highest national interest."

More recently, to commemorate the 21st birthday of the State of Israel, I joined with more than half the members of the Congress in signing a Declaration for a Middle East Peace, in which we reaffirmed our conviction that peace can only come through direct negotiations between Israel and the Arab belligerents.

Tonight, I believe, we would all be well advised to observe the unfolding of what I consider ominous developments in the Middle East. Some of these actions I will touch on are old, with only a change in intensity. Some of them are new. Added together, I believe, they spell a building to crisis in that troubled area, that soon will be, if it is not already, beyond any control.

I believe we are all aware of the unrelenting pressures being exerted upon the mid-East and Mediterranean by the Soviet Union. Russian ships crowd the Mediterranean. Russian arms flow to the Arab states—and to the terrorist and guerilla bands that have become a power unto themselves. Russian advisors and technicians are in Egypt, with the numbers reported as high as six to eight thousand. It is also reliably reported that Soviet Army artillery officers are supervising the massive Egyptian artillery barrages that threaten to erupt into another full-scale war.

Arab Terrorist movements have harassed the State of Israel, sowing fear and discord in the Middle East for a generation. Today, supported by Soviet arms, and fed by nationalist hate, they have grown in power until they threaten even the pro-western government of Lebanon. King Hussein has been forced to appease these extremists within his Kingdom to a degree that the Jordanian Government seems no longer its own master.

And although all this is troubling enough, new dangers loom in that deteriorating arena. A delegation of military officers have reportedly left Syria—the most radical of the Arab states—and gone to Communist China. It is reliably reported that Peking has promised to send ground-to-ground missiles and Chinese technical advisers to Syria to escalate the present so-called "War of National Liberation". With such armament, Tel Aviv and Jerusalem could easily become the Saigon and Hue (Way) of the Middle East.

Against this background, it is well to know that President Nixon has pledged that Israel's vital interests will be preserved—that the present Big Four talks will not lead to a sell-out of Israel.

Our Administration policy is that withdrawal of Israeli occupied Arab lands must occur only with the mutual consent of the parties directly involved, based upon a face-to-face settlement involving recognized, definable and just boundaries. These are the peace aims of the United States.

Knowing the unremitting hostility toward Israel by the Arab nations—recognizing that unchecked terrorist harassment is based in Arab nations—proud of our country's stated position on peace aims in that area—I must admit that I am somewhat puzzled by certain policies of our government, initiated during the last Administration, and which linger on today.

I refer to the continued shipment of U.S. arms to Jordan and the training of Jordanian forces in the United States. A squadron of F–104 jets is to be delivered to Jordan in the very near future, with another squadron to be shipped soon thereafter. Artillery, radar, and other arms are also being shipped.

Yet, at the same time, we are training Israeli military personnel—especially pilots—in this country. These pilots are being trained to fly the 50 phantom jets scheduled for delivery before the end of this year.

As I stated on the Floor of the Congress on March 26, I strongly question the wisdom of arming and training both sides. I question the wisdom of adding our armament to the side already being heavily stocked by the Soviet Union and the Communist Chinese. It seems to me such actions run directly counter to our announced policy in the Middle East. To add to the aggressive capacity of the Arab nations while proclaiming that we will not attempt to purchase a Soviet accord at the expense of Israel—is to state the case charitably a contradictory policy.

It would seem only wise that any military assistance offered Jordan be conditioned on strict observance by that state of the cease-fire agreement. If that had been done, Jordan's conduct during the past months is such that all contracts would have been suspended.

The Joint Congressional Declaration, which specified that the United States should not impose upon Israel a premature withdrawal from the cease-fire line, coupled with the Administration's position, clearly argues against a dual armament policy.

I can appreciate at least part of the problem. Mail in my office is heavy with letters opposing our Vietnam involvement. But the tragic situation in Vietnam must not so preoccupy us, or so weaken our spirit, that we lose sight of the historic and strategic importance of the Middle East. It is unfortunate—but understandable to a student of history—that the Middle East is developing into the prime point of confrontation between the Free and the Communist world. It is a fact. Our resolve must not be weakened.

Miscalculation of U.S. interest by Russia, or China, or the fanatical forces they are exploiting in the Arab nations today, must be prevented. I believe the United States should make it unmistakably clear to the world that we hold Israel's Arab neighbors responsible for terrorist activity operating from their countries. We should remind the world that retaliation for continued harassment against one's homeland is no sin, firmly rejecting one-sided condemnations. We should underscore the justice on our side by continuing our assistance to Israel.

The United States is heavily charged to make it unmistakably clear that we seek a settlement of the tensions in that area through direct negotiations between the combatants. Genuine peace in the Middle East is a major goal of American policy.

Thank you.

WHAT EVERY EMPLOYER SHOULD KNOW ABOUT HANDICAPPED WORKERS

HON. DANIEL E. BUTTON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 21, 1969

Mr. BUTTON. Mr. Speaker, earlier this month the President's Committee on Employment of the Handicapped held its annual meeting here in Washington. Through the auspices of the State of New York AFL–CIO, the winner of an essay contest on "Ability Counts," sponsored by the Governor's committee on employment of the handicapped came to Washington to take part in that meeting.

I am pleased that the winner from New York is a resident of my congressional district. Judith Cohn, of Albany, N.Y., is a remarkable young lady for her insight into the problems of the handicapped.

It is an honor for me to share with my colleagues Miss Cohn's perspicacious essay:

What Every Employer Should Know About Handicapped Workers

The majority of the roads to rehabilitation and employment of handicapped workers are blocked by barriers of apathy, caution and ignorance on the part of potential employers. We can help to prevent these barriers from forming by informing all employers of the many abilities of the handicapped populace.

What should every employer know about handicapped workers? The handicapped, as a majority, have been found to be dedicated employees with excellent records in attendance, productivity and job adjustment. Miss Walsh, who is in charge of Recruiting and Placement in the Veterans Administration Hospital in Albany, offered this interesting statement, "Impaired workers are *not* handicapped when employed in the right jobs in your business."

Upon speaking with Miss Murray, the Associate for Staff Development of the State Division of Vocational Rehabilitation Administration in Albany, I gained knowledge on this topic by her interesting replies to my interview. She informed me that, "It is good business to hire the handicapped because they are reliable, able, and productive workers who are ready and willing to do the job correctly. They have the same wide range of skills, abilities, and interests as other people."

Records also show that impaired workers have fewer disabling injuries than unimpaired ones when exposed to the same work hazards. Placement of the handicapped in your business is much more than a humane gesture, it is a sound business investment today and a step toward tomorrow's profit and production.

Through my interviews I've learned that there is much misinformation concerning casualty insurance programs and the handicapped worker.

There is no provision in workman's compensation insurance policies or rates that penalizes an employer for hiring handicapped workers. Employers who have such ideas have simply been "hoodwinked" by "scuttle-butt" rumors that are easily circulated because of their sensationalism. When placed at the proper jobs, the handicapped have an accident experience that is as good as that of their able-bodied fellow workers—and is often superior. So then, the possibility for an increase in an employer's compensation insurance costs is nullified.

The Federal-State program which supports vocational rehabilitaiton of the mentally retarded has brought about many advances. Many agencies throughout the country have training programs for the retarded. They are given comprehensive job training in a simulated work atmosphere. Their "graduates" are far more carefully screened than the average applicant for employment. The retarded worker is usually stable and takes pride in his job. He does not become easily bored by repetition. "Jobs calling for simple skills, repeated acts, and established routines are *often done better* by the retarded." This opinion was voiced by Miss Walsh of the Veterans Administration Hospital in Albany.

Mr. Edmond McCann, manager of the Blind Association in Albany, helped to acquaint

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me with many facts that every employer should know about blind workers. He said, "When a blind person has decided, with the help of his counselor, what sort of job he is fitted to do, and would like to do, the next step is the special education and training to enable him to do it. When the client is trained and ready to go to work, the counselor will aid him in finding a suitable job."

After my visit to the Blind Association, I decided to interview employees who had hired the handicapped and I was overwhelmed by their praise of these handicapped individuals. I interviewed a shop foreman about a blind operator of a screw machine, and he stated, "Since Frank has been with us, the morale of our group has hit a new high—and so has our production." I also interviewed a training manager of a large department store about a blind packer in the distributing department. The manager smiled after my question and said, "Her fellow employees have never regarded her as a burden. As a matter of fact, they are proud of her performance and independence."

Above all, I think what every employer should remember about handicapped workers is: "It's not the disability, but the ability, that counts."

THE ROAD TO THE TOP IS THROUGH HIGHER EDUCATION—NOT BLACK STUDIES

HON. CHARLES C. DIGGS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 21, 1969

Mr. DIGGS. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following article:

THE ROAD TO THE TOP IS THROUGH HIGHER EDUCATION—NOT BLACK STUDIES

(By W. Arthur Lewis)

When a friend suggested that, since I had spent all my adult life in black-power movements and in universities, I might make some comments on the highly topical subject of black power in the American university, it did not at first seem to be a good idea. Now that I have come to grips with it I am even more conscious of my folly in tackling so difficult and controversial a subject.

I am also very conscious that my credentials are inadequate, since the black-power movements in the countries with which I am familiar differ fundamentally from black power in the United States. My stamping grounds are the West Indies, where I was born, and Africa, where I have worked, and which I shall be visiting for the 14th time next month. But in both those places blacks are the great majority of the people—97 per cent in Jamaica, 99 per cent in Nigeria. The objective of the political movements was therefore to capture the central legislature, and the executive and judicial powers. In the United States, in contrast, blacks are only 11 per cent of the population, and have neither claim to nor prospect of capturing the Congress, the executive branch, or the Supreme Court for themselves alone. The objectives have to be different, and the strategy must also be different. Comparison between the colonial situation and the position of blacks in America is bound to mislead if it is suggested as a basis for deciding political strategy.

The fact of the matter is that the struggle of the blacks in America is a unique experience, with no parallel in Africa. And since it is unique, the appropriate strategies are likely to be forged only by trial and error. We are all finding the process a great trial, and since our leaders are going off in all directions at once, a great deal of error is also inevitable. I myself, in venturing onto this ground, claim the protection of the First Amendment, but do not aspire to wear the cloak of Papal infallibility.

The goals and tactics of black power in America have to be adjusted to the reality of America. Take the issue of segregation. Everywhere in the black world, except among a small minority of American blacks, the fight against segregation has been in the foreground of black-power movements. This goes without saying in countries where blacks are the great majority; yet there are situations where a minority may strengthen itself by temporary self-segregation of a limited kind.

All American minorities have passed through a stage of temporary self-segregation, not just the Afro-Americans. Foreigners speak of the United States as a "melting pot" and it may one day be that; but for the present America is really not a melting pot but a welding shop. It is a country in which many different groups of people live and work together side by side, without coalescing. There are Poles, and Irish, and Chinese, and Jews, and Germans, and many other ethnic groups.

But their way of living together is set by the clock; there is integration between 7 o'clock in the morning and 5 o'clock at night, when all mingle and work together in the center of the city, in the banks and factories, department stores and universities. But after 5 o'clock each ethnic group returns to its own neighborhood. There it has its own separate social life. There Poles do not marry Italians, even though they are both white Catholics. The neighborhood has its own schools, its own little shops, its own doctors, and its own celebrations. Integration by day is accompanied by segregation by night.

It is important to note that this self-segregation is voluntary and not imposed by law. An Italian can buy a house in an Irish neighborhood if he wishes to do so, can marry an Irish girl, and can go to an Irish Catholic Church. Many people also insist that this voluntary segregation is only a temporary phase in the acculturation of ethnic groups. They live together until they have found their feet on the American way of life, after which they disperse. The immigrants from Germany and Scandinavia have for the most part already moved out of segregated neighborhoods. The Irish and the Jews are just in the process, and sooner or later the Poles, the Chinese and even the Afro-Americans may disperse. But in the meantime this voluntary self-segregation shelters those who are not yet ready to lose themselves completely in the American mainstream. Other people believe that there will always be cultural pluralism in America, and that this may even be a source of strength. Whether or not they are right about the long run, there is no disputing that voluntary social self-segregation is the current norm.

The black-power movement is therefore fully in the American tradition in recognizing that certain neighborhoods are essentially black neighborhoods, where the black politician, the black doctor, the black teacher, the black grocer and the black clergyman are going to be able to play roles which are not open to them, *de facto*, in other neighborhoods. Many Southern Negroes claim vigorously that blacks are better off in the South than in the North precisely because the Southern white philosophy has reserved a place for a black middle class in the black neighborhoods—for the black preacher or doctor or grocer.

Essentially, what black power is now saying in the North is that the North, too, should recognize that the middle-class occupations in the black neighborhoods belong to blacks, who are not permitted to hold such jobs in Italian, Polish, or other ethnic neighborhoods. The issue is phrased in terms of community power—that is to say, of giving to each neighborhood control over its own institutions—but this is tied inextricably to the distribution of middle-class jobs inside the neighborhood. It is unquestionably part of the American tradition that members of each ethnic group should be trained for the middle-class occupations in their neighborhoods, and that, given the training, they should have preference in employment in their own neighborhoods.

This kind of voluntary self-segregation has nothing in common with the compulsory segregation of other countries. An American neighborhood is not a ghetto. A ghetto is an area where members of an ethnic group are forced by law to live, and from which it is a criminal offense to emerge without the license of the oppressing power. This is what apartheid means in the Union of South Africa. An American neighborhood is not a place where members of an ethnic group are required by law to live; they may in the first instance have been forced to live there by circumstances, but it is soon transmuted, ideally, into a place where members of the group *choose* to live, and from which, ideally, anybody can emerge at any time that he wishes to do so. To confuse this neighborhood concept with apartheid is an egregious error.

The fundamental difference between apartheid and the American neighborhood comes out most clearly when one turns from what happens after 5 P.M. to what happens during the daytime. A neighborhood is a work place for less than half the community. The teachers, the doctors, the police, the grocers—these work where they live. But these people are supported by the labors of those who work in the factories and in other basic occupations outside the neighborhood. Some 50 to 60 per cent of the labor force moves out of the neighborhood every morning to work in the country's basic industries.

So a black strategy which concentrated exclusively on building up the black neighborhoods would be dealing with less than half the black man's economic problems. The neighborhood itself will not flourish unless the man who goes out of it in the morning brings back into it from the outside world an income adequate to support its institutions.

I wrote earlier that the American pattern is segregation in *social* life after 5 P.M. but integration in the *economic* life of the country during the day. American economic life is dominated by a few large corporations which do the greater part of the country's business; indeed, in manufacturing, half the assets of the entire country are owned by just 100 corporations. The world of these big corporations is an integrated world. There will be black grocery shops in black neighborhoods, but in your lifetime and mine there isn't going to be a black General Motors, a black Union Carbide, a black Penn-Central Railroad, or a black Standard Oil Company. These great corporations serve all ethnic groups and employ all ethnic groups. American economic life is inconceivable except on an integrated basis.

The majority of Afro-Americans work not in their neighborhoods but for one of the non-neighborhood corporations or employers, and so it shall be for as far ahead as we can see. The black problem is that while we are 11 per cent of the population, we have only 2 per cent of the jobs at the top, 4 per cent of the jobs in the middle, and are forced into 16 per cent of the jobs at the bottom—indeed into as much as 40 per cent of some of the jobs at the very bottom. Clearly, our minimum objective must be to capture 11 per cent of the jobs in the middle, and 11 per cent of the jobs at the top. Or, for those of us who have a pride in ourselves, it could even be an objective to have 15 per cent of the jobs at the top and in the middle, and only 8 per cent of those at the bottom, leav-

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ing the very bottom to less ambitious ethnic groups.

Not all our leaders understand that our central economic problem is not in the neighborhoods, but is in the fact that outside the neighborhoods, where most of us have to work, we are concentrated in the bottom jobs. For if they understood this they could not be as hostile as they are toward the black middle and upper classes. The measure of whether we are winning our battle is in how many of us rise to the middle and the top.

When a so-called militant abuses a successful Afro-American for having by virtue of extreme hard work and immense sell-discipline, managed to get to the top in the outside world, instead of devoting his energies to being—in the neighborhood—a social worker, or a night-school teacher, or a semi-politician, such a critic is merely being absurd. Rising from the bottom to the middle or the top, in the face of stiff white competition, prejudice and arbitrary barriers, takes everything that a man can give to it. It is our militants who should month-by-month chalk up the score of those who have broken through the barriers, should glory in their achievement, and should hold it up before our young to show them what black men can achieve.

Now, at last, I reach my central topic, which is the black man and the university. The road to the top in the great American corporations and other institutions is through higher education. Scientists, research workers, engineers, accountants, lawyers, financial administrators, Presidential advisers—all these people are recruited from the university. And indeed nearly all of the top people are taken from a very small number of colleges—from not more than some 50 or 60 of the 2,000 degree-granting institutions in the United States. The Afro-American could not make it to the top so long as he was effectively excluded from this small number of select institutions. The breakthrough of the Afro-American into these colleges is therefore absolutely fundamental to the larger economic strategy of black power.

I do not mean to suggest that the most important black strategy is to get more blacks into the best colleges. Probably the greatest contribution to black advancement would be to break the trade-union barriers which keep our people out of apprenticeships in the building and printing trades, and prevent our upgrading or promotion in other industries. The trade unions are the black man's greatest enemy in the United States.

The number of people who would be at the top, if we had our numerical share of the top, would be small. Our greatest task in terms of numbers, is to conquer the middle—getting into skilled posts, foremen's posts, supervisory and white-collar jobs—through better use of apprenticeships, of the high schools and of technical colleges. I am going to discuss the universities not because this is numerically important, but partly because it has become so controversial, and partly because if we did conquer the top it would make much easier the conquering of the middle—both in our own minds, and in other people's minds, by altering our young people's image of themselves and of what they can achieve.

What can the good white college do for its black students that Howard or Lincoln or Fisk cannot do? It can open the road into the top jobs. It can do this only by giving our people the kinds of skills and the kind of polish which are looked for by people filling top jobs. To put it in unpopular language, it can train them to become top members of the establishment.

If it is wrong for young blacks to be trained for the top jobs in the big corporations, for top jobs in the government service, for ambassadorships, for the editorial staff of The New York Times and so on—then there is little point in sending them to the best white colleges. On the contrary, if what one wants is people trained to live and work in black neighborhoods, they will do much better to go to the black colleges, of which there are, after all, more than 100, which know much better than Yale or Princeton or Dartmouth what the problems of black neighborhoods are, and how people should be trained to handle them. The point about the best white colleges is that they are a part, not of the neighborhood side of American life, but of the integrated part of American life, training people to run the economy and the administration in the integrated part of the day before 5 p.m.

But how can it be wrong for young Afro-Americans to be trained to hold superior positions in the integrated working world outside the neighborhood when in fact the neighborhood cannot provide work for even a half of its people? Whether we like it or not, most Afro-Americans have to work in the integrated world, and if we do not train for superior positions there, all that will happen is what happens now—that we shall be crowded into the worst-paid jobs.

If one grasps this point, that these 50 colleges are the gateway to the superior jobs, then the current attitudes of some of our black leaders to these colleges is not a little bewildering. In its most extreme form, what is asked is that the college should set aside a special part of itself which is to be the black part. There will be a separate building for black studies, and separate dormitories and living accommodations for blacks. There will be separate teachers, all black, teaching classes open only to blacks. The teachers are to be chosen by the students, and will for the most part be men whom no African or Indian or Chinese university would recognize as scholars, or be willing to hire as teachers.

Doubtless some colleges under militant pressure will give in to this, but I do not see what Afro-Americans will gain thereby. Employers will not hire the students who emerge from this process, and their usefulness even in black neighborhoods will be minimal.

I yield to none in thinking that every respectable university should give courses on African life and on Afro-American life, which are of course two entirely different subjects, and I am very anxious to see such courses developed. It is, however, my hope that they will be attended mostly by white students, and that the majority of black students will find more important uses for their time; that they may attend one or two such courses, but will reject any suggestion that black studies must be the major focus of their programs.

The principal argument for forcing black students to spend a great deal of their time in college studying African and Afro-American anthropology, history, languages and literature is that they need such studies to overcome their racial inferiority complex. I am not impressed by this argument. The youngster discovers that he is black around the age of 6 or 7; from then on, the whites he meets, the books he reads, and the situation of the Negro in America all combine to persuade him that he is an inferior species of Homo sapiens.

By the time he is 14 or 15 he has made up his mind on this one way or the other. Nothing that the college can do, after he reaches 18 or 19, is going to have much effect on his basic personality. To expect the colleges to eradicate the inferiority complexes of young black adults is to ask the impossible. And to expect this to come about by segregating black students in black studies under inferior teachers suggests some deficiency of thought.

Perhaps I am wrong about this. The proposition is essentially that the young black has been brainwashed into thinking himself inferior, so now he must spend four years in some place where he will be re-brainwashed into thinking himself equal. But the prospect that the 50 best colleges in the United States can be forced to take on this re-brainwashing operation is an idle dream. Those who are now putting all their energies into working for this are doomed to disappointment.

We are knocking our heads against the wrong wall. Every black student should learn some Afro-American history, and study various aspects of his people's culture, but the place for him to do this compulsorily is in the high schools, and the best age to start this seriously is even earlier, perhaps around the age of 10. By the time the student gets to a first-rate college he should be ready for business—for the business of acquiring the skills which he is going to be able to use, whether in his neighborhood, or in the integrated economy. Let the clever young black go to a university to study engineering, medicine, chemistry, economics, law, agriculture and other subjects which are going to be of value to him and his people. And let the clever white go to college to read black novels, to learn Swahili, and to record the exploits of Negro heroes of the past. They are the ones to whom this will come as an eye-opener.

This, incidentally, is very much what happens in African universities. Most of these have well-equipped departments of African studies, which are popular with visiting whites, but very few African students waste their time (as they see it) on such studies; when there is so much to be learned for the job they will have to do. The attitude of Africans to their past conforms to the historian's observation that only decadent peoples, on the way down, feel an urgent need to mythologize and live in their past. A vigorous people, on the way up, has visions of its future, and cares next to nothing about its past.

My attitude toward the role of black studies in the education of college blacks derives not only from an unconventional view of what is to be gained therefrom, but also from an unconventional view of the purpose of going to college. The United States is the only country in the world which thinks that the purpose of going to colleges is to be educated. Everywhere else one goes to high school to be educated, but goes to college to be trained for one's life work. In the United States serious training does not begin until one reaches graduate school at the age of 22. Before that, one spends four years in college being educated—that is to say, spending 12 weeks getting some tidbits on religion, 12 weeks learning French, 12 weeks seeing whether the history professor is stimulating, 12 weeks seeking entertainment from the economics professor, 12 weeks confirming that one is not going to be able to master calculus, and so on.

If the purpose of going to college is to be educated, and serious study will not begin until one is 22, one might just as well, perhaps, spend the four years reading black novels, studying black history and learning to speak Fanti. But I do not think that American blacks can afford this luxury. I think our young people ought to get down to the business of serious preparation for their life work as soon after 18 as they can.

And I also note, incidentally, that many of the more intelligent white students are now in revolt against the way so many colleges fritter away their precious years in meaningless peregrination from subject to subject between the ages of 18 and 22.

Any Afro-American who wishes to become a specialist in black studies, or to spend some of his time on such work, should be absolutely free to do so. But I hope that, of those students who get the opportunity to attend the 50 best colleges, the proportion who want to specialize in black studies may, in their interest and that of the black community, turn out to be rather small, in

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comparison with our scientists, or engineers, accountants, economists or doctors.

Another attitude which puzzles me is that which requires black students in the better white colleges to mix only with each other; to have a dormitory to themselves; to eat at separate tables in the refectory, and so on. I have pointed out that these colleges are the gateway to leadership positions in the integrated part of the economy, and that what they can best do for young blacks is to prepare them to capture our 11 percent share of the best jobs at the top—one of every nine ambassadorships, one of every nine vice-presidencies of General Motors, one of every nine senior directors of engineering laboratories, and so on.

Now I am told that the reason black students stick together is that they are uncomfortable in white company. But how is one to be Ambassador to Finland or Luxembourg—jobs which American Negroes have already held with distinction—if one is uncomfortable in white company? Anybody who occupies a supervisory post, from foremen upwards, is going to have white people working under him, who will expect him to be friendly and fair. Is this going to be possible, after four years spent in boycotting white company?

Nowadays in business and in government most decisions are made in committees. Top Afro-Americans cannot hope to be more than one in nine; they will always be greatly outnumbered by white people at their level. But how can one survive as the only black vice president sitting on the executive committee of a large corporation if one is not so familiar with the ways and thoughts of other vice presidents that one can even anticipate how they are going to think?

Blacks in America are inevitably and perpetually a minority. This means that in all administrative and leadership positions we are going to be outnumbered by white folks, and will have to compete with them not on our terms but on theirs. The only way to win this game is to know them so thoroughly that we can outpace them. For us to turn our backs on this opportunity, by insisting on mingling only with other black students in college, is folly of the highest order.

This kind of social self-segregation is encouraged by two myths about the possibilities for black economic progress in the United States which need to be nailed. One is the Nixon myth, and the other, its opposite, is the revolutionary myth.

The first postulates that the solution is black capitalism—to help as many blacks as possible to become big businesmen. To be sure, it is feasible to have more successful small businesses operating inside the protection of the neighborhood—more grocers and drug stores and lunch counters; but I have emphasized that the members of every ethnic group mostly work outside their neighborhood in the integrated economy, buying from and selling to all ethnic groups. In this part of the economy the prospects for small business are bleak.

No doubt a few Negroes, born with the special talents which success in a highly competitive business world demands, will succeed in establishing sizable and highly competitve concerns. But the great majority who start on this road, whether white or black, go bankrupt in a short time. Indeed, about half of the new white businesses go bankrupt within the first 12 months. To tell the blacks that this is the direction in which they must move is almost a form of cruelty. To pretend that black America is going to be saved by the emergence of black capitalism competing in the integrated economy with white capitalism, is little more than a hoax.

Neither is black America going to be saved by a Marxist revolution. Revolution takes power from one set of persons and gives it to another, but it does not change the hierarchical structure of the economy. Any kind of America that you can visualize, whether capitalist, Communist, Fascist, or any other kind of ist, is going to consist of large institutions like General Motors under one name or another. It will have people at the top, people in the middle and people at the bottom. Its leading engineers, doctors, scientists and administrators—leaving out a few top professional politicans—are going to be recruited from a small number of highly select colleges.

The problem of the black will essentially be the same—that problem being whether he is going to be mostly in the bottom jobs, or whether he will also get his 11 per cent share of the top and the middle. And his chance at the top is going to depend on his getting into those select schools and getting the same kind of technical training that the whites are getting—not some segregated schooling specially adapted for him, but the same kind that the whites get as their gateway to the top. Those black leaders who wish us to concentrate our efforts on working for revolution in America are living on a myth, for our problems and needed strategies are going to be exactly the same whether there is a revolution or not. In the integrated part of the American economy our essential strategy has to be to use all the normal channels of advancement—the high schools, the colleges, apprenticeships, night schools: It is only by climbing this ladder that the black man is going to escape from his concentration in the bottom jobs of the economy.

This is not, of course, simply a matter of schooling. The barriers of prejudice which keep us off the ladder still have to be broken down: the task of the civil-rights movement is still not completed, and we need all the liberal help, black and white, that we can get to help to keep the ladder clear. We need also to raise our own sights; to recognize that there are now more opportunities than there were, and to take every opportunity that offers. Here our record is good. For as the barriers came down in sports and entertainment, our young people moved swiftly to the top in baseball, football, the theater, or wherever else the road was cleared. We will do exactly the same in other spheres, given the opportunity.

The secret is to inspire our young people with confidence in their potential achievement. Any psychologists tell us that the background to this is a warm and secure family life. The most successful minorities in America, the Chinese, the Japanese and the Jews, are distinguished by their close and highly disciplined family, which is the exact opposite of what has now become the stereotype of the white American family, with its undisciplined and uncontrollable children reared on what are alleged to be the principles of Dr. Spock. African families are warm, highly disciplined structures, just like Jewish or Chinese families. If black Americans are looking to Africa for aspects of culture which will distinguish them from white Americans, let them turn their backs on Spockism, and rear their children on African principles, for this is the way to the middle and the top. Given a disciplined family life and open doors to opportunity, I have no doubt that American blacks will capture one field after another, as fast as barriers come down.

The point which I have been trying to make is that the choice some of our leaders offer us between segregation and integration is false in the American context. America is integrated in the day and segregates itself at night. Some of our leaders who have just discovered the potential strength of neighborhood self-segregation have got drunk on it to the point of advocating segregation for all spheres of Afro-American life. But the struggle for community power in the neighborhood is not an alternative to the struggle for a better share of the integrated world outside the neighborhood, in which inevitably most of our people must earn their living. The way to a better share of this integrated economy is through the integrated colleges; but they can help us only if we take from them the same things that they give to our white competitors.

If we enter them merely to segregate ourselves in blackness, we shall lose the opportunity of our lives. Render homage unto segregated community power in the neighborhoods where it belongs, but do not let it mess up our chance of capturing our share of the economic world outside the neighborhood, where segregation weakens our power to compete.

TESTIMONY ON THE TIMBER SUPPLY ACT

HON. BENJAMIN B. BLACKBURN

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 21, 1969

Mr. BLACKBURN. Mr. Speaker, in the Housing and Urban Development Act of 1968, the Congress decreed as national policy that all Americans should be provided with a decent place to live. The necessary machinery was established to provide through the use of private enterprise the realization of this idea. However, because of skyrocketing prices and interest rates, private industry has been unable to even begin to meet this need.

Recently, the Banking and Currency Committee held hearings with regard to the skyrocketing lumber prices. The Congress found after lengthy investigation that the increase in the price of lumber has been one of the main contributing factors in the rising cost of home construction. When trying to find a solution to this problem, members of the committee, including myself, found that the national forests were not effectively producing enough lumber to meet the Nation's needs. I readily admit that both private as well as national forests are not being managed at their optimum potential.

However, there has been progress in the private sector by more effective use of natural resources. Therefore, in order to bring forest production up to its maximum potential, I introduced the National Timber Supply Act of 1969. This act would establish a trust fund which would be funded by the receipts from timber cut on public lands. The objective of the act is to "grow trees the way we grow crops." It is hoped that under this program that full potential use of this resource can be realized through proper forest management.

Today, I had the pleasure of appearing before the House Agriculture Committee's Subcommittee on Forests regarding the National Timber Supply Act. For the information of my colleagues, I hereby insert my testimony in the RECORD:

STATEMENT OF THE HONORABLE BENJAMIN B. BLACKBURN

Mr. Chairman: I will not take up a great deal of this distinguished subcommittee's time speaking in support of the legislation before you. I am sure you are aware that I have sponsored a bill similar to the one before you and that the National Timber Supply Act has my full support.

However, I would like to briefly review a possible alternative if this legislation fails, and outline my reasoning.

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As a member of the Banking and Currency Committee, I was most interested in looking into the problems that confronted the housing industry in its efforts to obtain enough lumber and plywood, at reasonable cost, to accomplish the job Congress has asked that industry to do.

The hearings on that subject were illuminating to me and, I am sure, to many other members of the committee.

We found that the National Forests, alone, of the major forest holdings of the United States, are not managed with the optimum skills available to the foresters charged with their administration.

We also found, I concede, that millions of small private holdings around the country are not being very well managed for timber production, but we also found that the private sector is embarking on a project to do something about it. I expect that before the year ends this committee will be considering programs to help the states and the consuming industries implement certain recommendations of the Southern Forest Resource Analysis.

If we pass this legislation before this committee now, we will have the opportunity to bring all of our nation's forests up to optimum production.

But first we must pass the National Timber Supply Act.

Why should we? What promise does it hold?

The Banking and Currency Committee heard testimony about a program almost identical to the one in this bill, that has been underway since 1961 on the forest lands owned by the Department of Defense.

On the lands managed by the Army, for instance, income has gone up from about $1.5 million in 1961 to $4.6 million in 1968, in just seven short years.

In total, the military lands have produced almost $12 million in net income to the Treasury of the United States.

That is one reason to pass the National Timber Supply Act.

The Bureau of Land Management of the Department of the Interior presented some impressive figures on the results it has obtained with another self-funding program.

Furthermore, a table submitted to the committee indicated that investments in forestry can produce returns of 9.2 per cent on the best lands, 7.7 per cent on the next lower category, and so on, down to 4.8 per cent. Because of the undermanagement on the National Forests, we were told that each one million dollars in additional forest management investment would return about 21 per cent. It turns out that timber growing investments have been neglected in the appropriation process when compared to the better managed industrial lands.

That, then, is a second reason.

The state of Washington, we were told, has almost tripled its sustainable harvest—and will increase this harvest by 30 per cent more in the next decade—with an investment of only about 25 per cent of receipts. A representative of the state of Oregon testified that the experts believe the yield from the National Forests could be increased by 50 per cent.

That is yet a third reason for passage of this bill. All three are examples of the results obtained by public agencies operating under essentially the same program called for in this legislation.

A forestry expert from Crown-Zellerbach testified before my committee on the yields his company expects and gets. Another, from the Weyerhaeuser Company, did the same before the Senate committee. But Weyerhaeuser disclosed some figures that were of extreme interest to me.

In 1969, that company has budgeted $38 million for forestry practices.

In contrast, the Congress appropriated only $16 million for similar activity on the National Forests in the highest single year.

Weyerhaeuser has only about 3 million acres of forest land—the National Forests include 100 million.

Twice as much money will be spent by Weyerhaeuser on one thirtieth as much land.

I am sure none of us believes that this money will be wasted. Profit-making companies seldom waste sums of that magnitude.

But that is not all. Three years ago Weyerhaeuser instituted what it describes as a high yield forest program. That is what the $39 million is part of.

And now, with proof that the high yield program works, that company's Board of Directors has agreed to spend $300 million in the period from 1970 to 1975—$60 million a year.

Surely that proof must have been extremely convincing. It should be equally convincing to this Congress.

For the information of the committee, I am attaching a copy of a letter which I received yesterday from Mr. James R. Turnbull, Executive Vice President of the American Plywood Association, with regard to the National Timber Supply Act. I believe this letter illustrates the plywood industry's position on this matter.

American Plywood Association,
Tacoma, Wash., May 15, 1969

Hon. Benjamin B. Blackburn,
U.S. House of Representatives,
Washington, D.C.

Dear Mr. Blackburn: I was deeply gratified to learn of your sponsorship of the National Timber Supply Act of 1969. And on behalf of the softwood plywood industry, I'd like you to know that we greatly appreciate your active support in this area.

The legislation you are sponsoring will obviously ease some of the problems of raw material supply which have created such crises in our industry in recent months. It should also go a long way toward enabling our country's home builders to meet the nation's desperate need for housing at prices people can afford—particularly those on the lower end of the economic scale.

We believe that this legislation is in complete harmony with the public interest from every standpoint—business, construction, and, not least, basic resource conservation.

So, once again, let me extend to you our industry's appreciation for your understanding and active participation in the solution of these problems. We're grateful for your help.

Very sincerely yours,
James R. Turnbull,
Executive Vice President.

RAIL SAFETY ACTION URGENT

HON. THADDEUS J. DULSKI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 21, 1969

Mr. DULSKI. Mr. Speaker, the increase in the number of train accidents and derailments points up further the necessity for tightening Federal laws covering rail safety.

The Federal Railroad Administration has only limited jurisdiction and is operating with a completely inadequate staff to cover even the areas over which it has jurisdiction.

The Federal agency has no authority, for example, over track or roadbed construction, over safety rules or over railroad employees.

The railroads are responsible for maintenance, but I constantly am being told of lapses in normal attention to malfunctions, broken fittings, and other obvious warnings of impending breakdowns.

Passenger traffic on the railroads has been reduced, relatively, to a trickle. But the danger to human life is just as real with freight trains as with passenger trains.

Besides the traincrews themselves—who certainly are entitled to every consideration—there are the people who reside in the vicinity—or even, perhaps, just happen to be nearby—where a derailment or other accident occurs.

In the period since 1961, the number of rail accidents reported to Federal officials has more than doubled. The average was 240 accidents per month in 1962. Last year, there were 5,300 and now the monthly average is running closer to 500.

Any train accident is serious because of the threat to life and property, but what is not as widely known is the amount of highly volatile cargo which is being carried over the railroads today.

These cargoes are so volatile that, in some cases, they could even destroy an entire community by fire or by other mean as a result of a derailment or other rail breakdown.

A particularly spectacular example is the recent revelation of the plan to transport 27,000 tons of lethal war gases to the east coast for disposal. Just visualize the devastation that could occur if one of the trains carrying that lethal cargo should be involved in an accident en route.

In the absence of any other effective safety enforcement, the Congress must tighten Federal law and give the Federal Railroad Administration the tools it needs to impose and enforce effective rail safety.

Mr. Speaker, I am today introducing legislation to provide for railroad safety. I have studied other proposals which have been made and I believe that my version offers the best prospect for favorable and much-needed action in this Congress.

As a companion measure dealing with railroad safety, I also am proposing a reduction in the hours of continuous work by the railroad employees. My measure would limit continuous hours of employment to 12 hours, in place of the present limit of 16 hours.

Mr. Speaker, my remarks so far have been directed in particular at rail safety; but, in citing the instance of the proposal to transport 27,000 tons of lethal war gases to the east coast, this brings up a further matter of concern to all of us which is well expressed in the following editorial broadcast May 17 and 18 over WMCA in New York City:

WMCA Editorial: Peace or War

The Army wants to get rid of 27,000 tons of poison gas left over from World War Two. The stuff is still deadly, but the chemical warfare people say it's "obsolete" now.

Originally the Army planned to move the gas from Maryland and Colorado to New Jersey in 1100 railroad cars over a period of several months. Then it was to be loaded onto four old Liberty ships, towed out to sea and sunk.

The Army says poison gas has been dumped this way "several times" in the past without an accident. But there have already been at

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least five train accidents this year involving other hazardous cargoes.

New York and New Jersey congressmen are fighting this dumping scheme. Maybe they should also be finding out what new poisons the Army is cooking up today to be dumped in the ocean 20 years from now.

BANK HOLDING COMPANY ACT OF 1956

HON. J. WILLIAM STANTON

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 21, 1969

Mr. STANTON. Mr. Speaker, for the past 6 weeks, the House Banking and Currency Committee has been hearing testimony on one-bank holding companies.

Shortly, our committee will go into executive session to mark up a bill that will best protect the public interest. I am submitting for the RECORD the statement of Mr. William H. Moore, chairman of the board, Bankers Trust New York Corp., in reference to H.R. 9385—a bill to amend the Bank Holding Company Act of 1956.

Although Bankers Trust New York Corp. is already a registered holding company, the legislation before our committee would affect them in many ways and Chairman Moore's comments parallel those of many other witnesses before the committee. I commend them to the Members' attention:

STATEMENT WITH REFERENCE TO H.R. 9385, A BILL TO AMEND THE BANK HOLDING COMPANY ACT OF 1956, SUBMITTED TO THE COMMITTEE ON BANKING AND CURRENCY ON MAY 9, 1969, BY WILLIAM H. MOORE, CHAIRMAN OF THE BOARD, BANKERS TRUST NEW YORK CORP.

Bankers Trust New York Corporation is a bank holding company, registered and regulated under the Bank Holding Company Act of 1956. It owns all of the capital stock of Bankers Trust Company and three smaller banks in the State of New York.

I would like to submit my comments on both H.R. 6778 and the Administration's bill, H.R. 9385.

The stated purpose of each of these bills is to include the so-called one bank holding companies within the present Federal bank holding company regulation and to make some additional changes in that regulation. Both bills contain one provision, however, which seems to me to be inconsistent with the basic principle of equality of treatment otherwise embodied in both bills. These are the so-called "tie-in" provisions. I will discuss them in detail later on, but among other things I believe that, if such legislation is needed, it should take the form of separate legislation applicable equally to all business corporations (or at least all lending institutions) and not just to banks or bank holding companies.

I have been pleased to note that your Committee has indicated a willingness to consider amendments or revisions to H.R. 6778 where to do so will improve the legislation, and I am encouraged to make some suggestions.

First, I would like to comment on what I believe are two very important principles, one of which is embodied in both bills and the other of which is embodied in H.R. 9385.

These principles, which I heartily endorse, are:

(1) That Federal law should not discriminate in favor of banks which are not affiliated through regulated bank holding companies and against banks which are so affiliated.

(2) That all banking organizations should be permitted greater flexibility in the utilization of subsidiary and affiliated corporations and in the range of services they are permitted to perform for their customers in this manner.

(1) Federal law should not discriminate.

I doubt that the first point requires much elaboration. It seems clear as a matter of principle—and simple justice—that banks which are organized together through registered bank holding companies should be no more restricted in their utilization of, or affiliation with, other corporate entities than are banks which are not so affiliated.

This becomes even clearer when it is recognized that in some states, such as New York, the state legislatures have decreed that the *only* permissible form of organization for state-wide banking is by bank holding company, while in other states individual banks are permitted to operate offices throughout the state. Banks in the latter states have no need to affiliate with each other through bank holding companies. Accordingly, under present circumstances, such banks are free both to provide state-wide banking services and also to engage, without restriction, in "non-banking" activities through so-called one-bank holding companies.

Both bills would correct this situation by applying substantially identical regulation (at least prospectively) to all companies that own banks. As a result, the ability to utilize or affiliate with other corporations would be the same for a bank owned by a company which also owns other banks and for a bank owned by a company which owns only one bank. This is as it should be.

(2) That all banking organizations should be permitted greater flexibility (a) in the utilization of subsidiary and affiliated corporations and (b) in the range of services they are permitted to perform for their customers in this manner.

This second point is of vital importance if our commercial banking system is to avoid being stifled by the burden of outmoded and unduly repressive legislation. It really involves two separate points which are different in many ways and both quite important, but which have tended to be treated together.

I believe that the recent rush of large and medium-sized banks across the country to organize one-bank holding companies represents a natural response by progressive bankers to the growing need of banking in both of these areas, namely (1) to modernize and expand our commercial banking services and (2) to utilize in many cases more flexible and appropriate forms of organization.

(a) The need to modernize and expand commercial banking services.

In today's increasingly complex business world it is not enough for commercial banks to make loans in the traditional form with the traditional forms of collateral—or to limit themselves to the traditional services or the traditional forms of attracting money. Other forms of financing and of services related to finance are demanded by our customers. Factoring, leasing, mortgage banking, travel services, a rapidly growing list of computer services, credit cards, credit life and related insurance and other services have already become or are in the process of becoming part of banking itself and not just related or comparable services. Many others will, of necessity, follow if banking is to continue adequately to serve the financial needs of the country.

I have been pleased to note that many of the witnesses before your Committee, including Chairman Martin, have recognized this need to permit the range and scope of banking services to grow with the requirements of their customers.

H.R. 9385 would provide an appropriate means whereby banks, by utilizing the holding company form of organization, may appropriately expand their range of services and isolate their depositors from the new and different risks which some of these services may entail.

H.R. 9385 would amend section 4(c)(8) of the Bank Holding Company Act to include all activities which are "financial or related to finance in nature". I believe this language is appropriate without further statutory definition. In fact, I do not believe that it is possible or desirable to define by statute what is or what is not properly within the range of financial services, or services related to finance, which should or should not be performed by banks or corporations affiliated with banks. Among other things the nature of such services will certainly change over the years in the future as it has in the past.

H.R. 9385 would also require the three Federal bank supervisory agencies to agree upon and establish "guidelines" to govern their administration of section 4(c)(8). If the administration of this section is to be divided between the agencies, I assume that such guidelines (which may be revised from time to time) may be appropriate in order that there may be reasonable uniformity among the agencies in determining what is or is not financial, fiduciary or insurance in nature. It does seem to me, however, that "guidelines" attempting to govern the "anti-competitive" factors are unnecessary and undesirable, especially as they would relate to areas other than bank mergers or acquisitions. In particular, I agree wholeheartedly with the criticism of the American Bankers Association of the provision in H.R. 9385 that in such guidelines "limitations on permissible activities . . . may be established on the basis of . . . size . . ." As pointed out by the A.B.A., size (relative or absolute) has not in and of itself been a statutory factor in antitrust cases. To ask the three Federal banking agencies to undertake in this manner to write (and unanimously agree upon) what amounts to anti-trust law in a new area seems to me to be highly inappropriate.

If the administration of section 4(c)(8) is vested in one agency, such as the Board or the F.D.I.C., I would suggest that no "guidelines" are necessary. If the administration is divided, I would suggest that the guidelines be limited to the so-called "laundry list" with appropriate provision for its amendment as time goes on.

H.R. 9385 would also require that the regulatory agency having jurisdiction under section 4(c)(8) take into consideration precisely the same factors that are required to be considered in connection with bank mergers or with the acquisition of a bank by a bank holding company. Our experience demonstrates that this results in an extensive application replete with factual and economic data. This is expensive and time-consuming.

We would, therefore, prefer to see the provision of section 4(c)(8) leave the Board (in our case) with discretion, as at present, as to the type of application and data it may require for each application thereunder. Our experience suggests that the Board will not be remiss in either the data it asks for or the factors it considers. But at least it would be able to be less formal and more flexible in the smaller and less significant cases.

If, however, the Committee feels that such standards must be required by statute, I would urge that they be limited to applications to acquire going concerns and that the Board be permitted a more informal procedure at least in the case of *de novo* applications. In this connection, I call your attention to the following testimony of Chairman Martin:

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"Approval should be required whether the expansion is by establishing a new company or acquiring an existing one, *but it should be recognized that the probability of anti-competitive consequences appears greater in acquisitions of existing concerns than in de novo entry.* Another reason to favor de novo entry over acquisitions of established businesses is that a company newly entering a market to face the competition of those already in it must meet the test of efficiency that such a market imposes. And an applicant proposing an acquisition involving a relatively large amount of nonbank assets should ordinarily bear a greater burden of proving that the acquisition is not contrary to the public interest." (Italic supplied.)

This distinction is particularly applicable in the case of a *de novo* corporation designed merely to provide a more appropriate form of organization for the performance of a particular banking function.

This brings me to the second part of this problem of subsidiary or affiliated corporations.

(b) The need for more flexible utilization of corporate subsidiaries or affiliates.

The complexity of the doing business and tax laws of our various states have long since required business and industrial corporations to utilize affiliated and subsidiary corporations (in quite legitimate and appropriate ways) to handle specific business or types of business in order to isolate and deal with such problems. As the business banks do become more varied, and in some cases highly specialized, it is apparent that banks' forms of organization to handle this business must also be more varied and more flexible.

For instance, equipment leasing involves the ownership of equipment located in other states, and sometimes the equipment may be moved from state to state, credit cards may be utilized by customers residing in various states and dealing with merchants in other states. These and many other lending and credit service functions which may involve interstate transactions are frequently more appropriately carried on by subsidiary or affiliated corporations. In these separate corporations the doing business and tax problems can be appropriately isolated and solved.

I was pleased to see that Adolph A. Berle in his testimony before this Committee recognized this need and recommended that it be dealt with in a flexible manner.

What I am talking about here is the utilization of a separate corporate entity to perform a specific function that the bank itself could perform. The organization of such companies is permissible under present section 4(c)(5) of the Bank Holding Company Act, without approval of the Board of Governors. I am not aware that they have caused any problems or resulted in any abuses.

Since these corporations are merely carrying on in separate corporate form portions of the business our banks can and do carry on, I see no reason why supervisory approval should be required. And it would be a particularly unnecessary burden if we were required to go through the expensive and time-consuming procedures of an application under section 4(c)(8) as H.R. 9385 would amend that section.

(3) The proposed amendment of section 4(c)(5) in H.R. 9385 should not be adopted.

Section 4(c)(5) currently permits registered bank holding companies to acquire and hold "shares which are of the kinds and amounts eligible for investment by national banking associations under the provisions of Section 5136 of the Revised Statutes,".

H.R. 6778 would not change this section. In this respect, I strongly recommend H.R. 6778.

H.R. 9385 would amend this section to limit this authority to "shares acquired and held in the manner, kinds and amounts *specifically* permissible for national banks under provisions of Federal statute law *and* regulations issued pursuant thereto" (italics supplied).

The official memorandum describing this amendment states that "it would make a technical amendment to insure that bank holding companies would have to get the same type of approval as national banks for the acquisition of corporate shares that national banks are permitted to acquire."

I have already indicated that I do not believe supervisory approval is necessary to permit a bank or a bank holding company to do through a separate corporation that which the bank may do directly. There should be a limit to the paternalism of bank supervision. If, however, such a requirement is adopted, I respectfully submit that the section should be appropriately amended to accomplish the stated purpose and also to limit the change to the stated purpose. Thus, section 4(c)(5) would be amended to read substantially as follows:

"(5) shares which are of the kinds and amounts eligible for investment by national banking associations, provided that the approval of the Board* shall be required in any case in which the approval of the Comptroller of the Currency would be required in order for a national bank to acquire and hold such shares."

In the absence of such a revision, the proposed amendment in H.R. 9385 is ambiguous as to whose approval must be obtained and also ambiguous as to whether or not the provisions of section 4(c)(8) and the formal procedures thereunder must be complied with if ownership of the particular subsidiary is not "*specifically* permissible . . . under provisions of Federal statute law *and* regulations . . ."

(4) The provisions of H.R. 6778 amending the Bank Merger Act should not be enacted.

Under the Federal Bank Merger Act of 1966 the Comptroller has jurisdiction of mergers with national banks, the F.D.I.C. with nonmember insured banks and the Board of Governors in the case of state member banks. H.R. 6778 would amend that Act to provide, instead, that the Board of Governors would have jurisdiction over mergers involving national banks and state nonmember insured banks owned by holding companies.

This would substantially emasculate the Bank Merger Act and seriously hamper the Comptroller of the Currency and the Federal Deposit Insurance Corporation in the administration of their supervisory responsibilities with respect to national and state nonmember insured banks.

The mere fact that a national bank, for instance, has chosen to affiliate with a holding company does not eliminate the Comptroller's supervisory responsibility for the bank and its depositors. It is the Comptroller who charters national banks, examines them, supervises them, and passes upon their applications for new branch offices. H.R. 6778, however, would transfer from the Comptroller to the Board of Governors the power to determine whether the bank could acquire new offices by merger based solely upon the ownership of the stock of the bank by a company.

Admittedly, our system of three Federal bank supervisors results in some overlapping and inconsistent jurisdiction. It seems to me, however, that the Bank Merger Act provision placing responsibility for mergers in the agency that examines and supervises the bank involved places the emphasis where it belongs. Our Federal laws relating to bank supervision should give primary attention to the orderly and consistent supervision of the banks themselves. Whether the provisions relating to the ownership by holding companies of corporations other than banks are administered by the Board of Governors alone, or the three agencies, it seems fundamental to me that the agency responsible for supervision of the resultant bank should in all cases pass upon bank mergers, as presently provided in the Bank Merger Act.

For these reasons, I respectfully suggest that the provisions of the Bank Merger Act be not amended.

(5) The so-called "tie-in" provisions are inconsistent with the principle of non-discrimination, are far-reaching in their consequences and should be the subject of separate legislation applicable to all businesses.

This is the provision to which I referred at the outset. It is my most important point, and I have saved it for the last.

The "tie-in" provisions in H.R. 9385 would apply *only* to bank holding companies and their subsidiaries. The language is extremely broad and categorical. It would subject any bank holding company or affiliate thereof to both criminal and civil sanctions if it should extend *any* credit or provide *any* service on the understanding that any other credit or service would also be provided by either the institution itself or any affiliate thereof.

H.R. 9385 discriminates against banks owned by holding companies in favor of all other lenders and businesses including banks not so owned.

H.R. 6778 is at least applicable to all banks and undertakes to apply at least some anti-trust criteria. However, it too discriminates against banks and in favor of all other lenders and other businesses to which no comparable provisions are applied.

In addition, even in H.R. 6778 this provision is worded so broadly that it may well be construed to prohibit—and apply severe penalties to—many banking practices that are widespread and innocuous. In fact, many of them seem quite essential. For instance, many banking services require that the customer maintain a deposit account with the bank. These includes accounts receivable loans and many other specialized types of loan transactions, deposit bookkeeping for correspondent banks, payroll services, credit charge plans for retail merchants, to name but a few. Many of our other banking services are interrelated and many have been developed and are furnished in consideration of the maintenance of deposit balances. Indeed most of the services the money center banks provide for their correspondent banks are on this basis.

I was pleased to note that Chairman Martin expressed the opinion to this Committee that the compensating balance arrangements which have become customary would not be prohibited. I naturally respect Mr. Martin's opinion, but the proposed statutory language is so broad, and the penalties so drastic, that I do not believe banks should be required to rely upon so thin a reed as that answer provides.

This is really anti-trust legislation, not banking legislation. If there were any doubt that the anti-trust laws applied to banking in this area, then perhaps there would be basis for a special amendment to *those laws*—namely the anti-trust laws—making clear their application to banks, or bank holding companies, or both. But there is no such doubt. And the Assistant Attorney General has testified that since the *Fortner* decision "the law is now clear beyond doubt" that the Sherman Act "would reach tie-ins between financing and some other product."

Since this provision was drafted before the *Fortner* decision, it would seem to me more appropriate—and more just—to eliminate it from these bills which are essentially bank holding company legislation and to consider it separately. It can then be carefully considered in the context of its application to banking practices, such as compensating balances and correspondent bank services, and in relation to the practices of, and its application to, other lending institutions and other comparable businesses.

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* In place of "the Board" this should read "the appropriate banking agency as defined in section 2(h)" if the divided jurisdiction approach of H.R. 9385 is adopted.

It seems to me that such a provision should be adopted only after careful study to make sure that it is needed, and, if it is, that it be limited to curing areas of real or seriously potential abuse, that it does not prohibit legitimate and appropriate services currently being provided for businesses and individuals, and that it applies equally to all concerned and not just to one class or group.

CONGRESSIONAL SCHOLARS

HON. JOHN DELLENBACK

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 21, 1969

Mr. DELLENBACK. Mr. Speaker, with its many blessings and what we Oregonians consider points of superiority over most of the rest of the Nation, Oregon does have the factor of being a considerable distance from our Nation's Capital. There are those who would consider this one of Oregon's blessings, but it does make it difficult for our young people to observe the operation of our Government.

In an effort to make this National Government come clear and alive to many of Oregon's young people, Mrs. Dellenback and I have instituted a congressional scholars program. We ask the school authorities in Oregon's Fourth Congressional District to select from high schools throughout the district a total of 12 high school juniors. We specify only that the young people selected be particularly able to learn and profit from a week in the Nation's Capital, that they be willing and able to pass along to their fellow students what they learned here, that they come from schools distributed throughout the district, and that both young men and young women be included. In this third year of the program there were 276 high school juniors who applied for the scholarships. The 12 scholars selected come in groups of four to spend a week during March or April as guests of the Dellenback family.

This year's scholars were Mary Martin, Robert Laney, Carol Hall and Marlo Bacon, Eugene; Sharon Prager, Roseburg; Steven McCasland, Bandon; Chuck Crane, Talent; Julie Landauer, Harbor; Paisley Livingston, Reedsport; William Beardsley, Medford; Carol Vogt, Grants Pass; and Gerald Wright, Coburg. All, of course, from Oregon.

While here we have sought to give these scholars an opportunity to meet some of the people and observe some of the procedures and structures through which our National Government lives and performs its functions. Many of my colleagues took time from busy schedules to visit with these young people. They have often told us how much they appreciate an opportunity to talk with the people who are involved in the functions of Government.

I mention this program with the thought that other Congressmen might be intrigued with the idea and become involved in, and perhaps improve on, the basic program for residents of their own districts. I know that such involvement has been a most satisfying experience for the Dellenbacks. We have been impressed and thrilled by these young people and their promise of future contributions to good government.

AGRICULTURALLY SPEAKING

HON. ROBERT PRICE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 21, 1969

Mr. PRICE of Texas. Mr. Speaker, the Pampa Daily News of Pampa, Tex., which is located in my congressional district, recently carried a most thought provoking editorial which I commend to the Members and the consuming public.

The article follows:

AGRICULTURALLY SPEAKING

(By Foster Whaley)

Last week I noticed a front page news story in an area paper that had a pink headline entitled "Meat Prices Up—Housewife Sizzles."

The article was an Associated Press release with a New York date line.

The article had a few selected quotes from housewives across the country about how shocked they were about soaring meat prices. One quote that took my eye was as follows: "The cause of rising prices according to cattle and retail dealers is that consumer demand is continuing unabated, so that American families are eating their beef and paying dearly for it."

At least this was the opinion of the reporter that the consumer was paying dearly for it.

Buried in the next to the last paragraph of the paper on page two the reporter quoted the Department of Agriculture, "Cattle and retail prices are the highest they have been since 1951–52."

Now isn't this just awful that cattle and meat prices are about to get back today to what they were bringing 17 years ago.

Let me direct a few questions to this uninformed reporter and some of the shocked housewives.

Are you shocked when you go down to your car dealer today and he prices you a stripped down, medium-priced car today for $2,600? The same car in 1952 could have been purchased for about $1,850. Mrs. Housewife are you shocked today when your husband goes down and purchases a stripped-down pickup for $2,300 that could have been purchased in 1952 for $1,550?

Are you shocked today when your husband pays $1.75 for a haircut that cost him a one dollar bill in 1952? Are you shocked Mrs. Housewife when you go to the local hospital to have your baby and it cost $30 for a private room today that you could have gotten for $12 in 1952?

If your husband is a roughneck on an oil drilling rig, are you shocked that wages per hour in 1952 have risen to over $2.75 per hour today?

If your husband was drawing an average wage in the U.S. in 1950 of $1.53 per hour, are you shocked that he is bringing home over $2.75 per hour today?

Now, Mrs. Housewife some farmers are not only shocked but have been shaken out of an occupation because of the inflationary trend in which both of you are living.

A farmer is very shocked when he goes down to purchase a tractor today that cost $5,000 when a tractor of similar horsepower could have been purchased in 1945 for $1650. He really gets shocked when he goes down sell his wheat at $1.25 per bushel that he was getting well over $2.50 a bushel for in 1950.

I talked with a farmer yesterday who was shocked at a tractor costing him $8,500 that could have been purchased for $5,300 in 1960.

Mrs. Housewife are you aware that it took almost 25 per cent of your husband's disposable income (take home pay) to pay for the food your family ate from 1947–1949? Today it takes a little more than 17 percent. While it cost you $306 per person to buy groceries in 1947–49, it cost you $484 in 1967 the average take home pay was $2,733. While the price of food has gone up 58 percent, your husband's take home pay has gone up two hundred nineteen percent.

Mrs. Housewife if your family was average in 1957, you spent $265.00 for meat. In 1966 you spent $331. The cattleman received $154 for his share in the meat you purchased in 1957 and he got a $161 for his part in 1966. In other words, the cattlemen received a 7-dollar increase during the 9 year period. The marketing system received $111 in 1957. In 1966 they received $170 or a $59 increase. It could be the much higher wage the packing house worker is drawing today has caused a slight price increase.

In 1952 steer prices on the Chicago Stockyard averaged $33.18; today average steer prices are about $32.50.

The average price of all cattle including cull cows, calves bulls stages and finished steers and heifers was $26.40 on April 15, 1969. If cattle was standing at parity (a figure considered fair in relationship to a long list of things farmers have to buy) they would be bringing $31.00. This would place choice steers close to $40 per CWT on foot.

To compare it another way, Mrs. Housewife, if the price of a choice steer on foot had gone up as much as your husband's wage since 1952, choice steers in Chicago would be selling for $52.75. No doubt the price you would be paying for steak would be over $2.50 per pound.

Mrs. Housewife—my advice would be to "let a sleeping dog lie."

You live in a country where you spend less of your disposable income for food than any country in the world. You spend only 17 percent for food in the U.S. In England you would spend over thirty. Most European countries over 30 per cent. In Russia close to 50 percent. In China you will work two-thirds of the day for a bowl of rice.

One of the big reasons why you have had an increase in grocery costs is because of the precooked, ready-to-serve built-in maid services that you are receiving in much of the food you are buying today.

We would also like to suggest that you subtract from your grocery bill the hair curlers, the soda pop, the hose and the thousands of other non-grocery items you buy from your grocer. It will make you feel better about the price you pay for food.

Mrs. Housewife if you want to make your husband feel better let him know that in 1935 he could buy only 1½ pounds of round steak for an hour's labor. In 1965 he could buy two and 4-tenths pound of round steak for an hour's labor.

PUBLIC SERVICE PERFORMED BY THE FRANKFORD TRUST CO.

HON. JAMES A. BYRNE

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 21, 1969

Mr. BYRNE of Pennsylvania. Mr. Speaker, in these days of spiraling costs,

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a lot of people talk about the burdens incumbent upon our senior citizens, most of them with fixed incomes, but too few are doing anything about it.

When someone does, I think that fact is noteworthy and should be shared with as many people as possible. That is why I want to inform my colleagues of a public service being performed by a banking institution in my native city of Philadelphia, the Frankford Trust Co.

Frankford Trust, led by its president, Oliver S. Twist, has recognized the fact that maintaining a checking account, even at minimum rates, was causing a hardship among our older citizens, most of whom live on fixed incomes and many of whom depend exclusively or almost exclusively upon pension or social security checks.

And, in the opinion of Frankford Trust Co., it is this very group which needs a checking account the most. They need a safe repository for their funds. They need the ability to pay their bill by check rather than travel around paying cash. And some even had difficulty in cashing social security checks at banks in which they were not depositors.

Frankford Trust came up with the idea of free checking services for the elderly—regardless of the cost to the bank, Frankford felt it could perform a service to the community it serves.

Therefore, Frankford Trust inaugurated a Philadelphia first—free checking for senior citizens. No charge for checks. No charge for deposits. No monthly maintenance charges.

The need for such a service is apparent in the fact that shortly after its inauguration, almost 1,000 persons applied—and received—these free checking accounts.

I think, Mr. Speaker, this proves that business can have a heart. I wish more banks would follow this splendid example set by Frankford Trust Co. in Philadelphia.

A COLLINS CONGRESSIONAL SALUTE: THE DALLAS PUBLIC AFFAIRS CLUB

HON. JAMES M. COLLINS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 21, 1969

Mr. COLLINS. Mr. Speaker, the Public Affairs Club of Dallas, Tex., under the excellent leadership of Mrs. Milam Pharo, has been a remarkable source of concerned civic action. The members have given to all of us in the Congress their frank and knowledgeable views on the legislative issues before the Nation. I certainly do appreciate their patriotism and working faith in the principles of our constitutional government.

The April 1969 edition of the Phyllis Schlafly Report carried a fine tribute to Mrs. Pharo and the Public Affairs Club, and I would like to enclose her remarks into our public record. It is, indeed, heartening that the women of our Nation contribute so much of their time and energy—and join with this Congress in keeping America strong.

The report follows:

PUBLIC AFFAIRS CLUB IN DALLAS: A SUCCESS STORY

The Public Affairs Luncheon Club of Dallas is a brilliant success story of effective citizen participation in public affairs at the local, state, and national levels. This achievement has been the result of dedicated leadership which has patiently interwoven strong patriotic backbone, political acumen, business and professional support, social eclat, and cooperation of the news media.

The President of the Public Affairs Luncheon Club is Mrs. Milam Pharo, whose long hours of careful planning and hard work have paid off handsomely in terms of the respect which is accorded the Public Affairs Luncheon Club by the business, professional, academic, political, and newsgathering communities.

The Luncheon Club meets once a month to hear a speaker of importance. Senator Barry Goldwater has spoken several times for this Club. Other speakers have included Senator Karl Mundt, Congressmen Otto Passman and John Ashbrook, former Congressman Don Bruce, Superintendent Max Rafferty, Editor M. Stanton Evens, Stephen Shadegg, and Phyllis Schlafly. The Club is non-partisan, but its members express themselves very forcefully on political questions by resolutions and telegrams.

When the 500 members of the Public Affairs Luncheon Club of Dallas send their telegrams to Washington, D.C., Congressmen take note and listen respectfully. Recent resolutions passed by this fine Club have called for:

1) Passage of House Concurrent Resolution 90 which would stop trade with countries which are aiding North Vietnam.

2) Enforcement of laws which deny Federal aid to student demonstrators and rioters.

3) Withdrawal of the nomination of Jacob Beam as Ambassador to the Soviet Union because of the Warsaw spy and sex scandal which occurred under Beam's jurisdiction when he was Ambassador to Poland.

4) Passage of S. 12 which will increase the powers of the Subversive Activities Control Board and thereby fully utilize the expertise in security matters of the new Board member, Otto Otepka.

5) Prohibition of the mailing of obscene material to minors.

6) Immediate deployment of an antimissile defense system.

7) Opposition to the Johnson Executive Order which prohibits the U.S. from buying chromite from Rhodesia and forces the U.S. to buy chromite from the Soviet Union at a one-third higher price.

8) Opposition to the invasion of privacy included in the 120 personal questions scheduled to be asked in the 1970 census.

Because of its dignified yet hard-hitting policies, the Public Affairs Luncheon Club has a great impact in Washington and in Dallas. Congratulations to Mrs. Pharo and her Board for setting an inspiring example of what a few individuals can do to protect the American way of life.

NAVY LEAGUE SPEAKS

HON. PHILIP J. PHILBIN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 21, 1969

Mr. PHILBIN. Mr. Speaker, I was highly privileged to receive the recent message of President Charles F. Duchein, of the Navy League of the United States, and was deeply impressed with its contents, which I include in the RECORD as part of my remarks.

President Duchein refers to the fact that an oceanic doctrine to guide the policy and progress of our Navy toward the implementation of a new ocean strategy is a critical need.

The league president states that before our Nation can capitalize fully on the unfolding opportunities seaward, a lot of relearning and a major defense dialog will be needed. I agree that our naval posture, strategy, and composition require major overhaul, redistribution, and restructuring.

I think it is appropriate in that connection to observe that Congress and our committees are well organized and experienced in analyzing defense and Navy policy needs, and keeping them up to date. Congress is regularly engaged in this type of dialog, and it has born rich fruits, yet there are great, new needs that must be met now.

Since the Constitution assigns to Congress the responsibility for maintaining the armed services, and providing for the common defense of the country, it is in this area that penetrating studies must continue and the work must be done that is necessary to implement and insure a total, balanced, national defense.

A number of proposals looking toward the modernization of the Navy are pending before the Congress, particularly the ship construction bill, and our committee has already launched sea power hearings and specific recommendations will be at hand before long. New ideas and new techniques must be speedily found. We cannot afford to lag or fall behind in these areas at this time.

The revitalization of the American merchant fleet is, of course, also a very important objective of overall, enlightened, oceanic policy which has been all too long delayed.

It is a pity that we have permitted our merchant marine to fall so far below the standards of relative, adequacy, efficiency, and ability to do the job of carrying American goods and products in American bottoms throughout the world that our position as a Nation dictates.

The league president touched on the current ABM controversy and the SABMIS, sea based version of ABM which can be set up at sea, and thus avoid the criticism that it is located too close to populated areas.

These days we must not only be land conscious, but sea conscious and space conscious, if we want to keep pace with what is going on in the world, not only with regard to defense needs, but in order to keep pace with the forward march of science and civilization and liberate mankind from the shackles of tyranny, war, ignorance, and disease.

The Soviets have their own ABM system which rings Moscow, and some other urban centers, with what is described as a sophisticated, antimissile system which, in contrast to our own designed against Red China alone in the 1972–75 period, is designed against the missile systems of both this country and Red China, and is claimed to be effective against all missile systems, although I do not think that claim would be accepted by many authoritative scientific specialists in this field, where experimentalism still must be found.

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No doubt antiballistic missiles to intercept deadly nuclear missiles are in one sense the groping of man to defend himself against the cataclysmic power and effect of current nuclear weapons. In time, they will be very effective.

The President of the United States has spoken out in these matters. In stressing the total strategy of the oceans, it would be reassuring, if we could confine our special, strategic systems to peaceful objectives. However, in this troubled, dangerous world, it would be impossible for any nation, having as much at stake in the world as we do, and which must be concerned about the safety of the people, and our ability to resist and ward off lethal nuclear attacks, to overlook or neglect the obvious needs that are presently crying out to us for defense, as well as offense, against nuclear destruction until the insanity of nuclear warfare is banished by validly enforcible agreements that will be kept.

If we could place the ABM forces at sea, it might result in nuclear fire being drawn away from industrial and population concentrations in our cities and even our rapidly growing smaller communities also gravely threatened by nuclear dangers. This is highly speculative at the moment, but it must be carefully studied.

Naturally, we do not want to waste money in any field because we have too many urgent needs in social, economic, and human areas that cannot be forestalled or indefinitely deferred.

What we need, perhaps as much as anything, is a policy and a procedural mechanism that would, in effect, redistribute the priorities and budgetary allocations to accord more realistically with conditions existing in the world and Nation today, and the social needs of our people, and depend less and less upon some of the outmoded techniques of the past that have glossed over desperately needed social readjustments and reforms.

In a word, Congress must move fast to get our priorities straightened out, and put emphasis where it is needed, on programs that serve the demonstrated needs of the present day and the future.

This involves a huge task, but I think Congress can and must undertake it. It involves a reassessment of many of our huge expenditures and programs in many fields, and I think it must be carried out very vigorously across a broad front, to insure that the taxpayer's money is not wasted on any program not clearly justified, that is poorly devised, or not designed to serve primary needs in our economy, our defense system, and our social structure.

I think we must unhesitatingly and vigorously approach this massive job, because it cannot be delayed in the Nation and world of today. We must start cutting deadwood from the shrinking trees of national surfeit, and divert our resources away from arid areas where they bring little return, and involve great waste, into more constructive channels related to the well-being of our people of every class, economic and social level.

We must boldly tackle the problem of huge defense costs, which are taking such a large portion of the tax dollar and the gross national product, and we must take some very hard looks, and spend much time conducting very penetrating revaluations of our great social security system, medicare, medicaid, and related areas having to do with the health, education, the well-being, and the opportunities and overall patterns of the people as a whole.

Obviously, we cannot go on wasting so much money, nor can we fight windmills, so to speak. We must get down to brass tacks and make sure that in defense, as in every other area, the tax-ridden people beset by reduced incomes, oppressive taxes, rising costs, and sweeping inflation eroding the value of their dollars are getting full value for the money they expend, whether it be for missile systems, naval craft, aircraft, or other essential elements which comprise our defense.

Indeed, in every area of the spending process, we must apply a very hard fast rule of searching inquiry to find out what can be dispensed with, and what we must spend to strengthen and build up the Nation and protect the people against neglect, oppression, inflation, exploitation, and confiscatory taxes.

I am thankful, indeed, to President Duchein for his stimulating views. They deserve consideration and action. And Congress must move fast toward corrective measures to put our house in order. The article follows:

OCEANIC DOCTRINE, THE CONGRESS—AND SABMIS

An oceanic doctrine to guide the policy and program of our government toward an implementation of a new ocean strategy, as provided for by the President's platform, remains a critical need.

Most members of the Navy League are aware of this priority requirement, but hardly the majority of American citizens. Therefore, if you look for an immediate formulation of oceanic doctrine, I suggest you follow the ABM debate very carefully and study the substance very critically. This will reveal the bedrock requirement for broadened oceanic education. Before the nation can capitalize fully on the unfolding opportunities seaward, a lot of relearning and a major defense dialogue will be needed. For only through increased understanding can the essential change come. Here, I would say, the Congress holds the trump card.

The Constitution assigns the Congress the responsibility: "provide and maintain a navy." This can be the key consideration.

In the final analysis, enlightened Congressional leadership most probably will force this issue of orienting the nation toward the sea. Chairman Rivers' proposed $3.8 billion ship construction bill serves as the significant spearhead for forging an ocean strategy. The Sea Power Hearings, now underway in his House Armed Services Committee, relate directly to both the educational and the power process involved.

HILL IS RESTIVE

Despite the President's assurance that he will revitalize the American Merchant Fleet, "The Hill" is restive and has initiated considerable constructive legislation. These healthy signs reflect the collective oceanic wisdom of Congress, where strong maritime conviction exists on both sides of the aisle. These legislators grasp fully the geo-economic implications of expanded oceanic endeavor.

While many press observers report that Secretary of Defense Laird is moving the Administration toward its first Congressional confrontation on the ABM controversy, I sense a consolidation of viewpoints is in the making and SABMIS, the sea-based version of ABM, will serve as the oceanic catalyst. This will come about if the Defense Department objectively considers all of its options. This point has not escaped the discernment of the Congress.

But despite Congressional concern, the intensity of the ABM controversy highlights the land consciousness of the American citizen.

Somewhat strangely, the new Soviet emphasis on their defense strategic systems, unexpectedly caused an upheaval in our national thinking. Triggered by the frustrations in Viet Nam, pressures mounted for a withdrawal of our troops. This viewpoint has been broadened to encompass a unilateral disarmament of defensive strategic weapons—come what may. Mounting antagonism toward building the Sentinel system apparently is an expansion of the view. In the absence of a full scale debate on the mobile vs. fixed strategy, Polaris has not been related to the ABM debate, as indeed it should be.

Where does the seabased system fit? SABMIS, as we know, means "seabased anti-ballistic missile intercept system." The SABMIS plan, as part of the oceanic strategy, is to place anti-ballistic missiles aboard ships and to deploy them off the Soviet and Chinese coasts, relatively close to Communist missile launching positions.

ANDERSON'S LETTER

As Congressman William Anderson, former naval officer and an astute strategist, wrote to the Secretary of Defense, "Despite the intensity of the present ABM debate, most politicians and defense leaders, it seems, share the conviction that the nation will be served in taking military steps toward deployment of credible ABM capability, whether our profit accrues from a strategic position in the arms control bargaining, or from possession of an effective shield against missile attack."

Since SABMIS serves either criteria, the system may become central in forging the new Nixon "grand strategy of the oceans," as pledged in platform plank.

As an alter-ego to the Polaris-Poseidon strategic systems, a balanced offensive-defensive foundation for such strategy would be provided with the deployment of SABMIS.

Seabased forces bring this factor into far better balance and eliminate the possibility of being outflanked by Communist strategic arms.

By placing anti-missile support forces at sea, nuclear fire is drawn away from the industrial and population concentrations of our cities.

Congressman Anderson describes the system as follows: "SABMIS is, in a large measure, a marriage of the Polaris-Poseidon technology with the Sprint and Spartan systems. In effect, the deployment of a SABMIS unit would place in the seas close to an adversary's homeland, and across his "launch trajectory window," a mobile screen of anti-missile forces.

"Early interception of an adversary's offensive missiles promises the destruction of multi-warhead missiles before such weapons split into a virtual shower of decoys, penetration aids and thermo-nuclear warheads."

LAIRD ISSUES ORDERS

Defense Secretary Melvin R. Laird has issued orders that Pentagon officers and civilians are not to make substantive statements about any U.S. weapons systems, current or projected. This raises a valid question as to what is causing the SABMIS block in the Pentagon processes, particularly when the experts say the system can be deployed to sea as quickly as Sentinel and at a fraction of the cost.

Even though a mutual de-escalation of strategic nuclear weapons might be negotiated with the USSR, the world will be safer to the extent that ballistic missile systems are deployed in and on the oceans, rather than on populated continents.

As the ABM debate rages, we wonder whether Congress will rise to its constitutionally assigned role by insisting on the full consideration of the seabased system.

SABMIS, together with Polaris-Poseidon, could provide the foundation for a mobile strategy. Together they would serve as the cornerstone for the new Nixon "grand strategy of the oceans." This the nation needs!

CHARLES F. DUCHEIN,
National President, Navy League of the United States.

REALLY A QUEEN

HON. PAUL G. ROGERS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 21, 1969

Mr. ROGERS of Florida. Mr. Speaker, another indication of the attitude of the vast majority of college students in America, in the face of the bad publicity given by the few who would destroy their universities, can be seen from the good example given by the young lady who was queen of the Palm Beach Golden Palm Festival in Florida recently. I would like to congratulate her, and also Gus Harwell of the Boca Raton News, whose article I insert at this point in the RECORD:

[From the Boca Raton (Fla.) News, May 11, 1969]

REALLY A QUEEN

(By Gus Harwell)

She was a queen in more ways than one.

Miss Jane Howley, queen of the Palm Beach County Golden Palm Festival, made an appearance, along with Eugene Robinson, of Boca Raton, this year's king, on behalf of the festival, at the Rotary Club meeting Wednesday.

Miss Howley turned out to be queen officially, crown and all, but she also displayed beauty of a queen and she captured her audience with a refreshing brief talk about teenagers.

You might say that teenagers are Miss Howley's business. She teaches mathematics at Cardinal Newman High in West Palm Beach, and she spends most of her day associating with youngsters.

Her analysis of "student unrest" that appears on the front pages of the nation's newspapers are boiled down to this; the troublemakers aren't typical students today—these are what we call the 10 per cent club."

She observed: "In dealing with students, one thing keeps popping up. They say, 'Adults tell us to do things, but we look at the adults and they aren't doing it' . . . Adults don't practice what they preach."

"Basically, this is their gripe. If you give them the example, they'll follow it."

Queen Jane said youngsters consider her a "square" and a tough disciplinarian.

"They're looking for someone stern—for some direction and some guidance. They want you to be strict and make them toe the line. They don't admit it, but that's what they want."

She said she is one teacher who isn't trying to win any popularity contests. But she is fierce in defending today's teenagers, whom she maintains are the best ever—and she cites all the positive things that the majority of the young people are doing to prove her point.

Adults must bear their share of the blame, she said. "It isn't teenagers who make drugs, print dirty books or make dirty movies."

Queen Jane—a Lake Worth graduate of Marymount and FAU who hasn't been out of her own teens for long, came closer than anybody I've heard in a long time in putting a finger on what's good about the younger generation.

Despite the fact that she's got the reputation of being tough on students, she puts her heart in the right place:

"No matter how many times a day they drive me up a wall, I love them and I always will."

IN DEFENSE OF THE ROTC PROGRAM

HON. BOB WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 21, 1969

Mr. BOB WILSON. Mr. Speaker, in recent days, there has been agitation and anarchy on many college campuses regarding the university-military relationship, particularly as it pertains to the ROTC program. While I cannot understand their attitude or actions, I believe it is not the time to add fuel to the fire by merely denouncing the motivation of those who would destroy the program; rather, I would direct my remarks to the more constructive side by discussing with you the ROTC program and the mutual benefits derived from it by the participating students, the universities, the military services, and by the American people.

While ROTC had its formalized beginnings with the passage of the National Defense Act of 1916, the association of the academic-military relationship had its genesis in 1819 when Norwich University in Vermont was established as a military school. The Land Grant Act of 1862 provided that military training be required at the land-grant colleges, mostly State universities, in return for land concessions from the Federal Government. Thus, the idea of association between educational institutions and the military is almost as old as the Nation itself and represents a traditional principle of drawing officers for our Armed Forces from the mainstream of American life in all its diversity. So, to put the matter in a proper perspective, what is now being advocated—that is, complete separation between the university and the military is a new proposal—heretofore not advocated by any serious segment of our society.

But exactly what is the nature of the ROTC? It is a program given on the university campus with all the costs paid by the Federal Government wherein the students are provided the opportunity to study for a military career. It can be a 4-year course or a 2-year course. The Federal Government in no way requires any academic institution to make the course compulsory. Thus, from a Federal standpoint, it is the offering of an opportunity for students to study voluntarily for military service. And what is the nature of the course? The program is based upon a minimum of 3 hours per week in each of the first 2 years and 5 hours per week in each of the last 2 years of the program.

It is impossible to show what a typical ROTC program contains because the head of the ROTC unit at each university has been delegated authority to tailor the program at each campus in recognition of the difference in students, major fields of study, departments within a university and between universities. But within the ROTC curriculum, the specified courses are taught in two categories—some of the academic courses are taught by university faculties and the professional military courses which are taught by military officers.

At the present time, 212,416 students are participating in 515 ROTC units at 347 schools. Approximately, 13,500 students are attending schools on ROTC scholarships wherein they receive tuition, book and fee costs, plus $50 per month subsistence. Recipients of these scholarships are committed to 4 years of active duty after graduation as officers and must accept a regular commission, if offered. The other ROTC participants received $50 per month subsistence, and are obligated upon graduation and commissioning to serve 2 years of active duty.

Who are these participating students? Some are those who genuinely want to be commissioned and make the military their career. Others obviously are motivated by the financial assistance they receive as a means of obtaining a college education. Admittedly, the largest number are those who recognize that upon completion of their academic courses they will have an obligation in the military service and they would rather serve as officers than in an enlisted status. But whatever their motivation, they have recognized their citizenship obligation and have combined their academic career with military training.

But what about the universities? Do they derive any benefits from this program? I believe the answer is a very obvious, yes. In the first place, it enables them to offer another career opportunity training program—that of the profession of soldiering. And is a university not usually measured by the variety and caliber of training for career opportunities provided to a student? The second obvious benefit is the scholarship program and financial assistance program provided ROTC cadets. While no direct financial benefits are provided to an institution having an ROTC program, this indirect benefit of assistance to the student, in turn, directly benefits the university.

Transcending these direct benefits, however, is a more subtle advantage to a university having a ROTC program. It is the advantage of having an input of civilian trained, academically oriented personnel into the Armed Forces. The philosophy of their university training represents a different background than that of a military school. The university community, being a vital segment of American society, has frequently warned of the dangers of a militaristic society. So the ROTC program provides the academicians the opportunity to infuse the military services with personnel for whose training they have been primarily responsible. Obviously, we could enlarge by many times the service academies to provide officer personnel for the military

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services—but we feel that a balance between militarily oriented and academically oriented students is far superior.

And what place does ROTC play in the role of the military? Of the 74,043 officers entering military service last year, 21,400 were ROTC graduates. And if we examine the percentage of officers on actual duty commissioned from ROTC, we find the Army has 33 percent; the Navy, 12 percent; and the Air Force, 32 percent. The Army and the Air Force would like the figure to increase to approximately 50 percent. So, as you can see, the ROTC program is the prime source of officer procurement. But since there are other programs for the commissioning of officers, is there anything particularly unique about the ROTC approach. Again, I believe the answer is yes, in that it provides a vehicle for evaluation of commission potential by the cadets over a relatively long period of time. It is essential in building a cadre of capable officers to assure that commissions go to the best potential leaders—not necessarily the best student or athlete, but ones capable of developing those qualities of leadership which cause others to desire to follow, capable of instantaneous judgments which are sound, and capable of learning and then teaching other men and women. The uniqueness lies in the opportunity for a working together of the student and the head of the unit for a period of years in order to fully evaluate each cadet's potential.

And within the military services, ROTC graduates have achieved high status as is evidenced by the fact that there are 154 generals in the Army, nine admirals in the Navy, 33 generals in the Air Force, and 22 Marine Corps generals who entered active duty after being commissioned through the ROTC program.

The recent attacks on ROTC programs on the college campuses are, in my opinion, an effort on the part of a small minority of students aided and abetted by a few members of the faculty on an obvious symbol of the relationship between the university and the military. The attacks are not so much directed against the ROTC program as they are on the military influence existing in the United States. I, too, wish that we could abolish armies and that the world would be a place of everlasting peace. I am not so naive as to believe, however, that wishing alone can make peace a reality as long as selfishness and greed exist among nations and leaders of the world. There will be a continued need for a military force to defend this country, and it is our job to provide for the best possible military organization.

I believe the military is a better organization because of the vital interplay of civilian university and military training in the ROTC program. I believe, too, the ROTC system has proved of great value to our Nation in that it combines the outstanding resources and sound traditions of our colleges and universities with those of the military services. I believe America is a safer place because of the ROTC program and I urge that those who would attempt to destroy, to suggest what alternatives our country would face if the program were abolished.

A WORD FOR AMERICA

HON. SAMUEL S. STRATTON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 21, 1969

Mr. STRATTON. Mr. Speaker, in these days it has become fashionable to question and doubt our country's purposes and to think that the changes we see all around us are somehow going against our historic ideals.

It is heartening to hear modern America defended instead of denigrated. To my knowledge nowhere has this been done more cogently than by an English immigrant now living in Cortland, N.Y., in my district.

His name is Kenneth G. Meades. He is technical director for the Potter Paint Co. of that city and president of the Cortland Rotary Club. His eloquent, brief article, "A Word for America," was sent to me by Mr. Robert I. Potter, president of the company.

I wish to share with my colleagues Mr. Meades' appreciation of his adopted country, and include the article at this point:

A WORD FOR AMERICA

(By Kenneth G. Meades)

Please: May I say a word for America, this great land which is mine by adoption only?

I was born and raised in England, my ancestors as far as I know, stretch back into England's history and yet I choose to live in the United States. So I feel I have a special right to say a word for America at a time when Americans seem in doubt at themselves, at their government and at the very roots of their society. Americans seem unsure; ashamed and baffled at the currents of change which drag and pull away at the foundations of their way of life.

Because we live in a climate of constant change, these worries are certainly understandable, but surely America's greatest enemy is self-doubt.

I have seen many countries and lived in several of them: No matter what the communist may say, the peoples' paradise is here—on Main Street, U.S.A.

As a comparative newcomer to your country I have seen graft, corruption, crime on the increase, minority groups oppressed, a lowering of moral standards, poverty, discrimination and all the other things which are pointed out as indicative of a sick America. Sadly, these are all true, but the waves of change which wash this country also wash other shores, and the problems Americans seem to claim as theirs alone also belong to the rest of the world. England and France have race riots, there are strikes in Germany and Italy and students demonstrate in South America, China and Russia.

For whatever reasons, the whole world is seething with discontent, with some of it directed against the U.S.A. For this country represents the "haves" in a world of "have nots".

In little more than 300 years Americans have made their land the richest, most powerful land in the world. If you remember they began with nothing but their bare hands, they built the most fabulous way of life man has ever seen—leaving the other nations to snap at Uncle Sam's heels.

No country provides greater freedom of speech than does the U.S.A. No country allows more freedom of movement No country feeds its people as well or protects the rights of its citizens more jealously. No country allows—better yet, encourages—individual opportunity as does the United States.

And that was the word I wanted to say for America—Opportunity.

In the six years I have lived here America has given opportunity to me, just as she does all the other immigrants to this country. We arrive all colors, races and creeds, speaking the babel of fifty languages. America takes us by the thousands each year and offers us to build for ourselves this life we share with Americans. She does this free and clear—open handedly sharing her wealth and opportunity with all of us who ask for entrance.

Which other nation can say the same?

So Americans, take stock, you have created a marvellously sophisticated way of life. You and your forefathers did it beginning with nothing. No one sent you Foreign Aid, or the Peace Corps. The World Bank wasn't around to finance you and you didn't politick off the West against the East whilst you built.

Speaking for myself I am proud to be part of the United States of America. Should you as Americans be ashamed?

MARIHUANA

HON. GILBERT GUDE

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 21, 1969

Mr. GUDE. Mr. Speaker, today I have joined with several of my colleagues in cosponsoring a measure which would establish a Presidential Commission to inquire into the legal, social, and medical questions arising from the use of marihuana in our country.

I feel that the rise in the use of marihuana is one of the most prominent, the most critical, and perhaps the most perplexing problems which I face as a Representative from suburban Maryland, and which my constituents face as citizens and parents in an urban metropolitan area.

There have been 63 young people in my district who have been involved in narcotic charges so far this year, most of whom were involved with marihuana. There is no doubt that the estimated 5 percent of the students in the Montgomery County schools who are chronic users is a conservative estimate. It seems that no home, even the most affluent and apparently stable, is completely immune to infection by this strange disease—pot.

One of the difficulties with this problem of marihuana use is that of a substantial lack of research on and a dearth of authoritative information about the effects, serious dangers, legal implications of marihuana. I cannot stress enough my feelings as to the importance of preventive education in this area.

As a cosponsor of the Drug Abuse Education Act of 1969 and having recently issued a drug abuse information pamphlet, I am well aware of the lack of ready and available information about marihuana; yet I am also acutely aware, as I am sure my colleagues are, of the tremendous interest in this subject which is being indiscriminately used by some of our young people for reasons which we do not fully understand.

Some of our young people in turn are being arrested and sometimes acquiring an irrevocable criminal record in our sys-

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tem of justice without understanding the full significance. The time has come when we must face this amorphous monster squarely. The use of marihuana is a nationwide phenomenon. We must find out all of the facts about this phenomenon, and accomplish this at a level which acknowledges the range of seriousness of the problem. I urge my colleagues to join with the gentleman from New York (Mr. Koch), my fellow cosponsors, and myself in support of a Presidential Commission on Marihuana. It is our responsibility to our constituents and to the Nation as a whole to provide for a complete examination of every aspect of the widespread use of marihuana and establish a national policy based not on fear but fact.

YOUR MASTER'S VOICE

HON. JOEL T. BROYHILL

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 21, 1969

Mr. BROYHILL of Virginia. Mr. Speaker, an article in the May 19 edition of Barron's by Associate Editor Shirley Scheibla, should both interest and concern our colleagues and the executive branch. The article, entitled "Your Master's Voice," describes in some detail the mushrooming practice of some of our departments and agencies of promoting certain pet projects by use of "public service" announcements, radio spots, and telecasts.

Interestingly, and even frighteningly, many of these Government-sponsored programs present positions in direct conflict with announced policies of the Government. Yet no coordination seems yet to have been established between the agencies, and the programs continue to be broadcast by radio and television stations across the Nation anxious to comply with the FCC rquirement that part of their time be devoted to "public service."

Mr. Speaker, under unanimous consent I submit Mrs. Scheibla's article in full at this point in the Record, and I commend it to my colleagues and to members of the executive branch for very careful attention and corrective measures:

Your Master's Voice—"Public Service" Broadcasting Has Become a Propaganda Machine

(By Shirley Scheibla)

Washington.—In carrying out plans to close 59 Job Corps centers, President Nixon may find his task made harder by radio and color television spot announcements which the Office of Economic Opportunity recently sent to stations throughout the country. In a staff memorandum dated February 14, OEO said: "Three new Job Corps TV spots, with the theme of 'Give Yourself a Chance,' have been distributed to all TV stations and will be shown in addition to those currently used. Additional radio spots have also been distributed." (While the Labor Department, slated to take over the Job Corps, persuaded OEO to withdraw plans to advertise the Job Corps on the side panels of every mail truck in the country, it failed to talk OEO into killing the radio-TV spots.)

HIGHLY CONTROVERSIAL

A few years ago, federal production of TV and radio material to propagandize highly controversial programs was most unusual. Today it's the rule rather than the exception for most government agencies engaged in social endeavors, nor are their efforts confined to spots. On the contrary, today they turn out vast quantities of long and short TV films, video tape and radio productions and scripts. They're doing it on their own; through donated professional services; and under contract with private companies and non-profit institutions like universities. Some agencies even have a "Spotmaster" which enables stations to broadcast recordings directly from a phone after dialing the right number.

Nobody knows how much money the government spends on such activities, or even the approximate value of the gratis services. Nobody even knows how much Uncle Sam spends for public relations; most agencies take such disbursements out of their administrative budgets. However, one independent producer of TV films for the government estimates that expenditures for that item alone run into hundreds of millions of dollars. (He likes the work because it doesn't involve competitive bidding.)

Nobody at the top in government studies the radio and TV messages being disseminated. Herbert Klein, communications director for President Nixon, doesn't have the time. Small wonder. The Agriculture Department alone has 300 different films available for television, not counting about 350 spots, plus radio material.

The uncontrolled avalanche of federal propaganda gets a great reception from radio and television. Broadcasters apparently are delighted to receive free material of commercial quality. Moreover, it is one way to comply with the requirement of the Federal Communications Commission to devote some of their time to "public service"; all federal productions for the airwaves are lumped into the "public service" category. But they're beginning to look less like a public service and more like a propaganda monster.

OTHER REALMS, TOO

President Nixon may find himself in opposition to federal radio-TV material in other realms as well. As he tries to "bring us together" and still the voices of racial turmoil, he will be running into a TV spot distributed by the Department of Housing and Urban Development (HUD), which says, in part, "If you're black, you've got to be famous to live where you want. You call up; the agent has a house. Show your face; it vanishes."

While Mr. Nixon is trying to bring OEO's community action under control, a HUD radio spot is urging listeners to "organize community action groups." (A 14-minute Interior Department TV movie suggests community action to remedy a water shortage.) Although the Chief Executive's advisors are pondering the problem of too many requests for HUD money, the agency's TV and radio spots tell people to send for a booklet, "Better Communities," which urges readers to apply for nine different kinds of grants from HUD.

Communications Director Klein says he would like to inspire a new pride in America. But here's what the booklet says: "Today America's urban communities are at a juncture. Their sidewalks are unsafe, streets jammed with traffic and air polluted. Their office and apartment buildings are all too often uniformly drab and unoriginal in design. Their cores are ridden with slums, junkyards and neon forests. Their splayed, amorphous suburbs are rapidly becoming unsightly and unlivable. Whether they will continue to deteriorate or will be revitalized and rebuilt is in question." The answer, says the booklet, is that everyone "must be made aware of the abundant opportunities available to them for bettering their communities," i.e. money from HUD. Proudly HUD reports it has had 1,500 requests for the booklet directly attributable to the spots.

SOLICITING BUSINESS

The Equal Employment Opportunity Commission is another agency which appears to be using spots to solicit more business than it can handle. Despite its admitted inability to deal with the huge volume of complaints it has on hand, EEOC has a radio spot which says, in part, "Do you need a job? If so, go to your United States Employment Service or visit a private employment agency. If you hear of a job that you can do and you would like to have, go today and apply for it. . . . If you are turned down because somebody thinks you are the wrong color or the wrong race or the wrong sex or religion or national origin, that somebody is breaking the law—and the Equal Employment Opportunity Commission wants to hear about it."

The Agriculture Department's huge roster of TV movies and radio material promotes virtually every controversial activity within its jurisdiction, including farm and electric cooperatives. A film now in preparation will tout the federal meat and poultry inspection service which recently has been criticized for issuing biased reports on conditions in the meat-packing industry (Barron's, April 7).

HOLLOWS AND RUTS

Back in 1965, when President Johnson was struggling to win support for the War on Poverty, the Department produced a 28½-minute film titled, "Poverty in Rural America." It remains in circulation for TV use. According to the Department's catalog: "This film takes you where the 'Hidden Americans' live—into the mountain hollows, to the end of the rutted dirt roads, and into the bypassed communities."

This a long way, of course, from Smoky the Bear, who now is revered as the grandfather of the mushrooming federal broadcasting ventures. The Department still is promoting its fire-fighting bear and features him on about 95 commercially produced TV spots. They are the only films which the agency doesn't turn out in its own studio in its sprawling South Building. During fiscal 1968, the studio made 87 TV films for the Department, compared with 94 in 1967. "But owing to a sharp increase in the requirement for longer films," it explains, "the level of activity in terms of finished screen minutes held essentially constant."

Here is what the Department reports on its growing radio activities: "'Agri-Tape,' a weekly tape recorded program, went to 427 radio stations, exceeding what was thought a year earlier was near production capacity (400) for regular handling with existing facilities. 'Agriculture USA,' another weekly taped program, grew from 220 regularly using stations to 236. The daily radio featurettes, 'Consumer Time,' issued on a weekly reel of six programs (three and a half minutes), continues serving 325 to 350 radio stations.

The Department of Health, Education and Welfare (HEW) is so deep in dramatic productions for the airwaves that it employs a former theatrical agent—Harry C. Bell—as its radio-TV officer. Among the Department's recent TV films are two running a half-hour each called "Beware the Wind" and "Battle Below the Clouds." Dealing with air pollution, both are distributed under the auspices of HEW's Consumer Protection and Environmental Health Service.

A 15-minute weekly show by HEW's Social Security Administration is carried by 743 TV stations and 3,698 radio stations. A five-minute weekly show, recorded for Social Security by singer Eddy Arnold, is aired by 2,000 radio stations a week. In addition, Social Security reports that during the final quarter of last year, 185 TV stations used its live programs; 91, its long films and 703, spots.

"Three years ago," says Mr. Bell, "we were producing virtually no TV spots; now we

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have them out on anti-smoking, air pollution, drug abuse, rehabilitation, the Teacher Corps, financial aid to students and Social Security."

With over 1,000 community action centers scattered all over the country, OEO is in a unique position to exploit radio and TV as a propaganda tool. It is urging every center to literally get into the act. Volume II of an OEO Public Affairs Handbook called "Sound and Sight" tells how to do it.

"Under terms of their licensing by the Federal Communications Commission, TV and radio stations must devote a certain amount of broadcast time to public service" and "your Community Action Program fits the definition of a public interest program," the booklet advises.

SCRATCHING THE SURFACE

But wangling free spot announcements and guest appearances on existing programs is "only scratching the surface," according to the booklet. Send news releases about CAA activities to TV and radio stations and develop with them a public affairs series telling "what the poverty program can do for the community and what the community can do for the poverty program," it urges.

"Know the special prejudices of your audience. . . . In a rural area . . . emphasize the 'individuality' or 'self-help'. . . . In an urban area, where group cooperation is more of a way of life, your program might portray those efforts in which the community joins together toward a special goal," declares the booklet.

With a $100,000 grant from OEO, the Community Action Training Institute of Trenton, N.J., produced a TV show series which recently was nominated for a special citation by the National Academy of Arts and Sciences. Called "Ya Es Tiempo" (It's About Time), the five Spanish language shows were aired over UHF channel 47 in Newark last August and September. The theme was that it's about time to do something about poverty and that the answers lie in community action.

ACTION-TYPE CLUBS

CATI reports that over 50 buyers' clubs, block clubs and "other action type" clubs were formed as a direct result of the Spanish-language showings.

On each of the five evenings when the TV programs were shown, 224 Spanish-speaking CATI group leaders conducted training sessions in their homes for 2,300 people in connection with viewing the programs.

Here, in essence, is how CATI describes the show on employment problems: A man who has worked at a factory for seven years is fired without being told the reason. His union will not help him. When he tells his friends, they are afraid that if they help him, they will be fired. But finally they meet with an employment specialist at a CAA. "He suggests they form a group so they can learn what to do; e.g. how to participate in the union so it's working for their benefit." The specialist also helps the fired worker "get into a training program that will prepare him for a new career."

This is what CATI reported about advance promotion: "The group leader and actor network of local people, assisted by many CAAs, local organizations and churches in New York City and northern New Jersey, distributed more than 3,000 posters and 50,000 throwaway announcements. This neighborhood promotional effort reached 36 Spanish barrios. . . . Channel 47 gave free air time for short promotional spot announcements. . . . An advertisement was placed in The New York Times the day of the first telecast."

Currently being aired in Newark—over radio station WNJR—is the Newark Report, produced by the United Community Corp., the top CAA in that city. Started last October, it is a panel discussion show of the programs of the UCC, and WNJR says it is very popular.

DYNAMIC PLATFORM

According to The Crusader, a newspaper published by the UCC, television "can provide a dynamic platform to bring the basic problems of the ghettos more clearly into focus. . . . The poor have come to recognize that their demand for a free and equal access to the mass media is an intrinsic part of their being able to succeed in the struggle for freedom from hunger, from privation, from exclusion."

Down in Williamston, N.C., Martin County Community Action, Inc., puts on a 15-minute radio program twice daily. "An antipoverty agency is not the easiest thing to sell the public on, but we have been rather successful in our efforts with the affluent as well as the poor," says Harmon St. Clair of MCCA.

OEO itself sends out radio-TV material in addition to that on the Job Corps and urges its local community action groups to help persuade local stations to use it. For instance, OEO recently sent all TV stations half-a-dozen new color spots lauding VISTA.

"The Owl Who Gave a Hoot" is described as an OEO cartoon film which "alerts low-income groups to their rights as consumers, rights being denied them because of malpractice, fraud or their own lack of knowledge."

Mention of the future prospects for the role TV and radio will play in government public relations brings a sparkle to the eyes of many information officers of the aforementioned agencies. They talk of only beginning to exploit the possibilities.

Obviously those who are battling creation of a Public Broadcasting Corp. to forestall federal broadcast propaganda are unaware of what is now going on.

PROPOSED CUTBACKS

HON. JAMES H. SCHEUER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 21, 1969

Mr. SCHEUER. Mr. Speaker, I am deeply disturbed by the Nixon administration's proposed cutbacks in appropriation for title II and title III of the Elementary and Secondary Education Act.

The administraton has proposed to eliminate completely all funds for books and other instructional materials that come under the title II amendment. The $50 million provided in the last fiscal year will be cut to zero, if Congress agrees to the President's proposal.

The Nixon administration has also proposed to cut the title III budget for education innovation fully by one-third, from $173 million to $116 million.

These funds for educational resource materials for our communities and for demonstration educational programs have been basic components in the Federal Government's commitment to education. That commitment must continue.

Without adequate instructional material provided by title II projects, other programs funded by ESEA cannot possibly achieve the maximum impact our legislators intend.

Without creative educational programing provided by the title III-sponsored projects, this Nation can no longer claim to seek out new educational programs that work, and that are maximally responsive to the communities they serve.

I call upon my colleagues to continue the funding of title II and title III amendments to the ESEA as specified by the Johnson budget. There is no more important domestic priority than the education of our children.

RACE AND AMERICAN FOREIGN POLICY

HON. RICHARD L. OTTINGER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 21, 1969

Mr. OTTINGER. Mr. Speaker, I am most pleased to call to our colleagues' attention a speech delivered earlier this year by my good friend and former Peace Corps associate, Mr. Franklin H. Williams.

Mr. Williams, director of the Urban Center of Columbia University, delivered a timely and penetrating speech at Stetson University in March on the role which race has played in our foreign policy. As he so aptly summed up his remarks:

> The fate of America and the fate of the black man are one and the same.

I am happy to share this important message with our colleagues and insert it, herewith, for inclusion in the RECORD:

> Despite the paramount importance of race in our domestic life very little has been written of its role in American foreign affairs. But every now and then something appears that gives some insight into this important subject.
>
> A small news story in the center pages of the February 23rd issue of the *New York Times* graphically demonstrates *Africa's* place as a continent of concern in shaping America's foreign policy. The article reads:
>
> "Chelsea House Publishers announced last week that Arthur M. Schlesinger, Jr., the historian, will be general editor of a five-volume "Documentary History of American Foreign Affairs, 1945–1970."
>
> Few events have more influenced the form and character of international relations during this period than the emergence into independence of more than 30 African states. Yet note the titles of the volumes to be included in the history:
>
> "East Europe and Soviet Union . . . Asia . . . Western Europe . . . United Nations . . . and Latin America."
>
> Africa? Apparently, as far as American foreign affairs is concerned, the second largest continent in the world, with millions of people, has not existed from 1945 to the present. This to me is especially upsetting since for almost three years I represented our nation as Ambassador to a Black African country. It seems that in the view of Chelsea House and Professor Schlesinger, it either wasn't there or somehow did not count.
>
> Ralph Ellison has characterized the plight of the Black man in America as that of the "invisible man". He is simply ignored as a living, breathing, sentient person. This tendency to treat Black people as if they weren't there also seems to apply to Africa, and to the problems of race in international affairs generally. If you look at practically any textbook on international relations published in recent years, there is virtually no discussion of racial factors. In eleven texts published in America since 1960, the entry "race", or its equivalent, can be found in only five of their indexes, and in three of the five the index refers the reader to less than three paragraphs of text. Yet with the possible exception of the Western European colonial empires, no nation's foreign affairs

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have been more influenced by racial considerations—positive and negative—than America's.

Domestically, race is a matter of deep national concern and divisiveness, and inevitably, our resolution of this national problem will directly effect our role in world affairs and our influence as a world power. Though we often refer to our country as an ethnic melting pot, America is invariably seen and sees itself—as a white Anglo-Saxon Christian nation. As a result, our policies toward non-white peoples have been marked by what can fairly be called "white imperialism", on a political level, and "benevolent racism", on an ethnic level.

Domestically, our immigration laws, from the early Oriental Exclusion Acts to our present statutes, have established national immigration quotas in direct proportion to the whiteness of the country of origin. Further, the internment of the Nesei—but not citizens of German descent—during World War II reflected a national uneasiness with citizens of darker hue.

It should be noted that these are matters of contemporary history: Asians were barred from naturalized citizenship until 1946. Finally, the long continued almost total absence of Black, brown or yellow Americans from our foreign policy-making councils not only supports this uneasiness but invariably influences our policy-making decisions relative to the world's majority.

Externally, the Boxer rebellion; our economic support of racist South Africa; our military alliance with colonial Portugal, and our apparent readiness to resist colored in contrast to white communist aggression suggest the existence of a double standard in our international relations. It appears, indeed, that we have a bi-partisan ethnic foreign policy: one operating favorable for countries most similar to our own—predominantly white—and the other taking a more negative posture toward those countries whose inhabitants are predominantly non-white.

Over a hundred years ago, in 1854, Martin R. Delaney, a physician, author and Negro leader, spoke these prophetic words:

"The white races are but one-third of the population of the globe—or one of them to two of us—and it cannot much longer continue that two-thirds will passively submit to the universal domination of this one-third."

By 1900, Dr. W. E. B. DuBois, a distinguished Black scholar and intellectual, was no longer predicting. He stated unequivocally that "the problem of the twentieth century is the problem of the color line."

Contemporary history validates this prediction. The two great white nuclear powers, locked in a battle for world supremacy, are attempting to win the allegiance of the uncommitted nations. But the uncommitted—with few exceptions—are colored—and China's entry into the nuclear fraternity, with its unabashed effort to speak for the non-white peoples of the world, has complicated the struggle. Russia's advantage flows from its revolutionary and supposedly non-colonial history. Ours comes also from our revolutionary history, as reflected in the language of our basic documents and the rhetoric of our founding fathers. But this advantage has been eroded if not totally offset by past practices of slavery and segregation and the fact that America is still dominated by essentially racist institutional structures.

Black Americans, who suffered and still suffer from this condition, have always known that American life was permeated with racism; but it took the Kerner Report to drive this point home. At one point the report states: ". . . White racism is essentially responsible for the explosive mixture which has been accumulating in our cities since the end of World War II. . . . What white Americans have never fully understood—but what the Negro can never forget—is that white society is deeply implicated in the ghetto. White institutions created it, white institutions maintain it, and white society condones it."

Today we run the risk that our immersion in day-to-day crises may blur our memory of the past, and that the press emphasis on Black demands may gloss over the systematic and cruel exclusion of the non-white American from the mainstream of national political and economic life throughout our history.

Let me refresh your recollection just a little.

In 1901, President Wilson, the man who was to make the "world safe for democracy," described the colored American as a "homeless class, unpracticed in liberty, unschooled in self-control; never established in any habits of prudence, bewildered and without leaders, and yet insolent and aggressive: sick of work, covetous of pleasure—a host of dusky children untimely put out of school."

The treatment of Black Americans—including 360,000 soldiers—during and after the war to make the world safe for democracy, proved that Wilson did not have them in mind when he talked of defending freedom. The last six months of 1919 saw 25 bloody race riots, and in that year more than 70 Black people were lynched, including ten soldiers in uniform.

The despair that gripped the Black ghettos following the war spawned the Garvey Back to Africa Movement, which attracted over 2 million dues paying members. His goal was similar to that of some advocates of Black power today: economic and political control by Black people over their own Black communities. But in 1933 it was estimated that two-thirds of the Harlem labor force was unemployed. World War II created jobs, of course, but institutional racism insured, as usual, that they were on the bottom of the ladder of opportunity. The President of the North American Aviation Company, for example, stated in 1941 that "while we are in complete sympathy with Negroes, it is against company policy to employ them as aircraft workers or mechanics, *regardless of their training*. There will be some jobs as janitors for Negroes."

After the war, returning Black veterans were expected to fall back into their traditional inferior places. The same old conviction, rooted in slavery, was still in general currency: "Black people are inferior, and we're going to keep it that way." In the armed services itself, Black volunteers and draftees had to fight for the right to fight. For example, Black soldiers overseas were assigned to unskilled non-combat duties until the Battle of the Bulge, when they were organized into platoons and assigned to the front, one platoon to a white company. It was not until 1948, when our segregated army landed in South Korea to defend a colored nation, that harsh military necessity forced President Truman to order the elimination of this embarassing contradiction.

It cannot be denied that there have been major modifications of our domestic racial policies since that time. Some have been fundamental; for example, the judicial rejection of the constitutionality of enforced racial segregation. In the main however, such changes have affected more the form of our behaviors than the content of our racial ideologies. From the day our founding fathers—some of them slave holders—committed the nation to the achievement of a domestic society within which all men shall be free and equal, to the present where Black Americans still live in substantial insulation and isolation, it would be fair to say that racism based on color differences has been an incipient, if not indigenous characteristic of our country. As James Conant phrased it, slavery has the "congenital defect" in the making of the country, for it built self-deception into the very matrix of the American image.

The ancestors of the more than 500,000 Black Americans who survived the voyages from Africa still seek the "promised land" of freedom and unrestricted opportunity. Mutiny aboard ship, unremitting slave rebellions, the underground railroad, experiments with resettlement in Africa, sit-ins, riots, and alternative present-day schemes for Black status and Black communities with Black capitalism all mark unrelenting efforts on the part of Black Americans to find some solution to their American condition.

Unless we bring the Black Americans fully into the main-stream of lives in our nation, this important body of nationals—12.5% of the population—will be able to contribute litle to our international relations. Unfortunately, we seem to be making little progress in this direction. A new administration has recently assumed leadership without a single Black person in a key State Department post. On the international scene, we have dropped from seven Black Ambassadors, including two in Europe, one in the Middle East, three in Africa and one at the United Nations to a total of four: one in Malta and three in Africa. Though there has been a small increase in the number of non-whites in the Foreign Service at the junior level, the number of senior grade Black officers is at a standstill, with less than a dozen based in Washington or abroad.

The mounting domestic racial crisis has emerged, next to Vietnam, as the major inhibiting factor in achieving respect, communication and support for America and its policies not only throughout the non-white world, but in Scandinavia and elsewhere as well. The gravity of race as a United States domestic problem and as an international crisis is summarized in a recent statement of the Institute of Race Relations in London:

"It is no longer necessary to emphasize the importance of race as a domestic issue in the United States. In Britain, too, this has become a national issue; we may still be in time to learn from American experience and prevent the problem reaching the gravity it has in the United States, but only if exchange of ideas is urgently sought and quickly translated into action.

"It is less generally recognized that ideas about race play a part in every major confrontation of the world today. World poverty, world hunger, world population, and the operation of aid programmes, are all affected; efforts for peace, the activities of the United Nations, the working of international agencies are frustrated by the suspicions and resentments which arise from race. Failures to solve the domestic problem in the United States and Britain; failure to enforce the views of the United Nations in South West Africa and in Rhodesia, failure to achieve peace in Vietnam—all increase the sense of frustration among the developing nations. The line between rich nations and poor and the line between white and non-white are dangerously near coinciding and the polarization of the world into camps divided by these lines become increasingly serious. In the power struggle between the United States, Russia and China, political use is made of this polarization and it is a major contribution to instability. There are influential people who speak of a 'race war' on a world scale as inevitable if not already in progress. But surely more reasonable courses are open if men apply their minds to the possibilities".

Dr. James Moss of the University of the State of New York has found that in spite of the long tradition of African students studying in the United States most African students experience some form of racial discrimination during their stay in the United States. Indeed, he reported that one group of African students studying in the midwest became more disaffected the longer they

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stayed in the United States. When we consider the history of discrimination towards African diplomats and other distinguished visitors during their stay in this country, coupled with the documented evidence that some of the most damaging effects upon our American-African relations derive from experiences with racially and culturally unsophisticated white Americans on varying assignments in Africa, is it any wonder that we are so disliked in that continent? Dr. Joseph Kennedy's research findings and conclusions five years ago are just as relevant today as then:

"Today, the entire world is caught up in a great twopronged struggle—a struggle for material and human equality. The American Negro quest for civil rights, the independence of nations, world revolutions, are a part of this larger struggle. For most countries the dissolution of old alliances and the formation of new friendships and relations will be determined by the outcome of this great struggle.

"Where this struggle takes on racial overtones, as it must in Africa, (for the African, like the American Negro, has lived with minority status within the concept of white superiority and Black inferiority) the United States finds itself in an extremely sensitive, tenuous position—much more so than the Soviet Union or England, or any other country in the world. The United States is the major force in the 'free world' standing for democracy, individual expression, and human rights. The United States has the largest Black population any place in the world outside Africa itself. Yet, the United States has an extremely negative racial image in Africa and around the world."

If our country therefore is to alter its image as one of the most hated nations in the world by non-white peoples, nothing short of a major transformation in our racial posture and priorities domestically and internationally will suffice.

The United States and our Western allies must begin to deal with the reality of an international community of non-white peoples, bound together in a common struggle against white racism and imperialism, in which our country is one of the major protagonists. I must here confess my own doubts on this score. Far too many of our policymakers seem to consider that, in the context of world wide priorities, nonwhite peoples are of too little consequence to merit the kinds of activities on the massive scale that I believe are essential if racial polarization is to be reversed.

From our founding this nation and the Black man have been inextricably committed to each other. America's commitment rose out of the contradictions of slavery and democracy—a contradiction which had to be resolved if the republic was to endure. "Indeed, I tremble for my country," Thomas Jefferson told the Virginia House, "when I remember that God is just." Recognizing the contradiction inherent in his plight, and using the Christian ethic and democratic rhetoric as his tools, the Black man hewed his way out of first slavery then enforced segregation. He looked upon his activity as self-liberation; the deeper truth is that the Black man's struggle is the struggle of America itself seeking its *true* identity.

It was not by accident that as America came into its own as a world power during and after World War II, the Black man came to represent the conscience of the nation and he advanced in direct proportion to his ability to embarrass America in times of international crises. My point is clear, I hope;—The fate of America and the fate of the Black man are one and the same. The challenge to the one is mirrored in the increasing freedom of the other. I submit that with the advent of national independence abroad and increasing racial opportunity at home the question of color will steadily dissolve into a question of economics. The residual issue then that will have to be faced during the remainder of the 20th century is the struggle between the haves and the have-nots.

The danger lies in the fact that the historical events of the past 350 years have doomed the majority of the non-white peoples of the world to the category of the have-nots. Our domestic danger is that we may lack sufficient national concern or commitment to make of our Black minority an asset rather than a liability. It would be a pity if the United States, which held out such hope for the world's needy and oppressed, found itself isolated and alone because of its own inability to root racism out of its national body at a critical point in its own survival. Where then would we turn? How impregnable would our white defense be?

A FORWARD STEP IN MICRONESIA

HON. CLEMENT J. ZABLOCKI

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 21, 1969

Mr. ZABLOCKI. Mr. Speaker, I have been gratified by recent press reports which indicate that the U.S. Government is, at long last, taking necessary steps toward improving the American image in the Trust Territories of the Pacific, more commonly known as Micronesia.

As you know, on March 25, 1969, I took the floor of the House to warn that time was running out for our Nation in Micronesia. It was obvious that the native population of these strategically important islands was becoming progressively disillusioned with us on the issues of economic reconstruction and political development.

I brought to the attention of the Congress a resolution passed by the Congress of Micronesia and sent to the United Nations which condemned the U.S. stewardship of the U.N. trusteeship and asked that the international body reconsider its legal and political status.

Action has now been taken to halt this deterioration in relations between the United States and the 91,000 inhabitants of the 2,141 Micronesian Islands spread over 3 million square miles of the western Pacific.

According to press reports, Secretary of the Interior Hickel in a visit to the region has pledged that Washington will take immediate steps toward more self-government for the islands, the upgrading of local participation in their administration, and payment of equal wages to Micronesians and Americans who do the same work.

The reaction from leading Micronesian political figures to this program has been hearteningly favorable. It bears out my contention that the Micronesians are anxious for a permanent tie with the United States but naturally have reacted negatively to America's past policies of indifference and neglect.

The Secretary of the Interior also outlined two other important reforms.

First, the administration will propose legislation to give Micronesian products the same preferential, duty-free status now afforded products of American territories.

Second, Congress will be asked to pass companion legislation to remove travel restrictions between the United States and Micronesia.

Both of these legislative actions are important to the economic development of the islands: The first would help bolster the region's exports of fish and other commodities, the second would encourage tourism in the islands.

It is my hope that Congress will move with dispatch to enact these proposals.

Mr. Speaker, the strategic importance of the trust territories becomes more evident with each new disturbance in Japan, Okinawa, and the Philippines over our bases located in those countries.

Because Micronesia is a "strategic trust" the United States may place military installations on the islands. But we can only do so with the concurrence of the native people, if we are to abide by the United Nations mandate.

I am confident that, treated fairly, the Micronesians will choose a continuing relationship with the United States and allow some islands to be used as "fall back" positions for defense installations should other bases in the area become untenable or lose their practical usefulness.

In order to further acquaint my colleagues with the steps proposed by Secretary Hickel and the strategic importance of the Micronesian Islands, I am inserting in the RECORD at this point several recent newspaper items on the Micronesian situation:

[From the Washington Daily News, Apr. 29, 1969]

U.S. ANNEXING 2,141 ISLANDS?

(By William Steif)

The Nixon Administration may try to annex the 2,141 Micronesian islands in the Pacific, which the United States has held under United Nations trusteeship since 1947, to establish military bases and troop training areas to replace those in Okinawa.

The Okinawans last November voted for reunification with Japan, and growing Japanese student unrest now is focusing on demands for return to Japan of the big island in the Ryukyus chain between Japan and Taiwan.

As a result, the Nixon Administration has developed a new "position" on the Pacific trust territory.

Interior Secretary Walter J. Hickel will explore annexation possibilities when he goes to Micronesia Thursday to confer with leaders there on the islands' future.

DISCUSS RETURN

The Nixon Administration sent a high-level representative to Tokyo last winter to open informal negotiations on the return of Okinawa to Japan and has sent at least three separate observers to Micronesia in recent weeks. The latest to return was Marine Lt. Gen. Lewis W. Walt, former commander of Marine forces in Vietnam who is now the corps' assistant commandant.

Gen. Walt surveyed several of the 96 inhabited islands in a six-day visit in search of new training areas for the Marine Corps. He said the people were "warm and receptive" and reported that many areas could be used for training—particularly amphibious training—either now or in the post-Vietnam era. He was especially impressed with the possibilities in the Palau group, westernmost of the trust territory.

OVER 2,400 MILES

The islands extend over a 2,400-mile belt of the Pacific and stretch north 1,000 miles from the equator, but cover only 706 square miles of ground, half the size of Rhode Island.

The U.N. made the United States trustee after American troops wrested the island from Japan in a series of bloody World War II battles at such places as Saipan, Tinian, Kwajalein and Eniwetok.

The U.N. designated Micronesia as a "strategic trusteeship"—the only one in the world. This mean the administering power may use the islands for military purposes. The United States exercised that right by testing nuclear weapons at Bikini, building an anti-missile base at Kwajalein, permitting the Central Intelligence Agency to train Chinese Nationals guerrillas at Saipan and building several smaller bases at other islands.

Some observers believe a U.S. offer to incorporate Micronesia into the United States would stir a row in the UN, where the United States is on record against colonialism.

FAVOR U.S. TIES

Surveys of Micronesian sentiment in the last couple of years have shown most opinion favoring some sort of tie to the United States.

As long ago as 1966 a U.S. representative to the U.N. Trusteeship Council said events were "pushing us toward a definite decision within a reasonably short time" on the date and method by which Micronesians would determine their future. Russia at that time was pressing for independence for the islanders.

Former President Johnson two years ago asked Congress to set up a commission to study Micronesia's future status—and urged a plebiscite before 1972. The Senate last year passed such a bill but the House balked.

The Micronesian legislature, meantime, created its own status commission and is expected to deliver recommendations to Mr. Hickel this weekend. The legislature was established by order of the Interior Department, not Congress.

When Mr. Hickel became interior secretary, he gave top priority to bolstering the Micronesian economy, with an eye to more tourism and a bigger fishing industry. The 95,000 Micronesians have a per capita income of less than $200 a year. He also has been working closely with Defense and State Department officials.

[From the Washington Post, May 6, 1969]

ISLANDERS GIVEN GREATER VOICE—UNITED STATES OUTLINES REFORMS FOR MICRONESIA

Secretary of the Interior Walter J. Hickel announced last night a broad reform program for the Micronesia Trust Territory.

He announced the program at a public meeting in Saipan, the Mariana Islands. The Secretary emphasized the need for the Micronesian people to determine their own future by having a greater voice in decisions affecting the Trust islands and promised "to bring more Micronesians into high-ranking and responsible positions in the Trust Territory government."

Since the end of World War II the islands have been administered by the United States under a United Nations trusteeship, which gives the United States the right to maintain military bases in the area.

The only important installation now is at Kwajalein, where there is a missile test site. But the other islands could have military value in the future if the United States leaves Okinawa.

But these military installations could be installed only if the Micronesians choose to maintain a continuing association with the United States.

Hickel's trip to Guam and Saipan was designed to encourage such a relationship.

He told the islanders he was taking these steps:

"The High Commissioner will move rapidly and decisively to bring more Micronesians into high-ranking and responsible positions in the Trust Territory Government."

The people of Micronesia will "be brought into the planning and decision processes as full and equal participants with American personnel."

Hickel said he had directed the High Commissioner to "start within 90 days an active and imaginative program of training of Micronesians for position of greater responsibility in the Administration."

He also said efforts will be made to eliminate any differences that may exist in the pay schedules.

The Nixon Administration will "start work to develop an improved judicial system which will give Micronesians a stronger voice in the administration of their judicial system."

Hickel said the Nixon Administration "will soon propose legislation to give Micronesian products the same preferential, duty-free status now afforded products of American territories."

He also said the Administration will seek companion legislation to "remove travel restrictions between Micronesia and the United States."

Hickel stressed the need for close relationships and cooperation between the United States and the people of Micronesia.

He said he welcomes the formation of a budget committee from the Congress of Micronesia to develop budget recommendations within the ceiling authorized by Congress.

The Secretary also had praise for the Status Commission, which has been studying proposals for the political future of the 94,000 people who live on the 2100 islands spread over 3-million-square miles of the Pacific.

He said the Commission has done a "tremendous job during the last two years" and when its report is finished it will "not go unheeded."

Hickel requested the Micronesian Congress to "appoint a representative group of your wisest, most experienced members to work with my staff in drafting legislation to make your program possible.

"You . . . will help develop the legislation which will end the trusteeship and build a lasting political partnership with us so we can go forward together," Hickel said.

[From the New York Times, May 5, 1969]

MICRONESIANS GET SELF-RULE PLEDGE—HICKEL SAYS UNITED STATES WILL SPEED REFORMS FOR ISLANDERS

(By Robert Trumbull)

CHALAN KANOA, SAIPAN, May 5.—Walter J. Hickel, the man responsible, under President Nixon, for American government of Micronesia, pledged today that Washington would take immediate steps toward more self-government for the islands, the upgrading of local participation in administration and the payment of equal wages to Micronesians and Americans who do the same work.

The Secretary of the Interior, who is touring the Pacific islands, where there has long been criticism of United States policy under the United Nations trusteeship initiated in 1947 made his pledge in an address to Micronesian legislators * * *

The items discussed by Mr. Hickel have been among those most frequently mentioned by critics of the regime.

"The situation could not be worse, but I am optimistic that conditions will now change," Amata Kabua, President of the Senate in the Congress of Micronesia, an elected legislative body with limited powers, commented after hearing Mr. Hickel.

COMMISSIONER IS INSTALLED

The Secretary installed Edward E. Johnston, a 51-year-old Honolulu insurance executive and prominent Hawaii Republican, as the new High Commissioner of the Trust Territory of the Pacific Islands. He succeeds William R. Norwood, a former newspaperman, also of Honolulu.

The more than 2,000 islands and atolls of Micronesia, of which about 100 are inhabited by 92,000 people, were taken by the United States from Japan. * * * Visiting missions from the United Nations Trusteeship Council have charged Washington with neglecting the islanders' welfare.

Mr. Hickel, speaking under a broiling sun in a gymnasium whose roof was torn off by a typhoon last year, acknowledged some shortcomings of previous administrations.

"For years you have had little voice in your government," he said. "This is wrong. High Commissioner Johnston will move rapidly and decisively to bring more Micronesians into high-ranking and responsible positions in the trust territory government."

BIG GAP IN PAY RATES

"Every effort will be made to eliminate any differences which may exist in pay schedules," he said. According to an official report, scales for Micronesian employes of the administration run from almost $700 to $10,300. Americans, many doing the same jobs, receive from $3,600 to $25,900, plus "hardship" allowances and other bonuses.

Mr. Hickel said the Nixon Administration would strive to make the economy more viable by expediting the development of roads, electric power and other projects to improve the economic base. Legislation will be introduced in Congress in Washington to allow duty-free imports of Micronesian products, he added.

To increase Micronesian participation in the development process, Mr. Hickel asked the Congress of Micronesia to form a budget committee and a planning group to work with American officials on future programs.

The steps proposed by Mr. Hickel "could alter the adverse image of the United States" among educated Micronesians, said Senator Lazarus Salii, an influential member of the Congress of Micronesia from Palau.

"The United States is at least coming to grips with the situation," he added.

NIXON REALIZES CONSEQUENCES OF A SURRENDER

HON. BOB WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 21, 1969

Mr. BOB WILSON. Mr. Speaker, in the past week there has been a great deal of speculation over the meaning and implications of the President's message to the Nation on Vietnam last Wednesday night.

One problem that must be of paramount importance in the President's Vietnam stance is the fate of the thousands of innocent South Vietnamese civilians who would be the victims of a massive bloodbath should we fail to stand firm in requiring a total withdrawal of North Vietnamese troops from South Vietnam, Laos, and Cambodia. The following column by Joseph Alsop emphasizes the life and death importance of refusing to draw back from the President's resolute position on this issue:

SPEECH SHOWS NIXON REALIZES CONSEQUENCES OF A SURRENDER

(By Joseph Alsop)

In the President's study, quietly eloquent and common-sensible speech about Vietnam, you could hear ghosts walking. To be specific, you could hear the ghosts of the 2000 dead of Hue.

The New Left in the U.S., and indeed a good many of the so-called media, can now summon indignation against almost anyone

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but the enemies of this country. This is perhaps why the Communists' monstrous crime in Hue has been so little noticed, with only two or three honorable exceptions.

During the Tet offensive, in brief, the Communists occupied much of Hue for a little more than three weeks. The occupied part of the little city had an original civil population of perhaps 80,000 men, women and children. One half or more of these people—probably more—managed to seep out between the lines in the confused early stages of the fighting.

Thus the Communists' potential victims numbered no more than 35,000 to 40,000 at most. Of these, they killed in cold blood at least 2000, old and young, men and women, and even little children. That many have actually been found in the mass graves in which the Communist high command buried these 2000, who were guilty of nothing except being suspected—and you can doubly underline "suspected"—of opposition to a Communist takeover.

In a grim story describing the reburial of 300 of the recently found dead by the Hue municipal authorities, Robert Kaiser of *The Washington Post* described how many of them had been beaten to death with clubs, that they did not have a whole bone in their bodies. Many more, said Kaiser, showed clear evidence of having been buried alive!

So now extrapolate, as our virtuous academic intellectuals so often say. Before Tet, Hue was the city in South Vietnam most disaffected from the government. It had very few Catholics, and none of those massacred in the mass graves of Hue were soldiers. Yet the Communists massacred on the order of 5 per cent-plus of the civil population they got briefly in their grip.

To extrapolate correctly, moreover, you must crank into the calculation South Vietnam's million men in uniform, and the million Catholics that the U.S. brought down from North Vietnam in 1954. Realistic extrapolation from what happened in Hue would therefore give a figure of at least a million South Vietnamese who would be doomed to prompt execution, in the event of a nationwide Communist takeover. And this is quite in line, in turn, with the blood bath that occurred in the North after the Communist takeover there.

A grave and sober consciousness of the consequences of an American surrender, disguised or otherwise, showed through in every line of President Nixon's speech. So did realism about the necessary terms of any acceptable settlement, as when he stressed the absolute need for North Vietnamese withdrawals from Cambodia and Laos as well as South Vietnam. And showing, to, was the courage to see through this hard, intractable problem.

The dead of Hue meanwhile symbolize, indeed in some sense define, the severe limitations on the President's freedom of action. Because he has so clear a view of the consequences, he cannot take the advice to give up that is pressed upon him by men like Sen. J. William Fulbright. (But he can, of course, ask these gentlemen, at a later date: "Do you want the blood of hundreds of thousands of innocents on your hands, and on your country's hands?")

The President, in short, cannot possibly accept anything less than the minimum he asked for: absolutely free self-determination, with no threat of northern re-invasion, for the people of South Vietnam. Hanoi knows perfectly well that only the tiniest minority of South Vietnamese would freely choose a Communist regime. Hence Hanoi is certainly not ready, as yet, to give the President anything like the minimum he must insist upon.

That is why the President warned that an early end of the war was not in sight. Yet Hanoi's problems mercifully, are a hundred times more painful than Saigon's problems, or indeed than the President's problems. Above all, Hanoi now has to worry about the dreadful and continuing manpower drain on the North, and worse still, about the potential crack-up of large chunks of the VC structure in the South.

So the President's best posture is not merely to look resolute, but also to be resolute. In his speech, he was very resolute indeed. Hanoi, therefore, now has solid knowledge of the President's purposes—which are very different from the guff that has been so widely written about his purposes.

BRETTON WOODS—25 YEARS LATER

HON. WILLIAM S. MOORHEAD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 21, 1969

Mr. MOORHEAD. Mr. Speaker, uncertainty and instability in our international economic relations have dramatically pointed up the need for monetary reform.

In the interest of economic growth and the free flow of trade among nations, we cannot continue our patchwork economic policies, nor can we continue to be bailed out of our dilemmas by the central bankers of the world.

Whether monetary reform is accomplished by a system of "crawling peg" or "sliding parity," many students of economic thought agree that the time has come to move toward a more flexible system of rate exchange than that to which we are bound by the Bretton Woods agreements of 1944.

The Washington Post of May 10 and the New York Times of May 11 carried articles narrating the monetary crisis and urging exchange rate reform without further delay. I include the articles at this point in the RECORD for the thoughtful attention of my colleagues:

[From the New York Times, May 11, 1969]

FIXED EXCHANGE RATES UNDER FIRE IN CRISIS

(By H. Erich Heinemann)

An uneasy quiet settled over the world's money markets on Friday afternoon as trading closed down for the weekend.

For the fourth time in the last 18 months, or perhaps the fifth or sixth time, depending on whose count you take, the international financial system was in the throes of a major currency crisis, whose resolution was clearly still a matter of conjecture, even for those in the seats of financial power in the principal money centers.

The immediate cause of the latest upheaval was the resignation of Charles de Gaulle as President of France, which appeared to open the door to negotiations for a general realignment of European currencies.

A STRUCTURAL PROBLEM

The roots of the disturbance, however, are far deeper than that, and lie in structural flaws in the present mechanism of international finance.

Meanwhile, the financial markets have not waited for the politicians to make up their minds. The expectation last week, quite obviously, had been that there would be an adjustment of the values of the leading European currencies—almost certainly involving an increase in the German mark, and possibly in some other currencies as well.

On Friday afternoon, these hopes were dashed when the German Cabinet voted to maintain the value of the mark at 25 cents. But the problem of dealing with the results of the massive speculation of the last two weeks—as well as its underlying causes—still remained.

More than $2-billion in speculative "hot money" moved into the coffers of the Deutsche Bundesbank, the West German central bank, during the week as traders placed their bets that the value of the Deutsche mark would be increased.

At the same time, the magnet of the mark pulled funds away from the beleaguered British pound and the French franc, making these currencies (despite tight foreign-exchange controls in France) vulnerable to devaluation—in other words a drop in value.

In sharp contrast to the currency turmoil that gripped the international markets at the beginning of last year, the present crisis does not directly affect the position of the United States dollar, except to the extent that dollars have been used by speculators as the vehicle for moving into marks.

EFFECT ON PRICES

Largely because of the Federal Reserve System's tight-money squeeze in the United States, American banks have pulled some $10-billion out of the Eurodollar market—the market for dollars on deposit in banks abroad—so that even with a continuing deficit in United States international payments, the dollar has been in short supply on most world money markets.

The fear in financial circles was that from problems in the structure of international money market, a period of uncertainty and instability could emerge that would hamper seriously the growth of world trade and investment.

No matter what happened this weekend—or in the weeks to come—the chances were that it would be no more than a stopgap solution to the fundamental underlying problems in the structure of international finance that have been exposed in the recurring crises that have boiled up since the devaluation of the British pound on Nov. 18, 1967.

An increase in the value of the mark would have the effect of raising the prices of German products in world markets. Volkswagen cars, Pfaff sewing machines would cost more, and thus would be less competitive.

At the same time, imported goods would cost less in Germany. The hope, obviously, would be to reduce substantially the huge surplus in the German balance of trade, thereby taking some of the pressure off of Germany's European neighbors.

Conversely, the opposite impact would be hoped for in the case of devaluation elsewhere—lower export prices and higher exports; higher import prices and smaller imports; and consequently an improved balance of trade.

A POLITICAL CHOICE

Within Germany, the problem has been that the imposition of sharp restraint on the vital German export industry (which accounts for about 20 per cent of total output) would almost certainly lead to an increase in unemployment.

With the coalition government in Germany divided almost equally between the two principal parties that will be rivals in the election that is coming in fall, it is not hard to see why it has been difficult to come to a decision on changing the value of the currency.

But in the present currency crisis, the machinations of domestic German politics are really beside the point.

What the latest upheaval has shown—just as did its predecessor last fall—is the lack of an adequate means to adjust currency values when they get out of line with each other.

Changes in values that should be handled as routine technical matters by central bankers—and be of interest only to a few outside the tight little circle of international bankers and traders—have become matters of intense interest, involving president and

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prime ministers in supercharged confrontations.

It was Charles de Gaulle, and Charles de Gaulle alone, who said "non" to a devaluation of the French franc last fall, and thereby set the stage for the crisis last week.

There are few objective standards that one can apply to determine whether a country's currency is "overvalued" or "undervalued." Comparisons of the relative purchasing power of two currencies are a notoriously tricky business.

It is fair to say, though, that when a country, year in and year out has an international payments surplus—or conversely a deficit—then perhaps there's something wrong with the value of its currency.

ROLE IS DEFINED

The balance-of-payments account is, in effect, a summary of all of a nation's transactions—in trade, investment, tourism and so forth—with the rest of the world. Naturally, the competitiveness of a country's products in world markets is an important element in this overall equation of inflows and outflows, and to a substantial extent currency values are an influence in determining whether or not a country is competitive.

The present system of international finance—whose basic charter was drafted at Bretton Woods, N.H., at a conference of the World War II allies in 1944—calls for fixed foreign exchange rates between countries.

In day-to-day trading, price fluctuations of a currency are to be limited to a narrow band of 1 per cent above or below a defined "par value," and in practice most major nations have limited this trading range to three-quarters of 1 per cent either side of par.

Only in the event of a "fundamental disequilibrium" in a nation's balance of payments is a change in par value to be contemplated. There is evidence that the founding fathers at Bretton Woods expected that these changes in par value would be easily accomplished, with little disturbance to the system.

UNFORESEEN RIGIDITY

But here, too, the practice has been to hold foreign exchange rates far more rigidly in place than appears to have been contemplated at Bretton Woods.

For example, when the mark rises to its official "ceiling" of 25.1889 cents (3.97 marks to the dollar), the Bundesbank must supply marks to the market at the ceiling rate to prevent the mark from going higher.

The belief in 1944—and to a large extent even today—was that the financial turmoil caused by floating foreign exchange rates in the 1930's was largely responsible for the collapse of world trade and investment in the Depression.

The basic difficulty has been that, even with a commitment to fixed foreign exchange rates, it has proved impossible to keep exchange values from getting out of line.

Gabriel Hauge, president of the Manufacturers Hanover Trust Company, said not long ago that "it is doubtful that fixed exchange parties could be maintained indefinitely even if all countries were prepared to give preservation of their currency values top priority.

"Individual countries experience differing rates of economic growth," Mr. Hauge said, "of productivity and of price change because of the disparity in the world-wide allocation of resources and of technical capacity.

"It seems likely," Mr. Hauge said, "that even if all of us had done a better job of managing our domestic economic affairs these past 10 years, the relationships among currencies would only by accident be in balance today."

But coming to the conclusion that changes in the fabric of foreign-exchange rates are inevitable and essential is only the beginning of trying to analyze the present international financial problem.

For if foreign exchange rates are to change, how are they to change? Continuously? Occasionally? By what amount? Under what kind of international supervision, if any?

Opinion has been gradually changing among leading American bankers and economists in the direction of greater flexibility in foreign exchange trading.

Two of the most-discussed methods for accomplishing this have been called, in the jargon of the international economists, the "wider band" and the "crawling peg," either alone or in combination.

Under the former proposal, exchange rates would be allowed to move within a band of, say, 5 per cent above or below par, in contrast to the present three-quarters of 1 per cent. Under the latter, the par value of a currency under basic upward or downward pressure could be allowed to respond to that pressure, at predetermined time intervals and by predetermined amounts.

The most recent expression came last week when Gaylord A. Freeman Jr., chairman of the First National Bank of Chicago, called for a new Bretton Woods-type conference to overhaul the present structure of currency values, to allow a wider range of fluctuation around those new par values, and to allow gradual further adjustment of par values for currencies facing basic problems.

A SHARP ATTACK

Another Chicago banker, Beryl W. Sprinkel, senior vice president and economist of the Harris Trust and Savings Bank, presented a more extreme view to a business gathering here in New York not long ago.

Mr. Sprinkel sharply attacked the idea of price controls in any form and then he went on to say: "One additional area of price control that remains popular is that of pegged exchange rates between national currencies.

"Exchange rates are supported," Mr. Sprinkel said, "therefore preventing price from performing the important function of equating the quantity supplied with the quantity demanded, hence the continuing surplus of dollars in the world's currency markets.

"Fixed exchange rates," he said, "invite direct controls which restrict the free flow of trade and capital between nations. Only recently have we come to realize that rigid exchange rates render the international adjustment process virtually impotent.

"Currently," he went on to say, "serious attention is devoted to the possibility of permitting greater exchange-rate flexibility through the adoption of such freer markets as adjustable pegs or floating bands."

OPPOSING VIEW

By contrast, Eugene A. Birnbaum, the respected senior economic adviser to the Standard Oil Company (New Jersey) has been arguing just the reverse.

"Greater exchange rate flexibility," Mr. Birnbaum said in an address to the Chemical Marketing Research Association, "would be conducive to the formation of competitive world power blocs. Seen in this light," he added, "a change toward flexible exchange rates might not be progress, but, perhaps even more probably, a retrograde step."

The long-range goal should be a single currency for the Western world, Mr. Birnbaum said, and any changes made in the international monetary structure should be taken with this goal in mind.

Any movement toward more flexible exchange rates, he asserted, would in effect make more difficult the eventual integration of the world economy. Each of the innovations suggested to allow greater exchange-rate flexibility, Mr. Birnbaum said, "harbors potentially serious technical difficulties that could outweigh the presumed advantages."

[From the Washington Post, May 10, 1969]

NO END TO THE MONEY CRISIS

West Germany's decision not to revalue the mark may temporarily diminish the speculative turbulence that has gripped the foreign exchange markets. But the basic problem of monetary imbalance remains as a menacing manifestation of the unwillingness of governments to agree upon a rational course of action.

It would be heartening if the international monetary problem could be solved by banishing the evil currency speculators, those who are selling francs and pounds sterling in order to buy marks. But currency speculation is as much a result of the disequilibrium as it is a cause. Because of uneven rates of inflation and of productivity growth in the Western countries, the mark is undervalued; the rates at which it is pegged in the foreign exchange markets are too low in relation to what it will buy in Germany. At the other extreme is the badly overvalued franc, a currency which has been pegged at an unsustainably high level in the world money markets.

The remedy lies in a realignment of exchange rates—an upward revaluation of the mark along with a devaluation of the franc and perhaps also the pound sterling and other currencies that are not so severely overvalued. But it is at that point that the dictates of rational economic policy are blocked by the imperatives of politics.

An easy—but far from ideal—solution would have been provided by a unilateral upward revaluation of the mark. However, the Kiesinger government, which faces an election in September is fearful of offending German farmers and businessmen. And the paralysis of inaction that has stymied Bonn also prevails in other world capitals. London is silent because an already fragile pound sterling has been further weakened in the rush to buy marks. And Washington does not speak out because it fears that the dollar might be engulfed by a tide of competitive currency devaluation.

The irony of the current impasse is that there is no lack of monetary cooperation in the world today. A number of ingenious techniques have been developed by the central banks—currency swaps and the prompt "recycling" of speculative capital flows—in their defense of the prevailing set of fixed exchange rates. But cooperation in defense of what is economically indefensible is hardly a virtue.

A way out lies in a more flexible system of exchange rates, one that will facilitate, not impede, economic adjustments among advanced trading countries. The day of reckoning may be postponed for a time. But a further delay of exchange rate reform increases the danger that the international monetary structure will be toppled and that a rash of protectionist controls will bring the growth of world trade and investment to a standstill.

COLLEGE REBELLION REVERSED, MILITANTS GET COLD SHOULDER

HON. PAUL G. ROGERS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 21, 1969

Mr. ROGERS of Florida. Mr. Speaker, in these days of campus unrest, it is well for all of us to realize that only a small fraction of the American college population is involved in distructive acts. It is a credit to the Nation that the vast majority are sincerely interested in getting an education, and seeking change through the orderly process.

One indication of the attitude of many students can be seen from the action of the student government at Palm Beach Atlantic College. I insert a recent newspaper report of that at this point in the RECORD:

[From the Miami (Fla.) Herald, Apr. 6, 1969]

COLLEGE REBELLION REVERSED, MILITANTS GET COLD SHOULDER

WEST PALM BEACH.—In a campus "revolt in reverse," student leaders at Palm Beach Atlantic College have called for an administrative ban on any "adverse student organization" at the new, Baptist-supported institution.

Taking the Student Council's unanimous recommendation further, trustees of the one-year-old college announced in a newsletter to parents and prospective students:

"Students requesting admission to Palm Beach Atlantic are required to sign statements affirming that they are not members of the organization of Students for a Democratic Society or any other such organization, nor will they become affiliated with such while enrolled at Palm Beach Atlantic."

Kenneth Bagwell of Merritt Island, president of the student government, said the recommendation came after the administration sought the council's opinion on campus violence across the nation.

Bagwell said council members discussed the violence with representative groups of the 150-member student body, and then decided the college should deny admittance to any student "affiliated with any adverse organization.

"The students here believe it is high time some student body spoke up for the huge majority of students and let it be known that they are strongly opposed to the disruptive actions of small groups of students," Bagwell said.

The new policy statement will appear in the college's 1969–70 catalog.

THERE OUGHT TO BE A LAW

HON. MARGARET M. HECKLER

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 21, 1969

Mrs. HECKLER of Massachusetts. Mr. Speaker, "There Ought to Be a Law" was the title for a very thoughtful editorial by WBZ radio-television in Boston earlier this month. Contrary to the idea conveyed by the title initially, the editors maintain that Government's responsibility in dealing with campus disorders is not through Federal intervention on the university campus, but through the implementation of action-oriented programs to conquer the pervasive ills of our society which kindle social anger and disturbance. I offer the full text of the editorial for consideration of all my colleagues, who share my concern over the crisis on our campuses.

THERE OUGHT TO BE A LAW

(Delivered by James R. Lightfoot, general manager, WBZ radio; and Winthrop P. Baker, general manager, WBZ–TV)

Campus rebellions continue to dominate the news across the country. And as usual, in times of such unrest, many people are inclined to mouth that old phrase—"There ought to be a law against that sort of thing." So it's no surprise that there are a host of proposals for government intervention into campus affairs, a real crackdown on students.

We don't profess to know just how this campus mess will be straightened out. But we're convinced of one thing. Congressional or legislative intervention of this sort would be a disaster. There are ample legal means of dealing with campus disorders right now. Police action has already been taken to clear buildings and restore order at Harvard, Dartmouth and a number of other campuses. We support this type of move as an unpleasant necessity.

One of the men who had to make that type of decision was Harvard's Nathan Pusey. Significantly he told a "Meet the Press" audience on WBZ–TV that the answers to the crisis must come from within the university itself—primarily from the faculty and students.

This doesn't mean that there's nothing for government to do, that there shouldn't be a law. But what's needed is local, state and federal action to deal with the rot in our society—poverty, prejudice, slums and materialism. These are conditions that have angered many responsible students. They have been trying to give American society a message it ought to listen to. Unfortunately much of it has been garbled by the actions of a maniac minority. The university and if necessary the police can deal with the troublemakers. The challenge for government it to defuse the anger of the responsible majority—not with negative acts of repression but a positive attack on society's many ills.

REPORT TO CONSTITUENTS

HON. EDWIN D. ESHLEMAN

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 21, 1969

Mr. ESHLEMAN. Mr. Speaker, within a few days my latest report to my constituents will be mailed. This report includes some pertinent commentary and also my second questionnaire for the first session of the 91st Congress. I would like to include the contents of this report in the RECORD at this point:

WASHINGTON SPOTLIGHT

(Report from your Congressman ED ESHLEMAN)

A CONSTITUTIONAL QUESTION

Back when Davy Crockett served in the U.S. House of Representatives, a bill was passed appropriating money for the relief of some families whose homes had been destroyed by a fire. Colonel Crockett voted for the bill, but later was questioned by a constituent on the constitutional basis for his vote. The Congressman explained that his vote was right for it contributed an "insignificant sum" for the relief of "suffering women and children." The constituent, however, persisted, and perhaps we should think a little about the point he made during some Congressional deliberations today. He said: "It is not the amount, Colonel, that I complain of; it is the principle. . . . The people have delegated to Congress, by the Constitution, the power to do certain things. To do these, it is authorized to collect and pay monies, and for nothing else. Everything beyond this is usurption, and a violation of the Constitution. So you see, Colonel, you have violated the Constitution in what I consider a vital point. It is a precedent fraught with danger to the country, for when Congress once begins to stretch its powers beyond the limits of the Constitution, there is no limit to it, and no security for the people. I have no doubt you acted honestly, but that does not make it any better . . ."

COME ON DOWN

Your Nation's Capital is "bulging at the seams" as thousands of tourists come to visit the focal point of American heritage. Numerous school groups, organizational groups and individual families from Lancaster, Lebanon and Lower Dauphin Counties have been in Washington this spring. My staff and I are looking forward to greeting many more of you as we get into the summer months. There is much to see and much to do in and around Washington, and most people find that even after several trips they are still making new and fascinating discoveries. If you would like to come, your Congressional Offices will be happy to help you with planning your visit to Washington, and we are ready and willing to serve you during your stay.

DOUBLE STANDARD

When the Congress begins to talk about starting some new governmental program, we usually talk in terms of two basic questions: Is this program needed? Will it work? In recent years as a variety of expensive social projects have been considered, many Congressmen have said that the question of whether or not a suggested program will work is really secondary to the question of whether or not Congress will do something about the "crying need." These legislators, therefore, are on record stressing need as the first priority when judging the merits of a given proposal. But, it is most interesting that many of these same lawmakers have switched their logic in arguing the ABM issue. Since the need for a defensive missile system has been rather ably demonstrated, the ABM opponents have been talking about the subject of workability even in the face of some of the weightiest evidence ever compiled on a project's ability to deliver.

DESK DUTY

This month I took my turn on the "minority desk." This is an assignment given freshman and sophomore Republican legislators and involves acting as one of the floor leaders for the party during a particular week. The job has two basic functions. First, you obtain permission from the House for other Congressmen to make speeches of a personal nature or to include various comments in the Congressional Record. Second, you are the "watchdog" for the minority on matters of House business. Should the Minority Leader, Gerald Ford of Michigan, be absent during some attempt by the majority party to change the plans for the day's legislative activity, you immediately raise an objection. Since matters of this kind require unanimous consent of the House, this one objection will overrule any proposed change in the schedule. If this seems pretty routine in nature, it is. But, the assignment does give those of us who are relative short-timers a chance to become more directly involved than usual in the parliamentary maneuverings of the Congress.

A PROFESSOR'S PUTDOWN

Campus turmoil has been very much in the news during recent weeks. The unlawful excesses of student militants have shocked and disgusted the Nation. One of the most disturbing aspects of the problem is that these young people seem to think their ideas are so good that any action, even violence, is justified to "sell" their opinions. A rather well-known professor commented on this point in a lecture the other day. Former Vice President Hubert Humphrey talked about the proper way, the legal way, to sell an idea. Following the lecture, he was challenged by a student who said, "I like your ideals but not your method." Retorted Humphrey: "I like your ideals, but you don't have any methods. You couldn't get a Mother's Day resolution passed in an old lady's home."

MANY PROPOSALS

The 91st Congress has been in session for about 5 months. In that time, over 2000 bills have been introduced in the Senate, and the House has over 11,000 pieces of legislation for consideration.

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QUESTIONNAIRE

As the first session of the 91st Congress rolls into the summer months things promise to get rather exciting. It would be helpful to me to have again an indication of your thinking on a number of issues of importance to all of us. Your response on the questionnaires I circulated earlier this year was most appreciated, and I hope you will take the time to complete this poll of the 16th District and return it to me. I will try to tabulate the returns as soon as possible and will let you know the results. By the way, in cases where your family has difficulty agreeing on replies, my District Office, 210 Lancaster Post Office Building, Lancaster, telephone 393-0666, will be glad to furnish extra copies of the questionnaire.

For our convenience, please tear off this back sheet of the newsletter when you submit your answers.

Thank you!

1. Do you believe that the Vietnam program recently outlined by the President is a reasonable and hopeful step toward achieving peace?

Yes ☐, No ☐.

2. Regardless of how you answered the previous question, do you consider the Paris peace talks to be the best means of ending the Vietnam War?

Yes ☐, No ☐.

3. Should the power of a President to commit American troops to combat without specific approval of Congress be curbed?

Yes ☐, No ☐.

4. Would you favor a tax reform plan that would eliminate most income tax deductions but substantially reduce the tax rates?

Yes ☐, No ☐.

5. Viewing the economy as it now stands and figuring in the continued expense of the Vietnam conflict, do you favor extending the 10% surcharge beyond its June 30 expiration date providing it is lowered to 5% as of January 1, 1970?

Yes ☐, No ☐.

6. Regardless of how you answered the previous question, would you favor extending the 10% surtax if it was coupled to a spending ceiling on the Federal Government to help bring inflation under control?

Yes ☐, No ☐.

7. Do you think that Federal spending should be cut back even if it means reducing expenditures in your favorite government program?

Yes ☐, No ☐.

8. Until a settlement is reached in Vietnam, do you think that the present military draft system should be immediately changed to the random lottery plan proposed by the President?

Yes ☐, No ☐.

9. Should Congress develop legislation to prohibit strikes by all public employees?

Yes ☐, No ☐.

10. Do you believe that the national security factors pointed out by the President justify the $6 billion expenditure needed to build the modified ABM system he proposes?

Yes ☐, No ☐.

11. Do you believe that Congress should develop a code of ethics for the Supreme Court rather than have the Court develop one for itself?

Yes ☐, No ☐.

12. Should the national government step in and standardize welfare programs in States throughout the country?

Yes ☐, No ☐.

13. Do you think that the present controversy has justified a reopening of the Job Corps camps ordered closed by the President?

Yes ☐, No ☐.

14. Would you agree that disorder on a college campus should be primarily a matter for settlement by college authorities?

Yes ☐, No ☐.

15. In your opinion, is it proper for the Federal Government to ban certain types of advertising from television?

Yes ☐, No ☐.

16. Generally speaking, are you favorably impressed with the first four months of the Nixon Administration?

Yes ☐, No ☐.

17. Do you believe that Congress should grant local law enforcement agencies greater financial support?

Yes ☐, No ☐.

18. In your opinion, is the problem of *organized crime* big enough to demand priority attention by the Justice Department?

Yes ☐, No ☐.

19. In the area of electoral reform, do you favor a plan which would provide for the direct election of a President?

Yes ☐, No ☐.

20. Do you believe that Federal health, education and welfare grants to the States should be replaced with a block grant system which would permit State and local officials to determine how the funds should be spent?

Yes ☐, No ☐.

Please return to Hon. Edwin D. Eshleman, 1009 Longworth Building, Washington, D.C. 20515.

A SALUTE TO THE ROTC

HON. CLEMENT J. ZABLOCKI

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 21, 1969

Mr. ZABLOCKI. Mr. Speaker, it was my distinct privilege and honor on Sunday, May 10, to participate in the 20th Annual President's Review and Awards Ceremony of the Navy Reserve Officer Training Program at Marquette University in my home district of Milwaukee, Wis.

In view of the emotional pitch of the current controversy surrounding the ROTC program on our Nation's campuses I would like to share with my colleagues some of the important highlights of that day.

As part of my remarks I include the statements of Capt. Robert Brent Harrell, commanding officer of the NROTC unit at Marquette, the Very Reverend John P. Raynor, Marquette University president, and my own. A brief history of the NROTC program at Marquette is also included.

The remarks and article follow:

OPENING ADDRESS BY CAPT. ROBERT BRENT HARRELL

Distinguished guests, my warmest welcome to the NROTC unit's 20th Annual President's Review and Awards Day Ceremony. Greetings to all of you who have regularly attended this ceremony over the past years, and our equally warm welcome to the many who are attending for the first time. I should like to take just a moment to express our sincere gratitude to those organizations and persons who have faithfully supported us with their award donations—both those who have contributed over the years and those who have donated awards for the first time—in order to honor these outstanding Marquette University students.

Greetings also to this outstanding midshipman battalion and NESEPS. All of them deserve special recognition for annually they set the highest standards of deportment, intellect, and all-around excellence which are a source of pride to the vast majority but decried by a covetous and, alas, vocal few. These ladies and gentlemen, are the outstanding examples of our youth today who have a deep-rooted belief in our country—they believe in tomorrow and their part in making it worthwhile. These fine lads are living, breathing testimony to the viability and modernity of our constantly up-dated academic programs. Notwithstanding what others would say, young gentlemen, your thought processes have never been trammeled, but, rather, fertilized. Continue, to set this pace of excellence.

Warm greetings to those distinguished persons who have honored us with their presence—Father Raynor, our president—the Honorable Clement Zablocki, our distinguished native son—Admiral Renken, Commandant, Ninth Naval District and Mrs. Renken—and Father Quinn, our revered coordinator of the Naval and Army Academic Departments on this campus. Admiral and Mrs. Renken, we are so happy you could be with us again this year. Mr. Zablocki—you are making our day a memorable one.

For one of us, at least, this will be his last President's Review in the uniform of his service. I would be remiss indeed if I did not mention that Commander Eaton, my executive officer, will retire this summer after 26 years of honorable service in our Navy. We are sorry to see you go, Commander, and in behalf of the entire battalion, I wish you every success in your forthcoming second career.

It gives me especial pleasure to present our President of Marquette University, the Very Reverend John P. Raynor, Society of Jesus, who will introduce our very distinguished guest and principal speaker.

Father Raynor.

REMARKS BY VERY REV. JOHN P. RAYNOR, S.J., PRESIDENT

Congressman Zablocki, Admiral Rankin, Captain Harrell, Reverend Fathers, Officers and Faculty, Midshipmen, Parents, Friends, and Guests, before introducing our esteemed guest speaker for the day, I wish to extend to each of you a warm welcome to Marquette. We are especially proud to have our honored guests with us today, as we are to have so many parents, friends and guests of our midshipmen at the Annual Naval Reserve Officers Training Corps Review and Awards Ceremony. And on behalf of all of us at the University—my Jesuit colleagues, members of the faculties and administrative staff, I extend warm and special congratulations to those whom we honor today, and to those in this unit who will soon be awarded their commissions.

As all of you know, a college or university President these days has his problems, but he also has choice privileges which he cherishes. Among those is that of recognizing and paying tribute, for this University, to those who have excelled, whether it be in their studies, in service to their school and its community, or in other projects designed to complement the formal educational program. Gentlemen, all of us salute you today, and as we congratulate you, we thank you for the persistent efforts which have brought you to the distinctions with which you will be honored, and we wish you God's blessing and every future success.

In a university atmosphere, we must be constantly mindful of our central purpose . . . the intellectual growth of our community. We may speak with justified pride of co-curricular and extra curricular accomplishments, but we must ever be vigilant that the quality and vitality of our intellectual life is becoming stronger and stronger. Only in this way can we equip our students to be responsive to the leadership needs of our society.

I am confident that we have such leaders in the young men of this NROTC unit. Like hundreds and hundreds of their predecessors since this unit was founded—1940—the first at a Catholic University, we can confidently expect that they will be leaders in their years after Marquette as so many of them are while they are students. Almost without exception, these young men have highly respectable academic averages. Moreover, there is in this group a willingness, a spirit, a helpfulness, a loyalty which makes us pleased to have these men at Marquette.

They conduct themselves with honor and character.

They are responsible and responsive.

They are respected by their peers as they are by their teachers.

They are active in service to their unit, to their university, and to its community.

The value of a university is measured in its teaching, its research and its service to its community. But the work of a university, and its success in that work, must be measured not only in terms of what is accomplished on its campus and in its community, but perhaps even more so by the contributions its alumni make to society after their years on campus—contributing in every profession, in every walk of life. Again, if past serves as prologue, we really will expect that Marquette, through these young men, will be most favorably evaluated, for like those who went before them, they will distinguish themselves in service to their country and to their fellow man.

And service to this country is one obligation which Marquette University, and graduates of whom Marquette is proud, will never overlook. Perhaps nowhere more than in an academic community do we realize that peace is a prerequisite for the flourishing of free institutions. But before peace can be enjoyed, we know that we must provide for security and for the preservation of our democratic ideals—and this depends upon the commitment of young men to active, vigorous citizenship and leadership in all areas of life. We are proud that they do so freely, willingly and enthusiastically. Indeed, for this, we are grateful to them.

And so, we congratulate you young men today. We thank your parents, your teachers, your officers and your friends for the support and encouragement they have given you, and we wish you God's blessings and smooth sailing in the years ahead.

When I said that the value of the work of a university is reflected in the contributions of its alumni, I might well have cited today's honored guest and speaker as a prime example of an alumnus of whom any school would be proud. It is for this reason that Marquette is especially pleased to have the Honorable Clement J. Zablocki, Congressman of the United States, as its academic son, both by virtue of the degree he earned from the School of Speech in 1936, and of the Honorary Doctor of Laws Degree it was my privilege to confer upon him in 1966.

Congressman Zablocki is truly Milwaukee's own . . . . Marquette's own. The cliche, "he needs no introduction," really doesn't apply very well, though, because I think it is important that we recall again, even if we know them well, his many accomplishments and the reasons he is held in such respect, not only at Marquette, or in Milwaukee, or in Washington, but literally, throughout the world.

After service in the Wisconsin State Senate from 1942 to 1946, Congressman Zablocki was elected to the House of Representatives in 1948 and became a member of the 81st Congress. He has served in Congress without interruption since. He is the ranking member of the House Committee on Foreign Affairs, Chairman of the Subcommittee on National Security and Scientific Development affecting Foreign Policy, and serves on other important committees and subcommittees. He has an impressive and lengthy list of sponsored or co-sponsored legislation related to both foreign affairs and domestic affairs, and is generally recognized and respected as a leading authority on foreign affairs, especially those of Southeast Asia and the Pacific. He is widely published. His most recent book, *Sino-Soviet Rivalry—Implications for U.S. Policy,* was published in 1966. He has received many, many awards, distinctions and citations; among them is honorary membership in Alpha Sigma Nu, the National Jesuit Honor Society.

Not to be overlooked are Congressman Zablocki's outstanding qualities as a Christian gentleman, a respected husband and father, and a true friend of Marquette. It is my privilege to say "Welcome Home" to Congressman Clement J. Zablocki.

Ladies and Gentlemen, Congressman Zablocki.

REMARKS OF HON. CLEMENT J. ZABLOCKI

It is indeed a pleasure and privilege to join you here today for this Annual President's Review and Award Ceremony. To these men who have distinguished themselves by high academic performance and military accomplishment I extend special congratulations for a job well done.

We are proud of you and we want you to know it. Parents, teachers, relatives, friends—all take personal satisfaction in your dedicated effort and hard work.

Much is being heard today about the program of which you are a part. My main purpose here is to help set straight some of the facts in this controversy and thereby hopefully place the issue into proper perspective. In doing so I would like to touch briefly on some of the history of the ROTC as well as its achievements and value. Out of this brief review I would hope might come a more rational understanding and reasoned dialogue. The need for such calm deliberation is all too evident.

The exact origin of military training on our nation's campuses is difficult to establish. For all practical purposes, however, military training started in 1862 with the enactment of the Land Grant Colleges Act.

The institutions of higher education created by this legislation were to provide instruction in agriculture and mechanical arts and other scientific and classical studies. Further, training in military tactics was also to be included—on a *voluntary* basis. It is true that by the action of a few state legislatures and some university governing boards the program was made compulsory.

In providing for the inclusion of military training within our higher educational system, however, our Country gave practical expression to its time-honored philosophy—*civilian control of the military establishment.*

This philosophy has been expressed by American statesmen, educators and legislators throughout our history. Underlying their belief was past experience. It began with the harsh lessons of history involving professional military establishments divorced from the moderating influences of literature, the sciences, and the liberal arts.

What better means of preventing the creation of such military establishments, they reasoned, than by blending professional military training into the university curriculum.

Thus, the military instruction required by the Act of 1862 became the Army ROTC in 1916. The Navy entered upon a similar program in 1926 by establishing units in six universities—California, Georgia Tech, Harvard, Northwestern, Washington and Yale. During the years 1938 to 1941, 21 additional units were established to provide the reserve officers required for the expanding Navy.

In 1945 and 1946 it became clear that the Naval Academy with its limited physical capacity could not provide all the officers needed. The Navy therefore turned to the civilian colleges and universities for the education of many of its officers. This concept. The Holloway Plan (Rear Adm. J. L. Holloway, USN) was formalized in legislation passed by Congress in 1946. The number of Navy units was expanded to a total of 52 and the NROTC Program as we know it today was born. Marquette University's participation dates back to 1940–41. Several thousand Naval, Marine and Coast Guard officers received their training at Marquette University and served our Nation with distinction.

Since 1946 the N.R.O.T.C. program has consistely received applications from qualified and competent young men—many of whom would be unable to attend college without the scholarship assistance provided by the program.

Given these facts I believe our nation should be and is extremely proud of the R.O.T.C. program. I believe it has been good for higher education, good for the individual, and essential for the officer manpower needs.

Unfortunately, many of these facts are being submerged by the emotionalism surrounding the current controversy. The value of the R.O.T.C. to our national security has been demonstrated repeatedly: In World War II, for example, 100,000 R.O.T.C. graduates served in the Army, and another 7,000 in the Navy and Marine Corps. In Korea also, and in South Vietnam today, NROTC graduates continue to serve their country with distinction.

Yet the system is under attack today from several sources. The faculties of a few universities and colleges have adopted resolutions recommending actions which, if implemented, would seriously downgrade the program or destroy it completely.

All of these moves have the tragic effect of removing military instruction from the mainstream of academic affairs.

The most violent and destructive criticisms along this line come from small but highly organized and extremely vociferous radical or revolutionary groups. One such group, the Students for a Democratic Society, has actually prepared in great detail a plan to (and I quote) "smash the military machine in the schools."

It is important to note that such extreme radical groups agitate for removal of the ROTC programs from the campuses as part of a larger plan for fomenting actual revolution in the nation. They seek to introduce class warfare and racial conflict among the youth of our country. They do so on the basis that the officers produced by these programs are, according to their warped view, the oppressors of the deprived segments of our society or that they are tools of the so-called military-industrial complex.

To all of this I submit that military training on campus is not in conflict with the purposes and ideals of the American system of higher education.

The truth of the matter is that there would be no better and more effective means of creating an oppressive military structure than to succumb to the false logic of SDS and other extreme opposition groups.

You young men and the hundreds of thousands who participate are the best proof of the value and effectiveness of the ROTC program. I urge you to carry on your important work, moving forward with the knowledge and confidence of knowing that this nation is proud of you and all that you represent. We are grateful for your dedicated service and we wish you every success in the days ahead.

THE NAVAL ROTC AT MARQUETTE UNIVERSITY

Each year the Navy commissions about 12,000 new officers to maintain the Navy in meeting its present world-wide commitments and in providing the experienced leaders needed for the Navy of tomorrow. The maximum number of officers the Navy may have is set by law. So the number of new officers needed is determined by annual losses expected from retirements, releases from active duty, etc. In order to meet these needs, the Navy has a variety of programs to obtain new officers. These programs generally are designed to provide long term, career oriented officers and shorter term reserve officers, who may not be interested in the long term career aspects, but desire to serve in the Navy on the shorter term basis. This, then, is the basis for

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the Regular NROTC Program and the Contract NROTC Programs.

Briefly, the NROTC Program is conducted on 54 college and university campuses in all parts of the continental U.S. It started in 1926 on 6 campuses—California (commanded by the late Fleet Admiral Chester W. Nimitz, then a lieutenant commander), Georgia Tech, Harvard, Northwestern, Washington, and Yale. Originally it was designed to produce only Naval Reserve officers; the Naval Academy then being able to produce all the regular officers needed. However, during the years 1938 and 1941, units were established on 21 additional campuses to provide the reserve officers required for the greatly expanding Navy at that time. These units served well during World War II. It became evident that the future requirements for regular officers would far exceed those of former years and would be beyond the capacity of the Naval Academy. Therefore, a study was conducted by a board comprised of civilian educators and Naval officers headed by RADM J. L. Holloway, Jr., USN. Various alternatives were considered. This study resulted in the decision not to enlarge the Naval Academy to meet the increased demands but to utilize both the Naval Academy and the NROTC to obtain needed regular officers. The final plan was titled, "The Holloway Plan." This plan, in return for a specified period of obligated service, provides benefits for four years including tuition, fees, books, instructional equipment, uniforms, plus a monthly subsistence allowance of $50.00—previously unknown in the ROTC of any service. The number of Navy units was expanded to a total of 52 and the NROTC program, as we know it today, was born. These universities specifically requested the establishment of an NROTC unit and accepted the provisions of the program wholeheartedly. The first nationally screened input of Regular Midshipmen entered this program in the fall of 1947 graduating in 1951. Marquette University's application for participation in this program dates back to July 1940 with the establishment of the unit in 1941. The Marquette University Unit enrolled its first class of Midshipmen in the fall of 1941. During the war-time period, several thousand young Naval, Marine, and Coast Guard officers received their Naval training at this Unit. In 1946, the activities of the Unit decreased as its mission shifted from mass production of war-time officers to the education of highly trained professional officers to man the increasingly complex Navy of the post World War II period. The shift was then made to the Holloway Plan.

This program, in concept, continues largely unchanged to date except as modified by Public Law 88–647 of the 88th Congress dated October 13, 1964, and known as the ROTC Vitalization Act. This act is the basis for today's program, and it also established a 2-Year Contract Program (an unsubsidized program). This act further extended the subsidized program to Army and Air Force ROTC. The 3 Navy programs then are:

(1) The Regular NROTC Program which pays 4 years of tuition, books fees, etc. There are approximately 20,000 applicants for this program each year. These applicants are required to take a nation-wide competitive examination. If adequate scores are made on this examination, applicants are then required to take physical examinations. If physical qualifications are met they are then interviewed by at least 2 Navy or Marine Corps officers. Names of successful candidates are then submitted to their own state selection boards which are comprised of 1 civilian educator, 1 civilian noneducator, and 1 military man. Final selections are made by these boards, based on the record of the applicant and the whole man concept, to fill the quotas. The Navy does not determine the school which the applicant must attend. It is his responsibility to apply for and obtain admission into the university of his choice where an NROTC units is located. If he is accepted into the university, and if he is selected for the NROTC program within quota limitations, he is then in the Regular NROTC Program. Graduates of this program receive Regular Navy or Marine Corps commissions and, at present, enter into a contractual obligation to serve a minimum of 4 years on active duty. This program has proven to be a valuable adjunct to the Naval Academy and a most desirable program from the standpoint of career officer input with a wide variety of educational backgrounds and experiences from the various universities of the United States. It is also in keeping with the civilian of the armed forces concept.

(2) The 4-Year Contract Program is comprised of university students who desire to obtain Naval Reserve commissions and whose education is not subsidized. After entry into the university they apply directly to the local NROTC unit. The curriculum requirements are the same for them as for the subsidized students with the exception of at-sea training periods scheduled during the summer months. The Regular NROTC student is required to participate in 3 of these summer training periods, the 4 year Contract Student is required to participate in 2, and the 2 year student participates in 1. Contract students receive $50 per month for subsistence during their junior and senior years and, upon commissioning, are required to serve on active duty for a period of 3 years.

(3) The 2-Year Contract Program was basically designed for undergraduates. This would permit transferees from junior colleges to participate. It also permits other undergraduates, who are undecided during their freshman year, an opportunity to participate. It also applies to students in graduate school, including law, provided that they have at least 2 years of college remaining. One provision of this program is known as the Law Option. This allows senior undergraduates who are going into law school as well as first year law students an opportunity to participate while acquiring a law degree and defers selectees from duty until completion of law school and passing the bar examination.

Since the number of officers in the Navy is fixed by law, the numbers selected for these programs are necessarily limited to the needs. Selection into the 2-Year Contract Program is made in Washington and is made on a national basis to fill such quotas as are established. The NROTC Vitalization Act limits the Navy's regular NROTC participation in that—no more than 5500 midshipmen may be in the financial assistance program at one time. The quotas for the contract program are based on the Navy's needs and limited to the available facilities and funds. It is to be emphasized that all of these programs are strictly voluntary and that all participants have entered this program at their own request.

The academic structure of the program is as follows: An academic minor consisting of Navy specified civilian faculty taught university courses, and Navy professional courses taught by Navy/Marine Corps officers. Continuous officer contact with the midshipmen is essential and must be maintained.

The major goals of the NROTC Program are:

(1) To assist in the education of the midshipman in a major field of study of interest to the Navy or Marine Corps leading to a baccalaureate degree.

(2) To provide the midshipman with the fundamental concepts and principles of Naval Science and with the professional Naval knowledge necessary to establish a sound basis for his future growth as a Naval or Marine Corps officer. The Naval Science curriculum is tailored to contribute to this professional knowledge.

(3) To prepare the midshipman for service with the highest sense of honor and integrity as a commissioned officer; to cultivate the essential elements of military leadership; and to foster the growth of a strong sense of loyalty and dedication to his Service and to the Nation.

(4) To prepare the midshipman to undertake successfully in later periods of his career, advanced/continuing education in a field of application and interest to the Naval Service.

(5) To inject the values of civilian higher education into the Naval Service by utilizing the expertise of civilian faculty instruction where applicable.

The NROTC curriculum has recently been extensively revised as a result of a year and a half of study by professional educators and Naval personnel. The new curriculum will result in an increased number of university taught courses as well as an improvement in the academic quality of the Navy taught courses. The new curriculum, has been partially implemented this academic year and will be fully implemented in academic year 1969–70.

This curriculum requires the midshipmen to complete prescribed courses in mathematics, physical science, computer science, history, and political science. He must also complete Navy taught courses as follows: Principles of Navy Management, Introduction to Naval Ships Systems, Navigation and Naval Operations, and Naval Weapons Systems. Marine oriented courses are pursued in the junior and senior years for students destined for the Marine Corps (16⅔ per cent of the annual graduates may elect commissions in the Marine Corps).

The funds involved in the subsidized portions of this Program are:

Direct:	*Amount*
Tuition	$189,000.00
Books	10,250.00
Flight indoctrination program	8,520.00
Clothing (alteration and repair)	2,000.00
Clothing (uniform purchase)	25,350.00
Subsistence for regular midshipmen	50,400.00
Subsistence for contract midshipmen	16,800.00

The above figures are based on allocations for this school year.

NATIONAL GALLERY OF ART OFFERS INTERESTING CALENDAR OF EVENTS

HON. JAMES G. FULTON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 21, 1969

Mr. FULTON of Pennsylvania. Mr. Speaker, it is a pleasure to call to the attention of the U.S. Congress and the American people the excellent schedule of exhibits, tours, lectures, and concerts which the National Gallery of Art offers free of charge to all interested visitors during the month of May.

We in Pittsburgh are especially proud of the imagination and drive of Mr. John Walker, who will soon retire after 13 years of excellent service from the high post of the Director of the National Gallery of Art.

The calendar of events for the month of May follows:

CALENDAR OF EVENTS, NATIONAL GALLERY OF ART, MAY 1969

Recent acquisition: After having been lost sight of for 200 years, a major painting by the French master Claude Lorrain (1600–

1682) has been acquired by the National Gallery of Art. *The Judgment of Paris,* a large (44¼" x 58⅞") canvas, has been purchased through the Ailsa Mellon Bruce Fund. It is on view in Lobby D.

Claude Lorrain has always been considered one of the greatest landscape painters in western art. Of this picture, Marcel Röthlisberger, the Claude authority, writes: "No longer derivative or exploring new areas of illusion . . ., on the other hand not yet obsessed by the idea of monumentality, heroic grandeur, or literary classicism, which in the following decades were occasionally to lead to certain more extreme solutions in size, design, and character; this painting is an accomplished masterpiece of a golden middle way."

Apparently painted in 1645/46 for the Marquis de Fontenay, then French Ambassador in Rome, *The Judgment of Paris* was recorded in France around 1720 and again in 1748. It later passed to England where it reappeared three years ago. After inspecting it in 1966, Röthlisberger wrote, "the handling is of the quality which convinces one immediately of Claude's authorship." He also concluded that the figures in the landscape are by Claude's own hand, unlike those in a number of the artist's earlier works which were added by a specialist. He noted the figures "are larger than in many other paintings and are among his finest."

The National Gallery acquisition corresponds with drawing number 94 in *Liber Veritatis,* a collection of drawings compiled by Claude to establish a permanent record of his work.

John Constable: An exhibition of 66 paintings by Britain's foremost landscape artist is on view in galleries 60A, 63, and 65. Selected from the English collection of Mr. and Mrs. Paul Mellon, it comprises studies of sky and clouds, portraits, and a group of landscapes including the incomparable *Hadleigh Castle.* The fully illustrated catalogue has an introduction by John Walker and notes by Ross Watson. 10" x 7½", 64 pages, 66 black-and-white illustrations. $2.50 postpaid.

American Music Festival: The 26th festival under the direction of Richard Bales continues through May 25. Music exclusively by American composers is performed in the East Garden Court Sundays at 8 p.m.

Rembrandt tercentenary: Concluding May 11 is the exhibition commemorating the 300th anniversary of Rembrandt's death. Selected from the National Gallery's holdings are 23 paintings, 14 drawings, and 77 prints. An illustrated catalogue is available with introduction by Egbert Haverkamp-Begemann, Kress Professor-in-Residence at the National Gallery of Art and also Professor of the History of Art, Yale University. 10" x 7½", 71 pages, 99 black-and-white illustrations. $3.00 postpaid

Daily film program: *The National Gallery of Art* (52 min.): weekdays, 2 p.m. *The American Vision* (35 min.): weekdays, 4 p.m., Sundays, 1:00 p.m. Auditorium.

Recorded tours: *The Director's Tour*. A 45-minute tour of 20 National Gallery masterpieces selected and described by John Walker, Director. Portable tape units rent for 25¢ for one person, 35¢ for two. Available in English, French, Spanish, and German.

Tour of Selected Galleries. A discussion of works of art in 28 galleries. Talks in each room, which may be taken in any order, last approximately 15 minutes. Small radio receivers rent for 25¢.

Gallery hours: Weekdays 10 a.m. to 5 p.m. Sundays 12 noon to 10 p.m. Admission is free to the building and to all scheduled programs.

Cafeteria hours: Weekdays, 10 a.m. to 4 p.m., luncheon service 11 a.m. to 2:30 p.m. Sundays, dinner service 2 p.m. to 7 p.m.

MONDAY, APRIL 28, THROUGH SUNDAY, MAY 4

Painting of the week: Romney. *Mrs. Davenport* (Andrew Mellon Collection), Gallery 59, Tues. through Sat. 12:00 & 2:00; Sun. 3:30 & 6:00.

Tour of the week: *Rembrandt's Approach to History*. Rotunda (repeated from March 25-30), Tues. through Sat. 1:00; Sun. 2:30.

Tour: *Introduction to the Collection*. Rotunda, Mon. through Sat. 11:00 & 3:00; Sun. 5:00.

Sunday lecture: *John Constable: A Case of Pride versus Prejudice. Guest Speaker:* Jon D. Longaker, Professor of Art History, Randolph-Macon College, Ashland, Virginia, Lecture Hall 4:00.

Sunday concert: 26th American Music Festival: Carolyn Reyer, *Mezzo-Soprano;* James Benner, *Pianist,* assist by Walter Hartley, *Composer-Pianist,* Sandra Hartley, *Flute.* East Garden Court, 8:00.

MONDAY, MAY 5, THROUGH SUNDAY, MAY 11

Painting of the week: Juan de Flandes. *The Temptation of Christ* (Ailsa Mellon Bruce Fund), Gallery 39, Tues. through Sat. 12:00 & 2:00; Sun. 3:30 & 6:00.

Tour of the week: *Rembrandt's Approach to Nature*. Rotunda (repeated from March 18-23), Tues. through Sat. 1:00; Sun. 2:30.

Tour: *Introduction to the Collection*. Rotunda, Mon. through Sat. 11:00 & 3:00; Sun. 5:00.

Sunday lecture: *Leading Hudson River Painters. Guest Speaker:* Gordon Hendricks, Author, New York, Lecture Hall, 4:00.

Sunday concert: 26th American Music Festival: Robert Pritchard, *Pianist* (*Gottschalk Centennial Program*), East Garden Court, 8:00.

MONDAY, MAY 12, THROUGH SUNDAY, MAY 18

Painting of the week: Corot. *Forest of Fontainebleau* (Chester Dale Collection), Gallery 93, Tues. through Sat. 12:00 & 2:00; Sun. 3:30 & 6:00.

Tour of the week: *Georgian English Painting*. Rotunda, Tues. through Sat. 1:00; Sun. 2:30.

Tour: *Introduction to the Collection*. Rotunda, Mon. through Sat. 11:00 & 3:00; Sun. 5:00.

Sunday lecture: *Pietro Longhi and the Venetian Conversation Piece. Guest Speaker:* Terisio Pignatti, Vice Director, Museo Correr, Venice, Lecture Hall, 4:00.

Sunday concert: 26th American Music Festival: The Bryn Athyn String Quartet, East Garden Court, 8:00.

MONDAY, MAY 19, THROUGH SUNDAY, MAY 25

Painting of the week: Fragonard. *The Visit to the Nursery* (Samuel H. Kress Collection), Gallery 55, Tues. through Sat. 12:00 & 2:00; Sun. 3:30 & 6:00.

Tour of the week: *The John Constable Exhibition*. Rotunda, Tues. through Sat. 1:00; Sun. 2:30.

Tour: *Introduction to the Collection*. Rotunda, Mon. through Sat. 11:00 & 3:00; Sun. 5:00.

Sunday lecture: *The Englishman's Home Through the Ages. Guest Speaker:* Alec Clifton-Taylor, Author and Lecturer, London, Lecture Hall, 4:00.

Sunday concert: 26th American Music Festival: National Gallery Orchestra, Richard Bales, *Conductor;* Joyce Castle, *Mezzo-Soprano;* William Montgomery, *Flute,* East Garden Court, 8:00.

NEEDED: A POSTAL CORPORATION

HON. KEN HECHLER

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 21, 1969

Mr. HECHLER of West Virginia. Mr. Speaker, I have sent the following telegram to both President Nixon and Postmaster General Blount:

> I applaud your bold and wise decision establishing Government corporation to operate postal system. This will take politics out of the Post Office through businesslike operation for more efficient, less costly mail service. Most Americans are sick and tired with rapidly rising first class postal rates and subsidized profit-making junk mail which clogs our postal system and swells the postal deficit.

Mr. Speaker, there are two major reasons why a corporation should be set up to operate the U.S. Post Office Department: First, it costs more to mail a letter. Second, it takes longer to receive a letter. In other words, we are paying more for less service.

The fault for deteriorating mail service does not rest with local mail employees. The U.S. Post Office Department is burdened with top-heavy management, handcuffed by a jungle of impossible rules and regulations and the postal rates are determined in a setting where powerful pressure groups operate to protect their own interests.

A letter from Huntington, W. Va., across the bridge to Chesapeake, or South Point, Ohio has to go to Chillicothe or Ironton, Ohio before it is delivered a hop, skip and a jump away. Our church bulletin mailed out of Huntington on Friday sometimes does not get across the bridge over the Ohio River to a Chesapeake parishioner until Monday.

POSTAL REFORM: SUPPORT FOR A POSTAL CORPORATION

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 21, 1969

Mr. HAMILTON. Mr. Speaker, under the leave to extend my remarks in the RECORD, I include the following article pointing up some of the reasons why we should charter a postal corporation based on the recommendations of the Kappel Commission.

Having cosponsored introduction of legislation to create a postal corporation, I am pleased to note Transportation & Distribution Management encourages the present administration to seriously consider the recommendations of the Kappel Commission to eliminate the postal deficit which has been running at $1 billion a year and to eliminate increasing postal charges without a corresponding increase in postal service.

The article, by Robert H. Haskell, associate editor, Transportation & Distribution Management, appears in the May copy, as follows:

PLAYING POST OFFICE

No matter where you live, no one needs to tell you about the decaying postal service. We've all experienced delayed letters, erroneous deliveries, damaged parcels and lost magazines. What's more, most volume mail users, according to surveys, are convinced that postal service continues to deteriorate from year to year.

Bad mail service, as every businessman knows, is not a recent phenomenon. Like the weather, people have been talking about

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it for years, but no one seems to be able to do anything about it.

That is, until recently. One of the legacies left by the Johnson Administration is a report drafted by The President's Commission on Postal Organization, headed up by Frederick R. Kappel, retired chairman of the Board of directors of American Telephone & Telegraph.

The Kappel Commission, after a year-long study, warned darkly that a complete collapse in postal service could occur at any time in any part of the country. In fact, the Commission pointed out, such breakdowns already have occurred in Chicago and other cities.

"The United States Post Office," the Commission declared, "faces a crisis. Each year it slips further behind the rest of the economy in service, in efficiency and in meeting its responsibilities as an employer. Each year it operates at a huge financial loss. No one realizes the magnitude of this crisis more than the postal managers and employees who daily bear the staggering burden of moving the nation's mail. The remedy lies beyond their control."

The main reason that the Post Office has failed to do its job, the Commission said, is that under its present organization the nominal managers of the postal service—particularly the district directors and postmasters—just do not have the authority they need to do their job. Managers are bound by a hodgepodge of postal laws, some dating back 200 years. These laws go so far as to specify what material the Postmaster General may dispose of as waste paper ("unneeded files") and how a file clerk should maintain his files ("in an up-to-date condition").

The Post Office, the Commission pointed out, is operated as if it were an ordinary government agency, with Congress making most of its managerial decisions, including where new post offices will be built.

In what it does, however, the Post Office is a business: Its customers purchase its services, its employees work in a service-industry environment, and it is a means by which much of the nation's business is conducted.

If the Post Office is a business, then why not run it like one? To do this, the Post Office's present organizational structure would have to be altered. And that's just what the Commission recommended.

It proposed that the government set up and operate a Postal Corporation that would support itself completely from its revenues. Operating efficiencies and a "sound" rate structure would be expected, in time, to eliminate the postal deficit, which has been running at $1 billion a year.

The Postal Corporation, not Congress, would establish postal rates (but subject to congressional veto) and wage levels, choose postmasters (on a non-partisan basis) and generally make its own management decisions.

Responsibility for managing the Postal Corporation would be vested with a board of directors. These directors "would be charged with providing the nation with a superb mail system, offering universal service at fair rates, paying fair wages to postal employees and giving full consideration to the public welfare."

In recommending the Postal Corporation, the Kappel Commission has come up with a pretty good idea . . . one that could end the spiral of increased postal charges without an increase in service.

A corporate structure just might give the Post Office the flexibility it needs to provide better mail service and to enable it to respond quickly to customer and employee needs.

Although the Kappel Commission report was a product of a Democratic Administration, we hope the present Administration will seriously consider its recommendations.

PESSIMISTIC INSIGHTS OF AN EXILED GREEK LEADER

HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 21, 1969

Mr. FRASER. Mr. Speaker, earlier this month Andreas Papandreou visited the United States and spent a few days in Washington. Papandreou, who now lives in exile, is a leader of the Greek Center Union Party and head of the Panhellenic Liberation Movement, an organization dedicated to overthrowing the military junta that has ruled Greece since the coup of April 1967.

While in Washington, Mr. Papandreou was a guest of Metromedia's "Evans-Novak Report" on WTTG-TV. Mr. Papandreou's answers to the questions of journalists Rowland Evans and Robert Novak produced many insightful comments about recent developments inside and outside Greece. Of particular interest, I thought, were his remarks concerning U.S. relations with the regime and his pessimistic projections of what the future might hold for the Greek people unless the present American policy is altered.

I include the transcript of the program in its entirety:

Mr. Novak. A month ago in Athens there was a celebration marking the second anniversary of the military coup of April 21, 1967. Two years after that event the Greek military dictatorship seems firmly entrenched in power, with no foreseeable return to parliamentary democracy. The attitude of the United States is ambivalent toward the Greek military regime. But, U.S. military aid to the Greek government as shown in these films has been resumed, an attitude sharply criticized by Greek exile leaders. Best known of these leaders is Andreas Papandreou, formerly a naturalized U.S. citizen and economics professor at the University of California, who several years ago returned to his native Greece and became one of its most tempestuous left-of-center politicians.

Mr. Papandreou, now fighting the military junta from exile in Europe, is here on a visit.

Mr. Papandreou, do you see any change in the U.S. government's attitude towards Greece with the change in Administration in Washington?

Mr. Papandreou. There is a possibility of a change, since this Administration does not share in any of the responsibilities of the Johnson Administration. Secretary Rogers did make a statement in answering a question of Senator Pell which suggests that there is some kind of review. But how far this review will go or what the direction it may take will be, we do not know.

Mr. Evans. Mr. Papandreou, a very imminent American citizen, the Vice President of the United States, Spiro Agnew, said last fall during the campaign that you were "totally identified with the Communist movement." Is this a fair statement?

Mr. Papandreou. Well, not only is it not fair, it is entirely incorrect, and I would say beyond the expectation that a Vice President of the United States could be so badly briefed.

Mr. Evans. He was campaigning, he was not the Vice President. He was the nominee. But does this not indicate a certain lack of sympathy for the point of view that you, as one of the leading exiles of the country of Greece?

Mr. Papandreou. Well, it does. As a matter of fact, the cause that I represent is fundamentally one of freedom, human dignity, democracy. If this cause is not understood by a Vice Presidential nominee, then something is very seriously wrong.

Mr. Evans. Let me ask you this, Mr. Papandreou. The Greek Embassy, here, with which you, of course, have no affiliation of any kind, today—it represents the junta in Athens—made a statement a few days ago saying that the coup by the junta, the take-over by the military regime "avoided a third communist round."

Is that statement accurate?

Mr. Papandreou. No. This is part of a myth that by now is obviously shot to pieces, for the Communist party of Greece has no more than ten or eleven percent popular support, as the last elections in Greece proved. We represent the Center Party, which had 53 percent, and the balance of this is the right, with about 35 percent.

Now, the only way the Communists could have really won in Greece is through arms, but not a single arms cache was found by the Greek junta in two years of effort So an unarmed, divided and small Communist Party posed a challenge to stability in Greece? And should democracy have died for this mythical challenge? When I remind you that in 1947–48 when the Truman Doctrine was proclaimed and a military mission went to Greece, the Communists really were a danger in Greece, then. They were practically outside Athens, and yet democracy functioned, parliament functioned, and the Americans supported that.

Mr. Novak. Mr. Papandreou, I think the point my partner was making was that if the Vice President of the United States, even as a campaigner was that antagonistic toward you, is it very realistic to expect an improvement in the attitude of his Administration toward your cause?

Mr. Papandreou. Well, allow me to say that I do not believe that the policy of the United States depends on one man. There is Congress, there is the Administration, there is the President, there are the Secretaries.

As for Vice President Agnew, it is well known that he has associated intimately with Tom Pappas, Esso Pappas in Greece, a businessman who has been behind the junta all along, and who by his own statement to a Greek paper in 1968 admitted that he had been working for the CIA.

Mr. Novak. You say Tom Pappas has been working for the CIA?

Mr. Papandreou. Tom Pappas has said, in an interview, a very well known interview, in 1968 in the month of July in Greece, that he is proud to have been working for the CIA.

Mr. Novak. Mr. Papandreou, in this visit to Washington, have you visited any officials of the Administration, in the White House, in the Pentagon, in the State Department?

Mr. Papandreou. I am sorry to say I did not, but not because I did not wish to.

Mr. Novak. You attempted to?

Mr. Papandreou. My representative in Washington did raise the question, and there was no favorable response. In sharp contrast, Congressional leaders did see me.

Mr. Novak. What was the reason given for refusing to see you?

Mr. Papandreou. No reason was given.

Mr. Evans. Mr. Papandreou, following up Mr. Novak on that, supposing President Nixon had invited you into the oval office for a little chat and asked you for your opinion on what the United States should do. What would your answer have been?

Mr. Papandreou. It is a very good question.

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About a year ago I had the opportunity to meet with Senator Robert Kennedy. He asked me exactly that question, and I did give him an answer: To cut off military aid to Greece, because it is the one thing that holds the junta together. It has no popular support. It does not even command the loyalty of the Army, for Papadopoulos is no Greek Eisenhower. He is a desk man without a record. The only thing that holds it together is the notion that the Greek Army has—unfortunately a valid one—that the U.S. military and the Pentagon are willing to back it up as the instrument of security and stability in that part of the country. So my request would be very simple: Cut off aid.

Mr. Evans. Mr. Papandreou, supposing Mr. Nixon agreed with you on that and cut off aid. What would the junta do to replace the vanished American military aid?

Mr. Papandreou. The junta would not do anything. It would be deposed by the Greek Army, and the military aid would be resumed thereafter under a new, hopefully democratic government.

Mr. Evans. Deposed by the Greek Army?

Mr. Papandreou. By the Greek Army.

Mr. Evans. I thought the junta, though, in effect, was a representative, or came out of the Army.

Mr. Papandreou. It does come out of the Army, but it comes out of the Army and has today the loyalty of the Army for only one reason, that the Greek officers believe the junta to be the chosen instrument of NATO and the Pentagon. If for a moment they didn't think so, they would depose them. Papadopoulos has no more than 300 officers that are loyal to him. He has had to fight 2,000 senior officers in order to maintain stability within the Greek Army.

Mr. Novak. If that is so, Mr. Papandreou, why is it that the Army did not depose the junta in the first days, after the coup, when we had cut off aid to the Greek government?

Mr. Papandreou. You never cut off aid to the Greek junta. You cut off—you reduced the heavy equipment stuff, but the pipeline, which is the fundamental thing for internal purposes, which means gasoline of a certain kind, spare parts, instruction, all of this went on.

To them it didn't matter if you cut off the tanks or the airplanes for purposes of internal occupation of the country.

Mr. Novak. Now the Greek government recently put out a statement saying it was "making essential preparations for a parliamentary democracy."

Do you think that the junta will ever transform itself into a parliamentary democracy with free elections?

Mr. Papandreou. No, I think not. And not only do they not intend it now, but I believe even in the future, if they are not interfered with, either by the Greek people or from abroad in one fashion or another, that they intend to do so.

Of course, they have a constitution. They imposed the constitution last September, September '68, and it is a constitution which is as totalitarian as any that exists in the world today. It makes out of the Army a fourth constitutional force, quite independent of civilian control. So that, under no circumstances, can be called a democracy.

Mr. Evans. Isn't there, however, Mr. Papandreou, a definite limit to the extent of American influence in a country such as yours? We certainly discovered there is a limit to our influence in Vietnam; and can't you understand perhaps the thinking of the Johnson and Nixon Administrations, they do not want to get involved to that degree in the internal affairs of Greece?

Mr. Papandreou. You know, it is exactly the opposite. We are asking, in fact, the Pentagon and the CIA to stop intervening, for, in fact, this regime would never have taken place in Greece were it not for a green light that was received from appropriate quarters; were it not for the fact that the NATO elaborated plan called Prometheus was used in the take-over of the country; were it not for the fact that the whole public atmosphere of the U.S. Embassy had been hostile to the Center Party when in government.

Mr. Evans. Let me pose what you might regard as a kind of hobgoblin question. Suppose we did reduce or cut off all our aid? Is there any chance at all that the junta would approach Moscow and the Soviet Union?

Mr. Papandreou. It is a good question, because it has been asked of me by many European politicians. And the answer is no, it is not; because the Greek Army has been selected over the years, the officers, from families who have had personal history in the civil war. That have lost a father, or a mother, or a brother in the civil war against the Communists. If there is an ideological commitment of this junta, or of the Greek Army, in fact, as a whole, it is anti-Communism, anti-Slavism and anti-Communism. It is inconceivable that the Greek officers would ever put up with a pro-Russian tendency on the part of the political leadership in Greece.

Mr. Novak. Mr. Papandreou, State Department officials have told me on a background basis that they feel that the junta has brought stability to Greece, and to prove their point, they say there has been no uprising, there have been no demonstrations. How do you explain that?

Mr. Papandreou. Two points: Stability in totalitarian regimes is rather characteristic and standard. The more totalitarian the regime, the more stability it has. But there has been a very spectacular one which has not been noted adequately. On November 3rd, the funeral of my father took place, George Papandreou. On that occasion, by American reports, American accounts, better than 300,000 Athenians poured through the streets of Athens and demonstrated openly against the government, when the penalties for them could have been life sentence, or even life, itself. This was a very spectacular demonstration, a very spontaneous and explosive thing, which must have finished the myth, I think, forever, that the Greek people are with the junta or apathetic to the question of freedom and democracy.

Mr. Novak. Mr. Papandreou, as an exiled leader what are you doing? Are you trying to establish an insurrection, or have a sabotage, or to drum up support abroad, or just what?

Mr. Papandreou. Since I am abroad, my activities are primarily oriented to the political activities abroad. And it is my daily work and nightly work to inform public opinion, to point out, especially to Western governments, including the United States, that democracy in Greece died as a result of the rising militarism of this period, the security orientation which cannot put up with dissent in democratic procedures, especially in small allies that have not a full voice in the Alliance.

I am trying to create, in other words, an understanding of the implications of the death of democracy in Greece for the West, hoping that I can move the West toward an isolation of the junta military and moral isolation of the junta, which would lead to a very early and decisive collapse of this regime, and would open the way to democratic life, again.

Mr. Evans. In view of what you have already said, and in view of the Vice President's point of view and the fact that you haven't been able to see anybody in the Administration, the United States does not appear to be lending itself to that program.

Let's take Europe. You spoke of NATO. I understand that $55 million worth of loans were cut off from European banks, European bank loans for Greece, under the Treaty of Association with the Common Market. Could you go from there to the Council of Europe and get some kind of a blackball of the present regime in Greece?

Mr. Papandreou. Yes. But allow me to make only one comment, that the American position is not monolithic. I was invited yesterday by Senator Kennedy to lunch in a bipartisan meeting. I saw Senator Fulbright. Today I met with Don Fraser in Congress. It is not a united view nor a monolithic one, and I am still hopeful. But with respect to Europe, which is your question, I would say yes, there is hope. There are a number of countries in Europe, in the European Council, and I mention them: Sweden, Norway, Denmark, Holland, Italy, Belgium, possibly Switzerland, possibly some other countries that are very active on this question of Greece.

Mr. Evans. Now, just following that up, Mr. Papandreou, if that doesn't happen, however, is it possible that strains within Greece under the regime of the junta—for instance, the growth rate was down to 4½ percent in 1968, which was, I think 3½ percentage points under what was anticipated, is there any chance of an economic situation that could develop here that would make it difficult for the junta?

Mr. Papandreou. I think so. Actually, I think it is below 4½. My information—and it it quite good—is that it is around 3 percent in 1968. And so it was approximately—in '67.

I believe that the combination of economic failure, which is now quite clear, and a resistance on the part of the Greek people, a rejection of it, of the regime, creates very clear problems for the junta.

The one thing we hope to avoid is an open confrontation which would cost a great deal to the Greek people and maybe to European stability.

Mr. Evans. Do you mean a military confrontation?

Mr. Papandreou. An armed confrontation, which is not inconceivable, utterly, in the long pull.

Mr. Novak. Since the last time you were in Washington about a year ago, sir, there have been a number of charges made against you by the Greek government, and I want to ask you about a couple of them.

The Greek government has said that you signed an agreement with a gentleman named Antonios Brilliakis of the Greek Communist Party. Is that correct?

Mr. Papandreou. No, not the way it is put. I have two capacities. One capacity is that of representing, being the spokesman abroad of a party, the Center Union Party, whose leader was my father. The other capacity is to head up an organization called the Panhellenic Liberation Movement, which has no political targets other than the overthrow of the junta and the establishment of democratic procedure, constitutional procedures.

This organization not being a party, is coordinating its activities with all other resistance organizations that have the same objectives: namely, the overthrow of the junta and the establishment in Greece of democratic procedures thereafter. The free arena.

Mr. Novak. Including Communists?

Mr. Papandreou. Well, not including—there is not Communist organization, in fact, resistance organization. There is an organization called The Patriotic Front, which is heavily weighted by leftists.

Mr. Novak. Do you think that is wise?

Mr. Papandreou. What is wise?

Mr. Novak. Letting the far left into the Popular Front for Liberation?

Mr. Papandreou. We are not letting it in politically, but we have, in matters of resistance, it is essential, as actions take place in Greece that there be minimum coordination, lest the wrong acts take place.

Mr. Novak. The other charge made by the Greek government was that you met in Paris with Alecos Panaghoulis, who was the attempted assassin of General Papadopoulos,

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and the suggestion is that you took a part in this assassination plot. Is that correct?

Mr. PAPANDREOU. It is correct that Alecos Panaghoulis is a very close friend of mine, political and personal, and I am very proud of that relationship. It is not true that I had anything to do with the attempt on Papadopoulos' life. As a matter of fact, I am glad you asked me this question. I just received an S.O.S. from Panaghoulis. He has been 264 days in darkness, in water. His hands are tied in handcuffs. He has not seen the sun, and he is going practically insane. It is an S.O.S. to the world.

Mr. EVANS. Mr. Papandreou, you confuse me slightly, though. You said that you hoped very much there would not be a confrontation. That is a civil war, in effect. But you also said that under this regime, with its totalitarian military methods that stability is the easiest thing for the regime to control; so that, in fact, there is no chance of a civil war, is there?

Mr. PAPANDREOU. No, no. No, no. I am quite sorry. You misunderstood my point.

There is surface stability, superficial stability, but there is a volcano in Greece which is going to erupt.

We are hoping, very honestly, we are hoping that the Western community of nations will cease supporting, either through economic deals or military arrangements, this junta, so we can avoid a confrontation. But we have to get ready for it at the same time.

Mr. EVANS. Let me ask you this, sir: Do you have any precise knowledge of how many of your compatriots are now in jail in Greece?

Mr. PAPANDREOU. Not precise, because this fluctuates, but I can give you the order of magnitude: between 7 and 10 thousand, in concentration camps and jails, today. Approximately 50,000 have gone through this routine and have been subjected also, a good many of them, to torture of which, so to say, I have knowledge, since I was at Strasbourg last November when there was an investigation into this.

Mr. NOVAK. There have been some reports sporadically in the last year, sir, that there were attempts made between you and the conservative exiles, supporters of King Constantine, to create a truly United Front against the junta. Have they been unsuccessful?

Mr. PAPANDREOU. I would not say in general this is a problem, today. We are making a tremendous effort to coordinate the political world at large. In fact, I have made a proposal that the Greek political parties join in a declaration of what they want in the transition period to democracy, so we can finally present the West with what is called a viable alternative to chaos. We can do that, and we will do it.

Mr. EVANS. Mr. Papandreou, we just have a few seconds left.

Do you think the Nixon Administration should or should not send an ambassador, a U.S. ambassador to Athens?

Mr. PAPANDREOU. I will answer this way: An ambassador who is committed to democratic principle and Western values, yes. Otherwise, better not.

Mr. EVANS. Well, who is to determine that? I mean, you don't think we would send an ambassador there who wasn't committed to democratic principles?

Mr. PAPANDREOU. If you send a militarist, yes. If you send a militarist, yes.

Mr. NOVAK. Thank you, Mr. Papandreou. We will be back in a moment with a comment.

(Announcements).

Mr. NOVAK. Rowland, I thought Mr. Papandreou eschewed the usual policy followed by exile leaders of fomenting insurrection in their homeland. Instead he is advocating a quarantine policy whereby the rest of the world kind of ropes off the Greek military government. The trouble with that I think is, unless the U.S. participates in it, it is a failure.

Mr. EVANS. Two things on that, Bob.

I agree, No. 1, Mr. Papandreou knows serious insurrection is impossible today in Greece because of the military power of the regime. And No. 2, from what I have learned from him tonight and from what I know, I don't think there is any chance, any serious chance, that Mr. Nixon will do what Mr. Papandreou hopes he will do.

Mr. NOVAK. Well, I don't know that I fully agree that there is no chance, but certainly the conditions this week were not very auspicious, when he couldn't even get an interview with the leading figures in the Executive—with anybody in the Executive Branch of the government.

Mr. EVANS. Not only that, but he took rather sharp issue with the Vice President of the United States, who, one presumes, has some small influence in this Administration, who has made it very clear that he strongly backs the military junta.

Mr. NOVAK. I don't know how much Mr. Agnew was making military policy. I was fascinated by some of the implications of Mr. Papandreou's remarks, though, that Tom Pappas, the prominent Republican financier—or businessman, rather—is a CIA agent, and was the reason for Vice President Agnew's support of the junta.

Mr. EVANS. "Financier" is not a bad word, because he did finance, as I understand, part, at least, of the Republican Presidential election. He did contribute to the Republican Party.

I think that the junta, obviously, from what Mr. Papandreou says, is having serious economic problems. Conceivably there will be the kind of a situation develop which could lead to serious insurrection.

Mr. NOVAK. I think anyone who listens to Mr. Papandreou can realize how ridiculous are these charges that he is a Communist. He may be making a mistake, however, when he allows all elements, including the far left, into the government. Into the anti-junta movement.

BANNING POISON GAS AND GERM WARFARE: SHOULD THE UNITED STATES AGREE?

HON. ROBERT W. KASTENMEIER

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 21, 1969

Mr. KASTENMEIER. Mr. Speaker, I would like to call the attention of my colleagues today to a particularly valuable contribution to the increasing public discussion of the Nation's chemical and biological warfare programs and policies. George Bunn, currently a visiting professor at the University of Wisconsin Law School, has prepared a well reasoned and painstakingly researched article soon to be published in the Wisconsin Law Review, entitled: "Banning Poison Gas and Germ Warfare: Should the United States Agree?"

Professor Bunn who served as general counsel to the Arms Control and Disarmament Agency from 1961 to January 1969, also has represented our country at various sessions of the Eighteen Nation Disarmament Committee—ENDC—with the personal rank of Ambassador. I should add that among his numerous efforts on behalf of the quest for world peace, George Bunn did yeoman work in the creation of the nuclear nonproliferation treaty and has also written on the subject. The author's unique qualifications lend added weight to his arguments that the United States should ratify the 1925 Geneva protocol banning the use of poison gas and bacteriological warfare.

Mr. Speaker, ratification of this treaty by the other body will make official what should have been this Nation's policy if in fact it has not been, since the end of World War I.

Today, more than 60 nations adhered to this protocol. The list includes all of our NATO allies, all of the Warsaw Pact nations, including the Soviet Union and, surprisingly, the Peoples Republic of China. I have been heartened by reports that the other body led by Senator FULBRIGHT, might once more take up the question of our Nation's ratification of the Geneva protocol.

Mr. Speaker, the arguments advanced by Professor Bunn for our adherence to the protocol are extremely compelling, and some of them parallel the reasoning behind the resolution I introduced almost 10 years ago in this House, calling for a public declaration by the United States of our non-first use of chemical and biological weapons. The reason for ratification at this point in our Nation's history have been succinctly summarized by Professor Bunn in his conclusions that:

> We have little to lose and considerable to gain by ratifying the protocol. We can increase the strength of the protocol as a barrier to poison gas and germ warfare; help to clear up a few ambiguities and, in doing so, achieve wider support for United States interpretations; and enhance our standing for influential participation in the forthcoming discussions of proposals for additional limitations. On the other hand, if we insist on waiting until the protocol is revised, we will probably have to wait a long time and then have little influence in the revision. Finally, we give up no option which is now open to us by ratifying. In my view, the protocol is the best instrument likely to be achieved in the foreseeable future. The United States would be well advised to join it.

In order to shed greater light on what has too long been an obscure subject, shielded from public view, I include the text of Professor Bunn's article in the RECORD at this time:

BANNING POISON GAS AND GERM WARFARE: SHOULD THE UNITED STATES AGREE?

(By George Bunn) *

The United States Army Field Manual on the Law of Land Warfare states flatly that "the United States is not a party to any treaty, now in force, that prohibits or restricts the use in warfare of toxic or nontoxic gases . . . or of bacteriological warfare. . . . The Geneva Protocol for the prohibition in war of asphyxiating, poisonous, or other gases, and of bacteriological means of warfare . . . is . . . not binding on this country."[1]

This article will consider whether the principles of the Geneva Protocol have become so widely accepted that they apply to the United States even though it is not a party. It will analyze the effect of existing reservations to the Protocol, discuss the United States use of tear gases and herbicides in Vietnam in light of its provisions, and recommend that the Protocol be approved by the Senate. The article will first describe the international agreements dealing with poison gas and germ warfare, and the reasons which prevented the United States from becoming a party to them.

Footnotes at end of article.

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I. INTERNATIONAL AGREEMENTS DEALING SPECIFICALLY WITH POISON GAS OR GERM WARFARE

A. The Hague Gas Declaration of 1899

The first treaty dealing specifically with poison gas was the 1899 Hague Gas Declaration which contained an agreement "to abstain from the use of projectiles the sole object of which is the diffusion of asphyxiating or deleterious gases."[2] Twenty-seven states became parties to this declaration, including all participants in the conference except the United States.[3] The American representative, Navy Captain Alfred T. Mahan, refused to agree because gas projectiles were not yet in practical use or fully developed, and because he thought gas warfare was just as humane as other forms of warfare.[4]

The language of this declaration was so limited that it had little if any effect on gas warfare during the First World War. In the first major poison gas attack of the War, at Ypres in 1915, the chlorine gas used by the Germans came from large cylinders, not the "projectiles" described in the declaration.[5] The French used projectiles containing tear gas which they said was not an "asphyxiating or deleterious" gas within the meaning of the declaration.[6] Similarly, a projectile used by Germany did not have "as its sole object" the diffusion of poison gas because, the Germans argued, it was also used for shrapnel.[7] With these and other arguments, the existing limitations on poison gas were brushed aside in the First World War.

B. The 1919 Versailles Treaty

This treaty contained the following provision:

"The use of asphyxiating, poisonous, or other gases and of analogous liquids, materials or devices being prohibited, their manufacture and importation are strictly forbidden in Germany."[8]

While the United States failed to give its consent to the ratification of the Versailles Treaty primarily because of its provisions establishing a League of Nations,[9] the quoted language was incorporated by reference in the 1921 Treaty of Berlin between the United States and Germany.[10] But the United States regarded it as only applicable to Germany.[11] World War I treaties of peace applicable to Austria, Bulgaria, and Hungary contained similar provisions.[12]

C. The 1922 Washington Treaty on Submarines and Noxious Gases

Drawing on the language of the peace treaties, the Washington Treaty stated:

"The use in war of asphyxiating, poisonous or other gases, and all analogous liquids, materials or devices, having been justly condemned by the general opinion of the civilized world and a prohibition of such use having been declared in treaties to which a majority of the civilized Powers are parties,

"The Signatory Powers, to the end that this prohibition shall be universally accepted as a part of international law binding alike the conscience and practice of nations, declare their assent to such prohibition, and agree to be bound thereby between themselves, and invite all other civilized nations to adhere thereto."[13]

This provision was based upon a United States proposal and was adopted at the urging of Secretary of State Hughes.[14] Perhaps to help achieve later Senate consent, Senator Elihu Root was asked to represent the United States at the conference. In addition Secretary Hughes took pains to have an advisory committee of prominent citizens appointed by President Harding and attempted to mobilize popular opinion behind the treaty.[15] As a result, the Senate gave its consent without a dissenting vote.[16] French ratification was necessary, however, and the treaty failed because of French objections to its provisions on submarines.

D. The 1925 Geneva protocol

This protocol added to the poison gas prohibition of the Washington Treaty a ban on bacteriological warfare. It provided in pertinent part:

"Whereas the use of asphyxiating, poisonous or other gases, and of all analogous liquids, materials or devices, has been justly condemned by the general opinion of the civilized world; and

"Whereas the prohibition of such use has been declared in Treaties to which the majority of Powers of the world are Parties; and

"To the end that this prohibition shall be universally accepted as part of International Law, binding alike the conscience and the practice of nations:

" 'Declare:

" 'That the High Contracting Parties, so far as they are not already Parties to Treaties prohibiting such use, accept this prohibition, agree to extend this prohibition to the use of bacteriological methods of warfare and agree to be bound as between themselves according to the terms of this declaration.' "[17]

The Geneva Protocol was adopted at the insistence of the United States.[18] However, probably because of the ease with which the Washington Treaty had sailed through the Senate, Secretary of State Kellogg did not make the effort to gain support for the Geneva Protocol that Secretary Hughes had made earlier for the Washington Treaty.[19] Although Congressman Burton was the head of the United States delegation, no Senator was included.[20] No advisory committee was enlisted. The Army's Chemical Warfare Service was not prevented from mobilizing opposition to the protocol.[21] It enlisted the American Legion, the Veterans of Foreign Wars, the American Chemical Society, and the chemical industry.[22] Senator Wadsworth, Chairman of the Military Affairs Committee, led the Senate opponents of the protocol.[23] He argued that it would be torn up in time of war, and that poison gas was in any event more humane than many other weapons. Senator Borah, Chairman of the Senate Foreign Relations Committee, finally withdrew the treaty from Senate consideration, presumably because he and the Senate majority leader had concluded that they did not have the votes.[24]

The protocol came into force, however, without the United States. It now has over 60 adherents.[25] All members of NATO except the United States, and all Warsaw Pact members, including the Soviet Union, are parties. Indeed, all European states except Albania have joined the protocol. Of the major industrial countries, only Japan and the United States have failed to become parties. Of the nuclear weapon powers, only the United States remains outside the protocol.

Many persons credit the protocol with a major role in preventing gas warfare in Europe during World War II.[26] It symbolized the abhorrence for gas which even military men had after World War I. This abhorrence contributed to restraints imposed by both civilian and military leaders.[27] If retaliation was the primary sanction acting to deter the use of poison gas and germs, the protocol established the norm of conduct.[28] Unlike World War I, no gas warfare occurred among the industrial states of Europe.

II. INTERNATIONAL LIMITATIONS ESTABLISHED BY CUSTOM

The foregoing brief history has shown that the United States is not a party to any treaty which expressly prohibits it from engaging in gas or bacteriological warfare. To this extent, the *Army Field Manual's* statement is correct. However the principles of the protocol appear to form a rule of customary international law applicable even to the United States:

"Custom is the older and the original source of international law. . . . International jurists speak of a *custom* when a clear and continuous habit of doing certain actions has grown up under the aegis of the conviction that these actions are, according to international law, obligatory and right."[29]

To determine the existence of a customary rule of international law, state practice with respect to the use of poison gas and biological weapons in war should be examined. Where that practice indicates nonuse, the question must still be answered whether this was based on a belief that a rule of international law existed even for those not parties to the protocol. The recent practice and official views of the United States and Japan appear to be most relevant as they are the only major industrial states which have not ratified the protocol.

A. Practice and Belief of States on Gas and Germ Warfare Since the Geneva Protocol of 1925

1. United States

The United States did not engage in gas warfare during World War II although it could have been to our military advantage in the Pacific in 1945. At the beginning of United States participation in World War II, the State Department became concerned that the Japanese, not being parties to the German Protocol, would engage in chemical warfare.[30] The British, French, Italian, and German Governments had exchanged pledges to observe the protocol; the British had made the same offer to Japan, but it replied evasively.[31] The State Department proposed that a declaration be made to Japan that the United States would comply with the protocol if others did. Secretary of War Stimson, however, opposed any acceptance of the protocol by declaration. In February of 1942 he urged that we "keep our mouths shut," apparently because he was concerned about our preparedness to retaliate if the Japanese used gas.[32]

In June 1942, President Roosevelt was importuned by the Chinese to issue a statement concerning reported Japanese use of noxious gases in China.[33] Without referring to the protocol, Roosevelt threatened "retaliation in kind and in full measure" if Japan persisted "in this inhumane form of warfare" against China or any other American ally.[34]

A year later the United States was better prepared to retaliate, if necessary, and Roosevelt issued a more comprehensive statement. Again, however, he did not refer to the protocol:

"From time to time since the present war began there have been reports that one or more of the Axis powers were seriously contemplating use of poisonous or noxious gases or other inhumane devices of warfare.

"Use of such weapons has been *outlawed by the general opinion of civilized mankind.* This country has not used them, and I hope that we never will be compelled to use them. I state categorically that we shall under no circumstances resort to the use of such weapons unless they are first used by our enemies.

"As President of the United States and as Commander in Chief of the American armed forces, I want to make clear beyond all doubt to any of our enemies contemplating a resort to such desperate and barbarous methods that acts of this nature committed against any one of the United Nations will be regarded as having been committed against the United States itself and will be treated accordingly. We promise to any perpetrators of such *crimes* full and swift retaliation in kind. . . ."[35]

After Germany was defeated, some consideration was given to using poisonous gas on Japanese forces in the Pacific in order to bring the war swiftly to an end.[36] However, the joint chiefs never recommended its use to the President. Personal and institutional distaste for chemical warfare among military men probably played a major role.[37] The military view that gas was an insidious and

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Footnotes at end of article.

dishonorable weapon did not necessarily mean that all military decisionmakers agreed with President Roosevelt that the use of gas had been "outlawed by the general opinion of civilized mankind." But some did.[38] President Roosevelt's statement would, in any event, have been a hurdle to overcome even though his death left any final decision to President Truman.

The United States did not use gas warfare in Korea although authority to do so was requested by some of our commanders in the field.[39] Our preparedness was greater than that of the North Koreans or mainland Chinese, and the gas might have been useful in flushing the enemy out of entrenched positions.[40] When the North Koreans accused United States forces in Korea of germ warfare, American representatives denied the charges, maintaining that such warfare was abhorrent.[41] Although not decisive, our failure to use gas in Korea and our defense against the germ warfare charge are evidence that we believed the use of poison gas and germ warfare to be wrong.

During the period between the Korean and Vietnam conflicts, Congressman Kastenmeier (D. Wis.) precipitated a debate on the use of chemical and biological warfare by introducing a draft concurrent resolution which would have reaffirmed, "the longstanding policy of the United States that in the event of war the United States shall under no circumstances resort to the use of biological weapons or the use of poisonous or obnoxious gases unless they are first used by our enemies." [42]

Congressman Kastenmeier deduced from public statements and articles that the Defense Department was attempted to relax policy strictures on chemical and biological warfare.[43] When asked whether his administration was contemplating changing United States policy against initial use of chemical and biological weapons, President Eisenhower said that "no official suggestion has been concerned, it is not to start such a thing first".[44] Officials of the Eisenhower administration later opposed the Kastenmeier resolution, however, and it was never brought to a vote.[45]

Assuming that our use of tear gases and herbicides in Vietnam does not violate the Geneva Protocol, we have observed its principles in that war. Moreover, in replying to Communist charges of violation, United States representatives excepted tear gases and herbicides from the provisions of the protocol, thereby implying a conviction that we had to observe those provisions.[46] Similarly, Secretary Rusk insisted that we were not "embarking upon gas warfare in Vietnam. . . . We are not talking about gas that is prohibited by the Geneva Convention of 1925 or any other understandings about the use of gas." [47]

In 1966, the United States sponsored and voted for a United Nations General Assembly resolution which called for "strict observance by all states of the principles and objectives of the Protocol" and condemned "all actions contrary to those objectives." [48] A United States delegate stated that "while the United States is not a party to the Protocol, we support the worthy objectives which it seeks to achieve." [49] Following this resolution, the State Department took the view that, by voting for the resolution, "the United States reaffirmed its long-standing support for the principles and objectives of the Protocol." [50] In this view, the "basic rule" set forth in the protocol "has been so widely accepted over a long period of time *that it is now considered to form a part of customary international law.*" [51]

2. Japan

During World War II the Japanese did use poison gas and replied evasively to a proposal that they observe the Geneva Protocol.[52] In 1944, however, they used neutral diplomatic channels to communicate to the United State a denial of the use of gas "during the present conflict." They further declared that they had "decided not to make use of it in the future on [the] supposition that troops of [the] United Nations also abstain from using it." [53] Japanese internal records state that this decision was based upon a recognition of a legal obligation not to use gas, upon Japan's small stockpile as compared with that of the United States, and upon the vulnerability of Japanese islands to Allied retaliation.[54] After the war, a Japanese court said, by way of dicta, that the use of poison gas and bacteria in war violated international law.[55]

Japan voted for the 1966 United Nations resolution calling for "strict observance by all states of the principles and objectives" of the Geneva Protocol. During the debate, the Japanese representative stated the belief of his delegation "that in any circumstances of war the use of chemical and bacteriological weapons should be most strictly avoided." [56]

Japan's wartime actions up to 1944 revealed a conviction that it was not bound by any rule of international law prohibiting the use of poison gas in war. Its conduct since then, although not free from ambiguity, tends toward recognition of a prohibition on such warfare applicable to Japan.

B. The effect of customary limitations

The practices and convictions of states before the 1966 United Nations resolution have been described by other writers in some detail.[57] There is no general agreement among these commentators on a rule of customary international law applicable to those not party to the Geneva Protocol. One major stumbling block for some scholars was that the United States, the strongest military power, had not ratified the protocol.[58] Nor had we, before 1966, issued any general declaration indicating an intent to observe its principles. Even the Roosevelt statement of 1943 failed to refer to the protocol.[59]

In 1966, however, we sponsored and voted for language in a United Nations resolution calling for "strict observance by all States of the principles and objectives of the Protocol" and condemning "all actions contrary to those objectives." [60] Ninety other countries voted for this resolution.[61] Having, in effect, agreed to observe the principles of the protocol, the United States, Japan, and other nonparties which supported the resolution supplied significant evidence of the existence of a customary rule. Added to the other evidence about which the commentators have argued, these actions strongly indicate a customary rule banning the first use of poison gas and germ weapons in accordance with the principles of the protocol.[62]

This may be an unexpected conclusion for many. To say that the United States must observe the principles of a treaty which was never ratified by the Senate is unusual. There are, however, a few precedents in United States practice.[63] In addition German defendants in the Nuremberg trials were convicted of violating treaty standards under circumstances in which Germany had no treaty obligation.[64] The evidence of a customary rule in the case of the Geneva Protocol is at least as strong as that relied upon at Nuremberg.

III. RESERVATIONS TO THE GENEVA PROTOCOL

France, the first nation to ratify the protocol, affixed a statement to her ratification, the first paragraph of which reads: "The said Protocol is only binding on the Government of the French Republic as regards States which have signed or ratified it or which may acceed to it." [65] This statement appears to have been made out of an abundance of caution because the protocol itself said that parties "agreed to be bound as between themselves." [66] Since this "reservation" does not change the treaty's legal effect, it probably does not constitute a true reservation to the protocol requiring acceptance by other parties.[67] In any event, the records disclose no formal objection to it.

A number of later adherents to the treaty followed the French example. However, since the principles of the protocol appear now to have become a rule of general application by custom, the French first paragraph and others like it are probably no longer meaningful.[68] Thus, if all states must observe the principles of the protocol, France would appear to be obligated not to initiate the use of poison gas or germ warfare against any state even though the reservation said France was bound only to parties.[69]

The French statement has a second paragraph which reads: "The said Protocol shall *ipso facto* cease to be binding on the Government of the French Republic in regard to any enemy State whose armed forces or whose allies fail to respect the prohibitions laid down in the Protocol." [70] The main purpose of this paragraph was probably to make clear that France would be free to retaliate against an enemy who violated the protocol to the injury of France. As far as this purpose is concerned, the statement may not be a true reservation since it reflects a general rule of treaty interpretation: material breach by one of the parties to a multilateral treaty permits an aggrieved party to suspend performance of its obligations toward the violator.[71]

Paragraph two is, however, broader than this rule. It would suspend the obligations of the protocol for France when an ally of an enemy of France, whether or not the ally was a party, failed to observe the protocol, even though France was not itself aggrieved. For example, if before the fall of France in World War II, Japan (a nonparty) had used gas against China, France would have been free to use gas against Hitler, Japan's ally.[72] Without the reservation, France would still have had an obligation not to use gas on Germany.

The necessary conclusion is that paragraph two is broader than the interpretation which would have been given to the protocol without the reservation. It is in this respect a true reservation. The question arises whether other parties have accepted it as a limitation on the obligations of France under the protocol. Since the French were the first to ratify, all later parties had notice of their reservation and are bound by it because they did not object when they became parties.[73] The Soviet Union and several of its East European allies, Great Britain and several of the members of the Commonwealth, Belgium, and the Netherlands, ratified the protocol after France did with reservations like the French paragraph two.[74] But are states which adhered to the protocol *before* one of these later reservations was entered bound by it? For example, is Italy, which ratified without reservation after France but before the Soviet Union, bound by the Soviet paragraph two?

In the presence of objection to a reservation, the traditional rule is that there are no treaty relations between the reserving party and a party which objects because the reservation amounts to a "counter offer" which has not been accepted.[75] As already indicated, Italy is bound by the French reservation because she had notice of it *before* becoming a party. However, she did not receive notice of the Soviet reservation until after she had adhered to the treaty and is not bound by it unless her silence can be construed as acquiescence.[76] Since she did not object to the French paragraph two before becoming a party, she would appear to have had little reason to object to the similar Soviet paragraph two. Common sense and modern practice say she is bound by the Soviet reservation.[77]

Since no objections have been found to any reservations, all adherents to the protocol appear to have treaty relations with all other adherents. Moreover, the differences in obligations between those with reservations and those without appear to be relatively un-

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important. As already stated, reservations of the paragraph one variety are no longer meaningful since the principles of the protocol appear to have become applicable to all states through custom. Paragraph two reservations, on the other hand, are probably as important now as they were when drafted because of the alliance arrangements formed during and after World War II. The position of the United States with respect to chemical warfare during this war was clearly influenced by the alliance of the Axis Powers against the Allies. President Roosevelt's famous 1943 declaration said that the use of poison gas by *"any of our enemies . . . against any one of the United Nations* [the Allies] will be regarded as having been committed against the United States itself and will be treated accordingly. We promise *any perpetrators* of such crimes full and swift retaliation in kind . . ."[78] If the protocol had been binding on the United States subject to such a reservation, its obligations would have been suspended "in regard to *any enemy State* whose armed forces or *whose allies* fail to respect the prohibitions laid down in the Protocol." President Roosevelt promised retribution against the "perpetrator," the state using gas. Paragraph two is not by its terms so limited. More importantly, perhaps, President Roosevelt did not condition United States retaliation upon injury to the United States itself. Neither would paragraph two.

The alliances formed since the war seem quite consistent with the policy behind paragraph two. Article five of the North Atlantic Treaty provides that an armed attack against one or more of the allies in Europe or North America "shall be considered an attack against them all. . . ."[79] Somewhat similar provisions appear in our agreements with our Latin American and Asian allies.[80] The Soviet Union has made comparable promises to its East European allies in the Warsaw Pact.[81] These provisions anticipate that major war, if it comes, will be fought by military alliances, and that all those within an alliance will cooperate to repulse an attack. States on one side are likely to regard all allies on the other side as enemies—at least those which participate in or support an attack. Once poison gas or germs are used in a war of alliances, both the victim and its allies will be under pressure to retaliate or threaten retaliation in kind, not only against the wrongdoer but also against the wrongdoer's important allies. For example, if East Germany attacked West Germany with gas, the United States might be expected by its allies to retaliate against the Soviet Union unless that country took immediate steps to prevent a recurrence of the attack.[82] President Kennedy's threat of retaliation upon the discovery of Soviet missiles in Cuba is illustrative. He declared:

> "It shall be the policy of this nation to regard any nuclear missile launched *from Cuba against any nation in the Western Hemisphere* as an attack *by the Soviet Union* on the United States, requiring a full retaliatory response upon the Soviet Union."[83]

Most protocol parties having paragraph two reservations are now members of alliances with military responsibilities. In any future European war involving chemical or biological agents, the allies on one side are likely to regard the use of such weapons by an ally on the other as suspending their protocol obligations toward all members of the other side. Under these circumstances, paragraph two reservations would probably be regarded as being in effect for each of the allies on both sides even though some NATO allies and some Warsaw Pact members had not in fact entered such a reservation. This result would equalize the duties of states under the protocol, thereby producing that mutuality of obligation which states customarily desire. Thus, Italy, which did not object to a Soviet paragraph two but did not enter such a reservation herself, would be on the same footing with regard to the protocol as the Soviet Union.[84] Finally, a significant result of paragraph two is to influence allies toward a common policy of observing the protocol for, if one does not, the others may be subject to retaliation.[85] For all these reasons, the leeway given by paragraph two will probably be regarded as acceptable at least in cases where any of the allies on either side of a future conflict have entered paragraph two reservations. Thus, in any war involving existing alliances, the obligations of all those participating will likely be limited by paragraph two. Differences in the obligations involved in different treaty relationships resulting from the nonuniversality of paragraph two do not therefore seem too important to the United States under all the circumstances.[86]

IV. INTERPRETATION OF THE PROTOCOL IN LIGHT OF U.S. PRACTICES IN VIETNAM

A. Tear gases

The United States, South Vietnam, and Australia have used tear gases in the war in Vietnam.[87] The North Vietnamese and Viet Cong have used such gases also,[88] but were not the first to do so. Whether the Geneva Protocol prohibits the use of tear gases in war is an unsettled question. The United States' view is that the protocol "was framed to meet the horrors of poison gas warfare in the First World War and was intended to reduce suffering by prohibiting the use of poisonous gases such as mustard gas and phosgene. It does not apply to all gases. It would be unreasonable to contend that any rule of international law prohibits the use in combat against an enemy, for humanitarian purposes, of agents that Governments around the world commonly use to control riots by their own people".[89]

The Soviet Union and its allies take the position that the use of tear gases in war is prohibited by the Geneva Protocol.[90] The issue has been in contention for a long time, and no consensus exists on its resolution.

The Geneva Protocol prohibits "the use in war of asphyxiating, poisonous or other gases. . . ." "Other" must include gases not properly described as "asphyxiating" or "poisonous." It certainly includes mustard gas which was not regarded as "asphyxiating" or "poisonous" by experts at the time the protocol was negotiated.[91] Whether it also includes tear gases—which are neither "asphyxiating" nor "poisonous"—is unclear.

The principle of *ejusdem generis* suggests that the word "other" should draw some meaning from "asphyxiating" or "poisonous" and that, therefore, the "other gases" prohibited must be similarly deleterious to man.[92] This is consistent with the apparent meaning of the French text of the protocol which is equally authentic.[93] That text proscribes the use in war of "gas asphyxiants, toxiques or similaires." "Similaires" or "similar gases" presumably include those which are not asphyxiating or poisonous but which have similar effect.[94] But whether "other" and "similaires" include only gases causing death or serious injury, or whether they include tear gas also, is still not clear.

Some commentators have argued that the English text's use of "other" included tear gases even though the French text used "similaires."[95] Others have reached the contrary view.[96] None has presented a detailed analysis of the negotiating history to buttress his case.

The pertinent language of the protocol is derived from the Washington Treaty on Submarines and Noxious Gas of 1922, which was in turn derived from the Treaty of Versailles of 1919. The history of each, the Geneva Protocol, the Washington Treaty, and the Versailles Treaty, must therefore be examined.

1. The Treaty of Versailles

The French were using tear gases for domestic police purposes as early as 1912.[97] Tear gas was used in World War I to a limited extent by both the French and the Germans. After the war the fear of the kinds of gases the Germans had used for major attacks (*e.g.*, chlorine, phosgene, and mustard gas) produced the widespread international concern about all chemical warfare.[98]

During consideration of provisions limiting German rearmament in the Treaty of Versailles, a commission of military experts suggested a provision which read: "Production or use of asphyxiating, poisonous or *similar* gases . . . are forbidden."[99] This draft was approved in principle by the heads of government and foreign ministers and turned over to a drafting committee.[100] That committee produced a draft which read: "The use of asphyxiating, poisonous or *other* gases . . . *being prohibited*, their manufacture and importation are strictly forbidden in Germany."[101] The French text contained the same word, "similaries" for "other," as does the Geneva Protocol.

The drafting committee's text shows recognition that there were existing prohibitions ("being prohibited") against the *use* of poison gases in war, but none against their "manufacture or importation" in Germany. There is no record that the draftsmen discussed tear gas or regarded their change of "similar" to "other" as significant. The drafting committee's text was accepted by Wilson, Lloyd George, Clemenceau, and other leaders without any indication that they were aware that the committee had in any way changed the meaning of the text they had approved earlier. Later, just before the text was submitted to the Germans, it was presented to a preliminary conference by a French rapporteur who, in analyzing the provisions of the treaty, said that "poison gas" was what was to be denied to the Germans.[102]

The records of the conference do not disclose what earlier prohibitions the draftsmen relied upon when they produced a draft saying "asphyxiating, poisonous or other gases . . . *being prohibited* . . . ." They may have been referring to the Hague Gas Declaration of 1899 which prohibited "the use of projectiles the sole object of which is the diffusion of *asphyxiating* or *deleterious* gases."[103] However, both the British and the French believed that this language did not include tear gas.[104] The Versailles "being prohibited" language most likely referred to the 1907 Hague Convention rules against "poison or poisoned weapons," against killing or wounding "treacherously," and against employing war material calculated to cause "unnecessary suffering."[105] These rules probably apply to gases that inflict suffering disproportionate to their military value and, perhaps, to gases which can be assimilated with traditional poisons because they are deadly, painful, and treacherous.[106] However, no authority has been found for the proposition that they prohibit the use of tear gases in war.[107] Quite likley no prohibition on such use was recognized as in "being" in 1919 when the language of the Treaty of Versailles was drafted. Therefore, that treaty probably did not prohibit tear gases to Germany.

2. The 1922 Washington Treaty

This treaty also prohibits the use in war of "asphyxiating, poisonous or other gases." Its French text contains the same word "similaries" for "other."[108] The negotiating history indicates that the Versailles language was offered by the American delegation because many countries had already agreed to it. The language appears to have represented a compromise between conflicting points of view. The technical experts of the negotiating countries were unable to agree on any general prohibition on chemical warfare. The United States experts contended, with their French and British colleagues, that poison gas was similar as a weapon to shrapnel, machine guns, and bombs.[109] The Italians and Japanese disagreed.[110] Finally, the experts concluded that the only limitation "practicable" was to "prohibit the use of gases against cities and other bodies of non-

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combatants. . . ."[111] This result was not accepted by the Advisory Committee to the United States delegation even though the American expert had agreed to it. "Whatever may be the arguments of the technical experts," said the Advisory Committee, the "conscience" of the American people insists "upon the total abolition of chemical warfare, whether in the Army or Navy, whether against combatant or noncombatant."[112]

The Advisory Committee clearly wished to prohibit the use of tear gases in war, saying that "there can be no actual restraint of the use by combatants of this new agency of warfare, *if it is permitted in any guise*."[113] Agreeing with this view was a report of the Navy General Board which specifically referred to "tear gases." The board said that "there will be great difficulty in a clear and definite demarcation between the lethal gases and those which produce unnecessary suffering as distinguished from those gases which simply disable temporarily."[114] The American Advisory Committee recommended that the conference bar all of these kinds of gases. It proposed a resolution to be adopted by the conference recommending that "[c]hemical warfare, including uses of gases whether toxic or nontoxic, should be prohibited by international agreement. . . ."[115]

Secretary of State Hughes did not put this resolution to the conference. Nor did he base his proposal on the views of the technical experts. While he quoted from both reports in his statement to the conference, the resolution offered by the United States delegation and accepted by the conferenec was based on the language of the Treaty of Versailles.

Hughes did not refer to tear gases. He said that, "in light of the advice of the American Advisory Committee" and "the specific recommendation of the General Board of the Navy," the American delegation "felt that it should present the recommendation that the use of *asphyxiating or poison gas be absolutely prohibited*."[116] Senator Elihu Root, who submitted the text to the conference, said it was drafted in the language of the Treaty of Versailles and other peace treaties because "between thirty and forty powers" had already agreed to that language, "so that there was not much further to go in securing . . . general consent . . . ."[117] Root understood the Versailles Treaty's "declaration against the use of poison gases to be a statement of the previous rules which had been adopted during the course of the Hague Conferences."[118] As we have seen, these probably were never intended to apply to tear gases.

3. The Geneva Protocol of 1925

In 1924, a committee of experts under the auspices of the League of Nations considered the effects of chemical and bacteriological warfare. The evil of greatest concern of these experts, and to participants at the later conference, appeared to be the use of poison and mustard gases against large cities.[119] The experts also discussed tear gases, calling them "lachrymatory" agents:

"The efficacy of lachrymatory gas, coupled with its property of not causing permanent disablement, has led to its adoption by police organizations. By its means criminals may be apprehended without loss of life."[120]

The 1925 Geneva conference adopted as the scope of the protocol's prohibition the Versailles phrase "asphyxiating, poisonous or other gases" proposed by the United States. In making this proposal, Congressman Burton, the American representative, expressed a strong desire for a provision "relating to the use of asphyxiating, poisonous and *deleterious* gases."[121] The report of the legal committee characterized the American proposal as one dealing with "asphyxiating, poisonous or *other similar* gases."[122] Another committee described the class as "asphyxiating, poisonous and *other deleterious* gases."[123] There is no recorded discussion of tear gases by the delegates. If they had been determined to prohibit gases the experts had said were in use by police departments to prevent loss of life, they might have been expected to do so more explicitly, or at least to have discussed the point.[124]

4. The 1930 Attempt To Resolve the Question

In 1930, the United Kingdom addressed itself to the difference between the French and English texts, a difference which created "a serious ambiguity in the Geneva Gas Protocol of 1925 as well as in all Treaties and Conventions regulating gas warfare signed since the War."[125] The United Kingdom solicited the views of other governments in order to obtain a uniform interpretation on whether or not the use of tear gases was prohibited by the protocol. The British considered that "the use in war of 'other gases,' including lachrymatory gases was prohibited."[126]

The French shared this view. Their reply stated that the English and French texts were identical in meaning and that tear gases were prohibited in war notwithstanding their use domestically by police departments.[127] The delegates of 10 other states concurred, several saying that they did so because of the difficulty in distinguishing between lethal and nonlethal gases.[128] A majority remained silent.

Only the United States delegate openly disagreed with the British view.[129] The American representative noted the technical difficulties of classifying gases and suggested that the question be considered by the Geneva Disarmament Conference. He added:

"[W]e seek a maximum prohibition of inhumane agencies, but, at the same time, we should not be led to bring into disrepute the employment of agencies which not only are free from the reproach of causing unnecessary suffering, but which achieve definite military or civil purposes by means in themselves more humane than those in use before their adoption. I think there would be considerable hesitation on the part of many governments to bind themselves to refrain from the use in war, against any enemy, of agencies which they have adopted for peacetime use against their own population, agencies adopted on the ground that, while causing temporary inconvenience, they cause no real suffering or permanent disability, and are thereby more clearly humane than the use of weapons to which they were formerly obliged to resort to in time of emergency."[130]

The preparatory commission's report noted that "the Commission felt itself unable to express a definite opinion on this question of interpretation. Very many delegations, however, stated that they were prepared to approve the interpretation suggested in the British Government's memorandum."[131] The committee recognized, however, that the question remained open.[132]

5. Current Interpretation

While in 1930 discussions were not conclusive of the Geneva Protocol's meaning, the then British view was widely accepted. One basis for that view, however, has since disappeared. The British were concerned that, unless tear gases were prohibited, many countries would build up their arsenals and manufacturing capabilities. But many countries have done this anyway for deleterious gases clearly prohibited by the protocol in order to be prepared to retaliate against use of gas by another country.[133]

Another concern was the difficulty of drawing a line and the danger, if the line were fuzzy, of escalation from tear gases to more harmful substances. This remains a critical problem. The United States has attempted to draw the line by restricting the permitted gases to "agents that Governments around the world commonly use to control riots by their own people."[134] This test is at least reasonably precise. It would probably legitimize only common tear gases such as CN and CS. CN, and to a lesser extent CS, are used by over 50 countries to quell domestic riots, and to capture criminals resisting arrest.[135]

In the 1966, 1967, and 1968 debates in the United Nations General Assembly and the Geneva Disarmament Conference, only the Soviet Union and its allies actively opposed the United States position that tear gases in war did not violate the protocol.[136] Belgium agreed with the American view.[137] The French, without mentioning tear gases, hinted that they no longer believed in giving the protocol the broad interpretation they had given it in the 1930's.[138] The United Kingdom and Kenya referred to the opposing views on tear gas without taking sides.[139] Most countries, however, remained silent.

6. Application of Standards to Use of Gases in Vietnam

The principal gases used by United States forces in Vietnam are the tear gases, CS and CN.[140] However, a vomit-inducing gas, adamsite, has also been used against the enemy.[141] Adamsite appears no longer to be authorized.[142] It is clearly not an agent that "[g]overnments around the world commonly use to control riots by their own people."[143] Its use represents an escalation of the kind feared by the proponents of encompassing all gases, including tear gases, within the protocol.[144]

The use of tear gas was justified by the United States on "humanitarian" grounds—that it would reduce the number of people killed, both combatants and noncombatants, and that its use would be analogous to riot control.[145] In situations where Viet Cong were protected by human shields, or by tunnels or caves, the alternatives were rifles, machine guns, napalm, flame throwers, high explosives or fragmentation grenades. Tear gas certainly seemed a more humanitarian weapon. But reports from Vietnam reveal that large numbers of tear gas grenades have been dropped on Viet Cong strongholders from helicopters which were followed by B–52's dropping high-explosive or anti-personnel-fragmentation bombs.[146] The purpose of such an attack would appear to be to flush out those hiding in tunnels, to incapacitate them with gas, and then to wound or kill them with bombs. This seems wholly inconsistent with the humanitarian justification given by the United States. Moreover, if combatants have been incapacitated by tear gas and are thereby placed out of combat, they are entitled to be "humanely treated" under the 1949 Geneva Conventions.[147] Indiscriminate bombing of an area just saturated with tear gas is hardly humane.

B. Herbicides

Another unsettled issue is whether the use of modern chemical herbicides or defoliants in war is a violation of the protocol. Except for their use by the United States in Vietnam, these chemicals have not been used in war. Indeed they were not discovered until the end of World War II.[148]

The United States has taken a position on these chemicals quite similar to its position on tear gases. This is that "the Protocol does not apply to herbicides, which involve the same chemicals and have the same effects as those used domestically in the United States, the Soviet Union and many other countries to control weeds and other unwanted vegetation."[149] The Soviet view is that the use of "chemical substances in Vietnam to include destruction of the rice crop, which as everyone knows, provides the Vietnamese people with their staple diet" is prohibited by the Geneva Protocol.[150] Other countries, except for allies of the Soviet Union,[151] have generally remained silent.[152]

1. The Negotiating History

The scope of the ban on chemical warfare in the protocol is broad enough to cover herbicides, but there is real doubt that that was intended. Included within the chemical ban are not only the asphyxiating, poisonous and other gases but "*all analogous* liquids, *ma-*

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terials or devices . . . ."[153] Taken literally, this is broad enough to include chemical agents which kill plants. It has been argued, however, that the protocol should only be applied to antipersonnel weapons.[154] At least as far as its prohibition on chemicals is concerned, the negotiating history gives some support to this conclusion. As we have seen, the scope clause was derived from the 1922 Treaty of Washington and the 1919 Treaty of Versailles. At neither conference was there any recorded discussion of anticrop weapons. Certainly they were not the principal evil about which negotiators were concerned immediately after the First World War.

Before the 1925 Geneva Conference, however, a League of Nations committee asked a number of experts for a statement on the effect which would be produced on human life, animal life, and "vegetable life" by "chemical warfare"—or "bacteriological warfare."[155] The experts were not aware of any danger to plants from chemical warfare. "It would not appear that vegetation is affected by gas," they said.[156] On chemicals, the report concluded that "no agent is at present known which could produce a chemical destruction of sources of wealth except through its action *on the human elements* . . . ."[157] Most of the experts were also of the view that bacteriology was not then able to produce infective substances "capable of destroying a country's . . . crops."[158] But Professor Cannon of Harvard's Medical School did "not entirely concur in this latter opinion since he admits the possibility of areoplanes disseminating over wide areas parasites capable of ravaging the crops."[159]

During the 1925 Geneva Conference, the Versailles-Washington language on chemicals was supplemented by a broad ban on "the use of bacteriological methods of warfare." This resulted from a Polish proposal aimed primarily at antipersonnel weapons.[160] However, the Polish delegate also expressed concern about the possible use of bacteria on crops. He said: "Bacteriological warfare can also be waged against the vegetable world, and not only may corn, fruit and vegetables suffer, but also vineyards, orchards and fields."[161] The acceptance of the Polish delegate's broad language prohibiting *bacteriological* means of warfare would seem to mean that bacteriological anticrop warfare was condemned by the protocol. At the same time, as shown above, the history of the protocol's ban on chemical warfare indicates doubt whether chemical anticrop agents were to be prohibited.

2. Herbicide Usage in Vietnam

As we have seen, the United States explained that herbicides did not violate the protocol because they involve the same elements used in domestic weed control.[162] The initial military use of herbicides appears to have been reasonably consistent with this justification. Herbicides were used to destroy jungle trees and plants, particularly along roads, because this vegetation was used as a cover by enemy troops from which to attack American and allied soldiers.[163] This use was not unlike the common use of herbicides to kill weeds along highways in this and other countries. Gradually, however, the South Vietnamese and then the Americans began using herbicides to kill rice crops in Viet Cong held areas.[164] Although the chemicals remained the same as those used for certain domestic weed killers, the use was no longer "to control weeds and other unwanted vegetation", the justification given by the United States to the United Nations. As with tear gases, the political rationale given by the United States for making an exception to the protocol has been eroded by the military practice.

V. SHOULD THE UNITED STATES RATIFY THE GENEVA PROTOCOL?

The 1966 General Assembly resolution dealing with poison gas and germ warfare contained an invitation to "all States to accede to the Geneva Protocol . . ."[165] The United States voted for this resolution. In explaining its position with respect to this invitation, the United States representatives stated:

> "[W]hether, or by what procedure, States that have not yet done so should adhere to the Geneva Protocol is for each of them to decide in the light of constitutional and other considerations that may determine their adherence to any international instruments, and particularly one which dates from 1925."[166]

The vigorous attacks[167] against American use of tear gas and herbicides in Vietnam have probably not produced a healthy climate for reconsideration of the Geneva Protocol by the United States Senate at the present time. However, if the Paris negotiations make progress toward reducing the level of hostilities in Vietnam, thought should be given to resubmitting the protocol to the Senate.

A. Reasons supporting ratification

On the assumption that the use of poison gas or germs in warfare by any country continues to be inconsistent with our national interests, ratification of the protocol is to our advantage for a number of reasons.

1. Effect on Reducing Likelihood of Gas and Germ Warfare

The best reason for United States ratification is the increased attention and effectiveness it would give to the protocol as a barrier to the first use of chemical and biological weapons.

Our failure to adhere to the protocol has repeatedly been called to the attention of other nations by the Soviet Union and its allies.[168] All other nuclear powers, including China, and all other major industrial nations, except for Japan, are parties.[169] For these reasons, our accession would be regarded as important by other countries.

The 1966 United Nations resolution dealing with the protocol renewed interest in it as an instrument for maintaining continued restraint on poison gas and germ warfare. Probably as a direct result, some 12 developing countries have become parties since 1966.[170] Our ratification would give further impetus to the effort to secure adherences.

As indicated earlier, the basic prohibition of the protocol appears to apply to nonadhering states. But many of the emerging African and Asian nations do not regard themselves as bound by rules developed as the result of practices of "colonialist" powers.[171] Only adherence to the protocol is likely to be regarded by them as producing a serious inhibition upon their first use of gas or germ warfare. Yet these same states could acquire chemical and biological agents with much less difficulty than they could acquire nuclear weapons. Indeed chemical and biological weapons have sometimes been called the poor man's atomic bomb.[172] The most recent use of poison gas was, after all, in Yemen.[173] Neither that country nor Israel and Jordan are parties to the protocol. Among the emerging countries of Sub-Saharan Africa, only nine have joined, all within the last five years.[174] Mainland China and India are parties, but Japan and many less developed Asian countries are not. Latin America currently has the fewest number of parties of any major region of the world. In my view, United States adherence to the protocol would stimulate wider acceptance of it by countries in these areas, and would enhance its credibility as a deterrent to the first use of poison gas and germs in war.

2. Aid in Achieving a Uniform Interpretation of the Protocol

The problems of interpretation arising from the differences over tear gas and herbicides, as well as from the existing rservations, have been described above. United States ratification with a statement of interpretation to be circulated in the normal course to all parties would offer a useful opportunity to clear up the meaning of the protocol.[175]

While the ambiguity of the protocol in the case of tear gases has been recognized by several other countries, only one has publicly defended our position.[176] Because of the unpopularity of the war in Vietnam and because we are not party to the protocol, our government has had little success in gaining acceptance of our interpretations. However, if we ratified with an interpretative statement after hostilities in Vietnam had subsided, most parties would probably acquiesce in our interpretation and say nothing, assuming there had been an earlier diplomatic effort to achieve this result. Given the ambiguities in the text of the protocol, the statement would most likely be accepted as an interpretation of an ambiguous provision, rather than a reservation which changed the substance of the agreement and therefore really constituted a proposal to enter into a different agreement.[177] Thus we would become a party to the protocol with a clear understanding on tear gas and herbicides as far as most parties were concerned.

Assuming that China and the Soviet Union objected, they would probably aim their objection at our interpretation rather than at our becoming party to the protocol. Unless they treated the interpretation as a reservation going to the heart of the protocol, which it clearly is not, they would, in effect, accept our adherence to the protocol while continuing their differences of view with us as to its treatment of tear gas and herbicides.[178]

3. Improved United States Standing in Forthcoming Discussions of Poison Gas and Germ Warfare

Starting with the 1966 discussion in the General Assembly, there has been renewed international interest in arms control agreements dealing with chemical and biological agents. In the summer of 1968, the British proposed a major addition to the Geneva Protocol which would ban the use, production, and possession of "microbiological" weapons. A British working paper submitted to the Geneva Disarmament Conference criticized the protocol for a number of reasons, including its ambiguity concerning "non-lethal gases," the failure of many states to become parties, the existence of reservations by some parties, and the limited scope of its prohibition on "bacteriological warfare" which the paper contended did not "include the whole range of microbiological agents that might be used in hostilities."[179] on this last point, the British working paper appears to be incorrect in light of the negotiating history of the treaty.[180] On the others, the difficulties can be alleviated in large measure in the ways already described without amending the protocol.

The British working paper also pointed out that, even with universal adherence to the protocol, there would still be a risk of large-scale use of gas and germ warfare "as long as states have the right to manufacture them and to use them against violators and their allies." The paper therefore proposed supplementing the protocol with a ban on the possession and production of microbiological agents. The United States representative pointed out that the most important question this proposal raised was how parties could verify the fact that other parties did not possess and were not making biological agents.[181] He recommended that, if the British proposal received wide support in principle, a working group be formed to deal particularly with the verification problem.[182] The Soviet Union attacked the British proposal as an attempt to subvert the Geneva Protocol. The Soviet representative said that if the conference were to follow the course suggested by the British, "we might destroy an existing, useful and important international document on the prohibition of chemical and bacteriological weapons without having replaced it by a better or indeed by any other international instrument. . . ."[183]

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The United Kingdom proposed an expert study under the auspices of the United Nations Secretary General on the effects of the possible use of chemical weapons.[184] Poland proposed such a study for both chemical and bacteriological weapons.[185] The United States was prepared to accept either proposed but a consensus developed around the Polish plan. The conference recommended a study of the effects of both chemical and bacteriological weapons to the General Assembly[186] which recently passed a resolution accepting the recommendations and directing that such a study be made.[187]

This study, and the determination of the Geneva Conference to give chemical and bacteriological weapons further attention,[188] indicate that a considerable amount of international effort probably will be devoted to this problem in the years ahead. The United States will no doubt continue to participate in these discussions. However, we would be more influential with the other important participants, all of whom are parties to the protocol, if we ratified it. This is particularly true since some of the proposals which will be discussed involve amendments to it. United States' interests would be better protected during the discussion of possible future agreements in this field if we became a full-fledged party to the protocol. At a minimum, ratification would limit the effect of Soviet propaganda attacks which tend now to reduce our influence with other delegates.

B. Objections to Ratification

1. Imperfections of the Protocol

Given the protocol's various problems, it can be argued that it is an imperfect instrument, that it needs revision, and that we should only adhere to it when it is revised.[189] A procedure for alleviating many of the protocol's imperfections has been described above. The international discussions of the last two years make clear that most other countries regard the protocol as the basic instrument in the field, and some, including the Soviet Union, are adamantly opposed to revising it. Moreover, the problems of inspection involved in the United Kingdom's atttempt to halt production and reduce or eliminate stockpiles of germ weapons are considerable.[190] Thus the chances of achieving a broad international consensus on amending the protocol, or on a new agreement, are probably not great.

We have already agreed to observe the principles and objectives of the protocol. Since other industrial states almost unanimously have adhered to it and are therefore sometimes unsympathetic to our reasons for not doing so, our insistence on a revision before we ratify is not likely to be very persuasive We could not, in any event, promise Senate approval for the ultimate product of any efforts toward revision.

2. Danger of Closing Our Options

A second objection to ratifying the protocol is that in time of war other countries would not observe it while we would. We would thereby give up options to initiate the use of gas or germ warfare.

If other countries should use gas or germ weapons in a future war, we would not give up our option to retaliate in kind by ratifying the protocol.[191] Moreover, we no longer have an effective option to use poison gas or germs except in retaliation. Our publicly stated policy is that we will not be the first to use these weapons. We have said we would observe the principles and objectives of the protocol. We are probably bound through custom to its basic prohibitions. Our principal allies would almost certainly restrain any desire we might have to initiate poison gas or germ warfare. The sanctions for violating the protocol, notoriety, retaliation, and war crimes prosecutions, apply even without ratification. Thus, ratification would simply acknowledge the fact that our options are already closed.

VI. CONCLUSION

The foregoing discussion shows that we have little to lose and considerable to gain by ratifying the protocol. We can increase the strength of the protocol as a barrier to poison gas and germ warfare; help to clear up a few ambiguities and, in doing so, achieve wider support for United States interpretations; and enhance our standing for influential participation in the forthcoming discussions of proposals for additional limitations. On the other hand, if we insist on waiting until the protocol is revised, we will probably have to wait a long time and then have little influence in the revision. Finally, we give up no option which is now open to us by ratifying. In my view, the protocol is the best instrument likely to be achieved in the foreseeable future. The United States would be well advised to join it.

APPENDIX

RESERVATIONS TO THE 1925 GENEVA PROTOCOL

AUSTRALIA

Subject to the reservations that His Majesty is bound by the said Protocol only towards those Powers and States which have both signed and ratified the Protocol or have acceded thereto, and that His Majesty shall cease to be bound by the Protocol towards any Power at enmity with Him whose armed forces, or the armed forces of whose allies, do not respect the Protocol.

BELGIUM

(1) The said Protocol is only binding on the Belgium Government as regards States which have signed or ratified it or which may accede to it.

(2) The said Protocol shall *ipso facto* cease to be binding on the Belgian Government in regard to any enemy State whose armed forces or whose Allies fail to respect the prohibitions laid down in the Protocol.

BRITISH EMPIRE

Does not bind India or any British Dominion which is a separate Member of the League of Nations and does not separately sign or adhere to the Protocol.

(1) The said Protocol is only binding on His Britannic Majesty as regards those Powers and States which have both signed and ratified the Protocol, or have finally acceded thereto;

(2) The said Protocol shall cease to be binding on his Britannic Majesty towards any Power at enmity with Him whose armed forces, or the armed forces of whose allies, fail to respect the prohibitions laid down in the Protocol.

BULGARIA

The said Protocol is only binding on the Bulgarian Government as regards States which have signed or ratified it or which may accede to it.

The said Protocol shall *ipso facto* cease to be binding on the Bulgarian Government in regard to an enemy State whose armed forces or whose allies fail to respect the prohibitions laid down in the Protocol.

CANADA

(1) The said Protocol is only binding on His Britannic Majesty as regards those States which have both signed and ratified it, or have finally acceded thereto;

(2) The said Protocol shall cease to be binding on His Britannic Majesty towards any State at enmity with Him whose armed forces, or whose allies *de jure* or in fact fail to respect the prohibitions laid down in the Protocol.

CHILE

(1) The said Protocol is only binding on the Chilian Government as regards States which have signed or ratified it or which may definitely accede to it.

(2) The said Protocol shall *ipso facto* cease to be binding on the Chilian Government in regard to any enemy State whose armed forces or whose allies fail to respect the prohibitions laid down in the Protocol.

CZECHO-SLOVAKIA

The Czecho-Slovakia Republic shall *ipso facto* cease to be bound by this Protocol towards any State whose armed forces, or the armed forces of whose allies, fail to respect the prohibitions laid down in the Protocol.

ESTONIA

(1) The said Protocol is only binding on the Estonian Government as regards States which have signed or ratified it or which may accede to it.

(2) The said Protocol shall *ipso facto* cease to be binding on the Estonian Government in regard to any enemy State whose armed forces or whose allies fail to respect the prohibitions laid down in the Protocol.

FRANCE

(1) The said Protocol is only binding on the Government of the French Republic as regards States which have signed or ratified it or which may accede to it.

(2) The said Protocol shall *ipso facto* cease to be binding on the Government of the French Republic in regard to any enemy State whose armed forces or whose allies fail to respect the prohibitions laid down in the Protocol.

INDIA

(1) The said Protocol is only binding on His Britannic Majesty as regards those States which have both signed and ratified it, or have finally acceded thereto;

(2) The said Protocol shall cease to be binding on His Britannic Majesty towards any Power at enmity with Him whose armed forces, or the armed forces of whose allies, fail to respect the prohibitions laid down in the Protocol.

IRAQ

On condition that the Iraq Government shall be bound by the provisions of the Protocol only towards those States which have both signed and ratified it or have acceded thereto; and that they shall not be bound by the Protocol towards any State at enmity with them whose armed forces, or the forces of whose allied, do not respect the dispositions of the Protocol.

IRELAND

The Government of Ireland does not intend to assume, by this accession, any obligation except towards the States having signed and ratified this Protocol or which shall have finally acceeded thereto, and

Should the armed forces of an enemy State or of the allies of such State fail to respect the said Protocol, the Government of Ireland would cease to be bound by the said Protocol in regard to such State.

THE NETHERLANDS (INCLUDING NETHERLANDS, INDIES, SURINAM AND CURACAO)

Subject to the reservation that, as regards the use in war of asphyxiating, poisonous or other gases, and of all analogous liquids, materials or devices, this Protocol shall *ipso facto* cease to be binding on the Royal Netherlands Government in regard to any enemy State whose armed forces or whose allies fail to respect the prohibitions laid down in the Protocol.

NEW ZEALAND

Subject to the reservations that His Majesty is bound by the said Protocol only towards those Powers and States which have both signed and ratified the Protocol or have acceded thereto, and that His Majesty shall cease to be bound by the Protocol towards any Power at enmity with Him whose armed forces or the armed forces of whose allies, do not respect the Protocol.

PORTUGAL

(1) The said Protocol is only binding on the Government of the Portuguese Republic as

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Footnotes at end of article.

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regards States which have signed or ratified it or which may accede to it.

(2) The said Protocol shall *ipso facto* cease to be binding on the Government of the Portuguese Republic in regard to any enemy State whose armed forces or whose allies fail to respect the prohibitions laid down in the Protocol.

ROMANIA

Subject to the reservation:

(1) That the said Protocol only binds the Roumanian Government in relation to States which have signed and ratified or which have definitely acceded to the Protocol.

(2) That the said Protocol shall cease to be binding on the Roumanian Government in regard to all enemy States whose armed forces or whose allies *de jure* or in fact do not respect the restrictions which are the object of this Protocol.

SPAIN

Declares this Protocol as compulsory *ipso facto* and without special agreement, in relation to any other Member or State accepting and executing the same obligation, that is to say, on condition of reciprocity.

UNION OF SOUTH AFRICA

Subject to the reservations that His Majesty is bound by the said Protocol only towards those Powers and States which have both signed and ratified the Protocol or have acceded thereto, and that His majesty shall cease to be bound by the Protocol towards any Power at enmity with Him whose armed forces, or the armed forces of whose allies, do not respect the Protocol.

UNION OF SOVIET SOCIALIST REPUBLICS

(1) That the said Protocol only binds the Government of the Union of the Soviet Socialist Republics in relation to the States which have signed and ratified or which have definitely acceded to the Protocol.

(2) That the said Protocol shall cease to be binding on the Government of the Union of Soviet Socialist Republics in regard to all enemy states whose armed forces or whose allies *de jure* or in fact do not respect the restrictions which are the object of this Protocol.

FOOTNOTES

[*] Visiting Professor of Law, University of Wisconsin. Formerly General Counsel of the United States Arms Control and Disarmament Agency (ACDA) and Alternate United States Ambassador to the Eighteen-Nation Committee on Disarmament (ENDC) in Geneva, Switzerland. The views expressed in this article do not necessarily represent the views of ACDA or the United States Government.

[1] The Law of Land Warfare, Department of the Army Field Manual FM 27–10, ¶ 38, at 18–19 (1956).

[2] Declaration (IV 2) Concerning Asphyxiating Gases reprinted in J.B. Scott, The Hague Conventions and Declarations of 1899 and 1907, at 225–26 (3d ed. 1918).

[3] *Id.* at 226.

[4] J.B. Scott, The Peace Conferences: American Instructions and Reports: 36 (1916).

[5] *See* E. Castren, The Present Law of War and Neutrality 195 (1954); M. Greenspan, The Modern Law of Land Warfare 360 (1959); J. Spaight, Air Power and War Rights 189 (3rd ed. 1947). *See also* V. Lefebure, The Riddle of the Rhine 33–34 (1921).

[6] Bernstein, *The Law of Chemical Warfare*, 10 Geo. Wash. L. Rev. 889, 905–06 (1942).

[7] E. Castren, *supra* note 5, at 195; Bernstein, *supra* note 6, at 907. This argument was not, however, the basic justification given by Germany for the use of gas. See Kelly, *Gas Warfare in International Law*, 9 Military L. Rev. 1, 39–40 (1960).

[8] Treaty of Versailles, June 28, 1919, § 171, reprinted in 3 Treaties, Convention International Acts, Protocols and Agreements 3331, 3402 (Redmond ed.); 2 A. Toynbee, Major Peace Treaties of Modern History 1265, 1367 (1968).

[9] W. S. Holt, Treaties Defeated by the Senate 249–307 (1933).

[10] 42 Stat. 1939, 1943 (1921). T.S. No. 658, at 14.

[11] The United States' view is necessarily implied by the quotation from the *Army Field Manual* set forth at the beginning of this article. It is based upon the language of article 171 itself, and of the 1921 Treaty of Berlin which incorporated article 171 by reference for the benefit of the United States. See Kelly, *supra* note 7, at 24 § n.113.

[12] *See* 5 H. Temperly, A History of the Peace Conference of Paris 209 (1920–24).

[13] Treaty relative to the protection of the lives of neutrals and noncombatants at sea in time of war and to prevent the use of noxious gases and chemicals, February 6, 1922, § V, reprinted in 3 Treaties, Conventions and International Acts, supra note 8. at 3116, 3118.

[14] See text at note 116 infra.

[15] See R. Buell, The Washington Conference 206 n.9 (1922); F. J. Brown, Chemical Warfare, A Study in Restraints 64 (1968). Among the members of the advisory committee were Samuel Gompers, Herbert Hoover (then Secretary of Commerce), John L. Lewis, General Pershing, Rear Admiral Rodgers, Franklin Roosevelt (then Assistant Secretary of the Navy), and J. Mayhew Wainright (Assistant Secretary of War).

[16] 62 Cong. Rev. 4723–30 (1922).

[17] Protocol for the prohibition of the use in war of asphyxiating, poisonous or other gases, and of bacteriological methods of warfare, June 17, 1925; 94 L.N.T.S. No. 2138, at 67 (1929).

[18] See text at note 121 infra.

[19] See F. J. Brown, supra note 15, at 99.

[20] Id.

[21] For a history of the activities of the opponents and proponents of the protocol, see id. at 102–08.

[22] Id; see also 68 Cong. Rec. 152–54(1926).

[23] See 68 Cong. Rec. 144–46(1926).

[24] Id. at 368.

[25] The following states have ratified or acceded to the Geneva Protocol on the dates set opposite their names according to the files of the Department of State: Australia, January 22, 1930; Austria, May 9, 1928; Belgium, December 4, 1928; Bulgaria, March 7, 1934; Canada, May 6, 1930; Ceylon, January 20, 1954; Chile, July 2, 1935; China, August 7, 1929; (On July 13, 1952, the People's Republic of China issued a statement recognizing as binding upon it the accession to the Protocol "in the name of China" on August 7, 1929.); Cuba, June 24, 1966; Cyprus, December 12, 1966; Czechoslovakia, August 16, 1938; Denmark, May 5, 1930; Estonia, August 28, 1931; Ethiopia, September 18, 1935; Finland, June 26, 1929; France, May 9, 1926; Gambia, November 16, 1966; Germany, April 25, 1929; (In 1959 Czechoslovakia transmitted to France the depositary government, an instrument of adherence from the German Democratic Republic.); Ghana, May 3, 1967; Greece, May 30, 1931; Holy See (Vatican), October 18, 1966; Hungary, October 11, 1952; Iceland, November 2, 1967; India, April 9, 1930; Indonesia, October 31, 1930; Iran, July 4, 1929; Iraq, September 8, 1931; Ireland, August 18, 1930; Italy, April 3, 1928; Latvia, June 3, 1931; Liberia, April 2, 1927; Lithuania, June 15, 1933; Luxembourg, September 1, 1936; Madagascar, August 12, 1967; Maldive Islands, January 6, 1967; Mexico, March 15, 1932; Monaco, January 6, 1967; Netherlands, October 31, 1930; (Accession by the Netherlands included Surinam, the Netherlands Antilles, and the Netherlands Indies [Indonesia]. On December 27, 1949, sovereignty over Indonesia was transferred from the Netherlands to the Republic of Indonesia. The Agreement on Transitional Measures adopted by the Round Table Conference at The Hague on November 2, 1949, provides that treaties and other international agreements concluded by the Netherlands are in force for the Republic of Indonesia.); New Zealand, January 22, 1930; Niger, April 19, 1967; Norway, July 27, 1932; Pakistan, 1947; (Pakistan is a party by reason of paragraph 4 of the annex to the Indian Independence Act.); Paraguay, 1933; (In 1933 Paraguay sent to France a note of accession to the Protocol, but there is no record that France notified the other signatories of the accession.); Poland, February 4, 1929; Portugal, July 1, 1930; Rumania, August 23, 1929; Rwanda, June 25, 1964; Sierre Leone, March 20, 1967; Spain, August 22, 1929; Sweden, April 25, 1930; Switzerland, July 12, 1932; Tanzania, April 22, 1963; (Tanganyika acceded to the Protocol on April 22, 1963. In a note dated May 6, 1964, the United Republic of Tanganyika and Zanzibar informed the U.N. Secretary-General that all international agreements formerly in force between either country and other States would continue in force for the United Republic.); Thailand, June 6, 1931; Tunisia, July 12, 1967; Turkey, October 5, 1929; Uganda, May 24, 1965; Union of South Africa, January 22, 1930; United Kingdom, April 9, 1930; U.S.S.R., April 5, 1928; U.A.R., December 6, 1928; (All international agreements concluded with Egypt remain in force for the United Arab Republic.); Venezuela, February 8, 1928; Yugoslavia, April 12, 1929; (Yugoslavia is a party by virtue of the ratification in the name of the Kingdom of Serbs, Croats and Slovenes on April 12, 1929. The Kingdom changed its official title to "Kingdom of Yugoslavia" in 1929 and in 1954 to the "Federal People's Republic of Yugoslavia."). The following countries have signed the Protocol but have not ratified it to date: United States, Brazil, El Salvador, Japan, Nicaragua, Uruguay.

[26] At the beginning of the war, Britain and France reaffirmed their "intent to abide by the terms of the Geneva Protocol. . . ." assuming Germany did the same. See F. T. Brown, supra, note 15, at 210. Britain apparently considered using gas should all other weapons fail to prevent invasion. *Id.* at 227–29. The protocol, and the revulsion against poison gas which it symbolized, constituted a restraint. But, in the opinion of Major Brown who has examined many of the British internal papers, the fear of German retaliation was the primary deterrent. *Id.* at 230.

In response to the British and French declaration of intention to abide by the Geneva Protocol, Germany stated it would "observe during the war the prohibitions which form the subject of the Geneva Protocol . . .". *Id.* at 230–31. Germany also considered using poison gas. Major Brown concludes that the three factors which prevented German use of gas were fear of retaliation, the initial abhorrence of gas by key military and civilian decision makers, and a lack of readiness resulting in part from this abhorrence and in part from the ban on manufacture and importation of poison gas in the Versailles Treaty. *Id* at 231, 235–245, 293.

In his summary of the restraints in effect on belligerents during World War II, Major Brown concludes that the legal restraints were "moderately effective, but in an unanticipated sense." *Id* at 291–294. He believes that the interwar conferences and treaties served to focus renewed public and elite group attention on chemical warfare. This resulted even in military distaste for it, insufficient training and preparation to use it, and strong aversion towards it by high civilian and some military leaders.

> "[T]he primary value of the legal restraint rests in its tendency to reinforce other restraints. Treaty prohibition, though imperfect, reinforced both public and military dislike and fear of chemical warfare and provided a ready excuse for lack of substantive preparation."

Id. at 293.

For views giving greater weight to the effect of the protocol in preventing poison gas warfare in World War II, see *e.g.*, A. Enock,

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This War Business 95–96 (1951); O'Brien, *Biological Chemical Warfare and the International Law of War,* 51 Geo. L.J. 1, 35–36 (1962). But see, *e.g.*, Kelly, *supra* note 7, at 42 (public opinion and the fear of retaliation were the only effective restraints in World War II).

The official Soviet view is that the protocol greatly contributed to the nonuse of poison gas during World War II. See U.N.G.A. Statement of Soviet Representative Tsarapkin, United States Arms Control and Disarmament Agency, 1961 Documents on Disarmament 577 [hereinafter cited as Documents on Disarmament with the appropriate year designated]. Soviet ENDC Representative Roshchin stated in 1968:

"The Geneva Protocol set a legal barrier to the use of such [gas and bacteriological] means of mass destruction, and this was of great importance in the Second World War. The warning given by the Powers of the anti-Hitler coalition that the use of gases and bacteriological means of warfare was inadmissible and that a violator would not go unpunished had its effect on fascist Germany. In giving that warning the Powers of the anti-Hitler coalition based themselves on that important international agreement, the Geneva Protocol of 1925."

ENDG/PV, 389, at 25 (Aug. 13, 1968).

The official U.S. view puts considerable weight on the effect of the declaration threatening retaliation against any use of gas by enemies of the United States, a declaration which was made by President Roosevelt in 1943. See U.N.G.A. Statement of U.S. Representative Nabrit, in 1966 Documents on Disarmament 800–01; U.N.G.A. First Comm. Statement of U.S. Representative Foster, in 1963 Documents on Disarmament 600.

[27] *See* note 26 *supra*.

[28] *Id.*

[29] 1 L. Oppenheim, International Law § 17 (8th ed., H. Lauterpacht, 1955).

[30] F. J. Brown, *supra* note 15, at 198.

[31] *Id.*

[32] *Id.* at 199.

[33] *Id.* at 200.

[34] *Id.* at 201.

[35] 8 Dep't State Bull. 507 (1943) (emphasis added).

[36] F. J. Brown, *supra* note 15, at 262, *et seq.*

[37] *Id.* at 282.

[38] *See id.* at 284–85, 288; W. Leahy, I Was There 439–40 (1950).

[39] *See* Kelly, *supra* note 7, at 14; J. Rothschild, Tomorrow's Weapons 5 (1964).

[40] *See* Kelly, *supra* note 7, at 14; J. Rothschild, *supra* note 39, at 5.

[41] *See* B. Bechofer, Postwar Negotiations for Arms Control 196–201 (1961). The North Korean and Communist Chinese authorities refused to let a U.N. investigating commission enter their territories to determine the truth of the charges against the United States.

[42] H. Res. No. 433, 86th Cong., 1st Sess. (Sept. 3, 1959).

[43] *See* 105 Cong. Rec. 18016–18 (1959).

[44] 1960–61 Public Papers of the President of the United States, Dwight D. Eisenhower 29.

[45] *See* Chemical-Biological-Radiological (CBR) Warfare and its Disarmament Aspects, A Study Prepared by the Subcommittee on Disarmament of the Senate Committee on Foreign Relations, 86th Cong., 2d Sess. 21 (1960) for reactions to the Kastenmeier proposal.

The Defense department responded: "Similar declarations might apply with equal pertinency across the entire weapons spectrum, and no reason is perceived why biological and chemical weapons should be singled out for this special attention." The State Department added: "As a member of the United Nations, the United States, as are all other members, is committed to refrain from the use, not only of biological and chemical weapons, but the use of force of any kind in a manner contrary to that organization's charter." *Id.* at 22.

[46] *See* U.N.G.A. Statement of U.S. Representative Nabrit, *supra* note 27, at 801; U.N.G.A. First Comm. Statement of ACDA Director Foster, 1966 Documents on Disarmament 740–42.

[47] 51 Dep't State Bull. 528 (1965).

[48] G. A. Res. 2162(b) (XXI), reprinted in 1966 Documents of Disarmament 798. On December 20, 1968, the General Assembly adopted a resolution reiterating "its call for strict observance by all States of the principles and objectives of the Geneva Protocol of 17 June 1925 . . ." G. A. Res. 2454A XXIII. The United States voted for this resolution.

[49] U.N.G.A. Statement by U.S. Representative Nabrit, *supra* note 26, at 801.

[50] Letter from Assistant Secretary of State William B. Macomber to Congressman Rosenthal (D. N.Y.), Dec. 22, 1967. Deputy Secretàry of Defense Vance testified in 1967 that the Department of Defense supported "the United States' affirmative vote in the United Nations General Assembly last December on a resolution calling on all nations to observe the principles and objectives of the Geneva Protocol of 1925. We have observed these principles consistently since 1925, although the United States . . . did not ratify the Geneva Protocol. We have consistently continued our *de facto limitations* on the use of chemical and biological weapons."

Hearings on United States Armament and Disarmament Problems before the Subcomm. on Disarmament of the Senate Comm. on Foreign Relations, 90th Cong., 1st Sess., 55 (1967) (emphasis added). See also Deputy Secretary Vance's letter to Congressman Kastenmeier (D. Wis.) of Mar. 31, 1965 in which he said, among other things, that "national policy does proscribe the first use of lethal gas by American forces. . . ."

[51] Letter of William B. Macomber, *supra* note 50. In a letter to Congressman Wolff (D. N.Y.), July 24, 1967, U.S. Ambassador to the U.N., Arthur J. Goldberg stated:

"The United States position on this matter [poison gas] is quite clear and corresponds to the stated policy of almost all other governments throughout the world as reflected in the voting (91 in favor and 4 abstentions) on U.N.G.A. Resolution 2162B of 1966 which condemned the use of poison gas in warfare. *The use of poison gases is clearly contrary to international law* . . . . (Emphasis added)."

[52] F. J. BROWN, *supra* note 15, at 247–48.

[53] *Id.* at 249.

[54] *Id.* at 260.

[55] Shimonda v. State, (Tokyo Dist. Ct., Dec. 7, 1963), reprinted in 8 JAPANESE ANNUAL OF INTERNATIONAL LAW 241–42 (1964).

[56] 21 U.N. GAOR, 1st Comm. 201 (1966). Japan also voted for the 1968 General Assembly resolution referring to in note 48 *supra*.

[57] Professor William O'Brien of Georgetown University made a lengthy survey of state practices and convictions before the 1966 U.N. resolution. He believed the failure of any belligerent, even those not party to the protocol, to use chemical warfare during World War II, was remarkable. The conclusions of his survey are:

"(1) Customary international law and the Geneva Protocol to which most states adhere prohibit the first use of *chemical* weapons but permit retaliation in kind. (2) While there is no customary international law prohibiting *biological* warfare, its first use is denied to adherents to the Geneva Protocol."

Biological Chemical Warfare and The International Law of War, 51 Geo. L.J. 1, 59 (1962) (emphasis added). A respected British authority reached a similar result; H. Lauterpacht concluded that the cumulative effect of "customary law and of the existing instruments having binding force . . . is probably to render such prohibition [on chemical warfare] legally effective upon practically all States." 2 L. Oppenheim, International Law 344 (7th ed., H. Lauterpacht, ed. 1952). A French expert reached similar conclusions, see Meyrowitz, note 62 *infra.* Robert Tucker, Johns Hopkins School of Advanced International Studies and a consultant to the Naval War College, concluded that a customary rule existed against "poisonous or asphyxiating gases" but not against other gases or chemical agents. *The Law of War and Neutrality at Sea,* in 1955 International Law Studies 52–53 & n.16 (U.S. Naval War College 1957).

Even before the 1966 U.N. resolution, some authorities believed custom prohibited both chemical *and bacteriological* warfare. George Schwarzenberger, Director of Studies at the London Institute of World Affairs, wrote in 1958:

"The prohibition of chemical and bacteriological warfare contained in the Protocol must be taken to be merely declaratory of international customary law and equally binding on all states. It then becomes irrelevant whether any particular State is a party to the Geneva Protocol of 1925."

The Legality of Nuclear Weapons 39 (1958). Morris Greenspan concluded that the Geneva Protocol, although by its terms binding only between contracting powers, is now so "universally recognized" that it "must be regarded as binding the community of nations independently of treaty obligation." The Modern Law of Land Warfare 354 (1959).

Other authorities writing before the 1966 U.N. resolution doubted the existence of a broad customary rule prohibiting chemical or bacteriological warfare. Professor Joseph L. Kunz of University of Toledo Law School believed that chemical and bacteriological warfare could only be banned by agreement to which "at least all militarily important states are parties." *The new U.S. Army Field Manual on the Law of the Land Warfare,* 51 Am. J. Int'l L. 388, 396 (1957). Professor Myres McDougal of Yale concluded that "it remains controversial whether a general prescription has emerged that is operative not only as against the . . . nations which have ratified the Protocol but also as against those which have not, such as the United States." M. McDougal & Feliciano, Law and Minimum World Public Order 637 (1961). Julius Stone, Challis Professor of International Law and Jurisprudence, University of Sidney, concluded in 1954 that whether toxic gases were then prohibited in war by international law was debatable. In the case of bacteriological warfare, he said that the only prohibition was upon parties to the Geneva Protocol:

"Since, moreover, the United States is not a party to the Geneva Gas Protocol, and it is unlikely that that state will be neutral in any major war, it is apparent that whether the prohibition on bacteriological warfare operates in such a war *will depend upon the willingness of that State to accept voluntarily the self-denying ordinance of the Protocol.*"

LEGAL CONTROLS ON INTERNATIONAL CONFLICT 556–57 (1954) (emphasis added).

Three U.S. Army officers surveyed the practices and convictions of states on chemical or bacteriological warfare shortly before the 1966 U.N. resolution: Colonel Bernard Brungs, Major Joseph Kelly, and Major William Neinast. None concluded that there was a customary international rule broadly prohibiting the first use of chemical or biological weapons in war. Kelly, however, concluded that customary law prohibited the United States from using poison gas directly against noncombatants or in situations where the pain and suffering caused by such agents would be disproportionate to the military gain. *Gas Warfare in International Law, supra* note 7, at 64. Brungs found a customary international law rule prohibiting the first use in war of toxins—poisonous products of micro-organisms. *The Status of Biological Warfare in International Law,* 24 MILITARY L. REV. 47, 90 (1964). Neinast found no customary rule whatever in the biological area. *The Status of Biological warfare in In-*

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ternational Law, 24 MILITARY L. REV. 1, 43 (1964).

[58] *See* Kunz, McDougal, and Stone, *supra* note 57.

[59] *See* note 35 *supra* and accompanying text.

[60] G. A. RES. 2162(B), *supra* note 48.

[61] *See* 1966 DOCUMENTS ON DISARMAMENT 798 n.1. Albania, Cuba, France, and Gabon abstained. Of these, only France is a party to the protocol. The French representative stated that a "condemnation of chemical weapons in general" could not be "predicated upon the text of the Geneva Protocol." He added that it was difficult to demand "that states which have not signed and ratified a treaty or convention comply with its principles or norms." In his belief, the proposal of the U.S. and others that the resolution call for observance of the "principles and objectives" of the protocol did not eliminate all objections and might "alter the letter, and certainly, the spirit of the Protocol." 21 U.N. GAOR, 1st Comm., P.V. 201, at 204 (1966).

[62] It would be difficult to consider this document [the resolution] as meaning less than it says. What it says is the affirmation of the validity of the precept enunciated in the Geneva Protocol as an obligation having force of law over all countries—the prohibition of the use of chemical and/or biological instruments of warfare. We are forced to conclude that the rule of international customary law prohibiting CW [chemical warfare], a rule which existed already aside from the Protocol, must now be considered as extending to BW [bacteriological warfare].

From an unpublished paper prepared for the Swedish Institute of Peace Research and Conflict Resolution by the French authority Henri Meyrowitz, Biological Weapons and International Law, Prohibition of the Use of Biological Weapons and Proposals for Banning the Production of Such Weapons (April 1967).

[63] There is no doubt that, when all or most of the Great Powers have deliberately agreed to certain rules of general applicability, the rules approved by them have very great weight in practice among States which have never consented to them. . . . A striking proof of this tendency was given in the war of 1898 between Spain and the United States. Neither belligerent was a party to the article of the Declaration of Paris of 1856 against privateering; the United States had in fact refused to join in it. . . . Nevertheless, when the war of 1898 broke out, the United States proclaimed its intention of adhering to the Declaration of Paris, and the rules laid down were in fact observed by both belligerents. . . .

Pollock, *Sources of International Law,* 18 L.Q. Rev. 418, 419 (1902).

The United States regards a number of almost universal, treaty-originated rules as applicable to other states which are not parties to the treaty in question. In an opinion of March 4, 1966, the legal adviser of the Department of State said that "much of the substantive law of the [U.N.] charter has become part of the general law of nations through wide acceptance by nations the world over." 54 Dep't State Bull. 474, 476 n.3 (1966). The *Army Field Manual* on the law of land warfare states that even though States may not be parties to, or strictly bound by, the 1907 Hague Conventions and the 1929 Geneva Convention relative to the Treatment of Prisoners of War, the general principles of these conventions have been held declaratory of the customary law of war to which all States are subject. For this reason, the United States has adopted the policy of observing and enforcing the terms of these conventions in so far as they have not been superseded by the 1949 Geneva Conventions. . . .

The Law of Land Warfare, *supra* ncte 1, at 1. See also ¶¶ 6–7, at 6–7.

[64] *See* United States v. Goering, in Opinions and Judgment of the International Military Tribunal 48–49, 82–83 (1947). A Soviet military tribunal sitting in Khabarovsk in December 1949 convicted a number of Japanese for engaging in bacteriological warfare against the Mongolian People's Republic in 1939 and against the Chinese in 1940–42. 2 L. Oppenheim, supra note 57, at 343 n.2. A British military manual notes that inasmuch as "Japan was not a party to the Protocol, the Russian Military Tribunal at Khabarovsk . . . would therefore seemed to have assumed that the prohibition of bacteriological warfare derived from the customary law of war prevailing among civilized nations. . . ." Quoted in O'Brien, *supra* note 57, at 34 n.90.

Part of the indictment brought against Japan by the Tokyo War Crimes Tribunal was "[e]mploying poison contrary to the international Declaration respecting Asphyxiating Gases, signed by (*inter alia*) Japan and China at the Hague on the 29th of July 1899 . . . and Article 171 of the Treaty of Versailles. In the wars of Japan against the Republic of China, poison gas was used. . . ." Japan was a party to the Treaty of Versailles but article 171 was directed at Germany. See note 11 *supra* and accompanying text. The judgment does not deal with this charge. See O'Brien, *supra* note 57, at 34 n.90.

[65] The list of parties to the Protocol together with their dates of adherence appears at note 25 *supra*. The texts of the reservations, as they appear in the files of the Department of State, appear in the Appendix following the article.

[66] The relevant language of the protocol is quoted in the text at note 17 *supra*. The French reservation, however, implies that France intended to be bound "as regards States which have *signed* or ratified" the protocol. In this respect the reservation appears to go beyond the actual obligation of the protocol. France, as the first of the signatories to ratify, probably intended this only as a gesture toward those signatories which had not yet ratified but were expected soon to do so.

[67] A reservation is a formal declaration made by a signatory before it becomes bound by an international agreement that the agreement will not be binding upon it except upon terms that it regards as changing the effect of the agreement under international law.

RESTATEMENT (SECOND) OF THE FOREIGN RELATIONS LAW OF THE UNITED STATES § 124 (1965). See also *id.* comment c and illustrations 2 and 3.

[68] *See* notes 29–64 *supra* and accompanying text. In the Nuremburg trials, the court held that custom had rendered ineffective an article from the Hague Convention of 1907 which was somewhat similar to the French paragraph 1 reservation. The court said that "by 1939 these rules laid down in the convention were recognized by all civilized nations . . . ." United States v. Goering *supra* note 64, at 83.

[69] "To the extent to which the Protocol should be considered as stating or constituting a rule of customary law . . . the first of the two clauses [i.e., French first paragraph] has lost its significance." Meyrowitz, *supra* note 62, at 5.

[70] *See* Appendix.

[71] RESTATEMENT, *supra* note 67, at § 158; see Opinion of the Legal Adviser of the Department of State, in *Hearings on Executive M before the Senate Foreign Relations Comm.* 88th Cong., 1st Sess. 37–40 (1963).

[72] Meyrowitz, *Les Armes Psychochimiques et le Droit International,* 10 *Annuaire Francais de Droit International* 81, 100 n.51 (1964).

[73] RESTATEMENT, *supra* note 67, at § 128, comments d and f.

[74] See Appendix for the language of all the reservations. There are variations in these reservations but none appears to be significantly broader than the French reservation. The Soviet reservation, for example, states that the protocol shall cease to be binding on the U.S.S.R. in regard to all enemy states "whose armed forces or those Allies *de jure* or in fact do not respect" the protocol. The phrase "*de jure* or in fact" does not appear in the French reservation. However, the phrase apparently means "Allies *de jure* or in fact" rather than "*de jure* in fact do not respect." A translation from the Russian by experts on Soviet treaty practices confirms this view. *See* J. TRISKA N R. SLUSSER, THE THEORY, LAW AND POLICY OF SOVIET TREATIES 82 (1962) ("the formal or factual allies of which"). If this translation correctly reflects the Soviet intention, its scope does not appear broader than the French reservation.

The Dutch reservation applies only to chemical warfare but is otherwise like the French reservation. There are other minor variations, but none seem to be of great significance.

[75] RESTATEMENT, *supra* note 67 at § 128, comment f, illustration 2. In the case of treaties (such as the protocol) which are intended to have the widest possible application for humanitarian reasons, the International Court of Justice has said that this traditional rule should be modified somewhat. If the reservation, although the subject of an objection, is "compatible with the purpose and object" of the treaty, the reserving party may be regarded as a party despite the objection. *Reservations to Genocide Convention,* [1951] I.C.J. 29–30.

[76] *See* RESTATEMENT, *supra* note 67, at § 128, commented.

[77] *Id.* at § 128, comments d and h; *Reservations to Genocide Convention,* [1951] I.C.J. 24–26; International Law Comm'n, Report, 21 U.N. GAOR, Supp. 9, art. 17(5) (1966) ("a reservation is considered to have been accepted by a State if it shall have raised no objection to the reservation by the end of a period of twelve months after it was notified of the reservation or by the date on which it expressed its consent to be bound by the treaty, whichever is later.") But see 5 G. HACKWORTH, DIGEST OF INTERNATIONAL LAW § 482 (1943); quoted in A. MCNAIR, THE LAW OF TREATIES 159 (1961).

[78] *See* text at note 35 supra (emphasis added).

[79] 62 Stat. 2241 (1949), 2244, T.I.A.S. No. 1964.

[80] *See, e.g.,* Inter-American Treaty of Reciprocal Assistance, Sept. 2, 1947, 62 Stat. 1681, T.I.A.S. No. 1838; Security Treaty between Australia, New Zealand, and the United States, Sept 1, 1951, [1952] 3 U.S.T. 3420, T.I.A.S. No. 2493; Mutual Defense Treaty between the United States and the Philippines, Aug. 30, 1951, [1952] 3 U.S.T. 3947, Mutual Defense Treaty between the United States and the Republic of Korea, Oct. 1, 1953, [1954] 3 U.S.T. 2368, T.I.A.S. No. 3097; South East Asia Collective Defense Treaty, Sept. 8, 1954, [1955] 1 U.S.T. 81, T.I.A.S. No. 3170; Mutual Defense Treaty between the United States and the Republic of China, Dec. 2, 1954, [1955] 1 U.S.T. 433, T.I.A.S. No. 3178; Treaty of Mutual Cooperation and Security between the United States and Japan, Jan. 19, 1960, [1960] 2 U.S.T. 1633, T.I.A.S. No. 4509.

[81] Treaty of Friendship, Cooperation and Mutual Assistance, May 14, 1955, in 1955 DOCUMENTS ON INTERNATIONAL AFFAIRS 193–97.

[82] The rules of war limiting the right of reprisal contemplate that certain preliminary steps will be taken before retaliation even if the obligations of the protocol are suspended by the terms of paragraph two. O'Brien lists the following rules on reprisals which he believes should be applicable in the event of use of poison gas or germs in war:

"(1) There must be an antecedent international delinquency by an enemy.

"(2) The victim of the delinquency having made a conclusive determination that the violation has occurred, must use all lawful

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means at his disposal to induce the delinquent to desist from his illegal behavior.

"(3) If there appears to be no reasonable hope for cessation of the illegal behavior of the enemy, the injured belligerent may retaliate with means that would normally be denied it by the law.

"(4) The reprisal should be proportionate to the illegal act or acts which engendered the right of reprisal."

O'Brien, *supra* note 57, at 45. See also The Law of Land Warfare, *supra* note 1,¶ 497, at 177–78.

[83] 47 Dep't State Bull. 718 (1962).

[84] In the view of the International Law Commission, a reservation which is accepted by silence by a state already a party to the treaty not only modifies the relevant treaty provisions to the extent of the reservation *for the reserving party*, but "[m]odifies those provisions to the same extent for such other party in its relations with the reserving State." International Law Comm'n, Report, *supra* note 77, art. 19(1) (6).

[85] The second clause . . . takes on a deterrent character which is far from negligible in a war involving a coalition. In fact, its effect is to create between belligerents who are members of a coalition, whether or not they signed the Protocol, a common position in regard to the prohibitions laid down on the document. If belligerents who are obligated, but also protected, by the Protocol learn that this protection is jeopardized by a possible course of action on the part of an ally who is not very vulnerable to reprisals himself, it is natural that their destiny and their desire should weigh heavily against a decision of that ally to use weapons prohibited by the Protocol.

Supra note 62, at 5.

[86] *Cf.* Meyrowitz, *supra* note 72, at 100. Meyrowitz here expresses concern about the lack of clarity resulting from the different "regimes" of treaty relationships, the differences depending on whether paragraph two reservations have been entered or not. The reconciliation attempted in the text would help remove the lack of clarity as well as equalize obligations.

[87] S. Hersh, Chemical and Biological Warfare 167–86 (1968).

[88] F. J. Brown, *supra* note 15, at 309.

[89] U.N.G.A. Statement of U.S. Representative Nabrit, *supra* note 26, at 800.

[90] *See, e.g.,* U.N.G.A. First Comm. Statement of Soviet Representative Shevchenko, in 1967 Documents on Disarmament 663–66; U.N.G.A. First Comm. Statement of Hungarian Representative Csatorday, in 1966 Documents on Disarmament 734–38.

[91] Mustard gas was designed by Germany to bypass the gas masks used effectively by the Allies. It attacked a man's whole body, creating large but relatively painless blisters on his skin. While it produced eight times as many Allied casualties as all other gases utilized, it caused few deaths. Kelly, *supra* note 7, at 10.

In response to a League of Nations request, experts from a number of countries provided information from which a report on the effects of chemical and bacteriological weapons was compiled in 1924. The experts divided the then known chemical "noxious substances" used in war into three classes apparently corresponding to "poisonous," "asphyxiating" and "all other." These classes were:

"*Toxic agents* which affect the nervous system (*e.g.,* derivatives of prussic acid).

"*Suffocating or asphyxiating agents* which cause fatal damage to the lungs (*e.g.,* chlorine and phosgene) or which directly affect the blood (*e.g.,* carbon monoxide).

"*Irritant* (*lachrymatory* [*tear producing*], *sneeze-producing and blistering*) *agents.*"

The report based on the experts advice goes on:

"*Effects of Irritant Agents:* These bodies possess the property of putting a man out of action without killing him.

"(a) *Lachrymatory Agents* deprive a man of one of his essential senses—sight. They produce intolerable pain in the neighborhood of the external organs of sight and render a man practically blind as long as he remains in the gas-impregnated atmosphere. But, contrary to public popular opinion, says Professor Zanetti [of Columbia University], the blinding effects of these gases is purely temporary, being caused only by irritation of the membrane of the eyelids and not by any deep-seated effect on the eyeball or optic nerve. The effect usually passes in a few hours, or a few days at the most, and although the victim is as completely put out of action as if his eyes were gouged out, there is no record of permanently serious effect being produced thereby.

"The efficacy of lachrymatory gas, coupled with its property of not causing permanent disablement, has led to its adoption by police organizations. By its means criminals may be captured without loss of life.

"(b) *Sneeze-producing Agents* are arsenical compounds . . .: they cause constant and uncontrolled sneezing attacks of suffocation and intolerable headaches. They drive men to get rid of their protecting masks, thus exposing them to toxic products which may be fired concurrently or immediately after the sneeze-producing gas.

"(c) *Blistering Agents.* Certain products such as dichlorethyl sulphide, also called "mustard gas" or "yperite," cause lesions to the skin and mucous membranes which may be of a very serious character. Whenever the skin is exposed even to the vapour exhaled from the slow evaporation of yperite, blisters appear within two to eight hours. . . . In short . . . this action is . . . capable of producing most serious effects on the health of the men who have been subject to it.

"Moreover—and this is the principal effect—soil which is saturated with yperite contaminates by contact persons who pass over or are posted on it. The yperite penetrates the fabric of clothing and turns it into an actual blistering plaster. . . . The ground and any articles which have been impregnated with the gas remain dangerous for a number of days.

"In discussing the combined effects of irritants, suffocating or asphyxiating, and toxic agents, Professor Mayer of France said:

"All the lachrymatory and suffocating gases *are fatal if taken in large quantities.* If the blistering substances, instead of affecting the skin penetrate the lungs, they produce fatal lesions. Thus the effect to which we refer when we speak of a lachrymatory or blistering substance *is only the predominant effect.* . . . It would, therefore, be a mistake to classify chemical compounds according to the gravity of the sumptoms to which they give rise. (Emphasis added.)

"Professor Zanetti remarked that "the dropping of a few aeroplane bombs filled with a high-power lachrymatory gas would as effectively shut down a factory, say, a steel mill, for as long as a month without causing any considerable destruction of life or property such as would ensue by long-range shelling or bombing with high explosive."

League of Nations Off. J. Spec. Supp. 26, at 122–24 (1924). See V. Lefebure, *supra* note 5, at 25–28.

[92] Cf. McBoyle v. United States, 28 U.S. 25 (1931) (phrase "*any other* self-propelled vehicle not designed for running on rails" does *not* include *aircraft* because it is preceded by "automobile, automobile truck, automobile wagon, motor cycle" all of which are *land* vehicles).

[93] *See* note 17 supra and accompanying text.

[94] *See* Meyrowitz, supra note 72, at 94. Meyrowitz interprets "toxiques" in the French text to include gases which do not more than injure health. In his view, "similaires" therefore must encompass gases, such as tear gases, which do something less. However, this definition of "toxiques" seems inconsistent with the view of the technical experts in 1924. See note 91 *supra.*

[95] *See,* e.g., J. Spaight, *supra* note 5, at 190; A. Waltzog, Recht der Laudkriegsfuhrung 37 (1942, Dep't State translation of 1951); Meyrowitz, *supra* note 72, at 94–95. Cf. Stone *supra* note 57, at 555; O'brien, *supra* note 57, at 57, 60; notes 104, 118, 124 infra.

[96] *See,* e.g., Greenspan, supra note 57, at 359 n.186. Cf. Kunz, Gaskrieg und Volkerrecht 36, 51, 70–71 (1927); M. Mc Dougal & F. Feleciano, *supra* note 57, at 636–37, Kelly, *supra* note 7, at 51–52, 60; notes 104, 107 *infra.*

[97] A.M. Prentiss, Chemicals in War 688 (1937).

[98] *See* notes 89, 91 *supra* and 119 *infra* and accompanying texts.

[99] 4 Foreign Relations of the United States, the Paris Peace Conference 1919, at 232 (1943).

[100] *Id.* at 362. Balfour for the United Kingdom referred to the prohibition as being on the manufacture of "asphyxiating gases." *Id.*

[101] *Id.* at 388.

[102] *Id.,* at 377.

[103] *See* text at note 2 *supra.*

[104] For the French view, see text at note 6 *supra.* In 1913, the British considered that a "lachrymatory [tear causing] substance without asphyxiating or deleterious effect" was permitted by the wording of the declaration, "although contrary to its spirit," F. J. Brown, *supra* note 15, at 7–8.

Some German writers have concluded that the declaration prohibited tear gas. This would support the German contention that chlorine was used at Ypres in retaliation to French first use of tear gas. See, *e.g.,* at 6–7 n.6; E. Castren, *supra* note 5, at 195; Bernstein, *supra* note 6, at 905–06. (Such a French first use may have occurred but it finds no proof in available archives of the governments concerned. See F. J. Brown, *supra* note 15, at 6 n.6; Kelly, *supra* note 7, at 8 n.28.) Other German writers reach the opposite conclusion. Their views are described in Meyrowitz, *supra* note 72, at 92 n.31.

An American technical expert says there are grounds for supposing that by a strict technical interpretation, the French use of tear gas grenades violated the 1899 Declaration. "The opinion, however, proceeds from toxicological knowledge not available at the outset of World War I. No government can be criticized for using against an invading enemy, weapons employed against its own unruly nationals." A. M. Prentiss, *supra* note 97, at 688. Other writers conclude that the 1899 Declaration did not prohibit tear gas. See, *e.g.,* E. Castren, *supra* note 5, at 193; T. J. Lawrence, The Principles of International Law 531 (Winfield ed. 1923).

[105] Regulations Respecting the Law and Customs of War on Land, Hague Convention No. IV, Oct. 18, 1907, art. 23 (a), (b), (e) (1907), represented in 2 Treaties, Conventions, International Acts, Protocols and Agreements, 2269, 2285 (Malloy ed.); J. B. Scott, *supra* note 2, at 116. The United States adhered to this convention.

[106] *See, e.g.,* E. Castren, *supra* note 5, at 194.

[107] Lawrence concludes that tear gases did not violate the Hague Regulations. T. J. Lawrence, *supra* note 104, at 531. Castren points out that the prohibition on poison and poisoned weapons did not even "extend to asphyxiating gases." E. Castren, *supra* note 5, at 194. See also Naval War College, 1935 International Law Situations 102, 1936.

[108] For the language of the treaty, see text at note 13 *supra.*

[109] *See* Conference on the Limitation of Armament 730 (Washington, 1921–1922); *Conference on the Limitation of Armament* S. Doc. No. 126, 67th Cong., 2d Sess. 384–88 (1922). The chairman of the experts committee was the president of the American Chemical Society and the American expert

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was the head of the Army's Chemical Warfare Service.

[110] CONFERENCE ON THE LIMITATION OF ARMAMENT, *supra* note 109, at 730.

[111] *Id.*

[112] *Id.* at 732.

[113] *Id.*

[114] *Id.* at 734–36.

[115] *Id.* at 732.

[116] *Id.* at 736.

[117] *Id.* at 738.

[118] *Id.* The memoranda prepared for the American Delegation before the conference summarized earlier League of Nations considerations of this subject. These reported that the League's Council had decided to "condemn the use of poison gas" based upon a report submitted by the French president of a League armaments commission. He said he thought it "impossible in this matter *for the Council to go further than the Hague Conference and the Treaty of Versailles,* which . . . includes provisions forbidding the use of asphyxiating gas." (Emphasis added.) His reference to the Hague Conference was to the 1907 regulations concerning the laws and customs of land warfare, including "Article 23 [in which] certain prohibitions have been laid down in particular on the employment of poison and poisoned weapons." Memoranda for the Members of the American Delegation to the Conference on Limitation of Armaments (Including the Private Manufacture of Arms), the Economic Weapon of Article 16, and the Control of Traffic in Arms, at the Paris Peace Conference and Under the League of Nations 8, 10, 98–99 (GPO 1921). Neither the Treaty of Versailles nor the Hague regulations are thought to prohibit tear gas. See notes 97–107 *supra* and accompanying text.

During Senate consideration of the Washington Treaty of 1922, the one Senator who criticized the treaty said, among other things, that the phrase "other cases" was "all inclusive." 62 Cong. Rec. 4729 (1922) (remarks of Senator Wadsworth, Chairman of the Senate's Military Affairs Committee). He added that the French text used the word "similaires" but that "other gases" in the English text seemed to have a different meaning. However, he concluded, this was "a point of comparatively small importance." The debate contains no other reference to the point, and no reference at all to tear gases.

[119] The gas to be employed would not necessarily be one which only disables human beings for a time, since the object would be to hamper or destroy some continuous activity aimed at by the attack. Mustard gas, for instance, dropped in large quantities would be likely to hang about the cities and slowly penetrate the houses. . . . [H]eavy poison gases linger, even in the open country, for quite a long time. In a city it is difficult to say how long they might remain, and during all that time the danger would continue.

[I]t may well be that an unscrupulous belligerent may not see much difference between the use of poison gas against troops in the field and its use against the centers from which those troops draw the sinews of war.

7 League of Nations Off. J., *supra* note 91, at 126; See also Proceedings *infra* note 121, at 313.

A similar concern was expressed by the American Advisory Committee to the 1922 Washington Conference. They stated:

"The frightful consequences of the use of toxic gases, if dropped from airplanes on cities, stagger the imagination. . . . If lethal gases were used in such bombs [high explosive bombs as those used to attack cities in the First World War], it might well be that such permanent and serious damage would be done, not only of a material character but in the depopulation of large sections of the country, as to threaten, if not destroy, all that has been gained during the painful centuries of the past."

Conference on the Limitation of Armaments, *supra* note 109, at 732.

[120] 7 League of Nations Off. J., *supra* note 91, at 122.

[121] League of Nations, Proceedings of the Conference for the Supervision of the International Trade in Arms and Ammunition and in the Implements of War 155 (1925) (emphasis added). An argument can be made that the conference intended a more sweeping ban on *use* of gas than it did on *export* of gas. An American proposal dealing with export had as its scope "asphyxiating, toxic or *deleterious* gases." *Id.* at 161 (emphasis added). The export proposal was rejected as impractical because a distinction between lawful and unlawful exports would present great technical difficulty. A prohibition on the use in war of agents which also had various domestic peacetime uses did not present the same difficulties. But nothing in the debates indicates that the export proposal was designed to exclude tear gases while the use-in-war proposal was not. And as indicated, the scope of the American proposal for a ban on *use* was described by the American delegate as "asphyxiating, poisonous, and deleterious gases."

[122] *Id.* at 745 (emphasis added).

[123] *Id.* at 596 (emphasis added).

[124] As indicated earlier, the Senate failed to give its consent to the Geneva Protocol. During the Senate debate, an opponent of the protocol said that it "undertakes to protect us against all gases. The language of the treaty is not 'fatal gases,' or 'deadly gases.' It is 'asphyxiating, poisonous, or other gases.' " 68 Cong. Rec. 148 (1926) (remarks of Senator Reed). Later he added that this language would embrace "tear gas" which is used by police. *Id.* at 150. To this, the floor manager of the treaty replied: "This treaty would not interfere with that." *Id.* (remarks of Senator Borah). The protocol's opponent answered that it would "stop us from using that gas against the next savage race with which we find ourselves in war." *Id.* (remarks of Senator Reed).

[125] Preparatory Commission for the Disarmament Conference, League of Nations Doc. c.4.M, Series X, Minutes of the 6th Sess., pt. 2, at 311 (1931).

[126] *Id.*

[127] *Id.* at 311–14.

[128] *Id.* Canada, China, Czechoslovakia, Italy, Japan, Romania, Spain, Turkey, Yugoslovia and the U.S.S.R. agreed with France and the U.K.

[129] Twenty-seven governments participated. Dep't State, Report of the Preparatory Commission for the Disarmament Conference 8–9 (1931).

[130] League of Nations Doc. c.4.M, *supra* note 125, at 312.

[131] Dep't State, Report, *supra* note 127, at 45.

[132] *Id.* No. resolution of it has ever been achieved. In subsequent League discussions of "qualitative disarmament," tear gases were examined, the American delegate insisting that their use by police was legitimate. In 1932, a special committee on chemical and bacteriological weapons accepted this point of view "although it was still of the opinion that lachrymatory gases should not be considered separately from the point of view of their use in warfare, since there were serious practical objections to any discrimination between gases." 1 Conference for the Reduction and Limitation of Armaments 210–12 (1932); *id.*, vol. 2, 452–56 (1932); *id.*, vol. 2, series B, Minutes of the General Commission 569 (1933). The discussions were not directed at the Geneva Protocol but at devising new agreements to ban chemical and bacterial agents, and to regulate their production, importation and stockpiling. No agreement was reached.

[133] *See* Stone, *supra* note 57, at 566–57. For this reason, in Stone's view, the British reasoning has been "destroyed by the facts." *Id.*

[134] *See* note 89 *supra* and accompanying text.

[135] *See* U.N.G.A. First Comm. Statement of ACDA Director Foster, *supra* note 46, at 742; Press conference of Secretary of Defense McNamara in Washington, March 23, 1965; Letter from Deputy Secretary of Defense Vance to Congressman Kastenmeier (D. Wis.), March 31, 1965. These gases were used for similar purposes by the British in Cyprus in 1958 and in British dependent territories on a number of occasions. See Press conference of Secretary of Defense McNamara, *supra;* 709. Parl. Deb., H.C. (5th ser.) 1823–26 (1965).

[136] *See* note 90 *supra* and accompanying text.

[137] *See* U.N.G.A. First Comm. statement of Belgian Representative Fourdin, PV.1608, at 17 (Nov. 14, 1968).

[138] *See* note 61 *supra*.

[139] *See* U.K. Working Paper on Microbiological Warfare, E.N.D.C. Doc. ENDC/231, at 1–2 (1968); U.N. First Committee Statement of Kenyan Representative Odhiambo, 21 U.N. Gaor, First Comm. 2 (1966).

[140] Letter from John S. Foster, Director of Defense, to Senator Brooke (R. Mass.), November 9, 1967.

[141] Letter from Deputy Secretary of Defense Vance, *supra* note 135; S. Hersh, *supra* note 87, at 168, 170, 177, 179.

[142] Letter from John S. Foster, *supra* note 140.

[143] S. Hersh, *supra* note 87, at 168, 183–85, 61–62; 709 Parl. Deb., H. C. (5th ser.) 1823 (1965).

[144] *See* notes 113, 114, 128 *supra* and accompanying text.

[145] When, for example, civil authorities must enforce law and order in the face of an unruly mob, they must often decide, when other means of persuasion have been exhausted, whether to use brute force and lethal weapons, and thus risk injury and death perhaps even to innocent bystanders, or to disperse the mob by recourse to riot control agents such as tear gas, which have no harmful after-effects. And in Viet Nam, when the Viet Cong takes refuge in a village and uses innocent civilians and prisoners as shields, would it be more humane to use rifle and machinegun fire and explosive grenades to dislodge and destroy the Viet Cong and in so doing risk the lives of the innocent and wounded hostages?

U.N.G.A. First Comm. Statement of ACDA Director Foster, *supra* note 46, at 743.

We do not expect that gas will be used in ordinary military operations. Police-type weapons were used in riot control in South Viet Nam—as in many other countries over the past 20 years—*and in situations analogous to riot control,* where the Viet Cong, for example, was using civilians as screens for their own operations. Press Statement of Secretary of State Rusk, 52 Dep't State Bull. 529 (1965) (emphasis added).

[146] S. Hersh, *supra* note 87, at 178–79.

[147] Persons who take "no active part in the hostilities, including members of armed forces who have laid down their arms and those placed hors de combat by sickness, wounds, detention *or any other cause* shall in all circumstances be humanely treated . . . ." (Emphasis added.) Geneva Convention for the Amelioration of the Conditions of the Wounded and Sick in the Armed Forces in the Field, Aug. 12, 1949, § 3(1), [1955] 3 U.S.T. 3114, T.I.A.S. 3362. See also *id.* § 12. The same provision appears in the Geneva Convention Relative to the Protection of Civilian Persons in Time of War, Aug. 12, 1949, § 3(1), [1955] 3 U.S.T. 3516, T.I.A.S. 3365. Under the earlier Hague regulations, it is prohibited to kill or wound an enemy who has laid down his arms; or, having no longer any means of defense, has surrendered or offered no resistance to being taken prisoner. Regulations respecting the Law and Customs of Warfare, *supra* note 105,

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at art. 23(c). See 2 L. Oppenheim, *supra* note 57, at 338; Pictet, *Commentary,* 1 Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in the Armed Forces in the Field 52–53, 135–36 (1952).

[148] The anticrop and antifoliage agents in use in Vietnam are "a mixture of the butyl esters of 2, 4-dichloro-phenoxyacetic acid and 2, 4, 5-trichlorophenoxy-acetic acid, cocodylic acid and a mixture of 2, 4 D and Tordon (4-amino-3, 5, 6-trichoropicolinic acid). All have been widely used for agricultural purposes in this and other countries." Letter from John S. Foster, *supra* note 140.

[149] U.N.G.A. Statement of U.S. Representative Nabrit, *supra* note 26, at 801.

[150] *See, e.g.,* U.N.G.A. First Comm. Statement of Soviet Representative Shevchenko, *supra* note 90, at 664.

[151] *See, e.g.,* U.N.G.A. First Comm. Statement of Hungarian Representative Csatorday, in 1967 Documents on Disarmament 659–60.

[152] See, however, U.N.G.A. First Comm. Statement of Maltese Representative Pardo, in 1967 Documents on Disarmament 635. Pardo concluded that the protocol did not apply to herbicides.

[153] For the language of the protocol see text at note 17 *supra* (emphasis added).

[154] Meyrowitz is of the view that the chemical warfare provisions of the protocol should be interpreted as "applying only to methods used directly against human beings." Meyrowitz, *supra* note 62, at 4. Later he says that "it is not clear whether or not the Protocol applies to the use of CW or BW against . . . plant life." *Id* at 6. The 1924 experts found no chemical agent which was effective except on "human elements." See text at note 157 *infra*. The *Army Field Manual* states that the Hague regulation banning "poison or poisoned weapons" does "not prohibit measures being taken . . . to destroy, through chemical or bacterial agents *harmless to man,* crops intended solely for consumption by the armed forces (if that fact can be determined)." The Law of Land Warfare, *supra* note 1, ¶ 37, at 18 (emphasis added). As indicated in the text at note 105, this Hague regulation was probably subsumed in the Versailles Treaty and therefore in the antichemical warfare language of the protocol.

Brungs, *supra* note 57, at 79–81, and Mc Dougal, *supra* note 57, at 638 suggest that anticrop agents may be justifiable because food blockades are acceptable under international law.

[155] 7 League of Nations Off. J., *supra* note 91, at 121.

[156] *Id.* at 124.

[157] *Id.* (emphasis added). The Chinese delegate to the 1925 Geneva Conference read to the other delegates from a brochure prepared by the Womens International League for Peace and Freedom. This described the anticipated horrors of using bombs containing heavy gases to kill people in bombing large cities. The pamphlet went on: "Vegetation itself is destroyed . . . ." League of Nations, Proceedings, *supra* note 121, at 313.

[158] 7 League of Nations Off. J., *supra* note 91, at 126.

[159] *Id.*

[160] League of Nations, Proceedings, *supra* note 121, at 340.

[161] *Id.*

[162] *See* note 149 *supra* and accompanying text.

[163] S. Hersh, *supra* note 87, at 144–46.

[164] *Id* at 147.

[165] *See* G.A. Res. 2162(B), *supra* note 48. This invitation was repeated in the 1968 resolution; G.A. Res. 2454 (Dec. 20, 1968).

[166] U.N.G.A. Statement of U.S. Representative Nabrit, *supra* note 26, at 801.

[167] *See* note 150–51 *supra* and accompanying text; *See also* the petition of 5,000 U.S. scientists reported in S. Hersh, *supra* note 87, at 147; Mayer & Sidel, *Crop Destruction in South Vietnam,* Christian Century (June 29, 1966); Letter of Dr. Alje Vennema to Dr. E. W. Pleiffer, November 23, 1967, quoted in S. Hersh, *supra* note 87, at 183–84.

[168] *See, e.g.,* the statements cited in notes 90, 150, 151 supra.

[169] The parties and their dates of adherence are listed in note 25 *supra.*

[170] *Id.*

[171] *See,* O. Iissitzyn, International Law in a Divided World, 1963, International Conciliation No. 542, at 37–62; Pal, *International Law in a Changing World,* in International Law in a Changing World 89, 95–96 (Symposium-Oceana ed. 1963).

[172] In my view, the development of the biological and chemical warfare materials is in a way far more serious than the development of nuclear weapons. When I say "in a way" I have in mind the fact that the nuclear weapons are a rich man's property or a rich country's property—only the very rich and the super-rich can develop, manufacture and maintain them. As far as biological and chemical warfare materials are concerned . . . they are easily accessible to the poor countries also. That is why it is far more dangerous.

Press statement of U.N. Secretary-General U Thant, July 10, 1968, in U.N. Information Service Note, No. 43, at 10.

[173] *See* 113 Cong. Rec. A3362–3363; Letter from U.S. Representative to the U.N. Arthur Goldberg to Congressman Wolff (D. N.Y.) July 24, 1967.

[174] For the list of parties with dates of adherence, see note 25 *supra.*

[175] *See* Restatement *supra* note 67, at § 128, commented. The United States adopted a similar course of action recently to make clear its interpretation of the 1967 Treaty on the Prohibition of Nuclear Weapons in Latin America. For the text of the treaty see 1967 Documents on Disarmament 69. For the interpretive statement, see 58 Dep't State Bull. 555–56 (1968). The interpretive statement which accompanied U.S. signature to a protocol to the treaty was circulated by the depository government, Mexico, to other interested governments.

[176] See *supra* notes 125, 127–28, 137, 139 supra and accompanying text.

[177] See Restatement *supra* note 67, at § 124 & comment c.

[178] The Soviet Union would move much closer to its longstanding goal of achieving widespread adherence to the protocol by accepting the United States as a party. While it would almost certainly continue its objection to our interpretation, it would appear to have little to gain by preventing our adherence to the basic prohibitions of the protocol. Even if the Soviets regarded our interpretation as a reservation, their practice with respect to reservations would permit them to accept treaty relations despite disagreement over the matters covered by our interpretation. According to Triska and Slusser, the Soviet practice is:

"A treaty should be considered 'valid between the state that has made the reservation and all other parties with the sole exception of that part to which the reservation pertains, unless the member opposing the reservation states directly that he is opposed to the employment of the entire convention [as] changed by the reservation in the relations between this member and the state that has made the reservation'."

J. Triska & R. Slusser, *supra* note 74, at 85.

As to Mainland China, a student of her post–1949 treaty practices has little doubt that she would disagree with our tear gas interpretation. He adds:

"It is far from clear, however, whether the P.R.C. [People's Republic of China] will also claim that such an interpretation or reservation denies the basic objective of the Protocol and therefore entirely invalidates the Protocol's applicability to relations between the U.S. and the P.R.C."

After summarizing the evidence, he states his belief that it is very probable that the P.R.C. will decide to reject our interpretation or reservation but that it is unlikely to declare the entire Protocol inapplicable on this ground.

Letter from Professor Jerome A. Cohen, Harvard Law School, to George Bunn, May 3, 1968.

[179] *See* U.K. Working Paper on Microbiological Warfare, E.N.D.C. Doc. ENDC/231 (1968). *See also* U.N.G.A. First Comm. Statement of Maltese Representative Pardo, *supra* note 152, at 635; U.N.G.A. First Comm. Statement of Italian Representative Carraciolo, PV.1606, at 33–35 (Nov. 12, 1968); *but see* U.N.G.A. First Comm. Statement of Soviet Representative Malik, PV.1606, at 18–20 (Nov. 12, 1968); First Comm. Statement of U.S. Representative Foster, PV.1630, at 22–23 (Dec. 5, 1968).

[180] The prohibition on "bacteriological warfare" was proposed in 1925 by Poland. At that time, many micro-organisms which are known to exist today had not been discovered. Since then, for example, viruses have been discovered, and they are not regarded as bacteria today. In 1925, however, the Polish delegate who proposed the ban on "bacteriological warfare" apparently intended to include all germ warfare within it. At the Geneva Conference, he explained that "bacteriological warfare" would include the use as weapons of "cultures of microbes [which] may easily occasion epidemics . . ." League of Nations, Proceedings, *supra* note 121, at 340. His statement, and the adoption of his proposal, were preceded by an experts' report. In 1924, a Temporary Mixed Commission of the League asked technical experts from several countries what the possible effect would be of an attack by *"bacteriological warfare* by means of *microbes or any other agent* . . ." 7 League of Nations Off. J., *supra* note 91, at 121 (emphasis added). The examples of bacteriological warfare given by the experts included pollution of drinking water "by cultures of typhus or cholera germs," "propagation of plague by pest infected rats," projectiles containing "streptococci, staphylococci, anthrax spores, glanders bacilli." *Id.* at 125, These various germs include some (e.g., typhus) *which are not regarded as "bacteria" today*. But, it appears that the experts, the mixed commission and the Polish delegate all regarded "bacteriological" as including all germs or other agents for the spread of disease. There is thus no justification for limiting the scope of the ban on "bacteriological warfare" because some new diseases have been discovered since 1925 which we do not classify as bacteriological. It is for this reason that U.S. Representative Foster opposed the British view. He said that "bacteriological warfare" was also "referred to as microbial warfare, bacterial warfare, microbiological warfare, or germ warfare. We should all understand that it means disease-causing living micro-organisms, be they bacteria, or viruses or whatever they might be, used as deliberate weapons of war." U.N.G.A. First Comm. Statement of U.S. Representative Foster, *supra* note 179, at 22–23. Note that the terms of reference for a forthcoming U.N. experts study in this area use the terms "bacteriological" and "biological" interchangeably. See note 187 *infra.*

[181] ENDC Statement of U.S. Representative George Bunn, ENDC/PV. 389, at 34 (1968). The British working paper recognized that "strict processes of verification are not possible." It suggested that "consideration might be given *inter alia* to the possibility that a competent body of experts, established under the auspices of the United Nations, might investigate allegations made by a party to the Convention which appeared to establish a *prima facie* case that another party had acted in breach of the obligations established in the [proposed new] Convention." See U.K. Working Paper, *supra* note 179.

[182] ENDC Statement of U.S. Representative George Bunn, *supra* note 181.

[183] ENDC Statement of Soviet Representative Roshchin *supra* note 26, at 26.

[184] ENDC Statement of U.K. Representative Mulley, PV. 387, at 6 (1968).

[185] ENDC Statement of Polish Representative Jaroszek, PV. 385, at 23 (1968).

[186] Report to the United Nations General Assembly and the United Nations Disarmament Commission, E.N.D.C. Doc. ENDC/236 (1968).

[187] G.A. Res. 2454 (Dec. 20, 1968). The terms of reference for this study are as follows:

"The aim of the report is to provide a scientifically sound appraisal of the effects of chemical and bacteriological (biological) weapons. At the same, the report should serve to inform governments of the consequences of the possible use in war of chemical and bacteriological (biological) weapons, taking into account Resolution 2162B (XXI) of the UNGA of 5 December 1966, and should contribute to the consideration by the ENDC of the problems connected with these weapons. Chemical and bacteriological (biological) weapons should be treated by experts with experience in the respective technical fields."

The report should include the following data:

(1) The basic characteristics of chemical and bacteriological (biological) means of warfare.

"(2) * * * (biological) weapons on military and civilian personnel, both protected and unprotected.

"(3) Possible long-term effects on human health and ecology.

"(4) Environmental and other factors affecting the employment of chemical and bacteriological (biological) means of warfare.

"(5) Economic and security implications of the development, acquisition and possible use of chemical and bacteriological (biological) weapons and of systems for their delivery."

[188] *See* Report, *supra* note 186.

[189] *Cf.* U.N.G.A. First Comm. Statement of Maltese Representative Pardo, *supra* note 152.

[190] *See* note 181 *supra*. Verification problems have haunted international discussions of this subject since at least the experts consideration in 1924. 7 League of Nations Off. J., *supra* note 91.

[191] *See* notes 71, 79–86 *supra* and accompanying text.

FORTY-FIVE YEARS OF SERVICE

HON. W. S. (BILL) STUCKEY

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 21, 1969

Mr. STUCKEY. Mr. Speaker, a great American and an outstanding public servant recently observed his 45th anniversary as the head of one of our Nation's most important agencies. I speak of Mr. J. Edgar Hoover, Director of the Federal Bureau of Investigation, whose record is unsurpassed.

Like many Americans, I was disturbed by scattered reports that Mr. Hoover would announce his retirement on his 45th anniversary, which he observed on May 10, 1969. I certainly shared the relief of most Americans when Mr. Hoover announced earlier this month he has many plans for the future "but none of them includes retirement."

I wish for Mr. Hoover many years of continued good health and strength so he may continue to provide the type of leadership needed in the law enforcement profession.

Mr. Speaker, I would like to include some editorial tributes which have been paid to Mr. Hoover in recent days by various newspapers around the country:

[From the Tampa (Fla.) Times, May 10, 1969]

FORTY-FIVE YEARS OF SERVICE

Today J. Edgar Hoover celebrates his 45th anniversary as director of the Federal Bureau of Investigation.

Despite rumors that his resignation is pending, he has announced that he intends to remain on the job and is looking forward to many more years of service in the fight to overcome the crisis of "lawlessness" in America.

At 74, Mr. Hoover must sense that those "many more years" will be fewer than the years behind him. But we rather hope they are numerous enough to permit an outstanding American to continue serving his country as positively as he has in the past.

The FBI has enjoyed an excellent record of service under Mr. Hoover. It is a highly respected, well administered law enforcement agency and has remained remarkably free from the taint of scandal.

While fighting to keep his agency strong, Mr. Hoover has firmly insisted that it not become a national police force. No police state psychology has ever penetrated the FBI's inner sanctum.

We congratulate him on a highly successful 45 years of service and wish for him additional years just as successful.

[From the Rockford (Ill.) Morning Star, May 11, 1969]

HOOVER HALTS RUMORS

On the eve of his 45th anniversary as director of the Federal Bureau of Investigation, J. Edgar Hoover has firmly laid to rest any rumors of his impending retirement.

Hoover said Friday he has many plans for the future "but none of them includes retirement." That is good news for all Americans.

Hoover also warned that the Communist party is planning a new drive aimed at American youth and that the Communists have "succeeded in penetrating and influencing a number of militant youth organizations—particularly those of the so-called new left. The largest and best known of these is the Students for a Democratic Society."

The FBI chief said, "The Communist Party of the United States considers the field so fertile at this time, in fact, that it is making plans to start a new youth organization this fall."

It comes as no surprise that the Communists are endeavoring to take full advantage of foment and dissent, particularly on the nation's campuses where disorders are spreading.

The Communists stand ready to move in wherever there is a threat to law and order and a breakdown of the principles on which this nation was founded. It is here they can infiltrate and fan the flames of rebellion.

Hoover emphasized that "the Communist party is as fully dedicated to the destruction of our democracy as at any time in its 50-year history."

Hoover's words cannot be taken lightly. They serve as a reminder that the nation faces a constant danger of peril within as well as outside its borders.

[From the Florida Times Union, Jacksonville, Fla., May 10, 1969]

HOOVER'S ANNIVERSARY WARNING

J. Edgar Hoover is a man with vast investigative resources at his call. He is also in a position where he must be able, when called upon to do so, to prove what he says.

The director of the Federal Bureau of Investigation says the Communist Party remains a threat to the internal security of the United States and that the Communists are planning a new drive aimed at American youth after already having succeeded in influencing and penetrating some militant youth organizations.

Hoover, who marks his 45th anniversary as head of the FBI today, should be heard and heeded because he is a man who knows whereof he speaks.

There have been many attempts to brush up the Communist Party of the United States in recent years and to make it respectable in the eyes of Americans. It holds conventions and even posted candidates in last year's presidential elections.

Largely through rulings of the U.S. Supreme Court, the Communist party has cast off the cloak of illegality and has shoved some of its members into the spotlight, although past and proven methods make it certain that many are hidden deeply under cover.

One has only to read the contemptuous preening of Kim Philby, a former higher up in British intelligence, who could not help snickering in print about how successful he was in being a traitor to his own country. He did this, of course, while safe in sanctuary in Moscow.

It has become fashionable in the United States to sneer at any suggestion that the Communists might be intent on doing what they have said they will do. Hoover knows more than those who sneer at the suggestion. He said: "Today, the Communist Party is as fully dedicated to the destruction of our democracy as at any time in its 50-year history."

However, a great deal of brainwashing has gone on since the excesses of the era of the late Sen. Joe McCarthy. In many circles, the idea that the Communists mean what they have said is greeted with scorn.

The extreme right wing is fair game for any politician who wants to take a verbal potshot at it but the extreme left wing is given an aura of humanitarianism.

There are even ready made terms such as Red-baiting which can be pulled out to belabor anyone who suggests that perhaps the Communists do not have the best interests of the United States or the perpetuation of democracy in mind.

It is a marvel the way the entire milieu has been shaped to equate anti-Communism with ignorance and anti-Facism with intellectual ascendancy.

America wants no part of either and when Fascism was the dominant danger in the world, Americans fought and died to keep it from taking over the world. In Korea and Vietnam, the motivating ideology of the enemy is Communist. Again Americans have fought against it.

Basically the two movements are the same. Both are anti-democratic, totalitarian and anti-human because they regard human beings as mere creatures of the state, to be used as the state wills.

The Communists are shrewd enough to pay lip service to democracy while practicing the most ruthless forms of totalitarianism but Stalin and Hitler were brothers under the skin. When they could not subjugate, they killed.

Hoover has been an adamant fighter against both extremes and it is to his credit that he has incurred the enmity of both. No man in the United States has ever had a better opportunity to acquire more and more power and, if he cared to do so, to misuse this power.

Yet Hoover has been the strongest bulwark against a national police force or anything that smacks of excessive concentration of the police power. He has reacted in most un-

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bureaucratic fashion when Congress from time to time has tried to expand FBI jurisdiction into areas which he felt were the rightful province of state and local law enforcement agencies. He has warned Congress of the dangers of such a move and he has refused.

Today's iconoclasts will admit of no national heroes. They are, in fact, seeking to destroy the faith of Americans in all of their institutions and all of their public men.

Most Americans will, however, on the 45th anniversary of Hoover's FBI directorship, look upon his service and its results and call the product good.

They will listen to his warnings that the Communist nature or purpose has not changed and that the Communists have "succeeded in penetrating and influencing a number of militant youth organizations—particularly those of the New Left."

He is seeking no favors, running for no political office. And he is speaking from knowledge, not suspicion or prejudice. America owes him a deep debt of gratitude.

[From the San Diego (Calif.) Union, May 10, 1969]

Hoover at Helm 45 Years—FBI Built for Lasting Strength

J. Edgar Hoover, observing his 45th anniversary today as the director of the Federal Bureau of Investigation, is the embodiment of law and order in the United States of America.

Guided by a singular dedication and clarity of purpose, Mr. Hoover has become an institution of the federal government, a living tradition.

It is awesome to consider that his span of service to his country dates back to Calvin Coolidge and includes the tenure of eight presidents.

Mr. Hoover set strict professional guidelines for the FBI from the beginning, May 10, 1924. He insisted that "only persons qualified through education would make up the investigative staff; that all employees were to be above reproach in character and reputation."

Under his close guidance, the FBI developed a worldwide reputation for integrity, efficiency, initiative and resourcefulness. Many of today's accepted techniques of crime detection were pioneered by the FBI. It is a respected national institution and Mr. Hoover is the principal architect.

Mr. Hoover says he does not intend to retire, but he will be 75 years old Jan. 1. Even as we honor Mr. Hoover on his 45th anniversary of duty to the nation, we must think hard about a successor who will carry on the same high standards.

Clearly, there are several top-ranking executives in the FBI who could pick up the reins with hardly a pause. Elsewhere in the nation there are many outstanding men among the top law-enforcement officers who might be considered.

But whatever the source, the successor to Mr. Hoover will face a mammoth task. His selection is the awesome responsibility of the President, with approval by Congress.

Let us hope that it will not be necessary to make the selection soon; that Mr. Hoover will continue to apply his prodigious talents and energies to the FBI.

However, when the time does come to select his successor, let us pray that the choice of the President and Congress will be a person of the stature and ability commensurate with the size of the job.

[From the Macon (Ga.) News, May 10, 1969]

The Impeachable Mr. Hoover

Federal Bureau of Investigation Director J. Edgar Hoover could have picked no better time to dispel rumors that he will soon step down from his critical job as head of the federal crime fighting force. The legendary figure celebrated his 45th anniversary as head of the FBI today and, despite his mounting years, remains a volatile force in the direction of the war on crime in this nation.

For years Mr. Hoover has been the object of criticism from those liberals who compose the Far Left in our nation. He has borne the brunt of charges that our law enforcement officials are Nazi orientated and has been called every vile name imaginable. But through it all he has remained a key figure in the cooperative efforts of federal, state and local law enforcement officers to maintain peace and protect the security and stability of this nation.

While Mr. Hoover has been instrumental in the growth of the FBI from a tiny force standing almost alone against organized crime in this nation in 1934, to its present status of an efficient, modern network of crime fighters, spanning the width and breadth of this country, possibly the greatest challenge in his history still lies ahead. President Nixon's announced war on organized crime will require skilled veterans, directed by an individual of unusual ability. Mr. Hoover is probably one of the few men capable of directing this assault. Mounting tension on the campuses and universities of our nation has resulted in a cry for an investigation into the individuals and groups that have ignited a battleground on the home front, too, which soon must be answered.

A number of presidents have shown their faith and reliance on Mr. Hoover by keeping him in this vital post. Despite being well past the mandatory retirement age for federal employes, he has willingly accepted the challenges presented him by this administration.

We salute Mr. Hoover on the anniversary of two and a half decades of service to his country and hope he will continue the good fight against those who would destroy our nation from within.

GETTING THE FACTS TO THE HOUSEWIVES

HON. BENJAMIN S. ROSENTHAL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 21, 1969

Mr. ROSENTHAL. Mr. Speaker, the American consumer is perfectly able to make judgments in the marketplace when the necessary information is available. But under the present system of product manipulation, saturation advertising, and governmental inattention to the consumer, the housewife—and her husband—have real problems.

The shelves of the supermarket show these problems best, or worst. A multiplicity of brands of the same product face the consumer with a variety of sizes, packages, labels, and net contents. Information on these products comes from two principal sources: pre-point-of-sale advertising and information on the package itself. Neither is adequate and both may be outright deceptive or irrelevant.

To correct the problems at point of sale, Congress passed the Fair Packaging and Labeling Act in 1966. In a drastically weakened form, compared to its sponsor's original intentions, this law tries to establish some order in two areas. First, it set standards in the labeling a consumer must read on packages to judge the product's usefulness. Second, it attempts to improve the packaging of products to reduce the confusion when fractional units of contents—like seven-sixteenth of an ounce—are sold in a variety of pricing arrangements or when the same product is available in a confusing number of sizes.

Industry opposition to this law weakened it to the point of uselessness, especially in its packaging requirements. The Commerce Department, known as an industry ally, was given charge of the law's packaging provisions. It was to negotiate with industry the voluntary agreements to reduce the planned confusion on packaging. If it fails—and it is still trying for these agreements—the Commerce Department will report its experience to Congress with recommendations for new laws.

I remain pessimistic that voluntary agreements will ever aid the consumer to get better packaging. Moreover, the best packaging still leaves an information gap for the consumer to bridge himself: how much does a standard unit, an ounce, for example, cost for the various brands available? This kind of information must now be computed in the head of the careful shopper except for the very few consumer-minded stores which do this calculation for the customer.

I propose, therefore, today an amendment to the Fair Packaging and Labeling Act to require that the retail price and price per unit be placed on the label of consumer products including food, household goods and drugs and cosmetics.

This amendment will provide the beginning of the information which the intelligent consumer needs at the point-of-sale. It will not control prices or price reductions so the consumer will still have calculations to make. But it will give him a new start in the marketplace with some important information he needs but does not have now.

The ideal arrangement would be for the store to post the actual price per unit of contents based on the actual sales price. I hope my amendment will encourage the development of that intelligent approach to merchandising which would respond to the growing disenchantment of the consumer with his treatment in the marketplace.

THE PLOT THICKENS

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 21, 1969

Mr. ASHBROOK. Mr. Speaker, the Washington Star today added additional fuel to the conflict-of-interest controversy now centering around questionable activities of some Justices of the U.S. Supreme Court. Yesterday the American Bar Association Committee on Ethics ruled that Associate Justice Fortas had violated the ethics code for judges. Today, according to the Star, the same committee was officially requested to look into the activities of Associate Justice William Douglas.

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The Associated Press made the whole mess more intriguing by reporting that Justice Douglas had been paid $500-a-day fees which amounted to about $5,000 during 1968. Justice Douglas is chairman of the board of directors of the Center for the Study of Democratic Institutions, the source of the added revenue. Curiously enough, the center gets some of its operating capital from the Parvin Foundation which—you guessed it—is headed by none other than Justice Douglas. In fact, according to the press accounts, the center has been the second highest recipient of payments from the Parvin Foundation in recent years. Of course, it is not surprising that the center turns out to be a blatantly liberal think tank whose efforts have coincided with the Justice's liberal views.

I insert the two above-mentioned articles from today's issue of the Washington Star in the RECORD at this point:

[From the Washington (D.C.) Evening Star, May 21, 1969]

FORTAS

(By Lyle Denniston)

American Bar Association officials today asked the ABA committee on ethics to consider Sen. John J. Williams' complaint against Supreme Court Justice William O. Douglas.

William T. Gossett of Detroit, ABA president, passed the Delaware Republican senator's complaint about Douglas' role in the Parvin Foundation to the eight-man committee, which only yesterday ruled that former Supreme Court Justice Abe Fortas had violated the ethics code for judges.

Williams' request for a new investigation, this time into the non-court activities of Douglas, was handed to Gossett at midday today. He promptly sent it on to association headquarters in Chicago to be forwarded to the ethics panel.

PANEL SEEN SPLIT

Association sources said it could be some time, at least several days, before the panel made any decision about looking into Douglas' conduct.

The bar association committee on professional ethics is apparently divided about the role the committee should have in publicizing its findings on a specific judge's conduct.

The split emerged when the committee last weekend considered the question of public disclosure of the finding that Fortas had breached the ethical code.

The vote on that conclusion was unanimous. Relying on Fortas' own statement of his financial ties with Louis E. Wolfson and the Wolfson Family Foundation the panel said this "was clearly contrary to the canons of judicial ethics."

The committee said its conclusion might be changed if "any facts that may be subsequently disclosed" differ substantially from the facts as Fortas outlined them a week ago to explain his resignation.

Two members of the ABA panel voted against making the conclusion public—at least at this time.

PREJUDICE FEARED

One of the two dissenting from the release Floyd B. Sperry, a private lawyer in Bismark, N.D., told a reporter:

"As long as this was in the hands of the Justice Department, and not knowing what he (Fortas) would want to do to clear his name, I was against releasing the opinion."

Sperry said, "I didn't want to prejudice anyone against him, and I felt that, it being in the hands of the Justice Department, we couldn't contribute anything."

The other dissenter, Dean Charles W. Joiner of Wayne University Law School in Detroit, said he felt that since the committee was passing on "past conduct," this should have been given only as "advice" to ABA President Gossett, "and he could do as he wanted."

Joiner said flatly: "I did not want public release."

Fortas resigned from the high court under heavy criticism for his receipt, and later return, of a $20,000 fee from the Wolfson Foundation at a time that Wolfson himself was in trouble with federal criminal prosecutors.

The ABA committee, in studying the incident, made no attempt to get further explanation from Fortas. It said it "is not and has no means of acting as a fact-finding body," and thus "assumed the essential accuracy" of the facts as Fortas outlined them in an explanatory letter to Chief Justice Earl Warren last Wednesday.

The failure to contact Fortas was cited by committee member Sperry as part of the reason for his dissent from public release. "His views were not solicited, and I felt we should not release the opinion without giving him an opportunity" to make his own attempt, if he wished, to "vindicate himself," Sperry said.

UNANIMOUS FINDING

However, both he and the other dissenter, Joiner, stressed that there was "complete unanimity" in finding that the facts as Fortas stated them amounted to a breach of judicial ethics.

Besides issuing the "informal opinion" about Fortas, the ABA's committee on professional ethics made public a "formal opinion" that spoke generally about judicial ethics "in view of the current public interest in the conduct of judges."

"The public," it concluded, "must have absolute faith in the competence and integrity of the courts and must have complete belief that the places of justice are wholly untainted and untarnished by scandal or suspicion of scandal."

While not referring explicity to the Fortas incident, the formal opinion made comments clearly prompted by that affair.

"Friendship alone, prior representation alone, acceptance of fees alone might not be enough to make impropriety," it said, "but the canons direct that the total appearance of the transactions be weighed."

It added that "while few single acts of conduct in this area are specifically to be condemned, in each instance the judge is commanded to order his life in such a way that there are no appearances of impropriety and admonished that these can come from a combination of circumstances, some within and some without the judge's control."

The opinion said that "there is nothing wrong with a judge maintaining his friendship with individuals with whom he had had social contact prior to going on the bench or with whom he had done business prior to this time.

"However, he must be careful to avoid action that may reasonably tend to awaken suspicion that his social or business relations or friendships constitute an element in influencing his judicial conduct."

While both this opinion and the one dealing directly with Fortas were the work of the professional ethics committee, that panel's chairman—Walter P. Armstrong Jr. of Memphis—took no part in the Fortas opinion, the ABA announced.

It gave no reason for his non-participation other than that Fortas is "a former resident of Memphis."

DOUGLAS

(By James R. Polk)

Justice William O. Douglas has been paid $500-a-day fees by a California study center which gets part of its money from the controversial foundation he heads.

The payments to Douglas by the Center for the Study of Democratic Institutions, Santa Barbara, Calif., totaled about $4,000 for 1968 and this year, a center official said.

Douglas has come under fire for his outside salary as president and only paid official of the Albert Parvin Foundation, which has had stock ties with Las Vegas gambling casinos.

Some congressmen have called for an investigation of Douglas' income in the wake of Justice Abe Fortas' resignation from the Supreme Court in the dispute over a $20,000 check from the family foundation of jailed financier Louis E. Wolfson.

Douglas is chairman of the board of directors of the Santa Barbara center as well as Parvin Foundation head.

The center has been the second highest recipient of payments from the Parvin Foundation in recent years. However, the contributions represent only a small portion of the center's financing.

The center encourages study of civil liberties and seminars on international politics.

Harry S. Ashmore, executive vice president of the center, said Douglas received $1000 for two days in attendance at a seminar, $100 for an article and $132 in travel expenses last year.

Ashmore said Douglas got $865 in travel expenses for another seminar earlier this year. He said the justice attended for four days and added, "I presume he was compensated again at the rate of $500 a day."

Ashmore said, however, he found no record that this $2,000 fee has been paid yet.

Also taking part in the Japanese-American political studies seminar at Santa Barbara in January were four senators, one congressman, and two former ambassadors.

Ashmore said they were Sens. J. William Fulbright, D-Ark.; John Sherman Cooper, R-Ky.; Mark O. Hatfield, R-Ore., and Alan Cranston, D-Calif.; Rep. Don Edwards, D-Calif.; former U.N. Ambassador Arthur J. Goldberg, and former Asian diplomat Edwin O. Reischauer.

Ashmore said he thought the others, who attended from one to three days, also received $500 daily.

"That's the usual rate," he said. "We bring them here and work them all day. We work their tails off."

The payments to Douglas were made through the Fund for the Republic, Inc., a non-profit foundation which is identical with the center.

The Fund for the Republic's tax returns for 1962 and 1963 also list fees and expenses for Douglas totaling $4,104 for those two years. Starting in 1964, the tax records stopped listing payments for directors.

Ashmore said the justice does not receive any salary as chairman of the board for the center, a position that Douglas has held for several years.

The Santa Barbara payments have been small compared with the $12,000-plus salary paid to Douglas by the Parvin Foundation.

Ashmore and the center's president, Dr. Robert Hutchins, are directors of the Parvin Foundation along with Douglas.

Tax records show the Parvin Foundation gave the center $70,000 in the period from 1965 to 1967. Last year's returns have not been made public yet.

Princeton University received twice that amount at nearly $142,000 over the three years for foreign fellowships. UCLA got about $40,000.

The two universities and the center were the only recipients of Parvin Foundation grants in the three years.

In the same period Douglas was paid $36,765 as Parvin Foundation president. Over a 7-year period, Douglas received more than $85,000, records show.

Supreme Court justices receive salaries of $60,0000 a year under a pay raise enacted this year.

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It was disclosed yesterday that the Parvin Foundation in March sold its stock in a firm owning three Las Vegas gambling casinos for $2 million.

The firm, Parvin-Dohrmann Co., is now headed by Delbert W. Coleman, a director of the Atlanta Braves. Baseball Commissioner Bowie Kuhn has begun an investigation of stock holdings in the firm by top officials of the Braves and the Oakland Athletics.

Harvey Silbert, secretary and treasurer of the Parvin Foundation, said the foundation's remaining holdings of 21,791 shares were sold in early March.

In a telephone interview Monday from Los Angeles, where the foundation is based, Silbert said the stock was sold through a broker at $91.75 a share. This would result in a total purchase price of $1,999,324 for the stock.

Justice Douglas, reached Monday in Bellingham, Wash., said he had no comment regarding the foundation's past links with Las Vegas holdings or criticism of his role with the foundation.

The foundation was formed in 1960 by Los Angeles businessman Albert B. Parvin, who sold his stock in Parvin-Dohrmann Co. last fall.

Parvin, named by the government as an alleged coconspirator in stock charges against Wolfson, but never prosecuted, is still listed as vice president of the foundation that bears his name.

MICHIGAN WEEK

HON. GARRY BROWN

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 21, 1969

Mr. BROWN of Michigan. Mr. Speaker, this week the people of Michigan and those of us in Congress who represent that great State are celebrating Michigan Week. Basically, Michigan Week is Michigan people working together for Michigan. Michigan Week is the old "Let's all pull together" theme personified.

Volunteers in communities, towns, and cities launch programs in which Michigan citizens show their pride in their community and their State; learn more about Michigan so that they can "talk it up" to others, demonstrate to the Nation and the world that Michigan is proud of Michigan—that Michigan has much to be proud about.

Michigan Week includes 8 special days, each with a designation for special emphasis and observance. May 17, the first Saturday of Michigan Week, was Community Park Day. Sunday was Spiritual Foundations Day, marking the part that churches and religion have played, and still play, in Michigan history. Each day's name is more or less self-explanatory. Monday was our Government Day; Tuesday was our Heritage Day; today is our Livelihood Day; Thursday our Education Day; Friday our Hospitality Day; and Saturday, the week closes with our Youth Day. History, culture, agriculture, tourist attractions, natural resources, educational programs all take a turn in the spotlight, and all have a very definite place in Michigan Week.

These features of Michigan did not "just happen." They are the result of individuals, groups, and government exhibiting foresight in judicious use of these blessings, a willingness for hard work in developing them, plus a spirit of cooperation and pride.

This week, I would like to take a few moments each day to share with my distinguished colleagues some of the more significant aspects of our great State and their influences on the lives of its citizens. I would like to relate how some of these programs began and how they are carried out and developed to meet the needs of today's residents and future generations. To do this, I am pleased to insert in the RECORD, a series of articles which appeared in the latest issue of the Michigan Challenge, official publication of the Michigan State Chamber of Commerce. The first four of these articles follow and the remainder will be inserted each day throughout the week. I urge my colleagues to read these reports so that they may come to learn what we in the Great Lake State know—Michigan is a State of which we can all be proud.

The articles follow:

NATURAL RESOURCES

(By Al Balden, waste treatment specialist, Chrysler Corp.)

One of the greatest competitive advantages Michigan has over her sister states lies in an almost unbelievable quantity of accessible, clean, fresh water. A recital of a few of the facts concerning our unique resource is very impressive. For instance, there are 3,131 miles of Michigan shoreline on the Great Lakes, and no place in Michigan is more than 85 miles from one of the Great Lakes. And 11,000 inland lakes.

The most distinctive aspects of the Great Lakes are the many uses to which they can be and have been put. To illustrate, Alaska has more miles of shoreline than does Michigan, but it is salt water, not fresh. In both instances the water is used for commerce, commercial and sport fishing and aquatic sports. In addition to these uses, Great Lakes water may, with a minimum of treatment, be used for domestic water supply.

The quality of the water is excellent for most industrial and farm irrigation uses, and the cost of purification necessary for even the most critical use is considerably less than that necessary in other areas.

Our responsibility is to protect these many uses of this inherited resource, so that it may also be a heritage for our children.

In the fall of 1962, the Chamber of Commerce Water Resources Committee was formed, consisting of technical men from a cross-section of the state's industry. The first self-imposed task of this committee was to develop a Water Resources Policy for the State Chamber. Among these adopted policy statements was an intent to "--develop the optimum use and conservation of all waters fo the state—", and to provide guidance whereby "— all beneficial water needs may be most fully and permanently met."

After many meetings and considerable study, it became apparent to the committee that although Michigan was foremost among the leaders of the states in matters of abatement of the pollution of our lakes and streams, the basic water law of the state needed to be strengthened to meet the challenges of the last third of the 20th Century.

One of the serious shortcomings of the law which hampered the competent staff of the Michigan Water Resources Commission was the necessity to prove that downstream use of a river was deleteriously affected by an outfall that was obviously polluted.

It was a basic tenet of the Chamber of Commerce Water Resources Committee that if corrective action was demanded by logic as well as by public demand, such action would be taken. If it was considered preferable for such action to be taken by the state, and it was so considered, it followed that the state must be given the laws to act effectively. Failing this, the correction would be made by others, perhaps not so knowledgeable concerning details of the state's water resources as one might wish.

Considerable time was spent meeting with joint Senate-House Committees arguing for amendments that would provide to the state agency those tools necessary for the tasks. One of the key amendments passed stated that "—it shall be unlawful for any person—to discharge into the waters of the state any substance which is, or may be, injurious to the public health, safety or welfare." It enumerated the various uses of the waters which were to be protected. These were domestic, commercial, industrial, agricultural and recreational uses. Riparian lands and wildlife were protected from injury. Any discharge of untreated domestic waste was considered prima-facie evidence of violation of the law.

It was no longer necessary to prove injury in long, drawn-out court cases. It was enough to establish that injury might result from the presence of a given pollutant and to establish its presence.

The 1965 amendments to Act 245 of the Public Acts of 1929 gave the State Water Resources Commission authority to act to abate pollution. It was now obvious that some additional hands would be required to use the tools available. An increased budget was requested by the Water Resources Commission to enable it to enlarge its staff. This, too, was strongly supported by the State Chamber and was adopted in the same year.

It was recognized, at this time, by the State Chamber Water Resources Committee, that the biggest impediments to the accomplishment of the law's goals were likely to be, (1) ignorance of the new provisions of the law, as well as, (2) ignorance of the possible technical solutions to the various problems brought to light by the law.

It is recognized by those experts in the earth sciences that as soon as a mountain or lake is formed, the process of degradation begins. As the forces of nature erode and gradually level the mountains, so too, does the flushing action of a rain carry various inorganic and organic solids to the creeks and rivers which move them on to the lakes.

Some of the solid matter will settle to the bottom of the lake and start filling it and some of the minerals will go into solution and serve as food for plant life. Fish and other aquatic biota find their place in the general scheme of things and a balance of life is established.

So long as the balance is maintained, the process by which the lake fills up or dies (eutrophication) takes place over a very long period of time. It is important to recognize that it is just as natural for lakes to die as it is for animal life. However, this process has been greatly accelerated by man.

We are all acquainted with the small inland lake that was so beautiful just a few years ago and is now a weed-clogged insult to our sensitivities. What happened? People came and stayed and misused a resource. In some instances canals were dug to provide more lake frontage. The drainage from the septic tanks with its load of phosphates, nitrates and organics reached the lake and formed an ideal environment for the lush growth of algae and other water plants. These serve as food for fish and for a while the fish manage to maintain the balance, but as the organics are oxidized by bacterial action, the oxygen is depleted to the level at which game fish could no longer thrive. With nothing to consume the plants, they continued to grow at an uncontrolled rate resulting in the present unsightliness.

More information is needed concerning the threshold amounts of the various nutrients

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required for this unbalance. However, it is obvious that this limit, whatever its value, has been exceeded in many inland lakes.

To help correct the condition whereby the premature demise of small lakes takes place due to artificial expansion of the lake building frontage, a bill was passed, Act 291 of the Public Acts of 1965, requiring that any new lake subdivision must have its plat approved by the local and state health authorities.

As is the case with many problems involving a highly civilized society, the face of the problem changes even while corrective action is taking place. The new face was there all along, but the original was so dominant, it appeared to be the only face. This has certainly been so in the campaign to alleviate water pollution.

At one time, our attention was focused almost exclusively on the river itself and on what was being done to water entering the river from industries and municipalities. It then became obvious, to those who took the time to consider it, that those solids removed during the treatment of the wastewater still required attention. If, as was too often the case, such sludges were emptied to a worked-out gravel pit, the chances of these pollutants again finding their way to a water table or aquifer were all too real.

The Solid Waste Act, Act 87 of the Public Acts of 1965, was passed to bring some regulation to this uncontrolled activity. The essence of this law is that all landfill operations must be licensed. The responsibility for issuing such licenses was placed with the State Department of Public Health. The intent of the legislation was to eliminate the smokey, odorous, pest infested dumps—the bad breath of our civilization. The regulations also forbid the use of these sites for the disposal of materials which could become water pollutants. Carefully prescribed operation of the landfill is required by the regulations. Open burning is not permitted and specified methods of filling and covering are to be followed. Maybe, in time, we can rid ourselves of these pimples of callow youth.

During this period it became increasingly evident that pollution of the air, the water, of the land surface was one problem with many facets. The State Chamber Water Resources Committee, in recognition of this, became the Natural Resources Committee. Considerable work was done at this time with members of the House and Senate to fashion an effective, equitable law to combat air pollution. The law established an Air Pollution Control Commission with the power to establish regulations to control the emission of such things as the particulates and chemical gases from such processes as the burning of coal, the melting of metals, and the making of cement, to name a few. Public hearings were held before the regulations went into effect. The State Chamber Natural Resources Committee participated in the hearings and served as a voice of industry in the discussions leading to final agreement.

It is anticipated that many more problems will become evident as time passes and the area grows in population and the people gain in affluence. The Natural Resources Committee of the Michigan State Chamber of Commerce will continue to speak for industry and to cooperate with the legislative and executive branches of government so that by mutual effort the solution to problems can be undertaken as soon as they are identified and their dimensions defined.

Arts in Michigan

(By E. Ray Scott, executive director, Michigan State Council for the Arts)

In our busy, commercialized day-to-day world, it is easy to lose sight of the importance of the arts and their value and influence on our culture.

Fortunately, Michigan has had a number of civic and government leaders who believe that efforts need to be made and facilities and opportunities provided to expose Michigan's citizens to the various art forms. For they believe that the returns are most worthwhile.

Former Governor George Romney said, "We are concerned about the quality of life in America and Michigan. One factor that can lift the quality is the stimulation of a greater interest in the arts. There is a special need at this time to interest more young people—who have more spare time today than ever before—in cultural and artistic activities in our communities throughout the state."

In response to this recognized need, a Michigan State Council For The Arts was formed in 1966. Its primary purposes are to provide opportunities to expanded Council activity throughout the state in the three-fold manner. First, by making performing groups and exhibits of professional caliber available to Michigan communities at a price they can afford. Second, by providing expert technical assistance to new or established culturally-oriented organizations in order to upgrade the level of their programs. And third by creating * * * which will enable native artists to earn a livelihood in their state.

We feel that indifference to the arts is symptomatic of those who have yet to be properly introduced to cultural experiences. Unending efforts are being made to assure not only pleasurable first time exposure but a continued acquaintanceship. One method of accomplishing these goals is to encourage the creation of local arts councils in as many communities as possible.

Governor William G. Milliken, speaking on the Council, recently asserted, "The well-planned program of the still new Arts Council offers fresh opportunities for Michigan communities and groups to sample Art forms, often for the first time, and to increase their appetites for a wide variety of cultural activities.

"There are many urgent reasons why the Michigan legislature, foundations and organizations should increase support of a stronger arts program. Culturally-developed areas attract business. A thriving symphony or a lively summer theatre can no longer be described as frivolous frills. Arts programs in culturally-deprived areas can change negative behavior and attitudes. Arts programs have holding power over some youths who might have dropped out of school. Good design is good business, with more architects and businessmen agreeing that mediocre buildings are costly to build, offensive in appearance, and have short lives. The arts certainly appeal to local pride.

"And there is no debate that the cultural arts do enrich lives of the entire population spectrum: young children, teenagers, young adults, mature citizens and retirees."

Interest in the arts in Michigan and work of the Council is evidenced by the number of proposals for cutlural projects that last year were made to the Council. Budget limitations prohibited the Council from undertaking most of them. In fact, it is estimated that the Council's $140,000 annual budget would have had to be nine times greater to implement all the suggestions.

Of the Council's $140,000 budget last year, the state provided a $109,020. The remainder came from federal grants and the Michigan Fine Arts Foundation. Distressing to the people working in this area is the fact that the Council had a $150,000 budget during its initial year, had it trimmed to $142,000 the second year and was cut back again, although former Governor Romney had recommended a substantial increase.

The activities of the Council fall into one of the four categories of operation. They include consultant service, touring attractions, special projects and minigrants.

The consultant service program is geared to work closely with many culturally-oriented organizations that find themselves in need of expert technical assistance or advice when cronic problems arise or opportunities present themselves.

The touring attractions program this past year offered 80 Michigan performing groups and exhibits of the highest caliber to community organizations and schools seeking to enrich their cultural programs.

The MSCA Touring Attractions Program has two broad purposes. It creates opportunities for Michigan residents to experience all the Arts more frequently and on a level of excellence never before possible; and it develops larger and more appreciative audiences which in turn will provide employment for more artists in every discipline.

The attractions are reviewed and approved by professionals and knowledgeable laymen to assure uniform standards of excellence in all presentations eligible for MSCA support.

These presentations are available for sponsorship by any community group or organization willing to follow a simplified booking procedure, publicize the attraction, apply to the Council for supplementary funds if a deficit appears likely, and submit a short report, following the presentation.

More than 97 performances were offered in 55 communities.

The Special projects aspect of the Council's program to stimulate cultural growth and to eliminate deficiencies found in many areas of Michigan—rural, innercity and suburban.

More than 70 program proposals seeking Michigan State Council for the Arts support were studies by the Council this past year. Nearly $1 million would have been required for full implementation. Approved in concept and referred to the Council for final deliveration were 52 projects. Unfortunately, only 13 could be funded within the MSCA budget allocation for this category of cultural programming.

Some of the special projects which were implemented or in process during the last half of the 1967–68 fiscal year and the first half of 1968–69 included:

Arts Sampler Pilot Program, Ambassador Program and Handbook to aid establishment of local arts councils; Cranbrook Writer's Conference; Dance Ambassador Program; Dance Film Brochure; Detroit Summer Cultural Enrichment Program; Directory of Michigan Museums; assist to Keeweenaw Playhouse; "Langston Hughes Looks at Dark America" touring program; Visual Arts Exhibits; Music-Lecture demonstrations to youth in 54 communities.

One of the problems that the Council has had was how to accommodate proposals requiring financing after the funds had been allocated. To solve this, a "mini-grant" program was established. It can help those who need "just a few hundred dollars" to complete a project.

During the last half of 1968, six projects were assisted under this program. They were: Celeste Cole Opera Workshop; Dance Ambassador Survey; High School Music Workshop at Western Michigan University; Manikan and Costume Exhibit for the Manistee Historical Society; Monroe Chamber Singers; and a Detroit Pre-School Violin Program.

Five projects are now being implemented. They include help with a state-wide newsletter, interracial production of the play "Dark of the Moon," assistance with a display for a museum, sponsoring a state-wide dance assembly, and advisory assistance for a summer performing arts center.

Michigan's citizens are interested in the arts and need the assistance that is being provided by the Council. The significance to our lives in this area of our culture cannot be emphasized enough if one believes the statement made by the late President John F. Kennedy, "There is a quality in art which

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speaks across the gulf dividing man from man, and nation from nation, and century from century . . . That quality confirms the faith that our common hopes may be more enduring than our conflicting hostilities. Even now men of affairs are struggling to catch up with the insights of great art. The stakes may well be the survival of civilization."

MICHIGAN INDUSTRY

(By Harry R. Hall, president, Michigan State Chamber of Commerce)

For a period of years, Michigan has had the image of a one-industry State. It is true that the one most decisive factor in the economic development of Michigan has been the automotive industry and related durable goods manufacturing. More than many other industrial states, Michigan depends on heavy manufacturing for the expansion of its economy.

The automobile has spawned many subsidiary parts and supplier industries, such as motor vehicle parts and accessories, internal combustion engines, metal-working machinery and equipment, machine shops, hardware for autos, screw machine products, metal stampings, blast furnaces, steel works, rolling mills, iron and steel foundries and hundreds of service industries to, in turn, serve the supplier plants and the employees that they require.

Michigan does have strength and diversity in its industry, however, aside from the broad base provided by the automobile manufacturing and servicing. According to the U.S. Bureau of the Census, Michigan has 352 of the 414 individual type of industries classified into the 20 major industry groups. In 4 of these 20 major categories, Michigan has representation in all sub-classifications. In three major groups, representation exists in all but one sub-classification in each of the twenty groups and in six groupings Michigan is represented in all but two classifications.

Michigan has the seventh largest population in the nation, but ranks sixth in both manufacturing and in value added by manufacturing; that is the amount by which value of shipments exceeds cost of materials and supplies.

These examples are used to illustrate the diversity in industry. This requires a well diversified labor force with special emphasis on specialized skills.

Michigan's industrial future is bright. The geographic location gives superior access to the Great Lakes. No community in Michigan is more than 85 miles from one of the four great lakes. The 3,121 miles of shoreline is greater than that of all states in the nation except Alaska and Hawaii, but it must be remembered that Michigan is in the midst of the concentrated markets of the nation.

The water supply is unexcelled. This is an indispensable prerequisite for expanding industry. There are 11,037 inland lakes and 36,350 miles of streams. No community is more than six miles from such a lake or stream. Michigan's aquifers are unequaled. Over most of the State there is between 100 and 200 feet of porous water-bearing earth and below this there is thick, porous sandstone and limestone rock. Industry can usually find adequate underground water supplies from 25 to 500 feet deep. For these reasons, and with heavy rainfall and snowfall common to the region, but with less evapotranspiration losses, Michigan can claim undisputed title to the largest fresh water supply in the nation, if not the world, for any area of similar size.

The business climate in Michigan is conducive to continued expansion. Confidence of industry is expressed in unmistakable terms by expenditure of $1.5 billion each year for the past five years for expansion of plants and equipment.

PROTECTING THE CONSUMER

(By B. Dale Ball, director, Michigan Department of Agriculture)

Who can you call for help if your dairy keeps delivering sour milk? If your friendly neighborhood butcher sells you short-weight meats? If your newly-seeded lawn comes up mostly weeds?

It's a surprise to many Michigan residents that these complaints can be directed to the Michigan Department of Agriculture for the necessary corrective action.

These, and other consumer protection services, occupy about 75 per cent of our department's time. Among the department's many responsibilities is safe-guarding meat, dairy and other food supplies for Michigan families. However, the products of the farms throughout our state provide the basis for all these activities. Farm production is, *and always has been,* the real foundation of the U.S. standard of living.

A recent name change within the department helps to focus attention on consumer services. Our former Regulatory bureau has become the Bureau of Consumer Protection. It has the job of administering more than 200 laws and regulations dealing directly with consumer services.

The change of name was approved by Governor Milliken upon the recommendation of the Michigan Commission of Agriculture, which is the five-member policy-making body for the department.

Divisions operating within the new Bureau of Consumer Protection include, Animal Health, Dairy, Food Inspection, Laboratory, and Plant Industry.

One of the major programs of the Animal Health division is state-wide meat inspection which assures consumers of wholesome meat. Other activities include control and eradication of livestock diseases and pests, many of which are transmissible to humans. Brucellosis, a serious disease of cattle, is known as undulant fever in man. We are pelased that Michigan is presently certified as a brucellosis-free state.

Insuring Michigan residents a safe, wholesome supply of dairy products is the responsibility of the Dairy division. This is accomplished through inspection of dairy herds, bulk haulers and milk plants throughout the state.

Nearly 100 laws and regulations designed to protect consumers are enforced by our Food Inspection division, which checks on sanitary conditions in all types of food establishments; seizes violative products to prevent sale of misbranded, adulterated or decomposed foods, or any foods containing illegal additives; inspects labeling for false, misleading and deceptive advertising.

This division also checks the accuracy of all weighing and measuring devices used in the sale of commodities, to insure that purchasers get full measure. Everything from a pound of butter to a gallon of gasoline comes under scrutiny.

Plant Industry division administers laws, regulations, quarantines and restrictive orders for the purpose of preventing the introduction and spread of plant pests and diseases. Inspection of nursery stock, seeds, economic poison applicators, and Christmas greens are included.

Laws and regulations pertaining to feeds, fertilizers, livestock and poultry remedies, economic poisons and seeds are enforced by the Laboratory division. The laboratory also provides analytical, diagnostic and technical services to all other divisions of the department, and to other state agencies.

Any report of department activities must certainly include a comment about use of pesticides and their effects on the quality of our environment, since this topic has received so much public attention in recent months.

The Michigan Department of Agriculture is the state agency responsible for the administration of pesticide control laws and regulations. This includes registration and enforcement of all labeling requirements. The department also tests economic poisons to assure users that materials meet the guarantees and labeling requirements.

Annually, our department laboratory tests nearly 3,000 samples of various kinds of foods to protect consumers against pesticide residues. Results of the 2,738 food and dairy analyses conducted last year indicated no hazards to consumers.

As chairman of the State Soil Conservation committee, which operates under the Michigan Department of Agriculture, and as a member of both the Water Resources Commission and the Air Pollution Control Commission, I am vitally interested in safeguarding man's environment.

In public meetings and in private conversations with various groups and individuals, I have repeatedly called for further, detailed scientific study of all influences upon the quality of our environment.

The Department of Agriculture has supplied information on pesticide use and controls to the special study of the Michigan State Chamber of Commerce, Natural Resources committee. I believe the Chamber has performed a valuable public service in its careful evaluation of this issue, and I am in accord with its committee report.

Certainly the subject of proper use of pesticides is complex, and it has been further complicated by emotional reactions and some erroneous statements. The reports of former Governor Romney's Pesticide Advisory Panel, and of the Joint Legislative Pesticide Study committee, provide important information and additional source materials for anyone interested in this subject.

Most important of all, effective research upon which to base decisions is absolutely essential if we are to meet the food needs and the environmental quality needs of this and future generations.

Creation of a foreign trade branch within the Marketing division of the Department of Agriculture, by legislative action in 1968, has stimulated growing interest in markets overseas.

Already Michigan's second largest industry, agriculture and its related agri-business must seek new markets abroad if continued healthy growth is to be assured.

While the potential share of this oversea market will increase as consumer incomes rise throughout the world, our success in meeting this challenge will depend upon our ability to anticipate the needs and to supply them efficiently and economically.

The department's international marketing program includes conducting market research abroad, encouraging and assisting expansion of international activities by the various commodity commissions and farm organizations of the state, and cooperating in overseas trade fairs and missions.

Seven industry, education and government representatives are serving as an Agricultural Export Advisory committee to assist with development of plans and projects in this field.

V. I. LENIN—UNESCO IDOL

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 21, 1969

Mr. RARICK. Mr. Speaker, little publicity has reached the American people that the U.N. education committee known as UNESCO on November 19, 1968, resolved to commemorate the centenary of Vladimir Ilyich Lenin. And the resolution reads that its purpose is to portray Lenin to the world as a humanitarian because of his "humanistic ideas and activities on the development and

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realization of economic, social and cultural rights."

What a travesty against history, and so typical in a series of U.N. rebuffs against truth and freedom.

Lenin's own record in word and deed belies the UNESCO strategy to make of him a humanistic idol. Lenin prided himself as a brutal terrorist who obliterated religion and executed a systematic genocidal pogrom against ethnic groups, classes and all who opposed him. After the 1917 Communist coup and subsequent reign of terror, Lenin became absolute dictator over the powerless population of Russia.

That any organization—other than the Communist International—would attempt to prostitute education by peddling Lenin as a humanist is an insult to the civilized world community.

This is but one example of the domineering power of the Communist bloc in the U.N. The vote on the UNESCO resolution, in the subcommission, was 48 to 7, 12 abstaining, and 47 member states preferring to be absent. Our U.S. delegation feebly protested, but failed to take any further preventive measures.

This latest defeat in the Red-controlled U.N. Organization should enlighten even the most wistful dreamer—that the Communist International is in control, that they are single-purposed, and will use their raw power to advance their own goals.

The budget of the U.S. Government for the fiscal year 1970 allocated $92,000,000 for the U.N. and specialized agencies, of which $10,531,000 is assigned to UNESCO The year 1970 will be the UNESCO "Lenin Year"—and U.S. tax dollars are being contributed to pay $10.5 million to UNESCO's discretion in its varied projects, one of which is propagandizing the non-Communist free world to venerate the old Communist Lenin.

Mr. Speaker, 3 years ago, I had introduced a bill to repeal the U.N. Participation Act which I have again introduced in the 91st Congress as H.R. 886. I include the resolution from the U.N. Commission on Human Rights, H.R. 886, and newsstories:

[From Human Events, May 17, 1969]

The U.N. Adopts Lenin

(By Eugene Lyons)

The news would be funny if it were not so obscene. I refer to the news that the United Nations, in the words of a press dispatch (New York Post, March 14), "is preparing to honor Lenin" for his contributions to "economic, social and cultural rights."

The U.N. educational division, UNESCO, has authorized a symposium on Lenin next year to greet the centenary of his birth in 1870, and the U.N. Commission on Human Rights, in Geneva, is working on a draft resolution at this writing to hold a special meeting during the centenary as a memorial for "the humanist ideas of Lenin."

In line with the UNESCO action, the commission, again in the words of the dispatch, "was expected to adopt" the resolution. By the time this column is in type it will undoubtedly have been passed. Dozens of free governments, our own among them, will thus have been committed to take part in a global salute to the chief architect of modern totalitarianism—and this under the banners of humanism, progress and human rights!

One has to stop to think for a moment—a moment should suffice—to recognize the grotesqueness of such homage by nations engaged, these 50 years, in warding off the menace of Lenin's Bolshevism.

The Kremlin has only a single hero, Lenin. All the rest of the founding fathers have been executed or posthumously disowned as traitors. Even Stalin, Lenin's successor, was denounced as a monster by *his* successors. To make the most of their own remaining "father," the Moscow oligarchy is preparing a worldwide spectacular in April 1970 to celebrate his 100th birthday.

The billion human beings in Communist prison-lands because they have to, and millions in free societies because they have been mesmerized by leftist propaganda, will mark the centenary with unlimited glorification of Lenin. And now the United Nations—quite obviously on the initiative and under the pressures of the Communist members—have been euchred into joining the macabre festivities.

Vladimir Ilyich Lenin, of course, is a great historical figure. His impact on mortal affairs has been immense, deeper than that of any other leader in the 20th Century. But the consequences of his influence have been tragically destructive of human rights, democratic institutions and humanist impulses:

To "honor" him for supposedly having served these very values and institutions is therefore pure burlesque. It is an insult to the millions of innocents who died through Leninist terror, to hundreds of millions now living under Leninist dictatorships from Eastern Europe to China, from Russia to Cuba.

The living memorial to Lenin's contributions to human and cultural rights is the Communist world, penned in behind Iron Curtains and Berlin Walls, in which a third of the human race is denied the most elementary freedoms. It was in Lenin's name, in strict conformity with the totalitarian methods he pioneered, that a bid for freedom was crushed in Hungary in 1956, in Czechoslovakia only last August. How, except by the fruits of his life and works, is any leader to be judged?

Since the passing of Stalin there has been a tendency to romanticize Lenin, and certainly he seems humane by contrast. Yet there is little that Stalin did, except in scale, that was not first done by Lenin. Stalin simply carried to fantastic extremes the crimes first committed, or sanctified as doctrine, by his predecessor.

It was Lenin who stamped out all vestiges of free speech and press; set up the first terror machine, the Cheka; organized the first Soviet concentration camps for political dissenters; and devised the technique of "hostages" in which thousands were murdered for the alleged sins of others.

It was Lenin who dispersed the first and only democratically elected legislature, the Constituent Assembly, after he had hijacked absolute power from those who overthrew tsarist absolutism; who crushed the Kronstadt rebellion of his own Red sailors, slaughtering some 20,000 of them.

He had a boundless contempt for the people, this Lenin. He would drive them to the Communist utopia with whips of terror, wielded by a self-chosen revolutionary elite. He despised human rights in theory and suppressed them ruthlessly in practice.

He ridiculed "morality" as a bourgeois superstition. His writings, like his actions, were saturated with scorn of democracy, civil rights and humanist scruples about taking life. In the delusion that he was the destined instrument of History, be set up a totalitarian police-state in which Mussolini, then Hitler, found a ready-made model for their own fanaticisms.

And this is the man whom the United Nations is preparing to "honor," in concert with Moscow, Peking and Havana! By the same logic its Commission on Human Rights should memorialize Stalin and Hitler and their spiritual forebears Caligula and Genghis Khan for their respective contributions to human freedom.

This moral atrocity can still be prevented by democratic public opinion. There are organizations in our country dedicated to support of the United Nations. Will they have the guts to demand a cancellation of the UNESCO decision? Will the free press in free nations expose and denounce this assault on common sense and historic reality? If the Commission on Human Rights proceeds to celebrate "the humanist ideas of Lenin," it will stand convicted of monumental hypocrisy.

Question of the Realization of the Economic and Social Rights Contained in the Universal Declaration of Human Rights and in the International Covenant on Economic, Social and Cultural Rights

(Resolution adopted by the U.N. Commission on Human Rights, March 1969; U.S. voting against)

The Commission on Human Rights,

Having considered item 9 of its agenda on the realization of economic and social rights, contained in the Universal Declaration of Human Rights and in the International Covenant on Economic, Social and Cultural Rights,

Taking into account the resolution adopted on 19 November 1968 by the General Conference of the United Nations Educational, Scientific and Cultural Organization, according to which the Director-General of that organization was authorized to initiate some arrangements on the occasion of the centenary of V. I. Lenin and in particular, to organize the symposium "V. I. Lenin and the problems of development of science, culture and education",

Noting the significant practical and theoretical contribution of Lenin, prominent humanist, to the development and realization of economic, social and cultural rights,

Bearing in mind the centenary of Lenin, which will occur in 1970,

1. *Welcomes* the decision of the General Conference of the United Nations Educational, Scientific and Cultural Organization to make arrangements on the occasion of the centenary of Lenin and notes the historical influence of his humanistic ideas and activity on the development and realization of economic, social and cultural rights.

2. *Requests* the Chairman of the Commission on Human Rights to enter into consultation with the Director General of the United Nations Educational, Scientific and Cultural Organization on the participation, in accordance with the procedure of that Organization, of a representative of the Commission in the symposium to be organized on the occasion of the centenary of V. I. Lenin.

Statement by U.S. Delegation to U.N.

(Statement by U.S. Delegation in UNESCO General Conference Subcommittee for Social Sciences, Human Science, and Culture, October 24, 1968, on proposed symposium in recognition of centenary of Lenin's birth under UNESCO program for the commemoration of great personalities and events)

The United States can understand the Soviet desire to celebrate the centennial of the birth of one of its historic figures. But more direct and substantial participation by UNESCO in the celebration of a major historical figure should, we believe, be governed by another consideration. This consideration should be the relationship of that person's life and works to the underlying purposes of peace and international understanding that UNESCO is designed to perpetuate.

Here we enter upon a difficult terrain of judgment, one on which men may reasonably differ. Yet there are historical figures whose lives and works unquestionably fall within the purview of the purposes for which this organization was created. Gandhi and Buddha are such figures; their ideas, indeed

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their lives belong to no nation, to no sect, to no ideology. They are transcendently part of the common heritage of mankind. The commemoration of Karl Marx also was an appropriate one for UNESCO to undertake, for he too was a man of no party, no country. (Indeed, toward the end of his life, when he was confronted with some of the perversions to which his ideas has been put, he denied that he was a Marxist.)

My delegation is of the opinion that it is exceedingly difficult to place the draft resolution before us—for a symposium on V. I. Lenin as a "precursor of world science" and to study his relationship to the problems of culture, science and art within the same category. I must confess that as an historian my first reaction to the present proposal was to be overwhelmed by admiration for its audacity. I have no doubt that Lenin was a very great man. But his greatness was of the sort that puts him in the historical company of Bismark or Napoleon, not of Gandhi or Buddha or Marx. Like Napoleon, Lenin led his nation through the later stages of a great revolution; like Napoleon, Lenin turned his revolutionized society to an aggressive international policy; like Napoleon, Lenin came to power promising freedom and became instead an innovator in what might be called the technology of the police state; just as Napoleon became the patron saint of military strategists in the nineteenth century, so has Lenin became the patron saint of advocates of violent revolution in the twentieth century. Certainly these were very great accomplishments, of profound importance to the people who experienced them; but are they the kind of accomplishments to which UNESCO wishes to lend its imprimatur? Do we really wish so to commemorate a man whose whole political philosophy is perhaps best summed up in his statement: "Every man must take either our side or the other?" Is it not in some way inappropriate that on this the even of the fiftieth anniversary of the establishment of the Czechoslovakian Republic, UNESCO considers an appropriation to commemorate the man whose declaration that all communists must "fight against petit-national narrow mindedness" is cited by Pravda to justify the recent unhappy events in that country?

Our purpose here is not to bring politics into the deliberations of UNESCO, but to exclude it: to point out how difficult it is to approach the commemoration of Lenin in the spirit which one may bring to the commemoration of Buddha, Ghandi, or Marx.

An international symposium on Lenin and his relationship to the development of culture, science, and art—*if held under conditions of free inquiry and free expression*—might prove very embarrassing to this organization; I have no doubt at all that it would prove very embarrassing to the sponsors of this proposal. A symposium held under any other conditions—that is to say, conditions in which the diversity of views as to Lenin's thought and career was not freely displayed—would be widely regarded by American public opinion as an attempt to political propaganda and an activity quite incompatible with UNESCO's purposes. Such an activity would jeopardize the widespread popular support for UNESCO that has developed over the years of its existence.

It is for these reasons that the United States Delegation feels compelled to oppose the proposal before us."

STATEMENT BY MRS. RITA HAUSER, U.S. REPRESENTATIVE ON THE COMMISSION ON HUMAN RIGHTS IN GENEVA, MARCH 14, 1969, IN OPPOSITION TO SOVIET PROPOSAL FOR COMMISSION OBSERVANCE OF THE LENIN CENTENARY IN 1970

Mr. Chairman, my Delegation must view draft resolution L. 1083 with some measure of concern, indeed with dismay.

We have listened to the laudatory comments made by the Soviet Delegate as to one of his country's great heroes—V. I. Lenin—and we fully understand the pride that his countrymen feel for this important man of history. Needless to say, Mr. Chairman, each of us, in the exercise of his own intellectual capacity, must make a personal judgment of Lenin as a "prominent humanist"—as he is described in the draft resolution, and determine for himself what is Lenin's rightful place in the history of the world. Each member country here has its own national heroes who are, surely, to the people of each such country, on a par with Lenin in the place these men hold in the hearts of their countrymen. Indeed, many such men are revered beyond the borders of their own countries and are thoroughly loved as international figures.

My concern is not with the Soviet reverence for V. I. Lenin, which I fully understand, but with the unhappy precedent we will be establishing here in this Commission in deciding to celebrate his centenary. By the rules of logic, it follows that we should celebrate the centenary or other anniversary of other great figures of the world. This would surely be a heavy burden on our time, and take away from our more important efforts. It would also violate the strong expression of views given to us by our parent body, ECOSOC, in its resolution 1368 of August 2, 1968 which states as follows:

"1. Expresses the hope that new proposals for the designation of international years and anniversaries will be avoided except on the most important occasions and after consideration of the probable impact of such proposals on existing celebrations;"

I feel, Mr. Chairman, that we are duty bound to follow the view expressed by ECOSOC and my delegation is dismayed that the many co-sponsors of this resolution have chosen to ignore our parent body's advice.

Mr. Chairman, UNESCO has often organized other symposia turning on the lives of great men of history. This is a proper matter for UNESCO, which we know is developing plans for the centenary observation authorized at its last General Conference. But it has never been in the scope of work of this Commission to do the same, and we see no reason why this Commission should take note and welcome the decision of UNESCO as to this one man, V. I. Lenin, when we have never before noted the activities of UNESCO as to other people. Moreover, we see no reason why, as paragraph 3 of the draft resolution provides, one of our meetings at next year's session should be dedicated to a review of the ideas of Lenin, when the proceedings of the UNESCO symposium will be published and available for everyone, who may wish to do so, to read and study.

I wish also to point out that the draft resolution is not accurate in its second preambular paragraph in stating that the UNESCO General Conference "unanimously" adopted the decision on the Lenin symposium. When the specifics were taken up at UNESCO in its Sub-commission last fall, numerous countries spoke against the proposal and the final vote was 48–7 with 12 abstentions. Moreover, 47 other countries preferred to be noted as absent. Thus, there was by far a lack of unanimous sentiment at UNESCO for the decision taken where the matter was thoroughly discussed—in the appropriate Sub-commission. It was not subsequently opened up and discussed again in plenary session when the program chapter, in its entirety, was voted on.

Mr. Chairman, my Delegation hopes that the representatives here, before casting their votes, will take due consideration of the precedent we may be establishing if this resolution is adopted, a precedent which we feel will be burdensome for this Commission, for it is not the work of this Commission to provide a public forum for the celebration of national heroes.

[From the Christian Science Monitor, Nov. 15, 1967]

SOVIET STRONGMEN: THEY CARVED NATION'S IMAGE

Vladimir Ilich Lenin and Joseph Vissarionovich Stalin—Ulyanov and Dzhugashvili by their original names—were the architects of the Soviet party and state. Without them Russia and the Soviet Union would be different.

Just as the ruling classes of Louis Napoleon's France and Kaiser Wilhelm II's Germany reflected the style and mental attitudes of their No. 1 men, Soviet thinking and behavior were formed under the vastly stronger influence of Lenin and Stalin—or, more precisely, of the Lenin and Stalin eras.

The generation which witnessed Lenin and his associates tended to be impersonal, effaced, austere, idealistic, intellectually wide awake and kind in nonpolitical human relations.

PRONOUNCEMENTS DRAW FIRE

Lenin, who alone is glorified today, was a lonely man. In April, 1917, he returned to St. Petersburg from exile in Switzerland in a sealed railway coach via Germany. Immediately upon his arrival in St. Petersburg, he announced his famous April theses "On the Tasks of the Proletariat in the Present Revolution." It declared war on the government and on his former comrades and broke all bridges with the past.

"Delirium, the delirium of a madman," shouted Alexander A. Bogdanov, one of his principal lieutenants in exile. Even Nadeshda I. Krupskaya, his wife and most trusted associate who had accompanied him on the journey home, was taken by surprise.

"Ilich is out of his mind," she whispered to Yuri P. Denike, an old friend, as Lenin sprang his theses on a startled audience.

Lenin spoke in a matter-of-fact tone, but with the iron consistency of a man convinced that he had insight into inexorable laws of social and political development and that to oppose him was to oppose history itself.

He alone knew the truth. In his philosophical notebooks written in exile he remarked: "Of one hundred Bolsheviks, seventy are fools, twenty-nine are scoundrels, and only one is a true Socialist."

His political method, in his own words, was to first split his opponents and then to wage against them "a war of extermination."

EGOIST IN ABSTRACT SENSE

A man of less-than-medium height, he could pass unnoticed except for his very large forehead. Only the single-minded intensity of his reasoning made him stand out.

In contrast to the flamboyant, elegant Trotsky, Lenin was no orator. His voice was loud and clear but had little resonance.

In retrospect, he appears as a charismatic leader. His followers idolized him and started a cult of his personality as early as 1918. Soon ships, clubs, and libraries were named after him.

Lenin has been called a "disinterested egoist," but he was an egoist only in an abstract sense. Material comforts never attracted him.

A militant atheist, he denounced "eternal moral laws" as a weapon of exploitation. According to his own table of values, he had a keen sense of good and evil. There was something of a medieval theologian about this outwardly westernized Bolshevik.

A radical internationalist, he showed no understanding of nationalism. Although he criticized the rude manner in which Stalin brought Transcaucasian Georgia back into the Soviet-Russian fold, he approved of the Sovietization of the country.

His short-term forecast that the European and North American proletariat would rise in support of Russia and the world revolution was mistaken. Versatile in his forecasts, Lenin also said that "the way to London and Paris goes via Peking and Calcutta."

In domestic politics, Lenin declared in

1918: "As long as we do not apply terror with execution on the spot, we shall get nowhere." Three years later this same Lenin ushered in the new economic policy with private trade and leeway for medium-sized private enterprise.

For the young revolutionists who had embraced communism as a secular religion, a return to commercial practices looked defeatist and morally debasing.

There were suicides in the party when Lenin proclaimed in 1922 that "Communists must learn trade." But Lenin also raised his comrades' faith through his vision of electrification and modern industry.

The very contrasts of this contradictory man endeared him to his people. Millions wept when he passed on in January, 1924.

At Lenin's bier, Stalin set the tone for what was to become the Soviet theme for the next 30 years. Stalin vowed in medieval style:

"Leaving us, comrade Lenin enjoined on us to keep and strengthen the dictatorship of the proletariat. We vow to thee, comrade Lenin, that we will not spare our strengtn to fulfill with honor this thy commandment.

"Leaving us, comrade Lenin enjoined on us to strengthen with all our might the union of workers and peasants. We vow to thee, comrade Lenin, that we will with honor fulfill this thy commandment.

"Leaving us, comrade Lenin enjoined on us to strengthen and extend the union of republics. We vow to thee, comrade Lenin, that we will fulfill with honor this thy commandment.

"Leaving us, comrade Lenin enjoined on us loyalty to the principles of the Communist International. We vow to thee, comrade Lenin, that we will not spare our lives to strengthen and extend the union of the toilers of the whole world. . . ."

Stalin lacked Lenin's vast Western education, but he had Lenin's single-mindedness and vision. This son of a wretched Georgian cobbler, who spoke Russian with a foreign accent, was closer to the "sons of the working class, sons of need and strife, sons of unexampled privations and heroic striving" whom he exalted in his oath, than the intellectual Lenin, who was born into petty Russian nobility and reared by a German mother.

Many ordinary Soviets at first responded nonchalantly to Stalin's unprecedented purge of old Bolsheviks. "Let the rats devour each other," a Russian rail-yard superintendent commented to this writer in 1935 when the press began to carry the first fantastic denunciations of Lenin's comrades.

The Soviet people may have become inured to bloody repressions and deceitful double talk during the collectivization of the villages in the early 1930's. Earlier, there had been the cruel aftermath of World War I, Lenin's terror, and the repressions of the czar.

Judging by today's Lenin cult, some people high up in the party believe that Soviets need to focus their faith and admiration on one person.

There is a famous picture of Lenin taking part in the "Red Sundays," of which Communists set the example as unpaid worker volunteers. The original picture with his worker's cap shows Lenin in a rumpled dark business suit and white shirt helping to carry a telegraph pole. In later pictures the pole became a tree trunk, and Lenin did the carrying alone.

When this writer a few years ago, during a visit to a provincial museum of the revolution asked how it happened that in successive pictures the tree trunk became thicker and thicker, the guide, a young instructor of English, broke into laughter.

Drawn into a discussion about the people's unquestioning acceptance of such grotesque personality cults and of the repressions, the young girl, in her mid-20's broke into tears "We Russians are not like you," she cried, "we must believe in someone and something."

H.R. 886

A bill to repeal the United Nations Participation Act of 1945

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the United Nations Participation Act of 1945 is hereby repealed.

STUDENTS ARE BEING MANIPULATED

HON. JOEL T. BROYHILL

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 21, 1969

Mr. BROYHILL of Virginia. Mr. Speaker, Mrs. Burton N. Coffman of Fairfax, Va., a friend and constituent of mine, has written a very thoughtful article which appeared in the May 20 edition of Tactics, a small monthly publication in northern Virginia, and which relates the concern of the mother of a student at Lehigh University about the efforts by students and nonstudent militants to disrupt that university and its programs.

As I believe many of our colleagues will benefit from knowing of Mrs. Coffman's experience and discoveries, I insert the text of her article in full at this point in the RECORD:

TAKE LEHIGH UNIVERSITY, FOR EXAMPLE: STUDENTS ARE BEING MANIPULATED

(By Dorothy Coffman)

Lehigh University is located on South Mountain, where one still can think of roaming Indians, although Bethlehem Steel, in the Lehigh Valley down below, fills the air with civilization's polluted smoke signals. This was the general area of my home when I was a teen-ager, and until I became a registered nurse in the U.S. Army in 1942, and went to Iran. My husband, Burton, was born and raised in Bethlehem, and ultimately graduated from Lehigh University in 1948, after his military service.

Our third son, Roger, was born two weeks after Burt's graduation. He is in his junior year at Lehigh. James, our second son, graduated there in 1968. Our first son, Larry, changed the pattern a bit by graduating from Fairleigh Dickinson in New Jersey, where a Lehigh alumnus, Dr. J. Osburn Fuller, is president.

So naturally, Lehigh is uppermost in my mind as I read about the tribulations, demonstrations, riots and seizures of buildings that are plaguing our high schools and institutions of higher learning. I have had some contact with Lehigh during these tumultuous times, which might be of some guidance in this perplexing and even revolutionary situation. Lehigh, indeed, might be considered a case study of a typical, American university, which is the reason I am presenting these observations and experiences. Other institutions of learning might find my notes helpful.

Lehigh has R.O.T.C., an outspoken college paper, clubs and speakers, and the same pressures as other educational institutions. The same effort to downgrade R.O.T.C. as was successful in some other colleges have been unsuccessful so far at Lehigh. A red speaker, Thomas Hayden, met a setback at Lehigh. A start has been made to offset the corrosive propaganda pressures that have been so effective elsewhere. This didn't just happen. Specific counter-action of an informed and ready sort had to be understandably but determinedly applied.

My story begins at the time of the Pentagon demonstrations in the national capital on Oct. 21 and 22, 1967, when a hard core of professionally led revolutionaries managed a symbolic capture of our national military headquarters, callously using mostly cleancut and idealistic young boys and girls as bodies—propaganda fodder—for a work of treason.

UNIVERSITY PAPER SPREADS RED LINE ABOUT PENTAGON RIOTS

The Brown and White, Lehigh's semiweekly, has been coming into our home for years, to be spottily read. Some days later, I picked up the Oct. 24 and 27 issues, for a quick glance, when my attention was caught by articles which swallowed the red line on the Pentagon riots. My mind's eye visualized the lovely youth at Lehigh, and how alike they were to the misled young men and girls lured into the Pentagon disorders.

Two Lehigh students were credited with a doublespread of photographs about the "D.C. Peace Riots," as they were euphemistically described. The caption said that a number of Lehigh students had participated. What was being treasonably manipulated from behind the scenes far from Lehigh had reached even Lehigh.

Only a week or so before, for the first time, I had written a letter to Lehigh, addressed to Demming Lewis, university president. I wrote: "Being a mother of three sons who are all in reserve officers training for service on behalf of our country, I am becoming increasingly concerned with the anti-war, anti-draft, anti-U.S. foreign policy demonstrations on campuses throughout the country . . . Newspaper reporters and military men returning from Viet Nam say that our 'peace' demonstrations here are hurting our efforts in Viet Nam . . . My suggestion to those who wish to protest for peace is that they direct their criticism towards the Russian and Chinese leaders. After all, haven't these leaders announced, 'Only by war will the Americans and their backers be defeated'?"

The reply came from Charles A. Seidle, vice president, who wrote: "We very much appreciate your interest." Did this casual reaction represent Lehigh's defense against such things? I wrote Dr. Lewis again, expressing chagrin over the one-sided coverage by the college paper—after all, it is owned outright by the university—pointing out that the photos were the kind that could "find their way to some communist prison camp to help break the morale of an American soldier, perhaps a graduate of Lehigh R.O.T.C." Surely some notice might have been given to the fine group of students who had staged a counter-demonstration to show their patriotism at the time of the Pentagon disorders.

I was then helping at the office in Washington of Herbert Philbrick, whose "I Led Three Lives" had been so inspiring, and suggested that he be invited to speak at the Lehigh campus "to enlighten the students." No notice ever was taken of this. Dr. Seidle again replied, suggesting that I address the Brown and White directly, and also pointing out: "Dean Preston Parr, Dean of Student Life, is in a better position than we to make suggestions to student groups who are considering speakers." The speakers I suggested, of the Philbrick type, never elicited even a response.

WHAT 2 YEARS OF SUCH EFFORTS HAVE TAUGHT

A great portion of my time during the past two years has been focussed on these cold-hot war matters. They have produced conclusions that are self-evident from the facts, as they revealed themselves. I wish to take this opportunity to share them with those at Lehigh University and elsewhere, who are involved in what is happening in our institutions of learning, whether as a student, professor, parent, or merely as an American citizen. Here are my main conclusions:

1. A major, definitive conclusion is that it is dangerously wrong to consider the so-called "student demonstrations" as either student-instigated or spontaneous with the local student group or institution in whose name some action takes place. Students look to their teachers and professors as children look to their parents, for guidance. We now have what is known abroad as the "professional student," the older individual who is a political agitator. He may be assigned to a student community or travel from college to college. Innocent recruits, softened up by pro-reds at every level of the academic society, left to their own, unguided devices by a defaulting majority, are developed into branch leaders in such subversive organizations as Students for a Democratic Society (SDS). Through these, revolutionary and treasonable guidance and instructions are funneled in, with materials and money, in the well-documented manner in which totalitarian groups operate.

This is conspiracy, which has been a taboo word, although the ingredients of conspiracy are clearly visible. Our educational system is being exploited as a base on the enemy's so-called "peace" front, in coordination with its military front abroad. Yet college and university professors, deans and presidents, and other authorities, remain aloof, making believe such conspiracy does not exist. They are giving the field over by default to agitators and plotters, in and out of faculties, who are revolutionaries, and who are indoctrinating students in revolutionary theory and in revolutionary activity, often knowingly on behalf of the enemy.

One only has to read the newspapers, of no matter what political slant, to come across constant letters from professors and other faculty members upholding the interests of the communist and socialist enemy, and to read their many statements and speeches to the same effect. Perhaps the most child-like self-deception in which we can indulge is the assumption that admitted communists and other Marxists and anarchists can be so dedicated in their insurrectionary zeal, yet not seek to direct the students under them in the same direction.

This infantile state of mind is being exposed of late, as more and more outright, pro-red demonstrations and seizures of property, the copying and destruction of records, and the weakening and liquidation of all programs helpful to America's military strength, have the participation of professors and students alike. Of course, the students are not thinking up the coordinated campaigns and operations we have been witnessing. They are being indoctrinated, and led—misled—by faculty members and by traitors on the outside, who personally join and guide every demonstration and riot that occurs in a college or university.

Indeed, the faculty members engaged in such subversion are becoming more and more brazen in their overt actions. Pick up practically any newspaper. As I work on this article, I notice the N.Y. Times of May 8. A two-column headline on page one reads: "Faculty at Pratt Strike Over Antiprotest Policies." The first paragraph of the article, by Emanuel Perlmutter, lays it on the line.

FACULTY MEMBERS, CALL OFF CLASSES

The dispatch begins: "The 400-member faculty of Pratt Institute went on strike yesterday afternoon to protest an administration plan to arrest and expel students found guilty of disruptions on the campus or of inciting such actions." We read farther on: "The suspension of teaching followed a meeting of 100 faculty members shortly before noon. They decided to call off classes after listening to black students' arguments in justification of nine 'non-negotiable' demands made of the institute."

I pick up another paper, the Manchester Union Leader of May 6, and read: "Tufts University students who voted 3 to 1 in favor of the R.O.T.C. program were slapped by a faculty recommendation that R.O.T.C. be dropped—but haven't yielded to pressure and intimidation. The Students for Tufts organization . . . has called on alumni and parents to support their drive against radical elements at the school." The "pressure and intimidation" is exerted, at least in part, by these "radical elements."

Lehigh University, of course, is no more immune to such influences than other educational institutions. The participation of Lehigh students in the treasonable Pentagon riots, which provided such encouragement to Hanoi, is the outcome of such coordination. Certainly, the duty of those who administrate and teach in an institution of learning is to prevent its manipulation as an enemy base under the pretense that leaving the gates open, by default, to the foe, without counteraction, is "academic freedom." No, it is abject surrender to those determined to destroy the free university, along with free society.

2. The revolutionary disorders at our institutions of learning are proceeding, from one stage to the next, in a steadily developed, planned pattern. There is nothing spontaneous about it. What appears as spontaneity is the snowballing effect by which local student and faculty agitators and leaders follow the instructions conveyed through statements carried by our normal communications media, or by the frankly labelled, underground press.

UNDERGROUND PRESS OPERATES AS AN ENEMY NETWORK

Under normal circumstances, if the reds had not succeeded in creating an anti-anti-communist propaganda climate, such an underground press would have to operate underground, or it could not exist, because it does not constitute a press, in any reasonable sense of the word. It is the enemy's propaganda and information service, giving minute details on tactics to be employed in creating revolutionary situations in colleges and universities, for example, using them as a base for works of treason. These extend even to the provision of detailed designs for the production of such deadly weapons as molotov cocktails, tactical instructions on such matters as the most advanced methods of tying up traffic in order to create chaos and frustrate the police, and general advice on creating guerrilla and terror situations.

The claim of immunity for all of this by appealing to our doctrines of freedom of the press and academic freedom is a most callous perversion of such freedoms, in order to destroy them. Yet our educational leaders, even at Lehigh, repeat such false contentions. Can it be that they carefully have avoided reading these publications, because the filth in them, in the name of sexual freedom, repels them?

Obscenity is the lure which the reds are using tactically, as the underground press demonstrates. The line so far has been to defend even the most prurient instances of obscenity as art, and hence immune to lawful restriction. But the crudity has passed all bounds, and a new line has had to be thought up, with a political angle. So, simultaneously, now we have the specious argument presented that warfare is obscene, too, and yet it is not banned.

Accordingly, by the usual orchestration, we find this argument repeated in the Apr. 11, 1969 Brown and White. "I'd rather see a naked human being on the news every night, than hundreds of dead or maimed soldiers," a Brown and White writer declares. This, of course, is specious reasoning of the Socratic type. Certainly, the war with the Nazis was no obscenity on our part!

No excuse exists for falling into such traps. We were forewarned by those knowledgeable in communism. The June 20, 1965 issue of TACTICS had an article entitled, "Give Our Students a Chance . . . Don't Force Them Into Treason." Our university heads went before television, excusing their failure to call police to put an end to violence by pleading that a university should settle its disputes en famille—as if there were no outsiders and "professional students" involved. The professors and deans who dissented from this virtual claim of extraterritoriality were maltreated and humiliated by the so-called demonstrators. Unless stopped by force, through police action, the violence will spiral into actual guerrilla warfare. The June 20 issue of TACTICS warned:

"Many women teachers who resisted such a conspiracy in Singapore while this writer was there were permanently disfigured by acid thrown into their faces . . . The acid stage will be reached in this country if a halt is not put to the process."

The students constantly are being referred to as "idealistic," and with the best interests of their country at heart, sincerely seeking to become thinking and helpful adults in a free society. Yes, indeed, this is their normal character. How, then, does it happen that so much that is outright treason, and patently against our country's interests, emanates from their ranks? How does it happen that they even can be seen carrying the red flag of communism and the black flag of anarchy, or specifically the Viet Cong flag? How does it happen that they can be heard calling for the destruction of our society? How does it happen that they engage in violence, and join efforts to weaken our nation militarily in every possible way, from elimination of the R.O.T.C. program that produces a vital proportion of our officers, to the liquidation of the research laboratories that provide us the means to survive?

SUBVERSIVES AMONG STUDENTS MISLED BY THEIR ELDERS

The impression given that the student traitors represent the student body, and hence the elite in our society, is a despicable smear of our youth. They are a very small minority, magnified manifold by the press and radio-television. These channels of communication imply that treason and destruction are the "in" thing to do, thus deceiving the overwhelming proportion of students as to what receives public approval, and what not. A child regards what is allowed by his parents—or teachers—as approved and hence right and even good. The communications media, by focusing on the treason and the destruction, and actually suppressing news about the constructive and the patriotic, have become a major force in our land for the softening up of our people. If we are to be conquered by the enemy, this is the road they first must take. This is a process in brainwashing, and it is being used against us. Our stamina must be destroyed.

This is the road that my research shows to be taken by college and university faculty members belonging to the subversive minority. This cannot be over-emphasized, for the impact it has on students. The planned and so-called spontaneous demonstrations in the colleges in the Lehigh Valley area are not really locally planned or spontaneous. Students are being coached and led. While misled by these faculty members, so-called student organizations such as S.D.S., organized nationally with international channels, pipe instructions into local student communities.

Meanwhile, the heads of universities deliberately abstain from intervening in any manner that could protect their young charges from being caught in this vise of treason and destruction. They abstain from checking the interference from the outside by trained agitators and enemy agents, and abstain, too, from checking the indoctrination of students by pro-reds on the faculty and in the administration. Exactly as the subversives are not representative of the student body, so are they unrepresentative

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of the faculty. A propaganda climate has been created in which anti-communists on the faculty are quite effectively hushed up. The pro-reds manage to make themselves influential and even vocal, while anti-reds are silenced. What is presented as objective, and the presentation of all sides, on a panel discussion, for example, turns out to be "dialogue," with a predetermined conclusion. Instead of open discussion, between exponents of different approaches, from the mild to the fierce, all of it really is on the same side. The outright anti-communist becomes a non-person in this environment, and his anti-communism a non-point of view.

UNAIDED YET MOST SEE THROUGH THE PROPAGANDA

The miracle is that, caught in such a trap, our fine, American youth has been able to resist enemy pressure to the extent it has. Only a minority so far has been seduced. We can be thankful for this miracle, but we cannot depend upon it. The strategy of the enemy is to bring down our great nation in ruins by exploiting our educational communities as a base for subversion. The failure of presidents, deans and trustees of colleges and universities to fulfill their patent duty in such a national emergency is an inexcusable default on their part.

Lehigh Valley contains five colleges. They are Lehigh, generally regarded as the foremost among them, and Lafayette, both for boys alone; Cedar Crest, all girls; and Moravian and Muhlenberg, co-ed. Most events in the area have the participation of several, or even all.

The utter one-sidedness of the pro-red emphasis can be seen from the accounts published in Brown and White during the past couple of years, as well as in the local press. We have not seen a single account of a meeting or a demonstration specifically called in support of the principles or policies involved in maintaining our free society against the reds. Every pro-red or anti-U.S. activity, from support of a Viet Cong position to opposition to the R.O.T.C., has publicity that appears well in advance, and usually is well and favorably covered, receiving even follow-up stories. A pitiful instance of this one-sidedness was provided by a "forum on the draft," held Dec. 11, 1967. Until the opposition to the Thomas Hayden affair of early 1969 at Lehigh, that requires detailed description, this was the only anti-communist activity, or activity not favoring a pro-red stand, that I have been able to find. If any other took place, it must have been held in a barrel. Yet even this was not wholly anti-commmunist. The meeting was called in the name of the Young Americans for Freedom, which took much the same position on the draft as the reds, urging that it be replaced by a volunteer system. Brown and White reported that "the advantages of an all-volunteer army over an army of drafted soldiers" was discussed. The other subject taken up was the ridiculousness of the Supreme Court decision "that communists may be engaged in defense work," according to the heavily slanted, two-paragraph Brown and White coverage of the event.

Actually, this hardly could be called a meeting. Only eight were present, including three officers of the YAF branch, three journalism students "who were covering the meeting for an assignment," and two YAF members. No advance publicity, of course, had been given to the affair.

Lehigh Valley has been the target, too, of the new drive to bring the high schools into the range of red pressures. Three pupils of a Bethlehem high school were suspended on Apr. 23, 1969 for distributing an "underground newspaper" produced in the basement of one of them. The Bethlehem Globe-Times of Apr. 29 ran a long article about a crowded meeting on the controversy that ensued, featuring a Lehigh University instructor, John L. Washburn. A two-column photo showed him at the speaker's rostum, with a caption reading, "Lehigh instructor makes point." The article said he "cited the first amendment to the Constitution," and quoted his specious statement, "I don't think there can be a law against founding a newspaper." A high school, certainly, is no place for an "underground newspaper."

HISTORY PROFESSOR IS A WIDE-RANGING ACTIVIST

The name of David O. Amidon appears in both the university paper and the local press as an activist who exerts his prestige as a Lehigh history professor in interpreting contemporary events in a far-out manner. The Oct. 5, 1968 issue of Brown and White reported a protest purportedly by 300 students from four colleges in front of Price Hall at Lehigh, against R. O. T. C. and "the military mind in America." A student, "one of the editors of the Fress Press," was quoted as attacking "the narrow-mindedness at Lehigh," an indirect tribute to those who at least refuse to be inveigled into participation in subversion.

Amidon was quoted, too, with the warning that "the heels of repression are almost certain to grind in January, with the inauguration of a new President," a weird piece of indoctrination, indeed, by a professor of history! Amidon went on, as obvious instruction to the students in doubletalk that barely concealed its objective. As Brown and White wrote: "He pointed out that activists should avoid direct confrontation with the repressers, since the current wave of activism had crystallized repression in America. He asked the people in attendance to keep their idealism alive until they got into the seats of power." Translate this into meaningful English! Yet, he teaches our sons history!

A Lafayette professor reported that the "curriculum committee" there had voted to abolish compulsory R. O. T. C., and would likely recommend that R. O. T. C. be deprived of academic credits. The Lehigh University paper quoted a student as calling Gen. Lewis B. Hershey, selective service chief, "the biggest pig in the country."

The "other side" was not neglected at the demonstration. ". . . a person in a R. O. T. C. uniform burst through a circle around the speakers and demanded equal time for the 'pro-R. O. T. C. point of view.' " He accused the listeners of being "immature." Then we find out that this was supposed to be a satirical skit by a pro-red "guerrilla theater" group. The article said that "it was not until four masked figures kicked a white-clothed figure into the lights" that the audience recognized the spoof. Why was no honest defense of R. O. T. C. permitted.

Except when extraordinary pressure is exerted, this is about as far as patriotic considerations can expect a hearing. The pro-red ploy is to make the pro-reds seem normal, and the anti-reds appear abnormal.

SUBVERSIVE ACTIVITIES AT OTHER COLLEGES CAREFULLY COVERED

The university paper of Dec. 8, 1967, reported "silent vigils" at two selective service boards on two successive days, in conjunction with a nationally-organized, communist-run, "anti-draft week." Lehigh was represented by its history professor and a music teacher. Only 12 Lehigh students attended, but the affair received a big play in the paper. The coverage of such affairs by the paper gives the impression of strong Lehigh University participation. By reading the paper, one can find out that what is being covered is mostly activity of other student bodies and faculties, with the Lehigh role the least. Failure of Lehigh's administrators to counteract this one-sidedness in what purports to be news gives an undeserved advantage by default to the enemy.

The Nov. 21, 1968 issue of Brown and White contained the usual diversity of articles. I turned the pages, glancing at the headlines. Something about future building plans on page one, and that girls would be admitted into Lehigh in the year 1973. Too far off to be concerned about now! But I stopped to read every word of the article on page 5, entitled: "Ed Pol [Education Policy Committee] to Drop R. O. T. C. Credit." The 64-line article was tersely written, with a photo of Richard M. Spriggs, chairman of the committee on educational policy. It began by quoting his announcement that academic credit for R. O. T. C. would be dropped as of the fall semester, 1968. The article went on to explain the committee's decision, and the dissatisfaction of the military science professor, Gates B. Stern, with it.

I read on, shocked. My son was taking R.O.T.C., and so I personally felt the unfairness of the decision depriving him of the right to choose such a course, and to receive proper credits for it. The article referred to "three areas of major criticisms of the present R.O.T.C. setup." I was acquainted with this opposition, for Brown and White had been conducting a continuing campaign against R.O.T.C. in its news columns. The criticisms were:

"First, the committee found R.O.T.C. to be too far removed from the usual controls that the University exercises over the courses it offers. Second, the report states that R.O.T.C. is too 'military oriented' to permit it any academic objectivity. Third, it found that R.O.T.C. courses restrict academic freedom because students enrolled in advanced R.O.T.C. must sign a contract committing themselves to military service."

What could be done to counteract this obviously unfair and unpatriotic decision? How could it have been allowed? The action surely could be overruled. The removal of credits, the article said, was retroactive to the beginning of the semester. I felt that this much, at least, could not be enforced. As a mother, I decided to act. I at once composed a number of letters, one to Prof. Spriggs, with copies to the editor of Brown and White, others at the university, R.O.T.C. headquarters in Washington, and several senators.

By evening, I was able to contact my son. He had been concentrating on his studies, and had not heard about it. He got a copy of Brown and White, and after reading the article carefully, expressed his bewilderment.

Several days later, I received a letter from W. Deming Lewis, university president, that I opened eagerly. I gasped as I read the short note. The second sentence read, "Although it was perhaps not obvious to the off-campus readers, the Nov. 12 issue of the Brown and White was a 'spoof' from start to finish."

A "spoof"! What a spoof! Certainly, nothing in the writing of it indicated as much. Nobody could have told so from the appearance of the newspaper. Everything in it was written with poker face. This was no spoof! It was propaganda, completely lacking a trace of traditional college humor. A pleasantly-written letter came from Prof. Spriggs telling me, too, that "the entire Nov. 12th issue of Brown and White was a hoax," adding: "Always before, the issue appeared as 'Gown and Gripe' or 'Clown and Gripe,' and was a clearly identified insert to the Houseparty Weekend issue of the Brown and White." A postscript added: "I am a product of naval R.O.T.C. at Penn State during the Korean War and will attest to the many benefits of this training."

BROWN AND WHITE IGNORES THE HOAX IT PERPETRATED

Brown and White blithely ignored this inexcusable hoax. Indeed, it continues to this date to publish snide or outspoken attacks on R.O.T.C. Not a word of explanation or apology appeared in its columns.

The R.O.T.C professor, when my son, James, attended Lehigh, was a popular flier,

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Capt. David Pittard. He did graduate work, too, in international relations. He came to Lehigh in 1965, and in March, 1968 went to Viet Nam as a helicopter rescue pilot. The Call-Chronicle of Allentown, Pa., on Sunday, Sept. 29, 1968, carried a story about him with a photo. The headline read: "Former Lehigh R.O.T.C. Educator Killed in War."

He already was a veteran of 500 flying hours, winner of the air medal with 10 oak leaf clusters, the Air Force commendation medal, the silver star for heroism, and was on the promotion list for major. A sniper's bullet hit him in the chest when he was on an especially hazardous mission. Yet all that appeared in the Oct. 1 Brown and White were a bare 75 words under a one-column headline. Cynically, the first three columns of the page were given over to an article critical of R.O.T.C. that began: "Proposals have been advanced ranging from the complete abolishment of R.O.T.C. to the more moderate movement to eliminate academic credit." A student's hollow witticism was quoted, "If the university as a crater of learning accepts R.O.T.C., it accepts the military solution to war."

The article announced that "concerned students have already rallied anti-R.O.T.C. support and are planning a demonstration in front of Grace Hall." This was a crude juxtaposition of articles. I wrote Brown and White a letter which it published Oct. 11, saying: "This is not honest journalism; it certainly does not represent the honor of Lehigh's student body and faculty, and surely is contrary to their and the nation's interests."

James, then a lieutenant at Reese Air Force base in Texas, on hearing of his R.O.T.C. professor's death in action, immediately wrote Brown and White. After a time, Roger, then a senior, went to the editorial offices to find out why the letter was not being printed. He discovered the student whose opposition to R.O.T.C. had been published in the Oct. 1 issue was doing the editing. After much persuasion, the letter was printed on Oct. 29. "Capt. Pittard, an R.O.T.C. graduate, and men like him have died to preserve your freedom," James had written. "Freedom demands responsibility, not irresponsibility. Let's not lose sight of that."

HAYDEN INVITED; GLAMORIZED AS A RIOT LEADER

The campaign goes on with subversion, more and more overt, encouraged by inaction. The April 15 issue contained an illustrated, first-page article under a three-column headline reporting, "What began in the snack bar yesterday as a 10-man movement to protest the presence of R.O.T.C. on campus by picketing the R.O.T.C. 'war games' on South Mountain ended in the harassment of the military maneuvers by about 60 students . . . Throughout the maneuvers the demonstrators 'infiltrated' the R.O.T.C. divisions, mocking the entire operation, singing the Star Spangled Banner and cheering some of the officers for 'a good show'."

The first sit-in at Lehigh took place on May 7 by 50 students, significantly accompanied by two teaching assistants from the university's department of social relations! They took over a waiting room next to that of the president. They were supplied coffee and doughnuts by the university. This, of course, was interpreted as approval, encouraging them.

The Feb. 18 issue of Brown and White announced that Thomas Hayden was coming to speak at Lehigh on Feb. 26. He was described as "one of the leaders of the riots at Chicago Democratic Convention and the student uprisings at Columbia." The rest of the front page was given over mostly to a Bethlehem student who was being tried for refusal to accept induction into the U.S. Army. The article announced he was coming to Lehigh for a meeting on conscientious objection.

The pro-red, propaganda climate was punctured by the reaction to the Hayden speaking engagement. An opposition developed that demonstrated that the one-sidedness so consistently shown on the side of the enemy was the consequence of default, especially lack of initiative by those who possess the capacity, authority and responsibility. Students alone cannot be expected to fill the gap, any more than they can do policy planning for the campus disorders of a guerrilla nature that have been occurring throughout the nation.

Certainly, nobody any longer can claim that the campus disorders are spontaneous in each locality, that there is no tactical planning nor strategy. One may tactfully avoid the taboo word, conspiracy, but what other word defines it? On each campus, though, the students are left to themselves to confront such a scientifically organized program for rebellion and conquest, and when they do not react with the effectiveness and skill of the professionals and other agitators, this is interpreted as proving that they support and believe in the enemy's cause.

The response to Hayden exposed how much can be accomplished with so very little. The lead has been given, but it must be encouraged and followed through with vigor.

My son, Roger, who had taken a course in communism outside of the university, decided to try to counteract the invitation to Hayden. He sounded out some student colleagues on forming a protest group. He had a few names of knowledgeable persons, and contacted them. One was Herbert Philbrick, who operates an office in Washington called the U.S. Anti-Communist Congress, Inc. The Lehigh Valley newspapers were sent a press release full of details by the experienced Philbrick, exposing and denouncing the Hayden engagement.

FINALLY, ANTIREDS GET SOME BROWN AND WHITE SPACE

As a consequence, the article announcing Hayden's visit, that appeared under a three-column headline on page one of the Bethlehem Globe-Times of Feb. 17, included the legitimate news, "His visit is expected to be protested by the student group headed by Roger Coffman, a junior from Fairfax, Va.," and quoted Philbrick's statement, issued "on behalf of Coffman's committee." Seven questions were to be distributed at the meeting, to be asked of Hayden by students in the audience. This struck at the very heart of the foe, for reds demonstrably never are able to reply to such informed and specific questions, but always try to change the subject, and engage in some evasion as asking another question instead of answering. If pinned down, they will create a disorder rather than reply. Hayden reacted according to pattern.

The paper also quoted the charge that Hayden was "a self-confessed Quisling and collaborator of the red fascist, Ho Chi-minh." Hayden promptly announced that he would be forced to postpone his appearance until Mar. 18 "because of illness." This forced the hand of Brown and White, and it took notice in its Feb. 21 issue of "a student group called the Hayden Confrontation Committee." Its statement was quoted, including the fact, "Hayden has been wined and dined by the Communists, and has accepted blood money from the Communists."

"According to Coffman," the Brown and White article said, "the seven questions that Hayden will be asked 'will reveal his true philosophy.' " The 15-inch article, under a three-column headline, was the first reporting I have seen of anti-communist views to appear in Brown and White.

Its next issue, Feb. 25, accordingly ran an editorial defending the Hayden engagement. It falsely labelled Hayden and Dick Gregory, who had spoken previously at Lehigh, as liberals, and crudely compared them to another speaker, Barry Goldwater, who was referred to as a reactionary. Hayden, working for the destruction of our land, even to the extreme of giving aid and comfort to the enemy, cannot be honestly equated with Sen. Goldwater, who politically is simply a conservative.

The Bethlehem Globe-Times of Mar. 19 gave extensive coverage to the Hayden talk, that was attended by about 800. The article, by L. Eugene Bogan, staff writer, gave proper balance to the questions and answers, and to the protesters. He wrote: "Inside the building, 10 students led by Roger Coffman, a Lehigh junior, carried out their announced plan of distributing anti-Hayden questions," and he pointed out that the students "experienced difficulty in zoning in on their target" with their questions. Here are excerpts from his article:

"Q. Do you have a job; are you gainfully employed? A. I made a pile of money for coming here tonight. I will keep a little for myself and give the rest to the revolution.

"Q. You said that the hippies are transitional figures pointing to a future society of abundance while the well-dressed businessmen and engineers are fossils of a bygone age. How can hippies operate the future technological society?

"A. Don't you think engineers should turn on?

" 'That's not an answer; answer the question', shouted about 50 persons scattered throughout the audience."

Curiously, the reporter for the Allentown Morning Call managed to conceal this opposition with a Tass-like paragraph, "His largely student audience was interested and enthusiastic and greeted several hecklers at the rear of the auditorium with disfavor." The reporter was Glenn E. Airgood, who had been assistant to the editor of Brown and White, and a journalism student. One might wonder what sort of journalism is taught these days, and if this is an example.

Photos in the Bethlehem Globe-Times showed a protester, his sign, and a heckler asking, "Why don't you get out?" A four-column photo in the Allentown Morning Call merely showed Hayden at the rostrum and a bit of the audience.

This is a struggle for keeps in our country. We have allowed the enemy to gain inroads by default. What is presented as objectivity are different views on the anti-anticommunist and pro-red side, with anti-communists and patriotism excluded. Students do not create nationwide policy and tactics. They are guided—manipulated—by faculty personnel and by outside sources on the pro-red side. This can be defeated by objective truth given the students, and guidance without a pathological hush-hush of such words as "communism" and "conspiracy". But their elders must accept responsibility.

EBONY EDITORIAL: LET'S GIVE HIM A CHANCE

HON. BOB WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 21, 1969

Mr. BOB WILSON. Mr. Speaker, much has been written during the past few months condemning and praising the Nixon administration's racial policies. The following editorial from Ebony is, I feel, a fair and balanced appraisal of the President's efforts in this regard and I am pleased to share these thoughts with my House colleagues:

LET'S GIVE HIM A CHANCE

When Richard Milhous Nixon was sworn in as the 37th President of these United

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States on the 20th of January, 1969, black voters throughout the nation resignedly assumed a "wait and see" attitude. Since less than ten per cent of the Negro vote had gone to Nixon, blacks were pessimistic about the attitude the White House would take toward the black man.

Knowing that they had asked for, and got, rewards for electing the late John Fitzgerald Kennedy and supporting his succesor, Lyndon B. Johnson, they feared that President Nixon, owing them nothing politically, would slow down the progress of the black man and, perhaps, even turn back the pages of civil rights, particularly in desegregation of Southern schools.

Accustomed to the extremely partisan, dog-eat-dog politics of most local scenes, blacks expected punishment. Some of the more militant blacks, many of whom had urged Negroes to stay away from the polls, hoped for indications on punishment. They know that a federal slow down on civil rights will help solidify blacks on a more militant basis.

FORWARD TOGETHER

Early in his inaugural address, President Nixon talked about the proud achievements of this nation in the "second third of this century." He talked about the enormous strides in science and industry and agriculture. And then he said, "We have given freedom new reach, we have begun to make its promise real for black as well as for white." Later in the address he talked again of the freedom of the black man as he emphasized his inaugural theme of "Forward Together." "No man," he said, "can be fully free while his neighbor is not. To go forward at all is to go forward together.

"This means black and white together, as one nation, not two. The laws have caught up with our conscience. What remains is to give life to what is in the law: to insure at last that as all are born equal in dignity before God, all are born equal in dignity before man."

The words were a promise of progress in civil rights and equality. But such was to be expected in an inaugural address.

STRAWS IN THE WIND

The true ability of a President cannot be assessed in a few months. Even at the end of a four year term, a President might still be of unproved quality. Looking back in history, one can only now see in perspective such Presidents as Herbert Hoover, Franklin Delano Roosevelt, and Harry S. Truman. Dwight D. Eisenhower, John Fitzgerald Kennedy and Lyndon B. Johnson served too recently to be judged at this time. But early in a President's term of office, there are straws in the wind that let one know what bent he is likely to take on certain issues. One hint as to President Nixon's handling of racial issues came even before Mr. Nixon was sworn in. And it came not from Mr. Nixon but from Robert H. Finch, now Secretary of Health, Education and Welfare but then lieutenant governor of California and one of Mr. Nixon's closest advisors. In an interview with United Press International, Finch said that the Nixon administration could bring "a new kind of candor and realism" to the drive for racial equality because the administration owes no political debts to the "black establishment." Finch said that the administration would design practical programs to give both black and white youths "the same chance at the starting line" and that guaranteeing Negroes equal opportunities with whites is "chiefly a matter of education." Finch also said that minority militants would have very little influence on the Nixon administration. "I find," said Finch, "that many of these so-called militants have a very narrow constituency. I hope that our programs can be geared to the responsible members of these minority communities."

Shortly after Mr. Finch's UPI interview and a week before the Inauguration, Mr. Nixon invited six black leaders to meet with him in New York City. They were SCLC President Ralph Abernathy, Ebony Publisher John H. Johnson, Afro-American Publisher John Murphy, National Baptist Convention Vice President Rev. Sandy Ray, black Elks Grand Exalted Ruler Hobson Reynolds and Black Power Conference Chairman Dr. Nathan Wright. To these men, Mr. Nixon pledged that he would endeavor to surpass the efforts of his predecessors to improve the economic and social conditions of black Americans. He said that this meeting was the first of many meetings in which he hoped to develop communication between his Administration and black Americans. He said he was seeking advice from black leaders to give him "direction, advice and criticism" in affairs that affect black citizens. Declaring that he wanted to broaden the base of Presidential appointments to put qualified blacks in responsible positions serving the needs of all Americans, Nixon hinted at meaningful appointments to come.

THE GREAT DISTRUST

Despite all President Nixon has had to say on racial problems during his meetings with various black leaders both before and after his inauguration, black people seemed to have assumed an air of watchful distrust. The depth of this distrust became apparent to Mr. Nixon when he began seeking qualified Negroes for Presidential appointments. In several instances, his spokesmen were rebuffed by Negroes who would have been willing to accept the appointment but turned down the offers only because they did not want to be labeled "Uncle Tom" by other, more militant blacks.

The most highly publicized appointment to date, that of James Farmer, former national director of the Congress of Racial Equality (CORE), to assistant secretary for administration in the Department of Health, Education and Welfare, marked Mr. Nixon's first breakthrough to a nationally known black leader. And Farmer's statement about his acceptance should give other black leaders thought if they should also be approached for meaningful appointments. Admitting that some might have reason to protest some things that he might do, he added, "But there also is a great need for some people to get on the inside and try to have some influence."

Nixon early made history by appointing California's James Johnson as the first black man ever to serve as a U.S. Civil Service commissioner. Johnson is a Republican from California and formerly served as director of the State Dept. of Veterans Affairs under Gov. Ronald Reagan. But Farmer earned his first Republican support when he ran for Congress in Brooklyn on the liberal ticket with Republican backing and lost to Democrat Shirley Chisholm.

Nixon has appointed two assistant secretaries in the Department of Housing and Urban Development, Samuel C. Jackson and Samuel J. Simmons. Both meaningful appointments, that of Jackson has been given special weight because it has been indicated that he actually has the status of an Under Secretary—Number 2 man in the Department.

Nixon seems determined, at least in number, to surpass President Johnson in the appointment of blacks to Washington jobs. In the White House, two black aides, Robert J. Browne and Michael Monroe, can look around at seven or eight black secretaries where during the Johnson administration there were only one or two. President Nixon has also urged his cabinet to employ as many Negroes as possible.

LET'S GIVE HIM A CHANCE

James Farmer might just be right when he says that black men need more influence from the inside. And black men who turn down meaningful and desirable appointments merely from fear of being labeled "Uncle Toms" could be doing their own people a great disservice. National Urban League Director Whitney Young recently said: "More Negroes should be encouraged to accept jobs in the Nixon Administration . . . It is to the benefit of every Negro in this country that we are ably represented."

The black man has been handicapped in the past because he did not have men "on the inside" in government. Now that he does have that opportunity, he should take every advantage of it. The very presence of a black man in an office or on a committee helps keep the white majority from forgetting us.

So far as serving under President Nixon is concerned, let's face it. He's the only President we have—Let's give him a chance to prove himself.

HOUSE OF REPRESENTATIVES—*Thursday, May 22, 1969*

The House met at 12 o'clock noon.

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

Eye hath not seen, nor ear heard, the things which God hath prepared for them that love Him.—1 Corinthians 2: 9.

Almighty and everlasting God, from whom all thoughts of truth and love proceed; kindle in our hearts and in the hearts of all men a real love for the truth and a deep concern for peace.

Guide with Thy wisdom those who lead our Nation, our President, our Speaker, the Members of this House of Representatives, and all who work with them under the dome of this Capitol, that in all good will Thy kingdom may go forward and Thy will be done on earth.

Make real in our hearts the spirit of Thy love; strengthen us by Thy power; draw us closer to Thee and, in so doing, bind us together in a firm and a faithful bond of unity, through Jesus Christ our Lord. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

RESIGNATION AS A MEMBER OF THE CANADA-UNITED STATES INTERPARLIAMENTARY GROUP

The SPEAKER laid before the House the following resignation from the Canada-United States Interparliamentary Group:

MAY 21, 1969.

Hon. JOHN W. MCCORMACK,
Speaker of the House,
House of Representatives,
Washington, D.C.

DEAR MR. SPEAKER: It is with deep regret that I find I must resign my position on the United States-Canadian Interparliamentary Conference.

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I want to thank you for your kindness in appointing me to this conference. My participation on it during the last three years has been a most enriching experience. The United States and Canada have many common interests and goals. It was my privilege to have had the opportunity to work closely with this Conference which aims at fostering trust and cooperation between our two countries.

With best regards, I remain

Sincerely yours,

JAMES KEE,
Member of Congress.

The SPEAKER. Without objection, the resignation is agreed to.

There was no objection.

APPOINTMENT AS MEMBER OF U.S. DELEGATION, CANADA-UNITED STATES INTERPARLIAMENTARY GROUP

The SPEAKER. Pursuant to the provisions of section 1, Public Law 86–42, the Chair appoints as a member of the U.S. delegation of the Canada-United States Interparliamentary Group the gentleman from New York, Mr. STRATTON, to fill the existing vacancy thereon.

RESIGNATION AS A MEMBER OF THE CANADA-UNITED STATES INTERPARLIAMENTARY GROUP

The SPEAKER laid before the House the following resignation from the Canada-United States Interparliamentary Group.

Hon. JOHN W. MCCORMACK,
Speaker of the House of Representatives,
Washington, D.C.

DEAR MR. SPEAKER: As much as I hate to do so, I am going to have to resign from the House Delegation to the Canada-United States Interparliamentary Group because of the pressure of executive sessions in the Ways and Means Committee. As you know, we are dealing with extension of the surtax and tax reforms and the Committee is in constant session.

I want to express my appreciation for this appointment and I look forward to serving in this area in the future.

Sincerely,

SAM M. GIBBONS.

The SPEAKER. Without objection, the resignation is agreed to.

There was no objection.

APPOINTMENT AS MEMBER OF U.S. DELEGATION, CANADA-UNITED STATES INTERPARLIAMENTARY GROUP

The SPEAKER. Pursuant to the provisions of section 1, Public Law 86–42, the Chair appoints as a member of the U.S. delegation of the Canada-United States Interparliamentary Group the gentleman from Florida, Mr. PEPPER, to fill the existing vacancy thereon.

AMVETS SILVER HELMET AWARDS

(Mr. DORN asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. DORN. Mr. Speaker, on April 12, 1969, AMVETS held its 12th annual Silver Helmet Awards banquet at the Statler Hilton Hotel here in Washington.

A distinctive silver replica of a GI helmet, appropriately engraved was presented to the 1969 honorees, all of them outstanding Americans. These distinguished men join the honor roll of other great leaders who received the helmet in prior years. These include the late George C. Marshall, World War II Chief of Staff and later Secretary of State, President Richard Nixon, President Lyndon B. Johnson, and my warm friend and colleague, the Honorable OLIN TEAGUE, chairman of our House Committee on Veterans' Affairs.

Mr. Speaker, I shall not attempt to dwell on the distinguished careers of these great men who received the award this year, but I do commend to the attention of the Congress and the American people the citations presented to His Eminence Richard Cardinal Cushing, the Honorable WILBUR D. MILLS, Ambassador W. Averell Harriman, Gen. William C. Westmoreland, Mr. P. E. "Gene" Howard, and Mr. Henry Viscardi, Jr.:

AMERICANISM AWARD PRESENTED TO HIS EMINENCE RICHARD CARDINAL CUSHING, ARCHBISHOP OF BOSTON

"In gratitude for his personification of loyalty in deed and word to the principles of our American heritage."

Richard Cardinal Cushing was born in South Boston on August 24, 1895. He was ordained into the Priesthood in May, 1921; consecrated as Bishop on June 29, 1939, and elevated to the Sacred College of Cardinals on December 18, 1958.

During World War II more than a few GI's, serving in the Solomon Islands found that it was a good thing to come from "Father Cushing's place in America"—this assured a cordial reception from the natives and sometimes provided for safety or even life. This was so because the then Bishop Cushing increased his efforts on behalf of the missions of the Pacific, sponsoring the Solomon Islands Mission Fund. After the war the fund helped restore missions in the North and South Solomon Islands which had been ravaged by the conflict. Through the years His Eminence has continued his interest in the Armed Forces of our country.

Today the brilliant and vigorous leadership of Cardinal Cushing is known throughout the world. Many have benefitted from his concern—perhaps some of us.

In September, 1944, His Holiness, Pope Pius XII, named him Archbishop of Boston. Immediately Archbishop Cushing began implementing his program. To him this meant the inauguration of many new religious, educational and charitable activities. As a result, hundreds of mentally and physically deficient children are annually cared for in institutions founded by His Eminence. A boarding school for orphans, or children temporarily homeless is another project supported by the Cardinal Cushing Charity Fund.

AMVETS is proud to present its Americanism Award to His Eminence Richard Cardinal Cushing.

CONGRESSIONAL AWARD PRESENTED TO THE HONORABLE WILBUR D. MILLS

"For his constant fidelity to the highest ideals of American leadership so important to the security of our changing world."

Wilbur D. Mills of Arkansas entered the service of his nation as Representative of his state's second Congressional district thirty years ago. He became a member of the Ways and Means Committee of the House of Representatives three years later and, in 1958 became its Chairman.

Representative Mills is sometimes called the most powerful man in Congress because nearly every cent of federal funds disbursed fall within the purview of the Ways and Means Committee. He is also Chairman of the Committee on Committees for the House of Representatives, whose duty it is to assign committee memberships to all other Democratic Representatives in the Congress.

The devotion of Representative Mills to his country is exemplified by his distinguished service in its legislative halls. His outlook encompasses all of mankind. He seeks peace for America, not in narrow, parochial seclusion but in a position of world leadership. He has defined this country's goal as an establishment of institutions in which men can settle their differences with words, not weapons. He has said America should seek a world in which freedom flourishes and peace prevails.

Along with his epochal achievements in domestic issues and foreign relations, Representative Mills has also been a trustworthy friend to the veteran, his widow and orphan. His great influence is always on the side of the legitimate rights and entitlements of veterans.

Recognizing that his achievements in our legislature are reflections of his character as an individual, AMVETS presents its Congressional Award to a distinguished gentleman and patriot, United States Representative Wilbur D. Mills.

WORLD PEACE AWARD PRESENTED TO AMBASSADOR W. AVERELL HARRIMAN

"In recognition of one whose passion for peace again brought him the awesome responsibility of representing America's hopes at the conference table."

Few men in the history of our country have borne a range of duties of such great responsibility and diversity as W. Averell Harriman. He has been our spokesman in time of war and in the peaceful interludes. His knowledge of the sensitive relationship among countries and his great diplomacy have been called on again and again in the quest for peace.

W. Averell Harriman has vast experience in private business and in government service. He has served on key positions under Presidents Roosevelt, Truman, Kennedy, and Johnson.

In 1941 he was appointed Special Representative of the President in Great Britain with the rank of Minister.

In 1943 Mr. Harriman was Ambassador to the U.S.S.R., and in 1946 he was appointed Ambassador to Great Britain, later that year he was named Secretary of Commerce by President Truman.

In 1948 Mr. Harriman became United States Representative in Europe with the rank of Ambassador under the Economic Cooperation Act. In 1950 he was appointed Special Assistant to the President.

In April 1968 the President chose Ambassador Harriman to be his personal representative to the Viet Nam peace talks in Paris. Never was his patience more tested, never was his wisdom more challenged. Again, his influence was felt in our Nation's fervent pursuit of peace.

The citizens of the United States owe a debt of gratitude to the distinguished diplomat from the State of New York. Thus it is with pride and with honor that AMVETS presents its World Peace Award to Ambassador W. Averell Harriman.

DEFENSE AWARD TO BE PRESENTED TO GEN. WILLIAM C. WESTMORELAND

"For his dedication in preserving the freedom of our country and his personal concern for the morale of our fighting men."

General William C. Westmoreland's achievements as Commander of Allied forces in Viet Nam belong to history and,

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with his present position as Army Chief of Staff, his saga has just begun.

This award directs attention to the man behind the record. He is a tough, hard-hitting professional soldier, highly skilled in the military arts and sciences, dedicated to "Duty—Honor—Country." This trinity of values forms a structure of steel within his total character. He is a terrifying foe to the enemies of America, yet he is a sensitive and compassionate comrade to the men he leads. They respect him for what he is. They trust his commands.

The world, even as it has sometimes disagreed in principle with American soldiers fighting in Viet Nam, has marveled at their invincible will.

The citizens of this country have been divided and the streets of many towns have echoed to the chants of demonstrators denouncing Viet Nam. But still the American soldier stood firm and fought on, risking his life for "Duty—Honor—Country."

It was a clear case of a Commander infusing in the half million men of his command, his own set of values. He set the example by ignoring bad news from the home front and fighting on. The soldiers were proud of their commander and he was proud of them.

For his achievements on the field of battle and as one of the Nation's most trusted officials, AMVETS is proud to honor General William C. Westmoreland with its Silver Helmet Defense Award.

Special Silver Helmet Award To Be Presented to P. E. "Gene" Howard

"For the guidance he gave and the expert knowledge he shared in the ultimate success of the United States Veterans Advisory Commission."

Gene Howard has spent his time, energy and talents in the interest of veterans—much of it in the service of AMVETS.

For nine years in various positions he was instrumental in the growth of the organization. AMVETS benefitted from his astute judgment and administrative ability. His outstanding work was recognized many times by awards from AMVETS and AMVETS Auxiliary.

In 1964 Gene Howard was appointed Special Assistant to William J. Driver, Administrator of Veterans Affairs. In this position he continued to pursue his unswerving interest in veterans and their dependents. AMVETS is joined by all major veterans organizations in recognizing the personal devotion Gene Howard brought to his duties in the Veterans Administration. This was exemplified by his outstanding efforts in coordinating and implementing the staff research on information provided to the United States Veterans Advisory Commission.

Some 1400 recommendations were forthcoming from testimony received. Ultimately the Commission submitted 79 firm legislative proposals to the Administrator of Veterans Affairs, the House Committee on Veterans Affairs, and to the President of the United States.

The impact of the Commission's report will have a profound influence on veterans' legislation for many years to come. The contributions made by Gene Howard will always be remembered.

AMVETS, in grateful acknowledgement of his outstanding leadership and selfless service to veterans, present the Special Silver Helmet Award to P. E. "Gene" Howard.

Rehabilitation Award To Be Presented to Henry Viscardi, Jr.

"In recognition of his compassion, understanding and activities which give hope to the handicapped of all ages."

Albert Einstein once said: "Only a life lived for others is a life worthwhile." A multitude of people helped by Henry Viscardi, Jr., attest to the worthwhile existence of this unusual man.

Mr. Viscardi, though handicapped himself, founded and is president of the Human Resource Center in Albertson, New York. The Center is internationally known for its Educational Research and Training Institute and for its work in rehabilitation of the physically disabled and mentally retarded. It includes Abilities, Inc., where severely handicapped and mentally retarded persons are employed. The Center houses the Human Resources School which offers a fully accredited educational program for handicapped children from pre-school age through senior high school. The school is the first of its kind in the world.

Recently the establishment of INA MEND Institute was announced by Mr. Viscardi and Bradford Smith, Jr., chairman of Insurance Company of North America. The institute is a research and education center for studies in the field of rehabilitation and loss prevention. It will conduct research, seminars and vocational evaluation and will provide library services in the areas of rehabilitation accident prevention and the problems of the disabled worker.

The research of the INA MEND Institute at Human Resources Center can make a major contribution through its studies and can influence new developments in the rehabilitation of disabled persons.

In tribute to extraordinary courage and in gratitude for the abundant energies expended on behalf of others, AMVETS presents its Rehabilitation Award to Henry Viscardi, Jr.

UNIVERSITY-INDUSTRIAL-PEACE COMPLEX

(Mr. DORN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DORN. Mr. Speaker, I repeat here excerpts of my remarks last night to a student assembly at Virginia Tech University, Blacksburg, Va.

The moon orbit tonight of Apollo 10 is a result of the university-industrial-peace complex—a complex of the American academic community, industry, and Government cooperating in the cause of peace and human progress. This complex is pledged to making America first in space. Should the United States lead in the exploration of space, it will be for peace and the security of free peoples of the world. This complex is devoted to the future of mankind, it is dedicated to tomorrow. They hold the key that unlocks the door to a billion secrets. They will add 7 million miles of space to the free world's new frontier. It is a frontier without horizons and without limitations.

Two hundred American universities and colleges are today engaged in research for our space program. Thousands of men and women with Ph. D.'s are working on this project. Four hundred thousand skilled technicians are employed. From knowledge gained in space research have come computers, inflammable materials, electronics, and batteries which open up an entirely new era in the progress of mankind.

To remain first in space for peace will challenge the imagination, creative ability, and positive thinking of the university community as never before. A successful effort to eliminate poverty and disease will largely depend upon our success in space. The American people will not permit this fantastic achievement of the university industrial complex to be destroyed by a few who seek anarchy and chaos.

Those who resort to force and violence are inviting the military onto the campus. This is their objective. They want airborne troops, the National Guard, and law enforcement to occupy and patrol the campus. This militant minority, dedicated to anarchy, is seeking to destroy higher education. They seek to prevent the majority from a higher education in a highly competitive age. They know a resort to force will invite a counterforce. They are trained for this sinister job. This is the greatest stumbling block in America today, to peace, understanding, and brotherhood. The American people are anxiously hoping that this crisis can be solved by administrators and responsible student leaders. The Congress, and States legislative assemblies throughout the Nation, much prefer to see the academic community led by administrators, students, and academicians, trained and devoted and dedicated to higher education. But I must warn that the Congress and State assemblies, as a last resort, will not permit those who resort to force to destroy the academic community and jeopardize national security and that of the free nations of the world.

Every young American is entitled to a fair chance at education. That education cannot be maintained with book-burnings, rifles and clubs in the hands of those trained in the art of anarchy. As night follows the day, dictatorship will follow anarchy.

Our Bill of Rights should include an amendment guaranteeing not only freedom of the press and freedom of assembly, but the right to an education free of unlawful, illegal, and violent interference.

REMARKS OF POPE PAUL VI ON APOLLO 10 SPACE FLIGHT

(Mr. MILLER of California asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MILLER of California. Mr. Speaker, in this morning's Washington Post there appeared a very short story on the remarks of Pope Paul VI, yesterday on the Apollo 10 space flight. His words are worth repeating here in this Record because they underscore the unlimited opportunity Apollo 10 has given to people of this country and to the free world to demonstrate the soaring spirit, courage, and intuitive sense of destiny of mankind. This could be, in our times of cynicism toward almost every moral value, the most important benefit of the future that we can derive from the national space program. His Holiness' remarks are as follows:

Pope Marvels at Apollo Feat by Mere Man

Vatican City, May 21—Pope Paul VI praised the Apollo 10 space flight today and expressed his wonder how man, "so limited and vulnerable," could accomplish such feats.

The Pope, who spoke to thousands during his weekly general audience at St. Peter's Basilica, said: "More than the moon's face, man's face shines before us. No other being whom we know, no other animal, even stronger and most perfect in its vital instincts, can be compared with the prodigious being which we, men, are. There is something in man that surpasses man . . ."

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RICHARD L. MAHER REPORTS ON VISITS TO FOUR SOUTH AMERICAN COUNTRIES

(Mr. FEIGHAN asked and was given permission to address the House for 1 minute, to revise and extend his remarks and to include extraneous matter.)

Mr. FEIGHAN. Mr. Speaker, Richard L. Maher, political editor of the Cleveland Press, is considered the most astute political analyst in the State of Ohio.

Mr. Maher recently completed a 2-week visit to four countries in South America; namely, Ecuador, Argentina, Uruguay, and Brazil.

Mr. Maher has written four articles which appeared in the Cleveland Press, and under unanimous consent I am including the first article in my remarks. Later I will insert the other three articles. I commend most highly the reading of these articles by my colleagues and members of the Department of State.

[From the Cleveland Press, Apr. 7, 1969]

UNITED STATES SEEN "LOSING" SOUTH AMERICA

(By Richard L. Maher)

The United States is losing South America.

The American image is at its lowest point of recent years in our neighboring countries to the south. American prestige and influence, heightened under the late President John F. Kennedy, sank to a deep low under President Johnson.

President Nixon faces an immediate and difficult job in re-establishing friendly relations with South American republics.

The United States is in trouble in Peru, Argentina, Venezuela and other Latin American nations.

That trouble is on a high diplomatic level. Despite billions of dollars in aid, despite the efforts of the Alliance for Progress, we have made few friends.

We have paid far less attention to South America than to Europe, given much less aid. But the result has been the same: You don't buy friendship with money, with handouts.

That antipathy to the United States exists only at the top level; not among the people, the average citizen. Generally speaking, the people in the streets, the shopkeepers, are friendly. They like the United States. They also like the American dollars that tourists spend.

A Kennedy half-dollar still is pretty good for smoothing the way. In most countries south of the border, Kennedy is well remembered, fondly revered. Streets have been named for him. Stamps have been issued in his honor.

These observations are the results of a two-week visit to South America during which I visited four countries—Ecuador, Argentina, Uruguay and Brazil. (A year ago I visited Mexico and earlier had been in Colombia and in Panama just before the 1964 trouble.)

If one can put a finger on the cause of declining U.S. influence in South America, it would be touch the State Department and, particularly, our embassies in the individual countries.

I found a certain aloof, chilly attitude in most of them. I gathered there is little respect for American diplomats—among South Americans or among American visitors.

I found a sort of "don't bother us and we won't bother you" attitude surrounding our diplomatic people. Only in Mexico City and in Ecuador did I find what I consider an understanding atmosphere.

I went to South America with a group that included 165 Northern Ohio residents and numbering some of this city's most prominent physicians. Among them was Dr. John Grady, president of the Academy of Medicine; Dr. Gary Bassett, health commissioner of Lakewood; and Dr. John J. McCarthy, one of the best known West Side physicians and an inventor as well as a doctor.

In each country (excepting Uruguay), the doctors in the group held meetings with the nation's medical men, exchanging ideas, listening to papers on medical problems, then visiting local hospitals.

I had thought that the group was of sufficient importance and prominence to merit at least a courtesy call from the American embassies. They were ignored.

In Rio de Janiero, I talked with an embassy aide, a career man in the service. He was a pleasant person, but entirely cold to the idea that any group of visitors from home should be given any attention by the embassy.

Americans go through every day, he explained. Also, he added, the embassy doesn't have the staff to contact visitors.

The Ohio group traveled by Trans International Airways charter.

On leaving Quito, Ecuador, the group was told by the tour leader that the plane could not land in Buenos Aires. It seems that the Argentine government has withdrawn landing privileges from certain American lines.

Such companies land their planes in Montevideo, Uruguay. Passengers then are transferred to smaller Argentine airlines planes for the 40-minute flight to Buenos Aires. Leaving Buenos Aires, the same procedure is followed.

The result is tremendous inconvenience to the tourists. Because of a hitch or a breakdown in communications as well as unavailability of the needed three Argentine planes, the group, of which I was part, didn't reach Buenos Aires until 3 a.m.

Incidentally, the plane, after leaving Quito, had to stop at Lima, Peru, to refuel. But during the two-hour layover, no one was allowed to leave the airport. Everyone had to remain in an isolated area.

There were there, however, plenty of stands selling things to attract American dollars. They did a thriving business. One didn't need Peruvian money. American dollars and travelers checks were glady taken, even for stamps.

The Buenos Aires matter was purely a diplomatic caper. It was, an embassy aide told me, a matter between the airline and the Argentine government. It would, he said, be quickly adjusted when the transportation minister got back to his desk after an illness.

The embassy attitude was that this was none of their concern, although every day American planes were not allowed to land in the Argentine capital.

There was a bit more to it than this, I found. Involved was a request by the Argentine government to land a couple more of its planes weekly at Los Angeles. This had been refused by American officials on the grounds that the air above California was too crowded.

It seemed to me that the embassy regarded this as one of those problems that, if ignored long enough, it would eventually go away.

THE TRUTH ABOUT GREECE

(Mr. PUCINSKI asked and was given permission to address the House for 1 minute, to revise and extend his remarks, and to include extraneous matter.)

Mr. PUCINSKI. Mr. Speaker, in its May 27 issue, Look magazine carries an article titled: "Greece: Government by Torture" which I believe does an injustice to the people of Greece and more seriously, presents a grave threat to relations between the United States and Greece at a time when America needs all of her NATO allies to deal with the growing menace of Soviet influence in the Mediterranean and the Middle East.

The Look magazine article about alleged tortures in Greece approximates similar charges made by Amnesty International 2 years ago and subsequently totally demolished as untrue after onsite inspections by the International Red Cross and a British Inter-Party Committee conducted at the request of the caretaker government of Greece.

Shortly after the April 21, 1967, coup by the Greek military, Amnesty International made serious charges of tortures and brutality in Greece. The subsequent investigations conducted by the International Red Cross and by the British Inter-Party Committee concluded there was no basis for the accusations. I am today calling to the attention of my colleagues a report issued by the Greek caretaker government which summarizes the findings and conclusions of the two separate investigations.

I have recently visited Greece myself and have spoken to some of the most respected leaders of that country who are in no way affiliated with the caretaker government nor do they owe any particular allegiance to the present government. In not a single instance did these impartial observers report any such tortures and brutalities as reported in Look's article.

Furthermore, we have in Chicago thousands of American citizens of Greek ancestry who visit their native Greece frequently. Some visit the big cities while others visit the small villages widely scattered throughout Greece. I have talked to many of these people upon their return from Greece to see if any of their relatives have mentioned the alleged tortures or brutalities. In not a single instance have we received any evidence that would substantiate the Look magazine charges.

Finally, Mr. Speaker, 6 months after the April 21 takeover, I personally visited the Island of Yaros—off the coast of Greece—where several thousand Greek political prisoners allegedly were suffering great tortures. Amnesty International—like the Look article—charged that political prisoners on this island were undergoing great tortures.

Mr. Speaker, I emphasize, I personally visited Yaros and I took along my own Greek interpreter so there would be no chance for misinterpreting what the prisoners were telling me. After interviewing several hundred prisoners, it was my conclusion that charges of torture and brutality were totally untrue and a complete fabrication. Many of the prisoners frankly told me they were Communists and would refuse stubbornly to issue any assurance they would not conspire against the government in their efforts to overthrow the new regime.

I believe I am the only American ever permitted to visit Yaros. I insisted on visiting the prison island because I wanted to see for myself if the charges of tortures were true.

A few weeks ago I spoke here about progress made in Greece by the caretaker government and I said at that time that the United States must continue to

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apply pressure for restoration of complete parliamentary government—selected freely by the Greek people. I said then that the Greek regime cannot postpone indefinitely return of complete constitutional rule to Greece. I shall continue to press for these reforms but I believe we do a disservice to the cause of freedom when we permit misleading articles about tortures in Greece to go unchallenged.

Mr. Speaker, I have the highest regard for Look magazine. It is one of the Nation's most respected publications. That is why I consider the Look article most unfortunate.

Look magazine could have performed a noble service by showing the progress that has been made in Greece during the past 2 years; by showing how Greece has been saved from a takeover by the Communists, and then join the rest of us in continuing to insist that the caretaker government's mission cannot be completed until parliamentary government is restored to Greece and her people have restored to them their historic right of self-determination.

Mr. Speaker, the pamphlet prepared by the Greek Government summarizing the two investigations conducted into charges of tortures and brutality follows:

[A publication of the Press and Information Department of the Ministry to the Prime Minister]

THE TRUTH ABOUT GREECE—THE TRUTH REGARDING THE DEPORTED COMMUNISTS AND THE ALLEGED TORTURES

(Reports of the International Red Cross Committee and a statement of the Inter-Party Committee of British M.P.s)

(NOTE.—This statement has no other aim than to present Truth about Greece, as witnessed by authoritative, honest and objective investigators.

(It deals with organized slander about horrible tortures allegedly inflicted by the Greek government on arrested communists.

(The reply to this slander is not given by the Greek government, but the official reports of the International Red Cross and the statements of the British five-member, inter-party Parliamentary Committee.

(The reader of this pamphlet may draw his own conclusions objectively.)

International communism launched on the morrow of the Revolution of April 21, 1967 an unprecedented vile attack about alleged torturing of political prisoners and their inhuman living conditions. These communist charges were comprised in a report of Amnesty International whose two representatives, Messrs. Anthony Mareko and James Becket, visited Greece from December 30, 1967 to January 26, 1968, following permission of the Greek government.

Messrs. Mareko and Becket came into contact, freely, only with detained communists or their families. Their report contained two kinds of charges: (a) Torturing of prisoners and, (b) their inhuman living conditions. Having adopted the communist views without any investigation of the charges, Amnesty International drafted a report stressing the following inter alia:

"Use of tortures has been made deliberately and officially. The places where the most serious ones were reported were General Security on Bouboulinas street, Military Hospital 401 and the Camp at Dionyssos. The usual initial torture is the so-called 'phalanga'. The prisoner is tied to a bench and the soles of his feet are beaten with a stick or pipe. Numerous incidents of sexually-oriented torture were reported. Very often cases of gagging were reported, as well as beating on the head with sandbags and beating the naked flesh with a whip.

"Pulling-out nails and use of electric shock.

"The prisoners were hung for long periods. Rubbing sensitive parts of the body, with pepper. Jumping on the stomach."

In the face of these unprecedented and unfounded slanders of international communism and the fellow-travelers as well as of Amnesty International, the Greek government has accepted that successive missions of distinguished International Red Cross representatives visit Greece and ascertain whether the charges were founded or not. In fact, from May 1967 to March 1968 four visits of representatives of the International Committee of Red Cross were made. These representatives proceeded to a long and free investigation of the alleged torturing and living conditions of political prisoners at Yaros, Leros, the prisons, as well as the different hospitals where they were treated.

In parallel, on April 15, a British five-member inter-party committee composed of Messrs. Gordon Bagier (Labour Party), Russell Johnston (Liberal Party), Anthony Beck and David Webster (Conservative Party) and Ted Garret (Labour Party) visited Greece in order to ascertain the living conditions of political prisoners. On the other hand another objective investigator, Mr. Francis Noël Baker, Labour M.P., has not hesitated to stigmatise in the British Parliament the lying and slandering campaign against the Greek government as regards the question of political prisoners.

SMASHING REPLY

The reply to the vile falsehoods of Amnesty International which is influenced by communism, has been really smashing. The slander was of two kinds: (a) Tortures of satanic inspiration at the General Security in Bouboulinas street, at Military Hospital 401 and at Dionyssos, and (b) inhuman living conditions of persons under administrative deportation.

1. Torturing

On the first score of the slanders, that is to say on torturing, there are three authoritative and serious investigators who reject the charges after a careful and completely free investigation. These are: (a) The Committee of the International Red Cross

(b) the report of the inter-party British Parliamentary Committee and

(c) the distinguished British politician of international prestige, the Labour M.P., Mr. Francis Noël Baker.

THE REPORTS OF THE INTERNATIONAL RED CROSS

The reports of the International Committee of Red Cross, in substance, rejected the charges about torturing prisoners. They refused to take a stand, but they also denied the testimonies about alleged torturing in the building of the General Security. The International Red Cross Committee composed of distinguished personalities, in order to reach their conclusions, reported only narratives of political prisoners, all communists, in the prison of Aegina. Those displaced in the islands made no charges about tortures. The prisoners claimed that the greatest part of the alleged tortures were inflicted on them on the terrace of the central police building in Bouboulinas street. This view is rejected by the International Red Cross in its report which says verbatim: "The roof and the entire building correspond with the description of the prisoners who, however, do not mention that it is surrounded on three sides by inhabited buildings which are higher by two or three storeys". All the prisoners, however, according to the International Red Cross report, have assured that they have heard no cry coming from the roof and that they ignored that torturing was being inflicted. Also the fact that the slander about tortures and the myths about inquisition with the hair-raising descriptions of the famous Amnesty Committee are confined in some charges, made by some prisoners, to the torture of the "phalanga", even which is not proved, constitutes the most eloquent proof of truth.

The findings of the inter-party Committee of British MPs.

The report of British MPs on the subject of tortures is equally smashing for the slanderers of Greece. On April 22, 1968 the five British MPs Messers. Antony Beck and David Webster (Conservative Party), Ted Garret and Gordon Bagier (Labour Party) and Russell Johnston (Liberal Party) made an announcement to the Greek and foreign journalists at the Grande Bretagne Hotel, stressing: "The claims of the foreign press that tortures were inflicted on political prisoners at the police headquarters are ridiculous. No political detainees could be tortured in the police headquarters in Athens in full view of the people. Maybe there have been isolated cases but even here it is difficult to distinguish between facts and propaganda. At all events, we believe that no instructions from above have been given about brutality and torturing and we have assurances that any case of excessive zeal on the part subaltern police members shall be punished severely." Similarly, two of the British MPs in question (Gordon Gagier and R. Johnston) in another interview with Greek and foreign journalists on April 26, 1968 stressed:

"No claim whatever about ill-treatment of prisoners on Leros has been made. Glezos is in excellent health and did not complain of brutality. It is true that one of the deportees, Mr. Abatiellos, had a scar on his foot but, we are not in a position to say categorically whether it was caused by ill-treatment. In no circle did we find anyone, even in the camp, who was ready to accuse the rulers of Greece of conducting any brutality or cruelty to deportees. Citizens accept the government positively and say that it is a good government. Part of the foreign press is not objective. We believe that presentation of things by the Western press has been biased in one direction."

Mr. Francis Noël Baker.

Finally, the slanderers of Greece have received a heavy blow from the Labour M.P., Mr. Francis Noël Baker, as regards the alleged tortures.

In the course of a debate on Greece in the House of Commons on April 11, 1968, Mr. Francis Noël Baker gave the assurance that a friend of his, a former EDA deputy, had confided to him that the treatment he had while he was detained was exemplary. He said that the laws on the strength of which individuals are detained in Greece, had been voted by previous governments. Those who applied the law were the same persons as before. Everybody hates tortures. But it is indispensable to check facts so that there should be no doubt. The last report of Amnesty International does not fulfill these prerequisites. It appears that Mr. Mareko has strong political views and so restricted contacts in Greece that it is impossible for him to make an objective appreciation of things. He does not speak Greek and does not know the country. Finally, Mr. Baker in a statement to the press on April 6, 1968, stressed that reports about torturing of political prisoners in Greece had been inflated to a superlative degree. Also, in another statement, when he returned from Greece, Mr. Baker said characteristically: "In view of the conclusions reached by a really responsible organization, like the International Red Cross, I consider that the charges about brutal actions on the part of Greek police officers are being magnified in advance."

2. Living conditions in camps, hospitals, prisons

On the second score of the slanders, that is to say on the alleged inhuman living conditions of deportees on the islands of Leros

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and Yaros as well as of political prisoners in hospitals, there are four reports from an equal number of visits made by representatives of the International Red Cross in Greece from May 1967 to March 1968. In all four reports and particularly in the third and fourth, the common finding is that political prisoners live under satisfactory conditions. In particular:

The first report refers to the findings of M. J. Collandon, who visited the islands of Yaros and Leros, the gendarmerie station of N. Heraklion and different hospitals in July 1967.

The second report refers to the findings of Messrs. de Chastonay and Chatillon, who, as representatives of the International Red Cross, visited the places where political prisoners were held, between October 16 and 31, 1967.

The third report refers to the findings of Mr. Charles Amman, Assistant director and Mr. Laurent Marti, representative of the International Committee of Red Cross, who visited the island of Yaros and several other places of detention in January and Febuary 1968.

The fourth report, which is characterised as a general report on the visits of International Red Cross representatives, refers to the findings of all the missions of the International Committee of Red Cross.

An identity of findings in connection with the living conditions of the so-called political prisoners results, from the reports.

In particular, the following points are reported:

YAROS—LEROS

Sojourn

Third report—Tent camps have been abolished completely. Kerosine stoves have been installed in women's quarters.

Fourth report—The arrangements in the building suggested by the International Red Cross representatives at an earlier visit are already being made, a special credit having been approved for this purpose.

It is stressed in the report that the prisoners have numerous indoor and outdoor games. Bathing in the sea is allowed in the summer. A space of some 1500 square metres surrounded by barbed wire is at the disposal of prisoners at certain hours.

Latrines, shower baths, and wash basins are suitably arranged. Living conditions have improved since last summer.

Nourishment

Fourth report—The daily portion of food corresponds to 2800–3000 calories with sufficient proteins and vitamins. The International Red Cross Committee reports that none of the prisoners seemed undernourished. On the contrary, those suffering from diabetis were entitled to a special diet. An additional expenditure of 8 drachmas for those suffering from this disease is added to the usual 17 drachmas allotted daily per capita. Drinking water is no longer the object of complaints.

In addition, the report states that the prisoners may obtain cigarettes or various personal toilet articles at the canteen.

The money sent by their families amounts to drachmas 500 per month.

Medical care-hygiene

Third report—The medical personnel is composed of four doctors, three nurses (male), one Samaritan of the Greek Red Cross and three military nurses. A dispensary of thirty beds has been arranged in an independent building. The installations include 1 kitchen, 1 room for small operations, 1 room for X-rays and 1 small laboratory.

The laundry functions smoothly, soap is not scarce, the beds are generally comfortable.

Fourth report—Every evening, between 18 and 19.30 hours, a doctor visits the bedrooms.

Monday, Wednesday and Friday are medical visit days. On Tuesday, Thursday and Saturday medical visits in the dormitories are made. In case a patient is in a serious condition the military doctor may order his transport to Athens. According to the International Red Cross doctors, the sick enjoy good care in most of the available installations.

Their nourishment and complexion are satisfactory in general. No patient seems seriously affected. The prisoners live in many large halls which have electric light and the sanitary installations have been considered as acceptable. The prisoners cook alone and, as in the other camps, receive an allowance of 17 drachmas per capita. Both medical equipment and medicines are sufficient. No epidemic has been marked among the prisoners at Yaros and Leros.

Hospitals

Third report—Referring to the living conditions of prisoners in the various hospitals, the report makes the following remarks:

(a) Luminous and well aired spaces. Prisoners under treatment receive the same food as the other patients.

(b) The doctors make no distinction between ordinary patients and prisoners. The latter express but praise.

(c) Convalescents may take small walks.

(d) International Red Cross representatives gathered the best impressions from the hospitals of Syros, the General Hospital of Athens and "Sotiria" Sanatorium.

Fourth report—Sick prisoners are treated in the following hospitals of Athens: General Hospital, Aghios Pavlos Hospital (Averoff prison), "Sotiria" Sanatorium, Aghios Savvas Hospital.

On visiting the hospitals in question, the International Red Cross representatives have ascertained that residence, hygiene, food as well as medical care were satisfactory and did not differ from what is offered to non-prisoner patients. In particular, the member of the International Red Cross Committee, Dr. Jacques Chatillon, says: "The general condition of all prisoners is satisfactory. The patients admitted that medical care was excellent. Recreation the same as for other patients."

Treatment

Third report—The camp commander did not complain about the attitude of prisoners. No disciplinary penalty has been imposed. The detention room has remained closed.

Fourth report—No complaint on the part of the authorities of the camp or of the prisoners has been formulated to the International Red Cross Committee. The report states that during their last visit on March 10, 1968, they talked in private and without witnesses with 95 prisoners, having devoted six minutes to each one of them on an average. The presence of an interpreter has been necessary. At all events it is stated that 13 prisoners speaking English or French have been heard on that day without witnesses.

CONCLUSIONS

There has been slander on two scores: A) Inquisition-like tortures of political prisoners and B) Inhuman living conditions of deportees on Yaros-Leros.

The charges had two sources: 1) Communist and fellow-travelling whispering propaganda and 2) The report of [Amnesty International] attempting to confirm communist slander.

On the other hand, there have been a) responsible statements by representatives of the Greek government at various times denying the slanders with concrete data. b) The reports of the International Red Cross. c) the statements of the British inter-party Committee of MPs who visited the places of detention of deportees, and d) the statement of the British Labour M.P., Mr. Francis Noël Baker, president of the British-Hellenic League.

The texts of the reports both of the British MPs and the International Red Cross Committee and particularly of the latter—owing to unquestionable prestige and well-known objectivity—refuted the slanders one by one and proved:

(1) That no tortures have been inflicted.

(2) That living conditions of deportees are satisfactory.

Of course, during the first weeks of the Revolution, living conditions on Yaros were in no way comfortable. No one has maintained the contrary. The Revolution had to face urgent problems at that time. At all events, from the reports of the International Red Cross Committee, the clear conclusion may be drawn that the living conditions of deportees have never been as described by communist propaganda.

As regards tortures, it has been ascertained by objective investigators, but also by those who made the charges themselves that, in substance, there have been no tortures in any of the places where it has been denounced that these had been inflicted. In addition, it has been proved that, instead of the revolting details mentioned in the report of Amnesty International, the tortures were confined by the allegedly tortured, only to the torment of "phalanga," which has been proved in no case. Moreover, by curious coincidence, the few who have denounced to the International Red Cross that they have been tortured were all active communists with a heavy criminal past.

TRAGEDY AND VIOLENCE AT BERKELEY

(Mr. BROWN of California asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. BROWN of California. Mr. Speaker, fortunately the confrontations have begun to ease between demonstrators and authorities in Berkeley, Calif. Over the past week, this tragic episode has resulted in one death, injuring and gassing of many other persons. Martial law grips the city, and activities there and on the University of California campus are disrupted.

I am shocked that the predominant response by authorities in Berkeley—at both the State and local level—has been one of condoning extreme violence in attempting to halt demonstrations.

I do not condone the irresponsible acts undertaken by some demonstrators, but nevertheless I am appalled by the apparent lack of concern shown by authorities as evidenced by the means utilized to quell the turmoil.

As I understand the situation, I question any need to resort to firearms; yet, the initial move by authorities was to allow police to use shotguns to disperse the crowd. Indeed, police did more than just break up the gathering; one news story—which I shall place below in the Record—tells of police chasing one person and taking careful aim before firing.

Tuesday's indiscriminate tear-gassing of the university's central plaza by a National Guard helicopter commanded by the county sheriff also appears to be gross over-reaction as the gas later drifted over parts of the campus not involved in the disturbance and then into the city itself.

These type responses—shootings, gassings—do not seem to be effective in preventing further trouble and further alienation. Instead, force was being met with force, and some demonstrators, egged on by a very small contingent, began to assume guerrilla tactics against the authorities, the campus, and the city. I can only foresee a bloody final battle

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in the streets if both sides continue rampaging along these clashing paths.

Such a battle must be prevented, and progressive steps to strengthen the de-escalation undertaken at once. Only a relatively minor incident may trigger off mass killing and destruction, and the longer the situation festers and disintegrates, the more chances grow that such an incident might occur.

At present, actions initiated to cool the Berkeley violence are being done at the State and local level—and have not required Federal intervention.

But, I see no more than an uneasy truce at best, and I urge further sensible actions by both demonstrators and authorities. As one starter, I would recommend that Governor Reagan might temper the tone of his criticisms of demonstrators—as were reported in Wednesday's Los Angeles Times, and which I also insert below into the Record—and instead look for some effective way to ease the crisis. Up to now, Mr. Reagan appears more interested in reaping political hay by blaming only demonstrators for all the problems that have arisen this past week—a tactic not new for the Governor since it was his overtly slanted attacks on students and campus disorders which helped him get elected in 1966.

Again, I deplore the unjust and often silly moves by demonstrators who resort to equally authoritarian tactics against the city of Berkeley and the University of California. But these tactics are fanned on by statements such as those made this week by Governor Reagan. And while the extremists on both sides fight, those caught in the middle—Berkeley residents, the university community—suffer.

I am joining my colleague from the Berkeley area, Mr. Cohelan, in taking the following steps to help avert further disruption. I am asking the Attorney General to use his powers in title X of the 1964 Civil Rights Act to assist conciliation through the Community Relations Service, and I am requesting study of the Berkeley situation by the President's National Commission on the Causes and Prevention of Violence.

Mr. Speaker, I include the following articles describing the Berkeley disorders in the Record at this point:

[From the New York Times, May 16, 1969]

Shotguns and Tear Gas Disperse Rioters Near the Berkeley Campus

(By Lawrence E. Davies)

Berkeley, Calif., May 15.—Policemen with shotguns and National Guardsmen with tear gas opened fire on rioters along Telegraph Avenue near the University of California here this afternoon, incapacitating dozens of persons. The rioting began in protest against the university's taking over "People's Park," a tract of land owned by the institution but improved in recent weeks by hippies, yippies, nonstudents and others as a playground and gathering place. The seriousness of most of the injuries was not determined immediately although one hospital spokesman said a group of persons had been treated for buckshot wounds. At Herrick Hospital the nurses lost count of the numbers and an aide said most of the victims were immediately taken into surgery. The shooting started near the Sather Gate entrance of the Berkeley campus after a demonstration attended by 1,500 in Sproul Hall Plaza. At the end of the rally, Dan Siegel, the student president-elect, shouted: "Let's go down and take over the park."

Shortly afterward a platoon of Alameda County sheriff's deputies opened fire into a crowd standing on a roof at Dwight Way and Telegraph Avenue, near the campus. National Guardsmen arrived soon afterward and they tried to control the rioters by firing tear gas.

Among those wounded early in the fracas were Don Wegers, a reporter for The San Francisco Chronicle, and Daryl Lembke, San Francisco bureau chief for The Los Angeles Times.

A state highway patrolman, whose name was not disclosed, was stabbed.

Gov. Ronald Reagan had never lifted a state of extreme emergency that he declared for the campus and its immediate environs on Feb. 5 while confrontations between the police and striking students led by members of the Third World Liberation Front were almost a daily occurrence.

The Governor's proclamation enabled the sheriff to call upon the National Guard and the state highway patrol to keep order on the campus.

A critical situation had been building for the last day or two since Dr. Roger W. Heyns, chancellor of the Berkeley campus, served formal notice that the university would evict the "people's park" patrons and place a steel mesh fence around the 445 by 275 foot area owned by the institution. It covers most of a square block at the corner of Haste and Bowditch, near the campus.

Several hundred policemen had appeared at the park before 5 a.m. and "dispossessed" a small group of "trespassers" in preparation for the start of the fence erection an hour later.

Squads of laughing, singing hippie types had been busy at the site for several weekends, transforming the $1-million property—destined eventually for student housing and, more immediately, for playing fields—into a park.

They had spent a reported $700 for turf, with which they covered part of the bare ground and had spread sawdust over some of the rest. They also brought in striped swings to delight children and installed benches and tables for picnics.

Someone dubbed the result "power to the people park," which was shortened on a sign to People's Park. A corner bulletin board carried a schedule of activities so that residents and nonresidents, students and nonstudents, who arrived with picnic baskets or sandwiches in brown bags could stop to read on their way to a picnic table.

There were three apple trees and colored balloons and a steel triangle like a chuck wagon dinner bell, which they called a "bulldozer alarm," to alert them when the police might be about to descend on the area.

The university purchased the property last year in accordance, according to Earl Cheit, executive vice chancellor, with an agreement with the city of Berkeley, the seller, several years ago. Within 10 years it was to be converted from a playing field into either student apartments or dormitories.

Art Goldberg, one of the leaders of the Free Speech Movement on the Berkeley campus more than four years ago, said recently that the university had purchased the land because the Berkeley police department had asked it to.

"They're trying to drive the students and the street people out," he asserted, a statement that has been denied by the administration.

[From the San Francisco Chronicle, May 19, 1969]

Shooting of Berkeley Protester: Photo Stirs New Furor

The furor over police use of shotguns during the Berkeley People's Park disruptions increased yesterday with the release of a photo shot the instant before a lawman shot a fleeing demonstrator last Thursday.

The remarkable picture was taken by Emitt Wallace, a 26-year-old pre-law student who lives in a second-story Berkeley apartment at 2500 Dana street, on the corner of Dana and Dwight way.

"I was looking out the window Thursday afternoon and I saw some 50 people standing on the corner," he told The Chronicle.

"Then they all started to run. The cops came around the corner and one stood there like he was going to shoot.

"I never dreamed he would, but I picked up my camera and shot."

The lawman—garbed in what appeared to be the battle dress of the Alameda County Sheriff's Department—sighted along the barrel of his riot gun and suddenly fired at the back of a fleeing man in a flowing beard, Wallace said.

The cop "took his time aiming," and was only two car lengths from his victim when he fired, he added.

"The guy fell down in the street howling.

"The cop took off, and someone dragged the guy into a house. His right buttock and hip were bloody from birdshot wounds."

Wallace said no one has yet been able to identify the victim of the incident.

But University of California students hope he will come forward after he sees his picture, Wallace said.

[From the New York Times, May 20, 1969]

Faculty Stages a Berkeley Vigil: They Protest Police Tactics as Fresh Demonstrations Are Halted With Clubs

(By Lawrence G. Davies)

San Francisco, May 19.—A group of University of California faculty members shared a "protest vigil" today on the Berkeley campus while one of them made a qualified public call for Chancellor Roger W. Heyns to resign.

The vigil, in which some 100 members of the faculty, including Dr. Owen Chamberlain, a Nobel laureate in physics, took part, was one of a series of events over which hundreds of national guardsmen, policemen and sheriff's deputies kept watch or interfered with.

Dr. David Krech, professor of psychology, said the faculty members then assembled to "protest the bloodshed and the continued threat of bloodshed that was consequent upon university action" last week.

This action, which produced further protest today as far away as the university's Santa Cruz campus, 70 miles to the south, where an administration building was seized by students, followed violence that began last Thursday in the universtiy district in Berkeley.

It followed the ejection of a group of "street people"—hippies, students and nonstudents—from a piece of university-owned land that they had transformed into a park of sorts through several weekends of work. Chancellor Heyns ordered a fence installed to keep interlopers out.

SEVENTY TREATED IN HOSPITALS

Almost 70 persons required hospital treatment last week from injuries received from pellets of various kinds fired at protesting crowd by law-enforcement agents. Police officers have insisted that the usual ammunition was light birdshot, but some wounds have indicated to hospital aides that in several instances buckshot or heavier pellets were used.

The Stanford University campus at Palo Alto also had continued demonstrations. Students picketed the institute to enforce a demand that university trustees integrate the institute with the university and ban all war-related research.

A half-dozen arrests were made, bringing the total for the weekend to 21. The Stan-

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ford trustees decided last week to sever formal ties between the two institutions but refused to order the institute to give up such research as counterinsurgency.

At Berkeley a scheduled noon rally on Sproul Hall plaza drew about 1,000, who fell back without resistance in the face of squads of policemen.

GUARD REPELS PROTESTERS

Professor Kreh, explaining why faculty members were on hand, asserted that the vigil "is to indicate publicly our protest against Chancellor Heyns's actions that led to shooting by Sheriff Frank I. Madigan and his hoods."

Several times during the day National Guardsmen forced columns of demonstrators, as many as 2,000 at a time, back to the campus from downtown Berkeley, where they had vowed to close businesses. Several of the militants were clubbed when they refused to move from a position near International House.

Many businesses were closed and even employes of the Bay Area Rapid Transit District, now working on a Berkeley subway line, removed their equipment and quit work, at least temporarily, at the demonstrators' demand. Paint in some cases was sprayed on store windows, cars and parking meters.

Representatives of a citizens' coalition group, at a campus news conference, demanded immediate discussions between the university and the "People's Park" negotiating committee, the removal of outside police forces and an investigation of the use of firearms for crowd control.

[From the Washington Post, May 21, 1969]

Helicopter Sprays Gas on Berkeley "Mourners"

(By Rasa Gustaitis)

Berkeley, Calif., May 20.—Thousands of demonstrators fled the University of California campus this afternoon, sneezing and coughing after tear gas was sprayed repeatedly—from canisters, hoses and a low-flying military helicopter—to disperse about 1000 people who roamed the campus in the sixth day of disorders over People's Park.

About 2000 people had attempted to stage a march of mourning to the campus and downtown to commemorate the death late yesterday of James Rector, 25, who had been shot by .30 caliber bullets in last Thursday's riot.

Rector, from San Jose, died at Herrick Memorial Hospital of "acute heart failure" after undergoing surgery that removed his spleen, pancreas and a kidney.

In Sacramento, Gov. Ronald Reagan said Rector probably had been hit by police shots but said "it's very naive to assume that you should send anyone into that kind of conflict with a flyswatter."

The march began at noon in Sproul Plaza on the campus and was cut short on the campus edge by police backed by the National Guard. The demonstrators then received police permission to return to the Plaza for a vigil.

DAY OF MOURNING ASKED

Mark Pilisuk, a faculty member in the department of Social Welfare, urged the crowd to return "in keeping with the spirit of what we're trying to do." Others, however, wanted more militant action and greeted his words with shouts of "murder," referring to Rector's death.

William Mandel, a Russian scholar and long-time Berkeley militant, then addressed the crowd. He demanded that the city officially be shut down tomorrow in mourning for Recter. If that was not done, he said, "Nobody will be able to restrain those who want to express their sorrow and outrage."

Student body president Charles Palmer then urged the demonstrators to "keep cool" and led them back into the campus. Some headed for Chancellor Roger W. Heyns' house where they chanted and shouted until police dispersed them with the day's first barrage of tear gas. A campus policeman was injured on the mouth by a flying rock.

The crowd then filtered back to Sproul Plaza and was surrounded by the police and National Guard. Several National Guard trucks stood at the entrance of the campus. One contained barbed wire to barricade the streets, if needed.

At 2 p.m. police ordered the Plaza cleared. "Chemical agents will be dropped in the next five minutes," an officer announced through a bullhorn. Five minutes later, a powdered form of tear gas; called "CS" gas, was sprayed from a helicopter.

The gas was used several times more during the afternoon on the campus. It drifted into classrooms, forcing students and faculty to emerge with stomach cramps and eyes watering and stinging. It also drifted into the campus hospital where at least one patient was evacuated into a sealed room.

GUARDSMAN LED AWAY

In Strawberry Canyon, a recreation area for faculty families, children felt the stinging gas as they swam in the pool. On nearby Telegraph Avenue people stood inside shops with damp handkerchiefs over their mouths and faces. University employes have taken to bringing masks to work with them.

At about 3 o'clock, a National Guardsman at the campus entrance dropped his rifle, helmet and mask, attempted to rip off his flak jacket and was led away by MPs. A public information officer explained he had become ill and MPs merely helped him away. He was too embarrassed, the officer said, to be interviewed.

But Rick Davis, a reporter for KNXT-TV in Los Angeles, said he saw the Guardsman throw down his rifle and helmet. "He looked mad. He didn't look sick," Davis said. Stephen Lighthill, a CBS cameraman, said he saw MPs put a handcuff on one of the Guardsman's wrists.

Moments before the incident, Berkeley police arrested a student of criminology who had been talking with Guardsmen and, according to witnesses, urging them to drop their guns. More than 20 persons were arrested today.

Just before noon, Dan Siegel, 24, the president-elect of the Associated Students, gave himself up to police. He said he had heard he was wanted on the misdemeanor charge of inciting a riot. Last Thursday, at a rally, Siegel urged a crowd to march on People's Park and reclaim it. That morning the University had put a fence around the lot which residents had developed into a park.

Meanwhile, the Berkeley City Council spent the morning discussing the crisis and expressing its repugnance of violence and desire for order.

[From the New York Times, May 21, 1969]

Copter Breaks Up Berkeley Crowd: Stinging Powder, Dropped From Air, Ends "Funeral" for a Gunshot Victim

Berkeley, Calif., May 20.—A National Guard helicopter swooped over the University of California today and dropped a white, skin-stinging powder on several hundred students, faculty members and "people's park" demonstrators.

The powder dropped by the helicopter was identified by officials as "C.S.," a dry form of tear gas.

The action in Sproul Hall Plaza came 30 minutes after troops guarding the campus home of Chancellor Roger W. Heyns fired tear gas to disperse a crowd of 500, many of whom were shouting curses at the chancellor's wife.

The violence grew out of a silent "funeral march" led by demonstrators in memory of a bystander who suffered buckshot wounds during the bloody riots last Thursday. The victim, James Rector of San Jose, died last night in a Berkeley hospital. The coroner's office ruled that the wounds were the cause of his death.

Mr. Rector, a carpenter, was reported to be visiting a friend. He had taken refuge on a rooftop when the trouble started Thursday. According to witnesses, an officer took aim with a shotgun and fired.

The police and national guardsmen broke up the crowd of more than 2,000 marchers and split it into smaller groups.

The new violence came in the fifth day of turmoil that followed the official closing of a plot of university-owned land that had been improved by students as a "people's park."

As tear gas and bayonets were used to stop the 500 marchers advancing on Mr. Heyns's residence, students shouted "Murderer! Murderer!"

Mrs. Heyns, protected by private security guards, was in the house.

SEVEN CLOUDS OF TEAR GAS

Clouds of gas floated across the campus and isolated skirmishes between dissidents and police were reported.

The silent funeral march, led by 25 to 30 faculty members, set off across the university at noon toward the downtown shopping district.

More than 2,000 sympathizers filed behind the leaders. They carried one large yellow placard that read: "Faculty Vigil."

At the edge of the campus, the march was met by a company of guardsmen and a line of Berkeley policemen.

After the crowd was broken up, one segment marched to the chancellor's home. Another part of the crowd marched to the campus administration building. A third group went to Sproul Hall Plaza, where a social welfare professor, Mark Pilisuck, said the National Guard had agreed to permit a funeral vigil.

However, they later were dispersed.

A Berkeley policeman said that the order to drop gas from the helicopter had come from the Sheriff, Frank I. Madigan, who is field commander of the operation at the campus.

The Berkeley City Council voted today unanimously to request an investigation by the Alameda County Grand Jury.

It asked the jury to explore the circumstances surrounding the current street violence, the means used to repress the outbreak and the means used to incite the violence.

[From the Washington Post, May 19, 1969]

"People's Park"—Newest Battlefield in War at Berkeley

(By Rasa Gustaitis)

Berkeley, Calif., May 18.—The "people's park" has become a National Guard encampment.

The muddy University-owned lot where "street people" had laid sod and placed benches and swings and sculpture is now surrounded by an eight-foot wire-mesh fence.

The University of California—backed by police in flak vests—shut the park down at dawn last Thursday. In the disorders that followed, 50 people were arrested and 100 injured, some by police birdshot. On Saturday, a downtown rally was broken up by 500 National Guardsmen.

Today, demonstrators tried to create a second "people's park" on vacant land, but National Guardsmen drove them away with little violence.

The story of this episode in the war between the University and its on-campus and off-campus dissidents goes back almost a year.

Until then the lot was a block of rundown off-campus rooming houses. The University bought the block for about $1 million, tore down the houses and said it planned—sometime—to develop it for intramural sports fields and eventually for dormitories.

Meanwhile, it was an eyesore. During the winter it turned into a muddy swamp. Later it was used as an informal parking lot.

Four weeks ago, several people in the community—including some of the more radical businessmen, a Berkeley Barb reporter and some veteran activists—decided to turn the lot into a park.

Stu Albert of the Barb wrote an announcement in that paper inviting those interested to come to the lot Sunday, April 20, to dig and plant. About 500 people showed up, including students, faculty members and a lot of "street people"—the scraggly young people who hang out on nearby Telegraph Avenue.

A bulldozer was hired to grade the earth. About an acre of sod was laid. A "people's revolutionary corn garden" and a wide variety of flowers were planted. Walkways were built with bricks from a church being demolished nearby. Swings, a sandbox, benches, sculptures and bulletin boards appeared.

Some merchants on Telegraph Avenue gladly contributed money, hoping that "street people" would turn into "park people" and take their problems—drugs, juvenile runaways—off the sidewalks.

Nobody was in charge of the development. The park seemed to grow spontaneously and was used by hundreds daily. Theater groups and bands came to perform. There was usually a fire going in a pit and sometimes free food was cooked and distributed.

However, to some the park was a problem. Nearby residents complained about noise. Police saw the park as a haven for drug users. The University feared the reaction of the Board of Regents.

Two weeks ago, Chancellor Roger W. Heynes, announced he was willing to modify the design for the planned playing field to include some park facilities. Last week he announced that a fence would be built to reaffirm the University's ownership and stop unauthorized use of the lot.

The fence went up at dawn. The demonstration that followed quickly turned into a riot. Gov. Ronald Reagan called in the National Guard.

Saturday some 500 young people roamed through the downtown area in an effort to close down businesses, then gathered for a rally. More than 1000 National Guardsmen and policemen contained the crowd and it broke up.

Frank Bardacke, a Berkeley activist, told the rally to prepare for a week of peaceful disruption. "It's going to be up to us to stay in the streets longer than they can keep the Guard in the streets," he said. "The only chance we have is to make it so costly to Berkeley that the Regents and the University will have to give in and let us have the park."

Many Guardsmen were uncomfortable with their roles. "It feel s—y," said one, a student at San Jose State College, who sat slumped against the park fence. "The only thing I'd heard about this park was a story in the paper. It showed how nice it was that people were cleaning up an empty lot and planting flowers."

"It doesn't seem like this was necessary," said another Guardsman who was called to duty Friday morning after he had returned from a night job as a machine operator.

One possible way out of the siege is a proposal originating in the University's School of Environmental Design. It would allow the park to continue, under the school's supervision, as an experiment in spontaneous recreational development within a community—in other words, a "people's park."

[From the San Francisco Chronicle, May 19, 1969]

On the Town: There's Trouble Comin' Every Day

(Ralph J. Gleason)

"I am he as you are he, as you are me and we are all together . . . see how they run like pigs from a gun, see how they fly . . . I'm cryin' . . ." John Lennon and Paul McCartney wrote that in their classic "I Am the Walrus" and the heavy buzzing sound of the police helicopters grew in the sky. "Chicken Little, the sky is falling, the sky is falling," I thought and looked at the National Guard and the Highway Patrol and the rest of the police.

"Look out kid, don't matter what you did" Bob Dylan said it and another line of his comes to mind: "at midnight all the agents and their superhuman crew come out and round up everybody that knows more than they do!"

The smell of tear gas seeped under the door and from the back of the house you could hear the gunshots. "Well, I'm about to get sick from watchin' my TV, I been checkin' out the news until my eyeballs fail to see" Frank Zappa sang and ended his song with ". . . there's trouble comin' every day."

Down the street the ambulances were screaming, lights flashing. Jeeps with National Guard, station wagons with Highway Patrol. Flak suits and gas masks.

And guns. While we sat in our rooms and played records and listened to the magnificent broadcasts of KPFA and watched the TV, they shot people in Berkeley, not in self-defense even, but for standing on a corner. "It's a most distressful country . . . for they're hanging men and women for the wearin' of the green."

Can nobody stop the madness? Anywhere? There was no revolution in Berkeley. There was a muddy lot, let lie fallow by the University for months. Ordinary people, not any kind predominating, made it into a thing of beauty. Then in order to protect themselves from political attack, its legal owners erected a fence and called in the National Guard to play on the children's playthings. And they shot people in the street in Berkeley on Black Thursday in a test to see how far the society would go to enforce a technical right. Is it worth that man facing blindness in the Berkeley hospital? Even the Berkeley Gazette wonders editorially was the shooting necessary. An elected official on radio said "we'll fight them with guns" though God only knows what he was talking about.

There is crazy gas in the world today. In every country, in all the cities. The planet's in turmoil. This society has lost control of its senses. We are shooting people for building wooden benches on a vacant lot!

Nothing I have ever seen on TV or heard on radio or read in the papers has the horrifying effect of the eye witness broadcasts over KPFA.

"Can I use your phone?" the blonde lady with the child in her arms asked at my front door. "They wouldn't let me get back to my car and the tear gas drove me down here." Refugees in Berkeley. Refugees, not from revolutionaries, but from the forces of so-called law and order.

The trouble is, of course, that we insist on legalizing our prejudices. Our board of education wants to legislate morality. The Governor and the University want the troublemakers to go away, white or black. The provocations and the confrontations are all designed to let the munitions salesmen whom we saw in the film of the police chief's convention, make their profits selling their tear gas and their flight jackets and the rest of their riot equipment. Law and order means they can shoot you. That's what it meant in Berkeley on Black Thursday.

Catch-22 said that they can do anything we can't stop them from doing. Joseph Heller is a poetic visionary. So was George Orwell and Bertolt Brecht. And Kafka. They saw the future in all of its mindless, ignorant brute force terror. Is it really upon us now?

[From the Los Angeles Times, May 21, 1969]

Reagan Charges Park Riots Were Planned: Says Weapons, Missiles Were Stockpiled for Deliberate Confrontation in Berkeley

(By Tom Goff)

SACRAMENTO.—Gov. Reagan said Tuesday that the Berkeley "people's park" riots were caused by "a well-prepared and well-armed mass of people who had stockpiled all kinds of weapons and missiles."

Police intelligence and other information available to him showed the upheaval was "a deliberate and planned attempt at confrontation" and not a spontaneous reaction to a cause, he said.

Rioting started in Berkeley last Thursday when the University of California moved to clear and fence in a parcel of university-owned land that had been taken over by so-called "street people" as a hangout and a park.

The university said the land was needed for development as a soccer field.

One youth was fatally wounded in the rioting and scores, including about 50 police officers, were injured.

Reagan sent units of the California National Guard to the area and imposed a 10 p.m. to 6 a.m. curfew after local officials said they could not contain the uprising.

Reagan said he assumed the dead youth—James Rector, 25, of San Jose—was shot by a law enforcement officer.

He told a Capitol news conference such things were part of the tragedy of "this entire attempt at revolution."

In the current school year, he said, four persons have died violently at or near California college and university campuses.

"How much farther do we have to go to realize that this is not just another panty raid?" he asked.

NOT YOUNGSTERS' WORK

Reagan said none of the disturbances which have been occurring at Berkeley and elsewhere could be considered "simply the acts of youngsters sowing their wild oats or seriously and legitimately questioning our society and its values."

Preceding the most recent Berkeley outbursts, he said, campus officials had announced repeatedly that the property in question was scheduled for conversion to a soccer field at this time.

"But despite these warnings," he said, "those who wanted a confrontation sought to convert that property for their own use."

The governor insisted that the university timetable calls for the use of the disputed land now. He indicated, however, that action to fence it in last week may have been prompted by a petition from adjacent residents.

He said the petition was signed by 48 residents who asked for "prompt and decisive action" to clear the property.

It made seven points, the governor said:

Activities in the "park" were causing "great distress" in the neighborhood.

Drums, shouting and other crowd noises lasted nightly until 2 or 3 a.m.

"Garbage and human faces" littered the area and the neighborhood.

Bonfires were burned day and night without permits.

"Drug pushers and addicts" were "seen" in the area.

Residents had been stopped for handouts and were threatened if they did not comply.

Water and bricks were stolen from nearby sources.

Reagan referred to those who used the park as street gangs," most not directly associated with the university but who have the support of "a few campus radicals."

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He said threats were made that if the university closed off the area, retaliations would occur, including $5 million damage to campus buildings.

The university decided to clear the park and fence it last Thursday. It sent workmen accompanied by some 250 police officers to do the job "in the early hours of dawn," Reagan said.

"After the property was cleared, mob violence erupted and additional police were called to the scene," the governor added.

"On that day, police took a tremendous and unprovoked beating from a well-prepared and well-armed mass of people who had stockpiled all kinds of weapons and missiles.

"They included pieces of steel rods as well as bricks, large rocks, chunks of cement, iron pipes, etc."

At one point, Reagan said, a can of gasoline was thrown at a group of officers.

"Dissidents stood on fire escapes and roof tops and showered officers with steel bars, rocks and chunks of cement. One officer was stabbed in the chest with a thrown dagger," he added.

The governor said the police responded with tear gas and shotguns loaded with birdshot.

"This was done only to protect life and property and in response to felonious assaults with deadly weapons," he said.

He responded to a plea from local officials for National Guard help when local agencies, including mutual-aid police forces, could not contain the situation, the governor said.

"I want to make it clear now that the National Guard, or whatever resources they can provide, must and will be made available to local officials when they ask for it," he added.

Reagan said he was "opposed to proposals that the police be forbidden to use firearms in dealing with civil disturbances."

The governor indicated he was convinced of the conspiracy aspects of the case because of the presence at Berkeley of people associated with student and similar disturbances at Berkeley earlier and elsewhere in the country.

When pressed for names he said the list would include Tom Hayden, a leader in the Students for a Democratic Society movement, and Mario Savio, a leader in earlier student outbursts at Berkeley.

ANTISMOKING PRESSURE DANGEROUS TO HEALTH OF CONGRESS

(Mr. STUBBLEFIELD asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. STUBBLEFIELD. Mr. Speaker, a distinguished committee of the House of Representatives is now deliberating the difficult and controversial question of whether cigarette smoking is dangerous to health. But I have made up my mind. I am convinced that antismoking pressure is dangerous to the health of this Congress.

I am not being flippant. The threat of the constitutional lawmaking function of this body is real. It is particularly galling that it comes from two regulatory agencies which are the very creatures of Congress itself.

Not content to wait for the House to complete its decisionmaking, the Federal Trade Commission and the Federal Communications Commission have served notice that they will act against cigarette advertising. The FCC intends to ban all cigarette advertising from radio and television. The FTC proposes to force every cigarette advertisement to carry a warning far harsher than any yet put forward.

Mr. Speaker, the two regulatory agencies are in effect holding a gun to Congress and saying, "Do it our way, or else." The overwhelming majority of Members denounce the violent tactics and nonnegotiable demands of student radicals on campuses across the Nation. But I ask, are the FTC and FCC pressure tactics any different? I submit they are not. I submit that the breakdown of constitutional processes and traditional practices is not confined to the college campus or the ghetto streets.

I submit that the two regulatory agencies are behaving with the same disregard for lawful and orderly processes as student radicals and street corner militants. It is unseemly behavior for a group of beardless, middle-aged commissioners. And I think it is high time for this Congress to exercise some parental discipline on its offspring. A trip to the woodshed may be definitely in order.

MECHANISM FOR IMPLEMENTING AND ENFORCING TITLE VI OF CIVIL RIGHTS ACT OF 1964

(Mr. CONYERS asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. CONYERS. Mr. Speaker, on May 20, my distinguished colleague, the gentleman from Californie (Mr. EDWARDS), chairman of the Democratic study group task force on civil rights and minority affairs, brought to the attention of the Members of Congress the shocking failures of the Department of Agriculture to enforce laws against discrimination in Federal programs. I await with great interest the response to his letter to Secretary Hardin in which he asks what steps will be taken to implement the recommendations of the Attorney General to end the racially segregated and unequal services provided by the USDA.

In fact, it is my understanding that the Department of Agriculture has now begun to study the recommendations of the Attorney General. Within a day of receipt of Mr. EDWARDS letter, the Department scheduled a meeting to consider this matter.

Because of the vital importance of this issue to so many of our citizens and because the report to which Mr. EDWARDS referred, "The Mechanism for Implementing and Enforcing Title VI of the Civil Rights Act of 1964," has not been available to the Members of Congress and the public, I include it at this point in the RECORD:

THE MECHANISM FOR IMPLEMENTING AND ENFORCING TITLE VI OF THE CIVIL RIGHTS ACT OF 1964

In the Winter of 1967–68, staff of the U.S. Commission on Civil Rights conducted interviews with officials of the Office of Assistant to the Secretary for Civil Rights, the Office of Inspector General, the Office of General Counsel, the Departmental Committee on Program Review and Evaluation and ten agencies of the Department of Agriculture who administer programs subject to Title VI of the Civil Rights Act of 1964.

The purpose of this effort was to review the mechanism for implementing Title VI as it had been established within the Department.

The folowing report is based upon these interviews and an analysis of materials developed by the Department pertaining to their Title VI enforcement program. It is intended as an internal working document for the information and use of the agencv concerned.

SUMMARY OF FINDINGS AND RECOMMENDATIONS

The organization, staffing, and assignment of the equal opportunity function in the Department of Agriculture as presently constructed does not provide the most effective implementation and enforcement of Federal and Departmental equal opportunity policies and regulations. An Office of Equal Opportunity should be established under the Secretary with responsibility for and authority to coordinate, implement and enforce Federal and Departmental equal opportunity policy, including the power to command agency performance.

The Department of Agriculture does not uniformly conduct evaluations which meaningfully measure the relative impact and benefits of agriculture programs and services upon potential and actual minority group program participants. Agencies of USDA should be required to collect racial and ethnic participation data in their programs and a program evaluation unit should be established within the Office of Equal Opportunity to provide independent analysis of such data.

No effective program for civil rights training of agency program staffs and employees of agriculture programs at the state and local level exists in the Department of Agriculture. As a result, agency administrators and program personnel are not sufficiently informed of equal opportunity policies and are not equipped to implement and enforce these policies. As a further result, communication with minority group beneficiaries is poor or non-existent. A civil rights training unit should be established within the Office of Equal Opportunity to develop programs for sensitizing agriculture officials to minority group problems and providing them with the techniques and knowledge necessary for conducting meaningful equal opportunity enforcement.

Compliance reporting and review methods presently in use do not adequately inform the Department of Agriculture of the status of equal opportunity compliance in its programs. Under the direction of the Office of Equal Opportunity, adequate methods for assessing equal opportunity compliance, including quantitative measurements of minority group participation in agricultural programs, and field reviews incorporating "across the board" program measurements, must be developed. In addition to agency compliance reporting and review efforts, the Office of Equal Opportunity should have sufficient staff to monitor agency reporting and review activity and to perform independent compliance reviews in the field.

Although the most significant activity in equal opportunity compliance within the Department of Agriculture is currently being conducted by the Office of Inspector General, the effectiveness of this activity is limited by the failure of agency administrators to respond adequately to OIG audit and report findings. The Office of Equal Opportunity must have the authority to direct that necessary corrective action, based on OIG findings, be implemented within agencies of the Department. Furthermore, the activity of the Inspector General does not relieve the Office of Equal Opportunity or the agencies of the Department of their own compliance reporting and review and program evaluation responsibilities.

ORGANIZATION AND STAFFING

Responsibility for Title VI implementation and enforcement in the Department of Agriculture resides in agencies of the Department

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administering programs subject to that title.[1] Coordination of the Department's Title VI efforts is the responsibility of the Assistant to the Secretary for Civil Rights and a staff of eight persons.

A. Assistant to the Secretary for Civil Rights

The position of Assistant to the Secretary for Civil Rights was created on January 22, 1965, and is filled by Mr. William M. Seabron. Mr. Seabron is responsible for (1) assisting agency heads to develop and promulgate policies which will result in compliance with Title VI; (2) aiding in the implementation of civil rights policies and (3) interpreting Federal policy, counseling and rendering assistance and guidance to achieve reasonable and consistent action.[2]

Mr. Seabron is the Secretary's staff representative who coordinates and directs day-to-day activities relating to the implementation of the Civil Rights Act of 1964.[3] While agency administrators are responsible for implementing and enforcing the Department's civil rights policies and for measuring the effectiveness of providing equal opportunity, Mr. Seabron maintains review authority over all proposed agency actions with civil rights impact so as to provide the Department uniform efficient and coordinated implementation.[4]

Mr. Seabron has been delegated the authority to make determinations that compliance cannot be achieved by voluntary means and for taking or authorizing action to achieve compliance by other means authorized by law as stated in 7 CFR 15.8 (a) and (d).[5] He is further delegated the authority to issue orders giving notice of opportunity for hearing and to arrange for the designation of hearing examiners to preside over proceedings.[6] He may also order proceedings and hearings in the Department of Agriculture . . . consolidated for hearing with proceedings of other Federal departments and agencies.[7]

Mr. Seabron views his role as that of a coordinator but not as an implementer or enforcer of Department policy. Department guidance is unclear on this point. Although agency administrators are said to be responsible for implementing and enforcing the Department's civil rights policy, Mr. Seabron has responsibility to coordinate and *direct* (emphasis supplied) the day-to-day activities relating to the implementation of the Civil Rights Act of 1964.[8] Where agency administrators fail to perform their duties relative to Title VI, as has been documented both by the U.S. Commission on Civil Rights and the USDA Office of Inspector General,[9] it is clear that the Secretary must provide the implementing and enforcing power for the Department. This responsibility should be combined in the Secretary's chief responsible official for the administration of Title VI matters.

Whereas execution and performance ultimately must be expected from agency administrators, the Secretary must have clear authority to command that performance. The present arrangement, whereby the Secretary's representative for civil rights matters lacks the authority to command agency performance, permits agency administrators to weaken Department efforts to achieve a unified and consistent approach to compliance. As evidence of this, Mr. Seabron's staff cited occasions when their requests for action by an agency have been ignored altogether.

An example of how one agency was able to effectively thwart attempts to carry out an equal opportunity matter concerns the efforts of Mr. Seabron to secure an equal employment opportunity procedure for employees of the Cooperative Extension Service. Acting in response to issues first raised by the U.S. Commission on Civil Rights in its 1965 report which demonstrated inequality and segregation in salaries, assignments, facilities, and services for Negro extension agents, in July 1966 Mr. Seabron initiated, staffed, and received approval for a Departmental complaint procedure for extension workers who felt they had been denied equal employment opportunity because of racial discrimination. The procedure, although signed by the Assistant Secretary for Administration, was withdrawn by Department officials upon the report of the Administrator of the Federal Extension Service, who met with the State officials in August, that the procedure would be resisted by the States. Thereafter it was agreed that a committee of the Association of Land-Grant College Presidents would work cooperatively with the Department of Agriculture to develop a procedure which the States would agree to. Such a procedure was anticipated by January 1967. It was not until January 1968, following an opinion by the Department of Justice supportive of Mr. Seabron's efforts, that it was determined to push ahead on the promulgation of a regulation establishing procedures which, in the main, were first suggested by Mr. Seabron 18 months before. In May, a proposed regulation was published in the Federal Register.

Not only is Mr. Seabron limited by the arbitrary response of agency administrators, he is limited, in practice, by the interposition of other staff advisors to the Secretary.[10] This is illustratied by a remark of Mr. Seabron during Commission staff interviews to the effect that the only way he could be sure that the Secretary sees something he (Mr. Seabron) thinks is important is to hand-carry it to the Secretary's office because if he sent it through the Department's mail system, "somebody else usually decides if the Secretary should see it."

These forces combine to isolate Mr. Seabron and insulate the Secretary from dealing effectively with the pressing problems of civil rights in the Department of Agriculture.

B. Staff of the Assistant to the Secretary for Civil Rights

The Deputy to the Assistant to the Secretary for Civil Rights, Mr. William W. Layton, is responsible primarily for equal employment opportunity and contract compliance matters. In the Title VI areas, there is a civil rights compliance officer, Mr. John W. Slusser, who directs the activity of a three-man liaison office, staffed by equal opportunity specialists and a four-man field office of field civil rights specialists (based in Washington). At the time of Commission staff interviews, the liaison office was completely staffed and the field office had three of its four authorized positions filled.

The liaison office maintains contact with the various agencies of the Department. Each staff member is responsible for two or more agencies. The liaison office follows up on complaints involving the agencies and may conduct reviews of the agency compliance review procedures. They do not perform any program evaluation function. The field office maintains informal liaison with minority groups, arranges for informational meetings at the local level, and attempts to resolve conflicts or misunderstandings involving agency programs. They do not perform complaint investigations or compliance reviews. They are not authorized to negotiate instances of noncompliance uncovered in the course of their activities.

The Commission questions if the most efficient use is being made of the civil rights compliance staff members. While granting the desirability of liaison and good public relations, the limits placed upon the authority of these staff members (as detailed above) also limit their effectiveness in achieving compliance in agency programs.

C. Budgeting for Civil Rights Compliance Activity

One measure of the priority assigned to civil rights enforcement is the amount of money Federal agencies allocate for that purpose. The Department of Agriculture has no identifiable budget line item for civil rights enforcement as does the Department of Health, Education, and Welfare. All funds for this activity come from the Secretary's contingency budget.

In July 1966, the Assistant to the Secretary for Civil Rights submitted a proposed budget for civil rights compliance and enforcement activity. Coupled with the proposed activity of the Office of Plant and Operations, the Office of Inspector General, and the Office of Personnel (and not including the compliance activity of the various agencies), the total need was estimated by the Office of Budget and Finance to be $493,600—a 67 percent increase over the amount then expended for civil rights in the Department. In a September 30, 1966, memorandum from the Assistant Secretary for Administration, the following was stated: [11]

"I believe that we are making a sad factual error to ask for any additional funds in the Secretary's Office above the existing $295,000 for civil rights work in 1968. . . . It is my firm opinion that if we attempt to secure additional funds for this work at this time we will not only prevail, but that we will cause ourselves added miseries in other areas."

One can only speculate as to the specifics in the mind of the Assistant Secretary for Administration although it may be surmised that his position was undoubtedly related to the well-known antipathy of certain Congressional committee chairmen toward civil rights matters. Commission staff received the impression that this memorandum was sufficient to deter any future requests for funding sufficient to staff an adequate compliance program in the Department of Agriculture. No attempt was made by Mr. Seabron to reintroduce a request for expanded civil rights compliance activity for FY 1968 or FY 1969.

D. Agency civil rights staffing

Only one agency, the Agricultural Stabilization and Conservation Service, had a full-time civil rights staff position at the time of Commission staff interviews. Two other agencies, the Rural Electrification Administration and the Federal Extension Service, were considering hiring full-time civil rights specialists. A table reflecting USDA Agency Title VI staffing is at Appendix C.

Every agency has designated a "civil rights coordinator" who serves as a contact point between the agency and the Office of the Assistant to the Secretary for Civil Rights but routine work in civil rights matters is usually delegated to program staff having other duties. This arrangement often makes the adequacy of an agency's civil rights compliance effort dependent on the time staff assigned additional civil rights duties can devote to civil rights matters. For example, the staff person for civil rights in the Forest Service, Mr. W. D. Giffen, impressed the Commission staff as exceptionally diligent in carrying out his duties. To a large degree the same opinion was obtained regarding the staff person for civil rights compliance in the Rural Electrification Administration, Mr. Richard M. Hausler.

Three agencies with programs of significant equal opportnity impact but without full-time civil rights staff, the Federal Extension Service, the Consumer and Marketing Service, and the Farmers Home Administration, require the establishment of full-time staffs for equal opportunity matters.[12]

E. The Office of the Inspector General

The Office of Inspector General has responsibility for the audit and complaint investigation function in the Department.[13] (The activity of this Office is discussed in greater detail under "Complaints" and "Audits.")

F. The Office of General Counsel

The Director of the Research and Operations Division of the Office of General Counsel, Mr. Merwin W. Kaye, has primary responsibility for legal review and advice regarding Departmental civil rights matters. In addition to providing advice on the legal

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sufficiency of Departmental policy and regulations relating to Title VI, Mr. Kaye also handles all legal aspects where noncompliance results in notices of hearings.

Mr. Kaye has a staff attorney who spends approximately three-fourths of his time on Title VI matters.

G. Departmental Committee on Program Review and Evaluation

The Departmental Committee on Program Review and Evaluation has responsibility for assisting the agencies of the Department in developing adequate systems of program evaluation relating to minority group participation in programs administered by the Department. (The activity of this committee is discussed in greater detail under "Program Evaluation.")

H. Citizens Advisory Committee on Civil Rights

The Citizens Advisory Committee on Civil Rights was established in April 1965 to (1) review Department policies and practices which promote equality of opportunity; (2) advise the Secretary as to the effectiveness of program directives designed to achieve compliance with Title VI; and (3) recommend changes in Department regulations to assure that Department practices are free of racial discrimination.[14]

Commission staff did not interview any Committee member but did review minutes of several Committee meetings. The review indicated that the Committee has made a considerable number of recommendations to the Secretary for a more effective Department policy regarding civil rights.

I. Organization at field level

No civil rights specialists are assigned at the field level of Department agencies. Program staff with other full time duties are assigned to compliance review and liaison with State and local entities for the implementation and enforcement of Title VI. While the number and variety of agricultural programs to be monitored undoubtedly necessitates the use of program people at the field level for this function, the degree to which this arrangement provides accurate and meaningful information on the state of civil rights compliance in the program is subject to question. First, the structure of compliance reporting and review mechanisms does not provide a complete picture of compliance or the lack of compliance. Second, the competence of program people who are untrained in reporting and review procedures and who may be insensitive to the complexities of minority group problems to perform this activity is far from acceptable. Third, the practice of using program people who may have little interest in finding fault with their own or other programs to engage in self-criticism is one whose results may be suspect.

An alternative to depending upon local level program people for civil rights compliance review is to employ civil rights specialists, working under the direction of the Department's Office of the Assistant to the Secretary for Civil Rights and possibly located at the regional offices of the Office of Inspector General, who would have general responsibility for monitoring and directing the Department's civil rights implementation responsibilities in agricultural programs within the region.

TRAINING

The Department of Agriculture has no overall formal training program for civil rights. Furthermore, with the single exception of the Office of Inspector General, no agency of the Department has a civil rights training program.[15] Aside from the training activity of the Office of Inspector General, an estimated 336 agricultural personnel are reported to have received training in civil rights, almost all of which was conducted by the Civil Service Commission.[16] There was little evidence that this latter training experience had filtered down to other agency personnel and no evidence that it had inspired the development of an in-house civil rights training program within the agencies. Reaction to the Civil Service training was mixed with a common complaint being that such training rarely addressed itself to the specific problems encountered in agricultural programs.

Two officials interviewed stated they felt that civil rights training would be more effective if the background and duties of persons attending were more similar. One agency official (Farmers Home Administration) stated he saw no need for civil rights training in his agency.

On several occasions, officials indicated that they considered meetings with staff and State and local program people as training. An examination of the content of such meetings indicates that they were used primarily to communicate policy but did not provide training that would equip program people to relate to minority group problems or to perform investigations and compliance reviews. (In this latter regard, Commission staff found that the use of the Commission's *Compliance Officer's Manual* had been uneven. At least two agencies claimed that they had never seen the manual.)

Only one agency's instructions implementing Title VI specifically call for being informed of State plans for providing staff training in civil rights.[17] A review of the plans for compliance submitted by three Southern States (selected at random by the agency at the request of Commission staff) indicated that only one of the State plans was responsive to this requirement.[18]

Mr. Seabron indicated that the Department has a training officer and that the matter of a civil rights training program had been discussed but that no training program had been developed as a result. He stated that he would prefer that there be centralized responsibility for civil rights training but that "you just don't get to things like 'training' when you operate on a shoe string."

ASSURANCES

Assurance forms used by the Department of Agriculture generally follow the pattern established by the Department of Health, Education, and Welfare (Form 441B). Of over 7,500 assurances required, 165 incidences of refusal to file were still under negotiation and 33 filed but unacceptable assurances were still under negotiations as of the close of the third quarter of 1967.[19] Just why so many cases are still considered "under negotiation" is probably a function of the fact that the Department of Agriculture has developed no policy guidelines specifying time limits for attempting to obtain voluntary compliance before enforcement action is begun. It is notable that only one agency, the Rural Electrification Administration, established target dates for assurances to be filed.[20] Also, there is an undoubted reluctance on the part of the Department to proceed against noncompliance to the point of cutting off funds. This is illustrated by the fact that the Department has issued only six cut-off orders, all in the Forest Service and all pursuant to the lead of HEW.[21]

PLANS FOR COMPLIANCE

In accordance with 7 CFR 15.4 (b), the Department of Agriculture Title VI regulations, the Federal Extension Service required plans for compliance from 15 Southern States. This was the only agency to classify its program as a "continuing State program" subject to the requirement of a plan for compliance. This approach resulted in long, drawn out negotiations with the States. The review and acceptance procedure for compliance plans in the Federal Extension Service did not call for review by the Office of the Assistant to the Secretary for Civil Rights. One State's plan, Louisiana, was still not accepted at the time of Commission staff interviews. No enforcement procedures against Louisiana had been undertaken, although the target date for compliance had been established by the Administrator of FES as *December 31, 1965*.[22] Furthermore, an examination of a random selection of State plans for compliance revealed that the Federal Extension Service accepted plans which, in the opinion of Commission staff, were patently inadequate. Plans which were accepted lacked the degree of specificity that might reasonably assure that compliance was possible. That such compliance was not achieved was documented in an open meeting conducted by the Georgia State Advisory Commission in Macon, Georgia, in May 1966.[23] Thus, the "plans for compliance" method for implementing Title VI has been rendered virtually useless because it was not used effectively, there was no consultation with the chief civil rights officer of the Department, and no meaningful followup action on noncompliance was instituted.

COMPLAINTS

The Departmental complaint procedure on matters regarding civil rights calls for all complaints to be referred to the Office of Inspector General for investigation in a manner determined by the Inspector General.[24] Investigation reports are forwarded to the head of the agency concerned for determination whether further proceedings are warranted. An information copy of the report goes to the Assistant to the Secretary for Civil Rights. If differences of interpretation of the findings occur between the Assistant to the Secretary for Civil Rights and the agency concerned, an attempt to resolve the difference is made in a joint meeting with the agency head, the Assistant Secretary responsible for that agency, and the Assistant to the Secretary for Civil Rights.

Commission staff reviewed a sampling of OIG complaint investigation files and found that, in general, complaints were thoroughly investigated by Office of Inspector General staff. The complaint system fails, however, when agency heads do not take appropriate action based on the findings of the investigation report.

Investigation report T–603–20 was reviewed by Commission staff. The complaint was received in June 1966 alleging extensive noncompliance in the Texas State Cooperative Extension Service. A 35 page investigation report, containing 16 exhibits, and involving 322½ man-hours of investigation and preparation, was completed in August 1966. An additional report involving 92¼ man-hours of investigation and preparation was completed in October 1966. The Federal Extension Service was not ready to advise the complainant until *June 1967*, almost nine months after the investigation was completed, that no Title VI violations had been found (although the investigation report clearly indicated that, among other findings, segregation in 4–H Clubs was determined) and that allegations involving discrimination in employment practices (also substantiated by the investigation report) were being referred to the State Extension Director for resolution. The Assistant to the Secretary for Civil Rights took exception to the proposed FES response, noting in particular the finding of segregated 4–H clubs. In October, FES correspondence to the complainant admitted that segregated 4–H Clubs were found but rationalized that such segregation merely reflected the racial composition of the community. The employment issues were completely avoided.

The failure of the agency of jurisdiction to act upon findings of investigation reports, as noted in this example, supports the need for the Assistant to the Secretary for Civil Rights to have final review authority as to findings in complaint investigations and the determination as to necessary action to be taken.

That complaints have effected change in

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USDA agency policies is demonstrated by at least two known examples. In the Agricultural Stabilization and Conservation Service a response to a complaint, outlining specific procedures regarding community committeemen elections, was considered by the Commission to be so informative that ASCS was persuaded to publish a pamphlet on the subject specifically directed to minority group farm operators. Another complaint, initiated in part by the Commission's field staff in Memphis, Tennessee, regarding the fact that the Farmers Home Administration insures recreation loans to segregated facilities resulted in a Department of Justice advisory opinion that such loans are covered by the nondiscrimination requirements of Title VI.

While the process of reacting to individual complaints is useful, this is not to say that an agency's compliance porgram should be based on a complaint-oriented procedure. Far too often agency staff who were interviewed indicated that their programs must be in compliance "because we have not received any complaints." Reacting solely to complaints is no substitute for effective compliance review and program evaluation.

COMPLIANCE REPORTS

The Department of Agriculture Title VI Regulations state:

"Each recipient shall keep such records and submit to the agency timely, complete and accurate compliance reports at such times, and in such form and containing information, as the Agency may determine to be necessary to ascertain whether the recipient has complied or is complying with the regulations in this part." [25]

A variety of reporting mechanisms are in use by the agencies of the Department of Agriculture.

Four agencies—Agricultural Research Service, Cooperative State Research Service, Farmers Cooperative Service, and the Soil Conservation Service—have no compliance reporting requirements whatsoever. The compliance activity of ARS is ostensibly covered under the HEW coordination plan for higher education. Programs of SCS have significant equal opportunity impact. FCS programs have significant implications for self-help development programs for low-income rural residents. Programs of CSRS have no major civil rights impact.

The Agricultural Stabilization and Conservation Service reports on the number of agreements made and the number of recipients refusing to sign an agreement in the Cropland Conservation Program. There is also a quarterly report of field reviews made which includes the number of agreements, any complaints received and any instances of noncompliance. These reports are obtained to fulfill Department requirements as part of a quarterly Title VI status report made to the Department of Justice.

The Rural Electrification Administration requires an annual compliance report from its borrowers (coperatives) consisting of eleven "yes-no" questions with explanations required on all "no" answers.[26] The report form includes items on services, facilities, applications for membership and the communication by borrowers of a statement of a nondiscrimination policy to all members. Reports are filed with area offices and reviewed by REA field officials who conduct normal liaison activity with borrower cooperatives. Any report indicating noncompliance is automatically forwarded to Washington. In addition, reports are randomly spot checked by the directors of the electric and telephone divisions of REA. The usefulness of this report was doubted by REA officials interviewed by Commission staff but subsequent to this a request was made by REA to the Bureau of the Budget to extend use of the form for another year.

The Forest Service provides in its Manual that compliance reports may be required but the only form universally used is one to ascertain the information on assurances, reports, reviews, complaints and noncompliance action required in the Department of Justice Quarterly Title VI Report.[27]

The Farmers Home Administration requires a monthly report on compliance to be compiled by area supervisors, consolidated by the State Director and forwarded to the Washington office. The report consists of a standardized form listing by race the number of borrowers by category of loan, the number of applications made and the number of loans made by category of loan.[28]

The Consumer and Marketing Service requires a seven-item compliance report covering summer camps participating in commodity programs. This questionnaire obtains racial breakdowns of attendance at the camps. Ten of these questionnaires, selected at random by C&MS officials at the request of Commission staff, were reviewed. Seven of the ten indicated varying degrees of bi-racial attendance. C&MS does not have any compliance reporting requirements on its major programs with equal opportunity implications: School Lunch, Special Milk, Direct Distribution and Food Stamps.

The Federal Extension Service has no compliance reporting system currently in use. Quarterly progress reports on action taken in States submitting plans for compliance were formerly required but were abandoned in 1966 in favor of a supplement to the State's annual statistical report which would indicate the number of minority group persons participating in extension programs. This supplement provides no information which could be used to ascertain compliance.

Given the fact that the compliance reporting systems in use by USDA agencies provide such little information on the state of compliance in programs and the fact that there is no systematic method for verifying the information provided, either the reporting systems must be upgraded to the point that they can serve as a useful tool for assessing compliance or they should be abandoned all together. Quite likely a considerable saving of time, money and effort could be realized by dropping the requirement for compliance reporting and concentrating on establishing successful program statistical reports to be used in the program evaluation function. The latter approach, in conjunction with an expanded compliance review system, would likely provide a more meaningful approach to measuring compliance in USDA programs.

COMPLIANCE REVIEW

The Department of Agriculture Title VI Regulations provide:

As a normal part of the administration of programs covered by the regulations in this part, designated personnel will in their program reviews and other activities or as specifically directed by the agency, review the activities of the recipient to determine whether they are complying with the regulations in this part.[28]

The compliance review function, if adequately constructed and properly carried out, should be the chief method whereby an agency informs itself as to the state of compliance in its programs. As conducted by the agencies of the Department of Agriculture, compliance reviews do not provide such information.

Compliance reviews are generally conducted by program staff (or in some cases, State officials) who have not been trained in compliance review techniques. On-site observation and interviews, usually with other program staff of the recipient (but seldom with minority group beneficiaries) are the chief methods for carrying out this function. Compliance review instruments are usually "yes-no" questionnaires lacking the specifity required for an accurate assessment of compliance. Records are seldom examined by reviewers.

Of 14,360 compliance reviews reported to have been accomplished by USDA agencies in the third quarter of calendar year 1967, only 14 instances of noncompliance were identified.[29] This ratio of noncompliance found to compliance reviews conducted does not square with reports of investigation and audits conducted by the Office of Inspector General (see "Audits" later in this section on compliance procedures) or with information developed by the U.S. Commission on Civil Rights during its investigations and State Advisory Committee meetings and thus raises serious doubts as to the adequacy of the compliance review effort in the Department.

All Title VI agencies of the Department of Agriculture, except the Agricultural Research Service, whose reviews are conducted by the Department of Health, Education, and Welfare under the HEW Coordination Plan, have some sort of program of compliance review.

The Cooperative State Research Service has developed an eight-item compliance checklist [30] for use by its Program Review Directors. The checklist covers such items as facilities, minority group participation, mailing lists, and information to minority groups. Four of these checklists, selected at random, were provided Commission staff for review. No noncompliance was indicated in any of the checklists.

The Rural Electrification Administration provides a checklist of nondiscrimination practices to be completed by its operations field representatives during their first visit of the year made to each borrower.[31] The checklist consists of eleven "yes-no" questions covering such areas as applications for membership, services rendered, facilities, and attendance at meetings. These checklists are reviewed in the area offices and forwarded to Washington only if noncompliance is indicated. Ten of these checklists were randomly selected for Commission staff review. None of the checklists indicated any noncompliance.

The Farmer Cooperative Service has a six-item "yes-no" checklist [32] which is completed by the branch chief or project leader whenever advisory service to a cooperative is provided. The checklist covers such items as applications, services, and meetings. Eight of the checklists, randomly selected at the request of Commission staff were reviewed with negative results recorded on all eight. A review of the FCS staff instruction No. 66, December 10, 1965, indicates that information on minority group membership, complaints, and notification to all members is required in these reviews but these questions do not appear on the FCS form currently in use.

The Agricultural Stabilization and Conservation Service has an eleven question compliance review form on its Title VI program agreements.[33] The questions are generally "yes-no" but explanations for "no" answers are required. Eleven of these forms were reviewed by Commission staff with no indication of noncompliance found. On one form there was an indication that the reviewer had interviewed persons in addition to the primary recipient. On two forms Negroes were referred to in the lower case (negroes).

ASCS instructions also provide for an annual review of cooperative marketing associations.[34] There is no form in use but the guidelines indicate that reviewers are to observe the facilities, examine records and question employees and patrons. Seventeen items are covered in the guidelines of which five relate to matters with equal opportunity implications.

The Forest Service incorporates compliance review into its elaborate inspection system.[35] The inspection guide covers such items as assurances, equal employment opportunity, general Title VI compliance, complaints, facilities, and minority group contracts. Five narrative reports covering general program reviews as well as reports from four reviews of the cooperative forestry program and three

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land use permit reviews were reviewed by Commission staff. No noncompliance was indicated in any of the reports reviewed.

The Soil Conservation Service provides for only a minor amount of program review in accordance with its inspection guide. The only reference to civil rights compliance review in the Soil Conservation Service is listed under the heading of "productivity" and asks for a reference to "work with low income groups." [36]

The Farmers Home Administration provides for an annual compliance review of loan activity to be conducted by county supervisors.[37] No format is specified however. Reports of these reviews in three States were provided Commission staff for review but the reports were found to list only the case numbers reviewed with the simple notation that no noncompliance was indicated.

In the major programs of the Consumer and Marketing Service subject to Title VI, compliance review activity is largely performed by personnel of the State agency administering consumer food programs. A compliance review checklist of seven questions was suggested by C&MS for State use but the States have generally incorporated the questions into their overall program reviews as they saw fit. This situation caused the Office of Inspector General, in its Phase II audit, to recommend that C&MS require the performance of more uniform and comprehensive NSL (National School Lunch) compliance reviews by State agencies by requiring CEPDO's (Commodity Food Program District Offices) to review and approve review guidelines developed by the State agencies.[38]

In the details of the OIG Audit the conclusion was reached that "management and operating officials of Consumer and Marketing Service (C&MS) did not have an adequate means for determining whether discrimination was taking place in the conduct of the National School Lunch (NSL) Program." While the observations above relate only to the School Lunch Program, Commission staff believe the same is equally true for the other consumer food programs administered by C&MS. The OIG audit went on to say that "information contained in the State agency compliance reviews lacked depth in coverage and were not uniform in scope" and that C&MS guidelines did not prescribe techniques that would provide management officials with needed civil rights information.[39]

The Federal Extension Service has no system for overall continuing compliance review. A random sampling review of approximately 60 counties each was performed by FES Washington staff in 1965 and 1966. Although the review was rather extensive, the Office of Inspector General Audit of the Federal Extension Service remarked of the Fiscal Year 1966 reports . . . the reviews were not as meaningful as they could have been because information was obtained principally through interviews with CES (Cooperative Extension Service) employees. The reviews did not contain independent verifications of the information received through interviews, and no independent evaluation was made of the extent of compliance with the Civil Rights Act of 1964.[40]

The Administrator of the Federal Extension Service, when interviewed by Commission staff, stated that no return visits had been made to counties where noncompliance was indicated to see if conditions found in the reviews had been corrected. He also stated that the Office of Inspector General audits now contained reviews of civil rights matters and that "this is our method of seeing how progress is getting along." [41]

The lack of adequate compliance review machinery in the ASCS, FHA, and SCS is partially offset by procedures for obtaining statistical data regarding minority group participation. ASCS obtains information on minority group participation in its programs for 580 counties in 24 States where minorities constitute ten percent or more of the farm operators. SCS also obtains information on minority group participation but only for Southeastern States and only for Negroes. FHA makes extensive analysis of its loan programs by race of loan recipient, type of loan received, and amount of loan. The FHA analyses have not yet compared such data by economic class or net worth, as was done in the U.S. Commission on Civil Rights 1965 report, *Equal Opportunity in Farm Programs*, but the FHA guidelines for loan analyses for this year will include such comparisons.

The compliance review systems in use by the agencies of the Department of Agriculture are not serving the purpose of providing a meaningful measurement of compliance. Part of this failure stems from the fact that untrained program staff (and in some cases state program staff) are used to perform these reviews. Another failing of the compliance review function results from the inadequacy of the instruments used and the inadequacy of methods used. Meaningful measurement of compliance cannot, as a rule, be obtained by asking questions that can be checked either "yes" or "no" on a form. Questions of "how," "why," "where," "who" "when" and "how many" must be asked as follow-up. Similarly, objective assessments of compliance cannot be obtained by limiting the review to interviews of program staff. Interviews of minority group employees and beneficiaries must be conducted. Visual observations must be made. Economic and social data must be collected. Program records must be examined. Finally, the quantitative and qualitative level of compliance review desired cannot be obtained unless overall agency guidelines for compliance review are developed and Departmental policy is coordinated. Especially needed are guidelines specifying the use of compliance reviews and the enforcement actions that will flow from situations where noncompliance is indicated.

AUDITS

The Office of Inspector General performs all audit and investigative activities of the Department. The purpose of this activity is to provide the Secretary with independent and objective examinations of the Department's programs to assure him that existing laws, policies, and programs are effectively complied with.

Audit findings are referred to agency officials responsible for the agency's civil rights functions. They are discussed with the agency and the agency's response is usually noted in the audit report. The agency's actions in response are also reported to the Office of Inspector General. Discrepancies noted in an audit becomes items for special review in the next scheduled audit.

The term "audit" may be considered synonymous with "compliance review" when considered as a function except that in practice the audits conducted by the Office of Inspector General are more thorough than the compliance reviews preformed by the USDA agencies. The Inspector General, Mr. Lester P. Condon, stated very forcefully to Commission staff his belief that the investigative and auditing (review) functions should be separated from the interpretative and enforcement functions. This was interpreted by Commission staff as referring to the specific activities of the OIG. But as a general principle, unless there are large increases in the civil rights staffing within the Department of Agriculture—a doubtful prospect—compliance reviews will probably continue to be performed in large part by the agencies themselves. The inadequacy of the present system of compliance review used by the agencies has already been commented on in the previous section.

Civil rights audits conducted so far by OIG have demonstrated extensive noncompliance and overall program weaknesses in several agencies.[42] These findings are in sharp contrast to the picture of compliance represented in other reporting activities of the Department.

The degree to which OIG audit findings have been used by the Department of Agriculture to reorient its civil rights policies is questionable, since many of the findings of Phase I were found to be uncorrected in Phase II, a year later.[43] This fact notwithstanding, however, it is apparent that the Office of Inspector General, through its complaint investigation and audit activities, is the single most influential factor, both actually and potentially, in effecting change in the civil rights record of the Department. Their methodology may well serve as an example for other government agencies in testing the effectiveness of Federal government civil rights policies and procedures.

In 1965, a small unit within the Office of Inspector General initiated a three phase, long range program, to assess the status of equal opportunity in Departmental programs. Phases I (Title VI and contract compliance activities in eight agencies and offices at the Washington level) and II (Title VI and contract compliance activities and equal employment opportunity in approximately 135 offices of seven to eight agencies at the field level) have been completed. Phase III, to be completed in calendar year 1968, involves the preparation of a civil rights guide for audits which are performed at field levels. The guide is being incorporated into regular program audits to insure that equal opportunity matters are covered in each of some 5,000 program audits performed annually. A preliminary review of the audit guide by Commission staff indicates that the audit guide will be a significant step in assessing the status of equal opportunity in Department programs.

In addition to the phased audits of civil rights mentioned above, the Office of Inspector General has completed a special audit of the activities of six of the State Cooperative Extension Services. This audit, covering 77 counties, revealed substantial noncompliance in extension programs.

PROGRAM EVALUATION

As interpreted by the U.S. Commission on Civil Rights, Title VI of the Civil Rights Act of 1964 places a special obligation upon Federal program administrators to be informed about the continuing impact of their programs upon minority group recipients. This may be referred to as "program evaluation."

In its 1965 report, *Equal Opportunity in Farm Programs*, the U.S. Commission on Civil Rights recommended that the Department of Agriculture "establish methods for review and evaluation of the implementation of equal opportunity policy."

Departmental committee on program review and evaluation

As a partial response to the Commission recommendation a five-man Departmental Committee on Program Review and Evaluation was established in April 1965 to provide continuing review and evaluation of Department programs to assure that these programs are efficiently accomplishing the objectives of Congress on a completely nondiscriminatory basis.[44]

Membership of the Committee was drawn from Departmental staff already having other full time duties. Thus the capacity of the Committee to fulfill its responsibilities was severely limited from the outset. Furthermore, as viewed by the chairman, the Committee was not in a position to direct action by the agencies but could only serve to educate and stimulate the agencies as to the kinds of data that should be obtained for effective program evaluation.

Despite these limitations, the Committee was able to meet on 40 occasions with the agencies of the Department and review the existing data collection systems. The Committee neither devised agency systems or

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evaluated the information obtained through them other than to comment on the adequacy of the measurements used.

Program evaluation in Department of Agriculture agencies

The Department of Agriculture has no overall policy on the collection of racial data. Program statistics are not shared on a routine basis with the Office of the Assistant to the Secretary for Civil Rights.

The state of racial data collection for purposes of program evaluation varies among agencies of the Department. The Chairman of the Departmental Committee on Program Review and Evaluation stated that the systems developed by the Soil Conservation Service and the Federal Crop Insurance Corporation (a non-Title VI agency) were considered to be the most effective that had been developed to date.[45] Conversely, the data collection systems of two Title VI agencies, the Consumer and Marketing Service and the Federal Extension Service, were considered the ones which required the most improvement. This judgment was shared by the Assistant to the Secretary for Civil Rights.

The Consumer and Marketing Service, which administers the consumer food programs of the Department subject to Title VI (School Lunch, Special Milk, Food Stamps, and Direct Distribution), collects no racial participation data whatsoever. This has prevented any program evaluation from being accomplished in the past. At the time of Commission staff interviews, there were plans to conduct a School Lunch survey in cooperation with the Bureau of the Census but subsequent inquiry by Commission staff determined that no racial participation data was originally contemplated for the survey. At the urging of the Commission and the Bureau of the Budget racial data reporting requirements were added to survey. Also during Commission interviews it was learned that a requirement for racial participation data was being considered as an addition to annual reports on food programs made to C&MS by the States. As of this date, however, no reporting form incorporating these requirements, has been approved for use.

The Federal Extension Service has collected certain racial data in the past but it was in such form as to make meaningful program evaluation extremely difficult. The data collection system in use, which was not approved by the Departmental Committee on Program Review and Evaluation or the Assistant to the Secretary for Civil Rights, does not permit any determinations of nondiscriminatory service or provide information on a county basis. In short, it cannot serve as an effective tool for pinpointing program deficiencies.

A divergence of opinion exists among USDA officials as to who should be responsible for the overall control and direction of the program evaluation function within the Department. Up to now, the Assistant to the Secretary for Civil Rights has depended on the Departmental Committee for assessing the character of agency program evaluation efforts. The Departmental Committee does not, however, conduct program evaluation. What little program evaluation is accomplished is done within the agencies. The Office of the Assistant to the Secretary for Civil Rights conducts no systematic program evaluation of its own. One agency official, the Administrator of the Federal Extension Service, indicated his preference for retaining program evaluation responsibility within the agencies, stating, "you can't separate program administration from civil rights evaluation." The Chairman of the Departmental Committee on Program Review and Evaluation stated that he did not consider the Committee system as being satisfactory, especially with relation to Title VI, and that he hoped another method could be devised.

Whether program evaluation is conducted entirely by the agencies themselves, by the Office of the Assistant to the Secretary for Civil Rights, or by both together, the Assistant to the Secretary for Civil Rights must have some mechanism to inform himself regarding the impact of agency programs on minority groups.

FINDINGS AND RECOMMENDATIONS

Finding.—The organization, staffing, and assignment of the equal opportunity function in the Department of Agriculture as presently constructed does not provide the most effective implementation and enforcement of Federal and departmental equal opportunity policies and regulations.

Recommendations.—Establish an Office of Equal Opportunity[1] under the Secretary with responsibility for and authority to coordinate, implement and enforce Federal and Departmental equal opportunity policies and regulations. Such responsibility and authority should include the power to command agency performance in the areas of:

a. Program review and evaluation.

b. Resolution of complaint investigation findings and corrective action.

c. Compliance reporting and review.

d. Training to accomplish Departmental equal opportunity responsibilities.

The Office of Equal Opportunity should combine within it the functions of:

a. Title VI.
b. Direct Federal Programs.
c. Federal Employment.
d. Federal Contract Compliance.

The Office of Equal Opportunity should direct and coordinate the following functions:

a. Program evaluation.
b. Compliance reporting.
c. Compliance review.
d. Follow up on complaint investigations and audits to insure that corrective action is taken.
e. Equal opportunity training.

A full-time equal opportunity staff should be allocated to each of the following agencies:

a. Federal Extension Service.
b. Consumer and Marketing Service.
c. Farmers Home Administration.
d. Agricultural Stabilization and Conservation Service.

A full time staff person should be allocated to the following agencies:

a. Forest Service.
b. Soil Conservation Service.
c. Rural Electrification Administration.
d. Farmers Cooperative Service.

Finding.—The Department of Agriculture does not uniformly conduct evaluations which meaningfully measure the relative impact and benefits of agriculture programs and services upon potential and actual minority group program participants.

Recommendations.—Establish a program evaluation unit in the Office of Equal Opportunity to provide independent measurements of equal opportunity.

Require all agencies to collect racial and ethnic program participation data sufficient to measure:

a. Federal and non-Federal employment in agriculture programs down to and including county units.

b. Minority group membership and characteristics of members on elected and appointive committees and other bodies which govern, administer or serve in an advisory capacity to agricultural and agriculture-related programs.

c. Minority group participation and the basis of their participation in the services and benefits of agricultural and agriculture-related programs.

d. Socio-economic characteristics of minority groups who are recipients or potential recipients of benefits (so as to relate relative need for services to services provided).

e. Rates of progress and relative impact of programs on minority groups.

Integrate equal opportunity program evaluation with the overall programing and planning function of the Department.

Finding.—No effective program for civil rights training of agency program staffs and employees of agriculture programs at the state and local level exists in the Department of Agriculture. As a result, agency administrators and program personnel are not sufficiently informed of equal opportunity policies and are not equipped to implement and enforce these policies. As a further result, communication with minority group recipients is poor or non-existent.

Recommendation.—Establish a unit in the Office of Equal Opportunity to develop training programs in equal opportunity to be implemented in the Department of Agriculture and at the State and local levels. Adequate training programs must include:

a. full understanding of Federal equal opportunity laws and policies.

b. techniques for implementing and enforcing equal opportunity functions.

c. intergroup relations training to enable program staff to communicate with and understand the problems and needs of minority groups.

Finding.—Compliance reporting and review methods presently in use do not adequately inform the Department of Agriculture as to the state of equal opportunity compliance in its programs.

Recommendations.—Develop adequate methods for assessing equal opportunity compliance. Adequate methods include:

a. quantitative measurements of minority group participation in program benefits. This requires that "yes-no" questionnaires for compliance reporting be replaced where possible with measurements of "how many," "where," "when," and "how."

b. on-the-spot field reviews incorporating thorough "across the board" program measurements and contacts with minority group recipients.

c. independent field reviews by the staff of the Office of Equal Opportunity.

Finding.—Although the most significant activity in equal opportunity compliance within the Department of Agriculture is currently being conducted by the office of Inspector General, the effectiveness of this activity is limited by the failure of agency administrators to respond adequately to OIG audit and report findings.

Recommendations.—Require that adequate corrective action be taken in response to OIG findings. The Office for Equal Opportunity should be given authority to determine the sufficiency of action taken. In no event should OIG activities be deemed to relieve the Office of Equal Opportunity or the agencies concerned from their compliance reporting, compliance review or program evaluation responsibilities.

APPENDIX A

PROGRAMS OF THE U.S. DEPARTMENT OF AGRICULTURE SUBJECT TO TITLE VI OF THE CIVIL RIGHTS ACT OF 1964 *

AGRICULTURAL RESEARCH SERVICE

Grants for Research.

AGRICULTURAL STABILIZATION AND CONSERVATION SERVICE

Cropland Conversion Program.
Cropland Adjustment Program.
Appalachian Land Stabilization & Conservation Program.
Price Support—Gum Naval Stores.
Price Support—Peanuts.
Price Support—Tobacco.
Price Support—Tung Oil.
Cooperative Marketing Associations (tung oil, dry beans, honey, rice, soy beans, and cotton).

COOPERATIVE STATE RESEARCH SERVICE

Hatch Act.
Cooperative Forestry Research.
Research Facilities.
Basic Research.

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CONSUMER AND MARKETING SERVICE

School Lunch.
Special Milk.
Director Distribution.
Food Stamp.
Matching Funds.

FARMERS COOPERATIVE SERVICE

Cooperatives.

FARMERS HOME ADMINISTRATION

Soil and Water Loans.
Senior Citizens' Rental Housing Loans.
Farm Ownership Loans—Recreation.
Operating Loans—Recreation.
Rural Renewal Loans.
Watershed Loans.
Economic Opportunity Loans to Cooperative.
Resource Conservation and Development Loans.
Labor Housing Grants.

FEDERAL EXTENSION SERVICE

State Extension Services.

FOREST SERVICE

Revenue Sharing Payments.
Cooperative State Forestry.
Research.
National Forest Administration.

RURAL ELECTRIFICATION ADMINISTRATION

Loans to Telephone and Electric Companies.

SOIL CONSERVATION SERVICE

Soil & Water Conservation Districts.
Sponsoring Organization—Watershed Protection.
Watershed Project Agreements.
Work Plan Agreements.
Work Plan Amendments.
Sponsoring Organizations—Sub-watershed Projects.
Work Plan Agreements.
Work Plan Amendments.
Sponsoring Organizations—Resource Conservation and Development.
Work Plan Agreements.

APPENDIX B

MAJOR TITLE VI PROGRAM DESCRIPTIONS OF AGENCIES OF THE DEPARTMENT OF AGRICULTURE AND THEIR PRINCIPAL PROBLEM AREAS REGARDING EQUALITY OF OPPORTUNITY

FEDERAL EXTENSION SERVICE

The Federal Extension Service administers the program of cooperative extension work whereby funds, matched by State and local contributions, are distributed to the States to assist in providing out-of-school education in the fields of agriculture, home economics, and related subjects to farm and rural residents. Funds are used primarily for the employment of approximately 15,000 State and county extension workers who work with rural families by providing them information and assistance in the application of methods in production, marketing, and family living.

The Fiscal Year 1968 appropriation for extension work was nearly $97 million. Of this figure, $90 million was apportioned to the States. This latter amount accounts for approximately 36 percent of all funds expended for extension work.

Of all agricultural programs, discrimination is most prevalent in extension work. Segregated service and work assignments, segregated 4–H and home economic clubs, and unequal employment opportunities are still widespread. For example, the Commission's Georgia State Advisory Committee in a 1967 report entitled *Equal Opportunity in Federally Assisted Agricultural Programs in Georgia*, determined that Negro extension workers are generally limited to working only with Negro rural residents and are universally subordinated to white workers. The Committee found that of over 150,000 rural youth enrolled in 4–H Clubs in Georgia, less than 9,000 of these youth attended clubs with members of another race and that of the latter number, only 406 were Negro.

FARMERS HOME ADMINISTRATION

The Farmers Home Administration provides loans, grants, and management assistance to farmers to operate, purchase and develop farms and to farmers and rural residents and groups to build, buy and improve homes, to develop recreational facilities and community water systems, and to develop and carry out rural conservation and development projects. The Farmers Home Administration also administers an OEO-delegated program of small loans to low-income farmers and rural residents for the development of enterprises to increase their income.

Not all FHA loan programs, especially those having the greatest impact on the economic standing of farmers and rural residents, are covered by Title VI since they involve direct loans to individuals. In all, 11 programs, involving a FY 1968 appropriation of over $155 million, of the Farmers Home Administration are subject to Title VI. The total FHA loan disbursements for FY 1969 are estimated to be $1.4 billion alone, thus it can be seen that the major funding programs of FHA are not covered by Title VI.

Major FHA programs covered by Title VI include:

a. loans for soil and water conservation and the development of recreational facilities;

b. loans for senior citizen rental housing in rural areas;

c. loans to public bodies for the redevelopment of rural areas; and

d. loans to cooperatives.

The chief opportunities for discrimination in FHA Title VI programs are in the types and amounts of loans made to minority group borrowers and in the level of technical assistance which they receive. Furthermore, loans for facilities may go to segregated groups for segregated services or where there are limited opportunities for minority group participation.

CONSUMER AND MARKETING SERVICE

The Consumer and Marketing Service administers four consumer food programs (Special Milk, School Lunch, Food Stamps and Direct Distribution) and one matching fund program (for State departments to carry out marketing service programs) which are subject to Title VI. The FY 1969 request for the consumer food programs is approximately $750 million and the request for the matching fund program is $1.7 million.

Fiscal Year 1969 obligation for the Special Milk program are estimated to be $104 million to reimburse States for over 3 billion half pints of milk to be provided to schools, camps, and institutions. Fiscal Year 1969 obligations for the School Lunch program are estimated to be $249 million to assist States in providing approximately 3.5 billion lunches to an estimated 20 million school children in approximately 74,000 schools participating in the program. For Fiscal Year 1969 $225 million in obligations is estimated for the Food Stamp Program and $168 million in obligations is estimated for the Direct Distribution Program. Together, these two programs reached an estimated 6.1 million persons in approximately 2,400 counties in July 1968.

Opportunities for discrimination in these programs include service to segregated schools,[46] camps and institutions and failure to include all eligible minority recipients. In addition, available evidence indicates differentials exist in program benefits. For example, many counties who do not have commodity distribution and Food Stamp programs have high minority group populations. In the fall of 1966, 26 of the 35 counties in Alabama which had no food programs had Negro populations above the State average. In schools with lunch programs, Negroes do not participate proportionately to white children. A 1964 USDA survey of the School Lunch program in Cambridge, Maryland, revealed that 46 percent of white children but only 19 percent of the Negro children were participating in the lunch program.

AGRICULTURAL STABILIZATION AND CONSERVATION SERVICE

The Agricultural Stabilization and Conservation Service administers the price support and production adjustment programs of the Department of Agriculture. Price support programs alone account for an estimated $3.2 billion (Fiscal Year 1969), the major portion of the Department's budget. Programs under these categories are not covered by Title VI, however. Only four relatively minor programs, with an estimated net expenditure in Fiscal Year 1968 of $161 million are covered by Title VI. These are:

a. loans to producer associations (21 primary recipients);

b. loans to cooperative marketing associations (25 recipients);

c. cropland conversion and cropland adjustment (by which landowners are encouraged to convert their land to other uses. There is no money for these programs this year); and

d. disaster assistance (whereby surplus feed may be made available to relieve acute distress in disaster areas. This is not an active program).

There are few opportunities for noncompliance in any of these programs.

RURAL ELECTRIFICATION ADMINISTRATION

The Rural Electrification Administration provides low interest rate (2 percent), long term (up to 35 years) loans to cooperatives to finance and improve electric and telephone service in rural areas. The Fiscal Year 1968 estimated expenditure for these programs was $435 million. The electrification program, begun in 1935, has enabled the provision of electric service to 98 percent of the farms in America with approximately 6.6 million consumers being served. The telephone program, begun in 1949, has enabled the extension of telephone service to 79 percent of the farms in America with over 2¼ million subscribers being served.

Opportunities for discrimination in service and cooperative memberships are present in these programs but REA officials indicated that this does not seem to be a problem at present. Their main concern is the low level of minority group employment and minority group representation among cooperative boards of directors. This, however, is not reached by Title VI requirements.

FOREST SERVICE

The Forest Service conducts four major programs subject to Title VI:

a. National Forestry Administration—land use permits to States and public and private organizations for recreational and other purposes;

b. Cooperative Forestry—matching funds and technical assistance to States for fire control, seeding and tree planting;

c. Research grants—to institutions of higher learning for cooperative research in forestry; and

d. Revenue Sharing—25 percent of the gross receipts from national forests are returned to States and counties for use on schools and roads.

These programs had an appropriation of over $66 million in Fiscal Year 1968. Opportunities for noncompliance are limited mainly to the revenue sharing program where school recipients are not in compliance with HEW desegregation requirements and the national forest program where land use permits may go to segregated groups or organizations. As of the third quarter of calendar year 1967 there had been seven refusals to file an assurance and 30 unacceptable as-

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surance forms in the revenue sharing program received by the Forest Service. In the National Forest program there had been 18 refusals to file an assurance. All such recipients had been noticed for hearing. With the exception of the Consumer and Marketing Service, no other agency of the Department had advanced as far in the enforcement stage.

SOIL CONSERVATION SERVICE

The Soil Conservation Service administers the national soil and water conservation programs of the Department of Agriculture. Technical assistance in the form of soil surveys and planning is provided to land owners and operators in nearly 3,000 soil conservation districts in the United States and territories.

Four programs administered by the Soil Conservation Service are subject to Title VI coverage. They are:

a. Watershed Protection—financial and other assistance to States and local organizations for the installation of works of improvement in flood prevention;

b. Flood Prevention—the same, except work is accomplished through Federal contracts;

c. Resource Conservation and Development—planning and technical assistance to States and public bodies for developing programs of land conservation and utilization; and

d. Conservation Technical Assistance—technical assistance, other than surveys, for the installation of practices to conserve and develop soil and water resources.

A total of $193 million was appropriated for these programs in Fiscal Year 1968.

Opportunities for discrimination in Soil Conservation Service programs reside mainly in the amount and quality of technical assistance provided to minority group operating units, equality of benefits derived from projects, and minority group representation on decision-making bodies (soil conservation district boards).

FARMER COOPERATIVE SERVICE

The Farmer Cooperative Service, one of the smaller agencies in the Department of Agriculture, provides technical assistance for the development and operation of rural cooperatives. It also conducts research and publishes its results as a service to cooperatives. The fiscal year 1968 appropriation for these activities was $1.3 million.

Very little opportunity for discrimination exists in the Farmer Cooperative Service program except as regards the amount and quality of technical assistance provided to developing cooperatives with significant minority group memberships.

AGRICULTURE RESEARCH SERVICE

The Agriculture Research Service provides grants to colleges and nonprofit institutions for conducting basic scientific research. Compliance review for colleges and universities is covered by the HEW Title VI Coordination Plan for Higher Education.

Obligated expenditures for Fiscal Year 1967 amounted to $3 million.

COOPERATIVE STATE RESEARCH SERVICE

The Cooperative State Research Service administers four grant programs for research in agriculture, agricultural marketing, rural life, and cooperative forestry research. Research is conducted at State agricultural experiment stations.

The Fiscal Year 1968 appropriation for these programs was $62 million.

Opportunity for discrimination occurs regarding access to facilities on field days when groups meet at the experiment stations for demonstrations of research results. Composition of visiting groups is usually determined by the county extension agent.

FOREIGN AGRICULTURAL SERVICE

The Foreign Agricultural Service conducts one program, Foreign Market Development projects, subject to Title VI. This program attempts to develop new markets for United States agricultural commodities by making available foreign currencies derived from sales of United States surplus commodities abroad.

This program was not included in the Title VI survey.

APPENDIX C.—USDA AGENCY STAFFING FOR TITLE VI MATTERS, FISCAL YEAR 1968

[Key: (a) full time; (b) less than full time but more than ½ time; (c) less than ½ time but more than ¼ time]

Agency [1]	Washington				Field			
	(a)	(b)	(c)	Total	(a)	(b)	(c)	Total
ARS	0	0	0	0	0	0	0	0
ASCS	0	0	0	0	0	0	0	0
C. & M.S	0	0	(2)	(2)	0	0	0	0
CSRS	0	0	0	0	0	0	0	0
FCS	0	0	0	0	0	0	0	0
FHA	0	0	(3)	(3)	0	0	0	0
FES	4	0	2	6	0	0	0	0
FS	0	1	0	1	0	0	(4)	(4)
REA	0	0	(5)	(5)	0	0	0	0
SCS	0	1	0	1	0	0	(6)	(6)
Total	4	2	2	8	0	0	0	0

[1] Does not include Office of Assistant to the Secretary for Civil Rights, Office of Inspector General, Office of General Counsel, or Departmental Committee on Program Review and Evaluation.

[2] C. & M.S. states that there is no separate staff for title VI work but estimates 33 man-years are spent on title VI responsibilities with no person spending more than ¼ their time.

[3] FHA states that no employee spends more than ¼ of his time on title VI at either level.

[4] Forest Service states that none of their employees in the field spend more than one quarter of his time on title VI.

[5] REA reports that no individual in REA spends more than ¼ of his time on title VI.

[6] SCS states that all expenditures of time on title VI matters at the State level is less than ¼ time. 1 person spent more than ½ on title VI in fiscal year 1967.

APPENDIX D.—NUMBER OF AGRICULTURAL PERSONNEL RECEIVING CIVIL RIGHTS TRAINING THROUGH DEC. 31 1967

	Washington	Field
ARS	0	
ASCS	7	[1] 3
C. & M.S	6	5
CSRS	0	4
FCS	1	
FHA	3	13
FES	3	
FS	18	32
REA	[2] 56	[2] 186
SCS	(3)	(3)
Total	93	243

[1] Civil rights sensitizing training to an undetermined number of regional personnel conducted by ASCS officials.

[2] 50 of District of Columbia staff and 180 of field staff participated in administrative conference for field employees in 3 different sessions conducted by REA officials.

[3] Soil Conservation Service reports attending various CSC training sessions but they were unable to provide any specific information on numbers of staff involved.

APPENDIX E.—USDA AGENCY TITLE VI COMPLAINTS AND RESULTANT ACTION, JAN. 1, 1965–JUNE 30, 1967

Agency	Jan. 1, 1965–June 30, 1966						July 1, 1966–June 30, 1967					
	Complaints	Found in compliance	Found out of compliance	Still negotiating	Hearing noticed	Compliance achieved	Complaints	Found in compliance	Found out of compliance	Still negotiating	Hearing noticed	Compliance achieved
ARS	0	0	0	0	0	0	0	0	0	0	0	0
ASCS	0	0	0	0	0	0	0	0	0	0	0	0
C. & M.S	54	41	13	0	0	13	18	16	2	0	0	2
CSRS	0	0	0	0	0	0	0	0	0	0	0	0
FCS	0	0	0	0	0	0	0	0	0	0	0	0
FHA	0	0	0	0	0	0	0	0	0	0	0	0
FS	0	0	0	0	0	0	0	0	0	0	0	0
FES	26	18	1	7	0	0	6	2	0	4	0	0
REA	4	(1)	0	0	0	0	2	(1)	0	0	0	1
SCS	0	0	0	0	0	0	0	0	0	0	0	0
Total	84	59	14	7	0	13	26	18	2	4	0	3

[1] Complainant did not respond to request for further information. No investigation performed.

APPENDIX F

A MODEL OFFICE OF EQUAL OPPORTUNITY IN THE U.S. DEPARTMENT OF AGRICULTURE

The following is a model for an Office of Equal Opportunity in the U.S. Department of Agriculture. It is intended solely as a discussion piece to suggest the size and funding for an office necessary to carry out the equal opportunity requirements of the Department.

The model envisages an Office of Equal Opportunity of approximately 107 personnel—68 professional and 39 clerical. (See Table 1; figure 1 not printed in RECORD). The estimated cost for personnel, travel, and operations and maintenance of $1.48 million (See Table 2).

The model envisages three sections: Federal employment contract compliance, and equal opportunity compliance. The equal opportunity compliance section envisages four branches: training, evaluation, liaison and review, and field offices.

Seven field offices are projected. The purpose of such field offices would be to coordinate the equal opportunity compliance program of *all* Department of Agriculture programs in the States within the regions. Such offices could be located in the same space as the present Office of Inspector General regional offices for convenience and to facilitate access to OIG investigation and audit findings. Larger staffs would be assigned to regions where greater equal opportunity problems exist.

The liaison and review branch would have specialists assigned to work with agencies having major equal opportunity impact in their programs. Staff in this branch would be combined with evaluation staff as necessary to accomplish team reviews.

The program evaluation branch would have specialists who examine program statistics to measure the impact of agricultural programs on minority group participants. Staff in this branch would be combined with liaison and review staff to accomplish team reviews.

The training branch would have specialists who develop and conduct equal opportunity training programs in the Department.

TABLE 1.—OFFICE OF EQUAL OPPORTUNITY, U.S. DEPARTMENT OF AGRICULTURE—STAFF SUMMARY

	Clerical		Professional	
	Grade	Number	Grade	Number
Director, Office of Equal Opportunity	GS-11	----------	GS-18	----------
Deputy Director	GS-11	----------	GS-17	----------
	GS-5	----------	----------	----------
Assistant Director, Equal Opportunity Compliance	GS-8	----------	GS-16	----------
Assistant Director, Federal Employment	GS-7	----------	GS-15	----------
Assistant Director, Contract Compliance	GS-7	----------	GS-15	----------
Deputy Assistant Director, Equal Opportunity Compliance	GS-7	----------	GS-15	----------
Chief, Program Evaluation	GS-7	----------	GS-15	----------
Chief, Liaison and Review	GS-6	----------	GS-14	----------
Chief, Training	GS-6	----------	GS-13	----------
Chiefs, regional offices	GS-6	7	GS-13	7
Employment specialists	GS-5	----------	GS-11	----------
			GS-9	2
Contract compliance specialists	GS-6	----------	GS-11	10
	GS-5	----------	GS-9	5
	GS-4	3		
Program evaluation staff specialists	GS-6	2	GS-13	2
	GS-5	3	GS-11	5
	GS-4	2	GS-9	5
Regional equal opportunity specialists	GS-5	3	GS-11	5
Liaison and review specialists	GS-5	2	GS-11	6
Total		39	----------	68

Office of Equal Opportunity, U.S. Department of Agriculture—Funding summary

Personnel:	
Salaries and benefits	1,096,500
Consultants and benefits	10,000
Travel	270,000
Advisory committee	10,000
Staff training	20,000
Operations and maintenance:	
Office rental	30,000
Communications	10,000
Conferences	10,000
Supplies and publications	30,000
Total	1,486,500

APPENDIX G

LIST OF INTERVIEWERS

OFFICE OF ASSISTANT TO THE SECRETARY FOR CIVIL RIGHTS

William M. Seabron, Assistant to the Secretary; John W. Slusser, Ferguise Mayronne, Judith Phillips.

OFFICE OF INSPECTOR GENERAL

Lester P. Condon, Inspector General.

Richard W. Fitch, Jr., Assistant to Inspector General.

Frank J. Brechenser, Deputy Assistant Inspector General (Investigation).

Norman S. Smith, Supervisor (Investigation).

Charles B. Bremer, Deputy Assistant Inspector General (Marketing, Consumer Research and Education).

Leland F. Marland, Deputy Assistant Inspector General (Departmental Administration).

OFFICE OF GENERAL COUNSEL

Mervin W. Kaye, Director, Research and Operations Division; Robert C. Reid.

DEPARTMENTAL COMMITTEE ON PROGRAM REVIEW AND EVALUATION

Harry C. Telogan, Chairman, Administrator, Statistical Reporting Service.

AGRICULTURAL RESEARCH SERVICE

John P. McAuley, Assistant Deputy Administrator (Management).

Raymond W. Sooy, Director, Administrative Services Division.

Henry C. Bauer, Chief, Research Agreements and Patents Management Branch.

AGRICULTURAL STABILIZATION AND CONSERVATION SERVICE

Victor B. Phillips, Assistant to the Administrator.

Jesse F. Moore, Deputy Director, Producer Associations Division.

Donald D. Mowat, Agricultural Marketing Specialist.

Allan T. Arnason, Chief, Compliance Branch, Farmer Programs Division.

Charlie B. Robbins, Program Specialist.

CONSUMER AND MARKETING SERVICE

Haward P. Davis, Deputy Administrator, Consumer Food Programs.

George C. Knapp, Deputy Administrator (Management).

Samuel C. Vanneman, Assistant Deputy Administrator.

Mildred L. Sykes.

COOPERATIVE STATE RESEARCH SERVICE

T. S. Ronningen, Assistant Administrator (Formula Funds).

FARMER COOPERATIVE SERVICE

Martin A. Abrahamsen, Deputy Administrator.

Job K. Savage, Assistant Administrator, (Cooperative Development Program).

John J. Smiroldo, Administrative Assistant.

FEDERAL EXTENSION SERVICE

Lloyd H. Davis, Administrator.

Ralph E. Groening, Deputy Assistant Administrator.

FARMERS HOME ADMINISTRATION

Floyd F. Higbee, Deputy Administrator.

E. Marshall Newton, Assistant Administrator (Management).

Claude Prichard, Chief, Employee Relations and Development Branch.

Donald D. Oberle, Program Analysis Officer.

FOREST SERVICE

E. M. Bacon, Deputy Chief, State and Private Forestry.

Arthur R. Spillers, Associate Deputy, State and Private Forestry.

W. Duncan Giffen, Directives Management.

RURAL ELECTRIFICATION ADMINISTRATION

Richard M. Hausler, Deputy Administrator.

Gordon R. Messmer, Chief, Distribution Engineering Branch, Electric Program.

Raymond W. Lynn, Director, Telephone Engineering and Operations Division, Telephone Program.

Arnold Winokur, Office of General Counsel.

SOIL CONSERVATION SERVICE

William R. Van Dersal, Deputy Administrator (Management).

Ralph C. Wright, Assistant Director, Administrative Service Division.

Verna C. Mohagen, Director, Personnel Division.

Carl A. Lindstrom, Assistant Director, Personnel Division.

FOOTNOTES

* NOTE: This is a listing of USDA programs subject to Title VI for which quarterly compliance status reports are made to the Department of Justice. For a complete listing of all programs subject to Title VI, see 7 CFR 15.

[1] Eleven agencies of the Department of Agriculture administer more than 35 programs subject to Title VI. (See Appendix A for list of programs covered.) Officials from ten of these agencies were interviewed during the course of this Survey. The major programs of these agencies as well as the principal problem areas regarding equality of opportunity are discussed in Appendix B.

[2] Introduction to job description for position 8412, Assistant to the Secretary for Civil Rights.

[3] Secretary's Memorandum No. 1560, July 10, 1964.

[4] Secretary's Memorandum No. 1560, Supplement 4, January 17, 1966.

[5] 32 Federal Register 11895, August 17, 1967. 7 CFR 15, December 4, 1964, as amended, is the basic Title VI regulation of the Department of Agriculture. Section 15.8, paragraphs (a) and (d) refer to the termination of Federal financial assistance and other means authorized by law to effect compliance with the regulation.

[6] 32 Federal Register 11711, August 12, 1967.

[7] 32 Federal Register 690, January 20, 1967.

[8] See footnote 2, *supra*.

[9] See U.S. Commission on Civil Rights, *Equal Opportunity in Farm Programs*, U.S. Government Printing Office, Washington, D.C., 1965; Georgia State Advisory Committee to U.S. Commission on Civil Rights, *Equal Opportunity in Federally Assisted Agriculture Programs in Georgia*, August, 1967; Alabama State Advisory Committee to U.S. Commission on Civil Rights, *The Agricultural Stabilization and Conservation Service in the Alabama Black Belt*, April, 1968; Transcript and staff reports (unpublished) on Hearings by the U.S. Commission on Civil Rights, Montgomery, Alabama, April 27–May 2, 1968; U.S. Department of Agriculture, Office of Inspector General, Audit of Civil Rights Activities in the Federal Extension Service, 6041-6-H, Forest Service, 6041-7-H, Agricultural Stabilization and Conservation Service, 6041-4-H, Consumer and Marketing Service, 6041-5-H, and six Cooperative State Extension Services (6065-17-T; 6065-17-A; 6065-1-T; 6065-1-A; 6065-26-T; and 6065-20-W).

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[10] See footnote 11 *infra.*

[11] Memorandum, Joseph M. Robertson to Mr. Schnittker, Mr. Birkhead, Mr. Hughes and Mr. Seabron, September 30, 1966.

[12] Subsequent to Commission staff interviews, the Federal Extension Service employed a full-time civil rights specialist.

[13] Secretary's Memorandums No. 1560, July 10, 1964; No. 1572, April 22, 1965; and No. 1595, February 28, 1966 (revised June 17, 1966).

[14] Secretary's Memorandum No. 1575, April 29, 1965.

[15] In the Spring of 1966, the Office of Inspector General conducted one day formal training seminars for all professional staff in the Washington, D.C. and regional offices. Beginning in the Summer of 1966 and for every quarter thereafter, civil rights training, consisting of a case study in alleged discrimination using lectures, handouts, role playing, and the preparation of investigation reports has been given as part of in-service and orientation training at Front Royal, Virginia. A total of 477 professionals had received this training through September 1967.

[16] See Appendix D for a list of civil rights training received by Department of Agriculture agency personnel.

[17] Federal Extension Service, "Supplemental Instructions for the Administration of Title VI," July 2, 1965 (as amended), paragraph I B 2.

[18] Arkansas, South Carolina, and Texas. Only the Arkansas plan specifically referred to staff training and it merely indicated that conferences had been held to inform staff of Title VI requirements.

[19] Department of Justice, "Quarterly Title VI Status Report for the Department of Agriculture," Third Quarter 1967.

[20] REA Bulletin 20-19: 320-19, January 8, 1965.

[21] There have been a small number of recipients who have voluntarily dropped out of USDA programs rather than comply with Title VI. The Consumer and Marketing Service estimates at least one school district and approximately 200 summer camps fall into this category. Yet, even in C&MS, where there have been 140 instances of refusals to sign an assurance, in only six cases have recipients been noticed for hearings.

[22] Federal Extension Service, "Supplemental Instructions for Administrations of Title VI of the Civil Rights Act of 1964," July 2, 1965, Section B, subsection B.

[23] Georgia State Advisory Commission report, "Equal Opportunity in Federally Assisted Agricultural Programs in Georgia," August 1967. The Committee's report documented instances of segregated office facilities, segregated work assignments and segregated 4-H and home economics clubs. These findings led to a Committee recommendation that funds for the Georgia State Cooperative Extension Service be deferred until the Department of Agriculture conducted an investigation to ascertain the complete status of compliance in the State. Similar noncompliance was documented in staff reports prepared for Commission hearings on rural economic security in Montgomery, Alabama, April 27–May 2, 1968.

[24] Secretary's Memorandum No. 1595, February 28, 1966 (as amended June 17, 1966). As of December 31, 1967, the Office of Inspector General has processed 298 investigation reports, 14 of which were still in the reporting stage. Agencies of the Department of Agriculture were asked by the Commission to enumerate the Title VI complaints they had received. A table reflecting their responses is at Appendix E. It will be noted that all complaints of longstanding said to be still negotiating involves the Federal Exension Service.

[25] 7 CFR 15.5(b).

[26] REA Form 268.

[27] Forest Service Manual 1564.22. The Forest Service report in use is form 1500-3.

[28] 7 CFR 15.5(a).

[29] Department of Justice, "Quarterly Title VI Status Report, Department of Agriculture, Third Quarter 1967." Thirteen of the fourteen instances of noncompliance came from one agency—the Consumer and Marketing Service.

[30] Form 139.

[31] REA Form 267.

[32] FCS Form 38.

[33] ASCS Form 540.

[34] ASCS 1-PS(FP), August 24, 1966.

[35] Forest Service Manual, Title 1400.

[36] Soil Conservation Service Management Memorandum No. 19, January 13, 1967.

[37] Farmers Home Administration, Administrative Letter 837(400), January 13, 1965.

[38] Office of the Inspector General Audit Report 6041-5-H "Audit of the Civil Rights Activities in the Consumer and Marketing Service, July 1, 1965 to June 30, 1966."

[39] *Ibid.*

[40] Office of Inspector General Audit Report No. 6041-6-H, "Audit Report of Civil Rights Activities in the Federal Extension Service, July 1, 1964 to June 30, 1966."

[41] In addition to plans to include civil rights reviews in their regular program audits, the Office of Inspector General had completed special audits of extension activity in six Southern States, totaling a review of 77 counties. A review of these audits indicated that widespread noncompliance continues in the Cooperative Extension Service.

[42] Commission staff reviewed several OIG civil rights audits. Audit Report No. 6041-6-H, covering the civil rights activities of the Federal Extension Service for the period July 1, 1964 to June 30, 1966 found (in part):

1. ". . . no independent evaluation (of compliance reviews) was made of the extent of compliance with the Civil Rights Act of 1964."

2. "the use of segregated mailing lists . . . as late as June 1966."

3. "no system or procedure . . . for review of assignments and promotions . . . to insure against discrimination."

4. "statistical data was not being received . . . which could be evaluated to determine whether personnel assignments and services to clientele were being handled in a nondiscriminatory manner."

[43] OIG Audit Report No. 5003-1-H, dated January 4, 1965 recommended that the Office of the Assistant Secretary for Civil Rights:

Establish written guidelines within the Department for evaluating analyses, conclusions and corrective actions related thereto, and which will require (a) agencies to perform racial data analyses, and document conclusions and actions taken or promised to correct inequities cited.

This, and three other recommendations regarding this office were found not to have been acted on in Audit Report No. P3H6-H-3, covering the period January 22, 1965 to June 30, 1966.

[44] Secretary's Memorandum No. 1574, April 26, 1965. Note: Since the Commission survey was conducted, this memorandum has been revised. A new chairman and two additional members have been added. The committee's responsibilities have been clarified and expanded to:

(1) provide assistance in developing statistical systems measuring minority group participation and the extent to which services are furnished across racial lines;

(2) provide for an annual review of racial data systems for adequacy; and

(3) provide for a semiannual reporting to the Assistant to the Secretary for Civil Rights on the status and activities of agency programs in this area.

In addition, the revised memorandum calls upon agency administrators to establish ongoing statistical systems sufficient to enable the measurement of progress in meeting Departmental civil rights objectives. Agency administrators are to make, at least annually, comprehensive reports on the status and activities of their programs.

[45] Following the Commission's 1965 Report, the Soil Conservation Service adjusted its data collection system to reflect service provided to numbers of cooperators by race and color. Previously, service provided had been measured on the basis of numbers of acres in plans and thus many smaller operators had not been served as effectively as possible. This was a significant adjustment in program emphasis, a fact which was affirmed in interviews with Soil Conservation Service officials.

[46] A model staffing and funding proposal for an Office of Equal Opportunity in the Department of Agriculture is at Appendix F.

[47] By way of interpretation of the legislative history of the Civil Rights Act of 1964, school lunches may be provided to public schools, even though they are segregated. This exemption does not apply, however, to private schools, camps, and institutions.

MARITIME DAY

(Mr. KARTH asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. KARTH. Mr. Speaker, as we pause to salute the American merchant marine on this Maritime Day, it might be well to review briefly the many benefits to be derived from a healthy, active merchant fleet.

Our domestic economy will benefit because new ships will be built—employing American shipyard workers and utilizing American steel, American engines, American fixtures. And these new ships will provide continuing, and perhaps even additional, jobs for American seamen and the assurance of profitable business operations for American shipowners.

Our international economy will benefit because new, fast, efficient ships will be in a better position to compete with foreign-flag shipping. This will mean an enormous assist to the Government's efforts to correct the imbalance in our international payments account.

Our defense posture will benefit because our merchant marine is our fourth arm of defense. It has always served this Nation well, and it is performing yeoman service, right now, keeping the lifeline open to Vietnam. Two-thirds of the fighting men and some 98 percent of the war materiel used in Southeast Asia travel there by ship.

For these reasons, Mr. Speaker, we should move beyond the annual tradition of paying just lipservice to our merchant marine. We should move ahead with legislation that will make a viable fleet a reality.

CONGRATULATIONS TO JUDGE WARREN BURGER

(Mr. RARICK asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. RARICK. Mr. Speaker, the President of the United States last night announced his selection of Judge Warren

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Earl Burger for nomination as the 15th Chief Justice of the United States.

As a former judge, I note with pleasure that President Nixon indicated he was naming a man with previous judicial experience as well as a man of unquestioned integrity.

I join with my fellow Americans without partisan distinction in congratulating Judge Burger and wishing him well in the tremendous task and heavy burden he must assume in restoring the confidence and respect of the American people in their highest court.

PROPAGANDA CONFUSED WITH FREEDOM OF PRESS

(Mr. RARICK asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. RARICK. Mr. Speaker, the communications intellectuals continue only to communicate with each other, and as usual their news releases reflect only their opinions and their personal desires.

The American people have recently been saturated with a calculated mental conditioning that somehow the Bolsheviks of Russia were progressively "mellowing" and becoming more American like.

But again, their bubble burst; for while the "mellowing" of communism is being swallowed hook, line, and sinker by many Americans who are desperately hopeful for peace, it is resented by the Kremlin where it is considered as anti-Bolshevik propaganda.

The latest evidence of the Soviet displeasure at the suggestion that they are "softening" is the expulsion of a Washington Post news correspondent whose father was an early revolutionary terrorist against the Christian Czar and later the author of a standard biography of Lenin.

The U.S. State Department, of all things, is considering retaliation. It would seem that the greatest retaliation would be merely to ask that American newsmen in Russia write the full truth.

This policy would seem to apply even to the Washington, D.C., area—where the vice chairman of a revolutionary group has threatened to burn down the newspaper's building for suppressing the truth—by calling existing conditions a "nonexistent rebellion."

And the same Post, through its Newsweek magazine, is banned in Malaysia for "distortion of facts"—which probably boils down to inflaming racial fires—a common technique by which they have exploited the news market in the United States over the past several years.

Someday news sellers will learn that freedom of the press means the right of a free people to learn the truth—not the misuse of press vehicles to impose their personal prejudices upon a trusting audience by distortions.

Mr. Speaker, several news releases follow my remarks:

[From the Washington (D.C.) Post, May 22, 1969]

POST'S MOSCOW CORRESPONDENT EXPELLED FOR HIS REPORTING

MOSCOW, May 21.—The Soviet Foreign Ministry today ordered Anatole Shub, The Washington Post correspondent in Moscow, to leave the country within 48 hours.

A Ministry official, Fyodor Simonov, informed Shub this morning that he was being expelled for having continued to write in an allegedly anti-Soviet manner after a warning last month. At that time, officials made plain their particular displeasure with reports on difficulties within the Kremlin leadership and on criticism by Soviet dissidents of Kremlin policies.

Shub was the second American correspondent expelled since the Kremlin proclaimed what it called a "vigilance" campaign shortly before last summer's invasion of Czechoslovakia. Raymond H. Anderson of The New York Times was ordered to leave last October.

TRAVEL BARRED

Last April 28, Shub and another New York Times correspondent, Henry Kamm, were prohibited from traveling outside Moscow because of their writings. The U.S. State Department retaliated by imposing similar restrictions on the Pravda correspondent in Washington and the Novosti press agency representative in New York.

The vigilance campaign directed by Soviet security agencies against Russian dissidents and resident foreigners appears to have escalated sharply in recent weeks. In the past two weeks, at least two leading Russian civil libertarians, Gen. Pyotr Grigorenko and Ilya Gabay, are known to have been arrested, while the apartments of other Moscow dissidents have been searched. There have been reports, impossible to confirm, of similar reprisals in Leningrad and Kiev.

At the same time, although Western diplomats here have refused to disclose details, there have been secret police attempts to intimidate and compromise diplomats from at least three Western embassies as well as scholars here under cultural exchange programs.

CAMPAIGN GOAL

One apparent aim of the intensified vigilance campaign has been to break the links by which independent-minded Soviet citizens have succeeded in making their dissenting views known at home and abroad.

Protests and petitions reported by Western newsmen have been rebroadcast to Russia by Western radio stations—many of whose broadcasts have gotten through despite the Soviet resumption of jamming since the August invasion of Czechoslovakia.

Shub, who is 41, reported for the Post from Belgrade and Bonn before his Moscow assignment in April, 1967, and was scheduled to transfer to Paris this summer. His successor in Moscow, Anthony Astrachan, had been selected at the time the transfer was decided upon.

Shub is the son of David Shub, 81, who as a Russian democratic revolutionary against the Czarist regime escaped from Siberia in 1908 to the United States, where he has produced, among other writings, a standard biography of Lenin.

[Shub's predecessor for the Post in Moscow, Stephen S. Rosenfeld, was expelled from the Soviet Union in November, 1965. Soviet officials said Rosenfeld was expelled because The Washington Post published "The Penkovskiy Papers," the purported memoirs of a Soviet officer who spied for the CIA.

[Washington Post Executive Editor Benjamin C. Bradlee issued the following statement:

["We are very proud of Tony Shub's dispatches from Moscow. We think his expulsion is a deplorable mistake, contrary to all the principles of a free press and to the goal of increased understanding between our two countries."]

STATE CONSIDERING APPROPRIATE ACTION

The State Department said yesterday it was "considering what appropriate action might be taken" in light of the expulsion of Anatole Shub of The Washington Post from Moscow.

State Department spokesman Carl Bartch, saying he had received questions about Shub's expulsion, read the following statement:

"As I said here on April 30, we believe in the widest exchange of information between our two countries, and accordingly we are opposed to any kind of censorship of reporting by either side. As we have told the Soviets many times, we assume that the philosophical differences which divide us on many issues will also be reflected in the reporting of our respective correspondents.

"If the favorite Soviet words of 'peaceful coexistence' mean anything, it should mean some tolerance of these philosophical differences.

"We cannot be indifferent to the practice of restricting or harassing American correspondents at will while expecting us to treat Soviet correspondents with the tolerance and hospitality which we regard as traditional and accepted in most countries of the world."

April 30 was the date on which the State Department announced that two Soviet correspondents—Boris Strelnikov of Pravda and Genrikh Borovik of the Novosti news agency—would be restricted to a 25-mile radius of Washington and New York, respectively, in response to the Soviet refusal to permit Shub and New York Times correspondent Henry Kamm to make a joint tour of the Ukraine.

[From the Washington (D.C.) Post, May 9, 1969]

AN EXAMINATION OF "NONEXISTENT REBELLION"

(By Chuck Stone, vice chairman, National Conference on Black Power)

One of the tyrannies we Black people must suffer in the dungeon of this white racist society is the oppression by a putatively "free press," conceived in the womb of white supremacy and nurtured by the umbilical cord of Nordic self-righteousness. Consistency has never been a virtue of white elitism and *The Washington Post*, a leading exponent, eloquently exemplified this characteristic in three editorials week before last.

The Post began its journalistic venture into the land of editorial schizophrenia with another in the series of vindictive attacks on Julius Hobson. (You and the New York *Times* ought to get together when they write editorials on Adam Clayton Powell so that you can switch yours on Hobson. The venom is so perfectly identical.)

It is the measure of *The Post's* intelligence that it was necessary to sink to the lowest form of debate—*argumentum ad hominem*—in its attack: "What a bold, dashing and intrepid radical he is! In a pirate costume with a cutlass in his hand, he would be irresistible." That's really debating the merits of Mr. Hobson's remarks, isn't it?

The original *Post* story incorrectly quoted Mr. Hobson—a fact which *The Post* subsequently verified. While you may consider it caviling, Mr. Hobson never used the term "free enterprise system" in that famed speech, but the word "capitalism."

But that is a minor point. What is at issue here is the tenacity with which *The Post* cleaves to the white man's compulsion for double standards in dealing with Black people. You would condemn Julius Hobson for advocating "force and violence," but in other editorials, on the same day and the next day, you refuse to condemn violence in one situation ("Toward Civil War in Ulster") and actually encourage violence in another ("Two Cheers for the Counter-Insurgents").

So how come "force and violence" is censurable when it is advocated by Mr. Hobson but tacitly accepted when it is utilized by the Irish Catholics and praiseworthy when it is employed by the American University "counter-insurgents"?

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The difference in the logic of *The Post* editorial posture is easily explainable. Mr. Hobson is a nigger. The Irish Catholics and the A. U. kids are white.

How dare a Black man stand up and assert his manhood! How dare you, Julius Hobson, nigger, believe in the historical and inherent right to revolution which was exercised by the white colonialists in 1775 and the Southern bourbons in 1861! Revolution is not to be discussed or exercised by Black people, is it?

Finally. *The Post* suffers from an acute case of historical amnesia when it orders Mr. Hobson to "quit his high school dramatics as the leader of a nonexistent rebellion."

It was a "nonexistent rebellion" that burned Watts in 1965.

It was a "nonexistent rebellion" that destroyed large sections of Newark and Detroit in 1967.

It was a "nonexistent rebellion," that devastated Washington, D.C., on April 4, 1968.

It is a glorious "nonexistent rebellion" that is sweeping college campuses led by Black students and so magnificently orchestrated at Cornell University.

Typically arrogant and forgetful, *The Washington Post* seems to have forgotten what has been transpiring in Black communities during the last four years. The polarization between the races is widening, not narrowing.

Does *The Post* believe it contributes to Black-white understanding with its hysterical attacks on Julius Hobson?

Let me conclude with one thought. There are many indications that Washington will explode in another holocaust. It is simply a matter of time, just as many of us knew back in the summer of 1967 it was a matter of time and publicly said so while Black people in 181 cities were "doing their thing."

The next time Washington does detonate and the flames are licking the side of the *Washington Post* building, I will call you good people and ask just one question: "Hey, baby, how do you like our 'nonexistent rebellion'?"

[From the Washington (D.C.) Evening Star, May 22, 1969]

Malaysia Bans Two U.S. Magazines

Kuala Lumpur.—Malaysia emergency government banned two American news magazines today in a crackdown on publications which it said are seeking to stir communal strife.

In announcing that current issues of Time and Newsweek would not be distributed, a government spokesman said the magazines' articles on the week-long bloody riots in Malaysia contained "distortion of facts" and were "not in the public or security interest."

OUR MERCHANT MARINE: A RAY OF HOPE

(Mr. PELLY asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. PELLY. Mr. Speaker, today is National Maritime Day, an appropriate time to reflect on our ailing merchant marine and look to the future.

On this commemorative day 1 year ago, there was far less reason to celebrate as the United States was continuing on a course that had been pursued far too long with the result that our merchant fleet carries only 5 percent of our cargo.

But, now there is a ray of hope under the new administration as indications increase that a firm and rejuvenating program is forthcoming that will remove our merchant marine from the "stepchild" status under which it has suffered in recent years.

My colleagues are well aware of the troubles facing the merchant marine, as evidenced by the passage recently of a greatly increased maritime authorization bill here in the House.

Let us now hope, as we observe National Maritime Day, that our "fourth arm of defense," our merchant marine, will soon receive the critically needed program from the President and that never again will our merchant fleet be allowed to deteriorate to the condition in which it rests today.

KIDNEY VICTIM HOPES FOR HELP FROM STATE

(Mr. BIESTER asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. BIESTER. Mr. Speaker, I would like to take this opportunity to insert in the Congressional Record an article from the Bucks County Courier Times regarding one of my constituents who is a victim of kidney disease.

It is a sorry situation when we have people dying in America solely because they cannot gain the use of a kidney machine. One of the major problems facing medicine and the public health and welfare is the lack of trained personnel, available facilities, research, and equipment for the diagnosis evaluation, treatment, and prevention of kidney disease. No parallel situation exists in medicine where techniques have been developed for the diagnosis and prevention of diseases.

We must do something about this state of affairs or forfeit our public conscience. The article follows:

Kidney Victim Hopes for Help From State

(By Bob Martin)

State funds are needed to provide financial assistance for victims of kidney diseases.

This was the conclusion today of Eugene Sauers, a medical supervisor at the Bucks County Board of Assistance.

He was approached recently by Robert Rink of 294 Allen Lane, Warminster, whose son, Robert Jr., 21, was stricken by kidney disease in February 1968.

The young man has been in and out of hospitals ever since, including Abington Memorial and Hahnemann Medical College and Hospital.

FUNDS FOR MACHINE

Through a continuing effort on the part of various organizations and individuals last year, enough money was raised to buy Robert a kidney machine.

But treatments three times a week at $55 each cannot continue much longer on what his father earns as a bricklayer, and donations from residents and organizations in the area.

Thus, the visit by his dad to the county board of assistance.

Sauers said the board can give very little financial assistance to the young man.

"State funds are needed," he said. "There must be many other kidney victims in the state. They must be in the same predicament as Robert."

FOUR SENATE BILLS

He said there are four bills pending in the State Senate that pertain to kidney disease assistance. "Perhaps one of them will go through. We must urge that they be considered most carefully," he declared.

Meanwhile, Robert's dad is giving his son the dialysis treatments three times a week. He was trained to do this at Hahnemann while Robert was a patient there.

"Supplies run about $500 a month," he said. They are high priced and they can be used only once. They cannot be re-used."

THREE OTHER CHILDREN

Mrs. Rink died several years ago, and Rink has three other children to care for—Richard, 17, a senior at Archbishop Wood High School for Boys; Regina, 13, and Ronald, 7, both students at St. John Bosco School.

Robert, after graduating from William Tennent High School, became a bricklayer with his father. On weekends, he played electric guitar with his group, The Roulettes, at the Ha'penny Inn. With continued treatment his condition should improve, and he hopes to return to work—not as a bricklawer—but with his group.

Meanwhile, he's confined to his home, hoping for the best. And at times he wonders how long he'll live if the money stops coming in.

CHIEF JUSTICE BURGER

(Mr. POFF asked and was given permission to address the House for 1 minute, to revise and extend his remarks, and include extraneous matter.)

Mr. POFF. Mr. Speaker, none but the most extreme will challenge the wisdom of President Nixon's appointment of Judge Burger. The conservative will find him compassionate and humane but strict in his construction of the law and stern in its application. The liberal will find him cautious and deliberate but never arbitrary or doctrinaire.

Judge Burger's entire service shows him to be a man of balance and restraint, a man who is realistic as well as idealistic, foresighted more than visionary, and judicious rather than legalistic.

No one will approve every decision he renders, but everyone will approve the ingredients of compassion, conviction, commonsense, and integrity which he will mix into every decision.

Chief Justice Burger will strengthen the cause of justice for the people of the United States as individuals and as a society.

CHIEF JUSTICE BURGER

(Mr. ANDERSON of Illinois asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ANDERSON of Illinois. Mr. Speaker, I should like to join my colleague, the gentleman from Virginia (Mr. Poff), in commending the President on his choice of Judge Burger, for in the nomination of Judge Warren E. Burger he has once again demonstrated his ability to pick the right man, at the right time, for the right position.

Even a cursory examination of Judge Burger's career reveals his outstanding qualities as a jurist. He enjoys the respect of his fellow judges for those qual-

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ities of judicial demeanor and deportment so necessary to fortify public confidence in one of the three great branches of our Government.

He does not represent any throwback to an antediluvian past. His progressive views in the field of civil rights show that he is dedicated to the proposition that all men should be equal under the law.

In the field of criminal jurisprudence, his remarks indicate that he represents that balanced view of order and liberty so badly needed today.

In selecting a few sentences from his writings to suggest his philosophy, he himself pointed to an address 2 years ago at Ripon College, in which he said that a nation "which has no rules and no laws is not a society but an anarchy in which no rights, either individual or collective, can survive."

He went on:

> To maintain this ordered liberty, we must maintain a reasonable balance between the collective need and the individual right, and this requires periodic examination of the balancing process as an engineer checks the pressure gauges of his boilers.

Mr. Speaker, I suggest that these are the words and these are the views of a man from whom we can confidently expect a distinguished career on the Supreme Court of the United States.

CHIEF JUSTICE BURGER

(Mr. ARENDS asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. ARENDS. Mr. Speaker, the whole Nation enthusiastically applauds President Nixon's selection of U.S. Circuit Judge Warren Burger to be the next Chief Justice of our Supreme Court. This appointment will do much to restore the American people's waning confidence in our Supreme Court and our courts generally.

In making this appointment President Nixon is promoting to Chief Justice one of our most distinguished jurists of proven judicial merit. I have many times expressed the wish that our Presidents would, as President Nixon has done, look first in the judicial system itself in seeking qualified men to sit on the Supreme Court. There can be no better measure as to the quality of the man, his legal knowledge and habits of mind, and his philosophy of Government, than is to be found in the record of judicial decisions already made.

Judge Burger is neither a "conservative" nor a "liberal," as we often, and often mistakenly, classify judges. It can perhaps be said that he is a "strict constructionist," if one insists upon labels. I believe it would be more accurate to say that he has proven himself to be one who has great respect for the precedents by which the law evolved over the centuries and great respect for our Constitution, and whose perspective of the present and vision of the future is tempered by the lessons of the past.

Mr. Speaker, President Nixon is to be congratulated on the wisdom of his choice. And I do so for myself personally and in behalf of the people I am privileged to represent.

CONGRESSIONAL SALARIES

(Mr. DENNIS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DENNIS. Mr. Speaker, yesterday's vote, in which only 49 Members of the House, including myself, stood up to be counted against the recent 41-percent increase in congressional salaries, settles that controversy as a practical matter and makes further discussion of the subject largely unprofitable.

It seems to me, however, that there may be some legitimate purpose to be served in stating again, briefly and for the RECORD, the reasons which impelled some of us to oppose this increase; and perhaps the fact that I am new in this body—a fact which makes me reluctant to speak on this subject at all—may also give my views a certain value, for the reason that I can, perhaps, reflect with some accuracy the thinking of the general public, of which I have so recently been a part.

From that background I can say, and I do say to you, my colleagues, that the general public—comprising the people who elect us—does not approve of our raising our own salaries by $12,500 per year, or 41 percent. The public does not understand how this can be done without a rollcall vote, nor does it approve this; nor does it excuse us because some past legislation of our own has made this course of conduct possible. It is not possible to explain to an average American making $5,000 to $10,000 per year how it is that we cannot live on $30,000 or at any rate on some moderate increase in that amount. You simply cannot explain to a man who goes on strike for a 10-percent raise, or to a social security recipient who hopes for 7 percent, or even to an executive who may on occasion get a 15-percent increase, why we are entitled at one step to an increase of 41 percent. We cannot hold the line here in the House against civil servants and lobby groups who come asking for more moneys from the Treasury, when we have been so openhanded—or what, at any rate, appears to most people to be so openhanded, on our own account.

The congressional salary increases, of course, play only a compartively small part in the overall financial and budgetary picture; but they are a dramatic, easily understood part of the picture; and surely, the example of needed fiscal restraint ought to be set by us.

It is perfectly true that a Congressman's expenses are heavy—a truth which this ex-member of the general public appreciates more keenly every day—but I ran for this office, as most of us did—certainly as almost all of us did on my side of the aisle—on a platform which called for governmental fiscal responsibility and financial restraint, as the single most important factor in the fight against inflation.

Some increase in congressional salaries was and is justified; but there ought to be a rule of reason. I could wish that we had been presented here in the House with a program laying out a middle course, and providing for a more modest and more defensible salary increase. This did not happen and the House has had no chance to vote on such a plan—nor have we had an opportunity for a rollcall vote at all.

Neither political wisdom nor the national interest, I believe, favor the course which we have adopted, and it is for these reasons that I wish to register, once again, my respectful but vigorous dissent.

CASE FOR THE ABM BY THE AMERICAN SECURITY COUNCIL

(Mr. ADAIR asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. ADAIR. Mr. Speaker, the American Security Council issued a very timely report this month, in which they document why the United States should wait no longer to proceed with the ABM. The report is entitled "The ABM and the Changed Strategic Military Balance: U.S.S.R. vs. U.S.A." In my view, it should be read by all my colleagues. Therefore, in order to convey some idea of the importance and quality of this study, I am inserting in the RECORD the following short news release issued by the American Security Council, which summarizes the highlights of their 64-page study:

> WASHINGTON.—The Soviet Union has "jumped into the lead in overall strategic missile strength" by making optimum use "of a much smaller economic base than the United States" and is "operating on a war economy basis." Therefore, "an American ABM system is the soundest insurance for peace and against war that the United States can buy in 1969, for the 1970's.
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> "Far from being an offensive weapon, the ABM is in reality insurance against war. It may well be, in fact, the single most important step the United States can take toward a real and lasting peace at this moment in history."
>
> This was reported today in a 64-page study entitled "The ABM and the Changed Strategic Military Balance: U.S.S.R. vs. U.S.A." prepared for the American Security Council by a special subcommittee of the Council's National Strategy Committee.
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> The subcommittee was headed by co-chairman Dr. Willard F. Libby (Nobel Prize for Chemistry, 1960), Director of the Institute of Geophysics and Planetary Physics, UCLA; Dr. William J. Thaler, Physics Department, Georgetown University, developer of the "over-the-horizon" radar; and former Chairman of the Joint Chiefs of Staff, General Nathan F. Twining, USAF (ret.).
>
> The subcommittee declared "it is no longer necessary to suppose . . . that the Soviets *will* aim for strategic military superiority. Reality now conforms to theory. We now *know* that the Soviet's military objective is strategic superiority because they have passed 'parity' and are still building."
>
> The study showed that the "combined total of ICBMs, IR/MRBMs (Intermediate and Medium Range Missiles) and SLMs (Sea-Launched Missiles) is now estimated as 2,750 for the U.S.S.R. to 1,710 for the U.S.A."
>
> The 31-man subcommittee panel included

specialists of many fields of expertise. Among these were Dr. Harold M. Agnew, Director of the Weapons Division of the Atomic Energy Commission's Los Alamos Scientific Laboratory; Dr. Eugene P. Wigner (Nobel Prize for Physics, 1963) of Princeton University; Dr. Edward Teller, nuclear physicist, Lawrence Radiation Laboratories, University of California at Livermore; retired career Ambassador Elbridge Durbrow; Peter Bruce Clark, publisher of the Detroit News; Robert W. Galvin, Chairman of the Board of Motorola, Inc.; General Bernard A. Schriever, USAF (Ret.), who headed the development of America's ICBMs; and Admiral Lewis L. Strauss, former Chairman of the U.S. Atomic Energy Commission.

Clear evidence of the "war economy" which the Soviet Union maintains, the subcommittee pointed out, is provided by the fact that:

". . . The overall military budget of the U.S.S.R. is already essentially equal to or greater than the U.S. budget, especially when costs peculiar to Vietnam are excluded from the U.S. figures . . .

"Although the gross national product of the United States runs almost twice that of the gross in the U.S.S.R., the U.S.S.R. is investing 2 to 3 times more in strategic military forces annually . . .

"The U.S.S.R. may invest at least $50 to $100 billion more in strategic forces between now and 1975, than the United States, unless the relative trends change substantially."

As a consequence of this greater effort, "not only has the military power of the Soviet Union grown more rapidly than that of the U.S.A., but it has rapidly overtaken the forces of the United States in new concepts and new weapons systems.

"The U.S.S.R. now has whole families of military (and naval) weapons systems that the United States does not have in its inventory."

The U.S.S.R. has adopted what the subcommittee described as "innovative policies" to take advantage of both offensive and defensive opportunities.

For example—the Soviets: "presently enjoy a clear lead in space orbital weapons . . . Properly deployed, a significant number, let us say 100, could be in a position to attack the United States in a matter of seconds after the button was pushed in the Kremlin . . ."

Have an estimated 1,000 Intermediate and Medium Range missiles which are "primarily aimed at Europe and now completely pin Europe down . . ."

Have "very large—50–100 megaton nuclear weapons which were tested in 1961–62 . . . adapted for missile delivery."

Have "the Bear Bomber. It is the world's longest range, highest endurance bomber . . . an effective anti-shipping and anti-submarine attack aircraft with air-to-surface attack missiles on board."

Furthermore, the Soviet Union has been developing a sophisticated ABM defense system for ten years and now has anti-ballistic missiles deployed around Moscow and in a "Blue Belt" defense line described by Marshal Malinovsky as being "for the defense of the entire territory of the Soviet Union."

In connection with their missile defense program, "the Soviets are developing a comprehensive civil defense program . . . spending about 10 times as much effort as is the United States in providing the Soviet society an adequate civil defense. Moreover, civil defense in the Soviet Union is related directly to overall Soviet military strategy."

These findings become most significant when considered against the background of announced Soviet objectives and the continuing assertions of Soviet leaders that they are preparing for any eventuality that might trigger a nuclear war in their determination to achieve long-stated Communist goals, worldwide.

The Council study concludes that "in both word and deed, the Soviets have shown that they regard the world struggle as a fight to the finish between two diametrically opposed social systems. Moreover, it is a fight the Soviets intend to win."

In the face of this Soviet drive for strategic superiority, coupled with announced Communist aims and the "war economy" atmosphere prevailing in the Soviet Union, the special subcommittee agreed that the United States must "create a missile defense system to protect our nuclear deterrent."

"An ABM system, said the subcommittee, "is not a cure-all for the security of the United States . . . but (it) is an essential component in the network of military systems designed to give the American people a seamless garment of security in an age of acute danger."

In its Foreword, the panel said:

"We have emphasized the trend in strategic military *capabilities* of the U.S.S.R. versus the U.S.A. This criterion is more important than one based upon *intentions* because one can easily be deceived by intentions but not as readily by capabilities.

"If one finds an increasing *capability* for warfare on the part of a self-declared enemy, it is only common sense and prudence to prepare an adequate defense."

Said the subcommittee:

"On March 14, 1969, President Nixon announced that his Administration planned to modify the Sentinel missile defense system approved by Congress under the Johnson Administration by using it first to defend some U.S. retaliatory missiles rather than to defend cities. This modification was named the 'Safeguard' system. . . .

"Safeguard is a modest, limited proposal. It is subject to constant review, as conditions change.

"Nevertheless, the Safeguard ABM has become the focus of a major national debate. It has become a symbolic issue with many. Some of those who oppose the emphasis given to national defense expenditures have clearly chosen Safeguard as the issue on which to join in opposition.

"The Safeguard debate has thus assumed such importance that all major defense decisions in the future will very likely be prejudiced if Safeguard is rejected."

The Council's National Strategy subcommittee summed up its findings this way:

"ABM is a method of deterrence which will save lives and not destroy them.

"It is more consistent with the moral objectives of the United States for this country to provide more effective ways of protecting people than to base our deterrent power wholly upon our ability to kill people in other countries or 'accept' heavy casualties at home.

"On balance, Safeguard makes sense:

It makes sense to defend our retaliatory missile sites;

It makes sense to defend our air bases;

It makes sense to defend our national command centers in the nation's capital;

It makes sense because the cost is relatively low and the program is subject to yearly review;

It makes sense to defend against the Chinese threat of the mid-70s;

It makes sense because we are not foreclosing the future.

"We are leaving our options open."

PROBLEMS FACING SOVIET JEWS

(Mr. GUDE asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. GUDE. Mr. Speaker, today in the U.S.S.R. there is a substantial group of Soviet citizens denied even fundamental religious and cultural rights guaranteed them by Soviet law. I refer to the 3 million Jews of that nation who comprise the second largest Jewish community in the world. This discriminatory treatment by the Soviet Union of its Jewish citizens stands in contrasts to the equality accorded them in other parts of the world, including even some nations of Eastern Europe such as Rumania and Yugoslavia.

The Soviets can ill afford to broadcast to the world their devotion to the rights of man when they continue to deny fundamental religious and cultural rights to a substantial number of her own citizens at home. Just as Americans expressed abhorrence of the treatment of Russia's Jews during the czarist regime, so do we express our concern regarding the slow strangulation of an ancient faith in a land where once it flourished and prospered.

The Washington Board of Rabbis has presented to me with an eloquent statement regarding anti-Semitism in the U.S.S.R. I commend it to my colleagues and include it as part of my remarks herewith:

STATEMENT

We condemn the Soviet Union for its anti-Semitism in sanctioning Trofim Kichko's slanderous book, "Judaism and Zionism"; and, for its inhumane policy of educational, cultural and religious persecution of Soviet Jewry. We are deeply concerned by reports of brutal suppression of Jewish students in Latvia for protesting Soviet persecution. We are appalled that the Soviet Government has approved the publication of a second libelous book by the notorious anti-Semite, Kichko.

As a signatory of the United Nations Human Rights Convention, the Soviet Union has violated its solemn pledge not to discriminate against any racial, ethnic or religious group. We urge the Secretary General of the United Nations to investigate the Soviet Union's flagrant bigotry.

Because the Kremlin cruelly discriminates against Jews, denying them the elementary human rights the Soviet Constitution guarantees' to all other ethnic groups, Soviet Jewry has been driven to the abyss of despair. Jews are deprived of the cultural and educational rights enjoyed by all other nationality groups. The Hebrew language is suppressed, Jews and Judaism constantly villified on the Government controlled television, radio and in the press. Since 1956 four-hundred synagogues have been ruthlessly closed down by the Kremlin.

In the name of humanity we demand that the Soviet regime halt its strangulation of Jewry. We call upon the Kremlin to cease discriminating against Jews and Judaism and live up to both the promises of the Soviet Constituton and to Premier Kosygin's public assurance that the Soviet Union would permit Jewish emigration for the purpose of family reunification.

FINANCIAL GYMNASTICS OF ASSOCIATE SUPREME COURT JUSTICE WILLIAM O. DOUGLAS

(Mr. GROSS asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. GROSS. Mr. Speaker, on May 15, I urged the House Committee on the Judiciary to conduct a full investigation of

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the extracurricular affair of Justice William O. Douglas of the Supreme Court.

As everyone knows, Mr. Douglas has been paid more than $85,000 over the last 7 years by the Albert Parvin Foundation, an organization with close ties to Las Vegas gambling casinos.

One member of the gambling fraternity, Edward Levinson, has been convicted of helping to falsify the tax records of the Fremont, a hotel-casino owned by the Parvin-Dorhmann Co., Parvin-Dorhmann stock, until very recently, helped to finance the Parvin Foundation.

Parvin himself, it will be recalled, has been accused of conspiring with convicted stock manipulator Louis Wolfson, whose close connection with Abe Fortas is now well known.

Since I first called for an investigation of the Douglas matter, numerous press accounts have revealed, bit by bit, other facets of this affair.

The Scripps-Howard newspapers today carried a story concerning a $4.2 million claim by the Government against the Fremont hotel-casino for tax deficiencies and fraud penalties.

The Daily Calumet, a Chicago newspaper, has reported on certain other figures involved with Parvin and the Las Vegas crowd.

The Daily Calumet article, as well as other published information concerning Parvin, raises the question of whether his foundation is actually a front for underworld activities and whether the underworld has actually been helping to support Justice Douglas.

These questions should be answered.

Mr. Speaker, there is too much similarity between the Fortas and Douglas cases to be sheer coincidence. If Fortas was guilty of gross misconduct, which he most certainly was, Justice Douglas is equally guilty.

I again urge most strongly that the Committee on the Judiciary begin an immediate investigation and I suggest that the committee seek the assistance of the Justice Department and the Federal Bureau of Investigation in carrying it out.

I include for insertion in the Record at this point several recent newspaper articles dealing with this subject:

[From the Washington Daily News, May 22, 1969]

Foundation's Hotel—Douglas Linked to Tax Action

(By Dan Thomasson)

The Nixon Administration has initiated a $4.2 million claim for tax deficiencies and fraud penalties against a Las Vegas hotel-casino whose earnings in part have supported the tax-exempt Albert Parvin Foundation headed by Supreme Court Justice William O. Douglas.

The Government claims the Fremont Hotel Corp. owes most of the extra money because it skimmed off part of its crap table earnings before reporting them to the IRS.

The Fremont is owned by the Parvin-Dohrmann Co., whose stock until recently made up a portion of the Parvin Foundation's portfolio. The foundation recently announced it had sold its Parvin-Dohrmann stock. The foundation also has derived income from an interest in the Flamingo Hotel, another Las Vegas gambling establishment.

THREE-YEAR PERIOD

The Internal Revenue Service claim against the Fremont is for the years 1962, 1963 and 1964—before it was acquired by Parvin-Dohrmann. It was filed on March 7 and states that for those years the casino failed to report more than $5.3 million from its gambling operations.

"It is determined that the omitted income is the result of an underestimate of gross income from craps," the Government claim states. (Such alleged withholding of part of the profits of gambling is known as "skimming.")

In addition, IRS contends that several tax deductions, including those for real estate depreciation and interest, should be disallowed. At one point, the IRS states, deductions claimed by Fremont Hotel Corp. for interest actually were distributions to stockholders.

The Fremont's attorneys, however, have contested the deficiency and penalty claims on grounds they are inaccurate and that the company's books are correct. They have filed a petition for redetermination in U.S. Tax Court here.

The IRS civil action against the Fremont follows a Federal criminal charge of income tax evasion thru "skimming" against Edward Levinson, a former Fremont owner who was retained as an executive of the hotel when it was bought by the Parvin-Dohrmann Co. in 1966.

Levinson, who had been a business partner of Robert G. (Bobby) Baker, former secretary to the Senate Democrats in a corporation once represented by resigned Supreme Court Justice Abe Fortas, entered a no contest plea in Federal court in Las Vegas to charges of having helped file a false tax return. Levinson was fined $5,000 March 28, 1967.

The Government then moved to dismiss other charges against Levinson and against five others, three of whom were former employe-stockholders of the Fremont.

SUIT DROPPED

Two days later Levinson dropped his $2 million invasion-of-privacy suit, filed three years earlier against four FBI agents whom he had accused of electronic bugging of his hotel office. The Justice Department admitted having installed the electronic device which had picked up conversations between Baker and Levinson in 1962. The bugging incident has been used by Baker to support claims he was the victim of massive Federal eavesdropping in his present appeal from convictions handed down in 1967.

The mild penalty given Levinson and his decision thereafter to drop the suit against the FBI brought immediate charges in Congress of a deal.

But Mitchell Rogovin, then assistant attorney general in charge of the tax division, denied any deal had been made with Levinson. Mr. Rogovin since has gone into private practice with Mr. Fortas' old law firm, Arnold and Porter.

[From the Washington Star, May 21, 1969]

Foundation-Aided Unit Paid Fees to Douglas

(By James R. Polk)

Justice William O. Douglas has been paid $500-a-day fees by a California study center which gets part of its money from the controversial foundation he heads.

The payments to Douglas by the Center for the Study of Democratic Institutions, Santa Barbara, Calif., totaled about $4,000 for 1968 and this year, a center official said.

Douglas has come under fire for his outside salary as president and only paid official of the Albert Parvin Foundation, which has had stock ties with Las Vegas gambling casinos.

Congressmen have called for an investigation of Douglas' income in the wake of Justice Abe Fortas' resignation from the Supreme Court in the dispute over a $20,000 check from the family foundation of jailed financier Louis E. Wolfson.

BAR'S OPINION SOUGHT

The American Bar Association's Ethics Committee said yesterday Fortas had violated its canons of ethics. Sen. John J. Williams, R-Del., who requested the opinion, told the Senate he is also seeking an ABA committee ruling on Douglas' role in the Parvin Foundation.

Douglas is chairman of the board of directors of the Santa Barbara center as well as Parvin Foundation head.

The center has been the second highest recipient of payments from the Parvin Foundation in recent years. However, the contributions represent only a small portion of the center's financing.

The center encourages study of civil liberties and seminars on international politics.

Harry S. Ashmore, executive vice president of the center, said Douglas received $1,000 for two days in attendance at a seminar, $100 for an article and $132 in travel expenses last year.

TRAVEL EXPENSES, $865

Ashmore said Douglas got $865 in travel expenses for another seminar earlier this year. He said the justice attended for four days and added, "I presume he was compensated again at the rate of $500 a day."

Ashmore said, however, he found no record that this $2,000 fee has been paid yet.

Also taking part in the Japanese-American political studies seminar at Santa Barbara in January were four senators, one congressman, and two former ambassadors.

Ashmore said they were Sens. J. William Fulbright, D-Ark.; John Sherman Cooper, R-Ky.; Mark O. Hatfield, R-Ore., and Alan Cranston, D-Calif.; Rep. Don Edwards, D-Calif.; former U.N. Ambassador Arthur J. Goldberg, and former Asian diplomat Edwin O. Reischauer.

Ashmore said he thought the others, who attended from one to three days, also received $500 daily.

"That's the usual rate," he said. "We bring them here and work them all day. We work their tails off."

THE 1962–63 FEES LISTED

The payments to Douglas were made through the Fund for the Republic, Inc., a non-profit foundation which is identical with the center.

The Fund for the Republic's tax returns for 1962 and 1963 also list fees and expenses for Douglas totaling $4,104 for those two years. Starting in 1964, the tax records stopped listing payments for directors.

Ashmore said the justice does not receive any salary as chairman of the board for the center, a position that Douglas has held for several years.

The Santa Barbara payments have been small compared with the $12,000-plus salary paid to Douglas by the Parvin Foundation.

Ashmore and the center's president, Dr. Robert Hutchins, are directors of the Parvin Foundation along with Douglas.

FOUNDATION GRANTS

Tax records show the Parvin Foundation gave the center $70,000 in the period from 1965 to 1967. Last year's returns have not been made public yet.

Princeton University received twice that amount at nearly $142,000 over the three years for foreign fellowships. UCLA got about $40,000.

The two universities and the center were the only recipients of Parvin Foundation grants in the three years.

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In the same period Douglas was paid $36,765 as Parvin Foundation president. Over a 7-year period, Douglas received more than $85,000, records show.

Supreme Court justices receive salaries of $60,000 a year under a pay raise enacted this year.

It was disclosed yesterday that the Parvin Foundation in March sold its stock in a firm owning three Las Vegas gambling casinos for $2 million.

The firm, Parvin-Dohrmann Co., is now headed by Delbert W. Coleman, a director of the Atlanta Braves. Baseball Commissioner Bowie Kuhn has begun an investigation of stock holdings in the firm by top officials of the Braves and the Oakland Athletics.

Harvey Silbert, secretary and treasurer of the Parvin Foundation said the foundation's remaining holdings of 21,791 shares were sold in early March.

In a telephone interview Monday from Los Angeles, where the foundation is based, Silbert said the stock was sold through a broker at $91.75 a share. This would result in a total purchase price of $1,999,324 for the stock.

Justice Douglas, reached Monday in Bellingham, Wash., said he had no comment regarding the foundation's past links with Las Vegas holdings or criticism of his role with the foundation.

The foundation was formed in 1960 by Los Angeles businessman Albert B. Parvin, who sold his stock in Parvin-Dohrmann Co. last fall.

Parvin, named by the government as an alleged coconspirator in stock charges against Wolfson, is still listed as vice president of the foundation that bears his name.

[From the Washington Daily News, May 21, 1969]

Fortas Quit; What About Douglas?

Supreme Court Justice Abe Fortas was embarrassed out of his $60,000-a-year position because it was revealed that he once had accepted a $20,000 fee from a foundation set up by Louis Wolfson, the stock manipulator now in prison.

Mr. Fortas eventually returned the $20,000 fee.

Justice William O. Douglas has been getting $12,000 a year as president of the Albert Parvin Foundation. The foundation made news this week when the secretary revealed that a mortgage the foundation held on a Las Vegas hotel and casino had been paid off and that the foundation had sold its shares in a company which owned three other Las Vegas hotel-casino properties.

In 1966, when the Internal Revenue Service was checking up on the Albert Parvin Foundation, and while Justice Douglas was president, the foundation hired Mrs. Abe Fortas (a tax lawyer) to help with the case. IRS apparently was satisfied with what it found in its inquiry—and took no more action.

Albert Parvin, who set up the foundation, at one time was involved with Louis Wolfson in a stock operation.

The Parvin Foundation primarily sponsors fellowships for youths from "under-developed" countries. Whether a Supreme Court justice is needed to direct such an activity may be debated, but his salary has accounted for up to one-fourth of the annual total disbursements of the foundation.

In a statement furnished Sen. Williams of Delaware this week, the American Bar Association Committee on Professional Ethics described former Justice Fortas' connections with the Wolfson foundation as "clearly contrary to the canons of judical ethics, even if he did not and never intended to interfere or take part in any legal, administrative or judicial matters, affecting Mr. Wolfson."

The committee said there are eight separate canons of the bar association which would bear on the Fortas question.

What fit the Fortas case surely would in the Douglas case.

The bar committee said it was not talking about the lawfulness of Mr. Fortas, conduct—but about the ethics of it. And the ethical precepts of the bar association require that judges "act not only in a manner that is lawful and proper, but in a manner that gives the impression and appearance that it is proper."

Mr. Fortas, in resigning from the court, tried to explain his conduct. Justice Douglas simply goes on drawing his foundation salary.

[From the Washington Daily News, May 21, 1969]

Douglas Probe Urged

(By Dan Thomasson)

Sen. John J. Williams, R-Del. today asked the American Bar Association to determine whether Supreme Court Justice William O. Douglas has violated the ABA's code of judicial ethics by accepting a $12,000-a-year fee from a California foundation with former Las Vegas gambling connections.

Sen. Williams posed the question in a letter to ABA President William T. Gossett of Chicago within hours after the association's committee on professional ethics concluded that former Supreme Court Justice Abe Fortas had violated its canons of conduct in his relationship with the family foundation of jailed financier Louis E. Wolfson.

The ABA committee, emphasizing that it was not dealing with the lawfulness of the Fortas involvement with the Wolfson foundation, cited eight separate canons as bearing on the activities of Mr. Fortas in accepting—and much later rejecting—an arrangement for a $20,000-a-year lifetime payment by the foundation. The canons included several which stress the duty of a judge to avoid both improprieties and the appearance of improprieties in his official conduct.

The committee made its statement in answer to an earlier letter from Sen. Williams.

Sen. Williams, in his letter today asking the ABA also to take a stand on the relations of Justice Douglas with the Parvin Foundation, cited several of the same canons and then stated:

"It is also a matter of public record that Justice Douglas has been on the payroll of the Parvin Foundation at a salary of $12,000 a year and the principals behind this tax-exempt foundation have likewise been subjects of investigation by various agencies of the government, including the Department of Justice.

"I am sure the ABA is familiar with Justice Douglas' arrangements for accepting these fees from this foundation, whose members have close relationship with the Las Vegas gambling industry.

"Therefore, I am asking the question: Does Justice Douglas' acceptance of this $12,000 annual retainer from the Parvin Foundation violate the canons of judicial ethics of the ABA?"

The furor over outside activities of members of the Supreme Court which resulted in Mr. Fortas' resignation last week continued as Sen. Carl Curtis, R-Neb., took the Senate floor to criticize Justice Douglas and charge that "his conduct is not befitting that of a man on the Supreme Court."

There also was speculation that Chief Justice Earl Warren may call a meeting of the Judicial Conference to look into both the Fortas and Douglas cases and the question of whether judges should accept fees from foundations.

The conference normally meets twice a year—in the spring and fall—and there is precedent for concerning itself with such matters. Several years ago the conference made a ruling barring Federal judges from sitting on boards of companies.

There was no indication today that the ABA committee's comments on Mr. Fortas' activities would lead to any disciplinary proceedings.

An ABA spokesman in Washington, Harry Swegle, said the only action the association could initiate in connection with its conclusion that Mr. Fortas has violated judicial ethics was to expel him from the ABA.

PREVIOUSLY DROPPED

But he then disclosed that Mr. Fortas already had been dropped from membership for non-payment of dues. He said Mr. Fortas dropped out about the time he was named to the Supreme Court in 1965.

The ABA also came under criticism today from several Senators, including Curtis and Williams, for having made a "hasty" decision in backing Mr. Fortas for chief justice last year when he was nominated by former President Johnson.

Sen. Williams' reference to the Las Vegas gambling connections of the Albert Parvin Foundation, which Justice Douglas heads as the only paid officer, came as foundation officials were announcing that it has sold its stock holdings in a company that owns three casinos.

ROBERT W. GOODMAN

(Mr. RYAN asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. RYAN. Mr. Speaker, not quite 5 years ago Andrew Goodman and two other civil rights workers were brutally murdered near Philadelphia, Miss. During the period of anguished waiting for word of their son's fate I came to know the courage and dedication of his parents, Carolyn and Robert W. Goodman. Their firm commitment to the principles of democracy was an inspiration.

Today, I am profoundly saddened to inform the House that Robert Goodman died on Tuesday, May 20.

Robert Goodman's expression of dedication to "the values Andy held dear" moved the Nation at the time of his son's death in 1964. His first response in his grief was "pride in our son's commitment." He pledged that he would "continue to work for this goal," and called upon the Nation to fulfill the dream of equality held so dear by his son. He said at that time:

> This tragedy is not private; it is part of the public conscience of our country.

Robert Goodman, in 1967, became president of the Pacifica Foundation, a broadcasting enterprise, of which he said:

> It's free air is an affirmation of the Bill of Rights and a true voice of social responsibility.

He was a trustee of the Walden School, grounded in respect for individual worth. Within his profession of engineering Robert Goodman was president of a construction company and active in professional organizations.

Robert W. Goodman has been called that rare mixture of the practical businessman and the idealistic humanist. The demonstrated selflessness and good-

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ness of his life and his idealism suggest that "the values Andy held so dear" and for which he gave his life must surely have been learned from his father.

I shall never forget Robert Goodman's unbelievable courage and fortitude and how—at the hour of stark tragedy for him—he compassionately thought first of others, the families of the two young men who sacrificed their lives with Andrew.

I cherished the friendship of Robert W. Goodman whose qualities of gentleness and dedication inspired all who knew him. I extend my deepest sympathy to his wife, Carolyn; his sons, Jonathan and David; his mother, Mrs. Charles Goodman; and all the family.

I include at this point in the RECORD the obituary from the New York Times of May 21:

ROBERT W. GOODMAN, PRESIDENT OF PACIFICA FOUNDATION, IS DEAD—FATHER OF RIGHTS AIDE SLAIN IN MISSISSIPPI WAS HEAD OF A CONSTRUCTION COMPANY

Robert W. Goodman, the father of Andrew Goodman, one of three civil-rights workers murdered in Mississippi in 1964, and president of the Pacifica Foundation and the Grow Construction Company, Inc., died yesterday at Mount Sinai Hospital of a stroke. He was 54 years old and lived at 161 West 86th Street.

On Aug. 5, 1964, the day after the body of his son, a 20-year-old Queens College student, had been found with those of Michael H. Schwerner, also a white New Yorker, and James E. Chaney, a Mississippi Negro, Mr. Goodman told reporters:

"Our grief, though personal, belongs to the nation. The values our son expressed in his simple action of going to Mississippi are still the bonds that bind this nation together—its Constitution, its law, its Bill of Rights." He then wept in the arms of friends.

REGISTRATION DRIVE

The three young men, who were taking part in a voter registration drive for Negroes, had disappeared after having been released from the Philadelphia, Miss., jail on a traffic charge in June, 1964. After an extensive search, their bodies were found in an earthen dam six miles from Philadelphia.

Seven men, including the chief deputy sheriff of Neshoba County, Cecil Ray Price, were convicted in 1967 of conspiracy in the slayings.

Mr. Goodman became president of the Pacifica Foundation, whose nonprofit, listener-financed radio stations have frequently been the center of free-speech controversies, in the fall of 1967, after having served on the foundation's board for a year and a half. The foundation owns WBAI in New York, KPA in Berkeley, Calif., and KPFK in Los Angeles.

In an allusion to Pacifica, Mr. Goodman, whose construction company built tunnels, bridges and foundations, said in a biography he prepared last year:

"It has been said by some that this is another form of my underground activity. Perhaps—but for me its free air is an affirmation of the Bill of Rights and a true voice of social responsibility."

He had recently found new quarters for WBAI–FM and negotiated the terms for purchase of the building at 359 East 62d Street from the Bethesda Covenant Church.

Larry Josephson, the assistant manager of the station, yesterday called Mr. Goodman "that rare mixture of the practical businessman and the idealistic humanist."

In his biography, Mr. Goodman wrote:

"I was born Aug. 5, 1914, in New York City—on the very same day Europe declared war on itself. Since my birth nothing essential has changed except that the scene has shifted to a broader stage whereon America now pursues warfare against Asia."

Mr. Goodman attended Cornell University, where he received a Bachelor of Arts degree in 1935 and a civil engineering degree in 1939.

For several years after graduating from Cornell, he built houses in Queens and then he designed and built cranes used during World War II in ship repair for the Navy.

In 1945 he joined the construction concern founded that year by his father, Charles, and he became president on his father's death in 1963. It is situated at 313 West 53d Street.

From 1946 to 1964, Mr. Goodman was a trustee of the Walden School. The school, he said was "a pioneer in modern educational theory and practice, where individual needs supersede the demands of system."

He was a member of the American Society of Civil Engineers, the New York State Society of Professional Engineers and the Moles, a contractors' organization for those who work underground. He has also served as a trustee of the Compressed Air and Tunnel Workers Welfare and Pension Trusts.

Mr. Goodman is survived by his widow, the former Carolyn Elizabeth Drucker; two sons, Jonathan and David; his mother, Mrs. Charles Goodman, and Mrs. Joanne Bucholz, all of New York.

A funeral service will be at 11:30 A.M. tomorrow at the Community Church, 40 East 35th Street.

THE NEW CHIEF JUSTICE OF THE SUPREME COURT

(Mr. RIVERS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. RIVERS. Mr. Speaker, when General Eisenhower appointed the present Supreme Court Chief Justice of the United States all of us had hopes then of having a good Chief Justice. I certainly hope as has been said today, that Mr. Chief Justice Burger will fulfill the hopes of those who preceded me on the floor. I would like to associate myself with the remarks of the gentleman from Virginia (Mr. POFF).

I hope that, if President Nixon does nothing else, he can appoint a Chief Justice of the United States who will turn that Court around and abandon its practice of legislating. This will have the effect of gaining some respect by the Congress of the United States for the Court and thereby gain some respect of the people of the United States.

However, under the leadership of the present Chief Justice this Court has capriciously embarked on a program of legislation beyond the intendment of anything Congress has ever written. As a matter of fact, it has been contemptuous of the Congress.

If the new Chief Justice will only do this, he will vindicate the selection by President Nixon. If he does this, I, for one, as everybody else in this Congress, I am sure, will thank the President for his selection.

PERMISSION FOR COMMITTEE ON APPROPRIATIONS TO HAVE UNTIL MIDNIGHT FRIDAY, MAY 23, TO FILE PRIVILEGED REPORT ON DEPARTMENT OF AGRICULTURE APPROPRIATIONS, 1970

Mr. WHITTEN. Mr. Speaker, I ask unanimous consent that the Committee on Appropriations may have until midnight Friday, May 23, to file a privileged report on the Department of Agriculture and Related Agencies Appropriations Act for fiscal year 1970.

Mr. LANGEN reserved all points of order on the bill.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

PROGRAM FOR NEXT WEEK

(Mr. ARENDS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ARENDS. Mr. Speaker, I have requested this time in order to ask the majority leader to acquaint us with the program for next week.

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. ARENDS. Yes; I yield to the gentleman from Oklahoma.

Mr. ALBERT. Mr. Speaker, in response to the inquiry of the distinguished acting minority leader the program for next week is as follows:

Monday is District Day but there are no District bills scheduled for consideration.

However, on Monday there will be for the consideration of the House the Department of Agriculture and Related Agencies Appropriation Act for fiscal year 1970.

For Tuesday and the balance of the week we will have the Treasury Department-Post Office Department Appropriations Act for fiscal year 1970 and H.R. 4204, to amend the War Claims Act of 1948 to include prisoners of war captured during the Vietnam conflict, subject to a rule being granted.

Of course, the Memorial Day recess previously announced will begin at the close of business on Wednesday, May 28, and end at noon on Monday, June 2.

Mr. Speaker, this announcement is made subject to the usual reservation that conference reports may be brought up at any time and any further business may be announced later.

Mr. ARENDS. I thank the gentleman.

ADJOURNMENT TO MONDAY NEXT

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Monday next.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

Mr. GROSS. Mr. Speaker, reserving the right to object, is it intended to hold a session on next Thursday, or will there be an adjournment resolution adopted?

Mr. ALBERT. Mr. Speaker, will the gentleman from Iowa yield?

Mr. GROSS. I yield to the gentleman from Oklahoma.

Mr. ALBERT. Mr. Speaker, it is my hope—and I shall discuss this with the leadership of the other body—that we will be able to adjourn by resolution so that we will not have to meet on Thursday. That is our hope.

Mr. GROSS. There would be no business on Thursday?

Mr. ALBERT. There would be no meeting on Thursday, but there will be business on Wednesday. We do expect business on Wednesday.

Mr. GROSS. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

DISPENSING WITH BUSINESS IN ORDER UNDER THE CALENDAR WEDNESDAY RULE ON WEDNESDAY NEXT

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that any business in order under the Calendar Wednesday rule on Wednesday next may be dispensed with.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

AS YE SOW

(Mr. HALL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HALL. Mr. Speaker, it was the evening of May 15. I was walking alone, along the almost deserted corridors of the Capitol, when I thought I heard someone whispering behind me. I turned around, but no one was there. Shrugging my shoulders I walked a few steps further, then, I heard it again. An unreal, almost ghostlike feeling was in the air, that for some strange reason had turned quite chilly. I looked around at those huge bronze and marble statues—there stood Tom Benton, Henry Clay, Daniel Webster, Roger Williams, and many others, all distinguished members of this great Republic, staring back at me through vacant, unseeing eyes. The hall remained quiet, I heard the sounds no more, so I continued with my journey.

As I look back to that evening, I am struck with the realization, that at just about the time I was there, the resignation of Supreme Court Justice Abe Fortas was being delivered to the White House.

Now, I certainly am no believer in the occult, but could it be that the troubled spirits of those great Americans were aware of what had transpired that day? Could it be, that the very foundations of that old building were to once again feel the pain that "cronyism" brings? Was it possible that those spirits, revered by so many, were ready to step down from their hallowed pedestals, and give them over to the "new wave," the antiheros of the assorted "deals," "frontiers," and "societies" that have created a whole new series of monuments, sculpted by permissiveness, chiseled by cronyism and polished by largess?

What form would these new statues take? Would they be cast in the likeness of those bulwarks of the "Great Society," Bobby Baker, Billy Sol Estes, Fred Black, or Walter Jenkins? Names from out of the past perhaps, but names linked together in a chain, forged by the blacksmith of the Pedernales. A chain composed of weak links, yet strengthened by the respectability of a Presidential appointment, and confirmed by a fraternity. And we might add, why is the anvil so quiet lately?

Is it just a happenstance that a $60,000 a year Supreme Court Justice would accept—with a clear conscience—a $20,000 per annum lifetime fee? Or was he cast from the same mold as those before him—a glorified and high-priced "fixer," accepting payment for favors due?

Will there be others to fall by the wayside? Are there those now on the Supreme Court—with the same kind of conscience, but lesser fee—who accept the same kind of gratuity, or wheel and deal in real estate developments across the Potomac?

Was it ironical that the former Deputy Defense Secretary who signed the order for the new code of ethics, was to be sharply criticized for failure to follow it in the TFX contract and controversy?

Is it a mere coincidence that a former "Great Society" Secretary of Transportation accepted a $95,000 a year job as head of the Illinois Central Railroad after his Department had earlier approved a $25 million loan to the company?

Are we to believe that it was just a happenstance that the former Secretary of the Interior approved a $550,000 contract to a private consulting firm, and less than a year later became board chairman of its Washington office?

Was it pure chance that a former Assistant Postmaster General became vice president of a firm whose profits jumped from $60,000 in 1967 to over $1.28 million in 1968, mainly on the basis of hauling Government mail?

How do these things come about? What makes them happen? Are the Nation's students really putting their finger on the truth when they say the "system" is corrupt? Is it possible that one man, in all innocence could appoint so many people, with so many obvious flaws in their character, to so many responsible jobs?

Could the Congress itself be at fault? Are we such easy marks, that just any old appointment, to any "nice guy" will be passed on without objection? It has been done before.

We have been warned many times by those with foresight and firm convictions, that any appointee to high office should pass the most rigid inspection. I do not mean that he should be crucified on a cross of divestiture. We are well aware that it is almost impossible to bring good men into Government at less than a quarter of their normal earnings. But we must insist on disclosure. The executive, the legislative, the judiciary, must all abide by the same rules. Let there be no doubt to anyone about the affiliations of any public servant. Let us remember that the "peoples right to know," is still the responsibility of the Congress. Let the Federal Government show the way by turning the tide of irresponsibility into the wave of integrity. Let the Nation's Capitol regain the respect of those it serves, let the people once again point with pride to those who represent them as Members worthy of the Nation's trust. Let the word go out that truth is still synonymous with Washington. Let us make patronage an honorable estate and close forever the "credibility gap."

THE HONORABLE WILLIAM V. ROTH

The SPEAKER. Under a previous order of the House, the gentleman from Texas (Mr. BUSH) is recognized for 60 minutes.

Mr. BUSH. Mr. Speaker, on Friday, May 16, our distinguished colleague, BILL ROTH, announced his candidacy for the U.S. Senate in 1970. After 20 years of dedicated service, Senator JOHN J. WILLIAMS of Delaware has announced that he will not be a candidate for reelection.

Mr. Speaker, at this point I would like to say that my father served with Senator WILLIAMS in the other body, and there is no Member of the other body who is more highly regarded than Senator WILLIAMS.

Mr. Speaker, in assessing the long-range effects of BILL ROTH's decision I find myself harboring a distinct mixture of emotions. While I am saddened to know that we will be losing his companionship and his counsel in the House, I am excited at the thought of his presence in the other body. As we have known BILL ROTH in the House as a man of resolute dedication and determination, so will he quickly be similarly recognized in the Senate.

The legislative and executive leadership that he has displayed in the House in a very short period of time will doubtless be generated to an ever greater extent in the execution of his senatorial duties.

Since his election to Congress, BILL ROTH's solid and constructive ideas have been reflected through an infinite range of legislative proposals. Above all, he has concerned himself with meaningful legislation of particular note, such as his innovative legislative efforts directed at the reorganization of our Federal Government, to draw from it greater efficiency in meeting our Nation's needs. His highly regarded "Roth Study of 1968" which focused on deficiencies in grant-in-aid assistance, was received with favor by both public and private officials, nonprofit groups and the news media across this country.

BILL ROTH received national recognition for his efforts to reorganize the mass of Federal-aid programs. He has introduced—and this was in his first year of Congress—two original major pieces of legislation in this area, both cosponsored by more than one-third of the total House membership in both the 90th and 91st Congresses.

The Program Information Act, which would require the President to publish an annual catalog of all Federal-aid programs, and a bill to establish a Hoover-type commission to study the effectiveness of Federal-aid programs as they now exist.

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The Roth study of 1968, which prompted this legislation and spotlighted deficiencies in the present grant-in-aid system, has been praised all across the country. His proposals have received the full backing of the National Governor's Conference, the Conference of State Legislators, and the National Association of Counties.

As a member of the House Foreign Affairs Committee, he has particularly distinguished himself. His discerning knowledge of international affairs has been evidenced through his intent participation in this committee.

Mr. BIESTER. Mr. Speaker, will the gentleman yield?

Mr. BUSH. I yield to the gentleman from Pennsylvania.

Mr. BIESTER. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I am pleased to join in these statements concerning our distinguished colleague from Delaware.

I first met Bill Roth before I came to Congress, and was impressed by him then, and, of course, I have found that impression continuously confirmed by his work after he came here.

I think in one respect the fact that his work in the area of Government organization and the reform of that organization will be perhaps the single item by which he is most remembered in this House, may not do him justice because that is simply one example of the profound effort that our colleague is able to generate in legislative and administrative subjects.

I will remember his service with me on the Committee on the Judiciary as thoughtful and creative, and also exhibiting that same quiet and thoughtful tenacity and willingness to engage in the kind of hard work that has typified his presence here in the House of Representatives.

I believe that his breadth of interest and his breadth of knowledge will provide a solid and forceful voice for reason in the other body.

He has served his Nation in many, many ways and he has served his Nation in many, many fields. I regret that we in this House will be losing his quiet but forceful voice and his calm but soundly reasoned arguments. The House of Representatives will be somewhat diminished by his loss, but the Nation will be the gainer by his continuation in the service of his country and the people of his State in the other body.

Mr. BUSH. I thank the gentleman.

Mr. PETTIS. Mr. Speaker, will the gentleman yield?

Mr. BUSH. I yield to the gentleman from California.

Mr. PETTIS. Mr. Speaker, I join with my colleagues today in paying this tribute to our colleague, Bill Roth.

Mr. Speaker, beginning with the 90th Congress, my esteemed colleague, Bill Roth, and I became close friends and I have enjoyed the privilege of knowing this man of character and integrity and great competence who represents the great and sovereign State of Delaware as a Member of this body.

Now that my distinguished colleague has announced his intention to seek election to the U.S. Senate, I am certain that the voters of the great State of Delaware will make him a U.S. Senator where he will further distinguish himself in the other body.

Bill will have some mighty big shoes to fill, for John J. Williams, who will be retiring next year has gained the respect and the gratitude of the entire Nation. The distinguished Senator from Delaware has been one of America's most courageous and effective legislators. His departure from the Senate will leave a void that only my good friend and colleague, Bill Roth, can fill.

Illustrative of the kind of Representative Bill has been is the cataloging of Federal assistance programs which he has done for the benefit of not only those of us who serve in the Congress, but also for the benefit of the people back home who feel a little lost in trying to find their way through the maze of thousands of Federal programs without a guide. Congressman Roth's contribution in this one endeavor alone is monumental and I think it bespeaks the kind of job he will do when he reaches the other side of the Hill on the banks of the Potomac in a place called the U.S. Senate.

Mr. BUSH. I thank the gentleman.

Mr. THOMPSON of Georgia. Mr. Speaker, will the gentleman yield?

Mr. BUSH. I yield to the gentleman.

Mr. THOMPSON of Georgia. Mr. Speaker, it is a pleasure to be able to stand here today and join with my colleagues congratulating the people of the State of Delaware in having a person of the caliber of Congressman Bill Roth to offer for the U.S. Senate from that State.

During the 90th Congress I had the opportunity to form a close friendship with Bill Roth. I have been impressed by Bill, not just because of the fact that we have this friendship, but I have been impressed with his genuine desire to serve the people of this Nation, and the people of the State of Delaware.

We have a breakfast group that meets every Wednesday morning. Bill has chaired this group, and the important thing to me, so far as Bill Roth's activities in this group is concerned, has been that Bill Roth is not the type of person who seeks personal glory for himself, but he seeks to help and serve the best interests of all of his colleagues.

I am certain that, should Bill Roth be elected by the people of Delaware to serve them in the Senate of the United States, that he will be a person who places the interest of the people of Delaware above his personal considerations, and that he will make great sacrifices and, indeed, the people of Delaware will be fortunate should they have the wisdom to elect Bill Roth as their U.S. Senator.

Mr. BUSH. I thank the gentleman, and I would like to comment on the parallel between our distinguished colleague and Senator Williams. I think everybody who knows him draws the same conclusion. I believe the gentleman has put his finger on the basic strength of our colleague in this most appropriate comparison.

Mr. COLLINS. Mr. Speaker, will the gentleman yield?

Mr. BUSH. I yield to the gentleman from Texas.

Mr. COLLINS. Mr. Speaker, I am proud to have this opportunity to join with you and to join with the others in saying a few words about our friend, Bill Roth. It speaks well for the State of Delaware that a man like Bill Roth is moving in the direction of the U.S. Senate.

Bill Roth has all of the attributes of an outstanding statesman. He has set the pace toward organizing and reorganizing a better and more efficient congressional system. His reorganization bill means more efficiency, more savings to the Government, while at the same time expediting action.

His broad-minded approach to legislation makes his opinion most valued on the floor. His drive, energy, and activity have given him floor-leadership recognition here in Congress.

Bill Roth will be an outstanding addition to the U.S. Senate.

Mr. BUSH. I thank the gentleman for his most appropriate remarks.

Mr. DENNIS. Mr. Speaker, will the gentleman yield?

Mr. BUSH. I am delighted to yield to the gentleman from Indiana.

Mr. DENNIS. Mr. Speaker, as a new Member in Congress, I have less basis in experience to speak about the gentleman from Delaware than have the other gentlemen who have participated on this occasion. But I have conceived a regard and a respect for the gentleman from Delaware. When I first came here a few months ago, to me one of the most intelligent pieces of legislation which crossed my desk was the legislation introduced by the gentleman from Delaware, which has been referred to already. I concluded that I would like to be one of those who would cosponsor that legislation. The gentleman from Delaware had asked for a special order to speak on the subject of his proposed legislation. I really did not know what a Member should do to participate in such a special order, but I felt that would be something that I would like to do, so I talked to the gentleman from Delaware about it.

He was, of course, very courteous, considerate, and helpful; so you might say that the first words I ever managed to utter on this floor were by the courtesy and under the guidance of the gentleman.

Therefore, I am very happy to have the opportunity to in some small measure return his courtesy by participating in this special order and saying to him, and to all of you, that I feel the people of Delaware will have a distinguished Senator, and I wish him well in that endeavor.

Mr. BUSH. I thank my colleague.

Mr. EDWARDS of Alabama. Mr. Speaker, will the gentleman yield?

Mr. BUSH. I yield to the gentleman from Alabama.

Mr. EDWARDS of Alabama. I thank the gentleman for yielding and taking this time so that all of us may come here and pay tribute to our colleague, Bill Roth. Since our friend from Delaware has been here, he has shown the House of Representatives what an orderly mind he has. He has brought to the floor of

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the House and to the people of this country a real effort to bring order out of chaos in Government. I do not know of any Representative whose name has appeared as often on the editorial pages of the newspapers of my district than the gentleman from Delaware.

Mr. BUSH. As much as Senator Kennedy?

Mr. EDWARDS of Alabama. Even Senator Kennedy. The people of my district are concerned about how the Government is run. They are concerned about having it run in an orderly fashion. They are concerned about reformation efforts to see that we are on the right track, and that the people know what is going on in Government.

Certainly Bill Roth has taken the leadership in this, and it has not been easy, because when you start looking at what makes up this very complex Government of ours and then start trying to pull together all of those complexities, I come back to what I said about the gentleman awhile ago: It takes an orderly mind to do that.

So we do have mixed emotions as we think about the fact that he will be leaving us. But I also have a great sense of satisfaction in knowing that we will have him across the Capitol, where we can call on him in the other body. I know that the good people of Delaware have benefited from his service in the House. I am sure that they will continue to benefit greatly when he is elected to the other body.

Mr. BUSH. I thank the gentleman for those comments.

Mr. SCHWENGEL. Mr. Speaker, will the gentleman yield?

Mr. BUSH. I yield to the gentleman from Iowa.

Mr. SCHWENGEL. Mr. Speaker, I thank the gentleman from Texas for yielding to me.

First of all, I want to commend the gentleman from Texas for taking this time to give us the opportunity to join in an accolade to a great public servant on the other side of the Capitol and to extend good wishes and make appropriate observations about the public service of a colleague of ours on this side.

All of us in the country will miss the talent and dedication and work of that great Senator from Delaware who is retiring, and who is going to retire so he can enjoy a well-earned rest and relaxation. Hopefully he will continue his interest and have an influence for good.

I am especially pleased that there is in prospect for the people of Delaware the opportunity to send a very worthy substitute for the great Senator from Delaware.

I have known Congressman Roth ever since he has been here, and I have noted his sense of dedication and his capabilities, and his desire, as someone said, to bring order out of chaos and to help us develop a better understanding of the business of Government.

The catalog of the Federal projects that he inspired and has largely been responsible for is in the hands of every mayor and every public official in my district. It is one of the most welcome and appreciated documents and has been most helpful.

So I join all of those who have taken the time today to extend good wishes and fond hopes for success for this great young man who has served us so well in this body, where he will be missed, but our loss will be their gain, and I suppose in a sense some of us might agree that they have much to gain.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. BUSH. I yield to the gentleman from Iowa.

Mr. GROSS. Mr. Speaker, it is no secret that I am a great admirer of the senior Senator from Delaware, my good friend John Williams. I deeply regret that he has decided not to be a candidate for reelection next year.

But I can think of no more worthy successor to Senator Williams than our colleague, Bill Roth, who has announced his candidacy to fill the vacancy.

I have enjoyed serving with him on the Foreign Affairs Committee and I can say with every confidence that his presence in the U.S. Senate will reflect a great credit on his State and the Nation.

Mr. BUSH. Mr. Speaker, I thank the gentleman from Iowa.

Mr. BROCK. Mr. Speaker, as you know, one of our most valued colleagues has announced that he will not be seeking reelection to the House. While his time here has been relatively brief, he has made a tremendous impact on this body and has achieved much more than many of us will in a considerably longer period.

It was Bill Roth who launched the first comprehensive effort to catalog Federal programs and services since big government began its relentless period of expansion. By the time his study was concluded, Bill had proven a number of important things.

In the first place, he had proved that he was resourceful and determined in pursuit of his goal. No one with less stamina or drive could have pieced together the often contradictory reports of hundreds of bureaus, agencies, and departments, sifted through the miles and miles of redtape, and prodded many apathetic or incompetent bureaucrats into cooperating.

Second, Bill's findings convinced us of the magnitude of both modern Government and its problems. It was a real shock for many to learn that Uncle Sam's right hand often does not know what his left hand is doing, and that competing or conflicting programs, carried on at vast Federal expense, were often being managed by rival agencies or subdivisions.

Finally, the result of Bill's effort was a greater working knowledge of the Government-organizational knowledge that enabled all of us to deal with Government more effectively on a day-to-day basis.

This is just one of the many contributions that Bill Roth has made to the House. It typifies his spirit and dedication—qualities we will miss when he has left this body.

However, it now seems very likely that our loss will be the Senate's gain, and that Bill Roth will soon earn distinction in the other body, serving his State in an even higher capacity.

Mr. ARENDS. Mr. Speaker, it will be a great loss to the House when our colleague, Bill Roth, goes across the Capitol to the Senate to succeed the very distinguished Senator John Williams of Delaware, who has announced he will not be a candidate for reelection.

For over 20 years Senator Williams has ably served his State and our country. His shoes will be difficult to fill. But I know no one who could be better able to do this than Bill Roth. As Delaware's Representative-at-Large he has in fact already been a spokesman for the entire State in the Congress.

Our loss is the Senate's gain. And I am realistic enough to recognize that in the other body there will be greater opportunities for a man of Bill Roth's unusual talents to render larger service to his home State and our country. To serve the people of Delaware where he can serve them best, and to the best of his ability is his objective.

Even as a freshman Member of the House, Bill Roth made his mark. He undertook the almost impossible task of cataloging in a meaningful form all the federally-operated assistance programs. It was the type of undertaking that does not make headlines. It was the type of dull, tedious work that the average Member of Congress is not disposed to do.

But Bill Roth is that type of man: he is the exception. He is one of those all too rare individuals in public life who is more interested in doing the job that needs to be done than in making headlines. It was my privilege to join him in sponsoring legislation he developed to provide for the catalog, kept up to date, that the general public and the Congress might know exactly what is taking place in connection with the multitude of programs.

To say the least, Bill Roth's constructive efforts have contributed immeasurably to what is now being undertaken by the Nixon administration for a reorganization of the executive branch of the Government and for the coordination of the various grant-in-aid programs.

There are many other ways in which Bill Roth has contributed to the formulation and advancement of our party's program. He has proven himself to be not only diligent in the performance of his duties; he has proven himself to be a man of high principle, who stands firm on principle.

I join my colleagues in wishing for him the very best as he aspires to a Senate seat.

Mr. RHODES. Mr. Speaker, I am pleased to join with my colleagues in a special tribute to Hon. William V. Roth, Jr., on the occasion of his announcement that he will be a candidate for the U.S. Senate from Delaware in 1970.

Bill Roth has been an outstanding legislator in the House of Representatives—dedicated to the enactment of good laws for the betterment of his fellow citizens, extremely knowledgeable in the field of foreign affairs, and possessed

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of the sound judgment and wisdom necessary to our lawgiving decisions of today.

Although we shall sorely miss Congressman Roth in the House of Representatives, he will be an invaluable asset to the U.S. Senate for the people of Delaware and for our country.

Mr. HALL. Mr. Speaker, Congressman Bill Roth has announced that he will not be returning to this Chamber in 1970, and has chosen instead to seek the office of U.S. Senator from Delaware. I wish him all the luck in the world and will certainly look forward to his occupying a desk on the Capitol's north side.

Bill Roth epitomizes the idea that Government is meant to serve not just to exist. He has worked long and hard to eradicate waste and duplication. Congressman Roth's Program Information Act, introduced in the 90th Congress to eliminate the multitude of overlapping program catalogs, and substitute instead a single official catalog, updated monthly, containing complete program descriptions and covering all Federal assistance programs, was a stroke of genius. His ability to find a better way is uncanny. His capacity for organization is unparalleled. His dedication is obvious. His bravery is attested to by the Bronze Star he received in World War II.

It is an honor to sit in the same Chamber with Bill Roth, a matter of pride to be known as his associate, and a privilege to call him a friend.

Although it will be some time before Bill departs this Chamber, I wish to take this time to publicly wish him good luck and Godspeed.

Mr. QUIE. Mr. Speaker, I have known Bill Roth for several years and watched his very outstanding work in Young Republican's and later in the party structure. He has a keen mind and can immediately come to grips with the central issue in any problem.

Congressman Roth has performed admirably in the House of Representatives. According to the unwritten rules, a freshman Congressman should observe the operation of the House in his first term serving his apprenticeship. Not so with Bill Roth. He could not stand idly by while time passed. His outstanding work in drawing attention to the proliferation of Federal grant and aid programs had given him nationwide acclaim, and deservedly so. This project shows investigative ability and also great perseverance despite lack of cooperation from several executive agencies.

While I regret the fact that his services will be lost to the House of Representatives in the next Congress, he is well qualified to continue the excellent service in the Senate that the citizens of Delaware have come to expect from their distinguished senior Senator.

Mr. KLEPPE. Mr. Speaker, I want to commend the gentleman from Texas (Mr. Bush), for taking the special order today to properly recognize one of our outstanding colleagues, William Roth, from Delaware.

Since the gentleman from Delaware (Mr. Roth), has made the decision to seek election to the U.S. Senate from his State, it has created some up and down feelings with many of us.

In the relatively short period of time he has served in the House, he has created a mark that is etched with good work. We will be losing an outstanding Member in our ranks, but I am convinced the Senate will gain his astute capability of work and judgment after the election of 1970. I believe it is important for a man of Bill Roth's capabilities to be utilized in the Congress of our Nation because I know his superior work will continue.

Mr. ADAIR. Mr. Speaker, I rise today to salute a distinguished Member of this body, Congressman William V. Roth, Jr., of Delaware. Bill Roth has announced his candidacy to succeed Senator John J. Williams, of Delaware, who will retire at the end of his present term.

Although this is only his second term in the U.S. House of Representatives, Bill has demonstrated those qualities of integrity, hard work, and devotion to duty that have made him a valued Member of the House of Representatives and of the Committee on Foreign Affairs, on which I am pleased to serve with him.

Although we will be sorry to lose him as a Member of this body at the conclusion of the 91st Congress, I am confident that he will be a great Senator and serve his State and Nation well as a Member of the U.S. Senate.

Mr. WYLIE. Mr. Speaker, I received the news that my colleague from Delaware Bill Roth, has decided to seek election to the other body with mixed feelings. I am, naturally, delighted to know that Bill will continue to serve the people of Delaware and the Nation; I am saddened by the knowledge that thet House will be losing one of its more promising young Members, a man of proven ability and energy.

Like most people, I was deeply impressed with Bill's efforts to produce a complete, accurate, and useful listing of the proliferation of Federal domestic assistance programs. His diligent, thorough research effort has contributed significantly to the public awareness of the cost and size of the Federal program structure. More than this, Bill Roth set out to do something about it.

I am pleased to be among the sponsors of the Program Information Act, first introduced by Bill Roth in the last Congress. It is a necessary and long overdue piece of reform legislation.

Mr. Speaker, Bill Roth is an able replacement for the distinguished Senator he hopes to follow to the other body. The good people of Delaware are most fortunate to have a man of Bill's integrity and ability representing them in the House and, I am confident, in 1971, serving them on the other side of Capitol Hill.

Mr. BEALL of Maryland. Mr. Speaker, I would like to join with many of my colleagues in expressing my best wishes to Congressman Bill Roth in his campaign for a seat in the U.S Senate. It has been evident to me, in the short period that I have been privileged to be a Member of this body, that Bill Roth is one of the most capable and knowledgeable Members of the House.

His efforts to control the great proliferation of Federal programs and increase efficiency in the executive branch, through reorganization, will certainly bear fruit in the near future. The attention that he focused on these problems was long overdue and can only help to contribute to a better structuring of our Federal agencies. Certainly his revelation that no one knows just how many programs are in existence is an eye opener to us all. It has instilled in many of us a little extra element of caution when the subject of new Federal grant programs is discussed.

Of course, Mr. Speaker, we on this side of the aisle are sorry to see him go because of his leadership, but this disappointment is softened by the thought of the many attributes that he will bring to the other body. We are comforted by the knowledge that the people of Delaware will not be losing a dedicated public servant but instead will be gaining a vital and intelligent voice to replace the very capable Senator who is retiring.

Mr. TAFT. Mr. Speaker, I take this opportunity to congratulate my colleague from Delaware regarding his decision to run for the Senate seat which will be vacated by retiring Senator John Williams. I think Mr. Roth has shown impressive credentials for this seat during his House tenure. In fact, he has shown certain attributes of thrift and commonsense that characterized the service of the man he intends to replace.

Certainly we will remember Bill Roth for his efforts to simplify and consolidate Federal assistance programs. Hardly had he arrived in this body when he took on the tremendous task of canvassing each Federal agency to determine what it was doing in public assistance work. This exhaustive research project uncovered examples of duplication and overlapping agency assistance programs and pointed up the inadequacy of existing Federal assistance catalogs and directories.

Mr. Roth serves on the Foreign Affairs Committee. He is also a member of the task force on international trade of the House Republican conference research committee. We will miss his energy and intelligence and the cooperative effort he has displayed in the House. On the other hand, I think he will make an excellent Senator from Delaware, and I wish him well in his new venture.

Mrs. HECKLER of Massachusetts. Mr. Speaker, I rise to join the tribute to our distinguished colleague, William V. Roth, Jr., of Delaware, who has announced that he will seek higher Federal office in 1970, due to the retirement of the senior Senator from Delaware. That Bill Roth will seek election to the other body is a great loss to this Chamber. But it is reassuring, on the other hand, to realize that the function of legislative oversight, which has been so outstandingly performed throughout the past 20 years by the senior Senator from Delaware, will be carried on. I call to your attention, as testimony to Bill Roth's commitment to the oversight function of Congress, his comprehensive proposal to catalog all Federal assistance programs. This bill, H.R. 339, the Program Information Act, is desperately

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needed in a day when the right hand of the Federal Government often does not know what the left hand may be doing. Overlapping and duplicity in Federal programs have existed for years and are increasing every day. Local and State—as well as Federal officials often are unable to locate the programs which would provide the very assistance needed. Everyone talked about the problem but no one had the initiative to do anything about it in a positive way until BILL ROTH came to Congress. In his quiet, capable way, he tackled the massive job of finding out the facts about the scope of Federal assistance. The result was his catalog proposal, which has gained support from Members on both sides of the aisle.

Despite his junior standing in this body, BILL ROTH has earned the respect and admiration of all who know him and are familiar with his dedication to hard work, commonsense, and good government.

Sometimes, of course, a brilliant man with a talent for legislative research does not possess the administrative ability necessary for political office. This is certainly not the case with BILL ROTH, as all his colleagues know. In the field of administration, BILL ROTH has, once again, assessed a great need and translated his findings into a concrete proposal designed to effect improvements. Alongside his legislation to create a catalog of Federal programs stands a bill of equal stature—which would establish a Commission for the Improvement of Government Management and Organization. This proposal is another much needed step in a critical direction—initiated by BILL ROTH, a man with fundamental understanding of administrative necessities.

In addition to his talent for administrative organization and his profound understanding of the functions of legislative oversight, BILL ROTH's personal qualities should be mentioned here, too. Very often a man of such scholarship may lack the human understanding and warmth so essential in the representative of the people. To the contrary with BILL ROTH, who embodies the greatest sensitivity in compassion and human understanding. I know of no individual better qualified to represent the people than BILL ROTH. I salute him and wish him the greatest fulfillment of his aspirations for the future.

BILL ROTH, as his proposals demonstrate, is a man of action as well as words. Those who know him readily acknowledge his congenial disposition and love of humanity. Men of his capabilities are destined for leadership, and the people of Delaware are fortunate to be represented by a gentleman of his stature.

Mr. KUYKENDALL. Mr. Speaker, I am very happy to join with my colleagues in paying tribute to an outstanding Member of the House, a close friend, and a most distinguished public servant, our able fellow legislator, BILL ROTH.

BILL is certainly one of the most dedicated and able Members of this body. He is a most effective Representative of the people of Delaware, yet never forgetting his duty to all of the people of America as a Representative in the Congress of the United States.

His diligence and hard work on the tremendous waste of Federal funds in the duplication and overlapping of departments and agencies is a monumental achievement, the results of which will increase the efficiency of government services and result in savings of millions of dollars.

I congratulate the people of Delaware in their choice of a Representative-at-Large. I am confident BILL ROTH will continue his great contributions to his State and to his country in whatever capacity the future holds for him.

Mr. VANDER JAGT. Mr. Speaker, when I learned that BILL ROTH had decided to run for the Senate, I was struck by the fact that the House's loss will truly be the Senate's gain.

BILL ROTH will take with him to the Senate the same determination, ability and brilliant idea that he gave to the House. BILL is never content to sit back and merely discuss the problems of this country. He is more comfortable working vigorously to correct them.

I worked with BILL in his brilliant campaign to straighten the maze of overlapping Federal programs and compile a simplified and usable listing. The Roth study is a milestone in the reform of the Federal bureaucracy.

I join my colleagues in congratulating BILL ROTH for his fine service to the House of Representatives and in wishing him much good luck in his campaign for the U.S. Senate.

Mr. DUNCAN. Mr. Speaker, I would like to salute my colleague, the Honorable BILL ROTH, of Delaware, who has decided to run for a seat in the U.S. Senate in 1970.

BILL ROTH is a very dedicated person and a very sincere person. He has done a good job in the Congress, and his presence and contributions will be missed very much in the House.

I congratulate BILL ROTH on his decision and I wish him success in his future campaign.

Mr. DELLENBACK. Mr. Speaker, as a first-term legislator BILL ROTH became frustrated by the labyrinth of Federal agencies and the difficulty of trying to correlate the needs of constituents with available Federal assistance. He and his staff became involved in a massive research effort which he said was "designed to ferret out and obtain meaningful information about the myriad of federally operated programs providing assistance to the American public." We have the results of this 8-month study in the "Listing of Operating Federal Assistance Programs Compiled During the Roth Study." This comprehensive catalog brings together a wealth of information which all of us are finding useful as we seek to help our constituents in their dealings with the Federal Government.

More than 180 Members have recognized the significance of this monumental work and have joined BILL ROTH in calling for annual publication of a catalog of all Federal assistance programs. He also has the bipartisan support of over 160 Members for his bill to establish a "little Hoover Commission" to be known as the Commission for the Improvement of Government Management and Organization. The Commission would consider the problems of duplication, inadequate coordination, and jurisdictional overlapping that have come with the unprecedented expansion of government.

From the Roth study we have these two important measures that would help make the Federal Government more efficient and more responsive to the needs of citizens. All of us who joined our colleague from Delaware in sponsoring these bills think his efforts in behalf of better Government deserve wide recognition. We hope to see congressional action before he leaves this body.

BILL ROTH is an extremely able and hard-working public servant. I wish him well as he enters this new venture. The House will be losing one of its finest Members, but the Senate will be gaining a conscientious and dedicated legislator.

Mr. FINDLEY. Mr. Speaker, I have learned of BILL ROTH's decision not to run for reelection to the House and, instead, seek election to the U.S. Senate in 1970.

I will regret very much his departure from the House where he has certainly made a tremendous record in a very short time, but I know his talents are needed in the Senate and he will be a worthy successor to Senator WILLIAMS.

I had the pleasure of getting well acquainted with him during the 90th Congress when he was a valuable member of the task force on Western alliances and I came to respect his good judgment and his effectiveness.

Mr. RUMSFELD. Mr. Speaker, during his service in the House of Representatives, BILL ROTH has established himself as a knowledgeable and constructive proponent of renewal of government institutions.

He has sponsored several bills to improve the operation of the executive branch of Government and was an early sponsor in this session of H.R. 6278, the Legislative Reorganization Act of 1969.

I am confident that, when BILL ROTH is elected to the U.S. Senate in 1970, he will continue his commitment to the modernization of American Government to make it more responsive to the changing needs of the people of this country.

He is the kind of legislator who will be missed in the House.

Mr. BELCHER. Mr. Speaker, earlier this week we learned that one of our brightest young colleagues, WILLIAM V. ROTH, will run for the Senate next fall. His announcement to seek the seat which is to become vacant on the retirement of Delaware's senior Senator next fall, was received with mixed emotion in the House. All of us wish BILL well and are confident that he will prove an invaluable addition to the other body; however, we are sincerely reticent to yield from our ranks a Member of his stature and potential.

Those who know him well are not surprised by the announcement. Indeed, BILL ROTH has distinguished himself in every phase of his career.

BILL enlisted in the Army as a private

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in 1943 and served in the Pacific where he was awarded the Bronze Star. By the time he was discharged in 1946 he had risen to the rank of captain.

His track record in the Republican Party is equally noteworthy: he served as chairman of the Delaware State committee and as a member of the national committee before coming to Congress nearly 3 years ago.

In the House, BILL has quickly mastered the legislative gamut and gained the respect of Members on both sides of the aisle. As a member of the House Committee on Foreign Affairs he has gained an expertise which will serve him well upon his election to the other body.

In summary, Mr. Speaker, I believe I speak for all of his many friends when I say that while the House is sad to see a good friend and distinguished colleague depart its ranks, the loss is not surprising because BILL ROTH is one of those rare individuals whose energies and talents compel him to strive for further attainment. We wish him well in his endeavor, and lament the loss from our ranks but in so doing are consoled by the fact that he will not be leaving the Congress altogether.

Mr. McCLORY. Mr. Speaker, our colleague, WILLIAM V. ROTH, JR., Member at Large from the State of Delaware, has demonstrated outstanding talents as a lawmaker.

Following his 1966 election to the U.S. House of Representatives, Congressman ROTH undertook a comprehensive study of Federal grant programs in which State and local governmental units might qualify and share.

Although the Office of Economic Opportunity had prepared an expensive and detailed listing of more than 1,000 separate Federal programs of this type, Congressman ROTH, through his independent study, was able to establish numerous discrepancies and to reveal much useful information which the Office of Economic Opportunity had overlooked or neglected to catalog.

As a former member of the House Judiciary Committee, and presently as a member of the House Committee on Foreign Affairs, Congressman ROTH's commitment to his committee work as well as to his responsibilities on the floor of the House merits the favorable recognition of all who have had the privilege of serving with him.

It is rumored that our colleague may aspire to serve in the other body in the event of a vacancy, which the retirement of Senator JOHN J. WILLIAMS would create. Whatever our colleague's decision may be, it is patently clear that BILL ROTH possesses the essential qualities of industry, resourcefulness, leadership, and dedication to the public interest which make for the finest congressional material.

Mr. Speaker, I am proud to participate in this special order and extend a brief and frank appraisal of Congressman ROTH's service in the U.S. House of Representatives.

Mr. HALPERN. Mr. Speaker, I wish to take this opportunity to compliment my Republican colleague from Delaware, BILL ROTH, who will be a candidate for the Senate seat to be filled after the retirement of the distinguished senior Senator from Delaware, Senator JOHN J. WILLIAMS.

BILL ROTH has consistently shown himself to be a devoted public servant and an able legislator. He has unstintingly demonstrated a determination to eliminate waste in Government spending and confusion and duplication in Federal administration.

During the time that it has been my privilege to serve with him, he has become an acknowledged expert on the subject of eliminating waste in Federal expenditures.

BILL's concern for good Government and economy in the spending of the American taxpayer's money have won him the respect of his colleagues and of the voters of his district and his State, a respect that will insure him the support of the people of Delaware and victory in the senatorial election that is to come.

This approbation is not a gift; BILL ROTH has earned it by hard work, the dedicated performance of his responsibilities, motivated by a consuming desire to improve the circumstances of his constituents and of all Americans by improving the machinery of Government.

My best wishes to an outstanding legislator and a beautiful human being, Representative BILL ROTH.

Mr. STEIGER of Wisconsin. Mr. Speaker, Congressman WILLIAM V. ROTH's greatest service to the House of Representatives and to literally thousands of citizens in every district in every State has been his monumental work in cataloging the myriad of Federal assistance programs.

Very few duties that befall a single Member of Congress are as important to good government and democratic procedure as the free flow of information between the Government and the people. It is not enough to be on the side of free speech and the first amendment. All the rights of free speech and freedom of inquiry and freedom of access to public information mean absolutely nothing if the information is not generally available in comprehensive and understandable form. This is the cause that WILLIAM V. ROTH has served so effectively.

The Office of Economic Opportunity spent $100,000 on a catalog of Federal domestic assistance programs and did not find as many as BILL ROTH. It seems almost unreal that a single Congressman could do a better job than the entire Federal Establishment. BILL ROTH is eloquent testimony to the fact that one man can still make an impact on the course of our huge Government. It is a vivid commentary on the health of the Federal bureaucracy to know that BILL ROTH did in 8 months what the Federal Government could not do in 2 years.

BILL ROTH, by the breadth of his imagination in tackling a project the Government would not tackle and the diligence of his effort in doing what the Government could not do, has shown himself to be exceptionally well qualified to serve the people of the State of Delaware in the U.S. Senate.

BILL ROTH has made a great contribution in his service here in the House, and I am proud to have served with him. His work on behalf of the people of the people of the State of Delaware and the Nation will be continued and enhanced by his election to the Senate.

Mr. MORTON. Mr. Speaker, one of the great experiences I have had in the Congress has been the opportunity to work with my colleague and neighbor from Delaware on matters affecting the well-being of the Delmarva Peninsula.

During the last few years, the poultry industry—which is the largest single enterprise on the Delmarva—has had many problems. BILL ROTH has shown a keen understanding of the industry and of its many complicated facets. He has pursued an aggressive role in helping to smooth out the rough spots wherever they occurred in this giant complex, on which so many people of the rural areas of Delmarva depend for a living.

Of course, we all know of his diligent efforts toward the enactment of legislation to authorize a comprehensive listing of Federal programs to aid State and local governments.

Mr. Speaker, it has been my pleasure to work closely with BILL ROTH on these projects. I know, first hand, his tremendous capability for achievement, and I am pleased to have this opportunity to express my appreciation for the manner in which he serves his district and the Nation.

Mr. GUDE. Mr. Speaker, I am pleased today to rise in tribute to my distinguished colleague from the State of Delaware, who has announced his intention to depart this House and move to that other body. I have profited by his presence here and I share with my colleagues the benefits of his contribution to this House as well as to the entire Government. BILL ROTH, in dealing with his constituents, has always sought to provide all of the facts and the fullest information on every aspect of our Federal Government. In doing so, my colleague from Delaware quickly became aware of a very critical need for this Government to do a better job of providing full and reliable information on the myriad Federal assistance programs. Accordingly, be proposed in the Program Information Act that the President transmit to Congress annually a catalog of Federal assistance programs together with a report detailing the measures taken by the President to simplify the various applications forms and guidelines, and to consolidate them. The resulting catalog to be updated monthly would fit the needs of Congress, the Executive, and the public.

While seeking to meet the goals of providing a single source of reliable information on Federal assistance programs, my colleague's efforts in this direction has simultaneously led to his leadership in advocacy of a reassessment of the entire Federal administrative machinery for badly needed reforms.

BILL ROTH has made a considerable contribution to the Congress, and I am pleased to be a beneficiary of his studious proposals and imaginative approaches to strengthening our Federal Government by efficient organization.

While it is with regret that we receive news of his intended departure from the House, it is still with a sense of real pride that we know our distinguished colleague will continue his very substantial contribution to the Congress and to this

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Government as a Member of the Senate.

Mr. WOLD. Mr. Speaker, BILL ROTH is a man easy to admire. He has risen through the ranks of politics to the congressional seat that he now holds with great distinction and he has done so in the face of what many regard as some special obstacles.

Like the Congressmen from Wyoming, and only three other States, our colleague BILL ROTH represents alone an entire State. His district is that of the Senators from his district and the related problems are the same as those represented and handled by the Senators from Delaware. So in a very real sense his two terms in the House of Representatives have been a training ground for his representation of the great State of Delaware in the U.S. Senate. Although the House will miss BILL ROTH, we are delighted that he is seeking the Senate seat.

I first had the privilege of meeting BILL ROTH when he and I were chairmen of our Republican State organizations. He ran a fine, victorious ship and went on from there, as did I on a somewhat different time frame, to run for the House of Representatives.

We all know and respect BILL ROTH's magnificent job as an economist and streamliner of the Federal bureaucracy. His fight to have the Government aid programs cataloged has won him nationwide attention. It will allow Congress to weed out duplications and the public better to understand what is being done with its tax dollars.

Like the Delaware Senator he will replace, the highly respected JOHN WILLIAMS, BILL ROTH will be known as a watchdog when he joins the other body in 1971.

The House will be losing a very able Member, but the Senate will certainly be acquiring a statesman.

Mr. HORTON. Mr. Speaker, today I am joining in a special order to honor my friend and colleague, WILLIAM ROTH, of Delaware. BILL has announced that he will run for the Senate in 1970.

BILL's leaving will be a great loss to this body. I have worked closely with him, and have found him a conscientious and able statesman.

He is a man of action, one who perceives a need and attempts to alleviate it. An example of this is the Program Information Act, I had the privilege of cosponsoring with him in January.

BILL had conducted an extensive study of the subject. BILL—as all of us—had found it extremely difficult, if not impossible, to locate all the operating programs of the Federal Government. He proposed this Program Information Act to open the lines of communication between the Federal, State, and local governments and the general public.

This act would make it mandatory for the President to transmit a current catalog of all available Federal assistance programs to Congress.

This is just one example of BILL's ingenuity and concern.

Elected as U.S. Representative at Large from Delaware to the 90th Congress, November 8, 1966, BILL has served his constituency well, as attested by a strong vote of confidence last November.

In this short time, he has left the impact of his vigorous ideas on Congress. No one is more deserving than BILL for commendation, and I wish him well in his new endeavor.

Mr. CLEVELAND. Mr. Speaker, I am pleased to have this opportunity today to say a few words in behalf of my good friend and colleague, the gentleman from Delaware (Mr. ROTH). Although BILL has been a Member of the House of Representatives for less than 2½ years, he has already made a profound contribution to the good functioning of our Government, and is a credit to the people who sent him here.

So it is with both pleasure and regret that I view BILL's decision to run for a seat in the U.S. Senate. We in the House will be losing a valuable colleague. But on the other hand, it is comforting to know that should the good State of Delaware see fit to elect BILL ROTH to the Senate, he will be continuing his fine work on the other side of the Capitol.

Perhaps BILL's single most valuable contribution during his short tenure in the House was his attempt to find out how many Federal programs are in existence and what they are doing. BILL was not a Member of the 89th Congress, and so had not caught the Great Society fever in which so many new Federal programs were enacted. When he arrived on the scene, he discovered that he did not know everything the Federal Government was doing. Even worse, none of us here in Congress who had been passing all these programs could tell him either. Nowhere, in the entire Federal Establishment, was there a single person who knew.

How is it possible, he wondered, for the Congress to know what new programs are needed when it does not even know what programs are already in existence and what they are doing?

And so BILL embarked on a massive, 8-month study to find out what the Federal Government is doing. At the end of that time, he still had not been able to discover every program, but he did compile an impressive list of over 1,000 programs. Many of these, he found, overlap and duplicate each other. His study underlined the fact that all of us should have realized, long ago, that Congress has not been properly doing its job.

As a result of his study, BILL drafted two bills to facilitate the work of Congress and to improve the operation of the Federal Government. These bills are the Program Information Act, providing for an annual compilation of all Federal programs, and the Executive Reorganization and Management Improvement Act, creating a modern Hoover-type commission to review the organization, operation, and management of the Federal Government.

As one who has been keenly aware of the urgent need for congressional reform, I considered it a great privilege to have cosponsored these two bills, both in the 90th Congress when they were first presented, and again this year in the 91st Congress. This much-needed legislation has won widespread support from Members on both sides of the aisle, and I hope Congress will have the good sense to act on them.

BILL ROTH has made many other valuable contributions here in Congress, too numerous to mention. But let me simply say that the drive and determination which it took to complete his study, despite the many frustrations, is indicative of the kind of man BILL ROTH is. His qualities of honesty, intelligence, concern, and enthusiasm mark him to become a fine Senator. It is my sincerest hope that the good people of Delaware will display the same good sense in electing BILL ROTH to the Senate that they have twice shown in sending him to the House of Representatives.

Mr. WINN. Mr. Speaker, it is with a great deal of pleasure that I join my colleagues in the House today to pay special tribute to BILL ROTH, who will be going on to serve in the other body of Congress. But it is with a great deal of regret that I see BILL leaving us. We will be losing a fine, dedicated, hard-working Member with a great future here in the House.

I wish him well in this forthcoming campaign and I know he will have an equally distinguished career as a Member of the U.S. Senate.

Mr. BROWN of Ohio. Mr. Speaker, the announcement by our Republican colleague from Delaware, WILLIAM V. ROTH, JR., that he will be seeking a seat in the other body gives us a sense of both satisfaction and regret. We are sure his experience in this House has given him the foundation on which to build a new record of achievement elsewhere. And at the same time we know he will be missed on the Foreign Affairs Committee and in this body as a whole because of his many contributions.

Since entering this House in the 90th Congress, BILL ROTH has been a leader in the effort to reorganize the Federal Government. As a member of the Government Operations Subcommittee on Executive and Legislative Reorganization, I can say with some authority that BILL ROTH's study of the deficiencies in the present grant-in-aid system played an important part in stimulating the corrective legislation that was introduced in both the 90th and 91st Congresses. BILL ROTH's effort to unravel the mysteries of the grant system has been called the most significant achievement of the 90th Congress, while his legislative proposals have received the full backing of the National Governors Conference, the National Association of Counties Convention, and the Conference of State Legislators.

The people of the First State and of the Nation will be well served indeed to have Delaware's able Representative in this body continue his fine record in another Chamber of this Congress. He has the highest standards of dedication to follow. The senior member of the Delaware delegation, whose decision not to run for a fifth term of office prompted ROTH's determination to succeed him, has saved an entire generation of Americans millions of their hard-earned tax dollars by his sharp scrutiny of the Nation's financial affairs as the senior Republican on the appropriate committee. In the full expectation that he will continue the noble tradition of Republican service so laudably exemplified by the Honorable JOHN J. WILLIAMS, we wish our colleague, WILLIAM V. ROTH, Jr., unlim-

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ited success and the full support of his fellow citizens.

Mr. McDADE. Mr. Speaker, I have just learned that my good friend, Bill Roth, has announced his candidacy for the U.S. Senate from the State of Delaware. In so announcing, Bill is aspiring to fill the seat now held by John J. Williams; and there is a singular appropriateness about this. Here are two men, who from their very first days of service in the Congress, have shown their total dedication to service to their people.

The stature of the distinguished Senator from Delaware is almost legendary, and I shall not attempt to add to that legend in these remarks. But I hope I may comment on the stature of my distinguished colleague here in the Congress who represents Delaware.

As all of my colleagues are well aware, an enormous portion of our time is committed to assisting our constituents who come face to face with the staggering bureaucracy of the Federal Government, and who cannot begin to find a way through. As a matter of fact, countless numbers of these constituents have spent veritable careers really trying to find what section of what department is actually charged with supervising a program they may be seeking.

There are duplications. There are apparent duplications where only a man with a razor could split the differences between the jurisdictions over similar programs. In the face of this, from his earliest days in Congress, Bill Roth set about the monumental task of cataloging every program that exists in the Federal Government—the eligibility requirements, the administering agencies, the funding information, the application prerequisites, the regional and Washington contacts, and finally the sheer mechanics of application.

It is interesting to note that the Office of Economic Opportunity put a task force on doing a similar job. Yet out of this one congressional office of Bill Roth, there came a catalog more complete than anything the task force had done. As a matter of further information, out of this study conducted by Bill, he became one of the few men in Washington who knew all the programs going on in the Federal Government.

Recently President Nixon proposed a Grant Consolidation Act, aimed at eliminating overlap and duplication in Federal aid programs. This is surely closely related to the gigantic study our distinguished colleague made, which finally spelled out the countless areas of duplication which exist.

Pursuant to this study, Bill has proposed a vast overhaul of the machinery of Government, which all of us agree is long overdue. As my distinguished colleague noted in the past, the rumored taxpayers' revolt might become a reality "unless we take immediate steps to prove to the people back home we are making a maximum effort to spend their tax dollars more efficiently."

The people of the great State of Delaware have shown great wisdom in electing Bill to the House of Representatives. I am certain they will show equally great wisdom in electing him to the Senate. At a time when the great problems we face in America demand that we have the finest representation, I know the people of Delaware will realize that they can get no better than they will get from Bill Roth.

Mr. COLLIER. Mr. Speaker, I am happy to join in the tributes to our able colleague from Delaware.

The career of William V. Roth, Jr., as "Bill" is formally known, has been unusual. His preparation has been remarkable, consisting of a bachelor's degree from the University of Oregon and additional degrees from Harvard Business School and Harvard Law School. His progress from private to captain, together with his receipt of the Bronze Star, is eloquent testimony to the manner in which he served his country during World War II.

Since returning to civilian life, he has been a successful lawyer and a leader in the Republican organization, not only in Delaware but on the national level. For the past 2½ years he has been a Member of the popular branch of the Congress.

One of the accomplishments for which Bill Roth will be remembered is his attempt to be a one-man Hoover Commission. The tremendous growth of the Federal Government during the last decade, which has been accompanied by a doubling in spending and a great proliferation of bureaus, has made it virtually impossible to comprehend the vastness of the national governmental establishment.

Although frustrated by the refusal of many Federal officials to cooperate with him, the gentleman from Delaware did manage to compile a comprehensive catalog of Federal programs. Its lack of completeness was not his fault, and I am optimistic enough to believe that the Congress will eventually have a complete compilation. When we do, we will have to remember that it was Bill Roth who laid the groundwork for the publication and that we would probably not have had it were it not for his herculean efforts and his commendable persistency.

When our distinguished colleague from Delaware leaves this historic Chamber, where so many eloquent voices have debated the issues, where so much good, bad and indifferent legislation has been enacted, and where so much history has been made, the good wishes of his fellow Members will accompany him. Fortunately, he will be with us for the months that yet remain before adjournment, during which time we will benefit from his experience as we struggle with the many problems with which we are faced.

Mr. BOB WILSON. Mr. Speaker, it is always with a certain amount of sadness that we receive news that one of our colleagues is leaving the House. This is indeed so with the announcement by the gentleman from Delaware (Mr. Roth), that he will not be a candidate for House reelection next year. Our sense of loss is tempered by the knowledge that he is going to run for the U.S. Senate. Our best wishes go with him. His service to his district, State, and Nation can only be classified as exceptional. His investigation of the size of Federal Government has prompted public praise and stirred up congressional inquiry.

The man he is seeking to succeed is the Honorable John J. Williams, who has earned a reputation for integrity, tenacity, and selfless public service during his tenure in the other body. I can think of no more fitting man to aspire to the Senator's seat—for during his service in the House, Bill Roth has demonstrated the same outstanding qualities and dedication to serving the public.

I know that I join my fellow House Members here today in proferring our appreciation for the fine job he is doing here—and our best wishes for his future in public service.

Mr. WHALEN. Mr. Speaker, I am honored to join my colleagues this afternoon in paying singular tribute to the Congressman from Delaware, Bill Roth.

My friendship with Bill Roth goes back many years prior to the time when we began our tenure in this House as Members of the 90th Congress. In the early 1940's, we were classmates at the Harvard Business School.

In the short 2½ years that Bill Roth has been a Member of this House, he has served on three distinguished and influential committees. After serving on the Judiciary and Merchant Marine and Fisheries Committees during the 90th Congress, he was named to the Foreign Affairs Committee in January. In addition, he was appointed to the Republican policy committee for the 91st Congress, a very infrequent and noteworthy accomplishment for a second-termer.

I believe his most outstanding achievement, however, is the extensive listing of operating Federal assistance programs which he and his staff prepared last year. As a result of this investigation, the Program Information Act was formulated and introduced. Congressman Roth also introduced the Executive Reorganization and Management Improvement Act. I was pleased to join him and over 100 of our colleagues in cosponsoring both bills this year. Hopefully, once he takes his seat in the other body, sufficient support can be generated there which will make it possible to enact the bills into law.

Mr. Speaker, I am confident that not only will Bill Roth reach his goal of election to the other body but also he will contribute significantly to the deliberations of our colleagues on the other side of the Capitol.

Mr. BUSH. Mr. Speaker, I yield now to the distinguished gentleman from Delaware (Mr. Roth).

Mr. ROTH. Mr. Speaker, I want to thank George Bush and each and every one of my colleagues for their most gracious and far too generous remarks. I must admit it is somewhat embarrassing to hear them, but I must also admit it is the kind of embarrassment one richly enjoys.

I, too, am filled with mixed emotions at deciding to seek the Senate seat. As one who has been wisely counseled by the senior Senator from Delaware, and as one who admires him greatly, I was saddened by his decision not to seek reelection. As a matter of fact, I delayed my own decision in the hope that he could ultimately be persuaded to change his mind. I now know that this is not possible.

Very frankly, no one can replace our

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senior Senator, one of the great men to have served in the other body. His expertise in fiscal matters, his bedrock integrity, and his moral courage will be sorely missed. I am sure you can understand that it was with some trepidation that I decided to seek his seat.

There is another reason that my decision was made with mixed emotions. My stay in the House has been for me one of the happiest occasions of my life. Legislatively, it has been exciting and challenging here. I have been fortunate in making many new friends, all of whom I greatly admire and respect.

To those who have freely given me so much guidance, and to those who have expressed their confidence in my effort, I give my humble thanks.

Mr. BUSH. Mr. Speaker, I thank my distinguished colleague for those heartfelt and appropriate remarks.

I think it really speaks very well of the gentleman to see the number of people who have participated in this special order. I cannot help but put the things that have been said about him into the context of our great President's inaugural address when he talked about lowering our voices.

This is the message that Congressman ROTH got when he first came to the House, and with a lowered voice he has made a contribution far disproportionate to his length of service in this body.

As he has forged a distinguished record for himself in the House, so has BILL ROTH achieved success in countless other areas of endeavor.

His educational accomplishments must certainly be regarded as uncommon. He holds bachelor of arts, master of business administration, and bachelor of law degrees.

In June 1943, he interrupted his education at Harvard to enlist in the U.S. Army. Before his discharge 3 years later, he had attained the rank of captain and had earned the Bronze Star Medal.

In addition to holding membership in the Delaware Bar Association, and the American Bar Association, he is admitted to practice before the U.S. Supreme Court and has served on several statewide and national legal committees.

In Delaware, he has been State Republican chairman, chairman of the State commission on modernization of State laws and cochairman of the Delaware Citizens' Committee for Reorganization of the Federal Government.

I think it apt to summarize the career of BILL ROTH as one that has been consonant with success—success achieved through sacrifice and initiative. Apathy has been anathema to him; action has not.

In viewing BILL ROTH's past, present, and future, I am reminded that T. S. Eliot once said that "a mature poet must have a sense of history." This, too, I think, applies to statesmen. BILL ROTH is such a statesman.

In conclusion, Mr. Speaker, I should like to express the personal pleasure I have had in knowing BILL ROTH so closely in the House and being associated with him in our breakfast group and being able to talk with him about the tough problems which face the country and the personal problems with which each of us wrestles as we try to set ethical standards. There is nobody whose judgment I respect more in regard to the question of ethics in our Government as he goes about interpreting his service to his country.

So, I think to sum up the comments that have been made here today, I would simply like to wish him well in his election and with great confidence wish him well in his long service to his country and the U.S. Senate.

GENERAL LEAVE

Mr. BUSH. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the subject of my special order today.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

CONTINUING COMMUNIST MILITARY THREAT MUST NOT BE OVERLOOKED IN DEBATES ON NATIONAL DEFENSE SPENDING

The SPEAKER pro tempore (Mr. MARSH). Under a previous order of the House, the gentleman from California (Mr. LIPSCOMB) is recognized for 30 minutes.

Mr. LIPSCOMB. Mr. Speaker, in the present discussions over the proposal for limited deployment of the Safeguard anti-ballistic-missile defense system and other defense expenditures and problems there is in my opinion a serious danger that considerations vital to our national security during the next decade and beyond are being overlooked and obscured.

Clearly it is important that we do have full and meaningful debates about our national defense policies, because they have a vital bearing on our national security and on our domestic policies and priorities. All sides of these far-reaching issues must be thoroughly explored and considered.

However, it is essential that these discussions are conducted with reason and in full recognition of the world as it is, not as we would like it to be.

A look at the history of the Communist movement makes it all too clear that the military power and policies of the Communists led by the Soviet Union for years have represented a serious menace to our welfare and the welfare of the entire free world. The military threat posed by the Soviet Union and its Communist allies certainly has in no way diminished. Their goals of world domination are still the same.

It is a matter of great concern to hear criticisms leveled at our defense efforts which appear to completely ignore the threat to our security and welfare posed by the Soviet Union and its Communist allies.

It is a matter of concern to hear criticisms which completely overlook the fact that with the world situation what it is today we must maintain our present defense capabilities and prepare our Nation for the threats which we could be faced with in the decades ahead.

It is essential as we discuss our current defense policies that we are aware of and consider with as much clarity as possible the present and future capability of the Communist threat.

There is no question but that in terms of thermonuclear military capability the two major powers in the world today are the United States and Soviet Russia, though of course there is evidence that Communist China is devoting a significant proportion of its limited technical resources to the end it will be included among the super powers.

The Soviet Union is continuing to develop its military capabilities, both offensive and defensive. In addition to its work on strategic missiles forces, the Soviet Union has given considerable attention to its general purpose forces, which, incidentally, twice in the past year, have actually been engaged in military operations. It is working on strategic defenses, on expanding its naval forces, on developing tactical aircraft, to name a few areas.

I present here some of the known facts about the Soviet threat so that the American people know what we are up against. These facts underscore the seriousness of the problems we face in the world today and the pressing need for our Defense Department and the individual military organizations to be at complete readiness for our protection.

THE SOVIET THREAT

The picture of the Soviet Union which emerges from the known facts, based on unclassified information which can be set forth from qualified military, technical, scientific and intelligence experts regarding recent and future trends in Soviet military capabilities, is that of a nation already immensely powerful militarily, and increasing that power in virtually all areas.

STRATEGIC OFFENSE

The Soviet strategic offensive is one of a variety of modern weapons capable of great destruction.

The Soviet inventory of operational land-based intercontinental missiles will reach about 1,050 in 1969.

The latest Soviet ICBM systems have been deployed in hardened and widely dispersed single silos, each presenting a separate aiming point for an attacking force.

In addition to these measures to reduce the vulnerability of their ICBM's, the Soviets are engaged in active research and development to make other qualitative improvements, such as a program to develop a multiple warhead delivery system on one type of their ICBM's.

They also continue to work on an experimental weapon system which has come to be labeled a fractional-orbit bombardment system—FOBS. It is, in effect, an extended-range ICBM which flies on a lower trajectory than a normal ICBM and thus would be more difficult for U.S. radars to detect and track. It might also be fired southward from the U.S.S.R., approaching the United States from the south and avoiding United States northward-facing early warning radars.

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The Soviet Union has a force of about 700 medium-range and intermediate-range missile sites. Most of these sites are located in the western U.S.S.R., where they could launch missiles against any targets in Western Europe.

The Soviets claim to have a mobile strategic missile, and they have publicly displayed tracked transporter-launchers for this type of system in Moscow parades for the past several years. They have also paraded a two-stage, solid-propellent missile which could be used for this purpose.

As their strategic missile forces have grown, the Soviets have allowed their inventory of long-range bombers to decline slightly. They now have some 150 heavy bombers supplemented by about 50 tankers for aerial refueling. Their medium bomber force, composed of twin-jet aircraft, amounts to somewhat less than 800 aircraft. Soviet medium bombers are believed to be targeted against the NATO countries and other areas of the periphery of the Soviet Union.

In an effort to extend their operational usefulness, many of the bombers, both medium and heavy, have been modified to carry air-to-surface missiles. In addition, some of the older medium bombers have been replaced by a newer model with a supersonic dash capability.

STRATEGIC DEFENSE

Defense against strategic attack continues to hold its traditionally high priority in Soviet military planning. New antiaircraft systems are being introduced, and an anti-ballistic-missile—ABM—system is being installed for the defense of Moscow.

The Moscow ABM system has been in development for more than 10 years. Construction of launch sites and attendant radars began about 6 years ago and has proceeded irregularly since then. There have been signs that the Soviets are not going to deploy as many ABM launchers as they originally intended.

The missile for the Moscow ABM system, the Galosh, was first seen in November 1964 when it was paraded, enclosed in its canister, through Red Square in Moscow. The system apparently now has a certain operational capability. Furthermore there are indications that the Soviet Union is continuing ABM development, for the purpose of improving their initial system or producing a new, improved version of their ABM system.

Meanwhile, the Soviets are still highly concerned about the threat from manned bombers and air-launched missiles. During the last few years they have upgraded their fighter-interceptor defenses by introducing new aircraft with better performance and armament. Their current inventory probably numbers about 3,500 interceptors. In 1963 they began deploying a new defensive missile system, sometimes referred to as the Tallinn system, in many areas of the Soviet Union for defense against aircraft and air-to-surface missiles.

The Tallinn deployment is superimposed on a large network of sites for the older and shorter-range SA–2 air defense missile system. In addition, the Soviets are deploying mobile surface-to-air missile systems to provide improved tactical defense against attacking aircraft.

NAVY

In 1963, Admiral Gorshkov assumed command of the Soviet Navy with an order that ships would put to sea. Since then, the Navy has developed from a waterborne adjunct of the ground force into a significant maritime power, operating with increasing frequency in distant waters.

The Soviet Navy began continuous deployments in the Mediterranean some 4 years ago. Since the Arab-Israeli war of June 1967, a flotilla including nuclear submarines and missile-armed surface ships has been operating in these waters with deployment reaching as many as 50 combatant and support ships including submarines. Soviet warships are also active in the Indian Ocean now.

All of the major surface ships built since 1960 have been armed with surface-to-air or surface-to-surface missiles. Over 20 major surface ships and nearly 50 submarines are equipped with long-range antiship cruise missiles. The Soviets have also deployed about 100 Osa- and Komar-class patrol boats armed with a short-range missile similar to the one which the Egyptians used to sink the Israeli destroyer *Eilat*.

The current inventory of surface ships consists of some 22 cruisers, 80 destroyers, 25 guided missile destroyers, and some 2,300 ships such as other patrol boats, auxiliaries, support ships, minesweepers, coastal escorts, and intelligence collectors.

The Soviets are also building several new classes of ships intended to help them catch up with U.S. naval capabilities. Two large helicopter cruisers launched in the past 2 years will be used for antisubmarine operations.

The submarine fleet now numbers approximately 380—its effectiveness is being improved by the addition of new types of torpedo-attack and ballistic missile submarines.

The new Soviet Polaris-type submarine can fire 16 ballistic missiles to a range of 1,500 miles. Several units of this class are operational and production is continuing.

About 40 older ballistic missile submarines carry an average of three launchers each. They are believed to be targeted against European and Asian targets.

The Soviets now have about 44 submarines equipped with cruise missiles with a range of about 300 miles. These submarines are believed to be intended to attack naval and merchant vessels. Some 300 other submarines are configured for torpedo-attack missions or used for training.

The Soviet Navy also has a land-based air force and a small force of marines. The Naval Air Force has increased in the last few years and currently has about 500 bombers and 370 other aircraft for transport, reconnaissance, and antisubmarine warfare. The aircraft are all land based, primarily on the European coastline of the Soviet Union. The Soviet Navy has no aircraft carriers.

Increased Soviet interest in amphibious landing operations became obvious in 1967 with the introduction of tank landing ships, some of which have been deployed to the Mediterranean since June 1967. The force of Soviet marines is believed to number about 6,000 men.

GROUND FORCES

The Soviet Army is estimated to number about 2 million men, organized into 140 divisions. Most of these divisions are below full combat strength but many of them could be brought up to strength rapidly. About half of them are stationed in the western U.S.S.R. and Eastern Europe opposite NATO.

The evolution of Soviet ground forces over the past several years has been characterized by emphasis on mobility and short-term striking power.

Soviet capability for airlifting troops, and equipment, has been enhanced by the introduction of the new AN–22 heavy assault transport, which the Soviets unveiled at the 1967 Paris air show. The Soviets claim that this aircraft can carry 88 tons of cargo to a distance of 2,800 nautical miles nonstop. The current Soviet air transport force has about 1,500 short- and medium-range aircraft. In addition a large part of the Soviet inventory of some 1,500 helicopters supports the ground forces.

With respect to ground forces, the Warsaw Pact countries continue to maintain very large deployments along their borders with the Free World in continental Europe. Their forces are equipped with modern weapons with a particular emphasis on armored—tank—units.

TACTICAL AIRCRAFT

The display of new aircraft in the Moscow Air Show of 1967 revealed the extent of Soviet efforts to upgrade their tactical air strike and interceptor capabilities. Ten new or modified fighters were demonstrated, including two with variable-sweep wings. Several were clearly experimental and may not be produced in quantity. Others may be produced for Soviet air defense and tactical fighter units. Four new vertical takeoff and landing aircraft were displayed, reflecting Soviet interest in dispersing fighters away from improved airfields.

RESEARCH AND DEVELOPMENT

With respect to the more distant future, the Soviets are now making a very large, expensive and obviously determined research and development effort. Soviet spending during the past year for military and space sciences is estimated to have grown at a 10-percent rate.

THE CHALLENGE WE FACE

To ignore the military threat of the Soviet Union, and its Communist allies, or to pretend it is not there and on that basis attempt to downgrade the need for adequate military preparations on our Nation's part could represent a hoax on the people of our Nation.

There can be no doubt that President Nixon and the Defense Department are confronted with a tremendous responsibility of assuring that we maintain sufficient strength to deter attack now and in the future.

Certainly there is a need for the citizens of our Nation to demand the mili-

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tary to be efficient and to spend tax moneys wisely and efficiently. There is a need for the public to demand that our Nation's defense policies be in the best interest of our Nation and are carried out without waste or mismanagement.

However, Mr. Speaker, during this period of debate and decision the issues involved in the defense of this Nation and the threats to our security must not be overlooked, obscured or ignored.

We all long for positive steps toward achieving lasting peace, but we cannot proceed with unilateral disarming when the Communist world is working feverishly to build up its military capabilities to ever higher levels.

TO INCREASE FEDERAL SHARE OF WELFARE COSTS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. FARBSTEIN) is recognized for 20 minutes.

Mr. FARBSTEIN. Mr. Speaker, I have today joined with 13 of my colleagues in cosponsoring legislation to increase the Federal share of welfare costs, including medicade, to 90 percent. The legislation would also establish a minimum national standard for welfare benefits and eligibility, and eliminate the freeze on AFDC scheduled for July 1.

I reject the view that New York State and States like it are being penalized for the better-than-average standard of welfare benefits they provide, through a vast in-migration of the Nation's poor seeking a higher level of welfare benefits. Such States are, however, being penalized by the present Federal welfare system which pays a greater share of the welfare burden to those States who provide the lowest level of benefits.

The establishment of national welfare standards would give everyone, irrespective of whether they live in a rich or a poor State, an opportunity to avoid the permanent physical and mental damage which frequently goes with hunger and malnutrition. The 90-percent Federal funding would make such minimum standards possible, and would also shift much of the welfare burden to the Federal Government, which is in a far better fiscal position than the States or local governments. If the July 1 freeze on AFDC is not eliminated, just that much more of a welfare burden will be thrown on the States and localities by the Federal Government, a kind of a block grant in reverse.

I can find no evidence to support the view that New York State's welfare budget is being increased because the poor from other States are migrating to secure its higher level of welfare benefits. New York State has no residency requirement, and yet the percent of the welfare budget that goes to "State charges," those without 1 year of residency in the State, is equal to only three-tenths to four-tenths of 1 percent of the total welfare budget. The number of recipients is less than seven-tenths of 1 percent of the caseload.

This is not to say that all or even a large part of even that seven-tenths of 1 percent figure came to New York to secure welfare benefits. In 1964, local welfare agencies were required to investigate anyone suspected of moving into the State to secure welfare. The number found to have done so was so insignificant that after 30 months, the reporting requirement was dropped. The cost of administering the investigation was far greater than the level of abuses uncovered.

The situation was analogous to the national welfare study done in 1962, which was also meant to uncover "ineligible" recipients. In New York State, the out-of-pocket administrative cost of uncovering one such recipient as a result of that study average $12,000. If that recipient had not been uncovered, the cost to the taxpayers would have been only $2,500. From a cost-benefit ratio, it was ridiculous to conduct such an investigation. And furthermore, the ineligible recipient would more than likely have been caught in the next redetermination, anyhow:

The character of New York State's recipients also suggests that migration for welfare is a myth, at least as far as the Empire State is concerned. Between two-thirds and three-fourths of those currently on the rolls were residents of the State at least 10 years—far longer than even the 1 year required by the now outlawed State residency requirements—before applying for assistance. The situation may be slightly different in other States, for unlike Illinois or Michigan, New York does not have the cyclical industry, which draws the poor to jobs only to strand them when a downtrend occurs in the industry to eliminate the jobs they had come to secure. New York's industries are more stable.

What is responsible for increasing New York State's welfare budget is the present federal system of welfare benefits, which rewards most of those States which provide the least adequate level of welfare benefits and whose taxpayers shoulder the least burden. Despite the fact that New York State provides the highest AFDC benefit rate in the country at $71 a month, that it has the highest welfare recipient rate, and that its taxpayers shoulder the greatest welfare burden at $16.25 per $1,000 of a person's income, the current Federal welfare system pays only 42.4 percent of New York State's welfare costs, compared to 82.4 percent for Mississippi which has an AFDC benefit rate of only $8 a month, and shoulders a low per capital welfare tax burden.

The Federal Government picking up 90 percent of the cost of welfare would not only eliminate such an inequitable situation, but would provide badly needed financial relief to States and local governments. For New York State, which as a whole spends $1.9 billion a year for welfare, this could mean much of that almost $2 billion could be spent for better quality education, housing, or for tax relief. After education and health, welfare is the greater government expense in New York State.

CUYAHOGA COUNTY GRAND JURY'S EVALUATION OF THE WELFARE SYSTEM

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio (Mr. FEIGHAN) is recognized for 10 minutes.

Mr. FEIGHAN. Mr. Speaker, recently the Cuyahoga County, Ohio, grand jury completed its term of service. I am inserting the final report of the grand jury, authorized by one of Greater Cleveland's outstanding civic leaders, Joseph Silber, grand jury foreman, into the CONGRESSIONAL RECORD for the information of my colleagues.

This excellent report is of interest to all concerned Americans because it searches to find a meaning for the recent crime wave that has struck our country. The members of the jury gathered considerable evidence which demonstrates that a majority of crimes are committed by men under 25 years of age. This statistic alone is widely known, but the fact that most of these lawbreakers come from families that receive public assistance is not as well recognized.

It is necessary that we discover the reason that our welfare system is producing criminals in significant numbers. It becomes apparent that our system of aiding needy families requires drastic revision. The report recommends a complete restructuring of our present welfare program to better equip those families receiving public assistance to produce useful and lawabiding citizens.

The questions that were raised in the report are of vital import to all Americans. I urge my colleagues to study this report and evaluate the important ideas that it presents. Following is the report:

FINAL REPORT, CUYAHOGA COUNTY GRAND JURY, JANUARY 1969 TERM

To: The Honorable BERNARD FRIEDMAN,
Presiding Judge, Criminal Court, Court of Common Pleas of Cuyahoga County, Cleveland, Ohio

DEAR JUDGE FRIEDMAN: The Grand Jury, which was impaneled on the first Monday in January and received its charge from the Honorable Bernard Friedman, Presiding Judge of the Criminal Court, commenced its service on the following day and continued to carry out its legal duties until the Term ended on April 1st, 1969.

During this Term, this Jury was in session twenty-five (25) complete days, and considered all of the cases which were presented to it by John T. Corrigan, the Prosecuting Attorney of Cuyahoga County.

During its deliberations, the Jury heard 1,373 witnesses. It returned 743 indictments and 49 no bills.

We have heretofore filed two interim reports, the first of which dealt entirely with the operation of the County Jail. Under the charge of the Court, and as provided by law, the Jury made two visits to the County Jail and one to the House of Correction at Warrensville, which is an institution owned and operated by the City of Cleveland. We made certain recommendations with reference to the housing of prisoners and reported on the conditions at the jail. We are pleased to note that these recommendations have been in part carried out. We hope that in the immediate future further use will be made by the County of the facilities in Warrensville, thus reducing the serious overcrowding

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at the County Jail, which is the primary cause of most of the problems existing there. We must point out, however, that use of the Warrensville facilities is only a temporary move, and that the proper administration of criminal justice requires the construction of a new County Criminal Courts Building and Jail in the very near future.

The earlier reports of this Grand Jury touched briefly on the operation of the Police Department of the City of Cleveland, as well as the Police Departments of many suburban communities. We should like to further emphasize that this Jury was very favorably impressed with the professionalism and competence of the police officers who appeared before us. We believe that the Cleveland Police Department consists of a great number of dedicated officers who are entitled to a greater measure of public support and confidence as guardians of the rights of the people to be safe and secure in their daily lives. In the vast majority of cases where complaints are made against the police, such charges are unfounded. While it is true that in isolated instances some police officers might show excessive zeal in the apprehension of suspected criminals, in the main, most charges of improper conduct by policemen in the performance of their duty were found baseless insofar as this County is concerned.

The Cleveland Police Department maintains a very efficient scientific unit, and one of the best identification systems in the United States, but they are severely handicapped by their inadequate quarters in the Central Police Station, which might also be remedied by the construction of a new criminal courts building.

A diminution in criminal activities requires active cooperation with and support of the police by all the citizens of this community, regardless of race or color. We urge that programs and activities designed to improve understanding and cooperation between policemen and the public they serve be increased and expanded.

Suburban police must rely largely on the professional help of the Cleveland Police Department in order to increase the solution of crimes committed in this County.

A statistical breakdown of the cases which came before this Jury is appended to this report.

Numerical statistics do not begin to tell the story of crime in our community and throughout the nation unless we realize that each number represents one or more flesh and blood human beings, and that each number also represents an impact on the safety and security of our entire civilization.

In the bulk of the remainder of this report, we will describe and discuss our efforts to look behind these statistics.

Millions of words have been written about the cause of crime, poverty, discrimination, broken homes—these are widely recognized as factors which often produce criminal tendencies.

Wishing to obtain a fresh look at the subject, we assigned a special investigator for the Grand Jury to make a study of the backgrounds of the largest group of accused criminals whose cases were presented to this Jury.

We had noted that the most common age of law breakers brought before this Jury was 18. The next most common age was 19. More than half of crimes against property were committed by people between the ages of 18 and 25, and more than 60% by people under 30 years of age.

We decided to study the 148 cases which came before us during the months of January and February involving defendants between the ages of 18 and 25. We wanted to see where these criminals under 25 came from. What did they have in common?

In a careful check of available records, our investigator found that 117 of the 148 individuals involved had a common bond. Some time during their lives, their families had been the recipients of public welfare in one form or another.

This was 78% of the criminals in this age group.

While sweeping generalizations are usually unwise, these figures would seem to indicate that there is a shocking correlation between crime and welfare.

We recognize that every human being and every family is different. Many individuals and families with welfare records have demonstrated excellent moral strength and characteristics. Many have risen from humble circumstances to positions of responsibility and personal success.

However, the findings of our investigation seem to substantiate the conclusion of many observers that our present welfare system is both a failure and a threat to the very survival of our American civilization, in that it fails to exercise any social controls over its recipients.

Is a new criminal class emerging from our welfare rolls? Is welfare producing a generation of juvenile delinquents and criminals?

Are our vast expenditures for welfare producing better citizens? Or are we unwittingly helping large numbers of human beings to slide into criminal activities which may destroy their own lives and make them enemies of society, civilization and the public which provides the money for welfare programs through its tax payments?

Even the most casual examination of the welfare system discloses gross inequities and unrealistic cruelties. For example, welfare families in this County are given a clothing allowance of $5.00 per child. This sum is supposed to give children a proper wardrobe for attending school. Asking welfare mothers to clothe their children for such a paltry sum is like telling them to produce an impossible miracle.

Both nationally and in this community, our welfare system is a patchwork of programs and policies which have totally failed to achieve their objective. Indeed, many of our welfare programs and policies, instead of solidifying and enhancing family life, have tended to encourage the breakdown of the normal family.

It is our belief that the American public would not begrudge a single dollar of the enormous amounts spent on welfare if better results were produced. In this wealthy country, there is no reason for anyone to go hungry. Every child should be entitled to decent clothing, a proper diet, good medical care, and an opportunity to obtain a first-class education and moral guidance in preparation for a useful and constructive adulthood.

Our welfare system is obviously failing to achieve these objectives.

The time has come to stop drifting and face up to this situation.

It is a national as well as a local problem.

We urgently suggest that the President appoint a commission of the most competent experts available to devise a completely new welfare program for this country.

We suggest that one proposal worthy of consideration would be a plan to remove small children from homes of unfit mothers who have been adjudged guilty of child neglect. While the family unit is the firm foundation of our civilization, the government has an obligation to give neglected children a fair chance in life.

In Cuyahoga County alone, about 50,000 children are now supported by the Aid to Dependent Children program.

Of these, more than half are in "broken homes"—mostly in what the statisticians call "female-headed homes." Some of these welfare mothers are widows, but a larger proportion are either unwed mothers or wives abandoned by their husbands.

Somehow, children in such homes must be provided with a better environment and greater opportunities. To accomplish this must be a major aim of a new concept of welfare.

Because a majority of the ADC mothers are Negroes, there is a tendency to shy away from frank discussion of this problem for fear of stirring racial animosity. We believe that the black community should be especially eager to face up to this problem and seek a more sensible solution than is possible under present welfare program practices.

Unfortunately, one cannot offer a total solution of this vexing problem of public welfare. However, we feel impelled to point out that it is perhaps the most crucial immediate human problem facing this country and this community. Solution of this problem will require the best thinking that our civilization can muster.

We cannot afford to delay tackling this monumental problem any longer. The cost in wrecked lives, crime and money is too great. We sincerely believe that one of the greatest steps that could possibly be taken to reduce crime and increase the personal safety of every member of this community would be to find a new and successful approach to the welfare problem, one which would put emphasis on restoration of the family unit.

The writer of this report wishes to express his thanks to the other members of the Grand Jury for their conscientious, intelligent, industrious, and dedicated service in carrying out their duties and responsibilities as Grand Jurors of this County. We should also like to express our appreciation to the Honorable Bernard Friedman, Presiding Judge of the Criminal Court, who at all times since the beginning of his Term gave to the Jury the benefit of his wise counsel and sympathetic understanding, and who assisted us materially in carrying out our duties and responsibilities as legally charged by him and by the law of this State.

This Jury was also the beneficiary of the advice, counsel and direction of the Honorable John T. Corrigan, Prosecuting Attorney of this County, as well as that of his assistants who presented their cases to the Grand Jury in proper and legal form, and made the task of this Jury much simpler. Thanks are also due to the various court attaches, particularly Mr. Raymond F. McCool, and Mr. William C. Horrigan, who were assigned on a full-time basis to the Grand Jury.

All of the members of the Jury agree that their service, although at times arduous, was truly rewarding and educational. We all appreciate the opportunity to have served.

Respectfully submitted,
JOSEPH S. SILBER,
Foreman.

Cuyahoga County grand jury January 1969 term of court

Automobile stealing	33
Assault to rob	5
Burglary	101
Carrying concealed weapons	29
Cutting	1
Defrauding innkeeper	2
Defrauding garage owner	7
Drug law	78
Embezzlement	4
Felonious assault	9
Forgery	66
Housebreaking	23
Issuing check to defraud	4
Grand larceny	43
Murder, first degree	12
Murder, second degree	15
Manslaughter, first degree	11
Homicide by vehicle	5
Armed robbery	72
Unarmed robbery	24
Robbery of financial institution	1
Receiving stolen property	19
Attempted burglary	6

Cuyahoga County grand jury January 1969 term of court—Continued

Burglary of inhabited dwelling	11
Stabbing	4
Shooting	27
Shooting at	2
Torturing another	1
Neglect	9
Rape	14
Sodomy	3
Carnal knowledge of female under 16	5
Rape of female under 12	3
Rape of female under 14	1
Abduction for immoral purposes	4
Incest	1
Possession obscene film	1
Possession obscene photo-sale	1
Poor relief fraud	3
Malicious destruction of property	6
Operating motor vehicle without owner's consent	2
Escape from jail	5
Larceny by trick	9
Misuse of credit card	5
Fraudulent check	3
Possession sawed-off shotgun	8
Possession machine gun	1
Possession dynamite caps	1
Entry coin device	2
Aggravated assault	15
Assault and battery	1
Assault with dangerous weapon	2
Bigamy	1
Breaking and entering	2
Removing parts from motor vehicle	1
Total number of indictments	743
Total number of no bills	49
Total number of cases	660
Witnesses	1,373

WM. C. HORRIGAN,
Assistant Grand Jury Commissioner.

THE NATION'S MANPOWER PROGRAMS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Wisconsin (Mr. STEIGER) is recognized for 30 minutes.

Mr. STEIGER of Wisconsin. Mr. Speaker, on May 5, I introduced legislation to create a comprehensive manpower program for this Nation. My efforts to draft this bill were given great impetus by the work of the National Manpower Policy Task Force.

The task force is a private nonprofit organization of academic manpower experts, which is devoted to the promotion of research in manpower policy.

Its present members are:

NATIONAL MANPOWER POLICY TASK FORCE MEMBERS

Curtis Aller, San Francisco State College.

E. Wright Bakke, Yale University.

Lisle Carter,* Cornell University.

John T. Dunlop, chairman, Harvard University.

Rashi Fein, Harvard University.

Eli Ginzberg, Columbia University.

Frederick H. Harbison, Princeton University.

Vivian Henderson,* Clark College.

Myron Joseph, Carnegie-Mellon University.

Charles C. Killingsworth, Michigan State University.

Sar A. Levitan, The George Washington University.

Garth L. Mangum, vice chairman, The George Washington University and University of Utah.

Charles A. Myers, Massachusetts Institute of Technology.

Albert Rees,* Princeton University.

R. Thayne Robson,* University of Utah.

Arthur M. Ross, University of Michigan.

M. H. Trytten, National Academy of Sciences.

Arnold L. Nemore, Executive Director.

* Joined the Task Force too late to participate fully in the deliberations on this statement.

On January 7 of this year, the task force published a position paper entitled, "The Nation's Manpower Programs," which represents the combined judgment of the task force members. Despite divergence of opinion on details, the members agreed to a unanimous statement without indicating individual exceptions.

I highly recommend the reading of this report in its entirety, but, in order to pay tribute to an excellent document and to call it to the attention of my colleagues who may not have had a chance to review it, I would like at this point in my remarks to insert excerpts from this fine statement:

THE NATION'S MANPOWER PROGRAMS

(NOTE.—Although the training and use of the nation's human resources are not a new public concern, only in the 1960s have federally supported manpower programs emerged as a major tool of economic and social policy. As a result, the last half dozen years have been filled with feverish activity. Now is an opportune time to take stock. In this statement, we attempt to state succinctly the objectives of manpower policy and review the accomplishments and shortcomings of the last few years. In addition, we believe it is in order to suggest what steps should be taken in the years ahead.)

I. THE STATUS OF MANPOWER POLICY

Manpower policy is aimed at developing and using the capacities of human beings as actual or potential members of the labor force. Although its central operational field is the labor market, manpower policy also has a bearing upon economic, education, and military policies, not to mention programs in welfare, antipoverty, and urban development. In fact, there is a manpower dimension of almost every aspect of economic, social, and political policy.

In most of these policy areas, manpower problems are but one aspect—albeit important—of the decisions our society must reach. Education, for example, has many purposes beyond preparing people to be workers. Learning enriches human life, shapes attitudes and values, extends knowledge, makes better citizens, and prepares man for leisure. Yet all would agree that education also helps develop the skill, knowledge, and motivation that enable individuals to participate in the labor force. Thus, manpower considerations are a crucial element of education policy.

Economic policy likewise has concerns broader than the employment or utilization of workers. Yet, as the Employment Act of 1946 declares, the United States is committed to maintaining high employment levels. Today there is broad consensus that manpower considerations must play an important part in economic decisions. As an example, the 1964 tax reduction was initiated primarily to stimulate economic expansion and reduce unemployment.

Insofar as poverty may be alleviated and diminished by creating jobs and educating, training, or upgrading the members of poor families, manpower policy is centrally implicated. It is also involved in programs to provide people on welfare incentives to seek and hold jobs.

Likewise, a viable science policy requires selection, training, motivation, and effective utilization of high-level professional manpower. The military, too, is centrally concerned with manpower. As the nation's largest employer, it is a major participant in the building of the nation's manpower policy. The armed forces draw upon the country's pool of manpower and operate a massive training organization which has a far-reaching impact on the nation's labor force.

As the scope of manpower policy is broad, so the policy-makers are many and diverse—including employers, unions, school boards, local, state, and federal agencies, colleges, and voluntary organizations. As a result, no single, consistent, or cohesive strategy has emerged—or perhaps can emerge—for developing and utilizing human resources in the United States. Manpower policy comes in pieces, and pieces do not fit easily into a neat pattern.

Most experts agree that our manpower policy should be directed at the full range of problems. They differ not over the broad objectives of manpower policy, but over methods of implementation, the amount of effort which can be mounted to attain the desired goals, and the most effective instruments for coordinating and integrating a wide array of efforts. The 1969 manpower policy agenda for the new Administration and Congress centers on the above issues.

A successful manpower policy requires the recognition of several basic principles:

1. A high level of effective demand, maintained through appropriate monetary and fiscal policies, is the single most important condition for a successful manpower policy.
2. Education, housing, health, transportation, welfare, and manpower policies are interdependent, yet we know little about the trade-offs among them. In some respects these policy areas are competitive and in others complementary. Careful judgment is required in allocating funds among them.
3. The interdependence of rural areas and cities must also be recognized. Economic development of rural areas, for example, can reduce in-migration to already congested urban areas. Moreover, the manpower policies of one area affect, and in turn are affected by labor patterns in other localities.

The change in Administration offers new opportunities and challenges based on the experiences of the past years. It is our conviction that the three highest priority manpower problems are:

1. Providing adequate jobs for the competitively disadvantaged;
2. Developing the talents and abilities of the entire labor force, but with emphasis on longer-term professional, technical and skilled personnel; and
3. The manpower aspects of military requirements.

Though these problems will confront the new President as soon as he assumes office, his freedom of action will be sharply restrained by the realities of the current political and economic scene. Therefore, we set forth only those recommendations which we consider to be of highest priority. Some are immediately actionable. Some can be implemented only over a longer period of time. Some are aimed at improving the efficiency of current spending. Others would require a realignment of spending priorities at existing expenditure levels; still others would require increased expenditures.

In the 1930s, when one of four workers was without work, it was obvious that the fault lay with the economy rather than the individual; now, with widespread talk of labor shortages and unfilled jobs, the public tends to believe that anybody who is unemployed doesn't want to work. Yet high unemployment among certain groups suggests strongly that these present-day unemployed, like the masses of workers in the 1930s, are largely the victims of labor market forces over which they have little control.

Looking ahead to the next four years, we must take account of the effects of the Viet-

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nam war on employment and unemployment. Since mid-1965, the size of our armed forces has grown by 700,000 men, most of whom were taken from the civilian labor force or would have joined it if the war had not intervened. Careful estimates indicate that the growth of defense expenditures since mid-1965 has directly increased civilian employment by about one million. Nearly 60 percent of this increase has occurred in blue-collar occupations, although in 1965 only a little more than 40 percent of total employment was in such occupations. Unless appropriate measures are taken, the employment prospects of the disadvantaged may become more severe when the demands generated by the war decline. Returning war veterans and released war production workers may not experience excessive difficulty in obtaining jobs, but they will make it even more difficult for disadvantaged groups to find employment. If, as all of us hope, the Veitnam war is phased out, the labor market outlook is for rising competition for available lower-level jobs and increasing hardships for those who, in a peacetime economy, are among the last-hired and the first-fired. Communities concentrating on military production will also face substantial problems of adjustment.

LESSONS FROM THE EXPERIENCE

For all of the problems which manpower programs have encountered in recent years those involved need offer no apologies. Hindsight shows that all the programs could have been improved, but who could have done better by foresight? The present challenge is to apply the lessons of these years to develop a coherent manpower policy, not just for the moment but for the 1970s and beyond.

The first lesson is that at the local level, where people are located and must be served, available manpower services should be provided on the basis of need, not impeded by diverse eligibility requirements, varying administrative practices, or competing agencies. The separate programs must be fused into a single comprehensive federal manpower program—providing a variety of services in varying mixes depending upon national conditions and local need, preferably funded by a single federal source.

This means that each community should have a single contact point within reach of each individual, to dispense all services, or refer the individual to places where needed employability services can be obtained. A one-to-one relationship is frequently required between the individual and a skilled counselor, so that an effective plan can be worked out, attuned to the individual's needs and preferences as well as the realities of the labor market. The counselor must be able to furnish or obtain the necessary services, whether remedial basic education, training, a sheltered job, a pair of eyeglasses, or day care for young children. Such counselors, and other staff, will not appear by chance, and their recruitment and development must be an integral part of the manpower program. Evaluation must be continuous and thorough, assuring that successful programs expand and that mediocre or substandard efforts are quickly terminated.

In the past decade of experimentation, federal initiative stimulated programs, and problems were approached nationally. National objectives and policies, reflecting the aggregate of individual and community needs, are important; but unique problems occur within states, communities and job markets whose conditions differ widely. We must now build upon trends already underway to strengthen the capabilities of communities and states to plan their own manpower programs to implement national objectives with the financial support and technical assistance of the federal government.

Because state governments have traditionally been rurally dominated and unfamiliar with urban problems—and because many urban problems were new to everyone—the rush for action has tended to bypass the states in favor of direct federal-community relations. A new modesty born of experience admits the limits of federal administrative capability, while mayors and governors are increasingly asserting themselves and demanding a more direct role in the planning and delivery of services. Many of the urban areas flow across state lines in a vast, formless interdependency. These city-states need a new federal-metropolis relationship. But these are relatively few and there are simply too many cities, towns, hamlets, and rural areas for the federal government to seek a direct local relationship.

The federal government needs the states and the states need it, and both need and are needed by the cities. The Cooperative Area Manpower Planning System (CAMPS) represents the first halting steps toward a comprehensive planning system merging the interests, powers, and resources of federal, state and local governments. Needed is an administrative system whereby the federal government identifies national priorities and issues guidelines for states (and perhaps for major metropolitan areas). The states, in turn, should do likewise for cities at federal discretion would provide ample insurance that the needy could be served.

The emphasis of manpower programs in the past decade has been strongly remedial. Given the backlog of problems caused by years of neglect in our schools and public institutions and years of rapid change in our society and economy, that backlog has not significantly declined and it must. Remedial efforts are bound to be unsatisfactory as long as the flood of underprepared new entrants remains uncurtailed. Herein lies the task of compensatory early childhood education to make up for the deficits of home and neighborhood environments; improved elementary and secondary education, particularly in urban slums and rural backwaters; effective and modernized vocational and technical education; and assurance that all these, and college as well, are available to all who are or can be qualified, regardless of finances, race, or ethnic origin.

A COMPREHENSIVE APPROACH TO SERVING THE DISADVANTAGED

We recommend new legislation that would build upon CAMPS and other efforts at streamlining the administration of manpower programs. The bill should allow manpower services to be structured more along functional rather than program lines, so they can be tailored according to community and individual need. Based on recent experience, the services to be offered should include:

1. Outreach to find the discouraged and under-motivated and encourage them to partake of available services;
2. Adult basic education to remedy the absence or obsolescence of earlier schooling;
3. Pre-vocational orientation to expose those of limited experience to alternative occupational choices;
4. Training for entry-level skills those persons without a rudimentary education;
5. Training allowances to provide support and incentives for those undergoing training;
6. Residential facilities for those who live in sparsely populated areas or who have a home environment that precludes successful rehabilitation;
7. Work experience for those unaccustomed to the discipline of the work place;
8. Job development efforts to solicit job opportunities suited to the abilities of the disadvantaged job seeker;
9. Subsidized private employment for the disadvantaged;
10. Job coaching to work out supervisor-worker relationships once a job is found;
11. Creation of public service jobs tailored to the needs of job seekers who are not absorbed in the competitive market;
12. Supportive services—such as medical aid and day care centers for mothers with small children—for those who need corrective measures to enter or resume positions in the world of work; and
13. Relocation allowances for residents in labor surplus areas, coupled with special inducements to employers to bring jobs to those stranded in depressed areas.

Authorizing all these remedial manpower services in a single piece of legislation and funding them with a single appropriation suggests, though it does not absolutely require, the creation of a unified federal manpower agency. The consolidated budget should include at minimum all expenditures for remedial purposes, though of course planning would be improved if federal funds were appropriated to the same agency. In any event, administrators should have maximum flexibility in allocating funds among the various services. Advance funding is needed so that organizations are not in a constant state of uncertainty.

Most of the manpower funds should be allocated through state governments on a formula encompassing population, labor force, unemployment, and poverty criteria. However, special provisions might be designed providing for the delegation of funds and responsibility to the larger cities. A portion of the total appropriation, perhaps as much as 30 percent, should be left in the hands of the federal agency for research, experimentation and demonstration, technical assistance and staff training, interstate programs, and to serve populations neglected by states and communities which refuse to follow national guidelines.

The legislation should require each state (and possibly also each large metropolitan area) to prepare and update annually a three-year plan for use of its share of the funds in relation to other available resources. These should be included in a state plan encompassing the rest of the state and related city plans. All relevant interests, public and private, should have access to the planners. Planning should be the responsibility of the elected officials—governors and mayors—with the state requiring the various jurisdictions within major metropolitan areas to plan jointly. A firm principle should be that public monies be spent only by or through units of government directly responsive to the electorate. Private organizations, whether for profit or not, should be used only if answerable to elected officials.

State and local planning organizations can and should vary according to needs and preferences. However, the planning and operating functions should be kept separate, with evaluation performed by the former. The plans should relate manpower needs and functions to education, economic development, housing, and other problems and activities in the community and state. The federal agency should prepare and disseminate planning guidelines and review and approve plans enforcing the guidelines. Provision of technical assistance and continuous monitoring and evaluation, either in-house or by contract, would enable the federal agency to assess state and local performance. Congress, too, should undertake evaluation of federal agencies by broadening the General Accounting Office's capabilities, responsibilities, and resources.

Though centralized planning is imperative at the federal, state, and local level, consolidation of state and local agencies delivering manpower services is not. What is needed is a single agency to represent the applicant, helping him to identify his needs and plan accordingly. The agency would have authority to purchase from public or private sources whatever services are required, and would be recipient of the state and city

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share of the manpower budget for direct service to individuals. Vocational Rehabilitation agencies provide one model, but they are limited in capacity and in exposure to the labor force. A more likely recipient would be the Employment Service, provided its local offices can be persuaded to give the disadvantaged higher priority than they have thus far done. Governors and mayors might be left free to designate other agencies. OEO should continue as a federal sponsor of local community action agencies and for newly proposed community self-help corporations.

An individual's eligibility should be determined by income, demographic characteristics, and locality; service should be universally available for those who meet the eligibility criteria. Hopefully, this would avoid the frustration and discrimination inherent in serving only a fraction of those elgible.

The range of services available under a comprehensive program should include two types of programs on which little systematic experience is available as yet: (1) involvement of the business community in recruiting, training and upgrading the "hard core" unemployed through payments for training and other costs such as through the National Alliance of Businessmen; and (2) development of governmental projects designed to make maximum use of low-skilled workers, carried out either on a contract basis or by governments themselves.

SCANDAL AT SBA—IX

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. GONZALEZ) is recognized for 10 minutes.

Mr. GONZALEZ. Mr. Speaker, Albert Fuentes has been dismissed from his post at the Small Business Administration, and his case is being referred to a grand jury. However, this does not end the problem that his case is a symptom of.

This case would have never occurred had the SBA maintained the type of administration that it should have. There is every reason to believe that the administrator was not aware of the travels and activities of his special assistant; had he been the problem would have never arisen.

Even now there is evidence that the right hand men of SBA do not know the difference between their right and left hands; they travel incessantly to San Antonio, make statements, and travel on. They say different things at different places. Whether their inconsistencies are due to incompetence or some peculiar motivation, I know not, but certainly the top liaison man for SBA, informed these matters demand correction.

For example, 2 days ago, Jim Reed, the top liaison man for SBA informed the Banking and Currency Committee that the reason Mr. Fuentes was fired was that he had been instructed to stay away from the charges involving him, and not to take any action except to await results of investigations. Instead, the man went to San Antonio and began soliciting statements and undertaking other efforts. This was why he was fired, according to Mr. Reed 2 days ago.

Yesterday, for the press in San Antonio, Mr. Reed said that Fuentes was fired for getting into a public quarrel with a Member of Congress, by whom he meant me. Now, which was it? Was the man fired for not following orders, or because he had become a political liability? Mr. Reed cannot have it both ways, one way for the Congress and another for the press. It is a sign of the laxness at SBA that he would even make such disparate statements.

Further, one can only wonder why so many of the SBA brasshats have been in San Antonio of late. They must be setting some sort of record.

GUILD, UNIONS, BUSINESSMEN, EDUCATORS UNITE IN SUPPORT OF NEWSPAPER PRESERVATION ACT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Hawaii (Mr. MATSUNAGA) is recognized for 15 minutes.

Mr. MATSUNAGA. Mr. Speaker, I was greatly pleased to learn yesterday that the House Judiciary Committee, under the able chairmanship of the distinguished dean of this august body, the gentleman from New York (Mr. CELLER), will commence hearings on the proposed Newspaper Preservation Act in the very near future.

The hearing will provide an opportunity for proponents of the measure to show how unfounded in fact are the fears and apprehensions expressed by certain opponents of the legislation. I am confident that after the issues involved have been fully explored, even those who presently oppose the measure will see the need for and merits of the act.

I express this confidence because in my home State of Hawaii I have seen militant opponents of the proposed legislation become earnest supporters of it, after they had entered into serious discussions with its proponents. In fact there is so much widespread support in Hawaii that I know of no opposition to the measure being voiced in any sector of the community.

All labor unions involved, including the Hawaii Newspaper Guild, AFL–CIO, the Honolulu Printing Pressmen and Assistants Union, Local 413, AFL–CIO; the International Association of Machinists, Lodge 1245, AFL–CIO; the Lithographers and Photoengravers International Union, Local 201, AFL–CIO; and the International Longshoremen's and Warehousemen's Union, Local 142, have endorsed the bill as introduced.

So have the 17,000-member Hawaii Government Employees Association, the United Public Workers, the Teamsters and Allied Workers, Local 996, AFL–CIO; and the Hotel, Restaurant Employees and Bartenders Union, Local 5, AFL–CIO.

University professors and public and private school teachers too have joined in support of the Newspaper Preservation Act. The Hawaii Education Association, consisting of 7,500 school teachers and administrators, has strongly urged passage of the measure in letters written to Members of Congress.

Businessmen also, through their chambers of commerce, have added their support to the measure.

At the official government levels, the Hawaii State Legislature adopted on May 15, 1969, a resolution urging the Congress to enact the proposed measure into law, and the Council of the County of Maui adopted a similar resolution on April 7, 1969.

Mr. Speaker, it is not in any way exaggerating to say that the people of Hawaii overwhelmingly support passage of the Newspaper Preservation Act. This I believe is most meaningful because Honolulu is one of the 22 cities in the Nation which will be affected by the U.S. Supreme Court ruling in the Tucson newspapers case. The people of Hawaii appreciate the fact that they are presently given the choice of two daily newspapers with two different views. This choice was about to be denied them in 1963 when, because of financial difficulties, one of the dailies was about to go out of business. It was only because it succeeded in arranging a joint operation for printing, advertising, and circulation with the other daily, that it managed to survive.

In the light of the Supreme Court's Tucson decision this joint operating arrangement and similar arrangements in 21 other American cities are in violation of the Federal antitrust laws. As a consequence, the newspapers involved are faced with the dilemma of continuing the joint operations to remain in business under threat of prosecution for violation of the antitrust laws, or of dissolving the joint operations and accepting the inevitable failure of their businesses; unless Congress provides relief through appropriate legislation.

The newspaper preservation bills cosponsored by more than 90 Members of the House and 33 Senators will provide the needed relief. The proposed legislation will keep alive the second newspaper in Honolulu and 21 other cities to provide a second separate and independent editorial voice, so necessary in a democratic society such as ours.

Given a choice between the continuance of a free press and upholding the sacredness of the antitrust laws, we who believe in our system of society will without any question choose a free press. So it is that business, labor, educators, and others in Hawaii have united in support of the Newspaper Preservation Act.

In the hope that my colleagues who harbor some doubts about the measure may have the benefit of the views of those who have given serious consideration to the subject matter, I offer for inclusion in the RECORD, resolutions and news accounts of the various actions taken by the previously mentioned organizations:

[From the Honolulu Advertiser,
Apr. 2, 1969]

UNION SUPPORTS LAW TO SAVE NEWSPAPERS

The Executive Committee of the 370-member Hawaii Newspaper Guild (AFL–CIO) yesterday recommended that Guildsmen in the Islands support the Newspaper Preservation Bills recently introduced in Congress.

The Hawaii Newspaper Guild's members work at The Honolulu Advertiser, the Star-Bulletin and Hawaii Newspaper Agency in Honolulu; the Hawaii Tribune-Herald in Hilo and the Maui News in Wailuku.

The Guild's Executive Committee expressed concern over a recent United States Supreme Court ruling in the Tucson newspaper case and its possible implications for The Advertiser.

The Executive Committee urged Guild members to write to their U.S. Senators and Representatives, to State legislators and other interested parties, asking them to support the Newspaper Preservation Bills.

"Our concern is with the direct and immediate threat to the survival of The Advertiser," the Executive Committee said.

Text of the suggested letter to be written to the Congressional delegation and others follows:

"On behalf of the 370 members of the Hawaii Newspaper Guild, I write to ask your support of the Newspaper Preservation Bills recently introduced by 25 Senators and 84 Representatives.

"Our concern in the matter stems from the direct and immediate threat to the survival of The Honolulu Advertiser posed by the Supreme Court's ruling in the Tucson newspaper case. It is our understanding that the financially weaker paper in many, if not in all of the other 21 cities with joint newspaper plans, is equally imperiled.

"We recognize, better than most organizations, the importance to an open society of a vibrant press and of the need to preserve competition of ideas in the marketplace. We are all too aware that nationally, cities with competing newspapers have declined from 552 a half-century ago to about 50 now—of which 22 are in the joint-plan category.

"Some six and a half years ago, the morning Advertiser—which was in dire financial circumstances—was saved by its entry into a joint plan with the evening Star-Bulletin. Advertising, circulation and mechanical functions were merged, but ownerships and editorial policies and staffs remained separate. It was clear that the merging of only the mechanical departments—which the Justice Department has said it would condone in such cases—would not produce economies sufficient to sustain the operation.

"As a result of the partial merger—the alternative to a single ownership of morning and afternoon papers and a single editorial policy—Honolulu is remarkably well served by the diversity of news and editorial commentary.

"Our representation of a significant number of the employees of the two papers here makes us familiar with local newspaper economics. If the joint plan here were broken up, The Advertiser as an entity would die.

"Theoretically, it might be suggested that a new organization would move in to fill the void. Realistically, it would not. Honolulu would wind up as a single-ownership city, just as much larger cities have: Milwaukee, Minneapolis, New Orleans, Atlanta, Indianapolis, many others.

"This would be as tragic as it is needless. Your support of the Newspaper Preservation Bills would contribute greatly to the preservation of independent editorial voices here and elsewhere. We hope that your reply will be favorable."

[From the Honolulu Star-Bulletin, May 8, 1969]

TWO MORE UNIONS BACK NEWSPAPER BILL

Two more Hawaiian unions have added their support to newspaper preservation bills introduced in Congress.

The Hawaii Teamsters & Allied Workers, Local 996, and Hotel Restaurant Employes & Bartenders' Union, Local 5, have written Hawaii's Congressional delegation urging support of the bills.

Arthur A. Rutledge, president of both unions, wrote that the unions "are concerned over the jeopardy in which The Honolulu Advertiser is placed by the recent ruling of the U.S. Supreme court in the Tucson press case."

"It is common knowledge that the Advertiser went through a substantial period of losses prior to the merger of its commercial departments with those of the financially stronger Honolulu Star-Bulletin," Rutledge said.

"As a consequence of the consolidation of mechanical, advertising and circulation functions, but with maintnance of separate ownerships and separate editorial staffs and policies, The Honolulu Advertiser has been able to continue publication; so that the papers here provide two different and independent viewpoints to the community.

"Although Local 996 and Local 5 do not always agree with either paper on issues facing organized labor, the community and the nation, we fully recognize the importance of having the greatest possible diversity of independent opinion and comment," Rutledge said.

[From the Honolulu Advertiser, Apr. 8, 1969]

THIRD UNION JOINS PRESS PLEA

Honolulu members of the Lithographers and Photoengravers International Union yesterday wrote to the Hawaii Congressional delegation in support of the Newspaper Preservation Bill.

This is the third Hawaii union to do so, the Hawaii Newspaper Guild (AFL–CIO) and the ILWU having taken similar action last week.

Thomas K. Sing, president of Local 201, said the lithographers and photoengravers are fearful "that the recent Supreme Court decision in the Tucson newspaper case will put The Advertiser out of business unless the Newspaper Preservation Bill becomes law."

"We are also concerned," Sing said in his letters to Sens. Hiram L. Fong and Daniel K. Inouye and to Reps. Patsy T. Mink and Spark M. Matsunaga, "with the threat posed by the decision to many other American daily papers which are operating under joint facility agreements."

Many of the union's members work at the Hawaii Newspaper Agency, which performs all non-editorial functions for The Advertiser and the Star-Bulletin.

"We can assure you," Sing told the delegation, "that there is strong editorial and news competition between our two Honolulu dailies. Indeed, there is more competition today than there was prior to the formation of the joint facility.

"A few weeks ago in joint negotiations with the five other newspaper unions, we were able to obtain wages that are among the highest in the nation.

"Incidentally, in Honolulu the newspaper unions have negotiated jointly for almost 10 years—and this approach to collective bargaining has virtually eliminated the possibility of a multiplicity of strikes which sometimes take place when union agreements have separate expiration dates."

Senators Fong and Inouye and Representative Matsunaga are among co-sponsors of the Newspaper Preservation Bill.

This legislation would provide that a financially failing paper which consolidates its advertising, circulation and mechanical departments but not its editorial department with its stronger competitor, will be treated under law as if it were in a full merger. No predatory practices would be permitted.

[From the Honolulu Advertiser, Apr. 10, 1969]

MACHINISTS BACK NEWS BILL

Support for the Newspaper Preservation Bills now pending in Congress was voted Tuesday by members of the International Association of Machinists, Lodge 1245, who are employed by the Hawaii Newspaper Agency.

The Machinists are the fourth Hawaii union to give their support to the legislation, which is being given bipartisan support in Congress.

Carl J. Guntert, senior business agent for the Machinists, said Lodge 1245 directed its secretary to write to the union's international headquarters and to congressman in Washington, D.C., urging support of the Newspaper Preservation Bills.

Guntert said the Machinists are concerned about the effect of a recent U.S. Supreme Court decision involving the Tucson newspapers.

"Although we understand there was some difference between the Tucson case and the situation in Honolulu," Gunter said, "we are fearful that unless this legislation is adopted some court may make a similar ruling relative to The Advertiser and the Star-Bulletin.

"This could be to the detriment of the newspaper industry and the employes of that industry in the Islands.

"We think it makes a lot of sense to make full usage of the printing equipment at the News Building by printing the morning paper at night and the evening paper in the daytime on the same presses."

The Hawaii Newspaper Agency, which is the joint production facility for The Advertiser and Star-Bulletin, employs the Machinists who gave their support to the Newspaper Preservation Bills. Other unions which have pledged similar support include the Hawaii Newspaper Guild, ILWU and Lithographers & Photoengravers.

[From the Honolulu Advertiser, May 8, 1969]

TEAMSTERS, HOTEL, RESTAURANT UNIONS FAVOR NEWSPAPER PRESERVATION BILLS

The Hawaii Congressional delegation has been urged to give "hearty support" to the Newspaper Preservation Bills by the Teamsters & Allied Workers Local 996 and the Hotel, Restaurant Employes & Bartenders' Union, Local 5, AFL–CIO.

Letters signed by Arthur A. Rutledge, president of the unions, have been sent to Senators Hiram L. Fong and Daniel K. Inouye and to Representatives Spark M. Matsunaga and Patsy T. Mink.

The legislation would provide that when a newspaper in failing financial circumstances merges its advertising, circulation and mechanical departments, but not its ownership or editorial functions, with a stronger competitor it would be treated under law as if it were in a full merger.

Such a law is needed to grant relief from a U.S. Supreme Court ruling against such joint-plan operations—although complete mergers involving a single ownership of morning and afternoon papers and a single editorial policy have been permitted in many large cities.

The Hawaii Teamsters and Hotel Workers Unions' letter is in accord with those from five unions which have contracts with the local newspapers and from the Hawaii Education Association.

Text of the letter follows:

"Hawaii Teamsters & Allied Workers, Local 996, and Hotel, Restaurant Employees & Bartenders' Union, Local 5, are concerned over the jeopardy in which The Honolulu Advertiser is placed by the recent ruling of the U.S. Supreme Court in the Tucson press case.

"It is common knowledge that The Advertiser went through a substantial period of losses prior to the merger of its commercial departments with those of the financially stronger Honolulu Star-Bulletin.

"As a consequence of the consolidation of mechanical, advertising and circulation functions but with maintenance of separate ownerships and separate editorial staffs and policies, The Honolulu Advertiser has been able to continue publication; so that the papers here provide two different and independent viewpoints to the community.

"Although Local 996 and Local 5 do not always agree with either paper on issues facing organized labor, the community and the nation, we fully recognize the importance of having the greatest possible diversity of independent opinion and comment.

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"It is our understanding that a score of other cities across America have similar joint-plan arrangements and are also seeking legislative relief from the Court's ruling on Tucson.

"The fact that 33 United States Senators and some 90 Representatives of both parties and of widely varied views have sponsored Newspaper Preservation Bills is indicative of the magnitude of the problem and the need for a Congressional remedy.

"These Newspaper Preservation Bills have the announced support of the Hawaii Newspaper Guild, the Printing Pressmen & Assistants, Union, Local 413, the Lithographers & Photoengravers Union, Local 201, International Association of Machinists, Local 1245 and the ILWU, Local 142, all of whom have had contracts with the two Honolulu dailies for the six years of the joint-plan operation, and are thus intimately familiar with the economics of the local press.

"Local 996 and Local 5 join with these unions in urging the Hawaii Congressional delegation and their colleagues to give hearty support to the Newspaper Preservation Bills."

[From the Honolulu Advertiser, Apr. 15, 1969]

Newspaper Bills Given Support by Pressmen

The Honolulu Printing Pressmen & Assistants Union, Local 413, has announced its support of the Newspaper Preservation Bills now pending in Congress.

The union whose members are employed by the Hawaii Newspaper Agency, joint production facility for The Advertiser and the Star-Bulletin, is the fifth labor organization to pledge its support to the Congressional legislation.

John Pedro, president of the Pressmen's Union, said he and his members are asking Hawaii's Congressional delegation and other Congressmen to support the Newspaper Preservation Bills.

He said passage of the bills would "eliminate the threat to the existence of the morning Honolulu Advertiser, a threat created by the recent Supreme Court decision in the Tucson newspaper case.

"We do not challenge the high court," he said, adding:

"But we believe the decision, if applied to all papers produced and distributed on a joint facility basis, threatens the existence of many daily papers and will be the cause of many cities winding up with one daily paper or with single ownership.

"The intent of the Sherman Act, as we understand it, is to prevent monopolies.

"The Tucson decision, unless remedied by legislation, will encourage newspaper monopolies in certain cities and defeat the purpose of the Sherman Act."

Pedro pointed out that the Pressmen have negotiated with The Advertiser and the Star-Bulletin (and their joint production facility, the Hawaii Newspaper Agency) for more than 10 years.

"We are familiar with the past and current financial status of both," he said. "It is our opinion that The Advertiser would have died had it not entered into a joint facility arrangement with its competitor."

Pedro also pointed out that in Honolulu "the two dailies have two distinct editorial policies and Honolulu has superior news coverage.

"It is the consensus of the community that it would be a tragedy for Honolulu to become a single-ownership city or a single-daily city," he said.

Pedro and the 152 members of the Honolulu and Hilo local of the Pressmen's Union said Congressional support of the Newspaper Preservation Bills "would contribute greatly to the preservation of competitive journalism here and in several other cities."

Other newspaper unions which have expressed support for the bills are the Hawaii Newspaper Guild, Lithographers & Photoengravers, ILWU and International Association of Machinists.

[From the Honolulu Advertiser, May 15, 1969]

The 17,000-Member HGEA Favors Newspaper Bills

The 17,000-member Hawaiian Government Employees Association has endorsed the Newspaper Preservation Bills now before Congress and urged their "expeditious passage."

The legislation is being sponsored in the U.S. Senate by Hawaii Sens. Daniel K. Inouye and Hiram L. Fong; and Sens. Mike Mansfield, the majority leader; Fred R. Harris, national Democratic chairman; Alan Cranston, Hugh Scott, Wallace Bennett, George Murphy, Howard Baker and 24 others.

In the House the sponsors include Reps. Spark Matsunaga, Ed Edmondson, House majority whip Hale Boggs, James Symington, Edith Green, Don Clausen, William Mailliard, Paul McCloskey Jr. and 82 others.

The HGEA support of the measure is the latest in a series of union and other endorsements in Hawaii.

Daniel K. Ainoa, executive director of HGEA, sent the following letter to the Hawaii delegation:

"The Hawaiian Government Employees Association, with 17,000 members, is writing to ask your support of the Newspaper Preservation Bills (S-1520 and HR-8765) and to urge their expeditious passage.

"We are aware of the recent court decision in the Tucson newspaper case and the threat it represents to the survival of the Honolulu Advertiser and its joint-plan relationship with the afternoon Star-Bulletin.

"The Advertiser was widely known to be in an ominous financial condition before entering in 1962 into a consolidation of its commercial departments with those of the Star-Bulletin (but with a retention of independent ownerships and editorial staffs and policies). It is clear that if the joint arrangement were ordered dissolved, The Advertiser could not survive as a separate institution.

"The two daily voices which we presently have are obviously better than having a single editorial policy in the community.

"We believe with Judge Learned Hand that the First Amendment presupposes that 'right conclusions are more likely to be gathered out of a multitude of tongues, than through any kind of authoritative selection. To many this is, and always will be, folly; but we have staked upon it our all.'

"With the general welfare of Honolulu in mind, we would appreciate whatever you and your colleagues are able to do to facilitate the passage of the Newspaper Preservation Bills."

Other organizations which have similarly backed the legislation include the Hawaii Newspaper Guild, the Printing Pressmen and Assistants Union Local 413, the Lithographers & Photoengravers Union Local 201, International Association of Machinists Local 1245, the ILWU Local 142, the Teamsters & Allied Workers Local 996, the Hotel, Restaurant Employes and Bartenders Union Local 5, AFL-CIO, the Hawaii Education Association, and the Retail Board of the Chamber of Commerce.

[From the Honolulu Sunday Star-Bulletin & Advertiser, Apr. 6, 1969]

ILWU Backs Bill To Save Newspaper

Support of the Newspaper Preservation Bill now in Congress was voiced yesterday by the International Longshoremen's and Warehousemen's Union in Hawaii, on behalf of its 26,000 members.

Carl Damaso, president of the statewide Local 142, said the remedial legislation is necessary because of the Supreme Court ruling in a Tucson newspaper case.

The decision, he said in a letter to Hawaii's congressional delegation, poses a real threat to The Honolulu Advertiser and other papers which operate on a joint-plan basis.

Under this plan, commercial and production facilities of two papers are consolidated, but separate ownerships and separate and independent editorial policies and staffs are maintained.

Twenty-one U.S. cities, from San Francisco to Pittsburgh, from Nashville to Salt Lake City, have such arrangements as an alternative to a single ownership.

SPONSORS OF BILL

Sens. Daniel K. Inouye and Hiram L. Fong and Rep. Spark M. Matsunaga are among the 32 senators and more than 90 representatives sponsoring the Newspaper Preservation Bill.

The ILWU letter pointed out that "we represent the circulation department employes of both The Advertiser and its afternoon competitor, the Honolulu Star-Bulletin, and we understand the economics of the newspaper industry.

"Because of the desirability—yes, the necessity—of maintaining two competing and editorial voices in Hawaii, we, and the other five newspaper craft unions, cooperated with the publishers in the formulation and effectuation of the joint facility arrangement.

TUCSON DECISION

"It is our opinion that the Tucson decision will magnify the 'problem' it would in theory eliminate. Certain papers produced and distributed by joint facilities would be forced to close. Other papers, unable because of the decision to enter into a joint plan, would meet the same fate. In such instances the community is the loser.

"Today, we have in Hawaii two independent dailies. We have two distinct editorial policies and excellent news coverage. We want to keep both.

"We believe, because we are familiar with the local situation, that if the joint facility were broken up, The Advertiser would die.

THEORY ONLY

"In theory it could be argued that some person or some corporation would establish a new morning daily. However, the people of our state and the people in the several states where joint production facilities exist cannot read theory. They want and need two or more competing papers.

"We urge you and your colleagues to support the Newspaper Preservation Bill and thus preserve The Advertiser and other daily newspapers.

"Incidentally, all of the newspaper unions in Honolulu recently negotiated the highest wage increases ever. The increases, which range from $40 to $48 a week, would not have been possible without joint facility production and distribution."

GUILD BACKING

An endorsement of the Newspaper Preservation Bill similar to the ILWU's was announced April 1 by the executive committee of the 370-member Hawaii Newspaper Guild (AFL-CIO).

The congressional sponsors of the legislation include both liberals and conservatives from the Democratic and Republican parties.

[From the Honolulu Advertiser, May 5, 1969]

Seven Thousand Five Hundred in Hawaii Education Back Bill To Save Newspapers

The Hawaii Education Association, composed of 7,500 teachers and others in Island education, Saturday reaffirmed its support of the Newspaper Preservation Bills now before the U.S. Senate and House.

Letters signed by Daniel W. Tuttle, Jr., executive secretary of H.E.A., whose members are unified with the National Education Association, are being sent to the Hawaii delegation and to other members of Congress.

They reiterate the organization's position taken last fall. Congress adjourned before the legislation could be passed and new bills

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have since been introduced and are awaiting action in the Senate and House Judiciary Committees. The H.E.A. letters asks "assistance in a crisis facing The Honolulu Advertiser—and a score of other newspapers across the country—as a result of the Supreme Court's recent ruling in a Tucson case.

"A legislative remedy is urgently needed.

"Six years ago the morning Advertiser, in dire financial straits, merged its commercial functions (mechanical, advertising, circulation) but not its editorial with the afternoon Star-Bulletin. The result was to keep The Advertiser alive and to preserve for the community two separate and independent editorial voices.

"The alternative would have been a full merger with the Star-Bulletin, resulting in a single ownership of morning and afternoon papers and a single editorial policy.

"This has been the route which papers in much larger cities—such as Minneapolis, Milwaukee, Atlanta, among others—have gone, and without Justice Department action.

"We would submit," said the H.E.A., "that the general welfare is better served by a partial merger with two voices than by the full merger with one voice.

"If the joint plan in Honolulu were broken up, The Advertiser as an entity would die. So would the financially weaker paper in most, if not all, of the other joint-plan cities including Nashville, San Francisco, Pittsburgh, Miami, Tulsa, Knoxville, Birmingham, Columbus, Ohio, Madison, Wis., Salt Lake City, Charleston, W. Va., Evansville and Fort Wayne, Ind., El Paso, Shreveport, Bristol, Va.-Tenn., St. Louis, Albuquerque and Lincoln, Neb.

"To save the joint-plan papers, Newspaper Preservation Bills (S–1520 and HR–8765 and others in the House, all identical) have been introduced by 33 Senators and some 90 Representatives. They run the political gamut in both Senate and House.

"The proposed legislation provides simply that when a failing paper merges its commercial but not its editorial functions with a stronger competitior, the result should be treated under law as if it were in a full merger.

"No predatory practices would be condoned or permitted. In other words, the partial merger could engage in no actions which are not permitted in a full merger.

"Hawaii's Senator Dan Inouye, chief sponsor of the Senate bill"—along with Senator Hiram L. Fong and colleagues on both sides of the aisle—"put it well when he said, 'Where the public interest in a free and varied press runs afoul of the language but not the spirit nor the intent of the antitrust laws, it is time for Congress to take corrective action.' The large number of cosponsors shows a substantial sharing of this viewpoint.

"What an irony it would be if the Sherman Act, designed to stimulate competition, were employed in the joint-plan newspaper cases to destroy the competition in ideas so fervently needed in an increasingly complex world.

"H.E.A. hopes you can see your way clear to give this legislation your support."

All but one of the labor organizations which have contracts with The Advertiser, The Star-Bulletin and the Hawaii Newspaper Agency have strongly endorsed the legislation.

These include the Hawaii Newspaper Guild (AFL-CIO); Local 142, International Longshoremen's and Warehousemen's Union; Local 413, Honolulu Printing Pressmen and Assistants Union; Local 201, the Lithographers and Photoengravers International Union; and Lodge 1245, International Association of Machinists.

[From the Honolulu Star-Bulletin,
May 16, 1969]

HAWAII LEGISLATURE BACKS NEWSPAPER PRESERVATION BILL

Hawaii's Legislature has endorsed national legislation aimed at preventing Honolulu and other cities from having only one newspaper or single ownership of the newspapers.

A concurrent resolution was adopted by the House yesterday and the Senate on Wednesday expressing "full support in the passage of the Newspaper Preservation Bills."

The resolution referred to the joint-plan operation of the Honolulu Advertiser and the Honolulu Star-Bulletin, which are separately owned and have independent editorial policies and staffs, but share production facilities.

"The existing Honolulu joint-plan must be allowed to continue because its dissolution will precipitate either a single newspaper or single ownership of both newspapers to the great loss and detriment of the State of Hawaii, including the City and County of Honolulu," the resolution said.

Hawaii's U.S. Senators Hiram L. Fong and Daniel K. Inouye and Representative Spark M. Matsunaga are pushing the national newspaper preservation bills with 31 other Senators and approximately 90 other Representatives as co-sponsors.

The bills would provide relief from a recent U.S. Supreme Court ruling in a Tucson newspaper case which threatens joint-plan publishing arrangements in many U.S. cities.

RESOLUTION 96

Whereas, Senator Daniel K. Inouye, Senator Hiram L. Fong, and Representative Spark M. Matsunaga are among the 32 senators and 90 representatives sponsoring the Newspaper Preservation Bill; and

Whereas, the Newspaper Preservation Bill will make it possible for independent newspapers to use joint facilities; and

Whereas, the I.L.W.U. supports said bill; now, therefore,

Be it resolved by the Council of the County of Maui that it does hereby urge the Congressional Delegation from Hawaii to support the Newspaper Preservation Bill; and

Be it further resolved that certified copies of this resolution be transmitted to the Hawaii Congressional Delegation.

U.S. MERCHANT MARINE

(Mr. EDWARDS of Alabama asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. EDWARDS of Alabama. Mr. Speaker, I am one of those who views today's observance of Maritime Day with a rising sense of optimism. The reasons for this optimism are many:

First. During last year's campaign, President Nixon spoke of his commitment to a new program to revitalize the American merchant marine, a program that would be fair and equitable to all segments of this industry. Since he assumed office, the President and numerous officials in the executive branch have reaffirmed that commitment, and have let it be known that the administration is working on a program for submission to Congress.

Second. Legislation has already been introduced in this session to modernize the Merchant Marine Act of 1936, and while in my view that omnibus maritime bill needs strengthening to make it serve the needs of this Nation, the fact that it was introduced is a reflection of the continuing concern here in the Congress for remedial action in this field.

Third. In addition to the omnibus bill, there are individual measures dealing with an overhaul of the cargo preference program and extending to the entire merchant marine a program to encourage the investment of private funds in new ship construction.

Fourth. The legislation which the 90th Congress passed—and which was pocket-vetoed by the President—to reconstitute the Maritime Administration as an independent agency, has been reintroduced under the cosponsorship of more than 170 of our colleagues in the House of Representatives. One of these bills is H.R. 266 of which I am a cosponsor.

For all of these reasons, Mr. Speaker, I am heartened about our maritime prospects. For the first time in recent years, we can look forward today with reasonable optimism to the day when our U.S. merchant marine will be a source of pride to the country. I believe there is in this Chamber, and in the executive branch, a new spirit of determination to achieve this goal, a determination based on the recognition that a healthy merchant fleet is a vital part of our overall capability on the world's seas, and that this seagoing capability is a requisite of our national security today just as it has always been in the history of our country.

For those who may doubt, or feel indifferent to, the role of seagoing strength in international security affairs, I recommend the reading of an article which highlights in a graphic manner just what the Soviet Union is doing in this connection.

I believe it has implications which ought to be of highest concern to this Government and to the American people. The article appeared in the Christian Science Monitor for May 21, 1969. I include it at this point in my remarks:

SOVIET AID FORMS STRATEGY PATTERN

(By Elizabeth K. Valkenier)

There is a pattern to Soviet maritime activities that has gone largely unnoticed—that of creating naval facilities and gathering intelligence under the guise of economic aid.

Long before the dramatic appearance of the Red Fleet in various harbors from Morocco to Iraq the Soviets had built or modernized ports and developed commercial fishing for countries along the shores of the Mediterranean, the Persian Gulf, and elsewhere around Africa.

Certain Soviet activities preceding the Cuban missile crisis of 1962 indicate that there can be a direct connection between this type of economic assistance and military operations.

In that summer the Soviets tried to camouflage their stepped-up military traffic by publicizing the technical aid granted to Havana. They asserted they were busy enlarging the Cuban trawler fleet, locating fishing grounds, and building a new fishing port on the Atlantic to be used jointly by Cuba and the Soviet Union.

PARALLEL ROUTES

After the Kennedy-Khrushchev confrontation over the offensive missile sites in October, nothing more was heard of the ambitious plans for the joint fishing port aside from delivery of a floating dry dock for Havana's harbor in the fall of 1964.

Sinister objectives, as in the case of Cuba, are not the only purpose of Soviet maritime

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aid. But its pattern does suggest definite strategic aims along important sea routes for the worldwide operations of the Soviet Navy.

Take the matter of ports, for example. With an eye to securing easier access to the Indian Ocean. Moscow began to acquire a foothold south of Suez. The first economic aid agreement concluded with Yemen in 1958 provided for the construction of a port at Hodeida. Four years later, the Soviets began working on a deep-water port at Berbera in Somalia.

And in May, 1967, just before the outbreak of the Arab-Israeli war, they undertook to build a fishing harbor for the United Arab Republic. Located in the Gulf of Suez, it was to serve as a base for joint Soviet-Egyptian deep-sea fishing in the Mediterranean, the Red Sea, and the Indian Ocean.

On the west coast of Africa, Guinea received Soviet assistance in reconstructing the port at Conakry under the terms of the first aid agreement of 1959. With the harbor dredged, Soviet warships could dock at Conakry when they took to cruising African waters 10 years later. In nearby Ghana, the Soviets managed to modernize the fishing port at Tema before Kwame Nkrumah was overthrown.

SURVEY DROPPED

It must have been the prospects of greater strategic mobility in the western Mediterranean that prompted the Soviets early in 1961 to insist on making a survey for a shipyard at the small fishing port at Alhucemas on the northern shore of Morocco.

Western technicians had previously advised against the project, since the port was not served by a railroad. Eventually the Russians reached the same conclusion and shifted their feasibility studies to the bay of Tangier.

The construction of shipyards at Bassra in Iraq and at Alexandria has extended the reach of Soviet sea power. Red Fleet units regularly visit Alexandria nowadays, where they maintain their supply and repair facilities. Bassra became a port of call in May, 1968, a visit which marked the first appearance ever of the Russian Navy in the Persian Gulf.

Numerous other maritime projects, especially in countries that do not receive Soviet military aid, serve as a strategic wedge. Work on such projects, resulting in extensive use of these countries' ports and coastal waters, establishes a Russian presence and can facilitate the gathering of intelligence.

TRAINING RECEIVED

In several cases the only aid the Soviet Union renders to a strategically located country that has not been particularly cordial to Moscow is connected with the sea.

In the Persian Gulf, Kuwait is enlarging its fishing fleet with Russian-built seiners on which Kuwaiti sailors also receive training from Soviet experts.

In Jordan, Moscow had no success with its military aid offers. But early in 1968 it persuaded Amman to accept economic assistance for a number of unspecified "maritime projects," thereby extending the Soviet presence to the Gulf of Aqaba.

The development of commercial fishing, a prominent item in Soviet aid program, often opens up the ports of the aid recipient to Soviet trawlers. Under the terms of the 1964 aid agreement, Tanzania permits Soviet fishing vessels to dock in its ports in return for assistance in developing its ocean fishing. A similar reciprocity exists with Senegal.

The facilities thus acquired increase the range of Soviet fishing fleets. These fleets often include electronic intelligence-gathering ships disguised as trawlers. Soviet trawlers have also been used for landing and picking up undercover agents. Last autumn Ghana intercepted some Russian fishing boats on suspicion of smuggling arms.

ADEN OBJECTIVE

Moscow's persistence in offering economic aid that builds up an infrastructure for later naval capability continues unabated.

The latest object of Soviet interest is the port of Aden. Strategically better located and far larger than Hodeida, it has already served as a port of call for Soviet warships cruising the Indian Ocean. In February of this year, South Yemen signed an aid agreement with Moscow to improve Aden's harbor and docks.

Soviet eagerness to enlarge this port's facilities suggests that the Red Fleet hopes to add Aden to its list of repair and supply bases that already includes Algiers, Alexandria, Port Said, and Latakia. If those intensions are realized, Russia will have taken a major step toward achieving its dream of a permanent presence in both the Mediterranean and the Indian Ocean.

APPOINTMENT OF JUDGE WARREN BURGER AS CHIEF JUSTICE

(Mr. EDWARDS of Alabama asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. EDWARDS of Alabama. Mr. Speaker, the appointment of Judge Warren Burger as Chief Justice of the Supreme Court is a good appointment, in my opinion.

While I am not personally acquainted with Judge Burger I know that he has an enviable reputation as a man of solid integrity, hard work, and dedication to the highest principles of justice.

He meets the test of qualification that I set forth in a bill I introduced regarding Supreme Court Justices. In that bill I proposed that anyone appointed to the Court have at least 10 years experience as a judge, either on a State supreme court or a U.S. court of appeals.

Mr. Burger, at age 61, has served for 13 years on the Court of Appeals of the District of Columbia.

But further than that he fits my picture of how a Supreme Court Justice ought to think, and he fits the picture that I believe the great majority of Americans have.

He is a conservative on the question of law and order. By that I mean he believes that laws are enacted to be obeyed. He has opposed court decisions which emphasize rights of the accused at the expense of the victims of crime.

He believes in a truly balanced assessment of fairness in seeking fair trials in criminal cases. He chides other Federal judges for insisting on "perfect trials" which all too often result in turning the criminal loose on a technicality.

On the court of appeals he frequently has been the only judge to stand up for the local policeman and the general public. He once wrote that the decisions which have made it so difficult to convict criminals run the risk of creating "a society incapable of defending itself."

These decisions could lead to "the impotent society" as he called it.

He has consistently, in his work as a judge in the District of Columbia, demanded commonsense and responsibility in criminal law.

Just as important, he takes the view that the Supreme Court's task is to interpret the law and the Constitution, not to rewrite it.

He takes the strict constructionist position in that he believes the Constitution should be considered for what it actually says, not for what it might say.

To the extent that his position as Chief Justice influences the Court, I believe decisions made by the Court will show a decided change for the better.

And finally, Mr. Burger is not in any way a crony of the President who appointed him. There is no question of having too close an association with the White House or with any part of the executive branch, or for that matter, with the Congress or any political group.

This is not to say that I expect to agree with each and every decision and comment made by Mr. Burger if he is confirmed as Chief Justice.

I expect that I will not agree with him on many occasions. But certainly I will find myself comfortable with his approach to the vital role of the Chief Justice in our system of government.

And I believe most of us in the first congressional district of my State will feel the same way.

The appointment of Judge Burger, of course, is that of Chief Justice to replace Justice Earl Warren who is retiring after long years on the Court.

Mr. Nixon still has the appointment to fill the vacancy arising because of the resignation of Justice Abe Fortas a few days ago.

There is now some controversy over another Associate Justice, William O. Douglas. Like Justice Fortas, he, also, has apparently received funds, other than his salary, while serving on the Court.

The funds have been paid him by one or more groups with obvious interests in matters of Government policy and action. There is some feeling that Justice Douglas, also, may decide to leave the Court.

Over the next 3 or 4 years President Nixon may have the opportunity to completely change the complexion of the Supreme Court. I believe this is probably the most important task he will have as President.

In my view it has never been more important that the Supreme Court retain a position that is completely above all possible reproach. Its members must be without blemish as men of total integrity.

The reason this is so vital today is that the so-called establishment is under fire from all directions.

If our system of government is to remain healthy and orderly it is absolutely essential that the Supreme Court is free of any possible attack on its veracity. I believe the appointment of Judge Burger as Chief Justice meets this need.

A TRIBUTE TO AGOSTON HARASZTHY

(Mr. DON H. CLAUSEN asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. DON H. CLAUSEN. Mr. Speaker, on Sunday, May 11, the American Hungarian Federation paid tribute to Agoston Haraszthy, a pioneer in American agriculture, and the "father" of modern California viticulture.

Col. Agoston Haraszthy came to America in 1840 as a "political exile." His earlier struggles in Europe and his ultimate achievements in the United States are truly an "American success story" that deserves to be told and retold.

Thus it is, that I insert in the RECORD

today, the eulogy to Agoston Haraszthy that was delivered by Dr. Elemer Bako at the centennial memorial program in Colonel Haraszthy's honor on the patio of the Department of Agriculture last Sunday.

Today, 100 years following his passing, I am privileged to represent here in the Congress that region along the north coast of California so richly blessed by Colonel Haraszthy's contributions to our State's wine industry. It is estimated that 80 percent of California's harvested grapes are the direct descendants of the vine samplings he collected throughout Europe more than 100 years ago.

Dr. Elemer Bako, area specialist, Library of Congress, chairman of the Cultural Committee of the American Hungarian Federation, gave the following address:

Agoston Haraszthy's Hungarian Background

The man whose memory we came to honor here today, was an extraordinary personality, by his conduct of life, by his personal appearance, as well as by the virtue of the high goals he set for himself and for his contemporaries, eminently for the new settlers and planners of California's economy in the 1850's. These character traits marked him as a leader early after his immigration to the United States: a leader who possessed the powers of initiative, imagination and intellect, moral standards as well as practical know-how. Thus, he was able to perform among the multi-faced crowd of his new environment in a rather unique way: his ideas and proposals caught the eye of the rich as well as of the man of moderate means, of the highest official of the state as well as of the humblest vineyard hand. He was able to move forward swiftly, to embrace all details of the task he took upon himself, and to propose the solution for all phases of the work he thought should be done in the best interest of California and of the national economy in his particular area of pioneering reforms, until the irresistible winds of the political strife which blew over the entire life of his new country for a number of years, shut all doors in the face of this peaceful planner and builder.

Agoston Haraszthy's personality was formed in Hungary: first, by being born into a family which had a long history in Hungary's northeastern regions where the flames of liberty and freedom were always kept alive. Both in the County of Ung (from where the title of nobility of the Haraszthys derives) and in the County of Bihar, at the gates of Transylvania (where Agoston Haraszthy's immediate ancestors were living for several generations), the home atmosphere of the Haraszthys, through many generations, was that of the landed nobility: they received their education in the classics at the college, then proceeded as practitioners in matters of public administration, in the management of their estates and other properties, including various industrial establishments. They have received their training for both to serve in office in times of peace and to serve in the armed forces in times of war.

It was especially the second home of the Haraszthys, the town of Mezö-Telegd, in Bihar County, situated among rolling hills of romantic beauty, two miles from the historical city of Nagyvárad, which formed the heritage most decisive for Agoston Haraszthy's life in America. Among the landed neighbors of the Haraszthys there were representatives of the aristocracy, like the Counts Haller and Korniss (both with close ties to Transylvania) as well as numerous representatives of the common nobility: the Miskolczys, Fráters, Váradys, Jakabfys, Karácsonyis and others. The vicinity of the Principate of Transylvania, a small Hungarian state which was separated from the rest of the country after the Turkish occupation of the central regions of Hungary in the 16th century, kept up the banner of freedom and hope for the adjoining territories. Consequently, participation in public affairs for the families around the Haraszthys was traditionally a "nobile officium", and propagation of the public good was obligatory. The able sons of these families promoted the country's political, economic and cultural interests and often allied themselves for the service of such tasks.

Another essential part of Agoston Haraszthy's personal heritage, his mind's preoccupation with viticultural matters, originated also with the town of Mezö-Telegd which is located, at the outskirts of the city of Nagyvárad, among grape-bearing hills. This little town, populated then mostly by Hungarian farmers adhering to the Calvinist faith, produced wines of excellent quality.

When and how Agoston Haraszthy's parents moved to Futak, in Southern Hungary, in the so-called Bácska, is yet unknown to us. There, the Haraszthys were surrounded by German settlers who were invited to Hungary by the Habsburgs in the wake of the expulsion of the Turks in the 18th century. It might have been the initiative and creative talents of the Haraszthys (so splendidly demonstrated by Agoston later) which moved his parents to this region: its soil was the richest in Hungary, and it appeared to be in the best interest of the Hungarian nation to have at least some Hungarians among the new owners of that rich country.

Upon the conclusion of his secondary education, Agoston was delegated, very likely by the County of Bács, to become a member of the Hungarian Royal Body-Guards, then stationed permanently at Vienna, Capital City of the Austrian Empire. This body of young Hungarian talent in Vienna was regarded in Hungary as the best stock of future leadership for the nation. Among these young officers, most of whom spoke several languages, were found many with scholarly or literary interests; others turned to political or economic studies. They were among the first in Hungary who, since the end of the 18th century, familiarized themselves with the progressive ideas of Western Europe and the principles of the young American democracy, and if not all of them became leaders during the Hungarian "Age of Reform", in the second quarter of the 19th century, most of them emerged as able representatives of the reform movement, led by its recognized leader, Count Stephen Széchenyi.

The Imperial Court, sensing the new power beyond the call for reform, reacted through the ingenious system of control and oppression which was the true reflection of its master-mind, the omniscient and omnipotent Chancellor Prince Metternich. The potentially dangerous leaders like Louis Kossuth and Baron Nicholas Wesselényi were jailed for several years, causing also the downfall of many of their open or secret followers among the reform-minded generation of the young.

Agoston Haraszthy, then in his 28th year, with tenures of service as private secretary to the Palatine (Vice-Roy) of Hungary and as a district administration chief in Bács County, probably became entangled (as suggested by his own statements) in these political movements. Since he was already married (to a Polish beauty of that country's nobility, whose family was forced earlier to flee Poland for similar anti-Habsburg activities), Agoston Haraszthy, also father of three young children, had to seek his future somewhere else. Thus, accompanied by a young relative, Charles Halász, Agoston entered the United States in 1840, and settled in the Territory of Wisconsin as a "political exile", indicating that his association with Kossuth's and Wesselényi's followers caused him to leave his country.

His travel to the United States of America did not come about by a chance decision. Haraszthy's generation was already well informed about the American way of life by the work of Alexander Bölöni Farkas, a Hungarian from Transylvania, who traveled in the United States in 1831, and in an excellent book which quickly achieved two editions, described the institutions and the people of America. The leader of the Hungarian reform movement, Count Széchenyi himself wrote to the author that "according to my knowledge, there is no other writer who, up to our times, had presented the Hungarian fatherland and its public with a more useful and beautiful gift." This work became the source of information for all educated Hungarians, including Agoston Haraszthy, about the United States.

Although he came in the wake of Kossuth's political activities to America, during his coming years in the United States Haraszthy turned more in the direction of Széchenyi's philosophy who cautioned against premature political action and preferred economic evolution for his nation. When, after four years in this country (during which Haraszthy founded the present Sauk City, then named "Town Haraszthy" after him, and planted his first hopyard in Wisconsin), he returned shortly to Hungary, persuaded his father to sell the family estate and to move with his only son's family to America, Haraszthy became the embodiment of the type of Széchenyi in his new country. His farsighted planning toward the realization of his dream: the great future of California as the leading grape and wine producing land of the world recalls the methods of Széchenyi whose call to reform prompted his nation to found the Hungarian Academy of Sciences, the National Casino (for spirited, high-level discussions on public matters), the Hungarian National Museum, the National Theater. The "Széchenyi Generation" launched the first steamships on the Danube, initiated the regulation of the rivers of Hungary, founded scores of newspapers, scientific and literary journals, and laid down the foundations for a modern Hungary so solidly, that not even the rigid, absolutistic era which followed the defeat of the Kossuth Government in 1849 by the armies of the Austrian and Russian Emperors, could destroy them but they maintained themselves as the great reservoirs of the nation's intellectual and political powers.

Agoston Haraszthy's life in the United States reflected a man of Széchenyi's own making. His educational background, both as an officer and public official, enabled him of moving along smoothly and effectively through established channels; his social training came through in his polished manners, while the common citizens, including the workers in the vineyard, were filled with enthusiasm over his "money-making" ideas.

The heritage which he carried with himself to his new country was woven by invisible hands into the texture of his American life: gradually he became an American citizen, deeply loyal and inseparably attached to the United States. This new, inner self emerges at the sight of the flag in the French city of Bordeaux, from the depth of Agoston Haraszthy's soul when he wrote in his diary on September 15, 1861:

"As it was Sunday, all that could be done was to walk around the city and write correspondence. Bordeaux is a very fine city. It possesses large, shady walks, promenades and squares. It has a good safe harbor in the River Garonne . . . Many ships from our own country sweep the harbor with their airy forms. High above all others is unfurled to the winds the beautiful *Star-spangled Banner*. In beholding the flag of my country, I felt rush into my heart a thrill of pleasure and pride. Even without the flag, it was easy to recognize at once our American ships. Their high masts, towering far above the forest around them, their sharp-cut bows, their finely-moulded lines, pronounced them American."

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The former country gentry and officer of the Royal Body-Guards, the struggling young Reformist submerged with the past, but their values contributed decisively to the emergence of a variant among the citizenry of the United States: like the great vines of Hungary which strive on the fertile soil of California but their fruits are different from those of Tokaj and the Balaton Lake region, the American Hungarian, with all his sentimental affection and cultural heritage which might still bind him to his past, is as loyal and genuine an American as his next door neighbor.

Agoston Haraszthy was the first, shining example of this creative, dedicated American Hungarian citizen.

U.S. Senate,
Washington, D.C.

I regret deeply that previous commitments in California prevent me from being here to speak to you today, for this is indeed a memorable occasion. Colonel Agoston Haraszthy, who came to California by oxteam with the forty-niners, fortunately had quite a distinct vocation from those seekers of gold. His, as we know, was agriculture and the harvest of his work and foresight is still being reaped today, 100 years after his death.

Perhaps this recognition was most succinctly noted in a California State Legislature resolution of 1961 which not only paid tribute to Colonel Haraszthy's pioneering efforts in agriculture but formally designated him as the "father" of modern California viticulture.

During two decades in California, Colonel Haraszthy's dedicated efforts helped increase wine production fiftyfold to about three million gallons a year. Today our vineyards produce 160 million gallons yearly, wines which rank as the world's finest.

No one would be prouder of these achievements than Colonel Haraszthy. But I am certain his ambitions, were he alive today, would not cease, for Colonel Haraszthy, like all the pioneers who made our country great, never permitted reality to catch up with his dreams.

Sincerely,

George Murphy.

U.S. Senate,
Washington, D.C., May 8, 1969.

Z. Michael Szaz, Ph.D.,
American Hungarian Federation,
3216 New Mexico Avenue NW.,
Washington, D.C.

Dear Doctor Szaz: Too often we overlook those true men of vision whose foresight has so profoundly influencd our lives. I am very happy that through the efforts of the American Hungarian Federation we have come to honor one of those men, Agoston Haraszthy.

One hundred years after his death, there is no question of the importance of Haraszthy to the state of California. He is the father of our wine industry. We estimate that 80 percent of California's harvested grapes are the direct descendants of the cuttings he brought from Europe well over 100 years ago.

California has put Count Haraszthy on its cultural maps, and there is no doubt he belongs there. In a very significant way, he put California on the nation's economic and gourmet maps.

Agostan Haraszty died in 1869—in obscurity, at least from a California's point of view. He died outside California, in Nicaragua, where he became a plantation owner after his political eclipse in California.

Now we are happy to reverse the effects of that eclipse, once and for all we hope.

Agoston Haraszthy is a California hero.

Alan Cranston.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. Dulski, for May 26 through 29, on account of official business.

Mr. Thompson of Georgia, for May 26 through June 6, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. Feighan, today, for 10 minutes; to revise and extend his remarks and to include extraneous matter.

Mr. Steiger of Wisconsin (at the request of Mr. Beall of Maryland), for 30 minutes, today; to revise and extend his remarks and include extraneous matter.

(The following Members (at the request of Mr. Caffery) to revise and extend their remarks and include extraneous matter:)

Mr. Gonzalez, for 10 minutes, today.

Mr. Matsunaga, for 15 minutes, today.

EXTENSIONS OF REMARKS

By unanimous consent, permission, to revise and extend remarks was granted to:

(The following Members (at the request of Mr. Beall of Maryland) to extend their remarks and include extraneous matter:)

Mrs. May.
Mr. Hansen of Idaho.
Mr. Winn.
Mr. Steiger of Wisconsin.
Mr. Beall of Maryland.
Mr. Fish in five instances.
Mr. Zwach.
Mr. Ashbrook.
Mr. Thompson of Georgia.
Mr. Saylor in two instances.
Mr. Pollock.
Mr. Fulton of Pennsylvania.
Mr. Don H. Clausen.
Mr. Bob Wilson.
Mr. Morse.

(The following Members (at the request of Mr. Caffery) to extend their remarks and to include extraneous matter:)

Mr. Rooney of New York.
Mr. Murphy of New York.
Mr. Corman.
Mr. Gilbert.
Mr. Biaggi in five instances.
Mr. Howard.
Mr. Gonzalez in two instances.
Mrs. Griffiths.
Mr. Hungate.
Mr. St Germain in two instances.
Mr. Charles H. Wilson.
Mr. William D. Ford.
Mr. Meeds.
Mr. Addabbo in two instances.
Mr. Rooney of Pennsylvania.
Mr. Rarick in four instances.
Mrs. Sullivan in two instances.
Mr. Baring in two instances.
Mr. Dowdy.
Mr. Powell.
Mr. Evins of Tennessee in two instances.
Mr. Bennett.
Mr. Gallagher in two instances.
Mr. Albert.
Mr. Fountain.

ADJOURNMENT

Mr. CAFFERY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 12 o'clock and 54 minutes p.m.), under its previous order, the House adjourned until Monday, May 26, 1969, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

792. A letter from the Office of the Secretary of the Navy, transmitting a draft of proposed legislation to authorize the extension of certain naval vessel loans now in existence and new loans, and for other purposes; to the Committee on Armed Services.

793. A letter from the Secretary of Health, Education, and Welfare, transmitting the Annual Report of the Department of Health, Education, and Welfare for fiscal year 1968; to the Committee on Education and Labor.

794. A letter from the Assistant Secretary for Congressional Relations, Department of State, transmitting a draft of proposed legislation to authorize appropriations for expenses of the U.S. section of the United States-Mexico Commission for Border Development and Friendship; to the Committee on Foreign Affairs.

795. A letter from the Secretary of Health, Education, and Wefare, transmitting a draft of proposed legislation to amend the Public Health Service Act to improve and extend the provisions relating to assistance to medical libraries and related instrumentalities, and for other purposes; to the Committee on Interstate and Foreign Commerce.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. STEED: Committee on Appropriations. H.R. 11582. A bill making appropriations for the Treasury and Post Office Departments, the Executive Office of the President, and certain independent agencies, for the fiscal year ending June 30, 1970, and for other purposes (Rept. No. 91–264). Referred to the Committee of the Whole House on the State of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the report calendar, as follows:

Mr. MESKILL: Committee on the Judiciary. H.R. 3373. A bill for the relief of Giuseppe Delina; with amendment (Rept. No. 91–263). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. STEED:

H.R. 11582. A bill making appropriations for the Treasury and Post Office Departments, the Executive Office of the President, and certain independent agencies, for the fiscal year ending June 30, 1970, and for other purposes.

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By Mr. BENNETT:

H.R. 11583. A bill to eliminate suffering from hunger among the needy; to the Committee on Agriculture.

By Mr. BIAGGI (for himself, Mr. Addabbo, Mr. Annunzio, Mr. Brasco, Mr. Brown of California, Mr. Button, Mr. Daniels of New Jersey, Mr. Friedel, Mr. Gilbert, Mr. Gray, Mr. Halpern, Mr. Hawkins, Mr. Horton, Mr. McKneally, Mr. Minish, Mr. Moorhead, Mr. Olsen, Mr. Pelly, Mr. Pepper, Mr. Pollock, Mr. Rees, Mr. St. Onge, Mr. Tiernan, Mr. Wolff, and Mr. Yatron):

H.R. 11584. A bill to provide for the protection of children against physical injury caused or threatened by those who are responsible for their care; to the Committee on Ways and Means.

By Mr. BIAGGI (for himself and Mr. Podell):

H.R. 11585. A bill to provide for the protection of children against physical injury caused or threatened by those who are responsible for their care; to the Committee on Ways and Means.

By Mr. BLATNIK:

H.R. 11586. A bill to amend title II of the Social Security Act to provide statutory and cost-of-living increases in OASDI benefits and raise the earnings base, to liberalize the retirement test, and to raise the age at which entitlement to child's insurance benefits on the basis of school attendance ceases; and to amend title XVIII of such act to include certain drugs among the benefits covered under part B thereof and to provide payment for certain services furnished outside the United States; to the Committee on Ways and Means.

By Mr. COLLINS:

H.R. 11587. A bill to amend title 18 and title 28 of the United States Code with respect to the trial and review of criminal actions involving obscenity, and for other purposes; to the Committee on the Judiciary.

By Mr. COLLIER:

H.R. 11588. A bill to amend title II of the Social Security Act so as to liberalize the conditions governing eligibility of blind persons to receive disability insurance benefits thereunder; to the Committee on Ways and Means.

By Mr. DINGELL:

H.R. 11589. A bill to require, as a prerequisite to Federal assistance, that institutions of higher education must adopt and enforce federally approved plans for curbing campus disorders; to the Committee on Education and Labor.

By Mr. GETTYS:

H.R. 11590. A bill to amend title II of the Social Security Act so as to liberalize the conditions governing eligibility of blind persons to receive disability insurance benefits thereunder; to the Committee on Ways and Means.

By Mr. GIAIMO:

H.R. 11591. A bill to provide that the only son of a family, the sole surviving son of a family, or a member of the Armed Forces whose father, brother, or sister is serving in a combat zone shall be exempt from service in a combat zone as a member of the Armed Forces, and for other purposes; to the Committee on Armed Services.

By Mr. HOWARD:

H.R. 11592. A bill to amend the first section of the act of November 5, 1966, to define the boundaries of the Indiana Dunes National Lakeshore; to the Committee on Interior and Insular Affairs.

By Mr. LENNON:

H.R. 11593. A bill to prohibit the use of interstate facilities, including the mails, for the transportation of salacious advertising; to the Committee on the Judiciary.

H.R. 11594. A bill to afford protection to the public from offensive intrusion into their homes through the postal service of sexually oriented mail matter, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. McKNEALLY:

H.R. 11595. A bill to authorize donations of surplus foods to State and local penal institutions; to the Committee on Agriculture.

By Mr. MAILLIARD (for himself, Mr. Burton of California, Mr. Smith of California, Mr. Rees, Mr. Hosmer, Mr. Gubser, Mr. Don H. Clausen, Mr. McFall, Mr. McCloskey, Mr. Hawkins, Mr. Anderson of California, Mr. Edwards of California, Mr. Lipscomb, Mr. Moss, and Mr. Charles H. Wilson):

H.R. 11596. A bill to amend title III of the National Housing Act to authorize the Government National Mortgage Association to guarantee obligations issued by State agencies to finance low- and moderate-income housing; to the Committee on Banking and Currency.

By Mrs. MAY (for herself, Mr. Don H. Clausen, Mr. Dellenback, Mr. Foley, Mr. McMillan, Mr. McKneally, Mr. O'Neal of Georgia, Mr. Saylor, Mr. Taylor, Mr. Teague of California, and Mr. Ullman):

H.R. 11597. A bill to provide for the establishment and administration of a national wildfire disaster control fund; to the Committee on Agriculture.

By Mr. MAYNE:

H.R. 11598. A bill to require all Members of Congress to disclose all income; to the Committee on Standards of Official Conduct.

By Mr. MINSHALL:

H.R. 11599. A bill to amend the act of August 13, 1946, relating to Federal participation in the cost of protecting the shores of the United States, its territories, and possessions, to include privately owned property; to the Committee on Public Works.

By Mr. MORSE:

H.R. 11600. A bill to promote private U.S. participation in international organizations and movements, to provide for the establishment of an Institute of International Affairs, and for other purposes; to the Committee on Foreign Affairs.

By Mr. OTTINGER:

H.R. 11601. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

H.R.11602. A bill to modernize the U.S. postal establishment, to provide for efficient and economical postal service to the public, to improve postal employee-management relations, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. PHILBIN:

H.R. 11603. A bill to amend title II of the Social Security Act to provide a 15-percent across-the-board increase in monthly benefits, with subsequent cost-of-living increases in such benefits and a minimum primary benefit of $80; to the Committee on Ways and Means.

By Mr. PRICE of Texas:

H.R. 11604. A bill to amend the Consolidated Farmers Home Administration Act of 1961, as amended, to provide for insured operating loans, including loans to low-income farmers and ranchers, and for other purposes; to the Committee on Agriculture.

By Mr. QUILLEN:

H.R. 11605. A bill to regulate imports of ferroalloys and related products into the United States; to the Committee on Ways and Means.

By Mr. SAYLOR:

H.R. 11606. A bill to amend title II of the Social Security Act to provide a 15-percent across-the-board increase in monthly benefits, with subsequent cost-of-living increases in such benefits and a minimum primary benefit of $100; to the Committee on Ways and Means.

By Mr. STAGGERS:

H.R. 11607. A bill to amend the Railroad Retirement Act of 1937 and the Railroad Retirement Tax Act to provide for the continued payment of supplemental annuities in accordance with present law; to the Committee on Interstate and Foreign Commerce.

H.R. 11608. A bill to amend the Securities Exchange Act of 1934 to extend the time and increase the authorization for the institutional investor study; to the Committee on Interstate and Foreign Commerce.

By Mr. TAYLOR:

H.R. 11609. A bill to amend the act of September 9, 1963, authorizing the construction of an entrance road at Great Smoky Mountains National Park in the State of North Carolina, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. VANIK (for himself, Mr. Adams, Mr. Conte, Mr. Giaimo, Mr. Pucinski, and Mr. St Germain):

H.R. 11610. A bill to amend title II of the Social Security Act to provide a 15-percent across-the-board increase in monthly benefits, with subsequent cost-of-living increases in such benefits and a minimum primary benefit of $80; to the Committee on Ways and Means.

By Mr. ADDABBO:

H.J. Res. 739. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. HALEY:

H.J. Res. 740. Joint resolution expressing a declaration of war against the 98 Communist Parties constituting the international Communist conspiracy; to the Committee on Foreign Affairs.

By Mr. POLLOCK:

H.J. Res. 741. Joint resolution proposing an amendment to the Constitution of the United States to provide for popular approval of Federal judges; to the Committee on the Judiciary.

By Mr. ST GERMAIN:

H. Res. 423. Resolution to authorize the Committees on Banking and Currency and Education and Labor to conduct an investigation and study of the feasibility of establishing an educational opportunity bank; to the Committee on Rules.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

184. By the SPEAKER: Memorial of the Legislature of the State of Florida, relative to the protection of rare and endangered species, incluidng the American alligator; to the Committee on Merchant Marine and Fisheries.

185. Also, memorial of the Legislature of the State of Louisiana, relative to the tax exemption for municipal bonds; to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII,

Mr. VIGORITO introduced a bill (H.R. 11611) for the relief of Catherine Krieger, which was referred to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII,

119. The SPEAKER presented a petition of the Board of Commissioners, Clark County, Wash., relative to flood control and protection facilities for the Vancouver Lake, Wash., area, which was referred to the Committee on Public Works.

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EXTENSIONS OF REMARKS

A SERMON ON THE FREEDOM OF MAN—PART III: WEEDS IN THE GARDEN

HON. L. H. FOUNTAIN

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 22, 1969

Mr. FOUNTAIN. Mr. Speaker, on April 2, 1969, I inserted in the Congressional Record a sermon preached by the Reverend Charles S. Hubbard, minister of the First Methodist Church of Wilson, N.C., entitled "A Sermon on the Freedom of Man—Part I: An Introduction."

A second sermon preached by Mr. Hubbard on the same general theme which bears the title "A Sermon on the Freedom of Man—Part II: Communism" was placed in the Record by my distinguished colleague, Senator Sam J. Ervin, of North Carolina, on April 14, 1969.

Mr. Hubbard's third sermon on this same theme before his own congregation is entitled "A Sermon on the Freedom of Man—Part III: Weeds in the Garden." This sermon is another extremely informative and thought-provoking discussion of the dangers within our own land to the freedoms we all hold so near and dear to our hearts. So that more Members may have an opportunity to read it, I am inserting it in the Record as follows:

A Sermon on the Freedom of Man—Part III: Weeds in the Garden

(By the Reverend Charles Hubbard, pastor of the First Methodist Church of Wilson, N.C.)

At our last session we discussed the dangers of Communism, that the dangers are real, that coercive pressure from the outside of this Land of Freedom are terrible pressures. Today I want to discuss growing dangers inside our land. If Freedom is the soil on which man must grow; if man cannot live in dignity or pursue happiness outside of freedom—and I contend that he cannot—then freedom itself is essential. It is not a luxury; it is not just one of the virtues; it is the essential condition whereby man must live. It is the necessary soil of his being.

But there are "weeds in the garden of Freedom"—there are weeds right here in the United States of America, the cradle of freedom; and except we do something about these weeds, they are going to choke this garden before long.

Now, what are these weeds? I certainly do not have time to list them all, but I would say that one of the most dangerous weeds I know, one that is rapidly fouling the garden of the Freedom of Man in the United States, is the weed of lack of respect for the law. If we are going to live together as a civilization, there must be basic principles of law to protect all the people; and I have never studied nor known any time in the history of the United States when there has been less respect for the concept of government by law. There is a general contempt for law from all too many people in all too many walks of life. And this condition, unless reversed, is going to undermine our culture. For, my friends, except we respect and enforce the laws made by free men, we are soon going to surrender our freedom to the law of the jungle or submit to a totalitarian state which will enforce order, but care little for justice.

I will admit that any society, however good and just, will have it's law-breakers. I am not pleading here for paradise. But, to quote Horace Mann: "Let but the public mind become thoroughly corrupt, and all attempts to secure property, liberty, or life, by mere force of laws written on parchment, will be as vain as to put up printed notices in an orchard to keep off canker-worms."

What I am saying is that our essential freedom can die if we continue long to tolerate powerful organized crime syndicates that subvert the morals and ethics of our nation, manipulate a growing part of our economy and corrupt the lower levels of justice and law. And we do tolerate this social cancer. In fact, if a crook is sophisticated enough and rich enough, he is beginning to be quite welcome in the best of neighborhoods, the best of clubs and, I suspect, the "best" of churches. This weed is thriving today in our garden.

And this weed has a bigger brother which is being liberally fertilized from pulpit and college lectures all over our land. I can hear the preachers and professors now as they self-righteously declaim that there are "good" laws and "bad" laws, and you should not obey what you believe to be a "bad" law. Then they proceed to outdo the communists with word warping semantics. They tell us that personal rights are far more important than property rights; that justice must come before law and order; and that the whole "hypocritical" structure of our institutions must be torn down in order to make room for a "good" society. Their arguments are supported neither by history nor logic. They do not tell us that when property rights are put down in a once free land, all personal rights disappear soon thereafter. They do not tell us it is impossible to have justice for anyone without law and order. And they do not tell us when the institutions of a free society are ripped down, the new institutions will certainly not be those of a free people. No. But their spurious gospel has been heard and believed. Violent black militants, shouting impossible demands, have attacked the structure of freedom throughout the land. Whole cities have been disrupted, with vast areas burned and looted. Educational processes have been blocked by rioting minorities of college students. The destruction of your precious freedom is under way and gaining momentum through widespread lawlessness.

In the meantime we, and our whole structure of law, stand strangely paralyzed and bemused by the cry of "personal rights." Is there a "personal right" to commit crime without punishment? The citizen who obeys the law also has rights. He has the right to be protected from the plunder and pillage of the lawless and the right to live without fear of his safety or fear of the safety of his family. These rights are being violated every hour of every day, and many of us are getting very tired of it.

We do not need many more laws. What we do need are more fearless judges and more attorneys and more juries who are concerned with upholding the *spirit* of the law and the *true intent* of the law. The indulgence of the criminal is a broadening "yellow streak" in the character of our nation that can be fatal to us all. Lawlessness will certainly choke our freedom.

Other noxious weeds in the garden of freedom may be easily distinguished as a lessening responsibility toward work and the irreplaceable resources of our nation. A nation's true welfare depends on its power to work and to expand its resources. There can be no development without effort, and effort means work.

Yet, in spite of trade association standards, in spite of union rules, in spite of a proliferation of governmental regulations—there is much evidence today that self-interest easily undermines the excellence of the labors of men. There are too many examples I know of—of embezzlement and fraud and chiseling and featherbedding and cutting corners and quackery and shoddy goods and malpractice and kick-backs that come to my attention, for me not to fear how grave this situation must be. Is integrity in work and product dying? Are we entering the age of the "goof-off," and "gimmick"?

God forbid! I cannot believe that we can be so stupid for long. It is a simple law of nature and of God that no people can continue to use up and destroy and steal the very essence of its livelihood without bringing about its own destruction. So, isn't it about time that concerned people, like you and me, revolted against this phoneyness. Is it not time we declared we do not accept unethical practices as standard business procedures? Are we not ready to demand a recovery of the pride of craftsmanship and the obligation of business to really serve mankind. Must we not teach capital and labor alike that it is the quality of work, the genuineness of product, the dependability of character that will bring reward? We had better.

I am not here pointing an accusing finger at all business and labor. On the contrary, the solid majority of those who manage and work in the industry and business of America are ethical, honest and hard-working. I am stating, however, that if enterprise and labor loses its freedom because of a virulant and crooked minority, a great deal of our freedom will go down, too. George B. Cortelyou has said: "The greatest asset of any nation is the spirit of its people, and the greatest danger that can menace any nation is the breakdown of that spirit—the will to win and the courage to work."

Behind these evils, and responsible for most of them is the weed that is deadliest of all: a growing devaluation of the worth of man. We are in a moral crisis, and one of the problems of a moral crisis is that a lot of people do not even know we have one, or that it may be important. Thus we drift toward the law of the jungle. Thus we approach a bestial attitude toward life.

We are being told that God is absent—or dead. We are being taught that spiritual ideals and moral judgments are relative and subjective. Man is being pictured as a kind of neutral and helpless thing. And this negative, amoral, nihilistic interpretation of man inverts all our moral standards. It easily suggests that good is bad and bad is good. Why be restrained and distracted by spiritual ideals and moral standards if they do not exist? Why fear or love a dead God? Under this way of thinking life is nothing but a process of biological functioning. It can offer no satisfaction, save the pleasure of the moment. Self-gratification is the key to being.

This moral crisis is not without causes. Business is making its contribution through massive advertising campaigns that are "not quite honest." The news media often reports vital news in such a manner that the reader or viewer cannot be satisfied that he knows the truth. Even the government's statements of fact sometimes turn out to be not quite factual. All this is nourishing in the mind of the citizen a growing distrust in the very institutions that make possible a free land and a free people.

Then, when you consider the blatant corruption, the perversion, the cheap sex, the filth that is the subject matter and motivation of current movies, plays, novels and art,

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you tend to wonder why there is any morality left. To defend this dirt by saying it is sensitive, it is art, it is reality—is an insult and a lie! Writers do need to be realistic. They need to picture the sordid as well as the sublime. But when people try to show that the normal cultural diet of humanity today is filth, I say they are sick. When these human buzzards portray perversion and say it is normal, when they left up self-gratification and say it is good, when they offer spiritual putrefaction and say it is clean—they are *not* just reflecting the mood of the times. They are setting the intellectual and spiritual standards of today and tomorrow.

And if you are wondering why idealistic youth is in rebellion today, you need wonder no further. They see the lie, the hypocracy, the deliberate attempt at degradation of all that is good and uplifting and holy—and they want no part in it. I want no part in it, either. You had better not. This weed of immorality feeds on the very soul of the dignity and freedom of man.

So—I ask you—are you satisfied? Are you now prepared to give up your God-given sense of plain decency and honor? Are you ready to accept deceit and crookedness and pornography and degradation as the proper expectation for our day? Are you now willing for atheists and hoodlums and libertines to set the standards for our society? In spite of our well-founded concern for the threats of communism, we who love God and freedom need to awaken to the deadly threat right here in the bosom of our country that comes from the toleration of moral rottenness.

Of course, we who lead the spiritual life of America are the most responsible. All too often we have joined the current fad of scratching the itch and ignoring the disease of society. There's been far more preaching today on the evils of capitalism, on profits, on exploitation of labor, on social planning, than on the mind and heart of Jesus Christ. This gospel must be held high first, for it is the only workable motivation for morality, honesty, brotherhood, or anything else worth having. We will never attain a good and free society through the manipulation of selfish people. One man has said: "You can rearrange a bunch of rotten eggs any way you want to, but you are not going to make a good omelet."

Let us re-dedicate ourselves to the God who can empower us all to really be worth while. Let us all pray, witness for, and guard that which we know is Christian and right and decent and honest and good. This is the way of freedom for everybody. Any other way is chaos and ruin. God bless you.

SERIOUS HUNGER IN THE UNITED STATES CAN BE ECONOMICALLY ELIMINATED

HON. CHARLES E. BENNETT

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 22, 1969

Mr. BENNETT. Mr. Speaker, serious hunger in the United States can be eliminated and the cost to do so could not be excessive. One year ago today I introduced a bill to attempt to accomplish this objective; and subsequently, the Appropriations Committee brought out in its Public Law 90-463 a provision to do just this. Under the provisions of that 1968 Appropriations Act, funds were made available to the Secretary of Agriculture to feed the seriously hungry. The bill I am introducing today makes these funds available on a permanent basis.

This principle has been approved by Congress when it passed the 1968 Agricultural Appropriations Act by a vote of 347 to 28. By making the appropriation for this program permanent, the Secretary and State and local welfare agencies involved can know that time and energy expended developing a program such as this would not be wasted as a result of cancellation of the program after 1 or 2 years. If Congress wants this program, which seems evident by the overwhelming vote this bill received, then we should make this an ongoing program and not one subject to short-term political fluctuations.

A RESOLUTION FOR A STUDY OF THE EDUCATIONAL OPPORTUNITY BANK PROPOSAL

HON. FERNAND J. ST GERMAIN

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 22, 1969

Mr. ST GERMAIN. Mr. Speaker, how are we going to make sure that young Americans get all the education which the complexity and specialization of our modern society demands?

No one denies that the value and importance of higher education continues to become more and more of a necessity, yet each year there are still hundreds of thousands of our young people who have both the ability and the desire to continue their education, but cannot do so because they lack the finances. They lose out, but so, too, does society as a whole. The man who would have made a major breakthrough in medical research never does so, because he did not have the money to go to a good college or to medical school. How can society afford to let that happen?

Those of us who are privileged to serve in the Congress are especially aware that education is the very heart of a democracy and that the progress and well-being of our Nation is predicated upon the educational growth of our people. The education of our citizens is too important to allow financial obstacles to stand in the way. In February 1968, in a message to Congress, President Johnson, fully accepting this principle, proposed an Educational Opportunity Act:

> To set a new and sweeping national goal; that in America there must be no economic or racial barrier to higher education; that every qualified young person must have all the education he wants and can absorb.

The policy of the new administration also seemed hopeful, for during his campaign for election President Nixon declared:

> My Administration is committed to the proposition that no young American who is qualified to go to college will be prevented from doing so because he cannot afford it.

In the light of that statement it was particularly disappointing to see the Bureau of the Budget's recommendations for cutbacks in financial assistance to students pursuing higher education. The administration's budget for the national defense student loans recommends $155 million; this is a substantial reduction from last year's appropriation of $190 million, and far less than the $270 million total in requests from the colleges. The recommendation for the health professions student loan program stands at $15 million, down $10 million from the funds available last year, and way below $41 million requested by the schools involved. I hope that the Congress will restore these funds.

But even if these programs had full funding, we would only have begun to meet the problem. More must be done. In 1967, the President's panel on educational innovation proposed the establishment of an educational opportunity bank. It would enable every qualified American to attend the college of his choice regardless of his family's financial status. The bank would make loans to students accepted at postsecondary schools to cover their tuition and living costs against a pledge to repay out of future earnings. After graduation the borrowers would be charged 1 percent of their gross income over 30 years. Any student could borrow, and any student could borrow as much as he needed.

The limited loan programs existing at present can meet only part of the requests, and they do not allow undergraduates to borrow any more than $5,000 over the period of their collegiate years. This is not enough money for a poor student to attend a private school even if it is one with moderate tuition. The educational opportunity bank would not restrict the size of the loan; without interfering with present local, State or Federal student assistance programs, the bank would give any student the opportunity to pay his own way to any college, university or professional school to which he could gain admission.

Here are the advantages which a loan bank would offer:

First. It would increase the number of postsecondary students from low-income families, and would relieve the burden of hard-pressed middle-income families who may have several children attending high-cost universities.

Second. The economically disadvantaged and middle-income students would be able to approach their choice of a college with options similar to those now reserved for the well to do.

Third. It would make the student responsible for his own education, and would stimulate, I am sure, a more serious and mature approach to his studies. Under the present family-sponsored system, we tend to prolong adolescence.

Fourth. It would remove the heavy burden of working while in college to pay educational costs thus enabling the otherwise financially strapped student to devote full time to his studies.

Fifth. It would tend to make the higher education institutions more responsive to the needs of the students themselves who would, under this program, wield the buying power.

Sixth. The plan would enable both public and private institutions to improve the quality of education by charging tuition fees closer to the full cost of education.

Seventh. It is a voluntary plan that offers help only to those who want it.

Eighth. The student would not have to worry about a loan he could not pay for some unforeseen reason because his obligation to repay is related to his future income.

Ninth. The availability of loans would not be directly affected by the state of the money market.

Tenth. Educational costs would be met without the hazards of direct Government interference.

In March of last year I introduced a resolution calling for a thorough study of the proposal by the House Education and Labor Committee and the Banking and Currency Committee. No action was taken on the resolution. Since that time the results of the Carnegie Commission on Higher Education have been published. This commission has also recommended the establishment of a national student loan bank. The commission advised making loans available to undergraduate and graduate students without reference to their need; it also suggested repayment of the loan according to a percent of earnings after graduation.

I believe that the Congress should take with utmost seriousness the recommendations of these two outstanding commissions, the President's Panel on Education Innovation, and the Carnegie Commission on Higher Education. Accordingly, I am reintroducing a resolution directing the aforenamed committees to undertake a study of the educational opportunity bank proposal as soon as possible. I hope that they will provide us with whatever legislation is needed to implement this plan in the very near future.

Priorities should not be forgotten. The most important investment we can make in providing for the future of our Nation is to give advanced educational opportunities to as many of our people as possible.

SOME CHANGE IN OUR JUDICIARY'S STATUS IS NECESSARY

HON. HOWARD W. POLLOCK

OF ALASKA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 22, 1969

Mr. POLLOCK. Mr. Speaker, today, I have introduced a bill which would require that Federal judges, District, Court of Appeals, and Supreme Court, submit themselves to approval of the people 5 years after appointment and every 5 years thereafter.

This proposal is patterned after the constitution of the State of Alaska, which makes the judiciary accountable to the people without political involvement. This is somewhat of a middle position between total nonresponsibility and partisan political standing for the bench.

Mr. Speaker, some change in our judiciary's status is necessary. The courts have become powerful arms of the Federal Government as quasi-legislative to quasiadministrative organs. It is time that the men who fill these offices answer to people.

PEOPLE WANT TRUTH

HON. WALTER S. BARING

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 22, 1969

Mr. BARING. Mr. Speaker, I have just returned from a 2-week business trip to my State of Nevada where I met with several constituents around the State and received from them a good sounding on their feelings toward several subjects regarding national and international affairs. The strong feelings voiced by the majority, I felt, required my statements on the pressing issues facing the United States in the world today. A scheduled speech I was to deliver in Las Vegas, Nev., allowed me this outlet of communication as a Representative of the people of Nevada. This speech was delivered May 14, 1969, at the Tropicana Hotel while I was a guest of the Las Vegas Kiwanis Club and I now offer my remarks for the RECORD:

PEOPLE WANT TRUTH

Mr. Chairman, Kiwanis Club members and friends, it is really a pleasure and a privilege to appear before you today and it is good to be back in Las Vegas, even for a very short visit. I am going to omit lengthy preliminaries because I do not want to waste any valuable time. It is usually my custom to speak "off the cuff," but because there are a number of very vital subjects which I wish to touch upon, I am going to refer to my notes in order that none of these issues will be omitted.

Actually, I have come to have a "heart to heart" talk with you today, because I believe that you want me to "lay it on the line." As the saying goes, I intend to "tell it like it is." I believe that all that the American people want is to be told the plain, simple truth. Unfortunately, we have become the victims of widespread distortion of facts, double talk and the confusion of issues.

However, I have come to the conclusion that the so-called great silent majority is now waking up, and these good, decent people of America are not going to remain silent much longer! They are discontented and even disgusted with the status quo. They know something is wrong, and they want to do something about it. They want to get back to plain, simple truths.

Because I know that Kiwanians are devoted to high principles, as well as to the welfare of our youth, I am going to confine my remarks mainly to the things which relate to our young people—who are most assuredly America's most important product. It is through such programs as the annual "Kid's Day," sponsored by Kiwanians and the U.S. Air Force, with the air power show at Nellis Air Force Base, that our country can instill more pride, patroitism and spirit in our youth.

First of all, I want to talk about the students of today—in our public schools, and more particularly in our colleges. How do we communicate with the dissident students in order to curtail the unrest and the violence that are striking at our educational institutions? How do we cope with this rabble-rousing minority which is interrupting and disrupting the freedom of academic achievement? In turn, how do these students, who are causing the disruptions, communicate with the college administrators?

I am going to be very frank—even very blunt—in what I am going to say to you today. I think that the conditions which are facing us are so serious that there is no longer any time for "pussy-footing" or keeping silent on the issues. Therefore, I am going right straight to the point in saying what I believe to be necessary for the security, for the advancement and for the continued preservation of our great institutions of learning. The subject calls for straightforward, plain talk, because it involves each and every one of us in this room—as well as others across the nation.

My answer is simple. There has to be a meeting of the minds between the dissident students, and the college educators and administrators. Furthermore, this should take place before the unwanted incidents occur, and not afterwards. We are all familiar with what happened at San Francisco State College, and what is continuing to happen on many other campuses.

When Mr. S. S. Hayakawa took over the reins as college president in San Francisco at the peak of student violence, he took the "get tough" approach by calling in the police—for the protection of those students and professors who chose to study and to teach. Mr. Hayakawa had no other choice than to counteract with force against the violence of the demanding students. (It is important to add that many of the trouble-making dissidents are not students, at all. Many of them are trained agitators who travel from college to college.)

I think that all of us must agree that when a minority group (or a small number of students) make their demands at gun point—or in some cases with fire bombs—in order to force a university to change its policies, it is time to "get tough." If the radicals take over, academic freedom will die, and America will wither away.

It is my true belief that the situation can be remedied without bloodshed, violence and guns. However, we will have to "get moving" right away! There are several major college campuses already doing that which I am endorsing today. That is, to have meetings in which the president, the deans and a representative number of faculty members participate, daily or several times a week, along with a representative number of students. The purpose of these meetings would be to discuss university problems, with a view to maintaining the peaceful process of getting an education.

These meetings would have to be in compliance with the current set of rules of the university, and not in any way designed to take away the powers of the university, or the college president. Chaotic and violent demonstrations will never accomplish anything for the students. Maybe the radicals will realize this when the university administration removes them from the enrollment lists and throws them off campus. This has already occurred in some colleges—but it hasn't happened often enough!

When you and I went to school—to college—there were probably things about both the policy and the curriculum which we did not like, but we did not engage in violent take-over demonstrations to show our disapproval. After all, no one is forced to attend any college. He can always leave! I believe that the general public is getting plenty "fed up" with the riotous, gun-toting rabble-rousers who do their dirty work, and then cry:—"Police brutality"—when it is necessary to establish law and order.

We have Federal aid to education because the States are overburdened with many other expenses. I wish that the Federal funds earmarked for higher education could be put in the hands of the States, instead of Washington, D.C. Many of my colleagues in Congress, as well as myself, (in view of the violence and the criminal activities which are taking place on many campuses) are not in favor of giving Federal aid to those universities which have been beset with serious demonstrations. It is my belief that all students found guilty of rioting and the destruction of buildings and classrooms should not only be scratched from the list of getting

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Federal aid, but they should be dumped out of school on their so-called intellectual ears!

And while I am on the subject of these rabble-rousers, I would like to include the "SDS" characters (Students for a Democratic Society). While this group of trouble-makers have a nice-sounding, patriotic name, no one should be misled—because there is nothing patriotic or democratic about them! I have done a lot of research along these lines which reveals that they are nothing but a bunch of thoroughly brain-washed revolutionists—in most cases trained by outsiders who are not even enrolled as students. However, the Students for a Democratic Society are not the only agitators provoking unrest on our campuses, because there is another bunch of rioters known only as militants.

Now, while I have been condemning these people I have just mentioned, I assure you that they are not the only ones to blame for the disgraceful condition which pervades many of our colleges. I believe that there is also an urgent need to weed out those radical faculty members and administrators who "go along" with the rioters, and even instigate much of the trouble. On the other hand, I would condemn faculty members and administrators who will not listen to fair and just demands of the students.

Good, academic leadership is the basic key to solving the campus administration side of the problem. And putting an end to permissiveness will go a long way toward rectifying the condition. We just cannot permit this lawlessness. To permit a comparatively small handful of radicals to destroy our institutions of learning is preposterous and unbelievable! (I am happy to report that my bill to create a select committee to investigate crime and disorders in cities and on campuses was passed by the House of Representatives last month.)

Our students today are probably probing deeper into the meaning of events, and they are obviously coming to our campuses with greater knowledge than years ago. They are asking questions, and they are entitled to receive right answers. This is healthy, but it is not healthy for students or the university to be allowed to be attacked violently by a minority group bent upon disrupting the system of learning. We should not confuse anarchy with academic freedom!

This is something that every couple with children approaching college age should be concerned with right now.

As I said before, I believe that the people of this country, as a whole, are waking up to the fact that our country is in great danger. I find that the people of Nevada are particularly alert to the danger. In my travels around the State—in numerous conversations with people—and in my large volume of correspondence—there is a great dissatisfaction being expressed. People are tired of being told that black is white, and that wrong is right. They are able to recognize a falsehood when they hear it, and they are intelligent enough to want to do something about it! They are asking, "since when has America adopted the policy of the 'Big Lie'?" They are exclaiming, "we want to get back to the truth!"

I think that one glaring example of misrepresentation and misleading information lies in the area of the Vietnam situation—which subject is uppermost in the minds of most of us. I happen to have a son over there, myself, so the subject is very close to my heart.

I am going to quote from two recent news items—one which relates to a top Republican leader, and the other which is accredited to a Democratic source. Thus, the subject is removed from the realm of political or one-sided propaganda. I believe that the American people were thoroughly deceived by the last administration concerning the situation in Vietnam, and I can see no difference, thus far, under the new administration.

The first article appeared in the Nevada State Journal of May 2, 1969, and it refers to a statement made by Senator George D. Aiken, the senior Senate Republican from Vermont. These are the words of Senator Aiken, who is Ranking Republican on the Senate Foreign Relations Committee:—

"Common sense should tell us that we have now accomplished our purpose as far as South Vietnam is concerned. It is my belief that the United States would do well to advise the South Vietnamese Government immediately of our intentions, and then start an orderly withdrawal of our military personnel, turning that country and that war back to its rightful owners. It may take some time to complete this operation," he added, "but it should be started without delay."

Now, I will quote from the second news item, which appeared in the May 2, 1969 issue of the Reno Evening Gazette. The Democratic source is none other than former Secretary of Defense, Clark M. Clifford, who was a strong supporter of U.S. Vietnam policy when he became the Johnson administration's Defense chief in 1968. One of President Johnson's closest associates, Clifford entered the Defense Department publicly committed to the idea that the American intervention was necessary, not only to save South Vietnam, but to prevent the takeover of other non-Communist nations in Southeast Asia. It is quite shocking, therefore, to read that he now states that he left office convinced that the Nation's military effort in the war was "hopeless." At a meeting of some of the Senate Foreign Relations committee members, on April 22, 1969, former Defense Secretary Clifford declared his disillusionment and his change of heart concerning the war in Vietnam. He told the Senators that he left office "in disagreement with many of former President Johnson's Vietnam policies, and convinced that the Domino Theory (which contends that the fall of Vietnam would lead to the takeover of other nations) was fallacious.

In view of the reversal of opinion on the part of former Defense Secretary Clifford in regard to his previous conviction that American intervention was necessary, and his present agreement with other top ranking foreign policy leaders who consider the Vietnam war as "hopeless," it appears that there is something terribly wrong about continuing a "hopeless" situation—at the cost of our servicemen's lives. (With 300 to 400 of our boys killed every week, this is an exceedingly high cost!) I say, therefore, if this is a hopeless war which we cannot possibly win, I want my boy to come home! And I am sure that you want your boys to come home, too!

I believe that the people of America—the parents and families of our fighting men—are entitled to know the truth. I also believe that the majority of the American people are exceedingly tired of going along with a no-win war. Personally, I hate war. However, I firmly believe that if we are fighting for a just and honorable cause, we should give it all we have, and get it over with! In this respect, I am a hawk! If our Nation is as powerful as we are led to believe, then our fighting men should be given the opportunity to win! It is nothing less than criminal to make them fight a "hopeless" war—with their hands tied!

The people of this country are entitled to know the truth about Vietnam. We have been kept in the dark long enough. I say that we should either win, or get out of Vietnam!

While we are considering foreign policy, I want to speak briefly on the subject of foreign aid. If there ever was a false presentation of facts, this program is it! If our foreign aid program were really doing and accomplishing that for which it was intended—feeding the hungry and helping the poverty-stricken all over the world—I would be in favor of it. In fact, I did favor the Marshall plan at the outset. However, our present foreign aid program has grown into the most corrupt extravaganza you can imagine. It is a program which benefits crooked politicians and world bankers—and which brings aid to enemy, Communist countries. I believe in calling a spade a spade—and calling a lie a lie. Let us not call something "foreign aid" when it really amounts to treasonous aid to the enemy.

The same thing applies to trade with Communist countries—which countries in turn, use our supplies and our equipment to kill our American fighting men! I say, "stop all trade with Communist countries!"

It is sickening to me to be told to "go easy" on the subject of communism. Why is this treated in such a "hush-hush" manner by our Government? Why must we be careful not to offend the Communists? It may not be a "declared war" that our boys are fighting over in Vietnam, but they know that it is a real war, all right. They also know who is supplying the Viet Cong with ammunition and armaments.

Now, let us take a look at the United Nations organization. I don't think we have to look very deeply to see who is running that show! The Communists have dominated that organization ever since its inception—when Alger Hiss, the convicted Communist, helped to frame it. (But we pay 70% of the bills of the United Nations.)

And let's take a quick look at the peace talks now going on in Paris. If ever there could be a greater travesty, so far as accomplishment is concerned, I would like to know what it is. Days upon days of haggling over the shape of the conference table (whether round or square)—while more and more boys continue to die—make us wonder just what purpose the organization is serving. There is talk, and more talk, but nothing happens.

Coming to the national scene, isn't it about time to recognize just what is behind the attempted breakdown of juvenile morality, the pornography on our newsstands and in the mail, the so-called "sex education" in the schools, and the filthy movies that infest our theaters? Should we not recognize what is behind the widespread violence in the land, and dare to call it by its correct name—communism.

If we are looking for straight answers, we might also take up the matter of crime on the streets—and the "soft on crime" attitude of the Supreme Court. The good, decent, law-abiding citizens of this country are getting mighty disgusted with having every leniency and every protection extended to criminals, caught red-handed in the act of their guilt—and binding the hands of the Nation's police. The general American public is not stupid, and people know that the cry of "police brutality" has been a Communist slogan as long ago as the Communist-directed revolutions which took place in 1848. (Also, the slogan, "We Shall Overcome.") Generally speaking, the American people are anxious for a return to law and order. (I might add that many of us strongly oppose the Supreme Court's decisions to allow Communists in defense plants—and schools.)

We might here touch upon the Supreme Court's decision which ruled out prayer in public schools. According to a Harris poll, more than 94 per cent of the American people stand in favor of prayer in public schools. How can it be that the overwhelming majority is ignored, and a small minority—a mere handful—is allowed to represent the thinking of the great American public? Unfortunately, many people do not realize that it does not require an amendment to the Constitution to bar the Supreme Court from hearing any school-prayer cases. It is within the will of the people—and within the power of Congress—to change the Supreme Court ruling.

XUM

I believe that prayer should be restored to the American way of life. I believe, also, that the people should know the truth regarding the power of Congress to change the Supreme Court's ruling. Furthermore, I believe that every public office holder should be questioned as to how he stands on this important issue. Our country was founded on prayer, and I think that it is a horrible thing when the principal of a school has to avoid the mention of the word prayer. (This happened at a California school at a memorial service for the late President Eisenhower. The school principal announced:—"We will now have a moment of silent meditation.")

In my talk today I have given a few glaring examples of double standards, double talk and the double trouble that is abroad in our country. I know that the people of this country are seeking answers—and that they want to get back to good, old American truth! I believe that this applies, also, to the majority of our youth. They want to be told the facts, and they (of all people) are entitled to know the truth.

I intend to keep on telling the American people the truth!

CAMPUS RIOTS AND PORNOGRAPHY

HON. JOHN P. SAYLOR

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 22, 1969

Mr. SAYLOR. Mr. Speaker, most of my colleagues will have seen a Washington newspaper article, "An Angry Scholar Speaks Out on Campus Rioting," by Dr. Dwight L. Dumond on May 4. It appeared earlier in the Detroit News. It is lengthy and I shall not ask that all of it be included in the RECORD, but I commend it to your diligent attention.

Dr. Dumond, distinguished professor emeritus of history at the University of Michigan, includes this observation in his analysis:

> The militants are not progressives, not liberals. They are reactionaries of the most extreme sort. They seek to destroy, not to build, and they are achieving little except chaos and retardation. When the revolution has consumed its leaders, as always happens, and the wreckage is cleared away, we will be about where we were before the trouble started.

How soon the return to academic freedom and effective teaching will come about is a matter of conjecture, but it cannot come until order has been restored and the banners of principle and morality are again unfurled at the many disrupted and disgraced colleges and universities across our land.

Dr. Dumond continues:

> They cannot speak without obscenities. They cut great holes in desks, write erotic notes on desks at which decent people have to sit after them, and burn holes in carpets and cork floors. They have revolted against everything that is decent and respectable.

Mr. Speaker, while demanding order on the campus, government and the general public should at the same time insist upon a return to decency in campus publications.

Pornography and obscenity, which came into prominence with violence and vandalism in the university sphere, should be cotargets of the crusade to clean up the campus. Student rebellion and student immorality have been combined in the Communist-initiated and carefully devised plan to destroy both our institutions and our precepts.

Neither can any longer be tolerated.

Whether transplanted from Moscow or Peking, these evils should not have been allowed to take root in this country. In an article that appeared in the Johnstown, Pa., Tribune-Democrat of May 6, which I should like to include in the RECORD at the conclusion of my remarks, Columnist Vera Glaser explains why there was reluctance to deal firmly with the revolt.

The same docile and cringing permissiveness that allowed campus rioters to get out of hand is responsible for failure to stop distribution of raw and revolting printed material. Had existing laws been utilized to prevent disorder in its early stages, as many of us advocated when the rebellion erupted in 1965, campus disruption would never have approached current levels.

Since the new administration is simultaneously striking out at violence and at salacious material mailed to juveniles, the attack should include campus smut. If justification is needed linking obscenity with insurrection, the student body of every college and university includes many boys and girls under 18 years of age.

President Nixon said on May 2:

> American homes are being bombarded with the largest volume of sex-oriented mail in history. Most of it is unsolicited, unwanted and deeply offensive to those who receive it.

The same appraisal is applicable on the college campus. Parents preparing to send children to college next fall must be assured that the campus will be a place of study instead of a battleground for insurrectionists. By the same token, there must be assurance that students will no longer be exposed to scurrilous and degenerate material now appearing in many official student publications.

Mr. Speaker, here I should like to include a recent article, "The Abyss of Chaos," from the Wall Street Journal, as well as the Glaser column. They follow:

[From the Wall Street Journal, Apr. 25, 1969]

THE ABYSS OF CHAOS

The issue is academic freedom, not to mention a few other fundamental American rights such as freedom of speech and assembly. The question is whether the nation's colleges and universities are going to let neofascistic minorities, Negro and white, dangerously devalue the quality of higher education or indeed destroy the institutions themselves.

The question has poignancy as well as bitterness: Think of the parents now going through the spring agony of acceptance at a good school for their son or daughter; they are prepared to sacrifice to pay $8,000, $10,000, $15,000 for the four years but now must wonder whether the youngster will get an education worth having or one at all. Think also of the parents who look back on their own college years as a time of hard study but of tranquility as well; the spectacle today is utterly disgusting.

It is a spectacle, needless to say, that has no place on the American scene. The essence of the American political experiment and experience is that one's own rights, one's own freedoms, depend on respect for the rights of others. And that is so because the history of the ages hammers the message that without tolerance liberty is lost.

Yet here we have these totalitarian students, unfortunately with not a few sympathizers and fellow-activists on the faculty, forcibly preventing the majority from getting an education, doing assault to persons and property, in the case of Cornell strutting around armed to the teeth.

Why?

Most Americans have granted from the start that students do have certain legitimate grievances, that a lot is wrong with the structure and conduct of the contemporary university. Very well; grievances can be discussed, defects put right. But these student (and non-student) fascists are not interested in remedies. They are interested in destruction. Given the power they seek, they would not know what to do with it except to destroy the academic tradition, emphatically including academic freedom.

Somewhat paradoxically, it seems to us, the violence they are perpetrating stems from the sentimentality that has imbued much of the nation's political and sociological thinking for a generation or more. In this view, the child is to be "developed" but rarely disciplined (progressive education), the adult's individual responsibility is held to be minimal (society is to blame for aberrant or criminal behavior), and the people generally are to be shepherded and subsidized (the welfare state).

This is not just an instinctual development; it has been preached from many platforms, not least the very colleges and universities now in turmoil. It is not altogether surprising, therefore, that a number of young people flout authority and heap scorn on the pervasive sentimentality that lets them get away nearly with murder. They, you can be sure, are a much tougher breed.

In the special case of attitudes toward Negroes, some administrators and faculty members have expressed the sentimentality in an excess of guilt, trying to do literally anything to make up for past wrongs. Yet, as S. I. Hayakawa of San Francisco State has observed, it is one thing to accept responsibility for the consequences of slavery; it is quite another to go overboard on guilt for what our ancestors did. Guilt, unlike responsibility, can easily become a neurotic emotion.

The whole aura of sentimentality, emotionalism and romanticism helps explain the pusillanimous reaction to the violence on the part of many educators. Confronted with "non-negotiable" demands, they eagerly set up "black studies" courses, even acknowledging that the result is bound to be a double standard for Negroes and whites—what a service to the Negroes to give them an inferior education. Equally eagerly, they cave in to the demands of white militants.

It helps explain; it does not excuse. Those capitulating administrators and professors have demonstrated their abysmal inadequacy. Consider Cornell, where a majority of the faculty have reversed themselves and nullified disciplinary action against five lawbreaking Negro students. What kind of way is that to run a university? In the pitiful words of one professor, "We felt we had to draw back from the abyss of chaos."

The abyss is at hand, all right, but capitulation is not how to escape it. The obvious, right, procedure is to keep the classes going, with the aid of police if necessary, and to suspend, expel or otherwise discipline the campus fascists who are making life hell, and education all but impossible, for the many more numerous serious students.

Unless the nation and its educators can overcome their emotionalism and return to common sense, not only the present but the future is full of peril. Education is not everything in life, but in our society it is a great deal.

XUM

If America lets the quality of its academic institutions be degraded or destroyed, it will become a second-rate nation, a nation of near-incompetents in the arts and sciences and all else that makes for civilized existence.

[From the Johnstown (Pa.) Tribune-Democrat, May 6, 1969]

SDS WILL FADE OUT, MITCHELL PREDICTS

(By Vera Glaser)

WASHINGTON.—Attorney General John Mitchell expects the Students for a Democratic Society (SDS), which is inciting violence on the nation's campuses, to phase out and disappear before long.

"You saw what happened to the DuBois Clubs, didn't you? It will be the same with SDS," Mr. Mitchell told NANA.

The W. E. B. DuBois clubs, a Communist-dominated campus organization, had 36 chapters in early 1966, organized in many cases by sons and daughters of old-line party members.

Not too much has been heard of them since SDS took over the headlines, fomenting hostility at Columbia, Chicago, San Francisco State, Harvard and other universities.

SDS is active on 200 U.S. campuses, Mr. Mitchell said, giving them more than five times as many chapters as the DuBois Clubs.

PEKING ORIENTED

Moreover, according to the respected Spivack Report, SDS is dominated by Peking-oriented Communists.

The problem, as Mr. Mitchell sees it, is "separating the idealistic, impressionable young people in SDS from the hard-core revolutionaries manipulating them."

Money to support SDS and such other guerrilla groups as the Black Panthers and RAMs is coming from "outside the country," Mr. Mitchell said, but would not be more specific about the source.

"We have infiltrated them completely," he said. "The black groups are fragmented. They're kooky. They are not out to change our society, they want to destroy it. But they can't agree among themselves which way to go."

HOOVER PREDICTION

The campus disruptions were foreseen by FBI Director J. Edgar Hoover, who warned a year ago that New Left leaders were planning a "widespread attack on educational institutions," relying on dissidents and militants to bolster their effort.

His prediction that "revolutionary terrorism" would invade college campuses has proved to be accurate.

Some of the explanation may lie in the Spivack analysis, which states that:

"The takeover of SDS by the Maoists has been a steady process. But in the wake of McCarthyism, nearly 15 years later, it still is considered unfashionable to label Communists as 'the enemy' or even to acknowledge that there are hard-core Communists (mostly of the Peking variety) deeply involved in everything from the March on the Pentagon to the takeover at Cambridge.

SADLY MISLED

Spivack quoted Harvard's Dean Ford as saying that the students who seized University Hall were "many of the usual earnest, confused, concerned students, but there were many others, and any one who thinks we were dealing only with a group of young people trying somehow to express their moral revulsion of bloodshed overseas is sadly misled."

Others at Harvard were said to have noted, almost casually, the role of the Maoist Progressive Labor Party in what happened there.

University officials who stood by and let it happen, probably to avoid accusations of neo-McCarthyism, have become casualties of their liberal credo.

In the circumstances, the attorney general's prediction that the SDS will dry up and blow away seems a bit optimistic.

RESULTS OF QUESTIONNAIRE

HON. J. GLENN BEALL, JR.

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 22, 1969

Mr. BEALL of Maryland. Mr. Speaker, I recently sent a questionnaire to the people of the Sixth District of Maryland in order to have the advantage of their thinking on some of the important issues facing us today.

I think it is particularly significant that 40,000 men and women in the Sixth Congressional District took the time to complete this questionnaire and return it to us. This I think is indicative of the interest that our citizens have, not only in our Government, but in the questions before us for consideration in these trying times.

The results of the questionnaire are as follows:

[Answers in percent]

1. Should the Federal Government guarantee an annual income to citizens living in poverty?

Yes	14.1
No	77.8
Undecided	8.1

2. Should the electoral college be abolished and the election of the President and Vice-President be based on popular vote?

Yes	79.7
No	13.4
Undecided	6.9

3. Do you favor President Nixon's proposal for the A.B.M. project?

Yes	46.1
No	28.9
Undecided	25

4. Do you favor the Federal Government spending money for the Super Sonic Transport plane?

Yes	24.6
No	60.4
Undecided	15.0

5. Do you favor Federal registration of firearms?

Yes	36.7
No	59.3
Undecided	4.0

6. Do you favor the Federal Control of the Potomac River?

Yes	41.6
No	38.4
Undecided	20.0

7. Do you agree with the present course of action being followed in the Viet Nam War?

Yes	17.5
No	69.3
Undecided	13.2

8. Do you favor the Federal Communications Commission's proposal to ban cigarette advertisements on television and radio?

Yes	57.6
No	35.0
Undecided	7.4

9. Do you agree with the proposal to convert the Post Office into a government owned corporation to operate on a self supporting basis?

Yes	60.3
No	24.0
Undecided	15.7

10. What action would most likely lessen the tax load on the lower and middle income taxpayer?

a. Raise standard deductions	25.2
b. Raise standard exemptions	48.2
c. Set minimum limit under which no tax would be paid	26.6

11. Do you favor:

a. Reorganization of the present draft	68.8
b. Abolishing the draft and moving to an all volunteer army	31.2

12. Do you favor:

a. Continuing space budget at the present level	46.5
b. Decreasing space budget	43.3
c. Increasing the space budget	10.2

TURBULENCE ON THE CAMPUS

HON. ADAM C. POWELL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 22, 1969

Mr. POWELL. Mr. Speaker, I should like to include in today's CONGRESSIONAL RECORD the following letter from the distinguished Franklin W. Wallin, president pro tempore, of Colgate University, Hamilton, N.Y., to the President of the United States on May 15, 1969:

COLGATE UNIVERSITY,
Hamilton, N.Y., May 15, 1969.

The PRESIDENT,
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: The Student Senate and the Faculty of Colgate University have voted overwhelmingly to instruct me to send you this communication. We note with deep concern the press reports of recent statements by members of your Administration attributing the cause of recent campus disorder to a "small minority of students," or to a lack of "backbone" in administrators. Such statements, we fear, denote a grievous misunderstanding of these difficulties, and divert attention from their broader import.

The turbulence which afflicts the universities reflects only in part internal grievances within these institutions. The universities must immediately attend to those problems of internal policy and structure which aggrieve members of their communities. But in larger measure the turbulence reflects a more profound disaffection which may be traced to the state of the nation. The protests are directed at shortcomings not only of higher education but of the social order which it serves. At the roots of campus disquiet are the disillusionment of students and faculty whose ideals and hopes are affronted by the lamentable quality of our national life. Engaged in the pursuit of knowledge and the cultivation of humane sensibilities, they are acutely aware of the glaring gap between the promise and performance of American democracy. The protracted war in Vietnam, the persistence of poverty and hunger in affluent America, and the pernicious racial divisions within the society engender doubt and cynicism with respect to all of the society's institutions. The resulting despair and sense of impotence are manifest in the anger and belligerence of campus protest.

Unless national priorities are recorded and pressing problems are solved, campus unrest is likely to persist. Meanwhile, censure and reprisals by the government are likely to compound these difficulties. Official preoccupation with the symptoms rather than the causes of university turmoil threaten to deepen disaffection and disunity.

We at Colgate University have acknowledged the need for institutional reforms at all levels, and have initiated some measures to institute these changes. Additional measures are contemplated. It is urgent, also, that the nation's political leaders acknowledge the maladies of our national life, and act promptly to remedy them. Statesmanship in this task will alleviate the basic causes of campus disorder; it will also enlist the idealism and dedication of a college generation fervently committed to the nation's highest moral purpose.

Respectfully yours,

Franklin W. Wallin,
President pro tempore.

GUARANTEED ANNUAL INCOME

HON. JOHN DOWDY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 22, 1969

Mr. DOWDY. Mr. Speaker, in view of the interest in and discussion of a guaranteed annual income for Americans, I thought it appropriate that my colleagues be able to read Editor Paul Durham's editorial of April 17, from the Diboll, Tex., Free Press. I feel the thoughts expressed by him are worthy of consideration.

The editorial follows:

Guaranteed Annual Income

The American people will never accept the idea of a guaranteed annual income, chiefly to replace our tottering welfare setup. Proponents of the measure—actually right now it's just an idea, not a measure—claim in effect that there is enough money for everybody to have a guaranteed annual income.

The welfare system we have now is antiquated, they say, in that it perpetuates the "fatherless" family. That is, families with large numbers of children can't get welfare payments if there is a husband-father on the premises. So, to skirt the issue, we have what are called "fatherless" families. The list grows by leaps and bounds each year.

Intellectuals claim that the system should be changed, and possibly replaced by the guaranteed annual income. Giving low-income citizens a taste of good money on a guaranteed basis will make them want more of it and result in their getting a job. This, in essence, is what we understand the proponents of the guaranteed annual income are saying.

We agree that the welfare system needs considerable overhaul. It simply is not working. Welfare rolls are getting longer, and at a frightening pace. We agree, too, that it doesn't make much sense to make liars of low-income people, which is what we do when we force them to disclaim the existence of any man around the house.

But we fail to see how the guaranteed annual income will correct the situation. It will only make matters worse.

How, for instance, will you explain to the average working man that it is justifiable to pay anyone $3,000 or $5,000 a year for not working? How can you justify one man getting out of bed and going to work six days a week, while some other guy who is able to work doesn't work a day the whole year, yet is "guaranteed" a specific annual salary?

The average American will not accept that, not in theory and certainly not in practice. Even if the plan were workable, it would do incalculable harm to the great American dream and to the morale of our people.

You will find few Americans who object to feeding hungry children or hungry adults. At the same time, you will find few who are sympathetic with another American who is able to work and will not.

Politicians who think the guaranteed annual income will work had better get out of their overstuffed chairs and find out the peoples feelings on the matter. It simply will not work.

We are not suggesting that the welfare dilemma has any easy answer. It is a terrifying problem, to say the least. Our only suggestion might be to tighten the pocketbook in an attempt to break the welfare "chair"; to upgrade education in areas most beset with the problem; to pay few checks to the people who are able to work.

These things are being done, of course. We suggest we do more of this, and talk less about guaranteeing anybody anything—other than his freedom and the right to make his own way in the world.

—P. D.

VANDALISM

HON. FLETCHER THOMPSON

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 22, 1969

Mr. THOMPSON of Georgia. Mr. Speaker, the Southside Sun, my hometown newspaper recently carried an editorial concerning vandalism at a local elementary school which, in my judgment, expresses the concern and dismay of all responsible citizens about acts of violence and irresponsibility being done either in the name of some cause or for sheer abuse.

During the course of this vandalism, black paint was smeared on the flag of the United States. The newspaper rightly states that the physical damage at the school can be repaired and adds:

> But what can be done to right the mind of the child in the classroom where the flag of the United States was stained by the hand of the vandal?

The editorial is so well written and so well expresses the thoughts of many Americans that under unanimous consent I submit the editorial for inclusion in the Congressional Record, as follows:

[From the Southside Sun, May 15, 1969]

Vandalism

Vandals went through the Parklane School Thursday breaking windows, turning over desks, throwing paint on the walls and destroying anything their hands fell on.

As a final insult they threw black tempera paint on the flag of the United States. This single act of defiance, of destruction, of pointless vandalism is symbolic of the damage to the school and in a larger sense of the trend of events in our country.

The destruction at the Parklane school looks as though it is the work of children. There was apparently no attempt to steal anything from the building, television sets and musical instruments which could have been sold were not taken.

The school was in such disorder that no classes could be held on Friday and the students were sent home for the day. The vandals had stopped up the sinks and left the water running all night. The fire department was called and spent all morning pumping water out of the building.

Walking through these rooms left in shambles you could only wonder who could do this type of thing and the answer keeps coming back—children.

But why would they do it? Was it purely for fun? It seems incredible that they would resort to tearing up a school room for entertainment. East Point has an excellent Recreation Department. There are community playgrounds available. East Point is not a concrete jungle. The playground at Parklane School has been made available for children and has been used by them after school. There are literally dozens of Little League teams, with adults offering an outlet for youthful energy.

Parklane is a modern school with modern equipment and cheerful, sunny rooms. Why should a group of children tear up a schoolroom for fun when there is ample organized recreation or just playgrounds for small groups to organize their own playtime. . . . It seems that there is only one answer to this question.

As surely as the fabric of the American flag was stained by the paint thrown by the vandals at Parklane School, there is a tear in the fabric of American morality. Children hear of campus take over and of destruction by college students. But worse they hear that the Deans give in to the student demands. Campus rioters tear up administration buildings and then are turned loose without even a slap on the wrists. Faculty members and administrators are kidnapped and subjected to abuse and ridicule by students and no action is taken by the police.

The minds of children are impressionable and they are quick to learn. It seems that the vandals of Parklane School have learned their lesson too. Tear up a schoolroom just for fun. It is the thing to do now. Don't worry about the police they will not do anything.

But the police do not deserve the blame. Their hands are tied by laws designed to protect the criminal, not to protect the citizen or his property. Fingerprints were taken at the Parklane School, but no child may be fingerprinted. There are suspects in this case of vandalism, but they can not be questioned except in the presence of their parents or lawyers. Should they ever be brought to the bar of justice there are hundreds of technicalities that will, and have, allowed the guilty to walk away from his crime completely free.

There is a tear in the fabric of American justice as surely as there are stains on the flag in the classroom at Parklane School. Prayer is banned from the classroom where the vandals ran riot by a court that has ruled that pornography is legal.

But the physical damage at Parklane School can be repaired. The overturned desks can be righted. The paint can be washed from the walls. Textbooks damaged by water can be replaced.

But what can be done to right the mind of the child in the classroom where the flag of the United States was stained by the hand of a vandal. This is not the first time this school year that vandals have done their work in the school and have made their impression on the minds of the students.

Will they understand why they were sent home for a day? Will they understand why the poor sap, the taxpayer, will continue to pay his school taxes to repair the damage of the vandals? Or will these children join in the trend toward anarchy, to violence and disrespect for the flag of the United States?

XUM

STATISTICS ARE VALUABLE IN CRIME CONTROL AND UNDERLINE THE NEED FOR DRUG LEGISLATION

HON. CHARLES H. WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 22, 1969

Mr. CHARLES H. WILSON. Mr. Speaker, as chairman of the Census and Statistics Subcommittee of the House Committee on Post Office and Civil Service, I am most interested in examining the value of creating a National Crime Statistics Center to help us achieve a clearer understanding of crime and those who are responsible for its soaring increases. One aspect of crime which has had a tremendous increase within a few short years is the unlawful use of drugs. Accordingly, I have sponsored H.R. 9313 to supply drug education materials for young people in our schools, and H.R. 11166 to provide for the establishment of a Commission on Marihuana and Other Hallucinogenic Drugs.

The need for these pieces of drug legislation has recently been statistically underscored by the California Department of Justice's Bureau of Criminal Statistics in their advance report on 1968 drug arrests in California. I submit this report because I think it demonstrates the usefulness of statistical compilation in helping us to comprehend the degree of severity in crime increases in various areas of the country and because it also underlines dramatically the need for realistic legislative responses to the increasingly serious drug situation in the United States today.

The report follows:

[From the California Department of Justice, Bureau of Criminal Statistics]

1968 DRUG ARRESTS IN CALIFORNIA ADVANCE REPORT

The Bureau of Criminal Statistics has made several important changes in the gathering and presentation of drug arrest data shown here.

Total drug arrests are shown by county as reported to the Bureau by the policing agencies in California. To develop detail beyond these gross counts, the Bureau analyzed the arrest reports, rap sheets, court disposition documents and other source materials for 30 of each 100 individuals arrested on drug charges. Details of the sample are shown in the first two tables and, for ease of comparison, data for earlier years were re-cast on a sample basis also.

Data here are based on preliminary figures. Some minor changes may be made in refining the information. These changes will be shown in the annual report, *Drug Arrests and Dispositions in California.*

ADULT OFFENSES

Based on police counts, adult drug law violations rose from 39,246 in 1967 to 64,639 in 1968; a 65 percent growth quite close to the 66 percent increase recorded for 1967. Thus, drug arrests continue to grow at about the same rate as before. The most noteworthy feature of the sample data in Table 1 is the drop shown in the proportion of marijuana offenses from 56.5 percent in 1967 to 49.5 percent in 1968. Conversely, dangerous drug law violations for adults rose from 20 to 32 percent.

Table 3 shows that Riverside and San Bernardino counties have joined the ranks of those reporting more than 1,000 arrests.

JUVENILE OFFENSES

Juvenile arrests totaled 29,947 in 1968 in contrast to 13,911 recorded in 1967. This 115.3 percent growth of juvenile arrests for drug offenses is also based on totals submitted to the Bureau by the police. The sample on juvenile arrests reflected much of the same tendencies as the adult arrests. As marijuana lost ground, dangerous drug arrests increased and now represent a larger proportion of the total juvenile arrests than before.

Seven counties not listed in 1967 reported juvenile arrests in 1968—Amador, Mariposa, Modoc, Siskiyou, Tehama, Trinity and Tuolumne.

Among the major counties, only San Francisco shows virtually no increase—520 as against 503 in 1967. Most of the other counties had increases—some well over the 100 percent mark: San Diego, 160.7 percent; Fresno County, 235.6 and Kern, the largest growth of all, 382.6 percent.

The smaller counties recorded more extraordinary fluctuations because of their smaller 1967 totals. Glenn County, for instance, rose from 1 to 8 arrests or a 700 percent increase; Shasta rose from 8 to 37 or a 362 percent growth.

TABLE 1.—ADULT DRUG LAW VIOLATIONS REPORTED BY CALIFORNIA LAW ENFORCEMENT AGENCIES DURING 1968 COMPARED TO 1960 AND 1967

[30 percent sample data]

Area and offense	1960		1967		1968		Percent change 1968 over 1967	Percent change 1968 over 1960
	Number	Percent	Number	Percent	Number	Percent		
Statewide	5,300	100.0	13,986	100.0	20,824	100.0	48.9	292.9
Marijuana	1,282	24.2	7,900	56.5	10,297	49.5	30.3	703.2
Opiates	2,755	52.0	2,489	17.8	2,549	12.2	2.4	−7.5
Dangerous drugs	1,054	19.9	2,820	20.2	6,645	31.9	135.6	530.5
Other offenses	209	3.9	777	5.5	1,333	6.4	71.6	537.8

TABLE 2.—JUVENILE DRUG LAW VIOLATIONS REPORTED BY CALIFORNIA LAW ENFORCEMENT AGENCIES DURING 1968 COMPARED TO 1960 AND 1967

[30 percent sample data'

Area and offense	1960		1967		1968		Percent change 1968 over 1967	Percent change 1968 over 1960
	Number	Percent	Number	Percent	Number	Percent		
Statewide	484	100.0	4,411	100.0	9,787	100.0	121.9	1,922.1
Marijuana	259	53.5	3,294	74.7	5,698	58.2	73.0	2,100.0
Opiates	43	8.9	86	1.9	162	1.7	88.4	....
Dangerous drugs	168	34.7	849	19.3	3,323	33.9	291.4	978.0
Other offenses	14	2.9	182	4.1	604	6.2	231.9	....

Note: Percentages not computed on bases less than 50.

TABLE 3.—ARRESTS OF ADULTS FOR DRUG LAW VIOLATIONS REPORTED BY CALIFORNIA LAW ENFORCEMENT AGENCIES, JANUARY-DECEMBER 1968, AREA AND COUNTY BY OFFENSE

Area and county	Total	Marihuana	Opiates	Dangerous-drugs	Other offenses
Total	64,639	33,573	10,411	13,459	7,916
Southern California:					
Los Angeles	32,910	13,779	6,577	6,843	3,711
Imperial	246	127	34	69	16
Orange	4,777	2,791	350	1,108	528
Riverside	1,327	774	64	294	195
San Bernardino	1,385	640	207	417	121
San Diego	6,114	3,198	106	2,175	635
Santa Barbara	487	292	62	65	68
Ventura	1,265	657	191	203	214
San Francisco Bay:					
San Francisco	3,857	1,945	1,294	384	234
Alameda	3,761	1,714	910	685	452
Contra Costa	918	588	89	135	106
Marin	478	312	25	91	50
Napa	109	89	2	5	13
San Mateo	690	332	145	128	85
Santa Clara	1,335	940	118	138	139
Solano	208	169	3	9	27
Sonoma	283	231	....	35	17
Balance of State:					
San Joaquin Valley:					
Fresno	484	266	45	93	80
Kern	383	233	12	79	59
Kings	12	6	....	4	2
Madera	30	18	2	1	9
Merced	57	49	....	5	3
San Joaquin	251	160	17	37	37
Stanislaus	258	147	15	67	29
Tulare	141	76	15	20	3

TABLE 3.—ARRESTS OF ADULTS FOR DRUG LAW VIOLATIONS REPORTED BY CALIFORNIA LAW ENFORCEMENT AGENCIES, JANUARY-DECEMBER 1968, AREA AND COUNTY BY OFFENSE—Continued

Area and county	Total	Marihuana	Opiates	Dangerous-drugs	Other offenses
Balance of State—Continued					
Sacramento Valley:					
Butte	109	99	1	8	1
Colusa	2	2	....	....	....
Glenn	8	7	....	1	....
Placer	135	129	....	5	1
Sacramento	657	384	76	96	101
Shasta	52	38	1	10	3
Sutter	25	20	1	1	3
Tehama	7	6	....	1	....
Yolo	105	94	....	5	6
Yuba	26	22	....	2	2
Other counties:					
Amador	6	5	....	....	1
Calaveras	23	23	....	....	....
Del Norte	3	3	....	....	....
El Dorado	199	130	8	27	34
Humboldt	115	89	....	11	15
Inyo	21	15	....	1	5
Lake	17	11	....	4	2
Lassen	6	5	....	....	1
Mariposa	34	28	....	6	....
Mendocino	77	59	....	13	5
Mono	21	21	....	....	....
Monterey	464	343	17	42	62
Nevada	699	38	1	22	8
Plumas	15	12	....	3	....
San Benito	6	5	....	1	....
San Luis Obispo	338	254	14	51	19
Santa Cruz	291	170	9	50	62
Sierra	1	1	....	....	....
Siskiyou	19	12	....	7	....
Tuolumne	22	15	....	2	5

TABLE 4.—ARRESTS OF JUVENILES (UNDER 18 YEARS) FOR DRUG LAW VIOLATIONS REPORTED BY CALIFORNIA LAW-ENFORCEMENT AGENCIES, JANUARY–DECEMBER 1968

[Area and county by offense]

Area and county	Total	Marihuana	Opiates	Dangerous drugs	Other offenses
Total	29,947	16,754	838	8,240	4,115
Southern California:					
Los Angeles	14,133	7,208	394	4,588	1,943
Imperial	66	34		13	19
Orange	2,790	1,571	39	758	422
Riverside	680	400	7	161	112
San Bernardino	823	404	22	261	136
San Diego	2,573	1,284	81	1,068	140
Santa Barbara	340	237	23	34	46
Ventura	843	413	37	182	211
San Francisco Bay:					
San Francisco	520	398	63	35	24
Alameda	1,600	1,075	97	259	169
Contra Costa	658	483	5	109	61
Marin	412	323	3	40	46
Napa	57	44		12	1
San Mateo	582	400	5	95	82
Santa Clara	927	732	12	112	71
Solano	132	70	1	13	48
Sonoma	136	85		18	33
Balance of State:					
San Joaquin Valley:					
Fresno	443	173	2	107	161
Kern	415	230	2	100	83
Kings	19	16		3	
Madera	6	4	2		
Merced	51	36	6	6	3
San Joaquin	165	114	4	25	22
Stanislaus	139	64		32	43
Tulare	93	44	1	10	38
Sacramento Valley:					
Butte	56	44		7	5
Colusa	3				3
Glenn	8	7		1	
Placer	29	27		1	1
Sacramento	314	199	15	63	37
Shasta	37	27		2	8
Sutter	18	6	1	3	8
Tehama	8	3			5
Yolo	66	59		2	5
Yuba	22	22			
Other counties:					
Amador	1		1		
Calaveras	4	2			2
Del Norte	1				1
El Dorado	62	40		6	16
Humboldt	75	44		20	11
Inyo	7	6			1
Lake	9	7		2	
Mariposa	5	3		2	
Mendocino	37	33	2		2
Modoc	1	1			
Mono	8	4			4
Monterey	206	150	6	29	21
Nevada	51	9		24	18
Plumas	21	17		4	
San Luis Obispo	88	60	1	12	15
Santa Cruz	189	134	6	20	29
Siskiyou	6	1			5
Trinity	4	4			
Tuolumne	8	3		1	4

Source: Bureau of Criminal Statistics, Sacramento, Calif.

FIFTIETH ANNIVERSARY OF STEUBEN SOCIETY

HON. JOSEPH P. ADDABBO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, May 19, 1969

Mr. ADDABBO. Mr. Speaker, I rise to congratulate the Steuben Society of America on the occasion of its 50th anniversary.

The Governor of New York has proclaimed this week "Steuben Society of America Golden Jubilee Memorial Week" and I am pleased to join in this tribute.

I would like to take this opportunity to acknowledge the outstanding job done by the general chairman for this golden jubilee—the Honorable Albert H. Bosch, a former Member of Congress and my predecessor as Representative for the Seventh District in New York.

I also wish to congratulate Mr. Ward Lange on his reelection to a seventh term as national chairman of the Steuben Society.

The strength of the society lies in its commitment to protect politicial liberty by preserving equal opportunity for all Americans.

The major legislative goal of the society for this year is an amendment to the U.S. immigration law to secure fair treatment for all northern Europeans who have found it more difficult to come to the United States since passage of the 1965 act.

In this connection the Steuben Society has joined forces with the American Irish National Immigration Committee to support this legislation.

As a cosponsor of this bill to amend the immigration law, I look forward to working for the same legislative goal and I wish the society continued strength to represent Americans of German descent during this golden jubilee week.

YOU CANNOT PACKAGE CONSUMERS

HON. CATHERINE MAY

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 22, 1969

Mrs. MAY. Mr. Speaker, I have always maintained that consumers choose one product over another for a wide variety of reasons, and not on the basis of price alone. Our husbands would think us mad, indeed, if we asked them how much per pound they paid for the new car.

In effect, though, there are some well-meaning individuals who think that the judgments we housewives make in the supermarket are based on the wrong things, and they have set out to "correct" all of this. They seem to think that our value judgments are somehow inferior to their own, and that we housewives can, by the stroke of legislation, all be neatly packaged and labeled. Well, I for one, do not believe it. Neither, I am happy to note, does Don Robinson, editor of NAM Reports, published by the National Association of Manufacturers.

In the May 19 issue of NAM Reports, Mr. Robinson has done a particularly good job of illustrating the difficulty in making flat statements about comparison shopping and the choices made by consumers. I recommend the article as good eye-opening reading to my colleagues, and include it at this point in the RECORD:

SENATOR'S 60 LADIES AND THE SURPRISING EXPLANATION OF WHY THEY FLUNKED TEST ON SHOPPING CHEAPEST

Sen. Gaylord Nelson is on the warpath again, introducing a new packaging and labeling law to do what he says the present one has failed to do. That is, it hasn't made price comparisons between sizes and competing brands any cinch.

The Senator's bill, familiarly known as "S. 1424," aims at making such comparisons as easy as filling out a Federal income tax form. The Senator asserts that a high order of mathematical ability is required now to make price comparisons, notes that housewives can't tote computers around in their shopping carts, and therefore in practice would require Joe the corner grocer to buy or rent a computer of his own.

For the retailer would be required when he marks his price on merchandise to mark also the price per ounce or other basic unit.

Why not, the Senator asks, when they do it on meat and fish?

There are special scales that so label meat, fish, cheese and such items for supermarkets, but such marking is confined to items with short shelf life. Any good store disposes of unsold fresh goods like this very quickly. But the retailer has a problem with, say, corn flakes. Suppose a certain size box is put on the shelf at 27 cents. The grocer finds his competitor is selling them for 26, so he lowers his own price. Come Thursday, his co-op grocers' association has them advertised three days special at 24. Monday they go back to 26 again. Tuesday, our friend discovers that due to the routine Russian crop failure there is a routine corn shortage, and the wholesale price rises, requiring him to mark up to 27.

Such a series of changes (not uncommon at the retail level) is troublesome enough now, and such changes can happen daily at many places in every aisle. Imagine what chaos if Joe the grocer had to mark his boxes with the cents and hundredths of a

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cent per ounce that such changes would bring about!

The good Senator was anguished to learn that five California ladies were unable to chose the cheapest-per-unit offerings among lists of 70 items any better after the Packaging and Labeling law had been put into effect than before. In fact they did a little worse.

One reason, Senator, is that women shoppers haven't had much practice in choosing the cheapest items in their regular shopping, because the cheapest is seldom what they are seeking. Your obedient servant discovered this by going through four incoming bags of groceries and asking why the items were chosen.

The hand dishwashing detergent was chosen because it smells wonderful and is easy on the hands. It also seems to do more work per squirt than a cheaper brand.

The dishwasher detergent was chosen because it was cheapest and there are no troubles with the dishwasher no matter what is put into it. Any trouble finding out which was cheapest? No. There were these big boxes on special to introduce a new brand.

The sirloin steak was selected because yr. obd. svt. said he was hungry for steak. It was chicken which was on sale.

The paper towels were chosen because they match the kitchen. The bathroom paper was chosen because it has flowers on it and what the heck it's Spring.

The scouring cleansers were chosen: 1. Because the itty bitty plastic cans with removable labels fit on the medicine cabinet shelves. 2. The big ugly cans are cheap and guests don't look under the kitchen sink.

Five pounds of granulated sugar was bought because we needed sugar.

A similar purchase was 10 pounds of flour.

But also in a bag was two pounds of a special flour that won't congeal, clot, lump or whatever. It was purchased without regard to the price of any other flour because "I've always wanted to try some."

There were eight number 10 cans of string beans. They were bought because they were eight for a dollar, and we can always use string means. Nobody in our house knows how many ounces or how much per ounce this is, but we all know that number 10 cans of string beans usually are much more.

There was a pound of margarine of a brand acceptable to this family (not the cheapest) because Mr. Nelson's cohorts have supported butter to a price level milady finds excessive.

There were five pounds of California table grapes, because the store was being picketed by SDS types trying to get everyone to boycott table grapes. (The kids enjoyed them.)

The cereal was selected by a headstrong four-year-old because there was a Wacky Racer in the box.

Some pompano was purchased because everyone will eat it, and you can't get fresh pompano around here too often.

The store's own brand of facial tissues were bought because they were cheapest, and the boys use them for everything.

A premium brand of facial tissues (pink) was purchased for use in the baby's room, because she's the first girl and we haven't gotten over that joy yet.

Six cakes of soap were selected because they 1. smell good. 2. irritate no family member's skin. 3. match the color of the bathrooms. 4. seem to last better when the kids forget to fish them out of their bath water, as they've been told to do a thousand times if they've been told once.

A washday detergent was chosen because there were two cold water brands on the shelf and the other one gave some of us the itch.

A gallon of fabric softener seemed a good idea, with a baby in the house, and all.

So it went. The lady was completely satisfied that she had bought well for this family in these circumstances. Given a list of 70 items to be bought for price alone, the lady's whole thinking processes for shopping would have to be altered.

No matter what Joe's computer works out about prices per ounce on detergent, our house will still contain the one that doesn't itch any of us. No matter what price the soap may be per ounce, it had better smell good and not dissolve too quickly in the bath water.

Does the Senator want to quarrel with the lady?—Don Robinson.

LET US END RESTRICTION ON OIL IMPORTS FROM CANADA

HON. THADDEUS J. DULSKI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 22, 1969

Mr. DULSKI. Mr. Speaker, the national system of oil import quotas has been in operation since 1955 and its establishment was justified as essential to national security.

Is the quota system still necessary? Is it still essential to national security? This is a matter which is now under expedited study by a cabinet-level force.

I am well aware of the pressures pro and con for the oil quota program and I am convinced that modification is in order, preferably on a gradually reduced control basis.

Of most concern to my home area of Buffalo and western New York, however, is the restriction which has been imposed upon the importation of oil from Canada. This limitation is by executive action outside the import program. Canada is exempt from the national quota system.

The limitation on imports from Canada has worked a particular hardship upon the petrochemical industry in my area. Indeed, we stand to lose two important industries unless the arbitrary limitation is eased.

Regardless of whether changes are made in the basic oil import program, it is essential that the administration take into careful account the effect upon other American industries of its executive action on Canadian oil imports.

The oil flow allowed from Canada not only is inadequate, but also has been fluctuating in a manner that creates serious instability in the petrochemical industry.

As I have said, Canadian oil was exempted specifically from the Federal oil import control program and yet the administration has seen fit to impose arbitrary restrictions which have had devastating effect upon our area.

I have again brought this matter to the attention of the administration, and I hope sincerely that the task force will give it due consideration, although there is real reason to wonder whether we can wait much longer for a change in policy.

Mr. Speaker, I include with my remarks editorials from two local newspapers:

[From the Buffalo (N.Y.) Evening News, May 12, 1969]

EASE OIL QUOTAS

Forty-six members of Congress have proposed that the national system of oil-import quotas be gradually eliminated, and there is increasing evidence that this subsidy for the domestic oil producers should be substantially modified at least.

To most Americans, this system of protective quotas, which shelters domestic oil producers from broad foreign competition, is about as clear as nuclear physics or abstract art. But the sole justification under a 1955 law is national security.

Under that law a President is authorized to restrict the amount of imported oil when its volume would impair national security. Since 1962, this has meant that the amount of imported oil couldn't exceed 12.2 per cent of domestic production.

Recent testimony by economists and others before a Senate subcommittee suggests, however, that the national-security rationale is now very fragile indeed, and that the quotas may have spawned more problems than they solved—except for the oil producers. It has been argued that these quotas, by restricting competition from abroad, have lessened competition here at home, thus keeping the prices American consumers pay for oil and gasoline and other products artificially high; that it encourages production in the U.S. of less efficient wells; and that it damages the competitiveness of domestic oil and chemical industries in world markets.

As to the central contention that these protective quotas serve the national security, there have been several persuasive rebuttals.

The 1968 discovery of oil reserves in Alaska lessens the need-to-conserve argument, to some degree. And Wayne A. Leeman, economics professor at the University of Missouri, made the rather obvious point to the Senate subcommmittee that quotas restricting foreign imports might even hasten now, in peacetime, the depletion of U.S. reserves which could prove more needed later in times of conflict.

If the aim is to conserve oil for times of crisis moreover, then that aims seems to be contradicted by such tax incentives as the overly generous oil-depletion allowance, which spur the exploitation of domestic reserves.

President Nixon in late March named a Cabinet-level task force to review oil-import policy. Probably Congress should hold off on any revision of these policies until the administration has had a chance to shape its own recommendations.

On the basis of what Congress has already heard, however, it should be skeptical of any proposals that don't seek to considerably ease a quota system which dulls competitiveness, contributes little to national security, prolongs a protective and elaborate subsidy structure in a nation committed to free trade—and forces American consumers to pay unnaturally high prices for oil products.

[From the Buffalo (N.Y.) Courier Express, Apr. 9, 1969]

USE OF CANADIAN OIL HERE IS IMPERATIVE

On the premise that federal policy ought to be geared primarily to benefit the economy of any area of the United States at a geographical disadvantage in obtaining resources to promote its industry, the Niagara Frontier is justified in pressing for an easing of restrictions the U.S. imposes on Canadian crude oil imports.

The Interior Dept. hardly will make much sense if it does not allow additional import allotments to a region whose oil refining and petrochemical industries are in need of supplies that cannot be provided economically from U.S. sources.

A sound case on economic grounds for the allowance of greater use of across-the-border pipeline facilities has been made by the Greater Buffalo Development Foundation. That case merits the sympathetic attention of the federal government despite any other considerations that led to the import controls imposed in 1960.

The production, distribution and refining of oil is a gigantic, highly competitive and complex business in which the geography of oil production is a factor. The finished products are in such universal demand and constitute so great a prerequisite for economic health in every community that usual limits fixed by government on supplies of raw material are peculiarly onerous in the case of crude oil.

The Niagara Frontier should be allowed to capitalize on its proximity to Canadian facilities. If the opportunity continues to be denied it, some tall explaining backed by more than a mere policy statement is due it.

AGRICULTURAL CONSERVATION PROGRAM

HON. ARNOLD OLSEN

OF MONTANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 22, 1969

Mr. OLSEN. Mr. Speaker, there is one item in the USDA budget I want to call to the attention of the Congress. This is the agricultural conservation program which is authorized in the basic legislation of 1936 at $500 million annually. While the program has gone through several name changes, it is now known as the ACP and is administered by the Agricultural Stabilization and Conservation Service. After several reductions in the size of the program, the appropriation stabilized at about $250 million in the mid-1950's. The program has operated at this level since that time until the last 2 years when the recision cuts reduced the figure to $195.5 million exclusive of the administrative funds. It seems to me that if $500 million were needed for this program in 1936, when each dollar bought much more in goods and services than the dollar does today, we certainly need as much today.

However, on several occasions in the past decade and a half, the President's budget to Congress has contained about a 50-percent cut in funds for the agricultural conservation program, a cut from $220 million to around $100 million, plus the administrative funds. This year President Johnson's budget proposed to cut the program from $195.5 million for the 1969 program to $100 million for the 1970 program, and President Nixon, in his recent budget message to Congress proposed that the program be eliminated entirely.

This is a program under which the Government shares with the farmer the cost of carrying out needed conservation practices usually on about a 50–50 percent basis. Many conservation practices are of no immediate value to the farmer. They protect soil and water for the future good of all the people and farmers just cannot afford to perform them completely on their own. For these reasons Congress has consistently restored the authorization for this much-needed program to $220 million and as soon as the budget permits, it is imperative that we do so again.

In 1968, for example, over 4 million acres were seeded to permanent cover crops such as grasses, over 1 million acres were seeded to additional crops for rotation cover, over 3 million acres were seeded to cover for soil or watershed protection, 1.1 million acres of improved cover on rangeland were established and 4 million acres were seeded to winter cover crops. All of these help prevent wind and water erosion of valuable cropland. Almost 2.5 million acres are served by wells drilled for livestock water to aid in distribution of livestock to prevent overgrazing, 3.2 million acres are served by reservoirs built in 1968 for agricultural use. About 2.6 million acres are served by reorganized irrigation systems which conserve water and prevent washing and seepage. Stubble mulch to prevent erosion of summer fallow land was carried out on 2.7 million acres and other wind erosion measures were carried out on an additional 800,000 acres. These are but a few of the conservation practices carried out with the aid of this program in the 1 year, 1968.

Many counties have special practices to meet particular and often peculiar local problems. Many of these are designed especially to assist low income farmers carry out conservation practices and in such cases the cost share provided by the Government can be as much as 80 percent of the cost of performing the practice. Other practices, in addition to conserving soil and water, are especially beneficial to wildlife or enhance natural beauty.

ACP is used in every agricultural county in the United States. In 1968 about a million farms participated in the program. During the 5-year period 1964–68 more than 2,291,000 different farms carried out practices under the program. Requests for assistance in carrying out these conservation practices greatly exceed available funds even with a $220 million program. There is a national limit on payments to a person of $2,500 per farm—except under pooling agreements the limit is $10,000. Many States and counties establish lower limits so they may assist more farmers. The average payment under the regular ACP in 1968 was $210.

The ACP is administered by elected farmer community and county committeemen and by appointed farmer State committeemen. The authority for these committeemen is contained in the basic legislation establishing the agricultural conservation program. These committeemen also administer other assigned programs such as the emergency ACP to assist in drought, flood, et cetera, the voluntary wheat and feed grain diversion programs, the cotton programs, programs for peanuts, tobacco, rice, naval stores, sugar cane and sugar beets, wool, price support loans, and so forth. The chairmen of State and county committees are chairmen of State and county USDA Disaster Committees. The county office managers and the State executive directors are chairmen of the respective defense boards. All of these activities would be jeopardized if the program—ACP—which provides basic legislation for the committee system itself, were abolished.

In the interests of agriculture and of the entire population, present and future, we cannot permit the program to be dropped. We should, instead, be restoring the program to the authorized level in order to preserve the soil for future generations in a condition needed to supply the rapidly expanding population with adequate supplies of mineral-rich food.

SOVIETS GREATLY INCREASING MILITARY STRENGTH

HON. GLENARD P. LIPSCOMB

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 22, 1969

Mr. LIPSCOMB. Mr. Speaker, the Soviet Union is presently carrying on a crash program to greatly increase its military strength.

Mr. Richard Wilson discusses this Soviet military buildup in a May 2 article in the Washington Evening Star entitled "Soviets Greatly Increasing Military Strength." Mr. Wilson quotes Rear Adm. H. G. Rickover as having stated:

> By the end of this year [1969], we face the prospect of losing the superiority in nuclear submarines we have held for many years. The Soviet Union is surging forward with a naval and maritime program that is a technological marvel.

These words are particularly significant coming from the man generally credited with having created our nuclear Navy.

I urge my colleagues to read Mr. Wilson's article, which I am inserting in the RECORD under leave to extend my remarks.

SOVIETS GREATLY INCREASING MILITARY STRENGTH

(By Richard Wilson)

Nothing enrages the antimilitary groups in Congress more than to be accused of advocating unilateral disarmament. This, of course, is what they do propose in effect but unilateral disarmament sounds empty-headed, and it is.

The Soviet Union is greatly increasing its military strength. We would call it a crash program in this country. The expansion's most ominous phase is in the means of delivering nuclear weapons. At the same time, the anti-military groups in Congress are advocating reductions in critical military programs including the deployment of anti-ballistic missiles. If this does not amount to unilateral disarmament then the words have no meaning.

In response to an inquiry from Sen. John O. Pastore, D-R.I., Rear Adm. H. G. Rickover, whose stubborn advocacy is credited with having created our nuclear Navy, has given a chilling prospectus of growing Soviet strength in the seven seas. Rickover quotes Admiral Gorshov, commander-in-chief of the Soviet navy, as having recently said: "The flag of the Soviet navy now flies proudly over the oceans of the world. Sooner or later, the U.S. will have to understand that it no longer has mastery of the seas."

The Soviet Union has decided to gain its own kind of naval superiority over the United States and is in the process of doing it through a major expansion of its submarine forces into the world's largest underseas navy. At the present rate the Soviet force of nuclear submarines of the Polaris type will overtake and exceed the United States force by the end of 1970.

"By the end of this year," Rickover wrote, "we face the prospect of losing the superiority in nuclear submarines we have held for many years. The threat posed by their sub-

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marine force—with their new ballistic and cruise missile launchers and new attack types, is formidable. If more sophisticated types are added in the near future, as is likely considering their large number of designers and extensive facilities, the threat will rapidly increase."

Rickover says the Soviet Union is "surging forward with a naval and maritime program that is a technological marvel." "They now have," he continued, "a new submarine force of about 375; we have 143, which includes 61 diesel submarines, most of which are of World War II vintage. Thus the Soviets have a net advantage of about 230 submarines."

To achieve this, Rickover said, the Russians greatly expanded and modernized submarine building facilities, with one of their numerous yards with several times the area and facilities of all U.S. yards. They use modern assemblyline techniques under covered ways, permitting large-scale production regardless of weather conditions.

From Rickover's report and other sources it can be fairly concluded that at about the time Soviet Premier Nikita Khrushchev was deposed central decisions were made in the Soviet ruling apparatus on a large military expansion. Resources were diverted from the farm sector of the Soviet economy to defense. Outlays for defense rose sharply in 1966–67 after remaining static since 1962.

At about this same time decisions must also have been reached on the deployment of the SS9 super rocket which could theoretically give the Soviet Union a first-strike nuclear capability. President Nixon has stated that after the decision in 1967 to deploy the American Sentinel antiballistic missile system it was discovered that the SS9 deployment in Russia was 60 percent greater than had been thought. It was also discovered that estimates of Soviet strength are much more precise today than formerly owing to aerial reconnaissance from orbiting satellites with their fantastic cameras which have photographed a man walking down a Moscow street. When Rickover describes the huge Soviet submarine yards he can do so confidently because they have been photographed.

What President Nixon has been saying, and Defense Secretary Laird has been emphasizing, and Admiral Rickover has been documenting is either a morbid fairy tale or there have been significant military developments in the Soviet Union of an extremely ominous nature.

These developments do not give much encouragement to future attempts at unilateral disarmament, or they will not when the Nixon administration decides to tell all that it knows about the Russian expansion.

Rickover's final comment is worth noting. "I suggest," he wrote, "that by keeping secret our knowledge of Soviet strength at this time we may lose more than by confiding the truth of the danger we face to the American people."

SAFEGUARD IS NEEDED

HON. WILLIAM A. STEIGER

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 22, 1969

Mr. STEIGER of Wisconsin. Mr. Speaker, radio station WHBL in Sheboygan, Wis., recently broadcast an editorial in support of President Nixon's decision to deploy the Safeguard antimissile system. I recommend it to my colleagues.

Safeguard Is Needed

A Congressional showdown on the proposed Nixon Safeguard Anti-Ballistic Missile System is shaping up.

More and more, the pros and cons of this defense system plan are being clarified.

Critics of the plan, including Wisconsin Senators Proxmire and Nelson, contend that the ABM would provide very little protection for the U.S., trigger a new round of arms escalation, hinder negotiations for disarmament, and cost too much money that should be used to meet domestic needs.

Proponents of ABM say that it would provide a phased beginning of a full ABM defense, protecting our strategic nuclear weapons. Initially, the objective is to protect defense systems at two Minuteman missile bases where about one-third of our deterrent force is located.

Such a system would provide protection from possible attack by the Red Chinese in the mid-1970's, prevent a possible unintentional launch of missiles by the Soviets, and preserve our deterrent force thereby preventing a nuclear attack from succeeding.

Proponents also assert that the Soviets have already built their own ABM system which is much more extensive than ours and that we have assurance that any negotiations with the Russians will not be impaired.

As for the cost of the program, the Administration says the top figure would be six billion dollars, not the considerably higher figure which the critics use.

We believe that the proponents have proved their case for ABM beyond a shadow of a doubt. We believe in the interests of national security that it is far wiser to rely on the advice and judgment of our defense experts, both civilian and military, than on the politicians.

But the politicians will decide the fate of ABM and the future security of the United States. You can make your voice heard by writing to your U.S. Senators and Congressman and urging them to approve expenditures of the Safeguard Anti-Ballistic Missile System.

We cannot hide our heads in the sand. The ominous threat to our security is all too clear. The ABM system must be approved.

MARITIME DAY

HON. JOSEPH P. ADDABBO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 22, 1969

Mr. ADDABBO. Mr. Speaker, today is Maritime Day—although I doubt that we have very much to celebrate, in view of our waning position on the oceans of the world. I do not know what day the Soviet Union sets aside to honor its maritime achievements—but certainly they have a lot more to boast about than we do.

Less than a quarter century ago, Mr. Speaker, this country was the world's maritime leader in shipping and shipbuilding. Today we are fifth in shipping, and ninth or 10th in shipbuilding. The Russians, on the other hand, have come up from being a maritime nonentity to a position where they threaten to surpass us in the size of their fleet. What is more, 80 percent of the Soviet fleet is less than 10 years old—while 80 percent of the American-flag fleet is more than 20 years old. So in addition to size, the Russians can boast a newer, faster, more efficient fleet.

It may be that the Soviets will never dominate world shipping. It may be that we need never fear that American imports and exports will some day be moving in ships flying the "hammer and sickle." But the fact that the Soviets are moving ahead at flank speed in the development of their merchant fleet capabilities is an ominous sign. It shows the reliance—economically, militarily, and politically—that the Soviet Union places on its maritime capabilities. Contrast this to our failure as a nation to exploit our technological skills and our failure to exploit the edge we held over everyone else at the end of World War II. One would be justified in assuming that the United States sees no economic, military, or political advantage to having a strong merchant fleet—even though history repeatedly has demonstrated that a nation can neither be strong nor free unless it is a maritime nation.

Someday, Mr. Speaker, we may substitute action for words, and get on with the job of rebuilding our merchant marine. I trust that that time will not be too far off—or otherwise it might be too late to try to rescue our sinking merchant fleet.

THE NATIONAL CHILD ABUSE ACT OF 1969

HON. MARIO BIAGGI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 22, 1969

Mr. BIAGGI. Mr. Speaker, there are few realities in life more repugnant to consider than the abuse of a child by his own parents. Yet the social monster of child abuse can be found today among people of every educational, religious, socioeconomic, and geographical background in America. All 50 States have now enacted laws providing for mandatory reporting of suspected cases of child abuse; but the problem remains formidable. Not only must we provide better protection and rehabilitation for the children who have been mistreated, we must also see to it that their parents receive the professional help they need to accept and perform their normal parental roles.

Despite the steps already taken to prevent abuse of children, there is still a long way to go. The legislation I am introducing today known as the National Child Abuse Act of 1969, would help us cover the distance still remaining. It would provide the framework necessary for State and Federal Governments to coordinate a national attack on this terrible problem. The strength of this legislation comes from several powerful sources.

First of all, it provides that as soon as a case of child abuse is reported to the appropriate police authority, the protective services of the State are automatically brought to bear on the welfare of the child. It also would mean that any doctor, social worker, schoolteacher, or welfare worker who knowingly or willfully neglects to report suspected cases of child abuse, would be guilty of a misdemeanor.

The bill also provides immunity from civil or criminal liability for any person, who, in good faith, makes a report pur-

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suant to this act. These provisions are particularly important because some State laws still single out the medical profession as the only reporting group. My bill not only requires reporting from all groups which have occasion to observe cases of child abuse, but from any individual who makes a report in good faith. The broader provisions of my bill would therefore increase reporting effectiveness many times over.

Some State laws on child abuse have unwittingly created a strong deterrent to medical reporting by allowing a reporting doctor to become enmeshed in extensive litigation. Any reporting doctor, once burned, is likely to be twice shy. By providing legal immunity for any person reporting in good faith, my bill would effectively remove such a deterrent.

Other provisions of this legislation strike out in new directions. In cases where parents who receive welfare payments are found guilty of child abuse, the bill provides for an immediate cutoff of Federal welfare funds. Funds would also be stopped immediately if it is determined that those parents receiving welfare payments are also drug addicts. Welfare funds involved would then be transferred to the person or agency responsible for the care of the child or children involved. Further, in homes where either parent is a known or reported drug addict, there would be mandatory removal of an abused or neglected child.

The bill also requires that the abused child or children be provided specific legal representation, and it allows a child's legal representative to appeal without delay if he is dissatisfied with the judge's decision. In addition to medical examinations, color photos showing injuries received by the child or children would be allowed as evidence. For parents accused of mistreating children, mandatory psychiatric examinations would be required.

The final, and in some respects most important provision would establish a child-identification system by requiring the Federal Government to issue social security numbers to all newborn babies. It would also be mandatory for hospitals and/or doctors to file the social security number of all children who are being treated because of abuse or neglect. Upon enactment, the provisions of this act would be effective immediately.

The hideous spectre of child abuse has assumed many guises throughout history. For centuries the physical maltreatment of children has been justified on grounds which have ranged from expelling evil spirits and pleasing certain gods, to transmitting educational ideas and maintaining discipline. Modern man, however, is repelled by the savagry of these ancient beliefs, and is reluctant to admit that such cruelty could be practiced today. The tragic evidence, however, is to the contrary. Despite existing legislation, more than 9,000 cases of child abuse were reported in 1968. According to a recent report of the New York Medical Society, the neglect and abuse of children is actually increasing. Only 2 weeks ago, Dr. Vincent Fontana, medical director of the New York Foundling Hospital, stated that: "One or two children are killed—actually killed—by their own parents every day in this country." Dr. Fontana has called the shocking increase of child abuse an "epidemic which deserves immediate attention."

Though child abuse is an old human phenomenon, what is new today is the increase and violence in the attacks on infants and young children by their parents or other guardians. Beginning in about 1960, evidence documenting this has been steadily accumulating. In 1961 the American Academy of Pediatrics sponsored a symposium on "The Battered Child" which served to focus the spotlight of national attention. A few months later, the Children's Bureau in the Department of Health, Education, and Welfare drew up a statement of principles and guidelines for State legislation on reporting cases of child abuse. The gruesome toll continued to rise, and in 1964 the American Medical Association stated that parental abuse of children was probably "a more frequent cause of death than such well-recognized diseases as leukemia, cystic fibrosis, and muscular dystrophy."

Today we realize that the term "child abuse" describes many kinds of maltreatment. But whether we say "battered child," or "neglected child," or "abused child," or simply use the word "cruelty," they all add up to the horrible truth that thousands of children in this country are being killed and maimed with calculated finesse. The American Hospital Association has described some of the major causes of infant deaths:

> On record are thousands of cases of "falls." Strangulation followed by passing a pillow against the child's face until death happens frequently. Little ones have been placed on windowsills with the hope that the plunge will be fatal. Bathtubs have long been favorite vehicles for infanticide. Placing babies in ice cold water with a stay in the refrigerator is an effective killer as is boiling water. Sexual assaults are not uncommon. Starvation is resorted to frequently. Children are chained to beds to keep them out of sight.

The unwillingness of normal human beings to face the brutal facts of child abuse is understandable, but it must not be permitted to blunt the force of our concern. The incidence of child abuse is neither isolated nor accidental, but occurs with a terrible regularity.

Congress has both the power and the means to combat this problem. The legislation I am introducing today would permit the final battle to begin. As the noted psychiatrist Robert Coles has observed:

> It is nothing short of a scandal that we allow crushed and terrified parents a continuation of their misery in their own children. Surely here there can be no real disagreement about the need for immediate action. Lives are in the balance.

HONORING ED EDMONDSON

HON. CARL ALBERT

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 22, 1969

Mr. ALBERT. Mr. Speaker, the Muskogee area region of the National Congress of American Indians on May 9, 1969, adopted a resolution honoring our distinguished colleague from Oklahoma (Mr. EDMONDSON). The sentiments expressed by this group, representing many thousands of American Indians, are shared by his colleagues in the Oklahoma congressional delegation and by all who know of ED EDMONDSON's many contributions in behalf of American Indians. Under the unanimous-consent agreement I include the resolution honoring Mr. EDMONDSON:

RESOLUTION

Whereas, Congressman Ed Edmondson of Muskogee, Oklahoma, was elected as Congresman for the Second District of Oklahoma in 1952 for the 83rd Congress, and

Whereas, Congressman Edmondson has continuously rendered outstanding service to the Indian people, and

Whereas, Congressman Edmondson has worked tirelessly and unselfishly to improve the social and economic status of the Indian people.

Now therefore be it resolved that Muskogee Area Region of the National Congress of American Indians goes on record commending Congressman Ed Edmondson for his unexcelled service to the Indian people, not only of his own District of Oklahoma, but for all Indians throughout the entire United States.

Adopted this 9th day of May 1969 at Tahlequah, Oklahoma.

HAMPTON W. ANDERSON,
Regional Vice-President.

Attest.

ELIZABETH SMITH,
Recording Secretary.

THE PRESIDENT'S PROGRAM TO FIGHT HUNGER

HON. MARVIN L. ESCH

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 20, 1969

Mr. ESCH. Mr. Speaker, I want to join with many of my colleagues in commending President Nixon for his strong and effective program to fight hunger. As the President said, "That hunger and malnutrition should persist in a land such as ours is embarrassing and intolerable."

Despite our vast material abundance and agricultural wealth, many Americans suffer from malnutrition. It is absolutely unacceptable for us to tolerate this situation any longer. It is unacceptable that young children, through no fault of their own, should be stunted in their physical and mental capabilities because proper food is not available.

The President's recommendations are the culmination of several years of study and debate here in the Congress. Last year many of us called on President Johnson to make major improvements in the food stamp and food distribution programs and introduced legislation to create a Special Commission on Hunger. As a member of the Education and Labor Committee, I was especially concerned about the importance of food programs for the future of our Nation's young. But no support was forthcoming from either President Johnson or Secretary Orville Freeman.

It is gratifying that we now have a President who is concerned and who is

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willing to do more than just talk about solving the problems of our poor.

The major thrust of the President's program will be toward improvement in the food stamp program. Under the program poor families will be provided with enough food stamps to purchase a nutritionally complete diet. The Department of Agriculture estimates this to be $100 per month for a family of four. The cost will be no greater than 30 percent of the income of the recipients and, for the very poorest they will be provided on a free basis. The food stamp program will be expanded into the 440 counties in the country which do not presently have programs.

Concurrently, there will be a special effort to provide nutritionally rich foods for mothers during pregnancy and for infants. Malnutrition during this period can cause irreparable harm to children. Needy pregnant women and mothers of infants will be issued vouchers, redeemable at food and drug stores for infant formulas and other highly nutritious special foods.

The President has taken an enormous stride forward in our efforts to assure equal opportunities for all our citizens. I hope that we in the Congress will promptly provide him with the legislative tools to make his program effective and, at the same time, provide sufficient funding so that it will not be an empty promise.

We simply must no longer tolerate hunger in this the most abundant nation of all.

NEGLECT IS SINKING NATION'S FLEET

HON. THOMAS M. PELLY

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 22, 1969

Mr. PELLY. Mr. Speaker, today our Nation is observing National Maritime Day, yet our merchant fleet is a sad sixth in the world. The state of our fleet and the problems facing this mighty industry have been well documented by Helen Delich Bentley in the Baltimore Sun.

I insert Mrs. Bentley's article from today's edition of the Sun at this point in the RECORD:

AROUND THE WATERFRONT—NEGLECT IS SINKING NATION'S FLEET

(By Helen Delich Bentley)

As National Maritime Day, 1969, is observed today throughout the United States, all facets of the sadly divided, bitterly segmented industry agree on one point—namely, that the U.S. must determine whether its merchant marine is to become an instrument of national policy.

If it is, a course of rehabilitation and revitalization should be followed.

COLD WAR WEAPON

If it is not, then no one should worry any longer whether there are merchant ships on the high seas flying the American flag.

Among the leading nations who use their merchant marines as instruments of their national policy are: the Soviet Union, Japan, Norway and the United Kingdom.

There are many others, but these are the nations one can place at a level with the U.S., nations whose merchant fleets are important to the U.S. in one way or another—either from the standpoint of friendly competition, or as weapons in the cold war.

RUSSIAN POLICY

The Russians have been very blunt in telling the world that they expect to double their present 12,000,000 deadweight tons of merchant shipping by 1980. As they have built up their present tonnage—80 per cent of which is less than ten years old—they have clearly used their merchant ships as instruments in a drive to win over as many nations as they can and to carry out their national policy.

Their small passenger ships are used to transport students from developing countries to Russia to learn, and to bring to them experts and soldiers offering first-hand aid. Their tankers are still built on a small scale so that they can transport Soviet petroleum products directly into the shallow ports of these nations.

The Soviets want more freighters and other cargo carrying vessels so they can increase their own trade, and also to enter more third-flag trade routes in order to earn dollars.

Vikto Bakayev, Minister of Mercantile Marine in the Soviet Union, has stated that his country has taken into consideration the growth of population and the development of world industrial and agricultural production, along with the expansion of trade among the countries of the world. It has reached the conclusion that the scope of international shipping by water will reach 3 to 3½ billion tons by 1980, up from the 2 billion tons in 1968.

JAPANESE POLICY

The Russians intend to have enough ships on hand to more than carry their share of that cargo.

The Japanese have prescribed that their merchant marine should carry 60 per cent of the Japanese exports and 70 per cent of the Japanese imports by 1975. To meet this target, it is planned that 2,050 ships of 29 million gross tons will be built in Japanese shipyards between now and 1975.

The Japanese reached that determination after the Ministry of Transport and the Shipping and Shipbuilding Rationalization Council called upon a specially created industry advisory group, the Shipping Policy Division, to "conduct studies on a policy from the National economic viewpoint for the growth of the Japanese shipping industry."

Among the conclusions reached, according to a Tokyo publication, were the following:

1. It is essential to expand the Japanese merchant marine for improvement of the shipping payments position.

2. It is necessary to work out measures for having access to funds needed for expansion of the Japanese fleet of ocean going ships, and for the training of more seamen.

3. Government subsidies are needed to strengthen the Japanese shipping industry's business standing, and to augment its international competitiveness.

The entire existing Japanese merchant marine is less than 15 years old.

On this Maritime Day, 1969, this is the position of the U.S.:

1. The U.S. today is carrying only about 5 per cent of its foreign commerce on American-flag bottoms. This percentage has been dropping sharply every year—from a high of 57.6 per cent in 1960.

2. The U.S. ranks a weak 11th in merchant ship construction in the world.

3. The average age of the U.S. fleet is 23 years; in another 2 years, more than 2 out of 3 ships in the American fleet will be over 25 years in age and totally uneconomical.

4. The U.S. fleet is plagued with critical inter-union bickering.

5. The U.S. active fleet ranks a weak 6th in status in the world.

DECISIONS ESSENTIAL

If the U.S. determines that the American merchant marine is to be an instrument of its national policy, the nation must be sold on the idea that a healthy maritime industry not only provides major employment opportunities, but also greatly aids the balance of payments opportunities, while assuring the economy a steady flow of world trade, and the country a necessary defense weapon.

One thing for certain on this National Maritime Day is that the U.S. must soon come to grips with the problem of whether it intends to make the merchant marine an instrument of national policy, or whether it intends to turn over all of its maritime commerce to foreign interests and depend solely on them.

MINORITY REPRESENTATION ON SCHOOL BOARDS

HON. ORVAL HANSEN

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 22, 1969

Mr. HANSEN of Idaho. Mr. Speaker, I wish to call to the attention of my colleagues in Congress a discussion paper entitled "Minority Representation on School Boards," by Dr. Howard A. Matthews, director of the Division of Manpower Development and Training of the U.S. Office of Education. Dr. Matthews recently presented his paper during a panel discussion at the annual meeting of the National School Boards Association in Miami, Fla., on April 14, 1969. Its contents were highlighted in the education section of the May issue of Government Executive magazine.

In his presentation, Dr. Matthews points out the need for overhauling the procedures of school boards so that they might be more responsive to the needs of the people the boards are designed to serve. He makes concrete suggestions as to how this can be accomplished by suggesting various methods of involving people from all segments of the community in the administrative processes of school boards. Dr. Matthews' suggestions not only relate to the operation of school boards, but to the functions of similar administrative bodies which require community involvement as a necessary part of their operation.

The text of the paper by Dr. Matthews is as follows:

MINORITY REPRESENTATIONS ON SCHOOL BOARDS

People react to all government in terms of the governmental agency with which they have the most frequent and intimate contact. The public school is that agency for most people. The public reaction to poor administrative practices or procedures of any school board has an erosive effect upon the attitude of the public toward the rapidly proliferating assortment of other local agencies of government, which I shall discuss in a few minutes. This is especially true where the public in general, and minority groups in particular, have little or no real opportunity to participate in making the policies and rules for programs affecting them.

Subsequent to the "poor people's march" on Washington, numerous Federal, State, and local administrative agencies adopted a policy of soliciting minorities to serve on a host of existing or newly created advisory committees. Such committees generally are

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oriented to a specific problem area like new school construction, vocational education, etc. The school board, however, is not bound in any way to accept the recommendations of such committees; hence, meaningful participation in the decision-making process is remote at best by this means.

Prominent leaders representing minority groups at the recent White House Conference on Civil Rights asserted that the problems of the Negro and other minorities in the blighted neighborhoods of large city school districts were attributable in large measure to lack of membership on policymaking boards which run the schools. As a solution, several minority group leaders suggested in press interviews that the composition of school boards be altered by the appointment or election of representatives from the minority groups to the boards.

I am not sure the solution to the problem of participation of minorities in running schools really lies in placing a voting member from each minority group or sub-group in a community on all school boards. In Washington, D.C., if each minority group or faction which results in sub-groups were to have voting representation on the school board, the size of the board would be colossal. In fact, the board would probably have to rent Constitution Hall for meetings just to seat its members.

The real issue, it seems to me, is making the school board policy formulation and rule making procedures such that minorities are actually participants in both the form and substance of the policies and rules. This is not to say, however, that one should operate at the exclusion of the other. Certainly other members of this panel will address the problems of recruitment, election, and/or appointment of board members from the minorities of the community. However, with no change in the current practices of policy formulation and rule making by many administrative boards, or where a board has no written codes, or where a board does its business in executive sessions, such membership will be nothing more than a facade. It is to this aspect of the problem that I will address my remarks.

In 1955 the American Association of School Administrators (AASA) and the National School Boards Association (NSBA) issued a joint publication entitled, "Written Policies for School Boards." The impressive agenda for this conference has several sessions devoted to the subject of written school board policies. When all school boards do this, they will have taken a faltering step toward making possible minority participation in management and operation of the schools.

The AASA and NSBA statement said, among other things, that there should be a clear-cut delineation between school district policy and the rules and regulations which implement school district policy. They are two separate functions. The AASA and NSBA, however, stopped short of saying how the board and the superintendent should go about implementing their recommendations. It is with the implementation of these recommendations that a relevant role for minorities (and for all citizens, for that matter) can be found.

Modern students of school board operations and of administrative law agree with this publication of nearly a decade and a half ago. They argue, however, that the school board should devote its energies solely to establishing a broad framework of written policies within which school administrative personnel can function. This frees the school board from having to consider a specific problem and ruling repeatedly on it. This broad framework of policies guides the superintendent and his staff as they make rules and regulations to give effect to the policies. It also provides an orderly mechanism for minorities and others who deal with the board and its agents.

Policymaking is, and rightly should be, a board responsibility. The responsibility for policy implementing rules is usually the ultimate legal responsibility of the board because a board cannot delegate its power to delegate. However, the authority to develop specific rules and regulations must by the very nature of the technical competence required, fall upon and be delegated to superintendents and other professional staff who are constantly available to the public. The oldtimers who write in school law and in school administration theory, as a general rule, reject this concept of delegation to superintendents and other employees.

Over the years, gallons of ink have been spilled in the professional educational journals on the subject of delegation by "experts" in school law (usually professors of school administration). They have meticulously drawn a heavy line of demarcation between the duties of superintendents and the authority of boards to delegate discretionary functions to superintendents. The usual authority cited for this position is court of record cases dating back nearly a century. Some of these cases were concerned with fact situations, not actually involving the school community, which occurred when the office of superintendent was something analogous to the modern day secretary of the school board.

These traditional school law experts would restrict the superintendent, as an agent and/or employee of the board to purely ministerial functions. They argue that boards are without authority to delegate any discretionary authority to superintendents in establishing policies or in making rules and, in addition to archaic court cases, cite piously in support of their position the time honored doctrine of "constitutional limitation."

According to this doctrine, there is imposed constitutionally (Federal and State) a separation of powers into the trifurcation—legislative, judicial, and executive. The basic manifestation of this separation doctrine is the maxim against delegated power. This means that what the people have vested in a legislative body by State or Federal constitution cannot be delegated to a subordinate body, let alone redelegated to an administrative officer. Therefore, there has grown over the years a considerable body of theoretical support in the school law and school administration community for the notion that boards of education have no authority to allow superintendents or other administrative officers to promulgate rules having the force and effect of law within the broad framework of written school board policy statements. Superintendents who attempt to work in opposition to this concept frequently find it occupationally hazardous.

It is a matter of historical fact that proscription of such delegated power as well as the rigid separation of constitutional powers of which it is an offshoot have simply failed to survive the ravages of time. The delegation of legislative power, though frequently softened by some authors and jurists with the appellative "quasi," is at this time uniformly acknowledged by students of administrative law as proper and, in fact, as a necessary ingredient of modern government. The demands of citizens for local units of government have simply required the doctrine of separation's virtual emasculation from the national and State scenes, pious pronouncements in a few old court opinions, outdated State constitutions, and articles on school law to the contrary notwithstanding.

As one studies recent legislative enactments, Federal and State, he cannot help but be impressed with the declining specificity in the laws which add necessary new services for people and/or new units of local government.

As life continues to become increasingly more complicated, citizens at the local level demand more specialized services to protect them from each other, pollution, ignorance, land use, etc. For the most part, State laws create local units of government of all sorts. State laws usually authorize such units to establish rather narrowly specified programs of services. Generally, Federal interest is expressed through "grants-in-aid" or "purchases of services" legislation which use local units of government as "multipliers" to carry out any Federal interest in such services. Specificity in program implementation is accomplished by local agencies through the rule making process. The net result over the past 20 years has been a fantastic proliferation of overlapping local governmental administrative units with rule making powers.

The most recent census of governments indicates that over 90,000 such local units of government operate among the 50 States. These include general purpose units for cities, counties, boroughs, towns, villages; and, special purpose districts presided over by administrative boards which appoint administrative officers responsive to the board, but not directly responsive to the voters. This latter class of agencies is sometimes referred to as a "headless fourth branch of government." The latter group includes such entities as school districts; water, soil, and conservation districts; urban renewal districts; health districts; water pollution districts; sanitation districts; dog abatement districts; mosquito abatement districts; etc. Almost without exception these entities have taxing authority. Most of these local agencies are presided over by an elected or appointed board or commission which is authorized by law to prescribe ". . . such reasonable rules and regulations not inconsistent with the law as may be necessary. . . ." (I do not remember ever reading an enabling statute authorizing such a new unit of government to make "policies".)

These administrative rules and regulations, having the force and effect of law, control more of the daily activities of the American citizen and occupy more shelf space (those that are written) than do the total statutes at large of the Federal and State governments put together.

Countless such rules and regulations are made daily in all parts of the country by these administrative boards and commissions, often with little regard for the rights, interests, and privileges of the parties affected, and often in "star chamber" executive sessions from which the public is excluded. In legal theory these administrative rules are actually "administrative laws" because, as we have mentioned, they have the full force and effect of a statute.

To illustrate the profusion of local agencies of government, let us examine a single community near Chicago. In it can be found two counties, three townships, a village, four school districts, a sanitary district, a mosquito abatement district, and a tuberculosis sanitarium district. All of these units have differing boundaries. Each was created by a distinct law or set of laws passed by the State legislature, and not one is controlled by any other centralized or coordinating agency of government. Each is managed by one of these administrative boards or commissions whose rules and regulations have the force and effect of law. Each board or its administrator can invoke sanctions that are as valid and binding on minorities, and others, as laws passed by the legislature of the State or the Congress of the United States.

Within the overall Standard Metropolitan Statistical Area of Chicago (a Bureau of Census term for a socially and economically describable area) there were, at last report, six counties, 246 municipalities, 114 township governments, 340 school districts and 354 special districts and the community I described. This intergovernmental complex involves over six million people!

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A recent census analysis shows that more than half a million elected public officials preside over local units of government throughout the country. Over half of these units serve fewer than 1,000 persons. The National Commission on Urban Problems in its report to the Congress and to the President on December 12, 1968, found that most of these local governmental units—particularly those related to large urban areas—were extremely small, geographically. Among other things, the report says that about one-half of the municipalities in the average Standard Metropolitan Statistical Area (SMSA) have less than a single square mile of land area. Probably 60 percent are smaller than two square miles, and four-fifths have a land area less than four square miles (corresponding to a square two miles on each side). Fewer than 200 SMSA municipalities in the United States include as much as 25 square miles of land. The average SMSA central city has more than four overlaying local governments.

On the average, there are about 90 units of government per Standard Metropolitan Statistical Area, and the average resident of any metropolitan area is served by at least four separate local governments, i.e., county, municipality or township; one or more school districts, plus from one to perhaps a dozen separate special districts concerned with rats, sewers, mosquitoes, dogs, pollution of some sort or another, zoning regulations, etc. In addition to differing population size, boundaries, and purpose, seldom do local units follow the same procedures and practices in exercising their rule making powers.

The racial, ethnic, religious, or other characteristics which identify minority groups tend to complicate the problem by creating a geographical dispersion of minority groups called "de facto segregation." A different minority group mix is found as one moves across local jurisdiction boundaries.

Imagine the confusion that exists when citizens attempt to struggle through this administrative agency labyrinth. Suppose that a member or leader of a local minority group wanted to question a rise in his property taxes in terms of the programs of his school or those he thinks are somehow related to the school. With property taxes levied upon him by three to six separate local taxing units, to which should his protest go? On which board (or how many boards) should he serve to solve the problems?

The following are a few of the simple problems which suggest the frustration, possible indecision and delay he might experience. They are typical of situations which simply having a minority member on one local school board (or any other board for that matter) is not going to completely solve:

1. Police protection in or near schools: Might involve one or more different school districts (some people live in as many as three types of school districts, such as high school, elementary, area vocational school) a municipality; or, in suburbia, perhaps also a county or township.

2. The interrelated neighborhood effects of street cleaning and refuse collection; location of schools and/or public playgrounds; placement and maintenance of public housing; locations of health clinics and welfare service centers; etc. Functions generally handled separately or alternately by municipalities; school districts; special districts for each different type of service; county governments; and/or, one or more combinations of any of these.

3. Health care for school children or the school's relationship to community social welfare and recreation programs. Functions involving school districts; welfare boards; recreation boards; municipal governments; or, perhaps State and federal governmental agencies merely housed locally.

At this time the Congress and various associations of State and local officials are searching for the coordinating mechanism. Until this mechanism can be found to minimize the uncoordinated operation and overlap of local governmental agencies, it seems to me more important to achieve some consistency in the practices followed by these entities in doing the public's business than to attempt to place one or more "minority" representatives on each governing board, council, or commission.

About ten years ago the National Conference of Commissioners on Uniform State Laws suggested one solution. Generally, the Commissioners as well as other authorities in administrative law agreed that to protect the righs, interests, and privileges of all citizens the process of policy development and rule making should at least provide:

1. Notice of the proposed policies and rules, amendments, or repeals, to the public, and particularly to interested parties, or parties likely to be affected.

2. Legislative type hearings to afford individuals an opportunity to be heard, both orally and in writing, on proposed policies and rules, amendments, or repeals.

3. Publication and systematic revision and updating of all policies and rules affecting the public. Policies and rules not published and filed with appropriate officials such as chief State school officers, county recorders, clerks of the court, or others having custody of public documents, would have no force or effect.

4. Delayed effectiveness of a policy or rule, amendment, or repeal to allow adjudicative review and an opportunity for affected parties to challenge proposed policies and rules, amendments, or repeals in a court of competent jurisdiction and stay their becoming operable if substantial and material rights of affected parties would be prejudiced because the administrative process or decisions are (a) arbitrary; (b) outside the powers of the board; (c) accomplished without proper regard for the procedure required in policy setting or rule making; (d) in violation of the law or, (e) unsupported by competent evidence in view of the record.

Local public school boards (and all other administrative boards and commissions) should be required to follow a similar orderly and systematic administrative procedure in policy setting, and their agents in rule making, particularly where the rights and privileges of individuals are concerned. In this way, all persons dealing with rule making bodies would have at minimum a simple consistent pattern they can understand and follow.

Much of the unrest among students, teachers, and others in the school enterprise today results from their lack of meaningful involvement in developing policies, rules, and regulations. Additionally, they resent a multitude of "unwritten rules." Something similar to policy and/or rule making (or is rule making) takes place when a particular course of action is repeatedly followed. An administrative practice or policy, even when unannounced or wholly negative, may have the practical effect of a formal written rule—the "this is the way we do it here" kind of thing. The lack of a formal, well-organized rule making process is bad enough without the frustration that exists as citizens, and particularly those from the disadvantaged community, try to wend their way through a choking underbrush of unwritten rules and regulations.

I am convinced that it is highly unlikely that meaningful involvement of minorities with regard to establishing policies and rules and regulations relating to school integration, curriculum innovation, personnel systems, board-superintendent relationships, teacher and student militancy, etc., will be permanently improved on the current piecemeal pressure point basis. They will only begin to approach solutions when clear-cut administrative procedures are established which boards of education (and other local administrative agencies that I have identified above) must follow in establishing policies or implementing rules that affect the rights, privileges, and interests of citizens, and particularly the parties likely to be affected directly by such policies and/or rules.

There is undoubtedly no more tractless morass in the whole legal bibliography than rules and regulations of the local public administrative boards and agencies.

The problem takes its origin in large measure from the fact that when legislatures have created these various local administrative units in response to the demands of citizens for specialized service of one sort or another, legislatures have not at the same time set forth firm standards by which such agencies exercise their legislative and adjudicative functions. The typical grant of authority to a school board concludes something like this, ". . . and such board is authorized to make such reasonable rules and regulations not inconsistent with the law and with the rules and regulations of the State Board of Education as may be necessary for its own conduct and for the conduct of the school system."

In some States there are statutes (or court decisions) which require a regular monthly meeting of the school board on a specified date. Only at such meeting may the board pay bills, call for bids, open bids, etc.

"X" number of board members must be present to have a voting quorum, etc., but for the most part, few States tell a local administrative school board, public utility district, mosquito district, or any other kind of an administrative board, the process it must follow in developing policies or in making rules and regulations having the force and effect of law. In other words, there are few (if any) standards prescribed by law (except some derived from a few court cases) which boards must follow in exercising these important legislative and adjudicative functions.

In order to bring about improvement in the practices and procedures of boards in the exercise of the rule making powers and to guarantee protection to the rights, privileges, and interests of minorities, serious conideration should be given by all boards of education (and other administrative boards, for that matter) to the following recommendations:

1. Policy statements should be broad and general. There should not be included within the policy statement the rules setting forth the conditions of policy application, related penalties, enforcement, etc. This should be accomplished by rules and regulations issued by the school administrative staff in the manner outlined in the following statements.

2. All policy statements should be in writing and should be codified by subject matter area, and published. The actual wording of board policy statements should be accomplished by the superintendent or other appropriate school administrative staff members with legal assistance from the school attorney and, where feasible, the State education agency. Policy statements should become final and effective only when established according to the administrative procedures outlined in paragraphs 6 through 14.

3. The rules for implementing board policies should be promulgated by the superintendent or other appropriate administrative school officials. Rules should be codified by subcode numbers which identify the policy statements implemented by such rules. Rules should become effective only after they have been reviewed by the school board for consistency with the policy statements they implement.

4. Each school board should have written by-laws or rules of procedure pubished in a special publication and available to the

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school board, school district employers, and the public. Included in the by-laws should be rules governing both formal and informal procedures the board uses in setting policy and its administrators in developing the rules to implement such policies. All such by-laws, or rules of procedure, should also be filed with the chief State school officer and with local public officials such as the county recorder or clerks of the courts who have general custody of public records in the geographical area served by the district. They also should be placed in all school libraries and in the public libraries in the community, and should be free of charge.

5. To assist persons dealing with the school board or its administrative officials who exercise rule making powers, each board should insofar as practical, supplement its by-laws with descriptive statements of the procedures individuals, organizations, or agencies should follow in dealing with the board, or its administrative officials, in proposing policies to the board or implementing rules to the administrative staff. All contact by such parties with the board should be through the superintendent.

6. At least 30 days prior to the final vote and adoption of any proposed board policy statement (or amendment or repeal) which involves the rights, interests, or privileges of employees, pupils or the public, unless otherwise provided by law, each school board through the superintendent should publish or otherwise circulate in the school district notice of the proposed policy (or amendment or repeal) and afford interested parties, or persons likely to be affected by the proposed policy (or amendment or repeal), an opportunity to submit data or views, orally or in writing, concerning the proposed policy (or amendment or repeal). Such interested or affected persons should be afforded an opportunity to be heard informally before the superintendent or other appropriate administrative hearing officer, if a request for such hearing is filed with the superintendent in writing at least 20 days in advance of the effective date of the proposed policy (or amendment or repeal). Affected parties should be afforded a formal hearing before the board only under circumstances outlined in paragraphs 10 and 11 below.

7. The final voting action upon board policy statements, unless otherwise provided by law, should be in an open public meeting and the vote recorded by member.

8. Policy statements should be adopted by the school board only after the rules to implement such policies have been prepared by the superintendent or other appropriate school administrative official and reviewed by the board to insure consistency with board policy.

9. Each policy statement adopted by the school board and implementing rules promulgated by administrative officials should be filed with the public officials named above. Unless otherwise provided by law, policy statements and proposed rules involving the rights, interests, or privileges of employees, students, or the public should take effect not earlier than 30 days following such filing except that emergency policy statements and rules concerning health, safety, and morals may take effect immediately upon filing.

10. Regarding informal hearings, any person likely to be affected by the provisions of a proposed policy statement (or amendment or repeal) who desires to contest the provisions or intent of the proposed statement, and who requests a hearing in writing delivered to the superintendent at least 20 days in advance of the proposed policy statement, should be afforded an opportunity to appear before the superintendent or other hearing official (other than a school board, or member thereof). The superintendent or other hearing official should make a finding of fact and prepare a written report and proposed written statement of decision for the school board. Such report and statement should be delivered to all board members and handed or mailed to the party contesting the proposed policy (or amendment or repeal).

11. Concerning formal hearings, any affected party who desires to contest the report of the superintendent provided in paragraph 10, and/or statement of decision prepared by the superintendent or other hearing official for the board and who so requests in writing 10 days following receipt of such materials from the superintendent, should be afforded a formal hearing before the school board, provided, however, that his written request for such hearing shows how such person will be adversely affected or his rights, interests, or privileges impaired or prejudiced by the proposed policy statement of decision for the board prepared by the superintendent or other hearing officials.

12. The affected party contesting the proposed policy statements (or amendments or repeal) should be notified in writing of the formal hearing date, time, and place and the facts at issue at least 10 days in advance of the formal hearing. At such hearing, the complainant should have the right to legal counsel, to examine witnesses, and to present evidence.

13. The decision rendered by the board should be in writing and stated in full in the board minutes. It also should be delivered or mailed to the complainant within five days following the final action of the board.

14. The superintendent and/or other appropriate school administrative officials responsible for the issuance of rules to implement contested policy statements should defer issuing rules implementing a contested policy statement pending adjudicative action by the school board.

15. Any policy statement (or amendment or repeal) involving rights, interests, or privileges, of employees, students, or the public not adopted in conformity with the procedures enunciated in paragraphs 6 through 14, should be void and of no effect.

16. After the complainant has exhausted the remedies described above or otherwise provided by law, he should be able to seek judicial review of the proposed policy statement or rules and regulations, (or amendment or repeal) by filing an action in a court of competent jurisdiction. The reviewing court should be able, at its discretion, to stay the effectiveness of the policy statement or rules and regulations, (or amendment or repeal) upon such terms as it deems proper. The final action of the court should be either to affirm the decision of the board or reverse or modify the decision if substantial rights of the affected party would be prejudiced because the administrative findings, inferences, or decisions are: (a) arbitrary; (b) outside the powers of the board; (c) accomplished without regard for the administrative procedures required in policy setting or rule making; (d) in violation of the law; or (e) unsupported by competent material and substantial evidence in view of the entire record as submitted.

17. The superintendent of schools or other appropriate school administrative official should cause to be published annually a compilation of new policies, and amendments, or repealed policies resulting from board or court action. Such compilations also should include new or amended implementing rules for such policies as a separate section and should be filed with the officials named in paragraph 4, as well as with all administrative officials of the school district, libraries of the community and the school district, and such other individuals, organizations, or agencies as may request these compilations, which should be free of charge.

18. Policy statements of the school board and implementing rules of its officials should be reviewed and revised at least every three years for the purpose of incorporating the content of the annual compilations described in paragraph 17, above.

19. The traditional curriculum for the preparation of the superintendent of schools and other administrative positions should be drastically overhauled to lessen the emphasis upon "court law," increase the emphasis upon administrative law and update archaic statutes.

20. The position of the superintendent of schools should be strengthened by legislation, if necessary, making him an administrative officer with rule making powers to be exercised in the manner described earlier.

The model administrative procedures process which I have suggested may sound a little unwieldy, especially in a society which ambivalently asks for efficiency, speed, and complicated services all at once. What I have suggested is an interim process. It should be refined and become part of any long-range plan to bring order to expanding local governments which have grown like "Topsy."

Because most of the local units of government are creatures of the State either in response to citizen demands for services, or to obtain demands for services, or to obtain the advantage of funds derived from federal sources, the State should take the initiative to eliminate the small and inefficient units of government, and otherwise bring about some degree of consistency in the way units of local government serve the public. Uniformity should not be an end in itself. The strength of a free society lies not in its uniformity but in its diversity. There can be consistency, however, in the procedures employed by such a society in its perfection and perpetuation.

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THE DETERIORATION OF OUR MARITIME FLEET

HON. WILLIAM D. FORD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 22, 1969

Mr. WILLIAM D. FORD. Mr. Speaker, once again the observance of Maritime Day finds us facing a crisis in terms of our merchant marine capabilities. The deterioration of our fleet has reached the point that we soon may have to consider that the United States no longer has a fleet.

This fact is especially alarming in light of the present state of international affairs, for the importance of sea power, particularly in time of emergency, cannot be underestimated.

It is essential that we have adequate sea transportation resources in times of crisis. But we cannot expect to have a merchant marine capable of reacting to world crises unless we develop that fleet in peacetime.

Yet what are we doing, Mr. Speaker? We have so ignored this fact that today, nearly 95 percent of our trade moves in foreign-flag vessels. And we have no assurance that these vessels—which profit so handsomely from our peacetime trade—would be made available to us in time of crisis. In fact, Mr. Speaker, past history suggests quite the opposite.

Presently, our most formidable rival in world affairs—the Soviet Union—is engaged in a massive merchant marine expansion program. Unless we do something, it is quite apparent that the Russian merchant fleet will easily outrank ours in the next few years.

I feel it is in the national interest for the United States to restore the merchant marine to its proper place among the fleets of the world. This will insure our Nation's security against any future crisis—it will help us improve our balance-of-payments position—and it will add to our domestic economic strength.

I am aware, Mr. Speaker, that there are bills pending in this session of the Congress to achieve the goal of a healthy, balanced merchant marine; in fact, I have the privilege of being a cosponsor of several of the bills in question. It is my urgent hope that we get moving on this legislation, so that our actions in support of our merchant marine more nearly parallel our words of praise for the role this industry plays in war and peace.

JOHN CARDINAL WRIGHT

HON. JAMES G. FULTON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 22, 1969

Mr. FULTON of Pennsylvania. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following:

DIOCESE OF PITTSBURGH,
Pittsburgh, Pa., May 14, 1969.

Hon. JAMES FULTON,
New Federal Building,
Pittsburgh, Pa.

DEAR MR. FULTON: Enclosed please find a copy of a brief biographical sketch of John Cardinal Wright.

Your office had asked for some biographical information that might be used as an introduction in conjunction with the news articles carried in the New York Times. This biography was put together by the Cardinal's office for just such purposes.

I hope this suits your purposes and is of some help.

Many thanks, again, for joining the Cardinal and his party in Rome at the time of his elevation to the College of Cardinals.

Sincerely yours,
REV. DONALD W. WUERL.

[From the New York Times, May 3, 1969]

POPE NAMES WRIGHT, NEW U.S. CARDINAL, TO OVERSEE CLERGY

(By Robert C. Doty)

ROME, May 2.—John Cardinal Wright, Bishop of Pittsburgh, was named today by Pope Paul VI to head the Vatican congregation dealing with the problems of an increasingly turbulent Roman Catholic priesthood.

The 59-year-old prelate becomes prefect of the Congregation of the Clergy, which is responsible for the supervision of the spiritual welfare of priests. He replaces Jean Cardinal Villot, the Frenchman who was named Wednesday as the new Vatican Secretary of State, in effect its Premier and Foreign Minister.

Pope Paul also published today an apostolic constitution consolidating and making definitive the changes in the missal, the Catholic prayer book, that were decreed by the Ecumenical Council Vatican II and further refined by the 1967 meeting of the Synod of Bishops.

A Vatican spokesman, presenting the document, answered a question whether it foreclosed further liturgical experiment by saying that the constitution was "definitive."

The changes in the missal, the first major ones since it was promulgated in 1570, deal mainly with the wording of the liturgy and the celebration of the Eucharist.

The Pope also ended the 1,900-year-old rule that women must cover their heads in church. He did this by not mentioning the practice, an omission that Vatican spokesmen said repealed the rule.

The Boston-born Cardinal Wright is the third United States churchman to reach prefectorial rank in the central administration of the Catholic church. The late Samuel Cardinal Stritch of Chicago was named prefect of the Congregation for the Propagation of the Faith in 1958, but died before assuming the post, and Francis Cardinal Brennan, a Pennsylvanian, was briefly head of the Congregation of the Sacraments before his death in Rome last July.

FOUR WERE ELEVATED

Cardinal Wright was one of four United States prelates elevated to the Sacred College of Cardinals this week.

After his appointment today, Cardinal Wright, in a speech to the clergy of his titular Roman church, Jesus the Divine Master, declared his position to be one of social openness and theological caution.

"In our moment of history," he said, "the history of the church and the history of mankind, a 'liberal' social attitude and 'progressive' spirit are the need of the hour. But these require as an indispensable condition of their health and effectiveness a jealous regard for doctrinal soundness, a commitment to the faith that is unqualified save for human frailty."

Far from being incompatible, he said, theological and doctrinal conservatism and social progressivism were natural allies, "particularly in the crisis of our present culture, our political order, our very civilization."

U.S. PRIESTS IN MOVEMENT

With United States priests contributing a large share of the clerical "contestation" of authority, it is considered here to be appropriate that an American prelate should be charged with responsibility for their spiritual welfare.

Discussing the changes in the missal, one expert said that the over-all effect of the Pope's document was to "promote the whole idea of a simpler, unified approach, a single ceremony involving closely priests and faithful."

Such profound changes as the turning around of altars so that the celebrant priest faces the communicants and the authorization of masses in vernacular tongues instead of Latin have been in effect since the end of the Ecumenical Council in 1965.

Other changes have been the subject of authorized experiment—and sometimes unauthorized, as in jazz masses—pending the final codification published today.

EBULLIENT, INTELLECTUAL PRINCE OF THE CHURCH: JOHN JOSEPH WRIGHT

(By Damon Stetson)

Several years ago John Joseph Wright, the Roman Catholic Bishop of Pittsburgh, was asked how many people he had in his diocese.

"More than two million," he replied, causing a reaction of disbelief in his questioner, who knew that there were not two million Roman Catholics in the Pittsburgh area.

"No," the Bishop agreed, "but there are more than two million souls, and a bishop is not just the bishop of the Catholics."

The stocky, gregarious prelate, who was elevated to the College of Cardinals this week and was named yesterday as prefect, or head, of the Vatican Congregation of the Clergy, demonstrated during his years in Pittsburgh his belief that every person in his diocese had a claim on him. Nearly every aspect of the city's religious, civic and cultural life felt the impact of his intellect and strong personality.

No sectarian shepherd, Cardinal Wright, who is 59 years old, brought a vision to his flock that embraced national Catholic problems, a deep concern about peace and an ecumenical spirit. He has been described as both a theological conservative and a social militant.

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A FOE OF RACE DISCRIMINATION

Last fall he headed the committee drafting a pastoral letter at a meeting of the National Conference of Catholic Bishops in Washington. Some liberal priests were dismayed because the letter supported Pope Paul VI in his reaffirmation of the ban on artificial means of birth control.

On the other hand, the new cardinal has been a leader in campaigns to eliminate job discrimination and to achieve social justice and civil rights for Negroes. In the summer of 1967, he spoke out strongly against the Vietnam war, calling it "a morally dubious mess" and urging the end of the bombing. He was equally vehement in condemning Vietcong "atrocities."

Cardinal Wright has the heavy build and hearty ebullience of a long-distance truck driver that belie the manner and intellect that won him a reputation as one of America's most brilliant prelates. He has always derived pleasure from simply mingling with people and he delights in plunging into a crowd and indulging in small talk. (He speaks fluent Italian and French.)

The oldest of six children, Cardinal Wright was born in the Dorchester section of Boston on July 18, 1909.

Nights and summers he worked as a stock boy at the Hyde Park branch of the Boston Public Library for 25 cents an hour. That job and another in the city room of The Boston Post helped him pay his way through Boston College, where he won more academic and debating honors. The class of 1931 voted him the member who had done the most for the college.

He then entered St. John's Seminary in Brighton, Mass. At the end of a year he was one of the top two in his class and was sent to Rome to finish his studies at the Pontifical Gregorian University.

He was ordained a priest in the chapel of the North American College in Rome on Dec. 8, 1935, and remained to continue his studies at the Gregorian University. In 1939, he received the doctorate in sacred theology after having done voluntary parish work abroad in England, Scotland, and France.

Returning to Massachusetts, he became a professor of philosophy at St. John's Seminary, Brighton, and in 1943 was appointed secretary to the Archbishop of Boston, William Cardinal O'Connell. Named a monsignor in December, 1944, he rose to the rank of domestic prelate in 1946 and was consecrated Titular Bishop of Aegea and Auxiliary Bishop of Boston in 1947. In 1950, Worcester, Mass., became the see city of a new diocese and he was appointed to head it.

When Bishop John F. Dearden, who also became a Cardinal this week, was appointed Archbishop of Detroit in 1958, Cardinal Wright was named as his successor in Pittsburgh and was installed as the eighth Bishop there on March 18, 1959.

While in Pittsburgh, Cardinal Wright formed the Catholic Diocese Commission on Human Relations, initiated the policy of having laymen on the Catholic School Board and got the diocese involved in Project Equality, an interfaith group to promote equal employment.

He also urged greater attendance in Catholic schools by Negro children and initiated the Labor Day Mass, now an annual event.

BIOGRAPHY OF HIS EMINENCE JOHN CARDINAL WRIGHT

Ever since he first began his priestly work in Boston, Cardinal-Designate John J. Wright has been revered by all who have come in contact with him and who have heard him speak. In many of his memorable talks it has been difficult at times not to feel that there was something unconsciously biographical about them. At any rate, the years seem to have proved it to be so for he now is to become a Cardinal.

Perhaps one could find this unconsciously biographical sense in an address he made in Boston just before becoming the first Bishop of Worcester and just nine years before he became the eighth Bishop of Pittsburgh. In that address he described the life and times of Boston's first Catholic Bishop, John Cheverus. He related that Bishop Cheverus was a man of letters, a preacher extraordinary; an ecumenist before the word was even known as it is today; that he was a tireless traveler in ministering to his people; that the distressed and the poor were his continued preoccupation; that he became a beloved figure in his community; and that he was remembered long after he left Boston—and that his Church named Bishop Cheverus a Cardinal.

The same fits Cardinal Wright. The biography of Bishop Cheverus which he related could be the exact description of the life and times of Cardinal Wright. For the nine years Cardinal Wright labored in Worcester and for the last ten years that he has been Bishop of Pittsburgh, he has left his indelible mark on the hearts of all he has served. A man of prodigious activity, his energy has seemed boundless and his wide scope of interests has been all-encompassing. Pope John XXIII found in him the right man in the right place in the preparatory work of Vatican II. Pope Paul VI found in him, too, the right man to continue in a permanent capacity much of the actual work of Vatican II. His influence there was probably greater than that of any other American. In the Council's conduct and ultimate results his hand was very much apparent. Since the days of the Council he has pre-occupied himself with the search for lasting peace among nations—one of his earliest interests—and the ways in which the Church can both serve and save man in a world perilously close to the chaotic. He only recently attended an interim World Conference for Religion and Peace in Istanbul, Turkey, where it was established that a permanent Conference will be held in Kyoto, Japan, in September, 1970.

One of his former students in the seminary, Monsignor Francis J. Lally, in a profile for the Boston *Pilot*, said that it has been Cardinal Wright's style that has set him so much apart over the years. His work has been done impressively, but the manner in which it was done has added to its special quality, for his has been a work of joy because it has rested in faith. Long recognized for his intelligence, his industry and administrative ability and often for his wit, he has made a singular, although often lonely, attempt to interpret to Americans generally the meaning of the Church and its message, in terms that would have contemporaneous comprehensibility. He has met with wit—but always with wisdom—the issues of the day in the pulpit, on the platform, and in the press, focusing upon them the revealing light of the traditional faith and illuminating the options available to the committed Christian. In his more than 20 years as a Bishop, he has offered a leadership in the ancient tradition of the Church Fathers which does not fear to judge the world even while evangelizing it.

The many accomplishments of Cardinal Wright in Boston and Worcester have been repeated in his all-too-short 10 years as Bishop of Pittsburgh and its diocese of 900,000 souls. His work in the ecumenical field has been predominant in that he willingly appeared with Protestant and Jewish programs very frequently. He established the Labor Day Mass at St. Paul's Cathedral and it has become an annual feature now held in the Civic Arena because of the vast crowds that attend. He established the Diocesan Ecumenical Council in 1964 and also introduced the Institute of the Person and the Common Good in Western Pennsylvania in cooperation with the Council of Churches and Jewish organizations of the area. The crowning point to most was the Cardinal's dialogue sermon with Bishop Nichols of the Methodist Church during the 1969 Prayer Service for Christian Unity. His work in Project Equality for Western Pennsylvania is well known. He has been active day and night in all human relations efforts and in all civic and humanitarian programs, particularly those for children, the poor and the babies of unwed mothers.

These works have extended even beyond Pittsburgh—to the extreme poor of Chimbote, Peru, where today Pittsburgh has a contingent of priests and nuns assigned to work in the mission that is closest to the Cardinal's heart. The fruits of their accomplishments take bud in the same zeal at work in Pittsburgh where dozens of parish groups, the Diocesan Council of Catholic Women and a special active group of active laymen called the Chimbote Founders, stand behind the missionaries with material and moral support. Cardinal Wright has made four personal visits to Chimbote since 1962.

During his tenure in Pittsburgh Cardinal Wright has ordained 152 seminarians to the priesthood, established 21 new parishes and merged three others to give the diocese of six counties 319 parishes and 26 missions in all. His work in the field of education, too, has brought him commendation from Catholic and public educators throughout the country. He has established 25 new elementary and 10 new secondary schools. He also established St. Paul's Seminary in Crafton, founded the Pittsburgh Oratory and established the Lay Volunteer Apostolate; converted McGuire Memorial Nursing Home at New Brighton to a facility for retarded children from birth to seven years of age.

From the time of Cardinal Wright's student days in the Eternal City to these last few years centering around Vatican II, he has never been more at home than when he walked Roman streets, prayed in Roman churches and lived under Roman skies.

He is first and foremost Boston, although not of the "proper" Bostonians as the Cabots and the Lowells, but the bright, confident and immensely practical Irish-Catholic Bostonians who have left their mark on the city.

He also is a son of Paris, but not the Paris of today, as the Greensburg *Accent* noted; rather, the 17th Century Paris with its great theologians and preachers—the Paris of Bossuet, Bourdaloue and others, the capital that still echoed the faith of the people of the little villages such as Domremy and Chinon, of which city on the Loire the new Cardinal is an honorary citizen (as was Rabelais!).

Above all, Cardinal Wright is a son of Rome where he was mostly formed; Rome, which he identifies with civilization. In Rome and what it stands for he sees abiding values, rising phoenix-like above depredations of barbarians, new and old. He is a son of Rome that produced such Cardinal-theologians as Bellarmine, Franzelin and others.

If it be true that Cardinal Wright now goes to Rome to serve, Pittsburgh and Western Pennsylvania will have lost a Bishop and Worcester and Boston a friend. But the Church throughout the world will have gained a leader.

QUESTIONNAIRE RESULTS, 1969

HON. JOHN M. ZWACH

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 22, 1969

Mr. ZWACH. Mr. Speaker, I have recently tabulated the returns from my 1969 congressional questionnaire which was sent to all boxholders in the Minnesota Sixth Congressional District.

I found the answers to these questions very interesting and most helpful to me.

Because I think my colleagues, too, will find this tabulation both interesting and helpful, with your permission, I hereby insert the tabulations of results in this CONGRESSIONAL RECORD:

ZWACH 1969 QUESTIONNAIRE RESULTS, SIXTH DISTRICT, MINNESOTA, MAY 22, 1969

[Answers in percent]

1. Do you believe social security and veteran's benefits should be increased to keep pace with the cost of living?

Yes	76
No	19

2. Do you favor expulsion of students who violently disrupt the academic life of colleges and universities?

Yes	93
No	5

3. Do you favor lowering the voting age from 21?

Yes	31
No	64

4. Do you favor returning to the States and local governments, a percentage of the money now collected in Federal income taxes?

Yes	81
No	12

5. Do you approve the President's order to take politics out of the Post Office?

Yes	90
No	6

6. Should the Federal Government provide programs of incentives and aid to help create jobs in the countryside?

Yes	64
No	27

7. Do you believe economic equality for agricultural producers can best be established by—

Maintaining present price support policies?	22
Returning to free market operations?	26
Providing increased bargaining power for farmers?	39
Long-term retirement of crop acres?	13

8. Do you favor placing a limit on farm crop diversion payments?

Yes	75
No	11

9. Do you favor increased Federal aid to private and parochial schools?

Yes	38
No	55

10. Do you believe the Voyageurs' National Park would be an economic asset to Minnesota?

Yes	62
No	24

11. Do you believe the U.S. Post Office Department should have the authority to declare printed matter obscene, thus nonmailable?

Yes	74
No	19

12. Do you believe the 10 percent surtax should be—

Continued until inflation is under control?	53
Removed this year under any circumstances?	37

13. In regard to the electoral college, would you—

Keep present system?	11
Abolish it and elect the President by direct popular vote?	69
Apportion the electoral vote of each State on the basis of each candidate's vote in that State?	14
Award electoral votes by congressional districts?	6

14. Which selective service proposal do you favor—

Continuing the present system?	28
A draft lottery at age 18?	26
A volunteer career military service?	43

15. Do you favor the appointment of Federal judges for a definite term of years, subject to reappointment?

Yes	76
No	14

16. Do you believe legislation is needed to properly protect automobile insurance policy holders?

Yes	80
No	11

17. Do you feel the President is exercising good leadership in his efforts to reduce world tensions?

Yes	71
No	13

18. Considered the greatest problems facing our Nation today were, in order: Vietnam, Inflation, Law & Order, Student Unrest, and Low Rural Income.

PRESIDENT NIXON SHOULD HOLD ASSAULT ON JOB CORPS

HON. WILLIAM (BILL) CLAY

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 22, 1969

Mr. CLAY. Mr. Speaker, when the Nixon administration first leaked its intent to smear those Job Corps centers scheduled for closing, I issued my challenge for the President to reveal his information rather than just hint at the shocking extent of scandal in an effort to frighten off persons interested in saving the program. The matter of scandal in the Job Corps was handled in the same "if you only knew what we knew" strategy being perpetrated by this administration.

I call to the attention of my colleagues the excellent comment of Columnist Carl T. Rowan who addressed himself to the subject of the Nixon assault on the Job Corps. The column appeared in the May 18 Sunday Washington Star.

The column follows:

PRESIDENT NIXON SHOULD HALT ASSAULT ON JOB CORPS

(By Carl T. Rowan)

It surely reflects no credit on the Nixon administration that it has begun to leak "horror" stories to the press to justify closing 59 Job Corps centers.

But, just as many Job Corps supporters expected, the governmental hatchet artists have leaked "secret" reports of rape, narcotics use, homosexuality, larceny, and theft by Job Corps trainees. The obvious ploy is to build up enough resentment among "decent" Americans to force silence on the part of Congressmen who are trying to convince President Nixon to leave the centers open.

Now what about the "secret" reports that are so full of horror stories?

As director of the Office of Economic Opportunity, Sargent Shriver was acutely aware that Job Corps trainees had not been recruited directly from Sunday school. Many of these youngsters were from the toughest ghetto areas where violence, theft, sexual assault are not exactly a rarity. Knowing that some serious misbehavior was inevitable, Shriver set up inspection teams to uncover it immediately so that the Job Corps and OEO could take necessary corrective actions.

This is the information that Labor Department officials were referring to in what Rep. Carl D. Perkins, D.-Ky., called "the lowest-down press release I ever saw in my life."

Labor Department officials have subsequently disavowed the leak, no doubt because instead of producing a sanctimonious cry of outrage against the Job Corps it produced angry indignation on the part of people who consider the "rape-homosexuality" ploy a shabby way to buttress a bad decision.

The National Council of Catholic Women, Church Women United, the National Council of Negro Women, and the National Council of Jewish Women issued a statement saying that "circulation of such stories is an immoral tactic which blatantly damages the reputation of every young woman who ever attended the Job Corps." They commended "the courage and compassion of those Senators who have introduced a resolution to prevent the mass shutdown of Job Corps centers."

Even the National Police Conference on Police Athletic League and Youth Activities, hardly a "bleeding liberal" organization, jumped into the fray with both feet.

Capt. Harry Untereiner, executive director of the group, referred to 200 boys enrolled in a police training school at the Camp Kilmer, N.J., Job Corps center. He said not one of the "horror" incidents described in the Labor Department leak had occurred at this school.

He said the Police Athletic League has dealt with socially deprived and economically depressed boys and girls for over 25 years and it knows that early misbehavior stems from their social environment.

Noting that "Job Corps was not formed . . . to train the upper middle class, the wealthy or rich," Untereiner said that, nonetheless, "if we look at the suburban areas of our metropolitan centers, we will find there is more drug addiction, homosexuality, and other sex offenses committed proportionately in those areas than there is on or near Job Corps centers."

At the Kilmer center in 1967 there were no rape cases; the FBI reported 5,306 rapes among 16 to 21-year-olds in the nation as a whole. There were 22 narcotics violations at Kilmer as against 48,806 in the same age group as a whole. There were 71 assault cases among the 2,100 Kilmer trainees and 25,875 in the general 16-21 population. There were 65 cases of larceny-theft at Kilmer and 142,995 in the broader population, estimated at 20,640,300 in the 16-21 category.

While the Administration fumbles for ways to defend its decision, thousands of youths are drifting back to areas where they are really likely to produce some horror stories. Secretary of Labor George P. Shultz has said only 800 youngsters have dropped out since the announcement that 59 centers would be closed. An OEO source says 4,500 have dropped out.

Shultz says 1,400 Job Corps enrollees have been placed in other manpower programs. Telegrams going to Perkins's office say it isn't so and isn't likely to be so because many of the youngsters cannot qualify for other manpower programs.

All this disruption comes just when the Job Corps was making inroads with the craft unions, long an impregnable barrier to the entry of newcomers, Negroes especially, into various trades. The Brotherhood of Painters, Decorators & Paperhangers of America has entered contracts with 38 centers, guaranteeing apprenticeships for Job Corps trainees. Similar pacts had been made with the AFL-CIO Marine Cooks and Stewards Union, the

United Brotherhood of Carpenters and Joiners of America, the International Union of Operating Engineers, and the Kentucky State Building Trades Council.

In the name of economy, or puritanism, or something, someone has sold President Nixon a very bad bill of goods. He ought to renounce it immediately.

TRIBUTE TO THE STEUBEN SOCIETY

HON. SEYMOUR HALPERN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 22, 1969

Mr. HALPERN. Mr. Speaker, the Steuben Society of America, celebrating its 50th anniversary, has a long and proud history of service to our Nation. Composed of Americans of German descent, it was formed on principles emulating those of Gen. Freidrich Wilhelm von Steuben, for whom the society is named.

The organization was formed in 1919 for the purpose of promoting everything that is good in German character and culture, and that might accrue to the benefit and welfare of the whole American Nation. Its basic principles are on the highest level of loyalty, patriotism, and devotion to the American Nation. Its creed perhaps best illustrates the principle to which this organization has been devoted:

> One country—A country so fair, tolerant and just that all who live in it, may love it.
>
> One flag—An American flag for American purposes only.
>
> One language—The language of truth spoken in any tongue in which one chooses to speak it.

The aims and purposes of this society are on the highest plane of patriotism, of devotion, and of service to America. They stand for the aid and support of the American Constitution, for aid in defending the independence and sovereignty of the United States, for urging its members to participate in all phases of national life, for offering guidance to its members in making them better citizens.

The society has adopted the name of General von Steuben in continuation of the principles and ideals of this great general. Often referred to as "maker of the American Army" General von Steuben was a Revolutionary War hero who became Inspection General of the American Continental Army.

General von Steuben was born and educated in Germany and served in the forces of King Frederick the Great of Prussia. Recruited by Benjamin Franklin in Paris, he traveled to the American colony in 1778, and immediately joined George Washington at Valley Forge. There he undertook the training of the American forces, and prepared the "Regulations for the Order and Discipline of the Troops of the United States," which became the handbook of the Continental Army.

The year before his honorable discharge from the Army in 1784, he was made an American citizen by the Pennsylvania Legislature. Through his influence in converting the American Army into an effective and highly disciplined military force, he was an indispensible figure in the achievement of American independence. Because of his dedication to America and to the principles of liberty, the German-American society adopted his name, and, during a half century of loyalty, patriotism, and love for the United States, it has brought additional honor to this great man's memory.

DOUGLAS TAX FRAUD

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 22, 1969

Mr. RARICK. Mr. Speaker, Justice Bill Douglas' involvement with tax-exempt foundations and the Center for the Study of Democratic Institutions finds his tax-free income source jeopardized by tax deficiencies and fraud penalties. "Good behavior" can hardly be construed to include this.

There is only one solution for Mr. Justice Douglas—follow the example of his brother, Fortas, and resign.

When a Supreme Court Justice has disgraced the Court, why should he insist on such formalities as impeachment?

I include in the RECORD a news clipping from the Washington Daily News:

[From the Washington Daily News, May 22, 1969]

FOUNDATION'S HOTEL: DOUGLAS LINKED TO TAX ACTION

(By Dan Thomasson)

The Nixon Administration has initiated a $4.2 million claim for tax deficiencies and fraud penalties against a Las Vegas hotel-casino whose earnings in part have supported the tax-exempt Albert Parvin Foundation headed by Supreme Court Justice William O. Douglas.

The Government claims the Fremont Hotel Corp. owes most of the extra money because it skimmed off part of its crap table earnings before reporting them to the IRS.

The Fremont is owned by the Parvin-Dohrmann Co., whose stock until recently made up a portion of the Parvin Foundation's portfolio. The foundation recently announced it had sold its Parvin-Dohrmann stock. The foundation also has derived income from an interest in the Flamingo Hotel, another Las Vegas gambling establishment.

THREE-YEAR PERIOD

The Internal Revenue Service claim against the Fremont is for the years 1962, 1963 and 1964—before it was acquired by Parvin-Dohrmann. It was filed on March 7 and states that for those years the casino failed to report more than $5.3 million from its gambling operations.

"It is determined that the omitted income is the result of an underestimate of gross income from crops," the Government claim states. (Such alleged withholding of part of the profits of gambling is known as "skimming.")

In addition, IRS contends that several tax deductions, including those for real estate depreciation and interest, should be disallowed. At one point, the IRS states, deductions claimed by Fremont Hotel Corp. for interest actually were distributions to stockholders.

The Fremont's attorneys, however, have contested the deficiency and penalty claims on grounds they are inaccurate and that the company's books are correct. They have filed a petition for determination in U.S. Tax Court here.

The IRS civil action against the Fremont follows a Federal criminal charge of income tax evasion thru "skimming" against Edward Levinson, a former Fremont owner who was retained as an executive of the hotel when it was bought by the Parvin-Dohrmann Co. in 1966.

Levinson, who had been a business partner of Robert G. (Bobby) Baker, former secretary to the Senate Democrats, in a corporation once represented by resigned Supreme Court Justice Abe Fortas, entered a no contest plea in Federal court in Las Vegas to charges of having helped file a false tax return. Levinson was fined $5,000 March 28, 1967.

The Government then moved to dismiss other charges against Levinson and against five others, three of whom were former employe-stockholders of the Fremont.

SUIT DROPPED

Two days later Levinson dropped his $2 million invasion-of-privacy suit, filed three years earlier against four FBI agents whom he had accused of electronic bugging of his hotel office. The Justice Department admitted having installed the electronic device which had picked up conversations between Baker and Levinson in 1962. The bugging incident has been used by Baker to support claims he was the victim of massive Federal eavesdropping in his present appeal from convictions handed down in 1967.

The mild penalty given Levinson and his decision thereafter to drop the suit against the FBI brought immediate charges in Congress of a deal.

But Mitchell Rogovin, then assistant attorney general in charge of the tax division, denied any deal had been made with Levinson. Mr. Rogovin since has gone into private practice with Mr. Fortas' old law firm, Arnold and Porter.

LEAGUE OF WOMEN VOTERS PROTESTS JOB CORPS CLOSING

HON. ED EDMONDSON

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 22, 1969

Mr. EDMONDSON. Mr. Speaker, the League of Women Voters of Bartlesville, Okla., has joined the growing number of individuals and groups who believe 59 of our Job Corps centers should not be closed.

Mrs. Walter Cox, president of the league in Bartlesville has written me to express the league's position, and some very good points are made. I would like to have this statement by the League of Women Voters of Bartlesville appear in the RECORD, and I would particularly like to call attention to the league's concern that provisions be made for all enrollees if the centers are to be closed.

The letter follows:

LEAGUE OF WOMEN
VOTERS OF BARTLESVILLE,
Bartlesville, Okla., May 16, 1969.

Re opposition to abrupt closing of Job Corps centers.

Hon. ED EDMONDSON,
House Office Building,
Washington, D.C.

DEAR MR. EDMONDSON: The League of Women Voters of Bartlesville opposes the abrupt

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closing of 59 Job Corps Centers on July 1. We are aware that these centers have been experimental but have supported them as a means to try to provide equal opportunity for education and employment to the disadvantaged. It seems unrealistic to assume that adequate replacement facilities could be set up by July 1. We feel that it is important that the training programs which have been started be continued and that all enrollees have a place to go when the present centers are closed.

We know that you have opposed closing of the two centers in Oklahoma. Your concern for this program and the other anti-poverty measures has the support of the Bartlesville League.

Very truly yours,
Mrs. WALTER COX,
President, Bartlesville League of Women Voters.

SERIOUS GAPS IN OUR EDUCATIONAL GOALS

HON. BERTRAM L. PODELL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 22, 1969

Mr. PODELL. Mr. Speaker, in spite of the great lipservice that is being paid to educational goals on all levels, the squeeze grows tighter in the educational field. There must be a greater understanding on all levels of the problems involved. Recently, I touched upon some of these matters in an address to the Student Financial Aid Administrators of the State and City Universities of New York.

The text of my address follows:

SERIOUS GAPS IN OUR EDUCATIONAL GOALS

(Address of Hon. BERTRAM L. PODELL, before the Student Financial Aid Administrators of the State and City Universities of New York, State University Conference Center, Oyster Bay, L.I., New York, May 16, 1969)

Ladies and gentlemen, I am very happy to be with you this morning. And I am particularly pleased to be addressing an audience which shares so deeply with me the interest and involvement in higher education as you do. Never have the problems of our colleges and universities been more critical than they are today. Enrollments have increased by nearly 4 million students in the past decade. Today some 7.5 million students are attending our colleges and universities and more than 700,000 of these students are here in New York. The expression "college squeeze" can now be taken literally.

But the rapid increase in numbers is only one aspect of higher education's growth. The functions and the activities of the colleges have greatly expanded. We expect our colleges and universities not only to train the professionals needed in government, industry, education, science and medicine, but we expect them to invest greater energy in public service functions, to concentrate more of their resources on the solution of many of our social problems. We also expect them to conduct research in nearly every possible area, especially those areas considered to be of national interest.

As you know, this expansion of higher education in terms of both quantity and quality has been expensive. Inflation has aggravated the problem. And it is likely that higher education costs per student will continue to rise. It is true that tuitions have been raised at a startling rate. But it is also true that income from tuition and fees is paying for a smaller and smaller percentage of overall college costs. I think that it has become apparent that institutions can not realistically look to this source of income to meet their costs. As one college president put it, mounting tuition costs are "pricing us out of the market . . . we are reaching a point of diminishing returns." The effect is, of course, that of putting college beyond the reach of a larger and larger segment of our college-age population.

The institutions rightfully look to the State governments and to the Federal government for greater levels of support. The States are making an impressive effort. In 1968–69 the States appropriated some $4.5 billion for colleges and universities. This is nearly a 40% increase over 2 years ago and a 224% increase over an 8 year period. New York kept pace with a 37% increase over 1966–67 expenditures.

There are, of course, the private sources of support and it has not been proven that these have been tapped to their fullest. Corporate philanthropy currently represents a small percentage of institutional income. Apparently alumni, and presumably those in corporate positions as well, are fairly ignorant of the financial situation of our institutions of higher learning.

A special study conducted by the council for financial aid revealed that "82 percent of persons in managerial positions or the professions do not consider American business to be an important source of gift support for colleges and universities. 59 percent of persons with incomes of $10,000 or over do not think higher education has financial problems. 52 percent of college graduates apparently are not aware that their alma mater has financial problems." This is certainly a discouraging revelation but I think it gives the institutions an indication of a serious communications gap which needs to be corrected.

Some publicity has been given to the opportunities some institutions have to increase their endowment income substantially through bolder investment policies. Attention has also been given to the effectiveness of successfully employing stricter management practices in higher education administration. There probably is room for improvement in both of these areas, but neither is going to provide the broad base of support which our institutions are going to require.

It is not surprising that the Congress recognized some time ago that the Federal Government had the responsibility to assist substantially in the financial support of colleges and universities to assure the Nation with an increasing supply of highly educated manpower resources. Through the assistance provided under the Morrill Acts and related legislation the State universities and land grant colleges developed into some of the most outstanding institutions in the world. Under the Higher Education Facilities Act of 1963 grants and loans were made available for the construction of graduate and undergraduate academic facilities.

But I believe that colleges and universities and the respective higher education associations made their strongest case and elicited the broadest support in 1965, with the passage of the Higher Education Act. It is, to be sure, something of a piecemeal approach but it attacks some of higher education's most pressing problems. It also demonstrates to an unprecedented degree the realization that higher education constitutes a precious national resource essential not only to the achievement of our national goals but also to the achievement of the personal aspirations of our individual citizens.

The purpose of this legislation as set forth in the law is "to provide financial assistance for students in post-secondary and higher education." It is the latter part of this statement which I would like to examine, the provision of financial assistance for post-secondary and higher education. The student assistance programs of title IV of the higher education act are not the first, although I do think they reflect a new direction.

For 10 years graduate and undergraduate students have been taking advantage of NDEA loans. Graduate students have also had the availability of NDEA fellowships. The purpose of both of these programs was to make higher education and post-baccalaureate education available to a greater number of young people. But I've always had the impression that it was the need, underscored by the Russian sputnik success, for the more college trained people and better elementary and secondary teachers which was the primary reason for which these programs were enacted.

The tone of the discussion on broadening the access to higher education seems to have changed during the 60's. It seemed to become more generally accepted that equality of opportunity was impossible without equality of educational opportunity, that equality of educational opportunity does not truly exist when it depends on family income.

Russell Thackery, the executive secretary-treasurer of the association of State universities and land-grant colleges used these words:

"What I hold as an article of educational faith, of faith in democracy, of faith in this country, is that we ought to provide the maximum degree of equality of opportunity. No man or group of men is wise enough to judge the heights to which an individual may rise, the contributions he or she may make, if given the chance . . . the men and women of a century ago, in a country torn by internal dissension to the point that its existence was threatened; bankrupt and dependent on printing press money, had the courage to give away vast areas of the public domain in the faith that education of young people was a better investment by far than the hope that a huge land speculation might some time balance the budget. I hope and believe that we have the same courage and faith to meet the opportunity of the 1960's."

Presidents Kennedy and Johnson lent the weight of their support to the movement to expand educational opportunity and made numerous recommendations to the Congress some of which have subsequently been enacted into law. The major programs, of course, were included under title IV of the Higher Education Act. The work-study program, initiated by the Economic Opportunity Act of 1964, was expanded by the law and transferred to the U.S. Office of Education. A new program of insured loans was introduced as well as a program of educational opportunity grants. I think that there is a certain validity to this "package" approach which you would certainly be able to verify. But it seems to me that the availability of several different forms of student assistance gives greater flexibility in meeting the individual financial needs of the students.

There have been many legitimate questions asked about the effectiveness and operation of our present programs of student assistance, I have heard people ask, for example, about the NDEA student loans. I, personally have heard little but praise for this program. It appears to me to be highly successful. By fiscal year 1968 over 400,000 students were receiving student loans. And a study of Federal student loan programs last year, conducted by the college entrance examination board, indicated clearly that the NDEA loans are being utilized by students from the lower income groups as was intended. In 1966 over half of the student borrowers came from families with incomes of less than $6,000 a year.

Regarding the teacher "forgiveness" provisions of the program it appears to be a fairly popular aspect of the program. There have been some recommendations that the cancellation provision be eliminated and others that it be expanded. The 1968 amendments leave existing law unaffected except

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that while the NDEA loan program was extended for 3 years, the loan forgiveness feature was only extended for 2. Until more effective means are developed to encourage the entrance of qualified students into the teaching profession I would strongly urge the retention of the loan forgiveness provision. However, over the long haul I am convinced that educational excellence will not be achieved until we are able to pay teachers the high level salaries their professional services require.

Another aspect of student assistance programs which was discussed in regard to the higher education amendments of 1968 and which I imagine is of no little concern to you is the allotment formulas for these programs. The distribution of educational opportunity grant and NDEA student loan funds is based on the number of full-time college students enrolled in the State. One-third of work-study funds are also allotted on this basis. I am pleased to report New York has not done badly under this system. In fiscal year 1968 under the educational opportunity grant program more institutions in New York received more money to assist more students than any other State in the country. 147 of our schools received allocations of nearly $11 million and aided nearly 21,000 students, as compared with 121 institutions in California which received $8.2 million to aid 16,000 students.

That the use of a State's full-time enrollment as a basis for the distribution of student aid funds is not the only or necessarily the best formula as suggested by some of the proposed higher education amendments in 1968. The House version of the higher education amendments would have changed the present State allotment formula to an allotment based on institution requests. It seems to me that so doing would help to eliminate the disparity which exists between the amounts institutions are requesting and the amounts they are actually receiving. Under existing law when allotted funds are insufficient to meet all approved institutional requests, institutions in some States receive a greater proportion of their approved requests than institutions in other States. How successfully a distribution of funds on an institutional request basis would have worked is a moot question because the proposal did not survive the House-Senate conference on the bill.

A House amendment which did survive the 1968 conference and one which must simplify many lives is the new institutional matching requirement. The '68 amendments consolidate the maintenance-of-effort provisions of the College Work-Study and the Educational Opportunity Grant programs. Previously each program had separate provisions governing maintenance-of-effort requirements. Effective July 1, 1969 an institution participating in these 2 programs need only provide assurance that it will continue to spend in its scholarship and student assistance programs not less than the average annual expenditure for such purposes during the most recent 3 year period prior to the date of agreement.

I am pleased that colleagues like myself exhibited forceful enough strength so that the 1968 amendments also took action on a problem which has plagued all of our educational institutions for years—the uncertainty as to when and how much Federal funds would be available to them under the various education programs. The 1967 Elementary and Secondary Education Act amendments authorized advance funding of ESEA programs and on an academic year basis. The '68 higher education amendments provide for one-year advance funding for all programs under the Higher Education Act, the National Defense Education Act and the Higher Education Facilities Act. They also provide that appropriated funds be made available for expenditure by the institution on a school year rather than a fiscal year basis. Of course in order to make advance funding accomplish its purpose, Congress is going to have to make 2 appropriations in one year. That should take place this year for all education programs. Unfortunately, it is proposed by the administration in only one major program for 1971.[*]

One problem relating to the funding of education programs generally, including the student aid programs, is the authorization *versus* appropriation problem. When Congress authorizes funds for a given year and for succeeding years an effort is made to indicate the extent of educational needs. It is disappointing to me that the appropriations never seem to approach the sums indicated as the level of need in the authorizing legislation.

Now the President has offered a budget for the fiscal year beginning this July 1st which takes a step backward. I am very disappointed that we are asked to maintain last year's level of funding of student aid programs. The time is not for maintenance but for desperately needed expansion and extension of educational opportunity as a national goal.

The budget cuts are especially disappointing to those of us in Congress who have worked hard for expanded educational opportunity. In March of this year I introduced a measure, H.R. 9626, later refined by H.R. 11275 to help lower the financial barriers which prevent many capable and deserving students from pursuing their educations. My bill would amend the Higher Education Act to double the maximum amount of an educational opportunity grant from $1,000 to $2,000 and would reduce the minimum grant to $100 a year. In terms of rising tuition costs and the limited financial capability of low-income students I believe that this expansion is of absolute necessity.

In regard for my concern in the serious gaps that exist for student assistance I have introduced legislation paralleling that introduced by Senator Mondale in the Senate.

This bill would among other things add to title IV of the Higher Education Act a new program of student opportunity grants. As I propose it this program would differ from the educational opportunity grants in a number of ways. The maximum student opportunity grant would be $1,500 as opposed to the maximum educational opportunity grant of $1,000. Also it would be for part-time as well as full-time study at not only the undergraduate level but also at the post-secondary vocational, and the graduate and professional levels. In addition, the new program would not require the 50–50 matching of Federal funds which the educational opportunity grant program does. However, the new program would provide cost-of-education allowances to the institutions which enroll student opportunity grantees. This is intended to alleviate somewhat the need of the institution to increase tuition charges.

It would further establish a higher education loan bank as a private nonprofit corporation whose purpose would be to provide loans guaranteed by the Federal Government for post-secondary vocational, undergraduate, graduate, and professional study. The bank would make loans directly to the students, unlike the NDEA and guaranteed loan programs. At present it is difficult for students to obtain guaranteed loans from banks and other lenders. Students under this program would have 30 years to repay the higher education loans.

There is one last point I would like to mention briefly and it concerns the current student unrest which is plaguing so many of our colleges. I believe that it is very easy to overreact to the tactics and violence of these outbursts and be so indignant that we fail to investigate with a clear head the underlying causes for such outbreaks. I hate the classifications of "hard-liner" and "soft-liner" because I firmly believe that there is no room within the academic community for violence or the destruction of property or the denial of the rights of others to continue their educations. I do believe that students who place themselves outside of the academic community through the use of such tactics are subject to appropriate discipline and I believe that such discipline must be determined and administered by the institution, or where appropriate, the local law enforcement agencies.

I hate to see the Federal Government intrude into the internal workings of the university to punish students or local misdemeanants. I rather align myself with the remarks of President Nathan M. Pusey of Harvard that if there is an answer to prevent disorders "the answer to this has to come from within the university community itself . . . I think it has to come from the students and faculty primarily and it will come only as these groups, themselves, come to see that this kind of disrupting activity is something that can't be tolerated. . . ." To add to Pusey's wisdom I would say that I conceive a resolution of the student unrest issue in the actions and behavior of the 97% of the student body who will and are cooperating in the academic thrust of institutional life. I really do not see that the withholding of Federal student assistance will prevent future disorders.

You, as professionals in direct contact with student and faculty efforts are, of course, indispensable if order is to be achieved. And I applaud what I have perceived of your dedication. Within the university we have always encouraged the frank expression of views and cherished freedom of speech and opinion. I am confident that order will be restored to the academic community without sacrificing educational opportunity.

MASONIC DAY—A MOMENTOUS OCCASION

HON. JOHN M. MURPHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 22, 1969

Mr. MURPHY of New York. Mr. Speaker, on a stormy day, April 19, 1969, at Richmondtown, Staten Island, I was privileged to be the principal speaker at an otherwise colorful pageant held by several thousand Masons. The historic conclave marked the dedication of the Richmond Masonic Museum and Masonic Library which will be a cultural, educational, and historic facet to the people of the State of New York. Freemasonry is one of the world's oldest fraternities and Masons have played an important part in the formation of our Nation. Therefore, under the leave to extend my remarks in the RECORD, I include the following program from that momentous day and a revealing history of Freemasonry on Staten Island.

On April 19, 1969, Saturday afternoon, a large Masonic Conclave took place in the Richmond Masonic District (Staten Island, N.Y.). This convocation of Free and Accepted Masons was the first in a year long program of auspicious events which would culminate in the dedicative ceremony of the Richmond District Masonic Museum and Library sometime in 1970. Both the conclave and the mu-

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[*] Title I ESEA.

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seum were and will be respectively located in the Richmondtown restoration area. The program included the opening of a meeting in the old courthouse on Center Street by the American Lodge of Research F. & A. M. under the acting master, R.W. Arthur Brown, and R.W. Dominick M. Rufulo, Sr. Warden. The general chairman of the Masonic conclave and the museum-library project was R.W. Alexander A. Bleimann, the present district deputy grand master of the Richmond Masonic District. There were present the M.W. Charles Francis Gosnell, grand master of masons in the State of New York, with his grand marshall LaVerne W. Getman; the deputy grand master R.W. William R. Knapp with his deputy grand marshall (acting) R.W. Albert G. Pfluger; the grand secretary R.W. Wendell K. Walker. The metropolitan district deputy grand masters association was represented by R.W. Arthur W. Julier, R.W. John F. Dams, R.W. Max L. Kamiel, R.W. Alexander A. Bleimann, R.W. Calvin Raff, R.W. Milton R. Goldman, R.W. Harold F. Presley, R.W. John V. Flockhart Sr. Several grand lodge officers were also present with grand representatives.

Director of arrangements R.W. Pasquale J. Lombardi, grand steward of the grand lodge of New York; program director and master of ceremony Alfred J. Cawse, Jr.; protocol chief W. Victor D. Lederhandler; chief of security William Reycraft and W. Milton Jirak; historian R.W. Wilbur L. Decker; director of finance W. Phillip DePaul.

The masonic conclave was under the sponsorship of the Richmond Masonic Association whose officers are: W. John W. Wall, president; W. Samuel T. Weening, vice-president; W. Victor D. Lederhandler, 2nd vice-president; R.W. Wilbur L. Decker, secretary; W. John W. Davis, treasurer.

Also present were the sitting masters of the nine masonic lodges. W. Paul T. Framhein, Jr., Richmond lodge; W. Everett M. Hannah, Huguenot lodge; W. Melvin L. Kirby, Tompkins lodge; W. Harrison J. Laemmerhirt, Beacon Light lodge; W. Michael Daum, Aquehonga lodge; W. Nathan Giventer, Great Kills lodge; W. H. Arnold Johnson, New Dorp lodge; W. Fred Cericola Jr., LaGuardia lodge; W. Conrad H. Eriksson, Klopstock lodge.

The famous Daniel S. Tompkins Holy Bible was used to adorn the altar during the opening and closing ceremonies of the meeting of the American Lodge of Research F. & A.M. The Bible is at present owned by Tompkins Lodge of Masons. The Tilers of the Lodgeroom were Asa Eick, Joseph Andriulli, and Emil Baker. The Grand Marshall LaVerne Getman escorted in the Grand Master; the Acting Deputy Grand Marshall A. Pfluger escorted in the Deputy Grand Master; and Bro. Eugene R. Bleimann escorted in the District Deputy Grand Master of the Richmond District.

The Richmond Masonic Glee Club, under the Director, O. William Erikson, and the President David Olson Sr., provided several vocal selections both in the Lodge meeting and during the outdoor public ceremony.

After the closing of the Lodge meeting, a processional began on Center Street directly outside the Old Courthouse led by the Tottenville High School Band under the leadership of Bro. Ray Kirschmeyer. The Tall Cedars of Lebanon, Richmond Forest No. 66, whose Grand Tall Cedar is Rocco D'Angelo, and the Staten Island Shrine Club, whose President is Ruppert Minick, dressed in full organization regalia formed an Honor Guard for the Grand Master.

During the entire afternoon hundreds of Masons and Masonic dignitaries wore masonic regalia and the aprons of highest rank.

At the outdoor ceremony, Mr. Arnold V. Schwartz, President of the Staten Island Historical Society, officially accepted the Masonic Order to create the Masonic Museum and Library under the Director of the Richmondtown Restoration Program, Mr. Loring McMillen.

Congressman John M. Murphy was one of the principal speakers as was the Honorable Robert T. Connor, Borough President of Richmond, who also presented the Richmond Masonic Association with a Borough Presidential Proclamation, designating April 19, 1969, the first day of Masonic Week. Other speakers were R.W. Alexander A. Bleimann and M.W. Charles F. Gosnell. After the program was completed, a Grand Chaplain of the Grand Lodge of New York, Navy Commander and Rabbi William Kloner pronounced the benediction.

The following treatise is the historical account and background of Masonic activities on Staten Island for nearly two hundred years, as summarized by the Historian; on April 19, 1969:

Most Worshipful Brother Charles F. Gosnell, Officers of the Grand Lodge of the State of New York, Honorable Robert T. Connor, Borough President, Honorable John M. Murphy, Congressman, brethren and friends.

We are gathered here today for a momentous occasion which will long be remembered by all and in the annals of Freemasonry throughout the State of New York.

Freemasonry is one of the oldest fraternities which has existed since Biblical times reverting to the building of King Solomon's temple, on Mount Moriah by Operative Masons.

The modern era of speculative Masonry began with the formation of the Grand Lodge of England in the year of 1717.

In the history of our country, Masons have played an important part in its formation.

Of the 56 signers of the Declaration of Independence, 53 were Masons.

During the War of Independence—Staten Island was a tory stronghold, on which over 75 regiments of British soldiers were stationed at various times. Every regiment with one or two exceptions had their own Masonic lodge working under warrants granted by the Grand lodges of Ireland, Scotland and England.

The following British military Masonic lodges were stationed on Staten Island, New York after 1754:

Royal Regiment of Artillery, 4th Battalion—Composed of nine companies, five of which were stationed on Staten Island: Company No. 35, Company No. 36, Company No. 38, Company No. 39, Company No. 42.

The Grand Lodge of England ("Ancients") issued warrant No. 209, Feb. 16th, 1779 to establish a lodge in this battalion. There is no record of the lodge after 1779.

The Grand Lodge of England ("Ancients") also issued a warrant No. 213, July 3, 1781 to brethren in this battalion, and the lodge was constituted in New York on October 18, 1781.

The 17th Light Dragoons (Duke of Cambridge's Own Lancers)— Stationed on Staten Island 1776, Grand Lodge of Ireland Warrant, Oct. 5, 1769 as Lodge No. 478. Joined Provincial Grand Lodge of N.Y. in 1782, and continued in existence until 1795; warrant cancelled in 1817.

The *7th Regiment, Royal Fusiliers*—Stationed on Staten Island in 1777, Grand Lodge of Ireland Warrant, April 1, 1752, No. 231.

The *10th Regiment, Lincolnshire Regiment*—Stationed on Staten Island in 1776. Grand Lodge of Ireland Warrant on August 3, 1758, No. 299.

The *17th Regiment. The Leicestershire Regiment*—Stationed on Staten Island 1776. Grand Lodge of Ireland Warrant June 24, 1743, No. 136. Grand Lodge of Scotland Warrant Nov. 12, 1771, No. 168/169. "Unity Lodge." The warrant, now in possession of Union Lodge No. 5, G. R., Delaware, at Middleton, bears the number 169.

The 22nd Regiment. The Cheshire Regiment.—Stationed on Staten Island 1776—Grand Lodge of Ireland Warrant, Nov. 28, 1754, No. 251, and a duplicate of this warrant was issued on Na. 6, 1791, to replace the original which according to the Grand Lodge Register was lost in 1759 on the Mississippi River. The warrant was lost probably at Roche D'Avons in 1764, when the regiment was ambushed by Indians and practically exterminated.

The 23rd regiment. Royal Welch Fusiliers.—Stationed on Staten Island in 1776. Grand Lodge of Scotland Warrant Jan. 11, 1751, No. 63. Another warrant No. 131 was issued to replace No. 63 which was lost in the Seven Year's War. Captain Edw. Evans was the master in 1767.

The 26th regiment. The Cameronians.—Stationed on Staten Island in 1777—Grand Lodge of Ireland Warrant, Dec. 7, 1758, No. 309. No. 309 was exchanged for No. 26, in 1823.

The 27th Regiment. Royal Inniskilling Fusiliers.—Stationed on Staten Island in 1776—Grand Lodge of Ireland Warrant in 1733, No. 23, and another warrant on Feb. 7, 1749–1750, No. 205, was issued because No. 23 was probably lost, but turned up when the regiment was in St. Lucia after 1783, and remained on the Grand Lodge Register until 1801.

The 37th Regiment. Hampshire Regiment.—Stationed on Staten Island in 1776. Grand Lodge of England ("Ancients" Warrant May 19, 1756, No. 52. The lodge was represented at the inauguration of the Provincial Grand Lodge of New York on 5th December 1732, and at metings of the Provincial Grand Lodge held on Jan. 2 and Feb. 5, 1783.

The 40th Regiment. South Lancashire Regiment.—Stationed on Staten Island in 1776. Grand Lodge of England ("Ancients") Warrant: 1759, No. 42.

The 44th Regiment. Essex Regiment.—Stationed on Staten Island in 1776. Provincial Grand Lodge of Quebec in 1760–1762 Warranted, No. 14. Provincial Grand Lodge of Quebec Warrant Sept. 12, 1784, No. 18, registered by Grand Lodge of England ("Moderns") Nov. 15, 1784, No. 467, "Rainsford Lodge", named after a colorful and active Mason, Colonel Charles Rainsford Commander of the Regiment in 1781, and who was Grand Steward of the Grand Lodge of England in 1769.

The 46th Regiment. South Devon Regiment, later the Duke of Cornwall's Light Infantry.—Stationed on Staten Island in 1776—Grand Lodge of Ireland Warrant March 4th, 1752, No. 227.

The 52nd Regiment. Osfordshire, Light Infantry.—Stationed on Staten Island in 1776. Grand Lodge of Ireland Warrant August 6, 1761, No. 370.

The 64th Regiment. The North Staffordshire Regiment.—Stationed on Staten Island in 1776. Grand Lodge of Scotland Feb. 2, 1761, No. 106 "Duke of York's Lodge."

In the Period of the Revolution, A Provincial lodge convened in the Old Guyon-Clark Homestead at New Dorp, the Lodge was composed of British Officers and Soldiers, and a few residents of the Island. Meetings were held at intervals until the Evacuation of the British in 1785. These officers, together with Prominent Masons of the City, were entertained at Nautilus Hall. A few years later, a meeting was held at the Home of Governor Daniel D. Tompkins, who was also Grand Master of the State of New York. He had established his Residence on Staten Island and attempted to start a Masonic Lodge on Staten Island. More than a year later a meeting was held at the Home of General Van Buren, in Tompkinsville.

As a result of the meetings and a picnic held on the Lawn of Old Nautilus Hall—Richmond Lodge was formed, the First of the Ten Lodges to be formed on Staten Island.

The First Regular Communication of Richmond Lodge No. 384 was held in Nautilis Hall,

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on July 6, 1825, after a few years moved to a Building owned by General Van Buren.

In 1832, Cholera and Yellow Fever scourged the Island from end to end, and it was necessary for the Lodge to close its Doors until the frost removed the Epidemic.

In 1839 Richmond Lodge was Granted a New Charter and became No 66 instead of 384.

In 1849 Richmond Lodge surrendered its Charter but did not entirely disband. Meetings were held in Members Homes and Reorganization was discussed.

On March 21, 1851, Richmond Lodge Reorganized and met at the home of Bro. George T. Swaine, opposite the Dutch Reformed Church in Port Richmond. The Lodge erected a Temple at the corner of Richmond Avenue and Bennett Street, Port Richmond which was dedicated in 1898. Here the Lodge remained until a New Temple was erected on Anderson Avenue, Port Richmond in 1925. Hit a fatal Blow by the Depression, the Lodge was forced to give up the Temple and moved to "The Odd Fellows Hall" on Harrison Avenue, Port Richmond and now meet in their own Temple located at 789 Post Avenue, West Brighton, Staten Island.

TOMPKINS LODGE NO. 471

The Second of the Lodges on Staten Island was Tompkins Lodge No. 471. A Warrant was issued on December 6, 1853 authorizing the opening of the Lodge at Stapleton, Staten Island. The First Meeting was held in the Old Tompkins Lyceum located at a spot later occupied by the German Club Rooms. In 1856, they moved to Masonic Hall located at what was then Front & Minthorne Streets in Tompkinsville. A year later the Building was destroyed by fire and the Lodge lost everything. On March 31, 1859, a new Dispensation was granted and a meeting was held on April 5, 1859, in Tompkins Lyceum. In the following year it moved to the Weed Building on the West side of Griffin Street and in May 1966 to Egbert Hall and on May 1, 1876 into the Tynan's Building and Occupied the present Temple at Bay and Sands Streets Stapleton Staten Island in 1901.

HUGUENOT LODGE NO. 381

The Third of the Lodges on Staten Island was Huguenot Lodge No. 381. It was instituted on May 19, 1855 and met in the Odd Fellows Hall, on Amboy Road. In 1859 the Lodge moved to the Chapel of St. Pauls Methodist Church until 1883 when rooms were procured over Fisher's Drug Store at Main & Arthur Kill Road, then met in the Knights of Pythias Hall and in 1909 moved to their present Temple on Main Street, Tottenville, Staten Island.

AQUAHONGA LODGE NO. 685

The Fourth of the Lodges on Staten Island was Aquahonga Lodge No. 685, (Not to be confused with Aquehonga Lodge No. 906) was granted a Charter in 1868, and surrendered it in 1887. The First meeting place was in the Grand Jury Room at Richmond. Later the Lodge moved to New Dorp to a Building owned and occupied by Henry A. LaVaud at New Dorp Lane and Richmond Road, later moved back to Richmond in a building opposite St. Andrews Church. There is no record of the reason for the surrender of the Charter.

BEACON LIGHT LODGE NO. 701

The Fifth of the Lodges on Staten Island was Beacon Light Lodge No. 701, on June 15, 1870, Beacon Light Lodge was awarded its Charter and met at the "Old Athletic Club Building" located on the waterside of Richmond Terrace approximately 85 feet East of Broadway, West Brighton, Staten Island, and in 1872 moved into "Village Hall" Lafayette Street, New Brighton, Staten Island until 1942 during the Second World War was forced to find new Quarters and moved to Tompkins Temple, Stapleton, Staten Island and moved to Great Kills Temple, Great Kills, Staten Island in 1966, its present meeting place.

KLOPSTOCK LODGE NO. 760

The Sixth Lodge located on Staten Island was Klopstock Lodge No. 760, Instituted in 1875, first met in Tynan's Building and later moved to Tompkins Lodge Room, Stapleton, Staten Island and presently meets at Great Kills Temple, Great Kills, Staten Island.

Although a Part of the Ninth Manhattan District, Klopstock Lodge has played an important part in Staten Island Masonry and has always been considered one of our Group.

AQUEHONGA LODGE NO. 906

The Seventh Lodge located on Staten Island was Aquehonga Lodge No. 906, Instituted on May 13, 1913 and met at Tompkins Masonic Temple, Stapleton, Staten Island now meet at Richmond Masonic Hall, West Brighton, Staten Island.

GREAT KILLS LODGE NO. 912

The Eighth Lodge located on Staten Island was Great Kills Lodge No. 912, Instituted on January 12, 1914 and met at 22 Hillside Terrace, Great Kills, Staten Island until their own Temple was completed in 1926. Like Richmond Lodge the Depression put too great a strain upon their finances for them to be able to hold the Building. Heroic effort on the part of the Officers and Members happily brought it back into their possession.

NEW DORP LODGE NO. 1092

The Ninth Lodge located on Staten Island was New Dorp Lodge No. 1092, Instituted on June 18, 1928 met at Miller's Hall on Amboy Road. At the time of its Institution it was known as "Sojourners" Lodge, a name later changed to Fort Wadsworth Lodge and still later to "New Dorp Lodge". In 1929 moved to Koch's Hallon New Dorp Lane and Second Street until 1947 when it moved to Great Kills Temple, Great Kills, Staten Island.

LA GUARDIA LODGE NO. 1130

The Tenth Lodge located on Staten Island was LaGuardia Lodge No. 1130. In 1949, nearly a Century and a quarter after the beginning of Organised Masonry on Staten Island, a Dispensation was granted to form a New Lodge to be known as LaGuardia Lodge after Fiorrello LaGuardia former Mayor of New York City. It was instituted on June 17, 1949 and met at Great Kills Temple, Great Kills, Staten Island and later moved to Richmond Masonic Hall, West Brighton, Staten Island.

We have a number of Masonic Landmarks on Staten Island but we consider the following as most important:

Stapleton Masonic Temple, 514 Bay Street, Stapleton, Staten Island.

Tottenville Masonic Temple, 236 Main Street, Tottenville, Staten Island.

Great Kills Masonic Temple, 4095 Amboy Road, Great Kills, Staten Island.

Richmond Masonic Hall, 789 Post Avenue, West Brighton, Staten Island.

CYO Building. Formerly "Richmond Masonic Temple," Anderson Avenue, Port Richmond, Staten Island.

Village Hall, Lafayette Street, West Brighton, Staten Island (Home of Beacon Light Lodge for over 70 years).

The Garibaldi-Meucci Memorial Museum, Rosebank, Staten Island.

Our National Landmark is the "George Washington Memorial" in Alexandria, Virginia, to which every New York Mason supports.

The nearest thing to a New York Mason's heart which is supported by all, is our "Masonic Home in Utica," New York for our Elderly Brethren, their wives and widows and the Orphans of Masons, by our contributions to the "Masonic Brotherhood Fund." On the Grounds of the Home we also have a Research Laboratory, researching the diseases of the aged on "Geriatrics."

Wilbur L. Decker,
Historian, Richmond Masonic District Museum and Library Historical Society.

HOUSING PROGRAM

HON. LLOYD MEEDS

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 22, 1969

Mr. MEEDS. Mr. Speaker, from time to time we Members of Congress get letters from constituents that demonstrate such a clear understanding of a particular matter and make such an urgent and rational appeal to the Congress to be concerned with the problems that we are tempted to share the letter with other Members.

I have received such a letter from Mr. Robert L. Kahn, Multifamily and Special Projects Division of the United Homes Corp. His concern is one that a great many of us in this Congress share; making a program work to assure adequate housing for the elderly, the infirm, the poor and, very importantly, the families in the $5,000 to $8,000 income bracket. As Mr. Kahn points out, we have a promising program. But the program is of only minor value if it is not funded adequately.

Mr. Kahn also underlines a point that is of increasing concern to me; the way in which Congress will authorize programs that hold out great hope for solving some of our emergent social problems and then renege on the "promise" when appropriations time comes. We do it again and again.

Finally, this letter points up the real dilemma that we Members of Congress have to deal with. If we must cut Federal spending in order to help fight inflation, what do we cut and how much? It is not an easy problem as we all know. Many, on the outside looking in at us trying to make these decisions, do not understand the complexity of the problem.

But Mr. Kahn's letter presents an argument on behalf of his program that is worth attention.

For all these reasons, and because Mr. Kahn has done his homework, I insert his letter in the Record and urge each Member of Congress to take the time to read it with care:

United Homes Corp.,
May 10, 1969.

The Honorable Lloyd Meeds,
House of Representatives,
Washington, D.C.

Dear Sir: We are now processing an application for an F.H.A. Section 236 rental housing, interest subsidy, loan through the Seattle F.H.A. Insuring office for a 220 unit project at Everett, Washington, within one mile of the new Boeing Plant. In addition, we are in process of having zoned a 35 acre parcel in Portland, Oregon, which we have under option, for 500 units of similar housing. We are also studying the possibilities of erecting two high rise buildings, one in the Northgate area of Seattle and the other in downtown Tacoma, Washington, for housing for the elderly under Section 236. The total number of units contemplated at this time is over 1200.

By the application of Section 236 we are able to bring well designed rental housing to families in the $5,000–$8,000 earnings bracket within the proper economic limits of not more than 25% of their annual income.

Our most pressing problem at this time is to obtain the letter of feasibility from the F.H.A. on the Everett project. We have made

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a proposal and a request for feasibility to the F.H.A. Insuring office in Seattle and according to word received from them they had made such a finding of feasibility substantially as proposed by us and forwarded our papers to Washington, D.C., by way of the San Francisco zone office, for allocations of interest subsidy funds, a prerequisite to issuing a formal letter of feasibility to us.

These papers were received in Washington on March 3, 1969, but prior to their arrival the available funds had been preempted by earlier applications (many of which were in existing 221(d)3 commitments which were being converted to Section 236).

Of 48 requests for feasibility which had been forwarded to Washington by the Seattle office, 35 of them were returned and letters were issued to the applicants similar to the one received by us. This letter notified us that processing had been discontinued and only at such time as new funding was available would the processing continue. This experience, of course, is paralleled throughout the country and there is now a tremendous backlog of applications waiting for new funding.

When the 1968 housing law was passed in August of last year, the Congress authorized $75 million dollars to cover the first year of interest subsidy for projects insured during that fiscal year. The law further stated that an additional $100 million was authorized in the 1969 budget and an additional $150 million in the 1970 budget. However, these are simply legal authority for appropriating the money but do not themselves constitute an appropriation. Congress saw fit last session to appropriate $25 million out of the $75 million allocated.

We are told that H.U.D. Secretary Romney has requested Congress that the additional $50 million dollars authorized for F.Y. 1969 be appropriated immediately and that the $100 million dollars for F.Y. 1970 be included in the new budget. We have received various reports that the supplementary appropriation is now under study and is contemplated to be voted on during the month of May.

It is now so well recognized that there must be some form of subsidized housing for people of low income that most of the large lobbying groups such as the Home Builders Association and the National Association of Real Estate Boards, who in the past have been opposed to public housing, have recommended not only the passage of Section 236, but the appropriations for it.

There have been a number of efforts made over the last 30 years to solve this problem, the best known of which, of course, has been Public Housing. This program has had many drawbacks in the past (which need not be explored at this time) and at the present time is going through the "Turnkey" phase which holds out good promise. However, this only answers the needs of the very lowest income group and does not affect at all that $5,000–$8,000 group which we are discussing. Public Housing pays only a minor portion of the normal Real Estate tax and for that reason is found objectionable by many people. Other avenues, which have been tried recently with some degree of success have been the F.H.A. Below Market Interest Rate Loans and the Rent Supplement Loans. These programs were beginning to achieve some good results but it was felt that the provisions under Section 236 went more directly to the heart of the problem and did not require the vast sums of special appropriations for buying the mortgages through FNMA. Therefore, they are being phased out and no new applications are being processed.

There are only a limited number of ways in which housing costs can be reduced. The end product, the rent which is charged to the tenant, is comprised of a number of factors, the profit to the operator being the least of these. The major items being:

(1) The original cost of construction.
(2) The interest rate.
(3) The real estate taxes.
(4) The operating expenses.
(5) Profit.

Let us explore each of these items:

(1) The cost of construction has been increasing steadily. There are no technological breakthroughs now available to us which will have the necessary impact on costs. The Editors of House & Home have pointed out repeatedly in their editorials that this cannot be looked to as the answer. The best that can be hoped for at this time is sufficient betterment of technique and products to enable us to stay even. For the past several years we have been involved with a 4% annual increase in construction costs.

(2) The interest rate subsidy is by far the best approach as this permits the total population to assist those in need of help on a national basis and does not place the full impact on those given communities where the need is greatest. There is nothing new in this approach as it constitutes the basis for many of the acts of Congress which provide subsidies for many special groups, which in the long run are paid for by the total population.

(3) The reduction of taxes, of course, has been applied in some special cases, notably in housing for the elderly sponsored by nonprofit groups and in the special programs of New York City and New York State where tax abatement is part of their program. If this process is carried too far many local communities having a large elderly population, or being situated in climatic regions which attract retired persons would soon find themselves with a much reduced assessment role resulting in much higher taxes for the relatively small population remaining on the tax roles. Therefore, this approach should not be used on less than a State-wide basis and local communities should receive reimbursement from the State Treasuries where tax exemption has been given.

(4) Operating expenses are a direct result of the costs of labor, utility charges and maintenance material in most cases such expenses are not susceptible to a great deal of downward adjustments regardless of the caliber of professional management. In those cases where better techniques of management are applied it is most likely to result in better maintained or more profitable property, but rarely in a rent reduction to the tenant.

(5) The last of these, the return to the investor is the smallest. In the case of Section 236 we are talking about a 6% limited dividend requirement.

I feel that the urgency of this problem must somehow be made real to the members of Congress. They must understand that their legislative efforts have brought forth a program which will work and which is responsive to the needs of the country, but only if the necessary appropriations are a reality. These appropriations must be compared with other items in the budget and on a proper scale of values a proper sharing of the available monies will result in the speedy passage of the supplementary appropriations bill.

Last week, I attended a Conference of Urban America, Inc., in Seattle. For two days the subject of low rent housing was discussed. Andrew Hess, one of the most productive FHA Directors in the country spoke. Robert Pitt, the Regional Administrator for Zone 6, H.U.D. spoke. All they could tell us was they are stymied—their hands are tied—they have no way of moving without funds being provided. Congress must understand the devastating effect that the on again/off again approach has on the morale of all people working toward solving the low cost housing problem, not only in Government, but also in the private sector. We must be able to plan and use our best efforts with the knowledge that there is some continuity to the effort. Land options must be obtained, plans and market studies must be arranged. Congress must understand the tremendous lead times involved in the production of housing and what a vital factor proper housing is to the solution of our most pressing social problems in the Urban environment. Allocating $200 million dollars to clean up the rubble after the riots is not the answer.

We can only hope that Andrew Hess, Seattle F.H.A. Director, was correct in his summation to his speech last Thursday at the Urban American Conference when he stated that he believes H.U.D. Secretary Romney to be a sincere man, who understands the problem and who speaks with full authority for the Administration in requesting the funds. His second point—The Congress of the United States as presently constituted is fundamentally the same Congress that passed the 1968 Housing Act and that, therefore, we must be optimistic that, in logical sequence, the appropriation of additional funds will become a reality. The audience response to this was, in effect "Well and good, but time is of the essence".

It is our sincere hope you will agree with this statement.

Very truly yours,
ROBERT L. KAHN,
Multifamily and Special Projects Division.

GREATER KANSAS CITY'S CONSTRUCTION STRIKE

HON. LARRY WINN, JR.

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 22, 1969

Mr. WINN. Mr. Speaker, for the past 2 months the construction industry in the Greater Kansas City area has been halted by crippling strikes. Negotiations have reached an impasse and each day the shutdown continues threatens further economic decline throughout the entire area. The gravity of the situation and some of the insoluble problems contributing to the work stoppage are outlined in a letter I received recently from the Builders' Association of Kansas City and in an editorial from station KCMO. I commend both to my colleagues for their serious consideration:

MAY 2, 1969.

Congressman LARRY WINN, Jr.,
House Office Building,
Washington, D.C.

DEAR LARRY: As you are probably aware, we are entering our sixth week of the construction shutdown in the Kansas City area due to strikes by Ironworkers and Painters Unions, which have made exorbitant demands upon our industry.

The Ironworker demands constitute, on a conservative estimate, around $4.20 per hour increase for a one year period, which amounts to an increase in excess of 80%. The manner in which some of the demands are stated makes it quite difficult to put an absolute figure on certain items as they would not apply to every man and to every job situation across the board; but in terms of the overall costs to an employer, they must be taken into account in some form. Although they have stated they are negotiable on some of these items, after five weeks of strike they have not retracted or moved from any of these requests. The Painters have moved from their original demands, but are still seeking increases in excess of $1.35 per hour for one year, which

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amounts to nearly 30% increase for a one year period. Under this set of circumstances, there is no likelihood of settlement even with the Painters, so long as the Ironworkers are still out on their impossible demands.

Our Association has felt that these demands were so exorbitant and unrealistic that we could not make an offer anywhere in the realm of what was being demanded. We have assured the Unions that we are willing to grant substantial wage and contract changes if their demands were altered to some degree, whereby meaningful negotiations could be conducted.

The work stoppage which is now occurring in our area has created a hardship on employers, employees, and buyers of construction, as well as the local units of government which have construction projects underway or scheduled under fixed budgetary or bond limitations. It becomes more difficult each passing year for employers, particularly those in the construction industry, to fend off large powerful unions in their quest for inflationary and unwarranted cost increases. It would be much easier and less costly for construction employers to accede to these demands on a limited deferred basis and in a sense "buy" their way out of this dilemma, for in the long run the contractors are basically "middlemen" between the unions and the consuming public. The chain reaction of these increases throughout the building trades in this area will amount to a 40% increase in the cost of construction to the public and to the private purchasers of construction.

In periods of nationwide manpower shortages, and a great volume of construction to be performed in most areas of the United States, there is some feeling of futility in attempting to hold the line against this form of inflation in a single given area at such a great cost and loss to individual small contractors. It would seem that if the Congress has any real intent of checking inflation that it should take some affirmative direct action to prevent such inflationary actions at the grass-roots levels, as well as through indirect filtering down measures of taxes, interest, etc. I am sure that the Kansas City situation is being repeated a number of times in other cities and areas throughout the United States, and our existing economic and bargaining system just does not permit the small businessman, which constitutes the bulk of the construction industry, to effectively cope with the powerful and monopolistic unions. We earnestly urge that the Congress do some soul searching to determine if our country can afford to pay the price of the present trends and insatiable appetite of organized labor if it remains unchecked.

Sincerely yours,
BUILDERS ASSOCIATION OF KANSAS CITY.

CONSTRUCTION STRIKE

(By E. K. Hartenbower, KCMO vice president and general manager)

Everybody stands to lose in a prolonged construction strike. Weeks drag into months, and Greater Kansas City is now feeling a pinch from the prolonged construction strike by ironworkers, painters and truck drivers.

Although the numbers of strikers and payroll losses are not too accurate, estimates now range between ten and twelve thousand actual strikers, including walkouts at two major plants not involved in the construction dispute. Payroll losses may run as high as two million dollars per week. It must be remembered that numerous strikers have taken other jobs temporarily, and payroll loss figures are far from accurate.

An immediate side effect of the construction shutdown is loss of business by firms supplying material and services to the struck projects. Individual companies are beginning to see very serious losses unless the labor dispute is settled soon. Claims for unemployment pay are not running excessively higher than normal for this time of year. This, however, could change rapidly.

Despite uncertain figures, individual businesses in Greater Kansas City can report visible effects from the strikes. It is hard for general business to bear such effects while not being directly involved in the dispute. A prompt settlement is the only answer.

ROBERT D. MORAN

HON. F. BRADFORD MORSE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 22, 1969

Mr. MORSE. Mr. Speaker, Robert D. Moran, the new Federal Wage-Hour Administrator of the Department of Labor, gave his thoughtful goals for his program as Administrator at his swearing in ceremony May 5. Mr. Moran, a respected attorney and experienced labor arbitrator is, at age 39, one of the Department's youngest Presidential appointees. I am highly pleased to include his views in the RECORD for the attention of my colleagues. Mr. Moran's statement follows:

STATEMENT BY ROBERT D. MORAN

Today, as I officially assume the position of the Federal Wage-Hour Administrator, I want to convey to those interested in its work my views on the role we will play in carrying out the goals of this Administration. As President Nixon has stated, it is not enough to have laws on the books. What we must do is give them meaning, make them work for the benefit of all our people. My goal as Administrator will be to implement this objective.

The Fair Labor Standards Act was landmark legislation when it was enacted in 1938. In the 31 years of its existence it has made giant strides towards its goal of eliminating "labor conditions detrimental to the maintenance of the minimum standard of living necessary for health, efficiency, and general well-being of workers." The delicate balances which were incorporated into this law have had the overall effect of increasing the earnings of those working people most in need of help without curtailing job opportunities.

It is my opinion that the Fair Labor Standards Act has enabled more progress to be made in the continuing battle against poverty than any subsequent or previous congressional enactment. I fully support its high purpose and pledge to administer this law—and all others that have been assigned to the Divisions I now head—with vigor, enthusiasm, and impartiality. Effective implementation of the various statutes in this field requires the cooperative efforts of working people, management, government and the public generally. I plan to expend every effort to promote this cooperation.

The new Administration's goal of law and order with justice includes compliance with labor standards laws. We will be vigilant to see that the wages to which workers are entitled will be paid, that equal pay for equal work becomes more than a slogan and that every possible effort is made to eliminate discrimination in employment on account of age.

At the same time I expect to work closely with the vast majority of responsible employers who have readily complied with the minimum standards established by law in the interest of making compliance less of an administrative burden. It is gratifying to know that most employers maintain labor standards far better than those required by law. But we are still plagued with those who would gyp, swindle and shortchange low wage workers as well as many who are honestly uninformed as to their responsibility under the law. We shall strive to protect working people from both.

I shall also be seeking new approaches for improving the administration of the wage and hour laws and I will welcome suggestions in this regard from all interested parties. It will be our combined effort which will determine the effectiveness of this legislation and bring about those improvements which must be made if we are to meet the challenges of the future.

Finally, I want to pay tribute to the many dedicated and able employees of the Wage and Hour Divisions. Their reputation for professional skill, competence and solicitude is well known to me. The Wage-Hour investigators rank with the FBI and Secret Service in the elite of U.S. enforcement agents. I am very proud to join them and look forward to working with them in the months and years ahead.

UNREASONABLE WORLD

HON. WILLIAM L. HUNGATE

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 22, 1969

Mr. HUNGATE. Mr. Speaker, in this age of violent actions and strident voices, it is reassuring to find in our newspapers the calm, rational words of Alan L. Otten. I would like to call to my colleagues attention his column from the Wall Street Journal, May 21, 1969, which deals with the difficulty of maintaining an objective viewpoint in today's world, and therefore include that column in the RECORD:

UNREASONABLE WORLD

(By Alan L. Otten)

WASHINGTON.—Somehow, it seems to be getting harder all the time to know and follow the path of right and reason.

More and more, people tend to polarize on controversial issues. The man of good will, trying his damnedest to be rational and fair and decent, all too often winds up appearing absurdly naive or hopelessly out-of-date.

Abe Fortas, for example, obviously acted badly. The reason may have been incredibly bad judgment, lack of sensitivity, simple greed, a nagging wife, evil companions or merely misplaced confidence that he could get away with it. Whatever the cause, he acted badly, and every reasonable person must deplore his conduct and lament the damage it did to the court and to faith in government generally.

Yet comparatively few people seem even a little upset by the Justice Department's activity in the Fortas affair. Attorney General John Mitchell admits he privately gave Chief Justice Earl Warren additional information about Mr. Fortas—but refuses to say what this was, leaving suspicions possibly far worse than the facts. The Justice Department subpoenas Louis Wolfson to force him to talk about his relations with the justice, again implying considerable evil-doing; other stories quoting "high officials" suggest that the Wolfson statements are indeed damaging, and that the Attorney General warned he would make his information public by a certain time if Mr. Fortas hadn't quit the Court by then.

The department insists it leaked no stories, made no threats, is much maligned. Maybe so. But the stories certainly came from somewhere, and Chief Justice Warren has never been known as a blabbermouth. It would be nice to demand not only that an associate

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justice show greater sensitivity for his job, but also that the Justice Department show greater respect for relations between the Executive Branch and the nation's highest court. Yet to suggest this, in the current emotional atmosphere over Mr. Fortas, risks denunciation as a far-out radical or a nut.

Similarly the man who believes in reasonable and steady progress toward racial integration and a concerted effort to improve the Negro's material lot has been made an unhappy anachronism by new militant Negro leaders preaching black separatism. He must continue to battle with die-hard segregationists still shouting "never" and with white power groups contending the Negro is being helped to move too far too quickly. But now he must also cope with far-out demands for unrealistic "reparations," for financial help to businesses that don't yet have the know-how to succeed, for Negro faculty and student quotas that can't possibly be filled. To the one side he's a nigger-lover, to the other just another hateful honkie.

The dilemma repeats itself endlessly. It's increasingly difficult to steer a middle course in the current campus controversy—to support some legitimate demands of the student activists and yet also insist they act legally and reasonably and not deliberately disrupt the college community. Yet more and more one is driven to choose one side or the other—for the authorities, whether right or wrong; for the students, whether right or wrong.

Editorial writers love to denounce Congressional trips as "junkets" wildly wasting taxpayer funds; lawmakers counter with a blanket defense. The truth is somewhere between. Many Congressional trips are indeed carefree vacations at taxpayers' expense; others are hard-working investigations earning their cost many times over.

So many factors make it difficult to be sensible and fair these days. There's a general disintegration of established authority—the family, the church, local government. The multiple annoyances and aggravations of urban society expose raw nerve-ends. Vietnam hardly provides a backdrop for easy, rational discourse. And the nonsense being talked by responsible political leaders sets a horrible example for the rest of us.

The President's recent Vietnam speech, for instance, was on the whole a valuable exposition of Administration thinking—skillfully combining standard U.S. positions with possibly just enough new flexibility to get negotiations moving. And yet Mr. Nixon jarred at least a few listeners by declaring early in the speech that one course open to him had been instant unilateral withdrawal—and that "this would have been an easy thing to do." Now if anything is clear, it's that this would not have been an easy thing to do, for reasons both strategic and political. Mr. Nixon contributed little to appreciation of the rest of his speech or to the general level of political dialogue by that remark.

Mr. Nixon's communications director, Herbert Klein, is quoted by the UPI to the effect that the Administration is concerned over Ted Kennedy's "effort" to make the ABM into "a campaign issue." What utter nonsense. How in the world does Ted Kennedy's opposing the ABM create a campaign issue any more than Richard Nixon's proposing it? This is not communication, it's noncommunication.

All last year, Democrats in the Senate and House were either conceding major flaws existed in the Job Corps or were conspicuously ignoring the program. Mr. Nixon now proposes to close a number of Job Corps centers, though, and the Democrats howl as though he were attacking motherhood itself. They make no serious attempt to look honestly at the criticism of the program, or the Administration's proposal for reshaping it. Strom Thurmond of South Carolina spends much of his Senatorial life fighting Federal efforts to deny funds to school districts dawdling on integration. Yet he finds nothing absurd in now demanding that the Government deny funds to student demonstrators.

Or consider Senate Minority Leader Everett Dirksen, at the White House a few weeks ago, refusing to set forth his reasons for opposing Dr. John Knowles as assistant secretary of Health, Education and Welfare. "That matter has been, shall I say, adjudicated, in the sense that I have nothing more to say about it," the Senator declared. And when pressed to be a little more specific, he explained, "I have made all my discussions, and that is an adjudication for me."

Little wonder that, in such a world, reasonable men falter.

SAN ANTONIO POLICE DEPARTMENT OPEN HOUSE

HON. HENRY B. GONZALEZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 22, 1969

Mr. GONZALEZ. Mr. Speaker, the city of San Antonio, which forms an integral part of the 20th Congressional District, which I have the honor to represent, is a notable city in many respects. It has been the pacesetter with respect to human relations since the beginning of urban living in the State of Texas, in fact, in the Southwest United States. Not only is San Antonio the most historical city but it is also a pioneer in the most sensitive area, and that is the relationships between citizens. San Antonio is a cosmopolitan city and it long ago learned the secret of how to get along. Parenthetically speaking, this is the reason why I have been so sensitive about the disturbing and insidious activities of a small group of racists that I have been exposing for the past 2½ months.

Last Sunday, the San Antonio Police Department held a historical event: An open house between the hours of 2 to 6 p.m. More than 1,600 persons on that Sunday afternoon in those few hours poured through the unique San Antonio Police Headquarters, one of the most modern and up-to-date structures in the Southwestern United States. I had the great honor and privilege to have been invited to this event by Capt. H. L. "Hank" Antan, the executive officer of the San Antonio Police Department and the chief of police, George W. Bichsel. Both of these men have distinguished themselves by an illustrious career in law enforcement.

What I and my fellow San Antonians who visited Sunday during the open house saw was most gratifying. We were guided by polite and courteous uniformed members and officers of the San Antonio Police Department. The names they bore reflected every type of national and racial background that we have in our country. The most gratifying thing of all was that we saw no massive purchase of new equipment such as armored cars, tear gas, and all of the paraphernalia that so often and so unfortunately many of the cities have had to strain their budgets to acquire because of the unhappy conditions in those cities. On the contrary, what we saw in San Antonio was the reflection of a highly efficient, dedicated group of police officers. It was indeed a happy sight and it was the best proof of a happy and sound community.

I take this opportunity to commend to the Nation such outstanding public servants as Chief of Police George W. Bichsel and Capt. H. L. "Hank" Antan and the other notable and dedicated inspectors, officers, and men, as well as the secretarial workers and clerks. They were all present Sunday, and it was indeed a happy sight.

I offer for the Record at this point the program and schedule issued by the San Antonio Police Department on the occasion of the open house:

Law Enforcement Week in San Antonio: May 11–17, 1969—Open House at San Antonio Police Department—Visit Your Public Safety Facility

Police Open House: 214 West Nueva Street, Sunday, May 18th, 1969, 2:00 p.m. to 6 p.m.

Free parking.

Refreshments will be served in the snack bar by the San Antonio Police Wives Auxiliary.

The San Antonio Police Department is constantly aware of its obligation to our proud heritage and takes great pride in announcing an "Open House" in observation of "Law Enforcement Week" on Sunday, May 18, 1969, from 2:00 to 6:00 p.m.

Special features will include:

Tour guides of the Police facilities.

Firing range (Basement) Demonstration of Police Weapons and Equipment.

Uniform Patrol roll call at 2:30 p.m. (Assembly Room).

Traffic roll call at 3:00 p.m. (Assembly Room).

Narcotic Bureau display.

Juvenile Bureau display.

Robbery Office (Ident-A-Kit).

Training Bureau (Gym facilities and Cadet training).

Community Relations display.

Radio Maintenance facilities.

Records and Identification Offices.

Laboratory facilities.

Communications (Dispatcher's Office).

Accident Prevention Bureau (a short film).

Traffic Services Bureau display.

Vehicle Maintenance facilities (car wash facilities).

Corporation Court facilities.

The following vehicles will be on display:

Vehicle with radar unit, Motorcycle, Patrol car, Expressway car, Police wrecker, Paddy wagon, Community Relations Bus, Bexar County patrol car, State Highway patrol car, and Armed Forces Police Detachment Vehicle.

INTERVIEW WITH GORDON LUCE

HON. DON H. CLAUSEN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 22, 1969

Mr. DON H. CLAUSEN. Mr. Speaker, California has long been credited with one of the finest transportation systems anywhere in the world. Our highway department, probably the best administered anywhere, has worked over the years to provide motorists the safest and most economical freeway and secondary systems available. Californians are proud of the fact that our toll-free roads have been paid for from user fees and not from general fund revenue.

The Reagan administration, when they took office in 1967, placed special emphasis on transportation. To head the all-important position of secretary of business and transportation, they found Gordon C. Luce of San Diego. Mr. Luce is 43 years old and holds a masters degree in business administration from Stanford University. Prior to joining the State service, he was a savings and loan executive in San Diego. As secretary of business and transportation, Mr. Luce serves as overall coordinator of the State's transportation network.

The April 1969 issue of Westways contains an informative interview with Secretary Luce. Mr. Speaker, I include in the RECORD the transcript of this interview:

INTERVIEW WITH GORDON LUCE

(By Paul Ditzel)

The Governor's Task Force on Transportation recently recommended ways in which California could plan and coordinate its current and future transportation requirements.

Major among the Task Force's recommendations was the suggestion that the state develop a transportation master plan that would include the encouragement of urban mass transportation and continued development of the state system of highways, roads and streets.

Formation of the Task Force was the idea of Gordon C. Luce, State Secretary of Business and Transportation. It included 24 business and professional leaders who were assisted by more than 100 transportation specialists. Chairman was architect and planner William L. Pereira, whose views appeared as the first installment (November, 1967) in Westway's recent series, "Transportation: What's Ahead for Southern California?"

In this interview, Secretary Luce discusses the report and related matters.

Question. What is the significance of the Task Force report?

LUCE. Let me say, first of all, that there is an unfortunate, but understandable, tendency to weary of discussions of the transportation problem and to vow to *do* something or to *build* something before we really know what it is that should be built or done to best serve our economic, social and environmental needs. To their credit, the Task Force did not lay out, in a neat pile, all of the state's transportation problems and then proceed to solve them. Rather, it pointed out that the most serious deficiency in our approach to transportation is our inability to identify and to evaluate our current and future requirements. There is little correlation of presently available information that could correct this deficiency, and even less coordinated planning among land, sea and air modes of transportation.

The Task Force recommended, therefore, that the legislature create and fund a California Transportation Board and an Office of State Transportation Planning and set up Regional Transportation Districts. By correlating present information and plans as well as other material that will be developed, these agencies will evolve a transportation master plan for California—one that would interlock with programs of our neighbor states as well as those of the federal government.

Question. You mention other plans and there have, of course, been many of them. Is there a danger that this report, because it does not propose concrete solutions, will become another archival curiosity?

LUCE. I hope not. California cannot afford to cast off the Task Force report as just another study. The Governor and the legislature appreciate that this report was the product of 18 months of study by as knowledgeable a group as has ever been formed anywhere to study transportation. The state could not have afforded to hire this combined expertise, which was voluntarily given to us. At the same time, I don't think we can say that past plans are necessarily bad because they are gathering dust somewhere. The master plan suggested by the Task Force could reactivate many of these plans, including, perhaps, the $100,000 plan that the state contracted with North American Aviation, Inc. to prepare several years ago.

Question. What is being done to implement the Task Force recommendations?

LUCE. Most of the recommendations must be implemented by legislative action. In the meantime, I have appointed Charles G. Beer to the post of Transportation Planning Coordinator for the state. He is helping to prepare the necessary legislation that would bring the Task Force's recommendations into reality. Beer served as a Task Force advisor and project director. For the past six years he has headed the Urban Planning Department of the California Division of Highways, so he is especially well qualified.

Question. Will the creation of these state agencies result in the employment of large numbers of additional personnel?

LUCE. No. The Transportation Board would consist of no more than seven members appointed by the Governor, with the advice and consent of the legislature. The Office of Transportation Planning would be small—probably a few planners from the Highway Department, the Finance Department and the Public Utilities Commission. This would be a coordinating team and would retain consultants rather than build a large "in-house" staff. Such an office could assist the Regional Transportation Districts.

Question. What do you see as the first activity of these new agencies?

LUCE. Transportation finance. We always seem to end up pondering how we are going to pay for whatever transportation improvement is suggested.

The state does not now have the ability to explore, in depth, how transportation can best be funded. The Planning Office could study other states and learn what they are doing. And it will work with various communities in an attempt to draw up guidelines on how other modes of transportation—rapid transit, for example—could be financed. The Planning Office would also be the focal point for the pooling, coordination and exchange of information, whether it be in regard to land-use planning, coordination of transportation facilities or standardization of equipment—all of which would help lower the cost of systems supplemental to freeways.

Question. How else can the state encourage solutions to the transportation problems?

LUCE. Chiefly by passing enabling legislation to permit communities to vote for a half cent sales tax—over and above present sales tax—to provide a fund for any form of transportation they wish, whether it be rapid transit, buses or additional street, highway and freeway construction. We are working on such a bill for presentation to the legislature this year.

Every city is unique in its history and its layout. The community knows—far better than the state does—what they must do to gear their transportation to the needs of their area. We are here to help. But the state must never go into the business of building transportation systems, other than our present and future involvement with highways, streets and roadways.

Question. You obviously favor the sales tax over other approaches to financing transportation.

LUCE. Very much so. The sales tax is a more equitable way for us to pay for rapid transit than, for example, further increases in the property tax. I think that most people misunderstand the benefits of a sales tax. This tax is paid by everybody. Whether or not each person in a community intends to use the transportation improvement, the facility benefits the area as a whole. There are some who argue that a sales tax is a hardship on low-income people, but I think the wealthier person certainly pays his share because his buying power is much greater. Sales taxes can, moreover, be turned off and on, quicker than any other form of taxation, a significant factor considering the urgency for solutions to public transportation problems. Another advantage to the sales tax is the slight cost to the state in collecting it.

Question. Is this how the Bay Area Rapid Transit (BART) will be helped out of its present financial distress?

LUCE. I hope so. There is a bill now that could result in a half cent sales tax—for four and a half years—in the three Bay Area counties that will benefit from BART. Another plan, which I strongly oppose, would double bridge tolls. This solution would require that BART's bonds be refinanced, thus resulting in added interest payments of around $100 million—almost as much as BART needs to get out of its financial trouble. Increased bridge tolls also would put off for many years the construction of another bridge that is so badly needed in the Bay Area.

Question. Would you support a state constitutional amendment to permit diversion of highway user taxes for other purposes—such as building rapid transit systems?

LUCE. No, I would not. Highway user taxes have worked successfully in California. You have only to compare our situation with other states—notably New York—to see just how well it has worked. In New York, the gas tax money has been used for other purposes. Consequently, that state has fallen behind in its highway program. New York now has a $2½ billion bond issue, which they hope will bring them back on schedule. The special fund for highways has worked well in California. It should not be tampered with.

Question. Are there other sources of finance?

LUCE. Yes. I would hope that we could obtain what I feel is due the state from the Federal Highway Trust Fund. When the fund was established in 1956, all the states contributed gas tax money to a national fund for building the Interstate Highway System. Four cents on each gallon of gasoline purchased by Californians still goes into that fund.

We have now put into the fund over a billion dollars more than has come back to the state; the federal government returns only 81 percent of our money. We are considered a "donor" state to help other states, such as Oregon, which gets back 126 percent; Arizona, which gets 138 percent; and Nevada, which gets 167 percent. The citizens of California are building roads in these other states.

While we recognize the validity of the concept and the need for the Interstate system, I believe that we should be getting back more than 81 percent of our money. Even the return of one additional percent of the over $400 million we annually send to the federal government in gas taxes could result in a sizable amount to further our transportation programs.

Question. Do you foresee a gas tax increase? And if so, when?

LUCE. I would hate to say to the taxpayer that we need another two cents on every gallon of gasoline he buys. An increase is, however, inevitable, if inflation and the population growth and transportation demands continue, which certainly seems likely. But I would not expect any increase for at least two years.

Question. The Task Force recommended that the activities of these new transportation offices be funded by the state highway, aeronautics and general funds. Do you agree?

LUCE. Yes. I am aware that there are some who are against use of the general fund and some who say all of the cost should be borne by the highway fund. I am, however, opposed to use of the highway fund to pay the whole bill. Funding must come from as broad a number of sources as possible, because so many forms of transportation are under consideration.

Question. What role might the systems analysis approach hold for the transportation problems we face?

LUCE. Transportation planning requires a great amount of input, and the only way you can do this is to computerize that input and develop systems from it. Private enterprise has demonstrated these skills. I hope that sometime in the future, after we get the Planning Office off the ground, we will utilize some of these systems analysis specialists.

Question. To what extent do you see the private and academic sectors working with the state on its transportation problems?

LUCE. They will play the major role in the years ahead, although they have in the past performed a relatively minor role, considering the state's virtual monopoly in highway work. The state will continue its highway activity, of course, but I think the overall problem in transportation is so broad, considering the other transportation modes, that we must go outside for expertise. Rather than have the state perform studies and do all the planning and building, we have to look to private enterprise and find out who can do the best job and then put them to work doing it.

Question. Do you think our approach to urban transportation is lopsided in favor of highway, as compared to some other modes?

LUCE. As I pointed out earlier, the state's role has been primarily in freeway activity, and not among the other forms of transportation. However, I believe the creation and work of the Governor's Task Force demonstrates an increasing interest in other forms of transportation to supplement the highway system.

Additionally, of course, the Bay Area Rapid Transit District is going forward with the development of rapid transit lines on a regional basis.

Question. Ridership studies in the Bay Area Rapid Transit District are said to be among the best ever made. Does not the Bay Area's desire for rapid transit parallel that of southern California and suggest that a similar system should be built in Los Angeles?

LUCE. Not necessarily. Rapid transit may be more attractive in certain areas, such as San Francisco, where people have become accustomed to high-density living and have learned to use various modes in addition to the automobile. BART's own prediction in San Francisco is that the completed system will make a 10 to 13 percent dent in motor vehicular traffic on the San Francisco Bay Bridge. Bridge traffic, however, is growing between 4 and 5 percent a year, so they're buying themselves only about two and one-half years of time before they are back to the present carrying capacity of the bridge. I'm not saying we should not try to make a dent, because a dent is better than nothing, provided the public wants it.

Question. The Task Force said the state should determine the need or demand for mass transit. Do you think people really want to get out of their autos and ride mass transit?

LUCE. The only way you can win the motorist away from his car is to provide him with a service that is more convenient and perhaps less costly. It remains to be seen whether any mass transit system will appeal to a sufficiently large number of people to really do anything more than make a small dent in the urban transportation problem.

Question. What is your assessment of the expanded use of buses as a prelude to rail rapid transit systems?

LUCE. It offers distinct and attractive possibilities. I think the first step before we make a major investment in a fixed rail rapid transit system is to work with something that costs less, can be laid out more quickly and seems to appeal more to the public. No doubt, if a modern type of bus were developed and used special street and freeway lanes, it would offer a flexibility of movement that would attract ridership.

Question. Should a study, similar to that made by the Task Force, have preceded the recent rapid transit Proposition A proposal that was defeated in Los Angeles?

LUCE. I believe so. While the rapid transit proposal had some outstanding citizen leadership, there were not enough leaders who were directly involved in its planning so that they could come forward and encourage everybody's support. With an overall involvement of business, professional, academic and transportation specialists—representative of the makeup of the Task Force—the outcome might have been different.

Question. Some blame rapid transit's failure on the proposed sales tax increase to pay for it.

LUCE. I doubt very much. People were not voting for or against a sales tax as much as they were not convinced that the system would solve their problem. Proposition A did better than some other measures that were far more financial in nature.

Question. Noting that Californians are concentrating in three regional areas—Los Angeles, San Diego and San Francisco—the Task Force said it is the "definite responsibility" of the state to encourage, if not directly underwrite, urban mass transit. Do you agree?

LUCE. No. The state should not underwrite transit. This is a regional issue and it is up to the people of the area to decide if they want it and how they will go about paying for it if they do. I do believe, however, that the state should enable and/or encourage the development of mass transit.

Question. The Task Force raised the possibility of developing a system of single purpose toll roads in the State of California. How do you feel about this?

LUCE. I am opposed to toll roads in California, except, possibly, for special uses such as the planned Mineral King Highway, tunnels or bridges. Toll systems are expensive in themselves because you must set up collection facilities and hire collectors. I think the public would prefer to pay a half cent more on their gas tax and have the freedom of driving toll-less highways.

Question. High-speed train service is receiving much attention on the East Coast, in Canada and Japan. Do you see it offering advantages to the traveler along the San Francisco-Los Angeles-San Diego corridor?

LUCE. Not particularly. In other areas, people have been train oriented for generations. In California, we are not. We are so accustomed to getting on and off airplanes serving this corridor that it is unlikely high-speed rail service would prove attractive—either in speed or in fares. Possibly it might when air congestion significantly worsens, but by then we will probably have developed the satellite airport concept, which would relieve the major air terminals.

Question. If the Task Force's recommendations are carried out, would you speculate on the makeup of urban transportation in southern California by 1985?

LUCE. Anything that is planned for the future in this area should be extremely conscious of environment, design standards, aesthetics and land use, in addition, of course, to mobility. In recent years we have emphasized a program of bringing the park people together with the planners, the architects with the highway engineers, so that some symmetry in transportation planning results. We must also have a system that serves the needs of all the people. It is to be hoped, moreover, that there will be overall planning and coordination of efforts so that all the transportation modes we decide upon will work together.

There is no doubt in my mind that freeways will continue to be the major mode. We must make better use of them, however. We have an experimental project under way now that uses electronic sensors to monitor traffic along part of the Los Angeles freeway network. Eventually, this could lead to a surveillance system that would benefit motorists by making driving easier and safer. Maybe, too, there are forms of rapid transit that will help southern California's problem. We must, nevertheless, strive for balance and coordination in our transportation systems.

BOGUS MONEY, THE VERDICT OF AN AMERICAN JURY

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 22, 1969

Mr. RARICK. Mr. Speaker, the age-old battle as to whether money as a medium of exchange must have intrinsic value or whether by custom and educated usage money can be a theoretical value was judicially resolved by a jury trial on December 7, 1968, in Scott County, Minn.

The jury found that credit called "instant money" through a bookkeeping entry by a bank was not lawful consideration to support a promissory note.

Perhaps the soaring trend of inflation and the ever-increasing manipulation by the money destroyers to remove the historical metals of intrinsic value are making it harder to fool the people.

The bank having lost the case and wanting to perfect an appeal tendered two $1 Federal Reserve notes which were refused with the statement that a $1,000 Federal Reserve note was worth less in value than a 10-cent trading stamp.

Mr. Speaker, I include two news editorials on the paper money case:

[From the Central Valley (Calif.) Valley Times, May 15, 1969]

A $1,000 BILL WORTH LESS THAN A 10 CENT TRADING STAMP

(By Jo Hindman)

A recent court ruling that affects your money reveals that Federal Reserve credit and currency—the same you are earning and spending—has no lawful value.

It came about this way: a bank foreclosed by advertisement on a borrower's note, bought the property (loan's collateral) at a Sheriff's sale, sued to acquire possession of the real estate in a case titled: First National Bank of Montgomery (Minn.) vs. Jerome Daly.

Martin V. Mahoney, Justice of the Peace, Credit River Township, Scott County (Minn.) presided at a jury trial on Dec. 7, 1968. The jury found the note and mortgage to be void for failure of a lawful consideration; also the jury refused to give any validity to the Sheriff's sale. The bank lost. Jerome Daly, the defendant, won and kept his land.

The president of the bank which is within the Federal Reserve System, admitted in testimony that the bank "created" the money/credit by a bookkeeping entry, the so-called consideration for the note and mortgage deed; also that no U.S. law or statute existed to give the bank the right to create money in that manner. Handing down the judgment, Justice Mahoney said, "Only God can create something of value out of nothing."

The bank tried to appeal the case. The appeal fee of $2 was offered by the bank, using two Federal Reserve Notes ($1 bills); these were likewise declared unlawful and void. The bank agent failed to appear at a hearing on Jan. 22, 1969 and the appeal was dropped.

By comparison, a humble trading stamp is worth more than a $1 bill (Federal Reserve Note), or even a $1000 Federal Reserve Note. The two bills differ only in denomination and perhaps engraved design; each has paper-and-ink value of a fraction of a cent. On the other hand, basic trading stamps—the gold, the blue, the green—each has face value of one mill. Superior to paper money (FR notes), trading stamps have redemptive value in the merchandise offered in the stamp companies' catalogs. The Fed's currency cannot be converted into the gold or silver it purports to represent, and can be exchanged only for more of the same—paper or cheap clad-copper coins.

Fantastic? Remember the foregoing Daly case: a United States court prevented the bank's attempt to redeem its worthless note by seizing Daly's valuable land. The saga is explained with detailed clarity by Mr. Daly, a brilliant lawyer on monetary law, in "A Landmark Decision," price, $2, 28 E. Minnesota St., Savage, Minnesota 55378.

You say "But paper money has been working out okay."

The practice works if nobody objects. Jerome Daly objected. Do you object to working 23 hours (three days) to pay for a new suit? Or two weeks to buy an automatic washing machine? While Federal Reserve banker needs only to uncap his pen to create and to multiply fiat dollars thousandfold? "Fiat" means the money cannot be converted into metal coins—gold, silver, etc.

Worse, the Federal Reserve System is a private corporation, not a federal agency, despite its name and the 1913 Act that "blessed" it. The Fed's money-multiplication table appears on page 73 of The Federal Reserve System (1963), obtainable from the system, Wash., D.C., 20551.

Obviously, the wrong needs to be made right, Congress should outlaw the Fed's money-creating racket, should recall the clad-copper coins and replace the silver, should take steps to restore the gold that has been trucked off. Congress not The Fed, should regulate U.S. money.

Your U.S. Senators and Congressmen know, or should know about the critical mess.

THE FEDERAL RESERVE'S "INSTANT MONEY" OPERATION IS DECLARED NULL AND VOID BY COURT AND JURY

(By E. F. W. Wildermuth)

The never explained conspiratorial like silence by the news media of this nation has kept most people in ignorance concerning a decision of major importance to all Americans, rendered by a court and jury in Minnesota on the 27th anniversary of the prelude to World War II via sneak attack on Pearl Harbor.

To better understand the importance of this decision a brief review of the wisdom displayed by the framers of the U.S. Constitution is likely to prove helpful.

It was the purpose of the framers of the Constitution to provide for the creation of a firmly established common medium of exchange in payment for goods and services and in settlement of debts.

In an effort to achieve this end, it was mandated in the Constitution that the Congress of the United States shall have the sole and exclusive power to coin money and regulate the value thereof. To insure the uniformity of value of such money, the power to coin money was denied to the States.

Since the adoption of the Constitution it appears that Americans have become victims of sundry self-styled "do-gooders" claiming wisdom far superior to that demonstrated by the Founding Fathers. Under the guise of "protecting" Americans, laws have been enacted designed to "protect" Americans from almost every conceivable shortcoming of fallible man, many of which have proved to be deadly boomerangs.

FEDERAL RESERVE ACT

Among those man-made laws which have boomeranged is the Act of Congress approved by President Wilson on 23 December, 1913. This Act created the Federal Reserve System, composed of 12 Federal Banks, their branches and numerous National Banks, etc.

Americans have come to believe that the Federal Reserve Banks are owned and operated by the federal government. The Federal Reserve Banks are privately owned and pay no taxes. The Federal Reserve System is the most complex "instant money" Frankenstein ever created in the recorded history of mankind.

Presently, the money manipulators of the Federal Reserve Board are trying desperately to make their unconscionably high interest rate stick in what must be their futile effort to stem the wild inflation in this nation now about to get out of hand. It is the same Federal Reserve "experts," now striving so mightily, who have wholly failed to stabilize the dollar and curb inflation after having successfully advocated the outlawing of the Gold Standard in 1933.

In this dark hour of financial crisis it appears that the money manipulators of the world, operating through the Federal Reserve System, may have met over-powering adversity.

MORTGAGE FORECLOSED

Jerome Daly, an attorney in Minnesota, executed a Note and Mortgage on May 8th, 1964 in the sum of $14,000.00 to the First National Bank of Montgomery. In the Spring of 1967 Mr. Daly came into arrears in payments in the sum of $476.00. The Note was secured by a Mortgage owned by Mr. Daly at Spring Lake Township in Scott County, Minn. The First National Bank of Montgomery foreclosed the Mortgage and bought the property at a Sheriff's Sale on June 26, 1967. Not having made payments after the sale or redeemed the property within the 12 months provided therefor by law, the Bank brought an action at common law to recover possession of the property . . . this is where the woes of the Bank began to sprout.

The suit by the Bank was instituted in the Justice of Peace Court at Savage, Minn. After two judges had been disqualified for prejudice and a third refused to preside at the trial, the case was transferred, pursuant to law, for trial before the Justice of Peace, Credit River Township, Scott County, Minn.

On December 7, 1968, the case was tried before Hon. Martin V. Mahoney and a jury of 12. The jury found against the First National Bank of Montgomery and in favor of Mr. Daly.

A BOOKKEEPING ENTRY

It was admitted at the trial by the President of the First National Bank that in combination with the Federal Reserve Bank of Minneapolis, by virtue of their interlocking activity and practice they were one and the same bank and that they created the entire $14,000.00 which had been loaned to Mr. Daly, in money or credit upon their books by a bookkeeping entry. It was this "instant money" which the First National Bank of Montgomery used as "consideration" to support the Note and the Mortgage which it allegedly foreclosed. The jury found as a fact that the "instant money" created by the simple act of a bookkeeping entry by the loaning institution (The First National Bank) was not the lawful consideration required to support the Note it took from Mr. Daly and the Mortgage he gave the Bank as security for the Note. It having been determined that the Note and Mortgage were void for want of lawful consideration, there could be no validity to the so-called Sheriff's sale.

"INSTANT MONEY"

There is no law or statute which permits or authorizes the creation of such "instant money" or any other money. Only Congress is vested with the power to create money and the Constitution does not authorize Congress to delegate its power to coin money and regulate the value thereof. Yet, the Federal Reserve Banks have been lawlessly creating "instant money" with impunity for ever so many years . . . until the Court and jury in the Daly case found in essence, if not in fact, that the Federal Reserve Banks are not above the law. It is self-evident that the champions of "instant money" do consider themselves above the law, especially in view of the fact that such is not the full nature and extent of the lawlessness practiced by the Federal Reserve Banks.

Most Americans are not aware of the brutal fact that in addition to their lawless practice of creating money and credit by the act of a bookkeeping entry, the Federal Reserve and National Banks exercise the ultimate prerogative of expanding and reducing the supply of money and credit in this nation. Those fiscal "experts" also indulge in manipulation of interest rates without authority therefor by law . . . sometimes for their self-styled humanitarian purpose of presuming to control inflation, etc. If a continuance of such lawless acts is to be condoned, the creators of "instant money" can any day make paupers of practically every law abiding American, among others, by the simple expedient of controlling the supply of money, credit, etc. The same money magicians who can create money out of nothing can also create, at their whim and caprice, a financial crisis in this nation which will make the financial debacle which plagued Germany in the early 1920's look like a Sunday school picnic. The price of money and the value of money are not one and the same thing . . . A carload of "printing press money" is of little or no value to a person who has not the means of transporting such money to pay for a loaf of bread Federal Reserve Notes are printing press money.

FEDERAL RESERVE NOTES "VOID"

Undaunted by the fact that a Court and jury had judicially determined that the First National Bank of Montgomery could not lawfully create money or credit by the act of bookkeeping entry, it offered two $1.00 Federal Reserve Notes in payment of the fee required by law to appeal from the judgment obtained against it by Mr. Daly. This "printing press money" was rejected by the Court upon the ground that it was void, among other reasons, because the sole consideration therefor was less than 1c, the cost of printing thereof: that the Notes lack a real or substantial fund for their redemption and because the portion of the U.S. Code which presumes to make such Notes legal tender was void as contravening Article 1, Section 10 of the U.S. Constitution.

Thus, it appears that Government has been permitted to become the enemy of all decent and well disposed Americans largely because Congress has surrendered the sole and exclusive power "to coin money."

Who, among the public officials of this day, undertakes to prove worthy of their forefathers by pledging their lives, their fortunes and their sacred honor in pursuit of whatever means are lawful and just in restoring to Congress "the sole and exclusive power to coin money and regulate the value thereof?"

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JUNIOR ACHIEVEMENT PROGRAM: AN INTRODUCTION TO FREE ENTERPRISE

HON. FRANK HORTON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 22, 1969

Mr. HORTON. Mr. Speaker, the vast majority of young people today are honest, enthusiastic, and conscientious.

Unfortunately, the headlines in today's news go to those seeking to disrupt our society. It is my feeling—and I am sure that many of my colleagues in the House agree with me—that more emphasis should be given to the constructive activities of young people.

In that light, I would like to share with you and my colleagues the results of one junior achievement project in Rochester, N.Y. As many of you know, there are junior achievement programs in 600 to 800 communities across the country. These programs are designed to teach teenagers about private enterprise.

Business and community leaders organize programs in cooperation with local high schools. The young people then form, operate, and finally liquidate the individual business.

An example of such an operation could be the manufacture of a toy by the youthful businessmen. The project would include designing, manufacturing, and then actually selling the product. Young people would handle all the financial aspects of the business, carefully preparing the profit-and-loss sheet and other data.

The junior achievement program demonstrates existing opportunities for young people in the business world. It also serves as a guide for schools and helps them to adapt curriculums to present-day circumstances.

One of the junior achievement projects in my district is a monthly newspaper called the Young Opinion. This newspaper is sponsored by the Gannett newspapers in Rochester. Of the 19 teenagers who put out the newspaper, 18 have won awards for exceptional performance.

An interesting sidelight is the benefit to two particular students.

One came from a very unsettled family background, did poorly in school and had very poor work habits. The student is now in a stable home. Schoolwork has improved tremendously and the student has won two free trips to junior achievement conventions because of exceptional performance.

Adult supervisors at the newspaper tell me that another youngster had no respect for the free enterprise system and was also a poor student when he started. After joining the staff of the newspaper, the student sold $200 in advertising, applied for a college scholarship and is preparing to enter a cooperative educational program.

The Gannett newspapers have provided an outstanding public service in backing the junior achievement program. Mr. Al Mahar, Gannett director of sales, has worked closely with the Young Opinion staff and is also a member of the area junior achievement board of directors.

Mr. and Mrs. Theodore Warmbold, a husband and wife editor-reporter team for Gannett, are guiding the editorial direction of the Young Opinion. From the fresh, creative look of the newspaper, I would say they have done an extraordinary job with these young people.

Mr. J. Patrick O'Connor, chairman of the Gannett Co.'s junior achievement committee, has supervised the financial, production, and sales end of the operation.

The teenagers include Andrzej Gierczak, president; Vincent Giannantonio, vice president; Arlene Raybould, secretary; Roberta Torrance, treasurer; Patricia Pogroszewski, safety director; Nancy Berry, personnel director; Daniel Muldoon, advertising manager; and Johana Ambrose, Jeanne Barton, Carol Bojinoff, John Huber, Valerie Humnicky, Paul Miller, Robert Minges, Denis Pohl, Bill Ovellette, John Jones and James Wacht.

Mr. Speaker, I hope all of my colleagues here will join with me in wishing these young people success for their future and commending the efforts of all who helped them.

DRAFT TREATY PROHIBITING NUCLEAR AND OTHER WEAPONS FROM THE OCEAN FLOOR

HON. CORNELIUS E. GALLAGHER

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 22, 1969

Mr. GALLAGHER. Mr. Speaker, as chairman of the International Organizations and Movements Subcommittee of the Foreign Affairs Committee and as congressional adviser to the Standing Committee on the Peaceful Uses of the Seabed and the Ocean Floor Beyond the Limits of National Jurisdiction, I applaud the action of the U.S. Government in proposing a draft treaty banning nuclear weapons and other implements of mass destruction from the ocean floor.

The draft treaty, unveiled today in Geneva, gives effect to proposals which the United States has been discussing during the past 2 years in different U.N. committees.

It constitutes a sensible and cautious first step—a very necessary step—toward the reservation of the oceans for peaceful purposes benefiting all mankind.

The United States has led the movement to make this principle operative in the domain of space; we now propose to extend it to the oceans.

I earnestly hope that the 18-Nation Disarmament Commission, meeting in Geneva, will give prompt and sympathetic consideration to the U.S. proposal.

In an age in which the threat of a nuclear holocaust has become a grim reality, we must exert every effort to extend the area of land, space, and the sea which will be denied to war-type activities.

The U.S. proposal does not jeopardize our national security; it respects the security requirements of all sovereign nations. At the same time, however, it attempts to provide a better, a more secure foundation for future peace.

Contents of the treaty follows:

DRAFT TREATY PROHIBITING THE EMPLACEMENT OF NUCLEAR WEAPONS AND OTHER WEAPONS OF MASS DESTRUCTION ON THE SEABED AND OCEAN FLOOR

(Submitted by the United States at the 18-Nation Disarmament Conference in Geneva on May 22, 1969)

The States Parties to this Treaty,

Recognizing the common interest of all mankind in the progress of the exploration and use of the seabed and ocean floor for peaceful purposes,

Considering that the prevention of a nuclear arms race on the seabed and ocean floor serves the interests of maintaining world peace, reduces international tensions, and strengthens friendly relations among States,

Convinced that this Treaty will further the principles and purposes of the Charter of the United Nations, in a manner consistent with the principles of international law and without infringing the freedoms of the high seas,

Have Agreed as Follows:

ARTICLE I

1. Each State Party to this Treaty undertakes not to emplant or emplace fixed nuclear weapons or other weapons of mass destruction or associated fixed launching platforms on, within or beneath the seabed and ocean floor beyond a narrow band, as defined in Article II of this Treaty, adjacent to the coast of any State.

2. Each State Party to the Treaty undertakes to refrain from causing, encouraging, facilitating or in any way participating in the activities prohibited by this Article.

ARTICLE II

1. For purposes of this Treaty, the outer limit of the narrow band referred to in Article I shall be measured from baselines drawn in the manner specified in paragraph 2, hereof. The width of the narrow band shall be three (3) miles.

2. Blank (Baselines).

3. Nothing in this Treaty shall be interpreted as prejudicing the position of any State Party with respect to rights or claims which such State Party may assert, or with respect to recognition or non-recognition of rights or claims asserted by any other state, relating to territorial or other contiguous seas or to the seabed and ocean floor.

ARTICLE III

1. In order to promote the objectives and ensure the observance of the provisions of this Treaty, the Parties to the Treaty shall remain free to observe activities of other States on the seabed and ocean floor, without interfering with such activities or otherwise infringing rights recognized under international law including the freedoms of the high seas. In the event that such observation does not in any particular case suffice to eliminate questions regarding fulfillment of the provisions of this treaty, parties undertake to consult and to cooperate in endeavoring to resolve the questions.

2. At the review conference provided for in Article V, consideration shall be given to whether any additional rights or procedures of verification should be established by amendment to this treaty.

ARTICLE IV

Any State Party to the Treaty may propose amendments to this Treaty. Amendments shall enter into force for each State Party to the Treaty accepting the amendments upon their acceptance by a majority of the States Parties to the Treaty and thereafter for each remaining State Party on the date of accepance by it.

ARTICLE V

Five years after the entry into force of this Treaty, a conference of Parties to the Treaty shall be held in Geneva, Switzerland, in order to review the operation of this Treaty with a view to assuring that the purposes of the Preamble and the provisions of the Treaty are being realized. Such review shall take into account any relevant technological developments. The review conference shall determine in accordance with the views of a majority of those Parties attending whether and when an additional review conference shall be convened.

ARTICLE VI

Each Party shall in exercising its national sovereignty have the right to withdraw from this Treaty if it decides that extraordinary events, related to the subject matter of this Treay, have jeopardized the supreme interests of its Country. It shall give notice of such withdrawal to all other Parties to the Treaty and to the United Nations Securiy Council three months in advance. Such notice shall include a statement of the extraordinary events it regards as having jeopardized its supreme interests.

ARTICLE VII AND VIII

Blank (administrative provisions).

GET YOUR OWN HOUSE IN ORDER

HON. ALBERT W. WATSON

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 21, 1969

Mr. WATSON. Mr. Speaker, during the incredibly ridiculous New York subway strike several years ago as well as in the case of numerous other strikes which plague New York City constantly, I do not recall any Member of the South Carolina congressional delegation calling upon the President to intervene. Somehow, these strikes seemed to be a matter for the State of New York to settle, or at least attempt to settle.

However, I suppose it is just asking too much to expect some of our colleagues from the State of New York to reciprocate for this common courtesy and decent way of doing things. Frustrated with their own lack of success at being able to resolve the complex problems of "Fun City," they now are turning to the sovereign State of South Carolina in an attempt to inject themselves into the internal affairs of my State.

Yes, Mr. Speaker, it was very interesting to note that of the 26 Members of the House who asked the President to intervene in the Charleston, S.C., hospital workers strike, 13 of them were from New York City. In addition, they were joined by the two Senators from New York, who themselves were among 17 Senators also asking the President to intervene.

Mr. Speaker, it never ceases to amaze me how far sheer hypocrisy can go. In the case of these House and Senate Members shoving themselves into a matter that in no way concerns them, hypocrisy has gone about as far as it can go. In every State represented by these gentlemen I can point to any number of critical State problems which, by comparison, make the Charleston situation seem like a Sunday school picnic. Nevertheless, I believe that these States can resolve their problems without any interference from me.

Now, instead of calling upon the President to step in and settle the strike, these gentlemen should have called upon national union leaders to abandon their attempts to violate the law and public policy of the State of South Carolina. Of course, this would be asking too much. After all, labor laws have been violated so much in other areas, especially New York City, until I am certain these gentlemen inadvertently forgot that they ever existed.

But, the very least these gentlemen could have done is publicly denounce strike leader Leon Julius Davis, the president of Local 1199 of the Drug and Hospital Employees Union. Surely, they must have known of the Communist activities of Mr. Davis. Perhaps I can refresh their memory. In 1938, Davis was the signer of a Communist Party petition to place a candidate on the Communist Party ballot. Later, while testifying before the House Committee on Education and Labor, he conveniently invoked the first and fifth amendments when asked if he was or had been a member of the Communist Party. The list of Communist and pro-Communist activities by Davis is virtually endless. However, for the benefit of my New York colleagues who may have a short memory, this is the same Leon Julius Davis who in 1960 was characterized by the Greater New York Hospital Association in a public statement as a "ruthless man using the sick and suffering as hostages in an attempt to set himself up as a dictator in our voluntary, nonprofit hospitals." The Hospital Association had ample reason to issue their statement. After all, Davis almost put them out of business because of illegal strikes, demonstrations, and outright violence.

Mr. Speaker, down my way a man—if he is a man—does not throw rocks at the neighbor's dog unless he has first locked up his own dog. Possibly the dog pounds in New York City are run very efficiently. If they are, it is the only thing there that comes to mind. So, if it is not asking too much of these gentlemen who have all the solutions for South Carolina, go home and get your own house in order, then come back and dictate to us. But, until you do, both the people of South Carolina and the people of your areas would be a lot better off if you would just hold your tongue.

Mr. Speaker, as a part of my remarks I would like to include the following two editorials from the Columbia Record, Columbia, S.C., which point out some very interesting facts that should be considered by our colleagues who have been so quick to meddle in the affairs of my State:

[From the Columbia (S.C.) Record, May 7, 1969]

CHARLESTON AND LABOR LAWS

Those 26 liberal Democratic Congressmen who asked President Nixon to intervene in the Charleston strike of hospital workers included a sizable number of lawyers. But you'd never know it from their crisp capsulization of labor law in their open letter introduced on the House floor.

Indeed, so faulty is their argument that one wonders whether their law degrees shouldn't be recalled by their institutions. Not only do they misstate the facts of the Charleston argument but they fallaciously interpret the Wagner Act and all subsequent history about relations between government as employer and public employees.

While the legal complications vary immensely from state to state, some facts of law are incontestable. The Wagner Act did not, as the Congressmen assert, make it clear that collective bargaining should extend into government as employer. Quite the contrary.

(Perhaps the fact that exactly half, or 13, of the Congressmen come from union-dominated, strike-crippled New York City conditioned their thought.)

The facts are these: no one can prevent public employees from forming a union. Governor McNair has made this essential element clear in his several statements.

A second fact is equally important: no court can at present order governmental units to bargain or make contracts with public employee unions, except in those states with express provisions therefor.

A Federal court in North Carolina recently sustained these two elements of law. Additionally, the Court upheld the state law which forbids local or state governmental units from doing business with public employee unions. "There is nothing in the U.S. Constitution which entitles one to have a contract with another who does not want it."

Space does not permit extended review of government-organized labor problems, but it should be noted that differentiation can be made between three groups of civil employees: federal, state and local.

Also, it should be noted that a section of the Taft-Hartley Act of 1947 made the ban on strikes by federal workers explicit: "It shall be unlawful for any individual employed by the U.S. or any agency thereof, including wholly owned government corporations, to participate in any strike. Any individual . . . who strikes shall be discharged immediately from his employment, and shall forfeit his civil service status, if any, and shall not be eligible for re-employment for three years." This provision was replaced on August 9, 1955, by a new and stronger substitute which made it a felony, punishable by a year's imprisonment and a fine of $1,000 for a federal employee to strike or assert the right to strike, or knowingly to maintain membership in an organization asserting that right.

Some states recognize public employee unions, but forbid them to strike. Other states do not recognize employee unions. Of those which do, at least 15 states have laws expressly forbidding strikes by these employees—but the laws have been ineffective.

In 1967 the New York legislature replaced its Condon-Wadlin law with the Taylor Law. But even the Taylor law was ignored, prompting New York State Supreme Court Justice Emilio Nunez to remark: "This (teachers') strike by a powerful union against the public was a rebellion against the government; if permitted to succeed, it would eventually destroy the government, with resultant anarchy and chaos." The judge simply echoed what Presidents Calvin Coolidge and Woodrow Wilson had said previously.

On March 7 of this year, the New York legislature revised the Taylor law, effective the first of last month. Courts may now impose unlimited fines on striking government unions, suspend indefinitely dues check-offs and impose mandatory penalties on individual strikers. Each public employee who strikes will lose two days' pay for every day on strike, will be placed on probation for one year and lose all seniority.

The Advisory Committee on State Employment Relations (of the Council of State Governments) is engaged in a comprehensive examination of changing relationships between the government as an employer and its employees. Its findings will certainly sustain the right of any state to recognize, or not to recognize, public employee unions in a bargaining process.

In the interim, it should be understood

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that the Charleston confrontation is more a well-financed, sustained assault on the state of South Carolina's position vis-a-vis public employee unions and less a racial matter. Pacific settlement short of union recognition is realistic and attainable. The pity is that the Charleston workers naively chose to move in the very year that, at long last, a state employee classification system was scheduled to be enacted—meeting at least the salary upgrading desired by the hospital personnel. To strike to attain a union that—in the history of America labor relations—is technically and legally not allowed to strike is a basic absurdity.

[From the Columbia (S.C.) Record, May 19, 1969]

Projects for 17 Senators

Seventeen U.S. Senators, with profound expertise in the subtleties of the complex Charleston hospital strike that we did not know they possessed, have asked President Nixon to dispatch a mediator to South Carolina. They did so, they said, "because the importance of the dispute so clearly transcends the boundaries of Charleston, and even South Carolina." They added: "We believe the national interest demands efforts at the federal level to help resolve the impasse."

Interesting. Each of the 17, logically, subscribes to the doctrine that (a) internal affairs of a sovereign state, when they involve "the national interest," should be attended to by the federal Executive, and (b) "strategies of social change" should be non-violent.

All right. The assumptions being accepted, then iet us suggest that Senators Thurmond and Hollings chat with their 17 colleagues about the dispatch of federal Executive representatives to each of the their states to help resolve problems that transcend the boundaries of their states and involve "the national interest."

The 17 are Senators Walter Mondale of Minnesota, Jacob Javits, and Charles Goodell of New York, Alan Cranston of California, Thomas Dodd of Connecticut, Fred Harris of Oklahoma, Philip Hart of Michigan, Edward Kennedy and Edward Brooke of Massachusetts, George McGovern of South Dakota, Gaylord Nelson of Wisconsin, Hugh Scott of Pennsylvania, Harrison Williams of New Hampshire, Ralph Yarborough of Texas, Stephen Young of Ohio, and Clifford Case of New Jersey.

Let us consider what the President could do to intervene in affairs of these states that concern the "national interest," transcending their boundaries:

Michigan—Desperate poverty of the Upper Michigan peninsula has not been solved by Senator Hart or the state; black unionists of the United Automobile Workers are rejecting UAW leadership as "discriminatory"; and Michigan's hegemony over U.S. automaking clearly needs in-depth surveillance.

New York City—Permanent offices of almost all Federal agencies are required to control mass corruption in dispensation of federal funds; permanent mediators should be present to help resolve the city's "a-strike-a-day" problems; and HEW must investigate the continuous violence in the city's schools. Surely Javits and Goodell would appreciate President Nixon's help.

Texas—Both federal and foundation funds are being used to create hatred among Mexican-Americans; braceros from Mexico and farmers of Mexico are being starved to death along the border by concerted action of organized American labor.

Oklahoma—A full-scale investigation of oil depletion allowances, on the spot, is an ancient requirement.

South Dakota—Rights of Indian-Americans consistently have been ignored and deserve on-the-spot mediation and improvement.

Massachusetts—The "one-man, one-vote" philosophy of participatory democracy consistently has been ignored by the notoriously corrupt political structure of Massachusetts, an erosion of fundamental civil rights injurious to the "national interest"; and a full-scale inquiry of organized crime is obligatory.

Pennsylvania—Neither social welfare objectives of state or federal agencies are being met, with constant thwarting by Harrisburg; the City of Brotherly Love remains, in many aspects, a city of arrogant discrimination—particularly in building-trade unions.

New Jersey—Criminal influences upon the political system have been, and are, arrogant; open housing ordinances are ignored despite the best efforts of civil rights groups and ministerial organizations; and an inquiry into automobile insurance in the state should be welcome.

California—An objective inquiry into complaints of non-unionized grape-growers and workers, including violence against non-unionists, is mandatory; and several score of mediators should be placed on all state college campuses for an indefinite time.

Ohio—Mayor Carl Stokes complains that the Nixon administration isn't seriously interested in the nation's major cities and a team of government officials ought to probe deeply into what has been done and not done in Cleveland and elsewhere—and why.

Wisconsin—A very fundamental civil right of Americans to "freedom of worship" has been violently abused by individuals disrupting Sunday worship services in Milwaukee.

The list is far from complete and quite frankly comes "from the top of the head." Unquestionably, some even more important problems transcending the boundaries of these states and clearly involving the "national interest" have been overlooked. But we are certain that the 17 Senators, all being gentlemen of honor with abiding concern for their own constituents, will ask President Nixon to dispatch the necessary investigative and mediative crews to their states.

At least, we think we are certain. Senators Hollings and Thurmond might do a little checking.

CASUAL REFERENCES TO BOYS' CLUBS HARM IMAGE OF "BOYS' CLUBS OF AMERICA"

HON. FRED B. ROONEY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 22, 1969

Mr. ROONEY of Pennsylvania. Mr. Speaker, Boys' Clubs of America is a congressionally chartered, nationwide, citizens-supported, volunteer organization of over 830 Boys' Clubs serving close to 900,000 boys 6 through 18 years of age. Mr. A. L. Cole of the Reader's Digest has recently succeeded President Nixon as chairman of the national board. President Nixon is now honorary chairman of the organization.

Boys' Clubs of America is the only national, nonsectarian, all-boy, very low dues, building centered, full-time professionally staffed organization with a varied and diversified program which provides continuous informal guidance to all of its members on a daily basis.

Boys' Clubs are open to all boys regardless of race, color, background, or social or economic status. The same applies to professional staffs and volunteer workers.

Historically and currently Boys' Clubs have a special interest in the disadvantaged boy usually not served by national youth organizations. Since a large percentage of Boys' Clubs are in the ghettos and since 34 percent of the boys are on the poverty level and another large number are near it, Boys' Clubs try very hard to reach the unreached, serve the unserved, motivate the unmotivated, and teach the untaught through programs of recreation, guidance, camping, health services, job counseling and placement, and family counseling to name a few.

Boys' Clubs are in their second century of service in building juvenile decency through programs aimed at promoting the health, social, educational, vocational, and character development of boys.

Unfortunately, there are many groups and organizations in this country which also call themselves Boys' Clubs but are in no way related to or affiliated with Boys' Clubs of America. In most instances these so-called "Boys' Clubs" are limited in scope and purpose. Thousands of athletic groups such as Little League and others call themselves "Boys' Clubs." Any group of boys banding together in their neighborhood can call themselves a "Boys' Club." Although many of these "Boys' Clubs" do provide some constructive activity, the program is seldom if ever as comprehensive in the total development of boys as that of Boys' Clubs of America.

More seriously, some organizations which have doubtful motives are operating under the guise of "Boys' Clubs."

One such example is that of the Boys' Club of Lexington, Ky., which has incorporated as a Boys' Club in the State of Kentucky but whose program and scope is questionable. They are currently under investigation by the House Banking and Currency Committee for tax gimmickry. This club does not have a building or a comprehensive program but as far as we know provides some scholarships to boys in Lexington. It also has a holding interest in a bank and possibly in a group of banks. Equally harmful is the confusion of identity resulting from newscasts about the "DuBois Club," a Communist Party group.

Derogatory publicity by these and other so-called "Boys' Club" organizations does not help the cause of Boys' Clubs of America. Boys' Clubs of America is vulnerable since it cannot control the use of the words "Boys' Clubs." It is difficult to convince the public that some of the less desirable types of Boys' Clubs are not the same kind of organizations as those affiliated with Boys' Clubs of America.

It is important that every opportunity be utilized to interpret the difference between a bona fide Boys' Club affiliated with Boys' Clubs of America and other "Boys' Clubs" in a community. Regular affiliated Boys' Clubs are normally members of a local Chest or United Fund and have a representative, high caliber board of directors responsible for the policy and operation of the Boys' Club. They have buildings, facilities, and camps and are operated by professionally trained workers. They provide a daily program of activities and services which are diversified and wide enough in scope to meet the in-

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clination, interest and need of every boy in the community. Boys' Clubs of America affiliates are allowed to use the official Boys' Club keystone insignia on their buildings and stationery.

FATHER ROMAGNO AT 75—CALM WILL COME AND THE FACTS WILL TALK

HON. JAMES J. HOWARD

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 22, 1969

Mr. HOWARD. Mr. Speaker, on Saturday, May 24, 1969, the Reverend Marcellino Romagno, O.Ss. T., pastor of Mount Carmel Roman Catholic Church in Asbury Park, N.J., will celebrate the 50th anniversary of his ordination. He will be honored at a dinner in the Berkeley-Carteret Hotel, Asbury Park.

Father Romagno has made an outstanding contribution to his church and to Monmouth County and he has served as an inspiration to thousands of persons. Father Romagno married my wife, Marlene, and me so we have both had the pleasure of knowing him for some time.

Mr. Speaker, the Asbury Park Press recently published an article on Father Romagno which I found most inspiring. I know that my many colleagues in the House of Representatives will be interested in reading this article about a fine man and at this time I place that story in the RECORD:

[From the Asbury Park Sunday Press, Mar. 30, 1969]

FATHER ROMAGNO AT 75—CALM WILL COME AND THE FACTS WILL TALK

(By Ed Reiter)

ASBURY PARK.—There have been many milestones along the priestly path of the Rev. Marcellino Romagno, O.Ss.T.

And as the path grows longer, the milestones seems to grow larger.

Last year Father Romagno marked his 30th anniversary as pastor of Our Lady of Mt. Carmel Roman Catholic Church.

Earlier this month, he celebrated his 75th birthday.

And now he is preparing for an observance that looms as the largest milestone yet: The 50th anniversary of his ordination to the priesthood.

It was on July 13, 1919, that John Michael Romagno, third of 10 children in a "simple, struggling" Italian family, took his final religious vows and assumed the name "Father Marcellino" as a member of the Order of the Most Holy Trinity.

As he approaches his golden jubilee, Father Romagno—a short, portly man with an air of quiet dignity—has only happy memories of the last half century.

"I have pleasant remembrances," he says, speaking with a soft Italian accent, "and I do not regret that I chose this kind of life. If someone would ask me if I would start all over again, I would say, 'Yes, I would.' "

The life that he chose actually was that of a missionary priest. The Trinitarian Order sent him to the United States from Italy in 1921 to work in its American missions.

He served at St. Ann's Church in Bristol, Pa., for 17 years—eight of them as pastor—before coming here.

Even today Mt. Carmel technically is a missionary church, designed to serve Americans of Italian extraction.

"Today, we have all different nationalities in our parish, on account of intermarriages," Father Romagno notes.

"But we still have the privilege of a national parish. That is, those of Italian extraction can still belong here, even if this is not the closest church."

There are some 900 families in the parish now—twice as many as there were in 1938 when he became the pastor. And many of them live in other towns, notably Neptune and Ocean Township.

The parish has acquired more than just new members during the last 31 years. It has gained a whole complex of new buildings, including its present church, at Asbury avenue and Pine street (completed in 1951); its rectory (built in 1955), and its 12-classroom school and convent (dedicated in 1963).

Nor is Father Romagno through with his building program.

He's had plans drawn up for a youth center and gymnasium, and he hopes to have it built this summer.

"The people are surprised that at my age I undertook another heavy task," he relates. "But I felt I was able to do it, and knowing the kindness and generosity of the congregation I started with full confidence.

"The youth should be kept busy all the time," he adds. "They should get tired, so that when they go home they go to sleep. We are building this youth center so they can enjoy themselves and keep away from doing wrong things in the streets."

Amid all the growth of the parish, the pastor has made it his business to know his people personally.

"I know the children, parents, and grandparents," he says. "In 31 years so many have died, been born, and been married.

"In all this time I have always been interested in keeping the families together, giving them some kind of attraction toward the church."

The winds of change within the Catholic church have made the job of the priest more difficult in recent years, Father Romagno admits. He views them, however, without alarm.

"There are many changes that now seem to disturb our minds," he remarks, "but eventually they will do us a lot of good.

"Years ago the people had simple faith, but now we must work in the minds of the people and put the doctrine in different ways. Eventually all the doubts will be cleared up.

"You wait: In 10 or 15 more years the calm will come and the facts will talk. The church will not be destroyed, just purified."

He regards the use of English in the Mass as one example of a change for the better.

"The people did not understand anything in Latin," he says. "Now they attend Holy Mass more effectually and more diligently.

"It was very hard for me in the beginning because of my age, but I willingly accept the changes which the church has made."

Despite his age, he takes an understanding attitude toward younger priests who have forsaken the priesthood because their consciences came into conflict with church regulations.

"We must admire the younger priest today," he declares. "It's very hard to be a priest today. People's minds are all confused with this new ecumenical teaching, and they want to follow their own way, their own conscience.

"Many priests give up the priesthood because they think they can do better in the world. This turmoil happened before, at the time of the Reformation. But the calm came then, later on, and so it will come now, too."

Father Romagno is one of two priests in his own immediate family. His younger brother, the Rev. Michael Romagno, is pastor of a church in Senandoah, Pa.

His own aspiration is "to stay here as long as possible, as long as my mind is clear and I have my health.

"I feel better now than I did 30 years ago," he says. "But a person my age can't foresee so well 10, 15 or 20 years. I must live day by day, year by year.

"When the good Lord will say, 'That's enough, that's all,' I must go and someone else will continue the work of God.

"I'm not indispensable. One pope dies, another one comes. And so it is in the parish: Father Marcellino dies, another pastor comes. The church will go on."

In the meantime, he'll stay on the job.

"I enjoy my work," he remarks.

And does he hope to mark his diamond jubilee 25 years hence?

"That," he says, "is up to the Boss."

THE UNIVERSITY OF CALIFORNIA AT LOS ANGELES CELEBRATES ITS GOLDEN ANNIVERSARY

HON. JAMES C. CORMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 22, 1969

Mr. CORMAN. Mr. Speaker, the University of California at Los Angeles this week celebrates its golden anniversary. I warmly congratulate the university, its administration, and its student body on this momentous occasion. Not only as an alumnus of the university, but as one who has profited all his life from the high quality of education received at UCLA, do I participate in the well-deserved tributes that are being heaped upon this great institution during this week.

UCLA has a proud record to look back on since it opened its doors in 1919 as the southern branch of the University of California. In 1919, 1,250 students were enrolled. Today, almost 28,000 students are on campus daily; another 80,000 or so are registered in evening extension courses. UCLA is known as one of the very finest universities in the world. It has excelled in scholarship and in athletics. Its alumni have received fame and recognition in many fields of endeavor. Let me cite a few of the men and women UCLA has graduated: Dr. Ralph Bunche, Nobel Peace Prize winner; Dr. Glenn T. Seaborg, Chairman of the U.S. Atomic Energy Commission and Nobel Laureate in Chemistry; Agnes DeMille, famous choreographer; Jerome Hines, Metropolitan star; Jackie Robinson, the first Negro to play professional baseball; Louis Banks, managing editor of Fortune magazine; Rafer Johnson, Olympic decathlon winner; Dr. Walto Lyon, scientist who charted the first voyage of the U.S.S. *Nautilus* under the North Pole.

Indeed, UCLA is one of the finest in academia. The energy, integrity, the learning concepts, the hopes and aspirations of its faculty and student body have made it so. In a great measure, its achievements have been possible because of the unusual and prized system of free university education that the State of California has established for its citizens. The State's willingness to invest in the future of its citizens has contributed greatly to the exceptional institution that today is UCLA.

I am not unmindful that the problems which exist at many universities also exist on some of California's campuses, and that these unresolved problems must be solved if academic growth is to continue. Education at all levels is still the most meaningful opportunity this country can offer to its young people. This is especially true of higher education, because from that point, young people become this Nation's leaders—its doctors, scientists, businessmen; its educator, its artists, its writers, its politicians, and its statesmen—or whatever field of endeavor a young person wishes to pursue.

UCLA has extraordinary gifts to offer to these young people to prepare them for their place in society. UCLA's students will—and must—continue to be enriched in mind and in spirit, with freedom to learn and to create on the highest intellectual plane, without which this Nation will become a wasteland.

The university needs only to remember its past 50 years of accomplishments—through wars, depressions, and other times of great social change, to be able to look confidently toward an even greater future.

UCLA will continue to grow. Its influence will continue to be felt, and it will continue to be one of the best in academia.

MARITIME DAY

HON. JACOB H. GILBERT

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 22, 1969

Mr. GILBERT. Mr. Speaker, on this observance of Maritime Day, it would be well if we were to dedicate ourselves to actions in this Congress to bring a new sense of hope to those who operate and man our merchant marine—to the development of a program that will lead to a new era of construction of American vessels and an enlargement of the amount of cargo carried aboard these American vessels.

As we survey the disarray of our merchant marine fortunes on Maritime Day 1969 it must be obvious to all of us, Mr. Speaker, that we need a realistic program to properly carry out the provisions of the Merchant Marine Act of 1936 so that the maritime industry may prosper instead of continuing to suffer. What is urgently needed is a sweeping program that will lead our ailing fleet to reconstruction and recovery.

A strong merchant marine is vital to U.S. prestige and potency as a seapower and should be commensurate with the U.S. status as a leading world power.

A strong merchant marine provides direct economic benefits for shipowners, shipbuilders and shipworkers, and indirectly benefits every other segment of our economy by serving the commercial needs of the Nation and the world.

A strong merchant marine provides an important means for redressing the deficit in our balance of payments, because to the extent that our imports and exports move in foreign vessels we add to the deficit, and to the extent that they move in American vessels we contribute toward an eventual surplus.

In short, Mr. Speaker, there are many reasons for having a strong merchant marine. Yet we have ignored these facts and allowed our fleet to practically diminish—and this is regrettable. I would hope, therefore, that we can move forward from this Maritime Day toward a new era of maritime strength.

NORWEGIAN INDEPENDENCE DAY

HON. JOHN J. ROONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 22, 1969

Mr. ROONEY of New York. Mr. Speaker, this week many of us have had an opportunity to share with our admired Norwegian American friends in their celebration of Norwegian Independence Day.

These observances are a poignant reminder that 155 years ago the people of Norway were jubilant over the adoption of their new Constitution and its farsighted assurances of rights and privileges for them and for the subsequent generations to come.

It is no wonder that American citizens of Norwegian birth or extraction place the celebration of Norwegian Independence second only to our own American Independence Day. It is no wonder that these patriotic citizens who have consistently demonstrated their loyalty to this country, its flag, its laws, and its people pay such fervid tribute to their erstwhile homeland and the Constitution which their forebears adopted over a century and a half ago.

This noble and historic document came into being only after the most astute statesmen and proficient legal minds took from our Declaration of Independence and from the provisions for assuring personal freedom emanating from the French Revolution the best statements and principles which they wove into their own historically sound legal structure—a structure so sound and so far seeing that only a relatively few amendments have been required since its adoption on May 17, 1814.

With this magnificent background of independence both in theory and in practice, the people who left Norway to come to the United States brought an attitude of mind and a dedication of purpose wholly consonant with that of the pioneering people of this country.

No element among the races and nationalities who have migrated to our shores in the almost 200 years of its independent existence have made a more significant or lasting contribution to this Nation than those who came here from Norway. It is with both pride and appreciation that we acknowledge their signal influence on our westward expansion. It is with similar pride and gratitude that we acknowledge their great contribution to bringing to this country so many who pioneered and helped to expand this country's important maritime role.

Mr. Speaker, all America can be grateful for what these God-fearing, law-abiding, and hard-working people have done to help build America into its present greatness. No group of new Americans has so quickly been blended and absorbed into the so-called American way than have these descendants of the Vikings. However, no group has been more capable of preserving the joyful customs and wholesome reminders of their forebears. Every American of Norwegian birth or extraction can be proud of his lineage and can be proud of what his people have done to make this country great.

Every American of whatever lineage can be proud of his fellow citizens who celebrate Norwegian independence, and every American can be grateful for what these fine people have done for him personally.

I congratulate once more these friends and neighbors who honor Norway's great constitution and who pay tribute to a country whose love for freedom and justice to all mankind has never wavered.

THE TACTICS OF TERROR IN VIETNAM

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 22, 1969

Mr. ASHBROOK. Mr. Speaker, one aspect of the war in South Vietnam which has been either overlooked or ignored in some quarters is the extent to which civilians of South Vietnam have suffered at the hands of the Vietcong and North Vietnamese Communists. It is ironic, when one considers the propaganda war being waged by those who are against the U.S. effort in that beleagured country, that full disclosure of the terror employed against these people is not given wider and regular publicity. When the U.S. presence in Vietnam is in defense of the South Vietnamese people in their fight to preserve their liberty against Ho Chi Minh, what better justification for our policy can we have than the brutal and widespread killings to which these free people are subjected? It is again ironic that attention is given to the fair packaging issue in order to insure that the housewife gets the proper quantity in a box of raisins, but the same housewife can lose a husband or a son in Vietnam and the cause for which he died is allowed to be buried in a welter of left-wing propaganda. The most simple yet eloquently compelling argument for our being in Vietnam—the protection of the lives of innocent people—goes virtually ignored in many circles. Just let five towns in any given State in our Nation suffer the loss by murder of a mayor, or a policeman, or a civil servant, or a teacher, or any other local leader at the hands of a group whose official policy is terror, and the people would be up in arms—and rightfully and fortunately so. But let literally thousands of village and hamlet chiefs, civil servants, policemen, schoolteachers and other village leaders

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be dispatched to their graves over a period of 10 years or more in South Vietnam, by the same inhuman methods and motivated by the same godless philosophy which has snuffed out literally millions of lives throughout the world in the last 50 years, and this slaughter is matter-of-factly noted and forgotten.

One publication which has consistently put proper emphasis on Communist inhumanity to man in South Vietnam is the National Observer. One of its correspondents, Peter T. Chew, writing from Saigon, reports on the upsurge in terror in South Vietnam since the beginning of this year. It is indeed tragic that similar extensive articles on this issue do not appear day in and day out, month after month, to drive home to the American people the deliberately inflicted and policy-directed sufferings perpetrated by the enemy in that yet free land.

Accompanying Mr. Chew's article is a picture of a burial scene in South Vietnam which has been repeated thousands of times over the years. This particular picture is similar to others which were published in the weekly magazine, National Review, some months ago and which had been obtained from the Defense Department. The title of the National Review photo story was: "Vietnam—The Photographs We're Never Asked for."

The lead paragraph explained:

> When National Review approached the Pentagon to secure photos of Vietcong atrocities, an official said, "You're the first people who ever asked for these." The photos on these four pages are clear—and, we know, sickening—evidence of atrocities outlawed by all laws of war, which have left Vietnam covered with butchered and desecrated corpses.

Under unanimous consent, I shall submit the article, "The Tactics of Terror in Vietnam—Viet Cong Strikes by Scalpel," by Peter T. Chew, and appearing in the May 19, 1969, issue of the National Observer for inclusion in the CONGRESSIONAL RECORD, as follows:

VIETCONG STRIKES BY SCALPEL—THE TACTICS OF TERROR IN VIETNAM

(By Peter T. Chew)

SAIGON.—With both sides pressing peace initiatives, why has the National Liberation Front (NFL) intensified its campaign of terror against South Vietnamese civilians?

Since the first of the year, some 3,000 noncombatants have been assassinated, or have otherwise lost their lives as the result of mounting terrorist activity. In recent weeks—in apparent celebration of Ho Chi Minh's 79th birthday on May 19—terrorist incidents have assumed an especially ghastly quality. Furthermore, the trend is expected to continue in the weeks ahead, President Nixon's peace overture notwithstanding.

There is no single, clear-cut answer. But psychological-warfare specialists say that important clues can be found by careful study of the daily "Roundup of Communist Terrorist Activities" issued by the Vietnamese national police here every evening. Written in chillingly understated prose—"A VC team entered Xom Lang Hamlet, Go Cong Province, took a woman named Phan Thi Tri, aged 33, from her home to a rice field 50 meters away and killed her by cutting her neck with a machete"—the roundup puts one in mind of a stock market of death which is analyzed for information concerning the enemy's strengths, weaknesses, and intentions.

WATCHING THE COMPUTERS

"When the computers show, for example, a sharp increase in Viet Cong abductions of villagers in a sector of a province," says a U.S. Government authority, "it is an almost certain bet that we can soon look for a Viet Cong attack in that neighborhood because the villagers have been impressed into service as porters."

Most authorities agree that terrorism is a weapon of the weak, and that this rule of thumb can be applied to the Viet Cong at the present time, decimated as their ranks have been in combat. This is especially true in the Mekong Delta, where North Vietnamese Army (NVA) troops were reported on the move last week for the first time in the traditional Viet Cong stronghold.

As a result of this attrition, the burden of fighting shifted almost completely last year from the Viet Cong to the NVA. The VC were, in a sense, shunted aside. Consequently, they lost face with their allies and with the South Vietnamese people whom they seek to subjugate. They began to lose the momentum that a revolution must maintain in order to succeed.

"The hard fact is that the National Liberation Front is trying to fuzz over its impotence," says Douglas Pike, author of the recently published *War, Peace, and the Viet-Cong*, who is considered one of the foremost authorities on the NLF; he served here for nine years with U.S. Government agencies studying the enemy's political and military structure.

DRAWING ATTENTION TO THEMSELVES

"The Viet Cong can't raise the troops to do the job, so this terrorism, this rocketing of market places and the like, is a way of drawing attention to themselves on the cheap. They almost seem to be saying: 'Yes, there is talk of peace, but *we* still count; *we* are still potent.' It's as though they were afraid that the North Vietnamese will forget to invite them to the final peace settlement."

Other reasons for the terrorism are put forward. With the incessant talk of U.S. troop withdrawals, and Washington's fervent desire for peace, the Viet Cong are passing the word, as they have done before, that the United States plans to "sell out" the government of Vietnam (GVN). By demonstrating that Viet Cong assassination squads, grenade tossers, and mortar crews can strike almost at will, the enemy is saying to the South Vietnamese: "You had better come over to our side before it is too late."

In Saigon during last year's Tet offensive, the Viet Cong started a similar rumor with considerable success, according to a Rand Corp. survey taken after the fighting had ended.

"As variously spun out," says the report, "the rumor was often based on suspicions or fears that the U.S. Government had recently decided that it should pull out of Vietnam. This was considered plausible because of the past record of official U.S. pressure on the government of Vietnam to accept the National Liberation Front as negotiating partner, the existence of factions within the American political scene which favored a Viet Cong [Saigon] coalition government in South Vietnam, the enormous cost of the war to the United States in terms of men, material, and domestic morale. . . ."

RUMOR OF A SECRET MEETING

Thus the story spread through Saigon that the United States had met secretly with the Viet Cong and had agreed to allow them to attack the city, so weakening the government of Vietnam that "the United States would have an excuse to begin negotiations, to form a coalition government in Saigon, and to withdraw American troops in short order."

Ironically, the peace negotiations are credited, indirectly, with the increase in Viet Cong terrorist activity. Anxious to control as much of the population as possible when peace does come, the government of Vietnam, with U.S. assistance and encouragement, began an "accelerated" pacification program late last year, a program that has met with considerable success. To counter this drive, the Viet Cong accelerated their time-tested terror tactics, which, by conservative estimate, have resulted in the deaths of more than 20,000 civilians and the wounding of twice that number since 1957. Their targets were the same as always: the village and hamlet chiefs, civil servants, policemen, schoolteachers, natural leaders of all kinds, self-defense forces, people in the employ of the Americans.

"They are particularly anxious to keep the schools closed," says a U.S. military man. "Not long ago they stopped a school bus and told the children not to go to school. When the childrens' parents allowed them to continue school, they stopped the bus again the next week, took a little girl off the bus, and cut her fingers off. The school has been closed ever since."

Last week, U.S. officials, who were busy setting the stage in Washington, Paris, and Saigon for President Nixon's Vietnam speech, found the Viet Cong terrorism difficult to ignore. By way of welcoming Secretary of State William P. Rogers to Saigon, the Viet Cong rocketed the runaway of Tan Son Nhut Airport the day before his arrival for conferences with President Thieu.

"The indiscriminate and senseless killing and wounding of civilians in their homes and in the streets only raises questions about the intentions of the other side," said Mr. Rogers. "Symbolic acts of terrorism like those that took place in a number of cities in South Vietnam as recently as yesterday do not reinforce the hope of a settlement."

At first glimpse, much of the killing that has been taking place in recent weeks has appeared to be indiscriminate and senseless. Upon closer examination, however, most of the killing had a specific purpose, was not always indiscriminate, and, to the Viet Cong at least, was anything but senseless.

READING THE MESSAGE

Because it is so difficult to terrorize people in the mass—as, for example, Stalin was able to do with his purges—terrorism is more often employed as a scalpel. Hence there is invariably a carefully conceived reason for each attack. Sometimes the reason is quite obvious; sometimes it is incomprehensive to all but the person or persons to whom the "message" is directed.

Take some recent incidents. The other day, a terrorist threw a hand grenade into the yard of Adm. Elmo R. Zumwalt, commander of U.S. Naval Forces, Vietnam. One of the principal uses of terrorism is to gain publicity, and to boost the morale of one's followers. Names make news, and even though no one was harmed in the attack, the attempt was a major news item.

"It might not even have been as complicated as that," says one analyst of the daily terrorism roundup. "The attack was carried out in such an amateurish fashion that it could have been a disgruntled Vietnamese civilian employe of the Navy."

Early one morning, a terrorist tossed a hand grenade into the government's central post office and telegraph office opposite Saigon Cathedral, just a few blocks from the Caravelle and Continental Palace hotels, in the very heart of downtown Saigon. Why? Again, an attack on such an installation is newsworthy and conveys, momentarily at least, the impression that the Viet Cong is ubiquitous. Moreover, the Viet Cong constantly urge the citizenry to stay away from such government installations. The grenade was a reminder.

DEATH ON A CHOLON BUS

Two women terrorists boarded a bus in Cholon, the working-class and Chinese section of the city, shot the driver, and set fire

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to the vehicle, the driver and a passenger perishing in the flames. Senseless? Probably not, in the Viet Cong view.

"The bus was probably owned by a Chinese businessman," says the analyst. "Now every commercial vehicle moving on the roads in Vietnam pays 'taxes' to the VC or to crooks who claim they are VC. The Chinese are pretty foxy; the businessman probably tried to get out of paying off."

Adding to the terror mix are straight forward attacks upon targets such as police stations and military installations in which innocent bystanders are inevitably killed and wounded. Terrorists casually wheeled a cart up to a police station in Cholon at midday last week and fled when suspicious policemen approached. Seconds later, a 40-pound explosive in the cart ripped through the police station, killing one woman and wounding 26 bystanders.

Another nervy terror squad was surprised in the process of setting up a 60mm. mortar in a school house within range of the heavily guarded Presidential Palace. National police killed one of the mortar-men and arrested two others.

SENSELESS ACTS

Regardless of the rationale, Westerners find many acts of terrorism "senseless" in view of the extremely heavy toll of innocent persons. Terrorists one recent morning concealed a powerful bomb in a container and placed it on a street corner in front of a coffee shop in the most congested section of the market in Ben Tre, a city south of here. The bomb killed 6 persons and wounded 42; among the dead were two 60-year-old women and two girls, aged 3 and 12.

Equally horrible, in Western eyes, are the indiscriminate rocketings of market places, hospitals, and shacks of the poor in cities such as Saigon and Da Nang. Such actions are seen as attempts at mass terrorization. They fail because the enemy is not strong enough to send rockets and mortars over in sufficient quantity to induce this effect. As a result, the rocketings have had a tendency to backfire, infuriating many people who had often as not been indifferent to either the Viet Cong or the government. The rocketings have even converted some opponents of the Thieu government.

"Some militant Buddhists came to me in shocked surprise and righteous indignation," says one U.S. official. "They said, as though they had just discovered a great new truth: 'Why, they are killing innocent people with these rockets here in Saigon!' It was all I could do to keep from replying: 'Yes, you're at least getting a dose of what the people in the villages have been living with for nearly 15 years. Maybe now you'll wake up.' "

By far the most grisly, and significant, chapter in th history of Viet Cong and North Vietnamese terrorism in South Vietnam is still unfolding in the city of Hue where, since the end of the Tet offensive last year, more than 2,000 bodies of persons methodically assassinated by the enemy have been dug up from shallow mass graves. Volunteer gravediggers, many of them teen-agers, are still finding bodies, and officials believe that another 1,000 and possibly 2,000 will be uncovered.

"It was the beginning of the 'night of the long knives' that is standard operating procedure after a Communist takeover," says a U.S. State Department man who has made a study of the Hue massacre. "The North Vietnamese held Hue for nearly a month, and they had planned to hold it permanently as an enclave. The assassination squads worked from prepared lists, just as the Nazis and the Stalinists did. What happened in Hue is just a smattering of what you can expect if the Communists succeed in taking over South Vietnam."

There is reason to believe that President Nixon had Hue in mind when he said in his Vietnam speech last week: "When we assumed the burden of helping defend South Vietnam, millions of South Vietnamese men, women, and children placed their trust in us. To abandon them now would risk a massacre that would shock and dismay everyone in the world who values human life."

When the enemy was finally dislodged last year from the thick-walled Citadel of Hue where they made their last stand, 19 mass graves were found containing the bodies of 1,200 men, women, and children. Many of the dead were the usual victims: city and province officials, national policemen, military personnel, others with a reputation for anti-communism, and Catholic refugees from North Vietnam.

REDS TURN ON THEIR ALLIES

But what came as a shock to many was the fact that the Communists also assassinated militant Buddhists who had been involved in earlier attempts to overthrow the Saigon regime, men who had worked with the Communists toward this end. They eliminated, as well, members of numerous antigovernment political parties, foreign missionaries, and medical personnel.

Among the foreigners killed were Father M. Cressonier, 59, and Father Pierre Poncet, 36, of France, who belonged to the Societe des Missions Etrangeres de Paris, Father Cressonier having lived in Hue for 25 years. Two other French priests, members of the Benedictine Order, were also assassinated.

Students and faculty of Hue University were appalled at the murder of three German professors of medicine and the wife of one of them.

"They were discovered April 2, 1968," says a U.S. Government report. "They had been dumped into a single shallow grave in a freshly plowed potato field behind a rural pagoda not more than 1½ kilometers south of the walled city. All had been shot in the back of the head, their hands trussed behind them with wire. The victims were: Dr. Horst Krainick, 59, professor of pediatrics, and his wife Elizabeth (whose body had been mutilated); Dr. Raimund Discher, 44, professor of internal medicine; and Dr. Alois Altekoester, 36, professor of general medicine.

"These people had never done anything warlike or hurtful to the VC," said Dr. Nguyen The Anh, professor of history and rector of Hue University. "And Frau Krainick was a gracious lady. We simply don't understand it."

BURIED ALIVE

American and South Vietnamese investigating teams report that "almost half of the victims were found in conditions indicating that they had been buried alive. Many were found together in groups of 10 to 15, eyes open, with dirt or cloth in their mouths. Evidence also was discovered of victims having been clubbed unconscious prior to being buried alive."

In one official report of the massacre there appears this item: "Tang Quang Tu Pagoda. Coordinates: YD 764–240. Number of graves: 13. Number of bodies: 67. Date discovered: From 3/1/68. Comment: Victims shot. Buddhist monk in Págoda heard nightly executions by pistol and rifle shots in plowed field behind pagoda during first two weeks in February, with victims pleading for mercy. Leader of Vietnam Nationalist Party Nguyen Ngoc Ky, was among victims found here."

In March of this year, a new search for bodies was begun at the instigation of a diminutive 40-year-old widow, Madame Ton That Lang of a neighboring district. Her husband, a school teacher, had been taken from their home by six Viet Cong soldiers six days after the city's occupation.

Madame Lang prevailed upon her district chief to ask for volunteers and trucks to begin a search for bodies in the sandy marshlands not far from Hue. The search was successful. Other committees were formed, other searches were begun, more bodies were found.

"One set of graves was discovered when someone noticed that the grass in that particular field was greener than it was in the next field," says an American official.

Identification, most of the time, has been impossible, for the enemy destroyed the victims' identification cards. One woman obviously had a premonition of her fate: She wrote her name, ID card number, and address in ink on the inside of her underwear.

The first batch of 1,200 bodies found last year was buried in a paddy. But the new finds, totaling 800 bodies so far, are so numerous that it was decided not to waste any more valuable rice-growing land with a cemetery; hence a new burial ground has been established in sandy scrubland.

The bodies are placed in plywood coffins, which are painted red and given numbers. Then mass funerals are held. Among the mourners at a recent funeral was Madame Lang. She hasn't found her husband's body yet. But she hasn't given up the search.

MICHIGAN'S BATTERED BABIES

HON. MARTHA W. GRIFFITHS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 22, 1969

Mrs. GRIFFITHS. Mr. Speaker, the Detroit News recently carried a series of articles written by Ruth Carlton and Kathleen O'Brien on Michigan's battered babies. The tragedy of child abuse with its unbelievable horrors points to an area where there is great need for new approaches by the courts, welfare agencies, and the entire community toward solving this problem. In Michigan last year the reported number of child abuse cases totaled 766, and for the Nation as a whole it is reported that one or two children are killed by their parents every day.

Indeed, too little attention has been given to the innocent victims involved, many of whom are too young to talk and are forced to bear lifelong emotional and physical scars of this brutality. One of the reasons this problem has been overlooked is that it relates to the family and the personal relationship of its members. But this whole problem affects society and it demands solution.

At this point, I place the series in the CONGRESSIONAL RECORD for everyone to read:

MICHIGAN'S BATTERED BABIES: ARE THEY THE VICTIMS OF THEIR PARENTS' RAGE? OF SOCIAL WORKERS SNARLED IN REDTAPE? OR OF A SOCIETY THAT DOESN'T CARE?

(By Ruth Carlton and Kathleen O'Brien)

Two-and-a-half-year old twin girls died last year in Wayne County as a result of burns they suffered when their stepmother poured boiling water on them as they were taking their bath.

A six-month-old baby boy was found weak and close to death in a Detroit home where three other children seemed happy and well-fed.

A two-month-old baby was badly bruised when he was brought into a Detroit hospital emergency room. The mother said he had fallen out of his crib. Later, under questioning, she admitted throwing the baby across the room when he would not stop crying.

These are three of the 766 cases of child abuse reported in Michigan last year; 334 came from Wayne County. Four of the Wayne County children died—all under 27 months of age.

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Most of the victims are under three . . . too young to tell what happened to them . . . too small to run away.

Doctors are required by a 1964 state law to report all suspected cases of child abuse to the Michigan Department of Social Services (MDSS). This law also protects the doctor's anonymity.

Still all authorities agree only a fraction of the abuse cases are reported.

Furthermore there is no agreement among authorities about what steps should be taken when a case of abuse is reported.

Should the abused child be removed permanently from the parents?

Should the parents be punished by having their child taken from them?

Or should an effort be made to rehabilitate the parents through social work counseling?

Should the child remain in the home while his parents go through this emotional reeducation? Or should he be temporarily placed with foster parents until his own parents have learned to handle their anger and frustration a different way?

"There's a struggle in philosophy of how to handle beaten babies," says Judge James H. Lincoln of Wayne County Juvenile Court.

"The Department of Social Services seems to feel social work should be carried on without court intervention. I object; you wind up with dead kids.

"I want the Department of Social Services to offer social services; but I want them to bring each case immediately to court.

"I want an official petition filed to move the child out of the home on every abuse case."

He says parents will often agree to let children go into boarding homes without the case going to court.

"But two months later when they want the child back nothing can stop them.

"I'm in favor of social work to help the parents. But use the authority of the court to protect the child.

"Even if the court leaves the child in the home there is more control if the case has been reviewed by the court. Then the parents have to let the social worker in. It's different than social work visiting on a voluntary basis," Judge Lincoln says.

"I have a baby in the hospital now so savagely beaten he may not live," says Dr. Marilyn Heins, director of pediatrics for Detroit General Hospital.

He is an 18-month-old boy who weighed only 14 pounds when he was brought in. His tiny back is scarred from beating; his belly bloated from near starvation.

Half a dozen burn spots on his cheeks are the size of a cigarette coal.

His mother had been arrested two years ago when another of her children was brought in brutally abused.

"We (the doctor who examined him, the nurse and social worker who visited the home) all said this is a terrible situation; the children should be removed at once. But nothing happened.

"How many children from that home must suffer before someone takes action to protect the children?" the doctor asks.

A Detroit police woman says: "It is out of our hands. All we can do is report to the Michigan Department of Social Services." (Before the 1964 law, child abuse was reported to the police.)

The implication is: they report to the MDSS and nothing happens.

A social worker says, "One abused child, returned home for lack of proof that his parents were responsible, was dead two months later as a result of 'an accident'."

Another social worker who formerly worked for the Wayne County DSS says: "There is so much paper work involved with taking a child from his home and placing him in a foster home that the social worker can't possibly offer real service to the parents or the child."

Many cases of child abuse still go unreported, says Dr. Margaret Zolliker, director of maternal, child and school health for the City-County Health Departments.

"Most doctors in private practice are gunshy; they won't turn in a case of abuse for fear of being sued." (Even though the law protects their anonymity, a family that takes a child to their family doctor can figure out where the report came from.)

Often the doctor simply cannot believe a patient he knows is capable of beating a child, she says.

"These parents fall into two groups," Judge Lincoln says. "Those who know they are doing wrong to break a child's bones and those who think they are following the Bible on spare the rod and spoil the child."

The greatest need in Wayne County is for adequate marriage counseling, family social work, which could shore up these families, Judge Lincoln says.

"With help for the parents many of the 3,000 kids now wards of my court might be in their own homes. We would not need the constant search for boarding homes and adoptive homes if we prevented the breakdown of the family—the child's own family."

"Child abuse is just one facet of the larger problem—unwanted children," says Dr. Marilyn Heins.

"We should attack it by all methods to prevent unwanted children . . . birth control, legal abortion and subsidized adoption. Anything rather than unwanted kids."

In the meantime Dr. Heins feels the emphasis should be on protecting the child . . . especially the very young child who has no defense.

Dr. Heins says 17 percent of the children coming into Detroit General are there because of neglect or abuse.

In a study of 47 families brought before Wayne County Juvenile Court for child abuse, these facts stand out:

Twenty-six of the 47 abusive parents were under 25 years of age.

Twenty-one of the parents had married before the age of 20.

Half of the parents had failed to graduate from high school.

Many of them were mentally retarded.

Thirty-three of the 47 children abused were under three years old.

In 23 of the families the abuse was confined to one child.

The majority of the families were from the inner city.

But Dr. Zolliker stresses that the problem is not confined to the inner city.

"Although pressures are greater on poverty families who live in the inner city, abuse cuts across all boundaries. It is not limited to any economic group, nationality, race or neighborhood," she says.

Police records show many forms and types of abuse. Children have been beaten with bare fists and baseball bats. They have been burned with open flames, lighted cigarettes, electric irons and boiling water.

They have been strangled or suffocated by pillows or plastic bags. And they have been stabbed, bitten, shot, subjected to electric shock and had pepper forced down their throats.

How does abuse start?

A psychiatrist at Wayne County Juvenile Court says abuse frequently begins when a child cries and the parent cannot quiet him, or when the parent begins to toilet train the child and finds it more difficult than he had expected.

In both cases patience runs out and the parent loses control, according to the doctor.

Children who were unwanted pregnancies or children who have health problems are especially likely to be abused, he says.

"After you have seen some of these children you expect to find a huge brute of a parent who inflicted the abuse. This is not the case. The parents are usually pathetic people who you think could hardly lift a beer bottle.

"Usually only one parent is the abuser, and it's as often the mother as the father," this doctor says.

Does the parent restrict his abuse to one child?

"We used to think so. But I find when the court moves the abused child to a foster home, the parents single out another child as their victim," says the psychiatrist.

"In checking into the family's history we often find another child in the family died mysteriously."

Doctors are not sure how abused children will grow up. Whether they can ever function as citizens after the terror they have experienced. They do know that quite often the abusive parent was himself an abused child.

Will the baby lying in the hospital with the angry whip marks on his back grow up to abuse his children?

Punishing the parent is not the answer. But what is?

Dr. Heins believes one step might be the formation of an agency that would be able to handle the entire problem of abuse in one facility.

"It is quite difficult to get treatment for parents who abuse their children," says Dr. Heins. "These parents need treatment before the child is returned to the home or we are going to wind up with more dead children."

Ideally such an agency would handle only the problem of child abuse instead of the multitude of problems the Department of Social Services handles.

"No child protective work is really being done when everything is closed Saturdays and Sundays," says Rosemary Klug, chief of women's division, Detroit Police Department.

"On weekends we (the police) are the only protection agency," she says.

"Before the law was changed in 1964, child abuse was reported to the police department and investigated by policewomen. Now investigation is left to the agency (Department of Social Services) and reporting is required of doctors. They are not reporting.

"We get very few abuse cases now," Miss Klug said. "On one case last week we arrested a mother and placed the child in custody. We felt the child's life was in danger. But we will probably be criticized by Department of Social Services."

Some of the tiny cries for help from the children are being heard by the authorities.

The important job now is answering these cries before they are silenced forever.

Abused Children Take a Beating: Children Get Hurt While Social Workers Fight Legal Forms, Redtape

Detroit is failing its abused children. They get lost in a mountain of paper work which buries all efforts of the social workers hired to help them.

The social workers really care about what happens to kids or they wouldn't be there, but they can't cut through the red tape.

While I was supervisor of the Wayne County Department of Social Services abuse department, I took on an abuse case myself just to see what was involved. I thought maybe my staff was not coping efficiently. They were—as efficiently as possible under the circumstances.

On my one case I had to fill out some 30 forms—all of them long. I found myself doing hours and hours of paper work, but not doing a good job where the child and his parents were concerned.

And this was ONE case. My four social workers had an average case load of 35 families with some 130 children.

The paper road-block started 15 or 20 years ago with some simple documents. When a hole was discovered in one, a new document

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was written to plug the hole. But no form was ever discarded. Health, Education and Welfare came along and wanted certain information which added more forms—all of them long.

If you care what happens to children and their families, it haunts you. I finally quit. Before leaving I had asked for a revision, cutting paper work, hiring of clerical help to do essential paper work to free social workers to give service.

I still believe it can be accomplished if the public knows the conditions.

The philosophy behind the Department of Social Services approach is sound. Basically it's to try to save the family—to help the parents change so the child can remain with them.

These are the only parents the child has.

There is in most of these parents a love-hate relationship toward this child. They do love him. The parents have a great need for maturity, to solve some of their own problems.

We know when we take a child out of his home he does miss his parents even though he's been abused.

But the safety of the child is the first consideration. If he seems to be in danger, he is moved promptly to a carefully selected foster home.

Hopefully this foster home will nourish him for the year or more until he can return to his own home. The social worker will work regularly with the parents to help them mature enough to find different ways to reacting to this child. (Abusing parents are usually immature and reacting childishly to their child.)

The philosophy assumes it will take at least a year for the parents to change. And the social worker would need to see them at least once a week to bring about such a change.

In the meantime the social worker is also helping the child adjust to his foster home, arranging for visits with his own parents and after the visit help the child understand his conflicting emotions.

At the end of this ideal year the child is reconciled with his parents and moved back home.

That's the philosophy.

Would you like to hear how it works? In reality if the social worker visits the parents briefly once in three months she's doing well.

As for that carefully selected foster home—if there is a bed empty in any licensed foster home, the child is put in that bed.

Because the child is thrown into the first foster home available, he may be thrown out of it in a couple of weeks.

These children are usually damaged emotionally by the time they are two years old. They are difficult children to handle. They may be bed wetters, fighters, sulky, withdrawn, unreasonable in their demands for attention.

So they are moved from foster home to foster home to foster home, deteriorating on the way.

And if a child is returned to his own home at the end of the year, the family probably is no different than at the time the child was removed. Nor is the child.

Before quitting my job as a social worker for abuse cases, I also pleaded that some one set up priorities.

You have the hospital demanding that an abandoned baby be removed immediately.

You have Healey Home (a temporary shelter for Juvenile Court) demanding that a child be moved into a foster home, immediately.

You have to calm down a foster mother whose payments haven't arrived for six weeks.

You have another foster mother demanding you remove a five-year-old who wets the bed and beats the other kids.

What do you do first? Some priorities must be established.

Every night I went home haunted by the things not done. Praying that the next day's papers wouldn't have a tragedy headline. For when you are dealing with abused children the thing you don't have time to do may mean a child will die . . . a parent commit suicide.

So eventually you give up the battle.

BATTERED BABY RESCUED BY SOCIAL WORKER: A 53-HOUR DRAMA

(By Ruth Carlton)

Here are the steps one social worker had to take to remove one obviously abused child from the parent's home. We will call her Miss Smith. She works for Wayne County Department of Social Services (DSS).

MONDAY

2:10 p.m. Doctor calls Wayne County Department of Social Services. He has just placed a 10-month-old boy in a private hospital whom he believes to be victim of parental abuse.

2:15 p.m. Miss Smith calls him back for his report. Baby has broken arm, black eye, burns on buttocks and possible internal injuries.

3 p.m. Miss Smith goes to hospital to see child; by coincidence meets parents there. Nurse finds private cubicle for them to talk. The parents deny everything. Miss Smith takes their address, tells them she will call on them later this afternoon.

4:20 p.m. To doctor's office, sees correspondence with California doctor who had treated this child before family moved to Michigan. California doctor had suspected parental abuse.

5 p.m. Social worker drives to child's parents' home. They had not told her it was an apartment building. No list of tenants is posted, the caretaker not at home. Miss Smith calls it a day.

TUESDAY

9 a.m. Phones caretaker and gets apartment number and telephone number for the parents.

9:30 a.m. Phones parents, explains why she had not kept her appointment the day before, outlines next steps: File a petition with the court (Wayne County Juvenile Court), judge to decide whether child returns to them. Preliminary hearing at Juvenile Court likely within three days. Angry father says he is going to hospital and get his child.

9:45 a.m. Miss Smith calls hospital, asks them to discourage parents about moving child. She assures hospital she is requesting an order of detention from court which she will deliver to hospital later today. Hospital promises nothing. Doesn't want to get involved.

10:15 a.m. She calls court to ask if detaining order can be given by phone. The answer is no. Nothing can be done without first having her written petition for the court to review the case.

10:30 a.m. Social worker types a two-page, single-spaced petition (in quadruplicate).

1 p.m. Delivers petition to court, waits for court order of detention to be typed and signed by judge.

2:45 p.m. Takes detention order to hospital. The father had left an hour earlier with the little boy.

4 p.m. Miss Smith calls the prosecutor. He advises her to request writ of apprehension the next morning.

5 p.m. Calls her supervisor and court to report.

WEDNESDAY

9 a.m. Applies for writ at Juvenile Court.

1 p.m. Phones California doctor who agrees to airmail his record of his case and x-rays. These will be vital for the court hearing.

4 p.m. Notified writ is ready. (Here comes a musical comedy situation of who is to serve writ on the parents. Wayne County Juvenile Court, seething under repeated refusals by the state legislature for adequate financial help, refuses to send an officer of the court to get the child. That, in the court's opinion, is the state's responsibility.

Miss Smith who weighs 105 pounds seems an unlikely person to take a child away from two belligerent parents. Eventually able-bodied man from another office is asked to accompany her.)

4:30 p.m. Calls police in family's precinct requesting an escort.

5 p.m. Picks up writ of apprehension at Juvenile Court, drives by police station to pick up escort.

6 p.m. Arrives at parents' home. As writ is handed to the father, mother picks up the baby and walks into the bedroom. The father follows, closing the door.

6:20 p.m. Father reenters room and announces, "You can take me to jail but you can't take my baby out of here." He returns to bedroom. This scene is repeated several times until the father is persuaded to call his attorney. Attorney advises him to obey court order.

7:15 p.m. The father agrees to allow the child to be taken into care but says he and his wife will go too.

7:40 p.m. They start out . . . the social worker, the man who served the writ, the mother and her two other children in the social worker's car. The baby in the mother's arms. The baby's father drives alone followed by police car.

8 p.m. The child is placed in Detroit General Hospital—53 hours and 50 minutes after the abuse was first reported.

THURSDAY

9 a.m. Miss Smith dictates a series of reports on this case to go to the Michigan Department of Social Services in Lansing with carbons to prosecuting attorney and Juvenile Court. Various forms required for this one case fill her day.

11 a.m. She calls home-finder of Department of Social Services to ask for a foster home for the child. Fills out series of papers that set up payment to foster mother. Makes out clothing order. (When parents refuse to bring clothes to the child, new clothes must be bought.)

2 p.m. Calls hospital to arrange to pick up child and take him to foster home. But the doctor wants more tests so the baby is to be kept in hospital a few more days.

Monday the social worker will have to appear at the preliminary hearing at Juvenile Court. She is the petitioner asking the court to look into the case.

When the baby is placed in foster home, it will be Miss Smith's job to take him back to the hospital for medical followup.

She will also offer social work counseling to the parents. The first appointment will be in her office. If she thinks it safe, she will go to their home for subsequent appointments.

(This social worker is responsible for 32 child abuse cases at this time.)

MDSS goal is to close each case in 30 days referring the family to some other agency (Lafayette Clinic, Family Service, Child Study Clinic).

If the court decides not to return the child to his parents immediately, the child is made a temporary ward of the court and assigned to one of Detroit's child care agencies which will supervise him in a boarding home. All of this is accomplished with due amount of paper work.

With the total tonnage of paper involved in one case of child abuse, it is not hard to understand how the children "get lost" says one experienced social worker.

ABUSED CHILDREN: THEIR PARENTS WERE ABUSED KIDS

(By Ruth Carlton)

"Those people! I could kill them myself.

"When I think of anyone beating a small child until they break his bones . . ."

This explosion, from a gracious, poised,

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normally compassionate woman is reflected by most of us.

The subject of battered babies strikes raw nerves and we react in anger.

"But these parents need sympathy as well as the child," plead the social workers.

"We must see abusive parents as troubled people, as greatly in need of help as is the child they have abused," says Robert Daniels, social work supervisor for Catholic Social Services of Wayne County.

"These parents are like children themselves, hostile because their own needs have been unmet and resentful because of the demands made on them as parents."

They themselves grew up in troubled families. "In fact if one point stands out, it is that problem-families beget problem-families," he says. "Somewhere we must break the cycle."

He and John A. Brown, district supervisor for Catholic Social Services of Wayne County, have followed three sets of parents since 1965 when they were referred to the agency for child abuse. Incidentally, none of these families was on public assistance.

In each case the small victim was moved immediately. With the child safe in a temporary foster home, intensive social work counseling was done with the parents.

Neither of these social workers talks in terms of success. But they are convinced these parents profited by social work.

"Now they are better able to fulfill their roles as mothers and fathers, as wage earners, than they were," says Mr. Daniels.

"We have no illusion of having solved all their problems. But because of social work they are able to function much more effectively," Mr. Brown says.

The social worker has to set modest goals in dealing with abuse cases, they say. Only one of these three battered babies has been returned to his parents. The other two have been placed in adoptive homes.

Here are the three cases:

CASE NO. 1

Danny Stevens, 14 months old, was removed from his home because of repeated abuse by his mother.

Mrs. Stevens was retarded and emotionally disturbed. She had had a troubled childhood centered around an alcoholic father and a disturbed, rejecting mother.

Her relationship to her mother had been hostile but dependent and the mother had exerted constant control over her life.

Danny had been born just a week after Mrs. Stevens' mother died. These two events were so closely associated in Mrs. Stevens' mind that she rejected her son from birth, could not bear to hold him. She reacted with rage if the baby cried to be fed or diapered.

After the court took Danny out of this home, Mrs. Stevens talked every week with the social worker. She made enough progress that Danny was returned home after 14 months. There has been no further abuse; Mr. Stevens continues to see the social worker once a month now.

CASE NO. 2

Mr. Carson was brought to court for abusing his infant son. He told the judge he had been angry when his wife left him babysitting. The baby cried, and because he could not stop the crying, he picked up the child and flung him across the room.

Mr. Carson was a depressed dependent person. He was still mourning for his father who had died four years before. His mother had recently married a man of whom Mr. Carson disapproved.

Some way Mr. Carson associated the helplessness of his son with his own helplessness which was compounded now by feeling deserted—deserted by his father's death, deserted by his mother's remarriage, deserted by his wife's leaving their baby with him.

The baby was moved to a foster home. Social work counseling began for Mr. Carson.

Both parents are what the social workers call "limited" . . . more popularly called retarded. The man was willing to give up the child, his wife was not. So the court took permanent court custody of the little boy.

Today Mr. Carson is in the process of getting a divorce.

Mrs. Carson and her daughter have gone to live with her mother.

An adoptive home is lined up for the son who is now four years old. The little boy has some brain damage from the abuse. But the adoptive parents want him even though the doctors do not know how severe the brain damage is.

CASE NO. 3

The Jones family came to the attention of the Juvenile Court when Mrs. Jones demanded they take her three-year-old son George. She threatened to kill him if they didn't.

Mrs. Jones also had three little girls. She was an inadequate mother, but this did not include abusing them. She could not tolerate her son George. She beat him severely and put him outside in near zero weather to punish him.

She resented the attention paid George by his father and other adults.

Mrs. Jones was retarded, came from a home where she was neglected, and had been placed in a state training school for delinquents in her early teens.

Mrs. Jones gave up her boy to be adopted. He is now thriving in an adopted home and the Jones family is still intact—mother, father and three daughters.

"These three parents who abused their children all came from problem families," says Mr. Daniels.

"In trying to help them we focused on the parents themselves and not on the act of abuse. We tried to convey to them our concern over their situation and to provide a climate of goodwill in which we could work with them."

Occasionally the social worker made suggestions about child care and the rearrangement of routines.

A housekeeper to be with a mother who had abused her child during the day while the father was at work.

Day care for a two-year-old so the mother could get some relief.

Mr. Daniels sees abuse as a result of a variety of forces operating on the parents: Their psychological needs, limited intellect, social pressures and economic adversities.

"Where there is a problem of child abuse, there are invariably other problems in the family," he says.

Mr. Daniels sees abuse "not as an intentional act of violence on a child or as merely the result of parental rage, but rather as a response to the parent's overwhelming anxieties and to the hostility engendered by them, which somehow the child seems to intensify."

He feels that social work might be more effective if the neighbors and relatives of abusive parents could stop looking upon them as criminals and see them as deeply troubled human beings.

Perhaps then the cycle could be broken . . . that destructive cycle of abused children become abusing parents.

BATTERED BABIES: LOTS OF ORGANIZATIONS BUT TRAGICALLY LITTLE SERVICE

(By Ruth Carlton)

Michigan's failure to protect battered babies and rehabilitate their parents is part of the reason State Department of Social Services is now under fire.

A bill has been introduced to remove child neglect (which includes abuse) from the State Department of Social Services (SDSS).

Senate Bill No. 198, introduced Feb. 26 by Senator Lorraine Beebe, of Dearborn, would set up a new state department—Department of Youth Services—taking both child neglect and delinquency away from the State Department of Social Services.

Judge James H. Lincoln, of Wayne County Juvenile Court, who is one of the supporters of the bill, says: "I do not want to attack personalities. I'm really not interested in who is to blame. But some children's services have to be shifted from SDSS.

"There is no question that the Romney Commission (the Governor's Commission on Youth Problems) report is a hell of an indictment of lack of leadership." (The bill resulted from this report.)

Judge Lincoln referred to his recent request addressed to Bernard Houston, SDSS director, dated April 24:

"I wish to again reiterate the urgent need for five or more additional workers in Wayne County, to be assigned specifically to child abuse cases.

"The Department's (SDSS) policy of dropping cases after 30 days is just simply nonsense. The Department of Social Services is handling the entire neglect load of a number of counties. In Wayne County, their services are either paper thin or nonexistent.

"If the Department of Social Services were to give the same services to Wayne County that now are being furnished to some other counties, it would take no less than 50 workers," the letter said.

Houston's reply to the judge stated he was referring the request to the appropriations committee. "Which means he isn't going to do anything," the judge commented.

"Houston is in an extremely difficult position," the judge continued. "His requests for money from the state legislature are ignored unless some outside group comes up screaming.

"But to get money for a project you have to plan, document, present a five-year plan, and promote it. This SDSS has not done.

"If anything there has been a decrease in services in Wayne County since the merger (the 1966 merger of state, county and city welfare services under SDSS)."

From court to hospital to social workers there is agreement that the battered baby problem can be solved only with adequate casework for the parents. Helping unstable, frustrated, immature parents is also the best prevention known for battered babies.

Increasingly it is suggested the State of Michigan should set up these services rather than depending on the efforts of Catholic Social Services and Children's Aid Society, both private Torch Drive supported agencies.

"The battered baby is only one part of a broader problem of grossly inadequate care and protection of children in many kinds of situations," says Eben W. Martin, family and child welfare consultant of United Community Services and president of the Detroit chapter of National Association of Social Workers.

"A comprehensive, early, child protective and family strengthening service is greatly needed in Michigan. This kind of program is provided in many states by a public agency," Mr. Martin said.

What are protective services?

"Catching a family in trouble before tragedy overtakes them . . . working with them before they harm or kill a child," is one social worker's definition.

Actually Detroit has several fragmented, isolated attempts along this line. Five workers here, six workers there, against unknown thousands of families needing such services.

Here is what Detroit offers these families:

Wayne County Department of Social Services: Five abuse workers who, by plan, would work with the parents for 30 days. (The court calls the 30-day limit "simply nonsense." The social workers say they have no time left for social work if they complete the paper work.)

Wayne County Juvenile Court's Child Study Clinic: No long term service offered. Parents are interviewed before the court

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hearing decides whether or not to return their child.

Children's Aid Society: The Torch Drive agency responsible for protective services to Protestant families. The department has decreased from nine workers to five in the last five years.

Catholic Social Services: Provides casework service "that contributes toward a stable and healthy family life" to Catholic families.

Protective Service Unit: Five workers. Set up two and a half years ago with services provided by Catholic Social Services, money by SDSS. Available to any family regardless of religion.

Families are referred by police or schools when children are so blatantly neglected that there is danger to the child.

"We go to their home saying, 'We hear you are having difficulty and we will try to help,'" says Virginia LaFalce, director of the unit.

She plans to introduce a new approach later this month: Group counseling for six to eight mothers.

The First Unitarian Church, 4605 Cass, has agreed to house the project, rent free. Miss LaFalce is looking for volunteer drivers who will pick up the mothers and their children.

She also needs volunteers experienced in nursery school techniques so the session will be a growing experience for children as well as mothers.

SDSS specifies that services be limited to 90 days.

Can parents be changed in 90 days?

"We try to find the family's most immediate problem related to the child and concentrate on that. In 90 days we know how it's going—whether the family is catching a gleam of hope or whether to refer the case to Juvenile Court," Miss LaFalce says.

"Sometimes in 90 days a parent decides he can't handle it. A man whose wife has died leaving him with young children may ask that they be placed in a foster home temporarily.

"Often we refer the family after our 90 days to other UCS agencies," she says.

Obviously the total combined services offered by these small projects can touch only an infinitesimal fraction of parents of neglected and abused children.

There's no way of knowing their total number but at least three thousand of their children are now wards of the Wayne County Juvenile Court.

The conviction that it is preferable to strengthen the existing family and hopefully return the abused child to it is based on:

The damage to the child when he is uprooted.

The difficulty in finding enough foster homes.

The danger that when a shortage of foster homes exists a child may be put into a home no better than the one he's leaving.

In fact Dr. Paul V. Woolley Jr., pediatrician-in-chief of Children's Hospital of Michigan, reports three cases of battered babies abused by foster parents.

Dr. Woolley was one of the pioneers in recognizing the battered baby syndrome. When he first published in medical journals a dozen years ago, many doctors were explaining the multiple fractures in infants as some mysterious ailment of bone fragility.

Dr. Woolley has just completed a chapter on battered babies for a new medical text in which he gives data on 55 constructive cases of physical abuse admitted to Children's Hospital.

Age:	*Number*
Under 3 months	12
3 to 6 months	13
6 to 12 months	14
12 to 24 months	7
24 to 36 months	5
Over 36 months	4

Six of the babies died. Four are known to have permanent damage.

In writing of possible solutions, Dr. Woolley says:

"Sometimes material assistance and moral support for those (parents) where frustration and immaturity are evident suffices.

"In others a close and constant tie to a person skilled in interhuman relations has helped. Some benefit from psychiatric approaches. . . ."

As a last resort he lists "long-term removal of the victim through court action."

"Even this is not a cure-all," he writes, adding that three of his 55 cases were battered in foster homes after having been removed from their parents because of abuse or neglect.

"It is self-evident that no amount of legislation can help unless supported by an enlightened concern on the part of the community, the courts and the medical profession," he says.

BATTERED BABIES: VICTIMS OF THEIR PARENTS OR OF SOCIETY?

(By Ruth Carlton)

In this series on battered babies charges have been made against the State Department of Social Services (SDSS) headed by Bernard Houston.

A former head of the abuse department for one county Department of Social Services says she resigned because a ridiculous amount of required paper work prevented her from giving social work services.

Both court and police implied criticism of the handling of abuse cases by the Department of Social Services.

The social worker said she filled out as many as 30 forms on one case.

"Nowhere can we find where as many as 30 forms could possibly have been required," Mr. Houston says in a written statement. "We do have a forms problem but it is not within the battered child program itself.

"Only five forms are actually required for the department workers to carry out the responsibility vested in us through Act 98, which is to

(1) Determine if intentional injury occurred.

(2) Refer to proper law enforcement.

(3) Maintain information registry."

However, Mr. Houston then goes on to list circumstances in which "other forms will be necessary" if additional services are required through another agency "whether these are court forms or the forms of another program in this department."

Also two forms orginate with the county board of auditors. And extra forms are necessary for Medicaid, he notes.

The News learned from another social worker that 30 forms is a conservative estimate in abuse cases. One must be filled out on every child in the family, not just on the one abused child.

Four children in the family means the same form must be filled out four times.

And this series of four must be repeated each time the abused child moves—say from hospital to foster home, on to a second foster home.

Mr. Houston says some forms had been discontinued before The Detroit News article, and three others have been combined since.

He says the required forms have not blocked the efficiency of his staff in Wayne County citing that out of 306 referrals in 1968, 177 were confirmed as abuse.

Sixteen children were removed permanently from their parents and 66 temporarily.

Answering the criticism of local police and court, as reported in Sunday's News, Mr. Houston wrote:

"To our knowledge there simply is no conflict of philosophy between SDSS and the juvenile court. Neither responsibility nor authority is removed from the hands of police and the court."

To indicate cooperation with the court, Mr. Houston points out 21 of the first 34 abuse cases in April were filed with Wayne County Juvenile Court.

State Department of Social Services has established protective services in 10 counties. Wayne County is not one of them.

Mr. Houston claims, "Extremely high priority has been given the battered child program in Wayne County. In January instructions went to staff to cut caseloads which had been 90 down to 30."

The abused child program was separated from neglect to form a separate unit, and the most qualified staff assigned to it, he says. Also one staff member was assigned as liaison to each large hospital.

Mr. Houston says, "A series of statewide workshops on battered children are being set up with Probate Judges Association, the Supreme Court, the Prosecutors' Association and the Attorney General's office."

He points out that while a 1965 law gave SDSS broad responsibility to investigate battered baby charges and provide services, sufficient money has never been allotted to carry out this responsibility.

Critics of SDSS agree the state legislature has never come through with the necessary money. But some believe this is as much due to lack of leadership and promoting on the part of SDSS as to any niggardly attitude of the legislators.

What does this all add up to?

Obviously Michigan babies are still being battered around.

Obviously not enough counseling is available to their parents.

Obviously a preventive approach is needed to keep more babies from being abused.

What is the answer?

Transfer of responsibility to a separate State Department of Youth as proposed in Senate Bill 198?

Preventing unwanted children by more emphasis on planned parenthood and abortion as suggested by Dr. Marilyn Heins, director of pediatrics at Detroit General Hospital?

More funds from the state legislature so State Department of Social Services can do a better job?

Aroused citizens who will demand attention for those too little to run their own protest movement?

As one social worker put it, "It boils down to too little money, too few workers, too few facilities. Only by getting citizens aroused can you ever change the establishment."

INCREASE SOCIAL SECURITY BENEFITS

HON. FERNAND J. ST GERMAIN

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 22, 1969

Mr. ST GERMAIN. Mr. Speaker, the Congress must act this year on substantial social security legislation. Benefits are seriously deficient at the present time, and because of inflation continued delay means that every retired person's social security check, in effect, gets smaller and smaller with each passing month.

I consider it a duty today to cosponsor Representative VANIK's bill which provides for a 15-percent across the board increase in social security benefits; the bill would also raise the minimum monthly payment from $55 to $80, and very importantly, it provides for automatic adjustments in benefits when the cost of living rises. According to an estimate of the U.S. Bureau of Labor Statistics in

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autumn 1968, for a retired couple to live moderately it cost $4,100. Yet, the average monthly social security payment to a retired couple in December of that year was about $165. Unquestionably, benefits must be increased to meet basic needs.

Let us keep before our minds that to our shame almost 6 million Americans over 65 years of age are living in poverty. Even by raising social security benefits by 15 percent only about one-fourth of these poor people will be brought above the poverty line.

President Nixon has asked the Congress for a 7-percent increase in social security benefits, and that increase is supposed to become effective in February of 1970. At current rates of inflation, half of that increase, or more, will have been wiped out between now and February 1970. A substantially higher figure is obviously called for.

When it was reported that the House Committee on Ways and Means would not consider social security legislation this year, I wrote to Representative WILBUR MILLS, chairman of the committee, urging him to somehow make room for a social security bill. We all recognize the importance of the tax reform legislation presently before the committee, and want effective legislation in that area. But a social security bill also deserves high priority. This is not something which affects just a few people; we are talking about the daily existence of a sizable segment of our population—about 25 million people. I strongly urge that the House Committee on Ways and Means find a way to consider a social security bill as soon as their tax deliberations come to an end.

The very delay we are threatened with here shows the necessity of an automatic adjustment provision linked to increases in the cost of living. Inflation moves more quickly than Congress acts. Why do we continue to allow retired persons to go through the painful inbetween periods which exist once the cost of living rises significantly, and before the Congress enacts corrective measures to increase benefits?

The social security system must be updated so that older Americans can live their retirement in dignity and a certain deserved leisure without living in poverty today, or worrying that with their fixed income they will be living in poverty tomorrow.

BENEFITS FOR OUR ELDERLY CITIZENS

HON. WALTER S. BARING

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 22, 1969

Mr. BARING. Mr. Speaker, Congress must take note right now of our wasteful spending in foreign aid and of similar waste in the ineffectually waged war in South Vietnam.

The American people have to have the truth and the many upstanding senior citizens of our country, who have survived several hardships over the past 50 to 100 years, are deserving of some tranquility and ease of living.

We are in the middle of Senior Citizens' Month, May 1969. And, where do we find ourselves? Without enough money to continue some necessary domestic programs, which I deem first in priorities to be considered by Congress and the administration. This includes programs for the elderly. There are just too many instances I am aware of where our elderly friends receive very little, if anything.

Nevada senior citizens will note that the Nevada Legislature found it could not allocate State money to the tune of $45,000 to keep six Nevada programs for the elderly in operation. Those programs have ended.

The picture looks just as bleak at the Federal level with a considerable amount of budget cutting underway. Witness the loss, at the moment anyway, of our fiscal year 1970 money for the vitally needed southern Nevada water project. I am still waging my own effective battle to reinstate these funds. Other cuts by the administration Budget Bureau eliminated the Lake Mead Base, a defense installation near Las Vegas. Also, the Clear Creek Job Corps Camp near Carson City, which is being phased out and then there is the closure at the end of June of the Elko Weather Bureau. I have fought to maintain these domestic operations in Nevada.

These cuts and others like them are coming from the Federal level and I say it is all due to the giveaway programs in so-called American foreign aid. I have steadfastly been opposed to our U.S. policy in aiding foreign countries when I know, along with other Members of Congress, that more often than not our financial help and our aid in the form of various goods ends up in the wrong hands—the hands of crooked politicians and the racketeers of the black markets. From these corrupt hands, I have learned, this American aid is turning up as aid to enemy Communist countries. I call our so-called foreign aid program treasonous aid to the enemy.

And then there is the waste of money, and life, in Vietnam. If we are going to do battle in Vietnam with honor—let us do battle and fight to win. Otherwise let us get out now with an orderly withdrawal.

When you correct these two major problems facing this country, we are well on the way to amending our domestic troubles, which have first priority in my opinion and for which I will consistently battle for and to win.

But until the wasteful spending, especially in foreign aid, is stopped, I see no easement on some of our immediate domestic problems and as a result, we must work together hard to achieve needed programs to help make the golden years of so many of our fine citizens' lives more fruitful. I will watch closely for methods where Congress may improve the situation to benefit our elderly citizens and, when the time comes, will take a stand with whom I hope will be the majority in favor of such benefits. In addition, I will vote for increased social security benefits.

A MESSAGE FOR NATIONAL MARITIME DAY

HON. MARIO BIAGGI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 22, 1969

Mr. BIAGGI. Mr. Speaker, as a member of the Merchant Marine and Fisheries Committee, I rise to pay tribute to the American merchant marine on this National Maritime Day. The President has seen fit to issue a proclamation calling on all America to honor our merchant marine industry on this day.

This is entirely fitting, since this year we are observing the 150th anniversary of the voyage of the SS *Savannah*. This voyage was unique in that for the first time an ocean-going vessel had employed steam for propulsion for part of the journey. We can still be proud that that pioneering voyage was accomplished by an American vessel.

In proclaiming this day, the President said:

> A strong and profitable merchant fleet is vital to America's economic welfare and defense capability. The American flag on merchant vessels on the high seas and in foreign ports is a symbol of our Nation's dedication to peaceful trade throughout the world.

Mr. Speaker, this statement contains the basic points which emphasize and underline our need for a merchant marine industry. These points are: Our economic welfare, our defense capability, and our international trade. There is a fourth point which can be added to these three which is entirely pertinent. This is the contribution that U.S.-flag international carriers can and do make to our balance of payments, or our imbalance, as the case seems to be at present.

Together, these four points would seem to be sufficiently urgent and compelling to trigger a substantial response, especially in view of the gradual decline in our maritime industry. And make no mistake about it, the industry is on the decline. It is not too strong a term to call the situation alarming.

I think that the projected level of our privately owned U.S.-flag dry-cargo fleet of vessels very adequately demonstrates what is happening to our entire merchant marine industry. And this is why so many of us who are aware of the situation are concerned.

On January 1, 1968, there were 663 dry-cargo vessels in the U.S.-flag fleet, which were 25 years of age or less. In just 1 year, this total had dropped by 50 vessels to 613, on January 1, 1969. At the rate we are going, the 1968 total of 663 vessels will have fallen to 244 by January 1972.

This is the direction our merchant marine is going. It is not in the best interests of the United States to stand by and permit this decline to continue.

I am pleased to point out that your Committee on Merchant Marine and Fisheries did face up to its responsibilities and acted to arrest the decline in our maritime industry. The committee earlier this month reported out a meaningful authorization for the maritime program. For the item of ship construc-

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tion assistance, the committee raised the amount requested, which had been only about $16 million, to what it felt was a more appropriate level of $145 million.

The level of $145 million was selected, not as the maximum possible for a vessel revitalization program which we could or should be providing for, but as a floor below which we dare not go.

Subsequently, the House gave its full assent to the action taken by the committee by passing the authorization measure without amendment or even serious debate.

This country has almost endless shorelines, and exposure to oceans, gulf, and deepwater lakes. It creates an enormous demand for goods of all kinds, leading to vast levels of international trade. This was true of the past as well as at present. With these attributes, it is only natural that this country has a tradition of a strong and vigorous merchant marine.

But we could lose this important industry if we continue to permit it to decline. And there is not a great deal of time left in which to decide whether we intend to retain an active merchant marine, or to see it wither on the vine and disappear.

Let us hope the time never comes when National Maritime Day merely calls to memory something that once flourished in our midst and then passed out of existence.

A LEGISLATIVE REPORT FOR VOLUNTEER FIREMEN

HON. FRANK HORTON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 22, 1969

Mr. HORTON. Mr. Speaker, many of us in the House have taken a great interest in the problems facing volunteer fire departments and ambulance services. The dedicated men and women who give freely of their time and efforts are performing a most vital service, particularly in the less populated areas.

Mr. Harold Semling has written a very comprehensive article for the May issue of Fire Chief magazine on the legislation pending before the Congress which affects the volunteer firemen. I would like to share with my colleagues his rundown on this legislation:

A Report From Washington: Bills Affecting the Fire Service

Fire chiefs have a considerable stake in legislation now pending in the 91st Congress.

Among the thousands of bills already introduced in the House and Senate are many, which, if passed, could be of substantial value to fire departments. (Over 9,000 bills had been introduced in the House and 1,600 in the Senate by the end of March.)

Since most of these bills will never become law or even be given serious consideration, it is up to the fire chief to work now for his legislative objectives. Simply, this is best done by personal contacts and writing to his Senators and Congressman.

Here is a brief rundown of some major legislation pending in Congress of concern to the fire chief.

Federal benefits would be extended to all firemen killed or totally disabled in the line of duty, whether or not a specific federal law was involved under a proposal pending in the Senate and House of Representatives.

Congress last year passed a bill to provide compensation in case of injury or death to law enforcement officers in cases involving violation of national law. Under proposals advanced by Sen. Birch Bayh (D. Ind.) and Rep. Andrew Jacobs (D. Ind.) and 20 other Congressmen this coverage would be extended to non-federal cases and firemen (S. 1277 and H.R. 7989).

"This expanded coverage would be justified," according to Senator Bayh, "because the job of . . . fire protection has in many cases become a national responsibility."

"It is truly difficult today to draw hard and fast lines which separate jurisdictional responsibility for public employees who are devoted to protecting the lives and property of all persons without regard to their domicile, place of origin, or final destination," according to Sen. Bayh.

Federal contributions would be supplementary and would be adjusted according to other compensation to which the local fireman was entitled. Under the bill, a widow who is the sole survivor would be eligible for 45% of the monthly wage rate of her deceased husband, Bayh explains. If there are dependent children the rate could go up to 75% of the deceased's wages.

Legislation to make it unlawful to injure, intimidate, or to interfere with any fireman performing his duties during the course of any riot is pending before the House Judiciary Committee (H.R. 7594, introduced by Rep. Thomas S. Kleppe [R. N. Dak.]).

Compensation would be provided for firemen not employed by the United States government who are killed or injured in the performance of duty during a civil disorder under a number of bills introduced in the House of Representatives and referred to the House Judiciary Committee. Many of these bills would also provide for damage or loss of firefighting equipment not covered by insurance. Some of these bills are: H.R. 890 by Rep. Philip E. Ruppe (R. Mich.), H.R. 3105 by Rep. Lawrence J. Hogan (R. Md.), H.R. 4166 by Rep. Henry Helstoski (D. N.J.); H.R. 5218 by Rep. Robert H. Michel (R. Ill.), and H.R. 9128 by Rep. Joseph E. Karth (D. Minn.).

The Federal Property and Administrative Act would be amended so as to permit donations of surplus property to volunteer firefighting organizations under legislation proposed in the House of Representatives. Among the legislation's sponsors are Rep. John O. Marsh (D. Va.) (H.R. 1210), Rep. Samuel S. Stratton (D. N.Y.) (H.R. 2132), Rep. Cornelius Gallagher (D. N.J.) (H.R. 1117), and Rep. Henry Helstoski (D. N.J.) (H.R. 2361). Stratton would include municipalities. Rep. Marsh would include volunteer rescue squads. Rep. Helstoski would include Indian groups under federal supervision and rescue organizations at 50 per centum of the estimated market value, as would Rep. Gallagher.

Legislation has been introduced in the House of Representatives to prohibit certain acts involving the use of incendiary devices (H.R. 7468 by James G. Fulton [R. Pa.] and H.R. 8159 by Hamilton Fish [R. N.Y.]). The bills were sent to the House Judiciary Committee.

The National Commission on Fire Prevention and Control would receive $665,000 to carry out its functions under the Fire Research and Safety Act under legislation (H.R. 7208) intorduced by Rep. H. B. Gonzalez (D. Tex.) and referred to the Appropriations Committee.

A dozen Senators are sponsoring a bill (S. 413) by Sen. Joseph M. Montoya (D. N.M.) to provide for cooperative rural fire protection. The legislation would provide for technical assistance, training, and equipping fire control forces to suppress both structural and wildfires in rural areas which are now under no organized protection or have only limited protection. The bill would be administered by the Agriculture Department. It would, according to Sen. Montoya, be a local effort supported by federal-state cost sharing at a 75-25 percent level. The bill was referred to the Senate Agriculture and Forestry Committee.

The President would be authorized to proclaim the Second Saturday in May of each year as a "day of recognition" for firefighters under a bill (H.R. 3698) introduced by Congressman Jerome R. Waldie (D. Calif.) and referred to the House Judiciary Committee.

Congressman Charles C. Diggs, Jr. (D. Mich.), has suggested that Congress pass a resolution (H. Con. Res. 171) supporting one uniform, nationwide, fire-reporting telephone number. The proposal was referred to the House Interstate and Foreign Commerce Committee. There are other similar proposals.

Representative Henry J. Helstoski (D. N.J.) has proposed legislation under which the government would provide temporary assistance where public school buildings are destroyed by fire disaster or natural causes. The bill (H.R. 2360) was referred to the House Committee on Education and Labor.

There have been a number of bills to provide federal assistance for special projects to demonstrate the effectiveness of programs to provide emergency care for heart attack victims by trained persons in specially equipped ambulances. These bills have been referred to the House Interstate and Foreign Commerce Committee.

Statutory subsistence allowances, up to $5 per day, received by firemen would be exempt from gross income for taxing purposes under a bill (H.R. 7911) introduced by Congressman Albert L. Watson (R. S.C.) and referred to the House Ways and Means Committee.

Congressman C. E. Gallagher (D. N.J.) has introduced a bill (H.R. 1121) which would change the Social Security Act to provide coverage under the hospital insurance benefits program for retired firemen and policemen who reach 65 years and who have at least ten years of service. The bill was referred to the Ways and Means Committee.

Ambulance drivers and attendants would be exempt from the minimum wage and overtime provisions of the Fair Labor Standards Act under a bill (H.R. 5490) introduced by Representative W. E. Brock (R. Tenn.) and referred to the House Committee on Education and Labor.

Fund raising activities of volunteer fire and ambulance companies would be exempt from federal excise taxation under a legislative proposal (H.R. 6987) of Rep. Frank J. Horton (R. N.Y.). The bill, sent to the House Ways and Means Committee, which is presently considering an overall revision of federal taxes, is aimed at providing more money for the volunteer fire departments.

Money is the biggest problem for the volunteer fire departments which now comprise 92 percent of all U.S. fire departments, Horton told the House when he introduced the bill. "Unfortunately, few local fire services have the resources to do the job properly," he said. Adding, "firefighting is no longer a question of jumping off the back step and running down the street to a brush fire. The job is bigger and more dangerous than ever before. Special equipment and special training are needed to fight today's fires. By 1975, we will need 20,000 more fire stations to adequately protect our smaller population centers."

"Local fire and ambulance departments need every penny of the money that they raise to meet the increasing demand for more facilities, equipment, and training centers," according to Horton.

Congressman Joseph P. Vigorito (D. Pa.) has proposed (H.R. 3696) that volunteer firemen's organizations be exempt from all federal income taxes and reports. The bill was referred to the House Ways and Means Committee.

Congressman Ogden R. Reid (R. N.Y.) would have the Internal Revenue Code amended to provide a deduction from gross income for certain nonreimbursable expenses incurred by volunteer firemen. The bill (H.R. 2714), referred to the House Ways and Means Committee, would let volunteer fireman deduct expenses for uniforms, automobile accessories, maintenance and depreciation, gasoline and other items used in connection with his firefighting activities.

Volunteer fire companies would be allowed the same special postage rates on second-and third-class mail that is now available to certain nonprofit organizations under legislation introduced in the House of Representatives and the Senate.

Sen. J. Caleb Boggs, (R. Del.) with 29 cosponsors has re-introduced the legislation (S. 20) in the Senate which was referred to the Senate Post Office and Civil Service Committee.

Rep. William V. Roth (R. Del.) has introduced the bill (H.R. 1343) in the House and it was referred to the House Committee on Post Office and Civil Service. Bills similar to Roth's have been introduced by others.

"Other groups already authorized by statute to use such preferential rates include religious, educational, scientific, philanthropic, agricultural, labor, veterans, fraternal, associations of rural electric cooperatives, and one highway or development publication of each State of the Union," Sen. Boggs explains.

The Delaware Senator believes that "this is a group to which volunteer fire companies should belong. There is no more dedicated or unselfish group of men and women in the country than those belonging to volunteer fire companies and their auxiliaries."

"A prime fund raising program with most fire companies is a fund solicitation by mail. Enactment of this bill," according to Sen. Boggs, "would be of immediate specific assistance in this effort." The Internal Revenue exempts volunteer fire companies from taxes and allows as a personnel deduction any contributions to volunteer fire companies. Postal authories have said from time-to-time they use the Internal Revenue Service's definition of a nonprofit organization as a guide for permitting nonprofit mailings by organizations.

The Senate on three separate occasions, despite objections from the Post Office, has passed such legislation and sent it to the House. In 1966, the House Committee on Post Office and Civil Service favorably reported the bill and sent it to the House floor for action. The legislation was never taken up in the closing days of that Congress.

Sen. Boggs expresses the hope that "Senate Post Office and Civil Service Committee would take early action on it and that hopefully the Congress would enact it and it could become law."

Legislation proposed by Rep. Thaddeus J. Dulski (D. N.Y.), Chairman of the House Post Office and Civil Service Committee, would improve conditions of firemen employed by the federal government. Other members of the House have introduced simillar bills, all of which are pending before the Post Office Committee.

One bill (H.R. 7364) would improve the basic work week for firefighters employed by the government.

A second bill would liberalize the requirements as to age for the appointment of firefighters in the federal service.

Senator Ernest F. Hollings (D. S.C.) has proposed that federal firefighters be considered as being employed in hazardous occupations. His bill (S. 578) is before the Senate Post Office Committee.

Fire Chiefs have a considerable number of friends in Congress, but positive results will depend on hard work and concentrated action.

DISTORTION THREATENS FREE PRESS

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 22, 1969

Mr. RARICK. Mr. Speaker, apparently people the world over are coming to know the Washington Post.

The Russians have expelled their Moscow reporter for distorting the facts as antirevolutionary action—which apparently means that their news line for American consumption somehow got to the Kremlin. The Malaysians banned their Newsweek magazine on the grounds it contained "distortions of facts," and the Thais even refused admittance of one of their reporters to their country, because they feared distortion of the facts in reporting.

Yes, the Washington Post reputation would now seem worldwide—distorters of fact.

Mr. Speaker, I include a news clipping from the Evening Star in the RECORD at this point:

[From the Washington (D.C.) Evening Star, May 21, 1969]

THAILAND CONVINCED "LEFTISTS" WEAKEN U.S. WILL IN ASIA

BANGKOK.—Thai officials are convinced that what they consider to be leftist criticism in the American press and intellectual community are causing a softening of America's will to fight Communist aggression in Asia.

This conviction was reflected in the decision of the Thai government to refuse to admit a critical American correspondent into the country. But Thai Foreign Minister Thanat Khoman has spoken freely on the subject for the past two or three years.

In press conferences, on speaking tours, in letters to influential American friends and other contacts, the eloquent foreign minister has accused Western "subversives" of preventing the United States from winning the war in Vietnam and endangering America's relations with Thailand.

He has privately named correspondents whom he regards as pro-Communist or "liberal," a word he uses with considerable disdain.

ADMITTANCE DENIED

Thant's abhorrence of Western criticism was epitomized in his government's decision to deny admittance to Stanley Karnow of the Washington Post, who arrived here Sunday night to cover the conference of the Southeast Asian Treaty Organization. Karnow was put on the next flight out of the country.

Officials were annoyed with articles in which Karnow had questioned the value of large-scale American aid to Thailand and had pointed out the Thai government's historic inclination to switch diplomatic allegiances depending on the needs of the moment.

Thai sensitivity to foreign criticism has grown in proportion to the country's increasing commitment to American interests in recent years.

The government did not admit American warplanes were flying from Thailand to bomb parts of North Vietnam until more than two years after the air war had begun.

BASE VISITS CURBED

Thai officials still do not let reporters visit the bases except on rare occasions. And they are equally reluctant to let the press cover Thailand's own long-smouldering conflict against guerrillas in the northern and northeastern provinces.

The aura of secrecy surrounding military activities in Thailand reflects to some degree the feeling among certain officials that the government may have slipped into much too close relationship with the U.S. Thai leaders, although they welcome American aid and have indicated they would like to decrease their country's over-all dependence on the U.S.

A FORMER NEWSMAN COUNSELS JOURNALISTS

HON. ED EDMONDSON

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 22, 1969

Mr. EDMONDSON. Mr. Speaker, one of the most perceptive young Oklahomans I know is James R. Jones, formerly appointments secretary to President Johnson, and now a practicing attorney in Tulsa, Okla.

Mr. Jones has an extensive background in journalism acquired before he turned to law and public service. Against this background, he has written an article, "It's Time To Interview the Journalists," in the current issue of Pace magazine.

The article reflects Mr. Jones' understanding of journalism and the problems of the journalist. It also reflects his opportunity, while serving President Johnson, to become acquainted intimately with the machinery and workings of politics and Government. The article contains criticism of the press, but it is responsible and understanding criticism. It also makes a series of constructive suggestions to the profession of journalism.

Mr. Speaker, I believe this article will be of great interest to the Members of the House, and I would like to insert it in the RECORD at this point:

IT'S TIME TO INTERVIEW THE JOURNALISTS

(By James R. Jones)

Journalism and public service are, to me personally, the two greatest callings in life. In both areas you have difficult challenges and unlimited opportunity to serve your fellow man. In both areas your efforts can leave behind a heritage of accomplishment for society which no amount of wealth can purchase. And in both areas the cry for new thought and unprejudiced judgment was never greater.

The main safeguards of our democratic institutions are our First Amendment freedoms of speech and press. These are what basically distinguish this nation from every other people in the world.

With these freedoms the press has gained enormous power—which is as it should be because the press is our most effective deterrent to tyrannical government. But with all this power comes an equally enormous responsibility. The responsibility of courage. The responsibility to tell both sides of the story. The responsibility of accuracy. The responsibility of carefully distinguishing news from editorial opinion.

There are laws and regulations to protect society when a thief enters your home, a doctor carelessly performs surgery, the loan

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shark extorts exorbitant interest, or the grocer sells spoiled meat.

But how much more damaging it is when a reporter misquotes or misidentifies an innocent citizen, an editor vilifies a man with an unpopular cause, the publisher preaches hate of minorities, the television commentator degrades an honest public official by reporting with a certain smirk on his face. For these instances of malpractice, society has virtually no remedy.

Despite all these shortcomings, of course, there is another 99 percent of the journalistic profession which is honest, accurate and unbiased.

But there are danger signals. The power of the press rests on its credibility and when this is tarnished, even by a few reporters, not only journalism but our whole society suffers. When the average citizen can't believe what he reads, a free press is in jeopardy.

Last fall 1,200 college journalists gathered in New York City for a conference. A New York Times reporter interviewed some of these young people. This is the lead on that Times article: "Most newspapers are biased. Television is superficial. Most magazines are immature."

This is not the judgment of some congressman who claims he was treated unfairly by a reporter. These are criticisms of young men and women who aspire to join the honored ranks of great reporters and editors.

Earlier this year a national weekly news magazine wrote in an "inside story" that Secretary of State Dean Rusk had strongly opposed any bombing halt. The magazine said it took the Secretary of Defense and a White House Assistant to convince President Johnson that Rusk should be overruled.

The first problem is the article was wrong in its facts. I know that Mr. Rusk did not oppose the bombing halt as indicated in the article. The appalling fact, however, is that this magazine never bothered to call Mr. Rusk to ask his side of the story. That's not professional reporting.

These are the kinds of examples that prompted one of the fine reporters of our time, Howard K. Smith, last year to terminate his nationally syndicated column for an indefinite period. In his final column Mr. Smith explained why. He said he felt that the American press, by creating phony heroes or phony villains, might be contributing to the confusion and frustration now damaging the nation's spirit. He said that some journalists have turned reporting into image making.

Stokely Carmichael is a good case in point. A few years ago, he was unknown. Today he is a household word. Of course, this ordinarily might do no harm, but in this case Mr. Carmichael is a flagrant example of extremism. Therefore he is automatically good copy—or made to be good copy—and this has had a damaging effect on Negro leaders who are not extremists. It would seem that the only Negro some of the media wish to pay attention to is one holding a torch or honing a knife. There are many responsible Negro leaders—in fact, the overwhelming majority. Mr. Smith reported one responsible Negro leader as saying: "If I say no to Stokely, you fellows won't print it in one sentence on the back page. My people think I am doing nothing. But if I go see him, it's on the front page and my people think I am in there pitching."

I do not object to the free publicity given the Carmichaels and the H. Rap Browns. But I do object when it's not balanced reporting. For then it makes it harder for a President and Congress to do what needs to be done and get the funds for programs to meet the problems. It makes life difficult for responsible Negro leaders who aren't getting publicity and acclaim. And worst of all, it frightens a large segment of our society and decimates the ranks of those working for racial progress.

Mr. Smith's last column might remind us all that the Fourth Estate forms one of the most potent forces in this nation. He wrote that with this power, there must come responsibility, some restraint, some understanding, that the press quite literally can create movements and people and leaders and problems—and can make those stories come true.

My only quarrel with Howard Smith is that he didn't stay within the profession to try to correct the wrongs that exist. How do we right these wrongs?

This question bothered a group of high-level government officials last year. Here are some of their suggestions:

a) Journalism is one of the professions. Yet, it is the only profession that has no entrance examinations or requirements. The press might choose an examining board of distinguished journalists and require entrants to pass examinations showing that they understand the times and their circumstances.

b) This board of journalists should set high standards of professionalism and jealously keep watch to insure that reporters and editors live up to these standards. This should not be a board of censors. However, when injustices occur through inaccurate, unbalanced or false reporting, the board should be quick to correct the errors publicly.

c) Finally, it may be time to change the basic attitude of journalism. Perhaps more attention should be paid to the common, everyday problems that plague society, and to the efforts that succeed and therefore contain lessons we need to learn.

Many men are disturbed by the shortcomings of the few in journalism. But correction and change can only be meaningful when they come from within.

Just as no public official should rest with pride so long as one public servant is dishonest, just as no lawyer can take pride in his bar so long as one fellow barrister inadequately represents a client, so no responsible journalist should rest so long as any irresponsibility exists in his profession.

SENATE—*Friday, May 23, 1969*

The Senate met at 12 o'clock noon, and was called to order by the Vice President.

The Chaplain, the Reverend Edward L. R. Elson, D.D., offered the following prayer:

Almighty God, from whom cometh every good and perfect gift, we lift our hearts to Thee in thanksgiving for life and health, for love and friendship, for work to do and strength to do it, for this good land and all its people. Come near to those who have special need of Thee—the poor, the infirmed, the unloved. Send out Thy light and truth through all who teach and heal and pray that the weak may be made strong and the strong kept pure and just.

Grant us in our daily duties here the higher wisdom which Thou dost bestow upon those who seek to serve Thee in spirit and in truth.

Through Jesus Christ our Lord. Amen.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Tuesday, May 20, 1969, be dispensed with.

The VICE PRESIDENT. Without objection, it is so ordered.

PROPOSED SUPPLEMENTAL APPROPRIATION—COMMUNICATION FROM THE PRESIDENT RECEIVED DURING ADJOURNMENT

The VICE PRESIDENT laid before the Senate a communication from the President of the United States, transmitting proposed supplemental appropriations for the fiscal year 1969 in the amount of $160,000,000, for payment of the first installment of the U.S. share of the 1969–71 increase in the resources of the International Development Association, which, with accompanying papers was referred to the Committee on Appropriations, and ordered to be printed.

MESSAGES FROM THE PRESIDENT RECEIVED DURING ADJOURNMENT

Under the authority of the order of the Senate of May 20, 1969, the Secretary of the Senate, on May 21 and 22, 1969, received messages in writing from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(For nominations received on May 21, and 22, 1969, see the end of the proceedings of today, May 23, 1969.)

EXECUTIVE REPORTS OF COMMITTEES SUBMITTED DURING ADJOURNMENT

Under authority of the order of the Senate of May 20, 1969, the following favorable executive reports of nominations were submitted:

On May 21, 1969:

By Mr. JACKSON, from the Committee on Interior and Insular Affairs:

William T. Pecora, of New Jersey, to be Director of the Geological Survey.

On May 22, 1969:

By Mr. FULBRIGHT, from the Committee on Foreign Relations:

Francis J. Galbraith, of South Dakota, to be Ambassador to the Republic of Indonesia;

Sheldon B. Vance, of Minnesota, to be Ambassador to the Democratic Republic of the Congo;

Oliver L. Troxel, Jr., of Colorado, to be Ambassador to the Republic of Zambia;

John Davis Lodge, of Connecticut, to be Ambassador to Argentina;

Matthew J. Looram, Jr., of the District of Columbia, to be Ambassador to the Republic of Dahomey;

Francis E. Meloy, Jr., of the District of Columbia, to be Ambassador to the Dominican Republic;

Spencer M. King, of Maine, to be Ambassador to Guyana;

Armin H. Meyer, of Illinois to be Ambassador to Japan;

Jack Hood Vaughn, of Virginia, to be Ambassador to Colombia;

David H. Popper, of New York, to be Ambassador to the Republic of Cyprus;

Kingdon Gould, Jr., of Maryland, to be Ambassador to Luxembourg;

Bert M. Tollefson, Jr., of South Dakota, to be an Assistant Administrator of the Agency for International Development; and

James F. Leonard, Jr., of Maryland, to be an Assistant Director of the U.S. Arms Control and Disarmament Agency.

Mr. STENNIS. From the Committee on Armed Services, I report favorably the nominations of two flag officers and one general officer in the Navy and Marine Corps. I ask that these names be placed on the Executive Calendar.

The PRESIDING OFFICER. Without objection, it is so ordered.

The nominations ordered to be placed on the Executive Calendar are as follows:

Rear Adm. Maurice F. Weisner, U.S. Navy, having been designated for commands and other duties determined by the President, for appointment to the grade of vice admiral while so serving;

Vice Adm. John B. Colwell, U.S. Navy, for appointment to the grade of vice admiral on the retired list; and

Lt. Gen. Lewis W. Walt, U.S. Marine Corps, for appointment to the grade of general while serving as Assistant Commandant of the Marine Corps.

Mr. STENNIS. Mr. President, in addition, I report favorably 5,162 nominations in the Navy in the grade of commander and below and 120 appointments in the Marine Corps in the grade of second lieutenant. Since these names have already been printed in the Congressional Record, in order to save the expense of printing on the Executive Calendar, I ask unanimous consent that they be ordered to lie on the Secretary's desk for the information of any Senator.

The PRESIDING OFFICER. Without objection, it is so ordered.

The nominations ordered to lie on the desk, are as follows:

Jon F. Abel, and sundry other officers of the Navy, for permanent promotion to the grade of lieutenant;

Guy H. Able III, and sundry other midshipmen (Naval Academy) to be permanent ensigns in the line of staff corps of the Navy;

Richard S. Ploss, and sundry other U.S. Army cadets to be permanent ensigns in the line or staff corps of the Navy;

David V. Edling, and sundry other Naval Reserve Officers Corps candidates to be permanent ensigns in the line or staff corps of the Navy;

Bert M. Anderson, and sundry Naval enlisted scientific education program candidates to be permanent ensigns in the line or staff corps of the Navy;

Robert F. Birtcil, Jr., and sundry Naval Reserve officers to be permanent lieutenants (junior grade) and temporary lieutenants in the Dental Corps of the Navy;

John F. Clymer and Robert D. Staub, Naval Reserve officers to be permanent lieutenant and temporary lieutenant commander in the Medical Corps of the Navy;

Jim D. Anderson, and sundry Naval Reserve officers to be permanent lieutenants (junior grade) and temporary lieutenants in the Medical Corps of the Navy; and

Nocolas E. Walsh (Air Force cadet) to be a permanent ensign in the line of the Navy.

Kenneth D. Aanerud, and sundry other officers for permanent promotion to the grade of lieutenant (junior grade) in the line and staff corps of the Navy;

Lt. Comdr. Lowell J. Brown, Medical Corps, U.S. Navy, for temporary promotion to the grade of commander in the Medical Corps;

Stanley A. Bloustine, and sundry other officers, for temporary promotion to the grade of lieutenant commander in the Medical Corps, Navy;

Ervin A. Ashford, and sundry other officers, for temporary promotion to the grade of lieutenant in line and staff Corps, Navy;

Lt. (jg.) Joanne L. Schmitt, U.S. Navy, for permanent promotion to the grade of lieutenant;

Nathaniel S. Barbour, and sundry other U.S. Navy officers, for permanent promotion to the grade of lieutenant (junior grade);

Charles R. Jackson, U.S. Navy, for transfer to and appointment to the Judge Advocate General's Corps in the permanent grade of lieutenant and the temporary grade of lieutenant commander;

Lt. Carl H. Horst, U.S. Navy, for transfer to and appointment in the Judge Advocate General's Corps in the permanent grade of lieutenant (junior grade) and the temporary grade of lieutenant.

Thomas J. Jarosz, and sundry other Naval officers for transfer to and appointment in the Civil Engineer Corps in the permanent grade of lieutenant (junior grade) and the temporary grade of lieutenant;

Seley E. Moore and George B. Reynolds, U.S. Navy, for transfer to and appointment in the Civil Engineer Corps in the permanent grade of lieutenant (junior grade);

Larry A. Graves and William W. Weissner, U.S. Navy, for transfer to and appointment in the Supply Corps in the permanent grade of lieutenant (junior grade);

Lt. (jg.) Ray K. W. Hartzell, Supply Corps, U.S. Navy, for transfer to and appointment in the line of the Navy in the permanent grade of lieutenant (junior grade);

Ronald J. Frederick and R. K. M. Hartzell, U.S. Navy, for transfer to and appointment in the line of the U.S. Navy in the permanent grade of ensign;

Randall C. Allen, and sundry other Naval officers for transfer to and appointment in the Supply Corps in the permanent grade of ensign;

Harvey B. Lemon and Robert D. Mason, U.S. Navy, for transfer to and appointment in the Civil Engineer Corps in the permanent grade of ensign;

John P. Budrenich, U.S. Navy, for promotion to chief warrant officer;

Marvin M. Aldrich, and sundry other U.S. Navy officers, for promotion to chief warrant officer;

Lt. (jg.) Joseph H. Frates, Chaplain Corps, U.S. Navy for temporary promotion to lieutenant commander;

Lt. (jg.) William R. Broadwell, U.S. Navy for permanent promotion to lieutenant (junior grade);

Michael R. Andrew and sundry other Naval Reserve Officer Training Corps candidates to be permanent ensigns;

Raymond F. Fike, and sundry naval enlisted scientific education program candidates to be permanent ensigns;

Howard A. Platt (Naval Reserve officer) to be a permanent lieutenant and a temporary lieutenant commander;

Stephen H. McCoy (civilian college graduate) to be a permanent lieutenant (junior grade) and temporary lieutenant in the Medical Corps of the Navy;

John D. Berryman, and sundry other Naval Reserve officers to be permanent lieutenants (junior grade) and temporary lieutenants;

Adam E. Feret, Jr. and several Naval Reserve officers to be permanent lieutenants (junior grade) and temporary lieutenants;

Max A. Harrell, and several U.S. Navy officers to be reverted to permanent chief warrant officers;

Frank E. Kline, U.S. Navy retired officer, to be a lieutenant, limited duty only.

John E. Allen and sundry U.S. Naval Academy graduates, for permanent appointment to the grade of second lieutenant in the Marine Corps;

Perc L. Jones and Viet S. Reid, U.S. Air Force Academy graduates, for permanent appointment to the grades of second lieutenant in the Marine Corps;

Steven A. Bosshard, and several other U.S. Military Academy graduates, for permanent appointment to the grade of second lieutenant in the Marine Corps;

Ronald M. Gilbert and Harbert H. Markle, Naval Reserve Officer Training Corps, for permanent appointment to the grade of second lieutenant in the Marine Corps;

Allen L. Force, naval enlisted scientific education program, for permanent appointment to the grade of second lieutenant in the Marine Corps; and

Joseph H. Anderson, and sundry other staff noncommissioned officers for temporary appointment to the grade of second lieutenant in the Marine Corps.

REPORTS OF COMMITTEES SUBMITTED DURING ADJOURNMENT

Under authority of the Senate of May 20, 1969, the following report of a committee was received on May 21, 1969:

Mr. SPARKMAN, from the Committee on Banking and Currency, reported an original bill (S. 2224) to amend the Investment Company Act of 1940 and the Investment Advisers Act of 1940 to define the equitable standards governing relationships between investment companies and their investment advisers and principal underwriters, and for other purposes, and submitted a report (No. 91–184) thereon, which was printed.

Under authority of the Senate of May 20, 1969, the following reports of committees were received on May 22, 1969:

Mr. MAGNUSON, from the Committee on Commerce, without amendment, the bill (S. 1373) to amend the Federal Aviation Act of 1958, and submitted a report (No. 91–185) thereon, together with individual views of Mr. Pearson, which report was printed.

Mr. PELL, from the Committee on Labor and Public Welfare, with amendments, the bill (S. 1611) to amend Public Law 80–905 to provide for a National Center on Educational Media and Materials for the Handicapped and for other purposes and submitted a report (No. 91–195) thereon, together with individual views of Mr. Dominick, Mr. Prouty, and Mr. Murphy, which was printed.

By Mr. ALLOTT, from the Committee on Interior and Insular Affairs, without amendment:

S. 574. A bill to authorize the Secretary of the Interior to engage in feasibility investigations of certain water resource developments (Rept. No. 91–186).

By Mr. JORDAN of North Carolina, from the Committee on Rules and Administration, without amendment:

S. Res. 177. A resolution authorizing the printing of a manuscript entitled "The First Army in Europe" as a Senate Document (Rept. No. 91–193);

S. Res. 195. A resolution authorizing the printing of additional copies of Senate Document 91–13 entitled "Review of U.S. Foreign Policy and Operations, 1968" (Rept. No. 91–192);

S. Con. Res. 21. A concurrent resolution to print additional copies of parts 1 and 2, thermal pollution 1968 hearings (Rept. No. 91–191);

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H. Con. Res. 35. A concurrent resolution authorizing the printing of additional copies of a Veteran's Benefits Calculator (Rept. No. 91–187); and

H. Con. Res. 95. A concurrent resolution authorizing certain printing for the Committee on Veterans' Affairs (Rept. No. 91–188).

By Mr. JORDAN of North Carolina, from the Committee on Rules and Administration, with an amendment:

H. Con. Res. 192. A concurrent resolution to reprint brochure entitled "How Our Laws Are Made" (Rept. No. 91–190).

By Mr. JORDAN of North Carolina, from the Committee on Rules and Administration, with amendments:

H. Con. Res. 162. A concurrent resolution authorizing the printing of the book "Our American Government," as a House document (Rept. No. 91–189).

By Mr. JACKSON, from the Committee on Interior and Insular Affairs, without amendment:

S. 126. A bill to designate certain lands in the Pelican Island National Wildlife Refuge, Indian River County, Fla., as wilderness (Rept. No. 91–197); and

S. 1652. A bill to designate certain lands in the Monomoy National Wildlife Refuge, Mass., as wilderness (Rept. No. 91–198).

By Mr. YARBOROUGH, from the Committee on Labor and Public Welfare, with an amendment:

S. 1519. A bill to establish a National Commission on Libraries and Information Science, and for other purposes (Rept. No. 91–196).

By Mr. PASTORE, from the Committee on Commerce, with amendments:

S. 1046. A bill to protect consumers by providing a civil remedy for misrepresentation of the quality of articles composed in whole or in part of gold or silver, and for other purposes (Rept. No. 91–194).

KATHLEEN T. O'LEARY—REPORT OF AN ORIGINAL RESOLUTION

Under the authority of the Senate of May 20, 1969, Mr. Jordan of North Carolina, reported on May 22, 1969, from the Committee on Rules and Administration, the following original resolution (S. Res. 202) to pay a gratuity to Kathleen T. O'Leary:

S. Res. 202

Resolved, That the Secretary of the Senate hereby is authorized and directed to pay, from the contingent fund of the Senate, to Kathleen T. O'Leary, widow of Jeremiah A. O'Leary, Senior, an employee of the Senate at the time of his death, a sum equal to four months' compensation at the rate he was receiving by law at the time of his death, said sum to be considered inclusive of funeral expenses and all other allowances.

DORA L. DOWNING—REPORT OF AN ORIGINAL RESOLUTION

Under the authority of the Senate of May 20, 1969, Mr. Jordan of North Carolina, reported on May 22, 1969, from the Committee on Rules and Administration, the following original resolution (S. Res. 203) to pay a gratuity to Dora L. Downing:

S. Res. 203

Resolved, That the Secretary of the Senate hereby is authorized and directed to pay, from the contingent fund of the Senate, to Dora L. Downing, widow of Carl Downing, an employee of the Senate at the time of his death, a sum equal to ten and one-half months' compensation at the rate he was receiving by law at the time of his death, said sum to be considered inclusive of funeral expenses and all other allowances.

RESOLUTION TO CONSERVE OIL AND GAS

Under authority of the Senate of May 20, 1969, the following report of a committee was received on May 23, 1969:

By Mr. MOSS, from the Committee on Interior and Insular Affairs, without amendment:

S.J. Res. 54. A joint resolution consenting to an extension and renewal of the interstate compact to conserve oil and gas (Rept. No. 91–199).

MESSAGE FROM THE HOUSE RECEIVED DURING ADJOURNMENT

Under the authority of the order of the Senate of May 20, 1969, the Secretary of the Senate, on May 21, 1969, received the following message from the House of Representatives:

That the House had passed, without amendment, the bill (S. 256) to confer U.S. citizenship posthumously upon L. Cpl. Theodore Daniel Van Staveren.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills and joint resolution:

S. 256. An act to confer U.S. citizenship posthumously upon L. Cpl. Theodore Daniel Van Staveren;

H.R. 2948. An act for the relief of Maria Prescilla Caramanzana;

H.R. 3464. An act for the relief of Maria Balluardo Frasca;

H.R. 8188. An act to provide for the striking of medals in commemoration of the one hundredth anniversary of the founding of the city of Wichita, Kans.; and

S.J. Res. 104. To authorize the President to reappoint as Chairman of the Joint Chiefs of Staff, for an additional term of 1 year, the officer serving in that position on April 1, 1969.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Hackney, one of its reading clerks, informed the Senate that pursuant to the provisions of section 1, Public Law 86–42, the Speaker had appointed as a member of the U.S. delegation of the Canada-United States Interparliamentary Group the gentleman from Florida, Mr. Pepper, vice Mr. Gibbons of Florida.

The message also informed the Senate that pursuant to the provisions of section 1, Public Law 86–42, the Speaker had appointed as a member of the U.S. delegation of the Canada-United States Interparliamentary Group, the gentleman from New York, Mr. Stratton, vice Mr. Kee of West Virginia.

The message announced that the House had passed the joint resolution (S.J. Res. 99) to authorize the President to issue annually a proclamation designating the first week in June of each year as "Helen Keller Memorial Week," with amendments, in which it requested the concurrence of the Senate.

The message also announced that the House had passed the following bills in which it requested the concurrence of the Senate:

H.R. 1749. An act for the relief of Eagle Lake Timber Co., a partnership, of Susanville, Calif.;

H.R. 1948. An act to confer U.S. citizenship posthumously upon Pfc. Joseph Anthony Snitko;

H.R. 2238. An act to provide for the relief of certain civilian employees paid by the Air Force at Tachikawa Air Base, Japan;

H.R. 5615. An act for the relief of Maria Camilla Giuliani Niro;

H.R. 6400. An act for the relief of Reddick B. Still, Jr., and Richard Carpenter;

H.R. 6581. An act for the relief of Bernard A. Hegemann;

H.R. 8136. An act for the relief of Anthony Smilko;

H.R. 9088. An act for the relief of Clifford L. Petty;

H.R. 10060. An act for the relief of L. Cpl. Peter M. Nee, 2465662;

H.R. 10149. An act for the relief of Jack W. Herbstreit;

H.R. 10153. An act for the relief of Frances von Wedel;

H.R. 10595. An act to amend the act of August 7, 1956 (70 Stat. 1115), as amended, providing for a Great Plains conservation program; and

H.R. 11400. An act making supplemental appropriations for the fiscal year ending June 30, 1969, and for other purposes.

HOUSE BILLS REFERRED

The following bills were severally read twice by their titles and referred, as indicated:

H.R. 10595. An act to amend the act of August 7, 1956 (70 Stat. 1115), as amended, providing for a Great Plains conservation program; to the Committee on Agriculture and Forestry.

H.R. 11400. An act making supplemental appropriations for the fiscal year ending June 30, 1969, and for other purposes; to the Committee on Appropriations.

H.R. 1749. An act for the relief of Eagle Lake Timber Co., a partnership, of Susanville, Calif.;

H.R. 1948. An act to confer U.S. citizenship posthumously upon Pfc. Joseph Anthony Snitko;

H.R. 2238. An act to provide for the relief of certain civilian employees paid by the Air Force at Tachikawa Air Base, Japan;

H.R. 5615. An act for the relief of Maria Camilla Giuliani Niro;

H.R. 6400. An act for the relief of Reddick B. Still, Jr., and Richard Carpenter;

H.R. 6581. An act for the relief of Bernard A. Hagemann;

H.R. 8136. An act for the relief of Anthony Smilko;

H.R. 9088. An act for the relief of Clifford L. Petty;

H.R. 10060. An act for the relief of L. Cpl. Peter M. Nee, 2465662;

H.R. 10149. An act for the relief of Jack W. Herbstreit; and

H.R. 10153. An act for the relief of Frances von Wedel; to the Committee on the Judiciary.

LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that statements in relation to the transaction of routine morning business be limited to 3 minutes.

The VICE PRESIDENT. Without objection, it is so ordered.

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COMMITTEE MEETINGS DURING SENATE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that all committees be authorized to meet during the session of the Senate today.

The VICE PRESIDENT. Without objection, it is so ordered.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate go into executive session to consider the nominations on the Executive Calendar, beginning with "new reports."

There being no objection, the Senate proceeded to the consideration of executive business.

The VICE PRESIDENT. The nominations on the Executive Calendar will be stated, as requested by the Senator from Montana.

OFFICE OF ECONOMIC OPPORTUNITY

The bill clerk read the nomination of DONALD RUMSFELD, of Illinois, to be Director of the Office of Economic Opportunity.

Mr. MANSFIELD. Mr. President, may I say that I, personally, am pleased that this nomination has been reported by the Committee on Labor and Public Welfare—unanimously, I understand.

It is my belief that Mr. RUMSFELD, a colleague of ours in the House, will do a good job as the Chief of the OEO. He of course, has indicated opposition to certain aspects of the poverty program in the past, but it is my belief that, on the basis of the questioning approach he has taken, he will do a better job as a result. I wish him well in his difficult endeavors.

Mr. DIRKSEN. Mr. President, will the Senator yield?

Mr. MANSFIELD. I am delighted to yield to the Senator from Illinois.

Mr. DIRKSEN. Mr. President, when this nomination went to the Committee on Labor and Public Welfare, I appeared in behalf of the nominee. I have known DON RUMSFELD for a long time, and I have watched his legislative career as well as his career before he came to Congress.

For a young man of his age, he has done extremely well, and he is in his fourth term in the House of Representatives. He has made his presence felt in many fields of endeavor, and I share with the majority leader the belief that he will do an excellent and forthright job in giving direction to this very important and sometimes highly controversial agency.

Mr. PERCY. Mr. President, I wish to commend the administration on its appointment of the Honorable DONALD RUMSFELD, of Illinois, as the Director of the Office of Economic Opportunity. He has, since 1962, been the able Representative from my own congressional district, and has rendered great service to the United States in that post. I know full well he has given up one of the safest seats in the Congress in order to take up a position—I might say a perilous position, in the opinion of some—as head of the Office of Economic Opportunity. But he is man of courage, a man of great dedication, a man of concern for his fellow man, and a man who is committed to fulfill the broad sweep of authority of this office, and carry out the mandate that has been given to him by the President of the United States to care and to show concern for the underprivileged in this country.

I know that the administration is well aware of the sacrifice Representative RUMSFELD has made, and I think this is full evidence of the degree of dedication of the Nixon administration in appointing men of great competence, ability, and proven skill, with particularly great emphasis on the administrative skill that the men might have, and also the innovative skill that they might possess in pioneering new programs to break through, to find new answers for the old problem of poverty.

In recent weeks there has been criticism of a supposed lack of commitment of the Nixon administration to the problems of poverty and hunger in the United States. These criticisms have focused on hunger and the Job Corps. Yet the record clearly shows that President Nixon has now recommended the most ambitious and far-reaching program ever advanced by any administration in the field of hunger. Moreover, the Labor Department has revamped and consolidated manpower training programs so that a far more effective overall manpower training program can be undertaken.

At the same time, perhaps the most sweeping proposal ever made to fight the problems of poverty goes almost ignored by the same congressional critics—a proposal that means real dollar help to millions of Americans. I refer to the low-income allowance which would exempt 2.2 million families below the official Federal poverty standard from paying Federal income taxes. The Nation's poor will be completely relieved of income tax liability as well as the burden of making out returns. It lets poor people keep what they most need—their own hard-earned cash.

How simple, how logical, yet it could not be thought of in the past 8 years. It only took the new administration and Edwin Cohen, Assistant Secretary of the Treasury for Tax Policy, 6 weeks to work out the plan. For the first time the American Government recognizes the fact that it is an inequitous system that forces people to pay taxes when they cannot afford adequate food and clothing for their children or a decent place to live.

The low-income allowance is a simple plan. It is a variable amount that when added to the minimum standard deduction would total $1,100. When added to the $600 personal exemption, the total almost exactly matches the Federal poverty standard for each family size. A single individual would have no Federal tax liability up to $1,700; for a couple the cutoff would be $2,300; for a family of four $3,500.

Above the cutoff point, the low-income allowance would be reduced by $1 for each $2 of added income, thus phasing out gradually. It would not be reduced dollar for dollar of added income as so many welfare schemes today are established.

At one stroke the President has improved the economic situation of millions of Americans. I hope critics of this administration will give credit where credit is due. This is a brilliant step in the right direction.

If the President's plan had been introduced by administration critics and had been labeled a modified guaranteed annual income plan or a negative income tax plan these same critics might have hailed it as a major step forward. Never mind that the tired rhetoric of the past would have stirred unnecessary controversy and probably killed the idea. To many critics of the President a slogan that fails seems more important and worthwhile than a workable plan capable of being enacted into law. We now have a plan before us that will work. It does not have a fancy title but for those concerned with substance rather than veneer there should be no question of its far-reaching end results to improve the lot of million of America's less fortunate low-income individuals and families.

A look at the overall policies of the President to date in the field of poverty deserves a resounding commendation. I congratulate the President for this magnificent forward step, and for his appointment of Hon. DONALD RUMSFELD as the Director of the Office of Economic Opportunity.

Mr. BYRD of Virginia. Mr. President, I am sorry to report that the Office of Economic Opportunity once again is in the subsidized propaganda business.

A revealing article on this subject was written by Shirley Scheibla and published in the April 14 edition of Barron's magazine. I ask unanimous consent that Miss Scheibla's article, entitled "Subsidized Press," be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. BYRD of Virginia. Mr. President, in 1967, the Senate approved an amendment which I offered to a supplementary appropriations bill which provided that none of the money furnished in that bill could be used "for establishing or operating a general coverage newspaper, magazine, radio station, or television station." Of course, that amendment does not affect the use of currently appropriated funds.

But the intent of Congress is plain. Thus, tax funds are being used in a way not intended by Congress.

I hope that former Representative RUMSFELD, whose nomination will be confirmed today, will give this matter prime attention as he takes over as Director of the Office of Economic Opportunity.

Among the publications to which Miss Scheibla calls attention is the Spokesman, published by the Office of Economic Opportunity Council, 1449 Mendell Street, San Francisco, Calif.

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The February 1969 edition of the Spokesman includes a "News Sketch" column including datelines from New York, Sacramento, Washington, Memphis, Chicago, and Jacksonville, Fla. Nearly all of these so-called news sketches have a black racist theme.

The quality of the journalism is suggested by the fact that the senior Senator from California is described as "right-wing conservative dancer MURPHY."

The item from Memphis reports as follows:

> MEMPHIS, TENN.—A committee of the National Council of Churches has reported violence is an acceptable tool for use by the victims of injustice. It further stated that there is a vast difference between the violence used in oppressions and violence used by the oppressed. And, that violence may be justified to seek social justice if nonviolent means fail.

The same page of the Spokesman includes an announcement of a birthday celebration for Huey P. Newton, the Black Panther leader jailed for murder. This announcement states that some of the proceeds from the celebration were to go to the Eldridge Cleaver bail fund. Mr. Cleaver, of course, is the Black Panther leader missing since late last year after his bail was revoked.

The same page of the Spokesman also advertises the Malcolm X Educational Center, which is called "a black school for black children operated by black people in the total black community."

The Spokesman is only one extreme example of a large number of publications subsidized by OEO. The "Marin City Memo," issued by the Marin City Economic Opportunity Council Area Office, 630 Drake Avenue, Marin City, Calif., is a similar propaganda sheet.

The August 15, 1968, issue quotes Dick Gregory as saying:

> Riots are nothing new. They're just a ghetto version of a fire sale.

Another OEO-backed publication is the Crusader, published by United Community Corp., 449 Central Avenue, Newark, N.J. The September 1968, issue of the Crusader had an editorial entitled, "Communications and the Poor," which said in part:

> The federally-supported war against poverty has given new hope to the poor, the disinherited, the neglected and the abused. The poor have come to recognize that their demand for a free and equal access to the mass media is an intrinsic part of their being able to succeed in the struggle for freedom from hunger, from privation, from exclusion. They have come to understand that generic to their struggle is the battle for men's minds, a battle that must be won also if our democratic process is to survive intact, not be torn by divisiveness . . . No one outside believes that what is happening here is important enough to assign any priority to . . . We need a voice now. That is clearly indicated. We need access to mass communications capability now to save and rebuild our cities now, not when it becomes convenient to consider it.

The May–June 1968, issue of the same publication carried a story on an investigation of the antipoverty program in Newark by the senior Senator from Arkansas who called it a witch hunt and a shocking misuse of public funds.

In Utica, N.Y., the Inner City Opportunity Center publishes the Voice of INCO, which recently published a solicitation for teen members for the Congress of Racial Equality.

The source of many of these publications is a manual in newspaper form issued by the New Jersey Community Action Training Institute last year. This publication, called News Man, advises how to launch a community action newspaper.

Clearly, the antipoverty agency seems to be in the propaganda business in a big way.

Exhibit 1

Subsidized Press: The Poverty Program Is Building Its Own Propaganda Machine

(By Shirley Scheibla)

"When the press is supported or subsidized by federal funds, it is disabled to perform its rightful function as a great interpreter between the government and the people. This is so because the press is no longer free. On the contrary, it is enslaved and enslavement of the press will inevitably be followed by enslavement of the people." (Senator SAM J. ERVIN, Jr., Democrat, of North Carolina).

WASHINGTON.—Commenting on the violence-ridden strike at San Francisco State College, a leading story in a San Francisco newspaper in February ran as follows: "The only reason the strike was called was as a last resort to bring out into the open their (the students') grievances and the present injustices and irrelevances on the campus of a school which belongs to this community. . . . The basic truth of the strike is the freedom of self-determination of students in their education versus the present misuse of the schools by irrelevant and outside political forces such as the office of the governor, state superintendent of schools and the like in trustees and such boards of directors who are totally alien to the needs and desires of Black and Third World students. The activities and grievances of the students deserve the sympathy of the local community."

CIVIL DISRUPTION

The publication which featured the story is The Spokesman, one of a growing number of newspapers published with the encouragement and financial support of the Office of Economic Opportunity. Issued by community action groups all over the country, many of the newspapers are promoting black militance, racial hatred, civil disruption, the cry of police brutality, community control of schools and colleges, and, not least, the war on poverty and all its works.

Congress has prohibited the use of federal anti-poverty funds for establishing or operating general coverage newspapers. However, OEO claims that the publications really are "newsletters," aimed at bridging "the communication gap often existing between the community action program and the people it serves."

According to a Public Affairs Handbook, The Printed Word, published by OEO last year and distributed to community action agencies, a publication is a "newsletter" if it "has a specific information objective and a limited audience," is not sold for profit, carries no paid advertising and is run by the local anti-poverty program. "Grantees," the Handbook declares, "are encouraged to publish newsletters or house organs which assist local anti-poverty efforts. These publications are generally financed under the administrative budget of the local agency."

Pictured in the Handbook, to illustrate what OEO means, is the front page of a "newsletter" called The Crusader, a product of the United Community Corp., top community action agency of Newark, N.J., which says it is "a free city-wide community newspaper for the promotion of community action." Looking remarkably like a tabloid newspaper, the page carries a story about Newark citizens marching in front of the White House. In another issue The Crusader called the McClellan Committee's investigation of the role of anti-poverty workers in Newark's riots, "a witch hunt and a shocking misuse of public funds."

The OEO Handbook also includes elementary instructions for publishing "newsletters." With OEO funding, the Community Action Training Institute at Trenton, N.J., has gone a step further by publishing The CATI News Man, which the subheading identifies as "A Manual—In Newspaper Form—On How To Produce A Community Action Newspaper." The essentials, it says, are community problems, angry people and publishing facilities. A good community action newspaper, it declares, "makes people mad."

Enlarging on the Handbook's idea of not selling the newspapers for profit, the manual advises soliciting donations. "Be sure you don't ask people to buy a subscription to your paper, since this will cause difficulties with income tax and licensing laws," it explains.

The Office of Economic Opportunity is so pleased with the work of CATI that it has asked the Institute to provide assistance to communtly action training centers all over the country, at federal expense, of course. (There are 10 training centers to serve over 1,000 community action centers.) While the exact number and circulation of community action newspapers in existence are unknown, it is abundantly clear that they constitute a vast propaganda network.

Specifically, anti-poverty newsletters churn out vast quantities of propaganda for the war on poverty. For instance, the TEOC News, published by the Tampa (Fla.) Economic Opportunity Council, Inc., recently declared that an independent OEO is an absolute necessity.

CHRISTMAS ISSUE

Referring to OEO, Community Action News, a monthly publication of the Knox County Economic Opportunity Council at Barbourville, Ky., said in its Christmas issue: "Our country cannot afford to risk an interruption of a program experiment which is the last link of communication between the poor and non-poor." An offer to fund the 1969 anti-poverty programs of Wayne County, Mich., at the same level as 1968 is unacceptable, according to a front page story in the Wayne County OEO Newsletter, a slick, printed publication of the Economic Opportunity Committee of Eloise, Mich.

"Do not panic with the coming of the Nixon Administration," said a recent Community Action Newsletter published by the Ninth District Opportunity, Inc., of Gainesville, Ga. "America," it declared, "is a country of compassionate people, and humanitarian programs will not be stopped by any administration."

Publications which have lavished praise on OEO projects include With the People, issued by half-a-dozen community action agencies in Chicago; the Neighborhood Journal, by Community Progress, Inc. of New Haven, Conn.; STOP Newsletter, by the Southeastern Tidewater Opportunity Project of Norfolk, Va., and The Advisor, by the Charleston County Economic Opportunity Commission at Charleston, S.C.

HAPPY BIRTHDAY, HUEY

Black power and race hatred are also favorite themes of OEO-subsidized journalism. On this score, the story on the San Francisco State College strike was not the only one worthy of notice in the February issue of The Spokesman. It also carried an announcement of a birthday celebration in honor of Black Panther leader Huey P. Newton, now jailed for allegedly killing a man in California.

Scheduled as a speaker at the Black Panther celebration was Kathleen Cleaver, wife of Black Panther Eldridge Cleaver. (Mr. Cleaver was jailed in 1958 after conviction for assault with intent to commit murder. He was paroled in 1966, but had his parole revoked in connection with a gun battle with Oakland police officers. Subsequently he was released by a judge who ruled Mr. Cleaver was "a political prisoner." This action subsequently was overruled; both California and federal authorities have been seeking Mr. Cleaver since December 27, 1968.)

According to The Spokesman, tickets for the affair were available at Black Panther Party Headquarters at 1419 Fillmore and More's Books, 1435 Fillmore, and for $2.50 at the door. It added that part of the proceeds would be used for the Newton-Cleaver Defense Committee and the Eldridge Cleaver Bail Fund.

The same issue sought contributions to the Malcolm X Educational Center, advised its readers to write or call the Black Draft Counseling Union and join the Welfare Rights Movement. In addition, it announced a community meeting to "amend the city charter to forbid the creation of para-military squads (by the San Francisco police). . . ."

Such inflammatory contents are nothing new for The Spokesman. In 1968, the February-March issue decried the jailing of Huey Newton for alleged murder and reported "some very significant ideas" of the Black Panthers, which included freeing Mr. Newton or bringing about "retribution," freeing of imprisoned black men not tried by their peers and exempting all Negroes from military service.

(The latest word on the Black Panthers came on April 2, when a New York grand jury indicted 21 members for conspiring to bomb five department stores, a police station and a railroad.)

A front-page story in the March-April 1968 issue of The Spokesman said, "Black people wake up; we are all in prison; we are all Huey Newtons. He may be doing time in jail but we are doing it in the ghetto." Signed by Adam Rogers, it declared, "If you want action, come join me in my fight for identity, equality, not civil rights, but human rights."

The Spokesman has accused the nation's cities or arming to carry out plans of genocide against black people, and said the U.S. is preparing concentration camps for blacks. It also quoted Richard Robers, executive director of the San Francisco Family Service Agency, as saying, "A civil war is almost inevitable unless the powers of white America face up to the fact that they have a responsibility to see that all children have some guarantee—decent economic income, housing, education and health assurances that exist for their own children."

Copies of all the aforementioned issues of The Spokesman are in the files at OEO headquarters.

In the same vein, the August 15, 1968, issue of the Marin City (Calif.) Memo, published by the Marin City Economic Opportunity Council, printed an editorial by Area Director James W. Coleman, who, after visits to Chicago, Detroit and Cleveland, found: "The social revolution continues to move across this nation. . . . There must be drastic social changes in the society now. . . . I talked to many black youths who still had anger and revenge for the white power structure." The same issue quoted black activist Dick Gregory as saying, "Riots are nothing new. They're just a ghetto version of a fire sale."

NEED POWER

"Power is the essential for the poor," according to the tabloid newspaper, The New Day, published by the Human Development Corp. of St. Louis. "If you want to beat the small store cheating you. If you want to keep 'the man' off your back. If you want to get a job. If you want to get decent housing out of the slum lord. You have to have power," proclaimed the March 1968 issue of The New Day.

From a sister publication in Elizabeth, N.J., comes a similar theme. The May 1968 Community Action News, published by Community Action for Economic Opportunity, Inc., carried a letter to the editor signed by Josephine Nieves, acting director of the Northeast Regional Office of OEO in New York, which said, "Jobs alone will not necessarily solve the problems of the poor in America since it is to a large extent a question of power."

The same issue featured a story which said that a teenage community action group had petitioned the city to incorporate black history into the regular school curriculum. Another story said, "The Black Power Conference held July 20 through July 23 was an inspirational and educational gathering." Among the proposals reported were "developing Liberation Schools, setting up a Black Teachers Union—Separate From The White Summer Camps for Blacks only, development of Black Political Power. . . ." The Washington Evening Star called that same conference "a festival of hate."

The tabloid newspaper, The Neighborhood Journal, states in its masthead that it is owned and operated by the five Denver community action councils and "funded by a grant from the Office of Economic Opportunity." The September 20, 1968, issue devotes half a page to the views of "resident participants" in the Model Cities program. It charges that minority persons are abused when arrested, charged, jailed and sentenced, and calls for "greater protection from unjust police and judicial action" to command top priority after planning in the Model Cities program.

WASHINGTON DOESN'T KNOW

No one in Washington seems to know how many anti-poverty, "newsletters" are being published, or how many more will be launched in response to OEO's Handbook. Besides those mentioned, others have come out of Long Beach, Calif.; Bridgeport, Conn.; Miami and Pensacola, Fla.; New York; Columbus, Ohio, and many Indian reservations. OEO headquarters have three filing cabinet drawers packed with samples of the newsletters.

Almost unbelievably, they are being distributed in slums all over the country without the knowledge of Congress. That body thought it had made its intent amply clear when it set up the Small Business Administration. Congress banned SBA loans to newspapers to avoid government interference with the press. In 1967 an amendment to the second supplemental appropriation act said flatly: "None of the federal government anti-poverty funds may be used for establishing or operating a general coverage newspaper, magazine, radio station or television station."

When he introduced the amendment, Senator Harry F. Byrd, Jr. (D., Va.) stated: "I am unalterably opposed to government ownership or control of newspapers because it leads inevitably to government control of the news. I believe we have too much government management of the news already without this additional weapon being put into the hands of federal officials."

Enactment followed disclosure that WAMY-Community Action, Inc., of Boone, N.C., proposed to establish a newspaper and radio station with $179,000 from OEO in response to OEO pressure to emphasize communications instead of job training. At the time, Senator Ervin commented that the proposal was wholly "incompatible with the free enterprise system and a free press."

Senator Strom Thurmond (R., S.C.) declared: "If every poverty agency were to get a 100% subsidy for the publication of its own propaganda—freed from the responsibility of business losses and restrictions—then a medium would be created to promote social unrest and dissatisfaction on a nationwide scale."

As noted, OEO maintains that the publications it now subsidizes are "newsletters" which do not engage in "general coverage," cited in the wording of the 1967 ban on subsidized newspapers. Newsletters or newspapers, the publications are only one segment of a vast OEO-subsidized propaganda network—encompassing television, radio, films and even speakers' bureaus—now in operation and growing daily.

Mr. PROUTY. Mr. President, in the 4 months since his inauguration, President Nixon has moved purposefully to reform and revitalize the Federal Government's delivery system for the vast expanse of Federal programs intended to alleviate poverty.

President Nixon's positive steps have, I trust, allayed the unfounded fears of some who had foretold of a premature end of the war on poverty. The President's actions affirm my contention that while there has been almost complete accord on the need for and intent of poverty programs, though well-intentioned differences have arisen over the methods.

The President has, during the brief period of incumbency, done much toward the goal of matching performance with promise.

For the first time, an Urban Affairs Council has been established to provide a unified approach to the problems of our cities. This domestic equivalent to our National Security Council is developing a national urban policy to allocate resources on a priority basis.

For the first time the President has established an office of intergovernmental relations to provide a single service center for State, municipal, and county governments.

For the first time Federal agencies' field offices will serve uniform regions and the field offices of the Department of Health, Education, and Welfare; Housing and Urban Development; Labor; the Office of Economic Opportunity, and the Small Business Administration will operate from a single city. Wednesday, the President added two regional offices to the eight set up 2 months ago making a total of 10 such offices.

For the first time regional councils combining their interrelated Federal agencies have been established to maximize program coordinating in the field.

For the first time the President of the United States has directed the many Federal departments, bureaus, and agencies working with State and local governments to come up with a plan to decentralize decisionmaking authority to expedite Federal assistance to community projects.

For the first time an office of minority entrepreneurship has been established in the Department of Commerce to give enterprising individuals a special solid start in business.

For the first time the OEO is to be freed of some of its program responsibilities to better fulfill its intended function as an "incubator" or ideas. OEO's successful Headstart program will be op-

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erated in the new Bureau of Child Development within HEW, where the lessons of Headstart can be applied within a comprehensive program for this Nation's children. The Job Corps will be realined within the Labor Department's manpower training programs.

Attendant with this revamping of the machinery for delivery of these programs has been the sweeping evaluations of the programs at the highest levels of administration.

But machinery and studies cannot by themselves bring performance to the level of our promises. Dedicated men are needed to manage this essential governmental machinery. I am pleased that President Nixon has paid such close attention to the "human factor." The nomination of Representative Donald Rumsfeld to be Director of the Office of Economic Opportunity is in keeping with President Nixon's pursuit of excellence at all levels of government. I am further encouraged by the President's designating the Director of OEO as assistant to the President and by according the position full cabinet status. This affirms President Nixon's oft-stated intent to revitalize, not as some would say to demolish, the OEO.

In his testimony before the Labor and Public Welfare Committee, Congressman Rumsfeld was perfectly candid in explaining why he had voted against the Economic Opportunity Act of 1964. At the time, he, like many of us, questioned not the intent but the methods outlined in the original act. Since then there have been successes, failures, and modifications in these programs. We have learned much and Representative Rumsfeld shares the President's determination to build upon our knowledge without letting up our efforts against poverty.

As I admire his candor I also have deep respect for Representative Rumsfeld's courage in leaving a "safe" seat in the House of Representatives for a position which seems certain to be a center of controversy. If it were to be free of controversy that to me might indicate that the OEO was not assuming the dynamic innovative role that Congress has mandated for it.

The President has nominated a man of candor, courage, and dedication to be the next Director of the Office of Economic Opportunity. I urge my colleagues to confirm the nomination of Representative Donald Rumsfeld.

Mr. DIRKSEN. Mr. President, on behalf of the Senator from New York (Mr. Javits), I ask unanimous consent to have printed in the Record a statement by him in support of the nomination of Donald Rumsfeld, of Illinois, to be Director of the Office of Economic Opportunity.

There being no objection, the statement was ordered to be printed in the Record, as follows:

Statement of Senator Javits

When Representative Rumsfeld appeared before the Committee on Labor and Public Welfare, he made it clear that as director of the Office of Economic Opportunity he would feel it his duty to be "counsel for the poor."

The word "counsel" is very significant because it reflects, in my opinion, an understanding of the proper role that the director should play at the highest level of government. In designating Representative Rumsfeld, the President indicated that he would serve not only as director, but also as a special assistant to the President with cabinet rank. Representative Rumsfeld has indicated that he would be willing to disagree with any Cabinet officer or the President himself if need be in order to carry out the special responsibility given to him. There are still more than 22 million poor in our Nation, and we need no reminders that although this group has been "rediscovered" in recent years, its voice has still not been effectively heard.

The word "counsel" is important in another respect because it emphasizes the role of the director as an advisor to rather than a guardian of the poor. There are many programs for the poor. But there is only one agency where the emphasis is so clearly on action *by* the poor.

We have failed to deliver on promises based upon direct assistance. But in moving away from old approaches, we have made new promises. We have promised the poor that they are to participate in their own flight from poverty, but we are unfairly critical of the exercise of local initiative through community action agencies. The poor are told that they should establish their own businesses, but loans under the Economic Opportunity Loan Program totalled only 1,700 last year, considerably short of the 10,000 goal. The disadvantaged are encouraged to work their way out of poverty, but only recently have resources been channeled into training programs meaningfully related to actual jobs.

I am pleased with the sincerity of purpose displayed by Representative Rumsfeld and his commitment to a continued role for the community action agencies. I have every expectation that under his strong leadership these concepts of which I have spoken will be translated into reality, and new initiatives will be taken on behalf of the poor.

The President has indicated that he will soon submit comprehensive recommendations for the future of the poverty program. With Representative Rumfeld's confirmation, we must move quickly and conscientiously from the broad outlines to a specific course of action for the coming years.

The VICE PRESIDENT. The question is: Will the Senate advise and consent to this nomination? [Putting the question.]

The nomination was confirmed.

COMMISSION ON AGING

The bill clerk read the nomination of John B. Martin, Jr., of Michigan, to be Commissioner on Aging.

Mr. PROUTY. Mr. President, the needs of 20 million older Americans are many. Eight million of them are poor or near poor with failing health, little education, few jobs, and inadequate housing.

The plight of these elderly should be a source of deep concern to all Americans. Remedies should be sought without delay.

Amidst the needs of the elderly is one need which can be met today by our action. This is the need for a strong advocate for the elderly. John B. Martin is eminently qualified for this role.

With him as Commissioner on Aging, I am confident that our elderly Americans will receive the voice they need at all levels of Government. He has a full grasp of the needs of our older citizens, a complete dedication to meeting these needs, and a proven ability to get things done. I urge my colleagues to favorably consider the President's nomination of John B. Martin as Commissioner on Aging.

The VICE PRESIDENT. The question is: Will the Senate advise and consent to the nomination?

The nomination was confirmed.

GEOLOGICAL SURVEY

The bill clerk read the nomination of William T. Pecora, of New Jersey, to be Director of the Geological Survey.

The VICE PRESIDENT. Without objection, the nomination is considered and confirmed.

AMBASSADORS

The bill clerk proceeded to read sundry nominations of Ambassadors.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the nominations of Ambassadors be considered en bloc.

I do this reluctantly, because it is an extraordinarily good list of nominees. As a matter of fact, among them are friends of many of us in the Senate. I note, for example, the names of Matthew J. Looram, Jr., who will be our next Ambassador to the Republic of Dahomey; John Davis Lodge, who will be our Ambassador to Argentina; Francis E. Meloy, Jr., our next Ambassador to the Dominican Republic—a promotion which in my opinion is long overdue; Armin H. Meyer to Japan, where I am confident he will do an outstanding job; and our old friend Jack Hood Vaughn, born in Montana, who will now become our Ambassador to Colombia.

The VICE PRESIDENT. Without objection, the nominations are considered and confirmed en bloc.

AGENCY FOR INTERNATIONAL DEVELOPMENT

The bill clerk read the nomination of Bert M. Tollefson, Jr., of South Dakota, to be an Assistant Administrator of the Agency for International Development.

The VICE PRESIDENT. Without objection, the nomination is considered and confirmed.

U.S. ARMS CONTROL AND DISARMAMENT AGENCY

The bill clerk read the nomination of James F. Leonard, Jr., of Maryland, to be an Assistant Director of the U.S. Arms Control and Disarmament Agency.

The VICE PRESIDENT. Without objection, the nomination is considered and confirmed.

U.S. NAVY

The bill clerk proceeded to read sundry nominations in the U.S. Navy.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the nominations be considered en bloc.

The VICE PRESIDENT. Without objection, the nominations are considered and confirmed en bloc.

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U.S. MARINE CORPS

The bill clerk read the nomination of Lt. Gen. Lewis W. Walt to be general.

The VICE PRESIDENT. Without objection, the nomination is considered and confirmed.

NOMINATIONS PLACED ON THE SECRETARY'S DESK—NAVY AND MARINE CORPS

The bill clerk proceeded to read sundry nominations in the Navy and Marine Corps which had been placed on the Secretary's desk.

The VICE PRESIDENT. Without objection, the nominations are considered and confirmed en bloc.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of these nominations.

The VICE PRESIDENT. Without objection, it is so ordered.

LEGISLATIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to, and the Senate resumed the consideration of legislative business.

THE CALENDAR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of unobjected to items on the calendar, beginning with Calendar No. 170, and after that has been disposed of, proceed to the consideration of Calendar No. 174 and the succeeding measures in sequence.

The VICE PRESIDENT. Without objection, it is so ordered.

SPECIAL PAY FOR CERTAIN NUCLEAR QUALIFIED SUBMARINE OFFICERS

The bill (H.R. 9328) to amend title 37, United States Code, to provide special pay to naval officers, qualified in submarines who have the current technical qualification for duty in connection with supervision, operation, and maintenance of naval nuclear propulsion plants, who agree to remain in active submarine service for one period of 4 years beyond any other obligated active service, and for other purposes, was announced as next in order.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. McINTYRE. Mr. President, I would like to briefly discuss the pending business, H.R. 9328, which would authorize a new system of special pay for junior nuclear-trained submarine officers.

WHAT THE BILL DOES

First, Mr. President, I would like to outline the provisions of the bill. It provides that naval officers who are both technically qualified in submarines and technically qualified in the operation of naval nuclear propulsion plants, and who have not completed 10 years of commissioned service, will receive special pay in the amount of $3,750 per year on a 4-year basis, if they voluntarily agree to remain in active service for an additional 4 years beyond any period of obligated service. In effect, this legislation is temporary since it applies only to officers who execute active service agreements on or before June 30, 1973.

NECESSITY FOR BILL

Mr. President, I would like to comment briefly on the necessity for this legislation which singles out a small group of officers for special military compensation. The fact of the matter is that the resignation rate for nuclear-qualified junior naval officers has reached the point that the readiness and safety of our nuclear submarines could be affected if this rate is not reversed. The adverse effect would be caused by the lowering of the experience and qualification level of this small group of officers. As we all know, Mr. President, the survival of this Nation and of the free world depends to significant degree on the effectiveness of the nuclear deterrent provided by the nuclear submarine force of the U.S. Navy. This problem is therefore very critical and necessitates the additional pay provided by this bill as a means of attempting to reverse this alarming trend.

Up through 1968, Mr. President, the retention percentage for junior nuclear-trained officers had been approximately 75 percent, but based on resignations already applied for it appears that the retention rate for fiscal year 1970 will be only 38 percent. The Navy presently has on hand approximately 440 applications for resignation and the overwhelming portion of these officers are regulars, some of which have already been involuntarily extended on active duty for 1 year beyond their normal required period of active service.

I would interject at this point, Mr. President, that there are other activities in the Navy which have a much less retention rate than 38 percent. These other groups, such as the surface fleet, however, are able to tolerate much lesser retention percentages, and still remain effective, than the nuclear submarine force.

Mr. President, I should note that the total nuclear submarine officer community is rather small, consisting of only about 1,900 officers. About 950 of this total are in the grade of lieutenant. The total number of officers who would be affected over the course of this legislation until June 30, 1973, is about 1,100 officers.

COST OF LEGISLATION

Mr. President, the estimated cost of this legislation is relatively modest, the estimate being around $2.4 million in fiscal year 1970 and increasing thereafter to $3.8 million in fiscal year 1973.

COMMITTEE OBSERVATIONS

Mr. President, I would call the attention of the Senate to the Committee Report No. 182 on this bill, which discusses not only the pay provisions, but some of the other problems associated with the entire matter of having an adequate officer force for our nuclear submarines. Let me first say that as a form of military pay this special bonus poses a number of problems. There will be some pay inversions, that is, situations where junior officers as a result of receiving this annual bonus will have a total compensation in excess of some of their superiors. Moreover, there are junior officers in the other services of comparable rank serving under varying conditions of hardship throughout the world who will likewise feel that they should be compensated for the particular hardships or conditions under which they serve.

The committee does recognize, Mr. President, that we do have other forms of special pay, such as the continuation pay for medical officers and the variable reenlistment bonus for enlisted personnel with critical skills.

The committee was also concerned that this special submarine pay would be used as an excuse or precedent for the military departments to seek general legislation under which any number of groups could be brought under this same type of system. The committee report is emphatic that the department should not consider this bill as an argument for other legislation.

Despite all these foregoing reservations, Mr. President, the committee felt that the criticality of our nuclear submarine force makes it essential that we enact this bill in order to provide one means of reversing this alarming resignation rate.

Mr. President, I would also like to note that the committee realizes that while pay may be an essential element, compensation alone is not likely to solve this problem. The committee report goes into some detail on other measures the Navy should also consider, including the creation of a larger force of nuclear officers to permit greater shore rotation and opportunities for this group. The Navy should also intensify its efforts to relieve the pressures and other drawbacks of nuclear submarine officers. The committee also hopes, Mr. President, that the Navy will do all in its power to seek public recognition of the importance of the nuclear fleet to the security of the Nation and thereby expand the public image of this essential element of our national security.

Mr. President, I trust that the foregoing remarks have summarized the provisions and problems of this legislation and I urge the Senate to enact H.R. 9328.

The VICE PRESIDENT. The bill is open to amendment. If there be no amendment to be proposed, the question is on the third reading of the bill.

The bill was ordered to a third reading, was read the third time, and passed.

RECLAMATION PROJECT FEASIBILITY STUDIES—1969

The bill (S. 574) to authorize the Secretary of the Interior to engage in feasibility investigations of certain water resource developments was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 574

Be it enacted by the Senate and House of Representatives of the United States of

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America in Congress assembled, That the Secretary of the Interior is hereby authorized to engage in feasibility studies of the following proposals:

(1) Missouri River Basin project, Oregon Trail division, Corn Creek unit, in south-central Goshen County, in the vicinity of Hawk Springs, Wyoming;

(2) Missouri River Basin project, Longs Peak division, Front Range unit, in Cache la Poudre River and Saint Vrain Creek Basins and adjacent areas in the general vicinity of Boulder, Colorado; and

(3) Missouri River Basin project, Upper Republican division, Armel unit, on the South Fork of the Republican River in the vicinity of Hale, Colorado.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 91-186), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE OF THE MEASURE

The purpose of this measure is to authorize the Secretary of the Interior to undertake feasibility investigations of three Federal reclamation projects. This authority is required to permit the orderly continuation of the Bureau of Reclamation's program of investigations leading to recommendations for authorization of water resource development projects.

BACKGROUND OF MEASURE

Section 8 of Federal Water Project Recreation Act (Public Law 89-72, 79 Stat. 213) provides:

Sec. 8. Effective on and after July 1, 1966, neither the Secretary of the Interior nor any bureau nor any person acting under his authority shall engage in the preparation of any feasibility report under reclamation law with respect to any water resource project unless the preparation of such feasibility report has been specifically authorized by law, any other provision of law to the contrary notwithstanding.

The first measure to authorize such feasibility projects was enacted on September 7, 1966, and became Public Law 89-561 (80 Stat. 707). Because it was the first legislation submitted under the new requirement found in the Federal Water Project Recreation Act set out above, it involved a very extensive list of projects. The list included a number of new planning starts as well as authority to continue feasibility studies which were already underway at that time.

A second measure was enacted on February 13, 1968, and became Public Law 90-254 (82 Stat. 5). It authorized six additional studies to provide for the continuation of the Bureau's investigation program. Additional measures will be necessary from time to time as projects are identified by reconnaissance studies and feasibility studies are found to be warranted.

PRESENT LEGISLATION

The present bill was submitted to the Congress by the Department of the Interior by letter of January 18, 1969, and was introduced by Senator Jackson, by request, on January 23, 1969, and became S. 574. It will authorize feasibility studies of three projects as follows:

(1) Missouri River Basin project, Oregon Trail division, Corn Creek unit, in south-central Goshen County, in the vicinity of Hawk Springs, Wyo.;

(2) Missouri River Basin project, Longs Peak division, Front Range unit, in Cache la Poudre River and St. Vrain Creek basins and adjacent areas in the general vicinity of Boulder, Colo.;

(3) Missouri River Basin project, Upper Republican division, Armel unit, on the South Fork of the Republican River in the vicinity of Hale, Colo.

Feasibility studies of all three projects have been shown to be warranted by favorable reconnaissance reports. The Bureau of the Budget has expressed no objection to enactment of the measure.

COMMITTEE RECOMMENDATIONS

The Interior and Insular Affairs Committee recommends S. 574 as introduced, be enacted.

AUTHORIZATION FOR THE PRINTING OF ADDITIONAL COPIES OF A VETERANS' BENEFITS CALCULATOR

The concurrent resolution (H. Con. Res. 35) authorizing the printing of additional copies of a Veterans' Benefits Calculator was considered and agreed to.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 91-187), explaining the purposes of the concurrent resolution.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

Rept. 91-187

House Concurrent Resolution 35 would provide that after the conclusion of the second session of the Ninety-first Congress there be printed 50,070 copies of a Veterans' Benefits Calculator prepared by the House Veterans' Affairs Committee, of which 2,000 copies would be for the use of that committee, 2,000 copies for the use of the Committee on Finance, 37,315 copies for the use of the House of Representatives (85 per Member), and 8,755 copies for the use of the Senate (85 per Member). Copies of the document would be prorated to Members of the House of Representatives and Senate for a period of 60 days, after which the unused balances would be distributed by the respective Senate and House document rooms.

The printing-cost estimate is as follows:

Printing-cost estimate

1st 1,000 copies	$288.75
49,070 additional copies, at $105 per thousand	5,152.35
Total estimated cost, H. Con. Res. 35	5,441.10

AUTHORIZATION FOR CERTAIN PRINTING FOR THE USE OF THE HOUSE COMMITTEE ON VETERANS' AFFAIRS

The concurrent resolution (H. Con. Res. 95) authorizing certain printing for the Committee on Veterans' Affairs was considered and agreed to.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 91-188), explaining the purposes of the concurrent resolution.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

Rept. 91-188

House Concurrent Resolution 95 would provide that there be printed for the use of the House Committee on Veterans' Affairs 56,100 copies of a publication entitled "Summary of Veterans Legislation Reported, Ninety-first Congress, First Session," with an additional 43,900 copies for the use of Members of the House of Representatives (100 per Member). Copies of the document would be prorated to Members of the House of Representatives for a period of 60 days, after which the unused balance would be distributed by the House document room.

The printing-cost estimate is as follows:

Printing-cost estimate

1st 1,000 copies	$2,401.19
99,000 additional copies, at $44.65 per thousand	4,420.35
Total estimated cost, H. Con. Res. 95	6,821.54

AUTHORIZATION FOR PRINTING OF A REVISED EDITION OF THE PAMPHLET "OUR AMERICAN GOVERNMENT" AS A HOUSE DOCUMENT

The Senate proceeded to consider the concurrent resolution (H. Con. Res. 162) authorizing the printing of the book "Our American Government," as a House document which had been reported from the Committee on Rules and Administration, with amendments, on page 1, line 10, after the word "printed" strike out "one million eighty-four thousand" and insert "nine hundred and twenty-nine thousand five hundred"; and in line 12, after the word "which" strike out "two hundred and six thousand" and insert "fifty-one thousand five hundred".

The amendments were agreed to.

The concurrent resolution, as amended, was agreed to, as follows:

H. Con. Res. 162

Resolved by the House of Representatives (the Senate concurring), That,

Section 1. With the permission of the copyright owner of the book, "Our American Government and How It Works: 1001 Questions and Answers by Wright Patman, Member of Congress", published by Bantam Books, Incorporated, there shall be printed as a House document, with emendations, the pamphlet entitled "Our American Government. What Is It? How Does It Function?"; and that there shall be printed nine hundred and twenty-nine thousand five hundred additional copies of such document, of which fifty-one thousand five hundred copies shall be for the use of the Senate, and eight hundred and seventy-eight thousand copies shall be for the use of the House of Representatives.

Sec. 2. Copies of such document shall be prorated to Members of the Senate and House of Representatives for a period of sixty days, after which the unused balance shall revert to the respective Senate and House document rooms.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 91-189), explaining the purposes of the resolution.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

House Concurrent Resolution 162 would provide that (with the permission of the copyright owner of the book, "Our American Government and How It Works: 1001 Questions and Answers by Wright Patman, Member of Congress," published by Bantam Books, Inc.) there be printed as a House document, with emendations, the pamphlet entitled "Our American Government. What is it? How Does It Function?" and that there be printed 1,084,000 additional copies of such document, of which 206,000 copies would be for the use of the Senate (2,000 per Member) and 878,000 copies would be for the use of the House of Representatives (2,000 per Member). Copies of the document would be prorated to Members of the Senate and House of Representatives for a period of 60 days, after which the unused balances would be distributed by the respective Senate and House document rooms.

The printing-cost estimate of House Concurrent Resolution 162 as approved by the House of Representatives, is as follows:

To print as a document (1,500 copies)	$4, 297. 59
1,084,000 additional copies, at $50.27 per thousand	54, 492. 68
Total estimated cost	58, 790. 27

AUTHORIZATION FOR PRINTING OF A REVISED EDITION OF "HOW OUR LAWS ARE MADE" AS A HOUSE DOCUMENT

The Senate proceeded to consider the concurrent resolution (H. Con. Res. 192) to reprint brochure entitled "How Our Laws Are Made" which had been reported from the Committee on Rules and Administration with an amendment, on page 2, at the beginning of line 1, insert a new section, as follows:

SEC. 2. There shall be printed fifty-one thousand five hundred additional copies of the document specified in section 1 of this concurrent resolution for the use of the Senate.

The amendment was agreed to.

The concurrent resolution, as amended, was agreed to, as follows:

Resolved by the House of Representatives (the Senate concurring), That the brochure entitled "How Our Laws Are Made", by Doctor Charles J. Zinn, law revision counsel of the House of Representatives Committee on the Judiciary, as set out in House Document 125 of the Ninetieth Congress, be printed as a House document, with emendations by the author and with a foreword by the Honorable Emanuel Celler; and that there be printed two hundred and thirty-nine thousand five hundred additional copies, of which twenty thousand shall be for the use of the Committee on the Judiciary and the balance prorated to the Members of the House of Representatives.

SEC. 2. There shall be printed fifty-one thousand five hundred additional copies of the document specified in section 1 of this concurrent resolution for the use of the Senate.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 91–190), explaining the purposes of the resolution.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

House Concurrent Resolution 192 would provide that the brochure entitled "How Our Laws Are Made," by Dr. Charles J. Zinn, law revision counsel of the House of Representatives Committee on the Judiciary, as set out in House Document 125 of the 90th Congress, be printed as a House document, with emendations by the author and with a foreword by the Honorable Emanuel Celler; and that there be printed 239,500 additional copies of such document, of which 20,000 would be for the use of the Committee on the Judiciary and the balance prorated to the Members of the House of Representatives (500 per Member).

The Senate Committee on Rules and Administration has amended House Concurrent Resolution 192 to authorize the printing of 51,500 additional copies of the document for the use of the Senate. This would provide Members of the Senate with the same quantity as House Members (500 each) for distribution to their constituents.

AUTHORIZATION FOR THE PRINTING OF ADDITIONAL COPIES OF SENATE HEARINGS ENTITLED "THERMAL POLLUTION—1968"

The concurrent resolution (S. Con. Res. 21) to print additional copies of parts 1 and 2, thermal pollution 1968 hearings was considered and agreed to, as follows:

S. CON. RES. 21

Resolved by the Senate (the House of Representatives concurring), That there be printed for the use of the Committee on Public Works, one thousand additional copies of part 1, and seven hundred additional copies of part 2, thermal pollution, 1968 hearings, held during the second session of the Ninetieth Congress.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 91–191), explaining the purposes of the concurrent resolution.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

Senate Concurrent Resolution 21 would authorize the printing for the use of the Senate Committee on Public Works of 1,000 additional copies of part 1 and 700 additional copies of part 2 of its hearings entitled "Thermal Pollution—1968," held during the second session of the 90th Congress.

The printing-cost estimate, supplied by the Public Printer, is as follows:

Printing-cost estimate

Part 1, 1,000 copies	$3, 744. 85
Part 2, 700 copies	1, 985. 73
Total estimated cost	5, 730. 58

AUTHORIZATION FOR THE PRINTING OF ADDITIONAL COPIES OF SENATE DOCUMENT 91–13, ENTITLED "REVIEW OF U.S. FOREIGN POLICY AND OPERATIONS, 1968"

The resolution (S. Res. 195) authorizing the printing of additional copies of Senate Document 91–13 entitled "Review of U.S. Foreign Policy and Operations, 1968," was considered and agreed to, as follows:

S. RES. 195

Resolved, That there be printed for the use of the Committee on Appropriations eight hundred additional copies of Senate Document 91–13, entitled "Review of United States Foreign Policy and Operations, 1968", by the Honorable Allen J. Ellender, United States Senator from the State of Louisiana.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 91–192), explaining the purposes of the resolution.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

Senate Resolution 195 would authorize the printing for the use of the Committee on Appropriations of 800 additional copies of Senate Document 91–13, entitled "Review of United States Foreign Policy and Operations, 1968," by Hon. Allen J. Ellender, a U.S. Senator from the State of Louisiana.

The printing-cost estimate, supplied by the Public Printer is as follows:

Printing-cost estimate

Back to press, 800 copies	$1, 200

AUTHORIZATION FOR THE PRINTING OF THE MANUSCRIPT ENTITLED "THE FIRST ARMY IN EUROPE" AS A SENATE DOCUMENT

The resolution (S. Res. 177) authorizing the printing of a manuscript entitled "The First Army in Europe" as a Senate document was considered and agreed to, as follows:

S. RES. 177

Resolved, That the manuscript entitled "The First Army in Europe," written by Colonel Elbridge Colby, be printed with one map as a Senate document, and that one thousand five hundred additional copies of such document be printed for the use of the Senate Committee on Armed Services.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 91–193), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

Senate Resolution 177 would provide that the manuscript entitled "The First Army in Europe," written by Col. Elbridge Colby, be printed with one map as a Senate document, and that 1,500 additional copies of such document be printed for the use of the Senate Committee on Armed Services.

The printing-cost estimate, supplied by the Public Printer, is as follows:

Printing-cost estimate

To print as a document (1,500 copies)	$4, 115. 11
1,500 additional copies, at $398.04 per thousand	597. 04
Total estimated cost, S. Res. 177	4, 712. 15

KATHLEEN T. O'LEARY

The resolution (S. Res. 202) to pay a gratuity to Kathleen T. O'Leary was considered and agreed to, as follows:

S. RES. 202

Resolved, That the Secretary of the Senate hereby is authorized and directed to pay, from the contingent fund of the Senate, to Kathleen T. O'Leary, widow of Jeremiah A. O'Leary, Senior, an employee of the Senate at the time of his death, a sum equal to four months' compensation at the rate he was receiving by law at the time of his death, said sum to be considered inclusive of funeral expenses and all other allowances.

DORA L. DOWNING

The resolution (S. Res. 203) to pay a gratuity to Dora L. Downing was considered and agreed to, as follows:

S. RES. 203

Resolved, That the Secretary of the Senate hereby is authorized and directed to pay, from the contingent fund of the Senate, to Dora L. Downing, widow of Carl Downing, an employee of the Senate at the time of his death, a sum equal to ten and one-half months' compensation at the rate he was receiving by law at the time of his death, said sum to be considered inclusive of funeral expenses and all other allowances.

XUM

GOLD AND SILVER CONTENT MANUFACTURED ARTICLES

The Senate proceeded to consider the bill (S. 1046) to protect consumers by providing a civil remedy for misrepresentation of the quality of articles composed in whole or in part of gold or silver and for other purposes which had been reported from the Committee on Commerce, with amendments, on page 1, line 3, after the quotation mark strike out "an" and insert "An"; in line 5, after the word "falsely" insert "or spuriously"; in line 7, after the word "amended" strike out "October 4, 1961 (75 Stat. 776; 15 U.S.C. 294 et seq.)" and insert "(15 U.S.C. 294–300)"; on page 2, at the beginning of line 1, strike out "(a) Inserting" and insert "(1) inserting"; in the same line after the word "after" strike out "the section number"; in line 2, after the word "designation" strike out "'(a)'." and insert "'(a)';"; at the beginning of line 3, strike out "(b) Adding" and insert "(2) adding"; in line 4, after the word "subsection" strike out "'Sec. 5(a)'" at the beginning of line 6, strike out "(b) Any competitor, customer, or competitor of a customer of any person in violation of sections 1, 2, 3, or 4 of this Act, or any subsequent purchaser of an article of merchandise which has been the subject of a violation of section 1, 2, 3, or 4 of this Act," and insert "(b)(1) Any competitor, customer, or competitor of a customer of any person who has mismarked or caused to be mismarked any article of merchandise, or any competitor, customer, or competitor of a customer of any person who has imported or caused to be imported any mismarked article of merchandise,"; in line 16, after the word "restraining" insert "such person from".

After line 21, insert:

(2) For the purposes of this subsection, the term 'customer' refers to the first purchaser or any subsequent purchaser of an article of merchandise.

After line 24, strike out "(c) Any duly organized and existing jewelry trade association shall be entitled to injunctive relief restraining any person in violation of section 1, 2, 3, or 4 of this Act" and insert "(c) Any duly organized jewelry trade association shall be entitled to injunctive relief restraining any person who has mismarked or caused to be mismarked any article of merchandise, or who has imported or caused to be imported any mismarked article of merchandise,"; in line 18, after the word "Act." insert "In addition, if the court determines that such action has been brought frivolously, for purposes of harassment, or in implementation of any scheme in restraint of trade, it may award punitive damages to the defendant."

In line 25, after the word "this" strike out "Act.'" and insert "Act.';"; on page 4, at the beginning of line 1, strike out "(c) Inserting" and insert "(3) inserting"; in the same line after the word "after" strike out "the section number" and insert "'Sec. 6.'" and insert "'(a)';"; at the beginning of line 3, strike out "(d) Adding" and insert "(4) adding"; in line 4, after the word "subsection" strike out "'Sec. 6. (a)'" and insert "(a)"; in line 6, after the word "'person'", insert "as used in this Act,"; in line 9, after the word "association'," insert "as used in this Act," at the beginning of line 14, strike out the word "businesses.'" and insert "businesses"; after line 14, insert:

(d) The term 'mismarked' as used in this Act, means having stamped, branded, engraved, or printed upon any part of any article of merchandise, or upon any tag, card, or label attached thereto, or upon any box, package, cover, or wrapper in which such article is incased or inclosed, any mark in violation of section 1, 2, 3, or 4 of this Act.;.

At the beginning of line 21, strike out "(c) Changing paragraph (A), subsection (b)," and insert "(5) amending clause A"; in line 22 after "4" insert "(b)"; at the beginning of line 23, after "(A)" strike out "Apply" and insert "apply"; on page 5, line 3, after the word "person;" strike out "and'" and insert "and'."; and in line 5, after the word "any" strike out "person, as that term is herein defined," and insert "person"; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act forbidding the importation, exportation, or carriage in interstate commerce of falsely or spuriously stamped articles of merchandise made of gold or silver or their alloys, and for other purposes", approved June 13, 1906 (34 Stat. 260), as amended (15 U.S.C. 294–300), is amended by—

(1) inserting immediately after "Sec. 5." the subsection designation "(a)";

(2) adding at the end of the newly designated subsection (a) the following new subsections:

"(b)(1) Any competitor, customer, or competitor of a customer of any person who has mismarked or caused to be mismarked any article of merchandise, or any competitor, customer, or competitor of a customer of any person who has imported or caused to be imported any mismarked article of merchandise, shall be entitled to injunctive relief restraining such person from further violation of this Act and may sue therefor in any district court of the United States in the district in which the defendant resides or has an agent, without respect to the amount in controversy, and shall recover damages and the cost of suit, including a reasonable attorney's fee.

"(2) For the purposes of this subsection, the term 'customer' refers to the first purchaser or any subsequent purchaser of an article of merchandise.

"(c) Any duly organized jewelry trade association shall be entitled to injunctive relief restraining any person who has mismarked or caused to be mismarked any article of merchandise, or who has imported or caused to be imported any mismarked article of merchandise, from further violation of this Act and may sue therefore as the real party in interest in any district court of the United States in the district in which the defendant resides or has an agent, without respect to the amount in controversy, and if successful shall recover the cost of suit, including a reasonable attorney's fee.

"(d) Any defendant against whom a civil action is brought under the provisions of this Act shall be entitled to recover the cost of defending the suit, including a reasonable attorney's fee, in the event such action is terminated without a finding by the court that such defendant is or has been in violation of this Act. In addition, if the court determines that such action has been brought frivolously, for purposes of harassment, or in implementation of any scheme in restraint of trade, it may award punitive damages to the defendant.

"(e) The district courts shall have exclusive original jurisdiction of any civil action arising under the provisions of this Act.";

(3) Inserting immediately after "Sec. 6." the subsection designation "(a)";

(4) Adding at the end of the newly designated subsection (a) the following new subsections:

"(b) The term 'person', as used in this Act, means an individual, partnership, corporation, or any other form of business enterprise, capable of being in violation of this Act.

"(c) The term 'jewelry trade association', as used in this Act, means an organization, consisting primarly of persons actively engaged in the jewelry or a related business, the purposes and activities of which are primarily directed to the improvement of business conditions in the jewelry or related businesses.

"(d) The term 'mismarked' as used in this Act, means having stamped, branded engraved, or printed upon any part of any article of merchandise, or upon any tag, card, or label attached thereto, or upon any box, package, cover, or wrapper in which such article is incased or inclosed, any mark in violation of section 1, 2, 3, or 4 of this Act.";

(5) Amending clause A of section 4(b) to read as follows:

"(A) Apply or cause to be applied to that article a trademark of such person, which has been duly registered or applied for registration under the laws of the United States within thirty days after an article bearing the trademark is placed in commerce or imported into the United States, or the name of such person; and".

Sec. 2. If any provision of this Act or any amendment made thereby, or the application thereof to any person is held invalid, the remainder of the Act or amendment and the application of the remaining provisions of the Act or amendment to any person shall not be affected thereby.

Sec. 3. The provisions of this Act and amendments made thereby shall be held to be in addition to, and not in substitution for or limitation of, the provisions of any other Act of the United States.

Sec. 4. This Act shall take effect three months after enactment.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 91–194), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE

S. 1046, as amended, would amend the National Gold and Silver Stamping Act of 1906 to provide a civil remedy for misrepresentation of the quality of articles made from gold and silver. It would enable consumers who have purchased falsely marked gold or silver, and any competitor, customer, or competitor of a customer of anyone violating the marketing act, as well as jewelry trade associations, to seek civil relief. A successful plaintiff would be able to obtain an injunction and could recover his court costs and a reasonable attorney's fee. In addition, persons and firms, other than trade associations, could recover for any actual monetary damage which they may have suffered as a result of the false marking. Conversely, an unsuccessful plaintiff would be liable to the defendant for the defendant's costs and attorney's fee, and if the action was brought "frivolously, for purposes of harassment, or in implementation of any scheme in restraint of trade," the defendant could also recover punitive damages. Finally the bill would make a technical change to correct a drafting error in the 1961 amendment to this statute.

NEED

The National Gold and Silver Stamping Act of 1906, requires that any article of merchandise made in whole or in part of gold or silver, which is shipped in interstate commerce, must be properly marked as to its actual fineness. That act contains criminal sanctions for any violations of its provisions. However, despite indications of constant and substantial violations of the act, the Department of Justice has never brought a suit to enforce this statute.

At hearings before the Commerce Committee representatives of the Jewelers Vigilance Committee testified that in 1967 they purchased 15 quality marked items in nine different stores and tested them for the accuracy of their markings. Ten of these 15 items were found to be falsely marked as to gold or silver content. In a similar recent test, 26 items selling for less than $5 each were purchased. All of these items were in violation of the National Gold and Silver Stamping Act. Only four of the items were correctly stamped as to quality, but these items failed to carry the identifying trademark required under the law.

In purchasing items made from gold or silver, the consumer must rely entirely upon the honesty of both the manufacturer who makes the item and the retailer who sells it to properly disclose its quality. Yet consumers who shop for jewelry are apparently frequently receiving much less than they think they are buying. In order to help these consumers receive full value for their purchasing dollars, and in order to protect the many ethical members of the jewelry industry from the unfair competition of those who are mismarking the quality of their merchandise, it is essential that a method be devised to insure adequate enforcement of the Gold and Silver Stamping Act. This bill, by authorizing civil injunctive relief, should create an enforcement mechanism which will deter the unscrupulous from mismarking their goods.

BILL PASSED OVER

The bill (S. 1611) to amend Public Law 80–905 to provide for a National Center on Educational Media and Materials for the Handicapped and for other purposes was announced as next in order.

Mr. MANSFIELD. Over, Mr. President.

The VICE PRESIDENT. The bill will be passed over.

THE NATIONAL COMMISSION ON LIBRARIES AND INFORMATION SCIENCE ACT

The Senate proceeded to consider the bill (S. 1519) to establish a National Commission on Libraries and Information Science and for other purposes which had been reported from the Committee on Labor and Public Welfare, with an amendment to strike out all after the enacting clause and insert:

That this Act may be cited as the "National Commission on Libraries and Information Science Act".

POLICY

SEC. 2. The Congress hereby affirms that library and information services adequate to meet the needs of the people of the United States are essential to achieve national goals and to utilize most effectively the Nation's educational resources and that the Federal Government will cooperate with State and local governments and public and private agencies in assuring optimum provision of such services.

ESTABLISHMENT

SEC. 3 (a) There is hereby established, in the Office of the Secretary of the Department of Health, Education, and Welfare, a National Commission on Libraries and Information Science (hereinafter referred to as the "Commission").

(b) The Department of Health, Education, and Welfare shall provide the Commission with necessary administrative services.

CONTRIBUTIONS

SEC. 4. The Commission shall have authority to accept in the name of the United States grants, gifts, or bequests of money for immediate disbursement in furtherance of the functions of the Commission. Such grants, gifts, or bequests, after acceptance by the Commission, shall be paid by the donor or his representative to the Treasurer of the United States, whose receipts shall be their acquittance. The Treasurer of the United States shall enter them in a special account to the credit of the National Commission on Libraries and Information Science for the purposes in each case specified.

FUNCTIONS

SEC. 5. (a) The Commission shall have the primary responsibility for developing or recommending overall plans for, and advising the appropriate governments and agencies on, the policy set forth in section 2. In carrying out that responsibility, the Commission shall—

(1) advise the President and the Congress on the implementation of national policy by such statements, presentations, and reports as it deems appropriate;

(2) conduct studies, surveys, and analyses of the library and informational needs of the Nation, including the special library and informational needs of rural areas and of economically, socially, or culturally deprived persons, and the means by which these needs may be met through information centers, through the libraries of elementary and secondary schools, and institutions of higher education, and through public, research, special and other types of libraries;

(3) appraise the adequacy of library and information resources and services and evaluate the effectiveness of library and information science programs;

(4) develop or recommend overall plans for meeting national library and informational needs and for the coordination of activities at the Federal, State, and local levels taking into consideration all of the library and information resources of the Nation to meet those needs;

(5) advise Federal, State, local, and private agencies regarding library and information sciences;

(6) promote research and development activities which will extend and improve the Nation's library and information-handling capability as essential links in the national communications networks; and

(7) submit through the Secretary of Health, Education, and Welfare to the President and the Congress (not later than January 31 of each year) a report on its activities during the preceding fiscal year.

(b) The Commission is authorized (1) to contract with Federal agencies and other public and private agencies to carry out any of its functions under subsection (a) and (2) to publish and disseminate such reports, findings, studies, and records as it deems appropriate.

(c) The Commission is further authorized to conduct such hearings at such times and places as it deems appropriate for carrying out the purposes of this Act.

(d) The heads of all Federal agencies are, to the extent not prohibited by law, directed to cooperate with the Commission in carrying out the purposes of this Act.

MEMBERSHIP

SEC. 6. (a) The Commission shall be composed of the Librarian of Congress and fourteen members appointed by the President, by and with the advice and consent of the Senate. Not less than five members of the Commission shall be professional librarians or information specialists, and the remainder shall be persons having special competence or interest in the needs of our society for library and information services, at least one of whom shall be knowledgeable with respect to the technological aspects of library and information services and sciences. One of the members of the Commission shall be designated by the President as Chairman of the Commission. The terms of office of members of the Commission shall be five years, except that (1) the terms of office of the members first appointed shall commence on the date of enactment of this Act and shall expire three at the end of one year, three at the end of two years, three at the end of three years, three at the end of four years, and three at the end of five years, as designated by the President at the time of appointment, and (2) a member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed only for the remainder of such term.

(b) Members of the Commission who are not in the regular full-time employ of the United States shall, while attending meetings or conferences of the Commission or otherwise engaged in the business of the Commission, be entitled to receive compensation at a rate fixed by the Secretary, but not exceeding the rate specified at the time of such service for grade GS–18 in section 5332 of title 5, United States Code, including traveltime, and while so serving on the business of the Commission away from their homes or regular places of business, they may be allowed travel expenses, including per diem in lieu of subsistence, and authorized by section 5703 of title 5, United States Code, for persons employed intermittently in the Government service.

(c)(1) The Commission is authorized to appoint, without regard to the provisions of title 5, United States Code, covering appointments in the competitive service, such professional and technical personnel as may be necessary to enable it to carry out its function under this Act.

(2) The Commission may procure, without regard to the civil service or classification laws, temporary and intermittant services of such personnel as are necessary to the extent authorized by section 3109 of title 5, United States Code, but at rates not to exceed the rate specified at the time of such service for grade GS–18 in section 5332 of title 5, United States Code, including traveltime, and while so serving on the business of the Commission away from their homes or regular places of business they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5, United States Code, for persons employed intermittently in the Government service.

AUTHORIZATION OF APPROPRIATIONS

SEC. 7. There are hereby authorized to be appropriated $500,000 for the fiscal year ending June 30, 1970, $750,000 for the fiscal year ending June 30, 1971, and for each succeeding fiscal year for the purposes of carrying out the provisions of this Act.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that a statement prepared by the Senator from Texas (Mr. YARBOROUGH), be printed in the RECORD.

There being no objection, the statement was ordered to be printed in the Record, as follows:

Statement by Senator Yarborough

Mr. President, I support S. 1519. This bill would authorize the appointment of a 15-member National Commission on Libraries and Information Science which would have responsibility for recommending improved services and improved coordination of services and resources.

In plain terms, what do we intend this Commission to accomplish? Why do we need it?

We know there has been a so-called knowledge explosion. We know there is more to know now than ever before, and the amount of this knowledge, in every conceivable field, is indeed increasing explosively.

We know our educational system is expanding at every level, now that higher levels of skill and knowledge are required for virtually every job in the economy. There is not only more than is known, but there is also more that must be learned.

In the middle of this knowledge explosion and transformation of education and training are the libraries and information systems. More and more, they take advantage of technology. The wisdom of the ages is now as likely to be on a tiny bit of film, access to which is through a computer, as it is to be in a musty volume on a back shelf.

The cost of acquiring the materials of scholarship and research and education is also increasing steadily. But our resources are not unlimited. Our schools, our colleges and universities, our Federal agencies, our research centers, our business enterprises—all must operate within budgets and all must make do with less than they would consider ideal.

It is therefore necessary to find ways of cutting costs without impairing service. As one avenue to greater efficiency, libraries voluntarily agree to specialize in various fields instead of competing with one another. We anticipate that the National Commission on Libraries and Information Science will study this and other expedients, evaluate them, and recommend wider use of those that offer greater effectiveness at lower cost.

There is the question of unmet needs and the priority in which they should be met. Our libraries and information services span the entire range of human experience and activity. In the light of the needs of the Nation as a whole, the improvement of some of these activities are undoubtedly more important than are others. Those of us in positions of responsibility in the Federal Government and elsewhere, want to know what an authoritative, independent group such as the Commission considers to be the more important needs that should be addressed without delay.

Next, there is the vital question of technology. New machinery, new methods are coming on the market and into use in the libraries and information services. Are they compatible? Can the computer of one library, in effect, talk to the computer of another? Without attempting to impose unwanted standardization on industry, I believe the National Commission can nevertheless do a great deal by pointing out the necessity for harmonization and compatibility among these devices and systems, and by encouraging the designers and the purchasers and users of the new equipment and services to insist upon compatibility.

There are many other topics that will perhaps be of urgent concern to the National Commission on Libraries and Information Science. One is the question of manpower. Are the needs for specialized personnel being met? If now, how can the capacity of the training institutions be expanded? How many trained people will be needed to staff our libraries and information systems? Where will they be obtained?

There is also the question of the Federal Government itself as a publisher and as proprietor of some of the world's greatest libraries, and as a substantial contributor to the support of libraries, especially in the schools and colleges of the Nation. I venture to assert that no one can now state with precision the amount that the Federal Government is spending in its various library and information activities. If the cost can not be counted, I doubt that the vital contribution of the Federal Government to the support of libraries is a coordinated, balanced program. Surely, the National Commission on Libraries and Information Science can make a start at developing a rational Federal program. The Federal Library Committee, an inter-agency unit under the auspices of the Bureau of the Budget and the Library of Congress, has endorsed the establishment of a National Commission on Libraries and Information Science.

For these reasons, Mr. President, I urge enactment of S. 1519, and I hope that the National Commission on Libraries and Information Science can get an early start on its important work. With this measure, we are not only conserving our vital resources in the fields of librarianship and information science and enhancing their productivity and efficiency.

Mr. President, the Committee on Labor and Public Welfare significantly amended S. 1519, the National Commission on Libraries and Information Science Act, before reporting it, and so that the legislative history may be completely clear, I shall briefly explain the changes made in the bill as it was introduced.

The National Commission on Libraries and Information Science that would be authorized by the bill is to be established in the Office of the Secretary of Health, Education, and Welfare, and that Department is authorized and directed to provide the Commission with necessary administrative services.

As the bill makes clear, the Commission is to have the primary responsibility for developing or recommending overall plans that will assure library and information services adequate to meet the needs of the people of the United States, and to utilize most effectively the Nation's educational resources. To this end, the policy declared in the bill is that the Federal Government will cooperate with State and local governments and public and private agencies to assure optimum provision of library and information service.

It is clear, Mr. President, that we intend the Commission to have a mandate and a field of influence that is far broader than the Federal Government alone, and broader than that of public library and information services alone. The Commission is to be charged with responsibility for developing and fostering national planning and policies which will gain voluntary adherence and execution by public and private libraries and information services alike.

The fact that S. 1519 locates the National Commission in the Office of the Secretary of Health, Education, and Welfare should be construed as a matter of administrative convenience only. The Commission is not intended to concern itself solely or even primarily with the many programs and activities of interest to libraries that are conducted in the Department of Health, Education, and Welfare, nor is the Secretary intended to have any more influence in the deliberations and recommendations of the Commission than any other Cabinet officer or other official of the Federal Government.

The bill provides that the Commission is to submit its annual report to the President and the Congress through the Secretary of Health, Education, and Welfare, but the Committee's intention is that this and the other reports, surveys and studies of the Commission are to be wholly independent. We seek through this legislation the most comprehensive, and cogent advice with respect to libraries and information science that we can secure. For this reason, we wish to assure that the National Commission on Libraries and Information Science will be independent and impartial as it appraises the adequacy of present services, evaluates their effectiveness, and recommends steps that can be taken to overcome deficiencies, coordinate activities, and meet needs to improve the Nation's library and information-handling capability.

As a further assurance that the Commission will avail itself of the best and most comprehensive data available, the bill provides that the Commission may hold hearings in various parts of the Nation from time to time, and all heads of Federal agencies are directed to cooperate with it.

The independence and high calibre of the National Commission on Libraries and Information Science is safeguarded, also, by the provisions of the bill requiring that its membership be composed of the Librarian of Congress and 14 other persons, and that at least 5 of the Commission's members shall be professional librarians. Although the other members of the Commission are to be persons having special competence or interest in the needs of our society for library and information services, at least one of these persons is to be knowledgeable with respect to the technological aspects of library and information services. We seek here a balanced approach, in which the views of the most competent and knowledgeable are heard, but the needs of the public are also kept in perspective at all times.

The National Commission on Libraries and Information Science would also be authorized, under the bill, to accept grants, gifts or bequests of money for the support or conduct of its activities, which include the possibility of research and development work. With the many contracts and relationships that the Commission will undoubtedly develop with many libraries and information systems and organizations and institutions of many kinds, public and private, it is expected that there will be some opportunities for appropriate activities on the part of the Commission that cannot be carried out with the Government funds available to it. For this reason, the Committee has amended the bill to give the Commission explicit authority to accept private funds if these should be offered and if, in the wisdom of the Commission's distinguished members, they should be accepted by the Government.

Mr. JAVITS. Mr. President, as a sponsor of S. 1519, together with my distinguished colleague from Texas, I should like to urge support by my fellow Senators on both sides of the aisle of this bill which is a milestone in the field of library and information science, and which will affect every citizen of the United States. This bill declares as national policy that the American people should be provided with library and informational services adequate to their needs, and that the Federal Government, in collaboration with State and local governments and private agencies, should exercise leadership in assuring the provision of such services.

The information explosion is producing tons of materials on the world's presses—about 1,000 new books daily. The citizen is overwhelmed, and libraries are so burdened with the problems of selecting and storing information that they are hard pressed to meet the demands, even with the aid of computers. The goal of library adequacy will be achieved only as a consequence of immediate broad planning and coordina-

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tion which would be provided by the National Commission on Libraries and Information Science.

The bill would establish such a permanent National Commission on Libraries and Information Services which would have the primary responsibility for developing overall plans to meet the needs of the American people for library and information services and for advising public and private agencies of the recommended policies it has developed.

The National Commission would carry out these responsibilities by analyzing the information needs of the Nation, including the special needs for library and informational services of rural areas and of the economically, socially, and culturally disadvantaged; by determining how these needs may best be met; by evaluating current resources and programs; by promoting necessary research and development activities; by developing overall plans for meeting needs for library and information services, which would include coordination of activities at the Federal, State, and local levels; and by advising Congress and the President of the extent to which national policies are being effected.

As stated in the report of the temporary National Advisory Commission on Libraries:

> It is now clear that library services are needed, to greater or less extent, directly or indirectly, by the entire citizenry of the country. Such services are increasingly essential for education, scholarship, and private inquiry; for research, development, commerce, industry, national defense, and the arts; for individual and community enrichment; for knowledge alike of the natural world and of man—in short, for the continuity of civilization on the one hand and increasingly for the preservation of man's place in nature on the other.

In a message to the Senate committee on May 5, Dan Lacy of New York, a distinguished member of the temporary National Advisory Commission on Libraries, told us:

> Library activities support in one way or another almost every national objective and they are scattered through numerous agencies of the government. What is needed above all is some continuing, competent, distinguished, neutral body, in itself, not responsible for any library operations or grant programs, that can bring into focus our diverse library needs and our varied programs to meet them. This is as essential for economy and efficiency in the identification of duplicating or ineffective programs as is the great task of identifying our critical needs and devising the means to meet them.
>
> These library needs cover the range of our national responsibilities from the preschool training of children in Head Start and similar programs, the attack on functional illiteracy, the provision of new educational and social services in urban ghettos and other poverty areas and the improvement of education throughout our school and university systems to the maintenance and support of advanced research programs in medicine, scientific technology, international relations, social studies, and the humanities, and the nurture of an independently informed citizenry.
>
> The crushing library appropriation cuts just proposed by the Administration coming, as they do, in the midst of a nationwide crisis in the state and local support of educational and library services, threaten summarily to choke off the promising new developments in library services so desperately needed. Yet they probably reflect no intention on the part of the Administration to bring about so drastic an effect. Rather, we have stumbled into this position because we have no agency that can survey the entire national picture of library needs and activities, assess the result of particular actions, and make informed recommendations for priorities and programs. There could be no more urgent and emphatic demonstration of the need for S. 1519.

Mr. President, I concur with the opinions of these outstanding citizens whose views I have cited. I urge enactment of S. 1519, and I especially urge its early implementation by the administration. I would hope that the President would appoint the National Commission on Libraries and Information Science at his earliest convenience so that it may begin its very important duties as soon as possible.

Mr. PROUTY. Mr. President, in the last Congress we made immense strides in meeting the challenges of the "information explosion." We considered and approved amendments extending title II of the Higher Education Act, which continues for 3 years Federal assistance to bolster college library resources, training and research in librarianship, and cooperative cataloging by the Library of Congress. In addition, we considered and approved various programs such as the Public Broadcasting Act, Inter-Library Cooperation and the new Networks of Knowledge.

Toward the end of the last session of the 90th Congress this momentum for progress was further highlighted by the comprehensive report of the National Advisory Commission on Libraries, which was established in September 1966.

The Commission made a number of notable recommendations. Foremost among these recommendations was the establishment of a National Commission on Libraries and Information Sciences. The bill now before us for consideration follows this recommendation by establishing such a commission within the office of the Secretary of Health, Education, and Welfare.

The challenges to this National Commission on Libraries and Information Sciences will be vast but the bill clearly specifies a Commission membership that will be equal to these challenges.

As the bill delineates a membership with the required expertise, it also enunciates a congressional mandate that the Commission's studies, surveys and analyses of the library and informational needs of the Nation include "the special library and informational needs of rural areas and of economically, socially, or culturally deprived persons."

This language was added to the bill as a result of two amendments, one mine and one offered by the minority members of the Education Subcommittee upon the recommendation of the administration.

My amendment to include the language "rural areas" in this mandative section rounds out the administration recommendation adopted by the committee that the Commission concern itself with the library and informational needs of the "economically, socially or culturally deprived persons."

The "information explosion" is heard only as a distant echo by many of our citizens whose place of residence or economic circumstances place them out of the mainstream of libraries and informational services.

The language of these two amendments clearly encourages the Commission to undertake a comprehensive advisory and coordinating role to insure that the aspirations of all Americans for knowledge will be met.

The need for this legislation has been clearly enunciated in the report of the National Advisory Commission on Libraries and the unanimous favorable action of the Committee on Labor and Public Welfare. As a cosponsor of this measure, I urge my distinguished colleagues to favorably consider this measure.

Mr. MONDALE. Mr. President, one of the issues of paramount importance in our time is that of providing a decent life and full opportunity for all our people. I believe that we wholeheartedly agree that education is the stepping stone to that fundamental goal.

In that connection and as a cosponsor of S. 1519, I am particularly urging unanimous approval of this bill to establish a permanent National Commission on Libraries and Information Science. If one examines the policy we have set forth in this measure, I think it is immediately evident that the basic objective of the Commission—its overall reason for being—is ultimately to help every man, woman, and child to achieve his full potential by helping the Nation's libraries to provide the necessary informational, cultural, and recreational resources.

In section 2 of S. 1519, we affirm:

> Library and information services adequate to meet the needs of the people of the United States are essential to achieve national goals and to utilize most effectively the Nation's educational resources and that the Federal Government will cooperate with State and local governments and public and private agencies in assuring optimum provision of such services.

Many people do not understand the various kinds of libraries there are, even though they may be library users. They may not realize the extent to which they benefit directly and indirectly, from these sources of information. All of society can benefit from the improvement of library and information sources which are currently fragmented and inadequate. The users are multiple and diverse; scholars, scientists, business, professional, students at all levels as well as the public at large.

The report of the temporary National Advisory Commission on Libraries, which recommended establishment of the permanent Commission we are considering today, states:

> We should look at the value to our people and our culture that accrues from the activities of the user whose functions are to be enhanced by the improved availability of library and information services. A library can be understood only as it enhances a socially valuable function, one of which—and one that all libraries can enhance—is the personal intellectual and ethical development of every individual in our society. The variety of the other socially valuable functions de-

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termines the need for variety in kinds of libraries.

The goal of library adequacy will be achieved only as a consequence of long-range planning and fostering of the evolutionary process of library development, but we cannot wait—we have to start where we are and solve the short range, immediate problems at the same time that we are working on the long range. The need for planning, in its broadest sense, is a primary need identified by the Advisory Commission which proposed this function for an ongoing permanent Commission.

Effective multidisciplinary research and activity can be hampered by the growth of too many incompatible informational services, and the development of anything approaching a national library network can encounter great difficulties without uniformity of standards. The need for coordination of multiple efforts through a system of interlocking bodies—a built-in flexibility and adaptability to continual change—was an obvious conclusion of the Advisory Commission. The ongoing National Commission on Libraries and Information Science was conceived not as an authoritarian body, but rather as an advisory agency for broad planning—a communications switching point, an essential structure in the coordination of diversity. The broad outlook is evolutionary rather than revolutionary—the goal is to foster evolving responsiveness to user needs.

We cannot afford the waste of our basic resources—men, money, and materials. We must plan constructively and wisely. When these potentials are brought to fruition, our Nation will reap the benefits and in years ahead this fuller utilization of our resources will benefit all of mankind.

The United States can demonstrate to the world that we support our convictions regarding intellectual freedom by providing free access to all types of information and all shades of opinion for all citizens. Our libraries can strive to become a vital positive force in the social and intellectual reconstruction of a broadening and changing society. (From the Report of the NACL.)

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 91–196), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

BACKGROUND

On September 2, 1966, the President established, by Executive Order 11301, a National Advisory Commission on Libraries, which was directed—

(1) to make a comprehensive study and appraisal of the role of libraries as resources for scholarly pursuits, and centers for the dissemination of knowledge, and as components of the evolving national information systems;

(2) to appraise the policies, programs, and practices of public agencies and private institutions and organizations, together with other factors, which have a bearing on the role and effective utilization of libraries;

(3) to appraise library funding, including Federal support of libraries to determine how funds available for the construction and support of libraries and library services can be more effectively and efficiently utilized; and

(4) to develop recommendations for action by Government or private institutions and organizations designed to ensure an effective and efficient system for the Nation.

The recommendations of the Commission were submitted as a report to the President on October 15, 1968. The report recommended the establishment of a National Commission on Libraries and Information Science. The following are excerpts from the report:

* * * * *

"According to figures supplied to the Commission by the U.S. Office of Education in June 1968, it would require a lump sum expenditure in 1968 of $1.6 billion to stock school libraries optimally. Just to make up the backlog of space required to construct centralized public school libraries where they did not exist in 1961 would require $2.145 billion. Space requirements for replacement and new growth for public libraries have been estimated at $1.132 billion for the period 1962–75. As for the academic libraries, available figures compare present trend with optimum trend over the total period 1962–75: $1.945 billion compared with $9.891 billion for books and materials, $120 million compared with $360 million for new construction.

"Obviously such large amounts are beyond immediate achievement, but the estimates afford some general measure of the magnitude of the financial problem that lies ahead in the development of library resources.

"It already seems perfectly clear, however, that the need for additional financial support for our libraries is great at present and will grow rapidly in the future.

* * * * *

"* * * The present Commisison has not attempted to make its own specific estimate of the dollar needs of libraries—in part because the members have not found it possible to evaluate existing standards and do not believe an adequate factual basis for a reliable estimate exists; and in part because any estimate would quickly be made obsolete by changing needs and costs—but primarily because the principal need is to create machinery for continuing examination of changing library needs for devising means of meeting them, and for determining priorities and costs. This would be the task of the permanent National Commission on Libraries and Information Science proposed in this report.

* * * * *

"* * * Finally, it should be stated here that the tasks of analyzing the needs, planning, setting standards, allocating resources, measuring performance, and coordinating efforts will be difficult and complex in the years ahead. Effective progress will require the sustained effort of the present Commission's recommended ongoing National Commission on Libraries and Information Science working with Federal agencies, the national libraries, and many other institutions, groups, and individuals."

S. 1519 implements the major provisions of this recommendation.

SUMMARY

S. 1519, if enacted as amended by the committee, would—

(1) affirm it to be the policy of the United States that library and information services adequate to meet the needs of the people of the United States are essential to achieve national goals and to utilize most effectively the Nation's educational resources and that the Federal Government will cooperate with State and local governments and public and private agencies in assuring optimum provision of such services; and

(2) establish a National Commission on Libraries and Information Science as an independent component of the Office of the Secretary of Health, Education, and Welfare.

ROLE OF THE COMMISSION

The Commission would have the primary responsibility for developing and recommending overall plans for carrying out the national policy with respect to libraries and information science and for advising appropriate governmental agencies at all levels with respect to the means of carrying out those plans. The Commission shall—

(1) advise the President and the Congress on the implementation of the national policy;

(2) conduct studies, surveys, analyses of the library and informational needs of the Nation and the means by which those needs may be met;

(3) appraise the adequacy of library and information resources and services and evaluate the effectiveness of library and information science programs;

(4) develop and recommend overall plans for meeting national library and informational needs and for coordinating the activities of the Federal, State, and local levels;

(5) advise Federal, State, local, and private agencies with respect to library and information sciences, services and programs;

(6) promote research and development activities; and

(7) submit to the President and the Congress a report on its activities.

The Commission would be authorized to contract to carry out its functions, publish and disseminate reports, and conduct hearings.

The Commission will not take over any of the programs now being administered by the Library of Congress, the Department of Health, Education, and Welfare, the Department of Agriculture, the National Science Foundation, or any other Federal agency. The Commission is solely a planning and coordinating body. The planning which the Commission is to carry out is overall planning involving the establishment of goals and the recommendation to Federal and non-Federal public library and information science centers the means by which those goals may be obtained.

The Commission will not seek to replace the detailed planning now being undertaken by the various operating agencies. The Commission is given authority to promote research. The committee intends that the Commission within the limits of its authority and its small budget be able to conduct surveys and research on questions which merit such activities. The committee notes that the Commission does not have grant authority; therefore, all its research activities would be conducted either by contracting under section 5(b)(1) or by in-house research and survey activities under section 6(c). The research conducted by the Commission ought not to duplicate the research now being carried out by the operating agencies. However, the committee expects all agencies conducting research in the library and information science areas to cooperate with the Commission by providing it with the information the Commission needs to carry out its mission.

Although the Commission has been placed within the Office of the Secretary of Health, Education, and Welfare, the committee wishes to stress the fact that the Commission has independent status and that the Secretary does not have authority to direct the activities of the Commission or to edit any of the reports or materials published by the Commission. The committee understands that the National Advisory Commission set up under the Executive order was delayed by the fact that each agency had to clear those aspects of its report which dealt with that agency. The committee wishes to make clear that the National Commission established in this bill is not responsible to any department or agency with respect to the content of its reports. Of course, any department may comment on the activities of

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the Commission but no department has the authority to change or withhold reports the Commission wishes to make to the President and to the Congress.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

DESIGNATION OF CERTAIN LANDS IN THE PELICAN ISLAND NATIONAL WILDLIFE REFUGE AS WILDERNESS

The bill (S. 126) to designate certain lands in the Pelican Island National Wildlife Refuge, Indian River County, Fla., as wilderness was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 126

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in accordance with section 3(c) of the Wilderness Act of September 3, 1964 (78 Stat. 890, 892; 16 U.S.C. 1132 (c)), certain lands in the Pelican Island National Wildlife Refuge, Florida, which comprise about four hundred and three acres and which are depicted on a map entitled "Pelican Island Wilderness—Proposed" and dated July 1967 are hereby designated as wilderness. The map shall be on file and available for public inspection in the offices of the Bureau of Sport Fisheries and Wildlife, Department of the Interior.

Sec. 2. The area designated by this Act as wilderness shall be known as the "Pelican Island Wilderness" and shall be administered by the Secretary of the Interior in accordance with the applicable provisions of the Wilderness Act.

Mr. MANSFIELD. Mr. President *I* ask unanimous consent to have printed in the Record an excerpt from the report (No. 91–197), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE

This bill, S. 126, is identical to S. 3343 of the 90th Congress which was favorably reported by the committee and unanimously passed by the Senate, but which did not receive House consideration. S. 126 would designate a wilderness area of about 403 acres of the Pelican Island, National Wildlife Refuge in Florida as part of the National Wilderness Preservation System.

BACKGROUND

President Theodore Roosevelt, by an Executive order of March 13, 1903, established the Pelican Island National Wildlife Refuge—the first refuge of a system that has since grown to be the most far-reaching and comprehensive wildlife resource management program in the history of mankind. It is located in Indian River County, Fla., between the towns of Sebastian and Wabasso, some 75 miles north of West Palm Beach. The refuge area islands extend for several miles along the east side of the Indian River north of the Wabasso Bridge.

Visitor use of the islands proper must be held to a minimum throughout the year to avoid conflict with colonial bird nesting, which is the primary refuge objective. Opportunities for public enjoyment of the wildlife resources and water oriented recreation will be provided in the surrounding waters.

A public hearing proposal was conducted by the Bureau of Sport Fisheries and Wildlife in Vero Beach, Fla., on April 5, 1967. Testimony was unanimously in favor of the wilderness proposal. The primary reason given for supporting the wilderness proposal included protection of colonial birds and their nesting and feeding habitat; protection of estuarine and fisheries resources; long-range preservation of natural areas for scenic, esthetic, and ecological values; preservation vital to long-range social and economic interests of citizens of Indian River County; and preservation of Pelican Island Refuge because of its historical value as the Nation's first national wildlife refuge.

DESCRIPTION

The wilderness area proposal includes all islands within Pelican Island National Wildlife Refuge within T. 31 S., R. 39 E., Tallahassee meridian. The islands are Roseate, Pelican, Roosevelt, Horseshoe, North Horseshoe, Long, David, Plug, North, and South Oyster, Preachers, Middle, Nelson, Pauls, and the four small islands designated as Egret Island.

A portion of the refuge is on the mainland, but this part was cut up by a mosquito control project before being added to the refuge. It contains numerous roads and is, therefore, not included in the proposal.

RECOMMENDATION

The Senate Interior and Insular Affairs Committee reports favorably on S. 126 and recommends early enactment.

COST

No additional budgetary expenditures are involved in enactment of S. 126.

DESIGNATION OF CERTAIN LANDS IN THE MONOMOY NATIONAL WILDLIFE REFUGE AS WILDERNESS

The bill (S. 1652) to designate certain lands in the Monomoy National Wildlife Refuge, Mass., as wilderness was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 1652

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in accordance with section 3(c) of the Wilderness Act of September 3, 1964 (78 Stat. 890, 892; 16 U.S.C. 1132(c)), certain lands in the Monomoy National Wildlife Refuge, Massachusetts, which comprise about two thousand six hundred acres and which are depicted on a map entitled "Monomoy Wilderness—Proposed" and dated August 1967, are hereby designated as wilderness. The map shall be on file and available for public inspection in the office of the Bureau of Sport Fisheries and Wildlife, Department of the Interior.

Sec. 2. The area designated by this Act as wilderness shall be known as the "Monomoy Wilderness" and shall be administered by the Secretary of the Interior in accordance with the applicable provisions of the Wilderness Act.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 91–198), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE

This bill, S. 1652, is the same as S. 3425 of the 90th Congress which the committee favorably reported and the Senate passed without opposition. The bill did not receive House consideration. S. 1652 would designate the 2,600-acre Monomoy Island, located in the Monomoy National Wildlife Refuge in Barnstable County, Mass., as part of the National Wilderness Preservation System.

BACKGROUND

Monomoy is a roadless island extending about 9 miles south from the elbow of Cape Cod, in the town of Chatham, Barnstable County, Mass. It was established on June 1, 1944, as part of the Monomoy National Wildlife Refuge, all but some 4 acres of the island having been acquired by the Secretary of the Interior under authority of the Migratory Bird Conservation Act (45 Stat. 1222), as amended (16 U.S.C. 715 et seq.). Boston, Mass., and Providence, R.I., are about 100 miles from Monomoy Island.

DESCRIPTION

The Monomoy Wilderness proposal is a barrier beach island located 9 miles south of Cape Cod in the town of Chatham, Barnstable County, Mass. Bounded on the west by Nantucket Sound and on the east by the Atlantic Ocean, the island varies from one-fourth to 1½ miles in width and is separated from the mainland by a shallow waterway about one-half mile wide. The exterior boundaries of the wilderness proposal are all lands on Monomoy Island to the line of mean low tide which coincides with the national wildlife refuge boundary around the island.

MANAGEMENT REQUIREMENTS

The Monomoy National Wildlife Refuge has been managed as a wild area since its establishment. There are not improved roads on the island. No changes in management are envisioned if the island is designated as wilderness. The laws and regulations of the Secretary of the Interior governing the management and administration of the island as a national wildlife refuge will continue to apply. Such laws and regulations provide for public uses such as hunting and other wildlife oriented forms of outdoor enjoyment, as well as other necessary wildlife refuge management programs.

The Department of the Army is currently studying the feasibility of a project for navigation for Pleasant Bay and tributary waters, Massachusetts. The proposed project would include the closing of the gap between Monomoy Island and Nauset Beach. The wilderness proposal would not preclude the planning and construction of this project. The Department of the Interior would expect to work closely with the Department of the Army if the project is authorized.

Of the approximately 4 acres of Monomoy Island in private ownership, 2 acres contain private summer camps and 2 acres are owned by the Massachusetts Audubon Society. These inholdings will be acquired. Until they are acquired it will be necessary to allow access to the inholdings via over-the-sand vehicles. National wildlife refuge administration of the island will require the retention of two existing buildings and the use of an over-the-sand vehicle for administrative and public safety purposes.

A permanent staff is required to administer the Monomoy National Wildlife Refuge. Present and future staffing requirements for the refuges will not be adjusted because of designation of Monomoy Island as wilderness.

If the island should join the mainland at some future date, the Monomoy Wilderness would be delineated by a fence.

THE HORSE IS KICKING STILL

Mr. METCALF. Mr. President, since the Nixon administration decided to close 59 Job Corps centers, including the Kicking Horse Center near Ronan, Mont., and pledged to provide "constructive alternatives" for the trainees affected, the senior

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Senator from Montana (Mr. Mansfield) and I have been working hard to insure that the alternative in Montana is "constructive."

The Kicking Horse Job Corps center is the only Job Corps center truly oriented to the training of Indian youth. Montanans were happy with it and it seemed to be on the threshold of its greatest contribution. Either the administration did not know that, or, if it knew, did not choose to consider it when the order was issued to close the centers. Kicking Horse will be "phased out" as a Job Corps center on June 30.

Senator Mansfield and I felt that the decision was unacceptable. So did hundreds of Montanans, including the Confederated Salish and Kootenai Tribes of the Flathead Reservation on which the center is located. We began to convey the concern of Montanans to the authorities.

As a result, the Department of Labor has proposed to establish the "Northwest Indian Manpower Skills Center" to operate in the Kicking Horse facilities. Senator Mansfield and I still are concerned about the proposal and we want now to enter into the Record communications that express our concern and in which we receive certain assurances.

I ask unanimous consent that copies of correspondence between Senator Mansfield, me, and the Labor Department be printed in the Record.

There being no objection, the correspondence was ordered to be printed in the Record, as follows:

U.S. Senate,
Office of the Majority Leader,
Washington, D.C., April 10, 1969.

The President,
The White House,
Washington, D.C.

Dear Mr. President: I was deeply disturbed to read in today's newspapers, April 10, that the Administration plans to close a large number of Job Corps camps on very short notice. If these reports are accurate, and this is the only source of information I have, the action seems to have been taken without proper consultation with the Congress and the personnel in the field who are responsible for administering the Job Corps camps.

Sudden closing of the three camps in my State has brought immediate pleas from Anaconda, Hamilton, Ronan, and other points in western Montana. This sudden decision will spread disillusionment among recruits whose training is abruptly terminated and will be a disappointment and economic blow to thousands of communities not only in Montana but the entire Nation. These people have worked hard to make camps in their area a success. What started out in many instances to be a rather difficult situation has developed into a fine working relationship between all concerned.

I urge that all three Montana Job Corps Camps be retained in any revision which is adopted as a result of the transfer of jurisdiction over the program. All three, Anaconda, Trapper Creek, and Kicking Horse, are successful and vital camps.

I share your concern that this and other poverty programs be efficient and effective as possible. This can be done and must be done, but through a cooperative effort on the part of all concerned.

In the beginning I had serious reservations about certain aspects of the Job Corps program, but experience, refinements and still more changes have impressed me as to the value of this aspect of our war on poverty.

I would hope the the Administration would delay any final decision on closing Job Corps camps until Congress has had an opportunity to work with the Administration. I share the view expressed by many of my colleagues expressing the hope that some solution be developed which would not abruptly terminate the training of those already enrolled and send them back to their disadvantaged environments. Such action would be consistent with your message of February 19 recommending a temporary extension of the anti-poverty program to give the Administration and Congress an opportunity to consider long range improvements with "full debate and discussion."

Your personal consideration in this matter will be sincerely appreciated by the people of Montana and all others concerned.

With best personal wishes, I am

Respectfully yours,

Mike Mansfield.

U.S. Senate,
Office of the Majority Leader,
Washington, D.C., April 15, 1969.

Hon. George P. Schultz,
Secretary, Department of Labor,
Washington, D.C.

Dear Mr. Secretary: The announced closing of the Kicking Horse Job Corps Camp in Montana has generated a great deal of opposition and concern about the Administration's attitude towards programs designed to assist the unfortunate and economically deprived.

In the past year, the Kicking Horse Camp has been converted into a predominately Indian camp serving young Indians from Montana and neighboring states. This facility has just begun to fill a real need among Indians. It has also been enthusiastically supported by the various tribal governments. Many within the Administration and the Congress have supported a variety of programs to assist the Indian people in developing their own personal resources. This Job Corps Camp seems to be one of the most successful. The closing of the facility at the end of this fiscal year would be in my estimate a serious mistake. If the administration persists in this decision, I would suggest that it be converted to a vocational or technical training center for Indians. It would seem that this could be done through the cooperation of both the Department of Labor and the Bureau of Indian Affairs.

The Secretary and Manager of the Polson Chamber of Commerce, Fred Mauley, has suggested that Washington personnel be sent to Montana to discuss this situation with both State and local officials. I concur in this suggestion and I hope that in the near future you can assign personnel to work closely with the Kicking Horse Job Corps Camp to see that its resources are not dissipated and that this camp can continue to serve Indian youth.

With best personal wishes, I am

Sincerely yours,

Mike Mansfield.

U.S. Department of Labor,
Office of the Secretary,
Washington, D.C., April 24, 1969.

Hon. Mike Mansfield,
U.S. Senate,
Washington, D.C.

Dear Senator Mansfield: Thank you for your letter of April 15, concerning the Kicking Horse Job Corps Center.

We are concerned about providing training opportunities for Indian youth and have already discussed with representatives from the Departments of Interior and Agriculture the use of the Trapper Creek Job Corp Center as a training facility for Indian youth. I am very hopeful that this can be done so that there will be *no decrease* in the services provided Indian youth. We are working on arrangements to send a team from the Job Corps and the Departments of Labor, Interior, and Agriculture to Montana to make an on-site appraisal of the situation. We will keep you closely advised of our plans as they develop.

I will also discuss your letter with Department of Interior officials to ascertain the possibility of using the Kicking Horse facility in a productive way that will benefit the residents of the area. Contact has already been made with the Secretaries of Interior and Agriculture concerning the constructive disposition of Job Corps camps designated for closure.

I am keenly aware that a change in the structure of the Job Corps may create transitional problems; but we will bend our best efforts to minimize any difficulties and to develop more effective manpower programs.

Sincerely,

George P. Shultz,
Secretary of Labor.

April 25, 1969.

Hon. George P. Schultz,
Secretary of Labor, Department of Labor,
Washington, D.C.:

Thank you for your letter concerning the Kicking Horse Job Corps Center. Reports of early dismantling of this center, demoralization of staff and Indian youth at Kicking Horse needs a much more detailed explanation of decision to close this center. I strongly request that no further action be taken on status of Kicking Horse Job Corps Center until such time as realistic on-site appraisal of situation can be made, with full consultation with Montana congressional delegation and the appropriate committees of Congress. Please answer following questions, inadequately answered to date.

Why was Kicking Horse Job Corps Center selected from three Montana camps as one to be closed?

What purpose can be accomplished by moving a highly successful Job Corps camp (Kicking Horse) with predominately Indian enrollees, located on an Indian reservation with strong Indian tribal support to a Job Corps Center (Trapper Creek) administered by the U.S. Forest Service and in area whose response to such action is unknown?

What other use can be made of the Kicking Horse Job Corps camp when the property must revert to the original ownership when it no longer is used for its intended purpose?

I find it extremely difficult to understand why a very successful program of assisting disadvantaged Indian youth in responsive climate and fully supported by Indian groups should be disrupted and confused. I have expressed similar sentiments to the President and I would appreciate your giving this matter your immediate and sympathetic consideration. Regards.

Mike Mansfield,
Majority Leader, U.S. Senate.

May 5, 1969.

Hon. Mike Mansfield,
U.S. Senate,
Washington, D.C.

Dear Senator Mansfield: Following a visit of a Department of Labor evaluation team to Montana, we have developed a plan for the constructive disposition of the Kicking Horse Job Corps facility:

1. The Kicking Horse Job Corps facility will be phased out as of the end of June 1969.

2. The existing facilities will be used to establish a new Northwest Indian Manpower Skills Center. This Center will be funded from the MDTA account administered by the Department of Labor. We hope that the Center will be administered by the Bureau of Indian Affairs in cooperation with the Department of Labor.

3. The new Center will have a capacity of 150. It will be devoted to the training of Indians. The clientele will be drawn from the

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Northwest region, coextensive with Region VI of the Manpower Administration. (The regional headquarters currently is located in Kansas City, but is scheduled to move to Denver.)

4. It is expected that the program will be developed so that the Center will serve adults as well as Indian youth.

5. I have directed the Regional Manpower Administrator, in cooperation with the various States, to initiate an extensive survey of occupational needs in the areas to which the trainees plan to return following training. This survey will then be used to change the range of skills for which training is presently offered at the Center. Currently, the Center offers only a few skills and provides access to only limited opportunities in the labor market.

6. I have directed my staff to commence discussions with the Concentrated Employment Program (CEP) in Butte, Montana to modify the boundaries of the CEP to incorporate the Blackfoot and Flathead reservations. This will permit the training center to draw upon the facilities of the CEP in providing orientation and placement support.

7. I have directed our staff to conduct discussions with officials of the Bureau of Indian Affairs to determine the willingness of the Bureau to administer the new Northwest Regional Indian Manpower Skills Center. In addition, by establishing a Center designed to serve the needs of Indians, I understand that the BIA will be able to utilize resources that are available for relocation assistance to trainees when they leave the Center and choose to move to labor markets where job opportunities are available.

8. It is significant to note that the planned Northwest Center draws on the experience of the Department of Labor in working with BIA for the establishment of a training center for Indians at Ft. Lincoln, North Dakota, and other locales. However, the Ft. Lincoln project is designed to serve Indian families as a unit, while the new Center would focus on the needs and occupational requirements of Indian males.

I will keep you posted as our plans are moved forward, but the above spells out the specific approach that we intend to follow in providing a contructive program to serve a group that has been characterized by major problems of employment in the past.

Sincerely,

ARNOLD R. WEBER,
Assistant Secretary for Manpower.

May 15, 1969.

Hon. ARNOLD R. WEBER,
Assistant Secretary for Manpower, Department of Labor, Labor Building, Washington, D.C.

DEAR SECRETARY WEBER: We would like to convey to you certain misgivings that have been expressed to us by persons who attended your staff planning sessions for the development of the Northwest Indian Manpower Skills Center.

You will recall that the Skills Center is an MDTA program proposed by your department to be conducted in the facilities of the Kicking Horse Job Corps Center, near Ronan, Montana, after the Job Corps Center is phased out on June 30.

We share the misgivings. Chiefly, we understand, it as the Department of Labor's intention to fund the Manpower Skills Center for only one year.

Question. Are we to understand from this that the center is to operate for only one year?

Question. If not, what does the Department of Labor propose as future sources of revenue?

We have been told that the Department of Labor has been considering turning over the operation of the Skills Center to the Bureau of Indian Affairs after the first year.

Question. If that is true, why can't the Bureau of Indian Affairs become the planning and administering agency at once?

Secondly, the Kicking Horse Job Corps Center was geared to the training of a specific age group, ranging from late teens to early twenties. We understand the new center would be open to all ages. It seems to us to be a highly inappropriate policy to mix hardened unemployables with young men of high school age embarking on a training program.

Question. Is it not possible to direct your recruitment policies to young men?

Thirdly, there were mutual benefits from the program operated at the Kicking Horse Job Corps Center. For example, youth being trained in the operation of heavy equipment performed useful road and trail clearing and conservation work on the Flathead Indian Reservation, where the Center is located.

Question. Will this policy of mutual benefit continue at the Northwest Indian Manpower Skills Center?

From what we have heard of the planning sessions, we have the impression that there are men in your department who have little stake in whether the Northwest Indian Manpower Skills Center succeeds. We would like to impress upon you our high hopes for the development of a continuing program, acceptable to the community, and devoted to the training of Indian youth in an environment they understand and in which they feel comfortable.

That was the unique benefit of the Job Corps Center that the Administration has seen fit to close. We want very much for the Northwest Indian Manpower Skills Center to fill this critical need. We trust that you will be able to reply favorably and in detail to our questions and hope that you will keep us informed as the Center takes shape.

Thank you.

Very truly yours,

MIKE MANSFIELD,
U.S. Senate.
LEE METCALF,
U.S. Senate.

U.S. DEPARTMENT OF LABOR, OFFICE OF THE ASSISTANT SECRETARY FOR MANPOWER,
Washington, D.C., May 20, 1969.

Hon. LEE METCALF,
U.S. Senate,
Washington, D.C.

DEAR SENATOR METCALF: I hope this letter will serve to answer the questions you raised in your letter of May 15, and to allay some of the concerns expressed.

First, it is our intention to operate the Northwest Indian Manpower Skills Center at Ronan, Montana on a continuing basis. Initially, we discussed with the Bureau of Indian Affairs the possibility of that agency assuming some of the financial responsibility after one year. This is a procedure that we have followed in other corporative activities with BIA, particularly in Ft. Lincoln, North Dakota. BIA informed us that while the idea was attractive, they doubted that such an arrangement could be carried out because of budgetary considerations. Therefore, I directed our representatives to indicate to BIA that we would continue to assume the cost of operation beyond the first year. This information has been conveyed to BIA by the Acting Associate Manpower Administrator of the United States Training and Employment Service.

Second, the Department of Labor will support the Northwest Indian Manpower Skills Center from MDTA funds or other manpower funds, as appropriate. It is not unusual to provide support for a particular project from several different accounts when the project serves several objectives. For example, the JOBS (Job Opportunities in the Public Sector) and (Concentrated Employment Program) are supported by both MDTA and EOA funds.

Third, we have informed the Bureau of Indian Affairs that we want that agency to continue in its administrative role with respect to the Skills Center. We think that we should retain planning authority in view of our responsibilities in the manpower area. However, we recognize that BIA has special competence in dealing with Indians and will continue to draw this expertise in the planning process. We have followed this course of action in our current meetings dealing with the Skills Center and in previous projects as well.

Fourth, the Northwest Indian Manpower Skills Center will emphasize training opportunities for younger workers. However, we do not think that enrollment should be bound by rigid age standards. In our other manpower centers we have enrolled both young workers and older workers without any difficulty. We agree that great care should be exercised in order to avoid any deleterious effect, and this will be taken into account in the screening and counseling process. But we are also concerned that the facilities be utilized so as to provide the maximum opportunity for benefiting individuals within the area to be served.

Fifth, with respect to the mutual benefits associated with the operation of the Center, we intend to maintain this situation where possible. However, we believe that such elements of mutual benefit should be related to the training requirements of enrollees. For example, where there are training courses in heavy equipment, no doubt there will be the opportunity to use the training for constructive work activities in the area. In other instances involving other skills, this may not be possible. While we agree that such work projects may be desirable, we believe that the interests of the enrollees will be best served in the long run by equipping them with skills that will meet the requirements of the labor market.

I hope that I have answered the questions you have raised. I have given the Northwest Indian Manpower Skills Center my personal attention and have checked on its progress with considerable frequency. I understand that the project is now under consideration in the BIA and that such consideration will be favorable. BIA has also agreed to utilize some of its additional resources in the areas of education, relocation, and placement to support the program.

I appreciate your interest in our manpower programs, and if you have any additional questions, please feel free to contact me directly. An identical letter is being sent to Senator Mansfield.

Sincerely,

ARNOLD R. WEBER,
Assistant Secretary for Manpower.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. METCALF. I am glad to yield to the senior Senator from Montana.

Mr. MANSFIELD. Mr. President, I wish to join in what my distinguished colleague has said about the establishment of the Northwest Indian Manpower Skill Center on the Flathead Reservation in western Montana.

Thanks to the initiative shown by my distinguished colleague from Montana (Mr. METCALF), it appears to me that in conjunction with the Department of Labor and the Bureau of Indian Affairs, we have been able to work out a situation that will be of tremendous benefit to our Indian population, and in so doing the only real "all Indian center" in the United States will be kept alive on

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an expanded basis, with its life assured over years to come.

On the basis of correspondence which my colleague has had printed in the RECORD, this is not to be a one-shot affair but it will have continuity and hope and will take into account the needs of at least a small segment of our Indian population, which in our opinion is the most neglected minority in the United States.

Mr. President, the future and the administration of the Job Corps program has generated a great deal of discussion here in the Halls of Congress, as well as among our constituents. The transfer of jurisdiction over the program to the Department of Labor is a matter which has been accomplished by executive authority. There are some compelling arguments both for and against this decision.

The more recent announcement about the closing and realining of many Job Corps centers generated a considerable opposition. The Job Corps was one of the programs under the Office of Economic Opportunity which got off to a rocky start. Most of the centers have now become popular and well accepted by local communities and they have done a great deal for a number of disadvantaged youth. Montana had three Job Corps centers, two under the jurisdiction of the Forest Service and one under the Bureau of Indian Affairs. Quite frankly, in the face of the severe cutback, I anticipated Montana might lose one of its centers. However, when the announcement was made, my colleagues, Senator LEE METCALF and Representative ARNOLD OLSEN and I were distressed to learn that the one to be closed in Montana was the Kicking Horse Job Corps Center at Ronan. This is a very unique center, in that a majority of its enrollees are Indian youth, being trained on an Indian reservation. It is the only center which was concentrating on Indian youth, a group deserving of all the help they can get. The center has a very good record of cost per trainee, and its placement record competes favorably with all other camps.

Since the original announcement about the closing, there have been a number of discussions with the Department of Labor, and I believe that they are now convinced that this unique center should not be abandoned. This Job Corps center has now been converted to the Northwest Indian Manpower Skills Center. The center will be funded through the Department of Labor in cooperation with the Bureau of Indian Affairs and the State of Montana. This center will serve the educational and training needs of Indians in my State and the surrounding area. The center will provide a unique opportunity to assist Indians who are in need of employable skills. This center will be operated within the Indian community, thus making the program more attractive and successful to the Indian youth. I am convinced this center can make a major contribution, and the Montana congressional delegation wants to see it succeed, as I am sure all interested Federal agencies do. This is a rare opportunity on which we can expand and improve a program of assistance which is long overdue, insofar as our Indian people are concerned. My colleague, Senator METCALF, has had printed in the CONGRESSIONAL RECORD a series of letters which document the establishment of the Northwest Indian Manpower Skills Center, a program which, I am assured, will be operated on a continuing basis.

Mr. METCALF. Mr. President, as the Senator has pointed out, this center is going to be an all-Indian center, a center that is above and beyond some of the Job Corps prospectives. We have been assured this is not to be a 1-year affair or a phasing out program, but that it will be a permanent and continuous training area for the long neglected Indian population of America.

FRIGHTENING BOMBAST FROM DEFENSE SECRETARY LAIRD

Mr. YOUNG of Ohio. Mr. President, Secretary of Defense Laird made a frightening statement that even after the Vietnam war is ended there will be no significant cutback in defense spending. How many Senators and how many Members of the other body will tolerate this kind of nonsense?

Secretary Laird should be informed that instead of yielding subservience to the powerful profiteering military-industrial complex and yielding to power and promotion hungry generals, we in the United States have real wars to fight—wars against disease, poverty, malnutrition, and the hopelessness of millions presently living in rat-infested slums and some 20 million men, women, and children living on the verge of starvation. We must wage battles in behalf of youngsters who have been denied an opportunity to acquire work skills. We must win the war which confronts us, to better the lives of little children who go to sleep hungry night after night.

We must rebuke Secretary of Defense Laird and his collaborators in the Pentagon and in war production industries. As matters now stand, too many top officials in the Pentagon continuously seek more and more taxpayers' money for more and more armaments that are not necessary for our national security, weapons that are nothing more than the playthings of the Joint Chiefs of Staff and other admirals and generals. They constitute a real threat to this Nation and the general welfare of the rank and file of our citizens.

Unless the greed of war profiteers and the influence of the military-industrial complex against which the late President Eisenhower warned is curbed, every aspect of American life is likely to be affected adversely.

The arrogant campaign to install the ABM whether the American people need it or not and whether or not this fantastic boondoggle costs taxpayers many billions of dollars seems of no concern to the wheeler-dealers in the Pentagon and power and promotion hungry generals.

The rank and file of Americans in every part of our country are really concerned and fearful over the direction these leaders temporarily in power in the Pentagon are taking us. Instead of opposing any cutback in defense spending, Secretary Laird and his advisers should be working on a program to bring hundreds of thousands of our boys home from Vietnam. They should start bringing them home without any further delay, bringing at least 100,000 home before next September and in the same way they went over to Vietnam, by ships and planes.

BEST KEPT SECRET OF THE VIETNAM WAR

Mr. YOUNG of Ohio. Mr. President, General Westmoreland is the author of an amazing book. My purpose in speaking out in the Senate today is not to provide a book review, although it is my conclusion that General Westmoreland's literary achievements in writing this book are far superior to his military achievements as a general commanding more than half a million fighting men in South Vietnam.

His book, entitled "Report on the War in Vietnam," and embellished with charts and photographs and printed on expensive paper, occupies more than 300 pages. I think every Senator would do well to read this book.

Section I of this report is authored by Adm. U. S. G. Sharp, U.S. Navy, then naval commander in chief, Pacific. Section II of this report, consisting of 276 pages, is a most interesting document, authored by General Westmoreland.

We are indebted to I. F. Stone's Weekly for calling special attention to revealing disclosures in General Westmoreland's report. General Westmoreland is in position to know the facts. He was the supreme commander of the U.S. ground and air forces involved in the civil war in Vietnam throughout the years of its greatest escalation by our Government. His account is not only interesting, but as I. F. Stone pointed out, he is a complacent author reporting his own achievements. His leadership and our involvement in Vietnam according to his book was a continuous triumph, a military marvel, in which any shortcomings and the surprising lack of a final devastating defeat to the VC, or forces of the National Liberation Front, were all due to other factors and eliminating himself altogether from any blame. He attributes any failure to the limitations imposed on him by civilian superiors in Washington and the impatience of the U.S. public.

General Westmoreland became supreme commander in 1965. He was commanding in Vietnam in June of that year when the duly elected government in Saigon was overturned in a nighttime coup by 10 generals, nine of whom, including President Thieu and Vice President Ky, were born in North Vietnam. Vice President Ky, a flambuoyant and boastful air marshal of South Vietnam, was the first Prime Minister of the Saigon military junta. Then, following that rigged election in September 1967, and since, he has functioned as Vice President.

Americans have been told that President Johnson committed our troops in large numbers to a land war in South Vietnam, due entirely to commitments made to save the Saigon government from defeat. Not so, writes General Westmoreland. His narrative states that the commitment of U.S. combat troops in large numbers and the bombing of North Vietnam, which commenced in 1965, were not at the request of the Saigon militarist regime to save it from defeat. No, indeed. According to his narrative, that commitment was a unilateral decision by our military leadership. It could be by no other than by the Joint Chiefs of Staff of our Armed Forces. General Westmoreland states in his report that the South Vietnamese were not only reluctant to permit our combat troops to enter South Vietnam in great numbers, but when our Armed Forces did arrive in South Vietnam they tried to restrict their deployment and keep them as far as possible from Saigon and other populated areas in South Vietnam.

The direct inference from this detailed report of General Westmoreland is that leaders of the Saigon regime feared Americanization of the war. If this statement of General Westmoreland, who should know what he is writing about, is true, then back in 1965 we Americans should have urged that the Saigon government negotiate for a cease-fire and an armistice instead of escalating the war as we did at that time.

Now, finally following 4 years of futile fighting and bloodshed, and more than 270,000 American GI's killed or wounded in combat in fighting an unwinnable war, the President of the United States, who is the Commander in Chief of the Armed Forces of our country, is finally getting around to negotiating for a withdrawal of Americans and ending the bloodletting.

Mr. President, I wish President Nixon every success in that endeavor.

It is noteworthy and heartbreaking, as was reported by I. F. Stone, that up to February 1, 1965, just before President Johnson and General Westmoreland drastically escalated the war, only 258 Americans had been killed in combat in Vietnam. The number now exceeds 41,000. Their average age was 20. General Westmoreland wrote that by the late spring of 1965 he was convinced that the Saigon government could not survive for more than 6 months unless the United States put in "substantial numbers" of combat troops. This is reported on pages 98–99 of his book.

Nowhere in his book does he say that the leaders of the Saigon regime asked for additional troops—only that he, General Westmoreland, became convinced of their need.

General Westmoreland discloses in his report that officials of the Saigon government requested that all U.S. combat troops be concentrated in the central highlands of South Vietnam near Pleiku and in the areas north of that, distant from Vietnamese cities and far distant from Saigon. General Westmoreland, who throughout his book takes the position that he is a great general, disclosed with some disdain that Saigon authorities suggested that all U.S. combat forces be deployed and concentrated in comparatively remote areas well away from Saigon and other cities "in order to minimize the impact of the South Vietnam economy and populace." In other words, leaders of the Saigon militarist regime were less fearful of defeat by the Vietcong than of an American invasion.

General Westmoreland stated he decided to override Saigon objections. In his wisdom, he felt it was "essential" that U.S. combat units be available to reinforce and stiffen South Vietnamese forces in the critical areas of high population density. Consequently, he reports that he not only overruled the requests coming from Saigon rulers, but his combat plan was "to build up U.S. forces in an arc around Saigon and in the populous coastal bases and not to restrict U.S. troops to the central highlands." In other words, U.S. leadership in Washington and Vietnam rejected the wishes of the Saigon rulers. No wonder 80 percent of the Vietnamese living in South Vietnam regard the United States to be the successors to their French colonial oppressors.

Rejecting their wishes as General Westmoreland did was clearly to treat South Vietnam as a colonial possession with final decisions made by Americans, just as those final decisions were made by the French before Dienbienphu.

This did not prevent General Westmoreland later in his report from referring blandly, as I. F. Stone said, to "the enemy's absurd claim that the United States was no more than a colonial power."

It will be remembered that in 1965 there was a strong sentiment for peace in South Vietnam. At that time the Buddhists launched a campaign for a negotiated settlement with the National Liberation Front. They demanded withdrawal of both the United States and Communist forces from South Vietnam. In fact, just before the last civilian government of Saigon was overturned by the generals in a nighttime coup, the claim was made by the militant minority opposing the civilian government of Phan Huy Quat that he was secretly conspiring with the Buddhists to purge the military in Saigon and negotiate peace. This leads to the conclusion that General Westmoreland at that time placed U.S. troops around and in Saigon to be ready to intervene if a South Vietnamese Government committed to negotiating peace came into power.

General Westmoreland admitted that there was a conflict in his strategy as contrasted with the strategy of Saigon leaders. In telling how he positioned American troops around Saigon he said that Secretary McNamara, visiting Saigon, supported him "in my opposition to yet another South Vietnamese suggestion that the U.S. forces be deployed only to remote areas such as the central highlands."

Admittedly Saigon government authorities desired then as they desire now that the tremendous U.S. firepower should be deployed in remote unpopulated areas trying to have the VC give battle there. General Westmoreland admitted:

> This would enable a full U.S. fire potential to be employed without the danger of civilian casualties.

Jonathan Schell, the New Yorker correspondent, in his book on Vietnam reported:

> The overriding fantastic fact that we are destroying, simply by inadvertence, the very country we are supposedly protecting.

Admittedly, this was the report attributed to an American correspondent Schell, who spent some weeks flying over Quang Ngai Province in South Vietnam in 1967 in aircraft seeking to find targets for air strikes. He reported that 70 percent of the villages in the province had been destroyed by our firepower, and that 40 percent of the population had been moved to refugee camps and that the survivors who remained lived underground beneath their destroyed homes in areas that we shelled regularly.

General Westmoreland and also Admiral Sharp who was in charge of naval bombardment termed our method of warfare Operation Bulldozer making use of overwhelming firepower to terrorize the men, women, and children of South Vietnam into submission.

In General Westmoreland's report, there is no mention whatever of the No. 1 problem occupying the minds of men and women of South Vietnam—land reform and the distribution of land from the absentee landlords and the French to the peasants. In South Vietnam 80 percent of all arable land under cultivation has been throughout the past 20 years cultivated by peasants, men and women, who own no land whatever. These peasants are supporting the National Liberation Front because they are convinced that its victory against the Saigon regime of Thieu and Ky will mean that the absentee landlords will be dispossessed of their stranglehold on the people.

Nevertheless, former Secretary of Agriculture Orville Freeman recently revealed that in 1966 the U.S. Embassy in Saigon "informed Washington it opposed land reform on the grounds that it would create political instability."

In reality General Westmoreland wrote a repulsive report on the war he waged, even adverting to body counts as his primary index of military progress. He voiced with pride the body count estimate, which was used for the first time in any war fought anywhere in the world, that the VC lost 5⅔ men killed for each American and South Vietnamese soldier.

I. F. Stone makes the statement that General Westmoreland figures body count the same as a baseball fan would figure a baseball box score. With that sort of body count warfare he adds the thought that if we Americans are going to continue to fight a ground war in Southeast Asia in the long run we could run out of American bodies, even at a 4-to-1 or 5-to-1 or 6-to-1 ratio in our favor, in view of the fact that teeming of millions of Asians are on the other side.

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APPOINTMENT BY VICE PRESIDENT

The VICE PRESIDENT. Pursuant to Public Law 84-372, the Chair appoints the Senator from Hawaii (Mr. Inouye) to the Franklin D. Roosevelt Memorial Commission, in lieu of the Senator from Maryland (Mr. Tydings), resigned.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate go into executive session to consider a nomination at the desk, having to do with the Tennessee Valley Authority. The nomination which was reported unanimously by the committee earlier today and has been cleared by the leadership on both sides.

The PRESIDING OFFICER (Mr Spong in the chair). Without objection it is so ordered.

TENNESSEE VALLEY AUTHORITY

The legislative clerk read the nomination of Aubrey J. Wagner, of Tennessee, to be a member of the board of directors of the Tennessee Valley Authority for the term expiring May 18, 1978. (Reappointment.)

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

Mr. MANSFIELD. Mr. President, I ask that the President be immediately notified of the confirmation of the nomination.

The PRESIDING OFFICER. Without objection, the President will be notified as requested.

LEGISLATIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate return to legislative session.

There being no objection, the Senate resumed the consideration of legislative business.

INVESTMENT COMPANY AMENDMENTS ACT OF 1969

Mr. MANSFIELD. Mr. President, I ask unanimous consent that at the conclusion of morning business the Senate proceed to the consideration of Calendar No. 172, S. 2224.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. I ask that the bill be read by title now.

The PRESIDING OFFICER. The clerk will read the title.

The Legislative Clerk. A bill (S. 2224) to amend the Investment Company Act of 1940 and the Investment Advisers Act of 1940 to define the equitable standards governing relationships between investment companies and their investment advisers and principal underwriters, and for other purposes.

The PRESIDING OFFICER. Without objection, at the end of the morning business, the Senate will proceed to the consideration of the bill.

ORDER FOR ADJOURNMENT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate completes its business this afternoon, it stand in adjournment until 12 o'clock noon Monday next.

The PRESIDING OFFICER. Without objection, it is so ordered.

CONTROL OF THE MILITARY

Mr. COOK. Mr. President, I ask unanimous consent to proceed for not to exceed 6 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. COOK. Mr. President, as a Republican, it is not often that I find myself in the unlikely position of commending John Kenneth Galbraith and inserting in the Record an article from Harper's, which recently referred to me as "a hard-core reactionary." However, as improbable as it may be, I am compelled to call to the attention of my colleagues an article by Galbraith in the June 1969 edition on a subject of great concern to me and to many Americans—"How To Control the Military." In a truly constructive fashion, the author dwells as much on suggestions for reducing the unparalleled influence of the Military Establishment as he does in criticizing it. Our military services have done a magnificent job throughout our history in protecting our country. By keeping our criticism within the realm of constructive proposals, as Galbraith has in this article, we shall be better able to present this issue clearly, and not in a demagogic fashion, to the American people. I ask unanimous consent that the article appear in the Record at this point.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From Harper's magazine, June 1969]

HOW TO CONTROL THE MILITARY

(By John Kenneth Galbraith)

(Note.—J. K. Galbraith has written more than one man's share of the influential books of this era, including "American Capitalism" and "The Affluent Society" (just reissued in a new edition by Houghton Mifflin). He was a supporter of Adlai Stevenson and John F. Kennedy, was Ambassador to India 1961–63, and continues to teach at Harvard as Paul M. Warburg Professor of Economics.)

I

In January as he was about to leave office, Lyndon Johnson sent his last report on the economic prospect to the Congress. It was assumed that, in one way or another, the Vietnam war, by which he and his Administration had been destroyed, would come gradually to an end. The question considered by his economists was whether this would bring a decrease or an increase in military spending. The military budget for fiscal 1969 was $78.4 billions; for the next year, including pay increases, it was scheduled to be about three billions higher. Thereafter, assuming peace and a general withdrawal from Asia, there would be a reduction of some six or seven billions. But this was only on the assumption that the Pentagon did not get any major new weapons—that it was content with what had already been authorized. No one really thought this possible. The President's economists noted that plans already existed for "a package" consisting of new aircraft, modern naval vessels, defense installations, and "advanced strategic and general purpose weapons systems" which would cost many billions. This would wipe out any savings from getting out of Vietnam. Peace would now be far more expensive than war.

With Richard Nixon the prospect for increased arms spending would seem superficially to be better. During the election campaign he promised to establish a clear military superiority over the Soviets, an effort that he could not believe would escape their attention. Their response would also be predictable and would require a yet larger effort here. (At his first press conference Mr. Nixon retreated from "superiority" to "sufficiency.")

Melvin Laird, the new Secretary of Defense, while in the Congress was an ardent spokesman for the military viewpoint, which is to say for military spending. And his Under Secretary of Defense, David Packard, though the rare case of a defense contractor who had spoken for arms control, was recruited from the very heart of the military-industrial complex.

Just prior to Mr. Nixon's inauguration the Air Force Association, the most eager spokesman for the military and its suppliers, said happily that "If the new Administration is willing to put its money where its mouth is in national defense some welcome changes are in the offing." And speaking to a reporter, J. Leland Atwood, president and chief executive officer of North American Rockwell, one of the half-dozen biggest defense firms, sized up the prospect as follows: "All of Mr. Nixon's statements on weapons and space are very positive. I think he has perhaps a little more awareness of these things than some people we've seen in the White House." Since no one had previously noticed the slightest unawareness, Mr. Atwood considered the prospect very positive indeed.

Yet he could be wrong. Browning observed of Jove that he strikes the Titans down when they reach the peak—"when another rock would crown the work." When I started work on this paper some months ago, I hazarded the guess that the military power was by way of provoking the same public reaction as did the Vietnam war. Now this is no longer in doubt. If he remains *positive*, the military power will almost certainly do for President Nixon what Vietnam did for his predecessor. But it might also lead him to a strenuous effort to avoid the Johnson fate. Mr. Nixon has not, in the past, been notably indifferent to his political career. The result in either case would be an eventual curb on the military power—either from Mr. Nixon or his successor.

Or so it would seem. What is clear is that a drastic change is occurring in public attitudes toward the military and its industrial allies which will not for long be ignored by politicians who are sensitive to the public mood. And from this new political climate will come the chance for reasserting control.

The purpose of this article is to see the nature of the military power, assess its strength and weaknesses, and suggest the guidelines for regaining control. For no one can doubt the need for doing so.

II

The problem of the military power is not unique; it is merely a rather formidable example of the tendency of our time. That is for organization, in an age of organization, to develop a life and purpose and truth of its own. This tendency holds for all great bureaucracies, both public and private. And their action is not what serves a larger public interest, their belief does not reflect the reality of life. What is done and what is believed are, first and naturally, what serve the goals of the bureaucracy itself. Action

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in the organization interest, or in response to the bureaucratic truth, can thus be a formula for public disservice or even public disaster.

There is nothing academic about this possibility. There have been many explanations of how we got into the Vietnam war, and action on which even the greatest of the early enthusiasts have now lapsed into discretion. But all explanations come back to one. It was the result of a long series of steps taken in response to a bureaucratic view of the world—a view to which a President willingly or unwillingly yielded and which, until much too late, was unchecked by any legislative or public opposition. This view was of a planet threatened by an imminent takeover by the unified and masterful forces of the Communist world, directed from Moscow (or later and with less assurance from Peking) and coming to a focus, however improbably, some thousands of miles away in the activities of a few thousand guerrillas against the markedly regressive government of South Vietnam.

The further bureaucratic truths that were developed to support this proposition are especially sobering. What was essentially a civil war between the Vietnamese was converted into an international conflict with rich ideological portent for all mankind. South Vietnamese dictators became incipient Jeffersonians holding aloft the banners of an Asian democracy. Wholesale graft in Saigon became an indispenable aspect of free institutions. An elaborately rigged election became a further portent of democracy. One of the world's most desultory and impermanent armies became, always potentially, a paragon of martial vigor. Airplanes episodically bombing open acreage or dense jungle became an impenetrable barrier to men walking along the ground. An infinity of reverses, losses, and defeats became victories deeply in disguise. Such is the capacity of bureaucracy to create its own truth.

There was nothing, or certainly not much, that was cynical in this effort. Most of the men responsibly involved accepted the myth in which they lived a part. For from the inside it is the world outside which looks uninformed, perverse, and very wrong. Throughout the course of the war there was bitter anger in Washington and Saigon over the inability of numerous journalists to see military operations, the Saigon government, the pacification program, the South Vietnam army in the same rosy light as did the bureaucracy. Why couldn't they be indignant instruments of the official belief—like Joseph Alsop?

As many others have observed, the epitome of the organization man in our time was Secretary of State Dean Rusk. Few have served organization with such uncritical devotion. A note of mystification, even honest despair, was present in his public expression over the inability of the outside world to accept the bureaucratic truths just listed. Only the eccentrics, undisciplined or naive, failed to accept what the State Department said was true. His despair was still evident as he left office, his career in ruins, and the Administration of which he was the ranking officer destroyed by action in pursuit of these beliefs. There could be no more dramatic—or tragic—illustration of the way organization captures men for its truths.

But Vietnam was not the first time men were so captured—and the country suffered. Within this same decade there was the Bay of Pigs, now a textbook case of bureaucratic self-deception. Organization needed to believe that Castro was toppling on the edge. Communism was an international conspiracy; hence it could have no popular local roots; hence the Cuban people would welcome the efforts to overthrow it. Intelligence was made to confirm these beliefs, for if it didn't it was, by definition, defective information. And, as an unpopular tyranny, the Castro government should be overthrown. Hence the action, thus the disaster. The same beliefs played a part in the military descent, against largely nonexistent Communists, on the Dominican Republic.

But the most spectacular examples of bureaucratic truth are those that serve the military power—and its weapons procurement. These have not yet produced anything so dramatic as the Vietnam, Bay of Pigs, or Dominican misadventures but their potential for disaster is far greater. These beliefs and their consequences are worth specifying in some detail.

There is first the military belief that whatever the dangers of a continued weapons race with the Soviet Union these are less than those of any agreement that offers any perceptible opening for violation. If there is such an opening the Soviets will exploit it. Since no agreement can be watertight this goes far to protect the weapons race from any effort at control.

Secondly, there is the belief that the conflict with Communism is man's ultimate battle. Accordingly, one would not hesitate to destroy all life if Communism seems seriously a threat. This belief allows acceptance of the arms race no matter how dangerous. The present ideological differences between industrial systems will almost certainly look very different and possibly rather trivial from a perspective of fifty or a hundred years hence if we survive. Such thoughts are eccentric.

Third, the national interest is total, that of man inconsequential. So even the prospect of total death and destruction does not deter us from developing new weapons systems if some thread of national interest can be identified in the outcome. We can accept 75 million casualties if it forces the opposition to accept 150 million. This is the unsentimental calculation. Even more unsentimentally, Senator Richard Russell, the leading Senate spokesman of the military power, argued on behalf of the Army's Sentinel Anti-Ballistic Missile System (ABM) that, if only one man and one woman are to be left on earth, it was his deep desire that they be Americans. It was part of the case for the Manned Orbiting Laboratory (MOL) that it would maintain the national position in the event of extensive destruction down below.

Such, not secretly but as they have been articulated, are the organization truths of the military power. The beliefs that got us into (and keep us in) Vietnam in their potential for disaster pale as compared with these doctrines. We shall obviously have accomplished little if we get out of Vietnam but leave unchecked in the government the capacity for this kind of bureaucratic truth. What, in tangible form, is the organization which avows these truths?

III

It is an organization or a complex of organizations and not a conspiracy. Although Americans are probably the world's least competent conspirators—partly because no other country so handsomely rewards in cash and notoriety the man who blows the whistle on those with whom he is conspiring—we have a strong instinct for so explaining that of which we disapprove. In the conspiratorial view, the military power is a collation of generals and conniving industrialists. The goal is mutual enrichment; they arrange elaborately to feather each other's nest. The industrialists are the *deus ex machina;* their agents make their way around Washington arranging the payoff. If money is too dangerous, then alcohol, compatible women, more prosaic forms of entertainment or the promise of future jobs to generals and admirals will serve.

There is such enrichment and some graft. Insiders do well. H. L. Nieburg has told the fascinating story of how in 1954 two modestly paid aerospace scientists, Dr. Simon Ramo and Dr. Dean Wooldridge, attached themselves influentially to the Air Force as consultants and in four fine years (with no known dishonesty) ran a shoe-string of $6,750 apiece into a multimillion-dollar fortune and a position of major industrial prominence.[1] (In 1967 their firm held defense contracts totaling $121 million.) Senator William Proxmire, a man whom many in the defense industries have come to compare unfavorably to typhus, has recently come up with a fascinating contractual arrangement between the Air Force and Lockheed for the new C–5A jet transport. It makes the profits of the company greater the greater its costs in filling the first part of the order, with interesting incentive effects. A recent Department of Defense study reached the depressing conclusions that firms with the poorest performance in designing highly technical electronic systems—and the failure rate was appalling—have regularly received the highest profits. In 1960, 691 retired generals, admirals, naval captains, and colonels were employed by the ten largest defense contractors—186 by General Dynamics alone. A recent study made at the behest of Senator Proxmire found 2,072 employed in major defense firms with an especially heavy concentration in the specialized defense firms.[2] It would be idle to suppose that presently serving officers—those for example on assignment to defense plants—never have their real income improved by the wealthy contractors with whom they are working, forswear all favors, entertain themselves, and sleep austerely alone. Nor are those public servants who show zeal in searching out undue profits or graft reliably rewarded by a grateful public. Mr. A. E. Fitzgerald, the Pentagon management expert who became disturbed over the C–5A contract with Lockheed and communicated his unease and its causes to the Proxmire Committee, had his recently acquired civil-service status removed and was the subject of a fascinating memorandum (which found its way to Proxmire) outlining the sanctions appropriate to his excess of zeal. Pentagon officials explained that Mr. Fitzgerald had been given his civil-service tenure as the result of a computer error (the first of its kind) and the memorandum on appropriate punishment was a benign gesture of purely scholarly intent designed to specify those punishments against which such a sound public servant should be protected.

Nonetheless the notion of a conspiracy to enrich and corrupt is gravely damaging to an understanding of the military power. It causes men to look for solutions in issuing regulations, enforcing laws, or sending people to jail. It also, as a practical matter, exaggerates the role of the defense industries in the military power—since they are the people who make the most money, they are assumed to be the ones who, in the manner of the classical capitalist, pull the strings. The armed services are assumed to be in some measure their puppets. The reality is far less dramatic and far more difficult of solution. The reality is a complex of organizations pursuing their sometimes diverse but generally common goals: The participants in these or-

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[1] *In the Name of Science* (Chicago, Quadrangle Press, 1966). This is a book of first-rate importance which the author was so unwise as to publish some three years before concern for the problems he discusses became general. But perhaps he made it so.

[2] General Dynamics 113, Lockheed 210, Boeing 169, McDonnell Douglas 141, North American Rockwell 104, Ling-Temco-Vought 69. All of these firms are heavily specialized to military business; General Dynamics, Lockheed, McDonnell Douglas and North American Rockwell almost completely so.

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ganizations are mostly honest men whose public and private behavior would withstand public scrutiny as well as most. They live on their military pay or their salaries as engineers, scientists, or managers or their pay and profits as executives and would not dream of offering or accepting a bribe.

The organizations that comprise the military power are the four Armed Services, and especially their procurement branches. And the military power encompasses the specialized defense contractors—General Dynamics, McDonnell Douglas, Lockheed, or the defense firms of the agglomerates—of Ling-Temco-Vought or Litton Industries. (About half of all defense contracts are with firms that do relatively little other business.) And it embraces the defense division of primarily civilian firms such as General Electric or AT&T. It draws moral and valuable political support from the unions. Men serve these organizations in many, if not most, instances, because they believe in what they are doing—because they have committed themselves to the bureaucratic truth. To find and scourge a few malefactors is to ignore this far more important commitment.

The military power is not confined to the Services and their contractors—what has come to be called the military-industrial complex. Associate membership is held by the intelligence agencies which assess Soviet (or Chinese) actions or intentions. These provide more often by selection than by any dishonesty, the justification for what the Services would like to have and what their contractors would like to supply. Associated also are Foreign Service Officers who provide a civilian or diplomatic gloss to the foreign-policy positions which serve the military need. The country desks at the State Department, a greatly experienced former official and ambassador has observed, are often "in the hip pocket of the Pentagon—lock, stock, and barrel, ideologically owned by the Pentagon."[3]

Also a part of the military power are the university scientists and those in such defense-oriented organizations as RAND, the Institute for Defense Analysis, and Hudson Institute who think professionally about weapons and weapons systems and the strategy of their use. And last, but by no means least, there is the organized voice of the military in the Congress, most notably on the Armed Services Committees of the Senate and House of Representatives. These are the organizations which comprise the military power.

The men who comprise these organizations call each other on the phone, meet at committee hearings, serve together on teams or task forces, work in neighboring offices in Washington or San Diego. They naturally make their decisions in accordance with their view of the world—the view of the bureaucracy of which they are a part. The problem is not conspiracy or corruption but unchecked rule. And being unchecked, this rule reflects not the national need but the bureaucratic need—not what is best for the United States but what the Air Force, Army, Navy, General Dynamics, North American Rockwell, Grumman Aircraft, State Department representatives, intelligence officers, and Mendel Rivers and Richard Russell believe to be best.

In recent years Air Force generals, perhaps the most compulsively literate warriors since Caesar, have made their views of the world scene a part of the American folklore. These in all cases serve admirably the goals of their Service and the military power in general. Similarly with the other participants.

Not long ago, Bernard Nossiter, the brilliant economics reporter of the Washington *Post,* made the rounds of some of the major defense contractors to get their views of the post-Vietnam prospect. All, without exception, saw profitable tension and conflict. Edward J. Lefevre, the vice-president in charge of General Dynamics' Washington office, said "One must believe in the long-term threat." James J. Ling, the head of Ling-Temco-Vought, reported that "Defense spending has to increase in our area because there has been a failure to initiate—if we are not going to be overtaken by the Soviets." Samuel F. Downer, one of Mr. Ling's vice-presidents, was more outspoken. "We're going to increase defense budgets as long as those bastards in Russia are ahead of us." A study of the Electronics Industries Association also dug up by Mr. Nossiter (to whom I shall return in a moment) discounted the danger of arms control, decided that the "likelihood of limited war will increase" and concluded that "for the electronic firms, the outlook is good in spite [sic] of [the end of hostilities in] Vietnam."

From the foregoing beliefs, in turn, comes the decision on weapons and weapons systems and military policy generally. No one can tell where the action originates—whether the Services or the contractors initiate decisions on weapons—nor can the two be sharply distinguished. Much of the plant of the specialized defense contractors is owned by the government. Most of their working capital is supplied by the government through progress payments—payments made in advance of completion of the contract. The government specifies what the firm can and cannot charge to the government. The Armed Services Procurement Regulation states that "Although the government does not expect to participate *in every management* decision, it may reserve the right to review the contractor's management efforts. . . ." (Italics added.)

In this kind of association some proposals will come across the table from the military. Some will come back from the captive contractors. Nossiter asked leading contractors, as well as people at the Pentagon, about this. Here are some of the answers.

From John W. Bessire, General Manager for Pricing, General Dynamics, Fort Worth: "We try to foresee the requirements the military is going to have three years off. We work with their requirements people and therefore get new business."

From Richard E. Adams, Director of Advanced Projects, Fort Worth Division of General Dynamics, who through the source was the military: "Things are too systematized at the Pentagon for us to invent weapons systems and sell them on a need."

On the influence of the military he added: "We know where the power is [on Capitol Hill and among Executive Departments]. There's going to be a lot of defense business and we're going to get our share of it."

From John R. Moore, President of Aerospace and Systems Group of North American Rockwell: "A new system usually starts with a couple of military and industry people getting together to discuss common problems."

After noting that most of his business came from requirements "established by the Defense Department and NASA," he concluded: "But it isn't a case of industry here and the government here. They are interacting continuously at the engineering level."

And finally from a high civilian in the Pentagon: "Pressures to spend more. . . . In part they come from the industry selling new weapons ideas and in part from the military here. Each military guy has his own piece, tactical, antisubmarine, strategic. Each guy gets where he is by pushing his particular thing."

He added: "Don't forget, too, part of it is based on the perception of needs by people in Congress."

The important thing is not where the action originates but in the fact that it serves the common goals of the military and the defense contractors. It is, in the language of labor relations, a sweetheart deal between those who sell to the government and those who buy. Once competitive bidding created an adversary relationship between buyer and seller sustained by the fact that, with numerous sellers, any special relationship with any one must necessarily provoke cries of favoritism. But modern weapons are bought overwhelmingly by negotiation and in most cases from a single source of supply. (In the fiscal year ending in 1968, General Accounting Office figures show that 57.9 per cent of the $43 billion in defense contracts awarded in that year was by negotiation with a single source of supply. Of the remainder 30.6 per cent was awarded by negotiation where alternative sources of supply had an opportunity to participate and only 11.5 per cent was open to advertised competitive bidding.)[4] Under these circumstances the tendency to any adversary relationship between the Services and their suppliers is minimal. Indeed, where there are only one or two sources of supply for a weapons system, the interest of the Services in sustaining a source of supply will be no less than that of the firm in question in being sustained.

Among those who spoke about the sources of ideas on weapons needs, no one was moved to suggest that public opinion played any role. The President, as the elected official responsible for foreign policy, was not mentioned. The Congress came in only as an afterthought. And had the Pentagon official who mentioned the Congress been pressed, he would have agreed that its "perception of needs" is a revelation that almost always results from prompting by either the military or the defense industries. It was thus, for example, that the need for a new generation of manned bombers was perceived (and provided for) by Congress though repeatedly vetoed as unnecessary by Presidents Kennedy and Johnson. But in the past the role of the Congress has been overwhelmingly acquiescent and passive. As Senator Gaylord Nelson said in the Senate in February 1964:

"An established tradition . . . holds that a bill to spend billions of dollars for the machinery of war must be rushed through the House and the Senate in a matter of hours, while a treaty to advance the cause of peace, or a program to help the underdeveloped nations . . . guarantee the rights of all our citizens, or . . . to advance the interests of the poor must be scrutinized and debated and amended and thrashed over for weeks and perhaps months."

IV

We see here a truly remarkable reversal of the American political and economic system as outlined by the fathers and still portrayed to the young. That view supposes that ultimate authority—ultimate sovereignty—lies with the people. And this authority is assumed to be comprehensive. Within the ambit of the state the citizen expresses his will through the men—the President and members of the Congress—whom he elects. Outside he accomplishes the same thing by his purchases in the market. These instruct supplying firms—General Motors, General Electric, Standard Oil of New Jersey—as to what they shall produce and sell. But here we find the Armed Services or the corporations that supply them making the decisions and instructing the Congress and the public. The public accepts whatever is so decided and pays the bill. This is an age when the young are being instructed, in my view rightly although with unnecessary solemnity, to respect constitutional process and seek change within the framework of the established political order. And we find the assumed guardians of that order, men with no slight appreciation of their righteousness and respectability, calmly turning it upside down themselves.

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[3] Ralph Dungan, formerly White House aide to Presidents Kennedy and Johnson and former Ambassador to Chile. Quoted in George Thayer, *The War Business* (Simon and Schuster). The appearance of the State Department as a full-scale participant in the military power may have been the hopefully temporary achievement of Secretary Rusk. Apart from a high respect for military acumen and need, he in some degree regarded diplomacy as subordinate to military purpose. In time such attitudes penetrate deeply into organization.

[4] Testimony of Elmer B. Staats, Comptroller General, before Senator Proxmire's Committee (November 11, 1968).

How did this remarkable reversal in the oldest of constitutional arrangements come about? How, in particular, did it come about in a country that sets great store by individual and citizen rights and which traditionally has been suspicious of military, industrial, and bureaucratic power? How did it come to allow these three forces to assert their authority over a tenth of the economy and something closer to ten-tenths of our future?[5]

V

Six things brought the military-industrial bureaucracy to its present position of power. To see these forces is also to be encouraged by the chance for escape.

First there has been, as noted, the increasing bureaucratization of our life. In an economically and technologically complex society, more and more tasks are accomplished by specialists. Specialists must then have their knowledge and skills united by organization. Organization, then, as we have seen, proceeds to assert its needs and beliefs. These will not necessarily be those of the individual or community.

In what Ralph Lapp has called the weapons culture, both economic and technological complexity are raised to the highest power. So, accordingly, are the scope and power of organization. So, accordingly, is the possibility of self-serving belief.

It is a power, however, which brings into existence its own challenge. The same technical and social complexity that requires organization requires that there be large numbers of trained and educated people. Neither these people nor the educational establishment that produces them are docile in the face of organization. So with organization come people who resist it—who are schooled to assert their individual beliefs and convictions. No modern military establishment could expect the disciplined obedience which sent millions (in the main lightly schooled lads from the farm) against the machine guns as late as World War I.

The reaction to organization and its beliefs may well be one of the most rapidly developing political moods of our time. Clearly it accounted for much of the McCarthy strength in the last year—for if Dean Rusk or General Westmoreland were the epitome of the organization man, Eugene McCarthy was its antithesis. Currently one sees it sweeping ROTC off the campuses—or out of the university curricula. It is causing recruiting problems of big business—and not alone the defense firms. One senses, if the draft survives, that it will cause trouble for the peacetime Armed Forces.

But so far the impressive thing is the power that massive organization has given to the military industrial complex and not the resistance it is arousing. The latter is for the future.

Second in importance in bringing the military-industrial complex to power were the circumstances and images of foreign policy in the late Forties, Fifties and early Sixties. The Communist world, as noted, was viewed as a unified imperium mounting its claim to every part of the globe. The postwar pressure on Eastern Europe and on Berlin, the Chinese revolution, and the Korean war, seemed powerful evidence in the case. And, after the surprisingly early explosion of the first Soviet atomic bomb, followed within a decade by the even more astonishing flight of the first Sputnik, it was easy to believe that the Communist world was not only politically more unified than the rest but technologically stronger as well.

The natural reaction was to delegate power and concentrate resources. The military Services and their industrial allies were given unprecedented authority—as much as in World War II—to match the Soviet technological initiative. And the effort of the nation's scientists (and other scholars) was concentrated in equally impressive fashion. None or almost none remained outside. Robert Oppenheimer was excluded, not because he opposed weapons development in general or the hydrogen bomb in particular, but because he thought the latter unnecessary and undeliverable. That anyone, on grounds of principle, should refuse his services to the Pentagon or Dow Chemical was nearly unthinkable. Social scientists responded eagerly to invitations to spend the summer at RAND. They devoted their winters to seminars on the strategy of defense and deterrence. The only question in this time was whether a man could get a security clearance. The extent of a man's access to secret matters measured his responsibility and influence in public affairs and prestige in the community.

The effect of this concentration of talent was to add to the autonomy and power of the organizations responsible for the effort. Criticism or dissent requires knowledge; the knowledgeable men were nearly all inside. The Eisenhower Administration affirmed the power of the military by appointing Secretaries of Defense who were largely passive except as they might worry on occasion about the cost. The Democrats, worrying about a nonexistent missile gap and fearing, as always, that they might seem soft on Communism, accorded the military more funds and power, seeking principally to make it more efficient.

This enfranchisement of the military power was in a very real sense the result of a democratic decision—it was a widely approved response to the seemingly fearsome forces that surround us. With time those who received this unprecedented grant of power came to regard it as a right. Where weapons and military decision were concerned, their authority was meant to be plenary. Men with power have been prone to such error.

Third, secrecy confined knowledge of Soviet weapons and responding American action to those within the public and private bureaucracy. No one else had knowledge, hence no one else was qualified to speak. Senior members of the Armed Services, their industrial allies, the scientists, the members of the Armed Services Committees of the Congress were in. It would be hard to imagine a more efficient arrangement for protecting the power of a bureaucracy. In the academic community and especially in Congress there was no small prestige in being a member of this club. So its influence was enhanced by the sense of belonging and serving. And, as the experience of Robert Oppenheimer and other less publicized persons showed, it was possible on occasion to exclude the critic or skeptic as a security risk.

Fourth, there was the disciplining effect of personal fear. A nation that was massively alarmed about the unified power of the Communist world was not tolerant of skeptics or those who questioned the only seemingly practical line of response. Numerous scientists, social scientists, and public officials had come reluctantly to accept the idea of the Communist threat. This history of reluctance could now involve the danger—real or imagined—that they might be suspected of past association with this all-embracing conspiracy. The late Senator Joseph R. McCarthy would not have been influential in ordinary times; but he and others saw or sensed the opportunity for exploiting national and personal anxiety. The result was further and decisive pressure on anyone who seemed not to concur in the totality of the Communist threat. (McCarthy was broken only when he capriciously attacked the military power.)

Fear provided a further source of immunity and power. Accepted Marxian doctrine holds that a cabal of capitalists and militarists is the cutting edge of capitalist imperialism and the cause of war. Anyone who raised a question about the military-industrial complex thus sounded suspiciously like a Marxist. So it was a topic that was avoided by the circumspect. Heroism in the United States involves some important distinctions. It requires a man to stand up fearlessly, at least in principle, to the prospect for nuclear extinction. But it allows him to proceed promptly to cover if there is risk of being called a Communist, a radical, an enemy of the system. Death we must face but not social obloquy or political ostracism. The effect of such discriminating heroism in the Fifties and Sixties was that most potential critics of the military power were exceptionally reticent.

In 1961, in the last moment before leaving office, President Eisenhower gave his famous warning: "In the councils of government we must guard against the acquisition of unwarranted influence, whether sought or unsought, by the military-industrial complex. The potential for the disastrous rise of misplaced power exists and will persist." This warning was to become by a wide margin the most quoted of all Eisenhower statements. This was principally for the flank protection it provided for all who wanted to agree. For many years thereafter anyone (myself included) who spoke to the problem of the military power took the thoughtful precaution of first quoting President Eisenhower. He had shown that there were impeccably conservative precedents for our concern.

Fifth, in the Fifties and early Sixties the phrase "domestic priority" had not yet become a cliché. The civilian claim on federal funds was not, or seemed not, to be overpowering. The great riots in the cities had not yet occurred. The appalling conditions in the urban core that were a cause were still unnoticed. Internal migration had long been under way but millions were yet to come from the rural into the urban slums. Poverty had not yet been placed on the national agenda, with the consequence that we would learn how much and how abysmal it is. And promises not having been made to end poverty, expectations had not been aroused. The streets of Washington, D.C., were still safer than those of Saigon. Travel by road and commuter train was only just coming to a crawl. The cities' air and water were dirty but not yet lethally so.

In this innocent age, in 1964, taxes were reduced because there seemed to be danger of economic stagnation and unemployment from raising more federal revenue than could quickly be spent. The then Director of the

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[5] I have argued elsewhere (*The New Industrial State*, Houghton Mifflin, 1967) that with increasing industrialization the sovereignty of the consumer or citizen yields to the sovereignty of the producer or public bureaucracy. Increasingly the consumer or citizen is made subordinate to their needs. I have been rather sharply challenged. But in the very important area of military production, about 10 per cent of the total, we see that producer sovereignty is accepted and avowed. Not even my most self-confident critics would be wholly certain of my error here.

Budget, Kermit Gordon, was persuaded that if an excess of revenue were available the military would latch on to it. Inflation was not a pressing issue. Military expenditures, although no one wished to say so, did sustain employment. Circumstances could not have been better designed, economically speaking, to allow the military a clear run.

Sixth and finally, in these years, both conservative and liberal opposition to the military-industrial power was muted. Nothing could be expected, in principle, to appeal less to conservatives than a vast increase in bureaucratic power at vast cost. In an earlier age the reaction would have been apoplectic. Some conservatives in an older tradition—men genuinely concerned about the Leviathan State—were aroused. Ernest Weir, the head of National Steel and the foe of FDR and the New Deal, Alf M. Landon, the much-underestimated man who opposed Roosevelt in 1936, Marriner Eccles, banker and long-time head of the Federal Reserve, and a few others did speak out. But for most it was enough that the Communists—exponents of a yet more powerful state and against private property, too—were on the other side. One accepted a lesser danger to fight a greater one. And, as always, when many are moderately aroused some are extreme. It became a tenet of a more extreme conservatism that civilians should never interfere with the military except to provide more money. Nor would there be any compromise with Communism. It must be destroyed. Their military doctrine, as Daniel Bell has said, was "that negotiation with the Communists is impossible, that anyone who discusses the possibility of such negotiation is a tool of the Communists, and that a 'tough policy'—by which, *sotto voce*, is meant a preventative war of a first strike—is the only means of forestalling an eventual Communist victory."[6] To an impressive extent, in the Fifties and Sixties this new conservatism, guided by retired Air Force generals and the redoubtable Edward Teller, became the voice of all conservatism on defense policy.

The disappearance of liberal criticism was almost as complete—and even more remarkable. An association of military and industrial power functioning without restraint would have been expected to arouse liberal passion. So also the appropriation of public power for private purpose by defense contractors, some of them defining missions for the Services so as to require what they had to sell. But liberals did not react. Like conservatives they accepted a lesser threat to liberty to forestall a greater one. Also it was not easy for a generation that had asked for more executive power for FDR and his successors over conservative opposition to see danger in any bureaucracy or remedy in stronger legislative control. This was a too radical reversal of liberal form.

The generation of liberals which was active in the Fifties and Sixties had also been scarred by the tactics of the domestic Communists in politics and the trade-union movement. And members of this generation had seen what happened to friends who had committed themselves to the wartime alliance with the Soviets and had nailed their colors to its continuation after the war. Stalin had let them down with a brutal and for many a mortal thump. Those who escaped, or many of them, made common cause with the men who were making or deploying weapons to resist Communism, urging only, as good liberals, that there was a social dimension to the struggle. As time passed it was discovered that many good and liberal things—foreign aid, technical assistance, travel grants, fellowships, overseas libraries—could be floated on the Communist threat. Men of goodwill became accomplished in persuading the more retarded to vote for foreign-aid legislation, not as a good thing in itself but as an indispensable instrument in the war against Communism. Who, having made this case, could then be critical of military spending for the same purpose?

Additionally in the Fifties and Sixties American liberals were fighting for the larger federal budget not for the things it bought but for the unemployment it prevented. Such a budget, with its stabilizing flow of expenditures and supported by personal income taxes which rose and fell with stabilizing effect, was the cornerstone of the New or Keynesian Economics. And this economics of high and expanding employment, in turn, was the cornerstone of the liberal position. As noted it was not easy for liberals to admit that defense expenditures were serving this benign social function; when asked they (*i.e.* we) always said that spending for education, housing, welfare, and civilian public works would serve just as well and be much welcomed as an alternative.

But there was then no strong pressure to spend for these better things. Accordingly it was not easy for liberals to become aroused over an arms policy which had such obviously beneficient effects on the economy.

By the early Sixties the liberal position was beginning to change. From comparatively early in the Kennedy Administration—the Bay of Pigs was a major factor in this revelation—it became evident that a stand would have to be made against policies urged by the military and its State Department allies—against military intervention in Cuba, military intervention in Laos, military intervention in Vietnam, an all-out fallout shelter program, unrestricted nuclear testing, all of which would be disastrous for the President as well as for the country and world. A visible and sometimes sharp division occurred between those who, more or less automatically, made their alliance with the military power, and those—Robert Kennedy, Adlai Stevenson, Theodore Sorensen, Arthur Schlesinger, Averell Harriman, and, though rendering more homage to the organizations of which they were a part, George Ball and Robert McNamara—who saw the dangers of this commitment. With the Johnson Administration this opposition disappeared or was dispersed. The triumph of those who allied themselves with the bureaucracy was the disaster of that Administration.

The opposition, much enlarged, then reappeared in the political theater. Suspicion of the military power in 1968 was the most important factor uniting the followers of Senators Kennedy, McCarthy, and McGovern. Along with the more specific and more important opposition to the Vietnam conflict, it helped to generate the opposition that persuaded Lyndon Johnson not to run. And the feeling that Vice President Humphrey was not sufficiently firm on this issue—that he belonged politically to the generation of liberals that was tolerant of the military-industrial power—unquestionably diluted and weakened his support. Conceivably it cost him the election.

VI

To see the sources of the strength of the military-industrial complex in the Fifties and Sixties is to see its considerably greater vulnerability now. The Communist imperium, which once seemed so fearsome in its unity, has broken up into bitterly antagonistic blocks. Moscow and Peking barely keep the peace. Fear in Czechoslovakia, Yugoslavia, and Romania is not of the capitalist enemy but the great Communist friend. The more intimate calculations of the Soviet High Command on what might be expected of the Czech (or for that matter the Romanian or Polish or Hungarian) army in the event of war in Western Europe must not be without charm. Perhaps they explain the odd military passion of the Soviets for the Egyptians. The Soviets have had no more success than has capitalism in penetrating and organizing the backward countries of the world. Communist and capitalist jungles are indistinguishable. Men of independent mind recognize that after twenty years of aggressive military competition with the Soviets our security is not greater and almost certainly less than when the competition began. And although in the Fifties it was fashionable to assert otherwise ("a dictator does not hesitate to sacrifice his people by the millions") we now know that the Soviets are as aware of the totally catastrophic character of nuclear war as we are—and more so than our more articulate generals.

These changes plus the adverse reaction to Vietnam have cost the military power its monopoly of the scientific community. This, in turn, has damaged its claim to a monopoly of knowledge including that which depends on security classification. Informed critics are amply available outside the military-industrial complex. When earlier this year Under Secretary of Defense Packard sought, in an earlier tradition, to discredit the opposition of Dr. Herbert A. York, former Director of Defense Research and Engineering, to the ABM, on the grounds that the latter did not have access to secret information, the effort backfired. The only person whose credibility was damaged was Secretary Packard. In consequence men are now available to distinguish between what weapons are relevant to an equilibrium with the Soviets, what destroys this balance by encouraging a new competitive round, and what serves primarily the prestige of the Services and the prestige and profits of the contractors. The attack on the Sentinel-Safeguard ABM system could never have been mounted in the Fifties.

Additionally, civilian priority has become one of the most evocative words in the language. Everywhere—for urban housing and services, sanitation, schools, police, urban transportation, clean air, potable water—the needs are huge and pressing. Because these needs are not being met the number of people who live in fear of an urban explosion may well be greater than those who are alarmed by the prospect of nuclear devastation. For many years I have lived in summers on an old farm in southern Vermont. In the years folowing Hiroshima we had the advance refugees from the atomic bomb. Now we have those who are escaping the ultimate urban riot. The second migration is much bigger than the first and has had a far more inflationary effect on local real-estate values.

Certainly the day when military spending was a slightly embarrassing alternative to unemployment is gone and, one imagines, forever.

With all of these changes has come a radical change in the political climate. Except in the darker reaches of Orange County and suburban Dallas (where defense expenditures also have their influence) fear of Communism has receded. We have lived with the Communists on the same planet now for a half-century. An increasing number are disposed to believe we *can* continue doing so. Communism seems somewhat less triumphant than twenty years ago. Perhaps the Soviet Union is yet another industrial state in which organization—bureaucracy—is in conflict with the people it must educate in such numbers for its tasks. Mr. Nixon in his many years as a political aspirant was not notably averse to making capital out of the Communist menace. But neither, if a little belatedly, was he a man to resist a trend. Many must have noticed that his warnings overt or implied of the Communist menace in his Inaugural Address were rather less fiery than those of John F. Kennedy eight years earlier.

The anxiety which led to the great concentration of military and industrial power in the Fifties having dissipated, the continued existence of that power has naturally become a political issue. There are many who think that Mr. Nixon sacrificed some, perhaps much, of his lead when, in the closing days of the Presidential campaign, he promised to revitalize the arms race with an effort to establish clear superiority over the Soviets. There can be little question that General Curtis LeMay, far from attracting voters to Governor George Wallace in 1968, was a disaster. At a somewhat lower level than Eisenhower, MacArthur, Patton, and Bradley, LeMay was one of the *bona fide* heroes in the American pantheon. But his close association with the military power, especially his long efforts to make nuclear warfare palatable, if not altogether appetizing, to the American public, was unnerving. As noted a stand-up-to-it heroism is combined with a deep sensitivity when the nuclear nerve is touched.

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[6] Quoted by Ralph E. Lapp in *The Weapons Culture* (Norton, 1968).

If the potential followers of Governor Wallace were capable of alarm over the military power, then the potential opposition is not confined to the bearded and barefoot left. (This, as in the case of Vietnam, will be the first assumption of the bureaucracy.) Nor is it. Concern reaches deeply into the suburban middle class and business community. During the summer of 1968, if I may recur once more to personal experience, I was concerned with raising money for Eugene McCarthy. We raised a great deal: the efforts with which I was at least marginally associated produced some $2.5 million. Overwhelmingly we got that money from businessmen. Opposition to the Vietnam war was, of course, the prime reason for this support. But concern over the military power was a close (and closely affiliated) second. When one is asking for money one very soon learns what evokes response.

Social concern, however inappropriate for a businessman, was most important but there were also very good business reasons for being aroused. In 1968, the hundred largest defense contractors had more than two-thirds (67.4 per cent) of all the defense business and the smallest fifty of these had no more in the aggregate than General Dynamics and Lockheed. A dozen firms specializing in military business (*e.g.*, McDonnell Douglas, General Dynamics, Lockheed, United Aircraft) together with General Electric and A T & T had a third of all the business. For the vast majority of businessmen the only association with the defense business is through the taxes they pay. Not even a subcontract comes their way. And they have another cost. They must operate in communities that are starved for revenue, where, in consequence, their business is exposed to disorder and violence and where materials and manpower are preempted by the defense contractors. They must also put up with inflation, high interest rates, and regulation on overseas investment occasioned by defense spending. The willingness of American businessmen to suffer on behalf of the big defense contractors has been a remarkable manifestation of charity and self-denial.

Two other changes have altered the position of the military power. In the Fifties the military establishment of the United States was still identified in the public mind with the great captains of World War II—with Eisenhower, Marshall, MacArthur, Bradley, King, Nimitz, Arnold. And many members of a slightly junior generation—Maxwell Taylor, James Gavin, Matthew Ridgway, Curtis LeMay—were in positions of power. Some of these soldiers might have done less well had they been forced to fight an elusive and highly motivated enemy in the jungle of Vietnam encumbered by the leisurely warriors of the ARVN. (At one time or another, Eisenhower, MacArthur, Gavin all made it explicitly clear that they would never have got involved in such a mistake.) The present military generation is intimately associated with the Vietnam misfortune. And its credibility has been deeply damaged by its fatal association with the bureaucratic truths of that war—with the long succession of defeats that became victories, the victories that became defeats, and brilliant actions that did not signify anything at all. In the Fifties it required courage for a civilian to challenge Eisenhower on military matters. Anyone is allowed to doubt the omniscience of General Westmoreland.

Finally, all bureaucracy has a mortal weakness; it cannot respond effectively to attack. The same inertial guidance which propels it into trouble—which sends it mindlessly into the Bay of Pigs or Vietnam even when disaster is evident—renders it helpless in self-defense. It can, in fact, only mimic itself. Organization could not come up with any effective response to its critics on Vietnam. The old slogans—we must resist world-wide Communist aggression, we must not reward aggression, we must stand by our brave allies—were employed not only after repetition had robbed them of all meaning but after they had been made ludicrous by events. In the end Secretary of State Rusk was reduced to mnemonic speeches about our commitments. Organized thought was incapable of anything better.

So with the military power—only more so. One of the perquisites of great power is that its use need not be defended. In consequence kings, czars, dictators, capitalists, even union leaders—when their day of accounting comes have rarely been able to speak for themselves. As the military power comes under scrutiny, it will be reduced to asserting that its critics are indifferent to Soviet or Chinese intentions, unacquainted with the most recent intelligence, militarily inexperienced, naive, afraid to look nuclear destruction in the eye. Or it will be said that they are witting or unwitting tools of the Communist conspiracy. Following Secretary Laird's effort on behalf of the ABM (when he deployed from new intelligence an exceptionally alarming generation of Soviet missiles) a special appeal will be made to fear. A bureaucracy under attack is a fortress with thick walls but fixed guns.

VII

It is a cliché, much beloved of those who supply the diplomatic gloss for the military power, that not much can be done to limit the latter—or its budget—so long as "American responsibilities" in the world remain unchanged. And for others it is a persuasive point that to reduce the military budget will require a change in foreign policy.

But these changes have already occurred. In the years following World War II there was a spacious view of the American task in the world. We guarded the borders of the non-Communist world. We prevented subversion there and put down wars of liberation elsewhere. In pursuit of these aims we maintained alliances, deployed forces, provided military aid on every continent. This was the competition of the superpowers. We had no choice but to meet the challenge of that competition.

We have already found that the world so depicted does not exist. Superpowers there are but superpowers cannot much affect the course of life within the countries they presume to see as on their side. In part that was the lesson of Vietnam; annual expenditures of $30 billion, a deployment of more than half a million men, could not much affect the course of development in one small country. In lands as diverse as India, Indonesia, Peru, and the Congo we have found that our ability to affect the development is even less. We have also found, as in the nearby case of Cuba, that a country can go Communist without inflicting any overpowering damage.

What we have not done is accommodate our military policy to this reality. Military aid, bases, conventional force levels, weapons requirements still assume superpower omnipotence. (And the military power still projects this vision of our task.) Our foreign policy has, in fact, changed. It is the Pentagon that hasn't.

VIII

To argue that the military-industrial complex is now vulnerable is not to suggest that it is on its last legs. It spends a vast amount of public money, which insures the support of many (though by no means all) of those who receive it. Many Senators and Congressmen are slow to criticize expenditures in their districts even though for most of their supporters the cost vastly exceeds the gain. (Defense contracts are even more concentrated geographically than by firm. In 1967 three favored states out of fifty—California and New York and Texas—received one-third. Ten states accounted for a full two-thirds. In all but a handful of cases the Congressman or Senator who votes for military spending is voting for the enrichment of people he does not represent at the expense of those who elect him.) And there is the matter of habit and momentum. The military power has been above challenge for so long that to attack still seems politically quixotic. One recalls, however, that it once seemed quixotic to be against the Vietnam war.

Nonetheless control is possible. I come to my final task. It is to offer a political decalogue of what is required. It is as follows:

(1) *The goal, all must remember, is to get the military power under firm political control. This means electing a President on this issue next time. This, above all, must be the issue in the next election.*

However, for the next three and a half years, not much can be done about the Presidency. Also if Mr. Nixon does not resist the military power he will follow President Johnson into oblivion—conceivably taking quite a few others with him. This one must suppose he will see. So while all possible moral pressure must be kept on the President, the immediate target is Congress.

(2) *Congress will not be impressed by learned declamation on the danger of the military power. There must be organization.* The last election showed the power of that part of the community—the colleges, universities, concerned middle class, businessmen—which was alert to the Vietnam war. Now in every possible Congressional District there must be an organization alert to the military power. Anciently, legislators up for election have pledged themselves to an "adequate national defense," a euphemism for according the Pentagon a blank check. In the next election everyone must be pressed for a promise to resist military programs and press relentlessly for negotiations along lines indicated below. Any Senator or Congressman who does not believe that the Congress should exercise strict supervision over the Pentagon, that the later should be strictly answerable to Congress both for its actions and its expenditures, confesses his indifference to the proper role of the legislative body. He will be better at home.

This effort must not be confined to the North, the Middle West, or West. In the last five years there has been a rapid liberalization of the major college and university centers of the South. Nowhere did McCarthy or Kennedy draw larger and more enthusiastic crowds than in the big Southern universities. Mendel Rivers, Richard Russell, Strom Thurmond, John Tower, and the other sycophants of the military from the South must be made sharply aware of this new constituency—and if possible be retired by it.

(3) *The Armed Services Committees of the two houses must obviously be the object of a special effort.* They are now, with the exception of a few members, a rubber stamp for the military power. Some liberals have been reluctant to serve on these fiefs. No effort, including an attack on the seniority

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system itself, should be spared to oust the present functionaries and to replace them with acute and independent-minded members. Here too it is important to get grassroots expression from the South.

(4) *The goal is not to make the military power more efficient or more righteously honest. It is to get it under control.* These are very different objectives. The first seeks out excessive profits, high costs, poor technical performance, favoritism, delay, or the other abuses of power. The second is concerned with the power itself. The first is diversionary for it persuades people that something is being done while leaving power and budgets intact.

(5) *This is not an antimilitary crusade. Generals and admirals and soldiers, sailors, and airmen are not the object of attack. The purpose is to return the military establishment to its traditional position in the American political system.* It was never intended to be an unlimited partner in the arms industry. Nor was it meant to be a controlling voice in foreign policy. Any general or admiral who rose to fame before World War II would be surprised and horrified to find that his successors in the profession of arms are now commercial accessories of General Dynamics.

(6) *Whatever its moral case there is no political future in unilateral disarmament.* And the case must not be compromised by wishful assumptions about the Soviets which the Soviets can then destroy. It can safely be assumed that nuclear annihilation is as unpopular with the average Russian as it is with the ordinary American, and that their leaders are not retarded in this respect. But it is wise to assume that within their industrial system, as within ours, there is a military-industrial bureaucracy committed to its own prepetuation and growth. This governs the more precise objectives of control.

(7) *Four broad types of major weapons systems can be recognized.* There are first those that are related directly to the existing balance of power or the balance of terror vis-à-vis the Soviets. The ICBMs and the Polaris submarines are obviously of this sort; in the absence of a decision to disarm unilaterally, restriction or reduction in these weapons requires agreement with the Soviets. There are, secondly, those that may be added within this balance without tipping it drastically one way or the other. They allow each country to destroy the other more completely or redundantly. Beyond a certain number, more ICBMs are of this sort. Thirdly there are those that, in one way or another, tip the balance or seem to do so. They promise, or can be thought to promise, destruction of the second country while allowing the first to escape or largely escape. Inevitably, in the absence of a prospect for agreement, they must provoke response. An ABM, which seems to provide defense while allowing continued offense, is of this sort. So are missiles of such number, weight, and precision as to be able to destroy the second country's weapons without possibility of retaliation.

Finally there are weapons systems and other military construction and gadgetry which add primarily to the prestige of the Armed Services, or which advance the competitive position of an individual branch.

The last three classes of weapons do not add to such security as is provided under the balance of terror.[7] Given the response they provoke, they leave it either unchanged or more dangerous. But all contribute to the growth, employment, and profits of the contractors. All are sought by the Armed Forces. The Army's Sentinel (now Safeguard) Anti-Ballistic Missile system is urged even though it is irrelevant and possibly dangerous as a defense. As Mr. Russell Baker has said, it is based at least partly on the assumption that the Chinese would "live down to our underestimates of their abilities and produce a missile so inferior that even a Sentinel can shoot it down." But it holds a position for the Army in this highly technological warfare. The Air Force wants a new generation of manned bombers, their vulnerability notwithstanding, because an Air Force without such bombers—with the key fighting men sitting silently in underground command posts—is much less interesting. And Boeing, General Dynamics, Lockheed, North American Rockwell, Grumman, and McDonnell Douglas are naturally glad that this is so. The Navy wants nuclear carriers and their complement of aircraft, their vulnerability also notwithstanding, for the same reason.

A prime objective of control is to eliminate from the military budget those things which contribute to the arms race or are irrelevant to the present balance of terror. This includes the second, third, and fourth classes of weapons mentioned above. The ABM and the MIRV (the Multiple Independently-targeted Reentry Vehicle), both of which will spark a new competitive round of a peculiarly uncontrollable sort, as well as manned bombers and nuclear carriers are all of this sort. Perhaps as a simple working goal, some five billions of such items should be eliminated in each of the next three years for a total reduction of fifteen billion.[8]

(8) *The second and more important objective of control is to win agreement with the Soviets on arms control and reduction.* This means, in contrast with present military doctrine, that we accept that the Soviets will bargain in good faith. And we accept also that an imperfect agreement—for none can be watertight—is safer than continuing competition. It means, as a practical matter, that the military role in negotiations must be sharply circumscribed. Military men—prompted by their industrial allies—will always object to any agreement that is not absolute, self-enforcing, and watertight. Under such circumstances arms-control negotiations become, as they have been in recent times, a charade. Instead of halting the arms race they may even have the effect of justifying it. "After all we are trying for agreement with the bastards." The Congress and the people must make the necessity for this control relentlessly clear to the Executive.

(9) *Independent scientific judgment must be mobilized in this effort—as guidance to the political effort, for advice to Congress, and of course, within the Executive itself.* The arms race, in its present form, is a scientific and mathematical rather than a military contest. Those military can no longer barricade themselves behind claims of military expertise or needed secrecy, opposing views must be reliably available.

But decisions on military needs are still made in a self-serving compact between those who buy weapons and those who sell. So the time has come to constitute a special body of highly qualified scientists and citizens to be called, perhaps, the Military Audit Commission. Its function would be to advise the Congress and inform the public on military programs and negotiations. It should be independently, *i.e.* privately, financed. It would be the authoritative voice on weapons systems that add to international tension or competition or serve principally the competitive position and prestige of the Services or the profits of their suppliers. It would have the special function of serving as a watchdog on negotiations to insure that the military power is excluded.

(10) *Control of the military power must be an ecumenical effort.* Obviously no one who regards himself as a liberal can any longer be a communicant of the military power. But the issue is one of equal concern to conservatives—to the conservative who traditionally suspects any major concentration of public power. It is also an issue for every businessman whose taxes are putting a very few of his colleagues on the gravy train. But most of all it is an issue for every citizen who finds the policy images of this bureaucracy—the Manned Orbiting Laboratory preserving the American position when all or most are dead below—more than a trifle depressing.

IX

A few will find the foregoing an unduly optimistic effort. More, I suspect, will find it excessively moderate, even commonplace. It makes no overtures to the withdrawal of scientific and other scholarly talent from the military. It does not encourage a boycott on recruiting by the military contractors. It does not urge the curtailment of university participation in military research. These, there should be no mistake about it, will be necessary if the military power is not brought under control. Nor can there be any very righteous lectures about such action. The military power has reversed constitutional process in the United States—removed power from the public and Congress to the Pentagon. It is in a poor position to urge orderly political process. And the consequences of such a development could be very great—they could amount to an uncontrollable thrust to unilateral disarmament. But my instinct is for action within the political framework. This is not a formula for busy ineffectuality. None can deny the role of those who marched or picketed on Vietnam. But, in the end, it was political action that arrested the escalation and broke the commitment of the bureaucracy to this mistake. Control of the military power is a less easily defined and hence more difficult task. (To keep the military and its allies and spokesmen from queering international ne-

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[7] Charles L. Schultze, the former Director of the Budget under President Johnson and his associate William M. Capron, neither of them radicals in this matter, have recently observed that "Once we have achieved a minimum deterrent, plus an ample margin of safety and a healthy R&D program to be prepared for the future, it is difficult to conceive of any value the United States could gain from additional 'superiority' in nuclear forces . . . we cannot attain a first-strike capability. And if we can retaliate with devastating force against a Soviet attack, what do we gain by having twice or three times that force? It adds nothing to our diplomatic strength in situations short of nuclear war. It does not add to deterrence—devastation twice over is no greater deterrent than devastation once. We can, to some extent, limit damage to the United States by having the capability, in a retaliatory strike, to target Soviet missiles and bombers withheld in a first strike. But the 'ample margin of safety' described above gives us such a capability already. Excessive superiority, in other words, gains us little of value, costs substantially in budget terms, and almost inevitably forces a Soviet response which eliminates the superiority temporarily gained." Unpublished memorandum. A valuable recent document on this whole subject is George W. Rathjens' *The Future of the Strategic Arms Race* (Carnegie Endowment for International Peace, 1969).

[8] I would urge leaving the space race out of this effort. The gadgetry involved is not uniquely lethal; on the contrary it channels competition with the Soviets, if such there must be, into comparatively benign channels. It has so far been comparatively safe for the participants—strikingly so as compared with early efforts at manned flight in the atmosphere and across the oceans. One observes, between ourselves and the Soviets, a gentlemanly obligation to admire each other's accomplishments which, on the whole, compares favorably with similar manifestations at the Olympic games or involving music and the ballet.

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gotiations will be especially difficult.) But if sharply focused knowledge can be brought to bear on both weapons procurement and negotiation; if citizen attitudes can be kept politically effective by the conviction that this is the political issue of our time; if there is effective organization; if in consequence a couple of hundred or even a hundred members of Congress can be kept in a vigilant, critical, and aroused mood; and if for the President this becomes visibly the difference between success and failure, survival and eventual defeat, then the military-industrial complex will be under control. It can be made to happen.

HONOR GUARD SERGEANT IS ORDERED TO VIETNAM

Mr. COOK. Mr. President, symptomatic of the arrogance and irresponsibility of some of those in our military services pointed out in Galbraith's article, is an experience Senator COOPER and I had only yesterday. We noticed in the Evening Star an article by Robert Walters, one of the Star's staff writers, concerning a report that a young Kentuckian, Sgt. Michael Sanders, had been assigned to Vietnam as a result of expressing his views publicly in opposition to our military intervention in Vietnam. I ask unanimous consent that this article appear in the RECORD, at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

HONOR GUARD SERGEANT IS ORDERED TO VIETNAM

(By Robert Walters)

A member of the Army's most elite unit—the honor guard at the Tomb of the Unknown Soldier—has been abruptly ordered to Vietnam combat duty following the interview in which he offered criticism of U.S. military involvement in Southeast Asia.

The reassignment is highly unusual because members of the spit-and-polish ceremonial unit based at Ft. Myer are almost never transferred during an enlistment period if they meet the rigorous requirements for service in the "honor company" which represents the Army at all major military and state functions.

The case of Sgt. Michael Sanders, 22, who is being sent to Vietnam at the end of this week, is even more noteworthy because he:

Was selected as one of the military escorts for Mrs. Mamie Eisenhower during the state funeral this year for her husband, President Dwight D. Eisenhower.

Has served in the White House color guard and was, until his reassignment, one of the three sergeants in charge of the specially selected unit of 15 men who stand guard around the clock at the Tomb of the Unknown Soldier at Arlington National Cemetery.

Has only eight months remaining in his military obligation. The standard tour of duty for men assigned to Vietnam is at least one year, and soldiers are seldom sent to Southeast Asia if they have less than that amount of service time remaining.

Claims that the inquiry leading to his transfer was initiated at the highest military level, the office of Gen. William C. Westmoreland, chairman of the Joint Chiefs of Staff.

The Army has refused comment on the case, but Sanders, who lives at 2303 Georgian Way in Wheaton, is willing to fully discuss his side of the issue.

A native of Owenton, Ky., and a permament resident of Lexington, Ky., he enrolled at the University of Kentucky in the hope of becoming a doctor, but left college in January 1967 after his junior year was completed, because he was persuaded to enlist in the Army by two recruiting officers who visited the campus.

He signed up with the Army medical internship program, but gave that up after learning that he would have to spend a year in the service for each year of Army medical schooling he received.

Before leaving the medical program, however, he was designated the outstanding trainee of his battalion and received the American Spirit Honor Medal from the Association of the Army, Navy and Air Force. Among the traits listed in that citation was loyalty to the service.

REJECTS OCS CHANCE

Sanders turned down an opportunity to attend Officers Candidate School and requested reassignment to the 1st Battalion, 3rd Infantry—the Army's famed "Old Guard" stationed at Ft. Myer.

Organized in 1784, the "Old Guard" is a precision unit which serves as a personal escort to the President, honors foreign dignitaries visiting Washington and participates in numerous ceremonial activities.

Sanders was assigned for a three-month trial period to the unit's most elite company—Company E, also known as the "honor company." He was assigned to the company's first platoon, which includes the Army's official color guard and drill team.

The most valued assignment within the "Old Guard" is with the 15-man unit which stands guard around the clock at the Tomb of the Unkown Soldier. In November 1967, Sanders won a spot with the unit.

In August 1968, he became one of the three sergeants assigned to supervise the 12 men who guard the tomb and a month later, became the ranking sergeant.

RANKING SERGEANT

During the state funeral for Eisenhower, Sanders was selected to escort Mrs. Eisenhower from her limousine to the steps of the Capitol, then back to her car on the day the casket was taken to the Rotunda to lie in state.

In early February, prior to the Eisenhower funeral, the Louisville Courier-Journal asked military authorities if it could interview Sanders for a "hometown boy" feature story.

The story appeared in the paper Feb. 9. In the middle of that account, Sanders was quoted as saying:

"It's unfortunate that when people see me here on duty they will associate me with the Vietnam thing. I am very much opposed to our Vietnam involvement and I think so is practically every one else on duty here."

OTHER GUARDS REACT

The story said Sanders was interviewed in the tomb guards' underground quarters at the cemetery, and that when he made the statement, other soldiers looked up from their uniform-pressing and shoe-shining to wink at him or throw a two-fingered "V" sign of the peace movement toward him.

The story noted that Sanders carefully added: "My duty is here, and I consider myself a representative of the American people, paying tribute to the unknown soldiers of World Wars I and II and Korea. I don't see any conflict at all in that."

There was no immediate response to the article from the Army, and Sanders went on leave during the first week of March because his wife, Maryanne, was expected to give birth to her first child. While on leave, he said, a friend from the Army unit called to warn him: "They've got the article and they're really mad."

Sanders said he called his immediate superior and was told to report directly to the company commander when he returned to duty on March 26. In that conversation, the company commander notified Sanders that he was being shipped to Vietnam, the soldier said.

"He apologized and said he wanted me to know that nobody in the battalion cut the orders for me to go to Vietnam. I said the orders must have come from the Pentagon, but he remained silent," Sanders said.

Sanders said the company commander said the battalion commander had been contacted by Westmoreland and asked for a full explanation of the quote in the newspaper article, which Sanders says is accurate.

The company commander said he had been told to submit a report in the form of a letter to the battalion commander, Sanders said. He answered affirmatively when asked if he opposed the war in Vietnam, but replied negatively when asked if he was a pacifist, a description used by the writer of the Louisville article.

Sanders said he told his company commander he did not consider the Army uniform a disgrace, but in an interview yesterday he said: "Sometimes I do, but I didn't tell him that."

He worked through the end of March, then reported to Ft. Meade, Md., for a week of rifle and jungle training in preparation for the Vietnam assignment. Sanders' new orders, dated March 17, call for him to report to Oakland, Calif., a major point of embarkation for Vietnam-bound troops, at noon Saturday.

In the almost two years he has been with the "honor company," Sanders said, no other man assigned to the unit has been transferred, with the exception of one soldier reassigned to Germany after one month—before he completed the training period.

Sanders said he is willing to serve in Vietnam, but he is also looking for a lawyer to press his case because "even if it's too late to help me, it'll help other guys later on."

Mr. COOK. Now, I fully admit that I am in no position to verify the allegations of this story at this time. But certainly an explanation is required, and Senator COOPER and I sought one in a joint telegram which we sent to Army Secretary Resor yesterday afternoon. The text of that telegram was as follows:

> We have just read the story in today's Evening Star, May 22, about Sergeant Michael Sanders. It appears from the story that Sergeant Sanders, who has an outstanding record during his service in the Army, has been ordered to report to Oakland, California on Saturday, May 24, for assignment to Vietnam. The reasons attributed by the story for his assignment to Vietnam, eight months before the completion of his service, is that he was reported to have made a statement criticizing the United States military involvement in Vietnam. If this is correct, we view his assignment as a punishment not in accord with the rules of military justice and certainly against the declared policy of the Department of Defense. We think this is wrong. If such an order of assignment has been made, we request its immediate suspension until the facts have been ascertained by your order and by proper procedure and a public report is made. We would appreciate an immediate response.

In addition, we called Secretary Resor on the telephone and repeated our request for a public explanation. He informed us that he would put a hold on the boy's case pending the review we had requested.

If Sergeant Michael Sanders' allegations are true—and I repeat, if they are true—then this is a crushing indictment of a military procedure amounting to extreme vindictiveness. Briefly, according to the article, here are the pertinent facts: Sanders, first, was selected as one of the military escorts for Mrs. Mamie Eisenhower during the state funeral this year for her husband, President Dwight

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D. Eisenhower; second, has served in the White House Color Guard and was, until his reassignment, one of the three sergeants in charge of the specially selected unit of 15 men who stand guard around the clock at the Tomb of the Unknown Soldier at Arlington National Cemetery; third, has only 8 months remaining in his military obligation. The standard tour of duty for men assigned to Vietnam is at least 1 year. And soldiers are seldom sent to Southeast Asia if they have less than that amount of service time remaining; and fourth, claims that the inquiry leading to his transfer was initiated at the highest military level, the office of Gen. William C. Westmoreland, Chairman of the Joint Chiefs of Staff.

I bring this experience to the attention of my colleagues knowing full well that a satisfactory explanation may be forthcoming. However, the possibility that such a sequence of events could lead to punitive reassignment to Vietnam is repugnant to every fair-minded American. Surely, one does not, or should not, in a free and democratic society, waive all of his first amendment freedoms when he enlists in our armed services. Surely, one does not, or should not, forego his right to express his political opinion about official justification for Americans fighting in a war not declared by Congress. These are some of the matters which I raise today for the consideration of my colleagues because I am becoming more and more convinced that our attitudes about the military and its role in our society, acquired since World War II, must be reexamined.

Mr. CHURCH. Mr. President, will the Senator yield?

Mr. COOK. I yield.

Mr. CHURCH. I wish to commend the Senator for the initiative he has taken. Last night, when I heard the account on the radio that Sergeant Sanders, assigned to the Honor Guard, here in Washington, had been reassigned to Vietnam, after expressing his own opinion critical of our involvement in that country, it came to me as a shocking disclosure.

If the account is true, then it certainly bears the investigation the Senator and his colleague from Kentucky (Mr. COOPER) have initiated. I commend him for the action he has taken. I want to associate myself with his remarks.

Mr. COOK. I wish to thank the Senator and add that these remarks are made without knowledge of Sergeant Sanders. As a matter of fact, he has never contacted my office in any way, shape, or form.

Mr. CHURCH. May I add that if the report is true, then, in my judgment, Sergeant Sanders is a better American than the high-ranking officer in the Pentagon who assigned him to Vietnam as punishment for expressing his own honest convictions in the matter of the war.

Mr. COOK. I thank the Senator.

FADING PROSPECTS FOR MEANINGFUL ARMS TALKS

Mr. CHURCH. Mr. President, Marquis Childs, writing in this morning's edition of the Washington Post, describes the dangers inherent in the belligerent statements which continue to be issued by the Secretary of Defense and other Pentagon officials on the proposed anti-ballistic-missile system. Mr. Childs is especially concerned about the adverse impact these statements are having on the long-heralded arms talks with the Soviet Union.

As Mr. Childs notes:

> All of the speeches and statements by Laird, Dr. John S. Foster, Jr., director of defense research and engineering, and others carrying the torch for ABM are avidly read in the Kremlin. It is hardly necessary to add that they serve the cause of the hardliners who, it is safe to conjecture, argue that it is useless to try to come to any agreement with the warmongering imperialists in Washington.

Putting the shoe on the other foot, Mr. Childs continues:

> Imagine Marshall Andrei A. Grechko, Soviet Defense Minister, writing in *Pravda* or trumpeting in a speech on Armed Forces Day that the United States was accelerating the buildup in both offensive and defensive nuclear weapons. And what for? Why, to knock out the Soviet's retaliatory capability, with America triumphant in a first strike and the Soviet Union forever crippled, if not destroyed.

Mr. Childs continued:

> The consequences for any future arms talks would be pretty serious. How can we ever deal with people like that who charge us with such dastardly intentions? The arguments that the Laird blasts do not matter, since there is no public opinion in the Soviet Union, is fallacious. A kind of opinion at the very highest level is subject to the news from everywhere and particularly from the other nuclear giant across the divide.

Mr. President, the point made by Mr. Childs is sound. Slowly, but surely, what may be the last chance to head off what could be the ultimate round in the arms race is slipping by.

I recommend Mr. Childs' column to all Senators, and I ask unanimous consent that it be printed in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

PROSPECTS FOR ARMS TALKS SEEM TO BE LOSING GROUND

(By Marquis Childs)

Not long before he left on his Asian trip, Secretary of State William P. Rogers met with Soviet Ambassador Anatoliy F. Dobrynin. Rogers wanted to reaffirm to Dobrynin what he had said publicly—that the United States would be prepared to enter into arms negotiations with the Soviet Union in the late spring or early summer.

Reporting the discussion to colleagues, Rogers stressed Dobrynin's concern over delay in the long-heralded talks. He quoted the Soviet Ambassador as saying with the wry humor that is one of his characteristics: "You are sure you don't mean Indian summers?"

It now appears there will be a delay in the start of the effort to checkmate another sharp upward spiral in the nuclear arms race. What in bureaucratese is called "slippage" has taken place. From White House sources comes word it may be August before the American side bears out this pessimistic estimate.

As the days slip by, the fear grows that a last chance to head off another and perhaps the ultimate round in the race will be lost. Two reasons underscore this fear. One is evidence of a hardening attitude in Moscow. The military appear to have increasing weight in the Kremlin.

The second fear is of an accident that suddenly in flaring headlines puts an end to all hopes of talks. The U-2 spy plane shot down in 1960 wrote finish to the attempt of President Eisenhower to abate the cold war and arrive at competitive coexistence with the Soviets. The Russian invasion of Czechoslovakia last August cut across the carefully laid plans of President Johnson to begin arms talks. An accident would all too obviously suit those who in private oppose arms limitation.

If any single factor has damped the prospect for areas talks it is the decision of the Nixon Administration to start deployment of anti-ballistic missiles to safeguard intercontinental missiles. This is not so much because it will mean any significant change in the strategic balance between the two nuclear giants, but because of the loud propaganda coming from Secretary of Defense Melvin R. Laird and other defense officials to convince Congress the Soviets are preparing a first-strike capability to cripple the United States.

No walls of silence, such as can be imposed by an authoritarian system, surround the United States to keep the angry ABM debate within the American family. All of the speeches and statements by Laird, Dr. John S. Foster Jr., director of defense research and engineering, and others carrying the torch for ABM are avidly read in the Kremlin. It is hardly necessary to add that they serve the cause of the hardliners who, it is a safe conjecture, argue that it is useless to try to come to any agreement with the warmongering imperialists in Washington. A recent visitor from the Soviet Union put this question:

"What if Grechko was saying the things Laird is saying?"

Imagine Marshal Andrei A. Grechko, Soviet Defense Minister, writing in Pravda or trumpeting in a speech on Armed Forces Day that the United States was accelerating the buildup in both offensive and defensive nuclear weapons. And what for? Why, to knock out the Soviet's retaliatory capability, with America triumphant in a first strike and the Soviet Union forever crippled, if not destroyed.

The consequences for any future arms talks would be pretty serious. How can we ever deal with people like that who charge us with such dastardly intentions? The argument that the Laird blasts do not matter, since there is no public opinion in the Soviet Union, is fallacious. A kind of opinion at the very highest level is subject to the news from everywhere and particularly from the other nuclear giant across the great divide.

The director of the Arms Control and Disarmament Agency, Gerard C. Smith, will be the principal negotiator in the first round when—and at this point caution dictates an if—it begins. Smith is determined that the talks will succeed. While they may not bring a reduction in nuclear arms, at a minimum they should checkmate a new spiral. The disarmament agency is hopefully setting a date between July 15 and August 1 for the start of the talks. Since spring ends on June 20, July 15 would still be within Secretary Rogers' pledged timing.

No one questions Smith's dedication and sincerity. But he faces many handicaps within the Administration. A month ago the word was put out that he would have a strong, capable deputy. An approach was made to William H. Sullivan, former Ambassador to Laos and one of the ablest Foreign Service officers. Subsequently, Sullivan was named Deputy Secretary for the Far East, with emphasis on the Vietnam task force, which may say something about priorities. No deputy has been named.

Why are the forces in the inner council cold, hot and lukewarm on the arms talks? What is the reason for the slippage? This will be examined in a following column.

SENATE JOINT RESOLUTION 112—INTRODUCTION OF JOINT RESOLUTION TO AMEND SECTION 19(e) OF THE SECURITIES EXCHANGE ACT OF 1934

Mr. SPARKMAN. Mr. President, I introduce, for myself, the senior Senator from Utah (Mr. BENNETT), and the junior Senator from New Jersey (Mr. WILLIAMS), a joint resolution to amend section 19(e) of the Securities Exchange Act of 1934, and I request that the joint resolution be appropriately referred. In addition, I ask unanimous consent that the joint resolution be printed in full in the RECORD.

The PRESIDING OFFICER. The joint resolution will be received and appropriately referred; and, without objection, the joint resolution will be printed in the RECORD, in accordance with the Senator's request.

The joint resolution (S.J. Res. 112) to amend section 19(e) of the Securities Exchange Act of 1934, introduced by Mr. SPARKMAN (for himself and other Senators), was received, read twice by its title, referred to the Committee on Banking and Currency, and ordered to be printed in the RECORD, as follows:

S.J. RES. 112

Whereas additional time is required for the Securities and Exchange Commission to complete its study, and file a report with respect thereto, pursuant to section 19(e) of the Securities Exchange Act of 1934; and

Whereas the actual amount to be expended by the Commission in making such study and report will not exceed the original authorization of $875,000; and

Whereas an increase of $70,000 in such authorization is required because of the sums heretofore appropriated pursuant to such authorization $70,000 will be returned unexpended to the Treasury as of June 30, 1969: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That section 19(e) of the Securities Exchange Act of 1934 (15 U.S.C. 78s(e)) is amended—

(1) by striking out in paragraph (1) "September 1, 1969" and inserting in lieu thereof "September 1, 1970"; and

(2) by striking out in paragraph (4) "$875,000" and inserting in lieu thereof "$945,000".

Mr. SPARKMAN. Mr. President, the purpose of this joint resolution is to extend, by 1 year, the time in which the Securities and Exchange Commission is to make an institutional study of certain features of our securities markets. In addition, the resolution would provide that the funds authorized for this study would be continued at the same level that they were originally authorized.

APOLLO 10

Mr. SPARKMAN. Mr. President, last Sunday it was my privilege and pleasure to be at Cape Kennedy when Apollo 10 was launched. It was a thrilling experience.

We who live at Huntsville, Ala., take unusual pride in recalling that the world's most powerful vehicle which hurled the astronauts into space on their way to the moon was dreamed up, designed, built, tested in the beginning stages at Redstone Arsenal and Marshall Space Flight Center at Huntsville, Ala.

B. J. Richey, a very competent reporter on space and scientific activities for the Huntsville Times, was at Cape Kennedy and wrote a very interesting article regarding the launching which was published in the Huntsville Times on May 19. Believing that the Senators will find this article interesting and informative, I am asking unanimous consent to have printed in the RECORD the article entitled "MSFC's Baby Gets Better With Each Shot Skyward," written by B. J. Richey and published in the Huntsville Times of May 19, 1969.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

MSFC's BABY GETS BETTER WITH EACH SHOT SKYWARD

(By B. J. Richey)

CAPE KENNEDY.—The rocket that boosts astronauts into a path to the moon makes the girls cry, the men curse and Dr. Werner von Braun cheer.

The Saturn 5 moon rocket is almost as tall as the Washington Monument, weighs more than a small warship and with its five million parts is a technological marvel.

Getting all those parts pumping and pushing perfectly at once is astounding—and so difficult some people have wondered if the moon rocket would ever fly.

But fly it does. And on time at that.

There is no doubt, the monster rocket is an incredible machine.

Sunday's launch—the fifth for the vehicle—was 569 millionths of a second late.

In fact, all of the Saturn 5's have gone off the pad less than one second late.

Dr. Von Braun, Marshall Space Flight Center director in Huntsville, says the day is fast approaching when climbing aboard rockets will be as safe as getting aboard a jet-liner.

"I have more confidence in this flight than any other so far," Von Braun said the night before launch.

Watching the fiery behemoth rise majestically off its concrete and steel pedestal is an emotional sight.

Von Braun's Alabama rocket team designed the Saturn 5 booster and it was first flown in November, 1967, prompting the German missileman to yell "Go, baby, go."

Pretty secretaries watched the proceeding with tears rolling down their cheeks and the male spectators shouted obscenities as the 36-story-tall rocket climbed upward.

Sunday's performance was just like a summer rerun.

Out of the five Saturn 5 launches, there were some problems though. During its second flight, the three-stage rocket lost two engines in its second stage and its third stage engine failed to restart, an exercise that is essential to going to the moon.

But these problems are three flights behind now and the big machine appears to have all its surprises played out.

Von Braun credits the almost unbelievable on-time launches to what he calls "management discipline." Before each shot, the rocket goes through a practice countdown, right up to the point of firing up its five engines. Usually there are a number of questions raised about the rocket and its spacecraft.

But once officials thrash these problems out, the real countdown starting six days before launch rolls along smoothly.

In the days before the Saturn 5, the Von Braun team built and flew 15 smaller Saturn rockets, running up a record now of 20 straight successful flights.

America's moon rocket is the largest booster ever launched, but Von Braun firmly believes the Russians now have one in the works with twice the thrust and twice the size. The Saturn 5 has the equivalent of 160 million horsepower.

One space agency official said the ease with which the launch crews here prepare the big rocket for flight makes it "look like an obsolete vehicle" already.

S. 2237—INTRODUCTION OF A BILL TO PROVIDE THAT A FAMILY SEPARATION ALLOWANCE SHALL BE PAID TO ANY MEMBER OF A UNIFORMED SERVICE ASSIGNED TO GOVERNMENT QUARTERS PROVIDING HE IS OTHERWISE ENTITLED TO SUCH SEPARATION ALLOWANCE

Mr. BELLMON. Mr. President, on behalf of the junior Senator from Kansas (Mr. DOLE), and at his request, I introduce a bill to provide that a family separation allowance be paid to any member of a uniformed service assigned to Government quarters providing he is otherwise entitled to such separation allowance.

Mr. President, I am introducing this bill at the request of the junior Senator from Kansas because he is unavoidably absent from the Senate today.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2237), to amend title 37 of the United States Code to provide that a family separation allowance shall be paid to any member of a uniformed service assigned to Government quarters providing he is otherwise entitled to such separation allowance, introduced by Mr. BELLMON for Mr. DOLE, was received, read twice by its title, and referred to the Committee on Armed Services.

NEED FOR EARLY AGREEMENT ON A SEABED ARMS CONTROL ARRANGEMENT

Mr. PELL. Mr. President, on March 25 of this year, I drew the attention of my colleagues to the reopening of the 18-Nation Disarmament Conference, and I pointed out that prospects for early agreement on a seabed arms control arrangement were encouraging. With both the United States and the Soviet Union declaring their intent that the seabed and ocean floor should not become the spawning ground for a new generation of mass destruction weaponry, the members of the ENDC began to focus immediately on the complexities of this issue. For its part, the Soviet Union put forth a draft treaty on March 18, and 7 days later the United States responded on three of the four major points contained in that proposal.

Today, Mr. President, I am pleased to report that another major step forward has been taken toward arriving at a meaningful seabed arms prohibition. Yesterday in Geneva, Ambassador Fisher, the U.S. representative in the 18-Nation Disarmament Conference, tabled a draft seabed arms control treaty which brings sharply into focus the real issues involved in this intricate and complex problem. I ask unanimous consent that the preamble and substantive provisions of the U.S. draft treaty be inserted at this point in the RECORD.

The PRESIDING OFFICER (Mr. ALLEN in the chair). Without objection it is so ordered.

The material was ordered to be printed in the RECORD, as follows:

DRAFT TREATY PROHIBITING THE EMPLACEMENT OF NUCLEAR WEAPONS AND OTHER WEAPONS OF MASS DESTRUCTION ON THE SEABED AND OCEAN FLOOR

The States Parties to this Treaty,

Recognizing the common interest of all mankind in the progress of the exploration and use of the seabed and ocean floor for peaceful purposes,

Considering that the prevention of a nuclear arms race on the seabed and ocean floor serves the interests of maintaining world peace, reduces international tensions, and strengthens friendly relations among States,

Convinced that this Treaty will further the principles and purposes of the Charter of the United Nations, in a manner consistent with the principles of international law and without infringing the freedoms of the high seas,

Have Agreed as Follows:

ARTICLE I

1. Each State Party to this Treaty undertakes not to emplant or emplace fixed nuclear weapons or other weapons of mass destruction or associated fixed launching platforms on within or beneath the seabed and ocean floor beyond a narrow band, as defined in Article II of this Treaty, adjacent to the coast of any State.

2. Each State Party to the Treaty undertakes to refrain from causing, encouraging, facilitating or in any way participating in the activities prohibited by this Article.

ARTICLE II

1. For purposes of this Treaty, the outer limit of the narrow band referred to in Article I shall be measured from baselines drawn in the manner specified in paragraph 2, hereof. The width of the narrow band shall be three (3) miles.

2. Blank (Baselines).

3. Nothing in this Treaty shall be interpreted as prejudicing the position of any State Party with respect to rights or claims which such State Party may assert, or with respect to recognition or non-recognition of rights or claims asserted by any other state, relating to territorial or other contiguous seas or to the seabed and ocean floor.

ARTICLE III

1. In order to promote the objectives and ensure the observance of the provisions of this Treaty, the Parties to the Treaty shall remain free to observe activities of other States on the seabed and ocean floor, without interfering with such activities or otherwise infringing rights recognized under international law including the freedoms of the high seas. In the event that such observation does not in any particular case suffice to eliminate questions regarding fulfillment of the provisions of this treaty, parties undertake to consult and to cooperate in endeavoring to resolve the questions.

2. At the review conference provided for in Article V, consideration shall be given to whether any additional rights or procedures of verification should be established by amendment to this treaty.

ARTICLE IV

Any State Party to the Treaty may propose amendments to this Treaty. Amendments shall enter into force for each State Party to the Treaty accepting the amendments upon their acceptance by a majority of the States Parties to the Treaty and thereafter for each remaining State Party on the date of acceptance by it.

ARTICLE V

Five years after the entry into force of this Treaty, a conference of Parties to the Treaty shall be held in Geneva, Switzerland, in order to review the operation of this Treaty with a view to assuring that the purposes of the Preamble and the provisions of the Treaty are being realized. Such review shall take into account any relevant technological developments. The review conference shall determine in accordance with the views of a majority of those Parties attending whether and when an additional review conference shall be convened.

ARTICLE VI

Each Party shall in exercising its national sovereignty have the right to withdraw from this Treaty if it decides that extraordinary events, related to the subject matter of this Treaty, have jeopardized the supreme interests of its Country. It shall give notice of such withdrawal to all other Parties to the Treaty and to the United Nations Security Council three months in advance. Such notice shall include a statement of the extraordinary events it regards as having jeopardized its supreme interests.

Mr. PELL. Mr. President, as my colleagues will note, the U.S. proposal prohibits the emplacement of mass destruction weaponry on, within, or beneath the seabed beyond a 3-mile maritime band, which is established exclusively for the purposes of this treaty. In addition, there is provision for verification, but in accordance with the Geneva Convention on the High Seas. Consultation on verification is also provided for. Moreover, and of particular significance in terms of future undersea technological developments, article V stipulates that after the treaty has been in force for 5 years, the parties to the treaty shall meet in Geneva to review these developments and to determine whether amendments are needed in order to maintain the treaty's original purpose and intent.

Mr President, having devoted much of my own time and effort over the past several years to the establishment of a legal regime for the oceans and to the formulation of a seabed arms control agreement, I do believe that the administration's proposal marks a very significant beginning, one which, I think, will be particularly helpful to the other members of the ENDC as they continue to formulate in their minds what the contents of such a treaty should be in order to guarantee that the seabed and ocean floor be used exclusively for peaceful purposes.

As chairman of the Subcommittee on Ocean Space of the Foreign Relations Committee, I assure my colleagues that the subcommittee will keep close watch over the negotiations in Geneva. I myself am very hopeful that during the next session of the ENDC the major differences between the United States and Soviet proposals can be ironed out in a manner reflective of the true interests and desires of the international community as a whole.

DIPLOMATIC RELATIONS WITH THE MONGOLIAN PEOPLES' REPUBLIC

Mr. PELL. Mr. President, for several years, the United States has had under consideration the question of establishing diplomatic relations with the Mongolian Peoples' Republic. We have reportedly not done so because the war in Vietnam has made Mongolian authorities reluctant so to act and because the Government of Nationalist China has apparently expressed to us strong opposition to the idea.

Yet, from the viewpoint of our national interest, I believe it would be greatly to our advantage to have such a diplomatic mission and listening post in this country, the only one that lies between and is bounded only by the Soviet Union and mainland China.

Officially, from 1945 to 1961, the United States questioned whether the Mongolian Peoples' Republic was in fact a sovereign state. During the first 10 years of this period, Mongolia had diplomatic relations only with the Soviet Union and other Communist countries. But beginning in the mid-1950's, relations with non-Communist countries were established, and today Mongolia has diplomatic relations with 39 countries.

Twenty-six of these countries are non-Communist. The first non-Communist country to establish relations with Mongolia was India in 1955, and the first non-Communist European state was the United Kingdom in 1963. Canada established relations with Mongolia in 1964.

In mid-1961 the United States explored the possibility of establishing relations with Mongolia. Talks were held in Moscow with the Mongolian Ambassador. However, nothing came of these conversations, reportedly because we dropped the idea as a result of opposition on the part of Nationalist China.

It seems to me that the time has now come to renew these talks with Mongolian authorities. Now that the United States is no longer bombing North Vietnam, one of Mongolia's fellow Socialist states, one political obstacle to the establishment of diplomatic relations has been removed. I read with interest Harrison Salisbury's interview in the New York Times of Wednesday, May 21, with the Premier of Mongolia. Mr. Harrison asked:

> What are the prospects for the developments of relations between the United States and the Mongolian People's Republic?

The Premier replied:

> As you know, in 1961 on the initiative of the American side, the question of establishing diplomatic relations between our two governments was discussed. At that time we expressed our positive approach to this question, but the United States halted the conversations, referring to certain developments in the international situation. The Government of the M.P.R., as always, stands for de-

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velopment of normal relations among states with different social political systems on the basis of the principle of peaceful coexistence.

For our part, I would think it important to have some contact with this country which lies between mainland China and the Soviet Union and which has ties with both. Since 1961 Mongolia has been a member of the United Nations and has joined a number of U.N.-affiliated organizations, including the Economic Commission for Asia and the Far East, UNESCO and the World Health Organization. Mongolia is thus an active member of the international community. I see no reason why we should not give our own de jure recognition to that fact, nor do I see any reason why the United States should not have "normal relations" with another state which wishes to have such relations with us.

I ask unanimous consent that the full text of the article by Mr. Salisbury, including the interview excerpts, which appeared in the New York Times on May 21, be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Mongolian, in Interview, Voices Fear for Asian Peace

(By Harrison E. Salisbury)

Ulan Bator, Mongolia, May 19.—Premier Yumzhagiin Tsedenbal has expressed deep concern over the maintenance of peace in Asia, particularly in view of the continuance of the war in Vietnam, tensions over Korea and the Soviet-Chinese conflict.

Mr. Tsedenbal, who has headed Mongolia for 17 years, made his remarks in one of his rare personal interviews. He gave prepared answers to a series of questions and then, in a lengthy conversation, outlined in some detail his views on the Soviet-Chinese dispute. The Premier granted the interview on the eve of a state visit by President Nikolai V. Podgorny of the Soviet Union, whose swing to North Korea and Mongolia was believed to be connected with tensions in Korea and along China's frontiers.

The Mongolian leader took the view that Soviet-Chinese border clashes on the Ussuri River in March were the total responsibility of the Chinese.

CLASHES HELD DELIBERATE

He emphatically rejected the theory that the fighting could have occurred because of trigger-happy Chinese frontier guards. It was, in his opinion, organized and ordered from above—at a high level in the Chinese Government—and was a deliberate act of aggression. To his mind it simply fitted a pattern of steadily heightening chauvinistic acts flowing from Mao Tse-tung, the Chinese leader himself.

Mr. Tsedenbal said that China had attempted by every means to split Mongolia from the Soviet Union. But the Soviet-Mongolian association, he said, has endured 50 years and Mr. Mao's efforts will not be successful.

The premier said Mongolia with the aid of the Soviet Union had demonstrated her ability to defend her frontiers. Before World War II, he recalled, Japanese forces were stationed in Manchuria only a few hundred miles from the Ulan Bator. Later hostile forces of the Chinese Nationalists were strung out along the Mongolian frontier. But with Soviet aid, Mongolia managed to beat off all challenges and is prepared to do so again, he said.

The Mongolian Premier characterized Mr. Mao as a "great-power chauvinist" and said he felt the Chinese leader had lost all connection with Marxist-Leninist principles and traditions.

"Clashes such as those on the Ussuri are impossible between genuine Marxist-Leninists," Mr. Tsedenbal said. "There is nothing in common between Mao's policies and those of a genuine socialist state."

The Mongolian has had many dealings with Mr. Mao and said he saw no hope of change in China's policies so long as the present Chinese leader remained in power.

Mr. Tsedenbal spoke with sarcasm of a Maoist charge that Mongolia was both a "Soviet puppet" and an "American pawn."

"This shows how far things have gone," he said.

The Premier did not discuss China in his prepared responses, except for a peripheral reference to mongol minorities in China. He expressed the hope that they would be accorded the same rights that Mongols in Mongolia and in the Soviet Union received.

The Premier's concern over Vietnam was expressed both in his formal response to questions and in conversation. He said he supported the peace program offered by the Vietcong in the Paris talks and considered it a basis for serious negotiation.

Mr. Tsedenbal said he was also concerned about Korean tensions and he accused the United States of "provocative" actions in its intelligence-gathering flights off the North Korean coast.

Although the Premier spoke critically of United States foreign policy in Vietnam and Korea, he emphasized Mongolia's dedication to the principle of diplomatic, cultural and economic relations with Western countries and specifically the United States.

Any progress on the question of diplomatic relations, he said, is up to the United States. Mongolia has been prepared since the first contacts on the subject in 1961 to go forward to normal diplomatic relations, he said.

The Mongolian recalled with warmth his visit to the United States in 1967 at the time of the conference of Premier Aleksei N. Kosygin of the Soviet Union and President Lyndon B. Johnson at Glassboro, N.J.

Premier Tsedenbal said he had a pleasant chat with Mr. Johnson at that time and he remembered with enthusiasm his vist to Niagara Falls.

Domestically, the most critical Mongolian problems are in agriculture, he said, particularly in measures to protect livestock against heavy losses in winter.

Mongolia lost two million head of livestock last winter and another two million the previous winter. These losses are from a herd of 22 to 23 million head.

Soil erosion from new plowed grain areas is also a problem, but Mr. Tsedenbal said he was confident of resolving it.

INTERVIEW EXCERPTS

Following are excerpts from the interview with Premier Tsedenbal:

"Q. What are the prospects for the development of relations between the United States and the Mongolian People's Republic?

"A. As you know, in 1961 on the initiative of the American side, the question of establishing diplomatic relations between our two governments was discussed. At that time we expressed our positive approach to this question, but the United States halted the conversations, referring to certain developments in the international situation. The Government of the M.P.R., as always, stands for development of normal relations among states with different social political systems on the basis of the principle of peaceful coexistence.

"Q. What is Mongolia's view of the current international situation, in particular in Asia?

"A. As a result of aggressive policies of imperialist forces in different parts of the world, tension continues to exist, causing serious concern for all peace-loving nations. This is borne out by the aggressive war of the United States in Vietnam and the dangerous situation in the Middle East.

"Convinced of the necessity to solve disputes peacefully through negotiations, we in Mongolia watch with attention the four-sided talks on Vietnam taking place in Paris. The Mongolian people and Government are convinced that in order to settle the Vietnam problem the first thing that must be done is the stopping of the aggressive war of the United States in Southeast Asia, withdrawal of its troops and military personnel and arms from South Vietnam, and the granting to the Vietnamese people the opportunity to determine their destiny independently. The Government of the M.P.R. supports the new proposal of the National Liberation Front of South Vietnam.

"As to the crisis in the Middle East, we firmly stick to the view that it must be settled in accordance with the United Nations resolution of Nov. 22, 1967, on the basis of withdrawal of Israeli troops from occupied Arab territory.

"In these days the peoples of the world watch with concern the situation created in the Far East in connection with the concentration of American naval and air forces off the shores of Korea and the continuing provocative actions by the American military against the Korean Democratic People's Republic.

"Public opinion in Mongolia resolutely demands that the U.S.A. should stop the dangerous provocations aggravating tensions in this area.

"Q. What is the future of Mongols living in Mongolia, in the Soviet Union and in China?

"A. To my mind it is hard to find a state in the world whose population will be uniform regarding national origin or status. As is known Communists have the fairest approach to the solution of the national problem. They are guided by the principles of equality, mutual respect, friendship and cooperation of different peoples and national minorities. These principles are fully realized in Mongolia as in the Soviet Union. We have always supported the idea that all nationalities in all states, whether in China, the U.S.A. or another country, live in friendship and complete equality without humiliation, discrimination or exploitation.

"Q. What are the recent achievements and prospects of development of Mongolian industry and agriculture as well as education, science and culture?

"A. With every new year, the Mongolian people gain new successes in development of the national economy and culture, in the improvement of its standard of living. Our industry develops persistently its role and importance in the economy of the country. Backed by the cooperation and aid of the Soviet Union and other socialist states we built tens of new industrial enterprises in recent years and started construction of new industrial centers.

"A. Industry accounts for 30 per cent of the gross national product and its share in joint agricultural-industrial production is greater than 50 per cent. We shall further develop fuel and energy, metal processing, light and food industries, construction materials and other branches of industry.

"Much work was done to strengthen the material basis of agriculture, in particular in the mechanization of preparing fodder for livestock, watering of tens of millions of hectares of pasture, construction of sheds for livestock, and so on. Mongolia now fully provides herself with grain and flour.

"We have a compulsory seven-year pro-

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gram of education. We have 165 students for every 10,000 people, one physician for every 600 people.

"Q. Is there any possibility of expansion of trade and cultural ties of Mongolia, especially with the United States?

"A. With every new year, our trade and cultural relations with different countries grow on the basis of equality and mutual profit. These relations may be established with the United States as well.

"Q. How can Mongolia's experience in economy and social life be followed in other developing countries?

"A. The Mongolian people within a short historical period made a transition from feudalism to socialism passing by the capitalist stage of development and, having overcome the backwardness of centuries, gained important successes in creation and development of a new economy and culture. The experience of M.P.R. shows that the noncapitalist way of development is the shortest and most efficient road to quick social and economic progress."

S. 2230—INTRODUCTION OF A BILL TO REMOVE THE PRESENT LEGAL RESTRICTIONS ON THE USE OF FOREIGN-BUILT VESSELS BY U.S. FISHERMEN IN U.S. DOMESTIC FISHERIES

Mr. PELL. Mr. President, the economic condition of the U.S. fishing industry has been the subject of growing concern for more than a decade. The reasons for the concern are best illustrated by a few statistics:

As recently as 1956, 13 years ago, the United States ranked second among the nations of the world in the tonnage of fish and shellfish landed by domestic fishermen. By 1968, the United States had slipped to sixth place among the fishing nations of the world.

A decade ago, U.S. fishermen supplied about 70 percent of the fishery products consumed in this country. During the past 10 years, the domestic demand and consumption of fishery products has increased dramatically, but virtually all of the increased demand has been filled by imported products. As a result, the U.S. domestic fishing industry last year supplied less than one-third of the fishery products consumed in this country.

The condition of our fishing industry was summarized concisely by the President's Commission on Marine Science, Engineering, and Resources in its excellent and comprehensive report to the Congress in January of this year. The Commission reported:

> The situation of the U.S. flag fisheries stands in sharp contrast to the record growth of the world's high seas fisheries. Landings by U.S. vessels have remained almost constant over the past three decades, and during that period the United States has dropped from second to sixth among the world's fishing nations. U.S. vessels land about one-third of the total fish consumed in the United States and harvest less than one-tenth of the total production potential available over the U.S. continental shelf. Although there are areas of successful performance—most notably in the tuna and shrimp industries—and although the U.S. catch is third or fourth if measured by dollar value, the U.S. fishing fleet by and large is technically outmoded. It cannot mount the high seas fishing effort required to maintain a position of world leadership, and it is incapable of attracting a stable and efficient labor supply.

Mr. President, the fishing industry in my own region, New England, unfortunately has shared fully in the problems of the industry, nationally. Indeed, the problems can be seen very dramatically in the rich fishing grounds off the New England coast.

Just 9 years ago, 93 percent of the fish caught in the waters overlying the Continental Shelf off New England were caught and landed by New England fishermen. By 1965, the share of the catch claimed by New England fishermen had declined to 35 percent of the total; and, in that same year, the modern fishing fleet of the Soviet Union landed more tons of fish from these waters than all the other nations combined.

In short, Mr. President, our fishermen are being badly outfished in their own traditional fishing grounds. Knowing the commercial fishermen from my own State, I know the fault does not lie in a lack of resourcefulness or enterprise on their part.

Rather, our fishermen have been confronted with economic conditions over which they have little control, and against which competitive spirit, fishing skill, and resourcefulness are insufficient.

Mr. President, the Marine Science Commission, in its report entitled "Our Nation and the Sea," recommended a series of actions to revitalize our domestic fishing industry. I am today introducing a bill to implement one of those recommendations.

The Commission recommended, and I quote, "that legislation be enacted to remove the present legal restrictions on the use of foreign built vessels by U.S. fishermen in the U.S. domestic fisheries." The bill I am introducing would do just that. I ask unanimous consent that the bill be printed at the conclusion of my remarks.

I do not claim, of course, that this act would solve all the problems of the fishing industry. Indeed, I agree with the Marine Science Commission that a coordinated program on the State, Federal, and international levels is required to restore the commercial fishing industry to a vigorous condition. But I do believe this act, in itself, would be an important first step.

It would permit our fishermen to begin the process of updating and modernizing their fishing fleets. The Marine Science Commission made it clear that obsolescence of our fleet is a major factor in the current malaise of the industry.

The Commission noted:

> Although the U.S. fishing fleet is the world's second largest, about 60 per cent of the vessels are over 16 years old and 27 per cent have been in service over 26 years. Some fisheries, like tuna, shrimp and Alaska King Crab, have fairly modern fleets; but advances in fishing technology during the past few decades have made most of the U.S. fleet economically, if not physically, obsolete.

Under existing laws, including one adopted by Congress in 1793, our fishermen are required to use vessels built in this country. This places our fishermen at a severe economic disadvantage because construction costs in U.S. yards are from 50- to 100-percent higher than costs in foreign yards. This cost differential is a major reason why our fishermen continue to use vessels and equipment that are, in the words of the Marine Science Commission, "economically obsolete."

The intent of these restrictive laws, Mr. President, was to protect and preserve a market for our domestic shipbuilding yards. The actual effect has been to restrict severely the demand for new fishing vessels. Faced with noncompetitive costs for new vessels, our fishermen frequently continue operating the old noncompetitive vessels they already have.

I submit that the restrictions on use of foreign-built vessels have been of no significant aid to our shipbuilders but have operated to the significant detriment of our fishermen.

It is interesting to note that other major fishing nations do not impose this kind of restriction. The Soviet Union, for example, has mounted in the past 10 years a major worldwide fishing effort. The Soviets have purchased their vessels where the price was right and where the technology was most advanced. The Soviets have constructed a large number of their own vessels but have also purchased modern fishing vessels, factory ships, and floating canneries from East Germany, Poland, Finland, Sweden, West Germany, Japan, England, Denmark, and the Netherlands.

The Congress has recognized that the restrictions on foreign-built vessels worked a hardship on U.S. fishermen. To redress the inequity, Congress established a construction differential subsidy program. This program has been ineffective. I would like to cite, briefly, the comments of the Marine Science Commission on the subsidy program:

> The subsidy has not achieved its objectives. A provision requiring a finding that the grant of subsidy not cause economic hardship to others in the fishery has resulted in denial of subsidy to those parts of the industry most in need of aid to modernize their fleets. Because there is no provision for retiring obsolete vessels, the program has operated in other cases simply to add to the problems of fisheries already heavily overburdened by excess capacity. Statutory limitations on annual expenditures prevent approval of all qualified applicants, and the subsidy generates new inequities as it corrects old ones.

The alternative, Mr. President, to removing these restrictions is an extensive and expensive overhaul of the fishing vessel construction subsidy program. I do think that neither Congress nor the American people are prepared to embark on another expensive subsidy program, especially since this economic inequity can be ended, without cost to the taxpayers, simply by removing the restriction on use of foreign-built fishing vessels.

In conclusion, I would point out a curious paradox in our current policies in regard to imported vessels. A man of means may purchase a foreign-built vessel for his leisure entertainment and relaxation, subject only to a modest import duty of 3 percent or 8 percent, depending on the value of the vessel. But a man who depends on his vessel to make a living is required to pay a severe eco-

nomic penalty. And, interestingly enough, U.S. builders of pleasure craft have managed to compete very effectively with foreign yards, without the protection of restrictive laws.

I think it is time, after 176 years, to eliminate this obsolete restriction on our commercial fishermen and permit them to compete effectively.

Mr. President, I ask unanimous consent that an article on the economics of the fishing industry in New England, prepared by Mr. Jake J. Dykstra, president of the Point Judith Fishermen's Cooperative in Narragansett, R.I., and Dr. Andreas Holmsen, associate professor of the Department of Food and Resource Economics of the University of Rhode Island, be printed in the RECORD at the conclusion of my remarks. This excellent paper, presented at the National Conference on the Future of the Fishing Industry, in the State of Washington last year, makes a cogent argument for the bill I have introduced today.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the article and bill will be printed in the RECORD.

The bill (S. 2230) to authorize foreign-built vessels owned by citizens of the United States to be documented under the laws of the United States for the purpose of engaging in the fisheries, introduced by Mr. PELL, was received, read twice by its title, referred to the Committee on Commerce, and ordered to be printed in the RECORD, as follows:

S. 2230

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding any provision of law to the contrary, any foreign-built vessel may be documented under the laws of the United States for the purpose of engaging in the fisheries if such vessel is owned by a citizen of the United States. Any such vessel so documented may continue to engage in the fisheries as a vessel of the United States so long as it is owned by such a citizen. For the purpose of this Act the terms "documented under the laws of the United States" and "citizen of the United States" shall have the meanings provided in sections 1 and 2 of the Shipping Act, 1916 (46 U.S.C. 801 and 802).

The material presented by Mr. PELL follows:

COST OF FISHING AND FOREIGN COMPETITION—NEW ENGLAND

(By Jake J. Dykstra and Andreas A. Holmsen)

(NOTE.—The authors: Mr. Dykstra is president of the Point Judith Fishermen's Cooperative, Narragansett, Rhode Island; and Dr. Holmsen is associate professor, Department of Food and Resource Economics, University of Rhode Island.)

INTRODUCTION

It is a well-known fact that ten years ago the United States fisherman accounted for about 70% of the domestic supply of fish while now he accounts for only one-third. It might not be equally well known that the decline in New England has been even more serious than those figures might indicate. The New England fishermen have faced and are facing an increasing pressure of foreign competition, both on the fishing grounds and in the market place—on the fishing grounds, particularly from the Soviet Union; in the market place, particularly from Canada, but also from Western Europe, especially Norway, Iceland and Denmark. In 1960, New England fishermen landed 93% of the fish caught on the New England continental shelf[1] (the remainder was landed by Canadians); five years later, the New England fishermen landed only 35% and the Russians landed more fish from this area than all other nations combined. During the last years, Polish and German trawlers have also entered this fishery in increasing numbers.

Groundfish is the most important category of fish in these waters and already in 1964 we imported 77% of our domestic supply of this commodity.

Over the last decade, the New England fishing fleet declined from 885 vessels over 5 tons to 721 vessels and the number of fishermen on these vessels declined from 5,544 to 4,058. The total landings by New England fishermen declined from 852 million lbs. in 1960 to 687 million lbs. in 1966. In 1967 landings dropped further. The eight major ports in New England experienced a 19% decline in food fish and a 4% decline in industrial fish during 1967.[2]

THE PROBLEM

To determine the causes for the decline in the New England fishing industry, one might first look at the various factors that affect industry's competitive ability, and one should have it clearly in mind that it is a question of relatively and not of absolute magnitudes. Prices of meat and poultry might affect the price for food fish as the price of soybeans might affect the price for industrial fish, but the price level for fish in the U.S. might also hurt or benefit our foreign competitors. The basic factors that affect the competitive ability of fishermen are therefore:

1. The distance to the fishing grounds.
2. The distance to the market.
3. The cost of catching fish.
   a. Cost of capital.
   b. Cost of labor.
   c. Managerial skills (productivity).
4. Cost of processing.
5. Tariffs.

The New England fishermen have no comparative disadvantage when it comes to the closeness of good fishing grounds. They are in a favorable position when it comes to good markets and the few studies made indicate that processing of fish is equally efficient here in this region as among our competitors. Tariffs for imported fishery products also produced in New England have been minor up to the present. Several commodities such as lobster and scallops have been imported into this country duty free. The Kennedy round of tariff negotiations last year cut the already low tariffs in half so they are now rather insignificant. Nevertheless, an import duty of whatever size is an advantage to local fishermen.

Thus, the whole problem boils down to the fact that *the cost of catching fish for New England vessels is so much higher than in competing nations that it more than offsets the other advantages we enjoy.*

The greatest cost item in the New England fishing industry is the cost of labor. The most common lay in the fleet seem to be the broken 40, which means that 40% of the gross stock goes to the boat and 60% to the crew after trip expenses have been deducted. In addition to this, 10% of the boat share (or 4% of gross after trip expenses) is paid to the captain. Based upon figures from Rhode Island, about 56% of the gross stock goes to labor, since trip expenses constitute about 12% of gross stock. This 56% compares with 39% for the Atlantic provinces of Canada and 33% for near and middle water trawlers in Britain (Grimsby and Fleetwood). The difference in return to labor is even greater than these figures would imply, because of higher gross stocks and smaller crew size on our vessels. To attract labor, however, the fishing industry has to pay wages that are better than can be obtained ashore.

When using a specific lay, an owner can not improve his return on investment by improving labor productivity through labor saving devices. This will only affect the crew share per man. The only means of improving return on investment is through increased gross stock or reduction in non-labor cost.

The relatively high cost of labor is not unique to the fishing industry. U.S. industries have for a long time faced lower foreign wages but have been able to compete through efficient operation and substitution of capital for labor. In the trawler fleet, however, only 32% of a gain from increased use of capital goes to the vessel (with a 40% lay), and more important, the New England fishing industry is facing considerably higher cost of capital than its foreign competitors—higher cost of vessels, higher cost of gear and higher cost of operating capital. *The relatively high cost of capital is the key problem in the New England fishing industry and the prime reason for its inability to compete.*

In the United States, it is forbidden by law to use a foreign built vessel in the commercial fisheries, and the cost of building a vessel in this country is now about 100% higher than in some foreign countries. This means that American fishermen are forced to subsidize a high-cost ship building industry, a "luxury" they can ill afford. In addition, significant subsidies are given to the foreign producers. These subsidies can take the form of subsidies for vessels, gear or bait or as price subsidies for the catch; as loans or grants at interest rates far below market level or as welfare programs only applicable to the fishing industry. Despite a concern by OECD (Organization of Economic Cooperation and Development) over the high subsidies to fishing industries in various countries and an awareness of their negative aspects, subsidies are increasing rather than declining. In Canada for instance, the federal subsidy is up to 50% of the approved costs for steel trawlers and up to 40% of the approved cost for vessels of wooden construction, and vessels over 100 feet in length can be imported from most-favored-nations duty-free. In addition to the subsidies, the fisheries loan boards give liberal loans, so the cash downpayment necessary for the fishermen is very low. A study of 102 fishing enterprises in the Atlantic Provinces in Canada reveals that the average cash down payment by fishermen was 27%. The requirements are less. Small trawlers in Nova Scotia were bought with about 20% cash downpayment, in New Brunswick and Prince Edward Island with about 10%, and in Quebec, with even less. For the five steel trawlers (average 82′) in Quebec included in the study, the cash down payment was only 4.4%.

The New England fishermen are faced with considerably higher construction cost, and in addition, the cost of financing here is excessive. The terms by commercial banks in Rhode Island are 50% down payment, a true interest rate of about 11%, and a 5 year repayment period. In ports where there is a closer cooperation between the banks and the fishing industry, for instance in New Bedford, Mass., the interest rate for vessels over 60 tons is 6% (summer 1967), but smaller vessels are facing much higher interest rates. The cost of vessels and high downpayment required are the reasons why New England firms buy vessels abroad and let them fish out of Canadian ports rather than investing at home.

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[1] ICNAF sub area No. 5.

[2] The first month in 1968 was so extraordinarily poor (only 40% of previous year's landing of food fish) that we hope it will not be indicative of the year.

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The Fisheries Loan Program in the U.S. Bureau of Commercial Fisheries has been a blessing for many local fishermen, but it is not sufficiently funded and is too limited in scope. It can loan up to 80% of liquidating[3] value for 10 years at 6% interest, but only to owners of vessels or captains with an earnings record. In a fleet that consists primarily of owner-captains, it is difficult for a deckhand to become a captain, so when he buys his first vessel he can not make use of the B.C.F. program. To recommend a change in this lending policy without increased funding might not be sensible, however, since the program already is short of funds.

With the high cost of capital, vessel-owners are better off buying a somewhat bigger used vessel than venturing into new construction. This is supported by the findings by Fredrick Bell of the Federal Reserve Bank of Boston in his study of 101 fishing enterprises in Massachusetts. The best return to capital was obtained by trawlers 60 tons and over, more than 20 years old, fishing out of Boston, while the poorest return, or heaviest loss was by newer vessels less than 60 tons out of New Bedford.

The subsidy (Fishing Vessel Construction Differential Payment) program is not much suited for the fishing industry in Rhode Island, and no subsidy has been applied for. The purpose of this program is to up-grade the fleet, but unfortunately it seems that the B.C.F. regards efficiency and economic operation as incompatible with smaller trawlers. At least in private discussions, applications for subsidies for 60–70′ draggers have been discouraged by the B.C.F., and the government is now using a major share of the funds to subsidize large factory vessels. The fact is, we have not seen any findings that will support the view that large trawlers give a better return to capital than small trawlers, or even a better return to labor. Britain has recenty laid up part of its *Fairtry* fleet as uneconomical. In Norway, the small draggers have as often as not shown a better return to capital than the large trawlers and, closer to home, in Canada, the experience seems to be consistently better for the smaller vessels. The Canadian government is studying the economics of the fleet in the Atlantic provinces on a continuing basis, and the results are interesting. The vessel category which gives the best return on investment is 54′–60′ wooden stern draggers, while the medium and large stern trawlers go in the red. Despite the fact that these small draggers were at sea on the average of only 92 days each in 1966, the large and medium sized steel side trawlers were at sea 287 days, and the large and medium sized stern trawlers were at sea 242 days, the small draggers also gave a better annual income to the fishermen. This was reflected by a crew share for deckhands of $73.74 per day at sea for the small draggers, while the comparative figures for the two categories of large vessels were $16.59 and $17.82, respectively. The fishermen in Rhode Island feel that the optimum vessel size in their area might be 60 to 80′ vessels with strong engines, and feel that building of vessels this size should be encouraged rather than discouraged.

We have put stress here on the cost of vessels, but no doubt the fishermen also are facing a general cost-price squeeze. Even with a stable gross stock, the economic position of vessel owners would deteriorate due to rising costs. When costs rise because of general inflationary pressure, market values of both new and old vessels go up. This creates a cost in taxes for the fisherman who would like to replace his vessel. If he sells a vessel (to buy another) the difference in the book value and the sales value of the vessel will be taxed. Thus, if a vessel has been depreciated to $5,000, and has a market value of $25,000, the owner will have to pay income tax on $10,000.[4]

CONCLUSIONS AND RECOMMENDATIONS

The rate of decline of the New England fishing industry is so rapid that programs with only a long term effect are basically of academic interest. The cost of labor is high, but the industry might have to live with this to attract sufficient manpower for the vessels. The basic problem is the relative cost of capital—our cost versus our foreign competitors' cost. The high cost of capital (or lack of risk capital) prevents funds being spent on technological improvements. To improve the position for the industry, the law prohibiting import of fishing vessels should be repealed, and the vessel subsidy program abolished. A repeal of the embargo on fishing vessels would hardly deteriorate our balance of payments position, as increased landings would substitute for imports, which now cost this country close to $700 million a year in foreign exchange. Tariffs should be increased to eliminate the effect of foreign subsidies and thereby give our fishermen an opportunity to compete on an equal basis. Further, the B.C.F. loan program should be better funded and its lending policy liberalized.

From this discussion it is evident that the major problems in the New England fishing industry are not caused by the industry but are caused by relative government actions—actions of our government and of foreign governments. To solve these problems the fishermen have to learn to talk with a unified voice to influence government decisions.

AMERICANS NEED REAL TAX REFORM

Mr. McINTYRE. Mr. President, I ask unanimous consent that I may be permitted to proceed for 15 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. McINTYRE. Mr. President, I wish to address myself to the issues raised by the tax proposals presented to Congress on April 22 by the Nixon administration.

These proposals, taking up 310 pages of a committee print made public through the House Committee on Ways and Means, appear under the guise of tax "reforms." The manner in which they were presented to the Nation—with a brief statement from the President himself on April 21, and another brief statement from the Under Secretary of the Treasury on the following day—gave the public the impression that the administration had finally moved to eliminate the substantial tax loopholes which for years have forced low- and middle-income taxpayers to pay more than their fair share of the national budget. Unfortunately, the public was misled.

None of the particularly unfair special privileges which our tax laws give to enormously wealthy individuals and large corporations have been substantially reduced. The administration proposal avoids any head-on confrontation with the forces of the special tax privileges which have so unfairly thrown the bulk of the taxpaying burden upon our average citizens.

There are, of course, a few minor exceptions in the President's proposal, exceptions which I fully support. Large corporations, for example, are able to accumulate the advantage of low tax rates which small corporations enjoy by the simple expedient of forming a number of small corporate subsidiaries. The President has recommended that this multiple-corporation privilege be eliminated. There have been abuses of the privileges given to charitable foundations and religious bodies, and to the extent that the President has proposed to curb these abuses, he has my full support.

I do not wish to give the impression that I am dissatisfied with every paragraph in the administration proposal. As I have indicated above, I believe that the administration's proposal with respect to the multiple-corporation exemption is highly desirable. I shall support the President's proposal to provide tax allowances for low-income families, and I support his proposals for taxing mineral production payments.

But I do have very serious reservations about the remainder of the proposals.

LTP LIMITATION ON TAX PREFERENCES

I believe that I should begin my discussion of the LTP—limitation on tax preferences—proposal of the Nixon administration by stating that it does represent, limited though it is, a tardy recognition by the executive branch of the Government of the unfairness of the tax structure, unfairness of the tax structure which has been imposed upon the American people over the past half century through the gradual accumulation of one seemingly minor loophole after another. President Nixon is to be congratulated for this recognition, and for his courage in taking even this very modest step toward spreading the tax burden more equitably among American taxpayers.

The LTP proposal recognizes that, through a selected number of tax loopholes, citizens who are able to exercise control over the source and application of their income are able to avoid the tax burden thrown upon the shoulders of their less fortunate fellow citizens. Those taxpayers who invest in oil properties, who make gifts including unrealized appreciation and who participate in real estate transactions taking advantage of accelerated amortization provisions can reduce their tax burden to the point where, in some cases, it disappears. Under President Nixon's proposal, no more than 50 percent of an individual's income could be exempt from tax because of these loopholes.

There are three major drawbacks to the LTP proposal, however. The first, and most obvious, is that by specifically including only a selected list of loopholes, it excludes many others. It will thus have the effect of simply channeling the funds of wealthy citizens out of the included areas and into those which are still safe from tax. Thus, it will not have the desired effect of finally putting an end to the situation where middle- and lower-income taxpayers bear a heavier share of the tax load than their wealthy neighbors.

On this, Mr. President, let me point out that my information indicates that:

More than 1,000 persons with incomes over $200,000 paid the same proportion

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[3] Somewhat less than the market value, but more than is expected from a foreclosure.

[4] Half of capital gain to be declared as income.

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of their total income in taxes as did the typical person in the $15,000 to $20,000 income group;

The majority of taxpayers in the $500,000 to $1 million income group paid as small a proportion of their income in taxes as did most taxpayers in the $20,000 to $50,000 category, and those with incomes of more than $5 million paid only half as much tax, proportionately, as those with one-tenth as much income.

Taxlessness among those with incomes of more than $1 million has increased fivefold in the past 12 years. For those with incomes greater than $200,000 taxlessness has increased sevenfold.

Mr. President, I say there is something sadly amiss with a system that can take more from an individual on the poverty level than it does from a millionaire, something badly wrong with a system that can even enable a man to report a negative income on paper when his actual income is in the hundreds of thousands of dollars.

Now let me continue my comments on the LTP proposal:

The second drawback to the proposal is that it simultaneously recognizes the unfairness of certain tax loopholes and yet continues them. If only one penny less than 50 percent of a taxpayer's income is derived from the sources included in the LTP proposal, he is able to take full advantage of the loophole. What are needed are changes in the basic tax structure to plug up these loopholes once and for all.

I recognize that this is a difficult challenge for the Congress and the administration. Perhaps a stopgap measure, such as the LTP proposal, is necessary. If this is so, however, I believe that an expanded form of the minimum tax proposal of former Secretary Barr is more desirable. I believe that the least we should settle for is a plan to impose the full tax rates, not just on 50 percent of income, but on the full 50 percent of all tax-exempt or tax-deductible income, regardless of how that income was derived. While this system would, it is true, perpetuate the basic loopholes in the tax structure, it would still make all tax preferences and subsidies much more fair in their application.

The third, and in many ways the most significant problem with the LTP proposal is that it does not affect corporate income. After all, Mr. President, much, if not most, of the benefits of such tax preferences as the percentage depletion allowance go to corporations. It is the uninhibited use of these tax preferences by large corporations which gave rise to the situation which compelled the President to seek tax reform. Corporations like the Atlantic-Richfield Corp., with profits running each year into hundreds of millions of dollars, have been able in the past to completely escape the bite of the Internal Revenue Service.

It is this omission of corporate income from the LTP program which makes me feel that the proposal could only have been offered in an effort to stall on basic tax reform, to, in effect, serve as an appeasement to an outraged public, and thus avoid the need for getting to the heart of the problems with our tax structure—the multitude of tax loopholes and subsidies which would still remain even after the President's program had been enacted.

TAXATION OF CAPITAL GAINS AND LOSSES

Our tax laws, like those of many other countries, recognize a preferred status for long-term capital gains. I happen to agree with this recognition of an essential difference between ordinary income and accretions of capital investment—a difference which involves both investment expectations and encouragement of further—necessary capital development.

Nevertheless, I believe that our present tax laws apply three unnecessary generous subsidies to the treatment of long-term capital transactions.

One of these, the use of long-term capital losses to fully offset ordinary income, has been recognized by the Treasury Department in its proposals. I fully concur with the administrations' recommendation that long-term capital losses be subject to the same 50 percent elimination as is applied to gains when combined with taxable income. I believe that this is an eminently justifiable recommendation, and I shall support it.

However, as in so many other areas, the Nixon administration proposals merely scratch the surface, and fall far short of meaningful reform. I feel that two more steps must be taken to bring our tax treatment of long-term capital transaction into line with the ideal of an equitable tax system, while still retaining a justifiable easing of the tax burden on such transactions.

First, I believe that the alternate maximum rate of 25 percent should be eliminated. This would still retain for persons benefiting from long-term capital gains the privilege of receiving half of their gains completely free from tax, but it would insure that the 50-percent gains to be taxed would be taxed at normal rates.

A particularly objectionable feature of the 25 percent alternate maximum tax is that it, more clearly than any other tax subsidy, can only be used by persons with very high incomes, over $40,000 for taxpayers filing joint returns. Middle-income taxpayers simply cannot obtain any advantage at all from its employment, and thus we are confronted with a special Federal subsidy designed exclusively for wealthy individuals.

This is precisely the one category of taxpayers in least need for public subsidy. Our sense of national priorities must be very strange indeed to retain in our laws a special cash subsidy for wealthy people while at the same time we are cutting back Federal support for education, health, our elderly citizens, and other needed causes. Thus I strongly recommend the elimination of the alternate maximum tax on long-term capital gains.

Second, I believe that Congress should extend the required holding period for qualification as long-term capital assets. I know of no logical, reasonable theory under which 180 days can be justified as the minimum amount of time required to establish a capital asset as one held for a long term.

How long should the holding period be? This is essentially a matter of informed judgment. The Congress has exercised such judgment before, in its treatment of the income tax laws for the District of Columbia. In that statute, we established a 2-year period as the minimum holding time.

In any event, it makes no sense at all to confer privileged status on gains on assets held for less than a single tax year. I recommend, as a bare minimum, that the Congress extend the present 6-month period to at least a full year, and, if sufficient economic data can be gathered as to the effects on our capital markets, that we consider extending it well beyond the basic 1 year period.

TAX SUBSIDIES TO THE PETROLEUM INDUSTRY

The two most deplorable illustrations of the use of economic and political power to obtain special public subsidies are the treatment of the petroleum industry in our present tax laws, and the treatment of the petroleum industry in the Nixon administration proposals for tax reform.

Our present tax laws are shameful in the magnitude and the variety of special handouts from the public treasury to the oil industry. The administration proposals, which, as I have noted before, purport to represent some sort of tax reform, are equally shameful in their neglect of the need for prompt elimination of this special treatment.

The principal subsidies received by the oil industry from the taxpayers through various tax loopholes are as follows:

First. The 27½ percent depletion allowance, which will cost taxpayers approximately $1.5 billion this year.

Second. The application of the depletion allowance on a property by property basis, and not on a company wide basis. This little gimmick lets producers take a large depletion allowance on efficient, large wells, without having to reduce their allowance to take account of inefficient, or high-cost wells.

Third. The application of the depletion allowance to foreign wells as well as American wells.

Fourth. The use of foreign royalties, disguised as taxes, as credits against American income taxes.

Fifth. The immediate writeoff subsidy for intangible drilling costs, which cost the American taxpayers this year three quarters of a billion dollars.

The administration proposals do not have any substantial effect upon the enormous public subsidies paid to the petroleum industry under these five categories.

One might imagine, from the attendant publicity when the administration proposals were launched, that something was finally going to be done about percentage depletion and intangible drilling costs. The only impact which the administration proposals have on these two enormous handouts is contained in the proposals for limitations on tax preferences and allocation of deductions. As I pointed out earlier, however, these proposals affect personal income only marginally, and corporate income not at all.

And it is the corporations which get

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the major advantage from this subsidy. A look at the 1960 figures makes this very clear. In that year, percentage depletion claimed by individuals amounted to $370 million. Partnerships claimed some $65 million for oil and gas percentage depletion. But corporations claimed $2.3 billion for this purpose.

Incidentally, $750 million of this corporate depletion was claimed on foreign properties.

Of course, the most obvious proposal which the administration should have made was to reduce substantially, if not completely eliminate, percentage depletion. I personally favor the elimination of percentage depletion—although, of course, I recognize the legitimacy of cost depletion—but perhaps the best practical approach at this time would be a reduction of the percentage-depletion formula to 10 or 15 percent. Since many other Members of the Congress have also expressed an interest in this reform, I am willing to rely on the judgment of my colleagues as to where in that range percentage depletion might be most appropriately set.

An outrageous abuse of the principle of percentage depletion is the application of that concept on a property-by-property basis. Our neighbors to the north, in Canada, more properly apply percentage depletion on a nationwide basis, and thus remove the temptation to juggle startup dates and leasing arrangements for the simple purpose of maximizing depletion subsidies.

Senator MUSKIE has pointed out the absurdity of continuing to subsidize foreign operations through use of the percentage-depletion allowance while our national policy is, apparently, trying to encourage the use of capital for domestic exploration. I have cosponsored Senator MUSKIE's proposal to eliminate this particular subsidy to the international oil companies and their Arab friends.

I am certain that those experts in the use of tax loopholes, the financial institutions and the giant manufacturers, look longingly at the most unusual subsidy given to the oil industry, the privilege of immediately deducting intangible drilling costs. In no other major industry can capital expenses be written off immediately—as they can in the oil industry when the capital invested in development results in a producing well. I believe that this special subsidy simply cannot stand on its own logic, and deserves an even higher priority than percentage depletion for immediate elimination.

Finally, Mr. President, the most outrageous, the most unfair loophole of all, was not mentioned in the administration reform proposals. I refer to the so-called Aramco decision which permits royalty payments by American companies to foreign rulers, masquerading under the guise of taxes, to be applied as full credits against the payment of Federal income taxes. To the extent that this situation is embodied in tax treaties with foreign nations, they should be denounced. To the extent that it is supported by the regulations of the Treasury Department, they should be promptly changed, without waiting for congressional action.

Mr. President, the very thought that royalty payments to some Arabian sheik can be equated with American taxes, and can permit huge international oil companies to ignore their national responsibilities as American corporations to help bear the costs of their own Government, boggles the mind. No other industry benefits so much from Federal expenditures as does the oil industry. Whether we are sending diplomats to South America to defend the rights of the Standard Oil Co. of New Jersey, or subsidizing tankers, or administering oil import policies, or developing geological surveys, or purchasing POL for our Armed Forces, the oil industry is benefiting from the expenditure of the taxpayers' dollar. And not only does this industry escape paying its fair share of the Federal tax burden, it has the effrontery to claim that it may substitute foreign royalties, or taxes, for American taxes.

In summary, Mr. President, I regard President Nixon's proposals for new tax legislation as a barebones base for congressional efforts to achieve meaningful tax reform. We need to make our tax system more fair to middle income taxpayers by stripping away the special loopholes which enable corporations and individuals with large incomes to avoid paying their fair share of our Nation's expenses.

I believe that our particular attention should be focused on the need for general taxation of all presently exempt corporate and personal income, revision of our rules for the treatment of long-term capital gains, and a wholesale housecleaning of the tax laws relating to the oil industry. Then we will truely be able to report back to our constituents that the basic unfairness of the present tax system has come to an end.

ORDER OF BUSINESS

Mr. INOUYE. Is there further morning business?

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. INOUYE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

TIME FOR CONGRESS TO STOP INFLATION WITH SPENDING CUTS

Mr. PROXMIRE. Mr. President, yesterday's announcement of the huge consumer price rise means that inflation is not slowing down but is hitting harder. Any thoughtful analysis indicates that prices will continue to go up rapidly for at least another year unless Congress acts.

The Wall Street Journal this morning indicated that in their judgment prices will go up for several years unless Congress acts and unless there is a change in the situation.

There is nothing in President Nixon's prescription which will stop inflation now. The surtax has been tried and has failed. The time has come to cut spending which has a much more prompt and incisive impact.

Congress must act. We must cut the President's budget and cut it drastically. And there is plenty of wasteful spending where the cuts can be made.

I urge the following specific actions:

We can cut the military budget where fat and waste and excess costs have weakened rather than strengthened the security of this Nation. With 10 men in support jobs for every man in a combat outfit, the military could rearrange its priorities without affecting combat efficiency.

With huge cost overruns, late delivery dates, and weapons which do not function—tanks, helicopters, and submarines to name only a few—vast efficiencies could be made.

Congress should pare the military budget by at least $10 billion. Even Pentagon experts agree this could be done without impairing our combat strength, according to the Congressional Quarterly's superb review of this question.

Congress should also cut sharply the big $3.7 billion space budget. The needs on earth are more important than those in outer space where prestige rather than security has been the driving motive. Certainly this is a highly inflationary program.

Above all we should cut public works spending—dams, highways, water projects, which have the dubious distinction as the biggest engines of inflation with the least payoff. Public and private spending for capital investment and public works are the root cause of this inflation. We should cut big here.

Those hurt most by inflation are those who can afford it least. This is clear from the rise in particular items. The increase in public transportation costs—7.9 percent since a year ago—hits hardest at the poor who have no choice but to travel by public means.

The increase in medical care services—8.4 percent since a year ago—hits at the sick, the aged, and the needy at precisely the time when their incomes drop and their costs skyrocket.

The 13-percent rise in the cost of insurance and finance services harms most the poor and the weak. It hits hardest at the insecure who need security and who can least afford it.

The rise in home ownership costs—10.6 percent in a year—is a cruel charge at the very time when we need to build 1 million housing units a year more than we have been building if we are to house all Americans decently.

The timid actions taken by the Nixon administration have not worked and show no sign that they will work. To stop inflation Congress must cut the budget and cut it hard.

I ask unanimous consent that the Department of Labor release on the Consumer Price Index for April 1969 be printed in the RECORD.

There being no objection, the release was ordered to be printed in the RECORD, as follows:

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CONSUMER PRICE INDEX FOR APRIL 1969

A 0.6 percent rise in April brought the Consumer Price Index to 126.4 (1957–59—100), the Labor Department's Bureau of Labor Statistics announced today.

Over the year the Consumer Price Index has risen 5.4 percent. Over the past three months consumer prices have gone up at a 7.6 percent annual rate, steepest for a comparable period since mid-1956. For major components of the Consumer Price Index, percent changes at annual rates over the last 3 months and for the past year are shown below:

	April 1969 from—	
	January 1969	April 1968
Consumer Price Index:		
All items	7.6	5.4
Commodities	6.4	4.4
Services	8.8	7.2

Higher prices for services—particularly household services such as mortgage interest charges on FHA loans, residential electric rates, and home repairs—and food accounted for a large part of the April advance.

Medical care costs continued rising sharply, led by increases in dentists' fees. Medical care services have gone up nearly 8½ percent over the year. Other services headed for higher levels were movie admissions, golf fees, automobile insurance, and local transit fares.

Food prices rose 0.7 percent, mostly because of higher meat prices, especially beef. Pork prices failed to decline as they usually do in April, apparently in response to the strength in beef. Restaurant meals also continued to climb. There was some help for the family food budget from lower prices for many fresh vegetables, thanks to larger supplies.

Prices rose for furniture and used cars. New car prices declined about in line with seasonal expectations, as dealers increased concessions in order to trim inventories.

Apparel prices increased 0.6 percent, led by such basic items as men's suits, slacks, and shirts, and women's dresses, skirts, and shoes. Alcoholic beverages, toilet goods, and cigarettes also showed significant increases.

COST-OF-LIVING ADJUSTMENTS

Approximately 117,000 workers will receive cost-of-living pay increases based on the April Consumer Price Index. About 62,100 workers, mostly in the aerospace, motor-vehicles and parts, farm machinery and office machinery industries will receive hourly increases ranging from 3 to 7 cents an hour, based on the rise in the national index between January and April. An additional 35,500 workers will receive wage increases based on annual or semiannual reviews of the national Consumer Price Index, the largest group of these being classified employees of the State of Wisconsin. In addition, 17,700 local transit workers in Chicago, Boston and Pittsburgh will receive 5 or 6-cent hourly increases, based on the 3-month advance in the indexes for the respective areas. An estimated 43,000 workers in various industries who would otherwise receive cost-of-living increases, will not receive them this month because they have already received the maximum stipulated in their contracts.

A NOTE ABOUT CALCULATING INDEX CHANGES

Movements of the indexes from one date to another are usually expressed as percentage changes rather than changes in index points because index point changes are affected by the level of the index in relation to its base period while percentage changes are not. The following example illustrates the computation of index point and percentage changes:

Index point change

April 1969 CPI (1957–59=100)	126.4
Less March 1969 index	125.6
Index point difference	0.8

PERCENTAGE CHANGE

Index point difference divided by the index for the previous period:

$$\frac{126.4-125.6\times 100}{125.6}=0.6 \text{ percent}$$

TABLE 1.—CONSUMER PRICE INDEX—U.S. CITY AVERAGE FOR URBAN WAGE EARNERS AND CLERICAL WORKERS, APRIL 1969

[Unadjusted, unless otherwise indicated]

Group	Indexes (1957–59=100 unless otherwise noted)				Percent change to April 1969 from—		
	April 1969	March 1969	January 1969	April 1968	1 month ago	3 months ago	1 year ago
All items	126.4	125.6	124.1	119.9	0.6	1.9	5.4
All items (1947–49=100)	155.0	154.1	152.3	147.1			
Food	123.2	122.4	122.0	118.3	.7	1.0	4.1
Food at home	119.3	118.5	118.3	115.1	.7	.8	3.6
Cereals and bakery products	121.3	121.2	120.5	118.3	.1	.7	2.5
Meats, poultry, and fish	118.4	116.5	115.6	112.7	1.6	2.4	5.1
Dairy products	122.9	123.0	122.7	118.8	−.1	.2	3.5
Fruits and vegetables	127.9	127.6	127.0	128.3	.2	.7	−.3
Other foods at home	109.0	108.5	109.8	103.0	.5	−.7	5.8
Food away from home	142.2	141.3	140.3	134.4	.6	1.4	5.8
Housing	125.3	124.4	122.7	117.5	.7	2.1	6.6
Shelter [1]	131.6	130.5	128.2	121.3	.8	2.7	8.5
Rent	117.8	117.5	116.9	114.4	.3	.8	3.0
Homeownership [2]	137.1	135.7	132.7	124.0	1.0	3.3	10.6
Fuel and utilities [3]	112.6	112.2	111.7	110.0	.4	.8	2.4
Fuel oil and coal	117.4	117.2	116.7	114.0	.2	.6	3.0
Gas and electricity	111.2	110.6	110.2	109.5	.5	.9	1.6
Household furnishings and operation	116.9	116.4	115.2	112.2	.4	1.5	4.2
Apparel and upkeep [4]	125.6	124.9	123.4	118.4	.6	1.8	6.1
Men's and boys'	127.3	126.4	124.9	119.2	.7	1.9	6.8
Women's and girls'	121.0	120.6	118.7	114.5	.3	1.9	5.7
Footwear	138.4	137.6	136.3	130.4	.6	1.5	6.1
Transportation	124.6	124.3	120.7	119.0	.2	3.2	4.7
Private	121.9	121.6	117.9	116.8	.2	3.4	4.4
New cars	101.9	102.4	102.3	100.3	−.5	−.4	1.6
Used cars	131.2	130.5	115.5	126.3	.5	13.6	3.9
Gasoline	117.8	117.2	114.5		.5	2.9	
Public	148.0	147.5	144.8	137.2	.3	2.2	7.9
Health and recreation	135.1	134.3	133.3	128.8	.6	1.4	4.9
Medical care	153.6	152.5	150.2	143.5	.7	2.3	7.0
Personal care	125.5	124.8	123.7	119.0	.6	1.5	5.5
Reading and recreation	129.6	128.7	128.4	124.9	.7	.9	3.8
Other goods and services	126.6	126.1	125.6	122.5	.4	.8	3.3
Seasonally adjusted:							
Food	123.6	122.8	122.2	118.7	.7	1.1	
Apparel and upkeep	125.7	125.3	124.1	118.5	.3	1.3	
Transportation	124.6	124.7	120.6	119.	−.1	3.3	
Special groups:							
All items less food	127.5	126.8	124.9	120.6	.6	2.1	5.7
All items less medical care	124.7	124.0	122.5	118.5	.6	1.8	5.2
Commodities	119.3	118.7	117.4	114.3	.5	1.6	4.4
Nondurables	122.5	121.8	121.0	117.3	.6	1.2	4.4
Nondurables less food	121.9	121.4	120.1	116.4	.4	1.5	4.7
Apparel commodities	124.9	124.3	122.6	117.6	.5	1.9	6.2
Durables	111.4	111.1	108.6	106.9	.3	2.6	4.2
Household durables	105.0	104.4	103.3	100.8	.6	1.6	4.2
Services	142.0	140.9	139.0	132.5	.8	2.2	7.2
Services less rent	147.4	146.1	143.9	136.6	.9	2.4	7.9
Insurance and finance (December 1965=100)	127.1	125.2	122.3	112.5	1.5	3.9	13.0
Utilities and public transportation (December 1965=100)	107.5	107.0	106.2	103.7	.5	1.2	3.7
Housekeeping and home maintenance services (December 1965=100)	125.3	124.5	122.5	116.6	.6	2.3	7.5
Medical care services	167.2	165.8	162.8	154.3	.8	2.7	8.4
Purchasing power of consumer dollar:							
1957–59=$1	$0.791	$0.796	$0.806	$0.834	−.6	−1.9	−5.2
1939=$1	$0.383	$0.386	$0.390	$0.404			

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[1] Also includes hotel and motel rates not shown separately.

[2] Includes home purchase, mortgage interest, taxes, insurance, and maintenance and repairs.

[3] Also includes telephone, water, and sewerage service not shown separately.

[4] Also includes infants' wear, sewing materials, jewelry, and apparel upkeep services not shown separately.

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TABLE 2.—CONSUMER PRICE INDEX—THE UNITED STATES AND SELECTED AREAS FOR URBAN WAGE EARNERS AND CLERICAL WORKERS, ALL ITEMS MOST RECENT INDEX AND PERCENT CHANGES FROM SELECTED DATES

Area [1]	Pricing schedule [2]	Indexes: 1957–59=100	Indexes: 1947–49=100	Indexes: Other bases	Percent change from:		
		April 1969			March 1969	January 1969	April 1968
U.S. city average	M	126.4	155.0		0.6	1.9	5.4
Chicago	M	123.2	155.3		.2	1.5	4.9
Detroit	M	125.7	154.9		.5	2.4	6.1
Los Angeles-Long Beach	M	126.9	158.2		.2	1.8	4.8
New York	M	130.5	157.2		.7	2.1	6.5
Philadelphia	M	127.6	156.7		.5	1.9	5.5
Boston	1	129.8	160.9			1.5	5.0
Houston	1	125.5	154.6			1.9	6.4
Minneapolis-St. Paul	1	125.1	154.8			1.8	3.9
Pittsburgh	1	126.0	155.3			1.6	5.5
		February 1969			March 1969	November 1968	February 1968
Buffalo (November 1963=100)	2			117.3		0.3	4.5
Cleveland	2	123.1	152.9			1.1	4.5
Dallas (November 1963=100)	2			116.8		1.2	5.9
Milwaukee	2	120.8	152.4			1.8	5.0
San Diego (February 1965 =100)	2			112.8		1.4	4.7
Seattle	2	125.9	158.2			1.1	4.7
Washington	2	126.3	152.0			1.1	6.0
		March 1969			March 1969	December 1968	March 1968
Atlanta	3	124.9	154.7			2.3	6.0
Baltimore	3	125.7	156.0			1.4	5.9
Cincinnati	3	122.7	149.4			1.3	4.8
Honolulu (Dec. 1963=100)	3			115.6		1.5	4.3
Kansas City	3	128.1	158.6			2.1	5.3
St. Louis	3	125.4	155.6			1.6	4.3
San Francisco-Oakland	3	128.9	163.6			1.7	5.1

[1] Area coverage includes the urban portion of the corresponding standard metropolitan statistical area (SMSA) except for New York and Chicago where the more extensive standard consolidated areas are used. Area definitions are those established for the 1960 census and do not include revisions made since 1960.

[2] Foods, fuels, and several other items priced every month in all cities; most other goods and services priced as indicated:
M, every month.
1, January, April, July, and October.
2, February, May, August, and November.
3, March, June, September, and December.

ADDRESS BY SENATOR MONDALE ON DEFENSE PROCUREMENT

Mr. PROXMIRE. Mr. President, there is no more pressing issue confronting the Nation today than the character and size of the defense budget. The military procurement system, from project conception through contract administration, significantly affects that budget.

On May 19, 1969, our distinguished colleague, the junior Senator from Minnesota (Mr. MONDALE), made a thoughtful and constructive speech on defense procurement to a meeting of purchasing management executives. It contains suggestions for desperately needed improvements in defense procurement which, I believe, should be considered by all Members of the Senate. Accordingly, I ask unanimous consent, Mr. President, to have this speech printed in the RECORD.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

THE GOVERNMENT AS PURCHASER

(Remarks by Senator WALTER F. MONDALE, before the National Association of Purchasing Management, Minneapolis, May 19, 1969)

It is a pleasure to be with you this morning at your International Purchasing Conference. My good friend Stanley Cowle is President of the Twin City Purchasing Management Association, which is your host. I am glad to see Bill Bunin, the Program Chairman, from the Tony Company, Mr. Fred Fisher, the Assistant Program Chairman from Minnesota Mining, and Mr. Beverly Countryman, your General Chairman, also from Minnesota Mining.

I believe you know that your business, purchasing management, is one of the hottest subjects now confronting the world's largest enterprise, the United States Government. I speak to you as a member of the "Board of Directors" of the U.S. Government, whose expenditures in the current fiscal year are expected to approximate $190 billion. That is a staggering amount of money.

How much is $190 billion? From the founding of this nation in 1789, it took us until we were well into World War II, in fiscal year 1942, before the Government had spent $190 billion in the aggregate. And now we are spending that amount of money in just one year!

A great deal of that money is spent on procurement and that is what you are experts in. As the world's largest enterprise, the Government has an obligation to develop and use the best procurement practices that man can conceive in carrying out its tremendously complicated mission.

Much of the Government's procurement is centered in two agencies. The first is the General Services Administration, which buys the large majority of common supply items used by all civilian agencies of the government, as well as a great deal of the material which is used by the Defense Department. The Defense Department, however, dwarfs the General Services Administration with its own procurement programs. Though many of you have no direct connection with Defense procurement, as citizens and taxpayers you are vitally affected.

As you know, the budget of the Defense Department is now in the order of $80 billion. About half of that total goes into procurement. Thus, your tax rates, and the size and complexion of the civilian portion of the Federal Budget, are significantly influenced by Defense procurement. In addition, many of your concerns are deeply involved in Defense business, so I know that the subject is important to you.

Congressmen and taxpayers no longer consider procurement policy a dull and uninteresting subject. Our national priorities cry out for a shift in Federal funds from military to urgent civilian programs. By drastically improving our defense procurement systems, I believe we can meet these pressing needs with no sacrifice to national security. In fact, some think we could greatly strengthen our security through more intelligent procurement practices.

During fiscal 1968, the Defense Department made almost ten million purchases, under contract with about 24 thousand firms. This would be a difficult enough job if either the personnel managing the system or the material in the system remained stable. Unfortunately, that is not the case. At least 25% of the personnel working in the field of defense logistics are new to their jobs every year. And one of every ten items in stock is brand new. Thus, it can readily be seen that intelligent and wise procurement in the Department of Defense is both essential and exceedingly difficult.

For many years now, the Defense budget has somehow escaped the close scrutiny in the Congress to which all other programs are subjected. But a new mood is evident in the Congress, reflecting a mood which is taking shape in the nation. The people are tired of the Vietnam war. And they are tired of the huge tax burden that has been placed on their shoulders. And they are writing and telling their Congressmen how tired they are.

In years past, it was sufficient for the Pentagon to tell its advocates in the Congress that the programs proposed were vital—and that the systems would work—and that the cost estimates were accurate. Recently, a large number of Congressmen have relucantly come to conclude that "essentiality" is mere rhetoric; that "reliability" is merely a hope; and that "cost estimates" are merely seductive offers.

Yes, there is a growing crisis of confidence with respect to the Defense establishment. It is manifested in terms of strong opposition to the President's proposal for an ABM system—both in the Congress and among the public. I was heartened to see that a poll in this state recently revealed that a slight plurality opposed this costly and futile ABM system.

The Pentagon's promises with respect to the prosecution of the war in Vietnam have also contributed to this decline in confidence. And a series of revelations about incredibly shoddy contractor performance, and equivalent shoddy government supervision, have, I believe, truly placed in jeopardy confidence in our national security establishment.

I would like to review briefly with you some aspects of defense procurement which have contributed to this crisis. For I believe you can help us in correcting the serious flaws and in restoring the country's confidence in the nation's defense effort.

To begin with, the entire system is operated under a hopelessly obsolete statute. The Armed Services Procurement Act of 1947 is actually based, in large part, on Section 3709 of the Revised Statutes—which dates from 1861. This statute assumes that the typical method of procurement will be through advertised competition, sealed bids, awards based principally on the lowest price, and fixed price contracts. In actuality, however, only a small minority of defense procurement follows the pattern anticipated in the statute.

After years of intensive efforts initiated at the beginning of the Kennedy Administration, the percentage of procurements of this type was substantially expanded, but still reached only about 13% of the total. All of the rest have to be treated, essentially, as exceptions to the basic approach of the 1947 Statute. True, these exceptions are covered in the very detailed Armed Services Procurement Regulations. These regulations spell out the conditions for 17 different types of procurement for which adequate provisions is not made in the basic legislation. But, surely, we should have a law which substantially covers our predominant practices.

Another problem is the insistence by the Pentagon that military personnel rotate at frequent intervals and, moreover, that they not become too specialized. The objective seems to be to prepare most of them ultimately to qualify for appointment as Chief of Staff. It is no surprise that a system, many of whose key personnel pass through it as if in a revolving door, cannot achieve the levels of efficiency and effectiveness that we would like.

This rotation policy has been seriously criticized by other observers—for it is very costly just in terms of personnel operations. One estimate of cost savings through reduced assignment changes is $500 million per year. But the cost in reduced effectiveness may be even greater.

The early retirement system leads to employment of many retired military personnel in senior positions in defense industries. As Senator Proxmire has recently reported, 2072 retired military personnel are now serving in key positions with defense contractors. Though there are regulations governing the participation of such officers in procurement activities with their former services, this does not seem to be true with respect to civilians who leave the Defense establishment, as a result of this pattern of employment, public confidence in these arrangements has weakened badly.

We urgently need a thorough study of the role of personnel who move from defense industry into the Pentagon and from the Pentagon into defense industry. Certainly, former military and civilian personnel of the Defense Department are entitled to seek gainful employment in fields for which they are qualified. But the public needs to be assured that this employment is earned entirely on the strength of the individual's ability to perform—and not on his ability to "deliver," based on his previous contacts.

The Congress has been greatly disturbed by an analysis recently completed by Senator Stuart Symington, a former Secretary of the Air Force. He listed 43 missile systems which were abandoned prior to their deployment or have been replaced because they became obsolete. He estimated that $23 billion had been expended on these systems before they were abandoned. We must develop better planning and evaluation techniques so we do not rush prematurely into procurement of these high-cost systems.

We have also been troubled by the tendency of the defense establishment to seek the most elaborate—the most sophisticated—hopefully the most reliable—and clearly the most expensive equipment that man can imagine. We cannot fault the military planners for this. Their job is to try to get the country the best equipment which can be made. But we must find ways to temper their zeal with prudent judgment.

The tendency to use over-elaborate specifications has earned the name of "gold plating." And a specialty has grown up just to combat this tendency. That specialty is known as "Value Engineering." Though it is estimated that hundreds of millions of dollars have already been saved through value engineering, I believe we have only scratched the surface.

We have more than mere dollars to save through rigid scrutiny of specifications. If we assure that they are reasonable, we can shorten the lead time and get our equipment into service faster—perhaps before it becomes obsolete. Most importantly, the equipment will likely be more reliable in the event it ever must be used in wartime.

And now I would like to turn to one of the most critical problems in defense procurement. That is, the consistent and virtually fantastic cost "overrun" which we have experienced in major weapons systems. The problems which I have been discussing so far pale by comparison with some of the gross deficiencies which have recently come to light in cost estimating. A recent Brookings study reports that the initial cost estimates for major weapons systems in the 1950's and early 1960's were exceeded by amounts ranging from 200% to 700%. And another study by a Budget Bureau officer revealed that the performance of these complex weapons systems fell as far short of specifications as the actual costs exceeded those originally estimated.

For example, of 13 major missile and airplane systems begun in the late 1950's, only 4 could be counted on to function 75% as well as promised. Of 11 systems begun in the 1960's, only 3 reached performance levels of 75% expectations.

So it is here in these major weapons systems that a big payoff can, and must, be found—both in cost savings and in improved performance.

What we need is a thorough-going overhaul of the entire philosophy and operation of the defense procurement system. As a civilian procurement executive of the Navy Department recently stated:

"No matter how poor the quality, how late the product and how high the cost . . . defense contractors know nothing will happen to them. Until or unless this climate is changed, there will be little or no improvement in our procurements."

The problem lies in those 17 kinds of procurements which I mentioned earlier; that is, the exceptions to the advertised, competitive, fixed price contracts which were envisioned under the Armed Services Procurement Act. A great number of these "exceptions" are procurements made by cost-type contracts.

Under cost-type contracts, the contractor may be reimbursed for *all* of his costs, regardless of how they vary from the original estimate upon which the award was made. Of course, in many contracts, we now have provisions for denying certain elements of contractor cost-escalation. But the contractors have developed methods for avoiding these controls, often with the acquiescences of the Government.

Under former Secretary of Defense McNamara, increased use was made of incentive-type contracts. But recent testimony in the Congress reveals how far we have to go to safeguard the interest of the taxpayer in major procurements, such as those for for the C–54 aircraft system and for the F–111 fighter bomber.

The $2 billion cost escalation on the $3 billion original C–54 cost estimate amounts to more money than was appropriated for the War on Poverty this year.

The initial cost estimate for the engines for the F–111 was $270,000 each and a recent estimate has reached $700,000 each. The Air Force's Manned Orbiting Laboratory (which substantially overlaps with the civilian space program) was first projected at $1.5 billion. Current estimates are about $3 billion and the end is not in sight.

One basic cause of understated costs appears to be that the Services, in vying for roles and missions, and the contractors, in vying for business, have a tremendous incentive to keep their estimates low so as to increase the chances that their proposals will be accepted. For example, it was reported in the *Washington Post* just last week that the cost estimates for the Mark II electronics equipment for the *full* F–111 program (the size of which has now been cut-back sharply) and soared from $610 million in June 1966 to $2,510 million by November 1968—more than a 300% increase. The article quotes an internal Defense Department memo, as follows:

"Both the contractor and the Air Force were unrealistic in assessing the ultimate cost of the system. It appears the contractor knew very well what he was getting into but was so anxious to win the competition that he was willing to buy in by quoting a low price."

Then, "the contractor pursued a strategy of using change notices (blaming higher costs on Government-ordered changes) as a means of 'getting well'. . ."

As recently reported in the *Minneapolis Tribune,* numerous companies depend on the defense program to keep them alive. Fifteen of the 38 largest defense contractors, from 1961 to 1967, derived more than half of their business from defense contracts. Thus, they compete avidly for cost-type contracts, being confident that the Defense Department will underwrite the excess costs if the estimates prove low.

Once the Congress is persuaded to accept the deceptively low estimates of these firms, it seldom is presented with the choice of dropping the project when the funding requirements multiply. In such cases, an accurate presentation might have made the program very much more vulnerable to Congressional rejection at an early stage.

In civilian programs, the Congress permits no such freedom. Many of our most vital domestic programs operate under fixed authorization ceilings. If the program unexpectedly eats up the money which was authorized, without reaching its goals, the agency must come back to the Congress—both for an increase in the authorization and for additional funds.

When the Defense Department runs short, it does not consult generally with a wide range of Members of Congress. Many of us often do not hear of these huge cost-overruns.

But, as I have indicated, a new mood is evident. The Congress is becoming restive. The people are unhappy. We are afraid that the vaunted "power of the purse" is being made a mockery.

Many of us intend to see that the Congressional watchdog role is taken more seriously—both by the executive branch and the Congress itself. As a result, I hope for significant challenges to the Defense Budget on the floor of the Senate this year.

Cost overruns are only part of the problem. Not only have the contractors typically been "let off the hook" when they have greatly exceeded their cost estimates, but they have also been absolved of any responsibility for the fantastic shortfalls in the performance of their weapon systems which I mentioned earlier. What we need to do is strengthen the resolve of the procurement officials in the Defense Department to demand that systems measure up to specifications. And we should exact penalties from the contractors if the systems fail to measure up.

Solving these problems which I have outlined is exceedingly complex. But a start must be made. Reducing the Defense Budget merely treats the symptoms, not the disease. We need to do more. I believe that a serious and thorough study of the entire Defense procurement apparatus is needed. Senator Jackson and Representative Holifield have introduced bills to provide for such a study by an independent Commission. The bills, S. 1707 and H.R. 474, are pending before the Government Operations Committees.

The proposed Commission on Government Procurement would not limit its attention to Defense Procurement. I think that is fine because some of the same problems exist in other large government procurement programs, such as the Supersonic Transport Program, the Space Program, and the Atomic Energy Program. Obviously, the bulk of expenditures is in the Defense area, and I would expect the Commission to devote a preponderant amount of its attention to Defense procurement. I intend to support the enactment of this legislation.

You could help in a number of ways. First, you could urge the establishment of the

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Commission on Government Procurement. Then you could volunteer, either as individuals, or through your national or local associations, to assist this Commission in evaluating present procurement practices and in designing improvements.

I would also welcome any other suggestions or assistance in bringing to bear the most serious and expert attention of the Nation upon these problems. For they are not transistory. Charles Schultze, a former U.S. Budget Director, has estimated that Defense systems, *already approved*, could eat up the entire savings to be realized from an end to the war in Viet Nam.

If we are not to become saddled permanently with an overblown Defense budget, we need an aroused and enlightened electorate. The problems of our crowded and polluted cities, of our hungry and undernourished children, or our undeveloped rural areas, of our millions still living in poverty, and of our repressed and deprived minorities, demand attention.

As long as we fail to control the machinery we have created to "provide for the common defense", we will be unable to carry out the equally compelling mandates of the U.S. Constitution to "promote the general Welfare" and to "insure domestic Tranquillity". We, in the Congress, need your help.

OUR RECORD ON THE HUMAN RIGHTS CONVENTIONS

Mr. PROXMIRE. Mr. President, of the human rights conventions adopted since the creation of the U.N., the United States has ratified only two—the Supplementary Convention on the Abolition of Slavery, in 1967; and the Protocol on the Status of Refugees, in 1968.

The United States has not adopted the Convention on Genocide, Political Rights of Women, and Abolition of Forced Labor. This record is matched only by Yemen, South Africa, and Bolivia. Three of the new countries in the U.N.— Mauritius, Maldive Islands, and Western Samoa—also have a poor record, but they have not yet had much time to act.

Taking into account the entire range of human rights conventions since 1945, including those developed by the ILO and UNESCO as well as the U.N., and again omitting countries which have become independent only in the last few years, our record of two brings us above Yemen—which has never ratified any—and above Bolivia, Saudi Arabia, Thailand and San Marino, which have each ratified one human rights convention.

For a country dedicated to the principles of the Bill of Rights and the humanity of nations, we have a poor record indeed. The time has come to change that record. Again, I would urge my colleagues in the Senate to ratify the Conventions on Genocide, Political Rights of Women, and Abolition of Forced Labor. Let us, as a nation, give meaning to our words and substance to our hopes.

O. & C. TIMBER PAYMENT PROBLEM CLOUDED BY INACCURATE FACTS

Mr. PROXMIRE. Mr. President, earlier this year I announced my opposition to the continued payment of Federal receipts on certain timber lands in western Oregon in an amount that was two to three times as great as the county governments would have received had the land been in private hands. In my estimation tax equivalency is, the most the counties should be receiving.

I am happy to say that I have had a chance to discuss this problem with my colleague from Oregon, Mr. PACKWOOD, and certain representatives of the 18 western Oregon counties receiving these Oregon and California land payments. These representatives, including Ray Doerner, Douglas County commissioner, made a compelling case for the continuation of the payment of 50 percent of the receipts on these lands, even though this payment may balloon to $30 million in fiscal 1970 as compared with $25.5 million in fiscal 1969.

Apparently the Bureau of the Budget also felt the force of some of the arguments used, for in a revised Nixon budget in which budget cuts were the order of the day the proposed limitation on Oregon and California land payments was hiked from $24 million to $25.5 million. This compares with cuts in other Bureau of Land Management activities such as oil shale research and improvement of land appraisals.

An editorial reprinted in the May 6 edition of the Portland Journal and originally appearing in the Albany, Oreg., Democrat-Herald, gave particular force to the arguments Mr. Doerner and his colleagues set forth when it stated that Linn County, one of the 18 western Oregon counties receiving O. & C. payments, would receive more if the land were on private tax rolls than the county currently received. This estimate was completely at variance with the figures I had received earlier in the year from the Bureau of the Budget.

My inclination to look behind the presumed facts set forth in the editorial to the figures on which they were based was reinforced by one obvious error. The editorial stated that payments in lieu of taxes would be limited to $24.5 million if the Bureau of the Budget recommendation were followed. Actually the Bureau had recommended its ceiling of $25.5 million some weeks earlier. I then found that Linn County had 86,166 acres of O. & C. land according to a study Mr. Doerner left with me—"The Significance of the O. & C. Forest Resource in Western Oregon"—rather than the 58,932 acres mentioned in the editorial.

The editorial stated that value of the merchantable timber on these acres was $127,121,170. Yet according to the figures contained in the 28th biennial report—1964–66—of the Oregon State Tax Commission the assessed value of timber on all private land in the State of Oregon was a mere $104,382,107. Furthermore the assessed value of the timber on private land in Linn County was only $21,585,800. Yet this land, according to the O. & C. county study, amounted to 515,000 acres.

Making a projection I discovered that if the timber on 58,932 acres in Linn County was assessed at $127,121,170 then the entire O. & C. resource of 2.5 million acres should contain about $5.5 billion worth of timber. Yet the return on these lands was not even $55 million, or 1 percent of this presumed value, this past year.

The figure given in the editorial for tax payments on the O. & C. land's merchantable timber was $607,312.54. We are told that this figure is based on "the formula assessors use in determining timber taxes." Of course the figure is arrived at by applying that formula to the hypothetical $127,121,170 at which the merchantable timber on Linn County's O. & C. lands is valued—a figure that exceeds the value of all the private timber in the State.

In any event we can determine the tax per dollar of assessed valuation by dividing the tax into the assessed valuation. It works out to about .00478 cents per dollar of timber, or approximately one-half cent on the dollar. In a similar way it is also possible to find that the tax on the land, as opposed to the timber is about .0465 or approximately 4½ cents per acre. This figure is arrived at by dividing the acreage mentioned in the editorial, 58,932 acres, by the property tax the editorial estimates would come from from these acres—$2,740.

Using these figures and information contained in the Oregon State Tax Commission's report, we learn that the $21,585,880 worth of private timber in Linn County on the assessment rolls in 1966–67 would have been taxed at .00478 cents on the dollar or $1,031,769. Again going to the O. & C. county study, which tells us that there were 515,000 acres of private timber land in Linn County, and applying the tax rate of .0465 per acre we find that the land would have been taxed at $23,947.50. Adding the figures together we are able to determine that both land and timber taxes on the 515,000 acres come to approximately $1,055,000, or about $2.05 cents per acre.

This $2.05 per acre compares favorably with Dr. Albert Worrell's estimate contained in a 1967 study for the Industrial Forestry Association that land and timber taxes in this area average $1.73 per acre, varying from 24 cents to $2.62.

If, in fact, the private forest tax in Linn County is about $2.05 cents per acre the 86,166 O. & C. acres would have paid only $180,000 in taxes rather than the $607,312.54 cited in the article or the $577,000 actually paid based on 50 percent of O. & C. revenues. Thus the actual payments on O. & C. lands in this instance appears to be over three times greater than taxes paid on comparable private land.

Furthermore, if $2.05 cents per acre is a representative figure the 7.6 million acres of private timber land in Oregon as given in appendix D of the O. & C. county study would pay approximately $15 million in taxes while the O. & C. lands, which amount to only 2.5 million acres, paid $25.5 million to 18 Oregon counties last year and may well pay $30 million this year unless Congress acts to accept the Budget Bureau's recommended ceiling of a generous $25.5 million.

In summation, Mr. President, on the basis of the figures presented in the editorial I have referred to, as well as the information left with me by Mr. Doerner and his associates, I feel it would be a substantial mistake to fail to put a ceiling on O. & C. land payments. I intend to continue my fight for such a ceiling.

I ask unanimous consent that the editorial from the Portland Journal be printed at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Portland (Oreg.) Journal, May 6, 1969]

WHAT'S DUE FROM O. & C. LANDS

Before we will admit there is justice in proposed curtailment of payments by the Bureau of Land Management in lieu of taxes on O&C timberlands to the 18 counties containing them, we should like to know the basis for the U.S. Budget Bureau's curtailment schedule. The federal agency proposes to place a ceiling on BLM payments at about $24.5 million this year and a continued annual reduction in such amounts as would be necessary in 10 years to reduce payments to what the counties would receive if the timber were privately owned.

This assumes that the counties have a "golden goose" that is laying excessively large eggs—that the O&C lands would yield far less under private ownership than they do now.

What we would like to know is how the Budget Bureau determined what it contends the O&C payments should be.

At our request Linn County Assessor Hal Byer has ascertained what the 58,932 acres of O&C timberlands in Linn County would yield to the county in taxes if they were on the tax rolls. The assessable value of the land was found to be $153,169. It would have yielded a tax of $2.740 had it been privately owned. Value of the merchantable timber on this land was estimated at $127,121,170. Under the formula assessors employ in determining timber taxes it was estimated that Linn County would have derived a tax payment of $607,312.54. The amount was determined by applying the 1968–69 levy in two code areas or districts selected as typical.

Instead of $607,312.54 in taxes which the county would have received from private owners of this land Linn County actually received only $577,000 in BLM payments last year.

These figures, the assessor admits, might be altered if all BLM timber were re-cruised and assessed on the basis of more accurate knowledge than is now available as to board feet of timber per acre on O&C lands, but he is convinced that cruising would show an increase rather than a decrease in the amount of taxable timber and therefore would increase revenues to the O&C counties.

We suggest that a thorough investigation into current true cash values of O&C timberlands be demanded before the 18 counties give up what we are convinced is due them.

ORDER OF BUSINESS

Mr. PROXMIRE. Mr. President, I ask unanimous consent that I may be permitted to proceed for 5 additional minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

EFFICIENCY IN GOVERNMENT AND PPB: SOME PROPOSALS FOR REFORM OF THE BUDGETARY PROCESS

Mr. PROXMIRE. Mr. President, the level of inefficiency in Federal Government expenditure programs is enormous. We seem to be spending our money on low-ranking priorities and even in the management of this spending, we are terribly wasteful.

In recent months, a number of important investigations of inefficiency and waste in the Federal Government have been published. A study by the independent Congressional Quarterly—June 28, 1968—for example, estimated that $10.8 billion could be eliminated from the Defense Department budget with no reduction in the level of national security. A report by Richard Stubbings of the Bureau of the Budget, printed in the CONGRESSIONAL RECORD, February 7, 1969, page 3171, presented hard evidence that many of our most costly weapons systems perform at a level substantially below expectation. It also indicated that those systems whose production generated the greatest profits displayed the largest performance shortfall. A paper by Robert Benson in the Washington Monthly, March 1969, presented evidence that a $9.2 billion reduction in the Defense budget could be achieved without loss of military capability.

Over the past year, the Subcommittee on Economy in Government of the Joint Economic Committee, of which I am chairman, has encountered numerous instances of inconsistent, uneconomic practices in Federal agencies. These have dealt with military procurement matters, the application of discounting analysis to proposed investments throughout the Government, and the procedures for consistently estimating the benefits of Government expenditures. The existence of cost overruns entailing unexpected expenditures of billions of dollars and the construction of public works projects which return far less production for society that comparable private investments are now well documented.

As our economy grows and as the demands of the people on the Federal Government burgeon, it becomes increasingly important that we seriously appraise our priorities and find ways of determining which of our various programs are most effective in attaining our objectives. In my comments, I wish to focus on some of the problems in the executive and, especially the legislative branches of the Government, which impede us in making open, explicit—indeed, rational—decisions. The proposals which I will offer hold out substantial promise for improvements in the budgetary decision process in the Federal Government.

It is now 3½ years since all major Federal agencies were instructed to develop and implement planning-programing-budgeting systems. During this period there has been great activity in connection with program analysis and evaluation and a tremendous amount of discussion and debate. There has not been, however, any systematic look at how the application of these tools was worked out in practice, at what lessons have been learned and what changes made, and what policies should be followed in the future. It is time for the Congress to inform itself on the progress of the PPB System and to consider how the legislative branch can improve its effectiveness in the budgetary process.

THE PPB SYSTEM AND RATIONAL DECISIONMAKING

It should be emphasized that the use of PPB and systematic analysis in the Government is not a partisan issue. While originally implemented pursuant to the instruction of President Johnson, it also is supported by the new administration. As Budget Director Robert Mayo has stated, it is now quite clear that any administration needs techniques of program analysis and evaluation if it is to make effective decisions on resource allocation and affirm the objectives of planning, programing, and budgeting.

The absence of partisan dispute over the use of PPB points to the recognition by responsible Government officials that we must be rational in our approach to public policy decisions. For, to use PPB to obtain information about the gains and losses to be anticipated from a decision is to demand no more than that the decision be rational. Properly defined, PPB is the most basic and logical planning tool which exists: it provides for the quantitative evaluation of the economic benefits and the economic costs of program alternatives, both now and in the future, in relation to analyses of similar programs.

Any decisionmaker, whether he be the head of a household or the head of a business firm, must rely on the comparison of the gains and costs of his decisions if he is to be successful at achieving his objectives. To ignore the careful consideration of gains and losses is equivalent to saying that he has no objective at all; no goal which he is attempting to achieve. While the objectives of the Federal Government are less tangible and more complex than those of a household or a business firm, they do exist, and analysis should be carried out to determine which of our alternatives will allow us to satisfy these objectives at least cost. I would add that the very effort of attempting to evaluate alternatives is of substantial assistance in determining what our objectives really are.

I have never been able to understand why we are only now getting around to the task of developing such a system of analysis and evaluation in the Government. It is even more difficult for me to understand why many officials and private groups sometimes object so violently to the application of this logic to public sector choices. Obviously, they themselves demand such information before they buy a new car or trade 15 shares of one common stock for seven shares of another.

THE CONGRESSIONAL BUDGETARY PROCESS

As a Member of the U.S. Senate, I have a strong interest in the potential of PPB for improving decisionmaking in the legislative branch as well as in the executive. This is a very important possibility because, in my view, the legislative resource allocation process is sorely in need of improvement. In a very real sense, the congressional appropriation process is a classic example of an inexplicit, closed, and uninformed decision process. I am not arguing that the executive budgetary process is perfect, or even that it is, in fact, very good on any absolute scale of values. But it is both informed and open compared with the budgetary process which exists in the legislative branch.

In the Congress, with its appropriations committees and subcommittees, there is very little explicit consideration of program objectives or trade-offs, of alternative means of attaining objectives, or of the benefits and costs of budget proposals this year and in the future. In short, Congress does not really give the budget a meaningful review because it fails to ask the right questions.

Perhaps the primary reason for this is the traditional policy of executive branch dealings with the Congress. The executive branch comes to Congress with only one budget, with only one set of program proposals, and typically with no quantitative information on the benefits and the costs of even their own proposals. In fact, the only program area in which the Congress is presented with substantive cost/benefit evaluation information is that of water resources development. Since the Flood Control Act of 1936, project proposals in this area have been accompanied by a benefit/cost ratio. This number enables Congressmen and Senators to get some sense of the economic value of the choices which they are making and of the implicit costs involved when they choose to accept a project with a low benefit/cost ratio despite the fact that one displaying a higher ratio is available. Even so, the usefulness of these analyses has been impaired by the use of artificially low discount rates in computing the present values of benefits over time. This has made bad projects look far better than they should.

A second reason why the Congress has performed so badly in the budgetary and appropriations area has to do with the interests of Congressmen and Senators. Many in the legislative branch have little interest in or patience for careful deliberations on budgetary matters. The careful consideration of alternatives requires much effort and concentrated study of the relative merits and demerits, the costs and the gains, of alternative policy proposals. This is hard and grubby work. Those not used to thinking in such terms find it easier simply to rely on the executive agencies. Unfortunately, these agencies are often more interested in selling their programs, regardless of merit, than in having Congress analyze them.

A final reason for Congress poor performance in this area is the severe staffing constraints under which the legislative branch operates. Currently, we do not have the staff either to interpret or to evaluate the analysis done by the executive branch were it presented to us, nor does Congress have the staff to do policy analysis of its own. Indeed, in my judgment, this is one of the primary barriers to the ability of the Congress to fulfill its mandate as controller of the public purse. Dr. Jack Carlson, who is Assistant Director of the Bureau of the Budget, stated this well in his recent testimony before the Subcommittee on Economy in Government:

> You (the Congress) have some outstanding people who can provide (program) evaluation, but very few. I frankly think that Congress is not very well equipped to provide that evaluation.

THE EFFICIENCY CONSEQUENCES OF THE COMMITTEE STRUCTURE

Even if the interest and the staff existed, though, there would still be substantial organizational problems which would impede the development of an effective public expenditure decision process. The primary difficulty is the committee structure. In considering appropriations requests from the executive, both the House and the Senate organize themselves into appropriations committees and subcommittees with each subcommittee having control over a particular portion of the budget. The subcommittees consider the executive's proposed budget, deliberate on it, perhaps amend it, and ultimately report out an appropriations bill. The structure of this arrangement is such that the powerful people on the appropriations subcommittees—the chairmen—almost inevitably desire increases in the budgets which they oversee. They are not interested in careful scrutiny and evaluation of their own budgets. Other budgets should be cut, of course, but everyone knows that defense—or agriculture, or space, or public works, as the case may be—is "absolutely necessary" to the further growth and prosperity of the Nation.

My experience on the steering committee of the Democratic Party confirms all of my misgivings on this matter. In the deliberations of this committee, which assigns the Democratic membership to the available committee vacancies, there are enormous pressures to place those Senators whose States benefit from, let us say, public works appropriations on either the Senate Interior Committee or the Public Works Subcommittee of the Appropriations Committee. In fact, a Senator who is from a State which benefits substantially from these programs is at least in the short term rather clearly serving his own best interests and those of at least some of his constituents if he attains a seat on one of these committees. The net result of all of this, however, is that the committee structure develops a built-in bias toward higher budgets. Because the people who serve on each committee have an interest in seeing the budget for which they are responsible increase, they often fail to encourage careful evaluation and analysis of expenditures.

An example of the bias which results from this process is clearly seen by observing the State membership of the Senate Committee on Interior and Insular Affairs. The Democratic members on that committee are from Washington, New Mexico, Nevada, Idaho, Utah, North Dakota, Wisconsin, Montana, and Alaska. The Republican membership is from Colorado, Idaho, Arizona, Wyoming, Oregon, Alaska, and Oklahoma. With the exception of my able colleague, GAYLORD NELSON, there is no Senator on this committee representing a State east of the Mississippi River. A similar kind of situation holds in the Public Works Subcommittee of the Senate Appropriations Committee. The Democratic membership of this committee represents Louisiana, Georgia, Arkansas, Washington, Florida, Mississippi, Rhode Island, Nevada, West Virginia, and Wyoming. Again, a substantial concentration of Senators from those Southern and Western States which receive major water resource appropriations. Much the same is true with the Republicans on that subcommittee, although I should add that at least two of these are from the Eastern States—Maine and New Jersey.

Largely as an outgrowth of this built-in committee bias, the relationships between the staffs of the committees and subcommittees and their counterparts in the executive agencies is hardly one of arms-length dealings. The degree of mutuality of interest between the executive staff and those on legislative branch committees is substantial. I would add that this problem is not peculiar to legislative-executive relationships. The serious collegiality between Budget Bureau examiners who work on the military budget and their counterparts in the Pentagon has recently been the cause of much concern.

TOWARD AN IMPROVED APPROPRIATIONS PROCESS

Given the institutional constraints which inhibit change in this situation, is there anything which can be done to improve the congressional budget-making process? In my judgment, there are a number of important steps which can be taken. Many of them entail bringing to bear additional PPB-type information on the appropriations process. Congressmen and Senators who are concerned with national priorities and efficiency in Government must have the information and data necessary to raise and debate the right basic questions about program effectiveness and worth.

BUILDING A CAPABILITY TO ASK THE RIGHT QUESTIONS: THE FIRST STEP

The most basic and elementary step which the Congress needs to take in improving the appropriation process is to develop a capability to ask the right questions. Whether this means a substantial increase in staff capability or a special office of budgetary analysis or an increase in the PPB capability of the General Accounting Office is not clear. What is clear, however, is that the Congress cannot respond to the demands of the people, cannot establish proper national priorities, cannot improve the quality of its decisions, cannot properly scrutinize the executive budget unless it equips itself to ask the right questions.

The right basic questions as I define them are those having to do with the outputs of a program and its inputs and the economic values of each. They are questions concerning the total costs of program decisions, and not just the given year costs. They are questions having to do with the distribution of a program's costs and benefits among the people. We must, for example, determine the economic losses which will be sustained—or gains which will be foregone—if program X is reduced by 10 or 50 percent, or increased by 10 or 50 percent.

The following are a few examples of the kinds of questions which I have in mind:

What are the real national security costs of removing Southeast Asia from the primary defense perimeter and what are the budgetary savings from its removal? On the basis of very little evidence and information, I am inclined to say that the costs of removing Southeast Asia may well exceed the value of the budgetary savings which we would experience. However, I cannot make a rational decision on this matter, nor can my colleagues in the Congress, unless we have the best analysis available on the costs and gains of such a policy alternative.

What would be the national security impact of a 30-percent reduction of total

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U.S. ground forces, and what would be the budgetary savings from this reduction? The article in the Congressional Quarterly* which I referred to earlier, claimed that $10 billion could be cut from the defense budget with no loss of national security effectiveness. Over 50 percent of this suggested $10 billion cut was in the area of manpower. The efficiency of the Department of Defense in the handling of manpower policy is very low. Indeed, the national security costs of reducing ground forces by 30 percent may well be zero. In any case, it is evidence—data and information—on the costs and gains of that sort of decision which Congress requires if the level of rationality is to be increased.

What are the total costs of adding a nuclear carrier force with all of its required support to our existing 15 carrier complex? What would be the gain in national security? How much elementary and secondary education could we purchase for the dollar cost of the new carrier?

What national economic benefits would the Nation sacrifice and what national costs would it avoid, if the Trinity River project is not constructed? This project involves the creation of a channel from Dallas-Fort Worth to the Gulf of Mexico. Some observers have argued that it would be cheaper to move Dallas-Fort Worth to the Gulf than the construct this channel.

What benefits are available from manned space flights that are not available from unmanned flights? What are the incremental costs of manned over unmanned flights? The space agency is now asking us for funds for 10 moon landings and for the exploration of still additional planets. Those planets are going to be there 10 years from now, or even 20 years from now. On what basis can we justify the current expenditure of these funds in view of the other social objectives which we could attain if these funds were not allocated to the space program? Moreover, some scientists believe that all of the information that we need from space flights can be obtained from unmanned flights, that manned flights are not necessary for this purpose. We need hard analysis of this decision.

What are the real costs to the American economy of specific protectionist measures that are sought by industry, such as the oil import program? What, in hard economic terms, do similar measures by other countries cost us? Such information is essential for effective bargaining.

How much do we spend to maintain a military capability to keep open important transportation bottlenecks, such as the Panama Canal, Gibraltar, or the Strait of Malacca? What costs would be incurred if such bottlenecks were not open?

What is the relationship between resources put into Federal criminal investigation, prosecution, and judicial activities and the outputs of those activities in terms of cases actually processed? What are the benefits obtainable through Federal payments for increasing the number of State and local law enforcement personnel versus those obtainable from increasing the support available to existing personnel? In particular, to what extent are trained police officers now used less than optimally because of a lack of subprofessionals, dictating equipment, vehicles, cameras, or other fairly elementary support items?

Which policy of preschool education produces greater benefits: a policy which is going to reach all poverty children to at least some extent, or a program of intensive work with fewer children? What economic losses will be incurred in the future—in terms of loss of productivity and increased welfare costs—that could be prevented by child nutritional and health care programs? How do the benefits available from such programs compare with the benefits available from further extension of the Medicare program? For each type of program, upon whom would the costs and benefits fall or accrue?

What are the costs and benefits involved in the construction of mass transit systems in cities which do not presently have them? What should be included in our calculation of benefits, and how accurate can we be in our judgments? In the Northeastern United States, are the costs of constructing a high-speed ground transit system for intermediate intercity journeys less than those of constructing additional airport capacity?

What is the likely yield from the Government's investment in fast breeder reactor R.&D. and how does it compare with the return that the relevant private sector would demand? Are there possibilities for international cooperation that would avoid the overlap between this work and similar work in other countries?

These are the kinds of questions that Congress needs to ask, and for which responsible executive branch agencies must develop and supply answers. In my judgment, concerned Congressmen and Senators can rdeuce much gross waste from our budgets if we can first develop enough information to ask the right questions, and second, have the cooperation of the executive branch in getting answers.

In this same vein, it seems to me that the current ABM discussion which is going on in the Congress is one of the few examples of careful policy analysis by the legislative branch. It is a case in which Congress—the whole Congress—is asking the right questions about the benefits which will be achieved from this decision, about the costs which it will entail. As in good policy analysis, the question of objectives is being explicitly discussed and the interrelationships between the program proposal and the attainment of objectives is being investigated with some care. It is my belief that with more PPB-type information, the Congress can do this kind of policy analysis on increasing numbers of issues and expenditure proposals.

GAINING ACCESS TO APPROPRIATE DATA AND ANALYSIS: A SECOND STEP

In addition to developing the capability to ask the right questions, the Congress needs to be provided with certain basic kinds of PPB-type information on an ongoing basis. The executive branch must be asked to develop this information and submit it to the Congress in appropriate form. The Bureau of the Budget must assume the leadership in this effort. Let me describe a few specific kinds of information which are essential to a more open and explicit congressional decision process.

OVERVIEW INFORMATION

The first items of analysis and data I will call overview information. We need a display of each program in the Federal budget and an estimate of its benefit-cost ratio—that is, the efficiency impact of that program. We also need information on the distributional pattern of project outputs by income level, race, and geographic location—its equity impact. This information is often as important to those of us in the legislative branch as is the efficiency information. We can frame good policy only if we have knowledge of who we are helping when we appropriate money and who is bearing the cost. Even though many of these estimates would have to be rough, they would generate a major improvement in the appropriation process by giving Congress a better perspective on the probable impacts of these public expenditures. I urge the agencies to develop this kind of information, and I urge the Bureau of the Budget to collect and supply it to the Congress for individual programs and in summary form.

BUDGET PROJECTIONS

A second body of information which Congress requires is out-year budget information. For each program, what are the expenditures to which we are committed over the next 5 years because of decisions which we have already made? For each new program proposal, what are the total 5- or 10-year costs entailed by the decision? An example of what happens when we do not have this kind of information is the Higher Education Act of 1965—Public Law 89–329. In this legislation, we provided thousands of student scholarships for the first year without really recognizing that to maintain our commitment the funding would have to double in the second year, triple in the third year, and quadruple in the fourth. By keeping the program at its present level, and refusing to honor the implied commitment, we have placed college and university administrators in an impossible position. They now either have to reduce the scholarship aid for the class which entered school last year, or they have to eliminate completely scholarship aid from this source for students currently entering school. If Congress had been oriented toward explicit consideration of the future costs of present decisions, I think it would have avoided this bind.

I urge the executive branch to formulate a framework and procedure to develop this out-year budget information across the Federal budget and to present it to the Congress. Moreover, I would propose that the President use the out-year budget framework which is developed to convey his budgetary priorities to the Congress. The numbers which he would place in the appropriate slots in this framework would not commit him, and would change over time. However, they would show the level of program outlays for which commitments have already been made as well as the budgetary areas to which the President would like

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**Congressional Quarterly,* June 28, 1968.

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to see uncommitted funds devoted. They would give the Congress an ongoing description of how the President hoped to allocate the Federal budget over the next several years and how much discretionary room remains in the budget if existing laws remain unchanged. They would give the Congress a bird's-eye view of the executive's plans and priorities. I would hope that the Bureau of the Budget could play the leadership role in developing this information.

QUANTITATIVE ANALYSES OF ALTERNATIVES

The final type of information which is essential to improvements in Congress' performance of its budgetary function entails the quantitative economic analysis of alternatives.

As stated earlier, when the administration comes to Congress with a new program, it typically comes with a single recommendation. If Congress is to carry out effectively its decisionmaking role, it must do more than simply accept or reject an administrative recommendation. The Congress needs to be presented with a number of alternatives which would achieve a given objective. These alternatives should be accompanied by quantitative analyses of the benefits and the costs of each. It is only slightly less than absurd that the Congress is expected to participate meaningfully in the policymaking process when it is not asked to consider alternatives, but only to approve or disapprove or to amend slightly at the margins. This problem is especially severe in the area of defense spending and military budgets. The development by the executive branch of a policy to provide the Congress with more alternatives and more benefit and cost information will, I suspect, not occur overnight. Current policies are rooted in the concrete of both tradition and realistic gamesmenship. Nevertheless, it is something that we should work hard to change.

THE FURTHER DEVELOPMENT OF PPBS

All of these improvements in PPB in the legislative branch are tied to the further development of the PPB system by the Executive.

As is obvious, I am a strong supporter of program analysis. I also think the efforts that have been made recently to strengthen the process are important. In particular, the narrowing of the number of issues which receive special analytic attention was an important step, as is the insistence that these issues deal with the larger budget questions. Hopefully, agencies will be able to respond with more quantitative and more pointed analyses on the reduced list of issues. I also support the goal of increasing the role of agencies in the PPB process.

In my judgment, of high priority to the further development of PPB systems is the issuance by the Bureau of the Budget of a number of guideline documents to insure consistency in the economic analysis of public expenditures applied throughout the Federal Government. Last year, the Subcommittee on Economy in Government, of which I am chairman, learned of the enormous divergence in the discounting analysis of public investment programs, ranging from rates of zero percent in some programs to 20 percent in others. In testimony before the subcommittee, we learned from reputable economists that the discount rate to be used by public agencies should be at least 8 percent. This would eliminate the economic waste of diversion of resources from the private sector, where they are producing at least this return to the public sector where, if rates of discount lower than this are applied, they will be likely to produce less. As stated earlier, I am well aware that the equity aspects are as important as the efficiency ones. However, one should not think that programs with low rates of return automatically produce equity, because they do not. Nor do I doubt our ability to find programs which meet both sets of criteria.

In the report of the Subcommittee on Economy in Government, we recommended that: First, the Bureau of the Budget should require all agencies to develop and implement consistent and appropriate discounting procedures on all Federal investments entailing future costs or benefits; and second, the Bureau of the Budget, in conjunction with other appropriate government agencies, should immediately undertake a study to estimate the weighted average opportunity-cost of private spending which is displaced when the Federal Government finances its expenditures. In response to these recommendations, the Bureau of the Budget has assured us that it is developing procedures for insuring consistency in discounting practice across the Federal Government. I am anxious to see how the committee recommendations are going to be implemented by the Bureau and Federal agencies.

On the basis of recent hearings before the Subcommittee on Economy in Government, I judge that Federal Government practice in benefit estimation is also extremely disparate. The issuance of a guideline document on the procedures for benefit estimation is necessary. We need to develop a consistent concept of program benefits viewed from a national accounting stance. We need to establish a consistent procedure for handling benefits such as regional effects and secondary impacts, which are not appropriately considered from a national economic viewpoint.

In addition to increasing the role of consistent analysis through the issuance of guideline documents, the executive branch should build explicit procedures for the ongoing evaluation and appraisal of programs into new and experimental social programs. The Congress should require that provision for ongoing evaluation be included in appropriations for these programs. We know little about the kinds of inputs and program structures which will yield the outputs we desire and if we ever hope to generate improvements in programs in the areas of education, health, labor retraining, and so on, we must have follow-up evaluation. This information must be available to Congress on an ongoing basis as these programs evolve.

Finally, we need a new budget analysis which breaks down and evaluates the economic impact of tax expenditures, as well as direct expenditures. In testimony before the Joint Economic Committee, Joseph Barr, former Secretary of the Treasury, pointed out that the special provisions, exceptions, and deductions in the Federal tax structure cause an enormous reallocation of the Nation's resources. The volume of these tax expenditures is huge; in some of the functional categories of the Federal budget they outweigh direct expenditures. So far we have little analysis of these expenditures; we know very little about the kinds of outputs which they are producing, and the kinds of resource diversions they entail. The Federal budget should include information on these items, as well as the information which it currently includes.

As a recent UPI article by Louis Cassells states:

> Tax expenditures are not subject to careful annual scrutiny in the budget and appropriation process and are not reviewed annually or periodically to measure the benefits they achieve against the amounts expended.
>
> The tax provisions which now involve an annual revenue loss equivalent to one-fourth of the total federal budget have built up piecemeal over many years, sometimes in response to social and economic needs, and sometimes as concessions to potent political or lobbying interests.
>
> If they were translated into open cash subsidies, which had to be voted by Congress each year, it is highly questionable whether some of them would survive.
>
> But present budget procedures tend to hide them from public attention, so that they remain in effect year after year, with little or no debate about their merits except in the comparatively rare instances when the House Ways and Means Committee undertakes to write a tax reform bill.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Leonard, one of his secretaries.

MESSAGE FROM THE PRESIDENT— APPROVAL OF A BILL

A message in writing from the President of the United States was communicated to the Senate by Mr. Leonard, one of his secretaries, and he announced that on May 15, 1969, the President had approved and signed the bill (S. 1130) to provide for the striking of medals in commemoration of the 100th anniversary of the founding of the American Fisheries Society.

AMERICAN CASUALTIES IN VIETNAM

Mr. BYRD of Virginia. Mr. President, the figures for American casualties last week in Vietnam have just been announced. In that 1 week 430 Americans were killed and 2,185 Americans were wounded, which makes a total for that 1 week of 2,615. To put that figure in perspective, Mr. President, during all of 1968 the average weekly casualty rate for Americans in Vietnam was 2,040. Therefore, one can see that the casualties this past week are extremely high.

Mr. President, from the beginning I have felt that involvement by the United States in a ground war in Vietnam or a ground war in Asia was a great error of judgment; but that since our country decided to draft men and send them to Asia to fight, I feel we must give them

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full support. That is why I wish to emphasize and reemphasize the severe casualty figures in the hope that it will focus attention on the difficulties facing our troops in Vietnam.

Almost weekly for more than 3 years I have been calling attention to the severe casualties being suffered by our troops in Vietnam. I think it worthwhile today, almost on the anniversary date of the beginning of the Paris talks, to consider what has happened during that year. If we go back a moment to April 1, 1968, that was the date that President Johnson restricted the bombing of North Vietnam. That was less than 14 months ago. Now what has happened in Vietnam since that time?

From April 1, 1968, through May 17, 1969, 13,891 Americans have been killed and an additional 98,085 have been wounded.

Totaling those figures shows that during the period when President Johnson restricted the bombing and, subsequently, in October cut out all bombing of North Vietnam, the United States suffered 111,976 total casualties.

The significance of that figure shows that during that period, 42 percent of the 262,344 casualties which the United States has suffered in Vietnam during the long history of the war, occurred since the bombing was restricted on April 1, 1968—less than 14 months ago.

Mr. President, in commenting on the bombing, a greater tonnage of bombs has been dropped during the Vietnamese war than was dropped on all of Europe during World War II plus all the bombs dropped during the Korean war.

But where were those bombs dropped? Only 7 percent of that great tonnage of bombs dropped was on North Vietnam. About 80 percent was on South Vietnam with the remainder on the Ho Chi Minh in Laos.

Mr. President, during the past 3½ years, I have invited the attention of the Senate almost weekly to the casualty figures coming out of the war in Southeast Asia.

I suggest again that I think it is so important we develop a sense of urgency to bring the Vietnam war to a close.

The figures show that during the year of the Paris peace talks—slightly more than a year—virtually nothing has been accomplished in Paris, yet American casualties have continued and, in many cases, they have increased.

I cite again the casualty figures from last week. They totaled 2,615 as compared with the average weekly casualty rate during all of 1968 of 2,040.

I cite again the total casualty figures suffered by the American people in Vietnam since President Johnson restricted the bombing on April 1, 1968. That figure is 111,976 from the period April 1, 1968, through May 17, 1969.

APPOINTMENTS TO 30TH SESSION OF INTERGOVERNMENTAL COMMITTEE FOR EUROPEAN MIGRATION

The PRESIDING OFFICER. On behalf of the Vice President, the Chair appoints the Senator from Ohio (Mr. YOUNG) and the Senator from New York (Mr. JAVITS) to the 30th session of the Intergovernmental Committee for European Migration to be held in Geneva, Switzerland, beginning May 21, 1969.

THE GENERATION GAP AND THE CAMPUS

Mr. MANSFIELD. Mr. President, with respect to the relationship between the generations, there has been increasing concern expressed in various segments of our society. There have been serious difficulties among young people, to be sure, but there has also been a good deal of fanaticism in reaction. In this situation, there is no justification for pomposity on the part of the older generation anymore than there is for anarchism on the part of the younger generation.

That there is a gap between the old and young is an inescapable biological reality. Nothing can be done about that except to accept it. That there is a lack of credibility or of mutual tolerance of ideas between the generations is also a fact. That difference, too, has a certain inevitability; down through the generations, it has been more the norm than the abnorm between old and young.

We need only go back, in all honesty, to our own younger days to sense the similarity between past and present. There were strains and tugs then as there are now. The principal difference is that we, who are older, now, were younger then and were doing most of the straining and tugging.

The older generation has its faults which, in my judgment, tend to center on a shirking of responsibilities toward the young who, in their own way, for better or for worse, are striving to grapple with a world which they did not make. The faults of the younger generation, in turn seem to me to center on a tendency to reject whatever has gone before as, at best, irrelevant. On the part of the mini-minorities, moreover, there is an apparent determination not merely to reject the past but to rampage over past, present, and future and reduce them all to a rubble heap.

What is needed is a realistic appraisal of the situation. The present generation of youngsters was born into a world which they did not make and which we elders helped to make. These kids are not to be dismissed as some sort of monsters from another planet. They are, after all, our progeny. If we start from that point, perhaps we can bridge the gaps between the generations with a degree of honesty and humility, even if we cannot close them.

I would also have the temerity to suggest to young people that they resist the temptation to blame everything on the previous generation. Those of us who are older should, in turn, act our age and stop the flatulent berating of youngsters when we ourselves are not without blame. Young people have to make their own lives. They have to find a way to face the responsibilities which go with life. They have to make and correct their own mistakes along with the accumulated mistakes of the past and, in that way, to come forward, as we tried in our turn to do, with a responsible and reasonable way of life of their own.

With particular reference to the present unrest on a small minority of the Nation's college campuses, it is my belief that the following criteria should be used:

First. The Federal Government should, if at all possible, not become involved in the settlement of campus disputes.

Second. As far as peaceful demonstrations, dissent, and petitions are concerned, they are entirely lawful and guaranteed to all our citizens under the Constitution; as far as violence and license are concerned, they are contrary to the law of the land and, therefore, are punishable. The law must be upheld and the punishment made to fit the crime and this punishment should be applicable to all our citizens on or off the campus.

Third. The universities of the country have rules and regulations, the enforcement of which is their responsibility. They also have penalties such as suspension and expulsion to use should these rules and regulations not be adhered to.

Fourth. The administrators of the universities and colleges as well as the students and the faculty are, in effect, in the process of passing through permanent institutions. The institutions and the maintenance of their effectiveness ought to take precedence over the predilections of any transient or group of transients.

Fifth. Congress passed an amendment to the Higher Education Act in 1968 which gives authority and responsibility to administrative officials of the universities and which was designed to assist in restraining violence and license.

To the best of my knowledge, no administrator in any college which has been subject to violence and license by students has seen fit to put this amendment into operation even though the authority to do so rests with them.

It is my further understanding that the reason that this has not been done is that the administrative authorities of the colleges have indicated that they do not believe this amendment is constitutional. I can only say that if that is the principal basis for their reticence, they should take the matter to the courts and get a ruling as to whether or not it is constitutional.

Sixth. On the other side of the coin, the responsibility for listening to and heeding legitimate grievances and maintaining law and order is the prime responsibility of the colleges themselves and this includes not only the administrators but the faculties and the student bodies as well.

Insofar as all generations are concerned, we should face up to the difficulties which confront us today. Our most profound obligation—young and old—is to keep this society, this Nation, and this world livable not only for ourselves but for those many generations which will come after us.

GIFT TO SUPREME COURT OF WRITINGS OF LATE JUSTICE BURTON

Mrs. SMITH. Mr. President, this past Monday there was a ceremony at the Supreme Court of the United States that held significant interest to many people

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in Maine. It was the ceremonial occasion of the court's acceptance of the gift made to it by the family of the late Justice Harold H. Burton of Justice Burton's writings.

Justice Harold H. Burton served on the Supreme Court from 1945 to 1958 and sat with the U.S. Court of Appeals in the District of Columbia until his death in 1964. The book of Justice Burton's writings was offered by William S. Burton, of Cleveland, an attorney and son of the Justice.

Many citizens of Maine have great interest in this matter, since Justice Burton was a graduate of Bowdoin College, of Brunswick, Maine. The book was edited by another graduate of Bowdoin College, a man long associated with the Supreme Court as its Assistant Librarian—Edward G. Hudon of Brunswick, Maine, a distinguished scholar with five earned degrees, including a doctorate.

I have a great personal interest in this event because it was my privilege to have been a good friend of the late Justice Burton and to be a good friend of Mrs. Burton—and Dr. Hudon is the husband of Mrs. Blanche B. Hudon, who was my right hand for so many years as my personal secretary.

This ceremonial occasion came at the first of a week which marked a beginning of restoration of public confidence in the Supreme Court. For when President Nixon chose Judge Warren Earl Burger to be the next Chief Justice of the United States, he made an excellent start on the rehabilitation of the Supreme Court.

THE SERIOUS CONDITION OF THE U.S. BALANCE OF PAYMENTS

Mr. SPARKMAN. Mr. President, among the enduring concerns which I have had over the years are that the United States maintain a strong balance-of-payments position, and that the base of U.S. companies participating in international commerce be broadened to include the many talented firms of the small business community.

About 5 years ago, we in the Senate detected threats to both of these objectives, and commenced investigations within several committees to see what could be done.

With the passage of time, I have become increasingly worried about the deterioration of the U.S. trade account, which was once the anchor of our international payments position. The following table reflects the decline of the U.S. trade surplus in recent years:

U.S. merchandise export account[1]

[Net, in billions of dollars]

Year:	
1964	+6.676
1965	+4.772
1966	+3.658
1967	+3.483
1968	+1.029

In 1969, the prospects appear to be worse instead of better. Even the terms of discussion seem to be changing from "trade surplus" to the "trade deficit."

In the first quarter of 1969 the Census Bureau reported a deficit of $68.1 million of imports over exports. Although there were 4 months during 1968 when the country experienced such deficits, this was the first full quarter of deficit since the start of the Korean war.[2]

It is common knowledge that there have been overall balance-of-payments deficits for 17 of the past 19 years. With the shift of our trade account from healthy surplus to a quarterly deficit, however, this matter has become more serious.

As a consequence, both Government and private commentators have publicly predicted very large overall balance-of-payments deficits for this year.[3]

PROSPECTS BEYOND 1969

The longer term perspective, it seems, is no more comforting. In mid-April, the Department of Commerce published a 5-year "outlook" for world trade.[4] I would like to commend the Department for this publication. When the Small Business Committee commenced its investigations in 1964 and 1965, one of the first things we requested was a long-term 5- or 10-year program from the Department of Commerce and other agencies. It is logical that the basis for such a program would be some idea of what would happen during the years when such a program would be running course. Thus, the 5-year outlook is a significant step forward. I am gratified that the Department is being responsive in this area of its responsibilities.

Turning again to the subject matter, the position of the Commerce Department, as stated in this report and other documents, was reported by one newspaper as follows:

> As summarized . . . (the Department) suggests that the United States may be doing well if in 1973 it can attain the relatively modest export surplus of $1.2 billion. Other projections in the study foresee shifts in the trade balance by 1973 to deficits (between) $1.2 to $1.8 billion.
>
> A $1.2 billion export surplus (is) expected to require considerable promotional effort . . .[5]

Mr. President, this is indeed a gloomy forecast. It confirms the worst fears that many of us in the Senate had in this matter.

Still, I believe that it is better to know of the problems we must face. We can then proceed to work together for their solution. There is wide agreement, I feel, that fundamental steps must be taken to improve the balance of payments at an early date.

An official publication of the Commerce Department puts it this way:

> The surplus on non-military merchandise trade declined $3.4 billion (during 1968) to a mere $100 million . . . The extraordinary deterioration in the merchandise trade balance . . . is not likely to be repeated . . . But this would not mean a return to the sizable trade balances of the (past) several years.[6]

As the Outlook report states: considerable promotional effort will be required.

The editorial voice of an experienced international bank pinpoints the need for action:

> In particular, the United States needs to give high priority to improving its trade accounts. It cannot safely depend on volatile capital flows or on restraints on overseas lending and investment to shore up a sagging payments structure.[7]

ACTION SHOULD BE TAKEN

We in the Congress have been attempting to encourage such action. The results of our investigations have been made available in a stream of hearings, reports, and statements over the past several years.

Many of the main lines of action have already been marked out. Some departments, agencies, and business organizations, as we have seen, have begun to respond.[8]

On May 8, I reintroduced one piece of legislation, S. 2079, offering some possibility of favorably affecting the balance-of-payments situation—CONGRESSIONAL RECORD, page 11804. A second bill, S. 2190 was reintroduced on May 15. Others will follow.

However, I urge all of those concerned not to wait for congressional recommendations before doing what needs to be done. The need has been great for quite a while.

We in the Senate have limited resources in the area of trade expansion, and responsibilities which from time to time extend to other matters. We have hoped that the executive branch, the independent agencies, and the major business organizations would go ahead with the steps that many experienced and knowledgeable people acknowledge are required. It is much to their credit to initiate these changes in advance of a congressional report.

Mr. President, I have outlined some of the steps which we in the Senate have taken to make the Nation aware of the gravity of our balance-of-payments problems and have touched upon a few of the recommendations which we are making in an attempt to improve matters.

As in the past, we will continue to do all that we can to increase the opportunities for small, regional, and all American business to increase their international markets, and correspondingly bolster the U.S. balance of payments.

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[1] *Statistical Abstract of the United States*, 1968, House Document No. 206, 90th Congress, Table No. 1198, Balance of Payments: 1960 to 1967. Comparable figures for 1968 from "Highlights of U.S. Export and Import Trade," U.S. Department of Commerce, No. FT 990, February 1969, p. 3.

[2] "U.S. Reports 1st Quarter Trade Deficit," by Jan Nugent, *Journal of Commerce*, April 29, 1969, p. 1:1.

[3] "Huge Deficit in Payments Held Likely, by Richard Lawrence, *Journal of Commerce*, April 23, 1969, p. 1:2; "Huge Deficit on Liquidity Basis Likely," *Journal of Commerce*, April 30, 1969, p. 1:7.

[4] "U.S. Foreign Trade, a Five-Year Outlook With Recommendations for Action," U.S. Department of Commerce, Bureau of International Commerce, April 1969.

[5] "Five-Year U.S. Trade Forecast: Doleful," by Brendan Jones, *New York Times*, April 20, 1969, Section 3, p. 1:1.

[6] "U.S. Balance of Payments—Fourth Quarter and Year 1968," by Lederer and Parrish, *Survey of Current Business*, U.S. Department of Commerce, March 1969, pp. 24–25.

[7] "Perspective on World Business, Aspects of U.S. Balance-of-Payments Difficulties," *World Business Magazine*, the Chase Manhattan Bank, N.A., April 1969, p. 3.

[8] "Sparkman Commends Businessmen and Report on Export Expansion . . . etc.," Dec. 20, 1968.

UNITED STATES TRAILS SOVIET IN EXOTIC POWER

Mr. MANSFIELD. Mr. President, I ask unanimous consent to insert in the CONGRESSIONAL RECORD a copy of an article which appeared in the Business and Finance section of the New York Times on May 18 under the headline "United States Trails Soviet in Exotic Power."

There being no objection, the article was ordered to be printed in the RECORD, as follows:

United States Trails Soviet in Exotic Power

(By Gene Smith)

LOS ANGELES.—The Russians have a word for it, and so do we. Scientifically it's known as magnetohydrodynamics (MHD).

It's one of several promising methods that are being carefully evaluated to determine the eventual successor to the tried and true systems of generating electricity—namely, steam generation by fossil fuels (coal, oil and gas) and water power.

EXPERIMENTAL WORK

The more promising challenges include: thermionics, thermoelectricity, electrohydronamics, fuel cells, fusion and MHD. The present evolutionary step is nuclear-fueled power which is in reality steam generation coupled with nuclear fission to supply heat to produce steam.

The breeder reactor, which produces more fuel than it consumes and is not expected to become practical until the mid nineteen-seventies at the earliest—is basically just a variation of existing pressurized water and boiling reactor water concepts.

Meanwhile, experimental work goes on around the world. Few would question that the leadership in nuclear power rests in this nation, a comforting thought in light of ever increasing demands for energy. But it is equally important to know where the United States stands in the race for development of the newer methods and when there will be a major breakthrough.

Joseph C. Rengel, executive vice president for nuclear energy systems at the Westinghouse Electric Corporation, in a discussion of all major methods, concluded that "Miss Nuclear Power is not easy to displace; Miss Fuel Cell has some promise, but Miss MHD is a long way back." He dismissed each of the other methods as well beyond reach of serious consideration at this time in an address to a forum on future power in mid-February in Washington, D.C.

More recently at a symposium on engineering aspects of MHD at the Massachusetts Institute of Technology, it became clear that the Russians are well in the world lead in the development of MHD. The top Russian scientist, Dr. Aleksandr Sheindlin, said he personally believed that thermionics and fuel cells are not in the proper perspective to large scale power developments, thus echoing Mr. Rengel's diagnosis.

An MHD generator somewhat resembles a rocket nozzle or a piece of pipe. Electrodes are imbedded in the walls of the pipe, which is placed between the poles of a powerful electromagnet. Hot gas from the combustion chamber or a nuclear reactor is forced through the pipe at high speed, butting the magnetic lines of force, which generate current in accordance with physical laws of induction. The current is picked up by the electrodes and then flows into a power distribution system.

LACK OF DISCUSSION

The theory comes under the same physical laws that govern the operation of conventional generators and turbines, but it has certain inherent advantages, chief among which are: the ability to handle extremely high temperatures, the ability to handle power levels of much greater magnitude and the fact that there are no moving parts.

In an interview after the M.I.T. meeting, Dr. Sheindlin said he felt that in this country there seems to be a lack of careful discussion of the other methods of power generation besides nuclear.

"In your country, nuclear power has a great potential for many years, but so does conventional power from fossil fuels and there will be equally important applications so long as fossil fuel still accounts for a large part of your over-all power generation," he said, adding:

"Look how orders for nuclear power have fallen off even in this country this year."

THEORIES CONFIRMED

Only last Wednesday was Westinghouse able to announce receipt of the first order this year for a large nuclear power plant. The 800,000-kilowatt unit was ordered by the Alabama Power Company.

Dr. Sheindlin said he expected to be able soon to place in operation a pilot MHD plant with a total capacity of over 75,000 kilowatts, of which the MHD generator would account for some 25,000 kilowatts.

"We are at that state of development where our knowledge is such that without a practical test we do not know exactly what the future limits will be," he said.

The Russian scientist was equally pleased to report that the work of the leading American MHD scientist, Dr. A. R. Kantowitz of the Avco Research Laboratory in Everett, Mass., had confirmed many of his own theories.

"Dr. Kantowitz has suggested that large capacity MHD peaking stations would cost significantly less than conventional units. He also pointed out that such plants could be started up in a few seconds and would, thus, have great significance on electric systems now in use. We intend to report this to our Soviet colleagues," Dr. Sheindlin said.

Dr. Kantowitz warned a House subcommittee in March, 1968, that "without your enthusiastic support, the United States, which was privileged to first create the promise of MHD, is now and will continue to fall behind the other leading countries where MHD has vigorous government support."

He called for funds to develop a 30,000-kilowatt pilot plant and pointed out that MHD could save this nation a billion dollars a year based on the present rate of energy consumption due to the 50 per cent or better efficiency of MHD plants.

THE FUEL CELL

He also stressed the fact that MHD plants would result in a dramatic reduction in thermopollution of water bodies as well as air pollution. Through 1968, the Avco Corporation, working with a group of electric utilities had spent $8-million to reach the technical competence for the nation, only to reach the point where Dr. Kantowitz predicted that MHD machines of the future would bear the "made in Japan" or "made in the Soviet Union" labels.

Much more attention has been paid to the fuel cell, which is a device consisting of a positive and a negative electrode and an electrolight that converts chemical energy directly into electric energy, thus eliminating heat engines and electromechanical generators. Those who backed fuel cells see in them the often-promised "little black box" that supplies all the power needs for each house and building.

Fuel cells have been given strong impetus by the nation's space program and have reaped the attendant publicity of the space age. The Columbia Gas System, working with the Pratt & Whitney Division of the United Aircraft Corporation, has been experimenting since 1961 with a natural gas fuel cell.

Officials of the gas company feel that such cells might become economically competitive and reliable by 1975. A large group within the gas industry has now joined in a $21-million, nine-year program to see whether this may come true.

There are more companies involved in this phase than in any of the other new systems. Chief among the would-be developers are Westinghouse; General Electric Company; Leesona Corporation; Bolt, Beranek & Newman, Inc.; Clevite Corporation; ESB, Inc.; Gulton Industries, Inc.; Union Carbide Corporation; Yardeney Electric Corporation, and others.

The search for new and economical means of producing electricity has gone into many fields. The Marks Polarized Corporation received in 1967 a patent for a charged aerosol generator that is described as a direct heat-to-power device and in mid-March the Edison Electric Institute announced it would sponsor a three-year research project at M.I.T. to determine the practicality of using super conducting magnets in power generators to increase output.

Mr. MANSFIELD. Mr. President, I was particularly struck by the fact that a major portion of the article is devoted to the assertion that the United States is trailing the Soviet Union in the development of a magnetohydrodynamic electric power generator. This, indeed, is a sad commentary on the attention this Nation is giving to advanced power generator techniques, especially since it was an American scientist who developed the Nation's first MHD generator just 10 years ago. The Soviets have used our 10 years of pioneering research and have put it to practical use to generate power for private and industrial use. MHD powerplants promise to be 50 percent more efficient than the most advanced electric power generators now available. Electricity is generated by passing a hot gas through a magnetic field. Because of its unique operating characteristics, it will operate without polluting the atmosphere; it will operate in areas which lack the water to sustain conventional plants, and MHD plants can operate with a variety of coals. This last point is especially important to Montana. Montana has extensive deposits of coal in the eastern half of the State.

It seems unfortunate, Mr. President, that so little attention is given to fuel generators, since coal is our most abundant resource. Today the United States manufactures only a small percentage of the total electric generators used in this country, and it appears from this article that we are now losing the opportunity to assume a major role in the future electric generator market, both here and abroad.

For some time now, my colleague, Senator METCALF, and I have been interested in the progress here in the United States involving magnetohydrodynamics. We have had correspondence with the Office of Coal Research in the Department of the Interior concerning the development of an MHD pilot plant in Montana which would generate at least 10 megawatts of electricity. We have asked the Appropriations Committee of the Senate to provide funds in the fiscal 1970 budget for such a pilot plant. The purpose of such a plant would be to work out

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the practical engineering and operating problems of bulk power MHD generators. Hopefully this would lead to the construction of large-scale commercial MHD powerplants so that they can bring low-cost power to our growing population and to industry without the side effects of air and water pollution.

URGENT NEED TO EXPAND OUR FOOD ASSISTANCE PROGRAMS

Mr. MONTOYA. Mr. President, yesterday I testified before the Committee on Agriculture and Forestry in support of an expansion and improvement of the food stamp and commodity distribution programs. I ask unanimous consent that a summary of my remarks before the committee be printed in the RECORD.

There being no objection, the summary was ordered to be printed in the RECORD, as follows:

SUMMARY OF STATEMENT BY U.S. SENATOR JOSEPH M. MONTOYA

INTRODUCTION

Mr. Chairman, I have a rather lengthy statement with attachments which I would like to submit for the record and proceed to summarize for the Committee the essence of the observations I have made therein.

I come to this Committee today with a sense of nostalgia having served as a member of the Committee for four years since first coming to the U.S. Senate. It was with regret that I left the Committee in January of this year. I had many fond memories of our deliberations and accomplishments. It's a pleasure to be back and to appear to testify on a subject I know is of considerable interest to the Committee—that is, food assistance programs.

I have always been a strong supporter of the Food Stamp Program and was pleased to have played a role in getting San Miguel County, New Mexico designated as one of the original national pilot Food Stamp project areas in 1961. We now have 22 of New Mexico's 32 counties participating.

HUNGER AND MALNUTRITION IN NEW MEXICO

There is hunger in New Mexico, my colleagues, just like there is hunger throughout the Nation.

I have appended a table, Appendix I, to my statement which shows a county by county breakdown of the number of "poor" families in New Mexico. The number is astounding—being almost twice that of the national average.

The percentage of poor families, by OEO standards, in the Nation is 15.1%, but in New Mexico it is a dramatic 27.4%.

The problem is even worse in many of the counties of the State. For example, in Mora County 67.1% of the families have been classified by OEO as poor; in Taos County, 63.5%; in Guadalupe County, 45.3%; in Rio Arriba County, 50.7%; in Sandoval County, 58.2%; in San Miguel County, 49.1%; and in Torrance County, 40.5% of the families are classified as "poor." Only three of the 32 New Mexico counties are on a par with the Nation as a whole—which itself is no source of pride. The other 29 counties have two, three, and four times, the national average of "poor" families.

In many of these counties, the average income is extremely low. In Taos County, for example, 29% of the families had no income and 30% of the families had incomes below $100 per month. The average family income was $76.20 per month with the average size of family being 4.13. This would average to less than $19 per month per individual to provide the necessities of life.

Cases of physical defects as a result of improper diets, undernourishment and malnutrition have been reported. There was even one case last year where one little boy was said to have "probably starved to death" in Socorro County, New Mexico. Nurses, educators and others have commented on hunger in New Mexico, and I have made additional references in my statement to some of these instances.

Suffice it to say that "there is hunger in New Mexico" and not just in isolated cases. Hunger in New Mexico, like elsewhere in the country, is too prevalent to let our conscience rest. We must do more than we have been doing to correct this despicable situation.

FOOD STAMP PROGRAM IN NEW MEXICO

The Food Stamp Program has been a Godsend to those 22 counties participating in New Mexico. The food-buying power of low income families has been increased measurably, improving the quality and quantity of their diets. Appendix II to my statement shows the level of participation by county on February, 1969.

Since inception of the first pilot program in 1961, through March of this year, the total value of coupons issued in New Mexico was $23,780,000, of which $10,771,000 was in "bonus" stamps. I think it is significant to note that two counties—Bernalillo and Los Alamos—have been added since December, 1968, increasing the number of participants by about 20,000—from approximately 36,500 to the present 56,500. Thus, the benefits to New Mexico have been significantly greater in the past five or six months than ever before and will continue to improve.

While we are speaking of "benefits," I think we should pause and ask ourselves, "Who does benefit from the Food Stamp Program?" The answer to this would be, "everybody!" Not only have the Food Stamp participants benefited but also the farmers and ranchers who produce the food; the processors who process the products; the wholesalers and the retailers who sell the products; communities which in turn receive additional revenues; and society which has been hamstrung by having to care for the sick, the deformed, and others who cannot contribute to society because of diseases brought on by malnutrition but who, instead, draw on our resources.

In New Mexico, for example, it was reported that, "The benefits of this program are manifold. Revenue to the State and communities received from the 4% sales tax collected on the food purchases made with only the bonus coupons amounted to $108,385.60 for the last fiscal year (FY 1968)."

Who benefits from the Food Stamp Program? Everybody!

IMPROVEMENTS NEEDED

Praiseworthy as the Food Stamp Program and other food assistance programs have been, the magnitude of the hunger and malnutrition problems we have seen revealed, attest to the fact that we have only scratched the surface in attempting to meet the nutritional needs of our citizenry.

Among the shortcomings and weaknesses I have heard voiced, I would list:

The fact that needy persons cannot afford the cost of the stamps;

Upon changing from the Commodity Program to the Food Stamp Program there is as much as a 60% decrease in participation partly due to more stringent requirements;

Lack of nutrition education and consumer education programs that would make available services and information concerning better nutrition;

Insufficient food stamp purchases for large, poor families;

A need for intensive outreach to increase participation of needy persons as well as additional Spanish-speaking persons administering the program in Northern New Mexico;

More stamp distribution centers; and

Lack of funds.

In New Mexico, out of an estimated 235,000 persons falling below the poverty level, only about 56,500 participate in Food Stamps. Another 18,000 or 19,000 participate in the Commodity Distribution Program. Thus, a total of approximately 75,000 participate in some kind of food assistance program in my State. While all of the remaining 160,000 individuals falling below the poverty level may not be in need of food assistance, obviously there is still a great need that is not being met.

The above-mentioned shortcomings and weaknesses in the program have led to this gap.

LEGISLATIVE PROPOSALS

You have pending before this Committee at least five bills proposing numerous amendments to the Food Stamp and Commodity Distribution Programs. Two of these bills, S. 339 and S. 1608, I introduced. A third, S. 2014, introduced by Senator McGovern, I joined in cosponsoring. Senator Talmadge has a bill, S. 1864, and Senator Mondale has a bill, S. 6.

I will not take your time to go into detail about these various proposals. I have attached as appendices III and IV summaries of my bills before you.

I think it is significant to note that all these bills, although differing in some lesser respects, are very similar, if not identical, in their major provisions. I would urge this Committee to pick the best features from the various proposals before you and to report out a measure that is meaningful in terms of meeting the problems we face.

As a minimum, however, I believe that any proposal recommended by this Committee should include at least the following provisions:

(1) Remove needless constricting limitations on the appropriation of funds for operating the Food Stamp Program in any fiscal year subsequent to 1969;

(2) Permit direct operation by the Secretary of Agriculture of a Food Stamp Program in any political subdivision of a State where local governing officials refuse or are not able to provide a food assistance program for needy families;

(3) Provide for cost-sharing arrangements whereby the Secretary of Agriculture could contribute up to 50% of the administrative costs of local food stamp programs;

(4) Authorize the establishment of minimum nationwide eligibility standards for participation in the Food Stamp Program;

(5) Provide free food stamps to the lowest income families;

(6) Lower the purchase price of stamps for those who pay;

(7) Increase the total stamp value so that all participants are able to purchase an adequate diet; and

(8) Place a limitation on the maximum percentage of a household's income that shall be charged for their coupons, and permit a family to purchase less than its full coupon allotment.

In addition to these suggested changes, I have itemized other changes on pages 6 and 7 of my statement which I feel are absolutely essential and to which I call your attention.

COMMODITY DISTRIBUTION PROGRAM

In closing, I would like to make a brief comment in relation to the Commodity Distribution Program. One of the bills I introduced, S. 339, refers specifically to the Commodity Distribution Program and not to the Food Stamp Program. The Commodity Distribution Program still plays a vital part where there are no Food Stamp Programs and could play an even bigger role if improved upon and combined with the Food Stamp Program.

S. 339 would bring about a number of needed reforms. As I have stated, I have attached a summary of the provisions and the need for this bill as appendix V. Briefly, however, the bill would:

Specifically direct the Secretary of Agriculture to distribute food to needy families and households and in sufficient quantities and at a sufficient number of locations so as to provide recipients with at least the minimum daily nutritional allowances recommended by competent authority;

Direct the Secretary to establish food distribution outlets in any State or political subdivision where the need exists and where appropriate authorities have failed to provide either an adequate food distribution or food stamp program; and

Authorize the Secretary, when he has to take such independent action to contract with any competent person, firm, or nonprofit organization for the distribution of foods. Under such contracts, food must be distributed without discrimination, and recipients must be informed that it has been donated by the Federal government.

S. 2014, introduced by Senator McGovern and in which I have joined as cosponsor, would authorize operation of both the Food Stamp and Commodity Distribution Programs in the same community if such was found to be feasible and desirable in meeting the nutritional needs of the community. I urge your favorable consideration of S. 339 along with the other measures pending before you.

CONCLUSION

Mr. Chairman, I appreciate this opportunity to present my views on the need to expand and improve on our food assistance programs. I do not in any way mean to prejudge the findings and recommendations to be made by the Senate Select Committee on Nutrition and Hunger. That Committee, chaired so ably by Senator McGovern and on which five members of this Committee serve, has been doing a magnificant job in exposing the hunger problem in America and seeking solutions to it.

I do feel, however, as I know Senator McGovern, Senator Talmadge, Senator Mondale feel, in introducing their measures, that there are a number of basic adjustments that can be made at this time without waiting for the final report which is not due until after December, of this year.

There is much that can be done now. The Committee on Agriculture and Forestry has the primary jurisdiction in this matter. You are the legislative Committee. You have served us well in the past, and I am confident you will do so again. Thank you.

Mr. MONTOYA. Mr. President, I also ask unanimous consent to have printed at this point in the Record, the full text of my testimony before the Committee on Agriculture and Forestry on the need to expand our food assistance programs.

There being no objection, the text was ordered to be printed in the Record, as follows:

Statement by U.S. Senator Joseph M. Montoya

INTRODUCTION

Mr. Chairman, Colleagues. It is with a sense of nostalgia that I appear before you today to testify in support of legislation to extend and expand our food assistance programs. I say a sense of nostalgia because I have fond memories of the four years that I served as a member of this Committee. I have fond memories and recollections of our many deliberations and the many accomplishments of this Committee during that time. It is indeed a pleasure to be back at this time for I had not had the opportunity to visit with the Committee since leaving it in January.

While I look with fond memories at what has been accomplished in the past, I cannot help but reflect upon the fact that we could have done better. Of course, we can always say that we could and should have done better; however, action is the better test of our intentions. For that reason I wanted to take a few moments this morning to voice my strong support of measures presently pending before you to extend and expand on the success of the Food Stamp Program and other food assistance programs. I view the Food Stamp Act of 1964—in spite of all the antipoverty measures that we have seen enacted in recent years—as the single most meaningful, and potentially most far-reaching, measure of any in the constant struggle against poverty.

I have always supported the Food Stamp Program. I am pleased to have played a role in getting San Miguel County, New Mexico, designated as one of the original national pilot Food Stamp project areas. Since then, I have fought for and supported not only the Food Stamp Act of 1964, but every effort to strengthen and expand it. I have introduced a number of measures of my own in the past and expect to continue to lend my support to the program.

HUNGER AND MALNUTRITION IN NEW MEXICO

I remember reading in *The Evening Star* a few weeks ago, an article reporting on testimony of our colleague, Senator Hollings. The article was entitled, "Yes, Senators, 'There is Hunger in South Carolina.'" I wish to state to you today that, "Yes, Senators, there is hunger in New Mexico." But more than that, there is hunger throughout this rich nation of ours. This, of course, is no secret. It certainly has been no secret to those who have been suffering. It has been no secret to us in Congress. And, in light of the revelations of the Senate Select Committee on Nutrition and Human Needs, on which five members including the Chairman of this Committee, serve, these conditions are no secret to the nation as a whole.

I would like to discuss with you the problems and needs of New Mexico—problems and needs which I am sure are reflected nationwide. New Mexico is a sparsely populated State. We are among the largest States in the Union in terms of geography, but among the smallest in population. We have only roughly over one million population. With perhaps 400,000 of these concentrated in Albuquerque, the remaining 600,000 citizens of New Mexico are scattered throughout the State, many of whom live in villages or communities of only a few people, far removed from other villages or from centers of commercial activity.

Poverty exists in New Mexico, but in Northern New Mexico, where the Spanish-speaking citizens and the American Indian citizens are concentrated, poverty abounds and is at its worst.

For the State of New Mexico as a whole, 27.4% of all families were "poor" in 1966 by the Office of Economic Opportunity standards. This compares with 15.1% for the nation as a whole. These 1966 OEO figures were based on the definition of poverty family income level of the Social Security Administration, according to family size and urban-rural residence.

The Executive Director of the New Mexico Health and Social Services Department stated to me in a letter in response to an inquiry on my part, that, "The most recent estimate of the number of persons below the poverty level in New Mexico indicates that we have 234,554 persons falling within an income class that could be considered as below the poverty level." This again, is out of a population of approximately one million.

However, the problem is even worse for many counties in New Mexico than even this gruesome statistic. For example:

In Mora County where approximately 85% of the 5,900 residents are Spanish surnamed, 67.1% of the families were classified as "poor" by the OEO in 1966. Of these, only 1,502 were participating in the Food Stamp Program as of February 1969.

In Guadalupe County with a population of 5,100, 45.3% of the families are classified as "poor" by the OEO.

In Rio Arriba County with a population of 26,300, 50.7% were classified as "poor".

In Taos County, with a population of 17,600, 63.5% of the families are classified as "poor".

Sandoval County has 58.2% of its families in the "poor" category.

San Miguel County has 49.1 of its families classified as "poor".

Torrance County has 40.5% of its families in the "poor" classification.

I could go on through the remainder of New Mexico's 32 counties and we would find that conditions are little better in very few cf them.

In fact, only three counties out of 32 in New Mexico have a percentage of "poor" families lower than the national percentage: Los Alamos County has 2.1% of its families in the "poor" classification; Lea County, 13.0%; and Bernalillo County is right at the national average of 15.0% of its families "poor". All the other 29 counties are far above the national average in "poor" families—some of them as much as two, three, and four times, and more.

I am appending a table, Appendix I, to my statement showing the breakdown by county in New Mexico.

In Taos County, New Mexico, where, as I have stated, 63.5% of the families are classified as "poor" by OEO, the Program Director of the Emergency Food and Medical Project for the County, was quoted as stating that, ". . . this matter of hunger was one of the most hidden problems within the county. We at no time suspected that in a country so advanced that problems of food would exist . . ." He went on to state that, "We are more firmly convinced at this point that there is a starvation situation within many family units."

From a survey taken of 100 families in this county, 29% of the families had no income and 30% of the families had incomes below $100 per month. The average family income was $76.20 per month, 24% of the families were receiving welfare aid, and the average size of the family was 4.13.

In Rio Arriba County, a county health nurse was quoted as stating that six out of ten individuals handled through her office suffered from physical defects as a result of improper diets, undernourishment and malnutrition.

In Socorro County, a Community Action Program Director has reported on the malnutrition that exists in the county and says he knows of at least one little boy who "probably starved to death."

I will not bore the Committee with additional examples. I think it suffices to say as I indicated earlier that "there is hunger in New Mexico," and it is not just in isolated cases. Hunger in New Mexico, like elsewhere in the country, is too prevalent to let our consciences rest. We need to do more than we have been doing to correct this despicable situation.

FOOD STAMP PROGRAM IN NEW MEXICO

In these areas I have been speaking of in New Mexico, the Food Stamp Program has

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been a God-send. San Miguel County in New Mexico was one of the eight original counties designated in 1961 for a pilot food stamp program. The success of the program in San Miguel County and in the other seven initial counties in the Nation, of course, have led to additional designations and eventually to the Food Stamp Act of 1964.

In those counties in New Mexico where the Food Stamp Program is in existence, the food buying-power of low income families has been increased measurably. As a result the quality and quantity of their diets has been improved.

We have 22 of the 32 New Mexico counties participating in the Food Stamp Program. The remaining 10 are participating in the Commodity Distribution Program. In February of this year, we had 56,340 persons participating in the Food Stamp Program, with a total coupon value of $950,493 of which $438,346 was in "bonus coupons". The "bonus" was 46% of the total value of the coupons, with the average bonus per person being $7.78 for the month of February. For the first eight months of fiscal year 1969 (July 1968 through February 1969), the total coupon value of Food Stamp coupons issued in the 22 counties in New Mexico was $5,607,858 of which $2,622,405 was in bonus coupons.

The total value of Food Stamps issued in the State since inception of the program in 1961 is approximately $22,000,000, including over $9,500,000 worth of "bonus" stamps.

The impact of this program has been of great significance. I might add that the impact is even greater than might appear from a glance of the above statistics. Bernalillo County, with almost 19,000 participants of the approximate 56,500 participants, has only been in the program since December of 1968. For the three months of December 1968 through February 1969, this County, because of its large number of participants, has received $1,034,930 in total coupons, of which $551,339 was in bonus coupons. This accounts for almost 20% of the entire amount received by New Mexico during an eight month period. The point I am making here is that in time, the Food Stamp Program will be of far more assistance to individuals in New Mexico than it has been in the past because of the increased number of participants.

Attached as Appendix II is a chart showing, by county in New Mexico, participation in the Food Stamp Program on February 1969.

I think one should pause in speaking of the aid that New Mexico, and the Nation as a whole, has received from the Food Stamp Program and ask ourselves, "just who has benefited?"

The answer to the above question would be, "everybody" Not only have the Food Stamp participants benefited, but also the farmers and ranchers who produce the food, the processors who process the products, the wholesalers and the retailers who sell the products, communities who in turn receive additional revenues, and society who has been crippled and hamstrung by having to care in its hospitals and other institutions for those who cannot contribute to society because of diseases brought on by malnutrition.

I think too often we hear the complaint that the only ones that benefit are those that are too lazy to work and who prefer to be leeches. This is a gross misrepresentation of the real facts and a revelation that those who make such charges are blind to the real situation.

Most of the individuals receiving Food Stamps have little or no income, not because they do not want to work, but because they do not have any work. In Rio Arriba County, New Mexico, for example, the unemployment rate is 20.7% as of 1967. In Mora County the unemployment rate was 12.5% in 1967, and had been as high as 17.7% in 1966 and 20.7% in 1964. In San Miguel County in 1967, the unemployment rate was 12.0% and was as high as 15.6% in 1964.

These are not individuals unwilling to work, as anyone who is familiar with the counties would inform you. They are individuals who simply have no work and no prospects of any jobs. They thus have no income with which to buy the necessities of life. To compound the matter, there are many others, not reflected in the above statistics, who are underemployed and consequently cannot earn enough to buy an adequate diet for their families.

Because of their lack of proper and adequate diets, individuals in these families suffer a higher incidence of illnesses, infant mortalities, and crippling diseases. Our welfare rolls are taxed, but so are our limited hospital facilities, our limited medical services, and other needs that must be met by society because of the increased illnesses. No one need remind us either that a sick man not only drains society but can do little or nothing to contribute to it. The cost of society by not providing an adequate diet for the less fortunate is far more in the long run than the cost of providing a nutritional diet.

As I have also stated, the farmers and ranchers of this country benefit as well from the Food Stamp and Commodity Distribution Programs. There is an increased demand for food and food products as more and more people are enabled to eat more and better foods. More livestock will be required. More feed grains to feed the livestock. More feed lots to feed the livestock. More crops will need be grown with the chain of other economic benefits that will thus be set off. More people can be put to work and eventually taken off the assistance programs.

Our food outlets likewise will benefit from increased sales, and sales of better quality foods. Sales of other necessities such as clothing and shelter will increase as money is released from the need to buy food.

Does this sound too far-fetched? I think not!

Let me quote, if I may, from a comment made by the Executive Director of the New Mexico Health and Social Services Department. He states:

"It is apparent that the increase in purchasing power of the families participating in the Food Stamp Program has a significant impact on the business community in those counties where the program is operating. The benefits of this program are manifold. Revenue to the State and Communities received from the 4% sales tax collected on the food purchases made with ONLY the bonus coupons amounted to $108,385.60 for the last fiscal year (FY 1969)."

If there is any doubt of the favorable impact of the Food Stamp Program on other segments of society, I think that this one example should dispel the doubt.

IMPROVEMENTS IN FOOD ASSISTANCE PROGRAMS NEEDED

Praiseworthy as the Food Stamp Program and other food assistance programs have been, the magnitude of the hunger and malnutrition problems we have seen revealed—some of which I have spoken of this morning—attest to the fact that we have only scratched the surface in attempting to meet the nutritional needs of our citizenry. There are many short-comings and weaknesses in existing programs.

In Taos County, for example, it was stated that: ". . . the Welfare Department and the Food Stamp Program in no way is adequate to offset the problem of malnutrition of starvation in the area. Less than 20% of the participants in the Emergency Food Project were receiving assistance from the Welfare or other programs within the area. The other percentage was left to hustle for themselves concerning the necessity for food."

In this same county it was indicated that the Food Stamp Program has a "very bad image" due to the fact that needy persons cannot afford the cost of the stamps. Some borrow money when stamps are available and then repay the loan as they are able to.

It has also been reported that upon changing from the Commodity Program to the Food Stamp Program there is a 60% decrease in participation in some areas partly due to more stringent requirements. In some of these areas there has been a gradual increase with time, but in others there is none.

Another complaint I have heard voiced on numerous occasions is that the high cost of food stamps is a very significant limiting factor on participation. One Community Action Program Director reports that, "The Community Action Program finds families every day that are living in poverty conditions, qualify according to the OEO guidelines, and yet are not eligible for Food Stamps or must pay 80 to 90 dollars. Large families are extremely victimized." He suggests that free Food Stamps should be made available to eligible families who cannot afford to buy the stamps.

The Executive Director of the New Mexico Health and Social Services Department indicates that in his opinion, among the conditions leading to malnutrition in New Mexico are: inadequate family income to provide proper diets; inadequate education about proper nutrition; the lack of nutrition education and consumer education; programs that would make available services and information concerning better nutrition; and the combination of quite minimum financial assistance standards and the relatively high purchase requirements in the Food Stamp Program.

These problems are echoed in county after county in New Mexico.

In addition to the problems of cost and minimum eligibility standards there is an additional problem with large, poor families for whom the food stamp purchases are very insufficient.

There is obviously a need for intensive outreach to increase participation of needy persons. In New Mexico out of an estimated 235,000 persons falling below the poverty level, only about 56,500 participate in Food Stamps. Another 18,000 or 19,000 participate in the Commodity Distribution Program for a total of approximately 75,000 participating in some kind of food assistance program. While all of them remaining 160,000 individuals falling below the poverty level may not be in need of food assistance, obviously there is still a great need that is not being met.

More stamp distribution centers are needed to facilitate transportation for participants. In many small communities there is no center and the costs of transportation make the program infeasible for many.

Persons need to be educated concerning the benefits they can obtain from the program and assisted in applying for certification. Spanish-speaking persons administering the program are essential in many communities for this type of outreach. I urge the Department of Agriculture to make a conscious effort to make such trained individuals available not only in New Mexico, but elsewhere where Spanish is the mother tongue.

LEGISLATIVE PROPOSALS

You have pending before you at least five bills (S. 6, S. 339, S. 1608, S. 1864, and S. 2014) aimed at meeting the food needs of the millions of Americans that are presently going hungry. Two of these measures, S. 339 and S. 1608, are bills which I have introduced. A third, S. 2014, the Food Stamp Reform Act introduced by our colleague, Senator McGovern, I have joined in cosponsoring, as have some thirty other Senators. A fourth bill, S. 1864, has been introduced by my good friend from Georgia and a member of this Committee, Senator Talmadge. The fifth and first to be introduced this session, S. 6, was introduced by another former member of this Committee whom I remember having served the Committee so well, Senator Mondale. And finally, we have received a Presidential message and other statements from the Nixon Administration expressing support of some type of expansion of our Food Stamp program.

I will not take the time of the Committee to go into detail on each and every one of the above proposals or to urge consideration of my bills over the other measures pending before you. All of the measures introduced have been introduced with one purpose in mind; that is, to expand and improve on our efforts to carry out the declaration of policy expressed by Congress in passing the Food Stamp Act of 1964 of "maintaining adequate national levels of nutrition."

I think it is significant to note that the above-mentioned bills, although differing in some lesser respects, are very similar, if not identical, in their major provisions.

I would urge this Committee to pick the best features from the various proposals before you and to report out a measure that is meaningful in terms of meeting the problems we face.

As a minimum, however, I believe that any proposal recommended by this Committee should include at least the following provisions:

Authorize the establishment of minimum nationwide eligibility standards for participation in the Food Stamp program;

Permit direct operation by the Secretary of Agriculture of a Food Stamp program in any political subdivision of a State where local governing officials refuse or are not able to provide a food assistance program for needy families;

Provide for cost-sharing arrangements whereby the Secretary of Agriculture could contribute up to 50% of the administrative costs of local Food Stamp programs; and

Remove needless constricting limitations on the appropriation of funds for operating the Food Stamp program in any fiscal year subsequent to 1969.

The above are the main provisions of my bill, S. 1608, and are also found in one form or another in some of the other proposals before you.

In addition to the above, however, much more must be done. Senator Talmadge's bill, S. 1864, would make a number of additional significant improvements. Some of Senator Talmadge's suggestions are also found in S. 2104, of which I am a sponsor. S. 2104, in addition to the above provisions, would: provide free food stamps to the lowest income families; lower the purchase price of stamps for those who pay; increase the total stamp value so that all participants are able to purchase an adequate diet; provide that a family may purchase less than its full coupon allotment and that the price will be adjusted accordingly; provide that after June 30, 1971, no household shall be charged more than 25% of its income for its coupons; provide for nutrition education, including informing all eligible households of the program's existence and giving any help needed to apply it; provide that coupon issuance and the collection of payment be carried out through the local post office, by mail, in retail stores, or in any way to best insure participation of eligible households; and authorize the Secretary to pay the *full* cost of administering the program in any political subdivision *if* he determines that such payment is necessary to enable the program to be operated there.

The need for many of the above reforms in our Food Stamp program is obvious and should not need further commenting on in light of the conditions that exist throughout the country and the complaints that have been registered.

We must make a more conscious effort to educate all Americans on nutrition, to make more readily available to the needy the Food Stamps that they require, and to make them available at a cost they can afford even if this means giving free food stamps to some.

We must remove the funding limitations that we have imposed before to give the Secretary of Agriculture more flexibility in asking for appropriations sufficient to meet the problems. It does us little good to isolate the problem, analyze it, legislate on it, and then provide insufficient funding to solve it.

We must provide some national standards for eligibility so that potential participants may not be barred from the program by unnecessary restrictive standards within a particular state or states.

We must insure that if state and/or local officials either cannot or do not institute a Food Stamp program, that the needy of those communities shall not be denied the opportunity of participating in the program.

Finally, many communities simply do not have the resources available to cover the cost of administering an adequate food assistance program. In some cases, they cannot afford to begin to pay the administrative costs of starting a program locally. In others, their limited funds prevent expansion of existing programs to adequately reach out to all those who need it most. In New Mexico, for example, plans to expand the Food Stamp program to seven additional counties during FY 1969 (Catron, Dona Ana, Grant, Hidalgo, Luna, Sierra, and Socorro Counties) were dropped by the State because of lack of funds. The problem has been analyzed as simply a lack of money.

S. 1608 would authorize the Secretary of Agriculture to enter into cost-sharing arrangements and would greatly assist these resource-poor communities. It would permit the Secretary to contribute up to 50% of the administrative costs of these local programs. This would also help ensure that the certification and issuance of food stamps could be carried out at locations more convenient to all needy persons, rather than at a few, hard-to-get-to sites as is now the case in many counties.

S. 2014 would also authorize the payment of 100% of the administrative costs if the Secretary determines that this is essential to enable the program to be operated there.

Administrative costs are a real problem in the State of New Mexico, and I am sure elsewhere, not only for the Food Stamp program but other programs. In FY 1968, for example, the State of New Mexico turned back $40,000 in Federal funds for the School Breakfast Program because it lacked sufficient personnel to administer the program.

We should not place ourselves in a position where a major effort is undertaken on the Federal level but which is stymied when it gets to the States because of a lack of funds to administer the program. We should authorize cost-sharing of the administrative costs of the program and provide for a full 100% Federal funding when it is absolutely necessary and there is no other way to operate a program.

COMMODITY FOOD DISTRIBUTION PROGRAM

Finally, I would like to make some comments with regard to the Commodity Distribution program.

I think that the consensus of the Congress and of the country is that primary emphasis should be placed on moving from Commodity Distribution participation to Food Stamp participation. However, I think that the Commodity Distribution program still plays a vital part where there are no Food Stamp programs and could play an even bigger role if improved and combined with the Food Stamp program. But to make it meaningful, it, too, needs reforming.

One of the bills pending before this Committee, S. 339, is a bill which I introduced in a modified version last Congress and which I have reintroduced again this Congress.

Congress has committed itself to the concept that our overabundance of food, rather than be needlessly wasted, should be used to help feed the Nation's needy. Thus, under basic authority contained in section 416 of the Agricultural Act of 1947, the Secretary of Agriculture makes surplus foods available to States for distribution to needy persons.

However, due to the vague generality of this enabling statute, there are serious gaps in Congressional intent that leave implementation of this program to the whims of a Secretary of Agriculture and/or State and local agencies.

Specifically, there is no clear mandate directing the Secretary to make food available—no guidelines upon which to determine the quantity of variety of foods that should be distributed—no specific authority directing how the Secretary should proceed when State or local agencies fail to accept their responsibility—nor provisions authorizing alternatives for the Secretary to use in expanding distribution outlets to effectively serve recipients.

Sufficient evidence has been presented in the past year attesting to the fact that far too many persons do not receive, or cannot obtain, at least the minimum amount of food needed to protect their health and sustain productive lives.

To correct these deficiencies, I introduced S. 339. This bill would:

Modify existing language of Section 416, Agricultural Act of 1949, to specifically direct the Secretary of Agriculture to distribute food to needy families and households.

Direct the Secretary to make food available to such persons in sufficient quantity and variety, and at a sufficient number of locations, so as to provide recipients with at least the minimum daily nutritional allowances recommended by competent authority.

Direct the Secretary to establish food distribution outlets in any State or political subdivision where the need exists and where appropriate authorities have failed to provide either an adequate food distribution or Food Stamp program within 120 days from enactment of the bill.

Authorize the Secretary, when he has to take such independent action, to contract with any competent person, firm, or nonprofit organization for the distribution of foods. Under such contracts, food must be distributed without discrimination, and recipients must be informed that it has been donated by the Federal government.

The above bill was introduced independently of any consideration of expansion of the Food Stamp program. It was introduced in an attempt to streamline the Commodity Distribution program to serve those areas where Food Stamp programs did not exist. Since then, however, I have joined in sponsoring S. 2014, which would authorize the use of both the Commodity Distribution program and the Food Stamp program in the same community if such was found to be feasible and desirable in meeting the nutrition needs of the community. Traditionally, I know, the two have been separated and not authorized to operate in the same county. However, if it is found that one could feasibly complement the other to accomplish the end we all seek—that is, an attack on hunger and malnutrition—I do not see why we shouldn't

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provide the authority to the Secretary of Agriculture to permit the two to operate together.

CONCLUSION

Mr. Chairman, I have gone on at some length here and I apologize for taking so much time of the Committee. However, this matter is one of very deep concern to me as I know it is to you.

The hunger problems of this country are shocking and impossible to justify The Senate Select Committee on Hunger and Nutrition, so ably chaired by our colleague Senator McGovern, and on which five members of the Committee on Agriculture serve, is performing a tremendous service to this country in not only exposing the problem but in seeking to find solutions.

I do not, by my recommendations for legislative action at this time, wish to prejudge the findings of the Select Committee nor to anticipate the recommendations the Select Committee may make. I do feel, however, like Senator Talmadge, Senator McGovern, Senator Mondale, and others, that there are a number of basic adjustments that can be made at this time without waiting for the final report of the Select Committee which is not due until after the end of this calendar year.

There is much that can be done now. The Committee on Agriculture and Forestry has the primary jurisdiction over the Food Stamp program and is the Committee with the legislative authority. It has served us well in the past, and I am confident it will serve us well again. Thank you.

APPENDIX I

NEW MEXICO

County	Percent Spanish surnamed (1960 census)	Percent poor families (1966), OEO community profiles	Estimated total population (1966), OEO community profiles	Number in public assistance (1964)	Number of persons participating in food program (January 1969), USDA figures	Type of food distribution program
Mora	85.4	67.1	5,900	950	1,055	FS
Guadalupe	72.5	45.3	5,100	645	880	FS
Rio Arriba	69.6	50.7	26,300	2,883	5,831	FS
Taos	69.1	63.5	17,600	2,319	3,711	FS
San Miguel	68.5	49.1	22,900	3,308	4,865	FS
Santa Fe	54.3	25.5	48,700	2,793	5,060	FS
Grant	47.2	28.9	18,700	753	1,115	CD
Socorro	46.8	40.5	10,600	821	2,145	CD
Dona Ana	42.1	25.0	69,400	2,363	4,836	CD
Torrance	41.7	40.5	6,300	526	737	FS
Hidalgo	40.6	27.4	4,800	169	482	CD
Colfax	40.1	29.0	13,300	980	780	FS
Valencia	35.9	24.6	40,400	1,648	3,562	CD
Luna	34.3	32.1	11,100	551	1,244	CD
Sandoval	32.0	58.2	16,200	1,014	2,890	FS
Quay	29.4	29.2	12,700	888	809	FS
Lincoln	28.9	30.0	8,000	350	279	FS
Catron	27.2	34.2	2,300	88	108	CD
Harding	26.5	34.7	1,800	95	80	FS
Bernalillo	26.0	15.0	313,200	11,253	18,879	FS
De Baca	25.0	33.6	2,700	189	149	FS
Union	24.3	28.3	5,300	241	20	FS
Eddy	22.1	17.3	53,000	1,695	2,377	FS
Sierra	21.6	30.9	6,600	630	755	CD
Otero	15.9	15.3	36,900	825	1,055	FS
Chaves	13.5	21.6	70,000	2,368	2,254	FS
McKinley	12.2	37.3	44,200	1,625	4,762	CD
Curry	11.2	23.8	37,600	1,082	1,540	FS
Los Alamos	11.2	2.1	14,500	9		FS
San Juan	6.8	19.9	49,100	1,899	5,430	FS
Roosevelt	6.3	23.8	16,900	511	1,023	FS
Lea	4.8	13.0	53,900	1,394	1,039	FS

Note: Percent poor families in the United States, 15.1; percent poor families in New Mexico, 27.4.

APPENDIX II

		Participation (number of persons)				Coupons				Fiscal year to date	
Date designated	Project area	P.A	Non-P.A.	Total	Monthly change (percent)	Total value	Bonus value	Bonus of total (percent)	Average bonus per person	Total coupons	Bonus coupons
	NEW MEXICO (22)										
Dec. 2, 1968	Bernalillo	10,128	8,669	18,797		$329,891	$146,545	44	$7.80	$1,034,930	$551,339
Apr. 1, 1966	Chaves	1,264	967	2,231	—1	38,377	14,560	38	6.53	274,943	105,837
Dec. 1, 1965	Colfax	483	338	821	5	14,423	5,703	40	6.95	100,090	37,238
June 1, 1966	Curry	975	574	1,549	1	27,446	10,754	39	6.94	202,523	77,544
Feb. 2, 1967	De Baca	99	48	147	—1	3,032	974	32	6.63	21,998	7,214
May 2, 1966	Eddy	1,099	1,258	2,357	—1	38,349	16,399	43	6.96	294,219	121,561
Feb. 1, 1967	Guadalupe	479	440	919	4	15,681	6,342	40	6.90	112,776	46,568
Nov. 2, 1965	Harding	48	49	97	21	1,792	692	39	7.13	12,126	4,486
May 2, 1966	Lea	543	503	1,046	1	17,509	7,646	44	7.31	130,251	53,198
Mar. 7, 1967	Lincoln	150	128	278		4,912	1,982	40	7.13	37,750	14,800
June 3, 1963	Mora	580	922	1,502	4	25,064	9,496	38	6.32	165,736	72,094
Mar. 1, 1967	Otero	453	648	1,101	4	16,743	8,760	52	7.96	109,885	54,295
Nov. 2, 1965	Quay	444	395	839	4	15,170	5,799	38	6.91	104,970	41,282
Mar. 2, 1965 Jan. 2, 1969	Rio Arriba Los Alamos	1,700	4,377	6,077	4	92,941	59,984	65	9.87	729,028	394,997
June 1, 1966	Roosevelt	348	692	1,040	2	16,152	8,200	51	7.88	131,030	62,763
Apr. 1, 1965	Sandoval	712	2,390	3,102	7	47,204	27,748	59	8.95	341,262	191,376
June 5, 1961	San Miguel	1,841	2,967	4,808	—1	82,090	35,456	43	7.37	602,612	267,584
June 3, 1963	Santa Fe	2,450	2,485	4,935	—2	82,918	34,576	42	7.01	604,264	253,816
Mar. 2, 1965	Taos	1,664	2,050	3,714		63,570	29,574	46	7.96	460,409	211,261
Feb. 1, 1967	Torrance	418	380	798	8	13,637	5,812	43	7.28	105,832	41,984
Dec. 1, 1965	Union	113	69	182	—11	3,592	1,344	37	7.38	30,824	11,168
	Total	25,991	30,349	56,340	1	950,493	438,346	46	7.78	5,607,858	2,622,405

Note: Source: Department of Agriculture.

ANALYSIS OF S. 1608. A BILL INTRODUCED BY U.S. SENATOR JOSEPH M. MONTOYA, MARCH 20, 1969

PURPOSE

To eliminate four obvious legislative flaws in the Food Stamp Act of 1964, as amended, which hinder effective implementation of the inherent purpose of that Act.

PROVISIONS

1. Authorize the establishment of minimum nationwide eligibility standards for participation in the Food Stamp program;
2. Permit direct operation by the Secretary of Agriculture of a Food Stamp program in any political subdivision of a State where local governing officials refuse or are not able to provide a food assistance program for needy families;
3. Provide for cost-sharing arrangements whereby the Secretary of Agriculture could contribute up to 50 percent of the administrative costs of local Food Stamp programs; and
4. Remove needless constricting limitations on the appropriation of funds for operating the food stamp program in any fiscal year subsequent to 1969.

ANALYSES OF S. 339 INTRODUCED BY U.S. SENATOR JOSEPH M. MONTOYA, JANUARY 16, 1969

NEED

Congress has committed itself to the concept that our overabundance of food, rather than be needlessly wasted, should be used to help feed the Nation's needy. Thus, under basic authority contained in section 416 of the Agricultural Act of 1949 (7 U.S.C. 1431), the Secretary of Agriculture makes surplus foods available to States for distribution to needy persons.

However, due to the vague generality of this enabling statute, there are serious gaps in Congressional intent that leave implementation of this program to the whims of a Secretary of Agriculture and/or State and local agencies.

Specifically, there is no clear mandate directing the Secretary to make food available—no guidelines upon which to determine the quantity or variety of foods that should be distributed—no specific authority directing how the Secretary should proceed when State or local agencies fail to accept their responsibility—nor provisions authorizing alternatives for the Secretary to use in expanding distribution outlets to effectively serve recipients.

Sufficient evidence has been presented in the past year attesting to the fact that far too many persons do not receive or cannot obtain at least the minimum amount of food needed to protect their health and sustain productive lives.

PROPOSAL

It is these deficiencies to which this bill is directed, namely by:

1. Modifying existing language of section 416, Agricultural Act of 1949, to specifically direct the Secretary of Agriculture to distribute food to needy families and households.

2. Directing the Secretary to make food available to such persons in sufficient quantity and variety and at a sufficient number of locations so as to provide recipients with at least the minimum daily nutritional allowances recommended by competent authority.

3. Directing the Secretary—when appropriate authorities fail to provide either an adequate food distribution or Food Stamp program within 120 days—to establish food distribution outlets in any State or political subdivision where the need exists.

4. Where the Secretary must take such independent action, authorizing him to contract with any competent person, firm, or nonprofit organization for the distribution of foods. Under such contracts, food much be distributed without discrimination, and recipients must be informed that it has been donated by the Federal government.

GUY H. HARVEY, OF SOUTH DAKOTA

Mr. MUNDT. Mr. President, it is with a feeling of sadness that I note the passing of an illustrious son of South Dakota, Guy H. Harvey, of Yankton.

Guy Harvey was a good man, an honest man, and he was a leader in the Masonic Lodge for many years. Guy was a leading Democrat in our State, and he and I used to indulge in some good-natured joshing about the fact. Nevertheless, he was a forthright citizen, and he was my friend.

The Daily Argus Leader of Sioux Falls, S.D., sums it up in an editorial about him. I ask unanimous consent to have printed in the Record the words of praise which the Argus Leader had for this able man.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Harvey Contributed Much to State

Guy H. Harvey of Yankton was a great and good South Dakotan. In his many active years, he made a substantial contribution to that which was worth while.

His endeavors were varied. He devoted much time to charitable organizations and assumed a state leadership in the March of Dimes campaign. He served with enthusiasm and ability the cause of education and was an important official in Masonry. He took an active part in politics, vigorously promoting the principles which he endorsed. He was never so busy, it seemed, that he couldn't find time to promote a useful civil endeavor.

Men such as Mr. Harvey leave behind them a series of memorials in the good they have accomplished. Many such memorials in Yankton and in South Dakota generally are associated with his name. We are a better state because he was a part of it for so many years.

SALUTE TO THE FLAG

Mr. BROOKE. Mr. President, on Monday, May 12, Maj. Hal Hughes, executive director of the Volunteers of America, Inc., delivered a moving address on the two flags of America. I ask unanimous consent that the text of his remarks be printed in the Record.

There being no objection, the remarks were ordered to be printed in the Record, as follows:

A Salute to the American Flag

(Address of Maj. Hal Hughes, New Bedford Post, the grand field council, Volunteers of America, Philadelphia, Pa., May 12, 1969)

The United States has two flags, a visible red, white and blue banner that we see flying proudly wherever we go, and an invisible flag that we cannot see because it flies only in the hearts and imaginations of all the poor people, the enslaved people, the hopeless people of the world.

We all know about the visible flag; how the thirteen white and red stripes stand for the thirteen original colonies; the fifty white stars on the blue background stand for the fifty states of the United States; how the red, white and blue stands for equality, brotherhood and freedom.

In our history books we learned how a lady named Betsy Ross made the first American flag. In our flag books we learned the proper ways to show respect for the flag, how to hang it in display, how to carry it in a parade, how to fold it for respectful storage.

I am sure we all know quite a bit about the cloth flag that we see so often. However, I do not think we know as much as we should about the invisible flag flying in the hearts and imaginations of all the poor, mistreated and hopeless peoples of the world.

I'm sure it is because we know so little about the invisible American flag, that so many discourtesies are sometimes shown to the visible American flag.

The American flag has often been called God's flag, and there is a good reason for the heartwarming title. The American flag symbolizes the Constitution as well as the nation. The Constitution of the United States is the first government charter in history to grant to the poorest and humblest person the right to be free and equal in opportunity.

The American flag stands for much more than that. It represents the unconquerable foundation of the American government; the idea that the rights of freedom, equality and justice which all the people have, come from God.

Obviously, if the people's rights come from God, they can only be taken away by God. But if the people's rights come from the government, naturally the government has the right to take them away.

This is why dictators have to be atheists. This is why there is a strong atheist movement in this country. This is why there is so much unnecessary talk about separation of church and state. You do not hear any talk about separation of atheism and state. Remember this . . . if your rights do not come from God, if your rights come from the government, then the government can take all your rights away, and, undoubtedly, the government will.

It is a source of sadness to me that so often so many ignorant smartalecks show disrespect for the American flag, even going so far as to make a mockery of it and what it stands for.

One college art class in Massachusetts even made and displayed an American flag in the form of the Nazi swaszstica emblem.

Occasionally you read in the newspapers about the American flag burned or spat upon. I shiver a little because to me it is God's flag that is being burned or spat upon. I prefer to remember the story of the only man in New Bedford, Massachusetts who ever won the Congressional Medal of Honor. His name was Sgt. William Carney and he won the medal by picking up the American flag from the hands of a wounded flagbearer, carrying it to the top of a hill in the Civil War in the very face of Confederate gunfire. When he found himself alone with all his comrades killed, he brought the flag back safely to the Union lines with every rifle in the fort trying to shoot him down. He would not leave the flag behind, not even to save his own life. When he finally stumbled back to safety, he refused to give up his flag, except to his own officers, to whom he reported happily, "The old flag never touched the ground, sir."

I left out one detail of that story. Sgt. Carney was a Negro. To me color is not important, except merely as a detail of description. First and foremost, Sgt. Carney was an American of the highest type.

The American flag flies over Arlington National Cemetery and over Valley Forge. Great honor is paid to the tomb of the Unknown Soldier of World War I at Arlington. But at Valley Forge, there are graves of 3,000 unknown soldiers of the Revolutionary War. They died because they respected the newborn American flag.

During World War II, when the Communists were taking over China, a battle took place near an American religious mission which was being used as an orphanage. The place was so crowded with deserted babies that the nuns had ran out of clothes with which to cover them. In the midst of the barking guns, the nuns heard a baby crying outside the door. They ran and brought in a naked baby. Without clothes, how were they going to protect the child? Just then, the American flag was shot down off the flagpole. A nun ran out, brought back the flag and wrapped the shivering baby in it.

To me that is a most appropriate use of the flag, as a shelter and a hope for the helpless and the hopeless.

This is why the American flag still flies invisibly in the hearts and imaginations of all the poor, enslaved and hopeless people of the world.

And we had better make sure that the American flag flies invisibly in our hearts and imaginations.

If the American flag stops waving in our hearts and minds, it will not wave long in our streets and public buildings.

And those who secretly are eager to offer a so-called better flag in its place are lying to themselves, because there can be no better flag than God's flag.

The American flag is truly God's flag, the flag of hope and peace and self-respect for all the poor peoples of the world. If this great banner of civilization is torn down, mankind itself will slide back into a world of insane and meaningless savagery.

Let us all lend a hand to keep Old Glory from falling to the ground. On June 14, 1969 we celebrate the anniversary of the birth of the American flag . . . it will be 192 years old.

We must realize that the greatest menace to our freedom is ingratitude and lack of respect for constituted authority. Let us resolve to rededicate our loyalty to and respect for the Stars and Stripes, and instill in our children in their earliest years, this love and respect for the flag.

FEDERAL TRADE COMMISSION CIGARETTE ADVERTISING PROPOSAL

Mr. JORDAN of North Carolina. Mr. President, it appears that the Government is ready to strike again in its war on the tobacco industry.

And it is reviving for that drive some of the same tactics employed in an unsuccessful attempt of 4 years ago to achieve that goal.

I refer in this regard to the just-announced proposal of the Federal Trade Commission for regulation of cigarette advertising.

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Unlike the Federal Communications Commission, which wants to prohibit such advertising on radio and television, the FTC does not propose an advertising ban.

It would, instead, impose a requirement for a much stronger health warning in such advertisements than that now provided under the Cigarette Labeling Act and would make failure to include the warning an unfair and deceptive act punishable by law.

There is nothing really new in the FTC proposal. It relies on the same unsubstantiated and, in some cases discredited, charges which have been brought periodically against tobacco by various Government agencies over the past 5 years.

It does, however, represent a new attempt to achieve arbitrary rule by administrative dictation pre-empting a legislative area which properly belongs to Congress.

As we all are aware, the Cigarette Labeling Act of 1965 specifically bars the FTC from imposing such advertising rules at any time prior to June 30 of this year.

In recognition of that, the proposal now unveiled calls for a public hearing on the rule opening July 1.

The House Committee on Interstate and Foreign Commerce has already completed extensive hearings on extension of the Labeling Act which would leave the regulation in the hands of Congress where it belongs.

Significantly, testimony in those hearings weakened rather than strengthened the case against tobacco and cast new doubts on the validity of claims against smoking.

In the face of this new FTC move, I think it imperative that Congress act promptly to approve the extension of the Labeling Act prior to the June 30 deadline.

I have supported, and will continue to support, meaningful research by both the Government and the tobacco industry to identify and remove factors in smoking which may be suspect. I think such research should be pursued swiftly and vigorously.

Meanwhile, however, I will oppose the FTC proposal as well as that advanced by the Federal Communications Commission earlier as unwarranted. Allowed to stand unchallenged they would, in my view, set dangerous precedents with far-reaching implications for all of the Nation's business and industry.

ENFORCEMENT OF TITLE VI OF CIVIL RIGHTS ACT OF 1964

Mr. CASE. Mr. President, if there are any who doubt the determination of the Department of Health, Education, and Welfare to enforce firmly and fairly the school desegregation program under title VI of the Civil Rights Act of 1964, I urge that they read a speech delivered recently by the Director of the Office for Civil Rights of the Department of Health, Education, and Welfare.

In a speech at Atlanta, Ga., before school officials from throughout the South, Leon Panetta, Director of the Office of Civil Rights, made it absolutely clear that the Department of Health, Education, and Welfare intends to continue effective enforcement of the title VI program to end discrimination and illegal segregation in formerly dual school systems. At the same time, he made it clear that the Department will move against illegal segregation which may exist in school systems which have never been organized formally on a racially segregated basis.

I congratulate Mr. Panetta for his unequivocal statement. So that all Members of Congress will have an opportunity to read it, I ask unanimous consent that it be printed in the RECORD.

There being no objection, the remarks were ordered to be printed in the RECORD, as follows:

OPERATION BOOTSTRAP

(Remarks by Mr. Leon E. Panetta, Director, Office of Civil Rights, Atlanta, Ga., May 16, 1969)

First of all, I would like to express my deep appreciation for this opportunity to appear before you today. Since I assumed this office only about 45 days ago, I don't feel I should be held accountable for a presentation on my first 100 days in office . . . at least, not yet. I can report, however that during that short time, I have already had the pleasure of meeting with a number of you and your southern colleagues . . . and, despite all of the occupational hazards involved, I am still able to be here. I consider that in and of itself a significant accomplishment . . . even for the first 40 days. Seriously, I do want to express my appreciation for this opportunity to be here with you. I am deeply honored by this invitation.

Each of you are responsible for the educational welfare of the children of the State of Georgia. Your positions present the most important and exciting challenge of our times. What America is today—what it can become tomorrow rest largely in your hands. It is a tremendous responsibility. But it is also a tremendous opportunity—to take young, untrained minds and shape them into productive citizens who will contribute to the continued growth and strength of this Nation. The fulfillment of these ends requires a great and total commitment to the advancement of education for all children. I know that each of you here have made that commitment. I can assure you that this Administration has also made that commitment to education . . . meaningful education . . . from childhood through manhood, from kindergarten through college.

We hear a good deal of criticism—from both young and old alike these days—about the problems of our educational system . . . and I am sure that all of us here would agree that it cannot afford to stand still . . . it must meet the challenge of change. We cannot return to just the 3 R's when the 3 R's are no longer adequate in facing the harsh demands of a highly competitive and advanced society. This is not, however, to deny that great progress has been and is being made in education—with new equipment, new methods of teaching, and imaginative designs for physical plants. The Department of Health, Education, and Welfare is currently devoting much of its time to studying and supporting these innovative efforts—plans have been prepared for the placement of the successful Head Start Program into a new and exciting Child Development Center at HEW; work has begun on developing and expanding Federal assistance for community colleges; the bilingual, cooperative and vocational education programs are well on their way to fruition; additional funds are being sought for experimental programs in education and for improved teacher training.

But all of these efforts—and many others—cannot succeed nor can meaningful educational opportunities result unless such education is presented equally—to all children, regardless of race, color, or national origin. One of the great problems facing this Nation today is that of race relations—are we to live as separate societies (as the Kerner Commission warned) or are we to go forward together (as the President urged)? These are the questions facing America. The answers—there are many—but the one that must be of the highest priority is the need to provide better education for all children.

I believe it is educationally and morally compelling for each of us to be committed to the principle of equal educational opportunities for every American child. But beyond that . . . yes, beyond that . . . it is also legally compelling that we be so committed.

The Congress and the courts clearly require that equal education—free from discrimination—be a reality in America. Since *Brown* v. *Board of Education* was decided exactly 15 years ago this month, the courts have continued to interpret and reinterpret the meaning of the 14th Amendment—each time making it clearer and clearer what they felt the Constitution required—the complete and immediate elimination of discrimination in our schools. In 1964, the Congress passed the Civil Rights Act and told, indeed, directed the Secretary of Health, Education, and Welfare that it was his responsibility to assure that school systems which received Federal funds do not discriminate on the basis of race, color, or national origin. From that date, there were no longer just commitments and promises that had resulted in 10 years of delay . . . but actions followed as well—significant actions that have resulted in bringing over 89% of the southern school districts into compliance with the law. This is a tremendously significant fact . . . but tragically, it is little recognized. I believe it is a fact that not only destroys the misconception that the South in general is unwilling to abide by the law but testifies to the significant and courageous steps that have been and are being taken by thousands of school superintendents throughout the South. To be sure, there are many who have sacrificed their jobs in attempts to abide by the law; to be sure, there are many of the remaining 11% which are truly difficult and challenging cases to resolve . . . but the clear fact is that a major portion of the task has been completed . . . that out of the 4,476 school districts in the 17 Southern and Border States, 3,961 are today in compliance with the law.

I realize that there are many who would disagree with the Civil Rights Act and the decisions of the courts—many who feel that both the Congress and the courts have gone too fast. But ours is a system based on law and order and the Department of Health, Education, and Welfare, just like every other arm of the Executive Branch, has the duty of doing what it is told by the Federal Legislature it must do, and has the duty of doing it in the manner that the Federal judiciary says it should be done.

I never cease to be amazed at how many people feel that somehow, someway HEW and the Office for Civil Rights can operate in a legal vacuum—free of the will of the Congress—free of the will of the courts. They contend that someway, HEW can accept what the Justice Department refuses to accept in court; that HEW can give what the courts have forbidden it to give; that HEW can avoid the responsibility that the Congress said it must assume. Over and over again, I am asked such questions as—

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"Why can't we continue to use free choice?" The answer is not that HEW will not allow it . . . the answer is that the Supreme Court ruled against it. In May of 1968, the Court held in the *Green* Case that "if there are reasonably available other ways . . . promising speedier and more effective conversion to a unitary, nonracial school system, 'freedom of choice' must be held unacceptable." HEW's policies are controlled by that decision.

Again, I am asked—"Why can't we have more time to do the job?" And the answer again rests with the Supreme Court which held: "The burden on the school board today is to come forward with a plan that promises realistically to work, and promises realistically to work *now*." In addition to what the Court has said, it is clear that if additional time is allowed for any of the remaining 11% beyond that given to the other 89%, the entire structure of enforcement will be seriously undermined.

Finally, I am often asked the choicest question of all: "Did not President Nixon promise a slowdown on school desegregation?" Let me quote from the President's news conference of February 6:

"As far as school segregation is concerned, I support the law of the land. I believe that funds should be denied to those districts that continue to perpetuate segregation. I think that what we have here is a very difficult problem, however, in implementing it. One is our desire, a desire that was emphasized by Dr. Allen, to keep our schools open, because education must receive the highest priority. The other is our desire to see to it that our schools are not segregated. That is why I have, in discussing this with Secretary Finch and Dr. Allen, urged that before we use the ultimate weapon of denying funds and closing a school, let's exhaust every other possibility to see that local school districts to comply with the law."

Thus, the President himself has made it quite clear that the law will be enforced. Very simply, as the Secretary has himself reiterated, HEW is not in the business of making law . . . our job is to implement and enforce the law and, certainly, to assist those seeking to comply with that law. The policies of HEW—as contained in the so-called guidelines—merely implement the law as given to us. It would be a tragic charade for this or any Administration to wink at or ignore this law while pleading for respect for law and order on the campuses and in the streets of our Nation. Surely, should the Congress act or the courts render new decisions, we would be obliged to follow those laws . . . but until that happens, the law as it stands today must be enforced.

But beyond the controversy and resentment surrounding the law itself, there remains the more pressing issue of how shall that law be enforced. In this area, there is a great deal HEW can and will do.

In the past, the guidelines became a symbol of Federal bureaucracy—they were the first requirements a Superintendent saw; oftentimes, enforcement officials were young and inexperienced in the ways and problems of school administration. None will deny the fact that mistakes were committed in the past . . . that the scars of personality conflicts, of misunderstandings, of haphazard enforcement still remain. The total effort, therefore, must be to reopen lines of communication that have been closed by past controversy; to develop incentives to encourage a continuing dialogue between all the parties concerned; to recognize and support the efforts of the thousands of school officials who have successfully desegregated under the law; and to provide as much assistance as possible to ensure that the law is objectively enforced with understanding, compassion and fairness to every American.

How often I am asked: "Are you saying integration and to hell with education?" No . . . I am not saying that . . . but neither am I saying "education and to hell with compliance with the law." The effort must be to move forward on both fronts. HEW, as the Department responsible for education in America, must recognize that the desegregation of schools in accordance with the law brings with it complex social, economic and political pressures for a community to cope with. I have come to understand the tremendous burdens which are faced by the requirement to desegregate school districts—community apprehension, inadequate school facilities, limited finances, teacher preparation and curriculum adjustments. These presures cannot be ignored for they can mean the difference between success and failure in the broader effort to provide equal educational opportunities.

I believe the Federal Government and HEW have the responsibility to help these communities . . . I do not believe it is solely our task to tell a school district it is in noncompliance and leave it up to them to develop an answer. Oftentimes, courts have acted in this manner. Effective desegregation recognizing educational needs is not a matter for courts or lawyers, but for educators. There is no one way to desegregate the schools of all communities; the makeup and problems of each town and city are different. HEW must have the financial and technical flexibility to provide needed assistance to those who wish to comply with the law but lack the necessary resources to accomplish the task alone. It is our policy to offer Title IV assistance to each district in order that meaningful educational help on the development of alternative desegregation plans can be provided. What I believe is needed is not less but more Federal help aimed at implementing this mandated change as smoothly and as soon as possible . . . aimed at exhausting every possibility before the ultimate step of termination must be taken. Along these lines, the Secretary has requested an increase of $8 million for the Title IV program—and we hope additional legislation will be forthcoming in this area.

But even before such assistance can be provided—before steps can be taken to provide needed help to a school district—there must be a willingness to negotiate. No one is claiming that the problems are simple. No one is claiming that it will not be politically or educationally difficult to do the job. But these problems can never be answered if in the very least people are unwilling to sit down and reason together. If a school superintendent says "to hell with the law and HEW"—then there is little that can be achieved on behalf of the children in that community. If HEW says "obey the law or the hell with the school district" . . . then little can be accomplished. It is only when both parties, recognizing their responsibilities and the needs of the children, come together and attempt to find the answers that, in the end, answers can be found.

Am I being overly optimistic that solutions can be achieved by free and honest negotiations. . . . I ask you to consider Martin County, North Carolina and South Panola, Mississippi—both terminated in January and both returned to compliance in February as a result of negotiations. None gave either a chance of coming back . . . but they did through persistence on our part and through the willingness of local school officials to keep trying. Bleckely County, Georgia—terminated in April—returned to compliance in May before the effective date of termination. A majority Negro district that had some very difficult problems—but they overcame them with our help and with their persistence—we worked together to protect that district from losing its Federal funds.

Unfortunately, not all of our efforts are successful—of the 11 districts terminated by the Secretary, 7 refused to return to compliance . . . but we tried. In one district, we developed 8 alternative plans . . . in another, we provided an extension of the termination date in order for the school board to come to Washington. In the case of Washington County, Georgia, for example, immediately upon notifying them that termination would become effective in 30 days, assistance was offered to the district. One Title IV team developed several desegregation plans but the board rejected them. Another Title IV representative went in a few days later to recommend another approach . . . but no action was taken. On May 2, the school officials were invited to Washington and the possibility of an acceptable plan developed . . . an additional 30 days extension on the termination date was granted and the school board advised that a representative would be dispatched from Washington to assist them in developing a plan. . . . the response: members of the school board will be out of town. As so, HEW gets blamed for terminating funds . . . but the responsibility does not just lie with HEW, particularly when we can substantiate the fact that every possible step was taken to assist the district. . . . no, the responsibility is not 'just HEW's . . . it is equally the responsibility of every local school official to exhaust his alternatives as well, particularly where the welfare of thousands of school children, black and white, are involved. There can be no excuse for inaction—on the part of HEW or the school district.

As with all other difficult social problems, no one agency or level of government can hope to do the job alone. This Administration is committed to a local-state-Federal partnership in resolving the complex challenges of school desegregation. Too little has been done in the past to encourage State and local government to participate in this effort to achieve equal educational opportunities. I intend to seek out the assistance and counsel of State officials in this area. Local universities have already proven their value in providing consultant and training services in this area and should be given greater encouragement to exert leadership and assistance to schools in their region. Every possible step must be taken to nourish and develop the cooperation necessary to do this job right. We must at the same time see that this issue is not allowed to be one affecting one region of the country alone. For too long, the South has been singled out as the only villain in this area. Discrimination in education exists and is illegal in all parts of the country. For the first time, my staff is balanced North and South . . . and we only recently cited the first northern school district for noncompliance with Title VI. There is no question but that the law should and must be enforced equitably without regard to geography. In addition, the law should and must be enforced uniformly.

Too often, enforcement has varied between the Justice Department and the Department of Health, Education, and Welfare . . . too often, court ordered districts are getting away with less than is being required by HEW. In these areas, Justice has agreed to bring these districts up to minimum compliance with the law as soon as possible. In addition, in order to protect against prolonged termination of funds, a procedure is being developed whereby Justice will proceed against those districts that have been terminated and are still out of compliance with the law. It is also my hope to hold a conference of terminated districts this summer to reopen our lines of communication and hopefully provide whatever assistance may be necessary to bring them back into compliance.

Gentlemen, as educators, you must seek to improve education in your districts—but you must at the same time meet the challenge of providing equal educational opportunities. As Director of the Office for Civil Rights, I have a duty to enforce the law but I pledge

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to each of you the support and assistance you need to comply with that law. The spirit and even the life of a community and the short and longterm well being of its citizens, both black and white, are at stake in every decision in this area. Misunderstandings respecting the law, confusion as to its enforcement and the encouragement of false hopes can pit man against man, student against student, and government against government. We must not allow this to happen. We must work together to see that a strong and equal education is provided to ensure a strong and equal America for tomorrow.

SENATOR BENNETT WINS GOOD GOVERNMENT SOCIETY 1969 AWARD

Mr. HRUSKA. Mr. President, I had the privilege and pleasure recently to attend the 1969 award banquet where the American Good Government Society presented its annual George Washington Award to our esteemed colleague and friend, the senior Senator from Utah (Mr. Bennett).

In addition, for the other body the society presented its 1969 prize to the chairman of the House Appropriations Committee, Representative George Mahon, of Texas.

Another Senate colleague, the distinguished Senator from Mississippi (Mr. Stennis), presented the award to Senator Bennett and in his introductory remarks praised the Senator from Utah "as a living example of what can be accomplished by hard work and individual initiative." I feel that the full text of Senator Stennis' remarks should receive the wide distribution available through the Congressional Record, and I request they be printed in the Record.

In addition, Senator Bennett in his response gave a very thought-provoking and excellent speech which I also would like to see receive wider distribution. I ask unanimous consent that it, too, be printed in the Record.

As a past winner of the same Good Government Society Award, I know that Senator Bennett and Representative Mahon have received many congratulations for this 1969 presentation, and once again I wish to add my own congratulations, publicly and in the Record.

There being no objection, the speeches were ordered to be printed in the Record, as follows:

Introduction by Senator John Stennis, Democrat, of Mississippi, at Good Government Society 1969 Award Dinner, April 30, 1969

Tonight I have the singular honor of presenting one of the 1969 Awards for Good Government to a truly great American, an outstanding Utahn, and an excellent legislator, Senator Wallace F. Bennett.

For 19 years I have watched him in action under all sets of circumstances. I have never seen him falter. I have never met a man who does not respect him.

Senator Bennett brings success to his every endeavor. This includes success as a businessman; as a United States Senator; in services to the Nation and to his beloved Utah. We honor him and trust him in the Senate—not alone for what he has done but for what he *is*. We *honor* the *man*.

He is the heir to the best frontier qualities of leadership, sound judgment and a capacity for hard work.

His father traveled across the plains as a child in a covered wagon with a group of Mormon Pioneers seeking to build a new life in a new land. This is exactly what they did.

Determination overcame all obstacles. With this spirit—which Senator Bennett inherited—his father transformed a bankrupt paint business into a thriving paint manufacturing and distribution organization. Senator Bennett entered this business as a clerk and became President of the Company in 1938.

From those beginnings he has continued to widen his range of interests. He has served as a school teacher and principal; as founder of an automobile dealership; as an important leader in his Church; as author of two books; as President of the National Glass Distributors Association; as the first representative of small business to serve as National President of the National Association of Manufacturers; as a member of six prestigious Senate committees.

He is a living example of what can be accomplished by hard work and individual initiative.

Many men who achieve this high prominence do so at the expense of their family life. But not Wallace Bennett. He has been happily married for 47 years to a woman we have all come to know and love. Wallace and Frances Bennett have raised five fine children and proudly claim the Senate championship for 26 grandchildren—26 at the last count.

Senator Bennett has accomplished his lifelong worthy attainments with the timely assistance of Mrs. Bennett, and because of his fortunate combination of fine personal qualities, his unfaltering faith, and his unswerving dedication to the basic principles of our republic. I know of no Senator more devoted to the concepts of representative government than Wallace Bennett.

I have always admired his abiding faith in his Divine Creator. He has been and is very active in his Church, where his work will bear fruit for decades to come. Those who attend the Weekly Senate Prayer Breakfasts know him as a dedicated member. His messages are always well-prepared, worthy and inspiring.

His committee work on both the Senate Finance and the Banking Committees has made him one of the most important monetary and fiscal spokesmen in the Senate.

It has been a heart-warming experience for me to work very closely with him in the Senate Ethics Committee. His judgments, when finally passed, reflect logic, a fidelity to duty, a keen sense of fair play, and above all, the courage of his convictions.

Too, it is Wallace Bennett who often walks eight miles to work in the morning; who works with and advises Presidents and Cabinet members; yet who cheerfully handles the most undramatic of Utah problems. This is Wallace Bennett, a winner of the American Good Government Society 1969 George Washington Award.

It is my very high privilege and honor to present this award to him and to read the citation:

"THE 1969 GOOD GOVERNMENT SOCIETY RESOLUTION OF TRIBUTE AND HONOR

"Wallace F. Bennett, statesman and industrialist, author and religious leader, gained the summit of his business career as president of the National Association of Manufacturers; and then came to the United States Senate where he is in his fourth term of quiet and steady service to his country.

"His recognized knowledge and understanding of fiscal and monetary problems have brought him the signal honor of being the only man serving on both the Finance and Banking and Currency Committees of the Senate, where he upholds sound policy—a sound currency and credit system and a sound dollar. He also serves on the Joint Committees on Atomic Energy, Defense Production and Internal Revenue Taxation and is vice chairman of the Senate's Select Committee on Standards and Conduct.

"Senator Bennett is a key leader to his church. He sets a high standard in public life, and gives a strong and honored leadership to all of us. The State of Utah should be proud of the illustrious son she has given to the United States of America."

Good Government Is Really Good People

(Speech by Senator Wallace F. Bennett, Republican, of Utah, Apr. 30, 1969, at Good Government award dinner)

This is a great honor which you, my friends, have done me tonight, and I am humbly grateful for it. I value it especially as an expression of your faith in me and I am humbled by the realization that it places me in the distinguished company of the other, greater men who have been similarly honored including the Honorable George H. Mahon, the distinguished chairman of the House Appropriations Committee. And, I am especially delighted that Senator John Stennis who has already received this honor himself and whose friendship I cherish has been your spokesman in my behalf.

The fact that we are met here in the name of Good Government has naturally started my mind in search of the meaning of the phrase. What is "good government?" There is apparently no simple, single, definition of this vital concept—no exclusive set of principles, no one and only pattern of organization or administration. That being so, one must fall back on a variety of observations, in which, hopefully, some common basic elements may be discovered.

In such a situation, I like to begin with the meaning of the key word, in this case, "government". If we go to the dictionary, we learn that "to govern" means to steer—as with a rudder in a boat. No wonder a poet coined the phrase "The Ship of State." If government is to be good, those who steer it, must know and avoid all the hidden dangerous rocks and shoals that lie along its way, political, social and economic. The pilots of good government must also be capable of holding their course in rough weather when the waves of revolt are raging and the decks are awash.

If government can be likened to a ship to be steered through the reefs and storms to what fair harbor is she bound. Over the centuries many wise mariners with actual experience and good records as servants in government have made the same observation—namely that the goal and safe harbor of good government is the happiness of the governed.

This same idea must have been in the mind of Thomas Jefferson when he wrote into the Declaration of Independence his deathless phrase—"life, liberty and the pursuit of happiness."

Some have believed and many today still believe that government itself has the power as well as the specific duty to bring this about. But I agree with William Ellery Channings version of this theme. He wrote: "The object of good government is not to confer happiness, but to give men opportunity to work out happiness for themselves." To me, this is an accurate restatement of the words of Jefferson.

Why should the search for happiness, a quest that is intensely personal also be thought to be the goal of good government? There is an obvious answer—government is an institution which men have created in their own image—endowed with their own powers and charged with their own responsibilities. Into its laws they write their own standards of conduct—onto its own administrators they cast their burden of self-discipline—unto its courts they look for wise and prudent judgment on their weaknesses.

For government, even good government, has the same weaknesses as well as the same strengths as are possessed by its human creators. Just as water cannot rise above its source government can never possess superhuman or moral force wisdom.

When people created government as a device to solve their common problems they had to endow it with power to act and agree to be bound by its actions. Power thus became the vital living force in government and in this sense it may be likened to a huge magnifying glass capable of focusing the united personal powers of a whole people on their common problems. But magnifying glasses can become burning glasses if the power is carelessly concentrated. Similarly, governments too powerful can become destructive even of those who created them. Indeed, one might say that governments may be said to resemble the creature made out of human parts by Dr. Frankenstein and that for us as for the good doctor in the story the ultimate risk is that government may turn on its creators and destroy them.

Because power can corrupt and destroy as well as serve—it's easy to understand why the men in every generation have been concerned with its size and its rate of growth as well as today. One quotation of government will serve to represent the feelings of most of us. This comes from Oliver Wendell Holmes who said, "The less government we have—the better." Today perhaps we might be inclined to paraphrase that by saying good government should be like a miniskirt—large enough to perform its essential function without waste.

I began these rambling remarks by saying that there is no simple single definition of good government. But as these apparently unrelated ideas have developed in my mind I began to realize that there is at least one common thread that runs through all of them—one ultimate key to good government. To me, the common key is "good people."

In our American concept of government the ultimate sovereignty rests with the people. If government is an institution created by the people then it takes good people to create good government. If those selected to pilot the ship of state are to be good public servants, they cannot be truly representative of any but good citizens. If the power of government is to be kept under control those who exercise it must be good people, with an attitude of service rather than personal ambition—and at the same time those who selected them must also be good people with faith enough to obey the laws their good representatives have made in their names.

If government falters or fails only the faith and coinage of good people can renew its strength. And if, as is the more frequent occurrence—it becomes too powerful only good people can drain away that excess by assuming more responsibility themselves. Leon Blum, the one-time French Premier, has wisely said: "No government can remain stable in an unstable society and an unstable world."

If the key to good government is good people then one of the responsibilities of good government is to preserve the source of goodness in people—stable families, happy homes, sound educational systems and churches free to speak out for righteousness.

Good people—may there always be enough of them.

NOMINATION OF JUDGE WARREN E. BURGER TO BE CHIEF JUSTICE OF THE UNITED STATES

Mr. DIRKSEN. Mr. President, on behalf of the distinguished Senator from Colorado (Mr. Allott), I ask unanimous consent to have printed in the Record a statement by him relating to the nomination of Judge Warren E. Burger to be Chief Justice of the United States.

There being no objection, the statement was ordered to be printed in the Record, as follows:

Statement by Senator Allott

At this time in our Nation's history, when respect for the law has never been under greater attack, all loyal Americans, I am sure, take heart from the appointment by President Nixon of Judge Warren E. Burger as Chief Justice of the United States.

I have known Judge Burger as a friend for more than 25 years. I know him to be a man, as President Nixon suggested, of unquestioned integrity and having the quality of judicial temperament so desperately needed on the Supreme Court today.

If Judge Burger holds true to his reputation—and I have every reason to believe that he will—the Court will be working long and hard to keep up with its caseload.

I have heard a great deal of talk about whether Justice Burger is a "conservative," a "moderate," or a "liberal." If labeling a political figure is often difficult, if not meaningless, labeling a judicial figure is impossible. What is important is that Judge Burger believes that the primary business of the Court is the interpreting of laws, not the legislating.

The President could not have, in my judgement, made a better selection for what he describes as one of the most important appointments of his Presidency. It is a selection for the times in which we live, and indeed for all times, for I predict the work of Warren Burger will be far more appreciated even by future generations, than by the present.

I congratulate the President on having made this appointment. I congratulate Judge Burger on his selection and wish him and his family the very best from my family as he carries out this most difficult of assignments.

THE RUSSIANS ALSO READ

Mr. HART. Mr. President, time is running out on chances to achieve a meaningful arms limitation agreement with the Soviet Union.

With each new hardline statement from Washington and Moscow, the atmosphere becomes less conducive to fruitful talks.

With each delay in starting talks, chances for international incidents which might block such talks increase.

With each advance in development and deployment of new weapons systems, the task of reaching agreement becomes more complicated.

Mr. President, if we miss this opportunity for arms talks, the world may well witness an escalation of the arms race that will postpone indefinitely an end to this madness.

I do not contend that arms limitation negotiations with Moscow will be easy or even that they will necessarily be successful.

However, to refuse to move promptly into such talks because they will be difficult or because they may fail is to demand conditions for negotiations which probably will never come.

To demand such conditions may be, in effect, to rule out arms talks for perhaps the foreseeable future.

Mr. President, our intent should be to improve and not damage chances for successful talks.

In a column published today in the Washington Post, Marquis Childs makes a good case that hardline statements about Russian intentions issued by defense officials in support of immediate deployment of the Safeguard ABM system have "damped the prospects for arms talks."

Mr. Childs' point is that even as Kremlin experts pore over statements emanating from the Soviet Union, the Russians also can and do read statements emanating from Washington.

Let us turn the current situation around.

What would be our reaction if Moscow at the same time were charging us with development of a first-strike capability and calling for disarmament talks?

I suggest that we might well doubt Moscow's intention to participate in serious arms talks.

Since the Russians also read and interpret our statements, I suggest that the voice of the Defense Department may well be drowning out the voice of the State Department which says that this Nation wants arms negotiations.

Mr. President, there is no reason why chances of successful talks should be endangered in an effort to win the debate over immediate deployment of the ABM.

Let this Nation speak with one voice, and let that voice be in favor of immediate arms talks.

I ask unanimous consent that Mr. Childs' column be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the Washington Post, May 23, 1969]

Prospects for Arms Talks Seem To Be Losing Ground

(By Marquis Childs)

Not long before he left on his Asian trip, Secretary of State William P. Rogers met with Soviet Ambassador Anatoliy F. Dobrynin. Rogers wanted to reaffirm to Dobrynin what he had said publicly—that the United States would be prepared to enter into arms negotiations with the Soviet Union in the late spring or early summer.

Reporting the discussion to colleagues, Rogers stressed Dobrynin's concern over delay in the long-heralded talks. He quoted the Soviet Ambassador as saying with the wry humor that is one of his characteristics: "You are sure you don't mean Indian summer?"

It now appears there will be a delay in the start of the effort to checkmate another sharp upward spiral in the nuclear arms race. What in bureaucratese is called "slippage" has taken place. From White House sources comes word it may be August before the American side bears out this pessimistic estimate.

As the days slip by, the fear grows that a last chance to head off another and perhaps the ultimate round in the race will be lost. Two reasons underscore this fear. One is evidence of a hardening attitude in Moscow. The military appear to have increasing weight in the Kremlin.

The second fear is of an accident that suddenly in flaring headlines puts an end to all hopes of talks. The U–2 spy plane shot down in 1960 wrote finish to the attempt of President Eisenhower to abate the cold war and arrive at competitive coexistence with the Soviets. The Russian invasion of Czechoslovakia last August cut across the carefully laid plans of President Johnson to begin arms talks. An accident would all too obviously suit those who in private oppose arms limitation.

If any single factor has damped the prospect for arms talks it is the decision of the Nixon Administration to start deployment

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of anti-ballistic missiles to safeguard intercontinental missiles. This is not so much because it will mean any significant change in the strategic balance between the two nuclear giants, but because of the loud propaganda coming from Secretary of Defense Melvin R. Laird and other defense officials to convince Congress the Soviets are preparing a first-strike capability to cripple the United States.

No walls of silence, such as can be imposed by an authoritarian system, surround the United States to keep the angry ABM debate within the American family. All of the speeches and statements by Laird, Dr. John S. Foster Jr., director of defense research and engineering, and others carrying the torch for ABM are avidly read in the Kremlin. It is hardly necessary to add that they serve the cause of the hardliners who, it is a safe conjecture, argue that it is useless to try to come to any agreement with the warmongering imperialists in Washington. A recent visitor from the Soviet Union put this question:

"What if Grechko was saying the things Laird is saying?"

Imagine Marshal Andrei A. Grechko, Soviet Defense Minister, writing in Pravda or trumpeting in a speech on Armed Forces Day that the United States was accelerating the buildup in both offensive and defensive nuclear weapons. And what for? Why, to knock out the Soviet's retaliatory capability, with America triumphant in a first strike and the Soviet Union forever crippled, if not destroyed.

The consequences for any future arms talks would be pretty serious. How can we ever deal with people like that who charge us with such dastardly intentions? The argument that the Laird blasts do not matter, since there is no public opinion in the Soviet Union, is fallacious. A kind of opinion at the very highest level is subject to the news from everywhere and particularly from the other nuclear giant across the great divide.

The director of the Arms Control and Disarmament Agency, Gerard C. Smith, will be the principal negotiator in the first round when—and at this point caution dictates an if—it begins. Smith is determined that the talks will succeed. While they may not bring a reduction in nuclear arms, at a minimum they should checkmate a new spiral. The disarmament agency is hopefully setting a date between July 15 and August 1 for the start of the talks. Since spring ends on June 20, July 15 would still be within Secretary Rogers' pledged timing.

No one questions Smith's dedication and sincerity. But he faces many handicaps within the Administration. A month ago the word was put out that he would have a strong, capable deputy. An approach was made to William H. Sullivan, former Ambassador to Laos and one of the ablest Foreign Service officers. Subsequently, Sullivan was named Deputy Secretary for the Far East, with emphasis on the Vietnam task force, which may say something about priorities. No deputy has been named.

Why are the forces in the inner council cold, hot and lukewarm on the arms talks? What is the reason for the slippage? This will be examined in a following column.

DR. KISTIAKOWSKY DISCUSSES THE ABM

Mr. PERCY. Mr. President, I ask unanimous consent to have printed in the RECORD a significant article written by Dr. Irving S. Bengelsdorf and published in the Los Angeles Times of May 6, 1969. The article, drawing heavily on the experience and judgment of Dr. George B. Kistiakowsky, President Eisenhower's science adviser, questions the effectiveness of the proposed Safeguard ABM System. It is an important contribution to the debate on the merits of ABM deployment.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Los Angeles Times, May 6, 1969]

OF ATOMS AND MEN: EXPERT TELLS HAZARDS OF ANY ABM SYSTEM

(By Irving S. Bengelsdorf, Ph. D.)

Let's make a nuclear fission bomb, known more popularly as an A-bomb. The essential explosive ingredient is either uranium 235 or plutonium 239. The amount of explosive required depends upon the fissionable material used—somewhat more for uranium 235 than for plutonium 239. In either case, the quantity of fissionable material needed for a nuclear explosion to take place is called the supercritical size.

Imagine a ball or sphere of U 235 or Pu 239 of supercritical size. Suppose the U 235 or Pu 239 explosive is fabricated into the shape of a half-sphere or hemisphere of such size that when two hemispheres are brought together they then form a sphere of supercritical size. Now you have your nuclear fission bomb. Since each hemisphere is below supercritical size, it can be kept in storage and will not explode. When you want the bomb to go off, just bring the two hemispheres together to produce a supercritical size and explosion.

HOW IT WORKS

Both hemispheres of fissionable material must be brought together suddenly and vigorously. So, each hemispherically shaped nuclear explosive is surrounded with ordinary chemical explosives, arranged and shaped in such a way, that when the chemical explosion occurs, the two hemispheres are pushed and driven together. Pow!

During World War II, Dr. George B. Kistiakowsy helped in the development of American nuclear fission bombs. He worked out the arrangement and shape-design of chemical explosives used to push together pieces of fissionable material so that they suddenly would come together to form a mass of supercritical size. Kistiakowsky is professor of physical chemistry at Harvard and is one of America's outstanding scientists. In mid-1959, he was selected by President Eisenhower to be his special assistant for science and technology.

One of the first problems Dr. Kistiakowsky faced was the Army's request to install an antiballistic missile system (ABM) called Nike Zeus. It had serious technical shortcomings. The performance of both its radars and intercepting missiles was poor for the defense job that had to be done. President Eisenhower decided not to deploy the Nike Zeus ABM. So did President Kennedy.

In recent testimony to the U.S. Senate, Dr. Kistiakowsky pointed out, "Had the deployment of Nike Zeus been authorized in 1960–1961, we would have just about now the full system in operational readiness, after spending what was then estimated at $20 billion and could have been—judging by analogy with other large weapon systems—twice as much. Considering the current numbers and sophistication of offensive missiles now being deployed by the superpowers, it is technically certain that the Nike Zeus ABM system would now be of little value."

And the same can be said of the small Soviet ABM defense system that for several years has ringed Moscow and has not been expanded into a massive Soviet ABM system to protect other Soviet cities or sites.

Kistiakowsky added, "Nike Zeus would be obsolescent or even obsolete, judging by the fact that the probably somewhat more modern Soviet (Galosh) ABM defenses around Moscow are rated of little value to the Soviet Union by our competent military experts." ABM systems of the Soviet Galosh type easily can be overwhelmed by sophisticated penetration aides of the types carried by American offensive missiles.

FUNCTIONAL UNCERTAINTY

Dr. Kistiakowsky also expressed doubt about the smooth functioning of any complex ABM system. He stated, "The components used in presently proposed American ABM systems, the radars, missiles and computers, are much more advanced than were those of Nike Zeus. But the new systems are extremely complex and a massive failure cannot be excluded for a system that must function the very first time it is tried out as a whole."

"The proposed ABM systems involve mammoth computers because in the few minutes that would pass between detection and interception of incoming missiles, no human command organization could decide upon and then manually execute the proper defense tactics."

But computers, however fast they are in making decisions, must be instructed in advance by humans on what to decide upon in every situation that will confront them.

"Thus, however, elegant the electronics, in the end one must trust that the computer programmers (the humans who write the sets of instructions or programs that computers follow) will correctly anticipate all the future tactics that will be used against our defenses. They must write correct programs for discriminating between warheads and decoys, without knowing for sure what their characteristics will be."

This dependence on radars and computers to make "Doomsday" decisions has led Dr. Herbert F. York, UC San Diego physics department chairman, to state, "When we pursue the ABM we are not on the track of the ultimate weapon, but on the trail of the ultimate absurdity."

Dr. Kistiakowsky concluded, "Having tried to use the Boston automatic telephone system after a great snowstorm of a few weeks ago, I feel sensitive about the ability of complex automatic devices to overcome even the blind vagaries of nature, not to mention skilled human intellects of a potential enemy."

KUSKOKWIM BATTLE: THE STORY BEHIND IT

Mr. GRAVEL. Mr. President, the American public has recently been informed about the development of cooperatives in Alaska, primarily because of the controversy surrounding a particular case on the Kuskokwim River in 1968.

The following story, taken from the weekly newsletter of the Rural Alaska Community Action Program, describes the real meaning of the controversy. The author of the article, Mr. John Wiese, is the fisheries editor of the Anchorage Daily News. Mr. Wiese is unquestionably one of the foremost working experts on Alaska fisheries, and the leading commentator on Alaska fisheries matters.

As many Senators well remember, the Kuskokwim case involved the sale of a harvest of king salmon to a private Japanese company. The sale was negotiated by the Kuskokwim Co-Op, a wholly owned and operated Eskimo co-op, under the management of local Bethel fishermen.

Mr. President, I ask unanimous consent that the article be printed in the RECORD.

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There being no objection, the article was ordered to be printed in the RECORD, as follows:

KUSKOKWIM BATTLE: THE STORY BEHIND IT

(EDITOR'S NOTE.—The RurALCAP board of directors last week passed a resolution supporting the Kuskokwim Fishermen's Cooperative in its efforts to be an independent business and in its rights to proceed with competitive business transactions without interference from the Fish and Game Board. RurALCAP helped the cooperative last year in getting established. The following analysis of the situation is reprinted with permission of the Anchorage Daily News.)

(By John Wiese)

The big flap over Kuskokwim river salmon, a fishermen's co-operative and Japanese buyers involves a broader issue than that which appears on the surface. It's like an iceberg. . . .

At first glance it appears to be a case of officialdom looking askance at a small group of Native fishermen delivering salmon to a foreign outfit, with some observers disapproving because they feel that it amounts to unwarranted action against a deprived people, while others see the Kuskokwim project as an unfair activity on the part of those fishermen and foreign competitors.

Beneath the surface there is a history of chronic conflict that involves a long-established set of fisheries operators—generally called "the Alaska canned salmon industry"—and most of their fishermen.

The industry people are almost exclusively from out-of-state. The fishermen are principally Alaska residents, including Natives and non-natives.

In the past few days the Alaska Board of Fish and Game adopted a policy opposing any arrangement to allow foreigners to buy salmon from Alaska fishermen. The board's act—the exact impact of which is hazy at this time—drew reactions from several leaders among fishermen that help to illuminate the issue.

For the most part these expressions condemned the board's position. Where it wasn't condemned it was condoned—but out of a feeling of futility.

Truman Emberg, a veteran leader of Bristol Bay resident fishermen, observed: "The board sure exceeded its authority in that one. In the past, whenever any fishermen's group has gone to the board for a regulation based on an economic rationale, the argument has been rejected with the excuse that the board only has authority in biological-conservation matters.

"This makes a man wonder who got to them. If the fishermen in Alaska are ever going to make any headway they've got to get some competition to face the canned salmon industry and it looks like the board acted to make sure that this won't happen."

In Cordova, fishermen's co-op business manager Harold Hansen said, "This is an issue affecting fishermen of the entire state. The canned salmon boys must have influenced the board. And the board did something that makes it clear that they want to remove the Alaska fishermen from any competitive market whatsoever.

"They want to keep the fishermen here in the state totally dominated by the Alaska canned salmon industry. Their action to try to keep Japanese competition out is completely arbitrary and it comes from a board that wants to see the fishermen totally dominated by the canned salmon industry, just as they were prior to statehood."

In Kodiak, Sam Selvog who is president of a fisherman's marketing organization said, "It is unrealistic to try to use Japanese buyers as competition and it isn't going to make any difference."

Selvog contributed this pessimistic observation supporting his sense of futility:

"We have tried to use the threat of Japanese against our canners but over 90 per cent of the fishing fleet is owned and controlled by them in one way or another—at least here in Kodiak—and we're only kidding ourselves trying to run a bluff with a threat like that.

"We had cases here recently—when we were trying to make a deal with them—where they cut off the groceries and credit and forced fishermen to take what they wanted anyway. I can't see bucking a situation making empty threats. It only does harm in the long run.

"The Japanese have never left us anything good anyway, as I see it. So I don't see why we should let them in."

Commercial salmon fishermen of Alaska are faced with a unique condition that is historic and chronic. They are producer-laborers in an outmoded industrial operation in which few modern-day benefits reach them.

Technically they are "independent entrepreneurs" but their independence is largely mythical. They are legally restricted from employing any effective form of collective bargaining.

As a substitute they are permitted to get together in what is termed "marketing co-operatives," but which are usually ineffective because of legal restraints and because they lack any appreciable degree of independence from canners.

Leaders in the past several years have placed hopes for a remedy in a three-pronged assault on the status quo:

1. Bring in meaningful competition to the established canned salmon industry, even if this means bringing in Japanese buyers as a temporary expedient. This was begun in 1964 when Cordova fishermen and canners deadlocked and the fishermen, aided by a sympathetic state regime, sold most of their catches to Japanese (plus one breakaway canned salmon operator.)

2. Establish genuine fishermen's cooperatives to compete with (or to replace, if necessary) the established industry. Since this requires funds far beyond the present abilities of fishermen, there has been slow progress in this direction.

3. Work for the establishment of modern processing facilities in fishing towns to compete with canneries, especially public cold storages. These facilities would have to be financed by such public funds as the U.S. Economic Development Administration or the Small Business Administration.

Three such facilities have been applied for and are moving forward, exclusive of the one secured for the Kuskokwim Fishermen's Cooperative at Bethel. The three would be located at Dillingham in Bristol Bay, at Cordova and in Yakutat.

It is understandable, then, that Alaska's fishermen generally are closely following the latest Kuskokwim River flap.

If the Kuskokwim co-op and its program can be scuttled, they too can founder. If it succeeds, then they have a precedent to help their cause.

And, conversely, the masters in the established canned salmon industry of Alaska are aware that a successful Native-Japanese venture on the Kuskokwim can spell trouble for them. . . .

If the Kuskokwim Native fishermen can be advanced toward their goal of a genuine co-operative operation, and a freezer of their own, by interim Japanese competition this year (especially after last season's ruckus) then the same formula can be worked out for Bristol Bay, or for Cook Inlet, or Cordova, or anywhere else.

BERNICE GIBBS ANDERSON—ONE OF THE TRUE MOVERS OF THE GOLDEN SPIKE CELEBRATION

Mr. BENNETT. Mr. President, the recent Golden Spike Centennial Celebration was a special tribute to one lady, Mrs. Bernice Gibbs Anderson. In the words of the Salt Lake Tribune, Mrs. Anderson is "undisputedly acknowledged as the persistent force behind the preservation of Promontory Summit as a national historic site and the memorializing of the driving of the Golden Spike."

The Tribune goes on to point out that "her struggles have spanned nearly half a century and at an estimated personal expense of $10,000 primarily in transportation costs, stationery, and postage."

When she was 5 years old, Mrs. Anderson's family moved to Corinne, Utah. More than any other town in the State, Corinne was a railroad town. It had come into existence because of the construction of the transcontinental railroad and owed its existence to the railroad. While living there, Mrs. Anderson developed a fascination with the railroad.

This fascination was deepened by her research. Some of this research has already been published and has brought international interest.

Mrs. Anderson's great knowledge of this subject and her untiring efforts to bring proper public attention to the wedding of the rails at Promontory Summit made an enormous contribution to the success of the centennial celebration of the driving of the Golden Spike.

Mr. President, I ask unanimous consent that the article written by Hazel S. Parkinson, published in the May 17, 1969, Salt Lake Tribune, outlining Mrs. Anderson's accomplishments, be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Salt Lake Tribune, May 17, 1969]

DREAM OF GOLDEN SPIKE COME TRUE

(By Hazel S. Parkinson)

CORINNE.—The matron of honor at the "wedding of the rails" centennial was Mrs. Bernice Gibbs Anderson (Mrs. Laren G.) undisputedly acknowledged as the persistent force behind the preservation of Promontory Summit as a national historic site and the memorializing of the driving of the Golden Spike.

Her struggles have spanned nearly half a century and at an estimated personal expense of $10,000 (primarily in transportation costs, stationery and postage).

With the big centennial day now recorded in history, she and her husband are relaxing, recovering from the strain of the occasion. And they have time to reflect both the recent and past events.

LOOKS TO FUTURE

She is contemplating the future as well . . . the annual May 10 re-enactment presented by the Golden Spike Association of Box Elder County of which she is president. She is hoping the association will sell lots of centennial souvenirs including the association's own medallion which preceded the medal minted by the Golden Spike Centennial Celebration Commission (the federal commission). Funds, she says, will be used to sponsor May 10 ceremonies in the future.

Taking the national honors bestowed upon her in stride, she talks about the fact that Secretary of Transportation John Volpe paid tribute to her during his address last week at the Promontory Summit ceremonies. And she modestly shows the framed certificates for "appreciation" presented her by the National Park Service and the American Assn. of Railroads.

She almost forgot the gold centennial medal given her by the GSCCC. She was

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given the third (of the first six minted), the first two being presented to former President and Mrs. Lyndon B. Johnson. Gov. and Mrs. Calvin L. Rampton each received medallions of the first six.

SOMETIMES DISCOURAGED

Like any struggle there have been many discouraging moments, trying to get people interested in her cause and in getting support and in seeking donations (for expenses for annual driving of the Golden Spike reenactments).

Murray Mason, former secretary of the Brigham City Chamber of Commerce and ardent supporter, told her after an especially trying experience, "You'll never amount to anything until you've been kicked out of eight or 10 offices." She remembered that advice when things were dark and it helped, she said.

The broad shoulders of her husband were used for "crying." He has encouraged her all these years to continue, though he sometimes admits to being a little vexed at having to fix his own supper.

He teases her by saying she was just too stubborn to give up. The six Anderson children, too, have encouraged their mother's work. Daughters, Mrs. Ruth Michelli, Corrine, and Mrs. Gay Nelson (now living in Venezuela) are most interested of the children, she says. Though sons, Wayne (living in Tremonton); Clinton, (Plymouth Meeting, Pa.); Darrell, (Palm Dale, Calif.) and Max G. (Pleasant View) also support their mother's efforts. The Andersons have 27 grandchildren and four great-grandchildren.

As a child of five, Bernice moved to Corinne with her grandmother (who raised her). She recalls cattle being nervous when the trains roared by. Trains were being re-routed over the old line when trestles of the Lucin Cutoff (built, 1904–05) were being repaired. The trains were fascinating to the child. And when from a horse and buggy, she helped her grandmother herd cattle over the Promontory enroute to summer range in Black Pine Canyon, it was exciting, especially when the cowboys encountered would tell tales of the coming of the railroad, wedding of the rails and their experiences.

And her interest in the history of the Pacific Railway and in Corinne was consuming. In the early 1920s, she began writing, recording and researching.

COLLECTION'S PRIVATE

Her private collection of historical data, pictures, negatives is priceless. Many of her writings have been published. An article published in the Home Magazine section of The Salt Lake Tribune in 1942 (when the old line was dismantled), found its way all over the world. Historians by the scores wrote for more information, she said. Mrs. Anderson was a Tribune correspondent for many years.

It was the interest of college students in the history of the joining of the rails and Utah history that has been the motivation many times for her to continue the fight. She has shared many historical facts with students, historians.

Yet she still has material that has never been printed. Perhaps now that the Visitors' Center is built and the historic site is preserved and will be maintained by the National Park Service, Mrs. Anderson will find the time to publish all of her research.

She'll find release from writing, talking railroad in the iris garden behind the white frame home. The garden is the pride of her husband.

CUBAN INDEPENDENCE DAY

Mr. DIRKSEN. Mr. President, on behalf of the distinguished Senator from Colorado (Mr. ALLOTT), I ask unanimous consent to have printed in the RECORD a statement by him relating to Cuban Independence Day.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR ALLOTT

On May 20, 1902, or 67 years ago, the island nation of Cuba became independent. Today it is an understatement that Cuba is no longer independent. Rather, she is completely dependent upon the Communist bloc.

It is easy to forget how dangerous the continued presence of Fidel Castro's Communist regime is to the United States in view of our involvement in Vietnam, the problems in the Middle East, and the turmoil at home.

The people of Cuba who have been enslaved for a decade now cannot forget. The people of Latin America who must constantly fight Cuban-trained rebels and cope with Cuban-originated subversion and propaganda cannot forget. The American people must not forget either.

Cuba is as much of a menace as she ever was. Recent reports in the press and elsewhere have documented the fact that campus revolutionaries are receiving aid from Cuba. Many of the leaders of the campus revolt, and also of the Black Panther movement, have been trained in Cuba.

Refugees from Cuba continue to report the presence of dangerous missiles on the island with a striking capability that poses a clear and present danger to large American cities. Just recently, some newly arrived refugees have said that there are now more missiles in Cuba than at the time of the 1962 missile crisis.

I have no way of verifying what these refugees report, but it does seem clear that Cuba remains a military and diplomatic threat to the United States.

Just last month, in fact, the United States found it necessary to deny re-entry visas to two Cuban diplomats on the grounds that they conducted intelligence activities and gave financial and directional aid to the Black Panthers. The same action is expected to be taken against an additional five Cuban diplomats involved in the same activity.

With the threat to our cities that these revolutionaries pose, especially this summer, we cannot in any way tolerate continued support by Cuban Communists for militant disruptive activities.

Nor can we tolerate Cuban aid to student rebels. Nor should we tolerate the "exporting of revolution," which Castro mentions so frequently, to our neighbors in Latin America.

Presently, the Administration is looking toward the re-building of bridges to Latin America. The Administration is also searching for a new and effective policy toward Cuba. Certainly the best favor we could do for all of our neighbors in Central and South America—as well as for ourselves—would be to rid Cuba of Communism. Undoubtedly the President's ultimate policy will be directed toward that end, because in Mr. Nixon's own words last year: "Havana cannot remain forever a sanctuary for aggression and a base for export of terror to other lands." I emphatically support a policy directed toward that end.

STEUBEN SOCIETY MARKS 50TH ANNIVERSARY

Mr. HRUSKA. Mr. President, the Steuben Society of America is a national patriotic society of persons wholly or partly of German descent, founded 50 years ago this week—on May 19, 1919. The society this year is celebrating its golden anniversary.

Founded just 6 months after the First World War, the society concentrated its efforts on healing the wounds of war and the reestablishment of good relations with the new government and people of defeated Germany. As the flames of war subsided, Congress was considering the creation of a law to control immigration. The Steuben Society raised its voice then and assisted in obtaining a generous quota for German immigrants. Since this first law in 1923, the society has participated actively in discussions on every revision to the present, including passage of the special Emergency Relief Act of 1953.

The Steuben Society stands for the pride of ancestry that places each ethnic group's strength into the melting pot that is America. These diverse heritages are woven into the American heritage and blend to become a force of democracy unequaled in the world today.

Some of the brightest colors in the weave, some of the strongest threads, some of the most exciting designs, come from the German origin represented by the Steuben Society.

The Germans and my people, the Czechs, came to Nebraska in the early days because the land was good and prices were low. Many Germans were farmers who had, and who still have today, a love for the soil and a talent to make it bloom. Many Germans were tradesmen with a keen eye for goods and a kindness for people. These men and women came to this country and to Nebraska with ambition and a willingness to work diligently. This is the kind of honesty, integrity, and sincerity that is the foundation of this Nation and the hallmark of the Steuben Society.

I have been an honorary member of the society since 1967 and have seen the dedication and perseverance of people who feel close to a heritage and close to America.

As the Steuben Society meets on May 24, 1969, for its golden jubilee, its 50th anniversary, I am proud to commemorate this outstanding achievement which is a tribute to those who believe in the kind of devotion for America felt by Friedrich Wilhelm von Steuben, who said:

> I should willingly purchase at the expense of my blood the honor of having my name enrolled among the defenders of your liberty.

EVANGEL COLLEGE STUDENTS HOSTS TO SENIOR CITIZENS

Mr. SYMINGTON. Mr. President, we read so much in the daily press and see and hear so much on television and radio about the unrest on the college campuses throughout America that we all too often overlook the fine work being done by the great majority of students.

As an illustration I ask unanimous consent to have printed in the RECORD a press release from Evangel College of Springfield, Mo., about Senior Citizens Day on their campus on Friday, May 9.

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At that time, Evangel students brought to the campus senior citizens from the area for a 1-day visit to the college halls.

There being no objection, the release was ordered to be printed in the RECORD, as follows:

PRESS RELEASE FROM EVANGEL COLLEGE

Evangel College students will build bridges across the generation gap Friday as they play host to elderly Springfieldians from three rest homes.

It will be Senior Citizens Day, sponsored by SCOPE, the all-student Christian outreach organization at Evangel.

The corridors connecting Evangel's buildings, a legacy from the days of O'Reilly Hospital in World War II, will simplify the campus visit. Many of the guests will be in wheelchairs, or walking with canes.

The collegians will furnish the cars and call for their guests at 7:30 a.m. at Mercy Villa, Grand Acres, and Sunshine Acres. Each guest will receive a name tag, prepared by the students. The students have also made posters promoting the day and placed them in the college halls.

First scheduled event will be chapel service with the student body at 8:30 a.m., when the senior citizens will be honored. Speaker will be Wayne Kraiss, Evangel director of development.

After chapel, refreshments of angel food cake and punch, suitable for diabetics, will be served in the college cafeteria. Slides of the college and SCOPE will be shown.

Following will be a classroom visit and campus tour, ending at the library, where the guests will be picked up to return home in time for lunch.

Senior Citizens Day is the climax of a rest home visitation program carried on by SCOPE throughout the school year. Judy Zimmerman, rest home visitation chairman and chairman for Mercy Villa, is coordinating the day. She is a junior elementary education major from Bedford, Penna. Rosanna Stoughton, St. Louis, also a junior elementary education major, is chairman for Grand Acres, and David Murray, Cusseta, Ga., a freshman history major, is chairman for Sunshine Acres.

"Since we go to the rest homes regularly, this is a chance for them to see where we live. We want to give them an enjoyable day. Another purpose is to have the kids think a little about these people who are so often forgotten," Miss Zimmerman says.

This is the second year the students have sponsored Senior Citizens Day. Last year, 16 senior citizens were guests. The students expect considerably more Friday.

SAFEGUARD ANTI-BALLISTIC-MISSILE SYSTEM

Mr. BAKER. Mr. President, previously I addressed the proposition that congressional debate on ABM should be free of partisan crystalization and hopefully as free of emotion as possible. In that light, I am especially pleased to invite the attention of the Senate to a resolution adopted without dissent by the Senate of the State of Tennessee endorsing the proposed Safeguard ABM system.

The resolution was signed by 26 of the 33 members of the Tennessee Senate and was authored by a leading and distinguished Democratic member of that body. It had total bipartisan support.

I commend the Tennessee State Senate for their statesmanlike handling of this matter, and I commend their action and attitude to the attention of this body. I ask unanimous consent that the text of the resolution be printed in the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

RESOLUTION OF TENNESSEE STATE SENATE

A resolution commending President Richard M. Nixon for his foresight in the decision to deploy a Safeguard Anti-Ballistic-Missile System and petitioning Congress to appropriate the necessary moneys for immediate implementation of same

Whereas, President Richard Nixon has, for the safety and security of the United States, announced his decision to deploy an anti-ballistic missile system designed to protect U.S. land-based retaliatory installations which constitute the greatest deterrent to nuclear war with the Soviet Union and

Whereas, As envisioned by President Nixon, the outlined "Safeguard" ABM system will have the additional merit of defending our country against the threat of attack by Communist China, whose nuclear potential is less sophisticated and more limited than that of the Soviet Union and

Whereas, Opponents of President Nixon's "Safeguard" ABM plan have expressed concern as to its effect upon Russian public opinion, as expressed in the government-controlled press, even though Soviet Russia has already established an ABM system, apparently without concern for American public opinion and

Whereas, Said opponents seem to have many greater concerns, including that noted above, than concern for the safety of this country, being in many instances the same individuals who have given aid and comfort to the North Vietnamese and Viet Cong Communists against whom Americans and South Vietnamese young men are fighting a bloody war, by publicly harassing every President who has been charged with the unwelcome responsibility of directing the conduct of that war; and

Whereas, The United States Congress will be asked for funds to implement the "Safeguard" system; now, therefore

Be it resolved by the Senate of the 86th General Assembly of the State of Tennessee, That President Richard M. Nixon be commended for his courage and foresight in taking this action which is so vital to the welfare of the people of the world; and

Be it further resolved, That the Congress of the United States be petitioned to provide moneys necessary for the system deployment without delay; and

Be it further resolved, That these presents be spread upon the official records of this body and that copies thereof be sent to President Nixon, to Defense Secretary Melvin Laird, to the members of the Tennessee Congressional delegation and to the news media.

MAJOR OIL COMPANIES USE TAX-FREE PROFITS TO SQUEEZE OUT SMALL BUSINESSMEN

Mr. PROXMIRE. Mr. President, for a long time I have been working to close the gaping tax loopholes enjoyed by the oil companies. Because the oil companies do not pay their fair share of the tax burden, we all have to pay more in taxes than we should. However, there is another, just as significant, inequity resulting from the present tax treatment of the oil industry.

The present tax structure encourages the oil industry to shift as much of its profit as possible into the producing end of the business in order to take advantage of the oil depletion allowance, intangible expensing and so forth.

The independent gasoline and fuel oil distributors and gas station operators do not have the benefits of all these tax loopholes. They do not have gigantic untaxed profits, but must compete with the major oil companies who do.

I have received two letters from such independent businessmen. I ask unanimous consent that they be printed in the RECORD at the conclusion of my remarks.

The letters, from small businessmen involved in the oil business, point out precisely the points which I have been making. They cannot compete with the major oil companies which do not have to make a profit in the distributing and marketing of oil because of their untaxed profits in the producing of oil.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

CLAREMONT, CALIF.,
May 20, 1969.

Senator WILLIAM PROXMIRE,
New Senate Office Building,
Washington, D.C.

DEAR SENATOR PROXMIRE: I am an independent gasoline jobber in Southern California and I am writing to you because the retail price wars and the predatory pricing of the major oil companies are ruining me financially. These conditions are also ruining fellow independent jobbers and independent gasoline dealers in this area. Here are the facts about our situation:

1. In February 1969, the major oil companies raised the price of crude oil 20¢ per barrel. Since they own their own crude oil sources, they were, in effect, raising the price to themselves on crude oil production where they happen to get a 27½ percent depletion allowance. They have thus increased their net, untaxable income by 5.5¢ per barrel.

2. In late February and early March of 1969 the major oil companies raised the wholesale price of gasoline to their independent customers and dealers from 0.6¢ to 1.0¢ per gallon because, they said, the price of crude oil had gone up. Thus the oil companies raised the buying price of all their small independent customers who have no tax advantages, because of a price increase in crude oil which the companies buy from themselves and on which they receive a 27½ percent depletion allowance.

3. In late March 1969, the retail market in the Los Angeles basin began to drop. It is still doing so. The small, independent jobbers, such as myself, the independent service station operators and the dealers of the major oil companies were all caught in the margin squeeze—the wholesale price was up and the retail price was down.

The major oil companies have placed themselves in an ideal position: They are getting more for their crude oil, more for their gasoline, more depletion-allowance protected profit, and are forcing the retail market down to wipe out the small, independent gasoline merchants while making more money than ever.

While the major oil companies fight in Southern California and crush the small gasoline retailers here, they maintain high retail prices elsewhere throughout the United States and the world. But after they have put us out of business here, or hurt us so badly that we are no longer a factor, they will raise retail prices in Southern California and move to other markets to drive other jobbers and dealers out of business. Thus, eventually, they gain control of the entire retail market. All the time the major oil companies are doing this, the small businessmen whom they are destroying, and the

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other taxpayers, are carrying the tax load that these corporate giants are evading through their depletion allowance.

Major oil corporations don't vote. They don't pay their fair share of taxes. But they do try to buy influence, to pose as social benefactors who must be sheltered for the national good; and they use the tax benefits taken from our gullible society to get a stranglehold on every facet of the oil industry, to destroy their independent competition and to branch out into other businesses. Among their widening interests are: real estate, banking, grocery stores, trucking, airframe and space technology, plastics, paint and chemicals.

We feel that the major oil companies should be allowed to sell gasoline only at a definite, established wholesale price free from rebates, competitive allowances and all other devices used by them to lower retail markets in local areas and thereby destroy their independent competition.

We believe the oil depletion allowance should be carefully scrutinized by Congress, and either abolished entirely or else regulated so that it can only be used against actual drilling costs. Further, we believe that all oil companies receiving a depletion allowance should be divested of all their holdings that do not relate to oil production, refining or marketing, including real estate.

We small businessmen vote, the American taxpayers vote; we work for our candidates and on election day each of us is more important than the largest oil corporation.

We ask you for the protection of our government from destruction by these corporate monsters; we must have it now or we will surely perish.

Sincerely yours,

JAMES L. BEEBE.

S. E. RONDON CO.,
Pasadena, Calif., May 19, 1969.

Hon. Senator WILLIAM PROXMIRE,
New Senate Office Building,
Washington, D.C.
(Attention of Mr. Martin Lobel.)

DEAR SIR: Upon the suggestion of Mr. Martin Lobel, in which I had a long distance phone conversation May 19, 1969 12 noon Pacific Daylight time, I am writing my complaint on unfair competitive advantage of the major oil companies in the retailing of gasoline.

The S. E. Rondon Company has been a gasoline jobber and distributor for 24 years in Southern California.

The major oil companies increased the price of crude oil 20¢ per bbl. and as a result increased wholesale prices $\frac{9}{10}$ of a cent to 1¢ per gallon. This was their justification: This increase in price gives the majors another increase of tax advantage, as a result, of 5½¢ per bbl. on the depletion allowance.

All majors in most cases have enough crude oil to supply their own needs up to 90%. In effect they increased the crude oil price which they are buying from themselves.

In Southern California retail prices of gasoline in major stations have dropped from a normal 34.9 to a low of 24.9. Resulting in elimination of competition by financial squeeze. This competitive advantage by the major is due and only due to 27½% depletion allowance which is used to support their drop in retail price of gasoline.

By using the depletion allowance they take specific areas to destroy independent competition of small business men who do not have this tax advantage. After competition is destroyed they raise the retail price and move to another area. Small independent business men pay a fair share of the tax and vote. Oil corporations pay little tax and don't vote.

I sincerely hope you can prevail to restore competition on an equal basis then the tax paying public would not be footing the bill of the major in these costly retail price wars.

Sincerely yours,

S. E. RONDON.

P.S. I'll gladly fly to Washington to further relate my problem as a small business man or pay your expenses to come to Southern California for a personal observation.

U.S. RELATIONS WITH CUBA

Mr. DOMINICK. Mr. President, on March 30, Mr. John Plank wrote for the New York Times magazine an article entitled "We Should Start Talking With Castro." In effect, the article urged us to turn over Guantanamo Naval Base to Castro; to reopen trade and diplomatic relations; and to treat that Government as though it were normal; instead of as being repressive, repulsive, retrogressive, and exporting revolution as it seems to most of us with sound vision.

On May 11, 1969, Mr. Paul Bethel's letter to the editor replying to Mr. Plank was printed in the New York Times. It is, as usual, effective, knowledgeable, readable, and backed by facts instead of the wishful thinking of Mr. Plank. Mr. Bethel is an expert not only on Cuba, but on Castro's revolutionary activities throughout Central and South America.

I ask unanimous consent that the letter be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

[From the New York Times Magazine, May 11, 1969]

LETTERS: A POLICY FOR CUBA

To the EDITOR:

John Plank in "We Should Start Talking With Castro," March 30, asserts that there is "one school of thought in the hemisphere that, unhappy with current policy, would turn—instead of toward accommodation with Castro's regime—toward increased pressure, military or other, against it. Paul Bethel, who with Spruille Braden and others, speaks for the Citizens Committee for a Free Cuba, reflects this viewpoint. . . ." So, may we add, does President Nixon.

In his public utterances made during last fall's campaign, Mr. Nixon had this to say about Cuba: "It has become the center for external aggression and the export of revolution to the Western Hemisphere. . . . Therefore, U.S. foreign policy requires—and foreign policies of all other nations of the world require—that this kind of government be quarantined; quarantined for the sake of peace." Moreover, Mr. Nixon said: "New leadership is pledged to do better."

Mr. Plank also implies that it is only through groups such as the U.S. Citizens Committee for a Free Cuba that, in his words, "one gets a steady stream of alarmist reports: of Cuban caves chockablock with missiles, of secret Soviet submarine bases along Cuban coasts. . . ." Then he states: "Such thinking is certainly unhelpful and could be dangerous." Unhelpful to whom? Dangerous to what? These are strong accusations.

Here is what Hanson Baldwin, recently retired military editor of The New York Times, had to say on the subject of missiles: "Caves on the island are known to be packed with military equipment of various sorts, and if missiles are not included in these below-ground inventories today, it is perfectly possible that they may be tomorrow." On submarines, Mr. Baldwin states that the "likely utilization of a Communist Cuba by Russia is as a naval and submarine base or refueling and replenishing station."

Mr. Plank, in saying that the U.S. Naval Base at Guantanamo ought to be turned over to Castro, overlooks Mr. Baldwin's warning. It is only the incredibly naive who can believe that by handing the base to Cuba we would not, in fact, be turning it over to the Soviet Navy—and Bayles Manning, dean of the law school at Stanford University, Henry Wriston and many others hit hard at the thought of relinquishing control. In the face of this formidable array of expertise, Mr. Plank flatly asserts: "It is legitimate to ask who would be more disturbed, the United States Navy or Fidel Castro, if we were to decide to turn the base back to Cuba. A persuasive case can be made that our presence at Guantanamo is more useful to Fidel than to us." If such a case can be made, Mr. Plank has failed to present it.

As for the indirect threat to the hemisphere and the United States itself, Mr. Plank states that we should not "exaggerate" Castro's capacity to export wars and subversion. He also finds Soviet diplomatic and economic penetration of Latin America to be a wholesome development. As to the latter point, there is abundant evidence that the Soviet Union is using its trade missions and diplomatic establishments to advance Communist penetration, as well as to help Castroite guerrilla wars.

It should therefore be a matter of concern, not of subdued elation by Mr. Plank, who notes a "growing number of serious voices . . . calling for a fundamental reassessment" of the isolation of the Castro regime. It is not difficult to imagine, since the missile crisis resulted in the lodgment of Soviet power in the Caribbean, that Mr. Plank's "serious voices" actually are frightened voices, de-escalating in their determination to maintain their free domain inviolate.

Another point regarding the Russian-Cuban combination is this. Castro's allegiance to Moscow is strong, perhaps irreversible. Knowing this, Mr. Plank solves the problem by simply inviting the Russians to take a seat in hemispheric affairs, advancing the obvious fiction that they are merely "regularizing" their diplomatic and trade relations and no longer are acting like Communists. The Kremlin knows that its office is to wait upon events and policies such as those advanced by Mr. Plank to gain recognition of its position in Cuba.

Should the United States accommodate the Castro regime, it would result in an intolerable bipolarization of power in Latin America. The left would see in it a license to seize power; the traditional right would move to prevent it; weak political institutions in the middle would be overwhelmed. Capital investments would simply disappear, along with the Alliance for Progress.

From the Marxist-Leninist point of view, the Cuban "revolution" can be considered successful only to the extent that it envelops Latin America and isolates the United States. Only by submitting ourselves abjectly to Castro's wishes (actually proposed in detail by Mr. Plank) would even a frail coexistence be possible. It would break whenever we refused to do so. This was true in 1959; it is even more true in 1969.

I have not taken the time to challenge Mr. Plank's assertion that Castro enjoys "vast popular support," simply because Mr. Plank saved me the trouble by writing, "he has exported or imprisoned most of his potential and actual effective opposition," quite obviously the mark of an unpopular and oppressive regime.

A policy of rapprochement at this time could have no effect other than to rescue Fidel Castro from the wrath of his own people and advance him along the road of conquest.

I might add that the quotes of Hanson Baldwin and the positions cited by Bayles Manning and Henry Wriston appeared in a book of essays published in 1967 by the

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Brookings Institution, "Cuba and U.S. Policy." The editor, curiously enough, was John Plank.

Paul D. Bethel,
Executive Director, Citizens Committee for a Free Cuba, Inc., Washington.

FOURTH INTER-AMERICAN CONFERENCE OF THE PARTNERS OF THE ALLIANCE—A MAJOR SUCCESS

Mr. BENNETT. Mr. President, Salt Lake City recently was host to the Fourth Inter-American Conference of the Partners of the Alliance. All Utahans joined me in the anticipation that the Partners Conference, May 10–14, would be a productive and successful meeting of peoples representing the private sector in North, Central, and South America. I am pleased to report to the Senate today that the conference was a major success.

From the reports that I have seen following the conclusion of the conference in Salt Lake City, I am convinced the working sessions in which more than 300 U.S. and Latin American delegates, repsenting 37 U.S. States in partnership with 37 areas in 16 Latin American countries, reflected a determination on the part of the delegates to develop specific action-oriented projects designed to make an impact on the fields of agriculture, education, public health, and business and industry.

Many favorable reports have also reached me regarding the outstanding leadership displayed by the cochairman of the Fourth Inter-American Partners Conference, Mr. Royden G. Derrick, president of Western Steel Co., of Salt Lake City; and Dr. Edgar Barboosa Ribas, outstanding physician of Curitiba, Brazil, who joined, in exemplary partnership fashion, to conduct an outstanding conference of citizens who are voluntarily giving of their time and talents collectively to attack the basic problems impeding the economic and social development of this hemisphere.

One of the highlights of the Partners Conference was an address by the Assistant Secretary of State for Inter-American Affairs and the U.S. Coordinator of the Alliance for Progress, Hon. Charles Appleton Meyer, who addressed the banquet session on May 13, 1969. In his speech, Mr. Meyer praised individual and group initiatives in the field of foreign relations, stating that such initiatives are perhaps "the shortest description possible for the Partners of the Alliance." He added:

> In fact, you and hopefully more like you, may be the great ingredient that, together with science and technology, enables Latin America to close the gap between what are called less-developed nations and developed nations.

At the beginning of his remarks, Mr. Meyer delivered a message from President Nixon who characterized the participants in the Partners of the Alliance program as "the vanguard of voluntarism in the Americas." I ask unanimous consent that the text of the President's message to the delegates be printed in the Record.

There being no objection, the message was ordered to be printed in the Record, as follows:

The White House,
Washington, May 12, 1969.

I want you to know the great impertance that I attribute to your work. The Partners of the Alliance exemplify the best of the Hemisphere's joint efforts. Any working Alliance for Progress which has set challenging goals such as ours must be a partnership of people as well as nations. You have recognized this, and you are meaningfully advancing our common objectives.

Productive international cooperation must be between partners—partners who listen to each other, who share a cause, and pursue it with equal vigor. Your continuing success in furthering such cooperation is rewarding for all of us.

The creative potential of our societies can be fully realized only if individual citizens exercise initiative and are willing to reinforce the work of their governments. It is imperative that we realize this full potential if we are to deal effectively with our immense problems and achieve the kind of progress we seek.

As civic-minded individuals and groups, the Partners of the Alliance are in the vanguard of voluntarism in the Americas. You are using your talents and your time constructively for our benefit, and for that of all our Sister Republics.

I send you my warmest best wishes for sustained achievement.

Richard Nixon.

Mr. BENNETT. Mr. President, I ask unanimous consent that the address delivered by Secretary Charles A. Meyer be printed in the Record.

There being no objection, the address was ordered to be printed in the Record, as follows:

Address by Charles Meyer, Assistant Secretary of the State for Inter-American Affairs

Jim Boren, aided by two of my associates, Datus Proper and Hoyt Ware, labored mightily to write a speech for me to deliver to you tonight. It is a good one and it challenges you Partners with ideas. I don't know that you need challenges with ideas. You may be like the U.S. farmer who wrote to the Department of Agriculture and said: "Please don't send no more of your manuals on how to farm better. We ain't farming as well as we know how right now."

In honesty I should have been here all day Monday and Tuesday to learn more about your successes, your disappointments (if any) and your plans. Had I, I would not run the present risk of saying the unnecessary. Given my preferences, my wife and I would have sneaked out of Washington Friday, spent the weekend in our house at Vail, Colorado, and been here late Sunday night, 50% courtesy of Uncle Sam! Instead we looked for, found, and on Monday made a down payment on a house in Washington.

Six weeks ago today I was sworn in but not paid for; our house in Philadelphia was sold but not paid for; our house in Washington is found but not paid for. I am in the process of exchanging offices with Him Fowler, Deputy Assistant for AID, and redoing both. Not only am I committed by personal conviction but when Uncle Sam pays the bill for the revised office arrangement, he can't afford to hire me without at least a second thought.

So damas y caballeros—

Here we are on May the 13th. Yesterday Governor Nelson Rockefeller began his series of four survey trips to each of the twenty-two nations represented by my bureau. President Nixon, in his address to the Pan American Union told us all that Governor Rockefeller's report (or reports) would weigh heavily in this, the president's decisions re Policy for us.

As many of us present know, President Nixon has been interpreted as disenchanted with the Alliance.

I am learning the dangers of interpretive reporting. It seems that if the president were to say:

"Today is absolutely beautiful", he could be interpreted as follows:

"Nixon criticized yesterday and cast some serious doubts on tomorrow."

The fact remains that the administration has not leapt into the first 100 days with policies on everything—including us.

The fact *is* that I agree with this deliberate technique one hundred per cent.

Everything in my experience points to the fact that anything important and constructive involving millions of others that is done quickly is wasteful or worse.

The old saying, "Rome was not built in a day", is still valid. Brasilia may be an exception.

We are, in short, too important to be rushed into programs. Time is important too, but relative. One hundred days or two hundred days invested in deliberative analysis of the future of 450 million North, Central, Caribbean and South Americans—with as much as 400 years or countless centuries of past history on these continents and, God willing, a limitless future, seems to me a *good* investment.

There is, however, impatience in the air. Our U.S. press reflects this. Our U.S. Congress feels it. All of us have been so conditioned to motion, to a cult of "instantaneousism", to a new model every year that we feel adrift without a pause (except for coca cola).

If this is true, it is not applicable to people-to-people relationships as exemplified by you, the Partners of the Alliance. Or it need not be. Flying West today (and it has been an absolutely beautiful day), it kept occurring to me that there would be little or perhaps nothing between Washington, D.C., and San Francisco, if the U.S. Government had had to plan it all. It kept occurring to me that Central and South America are a land area two and one half times the size of the U.S.A. and that our governments have been involved in developmental planning for this massive area with increasing intensity for about 20 years.

The extraordinary complexity of the development task loomed bigger and bigger and it occurred to me somewhere in Kansas that programs only accomplish what people accomplish. No organizational chart is worth a damn—only the people it represents, and people with a defined objective can do wonders with no organizational chart at all.

In short, I honestly believe it would have been impossible to build the U.S.A. with a master plan. The U.S.A. with its strengths and weaknesses is only the sum of all its parts, which parts are almost wholely the sum in turn, of individual and group initiatives, aided, abetted and regulated by government.

Individual and group initiatives—perhaps that is the shortest description possible for the Partners of the Alliance. In fact, you and hopefully more like you may be the great ingredient that, together with science and technology, enables Latin America to close the gap between what are called less-developed nations and developed nations.

It may be that you and more like you can plant or have planted the basic ingredient of *motivation* without which no individual can believe he or she can succeed.

Admittedly, in the human race, given equality at any grade on the scale from none of the advantages to all of the advantages, some humans just aren't motivated. I have just read of (and have asked one of my right arms to check more on Thursday) a social scientist from Harvard who has conducted

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developmental sessions in India to identify those who are unmotivated; those who have latent entrepreneurial talents, and to develop confidence in them to break out of inherited resignation or traditionally imposed ceilings of commercial achievement. And this appeals to me as an exciting concept and one that is potentially implementable on a partnership basis. One other thing that is exciting about the Partners. I do not believe we in the U.S.A. know everything. I know that we can learn from Latin America. Sure, there are certain basic fundamentals in the conduct of a modern society that are immutable, but we in the U.S.A. can and often do assume that our way of doing things within those norms is the only way. Often, in my experience, we overpower the less-developed nations. Putting it another way, big governments and big business and even big labor think in terms that are unrealistic because these terms are U.S. terms, but with our people-to-people approach like the Partners, there can be give-and-take on a scale appropriate to the local situations.

One final expression—faith in people. I firmly believe that the same formula that made Ivory Soap famous is applicable to the human race—.99 44/100% pure was that slogan. The world and this hemisphere, then, depends on quality of leadership. And that quality is vitally important in the less-developed nations. You, Partners, are leaders. You can lead and have led others to an understanding of profit and its contribution to development, you can spark and have sparked creative concepts. You can and do build ties that bind. Don't get bogged down in organizational politics, don't sacrifice performance at all levels for organization at the top. The world and this hemisphere have lots of politics and even more committees, and both are essential in their appropriate contexts. The Partners should continue to be Partners.

Mr. BENNETT. Mr. President, I invite special attention to the Utah Partners Committee on Arrangements who so successfully hosted visiting delegates from not only the United States, but also were so gracious and hospitable to our guests from Central and South America.

General chairman, Royden G. Derrick, drew together a number of talented men and women who voluntarily served the purposes of planning and executing a successful conference, and much credit is due him for the skill he displayed in this organizational effort. I ask unanimous consent that the roster of the committee on arrangements and a listing of the companies and institutions which assisted in the conference arrangements be printed in the RECORD.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

FOURTH INTER-AMERICAN CONFERENCE, PARTNERS OF THE ALLIANCE COMMITTEE ON ARRANGEMENTS, UTAH PARTNERS

General chairman, Royden G. Derrick; special assistant, Douglas R. Mabey.

Vice chairman, Gary Neeleman.

Finance Chairman, Gordon L. Lawry.

Personal services, R. Perry Ficklin; transportation, E. Dale Peak; pre and post conference trips, Frank Murdock; hospitality, Lyle M. Ward; entertainment, Allen Behunin, registration, Laird Snelgrove.

Program and Activities, J. Clark Ballard; conference program, Lyman Tyler; conference promotion, J. Clark Ballard; physical arrangements, Frank Newman; exhibits, Richard Groen; barbeque, Don Lund, and Bill Waldron.

Communications, R. Hecter Grillone; publicity, J. R. Allred; langugae services, Bruno E. Tokarz; duplicating, William Backman; distribution, Ned Anderton: technical equipment, Richard A. Welch.

THANKS

The Committee on Arrangements expresses its most sincere gratitude to the many individuals, companies and institutions which voluntarily assisted them in accomplishing a multitude of vital tasks in connection with the Fourth Inter-American Conference of the Partners of the Alliance, including the following:

American Paper Supply, Ballet West, Bonneville International Corporation, Brigham Young University, Christensen Diamond Products Company, The Church of Jesus Christ of Latter-day Saints, Deseret News, East High School, Eimco Corporation, Moore Supply Company, Murdock Travel Agency, Murray City, Prudential Insurance Company, Salt Lake Council for International Visitors, Salt Lake Mormon Tabernacle Choir, Salt Lake Valley Convention and Visitors Bureau, Snelgrove Ice Cream Company, United Air Lines, United Press International, University of Utah, Utah Cattlemen's Association, Utah State University, Warshaw's Giant Foods, Western Steel Company, ZCMI.

PFEIFFER COLLEGE STUDENTS OCCUPY SCHOOL BUILDING FOR A GOOD CAUSE

Mr. ERVIN. Mr. President, in recent months our university and college campuses have been victimized by a handful of selfish individuals who are more concerned about violating property and individual rights than gaining an education which will better enable them to make meaningful contributions to society and the Nation. Probably the most tragic thing about these disruptions is the total disregard these individuals have for the rights of thousands of students who desire to benefit from an orderly educational process. I should like to point out to the Congress, and to the public in general, that not all campuses are beset by this lawlessness. At Pfeiffer College, Misenheimer, N.C., students have occupied the administration building for laudable reasons. These students have unselfishly embarked upon a program to share their knowledge with local youngsters who have had difficulty with certain subjects in their regular schooling. I should think that the activities mentioned in newspaper articles in the Winston-Salem Journal of April 29, 1969, entitled "New Twist to Campus Activities," and the Salisbury Evening Post of April 26, 1969, written by Alene Ventura, would be of interest to college officials and students who have a sincere desire to engage in constructive activities, rather than disruptive tantrums.

I ask unanimous consent that these two newspaper articles be printed at this point in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Winston-Salem (N.C.) Journal, Apr. 29, 1969]

PFEIFFER STUDENTS TEACH KIDS: NEW TWIST TO CAMPUS ACTIVITIES

MISENHEIMER, N.C.— When Pfeiffer College students decided to occupy the school's administration building, officials similingly vacated the premises.

It was for a good cause.

The students offer tutorial assistance in the building one night each week to underachieving students in nearby elementary schools.

Since the program began about eight weeks ago, 41 students have shown up each Wednesday night to teach the youngsters reading, mathematics and other subjects they've had trouble with in school.

It is not, say the college tutors, a program to benefit them as future teachers. Less than half plan teaching careers.

It is, say the tutors, a program that allows them to do something constructive; at a time when many college students are engaging in disruptive activities.

William Tyson, a faculty adviser for the program, said, "This has been a tremendous learning and growing experience for both pupils and instructors.

"The contact of our college students with three or four elementary children in a highly personal situation has been most valuable," he said.

The classes are limited to four or five pupils per instructor.

The program has been successful enough to draw the support of local public school officials, who say the college students are fulfilling a function worth thousands of dollars to the school system.

Many parents have appealed to Pfeiffer to offer accelerated courses next year.

Tyson said the program has been budgeted for next year and many of the student tutors have said they again will help.

[From the Salisbury (N.C.) Evening Post, Apr. 26, 1969]

PFEIFFER STUDENTS OCCUPY CAMPUS BUILDING—FOR USEFUL REASON

(By Alene Ventura)

MISENHEIMER.—A group of Pfeiffer College students has taken over the Administration Building on the campus here.

But not for the usual publicized reasons.

This group is not protesting anything.

Neither are they asking for anything.

On the contrary, they are giving something.

These Pfeiffer students are a clean-cut group of young men and women dedicated to the cause of assisting youngsters to obtain a better education.

There are no beards among the men—nor do they wear necklaces.

They are clean-shaven, well groomed young men, attired in neatly pressed suits or sport coats and slacks, and a shirt and tie. The women are attractively dressed in sports clothes.

The Pfeiffer students were spurred into action by an editorial months ago in The Pfeiffer News, the campus publication.

A spokesman said that the editorial in essence asked why assistance to "underachieving children" couldn't be provided by Pfeiffer students.

The article's challenge gave the incentive for members of the Pfeiffer Chapter of the Student National Education Association to design and plan a program of tutorial service for area elementary school children.

Joe Internicola of Elmont, Long Island, N.Y., a rising senior, along with other interested students formed a committee to set up a tutorial service on the campus.

APPROVED

Given the green light by the college administration and the teacher education committee, the program was launched. Letters were sent to the Richfield and New London elementary schools to be given to patrons. Along with the letter was an application blank for participation in the tutorial classes.

For lack of time to select a name for the service—the effort has unofficially been named the Pfeiffer Tutorial Program.

Joe is chief coordinator or director, with

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two assistants—Mike Africa who is from Pennsylvania, but presently calls Atlantis, Fla., home; and Sandra Allen of Gastonia.

Joe is a social studies major, and Mike and Sandra are majoring in elementary education. All three plan teaching careers.

Seven weeks ago, the service was formed and classes began. The eight-week series will conclude Wednesday.

On the first night of classes, people were startled to see the lights burning brightly in the Administration Building where there was a beehive of activity.

Pfeiffer College had its first traffic jam on an ordinary working day that first night.

Two college students were required to direct traffic for those clamoring for registration.

There were 173 elementary students enrolled for the courses that first night. Every Wednesday night since then, the average attendance has been 130 students.

Bill Tyson of the college department of education is faculty adviser for the tutoring group.

He said the program has 41 tutors, including 11 men and 30 women of the Pfeiffer student body.

Surprisingly, there are about half of the tutors who are freshmen, and less than half who plan to be teachers.

DRESS SET

Tyson, a tall young man who could pass for one of his students, wryly remarked that when the mode of dress for instructors in the program was discussed "I thought they were carrying things a little too far."

But, he admitted that the requirement of shirt and tie for men had lent dignity to the program.

Sometimes on a warm night, the men do remove their coats while instructing—but immediately don them again on leaving the classroom.

Only one showed up last Wednesday night without a coat and tie. He was late for his volunteer job as tutor—coming directly from the athletic field.

Joe says "we try to steer away from a school-like atmosphere as much as possible. Instead of being called "principal," he encourages the students to refer to him as a coordinator. He handles organizational matters, while Mike's job concerns discipline problems—if they occur. But, both are tutors too.

The service offers four subjects from which the pupil may choose—English or language arts, science, history and mathematics.

There are two 45-minute sessions, beginning at 6 p.m.

The first session is a reading workshop for the students, regardless of what subject they have enrolled to take. After the reading period, the other 45 minutes are devoted to the chosen specialized area of study.

Classes are small. There are no more than five students per tutor in each class period—sometimes only two pupils.

The "administrators" of the tutoring service believe the small class gives more individual attention to students.

Tyson said that "this has been a tremendous learning and growing experience for both pupils and instructors" in the tutoring program.

He commented that "the contact of our college students with three or four elementary children in a highly personal situation has been most valuable. Their enthusiasm confirms the fact that Pfeiffer students are eager and ready to work in community service projects."

All the students attending the tutoring classes this year are from New London and Richfield elementary schools.

The program has the full support of C. P. Misenheimer, principal of Richfield School, and J. F. Turner, New London School principal.

Regular grade school teachers in the two schools provided textbooks and backgrounds on the individual students responding to the introductory letter.

Parents have also given their whole-hearted support to the program, providing transportation for the children.

Many of the parents "wait" while their children get the extra individual instruction from 6 to 7:30 p.m. on Wednesday.

Tyson said that transportation sometimes presents a hardship for parents, interfering with farm chores and other family activities.

But, most of the parents and children have been faithful in attendance.

Tyson commented that the Pfeiffer student volunteers for the program "wouldn't tell you themselves, but I will—they have provided coffee for the waiting parents out of their own pockets."

He revealed, too, that the group has had so many requests for "excelerated work," that the program has "wound up a higher excelerated program requiring more work than originally anticipated."

Joe said he had been working in physical education with students at the Richfield and New London schools for a year or so.

On his first day at one of the schools, Joe said he walked in and told his class name.

"My Yankee accent, plus my name, threw them," he laughed.

MR. INTERN

On the spur of the moment he came up with a shorting of his name (Internicola) and told his students he was simply "Mr. Intern."

Since then, they call me Mr. Intern, or sometimes "Mr. Doctor!"

Wednesday night Joe was teaching the New Math to a class, and it was clear his students adored him and were learning the new method.

All hands went up when Joe asked the equalization of 7 plus 3, according to Mode 5 (whatever that means).

The smug look on the face of one visitor when most of the students answered "20" to the problem, changed perceptibly to astonishment when Joe said "right, very good."

Later, the visitor was overheard asking to be notified when classes start next year—she wants to enroll.

Tyson tells the story about one young woman instructor who took her students on a stroll across the campus to the lake.

Seems that because of insurance reasons, Pfeffer instructors were asked to keep their students within the confines of the building.

The faculty adviser watched the young woman and her pupils slowly stroll across the grass, not talking, evidently in deep concentration.

"Where were you going," Tyson later asked the young woman.

"Across to the lake," she replied.

"What were you doing?"

"We were listening to the sounds of nature!"

Tyson wondered how one could chastise such an instructor for a broken rule.

The faculty adviser says the problem has been a great success—so much so that it has been budgeted for next year by the Pfeiffer Student Government.

Joe, or Mr. Intern, is obviously pleased with the program, commenting that the student tutors are not professional teachers and that was not the idea, anyway.

"In no way are we trying to interfere with the regular teachers," and that the idea was not to discover geniuses or uncover spectacular talent.

"We are sorta playing it by ear," he explained, "Trying to provide a stimulating boost through individual attention to the children who may be having difficulty with one subject or another."

Joe says that he hopes for a more expanded program next year, possibly including students through the ninth grade.

Credit for the program and its success goes to a number of other people.

Dr. Lloyd Lowder, chairman, division of education; Miss Elizabeth Huntly, department of education; and Dr. Fred Hollis, adviser, student NEA; who assisted the tutors in developing the reading program.

Also, N. E. Lefko, audiovisual coordinator; Charlie Misenheimer, maintenance manager; and Wallace Martin, college business manager.

Sharing in the tutorial program are students from the great Salisbury area.

They are Charlotte Cooper, James M. Shoaf, and Nancy Shoaf, president, student NEA.

Miss Cooper is the daughter of Mr. and Mrs. Grant Cooper, Henderson Street, Spencer; Miss Shoaf, the daughter of Mrs. H. W. Shoaf, Third Street, Spencer; and Shoaf, son of Mr. and Mrs. Walter C. Shoaf, Gold Hill Drive, Salisbury.

THE ATTORNEY GENERAL'S ROLE

Mr. GRIFFIN. Mr. President, a recent column by Laurence Stern in the Washington Post cast additional light on the Attorney General's role in the recent controversy concerning a Justice of the Supreme Court. I ask unanimous consent that this column be printed at this point in the RECORD.

There being no objection, the column was ordered to be printed in the RECORD, as follows:

MITCHELL IS UPSET BY REACTION TO HIS ROLE IN FORTAS CASE

John Mitchell, the New York bond lawyer President Nixon appointed his Attorney General, is not exactly the kind of man whose presence warms up a room. He is a quiet, frosty-eyed gentleman not given to displays of pique or recrimination.

Yet he is known to be disturbed at press criticism of his conduct in the matter of former Justice Abe Fortas. Mitchell is smarting at suggestions that his visit to Chief Justice Earl Warren on May 7 and his subsequent public confirmation that the session had taken place were politically motivated acts.

All the evidence, in fact, suggests that Newsweek magazine's disclosure of the meeting between the Chief Justice and the Attorney General was nothing more than lively journalistic enterprise. By the same token the scoop that broke the case, Life magazine's disclosure of the first $20,000 payment from financier Louis Wolfson to Fortas, was gathered in the declining days of the Johnson Administration and well before Mitchell entered the Justice department.

All this would amount to little more than intramural gossip if it were not for the implicit assumption that the Nixon-Mitchell Justice Department was out to get Abe Fortas—and eventually did.

No doubt there are those in the Justice Department and Congress who would like nothing better than to frolic through the files of the Kennedy and Johnson Administrations, unearthing every real or imagined misdeed. But nothing in Mitchell's official behavior so far suggests that he shares this passion for a witch hunt.

There is a species of story in Washington—and the Fortas case is an example—that is particularly hard for liberal establishmentarians here to swallow. When the controversy over the TFX first broke in the McClellan Committee it was intellectually fashionable to portray it as an attempt by the Pentagon brass hats to put a round through the white hat of former Secretary of Defense Robert S. McNamara. Subsequent events proved the TFX critics on Capitol Hill to have been right.

In the early stages of the Bobby Baker scandal there was the same cold-eyed suspicion toward the story by those who identified the former Senate Majority Secretary with the parliamentary good works of his political mentor, Lyndon B. Johnson.

Now in the Fortas affair the charge is incontrovertible, having been acknowledged by the central figure in the case. Nonetheless it is being cast in some quarters as a political vendetta by a malevolent Justice Department. One can disagree with Attorney General Mitchell on a wider range of issues, from wiretapping to counter-insurgency on the campus, and still sympathize with his private annoyance at this sort of kneejerk surmise.

The background of Mitchell's actions in the Fortas case might be no more Machiavellian than this:

When the Life story broke the only known financial involvement between Fortas and Wolfson was the $20,000 disbursed to the then Justice by the Wolfson Family Foundation and returned 11 months later.

By the time the magazine appeared on the stands, however, Mitchell knew that the $20,000 check was only the first installment in a life-long sinecure, transferable to Mrs. Fortas upon her husband's death.

This is not a crime, short of evidence that Justice Fortas interceded with Government officials in Wolfson's behalf. But it might easily have occurred to the Attorney General that the life-time stipend arrangement between a convicted stock swindler and perjurer, on the one hand, and an Associate Justice of the Supreme Court, on the other, might fall short of the standards of conduct expected on the Nation's highest tribunal.

And so on May 7, two days after Life's story appeared, Attorney General Mitchell went to see Chief Justice Warren and provided him with "certain information." It was not until his resignation eight days later that Fortas acknowledged the existence of the lifetime contract with the Wolfson Family Foundation.

The differences between the first Fortas statement published on May 5 and his final letter to Chief Justice Warren reveal the full measure of Fortas' talent as a draftsman. With his amazingly precise use of words, the former Justice etched two sharply contrasting though literally consistent versions of his relationship with Wolfson. It was a triumph of lawyerly skill over personal credibility.

Had Fortas told his story straight the first time, Attorney General Mitchell's trip would probably not have been necessary.

A MOTHER EXPRESSES CONCERN

Mr. CRANSTON. Mr. President, every Senator occasionally feels overwhelmed by the bulk of mail which pours into his office. Then, from time to time, a single letter seems to crystallize a prevalent mood of restlessness and dissatisfaction. Such an insight makes me grateful that Americans do take the time to write their representatives with candor and with confidence that their voices will make a difference.

I would like to share with my colleagues a letter from Mrs. Robert Konrath, of Madera, Calif. She speaks as an average American wife and mother, and her concerns both symbolize and summarize those of thousands of my correspondents. I ask that her letter be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

MADERA, CALIF., *May 14, 1969.*

Senator ALAN CRANSTON,
U.S. Senate,
Washington, D.C.,

HONORABLE SENATOR CRANSTON: I am a mother and I am afraid!

While we sit together, discussing the overwhelming problems of our beloved country, as we debate and yes, even argue, I begin to realize many thousands of other mothers must be faced with the same distressing fear. We have guided and nurtured our children to ready them for their place in life as responsible adults. We see their future threatened!

Senator Cranston, we are directing this to you because we are *sure* of your integrity, out-spokenness and sensitivity, a saneness (that seems to have abandoned some of the others).

We are three, my husband, age 50, has a modest position. I teach an adult class at the high school one night a week; a wife and mother the rest of the time. Our son, Bob, will soon be 19. We three are trying to provide funds for Bob's college education. He was awarded a small scholarship at Stanford after a year's stay in Germany having won an American Field Service Scholarship. We have a modest home, live within our means trying to educate Bob and still put a little away for the future. I think we are an average American family.

My husband and I look upon the faces of our college students; we hear, see and feel their intelligence, we rejoice in their idealism, we are over-whelmed by their impatience and we are embarrassed by their questions. Today's youth is aware! But the clouds of fear approach.—

Because of their awareness, their impatience, their knowledgeability they feel trapped. We understand their questioning, concern, for their future and their children's future and the future of America. They see their parents troubled by the complexities, contradictions, and inequalities of American life; the growing inflation and taxation. They feel trapped and we feel fearful. These are the reasons:

1. They see billions upon billions of tax dollars spent for an unending war in Vietnam, poverty programs, agricultural pay for "no-grow," on foreign aid, on military budgets with no real effectiveness and no end in sight.

2. They see an insidious development of a military-industrial-labor complex, a war economy. They don't want their futures limited to those fields of human endeavor. They feel that the constant threat of Communism is a gimmick to justify military and defense expenditures.

3. They see yet another vast expense for the A.B.M. that even the top scientists say can't work and they ask, "is this just another scheme to bolster the economy such as the F.D.R. highway program?" They believe China or Russia would hardly commit suicide by attacking us first. They ask about radar and all the other protective paraphernalia they were told was protection.

They view the burgeoning population which results in mindless air and water pollution; the decaying cities.

4. I feel anxious concern because the students are vulnerable. The number of young people involved with these problems grows ever rapidly, they are seeking answers. The Students for a Democratic Society have some answers—here is one—taken from a pamphlet sent to me from the Stanford Campus. "M.D.S." Movement for a Democratic Society" (off-campus non-student wing of S.D.S.), 131 Prince Street, New York, N.Y. "Consumption: Domestic Imperialism." "We propose a strategy that posits on the one hand a critique of the reality of meaningless jobs, manipulated consumption, maldistribution of wealth and on the other hand a vision of the liberating potential of a fully automated, fully communistic society."

Our students are exposed to black and white militancy, Mexican-American militancy, they see militancy *win* as college presidents resign under intolerable pressures. In one instance the militants were rewarded with $1700 worth of Bongo drums! We are sickened by the recipients of federal aid who riot, burn and destroy; who would desecrate our schools.

5. They have lost faith in the representative when they see his obvious interest in war-implemented employment in his voting district.

6. They are disenchanted while facing military conscription. Conscription has allowed wars (like that in Vietnam), to be directed by administrative policies rather than Congressional action. They ask about the effectiveness of the United Nations.

7. They see their universities, the home of reason, the halls of knowledge, suffering the indignities of ruthless attacks by black and white militants; the sight of guns on campus.

8. They are faced with such realities as: (1) biological-chemical research, (2) hunger in the U.S. (Appalachia included), (3) unspeakable living conditions of the poor, (4) the death of their friends in an insane war, (5) men in high positions making fortunes, manufacturing instruments of war.

Senator Cranston, what are parents to do about it? How can we honestly tell them "everything will be all-right, change takes time?" Because they will ask, "how long, in our life time? Is the only recourse to sit down, demonstrate so that somebody will listen?"

We must not be complacent about the small minority involved in college riots because we have seen that barely one percent of the Russian people, mostly students and intellectuals brought about the Russian revolution. Consider the Nazi minority!

I don't know that I have any answers but since I am a worried, concerned mother about our students today and their place in the world tomorrow, may I offer these suggestions?

1. Colleges and universities should encourage student participation in planning their education as it relates to the new environment and future of this environment. Free and open discussions between trustees, administrators, faculty and students.

2. Colleges and universities should permit no militancy, including seizure of buildings or other wise breaking the law and no rioting. The participants should be arrested and jailed. Federal Aid should also be denied. (A kind of preparatory college for black students, before entering a university might encourage a more sensible attitude toward improving relationship with whites and a future of integration. I believe Rutgers University has such a plan.)

3. A *thorough investigation* of the S.D.S. is vital. Prosecution if necessary.

4. I support the idea of a voluntary Army. Through competitive pay scales the military manpower needs can be met. I believe, easy access to an almost unlimited number of conscripts has contributed to the use of military force rather than political diplomacy.

5. Pull out of Vietnam now.

6. Take the R.O.T.C. out of the colleges and universities. Take war-related research out of the universities.

7. An all-out program against drug abuse should be instigated immediately.

8. We have a Peace Corp. Why is it not feasible to undertake a project which could acquaint, educate and involve student groups with Washington Senators, Congressmen, etc.? Is it possible they could learn from each other and in so-doing find some degree of understanding? (Opinions are uninfluenced except by their desire for a better America.)

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Finally, I join with all the other concerned mothers in asking that America begin to listen, respect and cherish the *voices of tomorrow*—let us build a bridge that not only spans the "generation gap" but gives to the dedicated students and leaders of tomorrow a *path* to the dedicated leaders of today.

Very respectfully,

(Mrs.) Robert Konrath.

SENATOR JAVITS PROPOSES HEALTH CARE PROGRAM

Mr. GOODELL. Mr. President, in an address to the AFL–CIO Conference on Community Service at the Shoreham Hotel in Washington, D.C., on May 20, the distinguished senior Senator from New York (Mr. Javits) announced that he will soon introduce legislation aimed at bringing adequate health care within the reach of all Americans, including those now on medicare and medicaid, through a universal health insurance program. Senator Javits' speech described America's burgeoning health crisis which threatens to deny adequate care to growing numbers of Americans and to obstruct the progress of expanded medical services to the disadvantaged in urban and rural areas. I commend the speech to all Senators and ask unanimous consent that it be printed in the Record.

There being no objection, the speech was ordered to be printed in the Record, as follows:

Universal Health Insurance: Prescription for America's Health Crisis

America's capacity for the cure and prevention of illness and disease has never been greater. Yet our ability to deliver needed health services at a reasonable cost and to provide for the most basic physical needs has never been more in doubt. We face a burgeoning health crisis which threatens to deny adequate care to growing numbers of Americans and to obstruct the progress of plans for expanding medical services to the disadvantaged in urban and rural areas. This crisis is evidenced by skyrocketing health costs and exacerbated by marked shortages of doctors and other health personnel and by seriously inadequate, obsolete and outmoded health facilities.

Our objectives for the next decade must be to provide every American with accessible health care. When Walter Reuther said, "The people of the United States have in the last few years made an addition to the Bill of Rights. The right to good health for all has become a stated national purpose and an integral part of national policy," he espoused a principle ennunciated by Herbert Hoover in his inaugural address more than 40 years ago. President Hoover equated the right to public health with public education. He said: "Public health service should be as fully organized and as universally incorporated into our governmental system as is public education. The returns are a thousand-fold in economic benefits, and infinitely more in reduction of suffering and promotion of human happiness."

Every person—no matter what his economic status—must have the means to obtain comprehensive health care. This will require a two-pronged national health program: First, to guarantee that every American has the purchasing power to acquire at least a "floor" of health services; and second, to allocate sufficient resources to bring about necessary change in the health care system —so that the "supply" of health services which are to be "delivered" are adequate to meet the increased "demand" which will be established. It must be emphasized that, if the medical personnel and facilities are unavailable, insufficient or difficult to secure because of remoteness or shortages, then the financial means to purchase adequate health care is but a promise which cannot be fulfilled.

Neither the massive growth of private health insurance over the last thirty years nor the increasing role of the Federal Government in health has been adequate to overcome these everworsening problems.

Although about 85 percent of the American people have some form of private health insurance, that insurance covers only about one-third of their health care expenditures. Moreover, those who need protection the most cannot afford to join a voluntary health insurance program because rates are not adjusted to income.

Similarly, the major Federal programs—Title XVIII (Medicare) and Title XIX (Medicaid) of the Social Security Law—are not adequate to meet the need. We must regard both of them essentially as first steps in establishing a Federal obligation in the field of health care. In New York City, only 35 percent of the Medical costs of the aged are covered by Medicare. Moreover, neither Medicare nor Medicaid has brought about significant changes in the national system of health care. While both programs give additional Americans the power to "purchase" health care, neither brought that expansion of our new allocation in medical resources which made that health care more accessible to all Americans.

Accordingly, in going forward, we must profit from and remedy these weaknesses. We must establish a national system of prepaid comprehensive health care for all Americans, and it is my intention to introduce legislation which will move us toward that goal in the immediate future.

In order for such legislation to be effective, it is crucial that it take a comprehensive approach to the problems of health care. It must not only increase purchasing power and thereby equalize access, but it must also bring about significant change in the health care system.

Thus, the program for which I will seek enactment will not be aimed at just one aspect of this problem. It will recognize the interrelationship of four elements: first, health, manpower and facilities; second, financing and health care cost control; third, organization and delivery of health services, and fourth, the quality of health care.

I will introduce legislation in this 91st Congress that has the following objectives:

First, a system of prepaid comprehensive health care designed so that it may eventually replace the existing Federal health assistance programs, including Medicare and Medicaid.

Second, financial support of the system would come from employer-employee contributions and, on behalf of indigent and dependent persons, from Federal, state and local government contributions. An employer-employee based contributory health insurance system is far preferable to the financing of all health services out of general public revenues. Beneficiaries make a direct financial contribution to the system and, consequently, have a personal stake in its fiscal health.

Third, there must be a wide diversity of systems of prepaid comprehensive care, with free "consumer choice" between competing plans, although ultimate participation in a plan would be compulsory. The Federal government must provide incentives and requirements to groups of "consumers" to negotiate and enter into contracts with groups of "sellers" of health care, including insurance companies, hospitals, and physicians, to provide the full range of health case services.

Fourth, each plan would be required to provide full health care—preventive, diagnostic, ambulatory and rehabilitative care, as well as physicians' and acute hospital treatment.

Fifth, each plan would have to submit itself to realistic and meaningful cost controls and to the requirements of state health facilities planning agencies.

Sixth, the Federal government should finance the necessary capital development and construction costs of participating institutions, which will permit them to "reach out" to the prepaid population they serve with neighborhood family-care clinics, expanded outpatient departments, and other forms of ambulatory care.

Seventh, the health care system must be structured in such a way as to insure the availability of adequate medical care to everyone no matter where they live.

We must recognize that, if any such program of prepaid comprehensive health care is to be successful, we must at the same time provide for a dramatic increase of health personnel and of facilities, through "companion" Federal programs.

To many Americans, the "health crisis" means escalating costs. There has been a fantastic increase in the cost of health services. While the general Cost of Living Index rose 70 percent between 1946 and 1967, medical care costs increased almost twice as much, 123 percent. The average cost of a day in a hospital in New York State, for example, went up from $10.72 in 1950 to $21.00 in 1960 to $58.00 in 1967. In 1968 one day of care in a hospital increased more than 12% over the 1967 figure, and average cost now stands at $65.24. In many hospitals in New York City, the daily charge is now well in excess of $100 a day.

However, the crisis in health care in America is not solely a matter of rapidly rising costs. Rather, it is a crisis in inadequate and misallocated resources and in our inability to provide medical care in a rational, effective, and systematic manner. Health care is today provided in a chaotic "multitude of individual transactions" way. There is insufficient community planning and control which would bring efficient utilization of facilities and health manpower. The many types of skills required to provide the potential range of services essential to the maintenance of health, the prevention of illness, and the care and therapy required by those who have become ill must be brought together in such a way that they are effective and efficient.

There are serious shortages of doctors and nurses. For example, vacancies in nursing positions in hospitals in New York State range from 20 percent in the best-run hospitals to an incredible 75 percent in some proprietary and in most municipal hospitals. Upper and middle-income persons have long waits before they can see a doctor or enter a hospital.

For the poor, often their only contact with health care is through the outpatient department and/or emergency rooms of "core-city" hospitals. During 1968, for example, Johns Hopkins outpatient department registered a total of 480,000 visits, including 119,000 visits to the emergency room. For the poor, this means incredibly long waits—up to and beyond four or five hours—at the end of which they often receive brief examinations and impersonal care. And yet, there is nowhere else for the poor to go for medical care. They must go to an emergency room even for minor illnesses. In the East Baltimore slum in which Johns Hopkins Hospital is located, there are only eight physicians, most of whom are elderly and do not practice actively, to serve about 100,000 people.

New York City figures mirror a national disparity in health services between rich and poor. In 1964, Bedford-Stuyvesant contained nine percent of Brooklyn's population but produced 24 percent of its tuberculosis deaths and 22 percent of its infant deaths. And yet, only four new physicians located in that area between 1960 and 1966. In 1964, a New York City child from a family earning less than $4000 a year was half as likely to

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have had a polio immunization as a child from a family earning over $6000. A former New York City health commissioner has rated poverty as the third leading cause of deaths in that city.

We must overcome the slow and steady aging process which today has brought one-third of this nation's hospitals into the obsolete, outmoded and outdated column. Time may well be a healer, but it will not heal outmoded hospital facilities or cure mounting costs. Delays are costly in economic and human terms. Each year of delay means that some American is shortchanged on health care. We need only examine the crisis which now surrounds the closing of Harlem Hospital in New York City—an example of the price that we pay by continually putting off the modernization of hospital facilities and the recruitment of adequate medical personnel.

We cannot provide 20th century medical care in 19th century hospitals. The Federal government can no longer stand immobilized as problems escalate. At the Federal level, I have introduced the Hospital Modernization and Improvement Act, which, at a relatively modest cost of $12 million the first year, will provide needed hospital modernization and also the development of new techniques in hospital procedures and construction. The idea is to use the resources of the private enterprise system by making available Federal guarantees of up to 90% for loans for hospital modernization and to provide subsidy payments of interest charges above 3%. This loan-guarantee, interest-subsidy plan is the key to moving forward in providing health services regardless of the other demands of the Federal Government. This is a necessary beginning.

We must give priority to the expansion of specially designed health facilities and pilot projects in slum areas. I commend the Administration and Secretary Finch for their emphatic recommendation that the Hill-Burton Act be amended to devote greater financial resources to the construction of innovative projects reflecting critical needs of national significance, such as outpatient clinics and neighborhood health centers.

Certainly, we must overcome the severe shortages of health manpower. This means greatly increased Federal assistance to medical schools and to medical students, to nursing schools and nursing students. It also means that we must develop new careers in the allied health professions and give qualified young men and women—such as medical corpsmen discharged from the armed forces—the opportunity to enter them.

The recruitment and training of health assistants in public and private employment and in hospitals, nursing homes, home health agencies, laboratories, clinics, health departments and other health facilities are essential to the efficient provision of health services of the highest quality. Persons employed in the production and distribution of such services must have proper training in the special skills required. Within the month I will offer legislation to assist the expansion of the allied health—or so-called paramedical—professions and to develop new curriculum and innovative programs to provide efficient utilization of such new types of personnel in the health care system.

Finally, we must not forget that hunger and malnutrition is perhaps the primary health concern of the poor. We must begin to immediately establish a national system of health care, of disease prevention and nutrition which will extend to every American child the fruits of our scientific and medical knowledge and the opportunity for a full and rich life.

I am convinced that this is the year such legislation must be offered and that we must make a beginning on the establishment of an organized, coordinated and total health care system—a system which emphasizes delivery and accessibility to every person in need. I believe that there is a growing willingness within the medical profession, particularly among medical students and young doctors, to establish and participate in such a system. Increasingly, leading medical schools have begun to emphasize community health and the delivery of health services, and several of them have initiated demonstration programs of prepaid comprehensive health care. And there seems to be a renewed interest among both private and public leaders in making this commitment to health care. There have been an increasing number of hearings in both Houses of the Congress on this subject and of statements from political leaders, businessmen, insurance companies and labor leaders.

We have talked about these issues for decades. We have made great progress in health, but that progress has been largely in the quality of available health care. That exceedingly high quality is a great tribute to the medical profession and to the hospitals and medical schools of this country. However, the sad fact remains that to many, many Americans, quality health care is still unavailable.

The objective is difficult: to improve and broaden accessibility, while improving and preserving quality of health care. In a word, we must, at long last, end the chaos which characterizes health care in America and begin to move toward the organization of a system which will benefit all Americans.

THE CHINESE HARD-LINE STAND

Mr. SCOTT. Mr. President, at a time when a United States-Red China so-called detente continues to be discussed in the news, I believe that we must take a more realistic look at recent events in the latter country to get some much-needed perspective. The proceedings of the Ninth Party Congress in Red China indicate that, in the words of New York Times correspondent Tillman Durdin:

> The Chinese Communist Party has adopted as its basic program a plan for continued hard-line revolutionary action, both at home and abroad.

Since World War II, I have held the view that no country which is at war with the United Nations should be a member of the U.N. Every pronouncement emanating from Peking indicates that there has been no significant change in word or deed to negate its belligerence toward the United Nations and, as such, I must continue to object to Red China's admission.

I will continue to support our efforts to relieve tensions and to improve communications with Red China. But I believe that Red China must adopt a more conciliatory stance before any meaningful headway can be made.

Mr. President, I ask unanimous consent to have inserted in the RECORD, following my remarks, articles entitled "Chinese Affirm Hard-Line Stand in Party Report," by Tillman Durdin; "New Charter a Paean to Mao," by Donald Kirk; "Lin: Prepared for A-War," by Robert E. Udick; and a New York Times editorial entitled "Lin Piao's Chinese Stalinism."

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the New York Times, Apr. 28, 1969]

CHINESE AFFIRM HARD-LINE STAND IN PARTY REPORT—LIN ASKS WAR PREPARATION—UNITED FRONT TO OPPOSE UNITED STATES AND SOVIET URGED

(By Tillman Durdin)

HONG KONG, April 27.—The Chinese Communist party has adopted as its basic program a plan for continued hard-line revolutionary action, both at home and abroad.

The program was set out in a 24,000-word report by Lia Piao, the party's deputy chairman, and adopted at the ninth party congress, which met in Peking the first 24 days of this month. It was made public tonight by Hsinhua, the official Chinese Communist press agency.

Mr. Lin, who is also Defense Minister, denounced the United States and the Soviet Union, and said the China must prepare for the eventuality of nuclear war with either country. He pledged continued support for revolutionary movements everywhere and called on nations to form a united front to resist Soviet and United States efforts to divide up the world.

SPEECH MADE APRIL 1

The report said that the Chinese had rejected an offer by the Soviet Premier, Aleksei N. Kosygin, to discuss the Chinese-Soviet border dispute over the telephone.

The report asserted that the Cultural Revolution, initiated by the party chairman, Mao Tse-tung, in 1966 to purge Communist China of revisionist leaders and influences, had achieved a smashing victory. However, it declared that the revolution was not yet over and that further long struggle lay ahead before complete political transformation in China and world revolution abroad were attained.

The report underlined the new primacy of the military in the affairs of Communist China by quoting Chairman Mao as having said, "The main component of the state is the army." It proclaimed Mao Tse-tung's thoughts, in equal status with Marxism-Leninism, as the basis for all the actions of the people of China.

Mr. Lin gave his report, which sums up the genesis, development and future perspective of the Maoist Cultural Revolution, on April 1. It was adopted by the congress after protracted discussion and some emendations on April 14.

The report is the basic document for policy and action to come from the congress of 1,512 carefully selected delegates—the first party congress held since 1958. In addition to adopting the report, the congress approved the draft of a new party constitution, the text of which has not been made public, and named a new governing party Central Committee. A majority of the members on the previous Central Committee were purged in the Cultural Revolution, which shattered the party and government structure.

The holding of the party congress was intended to represent a consolidation of a purged and renovated Communist system. Delegates to the congress were selected by the new Revolutionary Committees, which have emerged as the organs of control for provinces, cities and lower social units.

A large percentage of the delegates were military men or political commissars of military units. The new Central Committee, consisting of 170 regular and 109 alternate members, has roughly 40 per cent military men among the regulars and 35 per cent among the alternates.

REPORT IS REVOLUTIONARY

The report was, on the surface at least, a tougher and more revolutionary document than had been expected by many specialists in Chinese affairs here. It not only contained a clarion call for revolution and opposition

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to the world status quo, but also proclaimed continued conformity to Maoist doctrine and pursuit of Maoist economic and social policies internally.

However, aside from proscribing further internal struggle against opposition elements, the report was not specific about economic or social programs. It gave no indication of what role the new Revolutionary Committees, which combine both party and governmental functions, would play in the new party system.

Continuation of the production drive now under way was indicated by injunctions that the people must "firmly grasp revolution and energetically promote production and fulfill and overfulfill our plans for developing the national economy."

SLOGAN IS ECHOED

Mr. Lin did not call for another Great Leap Forward—the drive in 1958–59 to achieve rapid industrialization, which seriously set back the economy—but used a slogan of that time: "Going all out, aiming high and achieving greater, faster, better and more economical results in building socialism," to emphasize the demand for intensive production efforts.

He repeated charges that have frequently been made from Peking about the aggressiveness of the United States and the Soviet Union, their "paper tiger" weakness caused by internal economic and social problems and their aims to collaborate to oppose and encircle China. He denounced the United States for its "occupation" of Taiwan and said that Chinese troops "are determined to liberate their sacred territory of Taiwan and resolutely, thoroughly, wholly and completely wipe out all aggressors."

Mr. Lin pledged Communist China's support for revolutionary movements in the United States, the Soviet Union and elsewhere, citing in particular backing for Albania, the Vietnamese people "in their struggle against the United States" and "the revolutionary struggles of the people of Laos, Thailand, Burma, Malaya, Indonesia, India, Palestine and other countries in Asia, Africa and Latin America."

The report reviewed the history of the Chinese Communist party in the light of struggles to maintain proletarian predominance against continued threats of bourgeois, counterrevolutionary influences and, quoting Marx, Engles and Lenin, portrayed Mr. Mao as having consistently advocated the correct party line.

Liu Shao-chi, Chairman Mao's former deputy who since 1959 has been China's head of state, was denounced as "a hidden traitor, scab and a crime-soaked lackey of the imperialists, modern revisionism and Kuomintang reactionaries." Accusations against Mr. Liu were the same as those that have already been made repeatedly in the last two years.

No other person was referred to by name as associated with Mr. Liu, but he was called the "arch-representative" of "renegades, enemy agents and capitalist-roaders in power" who formed an underground bourgeois headquarters and schemed against Mr. Mao to restore capitalism and serve the interests of the "U.S. imperialists, the Soviet revisionists and the reactionaries of various countries."

LENIENCY IS BACKED

There was no indication what punishment, if any, would be meted to Mr. Liu, but in discussing policy toard opposition elements, Mr. Lin again endorsed leniency toward those who confess and can be reformed.

He said "the policy of killing none and not arresting most should be applied to all except the active counterrevolutionaries against whom there is conclusive evidence of crimes, such as murder, arson or poisoning and who should be dealt with in accordance with law."

Calling attention to the continued presence of class enemies and revisionist influence, Mr. Lin said that though the establishment of Revolutionary Committees marked a "great decisive victory" for the Cultural Revolution, the "revolution is not yet over." He said the proletariat must continue to advance, "carry out the tasks of struggle-criticism-transformation, and carry the socialist revolution in the realm of the superstructure through to the end."

He cited a quotation from Mr. Mao that was new to China-watchers here, quoting the party chairman as having stated in October, 1968, presumably at the meeting that month of the old Central Committee, that the defeated class enemy was still around and would still struggle. In view of this, he quoted Mr. Mao as having said "we cannot speak of final victory, not even for decades."

Mr. Lin depicted the road to continued success as lying in absolute reliable on the thoughts of Chairman Mao and his leadership. He said the wide dissemination of Chairman Mao's thoughts in Communist China "is the most significant achievement of the Great Proletarian Cultural Revolution." He called for a further "deep-going" mass movement for the study of the thoughts

Mr. Lin repeatedly emphasized the congress was a demonstration of victory and unity. He praised the military forces as the "pillar of the dictatorship of the proletariat" and said the solidarity of the people and the army had insured the defeat of the opposition elements.

[From the Washington Evening Star, Apr. 30, 1969]

New Charter a Paean to Mao

(By Donald Kirk)

Hong Kong.—The new constitution of the Chinese Communist party epitomizes the vast changes that have shaken China since the previous constitution was adopted 13 years ago.

"The Communist party of China takes Marxism-Lenninism-Mao Tse-tung thought as the theoretical basis guiding its thinking," proclaims the constitution adopted this month in Peking by the 9th Congress of the party. "Mao Tsetung's thought is Marxism-Leninism of the era in which imperialism is heading for total collapse and socialism is advancing to worldwide victory."

Never before the 9th Congress, analysts here said, had "Mao Tse-tung's thought" been elevated to the level of "Marxism-Leninism," embodying the most sacred dogmas of the Communist movement.

ALL HONOR TO MAO

The new constitution, in fact, appears to be a paean to Mao, the "great helmsman" who has guided his troubled country through three years of turmoil optimistically described as "the Great Cultural Revolution."

It is not really a legal document, but a series of slogans and catchwords aimed at uniting and galvanizing the populace behind Chairman Mao.

The constitution contrasts completely with its predecessor, whose 60 articles set forth literal rules for guiding the party and did not mention Mao.

Indeed the 1956 constitution opposed the kind of personality worship in which Mao has immersed himself throughout the "cultural revolution."

DRAFTED BY MAO'S FOES

The reason for the neglect of Mao in the old constitution was that the 8th Party Congress which adopted it was dominated by the men who later merged as Mao's most bitter foes, former Chief of State Liu Shao-chi and the ex-party secretary, Teng Hsiao-peng.

In 1956, one of the best years for China economically, the country was definitely headed on a pragmatic if not "revisionist" course.

Mao was not prepared 13 years ago to retaliate directly against Liu, but he revealed his own penchant for radical idealism by launching the "great leap forward" in 1958.

After the "leap" proved a failure, Mao began to turn on Liu and eventually mustered the support that enabled him not only to oust the chief of state, but also to produce a constitution that defied his own figure.

THEORY, PRACTICE HELD LINKED

"Comrade Mao Tse-Tung has integrated the universal truth of Marxism-Leninism with the concrete practice of revolution," says the new constitution, reflecting the purges that eliminated not only Liu and Teng but also two-thirds of the party central committee produced by the 8th Congress as well as thousands of other "power-holders" in all phases of national life.

Perhaps the single most unusual feature of the new constitution is that it attempts to insure the continuity of the ideals of Mao by proclaiming his own handpicked successor, Lin Piao, who, it says, "has consistently held high the great Red banner of Mao Tse-tung's thought and has most loyally and resolutely carried out and defended Comrade Mao Tse-tung's proletarian revolutionary line."

Even while formalizing as law the unprecedented adulation for Mao, however, the constitution also indicates some of the problems now besetting the country. While calling for "unified discipline" in the party, for instance, it also states that "party members have the right to criticize party organizations and leading members at all levels and make proposals to them up to and including the central committee and the chairman of the central committee."

COULD CREATE CONFUSION

Analysts here believe these provisions are designed to give the top leadership of the party more authority on a local level. At the same time, the effect of the provisions could be to create more nationwide confusion and lack of discipline.

In any case, the constitution, for all its brave slogans, is a vaguely worded document designed, perhaps, to please as many of China's diverse elements as possible.

In this respect it may reflect the bitterness created by the "cultural revolution and the desire for moderation and unity."

The constitution, in fact, probably represents the same kind of compromising that has enabled the army to gain more control than ever before on the new central committee and politburo.

Although it would seem to give the party more scope than ever, it carefully calls on politburo leaders to set up "a number of necessary organs, which are compact and efficient," to "attend to the day-to-day work of the party, the government and the army in a centralized way."

INTEGRATION SUGGESTED

The mention of party, government, and army on the same level suggests an attempt at integrating overlapping functions of these organizations and perhaps even reducing the party's power.

The army almost certainly would be the only organization capable of enforcing this kind of reform.

Thus the constitution, although it might at first appear to represent an overwhelming personal triumph for Mao, carries in it the seeds for still more changes.

This time, however, the military leaders in power hope to effect the changes in an atmosphere of moderation and effciency—all in the name, of course, of Chairman Mao Tse-Tung.

[From the Washington Daily News, Apr. 29, 1969]

Red China Says U.S. Days Are Numbered—Lin: Prepared for A-War

(By Robert E. Udick)

Hong Kong, April 28.—Communist China has declared itself prepared for full-scale war and even a nuclear exchange with its two arch-enemies, the U.S. and the Soviets.

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Peking Radio made the disclosure yesterday in a broadcast of Defense Minister Lin Piao's 24,000 word political report to the Ninth Congress of the Chinese Communist Party, which ended last Thursday.

It was a complete restatement of China's hard line policy—to carry out revolution at home and export it abroad as Peking has in Southeast Asia, Africa and the Middle East.

"Whether it is revolution that leads to war or war that leads to revolution, the days of U.S. imperialism and Soviet revisionism are numbered," reported Mao Tse-tung's No. 1 deputy.

"We should make adequate preparations, be prepared for a full-scale war with them, be prepared for their all-out war effort, be prepared for a long-term war with them and also be prepared for nuclear war with them," Lin said.

INEVITABLE STRIFE

He indicated that Peking's stance internationally is based on the belief that either global revolution or global war is inevitable.

Observers here, hoping to find a new, neighborly tone from Peking, found little warmth in Lin's quoting Mao as seeing two possibilities in the international situation: either that war would lead to revolution or that revolutions would occur first, preventing a war.

Lin said that, if a third world war was "imposed," it would only help "arouse the people of the world to rise in revolution and send the whole pack of imperialists, revisionists and reactionaries to their graves."

Lin did re-state that China approved of peaceful co-existence with countries of different social systems on the basis of the "five basic principles" mentioned by Peking frequently in the past.

But minutes later, after endorsing the principle of noninterference in each other's affairs, he elaborated on Peking's policy of "firmly supporting the revolutionary struggles of the people of all countries."

The world trend, according to Mao, is that "the enemy rots with every passing day while for us things are getting better daily," Lin said.

In line with "things getting better" he described the "armed struggles of the peoples of South Vietnam, Laos, Thailand, Burma, Maylaya, Indonesia, India, Palestine and other countries and regions of Asia, Africa and South America."

He said it was also heartening that "an unprecedented gigantic revolutionary mass movement has broken out in Japan, Western Europe and North America, the 'heart' areas of capitalism."

LESS EFFECTIVE

The "batons" of both the U.S. and Russia are "getting less and less effective," he declared.

As for the U.S., Lin said: "Since he took office, Nixon has been confronted with a hopeless mess." Then turning to Russia, he denounced "two foul performances" by the Soviets in the cases of Czechoslovakia and Chenpao Island.

He also revealed that Soviet Premier Alexei Kosygin tried to talk by telephone with Peking's leaders at the height of the Chenpao Island Sino-Soviet border incident. Lin said Mr. Kosygin was told that hot line effort was "unsuitable" and he could forward anything he wanted to say by diplomatic channels.

Despite the hard international line expressed by Lin, analysts here still saw hope that in the weeks ahead Peking will exhibit a willingness to crank up its foreign relations, paralyzed since the Red Guard movement began.

[From the New York Times, May 12, 1969]

LIN PIAO'S CHINESE STALINISM

Lin Piao's major policy speech to the Chinese Communist Party Congress gives very little comfort to those who have hoped for greater stability within China, and for a more moderate Peking foreign policy. What emerges most vividly from the speech is Mr. Lin's dedication to a sort of permanent cultural revolution within China, and to deep and really ferocious hostility toward both the United States and the Soviet Union.

Many key features of Mr. Lin's speech propel the reader's mind inevitably back to the atmosphere that existed in Russia at the height of the Stalin tyranny. Here again is the obsequious and servile public worship of the great leader—Mao Tse-tung in this instance—whose every word is treated as holy writ and whose infallibility is proclaimed as a self-evident truth for which no evidence is required. Here again, too, is the vicious attack upon a defeated party great—yesterday's close comrade in arms now cursed as the soul of treachery from the day of his birth. For the uses to which Stalin put Trotsky, Lin Piao employs Liu Shao-chi, Liu, who a few years ago stood second only to Mao, is now described as a "crime-soaked lackey of the imperialists" who as early as the 1920's "betrayed the party, capitulated to the enemy and became a hidden traitor and scab."

Stalin used to argue that the closer the Soviet Union came to attaining its ideological goals, the more dangerous and fierce was the opposition of internal enemies. This was the rationalization for the secret police and the slave labor camps. Maoism, as presented by Lin Piao, sees counter-revolution as an ever-present threat, requiring unending struggle and unending vigilance, until the world revolution triumphs. On this premise turmoil of the sort that convulsed China in 1966 and 1967 could be started again at any time.

The spirit with which Lin views China's former ally is best typified by his description of the Soviet Union as "a dark, fascist state of the dictatorship of the bourgeoisie." Like Stalin, Lin Piao, moreover, based his analysis of the world's future on the Leninist assumption that "imperialist wars are absolutely inevitable." Lin seems almost to welcome the prospect of a third world, declaiming that such a struggle would "help arouse the people of the world to rise in revolution and send the whole pack of imperialists, revisionists and reactionaries to their graves." He lumps what he calls "U.S. imperialism" and "Soviet revisionism" together, predicts they will not last long, and calls on the workers of the world to "bury" them.

Some will claim, no doubt, that this is all empty rhetoric, sycophantic nonsense designed only to assure Lin Piao his role of crown prince while Mao is still alive and has power. The precedent will be recalled of Stalin's bootlickers—notably Khrushchev—who reversed themselves completely after the old tyrant's death. Perhaps future developments will show Lin Piao as a Chinese Khrushchev. But his speech to the Ninth Party Congress was Chinese Stalinism.

A NEW SPIRIT IN THE COOPERATIVE EXTENSION SERVICE

Mr. HUGHES. Mr. President, when American institutions which have served the country well in the past demonstrate their ability to adapt to changing conditions and new needs, it is worth noting. In this connection, I was interested in an editorial that appeared this spring in one of Iowa's respected newspapers, the Creston News Advertiser, about the "new spirit" in the Cooperative Extension Service. Long associated almost exclusively with agriculture, the Extension Service is now moving ahead to provide significant services for town as well as country. Mr. President, I felt that this encouraging commentary was worth sharing with my colleagues, and, at this time, ask unanimous consent to have the editorial included in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

EXTENSION—A NEW SPIRIT

The other day we had the privilege of sitting in with the Iowa State Extension Service advisory committee. This is a particularly unusual time to become involved with the extension service programs.

They are heading out into new country, as it were.

For years, most of us have considered the Cooperative Extension Service as dealing with agriculture. Once upon a time, the county representative was known as the "county agent." It is amazing how that county agent tag has stuck down through the years.

But the extension service has properly noted some changes in the way of things. First, the number of persons engaged in agriculture has declined quite drastically over the years. Second, the agriculture community has become more and more identified with urban associations. We can't say that living in the country is the same as living in town and vice versa. But certainly things that affect one also affect the other more than ever.

Extension has a marvelous organizational setup, not only here in Iowa but throughout the nation. It is probably in one of the best positions—because of its inter connections with both farm and city—to evolve programs in keeping with the changing times.

Extension will continue its efforts to assist in matters of agriculture, as it should. This is a basic field. In addition now it is developing programs that cover social and economic development, in town as well as in the country; and on improving the quality of living. These sound pretty general, we agree, but broken down—which we intend to do in future discussions—they are covering some of the most vital fields.

Now to cite just a case—in the new type of program—already under way: a food and nutrition educational program in which sub-professional food aides are employes. By sub professional is meant persons who haven't had special professional training in the field. Non professional might be a better description.

This program is just getting underway in a dozen or so counties in Iowa as a sort of pilot effort. Union and Adair counties, in this area, are involved.

The results to date—and it is just getting started—are amazing. They are working basically with low income families, helping devise ways to make the family food budget go farther and so on. And the people doing the "teaching" are these non professionals who reside right here in the community. All under the general direction of the home economists in the extension service.

The people being contacted live in town as well as in the country. This is extension working in the entire community. There is no rural Mason and Dixon line here.

It is too early to say that things are a big success. But the responses from the nonprofessional aides and from people they have contacted has been good. For example, an "aide" arranged to call on a low income wife. By the time the aide got there, two neighbors had joined in and she was able to go over things with three families instead of one.

The new Extension is reaching out to the people of the entire community more completely than in its history. This can be just quite a thing for all of us.

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A NATIONAL POLICY ON LIQUEFIED NATURAL GAS

Mr. INOUYE. Mr. President, Carl Bagge, Commissioner of the Federal Power Commission recently delivered a thoughtful address in Honolulu on liquefied natural gas and the need for a rational national policy in this area. I commend this speech to the attention of my colleagues and request unanimous consent that it appear in the RECORD.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

THE LIQUEFIED NATURAL GAS REVOLUTION: THE NEED FOR A RATIONAL NATIONAL POLICY

(An address by Carl E. Bagge, Commissioner, Federal Power Commission, before the Sixth Mid-Pacific Gas Marketing Conference, Honolulu, Hawaii, Feb. 19, 1969)

Governor Burns, President Gary, distinguished representatives of Pacific Basin nations, members of the Board of Directors of the American Gas Association and participants at this 6th Biennial Pacifica Gas Energy Forum.

I am pleased to be here. My delight in accepting your invitation, however, was not inspired solely by a desire to visit Hawaii. It was based, at least in part, by the opportunity which this forum provides for me to continue a dialogue in a setting which is not only beautiful but could not be more appropriate for my subject.

The recent emergence of a new LNG technology and what it means to the Nation are exciting developments which have interested me for quite a while. Last April, I was privileged to address the First International Conference on LNG, where 700 experts in LNG technology and marketing from fourteen countries gathered to evaluate the potential of LNG on a world-wide scale. Shortly after that, I again directed my attention to LNG in an article published in the October issue of *Pipe Line Industry*. In both of these forums, my purpose was to demonstrate the need for a national LNG policy and to call for its establishment.

Perhaps it was presumptuous to expect an answer. I listened carefully, but heard none. And, lest my echo fade unnoticed, I will use this forum to answer myself—to outline the essential elements of a national LNG policy—one which both encourages and responds to the new technology.

Just months ago, twenty-one cities, including Washington, D.C., were visited by a car propelled by LNG. And, only weeks ago, an LNG tanker from Libya arrived in Boston Harbor with 2,000 tons of LNG. What could be told as fiction not long ago has thus come to pass. And in its wake has surfaced a new fuel.

LNG has a truly revolutionary potential. It could change the structure of the gas industry as we know it today. It could rechannel the international trade in energy, or alter well-established marketing practices, or even shatter the efficacy of contemporary regulatory principles.

I am convinced that the interaction between the new technology and government policy will affect the direction and success of the developing LNG industry. Government policy will either inhibit or encourage the interstate and international movement of LNG. And it will affect the Nation at large. Hawaii and Alaska, isolated from the main stream of natural gas, will, if government policy permits, figure prominently in the LNG trade.

Next May, I will have served four years as a member of the Federal Power Commission. In that short time span, I have observed developments which have had a profound effect upon the gas industry. One of the more significant was the accelerated pace at which the industry matured from fratricide to fraternity. It has become an industry more capable of meeting the inexorable competitive challenges of the future because of this.

It would be impossible to pinpoint the instant that maturation was initially discernable—for several come to mind. Was it the revitalization of the Industry Better Understanding Task Force following the heated exchanges between Bud Rutherford and Stan Learnard in 1966—or the initiation of the Long Range Supply and Demand Study in 1967—or was it another? When it happened does not matter. It matters only that it happened.

As I look back on the past four years, there are other moments which stand out as auguries of all that followed. These were the moments of significant decisions—when government or the industry, or both, set major policy for the future. None of these decisions stopped the march of time. But to innumerable consumers, investors and personnel of the gas industry, and often to the Nation at large, these were the moments that really counted. As I observe the industry today, I believe that time has brought upon us such a moment once again.

The technological advances in cryogenics and the rapid pace of these developments challenge us to formulate a government response to LNG technology. But to delineate the detail, we must first appreciate the general—national energy policy.

Energy resources are critical to the security and economic welfare of the Nation. So it follows that an object of the Federal government is to develop and maintain adequate supplies of low-cost energy. In the United States, unlike some other countries, this does not burden the industry with centralized energy production plans and allocation directives. The government instead is called upon to establish an environment conducive to the growth of the energy industry. Government is the economic climatologist charged to forecase only sunny days. But, unlike the weatherman, an error in prognosticating the effect of government energy policy means more than just a foot in a puddle.

Government energy policy offers incentives to promote the exploration and development of various fuels. It embraces conservation laws to prevent the waste of valued resources. And it encourages scientific research to increase supply and decrease cost. Often imports and exports are regulated. Always interfuel competition is favored. And when the muscle of competition does not flex, government regulation is no ninety-seven pound weakling.

National energy policy aspires to make available maximum number of alternative fuels to satisfy consumer demand. It is a quest for flexibility of supply. It is compatable with LNG technology.

Mirrored with the image of the new technology what posture should the Federal government assume over LNG? Should government policy instinctively, perhaps quixotically, extend the Natural Gas Act to LNG—or should the dynamics of the market define its future role? Like so many issues of regulatory policy, these questions light fires under the cauldrons of semantic and legal debate. And often, when the fires dim, the questions remain unanswered.

We must not ensnarl ourselves in such a debate. Arguments flourish on both sides. And though the Gas Act's literalists may hail and embrace the advent of LNG, even they must concede that the draftsmen never contemplated an LNG fuel with a multitude of markets and a market structure then beyond imagination.

I do not seek refuge from a hard decision. I simply call for objectivity. Of course, we must consider the application of the Gas Act to LNG. But as government policy takes its form, the Gas Act's scheme must be a frame of reference and not a point of conclusion. To stipulate for convenience that the Gas Act reaches LNG would do little more than to forsake an opportunity to weight the implications of the new technology in the light of current economic demands and regulatory needs.

Rather than forge a national LNG policy in the crucible of offsetting legalisms, I submit that we should instead look at LNG as a welcome addition to the energy market. Our touchstone should be to determine the government response that will best promote the Nation's energy policy. Our method must evaluate the new technology. It must appreciate the new form of energy. And it must assess its potential for competition. Only then should we prescribe what government intervention, if any, the public interest demands.

In offering this alternative, I recall the Commission's policy pronouncement of 1963, which stated, upon the advice of counsel, that the Commission would assert jurisdiction over all phases of LNG. I submit that this policy should be re-examined.

THE DEVELOPMENT OF LNG TECHNOLOGY

What was the chronology of LNG development? How did it happen? And why? These line the backdrop of my proposals.

The economic motives to liquefy natural gas trace their lineage to the seasonal variations in consumer demand. Injecting gas into nearby storage during the months of low demand afforded distributors plentiful supplies to meet the peaks of winter's cold. Soon these practices became commonplace. Distributors found solace in the nearness of reliable supply. And consumers benefited from year-round operating efficiencies. But where geology denied distributors access to natural storage formations, alternative methods were explored. And through these efforts the technology of LNG storage made its way ahead.

The success of LNG storage technology foretold other advances in LNG. In 1958, the Methane Pioneer, forerunner of today's LNG tanker, proved the feasibility of LNG tanker transport. Imagine, the sages must have thought, gas could move by ship. No longer did pipelines hold the single key to unlock gas reserves. International trade of LNG now stood clearly on the horizon.

International projects soon appeared. Algerian LNG was imported into England and France. Libyan gas supplied the needs of Italy and Spain. Boston hosted LNG from Algeria. And soon there will be more. Alaskan LNG for Japan. Venezuelan gas for Philadelphia.

The LNG tanker antedate even greater developments. Trucks and trailers carry LNG—the pavement but a concrete pipeline. Air Products & Chemicals, Inc., Cryogenic Enterprises, Ltd., Pratt & Whitney Aircraft—names unknown to natural gas transmission are now moving to center stage. From California to Florida to British Columbia, they are the authors of the LNG drama. And there is more to come. Before the curtain falls, many isolated communities and homes which have been denied gas service will greet the truck that brings them LNG. At San Diego Gas & Electric Company this is happening now. Regularly that company serves LNG by truck to a remote military camp and to an isolated trailer park.

THE PROMISING USES OF LNG

Once thought far-reaching, these storage and transportation advances soon will fill the shadows of exciting new uses for LNG. Mr. Jack Lofstrom, Supervisor of Marketing Research at the Institute of Gas Technology, recently wrote[1] that LNG's domestic market

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[1] *Uses of LNG for the Future,* Pipe Line Industry, October 1968, Vol. 29, No. 4, pp. 95–97.

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potential for the year 1980 totals 12.9 trillion cubic feet. Of this sum, only 3.25 trillion cubic feet represents the conventional utility uses of local distribution and power generation. A total of 9.65 trillion cubic feet represents markets to date unknown to the gas industry. These are markets that will consume LNG as a liquid commodity, distinct from the vapor characteristics of natural gas. Given even modest penetration of these potential markets, Mr. Lofstrom writes that we can expect LNG's share in 1980 to be 2.3 trillion cubic feet. And of this, nearly one trillion cubic feet will fuel new industrial and transportation uses.

A nation-wide tour of a conventional automobile modified by the San Diego Gas & Electric Company to consume LNG recently portrayed the imminence of these new markets. The automobile is a standard 1967 six cylinder vehicle with a cryogenic fuel tank in the trunk. It looks and operates no different from gasoline-fueled vehicles, but it has the advantage of reducing smog-producing exhaust emissions. It has indeed an added social value.

The transportation fuel uses to which LNG is particularly suited include the SST, military aircraft and missiles. The marine industry and the railroad industry could use LNG as a propellant. Vehicles used in agriculture and industry, fork-lift trucks, delivery trucks, cranes and bulldozers, could operate on LNG. So could virtually all motor-driven equipment. And still there are more new uses for LNG. It could be used in water desalination processes—and even in magnetohydrodynamic production of power.

But the most likely use of the LNG commodity in the immediate future will be to fuel buses and other commercial and passenger vehicle fleets. Perhaps government agencies, Federal, state or local, will be first to fuel their fleets with LNG. With these fleets will come demand for LNG fueling stations—perhaps entirely new chains that link the Nations highways. And these, in turn, will signal the demand for more LNG vehicles—an endless spiral.

REGULATORY IMPLICATIONS

When used for these new purposes there is a sharp distinction between LNG and natural gas. LNG in this perspective is not the life-blood of a gas utility. It is not the backbone of a service requiring public oversight. LNG in this perspective is a new liquid fuel, its essence and character different from natural gas. It is a distinct physical commodity. And it has distinct economic attributes.

I believe that the LNG commodity is a potentially competitive fuel, and that it will indeed be a competitive fuel. Its markets are those chaarcterized by aggressive competition. Its marketers will be those prepared for competition. Government's response is critical—it must not hinder this competition. And to effect an appropriate government response, I submit that the transportation and sale of the LNG commodity should not be subject to Federal Power Commission regulation.

Authority over the rates and safety of LNG transportation in interstate commerce are matters properly before the Interstate Commerce Commission, the Federal Maritime Commission, and the Department of Transportation. Analogous issues at the state level lie within the province of the state utility commissions. Other than this, the LNG commodity is ripe for the marketplace.

THE HINSHAW EXEMPTION

The LNG commodity offers gas distribution companies a unique opportunity to expand their operations into new markets and an unregulated enterprise. This is a constructive development for the gas industry. But a deterrent may exist—section 1(c) of the Natural Gas Act, the so-called Hinshaw exemption.

Section 1(c), simply stated, exempts from the juridsiction of the Federal Power Commission a gas distributor whose gas is received and consumed entirely within its state of franchise. It should be made clear that a distributor's Hinshaw exemption will not be jeopardized by the sale of the LNG commodity for new uses. And, it should be made known that section 1(c) will not hinder development of the LNG industry.

The sale of LNG by exempted distributors for new uses as fuel or cargo in vehicles or aircraft moving in interstate commerce, in my opinion, should not deprive distributors of their Hinshaw exemptions. I do not believe that these kinds of situations bear relevance to the jurisdictional status of distributors insofar as section 1(c) is concerned. The very substance of interpretations to the contrary, spawned by the manipulation of literalisms, emphasizes the difficulties of trying to square the LNG commodity with all of the provisions of the Natural Gas Act.

IMPORTS AND EXPORTS

Once considered far-fetched, LNG imports and exports to and from the United States are with us. Recently, the Federal Power Commission authorized the import of two shiploads of LNG, each bearing 2,000 metric tons, from Algeria to the Boston Gas Company. And some months ago the Commission authorized the export of LNG from Alaska to Japan. The east and west coasts, now exposed to the pioneers of international LNG trade, indeed have taken on an added significance.

These events freshen the spirit of section 3 of the Natural Gas Act—a provision long grown accustomed to pipeline movement of natural gas to and from Canada and Mexico. With the blessings of section 3, new names and places, ships and countries, will breathe life into the dusty tomes of FPC reports. And as these reports grow, so will new concepts and ideas influence the tenor of regulation.

Should section 3 apply to LNG imports and exports? Should it be modified? Are facilities used for LNG import and export subject to the Executive Order that requires Federal permission before border facilities may be constructed? These are questions that now tease the imagination because when section 3 was enacted and the Executive Order was promulgated, they contemplated natural gas only in its vapor phase and export and import only by pipeline.

LNG tanker imports and exports do not involve the border facilities contemplated by Executive Order 10485. Indeed, the Federal Power Commission made this specific finding in authorizing both the Algerian import and the Japanese export under section 3. But the difference in regulatory method between section 3 and Executive Order 10485 is substantial. While the Executive Order requires the Commission to consult the Secretaries of State and Defense and provides for presidential resolution of a disagreement, there is no similar requirement in section 3. When faced with a hearing record in an LNG import or export proceeding under only section 3, consultation with the Secretaries of State and Defense would violate the rules prohibiting *ex parte* communications. As a result, disagreements which might exist between the Executive Departments and the Commission could not be resolved systematically by the President.

I believe that section 3 should be re-examined—specifically with respect to LNG and generally with respect to all imports and exports. International commerce in LNG simply underscores a problem endemic in section 3 proceedings where additional border facilities are not required. An adversary proceeding, where an export or import is challenged and collateral national concerns can only be acknowledged, is far too limited a forum in which to arrive at a decision with broad foreign policy and national security implication.

The Commission's recent experience in the West Coast Import Case dramatically illustrates the pains of struggling solely with the economic issues peculiar to section 3 on an adversary record which cries for help to resolve sensitive questions of international consequence. In that proceeding, the Commission could not properly solicit and consider the views of the Secretaries of State and Defense. The *ex parte* rules forbade it. Yet the reflection of these views in the decisional process is indispensable to the public interest.

Based on these kinds of situations, I have come to the conclusion that another institutional device is essential to the effective exercise of our authority over the import and export of natural gas. It is especially imperative with respect to LNG, where the dimensions of the problem are world-wide and may often transcend the regulatory expertise of the Federal Power Commission.

Though the Commission must share a meaningful role in overseeing important aspects of international LNG trade, the spectrum of relevant national interests is so broad as to extend beyond the Commission's field of vision. I am not now prepared to suggest with precision all of the qualities of the appropriate solution. But I believe that they must provide a forum sensitive to the procedural safeguards of due process, yet exposed to the concerns I have mentioned as well as those of routine consideration.

Given the appropriate forum, the question then is to determine what standards should apply to exports and imports. How are broad national interests balanced against the distinct interests of a pipeline, distributor or producer which may be adversely affected by the proposed importation of LNG? The encouragement of LNG imports, at least at this state of the art, would seem consistent with our national energy policy of promoting the supply and availability of natural gas. Would it not therefore seem appropriate to develop import standards that place the burden of persuasion on those who oppose the import? These and other related questions can be answered later. What must be answered now is the call for a new institutional device—a forum free of the shortcomings of section 3. A forum in which we can more effectively evalaute the many issues raised by LNG imports and exports.

BENEFITS TO HAWAII AND ALASKA

A national policy for LNG does not end with sorting regulatory matters into place. There are still other considerations. A significant one is to assure that all areas of the Nation and all segments of the populace share the fruits of the new technology. And, of course, this includes the non-contiguous states—Hawaii and Alaska.

At present, the prices of gas in Hawaii are the highest of any state in the Nation. It is not the fault of Hawaii's suppliers. It is the result of the unavailability of natural gas and the need to distribute higher-cost LPG and manufactured gas. What the gas consumers and suppliers of Hawaii need is a meaningful choice—the logical one now is LNG.

Alaska natural gas is at the heart of this. The technology exists for the exportation of LNG by tanker from Alaska to Pacific ports. In a matter of months, LNG will be exported in tankers by Phillips and Marathon from Alaska to Japan. There is no technological reason why LNG could not be transported to Hawaii also, either as part of the Alaska-Japan shipments or independently.

The economics of such a venture are favorable—but the law, that is the Jones Act, is not. I am convinced that the new LNG technology and the benefits it could bring to consumers in Hawaii and to natural gas suppliers in Alaska require an amendment to the Jones Act—one which would permit LNG trade between these states in foreign

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vessels. This would not be without precedent. In the past, Congress has exempted specific ventures from the strictures of the Jones Act. The rationale is equally persuasive here.

The primary purpose of the Jones Act was to develop a permanent American Merchant Marine—built in American shipyards by American labor, manned by American seamen, flying the American flag, carrying American products, owned by American citizens. Designed to enhance the commercial growth of the United States, it was intended to protect the stability of domestic industry in times of peace and to provide for the Nation's defense in times of national emergency.

The Act became law in 1920, when a large tonnage of government-owned ships was available for sale. Congress anticipated that the Act would encourage the development of a merchant fleet capable of carrying a major part of the United States' foreign trade and a fair portion of the world's carrying trade. Contrary to expectations, however, this did not follow. And recent figures show that while in 1947 United States flag ships carried over 57% of the Nation's commercial waterborne export-import trade, they carried only 7% of that total in 1966.

Efforts to implement a more productive maritime policy have been notably unsuccessful. In 1968, former Secretary of Transportation Boyd offered remedial legislation to the Senate Subcommittee on Merchant Marine and Fisheries. Among the items he proposed was a provision to amend section 27 of the Jones Act. The purpose of this amendment was to authorize the transportation of goods in domestic trade on foreign-built vessels—so long as an administrative determination could be made that there would be no serious effect on other vessels in the trade. No bill embodying this proposal, however, was introduced in Congress.

In 1967, Senators, Fong, Inouye, and Gruening introduced S. 2454 to amend section 27 of the Jones Act. Their bill proposed the exemption of "the transportation of merchandise between points in the State of Alaska and points in the State of Hawaii." Senator Gruening's statement described the complementary relationship of Alaska-Hawaii trade, the planned export of Alaskan LNG to Japan in Swedish-built ships, and the proscription of section 27 which prohibits these ships from delivering Alaskan LNG to Hawaii—a detriment to both states. The bill was referred to Committee but no hearings were held.

But section 27 has not been sacred. Congress has granted a limited number of statutory exemptions to the requirements of that section. Section 27 does not apply to the coastwise transportation of empty containers under certain conditions. It does not apply to the coastwise transportation of passengers and merchandise on Canadian vessels under certain conditions. It does not apply to certain foreign-built vessels which were engaged in United States coastwise trade during the First World War. It does not apply to merchandise carried in part over Canadian rail lines under certain conditions. In addition, section 27 has been suspended for temporary periods to permit the transportation of merchandise or passengers in certain foreign vessels over specified routes.

Indeed, section 27 could also be amended to accommodate Alaska-Hawaii LNG trade. An amendment exempting Alaska-Hawaii LNG trade from the proscription of section 27 could take a variety of forms—from a broad exemption in the image of S. 2454 to a narrow exemption for a single ship. Possibilities include the type of amendment proposed by Secretary Boyd, or that relating to water transportation between specific points or that providing a temporary exemption. Whatever the form of the amendment, I believe that it is a necessary means of extending the benefits of LNG technology to the citizens of Hawaii and Alaska—and an indispensable element of national LNG policy.

Transporting the untapped reserves of Alaskan gas to the contiguous states in the form of LNG is still another exciting possibility. Its potential value as a competitive source of supply to the West Coast market should not be overlooked by industry and government policy-makers. The Jones Act, however, also operates to deter this development. While I believe that an Alaska-Hawaii LNG exemption can now be achieved, an Alaska-West Coast exemption appears to be more difficult because of the size of the market and the potential volumes involved. In the absence of legislation making such movements economically feasible, technology appears to afford the only means of surmounting this artificial barrier by achieving a breakthrough in costs. This brings me to the final element of LNG policy.

RESEARCH AND DEVELOPMENT

A national policy for LNG must include a program of continuing research and development of the new technology. Although considerable success has attended LNG storage and liquefaction facilities at the distribution level, efforts by pipelines to operate in-ground LNG storage facilities have met with failure.

The Federal Power Commission has authorized three pipelines to construct and operate LNG storage facilities. The first was Transcontinental Gas Pipeline Corporation's proposal to construct a storage facility in New Jersey, just outside New York City. This facility contemplated the in-ground storage of LNG in an unlined container with frozen earth as its walls and a man-made lid. The second was Tennessee Gas Pipeline Company's proposal to construct a storage facility in Massachusetts. Tennessee's project used technology similar to Transco's, but it was larger and was built in solid rock. The third proposal was Texas Eastern Transmission Corporation's plan to construct a storage facility on Staten Island. This facility soon will be completed. It differs from Transco's and Tennessee's projects insofar as the walls and lid of the container are made of concrete rather than using the so-called "mud pipe" technique.

The liquefaction and vaporization processes of the Transco and Tennessee projects performed successfully, but the facilities developed serious problems in their in-ground storage containers. Both containers failed because excessive heat leakage created a boil-off above anticipated levels. In view of these failures, it will be of considerable interest to see whether existing technology has the know-how to cope with these design problems. Indeed, the economies to be realized by the successful operation of in-ground LNG storage facilities are sufficient to warrant funding of further research and development. I would hope that the pipeline industry will make the necessary commitment.

This brings me to my suggestion of several months ago—that a Gas Research Council is the appropriate means for the industry to meet the mounting demands for research and development. This council should comprise all segments of the industry and representatives of government, universities, and research organizations. Its very existence would signal the commitment of both the Federal government and the gas industry to essential research objectives.

I submit that at an early date there should be convened a select group of industry, academic, and government personnel to lay the groundwork for the Gas Research Council. The Council should be represented by a wide spectrum of interests, just as the Electric Research-Council comprises members of all segments of the electric power industry. As its first project, I propose that the Gas Research Council direct itself to the matter of gas supply. The need for improved drilling methods, the gasification of coal and oil shale, nuclear fracturing, deep ocean exploration, and other related methods of facilitating the recovery of reserves are a worthy priority for the industry.

In addition, the Gas Research Council should focus on LNG and how to maximize its benefits. A necessary LNG research project should study the beneficial recovery of refrigeration and promote techniques which will enhance the economics of LNG. I also propose specifically that the Gas Research Council develop means of integrating LNG import receiving facilities with facilities designed for the desalination of sea water. The technology exists for such a process, and so does the opportunity for desalination to provide a substantial credit to the costs of operating LNG facilities. This could make economic the movement of Alaskan gas to West Coast markets.

There are other projects worthy of consideration. An improved membrane design for tankers which integrates LNG tanks with the hulls to effect economies. Improved liquefaction systems to reduce the horsepower requirements of liquefaction. Back-haul systems for LNG tankers and overland trucks to reduce operating costs.

All of these research projects are significant to the industry and to the Nation. All of these projects will stand or fall on the initiative of the industry to take an early step in the right direction. The moral of inaction can only bring to mind the tale of the speedy hare, who, upon awakening from his nap, saw the tortoise plodding past the winning post. This is certainly no time for the gas industry to take a nap. It is the time to take advantage of an opportunity.

CONCLUSION

These, then, are the elements of a national policy for LNG. It must be formulated with particular reference to the Nation's energy policy of promoting competition among alternative fuels. It must respond to today's economic demands and regulatory needs. It must stimulate the development of an emerging LNG industry in large part directed at entirely new markets. It must comprehend all aspects of LNG imports and exports. None of the 50 states must be deprived of the benefits of the new technology. And continuing research and development of this technology must be encouraged.

To provide practical substance to these elements, appropriate action by the Congress, the Federal regulatory agencies, and the industry is called for. Some of the elements require the action of just one of these, while others require coordinated and parallel actions. Only with a conscious commitment by both government and industry will the Nation realize the potential benefits of the new LNG technology.

HIGH COURT INTEGRITY NECESSARY

Mr. GRIFFIN. Mr. President, the recent controversy over the extra-judicial activities of a Justice of the Supreme Court precipitated thoughtful and constructive comment by a number of this country's outstanding journalists and newspapers. I ask unanimous consent that these comments be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Washington (D.C.) Star, May 9, 1969]

HIGH COURT INTEGRITY NECESSARY

(By Carl T. Rowan)

The most charitable thing one can say about Supreme Court Justice Abe Fortas and the proferred $20,000 fee from the family foundation of financier Louis Wolfson is that Fortas raised serious doubts about the quality

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of his judgment and jeopardized unnecessarily the integrity of the Court.

It is not necessary to argue about whether and when he returned the money to the Wolfson Foundation. Nor is it necessary to speculate as to whether the Justice did, or contemplated doing, anything in behalf of Wolfson, who was facing criminal charges at the time the fee was tendered. It is enough to note that, by Fortas' admission, he was given the money in 1966, after he became a member of the Court, because he thought he could undertake "research functions, studies, and writings connected with the work of the . . . Wolfson family foundation."

It is patently obvious now, and should have been in 1966, that this is not a proper arrangement for any member of the nation's highest court.

Through a generation of internal dissension and conflict, when McCarthyism, racism, and law-and-orderism have bedevilled the American people, this country has been blessed to have an independent judiciary that was ever mindful of the constitutional safeguards our forefathers erected against those times when impassioned mobs would seek to override the Bill of Rights.

Demogogues have tried to smear the Supreme Court. Rabble-rousers have cried for the impeachment of Chief Justice Earl Warren. Some congressmen have tried to make careers of their demands that Congress override various rulings of the Court. But it was mostly sound and fury signifying nothing because of the deep-rooted respect most Americans have for this nation's highest tribunal.

If future generations are to remain secure against tyrannies of all persuasions—against a tyranny even of a confused or frightened American majority—it is utterly essential that the Supreme Court remain "pure." It must not become defiled by suspicions generated by financially—or politically—grasping indiscretions by its members.

The Wolfson affair, and other of Justice Fortas's outside arrangements for which he received substantial pay, have occurred in a welter of confusions and contradictions about the ethics of the nation's public servants.

It makes no sense whatsoever that the President should ask top officials in the executive branch to join the government at great financial sacrifice and forbid them to take a nickel for outside lectures and other activities when members of the Congress and the courts are engaging in lucrative outside activities.

There ought to be a single "sanitary" standard. But if that is impossible to achieve, let our highest tribunal stand above all the rest for its simon-pure principles.

There is a serious question as to whether Supreme Court Justices ought to be running about the country giving speeches, even without a fee.

There isn't anything worth talking about these days that isn't likely to become the subject of litigation, including a constitutional challenge, and it compromises the integrity of the Court, to some degree, every time a Justice expounds on the issues of the day.

For example, millions of Americans surely agree with Justice Thurgood Marshall, who told a Dillard University audience Sunday that Negroes should realize that "nothing will be settled with guns, firebombs, and rocks," and thus reject black militant leadership.

But are we not to assume that one day soon some of the issues raised by black militants will come before our highest tribunal? Has not Justice Marshall made it clear in advance that they will not find him to be a friend in court?

Sure, a Justice may be able to view the law uncolored by his prejudices of age or political persuasion, but it is a fact that airing those prejudices creates doubt. And doubt erodes the integrity without which the Court cannot function as the powerful arbiter it is in American life.

So, more than any other branch of government, the judiciary ought to be given the security, financial and political, that permits it to stand aloof from the money-grabbing and the influence-peddling that is so common among those of us of lesser ultimate responsibility.

[From the Los Angeles Times, May 16, 1969]

Lessons in Fortas Tragedy

(Issue.—Now that Abe Fortas has resigned from the Supreme Court, how can the cloud over the high bench be removed?)

Abe Fortas is a brilliant lawyer, an independent thinker who could have made a great contribution to the Supreme Court and to his country. The fact that he has been forced to resign under circumstances that indelibly stain his reputation is a genuine human tragedy.

It is, however, a tragedy that he brought upon himself by an incredible insensitvity to the ethical standards which are properly applied to members of the Supreme Court.

The important thing, from the standpoint of the public interest, is to see that steps are taken to restore faith in the nation's highest temple of justice.

President Nixon has an initial responsibility to give full weight to considerations of character, as well as ability, in nominating a replacement for Fortas—and later for Chief Justice Earl Warren, when he retires at the end of June.

The U.S. Senate, for its part, should henceforth refuse to confirm any Supreme Court nominee who feels he needs a moonlighting job to augment the $60,000 a year lifetime salary which the justices are now paid.

No Supreme Court justice has any business accepting money for outside work while a member of the court. In cases of private income deriving from activities prior to appointment, trust arrangements should be made to remove all possibility of interest conflicts.

These standards should apply not only to new members of the court, but to those already sitting. Associate Justice William O. Douglas, whose paid services to the Albert Parvin Foundation have been criticized in these pages before, should set an example by either severing the connection or quitting the court.

Legislation has been proposed which would require federal judges up to and including Supreme Court justices to make full disclosure of any outside income. The appropriate congressional committees should give the proposal serious and expeditious attention.

Unfortunately, some lawmakers who endorse disclosure requirements for judges hypocritically continue to object to the imposition of such requirements on themselves. Senate Republican Leader Everett Dirksen is the most prominent example.

The Times has consistently taken the view that elected officials at all levels—local, state and federal—should make full and public disclosure of their incomes from non-official sources.

Neither the U.S. House nor Senate, however, has shown any disposition to adopt meaningful disclosure rules.

We urge the lawmakers to face up to the fact that they—as well as Supreme Court justices and Caesar's wife—should be above suspicion if public faith in public institutions is to survive.

[From the Jewish Week, May 22, 1969]

Who Will Succeed Abe Fortas?

The great wrong in the tragi-comedy of the Abe Fortas affair is his contention that he committed no wrong.

His real offense was not so much in the specific arrangements that loomed to the public as a major scandal, but in his acceptance of a place on the Supreme Court as an Associate and, later, in permitting President Johnson to place his name in nomination as Chief Justice. If the major part of the blame attaches to the President for pressing these unsought-for honors on his very close personal friend and unpaid servitor, one had a right to hope that a man with Fortas' keen awareness of the psychology of public life might have more firmly resisted these unwanted honors.

The President had needed to reward his servitor, and the need with him verged on compulsion. Driving taskmaster that he was, he could not endure his failure to reward and even over-reward a true and faithful servant. The President thus craved to shower unwanted honors on the man who had once saved his political career in a tight Texas election and had been at his beck and call ever since.

Fortas must have suffered from a greater sense of self-sacrifice, when he accepted the court appointment, than other, more receptive appointees had ever felt. Having reluctantly given up his happy role as the President's unpaid servitor and one of the best earners in the Washington bar, he was not prepared to apply a Spartan code of supralegal propriety to himself.

Fortas was the fifth Jew to have served on the Supreme Court in a half-century, and his resignation leaves that court without a Jewish member for the first time in that period. We do not believe that President Nixon is obligated in any respect to succeed Fortas with another Jew, but it is understandable that he may feel a sense of nobless oblige to name a Jew. If that is the case, it is to be hoped that the selection will not be on a personal or political basis.

Until the Johnson administration, the fact of a Jewish presence on the Supreme Court had grown into a splendid tradition. The first Jew named to the court, Louis D. Brandeis, was clearly not named out of political motive, since he was obviously a political liability at the time. Brandeis, however, represented a point of view on American life that President Wilson wished to contribute to the court.

Justice Cardozo was named by President Herbert Hoover in spite of his personal preference for others, and only because of his towering reputation as a great scholar and jurist. Justice Frankfurter was scarcely a practicing lawyer, having devoted his career to scholarship in the law. Justice Goldberg, far from being among the influence-wielders in Washington, had represented a minority influence in American life—organized labor.

If there is to be a sixth Jew on the Supreme Court, it is to be hoped that he will come out of the ranks of the great jurists, scholars and men of public service, rather than out of the practising careerists, the politicians or the personal circles of the men in power.

One thing is certain: Jewish voters will be anything but flattered or pleased by the appointment of a Jew who does not clearly and unquestionably qualify for the position.

[From the Washington Post, May 12, 1969]

Fortas' Acts Flout Tradition, Could Harm Court's Reputation

(By Marquis Childs)

In February the Associate Justices and the Chief Justice of the Supreme Court got a raise in salary. The Associate Justices went from $39,500 to $60,000, the chief from $40,000 to $62,500. This pay raise was part of the package recommended for Congress and certain levels of the Executive Branch by the Federal Salary Commission.

With one-third of the Nation's families having incomes of $5,000 or less, $60,000 a year looks mighty big. When the salary package was up for passage, cries of indignation rose at what seemed unwarranted increases. While

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members of Congress protested, the Senate rejected by a vote of 49 to 36 a resolution to strike down the whole business.

Whatever the justification, or the lack of it, for the size of the pay raises there was a valid rationalization behind the salary commission's recommendations. Public officials should not be penalized in a period of rapid inflation for public service. While public office can never be a source of enrichment, it should not, in a concept going back to America's founding fathers, be so poorly paid as to make it a form of servitude and a refuge for the unambitious and the second rate.

Against this background Associate Justice Abe Fortas' conduct on the Court flies in the face of the long tradition of the dedicated public servant. When his nomination to be Chief Justice was before the Senate, it was noted he had taken $15,000 for a series of lectures delivered at American University. This sum had been raised by his former law partner, Paul Porter, from big-business clients of the firm.

Now Life magazine has shown that he took $20,000 from a foundation controlled by the family of financial raider Louis Wolfson who had just gone to prison for violation of Securities and Exchange Commission regulations. In addition, Fortas lectures around the country at public forums for fees ranging from $1500 to $2000 a lecture. He kept the $20,000 for 11 months and then returned it on the ground that he was too busy to advise on the foundation's work in race relations, the announced reason for the payment.

What makes this harder to understand is that Fortas is far from being a poor man. The head of a large Washington law firm, thoroughly familiar with the workings of a big-scale practice of the Fortas and Porter type, gave a horseback judgment that the justice in the 10 years prior to going on the bench would have been able to keep out of his share of the firm's earnings as much as $3,000,000. The income of his wife, Carolyn Agger, now with Fortas' former firm, has been reported as $100,000 a year. She is a highly resourceful tax lawyer.

At the time President Johnson nominated Fortas to be Chief Justice in succession to Earl Warren, there were few who questioned the brilliance of his legal mind. It was not until the disclosure of the $15,000 fee for the University lectures that even some of his most ardent advocates began to cool. Doubt also centered on the closeness of his continuing relationship with Mr. Johnson.

For many years he had been the former President's personal attorney. Fortas was also the attorney for Bobby Baker, who rose to power as secretary to the Senate majority and Mr. Johnson's protege. In the inner council of the Johnson Administration it was no secret that Fortas consistently gave the most hawkish advice to the President, confirming the Johnson view that the Vietnam war could be won.

In this history is a sober lesson on the nature of appointments to the Court. However brilliant the legal capacity, cronyism comes close to being a disqualifying factor. The dedication of a public servant, whether in State or Federal government, in the judiciary should be evidence weighing heavily on the positive side.

On the High Court today is a classic example of such service. When he was in California in early January for a brief holiday the retiring Chief Justice observed without fanfare 50 years in public office, beginning as a young attorney in the prosecutor's office in Alameda County and going on to an unprecedented third term as Governor of his native state. With quiet pride he told friends that he had never received a cent of income from any source other than his public salary. A pension from the State augmented his Supreme Court salary.

The Fortas disclosures have done the Court, and specifically the Warren Court, incalculable harm. If the outcry in Congress results in legislation requiring Federal judges to make public their holdings and their sources of income, some good will come of it. In the self-righteous voices raised on Capitol Hill is an audible hypocrisy, since the House of Representatives' own disclosure law is as full of holes as a sieve. The recently published list of holdings by Congressmen shows investments and directorships that appear plainly in conflict with Congressional responsibilities. The selfless public servant is shown on that roster to be the rare exception, rather than the rule.

[From the New York Times, May 18, 1969]

THE FORTAS CASE—CONCERN AND QUESTIONS OVER ACCEPTANCE OF A FEE

(By Fred P. Graham)

WASHINGTON.—Soon after the Supreme Court was established, Alexis de Tocqueville observed that the justices' power "is enormous, but it is the power of public opinion." To maintain this power, he felt, "not only must the Federal judges be good citizens, and men of that information and integrity which are indispensable to all magistrates, but they must be statesmen."

This has become even more valid in recent years as the Supreme Court has become more powerful—and controversial. The concept of judicial review by nine men who are appointed for life to rule on the constitutionality of the country's laws makes no sense unless they are men of uncommon integrity and good sense.

Last week many people were asking aloud if Justice Abe Fortas had demonstrated these qualities.

The questions were first raised by Life magazine in an article that accused the justice of having accepted, and later paid back, a $20,000 fee from the family foundation of Louis H. Wolfson, a wealthy but shady stock manipulator who has since been sent to prison. Life said it had found no evidence the money was a bribe. But it charged that Wolfson used his relationship with Justice Fortas for name-dropping purposes in his efforts to stay out of jail.

Justice Fortas then compounded his difficulties by declaring unequivocally in a statement that since he became a justice in 1965 "I have not accepted any fee or emolument from Mr. Wolfson or the Wolfson Family Foundation or any related person or group."

He conceded, however, that the Wolfson Family Foundation "tendered" a fee to him (to do "studies and writings" about racial religious amity) and that "I returned it with my thanks."

LACK OF CANDOR

The lack of candor in Justice Fortas' reply served to emphasize his failure to deny or explain the alleged 11-month delay in returning the fee, and demands began to be heard on Capitol Hill for a further statement from him. Even the Democratic leaders who had stood by him when it came to light last summer that he had accepted a $15,000 lecture fee fell silent this time. Senator Edward M. Kennedy even suggested that Justice Fortas might consider explaining himself to the Senate Judiciary Committee—a body stacked with conservatives who raked him over the coals when he appeared before them last summer.

Congressional Republicans were less subtle. Representative Robert Taft Jr. predicted that a bill of impeachment would be filed in the House if Justice Fortas does not quickly give a better account of the incident. Senator Robert P. Griffin of Michigan promised that "more information" will come out about the Wolfson fee unless Justice Fortas either elaborates or resigns.

At the week's end Justice Fortas was going forward as if the matter were closed. He continued with his scheduled lecture schedule, with one change—his fees were either cancelled or donated to worthy causes.

His critics appeared content to let his case fester for a few days, while insisting privately that the incident is not yet over.

In the meantime, the ill winds of scandal and rumor seem to have stirred official Washington to realize something that had previously been missed: that the other branches of Government have begun in this decade to do something about conflicts of interest—and that the judiciary, alone, has done nothing.

Over the years, the Supreme Court has kept itself remarkably free of scandal—so much so that almost any judicial involvement with worldly goods is looked upon with deep public concern.

PROPERTY DEAL

The Washington Daily News ran large black headlines last November when it learned that Justices Fortas and William J. Brennan Jr. had invested in a large property project near here. There were more headlines when it was disclosed last year that Justice William O. Douglas was receiving a $12,000 per year stipend as president of the Albert Parvin Foundation. Mr. Parvin had large Las Vegas casino interests. Justices Fortas, Brennan and Douglas have used lecture agents to book appearances that bring as much as $2,500 per speech, and other members of the Court have lectured on a smaller scale.

Next to Justice Douglas, a man who has had four wives and, presumably, many expenses, Justice Fortas appears to be the member of the court who devotes the most time to making money on the side.

He is apparently not in want. His wife, a lawyer, is said to receive an annual salary in six figures, they have no children, and his salary has been raised from $39,500 to $60,000 since he became a Justice. But he is a self-made man of great energy and he has not until recently been loath to accept fees for his outside activities.

One reason for the interest in justices' money-making efforts is that they seem to be among the few high officials in Washington who can actually live on their pay. They don't have to run for re-election or spend money to keep up with the Joneses, and others almost always pick up the tab.

Thus, outside income is viewed askance, mainly because nobody can say with certainty which extra judicial activities are proper and which are not. Now bills to regulate judges' outside income or to require reporting of it flowed like confetti into the legislative hoppers last week and it seemed likely that some standards would be established as a result of Justice Fortas' present discomfort.

[From the Washington (D.C.) Post, May 19, 1969]

FORTAS CASE CARRIES A LESSON FOR ALL PRESIDENTS TO COME

(By Marquis Childs)

With the furor over Abe Fortas beginning to subside it is worth examining how it happened. As an example of how not to manage the relationship between the Chief Executive and the judiciary it should be a warning for the man now in the White House and for other Presidents to come.

While the flak rains down on Fortas, the principal actor was Lyndon Baines Johnson, currently playing it very quiet offstage in Texas. As in almost every aspect of his Presidency, Mr. Johnson was the political animal, the wheeler dealer, in his approach to the Supreme Court. This is not to say that other Presidents have excluded politics from their appointments to the court. But seldom have politics and the motivations of self-interest been so obvious.

It began immediately after the death of Adlai Stevenson in July, 1965. Who was to take his place as Ambassador to the United Nations? President Johnson summoned Arthur Goldberg, then an Associate Justice, to the White House.

Those familiar with the background say that Mr. Johnson exerted all his mastery of persuasion on Goldberg to get him to give up his lifetime place on the court and take the U.N. post. The U.N. Ambassador with his background of brilliant mediation in the labor field could bring peace to the world. His would be an unparalleled opportunity to calm the strife and, with constant access to the President and the Secretary of State, lead the way to a new Haven on earth. Having at least a normal share of human vanity, Goldberg left the court and went to the United Nations.

This created a vacancy. Not only that, but since Goldberg was of Jewish origin it opened the way for the appointment of Fortas. An unwritten rule, observed at least once in the breach, prescribes that in the political-religious balance on the court there shall be one Jew and one Roman Catholic.

Fortas was a long-time Johnson friend and his personal lawyer at critical moments in the Johnson career. He had managed the certification of Mr. Johnson's election to the Senate in 1948 when 87 votes in a bossed county were at stake. Even after he had formally withdrawn as Bobby Baker's lawyer, Fortas continued behind scenes to try to help get the Secretary of the Senate majority and Mr. Johnson's protege out of the mess of his wheeling and dealing.

Confirmation of Fortas by the Senate to be an Associate Justice was a formality. He had many distinctions in public service to his credit. The Warren Court had appointed him counsel for Charles Earl Gideon, who had been convicted in Florida of breaking and entering a poolroom and at his trial denied the right of a defending lawyer. Fortas carried the case through to a successful conclusion, establishing a new rule of law that defendants in state courts as well as Federal courts had a right to counsel.

The suspicious believe that in making Fortas an Associate Justice Mr. Johnson had looked down the road to the time when he would elevate him to Chief Justice. In 1965 he had three more years to go in the Presidency and he could in the normal course of events anticipate re-election to another full four-year term.

The storm broke when Earl Warren decided a year ago to retire, and Mr. Johnson named Fortas in his place. The nomination was twinned with that of Homer Thornberry, a Circuit Court of Appeals judge and another longtime Johnson crony, to fill the Associate Justiceship made vacant by the Fortas elevation.

Determined opposition soon developed, led by Sen. Robert P. Griffin (R-Mich.). At the outset this seemed to be based on Fortas' record as a liberal. Facts soon developed, however, notably the $15,000 American University lecture fee and what appeared to be Justice Fortas' intervention in behalf of Mr. Johnson in a phase of the Vietnam controversy, that cooled his Senate backers. With confirmation blocked, Fortas asked that his name be withdrawn. If the damage of the Affaire Fortas could have been any greater to the court and to public policy, it would have been if the disclosure of the Wolfson Foundation $20,000 had come after he had taken the foremost place on the bench.

In 1967 another Johnson intrigue brought a dramatic "first" on the court. Mr. Johnson named Ramsey Clark, the son of Associate Justice Tom Clark, a longtime Texan ally of the President, to be attorney general. It would have been anomalous for a son to plead a case before his father, and Justice Clark retired. Thereupon, Mr. Johnson nominated Thurgood Marshall to be the first Negro on the court. Marshall had a distinguished legal record, with six years as a Circuit Court of Appeals judge.

In the machinations leading to Fortas' resignation, the hand of Attorney General John N. Mitchell was evident in a now-you-see-it, now-you-don't fashion. This was unfortunate, to say the least, because the removal of Fortas by the constitutional process was clearly in sight. Mitchell, President Nixon's law partner and his campaign manager last year, has been mentioned as a replacement for Warren. That would seem today to be ruled out. No matter how high the qualifications, cronyism, as the Fortas case illustrates, is no criterion for the Federal judiciary.

[From the Washington (D.C.) Post, May 8, 1969]

IMPORTANCE FORTAS CASE BEARS ON NEW COURT APPOINTEES

(By Joseph Kraft)

The painful case of Justice Abe Fortas is important chiefly because of its bearing on future appointments to the Supreme Court. For now more than ever the moral authority of the Court is in question and requires enhancement.

But the qualities that can redeem the Court are qualities rare and fine—qualities that are, in the true and little-used sense of the word, religious. And these unworldly qualities do not find conspicuous expression in any of the men long close to the President who are now widely touted for appointment as Justices.

Behind the present low estate of the Supreme Court there are manifold reasons that go well beyond anything Justice Fortas has done or not done. Most important of all there was for two decades, at the Federal, state and local levels and in both the executive and legislative branches, a stalemate on fundamental social and political questions.

Given that enormous backlog of inaction, it fell to the Supreme Court to break longstanding deadlocks on such highly inflamed issues as racial segregation, legislative apportionment and criminal justice. In all of these difficult matters, the Court came down basically on the right side. It is very hard to imagine—indeed for me it is impossible—how any group of educated men could have endorsed manifest inequities for Negroes, urban voters and prisoners.

Decisions on these vexed questions of public policy inevitably aroused hostility to the Court among certain groups—notably Southerners, rural politicos, and law enforcement officials. Moreover, if these enemies were made by the matter thrust upon the Court, still other enemies were made by the manner in which the Court did its business.

For the fact is that during recent years, opinions often seemed to flow more from the social and political preferences of the justices than from the impersonal authority of precedent and the Constitution. In one reapportionment case, for example, Justice William Douglas wrote that: "The conception of political equality from the Declaration of Independence to Lincoln's Gettysburg Address, to the Fifteenth, Seventeenth and Nineteenth amendments can mean only one thing—one person, one vote."

Such indiscriminate assertions of sentiment, not to say whim, offended many thoughtful persons normally sympathetic to the Court. Particularly in the law schools the Court's lack of judicial restraint has made it an object of feelings verging on intellectual contempt.

Comes now, on top of all this, the revelations of financial dealings between Justice Fortas and a foundation set up by the stock market operator, Louis Wolfson. It is a seedy business that can only damage the Court—the more so as Justice Fortas was nominated by President Johnson to be Chief Justice and ardently backed by many people pleased to consider themselves apostles of the Court.

Already the know-nothings are seizing the occasion to launch murderous attacks on the Court, and the principle of judicial supremacy. Defending the Court against these attacks is now a central responsibility. And it is against that background that the President must select replacements for Chief Justice Warren, who has resigned as of this summer, and other Justices sure to step down in the near future.

The requirement in these circumstances plainly goes beyond mere honesty. Many of the worst of the know-nothings—for instance Senator Strom Thurmond of South Carolina—would pass that test.

The requirement is for persons of noble character, high-minded and philosophic, with feelings of reverence for the role of the Supreme Court, and a deep sensitivity to the best qualities in our national life. That standard can hardly be said to be met by the worldly business and political lawyers long associated with the President and now widely noised about as possible appointments—Attorney General John Mitchell, Secretary of State William Rogers, former Governor Thomas Dewey, former Attorney General Herbert Brownell or the former President of the American Bar Association, Charles Rhyne.

The President can best help the Court, and add luster to his own record, by going outside the worlds of politics and business. His best bet is to look to the bench and such judges as John Brown, Carl McGowan and Henry Friendly; or to the universities and such professors as Paul Freund of Harvard or Phil Neal of Chicago.

[From the Washington (D.C.) Star, May 9, 1969]

CLOSE SCRUTINY OF NEXT CHIEF JUSTICE LIKELY

(By Clayton Fritchey)

Confirmation of Presidential appointees is peculiar to the United States, but the framers of the Constitution knew what they were about, for the country has often profited from this unique provision. The latest proof is that Abe Fortas would have become the Chief Justice of the United States if the Senate had not rejected his nomination.

It is unfortunate that the Senate resorted to a filibuster rather than a vote in turning him down, but in the final analysis it was the testimony developed during the confirmation hearings that really blocked the appointment. Then, as now, the Senate was seriously disturbed by evidence that Fortas had accepted money under questionable circumstances after joining the court.

What also strongly militated against him, however, was his unusual closeness to President Johnson and the Democratic administration. Some of the Republican senators who initiated the fight against Fortas because of this relationship were criticized at first, but they had a point, and it's a point that President Nixon would do well to keep in mind when he soon appoints the successor to Chief Justice Earl Warren.

After the Fortas experience, Nixon can be sure the Senate will scrutinize the next nominee under a microscope. If the President wishes to save himself the same kind of embarrassment that Lyndon Johnson suffered over Fortas, he will be well advised to choose a man who is not politically vulnerable.

At this point there are thought to be about 10 men still in the running for the Chief Justiceship, and not all of them would inspire an enthusiastic reaction in the Senate. This is particularly true of one of the most prominent possibilities, former Attorney General Herbert Brownell.

The wiser politicians learn to let bygones be bygones but there are many Democratic senators who will never be able to forget that Brownell set some kind of a record for

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partisanship when, as attorney general under Eisenhower, he accused Harry Truman of having knowingly appointed a Russian spy to a high government post. It was perhaps the most serious charge ever made against a former president.

Nixon has always admired Brownell (he wanted him for his campaign manager last year), but this view is not shared by leaders of the Democratic party who think of Truman as the man who stopped Stalin by forging the Atlantic Alliance and NATO, by defending Greece and Turkey, by going to war in Korea.

To the staunch friends of the ex-president, the insinuation that he was soft on communism still seems almost like blasphemy. Brownell is a clever, even brilliant lawyer and politician, but he has always been intensely partisan. He managed Thomas Dewey's presidential campaign in 1948 and four year later he was in the thick of Eisenhower's successful campaign.

The immense success of Earl Warren in unifying the Supreme Court for the last 16 years should indicate to Nixon how important the nonpartisan spirit is on the court. As the governor of California, Warren was so above narrow partisanship that he was elected by winning the Democratic as well as the Republican primary. It was this serene and generous spirit that enabled him to achieve a unanimous court on historic decisions like desegregation.

None of the chief justices appointed in this century have been abrasive. Warren was preceded by the expansive William Howard Taft, the courtly Charles Evans Hughes, the lofty Harlan Stone, and the amiable Fred Vinson, all were esteemed by both the public and the other members of the court regardless of party.

Nixon seems to have been personally looking over the prospects for the Warren vacancy. He invited seven of them to the recent White House dinner for the chief justice. Besides Brownell, the guest list includes Dewey, Secretary of State Rogers, Attorney General Mitchell, Solicitor General Griswold, Warren Burger of the U.S. Court of Appeals, and Charles Rhyne, former president of the American Bar.

[From the New York Times, May 16, 1969]

MR. FORTAS RESIGNS

The decision of Justice Fortas to resign from the Supreme Court was in the best interests of the court, the country and Mr. Fortas himself. By departing voluntarily, he has bowed to the iron rule that a judge must be beyond suspicion and he has thus helped preserve the reputation for integrity of the nation's highest court, which his own actions had so severely shaken.

In his letter of resignation to Chief Justice Warren, Mr. Fortas provides a more comprehensive explanation of his involvement with Louis Wolfson, a convicted financier. On the basis of the facts as he states them, it is difficult to understand why Mr. Fortas did not perceive a serious impropriety from the very outset in establishing a contractual relationship with the Wolfson Foundation. Since a judge cannot foresee who may come before him as a litigant, he must keep himself unencumbered as far as humanly possible of all outside entanglements. Moreover, as the canons of the American Bar Association make clear, a judge not only has to be innocent of any wrongdoing but he also has to be above reproach. This is a severe standard, but public confidence in an independent judiciary permits nothing less. It is a cause for sadness that Justice Fortas, in many ways so brilliant and perceptive, did not understand this simple truth until it was lit up by the glare of public controversy.

In the aftermath of the Fortas affair, every branch of government has occasion for introspection. President Nixon has to exercise the greatest care in making his appointments to succeed Mr. Fortas and the retiring Chief Justice. He has to choose persons whose capacities and character command immediate respect. Judges at every level of the judiciary have to consider anew whether their own conduct conforms to the highest standards and what fresh measures, if any, are necessary to clarify and enforce those standards. Members of Congress have an obligation to examine the beam in their own eye and cease living by a double standard when it comes to improper financial connections and dubious business or personal associations.

[From the Lansing (Mich.) State Journal, May 7, 1969]

JUDGES SHOULD STOP OFF-BENCH FEE JOBS

The newest uproar over off-the-bench activities of U.S. Supreme Court Justice Abe Fortas has set off another round of political battles in Congress with some demanding his resignation and others calling for legislation requiring justices to make public all sources of outside income.

We believe the more pertinent question is why justices of the U.S. Supreme Court should be permitted under any circumstances to accept outside fees for work even remotely related to the legal field—keeping in mind that their annual salaries are now $60,000.

U.S. Sen. John J. Williams, R-Del., seemed to be among the few who hit the nail squarely when he said Tuesday: "There is no excuse for the members of the Supreme Court to accept these outside legal fees on the basis of financial need, and most certainly their acceptance violates the moral standard of ethics that we expect from men holding these high positions."

Justice Fortas has been accused of accepting and later returning a $20,000 sum for research work with a foundation which was in trouble with the U.S. Securities and Exchange Commission and whose chief officer was later convicted of violating federal securities laws.

There is no evidence that the research and writing work requested of Fortas had anything to do with the federal case and Fortas stated that he returned the money after deciding he had no time to carry out the work.

Whether or not this was a violation of judicial ethics is a matter which undoubtedly will be fought out on the political fields of battle.

The Canons of Judicial Ethics of the American Bar Association state that: "A judge should not accept inconsistent duties; nor incur obligations, pecuniary or otherwise, which will in any way interfere or appear to interfere with his devotion to the expeditious and proper administration of his official function."

The canon, however, does not have the force of law. It does not specifically prohibit the acceptance of fees for outside work.

We agree with Sen. Williams and can see no reason why supreme court justices should be permitted to earn outside income for law services while members of the highest judicial body of this nation.

The salary of $60,000 which went into effect this year is not exactly what could be called low income bracket. Nor was the previous salary level of $39,500 in the chicken feed category.

Secondly, and more important, is the fact that the U.S. Supreme Court is the final and "supreme" judicial body of the nation which has the last word on interpretation of law.

Any activity of a justice outside of the court which involves the acceptance of a fee raises a potential conflict of interest no matter how well intentioned the out-of-court work might be.

[From the Philadelphia (Pa.) Inquirer, May 16, 1969]

RESIGNATION UNDER FIRE

From every angle the drama of the Abe Fortas case is tragedy. Tragedy for a member of the highest court in the nation, whose greed for money has led inevitably to his resignation; tragedy for a public shocked by the conduct of a Supreme Court Justice who was apparently so insensitive to the proprieties that he would accept the advantages of high office without meeting the standards that should go with it.

There are no laws covering every phase of judicial ethics. The Constitution enjoins "good behavior" by Federal judges and provides for Congressional impeachment for "treason, bribery or other high crimes or misdemeanors." In addition, there are the "Canons of Judicial Ethics" prepared in 1922 by the American Bar Association, which begin with a citation from Deuteronomy: "Thou shalt not take a gift, for a gift doth blind the eyes of the wise and pervert the words of the righteous."

Perhaps Justice Fortas never got around to reading this injunction, or else believed that it was not applicable to him when he accepted, and returned 11 months later, a $20,000 fee from the Wolfson family foundation. Wolfson, a former Fortas law firm client, is now serving a prison sentence for violating Federal securities laws. The fee was given Justice Fortas while Wolfson's activities were under government investigation and returned after the financier was indicted.

Instead of coming forward with a record of his full dealings with Wolfson after exposure of the $20,000 fee, Fortas compounded his difficulties by declaring that since becoming Justice he had not accepted any fee or emolument from Wolfson or the Wolfson family foundation; that a fee had been "tendered" to him, to do studies and writings, and that he had returned it with thanks.

Then the roof fell in. While pressure for his resignation or impeachment was mounting; while he refused an invitation to appear before a Senate committee to explain his actions, it was disclosed, and later acknowledged by Fortas, that an agreement was made for him to receive $20,000 a year for life from the Wolfson foundation and, further, that in the event of his death, his wife, member of his former law firm, would continue to receive the annual payments.

There was nothing left for him to do but resign, and leave behind him grim questions as to how far a man's greed can drive him. Abe Fortas and his wife, who have no children, are not precisely in want. As Supreme Court Justice, his salary is $60,000 a year. His wife, tax lawyer, receives an annual stipend said to be in six figures.

Although the spotlight of national attention has been thrown upon Fortas and his problems, he is not the only member of the high court who has been reaching zealously for money on the side. There is that aging Romeo, Justice William O. Douglas, now up to his fourth wife, who receives $12,000 a year as president of the Albert Parvin Foundation. Mr. Parvin had large Las Vegas casino interests.

The distinction between the dubious propriety of Fortas' acceptance of fees while serving as Justice of the Supreme Court, and that of Justice Douglas and his outside pocket-money would appear to many an exceedingly thin one.

Rigid guidelines on judicial conduct, and disclosure of income, are obviously needed. Meanwhile it is not only the President who accepts Justice Fortas' resignation, but the American public—instantly and with relief.

[From the Indianapolis (Ind.) Star, May 16, 1969]

FOR SEASONED JUDGMENT

The letter of Abe Fortas to Chief Justice Earl Warren, informing him of Fortas' intention to resign from the court, confirms the comment we made early in the uproar over his acceptance of an outside fee.

It turns out, by the way, that the fee was to be the first installment of an annual lifetime retainer, for services to the family foundation of a man later convicted of violation of securities laws.

Fortas explained to Chief Justice Warren that he concluded the agreement for this arrangement shortly after he joined the Supreme Court in 1965. He made two significant comments about it.

"Because of the nature of the work, there was no conflict between it and my judicial duties," he said. "It was then my opinion that the work of the court would leave me adequate time for the foundation assignments." He later changed his mind, first deciding he would not have time for it and cancelling the agreement, and still later deciding that the fee should be returned.

Thus, as we said, his error was the result of inexperience. His statements indicate how little he knew about the workings and responsibilities of the Supreme Court when he was appointed. Some sound experience on the bench in lower courts would in all likelihood have equipped him with the prudence to have rejected the foundation retainer at the outset.

His resignation has resolved the unfortunate situation as far as the immediate position of the court is concerned. We are glad he had the wisdom and courage to resign, under fire, despite his own conviction that he had done nothing wrong.

Now we fervently hope that President Nixon, in finding a replacement for Fortas and in other nominations to the court, will turn to the ranks of thoroughly experienced judges. The highest court of the land is not a place for judicial novices. Its responsibilities call for the seasoned wisdom in judgment which can be acquired only by substantial and distinguished service on the bench.

[From the Washington (D.C.) Daily News May 16, 1969]

FORTAS HAD TO GO

Abe Fortas had no real option on what he had to do—resign.

His conduct as associate justice of the Supreme Court was incredible. Even more incredible is his belief that he has done nothing wrong.

He long has had a reputation as a man of brilliant mind. Beginning as a poor boy, he had accumulated a fortune. He had been in public office many years in his earlier days. He had been an advisor to the President of the United States. If only by osmosis, you would think he would have sopped up some of the ethical standards of the American people.

Almost anyone in the country would understand the impropriety of a Supreme Court Justice accepting a lifetime annual fee of $20,000 from any outside source—let alone a foundation set up by a high-flying stock manipulator heading for trouble with the law.

But not, apparenty, Justice Fortas.

Mr. Fortas got the first $20,000 check in January, 1966, three months after he went on the bench. He resigned his role with the Wolfson Family Foundation after criminal prosecution of Louis E. Wolfson (a former Fortas client) had been recommended to the Justice Department.

But he did not return the $20,000 to the foundation until several weeks after Wolfson had been indicted.

If Mr. Fortas ever read Canon 4 of the Canons of Judicial Ethics he apparently did not understand it:

"A judge's conduct," the canon reads, "should be free from impropriety and the appearance of impropriety; he should avoid infractions of the law; and his personal behavior, not only upon the bench and in the performance of official duties, but also in his everyday life, should be beyond reproach."

Mr. Fortas' behavior has dealt a severe blow to the prestige of the Supreme Court. The seriousness of this is not mitigated by the knowledge that Justice Douglas several years ago was revealed as accepting a $12,000 annual salary as director of a California foundation. That situation never has been resolved, not publicly anyway.

There was a proposal in Congress to start a preliminary inquiry into the Fortas case next week. Some Congressmen now say this isn't necessary, that the case is "closed." But what about Justice Douglas? And whether or not the whole Fortas story has been revealed? What additional information does the Justice Department have?

Congress at least ought to inform itself—and the public—on every last aspect of links between the court and outside interests; as a preparation for Senate review of future Supreme Court appointees, if nothing else.

And, speaking of future appointments, as a result of Mr. Fortas' imprudence the successors to him and to Chief Justice Warren after he retires next month are bound to be subjected to meticulous scrutiny by the Senate Judiciary Committee—as was Mr. Fortas when President Johnson tried to make him chief justice last year.

So it behooves President Nixon, in choosing his candidates, to select men of the highest judicial caliber. Among other things, it is paramount that they have the most circumspect understanding of Canon 4.

[From the Washington (D.C.) Post, May 20, 1969]

FORTAS CASE DEMONSTRATED A CORRUPT STRAIN IN LIBERALISM

(By David S. Broder)

In his letter of resignation from the Supreme Court, Associate Justice Abe Fortas defended his fee from the Wolfson Family Foundation—whose head, a former law client, had continued to consult with the Justice on his legal problems with the Government—with these words:

". . . Its program—the improvement of community relations and the promotion of racial and religious cooperation—concerned matters to which I had been devoting much time and attention. . . . Because of the nature of the work, there was no conflict between it and my judicial duties."

Official Washington was shocked by the Fortas case, but it should not have been. It has been a long time coming—more than 30 years—but, tragically, it was in many ways the logical culmination of New Deal liberalism.

Two years ago, John Kenneth Galbraith wrote in his book "The New Industrial State" that "only the innocent reformer and the obtuse conservative" can be unaware of the ways in which "the interests or needs of the industrial system are advanced with subtlety and power. Since they are made to seem coordinate with the purposes of society, Government action serving the needs of the industrial system has a strong aspect of social purpose. And . . . the line between the industrial system and the state becomes increasingly artificial and indistinct."

All the Fortas case really shows is that Galbraith's dictum applies to the Supreme Court as well as the other branches of the Government. The evolution has been plain.

The New Deal, which brought Fortas and his friend, Lyndon B. Johnson, to Washington, was a merger of two elements, an old-fashioned political liberalism committed to civil liberties and (later) to civil rights and a new economic liberalism based on the use of governmental power to expand and redistribute the national wealth.

The economic program, which was dominant, was originally directed to the relief of the Depression problems of unemployment and poverty. Though many of its pump-priming efforts failed, the New Deal reaped the economic benefits of World War II and liberalism emerged in the postwar period as a sponsor of a variety of public programs—military and civilian, foreign and domestic—that kept the industrial system prosperous.

Like many others of his generation, Abe Fortas made the transition from public servant in that early war on poverty (he was general counsel of the Public Works Administration at 29) to private practitioner handling legal problems for the industries that profited from the Government-induced prosperity.

As Max Frankel of the New York Times said, Fortas pioneered in the pattern of "brokerage between the rich and the mighty, for both noble and profitable causes." He was, for many years, both a skilled advocate for his private clients and a cherished counselor to Lyndon Johnson, who shared his view of the compatibility of liberal politics and private profits.

In their world, there was no sharp line between private and public interests. As a lawyer and as a Justice, Fortas was also a White House insider. And the presidential assistants with whom he worked knew they could join the Fortas firm, or others like it, at handsome salaries when their White House duties were finished.

To those who said the system was suspect, the reply was always that it served the cause of liberalism, of freedom and of social justice. Just as the profits of Fortas' private law practice allowed him to serve as indigents' counsel in landmark civil rights and civil liberties cases, so the profits of the war-inflated, Government-subsidized economy permitted Democratic Presidents from Truman through Johnson to pay for the education and welfare programs they passed.

The operating principle of the liberal program from the New Deal through the Great Society was the purchase of public programs through the guarantee of industrial prosperity. It seemed a perfect marriage—but the blurring of public and private interests at its root was essentially corrupt.

That Fortas' particular involvement was with a businessman indicted and later convicted of stock fraud may be regarded as accidental. But the intimate interweaving of private and public interests symbolized by his dealings with Wolfson is all too typical of the political tradition from which we came.

The New Left campus radicals who are trying to destroy the institutions of liberalism have long contended that liberalism's achievements in the social welfare-civil rights area are simply window-dressing or accidental byproducts of what is essentially a corporate-governmental mechanism for providing profits and protection to the privileged.

By confirming the radicals' view of the system, particularly at this moment, Fortas has compounded a personal tragedy into something of a national calamity.

[From the Richmond Times-Dispatch, May 16, 1969]

MR. FORTAS RESIGNS

The resignation of a Supreme Court Justice—although unprecedented in the tribunal's 180-year history—was almost essential in the case of Abe Fortas. Since Mr. Fortas apparently was unable to dispute or satisfactorily answer the serious charges against him, his resignation was the only means short of impeachment to remove the embarrassing shadow of suspicion which has damaged the high court's prestige.

Although Mr. Fortas still insists that he has done no wrong, many are viewing his resignation under fire as a confession of guilt. In a sense, perhaps it is. And yet, that should not mean that the entire matter is forgotten. For the case has raised a number of important issues and questions which remain to be resolved.

Unfortunately, indiscretions of the kind committed by Mr. Fortas have become all

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too common. The only good that can possibly come out of his personal tragedy is to prevent future cases of this kind.

Mr. Fortas' colleague and former teacher, Associate Justice William O. Douglas, has been receiving $12,000 a year from a tax-exempt foundation linked to Las Vegas gambling interests.

Two-thirds of the 435 members of the House of Representatives, complying with a weak law requiring the partial disclosure of their financial interests, revealed last week that they have substantial outside incomes—some of which could compromise their public duty.

Time magazine recently noted that "it is hard to find an ex-aide of Lyndon Johnson's who has not gone to a firm that solicits work from the government, and there is a long list of men who have served on regulatory agencies and later represented clients before those very same agencies."

The foregoing suggests the need for a law requiring full disclosure of outside assets and income and a stricter code of ethics—particularly for members of the judiciary, from whom we have the right to expect the highest possible standards.

It is impossible to devise statutes that will guarantee honesty or thoroughly protect public servants from temptation, but a great deal can be done to improve existing legislation.

LEGISLATION BY THE SUPREME COURT

Mr. ERVIN. Mr. President, during the past 2 years the Subcommittee on Separation of Powers has been devoting a considerable amount of its attention to the Supreme Court. The subcommittee has been trying to make an evaluation of the "activism" displayed by the Court in the past 15 years and to assess the consequences to our constitutional system of the new role the Court has been playing.

Last year the subcommittee conducted a series of seminars at which leading members of the academic world in the fields of law, government, and history discussed the Supreme Court. In recent months these hearings have circulated among professors, lawyers, and judges, and the subcommittee has begun to receive the benefit of additional observations and assessments of the Court from a wide range of opinion.

One of the topics to which the subcommittee has paid particular attention has been the question of what nonjudicial activities judges and courts may properly engage in and yet not conflict with their prime responsibility of doing justice in deciding cases. Extrajudicial behavior includes a wide variety of activities, including speechmaking, press conferences, appointments to governmental commissions, and the exercise of rulemaking or legislative powers by the Supreme Court, to mention only a few.

While it may come as some surprise that the Supreme Court has legislative powers, the fact is that Congress gave it rulemaking authority over 30 years ago. Under this authority, the Court can announce rules of procedure governing the conduct of civil and criminal trials throughout the Federal courts. Unless vetoed by Congress within 90 days of submission, these rules have the force of law. As every lawyer knows, rules of procedure have a tremendous effect on the rights of parties and on the course of justice itself. The immense scope of this authority can readily be seen when one realizes that most of the controversial decisions in the field of criminal law handed down in the past decade have to do with procedural rules and conceivably could have been established by the Supreme Court under the rulemaking authority Congress delegated to it three decades ago.

There is much confusion and misunderstanding about the relationship between legislation and rules announced by courts in case decisions. For instance, there is a popular notion that the Supreme Court should act whenever Congress is too slow or too recalcitrant or of a different mind as to the solution to a particular problem. Those who hold this view are intoxicated by the quick, simple way in which the Court can decree the desired results. Recourse to the Court avoids the slow, frustrating effort necessary to analyze the problem, devise precise solutions, galvanize opinion, convince skeptics, meet objections, and form a political majority to get the job done. Benevolent dictatorships also have these same advantages over democratic systems.

This view is, in my opinion, evidence of an unfortunate lack of faith in democratic processes whenever those processes do not quickly result in the desired ends. It is a tragic irony indeed that those who seek changes in the name of expanding the rights and fruits of democracy turn to the nondemocratic branch of Government—the Supreme Court—to achieve their purposes.

Those who profess to believe in democracy but who are impatient with its requirements think that the judicial process and the legislative process are completely interchangeable. However, in this they make a fundamental error. The legislative and judicial processes are not interchangeable. And as Judge Warren E. Burger of the Court of Appeals of Washington, D.C., said recently in a speech to the Ohio Judicial Conference, "The Supreme Court helped make the problems we now have because it did not 'go by the book,' " but instead preferred to "legislate" by case decision instead of by the slower but more certain "orderly process of statutory rulemaking."

Mr. President, Judge Burger's speech is an excellent analysis of the disadvantages of making sudden and drastic changes in the law by the piecemeal, ad hoc process of case-by-case decisions as the Supreme Court has done. I ask unanimous consent that his speech, given to the Ohio Judicial Conference in Columbus, Ohio, September 4, 1968, be printed in full at the conclusion of my remarks.

In his address Judge Burger points out that the revolution in criminal law in the past dozen years follows a period of stability of over 150 years. While a number of important reforms have come from Congress—for example, the Criminal Justice Act of 1964, and the Bail Reform Act of 1966—most of the changes in recent years have come from the Supreme Court. He argues, as have many, that the Court is not the appropriate source for drastic, "legislative" changes in the law—an observation fully in accord with the Constitution, which in article I, grants "all" legislative powers to Congress.

The courts do not have either the time or the facilities for gathering data on complex issues of criminal procedure. They cannot write new and comprehensive rules on the basis of one or two cases and a few legal articles, in the context of the emotionally charged issues which come before them. Those issues have not been processed and digested by the clash of opinions and analysis which are part of the slow process of legislation in Congress. As Judge Burger observes, the legislative process gives time for a consensus to grow as issues are clarified and discussed. This avoids the shock and surprise, "the bitterness and confusion" that we experience on Tuesdays when we open our morning paper and read of the latest decrees that the Court has handed down.

Of particular concern to Judge Burger is the fact that the Supreme Court's new doctrines of criminal law—and I may add, its decisions on social, economic, and political issues, as well—have been couched in constitutional doctrines. In this way the Court's views of what is best for society are imposed on the States as well as the Federal Government, and are locked in, immune from legislation by Congress and State legislatures. This means that the Court's decisions cannot be changed or modified even if experience shows, as it has already, that change is necessary.

The only way, save by constitutional amendment, that Court "legislation" in criminal law, and in economic, social, and political fields can be changed, is by the appointment of new members who reverse the ill-advised decisions of their predecessors. The country urgently needs Supreme Court Justices who are disciplined in the tradition of the limited role of courts, and who have the judicial temperament to set aside their personal views and interpret the Constitution according to its clear terms. We may hope that future members of the Court will return that institution to its proper place in our constitutional system. But even in that event he still will have paid a heavy price. When precedents are overturned almost wholesale—as the current Court has done—then constitutional law becomes a thing of changing whim, subject to the views of passing Court majorities. In Judge Burger's words, "Constitutional doctrine will rise and fall like governments under the Fourth Republic of France."

Judge Burger calls for a return by the Court to the use of its rulemaking procedures, and the participation of judges, lawyers, and others in the formulation of rules of criminal procedures. As he says, the Department of Justice, State prosecutors, defense lawyer groups, bar associations, and law professors—not to mention the ordinary law-abiding citizen—should get their "day in court" before drastic changes are made in the law.

Extensive use by the Supreme Court of its statutory rulemaking powers will itself raise serious separation-of-powers issues. The line between judicially created rules and legislation by Congress

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is not easy to draw. But if the Court used its formal legislative powers, the results would most likely be preferable to the situation the country now finds itself in.

I commend Judge Burger's remarks to all those who are disturbed at the Court's doctrine of legislating in the guise of deciding constitutional cases.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

RULEMAKING BY JUDICIAL DECISION: A CRITICAL REVIEW

(By Judge Warren E. Burger, Washington, D.C.)*

The State of Ohio has taken a significant step forward in vesting rule-making power in its judiciary in "partnership" with the Legislature. As our society has become more complex it has spawned an array of new problems and that should not surprise us. History teaches us that progress always reveals new needs to be met and that is how Man worked his way out of the swamps and the jungles and the forests.

This complexity of our society has manifested itself in a very marked way in terms of improvements in law and in judicial administration. In an earlier day legislators had more time it seems, to adjust the machinery of government, including the machinery of the courts, to meet new problems. It is clear that in the Twentieth Century legislative bodies have not found the time to respond to all the needs which are served by judges.

You now have the initiative of important rule-making power, and at the threshold it may be useful to dwell for a short time on the strengths, the weaknesses and the pitfalls which can attend the exercise or failure to exercise this power.

SOME HISTORY

I will direct myself to some history which, in terms of the law, is recent—the events of the use and non-use of rule-making power in the Federal system over the past 30 years with particular emphasis on the past dozen years as it relates to rules of criminal procedure.

You know this history as you know the creed of your church, but it bears repeating for the same reason people remind themselves of their moral guides every Sunday in church.

I believe the points I will make concerning use of rulemaking power are shared by a growing number of judges, lawyers and, I am glad to say, by an increasing number in the academic community. Too many law professors for a long time gave uncritical applause to anything and everything they could identify as an expansion of individual "rights," even when that expansion was at the expense of the rights of other human beings—the innocent citizens—presumably protected by the same Constitution. I see signs of a constructively critical attitude by law teachers toward some of the judicial techniques employed in recent years to make reforms in criminal law procedure and rules of evidence.

As we look back we can see that for about the first 150 years of our history the criminal law and its procedures remained fairly simple and quite stable. For 25 to 30 years after that there was a considerable ferment in criminal procedure and the rules of evidence, and in the last 10 years, more or less, we have witnessed what many scholars describe as a "revolution in criminal law." Today we have the most complicated system of criminal justice and the most difficult system to administer of any country in the world. To a large extent this is a result of judicial decisions which in effect made drastic revisions of the code of criminal procedure and evidence and to a substantial extent imposed these new procedures on the states.

This was indeed a revolution and some of these changes made were long overdue. All lawyers take pride, for example, in a case like *Gideon* v. *Wainwright*, which guarantees a lawyer to every person charged with a serious offense. The holdings of the Supreme Court on right to counsel, on trial by jury instead of trial by press, and on coerced confession will always stand out as landmarks on basic rights. These were appropriate subjects for definitive constitutional holdings rather than for rulemaking procedure to which I now turn. (In fairness, it must be said that some states had achieved these improvements long before the Supreme Court did so.)

AD HOC OR "BY THE BOOK?"

My central point tonight is, that as we look back, it seems clear now that the Supreme Court should have used the mechanism provided by Congress for making rules of criminal procedure rather than changing the criminal procedure and rules of evidence on a case-by-case basis.

If a large undertaking like framing rules of procedure is performed on an *ad hoc* basis, we may be right some of the time, but if we do it "by the book," we are likely to do it correctly all of the time. Surely it is arguable that the basic concepts of orderly procedure must apply to the enormously complex task of rewriting a code of criminal procedure. Over these past dozen years, however, the Supreme Court has been revising the code of criminal procedure and evidence "piecemeal" on a case-by-case basis, on inadequate records and incomplete factual data rather than by the orderly process of statutory rulemaking.

I suggest to you that a large measure of responsibility for some of the bitterness in American life today over the administration of criminal justice can fairly be laid to the method which the Supreme Court elected to use for this comprehensive—this enormous—task. My thesis assumes the correctness of the objectives the Court sought to reach in all of these controversial holdings. To put this in simple terms, the Supreme Court helped make the problems we now have because it did not "go by the book" and use the tested, although admittedly slow, process of rulemaking through use of the Advisory Committee mechanism provided by Congress 30 years ago.

JUDGES AND COURTS NOT "IMMUNE"

If anyone should think it unseemly that a judge should undertake to analyze and comment on the actions of the highest court, let me suggest that no court and no judge should be immune from examination of its functioning. Moreover, the need for such study is in direct proportion to the degree of reviewability of the particular court. A court which is final and unreviewable needs more careful scrutiny than any other. Unreviewable power is the most likely to indulge itself and the least likely to engage in dispassionate self-analysis. Presidents, governors and legislators, like most state judges, can be recalled by the people for good reasons—or none, but judges of Federal constitutional courts cannot be recalled.

Chief Justice Warren, and more recently Chief Justice-designate Fortas, have reaffirmed the value of constructive criticism of the courts and of judical action. Of course, this is as it should be. In a country like ours, no public institution, or the people who operate it, can be above public debate. The important thing is that public discussion of the courts be constructive, objective and calm and not emotional or bitter or personal.

I question tonight not the court or the last decade's holdings of the court but its methodology and the loose ends, confusion and bitterness that methodology has left in its wake. There is no legitimate place in American life for some of the acrimonious, irrational criticism of the Supreme Court and it ought to stop.

THE BASIC FUNCTION OF JUDGES

The basic function of judges is to decide cases and resolve controversies. In performing that function, a court of last resort must, as we all know, construe and interpret constitutions, statutes, rules, contracts, wills and trusts and in so doing it will frequently "make" law. This is inherent in the evolution of common law. But traditionally the making of codes of procedure or evidence, or rulemaking, is essentially a legislative function and this, as many noted legal scholars have pointed out, is because courts do not have the fact-gathering machinery or indeed the time needed for this difficult task; it is not because of a lack of competence. No one could seriously challenge the competence of nine justices of the Supreme Court to draft a code of criminal procedure, provided they could take the time and have the staff facilities necessary.

Facts and information are the raw materials of the law whether in deciding a particular case or in framing rules of procedure; nowhere is this more crucial than in the development of procedures. Rarely can one case or even a dozen cases, and no one text or authority nor even a dozen writers, supply an adequate factual foundation for building a structure of rules of procedure. Indeed, raw information and raw facts alone are not enough, for all raw material is useless, and can even be misleading, until it is processed. We have techniques in rulemaking for this processing which are tried and tested. They are based on the adversary system itself, drawing on centuries of experience which taught us to defer conclusions until we had allowed the clash of opposing points of view and the competition of ideas to supply a base or predicate for acting and drafting.

NEED FOR ORDERLY RULEMAKING

It was, as I suggested, more than 30 years ago that the legal profession, the courts and Congress recognized the need for an orderly rule-making procedure for the Federal system. Federal judges, and particularly the Supreme Court, acknowledged that the press of their own daily work and the narrowness of the records of particular cases before them were obstacles to sound rulemaking.

It was also recognized that a legislative body, even with a great number of lawyers in its membership, was not a satisfactory instrument for making detailed rules of civil or criminal procedure. From the premise that neither the courts nor Congress could perform this function alone, a rule-making procedure was established by law to enable the Supreme Court to prescribe rules by use of an Advisory Committee appointed by the Court. This advisory "legislative" body included lawyers, judges and law professors. It in turn was to carry on hearings, seminars and empirical studies and then submit the proposed rules to the Supreme Court. The Court after study was empowered to approve and adopt them. Under the statute they were then to be sent to Congress and, absent a modification within a stated period, they would become the law. This as we know was the process by which the Federal Rules of Civil Procedure were born. This is what you are now about to do.

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*Text of an address delivered by Judge Burger to the Ohio Judicial Conference in Columbus, Ohio, Sept. 4, 1968.

Judge Burger is a graduate of St. Paul College of Law (LL.B. magna cum laude, 1931); was awarded a Doctor of Laws degree in 1966 by Mitchell College of Law; was on the faculty of the Mitchell College of Law from 1931 to 1948; practiced law in Minnesota from 1935 to 1953; was assistant U.S. Attorney General from 1953 to 1956, and has been on the bench of the U.S. Court of Appeals, Washington D.C., since 1956.

The genius of this scheme was that it was a joint enterprise of the Judiciary and Congress and the legal profession as a whole. While there were some critics of the Federal Rules of Civil Procedure so produced, the method of their drafting, preparation and adoption brought about overwhelming acceptance among lawyers, judges, scholars and public. First, there was a broadly based and representative Advisory Committee selected by the Supreme Court and as an official body it had great stature. Second, the Committee consulted every organization which was entitled to be heard. Bar associations and law schools carried on extensive studies and seminars at the request of the Advisory Committee. By the time the rules were drafted, they represented the best thinking of thousands of lawyers, judges and scholars in every state and local bar. This technique came to be recognized as a remarkably effective means of codifying rules of procedure and has been copied by many states. It is one of the significant contributions of modern law. Once the Civil Rules were an accomplished fact, the Supreme Court, acting under this same statute, created an Advisory Committee for Criminal Rules. For three years this Committee of eminent and representative members of the profession, including many Federal judges, conducted studies, held hearings, consulted other groups, and prepared a tentative draft of the Federal Rules of Criminal Procedure. This was then circulated to thousands of lawyers and judges for criticism and comment. The Judicial Conferences of the eleven circuits and a great many bar associations held seminars to study and report their views on the proposed rules. The Advisory Committee then revised its tentative rules to take into account the suggestions received and circulated a second preliminary draft and the grinding processes of study, challenge, debate and criticism were repeated. By this stage, the Department of Justice, state prosecutors, defense lawyer groups and bar associations and law professors had all been given a "day in court."

After being examined and approved, these rules were adopted by the Supreme Court and sent to Congress, whose acquiescence made them law. That was 15 years ago.

"THE PAST DOZEN YEARS"

The sheer volume of holdings the past dozen years in what have been essentially changes in rules of criminal procedure and evidence has placed the Supreme Court directly in the business of creating on a case-by-case basis important new criminal rules which dwarf the Federal Rules of Criminal Procedure in impact even if not in volume. I suspect that a dozen years ago the Supreme Court did not anticipate the scope of its "revolution" in criminal procedure, for even in retrospect the starting point is not clear.

A substantial number of lawyers, judges and scholars believe that when the Supreme Court found itself traveling down the road of codifying detailed rights and procedures under the Bill of Rights perhaps that was a good time to pause. Such a pause was urged, not only by the Court's dissenters, but by responsible voices, including Judges Lumbard and Friendly of the Second Circuit, Justice Walter Schaefer of the Illinois Supreme Court, and Dean (now Solicitor General) Griswold, among others. I have said for five years or more what I say to you now. In such a pause the Court would have done well to ponder long and carefully whether it was time for the entire subject of criminal procedural rules to be submitted to a Supreme Court Advisory Committee so that this remarkably efficient process could be directed to a broad scale re-examination of all the problems which the Supreme Court was concerned with, including the elusive concepts and problems of eyewitness identification at police lineup procedures, to mention but one example on which judges generally have little or no first hand knowledge or experience.

A DANGEROUS, MISCHIEVOUS WEAKNESS

There is a dangerous and even mischievous weakness in making or revising sweeping general rules of procedure and evidence on a case-by-case basis. The axiom of lawyers that "hard cases make bad law," applies and by the very nature of the review jurisdiction of the Supreme Court the cases it decides to review are usually "hard" cases and not the ordinary or usual kind of case. The Court's limited time often requires that the "easy" cases be left to others. The state cases which come to the Court give them less choice, especially in a period of escalating constitutional concepts, but essentially the Supreme Court is its own "traffic manager."

These "hard" cases usually come to the Court on the narrow record of but one case which frequently presents emotionally appealing situations that confuse and blur the bedrock consequences of a broad holding. With deference, I suggest that these cases are not always briefed and argued by men qualified by experience to present a case of great magnitude and consequence. Indeed, members of the Court have been heard to complain about the inadequacy of presentation. When the presentation for the accused is inadequate the mechanism of a brief from a friend-of-the-court is used. The Supreme Court cannot impose a friend-of-the-court on the State as an Appellee and this is where the States have been weak.

In short, the narrow record of the particular caes, the appealing aspects of the "hard" case, and the presentation by inadequate briefs and arguments from lawyers who never before, and perhaps never again, will see the hallowed chambers of the Supreme Court, all combine to have a large issue decided without the careful, painstaking, deliberative processes of the Supreme Court's Advisory Committees which I have already described.

Justice White, dissenting in *United States v. Wade*, which established new rules for police lineups, said:

"The Court assumes a narrower evil as the basis for its rule—improper police suggestion which contributes to erroneous identifications. The Court apparently believes that improper police procedures are so widespread that a broad prophylactic rule must be laid down, requiring the presence of counsel at all pre-trial identifications, in order to detect recurring instances of police misconduct. I do not share this pervasive distrust of all official investigations. None of the materials the Court relies upon supports it. Certainly, I would bow to solid fact, but the Court quite obviously does not have before it any reliable, comprehensive survey of current police practices on which to base its new rule. Until it does, the Court should avoid excluding relevant evidence from state criminal trials."

Justice Black was even sharper with the five majority Justices; he said in his dissent:

"* * * *even if this Court has power to establish such a rule of evidence, I think the rule fashioned by the Court is unsound. The "tainted fruit" determination required by the Court involves more than considerable difficulty. I think it is practically impossible. How is a witness capable of probing the recesses of his mind to draw a sharp line between a courtroom identification due exclusively to an earlier lineup and a courtroom identification due to memory not based on the lineup?"*

The careful study processes of an Advisory Committee in rulemaking would have explored all these avenues, sifted out the facts, and worked out a reconciliation and accommodation of the differing points of view. More than that, such a Committee would refuse to act unless it had the "solid fact" basis Justice White and three other Justices referred to instead of the individual speculation of five Justices who may never have witnessed a lineup in a police station.

It is interesting to note that the briefs in the *Miranda case* filed by 29 States and the National District Attorneys' Association strongly urged the Supreme Court not to resolve great issues on a narrow record of a few cases without the broad study which characterized the development of the Federal Rules of Criminal Procedure.

The Supreme Court brushed this off, saying: "Where rights secured by the Constitution are involved, there can be no rulemaking or legislation which would abrogate them."

All of us would agree that the Supreme Court should not let Advisory Committees or Congress "abrogate" any part of the Constitution, but I respectfully point out that four members of the Court disagreed with the five and that for nearly 200 years the "constitutional rights" which emerged from some of these cases were not seen by anyone. I hasten to add that no Court should ever be precluded from recognizing a constitutional right previously overlooked, but the Supreme Court's historic reluctance to "reach" for constitutional issues might well have led to allowing the rule-making process to function first as it has so admirably in the past before resolving a constitutional point.

LEADERSHIP SHOULD COME FROM THE COURT

Leadership in improving the administration of justice should, of course, come from the Supreme Court and under the statutory procedure it is not bound by what the Advisory Committee finally submits any more than it gives advance constitutional approval by adopting a set of rules. But for the life of me, I cannot see why the Supreme Court should assume this enormous task single-handed and ignore the thousands of lawyers, judges and professors and such helpful groups as the ALI and others.

Members of the Supreme Court have been known to express regret and even annoyance from time to time at the lack of support for the Court's holdings from the legal profession and the Judiciary. But that should not be surprising when valid arguments have been responsibly advanced by four Justices in dissent urging the Court to go slowly and seek more reliable empirical data on the issue at hand and this is met by a lofty comment that on constitutional doctrine the Court "does not conduct a poll." With four Justices and a large segment of the legal profession protesting that no constitutional doctrine is involved in the particular case, the five should not expect that their arch comment about polls disposes of the matter. A possible explanation for widespread lack of support for some of the Court's holdings lies in the homely reality that the legal profession would like to be in on the takeoff—perhaps via the statutory rule-making process—if they are to be of help in explaining landing which shake up the passengers.

You will recall that in *United States v. Wade*, Justice Black, speaking in dissent, said somewhat acidly:

"I have never been able to subscribe to the dogma that the Due Process Clause empowers this Court to declare any law, including a rule of evidence, unconstitutional which it believes is contrary to tradition, decency, fundamental justice, or any of the other wide-meaning words used by judges to claim power under the Due Process Clause. * * * *I have an abiding idea that if the Framers had wanted to let judges write the Constitution on any such day-to-day beliefs of theirs, they would have said so instead of so carefully defining their grants and prohibitions in a written constitution. With no more authority than the Due Process Clause I am wholly unwilling to tell the state or federal courts that the United States Constitution forbids them to allow courtroom identification without the prosecution's first proving that the identification does not rest in whole or in part on an illegal lineup. Should I do so,*

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I would feel that we are deciding what the Constitution is, not from what it says, but from what we think it would have been wise for the Framers to put in it. That to me would be 'judicial activism' at its worst. I would leave the States and Federal Government free to decide their own rules of evidence. That, I believe, is their constitutional prerogative."

Justice Black was addressing himself to the merits of what the Court was doing, whereas I am concerned with the procedure. But if his view has validity on the merits, surely it supports my thesis that the statutory rule-making process is better adapted to the Court's objective than trying to embalm a detailed rule in the Constitution under the Sixth Amendment right to counsel clause and without retroactive effect.

Some people think the word "consensus" has become a "bad" word, but I for one do not. It is only by developing a consensus that any of the great issues of the country are resolved and the matter of crime and criminal law is indeed one of the great issues. Granting for the moment the power as distinguished from the wisdom of drafting a detailed codification of rights and rules of evidence via constitutional interpretation, when these rules reach uniformly into every precinct station and sheriff's office in every town and hamlet in a nation of 200 million troubled and anxious people, I respectfully submit that the slower rule-making process would be more likely to produce a consensus and that the course of sound judicial statesmanship would have used that method. Among other things, the "sunburst" doctrine of discovery of constitutional rights which spring into being as of midnight on a stated day could have been avoided.

AN ADVANTAGE

There is, of course, another rather obvious advantage in statutory rule-making processes which is especially relevant in a period when the Federal Judiciary, and the Supreme Court particularly, is under attacks which render a great many people confused and uncertain. The advantage lies in the support which develops slowly and steadily as the rule-making process unfolds, involving as it does not only the Advisory Committee but subcommittees, seminars and task forces which include hundreds of lawyers, judges, prosecutors and scholars—the entire spectrum of the legal profession and state and local bar associations all over the country. As the process is enriched by the information and experience and ideas which these participants contribute, a massive base of support for the ultimate result builds up. This insures its acceptance and gives those who are affected a "lead" time to make adjustments in their habits and practices.

There is an even more serious flaw in constitutionalizing details of procedure and evidence better left to the more flexible machinery of statutory rulemaking. That process, while slow and cumbersome, produces more effective guidelines because rules can be stated more simply and precisely than a judicial opinion. Moreover, rulemaking leaves open the door for change and adjustment to the realities of subsequent experience, whereas altering a constitutional ruling or changing a constitutional trend calls for a sharp break with the past. The more recent the rule to be changed, the greater the blow to stability of constitutional doctrine.

Yet we must recognize that the constitutional concepts "tacked on" in these dozen years or so may not be as permanent as they appear when they are consistently arrived at by the margin of one vote with four Justices sharply suggesting that the cake which the Court was baking did not have all the essential ingredients for a good cake and that it has not been in the oven long enough. To paraphrase one of the felicitous lines of Elizabeth Barrett Browning, consequences "so wrought may be unwrought so." Thus, the constitutional result so wrought against the protest of four, may be "unwrought" by so simple a happening as the advent of one or two new Justices. Whatever one's view of the merits of any particular ruling so cast aside, this is a highly unsatisfactory method of improving criminal justice. Even those who do not admire some of these rulings do not want to see constitutional doctrine rise and fall like governments under the Fourth Republic of France.

ANOTHER CHALLENGE TO THE COURT

Another challenge has been made of the Supreme Court's almost undignified haste to clothe detailed rules of evidence and police station procedure in the garb of constitutional doctrine. That mechanism may seem to render the rule beyond the reach of Congressional modification, but it has a melancholy tendency to depreciate the standing of constitutional doctrine even in the eyes of those who fully approve the end result reached. Constitutional doctrine in criminal justice ought to be a steady line on the graph of history, always upward, avoiding peaks and valleys. Looking back over the past dozen years one is left to wonder what has become of the Court's firm policy never to decide a case on a constitutional ground if any other plausible ground was available.

The doctrine of judicial supremacy is firmly established in this country, but we have never accepted a concept of judicial infallibility. Herein lies much that would suggest cogent reasons for a belief that several hundred well-trained and sophisticated legal minds functioning within the rule-making process free from the pressures of an appealing case might well do a more comprehensive job of drafting a workable set of rules than nine extraordinarily busy men with no more than a short time to devote to any one case, and without the fact-finding facilities and staffs of an Advisory Committee appointed by the Supreme Court.

Nowhere is this more in evidence than in the cases dealing with the elusive and difficult problems of eyewitness identifications. The role of the lawyer is ill-defined and pregnant with questions of conflict of interest. The lawyer goes to the lineup in the partisan role of an advocate but may be called upon to be a monitor and hence a potential witness, a role that will require him to abandon his advocate assignment. If he does this, will it not be said that he is somewhat a "tainted" witness because he began as a partisan advocate? One instance has already occurred in which the lawyer hastily called to the police station advised his client to lie face down and refuse to cooperate with the police. The police then had all the persons in the lineup lie in the same posture to be viewed by the witnesses, and one can see the confusion engendered by having these witnesses stepping gingerly among the prostrate bodies in the lineup. Will this become a new legal form—the lie-down lineup! If the witnesses observe all this confusion, and see which person is causing it, as they might, which side has tainted the process of identification with prejudice?

GETTING RULES IN THE STATES

It is correct that the rulemaking procedure under the Federal system provides no automatic means for making the rules applicable to the State. But that is by no means a dispositive objection. We must remember that once the soundness of the Federal Rules of Civil Procedure were seen, many States followed the leadership of the Supreme Court and adopted comparable rules of civil procedure for the States, in some cases almost a "Chinese" copy of the Federal Rules. Laying aside Justice Black's cogent arguments that procedure should be left to the States, the record shows that no real leadership has ever been exerted to persuade the States to adopt more enlightened and efficient criminal rules comparable to the 1944 Federal Rules of Criminal Procedure.

I have already pointed out that in adopting a rule proposed by an Advisory Committee, the Supreme Court does not prejudge its constitutionality. There, of course, is always a process of interpretation, but I hardly need to offer evidence that construing and applying detailed rules, carefully worked out gives far fewer problems to trial courts, prosecutors, defense counsel and police than applying nuances of many of the new case-made rules of procedure.

The Supreme Court has tended to feel it could lay down broad objectives in these sensitive areas of interrogation and identification and leave it for others to work out the details. But these are crucial details which should have been worked out in advance as four Justices so sharply pointed out and indeed it is clear to many qualified persons that, had these problems and all their ramifications been thought through, other and different solutions might have been found acceptable to all members of the Court.

For three years, now, the American Bar Association has been engaged in what may be one of the most comprehensive and significant studies made of the administration of criminal justice in America. It is the Project on Minimum Standards of Criminal Justice, which has occupied a vast amount of the time of 80 lawyers, judges and law professors who make up the six Advisory Committees and the Special Committee which guides the whole project. Using methods somewhat like those which evolved the Federal Rules of Civil Procedure and the Federal Rules of Criminal Procedure and lately the Federal Rules of Appellate Procedure, this Comimttee has published nine Reports which the House of Delegates of the American Bar Association has approved. Six or seven additional Reports will issue.

Probably no one will agree with everything in all of these Reports, for they cover the entire range of administration of criminal justice from arrest to ultimate confinement, when that occurs. Whether one agrees or not with all that is said, these Reports contain a rich treasure of raw material which can help any court or legislature in making rules or codes of criminal procedure. They will be made available to you. Material such as this and the long experience under the Civil and Criminal Federal Rules give the States a vast storehouse of material which has been tested. You will not need to plow hard ground to develop a sound set of rules in Ohio but can draw on all that has gone before.

CLARIFICATION IS IMPERATIVE

The matter of clarifying the whole range of Rules of Criminal Procedure, including the new rules and procedures developed by the Supreme Court in various opinions, is imperative. It seems clear now, with the benefit of hind sight, that many of the problems sought to be solved by the controversial holdings of the Supreme Court on criminal procedure and evidence over the past dozen years, would have better been submitted to an Advisory Committee appointed by the Supreme Court (under Title 18, Section 3771). But that is in the past and it is more important to look ahead. It is ten years since the *Mallory case*, yet the guidelines of that subject are still neither clear nor comprehensive. And the courts have not begun to come to grips with all the problems which will flow from the very recent lineup and identification holdings.

As to the Federal Rules, I submit that either by creation of a new Advisory Committee or by enlarging studies now being carried on, the whole area of criminal procedure and all the problems touched upon in the holdings on interrogation, preliminary hearings, police line-ups, eyewitness identification, for example, be committed to reexamination and re-appraisal. By this proce-

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dure we can clear the air, clarify the ground rules, and get on with Society's basic responsibility of protecting an ordered liberty as well as protecting the rights of accused persons. We must do the best we can with the cases which arise under rules already laid down. On these there can, of course, be no moratorium. We should look back only as it contributes to visibility on the problems ahead.

Now as you look ahead I am sure that under the leadership of your great Chief Justice, Kingsley Taft, you will write a bright chapter in the history of Ohio law.

THE EAST-WEST CENTER

Mr. INOUYE. Mr. President, I recently joined in cosponsoring a bill introduced by Senator Tydings to improve and expand our family planning programs. The East-West Center of the University of Hawaii has become involved in the entire problem of population control and family planning. In 1968, a population studies program was established which has received support from the Rockefeller Foundation and from the Agency for International Development. It is laying plans for important public health and population work in close cooperation with the many nations of Asia which have already led the way in establishing nationwide programs to deal with excessively high growth rates in those areas. The program, now headed by Acting Director Sam Gilstrap, will, I hope, make an important contribution in increasing knowledge and developing even more effective ways to deal with the grave threat of the world population explosion.

I ask unanimous consent to include following my remarks in the Record, a progress report on the East-West Center population program.

There being no objection, the report was ordered to be printed in the Record, as follows:

East-West Center Population Studies Program

In July 1967 the Rockefeller Foundation awarded a $15,000 grant to the East-West Center to muster a group of international experts in population and related fields for a conference at the East-West Center. It was the purpose of the conference to consider and make recommendations to the Center as to whether it might play a useful and constructive role in the field of population dynamics.

It was the sense of their recommendation that by reason of Hawaii's proximity to Asia and the Pacific, identifiable expertise on the University of Hawaii campus, and the unique mix of the Islands' population, a useful and significant program might be undertaken here. During ensuing months, negotiations were continued with the Rockefeller Foundation to provide seed money with which to begin the program. This Rockefeller seemed willing to do if there could be binding assurance that other money, presumptively Federal, might be obtained to continue the program in ensuing years. The Agency for International Development seemed the logical source for such financing.

Throughout the remainder of 1967, and up until June of 1968, these conversations with Rockefeller and AID were continued. On June 20, 1968, a contract was consummated between AID and the East-West Center/University of Hawaii, by the terms of which AID would finance a population studies program at the Center for a five-year period, with a basic grant in the amount of $3,741,193. Of this sum, $1,000,000 was made available for immediate obligation from the 1968 fiscal year appropriation. Subsequent to July 1, an additional $1,000,000 was obligated from the fiscal 1969 appropriation.

Our efforts to recruit a qualified director have continued, and a number of distinguished persons have been approached. Hopefully, a director can be found by the summer of 1969.

To date, staff appointments to the population program consist of Sam Gilstrap, Assistant Director for Administration (Acting Director) E. Ross Jenney, M.D., consultant for short-term, nondegree programs; Mrs. Ann Allmendinger, Assistant Selections Officer; and Mrs. Dorothy Yoshizumi, Secretary. In addition to these administrative appointments, agreement has been reached with the appropriate departments of the University for joint faculty appointments in sociology, geography, anthropology, public health, and economics. These positions will be funded on a 50/50 basis, and half time of each appointee will be devoted to research, research training, supervision of field projects, and other activity as directed by the East-West Center.

An International Advisory Committee for the program has been established, and its membership is composed as follows:

Dr. Philip Hauser, Chairman, Director, Population Research & Training Center, University of Chicago.

Richmond K. Anderson, M.D., Director, Technical Assistance Division, The Population Council, New York.

Dr. C. Chandrasekaran, Regional Advisor on Population Policies, ECAFE, United Nations, Bangkok.

Dr. L. P. Chow, Director, Taiwan Population Studies Center, Taiwan Provincial Department of Health, Taichung.

Dr. Ansley J. Coale, Director, Office of Population Research, Princeton University.

Dr. Mercedes B. Concepcion, Director, Population Institute, Manila.

Dr. Leslie Corsa, Center for Population Planning, School of Public Health, University of Michigan.

Dr. Kartono Gunawan, Demographic Institute, University of Indonesia, Djakarta.

Dr. Toshio Kuroda, Chief, Division of Migration Research, Institute of Population Research, Ministry of Health & Welfare, Tokyo.

John Z. Maier, M.D., Rockefeller Foundation, New York.

Dr. Norma McArthur, Department of Demography, the Research School of Social Sciences, Australian National University, Canberra.

Dr. Visid Prachuabmoh, Director, Population Research & Training Center, Chulalongkorn University, Bangkok.

Dr. Chang Shub Roh, Institute of Population Problems, Seoul, Korea.

Dr. Y. P. Seng, Economic Research Center, University of Singapore.

Dr. Saw Swee-Hock, Faculty of Economics and Administration, University of Malaya, Kuala Lumpur.

Dr. Douglas S. Yamamura, Chairman, Department of Sociology, University of Hawaii.

The first and organization meeting of the group was held at the East-West Center December 16 and 17, 1968. All those listed above were in attendance except Dr. Ansley Coale, Dr. Leslie Corsa, Dr. John Maier, Dr. Y. P. Seng, and Dr. R. K. Anderson. Dr. Anderson was represented by Frank Shubeck, M.D., Regional Director, Far East, the Population Council.

To maintain effective relationships for the program between the University of Hawaii and the East-West Center, an Executive Council has been established. It consists of the Chancellor, the President of the University, the Deputy Chancellor for Academic Affairs, and the Dean for Academic Development. The Council meets periodically.

To plan, develop, and maintain an instructional program of population studies, an Academic Committee (Population Studies Committee of the College of Arts and Sciences) has been established and has been meeting weekly.

PROGRAMS

(1) With the beginning of the second semester at the University of Hawaii, eight graduate students, seven of them being from Asia, will be enrolled in M.A. programs, principally in sociology and economics. Each of these graduate students will take special course work which will lead to a certificate attesting to some degree of expertise in the population field as a result of specially designed courses.

(2) Agreement has been reached in principle to sponsor a seminar in Kuala Lumpur, Malaysia, with the cooperation of the Press Foundation of Asia. It would be our purpose to fully indoctrinate representative journalists, broadcasters, and telecasters concerning the population problems of Asia, how to communicate with their respective constituencies, and how generally to enhance acceptibility of family planning programs.

(3) Agreement has been reached in principle to sponsor at the East-West Center this spring a conference of the Organization of Demographic Associates. This will result in the establishment of a series of working groups to examine several facets of the population problems of Asia and the Pacific, such as fertility control, migration, etc.

(4) Agreement has been reached in principle to support a training program under the sponsorship of the South Pacific Commission at Noumea, New Caledonia—a training course in census methods at a time during the current calendar year which is yet to be determined.

(5) Agreement has been reached in principle to sponsor a Summer Institute on Buddhism, Population, and Family Life at the East-West Center during August 1969.

(6) The Academic Committee has designed a concentration of studies in population as a part of M.A. and Ph.D. programs in several disciplines, and has advanced these curriculum changes through the University curriculum decision-making machinery. The first course will be offered beginning in February 1969.

(7) The Program has formally proposed to the Academic Committee that field education or project activities be considered as part of the degree program in various departments. The proposal is under study at the departmental level.

(8) The Program has developed plans with ISI and IAP for housing and research space for the team in population.

CONCLUSION

In brief, this reflects actions taken and momentum achieved during the six months period since the signing of the contract with AID.

Sam P. Gilstrap,
Acting Director, Population Studies Program.

THE CONSUMER PROTECTION AND ENVIRONMENTAL HEALTH SERVICE

Mr. HUGHES. Mr. President, on May 1, Charles C. Johnson, Jr., administrator of the Consumer Protection and Environmental Health Service of the Department of Health, Education, and Welfare addressed the Iowa Public Health Association which was meeting in Des Moines.

His remarks would have been of interest to me, because he is a native Iowan, having grown up in Des Moines, and because he made a number of com-

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ments regarding environmental conditions in my State. However, having read Mr. Johnson's remarks, I felt that my colleagues in the Senate would also be interested in his basic assertion: that by applying nationally what is already known about controlling hazards in our environment, much loss of life and health could be effectively prevented.

Mr. President, I ask unanimous consent that Mr. Johnson's address be printed in the Record so that other Senators may share his informative presentation.

There being no objection, the speech was ordered to be printed in the Record, as follows:

Remarks by Charles C. Johnson, Jr., Administrator, Consumer Protection and Environmental Health Service, Public Health Service, U.S. Department of Health, Education, and Welfare, Washington, D.C.

I am very happy to be home again. Many of my friends and co-workers in the East envy you people who live in a State like Iowa. They think of the midwest as a land of green fields, bright sun, and clear skies, a refuge from smoke, noise, and congestion, a healthy place to live. They feel that this part of the country is not yet threatened by the host of contemporary problems which contribute so significantly to the steady deterioration of their environment.

While you and I know that Iowa is still a fine place in which to live, I am sure we also know that this view of the midwest is somewhat stereotyped and idealized. The inexorable forces of technology and urbanization are reshaping the environment in all parts of the Nation and Iowa is not immune. Today the problem of how to halt the deterioration of our environment is one of the most important issues our generation has to face. It is also among the most urgent, for the decisions we make in our time will determine the kind of world in which our children, and our children's children will live.

For you here, it may be unnecessary to state that all concern with the environment is essentially a concern for man—for his total health, happiness, and well-being. And yet it seems to me it is worth stating, and restating, whenever we are faced with decisions affecting the environment. For the environmental problems that plague us today are largely the result of our narrow pursuit of limited objectives—economic efficiency, fast transportation, agricultural abundance, for example—and our tendency to endow these activities with a life and purpose of their own, separate from or even superior to the needs of the human beings they were designed to serve.

The time has come when we must recognize that the various systems and subsystems which we devise to maintain ourselves on the planet—systems of economics, transportation, education, agriculture, etc.—that all these should contribute to the *total* well-being of man the citizen and consumer.

The organization which I have the privilege, and the problem, of heading, the Consumer Protection and Environmental Health Service, has been estabisihed to provide a new impetus to our National effort to save the environment, and to provide a focus on man as part of that environment.

It includes the Food and Drug Administration, headed by Dr. Herbert L. Ley, Jr.; the National Air Pollution Control Administration, headed by Dr. John T. Middleton; and the Envinonmental Control Administration, headed by Assistant Surgeon General Chris A. Hansen. For the first time in the Department of Health, Education, and Welfare, we have brought all these organizations, dealing with protecting human beings from environmental hazards, together in a situation where they can be mutually supportive. We are finding that we are now able to take a more coordinated approach to environmental problems, and we are moving ahead as rapidly as possible to create a program which will have a real and lasting impact on these problems.

The primary reason for our efforts is of course the effects of the environment on man's health. We cannot measure suffering, but monetarily the cost to the Nation for the treatment of illness now stands at about $53 billion per year and has been rising by more than 8 percent annually since 1950. The average worker currently loses 7 work days yearly because of illness. Many thousands of productive people die prematurely or become disabled every year because of accidents, heart disease, cancer, emphysema and other major causes of death.

The need for treatment facilities, hospitals, clinics, nursing homes, far exceeds what is available or what can be supplied within the foreseeable future. The need for physicians, nurses, and other health workers is acute and will continue to grow greater.

Much of this expenditure and much of this sickness and loss of life is preventable. The contributory relationships to specific diseases by such environmental hazards as air pollution, occupational hazards, overcrowded housing, and poor sanitation have been identified. The current health costs of air pollution alone are estimated conservatively at $4 billion per year. Absence from work because of illness and injury costs the Nation $60 billion annually. Non-occupationally related accidents cause 104,000 deaths and 42.5 million injuries each year.

The major diseases closely related to environmental hazards include the chronic respiratory diseases, (especially emphysema and bronchitis), heart disease, mental illness, and cancer. Chronic respiratory disease, which in large measure can be associated with occupational conditions and air pollution, is the Nation's second leading cause of disability.

Social Security disability payments to victims of this disease and their families total $90 million annually. Emphysema, the major chronic respiratory disease, causes nearly 50,000 deaths per year.

Heart disease, attributable at least in part to the stresses of the modern environment, causes about 700,000 deaths annually. It is the leading cause of Social Security compensated disability, and costs the Nation more than $25 billion each year.

The mentally ill, many of them victims of an assortment of environmental stress, occupy more than half of the Nation's hospital beds. Occupational exposures to hazardous substances are believed to be related to a significant, though not yet precisely determined, number of the 320,000 cancer deaths which occur each year in this country.

By applying nationally what is already known about controlling environmental hazards, much of the health damage I have cited need not occur. I believe you will agree that it would be a far wiser investment in terms of simple economics alone to keep people well rather than treat them and support them after they have become ill. Moreover, all Americans share the burden of environmental deterioration, including those who live in sections of the country where the problems are not yet so acutely evident as in others. Through Medicare, Medicaid, and national programs of medical research, hospital construction, and training, every citizen is paying the price for the damage to health associated with environmental hazards, wherever they occur.

I will turn now to some of the specific environmental problems of our time which I believe have a bearing on human health in Iowa. Let me begin with food, since as the major business of this State, it is a subject of special interest. Maintaining uncontaminated food is a continuing—and indeed a growing problem. It is estimated that over two million Americans are stricken with illness each year from microbiological contamination of food—chiefly salmonellosis.

What is more, the use of food additives to impart flavor, color or other qualities has increased 50 percent in the past ten years, and each of us now consumes an average of three pounds of these chemicals yearly. Pesticides leave residues on food crops, and traces of veterinary drugs occur in meat, milk, and eggs—all this in addition to the chemical barrage that reaches us from other parts of the environment.

I understand that the Food Act in Iowa is patterned after the original Pure Food Act of 1906 but that it has never been updated to include the major legislative changes in this field which began in 1938. I understand it also does not include the more modern provisions requiring the preclearance for safety of food additives, pesticide chemicals and color additives. Surely, this is a matter of State as well as of Federal concern.

The value, and the hazards, connected with pesticide use, I am sure are thoroughly appreciated here in Iowa, where food production is such an important part of the economy. Federal regulatory authority in this area covers only interstate shipments, as you know, and here again we are faced with the fact that much of the food produced on farms never crosses State lines. Effective State surveillance is a practical necessity, and yet the truth is that most States are not doing enough to protect their consumers against ingesting toxic pesticide residues on food.

The tremendous benefits that have been derived throughout the world from the use of pesticides since World War II are well-known. Their use has augmented spectacularly the growth of food crops and has, in addition, played a major role in public health efforts to control disease-bearing insects. Less well-known are the adverse side effects of the use of pesticides, a subject which increasingly has received scientific attention in the past decade. This latter concern has fallen most heavily on chlorinated hydrocarbons, a major category of pesticide chemicals which tend to persist in the environment for many years. The chlorinated hydrocarbon which has received, by far, more attention than any other, is DDT, which has been used throughout the world in great quantities since the early 1940's. DDT is found in the air, water, soil, flora, and fauna throughout the world today.

Less than two weeks ago, Secretary of Health, Education, and Welfare, Finch announced the appointment of a Secretary's Commission on Pesticides and their Relationship to Environmental Health to explore the field of environmental pollution and its consequent risks to the health of our citizens. The Commission is to report back with specific suggestions for action in six months.

At the moment, the Food and Drug Administration's surveillance of pesticides includes collecting data on pesticide residues in the average diet. Within Iowa, the FDA collects its total diet pesticide samples from the Iowa City area. The results are supplied to the University of Iowa for use in their studies as well as to Washington. But an adequate State pesticide program requires laboratories, crop analysis and inspection, control or permit systems to deal with major spraying and dusting operations, and an informational and educational program to increase voluntary compliance. There is no question that there is much to be done both here in Iowa and in other parts of the Nation, before we will have adequate control over this problem.

Let's move to another problem, solid waste disposal, which in Iowa is closely related to the food industry. The wastes from feed lots and packing houses pose a difficult problem, and when they are discharged into

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waterways, which are also employed as sources of drinking water, the problem has been shifted, not solved. Nationally, the solid waste disposal problem consists of 1.5 billion tons of animal wastes, 550 million tons of agricultural waste and crop residues, over 1.1 billion tons of mineral wastes, 110 million tons of industrial wastes, and 250 million tons of household commercial and municipal wastes—a total of 3.5 billion tons of wastes per year which must be disposed of in a manner that is not injurious to health. This environmental problem may well prove to be the most difficult and serious of all.

Every year, we discard more than 190 million tons of garbage, trash, bottles, cans, and other refuse. Nonreturnable bottles, aluminum cans, and new types of disposable paper products complicate the problem.

Nationwide, collection and disposal of garbage and other solid waste cost an estimated $3.5 billion in 1967, and yet the methods used are little improved over those of 25 years ago. A colleague of mine in New York liked to point out that the only real improvement we had made in waste disposal in the last 50 years was putting an engine instead of the horse in front of the garbage truck.

In the inner city, accumulated garbage and trash create breeding grounds for rats, insects, and vermin and constitute a major health problem. Before we can do anything effective in the deteriorating areas of our cities, we have to attack the problem of solid waste disposal through better storage and collection methods and, in fact, through education of the people. Our Environmental Control Administration is assisting in 15 rat control demonstration programs that will employ this comprehensive approach.

Yesterday's city dump is now in today's suburb, so that most cities in the country are now destroying out-of-the-way areas of natural beauty, and polluting land, air, and water, in an effort to get rid of mountains of refuse. Our Federal program is funding research and demonstration projects designed to develop alternative methods of dealing with the problem, including composting and recycling.

Under properly controlled conditions, use of solid waste as landfill material can restore certain areas to useful purposes. The problem of sanitary landfill as a disposal method, of course, is that many cities no longer have accessible areas where this is appropriate.

There is no question that existing systems for getting rid of trash are largely obsolete and inadequate. I understand that Iowa does not plan to apply for a solid wastes planning grant from the Federal Government this year. I hope you find it possible to do so in the near future, for solid waste management on a Statewide and regional basis is an important need throughout the country.

The water pollution problem which I mentioned briefly in connection with poor solid waste disposal practices, brings us to another environmental concern which is growing in seriousness with each year that passes. I refer to the quality of drinking water. Most of the community water supply systems in this country were initially constructed over 30 years ago and were designed to serve population densities that were 20 to 40 percent less than today's. Despite efforts to modernize and increase capacities, many systems have fallen behind and are failing, in many respects, to meet today's needs.

These systems were designed to treat a high quality of raw water for removal of bacteria, with little or no capability for removing toxic chemical or virus contaminants. Today, both ground and surface water supplies have deteriorated. At the same time, the efficiency of treatment plants has deteriorated, and, what is more, so have surveillance and health controls over public drinking water supplies. Almost all of the States have become complacent about the safety of drinking water. We can no longer afford such complacency.

Recently, I received a newspaper article from the Des Moines *Register* complaining about this very problem. The article begins, "A number of persons have written in requesting the recipe for Des Moines water. As well they might, for over the past several weeks Des Moines water has become a unique taste treat. Admittedly, the water is a little past its prime now, but at the height of the warm weather runoff, a week or so ago, a touch of the tap would bring forth a sudsy, steaming foul-smelling, evil tasting concoction that was the envy of foul water fans throughout the Free World." The article goes on in a somewhat humorous vein about this rather serious subject. All over the country, I believe we are rapidly approaching a crisis stage with regard to drinking water. The time has come when communities are going to have to allocate substantial resources to modernizing their treatment plants and to improve their distribution systems or continue to court serious health hazards from contamination.

The next environmental problem I would like to discuss has long been associated with agricultural work in this State and is now growing in importance with Iowa's expanding industrial economy. This is occupational safety and health—the oldest and yet one of the most neglected of the whole spectrum of environmental problems. Every year, hundreds of new chemicals and chemical compounds are introduced into industry and agriculture, along with countless operational innovations. Thousands of workers suffer from cancer, lung disease, hearing loss, dermatitis, or other preventable diseases because industry, unions, and government at all levels have failed to give adequate attention to occupational hazards. We are finding every year new and subtle threats to workers' health, growing out of our new technology, and yet we have made too little progress in the last 50 years against some of the oldest occupational diseases of man.

Last December, in an effort to initiate some sort of sensible attack on the age-old plague of coal miners—"black lung," as it is called, or coal worker's pneumoconiosis—I issued a recommended standard for dust in soft coal mines. This calls for respirable dust levels not exceeding 3.0 milligrams per cubic meter. Legislation now before the Congress would establish this standard as a goal.

Black lung is only one of several serious occupational diseases which we, as a Nation, have neglected far too long. We intend to give more attention to occupational health problems at the Federal level, and I urge that you do so at the State level, as a means of protecting the health and strengthening the economy of this State.

Still another by-product problem of industrialization and urbanization which this State shares with many others is air pollution. Iowa's State Air Pollution Control Law, enacted two years ago, is, I understand, a good one. But there is still a need for technical staffing and funding, and no application for Federal grant support for air pollution control has been received from Iowa by my agency. On the local level, I am told that the Linn County Health Department has a good air pollution control program underway with adequate laws and good industry cooperation, and that the Des Moines-Polk County Health Department is in the process of developing a program.

At the present time, toxic matter is being released into the air over the United States at a rate of more than 142 million tons a year, or three-quarters of a ton for every American. And what does this do to people? In the first place, there is no doubt that polluted air is a major contributor to emphysema, chronic bronchitis, and lung cancer—some of the major "diseases of civilization," which are on the increase.

Furthermore, since we are interested in the "whole man" let's see what it costs us in economic terms. The annual cost to U.S. citizens of air pollution has to be computed in billions of dollars. In figures that are more easily understandable, it is estimated to cost each of the 200 million American citizens $65 per year; for those who live in highly polluted areas, the cost per person, including higher medical bills, household maintenance, and other expenses, can be more than $200 per year. The cost throughout the United States in damage to agricultural crops alone is more than $500 million every year. In one of our Eastern States, air pollution is considered by many to be a greater menace to farmers than bad weather, pests, or insects.

Another growing problem is radiation. Radiation is an environmental hazard to ours and future generations which we have barely begun to understand. Radiation sources are now to be found throughout the environment. They range from the large-scale applications of nuclear energy, particularly in electric power generation, through laser and microwave technology in industry, to the use of radionuclides and X-rays in the healing arts and the use of microwave ovens and other electronic equipment in the home. And our scientific protection against radiation is at only a beginning stage of development.

I am pleased that the radiation problem has been brought to the attention of the State legislature in Iowa and that the proposed legislation includes attention to nonionizing radiation, the sources of which are rapidly proliferating throughout the country. Every State should have a program of surveillance and control to deal with this hazard.

While the many problems of environment must be broken into manageable pieces for effective control action, it is equally necessary to consider them as a whole and to take cognizance of their interrelatedness. Otherwise we run the risk of substituting one problem for another. We in the Consumer Protection and Environmental Health Service are prepared to assist the States in every way possible in planning, coordinating and implementing their environmental programs. One mechanism which many States are overlooking as a means of developing their environmental programs is the assistance available under the Partnership for Health—the Comprehensive Health Planning program authorized under Public Law 89–749 in 1966, and expanded by amendment the following year. The intent of this legislation is to assist States and communities to achieve the "highest level of health attainable for every person, *in an environment which contributes positively to healthful individual and family living,*" and it offers financial assistance to accomplish this.

I certainly would recommend that each of you make sure that problems of environmental control are given consideration in the preparation of your State health plan. The preponderance of activities by the health and related professions are, unfortunately, still being carried out in such a way as to suggest that man as an organism is not dynamically related to his environment. Almost total emphasis has been placed on providing health care for people who are already sick. Even those members of the health professions who are concerned with preventive medicine have not yet begun to focus on the importance of a wholesome environment in preventing illness. We cannot continue to

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ignore the fact that environmental deterioration—particularly the morass of environmental problems which afflict our inner cities and suburban areas—are health problems. No health plan can be regarded as comprehensive unless it gives consideration to environmental improvement as a most important step in preventing disease.

Your organization and your counterparts in the other 49 States must help forge a program of environmental improvement whose impact will be felt in every facet of our national life. An important challenge confronts all of us. We must halt the deterioration of the environment . . . we must make life worth living in the ghetto and in the suburbs, in the town house and in the cottage, in the city and in the country . . . we must prove that ugliness, danger, and misery do not have to be a part of the birthright of any American, wherever he may live in this land.

OPERATION BETTER BLOCK

Mr. JAVITS. Mr. President, "Operation Better Block," a citywide community participation campaign, is helping a number of New York City neighborhoods to help themselves.

The program is sponsored and financed by the mayor's urban action task force and by Bristol-Myers Co., one of our active corporate citizens. The project was so successful last summer in assisting people to improve their surroundings that it will be continued on a full year's basis.

"Operation Better Block" is aimed at increasing opportunities for people to participate, to determine their needs, and to share in decisions that govern their lives and their neighborhoods. It is a most commendable effort.

I ask unanimous consent that an article published in the New York Times of March 30, 1969, be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Tips Given To Add "Better Blocks"—Recruits to the Project Are Told How To Do It

Information on how residents can improve their own block by exerting pressure on the departments, landlords and neighbors was exchanged yesterday at a briefing session of "Operation Better Block" at the St. George Hotel in Brooklyn.

Young and old, black, white and Puerto Rican, men and women, middle-class and not so prosperous, all veterans of The Better Block project, discussed their method and achievements for the benefit of a new group of block leaders about to embark on new projects.

The wife of a Negro minister on Staten Island and a Puerto Rican widow who earns her living as translater were the principal speakers. They described how they organized projects that won two of six awards presented at the conclusion of the experimental phase of the project.

NEIGHBORHOOD LEADERS

One hundred neighborhood leaders from Brooklyn and Staten Island attended yesterday's meeting, the first in a series to begin the next phase of the city-wide project sponsored by the city and Bristol-Myers Company through the Mayor's Urban Action Task Force.

"Seed money" of $400 is provided to help a block association carry out a community-improvement proposal, and $36,000 in prizes will be awarded to the most outstanding ones completed.

Mrs. Martha Lewis Crawford, director of the project said that 100 blocks participated in the experimental project, for which Bristol-Myers gave $40,000 and that they would take part in the new program financed by $128,000 from Bristol-Myers and $50,000 from the city.

Mrs. Irene Skinner of West Brighton, the minister's wife, speaking at yesterday's meeting told how she had organized the neighborhood into cleaning up "with our own hands a ten-and-a-half acre lot that had been a dumping ground for abandoned cars, old mattresses, garbage and other debris."

Under her leadership, the West Brighton Neighborhood Improvement Association then proceeded to get the owner of the land to deed it to the city, and persuaded the city to build a swimming pool and park on it.

"We have also created a stable community relationship between adults and teenagers," Mrs. Skinner said.

BLOCK PARTY ARRANGED

Mrs. Noreida Pastor, speaking in English with a Spanish accent, told how she aroused the interest of apathetic adults in her neighborhood by putting on a block party for their children.

"When they looked out and saw me all by myself, they saw we needed help with all those kids," Mrs. Pastor said. "Within two hours they started bringing food and things and asked me questions about what I was doing."

Mrs. Pastor is chairman of the Schaefer and Eldert Street Block Association in Brooklyn. One of the blocks had been so full of narcotics addicts, prostitutes, gamblers, street fighting and other criminal activity that it was called "Little Korea," Mrs. Pastor said.

She cleaned up the street not only by putting her grateful teen-agers to work with brooms, but by tracking down the owner of three tenements in which most of the criminals lived, and persuading her to evict them, Mrs. Pastor reported.

PROGRESS IN NATION'S CAPITAL DEVELOPMENT BEING MADE AS CENTER LEG FREEWAY AND BUILDING CONSTRUCTION MOVES FORWARD

Mr. RANDOLPH. Mr. President, Senators are aware of the freeway construction going forward at the base of Capitol Hill. The first section of tunnel is located immediately in front of the Capitol, which I inspected yesterday in company with Members of Congress and District officials.

The Center Leg Freeway when completed will extend from the Southwest and Southeast Freeways to New York Avenue. The total cost for this element of the District freeway system is $90 million. It is designed to carry approximately 140,000 vehicles per day. At the opening of the project, sometime during midsummer of 1971, approximately 20,000 to 30,000 vehicles per day will use this facility. The design loads will develop after both the subway and freeway systems are completed and in use, and after the metropolitan area population increases from its present 2.5 million to an estimated 6.8 to 9 million by the year 2000. This traffic will come from that which is being carried on the north-south street system in this part of the city. Those streets can then revert to the use for which they were intended.

The center leg has some novel and interesting features which adapt it to the needs of urban living. First, it is below ground level, either open cut or tunnel. This means that the roadway will have no adverse effect on the esthetics of the area or the development of the neighborhood. As a matter of fact, the design of the project will stimulate proper growth and development. The airspace above part of the freeway will be used for a Federal building being constructed at Constitution Avenue.

The Federal Highway Administration, General Services Administration, and the District of Columbia Department of Highways and Traffic officials consider that the Labor Building will be one of the world's outstanding examples of the joint-use air-rights concept.

Over the tunnel and centered in front of the Grant Memorial a 4-acre reflecting pool is being built in accordance with the plan developed by the Pennsylvania Avenue Commission.

All major contracts for this freeway have been awarded and work was commenced in 1966. Unfortunately the freeze on Federal-aid highway funds in 1967 and 1968 have delayed scheduled completion by 1 year and the facility will not be ready for traffic until July 1, 1971.

On that part of the project north of Massachusetts Avenue, between H and K Streets, Northeast, the District Department of Highways and Traffic, the District of Columbia Redevelopment Land Agency, and the Federal Highway Administration in cooperation with local residents represented by the Washington Urban League, have planned a third air-rights structure which will provide housing for more than 300 families. The design contract for this project has just been consummated by the District of Columbia Redevelopment Land Agency and construction on this portion of the center leg is expected to commence within the next year.

The total displacement for the entire center leg project was 209 families and 292 individuals. As I have indicated, this project will provide over 300 family replacement units of superior quality housing. It is obvious that, through this kind of effort, the freeway program can replace all of the housing originally eliminated by the project.

The visible portions of the entire Center Leg Freeway projects will be attractively landscaped. Its construction has already sparked a renaissance in both private and governmental building for the area north of Constitution Avenue. I am pleased that the planning, design, and construction has been of the highest caliber, and I urge the agencies responsible for building these important facilities to move vigorously so that the housing and highways can be placed in use as soon as possible.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The PRESIDING OFFICER laid before the Senate sundry messages from the President of the United States sub-

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mitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDING OFFICER laid before the Senate the following letters, which were referred as indicated:

Report on Extraordinary Contractual Actions To Facilitate the National Defense

A letter from the Assistant Secretary of Defense (Installations and Logistics), transmitting, pursuant to Law, the calendar year 1968 report on extraordinary contractual actions to facilitate the national defense (with an accompanying report); to the Committee on Armed Services.

Proposed Legislation To Authorize the Extension of Certain Naval Vessel Loans Now in Existence and New Loans of Naval Vessels to Friendly Foreign Countries

A letter from the Under Secretary of the Navy, transmitting a draft of proposed legislation to authorize the extension of certain naval vessel loans now in existence and new loans of naval vessels to friendly foreign countries (with accompanying papers); to the Committee on Armed Services.

Proposed Legislation To Authorize the Administrator of Veterans' Affairs To Sell Direct Loans Made to Veterans Under Chapter 37, Title 38, United States Code

A letter from the Administrator of Veterans' Affairs, transmitting a draft of proposed legislation to authorize the Administrator of Veterans' Affairs to sell at prices which he determines to be reasonable under prevailing mortgage market conditions direct loans made to veterans under chapter 37, title 38, United States Code (with accompanying papers); to the Committee on Banking and Currency.

Report on U.S. Coast Guard Contracts Pursuant to Section 2034(a), Clause 11, Title 10, United States Code

A letter from the Assistant Secretary for Administration, Office of the Secretary of Transportation, transmitting, pursuant to law, a report of a list of the purchases and contracts made by the U.S. Coast Guard under clause 11 of section 2304(a) of title 10 since October 30, 1968 (with accompanying report); to the Committee on Commerce.

Proposed Legislation To Authorize Appropriations for the Expenses of the U.S. Section of the United States-Mexico Commission for Border Development and Friendship

A letter from the Assistant Secretary for Congressional Relations, Department of State, transmitting a draft of proposed legislation to authorize appropriations for the expenses of the U.S. section of the United States-Mexico Commission for Border Development and Friendship (with accompanying papers); to the Committee on Foreign Relations.

Proposed Legislation To Improve and Extend the Provisions Relating to Medical Libraries and Related Instrumentalities

A letter from the Secretary of Health, Education, and Welfare, transmitting a draft of proposed legislation to amend the Public Health Service Act to improve and extend the provisions relating to medical libraries and related instrumentalities, and for other purposes (with accompanying papers); to the Committee on Labor and Public Welfare.

Report of the U.S. Department of Health, Education, and Welfare

A letter from the Secretary of Health, Education, and Welfare, transmitting the annual report of the U.S. Department of Health, Education, and Welfare for the fiscal year 1968 (with an accompanying report); to the Committee on Labor and Public Welfare.

EXECUTIVE REPORTS OF COMMITTEES

As in executive session,

The following favorable reports of nominations were submitted:

By Mr. INOUYE (for Mr. Magnuson), from the Committee on Commerce:

Charles H. Meacham, of Alaska, to be Commissioner of Fish and Wildlife, Department of the Interior.

By Mr. RANDOLPH, from the Committee on Public Works:

Aubrey J. Wagner, of Tennessee, to be a member of the Board of Directors of the Tennessee Valley Authority.

By Mr. PASTORE, from the Joint Committee on Atomic Energy:

Theos J. Thompson, of Massachusetts, to be a member of the Atomic Energy Commission.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

A House concurrent resolution adopted by the Legislature of the State of Hawaii; to the Committee on Agriculture and Forestry:

"House Concurrent Resolution 60

"Whereas, the U.S. Department of Agriculture administers the Food Stamp Program to increase the use of American-produced agricultural products and to improve the nutrition of low income persons; and

"Whereas, the Department of Health, Education, and Welfare disburses Federal funds to the needy in the form of public assistance to purchase food in a similar program; and

"Whereas, the Hawaii State Department of Social Services has been administering the Food Stamp Program in Hawaii for the past two years; and

"Whereas, the U.S. Department of Agriculture currently disburses Federal funds through the program to needy persons in the form of bonus food coupons; and

"Whereas, the present procedure requires individual clients to purchase their allotted amounts of coupons through authorized banks and such coupons are used to purchase food products at authorized grocers; and

"Whereas, such procedures are formidable barriers to the purchase and use of food stamps for the poor who are humiliated by such a process; and

"Whereas, the purpose of our honorable nation's commitment to improve the nutrition of low income individuals and families can be more efficiently achieved by giving such individuals the bonus in the form of cash redeemable for USDA defined food products, as is presently done in the programs administered by the Department of Health, Education and Welfare, thus reducing administrative costs by abolishing the need for working through authorized banks to distribute the bonus; and

"Whereas, while less than fifty percent of the eligible welfare recipient population is currently participating in the program, this proposed method of distribution would enable all eligible low income persons to receive bonus food coupons; now, therefore,

"Be it resolved by the House of Representatives of the Fifth Legislature of the State of Hawaii, Regular Session of 1969, the Senate concurring, that it recommend that the President of the United States establish a mechanism for the transfer of the surplus agricultural program funds to the Department of Health, Education, and Welfare who will in turn get them to the poor in each of the states; and

"Be it further resolved that certified copies of this Concurrent Resolution be transmitted to President Richard M. Nixon, Vice-President Spiro T. Agnew, President of the U.S. Senate, Speaker John W. McCormack of the U.S. House of Representatives, and to all members of Hawaii's delegation to the United States Congress.

"Tadao Beppu,
"Speaker, House of Representatives.
"Shigeto Kanemoto,
"Clerk, House of Representatives.
"David C. McClung,
"President of the Senate.
"Seichi Hirai,
"Clerk of the Senate."

A House concurrent resolution adopted by the Legislature of the State of Hawaii; to the Committee on Labor and Public Welfare:

"House Concurrent Resolution 42

"Whereas, the State of Hawaii does not presently have a veterans' home; and

"Whereas, Hawaii has contributed a high percentage of her young men to the service of the United States, with a concomitant high percentage of casualties; and

"Whereas, this is a fitting time for the establishment of a veterans' home in the State of Hawaii; now, therefore,

"Be it resolved by the House of Representatives of the Fifth Legislature of the State of Hawaii, Regular Session of 1969, the Senate concurring, that the President of the United States be, and he hereby is, requested to consider establishing a veterans' home in the State of Hawaii; and

"Be it further resolved that certified copies of this Concurrent Resolution be transmitted to President Richard M. Nixon, Vice-President Spiro T. Agnew, President of the U.S. Senate, Speaker John W. McCormack of the U.S. House of Representatives, and to all members of Hawaii's delegation to the United States Congress.

"Tadao Beppu,
"Speaker, House of Representatives.
"Shigeto Kanemoto,
"Clerk, House of Representatives.
"David C. McClung,
"President of the Senate.
"Seichi Hirai,
"Clerk of the Senate."

A House joint memorial of the Legislature of the State of Colorado; to the Committee on Appropriations:

"House Joint Memorial 1002

"Memorializing the Congress of the United States to take the necessary action to restore funds to become available for the Frying Pan-Arkansas reclamation project

"Whereas, A proposed reduction in reclamation construction funds will deprive the Frying Pan-Arkansas Reclamation Project in this state of approximately seven million dollars in funds available for construction purposes in 1969; and

"Whereas, Such reduction will delay the letting of contracts on the Pueblo Dam, which is the core of the entire project, and will in consequence have a seriously adverse effect upon the economy of Colorado and particularly with respect to the cities of Pueblo, Leadville, and Lamar; now, therefore,

"Be It Resolved by the House of Representatives of the Forty-seventh General Assembly of the State of Colorado, the Senate concurring herein:

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"That the Congress of the United States is hereby requested to take all action necessary to expedite the construction of the Frying Pan-Arkansas Reclamation Project through the restoration of the amount of seven million dollars in the appropriations for this important project and thereby avoid the consequent adverse effects on the economy of Colorado and many of its cities.

"Be It Further Resolved, That the copies of this Memorial be transmitted to the President of the Senate of the United States Congress, the Speaker of the House of Representatives of the United States Congress, and to the members of the United States Congress from the State of Colorado.

"JOHN D. VANDERHOOF,
"Speaker of the House of Representatives.
"HENRY C. KIMBROUGH,
"Chief Clerk of the House of Representatives.
"MARK A. HOGAN,
"President of the Senate.
"COMFORT W. SHAW,
"Secretary of the Senate."

A resolution adopted by the Senate of the Legislature of the State of Pennsylvania; to the Committee on Post Office and Civil Service:

"RESOLUTION BY THE SENATE OF PENNSYLVANIA

"Dwight David Eisenhower, thirty-fourth President, was the embodiment of patriotism both as a military man and as a statesman. His ethical code of behavior and fear of God was expressed in his every action.

"The Commonwealth of Pennsylvania was honored for many years by the presence of the Eisenhower family while living near Gettysburg; therefore be it

"Resolved, That this Senate of the Commonwealth of Pennsylvania memorialize the Congress of the United States to adopt the proposed commemorative stamp honoring Dwight D. Eisenhower, depicting the Civil War monument and United States flag in Center Square, Easton, Pennsylvania; and be it further

"Resolved, That a copy of this resolution be transmitted to the presiding officer of each House of Congress of the United States, and to each Senator and Representative from Pennsylvania serving in the Congress of the United States.

"MARK GRUELL, Jr.,
Secretary of the Senate."

A Senate memorial adopted by the Legislature of the State of Florida; to the Committee on Agriculture and Forestry:

"SENATE MEMORIAL 249

"A memorial to the Congress of the United States urging the enactment of a law to protect rare and endangered species

"Whereas, Congressman Richard D. McCarthy, New York, has introduced House Resolution 6634 to provide protection for rare and endangered wild species; and

"Whereas, the second session of the 90th Congress of the United States previously expressed considerable interest and support to the proposition that rare and endangered wild species be given adequate protection from possible extinction; and

"Whereas, the American alligator is recognized as playing an important role in the management of fresh water resources in the state of Florida and is indirectly responsible for the preservation of other desirable and endangered species, particularly in Everglades National Park; and

"Whereas, as a result of man's actions over the past years, the alligator population has been reduced considerable, and continues to be reduced at an alarming rate; and

"Whereas, poachers who illegally hunt, kill, and sell the skins of the alligators contribute considerably to the reduction of the alligator population; and

"Whereas, illegally gained skins and products are routed through interstate commerce; and

"Whereas, similar problems are world wide due to the importation of illegally captured products of many other endangered species into this and other countries; and

"Whereas, the legislature of the state of Florida has a deep and abiding interest in protecting and preserving wildlife from extinction, Now, Therefore,

"Be It Resolved by the Legislature of the State of Florida: That we do hereby petition the members of the Congress of the United States to adopt House Resolution 6634 introduced by Congressman Richard D. McCarthy, New York, in the 91st Congress to provide protection for rare and endangered species, at the earliest possible date, and do seriously urge that protection of the American alligator be included within the scope of such legislation.

"Be It Further Resolved, That copies of this memorial be dispatched to the President of the United States, to the President of the United States Senate, to the Speaker of the United States House of Representatives, and to each member of the Florida delegation to the United States Congress.

"Approved by the Governor May 13, 1969.

"Filed in Office Secretary of State May 13, 1969."

A House joint memorial adopted by the Legislature of the State of Washington; to the Committee on Finance:

"HOUSE JOINT MEMORIAL No. 16

"To the President of the Senate and Speaker of the House of Representatives, and to the Senate and House of Representatives in the United States of America, in Congress assembled:

"We, your Memorialists, the Senate and House of Representatives of the State of Washington, in legislative session assembled, respectfully represent and petition as follows:

"Whereas, There has been introduced in the Senate of the United States S. 1198, an act giving consent to a multistate tax compact; and

"Whereas, It is recognized that congressional hearings on S. 1198 will encompass the whole area of state taxation of multistate businesses and of persons employed in interstate commerce; and

"Whereas, General uniformity between state taxing systems in this area is desirable;

"Now, therefore, We your Memorialists respectfully pray that the Congress of the United States enact S. 1198 and further, as part of hearings on such bill, study and take appropriate action with respect to the problem of taxation of personal income of persons employed by interstate carriers, so as to establish guidelines for uniform state action in such area.

"Be it Resolved, That copies of this memorial be transmitted to the President of the United States Senate, the Speaker of the House of Representatives, the Chairman of the Finance Committee of the United States Senate, the Chairman of the Judiciary Committee of the House of Representatives, and each member of Congress from the State of Washington.

"Passed the House March 25, 1969.

"DON ELDRIDGE,
"Speaker of the House.

"Passed the Senate May 6, 1969.

"JOHN A. CHERBERG,
"President of the Senate."

A House joint memorial adopted by the Legislature of the State of Washington; to the Committee on Labor and Public Welfare:

"HOUSE JOINT MEMORIAL 18

"To the Honorable Richard M. Nixon, President of the United States, and to the Senate and House of Representatives of the United States of America, in Congress assembled:

"We, your Memorialists, the Senate and House of Representatives of the State of Washington, in legislative session assembled, respectfully represent and petition as follows:

"Whereas, Historically the United States Office of Education has cooperated and assisted in the promotion of vocational youth organizations; and

"Whereas, The Future Farmers of America, the Future Homemakers of America, the Distributive Education Clubs of America and the Vocational Industrial Clubs of America were organized with encouragement and assistance from the staff of the United States Office of Education; and

"Whereas, These youth organizations have become an integral part of vocational education programs in secondary schools through the influence of the United States Office of Education staff members who serve as advisors; and

"Whereas, Through these organizations youth in rural, suburban, and urban areas have had an opportunity to become members of constructive organized groups; and

"Whereas, These organizations have helped youth to identify with the world of work and to develop as civic and community leaders; and

"Whereas, Membership in these organizations is open to all students in vocational education regardless of race, creed or national origin; and

"Whereas, a recent policy statement issued by the United States Office of Education concerning the relationship between the Office of Education and student organizations prohibits its staff from directing the activities of student organizations or participating in the administrative decisionmaking of student organizations as officers; and

"Whereas, This policy will, in effect, greatly reduce assistance to vocational youth organizations; and

"Whereas, In the case of one youth organization, the Future Farmers of America, this policy is in direct conflict with Public Law 740, Chapter 823, Section 18, which specifically authorizes the United States Commissioner of Education, with the approval of the Secretary of Health, Education, and Welfare to make available personnel, services and facilities of the Office of Education;

"Now, therefore, Your Memorialists respectfully pray that the President, the Congress of the United States, and the United States Department of Health, Education, and Welfare not implement its policy until there has been sufficient time to permit full congressional review and hearings to determine whether or not this administrative order carries out the intent of the law and take immediate action to strengthen these youth organizations that have become such an integral part of the vocational education program in the United States;

"Be it resolved, That copies of this memorial be immediately transmitted to the Honorable Richard M. Nixon, President of the United States, the President of the United States Senate, the Speaker of the House of Representatives, and each member of Congress from the State of Washington.

"Passed the House April 21, 1969.

"DON ELDRIDGE,
"Speaker of the House.

"Passed the Senate May 9, 1969.

"JOHN A. CHERBERG,
"President of the Senate."

A House joint memorial, adopted by the Legislature of the State of Washington; to

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the Committee on Interior and Insular Affairs:

"HOUSE JOINT MEMORIAL No. 8

"To the Honorable Richard M. Nixon, President of the United States, the President of the Senate and Speaker of the House of Representatives, and to the Senate and the House of Representatives of the United States, in Congress assembled:

"We, your Memorialists, the Senate and House of Representatives of the State of Washington, in legislative session assembled, most respectfully represent and petition as follows:

"Whereas, The state of Washington is endowed by nature with a magnificient array of mountainous terrain which, each year, attracts millions of visitors seeking the enjoyments of outdoor recreation;

"Whereas, The future promises an ever-increasing number of visitors with a concomitantly growing demand for the many varied recreation uses of our mountain areas;

"Whereas, Our mountains contain several areas suitable for development as year-round, alpine-type recreational centers, similar to those internationally-famous resorts in other mountain regions of our nation and of the world, nevertheless, nowhere in our state is there a present facility adequate to accommodate the full range of demands of present and future outdoor recreationists;

"Whereas, Virtually all of the suitable alpine sites in our state are on federally-owned lands and are managed under policies and regulations which prohibit adequate, full-scale developments, to meet these recreational needs, it becomes incumbent upon the state of Washington to take steps to overcome this neglect of one of its great assets.

"Now therefore, be it resolved, That we, the House of Representatives and Senate of the state of Washington meeting in forty-first regular session hereby authorize and direct the Department of Natural Resources of this state to seek acquisition, through land exchange or otherwise, of one or more sites suitable for full development, year-round, alpine-type recreation centers in the mountain areas of our state; and do hereby respectfully memorialize and petition the President of the United States, the Congress of the United States, and the Secretary of Interior and the Secretary of Agriculture to cooperate with the state of Washington in this effort of site acquisition.

"Be it further resolved, That copies of this Memorial be transmitted by the secretary of state to the Honorable Richard M. Nixon, President of the United States, the Honorable Walter J. Hickel, Secretary of the Interior, and the Honorable Clifford M. Hardin, the Secretary of Agriculture and to the Senate and House of Representatives of the United States in Congress, to each Senator and Representative in Congress from the state of Washington.

"Passed the House May 3, 1969.

DON ELDRIDGE,
"Speaker of the House.

"Passed the Senate May 9, 1969.

"JOHN A. CHERBERG,
"President of the Senate."

A House joint memorial adopted by the Legislature of the State of Washington; to the Committee on Post Office and Civil Service:

"HOUSE JOINT MEMORIAL 7

"To the Honorable Richard M. Nixon, President of the United States, and to the Senate and House of Representatives of the United States of America, in Congress assembled:

"We, your Memorialists, the Senate and House of Representatives of the State of Washington, in legislative session assembled, respectfully represent and petition as follows:

"Whereas, The Kelly Air Mail Act of 1925 marked the beginning of contract air mail service by providing for a series of north to south feeder lines connecting the Post Office Department's east to west route from New York to San Francisco; and

"Whereas, Leon Cuddeback inaugurated scheduled contract air mail service for Varney Airlines on contract air mail Route No. 5, connecting the Pacific Northwest with the Southwest, from Pasco, Washington to Elko, Nevada via Boise, Idaho in his ninety horsepower Swallow biplane at 6:23 antemeridian on the 6th day of April, 1926; and

"Whereas, It has been generally acknowledged by American air historians that Leon Cuddeback flew the first authentic scheduled contract air mail run; and

"Whereas, Early contract air mail service was beset by a number of perils and limitations by reason of numerous forced landings and lack of navigational aids and equipment, and required the most daring spirit reminiscent of the pioneering spirit of the earliest settlers in the Americas and later of the settlers in the American West;

"Now, therefore, be it resolved, By the Senate and the House of Representatives that the President and Congress of the United States of America, and the United States Postmaster General, be respectfully urged to commemorate the inauguration of the scheduled contract air mail service under the Kelly Air Mail Act of 1925 from Pasco, Washington to Elko, Nevada on the 6th day of April, 1926, by the issuance, in the year 1976, of a semi-centennial or golden jubilee commemorative-airmail stamp or series; and

"Be it further resolved, That a copy of this resolution be transmitted to the Honorable Richard M. Nixon, President of the United States of America, the President of the United States Senate, the Speaker of the House of Representatives, to each member of Congress from the State of Washington, and to the United States Postmaster General.

"Passed the House March 24, 1969.

"DON ELDRIDGE,
"Speaker of the House.

"Passed the Senate April 30, 1969.

JOHN A. CHERBERG,
"President of the Senate."

A Senate Concurrent Resolution adopted by the Legislature of the State of Louisiana; to the Committee on Finance:

"SENATE CONCURRENT RESOLUTION No. 14

"A concurrent resolution to commend the Ways and Means Committee of the United States House of Representatives for its efforts to improve the equity of the Federal personal income tax system and further to memorialize the Ways and Means Committee of the United States House of Representatives to take no position on tax reform which might subvert the tax-exempt status of state and local bonds or which might place state and local bonds in an inferior competitive position with superior federal government debt instruments and with corporate securities

"Whereas, equity among taxpayers is essential to popular confidence in the federal revenue system; and

"Whereas, the Ways and Means Committee of the United States House of Representatives has conducted extensive hearing on proposals for equitable reform of the Federal personal income tax; and

"Whereas, spokesmen for the National Governors' Conference, the National Legislative Conference, the National Association of Attorneys General and the National Association of State Treasurers, Auditors and Comptrollers have endorsed the objective of tax reform while urging the Committee to refrain from changes which would weaken the capacity of the states to meet the needs for state services.

"Therefore, be it resolved by the Senate of the Legislature of Louisiana, the House of Representatives concurring herein, that the Ways and Means Committee of the United States House of Representatives is hereby commended for its efforts to improve the equity of the federal personal income tax system.

"Be it further resolved that the Ways and Means Committee of the United States House of Representatives is hereby memorialized and respectfully requested to adopt no change which would deprive state and local government obligations of their traditional immunity from federal taxation.

"Be it further resolved that the Ways and Means Committee of the United States House of Representatives is hereby memorialized and respectfully requested to adopt no change which would result in construction of the market for bonds issued by the states or local governments.

"Be it further resolved that the Ways and Means Committee of the United States House of Representatives is hereby memorialized and respectfully requested to adopt no change which would interpose Federal judgments relating to the policies of the states or local governments.

"Be it further resolved that it is the declared intention of the Legislature of Louisiana that no change is acceptable which would subject borrowing by the states and local governments to the uncertainties of the appropriation processes of the Congress of the United States.

"Be it further resolved that the Legislature of Louisiana hereby records its concurrence with the testimony on behalf of other state officials to memorialize the Ways and Means Committee of the United States House of Representatives to take no position which might place state and local bonds in an inferior competitive position with superior Federal government debt instruments and with corporate securities.

"Be it further resolved that copies of this Resolution is transmitted to the presiding officers of the two houses of the Congress of the United States, to each member of the Louisiana delegation in the Congress of the United States and to the Honorable Richard M. Nixon, President of the United States of America.

"W. AYEACK,
"Lieutenant Governor and President of the Senate.

"JOHN S. GARRETT,
"Speaker of the House of Representatives."

Two House concurrent resolutions adopted by the Legislative Assembly of the State of North Dakota; to the Committee on Public Works:

"HOUSE CONCURRENT RESOLUTION No. 45

"A concurrent resolution urging approval by the Congress of Senate Bill No. 229 which calls for construction of a bridge over the Oahe Reservoir in the vicinity of Fort Yates, North Dakota, and commending Senator Quentin Burdick for sponsoring the legislation

"Whereas, residents of, and travelers through, the south central portion of North Dakota and the north central portion of South Dakota have relied upon ferry service in crossing the Missouri River, principally in the vicinity of Fort Yates, North Dakota; and

"Whereas, this vast area of the two Dakotas lying between existing crossings at Bismarck, North Dakota, and Mobridge, South Dakota, a distance of over one hundred ten river miles and nearly one hundred air miles, has been bisected by the Oahe Reservoir, making ferryboat crossings impractical; and

"Whereas, a modern bridge crossing of the Oahe Reservoir in the area between Bismarck, North Dakota, and Mobridge, South Dakota, is needed by those engaged in agri-

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cultural activities and would provide a stabilization of the area's economy—by increasing the potential for industrial development, tourism, and recreational usage of areas endowed with great natural beauty, which will otherwise lie dormant; and

"Whereas, providing an adequate crossing of the Oahe Reservoir will eliminate the present isolation of the Standing Rock Indian Reservation and be an important contributing factor in the progress toward completion of a program encompassing industrial, housing, educational, health, and social development on that Reservation; and

"Whereas, the Fortieth Legislative Assembly passed Senate Concurrent Resolution "Z" which urged Congress to authorize construction of a bridge across the Oahe Reservoir in the vicinity of Fort Yates, North Dakota; and

"Whereas, Senator Quentin Burdick has introduced United States Senate Bill No. 229 which would authorize construction of a bridge in the vicinity of Fort Yates, North Dakota;

"Now, therefore, be it resolved by the House of Representatives of the State of North Dakota, the Senate concurring therein:

"That the Forty-first Legislative Assembly urges Congress to give favorable consideration to S. 229, and commends Senator Quentin Burdick for his cooperation with the Legislative Assembly of the State of North Dakota in sponsoring that bill; and

"Be it further resolved, that copies of this resolution be forwarded by the Secretary of State to the North Dakota Congressional Delegation, the Chief of Army Engineers, the United States Secretary of the Army, the United States Secretary of the Interior, the Commissioners of the Bureau of Indian Affairs and the Bureau of Public Roads.

"Ernest N. Johnson,
"Speaker of the House.
"G. R. Gilbreath,
"Chief Clerk of the House.
"Richard T. Larsen,
"President of the Senate.
"——— ———.
"Secretary of the Senate."

"House Concurrent Resolution No. 44

"A concurrent resolution urging approval by Congress of United States Senate Bill No. 231 which calls for construction of a bridge over a certain portion of the Garrison Reservoir, and commending Senator Quentin Burdick for sponsoring the legislation

"Whereas, the construction of the Garrison Dam and formation of the Garrison Reservoir, one of the largest manmade lakes in the world, has resulted in dividing the Fort Berthold Indian Reservation into five segments; and

"Whereas, the Indian people, as a result of this division and flooding, were forced to move from portions of their land, and suffered loss of valuable river bottom land, community centers, and burial grounds; and

"Whereas, the peaceful, orderly, and economic readjustment of the relocated Indian communities, as well as the practical, desirable, and beneficial development of the recreational opportunity of the reservoir and surrounding areas, is dependent upon a convenient and properly constructed bridge connecting the western and southern segments of the Fort Berthold Indian Reservation, and a portion of this project would become a part of the Lewis and Clark trailway already authorized by Congress; and

"Whereas, the Fortieth Legislative Assembly passed House Concurrent Resolution 'X-1' which urged Congress to authorize construction of a bridge in the general vicinity of Charging Eagle Bay on the Garrison Reservoir; and

"Whereas, United States Senator Quentin Burdick has introduced United States Senate bill No. 231 which would authorize construction of a bridge in the vicinity of Charging Eagle Bay;

"Now, therefore, be it resolved by the House of Representatives of the State of North Dakota, the Senate concurring therein:

"That the Forty-first Legislative Assembly urges the Congress to give favorable consideration to S. 231, and commends Senator Quentin Burdick for his cooperation with the Legislative Assembly of the State of North Dakota in sponsoring that bill; and

"Be it further resolved, that copies of this resolution be forwarded by the Secretary of State to the North Dakota Congressional delegation, the Chief of Army Engineers, the United States Secretary of the Army, the United States Secretary of the Interior, the Commissioners of the Bureau of Indian Affairs and the Bureau of Public Roads.

"Ernest N. Johnson,
"Speaker of the House.
"G. R. Gilbreath,
"Chief Clerk of the House.
"Richard T. Larsen,
"President of the Senate.
"Leo Lindholm,
"Secretary of the Senate."

A joint resolution adopted by the Legislature of the State of Massachusetts; to the Committee on the Judiciary:

"Resolution by the Commonwealth of Massachusetts

"Resolution memorializing the Congress of the United States to amend the Constitution of the United States by providing for the abolition of the Electoral College system and establishing the direct popular election of the President and the Vice President of the United States.

"Whereas, The national election of nineteen hundred and sixty-eight has once again demonstrated the dangerous potentialities for deadlock inherent in the Electoral College system; and

"Whereas, The Electoral College system is archaic, obsolete and undemocratic; and

"Whereas, The Electoral College system does not offer full realization of the one-man, one-vote doctrine in national elections; and

"Whereas, The abolition of the Electoral College system will result in bringing the voters, the ultimate source of all electoral power, directly into the process of electing a President and Vice President of the United States; now, therefore, be it

"Resolved, That the General Court of the Commonwealth of Massachusetts respectfully urges the Congress of the United States to support an amendment to the Constitution of the United States which will provide for the abolition of the Electoral College system and its replacement by the direct popular election of the President and Vice President of the United States; and be it further

"Resolved, That copies of these resolutions be transmitted forthwith by the State Secretary to the presiding officer of each branch of Congress and to each member thereof from the Commonwealth.

"Senate, adopted, April 28, 1969.

"Norman L. Pidgeon,
"Clerk.

"House of Representatives, adopted in concurrence, April 30, 1969.

"Wallace C. Mills,
"Clerk.

"Attest:

"John F. X. Davoren,
"Secretary of the Commonwealth."

A joint resolution adopted by the Legislature of the State of Massachusetts; to the Committee on Labor and Public Welfare:

"Resolution by the Commonwealth of Massachusetts

"Resolution memorializing the Congress of the United States to enact legislation providing for a Veterans' Administration Hospital in the North Shore area of the county of Essex

"Whereas, There is an urgent need for the establishment of a two thousand bed Veterans' Administration hospital in the north shore area of Essex county; now, therefore be it

"Resolved, That the General Court of Massachusetts hereby respectfully urges the Congress of the United States to enact legislation providing for the establishment of a two thousand bed Veterans' Administration hospital in the north shore area of Essex county; and be it further

"Resolved, That a copy of these resolutions be transmitted forthwith by the State Secretary to the President of the United States, to the presiding officer of each branch of the Congress, to the members thereof from the Commonwealth and to the Administrator of Veterans' Affairs.

"Senate, adopted, April 28, 1969.

"Norman L. Pidgeon,
"Clerk.

"House of Representatives, adopted in concurrence, April 30, 1969.

"Wallace C. Mills,
"Clerk.

"Attest:

"John F. X. Davoren,
"Secretary of the Commonwealth."

A resolution of the House of Representatives of the State of Massachusetts; to the Committee on Labor and Public Welfare:

"Resolution by the Commonwealth of Massachusetts

"Resolution memorializing the President of the United States to nominate Dr. John H. Knowles as Assistant Secretary of Health, Education, and Welfare and the United States Senate to confirm said appointment

"Whereas, Dr. John H. Knowles, the distinguished and able General Director of the Massachusetts General Hospital is being mentioned as Assistant Secretary of Health, Education, and Welfare; and

"Whereas, Dr. Knowles as General Director of the Massachusetts General Hospital, which in 1967 was rated number one in a list of ten of America's best hospitals, is a recognized expert in hospital supervision, medical affairs, health planning and scientific research, all fields which come under the supervision of the Assistant Secretary of Health, Education and Welfare; therefore be it

"Resolved, That the Massachusetts House of Representatives respectfully urges the President of the United States to nominate Dr. John H. Knowles as Assistant Secretary of Health, Education and Welfare; and be it further

"Resolved, That the Massachusetts House of Representatives respectfully urges the Senate of the United States to confirm said appointment; and be it further

"Resolved, That copies of these resolutions be sent forthwith by the Secretary of the Commonwealth to the President of the United States, to the presiding officer of the United States Senate and to the members thereof from this Commonwealth and the other New England states.

"House of Representatives, adopted, April 28, 1969.

"Wallace C. Mills,
"Clerk.

"Attest:

"John F. X. Davoren,
"Secretary of the Commonwealth."

A resolution adopted by the House of Representatives of the Legislature of the State of Massachusetts; to the Committee on Rules and Administration:

"Resolution by the Commonwealth of Massachusetts

"Resolution memorializing the Congress of the United States to repeal the Hatch Political Activity Act

"Whereas, Our great nation and its institutions would be strengthened by participation by a greater number of the citizenry in political affairs; and

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"Whereas, The restrictions placed upon the political activities of certain governmental employees by the Hatch Political Activity Act deprive said citizens of their just rights; therefore be it

"Resolved, That the Massachusetts House of Representatives urges the Congress of the United States to repeal the Hatch Political Activity Act; and be it further

"Resolved, That copies of these resolutions be transmitted forthwith by the Secretary of the Commonwealth to the presiding officer of each branch of Congress and to each member thereof from this Commonwealth.

"House of Representatives, adopted, April 30, 1969.

"Wallace C. Mills,
"*Clerk.*

"Attest:

"John F. X. Davoren,
"*Secretary of the Commonwealth.*"

A resolution adopted by the Senate of the Legislature of the State of Massachusetts; ordered to lie on the table:

"Resolution by the Commonwealth of Massachusetts

"Resolution memorializing the Congress of the United States to enact a pending bill providing a civil remedy for misrepresentation of the quality of articles composed in whole or in part of gold or silver

"Whereas, Massachusetts is the home of high quality jewelry fabricating firms which employ 12,000 workers with a total production of 60 million dollars annually;

"Whereas, These high quality products are threatened by the mislabeling of the quality of gold or silver in certain jewelry products such as "14 karat", "sterling", "gold-filled" and other such quality marks; and

"Whereas, The present federal Gold and Silver Stamping Act providing for criminal prosecutions has been found to be totally ineffective so that it is necessary to amend the law to provide for civil action by private parties to seek cease and desist orders; and

"Whereas, The Consumers' Council of the Commonwealth has voted to support pending federal legislation as a consumer protective measure; therefore be it

"Resolved, That the Senate of Massachusetts respectfully urges the Congress of the United States to enact a pending bill filed by Senators Kennedy and Pastore (S. 1046) to protect consumers by providing a civil remedy for misrepresentation of the quality of articles composed in whole or in part of gold or silver; and be it further

"Resolved, That copies of these resolutions be transmitted forthwith by the Secretary of the Commonwealth to the President of the United States, to the presiding officer of each branch of the Congress and to the members thereof from the Commonwealth and the Massachusetts Consumers' Council for presentation to the appropriate committees of Congress.

"Senate, adopted, May 5, 1969.

"Norman L. Pidgeon,
"*Clerk.*

"Attest:

"John F. X. Davoren,
"*Secretary of the Commonwealth.*"

A resolution adopted by the Delegates attending the Fourth Biennial Convention of the Arizona State AFL–CIO, deploring the increased purchase of California table grapes by the Department of Defense.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. MUNDT, from the Committee on Government Operations, without amendment:

S. 844. A bill to improve the operation of the legislative branch of the Federal Government, and for other purposes (Rept. No. 91–202); and

S.J. Res. 60. A joint resolution to establish a Commission on Balanced Economic Development (Rept. No. 91–201).

By Mr. NELSON, from the Committee on Interior and Insular Affairs, without amendment:

S. 826. A bill to designate certain lands in the Seney, Huron Islands, and Michigan Islands National Wildlife Refuges in Michigan, the Gravel Island and Green Bay National Wildlife Refuges in Wisconsin, and the Moosehorn National Wildlife Refuge in Maine, as wilderness (Rept. No. 91–200).

By Mr. LONG, from the Committee on Commerce, without amendment:

S. 133. A bill to authorize the vessel *Orion* to engage in the coastwise trade (Rept. No. 91–203); and

S. 753. A bill to authorize and direct the Secretary of Transportation to cause the vessel *Cap'n Frank*, owned by Ernest R. Darling, of South Portland, Maine, to be documented as a vessel of the United States with full coastwise privileges (Rept. No. 91–204).

REPORT OF COMMITTEE ON COMMERCE ON NOMINATION OF CHARLES H. MEACHAM

Mr. INOUYE. Mr. President, at the request of the chairman of the Committee on Commerce (Mr. Magnuson), I file the report of the Committee on Commerce on the nomination of Mr. Charles H. Meacham, and ask unanimous consent that the minority and individual views, which will be filed at a later time, be permitted; and that, when those views are filed, they be printed (Ex. Rept. No. 5).

The PRESIDING OFFICER. Without objection, it is so ordered.

ENROLLED BILL AND JOINT RESOLUTION PRESENTED

The Secretary of the Senate reported that on May 21, 1969, he presented to the President of the United States the following enrolled bill and joint resolution:

S. 256. An act to confer U.S. citizenship posthumously upon L. Cpl. Theodore Daniel Van Staveren; and

S.J. Res. 104. Joint resolution to authorize the President to reappoint as Chairman of the Joint Chiefs of Staff, for an additional term of 1 year, the officer serving in that position on April 1, 1969.

BILLS AND JOINT RESOLUTIONS INTRODUCED

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. AIKEN (for himself, Mr. Curtis, and Mr. Holland):

S. 2225. A bill to strengthen voluntary agricultural organizations, to provide for the orderly marketing of agricultural products, and for other purposes; to the Committee on Agriculture and Forestry.

(See the remarks of Mr. Aiken when he introduced the above bill, which appear under a separate heading.)

By Mr. YOUNG of North Dakota:

S. 2226. A bill to amend the Agricultural Adjustment Act of 1938 to provide that review committee members may be appointed from any county within a State and that the Secretary of Agriculture may institute proceedings in court to obtain a review of any review committee determination; to the Committee on Agriculture and Forestry.

By Mr. AIKEN:

S. 2227. A bill to amend the Tariff Schedules of the United States to provide duty-free entry for grids for electron microscopes; to the Committee on Finance.

(See the remarks of Mr. Aiken when he introduced the above bill, which appear under a separate heading.)

By Mr. THURMOND:

S. 2228. A bill to provide for the increase of capacity and the improvement of operations of the Panama Canal, and for other purposes; to the Committee on Armed Services, by unanimous consent.

S. 2229. A bill for the relief of certain corporations, associations, and individuals; to the Committee on the Judiciary.

By Mr. PELL:

S. 2230. A bill to authorize foreign-built vessels owned by citizens of the United States to be documented under the laws of the United States for the purpose of engaging in the fisheries; to the Committee on Commerce.

(See the remarks of Mr. Pell when he introduced the above bill, which appear under a separate heading.)

By Mr. HARRIS:

S. 2231. A bill for the relief of Dr. In Bae Yoon; to the Committee on the Judiciary.

By Mr. INOUYE (for Mr. Gravel):

S. 2232. A bill to amend the Alaskan Statehood Act, Public Law 85–508, July 7, 1958, 72 Stat. 339, by repealing the exclusive jurisdiction of the Federal Maritime Board over common carriers engaged in transportation by water between any port in the State of Alaska and other ports in the United States; to the Committee on Interior and Insular Affairs, by unanimous consent.

(See the remarks of Mr. Inouye when he introduced the above bill, which appear under a separate heading.)

By Mr. BROOKE:

S. 2233. A bill for the relief of Stefan Surzycki; to the Committee on the Judiciary; and

S. 2234. A bill to provide for the establishment of a national cemetery at Westfield, Mass.; to the Committee on Interior and Insular Affairs.

By Mr. SYMINGTON:

S. 2235. A bill for the relief of Dr. Pablo Calma De Ungria; to the Committee on the Judiciary.

By Mr. MAGNUSON (for himself, Mr. Hart, Mr. Dodd, Mr. Pastore, Mr. Moss, Mr. Hollings, and Mr. Inouye):

S. 2236. A bill to create a Federal Insurance Guaranty Corporation to protect the American public against certain insurance company insolvencies; to the Committee on Banking and Currency.

(See the remarks of Mr. Magnuson when he introduced the above bill, which appear under a separate heading.)

By Mr. BELLMON (for Mr. Dole):

S. 2237. A bill to amend title 37 of the United States Code to provide that a family separation allowance shall be paid to any member of a uniformed service assigned to Government quarters providing he is otherwise entitled to such separation allowance; to the Committee on Armed Services.

(See the remarks of Mr. Bellmon when he introduced the above bill, which appear under a separate heading.)

By Mr. MONTOYA:

S. 2238. A bill for the relief of Yvonne Nanette Panebouef; to the Committee on the Judiciary.

By Mr. DOMINICK (for Mr. Javits, for himself, Mr. Murphy, and Mr. Prouty):

S. 2239. A bill to amend the Public Health Service Act to improve and extend the provisions relating to assistance to medical libraries and related instrumentalities, and for other purposes; to the Committee on Labor and Public Welfare.

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(See the remarks of Mr. DOMINICK when he introduced the above bill, which appear under a separate heading.)

By Mr. SPARKMAN (for himself, Mr. BENNETT, and Mr. WILLIAMS of New Jersey):

S.J. Res. 112. A joint resolution to amend section 19(e) of the Securities Exchange Act of 1934; to the Committee on Banking and Currency.

(See the remarks of Mr. SPARKMAN when he introduced the above joint resolution, which appear under a separate heading.)

S. 2225—INTRODUCTION OF A BILL TO STRENGTHEN VOLUNTARY AGRICULTURAL ORGANIZATIONS TO PROVIDE FOR ORDERLY MARKETING OF AGRICULTURAL PRODUCTS

Mr. AIKEN. Mr. President, on behalf of the Senator from Nebraska (Mr. CURTIS), the Senator from Florida (Mr. HOLLAND), and myself, I introduce a bill to strengthen voluntary agricultural organizations to provide for the orderly marketing of agricultural products, and for other purposes.

I ask that the bill be referred to the proper committee, which is the Committee on Agriculture and Forestry.

The PRESIDING OFFICER. The bill will be received and referred as requested.

The bill (S. 2225) to strengthen voluntary agricultural organizations, to provide for the orderly marketing of agricultural products, and for other purposes, introduced by Mr. AIKEN (for himself and others), was received, read twice by its title, and referred to the Committee on Agriculture and Forestry.

Mr. AIKEN. Mr. President, in 1968 Congress enacted Public Law 90–288, a bill I originally offered in the Senate with the former Senator from Ohio, Mr. Lausche, and others.

The bill became widely known as the "fair play bill" because its purpose was to guarantee farmers the right to bargain as to the price and conditions of sale of their products without reprisal for their membership in a cooperative or any other marketing-bargaining association.

This law prohibits handlers from intimidation, bribery, discrimination, coercion, or "refusing to deal" with a producer because of his affiliation with such an association of producers.

The Secretary of Agriculture is empowered to enforce this law by going directly into Federal court on behalf of an aggrieved producer or his association, or the producer or his association may seek an injunction without going to the Secretary.

It has come to my attention that some handlers have refused to sit down and bargain.

This refusal violates the intent of the law.

I am, therefore, offering an amendment to strengthen the law as it pertains to such refusals.

The amendment defines a bargaining association as an association of producers or an agent of the farmers that is principally empowered to bargain with handlers.

This definition makes it clear beyond any question that such a bargaining association would not necessarily have to be "certified" by a Government agency.

The amendment would also prohibit any handler from refusing to bargain at a reasonable time and place, and the association would have to show written proof that it represented the farmers from whom the handler usually obtained products, or farmers who might reasonably and efficiently supply products to the handler.

The amendment specifically states that the law does not require producers to join an association and does not prevent handlers from selecting their customers for any reason other than a producer's membership in an association of producers.

It does not require handlers or bargaining associations to conclude an agreement.

This is a simple clarification of the law, Mr. President.

It places no burden on the handler that it does not also place on the producer or his association.

It merely strengthens the "fair play law" in its requirements that there be fair play between the farmers and the handlers.

S. 2227—INTRODUCTION OF A BILL TO AMEND THE TARIFF SCHEDULES TO PROVIDE DUTY-FREE ENTRY FOR GRIDS FOR ELECTRON MICROSCOPES

Mr. AIKEN. Mr. President, I introduce for appropriate reference a bill to amend the Tariff Schedules of the United States to provide duty-free entry for grids for electron microscopes. The purpose of the bill is to correct an inequity in our Tariff Schedules which I am advised by the Customs Bureau cannot be done without legislation.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2227) to amend the Tariff Schedules of the United States to provide duty-free entry for grids for electron microscopes, introduced by Mr. AIKEN, was received, read twice by its title, and referred to the Committee on Finance.

S. 2236—INTRODUCTION OF A BILL TO ESTABLISH A FEDERAL INSURANCE GUARANTY CORPORATION

Mr. MAGNUSON. Mr. President, on behalf of Senators HART, DODD, PASTORE, MOSS, HOLLINGS, INOUYE, and myself, I introduce for appropriate reference a bill to establish a Federal Insurance Guaranty Corporation.

There is a paramount need for this legislation. Since 1958 no less than 109 automobile insurance companies and 18 fire insurance companies have become insolvent. These insolvencies have left thousands of Americans without insurance coverage and thousands of unsuspecting policyholders subject to assessment. It is estimated that over $200 million worth of lost premiums and unsatisfied claims have resulted from these insurance insolvencies.

The insolvency problem is aggravated by the fact that the victims of such insolvencies are usually those in society who can least afford to lose their insurance coverage. The low- or moderate-income policyholder is most susceptible to victimization by financially unsound insurance companies who charge exorbitant premiums and pay their insurance agents inordinately high commissions.

Recent testimony before Senator HART's Antitrust and Monopoly Subcommittee illustrates the interstate nature of the insolvency problem and the need to assist the State regulators in this area. One State insurance commissioner, when endorsing the concept of a Federal guaranty corporation with examination power, related the difficulty the conscientious State insurance commissioner has in ascertaining the financial condition of a nondomiciliary company doing business in his State. The commissioner explained how some companies report inflated security holdings which rotate from State to State and company to company, while each State insurance office is blocked from tracing the security holdings and discovering their fraudulent nature. He also said that current conglomerate activity makes examination of nondomiciliary as well as domiciliary insurance companies difficult and beyond the capability of staff and resources of most State insurance regulators.

The above problems are aggravated by the lack of communication between the various insurance commissioners of the several States and by inconsistently effective State regulatory authority. Such ineffectiveness may be caused by inadequate budgetary restrictions that preclude adequate staffing or in certain unfortunate cases by apathetic administrators.

Three States have taken steps to solve the insolvency problem in the automobile insurance area by creating State guaranty funds. The States of New York, New Jersey, and Maryland have recognized the serious nature of the insolvency problem and the need for guaranty and quality examination.

Every American citizen should be provided that protection. The most effective and efficient means of providing a nationwide guaranty fund with quality examination is to create a Federal Insurance Guaranty Corporation. Insolvency coverages included in uninsured motorist endorsements are not sufficient.

Our colleague, the senior Senator from Connecticut (Mr. DODD) developed the idea of a Federal insurance guaranty fund to protect American automobile insurers. Hearings he chaired before the Antitrust and Monopoly Subcommittee of the Judiciary Committee had disclosed the seriousness and magnitude of the insolvency problem. Following Senator DODD's lead, the Senator from Michigan (Mr. HART) studied the insurance insolvency problem in his position as chairman of the Antitrust and Monopoly Subcommittee. The current work of Senator HART's subcommittee has provided invaluable data about the nature of casualty insurance insolvency. Last year, we on the Commerce Committee initiated legislation authorizing a 2-year automobile insurance study at the Department of

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Transportation. At that time we decided to delay action on a Federal Insurance Guaranty Corporation for at least a year. We can wait no longer.

The initial legislation creating a Federal motor vehicle insurance guaranty fund has been revised. It now provides insolvency protection for all forms of property and casualty insurance. Senator Hart's insurance hearings were instrumental in providing information that was helpful in this revision. The Federal Insurance Guaranty Corporation Act has been developed in close cooperation with both Senator Hart and Senator Dodd, who have joined as principal cosponsors. The bill will provide security to the Nation's policyholders and bring financial stability to the insurance industry. Both industry and the consumer will benefit from enactment of this legislation.

The Federal Insurance Guaranty Corporation bill provides for the creation of an insolvency fund—a fund generated by assessment of all interstate insurance carriers at a rate of one-eighth of 1 percent of the yearly net direct written premiums. This fund will be used to pay policyholders whose companies have become insolvent. The fund will also be available to finance the administrative expenses of the corporation, including the cost of examining the financial aspects of certain insurers applying for guaranty status under the act.

Several provisions in the bill stress the importance of Federal-State cooperation in administering the guaranty fund and conducting examinations. To insure a cooperative approach to the joint regulatory activities at the State and Federal level and to provide a forum for industry views, the bill provides for the creation of a 15-member representative Advisory Committee to assist the Board of Directors of the Corporation. Any Federal examinations are to be conducted in cooperation with State regulatory authorities.

The passage of this bill will protect citizens of this country from insurance insolvencies. This protection will be provided in two ways. First, any insolvency victims will have recourse to a Federal guaranty fund in order to preserve their insurance protection. Second, through Federal-State examination and regulation the financial conditions of insurance companies will be upgraded in order to reduce the incidence of insolvencies. I urge each of my colleagues to study this legislation carefully. It is of great import to each and every American consumer.

Mr. President, I ask unanimous consent that the full text of the bill and a section-by-section analysis be printed in the Record at the conclusion of my remarks.

The **PRESIDING OFFICER**. The bill will be received and appropriately referred; and, without objection, the bill and section-by-section analysis will be printed in the Record.

The bill (S. 2236), to create a Federal Insurance Guaranty Corporation to protect the American public against certain insurance company insolvencies, introduced by Mr. Magnuson (for himself and other Senators), was received, read twice by its title, referred to the Committee on Banking and Currency, and ordered to be printed in the Record, as follows:

S. 2236

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Federal Insurance Guaranty Corporation Act."

CREATION OF CORPORATION

Sec. 2. There is hereby created a Federal Insurance Guaranty Corporation (hereinafter referred to as the "Corporation") which shall guarantee, as hereinafter provided, the contractual performance of participating insurers and which, in connection therewith, shall have the powers hereinafter granted.

BOARD OF DIRECTORS

Sec. 3. The management of the Corporation shall be vested in a Board of Directors consisting of three members, one of whom shall be the Comptroller General of the United States and two of whom shall be citizens of the United States to be appointed by the President, by and with the advice and consent of the Senate. One of the appointive members shall be designated by the President Chairman of the Board of Directors of the Corporation and not more than two of the members shall be members of the same political party. Each such appointive member shall hold office for a term of six years, except that any person chosen to fill a vacancy shall be appointed only for the unexpired term of the member whom he shall succeed: *Provided*, however, that upon the expiration of his term of office a member shall continue to serve until his successor shall have been appointed and shall have qualified. In the event of a vacancy in the office of the Comptroller General of the United States and pending the appointment of his successor, or during the absence or disability of the Comptroller General, the Acting Comptroller General shall be a member of the Board of Directors in the place and stead of the Comptroller General. In the event of a vacancy in the office of the Chairman of the Board of Directors, and pending the appointment of his successor, the Comptroller General shall act as Chairman. A majority of the members shall constitute a quorum for the transaction of business. The members of the Board of Directors shall be ineligible during the time they are in office and for two years thereafter to hold any office, position, or employment in any participating insurer, except that this restriction shall not apply to any member who has served the full term for which he was appointed. No member of the Board of Directors shall be an officer or director of any participating insurer or hold stock in any participating insurer; and before entering upon his duties as a member of the Board of Directors he shall certify under oath that he has complied with this requirement and such certification shall be filed with the secretary of the Board of Directors.

ADVISORY COMMITTEE

Sec. 4. (a) (1) There is hereby established an Advisory Committee consisting of nineteen members appointed by the Board of Directors. Members of the Committee shall be selected from among representatives of the general public, the insurance industry, state and local governments including State insurance authorities, and the Federal Government. Of these members of the Committee, not more than six shall be regular full-time employees of the Federal Government, not less than four shall be representatives of the private insurance industry, and not less than four shall be representatives of State insurance authorities.

(2) The Board of Directors shall designate a Chairman and a Vice Chairman of the Committee.

(3) Each member shall serve for a term of two years or until his successor has been appointed, except that no person who is appointed while a full-time employee of a State or the Federal Government shall serve in such position after he ceases to be so employed, unless he is reappointed.

(4) Any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of that term.

(b) The Chairman shall preside at all meetings, and the Vice Chairman shall preside in the absence or disability of the Chairman. In the absence of both the Chairman and Vice Chairman, the Board of Directors may appoint any member to act as Chairman pro tempore. The Committee shall meet at such times and places as it or the Board of Directors may fix and determine, but shall hold at least four regularly scheduled meetings a year. Special meetings may be held at the call of the Chairman or any three members of the Committee, or at the call of the Board of Directors. A majority of the members shall constitute a quorum for the transaction of business.

(c) The Committee shall review general policies of the Corporation and advise the Board of Directors with respect thereto, assist in obtaining the cooperation of insurers, industry groups, and Federal and State agencies, consult with and make recommendations to the Board with respect to carrying out the purposes of this title, and perform such other functions as the Board may, from time to time, assign. The written reports and recommendations of the Committee shall be made available by the Board to the public.

(d) The members of the Committee shall not, by reason of such membership, be deemed to be employees of the United States, and such members, except those who are regular full-time employees of the Government, shall receive for their services, as members, the per diem equivalent to the rate for grade GS–18 of the General Schedule under section 5332 of title 5, United States Code, when engaged in the performance of their duties, and each member of the Committee shall be allowed travel expenses, including per diem in lieu of subsistence, as authorized by Section 5703 of such title for persons in the Government service employed intermittently.

CAPITAL STOCK

Sec. 5. The Corporation shall have a capital stock of $50,000,000 which shall be divided into shares of $1,000 each. The total amount of such capital stock shall be subscribed to by the Secretary of the Treasury. For the purpose of making payments for such stock the Secretary of the Treasury is authorized to use as a public debt transaction the proceeds of the sale of any securities hereafter issued under the Second Liberty Bond Act, and the purpose for which securities may be issued under such Act are extended to include such purchases.

DEFINITIONS

Sec. 6. As used in this title—

(1) The term "insurer" means any enterprise engaged in the business of issuing or reinsuring property, casualty or surety insurance policies in interstate commerce or engaged in the business of issuing property, casualty or surety policies which are reinsured (in whole or in part) in interstate commerce.

(2) The term "local insurer" means any enterprise engaged in the business of issuing or reinsuring property, casualty or surety insurance policies solely within one state.

(3) The term "participating insurer" means any enterprise whose property, casualty or surety insurance policies are guaranteed under this title.

(4) The term "property, casualty or surety insurance policy" or "policy" means any contract of property, casualty or surety insurance, including any endorsements thereto

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and without regard to the nature or form of the contract or endorsements, insuring against legal liability or loss contingencies, other than those provided for by life, accident and health or title insurance.

(5) The term "net direct premiums written" means direct gross premiums written on property, casualty or surety insurance policies, less return premiums thereon and dividends paid to policyholders on such direct business. For the purposes of this subsection, premiums written on insurance policies issued to self insurers, whether or not designated as reinsurance contracts, shall be deemed "net direct premiums written".

(6) The term "policyholder claim" means (a) a claim of a policyholder or insured within the coverage of a policy, arising out of an occurrence wherein such policyholder or insured suffered damage or is subject to liability for damages within the coverage of the policy, or (b) a claim by a policyholder or insured for return premium arising out of the termination of the policy by reason of insolvency.

(7) The term "Board" means the Board of Directors of the Federal Insurance Guaranty Corporation.

(8) The term "Fund" means the Federal Insurance Guaranty Fund as described in Section 10 of this title.

(9) The term "interstate commerce" means trade or commerce among the several states, or between the District of Columbia or any possession of the United States and any state or other possession, or within the District of Columbia.

(10) The term "state" means any state, any possession of the United States, the District of Columbia, and the Commonwealth of Puerto Rico.

(11) The term "state supervisory authority" means the agency or individual of the state or domicile of the insurer having responsibility for regulating the business of insurance within that state.

INCORPORATION; POWERS

SEC. 7. (a) Upon the date of enactment of this title, the Corporation shall become a body corporate and shall be an instrumentality of the United States, and as such shall have power—

(1) To adopt, alter and use a corporate seal.

(2) To have succession until dissolved by an Act of Congress.

(3) To make contracts, and execute all instruments necessary and appropriate in the exercise of its powers.

(4) To sue and be sued, complain and defend, in any court of law or equity, state or Federal. All suits of a civil nature at common law or in equity to which the Corporation shall be a party shall be deemed to arise under the laws of the United States, and the United States district courts shall have original jurisdiction thereof without regard to the amount in controversy; and the Corporation may, without bond or security, remove any such action, suit, or proceeding from a State court to the United States district court for the district or division embracing the place where the same is pending by following any procedure for removal now or hereafter in effect. No attachment or execution shall be issued against the Corporation or its property before final judgment in any suit, action, or proceeding in any State, county, municipal, or United States court. The Board of Directors shall designate an agent upon whom service of process may be made in any State, territory, or jurisdiction in which any participating insurer does business.

(5) To appoint by its Board of Directors such officers, employees, attorneys, agents, adjusters, examiners, and other persons as may be necessary for the performance of its duties, to define their duties, fix their compensation, require bonds of them and fix the penalty thereof, and to dismiss at pleasure such officers or employees. Nothing in this chapter or any other Act shall be construed to prevent the appointment and compensation as an officer or employee of the Corporation of any officer or employee of the United States in any board, commission, independent establishment, or executive department thereof.

(6) To prescribe by its Board of Directors by-laws not inconsistent with law, regulating the manner in which its general business may be conducted and the privileges granted to it by law may be exercised and enjoyed.

(7) To exercise by its Board of Directors, or duly authorized officers or agents, all powers specifically granted by the provisions of this title, and such incidental powers as shall be necessary to carry out the powers so granted.

(8) To make examinations of and to require information and reports from any insurer or local insurer making application for guaranty status, or whose policies are guaranteed under this title.

(9) To prescribe by its Board of Directors such rules and regulations as it may deem necessary to carry out the provisions of this title.

(b) No individual, association, partnership, or corporation, other than the Corporation, shall hereafter use the words "Federal Insurance Guaranty Corporation" or any combination of such words, as the name or part thereof under which he or it shall do business. Any violation of this subsection shall be punishable by a fine of not exceeding $100 for each day during which such violation is committed.

ADMINISTRATION OF CORPORATION

SEC. 8. (a) The Board of Directors shall administer the affairs of the Corporation fairly and impartially and without discrimination. The Board of Director shall determine and prescribe the manner in which its obligations shall be incurred and its expenses allowed and paid. The Corporation shall be entitled to free use of the United States mails in the same manner as the executive departments of the Government, and, with the consent of the head of any department or agency of the Federal Government, or of any State government, may avail itself of the use of information, services, and facilities thereof in carrying out the provisions of this title.

(b) The Corporation shall appoint examiners who shall have power, on behalf of the Corporation, to examine any insurer or local insurer making application for guaranty status or whose policies are guaranteed under this title, whenever in the judgment of the Corporation an examination of such insurer is necessary. In making examinations of insurers or local insurers the examiners shall have power on behalf of the Corporation to make such examinations of the affairs of all affiliates of such insurers as shall be necessary to disclose fully the relations between such insurers and their affiliates and the effect of such relations upon such insurer. Each examiner shall have power to make a thorough examination of all of the affairs of the insurer and such affiliates and shall make a full and detailed report of the condition of the insurer to the Corporation. All examiners appointed by the Corporation shall cooperate as far as practicable with the appropriate State supervisory authorities in conducting examinations under this title. It is the intent of Congress that any such examinations shall be coordinated with examinations by the appropriate State supervisory authorities and the National Association of Insurance Commissioners. Copies of reports of examinations by examiners appointed by this subsection shall be furnished by the Corporation to the appropriate State supervisory authorities which shall be afforded the opportunity to comment thereon. Copies of any report or statement made to any State supervisory authority by any participating insurer shall be filed with the Corporation within ten days after such reports or statements have been made to such authority. The Corporation may accept any report or statement made to an appropriate State supervisory authority by any insurer or local insurer making application for guaranty status under this title or whose policies are guaranteed under this title.

(c) In connection with examinations of insurers and local insurers, the Corporation or its examiners shall have power to administer oaths and affirmations and to examine and to take and preserve testimony under oath as to any matter in respect of the affairs or ownership of any such insurer or affiliate thereof, and to issue subpoenas and subpoena duces tecum, and, for the enforcement thereof, the Corporation may apply to the United States district court for the judicial district or the United States court in any territory or possession in which the principal office of the insurer or affiliate thereof is located, or in which the witness resides or carries on business. Such courts shall have jurisdiction and power to order and require compliance with any such subpoena.

(d) The term "affiliate" or "affiliates" as used in the foregoing subsections (b) and (c) means any enterprise related directly or indirectly to the insurance activities of the insurer or local insurer.

(e) In cases of refusal to obey a subpoena issued to, or contumacy by, any person, the Board of Directors may invoke the aid of any court of the United States within the jurisdiction of which such hearing, examination or investigation is carried on, or where such person resides or carries on business, in requiring the attendance and testimony of witnesses and the production of books, records, or other papers. And such court may issue an order requiring such person to appear before the Board of Directors or member or person designated by the Board of Directors, there to produce records, if so ordered, or to give testimony touching the matter in question; and any failure to obey such order of the court may be punished by such court as a contempt thereof. All process in any such case may be served in the judicial district whereof such person is an inhabitant or carries on business or wherever he may be found. No person shall be excused from attending and testifying or from producing books, records, or other papers in obedience to a subpoena issued under the authority of this chapter on the ground that the testimony or evidence, documentary or otherwise, required of him may tend to incriminate him or subject him to penalty or forfeiture; but no individual shall be prosecuted or subject to any penalty or forfeiture for or on account of any transaction, matter, or thing concerning which he is compelled to testify or produce evidence, documentary or otherwise, after having claimed his privilege against self-incrimination, except that such individual so testifying shall not be exempt from prosecution and punishment for perjury committed in so testifying.

(f) If any participating insurer, after written notice is given to it and the State supervisory authority of the recommendations of the Corporation based on a report of examination by an examiner of the Corporation (in cooperation with an examiner of the appropriate State supervisory authority), shall fail to comply with such recommendations within such time as the Corporation deems appropriate in the light of the circumstances of the case, the Corporation may publish such part of such report of examination as relates to any such recommendation not complied with: *Provided*, That notice of intention to make such publication shall be given to the insurer and the appropriate state supervisory authority at least sixty days before such publication is made.

(g) The Corporation may cause any and all records, papers, or documents kept by it or in its possession or custody to be photographed or microphotographed or other-

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wise reproduced upon film, which photographic film shall comply with the minimum standards of quality approved for permanent photographic records by the National Bureau of Standards. Such photographs, microphotographs, or photographic film or copies thereof shall be deemed to be an original record for all purposes, including introduction in evidence in all State and Federal courts or administrative agencies and shall be admissable to prove any act, transaction, occurrence, or event therein recorded. Such photographs, microphotographs, or reproduction shall be preserved in such manner as the Board of Directors of the Corporation shall prescribe and the original records, papers, or documents may be destroyed or otherwise disposed of as the Board shall direct.

PAYMENT OF GUARANTY

SEC. 9. (a) The Corporation shall assume and perform all the obligations of a participating insurer under property, casualty and surety insurance policies which are guaranteed under this title, if:

(1) Such insurer is determined by a final decision of a court of competent jurisdiction to be insolvent;

(2) The receiver or liquidator appointed by such court gives written notice to the Corporation of such decision; and

(3) Such receiver or liquidator makes all books and records (including claim files) available to the Corporation.

Upon compliance with the foregoing with respect to any such insurer, the Corporation shall file forthwith a certificate of assumption with the court having jurisdiction over such insurer.

(b) Upon the filing of a certificate of assumption, all proceedings pending in any court against the insured or the insurer arising out of an occurrence within the coverage of a policy guaranteed under this title shall be stayed automatically for a period of thirty days for the purposes of this title.

(c) The Corporation shall be subject to the same obligations, liabilities, terms, conditions and waivers of the insurer and shall have available any defense or defenses (including that of policy limits) which would be available to the insurer.

(d) The Corporation is authorized to investigate, examine, adjust, compromise or settle any claim pending against the insured or the insurer on or after the date of the filing of a certificate of assumption. The Corporation is authorized to defend any action pending or brought against the policyholder or the insured on or after the date of the filing of such certificate.

(e) In no event shall any claim for return premium be allowed in excess of 50 per centum of the unearned premiums.

(f) Any person (including any individual, partnership, association or corporation) having a policyholder claim against the insurer or claim against the insured who also has a claim under State law against a State insurance insolvency or liability security fund growing out of the same insolvency, shall be required to exhaust first his rights under such State law against such State fund, if any, to the extent available for the satisfaction of his claim before receiving any payment under this title on any such claim, and the liability, if any, of the Corporation to any such claimant under this title shall be limited to the excess, if any, of any such claim not so satisfied under State law from such State fund.

(g) Any person (including any individual, partnership, association or corporation) having a claim against his insurer under any insolvency protection provision contained in his insurance policy, which claim arises out of the insolvency of a participating insurer, shall be required to exhaust first his rights under this title and/or under any applicable State insolvency or liability security fund, as provided for in subsection (f) hereof, before receiving any payment for such claim from his insurer, and the liability, if any, of his insurer under such policy shall be limited to the excess, if any, of any such claim not so satisfied from such State fund and/or the Fund provided for herein.

(h) The Corporation shall be entitled to a valid claim against the insurer, or its liquidator, rehabilitator, conservator, receiver or trustee in bankruptcy, in an amount equal to the liabilities of such insurer paid from the Fund, less the net payments paid into the Fund by such insurer.

FEDERAL INSURANCE GUARANTY FUND

SEC. 10. (a) Funds obtained by the Corporation from the sale of its capital stock, as provided in section 5, and from guaranty fees collected pursuant to subsection (b) of section 13, shall be deposited in the Federal Insurance Guaranty Fund, which is hereby established. The Fund shall be held by the Corporation and used by it for carrying out its guaranty functions under this title, and for operating expenses arising in connection therewith.

(b) Whenever after retirement of the outstanding Treasury shares issued pursuant to section 5 the net asset value of the Fund exceeds two per centum of the annual net direct premiums written by all participating insurers, the Corporation shall waive the requirements for fees as herein stated: *Provided*, That such requirement shall be reinstated whenever the net asset value of such fund is less than two per centum of the annual net direct premiums written by all participating insurers: *Provided further*, That no distribution or rebate shall be made by reason of the fact that the total amount in fees collected by the Corporation at any time exceeds two per centum of such annual direct written premiums. In determining net asset value for the purposes of this subsection, the Board shall include estimated liabilities that may be chargeable to such Fund.

(c) No participating insurer shall be required to pay any fee or assessment under an State insurance insolvency or liability security fund law for any period during which the insurance policies of that insurer are guaranteed pursuant to this title.

(d) The Corporation shall retire as rapidly as practicable, having due regard to the need to maintain at all times the solvency of the Fund, the capital stock of the Corporation which is held by the Treasury.

(e) In the event that the Congress should repeal this title, any moneys remaining in such Fund at that time, after redemption of any outstanding capital stock, repayment of any outstanding loans from the Treasury under section 16 of this title and discharge of all expenses and obligations under this title, shall be returned to the participating insurers pro rata in accordance with the guaranty fees they have paid into the Fund.

(f) In the event that the Congress should reduce the size of the Fund specified in subsection (b) of this section 10, any excess in the Fund above the new statutory limit shall be returned to the participating insurers pro rata in accordance with the guaranty fees they have paid into the Fund.

APPLICATION FOR GUARANTEED STATUS

SEC. 11. Each insurer shall, and each local insurer may, make application to the Corporation for guaranty under this title. Such application shall be in such form and contain such information as the Corporation shall by regulation prescribe. The Corporation shall approve any such application if it finds, after examination, that the applicant is capable of conducting its business in a sound and solvent manner and, in making its determination, shall consider, along with such other factors as it may deem necessary or appropriate, the applicant's capital and surplus, reasonableness of operational expenses, premium writings as related to surplus, adequacy of loss and expense reserves, reinsurance, investment portfolio and managerial qualifications. Upon approval of any such application, after the imposition of any necessary conditions, the Corporation shall notify the applicant and issue to it an appropriate certificate which shall become effective not earlier than one year after the date of enactment of this title. Upon the taking effect of any such certificate, the contractual obligations of such participating insurer under property, casualty and surety insurance policies shall be guaranteed by the Corporation. Each participating insurer shall include a statement in each policy to the effect that such policy is guaranteed by the Corporation. The Corporation shall prescribe by regulation the substance of such statement and the form and manner of use. If any such application is not approved by the Corporation, it shall promptly notify the applicant as well as the State supervisory authority, and shall state the reasons therefor. Any insurer or local insurer the application of which has been denied by the Corporation shall, upon written request made to the Corporation within thirty days after receipt of the notification of denial, be granted a hearing as provided in section 14(i) of this title.

PENALTIES

SEC. 12. (a) Any insurer (other than a local insurer) issuing or reinsuring any property, casualty or surety insurance policy which is not guaranteed under this title shall forfeit to the United States the sum of $1,000 for each and every day that such policy is in effect and is not guaranteed under this title. Such forfeiture shall be payable to the Corporation for its use. The Corporation is authorized to collect any unsatisfied forfeiture claim from the directors and officers of the Corporation individually. This subsection shall take effect upon the expiration of one year after the effective date of this title.

(b) Whoever falsely advertises or otherwise misrepresents by any device whatsoever that any property, casualty or surety insurance policy is guaranteed by the Federal Insurance Guaranty Corporation, or by the Government of the United States, or by any instrumentality thereof, shall be fined not more than $1,000, or imprisoned not more than one year, or both.

REPORTS; GUARANTY FEE

SEC. 13. (a) Each participating insurer shall make to the Corporation reports of condition which shall be in such form, at such time and shall contain such information as the Board of Directors may require. The Board of Directors may require reports of condition to be published in such manner, not inconsistent with any applicable law, as it may direct. Every participating insurer which fails to make or publish any such report within ten days of its due date shall be subject to a penalty of not more than $100 for each day of such failure, which penalty shall be recoverable by the Corporation for its use.

(b)(1) Each calendar year following the year in which the application of a participating insurer was approved by the Corporation, such participating insurer shall pay to the Corporation a guaranty fee. This fee, which shall be equal to one-eighth of one percentum of the net direct premiums written by the participating insurer during the year, shall be assessed semiannually, based on net direct premiums written during the periods January 1 through June 30 and July 1 through December 31.

(2) On or before the last day of the first month following each of the above mentioned semiannual periods, each participating insurer shall file with the Corporation a certified statement showing the net direct premiums written by such insurer during that period. In the event that accurate information is not available at that time, an estimate may be filed, *provided*, however,

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that a final certified statement must be filed not later than sixty days from the last day of the reporting period.

(3) The certified statements required to be filed with the Corporation under paragraph (2) of this subsection shall be in such form and set forth such supporting information as the Board of Directors shall prescribe and shall be certified by the president of the insurer or any other officer designated by its board of directors to be, to the best of his knowledge and belief, true, correct and complete and in accordance with this title and regulations issued thereunder. The assessment payments required from participating insurers under paragraph (1) of this subsection shall be made in such manner and at such time or times as the Board of Directors shall prescribe, provided the time or times so prescribed shall not be later than sixty days after filing the certified statement setting forth the amount of assessment.

(4) Except as otherwise provided in this section, the Board of Directors shall prescribe all needful rules and regulations for the enforcement of this section. The Board of Directors may limit the retroactive effect, if any, of any of its rules or regulations.

(c) The Corporation may (1) refund to a participating insurer any payment of assessment in excess of the amount due to the Corporation or (2) credit such excess toward the payment of the assessment next becoming due from such insurer and upon succeeding assessments until the credit is exhausted.

(d) Any participating insurer which fails to make any report of condition under subsection (2) of this section or to file any certified statement required to be filed by it in connection with determining the amount of any assessment payable by the insurer to the Corporation may be compelled to make such report or file such statement by mandatory injunction or other appropriate remedy in a suit brought for such purpose by the Corporation against the insurer and any officer or officers thereof in any court of the United States of competent jurisdiction in the District or Territory in which such insurer is located.

(e) The Corporation, in a suit brought at law or in equity in any court of competent jurisdiction, shall be entitled to recover from any participating insurer the amount of any unpaid assessment lawfully payable by such insurer to the Corporation, whether or not such insurer shall have made any such report of condition under subsection (a) of this section or filed any such certified statement and whether or not suit shall have been brought to compel the insurer to make any such report or file any such statement. No action or proceeding shall be brought for the recovery of any assessment due to the Corporation, or for the recovery of any amount paid to the Corporation in excess of the amount due to it, unless such action or proceeding shall have been brought within five years after the right accrued for which the claim is made, except where the participating insurer has made or filed with the Corporation a false or fradulent certified statement with the intent to evade, in whole or in part, the payment of assessment, in which case the claim shall not be deemed to have accrued until the discovery by the Corporation that the certified statement is false or fraudulent.

(f) Should any participating insurer fail to make any report of condition under subsection (a) of this section or to file any certified statement required to be filed by such insurer under any provision of this section, or fail to pay any assessment required to be paid by such insurer under any provision of this title, and should the insurer not correct such failure within thirty days after written notice has been given by the Corporation to an officer of the insurer, citing this subsection, and stating that the insurer has failed to file or pay as required by law, all the rights, privileges, and franchises of the insurer granted to it under this title shall be thereby forfeited. Whether or not the penalty provided in this subsection has been incurred shall be determined and adjudged after hearing in the manner provided in section 14(i) of this title. The remedies provided in this subsection and in the two preceding subsections shall not be construed as limiting any other remedies against any participating insurer, but shall be in addition thereto.

(g) Any participating insurer which willfully fails or refuses to file any certified statement or pay any assessment required under this title shall be subject to a penalty of not more than $100 for each day that such violations continue, which penalty the Corporation may recover for its own use.

(h)(1) Whenever a change occurs in the outstanding voting stock of any participating insurer which will result in control or in a change in the control of such insurer, the president or other chief executive officer of such insurer shall promptly report such facts to tne Corporation upon obtaining knowledge of such change. As used in this subsection, the term "control" means the power directly or indirectly to direct or cause the direction of the management or policies of the insurer. If there is any doubt as to whether a change in ownership or other change in the outstanding voting stock of the insurer is sufficient to result in control or a change in the control thereof, such doubt shall be resolved in favor of reporting the facts to the Corporation.

(2) Whenever such a change as described in paragraph (1) of this subsection occurs, the participating insurer involved shall report promptly to the Corporation any change or changes, or replacement or replacements, of its chief executive officer or of any director occurring in the next twelve-month period, including in its report a statement of the past and current business and professional affiliations of the new chief executive officer or director.

(3) Whenever a participating insurer makes a loan or loans secured or to be secured by 25 per centum or more of the voting stock of another participating insurer, the president or other chief executive officer of the lending insurer shall promptly report such fact to the Corporation upon obtaining knowledge of such loan or loans, except that no report need be made in those cases where the borrower has been the owner of record of the stock for a period of one year or more, or the stock is of a newly organized insurer.

(4) The reports required by paragraphs (1) and (3) of this subsection shall contain the following information to the extent that it is known by the person making the report: (a) the number of shares involved, (b) the names of the sellers (or transferors), (c) the names of the purchasers (or transferees), (d) the names of the beneficial owners if the shares are registered in another name, (e) the purchase price, (f) the total number of shares owned by the sellers (or transferors), the purchasers (or transferees) and the beneficial owners both immediately before and after the transaction, and in the case of a loan, (g) the name of the borrower, (h) the amount of the loan, and (i) the name of the insurer issuing the stock securing the loan and (j) the number of shares securing the loan. In addition to the foregoing, such reports shall contain such other information as may be available to inform the Corporation of the effect of the transaction upon control of the insurer whose stock is involved.

TERMINATIONS; ENFORCEMENT

Terminations of guaranty

SEC. 14. (a) Whenever the Board of Directors shall find that (i) a participating insurer or its directors or officers have engaged or are engaging in unsafe or unsound practices in conducting the business of the insurer, (ii) the insurer is in an unsafe or unsound condition to continue operations as a participating insurer, or (iii) the insurer has violated any provision of this title or any rule, regulation or order issued pursuant to this title, or any condition imposed in writing by the Corporation in connection with the granting of any application or other request by the insurer, or any written agreement entered into with the Corporation, the Board of Directors shall give to the State supervisory authority a statement with respect to such practices or violations for the purpose of securing the correction thereof and shall give a copy of the statement to the insurer. Unless correction shall be made within one hundred and twenty days from receipt of such statement, or such shorter period not less than twenty days fixed by the Corporation in any case where the Board of Directors in its discretion has determined that the insurance risk of the Corporation is unduly jeopardized, or unless within such time the Corporation shall have received acceptable assurances that such correction will be made within a time and in a manner satisfactory to the Corporation, or in the event such assurances are submitted to and accepted by the Corporation but are not carried out in accordance with their terms, the Board of Directors, if it shall determine to proceed further, shall give to the insurer not less than thirty days' written notice of intention to terminate its guaranteed status. Such notice shall contain a statement of the facts constituting the alleged violation or unsafe or unsound practice or condition and shall fix a time and place for a hearing before the Board of Directors or before a person designated by it to conduct such hearing, at which evidence may be produced, and upon such evidence the Board of Directors shall make written findings which shall be conclusive, subject to right of review as hereinafter provided for. If the Board of Directors shall find that any unsafe or unsound practice or condition or violation specified in such statement has been established and has not been corrected within the time above prescribed in which to make such corrections, the Board of Directors may order that the guaranteed status of the insurer be terminated on a date subsequent to such finding and to the expiration of the time specified in such notice of intention. Unless the insurer shall appear at the hearing by a duly authorized representative, it shall be deemed to have consented to the termination of its guaranteed status and termination of such status thereupon may be ordered. Any insurer whose guaranteed status has been terminated by order of the Board of Directors under this subsection shall have the right of judicial review of such order only to the same extent as provided for the review of orders under subsection (i) of this section. The Corporation may publish notice of such termination and the insurer shall give notice of such termination to each of its policyholders at his last address of record on the books of the insurer, in such manner and at such time as the Board of Directors may find to be necessary and may order for the protection of policyholders. In the event of failure to give the notice to policyholders as herein provided, the Corporation is authorized to give such notice. An order terminating the guaranteed status of any participating insurer shall not affect any guaranteed policy issued by such insurer prior to the date on which the order was issued, but shall be effective with respect to (1) the renewal of such policy, and (2) any property, casualty or surety insurance policy thereafter issued by such insurer. The procedures, contained in this subsection are independent of and supplementary to those provided for in subsections (b) through (e).

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Cease and desist proceedings

(b)(1) If, in the opinion of the Corporation any participating insurer is engaging or has engaged, or the Corporation has reasonable cause to believe that such insurer is about to engage, in an unsafe or unsound practice in conducting its business, or is violating or has violated, or the Corporation has reasonable cause to believe that such insurer is about to violate, a law, rule, or regulation, or any condition imposed in writing by the Corporation in connection with the granting of any application of other request by the insurer, or any written agreement entered into with the Corporation, the Corporation may issue and serve upon the insurer a notice of charges in respect thereof. The notice shall contain a statement of the facts constituting the alleged violation or violations or the unsafe or unsound practice or practices, and shall fix a time and place at which a hearing will be held to determine whether an order to cease and desist therefrom should issue against the insurer. Such hearing shall be fixed for a date not earlier than thirty days nor later than sixty days after service of such notice unless an earlier or a later date is set by the Corporation at the request of the insurer. Unless the insurer shall appear at the hearing by a duly authorized representative, it shall be deemed to have consented to the issuance of the cease and desist order. In the event of such consent, or if upon the record made at any such hearing, the Corporation shall find that any violation or unsafe or unsound practice specified in the notice of charges has been established, the Corporation may issue and serve upon the insurer an order to cease and desist from any such violation or practice. Such order may, by provisions which may be mandatory or otherwise, require the insurer and its directors, officers, employees, and agents to cease and desist from the same, and, further, to take affirmative action to correct the conditions resulting from any such violation or practice.

(2) A cease and desist order shall become effective at the expiration of thirty days after the service of such order upon the insurer concerned (except in the case of a cease and desist order issued upon consent, which shall become effective at the time specified therein), and shall remain effective and enforceable as provided therein, except to such extent as it is stayed, modified, terminated, or set aside by action of the Corporation or a reviewing court.

Temporary cease-and-desist orders

(c)(1) Whenever the Corporation shall determine that the violation or threatened violation or the unsafe or unsound practice or practices, specified in the notice of charges served upon the insurer pursuant to paragraph (1) of subsection (b) of this section, or the continuance thereof, is likely to cause insolvency or substantial dissipation of assets or earnings of the insurer, or is likely otherwise seriously to prejudice the interest of the policyholders or the Corporation, the Corporation may issue a temporary order requiring the insurer to cease and desist from any such violation or practice. Such order shall become effective upon service upon the insurer and, unless set aside, limited, or suspended by a court in proceedings authorized by paragraph (2) of this subsection, shall remain effective and enforceable pending the completion of the administrative proceedings pursuant to such notice and until such time as the Corporation shall dismiss the charges specified in such notice or, if a permanent cease and desist order is issued against the insurer, until the effective date of any such order.

(2) Within ten days after the insurer concerned has been served with a temporary cease and desist order, the insurer may apply to the United States district court for the judicial district in which the principal office of the insurer is located, or the United States District Court for the District of Columbia, for an injunction setting aside, limiting, or suspending the enforcement, operation, or effectiveness of such order pending the completion of the administrative proceedings pursuant to the notice of the charges served upon the insurer under paragraph (1) of subsection (b) of this section, and such court shall have jurisdiction to issue such injunction.

(3) In the case of violation or threatened violation of, or failure to obey, a temporary cease and desist order, the Corporation may apply to the United States district court, or the United States court of any territory, within the jurisdiction of which the principal office of the insurer is located, for an injunction to enforce such order and, if the court shall determine that there has been such violation or threatened violation or failure to obey, it shall be the duty of the court to issue such injunction.

Liabilities of directors and officers

(d)(1) Whenever, in the opinion of the Corporation, any director or officer of a participating insurer has committed any violation of law, rule, or regulation, or of a cease and desist order which has become final, or has engaged or participated in any unsafe or unsound practice in connection with the insurer, or has committed or engaged in any act, omission, or practice which constitutes a branch of his fiduciary duty as such director or officer, and the Corporation determines that the insurer has suffered or will probably suffer substantial financial loss or other damage or that the interests of the policyholders could be seriously prejudiced by reason of such violation or practice or breach of fiduciary duty, and that such violation or practice or breach of fiduciary duty is one involving personal dishonesty on the part of such director or officer, the Corporation may serve upon such director a written notice of its intention to remove him from office.

(2) Whenever, in the opinion of the Corporation, any director or officer of a participating insurer, by conduct or practice with respect to another insurer or other business institution which resulted in substantial financial loss or other damage, has evidenced his personal dishonesty and unfitness to continue as a director or officer, and, whenever, in the opinion of the Corporation, any other person participating in the conduct of the affairs of the insurer, by conduct or practice with respect to such insurer or other insurer or other business institution which resulted in substantial financial loss or other damage, has evidenced his personal dishonesty and unfitness to participate in the conduct of the affairs of such insurer, the Corporation may serve upon such director, officer, or other person a written notice of its intention to remove him from office and/or to prohibit his further participation in any manner in the conduct of the affairs of such insurer.

(3) In respect to any director or officer of an insurer or any other person referred to in paragraphs (1) and (2) of this subsection, the Corporation may, if it deems it necessary for the protection of the insurer or the interests of the insurer's policyholders or of the Corporation, by written notice to such effect served upon such director, officer, or other person, suspend him from office and/or prohibit him from further participation in any manner in the conduct of the affairs of the insurer. Such suspension and/or prohibition shall become effective upon service of such notice, and, unless stayed by a court in proceedings authorized by paragraph (5) of this subsection, shall remain in effect pending the completion of the administrative proceedings pursuant to the notice served under paragraphs (1) and (2) of this subsection and until such time as the Corporation shall dismiss the charges specified in such notice, or, if an order of removal and/or prohibition is issued against the director or officer or other person, until the effective date of any such order. Copies of any such notice shall also be served upon the insurer of which he is a director or officer or in the conduct of whose affairs he has participated.

(4) A notice of intention to remove a director, officer, or other person from office and/or to prohibit his participation in the conduct of the affairs of an insurer, shall contain a statement of the facts constituting grounds therefor, and shall fix a time and place at which a hearing will be held thereon. Such hearing shall be fixed for a date not earlier than thirty days nor later than sixty days after the date of service of such notice, unless an earlier or later date is set by the Corporation at the request of (a) such director, officer, or other person and for good cause shown, (b) the Attorney General of the United States, or (c) the state supervisory authortiy. Unless such director, officer, or other person shall appear at the hearings in person or by a duly authorized representative, he shall be deemed to have consented to the issuance of an order of such removal and/or prohibition. In the event of such consent, or if upon the record made at any such hearing the Corporation shall find that any of the grounds specified in such notice has been established, the Corporation may issue such orders of suspension or removal from office, and/or prohibition from participation in the conduct of the affairs of the insurer, as it may deem appropriate. Any such order shall become effective at the expiration of thirty days after service upon such insurer and the director, officer, or other person concerned (except in the case of an order issued upon consent, which shall become effective at the time specified therein). Such order shall remain effective and enforceable except to such extent as it is stayed, modified, terminated, or set aside by action of the Corporation or a reviewing court.

(5) Within ten days after any director, officer, or other person has been suspended from office and/or prohibited from participation in the conduct of the affairs of an insurer under paragraph (3) of this subsection, such director, officer, or other person may apply to the United States district court for the judicial district in which the principal office of the insurer is located, or the United States District Court for the District of Columbia, for a stay of such suspension and/or prohibition pending the completion of the administrative proceedings pursuant to the notice served upon such director, officer, or other person under paragraph (1) or (2) of this subsection, and such court shall have jurisdiction to stay such suspension and/or prohibition.

(e) Whenever any director or officer of a participating insurer or other person participating in the conduct of the affairs of such insurer, is charged in any information, indictment, or complaint authorized by a United States Attorney, with the commission of or participation in a felony involving dishonesty or breach of trust, the Corporation may by written notice served upon such director, officer, or other person suspend him from office and/or prohibit him from further participation in any manner in the conduct of the affairs of the insurer. A copy of such a notice shall also be served upon the insurer. Such suspension and/or prohibition shall remain in effect until such information, indictment, or complaint is finally disposed of or until terminated by the Corporation. In the event that a judgment of conviction with respect to such offense is entered against such director, officer, or other person, and at such time as such judgment is not subject to further appellate review, the Corporation may issue and serve upon such director, officer, or other person an order removing him from office and/or prohibiting him from further participation in any manner in the conduct of the affairs of the insurer except with the consent of the Corporation. A copy

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of such order shall also be served upon such insurer, whereupon such director or officer shall cease to be a director or officer. A finding of not guilty or other disposition of the charge shall not preclude the Corporation from thereafter instituting proceedings to remove such director, officer, or other person from office and/or to prohibit further participation in the insurer's affairs, pursuant to paragraph (1) or (2) of subsection (d) of this section.

(f) Except with the written consent of the Corporation, no person shall serve as a director, officer, or employee of a participating insurer who has been convicted, or who is hereafter convicted, of any criminal offense involving dishonesty or a breach of trust. For each willful violation of this prohibition, the insurer involved shall be subject to a penalty of not more than $100 for each day this prohibition is violated, which the Corporation may recover for its use.

Penalties

(g) Any director or officer, or former director or officer, of a participating insurer against whom there is an outstanding and effective notice or order (which is an order which has become final) served upon such director, officer or other person under subsections ~~(d)~~ or (e) above and who (1) participates in any manner in the conduct of the affairs of such insurer, or directly or indirectly solicits or procures, or transfers or attempts to vote any proxies, consents or authorizations in respect to any voting rights in such insurer, or (2) without the prior written approval of the Corporation, votes for a director or serves or acts as a director, officer, or employee of any insurer, shall upon conviction be fined not more than $5,000 or imprisoned for not more than one year, or both.

(h) Whenever a participating insurer shall violate any of the penal provisions of this title, such violation shall be deemed to be also that of the individual directors, officers, or agents of such insurer who shall have authorized, ordered or done any of the acts constituting in whole or in part such violation, and such violation thereof of any such director, officer or agent, he may be punishable by a fine not exceeding $5,000 or by imprisonment not exceeding one year, or both.

Hearings and judicial review

(i)(1) Any hearings provided for in this section or in section 11 of this title shall be held in the Federal judicial district or in the territory in which the principal office of the insurer is located unless the party afforded the hearing consents to another place, and shall be conducted in accordance with the provisions of chapter 5 of title 5. Such hearing shall be public, unless the Corporation, in its discretion, after fully considering the views of the party afforded the hearing, determines that a private hearing is necessary to protect the public interest. After such hearing, and within ninety days after the Corporation has notified the parties that the case has been submitted to it for final decision, the Corporation shall render its decision (which shall include findings of fact upon which its decision is predicated) and shall issue and cause to be served upon each party to the proceeding an order or orders consistent with the provisions of this section. Judicial review of any such order shall be exclusively as provided in this subsection (1). Unless a petition for review is timely filed in a court of appeals of the United States, as hereinafter provided in paragraph (2) of this subsection, and thereafter until the record in the proceeding has been filed as so provided, the Corporation may at any time, upon such notice and in such manner as it shall deem proper, modify, terminate, or set aside any such order. Upon such filing of the record, the Corporation may modify, terminate, or set aside any such order with permission of the court.

(2) Any party to the proceeding, or any person required by an order issued under this section to cease and desist from any of the violations or practices stated therein, may obtain a review of any order served pursuant to paragraph (1) of this subsection (other than an order issued with the consent of the insurer or the director or officer or other person concerned), by filing in the court of appeals of the United States for the circuit in which the principal office of the insurer is located, or in the United States Court of Appeals for the District of Columbia Circuit, within thirty days after the date of service of such order, a written petition praying that the order of the Corporation be modified, terminated, or set aside. A copy of such petition shall be forthwith transmitted by the clerk of the court to the Corporation, and thereupon the Corporation shall file in the court the record in the proceeding, as provided in section 2112 of Title 28. Upon the filing of such petition, such court shall have jurisdiction, which upon the filing of the record shall, except as provided in the last sentence of said paragraph (1), be exclusive, to affirm, modify, terminate, or set aside, in whole or in part, the order of the Corporation. Review of such proceedings shall be had as provided in chapter 7 of Title 5. The judgment and decree of the court shall be final, except that the same shall be subject to review by the Supreme Court upon certiorari as provided in Section 1254 of Title 28 of the United States Code.

(3) The commencement of proceedings for judicial review under paragraph (2) of this subsection shall not, unless specifically ordered by the court, operate as a stay of any order issued by the Corporation.

Jurisdiction and enforcement

(j) The Corporation may, in its discretion, apply to the United States district court, or the United States court of any territory, within the jurisdiction of which the principal office of the insurer is located, for the enforcement of any effective and outstanding notice or order issued by the Corporation under this section, and such courts shall have jurisdiction and power to order and require compliance therewith.

Definitions

(k) As used in this section, (1) the terms "cease and desist order which has become final" and "order which has become final" mean a cease and desist order, or an order, issued by the Corporation with the consent of the insurer or the director or officer or other person concerned, or with respect to which no petition for review has been filed and perfected in a court of appeals as specified in paragraph (2) of subsection (i), or with respect to which the action of the court in which said petition is so filed is not subject to further review by the Supreme Court of the United States in proceedings provided for in said paragraph, or an order issued under paragraph (1) of subsection (e) of this section, and (2) the term "violation" includes without limitation any action (alone or with another or others) for or toward causing, bringing about, participating in, counseling, or aiding or abetting a violation.

Service

(1) Any service required or authorized to be made by the Corporation under this section may be made by registered mail, or in such other manner reasonably calculated to give actual notice as the Corporation may by regulation or otherwise provide. Copies of any notice or order served by the Corporation upon any participating insurer or any director or officer thereof or other person participating in the conduct of its affairs, pursuant to the provisions of this section, shall also be sent to the state supervisory authority.

Ancillary provisions; subpoena power

(m) In the course of or in connection with any proceeding under this section, the Corporation or its designated representative, including any person designated to conduct any hearing under this section, shall have the power to administer oaths and affirmations, to take or cause to be taken depositions, and to issue, revoke, quash, or modify subpoenas and subpoenas duces tecum; and the Corporation is empowered to make rules and regulations with respect to any such proceedings. The attendance of witnesses and the production of documents provided for in this subsection may be required from any place in any state or in any territory or other place subject to the jurisdiction of the United States at any designated place where such proceeding is being conducted. Any party to proceedings under this section may apply to the United States District Court for the District of Columbia or the United States district court for the judicial district or the United States court in any territory in which such proceeding is being conducted, or where the witness resides or carries on business, for enforcement of any subpoena or subpoena duces tecum issued pursuant to this subsection, and such courts shall have jurisdiction and power to order and require compliance therewith. Witnesses subpoenaed under this section shall be paid the same fees and mileage that are paid witnesses in the district courts of the United States. Any court having jurisdiction of any proceeding instituted under this section by an insurer, or a director or officer thereof, may allow to any such party such reasonable expenses and attorneys' fees as it deems just and proper; and such expenses and fees shall be paid by the insurer or from its assets.

CORPORATION MONEYS; INVESTMENT

SEC. 15. (a) Money of the Corporation not otherwise employed shall be invested in obligations of the United States or in obligations guaranteed as to principal and interest by the United States: *Provided,* That the Corporation shall not sell or purchase any such obligations for its own account and in its own right and interest, at any one time aggregating in excess of $100,000 without the approval of the Secretary of the Treasury: *And provided further,* That the Secretary of the Treasury may waive the requirement of his approval with respect to any transaction or classes of transactions subject to the provisions of this subsection for such period of time and under such conditions as he may determine.

Banking and checking accounts

(b) The banking or checking accounts of the Corporation shall be kept with the Treasurer of the United States, or, with the approval of the Secretary of the Treasury, with a Federal Reserve bank, or with a bank designated as a depositary or fiscal agent of the United States: *Provided,* That the Secretary of the Treasury may waive the requirements of this subsection under such conditions as he may determine: *And provided further,* That this subsection shall not apply to the establishment and maintenance in any bank for temporary purposes of banking and checking accounts not in excess of $50,000 in any one bank.

Loans to participating insurers

(c) When the Corporation has determined that a participating insurer is in danger of becoming insolvent, in order to prevent such insolvency, the Corporation, in the discretion of its Board of Directors, is authorized to make loans to such insurer upon such terms and conditions as the Board of Directors may prescribe.

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TREASURY LOANS

SEC. 16. The Corporation is authorized to borrow from the Treasury, and the Secretary of the Treasury is authorized and directed to loan to the Corporation on such terms as may be fixed by the Corporation and the Secretary, such funds as in the judgment of the Board of Directors of the Corporation are from time to time required for insurance purposes, not exceeding in the aggregate $500,000,000 outstanding at any one time: *Provided*, That the rate of interest to be charged in connection with any loan made pursuant to this section shall not be less than the current average rate on outstanding marketable and nonmarketable obligations of the United States as of the last day of the month preceding the making of such loan. For such purpose the Secretary of the Treasury is authorized to use as a public-debt transaction the proceeds of the sale of any securities hereafter issued under the Second Liberty Bond Act, as amended, and the purposes for which securities may be issued under the Second Liberty Bond Act, as amended, are extended to include such loans. Any such loan shall be used by the Corporation solely in carrying out its functions with respect to such insurance. All loans and repayments under this section shall be treated as public-debt transactions of the United States.

EXEMPTION FROM TAXATION

SEC. 17. All notes, debentures, bonds, or other such obligations issued by the Corporation shall be exempt, both as to principal and interest, from all taxation (except estate and inheritance taxes) now or hereafter imposed by the United States, by any territory, dependency, or possession thereof, or by any state, county, municipality, or local taxing authority: *Provided*, That interest upon or any income from any such obligations and gain from the sale or other disposition of such obligations shall have not have any exemption, as such, and loss from the sale or other disposition of such obligations shall not have any special treatment, as such, under the Internal Revenue Code, or laws amendatory or supplementary thereof. The Corporation, including its franchise, its capital, reserves, and surplus, and its income, shall be exempt from all taxation now or hereafter imposed by the United States, by any territory, dependency, or possession thereof, or by any state, county, municipality, or local taxing authority, except that any real property of the Corporation shall be subject to state, territorial, county, municipal, or local taxation to the same extent according to its value as other real property is taxed.

FORMS OF OBLIGATIONS

SEC. 18. In order that the Corporation may be supplied with such forms of notes, debentures, bonds, or other such obligations as it may need for issuance under this chapter, the Secretary of the Treasury is authorized to prepare such forms as shall be suitable and approved by the Corporation, to be held in the Treasury subject to delivery, upon order of the Corporation. The engraved plates, dies, bed pieces, and other material executed in connection therewith shall remain in the custody of the Secretray of the Treasury. The Corporation shall reimburse the Secretary of the Treasury for any expenses incurred in the preparation, custody, and delivery of such notes, debentures, bonds, or other such obligations.

REPORTS; AUDITS

SEC. 19. (a) The Corporation shall annually make a report of its operations to the Congress as soon as practicable after the 1st day of January in each year. Such report shall include a statement with respect to the status of the Fund established pursuant to Section 10, together with such recommendations concerning its adequacy or inadequacy as the Corporation deems necessary or desirable.

(b) The financial transactions of the Corporation shall be audited by the General Accounting Office in accordance with the principles and procedures applicable to commercial corporate transactions and under such rules and regulations as may be prescribed by the Comptroller General of the United States. The audit shall be conducted at the place or places where accounts of the Corporation are normally kept. The representatives of the General Accounting Office shall have access to all books, accounts, records, reports, files, and all other papers, things, or property belonging to or in use by the Corporation pertaining to its financial transactions and necessary to facilitate the audit, and they shall be afforded full facilities for verifying transactions with the balances or securities held by depositaries, fiscal agents, and custodians. All such books, accounts, records, reports, files, papers, and property of the Corporation shall remain in possession and custody of the Corporation.

(c) A report of the audit for each fiscal year ending on June 30 shall be made by the Comptroller General to the Congress not later than January 15 following the close of such fiscal year. On or before December 15 following such fiscal year the Comptroller General shall furnish the Corporation a short form report showing the financial position of the Corporation at the close of the fiscal year. The report to the Congress shall set forth the scope of the audit and shall include a statement of assets and liabilities and surplus or deficit; a statement of surplus or deficit analysis; a statement of income and expenses; a statement of sources and application of funds and such comments and information as may be deemed necessary to inform Congress of the financial operations and condition of the Corporation, together with such recommendations with respect thereto as the Comptroller General may deem advisable. The report shall also show specifically any program, expenditure, or other financial transaction or undertaking observed in the course of the audit, which, in the opinion of the Comptroller General, has been carried on or made without authority of law. A copy of each report shall be furnished to the President and to the Corporation at the time submitted to the Congress.

(d) For the purpose of conducting such audit the Comptroller General is authorized in his discretion to employ by contract, without regard to Section 5 of Title 41, professional services of firms and organizations of certified public accountants, with the concurrence of the Corporation, for temporary periods or for special purposes. The Corporation shall reimburse the General Accounting Office for the cost of any such audit as billed therefor by the Comptroller General, and the General Accounting Office shall deposit the sums so reimbursed into the Treasury as miscellaneous receipts.

GOVERNMENT CORPORATION CONTROL ACT

SEC. 20. Section 101 of the Government Corporation Control Act, as amended (31 U.S.C. 846), is amended by adding after "Federal Housing Administration", the following: "Federal Insurance Guaranty Corporation".

The material presented by Mr. MAGNUSON follows:

FEDERAL INSURANCE GUARANTY CORPORATION ACT

This bill, which would create a Federal Insurance Guaranty Corporation to protect against property, casualty and surety insurance company insolvencies, is in large part modeled after the Federal Deposit Insurance Corporation Act, as amended, 12 U.S.C. §§ 1811–31. Some of the provisions are also adapted from the bill to create a Federal Motor Vehicle Guaranty Corporation (S. 688) introduced by Senator Dodd in the 90th Congress.

SECTION-BY-SECTION ANALYSIS

Section 2 is a simple statement that a Federal Insurance Guaranty Corporation, which shall guarantee the contractual performance of participating insurers, is hereby created.

Section 3 provides that the management of the Corporation shall be vested in a three man Board of Directors headed by the Comptroller General of the United States. The other two members are to be appointed by the President, and confirmed by the Senate, and are to serve six year terms. Certain conflict of interest provisions are included.

Section 4 establishes a nineteen member Advisory Committee, consisting of representatives of the general public, the insurance industry, state and local governments including state insurance authorities, and the Federal Government. Members are to be appointed by the Board and are to serve two year terms. The Committee will advise the Board with respect to the general policies of the Corporation, will assist in obtaining the cooperation of insurers, industry groups, and Federal and state agencies, and will perform such others functions as the Board may assign.

Section 5 provides that the Corporation shall have a capital stock of $50,000,000 which shall be subscribed to by the Secretary of the Treasury. (Under Section 10(d), this stock is to be retired as rapidly as possible.)

Section 6 defines some of the terms used in the act. Through the definition of "insurer", the act is intended to apply to any enterprise which is engaged in the business of issuing or reinsuring property, casualty or surety insurance policies in interstate commerce or any enterprise which is engaged in the business of issuing property, casualty or surety policies which are reinsured in interstate commerce.

Section 7(a) outlines the powers of the Corporation. These include the power to contract, to sue and be sued, to appoint employees, agents, adjusters and examiners, to prescribe by-laws, to make examination of and require information and reports from insurers, and to prescribe any necessary rules and regulations.

Section 7(b) makes it an offense, punishable by fine of up to $100 per day, for any individual or corporation to use the words "Federal Insurance Guaranty Corporation" as the name under which it does business.

Section 8 deals with administration of the corporation. Subsection (a) states that the affairs of the Corporation shall be administered fairly and impartially and without discrimination. Free use of the U.S. mails is given in the same manner as the executive departments.

Subsections (b) through (f) of Section 8 concern examinations. The Corporation is to appoint examiners, who shall have the power to examine any insurer whose policies are guaranteed under the act or any insurer applying for guaranty status, whenever the Corporation believes such examination is necessary. The examiner may examine the affairs of the insurer and its affiliates and report to the Corporation. Examinations are to be coordinated with those made by state supervisory authorities. Copies of reports are to be furnished to state authorities. In connection with examinations, the Corporation or its examiners are to have the power to administer oaths and affirmations, to take testimony and to issue subpoenas and subpoenas duces tecum. In cases of refusal to obey a subpoena, the Board of Directors may invoke the aid of a U.S. district court. Based on the examiner's report, the Corporation may make recommendations concerning an insurer, and if the insurer fails to comply, the Corporation may publish the relevant portion of the report of examination. Subsection (g) permits the Corporation to keep its documents on microfilm.

Section 9 provides that after the Corporation is notified that a participating insurer has been determined to be insolvent by a court of competent jurisdiction, the Corporation shall assume and perform all the obligations of the insurer under property, casualty and surety insurance policies which are guar-

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anteed. Once a certificate of assumption has been filed, the Corporation is authorized to adjust or settle any claim pending against the insured or the insurer and to defend suits brought against the policyholder or the insured. No claim for return premium is to be allowed in excess of 50% of unearned premiums. Claimants who also have a claim under state law against a state insolvency fund are required to exhaust first their rights against the state fund. And any person having a claim against his insurer under an insolvency protection provision in his insurance policy is required to exhaust first his rights under this act and/or any state insolvency fund.

Section 10 establishes the Federal Insurance Guaranty Fund, which is to be held by the Corporation and used for carrying out the guaranty functions under the act and for operating expenses. Proceeds from the sale of capital stock (section 5) and from guaranty fees (section 13(b)) are to be deposited in the Fund. Capital stock is to be retired as rapidly as possible. After such retirement, whenever the net asset value of the Fund exceeds 2% of annual net direct premiums written by all participating insurers, the fee requirements under section 13 shall be waived. Section 10 also specifies that participating insurers are not required to pay fees to state insolvency funds when their policies are guaranteed under this act.

Section 11 concerns applications for guaranteed status. All insurers (as defined in section 6) must, and intrastate insurers may, apply for guaranty. The factors to be considered by the Corporation in passing on applications are enumerated. Appropriate certificates are to be issued, and upon the taking effect of these, the contractual obligations or participating insurers under property, casualty and surety insurance policies shall be guaranteed by the Corporation. If an application is denied, the applicant must be given the reasons and is entitled to a hearing as provided in section 14(i).

Section 12 is a penalty section. Subsection (a) makes it an offense punishable by forfeiture of $1000 per day for any insurer (as defined in section 6) to issue or reinsure any property, casualty or surety insurance policy which is not guaranteed under this act. Officers and directors of the insurer are also made individually liable for any unsatisfied forfeiture claim. Subsection (b) makes it an offense, punishable by fine of up to $1000 and/or imprisonment of up to one year to advertise falsely that a policy is guaranteed by the Corporation.

Section 13(a) requires participating insurers to make regular reports of condition. Frequency and content of such reports is left to the Board. Failure to make a report is punishable by fine of up to $100 per day.

Section 13(b) provides for guaranty fees. Each participating insurer is required to pay to the Corporation a fee equal to one-eighth of 1% of net direct premium written by the insurer during the year. Payments are made semiannually and certified statements showing net direct premiums written must also be filed semiannually. Under subsection (c), excess payments may either be refunded or credited to the next payment.

Section 13(d) authorizes the Corporation to seek a mandatory injunction or other appropriate remedy in Federal district court if reports or statements are not filed. Subsection (e) authorizes the Corporation to bring suit in any court of competent jurisdiction to recover unpaid assessments. Under subsection (f), whenever a participating insurer fails to pay an assessment or file a report or statement, and whenever the Corporation has given notice of such failure and after thirty days the insurer still fails to pay or file, all privileges under the act shall be forfeited. A hearing shall be given to determine whether this penalty is applicable. In addition, under subsection (g), willful failure or refusal to pay or to file a certified statement is punishable by a fine of up to $100 for each day the violation continues.

Section 13(h) provides that whenever a change occurs in the outstanding voting stock of a participating insurer so as to alter control of the insurer, or whenever a participating insurer makes loans secured by 25% or more of the voting stock of another participating insurer, these facts must be reported to the Corporation. The types of information which must be given are specified in paragraph (4).

Section 14(a) provides a procedure for terminating a guaranty. If the Board finds (1) unsafe or unsound business practices with respect to a participating insurer, or (2) an unsafe or unsound condition for continuance of operations, or (3) a violation of the act or of a rule, regulation or order issued under it or of a condition imposed on the insurer or an agreement with it, the Board may notify the state supervisory authority and the insurer. Unless correction is made within a certain time period or unless satisfactory assurances of prompt correction are made, the Board may give the insurer not less than 30 days' written notice of intent to terminate its guaranteed status. A hearing is to be given and written findings are to be made by the Board. If the Board finds that the unsafe or unsound practice or condition or violation has been established and not corrected, it may order the guaranteed status terminated. Such order shall not affect policies issued prior to the date the order is issued, but shall only affect renewals or policies subsequently issued by the insurer.

Section 14(b) empowers the Corporation to issue a cease and desist order if, after notice and hearing, it finds that a participating insurer has engaged in or is about to engage in an unsafe or unsound business practice or that the insurer has violated a law, rule, regulation, condition or agreement.

Section 14(c) allows the Corporation to issue a temporary cease and desist order, effective upon service, if the Corporation determines that a violation or unsafe practice is likely to cause insolvency or substantial dissipation of assets or earnings or is otherwise likely to prejudice the interest of policyholders or the Corporation. The Corporation may apply to a U.S. district court for an injunction to enforce such an order, and the insurer may apply to such court for injunctive relief to set the order aside or suspend its effectiveness.

Section 14(d) Permits the Corporation to remove from office a director or officer of a participating insurer or to prohibit him from participating in the conduct of the affairs of the insurer if the Corporation finds, after hearing, that the director or officer has breached his fiduciary duty or has evidenced his personal dishonesty and unfitness. In certain cases the Corporation may make its suspension or prohibition effective prior to hearing, but the individual is authorized to apply to a Federal district court for a stay of the suspension or prohibition pending completion of the administrative proceedings.

Section 14(e) permits the Corporation to remove a director, officer or other person from office or prohibit him from participating in the affairs of an insurer when the person is charged with the commission of or participation in a felony involving dishonesty or breach of trust.

Under *section 14(f)*, no person convicted of a criminal offense involving dishonesty or breach of trust may serve as a director, officer or employee of a participating insurer, except with the written consent of the Corporation. Violation is punishable by a fine of up to $100 per day.

Section 14(g) provides a penalty of up to $5,000 fine and/or up to 1 year imprisonment for anyone who is convicted of violating orders issued under section 14(d) or (e).

Section 14(h) states that when an insurer violates one of the penal provisions of the act, the individual directors, officers or agents of the insurer who authorized, ordered or did the act constituting the violation shall also be deemed to have committed the violation and may be punished by a fine of up to $5,000 and/or imprisonment of up to 1 year.

Section 14(i) spells out the procedure for hearings and states that judicial review is to be by a U.S. court of appeals.

Section 14(j) gives the Corporation the power to apply to U.S. district court for enforcement of any notice or order issued by the Corporation under this section.

Section 14(k) defines certain terms used in the section.

Section 14(l) states that service of notices or orders may be made by registered mail or in such other manner as is reasonably calculated to give actual notice. Copies of notices or orders served by the Corporation are also to be sent to the state supervisory authority.

Section 14(m) concerns certain ancillary powers in connection with proceedings under this section, including the power to administer oaths, take depositions, issue subpoenas, make rules, and require attendance of witnesses and production of documents.

Section 15(a) provides that, with certain qualifications, money of the Corporation not otherwise employed shall be invested in obligations of the United States or obligations guaranteed by the United States.

Section 15(b) states that banking or checking accounts of the Corporation shall be kept with the Treasurer of the U.S., or with a Federal Reserve bank or a bank designated as a depositary or fiscal agent of the U.S.

Section 15(c) authorizes the Corporation to make loans to a participating insurer when it determines that the insurer is in danger of becoming insolvent.

Section 16 permits the Corporation to borrow from the Treasury such funds as are needed insurance purposes (up to a total of $500,000,000 outstanding at any one time). Interest on these loans is to be at least the current average rate on outstanding marketable and nonmarketable obligations of the United States.

Section 17 exempts the obligations of the Corporation from taxation. However, interest upon or income from the obligations and gain upon sales shall have no exemption. Nor shall loss upon sale have any special treatment. The Corporation and its income shall be exempt from taxation, but real property of the Corporation shall not be.

Section 18 authorizes the Secretary of the Treasury to prepare forms of obligations for the Corporation.

Section 19 requires the Corporation to report to Congress annually, and specifies that the financial transactions of the Corporation shall be audited by the General Accounting Office. Annual reports of the audits shall be furnished to Congress.

Section 20 adds the name "Federal Insurance Guaranty Corporation" to section 101 of the Government Corporation Control Act, as amended (31 U.S.C. §846).

Mr. HART. Mr. President, 35 years ago, Congress was faced with the question of the advisability of another guaranty fund—this one for the banking industry. Thankfully, at that time the vote was for establishment of the Federal Deposit Insurance Corporation. I say "thankfully" because I think the industry and its customers have been well

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served by the protection the FDIC has provided.

A chart developed by the Senate Antitrust and Monopoly Subcommittee during its insurance investigation points this out very dramatically. I ask that it be printed at this point.

There being no objection, the chart was ordered to be printed in the RECORD, as follows:

CLAIMS FILED, ASSETS AND PAYOUT RELATED TO TOTAL ADMINISTRATIVE EXPENSES, LEGAL FEES, AND SALARIES WITH RESPECT TO INSOLVENT AUTO INSURERS BY STATE

State	Companies	Number of policyholders and claimants filing claims	Actual assets available to pay claims to date	Amount paid out to policyholders and claimants to date	Total administrative expenses paid to date	Legal fees paid to date [1]	Salaries and wages paid to date [1]
Pennsylvania	19	20,315	$2,430,664	$8,113	$706,735	$53,220	$441,971
Illinois	17	49,186	5,619,395	2,192,108	(2)	(2)	(2)
Texas	7	15,560	451,370	3,077,082	1,023,526	112,248	612,999
Indiana	6	18,000	271,940	789,646	1,446,087	119,377	766,035
Maryland	4	8,470	2,026,085	354,961	1,105,538	340,132	281,142
Arkansas	4	13,404	254,277		[3] 30,000	(2)	(2)
Missouri	4	5,936	271,000	75,943	[4] 155,000	(1)	(2)
California	4	23,813		815,000	608,354	53,795	351,875
Michigan	3	34,471	1,065,231	4,686,406	1,571,659	377,851	772,678
Florida	3	11,705	1,527,159	396,012	268,912	34,312	143,810
Wisconsin	2	9,522	1,244,957	1,060,303	642,156	290,127	142,893
West Virginia	2	6,068	220,840	263,256	519,906	51,853	219,542
Tennessee	2	(2)		108,915	[5] 56,431	(1)	(2)
Minnesota	2	3,201	643,471		349,716	116,265	171,637
New York	1	20,246	6,265,275	4,987,687	2,802,564	164,605	1,658,581

[1] Included in "Total administrative expenses paid to date."

[2] Not available.

[3] For 3 companies.

[4] For 2 companies.

[5] For Monticello Insurance Co. only.

Source: State insurance department replies to Senate Antitrust and Monopoly Subcommittee questionnaire of June 6, 1968.

Mr. HART. As it shows, during the first 9 "shakedown" years of the FDIC, 390 banks failed. But once these obviously questionable enterprises were eliminated, only 85 bank failures occurred in the next 25 years.

Even better than the decrease in the number of bank failures is the fact that no depositor of any of these banks was financially hurt by the failures.

This is good. When the institution to which you entrust your money fails, it is an extremely unpleasant thing.

But it is less painful to lose your money when you still are capable of earning more than it is to suffer severe financial loss when at the same time you have lost the ability to earn more money.

Yet this is the situation thousands of Americans have faced in recent years. In the 1958–68 period alone, 109 automobile insurance companies failed, many of which were high risk. In addition, 18 fire and casualty companies writing other lines failed. A conservative estimate is that more than 1 million consumers were financially hurt by those failures. Further it is estimated that the failure of only 88 of those auto insurance companies cost consumers more than $200 million.

Obviously a good percentage of those losers were claimants—persons who may have lost the family breadwinner in a fatal accident or may have been handicapped for life themselves. For them, the hope of recouping from such financial distress is only a dream.

Briefly, then, my message in cosponsoring this bill is simple: If FDIC makes sense for banks, then the Federal Insurance Guaranty Corporation makes as much sense—doubled, in spades, for the insurance industry.

The sad plights that follow failure of an auto insurance company are not limited, of course, to the loss claimants suffer. Policyholders themselves—who turned to these companies with faith that they are solid and with no capacity for determining otherwise—find they not only lose protection and premiums but are often forced to bail out the untrustworthy company.

For example, another chart, which I ask be inserted at this point, shows that failure of 21 mutual and reciprocal companies ended up in more than 650,000 policyholders being assessed for more than $3⅓ million.

There being no objection, the chart was ordered to be printed in the RECORD, as follows:

SUMMARY OF POLICYHOLDERS AND CLAIMANT ACTUAL AND POTENTIAL RECOVERY FROM INSOLVENT AUTO INSURANCE COMPANIES BY STATE

State	Companies [1]	Policyholders and claimants		Claims for submission to court for allowance to date		Claims submitted and approved by court to date		Actual assets available to pay claims to date	Amount paid out to date	Cents on the dollar of actual and total estimated [2] recovery	
		Number	Amount claimed	Number	Amount	Number	Amount			Actual	Estimated
Pennsylvania	19	20,315	$86,235,659	17,565	$60,254,290	62	$88,188	[3] $2,430,664	$8,113	9	6
Illinois	[4] 17	49,186	274,651,022	[5] 10,125	4,429,821	7,814	3,717,239	5,619,395	2,192,108	60	[6] 35
Texas	7	15,560	17,175,309	14,859	4,635,798	14,859	4,635,798	[7] 451,370	3,077,082	67	97
Indiana	[8] 6	18,000	[9] 32,156,335	[10] 5,507	[10] 2,939,108	[11] 7,189	6,945,849	[12] 271,940	789,646	14	17
Maryland	4	8,470	26,296,864	[11] 5,698	[11] 3,826,310	[10] 5,329	3,452,196	[13] 2,026,085	354,961	10	50
Arkansas	4	13,404	[14] 10,052,241	[15] 13,324	[15] 4,044,648			[16] 254,277			6
Missouri	4	[10] 5,936	[18] 2,184,743	3,800	[10] 2,893,553		[11] 3,393,553	[17] 271,000	[18] 75,943	[18] 4	10
California	4	[19] 23,813	[19] 1,626,746				[20] 3,545,349		[20] 815,000	[20] 23	
Mississippi	3	34,471		26,988	11,598,843	26,988	11,598,843	[21] 1,065,231	4,686,406	40	60
Florida	3	11,705	22,334,293	[10] 7,476	[10] 3,086,399	[10] 7,476	[10] 3,086,399	[22] 1,527,158	[10] 396,012	13	40
Wisconsin	2	9,522	23,770,550	5,095	4,000,815		4,000,815	[23] 1,244,957	1,060,303	26	60
West Virginia	2	6,068	6,825,316	5,619	973,678	4,137	753,640	220,840	263,256	34	50
Tennessee	2			[24] 379	[24] 276,784	[24] 387	[24] 295,775		[24] 108,915	37	
Minnesota	2	3,201	21,709,206	2,227	901,039	[25] 1,966	[25] 764,506	[26] 643,471			50
New York	1			3,898	3,819,487	3,898	3,819,487		[27] 3,819,487	100	

[1] For which data is available.

[2] Actual recovery measured by amount paid out to amounts submitted and approved by court for allowance; estimated recovery measured (1) where sufficient number of claims have been evaluated by taking amount of claims for submission (or amount submitted and approved by court) for allowance (less amount paid out) to assets available to pay claims, and (2) where sufficient number of claims have not been evaluated, by taking from 5 to 50 percent (depending upon experience of particular State) of amount claimed, and amount for submission to court for allowance (less amounts paid out to date) to assets available to pay claims.

[3] Does not include potential assets (such as agents balances, reinsurance recoverable) of $4,001,271, and potential recovery of $41,300,000 from 396,138 assessable mutual policyholders.

[4] Data not available from Illinois Department for Highway, Lincoln Casualty & Progressive Insurance Cos.

[5] 16,941 claims have been evaluated by receiver to date.

[6] Does not include balance of $11,700,000 of potential recovery from some 90,000 assessable mutual policyholders.

[7] Does not include potential assets of $122,849.

[8] 4 insolvent estates have been closed.

[9] Data available for 4 companies.

[10] Data available for 2 companies.

[11] Data available for 3 companies.

[12] For 1 open insolvent company.

[13] Does not include potential assets of $9,302,054, nor potential recovery of $5,350,243 from 49,690 mutual assessable policyholders.

[14] Data available for 1 company.

[15] Data available for 3 companies; claims are in process of evaluation for North American Guaranty.

[16] Does not include North American Guaranty.

[17] Data available for 3 companies; does not include potential assets of $40,175.

[18] For 1 insolvent company; estate has been closed.

[19] Although data available for 3 companies, number or amount of claims for 2 of these are unavailable.

[20] Data available for 1 company, but California department reports that for 2 companies with combined amounts claimed of $1,400,000, a 100-percent payout was made, and for another company with an amount claimed of $230,000, 0 percent payout was made. Apparently, all 3 estates are being wound up.

[21] Does not include potential assets of $1,355,658.

[22] Does not include potential assets of $995,000.

[23] Does not include potential assets of $361,494.

[24] Data available for Monticello Insurance Co. only.

[25] For American Allied only.

[26] Does not include potential assets of $95,000.

[27] Auto bodily injury and property damage claims were paid out of the New York stock public motor vehicle liability security fund (under sec. 330), and the motor vehicle liability security fund (under sec. 333).

Source: State insurance department replies to Senate Antitrust and Monopoly Subcommittee questionnaire of June 6, 1968.

Mr. HART. Our hearing record includes vignettes of the personal distress these assessments have meant to several of the policyholders. As most of us are aware, a large number of the consumers forced into high-risk companies are deprived or handicapped in ways that keep them in the lower income brackets. This station in life adds to the suffering when they are faced with an assessment for company failure for which they were in no way responsible.

Further, as the subcommittee record shows, failure to pay the assessments can end in the jailing of the hapless policyholder—most of whom had no idea when they bought insurance that they also were buying financial responsibility for a company.

Mr. President, presently many in the insurance industry are advocating the substitution of competition for rate regulation. How can we be expected to consider seriously this change until full provision is made for the protection of policyholders? As any businessman knows, one product of competition is failure of the weak. In the unique insurance field, those failures will harm not just company stockholders—but the customers. Obviously, before any such major changes are initiated in the insurance field, we must be sure that protection is available for the now unprotected consumer.

Equally as obvious is the logic that when most States in effect force consumers to have insurance, that the consumers have some guarantee that protection will be available when he needs it.

This bill, in my estimation, would provide that protection at an average cost to policyholders of from 50 cents to $1 annually. I think the price is more than reasonable and the protection essential.

Mr. President, I ask unanimous consent that several tables bearing on the insurance company insolvency question which were prepared by the Senate Antitrust and Monopoly Subcommittee be inserted at this point.

There being no objection, the charts were ordered to be printed in the RECORD, as follows:

FEDERAL DEPOSIT INSURANCE CORPORATION INSURED BANKS SUSPENDING AS A PERCENTAGE OF TOTAL OPERATING BANKS IN THE UNITED STATES, 1934–67 [1]

Year	Total banks	Insured banks suspending [2]	Rate (percent)
1967	14,244	4	0.0280
1966	14,291	7	.0489
1965	14,324	5	.0349
1964	14,281	7	.0490
1963	14,092	2	.0141
1962	13,951	1	.0071
1961	13,959	5	.0358
1960	13,999	1	.0071
1959	14,004	3	.0214
1958	14,060	4	.0284
1957	14,130	2	.0141
1956	14,206	2	.0140
1955	14,285	5	.0350
1954	14,409	2	.0138
1953	14,553	4	.0274
1952	14,616	3	.0205
1951	14,662	2	.0136
1950	14,693	4	.0272
1949	14,730	5	.0339
1948	14,750	3	.0203
1947	14,763	5	.0338
1946	14,747	1	.0067
1945	14,713	1	.0067
1944	14,700	2	.0136
1943	14,740	5	.0339
1942	14,837	20	.1347
1941	14,988	14	.0934
1940	15,063	43	.2854
1939	15,196	60	.3948
1938	15,370	73	.4749
1937	15,556	76	.4885
1936	15,809	69	.4364
1935	16,023	26	.1622
1934	16,128	9	.0558
Total		475	
Average, 34 years			.0952

[1] Federal deposit insurance began in 1934.

[2] Closed at any time because of financial difficulties. Some were able to reopen at a later date.

Source: Annual reports of the Federal Deposit Insurance Corporation.

ASSESSMENTS LEVIED AGAINST POLICYHOLDERS OF MUTUAL AND RECIPROCAL AUTOMOBILE INSURANCE COMPANIES THAT FAILED SINCE 1956 [1]

State	Number of companies	Number of policyholders assessed	Amount of assessments levied	Amount collected to date [2]
California	1	16,000	$1,940,000	(3)
Illinois	7	186,105	20,073,150	$3,149,614
Indiana	1	5,006	607,293	250,000
Maryland	2	49,690	5,350,243	(3)
Pennsylvania	10	396,138	[4] 41,300,000	(3)
Total	21	652,939	69,270,686	3,399,614

[1] All companies failed since 1962 except 2—Blackhawk Mutual (of Illinois) and Illinois Auto Insurance Reciprocal, which failed in 1957 and 1956, respectively.

[2] As of Jan. 17, 1969.

[3] Not available.

[4] Estimated by Insurance commissioner, Sept. 14, 1967.

Source: State insurance departments.

AUTOMOBILE INSURANCE PREMIUM WRITINGS OF FIRE AND CASUALTY COMPANIES THAT FAILED, 1958–68

Home State and companies	Years	Auto premiums written [2]
Pennsylvania:		
Home Mutual Casualty	1961–67	$2,658,000
Bankers & Telephone	1961–66	8,207,068
Sylvania Mutual	1964	200,000
Bankers Allied Mutual	1961–67	27,915,000
National Commercial		(3)
Municipal Mutual		(3)
Scandia Mutual		(3)
Palmyra General	1962–65	3,121,000
Tri-State Mutual	1962–65	592,000
Wissahickon Mutual	1963–65	1,049,000
Wilton Mutual		(3)
Reliable Mutual	1962–65	604,000
Lawn Mutual	1960–64	16,509,400
Delaware Valley Mutual	1960–64	2,442,771
Commonwealth Mutual	1957–63	5,616,865
Empire Mutual	1959–63	4,228,212
Graphic Arts Mutual	1959–62	2,717,111
Springfield Mutual	1960–62	72,378
State Mercantile Mutual		(3)
Total (14)		75,932,805
Illinois:		
Progressive General	1961–67	12,990,000
Trans-World Mutual		(3)
Highway	1960–66	11,415,730
St. Lawrence	1960–66	14,154,395
Mercury Mutual	1960–65	1,316,990
Lincoln Casualty	1959–65	8,947,685
Lake States Exchange	1961–65	4,354,370
Bell Mutual	1961–65	2,976,349
Bell Casualty		(3)
Banner Mutual	1959–65	20,630,918
Bedford Mutual	1963–65	75,425
Whitehall Mutual	1961–64	503,873
Monroe Mutual		(3)
Multi-State Interinsurance Exchange	1958–64	7,299,099
Oxford General Casualty Mutual	1961–64	2,090,042
Cosmopolitan	1958–63	18,361,777
Adams Mutual	1959–63	2,010,627
General Union Mutual	1959–62	179,242
Central Casualty	1956–61	3,871,860
Mid-Union Indemnity	1956–59	6,362,916
Total (17)		117,541,298
Missouri:		
Central Mutual	1960–66	$8,772,000
Midwest Mutual	1961–65	3,004,252
Surety Insurance Exchange	1960–65	904,379
Allied Western Mutual	1959–65	5,844,512
American Midwest Mutual	1962–64	1,835,836
Guaranty Insurance Exchange	1961–63	2,322,282
Missouri Union	1955–59	2,502,000
Independence		(3)
Eagle Exchange	1954–56	741,000
Total (8)		25,926,261
Arkansas:		
Independent Casualty		(3)
North American Guaranty	1963–67	14,525,316
Republic Casualty	1963–67	2,643,721
Mid-South	1961–65	2,117,434
Homestead Fire & Casualty		(3)
People's Indemnity		(3)
Royal Standard	1959–65	1,590,814
United Auto	1960–63	1,359,133
National Auto	1958–60	46,679
Total (6)		22,283,097
Texas:		
American Insurors		(3)
Great American County Mutual		(3)
Career	1960–65	139,980
Government Service Exchange	1958–64	4,368,045
Lumbermans Insurance		(3)
Franklin American	1956–58	1,480,000
Highway Exchange	1952–57	8,455,000
Total (4)		14,433,025
Indiana:		
United Public	1957–62 [4]	11,452,576
International Auto Exchange	1958–64	17,611,893
Insurance Corp. of America	1956–62	656,323
Universal Auto	1959–63	7,004,197
United Mutual	1957–63	2,188,123
Old Line Auto	1955–61	2,499,833
Total (6)		41,412,945

See footnotes at end of table.

AUTOMOBILE INSURANCE PREMIUM WRITINGS OF FIRE AND CASUALTY COMPANIES THAT FAILED, 1958-68—Continued

Home State and companies	Years	Auto premiums written[2]
Maryland:		
National Guild	1963-65	$2,691,000
Olympic		(3)
Chesapeake	1961-66	7,672,284
National Motors	1963	1,805,949
Total (3)		12,169,233
California:		
Consumers & Distributors Insurance Exchange	1958-64	2,231,000
Tower Indemnity Co.		(3)
All Coverage Exchange	1959-63	4,324,897
Interstate Indemnity	1952-58	13,019,000
Total (3)		19,574,897
Michigan:		
Preferred	1957-63	32,027,696
Exchange Casualty	1957-63	15,132,813
Michigan Surety	1956-59	6,362,916
Total (3)		53,523,425
Wisconsin:		
Market Men's Mutual	1956-62	25,008,351
Shawano Mutual		(3)
Superior Mutual	1955-61	10,379,450
Total (2)		35,387,801
West Virginia:		
North Central	1964	1,125,000
Crown	1958-64	2,677,825
National Auto	1959	95,726
Total (3)		3,898,551
Florida:		
Florida Insurance Exchange	1963-66	4,257,000
National Home	1960-63	2,228,847
Equity General	1958-61	3,274,333
Total (3)		9,760,180
Minnesota:		
United States Mutual		(3)
American Allied	1963-66	$3,408,910
Total (1)		3,408,910
Delaware:		
American Military International	1959-62	7,147,047
National Auto	1956-60	4,648,740
Total (2)		11,795,787
Nebraska:		
United Benefit	1960-66	11,143,167
Surety National	1956-60	2,622,000
Total (2)		13,665,167
Tennessee:		
National Service	1964-68	24,840,613
Monticello	1958-63	1,297,372
Total (2)		26,137,985
Colorado:		
Western Standard	1955-61	941,938
Mountain Standard	[5] 1954-59	914,000
Total (2)		1,855,938
Louisiana:		
Marquette	1958-64	7,830,090
Delta Fire & Casualty	1953-59	2,429,000
Total (2)		10,259,090
New York: Manhattan Casualty		(6)
Nevada: Great Basin	1961-67	7,766,100
Massachusetts: Suffolk	1962-64	1,506,169
Maine: Washington	1962-66	915,436
New Hampshire: Sutton Mutual		(3)
South Carolina: First Citizens	1960-64	3,830,882
South Dakota: Security General	1958-64	4,420,632
Grand total (88)		517,415,614

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[1] Not all premiums written in home State necessarily.

[2] Direct gross. Earned, instead of written, premiums are used in some instances.

[3] Not available.

[4] Placed in conservatorship in 1962, and in liquidation in 1965.

[5] Not available for 1957.

[6] New York has an insolvency fund which pays automobile bodily injury and property damage claimants. Company wrote no auto physical damage coverages.

Source: State insurance departments, annual statements; Bests reports.

Insolvent auto insurance companies by State of domicile, 1958–68[1]

Arkansas	9
California	4
Colorado	2
Delaware	2
Florida	3
Illinois	20
Indiana	6
Louisiana	2
Massachusetts	1
Maine	1
Maryland	4
Michigan	3
Minnesota	2
Missouri	9
Nebraska	2
New Hampshire	1
New York	1
Nevada	1
Pennsylvania	19
South Carolina	1
South Dakota	1
Tennessee	2
Texas	7
West Virginia	3
Wisconsin	3
Total (25 States)	109

[1] Jan. 1, 1958 to Dec. 31, 1968.

Source: State Insurance Departments; Bests reports.

INSOLVENT FIRE AND CASUALTY COMPANIES WHO WROTE AUTOMOBILE INSURANCE, 1958–68

State and company	Date of receivership or liquidation
Pennsylvania:	
Home Mutual Casualty	1968
Bankers & Telephone	1967
Sylvania Mutual	1967
Bankers Allied Mutual	1967
National Commercial	1966
Municipal Mutual	1966
Scandia Mutual	1966
Palmyra General	1966
Tri-State Mutual	1966
Wissahickon Mutual	1966
Wilton Mutual	1966
Reliable Mutual	1966
Lawn Mutual	1965
Delaware Valley Mutual	1965
Commonwealth Mutual	1964
Empire Mutual	1964
Graphic Arts Mutual	1962
Springfield Mutual	1962
State Mercantile Mutual	1961
Total, 19.	
Illinois:	
Progressive General	1968
Trans-World Mutual	1967
Highway	1967
St. Lawrence	1967
Mercury Mutual	1966
Lincoln Casualty	1965
Lake States Exchange	1965
Bell Mutual	1965
Bell Casualty	1965
Illinois—Continued	
Banner Mutual	1965
Bedford Mutual	1965
Whitehall Mutual	1965
Monroe Mutual	1964
Multi-State Interinsurance Exchange	1964
Oxford General Casualty Mutual	1964
Cosmopolitan	1963
Adams Mutual	1963
General Union Mutual	1962
Central Casualty	1962
Mid-Union Indemnity	1962
Total, 20.	
Missouri:	
Central Mutual	1967
Midwest Mutual	1965
Surety Insurance Exchange	1965
Allied Western Mutual	1964
Jefferson Mutual	1964
American Midwest Mutual	1963
Guaranty Insurance Exchange	1962
Missouri Union	1960
Independence	1959
Eagle Exchange	1958
Total, 10.	
Arkansas:	
Independent Casualty	1967
North American Guaranty	1967
Republic Casualty	1967
Mid-South	1966
Homestead Fire & Casualty	1966

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INSOLVENT FIRE AND CASUALTY COMPANIES WHO WROTE AUTOMOBILE INSURANCE, 1958–68—Continued

State and company	Date of receivership or liquidation
Arkansas—Continued	
People's Indemnity	1965
Royal Standard	1965
United Auto	1964
National Auto	1960
Total, 9.	
Texas:	
American Insurors	1965
Great American County Mutual	1964
Career	1964
Government Service Exchange	1963
Lumbermans Insurance	1962
Franklin American	1958
Highway Exchange	1958
Total, 7.	
Indiana:	
United Public	1965
International Auto Exchange	1964
Insurance Corp. of America	1962
Universal Auto	1962
United Mutual	1962
Old Line Auto	1962
Total, 6.	
Maryland:	
National Guild	1966
Olympic	1966
Chesapeake	1965
National Motors	1964
Total, 4.	
California:	
Consumers Distributors Insurance Exchange	1965
Tower Indemnity Co	1965
All Coverage Exchange	1964
Interstate Indemnity	1958
Total, 4.	
Michigan:	
Preferred	1964
Exchange Casualty	1962
Michigan Surety	1962
Total, 3.	
Wisconsin:	
Market Mens Mutual	1962
Shamano Mutual	1962
Superior Mutual	1961
Total, 3.	

INSOLVENT FIRE AND CASUALTY COMPANIES WHO WROTE AUTOMOBILE INSURANCE, 1958–68—Continued

State and company	Date of receivership or liquidation
West Virginia:	
North Central	1966
Crown	1964
National Auto	1960
Total, 3.	
Florida:	
Florida Insurance Exchange	1967
National Home	1962
Equity General	1961
Total, 3.	
Minnesota:	
United States Mutual	1966
American Allied	1965
Total, 2.	
Delaware:	
American Military International	1963
National Auto	1960
Total, 2.	
Nebraska:	
United Benefit	1965
Surety National	1961
Total, 2.	
Tennessee:	
National Service	1968
Monticello	1961
Total, 2.	
Colorado:	
Western Standard	1961
Mountain Standard	1959
Total, 2.	
Louisiana:	
Marquette	1965
Delta Fire & Casualty	1959
Total, 2.	
New York: Manhattan Casualty	1963
Nevada: Great Basin	1967
Massachusetts: Suffolk	1964
Maine: Washington	1965
New Hampshire: Sutton Mutual	1967
South Carolina: First Citizens	1963
South Dakota: Security General	1964
Grand total, 110.	

COMPARISON OF FAILURE RATES AMONG FIRE AND CASUALTY INSURANCE COMPANIES, THOSE WRITING AUTO INSURANCE, AND FDIC INSURED BANKS, 1958–67

Year	Fire and casualty companies	Fire and casualty failures	Rate (percent)	Companies writing auto insurance[1]	Auto insurance failures	Rate (percent)	Banks	FDIC insured banks suspending	Rate (percent)
1967	2,993	18	0.635	900	14	1.56	14,244	4	0.028
1966	3,028	16	.495	900	13	1.44	14,291	7	.049
1965	3,103	22	.709	900	22	2.44	14,324	5	.035
1964	3,124	19	.608	900	15	1.67	14,281	7	.049
1963	3,163	10	.316	900	8	.89	14,892	2	.014
1962	3,201	18	.594	900	17	1.88	13,951	1	.007
1961	3,240	8	.247	900	5	.56	13,959	5	.036
1960	3,243	6	.185	900	4	.44	13,999	1	.007
1959	3,244	4	.123	900	3	.33	14,004	3	.021
1958	3,254	5	.153	900	4	.44	14,060	4	.028
Total		126			105			39	
Average failure rate			.411			1.16			.028

[1] Estimated from Bests Insurance Reports.

Sources: Bests Insurance Reports, Federal Deposit Insurance Corporation, American Mutual Insurance Alliance, State insurance departments.

S. 2239—INTRODUCTION OF A BILL TO IMPROVE AND EXTEND THE PROVISIONS RELATING TO ASSISTANCE TO MEDICAL LIBRARIES AND RELATED INSTRUMENTALITIES

Mr. DOMINICK. Mr. President, I am pleased to introduce, at the request of the Senator from New York (Mr. JAVITS), the administration's bill to improve and extend those provisions of the Public Health Service Act authorizing assistance to medical libraries and related facilities in the field of health communications, entitled the "Medical Library Assistance Extension Act of 1969." In essence, the bill would extend the Medical Libraries Assistance Act of 1965 for 1 year, with several clarifying and technical amendments, and provide a coordinated national program to improve health communications. The present authorization for each of the programs added to the Public Health Service Act by the Medical Library Assistance Act of 1965 will expire June 30, 1970.

The proposed legislation reflects the administration's efforts to assure the success of the Nation's health programs and reaffirms our Government's responsibility in insuring that the vast accumulative knowledge of medicine is available for physicians, scientists, and the public in useful form in our libraries. Unless a program of library assistance is maintained, major investments in programs of health services and research will be placed in jeopardy through the failure of effective development of health information systems. The 1964 Presidential Commission Report on Heart Disease, Cancer, and Stroke, accurately portrays the situation by saying:

> Unless major attention is directed to improvement of our national medical library base, the continued and accelerated exchange of scientific knowledge will become increasingly an exercise in futility.

The services and facilities of medical libraries are needed by the research scientists, the teacher, the student, and the practioner to further the advances of knowledge, to transmit the knowledge to coming generations, and to apply the knowledge to the benefit of the people. I am hopeful for timely hearings in the Senate on this important proposal—medical practice, training, and research are now undergoing major changes, changes which, inevitably, will intensify the demands upon our medical libraries and health communications. The significant increase in specialization and the development of more complex systems of health care in our great urban centers also require an availability of access to large, centralized medical library facilities, as well as new tools for predigesting and repackaging the mounting volume of new information.

This legislation modifies the Medical Library Assistance Act of 1965 as follows:

First. The administration requests in place of the separate authorizations for each program a single general authorization provision, in an effort to provide greater flexibility both in the appropriation process and the program management.

Second. The administration proposes a reduction in the number of specifically identified library assistance programs through a consolidation of the existing sections 395 and 396.

Third, further administration modifications of the original act are proposed to improve the responsiveness of the program to national needs and to facilitate its administration: First, deletion of the authority of the present act which allows awards to be made for construction grants under conditions where matching funds are not immediately available; second, broadening the definition of eligible grantees for special scientific projects and for biomedical publication support; third, inclusion of the authority to support demonstration as well as research projects; fourth, inclusion of the authority to assist in establishing new medical library collections; fifth, inclusion of the authority for certain administrative changes for medical library research grants; and, sixth, inclusion of the authority to permit the use of contracts and to allow grants for planning under the regional medical library program.

I hope the bill will reach an early and favorable consideration—our medical libraries are vital to maintaining America's medicine in the forefront of international scientific advances.

I also ask that the names of the Senator from Vermont Mr. PROUTY and the Senator from California Mr. MURPHY be added as cosponsors.

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The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2239) to amend the Public Health Service Act to improve and extend the provisions relating to assistance to medical libraries and related instrumentalities, and for other purposes, introduced by Mr. DOMINICK (for Mr. JAVITS, for himself, Mr. MURPHY, and Mr. PROUTY), was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

ADDITIONAL COSPONSORS OF BILLS AND JOINT RESOLUTIONS

Mr. INOUYE. Mr. President, on behalf of the Senator from Utah (Mr. BENNETT), I ask unanimous consent that at its next printing the name of the Senator from Alabama (Mr. ALLEN) be added as a cosponsor of S. 845, to change the definition of ammunition for purposes of chapter 44 of title 18 of the United States Code.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SCOTT. Mr. President, I ask unanimous consent that, at its next printing, my name be added as a cosponsor of the bill (S. 941) to amend section 213(a) of the War Claims Act of 1948 with respect to claims of certain nonprofit organizations.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HART. Mr. President, I ask unanimous consent that, at its next printing, the name of the Senator from Indiana (Mr. BAYH) be added as a cosponsor of the bill (S. 2029) to provide improved judicial machinery for the selection of juries, to further promote equal employment opportunities of American workers, to authorize appropriations for the Civil Rights Commission, to extend the Voting Rights Act of 1965 with respect to the discriminatory use of tests and devices, and for other purposes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SCOTT. Mr. President, at the request of the Senator from Michigan (Mr. GRIFFIN), I ask unanimous consent that, at its next printing, the names of the Senator from Alabama (Mr. ALLEN), the Senator from Colorado (Mr. ALLOTT), the Senator from Indiana (Mr. BAYH), the Senator from Oklahoma (Mr. BELLMON), the Senator from Nebraska (Mr. CURTIS), the Senator from Connecticut (Mr. DODD), the Senator from Colorado (Mr. DOMINICK), the Senator from Arizona (Mr. FANNIN), the Senator from Wyoming (Mr. HANSEN), the Senator from South Carolina (Mr. HOLLINGS), the Senator from New York (Mr. JAVITS), the Senator from Iowa (Mr. MILLER), the Senator from Utah (Mr. MOSS), the Senator from Wisconsin (Mr. NELSON), the Senator from Oregon (Mr. PACKWOOD), the Senator from Illinois (Mr. PERCY), the Senator from Pennsylvania (Mr. SCHWEIKER), the Senator from Pennsylvania (Mr. SCOTT), the Senator from Alaska (Mr. STEVENS), and the Senator from South Carolina (Mr. THURMOND) be added as cosponsors of the bill (S. 2109), to provide for financial disclosure by members of the Federal judiciary.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SPONG. Mr. President, I ask unanimous consent that, at its next printing, the name of the Senator from Maryland (Mr. TYDINGS) be added as a cosponsor of the bill (S. 2148) to amend the Merchant Marine Act, 1936, to encourage shipbuilding, and for other purposes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SCOTT. Mr. President, on behalf of the Senator from Michigan (Mr. GRIFFIN), I ask unanimous consent that, at its next printing, the name of the Senator from Indiana (Mr. BAYH) be added as a cosponsor of the resolution (S.J. Res. 84), to declare the policy of the United States with respect to its territorial sea.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. INOUYE. Mr. President, at the request of the Senator from Alaska (Mr. GRAVEL), I ask unanimous consent that, at its next printing, the name of the senior Senator from Oregon (Mr. HATFIELD) be added as a cosponsor of the joint resolution (S.J. Res. 108), to provide for a study and evaluation of the relationship between underground nuclear detonations and seismic disturbances.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SCOTT. Mr. President, I ask unanimous consent that, at its next printing, the name of the Senator from Pennsylvania (Mr. SCHWEIKER) be added as a cosponsor of the resolution (S. Res. 58), to create a standing Committee on Veterans' Affairs for the Veterans' Administration.

The PRESIDING OFFICER. Without objection, it is so ordered.

SENATE CONCURRENT RESOLUTION 27—SUBMISSION OF CONCURRENT RESOLUTION IN SUPPORT OF CAPTURED AMERICAN FIGHTING MEN

Mrs. SMITH submitted the following concurrent resolution (S. Con. Res. 27) which was referred to the Committee on Foreign Relations:

S. CON. RES. 27

Whereas article VI of the United States Constitution specifically states that provisions of treaties ratified by the United States Government become the "supreme law of the land", notwithstanding contrary limitations of the Constitution itself; and

Whereas ratification of the United Nations treaty in 1945 has seriously compromised protection for men and women of our Armed Forces stationed in all parts of the world; and

Whereas notwithstanding solemn promises ratified at the international conferences at Geneva that all prisoners of war captured during the Korean conflict would be unconditionally released, no pretense of compliance has been advanced by defiant Communist aggressors; and

Whereas repeated appeals on the part of parents, relatives, and dependents of those unfortunate victims of Communist violence have proven ineffective either through the United States Department of State or the United Nations: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That it is the sense of Congress that—

(1) a more determined effort be made by our State Department to obtain the release and freedom from captivity of those American fighting men of the Korean conflict; and

(2) there be enacted by the Congress of the United States a code of protective legislation applicable to American personnel captured in military operations other than in a "declared war" to assure that the full force, authority, and power of the United States of America shall henceforth be publicly committed to the attainment of freedom from captivity of all Americans captured in such military operations, past and future.

NOTICE OF HEARINGS

Mr. SPARKMAN. Mr. President, I should like to announce that the Subcommittee on Housing and Urban Affairs of the Committee on Banking and Currency Committee will hold a 1-day hearing, on June 6, 1969, on the model cities program, which is administered by the Department of Housing and Urban Development. The purpose of the hearing is to obtain an up-to-date progress report on the model cities program and to learn from the Housing Department the meaning of the recent announcement made by Secretary Romney on his plans to revise the program.

The hearing will be held on June 6, 1969, at 10 a.m. in room 5302, New Senate Office Building, and the witnesses will be Hon. George W. Romney, Secretary, and other representatives from the Department of Housing and Urban Development who have the responsibility for administering the model cities program.

ANNOUNCEMENT OF HEARING ON CONSUMER ASPECTS OF THE ECONOMICS OF AGING

Mr. CHURCH. Mr. President, as chairman of the Subcommittee on Consumer Interests of the Elderly, Special Committee on Aging, I am announcing today that the subcommittee will conduct a hearing in Ann Arbor, Mich., on consumer aspects of the economics of aging at 1:30 p.m., June 9, at the Rackham Auditorium on the University of Michigan campus.

The hearing will continue the work begun by the full Committee on Aging on April 29–30, when the committee chairman, HARRISON A. WILLIAMS, conducted survey hearings on the economics of aging. Witnesses at that time discussed present inadequacies in our retirement income systems, likely future developments, and the prevalence of poverty among large numbers of older Americans. At Ann Arbor, the subcommittee will look into matters related to one basic question: What are the consumer needs of the elderly and the relationship of those needs to retirement income? We will explore such matters as: the Bureau of Labor Statistics "moderate budget" for retired couples, and other measures of consumer needs; gaps in information about consumer behavior of the elderly; effects of early retirement upon budgetary planning by the elderly; and information on consumer problems that may reduce buying power of the elderly.

The June 9 hearing will be conducted in conjunction with the University of

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Michigan's 22d annual conference on aging. The theme for the conference this year is: "The Aging Consumer." I would like to extend the thanks of the subcommittee to Dr. Wilma Donahue, director of the institution of gerontology at the university, for her assistance and interest in coordinating the hearing with the events of the conference.

NOTICE CONCERNING NOMINATIONS BEFORE THE COMMITTEE ON THE JUDICIARY

Mr. DODD. Mr. President, the following nominations have been referred to and are now pending before the Committee on the Judiciary:

Lincoln C. Almond, of Rhode Island, to be U.S. attorney for the district of Rhode Island for the term of 4 years, vice Edward P. Gallogly.

David J. Cannon, of Wisconsin, to be U.S. attorney for the eastern district of Wisconsin for the term of 4 years, vice James B. Brennan, resigned.

Otis L. Packwood, of Montana, to be U.S. attorney for the district of Montana for the term of 4 years, vice H. Moody Brickett, resigning.

George E. Woods, Jr., of Michigan, to be U.S. attorney for the eastern district of Michigan for the term of 4 years, vice Lawrence Gubow, resigned.

Harold S. Fountain, of Alabama, to be U.S. marshal for the southern district of Alabama for the term of 4 years, vice George M. Stuart.

J. Pat Madrid, of Arizona, to be U.S. marshal for the district of Arizona for the term of 4 years, vice Roland S. Mosher.

John C. Meiszner, of Illinois, to be U.S. marshal for the northern district of Illinois for the term of 4 years, vice Joseph N. Tierney, resigned.

Gaetano A. Russo, Jr., of Connecticut, to be U.S. marshal for the district of Connecticut for the term of 4 years, vice Joseph T. Ploszaj.

George L. Tennyson, of South Dakota, to be U.S. marshal for the district of South Dakota for the term of 4 years, vice Leonard T. Heckathorn.

On behalf of the Committee on the Judiciary, notice is hereby given to all persons interested in these nominations to file with the committee, in writing, on or before Friday, May 30, 1969, any representations or objections they may wish to present concerning the above nominations, with a further statement whether it is their intention to appear at any hearing which may be scheduled.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Is there further morning business? If not, morning business is concluded.

ELIGIBILITY REQUIREMENTS GOVERNING A GRANT OF ASSISTANCE IN ACQUIRING SPECIALLY ADAPTED HOUSING

Mr. SPARKMAN. Mr. President, I ask that the Chair lay before the Senate a message from the House on S. 408.

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 408) to modify eligibility requirements governing the grant of assistance in acquiring specially adapted housing to include loss or loss of use of a lower extremity and other service-connected neurological or orthopedic disability which impairs locomotion to the extent that a wheelchair is regularly required, which was on page 2, after line 4, insert:

Sec. 2. Section 802 of title 38, United States Code, is amended by striking out "$10,000" and inserting in lieu thereof "$15,000".

Sec. 3. Section 1811(d) of title 38, United States Code, is amended (1) by striking out "$17,500" each place where it appears therein and inserting in lieu thereof in each such place "$25,000"; (2) by striking the second semicolon and all that follows in subsection (2) and inserting in lieu thereof a period; and (3) by striking out the semicolon where it appears in subsection (3) and all that follows and inserting a period.

Sec. 4. Section 1803(d)(3) of title 38, United States Code, be amended to read as follows:

"(3) Any real estate loan (other than for repairs, alterations, or improvements) shall be secured by a first lien on the realty. In determining whether a loan for the purchase or construction of a home is so secured, the Administrator may disregard a superior lien created by a duly recorded covenant running with the realty in favor of a private entity to secure an obligation to such entity for the homeowner's share of the costs of the management, operation, or maintenance of property, services or programs within and for the benefit of the development or community in which the veteran's realty is located, if he determines that the interests of the veteran borrower and of the Government will not be prejudiced by the operation of such covenant. In respect to any such superior lien to be created after the effective date of this amendment, the Administrator's determination must have been made prior to the recordation of the covenant. Any non-real-estate loan (other than for working or other capital, merchandise, goodwill, and other intangible assets) shall be secured by personalty to the extent legal and practicable."

And amend the title so as to read: "An act to liberalize the eligibility requirements governing the grant of assistance in acquiring specially adapted housing for certain service-connected disabled veterans, to increase the amount of such grant, to raise the limit on the amount of direct housing loans made by the Veterans' Administration, and for other purposes."

Mr. SPARKMAN. Mr. President, I move that the Senate concur in the amendments of the House to the bill, S. 408, with the following amendments: First, in the fourth line of the House amendments to the text of the bill strike out "$15,000" and insert "$12,500"; second, in the eighth line of the House amendments to the text of the bill strike out "$25,000" and insert in lieu thereof "$21,000."

Mr. President, for the information of the Senate, I have discussed this amendment to the House amendment to S. 408 with my colleague, the senior Senator from Utah (Mr. BENNETT). He is the ranking minority member of the Banking and Currency Committee and is also the ranking minority member of the Subcommittee on Veterans Legislation of the Finance Committee. The senior Senator from Utah joins me in the amendment I am now offering to S. 408 as amended by the House.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Alabama.

The motion was agreed to.

INVESTMENT COMPANY AMENDMENTS ACT OF 1969

The PRESIDING OFFICER. Pursuant to the previous order, the Chair now lays before the Senate S. 2224, which the clerk will state by title.

The ASSISTANT LEGISLATIVE CLERK. S. 2224, to amend the Investment Company Act of 1940 and the Investment Advisers Act of 1940 to define the equitable standards governing relationships between investment companies and their investment advisers and principal underwriters, and for other purposes.

Mr. SPARKMAN. Mr. President, S. 2224, the proposed Investment Company Amendments Act contains comprehensive amendments to the Investment Company Act of 1940, the Investment Advisers Act, the Securities Exchange Act, and the Securities Act of 1933. This proposed legislation also contains many provisions intended to update and modernize our Nation's securities laws so that they will be better suited for an ever-expanding investment company industry. It is the result of almost 3 years of extensive study, hearings, and review by the full Banking and Currency Committee. An additional 10 years of research and study has been spent on this topic by the Wharton School of the University of Pennsylvania and the Securities and Exchange Commission.

The only purpose of this legislation is to assure the 5 million Americans who have entrusted their savings to mutual funds and the many millions more who will do so in the future, adequate consumer protection. These consumers who comprise many of our small investors are the backbone of a healthy national economy.

S. 2224 has three primary objectives: First, it amends the sections of the Investment Company Act pertaining to investment company management fees, mutual fund sales commissions, and periodic payment plan sales commissions. Second, it amends various provisions of the securities laws to permit banks to operate commingled, managed agency accounts in competition with mutual funds. In this area, the bill would also clarify the status of bank collective funds and separate accounts established by insurance companies. Third, the bill contains a large number of amendments to the Federal securities laws, which would facilitate, update, and improve the administration and enforcement of these acts. These amendments have widespread support throughout the securities industry.

The function of a mutual fund is to pool the money of many different people into a single investment in securities, usually common stock. Mutual funds are, however, unique in their corporate organization. First, most funds are always ready to buy back their shares from in-

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vestors. Therefore, they must continually promote the sale of new shares so that capital will be available. The second and most unique characteristic of a mutual fund, is its corporate organization which is far different from that of a typical industrial company, bank or insurance company. Mutual funds do practically none of their own work. Instead of hiring staffs of their own, they rely entirely on other people's employees.

MANAGEMENT FEES

A typical mutual fund is formed, controlled, and managed by a separate company called an investment adviser. The adviser's services are paid for by a fee which is calculated on a percentage of the fund's total assets. In the past the traditional fee has been one-half of 1 percent. Most fees still cluster around this figure although in recent years some have been reduced.

In 1940, at the time of the original Investment Company Act, most funds were relatively small in size and advisory fees did not present special problems. Presently, however, advisers manage funds whose assets amount to billions of dollars. The traditional fee of one-half of 1 percent charged on a fund with $30 million in assets in 1940 amounted to $150,000. Such charges were relatively modest and did not attract critical attention. Presently, however, due to the spectacular growth of mutual funds a similar fee on $3 billion in assets would amount to an annual charge of $15 million for each and every year. Obviously, elementary safeguards are necessary so that these fees may be objectively reviewed.

In its review of this subject matter, your committee has found that management fees are not fixed by normal price competition or by arms-length bargaining. The men who control the investment adviser also normally control the fund. Therefore, the relationships between mutual funds and their advisers are not the same as those that usually exist between buyers and sellers or in conventional corporations.

In 1940 it was impossible for Congress to foresee the explosive growth of the mutual fund industry—from assets of $450 million to the industry's present size of over $50 billion. Nor was it possible to foresee the increased compensation that mutual fund investment advisers would receive. The requirements written into the original act that advisory contracts be approved by shareholder vote, by unaffiliated directors, or both—intended to provide adequate shareholder protection—has had the opposite effect. Courts have held that because of these statutory requirements allegedly excessive management fees are subject to judicial review only under the test of "corporate waste" or when they shock the conscience of the court. This standard has been characterized by an eminent jurist as meaning that fees are subject to attack only when they are "excessively excessive."

Last year the Senate passed S. 3724 which contained a provision stating that management fees should be "reasonable." Jurisdiction was placed in the courts to determine what was a reasonable fee. This year S. 34 containing identical provisions was introduced. However, after hearings and further deliberations, your committee unanimously decided that there was an adequate basis to delete the express statutory requirement of reasonableness and to substitute a different method of testing management compensation. Under this proposed legislation, a mutual fund investment adviser has a specific fiduciary duty in respect to management fee compensation. This is in accordance with the belief, supported by the mutual fund industry, that the investment adviser should be a fiduciary in its relationship with the fund in the handling of assets and investments. Jurisdiction in enforcing this standard is placed in the courts who have traditionally judged fiduciary duties in similar type relationships.

Clearly this type of determination can only be made by the courts on the concrete facts of a particular case. Either the Securities and Exchange Commission or any mutual fund shareholder may sue in order to have a determination made as to whether the investment adviser has fulfilled his fiduciary duty to the mutual fund shareholders in determining the fee. As in any other lawsuit, the plaintiff would have the burden of proving to the satisfaction of the court that the defendant has committed a breach of fiduciary duty.

This legislation is not intended to replace the judgment of corporate directors with that of the courts. Under this section, courts are instructed to consider the approval given by the directors of the fund to the compensation paid and their approval shall be given such consideration as the court deems appropriate under all the circumstances. Among other things the court might wish to evaluate whether the deliberations of the directors were a matter of substance or a mere formality. However, such consideration would not be controlling in determining whether or not the fee encompassed a breach of fiduciary duty.

In my opinion, this section provides a reasonable solution to the management fee problem which has confronted Congress and your committee over the last 3 years. I am indeed grateful for the support given to this section by the senior Senator from Utah (Mr. BENNETT), the ranking minority member of the committee, and the Investment Company Institute.

SALES COMMISSIONS

In addition to management fees, the sales commissions paid by investors purchasing mutual fund shares are of great concern. The man who invests $10,000 in a mutual fund usually pays a sales commission of 9.3 percent of the total amount invested. This amount is far greater than the sales charges prevailing in other areas of the securities industry. For example, the normal stock exchange commission is approximately 1 percent. Over-the-counter securities transactions executed on an agency basis are the same as stock exchange commissions. When the dealer acts as principal, the commission is usually between 2 percent and 3 percent, and is limited to not more than 5 percent by the self-regulatory rules of the National Association of Securities Dealers. Nowhere else in the securities business are sales charges as high as for mutual funds.

In addition, mutual fund sales charges are protected by section 22(d) of the Investment Company Act. This section provides for a unique scheme of retail price maintenance whereby all dealers are prohibited by law from cutting the sales charge fixed by the mutual fund underwriter. Price cutting of mutual fund shares is a Federal crime.

Partially because of this section, and because of the way in which mutual fund shares are sold, competition has tended to operate in reverse—raising prices rather than lowering them. This has occurred because mutual fund shares are not sold on a competitive basis as are ordinary securities. In contrast, each fund competes for the favor of dealers and salesmen by offering higher sales compensation.

In some segments of the securities industry the protection of investors against excessive sales charges has been left to industry self-regulation subject to appropriate Government oversight. For example, brokerage commissions in the over-the-counter market are governed in this manner. A similar approach is recommended for mutual fund sales commissions by permitting the National Association of Securities Dealers to adopt rules prohibiting excessive sales charges.

The NASD has expressed the willingness to accept this function and to subject itself to the same type of SEC review as is provided in section 15A(k)(2) of the Securities Exchange Act. I am confident that the NASD and the SEC will work together to arrive at a result which is fair and reasonable both to the sellers of mutual fund shares and to the investing public.

FRONT-END LOAD

Many investors of relatively modest means purchase mutual funds shares by investing small amounts of money at monthly intervals. These investors pay the same sales commission as purchasers of ordinary mutual funds except for one significant factor—the "front-end load" method of collecting the sales charge.

The essential characteristic of the front-end load is that half of the investor's first year's payments are deducted for sales commissions. Obviously, this type of arrangement is detrimental to the investor, particularly if he discontinues his payments at an early date. Unless the stock market rises rapidly, he is almost certain to lose money.

These plans are sold mostly to lower and middle income families, who have the most to lose if they discontinue their payments. They are usually sold on a door-to-door basis, with potential purchasers being solicited in their homes and offices. While the front-end load is fully disclosed in the prospectus, studies have shown that most investors are still unaware of this feature.

If an investor is to make money he must be able to forecast his ability to continue making payments over a period of several years. Few small investors have been able to achieve this result. Over half of all contractual plan purchasers have failed to complete their payments on schedule.

The original legislation recommended

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by the Securities and Exchange Commission would have abolished front-end load sales charges. This bill does not follow that recommendation. Instead, your committee recommends two alternative plans. The first would limit the amount that could be deducted for sales charges during any one of the first 3 years of the plan to 20 percent of the investors payments. The second would permit the current front-end load sales charge, but would provide that if an investor for any reason whatsoever elects to redeem his underlying shares during the first 3 years of the plan, he is entitled to receive a refund of the full value of his current account including all sales charges exceeding 15 percent of the total payments made under the plan.

These provisions, in addition to alleviating the burdens placed on the consumer by the front-end load, will also provide a monetary incentive for salesmen to encourage increased investor persistence in completing their plans. The present system under which the salesman automatically receives most of his commissions during the first year of the plan has unfortunately failed to provide such results.

This section is of the utmost necessity if we are to provide adequate consumer protection. The front-end load is found only in installment plans sold to people who have little accumulated capital reserves. These are the people whom this bill is intended to protect. Present law which permits the deduction of half of the investor's money for sales charges, unfortunately does not afford such protection.

BANKS AND INSURANCE COMPANIES

This bill deals with another major concern of Congress—the need to clarify the status of bank administered collective investment funds under the Federal securities laws and the various banking statutes. These proposals are intended to clarify the numerous statutes governing this area and will also assure equal treatment for similar collective investments offered by insurance companies.

In recent years, banks and insurance companies have entered the mutual fund field by pooling the individually limited resources of large numbers of investors into collective investment funds and separate accounts. Recent developments have, however, raised difficult questions under existing Federal securities laws. One Federal district court has held that banks are precluded from operating managed agency accounts. The uncertainty caused by this decision, which is currently being appealed, has unduly impeded banks from competing with mutual funds on an equal footing. This bill would remove that unwarranted comparative disparity. Savings and loan associations would also be permitted to operate managed agency accounts if they received the permission of the Federal Home Loan Bank Board and are registered under all applicable acts with the Securities and Exchange Commission.

The bill also exempts bank collective trust funds and insurance company separate accounts for corporate pension plans from all but the fraud provisions of the Federal Securities Acts—an approach which the SEC has in the past taken through administrative action. Provisions are also contained which exempt bank collective funds and insurance company separate accounts—Smathers-Keogh H.R. 10 plans—from the Investment Company Act, but not from the disclosure provisions of the securities laws.

The entry of banks into the mutual fund field and the increased activity of insurance companies will provide the American investing public with a wide choice among different equity investments. This increased competition for investor favor is an important step toward insuring healthy and viable securities markets.

In conclusion, this proposed legislation is a moderate measure intended to deal with the serious problems which have arisen in the investment company industry over the last 28 years. It is built on the traditional practices of existing securities laws. It embodies a program of governmental regulation which is the bare minimum needed to provide adequate consumer protection and to update the Investment Company Act to the needs of today's economy.

I may add that copies of this year's hearings and report are on the desks of Senators. This bill follows very closely the one which was passed by a voice vote by the Senate last year. This year it was unanimously reported out of the Banking and Currency Committee unanimously. I believe, and I certainly hope, that the Senate will give favorable consideration to this legislation.

Mr. McINTYRE. Mr. President, the bill which the committee has reported to amend the Investment Company Act of 1940, and for other purposes, represents, in my opinion, a very commendable effort by the Banking and Currency Committee to arrive at a fair compromise—fair to the investing public and to the mutual fund industry. It deserves the support of the full Senate.

This bill represents a decade of studies carried out by the committee and the Securities and Exchange Commission. I think that particular credit for its present form should be given to our chairman, the Senator from Alabama, and the ranking minority member, the Senator from Utah, for their essential leadership toward the compromise now before us. I would also like to single out for special mention the former Chairman of the SEC, Hon. Manuel Cohen, for his determined effort to support this legislation, and his successor, Chairman Budge, who has carried on the task of insuring that American investors receive the full protection of their Government from possible abuse.

I think that it is also appropriate to point out, Mr. President, that the mutual fund industry itself, while somewhat slow to cooperate at the beginning of the committee's study of this legislation, has performed a very useful role in the development of the final form of the present bill. Thus the industry has performed service for the Congress, much in line with its professional practice of performing services for small investors.

Over 5 million Americans now own shares of mutual funds. The dramatic growth of the industry in the last 30 years from about $500 million in assets in 1940 to over $50 billion today demonstrates how the industry has served important investor needs. As the SEC has stated:

> By offering the American public a medium for professionally managed investment securities, primarily the stocks of America's leading companies, the investment company industry, and specifically mutual funds, fulfill an important public need.

To the small investor, mutual funds have traditionally provided a method through which the judgment and skill of highly trained managers are made available to place him on a parity with sophisticated stock market professionals. The results achieved by mutual funds for their shareholders show the effect of this approach. For the 10-year period ending December 31, 1968, mutual funds stressing maximum capital growth show an increase of values of 270 percent, while the most conservative balanced funds show gains of 110 percent. These results have, in recent years, caused institutions such as college endowments to become important mutual fund investors.

In light of these facts, the provisions of this bill should not be taken as any criticism of the job that mutual funds have done for their shareholders over the years. In fact, the development and growth of the mutual fund industry may be taken as another example of the unique vitality of the American economic system. Although the ancestors of mutual funds were born in Europe during the last century, its development and growth has been uniquely American. The domestic success of the industry has been such that there have been increasing sales of American mutual fund shares abroad in recent years and, as a result, the industry now makes a significant contribution to rectifying our balance-of-payments problem.

The chairman has discussed the major points of this bill in some detail. I would like to comment very briefly on a few of those points.

I was delighted that the committee finally found a way out of the tangle on management fees which had given us so much trouble last year. I might point out, for the RECORD, that I initially suggested the use of a fiduciary standard for testing management fees in the closing minutes of our last public hearing, a suggestion which led to a series of industry-SEC meetings and ultimately to the language of the bill now before us.

I am hopeful that this provision will serve as a strong encouragement to mutual fund managers to pass on to their shareholders the benefits attained through applications of economy of scale. As funds grow in size, the economic benefits which are realized through that growth belong to the fund shareholders.

It is encouraging to realize that there are today, without this legislation, so many mutual funds which do, in fact, pass on these benefits of increased size to their shareholders.

On another matter, the committee decided to leave the regulation of sales loads to an industry self-regulating body. I accept the committee's decision, al-

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though I would have preferred to see such regulation achieved by competitive forces operating in a free market, a situation which would result from the repeal of section 22(d) of the Investment Company Act. Surely, if the NASD does not move promptly and effectively to bring about a reduction in sales loads, the Congress should consider the repeal of section 22(d). It is encouraging to note that the committee has requested the SEC to report back on the effects of repeal of 22(d).

The committee acted wisely, as it did last year also, in modifying the exclusion from the Act's protections for investors for oil and gas mutual funds. This matter has been before the committee for some time, going back to 1966, and the case has been clearly made for granting protection to investors in these types of mutual funds.

During the executive session of the committee, a number of amendments were brought up at the last minute for committee consideration. The committee decided that those amendments which contained matter which had not been previously studied, and with which members were not familiar should be deferred. I believe that three such amendments, technical in nature, would be desirable. They are recommended by the SEC and the Investment Company Institute. In order to give advance notice that I will be offering them, I will now submit for the Record technical memorandum explaining their purpose. Mr. President, I ask unanimous consent that three technical statements be inserted in the Record at this point.

There being no objection, the technical statements will be printed in the Record, as follows:

Technical Statement in Support of a Proposed Amendment to Section 22(c) of the Investment Company Act of 1940 Clarifying the Commission's Authority To Regulate the Pricing of Investment Company Shares for the Purpose of Sale, Repurchase, and Redemption

Section 22(a) of the Investment Company Act authorizes a securities association registered under Section 15A of the Securities Exchange Act of 1934 (i.e., the National Association of Securities Dealers, Inc. ("NASD")), to make rules respecting the method for pricing of mutual fund shares for sales, redemptions, and repurchases for the purposes of "eliminating or reducing so far as reasonably practical any dilution of the value of such purchase, redemption, or sale which is unfair to holders of such other outstanding securities. . . ."

Section 22(c) of the Act authorizes the Commission to make rules and regulations, applicable to both members and nonmembers of the NASD, covering the same subject matter and for the accomplishment of the same ends prescribed in Section 22(a). Section 22(c) further provides that any rules and regulations made by the Commission supersede any NASD rules made on the same subject matter.[1]

Section 22(c) provides that the Commission's rules shall be applicable to "principle underwriters of and dealers in, the redeemable securities of any registered investment company. . . ." The section does not specifically state that such rules shall be applicable to the registered investment company. Because of this wording, it has been suggested that the Commission's rule-making power with respect to pricing of mutual fund shares does not extend to the registered investment company itself.[2]

The Commission believes that the rule-making power given in Section 22(c), together with the general rule-making power given in Section 38(a), clearly extends to registered investment companies. Indeed, to interpret the section otherwise would allow mutual funds to fix the times as of when net asset value of their shares are to be computed in circumvention of the Commission's regulation of underwriters' and dealers' time of pricing of the same shares. For example, in some cases Commission rules would apply to the timing of the calculation of net asset value of shares for *sale* and *repurchase* by dealers and underwriters, and a different time might be used for calculation of net asset value for *redemptions* of shares of the same company,[3] subverting one of the main purposes of the section.[4]

Argument on this question would be obviated if the Act were more explicit. Therefore, the Commission recommends that Section 22(c) be amended to insert the phrase "to registered investment companies and" after the phrase "the Commission may make such rules and regulations applicable" in the Section.

Technical Statement in Support of Proposed Amendments to Section 8(b)(2) and 13(a)(3) of the Investment Company Act of 1940 Clarifying Which Investment Policies May Not Be Deviated From Without Prior Shareholder Approval

Section 8(b)(1) of the Investment Company Act of 1940 ("Act") requires that every registered investment company, in its registration statement filed under the Act, specifically recite its policy with respect to certain investments and other enumerated activities. Section 8(b)(2) requires a recital in the registration statement of policies "in respect of matters, not enumerated in paragraph (1), which the registrant deems matters of fundamental policy and elects to treat as such."

Section 13 prohibits a registered investment company from deviating from the policies enumerated in Section 8(b)(1) or from any policy which it has elected to treat as "fundamental" pursuant to Section 8(b)(2) without prior shareholder approval.

The Commission believes that "fundamental", as therein used, is simply a term which describes any investment policy which an investment company elects to make changeable only if authorized by shareholder vote, whether or not an investment company *labels* such a policy "fundamental".

However, it has been argued that Section 13 is not violated when an investment company changes an investment policy without a required prior shareholder approval, unless that policy has been labelled "fundamental". In other words, it was argued that requiring prior shareholder approval for a change in investment policy does not make it "fundamental".

In *Green* v. *Brown*, 276 F. Supp. 753 (1967), the District court accepted this so-called "plain meaning" approach despite its "curious result". In a Brief, filed *Amicus Curiae* with the Court of Appeals, the Commission took the position that the term "fundamental" was simply a term which describes any investment policy which an investment company elects to make changeable only if authorized by shareholder vote. That Court, in *Green* v. *Brown*, 398 F. 2d 1006 (C.A. 2, 1968) remanded the case to the District Court with instructions to reconsider the matter with the benefit of the Commission's Brief.

Therefore, while the Commission believes that it has the authority to effect a clarification by rule,[1] to obviate further misunderstanding, it recommends that Sections 8 and 13, be amended to make it clear that deviation from an investment policy which is changeable only by shareholder vote constitutes a violation of Section 13. The amendment would also allow investment companies the opportunity to afford shareholders similar protection from deviation with respect to any other policy. Thus the amended sections would read as follows:

"Sec. 8. * * *.

(b) Every registered investment company shall file with the Commission, within such reasonable time after registration as the Commission shall fix by rules and regulations, an original and such copies of a registration statement, in such form and containing such of the following information and documents as the Commission shall by rules and regulations prescribe as necessary or appropriate in the public interest or for the protection of investors:

* * * * *

"(2) [a recital of the policy of the registrant in respect of matters, not enumerated in paragraph (1), which the registrant deems matters of fundamental policy and elects to treat as such;] *a recital of all investment policies of the registrant, not enumerated in paragraph (1), which are changeable only if authorized by shareholder vote;*

"*(3) a recital of all policies of the registrant, not enumerated in Paragraphs (1) and (2), in respect of matters which the registrant deems matters of fundamental policy;*

"[(3)] *(4)* * * *. (Present Paragraph (3) renumbered (4)).

"[(4)] *(5)* * * *. (Present Paragraph (4) renumbered (5)).

Sec. 13. (a) No registered investment company shall, unless authorized by the vote of a majority of its outstanding voting securities—

* * * * *

"(3) deviate from its policy in respect of concentration of investments in any particular industry or group of indsutries as recited in its registration statement, [or deviate from any fundamental policy recited in its registration statement pursuant to Section 8(b)(2); or] *deviate from any investment policy which is changeable only if authorized by shareholder vote, or deviate from any policy recited in its registration statement pursuant to Section 8(b)(3);*

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[1] Rule 22c–1, adopted October 16, 1968, effective January 13, 1969 superseded NASD Rules 26(e) and 26(h).

[2] In most cases sales and repurchases are handled through a dealer and underwriter, but redemptions are normally handled directly by the fund. Also, many no-load funds sell and redeem shares without using a separate underwriter or dealer.

[3] Many mutual funds designate underwriters and dealers around the country as their agents for "voluntary repurchase" of their shares. This enables share holders to shorten the period otherwise required to transmit the actual stock certificates to the fund for statutory "redemption."

[4] Section 1(b) of the Act requires the Commission to interpret the Act to mitigate and, so far as is feasible, to eliminate the conditions enumerated in the section which adversely affect the national public interest and the interest of investors. Section 1(b)(5) of the Act states that the national public interest and the interest of investors are adversely affected when *investment companies* in computing the asset value of their securities, employ unsound or misleading methods.

[1] In Investment Company Act Release No. 5565 (Securities Act Release No. 4939) the Commission proposed revisions of its instructions to Form N–8B–1 (and Form N–5) to effect this clarification.

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TECHNICAL STATEMENT IN SUPPORT OF PROPOSED AMENDMENT TO SECTION 24 OF THE INVESTMENT COMPANY ACT OF 1940 TO ADD A NEW SUBSECTION (f) TO PERMIT RETROACTIVE REGISTRATION OF INVESTMENT COMPANY SECURITIES

Occasionally, due to inadvertence, a registered investment company making a continuous offering of its securities, sells more shares than are covered by its registration statement under the Securities Act of 1933. Although the number of shares sold in excess of those registered are not registered under the Act, in practical effect no investor is harmed if each offeree or purchaser is given a current prospectus. However, the inadvertence may result in a violation of Section 5 of the Securities Act and any person who can show that his shares were not actually registered might be entitled to the rescission rights given by Section 12 of the Securities Act.

This suggested Section would permit the Commission to adopt rules allowing retroactive registration of securities sold in excess of the number of securities included in an effective registration statement upon payment of three times the normal registration fee for such shares. The Section also permits the Commission additional flexibility, if it so desires, to adopt rules to permit certain types of investment companies to register an indefinite number of shares.

The text of the proposed amendment follows:

"Section 24 of the Investment Company Act of 1940 is Amended by adding a new Subsection (f) to read as follows:

"'(f) In the case of securities issued by a face-amount certificate company or redeemable securities issued by an open-end management company or unit investment trust, which are sold in an amount in excess of the number of securities included in an effective registration statement of any such company, such company may, in accordance with such rules and regulations as the Commission shall adopt as it deems necessary or appropriate in the public interest or for the protection of investors, elect to have the registration of such securities deemed effective as of the time of their sale, upon payment to the Commission, within six months after any such sale, of a registration fee of three times the amount of the fee which would have otherwise been applicable to such securities. Upon any such election and payment, the registration statement of such company shall be considered to have been in effect with respect to such shares. The Commission may also adopt rules and regulations as it deems necessary or appropriate in the public interest or for the protection of investors to permit the registration of an indefinite number of the securities issued by a face-amount certificate company or redeemable securities issued by an open-end management company or unit investment trust.'"

Mr. McINTYRE. In conclusion, Mr. President, I would like to think that all of the controversy which surrounded this legislation 3 years ago has vanished in the general agreement of all parties affected that this bill is highly desirable. It was 29 years ago that the Investment Company Act was enacted. It would be nice to think that, after the enactment of this bill, another 29 years may pass before additional mutual fund legislation will be thought necessary.

Mr. INOUYE. Mr. President, the leadership wishes to announce that further consideration of the bill, S. 2224, will be had on Monday, May 26.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. INOUYE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

S. 2232—INTRODUCTION OF A BILL TO AMEND THE ALASKA STATEHOOD ACT

Mr. INOUYE. Mr. President, in behalf of the Senator from Alaska (Mr. GRAVEL) I introduce a bill to amend the Alaska Statehood Act, Public Law 85–508, and ask unanimous consent that it be referred to the Committee on Interior and Insular Affairs.

The PRESIDING OFFICER. Without objection, the bill will be received and referred as requested.

The bill (S. 2232) to amend the Alaskan Statehood Act, Public Law 85–508, July 7, 1958, 72 Stat. 339, by repealing the exclusive jurisdiction of the Federal Maritime Board over common carriers engaged in transportation by water between any port in the State of Alaska and other ports in the United States, introduced by Mr. INOUYE (for Mr. GRAVEL), was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs, by unanimous consent.

Mr. INOUYE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. HART. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

NATIONAL CENTER ON EDUCATIONAL MEDIA AND MATERIALS FOR THE HANDICAPPED

Mr. INOUYE. Mr. President, I ask unanimous consent that the unfinished business be temporarily set aside, and that the Senate proceed to the consideration of Calendar No. 185, S. 1611.

The PRESIDING OFFICER. The bill will be stated by title.

The ASSISTANT LEGISLATIVE CLERK. Calendar No. 185, S. 1611, a bill to amend Public Law 85–905 to provide for a National Center on Educational Media and Materials for the Handicapped, and for other purposes.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Hawaii?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Labor and Public Welfare with amendments, on page 2, line 16, after the word "and" strike out "nonprofit"; in line 17, after the word "agencies" insert "and organizations"; and on page 4, at the beginning of line 18, strike out "and inserting after "1970" the following: $12,500,000 for the fiscal year ending June 30, 1971, $15,000,000 for the fiscal year ending June 30, 1972, and $20,000,000 for the fiscal year ending June 30, 1973" "; and insert "and by striking out "1970" and all that follows and inserting in lieu thereof the following: "1970, $12,500,000 for the fiscal year ending June 30, 1971, $15,000,000 for the fiscal year ending June 30, 1972, and $20,000,000 for the fiscal year ending June 30, 1973, and for each succeeding fiscal year.". "; so as to make the bill read:

S. 1611

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of September 2, 1958 (Public Law 85–905) is amended—

(1) in section 3, by adding at the end thereof the following new subsection:

"(c)(1) The Secretary is authorized to enter into an agreement with an institution of higher education located in the National Capital area for the establishment and operation (including construction) of a National Center on Educational Media and Materials for the Handicapped, which will provide a comprehensive program of activities to facilitate the use of new educational technology in education programs for handicapped persons, including designing and developing, and adapting instructional materials, and such other activities consistent with the purposes of this Act as the Secretary may prescribe in the agreement. Such agreement shall—

"(A) provide that Federal funds paid to the Center will be used solely for such purposes as are set forth in the agreement;

"(B) authorize the Center, subject to the Secretary's prior approval, to contract with public and private agencies *and organizations* for demonstration projects;

"(C) provide for an annual report on the activities of the Center which will be transmitted to the Congress;

"(D) provide that any laborer or mechanic employed by any contractor or subcontractor in performance of work on any construction aided by Federal funds under this subsection will be paid wages at rates not less than those prevailing on similar construction in the locality as determined by the Secretary of Labor in accordance with the Davis-Bacon Act (40 U.S.C. 276a–276a–5); and the Secretary of Labor shall have, with respect to the labor standards specified in this clause, the authority and functions set forth in Reorganization Plan Numbered 15 of 1950 (15 F.R. 3176; 5 U.S.C. 133z–15) and section 2 of the Act of June 13, 1934 (40 U.S.C. 276c).

"(2) In considering proposals from institutions of higher education to enter into an agreement under this subsection, the Secretary shall give preference to institutions—

"(A) which have demonstrated the capabilities necessary for the development and evaluation of educational media for the handicapped; and

"(B) which can serve the educational technology needs of the Model High School for the Deaf (established under Public Law 89–694).

"(3) If within twenty years after the completion of any construction (except minor remodeling or alteration) for which such funds have been paid—

"(A) the facility ceases to be used for the purposes for which it was constructed or the agreement is terminated, unless the Secretary determines that there is good cause for releasing the institution from its obligation, or

"(B) the institution ceases to be the owner of the facility,

the United States shall be entitled to recover from the applicant or other owner of the facility an amount which bears to the then value of the facility the same ratio as the amount of such Federal funds bore to the cost of the facility financed with the aid of such funds. Such value shall be determined by agreement of the parties or by action brought in the United States district court for the district in which the facility is situated."

(2) in section 2, by adding at the end thereof the following:

"(5) The term 'construction' means the construction and initial equipment of new buildings, including architect's fees, but excluding the acquisition of land."

and

(3) in section 4, by striking out "and" after "1969," and by striking out "1970" and all that follows and inserting in lieu thereof the following: "1970, $12,500,000 for the fiscal year ending June 30, 1971, $15,000,000 for the fiscal year ending June 30, 1972, and $20,000,000 for the fiscal year ending June 30, 1973, and for each succeeding fiscal year.".

Mr. PELL. Mr. President, the Congress has, through its past actions, made it public policy to foster education for handicapped children. Their teaching and training has been the concern of the Federal Government for about 10 years. The Government has been most involved in training teachers in the specialized skills needed to work with the handicapped. However, it is estimated that we still need more than 300,000 teachers, speech pathologists, audiologists, and other specialists in these areas. At the present time there are only about 75,000 teachers presently available to the five million children in need of special education services, and sadly enough, it is estimated that only 40 percent of those children receive some degree of special education.

With this in mind, the Congress has recognized that while not filling the void created by the lack of teachers, technological advances could be utilized as an aid to teaching handicapped children. The captioned films for the deaf act, first legislated in 1958, was our first effort to apply technology to this area.

In truth, it can be said that the results of the programs under that act are more successful than had been thought attainable. The experience gained under this act led subsequent Congresses to broaden the scope of the captioned films for the deaf program to include other types of handicapped children.

The Bureau of Education for the Handicapped of the Department of Health, Education, and Welfare has very ably carried out its role in administering the components of the Federal programs of aid to the handicapped. Its regional media centers for the deaf, instructional material centers, the Education Research Information Center project, and distribution work of captioned films, among other programs, all bring the software within the reach of those working with handicapped children.

However, there is no single center combining all facets of this effort, that is, the development, testing, and actual use of this type of material. It was with this void in mind that I introduced S. 1611, to amend Public Law 85-905 to provide for a National Center on Educational Media and Materials for the Handicapped. The center is viewed as not only a source of production of materials but also as a disseminator of the useful work done by others in this area. It would have an important function of coordination and study of existing programs in the field of media for the education of handicapped children. It is the type of function which could be called a capstone to the many Federal and private efforts in this area.

Two specific questions have very rightly been raised about this legislation. The first is the placement of the center in the National Capital area. It was the judgment of the committee that in order to fully coordinate its activities with those of the Federal Government, the private groups interested in the education of the handicapped and the Model High School for the Deaf at Gallaudet College, placement of the National Media Center, in or near the city of Washington was necessary.

The second question concerned the need for construction of a separate building. Evidence and onsite inspection indicate that it is absolutely necessary that a separate building be specifically designed for this type of work. Efforts of the Bureau of Education for the Handicapped to set up regional media centers has found this type of function being placed in abandoned churches, leaky, and other unsuitable structures. When one considers that this media center will be making and developing films and other audiovisual materials the need for special wiring alone indicates a specially designed building. When one considers the storage space and weight of material to be stored, again the specialty of the building is indicated. And finally, when one considers that this material is being designed for handicapped children who require special physical structure, a specific building is indicated.

Recognizing the needs for a specially designed building, the committee has expressed its view that construction not be commenced before July 1, 1971. All other needed activities preparatory to construction may be carried on; indeed, it is expected that the special designing problems will call for this passage of time.

Mr. President, I strongly urge the Senate to support S. 1611. The handicapped children of our Nation will be the ultimate recipients of new instructional material as a result of a small expenditure of funds, one which we can ill afford to defer.

Mr. DOMINICK. Mr. President, I was happy to support the bill in committee. There are two things that I wish to report for the RECORD that we had added to it.

First, I think the Senator from Rhode Island (Mr. PELL), in reporting this bill, has done a very fine job, and I should like to be a cosponsor of the bill, as I stated in comimttee.

Mr. PELL. I request that the Senator's name be added as a cosponsor.

The PRESIDING OFFICER. Without objection, the name of the Senator from Colorado will be added as a cosponsor of the bill.

Mr. DOMINICK. Second, at my request in committee, we agreed to put a provision in the report which said the committee did not expect that construction of new facilities, if any, would be started before July of 1971. I thought that was our understanding and it seemed to me that this was important, because the Secretary of Health, Education, and Welfare is going to need to do a certain amount of planning and review what institutions of higher education may already have available. I did not want to bind us solely into a position for a new building authorization, and then find ourselves unable to obtain the appropriation of any money for it. We would not get any center, and it would look as though this proposal had died on its feet.

When the majority report was made we were unable to reach agreement on the wording which states, as shown on page 5 of the report: "The committee found that construction of a specially designed facility was absolutely necessary if the Center were to produce films" and so forth.

So we wrote individual views, which were signed by myself, the Senator from Vermont (Mr. PROUTY), and the Senator from California (Mr. MURPHY), in which we are not finding fault with the bill at all, but simply saying, "Give us a little more flexibility; we may find within the next year that we do need a new center, but we may also find within the next year that there are existing institutions or facilities that can be modified at a far cheaper price, which would do the same job."

The point I want to make is that the individual views are not intended, as such, to oppose the bill, but are intended to show that we do not want to find the President, the administration, and Congress put to the necessity of building something, when we may be able to do the job with existing facilities, suitably modified, at a far cheaper cost.

I again congratulate the Senator from Rhode Island for bringing up the matter.

Mr. PELL. Mr. President, in connection with the point the Senator from Colorado makes, he is quite correct in that there was discussion in the committee about whether we should proceed with the building of a facility.

The Senator made the very important suggestion, which was agreed to, that we include in the report a strong recommendation and state that no construction under any circumstances should be started prior to July 1, 1971.

However, when it came to the question of whether the building should be built, this was a problem that we faced up to in the committee.

We had expert testimony from Dr. Frank B. Withrow, who is the director of the Division of Educational Services, Bureau of Education for the Handicapped, Office of Education, who answered the question about the need for construction authority, as follows:

Dr. Withrow said:

> Yes, in the construction of a center such as indicated in the lanuage of the bill new construction would be required for production facilities. We have in some of our other centers attempted to modify buildings for production facilities, for film and television studios. For instance, in one center we did develop a film studio and such sounds as ladies' hard heels on the floor above came through on the soundtrack of the films.
>
> Therefore, in our experience at least, developing a sound studio, it is almost essential that you design it from the beginning and build it from the ground up. In addi-

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> tion to this we would envision this center storing most of the materials that are developed in prototypical form from other centers. To do this requires humidity and temperature control for storage of original filmed material in very special rooms designed for such storage.

While I fully appreciate the concern of the Senator from Colorado, I think the RECORD should clearly show that the passage of the bill fully authorizes the construction of such a center.

Mr. DOMINICK. Mr. President, I completely agree with the latter statement. This bill authorizes, but does not require, the construction of new buildings. I am merely trying to preserve flexibility. That is what I wanted to be sure we had well understood in the process of this colloquy.

Construction was mentioned by the Bureau of the Budget in its report of May 2, 1969, which stated:

> Whether additional construction authority is needed and should be sought requires further consideration in the context of budgetary needs and priorities for fiscal year 1971.
>
> Accordingly, the Bureau of the Budget recommends against the enactment of S. 1611 at this time.

Dr. Gallagher, Associate Commissioner of Education, for the Bureau of Education for the Handicapped, came up and testified in favor of the bill right until the end of his statement, at which point he almost reversed himself.

He said—and it appears in our individual views:

> We plan to consider the question of establishing such a center in preparing our fiscal year 1971 legislative and budget requests.
>
> However, we have been assured by legal counsel and others reviewing S. 1611 that we already have legislative authority for most of the steps called for in the bill. Only construction authority is lacking, we see no need to seek additional legislation for this purpose until we decide whether to propose new facilities.
>
> If budgetary priorities permit inclusion of the center in the 1971 budget, and we decide that additional construction authority is needed, we would return to the Congress to seek that authority.
>
> In the meantime, we do have to face the realities of a stringent budget which requires hard choices in the light of other national priorities and needs.
>
> Therefore, we are unable to recommend approval of S. 1611 at this time, although we support its objective of extending additional educational opportunities for handicapped children.

He testified in favor of the bill in one minute, and then said in the next minute that he could not recommend it. I do not think that is very helpful testimony, to be perfectly frank, whether it is from Dr. Gallagher or anyone else.

I am happy to be a cosponsor of the bill. However, I want to make sure that the Senator and I are agreed that the question of whether we will modify existing facilities of an institution of higher education or construct new facilities must be determined at a later date after further investigation and inquiry has been made and after we look at our budgetary requirements.

Mr. PELL. Mr. President, I think it should be noted that, while the Senator is completely correct, Dr. Gallagher was talking about two different thoughts in his testimony and they were completely divergent. However, in the exchange of views, Dr. Gallagher said that there was no disagreement in substance on going ahead. The question is on timing and having the money. That is where the difference is.

I think we should understand that in the passage of the bill—and I am sure the Senator does understand—the bill is being passed and authorizes the construction of such a center with the proviso that such construction must not start prior to July 1, 1971, and if there is any later change viewed in this regard, it can be done. We cannot pin down the administration 1 or 2 years from now. However, I would not want the RECORD to show that we have changed the wording of the bill on the floor.

Mr. DOMINICK. I understand that. We are not trying to change anything. I just want to make sure that we are leaving some flexibility in the bill.

The PRESIDING OFFICER. Without objection, the committee amendments are considered and agreed to en bloc.

Mr. HUGHES. Mr. President, the bill S. 1611, that we are considering today provides for a National Center on Educational Media and Materials for the Handicapped. It is an amendment and an extension to the captioned films for the deaf program, Public Law 85-905, which for over 10 years has been an outstanding success in improving and enriching educational programs for deaf youngsters.

The use of educational media and materials for handicapped children is especially important. First, because there are now only 80,000 teachers, speech and hearing specialists, and other experts necessary for working in the schools with handicapped children. We should have available more than 300,000 such personnel. Second, because we currently face a situation where less than 40 percent of the Nation's handicapped children, the retarded, the deaf, the blind, the emotionally disturbed, et cetera, have been receiving an appropriate response from our schools. Of the more than 5½ million children who need special education services if they are to be able to prosper and survive in the school system, only 2 million are currently receiving this specialized help.

We must look for new ways to provide handicapped children with these unique educational experiences that they require. It is my feeling and that of my colleagues on the Labor and Public Welfare Committee that specialized efforts to develop appropriate educational media and materials will be an enormous aid in extension of services to handicapped children.

S. 1611 proposes that a national center be developed in the Washington, D.C., area. It authorizes the establishment and operation, including construction, of such a center. It specifies however, that the applicant institution must be able to provide the land for the construction of a free standing, identifiable facility and for subsequent expansions of that plant. The national center will provide a comprehensive program of activities to facilitate the use of new educational technology in education programs for handicapped persons. This will include designing, developing and adapting instructional materials, field testing of such materials, and ultimately their dissemination, and the dissemination of information about them. For this center and for the continued growth of the program, the bill increases the authorization of the Captioned Films Act from $10 million to $12.5 million in fiscal year 1971; and to $15 million for fiscal year 1972, and to $20 million for the fiscal year 1973 and succeeding years.

Expertise in the specially designed educational programs for the handicapped is only slowly being developed, and the emerging area of educational technology is following a very similar course.

Very few persons, whether educators or specialists in instructional media, have such firsthand, practical experience. At the present time, there is a great need to consolidate the resources which are available, to pool the existing knowledge, to bring together the best minds now working in these fields and to provide an environment where rapid growth in educational technology for the handicapped may take place.

I ask unanimous consent that a statement by Senator YARBOROUGH be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

STATEMENT BY SENATOR YARBOROUGH

Mr. President, I support S. 1611, a bill to create a National Center on Educational Media and Materials for the Handicapped. In my years in the Senate, I have participated in the development of many pieces of legislation and none have given me more satisfaction than the efforts we have made in the last few years to provide additional educational opportunities for handicapped children.

A little over two years ago, we created and established a Bureau of Education for the Handicapped, in the Office of Education, which by the law creating it, was given the duty of operating all of the programs that then existed and that since have been developed for educating handicapped children. You will remember that we had to do this task over some determined resistance. That is usually the case with regard to programs for handicapped children. As long as people think in terms of the greatest good for the greatest number, and do not recognize that a series of systematic decisions made on that basis will exclude children such as the handicapped, we will face the problem of the necessity of focusing special legislative attention on these children. The bill being considered today was accepted unanimously by the Committee which I am privileged to chair, and by the Subcommittee chaired by my distinguished and able colleague from Rhode Island, Mr. Pell.

We all know too well that only two million out of more than five and one-half million handicapped children are getting an appropriate assistance. We know only too well that there is only one teacher for every two or three there should be to serve these children—only 80,000 out of 300,000 that are needed. We know that the country is now spending only 1 billion dollars a year from all sources to educate these children, and that it needs another two billion dollars to do the job right. We know in fact, that the American ideal of improved educational opportunity for each handicapped child is merely a pleasant sounding phrase and that for the parents of severely handicapped chil-

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> dren the reality to them is a school system which frequently turns them away. We are making progress in this area, and we believe that a merging together of the best brain power in the area of instructional technology and media with the persons who are experts in educating these children will be the basis for a breakthrough in the extension of services to more children and the improvement of education for the children now in special education classes.
>
> I know the positive response of this Senate to the needs of handicapped children. I have seen it demonstrated time and again in recent years. I can only say to you that we propose today another step in getting this job done, and we ask for your support.

Mr. PROUTY. Mr. President, I earnestly urge Senators to consider favorably S. 1611, a bill to provide a National Center on Educational Media and Materials for the Handicapped, and for other purposes.

In recent Congresses, our legislation has begun to catch up with our compassion for our handicapped citizens, but a large gap still remains.

It is estimated that more than 300,000 teachers, speech pathologists, audiologists, and other specialists are needed to work with handicapped children.

However, only 75,000 to 80,0000 such specialists are now available; therefore, some 3½ million of this Nation's 5½ million children who need special educational services are struggling without special education.

To close this gap we must improve upon our present pattern of delivery and look to new ways of providing handicapped children with the specialized educational experience that they require.

The bill will provide an intensified search for new and improved teaching methods and seek to counteract the critical personnel shortage through technology.

The proposed location of the national center in the Nation's Capitol will permit the Center to thrive on Federal facilities for the development of instructional aids. Its close ties with the Model High School for the Deaf at Gallaudet College will insure this facility a continuous supply of instructional materials and the experience of this school will be shared with the rest of the Nation.

I wish to make two additional points. Senators are aware of the immense demands on our Federal budget. The administration in testimony on this bill expressed concern that budgetary priorities might preclude inclusion of the Center in the fiscal year 1971 budget, but I contend that the spending of small amounts of money at an early date may, in this case, save greater amounts at a later date.

The bill now before us authorizes funding for the Center starting in fiscal year 1971. However, a clause in the committee's report on the bill makes it clear that any construction related to the Center is a second priority to the Center's comprehensive programs to expand the educational technology in education programs for the handicapped. This clause specifies that actual construction of the Center not begin until fiscal year 1972. The clause was the suggestion of the distinguished Senator from Colorado (Mr. DOMINICK) and was unanimously accepted by the full committee.

However, as he, the distinguished Senator from California (Mr. MURPHY), and I indicated in our individual views in the committee report, we disassociate ourselves with the conclusion of the committee that "existing buildings cannot be modified" and construction of a new facility is "absolutely necessary."

In our individual views we indicate:

> The bill places discretion with the Secretary of Health, Education, and Welfare to construct a new building or contract with an institution of higher education for use and modification of existing facilities.

We concluded:

> A National Center on Educational Media for the Handicapped would be a major step forward, but that the Secretary of Health, Education and Welfare should be given maximum flexibility in moving in this direction. If an alternative to new construction proves feasible, an operational center would become a reality and benefits would be delivered to the handicapped at an earlier date. This, after all, is our objective.

I urge the favorable consideration of the measure in the belief that its passage will bring benefits far beyond the costs of its provisions. In the absence of adequate specialists to provide services to the handicapped, we must provide every benefit of modern technology. Are not the handicapped particularly entitled to the benefits of our scientific achievements? I think so.

The PRESIDING OFFICER. The question is on the engrossment of the amendments and third reading of the bill.

The amendments were ordered to be engrossed and the bill to be read the third time.

The bill (S. 1611) was read the third time, and passed.

HELEN KELLER MEMORIAL WEEK

Mr. INOUYE. Mr. President, I ask the Chair to lay before the Senate a message from the House of Representatives on Senate Joint Resolution 99.

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the joint resolution (S.J. Res. 99) to authorize the President to issue annually a proclamation designating the first week in June of each year as "Helen Keller Memorial Week" which were in line 6, after the word "issue", strike out "annually"; and in line 7, after the word "June" insert "of 1969"; so as to make the joint resolution read:

> *Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That, in recognition of Helen Keller's contribution to the education, welfare, and rehabilitation of blind and deaf persons throughout the world, the President is authorized and requested to issue a proclamation designating the first week in June of 1969, as "Helen Keller Memorial Week", calling upon the people of the United States to observe such week with appropriate ceremonies and activities.

Mr. INOUYE. Mr. President, I move that the Senate concur in the amendments of the House.

The motion was agreed to.

The title was amended so as to read: "Joint resolution to authorize the President to issue a proclamation designating the first week in June of 1969 as 'Helen Keller Memorial Week'."

ADJOURNMENT UNTIL MONDAY, MAY 26, 1969

Mr. INOUYE. Mr. President, I move that the Senate, under the order previously entered, stand in adjournment until 12 o'clock noon on Monday.

The motion was agreed to; and (at 1 o'clock and 59 minutes p.m.) the Senate adjourned until Monday, May 26, 1969, at 12 o'clock noon.

NOMINATIONS

Executive nominations received by the Senate, May 21, 1969, under authority of the order of May 20, 1969:

OFFICE OF EMERGENCY PREPAREDNESS

Haakon Lindjord, of Virginia, to be an Assistant Director of the Office of Emergency Preparedness, vice Charles S. Brewton, resigned.

IN THE COAST GUARD

The following-named Reserve officers to be permanent commissioned officers of the Coast Guard in the grade of lieutenant:

Frederic J. Grady III
James C. Quinn
Peter E. Prindle
Eldon L. Beavers

The following-named officers of the Coast Guard to be permanent commissioned warrant officers in the grade of chief warrant officer, W-4:

Cluese Russell
Charles R. Wilson
Robert C. Hilker
Cordus G. Bough
Franklin L. Fountaine
Donald E. Dean
Lenox A. Johnson
John H. Wiechert
Donald D. Luedke
Dalton L. Burrus
Louis De Bernardi, Jr.
Stanley W. Mead
Sewell G. Loggins
Forrest W. Ringsage
Carl R. Schattenberg
Coit Rodgers
Robert E. Demichillie
James H. Tyner
Charles R. Finn
John R. Alford
Paul R. Harp
Raymond J. Gorman
Earl A. Ericksen
Charles F. Coolidge
Eugene E. Doyle
Earl L. Dickson
John A. Marino
Robert A. Murrell
Arthur M. McIver
Frederick R. Cooper, Jr.
Charles D. Pearson
Richard D. Bundy
Robert Casale
Harry V. Walker
Thomas E. Hilton
Gerald E. Palmer
Stephen Peckiconis
William T. Vanderberg
John W. Gates
George P. Spaniol
Marlan H. Murphy
Truxton W. Payne
Richard E. Eastman
John D. Kakalia
Robert D. Bowen
Richard J. Harding
William Chestnutt
Francis V. McMahon
Charles W. Brandon
Jesse E. Sparks
Russell L. Holt
William R. Greene
James R. Reese
Jerry R. Cox
James J. Torpey
Donald R. Karwadsky
Aloysius P. Seiler
Eugene E. Ockrassa
Earl F. Moore

The following-named officers of the Coast Guard to be permanent commissioned warrant officers in the grade of chief warrant officer, W-3:

Charles A. Vedder
Stephen W. Clark
Charles H. Lancaster
Bruce T. Collings, Jr.
Gary R. Wilkins
Gerald T. Victor
Daniel K. Mazurowski
Nevin A. Pealer
Warren W. Johns
William L. Engleson, Sr.
Dewain D. Clark
Peter L. Ehrman
Kenneth C. Coder
Hope L. Beacham
Benny B. Bacon
Thomas L. Wofford
William T. Pierce
Joseph W. Nofs
Carl Nucilli
Garland C. Fulcher
Clyde A. Phillips, Jr.
Alan E. Bailey
Harry L. Croneberger
James B. Coyle

XUM

Philip Souza
Neil E. Benson
James L. Rowe
Norman F. Wheeler
James A. Hodges
Charles F. Rogers
Hugh C. Teel
Antonnealle G. Townsend
William C. Hidinger
Clarence W. Waage
James O. Deardoff
Kenneth C. Riggs
William A. Clubb
Harvey F. Moore
Paul G. Blossfield
Fred W. Alcock
George S. Lee
Philip Ellia
Robert E. Sanders
Richard D. Slocum
Robert J. Hughes
Patrick T. Denney
Joseph J. Geryk
Elmer S. Turley
Ronald E. Buzhardt, Jr.
William H. Colagross
Lyle H. Dever
Robert W. Bolen
Joseph Millard
Joseph H. Ansom, Jr.
Duane H. Larson
George T. Causey
Thomas P. Kent
Harold W. Fox
Edward F. Golaszewski
Gerry A. Henneman
Elbert L. Roller
Daniel J. Debrowski
David G. Rash
Colon P. Butler
James R. Foy
Charles W. Dierolf, Jr.
Arthur R. Chavonelle, III
William H. Shaw
William P. Seaverns
Charles J. Mahaffey
Robert K. Bond
John R. Bradley, Jr.
Leonard E. Klumpp
Eugene G. Ostlund
John W. Scott
Silvester Altieri
William C. Drexler
John C. Wimbrow
Otello Agostini
Sigma H. Barnett
James H. Stoutjesdyk
William G. Womick
Horace T. Piver
Richard L. Williams
Frank W. Jurin
Gerald E. Flynn
Charles T. Beals
Raymond T. Peterson
Carmen E. St. Clair
Everett W. Bray, Jr.
Robert D. Coppens
George J. Brookfield, Jr.
Gordon E. Cates
Murray A. Strange
William A. Bromley
Clayton Keith, Jr.
Allen E. Gray
Newton L. Bennett
Thomas W. Hart
Archie Smith
Alan C. Anderson
Robert W. Gerlach
Robert E. Smith
Stanley C. Schmelz
Eugene J. Robl
Robert J. Denk
Kenneth N. Lindsey
Robert O. Midgett
James B. Price
Frederick A. Kahl
Charles H. Wilson
Freddie I. Wooten
Richard L. Moseley
Martin C. Baechler, Jr.
Anthony A. Rossi
William J. Ledoux, Jr.
Russell W. Badger
Henry O. Wall, Jr.
Floyd E. Duck
Carroll J. Whitman
Dale T. Dodd
David F. Steele, Jr.
William E. Waller
Philibert B. Akau
George F. Morris
Claude B. Peden
Earl R. Hoggard
Jackie L. Ranson
Steven Guedesse
Flaviel J. Rollinson
Burton G. Howell
James P. M. Joyce
Donald D. Moore
David H. Meekins
Norman W. Shaffer
Harry D. MacInnes
Bernice A. Edenfield
Albert D. Miller
Darwin L. Vineyard
Joseph Greco, Jr.
Duane M. Ferguson
Charles H. MacLean
Russell Pouncy
Charles H. MacLean III
John S. Feagan
George H. Rucker, Jr.
Edmund Katz
Clair H. Upton
Earl E. Smith
Joseph B. Bonica
Burl E. Mann
Ernest L. R. Johnson
Ronald W. Syren
John J. Ogurkis
Clarence T. Hayes
Joseph Phillips

The following-named officers of the Coast Guard to be permanent commissioned warrant officers in the grade of chief warrant officer, W–2:

Gerald T. Victor
Daniel K. Mazurowski
Nevel A. Pealer
Nevin A. Pealer
Warren W. Johns
William L. Engleson, Sr.
Dewain D. Clark
Peter L. Ehrman
Kenneth G. Coder
Harry F. Schmecht
George S. McDowell, Jr.
William R. Paul
James M. Hough
Winston G. Churchill
Rob R. Hathaway
Jerry L. Echols
Hope L. Beacham
Leonidas M. Patton
George H. Wilp
Robert A. Swanson
William C. Russell, Jr.
William Sneller
Tomas K. Jahn
Donnie R. Weitzel
Richard L. Jonas
David E. Hagberg
Gerald F. Perry
Tom W. Shelton
John W. Spreter
Dan R. Riksen
David N. Russell

Robert I. Young
Paul F. Burden
Colin J. Woodbury
Ronald D. Ricker
Ernest C. Card
Peter J. Anderson
Pleasant A. Lewis, Jr.
William C. Pless
Ernest P. Joyce
Richard J. Bebble
Jerry L. Furey
Gene O. Morse
Robert C. Simpson
Gordon M. Schreiber
John C. Siena
Don L. Schmidt
Fred L. Sanders
Paul B. Christian
Dale U. Duren
Rudolph Eberwein, Jr.
Paul T. Mayba
Joseph F. Harris
Louis A. Nataro
Maxwell B. Ferrill, Jr.
Bobbie W. Evans
John N. Edens
Mitchel Arnold, Jr.
James W. Bailey
Wilbur A. Yoast
Clifford A. Emert
William L. Lett
Daniel Ing
Joseph J. Welsh
Frank L. Risley
Reginald T. Hensley
Robert E. Barbutti
William M. Haggett
Richard G. Pelley
Robert C. Curtz
Thomas G. Henderson
Festus L. Snead
Donald E. Marler
John P. Fitzgerald
Donald H. Jones
Edmond B. Paradis, Jr.
Eugene P. Bishop
William F. Young
Louie J. Weber
William K. Herrell
Leonard W. Flood
William F. Madigan
James W. Knapp
Horace O. Rawls
William H. Gill
George A. Nicholson
John S. Bujun, Jr.
Kenneth E. Clark
Fred B. Eidson
Roger E. Cowley, Jr.
Thomas J. Lynn
Myron G. Colburn, Jr.
James R. Seward
Harold R. Packer
Barney C. Revell, Jr.
Kyran P. Kane
Odom E. Nowlin
John W. Acuff
Harold L. Skinner
Edward L. Ferguson, Jr.
Ronald P. Vancamp
James T. McAndrews
Albert J. Ryzner
Donald H. Yonkie, Jr.
William E. Davis
Jack N. Bond
Robert C. Hoffman
Winstead K. Nichols

Public Health Service

The following candidates for personnel action in the Regular Corps of the Public Health Service subject to qualifications therefor as provided by law and regulations:

I. FOR APPOINTMENT

To be senior surgeons

Hilary H. Connor
William M. Dixon
Jean R. Goorman
Marilyn K. Hutchison
Felix P. Hurtado
Harry M. Meyer, Jr.
William Pollin

To be surgeons

Kenneth S. Brown
William P. Castelli
Irwin R. Henkin
Carl M. Leventhal
Robert N. Ligo
Richard B. Lyons
Charles H. Neilson
Donald L. Randall

To be senior assistant surgeons

Alberto Arrillaga
Kenneth Behymer
John V. Bennett
Stanley B. Burns
Glyn G. Caldwell
David A. Cooney
David H. Groth
David J. Harris
Robert C. Hastings
John R. Herd
Allan S. Hild
Donald R. Jasinski
Trois Johnson
Euclid H. Jones
Stephen C. Joseph
Thomas W. Kiernan
Howard E. Kulin
Rice C. Leach
John H. Lutz
Jerry M. Lyle
Jon K. Meyer
Frank L. Mitchell
Roy S. Musick
Lee M. Schmidt
Albert T. Snoke
Richard M. Susel
Lon R. White
Paul O. Woolley, Jr.

To be dental surgeons

John F. Goggins
Charles H. Hayden

To be senior assistant dental surgeons

John W. Burns
Jeffrey B. Clark
Lynn D. Curry
Stephen Gobel
Morris A. Hicks
William P. Hussman
Michael W. Roberts
Dennis L. Smedley
Harry D. Smole
Robert K. Stone
William E. Wright

To be senior sanitary engineers

Raymond R. Goldberg
Walter F. Myers, Jr.

To be senior assistant sanitary engineers

Robert L. Ajax
Charles R. Bowman
Walter E. Gundaker
Joseph M. Hans, Jr.
Robert E. Hatten
James L. Oser
James G. Payne, Jr.
Fred G. Rueter

To be assistant sanitary engineers

Dennis A. Degner
Clark L. Gaulding
Henry M. Holman
Theodore Levin
Harold T. Peterson

To be senior veterinary officer

Richard E. Stanley

To be veterinary officers

William T. London
John H. Richardson

To be nurse officers

Invelda M. Artz
Norma J. Baxter
Thomas G. Carodiskey
Alice R. Harmon
Joan A. Hartwell
Mary Rose Anne Kennedy
Agnes M. Newell
Pietrina R. Ragalia

To be senior assistant nurse officers

Jean M. Craig
Paul V. Donnelly
George F. Hedquist
Irene C. Zyniewicz

To be senior assistant pharmacists

Donald R. Hamilton
Gordon H. Jensen
Philip G. Lawrence
James E. Mills

To be assistant pharmacists

Charles W. Cook
Gayle R. Dolecek
Vincent J. Fierro
Thomas A. Gaylord
James A. Keene
John F. Mays
Chester L. Wilson, Jr.

To be dietitian

Martha E. Clark

To be senior assistant dietitian

A. Eileen Murnin

To be therapist

Ronald E. LaNeve

To be assistant therapists

Robert K. Baus
Katherine J. Fromherz
William A. Fromherz
Jeffrey B. Mannheimer
Robert H. Ude

To be senior scientist

George E. Jay, Jr.

To be scientists

Kenneth A. Borchardt
Malcolm D. Hoggan

To be senior assistant scientists

Sven O. E. Ebbesson
Ashley Foster

To be health services officers

Gloria S. Burich
Isom H. Herron, III
Joseph K. Owen
Francis F. Reierson
Reginald A. Spindler

To be senior assistant health services officers

Robert F. Hickman
Edwin P. Yarnell

Executive nominations received by the Senate, May 22, 1969, under authority of the order of May 20, 1969:

Assistant Secretary of State

John Richardson, Jr., of New York, to be an Assistant Secretary of State.

Peace Corps

Thomas J. Houser, of Illinois, to be Deputy Director of the Peace Corps.

U.S. Marshals

Edward J. Michaels, of Delaware, to be U.S. marshal for the district of Delaware for the term of 4 years, vice Joseph Novak.

Christian Hansen, Jr., of Vermont, to be U.S. marshal for the district of Vermont for the term of 4 years, vice Thomas W. Sorrell.

Mississippi River Commission

Maj. Gen. Andrew Peach Rollins, Jr., O24237, Army of the United States (brigadier general, U.S. Army), to be a member and President of the Mississippi River Commission, under the provisions of section 2 of an Act of Congress approved 28 June 1879 (21 Stat. 37) (33 U.S.C. 642).

XUM

IN THE ARMY

The following-named officer for appointment in the Regular Army of the United States to the grade indicated under the provisions of title 10, United States Code, sections 3210, 3284, and 3306:

To be brigadier general

Col. Manley Glenn Morrison, O37389, U.S. Army.

Executive nominations received by the Senate May 23, 1969:

SUPREME COURT

Warren E. Burger, of Minnesota, to be Chief Justice of the United States.

IN THE ARMY

Lt. Gen. William Beehler Bunker, O19402, Army of the United States (major general, U.S. Army), to be placed on the retired list in the grade of lieutenant general under the provisions of title 10, United States Code, section 3962.

The following-named officer under the provisions of title 10, United States Code, section 3066, to be assigned to a position of importance and responsibility designated by the President under subsection (a) of section 3066, in grade as follows:

To be lieutenant general

Maj. Gen. Henry Augustine Miley, Jr., O22993, Army of the United States (brigadier general, U.S. Army).

CONFIRMATIONS

Executive nominations confirmed by the Senate May 23, 1969:

OFFICE OF ECONOMIC OPPORTUNITY

Donald Rumsfeld, of Illinois, to be Director of the Office of Economic Opportunity.

COMMISSIONER ON AGING

John B. Martin, Jr., of Michigan, to be Commissioner on Aging.

GEOLOGICAL SURVEY

William T. Pecora, of New Jersey, to be Director of the Geological Survey.

AMBASSADORS

Francis J. Galbraith, of South Dakota, a Foreign Service officer of class 1, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Indonesia.

Sheldon B. Vance, of Minnesota, a Foreign Service officer of class 1, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Democratic Republic of the Congo.

Oliver L. Troxel, Jr., of Colorado, a Foreign Service officer of class 1, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Zambia.

John Davis Lodge, of Connecticut, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Argentina.

Matthew J. Looram, Jr., of the District of Columbia, a Foreign Service officer of class 2, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Dahomey.

Francis E. Meloy, Jr., of the District of Columbia, a Foreign Service officer of class 1, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Dominican Republic.

Spencer M. King, of Maine, a Foreign Service officer of class 1, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Guyana.

Armin H. Meyer, of Illinois, a Foreign Service officer of the class of career minister, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Japan.

Jack Hood Vaughn, of Virginia, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Colombia.

David H. Popper, of New York, a Foreign Service Officer of class 1, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Cyprus.

Kingdon Gould, Jr., of Maryland, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Luxembourg.

AGENCY FOR INTERNATIONAL DEVELOPMENT

Bert M. Tollefson, Jr., of South Dakota, to be an Assistant Administrator of the Agency for International Development.

U.S. ARMS CONTROL AND DISARMAMENT AGENCY

James F. Leonard, Jr., of Maryland, a Foreign Service officer of class 1, to be an Assistant Director of the U.S. Arms Control and Disarmament Agency.

U.S. NAVY

Rear Adm. Maurice F. Weisner, U.S. Navy, having been designated for commands and other duties determined by the President to be within the contemplation of title 10, United States Code, section 5231, for appointment to the grade of vice admiral while so serving.

Vice Adm. John B. Colwell, U.S. Navy, for appointment to the grade of vice admiral on the retired list, in accordance with the provisions of title 10, United States Code, section 5233.

U.S. MARINE CORPS

Lt. Gen. Lewis W. Walt, U.S. Marine Corps, for appointment to the grade of general while serving as Assistant Commandant of the Marine Corps.

TENNESSEE VALLEY AUTHORITY

Aubrey J. Wagner, of Tennessee, to be a member of the Board of Directors of the Tennessee Valley Authority for the term expiring May 18, 1978.

IN THE NAVY

The nominations beginning Jon F. Abel, to be lieutenant, and ending Jacquelyn S. Wills, to be lieutenant, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on May 8, 1969;

The nominations beginning Guy H. Able III, to be ensign, and ending Nicolas E. Walsh, to be ensign, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on May 12, 1969; and

The nominations beginning Kenneth D. Aanerud, to be lieutenant (junior grade), and ending Frank E. Kline, to be lieutenant, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on May 12, 1969.

IN THE MARINE CORPS

The nominations beginning John E. Allen, to be 2d lieutenant, and ending John T. Wilson, to be 2d lieutenant, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on May 13, 1969.

EXTENSIONS OF REMARKS

PARENTAL GUIDANCE AND DISCIPLINE

HON. BIRCH BAYH

OF INDIANA

IN THE SENATE OF THE UNITED STATES

Friday, May 23, 1969

Mr. BAYH. Mr. President, in the midst of widespread publicity about the so-called generation gap and the increasing amount of juvenile delinquency, it is well to remember that many stories in the headlines are not truly representative of the bulk of Americans. We tend to overlook too quickly the fact that most parents make special efforts to understand, guide, and participate in wholesome activities with their children, and that throughout the Nation families are united by close ties of respect, love, and veneration.

Typical of the positive influence for good exerted on their families' lives by many fathers is the relationship described in an article brought to my attention recently about three men in the Calumet area of Indiana. These three fathers—Robert Blaemire, an assistant fire chief in Hammond; Albert Kaufman, a supervisor for a Chicago Heights steel firm; and Robert J. Stefaniak, an insurance broker in Calumet City—while coming from differing backgrounds and following varied careers, share with millions of others the common bond of concerned parents the world over.

Because the son of one of these men has been a part-time employee in my office while attending college, I can testify personally to the success with which the obligations of parenthood have been met in this particular instance. As a tribute to these fine men as well as to uncounted fathers and mothers who devote themselves unselfishly to the welfare and training of their children, I ask unanimous consent that this article, which appeared in the Hammond Times for April 6, be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

DISCIPLINE REVIVED

". . . Youth Gets 1–10 Year Term."

"Two Burglars Shotgunned."

"Police Snare 16 in Pot Raids."

"Unrest Hits 4 Colleges."

"Teens Beat Conductor."

Headlines like these are appearing in newspapers across the country.

All of them, however, are about Calumet Region youths because they're from The Times, with the exception of college unrest and there's been some of that here, too.

All too frequently the blame for teens and young people going astray can be placed with the parental supervision—or lack of it.

Busy dads often forget the mischievous pranks they pulled as youngsters and the pitfalls which could have swallowed them up.

In an age of permissiveness, today's fathers are reverting to old-fashioned discipline and participation. They're taking an interest in what their children do, with whom, where, when and why.

This, at least, was the impression given by three fathers.

As assistant fire chief in Hammond, Robert Blaemire works one 24-hour shift and is off for three. While it may sound like he has an abundance of time for family activities, it should be pointed out he also works 24 hours a week as a part-time furniture salesman.

With two jobs, Blaemire finds time to attend night school two nights each week and coach a junior youth league baseball team.

XUM

"I'm trying to get my degree in education," Blaemire said, "so this semester I'm taking philosophy and criminology."

"So far I have 36 credit hours. When you only take six hours a semester, it takes a little longer."

Blaemire's own philosophy has been "if they're stealing second base, they're not stealing cars."

His own four children have benefitted. They are Donna Rae 21, who works in Chicago and is planning to become an airline stewardess; Robert, 19, a student at George Washington University in Washington, D.C., and an employe of Sen. Birch Bayh; Mike, 17, a senior at Gavit High School, and Kevin 13, a junior high student at Gavit.

"All of them are interested in music," Blaemire said. "Bob and Mike played in their own combo until Bob and one of the other boys left for college but they still come over to practice."

According to Mrs. Blaemire, there's always something going on.

"Last fall the senior float for homecoming was built in our backyard," Blaemire said. "Our home has always been open to their children and their friends.

"If they're here," he added, "we know where they are and usually what they're doing."

Although Blaemire enjoys coaching his junior youth league team, something he's done for nine years, his oldest son was more interested in drama and is a good student.

"Mike and Bob have always been kept busy with their music, too," he said. "Kevin is still active in Boy Scouts and likes sports so we've been very lucky."

Blaemire is proud of the fact he's never had a discipline problem with his children.

"If we give them a job to do, they'll get it done, sometimes reluctantly, but they'll do it," he said.

The Blaemires have helped with other school activities in addition to homecoming floats, such as the junior prom.

"You've got to support and be interested in what they do or they'll lose interest," he said. "That's why I favor a strong summer program—summer is probably the worst time for kids.

"They have too much time to get into trouble," he continued, "during the school year there are sufficient activities to keep them occupied, but summers can be rough."

They support student activities by attending as many high school sports events as they can.

Mrs. Blaemire needn't worry about becoming a "baseball widow." Blaemire takes her along to games he's coaching, something he intends to continue doing. If there's a dinner or activity for the players, she pitches in to help.

She also works part-time for the Westminster Presbyterian Church in Munster.

They are members of Woodmar United Methodist Church and Blaemire is active in the newly-organized Woodmar Kiwanis Club.

"The only way to keep a happy home, wife, and children," Blaemire said, "is to make each activity ours—not yours and mine—by making time for each event."

"Besides," he added, "you have to keep your sense of humor. Too much is too serious too often.

"There are many more good kids than bad," he continued. "People should try to understand their own kids as well as someone else's. If they were better understood, there'd be fewer bad ones."

He considers himself lucky for having the kind of job he can leave behind so his work "doesn't interfere with my job at home."

With two daughters and a son, the Albert Kaufman home in Hammond is another beehive of activity.

Kaufman, a supervisor of production control for a Chicago Heights steel firm, is the father of Ardis, 20, a student at Purdue University in West Lafayette; Cynthia, 18, a senior at Morton High School, and Neal, 14, also a student at Morton.

"Seems like we were always driving kids someplace," Kaufman said, "to games, to school, school functions, field trips, museums.

"Ardis was a cheerleader," he added, "so we always had a carful."

In addition, Mr. and Mrs. Kaufman are both avid high school athletic fans.

Neal is interested in sports, Kaufman said, and plans to go out for baseball this spring.

"There is always some sort of meeting going on," Kaufman said. "We're home during meetings, but stay out unless they ask our help on something.

"Our home is always open to the kids and their friends and it's well-used.

"They're very active in school but inactive at home," Kaufman said.

As for discipline, "Girls are no problem; Neal, like all boys, is a little unruly at times.

"I suppose I could beat him, but that wouldn't be any fun, the ability to beat someone doesn't give you the right to boss them.

"When he starts to driving," Kaufman said, "I'll be able to ground him as an effective means of discipline."

Kaufman told of times he's received call from his office while at home. He has so effectively learned to leave his work at the office it often takes several minutes before he can answer the problem about which he's been called.

"We try to take life lightly and as it comes," he said. "That's particularly important in dealing with teenagers.

"Neal and I get along as father and son and as friends, which is equally important."

Kaufman is an ex-coach, but did not "coach" his son as a youngster.

"If he wants to play catch I'm happy to toss around a few, but we don't push him into any sport.

"He knows we're there to back him in whatever he decides."

Robert J. Stefaniak of Lansing, a general insurance broker in Calumet City, has some of these tasks yet to face.

His daughters are Lynn 7, and Lori, 5.

As a young father of younger children, his civic and business interests interfere to some extent with the amount of time he spends with them.

"I don't get to see much of them in the evening," Stefaniak said, "but I try to make up for it on the weekends by spending as much time as possible with them.

"I try to make it up by my physical presence rather than in a material way," he added.

Lynn just joined a Brownie troop.

"It's all pretty new to her," he said, "but I imagine once she gets interested in it, I'll be drafted for various activities."

Stefaniak is active in the Calumet City Lions Club, The Calumet City Real Estate Board, Calumet City Democratic Club and is treasurer of the school township which includes Calumet City, Lansing and Burnham.

"We try to take each crisis—major and minor—as it comes," he said. "What else can you do?"

TRINITY AND THE ROTC

HON. EMILIO Q. DADDARIO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Friday, May 23, 1969

Mr. DADDARIO. Mr. Speaker, the Reserve Officers Training Corps in our universities and colleges has received a great deal of attention in recent months, and I believe the following editorial which appeared in the Hartford Courant is extremely well written and that it imparts a great deal of wisdom on the controversy which now exists:

TRINITY AND THE ROTC

At the request of President Lockwood, the faculty and College Council at Trinity are now reviewing the Air Force Reserve Officer Training Corps program there to determine its role on the campus.

From the factual point, perhaps this is an inconsequential exercise. Under ROTC quotas only 22 students out of Trinity's 1,300 are presently enrolled in the program that annually provides the Department of Defense with some 2,500 second lieutenants from colleges around the country.

But "in this year of fabricated issues," as the Trinity newspaper nicely puts it, anything will do to set off a whoopla by student dissenters, and the ROTC has become a special whipping boy on many campuses. Trinity is already in a lather of words whether the ROTC program should go, stay, or be relegated to an extracurricular activity. And it is doubtless to fend off larger demonstrations that President Lockwood has called for a review of the matter.

The lines of debate have already been drawn in the general campus clamor, and they are being echoed at Trinity. Is the ROTC program "relevant" (that jargon word of lovely vagueness) to a liberal arts curriculum? Does ROTC, in content and teaching measure up to other academic and professional standards? And is ROTC, in principle, a militaristic anathema that aids imperialism to do its dirty deeds and so involves a college in the national war guilt?

Perhaps the first two questions are sensibly asked. But they are relatively easy to answer. Presumably some agency at Trinity can evaluate the relevance and competence of the ROTC program as it does any other program at the college. And certainly the colleges of the country together, if they mutually agree ROTC needs improvement in these directions, should not be stumped to find ways to impress the matter on the Defense Department for purposes of betterment. In fact, the Department is already attempting improvements and alterations in this direction.

Thus there would be little sense in sacking or otherwise downgrading ROTC for any academic faults that could be so easily repaired. And certainly it follows that if the program is academically acceptable, the student should get course credits as he does in other fields. To be quite specific, if Trinity is going to give credits in Physical Education, it would find little logic in making ROTC extracurricular.

In short, all this is business for academic or administrative argument—or perhaps quibble. But there is little reason in it for getting rid of ROTC out of hand. And especially not at Trinity (to go back again to being specific) where only recently the Curriculum Revision Committee has said the college should offer the opportunity for the student "to experience life outside the groves (or grooves) of academe." If a young man wishes to sample military science and procedure, or to go on to serve in the country's defenses, what academic freedom is there in preventing him, all other academic considerations being equal?

But of course, it is not reason that is confronting the ROTC around the country's campuses. It is a variety of things ranging from emotionalism to out-and-out anarchy. The ROTC is only one of a score of random issues whipped up out of hysteria or for the sake of student rabble-rousing. In the present college climate of dissension, if it weren't ROTC it would be something else a hardcore knot of agitators would fasten onto.

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However, accepting dissenters against ROTC at their prettiest face value, what actually is it they are beefing about? They are against war, they decry American policy in Vietnam. Heaven knows that as far as war goes, they are not alone. But they equate war and militarism, using the latter in its worse sense, with the United States Department of Defense. And they feel if they can put the department out of business somehow, they will strike a blow for peace. The ROTC is of course a guilty agent of the Department in their minds.

This of course is the world's most delusory kind of argument. Armies terrible with banners have been marching since the beginning of time, and there is absolutely no sign—not even in all the world's youthful anti-war protest—that man's warlike bent is yet curbed. Is there anything in news headlines, from Far East to Middle East, from Russia to Indonesia, that indicates to the contrary?

That we live in a world of wars and rumors of wars is tragically obvious. Who, then, is going to defend this country? And what, in the name of everyone from Nathan Hale to Commander Bucher—and not omit the Fighting McCooks of Trinity itself—is wrong with entering the service of this country? To imply that anyone who enrolls in the Trinity ROTC is ipso facto a goosestepping militarist is as ridiculously wrong as it is insulting. Without ROTC in the universities, the Pentagon might very well have to raise an officer corps isolated from the civilizing influences of typical young men and women in a natural American university atmosphere. It is very likely, indeed, that Congress and the Pentagon would instead create more military academies with more discipline, and end up with precisely the militaristic atmosphere the opponents of ROTC say they are against.

These are things the faculty and College Council at Trinity, together with all others concerned pro or con with ROTC, might well chew on. Incidentaly, it is interesting to remember that ROTC has served Trinity well, keeping it afloat after World War II when the draft was draining colleges everywhere. But it is not for some past debt it should now be kept on campus. It is because in these terrifying times, ROTC is a notable contributor to national defense—the very defense that prevents wars, not makes them.

THE INTERMOUNTAIN OBSERVER: "A LOUD AND SASSY VOICE"

HON. FRANK CHURCH

OF IDAHO

IN THE SENATE OF THE UNITED STATES

Friday, May 23, 1969

Mr. CHURCH. Mr. President, this week's Time magazine devotes a major portion of its section on the press to the Intermountain Observer, published in Boise, Idaho. The attention devoted by Time to the Observer is well deserved, indeed. Few other publications—of any size, anywhere in the country—offer the quality of journalism that is to be found in the Observer.

Time sums up the essential quality of the Observer when it notes that, despite a circulation of only 3,500, the publication "speaks with a surprisingly loud and sassy voice."

Time also pays tribute to the two editors who make the Observer what it is: Sam Day and Perry Swisher. As the magazine notes:

> The Observer is exceptional because of (these) two talented journalists who prefer roots in a relatively small community to the bustle of metropolitan journalism.

The Observer has never been a wealthy paper, Mr. President. In fact, it has operated on a deficit for much of its history. But as Time points out, its owner—Boise Valley Broadcasters, headed by one of Idaho's most distinguished citizens, H. Westerman Whillock—has been willing to subsidize the paper as a public service. For that, Idaho is grateful.

I ask unanimous consent that the Time article be printed in the Extensions of Remarks of the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

INDEPENDENCE IN IDAHO

Most newspapers in the mountain West are as solid as the Rockies, reflecting the area's high respect for authority and stability and its opposition to rapid change. Idaho's papers are generally no exception, but one small weekly in Boise, with a circulation of only 3,500, speaks with a surprisingly loud and sassy voice. The *Intermountain Observer* prints four-letter words, opposes the war in Viet Nam, supports sex education and, even in a hunting-happy state, urges strict gun laws. A model of reasoned protest, it also assails shoddy meat inspection, inhumane prison conditions, inadequate school budgets and sheriffs bent on censorship.

A tabloid, the *Observer* is exceptional because of two talented journalists who prefer roots in a relatively small community to the bustle of metropolitan journalism. Editor Sam Day, 42, worked for Associated Press and three other newspapers before settling in Boise in 1964. Associate Editor Perry Swisher, 45, is a former Salt Lake City *Tribune* correspondent who ran unsuccessfully for Governor, and still teaches math and English on an Indian reservation. Both believe that editing a regional weekly can be liberating rather than stifling. "We're not gelding—journalists don't have to be disinterested," says Swisher. Day adds: "We do not have to play footsie with businessmen on Main Street."

CANNIBALISM

Day and Swisher crusade with gusto. To attack capital punishment, Day wrote a three-part series on one of the most revolting crimes in Idaho's recent history: the fatal stabbing of a woman in 1956 by a man who bit off and swallowed one of his victim's nipples. Day's report demonstrated that the killing was a sudden, drunken act, not a premeditated murder, and that the state had executed the man in emotional reaction to the cannibalism. To convey the degrading atmosphere of Idaho prisons, the *Observer* found an imprisoned newspaperman who confessed that he used morphine and other drugs "to escape the reality" of prison life, or he would "surely go mad." He added: "There aren't any girls here, but there are some boy-girls, and while I've never had the occasion to think about having a relationship with such a person, I am contemplating one."

The *Observer* came to the aid of an embattled Lutheran pastor after rumors spread that his church's youth-recreation center had been organized by Communists. Reporter Alice Dieter traced the rumors to the fact that police had found in the center a copy of the *Realist*, a satirical Greenwich Village magazine, as well as a reprint of a speech given by an official of Students for a Democratic Society and distributed by the American Friends Service Committee. A local detective had decided that such material sounded subversive.

The *Observer's* punch and thoughtfulness has brought it a readership well beyond the borders of Idaho—it has subscribers in 41 states, including many politicians in Washington. In a praiseful article, the *Columbia Journalism Review* noted that the *Observer* "comforts the afflicted and afflicts the comfortable." Afflicting the comfortable produces advertising cancellations as well as press-association awards; last year the paper lost $4,000 on a gross income of $51,000. It would be out of business if it were not subsidized by its owner, Boise Valley Broadcasters, which operates radio and television station KBOI.

The feisty *Observer* has plenty of critics, mostly officials it has attacked. Republican Governor Don Samuelson, with whom Day disagrees on almost everything, claims that the paper tries to "get people emotionally disturbed rather than present facts." Sheriff Paul Bright, who has been assailed by the *Observer* for efforts to close such movies as *I, a Woman* and *Candy*, vainly sought a warrant to arrest Day when the paper published some four-letter words used by S.D.S. Founder Tom Hayden at the University of Idaho, even though the speech was also televised. The prosecuting attorney ruled that the one incident showed no pattern of obscenity but warned that Day should not use such words again. Day, naturally, makes no such promise. "We don't mind risking the paper when we think an issue is important," he says.

HON. WILBUR J. COHEN COMMENTS ON 1970 BUDGET REQUEST

HON. JAMES H. SCHEUER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, May 23, 1969

Mr. SCHEUER. Mr. Speaker, very few men in our generation have viewed America's problems of health, education, and welfare for so long and so perceptively from the mountaintop as Prof. Wilbur J. Cohen, former Secretary, U.S. Department of Health, Education, and Welfare. I am positive that his eloquent and thorough views will be closely scrutinized and highly valued by all my colleagues, and I include them at this point in the RECORD:

COMMENTS ON THE 1970 BUDGET REQUEST

(Statement to House Subcommittee on HEW Appropriations, by Wilbur J. Cohen, professor of education and dean-designate, School of Education, the University of Michigan, May 23, 1969)

I wish to thank the distinguished Chairman and members of the Subcommittee for taking the time to hear me this morning. I know what a complex and time-consuming responsibility you have had in conducting the hearings on the 1970 Budget requests. Your Subcommittee has always been considerate, thorough and penetrating in cross-examining the various Secretaries and their staffs. I thank you for the courtesies you showed me during the past eight years. I shall miss Mel Laird's tough questions but can only hope that he now finds being on the other side of the table as interesting and challenging.

I first appeared before a Subcommittee on Appropriations nearly 35 years ago when I appeared on the first Social Security budget of 1935. That was a baptism by fire because the House-passed appropriations never became law due to a filibuster by Senator Huey Long. I learned two things from that experience: a number of Louisiana soup recipes which Senator Huey Long discussed in the Senate, and never to be sure about anything in the appropriation process.

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So while I appreciate that you and the members of Congress and the Executive Branch are in a mood of constraint on the Budget, I nevertheless feel an obligation to come before you and give you my evaluation of needs. Perhaps somehow the conditions will change as tax reform, international conditions, and Senate action on appropriations unfold. My hope springs eternal.

We—you and I—are faced in the United States with some of the most difficult and sensitive problems since our Republic was established. The problems of poverty, malnutrition, white racism and black racism, student unrest, the role of the universities in our society and their relationship to government, rising medical costs, an outmoded welfare system, school desegregation, disadvantaged children, the needs of our aged—all these and many more of the great national problems vexing our body politic—fall within the scope of this Subcommittee. What you gentlemen do this year and next can have a consequential effect in dealing more realistically and satisfactorily with these problems.

I don't believe that money is the sole situation to our problems but I do believe it helps to have money and that money helps more than mirrors. I must be frank and say to you I believe that the H.E.W. Budget should be about $1.6 billion more this coming year than the Nixon Budget request, or about $1 billion above the Johnson request. I believe this additional amount could be wisely and efficiently used. I also agree there could be some reduction in expenditures for Medicare and Medicaid by more rigorous monitoring of over-utilization and unnecessary charges, postponement of some projects of lower priority, and some legislative changes in programs to assist in reducing expenditures.

You will rightfully ask me where is the money coming from to increase the H.E.W. appropriations. It is my view that before you reduce essential H.E.W. programs as members of Congress you should cut out some of the low priority items in the defense budget, stretch out some of the space projects, close the tax loopholes as par of a tax reform measure, postpone some of the projects which the Army Engineers hace endorsed, appropriate more funds to collect delinquent income taxes, enact an excess profits tax, and ask the General Accounting Office how they can help to reduce unnecessary and low-priority expenditures. I do not believe it is necessary or desirable to restrict the growth of our health, education and welfare programs. There are other alternatives for the Congress to choose from. I hope the Congress will rise to the statesmanlike opportunities which are present.

As you know, last December I did not increase the $4 per month premium rate for physicians' services under Medicare for the fiscal year 1970. A $4.40 rate which was recommended to me would have increased the Federal share from general revenues about $100 million for the year while at the same time placing another $100 million on the beneficiaries. This was a difficult and close decision and I received much critical and abusive mail from some physicians for my decision. But I hope my action will help to moderate the inflationary tendencies. Unless there are legislative changes in the Medicare program the cost on general revenues will rise in 1971 and other years, if not in 1970 as well.

In my second annual report to the Congress on Medicare (House Document No. 91–57) I have included a list of the 47 physicians receiving reimbursement under Medicare of $50,000 a year or more. This does not include any payments under Medicaid. (pp. 114–116). I urge you to request the Department to do a similar study for Medicaid including payments to pharmacies, nursing homes. May I also suggest that your Committee Report indicate that the Department establish a special Task Force under the Comptroller's supervision to make special investigations of Medicare and Medicaid costs where fraud, overutilization, or abuse are alleged or believed to exist.

ESEA

I urge you first to appropriate additional funds for education and particularly for Title I of ESEA. President Nixon has recommended a reduction of $110 million in the funds for Titles II and III of ESEA and Titles III–A and V–A of NDEA recommended by President Johnson.

I believe this reduction is unwise and out of harmony with the recent House action on extension of ESEA which gave the States broader flexibility for fiscal year 1971 in the use of funds under these very titles. I urge you to increase the amount available by at least $224 million and authorize in the appropriation act that the States may utilize this additional amount for 1970 either under Title I, II, III or Titles III–A and V–A of NDEA as is provided in the House-passed amendments for 1971.

If you appropriate only the $1,226 million for 1970 then the following 14 States would not receive any increase over 1969: Alaska, Arizona, Delaware, Florida, Idaho, Iowa, Kansas, Montana, Nevada, New Mexico, Oregon, Texas, Washington and Wyoming. The 1970 request is for $103 million more than 1969 and yet 14 States receive no more in Federal funds.

In addition to recommending $224 million more than the request I urge you to modify the proposed minimum requirement so as to provide that no State should receive less than 105% of the amount received in the previous year.

ADVANCE FUNDING

The appropriation request also includes $1,226 million as advance funding for Title I–A for 1971. I strongly support the advance funding for this program and I recommend that you include in your bill $1.8 billion for 1971 as a 75% payment on the 1971 appropriation. I also recommend you include an appropriation of $2.4 billion for 1972 on this same basis. These figures are derived from a calculation that on a $2,000 income basis the entitlements would total about $2.4 billion for 1971 and on a $3,000 basis that would total about $3.2 billion in 1972.

I can think of nothing that would help as much to give hope and enthusiasm to the hundreds of thousands of teachers and school boards who are struggling to improve the education of our young people as your action to substantially increase the ESEA funds for 1971 and 1972. Even if you found that you couldn't go as high in the bill as I have recommended but could include in your Committee Report a statement of your general intent, it would be most constructive.

I need not tell you that teachers, principals and administrators in your schools are having a difficult time. Millage increases for schools have been turned down more frequently than in the past. You could help at this critical time to support the schools and teachers by indicating your intent to appropriate more in 1971 and 1972 than in 1970. You would not be affecting the 1970 Budget and you would be indicating your faith in the Congress' ability to improve the situation in the next two years.

I also recommend that you include in this year's bill advance funding of higher education programs for 1971. This would be very helpful to better planning and I think that you would get "more bang out of a buck" if you provided for advance funding.

FULL FUNDING OF ESEA

Full funding of Title I would involve about $3.2 billion by 1971. Along with the other titles of ESEA the appropriation of the full authorization under all titles could exceed $4 billion annually. I am reasonably sure that within a few years the Congress will appropriate this amount.

I urge you very strongly to indicate in your Committee Report that you intend to hold hearings at an appropriate time on what the effect on our American education system would be if and when the full amount authorized under the ESEA were appropriated and that you would like a report from the Department on this matter including information from the States and school districts on the potential use of such funds. You might also ask the Federal agency to establish a special outside Committee of distinguished citizens to evaluate this information and transmit their evaluation to you.

EXPERIMENTAL SCHOOLS

I strongly support the request made by President Nixon for experimental schools. This is a very important proposal. I believe, however, the request could be reduced from $25 million to $2.5 million by making the first year a planning grant program. One hundred projects could be financed at $25,000 each at a total cost of $2.5 million. The other $22.5 million could be shifted to ESEA to meet the additional costs I have recommended. By starting with planning grants first a more satisfactory long-range program can be developed.

CONSTRUCTION-EDUCATION

I think it is very unfortunate that President Nixon has requested elimination of the entire request by President Johnson for construction of undergraduate and graduate facilities—a total of $107 million. While I fully support the Johnson request, I hope that as a minimum you will include at least $41 million, the amount contained in the 1969 Budget.

I fully support the $1,080,000 which Secretary Finch has proposed to expand assistance to community colleges.

NIH

President Nixon requested a decrease of $28 million in the NIH Budget submitted by President Johnson. The Nixon request for the research institutes in 1970 would therefore be below the 1969 level. I made a careful study of NIH programs before I left office and I concluded that they should receive an amount which would be about $118 million above the revised submittal. I support the request for an increase in research on problems of human reproduction and family planning. I urge you to include a small amount to commence operations on the Lister Hill National Center for Biomedical Communications (omitted by Bureau of the Budget). As a minimum I suggest that the NIH institutes receive at least $50 million more than in 1969.

SOCIAL AND REHABILITATION SERVICE

I am very disappointed that the revised Budget reduces the work incentive program by $35 million because the goal of 175,000 enrollees set for 1970 will not be reached. I urge you to encourage the Department of Labor to speed up the program. If they can get more persons in training I would hope you would indicate your receptivity to a revised estimate in the Senate. We must make every effort to offer work training to more persons on welfare who want such training. A recent study showed 70% of the mothers on welfare wanted such an opportunity.

I also regret the cut of $64.3 million in vocational rehabilitation. I do not know the reduction in the number of persons who would be rehabilitated by this cut. I urge you to evaluate the cost-benefit effects before making a decision on this item. You might wish to restore some of the cut.

I support the $5 million added for innovative approaches on income maintenance.

OTHER CHANGES

I support the requests made by President Nixon for civil rights assistance to school districts ($6 million), nutrition ($4 million) and aid to medical schools ($5 million). I do not favor his elimination of Federal payments for mentally ill patients in State and local institutions after 120 days under Medicaid without further discussion with the States as to how to handle this problem without adverse impact on the mentally ill. Nor do I favor the reduction of $10,712,000 in certain of the mental health activities even though there is a $1,379,000 increase in direct operations for mental health.

I hope you could find a way to restore some of the grants for purchase of public library books and materials.

DEPARTMENTAL MANAGEMENT

I urge you to appropriate the full amount requested for Departmental management—$35.1 million exclusive of payments to the Corporation for Public Broadcasting.

In order for the Secretary to have the effective ability to supervise programs, evaluate proposals, review budget and legislative proposals, he must have more help directly responsive to his immediate needs and not oriented to a particular program. I originally submitted to the Bureau of the Budget a request for $38 million which I believe is eminently justified. I would be pleased if you found it possible to give Secretary Finch this amount. He will need it to carry out the responsibilities which the Congress and the President have placed upon him.

I also urge you to include the amounts requested for evaluation of programs. My experience convinced me of the value of this activity in determining priorities, making budget changes, and making legislative proposals. It is worth every dollar appropriated.

PERSONNEL CEILINGS

The personnel ceilings in existing law are in my opinion seriously impairing the performance of H.E.W. programs. I strongly recommend repeal of the existing limitations.

STUDENT UNREST

I wholeheartedly endorse Secretary Finch's policy that it would be unwise and tragic for the Federal Government to interfere in the internal administration of educational institutions.

I believe existing Federal, State and local laws are adequate to take care of the situation. I favor repeal of the existing amendments to the appropriation and education laws which are discriminatory, ineffective and inappropriate. I urge you to include in the Office of Education funds to staff a small mediation center to assist educational institutions in dealing with student unrest which in my opinion is not likely to terminate under present circumstances.

INFORMING THE PUBLIC

One fact has concerned me as I have recently visited projects financed by Federal funds. In most cases I have seen large signs on the projects indicating that the project has been financed by the local sponsors but the fact that substantial Federal funds have gone into the project is usually minimized, overlooked or disregarded. Taking into account the prevalent attitude criticizing the amount of Federal taxes, I believe it is only fair for the taxpayer to know the benefits which derive from his Federal taxes. We have a situation today where the tax message is brought home very insistently to the taxpayer but the message on the value or beneficial Federal programs is often neglected.

I would like to suggest that you include in your Committee Report a strong recommendation that the Department issue instructions to every grantee or contractor that every facility constructed in part or whole with Federal funds post a conspicuous and visible sign which indicates the proportion of Federal funds in the project, particularly in connection with hospitals, schools and similar facilities.

I am equally concerned that very few persons know or appreciate the substantial amount of Federal funds which you appropriate to NIH for medical research and training. I urge you to request the Department to take steps to inform the American public of this fact through appropriate means.

SOCIAL SECURITY

The consolidated Budget submitted by President Nixon shows a reduction in social security expenditures of $1 billion based upon a 7% increase in benefits. Chairman Wilbur D. Mills has already indicated he favors at least a 10% increase in social security benefits as well as "many other improvements". I believe that a 10% across the board increase with a substantial increase in the minimum monthly benefit and other improvements would result in an increase approximating 15%. I believe that with the increased income to the system due to increased earnings in 1969 and 1970 we could have more than a 7% increase without any immediate increase in social security taxes. It is estimated that under the existing law there will be an excess of $5.6 billion in social security income over expenditures in 1970, $9 billion in 1971 and $10 billion in 1972.

I favor increasing the minimum monthly social security benefit from $55 to $80. This would make a substantial reduction in the number of persons in poverty and also decrease the Federal cost of old age assistance. The increase proposed by President Johnson would reduce Federal assistance costs by $81 million. President Nixon's proposal would reduce them by $51 million—a loss of $30 million. I think $60 to $65 million might be a better guess.

A CONCLUDING COMMENT

There are other items of policy, budget, and administration on which I should like to comment if time permitted. I have presented my views on many of these matters as part of the Annual Report which I made to the Congress. I also presented by legislative recommendations to the President in a special report dated December 17, 1968. If members of the Committee have not seen them I shall be glad to make them available. I should particularly like you to look at the goals for 1976 which are outlined because inevitably these matters will be discussed in future appropriation as well as legislative hearings.

THE HONORABLE WILLIAM V. ROTH

HON. JOHN P. HAMMERSCHMIDT

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 22, 1969

Mr. HAMMERSCHMIDT. Mr. Speaker, it is an honor and pleasure to add more good words to the many which have been said for our esteemed colleague, Bill Roth. His announcement that he aspires to and will seek a seat in the other body next year comes as no great surprise.

Bill Roth's great abilities have been most evident, in bringing credit to himself and the House of Representatives. He has focused attention on major problems, and through his own efforts and leadership, brought perspective to such a dilemma as the overproliferation of Federal agencies. That tremendous effort, alone, marks Bill Roth as a man of unusual ability.

Beyond that, he is a most delightful associate as well as an able, willing, hard worker; in short, an ideal legislator.

We will miss his strong voice in the House. We wish him every success in his effort to be elected to the other body. He deserves it.

FORMER VICE PRESIDENT HUBERT H. HUMPHREY EXPLORES HEALTH PROBLEMS AND OFFERS SUGGESTIONS FOR COPING WITH EXISTING INADEQUACIES

HON. JENNINGS RANDOLPH

OF WEST VIRGINIA

IN THE SENATE OF THE UNITED STATES

Friday, May 23, 1969

Mr. RANDOLPH. Mr. President, I have long been concerned with the health problems of our Nation and with the need for improvement of the health of our people.

Recently I read with intense interest an article by former Vice President Hubert H. Humphrey pointing with pride to America's health achievements, while frankly stating our unmet health needs.

The article appears, appropriately enough, in the preview edition of a significant new magazine, Family Health, published by Maxwell M. Geffen, former publisher of Medical World News. Vice President Humphrey will be a frequent contributor to the magazine. Its distinguished editorial advisory board includes Dr. Christian Barnard, Dr. Morris Fishbein, Dr. Albert Sabin, Mrs. Albert D. Lasker, and others.

Fortunately, our citizens are today more health conscious than ever before. They will, I believe, find in Mr. Humphrey's article a source of both encouragement and challenge.

Mr. President, I therefore ask unanimous consent to have this stimulating article reprinted in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

WE'RE HEALTH-POOR IN A LAND OF PLENTY

(By Hubert H. Humphrey)

The former Vice President exposes some of the weak spots in America's health defenses and offers suggestions about how they can best be shored up.

Can you possibly help me with this health problem?

Letters which start like this have filled my mailbag for many years. Some tell of anguish: "My mother has cancer . . ."; "My daughter is mentally retarded. . . ." Other correspondents write about issues affecting millions of people, such as the economics of health care or the blight of air pollution.

The letters are reminders that we Americans do care about health, not just for ourselves, but for others.

Our peaceful war against disease has scored inspiring victories. Once-dreaded childhood diseases such as polio, smallpox, whooping cough and diphtheria have become illnesses largely of the past. From our scientific centers, our clinics and laboratories, have come breakthroughs in research, in patient care and in medical education which have attracted the finest of the world's physicians to our country.

But can you believe America's health problems are now "minor"? No realist could. Indeed, we are in the midst of a revolution of rising new health expectations.

The demand for health services will leap by an estimated 25 per cent in the 1965–1975 decade. We are short of 50,000 doctors and 135,000 nurses. Our hospitals, often obsolete and crowded, need not only modernization and expansion, but 250,000 additional professional and technical persons.

The toll of handicaps and premature deaths remains needlessly high. Fifty-two

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million Americans are injured annually by accidents in their homes, their offices, on the highways and elsewhere. The No. 1 killer, cardiovascular disease, still wipes out over a million lives a year, accounting for more than one-half of all deaths. Diseases which can be effectively controlled still strike the unsuspecting: there are, for example, an estimated two million undetected diabetics.

Recent reports about malnutrition, especially among the poor, but also in the middle-income group, offer a grim paradox in our affluent nation. Preventive medicine and health information could spare millions of Americans infinite grief and cost.

The lack of adequate care can be the most tragic at that stage when life is most vulnerable—in the mother's womb and in the first year after birth. Twelve countries have lower infant mortality rates than ours.

Nowhere is promise greater or the shortage more severe than in rehabilitation personnel and facilities. The emotionally disturbed, the physically handicapped, the mentally retarded face long, long waiting lines wherever they turn, and all society is the loser.

Man, himself, is causing health problems of mammoth proportions. Pollution fills millions of lungs with chemicals; noise jars ears and minds. By the end of this century, we will be 90 per cent urbanized and crowding will multiply the daily stresses of life.

Already jam-packed in urban ghettos and spread out in rural slums, the poor—one fifth of our nation—lag in health standards from birth onward. Their poverty makes them more vulnerable to disease and disability. Their illnesses make them poorer. Cause and effect intertwine and only our combined attack on both poverty and disease can break the tragic cycle.

Pioneering facilities like the neighborhood health center are beginning the counterattack. Meanwhile, another vast backlog—of mental illness—is being reduced by bold experimentation in community mental health centers and outpatient clinics.

The costs of illness are beginning to be brought under control by prepaid insurance. Earlier, Blue Cross, Blue Shield and other private insurance eased financial burdens on millions of our citizens; Medicare and Medicaid added significantly to coverage. But the problem of rising health and hospital costs remains a challenge to creative, voluntary partnership between the professions, our private enterprise system and government.

Fortunately, we don't have to look for "miracles" arriving in some far-off "someday." Many of the answers to today's health problems are no farther than your family doctor, neighborhood clinic or community pharmacy. Having been trained as a pharmacist, I take pride in our profession's accomplishments.

It is only factual to note that ten years ago the wealthiest king could not have commanded the new life-giving, pain-relieving medications which are now routinely stocked in your corner drugstore. And available with the pharmaceuticals is the friendly counsel, the understanding and the interest of dedicated professionals: the pharmacist and the doctor.

Each does his best in serving your health. And all America does its best when it strives for a healthier tomorrow. This is a crucial part of our pursuit of happiness. And, with its success, there will be fewer letters of heartbreak in tomorrow's mailbag.

THE HONORABLE WILLIAM V. ROTH

HON. ALEXANDER PIRNIE

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 22, 1969

Mr. PIRNIE. Mr. Speaker, the announcement of our good friend, Bill Roth of Delaware, that he would forego return to the House and campaign for election to the Senate came as a shock. While I wish him every success in this effort, I am very loath to lose him from this body. In the brief span of 3 years Bill has established himself as a competent and tireless legislator. In individual and cooperative efforts, he has worked smoothly and diligently. The stature of the House is raised and the Nation is well served by such service. We are proud of Bill's record and will follow his further career with confidence and deep interest. Our best wishes will be with him.

SENATE—*Monday, May 26, 1969*

The Senate met at 12 o'clock noon, and was called to order by the Vice President.

The Chaplain, the Reverend Edward L. R. Elson, D.D., offered the following prayer:

O Father of our spirits, we need Thee every hour and the land Thou hast given us needs Thee in this hour of history. Forsake us not however far our roving takes us from Thy love and from our true home which is in Thee. Turn our fugitive spirits to Thee for renewal and strength. Vouchsafe Thy light and Thy truth to us in our daily duties. Make us vigilant in pursuit of eternal values. Accept our lives and all the resources of our Nation entirely for Thy service. May we go from strength to strength assured that Thy goodness and mercy follows us all our days and we may abide with Thee forever.

Through Jesus Christ our Lord. Amen.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Friday, May 23, 1969, be dispensed with.

The VICE PRESIDENT. Without objection, it is so ordered.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Leonard, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The VICE PRESIDENT laid before the Senate sundry messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

WAIVER OF CALL OF THE CALENDAR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the call of the legislative calendar, under rule VIII, be dispensed with.

The VICE PRESIDENT. Without objection, it is so ordered.

LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that statements in relation to the transaction of routine morning business be limited to 3 minutes.

The VICE PRESIDENT. Without objection, it is so ordered.

COMMITTEE MEETINGS DURING SENATE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that all committees be authorized to meet during the session of the Senate today.

The VICE PRESIDENT. Without objection, it is so ordered.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate go into executive session to consider one nomination on the Executive Calendar, that of Mr. Thompson, of Massachusetts.

There being no objection, the Senate proceeded to the consideration of executive business.

The VICE PRESIDENT. The nomination on the Executive Calendar will be stated, as requested by the Senator from Montana.

ATOMIC ENERGY COMMISSION

The legislative clerk read the nomination of Theos J. Thompson, of Massachusetts, to be a member of the Atomic Energy Commission.

The VICE PRESIDENT. Without objection, the nomination is considered and confirmed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of this nomination.

The VICE PRESIDENT. Without objection, it is so ordered.

LEGISLATIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to, and the Senate resumed the consideration of legislative business.

THE CALENDAR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar Nos. 193 and 194.

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The VICE PRESIDENT. Without objection, it is so ordered.

AUTHORIZING THE VESSEL "ORION" TO ENGAGE IN THE COASTWISE TRADE

The bill (S. 133) to authorize the vessel *Orion* to engage in the coastwise trade was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 133

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding any other provision of law, the vessel now known as the Orion (ex-Trinidad), owned by the Orion Towing Company, Inc., of Bartow, Florida, shall be entitled to engage in the coastwise trade upon compliance with the usual requirements and so long as such vessel is owned by a citizen of the United States. For the purposes of this Act, the term "citizen of the United States" includes any corporation, partnership, or association which is a citizen within the meaning of section 2 of the Shipping Act, 1916 (39 Stat. 729), as amended (46 U.S.C. 802).

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 91–203), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE AND EXPLANATION OF THE BILL

S. 133, introduced by Senator Holland, would authorize the vessel *Orion* to engage in the coastwise trade. The *Orion* is a tug, 127 feet in length, with a beam of 29 feet, 10 inches, and an average towing speed of 9 knots. The vessel, which is now owned by the Orion Towing Co., Inc., of Bartow, Fla., was built in American territory (Panama Canal) by the U.S. Government for the use of the Government. Because of the provisions of our coastwise trade laws, the vessel is now ineligible for coastwise privileges because it was not built within the United States. A bill identical to this measure was enacted by the Senate in the 90th Congress, but was not acted upon by the House of Representatives.

In view of the hardship that would otherwise be imposed and because of the limited size and employment of the vessel, the committee recommends approval of the bill. The committee believes that this exception is of such a limited and restricted nature that it will pose no threat to the general goals of our coastwise restrictions or to the American shipbuilding industry.

COST OF LEGISLATION

Enactment of this bill would involve no expense to the Government.

DOCUMENTATION OF THE VESSEL "CAP'N FRANK" WITH FULL COASTWISE PRIVILEGES

The bill (S. 753) to authorize and direct the Secretary of Transportation to cause the vessel *Cap'n Frank,* owned by Ernest R. Darling, of South Portland, Maine, to be documented as a vessel of the United States with full coastwise privileges was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 753

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding the provisions of section 4132 of the Revised Statutes of the United States, as amended (46 U.S.C. 11), the Secretary of Transportation is authorized and directed to cause that certain vessel now known as the Cap'n Frank, built in 1958 in Nova Scotia, and now owned by Ernest R. Darling, of South Portland, Maine, to be documented as a vessel of the United States with full coastwise privileges upon compliance with the usual requirements so long as the vessel is owned, and shall continue to be owned, by a citizen of the United States.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 91–204), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The bill directs the Secretary of Transportation to document as a vessel of the United States with coastwise privileges the 38-foot, 6-inch vessel *Cap'n Frank.*

REASON FOR THE BILL

The *Cap'n Frank* was built in Nova Scotia, Canada, in 1958. The vessel is therefore ineligible to be documented for operation in the coastwise trade under section 27 of the Merchant Marine Act, 1920, and under section 4132 of the Revised Statutes (46 U.S.C. 11). A bill identical to this measure was enacted by the Senate in the 90th Congress but was not acted upon by the House of Representatives.

The purpose of restricting documentation with coastwise privileges to vessels built in American shipyards is to encourage ship construction in the United States. It has been the policy of the United States since 1789 to reserve the coastwise trade to vessels constructed in U.S. shipyards. However, from time to time and under special circumstances, Congress has passed legislation authorizing the documentation of vessels for use in the domestic trades although the vessel was built in a foreign country or otherwise lost its documentation because of a transfer to foreign registry. The committee considers each proposal for such documentation on its own merits.

This vessel is owned by Ernest R. Darling of South Portland, Maine. Mr. Darling is a citizen of the United States and plans to use the 38-foot, 6-inch vessel for chartering fishing parties and other passenger service. In view of the hardship that would otherwise be imposed and because of the limited size and employment of the vessel, the committee recommends approval of the bill. The committee believes that this exception is of such a limited and restricted nature that it will pose no threat to the general goals of our coastwise restrictions or to the American shipbuilding industry.

MILITARY DECISIONS IN VIETNAM

Mr. TOWER. Mr. President, I am dismayed by the recent attack on a tactical decision of our field commanders by the Senator from Massachusetts (Mr. KENNEDY) on the 20th of May.

In my estimation, the Senator was wrong, not only in the substance of his assertions, but also in the tone of his criticism.

In advocating that our troops assume a static defensive posture, he is advocating a policy that, if pursued, would result in loss of thousands of more lives of our people than are lost by offensive action.

Further, the Senator seems to accept the somewhat naive—and dangerous—assumption that by giving up the military initiative, we can hasten a negotiated settlement. Nothing could be further from the truth—unless we are prepared to surrender to the enemy. We must negotiate from a position of strength. The enemy knows that he cannot defeat us militarily so long as we remain in Vietnam, but he hopes to prolong the war to the extent that he can collapse the will of the American people to any longer tolerate our presence there. Unfortunately, such remarks as the Senator made keep alive that hope. I must regretfully draw the conclusion that such remarks, however honestly motivated, may cost far more American lives than were lost in assaulting Hill 937.

It is very easy for those of us enjoying the lofty sanctuary of the U.S. Senate to revile dedicated military men risking their lives and doing their job in the defense of our country, but in the process we assault the morale of our troops and undermine public confidence in the finest class of military leadership the world has seen.

By any objective military standard, the battle for Hill 937 was a success for our side, and our troops are to be commended rather than castigated for it. Winning a battle in the strategic Ashau Valley will bring the war closer to an end and will, over the long pull, reduce the potential loss of American life.

I can think of nothing more stultifying to our commanders in the conduct of the war than to have the tactical decisionmaking process subject to constant Monday morning quarterbacking on the part of Members of Congress.

CONGRESS AND THE ARTS

Mr. DIRKSEN. Mr. President, Howard Mitchell, the musical director for the National Symphony, has called my attention to an article entitled "The Congress and the Arts," published in the Washington Post of May 25. It is a rather provocative article, for one thing, but I think its wide currency could have some real influence.

I have read the article with a great deal of interest, and I think it merits a place in the RECORD. Therefore, I ask unanimous consent that the article be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE CONGRESS AND THE ARTS

(By M. Robert Rogers)

The 91st Congress will have to tussle with the issue of Federal participation in the arts in each of its two sessions. In the next few weeks it will be asked to vote on extensive additional funds needed by the Kennedy Center, and it will have to push through an appropriation for the National Endowment for the Arts. In addition, in the next session it will have to decide whether or not the National Endowment survives, since the enabling legislation expires in June, 1970.

Congress will have to make these difficult decisions at a time when the prestigious Ford Foundation has drawn national attention to a mounting economic crisis among performing organizations and museums. Part of the crisis arises from the inability of many artistic endeavors to increase or even hold the

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audiences in a time of population and economic growth. "Where are the (concert) customers?" asks the American Musical Digest, published in New York under contract to the National Arts Endowment. "Where are the people?" might ask the National Gallery of Art, which reports that it has been losing attendance since 1963.

In recent times the concept of a Federal bureau devoted to the development of the "arts" was first proposed unsuccessfully to Congress by the Eisenhower Administration in 1957. The idea was revived by President Kennedy. But even he was unable to get favorable action even from a Congress controlled by his own party.

Prodded by Kennedy's cultural aide, Roger L. Stevens, President Johnson used his own legislative skills during the honeymoon period of his Administration to bring about the creation in 1965 of a National Endowment for the Arts. It absorbed the National Council on the Arts (authorized by Congress in 1964) along with Stevens, who was legislated in as chairman of the new agency while continuing as chairman of the John F. Kennedy Center for the Performing Arts. Congress was wary in setting up the new agency, limiting its life to three years and insisting on relatively modest funding.

Last year, when its initial three years of life were about to expire, the Johnson proposal to extend the Endowment came in for tough sledding in the House, with members challenging the method of making grants and the character of many of the subsidized projects. There was particular dissatisfaction with the large proportion of Federal funds (20 per cent) handed out to individuals. Later, through the appropriations procedures, the funding of grants was cut back to $5.9 million, from $6.5 million in 1968.

Federal arts executives were quick to express their disappointment and to accuse Congressmen of being culturally backward. Curiously, by standards set by President Johnson himself, Congress was acting rationally in its cautious skepticism. In the longest statement the President had made on artistic policies (Dec. 2, 1964), he had said quite flatly, "The role of Government must be a small one," He continued, "No Act of Congress or Executive Order can call a great musician or poet into existence . . . We can seek to enlarge the access of all of our people to artistic creation."

Johnson's culture chiefs did not systematically use their limited means to carry out his mandate of accessibility. A numerically large scattering of projects was initiated. A few succeeded, especially those initiated directly by State Arts Councils under a program urged by Sen. Jacob Javits (R–N.Y.). Others still in progress may yet succeed. But there were alarming and, to some observers, predictable failures. Among the more expensive of these was the Metropolitan Opera National Company, a junior touring subsidiary which Rudolf Bing and many Met trustees accepted with doubts. They folded it up on their own motion after two years of operations.

A would-be successor was the American National Opera Company, founded with National Endowment backing by Sarah Caldwell of Boston. Despite generous Federal funding, it went literally bankrupt during its first tour.

The essential missing ingredient in each of these cases was the ability to attract audiences. Access of itself is not useful to all the people if the subsidized performance is of interest to only a restricted minority.

Even though some may try to hide it, members of Congress are better educated than the average of their constituents. It follows that a convincing, logical case for the right kind of Federal participation in the arts can be made more easily to the lawmakers than to the voters themselves. Indeed, when the voters of swinging San Francisco recently had direct access through referendum to a proposal for more municipal investment in the arts, they turned it down.

So President Nixon, to the extent that his Administration may be formulating a Federal arts policy, would be well advised to win the support of Congressmen by offering them a program based on the broadest possible participation by the communities that sent them to Washington. According to competent research, about five percent of Americans are responsive to the so-called performing arts. Unless ways and means are found to start to involve the other 95 per cent, it's going to be increasingly hard to convince the elected representatives of the people that the field should not be returned entirely into the hands of private enterprise.

Perhaps President Nixon may well be able to promote an audience-oriented arts program that will win the confidence of Congress and the increasing interest of the American people.

INEQUITIES IN THE INCOME TAX SYSTEM

Mr. YOUNG of North Dakota. Mr. President, there are many inequities in our present income tax system. There are advantages to certain taxpayers and disadvantages to others. I am hopeful, together with other Members of Congress, that these inequities will be corrected by new legislation during this session of Congress.

One group that is actually being discriminated against are the single taxpayers. A person may be a heavy taxpayer, either single, widowed, or a widower; and, although he may be the head of the household, he cannot take advantage of the "head of the household" exemption.

This is a tax inequity that most Members of Congress recognize, but somehow it has never been corrected. This is an inequity that this Congress must wipe out in the new tax legislation.

Mr. President, a very excellent article on this subject appeared in the Washington Star on May 21, 1969, written by the noted tax authority Slyvia Porter, entitled "Single Taxpayer Needs Help." This is a very powerful argument in behalf of this change in the law. I ask unanimous consent to have the article printed at this point in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Single Taxpayer Needs Help

(By Sylvia Porter)

Single taxpayers have almost no chance of relief from discrimination in the initial installment of the tax reform bill. The administration did not offer any such proposal in its reform package. And there is no sign that the House Ways and Means Committee is considering this aspect.

In the second installment, there is reason for single taxpayers to expect adjustments in the rates and personal exemption rules which so heavily discriminate against the never-married, the widow and the widower. A Treasury spokesman says, "The need for this reform is very much recognized." A powerful congressman adds that "heavy pressures" from representatives of the single taxpayer "are being felt."

In fact, it could be that if the tax package is delayed until 1970–71, this reform might be part of it. Here, therefore, is a progress report.

The discrimination against the single taxpayer is obvious, harsh—and apparent not only in the tax rate structure but also in the system for personal exemptions. To be specific:

1. Rates. The married couple has the enormous advantage of being able to split income for tax purposes. If you are married, you pay taxes at substantially lower rates than if you are single. There is no logic to this and it is unfair.

2. Personal exemptions. The single taxpayer has one personal exemption of $600. The married couple has a minimum of two, or $1,200. Again, the logic is questionable; it is nonsense to assume that it costs twice as much for the married couple to live as it does for a single person—and the more children, the more exemptions and the bigger the inequity.

3. Dollar totals. The $600 exemption was voted in 1948. Relentlessly rising living costs since then have reduced it in effect to under $400. That is pitifully outmoded—and especially for the single person with few other deductions to claim.

When you get to the details, the injustice is even clearer. To illustrate, an unmarried woman supporting an elderly aunt who raised her in a separate household is taxed at a much heavier rate than an unmarried woman supporting her elderly mother in a separate household.

To illustrate further, the personal exemption system was created to protect very low income people and couples with many children; it ignores the middle-income single person. Income splitting was adopted in 1948 to equalize the situation between community property and non-community property states; it also ignores the single person.

The most popular proposals to erase the inequity would broaden the head of household status, with particular reference to the single individual 35 years of age and older.

But a more intelligent approach might be through the system of personal exemptions. By varying person exemptions according to marital status and income levels, the discrimination might be automatically wiped out.

What should a single taxpayer do? Join a group which already has organized to lobby for this reform or organize one on your own. Sign petitions if you prefer this approach. Mail your protests to your congressmen and senators—and keep mailing. Send copies of your protests and/or petitions to the House Ways & Means Committee and the Senate Finance Committee. Make your voice heard!

This is what other groups lobbying for tax laws do, and their success may be measured by the extent to which the tax laws favor them. You deserve to win this relief—and if you fight, you will.

S. 2241—INTRODUCTION OF REMOTE AREA MEDICAL FACILITIES ACT OF 1969

Mr. BIBLE. Mr. President, on behalf of myself and Senators Burdick, Gravel, Hansen, Hatfield, Jordan of Idaho, McGovern, Metcalf, Montoya, Moss, Nelson, Proxmire, Yarborough, Randolph, and Stevens, I am today introducing the "Remote Area Medical Facilities Act of 1969."

The purpose of this legislation is to authorize the Secretary of Health, Education, and Welfare to make remote Indian medical facilities available to non-Indians under certain conditions, with the consent of the major Indian tribes served by the facility, and provided that priority is given the needs of Indian people.

The high cost of medical resources and the scarcity of professional skills have clearly delineated the need for more effective utilization of existing health centers and health manpower skills. Throughout the United States there exist

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pockets of medical care deprivation, not caused by the lack of resources, but by lack of legislative authority to make existing health resources available to those in need. For example, there are approximately 655 non-Indians residing within a 50-miles radius of the Owyhee, Nev., Indian Hospital and the nearest hospital for these people is at Elko, Nev., approximately 90 miles away.

While other hospitals of the Division of Indian Health located in remote areas are made available to Federal employees and their dependents under existing law, no provision, except for emergencies, has been made for private citizens who reside in the vicinity.

There is legal precedent for extending health care in Public Health Service Indian hospitals to nonbeneficiaries. In Alaska, such care is provided pursuant to 48 United States Code 49. The State of Alaska has designated certain areas as "remote" with reference to the availability of health services, and in these areas the Public Health Service hospitals provide health services on a reimbursable basis to nonbeneficiaries.

The present proposal will extend the Alaska program to all other remote areas in the continental United States.

The use of remote Indian health centers will promote greater areawide health programing where restricted access exists at present. Additionally, the use of such facilities by nonbeneficiaries will assure fuller utilization of these expensive facilities, thereby achieving operating economies. Control of the hospitals would remain the responsibility of the Division of Indian Health thereby maintaining the desired quality of care. The primary mission of the hospital would remain the quality medical care of the Indian community.

Under the proposed bill, the health services provided would be supportive in nature. The bill does not in any way anticipate Federal usurpation of State, local, community, or private prerogative and responsibilities.

It is not anticipated the enactment of this proposal would add to the costs of the Federal Government as services would be provided on a "space available basis" and would be reimbursable.

The **VICE PRESIDENT**. The bill will be received and appropriately referred.

The bill (S. 2241) to authorize the Secretary of Health, Education, and Welfare to make Indian hospital facilities available to non-Indians under certain conditions, introduced by Mr. BIBLE (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

STATEMENT OF SENATOR BIBLE, CHAIRMAN OF COMMITTEE ON SMALL BUSINESS, ON COSPONSORSHIP OF AGRICULTURAL STATISTICS BILL

Mr. BIBLE. Mr. President. I would like to comment briefly on the reintroduction, by the distinguished senior Senator from Alabama (Mr. SPARKMAN), of legislation to establish an annual agricultural trade statistics reporting procedure.

When this measure was initially proposed in June 1966 I was pleased to join in its introduction and cosponsorship then as I am again at this time. I was likewise glad to cosponsor the annual cattle conference bill which was first put forward in August 1967, and reintroduced on May 8 of this year.

It is gratifying to me, as chairman of the Small Business Committee, out of whose investigations these measures arose, that they have attracted broad support in the Senate from both parties and many regions of the country. This year, to date, 20 Senators have cosponsored the conference bill and 17 the statistics bill, which is somewhat more technical.

Unfortunately, in the past there has not been a comparable interest in the executive branch which would enable us to enact these measures.

There are several important reasons why I believe that this interest should develop.

Livestock raising and processing is widely distributed throughout the United States. Sales of cattle and calves represent, on a national average, one-fourth of all cash income received by the farming community. In some States this proportion is even higher. Senator MONTOYA points out that the figure in New Mexico is around 58 percent. In Nevada it is 65 percent. In Colorado it is 69 percent.

As domestic and foreign markets for meat products grow, these regions, and the farmers, ranchers, and meat processors throughout the country, who are overwhelmingly small businessmen, benefit accordingly.

We know that 93 percent of the world's population is located outside of the United States. Many of our farmers and farm organizations have recognized this fact and are profiting by it. The Small Business Committee found, in 1965, that export markets provided U.S. farmers with an outlet for two-thirds of the rice and nonfat dry milk produced in this country, over half the wheat, half the dried peas, two-fifths of the soybean crop, and about one-third of the cotton, rye and prunes.[1]

In contrast, only 2 to 3 percent of the total utilization of most livestock products has been marketed overseas in 1967.[2] A large amount of this 2 to 3 percent total is made up of inedible tallow, lard, hides, and offal or variety meats of which we now export 10 percent of our production.

As our committee has long been saying, the exporting of U.S. quality table meats has been nonexistent for 50 years prior to the committee investigation of 1964–67. It thus appears that livestock, and particularly beef, is a highly underutilized resource in the export trade. A proper export development program would plainly have advantages for small businessmen in the livestock industry and for the U.S. balance of payments. The measures we have introduced during the past week are designed to begin the process of making improvements in this area.

I have described the features of the cattle conference bill in my previous statement—CONGRESSIONAL RECORD, May 8, 1969, page S4809. The Trade Statistics Reporting Act would allow Members of Congress to gain a clearer understanding of the trends in agricultural trade and what effect this trade is having on our balance of payments. It would put us in a sounder position to make policy decisions on matters of export and import trade policy.

As I observed, upon the filing of the report which recommended these bills:

> While the legislation recommended by this report does not provide an instant answer to the trade and structural difficulties faced by the farmer and the rancher, it does propose a step in that direction, by bringing together those whose experience and judgment are capable of dealing with these problems.
>
> Furthermore, the thrust of the report is that these problems be attacked—in a concerted manner, on a national scale, over the longterm, and within a framework that offers some assurance that appropriate solutions will be proposed and discussed.[3]

The members of our committee have a responsibility to see that such steps are taken. We intend to pursue these matters. We hope that others in Congress and the executive branch will join us so that all who are concerned with the well-being of small businessmen in the American beef industry can work together for the passage of this and other needed legislation.

THE EFFECTS OF THE UNDERGROUND DETONATIONS AT NEVADA TEST SITE

Mr. MOSS. Mr. President, on April 14 Mr. John H. Meier, executive aid of the Hughes-Nevada Operations at Las Vegas, Nev., sent a letter to the Director of the Atomic Energy Commission in Las Vegas asking 18 questions regarding the effects of the underground detonations carried on the Nevada Test Site. The questions, which are the second of a group to be asked, indicate the deep concern of the Hughes-Nevada Operations on the possible relationship between these detonations and seismic disturbances.

This is a concern shared by many, and only last week the Senator from Alaska (Mr. GRAVEL) introduced a joint resolution to provide for a study and evaluation of this relationship—an objective with which I associate myself wholeheartedly.

Because it has now been over a month since the Meier letter was sent to the Atomic Energy Commission, and there has been no reply, I ask unanimous consent that the questions, which I feel are most pertinent, may be printed in the RECORD.

There being no objection, the questions were ordered to be printed in the RECORD, as follows:

HUGHES-NEVADA OPERATIONS,
Las Vegas, Nev., April 14, 1969.

Mr. ROBERT MILLER,
Director of Nevada Operations, Atomic Energy Commission, Las Vegas, Nev.

DEAR MR. MILLER: After carefully reviewing the answers given to our recent questions, I

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[1] "Expansion of Beef Exports," Senate Report 939, 89th Cong., 1st sess., p. 2.

[2] "National Food Situation," NFS–124, Economic Research Service, U.S. Dept. of Agriculture, May 1968, p. 33.

[3] Additional Views of Senators Morse and Bible, "Expansion of Livestock Exports," Senate Report 343, 90th Congress, 1st Sess., p. 35.

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would appreciate a prompt answer to eighteen additional questions. This will preserve the basic agreement we have in arriving at decisions based upon objective, scientific approaches and help immeasurably in perfecting communications between A.E.C. and the Hughes-Nevada Operations:

1. The U.S. Geological Survey from recent contacts has informed us that the following reports covering underground water from the Nevada Test Site are still in process and may be ready from three to five months from now:

A. "Ground Water Hydrology of the Nevada Test Site."

B. "Water Supply Potential for the Nuclear Rocket Development Station."

C. "Geohydrology of the Eastern Part of the Pahute Mesa."

D. "Geohydrology of Oasis Valley."

How, therefore, can justification for the calculated risk be taken by A.E.C. for any megaton plus tests conducted at the Pahute Mesa or at Hot Creek Valley until these definitive reports on passage of tritium into other parts of Nevada are completed?

2. Is it true that the new Administration Budget for weapons testing to be conducted by the A.E.C. has completely deleted any expenditures for: (A) Plowshare, (B) Feasibility studies on the Peaceful Uses of Atomic Energy, and that this is the reason for some persons wanting to set up another agency to handle the funds?

3. In view of the high probability of venting from extended Plowshare feasilibity studies is the A.E.C. prepared to establish and fund a radiation network stretching from North to South in Utah and telemetered into the University of Utah Radiological Laboratory to provide independent information for the State Department of Health in Utah?

4. In view of the A.E.C. and E.S.S.A.'s analysis of the inadequacy of the seismological equipment at the University of Utah to monitor earthquake epicenters and their size in Utah is the A.E.C. prepared to fund an adequate seismological array along the Wasatch Fault which extends vertically throughout Utah? We have been informed that this area contains serious seismic strains which might be released.

5. In view of the acknowledged inadequate seismological equipment of the Seismological Laboratory of the University of Nevada which is unable to determine the epicenter or size of an earthquake in Nevada (to within 20 to 30 miles) would the A.E.C. fund an adequate telemetered array for the University of Nevada to properly monitor the earthquake effects from future escalation of underground explosions? (It is currently impossible to calibrate the findings of Nevada University with the E.S.S.A. daily earthquake reports for location or size).

6. If Plowshare and other Peaceful Uses of Atomic Energy are to be offered to other countries under agreements of the Non-Proliferation Treaty recently signed, why should the desired additional feasibility tests be conducted exclusively at the Nevada Test Site?

7. As the Nevada State Government has no expert on radiation effects in the State Department of Health does the A.E.C. intend to supplement the state's monitoring capability for the X-ray problems in relationship to total radiation problems for the State of Nevada? Are these reports available for public examination?

8. How big will the underground D.O.D. weapons tests go at the Pahute Mesa approximately 105 miles from Las Vegas? How big and when will the tests go at Hot Creek Valley 165 miles from Las Vegas? How big and when will the tests go at Little Smokey Valley approximately 200 miles from Las Vegas? How big and when will the tests go at Amchitka, Alaska? Will these tests be done simultaneously or incrementally by progressive stages before being relocated to the more remote areas?

9. What will be the total megatonage of all projected tests for Plowshare and for the Department of Defense weapons in 1969? What was the total megatonage for Plowshare, Peaceful Uses of Atomic Energy and for the Department of Defense in 1968?

10. If Sudan at 100 Kilotons produced 12,000,000 tons of earth removed, of which 4,000,000 formed the lip of the crater and 8,000,000 were sent around the world with various radionuclides, and a Metagon Plowshare with venting takes place will this release proportionate tonnage of contaminated earth to the upper atmosphere?

11. If the actual and projected costs of safety monitoring and probable damage payments are included in the projected Plowshare experiments will it still be economically feasible and cost competitive compared with standard engineering methods? Particularly in the Canal studies?

12. Was Benham merely a repeat of Boxcar required by the recommendations of the *ad hoc* President's Scientific Advisory Committee headed by Dr. Kenneth S. Pitzer of Stanford last November because of the failure to properly monitor the earthquake, hydrological, and atmoshperic effects from Boxcar?

13. As the 800,000 Kiloton Faultless shot placed in a known earthquake fault produced a 5 mile long escarpment rising 16 feet at the middle is similar to the Dixie Valley escarpment from a 7.4 earthquake in 1954 near Fairview Peak, will additional megaton shots produce similar escarpments and seismic vibrations into Carson City, Winnemucca and Salt Lake City?

14. It was stated at the Plowshare Symposium "that it would be necessary to test the new "Safeguard" A.B.M. Missile at the Pahute Mesa by steps". As either Benham or Boxcar were at 1.25 does this mean stepping up the size for the next test at Pahute Mesa to 1.5 and then to 1.75 before going to Hot Creek Valley at 2.00 in volcanic tuff?

15. In view of the international seminar called S.I.P.R.I. agreeing that it would be possible to hide 3 times the nuclear explosion judged by the seismic shock in the volcanic tuff at the Pahute Mesa this can be interpreted that already we have been subjected to 3 megaton firings there although hidden by the marshmallow volcanic material and that if this factor is factual the next tests are in reality going up to 6 megatons of nuclear energy?

16. Is it possible for the A.E.C. to obtain permission from the Department of Defense to allow the U.S. Geological Survey to drill sufficient wells in the "Walker Lane" Fault as suggested by Hughes-Nevada Operations six months ago to definitively determine if tritium and other water borne contaminants flow from the Pahute Mesa into water systems below the Nevada Test Site?

17. Is the A.E.C. prepared to fund the U.S. Public Health Pacific Southwest Radiological Health Laboratory to conduct tritium studies at deeper wells than the shallow surface wells now being tested after we suggested this be done?

18. Will the A.E.C. fund a complete study of the radioactive contamination by the uranium mills and tailings piles along the Colorado River for the presence of Radium^{226} in the water serving the entire Southwest area of the United States?

Inasmuch as these are questions of general public interest and based upon unclassified information available to you, it is our opinion that our request should not be considered confidential but in the public domain.

Respectfully yours,

JOHN H. MEIER.

THE CIGARETTE ADVERTISING CONTROVERSY

Mr. MOSS. Mr. President, as the date—June 30—approaches for the expiration of the provisions of the Cigarette Labeling and Advertising Act which prevent the Federal Trade Commission, the Federal Communications Commission, and other Federal, State, and local agencies from regulating cigarette advertising on the basis of its health hazard to the American people, more and more observers are trying to assess the relative strength of the tobacco and antitobacco forces in the House of Representatives.

Elizabeth Drew, Washington editor of Atlantic Monthly, recently wrote a two-part series of articles outlining the situation as she sees it after extensive interviews on both sides of Capitol Hill, and with tobacco industry spokesmen.

I found the second of her series of articles, which deals partly with the Senate, most interesting. I ask unanimous consent to have printed in the RECORD the second series of articles as published in the Denver Post on May 5, 1969.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

HOSTILE SENATE: TOBACCO INDUSTRY FACES MORE OPPOSITION THIS TIME

(By Elizabeth Drew)

WASHINGTON.—The cigarette companies are presenting their case both through their own public-relations men and through the Tobacco Institute. The institute's public relations are handled by William Kloepfer, a former newspaperman who has held a number of public-relations jobs, most recently with the drug industry.

A tall, deep-voiced chainsmoker, Kloepfer explained: "We are going to do a little more in the way of public communication than there has been in the past. The content is not going to be cigarette promotion. That's not our bag. I think it can be characterized as an effort to promote objectivity in this controversy."

The institute's major activities thus far have been the widespread advertising of a Council for Tobacco Research pamphlet, which it describes as a "white paper," entitled "The Cigarette Controversy: Eight Questions and Answers."

CONNECTION DENIED

Says Kloepfer: "The issuance of it has nothing to do with the congressional hearings. It is a document that we have worked on for a very long time. It has been very thoroughly examined by people in the industry and scientists who are involved in smoking and health research." He declined to give the names of the scientists. "Just people here and there," he said.

The gist of the "white paper" is that the casual relationship has not been proved, particularly how it works. "Too many factors are involved. And until their roles and their relationships are understood no one can be sure about the role of smoking."

FAVORABLE GROUND

The House Interstate and Foreign Commerce Committee, to which the industry chose to take its case first in this year's battle, has always been sympathetic toward the tobacco business. (When it decided to hold hearings on the industry's bills, the committee didn't inform a member who is its leading opponent of the industry, Rep. Frank Moss of California—a distant relative of Sen. Frank Moss of Utah, and not a Mormon. This is reminiscent of industry tactics in 1965, when company spokesmen persuaded House leaders to call the cigarette-labeling bill up on the House floor while the plane returning Moss from Europe was circling Dulles airport.)

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EXPERIENCED HANDS

Both the industry and the antismokers consider the House committee and perhaps also the House floor as the most favorable terrain for the cigarette companies. A former senior member of the House committee, Horace Kornegay of North Carolina, now works for the Tobacco Institute as Earle Clements' second-in-command.

(Among other things, this means that through House and Senate rules extending special privileges to former members, Clements and Kornegay have access to the floors of each chamber during maneuvers over the smoking bills.)

Both sides also agree that the Senate will be more hostile. The antismoking Senate strategists are planning on delaying tactics to kill off the industry bill and if all else fails, Senator Moss has threatened to lead a filibuster on the Senate floor.

GROWING SENTIMENT

"I think there's a growing sentiment in the Senate," Moss says, "that, at least tobacco is indeed injurious." Moss claims some 40 to 45 Senate allies on the issue.

In order to shut off a Moss filibuster, Southerners would have to vote for the "gag" rule they despise and there would be the widely publicized spectacle of an industry organizing the Senate against one of its members defending, as he would undoubtedly put it, the women and children of this country.

There are other reasons why the industry will have more trouble this time. A great deal has happened since 1965. Ralph Nader, for one, has happened, and a number of politicians have learned that defending the consumer is good politics.

SENATORS ANNOYED

A number of senators are annoyed and embarrassed that they were had the last time around. Clements is ailing, and some of his most important congressional allies four years ago have died or retired, and his administrative contacts are not nearly so impressive.

Some White House aides hint that President Nixon will take a firm stand on the side of the health forces, pointing out that the President isn't a smoker. (Neither was Johnson.) Asked at a Feb. 6 press conference what he thought about the just-announced FCC proposal to ban TV and radio advertising, the President commented that "as a nonsmoker, it wouldn't pose any problems to me."

MADE PROMISE

Characteristically, he said he would have an announcement on it later, but as of this writing his position, if any, hasn't been made known.

All that the industry will concede is that, as Kloepfer put it, "The greatest difference since 1965 is the multiplicity of hearsay. There may be a different climate popularly, but there won't be when it comes to a careful adjudication of the facts." Or, as one cigarette company executive suggests, "Perhaps this is no more than a political platform where people can grab headlines and make points at home. What are the motivations of the Mosses and the Hydes? Is it because they are Mormons? I think it's a fraud."

BETTER PREPARED

By this time four years ago, the industry had designed its position in detail and made elaborate arrangements to sell it to Congress, and to some observers it is dangerously, from its own point of view, under-prepared and overconfident. It has done far less than it had before to contact congressmen and smooth the way.

There is a feeling among the industry's Washington strategists that they've done it before and they can do it again. Their attitude is similar to that of the automobile companies in 1966; they couldn't believe until it was almost too late that congress would move against a great American industry.

MINORITY VIEW

Robert Wald, a longtime Washington attorney for one of the cigarette companies, believes that the industry's strategy to date has been shortsighted. "It is inevitable that TV advertising is going to end, one way or another," he says. "The industry should have been working out an orderly withdrawal with the congressional staffs and the agencies. Warren Magnuson and Bob Kennedy offered them the chance. Instead, the sentiment is to fight this down to the wire and it could end up in a mess, with the industry the likely loser.

Right now, they're getting hammered by the antismoking ads, which are better than their own, and by the antismoking people who are increasingly effective. Most of the industry's own advertising is pretty silly.

NEEDS STABILITY

"What this industry needs is a period of stability, which it probably won't have until the advertising brouhaha is settled." This is the sort of astute advice, offered more in sorrow than anger, which the industry does not yet show signs of accepting.

An increasing number of congressmen are urging that the Department of Agriculture cease supporting and promoting tobacco and instead plan for an orderly transfer to other crops. At this time, the department spends $1.8 million a year to support the price of tobacco, $28 million a year to sudsidize its export, $240,000 a year to advertise and promote the sale of cigarettes abroad and $30 million a year worth of tobacco is sent overseas to developing countries through the "Food for Peace" program.

PERSISTENT RUMORS

There are persistent rumors drawn up on the basis of no cigarette ads in the near future. The loss, one netework representative claims, could easily be compensated for with other advertisers. CBS, as a matter of public posture, didn't join with the other two networks and the National Association of Broadcasters in fighting to the Supreme Court alongside the cigarette industry to overturn the FCC's fairness-doctrine ruling. The Straus Broadcasting Group in New York has already imposed limits on cigarette advertising, and recently the Washington Post Co. announced that after June 1 it would no longer accept contracts for cigarette advertising on its AM and FM radio stations. Another indication that a trend might be under way came a little more than a week ago when Westinghouse Broadcasting stopped cigarette ads.

The antismokers would not only like to have cigarette advertising dropped from television, and a tough warning in all ads, but also a continuation of the antismoking ads as a public service. This is undoubtedly more than they can win.

There are, too, mixed opinions as to what effect a ban on TV advertising would have on cigarette use. In Great Britain such a ban has not been reflected in a decrease in smoking. This may be why, despite the strong front in Washington and the complaints of harassment in the executive suites, the cigarette industry is not altogether in tears. Asked what he felt would be the effect of a ban on broadcast advertising, one company executive replied, "I would have a lot of money."

ORDER OF BUSINESS

The VICE PRESIDENT. The time of the Senator has expired.

Mr. MOSS. Mr. President, I ask unanimous consent that I may proceed for 10 additional minutes.

The VICE PRESIDENT. Without objection, it is so ordered.

S. 2246—INTRODUCTION OF THE DECEPTIVE SALES ACT OF 1969

SENATE JOINT RESOLUTION 113—INTRODUCTION OF A JOINT RESOLUTION TO INTENSIFY AND EXPAND ENFORCEMENT ACTIVITIES IN COMBATING HOME IMPROVEMENT FRAUDS

Mr. MOSS. Mr. President, I introduce for appropriate reference two measures which would increase the ability of the Federal Trade Commission to fight consumer fraud. The first bill, the Deceptive Sales Act of 1969, which is introduced on behalf of myself, Mr. CANNON, Mr. HART, Mr. INOUYE, Mr. MAGNUSON, and Mr. PASTORE, would empower the Commission to seek a preliminary injunction against a person who it has reason to believe is engaged in an act or practice which is unfair or deceptive to the consumer. The second measure, a joint resolution, which I am introducing on behalf of myself, Mr. CANNON, Mr. HART, Mr. HARTKE, Mr. INOUYE, Mr. MAGNUSON, Mr. PASTORE, Mr. SCOTT, and Mr. SPONG, would direct the Federal Trade Commission to intensify and expand its enforcement activities in home improvement frauds. Both of these proposals passed the Senate in slightly altered form last year.

At the present time, when the Federal Trade Commission takes action against a person whom it believes is defrauding consumers, it may be 3 to 5 years before the matter is finally adjudicated. During this time large numbers of additional consumers may be lured into participating in the seller's deceptive scheme. And the seller, realizing that his profits may increase by prolonging the legal proceedings as much as possible, will employ every dilatory tactic available in order to postpone being placed under a final Commission order. If the Commission has the power to seek preliminary injunctions, however, in many of these cases it will be able to go to court and obtain an order prohibiting the seller from employing the challenged sales practices until the formal Commission proceedings are concluded. This additional authority will assist the Commission greatly in stopping unscrupulous sales practices as soon as they are discovered, and it should save numerous consumers from sustaining unnecessary and substantial financial losses.

Similarly, the home improvement resolution will enable the Commission to crack down on a particular type of consumer fraud where personal losses are estimated to range from $500 million to $1 billion annually. The resolution would authorize the Commission to conduct a detailed 1-year investigation of deceptive practices employed in the home improvement industry, including a thorough study of the relationship between fraudulent home improvement contractors and their finance companies and between fraudulent home improvement contractors and their product suppliers. In addition, it would authorize the Commission, over a 3-year period, to intensify its enforcement program against

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those home improvement schemes which involve violations of the FTC Act. The study will be used to identify those areas where the Commission's resources can be expended with the maximum degree of effectiveness.

Last year, in hearings before the Commerce Committee, both consumer and industry witnesses supported this resolution. Particularly impressive in establishing the need for this program, was testimony by the consumer credit commissioner of the State of Texas, Mr. Francis Miskell. He indicated that home improvement frauds in his State cost consumers $20 to $30 million annually. In a survey of 400 fraudulent home improvement transactions which his office conducted, they discovered that 68 percent of the persons affected were employed as blue collar workers; 40 percent earned less than $400 per month; 40 percent had three or more dependents; and nearly 25 percent had become involved in transactions costing $2,500 or more. These figures, which probably could be repeated in every State of the Union, give a startling indication of the degree to which fraudulent home improvement contractors focus upon those persons least able to afford their deceptive schemes. The poor, the uneducated, the unsophisticated, and the elderly all need additional protection against the unscrupulous home improvement salesman. Yet at the present time the Trade Commission has, on the average, only a single attorney spending two-thirds of his time on home improvement frauds. This resolution will markedly expand that enforcement effort. It is the first step toward launching a meaningful program to deal with a type of consumer fraud which has already escalated into a national scandal.

Mr. President, I hope that after the extensive hearings which the Commerce Committee held on these bills last year, and after the favorable action by the Senate on both these proposals late in the last session, that we shall be able to quickly enact these measures during 1969. The longer we delay, the more consumer dollars are wasted on fraudulent selling schemes.

I ask unanimous consent to have printed in the Record the text of the measures I have introduced.

The VICE PRESIDENT. The bill and joint resolution will be received and appropriately referred; and, without objection, the measures will be printed in the Record.

The bill (S. 2246) to amend the Federal Trade Commission Act, as amended, by providing for temporary injunctions or restraining orders for certain violations of that act; and the joint resolution (S.J. Res. 113) to authorize and direct the Federal Trade Commission to conduct a comprehensive investigation of unfair methods of competition and unfair or deceptive acts or practices in the home improvement industry, to expand its enforcement activities in this area, and for other purposes, introduced by Mr. Moss (for himself and other Senators), were received, read twice by their titles, referred to the Committee on Commerce, and ordered to be printed in the Record, as follows:

S. 2246

A bill to amend the Federal Trade Commission Act, as amended, by providing for temporary injunctions or restraining orders for certain violations of that Act

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Deceptive Sales Act of 1968".

Sec. 2. That section 13(a) of the Federal Trade Commission Act (15 U.S.C. 53(a)) be amended as follows:

"Sec. 13. (a) Whenever the Commission has reason to believe—

"(1) that any person, partnership, or corporation is engaged in, or is about to engage in, the dissemination or the causing of the dissemination of any advertisement in violation of secton 12, or any act or practice in commerce within the meaning of section 5 which is unfair or deceptive to the consumer, and

"(2) that the enjoining thereof pending the issuance of a complaint by the Commission under section 5, and until such complaint is dismissed by the Commission or set aside by the court on review, or the order of the Commission to cease and desist made thereon has become final within the meaning of section 5, would be to the interest of the public,

the Commission by any of its attorneys designated by it for such purpose may bring suit in a district court of the United States or in the United States court of any territory, to enjoin such dissemination or the causing of such dissemination or any act or practice in commerce within the meaning of section 5 which is unfair or deceptive to the consumer. Upon proper showing a temporary injunction or restraining order shall be granted without bond. Any such suit shall be brought in the district in which such person, partnership, or corporation resides or transacts business."

S.J. Res. 113

Joint resolution to authorize and direct the Federal Trade Commission to conduct a comprehensive investigation of unfair methods of competition and unfair or deceptive acts or practices in the home improvement industry, to expand its enforcement activities in this area, and for other purposes

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Federal Trade Commission is authorized and directed to—

(a) conduct a full and complete investigation of the purchasing, processing, marketing (including advertising and franchising), pricing, and financing practices of persons, partnerships, and corporations engaged in producing, selling, installing, or financing home improvement products, or services in connection therewith, in commerce (as that term is defined in section 4 of the Federal Trade Commission Act) with a view to determining whether any such practices are in violation of the provisions of the Federal Trade Commission Act, and whether further legislation is needed to protect competitors and consumers adequately from such practices;

(b) transmit to the Congress within one year after the effective date of this joint resolution, a report which shall include a comprehensive statement of (1) the facts and circumstances disclosed by such investigation, (2) the action taken and contemplated by the Commission with respect to violations of law disclosed by such investigation, and (3) such recommendations for further legislation as the Commission may deem appropriate;

(c) undertake an intensified and expanded enforcement program with respect to any such violations of the Federal Trade Commission Act within the home improvement industry; and

(d) transmit to the Congress within six months after the effective date of this joint resolution and annually thereafter for three years, a report which shall include a comprehensive statement of (1) the status of these enforcement activities, including a brief description of the action taken and contemplated by the Commission under its enforcement program, and (2) such recommendations for further legislation as the Commission may deem appropriate.

Sec. 2. (a) The Commission is authorized, whenever it has reason to believe—

(1) that any person, partnership, or corporation is engaged in, or is about to engage in, an unfair method of competition in commerce, or an unfair or deceptive act or practice in commerce within the meaning of section 5 of the Federal Trade Commission Act, and in connection with the production, sale, installation, or financing of home improvement products, or the performance of any services in connection therewith, and

(2) that the enjoining thereof, pending the issuance of a complaint by the Commission under section 5, and until such complaint is dismissed by the Commission or set aside by the court on review, or the order of the Commission to cease and desist made thereon has become final within the meaning of section 5, would be to the interest of the public,

to bring suit, by any of its attorneys designated by it for such purpose, in a district court of the United States or in the United States court of any territory, to enjoin such unfair method of competition or such unfair or deceptive act or practice. Upon proper showing a temporary injunction or restraining order shall be granted without bond. Any such suit shall be brought in the district in which such person, partnership, or corporation resides or transacts business.

(b) Authorization conferred upon the Commission by this section shall not continue in effect after a date which follows by three years and six months the effective date of this Act. Nothing contained in this subsection shall be effective to abate any proceeding instituted by the Commission during the effective period of this section, or to prevent the enforcement of any injunction or order issued by any court in any such proceeding.

Sec. 3. There is hereby authorized to be appropriated to the Federal Trade Commission the sum of $300,000 each year for three years to carry into effect the provisions of this joint resolution.

Sec. 4. This joint resolution shall take effect on the date on which funds to carry into effect the provisions of this Act first become available to the Federal Trade Commission pursuant to an appropriation Act enacted after the date of enactment of this Act.

FINANCIAL DISCLOSURE BY ALL GOVERNMENT OFFICIALS

Mr. MOSS. Mr. President, I rise to support the majority leader, the Senator from Montana (Mr. Mansfield) in his call for legislation to require all Government officials in all branches of the Federal Government who make more than $18,000 a year to disclose all outside sources of income.

There is no question but that we need a general standard which applies to all branches of the Government—executive, legislative, and judicial—and which will inform the public completely and fully on all outside income, including outside honorariums—which high public officials receive. In fact, no person should be allowed to ask for election to high public office, or to accept Presidential appointment and ask for Senate confirmation for that office, without making public all sources of the income which he or she receives. I think Senator **Mansfield**'s suggestion that all officials who make more than $18,000 be included in this disclosure requirement is a good one, because many jobs compensated over this level are political jobs, and all of them are jobs of responsibility, and often of some sensitivity.

For several years I have made a practice of fully disclosing all of my outside income, and have made this disclosure in the form of a statement here on the Senate floor on several occasions. I shall most certainly do so again before I ask reelection to the Senate.

Mr. President, the time has long since passed when Federal officials have the right to hold high office without telling the public where their outside financial interests lie, so the public may weigh their votes and their other actions in the light of these interests.

Public officials who hold high offices should, and must, be above suspicion.

CAMPUS DISORDERS

Mr. MOSS. Mr. President, the continuing turmoil and disorder which is sweeping the Nation's colleges and universities has been too long endured. It must cease.

When small groups of students and nonstudents seize buildings, shut down classes, hold hostages, steal records, destroy property, and commit other violent acts which clearly are criminal, they should be treated as criminals.

What is happening today on American campuses is a national tragedy, but to me its most grievous aspect is that we are permitting our young people to break the law—and get away with it.

Adequate local and State laws and law-enforcement machinery exist for dealing with students and others who violate the criminal laws through trespass, conversion, and destruction of property and intimidation, assault, coercion or restraint of university officials, students and faculty. There must be prompt and effective enforcement of these laws.

The school administrations have the power to call in the peacekeeping authorities and to request full enforcement of the law. They can also make use of the courts through injunction proceedings and contempt findings.

They likewise have in their own hands the ultimate weapon for dealing successfully with campus turmoil. That weapon is expulsion of each person found guilty of breaking the law or, indeed, school regulations. There may be a few tough-skinned militants who care not if they are booted out of half a dozen universities, but many students do not want "expelled" on their record any more than they would want to have to answer the rest of their lives as to why they received a "dishonorable discharge" from military service.

We are finding that in most instances when university and college authorities act decisively and with firmness, the campus crisis ebbs. Notre Dame, Dartmouth, and more recently, George Washington are examples. And, as more and more institutions show capacity to deal effectively with student unrest, campus disorders seem to be leveling off.

Now, I do not mean to say here that all we have to do to end dissatisfaction and disorder on our university and college campuses is to call in the local police or the National Guard. There are times when the only thing which can be done, and which must be done at the moment, is to restore law and order. But the full formula—the long-term formula—which universities must apply to deal effectively with student unrest requires that the firmness necessary to end militancy be combined with improved communications among students, administrators, and faculty, and quick acceptance of reasonable and justified student requests.

I am sure there is no thoughtful, well-informed person in America who is not aware that some student demands are justified, and this bright, aggressive, no-nonsense generation of young Americans now in college is well qualified to make recommendations which will improve and make more relevant our institutions of higher learning.

And I am confident that no one wants to deny these students the privilege of making these recommendations. Our universities have traditionally been the place where there is full freedom of expression and where the right to dissent has never been questioned. It is only through the interaction of questioning minds and open discussion that we have, through the years, arrived at some measure of truth in various fields of learning.

We must preserve this atmosphere and underline these rights. We must encourage students to keep open, questioning minds, not only about what they are being taught, but how the teaching is being done. We must reserve to them the privilege of intellectual challenging of the actions and the decisions of faculty and college administrations—actions and decisions about curriculum, methods of teaching, and priorities in all aspects of college life.

However, no institution can endure if the right to question is interpreted as the right to physical violence or obstruction of the rights of others. Academic freedom is one thing. Academic anarchy is another.

A list of grievances presented in an intellectual nonviolent way is commendable. A list of "nonnegotiable demands," presented on a wave of physical violence, is intolerable.

It helps a little, I believe, to understand what is happening if we put the campus disorders in perspective. Only a small percentage of the overall national student population actually participates in the turbulence and turmoil. A hard corps of activists or militants on our college campuses are the center of disorder. Their objective, I am convinced, is not administrative reorganization of our colleges or improvement of the curriculum, but revolution for revolution's sake. They seek complete overthrow of the existing system.

This group is sharp enough to keep its finger on the student pulse, and to include in its unreasonable and nonnegotiable demands some requests which have the support and backing of large numbers of the rank-and-file students. This serves to swing blocs of student opinion behind the rioters when peacekeeping authorities are brought into the picture—particularly if someone cries "police brutality," whether this is true or not.

I am frankly very much concerned, Mr. President, about the built-in antagonism of many of our people, including many students, to the use of police. Why? Police are essential in a civilized country. We must have law and order. Without it modern society cannot endure.

All too often calling in the police in a college disorder turns otherwise passive students into active revoltists. Thus, college administrators hesitate—and often hesitate too long—before calling in peacekeepers. They say that to defy the radicals means campuswide chaos. Yet, I would point out that to appease these radicals only invites further assault. Reasonable authority exercised in a firm and commanding way is the best way to end the strife.

And I would ask students who are outraged when the police are called in seriously to consider what will happen to their future if peace is not restored to the campus—and if the university itself is not preserved?

Many people in Utah have written me to ask that the Federal Government intervene in campus disorders. I have told them I believe this should not happen. Basically, the problem of revolt on the American college campus is one which college administrators must meet and handle. The only way I think the Federal Government can rightfully be involved is to make sure that no one who is convicted of a criminal act in a campus disorder continues to stay in school at the expense of the Federal taxpayer.

I supported the amendments enacted last Congress to withdraw Federal grants or scholarships of research assistance from any student convicted by due process of campus riot. If these amendments are not enforceable—and I understand there are some problems—I stand ready to strengthen them. It grieves me to acknowledge that perversion of Federal aid to education evidently does exist on some campuses. This must not be allowed. Federal assistance to students, however small the amount, must not be used to harm or destroy our educational system.

We have been fortunate in Utah that we have had no substantial college disorders. I consider this a tribute to our college administrators, to our faculty members, to our students, and to our citizens. They have adhered to the high purposes of education even though they sense and feel the ferment on campuses in other States. It may also be a testimonial to the discipline inherent in the value systems of our people. No less than others, Utah students want changes, improved curricula, freedom from meaningless restraints, but they have shown maturity, wisdom, and good sense to pursue these goals by persuasion and participation, without violence, disorder, and destruction.

But our own good fortune does not lessen our concern for other States where student disorders do appear. Without denying students the right to dissent, debate, and peaceably to assemble, these riots must cease.

MONTANA'S SMOKEJUMPERS

Mr. MANSFIELD. Mr. President, in Missoula, Mont., we have the Smoke Jumping Center of the Forest Service. It is one of the most efficient and effective organizations that I know of.

Two smokejumpers made the first airborne assault on forest fire, in 1940. Since that time, more than 84,000 jumps have been made.

The personnel at the Smoke Jumping Center consist on the average of about 425 of the Nation's most rugged and daring young men, many of them college students, but not all of them. For their work they receive on the average of between $125 and $150 a week, working long hours and being prepared at all times to go by plane, by helicopter, or other means to put out forest fires in remote areas.

With smokejumpers and scientific firefighting equipment and techniques such as aerial chemical drops, helicopter supply flights, and radio communications, the Nation's annual forest fire loss has been whittled from 30 million acres to 5 million acres a year. That is still entirely too much, but I suppose it is to be anticipated, considering the growth in population and the use by our people of the scenic resources of our country—especially in the western Rocky Mountain area.

Mr. President, these men, who are known as "Smokies," have done a magnificent job. They have earned more for the Nation than what the Nation has expended on them.

I ask unanimous consent to have printed in the RECORD an article entitled "Smoke Jumping—What a Way To Make a Living," written by Bill Nelson, and published in the Christian Science Monitor of Friday, May 23, 1969.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Christian Science Monitor, May 23, 1969]

SMOKE JUMPING—WHAT A WAY TO MAKE A LIVING

(By Bill Nelson)

The wisps of smoke curling up from the Kootenai National Forest are unmistakable. A United States Forest Service spotter quickly phones in the report.

Fire in the Parsnip Mountains (of Montana).

This will be a tough one; the roadless site and rugged terrain make it difficult to reach.

The alarm is flashed 250 miles away—to the smoke-jumper base in Missoula. Just two hours later, the silence of the mountainside forest is broken by the throb of an airplane engine. The plane circles the fire, then 12 parachutists leap out, their chutes billowing in a splash of orange and white nylon.

Minutes later, the men are on the ground, battling the fire. They pitch dirt at it, dig trenches around it, spray it with creek water, chop down burning trees, set backfires to rob the oncoming blaze of fuel.

A forest fire is a terrifying spectacle—balls of flame leaping from treetop to treetop, a scorching heat (sometimes as hot as 1,400 degrees), smoke masking the burning sun, the eerie whistling of a ravenous monster devouring billions of pine needles.

A call goes out for more help. Soon, 48 other jumpers drop down to the Parsnip Mountain inferno. The battle is grueling—sweaty, grimy, bone-wearying work—but the fire-fighting crews stop the hungry red foe.

The airborne fire fighters—the mobile, first-on-the-scene attack force—have put the brakes on another of the summer fires spawned by lightning in the tinder-dry forests of the West. These bold young men are the commandos, the shock troops, of the forest service's fire-fighting corps. Their ranks contain 425 of the nation's most rugged and daring men.

Since a July day in 1940, when two smoke-jumping pioneers made the first airborne assault on a forest fire, more than 84,000 smoke jumps have been made. The savings—in back-country timber, wildlife habitats, watersheds, spectacular mountain scenery that American tourists so enjoy—have been enormous.

Through smoke jumpers and scientific fire-fighting equipment and techniques (such as aerial chemical drops, helicopter supply flights, radio communications), the nation's annual forest-fire loss has been whittled from 30 million acres to 5 million.

The men who comprise the "smokies," as they're called, are trim, tough, and in peak condition. Their ages range from 18 to 28 and they weigh less than 180 pounds each.

The ratio of applicants to qualifying smoke jumpers sometimes runs as high as 6 to 1. The men must pass a four-week training course so rigorous that scores of talented men wash out.

Many of the jumpers are college students and teachers looking for an exciting and constructive vacation job. Others are athletic young men with a yen for adventure.

Smokies aren't lured by the money. Starting pay is less than $3 an hour—and it gets only a little better with experience. Most jumpers earn less than $150 a week—despite the long hours, peril, and back-breaking work.

But the thrill of parachuting into the nation's most rugged mountain country and of protecting nature's masterwork is incomparable, they say. And the pride a man feels when he qualifies for one of the toughest jobs in the country is another incentive.

Smoke jumper Mike Cook of Fairfield, Idaho, puts it another way: "I decided there had to be a better way to get to a fire than walking, so I joined the smoke jumpers."

Despite the arduous work, the fatality rate is virtually zero. The only blot on the record occurred in August, 1949, in the Mann Gulch fire near Helena, Mont. A shift of wind trapped 12 smoke jumpers, and they were unable to escape the ravaging flames.

Since jumpers often land in trees (some of them towering, 100-foot pines), they wear nylon jump suits and wire-mesh facemasks attached to plastic helmets for protection against branches. Each man carries a nylon line coiled in a leg pocket. If he gets snagged in a tree (jumpers often must aim for postage-stamp-size clearings), the jumper uses the line to lower himself from a tree like a mountain climber rappelling down a cliff.

Ex-military planes, many of World War II vintage, take the smoke jumpers to fires. They lumber along at 1,500 feet, then slow almost to stalling speed as they circle. A spotter checks the wind by throwing out a streamer and instructs the pilot on the best glide path. He briefs jumpers on what they can expect in the way of wind, fire, terrain, and timber.

Spotter Bob Montoya, a seven-year veteran, says the responsibility can be overwhelming.

"Being a spotter scares me more than jumping," he admits. "You've got to gauge the winds perfectly so that jumpers won't be blown into the fire or into the trees."

In time, spotters develop a sense of timing so precise they can amost drop a jumper on a dime.

Now the calculations have all been made. Jumpers hear the magic words: "Hit the silk." They're out of the plane . . . falling, falling, falling.

Trees swirl below. They see a kaleidoscope of color—smoke, flames, blue sky, fluffy white clouds, the ground rushing up.

Jumpers come down as close on the upwind side of the fire as they can, landing with the Allen roll (a twist and back somersault) they've practiced so many hours—to spread out the shock over the whole body.

Then down float the cargo parachutes, carrying the fire pack (with shovel, ax, sleeping bag, flashlight, and sometimes a chain saw, plus two days' rations and radiophones).

Unlike the early fire fighters who spent weary hours hiking to a fire, smoke jumpers are fresh when they arrive. And they have had a chance to observe the fire from the air and judge its probable course. But jumping is only a means to an end. Now the jumper must be able to follow a compass course, compute the area of the fire, carve out firelines, use a radio, operate a marine pump.

The well-padded nylon suit comes off and the orange hard hat goes on (jumpers also wear fire-resistant orange shirts).

To build a fireline, smoke jumpers cut away brush, logs, and trees, and scrape away the burnable litter on the forest floor. Many lines are 8 to 20 feet wide—a barren stretch that most blazes cannot hurdle.

The philosophy of the jumpers is simple: "Hit hard and hit fast." Their tactic: Put out the fire while it's small, before it has a chance to make headway.

When their work is done, the jumpers clear an area for a helicoptef to land and take them back to their bases, strategically located near forests. The bases are clearly of western origin—Cave Junction, Ore.; Silver City, N.M.; McCall, Grangeville, and Idaho Ccity, Idaho; Missoula, Mont.; Winthrop, Wash.; and Redding, Calif.

On busy days, some smokies may make two jumps.

In 1967 they logged more than 7,500 jumps during the fire season. But despite the rigors of the job, it has light moments too.

Jumping on an Alaskan fire last summer, Mike Cook saw a "big, black thing on the ground." Must be a boulder, he thought, and landed only inches away.

"My boulder turned out to be a black bear," Mr. Cook said. "But it was as frightened as I was; took off like a scared rabbit."

Three-year veteran Bill Weaver still gets ribbed about his jumping debut.

"I came down quite a distance from the other jumper," he recalls. "It was a small fire, and I got twisted around and never did find the fire."

But mental lapses are few and far between with the well-trained smokies. The caliber of men remains high year after year.

"It's quite a way to make a living," says one veteran, "but it sure gets in your blood."

MILITARY POLICY IN VIETNAM

Mr. BYRD of Virginia. Mr. President (Mr. Moss in the chair), I have long felt that the Congress of the United States has abdicated many of its responsibilities.

I have long felt that the U.S. Senate has an obligation to give more than perfunctory consideration to foreign affairs.

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I have long felt that the Senate of the United States has a joint responsibility with the President in the making of foreign policy. That is why I shall strongly support Senate Resolution 85 introduced by the distinguished Senator from Arkansas (Mr. FULBRIGHT).

But while the Senate has a definite responsibility in the field of foreign policy, I feel equally strong that it has no business in attempting to determine military tactics; it has no business in attempting to determine what methods and procedures should be used in protecting the lives of American soldiers on the battlefield in a far-off land.

In my judgment, the United States has made two fundamental errors in regard to Vietnam.

First, it was a grave error of judgment to become involved in a ground war in Asia; second, that error was compounded by trying to run the war out of Washington.

Former Secretary of Defense McNamara, who recommended the sending of large numbers of troops to Vietnam, simultaneously recommended to President Johnson that these same troops be required to fight the war with one hand tied behind their backs.

There are 100 Members of the Senate; and those who wish to do so can defend Mr. McNamara, but the Senator from Virginia will not be one of them.

While I disagreed with the McNamara-Johnson policy approach, I recognized the President as the Commander in Chief of our Armed Forces.

But in recent days some seem to feel that military tactics and military strategy affecting our troops in Vietnam should be determined on the floor of the U.S. Senate.

I submit we cannot logically have 100 commanders in chief.

It may be that one or more Senators may have greater military ability than the professional military leaders on the scene in Vietnam.

But can any Member of the Senate logically believe that he can determine from the floor of the Senate, or from the banquet hall of a leading U.S. hotel, battlefield tactics 9,000 miles from the scene?

I am deeply concerned as to the safety of the 540,000 Americans in Vietnam.

I am convinced that trying to run this war out of Washington, such as did Mr. McNamara, prolonged the war and increased the casualties. If, at this point, we try to run the war from the U.S. Senate, the results may be even more disastrous.

I say again that from the beginning I have felt it an error of judgment to become involved in a ground war in Asia.

But so long as we have vast numbers of American military personnel there, I would strongly recommend that we permit the military leaders in the field to determine how best to protect those men, subject only to the orders of the duly elected Commander in Chief.

PRESIDENT JOHNSON AND PRESIDENT NIXON HAVE KEPT FAITH WITH THE LATE PRESIDENT JOHN F. KENNEDY

Mrs. SMITH. Mr. President, the safe return of the Apollo 10 astronauts today comes almost to the day on the eighth anniversary of the pronouncement and commitment by the late President John F. Kennedy to giving top priority to landing a man on the moon and returning him safely to earth.

Too many of the critics of the space program have forgotten that it was just 8 years ago yesterday—on May 25, 1961—that President John F. Kennedy committed our Nation to this goal. He made that commitment under rather serious and special circumstances—before Congress in a joint session—and even more pointedly in a joint session on what he termed to be urgent national needs and when he said:

> First, I believe that this Nation should commit itself to achieving the goal, before this decade is out, of landing a man on the moon and returning him safely to earth.

The successful completion of the Apollo 10 mission is the last step prior to achieving the top priority goal set by President Kennedy 8 years ago—a goal on which both of his successors, President Johnson and President Nixon, have kept the faith with John F. Kennedy.

In like manner, Presidents Johnson and Nixon kept the faith with the late President John F. Kennedy on another extremely serious commitment that he made—the commitment of defense of freedom in South Vietnam just as President Truman committed our Nation to defense of freedom in South Korea. And as the late President Eisenhower brought the fighting in South Korea to an end by his firmness as well as patience, so is President Nixon trying to end the fighting in Vietnam by firmness and patience and refusing to make a surrendering unilateral withdrawal.

Yes, the safe return of the Apollo 10 astronauts today is most gratifying to all Americans. While we are proud of them for their courage and for their spectacular achievement for the United States—and, yes, for the world—our greater feeling is our relief and gratitude to God that they have returned safely.

On their return, I say to them that I believe in what they have done; and, like John F. Kennedy, I believe in the space program to which they are so dedicated and on which they have risked their lives. I want to say this because they will learn that while they were on their mission the accelerated manned space prorgam was questioned and criticized, and it was suggested that its importance, vigor, and priority be downgraded. That challenge to the space program went to the brink of suggesting, in effect, that we yield technological supremacy in space to the Soviet Union.

I wish to disassociate myself from the challenge to their mission and the challenge to the mission of those brave soldiers who were trying to take the Hamburger Hill fortress overlooking the Ashau Valley in South Vietnam. Instead, I prefer to give to both missions, and the men committed to those missions, moral support from back here at home.

Challenges, whether they be dissent from the loyal opposition or not, can be valuable and constructive. They are not to be denied. They are not to be discouraged. But it is hoped that they are to be constructive and positive rather than negative in character.

That is why I was gratified when, this past Friday, the leader of the loyal opposition in the Senate—the Senate majority leader (Mr. MANSFIELD)—when asked to comment on the Hamburger Hill battle in Vietnam, was reported to have said that he could understand the necessity for the attack if the military is to continue to keep the military pressure on the North Vietnamese as indicated when they last determined to cease bombing.

I commend him for refusing to grasp a partisan advantage—for refusing to second guess—for executing his responsibility of loyal opposition on such a high level. I thank him for the judiciousness and the discretion of his response when asked about the Hamburger Hill mission. His maturity, his sense of responsibility, his resistance to unfair partisanship—and his own military experience and knowledge—were reflected in his statement.

Since our commanders deemed the taking of Hamburger Hill to be vital for the protection of our soldiers in the valley below the hill, it serves no useful purpose to second guess that mission as senseless. In my reservation to dissent from the dissent expressed, I must say that, while I uphold the right to dissent, as I did in my declaration of conscience. I question not only the justification and responsibility of the words of the dissent to which I refer, but I question the timing of the challenges to the missions in space and on Hamburger Hill.

On the other hand, I am grateful for the timing, as well as the spirit, of the expression of the Senate majority leader. He has done so very much to bring current loyal opposition back to balance and responsibility.

COAL MINE HEALTH AND SAFETY LEGISLATION

Mr. WILLIAMS of New Jersey. Mr. President, the Senate Subcommittee on Labor has recently concluded 9 days of hearings on coal mine health and safety legislation. The House subcommittee has held equally extensive hearings. Since this legislation is so vitally needed to protect the health and safety of our men who go down in the mines, I as chairman of the subcommittee, invited everyone who was concerned to submit ideas to the subcommittee and to introduce bills embodying their proposals. Our hope was to have the benefit of every conceivable proposal before we reported out legislation.

I issued a special invitation to the Secretary of Labor to testify before the subcommittee since we are dealing with the welfare of working people. Mr. Shultz, however, elected to file a statement for the record and then only after the hearings had concluded. Last Friday the reason for Mr. Shultz' reluctance to appear became apparent.

The Congress, in considering this legislation, is concerned with many aspects of health and safety. One of the most important issues, however, is how to prevent coal workers' pneumoconiosis—"black lung." Witness after witness has testified that we can eliminate black lung and save thousands upon thousands of miners from the constant pain and

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suffering of 20 years of breathlessness and even death if we introduce proper methods of coal dust suppression.

After extensive study and hearings and close consultation with the Surgeon General, during 1968, the Department of the Interior, under Secretary Udall, advanced a proposal which would have required coal mine operators to reduce the coal dust level to 3.0 milligrams of dust per cubic meter of air.

Also, after very careful study and after public hearings, Secretary of Labor Willard Wirtz issued regulations which would have set a 3.0 level for coal mine operators who do business with the Federal Government. The Surgeon General, as recently as March of this year, testified before the Subcommittee on Labor that not only is a 3.0 level attainable but that from a medical standpoint it is preferable because the health of the coal miner is better protected. As a matter of fact, "ideally" he would "recommend no dust."

This is the testimony of the Nation's highest medical official.

Now comes a new Secretary of Labor. One of his first actions is to defer the effective date of the Wirtz regulations for 90 days in order to study the problems. Although those of us working to prevent black lung regretted the delay, I felt there was justification for Mr. Shultz' delaying order because he was so new to the job.

Since that time, however, events have demonstrated that the Nation's coal miners will not be protected from the dreadful black lung disease if matters are left unchallenged in the hands of Mr. Shultz and the Nixon administration.

On March 4, 1969, the Nixon administration bill on coal mine health and safety was introduced in the Senate. Despite the prior findings of the Surgeon General, the Nixon administration's proposal would allow the dust level to reach 5.5 milligrams per cubic meter before miners "shall be withdrawn from" the mines. Then corrective action has to be taken to reduce the dust level to 4.5. While the Congress is debating this vital issue, vital in every sense of the word, this issue of life or death to our coal miners, Mr. Shultz, by administrative fiat, rescinds the Wirtz regulations of 3.0 for mines producing coal for the Federal Government and sets a new, higher level consistent with the administration proposal.

Does Mr. Shultz hold hearings on his proposal, as did Secretary Wirtz and the Congress? He does not.

Does he make extensive study or invite the medical profession to testify? He does not.

Does he come before the Subcommittee on Labor to offer us the benefit of his newly acquired wisdom? He does not.

Does he even share any of his wisdom with the subcommittee in his statement on the pending legislation filed for the record only 2 weeks ago? He does not.

Does he publish the full report of his advisory committee? He does not.

And do you know the reason he does none of these things. Because, in the words of his advisory committee, the change is "not major enough to make desirable a reopening of public hearings." This should not surprise us. For Mr. Shultz is not yet convinced that black lung is caused by coal dust. In Mr. Shultz' words, "Overexposure to excessive coal dust is apparently a cause of pneumoconiosis," and I emphasize the word "apparently."

I find the medical opinion of the Surgeon General more concerned with the health of the Nation's coal miners than that of Secretary of Labor Shultz.

The Surgeon General knows for a certainty that black lung is caused by coal dust and he knows that 50 percent more miners will get black lung if you increase the level from 3.0 to 4.5.

Mr. Shultz' actions have greatly fortified my resolve to write legislation which places the responsibility for setting the coal dust level in the hands of the Surgeon General. This resolve, I might add, is supported by every doctor who has taken a position on this issue, by rank and file miners, by the United Mine Workers of America, and by small coal mine operators.

Only the operators of the large mines and the Department of Interior want to take this vital health consideration away from the Surgeon General. And I will do all within my power to enact legislation which calls for a level of 3.0 to start with and an unambiguous mandate to the Surgeon General to reduce that level even further as early as possible.

Mr. President, if I sound extremely disturbed by Mr. Shultz' decision, it is not only because 50 percent more miners producing coal for the Federal Government will be subject to "black lung," although, Lord knows, that is reason enough. But the decision further demonstrates the philosophy and methods of operation of the administration.

According to the New York Times:

> Coal industry leaders have testified this year that a savings of millions of dollars in coal dust suppression costs lies between the 3.0 and 4.5 milligram standards.

But coal mine safety is not the only area in which Mr. Shultz has gutted safety standards. He also has reduced the decibel rating standards which are designed to protect workers supplying goods to the U.S. Government from the very real hazards of noise.

Is this administration determined to trade dollars for human lives and safety? It would appear so.

I feel that the administration's actions show clearly that it is committed to Government by fiat; a course specifically designed to remove Congress from the decisionmaking process.

While the Congress had before it the proposed Job Corps budget, the administration, by fiat, gutted the program without giving Congress the time to consider the matter. This was done despite the specific request that no action be taken without prior consultation with Congress.

Then while Congress is debating one of the most important issues ever confronting mankind, the ABM, the administration, by fiat, begins the procurement process, without giving Congress the time to consider the matter. This was done despite the specific promise that no action would be taken without prior consultation with Congress.

Now, while Congress is preparing to act on an issue vital to the health of miners, the administration, by fiat, sets its own standards without giving Congress the time to consider the matter. This, too, was done without prior consultation with Congress.

We, as elected Representatives of the people, must make it crystal clear to those executives that we will not tolerate such blatant disregard for the democratic process upon which our republican form of Government rests. We must, regardless of political affiliation, oppose Government by executive fiat, regardless of which party controls the executive branch. We must fulfill our obligations to the citizens we represent, to see to it that the laws that we the Congress, enact, are faithfully, not surreptitiously, executed.

PRESIDENT NIXON SUPPORTS THE CONSUMER REVOLUTION

Mr. PROXMIRE. Mr. President, the President's recent appointee to the job of Special Assistant for Consumer Affairs, Mrs. Virginia H. Knauer, demonstrates the growing and bipartisan support for consumer legislation.

In testimony before the Committee on Banking and Currency, Mrs. Knauer came out squarely for S. 823, the Fair Credit Reporting Act, which I introduced on January 31. Moreover, in calling for a strong bill she clearly indicated that she was speaking not only for herself, but for the Nixon administration.

Mrs. Knauer also testified before the National Commission on Product Safety on May 1 and suggested that mandatory Federal safety standards might be needed if industry itself does not do a better job in promoting product safety.

The strong support given by the administration to consumer issues and consumer legislation is a clear indication that the consumer revolution has become a permanent part of our public policies. It is most encouraging to those of us in the Congress who have sponsored consumer legislation in the past to note the strong endorsement which is apparently being given to such legislation by the present administration. Given this record of bipartisan cooperation, I am confident that the 91st Congress can equal or surpass the giant strides made by the 90th Congress in enacting consumer legislation.

Mr. President, as evidence of the momentum being developed for consumer legislation, I ask unanimous consent to have printed in the RECORD an article about Mrs. Knauer and her activities on behalf of consumer causes, published in the New York Times of May 26, 1969.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

NIXON'S CONSUMER AFFAIRS AIDE OFF TO GOOD START: MRS. KNAUER DRAWS PRAISE AFTER SENATE TESTIMONY

(By John D. Morris)

WASHINGTON, May 25.—Virginia H. Knauer, who says she is an activist, has been doing her best to prove it during her seven weeks as President Nixon's special assistant for Consumer Affairs.

She has also been trying to dispel the notion that the Nixon Administration is insensitive to what is called the "consumer revolution" and that it has downgraded the Federal role in protecting consumers' rights.

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On both counts—following a rash of speeches, testimony at hearings and television appearances—Mrs. Knauer is credited with a good start, even by some of the most ardent consumer advocates.

Her most convincing performance, in the estimation of many observers, took place last week when she testified before a Senate banking subcommittee on a bill for the Federal regulation of private credit investigating and reporting concerns.

Mrs. Knauer not only endorsed the bill but also proposed stiffening amendments. Significantly, she made it clear under questioning that she was speaking for the Administration.

Officials reported later that Mrs. Knauer had received specific White House authorization to give the testimony on behalf of the Administration.

This was the first concrete evidence since her appointment April 9 that Mrs. Knauer would be granted the same degree of authority as her predecessor in the Johnson Administration, Betty Furness.

It was also regarded as an indication that the Nixon Administration, as long as Mrs. Knauer is its spokesman on such matters, will be bolder than anyone had expected in dealing with the sensitive issue of Federal regulation on business to protect the consumer.

Senator William Proxmire, author of the "Fair Credit Reporting" bill and chairman of the subcommittee considering it, expressed surprise and delight at Mrs. Knauer's testimony.

"President Nixon," the Wisconsin Democrat said in a press release, "deserves great praise for appointing this fine and very able lady to the difficult and demanding job of consumer adviser.

"Mrs. Knauer's testimony is an indication that the Nixon Administration intends to make a significant effort on behalf of the consumer—an effort many of us feared might not be forthcoming."

In another performance, Mrs. Knauer made a hit with the consumer-oriented National Commission on Product Safety at a Chicago hearing on May 1.

SEALS HELD MEANINGLESS

She described "safety seals and standard-certification seals emblazoned on the finish of many consumer products" as "meaningless at best and deceptive at worst." She suggested that mandatory Federal safety standards might be needed unless industry did a better job voluntarily.

In a speech in Philadelphia two weeks later, Mrs. Knauer indicated that her conception of the job was perhaps even broader than Miss Furness's. Moving into the field of environmental health, she said:

"We are surrounded by potential hazards to our health and life in the environment in which we live. Of what use is the financial and economic protection of the marketplace if we do not have the elementary and basic protection of clean air to breathe, pure water to drink and uncontaminated food to eat?

"If we cannot live and function in our environment, it becomes pretty academic as to how we spend our money or whether the right label is on the right can. Our over-all concern must be environmental health."

PESTICIDE PERIL-X

Mr. NELSON. Mr. President, 5 years ago the Federal Government initiated a program to wipe out a yellow fever-carrying mosquito, even though not a single case of yellow fever had been reported in the United States in the last 40 years.

The program, which cost the taxpayers $53 million, was supposed to prevent the possibility of any future outbreak and to end migration of the Aedes Aegypti mosquito in Latin America. However, it has now been decided that the insect is not so very dangerous after all and that it probably could not be eradicated anyway, and so the Government is discontinuing the program next month.

It seems to me that this is just another example of badly confused priorities and inadequate research and planning in the field of pest control. Pesticide residues are prevalent throughout our environment—in the soil, air, water, wildlife, fish, and humans. In more recent years scientists have become alerted to the potential dangers to human health and to our environment from the use of persistent pesticides, but true knowledge of the extent of those dangers is still not certain. A great deal of research is needed, but the funds available for pest control research are sparse.

We must bring the matter of pesticide use and pesticide control into better perspective and utilize all available moneys to a better understanding of the issue and to more effective, safer alternatives, including biological and other nonchemical means to control pests.

I ask unanimous consent to have printed in the RECORD an article written by H. L. Schwartz III, reporting the Government's decision to discontinue the Aedes Aegypti eradication program, and published in the St. Paul, Minn., Dispatch

There being no objection, the article was ordered to be printed in the RECORD, as follows:

COSTLY PLAN TO END YELLOW FEVER "THREAT" FEELS FEDERAL BITE

(By H. L. Schwartz III)

WASHINGTON.—The federal government spent $53 million over the past five years to stamp out a yellow fever-carrying mosquito only to decide the insect wasn't all that dangerous and probably could not be eradicated anyway.

Although there had not been a case of yellow fever reported in 40 years in the United States, the program was begun in 1964 to prevent the possibility of any future outbreak and to end migration of the Aedes Aegypti mosquito in Latin America.

From a modest $3 million start in 1964, the U.S. antimosquito program grew to $16.5 million in 1968. It jumped more than $8 million in fiscal 1966, alone.

In last year's governmental economic squeeze this figure was cut back to $6.9 million.

Former President Johnson asked for $905,000 for fiscal 1970, but the new Republican administration decided to junk the program altogether, effective June 27.

"Using the existing eradication methods, continuation of the program would have required hundreds of millions of dollars in future U.S. expenditures without any real assurance of success," Nixon officials said.

At its peak, the program had more than 300 federal employees, most in the Communicable Disease Center in Atlanta, Ga.

There were thousands of others employed in Texas, Alabama, Georgia, Florida, South Carolina, Hawaii, Puerto Rico and the Virgin Islands under federal contracts to state or territorial health departments.

But in spite of the $53 million expense and the thousands of man hours that went into a program aimed at preventing a disease unknown in this country for four decades, there were those who defended the project.

Former director Dr. James V. Smith, said the program's value is "probably in relation to our commitments to South and Central America."

Officials say prevention of an outbreak here was a "secondary" objective, although the Aedes Aegypti was generally referred to in budget outlines only as "a carrier of yellow fever."

The chief aim, officials now say, was to prevent migration south.

Another official described the program as "sort of good neighborly thing" to South and Central America where some countries have complained that the pest was coming from the United States and infesting their areas.

However, some U.S. officials expressed doubt that migration from North America was the main cause of infestation in the Latin countries.

In El Salvador, for instance, there was infestation blamed on a shipment of old tires. "But that was questionable," said one official.

There were also indications that the U.S. eradication efforts, aimed mostly at killing the pests or keeping them from nesting in ships heading south, were not working and the mosquitos were just flitting across the border.

Besides the international good will claims for the program there was another possible benefit from the project.

Some of the warriors who honed their skills in the battle against the Aedes Aegypti mosquito will be putting them to use in a new multimillion dollar effort to wipe out another pest—the common rat.

It could not be learned just who made the decision to kill the mosquito program. But the move touched off the usual battle accompanying any attempt to scuttle any federal program.

"A number of people were unhappy. They were devoted to the project," said Wil Johnson, program director in Washington.

And the states?

"Some of them were quite unhappy," he said.

EULOGY TO LILIUOKALANI KAWANANAKOA MORRIS, A DIRECT DESCENDANT OF HAWAIIAN ROYALTY

Mr. FONG. Mr. President, I should like to pay tribute to the memory of a distinguished and beloved citizen of Hawaii.

She is Mrs. Liliuokalani Kawananakoa Morris, one of the few remaining direct descendants of Hawaiian royalty. She died in Honolulu on May 19, 1969, at the age of 63.

She might have been a queen of the Islands had Hawaii remained a monarchy.

What is perhaps notable about Mrs. Morris is that she had ties, too, although quite indirectly, with the Congress of the United States.

She was the niece of Prince Jonah Kuhio Kalanianaole, who became a Delegate to Congress shortly after the annexation of Hawaii to the United States in 1898. He was, in fact, the second person to have served in the House of Representatives as a Delegate of Hawaii.

Prince Kuhio was elected Delegate to Congress in 1902, and he served in Congress with distinction until his death in 1922. He is remembered particularly for his work in getting Congress to enact the Hawaiian Homes Commission Act, which authorized a plan for the rehabilitation of the Hawaiian people through homesteading.

Among her many varied activities, Mrs. Morris was a member of the Hawaiian Homes Commission.

Many of the people whom Mrs. Morris served so devotedly in order to improve their lot are homesteaders today.

She is held with great affection and respect by her people because of her quiet works of philanthropy, and also because of her intense and abiding interest in the preservation and perpetuation of the rich traditions, lore, and culture of the Hawaiian people—a people who have known tremendous and constant pressures upon their relaxed way of life.

She has also been acclaimed for her untiring efforts in the founding of Hawaiian civic clubs dedicated to the preservation of Hawaiiana.

Hawaii's present Governor, John A. Burns, often called on her to lead or participate in Hawaiiana projects and encouraged her to found the "Friends of Iolani Palace," a group formed to maintain and protect the only royal structure in America.

She was a director of the State Association of Hawaiian Civic Clubs, a regent of a society known as Hale O Na Alii, and a life member of the Daughters of Hawaii and the Kaahumanu Society.

Perhaps as a result of her royal lineage, Mrs. Morris throughout her lifetime reflected a regal demeanor. The last male King of Hawaii—King David Kalakaua—was her grand uncle. Her grand aunt, and her namesake—Queen Liliuokalani—was Hawaii's last reigning monarch.

She was the daughter of Prince David Kawananakoa and Abigail Wahiikaahuula Campbell, and the granddaughter of James Campbell, who established one of Hawaii's largest landed estates.

She is survived by her husband, Charles E. Morris, a daughter Abigail K. Kawananakoa; two aunts, Mrs. Alice Kamokila Campbell of Honolulu, Mrs. Frances Wrigley of California, and a nephew and two nieces.

Hawaii has lost a dear and charming citizen. Her warmth, compassion, and graciousness were precious traits symbolic of her time and of her royal ancestors.

ED WALL AND THE CATHOLIC REVIEW

Mr. TYDINGS. Mr. President, the May 10 issue of America magazine pays tribute to one of Maryland's outstanding newspapermen, A. E. P. "Ed" Wall, editor of the Catholic Review. Under his leadership and with the complete cooperation of Lawrence Cardinal Shehan, the archbishop of Baltimore, the Review has become much more than just a great Catholic newspaper. It is, as S. J. Adamo says in the article of Wall himself, "a living reality and source of unity and brotherhood."

So that all can know of the accomplishments of Mr. Wall and the Catholic Review, I ask unanimous consent that the America article be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Baltimore's Wall

Unlike the Berlin Wall, which is a deadening sign of division and enmity, Baltimore's Wall is a living reality and source of unity and brotherhood. This is a roundabout way to introduce one of the most dynamic lay editors in the Catholic press today: A. E. P. Wall, editor of the *Catholic Review* of Baltimore.

Few editors enjoy the fine rapport he has fashioned with his boss, Cardinal Lawrence Shehan. In fact, Wall refers to him enthusiastically as "the world's greatest publisher." As he explains it: "When I was hired, he told me he wanted an honest, balanced newspaper. I haven't had any instructions since. He takes a strong, continuing interest in the *Review* and supports it in every possible way—but he does not want to have anything to do with editing it. . . . Recently, he commented to me that he did not agree with one of my editorials, 'But,' he said, 'you're the editor and you should do what you think is proper.'" Sounds almost like a journalistic Utopia.

Getting along with the hierarchy is a special talent of Wall's. To date he has written in-depth interviews on Cardinal John Cody, Cardinal John Wright, Archbishop Ferdinando Lambruschini (who announced the publication of the encyclical *Human Life*) and, most surprisingly, Archbishop Luigi Raimondi, the Pope's man in Washington. The quality of the interviews may be gauged by the fact that the one on Wright was frontpaged over a year ago in the *National Catholic Reporter* with the NC tag on it.

How can Wall do all this? One reason is that he is backed up by a solid staff of five in the editorial department. So he can spread the work as he produces a 20-page vital and informative weekly for his 75,000 subscribers. (The readers are amassed through a "no-pressure parish coverage plan.")

Probably the main reason he accomplishes so much is that he enjoys his job. You have to get pleasure from your work to be able to put in a 10-hour day regularly. Because of that he can also say: "I answer every complaint in detail. If a reader writes a letter complaining about something, he gets a letter back from me—sometimes two or three pages long. I close every letter with an invitation to telephone me if I haven't given a satisfactory answer." As they say, success is 99 percent hard work and the remainder is luck and inspiration.

Obviously, the paper's readers throughout the rambling Archdiocese of Baltimore must like what they're being served. Why shouldn't they? Each week they get a nice mixture of international, national and regional news. Special correspondents are posted in Rome and London. Nor are the special needs of the young and the inquiring ignored. Public service reports, plays and book reviews are also prominently featured. Who wouldn't welcome such a news-weekly?

What does Wall think about the future of the diocesan press? He writes: "I talked with an old hand in the field not long ago. He told me that within 10 years no fewer than 50 diocesan newspapers would bite the dust. He may be right, and it is a sad thing. There simply isn't any more practical or economical way to provide continuing adult education in religion and social issues than the diocesan press."

Furthermore, he adds: "People can read the diocesan paper at their leisure, at any hour of the day or night. In it they can get full texts of important documents, movie ratings, news of bull roasts and chicken dinners, instruction on changes in the Church, answers to all sorts of questions. Not even the Baltimore *Sun*, in all its excellence, can provide the detailed information we offer."

Perhaps if the Catholic press had more editors of the califer of A.E.P. Wall, there would be less danger of widespread demise over the next decade.

TRANSATLANTIC FLIGHT INNOVATION

Mr. ALLOTT. Mr. President, I was delighted to learn of a new transportation innovation which will be extremely helpful to passengers using Denver's Stapleton International Airport. I feel that innovation is such a valuable concept for the traveling public, that I wanted to make it a point to call it to the attention of the Senate.

Pan American Airways and United Airlines have devised a program for passengers traveling to Europe this summer that will enable them to bypass the tedious check-in procedures at New York's Kennedy Airport. Under the program developed by the two carriers, the normal ground congestion that one faces when checking in at the heavily used J. F. K. terminal will be circumvented by the use of a special Pan Am counter at United's terminal at Kennedy.

With the new plan, travelers on United flights from Denver, Salt Lake City, Cleveland, and Pittsburgh to New York will select their Pan Am seat for the transatlantic portion of their trip in the United terminal. A Pan Am limousine will transfer the passengers to Pan Am's terminal, where they will go directly to the boarding gate, thus bypassing all check-in procedures.

Passengers will not have to worry about transfer of baggage because once it is checked at the city of origin, the traveler does not have to handle it again until he claims it at his final destination in Europe.

Although the program will initially encompass only transatlantic flights from New York, plans are being studied to expand the service to include other transatlantic U.S. gateway cities.

So, it is plain to see that this plan of cooperation between United and Pan Am will undoubtedly diminish one of our biggest headaches—airport congestion. I am eagerly looking forward to the expansion of this cooperation for the benefit of Coloradans, and I hope that this arrangement will signal a new era of mutual arrangements between airlines for the benefit of the traveling public.

JAKE FRIEDRICK: OUTSTANDING LABOR LEADER

Mr. NELSON. Mr. President, many tributes have been justifiably paid to Jacob F. Friedrick, an outstanding representative of labor, a progressive leader in education, and spokesman for the poor, who recently concluded 9 years of distinguished membership on the board of regents of the University of Wisconsin. What sets Mr. Friedrick above and apart from any of his contemporaries is his ability to listen patiently to the problems of the laborer; the student; and the poor; those persons to which too many have turned a deaf ear too often.

For 50 years Jake Friedrick has responded to and spoken out for the rights of labor. He coauthored the first bill to provide unemployment compensation for the State of Wisconsin—a measure which became the model for the entire Nation. During the thirties, Jake served as labor editor of the Milwaukee Leader, and then later became regional director of the American Federation of Labor in Wisconsin.

His ability to reduce complex issues into simple terms combined with dedica-

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tion resulted in his becoming, in 1959, the president of the Milwaukee Labor Council. He recently retired from that position after setting a record which will be difficult to follow. His ability to persuade while at the same time accommodating diverging views has brought deep respect for the labor movement in Wisconsin.

As University of Wisconsin regent, Jake Friedrick has been sensitive to the needs of the student and has responded with understanding and positive action. His progressive achievements and contributions speak for themselves.

I ask unanimous consent that an article summarizing his outstanding career, published in the Madison Capital Times of April 12, 1969, be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the Madison (Wis.) Capital Times, Apr. 12 1969]

Spokesman for Students—Friedrick, Regent of Poor, Ends 9 Years on University Board

(By Matt Pommer)

Racine.—The poor have lost their University of Wisconsin Regent.

Jacob F. Friedrick, 76, attended his last regular meeting of the Board of Regents on Friday. He was appointed nine years ago by then Gov. Gaylord Nelson.

A longtime labor figure, Friedrick has recently served as president of the Milwaukee Labor Council.

But in nine years as Regent, "Jake" has been more a spokesman of students and the poor than a representative of labor.

He advocated low cost education for Wisconsin residents. He has been a voice of reason at the height of dismay over student disrupters. And "Jake" has been an incurable optimist that the vast majority of U. W. students are good.

At the peak of Regent unhappiness with the Daily Cardinal, he reminded the board he had served stint as a writer for the old Milwaukee Leader, the Socialist newspaper. The period was around World War I when the Socialist cause was controversial.

Readers, through their purchase of newspapers, exercise their own control, Jake reminded the board.

Friedrick came to this country from his native Hungary at the age of 13. His formal education never went beyond the 10th grade.

But a string of accomplishments led the University of Wisconsin to award him an honorary degree in 1955.

With the late Prof. John R. Commons, Friedrick helped write the first Wisconsin law on unemployment compensation. He also helped found the U. W. School for Workers.

In a tribute Friday his fellow Regents praised him as "a self-educated individual who has won universal respect through his deeds, his integrity, and his personal wisdom."

Friedrick replied that the University owed him nothing, his gratitude belongs to the University.

In giving him the honorary degree in 1955, then U. W. President Edwin B. Fred said Friedrick had "always acted in the great tradition of Ely and Commons."

After Friday's meeting another labor economist, Madison Chancellor H. Edwin Young, came up to extend thanks and a form of good bye to Friedrick.

Obviously moved, Young gave Friedrick a firm handshake. But the lump in his throat echoed the sentiments of the poor and the students whom Regent Friedrick had championed.

JAPAN'S TRADE POLICIES

Mr. PERCY. Mr. President, once again Japan has proved that it has too narrow a view of the realities of world trade and investment. The announcement last week that the Japanese Government disapproves of the Chrysler Corp.'s plan to form a joint car manufacturing company with Mitsubishi is the latest in a long series of refusals by the Japanese to liberalize their trade and investment policies.

Ever since coming to the Senate, I have warned the Japanese, both publicly and privately, that failure to liberalize their numerous series of quota restrictions and limitations on private foreign investment in Japan could only have serious trade repercussions for them in the markets of other countries.

Last week I was encouraged to read that Chrysler was planning to form a joint venture with Mitsubishi to build automobiles in Japan. The very next day a high official of the Japanese Government said the venture, already agreed to by the two companies, would not be allowed. This cannot be condoned.

Japanese automobiles, for instance, are allowed to enter the U.S. market freely. Twenty-five percent of the California automobile market is now supplied by foreign imports, mainly Japanese. Yet American automobile manufacturers are not allowed to sell their cars in Japan or even to invest in automobile manufacturing facilities in Japan. For 1 day last week it appeared that at least American companies would be allowed to invest in Japan, but 24 hours later the Japanese made it clear they do not believe trade and investment is a two-way street.

Trade to be fair must be reciprocal. The continual Japanese refusals to liberalize economic policies can only bring them to grief. Immediate short-run gains should be weighed against potential major adverse effects in the future.

I ask unanimous consent that two articles detailing the unhappy saga of last week's events be printed in the Record, along with another article from the Christian Science Monitor relating to Japan's trade policies in general.

There being no objection, the items were ordered to be printed in the Record, as follows:

[From the Wall Street Journal, May 19, 1969]

Chrysler, Mitsubishi Slate Joint Venture; Firm Ultimately May Enter Japan Market

Chrysler Corp. and Mitsubishi Heavy Industries Ltd., a major Japanese auto maker, have agreed to set up a joint venture that ultimately could lead to Chrysler's entry into the Japanese market.

Irving J. Minett, Chrysler's group vice president in charge of international operations, said in Detroit that activities of the new unit "might involve collaboration in research and development related to automotive products and joint distribution arrangements in various world markets not yet defined."

Chrysler, he said, would have a 35% interest in the venture. Mitsubishi would have a 65% share. The executive said the amount of the original investment hasn't been determined.

Mr. Minett, who announced the agreement in the U.S. after Mitsubishi officials disclosed the accord in Japan, said "the extent to which the agreement might lead to direct Chrysler participation in any form in Japan would depend not only on a further development of the agreement, but also on the extent to which the Japanese government would permit."

In Tokyo, according to an Associated Press dispatch, a government official said the announcement took him by surprise. Yoshifumi Kumagai, a vice minister of the Japanese Ministry for International Trade and Industry, said the venture appeared to be unfavorable for Japan's auto industry. He said he would examine the proposal in close detail before deciding whether to approve it.

The Chrysler-Mitsubishi agreement was announced in Tokyo by Yoichiro Makita, a vice president of the Japanese company who said he had just returned from conferences in the U.S. with Chrysler officials. He said the venture will be inaugurated as soon as Japan liberalizes its rules for foreign capital investment in Japan's auto industry. The Japanase government, he predicted, will ease the controls at an early date.

Late last week, however, Mr. Kumagai had announced that the Japanese government hadn't any plans to immediately permit Japan's auto producers to establish joint ventures with foreign capital. This, he said, would be "tantamount to actual capital decontrol."

[From the Washington Post, May 20, 1969]

Japan Cold to Chrysler Joint Plan

Tokyo, May 19.—The Japanese government cannot approve a plan for Chrysler Corp. and the firm of Mitsubishi to form a joint car manufacturing company, a senior government official said today.

Hisasasahi Yoshimitsu, the director of the heavy industry bureau of the Ministry of International Trade and Industry, said officials were shocked by the announcement of the plan last night.

He said it came at a time when the ministry had just started to examine the question of consolidating the Japanese car industry before it was opened to foreign capital investment.

FORMER PACT CITED

An official agreement concluded between Japan and the United States in 1968 provided that capital liberalization for the automobile industry should come sometime after March 1972, Yoshimitsu said.

This was one of the reasons why the ministry would be unable to approve a joint venture at the present time, he said.

A spokesman for the Japan Automotive Industry Association said the Mitsubishi-Chrysler plan seemed to run counter to a resolution adopted by the association in 1968 that the Japanese car industry should develop along the lines of national capital.

The spokesman said the association would withhold official comment until its president returns from the United States later this week.

DETAILS OF PLAN

Mitsubishi vice president Yoichiro said at a news conference in Tokyo when he announced the plan that Chrysler cars would be distributed in Japan and Mitsubishi vehicles in the U.S. under the joint venture company.

Irving Minette, a Chrysler vice president, said in Detroit that the new company might involve collaboration in research and development related to automotive products and "joint distribution in various world markets not yet defined."

Chrysler would have a 35 per cent interest in the joint venture company. The amount of its capital was not determined.

[From the Christian Science Monitor, May 6, 1969]

Japan Keeps Grip on Trade Policies

(By David K. Willis)

"The Japanese are a controlled society. They simply won't let us in to compete on equal terms, yet we let them in. They sold about $1 billion more to us than they bought last year. They're not weak any longer. And still they don't play ball!"

The American was voicing a mixture of annoyance, irony, and resignation as he gave vent to his complaints in his office in Tokyo the other day.

Later, in another office at the other end of the city, a Japanese replied by listing his own complaints about the United States:

"Our gross national product is only about one-eighth the size of yours, and our per-capita income is 21st in the world. You say you want us to let you in—but look at how you still keep us out in various ways! Anyway, we are liberalizing import and investment controls. Slowly, maybe, but we're doing it. We've read Servan-Schreiber's book, 'The American Challenge,' about Europe. We don't want American giants coming in and taking over our economy."

RAPIDLY CHANGING SCENE

The two men were giving both sides of difficulties that have arisen between Tokyo and Washington as two-way trade between their countries has soared to about $7 billion per year.

The heat in their opinion is shared by other businessmen of both sides. Yet despite it, many observers believe that the pressure points of which they speak are short term, rather than long term, and are signs of health.

Japan has ceased to be a junior partner in trade with the United States. Its spectacular postwar boom has brought with it not only demands by its own businessmen for greater access to foreign markets but equally insistent demands by other countries—particularly Western Europe and the United States—for an easing of Japanese restrictions on imports and investment from abroad.

Americans are worried because Japanese exports to the United States jumped by a mammoth 35 percent in 1968. Japan's exports that year exceeded its imports from America by $1.13 billion. American steel and textile makers led a protectionist rush in Congress.

To avoid legislation, the Japanese reluctantly agreed to hold down steel exports voluntarily to 5.2 million tons this year. Soon United States Commerce Secretary Maurice H. Stans will be in Tokyo asking local chemical and woolen textile companies for a similar voluntary restraint.

The Japanese companies strongly object. So far they have refused all approaches.

Japan argues that the American textile industry is still earning profits, that its own industry is in the midst of restructuring, and that besides, Americans are violating their own principle of allowing free competition full rein.

The Japanese still maintain import controls on 120 items, despite a stern American effort to break them down. The current effort began last November in Geneva. The first Japanese responses were regarded by Washington as extremely disappointing.

Then, in March of this year, Tokyo came up with another offer. Leaving untouched what Americans really want—such as computers, aircraft, and footwear for example—it either decontrolled or relaxed restrictions on glass, outboard motors, pet food, sausage casings, some color films, grapefruit, oranges, processed tomatoes, and fruit juices.

Washington is asking for much, much more. American sources here point to a long list of indirect controls used to keep foreigners out. These range from an import deposit system of 5 percent on manufactured goods (one percent on raw materials) to joint efforts by government and industry, or between industry and industry.

TRADITIONAL WAYS DEFENDED

Japan is particularly wary of sales techniques which upset traditional methods.

Recently an air-conditioning company with a large American holding began offering free trips abroad to its most successful dealers. Thirteen competitors, wholly Japanese owned, obtained a ruling from the local Fair Trade Commission outlawing the practice. The joint company has appealed.

The Japanese way is to employ a series of middlemen, and not to resort to methods that give one company such an outright advantage over others—who, after all, are also entitled to a living, the reasoning goes.

On direct investment, the Japanese Government began to ease restrictions in July, 1967, only to have Americans retort that only companies of no interest to outsiders had been opened up.

American sources say that really attractive companies—such as automobiles, computers, and supermarkets—are still lacking. They add that definitions of categories are too tightly drawn, making it difficult for large American conglomerates to obtain a foothold.

The Japanese Government says it plans two more liberalizations—in the autumn of 1971 and in March, 1972—so that judgments ought to wait until then.

Americans and Japanese have distinctly different points of view. Americans are freewheeling, rich in capital and know-how, accustomed to believing their country helped Japan recover after the war, and confident that their government gives Japan great freedom to export to the United States.

The Japanese are wary and cautious. Their GNP is strong but their per-capita income is low (about 21 in the world). Government controls industry, and the two work together for the enhancement of Japan's stature in the world.

POLLUTION AT PINEY POINT

Mr. TYDINGS. Mr. President, the proposal of a petroleum company to construct a major facility at Piney Point, Md., has generated considerable opposition in St. Mary's County and throughout my State.

The county commissioners oppose the facility, and I strongly support their position.

St. Mary's is a lovely, quiet, and pollution-free part of southern Maryland adjacent to the magnificent Chesapeake Bay. It is a haven for those who seek beauty, peace, and an environment free of manmade contaminants. It is a type of county we as an urban society must protect and develop with care.

The oil company has twice sought permission to build the plant. The first was by application to the Foreign Trade Zone Board to establish a foreign trade zone at Piney Point. The second was by application to the Department of the Interior for a license to import oil. The first was fruitless, since by Maryland law such an application must be made by the Maryland Port Authority which will not act contrary to the wishes of the county commissioners involved. The second has not been acted upon pending an administration review of the entire oil import question during which Interior's authority to issue such permits has been suspended.

I have written both the Foreign Trade Zone Board, which consists of the Secretaries of the Treasury, Commerce, the Army, and the Interior, expressing my concern over the proposal to construct a major petroleum facility at Piney Point and urging them to prevent it.

I ask unanimous consent that the texts of my letters to Secretary Kennedy and Secretary Hickel and the text of the letter sent by the St. Mary's County Commissioners be printed in the Record.

There being no objection, the items were ordered to be printed in the Record, as follows:

April 28, 1969.

Hon. David M. Kennedy,
Secretary, Department of the Treasury, Washington, D.C.

Dear Mr. Secretary: I am writing to you, as a member of the Foreign Trade Zones Board, to express my firm opposition to the establishment of a Free Trade Zone at Piney Point, St. Mary's County, Maryland for the purpose of permitting construction of a $40 million oil "topping" plant.

This project would threaten the blue water, clean air, and lovely countryside of St. Mary's County. An attractive peaceful setting like Piney Point is hardly the proper location for a major petroleum facility. It would disrupt the community, destroy wildlife, and foul the marine environment of the Potomac River and the Chesapeake Bay.

We cannot afford to have these Maryland waters go the way of the Patapsco, Hudson, and Delaware.

The project is opposed by the elected County Commissioners of St. Mary's and I support their responsible decision wholeheartedly.

I believe it is time our country became more critical of schemes which in the name of economic development threaten the quality of our environment.

Best wishes.
Sincerely,
Joseph D. Tydings.

May 19, 1969.

Hon. Walter J. Hickel,
Secretary, Department of the Interior,
Washington, D.C.

Dear Mr. Secretary: Recently, you received a letter from Mr. F. Elliott Burch, President of the County Commissioners of St. Mary's County, Maryland urging you to deny the Steuart Refining Company's application for a General Allocation of residual fuel oil at Piney Point, Maryland.

I wish to endorse the position of the County Commissioners and urge you to refuse the license for a project which, if permitted, would have an adverse impact on the environment of Maryland's most precious natural resource, the Chesapeake Bay.

The quiet, attractive countryside of St. Mary's County is not suitable for an oil refinery and desulphurization plant. Air pollution, water pollution and the very real threat of a catastrophic oil spill cannot be permitted.

I understand that your authority to consider such applications has been stayed pending a review of our oil import policies. I urge you, when the stay has been lifted, to deny this application.

May I take this opportunity to say that I agree with your actions regarding Hunting Creek. I was delighted to read that you had requested the Corps of Engineers not to issue the permit.

Best wishes.
Sincerely,
Joseph D. Tydings.

The County Commissioners
of St. Mary's County,
Leonardtown, Md., April 12, 1969.

Subject: Application of Steuart Refining Company for General Allocation of Residual Fuel Oil.

Hon. Walter J. Hickel,
Secretary of the Interior,
Washington, D.C.

Sir: The County Commissioners are alarmed to learn that the Steuart Refining Company has made application to your Department for a General Allocation of up to 100,000 barrels per day of imports of residual

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fuel oil, for use in a refinery and desulphurization facility to be constructed and operated by the Applicant, said allocation to remain in effect for a period of ten (10) years.

In the Summer of 1968, the Steuart Refining Company submitted an application to the Maryland Port Authority for a permit to establish a Foreign Trade Zone and an oil refinery at Piney Point, Maryland. The Maryland Port Authority would not issue said permit without the approval of the County Commissioners. After a very lengthy in-depth study by a special committee appointed by the Commissioners, the committee, the Board of County Commissioners, and our legislators deemed it would not be in the best interests of the people and the County to have such an establishment in the County, and subsequently denied approval of the application. The Maryland Port Authority honored our decision and concurred in this action.

St. Mary's County has over 400 miles of waterfront. The excellent quality of our seafood enjoys world renown, and approximately 2,000 watermen and their families depend largely on this fine natural resource for a living. Our fine beaches and camping facilities bring many vacationers during the summer months to enjoy our peaceful atmosphere. St. Mary's County and the State of Maryland are spending considerable money annually for development of our waterfront for recreational purposes. In April of 1968, a Comprehensive Park and Recreation Plan was prepared for St. Mary's County by the Allen Organization, Park and Recreation Planners, Bennington, Vermont. St. Mary's County is the Mother County of the State of Maryland, and has great historical significance, attracting literally thousands of visitors each year to specific points of interest where our proud heritage is being preserved.

We are aware of the vital concern of both Federal and State agencies to preserve the nation's precious natural resources. St. Mary's County is rich with such resources. It is one of the few remaining areas with clean water and clean air. We, and our citizens, are of the opinion that St. Mary's County is not the place for heavy industry, especially an oil refinery and desulphurization plant. Further, we are of the firm conviction that the County Commissioners and the people who live here should have a voice in deciding what is or is not allowed to come into the County.

We respectfully request that you carefully consider our foregoing statements, and the adverse effect that an oil refinery and desulphurization facility would have on the general physical characteristics of St. Mary's County, and deny the Steuart Refining Company's application for a General Allocation of residual fuel oil.

Very truly yours,
F. ELLIOTT BURCH, *President*.

FEDERAL REGULATIONS FOR CONTROL OF WATER POLLUTION

Mr. MONDALE. Mr. President, at the recent Duluth, Minn., Interstate Enforcement Conference on Lake Superior, Representative JOHN BLATNIK, from the State's Eighth Congressional District, traced the history and present state of our Federal regulations designed to meet the problems of water pollution.

I believe that Senators will find a great deal of worthwhile information in these remarks. I ask unanimous consent that the address be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

ADDRESS BY THE HONORABLE JOHN A. BLATNIK, LAKE SUPERIOR ENFORCEMENT CONFERENCE, DULUTH, MINN., MAY 13, 1969

I first became acquainted with Lake Superior more than 34 years ago when I was working in the old CCC Camps near Isabella and Finland on Highway 1 between Ely and Lake Superior. I don't ever think I'll forget the first time I saw the big lake. It was a bright, sunny day, much like this morning, and when I came over the hill near Illgen City there in front of me was that huge, magnificient, glittering fresh water lake. That was quite a thrill back in the old days when travel was so difficult, and I've had a warm spot for Lake Superior ever since.

That first, exciting experience with the lake had a great impact on me, such an impact that in later years I made it part of my life's work. There I was, standing in front of one of the largest bodies of fresh water in the world. To me, it looked like an ocean.

The lake's unsurpassed beauty, purity and clarity were then, and still are, resources to be preserved and protected. The unique quality of its water transcended anything I had ever seen before, and I could feel the richness of the lake's heritage all around me. But I never really appreciated this great pristine resource, this lovely northern lake and forest country until I went to Washington in January 1947, after the war when I first came to Congress.

I was named to the Public Works Committee, which deals directly with many aspects of water use—navigation, flood control, hydroelectric power, harbors, channels, and pollution. I was also named to the subcommittee on rivers and harbors which was working on the problems of the St. Lawrence Seaway.

While reviewing all of the Great Lakes ports, channels and harbors and studying the St. Lawrence Seaway problems, I saw first hand and was appalled at the unbelievable pollution of the harbors of Chicago, Gary, Detroit, Cleveland and Buffalo, and the major rivers, such as the Ohio, Mississippi, St. Claire, River Rouge, as well as practically all of the major seacoast ports—Boston, New York, Philadelphia, Baltimore, New Orleans, San Diego, San Francisco, etc.

It was then that I began my fight to clean up the Lower Great Lakes, the Mississippi River and the great pollution problems throughout the nation.

It was a lonely fight back in those days. Pollution was not the popular issue that it is today. Back then the clean water advocates in Congress could have caucussed in a telephone booth. The clean water fighters were few and far between.

But we didn't get discouraged, because it was clearly evident that water pollution was a national problem that was bad and getting worse and that it could only be solved through cooperation by the federal government, the state governments, local governments and industry, and with the understanding and broad-based support of a vast majority of the nation's citizens.

We needed and got the complete support of the conservation organizations—such as National Wildlife Federation, now under the leadership of Tom Kimball, the executive director, who is here with us today; Bill Magie and the Friends of the Wilderness, the Izaak Walton League, the United Northern Sportsmen and many other dedicated groups.

Especially helpful in the early days and right up to the present was the League of Women Voters. Without this kind of determined, grass roots support, we couldn't have done the job.

The big break-through came when I was made chairman of the subcommittee on rivers and harbors, and in 1956 was able to author the Federal Water Pollution Act. I conducted the hearings on the bill in the Public Works Committee and managed it on the House floor.

This was the first permanent national law for the prevention, control and abatement of water pollution. And it was imperative that it be enacted into law. After passing the House by a vote of 338 to 31, following Senate action on the bill, I filed the report of the Conference Committee and President Eisenhower signed the Bill into Law on July 9, 1956.

The Federal Water Pollution Control Act laid the groundwork for the start of a joint effort by the federal government in full partnership with the states and localities in the clean water fight. The accomplishments of the law were many:

1. It recognized and preserved the primary responsibilities and rights of the states in preventing and controlling water pollution.
2. It authorized continued federal-state cooperation in the development of comprehensive river basin programs for water pollution control.
3. It authorized increased technical assistance to the states, and stepped up research.
4. It authorized the collection and dissemination of basic data on water quality relating to the prevention and control of pollution.
5. It encouraged the continued formation of interstate compacts and uniform state laws.
6. It authorized for five years grants to states and interstate agencies for their water pollution control programs.
7. It authorized federal grants for the construction of municipal waste treatment works.
8. And, Ladies and Gentlemen, it set up procedures for enforcement action against interstate pollution—Yes, the enforcement conference you are sitting at today would not have been possible without the passage of my bill in 1956.

My original bill asked for $100,000,000 in construction grants. The 1956 Act, as finally passed, authorized annual appropriations of $50 million for federal waste treatment construction grants of 30 per cent or $250,000, whichever is less. This was a very modest start indeed—but it was the best we could get through at that time, and it was a start in the right direction.

In 1960, during the 86th Congress, to try to make further improvements and to spur more local effort in the federal program, I introduced a bill to increase the annual grant authorization. This bill also provided for an increase in the dollar ceiling for a single project, and encouraged efficiency and economy by permitting two or more communities to join in a project.

Though we got the bill through the committee, the House and Senate and the Conference Committee, President Eisenhower vetoed it on grounds that this was a local problem. By a vote of 249 to 157 the House fell short of the necessary two-thirds vote needed to override the veto.

In 1961, I again introduced legislation to strengthen the Federal Water Pollution Control Act. I also presided at those Committee Hearings, and managed the bill on the House floor, with passage coming on a vote of 307 to 110.

The Bill, signed into law by President Kennedy on July 21, 1961, increased the appropriations authorization for construction grants to $100 million a year, finally reaching the $100 million level we first sought in 1956. It also increased the dollar ceiling for a single project to $600,000, and authorized multimunicipal projects with a dollar ceiling of $2.4 million. As you can see, the effect of this bill was to increase the incentive to local anti-pollution efforts.

But I accomplished one other important job in this new law—direction of a continuing study of the quality of the waters of the Great Lakes to protect them from pol-

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lution caused by population growth, industrial growth, and increased shipping.

At this time we knew very little about water quality, and it became very evident that an enormous amount of scientific and technological research was needed to answer the many complex questions.

During the 89th Congress I moved again to strengthen the Water Pollution Legislation and introduced the Water Quality Act of 1965 with Senator Ed Muskie as the lead off witness. By 1965 we clean water fighters were getting good support; the Bill passed the House by a unanimous vote, and got overwhelming approval in the Senate as well. It was made Law by President Johnson on October 2, 1965.

This landmark legislation created the Federal Water Pollution Administration, and it also provided for the establishment of water quality standards for interstate waters and stated for the first time that the purpose of the Federal Water Pollution Control Act is to enhance the quality and value of our water resources and to establish a National Policy for the prevention, control and abatement of water pollution.

Under this new law we also increased the annual appropriations authorization for construction grants from $100 million to $150 million, doubled the dollar ceilings, afforded more realistic assistance to populous areas and gave new incentives to state participation in waste treatment plant financing.

In 1966 we took another big step toward increasing the quality of this Nation's water during the 89th Congress with the passage of the Clean Water Restoration Act, of which I was the author.

The most significant provision of the 1966 Act was the vast increase in the authorized level of federal support for municipal waste treatment plant construction, the grant program begun in 1956 under my original legislation.

The 1966 Act also removed the dollar ceilings on projects, provided new incentives for state participation in fiancing and for the application of water quality standards to receiving waters.

Among its other provisions, the law authorized 50 per cent federal grants to planning agencies for the development of comprehensive basin plans for water quality control; doubled the level of federal support for the strengthening of state and interstate water pollution control programs; provided for research and demonstration grants in the areas of advanced waste treatment and waste water renovation and the control of industrial pollution, plus many other new provisions.

In addition the 1966 Law transferred to the Secretary of Interior responsibility for administration of the Oil Pollution Act of 1924, and expanded its application to include the Great Lakes and other nontidal navigable waters.

The successive amendments to the Federal Water Pollution Control Act and related law reflect the response of Congress to the magnitude of the total water pollution problem, its complexity, the emergence and recognition of new problem areas, and the mounting public demand for clean waters.

Congress has not only been responsive with Legislation on the enforcement and construction aspects of the programs, it has also authorized millions of dollars in research, development and demonstration projects.

In 1956 the appropriation for these projects was $443,219. This has grown to $43,668,846 in 1969. Waste treatment construction grants grew from $50 million in 1957 to $214 million in 1969.

This winter I personally conducted an investigation and hearings in Santa Barbara following the disastrous oil spills off the coast of that City. This catastrophe underscored the need for more effective control of pollution of waters and shorelines by oil.

We returned to Washington, conducted hearings on the Water Quality Improvement Act of 1969 and passed it through the House of Representatives on April 16 by a vote of 392 to 1. I expect early action by the Senate.

This bill would provide for the control of pollution by oil and other matter from vessels, offshore facilities and onshore facilities; from acid and other mine drainage; and from activities operating under federal licenses and permits as well as from federal installations. It also authorized more intensive work on the Clean Lakes Program.

The Federal Water Pollution Control Act, enacted in 1956, strengthened in 1961, 1965 and 1966, and the expected enactment of the Water Quality Improvement Act of 1969 all came under my chairmanship of the rivers and harbors subcommittee.

This was work, hard work. It took years of study, hundreds of hours of committee hearings and volume after volume of testimony. But it is all worth it if we can help the Lower Lakes and keep Lake Superior the clean beauty that she is.

Back in 1962, I realized that the best way to preserve Lake Superior was through preventive measures. But nobody knew enough about pollution to establish a comprehensive preventive program. The problems of water pollution are so complex, so varied, and so numerous that existing knowledge and techniques are not adequate to deal with all of them. This is where the idea of the National Water Quality Laboratory came in. We simply needed more scientific information about pollution.

I obtained federal authorization for the laboratory, and the City of Duluth donated the building site in March of 1962. The lab was dedicated on August 11, 1967.

What does this all mean? It means that on the shore of Lake Superior standing like a watchful, protective beacon, is a $2.2 million structure which houses $1 million worth of the most sophisticated, advanced scientific and technical equipment that American science can produce in this field.

Now we have the most scientifically advanced fresh water laboratory in the world to study and research the environment of Lake Superior waters and determine in a scientific manner the best preventive methods to avoid pollution of Lake Superior.

We also have, as I outlined earlier, a good legislative base from which to embark on an orderly, responsible program of water pollution control, and effective enforcement where necessary.

Since early this year there has been considerable intensive, often emotionally supercharged discussion about pollution of Lake Superior and about this Enforcement Conference. Many well-meaning but ill-informed statements have been made proposing action that should be taken by the federal government or the State of Minnesota, some even calling for *legislation* to stop pollution of Lake Superrior.

This kind of talk has confused the people and created a misunderstanding about the Water Pollution Control program and has even led to rumors that attempts are being made to whitewash this enforcement procedure.

As author of the first permanent, comprehensive law to control water pollution and manager in the House of all its major amendments, I feel it is most important to set the record straight on the whole enforcement procedure.

First, let me point out that no *new* legislation is needed now to cope with Lake Superior problems. *That authority has been* on the federal statute books for 13 years. All we need to do is implement and enforce the law, and that is precisely what we are here to get underway today. This Conference, with official status in the eyes of the law, sets in motion the Federal, and I hope State, legal machinery to abate, prevent and stop pollution in Lake Superior.

Few people realize that this Enforcement Conference was called and that our meeting today is being held under the authority of the basic 1956 Blatnik Water Pollution Control Act, and that whatever cleanup action this Conference determines should be taken will be taken under the authority of that law. The objective is to reduce pollution to tolerable, permissable, harmless limits, and if that can't be done, then to stop it entirely.

Second, I want to emphasize that the Enforcement procedure has proved to be both workable and effective in cleaning up polluted waters throughout the United States. Let me underscore this point with a few facts:

This Enforcement Conference is the 46th in the past 13 years:

Preceding Conferences have issued cleanup orders to: 42 States and the District of Columbia, 1,300 municipalities, 1,800 industries, 89 federal installations, 73 State or private institutions, and, 11,168 miles of riverway.

America's most populous states have figured in previous enforcement actions, as have our largest metropolitan areas, such as New York City, Chicago, Detroit, Cleveland, St. Louis, Minnesota's own Minneapolis-St. Paul and the giants of industry: United States Steel, General Motors, Chrysler, Ford Motor Co., Standard Oil Corporation, Youngstown Sheet and Tube, Republic Steel, International Paper Company, Weyerhauser, Crown Zellerbach, Scott Paper Co., and a long list of others.

Corrective action called for by those conferences is underway and in many cases already completed at a total cost of some $10 billion invested in municipal and industrial treatment plants.

To give you some recent examples of the magnitude of the cleanup effort resulting from an enforcement proceeding, the Lake Erie Conference involved five states, 115 municipalities, 101 industries, and 11 federal installations. A complete cleanup schedule was agreed upon by all the participants at a total estimated cost of $5 billion.

The Lake Michigan Conference held just last year affected 4 states, 174 municipalities, 53 industries, 20 federal installations, and is expected to cost some $4 billion.

Of all the Great Lakes, the waters of Lake Erie are in the most advanced state of pollution—perhaps irreversibly so—and many call it a dying lake. Lake Michigan, though sick, is not anywhere near the degree of aging and decay of Lake Erie and the enforcement action taken there still has a chance of reversing the pollution.

Lake Superior is unique among the Great Lakes—the least polluted: the largest body of fresh water: the most to be gained from early action. The action on Lake Erie could be termed "stop gap" at best: In Lake Michigan, remedial and restorative: In Lake Superior, preventive and preservative. We must, by acting now, prevent pollution from destroying this priceless resource.

And we will do it under the three step enforcement procedure I wrote into the 1956 Law: (1) Conference, (2) Public Hearing, (3) Court Action.

Today we are participating in the first, or conference, stage of the enforcement procedure. The role of the Conference, which, by the way, is conducted on an informal basis and is not an adversary proceeding, is to establish the facts, such as: the nature and extent of pollution, whether measures now being taken to abate pollution are adequate, and the kinds of problems expected to be encountered in preventing pollution. With all the facts before them, the conferees will try to reach agreement on a remedial program of pollution abatement.

If this doesn't work then we go on to Stage 2, the Public Hearing, which is a formal proceeding directed at individual, alleged polluters. A formal hearing is held before a five member board appointed by the Secretary of the Interior and sworn testimony is taken. The Board's findings and recommen-

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dations are sent to the polluters—whether state or federal government, municipal or private—and to the state with a time table for compliance.

Stage 3, Federal Court Action, is the last resort in the enforcement procedure. The court has jurisdiction to enter whatever judgment or order may be necessary to safeguard the public interest.

However, so successful is the conference stage of the enforcement procedure that in the 13 years of the Federal Water Pollution Control Program, a public hearing has been required in only 4 cases, and court action only once.

The purpose of this Duluth Enforcement Conference is to study the pollution problems of the entire Lake Superior Basin.

However, because of the close coverage by the news media and a concerned public, the focal point of the conference is the discharge of tailings from Reserve Mining Co.'s E. W. Davis Works at Silver Bay.

The report indicates that Reserve's tailings discharge do have an adverse effect on the quality of the Minnesota waters of Lake Superior. If this is determined to be a fact during the conference or at a later date, then the Governor, the Minnesota Pollution Control Agency—with the help of the federal government—and the Mining Company should and must take corrective measures.

Although the Government report indicates that at the present time there is not enough scientific evidence on which to base a finding of interstate pollution, it does recommend that the FWPCA and the State keep the discharge of tailings under continuing surveillance and report back to the conferees at six month intervals.

I wholeheartedly support this action.

I will go further and say that with the help of the National Water Quality Laboratory, if there is pollution anywhere in the Lake we're going to find it and when we find it we are going to stop it under the enforcement section already in the law.

If there is interstate pollution then the Federal Government can move in at once to take action. If there is intrastate pollution there is still no excuse for delay as the Governors of the three states can act under state law. If they have a problem or need help they have only to ask the Federal Government for help and I assure you help will come.

All of us—the Federal Government, the State Government, local government and industry—have a tremendous responsibility in keeping Lake Superior as clean as possible. We must protect the high quality of her water and as long as I have anything to do with it, it will be protected.

I want our sons and daughters, their sons and daughters, and generation after generation to experience the exhilaration I did when I got my first look at that beauty out there. This can be accomplished and this Enforcement Conference here today is a big step toward determining the best method of preserving Lake Superior as the beauty that she is.

RESTORATION OF U.S.S. "ENTERPRISE"

Mr. INOUYE. Mr. President, early this year on January 14, disaster struck the U.S.S. *Enterprise* during a practice bombing mission off the coast of Hawaii. My colleagues will recall that an accident started a series of serious fires and explosions which took the lives of 28 men and did extensive damage to the ship.

At the time, it was estimated that it would take up to 9 months to complete repair work on the *Enterprise*. However, the workers of the Pearl Harbor Naval Shipyard put the full thrust of their efforts into the emergency repair work and restored the ship in a record time of 49 days, 41 days before the projected completion date.

Leading the men at the Pearl Harbor Naval Shipyard was Mr. William D. Bennett. In recognition of his years of invaluable service to the U.S. Navy and in appreciation for his outstanding service in restoring the U.S.S. *Enterprise*, the Department of the Navy presented him with the Distinguished Civilian Service Award.

For their outstanding performance in this monumental undertaking, the Secretary of the Navy presented the Special Commendation Award to the leadership and personnel of the Pearl Harbor Naval Shipyard.

It is with great pleasure and pride in the men of the Pearl Harbor Naval Shipyard that I ask unanimous consent that the remarks of the Assistant Secretary of the Navy, James D. Hittle, and the citations of the awards presented to Mr. Bennett and the personnel of the Pearl Harbor Naval Shipyard be printed in the Record.

There being no objection, the remarks were ordered to be printed in the Record, as follows:

Remarks by James D. Hittle

Ladies and Gentlemen: I am honored to be with you today as the representative of the Secretary of the Navy. I have come to express to you the Secretary's personal appreciation and that of the entire Department of the Navy for your magnificant performance in accomplishing the repair of the U.S.S. *Enterprise*. This task, achieved by the workers of the Pearl Harbor Naval Shipyard, should be a source of pride to everyone gathered here today—and I'm sure it is.

The job which confronted this shipyard on that fateful day when the *Enterprise* come limping into harbor was urgent. As you all know, on 14 January, while operating at sea, disaster struck the *Enterprise*. During a practice bombing mission, preparatory to her deployment to her fourth tour of duty in Vietnam waters, an accident occurred near an aircraft on the flight deck. This accident started a series of fires and other explosions throughout the ship. Only the heroic efforts of the ship's crew brought the fires under control. Although the crew reacted with amazing speed, serious damage was caused. The flight deck was cluttered with demolished aircraft; there were gaping holes in the ship's decks and her casualty list stood at more than 100 men dead and injured.

You well know the story from that point on. You were close to the tragedy.

You were part of the subsequent achievement. The original estimate of the time required to return the *Enterprise* to service ranged as high as 3 months. But those who had predicted that it would take this long to complete the repairs had, apparently, underestimated one factor—the shipyard workers at this activity.

With a full realization of the importance of your mission and of the necessity to return the *Enterprise* to service as soon as possible, you the workers of the Pearl Harbor Naval Shipyard, demonstrated what the real "can do" spirit is. For it was the shipyard workers who spearheaded an effort which completed the necessary repairs in a record breaking 49 days—not in the original estimate of 90 days—but in an actual 49 days.

Of course, the full story of the team work that went into the repair of this great ship involves the cooperative efforts of private industry, other naval shipyards, and certain naval activities in the continental United States.

But the keystone of the entire achievement was this shipyard and you, the members of the shipyard team.

It was here that your skill, hard work and dedication forged in a coordinated and cooperative effort, proved effective as well as inspirational.

Your accomplishment in putting the U.S.S. *Enterprise* in condition for sea was in keeping with the spirit and the records of the World War II era. Then, this shipyard established records on damage repair, records that were broken only by its own later efforts.

Your achievement with the *Enterprise* have already been recognized in part when Admiral John J. Hyland, Commander in Chief, Pacific Fleet, presented a number of personal awards to your key military and civilian leaders.

But we all realize that any effort, as large in scale as the repair of the *Enterprise*, is a collective effort.

That is why the Secretary of the Navy has asked me to travel to Pearl Harbor to be with you today. I have come to show you the Navy's respect for all of you as members of the Navy-Marine Corps team.

I have come to thank you on behalf of the Secretary of Defense, the Honorable Melvin R. Laird, and the Secretary of the Navy, the Honorable John H. Chafee, and to present to all of you as evidence of the Navy's appreciation through Captain Barnhart as your representative, this Special Commendation from the Secretary of the Navy.

I highly regret that it is not possible for us to reward each of you individually but the Navy's appreciation is no less real.

You performed an important mission and you did it in a manner better than anyone had the right to expect.

Please accept our thanks, and particularly—from the Secretary of the Navy—accept this time honored commendation of duty precisely performed—"Well Done."

Citation by Secretary of the Navy

The Secretary of the Navy takes pleasure in presenting the Distinguished Civilian Service Award to William D. Bennett in recognition and appreciation of the distinguished services set forth in the following citation for outstanding service to the Department of the Navy for many years and for his valuable contributions to the Fleet in production and ship repair operations. Mr. Bennett has served the Navy with distinction in many capacities ranging from shipfitter to Group Master. Through his unwavering dedication and excellent leadership he has inspired hundreds of others to perform in a manner which surpassed their own expectations. His vast and detailed knowledge of ships and their construction and equipment have enabled the Pearl Harbor Naval Shipyard to meet seemingly impossible deadlines for ship restoration and repair under emergency conditions. The most recent example of his ability to act under adverse conditions was his remarkable performance as Production Manager for emergency repairs of fire damage sustained by the U.S.S. *Enterprise* (CVA(N)65) on 14 January 1969. As a result of his incredible foresight, initiative, and enthusiasm, the emergency repairs were completed in only seven weeks. Mr. Bennett's superlative efforts and untiring devotion to duty have brought the highest prestige and honor to the Navy. He is richly deserving of the Navy Distinguished Civilian Service Award.

John H. Chafee,
Secretary of the Navy.

April 9, 1969.

Secretary of the Navy Special Commendation Awarded to Pearl Harbor Naval Shipyard

Citation for outstanding achievement from 14 January 1969 to 4 March 1969 in accomplishing repairs to the U.S.S. *Enterprise* (CVA(N)65) which was damaged by fire and explosion. Under extremely adverse conditions and facing pressures involving short

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deadlines, material shortages, and skill scarcities, the leadership and personnel of the Pearl Harbor Naval Shipyard demonstrated a high degree of competence, pride of workmanship, and dedication to duty in accomplishing the repairs in record time, thus enabling the *Enterprise* to return to the fleet with a minimum disruption of operations. With a keen appreciation of the many sacrifices and extraordinary effort involved in such a monumental undertaking, the personnel of the Pearl Harbor Naval Shipyard are commended for their superlative performance.

JOHN H. CHAFEE,
Secretary of the Navy.
JAMES D. HITTLE,
Assistant Secretary of the Navy, (Manpower and Reserve Affairs).

APRIL 9, 1969.

ARROGANCE

Mr. YOUNG of Ohio. Mr. President, Pentagon officials are guilty of disservice to Americans through censorship by classification. Some of these top officials in the Pentagon and, in fact, even field grade officers—majors and lieutenant colonels—seeking to withhold from the public information which discredits the Department of Defense and certain generals or indicates laxity in connection with military contracts, term this "classified information." They stamp "top secret" or "secret." These officers by this questionable procedure block the flow of information prejudicial to the Department. They arbitrarily select only information favorable to our Armed Forces. They exclude from the public that which is unfavorable. Officers and Pentagon officials defiantly conceal information to which our people are entitled.

Let us not have in addition to our three equal coordinate branches of Government—legislative, executive, and judicial—a fourth branch, "sacrosanct military general staff." We in the Congress have an obligation to inform ourselves how it comes that this military censorship by classification has grown to an extent no longer acceptable. The end result gives to the military domination over the civilian branches of our Government.

President Eisenhower in his farewell address warned the Nation to "guard against the acquisition of unwarranted influence whether sought or unsought by the military-industrial complex." Long before that, President George Washington counseled the Nation "to avoid the necessity of those overblown military establishments which, under any form of government are inauspicious to liberty and which are to be regarded as particularly hostile to republican liberty."

THAT DOMINO THEORY

Mr. YOUNG of Ohio. Mr. President, the domino theory states that if the Communists take over one country of Southeast Asia then all the other countries of Asia would fall like dominos. The largest domino in all Asia is Communist China with a population of 800 million. This vast area populated by one-fourth of the people of the entire world fell to the Communists in late 1949. If the domino theory were at all valid it would seem that 20 years later all the dominos should have fallen. Not one country in Southeast Asia has gone Communist since the advent of Red China. In fact, Indonesia, Malaysia, Singapore, and other countries have on their own crushed Communist partisans within their countries.

It is claimed that Ho Chi Minh has been stirring up trouble in remote areas in Thailand and Laos. The facts are we Americans have penetrated Thailand in depth. We are maintaining air bases throughout Thailand and have 54,000 men of our Armed Forces stationed there. We have men of our Armed Forces in Laos and we are penetrating the air space of that Asiatic nation, whose neutrality we guaranteed, with our warplanes and are overflying that area quite constantly and our napalm and other bombing has devastated some areas of Laos particularly during recent months.

MATT WERNER RETIRES AFTER DISTINGUISHED CAREER

Mr. NELSON. Mr. President, few men have achieved the respect and stature of A. Matt Werner, who recently retired from the University of Wisconsin Board of Regents after 30 years of distinguished service.

It is a rare and outstanding person who can claim that partisan Democrats, Republicans, and independents listen to him and react positively to his advice. Although a dedicated Democrat and delegate to the 1932 convention which nominated Franklin D. Roosevelt, Matt Werner was originally appointed to the board of regents by a Republican Governor in 1939, and subsequently reappointed by Republican and Democratic Governors.

As an editor of the Sheboygan Press, Matt Werner published one of the finest small city newspapers in the Midwest. His wise judgments and thought-provoking views were reflected in his editorials and recognized throughout the State.

During his years as university regent, Mr. Werner helped direct the progressive course of the university, recognizing the need for decisive change and responding to it. Through his calm deliberative ability, he has led the board of regents through debate, shaping the university into a modern, responsive community.

I ask unanimous consent that an editorial describing Matt Werner's career published in the March 14 issue of the Milwaukee Journal, be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

THIRTY YEARS A REGENT

A. Matt Werner is more than just the record holder for long and diligent service on the University of Wisconsin board of regents. He has been a valuable member wielding constructive influence in that unpaid, and mostly unrewarded, civic position.

One measure of the man is that he, a lifelong Democrat, was first appointed, in 1939, by a Republican governor, and twice reappointed by Republican governors, before a Democrat happened to be in office to do the honors the last time, in 1963. They recognized the Sheboygan publisher as an educational statesman in helping guide the affairs of a great university.

Werner might best be called a liberal conservative or vice versa. He was receptive to change and progress whenever reason pointed that way. At the same time he cherished traditional and basic values and was careful not to let them get lost in the shuffle. This quality of mind, with his experience and wisdom, made him effective on the board for so many years, giving it balance and calm deliberation.

Not the least mark of his wisdom, and of his devotion to UW, is his voluntary request now, at 75, to let a younger man replace him and finish out his term. Both the UW community and the people of Wisconsin owe honor to a true pillar of the university, Matt Werner.

RUSSIAN APPEAL FOR PROTECTION OF HUMAN RIGHTS IN THE U.S.S.R.

Mr. PROXMIRE. Mr. President, the Washington Post of Friday, May 23, contains an article pertaining to an appeal to the United Nations for the protection of human rights in the U.S.S.R. A group of 55 Russians, the most notable being Pyotr Yakir, the son of a Russian general who was executed during the Stalin purges of 1937–39, made the appeal saying they were concerned over the rise of political persecution and the return of the tactics used during the Stalinist terror in their nation. They also stated that they feared that their right to hold and speak out about their private views had been placed in peril by recent actions of the Soviet Government.

Unfortunately, the United States has put itself in a difficult position to rise to the defense of those in the U.S.S.R. who are demanding their basic human rights. Despite the allegiance of the American people to the concept of human rights and the historical tradition of this nation, we number among those countries that have failed to ratify some of the United Nations conventions on human rights. Those conventions which are unratified as of this date are the United Nations Convention on Forced Labor, on Political Rights for Women, and on Genocide. If we are to, in the future, be able to stand up and point with pride to our own accomplishments and be able to deplore the failure of others in the field of human rights, we must ourselves take immediate positive action. To date there has been no strong opposition to ratification of these conventions by the United States. Rather it has been our negligence and apathy which have led to our failure.

It is now time for the United States to act to erase this failure and to reassert our deep commitment to the idea of human rights for everyone. This can only be achieved if we act now to ratify the human rights conventions.

MORRIS SCHAPIRO: A GREAT BALTIMOREAN AND AN AMERICAN SUCCESS STORY

Mr. TYDINGS. Mr. President, many Marylanders including my own family were deeply saddened recently by the death, on May 3, of Mr. Morris Schapiro. He was 86 years old.

Mr. Schapiro's life is a classic American success story. He came to the United States from Latvia in 1902 at the age of 19 to avoid religious persecution under the Russian Czar. He came to Baltimore in 1904 at the time of the great fire, and

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made a livelihood by hauling metal and lumber from the burned out areas at 2 cents a load.

With $300, he and two relatives then started the Boston Metals Co., which is today a $10 million a year business, and the largest exporter of American-built diesel parts and the world's biggest machinery replacement firm.

Mr. Schapiro was also director and a principal stockholder of Laurel Race Track and a principal stockholder in Maryland Shipbuilding and Drydock Co. In addition to a very strong role as chairman of Boston Metals, Mr. Schapiro maintained an active membership in many Maryland Baltimore civic groups, and was a member of Oheb Shalom congregation.

An editorial in the Baltimore Evening Sun best summarized the importance of this creative man of imagination and organizational genius:

> He became a towering figure on the Baltimore waterfront and the name, Schapiro, spoke for itself wherever shipping men gathered from Hong Kong to Genoa.

I ask unanimous consent that the editorial and two articles about Mr. Schapiro, published in the Baltimore Morning Sun of May 4 and the Washington Post of May 5, be printed in the RECORD.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

[From the Evening Sun, May 5, 1969]

MORRIS SCHAPIRO

Morris Schapiro wasn't the last tycoon, but this crusty, often creative tribe is waning fast in a day when strong men are at least half-convinced that part of their job is to look out for lesser men. Morris Schapiro had to look out for himself. Was Baltimore burning? This kid fresh out of his teens, his grasp of the English language still uncertain, looked doubtfully at the flames gobbling the city he had just chosen for his new home. Better he'd stuck out Latvia after all and the life which in 1904 awaited Jews at the hands of the Russian Czar.

Bit by bit, literally, Morris Schapiro picked up his new Baltimore life. The charred smoking fragments of the Great Fire brought him 2 cents a load; in time, he built a vast business of fragments—his Boston Metals company bought, broke up and re-sold ships throughout the world. He became a towering figure on the Baltimore waterfront and the name, Schapiro, spoke for itself wherever shipping men gathered from Hong Kong to Genoa. No Baltimore businessman grew too big to fail to nod in deference to the organizational genius and imaginative gambles which, together, lifted this man from nowhere to the highest level where financial strength is flexed.

Morris Schapiro was a man of his time, for it was a time when Baltimore was still open to a businessman who could build a national organization and keep the home office, the power, in Baltimore. Now we are overwhelmingly a city of branch offices, of subsidiaries and offshoots from elsewhere. The old Baltimore independents who stood on their own two feet, the Morris Schapiro, are down to a handful.

[From the Washington Post, May 4, 1969]

M. SCHAPIRO OF LAUREL DIES AT 86

BALTIMORE, May 3.—Morris Schapiro, 86, former president of Laurel Race Course and father of the current president, John D. Schapiro, died today at Sinai Hospital.

Survivors include his widow, Rebecca; a son, Joseph S. Schapiro of Beverly Hills, Calif., and two daughters in Baltimore, Mrs. Joseph S. Cascarella and Mrs. Doris Gillman.

Funeral plans are incomplete but interment service will be private.

Mr. Schapiro bought Laurel in 1950 after rising from an itinerant junk peddler to head a multi-million dollar scrap-iron business.

He came penniless from Latvia to America in 1902 and was a peddler in Georgia until he and two relatives pooled $200 to start the Boston Metals Co. in 1904.

This became the largest firm of its type in the Nation and also one of the largest in the ship-scrapping business.

Mr. Schapiro once sold a Canadian frigate to Aristotle Onassis, who converted it into the famous yacht Christina.

Mr. Schapiro became involved with racing in 1943 when he and a partner bought Gulfstream Park at Hallandale, Fla. He sold out five years later.

[From the Baltimore Morning Sun, May 4, 1969]

MORRIS SCHAPIRO, 86, DIES; OWNED LAUREL RACE COURSE

Morris Schapiro, who arrived in Baltimore with 75 cents and started hauling junk from the Great Fire of 1904, died yesterday at the age of 86, the owner of a prosperous scrap metal business and Laurel Race Course.

Mr. Schapiro, who lived on Folly Quarters Farm in Howard county, died early yesterday afternoon in Sinai Hospital of complications from a broken leg.

Services will be held at 3:30 p.m. tomorrow at the Oheb Shalom Temple, 7310 Park Heights avenue, with burial following in his Mausoleum at the Druid Ridge Cemetery.

Mr. Schapiro came to the United States in 1902 at the age of 19 from Latvia to avoid religious persecution by the Russian Czar.

After wandering around the Atlantic seaboard for two years, Mr. Schapiro came to Baltimore in February, 1904, and began hauling junk—metal and lumber—from the ruins of the burned out city at 2 cents a load.

TEN-MILLION-DOLLAR BUSINESS

With two relatives, Mr. Schapiro started the Boston Metals Company with $300.

Today, it is a $10 million-a-year business, the largest exporter of American-built diesel parts and the world's biggest machinery replacement firm.

Boston Metals has also scrapped in its 65 years more than 1,500 ships—including the old U.S.S. Pennsylvania on which Mr. Schapiro sailed from Riga to the United States.

At the time of his death, Mr. Schapiro was chairman of the firm and still active in it.

He was also a director of the Laurel Race Course and a principal stockholder there. It was the fifth race track in which he had held an interest. The others had been Gulfstream in Florida and Pimlico, Bowie and Havre de Grace in Maryland. In the early 1950's he was perhaps the most powerful man in Maryland racing.

A smiling, pink-cheeked man, Mr. Schapiro worked from an office at 313 East Baltimore street where the walls were covered with photographs of the ships he had scrapped and of his family.

GAVE OUT $100 BILLS

Each birthday for the past decade, he gave each of his employees a $100 bill.

Mr. Schapiro began making multimillion-dollar real estate deals around 1920 both in Baltimore and in Howard County, where he had extensive land holdings.

Modest about his Horatio Alger rise from an immigrant ragamuffin to a multimillionaire businessman well known in international shipping circles, Mr. Schapiro attributed it "mostly to luck . . . and a little management sense. That's all."

STRONGEST ALLEGIANCE

Although his family has financial interests across the country and overseas, Mr. Schapiro's strongest allegiance was to Baltimore and Maryland.

A few years ago, when there was a chance the Maryland Shipbuilding and Drydocking Company might be taken over by the Fifth Avenue Coach syndicate of New York, for which he had little liking, Mr. Schapiro declared he would put up $1 million and recruited the late Thomas Nichols, head of Olin-Mathieson Chemical Corporation, to put up $1 million to save the firm.

Mr. Schapiro also had his share of passing controversies. He fought with the United States Maritime Commission, when it was first formed, over buying old ships.

In the early 1950's he was accused of being Maryland's racing czar because of his extensive race track holdings.

He fought his fights vigorously and later shrugged them off. "Money is sometimes controversial, too," he told one interviewer.

Mr. Schapiro was active in a host of civic groups and was a longtime member of Oheb Shalom. He also established the Morris Schapiro and Family Foundation in 1943 to make religious, educational and charitable contributions.

He is survived by his wife, the former Rebecca Samler; two sons, John D. Schapiro, of Baltimore, and Joseph S. Schapiro, of Beverly Hills, Calif.; two daughters, Mrs. Doris Gillman and Mrs. Jerry Cascarella, both of Baltimore; by seven grandchildren and seven great-grandchildren.

DR. LESLIE KOLTAI, ADMINISTRATOR, METROPOLITAN JUNIOR COLLEGE, KANSAS CITY, MO.

Mr. EAGLETON. Mr. President, when the Metropolitan Junior College of Kansas City is constructed in downtown Kansas City, it will become the first junior college to have a new campus in midcity. Metropolitan Junior College also possesses another rare commodity, Dr. Leslie Koltai, a man who combines the lofty idealism of the academic world with the realism of an able administrator.

I ask unanimous consent that an article published in the Kansas City Jewish Chronicle regarding Dr. Koltai and the Metropolitan Junior College of Kansas City, be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

DYNAMIC JUNIOR COLLEGE HEAD HAS GREAT PLANS FOR COMMUNITY

(By Lorraine Raskin)

Bricks and mortar will soon rise on the Kansas City horizon to form the three separate campuses which will make up the Metropolitan Junior College of Kansas City; and, figuratively speaking, the man wielding the trowel will be Dr. Leslie Koltai, the chief executive of MJC–KC.

Being a modest man, Dr. Koltai is somewhat embarrassed by the impact his presence has made upon the local scene. He is, nevertheless, elated that the publicity encompasses the growth of Junior College, and marks it as an institution destined to benefit the growth of the community.

Challenge and impossible odds are the components that make up this 38-year-young man. The image of the Hungarian Freedom Fighter comes through clearly despite the fashionably custom-tailored suit and the impeccable manner of the man.

Dr. Koltai's innate modesty commands that emphasis be placed on his present work, rather than on his past personal accomplishments—an instant insight into the man who was named in 1968 as President of Metropolitan Junior College. It is an important and sensitive position, with great import for the future of the entire urban community.

Dr. Koltai's exciting background has been recounted often, despite his obvious reluctance to dwell upon it. In 1956, he was a professor of the Russian language at the

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University of Budapest, when the Hungarian revolt rocked his country, as the people sought to overthrow the puppet government established by the Soviets.

Koltai promptly joined the Hungarian Revolution Radio Committee, and broadcast news of the revolt and appeals for aid to the world outside the Iron Curtain. These activities earned for him a place on the Russian's most-wanted list.

When the revolution collapsed, Koltai, with his young son Steven, who was doped with sleeping pills to keep him quiet, and his wife, Katherine, walked through mine fields to escape into Austria. There he joined the Voice of America in Vienna.

He and his family emigrated to the United States in 1957, with distant relatives in Denver helping to make a new home for the Koltais.

The following year the family moved to Los Angeles, where Koltai entered the journalism school of UCLA. He worked as a clerk by day, and attended classes at night. In his second year there, he taught the Russian language at night at Los Angeles Valley College in Van Nuys, and went to day classes.

Koltai received a master's degree from UCLA in 1960 and his doctorate in education from UCLA in 1967. He also holds bachelor's and master's degrees from the University of Budapest.

Before coming to Kansas City, Dr. Koltai served for 8 years as dean of institutional research at the Pasadena City College.

Dr. Koltai and Kansas City joined forces in July, 1968. Katherine Koltai, the truly feminine and lovely counterpart to Dr. Koltai, arrived in the city the following month.

Steven, now a tall, handsome, 14-year-old, is big brother to a blonde, pigtailed sister, Marian, age 7, and a gremlin with a "dare you" grin, Robert, 5. They attend Central South junior high, Red Bridge elementary school, and Temple B'nai Jehudah nursery school, respectively.

Mrs. Koltai is contentedly happy to be a housewife and hostess for her husband, and an understanding, available mother to her children. The entire family is actively affiliated with Temple B'nai Jehudah.

To talk with the Koltais is to talk of the junior college expansion plan. Dr. Koltai's habits of efficiency and industry take the lead even in conversation, and the topic of the hour is the teaching-oriented institution. Facts about the college seem to take on the aura of glowing compliments.

Junior colleges are considered the "wonder child" of American education, and in 1969 comprise almost one-third of the establishments of higher education.

Limited to a 2-year program, the junior college gives its graduating students an Associate in Arts degree and a feeling of success and completion. In contrast, the student in a 4-year college, who may leave at the end of his sophomore year, often feels like a dropout.

The greatest student attraction is the nondistinction between professional and technician. Those students who are not dedicated to 4 years in a conventional college, may leave school after 2-years in a junior college, fully confident in their ability to enter the labor market.

Other junior college graduates may transfer, with no credit loss, to a 4-year college. The latter, as expected, is determined by grades and quality of courses taken.

"Kansas City's Metropolitan Junior College is a rare commodity in its field," says Dr. Koltai, "for it is the first junior college to have a new campus in mid-city."

The 30-acre site of the central campus near 31st Street and Pennsylvania, adjacent to Penn Valley Park, will eventually be the hub of a complex of 26,000 students and a vast faculty. By contrast, the student body now numbers some 6,000.

"This will be the beginning of the recreation of the inner city," says Dr. Koltai, to whom the vision quickly becomes a reality. He tells with great and infectious enthusiasm about the suburban campuses, too, one to be located in the growing area north of the Missouri River, the other to be on land of the beautiful old Longview Farm, near Lee's Summit.

"The Metropolitan Junior College," Dr. Koltai points out, "is a publicly controlled institution which can add to the earning potential of the community, and can serve as a long-needed deterrent to the 'brain-drain' of our young citizens.

Also in the junior college blueprints is an "On Broadway" theater for public use. Drama, music, and ballet are but a few of the cultural facets to be pursued.

The direction of some of these innovations may well be toward a proposed convention center. The junior college will be so situated as to be ideally available for use as forum buildings and lecture halls.

Dr. Koltai and the board of Metropolitan Junior College, which is now unanimously focused upon a future of positive growth after putting behind it the controversies of the past, plan to introduce and familiarize the Greater Kansas City community with the multi-high campus facilities and the contemplated program which was never before offered in a junior college in this area.

Many Kansas Citians who have already met Dr. Koltai will agree that he combines with good balance the lofty idealism of the academic world, with the realism and the quiet confidence of a skilled craftsman in the tools of his trade.

MONITOR ARTICLE POINTS UP NEED FOR CONGRESS TO ACT NOW ON DIRECT POPULAR ELECTION AMENDMENT

Mr. BAYH. Mr. President, Richard Strout's article entitled "Computers Signaled No Win in Great Unelection of 1972," published recently in the Christian Science Monitor, vividly depicts one of the fatal flaws in our antiquated electoral machinery. Mr. Strout centers his attention on the undemocratic procedure that must follow when no candidate receives a majority of the electoral vote. The choice of a President by the House of Representatives, on the basis of one State, one vote, was described by Thomas Jefferson as "the most dangerous blot on our Constitution." Yet 150 years later, that "dangerous blot" remains.

But that is far from the only serious shortcoming of the present system. As dangerous and undemocratic as an election by the House of Representatives is the election of a President who is not the first choice of the American people. The present "winner take all" system cannot guarantee the election of the popular vote winner; nor, for that matter, can the often proposed district and proportional plans. In fact, direct popular election is the only system that accurately reflects the will of the electorate. It is the only fail-safe system.

As the Strout article points out, Mr. President, the House Committee on the Judiciary, under the able direction of Chairman CELLER, has favorably reported a direct election proposal. I am hopeful that the Senate will have an opportunity to consider this vital matter shortly. Prompt action is necessary if the Nation is to avoid the type of situation depicted in Mr. Strout's scenario.

Mr. President, I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

COMPUTERS SIGNALED "NO WIN" IN GREAT UNELECTION OF 1972

(By Richard L. Strout)

WASHINGTON.—Very well, then, the ballots of the electoral college are brought into Congress on Jan. 6, 1973. Nobody will ever forget that day.

The election of 1972, it is agreed now, was one of the most spectacular in history. Most of the nation, that election night, never went to bed at all.

Around 11 the first wild surmise took shape. "How's it going?" People would ask coming in from the theater. At the startling answer they would gape, take a pillow, and settle down for the night.

Naturally the computers were unprepared. Nobody had really thought it possible. It was NBC's Univac which seemed dimly to sense it first. It kept signaling "no win" which didn't make sense.

EXCITEMENT DIMINISHES

By 7 next morning the haggard broadcasters with cracked voices and shaded jowls faced the horrid fact.

No candidate had an actual majority of electoral-college votes! The election would go into the House of Representatives for the first time since 1824.

For a few startling hours on the night of Nov. 5, 1968, it seemed there would be no election. Then Richard M. Nixon slowly pulled ahead. . . . Never again, the nation said!

But then the excitement diminished. As with the national effort to get gun control, the attention of the people turned to other things. There was a modest gun law, to be sure—but the battle to reform the electoral college was much more difficult because this was a constitutional amendment.

Not only did it require a two-thirds vote of House and Senate, but after that a three-fourths approval from the 50 states—that is 38 of them. Many of the smaller states felt that they would lose power under the proposal. Half a dozen could be counted against the plan almost from the start. Thirteen could block it.

So without any change in the electoral college the great unelection of 1972 was held. The civil-rights agitation had not ended, and again there were three candidates, Richard M. Nixon, Edward M. Kennedy, and George C. Wallace. It was California that finally tipped the balance.

POLL CLOSINGS DIFFER

Polls on the West Coast close three hours after the East, and by 1 a.m. it was evident that the Democrats were in trouble. The state wavered like a leaf in the gale. "It's like 1968 all over," husbands muttered to wives as they sat glued to the TV. Some added grimly "only more so."

In 1968, indeed, George Wallace got 9,900,000 popular votes and 46 electoral votes; Hubert H. Humphrey 31,200,000 and 191; Richard Nixon 31,700,000 and 301. Without an absolute electoral-college majority of 270 by Mr. Nixon the 1968 contest would have gone into the House.

California at 4 o'clock on that wild morning unofficially put its 40 electoral votes into Mr. Kennedy's pile. The other states did not follow the same 1968 pattern exactly, but the total number of electoral votes, amazingly enough, totaled almost the same.

Next morning the unofficial score (to be followed by weeks and months of inflammatory disputes over the count) stood like this:

Total electoral votes	538
Necessary to elect	270
President Nixon	262
Edward M. Kennedy	231
George C. Wallace	45

No one had been elected.

The most powerful nation in the world did not know who its next president would be.

"Election Goes to House!" shouted the normally sedate New York Times.

"Candidates plead for calm," said the conscientious Christian Science Monitor.

"What a Mess!" ejaculated the irrepressible New York Daily News.

AMENDMENT TRIED

They had tried to amend the Constitution in 1969 and hadn't. And so the Constitution said the House should "chuse" the president from the top three contestants.

It had happened in 1800, and again in 1824, and it had almost happened several times since. Though nobody noticed it at the time, in 1948, a shift of 0.6 percent of the popular vote away from Harry S. Truman in two states would have made an unelection. (And if it had gone into the House in 1948, scholars noted afterward, scratching their heads they couldn't have figured what would have happened.)

The point was, of course, that under the quaint constitutional provisions each state in the House would have just one vote—Vermont one, California one. Each state would cast its single vote in accordance with the majority of its members in the chamber.

BOOKSTORES BOOM

The trouble in 1972 was that the legislative delegations of several states were evenly divided. Unless one side or another gave way it would be like a hung jury—the state would lose its vote. After subtracting these evenly divided states, there was a tie between Messrs. Nixon and Kennedy, with Mr. Wallace holding the balance of power with apparent control of five Southern states.

But how about the vice-president? people asked hopefully.

In the week after the unelection millions read the Constitution for the first time, and some bookstores made modest fortunes by selling a document suddenly as popular as Mao's "thoughts."

They discovered that while the House is picking the president from the highest three, the Senate is picking the vice-president from the highest two. Would it be Spiro T. Agnew or Mr. Kennedy's running mate, Sen. Edmund S. Muskie of Maine?

The Constitution provides that the vice-president shall be acting president if for some reason (a deadlock, perhaps) there is no president. . . .

Who can complete the scenario?

The suppositious election of 1972, thrown into the House, might end with the ultimate degrading spectacle of the two principal candidates making secret deals with the third and the presidency bartered off.

POSSIBILITIES SEEN

Or on the other hand, fortunately, it probably won't happen. Some candidate in 1972 will get a majority of the electoral votes. Or, perhaps, the Constitution may be amended to remove this preposterous possibility of a deadlock for all time.

On Tuesday, April 29, 1969, the House Judiciary Committee approved, 28 to 6, a proposed constitutional amendment providing for the direct, popular election of the president. Would it run the gauntlet of two-thirds vote in Congress, and a three-quarters vote in the states? Nobody knew.

Even so there was a tiny hole in it. The committee voted to delay its effective date till a year after ratification. This meant that it was unlikely to be in force in 1972.

And so the strange tale with its extraordinary possibilities begins again. "On the evening of Nov. 5, 1972, the American nation settled before its television sets to await the election result dimly aware of the kind of Russian roulette it was playing. And then. . . ."

STUDENT UNREST IN PERSPECTIVE

Mr. MONDALE. Mr. President, the Nation has experienced an extended period of protest, demonstration, and violence on its campuses.

In my address to the graduates of St. Olaf College, in Northfield, Minn., on Sunday, May 25, I tried to put this general unrest into perspective. In the process, I arrived at several conclusions:

The Nation cannot tolerate either violence or lawlessness on its campuses.

Forcible suppression of unrest, without attention to its causes, is just as deadly as violence.

The American student generation is not irrelevant, mentally ill, or suicidal, but is fast becoming the most dynamic element of the American political system.

This generation of 7 million students has many legitimate complaints about campus life.

Much of student unrest has nothing to do with the campus itself, but is a reflection of the unrest, the contradictions, and the disarray of American life.

Mr. President, my remarks may be helpful to others who are disturbed by the difficulties on our campus, and they are directly relevant to my proposal to establish a National Commission on Campus Unrest. I ask unanimous consent that the text of these remarks and an editorial from this morning's St. Paul Pioneer Press, which refers to the speech, be printed in the RECORD.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

REMARKS OF SENATOR WALTER F. MONDALE, 1969 COMMENCEMENT, ST. OLAF COLLEGE, NORTHFIELD, MINN., MAY 25, 1969

It is not difficult to pick a commencement topic this year.

It is chosen for us. It is campus unrest.

Already rocked by the turbulence of our cities, the Nation now is staggered by the explosion of our campuses.

There have been instant demands and instant responses. And now we hear instant theories of what it all means.

We are told that our unhappy young people are historically irrelevant in an age of technocrats, or victims of widespread mental instability brought on by the never-ending adolescence of the modern world. Or they suffer a kind of group Oedipus complex—violence and self-destruction that springs from hatred of father-generations.

There is a common thread in these theories—little time need be wasted on the complaints of the historically irrelevant, mentally ill, or suicidal. We can only protect ourselves from them.

So how can a nation deal with such young people?

Some members of Congress want to cut off their federal aid. That was only the wealthy can riot.

The President of the United States asks administrators to show more "backbone."

The Attorney General says that it is clearly time to get tough.

The Deputy Attorney General suggests that those who demonstrate in a manner to interfere with others "should be rounded up and put in a detention camp."

The Director of Selective Service likes to draft them.

There were also instant theories when our cities blew up.

Then, as now, we threshed around for quick definitions and solutions.

Then, as now, there were demands to stop the disruption some way, any way, so that all of us—and our nation—could go back to sleep.

Fortunately, some sought to understand, to find out why. The Nation created a remarkable investigative body to seek an end to urban violence and keep our cities alive.

The Kerner Commission, to be sure, concluded that wise and effective law enforcement was a key to urban order. But it also exposed what is now widely accepted as the truth about our cities. And it insisted that fundamental reform is an absolute necessity if we are to avoid the disaster of two Americas—one black, one white; separate and unequal.

I do not want to give that Commission or the Nation more credit than they deserve. Our cities are not free from the threat of violence and our urban problems clearly have not been solved.

But I believe the Kerner Commission did settle a profound debate about the tactics this Nation must use if its cities are to live.

As you may know, I have proposed the creation of a similar Commission on Student Unrest. With your permission, I'd like to speculate about what such a Commission might conclude.

1. Its first conclusion will be a warning—*the nation cannot tolerate either violence or lawlessness on its campuses.*

This is not just a matter of personal safety or the protection of valuable property, important as those are. The very processes of education and humane development are destroyed when fear and hate inhibit the quality of encounter.

The business of the campus is confrontation—between minds and knowledge and ideas. There can be no real confrontation in an atmosphere of intimidation. The inevitable victims of violence are freedom of expression and open debate, mutual respect and trust, reason and communication. Violence closes doors that must remain open.

As Paul Goodman has put it, "out of the shambles can come only the same bad world."

2. But the second finding of the Commission—as important as the first—will be that *forcible suppression of unrest, without attention to its causes, is just as deadly as violence.*

Nothing is more peaceful than a cemetery. The problem is not only to stop violence, but also to preserve the vitality of the campus. The use of force on the campus is an admission of defeat, another form of intimidation that inhibits real confrontation.

The campus is much like a family.

All of us who are parents know that sons and daughters in college can't be paddled on their behinds like kindergarteners—at least not with the same effect. They've reached a degree of maturity now, when authority depends on mutual respect and trust. Resorting to force does not preserve authority. It destroys it. Young people become defiant, obedience requires harsher measures, and finally authority breaks down.

If the university, like the family, seeks to create independent men and women, it must take a lesson from the family. It must recognize that its authority is in direct proportion to the mutual respect and trust developed with its students. Otherwise there is no community.

3. The third conclusion of the Commission will be that *the American student generation is not irrelevant, mentally ill, or suicidal. Instead, it is fast becoming the most dynamic element of the American political system.*

During the past twenty years, enrollment on the nation's campuses has tripled. This coming fall, more than 7 million Americans will be students on our campuses. By 1976, the figure will be 10 million. There are at least twice as many college students as farmers in the United States.

These students constitute what Kenneth Keniston calls a new "youth" stage in American life. They have opportunities for intellectual and moral development which have been available to no other large group in history.

College attendance is a major part of their lives. In that environment they are free to examine the assumptions of the past and the supersitions of childhood. The campus allows them more open expression of feelings and frees them from what Keniston calls "irrational bondage to authority."

They "take the highest values of their societies as their own . . . and . . . are willing to struggle to implement them."

American affluence and education have, in Keniston's words, created our "own critics on a mass basis."

We have done much for these young people.

In our smugness about America's wealth, we have taught them not to be smug about America's poverty.

In our satisfaction with power, we have taught them to be dissatisfied with our practice of power.

In compromising our ideals, we have taught them to be firm.

In struggling to serve ourselves, we have made them altruistic.

We have given them the conviction and determination not to fail.

In our weakness, we have made them strong.

They number in the millions.

They are bright and sophisticated and economically secure.

Our young are permanent, not temporary. They are stable, not insecure. They are no passing phenomenon.

Just as our society has adjusted previously to the demands of militant farmers, organized workers, suburbanites, and ghetto dwellers, so the young will also seek and win their right to participate in the decisions of America. It is a new group, but an old process.

4. The Commission's fourth conclusion will be that *this generation of 7 million students has many legitimate complaints about campus life.*

Many of their colleges and universities are ill-equipped to cope with either their numbers or their needs.

Their classrooms are crowded. Their libraries are inadequate. Their programs of study are badly out of date.

Too many of their administrators hide behind bureaucratic barricades. Too many of their teachers are preoccupied.

Their legitimate pleas for reform are too often met with tokenism or rhetoric—or the reformers are lumped with the extremists they detest.

Though they are serious, they do not find themselves taken seriously. And while the campus exists for them, they do not feel it is theirs.

5. Finally, a responsible Commission will find that *much of student unrest has nothing to do with the campus itself. It is a reflection of the unrest, the contradictions, and the disarray of American life.*

The President of Amherst College described this manifestation of student unrest in a recent letter to President Nixon.

"Much of the turmoil," President Plimpton said, "will continue . . . until political leadership addresses itself to the . . . huge expenditure of national resources for military purposes, the inequities practiced by the present draft system, the critical needs of America's 23 million poor, the unequal division of our life on racial issues . . ."

"Unrest," he said, "results, not from a conspiracy by a few, but from a shared sense that the nation has *no adequate plans* for meeting the crises of our society."

Vietnam. The draft. Defense spending. Poverty. Racism.

This is the litany of our shared unrest.

I cannot express how deeply I believe the war in Vietnam has wounded the capacity and the spirit of the Nation. It is, as it should be, at the heart of the student unrest.

I once supported our effort there. But whatever commitment we had to South Vietnam has long since been fulfilled. We must now turn the war back to the South Vietnamese, fairly and systematically, but completely. It is clear that the nation still has no adequate plan for that.

In the meantime, our young men die—12,000 since the Paris talks began. In the meantime, the costs and inflation brought by the war strip us of our ability to deal with other problems.

And while the war takes wealth from all of us, it costs the young their bodies, lives, and souls. For it is they who must finally serve or disobey.

They suffer an outrageous selective service system over which they have absolutely no control though they make up its entire constituency. They recognize that the system draws an unfair sample of the population. They know certain privileges are available to the able, the affluent, and the befriended, while the average, the poor, and the friendless take most of the risk.

The faults of the system and its director leave the young in jeopardy for years and make federal criminals of many who profoundly question the morality of war.

But as President Plimpton says, the nation has no adequate plan.

The war, our frantic efforts to prepare for all imaginable future military contingencies, our debts for past wars and support of veterans—these will cost the nation at least 100 billion dollars this year.

That is a stupefying amount of money. Even a billion is incomprehensible. But a billion dollars would operate St. Olaf at its present budget level, tuition-free, for 125 years. A billion dollar endowment, returning five percent a year, might finance six colleges the size of St. Olaf, tuition-free, forever.

Yet a billion dollars pays for less than two weeks of the war in Vietnam. It is just one percent of the true annual defense budget for the United States.

But in spite of its tremendous size, there is no systematic examination of that defense commitment. Except in the Pentagon, there is no analysis of outmoded defense systems, troop assignments, and base commitments. There are no talks with the Soviet Union about weapons control.

We might save billions of dollars, improve our defense capability at the same time, and reduce the threat of international holocaust. But the nation has no adequate plan.

Defense spending is clearly bleeding the nation of its resources to deal with poverty and deprivation in America. As cartoonist Herb Block pointed out in his recent book, some "can hear the distant drum more clearly than the cry of a hungry child."

Well, I have heard—and seen—those hungry children. I have found housing unfit for pigs, where children and rats "live" side by side.

Millions of American children are destroyed physically and mentally by hunger and cultural deprivation before they ever enter the first grade, and even then their schools too often have nothing to offer them.

Millions of unemployed young men and women could and would hold jobs with proper education and training.

Millions of older men and women suffer on inadequate pensions because they have been unfortunate enough to grow old while the rest of the Nation was growing rich.

Many suffer because they are in large and fatherless families, or because they are physically or mentally disabled.

But the nation has no adequate plan.

A year ago the Kerner Commission concluded that we were becoming two nations—one white, one black; separate and unequal.

In its follow-up study, "One Year Later," Urban America concludes that the nation has not reversed the movement: ". . . a year later, we are a year closer to being two societies, black and white, increasingly separate and scarcely less unequal."

But the nation has no adequate plan.

This is the country so many of our young are asking us to explain. Their questions trouble us. For however we may rationalize the failures of the past, the young believe this nation has lost its excuses.

And so do I.

How can it be so?

We are as free a people as exists.

We are as educated a people as the world has ever seen.

We are now the wealthiest people in history, and perhaps the wealthiest that can be imagined.

We have proclaimed the noblest objectives of all time.

How then can we continue with "no adequate plans"?

With the candor of their young and honest eyes, our youth are telling us that we cannot. They insist that the ideals they have learned from us must be lived—now.

What makes us so uneasy is that we know that they are right, and we know that our excuses are gone.

We must face that simple truth, learned from the young.

But having said what I believe we must learn from the young. I would close by saying what I believe we must all learn about the institutions of this society. I believe, with Urban Coalition Chief John Gardner, that "demands for instant performance (can) lead to instant disillusionment." What do we do, in a free nation, when our aspirations leap ahead of the capacity of our institutions to respond?

Last year at this time, speaking at Cornell University where his words should be echoing this spring, Gardner described two great threats to the institutions of America:

Some "uncritical lovers" would stagnate our institutions in a smothering embrace, loving their rigidities more than their promises.

Other "unloving critics," skilled in demolition and untutored in the art of reform, would destroy all we have through disruption, intolerance, and violence.

Just as we reject the uncritical lovers of our institutions, so we must reject the unloving critics who preach that only destruction will do. As Mayor Lindsay says, the tactics of destruction "promise not an end to manipulation and rigidity, but only another color robe for the executioner to wear."

What we desperately need are Gardner's "loving critics"—"sufficiently serious to study their institutions, sufficiently dedicated to become expert in the art of modifying them."

But we will not make "loving critics" of our young unless we show them that we share their sense of urgency as well as their ideals.

We will not teach them to be patient, so long as patience means delay.

I think we can expect a great deal of this new, dynamic generation.

It will be no more than they expect of themselves.

They said so in the student prayer delivered at the Radcliffe College commencement a year ago. It ends this way:

"Let there be born in us a strange joy that will help us to live and to die and to remake the souls of our time."

That prayer unites us with the young of this nation, and lies at the root of the tra-

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dition that formed St. Olaf College and set it forth on its holy business.

So, let there truly be born in *all* of us a strange joy that will help us to live and to die and to remake the souls of our time.

Lessons of Campus Unrest

In his commencement address at St. Olaf College, Sen. Walter Mondale drew some conclusions about college students that are worth noting by people both on and off our campuses.

Mondale, who has proposed the creation of a President's Commission on Student Unrest, speculated that such a commission would find that:

The nation cannot tolerate either violence or lawlessness on its campuses.

Forcible suppression of unrest, without attention to its causes, is just as deadly as violence.

The American student generation is not irrelevant, mentally ill or suicidal. Instead, it is fast becoming the most dynamic element of the American political system.

This generation of 7 million students has many legitimate complaints about campus life.

Much of student unrest has nothing to do with the campus itself. It is a reflection of the unrest, the contradictions and the disarray of American life.

The points are well taken. Violence and vandalism crushes freedom of expression, respect and communication, all of which are vital in academic life. And while there is an irrational element on some campuses that cannot be reasoned with, but seeks only acquiescence to demands that lead to anarchy, most dissatified students are willing to settle their problems through reasonable conversation.

There are now twice as many college students as farmers in this country. If all were made, as some critics imply, the chaos would be far greater than it is. Most of our young people are responsible citizens who are aware that life both on and off the campus can be improved. There would be cause for concern if they did not recognize the need for improvement.

Students who have this awareness should be encouraged to express their ideas in a reasonable manner without trampling on the rights of others. These young people are our country's greatest resource. They should not be wasted by a deaf society. Neither should they waste themselves in violence.

ADDITIONAL COVERAGE AND PROTECTION FOR NATION'S WORKERS

Mr. WILLIAMS of New Jersey. Mr. President, I have recently introduced two bills which I believe to be of vital importance to the Nation's working men and women.

One of them, S. 2070, would broaden the coverage of the Fair Labor Standards Act so as to reach an additional 13 million workers, and increase the minimum wage to $2 an hour, in order to guarantee a decent wage to the more than 2 million Americans who, even though fully employed, do not now earn enough to meet the needs of their families.

The other bill, S. 2193, provides a workers' health and safety bill of rights, designed to stem the increasingly heavy toll being taken by occupational accidents and illnesses.

I hope that after having had an opportunity to examine their provisions, many Senators will want to join as cosponsors of either or both measures. Senators who wish to have their names appear on the next printing of the bills are invited to call extension 3674 for this purpose.

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDING OFFICER laid before the Senate the following letters, which were referred as indicated:

Proposed Supplemental Appropriation—Communication From the President

A communication from the President of the United States, transmitting proposed supplemental appropriations for fiscal year 1969 in the amount of $45,000,000 for the Atomic Energy Commission, for the restoration and replacement of the weapons production facility at Rocky Flats, Colo., which was damaged by fire, which with an accompanying paper was referred to the Committee on Appropriations, and ordered to be printed.

Proposed Legislation To Authorize in the District of Columbia a Program of Public Day Care Services

A letter from the assistant to the Commissioner of the District of Columbia, transmitting a draft of proposed legislation to authorize in the District of Columbia a program of public day care services; and to amend the District of Columbia Public Assistance Act of 1962 so as to relieve certain adult children of the requirement of support and to provide public assistance in the form of foster home care to certain dependent children (with accompanying papers); to the Committee on the District of Columbia.

Reports of Comptroller General

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a secret report on the review of the effectiveness of the Air Forces systems for managing manpower resources at air bases in Thailand (with an accompanying secret report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the examination of the financial statements of the Virgin Islands Corp. (inliquidation), Department of the Interior, for the fiscal years ended June 30, 1967 and 1968 (with an accompanying report); to the Committee on Government Operations.

Proposed Legislation To Readjust the Compensation of the Advisory Board for the Post Office Department

A letter from the Postmaster General, transmitting a draft of proposed legislation to readjust the compensation of the Advisory Board for the Post Office Department (with accompanying papers); to the Committee on Post Office and Civil Service.

Report to Congress on the National Visitor Center

A letter from the Secretary of the Interior, transmitting, pursuant to law, an annual report to the Congress on the National Visitor Center and all other visitor facilities authorized (with an accompanying report); to the Committee on Public Works.

Proposed Alteration of Public Buildings

A letter from the Administrator, General Services Administration, transmitting, pursuant to law, prospectuses which propose alteration of public buildings (with accompanying papers); to the Committee on Public Works.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the PRESIDING OFFICER:

A Senate concurrent resolution adopted by the Legislature of Hawaii; to the Committee on Armed Services:

"S. Con. Res. 16

"Concurrent resolution petitioning the President and the Congress of the United States to reconsider the deployment of anti-ballistic missiles and the location of an anti-ballistic missile system in the State of Hawaii.

"Whereas, the United States is devoted to furthering world peace, and to decreasing the tensions of the world's arms race, and to preventing nuclear weapons proliferations; and

"Whereas, eminent nuclear physicists, including Nobel prize winners, science advisers to Presidents Eisenhower, Kennedy and Johnson, and scientists who have been active in developing the Nation's weapons system, as well as personnel of the Department of Defense have stated that no anti-ballistic missile system can adequately protect a country from sophisticated nuclear attack and that the present United States superiority is a deterrent to both sophisticated and simple offensive nuclear threats; and

"Whereas, hunger and disease are as great a danger to peace and internal security as hostile arms, and huge military expenditures for quickly obsolete weapons systems present the use of funds to alleviate poverty, thereby increasing world insecurity; and

"Whereas, the orderly development of the State of Hawaii lies in its potential to create and expand understanding and trade among diverse cultures and peoples rather than its being an armed outpost of American power; now therefore,

"Be it resolved by the Senate of the Fifth Legislature of the of the State of Hawaii, Regular Session of 1969, the House of Representatives concurring, that the President and the Congress of the United States be, and they are, respectfully petitioned to reverse the decision to deploy an anti-ballistic missile system and to locate a part of the system in the State of Hawaii; and

"Be it further resolved that the President and the Congress of the United States be, and they are, respectfully requested to explore actively all possibilities which would lead to reduction of both offensive and defensive nuclear missile systems among nations, a nuclear non-proliferation treaty and gradual multilateral disarmament, and expanded non-military efforts to alleviate poverty and hunger at home and abroad; and

"Be it further resolved that duly certified copies of this Concurrent Resolution be transmitted to the President of the United States, the President of the United States Senate Pro Tempore, the Speaker of the United States House of Representatives, the Secretary of the United States Department of Defense, Senator Hiram L. Fong, Senator Daniel K. Inouye, Representative Spark M. Matsunaga, and Representative Patsy T. Mink.

"Attest:

"David C. McClung,
"President of the Senate.
"Seichi Hirai,
"Clerk of the Senate.

"Attest:

"Tadao Beppu,
"Speaker, House of Representatives.
"Shigeto Kanemoto,
"Clerk, House of Representatives."

A concurrent resolution adopted by the Legislature of Massachusetts; to the Committee on Finance:

"Resolution Memorializing the Congress of the United States to Enact Legislation Providing for General Aid to State and Local Governments Through the Sharing of Federal Income Taxes

"*Whereas,* There is legislation pending before the Congress of the United States which

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provides for the sharing of a fixed percentage of revenues from the individual federal income tax with state and local governments for purposes determined by them; therefore be it

"*Resolved*, That the General Court of Massachusetts hereby respectfully urges the Congress of the United States to enact pending legislation providing for the sharing of a fixed percentage of revenues from the individual federal income tax with state and local governments; and be it further

"*Resolved*, That copies of these resolutions be transmitted forthwith by the Secretary of the Commonwealth to each Senator and Representative in Congress from the Commonwealth.

"Senate, adopted, May 6, 1969.

"Norman L. Pidgeon,
"*Clerk*.

"House of Representatives, adopted in concurrence, May 8, 1969.

"Wallace C. Mills,
"*Clerk*.

"Attest:

"John F. X. Davoren,
"*Secretary of the Commonwealth*."

A concurrent resolution adopted by the Legislature of Massachusetts; to the Committee on the Judiciary:

"Resolution Memorializing the Congress of the United States To Recognize the One-hundred Mile Seaward Boundary of the Commonwealth of Massachusetts

"Whereas, The Commonwealth of Massachusetts was granted a seaward boundary to one hundred (100) miles offshore by the First Virginia Charter in the year 1606 and by the Council Charter in the year 1620; and

"Whereas, The Federal Submerged Lands Act of 1953, Subchapter I, expresses federal recognition of state seaward boundaries claimed prior to their entering the Union, '—(A)nd to the boundary line of each such state where in any case such boundary as it existed at the time such state became a member of the Union . . .'; and

"Whereas, The First Virginia Charter of 1606 and the Council Charter of 1620 grant a seaward boundary of one-hundred miles to the Commonwealth of Massachusetts prior to its entering the Union in 1789; and

"Whereas, The Federal Submerged Lands Act presently favors only two Gulf of Mexico states and confines all other coastal states to a three-mile seaward limit; and

"Whereas, The Commonwealth of Massachusetts appears to have a strong historic claim to a seaward jurisdiction beyond three miles, which has not been considered by Congress or adjudicated by the courts; and

"Whereas, There is no evidence of Massachusetts surrendering this extensive seaward jurisdiction upon entering the Union; now, therefore, be it

"Resolved, That the Massachusetts General Court respectfully urges the Congress of the United States to recognize and to honor the one-hundred mile seaward boundary of the Commonwealth of Massachusetts; and be it further

"Resolved, That copies of these resolutions be transmitted forthwith by the Secretary of the Commonwealth to the President of the United States, to the Secretary of Interior, to the presiding officers of each branch of the Congress and to the members thereof from the Commonwealth.

"Senate, adopted, May 12, 1969.

"Norman L. Pidgeon,
"*Clerk*.

"House of Representatives, adopted in concurrence, May 15, 1969.

"Wallace C. Mills,
"*Clerk*.

"Attest:

"John F. X. Davoren,
"*Secretary of the Commonwealth*."

A resolution adopted by the Navy League of the United States, Beverly Hills Council, Beverly Hills, Calif., regarding the persecution of ROTC and NROTC programs on college campuses; to the Committee on Armed Services.

A resolution adopted by the Kamimotobu Village Assembly, Kamimotobu, Okinawa, concerning request for return of Okinawa to Japan; to the Committee on Foreign Relations.

REPORT OF A COMMITTEE

The following report of a committee was submitted:

By Mr. MOSS, from the Committee on Interior and Insular Affairs, with an amendment:

S. 1193. A bill to authorize the Secretary of the Interior to prevent terminations of oil and gas leases in cases where there is a nominal deficiency in the rental payment, and to authorize him to reinstate under some conditions oil and gas leases terminated by operation of law for failure to pay rental timely (Rept. No. 91–205).

BILLS AND A JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. BIBLE:

S. 2240. A bill for the relief of Nelson Braz de Campos; to the Committee on the Judiciary.

By Mr. BIBLE (for himself, Mr. Burdick, Mr. Gravel, Mr. Hansen, Mr. Hatfield, Mr. Jordan of Idaho, Mr. McGovern, Mr. Metcalf, Mr. Montoya, Mr. Moss, Mr. Nelson, Mr. Proxmire, Mr. Randolph, Mr. Stevens, and Mr. Yarborough):

S. 2241. A bill to authorize the Secretary of Health, Education, and Welfare to make Indian hospital facilities available to non-Indians under certain conditions; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. Bible when he introduced the above bill, which appear under an earlier heading.)

By Mr. MAGNUSON (by request):

S. 2242. A bill to amend section 17 of the Interstate Commerce Act to provide for judicial review of orders of the Interstate Commerce Commission, and for other purposes;

S. 2243. A bill to amend the Interstate Commerce Act to enable the Interstate Commerce Commission to utilize its employees more effectively and to improve administrative efficiency;

S. 2244. A bill to amend section 212(a) of the Interstate Commerce Act, as amended, and for other purposes; and

S. 2245. A bill to authorize the Interstate Commerce Commission, after investigation and hearing, to require the establishment of through routes and joint rates between motor common carriers of property, and between such carriers and common carriers by rail, express, and water, and for other purposes; to the Committee on Commerce.

(See the remarks by Mr. Magnuson when he introduced the above bills, which appear under a separate heading.)

By Mr. MOSS (for himself, Mr. Cannon, Mr. Hart, Mr. Inouye, Mr. Magnuson, and Mr. Pastore):

S. 2246. A bill to amend the Federal Trade Commission Act, as amended, by providing for temporary injunctions or restraining orders for certain violations of that Act; to the Committee on Commerce.

(See the remarks of Mr. Moss when he introduced the above bill, which appear under an earlier heading.)

By Mr. MONDALE:

S. 2247. A bill for the relief of Maria T. Coenen; and

S. 2248. A bill for the relief of Jam Hon Jung Toy; to the Committee on the Judiciary.

By Mr. EAGLETON:

S. 2249. A bill for the relief of Dr. Young Wung Rhee; to the Committee on the Judiciary.

By Mr. PERCY:

S. 2250. A bill to amend part A of title IV of the Social Security Act to provide a more realistic standard of need in determining the amount of aid to be furnished an individual under a State plan approved under such part, and to provide additional financial assistance to States meeting such standard;

S. 2251. A bill to amend title IV of the Social Security Act to repeal the provisions limiting the number of children with respect to whom Federal payments may be made under the program of aid to families with dependent children; and

S. 2252. A bill to amend title IV of the Social Security Act to provide that State plans approved under such title must include, among the children eligible for aid and services thereunder, children in need because of the unemployment of their father; to the Committee on Finance.

(See the remarks of Mr. Percy when he introduced the above bills, which appear under a separate heading.)

By Mr. KENNEDY:

S. 2253. A bill to amend the Act of August 7, 1961, providing for the establishment of Cape Cod National Seashore; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. Kennedy when he introduced the above bill, which appear under a separate heading.)

By Mr. HARRIS:

S. 2254. A bill for the relief of Pun Yik San; and

S. 2255. A bill for the relief of Yah Pin Eng; to the Committee on the Judiciary.

By Mr. MOSS (for himself, Mr. Cannon, Mr. Hart, Mr. Hartke, Mr. Inouye, Mr. Magnuson, Mr. Pastore, Mr. Scott, and Mr. Spong):

S.J. Res. 113. A joint resolution to authorize and direct the Federal Trade Commission to conduct a comprehensive investigation of unfair methods of competition and unfair or deceptive acts or practices in the home improvement industry, to expand its enforcement activities in this area, and for other purposes; to the Committee on Commerce.

(See the remarks of Mr. Moss when he introduced the above joint resolution, which appear under an earlier heading.)

S. 2242, S. 2243, S. 2244, AND S. 2245—INTRODUCTION OF FOUR BILLS AMENDING THE INTERSTATE COMMERCE ACT

Mr. MAGNUSON. Mr. President, I introduce, by request, four legislative proposals recommended by the Interstate Commerce Commission. The proposals deal with four subjects; namely, motor carrier through routes and joint rates; suspension and revocation of motor carrier operating authority; delegation of authority to qualified individual employees; and revision of procedures for judicial review of the Commission's proceedings.

I ask unanimous consent that the letter of transmittal and the statements of justification together with the bills be printed in the Record at this point.

The PRESIDING OFFICER. The bills will be received and appropriately referred; and, without objection, the bills, letter of transmittal, and statements of justification will be printed in the Record.

The bills (S. 2242) to amend section 17 of the Interstate Commerce Act to provide for judicial review of orders of the

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Interstate Commerce Commission, and for other purposes; (S. 2243) to amend the Interstate Commerce Act to enable the Interstate Commerce Commission to utilize its employees more effectively and to improve administrative efficiency; (S. 2244) to amend section 212(a) of the Interstate Commerce Act, as amended, and for other purposes; and (S. 2245) to authorize the Interstate Commerce Commission, after investigation and hearing, to require the establishment of through routes and joint rates between motor common carriers of property, and between such carriers and common carriers by rail, express, and water, and for other purposes, introduced by Mr. MAGNUSON (by request), were received, read twice by their titles, referred to the Committee on Commerce, and ordered to be printed in the RECORD, as follows:

S. 2242

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 17 of the Interstate Commerce Act (49 U.S.C. 17) is amended—

(1) by redesignating subsections (10) through (12) as subsections (11) through (13), respectively; and

(2) by inserting immediately after subsection (9) the following new subsection:

"(10) (a) the United States courts of appeals shall have exclusive jurisdiction to enjoin, set aside, annul, or suspend, in whole or in part, all final orders of the Interstate Commerce Commission made reviewable in accordance with the provisions of subsection (9) of this section: *Provided,* That orders of the Commission involving only the payment of money shall be subject to judicial review only in the district courts of the United States pursuant to sections 1336(a) and 1398(a) of title 28, United States Code, and orders of the Commission made pursuant to the referral of a question or issue by a district court or by the Court of Claims shall be subject to judicial review only in accordance with sections 1336 (b) and (c) and 1398(b) of title 28, United States Code. The jurisdiction of the courts of appeals shall be invoked by the filing of a petition as provided in this subsection.

"(b) The venue of any proceeding under this section or principal office of any of the parties filing the petition for review is located.

"(c) (i) Any party aggrieved by a final order reviewable under this subsection may, within sixty days from the date of service, file in the court of appeals, in which the venue prescribed by paragraph (b) lies, a petition to review such order: *Provided,* That, upon the filing of a petition within sixty days of the date of service of the order complained of, the court, for good cause shown, may extend the time for filing a petition to review such order for an additional period not exceeding sixty days. The clerk of the court of appeals shall serve, by registered or certified mail, a true copy of the petition upon the Commission and the Attorney General of the United States.

"(ii) Unless the proceeding has been terminated following grant of a motion to dismiss the petition, the Commission shall file in the office of the clerk of the court of appeals in which the proceeding is pending the record on review, as provided in section 2112 of title 28, United States Code. Until such record has been filed by the Commission, the Commission may at any time, upon such notice and in such manner as it shall deem proper, modify or set aside, in whole or in part, any order, report, or decision made or issued by it and which is attached in a petition for review. Upon the filing of such record with it, the jurisdiction of the court of appeals to enjoin, set aside, annul, or suspend orders of the Commission shall be exclusive.

"(d) Petitions to review orders reviewable under this section, unless determined on a motion to dismiss the petition, shall be heard in the court of appeals upon the record of the pleadings, evidence adduced, and proceedings before the Commission. If a party to a proceeding to review shall apply to the court of appeals, in which the proceeding is pending, for leave to adduce additional evidence and shall show to the satisfaction of such court (1) that such additional evidence is material, and (2) that there were reasonable grounds for failure to adduce such evidence before the Commission, such court may order such additional evidence and any evidence the opposite party desires to offer to be taken by the Commission. The Commission may modify its findings of fact, or make new findings, by reason of the additional evidence so taken and may modify or set aside its orders and shall file in the court such additional evidence, such modified findings or new findings, and such modified order or the order setting aside the original order.

"(e) The Commission may be represented by its own counsel, and the United States, through the Attorney General, shall be entitled to intervene in any proceeding. Any party or parties in interest in the proceeding before the Commission whose interests will be affected if an order of the Commission is or is not enjoined, set aside, or suspended, may appear as parties of their own motion and as of right, and may be represented by counsel in any proceeding to review such order. Communities, associations, corporations, firms, and individuals whose interests are affected by the Commisison's order may intervene in any proceeding to review such order.

"(f) The filing of the petition to review shall not of itself stay or suspend the operations of the order of the Commission, but the court of appeals or a judge thereof in its discretion may restrain or suspend, in whole or in part, the operation of the order pending the final hearing and determination of the petition. Where the petitioner makes application for an interlocutory injunction suspending or restraining the enforcement, operation, or execution of, or setting aside, in whole or in part, any order reviewable under this section, at least five days' notice of the hearing thereon shall be given to the Commission and to the Attorney General of the United States. In cases where irreparable damage would otherwise ensue to the petitioner, the court of appeals may, on hearing, after reasonable notice to the Commission and to the Attorney General, order a temporary stay or suspension, in whole or in part, of the operation of the order of the Commission for not more than sixty days from the date of such order pending the hearing on the application for such interlocutory injunction, in which case such order of the court of appeals shall contain a specific finding, based on evidence submitted to the court of appeals, and identified by reference thereto, that such irreparable damage would result to the petitioner and specifying the nature of such damage. The court of appeals, at the time of hearing the application for an interlocutory injunction, upon a like finding, may continue the temporary stay or suspension, in whole or in part, until decision on the application. The hearing upon such an application for an interlocutory injunction shall be given preference and expedited and shall be heard at the earliest practicable date after the expiration of the notice of hearing on the application provided for above. Upon the final hearing of any proceeding to review any order under the provisions of this subsection, the same requirements as to precedence and expedition shall apply.

"(g) An order granting or denying an interlocutory injunction under paragraph (f) of this subsection and a final judgment of the court of appeals shall be subject to review by the Supreme Court of the United States upon writ of certiorari as provided in section 1254 (1) of title 28, United States Code: *Provided,* That application therefor be duly made within forty-five days after the entry of such order and within ninety days after entry of the judgment, as the case may be. The United States, the Commission, or an aggrieved party may file such petition for a writ of certiorari. The provisions of sections 1254(3) and 2101(e) of title 28, United States Code, shall also apply to proceedings under this subsection.

"(h) The orders, writs, and process of the courts of appeals arising under this subsection and, of the district courts in cases arising under sections 20, 23, of this Act and section 3 of the Act of February 19, 1903 (48 U.S.C. 43) may run, be served, and be returnable anywhere in the United States."

SEC. 2. Chapter 157 of title 28, United States Code and any other provision of law inconsistent with this Act are hereby repealed: *Provided,* That any proceeding or case pending before a district court under such chapter on the effective date of this Act shall remain under the jurisdiction of such court until a final order, judgment, decree, or decision is rendered by such court: *Provided further,* That any such cases or proceedings referred to in the first proviso may be appealed to the Supreme Court as provided by section 1253 of title 28, United States Code, and, if remanded, such case may be referred back to the court from which the appeal was taken or to the court of appeals for further proceedings as the Supreme Court may direct.

SEC. 3. This Act shall take effect on the sixtieth day after the date of the enactment of this Act.

The material presented by Mr. MAGNUSON follows:

INTERSTATE COMMERCE COMMISSION,
Washington, D.C., April 24, 1969.

Hon. SPIRO T. AGNEW,
President, U.S. Senate,
Washington, D.C.

DEAR MR. PRESIDENT: I am submitting herewith for your consideration four legislative recommendations of the Interstate Commerce Commission. Our four recommendations are on the following subjects:

1. Motor Carrier Through Routes and Joint Rates.
2. Suspension and Revocation of Motor Carrier Operating Authority.
3. Delegation of Authority to Qualified Individual Employees.
4. Revision of Procedures for Judicial Review of the Commission's Proceedings.

A copy of a draft bill and supporting justification for each proposal is enclosed. We would appreciate your assistance in having these proposals introduced and in having hearings scheduled on them.

The Commission is also considering additional legislative proposals for transmittal to Congress at a later date. Of prime consideration in this group is a proposal dealing with railroad passenger service. Although expected to be somewhat similar to a passenger service proposal submitted to Congress last year, this year's recommendation will not be forwarded until at least the Commission's current rail passenger cost study is completed.

Sincerely,

VIRGINIA MAE BROWN,
Chairman.

JUDICIAL REVIEW OF ORDERS OF THE INTERSTATE COMMERCE COMMISSION

The Interstate Commerce Commission recommends that section 17 of the Interstate Commerce Act be amended so as to provide for judicial review of the Commission's orders by the United States Courts of Appeals.

Judicial review of orders of the Interstate Commerce Commission is governed presently by 28 U.S. Code §§ 1253, 1336, 1398, 2284, and 2321–2325. Briefly, such review is in a district court of three judges, at least one of whom shall be a circuit judge. The decisions of such courts are reviewable in the Supreme Court by appeal, rather than by certiorari.

The present statutory provisions for judicial review of the Commission's orders originated in the Urgent Deficiencies Act of 1913 (38 Stat. 219) which, in abolishing the Commerce Court, transferred its jurisdiction to the district courts. The following year, in the Federal Trade Commission Act of 1914, the Congress designated the Circuit Courts of Appeals to review orders of that agency. Thereafter, as new regulatory agencies were created, Congress usually provided for judicial review of their orders in the Courts of Appeals. At the same time, certain orders of the Federal Communications Commission, Maritime Commission, and the Department of Agriculture were made reviewable under the Urgent Deficiencies Act procedure. The so-called Hobbs Act or Judicial Review Act of 1950, 28 U.S.C. § 2341–52 (Supp. II. 1967) transferred review of the orders of these agencies to the courts of appeals, thus leaving only orders of the Interstate Commerce Commission reviewable in the three-judge district courts.

The existing procedures for judicial review of the Commission's orders have been subject to considerable criticism by members of the bar and the judiciary who have recommended that the Commission's orders be subject instead to review by the several United States courts of appeals. This change was also recommended in 1962 by the Special Advisory Committee on Interstate Commerce Commission Practices and Procedures (an advisory committee on practitioners established by the Commission) and the Administrative Conference of the United States in 1961. In 1968, it was also generally endorsed by the Judicial Conference of the United States and the Association of the Interstate Commerce Commission Practitioners, an organization representing a substantial segment of the Commission's bar.

In providing for judicial review in courts of appeals, with review in the Supreme Court by the discretionary writ of certiorari, enactment of this recommendation would make orders of the Commission reviewable in the same general manner as all other major federal regulatory agencies, i.e., CAB, FCC, FMC, SEC, FTC, and NLRB.

There are certain advantages in providing for judicial review in the courts of appeal. Those courts are regularly engaged in the review of orders issued by various Federal agencies while most district courts rarely do so. The courts of appeal also operate under the uniform Federal Rules of Appellate Procedure, promulgated in 1968 by the Supreme Court under 28 U.S.C. § 2072 (Supp. III 1967). In contrast, there are no specific rules governing review proceedings in three-judge district courts, with the result that procedures in such courts are on an *ad hoc* basis.

The attached draft bill, implementing this recommendation, is cast as an amendment to section 17 of the Interstate Commerce Act so that the statutory provisions for the review of the Commission's orders will appear in the same statute which gives the Commission authority to make such orders. In this respect, it follows the general pattern with respect to statutes creating administrative agencies and providing for judicial review of their orders. See, for example, section 1006 of the Federal Aviation Act, 49 U.S.C. 1486 (1964); section 5, as amended, of the Federal Trade Commission Act, 15 U.S.C. 45(b)-(j) (1964); and section 9, as amended, of the Securities Act of 1933, 15 U.S.C. 77i (1964).

Specifically, the draft bill amends section 17 of the Act by redesignating the present subsections 17(10) through 17(12), 49 U.S.C. 17(10)-(12) as subsections 17(11) through 17(13) respectively and inserting immediately after subsection 17(9) a new subsection 17(10) which sets forth the provisions, more particularly described below, for judicial review of the Commission's orders.

In general, these provisions have been written so as to conform with the Federal Rules of Apellate Procedure* since the statute, 28 U.S.C. § 2072 (Supp. III, 1967), authorizing the establishment of these rules provides, in pertinent part, that "all laws in conflict with such rules shall be of no further force or effect after such rules have taken effect." These rules are subsequently referred to as the Appellate Rules.

JURISDICTION

Paragraph (a) of the draft bill generally sets forth the provisions for judicial review of all Commission proceedings arising under subsection 17(9) except reparations and other cases involving the payment of money and orders of the Commission made pursuant to the referral of a question by a district court or the United States Court of Claims. Cases involving the payment of money would still be reviewable in a single-judge district court in accordance with present practices, as would cases involving fines, etc.

VENUE

The draft bill provides that a petition for review shall be filed in the judicial circuit which is the residence or principal office of any of the parties filing the petition. This is derived from the present venue provisions in 28 U.S.C. § 1398(a) (1964) governing review of orders of the Commission. As pointed out below, if the Commission's orders are made reviewable in the courts of appeals, 28 U.S.C. § 2112 (1964) will automatically provide a desirable procedure for consolidating into a single court multiple suits in different courts against the same order. It has been held that such a consolidation procedure is not available under existing law in many situations. *New York Central R. Co.* v. *United States*, 200 F. Supp. 944 (S.D.N.Y. 1961).

PETITIONS FOR REVIEW

Paragraph (c)(i) of the draft bill sets out the manner for review of the Commission's orders. First, it provides that a petition for review must be filed within 60 days from the date of service of the order complained of. Under present law, except for the uncertain and rarely applied doctrine of laches, there is no limit upon the time within which judicial review of the Commission's orders must be sought. The 60-day limitation proposed by the draft bill is found in the Hobbs Act and many other modern judicial review provisions. It will be useful in protecting, after a reasonable opportunity for challenge, the security of transactions authorized by the Commission. To avoid the working of any injustice in situations where the 60-day limitation provides insufficient time for the bringing of an appeal, this provision also provides for the filing of a petition by an appellant with the court for an extension of time, not exceeding 60 additional days, within which to file a petition for review. Second, the bill does not provide for the proceeding to be brought against the United States as presently required by 28 U.S.C. § 2322. Any petition for judicial review thus will be brought automatically against the Commission as the named respondent. This change brings the Commission into conformity with the present practice of such agencies as SEC, NLRB, FPC, CAB, and FCC in that those agencies are named as the respondents in suits seeking judicial review of their orders. It will reflect the fact that the Commission's attorneys today assume the primary and principal responsibility for the defense of its orders in the courts. The draft bill would also provide that the petition for review must be served upon both the Commission and the Attorney General. The draft bill does not attempt to prescribe the contents of the petition for review, this matter being covered by Appellate Rule 15 which simply requires the filing of a simple petition specifying the parties seeking review, the respondent, and the order or decision to be reviewed.

RECORD ON REVIEW

Under existing case, though not statutory, law, a person seeking judicial review of an order of the Commission has the burden of filing with the three-judge court a certified copy of the record of the proceedings before the Commission. *Mississippi Barge Line Co.* v. *United States*, 292 U.S. 282, 286; *Visceglia* v. *United States*, 24 F. Supp. 355, 356. The draft bill provides that the Commission shall file in the office of the clerk of the court of appeals in which the proceeding is pending the record on review, as provided in 28 U.S.C. § 2112 (1964). Providing for review of the Commission's orders in the courts of appeals would make applicable automatically (i.e., without specific reference) the provisions of 28 U.S.C. § 2112 and the provisions of Appellate Rules. This change would bring about the following changes in procedures for judicial review of the Commission's orders:

(a) It would provide a procedure for the consolidation of multiple suits against a single Commission order. Such suits would be consolidated in the court in which the first suit is filed, although this court, for the sake of convenience, could transfer the proceeding to another court of appeals. This is clearly a desirable procedure.

(b) Upon the commencement of a review proceeding, the Commission would be required to file with the court the original or a certified copy of the record of the proceedings before the Commission, except that the court may permit the filing of a certified list of the contents of the record in lieu of the record itself under Appellate Rule 17(b). Under our present review procedure, the plaintiff bears the burden of filing with the three-judge court a certified copy of the record before the Commission. Although this change may impose some additional burden on the Commission, it will bring its practice into line with present procedures for the review of all other Federal agency orders.

(c) In the first instance, it might be thought that placing upon the Commission the burden of supplying the record will encourage court challenges to Commission orders. However, any such tendency will be offset by the requirements of the Appellate Rules that the parties reproduce, by printing or otherwise, those portions of the Commission record upon which they are relying. Under the present three-judge court procedure, reproduction of the record is not required. In the experience of other agencies, most of this reproduction cost falls upon the private appellants.

The record filing and reproduction requirements of the various courts of appeals have been standardized by virtue of the promulgation of the Appellate Rules. Appelate Rule 32 permits reproduction of briefs and records by "any duplicating or copying process capable of producing a clear black image on white paper," thus sharply reducing the expense involved to parties seeking review of a Commission order.

PETITIONS TO REVIEW—PROCEEDINGS

Paragraph (d) provides that the proceedings in the court of appeals shall be based upon the record made in the proceedings before the Commission. It would further provide that the court may require the Commission to receive additional evidence where it is shown that there were reasonable grounds for failure to adduce it earlier.

REPRESENTATION: INTERVENTION

Because the bill does not provide, as does the present 28 U.S.C. § 2322, (1964) that such

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*The Appellate Rules together with the notes of the Advisory Committee on Appellate Rules are reproduced in 43 F.R.D. 61–62 (1968). See also Symposium on Federal Rules of Appellate Procedure, *28 Fed. B. Jr.*, (Spring 1968).

proceedings shall be brought against the United States, it follows automatically that petitions to review must name the Commission as respondent. The United States would not be a party, but the bill would provide that "the United States, through the Attorney General, shall be entitled to intervene in any proceeding." The Commission and other parties may be represented by their own counsel. The provision for intervention is taken from 28 U.S.C. § 2323 (1964).

JURISDICTION OF PROCEEDING

Paragraph (c)(ii) of the draft bill would clarify and define the Commission's power under Section 15(2) in Part I of the Interstate Commerce Act and comparable provisions in Parts II, III, and IV of the Act to modify an order which is attacked by a petition to review. Some doubt was created as to the propriety of such an assertion of power in *Atchison, Topeka & Santa Fe Ry. Co.* v. *United States*, 231 F. Supp. 422, 426 (N.D. Ill., 1964); however, the exercise of such power was approved in *Aberdeen & Rockfish R. Co.* v. *United States*, 270 F. Supp. 705 (E.D. La. 1967). The bill would provide that the filing of a petition for review shall not cut off the Commission's power to modify its order, but that the filing of the record with the court of appeals will terminate such power except with leave of the court. In brief, the Commission would have a reasonable but not unlimited opportunity to correct its own errors.

STAYS: INTERLOCUTORY INJUNCTIONS

Paragraph (f) of the bill deals with the question of stays and interlocutory injunctions pending review of Commission orders in substantially the same manner as existing law, 22 U.S.C. § 2284 (1964). This subject is governed by Appellate Rule 18 which in pertinent parts states:

"The motion [for a stay] shall be filed with the clerk and normally will be considered by a panel or division of the court but in exceptional cases where such procedure would be impractical due to the requirements of time, the application may be made to and considered by a single judge of the court."

REVIEW IN THE SUPREME COURT

Under the present law, 28 U.S.C. 1253 (1964), a decision of a three-judge district court is subject to a right of direct appeal to the Supreme Court. This is a so-called appeal as of right, in the sense that the Supreme Court does not purport to exercise a discretion as to whether or not to review the case on its merits. Instead, if the Supreme Court does not set the case for briefing and argument (i.e., plenary consideration), it will issue an order summarily affirming or reversing the decision of the lower court. In most of the appeals from the three-judge courts, the Supreme Court issues a brief order, reading as follows: "The motions to affirm are granted and the judgment is affirmed." Thus, whether cases come to the Supreme Court by appeal or by the discretionary writ of certiorari, the Court selects the cases which it considers to warrant full briefing and oral argument.

Paragraph (g) of the proposed bill would provide for Supreme Court review by certiorari, rather than be appeal. This conforms to the method of seeking Supreme Court review which is applicable to all other Federal agencies.

Paragraph (g) would also preserve the Commission's present right to seek review in the Supreme Court with or without the concurrence of the Department of Justice by stating that, "The United States or the Commission or an aggrieved party may file such petition for a writ of certiorari."

Paragraph (h) of the draft bill preserves the second paragraph of 2321 of the Judicial Code, 28 U.S.C. § 2321 (1964) the balance of which is repealed by section 2 of the draft bill. The section provides for nationwide service of process for orders and writs issued by the courts of appeals in cases arising under section 1 of the draft bill and proceedings arising in the district courts under sections 20 and 23 of the Act and section 3 of the Elkins Act,. 49 U.S.C. § 43 (1964), all of which deal with the enforcement of various accounting, reporting, and tariff requirements of the Act and the rights of shippers to nondiscriminatory treatment by carriers subject to the jurisdiction of the Commission.

This provision is an exception to the general rule that a court's process does not run outside the State in which it is located, in the case of the district courts, or the circuit, in the case of the courts of appeals. Its retention is believed desirable because of the widespread operations of the nation's carriers.

Section 2 of this bill repeals sections 2321–2325 of the Judicial Code, 28 U.S.C. § 2321–25 (1964), which set out the present procedure for the review of the Commission's orders in the district courts. With the exception of the second paragraph of section 2321, which is preserved as paragraph (h) of this bill, all of these sections of the Judicial Code would be superseded by the provisions of section 1 of this bill and thus be rendered obsolete unless repealed. No change is required in other sections of the Judicial Code, e.g., sections 1336 and 1398 which also deal with the review and enforcement of the Commission's orders since they will still be applicable to cases involving reparations, fines, penalties and forfeitures which are not transferred to the courts of appeals by this bill. In order to insure an orderly transition from the present mode of review in the district courts to the courts of appeals, this bill provides for a 60-day transitional period and that cases pending in the district courts on the effective date of this Act will be processed to conclusion in such courts with the right of direct appeal to the Supreme Court as under the present law.

S. 2243

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 17(2) of the Interstate Commerce Act (49 U.S.C. 17(2)), is amended by inserting immediately after the second sentence therein the following: "The Commission may also refer to individual qualified employees for decision those matters which have not involved the taking of testimony at a public hearing or the submission of evidence by opposing parties in the form of affidavits. In cases where such matters are assigned to individual employees of the Commission, any order or requirement of such individual employee shall be subject to the same provisions with respect to reargument and reconsideration, with respect to reversal or modification, with respect to stay or postponement pending disposition of the matter by the Commission or appellate division, and with respect to suits to enforce, enjoin, suspend, or set aside such order or requirement in whole or in part, as are contained in paragraphs (6), (7), (8), and (9) of this section with respect to orders or requirements of a board."

The material presented by Mr. MAGNUSON follows:

DELEGATION OF AUTHORITY TO QUALIFIED INDIVIDUAL EMPLOYEES

The Interstate Commerce Commission recommends that section 17(2) be amended so as to authorize the Commission to delegate to qualified individual employees, including transportation economists and specialists, those matters which have not involved the taking of testimony at a public hearing or the submission of evidence by opposing parties in the form of affidavits.

In addition to a voluminous number of formal cases, the Commission's responsibilities under the Act extend to numerous matters of relatively routine and specialized nature. For example, matters relating to extensions of time for filing annual, periodical, or special reports; rejection of tariff publications for failure to give lawful notice or failure to comply with the Commission's regulations; and orders assigning cases for hearing, extending dates for the filing of pleadings and postponing compliance dates. Except with respect to assignments to a Division or an individual Commissioner, under the present provisions of section 17(2), the Commission may delegate such functions only to three-man boards.

When applied to matters of the type described above, we believe that the mandatory requirements of section 17(2) are unnecessary and unduly limit our authority in what essentially is an administrative area.

The proposed recommendation has been narrowly drawn so as to affect only the processing of matters which have not involved the taking of testimony at a public hearing or the submission of evidence by opposing parties in the form of affidavits.[1] It would authorize the Commission to refer such matters to individual employees who in its judgment would be qualified to receive such delegations. In addition to directors and assistant directors of bureaus, examiners, chiefs of sections and attorneys who are now eligible under existing law to serve on employee boards and could also receive individual delegations, such personnel as accountants, economists and other transportation specialists as the Commission might designate could receive individual delegations to handle the limited range of matters covered by this recommendation. See Senate Report No. 117 on S. 758 (90th Congress, 2nd Sess.), p. 4. This recommendation also makes it clear that the right of any party to appeal a decision of an individual employee to the Commission or an appellate division thereof is specifically preserved in the same manner as appeals from decisions of employee boards under existing law.

In our judgment, enactment of the proposed legislation would enable us to utilize key employees more effectively and would contribute significantly to improved over-all administrative efficiency. A draft bill implementing this recommendation is attached.

EXHIBIT—EXAMPLES OF COMMISSION WORK, BUSINESS AND FUNCTIONS WHICH COULD BE DELEGATED TO INDIVIDUAL EMPLOYEES

OFFICE OF PROCEEDINGS

1. Areas where orders now are entered in the name of a single Commissioner or Division, such as orders assigning cases for hearing, orders extending dates for the filing of pleadings, orders postponing compliance dates, effective dates, and orders authorizing the changing of a name of a carrier, etc. This item would relieve Commissioners of the possibility of dealing personally with up to 10,000 items a year.

BUREAU OF ACCOUNTS

1. Authority to permit the use of prescribed accounts which by provisions of their own texts require special authority.
2. Authority to permit departures from general rules prescribing uniform systems of accounts.
3. Authority to prescribe by order, rates of depreciation to be used by individual carriers by railroad, water, and pipeline.
4. Authority to issue special authorizations permitted by the prescribed regulations governing the destruction of records of carriers.
5. Annual valuation of pipelines.
6. Approval of protective service contracts.
7. Authority to permit departures from the Regulation to Govern the Forms and Recording of Passes for carriers and other persons under Parts I and II.

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[1] Matters of a type included in this category, together with brief comments pertaining thereto, are listed in an attached appendix.

XUM

It is apparent that matters arising under items 1 through 6 are of a highly technical nature; and, in this circumstance, we believe that the professional judgment of the bureau director or qualified members of his staff could be relied upon for their disposition.

8. Matters relating to annual, periodical or special reports of carriers, lessors, brokers, freight forwarders, and other persons under Parts I, II, III and IV, presently assigned to Division 2, for example: approval of changes in the reporting forms and other requirements which often are made to conform them to corresponding changes in the Commission's accounting rules governing the respective types of carriers.

9. Extensions of time for filing annual, periodical, or special reports; exemption of individual carriers and others from reporting requirements now assigned to the three-member Accounting and Valuation Board.

Items 8 and 9 are routine in nature. For example, the extension of filing dates is essentially an administrative matter. These delegations would relieve Division 2 of the necessity of passing upon some 25 report matters each year, and the Board of acting on some 50 applications per year in matters currently assigned to it.

BUREAU OF TRAFFIC

Approval of special permission applications, now handled by the Special Permission Board, consisting of three members.

There are about 6,800 of these items coming before the Special Permission Board each year. If this work is delegated to individuals, it probably would be divided among as many as three persons because of the volume. However, rather than have two or three board members look at each request for special permission, each of three individual delegates would look at one third of the total number.

S. 2244

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (a) of section 212 of the Interstate Commerce Act (49 U.S.C., sec. 312(a)), is amended as follows:

(1) The second sentence is amended by inserting after the phrase "promulgated thereunder", the words "or under sections 831–835 of title 18, United States Code, as amended."

(2) The first proviso is amended by inserting immediately after the phrase "or to the rule or regulation thereunder", the words "or under sections 831–835 of title 18, United States Code, as amended."

(3) The second proviso is amended by inserting "215", immediately after "211(c)".

The material presented by Mr. MAGNUSON follows:

SUSPENSION AND REVOCATION OF MOTOR CARRIER OPERATING AUTHORITY FOR NONCOMPLIANCE WITH RULES, REGULATIONS OR ORDERS

The Interstate Commerce Commission recommends that section 212(a) of the Interstate Commerce Act be amended in the following respects: (1) to make motor carrier operating authorities subject to suspension, change, or revocation for willful failure to comply with any provision of Chapter 39, title 18 United States Code, Explosives and Other Dangerous Articles; and (2) to provide that the Commission may, upon reasonable notice, suspend motor carrier operating authorities for failure to comply with insurance regulations issued by it pursuant to section 215 thereof.

The purpose of this recommendation is to subject motor carrier operating authorities to suspension, change, or revocation for willful failure to comply with any provision of the Explosives Act. It is also designed to permit suspension of motor carrier operating rights, upon notice for failure to comply with the Commission's insurance regulations.

Section 6(e)(4) of the Department of Transportation Act transfers the Commission's authority relating to explosives and other dangerous articles to the Department of Transportation. Neither the Department of Transportation nor the Commission has the authority to suspend and revoke certificate of any carrier for violation of the Explosives Act. However, we believe that to effect compliance with the Explosives Act it is essential that the Commission be given the authority to suspend and revoke certificates for serious violations of such Act. Consequently, we request that section 212(a) be amended to give the Commission this authority.

The second proviso in section 212(a) provides for the suspension, upon notice, but without hearing, of motor carriers' and brokers' operating authorities for failure to comply with brokerage bond regulations and tariff publishing rules. It does not, however, provide for suspension on short notice for failure to maintain proof of cargo, public liability, and property-damage insurance under section 215. As a result, the only remedy presently available under section 212(a) is revocation of the carriers' authority. All insurance filings made with the Commission are on a "continuous until cancelled" basis with a minimum 30-day cancellation provision. The motor carrier is immediately notified of an insurance cancellation and has ample time to make new arrangements. If replacing insurance is not received by the cancellation date, we now must commence lengthy and time-consuming show cause proceedings to obtain compliance or to revoke the operating authority. Approximately 400 such proceedings are commenced annually. The public may be adversely affected should losses occur during these proceedings. Section 410(f) is a counterpart of section 212(a) and contains a provision similar to the second proviso of section 212(a). The second proviso in section 410(f), however, provides for suspension on short notice of freight forwarder permits for failure to comply with the cargo insurance provisions under section 403(c) and the public-liability and property-damage insurance provisions under section 403(d). Our recommendation would bring section 212(a) into further conformity with section 410(f) by removing this distinction.

From the standpoint of the traveling and shipping public there is as much reason to require motor carriers to keep their cargo and public-liability and property-damage insurance in force as there is to require freight forwarders to keep their insurance in effect. It is therefore desirable in the public interest that the Commission have the authority to suspend motor carrier rights, on short notice, when insurance lapses, or is cancelled without replacement, until compliance is effected. The prospect of such action by the Commission should act as a deterrent to violations of this nature. An investigation under section 204(c) is not a satisfactory answer to the problem since such proceedings are sometimes necessarily lengthy and the public may be adversely affected should losses occur while it is pending.

The amendments proposed in this recommendation would enable the Commission to administer the enforcement provisions of part II of the Act more effectively.

Attached is a draft bill giving effect to the above recommendation.

S. 2245

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

That section 216(c) of the Interstate Commerce Act (49 U.S.C. 316(c)) is amended to read as follows:

"(c) It shall be the duty of common carriers of property by motor vehicle to establish reasonable through routes and just and reasonable rates, charges, and classifications applicable thereto with other such carriers and/or common carriers by railroad and/or express and/or common carrier by water subject to part III; and it shall be the duty of common carriers by railroad and/or express and/or common carriers by water subject to part III, to establish reasonable through routes and just and reasonable rates, charges, and classifications applicable thereto with common carriers of property by motor vehicle. Common carriers of passengers by motor vehicle may establish reasonable through routes; joint rates, fares, or charges with common carriers by railroad and/or common carriers by water. Common carriers of property by motor vehicle may establish through routes and joint rates with common carriers by water other than those subject to part III; and in the case of through routes and joint rates so established with common carriers by water subject to the Shipping Act of 1916, as amended, or the Intercoastal Shipping Act of 1933, as amended (including persons who hold themselves out to transport goods by water but do not own or operate vessels) between Alaska or Hawaii on the one hand, and, on the other, between the other States of the Union such through routes and joint rates and all classifications, regulations, and practices in connection therewith shall be subject to the provisions of this part. In the case of joint rates, fares, or charges, it shall be the duty of the carriers party thereto to establish just and reasonable regulations and practices in connection therewith, and just, reasonable and equitable divisions thereof as between the carriers participating therein which shall not unduly prefer or prejudice any of such participating carriers."

SEC. 2. Section 216(e) of the Interstate Commerce Act (49 U.S.C. 316(e)) is amended to read as follows:

"(e)(1) Any person, State board, organization, or body politic may make complaint in writing to the Commission that any such rate, fare, charge, classification, rule, regulation, or practice, in effect, or proposed to be put into effect, is or will be in violation of this section or of section 217. Whenever, after hearing, upon complaint or in an investigation on its own initiative, the Commission shall be of the opinion that any individual or joint rate, fare, or charge, demanded, charged, or collected by any common carrier or carriers by motor vehicle or by any common carrier or carriers by motor vehicle in conjunction with any common carrier or carriers by railroad and/or express and/or water for transportation in interstate or foreign commerce, or any classification, rule, regulation, or practice whatsoever of such carrier or carriers affecting such rate, fare, or charge or the value of the service thereunder, is or will be unjust or unreasonable, or unjustly discriminatory or unduly preferential or unduly prejudicial, it shall determine and prescribe the lawful rate, fare, or charge or the maximum or minimum, or maximum and minimum rate, fare, or charge thereafter to be observed, or the lawful classification, rule, regulation, or practice thereafter to be made effective.

"(2) The Commission shall, whenever deemed by it to be necessary or desirable in the public interest, after hearing, upon complaint or upon its own initiative without a complaint, establish reasonable through routes and joint rates, fares, charges, regulations, or practices, applicable to the transportation of passengers by common carriers by motor vehicle, or to the transportation of property by common carriers by motor vehicle or by common carriers of property by motor vehicle and/or common carriers by railroad and/or express and/or common carriers by water subject to part III, or the maximum or minimum, or the maximum and minimum, to be charged, and, when the carriers involved cannot agree, the divisions of such rates, fares, or charges as hereinafter provided, and the terms and conditions under which such through routes shall be operated. In the case of any such through routes established by the Commission between common carriers of property by motor vehicle and/or common carriers by railroad and/or express and/or common carriers by water subject to part III, the Commission shall not (except as provided in sections 3, 216(d), or 305(c)), require any carrier without its consent to embrace in such route substantially less than the entire length of its route and of any intermediate carrier operated in conjunction and under a common management or control therewith, which lies between the terminal of such proposed through routes, (a) unless such inclusion of lines would make through route unreasonably long as compared with another practicable through route which could otherwise be established, or (b) unless the Commission finds that the through route proposed to be established is needed in order to provide adequate and more efficient or more economic transportation: *Provided*, That in prescribing through routes the Commission shall, so far as is consistent with the public interest, and subject to the foregoing limitations in clauses (a) and (b), give reasonable preference to the carrier which originates the traffic. In the case of any through route established by the Commission between common carriers of property by motor vehicle and other such carriers, the limitations in this section on the Commission's power to establish through routes shall apply only to the carrier originating the traffic. No through route and joint rate applicable thereto shall be established by the Commission for the purpose of assisting any carrier that would participate therein to meet its financial needs. To enable the provisions of coordinated interline service by any common carrier or carriers of property subject to the provisions of this section for which there is an immediate and urgent need or other emergency as determined by the Commission, the Commission, upon complaint or its own initiative, may, in its discretion and without hearings or other proceedings, require the establishment of temporary reasonable through routes to a point or points or within a territory having no coordinated service capable of meeting such need. Such through routes may be established, under such rules and regulations as the Commission may prescribe, for such time as the Commission shall specify but for not more than an aggregate of sixty days: *Provided, however*, That such through routes may be continued for a period beyond an aggregate of sixty days until further order of the Commission where a formal proceeding is instituted under the first sentence of this paragraph within the time such through routes are in effect and the Commission finds that the continuance of such temporary through routes is necessary or desirable in the public interest: *And provided further*, That, the establishment of such temporary through routes by the Commission shall create no presumption that such through routes will be prescribed thereafter on a permanent basis or will be found to be otherwise necessary or desirable in the public interest.

"(3) If any tariff or schedule canceling any through route or joint rate, fare, charge, or classification, whether established under the first sentence of section 216(c) or prescribed hereunder, without the consent of all carriers parties thereto or authorization by the Commission, is suspended by the Commission for investigation, the burden of proof shall be upon the carrier or carriers proposing such cancelation to show that it is consistent with the public interest.

"(4) Nothing in this part shall empower the Commission to prescribe, or in any manner regulate, the rate, fare, or charge for intrastate transportation, or any service connected therewith, for the purpose of removing discrimination against interstate commerce or for any other purpose whatever."

The material presented by Mr. MAGNUSON follows:

THROUGH ROUTES AND JOINT RATES

The Interstate Commerce Commission recommends that part II of the Act be amended to authorize the Commission, after investigation and hearing, when necessary and desirable in the public interest, to require the establishment of through routes and joint rates between motor common carriers of property and between those carriers and common carriers by rail, express, and water.

With the growth of the Nation's economy, the expansion of the motor carrier industry, and technological improvements in the transportation field, greater stress has been placed upon the importance of having a more coordinated national transportation system. Of fundamental importance to the accomplishment of this objective is the establishment of through routes and joint rates within and between the various modes of carriage. It follows, therefore, that in many instances the failure or refusal of carriers to enter into such arrangements is contrary to the public interest in the furtherance of a more coordinated national transportation system.

The availability of through routes and joint rates inures to the benefit of the shipping public in numerous ways. It enables a shipper to make one contract with the originating carrier on behalf of all carriers participating in the arrangement. In addition, the shipper may ascertain the rate for a through movement by consulting a single tariff instead of many. Both shipper and consignee also have the advantages provided by section 20(11) and similar provisions in other parts of the Act of recovering from either the originating or delivering carrier for loss or damage caused by any carrier participating in the through movement. Moreover, experience has shown that because of the economy of established channels of commerce through which substantial amounts of traffic may flow, and reduced freight rate calculation costs, joint rates are generally lower than a combination of local rates of connecting carriers not participating in such through service arrangements.

At present, the only common carriers of different modes which may be required by the Commission to establish through routes and joint rates with each other are railroads, pipelines, and express companies subject to part I of the Act; and railroads subject to part I and common carriers by water subject to part III. The only intramodal joint-rate arrangements that may be required by the Commission are between railroads, pipelines, and express companies, respectively, subject to part I, common carriers of passengers by motor vehicle subject to part II, and common carriers by water subject to part III. Common carriers of property by motor vehicle subject to part III are permitted, but may not be required to enter into joint-rate arrangements with other such carriers or with common carriers of other modes; nor, on the other hand, may common carriers of other modes be required to establish through routes and joint rates with motor carriers. Our recommendation would close this gap in existing law.

In the case of through routes among motor common carriers of property, most of the regular-route, general commodity motor carriers participate in agency tariffs and are parties to the joint rates published therein. Tariffs filed under such voluntary joint arrangements often contain many restrictions as to individual carriers or classes of commodities, thereby limiting the availability of through interline service to the shipping public as to points of interchange. At the present time, the Commission's authority over motor carrier through routes and joint rates is limited. Since existing law neither imposes a positive duty on the carriers to establish such joint arrangements nor authorizes the Commission to order their establishment, the Commission's present authority is essentially confined to situations where tariffs containing through routes and joint rates voluntarily established are subsequently cancelled by one or more of the participating carriers. In such situations, the Commission has found in certain cases that such actions constitute an unreasonable, and therefore unlawful, practice within the meaning of section 216(b) of the Act or an undue and unreasonable disadvantage under Section 216(b) of the Act as to certain classes of commodities and/or shippers. In a recent decision [1] applying these principles to a tariff rule providing that the carrier publishing the rules maintained no through routes, joint rates or interchange arrangements on shipments of furniture, the Commission upon finding the tariff rule in question unlawful, pointed out:

"Our decision herein in no way lessens the overall need as we see it for through route-joint rate legislation. Our decision herein will curb the practice of extreme selectivity, but will fall short of the goal of placing a positive duty upon rail, water and motor common carriers to promote coordinated through service."

Absent the special circumstances present in this or similar situations, or in the absence of the establishment of joint-rate arrangements among motor common carriers of property on a voluntary basis, the only feasible way in which the Commission may provide for through motor carrier service under existing law is by granting extensions of operating rights to existing carriers or by approving consolidations and mergers of connecting carriers. The granting of such extensions is not always desirable, however, since it may result in a surplusage of carriers over certain routes. Many shippers have demonstrated their reluctance to rely on voluntary arrangements by prevailing upon motor common carriers to file applications to extend their operating authority to include every point to which the shipper's traffic moves. Shippers justify their position, in many instances, by claiming that they are entitled to hold one carrier responsible for the safe and efficient transportation of their freight. Frequently, the Commission finds it necessary to grant such authority because of the failure of connecting carriers to adduce evidence of their willingness and ability to participate in joint-line service.

As noted, the fundamental purpose of this proposal is the advancement and promotion of a coordinated transportation system by common carriers of all modes subject to the Commission's jurisdiction on an intra and intermodal basis. Although the economic advantages of coordination have served to stimulate considerable voluntary action by the carriers, the full benefits of coordination have not been evenly distributed among the carriers or the shipping public. Indicative of the difficulties in this area is the major problem of adequate transportation for small shippers, particularly in the case of service to smaller communities. In 1967, a report on the problems in the small shipment area, issued by a special Committee on the Small Shipments Problem, composed of three members of the Commission, outlined the many transportation difficulties confronting the user of small-shipment service. Among these difficulties, the Committee found that one of the most serious was the lack of suitable interline service by motor carriers. If the Commission were granted the authority to require through routes and joint rates it could then require carriers to establish such interline service to small shippers. This would provide a significant contribution to the solution of the small shipment problem.

Although the problems with respect to the full development of intermodal coordination are neither so acute nor widespread at the present time, there is ample reason to cover this area as well in this proposal. For many years railroads and motor carriers were reluctant to enter into through-route and joint-rate arrangements. While, in recent years, there has been some relaxation of this attitude on the part of the carriers, especially with the growth of "piggyback" service, such arrangements are, as in the case of these between motor common carriers of property, entered into on a permissive and voluntary basis subject to termination at any time. Here again, the lack of any obligation on the part of the carriers to continue in effect such joint through route arrangements is not conducive to the maintenance of dependable joint-line service.

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[1] No. 34815, *National Furniture Traffic Conference, Inc.*, v. *Associated Truck Lines, Inc.*, 322 I.C.C. 802, decided December 31, 1968.

Although no serious problems appear to have arisen in connection with the establishment of through routes and joint rates between common carriers by water and motor common carriers of property, the fear of collapse of such arrangements because of their permissive and voluntary nature is, of course, always present.

In sum, enactment of this proposal would permit the Commission, in proper cases, to compel the establishment and maintenance of dependable joint-line service responsive to the needs of the shipping public, and, at the same time, protect the carriers from unfair or unreasonable demands to provide through service. It would also have the effect of according greater equality of treatment in the regulation of the carriers of the various modes. We feel strongly that this recommendation would be a major contribution to a more coordinated transportation system, and would provide vastly improved service for the shipping public.

The draft bill implementing this recommendation revises section 216(c) and 216(e) of part II of the Interstate Commerce Act by making the following changes in existing law:

(1) Section 1 imposes a duty on common carriers of property by motor vehicle to establish through routes and just and reasonable rates, classifications, charges, etc., applicable thereto with other such carriers and with common carriers by railroad, express, and water subject to part III of the Act. This section also imposes a duty on these other modes to establish similar arrangements with motor common carriers of property.

(2) Section 2 authorizes, with certain specified limitations, the Commission to order the establishment of through routes and/or joint rates by motor common carriers of property with other such carriers or with common carriers by railroad, express and water carriers subject to part III of the Act. This section also authorizes the Commission to establish temporary through routes where there is an immediate and urgent need or other emergency for coordinated interline service.

In essential respects, the majority of these amendments are modeled after S. 751/H.R. 6533 (90th Cong., 1st Sess.) and the existing provisions of parts I and III of the Act which deal with the establishment of joint rates and through routes between railroads and common carriers by water on an intra and intermodal basis. The provision dealing with the establishment of through routes on a temporary basis is new and is designed to deal with the situation where a carrier or carriers fails in their duty, under section 1 of the bill, to establish reasonable through routes for the benefit of the shipping public. It thus may become necessary for the Commission to institute, upon complaint or its own motion, a formal proceeding, under section 2, leading to the prescription of such through routes. Since such a proceeding could entail a lengthy hearing or other proceedings, it seems desirable to provide for the establishment of temporary through routes for a limited time to avoid adverse effects on the shipping public due to a lack of available through interline service. This provision limits the establishment of such through routes to an aggregate of sixty days unless such time is extended in conjunction with a subsequent formal proceeding involving the prescription of through routes and joint rates. The establishment of such temporary through routes by the Commission would be subject to the same limitations on the Commission's authority as are imposed by the draft bill in a case of through routes prescribed on a permanent basis in the course of a formal proceeding.

The draft bill does not contain specific provisions specifying such matters as the conditions under which any through route would be operated, divisions of joint rates, or the settlement of interline balances. It seems more desirable and appropriate that these and similar matters be handled, where necessary, through either a formal case-by-case determination or through the exercise of the Commission's rulemaking power in which all interested parties could participate.

Other parts of the draft bill restate, in revised form, provisions of existing law which permit, but do not require: 1) the establishment of joint rates and through routes between motor common carriers of passengers and common carriers of passengers by other modes; 2) the establishment of joint rates and through routes between motor common carriers of property and common carriers by water, other than those subject to the jurisdiction of the Commission under part III of the Act; and 3) the retention, in a somewhat revised form, of the special provisions of Public Law 87–595, commonly known as the "Rivers Act," which deal with the jurisdiction of the Commission over water-motor through routes and joint rates applying between Alaska and Hawaii on the one hand and, the other States of the Union on the other.

S. 2250, S. 2251, AND S. 2252—INTRODUCTION OF BILLS TO AMEND THE PUBLIC ASSISTANCE PROVISIONS OF THE SOCIAL SECURITY ACT

Mr. PERCY. Mr. President, I am introducing today three bills to amend the public assistance provisions of the Social Security Act. These bills will correct certain inadequacies in the aid to families with dependent children program.

The Nation's welfare program has been the subject of much controversy. It satisfies neither those who contribute to it through their taxes nor those who benefit from it through welfare checks. And the system certainly does not please those who must administer the public assistance programs, the States.

Despite this controversy, there is one point of agreement: the welfare system must not be self-perpetuating. It must eliminate the very reason for its existence—poverty. The system will perish, however, only if welfare programs can motivate all recipients to lead decent, productive lives.

AFDC is particularly important in this effort. It is the major program providing families with the support necessary to give their children the food, clothes, and stable home life essential in making them contributing members of society.

But public assistance is not working toward attainment of this goal. In fact, it is not only failing to meet the needs of recipients, it is also proving to be a hardship for State and local taxpayers because of rising welfare costs.

Today, most of our States are in the throes of a fiscal crisis. They simply do not have sufficient revenue to provide adequate services for their residents. The increasing welfare costs they must pay are contributing greatly to their fiscal problems.

Illinois, for example, increased AFDC payments by 22 percent from $57.6 million in 1967 to $70.4 million in 1968. This made AFDC the State's most expensive welfare program, surpassing even medicaid. Not only did the absolute cost to the State of AFDC increase, but the proportion of State to Federal payment similarly increased. Currently, Illinois pays 55 percent of its AFDC costs as compared to the 45 percent the Federal Government contributes. This is quite an increase from the middle of 1968 when the State's share was approximately 46 percent.

While all the States must meet the spiraling cost of providing public assistance, the larger, industrial States are by far the most adversely affected. These States tend to make higher AFDC payments and thus stimulate the migration of poor families to them. Migrants mean burgeoning welfare rolls, which, of course, result in substantially higher welfare costs for these States to meet.

In the past 10 years, the 15 States with the highest average monthly AFDC greats per family experienced a growth of about 163 percent in their caseload. In comparison, the 15 States with the lowest average monthly grants per family experienced only a 15.6-percent growth in their caseload. While some of the new cases in the highest paying States are attributable to natural population growth and desertion, many are the results of migration.

Steps must be taken now to alleviate the burden of welfare payments placed on the States and to end the disparity of welfare grants which result in mass migration to industrial States and urban areas. We must revise our welfare system to eliminate these deficiencies which are so detrimental to the States. Basic to this overhaul is the implementation of two policies already advocated by Vice President AGNEW and several Members of the Senate: the establishment of minimum Federal standards and increased Federal contributions for welfare payments.

The first bill I am introducing today is a step in this direction. It will provide welfare recipients with a uniform minimum payment and the States with additional funds to meet their welfare expenses.

This bill will establish a $40 minimum budget for States to use in computing AFDC assistance for each case. It will insure recipients of at least $40 a month from combined AFDC payments and their other sources of income. To help States defray the cost of these provisions, the Federal Government will contribute 100 percent of the first $30 in AFDC payments, and half of the next $40. Under this formula, all States will receive a greater Federal reimbursement than they do at this time.

The second bill I am introducing will also afford the States relief in meeting welfare costs. This legislation will repeal the freeze on the level of Federal participation in AFDC programs scheduled to become effective on July 1. As of that date, a State will receive Federal reimbursement for payments made only to the number of AFDC children in the State as of January 1, 1969. The State,

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however, must continue to make payments to everyone who qualifies for AFDC. This means that in Illinois, alone, AFDC funds will go to 30,000 children for whom the State will not be reimbursed.

The freeze was enacted in 1967 to curb the cost of Federal welfare assistance and to encourage the development of programs to end poverty by increasing employment and decreasing illegitimacy. But it is a false economy as the Senate recognized last session by voting to rescind the freeze. It does not decrease welfare costs or reduce the numbers of the impoverished. Instead, it unjustly deprives children of support because of the difficulties of their parents and imposes a heavy and inequitable burden on the States.

The AFDC caseload and payment figures for Illinois are illustrative of the magnitude of this program and the expense the freeze will be for the States.

By December 1968, the AFDC caseload in Illinois had increased 14.4 percent over the 1967 figure. By April of this year, there were 314,000 people on the AFDC rolls at a cost to the State of $70.4 million. The Department of Public Assistance estimates that $6 million a year will be added to this figure as a result of the freeze. In July, Illinois will have to pay 25,000 AFDC children a half million dollars a month without Federal reimbursement.

To meet the costs of limited Federal contributions to AFDC, States will either have to raise additional revenue from already heavily taxed residents or reduce the payments made to each AFDC recipient. If a State elects to reduce payments, its Federal reimbursement would similarly be reduced, further depleting its limited revenue.

The rescinding of the freeze on Federal participation in AFDC will be particularly important if the third bill I am introducing is enacted. This legislation will augment the number of AFDC recipients. It will, however, correct one of the welfare system's critical deficiencies—the incentive for men to desert their families in order to qualify them for welfare—by making AFDC-UP mandatory. A similar measure was passed by the Senate during the previous session.

Desertion by a parent, usually the father, is a major reason a family is added to the welfare rolls. Broken homes also contribute to the incidence of crime and disorder which disrupt our society. Public policy must, therefore, encourage family unity and responsibility, not destroy them. A father should be motivated to remain in his home and care for his children. Public welfare should not provide the reason or the excuse for his deserting his family. Allotting AFDC payments to children with unemployed parents will remove an important incentive for desertion.

In addition the augmenting family stability, AFDC-UP will eventually lower welfare costs by helping the unemployed parent to secure a job. The Social Security Act contains a provision that requires unemployed recipients of welfare to be referred to a job training program within 30 days of receiving welfare assistance. Such a program will provide him with the skills necessary to obtain employment and support his family.

Mr. President, I urge prompt consideration and enactment of the three bills I am introducing today to correct the more glaring deficiencies in our AFDC program.

The PRESIDING OFFICER. The bills will be received and appropriately referred.

The bills (S. 2250), to amend part A of title IV of the Social Security Act to provide a more realistic standard of need in determining the amount of aid to be furnished an individual under a State plan approved under such part, and to provide additional financial assistance to States meeting such standards; (S. 2251) to amend title IV of the Social Security Act to repeal the provisions limiting the number of children with respect to whom Federal payments may be made under the program of aid to families with dependent children; and (S. 2252) to amend title IV of the Social Security Act to provide that State plans approved under such title must include, among the children eligible for aid and services thereunder, children in need because of the unemployment of their father, introduced by Mr. PERCY, were received, read twice by their titles, and referred to the Committee on Finance.

S. 2253—INTRODUCTION OF A BILL FOR THE CONTINUED ACQUISITION OF LAND FOR THE CAPE COD NATIONAL SEASHORE

Mr. KENNEDY. Mr. President, today I introduce for appropriate reference a bill to provide for the continued acquisition of land for the Cape Cod National Seashore. The original act, signed into law by President Kennedy in 1961, authorized an expenditure of $16,000,000 for the acquisition of 27,000 acres for the seashore.

In August of 1967, with some 8,000 acres short of the 27,000 designated as the seashore, the appropriated funds for acquisition were exhausted. It is now estimated that an additional $17,401,000 will be required to bring the land under the ownership of the seashore.

Last year, over 3 million Americans visited the seashore. As the reputation of the seashore spreads, and as additional areas are developed and opened to the public, this number will increase significantly. It is indeed a tribute to the Congress and to our Government that such an area of unspoiled natural beauty has been preserved for the enjoyment of our citizens. The success of the seashore will ever serve as an encouragement to us to continue our efforts to preserve some of our greatest natural resources to ensure that our citizens and all future generations of Americans can share in their beauty and enjoy the recreational and educational benefits they present.

Certainly, we cannot fail to provide for the complete acquisition of the land designated for this truly unique national park. 27,000 acres of land set aside for preservation is certainly not too much to ask.

In 1967, I submitted similar legislation. However, at that time, the additional funds necessary were estimated at $12,000,000. By our delay in fulfilling the purpose of the act, we have suffered an increased cost of $5,401,000.

I am well aware of the need to be sensitive to the demands to cut our budget. However, I submit that we cannot fail to take advantage of an opportunity to provide our citizens and future generations with a recreational and educational preserve in this time of population growth, serious lack of open space land use in our cities, and suburban sprawl. Nor can we continue to place the burden of our inaction and indecision on the 2,500 landowners whose properties have already been earmarked for Seashore acquisition.

The Cape Cod National Seashore is within a 1-day drive for 30 million people and is within easy vacation access to millions more. I am asking today that we complete the task which the Congress and President Kennedy undertook in 1961: That we raise the authorization by $17,401,000.

I am convinced that it is the intent of the Congress to complete the task. I only remind my colleagues that the cost of completion will continue to increase as we continue to delay action.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2253) to amend the act of August 7, 1961, providing for the establishment of Cape Cod National Seashore, introduced by Mr. KENNEDY, was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

ADDITIONAL COSPONSORS OF BILLS

Mr. BYRD of West Virginia. Mr. President, on behalf of the Senator from Minnesota (Mr. MONDALE), I ask unanimous consent that, at its next printing, the names of the Senator from North Dakota (Mr. BURDICK), the Senator from Alaska (Mr. GRAVEL), the Senator from Washington (Mr. JACKSON), and the Senator from Maine (Mr. MUSKIE), be added as cosponsors of the bill (S. 1788) to assist in removing the financial barriers to the acquisition of a postsecondary education by all those capable of benefiting from it.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KENNEDY. Mr. President, I ask unanimous consent that, at its next printing, the names of the Senator from New Jersey (Mr. CASE), the Senator from Alaska (Mr. GRAVEL), and the Senator from Texas (Mr. YARBOROUGH) be added as cosponsors of the bill (S. 2165) to enable citizens of the United States who change their residence to vote in presidential elections, and for other purposes.

The PRESIDING OFFICER. Without objection, it is so ordered.

SENATE RESOLUTION 204—SUBMISSION OF A RESOLUTION AUTHORIZING EXPENDITURES FROM THE CONTINGENT FUND OF THE SENATE

Mr. RUSSELL submitted the following resolution (S. Res. 204); which was referred to the Committee on Rules and Administration:

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S. RES. 204

Resolved, That the Committee on Appropriations hereby is authorized to expend from the contingent fund of the Senate, during the Ninety-first Congress, $35,000, in addition to the amounts, and for the same purposes, specified in section 134(a) of the Legislative Reorganization Act, approved August 2, 1946.

FEDERAL COAL MINE HEALTH AND SAFETY ACT OF 1969—AMENDMENT

AMENDMENT NO. 23

Mr. COOPER submitted an amendment intended to be proposed by him to the bill (S. 1300) to improve the health and safety conditions of persons working in the coal mining industry of the United States; which was referred to the Committee on Labor and Public Welfare and ordered to be printed.

(See remarks on above amendment when submitted by Mr. COOPER, which appear under a separate heading.)

NOTICE CONCERNING NOMINATION BEFORE THE COMMITTEE ON THE JUDICIARY

Mr. ERVIN. Mr. President, the following nomination has been referred to and is now pending before the Committee on the Judiciary:

Seagal V. Wheatley, of Texas, to be U.S. Attorney for the western district of Texas for the term of 4 years, vice Ernest Morgan, resigned.

On behalf of the Committee on the Judiciary, notice is hereby given to all persons interested in this nomination to file with the committee, in writing on or before Monday, June 2, 1969, any representations or objections they may wish to present concerning the above nomination, with a further statement whether it is their intention to appear at any hearing which may be scheduled.

NOTICE OF HEARING

Mr. ERVIN. Mr. President, on behalf of the Committee on the Judiciary, I desire to give notice that a public hearing has been scheduled for Tuesday, June 3, 1969, at 10:30 a.m., in room 2228, New Senate Office Building, on the following nomination:

Warren E. Burger, of Minnesota, to be Chief Justice of the United States.

At the indicated time and place persons interested in the hearing may make such representations as may be pertinent.

The hearing will be before the full committee of which Senator JAMES O. EASTLAND, of Mississippi, is chairman.

NOTICE OF HEARINGS

Mr. SPARKMAN. Mr. President, I wish to announce that the Committee on Banking and Currency will hold a hearing on Tuesday, May 27, 1969, on the nomination of John Conrad Clark, of North Carolina, to be a member of the Board of Directors of the Export-Import Bank of the United States.

The hearing will commence at 10:30 a.m. in room 5302 New Senate Office Building.

NOTICE OF HEARINGS

Mr. MUSKIE. Mr. President, I should like to announce that the Subcommittee on International Finance of the Committee on Banking and Currency will meet on May 28, 1969, to conclude hearings on S. 813 and S. 1940, bills pertaining to export control legislation.

The hearings will commence at 9:30 a.m. in room 5302, New Senate Office Building.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Is there further morning business? If not, morning business is closed.

INVESTMENT COMPANY AMENDMENTS ACT OF 1969

Mr. SPARKMAN. Mr. President, I ask unanimous consent that the unfinished business be laid before the Senate.

The PRESIDING OFFICER. The bill will be stated by title.

The BILL CLERK. A bill (S. 2224) to amend the Investment Company Act of 1940 and the Investment Advisers Act of 1940 to define the equitable standards governing relationships between investment companies and their investment advisers and principal underwriters, and for other purposes.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Alabama? The Chair hears none.

There being no objection, the Senate resumed the consideration of the bill.

Mr. BENNETT. Mr. President, last year over the opposition of about a third of the Senate, this body approved legislation further regulating the mutual fund industry.

In contrast, this year the committee is united on the proposal it brings to the Senate for its approval. To be sure, there are still some minor differences among committee members as there always are, but the overall thrust and major provisions of the bill have been approved by the committee almost unanimously and there was no opposition to reporting the bill. It may seem surprising, but both the Securities and Exchange Commission and the mutual fund industry are also in general accord with the bill's provisions. Certainly, it cannot be expected that the industry would welcome complete governmental control over its activities, nor can it be expected that the Commission charged with assuring proper conduct throughout the industry, would be satisfied with less than authority to control all possible potential abuses, yet both the industry and the Commission consider this proposal, much improved over last year's version.

This much improved version is the result of the legislative process working at its best. Last year, we took action on the bill before the industry and the commission had completed negotiations to work out their differences. This year, as the result of a cooperative attitude on the part of the members of the committee, the Commission, and the industry, it has been possible to work out provisions which meet to a much greater extent, the legitimate positions, needs, philosophies, and fears of all parties involved.

I would like to stress that this has all been done without jeopardizing the protection of small investors. In fact, I am sure that the bill before us is more in the interest of the investing public than was last year's proposal.

In this legislation, we are dealing with an industry which has been successful far beyond any predictions that could have been made only a few years ago. Mutual fund company assets have grown from about $450 million in 1940 to about $50 billion today. I contend that any industry which increases in size by more than 100 times in a quarter of a century, through voluntary investment is indeed fulfilling an important place in our economy. It has demonstrated that it enjoys public confidence and has maintained that confidence through its performance and relative freedom from abuses.

Most of the more than 4 million shareholders appear to be satisfied with the results which are being accomplished by the industry. I believe that a majority of the shareholders, including large pension funds, profit sharing plans, educational institutions, religious bodies, and so forth, whose shareholdings run into millions of dollars, as well as individuals who invest only small amounts monthly, know what they are paying for sales commissions when they purchase their funds and know what it is costing them for management. If this were not true, I doubt seriously that the industry would have experienced such phenomenal growth.

To be sure, there have been some complaints as can be expected with any industry. Where there are problems, we have a responsibility to seek out solutions. Where complaints are justified, we should seek to eliminate the cause if we can.

In seeking answers and in trying to solve problems, however, we must to the greatest extent possible, be sure that in solving one problem, we do not bring about side effects creating greater problems or diminishing the ability of the industry to perform. In an industry whose markets are as complex and sensitive as the securities markets are, especially great care must be taken to avoid undesirable effects.

I believe that in this bill we have tried to consider the industry as a whole, its ability to perform, and the need for protection of unsophisticated investors and have struck an acceptable balance.

What I consider to be the major provision of the bill, the section dealing with management fees, is based on the existence of a somewhat different corporate structure in the mutual fund industry. An investment company is in actuality nothing more than a method of selling investment advice of professionals to single investors who otherwise may not be able to afford this service. Generally this is accomplished by the establishment of an investment company in corporate form, which has a contractual arrangement with the investment adviser to furnish the necessary advice, and sometimes to provide all of the bookkeep-

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ing functions of the fund also. In almost every instance, the investment adviser has from its inception been inextricably associated with the investment company. Often he created it. The public, in purchasing shares of the investment company, is in reality purchasing the judgment and ability of the investment adviser, as revealed by his reputation and record.

Although the mutual fund itself has directors and the contract with the investment adviser must be approved annually either by the shareholders of the fund or a majority of the directors who are unaffiliated with the adviser, it has been argued that the agreement between the fund and the adviser is in reality not one which is determined by arm's length bargaining. It has also been argued that investment advisers do not compete with each other for contracts with mutual funds. There is truth in both of these arguments, but since a person purchasing shares in the mutual fund is really buying investment advice, it is difficult to imagine the directors of the fund changing its investment adviser so long as his performance is satisfactory.

The fee charged by advisers is generally a percentage of the assets of the fund which they are managing, and though the ratio of advisory fees to average net assets ranges from a low of one-tenth of 1 percent to a high of just over 1 percent, and some funds base their fees entirely on performance, most firms in the industry charge a fee of about one-half of 1 percent.

It has been argued that as the size of the fund increases, the management fee as a percentage of assets should decline. Some funds have reduced their management fees as a percentage of assets as they increased in size, and others have not.

Last year's bill would have required that the fees should be reasonable, and no one disagreed. Under that bill, the question of whether a fee was or was not reasonable would have been determined by the Securities and Exchange Commission and the Federal courts. While the goal of reasonableness was accepted by all, the method of reaching that goal was offensive to many. It was offensive, because never before had the Federal Government undertaken to determine management compensation in an industry in which there was freedom of entry and competition among many firms. Despite the recognition that many shareholders are passive when it comes to management decisions and thus corporate democracy may not be a perfect form of management control, never before had the Federal Government rejected the basic representational structure of the corporate form by which this Nation's business corporations have been managed for two centuries. Never before in a competitive industry had the Federal Government set up such a fee-setting mechanism to supersede the actions of the mangement, the board of directors, and the shareholders of the business.

I could not support such a Federal intrusion. Instead, I offered an alternative which would have preserved the basic principles of corporate responsibility.

That position, supported by the minority last year, would have increased the number of directors who could not be affiliated with the investment adviser and would have charged them specifically with the responsibility of approving only fees that were reasonable and in the interest of shareholders. The courts could then have adjudicated whether or not these independent directors had discharged their responsibility as fiduciaries. Directors would have been subject to lawsuits involving the reasonableness of their actions in approving a fee that might be considered by some to be too high.

The management fee provisions of the bill now before us meet the objections which I had to the management section of last year's bill.

We have now deleted the entire management section from last year's bill and in its place added a subsection specifying that the investment adviser himself has a fiduciary duty with respect to the compensation he receives for services provided to the fund. As a fiduciary, the adviser and others who may receive compensation from the adviser's fee, are subject to lawsuits which may be instigated by shareholders or the Securities and Exchange Commission in the event that the fee received is claimed to be so excessive as to constitute a breach of fiduciary duty. Directors of the fund will, of course, continue to have a fiduciary responsibility with respect to their own compensation and for the overall operation of the fund. In determining whether the adviser has met his responsibility to the fund shareholders, the court must give appropriate weight to shareholder ratification of the management fee or its approval by directors.

This provision, instead of being an intrusion by the Federal Government, is in accordance with the traditional function of the courts to enforce fiduciary duties.

I turn now to the consideration of another problem, that of the front-end load.

Another provision in last year's bill with which I was unhappy was the ceiling of 20 percent which the bill put on the amount that could be deducted from the first year's payments made by an investor in a contractual plan, to cover the salesman's commission. Contractual plans are often sold to people with limited means who are not sophisticated investors. I believe that it is desirable for these indivdiuals to be given an opportunity to invest in equities, and to give them that chance requires a selling effort. In refusing to eliminate contractual plans as the SEC proposed, the committee had agreed that such plans perform a service in introducing investors who lack accumulated capital to the concept of systematic investment in equity securities through mutual funds. It also recognized that some concentration of sales charges at the beginning of such a long-term program was an economic necessity if sponsor companies and salesmen were to be able to meet the costs incurred in serving the market through this investment medium. Having made such a decision—to reduce its first year's "load" to 20 percent—I felt that it was the responsibility of the committee to investigate not only the effect of any such action it took on the investor, but also what the effect would be on the distribution of these securities. Industry representatives claimed that the decision of the committee to limit the first year sales load to 20 percent would make it difficult if not impossible for particularly the small mutual fund contractual plan sponsors to attract or retain good salesmen to distribute their shares. Certainly, compensation levels paid to salesmen in other front-end load industries support their contention. For example, some types of life insurance which compete directly with contractual plans both for the installment investor's savings dollar and for the services of trained salesmen provide as much as a 100-percent front-end load for sales commissions or twice the amount now allowed for contractual plans under present law, and five times as much as would be allowed if there were no alternative to the 20 percent restriction. To reduce the sales commission allowable in the first year by 60 percent without a full investigation of its effect, could have been disastrous to the contractual plan industry.

On the other hand, the committee had to consider the fact that because of the front-end load provision of the contractual plan, an investor who was unable or unwilling to continue his plan and cashed in his investment during the early years of the plan before the investment had time to grow sufficiently to offset the sales charge, would be subject to a disproportionate sales charge and would suffer a loss. Both the SEC and industry statistics indicate that this has happened to about 15 percent of the nearly 2 million contractual plan investors in the past, although the remaining 85 percent of all planholders achieved profits. It was the committee's responsibility to strike a proper balance between protecting the relatively few investors who lose money and yet provide sufficient compensation to salesmen to allow the proper distribution of these securities. After considerable thought on this problem, it seemed to me that it should be possible to provide the same level of compensation now allowed and yet protect those who may have to withdraw from their plan. This could be accomplished through preserving the present first year 50 percent front-end load provided the mutual fund would be willing to offer a refund to those who redeemed their underlying securities early in the plan. After studying various alternative assumptions, I determined that if the plan sponsor were required to refund the sales load paid by the investor in excess of 15 percent of his total payment if he withdrew any time during the first 3 years, he would be better off than if he had been required to pay the 20-percent load provided in last year's bill. This advantage to the person who might decide to withdraw includes a computation for the increase which would have occurred in both cases as the result of the differences under the two alternatives of the amounts of money actually invested and working for him. It seemed to me, therefore, that such a proposal would meet our objectives of protecting the consumer from undue loss and at the same time providing an opportunity to properly compensate salesmen. The proposal also would

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have some beneficial side effects. It has been argued that contractual plans are sometimes sold to people who should never buy them and that after the sales commission is collected, the salesman does not care whether the person continues in the plan or not. I suspect that this may happen in some cases, although it certainly cannot be considered widespread throughout the industry. This refund provision will provide a monetary incentive for contractual plan sponsors to see to it that their salesmen do not "oversell" because such sales will likely result in refunds. The net result should be an upgrading, if necessary, of the sales forces of any company which operates under its provisions.

When the committee reconsidered the contractual plan industry this year, it decided to allow companies to offer contractual plans under the two alternatives. Either the company would be limited in the amount which it could deduct for sales charges during the first 3 years of the plan to 20 percent, or it would be permitted deductions as allowed under present law but would be required to refund part of the sales charge if the investor elects to redeem his shares any time during the first 3 years of the plan. As part of the latter alternative, the Securities and Exchange Commission is granted authority to require sponsors and underwriters to maintain reserves sufficient to meet the contingent liability which may occur under the refund provision. The reserve requirement must be reasonably flexible under the net capital rule, if this is to be a viable alternative. I should probably add, Mr. President, that the sponsors of contractual plans have not supported either of the alternatives offered in this bill. I cannot be critical of their lack of support, however, because they do not know what the effect of either will be, and both alternatives might possibly seriously disrupt their operations.

I, too, have some reservations concerning both alternatives, but I feel that we have now made a real effort to provide an opportunity for these firms to continue offering contractual plans to prospective investors; contractual plans which despite their shortcomings have proven highly profitable to a great majaroity of those who have systematically invested in them.

Mr. President, I have discussed only the management provision and the contractual plan provisions in the bill before us, because these were the two provisions which gave me great concern in last year's bill. I could discuss other provisions of the bill, some of which we have changed from what they were last year, particularly those dealing with the entry of banks, insurance companies, mutual savings banks, and savings and loan associations into the mutual fund industry, but the chairman of our committee (Mr. SPARKMAN) has already provided the Senate with a general description of those provisions in his remarks.

Mr. President, I have an amendment which I wish to offer for consideration at this time.

I send the amendment to the desk and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk read as follows:

On page 63, line 24, strike the words "the Securities Exchange Act of 1934,".

Mr. BENNETT. Mr. President, I am offering this amendment to section 29 of the bill which would remove legal liabilities arising with respect to variable annuity and other contracts providing for varying benefits based on the fluctuating value of a pool of securities issued by insurance companies prior to the decision in *Securities and Exchange Commission* v. *Variable Annuity Life Insurance Company*, 359 U.S. 65 (1959). In that case, the Supreme Court held that variable annuities were investment contracts required to be registered under the Securities Act and that the company issuing them was an investment company required to be registered under the Investment Company Act.

It should be noted, however, Mr. President, that the proposed section 29 of the bill as presently written would apparently insulate any insurance company which sold a contract, fitting the description in the section prior to March 23, 1959, from the antifraud provisions of the Federal securities laws, as well as from the registration and other regulatory provisions of such laws. I believe that the action taken by the committee was taken without knowledge of its full effect. I have discussed this with the staff and the chairman of the Securities and Exchange Commission and find that while it is my understanding that they feel there may be a basis for insulating insurance companies from liability for failure to register certain investment contracts under the Federal securities laws prior to March 23, 1959, the date on which it was first judicially established that such registration was required as a matter of national policy, they do not think it would be advisable for Congress to insulate sellers of the types of investment contracts described in the section from liability for misrepresentation and other fraudulent selling practices.

I have discussed this with the chairman of the committee (Mr. SPARKMAN), and he agrees that it was certainly not his intent to provide an exemption from provisions of the securities laws dealing with misrepresentation or fraudulent selling practices. He has, therefore, expressed his support of this amendment.

I am advised that the Senator from New Hampshire (Mr. McINTYRE) is empowered to accept the amendment I have offered.

Mr. McINTYRE. Mr. President, I understand the Senator from Utah (Mr. BENNETT) and the chairman of the Committee on Banking and Currency have discussed the amendment and the chairman of the committee is in agreement. Therefore, we have no objection and the amendment may be accepted.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Utah.

The amendment was agreed to.

Mr. McINTYRE. Mr. President, in view of what I expect will be said this afternoon dealing with section 3(b)(5) of the bill before us, which deals with oil and gas mutual funds, I believe that the RECORD should show the background, the history, and the reasoning behind the Banking and Currency Committee's action in recommending this provision this year as it did last year.

As Senators know, that period of American economic history extending up to the early 1930's was marked by a series of dramatic securities frauds perpetrated upon unsophisticated investors.

The Congress, recognizing the need for action by the Federal Government on behalf of small, unsophisticated investors, adopted the principle of adequate disclosure of relevant information to investors as the cornerstone of Federal regulation under the Securities Act of 1933.

The 1933 act, together with the provisions of the Securities Exchange Act of 1934, accomplished its purpose well. Stock frauds, once almost a routine event, vanished to the point where the American securities market today can invite investor confidence as a basic foundation of our system of capitalism.

The Congress, however, together with the Securities and Exchange Commission, soon learned that, while disclosure was an adequate Federal regulatory procedure for most securities, it still did not put an end to frauds against small, unsophisticated investors who invested in one specific type of security—the investment company.

An investment company, in lay terms, is a company financed by many contributions from individual investors, who turn their money over to the company to obtain the benefits of professional management and diversification. This particular form of financial arrangement lends itself to unique abuses in the areas of self-dealing, excessive costs, and insufficient information being delivered to investors.

Accordingly, the Congress enacted the Investment Company Act of 1940, to go beyond disclosure in establishing administrative protections for small, unsophisticated investors purchasing the securities of most investment companies. I say "most" investment companies, because in 1940 the Congress did exclude a few categories of investment companies from coverage under the act.

Most of the excluded companies fell in categories which were already subject to Federal regulation under other statutes—such as public utility holding companies—already subject to SEC regulation—and bank holding companies regulated by the Federal Reserve Board. In addition, the Congress excluded those investment companies who invested their receipts from securities holders in oil and gas leases.

The reason for the oil and gas exclusion is stated quite simply in the report of the Banking and Currency Committee. In 1940, "the risk inherent in such investments made them attractive only to wealthy investors whose income would allow a tax writeoff should the venture prove unproductive." These clearly were not the small, unsophisticated investors whom the 1940 act was designed to protect.

For several years after 1940, the situa-

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tion remained unchanged. Most oil and gas mutual funds continued to be investment vehicles for wealthy, sophisticated investors. On the other hand, there were funds appealing to a particular wildcatter's friends and neighbors for small contributions to finance a single well typically were distributed to fewer participants than the 100 required for coverage under the act. Thus, removal of the oil and gas exclusion in the 1940's or 1950's would not have served the purposes of the act at all.

In recent years, however, the picture has changed dramatically. For one thing, as American investors became accustomed to mutual funds of the open end or contractual plan variety, more and more oil and gas funds began using the regular mutual fund merchandising techniques in selling their securities. Even more important, there was a substantial increase in the dollar volume and number of funds, and many of these funds pitched their appeal directly at the small, unsophisticated investors most in need of protection under the 1940 act.

Thus, in 1966, the Securities and Exchange Commission recommended to the Congress that the oil and gas exclusion be eliminated for those oil and gas investment companies offering redeemable securities, periodic payment plans, or face amount certificates of the installment type. When the Chairman of the Securities and Exchange Commission appeared before our committee the following year, he repeated the Commission's recommendation that these funds be covered. The Commission had justified its request on the grounds that, in recent years, several companies had actively sought to capitalize on the popularity of mutual funds by appealing to unsophisticated investors of modest means.

This subject was also discussed in a committee print published by the Committee on Banking and Currency in May 1967, in which the oil and gas exclusion was analyzed by the SEC staff.

The following year, the committee reported out a bill embodying the Commission's recommendations with respect to oil and gas. The committee report repeated the reasons for the committee's action. On the floor, however, the bill's managers accepted an amendment to retain the full oil and gas exclusion.

This year, the committee has again voted to eliminate the exclusion for those oil and gas funds which are structured along the lines of convention mutual funds.

It is my contention that circumstances have dramatically changed in the past year in a way which makes it imperative that the committee's decision be upheld by the full Senate.

The statistics tell the story well. These statistics, I might add, have been compiled by the Oil and Gas Section of the Securities and Exchange Commission, which handles the registration of oil and gas funds under the Securities Act of 1933.

Up through the end of 1967, the dollar amount of new registrations was relatively low, ranging in the 4 years ending in 1967 from $83 million to about $230 million. In 1968, the year the Senate decided to continue the exclusion, the dollar amount of registrations jumped to $695 million. This year, it is estimated that the dollar amount will be about $1 billion. This industry has become perhaps the fastest growing segment of the financial community.

At the same time that the dollar amount grew, the number of registrations also jumped. Down to 29 registrations in each of 1965 and 1966, the number increased to 46 in 1967 and more than doubled in 1968, to 97 registrations. What is particularly interesting is that some of these recent registrations have been enormous in size. In 1964, the largest registrations were funds in the $5 to $10 million class. Not until 1967 was there a single registration of over 25 million, and last year, when the Congress continued the exclusion from regulation, there were actually two funds registering amounts of $100 million a piece or more.

A particularly revealing statistic is the one concerning the use of underwriters. The claim has been made that the typical oil and gas fund is a small operation, appealing to friends and neighbors in oil territory. As we have seen, the dollar volume no longer can be considered to represent small operations. At the same time, funds have relied heavily on underwriters to bring their securities to the attention of investors far removed from any contact with the oil industry.

In 1964, for example, only 12 funds made any use of underwriters. At the same time, 12 funds did not make use of underwriters.

In 1968, however, when we continued the exclusion, the figures showed a dramatic change. Once again, 12 funds did not make use of underwriters. The dramatic growth was in the number of funds using them, which expanded from the 12 of 1964 to the staggering figure of 85 in 1968. The message is clear, the growth in these funds has come in the area of wide appeal to investors who may have no personal knowledge of the fund's promoters or prospects.

There are other statistics showing the change which has occurred since our floor action of last year. In the 4 years ending in 1967, an average of 19 funds per year made participations available at figures low enough to appeal to unsophisticated investors. Last year, 58 funds, over half of those registered that year, could be bought for less than $10,000 each.

Now I would point out, Mr. President, that the language reported by the committee will still continue the exclusion for those oil and gas funds which do not issue redeemable securities, periodic payment plans, or face amount certificates of the installment type.

But Senators may ask, why should even these funds be covered? Why are the problems which have been discovered which indicate that small, unsophisticated investors cannot understand what they are getting into?

I can best illustrate the situation which can face an unsophisticated investor by referring to one particular fund. This fund, which I have selected for discussion, is typical of the new breed of oil and gas funds in that it is large—its current registration statement is for $63 million—and it is available to investors on a monthly payment plan for as little as $50 a month after a $150 initial payment.

Let us look, for example, at the various expenses of this particular fund. The securities are distributed by members of the National Association of Securities Dealers, a nationwide organization including almost all securities brokers and dealers. Dealers selling these securities in single payment plans receive a 7½-percent commission. If they sell monthly plans, they receive the same 7½ percent plus a "plan opening bonus" ranging from 3 percent of the monthly payment on small plans to no extra bonus on large plans.

In addition, dealers receive a "plan maintenance fee" of 1 percent of the reinvested net cash receipts of the fund. Now, of course, all of the money to pay the dealers comes out of the pockets, through one fee or another, of the securities holders.

In addition, the managers of the fund receive a fee for their services for the supervision of cash investments. This fee amounts to 5 percent of the net cash receipts available for reinvestment.

In addition, the management company receives a separate fee for its management services. This fee is computed by adding the direct expenses of management, the fund's share of indirect expenses such as the salaries of the promoter and all the officers, plus 25 percent of something called "net operating profits." This term is not what you or I would ever call net operating profits, since it is computed without any deduction for such normal oil expenses as depletion, depreciation, and certain rental expenses.

Oh yes, Mr. President, the management fee also includes the interest on such funds which the company has idle awaiting investment. That interest is taken by the management company, unless, of course, it is making loans to itself, which it does on an interest-free basis.

What is particularly interesting about this company, Mr. President, is the way in which it provides for the effective redemption of its securities during the 10 year life of a plan. The underwriter stands ready to repurchase the securities at something called a cash surrender value, which is computed as follows:

A determination is made of the pro rata share of the security holder's interest in cash on hand, oil leases, and other property. The security holder can recover 95 percent of his own share of the cash on hand. This is somewhat unusual.

He can recover only 80 percent of the value of all others assets, excluding oil properties. This is more unusual.

He can recover only 66⅔ percent of the value of his oil and gas properties. And those properties, Mr. President, are evaluated in the final analysis by the management of the fund, which reserves the right to overrule the decisions of outside engineers.

Mr. President, the information on this particular fund was put together by an attorney who is experienced in reading prospectuses, and who does have a rather sophisticated knowledge of securities together with a knowledge of oil financing.

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And it took him the better part of 2 days. It is clear that a small, unsophisticated investor would have a great deal of trouble understanding what he was getting into.

Now, Mr. President, the fund specifically states that it will not give its security holders information on which they may make their own decisions about the value of their own shares. Unlike most companies which we may be familiar with, this company will not give its shareholders even an annual report listing the fund's investments. This is clearly one way in which the Investment Company Act should be promptly applied. I am hopeful that the Senate will support the decision of the Banking and Currency Committee that these funds be brought back under the Investment Company Act.

Mr. BENNETT. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. EAGLETON in the chair). The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BENNETT. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. TOWER. Mr. President, I send to the desk an amendment and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk read as follows:

On page 7, strike out lines 5 through 14, inclusive.

On page 7, line 15, strike out "(6)" and insert in lieu thereof "(5)".

On page 8, immediately after line 4, insert the following new subsection:

"(c) the Securities and Exchange Commission shall, no later than January 31, 1970, submit a report to the Senate and House of Representatives concerning paragraph 11 (redesignated paragraph 9(b) section 3b(2) of this act) of section 3c of the Investment Company Act of 1940 (15 U.S.C. 80a–3c11), including, but not necessarily limited to, its suggested methods to deal with adequate disclosure of assets and identification of other mineral holdings, and the redemption rights of investors therein of such companies investing in securities consisting of interests in oil, gas and other mineral rights."

Mr. TOWER. Mr. President, there is a continual conflict between the need to regulate and the need to operate freely. The history of Federal regulation of private industry has been punctuated with instances when poorly prepared and inadequately administered guidelines have so involved private industry in redtape and endless bureaucratic forms that industry has lost its greatest asset—the ability to function quickly and efficiently.

However, history also contains examples of incidents when unregulated business activity has resulted in significant harm to the American economy. In the financial world, Congress found it necessary to develop the Securities Exchange Act of 1934 and the Investment Company Act of 1940 to deal with these problems. They were developed after careful thought and as the result of detailed study. Congress realized that it is important to avoid destroying a needed segment of our economy just to correct the inequities which existed.

As a result of this careful consideration and detailed analysis, the Congress decided to exempt companies investing in securities consisting of interests in oil, gas and other mineral rights from coverage under the 1940 act. I feel that that decision was eminently correct.

However, there are those who argue that times have changed since 1939 and that we must now eliminate this exemption. They would remove it without study, without opportunity for the industry to be regulated to testify, and without an explanation from the regulating body as to just how it plans to apply the Investment Company Act of 1940.

Mr. President, that is not a very sound way to legislate. The problems involved in the regulation of financial institutions are too complex to be legislated in the dark. We must carefully analyze the effect of this regulation activity before we allow it.

Therefore, I introduce an amendment which will provide for this needed study. My amendment directs the Securities Exchange Commission to study the problems associated with the regulation of companies dealing strictly in oil and gas interests and to report the results of that study to us no later than January 31, 1970. It is a simple amendment but one which is necessary if we are to legislate from knowledge and study rather than from reaction and emotion.

Mr. President, I am aware that my amendment is a compromise. As I stated, I for one do not think that the exemption to the Investment Act of 1940 should be eliminated. However, I will not insist on an immediate decision by my colleagues, particularly when they have not had the benefit of study or of committee hearings. This is only fair and just. I urge my colleagues to accept this amendment.

Mr. McINTYRE. Mr. President, I should like to reply to my good friend from Texas and say, first, that I have discussed this matter with the Senator from Texas, and with other Senators and would like to clarify the RECORD.

First of all, this matter made its appearance back in 1966 when the Securities and Exchange Commission recommended that the gas and oil mutual funds be placed under the regulations of the 1940 act.

In 1967, this exemption was removed in the bill introduced in the Senate.

I might say to my good friend from Texas that in 1967 the industry did not choose to appear and present its case before our committee which was considering mutual fund legislation. However, as he well knows, it was deleted. I think, in fairness to the chairman, the Senator from Alabama, and myself, I would say that it was deleted on the floor mainly because we were pursuing the objective of passing mutual fund legislation for the first time and we did not want to get involved in a long dispute with the former Senator from Oklahoma, Mr. Monroney.

Now, I think we recognize that there are some unique features of the oil and gas mutual fund. We feel, I feel, that the Securities and Exchange Commission has enough exemptive powers today so that it can negotiate with the industry to come up with a satisfactory solution.

I also want to say that I do feel a little bit on the defensive here, in view of the fact that we have not had, as I think the Senator from Texas stated in his remarks, the extensive type of hearings we all would always like to have. But I think there is no doubt of the history of Securities and Exchange Commission's recommendations of Mr. Cohen's own personal recommendations to the committee in 1967, and the growing fact, as the Senator from Texas well knows, that the oil and gas people are now expanding their securities sales upward of $1 billion, so that there is no doubt they do need to have some form of regulation.

I also have been informed that many areas of this industry would like and would welcome some form of regulation, because they feel that their greatest enemies today are some of the flimflam outfits which are operating in this area at the expense of the unsophisticated investor.

In order to meet the objection of the Senator from Texas to the bill as it now stands, we are prepared to offer another amendment if, at the same time, the Senator from Texas will withdraw his amendment. The extent of this amendment will simply be to postpone the effective date of the section of the bill that deals with the oil and gas mutual funds to 18 months from date of enactment.

If the Senator from Texas is agreeable and will withdraw his amendment, I will then be happy to offer my amendment and move its adoption.

Mr. TOWER. I thank the distinguished Senator from New Hampshire. I might say that I am aware that the Securities and Exchange Commission has proposed that the industry be regulated. My amendment actually would, in effect, implement that desire on their part by asking them to devise a plan for us and submit it to us so that we could consider it.

But with the assurance of the Senator from New Hampshire that he recognizes the unique character of funds of this kind that do engage in the business of owning and holding gas and mineral securities, and if it is the Senator's understanding that it would be our intention for the Securities and Exchange Commission to get together with the industry and work with it on working out the unique problems involved, and working out an equitable arrangement for regulation that would protect and safeguard the consumer, and would not impose an unreasonable burden on the industry, then I would be prepared to accept the amendment offered by the Senator from New Hampshire.

Mr. McINTYRE. I understand the Senator from Texas has withdrawn the amendment which he presently has at the desk.

Mr. TOWER. Yes.

The PRESIDING OFFICER. Does the Senator withdraw his amendment?

Mr. TOWER. As I say, I would be prepared to, but I wanted to get some response from the Senator, if that is his understanding.

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Mr. SPARKMAN. Mr. President, will the Senator yield to me?

Mr. TOWER. I yield to the Senator from Alabama.

Mr. SPARKMAN. I merely wish to point out that the Senator from Texas knows that is exactly how we have considered this legislation. It was worked out between the industry and the Securities and Exchange Commission, as well as with members of our committee, of which the Senator from Texas is a very valued member. We will certainly continue to follow that same pattern. The Senator from New Hampshire (Mr. McIntyre) has offered an amendment. Of course, I leave it up to him, but I presume it would exactly follow that same pattern.

Mr. TOWER. I am trying to make legislative history as to our intent.

Mr. SPARKMAN. It is to get the Securities and Exchange Commission and the industry together to work out a satisfactory solution.

Mr. TOWER. With that understanding, I am delighted to withdraw my amendment in favor of the amendment offered by the Senator from New Hampshire.

Mr. ALLOTT. Mr. President, will the Senator yield?

Mr. TOWER. I yield to my distinguished colleague from Colorado.

Mr. ALLOTT. Mr. President, while we are all on the floor, I would like to ask the distinguished Senator from Texas to answer a question, because I want to be sure that I understand the effect of the proposed amendment. If it means what I think it does, it will certainly be satisfactory to the Senator from Colorado. It is my understanding that during the 18-month interim the proposed application of the rules that now apply to mutual investment funds across the board would be studied, and that this portion of the industry and the Securities and Exchange Commission would get together for perhaps a twofold purpose: first, to determine what regulations might be necessary in light of the unique characteristics of the oil and gas industry, and then to implement regulations which would apply to this particular type of company. Is that the understanding?

Mr. McINTYRE. That is essentially the understanding that the Senator from Texas, I, and the chairman of the committee have. We recognize that there are certain unique features of the oil and gas industry. One, of course, is valuation, which poses quite a question for some of these companies. As I said in my remarks, the Securities and Exchange Commission has certain discretionary and exemptive powers, so that when the industry sits down with the SEC to apply the test of placing them under the 1940 act as amended, a reasonable solution to the problems can be put together. That is the assurance I want to give to the Senator from Texas and also to the Senator from Colorado.

Mr. ALLOTT. Mr. President, will the Senator yield further?

Mr. TOWER. I yield.

Mr. ALLOTT. One thing that bothers me is there is a requirement of reports which are inapplicable. For instance, I refer to real estate transactions. The oil and gas industry make many transactions every day of this particular nature. Perhaps they do not engage in these transactions every day, but on some days they may make 50 or 100. It seems to me, if such disclosure were required, the disclosure could, from the standpoint of the legal descriptions alone, run into hundreds of pages. That, however, would be, not as in a mutual fund, but in the normal course of business and would mean very little to the investor.

I think the Senator is entirely right that this area needs to be looked at, and perhaps looked at very closely.

As I said when the matter was before the Senate last year while we were discussing S. 3724, various sections of the Securities Act of 1933, under which these companies are formed apply. They do register and they must make disclosures to the Securities and Exchange Commission.

I really feel that there is a unique aspect about these companies which does not fall within the pattern of the usual mutual fund as the Senator from New Hampshire ordinarily thinks of it and as I think of it. I just want to be sure that there is adequate time and an opportunity for the Securities and Exchange Commission to take a hard look at the problem, with representation being made by the companies themselves, so that, in the event unique and different kinds of regulations are needed as distinguished from the mutual funds, they might be applied.

I understand that is the purpose of both the Senator from Texas and the Senator from New Hampshire.

Mr. McINTYRE. That is substantially the purpose of the Senator from New Hampshire. There are certain areas, such as reporting, that we would want the SEC to take a hard look at. I referred to this problem in my earlier statement. The difficulty arises because the oil and gas mutual funds, for lack of a better name, are utilizing the merchandising techniques of the mutual fund industry and in doing so are getting the benefit of that merchandising and salesmanship, and yet fall outside the purview of some reasonable regulation which they should be under today. As the Senator knows, they are selling at $150 down and $50 a month. That is for the small investor. That is not the way this segment of the industry got going in 1940, as the Senator knows.

Mr. President, I send my amendment to the desk and ask that it be stated.

The PRESIDING OFFICER. The amendment offered by the Senator from New Hampshire will be stated.

The Assistant Legislative Clerk. It is proposed, on page 65, line 8, after "(4)", to insert "section 3(b)(5) and".

The PRESIDING OFFICER. The question is on the adoption of the amendment of the Senator from New Hampshire.

The amendment was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. McINTYRE. Mr. President, I have certain uncontroversial technical amendments to the Investment Company Amendments Act. These amendments were the subject of a thorough review which I placed in the Record last Friday. The amendments have been cleared on both sides of the aisle.

I send my amendments to the desk.

The PRESIDING OFFICER. The amendments will be stated.

The assistant legislative clerk proceeded to read the amendments.

Mr. McINTYRE. I ask unanimous consent that further reading of the amendments be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. McIntyre's amendments are as follows:

On page 8 after line 4 insert the following:

"Sec. 3(c)(1) Section 8(b)(2) of such Act (15 U.S.C. 80a–8(b)(2)) is amended to read as follows:

"'(2) a recital of all investment policies of the registrant, not enumerated in paragraph (1), which are changeable only if authorized by shareholder vote;'

"(2) Paragraphs (3) and (4) are redesignated as paragraphs (4) and (5), respectively.

"(3) A new paragraph is inserted immediately after paragraph (2) to read as follows:

"'(3) a recital of all policies of the registrant, not enumerated in paragraphs (1) and (2), in respect to matters which the registrant deems matters of fundamental policy;'

"(d) Section 13(a)(3) of such Act (15 U.S.C. 80a–13(a)(3)) is amended to read as follows:

"'(3) deviate from its policy in respect of concentration of investments in any particular industry or group of industries as recited in its registration statement, deviate from any investment policy which is changeable only if authorized by shareholder vote, or deviate from any policy recited in its registration statement pursuant to Section 8(b)(3);'"

On page 30, line 23, insert "(a)" after "Sec. 13."

On page 31, after line 23, insert:

"(b) Section 24 of such Act (15 U.S.C. 80a–24) is further amended by adding at the end thereof a new subsection to read as follows:

"'(f) In the case of securities issued by a face-amount certificate company or redeemable securities issued by an open-end management company or unit investment trust, which are sold in an amount in excess of the number of securities included in an effective registration statement of any such company, such company may, in accordance with such rules and regulations as the Commission shall adopt as it deems necessary or appropriate in the public interest or for the protection of investors, elect to have the registration of such securities deemed effective as of the time of their sale, upon payment to the Commission, within six months after any such sale, of a registration fee of three times the amount of the fee which would have otherwise been applicable to such securities. Upon any such election and payment, the registration statement of such company shall be considered to have been in effect with respect to such shares. The Commission may also adopt rules and regulations as it deems necessary or appropriate in the public interest or for the protection of investors to permit the registration of an indefinite number of the securities issued by a face-amount certificate company or redeemable securities issued by an open-end management company or unit investment trust.'"

On page 28, line 10, insert "to registered investment companies and" after "applicable".

The PRESIDING OFFICER. The question is on agreeing to the amendments of the Senator from New Hampshire.

The amendments were agreed to.

Mr. PROXMIRE. Mr. President, I believe the committee has done an excel-

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lent job in reporting a fair and equitable mutual fund bill. I particularly want to compliment the chairman in the patience and leadership he has shown in bringing the SEC and the industry together on this most complicated and far-reaching legislation. While there are no doubt still differences of opinions on different sections of the bill, by and large it is a good bill; it is a bill which will give the investor substantially more protection than he is getting today; and it is a bill which is fair to the mutual fund industry.

Although I do support the overall bill, I strongly believe that the bill is sadly lacking in one particular instance. I am referring to the section dealing with face-amount certificates. In voting to continue the front-end load on face-amount certificates, in my opinion, the committee perpetuates the sale of a financial instrument which borders on the unconscionable. The small investor is entitled to better protection in this area, and I am disappointed that the committee did not see fit to give it to him.

A face-amount certificate is essentially a fixed income savings instrument which is frequently sold on the installment plan. By fixed income, I mean that it has a fixed rate of return. There is no possibility of capital appreciation such as in the case of a mutual fund or other equity investment.

The largest face-amount certificate company is a wholly owned subsidiary of Investor Diversified Services, Inc., the largest mutual fund in the country. The subsidiary, which is called Investors Syndicate of America—ISA—is currently selling a 15-year and a 22-year certificate. The 15-year certificate would require monthly payments of $5. If these payments are made over the full 15 years, the certificate would mature to its full face-amount, which would be $1,100. The 22-year certificate involving monthly payments of $5 would mature to a value of $1,875. The maturing value of all outstanding ISA certificates exceeds $2 billion, which represents about 95 percent of the total issued by all companies.

If all of the monthly payments were made to maturity on the 15-year certificate it would, according to the ISA prospectus, have a guaranteed minimum yield of 2.52 percent. By the same token, if all of the payments were completed on the 22-year certificate, the investor would be rewarded with a yield of 3.01 percent.

I should stress that these are guaranteed minimum yields. The company can in its discretion pay a higher rate from time to time, if it believes economic conditions warrant. At the present time, the company is paying an additional dividend credit of 1 percent per year.

Thus, if the individual makes payments on the certificate for the full 22-year period, he might enjoy a 4-percent yield; and because of the tax deferral privileges of face-amount certificates the effective yield might even approach 4½ percent. However, the investor only gets this yield if he makes all the payments over a 22-year period. If he cashes the certificate in during the first 8 years, he will suffer a loss of part of his original invested capital. If he redeems after 8 years but prior to the 22-year maturity date, his yield will be substantially lower.

One might well ask, "How many people cash these instruments in during the first 8 years?" A study by the Securities and Exchange Commission covering the period from 1941 through 1961 shed some light on this question. According to the SEC study, 55 percent of face-amount certificates are redeemed by investors during the first 8 years. If this redemption rate holds up for the certificates currently being sold, it means that a majority of the people who are unwise enough to invest in these dubious instruments will actually lose money.

The reason investors will lose money during the first 8 years is that the Investment Company Act and the committee bill permits a maximum sales charge of 9 percent. Moreover, under the committee bill, up to 20 percent of the annual payments during each of the first 3 years can be allocated to the company in the form of a sales commission.

In effect, the company grabs its commission during the first few years rather than spreading it out evenly over the life of the certificate. Thus, because of the front-end load, the investor who redeems a certificate during the first 8 years will suffer a substantial loss.

In the case of a mutual fund, this loss is partially compensated for by the possibility of capital appreciation. If the stock market continues an upward trend, those who invest in mutual funds on the contractual plan will generally break even during the first 2 or 3 years despite the front-end load because of the increase in value of the mutual fund shares. This, of course, is not possible with a face-amount certificate since it is a fixed income investment as opposed to an equity investment.

The committee justified the continuation of a modified front-end load on mutual funds on the grounds that it was in the public interest to encourage greater investment in equities on the part of the small investor as a hedge against inflation. But surely this rationale does not extend to a fixed income, low-yield investment such as a face amount certificate. What public purpose is served by encouraging this dubious investment?

Even if the investor should make all of the scheduled payments to maturity, he still could have achieved a better yield on other comparable fixed income investments. For example, on page 189 of the hearings, a table prepared by the Library of Congress shows that an investor would be substantially better off investing in shares of a savings and loan association at 4¾ percent even after taking into account the tax deferral advantages and extra dividend credit currently offered by face-amount certificates.

Not only does the investor obtain a higher yield if he puts his money in a savings and loan association, he also enjoys Federal deposit insurance and complete liquidity. He can withdraw his funds at any time without suffering a loss. One wonders why any rational investor would buy a face amount certificate.

I point out that $2 billion of these certificates have been sold and are now held by American investors.

Prof. Henry Wallich, of Yale, in testimony before our committee, had the same question when he observed:

> It seems hard to believe in today's market where one can buy bonds at six and seven percent that those things could be sold other than by pure force of salesmanship.

Thus, it would appear that virtually no one benefits from purchasing a face-amount certificate, and as shown by the SEC study, a majority of people actually lose money due to the front-end load.

Because of the pernicious effects of the front-end load, the Securities and Exchange Commission in its report entitled, "Public Policy Implications of Investment Company Growth" has concluded:

> There is no justification for front-end loads in the sale of face-amount certificates.

This recommendation was included in the original legislation submitted by the SEC in 1967. Unfortunately, the committee saw fit to modify the Commission's recommendations and to permit the continuation of charging a front-end load on these certificates. If the aim of the mutual fund bill is to protect the investor, I do not see how the committee can recommend the continuation of the front-end load on face-amount certificates, when the figures show that a majority of the people who buy these certificates will lose money. I am sorry to say that the committee provision on face-amount certificates makes a mockery of investor protection.

During the executive session on the mutual fund bill, I offered an amendment to S. 34 which would have abolished the front-end load on face-amount certificates in keeping with the SEC's original recommendation. Despite the fact that the proposed abolition of the front-end load on face-amount certificates has been before the committee for at least 2 years; and despite the fact that it was discussed on many occasions during the hearings; and despite the fact that it has been the subject of intensive investigation by the SEC, the committee felt that "further study" was needed before the front-end load on such certificates can be abolished.

Mr. President, I had intended to offer an amendment to the bill to prohibit the front-end load for face-amount certificates. However, I shall not press that amendment, because there is still a feeling on the part of some members of the committee that this subject ought to be studied more carefully before we act on it.

I say that we already have had substantial study. In the words of the SEC study of nearly 3 years ago:

> There is no justification for front-end loads in the sale of face-amount certificates.

I believe we should abolish the front-end load today so that the thousands of investors who invest in these instruments will not suffer the financial losses they have suffered in the past.

However, the matter does represent a substantial financial interest for one big company. For that reason, instead of offering my amendment—and I have discussed this matter with the distinguished chairman of the committee, and also with

the distinguished Senator from Minnesota (Mr. MONDALE), who of course represents the State where this large fund is domiciled—I ask the distinguished chairman of the committee (Mr. SPARKMAN) if it would be satisfactory with him for the committee to request the Securities and Exchange Commission to make a study of the face-amount certificates, and to report back within 3 months, the study to include the following elements:

First, current redemption rates;

Second, percentage of persons losing money;

Third, manner in which such certificates are sold;

Fourth, after-tax yields obtainable on alternative investments;

Fifth, economic impact on industry of abolishing front-end load; and

Sixth, recommendations as to whether front-end load should be continued.

Mr. SPARKMAN. Mr. President, in reply to the question of the distinguished Senator from Wisconsin, I should certainly be glad to go along with the views that he has expressed, in asking the Securities and Exchange Commission to supply such information to our committee.

The Senator knows that when the amendment was voted down in the committee, it was on that basis that we did not have sufficient information. I still think that is correct, and I think that by making the specific request of the Securities and Exchange Commission, we may get a great deal more information than we have now. If it is then found necessary, we could enact additional legislation.

Mr. PROXMIRE. Mr. President, I thank the distinguished chairman of the committee, and I shall not offer my amendment, on the understanding that there will be such a study requested by the committee of the SEC.

Mr. SPARKMAN. That is correct.

Mr. BENNETT. Mr. President, as the ranking minority member of the committee, I wish to state that I support the chairman and the distinguished Senator from Wisconsin.

Mr. PERCY. Mr. President, I believe the bill before us today—S. 2224—will insure the continued growth and prosperity of the mutual fund industry as well as provide basic safeguards to the American investor who has put his savings into the purchase of mutual funds.

For almost 3 years, the Banking and Currency Committee has been striving to obtain a bill that would protect the consumer interest of the 5 million Americans with savings in mutual funds and at the same time update the Nation's securities laws to reflect the growing mutual fund industry and help the industry maintain its healthy growth. Updating of the securities laws is necessary as the last revisions took place in 1940 when the industry had only $450 million in assets. Today the industry has assets of over $50 billion.

I opposed last year's bill as it gave jurisdiction to the courts to determine what were reasonable management fees. After further hearings this year and consultation between the SEC and the industry a new test for determining whether management fees are reasonable has been devised. The proposed legislation from the committee holds that a mutual fund investment adviser has a specific fiduciary duty in respect to management fee compensation.

Jurisdiction in enforcing this fiduciary standard is placed in the courts. Either the SEC or mutual fund stockholders can sue in order to have a determination as to whether the investment adviser has fulfilled his fiduciary duty to the mutual fund shareholders in determining the fee. This is a fair and reasonable compromise for the problem of management fees, and I support this version as worked out by the committee.

Another sound compromise has been worked out regarding front-end loads and for this I must give ample credit to Senator BENNETT, ranking Republican on the committee. This proposal gives mutual fund companies the option of limiting the amount that could be deducted for sales charges to 20 percent of the investors payments during the first 3 years, or would permit the company to retain the current front-end load but provides for redemption priviledges during the first 3 years that would reduce the investors sales load to 15 percent of total payments made under the plan. These provisions discourage overselling of plans to investors unable to undertake such commitments and encourage selling to investors who will persist in their plan payments.

In general the committee is proposing a fair and reasonable bill. I am particularly pleased with the increasing cooperation between the SEC and the mutual fund industry that has evolved during consideration of this bill. It is a good sign when the industry and the government sit down to mutually resolve problems and, if nothing else, I feel we have a better basis for cooperation between the two in the future.

I hope the Senate will give favorable consideration to this bill.

Mr. BROOKE. Mr. President, I rise today to offer my support of Senate bill 2224, the Investment Company Amendments Act of 1969. This bill amends certain sections of the Investment Company Act of 1940 which pertain to investment company management fees, mutual funds sales commissions, and contractual plan sales commissions. The bill also amends certain provisions of the Federal securities laws to permit banks and savings and loan associations to operate collective funds in competition with mutual funds. Finally, the bill includes a number of technical amendments to the Investment Company Act of 1940 and the Investment Advisers Act of 1940 which would facilitate and improve the administration of these acts.

S. 2224 represents a significant improvement over the provisions contained in S. 3724 which was passed by the Senate last year and which I did not support. There are, however, a number of issues which must still be addressed in future legislation after adequate studies have been completed.

The most controversial provision contained in last year's bill dealt with the reasonableness of investment company management fees. Mutual funds are normally organized, promoted, and managed by external organizations which are referred to as "investment advisers." These organizations are usually large investment companies which manage the fund's portfolio in exchange for management or advisory fees. These fees are calculated as a percentage of the fund's net assets and fluctuate with the value of the fund's investment portfolio.

Since fund shares are often purchased by investors in reliance upon the investment adviser's management competence, a mutual fund is not in a position to sever its relationship with the adviser and, therefore, often does not deal with the adviser on an arm's-length basis. Thus, this relationship has given rise to problems; namely, the economies of scale which have been realized in the industry as a whole as a result of its phenomenal growth have not been shared with investors. This observation is made not to chastise an industry which has contributed significantly to the welfare of the investing public; but to point out that even the most praiseworthy industries are subject to shortcomings which require legislative solutions.

Last year's bill—S. 3724—contained a provision stating that management fees should be "reasonable." Jurisdiction was vested in the courts to determine what constituted a reasonable fee. I and several of my colleagues on the Banking and Currency Committee objected to this provision on the ground that courts would be setting management fees.

S. 2224 represents a substantial change in emphasis from the provisions contained in last year's bill. As a matter of Federal law, the investment adviser will be subjected to a fiduciary duty to mutual fund share holders with respect to management fee compensation. Similar fiduciary duties will be owed by certain other persons with respect to their compensation from the fund. The doctrine of "corporate waste" will no longer prevent shareholder suits where management fee contracts have been ratified by shareholder votes. Thus, the established corporate law concept of fiduciary duty will be applied to management compensation contracts and suits grounded on a breach of this fiduciary duty can be brought by mutual fund shareholders or the SEC.

This, in my judgment, represents a significant improvement over last year's bill in that unconscionable management fee contracts can be challenged; however, the judiciary does not assume the role of a "rate fixer." While the ultimate responsibility for determining whether the investment adviser's fiduciary duty has been breached rests with the courts, approval of management fee contracts by the directors and the shareholders will be given adequate consideration.

It should be emphasized that the committee in its report to the Senate on S. 2224 does not make any finding that the present level of management fees is too high. S. 2224 does, however, provide a mechanism by which the fairness of management compensation contracts can be tested where shareholder recourse has hitherto been noticeably absent. Adequate compensation and incentives

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must be provided to companies and individuals which advise the fund on its investments and market fund shares; however, individual investors must share equitably in the economies of scale available as a result of tremendous growth in this industry.

Recognizing the need to balance adequate compensation for the industry with adequate investor returns—consistent with market fluctuations—I am pleased to see that a compromise has been reached with respect to the establishment of a commission rate structure for mutual fund sales loads. Under this compromise, the industry would provide self-regulation with oversight by the SEC. The SEC would be empowered to alter or supplement industry rules. This solution is preferable to that involved with eliminating the resale price maintenance provisions contained in section 22(d) of the Investment Company Act of 1940. Expert testimony delivered before the Banking and Currency Committee indicated that elimination of section 22(d) could have adverse consequences on the industry which are not foreseeable at this time. The SEC has been requested to review the consequences of such a proposal on both the investing public and mutual funds sales organizations. I believe that this study is the sine qua non of further action in this area.

With respect to front-end loads paid by investors who participate in contractual plans, many of the problems which existed in S. 3724 have been resolved. The original SEC recommendation that front-end loads be prohibited was rejected by the committee. On the other hand, the committee felt that the front-end load—or prepayment of sales charges on contractual plans—detrimentally affected investors who withdrew from the plans at an early date unless the stock market had risen rapidly. Accordingly, I am pleased to note that a compromise has been reached whereby either the front-end load is reduced considerably or investors are able to receive refunds if withdrawal takes place at an early date. More specifically, salesmen would be given the option of employing a "spread load" whereby the front-end load would be extended over a 4-year period with no more than 20 percent of any one year's payments deducted for sales loads. The total deduction allowable during the first 4 years would be limited to 64 percent. This contrasts greatly with present provisions which allow for a 50-percent front-end load that can be deducted in the first year of the plan. Thus, the investor would have more money actually invested in underlying securities during the first years of the plan and the possibility of loss in the event that he redeemed during this period would be substantially decreased.

Under the second alternative the 50-percent front-end load presently authorized could be retained provided that if the investor elected for any reason to redeem his underlying shares for cash during the first 3 years, he would be entitled to receive a refund of the amount by which all sales charges paid exceed 15 percent of the total payments made under the plan. Thus, the investor would also have more money actually invested under this alternative than under present provisions and his possibility of loss in this first few years would be decreased substantially.

Although I believe the front-end load provisions contained in S. 2224 are an improvement over the provisions contained in last year's bill, I have also been impressed with the fact that several States prohibit front-end loads entirely—for example, California—and nevertheless have a thriving mutual fund industry. Thus, there appears to be reason for considering whether additional improvements might be made in the front-end load provisions without seriously jeopardizing the mutual fund industry sales forces. I withhold amendments in this area until additional study can be given to the experiences found in "no-load" States with respect to the composition of industry sales forces and the nature of the sales activity involved.

S. 2224 also contains provisions dealing with sales charges for "face amount certificates." These instruments are debt securities that provide for periodic payments over a number of years. The investor is paid a fixed sum of money upon the maturity of the certificate and lesser sums if the certificate is surrendered prior to maturity. These lesser sums reflect the deduction from investors' payments of front-end load sales charges. S. 2224 provides a 20-percent front-end load limitation on these instruments. My very able colleague, Senator Proxmire, has expressed reservations as to whether the fact amount certificate provisions in this bill are adequate. I support the present provisions pending further study as to the consequences of eliminating the front-end load provisions entirely.

The bill which is now under consideration contains additional provisions which would permit banks to engage in equity investments by offering their investment services to individuals through the use of collective investment funds. I am cognizant of the fact that the banking provisions of this bill conflict with certain provisions contained in the Banking Act of 1933—commonly known as the Glass-Steagall Act—which precludes banks from entering the securities business.

I believe that adequate evidence exists to justify the entry of banks and savings and loan associations into the mutual fund field and the increased activity of insurance companies. The American investor will be the benefactor of such activities since he will be provided with a wider choice among different equity investment fedia. While I believe that there is some justification for the argument that any expansion of the banking industry into this new field of endeavor should be considered as part of the larger "one-bank holding company" issue, I do feel that the subject has received adequate consideration before the Banking and Currency Committee and it has chosen to consider the issue in this context. I believe that decision is justified.

In conclusion, I would like to commend S. 2224 to my colleagues in the Senate. I believe it represents a significant contribution to the law in this field. While there are issues which remain unresolved, we must not postpone the enactment of legislation which will have a significant bearing on the growth of this important industry. I urge that S. 2224 be adopted.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill (S. 2224) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 2224

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Investment Company Amendments Act of 1969".

Sec. 2. Section 2(a) of the Investment Company Act of 1940 (15 U.S.C. 80a–2(a)) is amended as follows:

(1) Paragraph (5) is amended by striking out "under section 11(k) of the Federal Reserve Act, as amended" and inserting in lieu thereof "under the authority of the Comptroller of the Currency".

(2) Paragraphs (19) through (35) are redesignated as paragraphs (20) through (36), respectively, and paragraphs (36) through (42) are redesignated as paragraphs (38) through (44), respectively.

(3) A new paragraph is inserted immediately after paragraph (18) to read as follows:

"(19) 'Interested person' of another person means—

"(A) when used with respect to an investment company—

"(i) any affiliated person of such company,

"(ii) any member of the immediate family of any natural person who is an affiliated person of such company,

"(iii) any interested person of any investment adviser of or principal underwriter for such company,

"(iv) any person or partner or employee of any person who at any time since the beginning of the last two fiscal years of such company has acted as legal counsel for such company,

"(v) any broker or dealer registered under the Securities Exchange Act of 1934 or any affiliated person of such a broker or dealer, and

"(vi) any natural person whom the Commission by order shall have determined to be an interested person by reason of having had, at any time since the beginning of the last two fiscal years of such company, a material business or professional relationship with such company or with the principal executive officer of such company or with any other investment company having the same investment adviser or principal underwriter or with the principal executive officer of such other investment company:

Provided, That no person shall be deemed to be an interested person of an investment company solely by reason of (aa) his being a member of its board of directors or advisory board or an owner of its securities, or (bb) his membership in the immediate family of any person specified in clause (ee) of this proviso; and

"(B) when used with respect to an investment adviser of or principal underwriter for any investment company—

"(i) any affiliated person of such investment adviser or principal underwriter,

"(ii) any member of the immediate family of any natural person who is an affiliated person of such investment adviser or principal underwriter,

"(iii) any person who knowingly has any direct or indirect beneficial interest in, or who is designated as trustee, executor, or guardian of any legal interest in, any security issued either by such investment adviser or principal underwriter or by a con-

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trolling person of such investment adviser or principal underwriter,

"(iv) any person or partner or employee of any person who at any time since the beginning of the last two fiscal years of such investment company has acted as legal counsel for such investment adviser or principal underwriter,

"(v) any broker or dealer registered under the Securities Exchange Act of 1934 or any affiliated person of such a broker or dealer, and

"(vi) any natural person whom the Commission by order shall have determined to be an interested person by reason of having had at any time since the beginning of the last two fiscal years of such investment company a material business or professional relationship with such investment adviser or principal underwriter or with the principal executive officer or any controlling person of such investment adviser or principal underwriter.

For the purposes of this paragraph (19), 'member of the immediate family' means any parent, spouse of a parent, child, spouse of a child, spouse, brother or sister, and includes step and adoptive relationships. The Commission may modify or revoke any order issued under clause (vi) of subparagraph (A) or (B) of this paragraph whenever it finds that such order is no longer consistent with the facts. No order issued pursuant to clause (vi) of subparagraph (A) or (B) of this paragraph shall become effective until at least sixty days after the entry thereof, and no such order shall affect the status of any person for the purposes of this title or for any other purpose for any period prior to the effective date of such order."

(4) A new paragraph is inserted immediately after redesignated paragraph (36) (formerly paragraph (35)) as follows:

"(37) 'Separate account' means an account established and maintained by an insurance company pursuant to the laws of any State or territory of the United States, or of Canada or any province thereof, under which income, gains and losses, whether or not realized, from assets allocated to such account, are, in accordance with the applicable contract, credited to or charged against such account without regard to other income, gains, or losses of the insurance compay."

(5) A new paragraph is inserted immediately after redesignated paragraph (44) (formerly paragraph (42)) as follows:

"(45) 'Savings and loan association' means a saving and loan association, building and loan association, cooperative bank, homestead association, or similar institution, which is supervised and examined by State or Federal authority having supervision over any such institution, and a receiver, conservator, or other liquidating agent of any such institution."

SEC. 3. (a) The second sentence of paragraph (2) of section 3(b) of the Investment Company Act of 1940 (15 U.S.C. 80a–3(b) (2)) is amended by inserting "in good faith" after "paragraph".

(b) Section 3(c) of such Act (15 U.S.C. 80a–3(c)) is amended as follows:

(1) The material preceding paragraph (1) is amended to read as follows:

"(c) Notwithstanding subsection (a), none of the following persons is an investment company within the meaning of this title:".

(2) Strike paragraphs (4) and (8) and redesignated paragraphs (5) through (15) as paragraphs (4) through (13), respectively.

(3) Redesignated paragraph (5) (formerly paragraph (6)) is amended by inserting "redeemable securities," before "face-amount certificates".

(4) Redesignated paragraph (8) (formerly paragraph (10)) is amended to read as follows:

"(8) Any company subject to regulation under the Public Utility Holding Company Act of 1935."

(5) Redesignated paragraph (9) (formerly paragraph (11)) is amended to read as follows:

"(9) Any person who is not engaged in the business of issuing redeemable securities, face-amount certificates of the installment type, or periodic payment plan certificates, and substantially all of whose business consists of owning or holding oil, gas, or other mineral royalties or leases, or fractional interests therein, or certificates of interest or participation in or or investment contracts relative to such royalties, leases, or fractional interests."

(6) Redesignated paragraph (11) (formerly paragraph (13)) is amended to read as follows:

"(11) Any employees' stock bonus, pension, or profit-sharing trust which meets the requirements for qualification under section 401 of the Internal Revenue Code of 1954; or any collective trust fund maintained by a bank consisting solely of assets of such trusts; or any separate account the assets of which are derived solely from (A) contributions under pension or profit-sharing plans which meet the requirements of such section or the requirements for deduction of the employer's contribution under section 404(a)(2) of such Code, and (B) advances made by an insurance company in connection with the operation of such separate account."

3(c)(1) Section 8(b)(2) of such Act (15 U.S.C. 80a–8(b)(2)) is amended to read as follows:

"(2) a recital of all investment policies of the registrant, not enumerated in paragraph (1), which are changeable only if authorized by shareholder vote;".

(2) Paragraphs (3) and (4) are redesignated as paragraphs (4) and (5), respectively.

(3) A new paragraph is inserted immediately after paragraph (2) to read as follows:

"(3) a recital of all policies of the registrant, not enumerated in paragraphs (1) and (2), in respect of matters which the registrant deems matters of fundamental policy;".

(d) Section 13(a)(3) of such Act (15 U.S.C. 80a–13(a)(3)) is amended to read as follows:

"(3) deviate from its policy in respect of concentration of investments in any particular industry or group of industries as recited in its registration statement, deviate from any investment policy which is changeable only if authorized by shareholder vote, or deviate from any policy recited in its registration statement pursuant to Section 8(b) (3);".

SEC. 4. (a) That part of section 9(a) of the Investment Company Act of 1940 (15 U.S.C. 80a–9(a)) which precedes paragraph (1) is amended by inserting "employee," before "officer".

(b) Section 9 of such Act (15 U.S.C. 80a–9) is further amended by redesignating subsection (b) as subsection (c) and inserting immediately after subsection (a) a new subsection to read as follows:

"(b) The Commission may, after notice and opportunity for hearing, by order prohibit, conditionally or unconditionally, either permanently or for such period of time as it in its discretion shall deem appropriate in the public interest, any person from serving or acting as an employee, officer, director, member of an advisory board, investment adviser or depositor of, or principal underwriter for, a registered investment company or affiliated person of such investment adviser, depositor, or principal underwriter, if such person—

"(1) has willfully made or caused to be made in any registration statement, application or report filed with the Commission under this title any statement which was at the time and in the light of the circumstances under which it was made false or misleading with respect to any material fact, or has omitted to state in any such registration statement, application, or report any material fact which was required to be stated therein; or

"(2) has willfully violated any provision of the Securities Act of 1933, or of the Securities Exchange Act of 1934, or of title II of this Act, or of this title, or of any rule or regulation under any of such statutes; or

"(3) has willfully aided, abetted, counseled, commanded, induced, or procured the the violation by any other person of the Securities Act of 1933, or of the Securities Exchange Act of 1934, or of title II of this Act, or of this title, or of any rule or regulation uner any of such statutes."

SEC. 5. (a) Section 10(a) of the Investment Company Act of 1940 (15 U.S.C. 80a–10(a)) is amended to read as follows:

"(a) No registered investment company shall have a board of directors more than 60 per centum of the members of which are persons who are interested persons of such registered company."

(b) Section 10(b) of such Act (15 U.S.C. 80a–10(b)) is amended—

(1) by striking out "After one year from the effective date of this title, no" and inserting in lieu thereof "No"; and

(2) by striking out "affiliated", each place it appears in paragraph (2) and inserting in lieu thereof "interested".

(c) Section 10(c) of such Act (15 U.S.C. 80a–10(c)) is amended to read as follows:

"(c) No registered investment company shall have a majority of its board of directors consisting of persons who are officers, directors, or employees of any one bank, except that, if on March 15, 1940, any registered investment company had a majority of its directors consisting of persons who are directors, officers, or employees of any one bank, such company may continue to have the same percentage of its board of directors consisting of persons who are directors, officers, or employees of such bank."

(d) Section 10(d) of such Act (15 U.S.C. 80a–10(d)) is amended to read as follows:

"(d) Notwithstanding subsections (a) and (b)(2) of this section, and, in the case of a registered investment company which is a collective or other pooled fund maintained by a bank for the collective investment and reinvestment of assets contributed thereto by such bank in its capacity as managing agent, notwithstanding subsections (b)(3) and (c) of this section, a registered investment company may have a board of directors all the members of which, except one, are interested persons of the investment adviser of such company, or are officers or employees of such company, if—

"(1) such investment company is an open-end company;

"(2) such investment adviser (A) is registered under title II of this Act and is engaged principally in the business of rendering investment supervisory services as defined in title II, or (B) is a bank;

"(3) no sales load is charged on securities issued by such investment company;

"(4) any premium over net asset value charged by such company upon the issuance of any such security, plus any discount from net asset value charged on redemption thereof, shall not in the aggregate exceed 2 per centum;

"(5) no sales or promotion expenses are incurred by such registered company; but expenses incurred in complying with laws regulating the issue or sale of securities shall not be deemed sales or promotion expenses;

"(6) such investment adviser is the only investment adviser to such investment company, and such investment adviser does not receive a management fee exceeding 1 per centum per annum of the value of such company's net assets averaged over the year or taken as of a definite date or dates within the year;

"(7) all executive salaries and executive expenses and office rent of such investment company are paid by such investment adviser; and

"(8) such investment company has only one class of securities outstanding, each unit of which has equal voting rights with every other unit."

(e) Section 10 of such Act (15 U.S.C. 80a-10) is further amended by adding at the end thereof a new subsection as follows:

"(i) Notwithstanding any other provision of law, any director of a member bank of the Federal Reserve System may serve as a director of a registered investment company, if no sales load is charged on securities issued by such company."

SEC. 6. Section 11(b) of the Investment Company Act of 1940 (15 U.S.C. 80a-11(b)) is amended to read as follows:

"(b) The provisions of this section shall not apply to any offer made pursuant to any plan of reorganization, which is submitted to and requires the approval of the holders of at least a majority of the outstanding shares of the class or series to which the security owned by the offeree belongs."

SEC. 7. Section 12(d) of the Investment Company Act of 1940 (15 U.S.C. 80a-12(d)) is amended to read as follows:

"(d)~~(1)~~(A) It shall be unlawful for any ~~registered~~ investment company (the 'acquiring company') and any company or companies controlled by such acquiring company to purchase or otherwise acquire any security issued by any other investment company (the 'acquired company' and for for any investment company (the 'acquiring company') and any company or companies controlled by such acquiring company to purchase or otherwise acquire any security issued by any registered investment company (the 'acquired company'), if the acquiring company and any company or companies controlled by it immediately after such purchase or acquisition own in the aggregate—

"(i) more than 3 per centum of the total outstanding voting stock of the acquired company;

"(ii) securities issued by the acquired company having an aggregate value in excess of 5 per centum of the value of the total assets of the acquiring company; or

"(iii) securities issued by the acquired company and all other investment companies (other than Treasury stock of the acquiring company) having an aggregate value in excess of 10 per centum of the value of the total assets of the acquiring company.

"(B) It shall be unlawful for any registered open-end investment company (the 'acquired company'), any principal underwriter therefor, or any broker or dealer registered under the Securities Exchange Act of 1934, knowingly to sell or otherwise dispose of any security issued by the acquired company to any other investment company (the 'acquiring company') or any company or companies controlled by the acquiring company, if immediately after such sale or disposition—

"(i) more than 3 per centum of the total outstanding voting stock of the acquired company is owned by the acquiring company and any company or companies controlled by it; or

"(ii) more than 10 per centum of the total outstanding voting stock of the acquired company is owned by the acquiring company and other investment companies and companies controlled by them.

"(C) It shall be unlawful for any investment company (the 'acquiring company') and any company or companies controlled by the acquiring company to purchase or otherwise acquire any security issued by a registered closed-end investment company, if immediately after such purchase or acquisition the acquiring company, other investment companies having the same investment adviser, and companies controlled by such investment companies, own more than 10 per centum of the total outstanding voting stock of such closed-end company.

"(D) The provisions of this paragraph (1) shall not apply to a security received as a dividend or as a result of an offer of exchange approved pursuant to section 11 or of a plan of reorganization of any company (other than a plan devised for the purpose of evading the foregoing provisions).

"(E) The provisions of this paragraph (1) shall not apply to a security purchased or acquired by an investment company if—

"(i) the depositor of, or principal underwriter for, such investment company is a broker or dealer registered under the Securities Exchange Act of 1934, or a person controlled by such a broker or dealer;

"(ii) such security is the only investment security held by such investment company; and

"(iii) in the event such investment company is not a registered investment company, the purchase or acquisition is made pursuant to an arrangement with the issuer of, or principal underwriter for, the issuer of the security whereby such investment company is obligated—

"(aa) either to seek instructions from its security holders with regard to the voting of all proxies with respect to such security and to vote such proxies only in accordance with such instructions, or to vote the shares held by it in the same proportion as the vote of all other holders of such security, and

"(bb) to refrain from substituting such security unless the Commission shall have approved such substitution in the manner provided in section 26 of this Act.

"(F) The provisions of this paragraph (1) shall not apply to securities purchased or otherwise acquired by a registered investment company if—

"(i) immediately after such purchase or acquisition not more than 3 per centum of the total outstanding stock of such issuer is owned by such registered investment company and all affiliated persons of such registered investment company; and

"(ii) such registered investment company has not offered or sold after July 1, 1970, and is not proposing to offer or sell any security issued by it through a principal underwriter or otherwise at a public offering price which includes a sales load of more than 1½ per centum.

No issuer of any security purchased or acquired by a registered investment company pursuant to this subparagraph shall be obligated to redeem such security in an amount exceeding 1 per centum of such issurer's total outstanding securities during any period of less than thirty days. Such investment company shall exercise voting rights by proxy or otherwise with respect to any security purchased or acquired pursuant to this subparagraph in the manner prescribed by subparagraph (E) of this subsection."

"(G) For the purposes of this paragraph (1), the value of an investment company's total assets shall be computed as of the time of a purchase or acquisition or as closely thereto as is reasonably possible.

"(H) In any action brought to enforce the provisions of this paragraph (1), the Commission may join as a party the issuer of any security purchased or otherwise acquired in violation of this paragraph (1), and the court may issue any order with respect to such issuer as may be necessary or appropriate for the enforcement of the provisions of this paragraph (1).

"(2) It shall be unlawful for any registered investment company and any company or companies controlled by such registered investment company to purchase or otherwise acquire any security (except a security received as a dividend or as a result of a plan of reorganization of any company, other than a plan devised for the purpose of evading the provisions of this paragraph) issued by any insurance company of which such registered investment company and any company or companies controlled by such registered company do not, at the time of such purchase or acquisition, own in the aggregate at least 25 per centum of the total outstanding voting stock, if such registered company and any company or companies controlled by its own in the aggregate, or as a result of such purchase or acquisition will own in the aggregate, more than 10 per centum of the total outstanding voting stock of such insurance company.

"(3) It shall be unlawful for any registered investment company and any company or companies controlled by such registered investment company to purchase or otherwise acquire any security issued by or any other interest in the business of any person who is a broker, a dealer, is engaged in the business of underwriting, or is either an investment adviser of an investment company or an investment adviser registered under title II of this Act, unless (A) such person is a corporation all the outstanding securities of which (other than short-term paper, securities representing bank loans, and directors' qualifying shares) are, or after such acquisition will be, owned by one or more registered investment companies; and (B) such person is primarily engaged in the business of underwriting and distributing securities issued by other persons, selling securities to customers, or any one or more of such or related activities, and the gross income of such person normally is derived principally from such business or related activities."

SEC. 8. (a) Section 15(a) of the Investment Company Act of 1940 (15 U.S.C. 80a-15(a)) is amended to read as follows:

"(a) It shall be unlawful for any person to serve or act as investment adviser of a registered investment company, except pursuant to a written contract, which contract, whether with such registered company or with an investment adviser of such registered company, has been approved by the vote of a majority of the outstanding voting securities of such registered company, and—

"(1) precisely describes all compensation to be paid thereunder;

"(2) shall continue in effect for a period more than two years from the date of its execution, only so long as such continuance is specifically approved at least annually by the board of directors or by vote of a majority of the outstanding voting securities of such company;

"(3) provides, in substance, that it may be terminated at any time, without the payment of any penalty, by the board of directors of such registered company or by vote of a majority of the outstanding voting securities of such company on not more than sixty days' written notice to the investment adviser; and

"(4) provides, in substance, for its automatic termination in the event of its assignment."

(b) Section 15(b) of such Act (15 U.S.C. 80a-15(b)) is amended to read as follows:

"(b) It shall be unlawful for any principal underwriter for a registered open-end company to offer for sale, sell, or deliver after sale any security of which such company is the issuer, except pursuant to a written contract with such company, which contract—

"(1) shall continue in effect for a period, more than two years from the date of its execution, only so long as such continuance is specifically approved at least annually by the board of directors or by vote of a majority of the outstanding, voting securities of such company; and

"(2) provides, in substance, for its automatic termination in the event of its assignment."

(c) Section 15(c) of such Act (15 U.S.C. 80a-15(c)) is amended to read as follows:

"(c) In addition to the requirements of subsections (a) and (b) of this section, it shall be unlawful for any registered investment company having a board of directors to enter into, renew, or perform any contract or agreement, written or oral, whereby a person undertakes regularly to serve or act as investment adviser of or principal underwriter for such company, unless the terms of such contract or agreement and any renewal thereof have been approved by the vote of a majority of directors, who are not parties to such contract or agreement or interested persons of any such party, cast in person at a meeting called for the purpose of voting on such approval. It shall be the duty of the directors of a registered investment company to request and evaluate, and the duty of an investment adviser to such company to furnish, such information as may reasonably be necessary to evaluate the terms of any contract whereby a person undertakes regularly to serve or act as investment adviser of such company."

(d) Section 15 of such Act (15 U.S.C. 80a–15) is amended by striking out subsection (d) and redesignating subsections (e) and (f) as subsections (d) and (e), respectively.

Sec. 9. (a) Section 17(f) of the Investment Company Act of 1940 (15 U.S.C. 80a–17(f)) is amended to read as follows:

"(f) Every registered management company shall place and maintain its securities and similar investments in the custody of (1) a bank (including in the case of a registered investment company which is a collective fund maintained by a bank, the bank maintaining such fund) or banks having the qualifications prescribed in paragraph (1) of section 26(a) of this title for the trustees of unit investment trusts; or (2) a company which is a member of a national securities exchange as defined in the Securities Exchange Act of 1934, subject to such rules and regulations as the Commission may from time to time prescribe for the protection of investors; or (3) such registered company, but only in accordance with such rules and regulations or orders as the Commission may from time to time prescribe for the protection of investors. Rules, regulations, and orders of the Commission under this subsection, among other things, may make appropriate provision with respect to such matters as the earmarking, segregation, and hypothecation of such securities and investments, and may provide for or require periodic or other inspections by any or all of the following: Independent public accountants, employees and agents of the Commission, and such other persons as the Commission may designate. No such member which trades in securities for its own account may act as custodian except in accordance with rules and regulations prescribed by the Commission for the protection of investors. If a registered company maintains its securities and similar investments in the custody of a qualified bank or banks, the cash proceeds from the sale of such securities and similar investments and other cash assets of the company shall likewise be kept in the custody of such a bank or banks, or in accordance with such rules and regulations or orders as the Commission may from time to time prescribe for the protection of investors, except that such a registered company may maintain a checking account in a bank or banks having the qualifications prescribed in paragraph (1) of section 26(a) of this title for the trustees of unit investment trusts with the balance of such account or the aggregate balances of such accounts at no time in excess of the amount of the fidelity bond, maintained pursuant to section 17(g) of this title, covering the officers or employees authorized to draw on such account or accounts."

(b) Section 17(g) of such Act (15 U.S.C. 80a–17(g)) is amended to read as follows:

"(g) The Commission is authorized to require by rules and regulations or orders for the protection of investors that any officer or employee of a registered management investment company who may singly, or jointly with others, have access to securities or funds of any registered company, either directly or through authority to draw upon such funds or to direct generally the disposition of such securities (unless the officer or employee has such access solely through his position as an officer or employee of a bank) be bonded by a reputable fidelity insurance company against larceny and embezzlement in such reasonable minimum amounts as the Commission may prescribe."

(c) Section 17 of such Act (15 U.S.C. 80a–17) is further amended by adding at the end thereof a new subsection as follows:

"(j) It shall be unlawful for any affiliated person of or principal underwriter for a registered investment company or any affiliated person of an investment adviser of or principal underwriter for a registered investment company, to engage in any act, practice, or course of business in connection with the purchase or sale, directly or indirectly, by such person of any security held or to be acquired by such registered investment company in contravention of such rules and regulations as the Commission may adopt to define, and prescribe means reasonably necessary to prevent, such acts, practices, or courses of business as are fraudulent, deceptive or manipulative. Such rules and regulations may include requirements for the adoption of codes of ethics by registered investment companies and investment advisers of, and principal underwriters for, such investment companies establishing such standards as are reasonably necessary to prevent such acts, practices, or courses of business."

Sec. 10. Section 18(f)(2) of the Investment Company Act of 1940 (15 U.S.C. 80a–18(f)(2)) is amended to read as follows:

"(2) 'Senior security' shall not, in the case of a registered open-end company, include a class or classes or a number of series of preferred or special stock each of which is preferred over all other classes or series in respect of assets specifically allocated to that class or series: *Provided*, That (A) such company has outstanding no class or series of stock which is not so preferred over all other classes or series, or (B) the only other outstanding class of the issuer's stock consists of a common stock upon which no dividend (other than a liquidating dividend) is permitted to be paid and which in the aggregate represents not more than one-half of 1 per centum of the issuer's outstanding voting securities. For the purpose of insuring fair and equitable treatment of the holders of the outstanding voting securities of each class or series of stock of such company, the Commission may by rule, regulation, or order direct that any matter required to be submitted to the holders of the outstanding voting securities of such company shall not be deemed to have been effectively acted upon unless approved by the holders of such percentage (not exceeding a majority) of the outstanding voting securities of each class or series of stock affected by such matter as shall be prescribed in such rule, regulation, or order."

Sec. 11. Section 19 of the Investment Company Act of 1940 (15 U.S.C. 80a–19) is amended by inserting "(a)" after "Sec. 19.", and by adding at the end thereof a new subsection as follows:

"(b) It shall be unlawful in contravention of such rules, regulations, or orders as the Commission may prescribe as necessary or appropriate in the public interest or for the protection of investors for any registered investment company to distribute long-term capital gains, as defined in the Internal Revenue Code of 1954, more often than once every twelve months."

Sec. 12. (a) Section 22(b) of the Investment Company Act of 1940 (15 U.S.C. 80a-22(b)) is amended to read as follows:

"(b)(1) Such a securities association may also, by rules adopted and in effect in accordance with said section 15A, and notwithstanding the provisions of subsection (b) (8) thereof but subject to all other provisions of said section applicable to the rules of such an association, prohibit its members from purchasing, in connection with a primary distribution of redeemable securities of which any registered investment company is the issuer, any such security from the issuer or from any principal underwriter except at a price equal to the price at which such security is then offered to the public less a commission, discount, or spread which is computed in conformity with a method or methods, and within such limitations as to the relation thereof to said public offering price, as such rules may prescribe in order that the price at which such security is offered or sold to the public shall not include an excessive sales load but shall allow for reasonable compensation for sales personnel, broker-dealers, and underwriters, and for reasonable sales loads to investors.

"(2) At any time after the expiration of eighteen months from the date of enactment of the Investment Company Amendments Act of 1969, or after a securities association has adopted rules as contemplated by this subsection, the Commission may make such rules and regulations pursuant to section 15(b)(10) of the Securities Exchange Act of 1934 as are appropriate to effectuate the purpose of this subsection with respect to sales of shares of a registered investment company by broker-dealers subject to regulation under section 15(b)(8) of that Act: *Provided*, That the underwriter of such shares may file with the Commission at any time a notice of election to comply with the rules prescribed pursuant to this subsection by a national securities association specified in such notice, and thereafter the sales load shall not exceed that precribed by such rules of such association, and the rules of the Commission as hereinabove authorized shall thereafter be inapplicable to such sales.

"(3) At any time after the expiration of eighteen months from the date of enactment of the Investment Company Amendments Act of 1969, the Commission may alter or supplement the rules of any securities association as may be necessary to effectuate the purposes of this subsection in the manner provided by section 15A(k)(2) of the Securities Exchange Act of 1934.

"(4) If any provision of this subsection is in conflict with any provision of any law of the United States in effect on the date this subsection takes effect, the provisions of this subsection shall prevail."

(b) Section 22(c) of such Act (15 U.S.C. 80a–22(c)) is amended to read as follows:

"(c) The Commission may make rules and regulations applicable to registered investment companies and to principal underwriters of, and dealers in, the redeemable securities of any registered investment company, whether or not members of any securities association, to the same extent, covering the same subject matter, and for the accomplishment of the same ends as are prescribed in subsection (a) of this section in respect of the rules which may be made by a registered securities association governing its members. Any rules and regulations so made by the Commission, to the extent that they may be inconsistent with the rules of any such association, shall so long as they remain in force supersede the rules of the association and be binding upon its members as well as all other underwriters and dealers to whom they may be applicable."

(c) Section 22(d) of such Act (15 U.S.C. 80a–22(d)) is amended to read as follows:

"(d) No registered investment company shall sell any redeemable security issued by

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it to any person except either to or through a principal underwriter for distribution or at a current public offering price described in the prospectus, and, if such class of security is being currently offered to the public by or through an underwriter, no principal underwriter of such security and no dealer shall sell any such security to any person except a dealer, a principal underwriter, or the issuer, except at a current public offering price described in the prospectus. Nothing in this subsection shall prevent a sale made (i) pursuant to an offer of exchange permitted by section 11 including any offer made pursuant to section 11 (b); (ii) pursuant to an offer made solely to all registered holders of the securities, or of a particular class or series of securities issued by the company proportionate to their holdings or proportionate to any cash distribution made to them by the company (subject to appropriate qualifications designed solely to avoid issuance of fractional securities); or (iii) in accordance with rules and regulations of the Commission made pursuant to subsection (b) of section 12."

(d) Section 22 of such Act (15 U.S.C. 80a-22) is further amended by adding a new subsection at the end thereof as follows:

"(h) No provision of law shall be deemed to prohibit—

"(1) the creation or operation of a registered investment company, or a collective trust fund exempt from the definition of 'investment company' under section 3(c) (11) of this title, which is maintained by a bank or banks in compliance with any applicable regulations of the Comptroller of the Currency, or which is maintained by a savings and loan association or savings and loan associations in compliance with any applicable regulations of the Federal Home Loan Bank Board, or

"(2) the underwriting, distribution, or sale by a bank, or by a savings and loan association of securities issued by a registered investment company which issues such securities only for distribution and sale by banks or by savings and loan associations,

if such securities issued by such investment company are sold at a public offering price which does not include a sales load, and are sold only by officers and employees of banks and savings and loan associations who meet such standards with respect to training and experience as the Comptroller of the Currency and the Federal Home Loan Bank Board shall prescribe by regulations which are consistent with the rules and regulations promulgated by the Securities and Exchange Commission under the Securities Exchange Act of 1934."

SEC. 13.(a) Section 24(d) of the Investment Company Act of 1940 (U.S.C. 80a-24(d)) is amended to read as follows:

"(d) The exemption provided by paragraph (8) of section 3(a) of the Securities Act of 1933 shall not apply to any security of which an investment company is the issuer. The exemption provided by paragraph (11) of said section 3(a) shall not apply to any security of which a registered investment company is the issuer, except a security sold or disposed of by the issuer or bona fide offered to the public prior to the effective date of this title, and with respect to a security so sold, disposed of, or offered, shall not apply to any new offering thereof on or after the effective date of this title. The exemption provided by section 4(3) of the Securities Act of 1933 shall not apply to any transaction in a security issued by a face-amount certificate company or in a redeemable security issued by an open-end management company or unit investment trust if any other security of the same class is currently being offered or sold by the issuer or by or through an underwriter in a distribution which is not exempted from section 5 of said Act, except to such extent and subject to such terms and conditions as the Commission, having due regard for the public interest and the protection of investors, may prescribe by rules or regulations with respect to any class of persons, securities, or transactions."

(b) Section 24 of such Act (15 U.S.C. 80a-24) is further amended by adding at the end thereof a new subsection to read as follows:

"(f) In the case of securities issued by a face-amount certificate company or redeemable securities issued by an open-end management company or unit investment trust, which are sold in an amount in excess of the number of securities included in an effective registration statement of any such company, such company may, in accordance with such rules and regulations as the Commission shall adopt as it deems necessary or appropriate in the public interest or for the protection of investors, elect to have the registration of such securities deemed effective as of the time of their sale, upon payment to the Commission, within six months after any such sale, of a registration fee of three times the amount of the fee which would have otherwise been applicable to such securities. Upon any such election and payment, the registration statement of such company shall be considered to have been in effect with respect to such shares. The Commission may also adopt rules and regulations as it deems necessary or appropriate in the public interest or for the protection of investors to permit the registration of an indefinite number of the securities issued by a face-amount certificate company or redeemable securities issued by an open-end management company or unit investment trust."

SEC. 14. Section 25(c) of the Investment Company Act of 1940 (15 U.S.C. 80a-25(c)) is amended to read as follows:

"(c) Any district court of the United States in the State of incorporation of a registered investment company, or any such court for the district in which such company maintains its principal place of business, is authorized to enjoin the consummation of any plan of reorganization of such registered investment company upon proceedings instituted by the Commission which is authorized so to proceed upon behalf of security holders of such registered company, or any class thereof), if such court shall determine that any such plan is not fair and equitable to all security holders."

SEC. 15. (a) Section 26 of the Investment Company Act of 1940 (15 U.S.C. 80a-26) is amended by redesignating subsection (b) and (c) thereof as subsections (c) and (d), respectively, and by inserting immediately after subsection (a) a new subsection as follows:

"(b) It shall be unlawful for any depositor or trustee of a registered unit investment trust holding the security of a single issuer to substitute another security for such security unless the Commision shall have approved such substitution. The Commission shall issue an order approving such substitution if the evidence established that it is consistent with the protection of investors and the purposes fairly intended by the policy and provisions of this title."

(b) Redesignated subsection (c) (formerly subsection (b)) of section 26 of such Act is amended to read as follows:

"(c) In the event that a trust indenture, agreement of custodianship, or other instrument pursuant to which securities of a registered unit investment trust are issued does not comply with the requirements of subsection (a) of this section, such instrument will be deemed to meet such requirements if a written contract or agreement binding on the parties and embodying such requirements has been executed by the depositor on the one part and the trustee or custodian on the other part, and three copies of such contract or agreement have been filed with the Commission."

SEC. 16. (a) Section 27 of the Investment Company Act of 1940 (15 U.S.C. 80a-27) is amended by striking out subsection (b) and redesignating subsection (c) as subsection (b).

(b) Section 27 of such Act is further amended by adding at the end thereof the following new subsections:

"(c) Notwithstanding subsection (a) of this section, it shall be unlawful for any registered investment company issuing periodic payment plan certificates, or for any depositor of or underwriter for such company, to sell any such certificate unless the certificate provides that the holder thereof may surrender the certificate at any time within the first three years after the issuance of the certificate and receive in payment thereof, in cash, the sum of (1) the value of his account, and (2) an amount, from such underwriter or depositor, equal to that part of the excess paid for sales loading which is over 15 per centum of the gross payments made by the certificate holder. The Commission may make rules and regulations applicable to such underwriters and depositors specifying such reserve requirements as it deems necessary or appropriate in order for such underwriters and depositors to carry out the obligations to refund sales charges required by this subsection.

"(d) With respect to any periodic payment plan certificate sold subject to the provisions of subsection (c) of this section, the registered investment company issuing such periodic payment plan certificate, or any depositor of or underwriter for such company, shall in writing (1) inform each certificate holder who has missed three payments or more, within thirty days following the expiration of two years and six months after the issuance of the certificate, or, if any such holder has missed three payments or more after such period of two years and six months but prior to the expiration of three years after the issuance of the certificate, at any time prior to the expiration of such three-year period, of his right to surrender his certificate as specified in subsection (c) of this section, and (2) inform the certificate holder of (i) the value of the holder's account as of the time the written notice was given to such holder, and (ii) the amount to which he is entitled as specified in subsection (c) of this section. The Commission may make rules specifying the method, form, and contents of the notice required by this subsection.

"(e) With respect to any periodic payment plan, the custodian bank for such plan shall mail to each certificate holder within sixty days after the issuance of the certificate, a statement of charges to be deducted from the projected payments on the certificate and a notice of his right of withdrawal as specified in this section. The Commission may make rules specifying the method, form, and contents of the notice required by this subsection. The certificate holder may within sixty days of the mailing of the notice specified in this subsection surrender his certificate and receive in payment thereof, in cash, the sum of (1) the value of his account, and (2) an amount, from the underwriter or depositor, equal to the difference between the gross payments made and the net amount invested. The Commission may make rules and regulations applicable to underwriters and depositors of companies issuing any such certificates specifying such reserve requirements as it deems necessary or appropriate in order for such underwriters and depositors to carry out the obligations to refund sales charges required by this subsection.

"(f) Notwithstanding the provisions of subsections (a) and (c), a registered investment company issuing periodic payment plan certificates may elect, by written notice to the Commission, to be governed by the provisions of subsection (g) rather than the

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provisions of subsections (a) and (c) of this section.

"(g) Upon making the election specified in subsection (f), it shall be unlawful for any such electing registered investment company issuing periodic payment plan certificates, or for any depositor of or underwriter for such company, to sell any such certificate, if—

"(1) the sales load on such certificate exceeds 9 per centum of the total payments to be made thereon;

"(2) more than 20 per centum of any payment thereon is deducted for sales load, or any average of more than 16 per centum is deducted for sales load from the first forty-eight monthly payments thereon, or their equivalent;

"(3) the amount of sales load deducted from any one of the first twelve monthly payments, the thirteenth through twenty-fourth monthly payments, the twenty-fifth through thirty-sixth monthly payments, or the thirty-seventh through forty-eighth monthly payments, or their equivalents, respectively, exceeds proportionately the amount deducted from any other such payment, or the amount deducted from any subsequent payment exceeds proportionately the amount deducted from any other subsequent payment;

"(4) the deduction for sales load on the excess of the payment or payments in any month over the minimum monthly payment, or its equivalent, to be made on the certificate exceeds the sales load applicable to payments subsequent to the first forty-eight monthly payments or their equivalent;

"(5) the first payment on such certificate is less than $20, or any subsequent payment is less than $10;

"(6) if such registered company is a management company, the proceeds of such certificate or the securities in which such proceeds are invested are subject to management fees (other than fees for administrative services of the character described in clause (C) of paragraph (2) of section 26(a)) exceeding such reasonable amount as the Commission may prescribe, whether such fees are payable to such company or to investment advisers thereof; or

"(7) if such registered company is a unit investment trust the assets of which are securities issued by a management company, the depositor of or principal underwriter for such trust, or any affiliated person of such depositor or underwriter, is to receive from such management company or any affiliated person thereof any fee or payment on account of payments on such certificate exceeding such reasonable amount as the Commission may prescribe."

SEC. 17. Section 28 of the Investment Company Act of 1940 (15 U.S.C. 80a–28) is amended by adding at the end thereof a new subsection as follows:

"(i) The foregoing provisions of this section shall apply to all face-amount certificates issued prior to the effective date of this subsection; to the collection or acceptance of any payment on such certificates; to the issuance of face-amount certificates to the holders of such certificates pursuant to an obligation expressed or implied in such certificates; to the provisions of such certificates; to the minimum certificate reserves and deposits maintained with respect thereto; and to the assets that the issuer of such certificate was and is required to have with respect to such certificates. With respect to all face-amount certificates issued after the effective date of this subsection, the provisions of this section shall apply except as hereinafter provided.

"(1) Notwithstanding subparagraph (A) of paragraph (2) of subsection (a), the reserves for each certificate of the installment type shall be based on assumed annual, semiannual, quarterly, or monthly reserve payments according to the manner in which gross payments for any certificate year are made by the holder, which reserve payments shall be sufficient in amount, as and when accumulated at a rate not to exceed 3½ per centum per annum compounded annually, to provide the minimum maturity or face amount of the certificate when due. Such reserve payments may be graduated according to certificate years so that the reserve payment or payments for the first three certificate years shall amount to at least 80 per centum of the required gross annual payment for such years; the reserve payment or payments for the fourth certificate year shall amount to at least 90 per centum of such year's required gross annual payment; the reserve payment or payments for the fifth certificate year shall amount to at least 93 per centum of such year's gross annual payment; and for the sixth and each subsequent certificate year the reserve payment or payments shall amount to at least 96 per centum of each such year's required gross annual payment: *Provided*, That such aggregate reserve payments shall amount to at least 93 per centum of the aggregate gross annual payments required to be made by the holder to obtain the maturity of the certificate. The company may at its option take as loading from the gross payment or payments for a certificate year, as and when made by the certificate holder, an amount or amounts equal in the aggregate for such year to not more than the excess, if any, of the gross payment or payments required to be made by the holder for such year, over and above the percentage of the gross annual payment required herein for such year for reserve purposes. Such loading may be taken by the company prior to or after the setting up of the reserve payment or payments for such year and the reserve payment or payments for such year may be graduated and adjusted to correspond with the amount of the gross payment or payments made by the certificate holder for such year less the loading so taken.

"(2) Notwithstanding paragraphs (1) and (2) of subsection (d), (A) in respect of any certificate of the installment type, during the first certificate year, the holder of the certificate, upon surrender thereof, shall be entitled to a value payable in cash not less than 80 per centum of the amount of the gross payments made on the certificate; and (B) in respect of any certificate of the installment type, at any time after the expiration of the first certificate year and prior to maturity, the holder of the certificate, upon surrender thereof, shall be entitled to a value payable in cash not less than the then amount of the reserve for such certificate required by clauses (1) and (2) of subparagraph (D) of paragraph (2) of subsection (a), less a surrender charge that shall not exceed 2 per centum of the face or maturity amount of the certificate, or 15 per centum of the amount of such reserve, whichever is the lesser, but in no event shall such value be less than 80 per centum of the gross payments made on the certificate. The amount of the surrender value for the end of each certificate year shall be set out in the certificate."

SEC. 18. Section 32(a) of the Investment Company Act of 1940 (15 U.S.C. 80a–31(a)) is amended to read as follows:

"(a) It shall be unlawful for any registered management company or registered face-amount certificate company to file with the Commission any financial statement signed or certified by an independent public accountant, unless—

"(1) such accountant shall have been selected at a meeting held within thirty days before or after the beginning of the fiscal year or before the annual meeting of stockholders in that year by the vote, cast in person, of a majority of those members of the board of directors who are not interested persons of such registered company;

"(2) such selection shall have been submitted for ratification or rejection at the next succeeding annual meeting of stockholders if such meeting be held, except that any vacancy occurring between annual meetings, due to the death or resignation of the accountant, may be filled by the vote of a majority of those members of the board of directors who are not interested persons of such registered company, cast in person at a meeting called for the purpose of voting on such action;

"(3) the employment of such accountant shall have been conditioned upon the right of the company by vote of a majority of the outstanding voting securities at any meeting called for the purpose to terminate such employment forthwith without any penalty; and

"(4) such certificate or report of such accountant shall be addressed both to the board of directors of such registered company and to the security holders thereof. If the selection of an accountant has been rejected pursuant to paragraph (2) or his employment terminated pursuant to paragraph (3), the vacancy so occurring may be filled by a vote of a majority of the outstanding voting securities, either at the meeting at which the rejection or termination occurred or, if not so filed, at a subsequent meeting which shall be called for the purpose. In the case of a common-law trust of the character described in section 16(b), no ratification of the employment of such accountant shall be required but such employment may be terminated and such accountant removed by action of the holders of record of a majority of the outstanding shares of beneficial interest in such trust in the same manner as is provided in section 16(b) in respect of the removal of a trustee, and all the provisions therein contained as to the calling of a meeting shall be applicable. In the event of such termination and removal, the vacancy so occurring may be filled by action of the holders of record of a majority of the shares of beneficial interest either at the meeting, if any, at which such termination and removal occurs, or by instruments in writing filed with the custodian, or if not so filed within a reasonable time then at a subsequent meeting which shall be called by the trustees for the purpose. The provisions of paragraph (42) of section 2(a) as to a majority shall be applicable to the vote cast at any meeting of the shareholders of such a trust held pursuant to this subsection."

SEC. 19. Section 33 of the Investment Company Act of 1940 (15 U.S.C. 80a–32) is amended to read as follows:

"FILING OF DOCUMENTS WITH COMMISSION IN CIVIL ACTIONS

"SEC. 33. Every registered investment company which is a party and every affiliated person of such company who is a party defendant to any action or claim by a registered investment company or a security holder thereof in a derivative or representative capacity against an officer, director, investment adviser, trustee, or depositor of such company, shall file with the Commission, unless already so filed, (1) a copy of all pleadings, verdicts, or judgments filed with the court or served in connection with such action or claim, (2) a copy of any proposed settlement, compromise, or discontinuance of such action, and (3) a copy of such motions, transcripts, or other documents filed in or issued by the court or served in connection with such action or claim as may be requested in writing by the Commission. If any document referred to in clause (1) or (2)—

"(A) is delivered to such company or party defendant, such document shall be filed with the Commission not later than five days after the receipt thereof; or

"(B) is filed in such court or delivered by such company or party defendant, such document shall be filed with the Commis-

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sion not later than two days after such filing or delivery."

SEC. 20. Section 36 of the Investment Company Act of 1940 (15 U.S.C. 80a-35) is amended to read as follows:

"BREACH OF FIDUCIARY DUTY

"SEC. 36. (a) The Commission is authorized to bring an action in the proper district court of the United States, or in the United States court of any territory or other place subject to the jurisdiction of the United States, alleging that a person serving or acting in one or more of the following capacities has engaged within five years of the commencement of the action or is about to engage in any act or practice constituting a breach of fiduciary duty involving personal misconduct in respect of any registered investment company for which such person so serves or acts—

"(1) as officer, director, member of any advisory board, investment adviser, or depositor; or

"(2) as principal underwriter, if such registered company is an open-end company, unit investment trust, or face-amount certificate company.

If such allegations are established, the court may enjoin such person from acting in any or all such capacities either permanently or temporarily and award such injunctive or other relief against such person as it in its discretion deems appropriate in the circumstances, having due regard to the protection of investors and to the effectuation of the policies declared in section 1(b) of this title.

"(b) For the purposes of this subsection, the investment adviser of a registered investment company shall be deemed to have a fiduciary duty with respect to the receipt of compensation for services, or of payments of a material nature, paid by such registered investment company, or by the security holders thereof, to such investment adviser or any affiliated person of such investment adviser. An action may be brought under this subsection by the Commission, or by a security holder of such registered investment company on behalf of such company, against such investment adviser, or any affiliated person of such investment adviser, or any other person enumerated in subsection (a) of this section who has a fiduciary duty concerning such compensation or payments, for breach of fiduciary duty in respect of such compensation or payments paid by such registered investment company or by the security holders thereof to such investment adviser or person. With respect to any such action the following provisions shall apply:

"(1) It shall not be necessary to allege or prove that any defendant engaged in personal misconduct, and the plaintiff shall have the burden of proving a breach of fiduciary duty.

"(2) In any such action approval by the board of directors of such investment company of such compensation or payments, or of contracts or other arrangements providing for such compensation or payments, and ratification or approval of such compensation or payments, or of contracts or other arrangements providing for such compensation or payments, by the shareholders of such investment company, shall be given such consideration by the court as is deemed appropriate under all the circumstances.

"(3) No such action shall be brought or maintained against any person other than the recipient of such compensation or payments, and no damages or other relief shall be granted against any person other than the recipient of such compensation or payments. No award of damages shall be recoverable for any period prior to one year before the action was instituted. Any award of damages against such recipient shall be limited to the actual damages resulting from the breach of fiduciary duty and shall in no event exceed the amount of compensation or payments received from such investment company, or the security holders thereof, by such recipient.

"(4) This subsection shall not apply to compensation or payments made in connection with transactions subject to section 17 of this title, or rules, regulations, or orders thereunder, or to sales loads for the acquisition of any security issued by a registered investment company.

"(5) Any action pursuant to this subsection may be brought only in an appropriate district court of the United States.

"(6) No finding by a court with respect to a breach of fiduciary duty under this subsection shall be made a basis (A) for a finding of a violation of this title for the purposes of sections 9 and 49 of this title, section 15 of the Securities Exchange Act of 1934, or section 203 of title II of this Act, or (B) for an injunction to prohibit any person from serving in any of the capacities enumerated in subsection (a) of this section."

SEC. 21. The last sentence of section 43(a) of the Investment Company Act of 1940 (15 U.S.C. 80a-42(a)) is amended by striking out "sections 239 and 240 of the Judicial Code, as amended" and inserting in lieu thereof "section 1254 of title 28, United States Code."

SEC. 22. Section 44 of the Investment Company Act of 1940 (15 U.S.C. 80a-43) is amended—

(1) by striking out the next to the last sentence and inserting in lieu thereof "Judgments and decrees so rendered shall be subject to review as provided in sections 1254, 1291, 1292, and 1294 of title 28, United States Code."; and

(2) by adding at the end thereof a new sentence as follows: "The Commission may intervene as a party in any action or suit to enforce any liability or duty created by, or to enjoy any noncompliance with, section 36(b) of this title at any stage of such action or suit prior to final judgment therein."

SEC. 23 Section 202(a) of the Investment Advisers Act of 1940 (15 U.S.C. 80b-2(a)) is amended by redesignating paragraphs (17) through (20) as paragraphs (18) through (21), respectively, and inserting immediately after paragraph (16) a new paragraph as follows:

"(17) The term 'person associated with an investment adviser' means any partner, officer, or director of such investment adviser (or any performing similar functions), or any person directly or indirectly controlling or controlled by such investment adviser, including any employee of such investment adviser, except that for the purposes of section 203 of this title (other than subsection (f) thereof), persons associated with an investment adviser whose functions are clerical or ministerial shall not be included in the meaning of such term. The Commission may by rules and regulations classify, for the purposes of any portion or portions of this title, persons, including employees controlled by an investment adviser."

SEC. 24. (a) Section 203(b) of the Investment Advisers Act of 1940 (15 U.S.C. 80b-3(b)) is amended to read as follows:

"(b) The provisions of subsection (a) shall not apply to—

"(1) any investment adviser all of whose clients are residents of the State within which such investment adviser maintains his or its principal office and place of business, and who does not furnish advice or issue analyses or reports with respect to securities listed or admitted to unlisted trading privileges on any national securities exchange;

"(2) any investment adviser whose only clients are insurance companies; or

"(3) any investment adviser who during the course of the preceding twelve months has had fewer than fifteen clients and who neither holds himself out generally to the public as an investment adviser nor acts as an investment adviser to any investment company registered under title I of this Act."

(b) Section 203(c) of such Act (15 U.S.C. 80b-3(c)) is amended by striking out subparagraph (F) and inserting in lieu thereof the following:

"(F) whether such investment adviser, or any person associated with such investment adviser, is subject to any disqualification which would be a basis for denial, suspension, or revocation of registration of such investment adviser under the provisions of subsection (e), and".

(c) Section 203 of such Act (15 U.S.C. 80b-3) is further amended by redesignating subsection (d) as subsection (e), redesignating subsection (e) as subsection (g), and inserting after subsection (c) a new subsection as follows:

"(d) Any provision of this title (other than subsection (a) of this section) which prohibits any act, practice, or course of business if the mails or any means or instrumentality of interstate commerce are used in connection therewith shall also prohibit any such act, practice, or course of business by any investment adviser registered pursuant to this section or any person acting on behalf of such an investment adviser, irrespective of any use of the mails or any means or instrumentality of interstate commerce in connection therewith."

(d) Redesignated subsection (e) (formerly subsection (d) of section 203 of such Act) (15 U.S.C. 80b-3(d)) is amended to read as follows:

"(e) The Commission shall, after appropriate notice and opportunity for hearing, by order censure, deny registration to, or suspend for a period not exceeding twelve months, or revoke the registration of, an investment adviser, if it finds that such censure, denial, suspension, or revocation is in the public interest and that such investment adviser or any person associated with such investment adviser, whether prior to or subsequent to becoming such—

"(1) has willfully made or caused to be made in any application for registration or report filed with the Commission under this title, or in any proceeding before the Commission with respect to registration, any statement which was at the time and in the light of the circumstances under which it was made false or misleading with respect to any material fact, or who has omitted to state in any such application or report any material fact which is required to be stated therein; or

"(2) has been convicted within ten years preceding the filing of the application or at any time thereafter of any felony or misdemeanor which the Commission finds (A) involves the purchase or sale of any security, (B) arises out of the conduct of the business of a broker, dealer, or investment adviser, (C) involves embezzlement, fraudulent conversion, or misappropriation of funds or securities, or (D) involves the violation of section 1341, 1342, or 1343 of title 18, United States Code; or

"(3) is permanently or temporarily enjoined by order, judgment, or decree of any court of competent jurisdiction from acting as an investment adviser, underwriter, broker, or dealer, or an affiliated person or employee of any investment company, bank, or insurance company, or from engaging in or continuing any conduct or practice in connection with any such activity, or in connection with the purchase or sale of any security; or

"(4) has willfully violated any provision of the Securities Act of 1933, or of the Securities Exchange Act of 1934, or of title I of this Act, or of this title, or of any rule or regulation under any of such statutes; or

"(5) has aided, abetted, counseled, commanded, induced, or procured the violation by any other person of the Securities Act of

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1933, or the Securities Exchange Act of 1934, or of title I of this Act, or of this title, or of any rule or regulation under any of such statutes or has failed reasonably to supervise, with a view to preventing violations of such statutes, rules, and regulations, another person who commits such a violation, if such other person is subject to his supervision: *Provided*, That, for the purposes of this paragraph (5), no person shall be deemed to have failed reasonably to supervise any person, if—

"(A) there have been established procedures, and a system for applying such procedures, which would reasonably be expected to prevent and detect, insofar as practicable, any such violation by such other person; and

"(B) such person has reasonably discharged the duties and obligations incumbent upon him by reason of such procedures and system without reasonable cause to believe that such procedures and system were not being complied with; or

"(6) is subject to an order of the Commission entered pursuant to subsection (f) of this section barring or suspending the right of such person to be associated with an investment adviser, which order is in effect with respect to such person."

(e) Section 203 of such Act (15 U.S.C. 80b-3) is further amended by redesignating subsections (f) and (g) as subsections (h) and (i), respectively, and inserting after redesignated subsection (e) a new subsection as follows:

"(f) The Commission may, after appropriate notice and opportunity for hearing, by order censure any person or bar or suspend for a period not exceeding twelve months any person from being associated with an investment adviser, if the Commission finds that such censure, barring, or suspension is in the public interest and that such person had committed or omitted any act or omission enumerated in paragraph (1), (4), or (5) of subsection (e) of this section, or has been convicted of any offense specified in paragraph (2) of subsection (e) within ten years of the commencement of the proceedings under this subsection, or is enjoined from any action, conduct, or practice specified in paragraph (3) of subsection (e). It shall be unlawful for any person as to whom such an order barring or suspending him from being associated with an investment adviser is in effect, willfully to become, or to be, associated with an investment adviser, without the consent of the Commission, and it shall be unlawful for any investment adviser to permit such a person to become, or remain, a person associated with such investment adviser without the consent of the Commission, if such investment adviser knew, or in the exercise of reasonable care should have known of such order."

Sec. 25. Section 205 of the Investment Advisers Act of 1940 (15 U.S.C. 80b-5) is amended to read as follows:

"INVESTMENT ADVISORY CONTRACTS

"Sec. 205. No investment adviser, unless exempt from registration pursuant to section 203(b), shall make use of the mails or any means or instrumentality of interstate commerce, directly or indirectly, to enter into, extend, or renew any investment advisory contract, or in any way to perform any investment advisory contract entered into, extended, or renewed on or after the effective date of this title, if such contract—

"(1) provides for compensation to the investment adviser on the basis of a share of capital gains upon or capital appreciation of the funds or any portion of the funds of the client;

"(2) fails to provide, in substance, that no assignment of such contract shall be made by the investment adviser without the consent of the other party to the contract; or

"(3) fails to provide, in substance, that the investment adviser, if a partnership, will notify the other party to the contract of any change in the membership of such partnership within a reasonable time after such change.

Paragraph (1) of this section shall not (A) be construed to prohibit an investment advisory contract which provides for compensation based upon the total value of a fund averaged over a definite period, or as of a definite dates, or taken as of a definite date, or (B) apply to an investment advisory contract with an investment company registered under title I of this Act which provides for compensation based on the asset value of the company averaged over a specified period and increasing and decreasing proportionately with the investment performance of the company over a specified period in relation to the investment record of an appropriate index of securities prices or such other measure of investment performance as the Commission by rule, regulation, or order may specify. For purposes of clause (B) of the preceding sentence, an index of securities prices shall be deemed appropriate unless the Commission by order shall determine otherwise. As used in paragraphs (2) and (3) of this section, 'investment advisory contract' means any contract or agreement whereby a person agrees to act as investment adviser or to manage any investment or trading account of another person other than an investment company registered under title I of this Act."

Sec. 26. The Investment Advisers Act of 1940 (15 U.S.C. 80b-1-21) is further amended by inserting immediately after section 206 a new section as follows:

"EXEMPTIONS

"Sec. 206A. The Commission, by rules and regulations, upon its own motion, or by order upon application, may conditionally or unconditionally exempt any person or transaction, or any class or classes of person, or transactions, from any provision or provisions of this title or of any rule or regulation thereunder, if and to the extent that such exemption is necessary or appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of this title."

Sec. 27. (a) Section 2 of the Securities Act of 1933 (15 U.S.C. 77b) is amended by adding at the end thereof two new paragraphs as follows:

"(13) The term 'insurance company' means a company which is organized as an insurance company, whose primary and predominant business activity is the writing of insurance or the reinsuring of risks underwritten by insurance companies, and which is subject to supervision by the insurance commissioner, or a similar official or agency, of a State or territory or the District of Columbia; or any receiver or similar official, or any liquidating agent for such company, in his capacity as such.

"(14) The term 'separate account' means an account established and maintained by an insurance company pursuant to the laws of any State or territory of the United States, the District of Columbia, or of Canada or any province thereof, under which income, gains and losses, whether or not realized, from assets allocated to such account, are, in accordance with the applicable contract, credited to or charged against such account without regard to other income, gains, or losses of the insurance company."

(b) Section 3(a)(2) of such Act (15 U.S.C. 77c(a)(2)) is amended to read as follows:

"(2) Any security issued or guaranteed by the United States or any territory thereof, or by the District of Columbia, or by any State of the United States, or by any political subdivision of a State or territory, or by any public instrumentality of one or more States or territories, or by any person controlled or supervised by and acting as an instrumentality of the Government of the United States pursuant to authority granted by the Congress of the United States; or any certificate of deposit for any of the foregoing; or any security issued or guaranteed by any bank; or any security issued by or representing an interest in or a direct obligation of a Federal Reserve bank; or any interest or participation in any common trust fund or similar fund maintained by a bank exclusively for the collective investment and reinvestment of assets contributed thereto by such bank in its capacity as trustee, executor, administrator, or guardian; or any interest or participation in a collective trust fund maintained by a bank or in a separate account maintained by an insurance company which interest or participation is issued in connection with (A) a stock bonus, pension, or profit-sharing plan which meets the requirements for qualification under section 401 of the Internal Revenue Code of 1954, or (B) an annuity plan which meets the requirements for the deduction of the employer's contribution under section 404(a)(2) of such Code, other than any plan described in clause (A) or (B) of this paragraph and which covers employees, some or all of whom are employees within the meaning of section 401(c)(1) of such Code. The Commission, by rules and regulations or order, shall exempt from the provisions of section 5 of this title any interest or participation issued in connection with a stock bonus, pension, profit-sharing, or annuity plan which covers employees, some or all of whom are employees within the meaning of section 401(c)(1) of the Internal Revenue Code of 1954, if and to the extent that the Commission determines this to be necessary or appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of this title. For the purposes of this paragraph, a security issued or guaranteed by a bank shall not include any interest or participation in any collective trust fund maintained by a bank; and the term 'bank' means any national bank, or any banking institution organized under the laws of any State, territory, or the District of Columbia, the business of which is substantially confined to banking and is supervised by the State or territorial banking commission or similar official; except that in the case of a common trust fund or similar fund, or a collective trust fund, the term 'bank' has the same meaning as the Investment Company Act of 1940."

(c) Section 3(a)(5) of such Act (15 U.S.C. 77c(a)(5)) is amended to read as follows:

"(5) Any security issued (A) by a savings and loan association, building and loan association, cooperative bank, homestead association, or similar institution, which is supervised and examined by State or Federal authority having supervision over any such institution, except that the foregoing exemption shall not apply with respect to any such security where the issuer takes from the total amount paid or deposited by the purchaser, by way of any fee, cash value or other device whatsoever, either upon termination of the investment at maturity or before maturity, an aggregate amount in excess of 3 per centum of the face value of such security; or (B) by (i) a farmer's cooperative organization exempt from tax under section 521 of the Internal Revenue Code of 1954, (ii) a corporation described in section 501(c)(16) of such Code and exempt from tax under section 501(a) of such Code, or (iii) a corporation described in section 501(c)(2) of such Code which is exempt from tax under section 501(a) of such Code and is organized for the exclusive purpose of holding title to property, collecting income therefrom, and turning over the entire amount thereof, less expenses, to an organization or corporation described in clause (i) or (ii);".

Sec. 28. (a) Section 3(a)(12) of the Securities Exchange Act of 1934 (15 U.S.C. 78c(a)(12)) is amended to read as follows:

"(12) The term 'exempted security' or 'exempted securities' includes securities which are direct obligations of or obligations guaranteed as to principal or interest by the United States; such securities issued or guaranteed by corporations in which the United States has a direct or indirect interest as shall be designated for exemption by the Secretary of the Treasury as necessary or appropriate in the public interest or for the protection of investors; securities which are direct obligations of or obligations guaranteed as to principal or interest by a State or any political subdivision thereof, or by any agency or instrumentality of a State or any political subdivision thereof, or by any municipal corporate instrumentality of one or more States; any interest or participation in any common trust fund or similar fund maintained by a bank exclusively for the collective investment and reinvestment of assets contributed thereto by such bank in its capacity as trustee, executor, administrator, or guardian; any interest or participation in a collective trust fund maintained by a bank or in a separate account maintained by an insurance company which interest or participation is issued in connection with (A) a stock-bonus, pension, or profit-sharing plan which meets the requirements for qualification under section 401 of the Internal Revenue Code of 1954, or (B) an annuity plan which meets the requirements for the deduction of the employer's contribution under section 404(a)(2) of such Code, other than any plan described in clause (A) or (B) of this paragraph which covers employees some or all of whom are employees within the meaning of section 401(c)(1) of such Code; and such other securities (which may include, among others, unregistered securities the market in which is predominantly intrastate) as the Commission may, by such rules and regulations as it deems necessary or appropriate in the public interest or for the protection of investors, either unconditionally or upon specified terms and conditions or for stated periods, exempt from the operation of any one or more provisions of this title which by their terms do not apply to an 'exempted security' or to 'exempted securities'."

(b) Section 3(a)(19) of such Act (15 U.S.C. 78(a)(19)) is amended to read as follows:

"(19) The terms 'investment company', 'affiliated person', 'insurance company', and 'separate account' have the same meanings as in the Investment Company Act of 1940."

(c) Section 12(g)(2) of such Act (15 U.S.C. 781(g)(2)) is amended by adding at the end thereof a new subparagraph as follows:

"(H) any interest or participation in any collective trust funds maintained by a bank or in a separate account maintained by an insurance company which interest or participation is issued in connection with (i) a stock-bonus, pension, or profit-sharing plan which meets the requirements for qualification under section 401 of the Internal Revenue Code of 1954, or (ii) an annuity plan which meets the requirements for deduction of the employer's contribution under section 404(a)(2) of such Code, other than any plan described in clause (i) or (ii) of this paragraph which covers employees some or all of whom are employees within the meaning of section 401(c)(1) of such Code."

Sec. 29. The provisions of the Securities Act of 1933 and the Investment Company Act of 1940 shall not apply, except for purposes of definition of terms used in this section, to any interest or participation (including any separate account or other fund providing for the sharing of income or gains and losses, and any interest or participation in such account or fund) in any contract, certificate, or policy providing for life insurance benefits which was issued prior to March 23, 1959, by an insurance company, if (1) the form of such contract, certificate, or policy was approved by the insurance commissioner, or similar official or agency, of a State, territory, or the District of Columbia, and (2) under such contract, certificate, or policy not to exceed 49 per centum of the gross premiums or other consideration paid was to be allocated to a separate account or other fund providing for the sharing of income or gains and losses.

Sec. 30. This Act shall take effect on the date of its enactment, except that—

(1) sections 5 (a), (b), and (c); 9(a); 11; 18; 24(a); and 25 (amending sections 10 (a), (b), and (c); 17(f); 19; and 32(a) of the Investment Company Act of 1940; and sections 203(b) and 205 (of the Investment Advisers Act of 1940, respectively) shall take effect upon the expiration of one year after the date of enactment of this Act;

(2) that part of section 5(d) which substitutes "interested persons" for "affiliated persons" in section 10(d) of the Investment Company Act of 1940 shall take effect upon the expiration of one year after the date of enactment of this Act;

(3) sections 16 and 17 (amending sections 27 and 28 of the Investment Company Act of 1940) shall take effect upon the expiration of six months after date of enactment of this Act; and

(4) section 3(b)(5) and that part of section 20 which adds a subsection (b) to section 36 of the Investment Company Act of 1940 shall take effect upon the expiration of eighteen months after the date of enactment of this Act.

Mr. SPARKMAN. Mr. President, I move to reconsider the vote by which the bill passed.

Mr. BYRD of West Virginia. Mr. President, I move to lay that motion on the table.

The motion was agreed to.

Mr. KENNEDY. Mr. President, I ask unanimous consent that the Secretary of the Senate be authorized to make certain technical corrections in the engrossment of S. 2224.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, with the passage of this measure, the distinguished senior Senator from Alabama (Mr. SPARKMAN) has added another outstanding achievement to his already abundant record of public service. The effectiveness of Senator SPARKMAN is exhibited always by the manner in which he handles legislative proposals. He has truly excelled as the chairman of the Committee on Banking and Currency.

His strong advocacy, his forthright explanation, and his selfless cooperative efforts assured the unanimous approval of this highly important measure. The qualities, I might add, are applied to all measures that gain his endorsement.

We are grateful also for the fine contributions of the Senator from Utah (Mr. BENNETT)—the ranking minority member of the committee—and of the Senator from New Hampshire (Mr. McINTYRE). Their efforts enabled the prompt approval that was enjoyed by this measure; and for their part, also, I would like to thank the distinguished Senator from Texas (Mr. TOWER) and the distinguished Senator from Wisconsin (Mr. PROXMIRE). Their cooperation and assistance are always welcome. Their efforts made it possible to dispose of this matter efficiently and expeditiously, yet with full regard for the views of every Senator.

ELIGIBILITY REQUIREMENTS GOVERNING A GRANT OF ASSISTANCE IN ACQUIRING SPECIALLY ADAPTED HOUSING

Mr. SPARKMAN. Mr. President, I ask unanimous consent that the action taken by the Senate on May 23, 1969, in concurring in the amendments of the House to the bill (S. 408) to modify eligibility requirements governing the grant of assistance in acquiring specially adapted housing to include loss or loss of use of a lower extremity and other service-connected neurological or orthopedic disability which impairs locomotion to the extent that a wheelchair is regularly required, with certain amendments be rescinded.

The PRESIDING OFFICER. Without objection, the previous action of the Senate is rescinded.

Mr. SPARKMAN. Mr. President, I move that the Senate concur in the amendments of the House with the following Senate amendments, which I ask to have stated.

The PRESIDING OFFICER. The clerk will state the amendments.

The assistant legislative clerk read the amendments, of the Senate to the amendments of the House, as follows:

(1) In the fourth line of the House amendment to the text of the bill, strike out "$15,000" and insert "$12,500".

(2) Strike out lines 5 through 12 of the House amendment to the text of the bill and insert in lieu thereof the following:

"Sec. 3. Section 1811(d) of title 38, United States Code, is amended by striking out '$17,500' each place where it appears therein and inserting in lieu thereof in each such place '$21,000'."

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Alabama that the Senate concur in the House amendments with amendments.

The motion was agreed to.

FARM LABOR SHORTAGE

Mr. HOLLAND. Mr. President, I do not believe there is one among us who is not interested in seeing that everything possible is done to eliminate hunger and malnutrition in our Nation. It is the approach to this problem where some of us may differ.

I have taken the floor on previous occasions to point up the need for a program that would disseminate information as to proper foods necessary to obtain well balanced nutritional meals. I have also strongly supported the food stamp program, the school lunch program, and I am in full sympathy with providing those in need with the necessities to sustain life.

But, Mr. President, I must call to the attention of the Senate a situation that exists, whether we like it or not, that contributes to the malnutrition, and perhaps to hunger at times, in the migrant labor area that is caused entirely by the migrants themselves. I say this, speaking of the migrant labor in Florida, which I have the honor to represent, where there is ample work for those interested in employment. As an example of this, I wish to place in the RECORD a letter I have

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received from a longtime friend and member of a family which has been producing fruits and vegetables since the 1880's—a family which is one of our larger growers of citrus and vegetables. This man, Hon. Randall Chase, has the high respect of all our people.

Mr. President, I ask unanimous consent to have the letter printed at this point in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

SANFORD, FLA., *May 22, 1969.*

Senator SPESSARD L. HOLLAND,
Washington, D.C.

DEAR SENATOR: Your news letter No. 9 of May 18th was most interesting, informative, and we certainly go along most heartily with the position you express.

The paragraph on the top of page 2, Farm Labor Bill, is most interesting and somewhat heartening. There is a real shortage of labor for harvesting crops in the State, both citrus and vegetables. In the Glades, contract labor, mostly migrant, is making from $40 to $55 a day. The turnover is about 70% daily. The high wages, of course, are the main reason for the turnover. There is lots of labor there but they only work a day or two and then they don't want any more or need any more until they have used up what they have made. The same remarks apply to other commodities, probably to a lesser degree, but it is still excessive.

Yesterday we closed down our packing house although we have 30–40,000 more boxes of oranges to gather. We have 6 crews in the field but we cannot get enough fruit picked to warrant holding the packing house crew there to handle it when it comes in, so we are going direct to the processing plant. Being primarily fresh fruit people, we dislike this tremendously, but when it costs so much to get fruit to the house and then it is costly to put it up, somewhere along the line you reach a point of no return on costs and we have just about gotten to that point for fresh fruit.

All this is known to you but I am simply writing now just as a matter of record and emphasis on the current situation.

Should there be some constructive plan we could follow during the few months ahead before we start over again on the crops, it might be some reasonable plan could be arrived at which would be helpful to the farmers, protect the public, and actually it would help some of the migrant labor, if help is possible to them. More money is not what they need.

With expressions of regard and best wishes.

Sincerely,

RANDALL CHASE.

Mr. HOLLAND. Mr. President, as Mr. Chase stated, farm labor can earn $40 to $55 a day and yet there is a daily 70-percent turnover since so many migrant workers, once being paid off at this high rate, will not work again until their money runs out.

Mr. President, as I have said before I feel it is necessary for us to help those in these United States that cannot help themselves. There are many in this category—just as there are many willing to do what they can to help themselves and endeavor to be self-sufficient. There are too many others, however, such as those referred to in Mr. Chase's letter, who lack the initiative to become self-sufficient or who prefer to "let Joe do it"—and sit back and accept the dole of the local, State, and Federal Governments so long as it is available—working only long enough to provide those extras not obtainable through the dole system. Mr. President, it is this group of people which worries me. The taxpayer—the people who must maintain steady employment—are being drained to a point of rebellion—particularly when they realize that their tax dollars are being used to support those who can help themselves but are not willing to do so.

I believe, Mr. President, it is high time that the Federal Government review the overall welfare programs, and to devise a plan whereby those who need assistance can obtain it and those who shirk their responsibilities are put on notice once and for all that they will not continue to be a drain on the taxpayer who must foot the bill.

Mr. President, another indication of what is happening to agriculture producers is shown by an article appearing in the Gainesville Sun, Thursday, May 22, 1969, entitled "Labor Shortage Bringing Watermelon Harvest Crisis." I ask unanimous consent that this article be inserted in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

LABOR SHORTAGE BRINGING WATERMELON HARVEST CRISIS

LAKELAND.—Florida, the nation's leading producer of watermelons, has reached the peak of harvest faced with a critical labor shortage in the Immokalee area although pay scales had skyrocketed.

A plea for help went out from the headquarters of the Florida Watermelon Growers and Distributors Association.

"If we aren't able to get labor into Immokalee this week, hundreds of acres of watermelons will be burned up," said Lester Faulhaber, association president.

Labor for harvesting has been progressively harder to get for the past several years, an association spokesman said, but this year brought a crisis.

Pay for the unskilled labor was increased from $2.25 to $4 an hour, the spokesman said.

Florida produces an annual average harvest of 100 million watermelons. This week is the peak of the harvest.

"Normally farmers will have 12 hours a day of harvesting," Faulhaber said, "but they have been limited to between three and four hours this season because of the severe labor shortage."

The association fired off telegrams seeking help from Agriculture Commissioner Doyle Conner and the farm labor division of the Florida State Employment Service.

Telegrams arriving at the association headquarters here described the situation in Immokalee as deplorable and critical.

One farmer reportedly gave up attempting to harvest with only 25 per cent of the melons out of the fields, an association spokesman said.

TRIBUTE TO CHIEF JUSTICE WARREN

Mr. TYDINGS. Mr. President, last week an eminent journalist and editorial writer for the New York Times, James Reston, published an editorial essay entitled "Nixon's Burger and Republican Symbols." The article deals primarily with Judge Warren Earl Burger.

With the majority of the article, I find myself in agreement. However, unfortunately in the middle of his editorial column Mr. Reston made a very unfair statement. He commented upon the general disarray of the Federal judiciary today and the failure of the Federal courts to utilize modern management techniques.

I will read verbatim the paragraph to which I shall direct my remarks. Mr. Reston in referring to the Supreme Court of the United States and the Federal judicial system, states:

> It is sadly in need of orderly administration. Whatever else Justice Warren was, he was not the best administrator in the history of the republic. The services of the federal courts are woefully inadequate. They have been short-changed. They are in need of marshals, probation officers, court reporters and all the modern administrative techniques of computers, which can speed up the administration of justice.

I find myself in complete agreement with every sentence in that paragraph with the exception of the sentence in which he mentions Chief Justice Warren. Unfortunately, I think that Mr. Reston, as frequently happens with top editorialists, got into an area in which he did not have the facts, or perhaps listened to someone who did not have the facts.

Mr. Reston made a most unfair insinuation. That insinuation is that Mr. Chief Justice Warren has not been a good administrator. Mr. President, I have great respect for Mr. Reston. I am sure that today he is considered one of the eminent national editorial writers. However, his unfair comment about the present Chief Justice does not have a factual foundation.

It has been my responsibility in the 5 years I have been a Member of the U.S. Senate to be chairman of the Subcommittee on Improvements in Judicial Machinery. Our responsibility has been to oversee the Federal judicial system and, indeed, to stimulate judicial reform within that system. During that period of time I have perhaps held more hearings and done as much work as any of my colleagues in that field in recent years.

I would like to comment on Mr. Reston's inference that Chief Justice Warren has not been a good administrator.

It is widely known within the Federal judicial system and among those who are interested in its reform that, with the exception of Chief Justice William Howard Taft, there has been no Chief Justice in the last half century who has made the efforts or had the success in stimulating a rather conservative body, the Federal judiciary, in the area of court reform that the Chief Justice presently sitting has, Chief Justice Earl Warren of California. Indeed, many students of the court, myself included, feel that one of the great contributions Chief Justice Warren has made has been in his leadership in trying to move the Federal judicial system toward more orderly administrative practices and techniques.

Let me enumerate for the benefit of the RECORD a few of the areas in which the Chief Justice has effectively led in the administrative operation of the Federal courts.

He has stimulated the American Law Institute to become a meaningful and powerful institution for court reform in this country.

He has made the Judicial Conferences

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which were held by each U.S. circuit an important element for promoting progressive court reforms, rule changes, and modern institutional procedures within the Federal judiciary. Before Justice Warren's leadership, the conferences were primarily social meetings.

He has pioneered in the reorganization and adoption of new Federal rules of civil procedure, criminal procedure, and admiralty rules.

He has provided leadership in making the judicial councils of the circuits more effective institutions for administrative leadership than they ever were before.

It was his leadership that provided the acceleration for the Federal Judicial Center which has now been created by an act of Congress of which I was a cosponsor—the first research and development branch of the judicial system in the history of our Republic—a center which is going to save the taxpayers of this country, in my judgment, hundreds of thousands of dollars in the years to come, by the stimulation and creation of new administrative procedures to speed the processes of justice.

In short, Mr. President, I think every person interested in improving judicial administration knows the really fine contribution of Chief Justice Warren.

I might point out that Mr. Chief Justice Warren has done more to promote the organization and development of new law schools than any other justice in the history of the Supreme Court. As a matter of fact, many years ago, when he first became Chief Justice, in meeting with university leaders across the country and urging more and better law schools, he made a promise that he would dedicate any law school built during his tenure as Chief Justice; and he has faithfully carried out that promise.

All in all, if it had not been for the leadership of Chief Justice Earl Warren in the administrative field, I shudder to think what the position of the Federal judiciary, vis-a-vis backlog and other administrative problems, would be today.

Mr. Reston commented that we are in need of marshals, probation officers, and court reporters. I might point out to him that the fault has not been with the courts; it has been in Congress. The power of the purse rests with Congress and any failure to appropriate funds for the necessary court supporting personnel must be laid at our doorstep. It cannot be blamed on the Chief Justice.

I might also point out to Mr. Reston that, inherently, it is very difficult to initiate new systems of procedures in anything so tradition-bound as a judicial system.

But wherever the fault has been, it has not been in the administration of Mr. Chief Justice Earl Warren. I do not know what kind of response Mr. Reston will make to the Chief Justice, but he owes him an apology; and Mr. Reston owes his reading public the responsibility of better checking out his facts before making an off-hand statement which is completly unsupported by facts, as he did in the editorial column which he wrote about the appointment of Mr. Nixon's new Chief Justice.

MESSAGE FROM THE HOUSE—ENROLLED JOINT RESOLUTION SIGNED

A message from the House of Representatives by Mr. Hackney, one of its reading clerks, announced that the Speaker had affixed his signature to the enrolled joint resolution (S.J. Res. 99) to authorize the President to issue a proclamation designating the first week in June 1969 as "Helen Keller Memorial Week."

FBI DIRECTOR J. EDGAR HOOVER

Mr. THURMOND. Mr. President, earlier this month, certain individuals began spreading the word that Mr. J. Edgar Hoover would retire on the occasion of his 45th anniversary as Director of the Federal Bureau of Investigation. In many cases these prognostications were made with no small degree of wishful anticipation by those who would stand to gain by the loss of this dedicated American to Government service.

The only thing these individuals proved by their baseless reports of Mr. Hoover's impending retirement was how little they understand this man. J. Edgar Hoover is a man of dedication and determination; a man who has fought to protect the best interests of the American people for 45 years and does not intend to stop fighting now merely because some few would wish it so.

Mr. Hoover enjoys good health and is a man of tremendous vigor. He has publicly announced his intention to continue as Director of the FBI; and in doing so, he has engendered a sigh of relief from the great majority of Americans while bringing disappointment and consternation to extremists and subversives of every ilk.

Many newspapers across the country have recently published fitting tributes to Mr. Hoover.

Mr. President, I ask unanimous consent that the following editorials be printed in the CONGRESSIONAL RECORD at the conclusion of my remarks: "Hoover Marches On" from the State Journal, Lansing, Mich., May 9, 1969; "Mr. Hoover Stays On" from the Paterson News, Paterson, N.J., May 9, 1969; "Bad News for Communists: J. Edgar Hoover To Stay On" from Orlando Sentinel, Orlando Fla., May 12, 1969; "A Remarkable Man" from the Napa Register, Napa, Calif., May 8, 1969; and "Forty-Five Years of Great Service" from the Globe Democrat, St. Louis, Mo., May 12, 1969.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the State Journal, Lansing (Mich.), May 9, 1969]

HOOVER MARCHES ON

Charles de Gaulle has passed from the world scene, astronauts have been to the moon and back, militant students are challenging university administrators and international communism is split down the middle in this fast changing world.

Through it all the almost legendary figure of J. Edgar Hoover has remained like a solid oak tree in spite of frequent prophecies that the aging director of the FBI would soon be put out to pasture.

Just to make sure the prophets get the picture, Hoover announced Thursday he has no intention of retiring and looks forward to many more years in office to "meet the crisis" in American society.

In these days when anarchy and lawlessness are on the upsurge, it's a reassuring thought that the old warrior will still be around for a while.

[From the Paterson (N.J.) News, May 9, 1969]

MR. HOOVER STAYS ON

FBI Director J. Edgar Hoover has given the country the best piece of news it has had in these months of turmoil and turbulance and for it we all have much to be grateful for.

Perhaps with the wish the father of the thought, it has been "rumored" in certain circles that since on Saturday he will mark his 45th anniversary as head of the Federal Bureau of Investigation, he will use the day to announce his retirement.

The thought of retirement is the furtherest from Mr. Hoover's mind and he let it be known with characteristic vigor that he does not only not contemplate retirement but that he looks forward to many more years of service "to meet the crisis in American society."

There is unquestionably a strong element in the United States which would like to see Hoover out of the picture. He knows the culprits, he knows the arch-conspirators and they know he knows which increases their hatred for him and their desire to see him go.

America cannot now afford the loss of Mr. Hoover, especially in the dangerous circumstance of an apparent central conspiracy to build rebellion around campus upheavals. And while the liberal purists will accuse those who feel this is true of seeing mystic bad men under the university bed, it is gospel truth and must be so regarded, earnestly and relentlessly.

[From the Orlando (Fla.) Sentinel May 12, 1969]

BAD NEWS FOR COMMUNISTS: J. EDGAR HOOVER TO STAY ON

J. Edgar Hoover, 74, has squashed rumors he is stepping down as director of the Federal Bureau of Investigation.

And few can find fault with this, because, even at 74, his mind remains lucid, his knowledge of communism in America unparalleled, his philosophies of law and order a national ideal, and his genius for keeping the FBI beyond reproach as ample as ever.

These are reasons why Presidents Johnson and Nixon have allowed him to remain past the mandatory retirement age of 70 for federal employes.

In the coming months, his knowledge of communism may become particularly invaluable.

Warnings about communism in America lost a great deal of their punch after the downfall of the late Sen. Joe McCarthy, but Hoover's voice never wavered. Five years ago he predicted a Communist youth movement in America.

In recent times, this appeared a bit farfetched to many. Communism's kingpins, Russia and Red China were exchanging insults. The Communist bloc was shaken by Russia's invasion of Czechoslovakia. Communism hadn't rebuilt Cuba. Red upheavals in South America waned. A bitter split rent the American Communist party.

Then, out of the blue, came the campus riots, and America discovered a militant "New Left" among its youth, firebrand activists who knew Marx better than Jefferson, the Communist Manifesto better than the U.S. Constitution.

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The Communist party wasn't agog long over the unexpected windfall, and has moved fast, Hoover said.

"Although virtually devoid of an effective youth arm of its own, the Communist Party has succeeded in penetrating and influencing a number of militant youth organizations—particularly those of the so-called New Left. The party considers the field to be so fertile at this time, in fact, that it presently is making plans to start a new youth organization this fall."

Communism sees an easy target in the misguided segment of our youth, and we need J. Edgar Hoover to help hold damage to a minimum until the militants grow up and come face-to-face with the realities of life.

[From the Napa (Calif.) Register, May 3, 1969]

A REMARKABLE MAN

This Saturday is a very special occasion for a very special American.

John Edgar Hoover marks his 45th anniversary as director of the Federal Bureau of Investigation.

The FBI had been established in 1908, but when Mr. Hoover took over command of the agency on May 10, 1924, a complete transformation of the organization was carried out.

A fingerprint division was established (which now includes a file of millions of fingerprints) and numerous functions within the FBI were altered to provide the most up-to-date, flexible operation possible.

A part of the Department of Justice, the FBI has the responsibility of investigating espionage, sabotage, treason and other matters pertaining to internal security. The agency also makes investigations under the Selective Service and Training Act.

Mr. Hoover was a law graduate of George Washington University in 1916. He went to work for the Department of Justice the following year.

Since his initial appointment as FBI director, he has been re-appointed to the post by every president of the United States. He has done an effective job and the "automatic" determination of the nation's leaders to have him continue in that post is a fine tribute to this most remarkable man.

Actually, though, Mr. Hoover is not admired by all people. There are many who are associated with the world of crime who dislike the FBI and its leader—and with good reason. Federal agents have waged a continuing war against crime. U.S. prisons are filled with those who felt they could outsmart the FBI. Communist agents in this country do not appreciate the efforts of Mr. Hoover and his organization, just as Nazi agents functioning in the United States in the days of World War II found that their efforts were destined for failure because of FBI vigilance.

For the average American, there may be little opportunity to have any personal contact with the FBI, except perhaps some routine check for a federal appointment or job, or via a television program or movie portrayal of the agents at work.

But for those who flout federal laws, there will be good reason to have contact with FBI agents.

The FBI has provided tremendous assistance to other law enforcement agencies throughout the nation—and to agencies in other nations.

When the Federal Bureau of Investigation is considered by those in law enforcement, it is in the highest of terms.

During these past 45 years Mr. Hoover has done a magnificent job. This Saturday, as he observes a most significant anniversary, it may be hoped that he can reflect with great satisfaction the idea that he has been one of the nation's most outstanding citizens, doing something of great value to preserve the American way of life.

[From the St. Louis (Mo.) Globe Democrat, May 12, 1969]

FORTY-FIVE YEARS OF GREAT SERVICE

The American left wing, which dislike FBI Director J. Edgar Hoover's tough stand on law enforcement, is beside itself because it can't find any genuine grounds for demanding his replacement.

In desperation ultra liberals have been calling for Mr. Hoover's resignation because of his age, though he is still in good health and performing his duties as effectively as ever.

We are happy to note that Mr. Hoover, who is 74, has announced that he has many plans for the future, but "none of them includes retirement." The respected FBI chief marked his 45th anniversary this last weekend, as head of the Federal Bureau of Investigation.

Instead of back-biting references to Hoover's age, he deserves a solid vote of thanks from the nation for his effective and courageous performance year after year.

Director Hoover is a man of great integrity. If and when he feels his health is slipping, he will be the first to recognize the fact and submit his resignation.

We would much prefer to have a 74-year-old J. Edgar Hoover directing the FBI than a young man half his age with the view of a Ramsey Clark.

ORDER OF BUSINESS

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. ALLEN in the chair). The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. PELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE INCARCERATION OF MOISE TSHOMBE

Mr. PELL. Mr. President, it is past time for us in this Chamber—and, indeed, for people everywhere—to remember a forgotten man whose name not only has disappeared from the pages of the world's newspapers but also whose exact whereabouts have become something of a mystery. I am referring to the long and unjustified incarceration of Moise Tshombe, former Premier of the Democratic Republic of the Congo, as that nation is formally if euphemistically styled.

Almost 2 years have gone by since Mr. Tshombe's private plane was hijacked and forced to land in Algiers. He was quickly taken into custody and has presumably been imprisoned ever since that time—although no one seems to be able to inform us as to the location of his place of confinement. In view of the current controversy about Mr. Tshombe's supposed conspiratorial activities, we should recall that his private plane was traveling from an island just off the coast of Spain to the city of Palma on Majorca in the Balearic Islands—a place certainly more renowned as a vacation spot than as a hotbed of international conspiracy. Let us also recall that Mr. Tshombe, in March of 1967, in absentia, had been sentenced to death for high treason by a special military court convened in the Congolese capital of Kinshasa.

Because of this latter fact, it may be suggested that the Government of Algeria deserves some approbation because it has not turned former Premier Tshombe over to the Congolese Government for execution. I suggest, however, that Algiers would have truly earned such approbation if its political prisoner had been promptly returned to Spanish jurisdiction.

To the contrary, the Algerian Government, ever since the end of June 1967, has kept Mr. Tshombe under its control. Even this unjustified action would not seem so intolerable if the outside world had some assurance that he was being treated humanely and with the minimum courtesy owed to a former prime minister, regardless of his controversial status. But the fact is that we just do not know anything whatsover about the conditions which Mr. Tshombe is experiencing. I believe most, if not all, of my colleagues will agree that this treatment accorded Mr. Tshombe is more worthy of the Barbary pirates, who were once the scourge of the North African coast, than of the present Algerian Government, which claims to be a modern and civilized 20th-century power.

Now, let me make it clear that in raising this subject I have no stimulus other than a humanitarian concern for the fate of a man who, whatever his political beliefs and his activities, was a vigorous and talented leader with some support among his people. Indeed, I was a strong and persistent advocate of the United Nations policy adopted toward the Congo after 1960, a policy which in large measure was designed to defeat the aims then held by Mr. Tshombe. Moreover, as evidenced by my protests against the behavior of the current military dictatorship in Greece, I hold no brief for right-wing regimes in any area of the world. At the same time, I refuse to condone injustices perpetrated by any government regardless of its political complexion. Any government, whether marked by rightist, leftist, or centerist philosophies, cannot escape condemnation if it acts as cruelly toward a distinguished political refuge as the Algerian Government has behaved toward Moise Tshombe.

Obviously, I do not believe that any words of mine will bring any dramatic change in their wake. Since I am quite sympathetic to the efforts of the government in Algiers to bring Algeria out of the long twilight of colonial control into the modern world and to promote stability and economic development, it might seem paradoxical for me to reprove that government for its actions in the Tshombe case. Yet, it is because I am sympathetic to the aspirations of a country emerging from colonial rule that I wish its reputation to be unclouded by any reversion to the barbarities of the past. Furthermore, I hope that by raising this issue I shall be able to focus attention upon it and at the very least to stimulate the Algerian Government to

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reveal information about Mr. Tshombe's position and perhaps to bring the issue to international adjudication. No matter what former Premier Tshombe's sins—real or imagined—neither he nor any other man should be placed in limbo while on earth. At an absolute minimum, the Algerian Government owes the world the knowledge whether Mr. Tshombe is dead or alive.

Mr. President, we are accustomed to citing with approval the famous lines of John Donne to the effect that any man's death diminishes each of us. As forcefully as I can, I would like to say that Mr. Tshombe's status in a kind of living death equally diminishes all of us as individuals and the Algerian Government as an entity.

Mr. COOPER. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR ADJOURNMENT UNTIL TOMORROW

Mr. KENNEDY. Mr. President, I ask unanimous consent that when the Senate completes its business today it stand in adjournment until noon tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KENNEDY. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. COOPER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

FEDERAL COAL MINE HEALTH AND SAFETY ACT OF 1969—AMENDMENT

AMENDMENT NO. 23

Mr. COOPER. Mr. President, when the administration bill, S. 1300, was introduced on March 4 of this year by the distinguished ranking minority leader (Mr. JAVITS) I was very happy to be a cosponsor. I stated on the floor of the Senate then that I had reviewed the President's proposals and I considered them to be strong and comprehensive measures for dealing with and meeting the increasing problems of health and safety in our coal mines. At the same time, I indicated that I reserved my right to offer amendments and, based on my own experience in this field, to call to the committee's attention and to the attention of the Senate particular suggestions that I believe would promote greater safety in our coal mines. In concluding my remarks at the time of the bill's introduction, I stated that I wished "to express firmly that the new hazardous conditions in our coal mines require new remedies if we are to provide for the health and safety of our workers. I shall work and vote for such a bill."

I am interested in this legislation because the State of Kentucky is the second largest coal-producing State in the Nation providing employment and economic livelihood to a large segment of its citizens, and I am interested in the health and safety of those who work in coal mines.

In western Kentucky some five counties are engaged in coal mining. These mines are mostly strip mines with some shaft mines.

In eastern Kentucky there are 17 counties that depend on the coal industry for their economic existence. In Harlan County—the second largest producer of coal from underground mines in Kentucky—there is no other industry and all who are employed are either directly or indirectly affected by the prosperity of the coal industry. Some 12,000 of Harlan County citizens alone will be affected directly or indirectly by any legislation pertaining to coal mining.

Coal mine safety legislation has been under consideration by the Congress over the past 11 years. In 1958, and 1959, as a member of the Senate Labor and Public Welfare Committee, I participated in the consideration of coal mine safety bills before that committee and I had a hand in drafting the bill reported by the committee in 1960 and which passed the Senate. The House failed to act.

When the Senate and House committees considered amendments to the Federal Coal Mine Safety Act in 1965, I testified before both committees. Again in 1966 when the Senate Labor Subcommittee was marking up H.R. 5384, I was invited by the chairman of the subcommittee, former Senator Morse, to meet with the subcommittee in executive session to present my views. And when the bill was considered on the floor, I helped to establish legislative history in the course of which Senator Morse stated that the bill, as amended, provided a more effective measure in promoting the interest of coal mine safety.

I mention this background to indicate my longstanding interest in the subject of coal mine safety legislation.

I have followed closely the hearings held by the distinguished chairman of the Subcommittee on Labor (Mr. WILLIAMS) on the administration bill, S. 1300, and related bills, S. 355, S. 467, S. 1094, S. 1178, S. 1907, and recently Senator RANDOLPH's bill, S. 2118. I know that the subcommittee's hearings have been thorough and have produced informed and helpful testimony.

Based on my study of the provisions of these bills and my review of the committee's testimony, I shall propose three amendments to S. 1300 for the committee's consideration. I introduce the first of these amendments today.

The greatest danger to the safety of miners in the operations of a coal mine—whether that mine be classed gassy or nongassy—stems from roof falls. Falls of roof, rib and face, according to the Bureau of Mines, are the No. 1 killer in bituminous coal mines. Roof falls are the cause of over 50 percent of all underground fatalities.

During the time I served on the Senate Labor and Public Welfare Committee when that committee was considering amendments to the Federal Coal Mine Safety Act, it was my view based on the committee's hearings that more attention should be given to the problem of roof falls and the need for legislation to lessen this No. 1 miner's hazard. In 1959, I introduced a bill, S. 1562, to amend the Federal Coal Mine Safety Act. One of the provisions of that bill would require the Bureau of Mines to make a study of the incidence and causes of roof and rib falls, to recommend measures to reduce and prevent such roof and rib falls, and to study existing educational and training programs in mine safety and reads as follows:

SEC. 301(c). The Bureau of Mines will in conjunction with State mine safety agencies, make a study of (1) the incidence and causes of roof and rib falls, and measures which it recommends to reduce and prevent such rib and roof falls; and (2) educational training programs. The findings and recommendations of the Bureau shall be submitted to the appropriate State officials and to the appropriate committees of the Congress.

Mr. President, I ask unanimous consent that a statement I made on the floor March 25, 1959, introducing S. 1562 be included in the RECORD at this point.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT OF SENATOR JOHN SHERMAN COOPER UPON INTRODUCTION OF MINE SAFETY LEGISLATION IN THE U.S. SENATE, MARCH 25, 1959

Mr. President, on behalf of myself, the senior Senator from Virginia (Mr. Byrd) the junior Senator from Virginia (Mr. Robertson) and my colleague from Kentucky (Mr. Morton) I introduced a bill to amend the Federal Coal Mine Safety Act.

Section I of the bill would make applicable to all coal mines—regardless of the number of employees—the provisions of the Federal Coal Mine Safety Act, which authorizes a Federal mine inspector to order the withdrawal of all miners from a mine when he finds "danger that a mine explosion, mine fire, mine inundation, or man-trip or man-hoist accident will occur in such mine immediately or before the imminence of such danger can be eliminated," and to prohibit their re-entering the mine until the danger has been eliminated.

Such power to withdraw miners and to keep a mine closed cannot today be exercised by a Federal mine inspector in mines employing 14 or less persons, even though imminent danger exists—danger which could cause injury or death to miners.

According to the table submitted in the course of hearings last year by the Honorable Marling J. Ankeny, Director, U.S. Bureau of Mines, there were in 1957, 7,659 mines employing 14 or less persons; and thousands of miners are employed in such mines. Section I of my bill would extend to these miners the protection against imminent danger that the Federal Coal Mine Safety Act now extends to larger mines—those employing more than 14 persons.

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Questions always arise as to procedure by which a mine may be reopened and its miners returned to work, after it has been closed because of conditions which create imminent danger.

Under the Mine Safety Act, unless the State has a safety plan which has been approved by the Bureau of Mines, exclusive jurisdiction and power to reopen a mine or to order it to remain closed is maintained by the Federal Government through the Bureau of Mines, subject to review by the courts.

In all such cases, a mine owner and miners who had taken steps to correct the dangerous conditions, and who believed the mine safe for reopening, would be compelled to present their case, if reopening was denied by a Federal inspector, through a difficult and expensive chain of procedures. In many instances the small mine owner would be unable to undertake this very complicated procedure.

The bill I introduce provides a speedy and fair procedure for determining whether conditions of imminent danger in a closed mine have been corrected, and whether the mine is ready for reopening. It is the exact procedure now provided in the Fedral Mine Safety Act for mines employing over 14 persons, when the State has a mine safety plan that has been approved by the Bureau of Mines.

I shall explain this procedure by referring to the language used by the Committee on Labor and Public Welfare in Senate Report No. 1963, dated July 25, 1958, which states that presently, under section 203(e) of the act, if a State has a State plan that has been approved by the Bureau of Mines, the operator of a mine that has been closed because of danger of imminent disaster may request an inspection of the mine by a State inspector. If the State inspector does not concur in the closing order, the mine must remain closed; but the owner of the mine may make application to the chief judge of the U.S. District Court for the district in which the mine is located for the appointment of an independent inspector to inspect the closed mine. Unless the appointed inspector concurs in the closing order, it ceases to be effective and the mine may be reopened. The committee amendment marks this review procedure applicable to presently exempted mines ordered closed under the provisions of the amendment, without requiring, as a condition of resorting to this procedure, that the State in which the mine is located have or adopt a State plan approved by the Bureau of Mines.

Section II of the bill I now introduce is very clear. It would direct the Bureau of Mines to make a study of safety conditions for all mines, regardless of the number of miners employed. Hearings would be held in the major coal-producing States so that State mine-safety officials, miners, unions representing miners and mine operators in each of said states would have the opportunity to testify about conditions in the mines of their State, and to make recommendations to improve mine safety.

In addition, this bill would direct the Bureau of Mines to conduct a study of mine safety, with special emphasis on the major cause of mine accidents—namely, roof and rib falls. It would also require a study of educational and training programs for mine employees on safety measures.

During the hearings last year on amendments to the Federal Mine Safety Act, one amendment proposed would have applied all the provisions of the Federal Mine Safety Act to every mine. Small mine owners testified that many of these provisions were not applicable to small mines, and that they would not increase safety. They testified that to require by law small mines to undertake unnecessary expenditures would put many small mines out of business and would throw thousands of miners out of work.

I cannot say definitely that this would be the case; but I believe that the Congress should not take drastic action without knowing whether it is necessary to improve mine safety. Unemployment, hunger, and every other element of want and distress prevail today in the coal-mining areas of Kentucky and other States. If before we obtain the facts, other mines are closed unnecessarily by our action, we shall contribute to this distress, and we may deny to the States an opportunity of recovering their natural wealth in coal.

Mr. President, I do not believe that any responsible Member of this Chamber or, indeed, any other responsible person in the United States does not honestly and sincerely support the principle of increased mine safety. Only last year the Committee on Labor and Public Welfare found that there was a lack of reliable and convincing statistics upon which to base constructive legislation on this very important and vital subject. We concluded that it would be most useful—in fact essential—to have the Bureau of Mines conduct hearings in the States with the Nation's heaviest concentration of coal mines, and to report its findings, in order that we might legislate intelligently on the matter. We recognized, however, that the Federal inspectors should not be hindered when, in their judgment, there was a danger of serious disaster in permitting operation of any mine—without regard to its number of employees.

Mr. President, that was why we included the provision to enable a Federal inspector to close a mine whenever a condition of imminent danger was found to exist. I am sorry that provision was not enacted. If it had been, some of the disasters which recently have occurred might have been prevented.

Only a few days ago there occurred in Tennessee a mine disaster in which eight or nine lives were lost. I cannot say that if the bill we reported last year had been enacted, that accident would have been prevented; but I can say that the enactment of that bill or the enactment of a similar bill will help prevent similar accidents in the future.

Mr. President, the problem of amending the Coal Mine Safety Act was before the Committee on Labor and Public Welfare in the last session of Congress and was thoroughly debated and considered. The Committee concluded, on the basis of its study that the steps outlined above were essential and it reported to the Senate a bill identical to the one I have introduced today. The sole change that has been made is in the date by which the Bureau of Mines must conclude its study and must report to the Congress. Whereas the bill reported last year called for a report to be submitted by February 15, 1959, our bill requires a report within 6 months after enactment.

I am proud to sponsor this proposed legislation which, when enacted, will improve and make safer the conditions under which the Nation's miners work, and will authorize the best and the quickest study possible, in order to make further improvements in mine safety.

Mr. COOPER. Mr. President, I note that beginning in 1958 the Bureau of Mines has collected and analyzed statistics on the causes of roof falls. However, I do not believe that the Bureau of Mines has initiated as yet an adequate educational and training program for mine employees to reduce the number of accidents due to roof falls.

Mr. President, I ask unanimous consent to have placed in the Record at this point in my remarks the most recent summary prepared by the Bureau of Mines concerning statistics on roof falls for the period of 1958–68.

There being no objection the summary was ordered to be placed in the Record as follows:

Summary on Falls, of Roof, Rib, and Face—The No. 1 Killer in Bituminous Coal Mines in 1968

During 1968, the continuing attack against the No. 1 killer—falls of roof, face and rib does not show improvement over 1967 according to statistics prepared by the Bureau of Mines, Department of the Interior. The frequency of such fatalities increased from 0.62 per million man-hours worked underground in 1967 to 0.66 in 1968.

Bureau statistics also show that of the 3,519 underground bituminous coal-mines active during 1968, 3,430 or 97.47 percent, were operated without a rock- or coal-fall fatality. Fatal injuries from falls of roof, face, and ribs occurred in 86 (2.44 percent) of the active mines and caused 98 of the deaths charged to underground employment in 1968 as compared with 94 such fatalities experienced in 1967.

During 1968, approximately 545,000,000 tons of bituminous coal was produced in the United States from 3,519 underground, 1,244 strip and 365 auger mines or a total of 5,128 mines. During that period the bituminous-coal industry suffered 305 fatal injuries, 267 of which occurred underground, 12 in various surface operations, 20 at strip mines and 6 at auger mines. This is an increase of 94 from the 211 fatal injuries that occurred in 1967 when approximately 552,626,000 tons of coal was mined.

The following tabulation shows the number, percent, and frequency of rock-and-coal-fall fatalities for the 11 year period, 1958 through 1968:

TABLE 1.—FATALITIES FROM FALLS OF ROCK AND COAL, 1958–68

Year	Bituminous roof-fall fatalities	Percent of underground fatalities	Roof-fall fatalities per million man-hours worked underground
1958	157	54.3	0.80
1959	135	64.3	.76
1960	145	58.9	.85
1961	135	55.8	.88
1962	105	46.5	.71
1963	123	56.4	.82
1964	114	60.6	.75
1965	126	58.6	.82
1966	110	58.2	.74
1967 [1]	94	57.0	.62
1968 [1]	98	36.7	.66

[1] Preliminary.

Mr. COOPER. Mr. President, not only nationwide but in my own State, roof falls have been the major cause annually of Kentucky's coal mining fatalities. Let me emphasize that for the period 1953–68 there have been no fatalities in Kentucky's nongassy mines resulting from gas ignitions or explosions. However, during this period the Kentucky Department of Mines and Minerals reports for all coal mines a total of 493 fatalities resulting from roof falls representing more than 60 percent of all Kentucky coal mine fatalities.

Mr. President, I ask unanimous consent that this report be included in the Record at this point.

There being no objection, the report was ordered to be printed in the Record, as follows:

KENTUCKY DEPARTMENT OF MINES AND MINERALS—COAL MINE FATALITY RECORD 1948-68

Year	Fatal accidents, all causes	Total production	Tons per fatal accident	Fatals due to roof falls	Tons per fatality due to roof falls	Percent due to roof falls
1948	134	82,579,453	616,250	79	1,045,309	59
1949	66	73,997,676	1,121,177	41	1,804,821	62
1950	81	82,176,693	1,014,527	53	1,550,503	65
1951	106	73,951,266	697,653	65	1,137,711	61
1952	74	64,515,091	871,827	83	1,697,765	51
1953	59	63,535,507	1,076,573	39	1,629,115	66
1954	54	58,621,115	1,085,576	35	1,674,889	65
1955	57	68,900,744	1,208,785	33	2,087,901	58
1956	75	75,934,180	1,012,456	47	1,615,621	63
1957	61	75,775,936	1,242,228	40	1,894,398	66
1958	49	67,809,271	1,383,863	29	2,338,215	59
1959	43	64,990,298	1,511,402	26	2,499,627	60
1960	57	67,067,740	1,176,628	32	2,095,867	56
1961	55	65,345,255	1,189,005	43	1,520,820	78
1962	41	70,049,075	1,708,524	19	3,686,793	46
1963	33	78,139,040	2,367,850	25	3,125,562	76
1964	47	83,283,504	1,771,989	31	2,686,565	66
1965	39	87,207,039	2,236,077	25	3,484,241	64
1966	40	93,240,675	2,331,017	22	4,238,212	55
1967	50	100,106,241	2,002,124	25	4,004,248	50
1968	56	[1] 102,500,000	[1] 1,830,357	22	[1] 4,659,090	39

[1] Estimated.

Note: The year 1968 was the 16th consecutive year in which the Kentucky coal mining industry produced more than 1,000,000 tons of coal per fatal accident. There have been only 18 such years in the 89-year history of the department. Advance tonnage estimates indicate it is the best year in history from the standpoint of tonnage per roof-fall fatality and the 4th best year from a tonnage per fatality standpoint. Advance estimates also predict that 1968 will be the highest coal production year of the Commonwealth.

Mr. COOPER. Mr. President, section 209(c) of the present law concerns itself with the problem of roof falls as follows:

> Roof Support—the roof and ribs of all active underground roadways and travelways in a mine shall be adequately supported to protect persons from falls of roofs or ribs.

The administration bill, S. 1300, amends this provision as follows:

> SEC. 303. The roof and ribs of all active underground roadways, travelways, and working places shall be supported or otherwise controlled adequately to protect persons from falls of the roof or ribs. A roof-control plan and revisions thereof suitable to the roof conditions and mining system of each mine and approved by the Secretary shall be adopted and set out in printed form within a reasonable period to be established after the operative date of this title by the Secretary by regulation. The plan shall show the type and spacing of supports approved by the Secretary. No person shall proceed beyond the last permanent suport unless adequate temporary support is provided or unless such temporary support is not required under the approved roof-control plan. A copy of the plan shall be furnished the Secretary or his authorized representative upon request.

In my view the administration's amendment is inadequate to meet the problem of roof-fall accidents.

The amendment, which I now send to the desk, would provide greater protection for all miners in underground coal mines from falls of roof, rib or face. The thrust of my amendment is based on the following analysis:

In its 1968 report, at table 6, the Bureau of Mines lists the primary causes of roof-fall accidents as follows:

TABLE 6.—ROOF-FALL ACCIDENTS BY PRIMARY CAUSES

Primary causes	1960	1961	1962	1963	1964	1965	1966	1967	1968
Failure to take down or secure loose roof, face, or rib	58	39	39	23	17	7	15	5	12
Failure to examine roof or incorrect analysis of such examination	12	12	18	22	9	22	10	11	16
Failure to comply with adopted support system or lack of a support plan	20	25	10	57	41	56	41	34	35
Failure to use temporary support or enough	11	10	5	3	18	17	15	12	17
Failure to follow company rules or instructions, to heed warnings, or to take ordinary precautions	13	8	4	0	0	4	0	1	2
Failure to replace dislodged or remove support	13	8	5	3	3	5	2	0	0
Failure to abandon workings when known to be imminently dangerous	1	2	2	2	4	5	5	3	3
Failure of conventional support system	16	15	18	5	12	3	5	12	5
Failure to follow roof-bolting plan	0	4	2	0	2	4	10	6	0
Failure of mining system	1	12	2	6	5	3	7	10	8
Other				2	3	0	0	0	0
Total	145	135	105	123	114	126	110	94	8

Mr. COOPER. Mr. President, you will note that the largest number of fatalities in 1968—35—were due to a failure to comply with an adopted support system or lack of a support plan. My amendment would require that within 60 days after the effective date a roof-control plan "shall show the type and spacing of supports approved by the Secretary and such plan shall be reviewed periodically and at least every 6 months by the Secretary taking into consideration any accidents from falls of roof or ribs or inadequacy of support of roof or ribs and such revisions of said plan shall be made to improve the control of roof and rib of said mine."

Second, the Bureau of Mines' report attributes a failure to use temporary supports as causing 17 fatalities. My amendment prohibits all persons from proceeding beyond the last permanent support unless adequate temporary support is provided and requires that—

> At all times safety posts, jacks or temporary cross bars shall be set close to the face before other operations are begun and as needed thereafter, if men go in by the last permanent roof support.

A further provision would make mandatory the use of safety posts or jacks to protect the workmen when roof material is to be taken down, cross bars are being installed, roof bolt holes are being drilled or when roof bolts are being installed.

I urge the committee to give its attention to this very serious problem of roof falls. Any statutory improvements in existing law are bound to result in a saving of lives.

Mr. President, I wish to add briefly to my prepared statement and comment on the amendment I am submitting.

Several bills dealing with coal mine safety and health are pending before Congress. Most of these bills deal with fatalities and injuries which arise from ignitions and explosions in underground coal mines caused by gas, and also with fatalities and permanent disabilities, caused by pulmonary diseases resulting from coal dust.

Over the past 11 years, amendments have been proposed to the Federal Coal Mine Safety Act. The last amendments were adopted in 1965.

The Committee on Labor and Public Welfare considered amendments in 1958 and 1959 when I was a member of the committee. Amendments which were offered in 1958 and 1959 were adopted by the committee and presented to the Senate. The Senate acted favorably upon these amendments in 1960 by a vote of 80 to 4, but for some unexplained reason the bill was never acted on by the House. I attribute failure of the House to act to the opposition of the Bureau of Mines, supported by the United Mine Workers. I do not criticize the United Mine Workers, but I do criticize the Bureau of Mines, because in 1960 the bill that passed the Senate would have provided for greater safety. Since the Bureau of Mines did not approve of the Senate committee's recommendations, it opposed the 1960 amendments. Therefore, for a period of 6 years no legislation was passed to improve safety conditions in the mines until the 1966 amendments.

Today there is tremendous interest in coal mine safety legislation because of the explosions which have occurred in gassy mines in West Virginia; I refer to the November 20 disaster killing 78 men at Farmington. This disaster has renewed interest in Congress and the Nation as a whole toward reducing ignitions and explosions in gassy mines which cause a great number of fatalities each year.

Throughout all these years, the statistics furnished by the Bureau of Mines show that over one-half of the injuries and fatalities which have occurred in the coal mines have been because of roof falls. The amendments which I proposed in 1958 and 1959 recognized the hazards of roof falls and dealt with this problem.

Of the bills now before Congress, one proposed by the administration, of which I am a cosponsor, one proposed by the distinguished chairman of the Subcommittee on Labor (Mr. WILLIAMS), one by the distinguished Senator from West Virginia (Mr. RANDOLPH), who over the years has made lasting contributions in the field of coal mine safety legislation, and others, few, if any, deal adequately with the problems of roof falls.

Mr. President, in my prepared statement I pointed out that in my own State as well as nationwide, over one-half the

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injuries and fatalities which occur in underground coal mines result from roof falls.

Today, I introduce an amendment designed to strengthen the provisions of exitsing law by affording greater protection against roof-fall accidents.

The PRESIDING OFFICER. The amendment will be received, printed, and appropriately referred.

The amendment was referred to the Committee on Labor and Public Welfare.

Mr. COOPER. Mr. President, I wish to announce that later I shall introduce two other amendments which deal with other problems of safety in the coal mines.

I recall that when we had these questions before us in 1958 and 1959, and again in 1965, that it was almost impossible to get accurate information from the Bureau of Mines concerning the causes of injuries and fatalities in both the large and small mines.

Today, we are provided by the administration and the Bureau of Mines with more accurate information.

However, on questions concerning the distinction between gassy and nongassy mines—to which I shall address myself at a later date—the Bureau of Mines has failed to support by evidence its proposal to extend certain features of the Coal Mine Safety Act to nongassy mines; while the Bureau has emphasized the 27 fatalities caused by ignitions and explosions which have occurred in nongassy mines since 1953, it has failed to show that in this same period some 374 miners were killed and 412 were injured by ignitions and explosions in gassy mines.

Mr. President, I shall offer amendments which I believe will recognize the distinguishing characteristics between gassy and nongassy mines, the incidence of injuries and fatalities in both, and go more directly to the heart of this question than the amendments which are now pending before the committee.

Today, I did want to emphasize that over half the injuries and fatalities in our coal mines occur because of roof falls, and my amendment is directed toward providing greater protection to our miners in this area.

DESIGNATION OF CERTAIN ISLANDS IN MICHIGAN, WISCONSIN, AND MAINE AS WILDERNESS AREAS

Mr. KENNEDY. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 190, Senate 826.

The PRESIDING OFFICER. The bill will be stated by title.

The Legislative Clerk. S. 826, to designate certain lands in the Seney, Huron Islands National Wildlife Refuges in Michigan, the Gravel Island and Green Bay National Wildlife Refuges in Wisconsin, and the Moosehorn National Wildlife Refuge in Maine, as wilderness.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered, ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 826

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in accordance with section 3(c) of the Wilderness Act of September 3, 1964 (78 Stat. 892; 16 U.S.C. 1132 (c)), certain lands in (1) in the Seney, Huron Islands, and Michigan Islands National Wildlife Refuges, Michigan, as depicted on maps entitled "Seney Wilderness—Proposed", "Huron Islands Wilderness—Proposed", and "Michigan Islands Wilderness—Proposed", (2) the Gravel Island and Green Bay National Wildlife Refuges, Wisconsin, as depicted on a map entitled "Wisconsin Islands Wilderness—Proposed", and (3) the Moosehorn National Wildlife Refuge, Maine, as depicted on a map entitled "Edmunds Wilderness and Birch Islands Wilderness—Proposed", all said maps being dated August 1967, are hereby designated as wilderness. The maps shall be on file and available for public inspection in the offices of the Bureau of Sport Fisheries and Wildlife, Department of the Interior.

Sec. 2. The areas designated by this Act as wilderness shall be administered by the Secretary of the Interior in accordance with the applicable provisions of the Wilderness Act.

Mr. KENNEDY. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 91-200), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE

This bill is identical to S. 3502 of the 90th Congress, which was favorably reported by the committee and unanimously passed by the Senate, but did not receive House action.

S. 826 would designate as units of the National Wilderness Preservation System the Seney, Huron Islands, and Michigan Islands Wilderness areas in the State of Michigan, the Wisconsin Islands Wilderness in the State of Wisconsin, and the Edmunds Wilderness and Birch Islands Wilderness in the State of Maine. All of the lands included are presently within the National Wildlife Refuge System.

DESCRIPTION

The Seney Wilderness proposal contains approximately 25,000 acres of the Seney National Wildlife Refuge in Schoolcraft County, Mich. The proposed area includes treeless bogs and strips of bog forest, remnants of black spruce and white pine forests, inhabited by a variety of big and small game, ranging from moose to red fox and timber wolves. The area is relatively inaccessible.

The proposed Huron Islands Wilderness contains approximately 147 acres consisting of eight small islands in Lake Superior. The islands are made up of pink and gray granite upthrusts, with trees, brush, and herbaceous plants over two-thirds of the islands, and the remaining third largely barren. The islands are not often visited because of their isolation, rough seas, and limited landing sites.

Six small islands, totaling approximately 41 acres, constitute the Michigan and Wisconsin Islands Wilderness proposals. They are important breeding and nesting areas for herring and ring-billed gulls. The fragile island ecology, abundant bird population, and picturesque terrain features have unique beauty and are of major interest to scientists, students, and nature lovers.

A total of 2,780 acres constitute the wilderness proposals for the Edmunds and Birch Islands areas within the Moosehorn National Wildlife Refuge in Washington County, Maine. This refuge is one of the few Federal areas in the Northeast containing wilderness resources.

HEARINGS

In accordance with the requirements of the Wilderness Act of September 3, 1964 (78 Stat. 890), public hearings were held at locations convenient to the areas affected. The results of these hearings are summarized in the synopses accompanying the recommendations to the President, which follow later.

COST

No additional budgetary expenditures are involved in enactment of S. 826.

RECOMMENDATION

The Senate Committee on Interior and Insular Affairs reports favorably on S. 826 and recommends early enactment.

SENATOR MANSFIELD'S COMMENTS ON THE CBS PROGRAM "FACE THE NATION"

Mr. KENNEDY. Mr. President, yesterday, appearing on the CBS nationwide television program, "Face the Nation," the distinguished majority leader, the Senator from Montana (Mr. Mansfield), responded to a number of questions concerning this Nation's policies in foreign and domestic affairs.

Once again, his understanding, and perceptions add great insight into difficult problems, and his remarks are worthy of the attention of all Members of this body. I therefore ask unanimous consent to have a transcript of the program printed in the Record.

There being no objection, the transcript was ordered to be printed in the Record, as follows:

Face the Nation

(By the CBS Television Network and CBS Radio Network, Sunday, May 25, 1969, Washington, D.C.)

Guest: Senator Mike Mansfield, Democrat, of Montana.

Reporters: George Herman, CBS News; Frank Mankiewicz, syndicated columnist; Daniel Schorr, CBS News.

Producers: Sylvia Westerman and Prentiss Childs.

Mr. Herman. Senator Mansfield, you have said that the Senate has been derelict in not subjecting Supreme Court nominees to more searching scrutiny. That was before Judge Burger was nominated as Chief Justice. Do you feel that his nomination should be subject to some kind of new and more intensive kind of examination?

Senator Mansfield. Oh, yes, not only Judge Burger but all other nominees from now on in all departments, as well as the Judiciary.

Announcer. From CBS Washington, in color, "Face the Nation," a spontaneous and unrehearsed news interview with Senate Majority Leader Mike Mansfield, of Montana. Senator Mansfield will be questioned by CBS News Correspondent Daniel Schorr, Syndicated Columnist Frank Mankiewicz, and CBS News Correspondent George Herman. We shall continue the interview with Senator Mansfield in a moment.

Mr. Herman. Senator Mansfield, what can the Senate do in way of more searching scrutiny? Does it have to enlist the help of the administration, for example the Justice Department? How do you go about it?

Senator Mansfield. No, I wouldn't think so. I would expect the Executive Branch to be more thorough in its size-up of nominees from now on, and I would expect the Senate committees, the committees concerned, to use their own staffs to follow up on what is given to them by the Executive Department to the end that they can be as absolutely sure as possible before they report a name to the Senate for confirmation.

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Mr. Mankiewicz. Senator Mansfield, turning to foreign policy for a moment, are you satisfied with the progress the administration is making in moving toward strategic arms talks with the Soviet Union? There has been some thought that we may be waiting until we have tested fully some of the more advanced weapons, the multiple warheads on our missiles and so forth.

Senator Mansfield. No, I am not satisfied at all, because we initiated the proposals for talks in 1964. Since that time there have been a number of unofficial feelers from the Soviet Union. I am sure that in reply unofficially we have given them encouragement. Secretary Rogers said that talks would begin in late spring or early summer; so far nothing has been done, no date has been set, and I think the way to handle this matter and to bring an arms limitation and an arms freeze, covering ABMs, MIRVs and other vehicles and missiles, is to set a date certain, sometime next month perhaps, to get down and get to business.

Mr. Schorr. Senator, I would like to come back for a moment to the Supreme Court problem, the issues that have arisen from the resignation of Justice Abe Fortas. You are quoted in support of bills, at least the ideas of bills introduced by Senator Griffin and Senator Hart that would provide generally for greater financial disclosure by members of the Federal Judiciary.

Yesterday a committee of the U.S. Judiciary Conference, acting with rather unseemly haste got to work on a code providing for self-policing by the Judiciary itself. I believe it provides for financial—fairly full financial disclosure, but secretly, within the Judiciary. Would you be willing to be headed off at the pass, so to speak, and accept self-policing by the Judiciary?

Senator Mansfield. No, I think they are late and we are late in facing up to this problem. When I say "we are late," I mean the Congress itself. I am interested and do intend to join with Senators Hart and Case of New Jersey in sponsoring a bill which will be extended to include not only the Executive and the Legislative Branches but also the Judicial Branch as well. Senator Griffin's, I believe, covers just the Judiciary.

Mr. Schorr. That's correct.

Senator Mansfield. And what I would like to see would be a combination, at the very least, of what the Senate has done in making public outside honorariums and what the House has done making public outside business connections. And I think that the Hart-Case bill is a good way to face up to this problem. It should include the Judiciary. I intend to support it and I would hope we could get action before too long.

Mr. Schorr. Are you afraid of a constitutional confrontation with the—

Senator Mansfield. I think we ought to take that chance and face up to it and make our wishes known, and I think the sooner we do it the better.

Mr. Herman. Let me just make sure I understand you. You are saying that the legislature should set ethical standards for both the Executive and the Judiciary, as well as for the legislature itself?

Senator Mansfield. Exactly.

Mr. Herman. You don't think——

Senator Mansfield. Treat them all alike.

Mr. Herman. You don't think that there is any problem in having it all come from the Legislative Branch?

Senator Mansfield. There may be a problem, but let's cross that bridge when we come to it. Let's at least put the imprint of what we think is the right type of legislation into being as soon as possible.

Mr. Herman. Would it be satisfactory to you—I am going back a little bit over some of the ground that Dan covered—if the Senate tightened up, for example, on its confirmation procedures and then left policing of the Judiciary problems after confirmation to a Judiciary council of some kind?

Senator Mansfield. No, that doesn't go far enough.

Mr. Herman. Do you think that the code or whatever system that you envision has to be specific—specific problems, specific limits, and specific action to be taken?

Senator Mansfield. Yes, and I think it should apply to all members in the three branches of government who earn in excess of $18,000 a year, and I think it should include outside business connections, honorariums and the like, and I would even go so far as to make income tax available for public purposes.

Mr. Herman. I have just one further question on this subject, and that is do you feel strongly enough about this so that if there should be some kind of a legal confrontation, you would push for a constitutional amendment?

Senator Mansfield. Well, you are getting me out of my depth when you ask that question, but I certainly would not be adverse to supporting such a test, if need be.

Mr. Schorr. Let me understand you correctly. Are you saying that, for all officials of any branch of the government, you would deny them more than $18,000 of additional income from any source, including their own investments?

Senator Mansfield. No, no. Those who receive an income from the government of $18,000 or more, which is the medium set by the Senate in its application of what ethics we have, would be the applicable cutoff salary.

Mr. Mankiewicz. Then everybody above that would be required to disclose whatever additional income——

Senator Mansfield. Exactly.

Mr. Mankiewicz. I see.

Mr. Schoor. Would you limit sources of income? Would you, for example—the cases are now under discussion, there was Justice Abe Fortas and the Wolfson Foundation; there has been some discussion of Justice Douglas, who has just resigned from the Parvin Foundation; and there is the fact that Federal Judge Burger, now Supreme Court Justice-Designate, has been getting $2,000 a year from the Mayo Clinic. Would you bar that?

Senator Mansfield. Not necessarily. What I know about Judge Burger's association, there is nothing questionable about it. He is a trustee—if that is the right word to use—of a very reputable foundation, the Mayo Clinic. No questions have been raised about any connections which it has with any other group or individuals. I would assume, though, that on the basis of the brouhaha which has developed lately, that Judge Burger may well disassociate himself from this foundation; however, I have no indication to that effect.

Mr. Schorr. But are you drawing your line on outside income on the reputability of the source?

Senator Mansfield. In part, yes, because if this is made public, then I think that is where, perhaps, not only the Legislative Branch of the government but perhaps the Judicial Ethics Committee, which you referred to, might have something to say about the conduct of judges.

Mr. Mankiewicz. So that the question would be disclosure, really, which might then lead to some of these other activities, once all the income were disclosed?

Senator Mansfield. That is correct. That is better put than I said it.

Mr. Herman. Is this a two-way street, Senator? Should the Executive Branch and should the Judiciary Branch have something to say about congressional ethics?

Senator Mansfield. Well, after all, I think the Congress itself has faced up to its responsibility in a limited way. The Senate hasn't gone far enough, nor has the House, but, if you combine what the House and Senate have done, then I think we are facing up to what is primarily our responsibility. After all, we ought to apply, stretching this a little bit further, the same sort of code in a certain sense that we apply to presidential nominees. We make them divest themselves of bank holdings, securities, and what-not, and we create situations which, in effect, define a nominee as dishonest until he is proven innocent. And what we do to them we ought to do to ourselves. In other words, all three branches of the government should be treated equally.

Mr. Mankiewicz. Senator, if we might go back to the major issue on the Senate floor at the moment, at least what most people concede to be the, the ABM and, in line with your view about early arms talks, do you see a possibility with the at least close vote on the ABM, that seems to be ahead in the Senate, one way or the other, do you see the possibility that the President might work out some arrangement where that vote could be postponed until after the beginning of arms talks, or do you see the administration forcing that issue to a vote?

Senator Mansfield. Now, that is hard to say. I know that this weighs heavily on the President's mind. He didn't make this move lightly in changing Sentinel to Safeguard. He did bring about a decided change in the application of the ABM. I am certain that he is aware of the closeness of the vote which would take place in the Senate today, and I think the best way to face up to it would be to get arms talks under way as soon as possible. Whether or not that will be done remains to be seen. I do not doubt in any sense the President's good intent in this area or his desire to go down the road to bring about in time an arms limitation or an arms freeze. But I do not anticipate that the question of the ABM will come up before the latter part of next month, and we will see what happens then.

Mr. Schorr. Senator, on Vietnam, President Nixon has made a major effort to convince the Nation that he is doing his best to achieve peace in Vietnam. Are you satisfied that he is making every reasonable effort?

Senator Mansfield. I am. I had the opportunity to spend a couple of hours with the President on the afternoon of the day he made his speech, in which he proposed an eight-point formula. He stated at that time that every word had been gone over carefully. Most of that speech was written by himself and, as I read it, at least the last half, certainly the last third bears his own personal imprint. I know that he has left himself a great deal of room for maneuverability and flexibility. And, if you look at the NLF's ten points and Nixon's eight points, you will find that there is more in the way of similarity than dissimilarity.

Mr. Schorr. It is said that the White House has been telling some congressional critics that they have not read the speech carefully enough and have referred them to points in the speech which would need a second reading. Is there anything in the speech in the way of flexibility that we have missed?

Senator Mansfield. I don't think so. Those who want to take a second look and really go through the President's points and compare them with the NLF's theses, ought to do so because there is much more, I think, in the President's proposals than meets the eye on an offhand cursory basis.

Mr. Schorr. How about escalation in Vietnam—do you think that the U.S. is unnecessarily escalating the war in Vietnam recently?

Senator Mansfield. I do. I think that the instructions laid down last November, at which time the bombing of the North ceased, to "keep the pressure on" was not the right way to bring about a negotiated settlement at Paris, and evidently what we have been doing since that time is keeping the pressure on. If you do that, then you are going to have a development of the act react syndrome, and the first thing you know you are going to be further away from the

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peace table than you should be. What we ought to do is not so much apply pressure in Vietnam as to, instead, apply pressure in Paris. That is where the peace is going to be made, not on the battlefield.

Mr. MANKIEWICZ. Senator, some of the critics of President Nixon's speech on Vietnam turned around a few days later and said that they felt satisfied—I am talking now about Senator Church and Senator Gore, at least—said that they were satisfied that the Nixon proposal of last week did in fact provide the possibility, for the first time in the United States position, of a coalition government in Saigon before elections would be held.

Senator MANSFIELD. That would be my reading of the situation, and I think that the only way you are going to bring about a settlement in South Vietnam itself is through a coalition government which, in my opinion, is inevitable.

Mr. HERMAN. Senator, doesn't the power in the person in charge, the President or whomever, have to make a major philosophical decision about how to make peace with the Communists? It has been the American philosophy for years that the only way you can really bring the Communist to a settlement at the peace table is through constant pressure. Are you saying now, or is there a feeling now that the way to bring them to settlement at the conference table is to relax pressure and to take the pressure off them?

Senator MANSFIELD. Well, not to exert pressure all the time, constantly and consistently, but to arrive at an area where you can defend yourself, where you can anticipate things which might happen but not to develop an act-react syndrome. This war will not be won militarily, even the hawkiest of the hawks will admit that now. And here we are fighting an enemy with everything we have except nuclear devices, and it is an area which I think is not vital to our interests or to our security. It is an area in which we should never have become engaged because this is a tragic, a brutal and a barbaric war, and it is an area in which we should get out of as soon as possible, and as responsibly as possible.

Mr. HERMAN. Well, I asked the question negatively, let me turn it around now and ask it positively. Do you believe that we might win a settlement with Ho Chi Minh and Hanoi more rapidly now by relaxing pressure?

Senator MANSFIELD. Not relaxing pressure but not extending pressure. That is not a good answer to your question, but you have got to find a medium there in which you can operate.

Mr. SCHORR. Do you not except the contention of the administration that actions like Hamburger Hill are basically defensive, that if——

Senator MANSFIELD. No, I do not, because the General involved said that the hill had no strategic value, and I think it is another indication of pressure being applied, I think it is a continuation of the search and destroy policy, and I do not think it helps the negotiations in Paris, because the more pressure, I repeat, that you put on in South Vietnam, the less pressure, legitimate pressure you can apply in Paris.

Mr. HERMAN. Whose fault is it?

Senator MANSFIELD. I wouldn't say. I don't know. I don't know if the order to keep the pressure on is still in effect or not, but as far as the men in the field are concerned, they have to carry out their responsibilities. I deplore the cost. As far as Senator Kennedy is concerned, I am sympathetic towards what he had to say.

Mr. MANKIEWICZ. Well, that is substantially what you said last night in an interview, at least so it is reported in this morning's press. You are saying, in effect, then, that at least the momentary increase in American casualties, you deplore them, you think that is a product of this increasing pressure on the battlefield rather than at Paris?

Senator MANSFIELD. That's right, plus the fact that several weeks ago there were B-52 raids for the first time in the kingdom of Cambodia, which I thought was uncalled for, unnecessary and contained the seeds of broadening rather than limiting or shortening the war.

Mr. SCHORR. I think I know your point of view, Senator, but just to pin it down and just to give, in fairness, a little more attention to the administration's point of view on this—what the generals are saying and what the White House has been saying is that if you don't try to clear North Vietnamese and Viet Cong off a hill, then the next thing you're doing is defending yourself on less safe ground, allowing them the opportunity to infiltrate and set off charges within your perimeter. Their contention is that they really are trying to defend themselves in a place like a hill. Now, I admit and I will have to submit that the line between the defensive and the offensive is not as easy in action as in words, but do you reject the contention of the administration on this?

Senator MANSFIELD. No, I would say the question is debatable. The administration may be right, I may be wrong, but I have at least tried to express my personal feelings on the matter.

Mr. HERMAN. Senator, it is very fashionable these days—not on your part, I must say—but it is very fashionable in some parts on the Hill and some parts of the Nation to criticize the military for almost everything. In the House, particularly, we have seen Congressman Moorhead working on the problem of the C-5A—that is also Mr. Symington in the Senate—what is your feeling about the growth of distrust in the military and the military-industrial complex, to use that complicated——

Senator MANSFIELD. I don't think it is a growth of a feeling of distrust. I think it is one more of apprehension and questioning, and there again I think that the Congress has been at fault for allowing things to get out of hand. I certainly would not impugn the integrity or the patriotism of the generals who are doing what they are told, incidentally, by their civilian superiors, and have been for some years. But I do question the type of contracts which have been let, the amount of money which has been expended, and the tremendous amounts which have been wasted, and the fact that until last year all the Defense Department had to do was to ask and they would receive. Beginning with the ABM question last year a change in attitude developed which has been accentuated this year, and I think this is all to the good. I think it will be beneficial to the military, and I think this combine which you speak of, which is not just military-industrial but includes labor, the academic area, and the political field, including people like myself who want projects for their state, are all at fault and are all to blame because we haven't had the guts to stand up to this growth like topsy and do something about it until events, in effect, have forced us to.

Mr. MANKIEWICZ. Do you see a parallel, perhaps, with Executive nominations, and do you think maybe the defense appropriation will be subjected to the same kind of closer scrutiny that you spoke of with nominations?

Senator MANSFIELD. Oh, yes, and I would point out, just to set the record straight, that Chairman Russell has consistently, over many years past, reduced the defense budget request by in excess of a billion dollars a year. That isn't usually understood or appreciated. I would anticipate that his successor, Senator Stennis, will do the same thing, and I know that Senator Stennis is spending a great deal of time on the defense measure now before him, and has appointed subcommittees to look into it, and that he intends that a very careful scrutiny be made of all requests which come to his committee.

Mr. HERMAN. Senator, the Democrats are now, I guess, the loyal opposition. The loyal opposition in parliamentary countries has a unified leadership and, yet, when you look at the Democrats you see the Democratic National Committee with its policy committee, you see the Senate with its Policy Committee of Democrats, and in the House—are you ever all going to get together or is that a good idea?

Senator MANSFIELD. Well, I doubt that we ever will. Democrats aren't made that way, but I think we will reach a stage of coordination and accommodation and cooperation, which will work out for the best.

Mr. SCHORR. Senator, how is your young apprentice as majority leader, Senator Edward Kennedy, doing?

Senator MANSFIELD. Great.

Mr. SCHORR. Do you want to expand on that? Have you learned—how does he work?

Senator MANSFIELD. He is on the floor all the time. He is prepared to take up the responsibilities which go with his job. He is very interested, at the same time he attends to his committee duties and, in my opinion, Senator Kennedy is a Senate man.

Mr. SCHORR. Senator, you look young and you look well, but, can I ask you, when do you think you will be turning over the reins to him?

Senator MANSFIELD. Oh, not for many years.

Mr. MANKIEWICZ. Senator, just a philosophical point, do you find it easier to be leader of the majority with the opposition party in the White House than when your own party controlled it?

Senator MANSFIELD. I certainly do.

Mr. HERMAN. I have one more question about Senator Kennedy, before we leave that altogether. The one difference that I have noticed, the one really large difference, between Senator Kennedy as a party official in the Senate and his predecessor, is that he has not been either unafraid or unwilling to tackle Senator Dirksen head-on. In fact, he sometimes seems to provoke some of those. Now, in some of those matches between Senator Dirksen and Senator Kennedy, you sometimes look like an amused neutral. Are you?

Senator MANSFIELD. Well, I like to sit back on occasion and listen, learn and enjoy myself. As far as Kennedy and his predecessor are concerned, Kennedy is a good assistant majority leader; Senator Long was a good assistant majority leader.

Mr. HERMAN. Are scraps between the Democratic leadership and the Republican leadership a good idea or do they do no harm?

Senator MANSFIELD. I think that scraps do a lot of harm and I would rather reach a stage of accommodation in the best interests of the country rather than a victory which would benefit one party or the other.

Mr. HERMAN. Do you quietly communicate that fact to Senator Kennedy?

Senator MANSFIELD. No, but I think we understand each other quite well, but we each have to go our divergent ways.

Mr. SCHORR. Senator, when Senator Kennedy took this job of assistant majority leader, it was commonly believed—and I think he rather confirmed the impression—that he saw a great opportunity now in this Congress because with a Republican administration and a Democratic control of Congress that there was an opportunity to establish a kind of independent center of action in Congress, not necessarily to oppose the administration as such but to make it more activist. The administration has been rather slow in some of its programs, but not very much has come out of Congress so far, either. How would you assess, now, this

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many months later, the effort to make a Democratic record in Congress side by side with the administration's record?

Senator MANSFIELD. Well, first, let me say that I think that President Nixon is doing a good job in moving carefully, deliberately, and cautiously. We passed a lot of legislation over the past eight years which still needs digesting, shaking down and the application of which could be rendered more effective through desirable changes through amendments and otherwise. As far as the Congress is concerned—and I can only speak for the Senate—we have developed in the Policy Committee a policy thesis which we brought before the chairman of the committees of the Senate and also last week before a well-attended Democratic Caucus. We intend to get more and more into the field of policy. We do not intend to oppose for the sake of obstruction. When we find that we differ from the administration, we will try to offer constructive alternatives, because the important thing is basically not the success of the Republican or the Democratic Party primarily but the welfare of the country, and the country is in trouble today.

Mr. MANKIEWICZ. Senator, you are the ranking Democrat, I believe, on the Foreign Relations Committee. That committee has now come out—brought out to the floor this national commitments resolution which says in effect that the Executive Branch cannot make a foreign policy commitment for the United States without the Legislative Branch—without the Senate participating. Do you see any connection between that and the sort of down-playing, for example, of the SEATO Treaty that seems to be going on? Secretary Rogers was out there and treated it rather perfunctorily and I believe some of the other representatives, too, and President Nixon wrote an article about SEATO some months before his candidacy, tending to feel that it was a little obsolete. Do you think that the commitments resolution will have the effect of weakening some of these regional treaties that date back to the fifties and before?

Senator MANSFIELD. Not at the moment. The purpose of the amendment is to strengthen the President's hand and to give the Senate a voice, and for the Executive Branch and the Senate to work together so that there will be no more Vietnams. It is not applied to any particular President. It is applied to the office of the Presidency. As far as the Senate is concerned, we have allowed our constitutional powers to be eroded over the past four or five decades, and all we are asking is a chance to cooperate with the President so that we can develop, if possible, a better foreign policy. This takes no powers of the Presidency away from him. You mentioned SEATO. May I say, as the only remaining living signatory of that treaty, I never thought it was very good when it was signed in 1954; I don't think it is very good today because it is really a paper treaty with not much in the way of teeth.

Mr. HERMAN. Didn't——

Senator MANSFIELD. And I think it has been used maladroitly.

Mr. HERMAN. Didn't Secretary Rogers say, when he was out there, that if SEATO failed to act in an attack on any of the members of SEATO that the United States would be prepared to give assistance unilaterally?

Senator MANSFIELD. I don't know whether he said that, but the United States cannot do that because it has to act under its due constitutional processes. Speaking of the countries working together there, Great Britain, France and Pakistan, members of SEATO, have not done a thing to give it any life or to give it any strength.

Mr. MANKIEWICZ. Senator, do you expect to bring the commitments resolution to the floor soon in this session?

Senator MANSFIELD. Yes, about the 16th of June.

Mr. HERMAN. In the thirty seconds that we have left, Senator Mansfield, you mentioned the ABM vote, what is your reading? If it were to come up right soon, how would it go in the Senate?

Senator MANSFIELD. Right now it would be fifty-fifty, with perhaps a little bit in favor of those opposed to the ABM. When it comes up, if the administration applies the pressure which it has at its disposal, it could win by one, two or three votes, but the result could well be, on that basis, a pyric victory. I hope a compromise can be worked out, because none of us want to embarrass the President. None of us are against the ABM, as far as research and development is concerned, but we would like to have talks.

Mr. HERMAN. Senator, I have to cut in unilaterally and say thank you very much, Senator Mansfield, for being with us on "Face the Nation."

ADJOURNMENT

Mr. KENNEDY. Mr. President, if there be no further business to come before the Senate, I move, in accordance with the order previously entered, that the Senate stand in adjournment until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 2 o'clock and 27 minutes p.m.) the Senate adjourned until tomorrow, Tuesday, May 27, 1969, at 12 meridian.

NOMINATIONS

Executive nominations received by the Senate May 26, 1969:

ASSISTANT SECRETARY OF THE ARMY

J. Ronald Fox, of Massachusetts, to be an Assistant Secretary of the Army.

U.S. ATTORNEY

Robert B. Krupansky, of Ohio, to be U.S. attorney for the northern district of Ohio for the term of 4 years, vice Merle M. McCurdy, resigned.

DEPARTMENT OF THE TREASURY

K. Martin Worthy, of Maryland, to be an Assistant General Counsel in the Department of the Treasury (Chief Counsel for the Internal Revenue Service).

CONFIRMATION

Executive nominations confirmed by the Senate May 26, 1969:

ATOMIC ENERGY COMMISSION

Theos J. Thompson, of Massachusetts, to be a member of the Atomic Energy Commission for the remainder of the term expiring June 30, 1971.

HOUSE OF REPRESENTATIVES—*Monday, May 26, 1969*

The House met at 12 o'clock noon.

Rabbi Howard A. Simon, Har Sinai Congregation, Baltimore, Md., offered the following prayer:

And the heaven of heavens shall not contain Thee.—I Kings 8: 27.

This is testimony to the Lord's greatness, and to the potential for excellence He placed within man. Today we stand in admiration of three men who have realized this potential. They are the voice of America, a land of limitless possibilities. They are inspiration for the source of national development, this very Government. Lead us, O God, to transfer the mastery over things technological to the field of human relations, where we need to create understanding and love. May the labors conducted within these hallowed Halls serve to unite all America in love for one's neighbor; in a trust in tomorrow; in a belief in these United States created as one nation devoted to liberty and justice for all. Amen.

THE JOURNAL

The Journal of the proceedings of Thursday, May 22, 1969, was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed without amendment a bill and concurrent resolutions of the House of the following titles:

H.R. 9328. An act to amend title 37, United States Code, to provide special pay to naval officers, qualified in submarines, who have the current technical qualification for duty in connection with supervision, operation, and maintenance of naval nuclear propulsion plants, who agree to remain in active submarine service for one period of 4 years beyond any other obligated active service, and for other purposes;

H. Con. Res. 35. Concurrent resolution authorizing the printing of additional copies of a Veterans' Benefits Calculator; and

H. Con. Res. 95. Concurrent resolution authorizing certain printing for the Committee on Veterans' Affairs.

The message also announced that the Senate had passed with amendments in which the concurrence of the House is requested, concurrent resolutions of the House of the following titles:

H. Con. Res. 162. Concurrent resolution authorizing the printing of the book, "Our American Government," as a House document; and

H. Con. Res. 192. Concurrent resolution to reprint brochure entitled "How Our Laws Are Made."

The message also announced that the Senate agrees to the amendments of the House to a joint resolution of the Senate of the following title:

S.J. Res. 99. Joint resolution to authorize the President to issue annually a proclamation designating the first week in June of each year as "Helen Keller Memorial Week."

The message also announced that the Senate had passed bills and a concurrent resolution of the following titles, in which the concurrence of the House is requested:

S. 126. An act to designate certain lands in the Pelican Island National Wildlife Refuge, Indian River County, Fla., as wilderness;

S. 574. An act to authorize the Secretary of the Interior to engage in feasibility investigations of certain water resource developments;

S. 1046. An act to protect consumers by providing a civil remedy for misrepresentation of the quality of articles composed in whole or in part of gold or silver, and for other purposes;

S. 1519. An act to establish a National

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Commission on Libraries and Information Science, and for other purposes;

S. 1611. An act to amend Public Law 85-905 to provide for a National Center on Educational Media and Materials for the Handicapped, and for other purposes;

S. 1652. An act to designate certain lands in the Monomoy National Wildlife Refuge, Barnstable County, Mass., as wilderness; and

S. Con. Res. 21. Concurrent resolution to print additional copies of parts 1 and 2, thermal pollution, 1968 hearings.

The message also announced that the Vice President, pursuant to Public Law 84-372, appointed Mr. INOUYE as a member of the Franklin D. Roosevelt Memorial Commission in lieu of Mr. TYDINGS, resigned.

RESIGNATION AS MEMBER OF THE HOUSE OF REPRESENTATIVES

The SPEAKER laid before the House the following communication:

The Honorable the SPEAKER,
U.S. House of Representatives,
Washington, D.C.

DEAR SIR: It is my duty to inform you that I have transmitted to the Governor of Illinois my resignation as a Representative in Congress from the 13th Congressional District of the State of Illinois, to be effective as of midnight, Sunday, May 25, 1969.

As you know, my resignation is caused by my having accepted the positions of an Assistant to the President and Director of the Office of Economic Opportunity.

I very much appreciate the privilege of having served with you and my colleagues in the House, and I thank you for your cooperation, fairness, assistance, and good will.

Respectfully,

DONALD RUMSFELD,
Representative in Congress.

RABBI HOWARD A. SIMON

(Mr. FRIEDEL asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. FRIEDEL. Mr. Speaker, from the very start of the settlements in the New World, as the American continent was then called, the people who came here declared their dependence upon Almighty God. Before this Congress was established by the present Constitution, the American Colonies established the Continental Congress and it is a matter of historical record that the Journal of that Congress, for September 6, 1774, carries an entry that a chaplain was in attendance and opened the session with a prayer. Thus from the earliest times to the present, every session of this great lawmaking body began with an invocation. I am pleased to note that the Rules of the House of Representatives, rule VII, so provide.

In conformity with this necessary requirement, and at my request, the Speaker of the House and the elected Chaplain invited a very brilliant and eloquent clergyman to deliver today's invocation. He is Rabbi Howard A. Simon of Baltimore, Md., associate rabbi of the Har Sinai Congregation—the oldest continually Reform Jewish Temple in the United States.

We were all inspired by the words of the dynamic young minister who has so eloquently referred to the three intrepid astronauts, who at that time were almost back to earth after having been to within 9 miles of the moon. Such accomplishments make all of us feel exceedingly humble.

Believing that it may be of interest to know something about the inspired religious leader whom we were privileged to hear today, I mention but a few facts. Only 6 years ago, he was called to Baltimore's Har Sinai Temple, which incidentally is my congregation. During this short time, he has endeared himself, not only to his own congregation, but also to the people of the city of Baltimore and the State of Maryland through his many and varied activities, among which is his chairmanship of the Clergy for Community Understanding of the City of Baltimore which has done so much to create an atmosphere and climate of good will between the various segments of the population of the largest city south of the Mason and Dixon Line.

Because of Rabbi Simon's comparative youth coupled with wisdom far beyond his years, he has a special rapport with children. He is currently writing a book for teachers that will assist them in the instruction of young people who are enrolled in the religious schools of the country. He also has a deep compassion for the aged and infirm and serves with distinction on a committee of the aged of the Union of American Hebrew Congregations.

A man of deep religious faith, he works for the interest of Reform Judaism by being the treasurer of the mid-Atlantic council. I am proud to say Rabbi Simon is a patriotic American. He is married to the former Donna L. Nelson and is the father of three lovely children, David, Ilene, and Karen.

I am sure I voice the sentiments of my colleagues when I say it was good to have had Rabbi Simon lead us in prayer this day.

PERMISSION FOR COMMITTEE ON RULES TO FILE CERTAIN PRIVILEGED REPORTS

Mr. SISK. Mr. Speaker, on behalf of the Committee on Rules, I ask unanimous consent that the committee may have until midnight tonight to file certain privileged reports.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

THE MANPOWER ACT

(Mr. O'HARA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. O'HARA. Mr. Speaker, I take this time to announce the introduction today of legislation known as the Manpower Act, which would revise and improve the existing manpower and training programs that are now federally assisted or federally sponsored, and would, in addition, provide two new components to a comprehensive manpower policy: a public service employment program, and an upgrading program to encourage upward mobility training by industry for those who are presently employed there.

There are, Mr. Speaker, 105 cosponsors of this legislation, and I hope that these bills will have prompt and careful consideration by the Congress. The intention of these bills is to insure that every man who is willing to work will have the opportunity for a decent job. I can think of no better investment we can make in the future of this Republic.

I ask unanimous consent, Mr. Speaker, for a special order at the conclusion of legislative business today during which I can discuss these bills at greater length.

UNIVERSITY OF MINNESOTA BAND CITED

(Mr. ZWACH asked and was given permission to address the House for 1 minute, to revise and extend his remarks, and include extraneous matter.)

Mr. ZWACH. Mr. Speaker, one of the most successful of our cultural programs with the Soviet Union has been the tour of the band from the University of Minnesota. The opening performance of this excellent group in Leningrad was an outstanding success. The great Philharmonic Society Hall was filled to capacity for this occasion, and the band was called back for six encores by the enthusiastic audience. Again and again throughout Russia they were most enthusiastically received by the respectful people.

It is my belief that this route of opening new relations and understanding could well be the route to produce a calmer world, conducive to the building of a lasting world peace.

Through this avenue of the excellent presentation of music, a new bond of appreciation and understanding of each other could well be the start of the atmosphere most necessary to the lessening of world tensions.

I highly commend this method and sincerely congratulate the members of the University of Minnesota Band in their role of peace-seeking ambassadors.

CONGRESSMAN DONALD RUMSFELD NEW DIRECTOR OF THE OFFICE OF ECONOMIC OPPORTUNITY

(Mr. PUCINSKI asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PUCINSKI. Mr. Speaker, earlier today one of our colleagues, Congressman Donald Rumsfeld of the 13th Congressional District of Illinois, was sworn in as the new Director of the Office of Economic Opportunity. I am sure that I share with all of our colleagues here in the House a deep and sincere wish for good luck to him on this new and very difficult mission.

Congressman Rumsfeld is my congressional neighbor immediately to the north in the 13th Congressional District. I believe that he has taken on a most difficult task. There is no question that poverty continues to exist in this country. Hunger continues to exist. I applaud him for his courage in taking on this very difficult assignment, and as his neighbor, wish him Godspeed in the successful performance of his duties.

Mr. ARENDS. Mr. Speaker, will the gentleman yield?

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Mr. PUCINSKI. I yield to our colleague from Illinois (Mr. Arends).

Mr. ARENDS. I appreciate what the gentleman has said about our former outstanding colleague, Congressman Rumsfeld, being appointed to the high position as head of OEO. This position entails a lot of headaches and is a difficult assignment in view of all of us. May I add I am convinced that Don Rumsfeld will perform outstanding service to his country in the important job on which he has embarked, and with cooperation from us "on the hill," perhaps his load can be lightened to some extent. We know he will do an outstanding job and we wish him well.

Mr. PUCINSKI. I am sure that those of us on the Education and Labor Committee, which has jurisdiction over the poverty program, will be looking forward with anticipation to his suggestions for improving the programs he will administer.

I congratulate the chairman of our full committee, the gentleman from Kentucky (Mr. Perkins), for delaying further consideration of the poverty program in order to give Mr. Rumsfeld an opportunity to appear before the committee and formulate some of the administration's policies. His is a most difficult task and I wish him luck in this new chapter in his public career. I think he will need every bit of his skill and luck to get this seemingly impossible job completed.

THE SS "HOPE"

(Mr. HALL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HALL. Mr. Speaker, in 1958, President Dwight Eisenhower asked Dr. William B. Walsh, a Washington, D.C., heart specialist, to consider initiation of a nongovernmental health program, aimed at the people in the newly developing nations. From this suggestion came Project HOPE, and the People to People Health Foundation.

This foundation, through contributions of interested citizens from all over the Nation, grew until it was able to finance the purchase of a mothballed U.S. Navy ship, which in turn became a floating hospital, completely equipped with the latest equipment medical science could offer and staffed with a permanent contingent of 135 U.S. medical specialists, supplemented during the course of its voyage by 150 volunteer physicians and dentists.

For the past 10 months, port of call for the SS *Hope* has been Ceylon. There, its staff has conducted a comprehensive medical teaching and training program. More than 1,700 patients were treated aboard ship, with another 3,000 given care in the ship's dental department. Some 70,000 children received immunization against diphtheria, whooping cough, and tetanus.

At the request of the Ceylonese medical authorities, *Hope* left behind a continuing program to assist in that nation's dentistry and hospital planning.

The day before the ship left Ceylon to return to Philadelphia, more than 20,000 people came to the dock to bid the ship and crew farewell.

Project HOPE, with almost a decade of experience abroad, has added a new dimension to medical teaching programs. It presents an opportunity for an honest exchange of ideas and a definite understanding, through the study of common medical problems, that bring people closer together regardless of their strange and varied backgrounds. Project HOPE, in the finest traditions of America, is helping people to help themselves.

President Eisenhower said:

> I firmly believe Project HOPE is the single most effective step in presenting America as a warm and good friend.

CALL OF THE HOUSE

Mr. GROSS. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. BOGGS. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll and the following Members failed to answer to their names:

[Roll No. 61]

Adair
Adams
Addabbo
Albert
Anderson, Calif.
Ashbrook
Ashley
Ayres
Baring
Bates
Beall, Md.
Bell, Calif
Berry
Biaggi
Bingham
Blackburn
Blatnik
Bow
Brock
Brown, Calif.
Burleson, Tex.
Cahill
Carey
Carter
Cederberg
Celler
Chisholm
Clark
Clausen, Don H.
Clawson, Del
Collier
Colmer
Conyers
Corbett
Corman
Coughlin
Cowger
Davis, Ga.
Dawson
de la Garza
Dellenback
Dent
Dickinson
Diggs
Dowdy
Dulski
Dwyer
Edwards, La.
Erlenborn
Evins, Tenn.
Fallon
Feighan
Fish
Fisher
Ford, William D.
Foreman
Gallagher
Gettys
Giaimo
Goldwater
Green, Oreg.
Halpern
Hanley
Hébert
Heckler, Mass.
Helstoski
Hunt
Jacobs
Kirwan
Kluczynski
Koch
Kyl
Landrum
Latta
Long, La.
Lowenstein
McCarthy
McClure
Macdonald, Mass.
Mann
Marsh
Martin
Miller, Calif.
Mollohan
Monagan
Morton
O'Neal, Ga.
Ottinger
Pepper
Podell
Pollock
Powell
Price, Tex.
Pryor, Ark.
Randall
Rees
Reifel
Rivers
Ronan
Rooney, N.Y.
Rosenthal
Roudebush
Roybal
St. Onge
Sandman
Scherle
Scheuer
Scott
Shriver
Smith, N.Y.
Stafford
Staggers
Stanton
Stephens
Stratton
Symington
Teague, Tex.
Thompson, Ga.
Watts
Whalley
Wiggins
Wilson, Bob
Wilson, Charles H.
Wold
Wyman
Young

The SPEAKER. On this rollcall, 306 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

ALBERT FUENTES

(Mr. GONZALEZ asked and was given permission to address the House for 1 minute.)

Mr. GONZALEZ. Mr. Speaker, for several days I have been importuning the House of Representatives and calling attention to a malodorous situation that arose in the Small Business Administration in my congressional district.

As a result, one of the men involved, Albert Fuentes, who on March 3 was appointed special assistant to the Administrator of the Small Business Administration called me a liar about 9 days ago. This morning he was indicted with another person by the Federal grand jury in San Antonio.

Mr. Speaker, I will continue to address this House about some of the activities that have yet to be brought to light in conjunction with this man's activities as special assistant to the Administrator of the Small Business Administration, not the least of which has been another involvement in a swindling deal with another man with whom he took an assumed-name corporation, who has been indicted by the Bexar County grand jury. The Bexar County grand jury on top of the Federal grand jury is also looking into this matter.

DEPARTMENT OF AGRICULTURE AND RELATED AGENCIES APPROPRIATION BILL 1970

Mr. WHITTEN. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 11612) making appropriations for the Department of Agriculture and related agencies for the fiscal year ending June 30, 1970, and for other purposes; and pending that motion I ask unanimous consent that general debate on the bill be limited to not to exceed 3 hours, 1½ hours to be controlled by the gentleman from Minnesota (Mr. Langen) and 1½ hours by myself.

The SPEAKER. For what purpose does the gentleman from Illinois rise?

Mr. FINDLEY. Mr. Speaker, I make a point of order against consideration of H.R. 11612 until tomorrow noon, and I would like to be heard on the point of order.

The SPEAKER. The gentleman will state his point of order.

Mr. FINDLEY. My point of order is that taking up the bill at this time is a violation of rule XXI, section 6, which reads as follows:

> No general appropriation bill shall be considered in the House until printed committee hearings and a committee report thereon have been available for the Members of the House for at least 3 calendar days.

I would like to state to the Chair that Friday afternoon of this past week, which was less than 3 full calendar days from this hour, I called at the office of the Appropriations Committee and asked for a copy of the appropriation bill and the accompanying committee report. I was given a document, which I am glad to present to the Chair, which carries the label "Committee Print," but has no report number and refers to no bill by number. I asked the committee if this was the only document available. I said I wanted a report which had a report number printed on it and which referred to a particular bill. I was informed by the chief clerk of the Appropriations Committee that such document would not be avail-

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able until the next morning, that is Saturday morning. Inasmuch as section 6 of rule XXI explicitly says "at least 3 calendar days," I think it is only reasonable to assume from that the 3 days means three 24-hour periods, and three 24-hour periods have not yet elapsed since the committee report bearing the report number was made available to the Members of the House.

The **SPEAKER**. Does the gentleman from Mississippi wish to be heard?

Mr. **WHITTEN**. Mr. Speaker, may I say for the Record that we had until midnight Friday night to file the report and bill for printing. The bill and report were made available to every Member and the general public on Friday, May 23, and this is Monday, May 26. Three calendar days have elapsed since they were reported, which conforms to the rule.

The committee hearings were printed in five volumes: They became available April 7, April 26, May 7, May 19, and May 23. So the fact is that the 3-calendar-day rule has been carried out in all respects.

Mr. **FINDLEY**. Mr. Speaker, as a point of clarification, may I state that I called at the Appropriations Committee at 2:30 p.m. last Friday and was informed by the clerk that not until the next morning could I secure a report with a number printed on it.

The SPEAKER. The gentleman from Illinois (Mr. Findley) makes a point of order against the consideration of the bill (H.R. 11612) making appropriations for the fiscal year ending June 30, 1970, and for other purposes, on the ground that printed committee hearings and the committee report on the bill have not been available for 3 calendar days as required by clause 6, rule XXI. It has been the uniform practice of the House in determining the expiration of a required number of days to include in such computation either the initial or terminal day, but not both. The chair has ascertained that the report on the bill was filed on Friday last, pursuant to the unanimous-consent agreement of Thursday, May 22, and that all five parts of the printed committee hearings on the bill were available for inspection by Members by Friday last. Thus, by counting either Friday last, the day the report was filed and all hearings were available, or today, the day of consideration of the bill, as well as Saturday and Sunday last, the 3-calendar-day requirement of clause 6, rule XXI has been complied with by the Committee on Appropriations. The Chair therefore overrules the point of order.

Is there objection to the request of the gentleman from Mississippi?

There was no objection.

The **SPEAKER**. The question is on the motion offered by the gentleman from Mississippi.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 11612, with Mr. Wright in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The **CHAIRMAN**. Under the unanimous consent agreement, the gentleman from Mississippi (Mr. Whitten) will be recognized for 1½ hours, and the gentleman from Minnesota (Mr. Langen) will be recognized for 1½ hours.

Mr. **CONTE**. Mr. Chairman, I make the point of order that a quorum is not present.

The **CHAIRMAN**. The Chair will count. One hundred Members are present, a quorum.

The gentleman from Mississippi (Mr. Whitten) is recognized.

Mr. **WHITTEN**. Mr. Chairman, I yield myself such time as I may require.

Mr. Chairman, it is with real pride that I present this appropriation bill to the House floor for perhaps the 17th or 18th time. When I began to handle this bill as chairman of this subcommittee, my knowledge of agriculture had come largely from study, in that I left the farm at an early age. Through the years I have enjoyed presenting this to the House of Representatives.

As a result of improvements through the years, a few provide so much for the rest of us, but those few do not get the same degree of attention as well they might. This is very well expressed in our report.

If the United States of America were a primitive, isolated village of 20 persons, and if one of those 20 produced all of the food—and much of the fiber for clothing—consumed by the other 19, that one man would be hailed by his fellows as the preeminent contributor to the commonweal. For they would see clearly—in these simple circumstances—that they depended on this single individual for the most basic necessities of life itself.

This great Nation is not, of course, a primitive village—far from it. Yet one American on the farm does, in fact, produce nearly all of the food and fiber consumed by 19 of his fellow citizens.

Not only is this fact little understood today by the 94.4 percent of our people who live in cities and towns, but the whole vast scope of our amazingly productive agricultural economy is a foreign subject to tens of millions of our citizens.

Many of our children undoubtedly think milk originates in cartons;

They may believe that meat and poultry begin their trip to market wrapped in plastic;

They are probably not aware that a woolen suit or cotton shirt did not just grow that way.

These children's parents would not make these mistakes, of course, but they, too, are likely to be unaware of conditions on the farm today, and of the fact that agriculture is still the very cornerstone of our modern way of life.

It has been pointed out in many previous reports of this committee that the economic welfare of the Nation's economy is dependent on the economic strength of each segment thereof. Time has proved that labor and industry can be prosperous only to the extent that the agricultural economy is strong and healthy.

Agriculture is the principal source of new wealth. It is the main provider of basic raw materials which support all segments of business and industry. Reliable estimates indicate that each dollar of wealth taken from the soil generates $7 of income throughout the rest of the economy.

Agriculture is our largest industry. Its assets exceed those of any of the next 10 largest industries. It employs more workers than any other major industry. It employs seven times the number of people in the mining industry, 23 times the number in the oil and coal industry, and five times the number in the automobile industry. In addition, it supports directly another 10 percent of our nonfarm population which supplies the farmer with his needs and processes and markets his products.

Agriculture is one of the major markets for the products of labor and industry. It spends more for equipment than any of the other large industries. Agriculture uses more steel in a year than is used for a year's output of passenger cars. It uses more petroleum products than any other industry in the country. It uses more rubber each year than is required to produce tires for 6 million automobiles. Its inventory of machinery and equipment exceeds the assets of the steel industry and is five times that of the automobile industry.

But over the years, in spite of Government farm programs, industry and labor's share of the consumer's food dollar has risen substantially. Compared with 1950, retail food prices were up almost 40 percent by 1968. But during that same period, prices received by farmers, while fluctuating from year to year, remained unchanged in the aggregate.

In 1950, the farmer's share of the retail food dollar was 47 cents. By 1968, it was down to 39 cents. Taking several specific examples:

The farmer receives only 3.3 cents of the retail cost of a loaf of bread, which averaged 22.4 cents in 1968.

In the same year, he received only 23 cents of the $4.60 retail price of a cotton business shirt.

The farmer's component of the 87-cent-per-pound average retail price of beef was only 52 cents per pound.

One of the important contributions of American agriculture to the national economy has been its contribution to our balance of payments abroad.

Total agricultural exports increased from $4.5 billion in 1960 to $6.3 billion in 1968. Exports for dollars rose from $3.2 billion to $4.7 billion during this period. During the calendar year 1967, agricultural exports for dollars exceeded agricultural imports by $585 million. This more than offset the trade deficit for commercial trade of $400 million in 1967.

From 1961 through 1968, agricultural exports contributed over $32 billion to our balance of payments. Even though only about 22 percent of total exports are agricultural commodities, they account

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for over 50 percent of our favorable trade balance.

The efficiency and productivity of U.S. agriculture has made this country the world's largest exporter of food to the many nations of the world. In recent years the export of U.S. agricultural commodities has increased to the point where production from one out of each four acres is sold abroad. In addition to supplying much needed foreign exchange, this has contributed to the domestic economy by providing about 1 million jobs in the agribusiness fields.

American agriculture continues to make a major contribution to the national welfare through the production of bountiful supplies of high quality and low-cost foods for the Nation's consumers. Food is one of today's best bargains.

This is apparent at the supermarkets, where city consumers can choose from thousands of safe, wholesome, and delicious foods—products of the farms of our 50 States. Using only 17 percent of their income, American consumers can select foods with a knowledge of nutrition and balanced diets that makes this a Nation of healthy and well-fed people. Many people in the world spend half or more of their available income on food. In underdeveloped areas people spend most of their time grubbing a living from the earth.

In 1929, 23.4 percent of consumer income in the United States went for food. This decreased to 22.2 percent in 1950, 20 percent in 1960, and 17 percent last year. This steady decrease has occurred despite the increasing portion of food costs which go for marketing and related services. If the 1960 level of 20 percent had continued through 1968, U.S. consumers would have had $18 billion less to spend for the products of industry and labor.

HUNGER AND MALNUTRITION IN AMERICA

Few subjects have attracted as much publicity and created as much public outcry in recent months as the alleged existence of hunger and malnutrition in America. No one—least of all the members of this committee—would wish even one of our fellow citizens this misfortune of going to bed hungry.

Last year, this committee recommended and the Congress approved total funds of approximately $1.2 billion for the various food distribution programs of the Department of Agriculture. Appropriations recommended by the committee in the current bill, plus amounts available from section 32 funds, will provide a total of nearly $1.5 billion for the operation of these programs in fiscal year 1970.

Through the years, real progress has been made in improving public health and extending life expectancy in this country. The food distribution programs for which funds are carried in this bill have made a real contribution to this progress. The following figures indicate the story:

TOTAL DEATHS REPORTED IN THE UNITED STATES FROM SEVERAL NUTRITIONAL CAUSES

	1966	1956	1949	1945	1940	1935
Beriberi	14	25	47	46	63	7
Pellagra	21	70	321	914	2,123	3,543
Scurvy	0	7	22	18	26	30
Active rickets	3	6	65	93	161	261
Malnutrition: General or multiple deficiencies[1]	150	588	799			

[1] Changes in the system of reporting deaths have altered the reporting of nutritional diseases from time to time.

RELATIVE LIFE EXPECTANCY IN THE UNITED STATES, MALES AND FEMALES, 1900–66 (in years)

Year of life	1966		1949–51		1929–31		1900–1902	
	Male	Female	Male	Female	Male	Female	Male	Female
1	65.3	71.9	64.2	68.6	56.6	58.6	48.5	50.0
50	22.0	26.8	21.5	24.7	21.0	21.0	19.1	20.3
70	10.7	13.1	10.5	12.0	9.0	10.2	8.7	9.6

It is this committee which has initiated and supported additional efforts to seek out and to care for especially needy cases of malnutrition and hunger. In 1967, the chairman of this subcommittee recommended and the Congress approved the following provision:

CONFERENCE REPORT NO. 746 ON DEPARTMENT OF AGRICULTURE APPROPRIATION BILL, FISCAL YEAR 1968

Amendment No. 37: *Food stamp program.*—The managers on the part of the House intend to offer a motion which will provide $185 million for this program, $23,200,000 from prior year balances and $161,800,000 by direct appropriation. Of the amount provided, $5 million may be used in needy areas in this program where it may be required to meet problems resulting from the need for special considerations for extremely low-income families.

In 1968, he recommended and the Congress increased the appropriation by $50,000,000 and passed the following provision:

1969 APPROPRIATION BILL (H.R. 16913—PUBLIC LAW 90–463) FOR DEPARTMENT OF AGRICULTURE

* * * and (4) not more than $45 million (including not to exceed $1 million for State administrative expenses) for (a) child feeding programs and nutritional programs authorized by law in the School Lunch Act and the Child Nutrition Act, as amended; and (b) additional direct distribution or other programs, without regard to whether such area is under the food stamp program or a system of direct distribution, to provide, in the immediate vicinity of their place of permanent residence, either directly or through a State or local welfare agency, an adequate diet to other needy children and low-income persons determined by the Secretary of Agriculture to be suffering, through no fault of their own, from general and continued hunger resulting from insufficient food: *Provided,* That in making such determinations, the Secretary shall take into consideration the age; income; location and income of parents, if a minor; and employability.

It is this latter provision of law which has authorized the Secretary of Agriculture to provide free and reduced-price food stamps in several States recently.

This committee has long been active in trying to help with nutritional education. Back in 1950, the committee was responsible for an appropriation to prepare and issue one of the first bulletins on the subject of human nutrition, "Family Fare."

It had come to the committee's attention that 36 percent of the young men being called into the draft in World War II had defects which could be attributed to faulty nutrition. So the committee recommended and the Congress agreed to redirect funds which had theretofore been used for a bulletin on keeping livestock healthy to the development of a book on human nutrition.

The debate in the House on this subject can be found in the CONGRESSIONAL RECORD of April 27, 1950, pages 5925 to 5927.

This pamphlet now is the No. 1 bulletin of the Department of Agriculture. Testimony before the committee shows that about 12 million copies have been sent out over the United States. According to the Director of Information of the Department of Agriculture, it has been the most popular bulletin nearly every year since 1950.

TOTAL SPENDING FOR FOOD ASSISTANCE PROGRAMS

The total food distribution expenditures by the U.S. Department of Agriculture during fiscal year 1969 will exceed $1.2 billion. Since 1960, total funds for combating rural poverty and pushing rural development have increased nearly threefold to $2.3 billion.

This committee has no authority or desire to relieve parents of the legal obligation to provide for their children. However, this committee and the Congress have generally provided more money than requested in the budget for food distribution purposes, as indicated by the following figures, for the past 4 years:

FOOD DISTRIBUTION PROGRAMS—COMPARISON OF BUDGET ESTIMATES AND APPROPRIATIONS [INCLUDES SPECIAL MILK, SCHOOL LUNCH, FOOD STAMP, AND DIRECT DISTRIBUTION PROGRAMS]

Fiscal year	Budget	Appropriation	Difference
1969	$1,114,468,000	$1,128,499,000	+$14,031,000
1968	945,535,000	939,625,000	−5,910,000
1967	600,600,000	701,455,000	+100,855,000
1966	669,900,000	672,900,000	+3,000,000
Grand total, 4 years	3,330,503,000	3,442,479,000	+111,976,000

The amounts included in the bill and financial plans for 1970 for food assistance programs, together with funds for the current year, are shown in the following table:

FOOD ASSISTANCE PROGRAMS

[In thousands]

	Fiscal year 1969, estimated	1970 bill
A. Child feeding programs:		
1. Cash grants to States:		
(a) School lunch (sec. 4)	$162,041	$168,041
(b) Special assistance (sec. 11)	10,000	44,800
(c) School breakfast	3,500	10,000
(d) Nonfood assistance	750	10,000
(e) State administrative	750	750
(f) Nonschool food program	5,750	10,000
(g) Special milk	103,314	
(h) Special sec. 32	43,941	89,000
Total, cash to States	330,046	332,591
2. Commodities to States:		
School lunch (sec. 6)	64,325	64,325
Sec. 32[1]	80,500	90,411
Sec. 416	144,872	146,838
Total, commodities	289,697	301,574
3. Federal operating expenses:		
School lunch	2,161	3,100
Nonschool feeding	500	750
Special milk	681	
Total operating expenses	3,342	3,850
Total, child feeding	623,085	638,015
B. Family feeding programs:		
1. Food stamp program	279,908	340,000
2. Direct distrib. to families (reg program):		
(a) Sec. 32[1]	142,141	225,028
(b) Sec. 416	116,539	140,000
Total, DD to families	258,680	365,028
3. Nutritional supplement (special packages):		
(a) Special sec. 32—Food stamp areas	1,000	11,000
(b) Sec. 32[1]	7,318	22,000
(c) Sec. 416	500	1,500
Total, special packages	8,817	34,500
Total, family feeding	547,405	739,528
C. Direct distribution to institutions:		
1. Sec. 32[1]	1,967	3,800
2. Sec. 416	43,000	29,000
3. VA, Armed Forces, penal	17,875	21,000
Total, DD to institutions	62,842	53,800
D. Nutrition aide program	10,000	30,000
Total, food assistance program	1,243,332	1,461,343

[1] Includes related administrative expense.

EXTENT OF MALNUTRITION AND HUNGER

Today's publicists of the malnutrition problem are claiming that countless millions of our fellow Americans are hungry. It is clear that the facts about the extent of malnutrition must be ascertained before effective action can be taken to meet the problem. Certainly the search for facts should not be interpreted as a failure to understand or sympathize with the plight of the undernourished among us. Further still, the search for facts has not delayed action by Congress on the recommendation of this committee. For many years, this committee has tried its best to determine the facts regarding the true extent of hunger and malnutrition in the country and to act on them. The record set forth heretofore provides ample evidence of this.

A great many books and pamphlets—including one called "Hunger, USA"—have been given wide distribution recently. In addition, on May 21, 1968, and again on June 16, 1968, the Columbia Broadcasting System—CBS—presented a television program "Hunger in America" which was viewed by millions of people. The assertions made in these books and on that program were shocking to all of us.

This committee, after providing the foregoing funds and authority, then set about to determine the facts on which the books and program were based, in order to find a way to seek out and provide for alleviating the suffering of the unfortunate individuals portrayed therein. The committee's professional surveys and investigations staff conducted a lengthy inquiry into these matters. These trained professionals conduct their studies on a completely independent and unbiased basis. After this investigation was ordered, the members of the committee had no further influence on the conduct of it, or the results and data contained in the staff's final report.

This special report has been received, and has been published in full in part V of the hearings on this bill. The facts presented are, in their way, as shocking as the allegations in the books and programs which preceded the report. It appears that many of the incidents described or photographed were staged, as though for a Hollywood production.

Our country's press and other news media are free—they have been throughout our history, and always should be, but somehow we must make them responsible. The first amendment to our Constitution provides that Congress shall make no law abridging the freedom of the press—and this wise declaration by our founding fathers has stood the test of time for nearly two centuries—though at times, it seems some take this provision to be a license to say anything—whether true or not.

But rights carry responsibilities with them. A responsible press—newspaper, magazine, radio, or television—should have as its first guiding principle a duty to inform its readers or viewers fairly, objectively, and truthfully. Does not the public have a right to expect that this will be done?

The Nation's best interests are simply not well served when appeals to emotions are substituted for reasoned calls for responsible action.

MALNUTRITION A COMPLEX PROBLEM

As noted above, this committee and the Congress have been attempting to eradicate malnutrition in America for many years. And there can be no doubt that the Federal programs and funds provided—amounting to nearly $1.5 billion for fiscal year 1970 alone—have done and will continue to do a great deal of good in meeting this problem. Yet malnutrition persists, at least in some instances.

There is no single answer to the problem, because malnutrition may have many different causes. The final elimination of hunger from America will require that—in the last analysis—the circumstances of individual hungry people must be examined. For example:

If the real problem in some cases is that the food stamp office is too distant from home—and local transportation is inadequate—then a car pool run by a local service organization would do more to solve the problem than a new Federal program;

If food is available, but certain individuals do not know how to prepare it properly, then education, not more food, is the answer;

If certain people, through habit and custom, are eating the foods their mothers prepared for them when they were children—and these foods are not sufficient to provide an adequate nutritional diet—then education again is the answer.

If certain children receive their only good meal of the day at school because their parents are deliberately not caring for them properly—and there are such cases—then the laws of each of the 50 States, which make it a criminal offense to neglect one's children, should come into play.

And if wealthy teenagers are subsisting on soft drinks and hamburgers, some parental leadership is all that is indicated.

These examples do not exhaust the subject. Many others could be cited. But the point is clear: malnutrition is a complex problem, with no single solution. If more Federal assistance is required to solve a part of the problem, then it should be provided. But it cannot do the job alone.

There is no lack of research findings on proper nutrition. And there is no lack of written materials describing good nutritional practices in easily understood terms. As pointed out earlier in this report, about 12 million copies of a single Department of Agriculture bulletin, "Family Fare"—which the committee initiated nearly 20 years ago—have been distributed to families throughout this Nation and are available to others who need them. And there are many other bulletins on this subject.

But despite these efforts—and despite the appropriation of billions of dollars over the years for food assistance programs—it is clear that, in some cases, the message is just not getting across.

The purveyors of easy answers should bear in mind two fundamental truths:

First, massive new Federal programs and large additional appropriations will be good only to the degree they are directed to the real problem areas.

Second, American family life must be preserved. If all needy children were to be fed in institutions—as some have suggested—they would not be hungry. But what would this do to the fabric of family life, and the traditions inherited by our future generations?

Our pioneer forebears believed in being their brothers' keeper. It took a strong back of many men to raise high the roof beam of each frontier cabin. From our earliest days down to the present time, Americans have believed in providing for those—the children, the elderly, the sick, the disabled—who could not provide for themselves.

But the true greatness of America has also sprung from the sweat of the brow of countless millions in the last two centuries. The continent was not spanned, and our great cities were not built, by men who stood aside and waited for others to do the work.

All of us share in the responsibility to extend a helping hand to those among us who are hungry and in need. We must provide the funds and other means necessary to do this. We must not, however—through Federal programs—encourage our people to forsake their traditions of independence and self-reliance. Further, we must be certain that Federal funds for these purposes will provide the maximum benefits to those in real need.

THE FOUNDATION OF OUR FOOD SUPPLY

All of the controversy about hunger and malnutrition today has taken for granted the availability in the United States of a plentiful supply of nutritious food. We, in fact, have such a supply—the most abundant the world has ever seen. But we must not forget that the continued availability of these ample food supplies is not automatic. Future supplies to feed the rapidly growing population of this Nation and the world, including the hungry and the undernourished, will be determined by the economic viability of our agricultural producers, and the continued productivity of our soil and water resources.

Regardless of all else, it is an irrefutable fact that our bountiful food supply can continue only so long as the income to farmers and ranchers is sufficient to keep them productive and efficient—in fact, to keep them in business. Our current programs of price supports, low-cost loans, research, and regulatory activities are directed toward this end. These basic programs benefit all of us—the poor and the hungry as well as the better off—equally as much as the farm producer upon whom they must depend for their basic necessities of life.

Further, the needy and the hungry—as well as all Americans—cannot long be fed unless our basic soil and water resources are preserved. The future welfare of all our people regardless of income or station in life is entirely dependent on the preservation of the basis for continued food production.

William Jennings Bryan is reputed to have once said:

> Burn down your cities and they will arise again as if by magic. But destroy our farms and the grass will grow on the streets of every city in the land.

NEED TO CONSERVE OUR FOOD PRODUCTION CAPACITY

Three-fourths of our land area is in private ownership and 60 percent is in farms and ranches. Therefore, our farmers and ranchers are the principal managers of the Nation's soil and water resources for all the people. If this Nation is to survive and prosper, we must continue to assist these custodians of our natural resources to reforest our lands, protect our watersheds, harness our streams for electricity, and conserve soil and water.

If we leave to future generations a fertile land, this country will be able to meet its future domestic problems, international threats, and financial needs. Money alone is of no value. It must be supported by natural resources adequate to generate new wealth for future generations.

In our private lives, we all can live prosperously for a short time if we cash in all our insurance, use all our savings, and mortgage our assets. As a Nation, we can do the same if we are willing to "cash in" on our land, leaving to our children what is left—like previous generations have done in India, China, and the rest of the world we help to feed and clothe today.

It is considered good financial practice for a successful industrial concern to invest a portion of its income in the maintenance and preservation of its basic productive plant. It is equally important that our Nation invest a portion of its wealth in the protection of our food production capacity and its preservation for future generations.

SOIL AND WATER CONSERVATION

Remarkable progress has been made in soil and water conservation in the United States in the last 25 years. The major part of the soil conservation job still lies ahead, however. The United States continues to suffer heavy soil erosion losses. Some 120 million acres are endangered seriously, and only about a third of our land is safeguarded adequately. More than half the estimated $1.2 billion average annual flood water and sediment damage in the United States occurs on the headwater streams and small tributaries. And sediment causes costly damage to the Nation's 10,000 major water storage reservoirs. The amount of erosion-produced sediment dredged annually from our rivers and harbors exceeds the volume of earth dug for the Panama Canal.

Increased farm production resulting from tremendous advances in science and technology tends to obscure the fact that, to meet food and fiber needs of a few years hence, this country will need the production equivalent of around 200 million more acres, based on current yields. Since we do not have additional acres of cropland available in the United States, this production must come largely from increased yields on existing cropland. This is in the face of continuing annual losses of some 400,000 acres of cropland because of erosion, and three times that amount each year through conversion of good farming land to urban and industrial uses.

Nearly one-fourth of the people of the Nation face problems of water shortage, poor water, or both. The rate of water use predicted for 1980 is nearly twice what it was in 1955. In some areas of this country we are already finding that expansion of population and industry is limited by the lack of adequate sources of water.

An official of the Department recently described one of the Nation's major problems of water conservation as follows:

> The Nation is concerned about its water problems but it seems that very few people are aware that 70 percent of the Nation's water budget that comes as rain or snow is lost by evapotranspiration from vegetated lands. Only 30 percent of our water budget becomes massed flow into streams and reservoirs.
>
> For example, during the average growing season in New York State a half million gallons of water will evaporate from an acre of potatoes, regardless of the kind of crop produced, since the evaporation is largely determined by solar radiation. The farmer who produces 500 bushels of potatoes per acre is producing 1 bushel of potatoes for every thousand gallons of water evaporated. If his yield is only 50 bushels of potatoes per acre, he will use 10,000 gallons of water for each bushel of potatoes produced.

Today's 200 million Americans are figuratively and literally "abusing the privilege" where the use and handling of water is concerned. Our lake and rivers have become catch basins for the residues of our factories, automobiles, household and agricultural chemicals, for human wastes from thousands of villages, towns, and cities. How well we clean up this situation and learn to handle it without restricting man's means of providing our high standard of living may well determine the future of our Nation.

As we approach this problem, we must keep in mind that the power to control water quality or quantity is not only the power to make or break business but is a power over the life of the Nation itself. We must also keep in mind that agriculture's claims and responsibilities for the use of water are second to none, for agriculture provides our food, clothing and shelter, the basic necessities for life.

In addition, agriculture has a great

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responsibility in the use of water, for land is the great gathering place and reservoir for storage of water. Just a few years in the future we will need three times the water we use today, all of which points up the need to protect and manage the quality and quantity of our water supply.

Yet, in the face of all of these facts, the 1970 budget recommends severe cutbacks in the watershed programs of the Soil Conservation Service and the agricultural conservation program, which have as their sole purpose the preservation of our soil and water for future generations of Americans. The specific reductions will be discussed in more detail later in this report.

THE ORIGIN OF OUR PRESENT FARM PROGRAMS

Throughout history there has been a major war nearly every generation, and an economic or financial depression has occurred with about the same regularity. Many believe that the reason is that each new generation fails to recognize the lessons learned by the one which preceded it.

This Nation seems to be in somewhat the same situation with regard to agriculture today.

The seeds of the great depression of the 1930's were sown in the agricultural depression of the 1920's which followed the First World War. The failure to maintain farm exports or to support farm prices during this period, and thus to maintain farmers' purchasing power, weakened banking and business throughout the country. Yet, people frequently fail to remember the lessons of the terrible financial crises of the 1920's and 1930's. It was graphically illustrated in 1921, in 1929, and again in 1937 that, if the farmer's prices and purchasing power collapse, the whole economy suffers both in the cities and in rural areas.

Let us briefly review the history of farm prices in the late twenties and the thirties, when a drop in the purchasing power of those engaged in agriculture not only wrecked farming but dragged down the economy of the whole Nation.

After the First World War ended, the Government announced that it would no longer support the price of wheat. Wheat which had brought $2.94 a bushel in Minneapolis in July 1920, brought $1.72 in December 1920, and 92 cents a year later. Agricultural prices in general collapsed. Cotton fell to a third of its July 1920 price and corn by 62 percent. The "Yearbook of Agriculture" of 1922 shows that the total value of agricultural products dropped from $18,328,000,000 in 1920 to $12,402,000,000 in 1921. As a result of the agricultural crash of 1920–21, 453,000 farmers lost their farms. Many others remained in serious financial trouble which, in turn, was reflected by failures of local banks.

Average wheat prices for the years 1924–27 stayed in a range between $1.19 and $1.44 a bushel as compared to a parity price of approximately $1.40 for that period. Corn prices in these same years varied between 70 cents a bushel and $1.06 a bushel versus a parity price of about $1. Cotton prices were 12.5 cents a pound in 1926 but averaged 20.7 cents for the other years, compared to a parity price of 19.1 cents. In 1928 these prices were: wheat, $1; cotton, 18 cents; and corn, 84 cents. By 1931 wheat was 38 cents; cotton, 5.5 cents; and corn, 32 cents—roughly one-third of the pre-1928 price levels. Starting in August of 1929, wheat prices for the dominant futures on the Chicago Board of Trade fell from $1.43 average price to 76 cents in November of 1930, a drop of over 50 percent in 15 months. The Dow Jones stock price averages followed by declining from a high of 381.2 in September to a low of 41.2 in July of 1932. The decline of the price of wheat on the commodity exchanges was particularly significant since there were nearly $250 million of open contracts in October 1929, almost 2½ times the number of contracts in normal years. A great many of these speculators were ruined.

It has been said there were more suicides during this period among those that did not know what a farm was as a result of the breakdown in farm or commodity prices—which had led to a fall in prices and values throughout the economy—than in any other period in our history.

It was a sad way to learn it, but people at that time came to realize that real wealth starts with material things—corn, wheat, cotton, food crops of all kinds, and other raw materials—and that the general economy was primed by the sale of raw materials since, in general, the total national wealth averages some seven times the sales value of the farm or raw material production.

The people of the United States should have learned several important lessons from these experiences of the twenties and thirties.

First, when farmers cannot get a fair return for their products, the land suffers. The price of producing food, clothing, and shelter must be paid, either by a fair price from those who consume them or by further depletion of the land from which they come. Congress, reacting to the terrible depletion of our soil and water resources because of the poor financial position of many farmers, passed the Soil Conservation and Domestic Allotment Act of 1936. Yet today these same facts are being overlooked and we are being requested to devote less attention to our soil and water conservation efforts.

To make this point clear, one might draw a comparison between the farmer's position in this situation, and the activities of a typical American businessman.

If a businessman cannot make enough return on his investment to replace his depleted capital and keep his plant in operation, sooner or later he will go out of business. A rundown, inefficient factory and rusty outmoded equipment will eventually drive him to the wall. This is an economic fact well recognized by those engaged in industrial production.

The farmer, too, can deplete the fertility of his land and reduce his productive capacity—perhaps for a number of years in some instances—and stay in business. But sooner or later, he, or his successors, will have a wornout farm which will no longer produce the food and fiber which the consumers need from that farm unit.

In drawing this comparison, one thing must be kept clearly in mind. If a factory and its equipment go out of production, another businessman can come along and rebuild the factory and purchase new equipment in a relatively short time. But our soil and water—our agriculture production plant—are irreplaceable in our lifetime, and in the lifetimes of our children and our children's children. It takes nature as much as 10 million years to create a single inch of productive topsoil in many areas of the world.

Second, we sometimes seem to forget that some form of effective control over farm production and marketing is necessary. In 1937 heavy crop production caused surpluses and low prices for wheat and cotton, and a severe drop in commodity prices precipitated another economic decline throughout the economy. Based on this experience, Congress passed the Agricultural Adjustment Act of 1938.

The stated objective of this act was to: "regulate interstate and foreign commerce in cotton, wheat, corn, tobacco, and rice to the extent necessary to provide an adequate and balanced flow of such commodities. Such a flow can follow only from the leveling out of the recurrent surpluses and shortages that burden and obstruct interstate and foreign commerce in such products."

This law provided loans for storable commodities, generally called basics, the overproduction of which can be carried over to adversely affect succeeding crops for a number of years. Cotton, for instance, can be readily stored for 50 years without deteriorating to any noticeable degree. These storable or basic commodities were designated by Congress as corn, wheat, cotton, rice, tobacco, and peanuts.

In addition to providing crop loans so as to support prices, this law also provided that there must be an agreement by those receiving such loans to limit productions so as to have a workable program.

Third, many in this country seem to have forgotten that one of the major aims of the act of 1938 was to establish and maintain a fair relationship between the farmer's income and costs of production. This was necessary to maintain a reasonable relationship with what labor and industry received as the result of various laws passed by Congress to guarantee bargaining rights and minimum wages.

The principle of adopting special laws to help certain groups was not new. In the early history of this Nation, laws were passed providing tariffs to protect industry. It was recognized at that time that early industry in America, with its lack of capital and know-how, with its lack of developed markets, and with many other disadvantages, could not compete with the well-established industry in the mother country of England or in other countries.

Also, about 60 years ago, the American people began to realize that labor needed some protection relative to wage rates, working conditions, and hours set by industry. At that time the Congress began to enact laws on minimum wages and the right to organize and to strike.

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Through the years these advantages have been increased greatly by various laws passed by the Congress.

This Nation learned in the great depression of the twenties and thirties that, in order to retain the purchasing power of those engaged in agriculture and allow them to stay in business to provide food essential to the general welfare, there had to be some provision in the law to maintain a balance between industry, agriculture, and labor, particularly since industry was protected by high tariffs and could place its markup or margin of profit over and above its cost, including raw material and labor.

Thus the Congress included in the act of 1938 a formula to maintain such a balance. To operate this program, the Congress created the Commodity Credit Corporation—a huge corporation first organized under the laws of the State of Delaware in 1933 with paid-in Government capital—and later made it a Federal Government corporation.

Under this program, the producer can borrow for his storable or basic commodities, the major commodities, at a fixed percentage of parity. This level is usually set by the Secretary of Agriculture within limits fixed by the Congress, and usually varies in percentage depending upon the commodity and the supply needed. At the end of the year, the farmer can repay his loan, claim his commodity and sell it on the open market if the price is advantageous. If not so redeemed by the producer, the Government can foreclose on the loan and take title to the commodity. With such loan assurance under this plan, the price on the domestic market usually is sustained because the Commodity Credit Corporation is not authorized to sell below the support price.

Now, one might well ask: "Why does the farmer need the protection of these laws and programs? Why can't he just add his margin on top of his costs, just as any other businessman would do—even though those costs are higher because of laws protecting industry and labor?"

There are two fundamental reasons why he cannot do this:

In the first place, there are millions of farmers. Under a completely free system, no individual farmer-businessman could have any say as to the prices he would receive for his product. These prices would be determined by market forces over which he could not have even a small amount of control. For an individual farmer to say, "I am going to sell at a certain price because my costs are going up" could price him completely out of the market if he were not competitive.

In the second place, farmers and ranchers do not produce unique products. One farmer's wheat or cotton or tobacco of a certain grade and type is usually the same as another farmer's wheat or cotton or tobacco of the same grade and type. Each is competing in a nationwide market for that particular grade and type of wheat or cotton or tobacco. There is no opportunity to compete in the open market in the normal private enterprise manner.

An industrial concern, on the other hand, can create a special demand for and distinguish or differentiate its products. It can create and cater to many different markets instead of one. For example, Americans do not regard automobiles as a standardized product—if they did, we might all be riding in a uniform version of the "people's car."

This differentiation of product by industry also makes advertising feasible. One businessman, through advertising, can convince consumers that his detergent or headache remedy is best for all, and the price may even become a secondary consideration.

It is for these reasons that the people of this Nation and especially its legislative leaders must review the record, must fully inform themselves as to the reasons for our present farm programs, and must remember the disadvantaged position of agriculture in our modern-day society.

It is for these reasons that our people must never forget the painful lessons of the past and the reasons why the present farm programs were placed on the statute books and have been in operation since the great depression of the 1920's and 1930's.

We must not forget the lessons of history and suffer again through the same mistakes and failures that our forefathers did. We must use the experience gained from those lessons to preserve the progress we have made in developing the finest agricultural system ever known to man.

COMMITTEE ACTION ON BILL

The bill includes an appropriation of $130,182,000, plus a transfer of $15 million from section 32 funds, for research for the coming fiscal year. This is an increase of $1,063,700 over funds available for fiscal year 1969 and a decrease of $449,300 in the revised budget estimate for fiscal year 1970. With a constantly increasing population, increased research is absolutely necessary if we are to maintain our standard of living, our health and our food supply.

The committee has included an additional $100,000 for contract research on avian leukosis in poultry, making a total of $837,500 available for the coming fiscal year. Avian leukosis continues to be the most baffling and costly of all poultry diseases, costly to producer and consumer alike, and is now rapidly becoming the No. 1 disease threat to broiler and egg production. Condemnations of poultry because of avian leukosis have increased from 6.5 percent of all birds condemned in 1962 to 35.2 percent of all birds condemned in 1967. The number of birds condemned due to this disease has increased tenfold during this same period. Current research efforts have produced new and important leads which offer promising approaches to better understand the complex disease.

An increase of $100,000 for additional food and nutrition research is proposed, which will provide a total of $400,000 for this purpose in the next fiscal year. These funds will enable the Department to up-date the handbook on nutrition, "Family Fare," which provides the latest information on vitamins, proteins, minerals, and other important nutritional factors. More than 12 million copies of this bulletin, first prepared for distribution in 1950 at the direction of this committee, have been distributed throughout the Nation since that time. We expect efforts to be made in the coming year to make this essential information more readily available to those who need it. Much valuable information has already been developed through research. What is needed most urgently now is an expanded effort to get undernourished people to put it to use.

The committee has also added $50,000 for a cooperative Federal-private industry cane sugar refining research project at the Southern Utilization Laboratory in New Orleans, La. In the past several years there has been a definite change in the nature of raw sugars resulting from changing farm operations. Hand labor has been replaced with mechanical devices. Chemicals are now more widely used for weed and insect control and for fertilizer. These changes have slowly rendered the old and well-known processing techniques less effective. Research on the basic chemistry of the processes and on the identification of the trouble-causing constituents is needed to improve the processes and develop new ones.

The sum of $50,000 has been added to the bill for expanded research on bovine mastitis. This will provide a total of approximately $500,000 for the next fiscal year. Mastitis, an infectious disease of the udder, is the most serious animal health problem of the dairy industry, resulting in losses estimated to be as much as $500 million a year which are costly to both producers and consumers. The disease is caused by numerous micro-organisms and is influenced by many environmental conditions. The primary effect is reduction in milk production and the loss resulting from milk that is unfit for human food. It is recommended that the additional funds be used to intensify contractual research on a method for the measurement of the milk-ejecting hormone as developed by scientists now working on this problem in Massachusetts.

Through the years, the committee has strongly supported the wholesaling and retailing research program of the Department. This work was discontinued by the Department last year, however, despite such support. In view of the extreme importance of this research, which enables the 200,000 independent grocers who handle about 58 percent of the Nation's retail food sales to compete with the larger chains to the benefit of their customers, the committee has included $100,000 to reinstate this research at about 50 percent of its former level. This will permit the most essential features of this work to be continued. Such wholesaling and retailing research conducted by the Federal Government is the only means of enabling independent and small businesses to compete with the few large corporations which have the capability of satisfying their own needs for such research.

Also, the Department's planning studies of wholesale food markets in the larger urban centers of the country need to be continued and strengthened wher-

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ever possible. These studies, which have been completed or are underway in some 62 major cities throughout the United States, a list of which appears on page 236 of part 4 of the hearings, are making a significant contribution to the location, design, and operation of the new markets involved. This is of great benefit to the Nation's consumers by providing them higher quality food at lower costs.

The committee has also provided an additional $100,000 for operation of the new Water Quality Laboratory at Durant, Okla. It appears uneconomical not to adequately staff this new laboratory, when it is in the public interest to keep current our water quality knowledge. Since agricultural and other chemicals are essential to our food supply, we must develop accurate and authentic data on this matter as rapidly as possible.

The committee calls attention to the fact that more pollution research can and should be undertaken at the National Sedimentation Laboratory, since the location and facilities available will enable the Department to move ahead immediately. Operations at the Big Spring, Tex., Research Station should be continued at not less than the current level in the coming fiscal year.

A fund of $50,000 has been included in the bill to enable the Department to continue planning for the Soil-Water-Plant Research Facility at Ithaca, N.Y., and to initiate planning for the Akron, Colo., Soil and Water Research Center. If additional planning funds are needed for these purposes in the coming fiscal year they should be obtained by transfer from the Agricultural Research Service's contingency research fund.

An increase of $300,000 is provided for the construction of a central refuse incinerator and modernization of other facilities at the Beltsville Research Center. Modernization and improvement of facilities, many of which are 30 years or more of age, is needed to protect the approximately $50 million real property investment at the Center.

The sum of $360,000 is also recommended to undertake the construction of additional facilities at the Soil and Water Research Laboratory at Morris, Minn. The plans for this location, which were funded several years ago, have been completed and construction is ready to proceed. It is important that the research on surface water pollution to be performed at this Laboratory be gotten underway as soon as possible.

For plant and animal disease and pest control the committee recommends an appropriation of $89,493,000 for the next fiscal year, an increase of $2,853,500 over the 1969 appropriation and a decrease of $1,683,500 in the revised 1970 budget request.

An additional $250,000 is recommended for plant and animal quarantine inspection activities. The volume of foreign trade and travel continues to go up and is expected to increase in the future.

An increase of $100,000 is included in the bill for cooperative activities with Central America on foot-and-mouth disease and rinderpest. The proposed increase would provide technical assistance, advice, and cooperative surveillance with the Central American countries and Panama. Working arrangements would be provided through the International Regional Organization for Plant and Animal Sanitation.

An additional $49,500 is provided for expanded work to assure the safety and potency of veterinary biologics under the Virus-Serum-Toxin Act. The increase proposed would be used to contract for the preparation of new standards and reagents and the replenishing of existing standards and reagents. These testing materials would be used by the department and by licensees to evaluate veterinary biological products.

The committee recommends an increase of $100,000 for expanded enforcement under the Federal Insecticide, Fungicide and Rodenticide Act. Under this act, the Department seeks to protect the public from misbranded, adulterated, unsafe, and ineffective pesticide products. The primary tools to reach this objective include product registration, testing and enforcement of regulations. A recent report by the General Accounting Office cited the need for more effective action to remove violating products, to prosecute offenders, and to publish notices of judgment.

The committee has repeatedly urged the Department to establish a factfinding team to look into reports of damages attributed to the use of pesticides and to determine the full facts. The Department has agreed to do so. Since it is the responsibility of the Department to test, register and monitor the use of pesticides, and since the production of food, its preservation, and its protection from contamination by humans, insects, and animals are dependent upon all forms of pesticides, the formation of this new unit is well justified and has the full support of this committee.

The sum of $1,000,000 is provided to commence construction of a new animal quarantine facility at Fort Tilden, N.Y. The existing facility is virtually obsolete. Federal laws and regulations require the quarantine of all imported wild and domestic animals, including poultry, upon arrival in this country. Public Law 88–592, approved September 12, 1964, authorized the sale of the Department's present animal quarantine facility at Clifton, N.J., to the city of Clifton for public purposes and the establishment of a new quarantine station in the New York-New Jersey port and airport area.

The committee, recognizing the danger to health and the cost of disease outbreaks, has also gone along with the increases of $750,000 each proposed in the revised 1970 budget for the screw-worm and hog cholera eradication programs. The cost of providing the sterile screw-worm flies necessary to maintain the screw-worm barrier zone along the United States-Mexico border continues to increase due primarily to the rise in cost of media for the production of sterile screw-worm flies and the operation and maintenance of the aircraft for fly release operations. It is hoped that the additional funds will permit continuation of the program at the present rate, which is needed to keep this insect threat under control.

The 1961 legislation establishing the hog cholera program directed the Secretary of Agriculture to prohibit or restrict the interstate shipment of hog cholera virus as necessary to carry out the eradication program. Program procedures, adopted by the Department and the States in 1962, recognized the need for such action and required removal of live virus vaccines for at least 1 year prior to recognition of any State as hog cholera free. The program schedule, adopted by Federal, State, and industry groups, calls for national eradication by the end of 1972. The current demand for removal of vaccines at the earliest possible time reflects recognition that the 1972 goal cannot be met, unless this action is taken in advance of that target date. When vaccines are withdrawn, some buildup of outbreaks of the disease can be expected. These outbreaks can be eradicated without return to the use of vaccines if sufficient indemnity funds are available for prompt depopulation of herds.

The committee has approved an appropriation of $30 million for the nutrition aide program initiated last fall. This is in line with the latest budget recommendation and places existing programs on a yearly basis. Of this sum, $7,500,000 shall be available for professional workers to promote 4–H type programs in the depressed areas of our cities. This program involves educational work among low-income groups to reduce the incidence of malnutrition, by providing homemaker aides who will use available information, knowledge and skills to teach needy people to utilize all resources toward the achievement of a more nutritionally adequate diet.

In this connection, the committee feels that full use shoulld be made of the Nation's 3 million 4–H Club members to promote 4–H Club-type work with the youth of our towns and cities. The success of this program in rural areas has forcefully demonstrated the effectiveness of this approach. It may well be found that the most successful results from nutritional education of low-income families will come through work with the younger members of the family.

For conservation operations, the full budget estimate of $118,786,000 is provided for this program for the coming fiscal year. The net increase of $3,893,000 is provided to cover mandatory pay increases. Therefore, the amount recommended will provide the same level of funding as was available for fiscal year 1969.

A total of 19 conservation districts were formed in the 1968 fiscal year. Consolidations and changes in boundaries of 17 other districts resulted in the transfer of nearly 8 million acres between districts, and the addition of 15 million acres to 75 existing districts. The net increase of new territories brought into districts in 1968 was 15,971,628 acres. About 96 percent of the total farm and ranch lands and 99 percent of the farms and ranches in the Nation are now within the boundaries of conservation districts.

A total of 15 new soil and water conservation districts are expected to be organized in the 1969 fiscal year. An-

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other 12 districts are projected for 1970. The formation of districts is nearing completion in most States. About 40 more districts are expected to be organized within the next few years.

For watershed planning, the full budget request of $6,209,000 is recommended for the next fiscal year. This will permit the program to continue at about the current year's operating level. The committee directs that not less than 100 new plans be started during the coming year.

For watershed works of improvement, a total appropriation of $57,873,000 is proposed for fiscal year 1970. This amount, will provide the same funding level as established for fiscal year 1969, including supplemental funds to meet mandatory pay increases. For this program, the committee directs that not less than 80 new construction starts be undertaken in the next fiscal year.

For consumer protective, marketing and regulatory programs, the bill includes a recommended appropriation of $130,867,000 for the next fiscal year, a reduction in the budget of $4,387,200 and an increase of $14,602,500 over current year funds.

The proposed closing or discontinuance of market news services has not been approved in view of the importance of these services to the Nation's agricultural industry, and the Department is directed to retain these services. The small amount of funds involved could better be taken from the cost of other operations of the Department in Washington. In the opinion of the committee, the need for timely and reliable market reports by farmers and agribusiness to deal with increasing market pressures and ever-growing consumer demands for better food at lower prices makes these market news services increasingly essential. The offices and reports involved, which are to be continued in operation next year, are as follows:

Fruits and vegetables: Columbia, S.C.; Birmingham, Ala.; Louisville, Ky.; Hammond, La.; Southern Pines, N.C.; Richmond and Windsor, Va.; Florida City and Sanford, Fla.

Grain: Houston and Austin, Tex.; Cleveland, Miss.

Livestock: Ogden, Utah; Tulsa, Okla.; Memphis, Tenn.; Fort Smith, Ark.

Poultry: Lincoln, Nebr.; Charleston, W. Va.; Austin, Tex.; Baton Rouge, La.

Naval Stores: Savannah, Ga.

Reports: National Weekly Peanut Report, Farmers Weekly Cotton Price Reports for North and South Carolina, Georgia, and Alabama; Monthly Cotton Linters Review issued in Memphis.

An additional $10 million has been included for meat inspection activities. This will provide a total of nearly $80 million for the coming year. The major portion of the increase will be used for grants to States under the Wholesome Meat Act of 1967. Grants were made to 18 States in fiscal year 1968 and it is expected that around 30 will be in the program by the end of the current fiscal year.

The committee has also included an increase of $3 million for poultry inspection, which provides a total of about $28.5 million for fiscal year 1970. With the passage of the Wholesome Poultry Products Act of 1968, almost all poultry and poultry products sold in the United States will be subjected to the same enforcement standards that hitherto have been required only of those plants engaging in interstate commerce.

This new legislation increases the responsibility of the Federal Government in the poultry inspection field by providing for technical and financial assistance to States for improving the quality of their poultry inspection programs. The act gives the States 2 years from the date of enactment—August 18, 1968—to develop inspection programs comparable to the Federal program. A possible extension of 1 additional year may be provided at the end of 2 years if a State has made significant progress in improving its program. However, if any State fails to develop a comparable program within the period provided by law, the Federal Government is required to take over inspection of all establishments engaging in the sale of poultry and poultry products in that State.

For child nutrition programs, the full budget request of $311,766,000 is provided for fiscal year 1970, $117,500,000 by direct appropriation and $194,266,000 by transfer from section 32 funds. This is an increase of $58,967,000 over funds available for the present year. The amounts included for each of the programs funded under this head, as compared to fiscal year 1969, are as follows:

	1969	Increase	1970 bill
1. Cash payments to States:			
(a) School lunch program	$162,041,000	+$6,000,000	$168,041,000
(b) Special assistance	10,000,000	+34,800,000	44,800,000
(c) School breakfast program	3,500,000	+6,500,000	10,000,000
(d) Nonfood assistance program	750,000	+9,250,000	10,000,000
(e) State administrative expenses	750,000		750,000
(f) Nonschool food program	5,750,000	+4,250,000	10,000,000
Subtotal	182,791,000	+60,800,000	243,591,000
2. Commodity procurement	64,325,000		64,325,000
3. Operating expenses	2,661,000	+1,189,000	3,850,000
Unobligated balance	3,000,000	−3,000,000	
Total available or estimate	[1]252,777,000	[1]+58,989,000	311,766,000

[1] Excludes $22,000 transfer to General Services Administration.

For the food stamp program, this program operates through normal channels of trade to provide food to families in economic need of assistance. Participants include those households receiving some type of welfare assistance—the aged, the blind, the disabled, and mothers with dependent children. Other low-income families also are eligible to participate even though they do not qualify, for a variety of reasons, for welfare aid. These are people living on small pensions, the unemployed, the underemployed, and the unskilled low-paid employed.

Participants exchange the amount of money they would normally spend on food for food coupons worth more. Under the Food Stamp Act, the purpose is to enable participants to improve their diets in both quantity and quality.

The bill carries an appropriation of $340,000,000 for this purpose in fiscal year 1970, the full amount authorized for this program by present law. This is an increase of $60,000,000 over funds available in fiscal year 1969.

The program will reach an estimated 3,630,000 participants, in some 1,550 project areas, by June 30, 1969, an increase of 1,218,000 participants over the June 1968 level. At the time the program will be operating at an annual rate of about $325 million.

Section 32 funds are used to encourage the production of food by stabilizing prices and by the exportation and domestic consumption of agricultural products, and to contribute to stabilizing market prices either through announcements that the Department stands ready to enter the market, or by actual participation in the market. The extent to which funds actually will be obligated and expended, for perishables and other surplus removal programs, will depend upon the market situation which develops as peak marketing seasons approach. The type of program to be developed also depends upon the kind and volume of existing surpluses and the availability of potential outlets. Generally, surpluses are removed from the market through purchases, which are then donated to schools, institutions, and needy persons.

For the law to work, it is essential that the Department have on hand at all times sufficient funds to purchase price-depressing surpluses; otherwise we could well lose our fine foods and high standard of living by producers going out of business.

FUNDS IN BILL FOR MILK

The funds provided in this bill provide $100 million for special feeding programs under section 32. The Department may use as much of this as may be used for milk for needy children.

Also some 500 to 600 million additional meals will be served under the expanded school lunch, school breakfast, and other child nutrition programs for which an increase of $59 million is provided in this bill. Each of these meals will include milk.

Further, the $60 million increase for the food stamp program will increase milk consumption significantly.

In total, some $174 million of additional funds are included in this bill for free and reduced cost food for needy people. Much of this will be used to provide milk for needy children.

The committee has approved the budget request for all of these programs to be certain that means are provided to care for the needs of those in this country suffering from malnutrition or

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hunger. The record shows that individual cases do exist despite public welfare programs and the efforts of this committee, Congress, and local charities. The committee points out that directives were issued in 1967 to meet the needs of especially needy persons and that last year $50 million above the budget was provided with authority granted to the Secretary of Agriculture to locate hungry people anywhere in the United States and to provide them with free food where deemed necessary, taking into consideration such factors as age, income, employability, and so forth—clause 4b. It has been noted that special programs in several States have been established under this authority.

In view of continuous allegations of hunger, the committee must insist that the Secretary meet this responsibility by providing free food on an individual case basis wherever he finds and can certify that such hunger does in fact exist under such circumstances. If we are to reach those who may actually be hungry, the Department must locate such people and see that they are properly fed. Large, mass feeding programs such as proposed will never reach these isolated cases where people cannot participate in the food stamps, direct distribution, or special feeding programs because of illness, isolation, or ignorance.

The bill includes an appropriation of $22,937,000 for the next fiscal year for the Foreign Agricultural Service, a decrease of $1 million in the revised budget request for fiscal year 1970 and a net increase of $1,395,700 over 1969. In addition, transfers of $3,117,000 from section 32 and $107,000 from CCC are approved.

The committee has funded the opening of a new agricultural post in Korea, which is a fast growing market for U.S. agricultural commodities, such as wheat, soybeans, barley and cotton. In total volume of commodities purchased, it ranks among the top nations in Asia. There is no other free world country with this volume of agricultural trade where the United States is not represented by an agricultural attaché. A great opportunity exists in Korea for an expanded market promotion program in cooperation with private trade groups and this opportunity should be pursued. Further, the lack of USDA representation at this important post has been a serious handicap in obtaining adequate agricultural data. The total cost is expected to be $80,000.

An increase of $1,500,000 is recommended to expand the market development program for agricultural commodities. The additional funds will be used in part to mount a comprehensive 5-year export program which will parallel similar work underway for industry in the Department of Commerce. Agricultural export targets will be set up commodity by commodity on a 5-year basis in line with the 5-year industrial program currently being developed by the Department of Commerce.

Conservation practices under the agricultural conservation program are developed initially at the local level by ASC State and county committees, the Soil Conservation Service, and the Forest Service. Representatives of the land-grant colleges, the Farmers Home Administration, State conservation committees, and other State and Federal agricultural agencies also participate in these determinations.

The recommendations of these groups are used as the basis to formulate joint recommendations to the Agricultural Stabilization and Conservation Service in Washington. From these recommendations, the various agencies of the Department in Washington develop and recommend to the Secretary of Agriculture a national program. State and local people then develop their local programs within the structure of the national program approved by the Secretary. No practices are adopted and put into effect in any State or county unless approved by the local conservation groups.

As mentioned earlier, this program reaches in excess of 1 million farms each year and results in the application of the greatest amount of conservation measures to the land at the lowest cost per acre of any other similar program.

By continued emphasis on the establishment of long-term conservation practices, benefits go to nonfarm people as well as to farmers. The program attempts to get low income and other farmers who are lagging in the conservation effort to undertake significant conservation projects. Also an increasing proportion of its funds has gone for land treatment measures in watershed program areas and other rural areas development projects. For example, the following accomplishments were attained under the 1967 program:

First. Enduring-type practices received 87 percent of the cost-share funds.

Second. About $15.1 million of ACP cost-sharing funds, involving 79,000 farms, went into 41 resource conservation and development project areas and 12 rural renewal program counties.

Third. About $15.4 million of ACP cost-sharing funds, involving 69,000 farms, went into more than 1,200 Public Law 566 and pilot watershed program areas to advance land treatment measures in those watersheds.

Fourth. About $5.1 million of ACP cost-sharing funds, involving 26,000 farms, went into the 11 flood prevention watersheds.

Within program authority for operations, a growing proportion of ACP cost-shares is being used for those conservation practices which conserve water and reduce water pollution—particularly those that reduce sediment—those primarily for wildlife conservation, and those which provide recreational and beautification conservation benefits. In 1967, wildlife conservation and conservation-beautification practices serving about 4.7 million acres were performed.

An appropriation of $195,500,000 is recommended to make payments due under the program authorized in the 1969 agricultural appropriation bill. Amounts owed under that program are legal commitments and funds must be provided to meet all obligations incurred.

The committee also recommends that the advance announcement for the 1970 program be included in the bill at the $195,500,000 level. In the opinion of a majority of the members of the committee, this program provides the best possible means for getting soil and water conservation practices applied to the land. It is the financial core for the nationwide conservation effort. The practices applied to the land under this program provide the land treatment phase of the conservation work included in all other programs, including the Public Law 566 small watershed projects, the flood prevention projects, the resource conservation development projects, and others. The elimination of funds for the ACP conservation practices would, therefore, require the addition of such amounts to the other conservation and watershed programs to enable them to continue their operations at current levels.

The restoration of this program to the 1969 level is essential, as heretofore noted, to prevent a drastic reduction in soil conservation technicians and ASC county committee employees. Testimony received from USDA officials indicates that the elimination of the ACP program would reduce 406 SCS technicians the first year, with the complete elimination during the next year of 1,020 technicians now located in SCS field offices throughout the country.

Further, such officials indicate that the elimination of the ACP program would affect a large number of the ASC county office operations. In addition to the probable closing and consolidation of some county offices, where ACP generates more than half the total workload, it would require the reduction of some 2,500 employees as follows:

	Man-years
Washington, D.C	20
Data processing centers, management field office	11
State offices	164
Total Federal employment	195
County offices	2, 300
Total	2, 495

The full budget requests of $320,000,000 for electrification loans and $123,300,000 for telephone loans are included in the bill for the coming fiscal year. These amounts, together with unobligated funds which will be carried forward from prior year authorizations, will provide total funds of $345,000,000 for electrification loans and $125,000,000 for telephone loans.

Power requirements of the REA borrowers continue to increase at a steady pace. During fiscal year 1968, consumers used approximately 56 billion kilowatt-hours of electricity. By 1980, consumption is expected to increase to an estimated 120 billion kilowatt-hours. Average monthly kilowatt-hour consumption by farm and residential consumers increased more than 28 kilowatt-hours during the past year, to a current average of 571 kilowatt-hours per month. At the end of fiscal year 1968, there were 5,929,361 consumers being served on REA financed lines.

The telephone program has been expanding at the rate of about 100,000 new subscribers annually. There is a continuing demand for the improvement of service by subscribers in rural areas. The development and economic well-being of

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rural areas urgently require that critical needs for efficient and reliable communications be met. Long-range economy in the use of loan funds to build these systems requires that they meet industry standards and provide service comparable to that in neighboring towns and cities.

Pursuant to the Consolidated Farmers Home Administration Act of 1961, a direct loan account was established in fiscal year 1962. Collections of principal and interest on loans outstanding are deposited in the direct loan account and are available for principal and interest payments on borrowings from the Secretary of the Treasury and for making additional loans for: First, farm ownership; second, soil and water conservation; and, third, operating purposes. Such loans may be made only in such amounts as may be authorized in annual appropriation acts.

The bill authorizes continuation of the loan programs financed under this account at the fiscal year 1969 level, as follows:

Real Estate loans (including farm ownership and soil and water loans)	$83,000,000
Operating loans	275,000,000
Soil Conservation loans (watersheds, flood prevention, resource conservation and development)	4,900,000
Total loan authorizations	362,900,000

The committee has restored proposed budget reductions of $13,400,000 for soil and water loans and $25,000,000 for farm operating loans. The restoration of the 1969 level for farm operating loans is based on the urgent need for reasonably priced farm credit to enable the smaller farm producers to stay in business. The restoration for soil and water loan funds is directly related to the restoration of the 1969 level for the other soil and water conservation programs of the Department.

The committee recommends an appropriation of $40,000,000 for rural water and waste disposal systems in the next fiscal year. This amount is $12,0000,000 over the 1969 level and the revised 1970 budget. It is $12,000,000 under the original request contained in the January budget.

The need to develop central water supplies and waste disposal systems in rural areas far exceeds the grant and loan resources available to the Farmers Home Administration. A priority system has been established to facilitate meeting the most urgent needs with the funds currently available. This increase will significantly assist in meeting such needs.

A recent survey indicates that as of March 1, 1968, about 1,500 rural counties will require Farmers Home Administration grant assistance to finance the preparation of comprehensive water and sewer plans. It is necessary that these plans be completed prior to October 1, 1971 for the area to be eligible for development grant assistance. An average of 18 months is needed to complete a plan. Therefore, if counties are to meet the October 1, 1971, deadline, a substantial number of the plans must be started in fiscal year 1970.

The size and scope of the various programs of the Farmers Home Administration have increased steadily through the years.

During 1970, the Farmers Home Administration will service an estimated $5.3 billion of outstanding loans, an increase of $820 million over 1969.

To meet this growth in administrative workload, the committee has included $65,000,000 in the bill for 1970, an increase of $6,770,000 over fiscal year 1969. These additional funds will cover mandatory pay increases and will provide an additional $5,000,000 to meet increased program requirements.

The amounts recommended will finance an additional 1,590 man-years of personnel for next year. While this is not the full increase requested, it appears adequate to meet the most essential needs. Since qualified personnel are limited for this as well as other agencies of Government, the gradual expansion allowed by this increase seems to be the most realistic and reasonable approach to meeting the need for expanded services.

COMMODITY CREDIT CORPORATION

The Corporation was organized October 17, 1933, under the laws of the State of Delaware, as an agency of the United States, and was managed and operated in close affiliation with the Reconstruction Finance Corporation. On July 1, 1939, it was transferred to the Department of Agriculture by the President's Reorganization Plan I. On July 1, 1948, it was established as an agency and instrumentality of the United States under a permanent Federal charter by Public Law 80–806, as amended. Its operations are conducted pursuant to this charter and other specific legislation.

The Commodity Credit Corporation engages in buying, selling, lending, and other activities with respect to agricultural commodities, their products, food, feeds, and fibers. Its purposes include stabilizing, supporting, and protecting farm income and prices; assisting in the maintenance of balance and adequate supplies of such commodities; and facilitating their orderly distribution. The Corporation also makes available materials and facilities required in connection with the production and marketing of such commodities.

The Corporation is managed by a Board of Directors appointed by the President and confirmed by the Senate, subject to the general supervision and direction of the Secretary of Agriculture, who is, ex officio, a Director and Chairman of the Board. In addition, it has a bipartisan Advisory Board of five members appointed by the President to survey the general policies of the Corporation and advise the Secretary with respect thereto.

Personnel and facilities of the Agricultural Stabilization and Conservation Service, ASC State and county committees, and other USDA agencies are used to carry out Corporation activities.

The Corporation has an authorized capital stock of $100 million held by the United States and authority to borrow up to $14.5 billion. Funds are borrowed from the Federal Treasury and may also be borrowed from private lending agencies. In addition it received funds from repaid loans and the sale of commodities. In connection with loan guarantees, the Corporation reserves a sufficient amount of its borrowing authority to purchase at any time all notes and other obligations evidencing loans made by lending agencies or certificates of interest issued in connection with the financing of price-support operations. All bonds, notes, debentures, and similar obligations issued by the Corporation are subject to approval by the Secretary of the Treasury as required by the act of March 8, 1939—15 United States Code 713a–4.

Public Law 87–155—15 United States Code 713a11, 12—authorizes appropriations to reimburse the Corporation for net realized losses previously incurred. The appropriations provided under such authority, therefore, must represent prior year losses actually reflected in its accounts and shown in its reports of financial condition.

The bill includes a total appropriation of $4,965,934,000 to restore capital impairment incurred in previous years, as follows:

Balance of 1961 inventory revaluation	$57,047,170
Full reimbursement of 1967 losses	2,210,668,971
Partial reimbursement of 1968 losses	2,698,217,859
Total appropriation	4,965,934,000

If necessary to perform the functions, duties, obligations or commitments of the Commodity Credit Corporation, administrative personnel and others serving the Corporation shall be paid from funds on hand or from those funds received from the redemption or sale of commodities. Such funds shall also be available to meet program payments, commodity loans, or other obligations of the Corporation.

For Public Law 480, the bill carries a total of $900,000,000 for the next fiscal year, $400,000,000 of which is for title I sales for foreign currencies and for dollars on credit terms, and $500,000,000 is for title II donations abroad. Approximately $200,000,000 of the latter amount is provided to fund 1969 costs, leaving the balance of $300,000,000 for fiscal year 1970 shipments.

In addition, an estimated $361,000,000 will be available during the next fiscal year from sales of foreign currencies and carryover of unused 1969 funds. This will make available $1,261,000,000 for fiscal year 1970.

The amounts provided in the appropriations are not fully controlling since the basic law permits the Government to enter into agreements involving expenditures which must be financed from subsequent appropriations. On the other hand, if funds appropriated are in excess of amounts actually used in a particular year, such amounts are applied against current year's costs and reduce the subsequent appropriations required.

In closing, it should be pointed out that the committee has included a new section under general provisions which would exempt the Department from the personnel limits under section 201 of Public Law 90-364. Section 510 of the bill would exempt all positions of the Department from section 201 of Public Law 90-364 except the Forest Service which is not covered by this act. However, those positions in the Forest Service which are financed from appropriations in this act—such as flood prevention and watershed works of improvement—would be exempt by section 510. Under this section, the employees of a milk marketing administrator who are paid from fees charged milk handlers, and all other activities paid from funds provided in this act, would be exempt from the provisions of section 201.

This language is necessary to permit the Department to employ the additional employees funded in this bill for meat and poultry inspection, the food stamp and child nutrition programs, and the Farmers Home Administration activities.

Also, it should be noted that the committee has included language in the bill to permit the Secretary, if he finds it necessary, to use up to $250,000 of funds in the Department's working capital fund to carry out activities under the Civil Rights Act of 1964. This would be in addition to the slightly more than $300,000 available in the appropriation for general administration. To the extent that the working capital fund is used for this purpose, it is expected that the fund would be reimbursed from applicable appropriations available to the agencies of the Department which have responsibilities under this act. On this basis the capital of the fund would not be impaired.

Mr. CONTE. Mr. Chairman, the gentleman from Mississippi is making a very important statement, and I think there ought to be more Members here to listen to him. Therefore, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count. Eighty-three Members are present, not a quorum. The Clerk will call the roll.

The Clerk called the roll and the following Members failed to answer to their names:

[Roll No. 62]

Abbitt
Adams
Albert
Anderson, Calif.
Ashbrook
Ashley
Ayres
Bates
Beall, Md.
Bell, Calif.
Berry
Biaggi
Bingham
Blackburn
Blanton
Blatnik
Brock
Brown, Calif.
Burleson, Tex.
Cahill
Carey
Carter
Casey
Chisholm
Clark
Clausen, Don H.
Clawson, Del
Cleveland
Collier
Colmer
Conyers
Corbett
Corman
Cowger
Cunningham
Davis, Ga.
Davis, Wis.
Dawson
de la Garza
Dellenback
Dent
Dickinson
Diggs
Dowdy
Dulski
Dwyer
Eckhardt
Edwards, La.
Erlenborn
Evins, Tenn.
Fallon
Feighan
Fish
Fisher
Foreman
Gallagher
Gettys
Giaimo
Gilbert
Goldwater
Grover
Halpern
Hanley
Hanna
Hansen, Wash.
Harsha
Hébert
Heckler, Mass.
Helstoski
Hunt
Jacobs
Joelson
Jones. N.C.
Kirwan
Kleppe
Kluczynski
Koch
Kyl
Landrum
Latta
Long, La.
Lowenstein
McCarthy
McClory
McClure
McDonald, Mich.
Macdonald, Mass.
Mann
Martin
Miller, Calif.
Miller, Ohio
Mollohan
Monagan
Montgomery
Moorhead
Morton
O'Neal, Ga.
Ottinger
Pelly
Pepper
Podell
Pollock
Powell
Price, Tex.
Pryor, Ark.
Randall
Rees
Reifel
Rivers
Ronan
Rosenthal
Roudebush
Roybal
St. Onge
Sandman
Scherle
Scheuer
Shriver
Smith, Calif.
Smith, N.Y.
Stafford
Stephens
Stratton
Symington
Taylor
Teague, Calif.
Teague, Tex.
Thompson, Ga.
Watts
Whalley
Widnall
Wiggins
Wilson, Bob
Wold
Wyman
Young

Accordingly the Committee rose; and the Speaker pro tempore (Mr. FASCELL) having assumed the chair, Mr. WRIGHT, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill H.R. 11612, and finding itself without a quorum, he had directed the roll to be called, when 296 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The Committee resumed its sitting.

The CHAIRMAN. When the Committee rose, the gentleman from Mississippi (Mr. WHITTEN) had 3 minutes remaining of the time he had allotted to himself.

Mr. PERKINS. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. The time of the gentleman has expired.

Mr. WHITTEN. I yield myself 2 additional minutes.

Mr. PERKINS. Mr. Chairman, I certainly wish to compliment the gentleman from Mississippi (Mr. WHITTEN) for a tremendous job, but as I understand the report, if I understand it correctly, on page 40, under "Commodity procurement," you have $64,325,000. I am unable to tell whether that is taken from section 32 or from the Agricultural Adjustment Act. Now, on page 41 you take that same item down there in the chart where it says, "Child Nutrition Programs" and last year you have $64,325,000 and you jump it up to $194,266,000 for fiscal 1970. The discrepancy in my mind is this: I am wondering where is the $93,800,000 that was transferred in fiscal year 1969 from section 32 for the procurement of commodities for the school lunch program. That is what I cannot reconcile.

Mr. WHITTEN. I am afraid I have not followed completely the gentleman's question. Later in the debate I will be glad to answer him, but, first, I would like to see the figures he is using.

Mr. NATCHER. Mr. Chairman, will the gentleman yield?

Mr. WHITTEN. I yield to the gentleman from Kentucky.

Mr. NATCHER. Mr. Chairman, in answer to the question of my colleague, the gentleman from Kentucky (Mr. PERKINS), I believe if the gentleman will examine page 41, and the table that appears at the bottom of the page, the gentleman will find under "Transfers" the heading "Child Nutrition Programs" and the gentleman will see a figure of $194,266,000. The figure that the gentleman has directed to the chairman of our subcommittee is incorporated in and is a part of that overall figure.

Mr. PERKINS. Mr. Chairman, if the gentleman will yield further, the $64,325,000, then, is not transferred from section 6 of the Agricultural Adjustment Act?

Mr. NATCHER. It is transferred from section 32.

Mr. PERKINS. Now, where is the $93,800,000 item that was transferred from section 32 for fiscal year 1969?

The CHAIRMAN. The time of the gentleman from Mississippi has again expired.

Mr. WHITTEN. Mr. Chairman, I yield myself 1 additional minute.

The CHAIRMAN. The gentleman from Mississippi is recognized for 1 additional minute.

Mr. WHITTEN. That must be a transfer from section 32 last year for the purpose of purchasing commodities. We have made no changes in or deletion of any transfers to the school lunch programs from section 32.

Mr. PERKINS. I make the point that that item last year somehow is deleted from these charts where we had the $93,800,000 transferred from section 32 for the purpose of purchasing commodities and for the school lunch program.

The CHAIRMAN. The time of the gentleman from Mississippi has again expired. The gentleman from Mississippi has consumed 18 minutes.

Mr. LANGEN. Mr. Chairman, I yield myself 10 minutes.

Mr. Chairman, the distinguished chairman of our subcommittee, the gentleman from Mississippi (Mr. WHITTEN) has once again given us an outstanding and concise explanation of the provisions in the bill now before us. This is my first opportunity to lead the consideration of this bill for my side of the aisle having succeeded the distinguished gentleman from Illinois (Mr. MICHEL) who has moved to the ranking position on another subcommittee. He has served as the ranking minority member of this subcommittee since 1965. During the past 4 years, he has been the minority's leader in developing this annual agriculture appropriations bill. I certainly attach great value to the guidance and counsel he has given to me and the other members of this subcommittee. I am pleased to say that he has remained a member of this subcommittee and continues to apply his considerable knowledge and his attention to the problems that confront us.

I would like to call to the Members' attention the committee report which accompanies this legislation. This excellent document, which was prepared by the committee and its staff under the direction of the distinguished gentleman from Mississippi (Mr. WHITTEN), contains a great deal of valuable information on the fantastic job that is being done by American agriculture in supplying the Nation's, and indeed the world's, demands for food and fiber. Also, it graphically demonstrates the increasingly precarious economic condition of rural America.

I also note with deep regret that this is the last agriculture appropriations bill debate at which Ross Pope will serve at our chairman's side. Since coming to the committee in 1949, Ross has fulfilled the difficult role of committee counsel with great ability, prompt efficiency, and unstinting regard for those who have had the opportunity to work with him. He

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has been always helpful when we went to him for advice, assistance, or knowledge. I am certain that I am not alone when I say that I shall miss him very much.

The committee is doubly distressed with the impending departure of Carl Schafer, the subcommittee's staff assistant. Although he has been here only a short time, all of us have been impressed with his energy, desire for hard work, and quick grasp of the difficult material with which the committee must deal.

Mr. Chairman, this bill provides $6,806,655,000 in new obligational—budget—authority for the Department of Agriculture in fiscal 1970. In line with the necessity for keeping a tight lid on expenditures this year, we have reduced the obligational authority for the Department by $160,907,050 from President Nixon's revised budget request of $6,967,562,050. Once again, I take pride in the fact that we have kept expenditures down to the lowest level prudent in the face of increasing demands on our fiscal resources and the necessity to restore balance to our economy. As I stated last year when we were considering the agriculture appropriations bill under similar economic circumstances, "By this appropriation bill, agriculture is making more than its full share of contribution toward a solution of the fiscal crisis. This is only typical of the generous manner in which agriculture has always responded to any and all of the crises that have confronted this Nation over the years, during both war and peace." I feel that statement is equally appropriate today.

In considering the budget requests submitted for the Department of Agriculture, we have attempted to meet the needs of that Department for the coming fiscal year. There can be no doubt there are enormous tasks confronting the Department of Agriculture—providing for the production of sufficient food and fiber to meet our country's needs as well as assisting other countries in meeting their needs, feeding the Nation's hungry and malnourished, inspection of foods for poultry, soil and water conservation, agricultural research to improve the quality and quantity of food and fiber produced on U.S. farms, disease and pest control, supervision of stockyards and packers, and regulation of commodity exchanges are a few of these tasks—and they will require the expenditure of substantial sums of moneys.

Surely, there can be no doubt in the mind of anyone who has the slightest acquaintance with the agricultural situation that our farmers are in trouble. The parity ratio is currently 73; the same distressingly low level it was at last year. Farm debt continues to increase while farmers are forced to pay record high interest rates. The Department of Agriculture predicts that even though farm production and prices will increase this year, increasing production costs will consume all of this additional income, leaving the farmer with approximately the same net income he received last year. True, net income per farm will increase this year but this is accounted for by the decline in the number of farms producing food and fiber for the American consumer.

Furthermore, it should be clear that each of us has a vital stake in the restoration of agriculture to a healthy condition. It is by far the largest industry in the United States—its 5 million employees are more than the combined total employment in transportation, public utilities, steel, and the automobile industry; agriculture's assets of $298 billion equal two-thirds of the value of the current assets of all U.S. corporations. Farmers purchase nearly $48 billion in goods and services a year. Agriculture gives the American consumer the best bargain we have ever known—he can purchase all of his food for only 17.2 percent of his disposable income of which the farmer receives only 5 percent. In more concrete terms, 1 hour's factory labor bought 2.6 pounds of round steak in 1968 compared with 1.5 pounds in 1948. It bought 13.4 loaves of bread in 1968 compared with 9.6 in 1948. Obviously, the constituents of every Member has an interest in seeing that this bill is approved.

In addition to benefiting the entire country by serving the legitimate needs of agriculture, the USDA provides many services directly to the general public. In fact, over one-half of the Department's budget is allotted to programs that directly benefit the general public.

An additional point in this regard is that some of the programs originally designed to benefit farmers have been expanded to include services that directly benefit the general public. Both the Extension Service and the 4–H programs have been taken into urban areas and used to assist ghetto residents. For example, the nutrition aid program, which was initiated last fall in the Extension Service, has received the committee's approval for a 30 million appropriation in this bill. This program involves professional personnel working directly with low-income groups to reduce the incidence of malnutrition by assisting them in acquiring the necessary knowledge and skills to maximize their available resources toward obtaining a more nutritious diet. A substantial portion of this program will be directed to urban areas as well as rural areas.

This is another indication of the extent to which the Extension Service and rural America provides a great contribution to the well-being of the entire Nation. It is encouraging to note that such programs as the 4–H program has been recognized for its great contribution to the youth of our Nation and is now being expanded to include urban areas. This expansion, I am sure, will prove to be most beneficial in meeting many of the problems today prevalent throughout the cities.

The effort to feed the hungry in our Nation has deservedly become a priority matter. President Nixon's message on hunger and malnutrition in America to the Congress, which calls for an additional $1 billion for the food-stamp program, certainly deserves our attention and study. In this bill, we have provided an appropriation of $340 million for the food-stamp program which is the total amount authorized by current legislation. In order to appropriate more funds, there must be an additional authorization.

It is probably not a widely known fact that the free food stamp program was initiated by the Agriculture Subcommittee in fiscal 1968 under the leadership of the gentleman from Mississippi (Mr. WHITTEN). I am certain he must take a great deal of pride in the progress and promise demonstrated by this worthwhile program in the 2 years it has been in existance.

Mr. Chairman, I feel that it is vital that each Member be aware of how important each of the programs, operated by the Department of Agriculture, that are covered in this bill is to every citizen. Agriculture is the base on which our society has been able to build the magnificent, complex economic structure we have today. Our industry and commerce that are able to supply us with a fantastic array of consumer and industrial goods would not be possible without the American agricultural system which provides an ever-increasing supply of inexpensive and high quality food and fiber. Agriculture is truly the Atlas on which our rich and diverse economy rests.

Without the programs funded by this bill, this Atlas would surely wither and collapse, bringing down the rest of the economy with it. In order to have a strong, vibrant agriculture, we must have a price structure for farm products that will provide a fair and profitable return on the farmer's investment. We must have the conservation programs that will preserve our productive capacity for the future. We must have the research that will enable us to eradicate the diseases and pests that afflict our crops and develop the new varieties of food and fiber capable of meeting our continuously expanding demands for these products. I strongly urge every Member to read pages 13 and 21 of the committee report on this bill. The information contained there clearly and strongly demonstrates the importance of this work for the survival of a strong and stable agriculture. This bill will enable the Department of Agriculture to carry on these tasks which are vital to agriculture and to all of us.

I appreciate the importance of the Department of Agriculture's tasks in distributing food to the needy as keenly as the next man. I am confident that my colleagues on the committee also appreciate the importance of these tasks. We have funded these programs to the fullest extent possible given our current fiscal and economic condition. I know that everyone is aware that our failure to insure an adequate diet for all of our citizens is not due to agriculture's failure to produce sufficient quantities of good, healthy foods. Rather, the failure is in the distribution of this abundant food supply. Obviously, we must continue the work toward perfecting our food distribution methods.

However, to achieve this, we dare not sacrifice the programs which seek to maintain the productive capacity of agriculture. For if we do, we may achieve the ability to fully distribute our food production; but we will surely have destroyed our capacity to produce the food necessary to feed our and the world's ever-growing population. This bill attempts to provide to the best of our ability the necessary means to achieve these vital goals—a healthy agricultural industry and the distribution of the abundant fruits of this industry to every citizen in amounts adequate to supply a nutritious diet.

AGRICULTURAL RESEARCH SERVICE

The Agricultural Research Service is the primary research arm of the Department of Agriculture. The Service conducts research in the following major categories: farm research, utilization research and development, nutrition and consumer use research, and marketing research. It carries out emergency programs for the control and eradication of animal diseases and for the control of outbreaks of insects when necessary. Additionally, the Administrator of ARS is in charge of coordinating all research of the Department.

This bill includes an appropriation of $130,182,000, plus a transfer from section 32 funds of $15,000,000 for fiscal 1970. Although this is a decrease of $449,300 in the revised budget estimate, it is an increase of $1,063,700 over funds available in the current fiscal year.

Included in the increase is an additional $100,000 for food and nutrition research which will enable the Department to update its handbook on nutrition "Family Fare." Also included is $100,000 to reinstate the wholesaling and retailing research program which was discontinued last year.

In order to begin promptly the important task of surface water pollution research, we have included $360,000 to construct necessary additional facilities at the Soil and Water Research Laboratory in Morris, Minn.

In order to assist in the prevention of serious disease outbreaks in the future, the committee supports the requests in the revised 1970 budget of an additional $750,000 each for the screw-worm and hog cholera eradication programs.

Of interest to many Members of the House who have expressed their interest to me is the inclusion of $40,000 to undertake a statistical reporting service for the mink industry. The problems of the mink industry in recent years have been most difficult and this service should be of some help to them in coping with the same economic and supply problems in the future.

SOIL CONSERVATION SERVICE

The Soil Conservation Service is responsible for the soil and water conservation activities of the Department of Agriculture. It provides professional leadership in soil, water, and plant conservation, working directly with locally managed soil conservation districts and sponsors of watershed projects. The Service also provides technical services for the agricultural conservation program, the soil and water conservation loans made by the Farmers Home Administration, and other groups having soil or water conservation problems.

Our committee has provided the full budget estimate of $118,786,000 for SCS for the coming fiscal year. The amount recommended will provide the same level of funding as was available for the current fiscal year since the net increase of $3,893,000 is needed to cover mandatory pay increases.

AGRICULTURAL STABILIZATION AND CONSERVATION SERVICE

The Agricultural Stabilization and Conservation Service is the action agency of the Department of Agriculture. As noted in the committee report beginning on page 44, it is responsible for operating the following programs: production adjustment programs for designated basic commodities, the Sugar Act program, the agricultural conservation program, the cropland adjustment program, emergency conservation measures, the conservation reserve program, and the milk indemnity payment program. Additionally, the personnel and facilities of the Service administer the price-support and related programs that are financed through the Commodity Credit Corporation.

This bill provides $209,903,000 for the administrative and operating expenses of the Service's various programs, $147,420,000 of this amount is provided by direct appropriation; and $62,483,000, the balance, is authorized to be transferred from the Commodity Credit Corporation to cover the operating and administrative costs of the Corporation's programs if necessary. This amount is an increase of $6,107,500 over fiscal 1969's level of funding. This increase consists of $4,107,500 for pay increases and $2,000,000 to establish a contingency reserve for CCC administrative expenses.

Meriting special attention is the agricultural conservation program—ACP—which the committee recommends be restored to the 1969 level of $195,000,000. The elimination of funds for ACP would require the addition of such amounts to the other conservation and watershed programs if we are to maintain our commitment to conserving our natural resources. This program provides the best possible means for getting soil and water conservation practices applied to the land. I would also point out that enduring-type practices receive 87 percent of the program's cost-sharing funds.

RURAL ELECTRIFICATION ADMINISTRATION

This bill provides for loan authorizations of $320,000,000 for electrification loans and $123,300,000 for telephone loans; these are the full amounts requested in the budget. By including unobligated funds which will be carried forward from prior year authorizations, there will be a total of $345,000,000 available for electrification loans and $125,000,000 available for telephone loans.

FARMERS HOME ADMINISTRATION

The expanding role of the Farmers Home Administration has probably caused that title to become a misnomer. In addition to making and insuring loans on farm homes, FHA's activities include: direct and insured farmownership loans, direct and insured soil and water conservation loans, direct operating loans, direct emergency loans, watershed and flood prevention loans, planning grants for water and sewer systems, grants for water and sewer development costs, direct and insured loans for rural rental housing, technical assistance and direct loans for rural renewal activity, insured farm labor housing loans, and direct resource conservation and development loans.

The committee has included an additional $25,000,000 for farm operating loans above that requested in the budget. This will enable that program to continue at its current level of $275,000,000. In 1950, farm debt totaled $12.4 billion. In 1960, it was $24.8 billion. Today, it is $55.4 billion. Farm debt has truly become a staggering burden for agriculture to carry. With today's extraordinarily high interest rate, the farmer is forced to devote an inordinately large percentage of his income to servicing this debt. Consequently, there is an urgent need for reasonably priced farm credit that will enable many farmers to remain in agriculture.

COMMODITY CREDIT CORPORATION

The appropriation is $4,965,934,000 for the Commodity Credit Corporation recommended by the committee is strictly for the restoration of capital impairment incurred in previous years. Coupled with the $1,000,000,000 for CCC that was included in the first supplemental agriculture appropriation bill earlier this year, this amount should enable the Corporation to fulfill its obligations for the coming fiscal year and still maintain an adequate reserve.

With the continuing inflationary pressures now present in the economy, it is clear to everyone that we have not yet escaped the possibility of a truly staggering financial crisis. Not only must we do everything possible to avoid this potential crisis, but we must also recognize that the current condition of the Nation's economy is intolerable over a sustained period of time. It will not be enough to merely make the adjustments that enable the Government to avoid devaluing our currency, as occurred in Great Britain in the fall of 1967 or the country to avoid a spectacle similar to that which occurred in France in the spring of 1968. We have to take the hard steps that will end the slow but constant hemorrhaging that is affecting each of us today. I am probably being too mild when I described the extent of inflation as being a slow but steady drain on the economy. Certainly more and more of our fellow citizens are becoming aware of its impact on their lives, and those residing in the Seventh District in Minnesota are letting me know that it is time to bring this situation to an end.

Certainly no group in our economy is more sensitive to the impact of inflation and has a greater interest in seeing it brought under control than the farmers. Historically, they have been the first and the chief victims of inflation. It is one of our chief cliches to refer to the 1930's as the "Great Depression." However, I would remind the Members that in rural America, we also include the 1920's when we refer to bad times in years past. In rural America, we tend to cringe when someone says, "A little inflation is a good thing.".

Recognizing the need for drastic action to bring an end to inflation, the House last week approved an expenditure ceiling of $192.6 billion for fiscal 1970. This figure is identical to the amount requested by President Nixon after he reduced the Johnson budget requests by $4.2 billion. I note that with-

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in the $4.2 billion reduction, the $177 million reduction for the Department of Agriculture is surpassed only by the reductions for the Department of Defense and the Department of Housing and Urban Development.

Hopefully, this step we have taken, plus additional efforts by the Nixon administration, the Federal Reserve Board, and by ourselves to conduct our fiscal and monetary affairs prudently, will enable us to bring an end to the current inflationary state of the economy.

In concluding it is my opinion that your committee has done its best to provide sufficient funding of all of the essential activities of the Department of Agriculture. It has directed its concerns particularly to the immediate needs of farm folks and rural America. It has given high priority to programs and services that sustain farm income as well as maintaining the production capacity of the agricultural industry. It is most essential that we do not deplete the greatest natural resource that has been the great fortune of American citizens during all of this Nation's history. Equal attention has been directed to the food needs of the many unfortunates throughout the Nation who have experienced great inadequacies in this regard during recent years. It is my opinion the committee's judgment is well founded and I can heartily recommend this appropriation bill as it is now before you for your approval.

Mr. PERKINS. Mr. Chairman, will the gentleman yield?

Mr. LANGEN. I am glad to yield to the gentleman for a question.

Mr. PERKINS. I agree with what the gentleman is saying, but I wonder whether he feels that the special milk program is of such great importance that it should have a special appropriation—or whether he feels the extra $58 million that has been added to the other children's food programs will reach the schoolchild. How does the gentleman feel about that?

The CHAIRMAN. The time of the gentleman from Minnesota has expired.

Mr. LANGEN. Mr. Chairman, I yield myself 5 additional minutes.

Let me respond very briefly to the gentleman. I know of his great interest in the school milk and lunch program and I share that interest with him.

The committee has tried its best to provide funds so that milk will be available throughout the extended program. It is mandatory that every lunch will be accompanied by a half pint of milk.

In addition to that, we have extended the other programs both in and out of the school so that these programs will continue during the summer and the money has been provided for milk so that it should be available until September. Milk has been designated as being a part of all these programs. Let me say this, quite obviously, milk becomes a part of the nutrition food programs.

So in view of that, it would seem that the objective of including milk in the nutrition program, has been provided for in this appropriation bill.

Mr. PERKINS. If the gentleman will permit one additional question, why in the fiscal year 1969 do we have $104 million transferred from the section 32 funds for the special milk program and this year there is nothing appropriated or transferred for the special milk program. Am I correct in that statement?

Mr. LANGEN. That is correct.

Mr. WHITTEN. Mr. Chairman, will the gentleman yield?

Mr. LANGEN. I yield to the gentleman from Mississippi, the chairman of our committee.

Mr. WHITTEN. I would like to point out, in answer to the gentleman from Kentucky, that the committee has always supported the need for milk and its value in schools. But it was the feeling of the committee, or a majority of the committee that we were providing the milk. We, in this bill, have provided funds—$100 million—for special feeding programs under section 32, and which is available for the purchase of milk, along with other commodities. Also, the bill provides for from 500 to 600 million additional meals which will be served under the expanded school lunch, school breakfast, and other child nutrition programs, for which an increased amount of $59 million is provided in the bill. Each of these meals will include milk.

In addition the $60 million increase provided for the food stamp program will increase milk consumption significantly.

In total, some $175 million of additional funds are included in this bill for free food for needy people. Much of this will be provided in the form of milk for needy children.

It was my idea that in this enlarged program, in which milk will be included, the milk consumption level would be, at least, at the present level. This still leaves section 32 funds available to buy milk in surplus, as the act provides. So we have not excluded milk. We have just put it together with the other foods because there was some criticism that we were giving as much of a refund on a half pint of milk as would be given on a whole lunch. I am of the opinion that milk is provided for in this bill to the same degree it has ever been. It is simply not set off to the side, in a special amount, and there is money left in section 32 to purchase milk in the event there is a surplus.

Mr. LANGEN. The chairman has stated the case very well. As he has said, under the program there might well be not only an equivalent amount of milk available but an increased amount of milk.

Mr. ZWACH. Mr. Chairman, will the gentleman yield?

Mr. LANGEN. I yield to my colleague from Minnesota.

Mr. ZWACH. Mr. Chairman, I wish to compliment my colleague from Minnesota, and especially the chairman and the members of this subcommittee, for pointing out what I consider to be of tremendous importance in this report. How fortunate we are in America that we are talking about the great blessing of abundant food. How fortunate we are that we and all of our constituents do not need to worry about food, as do so many people throughout the world. How fortunate we are that we have the greatest bargain in food in the history of the world. Only 5 cents out of a dollar of income of our people in our country is spent for food to the producer today. Never in the history of the world have we had such a record.

I also want to compliment the subcommittee for pointing out the importance of the fight on hunger. I just want to say to the gentleman, as he knows, the producers of America are interested in feeding America and in feeding the world. They are interested in seeing food used. You are taking that kind of a step. You are also concerned about natural resources, so that we will exercise a wisdom and a foresight that we will always be blessed with an abundance of food.

I think this is a marvelous report and it is of tremendous significance to America today.

Mr. LANGEN. I thank the gentleman for his kind and appropriate comments. We know about his work and concern as it relates to agriculture. Surely his remarks are commensurate with the great endeavor he exerts in this Congress every day.

Mr. STEIGER of Wisconsin. Mr. Chairman, will the gentleman yield?

Mr. LANGEN. I yield to the gentleman from Wisconsin.

Mr. STEIGER of Wisconsin. I appreciate the gentleman's yielding.

Mr. Chairman, I would like to pay tribute to the Appropriations Committee for its recognition of the need for reliable data in assessing the volume of domestic mink production by providing funds for the Statistical Reporting Service to begin compiling such data. Such statistics are vital to an industry which has of late been plagued with decreasing prices and a dramatic attrition of domestic ranchers. If we are to be able to make necessary decisions regarding the effect of imports and other factors on the industry, and to formulate ways to preserve a strong, vital mink industry in the United States, we must have adequate statistics. Again, I want to thank the members of the committee for their foresight.

Mr. LANGEN. May I respond to the gentleman by saying that the committee was pleased to be able to respond in this manner, and it was only because of the very effective interest that was presented to us by those like the gentleman from Wisconsin and the many other Members who recognized the problems of the mink industry. I hope this will provide an answer to a part of their problem.

Mr. NELSEN. Mr. Chairman, will the gentleman yield?

Mr. LANGEN. I yield to the gentleman from Minnesota.

Mr. NELSEN. Mr. Chairman, I thank my colleague for the fine presentation he has made.

I might add that to some degree I am disturbed about the reference to the school milk program as set forth in the report. However, I am pleased to hear the report of the chairman of the committee that it is the intention that funds will be made available through other means to actually duplicate if not exceed the previous expenditure for the school milk. I do think this is a very important objective and one we certainly endorse.

Again I thank the gentleman for his very fine statement.

Mr. LANGEN. I thank the gentleman from Minnesota for his comment.

Let me call also to the attention of the gentleman that during the course of the hearings and in the report the committee consistently expressed its concern for the use of milk throughout the lunch programs in the schools.

Mr. CONTE. Mr. Chairman, I think the gentleman from Minnesota (Mr. LANGEN) is making a very excellent statement. I think we should have more Members here to hear the gentleman. Therefore, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count.

103 Members are present, a quorum.

The Chair recognizes the gentleman from Minnesota (Mr. LANGEN).

Mr. HALL. Mr. Chairman, will the gentleman yield?

Mr. LANGEN. I yield to the gentleman from Missouri.

Mr. HALL. Mr. Chairman, I appreciate the gentleman yielding. I commend him on the statement he has made in the well of the House.

Mr. Chairman, I appreciate the work the committee has done and the excellent report they have given us as Members concerning the differentiation between nutrition, starvation, hunger, and even parasitic diseases, some of which have been portrayed to the public as a travesty on the truth.

Mr. LANGEN. I thank the gentleman for his kind and timely comments.

Mr. HALL. Mr. Chairman, the agricultural conservation program restored in this bill, is one of those "quiet programs" that go on year after year and actually accomplishes a lot for the investment involved. No one is more anxious to curtail unnecessary expenditures than I. But we must not make meat-ax cuts or forget our priorities. Too many administrations have done so, knowing full well the Congress would restore them to the bill in these self-help areas.

It is perfectly obvious that many Congresses have thought this was a good program. In 1936 the Soil Conservation and Domestic Allotment Act was passed and what we now know as "ACP" was funded at $500 million. To those whose only concern is cutting back all programs as much as possible, let me make it very clear that if all other programs had taken their proportionate cuts that ACP has in every economy drive, we would not be faced with the budgetary pressures we have today. From $500 million it was scaled down to $250 million over the years and then to $195.5 million 2 years ago when the 10 percent across-the-board cut was made.

Before considering the funding of this program further, let us look at what it is doing. Each farmer of the Nation may cooperate with his Government in a 50-50 partnership on carrying out long-range conservation practices. There are more than 40 practices in the Nation and last year about a million farmers participated. The average payment was about $210 and no farmer can receive more than $2,500. Certainly this is not a get-rich scheme for farmers nor is it much of a farm subsidy. It seems to me it comes closer to being a consumer subsidy. Here we have a program—and the record is full of the accomplishments both nationally and by States, so I will not quote a large number of statistics—impressive as they are—which quietly go on year after year holding the soil in place and replenishing depleted minerals.

In this day when every man is aware of the extent of hunger abroad and here at home, it is not just the scholars who know that India, China, and other nations did not take care of their soil. And the man in the street is becoming aware that in just a few short years the population explosion is going to put great pressure on all civilization to feed the world's people. So, how in good conscience can we even consider doing away with a program that has reached more farmers, brought about more conservation and done it relatively inexpensively, than any other ever devised by man? Let me point out this is being done for less than $1 per person. That is little enough to spend to insure the consumer of adequate reserves to feed him, his children and grandchildren.

As I said, in a real sense, this is a consumer subsidy, because if our foodstuffs get in short supply, it is not going to be the farmer who goes hungry, but the man in the city. The farmer has long emphasized the quality of nutritious products to the consumer. With the middle men, we have come to call it agribusiness.

There is another consumer hidden benefit in this agricultural conservation program. Dr. J. B. Peterson, head of the Department of Agronomy at Purdue University has written a very fine article which some of you may have seen.

As a doctor of medicine I have long been aware of the value of calcium to the entire human system. While the layman realizes that calcium is vital for good teeth and bone structure, few fully realize that the nervous system, blood and muscles all require sizable amounts of calcium—in fact more than any other single element—for proper growth and proper functioning, clear through maturity.

Dr. Peterson spells all this out in great detail but I shall not go into it further at this time. But how do we get this calcium? Nearly everyone knows that milk is the best source. But there are other ways of getting it. And the ACP has done more than anyone realizes to play a most significant role in our national health.

While Congress passed the Soil Conservation and Domestic Allotment Act in 1936 to accomplish what its name implies, "conservation of soil," this act has done a great deal more.

In the humid area of our country, the growth of clovers and alfalfas is one of the best conservation measures possible. But to do this the soil must be as near neutral as possible. Prior to 1936, the use of agricultural limestone varied from 1 to 3 million tons a year. In the 1940's, the use of this material had reached 30 million tons a year—to grow clovers and alfalfas because of the stimulus of the ACP. But what is agricultural limestone? It is a calcium carbonate—$CaCO_3$—or calcium and magnesium carbonate—Ca CO_2MgCO_3. So while we have been conserving our soil all these years, we have been pouring on 30 million tons of material very high in calcium. This, in turn, has gone into our crops and animals and, ultimatly, into all consumers as they purchase their foodstuffs. Note there is no danger of nitrate poisoning here.

While our headlines have tended to stress "hunger in America," the fact remains we are one of the healthiest nations in the world. And the importance of calcium to human health cannot be overstated as Dr. Peterson so clearly points out.

So I would like to suggest to my colleagues, particularly those from urban areas, that while this program was conceived as a farm program and its long-range benefit was from soil conservation, there has been a most significant immediate benefit to the consumers as well.

No farm program passed by the Congress reaches more farmers than the agricultural conservation program. No farm program has more long-range potential for this Nation. Conservation and restoration of the soil and water is a separate title in the authorizing bill, and is one of the very basics of my own farm bill, that I have introduced in previous sessions of the Congress. I believe the Nation's entire farm program could and should be based on these principles. Because of the demonstrated goodness of the agricultural conservation program, when comparing the benefits against the relatively little cost. I am pleased to offer my support to the committee's report and bill.

Mr. LANGEN. Mr. Chairman, I thank the gentleman from Missouri for his timely and appropriate statement.

Mr. WHITTEN. Mr. Chairman, I yield such time as he may consume to my colleague on the committee, the gentleman from Kentucky (Mr. NATCHER).

Mr. NATCHER. Mr. Chairman, the Subcommittee on Agriculture of the Appropriations Committee once again brings to the floor of the House for your approval the annual appropriations bill for the Department of Agriculture.

We recommend new obligational authority of $6,806,655,000, a reduction of $207,776,050. The January budget estimate totaled $7,014,431,050. The amount we recommend is $1,372,244,650 below funds provided for 1969 which is a reduction of 17 percent.

For the Agricultural Research Service we recommend a total of $224,175,000. This is $1,917,200 more than the amount appropriated for fiscal year 1969 and $5,919,800 less than the budget request.

We recommend the appropriation of $129,129,000 for our Extension Service. This is $32,066,000 more than the amount appropriated for fiscal year 1969 and $1,780,000 less than the amount of the budget request.

Mr. Chairman, we recommend the sum of $233,730,000 for our Soil Conservation Service. This is $4,416,000 more than the amount appropriated for fiscal year 1969 and $2,795,000 more than the budget request.

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We recommend that the sum of $589,967,000 be appropriated for Consumer and Marketing Service. This is $3,478,500 more than the amount appropriated for fiscal year 1969 and $4,387,200 less than the budget request.

For our Agricultural Stabilization and Conservation Service, we recommend that the sum of $209,903,000 be appropriated. This is $6,107,500 more than the amount appropriated for fiscal year 1969 and $18,550,000 more than the budget estimates.

To continue the agricultural conservation program we recommend $195,500,000. This is $5,500,000 more than the amount authorized for fiscal year 1969. For a number of years now we have had to restore the reductions in this program. This program affects 1,200,000 farmers and is one of the best agricultural programs in operation today.

This bill carries adequate funds for continuation of our tobacco research program. Here, Mr. Chairman, we have an industry that pays into the Federal, State, and local tax collecting agencies about $4 billion each year and 21 of our States produce tobacco. Over 700,000 farm families are involved in the production of this commodity. This is a $10 billion industry.

We recommend loan authorization for our Rural Electrification Administration in the sum of $320 million. For our loan authorization for rural telephone service we recommend $123,300,000.

This bill provides for the general operations of the Department of Agriculture and the Farm Credit Administration. Under title I we have regular continuing programs of the Department such as research, disease and pest control, inspection of meat, poultry, and other foods, school lunch, milk and food stamp programs, overseas agricultural services, regulation of commodity markets, policing of packers and stockyards, State experiment stations, extension services, assistance to farm cooperatives, soil and water conservation, crop reports, marketing services, enforcement of the program for licensing and control of laboratory animals, and various service and staff officers. Title II includes the credit programs; title III includes Federal Crop Insurance, Commodity Credit Corporation, and foreign assistance programs. Title IV includes the Farm Credit Administration.

Agriculture is our largest industry. Its assets exceed those of any of the next 10 largest industries. Agriculture employs more workers than any other major industry and in fact employs seven times the number of people in the mining industry, 23 times the number in the oil and coal industry, and five times the number in the automobile industry. Agriculture is one of the major markets for the products of labor and industry. It spends more for equipment than any of the other large industries. Agriculture uses more steel in a year than is used for a year's output of passenger cars. It uses more petroleum products than any other industry in the country. It uses more rubber each year than is required to produce tires for 6,000,000 automobiles. Its inventory of machinery and equipment exceeds the assets of the steel industry and is five times that of the automobile industry.

Our farmers' assets now are approximately $300 billion.

In considering the question of prosperity insofar as agriculture is concerned, we must keep in mind, Mr. Chairman, that the average capital investment in farming today is something like $66,000. In 1950 the average capital investment was about $17,000. Today a great many of our young people on the farms have no chance to get started in agriculture unless they either inherit a farm or succeed in borrowing a large sum of money to invest in land which is adequate for a livelihood.

In 1950 the farmers' share of the retail food dollar was 47 cents. Today it is down to 39 cents.

Our American farmers know how to produce and today our country is the world's largest exporter of food to the many nations of the world.

Three-fourths of our land area is in private ownership and 60 percent is in farms and ranches. If our country is to survive and prosper we must continue to assist these custodians of our natural resources to reforest our lands, protect our watersheds, harness our streams for electricity, and conservation of soil and water. We must leave to the future generation a fertile land and a land sufficient to produce food for our people.

Our Soil Conservation Service is more important today than at any time in the history of this Service. We have 202 million people in the United States today. When we consider the need for more food and fiber and keep in mind that some of our best land is now being used for airports, interstate highways, subdivisions, and for recreational purposes generally, we must preserve as much of our best land as possible and at all times have tillable land in production which will produce enough food for our people. Today in our country we have in cultivation some 382 million acres. We are losing so much good land each year that it is now more necessary than ever that we have definite planning and programs which will establish a national policy in this country concerning the need for keeping good land in production and systems devised for use of land not so fertile to be used for the many purposes where good farmland has been used in the past.

In closing, Mr. Chairman, I want you to know that I definitely am of the opinion that we still have serious problems in agriculture and certainly this is not the time to turn our back on the American farmer. It is becoming more difficult to maintain a sound agricultural economy due to increasing cost of labor, equipment, and the high cost per acre of good farmland.

We must give more time and study to the situation that now prevails between the time agricultural commodities leave the farm and are sold to the time the products go into the homes of our people for consumption.

Our American farmer is entitled to a fair share of our national income.

Mr. Chairman, our committee recommends this bill to the Members of the House.

Mrs. SULLIVAN. Mr. Chairman, will the gentleman yield?

Mr. NATCHER. I yield to the gentlewoman from Missouri.

Mrs. SULLIVAN. I thank the gentleman.

Mr. Chairman, I do not know who has been accusing the chairman and members of the Subcommittee on Agricultural Appropriation of the House Appropriations Committee of refusing or failing to recommend sufficient funds to feed hungry Americans, but I certainly have not been among those voicing such criticisms. As a matter of fact—and I have said this many times—the Subcommittee on Agricultural Appropriations has generally given full support to the food stamp program and has recommended almost every cent authorized for the program. The one important exception was last October, in the supplemental appropriation bill for 1969, when only $280 million was appropriated instead of the $315 million authorized under the 1968 Amendments to the Food Stamp Act.

I see in the hearings of the subcommittee that the chairman has acknowledged the fact that too much of a cut was made in this program last October and I think that is a courageous and straightforward acknowledgment of a mistake. It was a mistake at the time and has been responsible for limiting the effectiveness of the food stamp program to some extent, particularly since February when substantial improvements were made in the program under recommendations and decisions made last year by former Secretary of Agriculture Orville L. Freeman.

NO REQUEST MADE FOR 1969 SUPPLEMENTAL APPROPRIATION

Despite the mistake which was made here last year in the appropriation process—last October—neither the Johnson administration nor the Nixon administration asked for any additional funds after Congress reconvened in January to permit further expansion of the food stamp program during the remainder of the 1969 fiscal year. So if the Appropriations Committee made a mistake, as I believe it did and as it acknowledged it did, no one in authority seems to have wanted to do anything about it for the current fiscal year.

Going back over the years, I would say flatly that the Appropriations Subcommittee for Agriculture has given far more support to the food stamp program—many times over—than the legislative committee which has responsibility for the basic Food Stamp Act. It has always been like pulling teeth getting anything out of the Committee on Agriculture in the way of improvements in the law; it has generally not been difficult getting the full appropriation from the Subcommittee on Agricultural Appropriations headed by the gentleman from Mississippi.

SECTION 32 FUNDS MAY NOT BE USED

The Nixon administration has indicated that it intends to seek funds to virtually double the food stamp program during the 1970 fiscal year which begins this coming July 1. I have found no indication of how this is going to be done. There is no legislation from the admin-

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istration so far to increase the present authorization of $340 million under the Food Stamp Act for fiscal 1970, yet such legislation would have to be passed before an additional cent could be appropriated above the $340 million included in this bill. Thanks to a cruel amendment agreed to unanimously 2 years ago by the Senate Committee on Agriculture, not a single cent of the nearly $1 billion available to the Secretary of Agriculture for surplus food removal under section 32 can be spent under the Food Stamp Act—not a cent of it. So far as I can tell, neither the administration nor any of the members of the Senate Agriculture Committee who are now so deeply concerned about hunger have taken a step toward repealing that cruel amendment contained in the Food Stamp Amendments of 1967.

I welcome President Nixon's announced intention to seek to broaden the program and I am blad to see that some of the members of his party in the House joined in a statement in the CONGRESSIONAL RECORD on May 20, submitted by the chairman of the Republican National Committee, the gentleman from Maryland (Mr. MORTON), pledging support for the President's position in behalf of an expanded and more effective food stamp program. Of course there is not anything that President Nixon now wants to do about the food stamp program that could not have been done under the bill we passed here in the House on July 30, 1968. That bill had provided for an open-ended authorization for the program so that Congress could appropriate whatever funds were necessary. The improvements which President Nixon is now talking about making in the program are generally the same improvements which Secretary of Agriculture Orville L. Freeman had intended to make under the bill we passed here last July 30. Unfortunately, the Senate Agriculture Committee conferees torpedoed the House bill and restored inadequate appropriation ceilings in the law. And the House conferees went along with that. So Mr. Freeman could make only limited improvements in the program under the present law which was passed last fall.

MOST VOTED "NO"

But on the crucial vote here in the House on July 30, 1968, on the Sullivan substitute, which was cosponsored by 130 Members of the House, including 10 chairmen of standing committees and four ranking minority members of standing committees of the House, approximately four out of five of the Members of the minority who joined with the chairman of the Republican National Committee last week in praising President Nixon's proposed improvements of the food stamp program, and criticizing what had been done previously, voted against the substitute measure.

Out of the 65 Republican Members who pledged their support for the proposed expansion of the food stamp program this year, in the statement in the RECORD of May 20, seven are new Members who did not serve in the 90th Congress, one failed to vote on the critical amendment on July 30, 1968, 45 voted "no" and only 12 voted "yes."

So it was not the chairman of the Subcommittee on Agricultural Appropriations, Mr. WHITTEN, who should have to apologize for his past actions on the food stamp program—I think he has generally supported it and I am grateful to him for the funds he has been instrumental in making available to the program over the years, since it began as a very small pilot operation in 1961.

NO NEED TO EXAGGERATE THE STARK TRUTH

I think there is more politics in the hunger issue than in almost anything else we have had before us. There is enough substance to the issue of malnutrition in this country that it does not have to be dressed up into a political football, or made the victim of faked scenes or misleading propaganda. The facts themselves are stark enough to justify emergency action to correct the problem. I think it is deplorable when these facts are deliberately exaggerated to make a better story because the genuine story is serious enough, and I think anyone involved in faking evidence of starvation is guilty of a crime against the people's right to truth and honesty in the reporting of national issues.

Undoubtedly the sight on the television screen of an infant dying from starvation is dramatic material to stir the emotions and shock the conscience of every American. But I am horrified to read in the report of the Committee on Appropriations that the infant shown in the broadcast as having starved to death was a premature baby who weighed only a little more than 2 pounds at birth—it was not a case of malnutrition at all. This is an indefensible misuse of the television news camera. There are hungry children in this country—there are lots of them. But I do not like to see faked pictures used even for a good purpose. I think the gentleman from Mississippi has a right to be incensed at the facts brought out in the investigation into the manner in which the hunger story was reported. The good Lord knows the facts are bad enough without any exaggerations.

WHERE THE CRUCIAL DECISIONS ARE MADE

But if television wants to dramatize the problems of solving malnutrition in the United States, it will find the story not in scenes of pickets marching around the Department of Agriculture or in the premature baby ward of a Texas hospital, but in the decisions made in the House and Senate Committees on Agriculture. That is where the battle has always been crucial, and frequently has been lost. Every television camera in Washington seemed to be down at the Departmentt of Agriculture last year when the Resurrection City marchers were picketing the Secretary. On the same day the House Committee on Agriculture was opening hearings on the food stamp program and there were six people in the audience—not one of them from Resurrection City. And there were no television cameras outside in the corridor. Nor were there any, apparently, outside the meeting room of the House and Senate conferees on the food stamp bill last year when the decision was reached to reject the House bill and adopt restrictive ceilings on appropriations, so that only $340 million can now be included in the bill today for food stamps instead of the $610 million the Nixon administration says it would like to spend for the program in the coming year.

The Whitten subcommittee has, on the whole, an excellent record on this issue. It deserves praise, not criticism, for its actions on food stamp funds. Too many critics of our food programs are directing their attacks at the wrong targets.

Mr. LANGEN. Mr. Chairman, I yield such time as he may consume to the gentleman from Illinois (Mr. MICHEL).

Mr. MICHEL. Mr. Chairman, I should point out that while we bring the bill to you under the budget, there is what I believe to be a phony cut of $250,000,000 for capital restoration of the Commodity Credit Corporation.

You will recall several weeks ago we had a $1 billion supplemental for CCC. You may get another in fiscal year 1970 if the situation does not change drastically.

The biggest add-on has to do with the forward authorization of the ACP program where the committee restored the $195,000,000 cut in the budget. This is the same funding level as this year. Quite frankly, I have tried in the past to cut out these funds for all but long-range conservation practices and been badly beaten. If I offer the amendment when we read the bill it will only be done to show the Bureau of the Budget how futile an effort it is.

For the Extension Service we have recommended $129,066,000, which is a decrease in the request of $1,780,000 and an increase over 1969 of $32 million.

The Members from urban areas will be interested in knowing how the Extension Service helps their areas, and I would like to give you some examples from my district, Peoria, Ill.

The agriculture extension work directly benefits all people—urban, rural nonfarm, and rural. Extension personnel assist by advising zoning boards, encouraging the need for conservation of natural resources, and promoting recreational areas. Len Caro, city manager of Peoria, requested help on adaptable soil types for areas to be used for factory sites, housing development, and waste disposal or land fill. Peoria and other communities have sought information from extension to determine the local water table and soil conditions to provide a good water supply. Some of this has resulted in building impounded areas for a water supply, or drilling a well, or developing sewage systems. A good water supply and proper waste disposal systems will help expand the communities and improve living conditions for all people.

Homeowners seek information from extension service on maintaining an attractive lawn; growing thrifty wholesome food in gardens; controlling household insects; selecting and caring for trees and shrubs; and using chemicals properly. It may seem unimportant to us, but what to do in case a swarm of bees settles on your back porch, or how to keep the snakes out of your basement can be of utmost importance to a homeowner, regardless of location.

The biggest increase we have made is under payments to the States for the

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nutrition aid program. We are recommending $112.4 million, which is an increase over 1969 of $30.7 million. This program has been operating during the last 6 months of this fiscal year on $10 million the Secretary appropriated from section 32 funds.

In the expanded nutrition program in two counties in my district we are concentrating on the individual low-income homemakers. Our program assistants are working with the homemaker to help her improve family diets and to manage and utilize food by developing some skills in planning, buying and preparing meals. The regular home economics extension program has always worked with food and nutrition in 4-H Young Homemakers, and the adult program. They have never done such individual or indepth work with the regular program. The Extension Service has worked in one interest area at a time, not only in food, but in all areas related to the home. Many low-income homemakers will not come out to group meetings; they need to find someone they have confidence in. This program will not have overnight results; but if followthrough is done properly, it can have lasting results.

Our program started in Peoria and Tazewell Counties in February with a 6-month budget of $49,500. To date, 17 program assistants have enrolled and contacted 356 families, at an average at this date of $139 per family.

The program assistants are recruited from the areas which they will serve and are paid $2 per hour.

With regard to the rural electrification program I look at the REA experience over the last year with mixed feelings. When the new Administrator Mr. Hamil took office on March 6 he found that only $82 million of the $345 million of funds scheduled for loans in fiscal year 1969 were unobligated. He also found that of the $263 million already loaned, $193 million or 73% had been loaned for generation and transmission purposes. This was done even though both the House and Senate Appropriations Committees last year instructed the Administrator to hold generation and transmission loans to a minimum. As a result of the actions of the previous administrator $70 million of distribution loans that should have been made this year will have to be carried forward and become a burden on the 1970 loan authorization.

Fortunately, the new Administrator has taken prompt action to try to restore some order out of the chaos he found.

I am happy to report that Mr. Hamil has revised the REA Bulletin setting forth policy on loans for generation and transmission facilities. The new bulletin at long last deletes the controversial third criteria having to do with the nebulous security and effectiveness provisions that were merely a shield behind which the Administrator could do anything he wanted to do. The revised bulletin establishes a more sound basis for making generation and transmission loans by separating initial construction from supplemental construction and requiring that estimated savings from REA financed facilities bear a significant relationship to the amount of the proposed loan.

Mr. Hamil also made much needed revisions of policy concerning section 5 loans for wiring, plumbing, and electric appliances and equipment. He restored the original intent of the law by eliminating a farfetched interpretation which had been used in recent years, to permit loans for commercial and industrial enterprises. The revised bulletin adds ventilating and heating ducts to the loan authorities, requires borrowers to comply with the Truth in Lending Act, eliminates use of section 5 loans for consumer financing of merchandise, and limits section 5 loans to 5 years.

Another bulletin that has been revised and brought up to date is the one covering wholesale contracts. The revised edition eliminates the 5-year limit on the term of contracts and sets forth certain conditions for power purchase contracts both with other cooperatives and with noncooperative suppliers.

The thorough and constructive steps that have thus been promptly taken were possible only because of the experience, knowledge, and sound thinking of the new Administrator. For example, he recognized that 5-year power supply contracts made little sense today in light of recent technological advances in scale and the fact that REA borrower loan commitments for generation have 35-year maturities. I am looking forward to continued improvement in the administration of the REA program under Mr. Hamil. The committee report gives him a good springboard from which to proceed.

The committee emphasizes the need "to devote as much as possible of the amount available to meet the urgent need for additional distribution facilities." To comply with this directive it would seem to me to be necessary to apply the provisions of the new bulletins carefully and to establish rather firm priorities for allocation of funds. The Administrator will also need to take a good look at the advances he makes this year because of the budgetary restrictions that have been established due to the critical fiscal situation facing our Nation and the controversial nature of some of the large G. & T. loans that have been approved in recent years. While I realize that there are legal obligations of the Government that must be respected I am also aware of the fact that certain decisions made in the past are of questionable legality, were indiscreet and would not qualify under present policies. The interests of the Government and the taxpayer should be protected to the extent it is legally possible to do so.

I have been interested in the PPB method of evaluating programs and understand some use of this system has been made by the Department of Agriculture in the REA area. If the procedure is as good as its proponents claim for it, it would appear to me that the system should be extended to review an evaluation of specific loan requests, in a manner somewhat similar to that used in feasibility studies for direct Federal Public Works construction. If the Federal Government believes such analyses are necessary for Federal works it intends to build itself, it would seem there is an even greater need for it where it is putting up the money when someone else is doing the work.

The National Rural Electric Cooperative Association at its annual meeting this year approved the creation of a Rural Utilities Bank whose initial capital would be financed by subscriptions from REA cooperatives. The bank was chartered in the District of Columbia in April, 1969. Under the proposal, applications for rural electrification loans would be processed through REA which would prepare feasibility studies, determine those loans which it will approve, and forward the remainder to the bank together with a detailed list of material developed in its analysis. Since the bank will require a first lien on facilities installed with the proceeds from its loans, the existing REA mortgages would have to be subordinated or otherwise accommodated, because they cover all property of borrowers, existing or after-acquired. These are but two of the many problems created by the new bank.

Administrator Hamil stated at the House Appropriations Committee hearings that he had hoped that at least in the initial stages of supplemental financing for the rural electric cooperatives he would "have the opportunity to use the funds made available by the Congress, and commingle them with funds that could be made available from outside sources." This is a new wrinkle which, at least at first blush, looks extremely ominous. Any movement in that direction should be carefully studied before commitments are made because it could have many pitfalls. I fear the consequences of such involvement, and would expect the Administrator to obtain congressional approval through the normal legislative route if he is seriously considering any proposal of that nature.

It is essential that satisfactory means be found for supplemental financing of the rural electric cooperatives program. It is regrettable, however, that no comprehensive study has been presented to the Congress by the executive branch of the various possible alternatives for such financing; the costs and benefits of the various plans; the advantages, disadvantages and consequences of each; as well as a clear, succinct statement of the proper role and responsibility of the rural electric cooperatives in the late 20th century. Such a detailed study could likely have provided a sound, workable solution to the problem and avoided much of the confusion and controversy created by the proliferation of questionable and unsuccessful, piecemeal schemes we have faced in the last several years.

I am particularly concerned about this whole matter because we seem to insist on going about the business in a process which is directly opposite from the approach of the traditional Federal credit program. The customary procedure is for the Federal Government to provide credit assistance only as a last resort when a justified undertaking cannot be financed through normal investment channels. In the case of REA the plans have been to have outside financing for the facilities the Government does not wish to, or cannot legally, finance under

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present statute. In other words applications would be processed through the Government first, and then forwarded to a private bank. This unusual method of attacking the problem from reverse is of itself enough to confuse even the most astute official. Furthermore, REA should not be permitted to use either administrative or loan funds supplied by this Congress, under the 1936 act, to study, promote, or finance, in whole or in part, facilities that cannot be legally built under the act.

I urge the Rural Electrification Administration to avoid hasty, ad hoc decisions on the new gimmick that is now current—the Rural Electric Bank—to stop stumbling around with various makeshift arrangements, and to start looking to the development of a carefully conceived, objective, economically and financially feasible, long-range answer to the rural electric cooperatives' financing needs.

Another area where REA has, in the past, been lax in administration is in the execution of laws concerning minority employment. It is quite evident that the new Administrator has not had sufficient time to fully examine this matter. I am sure, however, that the dismal record that exists is causing him concern.

A recent issue of the Civil Rights Digest showed that out of 46,380 employees of REA electric and telephone borrowers only 2,083 or 4.49 were from minority groups and only 1,347 or 2.9 percent were Negro. What is more, most of these Negro employees are working in semiskilled, unskilled, and service jobs. I fail to see how REA could consider such a record as compliance with the Civil Rights Act of 1964.

Section 601 of that act provides that no person by reason of race, color, or national origin shall be subjected to discrimination under any program or activity receiving Federal financial assistance.

On September 24, 1965, former President Johnson issued Executive Order No. 11246, part III of which deals with nondiscrimination provisions in federally assisted construction contracts. This provision prohibits discrimination in the construction of such federally aided facilities. Sanctions are provided in section 303(b) of the order. These sanctions include cancellation of the loan contract or refraining from making future contracts for assistance to such entity. I have yet to hear of the REA canceling any loan contract because of discrimination or refusing to make future loans to a borrower as a result of such discrimination.

Section 703(a) of the 1964 act makes it an unlawful employment practice for an employer to discriminate against an individual with respect to employment because of his race or color. An employer means any person "in an industry affecting commerce" which has 25 or more employees. Practically every electric or telephone borrower from the REA is "in an industry affecting commerce"—commerce meaning interstate commerce. According to the REA, 575 of the 981 electric borrowers—and 112 of 811 telephone borrowers—had 25 or more employees.

Certainly the figures in the hearings indicate that some borrowers must be discriminating in employment. They obtain loans from the Treasury with interest at only 2 percent when the average rate of interest on the total marketable debt of the United States is 5.12 percent. I ask you: Is it fair and proper that the United States should subsidize discrimination through the REA loan programs? Obviously the answer is "No."

I think it is high time REA investigates this mater and takes steps to assure compliance with the law. Where borrowers fail to do so the authorized sanctions should be applied.

SOIL AND WATER CONSERVATION

I would hope in the next year that we see some shift in budget allocations for research in the soil and water conservation research.

I am inserting a chart at this point which shows that for each $1,000 worth of research in the Corn Belt States the Soil and Water Conservation Research Division receives 11 cents. For a three-State—Idaho, Oregon, Washington—area in the Northwest, the Research Division allocates 68 cents for $1,000 of farm receipts.

RESEARCH SUPPORT BUDGET ALLOCATIONS TO SOIL AND WATER CONSERVATION RESEARCH DIVISION, USDA-ARS

	Cash receipts from farming (millions) [1]	Research support per $1,000 of receipts [2]
Northeast	$3,668.2	$0.88
Southern	6,446.3	.33
Corn Belt	13,080.2	.11
Northern Plains	3,751.7	.37
Southern Plains	5,116.5	.29
Northwest	1,944.3	.68
Southwest	4,271.6	.40

[1] 1964 agricultural statistics.

[2] Estimated obligations for research by States, salaries and expenses, fiscal years 1964-65, ARS.

Note: Some figures based on preliminary figures.

Source: Pt. IV, Hearings Before a Subcommittee on Appropriations, House of Representatives, Agriculture, 1968.

These Corn Belt States produce one-third of the cash receipts from farming.

According to 1966 agricultural statistics, the Corn Belt States produce 78 percent of the corn, 72 percent of the hogs, 68 percent of the soybeans, 60 percent of the oats, 47 percent of the milk, 43 percent of the turkeys, 38 percent of the hay, and 32 percent of the cattle in the United States.

Yet these States in the Corn Belt—Iowa, Illinois, Indiana, Kentucky, Michigan, Minnesota, Missouri, Ohio, and Wisconsin—receive the smallest amount for research support per $1,000 of receipts.

Mr. LANGEN. Mr. Chairman, I yield 5 minutes to the gentleman from Massachusetts (Mr. Conte).

Mr. CONTE. Mr Chairman, later in the day I intend to introduce an amendment to limit aggregate farm subsidy payments for any one producer to $20,000 with the exception of sugar payments.

This is the same amendment which I introduced on July 31 of last year and which the House approved by a record vote of 230 to 160.

Mr. Chairman, our present farm programs are not working properly—they are wasteful, inequitable, and in need of basic revision.

On March 25 of this year we considered legislation to appropriate additional funds for the Commodity Credit Corporation. Those circumstances were not appropriate for offering my payment limitation amendment and I so stated this on the floor. I went on to state, however, and I quote:

> At the first appropriate time I intend to again introduce my amendment placing a $20,000 maximum on farm subsidy payments.
>
> I intend to continue this battle until we have been successful—until we have eliminated the unfair subsidies which now exist and have developed new agriculture programs and policies to meet the challenges of today.

Mr. Chairman, today is that "first appropriate time."

I will defer any further discussion of my amendment until I have introduced it later on.

I would, however, like to comment here on the action taken late last week by the leadership in rescheduling consideration of this bill from tomorrow to today.

Mr. Chairman, there can be no justification for this action.

It is perfectly clear that the leadership switched this bill and the Treasury-Post Office appropriations bill around for one reason and one reason only—to limit the support for a farm payments limitation, thereby protecting the huge unjustifiable subsidies which are presently being paid out.

The leadership was well aware of the fact that many supporters of the amendment would still be in their home districts today while most of its opponents, coming from more distant areas, would be here on the floor. This is why we suddenly find ourselves considering the Agriculture appropriations bill today.

Mr. Chairman, we need new farm programs for our Nation and we must begin moving on this immediately. My amendment will constitute a first step forward in accomplishing this and at the same time eliminate the wasteful spending of hundreds of millions of dollars of the American taxpayers' money.

I urge the Members of this body to support me when I introduce my amendment later in the day.

Mr. FINDLEY. Mr. Chairman, will the gentleman yield?

Mr. CONTE. I will be glad to yield to my good friend from Illinois.

Mr. FINDLEY. I would like the gentleman to know that in the May 21 Congressional Record, beginning on page 13287, I placed a listing of each recipient in the United States whose payments in the aggregate from the various programs, excluding sugar and wool, exceeded $25,000. The amendment which the gentleman from Massachusetts and myself both support and intend to offer later is at $20,000, so there is admittedly a gap between the $20,000 amendment and $25,000 and above figures as reported in the Congressional Record of that date. Any Member of this body desiring

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to see firsthand how this amendment would likely affect his own constituents can turn to that page of the Record and find out the name and address and the dollar amount.

I am sure the gentleman will agree with me some of the figures are indeed shocking. For example, under Arizona I see an item of $504,000. There are two items in California in the range of $3 million each.

Mr. CONTE. Not only millions of dollars are involved, but there are prisons getting subsidies, rich oil companies getting subsidies, and rich land developers getting subsidies. This is one of the worst programs we have in this Government.

There are Congressmen and Senators getting farm subsidies, and it is high time we stopped it.

Mr. Chairman, I yield back the balance of my time.

Mr. LANGEN. Mr. Chairman, I yield 3 minutes to the gentleman from Minnesota (Mr. Nelsen).

Mr. NELSEN. Mr. Chairman, I listened with interest to the discussion relative to the limitation of farm payments, and I wish to comment that I, too, will offer an amendment as to the payments, but mine will be different.

We forget the purpose of the farm program is to limit production to the demand. If a cutoff is made at an arbitrary figure, the odds are that the largest producers will not participate in the program and will continue to produce more and more and, as a result, destroy the agricultural economy.

Mr. HUNGATE. Mr. Chairman, will the gentleman yield?

Mr. NELSEN. I yield to the gentleman from Missouri.

Mr. HUNGATE. Can the gentleman tell me why sugar and wool would be excluded from the limitation?

Mr. NELSEN. I do not know. I cannot answer that question. However, let me suggest that the gentleman ask that question of someone else, and I would like to use the amount of time that I have, the 3 minutes, for my little pitch on the idea that we have.

There will be a graduated payment under my plan and under Congressman Zwach's plan where as the payments go up the percentage goes down. Under this plan, there will be no bar to participating in the program because of economic pressure, but the smaller producers would get a little bit more and larger producers would get a little bit less. This will be done in such a manner that there will be participation in the program. If we drive the large producers out, we will have a surplus that will depress the market. The purpose of my amendment will be to take an even, middle road which I think has merit and which has been endorsed at some of the national conventions.

And I am sure that the members of the committee will be pleased to see the provisions of my amendment when it comes up later. I thank you very much.

Mr. Chairman, I yield 3 minutes to the gentleman from Illinois (Mr. Findley).

Mr. FINDLEY. I thank the gentleman for yielding.

The question was raised as to why sugar and wool are excluded from the limitation on payments. Wool is not excluded. It will definitely be included. And I might say in explanation that the figures which I placed in the Record did exclude sugar and wool but only because the statistics were furnished to me in that form and I did not have the wool and sugar payments available. But because of the unique features of the sugar program, producers cannot vote by referendum as to whether to continue the sugar program or not. This is the principal reason I propose to exclude sugar payments in my limitation of payments amendment.

Further, the question was raised as to whether the largest producers under, say, the cotton program would cooperate in the event a limitation is placed upon payments.

It is interesting to note that Louisiana State University recently issued a study of the economic advantage of planting cotton as opposed to the most logical next crop: that is soybeans. They found it to be economically unsound for a cotton producer in Louisiana to switch from cotton to soybeans, unless the soybean price rose to nearly $4 per bushel. Therefore, I concluded that even with the $20,000 limitation on payments, the big producers in that area and presumably in all sections of the land where cotton is grown would continue to produce pretty much the same volume as they do now.

The very important fact is that the taxpayers do not have to pay the gigantic payments to cotton producers in order to get their cooperation.

The main reason I asked for this time, I will say to my friend from Minnesota, is to inquire as to the estimated cost of the programs for the coming year. I understand that the sign-up under the feed grains program is the largest in a long time, if not the largest in history.

Can anyone supply me with an estimate as to what the feed grains program will cost in this 1969 crop year? Can anyone give me an estimate on that? Surely, out of the hearings which were held on the bill for the restoration of capital operating stock to the Commodity Credit Corporation there must be something to indicate the anticipated cost.

Mr. LANGEN. Mr. Chairman, if the gentleman will yield, I refer the gentleman to volume 3 of the hearings and the table which appears on pages 130 and 131 thereof where there is identified in chart form the respective costs of the programs beginning with 1964 and running through 1970, including wheat certificates.

Mr. FINDLEY. Could the gentleman capsule for our benefit the cost of each program—the cost to the taxpayers of each program involved? I would like to have figures on the feed grains program as well as others. I understand that the cost of the cotton program is about $900 million.

Mr. LANGEN. Just one moment and let me see if we have those figures available.

For the feed grains program there is the estimate of $710 million; for the wheat program—certificates issued to producers—$738.4 million; for the cotton, upland wool and ELS, $798.6 million; for wool, $55.8 million, making the total price support for those categories $2,302,800,000.

For wheat certificates sold to processors which amount to a refund and that amount is $390 million, making, therefore, a net price support payment cost of $1,912,800,000. These are estimated costs for 1970. In addition there are diversion payments of $632 million for feed grains and $80 million for wheat.

Mr. FINDLEY. Did I understand the estimate for 1970 for feed grains was only $700 million.

Mr. LANGEN. It is $710 million.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. LANGEN. Mr. Chairman, I yield 3 minutes to the gentleman from Massachusetts (Mr. Keith).

Mr. KEITH. Mr. Chairman, I would like to bring to the attention of the chairman of the committee and the Committee on Appropriations a memorandum put out by the School Lunch Program Agency dated July 21, 1964, signed by the director of the Food Distribution Division. This memorandum is pertinent to our effort to try to help domestic industries, not only agriculture, but others.

It says:

> One of the primary objectives of the National School Lunch Program, as stated in the Act, is "to encourage the domestic consumption of nutritious agricultural commodities and other food". The Congressional intent is for the National School Lunch Program to promote the increased consumption of domestically produced agricultural commodities and other goods and not those of foreign origin.

It has been brought to my attention that the school lunch program funds are being used to purchase imported fish—this in spite of the fact that our fishing industry is having real tough sledding and needs and deserves all the help that it can get.

I would like to have reaffirmed in the debate here today the legislative intent as to the proper use of the funds in the school lunch program—with respect to imports.

Mr. WHITTEN. Mr. Chairman, if the gentleman from Massachusetts will yield to me, I believe that I could state in partial answer to the inquiry of the gentleman that in our consideration of this bill—while there have been some variations of opinion—I would say that adequate attention has been given to this problem. We have section 32 funds for purchasing surplus foods for use in the school lunch and other programs. In addition to that, we also have these other provisions of law, such as the Child Nutrition Act, in which permission is given to purchase additional items in order that the recipients may have a well-rounded lunch.

Certainly, speaking for myself—and I feel that I am also speaking for most of the members of the committee—I would certainly like to see American fish products used, since it is an American industry, and certainly the products of the American fish industry should be funneled into our school lunch programs.

But I would further say that in section 32 they are allowed to go to additional protein sources in order to provide a well-rounded diet, and as a result, some products might be imported.

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Mr. KEITH. Mr. Chairman, would the gentleman believe that it would be illegal for a school lunch administrator to purchase foreign foods when domestic foods are available?

Mr. WHITTEN. The gentleman has used the word "illegal." This would go particularly to the legislative intent, and I am not familiar enough with the situation to know the complete limitations on the administrator's discretion. So I would say that his decision should be based on what his authority is. I certainly agree with the gentleman, but I would not want to pass on the legality, because I am not an expert in that field.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. LANGEN. Mr. Chairman, I yield 2 additional minutes to the gentleman from Massachusetts.

Mr. KEITH. I thank the gentleman for the additional time.

Mr. LANGEN. Mr. Chairman, if the gentleman will yield, I want to agree first of all on the proposition the gentleman has made. It is certainly well founded. I would agree with the response that the chairman of the subcommittee has provided the gentleman. I do not believe it was the intent of the Congress, nor the intent of this committee, that money provided for the school lunch program was to be used for the purchase of imported products of any kind, whether fish or something else, as long as those products were available domestically.

However, I believe in all fairness it should be stated that this problem, to my recollection, was not called to the attention of the subcommittee. Had it been, we surely would have explored the matter further for the purpose of determining whatever factors may have been involved in these purchases, and to determine their effect on our own fishing industry.

I would suggest to the gentleman that this matter will be the subject of the committee's consideration in the future.

Mr. KEITH. I would like to point out that on the one hand the Department of Agriculture is inadvertently permitting the further deterioration of the fishing industry by not being able to stop the use of imported seafoods in the national food program. It is interesting, to say the least, to note that the Department of Commerce and the Department of the Interior are literally spending millions of dollars to try to revive that same industry.

If a research into the legislative history of this act would indicate that an amendment might be necessary to prohibit the purchase of foreign seafood, I would like to advise my colleagues on the committee that at the appropriate time such an amendment may be offered.

Mr. WHITTEN. Mr. Chairman, I yield such time as he may desire to the chairman of the Committee on Appropriations, the gentleman from Texas (Mr. Mahon).

Mr. MAHON. Mr. Chairman, this is the first regular appropriation bill for the fiscal year 1970, which begins on July 1 next. We have considered two supplemental appropriation measures at this session, but we will have before us 13 regular annual bills for fiscal 1970, and this is the first one.

Another of the 13 bills is scheduled for floor debate tomorrow, the Treasury-Post Office appropriation bill.

The committee is moving along rather rapidly toward completing hearings and preparing several other bills for submission to the House. But I should say that a number of the remaining 11 bills cannot under the rules be brought forward until various programs that are subject to annual authorization have first been authorized by legislation out of several authorizing committees. I would hope that the authorizing committees will move along as rapidly as they are able to under all the circumstances.

I would like to say at this time that while there are legislative provisos of one kind or another included in appropriation bills from time to time, personally I feel, and I believe this generally reflects the views of the House, that we should keep such provisions on the appropriations bills to a minimum.

I say that particularly now in view of the fact that I understand an effort will be made later this afternoon by way of a limitation on expenditure of funds, to limit payments under the basic farm program law.

The present farm program legislation will expire at the end of next year. A new bill is needed. A new bill will have to be enacted. But for the House to undertake to write anything as complex as a modification of the farm program—and that is exactly what such a seemingly simple payment limitation involves—as an amendment to an appropriation bill here on the floor would be utterly absurd. I hope that we would not undertake to do that.

It might be said that the limiting amendment is just a simple amendment and could be easily applied. But officials at the Department of Agriculture advise me it would be virtually impossible to administer such a limitation.

The so-called Conte-Findley amendment would in effect cost the Government more money than the present system, especially in the cotton program.

Moreover, the amendment is unsound and indefensible. It ought to be defeated. I urge the defeat of the amendment when the vote on this issue arises later in the afternoon.

Mr. Chairman, we have legislative committees for the purpose of formulating these complex pieces of legislation, which deal with such matters as farm programs designed to be helpful to farmers and consumers alike.

I do hope that we can pass this appropriation bill without undertaking to write major farm legislation of far-reaching consequences by any ill-advised action on the bill now before us.

I would earnestly hope that this would be the prevailing view in the House.

Mr. Chairman, I thank the gentleman from Mississippi for yielding me this time.

The CHAIRMAN. The gentleman from Texas has consumed 4 minutes.

Mr. WHITTEN. Mr. Chairman, I yield 5 minutes to the gentleman from Indiana (Mr. Madden).

Mr. MADDEN. Mr. Chairman, the pending farm subsidy appropriation now under consideration will undoubtedly take precedence over any appropriation in this session of Congress that could be classified as being one of the most reckless, extravagant, and unnecessary expenditures of the taxpayers' money that I have observed in my long service in the Congress. By this statement I do not mean to suggest that all of the $3.5 billion annual subsidy is not necessary for the smaller rural recipients.

I opposed this legislation when it came before the Rules Committee in the last Congress and recommended that there should be a ceiling of approximately $15,000 or $20,000 to any one farm operation in the country. When this legislation was before the House last July I supported, spoke for, and voted for an amendment calling for a $20,000 limitation subsidy for any one farm operation whether it be individual or corporate farm operation.

When this bill was before the Rules Committee last July the members perused the 1,244-page volume of names, addresses, and annual payments to farm operations. The volume only listed the farmer recipients who received over $5,000 per year. The recipients who received under $5,000 per year were not enumerated in the volume because it would possibly require several volumes to list the under-$5,000 recipients.

Of the various counties listed over the Nation several southern and western counties received payments between $16 and $20 million annually. Remember, I am refering to counties, not States. A half dozen individual farm corporations received over $1 million each, but I believe the champion recipient of all was J. G. Boswell Co., Litchfield Park, Ariz., Kings County, Calif., who received $4,091,818 from the American taxpayers in the year 1967 for its idle land. Close behind was Rancho San Antonio, Gila Bend, Ariz., Fresno County, Calif., who received $2,863,668 in the year 1967. The runnerup was Giffen Farms, Inc., of Huron, Calif., who received $2,397,073 from the American taxpayers in the year 1966 for its idle land.

In the Congressional Record, volume 114, part 17, page 22191, I listed the names and addresses of 25 large-farm recipients whose individual payments run from $442,327 up to $4,091,818. I also submitted on that page of the Congressional Record where 10 farming operations received a total of $14,785,760 which is more than the total of $13,409,756 received by all farmers in 10 States—Alaska, Rhode Island, Massachusetts, New Hampshire, Connecticut, Delaware, Nevada, Vermont, Maine, and West Virginia—plus the Virgin Islands.

These 10 large operations received payments in excess of those received by all farmers in any one of 15 States—Alaska, Rhode Island, Massachusetts, New Hampshire, Connecticut, Delaware, Nevada, Vermont, Maine, West Virginia, New Jersey, Maryland, Hawaii, Utah, and Wyoming.

Twenty-five farming operations received a total of $22,766,943 which is more than the total of $17,610,650 re-

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ceived by all farmers in 11 States—Alaska, Rhode Island, Massachusetts, New Hampshire, Connecticut, Delaware, Nevada, Vermont, Maine, West Virginia, and New Jersey—plus the Virgin Islands.

I do hope that every Member of the House will get a copy of the Senate hearings, first session, 90th Congress, listing the names, addresses, and amounts of all annual recipients over $5,000 by reason of this farm subsidy. In 1966 the total cost to the taxpayers of this rural subsidy was $3,281,621,070. The year 1967 was approximately a duplication of the previous years' subsidy. The House of Representatives is today called upon to appropriate this relief bonanza for another year, which, if passed, will cost the American taxpayers approximately another $3.5 billion.

I hope that the Members will refer to the Congressional Record, volume 114, part 17, page 22702, where I got permission to include an editorial from the Chicago Tribune entitled, "A Mississippi Farmer Squawks." This editorial outlined a protest by one Roy Flowers, a wealthy Mississippi cotton and soybean grower, who was ordered to pay $50,000 in back wages to more than 200 Negro tenants under the Fair Labor Standards Act. The editorial states that Flowers makes more than $1 million per year from his various plantation enterprises. He failed to pay minimum wages to his fieldworkers. Some were under 16 years of age. According to the suit, the tenants were charged $70 per month for houses without inside plumbing and water, but with holes in ceilings and walls, when a "reasonable cost" would have been $5 per month.

The Department of Agriculture lists Flowers as having received $210,332 in Government subsidies for not planting crops, presumably cotton, last year. In 1966 he received $162,657 in Federal cash.

Of course Mississippi is not the only State where the rich corporations have taken advantage of this subsidy by adding thousands of acres to their holdings so as to come under this rural subsidy bonanza. According to statistics, records of recipients by various States contained in the Congressional Record, Wednesday, May 21, 1969, page 13288, it is astounding to read the fabulous sums paid corporate and conglomerate farms throughout the country, especially in the West, Midwest, and South.

There were 1,826 Texas farmers in payments of over $25,000 annually who received a total of $74,190,000; 624 California farmers in payments of over $25,000 annually received a total of $47,063,276; 443 Arizona farmers in payments of over $25,000 annually received a total of $28,121,115; 817 Mississippi farmers in payments of over $25,000 annually received a total of $38,266,282; 35 Iowa farmers in payments of over $25,000 annually received a total of $1,343,148; 148 Kansas farmers in payments of over $25,000 annually received a total of $5,266,932; nine Minnesota farmers in payments of over $25,000 annually received a total of $275,000; 170 Alabama farmers in payments of over $25,000 annually received a total of $6,624,115; and 55 Indiana farmers in payments of over $25,000 annually received a total of $2,059,023.

I could go on and enumerate other States where large farm operations have bought additional land and expanded this gigantic subsidy which jeopardizes the whole farm legislation to the detriment of the small farmer who no doubt, in many cases, needs Federal help.

I have received many letters during the last few weeks from all over the United States protesting the extension of this subsidy to the wealthy and corporate farmers of the Nation. Some protests recommend that if legislation of this type must be passed, that the limitation to any one farm should be not more than $10,000 to $20,000. If the Members of Congress think that it is necessary to aid the small farmer, to reimburse him for idle land, in order to curtail abundance, a limitation of this type would prevent large farm operations from buying more land, vacating the tenants as an economy move, so they could collect big checks from Uncle Sam.

In an article in Harpers magazine recently, Mr. John Fischer pointed out the following:

> When you offer a bribe for every acre taken out of cultivation, the men with the most acres naturally get the most money—in many cases hundreds of thousands of dollars every year. Typically they use their loot in two ways: (1) to buy more land from their smaller neighbors; and (2) to invest in tractors, cotton-pickers, fertilizer, weed-killer, six-row cultivators, and all the other devices of modern technology.

The larger the farm, the bigger the operation with modern equipment, and the farmer can take more acres out of production and thus get a larger annual payoff check from the taxpayer.

This rural bonanza program in 1967 forced over three-quarters of a million farmers off the land and they, in turn, have moved into the urban areas to seek employment.

I have seen some of my rural colleagues go up the center aisle on teller votes to oppose relatively small appropriations for Headstart and other makework and manpower training programs for our urban areas. I have also seen a number of our rural colleagues oppose increases, and in many cases supporting reductions, in several of the great educational programs and housing projects. The same statement can apply to hospitalization, medicare expansion, and air and water pollution programs which some of our good colleagues oppose and wish to reduce or terminate.

It is remarkable that a great number of our Members from rural areas will enthusiastically support the $3.5 billion boondoggle, 75 percent of which will be siphoned into the profit receipts of corporate and wealthy farm operators throughout the Nation.

Last year the House Agriculture Committee wanted a 4-year extension of this program and the other body sustained their request, but thanks to the opposition a few of us exerted against a 4-year extension, this legislation was limited to but 1 year.

I have every confidence that, by reason of the fight we are making, to inform the voters of the Nation regarding the unjust and unreasonable demands of large farm conglomerates and large individual farm operations, this year will terminate the fabulous amounts to farmers by prohibiting any one farm operation to receive more than $20,000 annually.

Mr. LANGEN. Mr. Chairman, I yield 2 minutes to the gentleman from Michigan (Mr. Chamberlain).

Mr. CHAMBERLAIN. Mr. Chairman, I have asked for this time to make a brief inquiry as to what provisions, if any, are in this bill to take care of continuing research on the cereal leaf beetle. Up in our area of Michigan, and in the Midwest area, this has become a serious problem. I should like to have some assurances that adequate provisions are made in this bill to continue the research which has been underway for the past several years.

Mr. MICHEL. Mr. Chairman, will the gentleman yield?

Mr. CHAMBERLAIN. I am happy to yield to the gentleman from Illinois.

Mr. MICHEL. I shall be happy to respond to the gentleman.

The gentleman will recall our exchange during consideration of the bill last year, in which we pointed out that testimony came before our subcommittee that the most serious pest to which we had to contend with was the cereal leaf beetle.

There was at least $200,000 in the bill last year. There is money in this bill this year, to continue the research, but it ought to be accelerated.

I should say to the gentleman, and make it a matter of the legislative history, that on the strength of the threat this poses we are not doing enough, particularly when we compare this to what we are doing with respect to the screwworm and the fire ant and some others, where the dollar loss is nowhere close to what could be the loss in the opening up of the 40 million acres of the breadbasket of this country to the cereal leaf beetle. As the gentleman knows, this beetle infestation in this country began in Michigan and spread to Ohio, Indiana, and parts of Illinois. The Department has to move more militantly to remedy this threat.

I should like to have some assurance from the chairman that he, too, feels this way.

Mr. WHITTEN. Mr. Chairman, will the gentleman yield?

Mr. CHAMBERLAIN. I yield to the gentleman from Mississippi.

Mr. WHITTEN. I should like to agree with what has been said by my colleague from Illinois. May I amplify it to some degree?

At this stage, we are still doing research, trying to determine how best to deal with the cereal leaf beetle. The amount of $200,000 is a considerable amount when one is still doing research.

I would point out that we have made an effort to meet this problem. I mention it here, because this is one of the things to be considered. There is contingency reserve of $1 million which we provided to the Department to meet emergencies. If they have a breakthrough in the research, they have this $1 million with which to proceed. We try to proceed as fast as we can to learn the answers to problems. We do have this $1 million "escape valve" which they can use.

Mr. CHAMBERLAIN. I thank the chairman and the gentleman from Illinois. It is reassuring to know that this matter has had the careful attention of the committee. It is my hope it will continue to have such attention.

Mr. KUYKENDALL. Mr. Chairman, the subject of cotton subsidy payments and payment limitations probably generates as much confusion and misinformation as any that comes before you.

Somehow, a debate on payment limitations never really seems to get around to the real issue involved. That issue is whether we are to have farm programs or not. Regardless of the motives behind efforts to limit payments, we are voting on whether to terminate the farm program. One would think, in reading many of the statements arguing for an end to big payments, that the farmers of our country were getting handouts from the public Treasury. This is not the case; it has never been the case; and I am hopeful our debate here today will help to clear up a lot of the misunderstanding which unfortunately has been generated.

My district—the city of Memphis—is the largest spot cotton market in the world. The economic health of Memphis is tied in good part to cotton. Cotton payments are a carefully calculated part of the farmer's income. The average cotton farmer cannot grow cotton at the price he has to sell in the marketplace. This difference is made up by a payment on his domestic allotment only—this year—to encourage him to stay in the cotton business—which he certainly cannot do at a loss.

No farmer I have ever heard of assumes for 1 minute that these payments can be made indefinitely. Cotton growers have tried for years to get the kind of research program underway they need to cut their cost and make it possible to grow for the market without benefit of subsidy. This is their goal. And we of the Congress have an obligation to help them achieve that goal. They are doing their part with a dollar-a-bale program and deserve our assistance in every way that we can appropriately give it.

If payment limitations are imposed, certainly we still will have a cotton industry. But it would not be a healthy industry. Several million acres of land will have to go out of cotton and into other crops. I do not know any area of any commodity that can afford additional production without very serious adverse effects. What would happen to wheat, feed grains, vegetables, cattle, and many other commodities if land now planted to cotton were planted to them? And what will happen to all the industries that supply and service cotton?

There is one other aspect of this problem we need to consider very seriously. I think this Congress has an implied commitment through 1970 on the present law—a commitment to farmers that we should not break. Last year we extended the act of 1965 through 1970 to give the new administration time to develop its own program—a program that certainly would deal with this limitations issue. We are being asked here today to do something entirely different, and I would strongly urge that we vote down any efforts to limit payments to farmers as class legislation at its worst.

Mr. CRAMER. Mr. Chairman, the threatened elimination or reduction of the agricultural conservation program posed far more portentous dangers than apparently were envisioned when the matter was first proposed. At stake was not the future of just one particular program, as appeared on the surface, but rather the welfare and well-being of the entire Nation were indeed in danger of being eroded.

For at the very foundation of a great nation and a free people is the rightful fulfillment of that most basic of human needs—the right to and the benefit of proper nutrition and natural resources. These are our historical heritages in a country made strong because its people drew strength from the land and its natural benefits. It is an elementary fact, and one that plagues much of the world today, that a people deprived of an adequate food supply are prey to doubts that the free enterprise system holds out to them the promise and hope of realizing for themselves the opportunities of a free nation. The seed of freedom cannot flourish in the soil of deprivation.

As stated in the committee report on today's bill:

> All of the controversy about hunger and malnutrition today has taken for granted the availability in the United States of a plentiful supply of nutritious food. We, in fact, have such a supply—the most abundant the world has ever seen. But we must not forget that the continued availability of these ample food supplies is not automatic. Future supplies to feed the rapidly growing population of this nation and the world, including the hungry and undernourished, will be determined by the economic viability of our agricultural producers, and the continued productivity of our soil and water resources.

This statement in itself is a most compelling argument in support of the highly successful agricultural conservation program, as an important, integral part in the development and preservation of the finest of agriculture systems. The agricultural conservation program is a cost-sharing program, with the local programs developed by the State and local communities, within the structure of the national program and with the approval of the Secretary of Agriculture. This is truly a grassroots program in that no practices are adopted and put into effect in any State or county unless approved by the local conservation groups. The benefits of this program go to nonfarm people as well as to farmers with the program's continued emphasis on the establishment of long-term conservation practices. A growing proportion of agricultural conservation program cost-shares is being used for those conservation practices which conserve water and reduce water pollution; those primarily for wildlife conservation, and those which provide recreational and beautification conservation benefits.

The report further states:

> In the opinion of a majority of the members of the Committee, this program provides the best possible means for getting soil and water conservation practices applied to the land.

The land, with its great natural resources and its abundant food supply, has historically provided the strength and the hope for the development of our Nation to its fullest capacity as the leader of the free world. To eliminate or reduce the highly meritorious agricultural conservation program would be most unwise and seriously detrimental to the future accomplishment of the program's goals.

I previously indicated my great concern over the proposed withdrawal of all funds for the agricultural conservation program for this coming fiscal year, and I am relieved and gratified by the committee's position that the vitally important program must be continued. The committee has recommended in H.R. 11612 an appropriation of $195,500,000 to make payments due under the program authorized in the 1969 agricultural appropriations bill, noting that the amounts owed under that program are legal commitments and funds must be provided to meet all obligations incurred.

Both propriety and humanity place this program in the highest priority and, as the ranking minority member of the House Public Works Committee, which authorizes watershed projects as part of the total conservation program, I urge its uninterrupted continuance through the approval of the funds recommended by the committee.

Mr. VANIK. Mr. Chairman, I want to take this opportunity to announce that I expect to vote against this appropriation bill which will cost the taxpayers of America $6.6 billion in this fiscal year. Frankly, I do not believe there is any benefit ratio sufficient to justify this kind of public spending.

In the past, I have supported farm legislation. A healthy farm economy makes for a prosperous nation. Our achievements in the agricultural sciences are the marvels of the world—even dwarfing our achievements in space. No other nation has done so much to produce food.

There is poverty on the American farm in large parts of the country and we must deal effectively with that poverty as we deal with urban poverty. But there are also huge profits for some segments of agriculture which enjoy the benefits of our Federal subsidies—and these profits for the greater part completely bypass the Treasury and the tax collector.

As a member of the Ways and Means Committee, I was shocked to learn of the maneuvers which are employed to avoid taxation.

The ingenious farmer who protests urban programs manages to get every conceivable kind of deduction. The farmer gets depreciation, depletion, investment credit, and long-term gains.

On a cattle ranch, the breeding cattle are owned by the children, who pay ordinary taxes at lower rates, while the steers are owned by the parents who pay taxes on these operations at reduced rates as long-term capital gains. The investment credit extends to orange trees in Florida.

The conglomerate was born on the farm—and spread to the city.

This bill provides $6.6 billion to the agricultural industry of America. That is only part of the story. The overwhelming portion of our public works program

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not related to transportation adds billions more to the agricultural sector. No other segment of American life receives so much and pays in so little.

The testimony before our committee indicated that tax payments by agriculture in America approximate $1 billion. We spend approximately $8 billion in agriculture including this bill and public works and get back less than $1 billion in tax revenues. Somehow or another these subsidy programs costing billions of dollars should also generate some tax receipts to justify their continuance.

It is time for us to stop treating agriculture as a pampered child. The industry has progressed far enough to stand on its own and help pay its own way.

Mr. WOLFF. Mr. Chairman, once again we are being asked to appropriate billions of dollars for wasteful farm subsidies that will line the gilt-edged pockets of rich, corporate farmers. These "fat cats" annually come looking, with a highly paid lobby, for the largest single handout in the world. The indolence at the economic trough displayed by these wealthy farmers is especially galling because so little of these subsidies go to deserving family farmers. Were the appropriation reoffered in the spirit that the farm subsidies were created—to help the small farmer who is the platform of our economy—I would be ready to lend it my support.

But I cannot vote for a $5 billion farm subsidy program with the knowledge that the largest part of these funds will go to corporate farmers whose very existence is designed to exploit the price support program.

At a time when there is much talk in this Nation about the high cost of welfare I think it is important to identify this farm subsidy program for what it is—the single most costly and unproductive welfare program ever designed by man. And it must not be perpetuated no matter how strong the farm lobby can be.

Mr. Chairman, I am prepared to vote for the amendment to be offered by the gentleman from Illinois (Mr. FINDLEY) to limit the size of single subsidies to $20,000 a year. I consider this proposal properly designed to control, as a first step, the excessive subsidies that saw more than 400 farmers receive payments in excess of $100,000 during 1967.

I am also prepared to support the amendment to be offered by the gentleman from California (Mr. EDWARDS) to violation of existing civil rights legislation. Our farm program is not above the law and I was sorely distressed by recent disclosures of expenditures in violation of civil rights legislation.

While voting for these amendments I shall vote against the appropriation because of the distorted sense of values symbolized by the legislation. We are asked to vote $5 billion in subsidies and a mere $1.5 billion to feed the hungry in this Nation. This is a great and tragic irony and shows a confused and dangerous sense of priorities. As long as there are hungry people we should not be plowing food under. As long as there are hungry people they should receive our highest priority. Instead we get a minimum food for the hungry appropriation in the midst of an excessive subsidy appropriation for large farmers who neither need nor deserve these outlandish subsidies.

We should be doing much more for the hungry in this Nation. At a period of such great prosperity it is a continuing shame that there is hunger and malnutrition in many parts of the United States. Our failure to properly attack the problem of hunger is especially disappointing and totally unacceptable as we move toward what will probably be routine approval of wasteful subsidies.

Obviously our priorities are unbalanced—as unbalanced as the ratio between a $5 billion subsidy and $1.5 billion food for the hungry program. I shall vote against this appropriation in the hope that we can discern the difference between need and waste and thus reorder our priorities.

Mr. WHITTEN. Mr. Chairman, we have no further requests for time.

Mr. LANGEN. Mr. Chairman, we have no further requests for time.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

DEPARTMENT OF AGRICULTURE

TITLE I—GENERAL ACTIVITIES

AGRICULTURAL RESEARCH SERVICE

SALARIES AND EXPENSES

For expenses necessary to perform agricultural research relating to production, utilization, marketing, nutrition, and consumer use, to control and eradicate pests and plant and animal diseases, and to perform related inspection, quarantine and regulatory work: *Provided,* That appropriations hereunder shall be available for field employment pursuant to the second sentence of section 706 (a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed $75,000 shall be available for employment under 5 U.S.C. 3109: *Provided further,* That appropriations hereunder shall be available for the operation and maintenance of aircraft and the purchase of not to exceed two for replacement only: *Provided further,* That appropriations hereunder shall be available pursuant to 7 U.S.C. 2250, for the construction, alteration, and repair of buildings and improvements, but unless otherwise provided, the cost of constructing any one building (except headhouses connecting greenhouses) shall not exceed $25,000, except for six buildings to be constructed or improved at a cost not to exceed $55,000 each, and the cost of altering any one building during the fiscal year shall not exceed $7,500 or 7.5 per centum of the cost of the building, whichever is greater: *Provided further,* That the limitations on alterations contained in this Act shall not apply to a total of $100,000 for facilities at Beltsville, Maryland:

Research: For research and demonstrations on the production and utilization of agricultural products; agricultural marketing and distribution, not otherwise provided for; home economics or nutrition and consumer use of agricultural and associated products; and related research and services; and for acquisition of land by donation, exchange, or purchase at a nominal cost not to exceed $100; $130,182,000, and in addition not to exceed $15,000,000 from funds available under section 32 of the Act of August 24, 1935, pursuant to Public Law 88–250 shall be transferred to and merged with this appropriation, of which $710,000 shall remain available until expended for plans, construction, and improvement of facilities without regard to limitations contained herein: *Provided,* That the limitations contained herein shall not apply to replacement of buildings needed to carry out the Act of April 24, 1948 (21 U.S.C. 113a): *Provided further,* That none of the funds appropriated in this Act shall be used to formulate a budget estimate for fiscal 1971 of more than $15,000,000 for research to be financed by transfer from funds available under section 32 of the Act of August 24, 1935, and pursuant to Public Law 88–250;

Mr. SISK. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I yield to my colleague from California (Mr. MILLER) for a brief announcement.

Mr. MILLER of California. Mr. Chairman, I want to thank the gentleman.

I just got back here, but I wish the RECORD to show that the three astronauts are back on the carrier and we have had another successful flight.

Mr. SISK. Mr. Chairman, we have had a demonstration, it seems to me, just a little while ago of what can happen when only a little light has been shed on a subject. It seems to me that we are talking about a subject on which there needs to be a lot more light placed. I do not claim to be any farm expert or to be one who can shed all of the light by any means on this subject that is necessary, but I do happen to represent a number of people some of whom I might say have been referred to by my good friend from Indiana (Mr. MADDEN) here this afternoon. It seems to me that without some knowledge and understanding of what our farm program actually is about and what these subsidies are used for has led to the greatest misunderstanding and to some of the most unfair charges against a certain segment of America that I have ever heard in the 15 years I have spent on the floor of this House.

Let me say that the funds provided for in this bill and which are made available to the American farmer through a variety of programs are generally for reimbursement of contributions that he is making to the agricultural economy of this country and to the stabilizing of our farm economy. Some of us are still around who can remember some of the things that happened in the late 1920's and 1930's and are aware of the fact that when a depression develops on the farm and the farmer's purchasing power ceases to exist, he can drag down the balance of the economy of this great country.

I sometimes wonder if some of the gentlemen who sound off here about some of these payments have ever talked to some of the financial institutions in this country who are engaged in the business of financing the American farmer. It would be interesting if you would review the recent record of the Farmers Home Administration and see the condition of literally thousands of farmers throughout this country who cannot meet their payments and who are unable to repay their production loans for this last year. It would be very interesting, I might say to my good friend from Indiana, if he would talk to the officials of the Bank of America in California who finance a great many of these farmers and find out how few of them have been able to repay their loans of last year.

I might say to the gentleman from Indiana that I looked at a recent set of books prepared by an expert accountant dealing with a farmer in my district who drew $52,000 in subsidies on last year's crop. His situation right now is about at the position where he is faced with bankruptcy because he has to make a choice. Recently he went to his bank and said, "What do you want me to do? I can either meet my payments on my farm implements or pay you and let the farm implements go back and get into some other kind of business." The fact is that this gentleman and hundreds of thousands of gentlemen like him use that money which they receive through these programs to pay their taxes on their land and to pay the interest on money they borrow and to pay for irrigation assessments and to pay the labor which is required to produce that crop. As a result, he came out this year at the little end of the horn, with no profit whatsoever, in spite of the fact that he had received $52,000, as I say, in Federal payments.

Mr. MADDEN. Mr. Chairman, will the gentleman yield?

Mr. SISK. My good friend from Indiana has been talking for a long while. I would like to have a little time to talk, too, and then I will be glad to yield to him.

Mr. Chairman, I recognize that I mentioned the gentleman's name, and I will say to him that I will yield to him at a later time. However, let me continue now with my statement.

We talk about these enormous payments. I recognize that we are facing in the next couple of years a revision of some of the provisions of our farm program. I am sure any of us can point out many things that we would like to see changed—things which we would like to see improved.

I am not sure how many of these things may be improved upon or changes that might occur through amendments, perhaps, offered by the Committee on Agriculture of the House and of the other body when faced with the necessity of bringing to this floor for authorization a bill for either the extension of the present farm program or for a new farm program. If we are going to attempt to change the program and to revise policy, that is another question. Then there is a question of the right time whether it comes this year or next year, but it seems to me there should be a proper time and a proper opportunity to try to change a given policy.

The CHAIRMAN. The time of the gentleman from California has expired.

(By unanimous consent, Mr. SISK was allowed to proceed for 5 additional minutes.)

Mr. MADDEN. Now, Mr. Chairman, will the gentleman from California yield?

Mr. SISK. I now yield to the gentleman from Indiana.

Mr. MADDEN. Would it not be a deplorable situation if all the businesses in my district out there which is an industrial area did not make a profit at the end of the year and they came to the Federal Government and wanted the Federal Government to bail them out? If that should take place with big business all over the country our Government would be ruined in the next few months. It is my understanding that there is in California a county by the name of Kern where there is being paid in these subsidies the amount of about $20 million. How can any given county justify receiving $20 million under this program?

Mr. SISK. I shall undertake to answer the question of the gentleman from Indiana, but I would prefer that he would not make a speech.

Mr. MADDEN. Can the gentleman explain why one county needs $20 million and why another needs $19 million under this farm subsidy?

Mr. SISK. I would say to my friend that I believe both counties he mentioned are not in my district, but I do have counties in my district which receive substantial payments and they happen to be Fresno County and Merced County. But let me say to my good friend that there are many subsidies. There are all kinds of subsidies and I am not at all sure but what there are not substantial businesses in the gentleman's district which are receiving high payments in subsidies. I have during the past 15 years supported billions of dollars in subsidies for a variety of businesses in this country all the way from airline subsidies, railroads, shipbuilding subsidies, and a whole variety of things.

Let me say to my good friend from Indiana that I recognize what we are attempting to do here is to try to reach some balance in our economy. I do not begrudge the fact that our railroads, for example, have to be subsidized.

Mr. MADDEN. If the gentleman will yield for one very brief statement——

Mr. SISK. All right, I yield for a brief statement.

Mr. MADDEN. There are some businesses, including oil refineries, in my district which are receiving subsidies, but they are getting it through some tax loopholes.

Mr. SISK. I agree that there are some loopholes here and there, as my good friend well knows.

Mr. FINDLEY. Mr. Chairman, will the gentleman yield?

Mr. SISK. I yield to the gentleman from Illinois.

Mr. FINDLEY. The gentleman from California cited the plight of a farmer in his district——

Mr. SISK. I could cite many more.

Mr. FINDLEY. But the gentleman cited one specific case of a farmer who was not able to make it after getting payments of $35,000.

The question which comes up in my mind is this: Is this investment by the taxpayers worthwhile, first; and, second, if this were not enough money to enable that farmer to get by in his farming operations, how much money does the gentleman from California think we should provide to this individual?

Mr. SISK. I would like to say to my good friend from Illinois that I have heard a good deal in the past along this line. We had, for example, an operation called the land bank, and I understand that there is now pending a proposal to come out of the new adminstration with reference to the Department of Agriculture as to how to stabilize through some type of land bank or soil bank our agricultural economy.

When you get down to it, in a large measure we are asking private individuals to carry this burden, and do the same thing today for the purpose of stabilization. Does the gentleman propose to ask them to do it free of charge?

I am curious to know at what point our Federal obligation begins and ceases in connection with this. Do we propose to go into an arrangement with the farmers and purchase the land outright? And I am also curious to have the comment of the gentleman about how many billions of dollars would be involved if we propose to do it that way rather than bringing about a cooperative coordinated program where individual farmers through cooperation with a program can simply receive reimbursement for their contribution to the program. Because this is exactly what our farm program is intended to serve.

Am I right or wrong?

Mr. FINDLEY. If the gentleman would yield further, we have the opportunity here today to provide the answer to the gentleman's question. The answer is $20,000 should be the limitation to the farmers in payments. That is as far as I believe we should be willing to go.

Mr. SISK. I am sure my good friend recognizes the fact that merely by looking at the record, even taking the record that my good friend from Indiana is talking about, of the American farmers and the amount of land that they farm, the volume they farm, that a $20,000 limitation means a substantial number of individual farmers are going to have to operate outside the program, and therefore not contribute to the stability on other limitations on your soil bank or on the soil conservation program, because otherwise they cannot pay taxes on their land.

After all, would the gentleman like to take these lands off the tax rolls and spend the billions necessary to acquire title to them?

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. FINDLEY. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, the distinguished chairman of the Committee on Appropriations made some remarks just a few moments ago to which I listened as intently as I possibly could, and if I caught their drift correctly the chairman was telling us that it was highly inappropriate for us to put legislation on an appropriation bill.

Maybe I misunderstood the gist of his comments, but I believe that was it. If that is the case, then I would draw the attention of the gentleman to page 39 of the bill now before us, section 510. If anything is legislation on an appropriation bill, it is that section.

Furthermore, on page 30 of this same bill, under "General administration," it says: "Not to exceed $250,000 of funds contained in the working capital fund established under authority of Public Law 78–129 may be used to carry out responsibilities under the Civil Rights Act of 1964.

Once again we are clearly legislating on an appropriation bill. Now, I can understand why the Committee on Appropriations would reserve to itself certain

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privileges, but if legislation on an appropriation bill is all right in committee, then why is it not all right here on the floor?

Mr. MAHON. Mr. Chairman, will the gentleman yield?

Mr. FINDLEY. Yes, indeed; I am glad to yield to the distinguished chairman.

Mr. MAHON. My feeling is that wherever reasonably possible we ought not to put legislation on an appropriation bill. We try to hold legislation to a minimum, but always—or most always in appropriations bills—there are some legislative provisos or limitations. And in my previous statement, which I now emphasize, I am merely taking that position: Let us undertake to keep appropriation bills as free as reasonably possible of legislative provisions, and let us not undertake to pass an amendment which in effect would repeal certain important present farm laws of the 50 States of the Union, and throw us back to the law of 1958. This would cause pandemonium in a portion of the farming industry. This would be costly to both the Government and the farmer, particularly the cotton farmer.

Mr. FINDLEY. Mr. Chairman, I thank the gentleman, but the problem we confront is that at this time last year the leadership of that legislative committee was telling us "Give us just 1 more year, give us 1 more year to deal with this problem," and yet here the year is almost up and hearings have not even begun on general farm legislation.

I believe the patience of many Members is running out, and that it is high time we took action without waiting for the legislative committee.

Mr. MAHON. Mr. Chairman, will the gentleman yield?

Mr. FINDLEY. I yield to the gentleman.

Mr. MAHON. The point is that the new administration is now coming into power. Now, the administration of the gentleman's own political faith, as the gentleman knows, has not yet had time to formulate its policies and make its recommendations to the Congress. It is working diligently on the matter. The gentleman's administration, as you know, has come out in opposition to the amendment that the gentleman proposes to offer.

The farm law will expire in 1 more year so there is no way to avoid action by the Congress it seems, and I am sure the Committee on Agriculture is busily engaged in trying to find ways——

Mr. FINDLEY. It has not even begun this job. It is a fact—it has not even begun this job. If we go along at the present pace, in a very short time we are going to be confronted with the same emergency situation which prevailed last summer and which supposedly required the extension of the same program that we have now including these gigantic payments.

I do not mean to press this unduly, but it does seem to me that the patience of many Members of this House is beginning to run out and they have every right to consider in this appropriation bill a limitation of $20,000 on how much the individual farmer can be paid.

Mr. MAHON. Mr. Chairman, will the gentleman yield?

Mr. FINDLEY. I am glad to yield to the gentleman.

Mr. MAHON. The gentleman realizes that if his amendment is adopted, this will invalidate a large section of the present farm laws and would have very far-reaching effects and it would be in effect repealing the present farm legislation relating to cotton.

Mr. FINDLEY. If I may respond to that, it is true that the present program has in it what is called the snapback clause. But that very same clause also provides the Secretary with authority to carry out the new cotton program, which would be effected through the "snapback" by means of simultaneous purchase and sale, which is a very fancy expression for "direct payments."

So it is my opinion that this same $20,000 limitation could be applied to the program brought into effect by means of the snapback clause. Therefore the budget savings would indeed be considerable.

Mr. MAHON. But if the gentleman will inquire of the Secretary of Agriculture, he will find that going back to that program will cost immeasurably more, by the tens of millions of dollars, and that it would be unworkable in the view of the present Department of Agriculture. The gentleman's amendment should be rejected.

Mr. PUCINSKI. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I come from a large urban area, but I am very disturbed by this bill and how it affects the agricultural community of America.

This is a $6.6 billion measure pending before this House. We appropriate all this money supposedly to help the farmers, as we have all these years, and yet it appears the farmer is worse off today than he has ever been.

I read this morning a column by the distinguished agricultural editor of the Chicago Tribune, Richard Orr, who I think would make a great Secretary of Agriculture.

He said in his column this morning:

> At the start of this year the number of farms had dropped to about 2.9 million, lowest in more than 75 years. The farm population of a little more than 10 million is only about half that of 20 years ago and only a third of what it was 50 years ago.

Earlier in this debate, the gentleman from California made a plea for this huge program of subsidies and told us how it affected the farmers.

If the program is so good, why are these farmers leaving the farm in such large numbers and coming into the cities and trying to make a living there? Their migration off the farm creates serious problems in housing and training for the host community.

Mr. Orr further says:

> Many people find it hard to believe that the farmer is actually getting less per unit for some basic commodities, such as corn and wheat, than he did some 20 years ago.
>
> Altho farm prices continue to sag, farmers have to spend three to four times as much as they did 20 years ago for implements, machinery, and materials needed to produce.
>
> Last year, prices farmers received for their products averaged 4 per cent less than those in the period 1947–'49, and prices for some commodities, such as corn and wheat, were much lower. In the last two years the prices farmers received averaged 74 per cent of parity, lowest since 1933 when the great depression was on.

He concludes:

> The farmer's return from the foods in the market basket went down 2 per cent as the costs of processing and marketing these foods increased 52 percent.

Mr. Chairman, I have a great deal of confidence in Mr. Orr and in his judgment. I accept this statement as a fact.

I raise this question: If indeed the points made by Mr. Orr in his column this morning are correct, then isn't there something basically and tragically wrong with this legislation?

It occurs to me that it does not reach the people it is designed to reach as Mr. Orr points. Therefore, I feel strongly the amendment offered by the gentleman from Illinois (Mr. FINDLEY) and the gentleman from Massachusetts (Mr. CONTE) has validity. I think if we delete these large payments and rewrite the legislation to free up the money that is now going to the chosen few, perhaps we can start bringing order out of what appears to be considerable chaos in the farming communities of this country.

This legislation, for example, deals with the food stamp program. There is a large appropriation for that. I think there is validity in the statement made by the Secretary of Health, Education, and Welfare, Mr. Finch, the other day that perhaps the best way to deal with the problem of the hungry, instead of giving them food stamps, is to give them cash. Let the poor go out and buy the food, simply because, as I was told the other day by the director of county welfare in Chicago, many people do not have the basic money to purchase food stamps. The basic food allotment they get from public aid is not enough to buy food stamps to take full advantage of this program. So it would seem to me that the Committee on Agriculture and the Appropriations Committee should address themselves to the basic problems.

I said last year that the great depression of America, in the early 1930's, started on the farm. I am disturbed about what is happening on the farm again. It seems to me the program we have here today is merely a repetition of what we have been doing year after year. In the bill before the House we would provide $6.6 billion, when some of the most distinguished observers of the agricultural community have said that the program is not working.

Mr. FINDLEY. Mr. Chairman, will the gentleman yield?

Mr. PUCINSKI. I yield to the gentleman from Illinois.

Mr. FINDLEY. I want to thank the gentleman for his support of my amendment; secondly, to second the nomination of Dick Orr to be the next Secretary of Agriculture, and in doing I mean no lack of respect for the present Secretary, Mr. Hardin, who began his administration with a statesmanlike decision on soybeans.

Furthermore, I wish to point out that if a limitation in payments is established, it would begin to reverse the trend toward bigness in agriculture. It is obvious that when the Boswell Co. or the

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Kern County Land Co. get anywhere from $1 to $4 million a year out of the U.S. Treasury, they have the resources with which to expand their operation and buy out the little fellows.

Mr. PUCINSKI. The gentleman is correct. I cannot put my fingertips on the figures, but there is no question that the size of the American farm has been growing every year simply because the big, corporate farm is driving out the small farmer from business with the huge Federal subsidies we have been paying.

Mr. BURTON of California. Mr. Chairman, I move to strike the requisite number of words.

I have supported every single farm bill reported out of committee by the Committee on Agriculture, and I have supported all the agriculture appropriations. I may well support this final agriculture appropriation bill. I am not yet certain.

There is a point or two, however, during the course of this debate that I think ought to be spread on the RECORD. The first point I would like to stress to some of my colleagues on my right. I would like to point out that in the State of California large cotton growers, consciously and explicitly have thrown their lot in with the grape growers in an effort to frustrate the grape workers' effort to organize into a collective bargaining unit of their own choosing. I stated in private, and I will say now publicly that if they are going to use the increased largess made available by Federal programs to cripple the rights of those who work on the farms and in other aspects of the agriculture industry, they will do without my vote. Hence I am going to vote this time, and I voted against last time, the payment limitation.

There is another general observation I would like to make to those of my colleagues on this side of the aisle, and that observation is this, that those of us from the cities may well find ourselves voting for the last time for agriculture legislation until we reach that point in time when those who work for large corporate farmers are given a legitimate and meaningful right to organize into unions of their own choosing. And when I say "meaningful right," I do not mean that phony bit of legislation I saw floating around here the past few weeks. I mean a meaningful effort under the old Wagner Act terms for the farm workers to select a bargaining agent of their own choosing.

In the absence of this right to those who work on the farm for the large farmers of this country, Members may well find themselves in a position where they will be doing without the votes of us from the cities, who have been supporting the agriculture program ever since we have been elected to the Congress.

Mr. DENT. Mr. Chairman, I move to strike the necessary number of words.

Mr. Chairman, I do not intend to get into this legislation from the basis of figures. My State has about 93,000 farms. My district has about one-fifth of its population in the farming business. The largest single payment in my district is about $5,000, and it is paid to an educational institution for not planting wheat.

What happened in this case was that they stopped farming for their own use. They decided, after some farm agent explained it to them, I am told, to just not to plant wheat, and just let the farm stand. They would then get a subsidy payment, and they could buy their farm needs in the marketplace.

There is something radically wrong with that. That is why I have voted against the farm program for years.

The grape problems are not new. The gentleman from California stated it, but some of us may have to know more about it. My committee, investigating charges made in the grape fields of California, went to California and sat for hearings. We discovered a large corporation, in fact a corporation in the distillery business, had, during the time of the war, because of the shortage of grain for alcohol, decided to go into the wine business. They were in a position to arrange tie-in sales with a large number of liquor dealers to buy wine by the carloads in order to get their quota of liquor. They were organized by an affiliate of the American Federation of Labor, and they had 800 acres in grapes we were informed during our hearings.

The men who signed a contract with these distillers were not experienced in the ways and means of those who hold corporate entity offices. Therefore, right after the contract was signed, the distillers shut down the grape fields in their own name, and leased them out to somebody not tied to the contract. There has been a war ever since to renegotiate a contract with this grape grower.

Today we are talking about cutting down on the educational programs in our country. The Appropriations Committee, I understand, will cut down very needed programs that the States are dependent upon and the children of our country are dependent upon.

Yet we go along, willy-nilly, handing out this money every year without regard to need.

Certainly the gentleman from Ohio is correct when he says that the reaction to any limitation of $20,000 on a per farm basis will result in a breakdown of the large corporate farms into smaller units, because they are not going to hold that land, as they now hold it. They hold it only for the purpose of getting the subsidy. Certainly they owe a great deal of money. Why wouldn't they? They buy every farm they can get their hands on, and naturally they all owe a great deal in mortgages, but money they get from the Federal Government takes care of that.

In fact this farm program lends itself to the purposes of monopolies in the field of agriculture. I have gone into this thoroughly in the last 5 years. There is a piece of legislation we have introduced which will take care of it. The only answer to it is to phase it out. What this legislation will do is limit payments to family-owned farms, to farms which provide the sole income base of the person who receives the subsidy, and it is to be phased out in 5 years. Unless we do that, as the gentleman from Illinois said, we will have more and more farmers farming their talents out in the streets of New York and the ghettos of our cities, because that is where farmers who are pushed off the farms go—to the cities.

Mr. CONTE. Mr. Chairman, will the gentleman yield?

Mr. DENT. I yield to the gentleman from Massachusetts.

Mr. CONTE. Mr. Chairman, I compliment the gentleman from Pennsylvania for his observations and for the excellent speech he has made on the floor.

The gentleman is absolutely correct when he says the wealthy farmers are making millions of dollars. What they are doing is holding this land collecting subsidies and waiting until the day when they can subdivide that land and make millions of dollars selling it.

Mr. DENT. Mr. Chairman, the owners go further than that. The so-called Wall Street farmer comes out into our area and turns it into thoroughbred racehorse raising and stocked with fancy cattle. He takes his income from his professional activities and plows it into the farm. He decorates the place with great, fancy, big, red-and-white barns and very fine stock, prize stock. He runs the price up for the ordinary farmer who is trying to buy a decent bull to better his herd. Then the wealthy farmer takes a loss every year and pays no income tax on his ordinary income, and gets subsidies plus capital gains preferential tax treatment when he sells the beefed up farm property, well stocked, beautifully landscaped, adequately supplied with the finest farm machinery and the latest in appliances.

Mr. BURLISON of Missouri. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, the point which the gentleman from Pennsylvania was speaking to was the problem of the hobby farmer. He said the Wall Street farmer. The hobby farmer is the man we want to get to, with our closing of the loopholes on income tax, which will come before this body probably within this legislative session.

But I want to tell the Members that this legislation we are voting on today is not a windfall for the legitimate farmer in this country.

The gentleman from Illinois, the gentleman from Massachusetts, the gentleman from Indiana and their cohorts are today attempting by amendment to this appropriation bill to legislate retroactively. This issue—that is, payment limitations—was legitimately debated on its merits in this body during the last 3 days of July 1968. The amendment carried, but it was lost in conference.

Later in the year, or at the very latest sometime in 1970, the agricultural authorization bill will again be before this body. That will be the appropriate time to discuss the issue of a payments limitation.

As has been said so frequently by counsel much more sage than myself—for instance, the distinguished chairman of the Appropriations Committee, who just a moment ago said this same thing—this is not the place to legislate, while we

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are considering an appropriation bill. Much unwise legislation has been written on the floor of the House, and I admonish us not to duplicate that today.

The basic purpose of our present farm program is to bring supply into some semblance of balance with demand by controlling production. Success of the farm program is dependent upon attracting into the program the major producers. If they are forced out as they obviously would be by limitations on individual payments, the slack would have to be taken up by the small producer. If one of the fundamental goals of our farm policy is to protect the small farmer, is not that policy better served by taking 1,000 acres from one large producer than 10 acres from 100 small producers? If the program is to continue, then those acres must be taken from somewhere, if not from the large then from the small. When the Government makes these payments it is acquiring a right. Has there ever been a suggestion in this body that limitations be placed on payments for a highway right-of-way or for land for urban renewal?

The program has its inception prior to production because it is cheaper to retire acres before the expense of making a crop are incurred rather than purchase the crop after it has been produced. Under the Benson program in the Eisenhower years, it cost a billion dollars a year just to store surplus commodities. I submit that we are not ready for a repeat of that program.

Under our farm program we have been losing more and more of our family farmers. But it is submitted that if the limitations are approved, the corporate farm movement will be accelerated beyond anything we can conceive at this time. The large producers will not participate thereby depriving us of production control, bringing surpluses and depressed prices.

Our farm program cost is not excessive, when the subsidization of other segments of our economy is considered, for example, business through postal, import quota, tariffs, maritime industry, transportation industry, and other subsidies. And do not forget the public housing and model cities programs, among others, in our cities. And please do not forget that a larger and larger portion of the farm budget is not going to the farmer but to feed the poor and hungry of the city.

The thrust of the payments limitation theory is that the large producer gets more than his fair share of the money. But critics fail to recognize that these payments do not constitute profit. As pointed out by the distinguished chairman of the Agriculture Committee when debating this question in the last session, these payments do not even pay the interest on the 7 to 8 percent mortgages in most instances. The larger farmer has greater capital investment and risk that goes with it. He has more expenses. He should have more money. The farmer's parity ratio is now 73 percent. Most proponents of the payments limitation will admit this is deplorable. I challenge them to explain how limitations can raise the farmer's parity. As has been stated in a book by Marion Clawson:

> All available data point to the existence of large numbers of very low income farmers along with a moderate number of fair income ones, and few relatively good incomes—but even these latter may be rewarded less than their talents and capital deserve.

So remember that the amount may be large while at the same time the percentage return may be minuscule. This thought is buttressed by statistics given to this body last July by the gentleman from Iowa (Mr. Smith). He stated that farmers earning less than $1,000 a year get 45 percent of their income from the farm program. Contrast that with the fact that farmers making over $20,000 receive only 3 percent from Government payments. In conclusion, the farm program is not a windfall for the wealthy farmer.

The CHAIRMAN. The time of the gentleman from Missouri has expired.

(Mr. BURLISON of Missouri, at the request of Mr. Mahon, was allowed to proceed for 3 additional minutes.)

Mr. MAHON. Now will the gentleman yield?

Mr. BURLISON of Missouri. I appreciate the gentleman's request for my time to continue, and I will be pleased to yield to the distinguished chairman of the Committee on Appropriations.

Mr. MAHON. The gentleman from Missouri is making a very interesting and able statement about the farm situation.

One thing that has not been highlighted here this afternoon is the fact that the people, generally speaking, have secured pay raises in recent years on several occasions. As the gentleman comes from a farm district, I believe——

Mr. BURLISON of Missouri. He does.

Mr. MAHON. The gentleman knows that the farmer is getting less today than he got 5, 10, 15, or 20 years ago for his production. The cost of production at the same time has skyrocketed. In view of the low cost of what he produces, there has to be some way, if the consumer is going to be able to continue to get foods and fibers at the low prices at which he gets them in the United States today, for the producer to survive. Is that generally correct?

Mr. BURLISON of Missouri. I thank the distinguished chairman for those remarks. We tend to forget that the wheat farmer, the cotton farmer, and the corn farmer are getting substantially less, far less, for their crops now than they were 20 years ago. Contrast that with what the farmer has to pay when he goes out to buy a cottonpicker or combine, or cornpicker. He pays 3, 4, 5, and 6 times more for that now than he did 20 years ago. Let us take a look at what the consumer gets out of this program. The farm program is fundamentally tailored to the benefit of the consumer. Fifty years ago or perhaps not quite that, in 1929, the consumer in this country paid 25 percent of his income for food. Now in 1969 he pays 17 percent of his income for food.

Mr. GIAIMO. Mr. Chairman, will the gentleman yield?

Mr. BURLISON of Missouri. I am pleased to yield to the gentleman from Connecticut.

Mr. GIAIMO. What the gentleman says may well be correct, but what has that to do with the corporate farmer we are talking about who does not live on a low-income level? The corporate farmer who is actually buying farms in order to qualify for the subsidy payments by not planting them. What has this to do with him? I am talking about the man who receives more than $100,000 in subsidy. The corporation farmer in some cases is making hundreds of thousands of dollars a year out of this. The argument the gentleman is using does not apply to this corporate farmer with the large income who is deriving benefits out of present law, the amendment of the gentleman from Massachusetts is designed to eliminate this inequity.

Mr. BURLISON of Missouri. But the argument does apply. As I have earlier stated the mess that our farmer is in today is not because of the farm program. It is in spite of the farm program. If we lose this farm program, this corporate farming concept is going to accelerate and speed up. We cannot conceive of what it will be 15 years from now.

Mr. GIAIMO. I think we have the responsibility to take care of the small farmer but not the corporate farmer.

The CHAIRMAN. The time of the gentleman from Missouri has again expired.

Mr. CONTE. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I would like to ask a question of the gentleman from Missouri (Mr. Burlison) who just preceded me in the Well. First of all, the gentleman mentioned at the beginning of his statement that we were trying through this amendment to make this retroactive. This only applies to the 1970 crop. My amendment, if the gentleman will read it, applies to the 1970 crop. Therefore, it is not retroactive. It runs parallel with this legislation.

Mr. BURLISON of Missouri. The gentleman is correct in that the way he read it, he interpreted my statement too narrowly, and the gentleman is technically correct. But the point I am making is that this should not be done in these last few days before July 1969. In my opinion the proper way in which to handle this type of legislation is to handle it when the next farm bill comes up early in 1970. That is what I intended by that statement.

Mr. CONTE. I get your point, but if you will remember, when I offered that amendment in 1968 it carried by a vote of 230 to 160, but then something happened between the time it left here and was received on the other side of the Capitol in the other body, where it was dumped.

The gentleman from Missouri says for us to wait until the legislative committee comes in with its bill for the extension of the agricultural program. We have about as much chance in that committee of getting a limitation on subsidy payments as Phyllis Diller has of becoming Miss America in 1970.

Mr. BURLISON of Missouri. Mr. Chairman, if the gentleman will yield further, I think you will find you will have just about as much chance of having it amended when it comes up in the legislative committee as we do now. I believe it would be far more legislatively sensible to do it through that process. In other words, you will have a better chance

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than you now have because you are flying in the face of proper legislative procedure.

Mr. CONTE. Well, I will say to the gentleman that I certainly do not feel that way. I feel we have the opportunity today to do it and I hope when the vote is taken that the amendment will carry. Then, if it needs perfecting, the representatives of the Department of Agriculture can go before the Senate Appropriations Subcommittee on Agriculture and perfect it in that committee.

The chairman of the Committee on Appropriations' heart bleeds for the farmers, and he talks about the recent pay increases that the Members of Congress have received as well as pay increases which have been received by others but, in effect, says that the poor farmer has not gotten anything.

Let me tell you that when this amendment was first adopted in the 1930's, 25 percent of the population were farmers and where, furthermore, the poor rural areas were the most desperately poor. Only a very small part of the subsidy money, perhaps no more than 5 percent, goes to farmers who are basically what one would call the rural poor in danger of malnutrition. So therefore, we are not hurting this "poor farmer" if we should adopt this amendment. The only guy we grab is the rich farmer, the guy who is getting richer and richer and richer. Further, there are some Members of the House of Representatives and some Members of the other body who should not even vote on this amendment today if they are receiving farm subsidies.

Mr. TEAGUE of California. Mr. Chairman, will the gentleman yield?

Mr. CONTE. Of course I yield to the gentleman from California.

Mr. TEAGUE of California. Mr. Chairman, I confirm what the gentleman from Massachusetts has said. I have been on the Committee on Agriculture for 13 years. We are a house divided, and I am in the small part of that division. I have voted against the farm subsidy programs for a long time. I will confirm what the gentleman from Massachusetts has said. We have as much chance of getting a bill out of the House Committee on Agriculture to even phase out these subsidies, much less limit them, as I do of becoming the Pope and I am not even a Catholic.

Mr. FINDLEY. Mr. Chairman, will the gentleman yield?

Mr. CONTE. I yield to the gentleman from Illinois.

Mr. FINDLEY. As I followed the speech by the gentleman from Missouri (Mr. Burlison), I might point out the fact that the taxpayers would be about $300 million worse off.

The former Under Secretary of Agriculture, Dr. Schnittker, issued a study recently prepared in the Department in which he estimated that a limitation of the very kind embodied in this amendment that will soon be before us would allow budget savings of up to $300 million a year. I believe this is an item that should attract our attention in this period in which we are on the verge of extending the surtax, and where we are cutting back and cutting out many Federal programs. Surely we will reach for and seize this opportunity to save about $300 million a year.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. WHITTEN. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, this debate has been going on for a long time, and I do not know how much light has been shed on the problem, but there are two or three factors that I believe should be brought out:

First, concerning the payment of subsidies. I was one of those who opposed the present farm bill, because I knew that the urban press and the other news media—as well as others—would be criticising the total amount paid.

That act, with all due deference to everybody concerned, was an effort to maintain the purchasing power of those engaged in producing food and fiber for the rest of the Nation.

I wrote the Library of Congress some time ago, and asked if they could give me an estimate of how much of the retail price that we pay for goods and services is raised because of the minimum wage law, the right of labor to organize and to strike, and so forth. They gave me a nine-page reply but the answer was in one sentence. They said they could not estimate it.

The difference between the farm programs and the rest of our programs is that when we passed laws for the benefit of the other segments of our economy—other than farming—the results were passed on to the consumer as a part of the retail price, rather than in the form of a check from the Treasury.

If Members want evidence of that, they will find it on page 3 of the report, where it is stated that since 1950 the farmer's share of the retail dollar has gone from 47 cents down to 39 cents. This means that through these various laws we have passed for the rest of the economy, the others are taking the difference between the 47 cents which the farmer was getting back then, and the 39 cents out of the dollar that he is getting today.

I thought it was a mistake to make the American producer sell at world prices, and yet have to buy on the domestic market where the retail price embodies this difference between the 47 cents and 39 cents.

I believe I will attempt to point out to the Members of the House what will happen if this amendment were adopted.

In the first place, the amendment is limited to the money in this bill. The Commodity Credit Corporation is a corporation we are dealing with contracts that this Congress led these producers to enter into in good faith. If you do not pay them, you will be breaking faith on those contracts.

But let me tell you how it would actually work. You would pay the same thing to the producers either way. What you would have to do is have two sets of books. Producers would get up to $20,000 from the money in this bill, and get the balance of the payments due them—over and above $20,000—out of the $5 billion which the Corporation already has. And in the process you would end up with as much as a $50 million increase in costs.

Second, under the snapback provision, you would go back to the 1958 law on cotton, and you would start paying the farmers 65 to 90 percent of parity. But under the amendment, when the Government had to lend him as much as he was getting under the previous law, the Government would have to pay even more.

Of course, my friend from Illinois and I have this colloquy each and every year. I do know this much and I say this to the Members: that the producers would receive the $20,000 out of the money in this bill. Then, we would have to pay the remainder in good faith out of the $5 billion the Corporation already has.

How much do you suppose employees collectively make out of the minimum wage law? Are you going to say that no company shall pay to its employees more than $20,000 because of the minimum wage? Are you going to say that $20,000 is the most any large corporation can pay to its employees, so as the break that corporation up into little two-bit companies?

Are you going to do that? Are you going to fix it so that half of us are going to have to go back to help work on the farm? I do not want to go back. I have tried it. If you do go back, you would have to have a $72,000 investment on the average to get into farming today.

I know that many of you Members voted for this program. I did not, because I thought it was bad for the producer of raw materials if he had to look to his Government for a check for a part of his costs and all of his profits, while we let labor and everybody else include it in the retail price so nobody can identify it.

Mr. ABERNETHY. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I want to commend my colleague (Mr. Whitten), the chairman of this subcommittee and my friend from the State of Mississippi for putting this issue on the line, right the way it is.

With all deference, some of you have had a good time here this afternoon at the expense of people who are not responsible for this program. I really do not think you understand the history and mechanics of the program or this problem.

My friend, the gentleman from Indiana (Mr. Madden) had quite an enjoyable time pointing to some people over in the Lower Mississippi Valley over what their payments were.

Let me remind you of something that happened when this bill came before us 4 years ago—the legislative bill—and the gentleman from Mississippi (Mr. Whitten) has already alluded to it. Not a single Member—not one single Member of the Mississippi delegation—not one—voted for the payment program—not one of us.

We knew then that the time would come when this very debate would take place in this House.

We knew then that the curtain would rise on the stage of trouble for the farmers this program was designed to help.

We went through this once before back in the thirties when the names of farmers who received payments were published in the press. The name of one of my Senators has been dragged through the mire

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of the press and also the debate on what he has received—and mind you he voted against this program. Yet they kicked him around a bit which, of course, made good reading in the press; but bear in mind he did not support the program.

What have we done now? As the gentleman from Mississippi (Mr. Whitten) has just said, we made a contract—I did not do it—you did—most of you here made a contract with these farmers when Orville Freeman, then Secretary of Agriculture, brought this program to the Hill. You passed and adopted it. You did it over the objection of a large number of us who opposed it. I opposed it. I opposed it because I knew this very problem would arise.

Now, last year in response to my friend, the gentleman from Illinois (Mr. Findley), we did ask for an extra year. We did it because we knew that a new administration was coming into power. We did it because almost all members of our committee, including the ranking Republican member, felt that we should have another year to give the new administration the time and the opportunity it needed to consider a new program.

Secretary Hardin is out moving around the country now talking with people and farmers. The President has others on his advisory staff doing the same thing.

I do not know what they are going to propose. I do not have any idea. But certainly it would be a bit presumptuous on our part to call Secretary Hardin before the committee now, before he is ready to testify, and inquire of what he wants. As yet he does not know. That is the reason we asked for and got—and it was like pulling eye teeth, I know that—and got an additional year.

Now, we made a deal with these people. We made a contract with them. We should live up to it.

I do not like the program. I do not like it at all. And I stood in the well of this House and spoke against it in 1965 when my friend from Indiana (Mr. Madden) was speaking for and voting for it. If he wants to quarrel about so-called fat cat farmers, as he calls them, he is just about 4 years too late. I know he is disappointed in his vote of 1965. I am, too. I wish he and others had voted as I did then. I do not know whether the gentleman from Illinois (Mr. Findley) or the gentleman from Massachusetts (Mr. Conte) voted for it or not. I know there are several others here who are disappointed in their votes. I wish you had killed it then.

But now you have required these farmers to adjust their farming to this type of program. You have required them to cut their production back. If they do not cut it back, they have to produce under penalty. They could not market a single bushel of wheat, a single bushel of grain, a bale of cotton, or anything else, without paying a tremendous penalty to the Federal Government, and you would break them as a result.

The CHAIRMAN. The time of the gentleman from Mississippi has expired.

(By unanimous consent, Mr. Abernethy was allowed to proceed for 1 additional minute.)

Mr. FINDLEY. Mr. Chairman, will the gentleman yield?

Mr. ABERNETHY. I yield to the gentleman from Illinois.

Mr. FINDLEY. Just to state that I have not at any point voted for any of these subsidy programs.

Mr. ABERNETHY. Well, good. But those here who did vote for this made it the law. They made it the program. This is what they did for, as well as to, these farmers. This is what you told them they had to take, and I think we are obligated to pay for it.

Actually, we have not reached the point in the bill where this debate should take place. I hope we can get along with the bill and get to the point of the amendment and see where we stand.

Mr. CONTE. Mr. Chairman, will the gentleman yield?

Mr. ABERNETHY. I yield to the gentleman from Massachusetts.

Mr. CONTE. Certainly my amendment does not break any contract. It merely applies to the 1970 crop.

Mr. ABERNETHY. Well, I am sure you will not break any contract with the sugar refineries of Massachusetts which you propose to favor by leaving them out of your amendment.

Mr. POAGE. Mr. Chairman, I move to strike the requisite number of words.

I had hoped not to break into this interesting discussion on the limitation of payments, but I feel that the House is probably getting the impression that there is nothing of controversy in this bill except the limitation on payments. Generally, the committee has done an outstanding job. I congratulate the chairman of the full committee and the chairman and the members of the subcommittee. Theirs is a difficult job. They have done well but they are not perfect.

There is a matter which comes up on page 19, before we reach the question of the limitation of payments, to which I want to direct your attention, and that is the question of the school milk program. On May 10 this House voted, by a record vote of 384 to 2, to continue the special school milk program and to authorize $125 million a year for that program.

I listened to the discussion about legislation on appropriation bills. The chairman very correctly suggested that we should avoid, as far as we could—and I agree with the chairman of the committee fully; that we should avoid as far as possible changing what has been fixed by legislation by a provision of an appropriations bill. It seems to me clear that the effect of this bill is to undo everything that this House did by a vote which amounted to almost 200 to 1 just 3 weeks ago.

I cannot conceive that there is much consistency in that sort of thing. If, in fact, we do not want a school milk program, we should have voted against it on May 10 when that was before us. On the other hand, if, in fact, those 384 Members of this House were sincere in wanting to provide a school milk program as I am sure they were, then we should fund it in this bill and not repudiate what we have just done within the past 3 weeks. I cannot conceive of anything which is a more direct repudiation of legislation than what is done in this bill in regard to the special school milk program.

I know the report says "Yes," but we are making $20 million available to take care of needy children, who would otherwise have been able to get school milk under the existing special school milk program. That is $105 million less than this House suggested just 3 weeks ago.

It eliminates every child unless he can prove he is a pauper. It eliminates every little child who cannot prove he or she is a pauper, and his or her parents do not have any money.

I do not like that sort of thing. I am not going to be a party to saying that a program of this Congress should be opposed simply because it helps some people who are not new voters, who are not members of groups which we think may influence an election in some way. Nor am I going to say it is wrong to provide some kind of help for the great masses of Americans regardless of their economic situation.

Mr. PUCINSKI. Mr. Chairman, will the gentleman yield?

Mr. POAGE. I yield to the gentleman from Illinois.

Mr. PUCINSKI. Mr. Chairman, would the gentleman advise the House whether it is his intention to offer an amendment at the appropriate time?

Mr. POAGE. It is my intention to offer an amendment to finance this program at $120 million, which is the present authorization figure in the existing law.

Mr. STAFFORD. Mr. Chairman, will the gentleman yield?

Mr. POAGE. I yield to the gentleman from Vermont.

Mr. STAFFORD. Mr. Chairman, I congratulate the gentleman on the statement he has just made, and I associate myself with his statement.

Mr. TEAGUE of California. Mr. Chairman, will the gentleman yield?

Mr. POAGE. I yield to the gentleman from California.

Mr. TEAGUE of California. Mr. Chairman, we will have an opportunity to discuss this further when the gentleman's amendment is offered. However, I offer this observation at this time. In my view the school milk program is a subsidy for the dairy industry. I was one of the two who voted against it. It is simply a subsidy for the dairy industry in my view. If my colleagues wish to support it for that reason that is understandable but let us not deceive ourselves that the $125 million involved does much for the truly needy.

Mr. POAGE. Mr. Chairman, the school lunch program does help needy children. It does help needy children and children who are not so needy. It does provide nutrition which is needed. It is the only nutritional program which this Government now has in operation.

I do not say it is the only feeding program. It is not. We have one dozen feeding programs. We have programs which give away food and fat and meat and beans and asparagus.

The CHAIRMAN. The time of the gentleman from Texas has expired.

(By unanimous consent, Mr. Poage was allowed to proceed for 3 additional minutes.)

Mr. POAGE. Mr. Chairman, we have

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programs which give away all kinds of food, but we have not a single one which is based on nutrition except the school milk program. It is, in fact, a nutritional program. It is based upon nutrition.

I am not one who is going to vote against a program of nutrition even though it helps some dairy farmers. I do not think there is anything evil in being a dairy farmer. I was a dairy farmer myself for 10 years, and I almost went broke at it. Fortunately I finally had the good sense to get out. I could not make a living out of it. But the fact that a man is in the dairy business does not mean that it is vile or evil to help him. I hope this program does help dairymen. The more people one program helps the better.

Dairy people provide for our children. They have done so for years. The dairy people help this Nation. I do not see why we should find a program reprehensible simply because it will help the dairy people. I think it will help dairy people. I think it will help other people. I think it will help the children from middle-class families. I do not see that there is any crime in that. Some Members seem to take the position that anything is vicious and wrong unless it is confined to those on whom we can put on the label of poverty.

I am not trying to put the label on anybody. I am trying to keep the label off. I am trying to help the dairy farmers. I am trying to help the well-to-do families. I am trying to help the poverty-stricken families. I am trying to improve the nutrition of as many schoolchildren as possible.

Mr. TEAGUE of California. Mr. Chairman, will the gentleman yield?

Mr. POAGE. I yield to the gentleman from California.

Mr. TEAGUE of California. I certainly do not for a moment consider the dairy farmers to be evil. I merely want to make my point that in my view that dairy subsidization is the real purpose of this bill.

Mr. POAGE. I wish the gentleman would get a little time of his own. I have only a few seconds remaining.

I would call attention to the fact that when this bill deliberately refuses to maintain a program we have had for 14 successful years and destroys the opportunity to do what this House voted to do by a vote of more than 190 to 1 just 3 weeks ago, which is in effect legislation on an appropriation bill. While I had not planned to raise any point of order, it might be raised. I believe such a point would be good. I believe, however, we should pass upon this matter on its merits, and I certainly hope that the committee will accept this amendment.

Mr. PUCINSKI. Mr. Chairman, will the gentleman yield?

Mr. POAGE. I am glad to yield to the gentleman from Illinois.

Mr. PUCINSKI. I congratulate the gentleman for preparing the amendment. Without the assurance that the gentleman would offer the amendment I am certain the point of order would be made.

Mr. POAGE. I will offer the amendment.

Mr. WHITTEN. Mr. Chairman, could we have some agreement on time on this section? I ask unanimous consent that debate on this section conclude in 10 minutes. ◀

The CHAIRMAN. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. GERALD R. FORD. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. Under the unanimous consent agreement, all debate on this section will conclude in 10 minutes.

The gentleman from Michigan will state his parliamentary inquiry.

Mr. GERALD R. FORD. Could the Chair enlighten us on the section we are talking about? If my recollection is correct, the Clerk has not started to read any section.

The CHAIRMAN. The Chair understands that the Clerk has read through page 3.

Mr. GERALD R. FORD. Mr. Chairman, I have been here ever since we went from general debate into the reading of the bill, and others have, also, and all of us have no recollection of hearing the Clerk read any section yet.

The CHAIRMAN. The Chair will advise the gentleman from Michigan that the Clerk did begin reading and has read through 1 paragraph, it concluding on page 3, line 25. So the unanimous-consent request of the gentleman from Mississippi would apply to all debate on this paragraph.

The Chair is advised that the following Members were standing at the time the unanimous-consent request was made: The gentleman from Mississippi, Mr. Whitten; the gentleman from Texas, Mr. Eckhardt; the gentleman from Louisiana, Mr. Waggonner; the gentleman from New York, Mr. Ottinger; the gentleman from California, Mr. Teague; the gentleman from Indiana, Mr. Madden; the gentleman from Texas, Mr. Roberts; the gentleman from Texas, Mr. Purcell; the gentleman from Washington, Mr. Meeds; the gentleman from Minnesota, Mr. Quie; the gentleman from Minnesota, Mr. Langen; the gentleman from Massachusetts, Mr. Conte; and the gentleman from Connecticut, Mr. Giaimo. Therefore, each Member heretofore named will be recognized for approximately 47 seconds.

Mr. POAGE. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. POAGE. I heard the minority leader's question, but I did not understand the answer. Where is the end of the first section?

The CHAIRMAN. Page 3, line 25, is the point at which the Clerk stopped reading.

Mr. POAGE. I understood that, but where is the end of the first section of the bill? The gentleman from Mississippi asked unanimous consent that we consider the first section as read. There are no sections in this bill.

The CHAIRMAN. The Chair will respond to the inquiry of the gentleman from Texas by stating that the Chair interpreted the request of the gentleman from Mississippi to be that it applies to that portion of the bill which the Clerk has read. The first section of the bill goes all the way over to page 30, it being title I of the bill, actually. So nothing is being done by this request or in this action to foreclose debate on any of the remainder of title I.

The Chair now recognizes the gentleman from Connecticut (Mr. Giaimo).

Mr. GIAIMO. Mr. Chairman, I rise to support the amendment which will be offered by the gentleman from Massachusetts (Mr. Conte).

Over and over again, the American taxpayer has shown his willingness to support this Government and this Nation financially and otherwise, but his patience is wearing thin.

Two things anger him. He is sick of seeing certain rich individuals absolved from paying their fair share of taxes because of loopholes in our tax laws. I am sure that the distinguished members of the Ways and Means Committee, who are now conducting extensive hearings on tax reform, have firsthand knowledge of this discontent.

The American taxpayer is also becoming disgusted because his hard-earned money is not being used to solve the obvious problems which exist in this country. He is more than willing to help the poor; he is more than willing to help our senior citizens; he is more than willing to help support our defense effort; but he wants to see results.

Last week I rose to denounce the loose spending and squandering of billions of tax dollars by the Defense Department. I am pleased that my colleague from Illinois has pointed to another equally outrageous waste of our precious fiscal resources.

Many Federal programs are being eliminated or cut back because of the need to save money, but unless this amendment is adopted, the wealthy farmers in America will still receive this inequitable dole.

What are we going to tell the American people this time? How can we explain to our senior citizens that needed social security increases might not be adopted when, at the same time, we continue to pay huge sums to wealthy farmers for leaving acreage unplanted?

How can we explain to our struggling taxpayers that we have to extend the surtax when, at the same time, we could be saving, according to the Department of Agriculture, anywhere from $200 to $300 million?

How can we tell those that are hungry that we cannot afford food programs for them when, at the same time, we continue to subsidize rich farmers for not planting wheat?

The American people are not ignorant, nor are they blind. They can see where their money is being spent, and they do not like it. If we fail to approve this amendment, and thus continue to shell out millions while our urgent problems go unsolved, how can we explain this to them?

This amendment would not affect the small farmer who desperately needs help. It would not cripple the wealthy farmers, who would still receive $20,000 each in subsidies. Moreover, according to the Department of Agriculture, this limitation would have "no serious effect on production or on the effectiveness of production adjustment programs."

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When this amendment was introduced last year, opponents maintained that a change in this policy should not be debated during consideration of an appropriations bill. They claimed that a better proposal could be developed in committee if we would only give them a chance.

Nearly a year has passed and what has been done? Hearings on this issue have not even been scheduled. Is it any wonder that the American taxpayer is becoming impatient with us?

It is no longer a question of whether we in the Congress can wait, it is a question of whether the American public will wait. We have a mandate from the American people to act, and we must act—not next month, not next year, but right now.

This amendment gives us an opportunity to show the American people that we are responsive to their wishes. Especially now, we cannot afford to let them down.

I strongly urge adoption of this needed amendment.

The CHAIRMAN. The Chair recognizes the gentleman from Texas (Mr. Purcell).

Mr. PURCELL. Mr. Chairman, I would like to ask the gentleman from Illinois (Mr. Findley) one question. Does it not seem logical to the gentleman that if there was an interstate highway being built through the State of Illinois and if a part of this highway went through a large farm, does the gentleman not agree that this landowner should receive payment for the number of acres that was taken just like a small farmer might be paid for the smaller number of acres that would be taken?

Mr. FINDLEY. If the gentleman will yield.

Mr. PURCELL. I yield to the gentleman.

Mr. FINDLEY. Let me say that I understand the time limitation is about 47 seconds for each speaker. I am afraid, however, that I do not get the gist of the question.

Mr. PURCELL. If the gentleman from Illinois will study the question I would like to have his answer after he understands the question.

The CHAIRMAN. The Chair recognizes the gentleman from Texas (Mr. Roberts).

(By unanimous consent, Mr. Waggonner yielded his time to Mr. Roberts.)

Mr. ROBERTS. Mr. Chairman, I think there seems to be as many opinions of what a farmer is as there are members of the delegation here today. According to my friend the gentleman from Massachusetts (Mr. Conte) I would not be able to participate or to vote on this because I am a farmer. I have a half interest in 700 acres of land in Texas which is good farmland. Normally I run about 100 acres of wheat, about 200 acres of cotton, and about 300 acres of row crops, with the rest in pasture. One of my big newspapers did a story about the subsidy that I get and how much I get an acre. They came up with the fact that I get $393.13, according to the news story. The gentleman fram Indiana was talking about the Litchfield, Ariz., project. I happen to be familiar with this project, because I happened to do Navy duty there. They have about 100,000 acres of irrigated cotton land where they raise three or four bales an acre. They raise approximately 300,000 bales, and they take it all out of there. They get paid on the basis of how much they take out. In my 200 acres of cotton I raise half a bale and get 100 bales, maybe. So they pay me $393.13. Nobody pointed out that the tenants farming that land get four times that much. It is not just going to the landowner. Somebody is going to have to feed the country, and I hope it will be these farmers.

The CHAIRMAN. The Chair recognizes the gentleman from California (Mr. Teague).

Mr. TEAGUE of California. Mr. Chairman, I commend the Committee on Appropriations for its decision not to fund the special milk program. Let me give you the reason for making this statement. I have in my congressional district 8 or 10 nonprofit, nonparochial private schools with an enrollment of about 1,500 students. The average net wealth of the parents of these children I would guess is at least $500,000 or perhaps more, while all of the taxpayers of this country are furnishing to these schools free or subsidized milk. These parents are perfectly able to buy milk for their own children. This is not a program which should be intended to support children in this category.

Remember this program is costing $125,000,000 a year.

The CHAIRMAN. The Chair recognizes the gentleman from Indiana (Mr. Madden).

Mr. MADDEN. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The Chair recognizes the gentleman from New York (Mr. Ottinger).

Mr. OTTINGER. Mr. Chairman, I rise to advise the committee that at the appropriate time I will move to amend this appropriation bill by prohibiting the use, distribution, or purchase of pesticide applications in violation of State laws.

Mr. Chairman, there are certain nondegradable pesticides which are causing great damage and which are actually threatening the survival and safety of human beings. Two States now have laws which prohibit the use of chlorinated hydrocarbons and other States are considering such legislation.

The effect of the amendment which I propose to offer would only be to subject the Federal Government to the same laws that operate in the several States, as respects the use of chemical pesticides. I shall also offer an amendment to outlaw the entire use of the persistent pesticides by the Federal Government.

The CHAIRMAN. The time of the gentleman from New York has expired.

The Chair recognizes the gentleman from Texas (Mr. Eckhardt).

Mr. ECKHARDT. Mr. Chairman, I address myself to a point in opposition to the Conte amendment. I would favor the Nelsen amendment, if it is germane.

Mr. Chairman, the Secretary of the Department of Agriculture has made available to us today a statement which reads as follows:

> However, to make such a limitation effective legislative changes are needed. With only the simple amendment that is possible in connection with appropriation bills, the so-called "snap-back" provision for cotton would come into effect. The cotton program would then become subject to a loan-and-redemption or a buy-and-sell-back arrangement that would increase costs while the large producers would escape the intent of the payment limitation.

Mr. Chairman, I do not believe the amendment will accomplish its intended purpose.

The CHAIRMAN. The Chair recognizes the gentleman from Mississippi (Mr. Whitten).

Mr. WHITTEN. Mr. Chairman, may I reiterate what I said earlier, and I hope the gentleman from Texas will listen, the chairman of the Committee on Agriculture.

The committee, as I pointed out earlier, enlarged the food programs including increased school lunches and the special feeding programs financed under section 32. In taking that action it was the opinion of the committee that we probably had provided for the purchase of as much milk as we had before. I would also say that section 32 commodity program funds are available to buy such other milk as might be available that comes within its provisions. So, we had not thought that we needed to provide that a certain amount be available only for this purpose. What is involved here is whether you want to specify that section 32 funds be used for this purpose. It might be in order for that to be done. I shall confer with my colleagues on the subcommittee and see what their attitudes are on the subject. However, I did not want the Record to show that there is any effort to cut out or prevent this type of program.

We had increased the purchase of milk through the other means to the degree I mentioned, and left section 32 available also for this purpose. We did not tie it down.

The CHAIRMAN. The time of the gentleman from Mississippi has expired. All time has expired.

The Clerk will read.

The Clerk read as follows:

> Plant and animal disease and pest control: For operations and measures, not otherwise provided for, to control and eradicate pests and plant and animal diseases and for carrying out assigned inspection, quarantine, and regulatory activities, as authorized by law, including expenses pursuant to the Act of February 28, 1947, as amended (21 U.S.C. 114b–c), $89,493,000, of which $1,500,000 shall be apportioned for use pursuant to section 3679 of the Revised Statutes, as amended, for the control of outbreaks of insects, plant diseases and animal diseases to the extent necessary to meet emergency conditions: *Provided*, That no funds shall be used to formulate or administer a brucellosis eradication program for the current fiscal year that does not require minimum matching by any State of at least 40 per centum: *Provided further*, That not to exceed $1,000,000 shall remain available until expended for construction of facilities without regard to limitations contained herein: *Provided further*, That, in addition, in emergencies which threaten the livestock or poultry industries of the country, the Secretary may transfer from other appropriations or funds available to the agencies or corporations of the Department such sums as he may deem necessary to be available only in such emergencies for the arrest and eradication of foot-and-mouth

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disease, rinderpest, contagious pleuropneumonia, or other contagious or infectious diseases of animals, or European fowl pest and similar diseases in poultry, and for expenses in accordance with the Act of February 28, 1947, as amended, and any unexpended balances of funds transferred under this head in the next preceding fiscal year shall be merged with such transferred amounts;

AMENDMENT OFFERED BY MR. OTTINGER

Mr. OTTINGER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. Ottinger: On page 5, line 5, change the semicolon to a colon and add the following: "*Provided*, That no appropriation contained in this act shall be used for the purchase or application of chemical pesticides, except for small quantities for testing purposes, within or substantially affecting States in circumstances in which the purchase or application of such pesticides would be prohibited by State law or regulation, for any citizen or instrumentality of State or local government."

Mr. WHITTEN. Mr. Chairman, I wish to reserve a point of order.

The CHAIRMAN. The gentleman reserves a point of order.

Mr. OTTINGER. Mr. Chairman, we are coming to know from the scientific community that there is real danger to human safety and survival by the use of certain nondegradable pesticides that have a particularly long life. I read recently of the almost complete extinction of certain species of birds by the reason of pesticides that have built up in their bodies. A little bird will eat the insects contaminated by vegetation, then a larger bird comes along and eats that bird, and then you have even more large birds who have eaten the other birds, and eventually the animals at the top of the food chain have an extremely high concentration of these chemicals. These birds are actually producing eggs whose shells are so thin that their offspring cannot survive.

Mr. Chairman, we are ourselves at the top of a long food chain and we are accumulating quantities of pesticides in our bodies. Many scientists are saying that the pesticides are showing up in our organs and may pose a dangerous and serious hazard to our genetic heritage.

They also call attention to the fact that these nondegradable pesticides are destroying systematically the oxygen-producing plants on land and may do the same to our oceans, with accumulations from the pesticides used, at around some 170 million pounds per year. Once in the biosystem, these pesticides continually go on killing plant and animal life, and nobody seems to have given much thought to the possibility that we may eventually tip the balance of nature in the wrong direction.

Unfortunately, we are not in the habit of acting on environmental ills until a real emergency occurs, as was the case of the oil pollution out at Santa Barbara, Calif., and as has been the case in other communities. In consequence, if we blandly wait for a pesticide catastrophe it may well be too late.

The amendment I am offering is designed merely to prohibit the use of chemical pesticides by the Federal Government in any State where those pesticides could not be legally used, under State law or regulation.

DDT and similar chemical pesticides have been extensively criticized in recent years, and the intensity of this criticism has been considerably increased in the past few months; many scientists have suggested that these chemicals should be banned outright.

Responding to this attack, Arizona and Michigan have banned the use of these chemicals, and several other States are considering similar bans; in addition, many States have the authority to prohibit by regulation or executive action the use of chemicals which are found to be harmful.

I do not feel that the Congress should be guilty of imposing its own judgment in this area by permitting the use of these chemicals in cases where the responsible State authorities have concluded that they should be prohibited. My amendment would subject the Department of Agriculture to no greater restrictions than now operate upon citizens and State agencies in those States, and in States where similar bans may be imposed in the future.

I am unable to determine the extent to which the Department's pest control program would be inhibited, if my amendment were passed. Frankly, I do not feel it makes much difference.

Adequate alternatives are available for the most dangerous of these chemicals and if the State authorities feel that they should not be used, I do not feel it right that we should at this time supersede them.

As I say, Arizona and Michigan have banned DDT.

In New Jersey the governor is considering an executive order which might have the same effect.

Studies are underway on DDT in Arkansas and Montana, and in Nebraska DDT is, and I quote, "not recognized or recommended by the department of agriculture."

In Pennsylvania a special legislative committee has recommended the banning of all chlorinated hydrocarbons.

Bills to ban some of these chemicals and pesticides have been introduced in the following State legislatures: California, Wisconsin, Illinois, Washington, and Minnesota.

The following States have the power by regulation to ban chemical pesticides considered to be undesirable: New Mexico, Colorado, Utah, Oklahoma, Oregon, Connecticut, Maine, and Washington.

In Wisconsin the department of natural resources is holding hearings to determine whether DDT is to be classified as a pollutant and therefore to be kept out of its waters.

In its budget on the item we are presently considering, the Agriculture Department has set aside $5,750,000 for the coming fiscal year, for the purchase and application of chemical pesticides.

This information was obtained from Mr. Miles, the Deputy Director of the Budget Bureau of the U.S. Department of Agriculture.

I think myself the problem is sufficiently serious that we should take action at least to the extent of not exceeding what the States have already done and might do in the future on this important problem.

The CHAIRMAN. Does the gentleman from Mississippi desire to be heard on his point of order?

Mr. WHITTEN. Mr. Chairman, upon reading the amendment, I notice it goes further than I thought it did. In the first place, I do not know of any provision in this bill for the purchase of chemical pesticides.

May I say further, Mr. Chairman, that the amendment before us goes to the State law, exempting or including pesticides based on those States which have passed State laws.

On that basis, Mr. Chairman, I contend that the amendment is not germane and goes far beyond the legislation before us.

The CHAIRMAN. Does the gentleman from New York (Mr. Ottinger) desire to be heard on the point of order?

Mr. OTTINGER. Yes, Mr. Chairman.

Mr. Chairman, the bill goes directly to the legislation itself.

There are 89 million and some odd dollars appropriated for pest control within this particular section, although I am told that $5,750,000 is for the distribution and application of chemical pesticides. So that the amendment is completely germane, and it only relates to the States insofar as the limitation of appropriation itself is concerned.

The CHAIRMAN (Mr. Wright). The amendment offered by the gentleman from New York (Mr. Ottinger) provides that no appropriation contained in this act shall be used for the purchase or application of chemical pesticides.

The amendment notes certain exceptions within or substantially affecting States in circumstances in which the purchase or application of such pesticides would be prohibited by State law or regulation, or any citizen or instrumentality of State or local government.

It is a well-established rule that an amendment to an appropriation bill is germane wherein it denies the use of funds for a specific purpose.

The amendment offered by the gentleman from New York (Mr. Ottinger) appears to fall within that rule. It is a limitation upon the use of funds appropriated in the bill. It is a denial of the use of those funds for a specific purpose. Therefore, the Chair overrules the point of order.

Mr. WHITTEN. I have done a world of study in this area, as have many others. The continuing battle of man against insects has been going on since the beginning of time. The Department of Agriculture has the responsibility for testing and approving all of the new chemicals that are essential to human health.

Not only is that true, but also household insects, such as roaches and flies, have caused many epidemics, such as the bubonic plague, which have swept the world throughout history. With malaria and many other diseases rampant, except for chemical pesticides it is doubtful we would enjoy constantly increasing life expectancy, which may now be around 15 or 20 years longer than it was in 1900.

Our world is absolutely dependent on

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these pesticides for controlling disease and pestilence caused by insects, rats, and many other rodents. Not only is that true, but the plant life which we all must depend on for our food, is attacked by insects. On an average of every 5 years we have to have a new strain to meet the need.

So if we are to continue to have improved health, if we are to continue having fruit that is beautiful and wholesome, as compared with what we find when we are traveling in many foreign countries, where we have seen bugs, insects, rot, worms, and all those things, we would realize that we must show some discretion in handling these matters.

At the same time, it is agreed that we have got to see that the dosage is within proper limits. The Department of Agriculture is the department that makes each of these products go through tests before approved for use.

I say to you that certainly you would not want to tie the hands of the department that has the responsibility for protecting our health, protecting it on the one hand by seeing that pesticides that are dangerous are used in dosages that make them safe for use, and, on the other hand, approving them when they prove their use is essential to human health and essential to the production of fruits, vegetables, and the many things on which our well-being depends.

I would hope that you would vote down the amendment. This is an area in which, if action is to be taken, it should be taken by the appropriate legislative committee where witnesses can be heard on all sides of the question. You would find that we would suffer untold damage, for example, if we were needlessly to restrict the one department that has this responsibility. I hope the amendment will be voted down.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York (Mr. Ottinger).

The question was taken; and on a division (demanded by Mr. Ottinger) there were—ayes 25, noes 75.

So the amendment was rejected.

AMENDMENT OFFERED BY MR. OTTINGER

Mr. OTTINGER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. Ottinger: On page 5, line 5, change the semicolon to a colon and add the following: *Provided*, That no appropriation contained in this act shall be used for the purchase or application of the following chemical pesticides: DDT, Dieldrin, Aldrin, Andrin, Heptachlor, Toxaphene, Benzine hydrochloride, Lindane, Chlordane and other chlorinated hydrocarbon pesticides, except small quantities for testing purposes."

Mr. WHITTEN. Mr. Chairman, I reserve a point of order against the amendment.

Mr. OTTINGER. Mr. Chairman, I will not belabor the House on this point. These are the pesticides which are considered by the scientific community to be too dangerous to use. The committee, having chosen not to adopt the States rights approach on this problem, will obviously reject the amendment.

I am convinced, myself, that these pesticides are dangerous enough, considering the fact that alternatives exist, that they ought to be prohibited outright for use by the Federal Government. That is what this amendment would do. I am confident that one of these days we will take this step. I just hope that the day when we do it will not be too late.

Mr. WHITTEN. Mr. Chairman, I make the point of order that the specific pesticides included here were included in the earlier language and were indeed voted upon.

The CHAIRMAN (Mr. Wright). The Chair is going to rule that this is a different amendment in that it specifically stipulates those pesticides which would be proscribed by the amendment.

The Chair overrules the point of order.

Mr. WHITTEN. Mr. Chairman, I rise in opposition to the amendment. I reiterate the argument I made earlier. The control of agricultural pests is an area in which we are dependent upon all the tools which are determined to be safe in order to protect our food production and our health from pests and disease.

This is not the place to decide in these few minutes an issue which has become so controversial and which is so technical. I trust the amendment will be voted down.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York (Mr. Ottinger).

The amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Cooperative State Research Service

PAYMENTS AND EXPENSES

For payments to agricultural experiment stations, for grants for cooperative forestry and other research, for facilities, and for other expenses, including $53,854,000 to carry into effect the provisions of the Hatch Act, approved March 2, 1887, as amended by the Act approved August 11, 1955 (7 U.S.C. 361a–361i), including administration by the United States Department of Agriculture; $3,785,000 for grants for cooperative forestry research under the Act approved October 10, 1962 (16 U.S.C. 582a–582a–7), of which amount, the sum of $201,642.80 shall be paid to those States for the benefit of the counties from which timber receipts earned as a result of agreements entered into under the authority of the Weeks Act (16 U.S.C. 500) have been withheld; $2,000,000 in addition to funds otherwise available for contracts and grants for scientific research under the Act of August 4, 1965 (7 U.S.C. 450i) of which $1,000,000 shall be for the special cotton research program and $400,0000 for soybean research; $1,000,000 for grants for facilities under the Act approved July 22, 1963 (7 U.S.C. 390–390k); $160,000 for penalty mail costs of agricultural experiment stations under section 6 of the Hatch Act of 1887, as amended; and $376,000 for necessary expenses of the Cooperative State Research Service, including administration of payments to State agricultural experiment stations, funds for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed $50,000 for employment under 5 U.S.C. 3109; in all, $61,175,000.

Mr. YATES. Mr. Chairman, I make a point of order against the language contained on page 6, lines 22, 23, 24, and 25, and on page 7, lines 1 and 2, through the word "withheld".

My point of order is predicated on four grounds.

First, this is legislation in an appropriation bill. Under the so-called Weeks Act, lands may be transferred by States to the Federal Government under an agreement to pay 75 percent of the funds for timber cut for school purposes and for roads, but under the Civil Rights Act of 1964, such funds come within the purview of moneys to be paid by the Federal Government to the States. The Attorney General and other appropriate agencies have determined the so-called Weeks Act falls within the purview of that act. Therefore, in requiring funds to be paid under the Weeks Act in contravention to the decision of the Attorney General that no such funds should be paid, it changes the Civil Rights Act of 1964.

Second, Mr. Chairman, it establishes an affirmative direction to the Secretary of Agriculture or to one of his subordinates to make a payment. It requires him to take a specific action. It says the money shall be paid. Contrary to other provisions of this appropriation bill, which say that funds shall be available for certain purposes, this is a direction, a mandate, a requirement to an executive officer to take certain steps.

Third, Mr. Chairman, this is an appropriation without authority of law. If the Chair will note the citation for the funds, it is given as 16 U.S.C. 582a–582a–7. Mr. Chairman, I have read those sections very carefully, and I find no authority in those sections for making this particular payment. I have the code before me. The code is directed to a sustained yield forest management program. It does not provide for any payments to be made under the so-called Weeks Act.

Finally, Mr. Chairman, assuming that there is authority under the Weeks Act, this language is not directed to authority under the Weeks Act. Assuming whatever authority the Weeks Act provided for payment of certain funds, that authority no longer exists when appropriate agencies of the Federal Government takes steps to suspend payments that were authorized under that law, taking the steps authorized under another act.

For example, whatever authority the Weeks Act gave to make such payments, that authority was suspended by the action taken under the Civil Rights Act of 1964 authorizing the Attorney General to suspend any payments to counties which did not require their schools to desegregate in accordance with the law.

For those reasons, Mr. Chairman, I respectfully suggest that the point of order should be sustained.

The CHAIRMAN. Does the gentleman direct his point of order to the language beginning in line 23?

Mr. YATES. Yes, Mr. Chairman, I do. Did I mention line 22? If I did, I was in error.

The CHAIRMAN. The gentleman does not direct any point of order against the language in line 22?

Mr. YATES. No, Mr. Chairman. My point of order begins in line 23, through the word "withheld" on line 2 of page 7.

Mr. WHITTEN. Mr. Chairman, would the gentleman withhold his point of order?

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Mr. YATES. Mr. Chairman, I reserve my point of order.

The CHAIRMAN. The gentleman from Illinois reserves his point of order.

Mr. WHITTEN. Mr. Chairman, our committee realizes its limitations, but I think it well to point out in connection with the point of order that the authority under which the committee has attempted to act is that found in 582 of title 16, the language which is in line 22.

May I say that the Weeks Act, which is mentioned here, provides that the Federal Government can purchase land in the various States, thereby taking the land off the local tax rolls provided it has the agreement and the consent of the States. The Federal Government has gone into States throughout the country and has gotten State legislatures to pass enabling acts authorizing the Federal Government to buy these lands on the basis of the agreement by the Federal Government that 25 percent of the timber receipts shall go to the States as agents of the local counties for roads and school purposes.

In other words, the Federal Government has made an agreement under the Weeks Act to take title to lands in the Federal Government and has agreed in consideration thereof, if the State has given its consent, to pay to the State, for the use of the counties losing the lands from the tax rolls, 25 percent of the timber receipts for roads and schools.

In a few States—I believe there are three now—the Attorney General, acting at the direction of the Department of Health, Education, and Welfare, has frozen these funds that were part of the agreement when the lands were taken off the local tax rolls.

It is certainly most unfair, and in effect contrary to what they may intend at the Department of Health, Education, and Welfare. They are taking these moneys from education. I want the Members to know that each of these States and each of these counties has schools which are open to members of all races.

But we live in a country, now, where the Department of Health, Education, and Welfare, or some official down the line in that Department, can tell the Attorney General, "Just violate any agreement you may have. Hold on to these lands which the State legislature authorized you to buy and take off the tax rolls and renege on your agreement to give 25 percent of the land rental to them."

Mr. Chairman, in view of the words "shall be paid" I would have to agree that the section is subject to a point of order.

The CHAIRMAN. The gentleman from Mississippi concedes that the language is subject to a point of order.

Does the gentleman from Illinois insist upon his point of order.

Mr. YATES. Mr. Chairman, I insist on my point of order.

The CHAIRMAN. The Chair sustains the point of order of the gentleman from Illinois (Mr. YATES). The language of the bill beginning in line 23, page 6, to and through the word "withheld" on line 2, page 7, constitutes a diversion of funds from authorized appropriations for an unauthorized purpose; and the Chair sustains the point of order against that language.

The Clerk will read.

The Clerk read as follows:

PAYMENTS TO STATES AND POSSESSIONS

For payments to departments of agriculture, bureaus and departments of markets, and similar agencies for marketing activities under section 204(b) of the Agricultural Marketing Act of 1946 (7 U.S.C. 1623(b)), $1,600,000.

Mr. MICHEL. Mr. Chairman, I move to strike the last word, and I would like the attention, if I might, of our subcommittee chairman, the gentleman from Mississippi (Mr. WHITTEN).

Mr. Chairman, Illinois receives $30,237 during the present fiscal year and at least $10,000, has more than been matched by our State of Illinois on this project.

As payments are based upon an evaluation of the relative urgency of the marketing problems confronting the State and the probable effectiveness of the plan and the State's ability to carry out the program, I should think there would be very little problem in receiving these funds.

Furthermore, soybean research in general has been short changed. For every Federal and State scientist working on soybean production research in 1967, there were $25 million of soybeans produced. For every scientist working on rice, grain sorghum, and wheat, there were $15–16 million of each crop produced. For each scientist in tobacco, $9 million; peanuts, $7 million; cotton, $4 million; and sugar crops, $3 million of crop produced.

Soybeans are raised on over 40 million acres in 30 States, provide our Nation with its most valuable agricultural export for dollars, is second in farm value of cash crops—and gets an infant's research diet.

I would hope that under the payments to the States category of the Consumer and Marketing Service that the Department of Agriculture will provide an additional $20,000 to Illinois for the purpose of building and operating an instrument to measure the oil, moisture and protein content of soybeans.

This instrument has already been invented by the USDA's Agriculture Research Service and we in Illinois, as the largest soybean producer, are very anxious to put it to use.

I offer examples of the pressing need: Japan buys up 27 percent of this Nation's soybean crop. They are demanding a certain oil content for the soybeans they import and there is a possibility that we could lose this market if we do not have a method of measuring the oil content of beans quickly and efficiently.

Also soybeans can be used as a protein source for human foods and demands for high protein beans can be expected in the very near future.

I hope that the chairman of the subcommittee will have that same view, because we are here at a point of breaking through on this item. All it really needs is that a matter of legislative history be made here to give the folks downtown a nudge to get the job done.

Mr. WHITTEN. Mr. Chairman, will the gentleman yield?

Mr. MICHEL. I yield to the gentleman from Mississippi.

Mr. WHITTEN. May I say to my distinguished colleague from Illinois, with whom I have had the privilege of working through these many years, I agree with him that there is no crop which shows as much benefit from the aid we have given and which makes as great a contribution to American agriculture as soybeans. As I have said on the floor previously, there is in this bill $1.6 million for payments to States, some portion of which can be used for such activities. They do have the right to shift funds from one activity to another. Certainly such a transfer as you have described here is warranted, and I hope and trust that the Department of Agriculture will do as we feel they should and make those funds available as they are needed.

Mr. MICHEL. I thank the chairman for his assurance.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

REMOVAL OF SURPLUS AGRICULTURAL COMMODITIES (SECTION 32)

Funds available under section 32 of the Act of August 24, 1935 (7 U.S.C. 612c) shall be used only for commodity program expenses as authorized therein, and other related operating expenses, except for (1) transfers to the Department of the Interior as authorized by the Fish and Wildlife Act of August 8, 1956; (2) transfers otherwise provided in this Act; (3) not more than $2,900,000 for formulation and administration of marketing agreements and orders pursuant to the Agricultural Marketing Agreement Act of 1937, as amended, and the Agricultural Act of 1961; and (4) in addition to other amounts provided in this Act, not more than $100,000,000 (including not to exceed $2,000,000 for State administrative expenses) for (a) child feeding programs and nutritional programs authorized by law in the School Lunch Act and the Child Nutrition Act, as amended; (b) additional direct distribution or other programs, without regard to whether such area is under the food stamp program or a system of direct distribution, to provide, in the immediate vicinity of their place of permanent residence, either directly or through a State or local welfare agency, an adequate diet to other needy children and low-income persons determined by the Secretary of Agriculture to be suffering, through no fault of their own, from general and continued hunger resulting from insufficient food: *Provided,* That in making such determinations, the Secretary shall take into consideration the age; income; location and income of parents, if a minor; and employability; and (c) milk for needy children in schools and other nonprofit institutions heretofore receiving milk under the special milk program.

AMENDMENT OFFERED BY MR. POAGE

Mr. POAGE. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. POAGE: On page 19, lines 23 through 25, strike "; and (c) milk for needy children in schools and other nonprofit institutions heretofore receiving milk under the special milk program." and substitute ". For necessary expenses to carry out the provisions of the Special Milk Program, as authorized by section 3 of the Child Nutrition Act of 1966 (42 U.S.C. 1772) $120,000,000, to be transferred from funds available under section 32 of the Act of August 24, 1935 (7 U.S.C. 612c)."

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Mr. WHITTEN. Mr. Chairman, will the gentleman yield?

Mr. POAGE. I yield to the gentleman from Mississippi.

Mr. WHITTEN. Mr. Chairman, I have had occasion to check with the members of our subcommittee and we have no objection to the amendment. As I expressed earlier, our purpose was not to eliminate these funds, but to have them available. I have no objection to the amendment.

Mr. TEAGUE of California. Mr. Chairman, will the gentleman yield?

Mr. POAGE. I yield to the gentleman from California.

Mr. TEAGUE of California. Obviously, Mr. Chairman, I must recognize that I am going to be defeated in my stand on this amendment, but I want the RECORD to show that not being a member of the Committee on Appropriations, but being opposed to the amendment according to the original action of the Committee on Appropriations, and for the reasons earlier stated, I, for one, do not agree to the acceptance of the amendment. This is not help for undernourished and needy children. It is help for the dairy industry. I understand why my colleagues wish to assist the milk producers and do not criticize them for it. However, let us understand the real purpose of this $125 million program.

Mr. QUIE. Mr. Chairman, will the gentleman yield?

Mr. POAGE. I yield to the gentleman from Minnesota.

Mr. QUIE. Mr. Chairman, I strongly favor the amendment offered by my colleague from Texas (Mr. POAGE). The special school milk program has been in operation for 14 years. It is well received by educators, nutritionists, parents, and students. It would be a shame not to continue this act.

The attitude of the House is clearly seen by its vote recently—384 to 2 favoring the permanent extension of the special school milk program. Our efforts to feed the needy must be continued and expanded; however, when an outstanding program providing the most important ingredient of lunch on a specialized basis as the special school milk program does, all children will benefit no matter what their economic level. In fact, all children need the nutritional value which can be found in milk, and I am hopeful that this House will not only vote for the Poage amendment at this time, but make certain that funds will be available in the future for an adequate supply of milk for school children.

Mr. STEIGER of Wisconsin. Mr. Chairman, the bill, H.R. 11612, as reported by the Appropriations Committee, contains inadequate provision for the special milk program and thus I support the Poage amendment. In previous years we have appropriated approximately $104 million for this essential program, but the recommendations of the committee this year would eliminate the appropriation altogether and provide only $20 million through transfers from section 32 funds.

I find this recommendation totally unacceptable given the past successes of this milk program and the ever-increasing body of knowledge which indicates massive problems of malnutrition and hunger in the Nation.

The increase funding for the child nutrition, school lunch, and food stamp programs is commendable and deserves the support of this Congress. But I am not yet convinced, nor have I been shown any evidence which indicates, that the proposals embodied in this bill will meet the nutritional needs of the Nation's schoolchildren. On the contrary, most of the evidence would seem to indicate that even with the expansion of the nutrition programs, large numbers of children in dire need will still not receive adequate nutritional supplements in our schools.

Numerous studies have pointed to the fact that several million poor and disadvantaged youngsters who urgently need to participate, are not able to do so because of a lack of facilities for food service at the schools they attend. The milk program has reached many of these children and has been administered in such a way as to better meet the needs of these youngsters. The other nutrition programs have failed in the past because of inadequate funding and inequitable administrative practices.

Given the fact that we are as yet a long way from meeting the nutritional needs of all Americans and that no one can guarantee that the new ordering of financial priorities incorporated in this bill will insure adequate coverage, it ill-behooves us at this time to severely cut back a program which has been very successful in supplementing the diets of the disadvantaged.

Even with the expanded programs for regular meals in the schools, the overall consumption of fluid milk will be substantially reduced if we acquiesce in the recommendations contained in this bill. Where in prior years the $104 million for the special milk program has provided some three billion half-pints of milk annually, this bill provides only $20 million or approximately 581 million half-pints for fiscal 1970,—assuming a reimbursement rate of 3.44 cents per half-pint, the rate in fiscal 1969. Even if we add to this the assumption that one-half-pint will be served with each of the new meals to be provided, for an additional 523 million half-pints, the net reduction in fiscal 1970 as compared to fiscal 1969 will be approximately 1.9 billion half-pints.

I certainly support the efforts of the committee to improve funding for our other child nutrition programs, but I believe we are not yet in a position to eliminate a program of proven value, which has been instrumental in improving the health of millions of young Americans. Until such time as we can be confident that none of our children are malnourished and that other programs are functioning effectively, we must continue to provide dietary supplements through the special milk program. I am, therefore, urging the committee to support an effort to restore funds to the level appropriated for fiscal 1969. Passage of this amendment will guarantee an adequate level of funding for the program during the coming fiscal year.

This particular program has won widespread support across the Nation. I have received a telegram from Mr. William Eckles, general manager of Pure Milk Products Cooperative in Wisconsin, urging continued support for this essential activity:

> Funding of this unique and valuable program has salutary worth not only to the dairy industry but also to the millions of children that the program is designed to help nutritionally.

The action of the House recently in supporting the authorization bill, H.R. 5554, introduced by the gentleman from Texas (Mr. POAGE), clearly indicates the wide support in the House for this program and the Appropriations Committee can, I believe, work to assure equitable treatment of the special milk program. This amendment should be adopted and I join in urging support.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas (Mr. POAGE).

The amendment was agreed to.

Mr. KEITH. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state his parliamentary inquiry.

Mr. KEITH. Mr. Chairman, I have an amendment which is in my hands and ready to go to the Clerk to page 18, line 15. Is it my understanding that we did actually read all of page 18?

The CHAIRMAN. The Chair will state to the gentleman from Massachusetts that the Clerk has read through page 18 and page 19 and an amendment has been adopted at the bottom of page 19.

Mr. KEITH. Mr. Chairman, I ask unanimous consent that we return to page 18, line 15, so that I may offer an amendment which I mentioned earlier in the debate.

The CHAIRMAN. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

AMENDMENT OFFERED BY MR. KEITH

Mr. KEITH. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

> Amendment offered by Mr. KEITH: On page 18, line 15, add "*And provided further*, That no funds expended under the authority contained in this Act shall be used for the purchase of fish products unless such fish or fish products are available on the domestic market".

The CHAIRMAN. May the Chair clarify the amendment? Does the amendment state "unavailable"?

Mr. KEITH. Mr. Chairman, I think that the Clerk misread it.

Mr. YATES. Mr. Chairman, I ask unanimous consent that the amendment be reread.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The Clerk read as follows:

> Amendment offered by Mr. KEITH: On page 18, line 15, add "*And provided further*, That no funds expended under the authority contained in this Act shall be used for the purchase of imported fish or fish products when such fish or fish products are available on the domestic market".

Mr. KEITH. Mr. Chairman, it has been brought to my attention that some school

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lunch programs are buying fish and fish products which have been imported. There is, in fact, a memorandum put out by the school lunch program authorities which says that it is the congressional intent of the school lunch program to encourage the use and consumption of only domestically produced agricultural commodities and other goods, and not those of foreign origin. It seems that the regulations are not being observed, or at least the intent of the Congress is not being observed at the local level. I believe that legislation of this sort would help to strengthen the hand of the Federal officials in administering what was the intent of the Congress, and, secondly, it would be very helpful to the domestic fish industry which is suffering from a 98-percent increase in imported fish or fish products since 1957. It seems, further, that the Department of Commerce and the Department of the Interior are literally spending millions of dollars to revive this same fishing industry.

So, Mr. Chairman, I ask for the support of my colleagues in the adoption of my amendment.

I would further point out, Mr. Chairman, that earlier this afternoon the chairman indicated to me that he was in sympathy with the intent, but that a point of order might lie against the amendment. Subsequent rulings by the Chair with reference to other points of order have given me confidence to offer the amendment, particularly in view of the sentiment as expressed by the chairman on the floor.

The CHAIRMAN. The Chair will state to the gentleman that no point of order is pending.

Mr. KEITH. Mr. Chairman, I reserve the balance of my time.

Mr. WHITTEN. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I did not make the point of order that we had read too far in the bill to consider the amendment. I did not suggest that point of order, so that the gentleman might offer his amendment.

Here again I can appreciate the concern of the gentleman coming from the area he does. I expressed myself earlier that, where fish or other protein foods are available, and where it is necessary to make that type of purchase in order to have a well-rounded lunch, that preference should be given to buying American products. But to put it into law, where they would have to make such a determination, I believe would be carrying it too far. If an amendment were to be offered to the School Lunch Act, or to the Nutrition Act, I believe that would be the proper place.

Also, as I understood the language of the amendment, it would prohibit the buying of foreign fish from foreign sources when available on the domestic market. To tie down the purchase of readily available fish and have to determine whether that fish came from abroad or from this country, would be putting an undue burden upon the school lunch authorities.

Mr. Chairman, I am arguing on the merits of the amendment, but I am in sympathy with the gentleman and his concern, and I will cooperate with the gentleman in any way I can. But I do not believe we should put something into law that is too stringent. So I hope the amendment is voted down. But again I say that I hope we can work out something to the satisfaction of the gentleman in some other way.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts (Mr. Keith).

The question was taken; and on a division (demanded by Mr. Keith), there were—ayes 32, noes 65.

So the amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

AGRICULTURAL STABILIZATION AND CONSERVATION SERVICE

EXPENSES, AGRICULTURAL STABILIZATION AND CONSERVATION SERVICE

For necessary administrative expenses of the Agricultural Stabilization and Conservation Service, including expenses to formulate and carry out programs authorized by title III of the Agricultural Adjustment Act of 1938, as amended (7 U.S.C. 1301–1393); Sugar Act of 1948, as amended (7 U.S.C. 1101–1161); sections 7 to 15, 16(a), 16(d), 16(e), 16(f), 16(i), and 17 of the Soil Conservation and Domestic Allotment Act, as amended (16 U.S.C. 590g–590q); subtitles B and C of the Soil Bank Act (7 U.S.C. 1831–1837, 1802–1814, and 1816); and laws pertaining to the Commodity Credit Corporation, $147,420,000: *Provided*, That, in addition, not to exceed $62,483,000 may be transferred to and merged with this appropriation from the Commodity Credit Corporation fund (including not to exceed $26,757,000 under the limitation on Commodity Credit Corporation administrative expenses): *Provided further*, That other funds made available to the Agricultural Stabilization and Conservation Service for authorized activities may be advanced to and merged with this appropriation: *Provided further*, That no part of the funds appropriated or made available under this Act shall be used (1) to influence the vote in any referendum; (2) to influence agricultural legislation, except as permitted in 18 U.S.C. 1913; or (3) for salaries or other expenses of members of county and community committees established pursuant to section 8(b) of the Soil Conservation and Domestic Allotment Act, as amended, for engaging in any activities other than advisory and supervisory duties and delegated program functions prescribed in administrative regulations.

AMENDMENTS OFFERED BY MR. CONTE

Mr. CONTE. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. Conte: On page 22, line 17, strike the period and insert the following: ": *Provided further*, That no part of the funds appropriated by this Act shall be used to formulate or carry out any price support program (other than for sugar) under which payments aggregating more than $20,000 under all such programs are made to any producer on any crops planted in the fiscal year 1970."

Mr. WHITTEN. Mr. Chairman, I reserve a point of order against the amendment.

The CHAIRMAN. The gentleman from Mississippi (Mr. Whitten) reserves a point of order against the amendment.

The gentleman from Massachusetts (Mr. Conte) is recognized for 5 minutes in support of his amendment.

Mr. CONTE. Mr. Chairman, the bill presently before this committee provides appropriations for the Department of Agriculture and related agencies for the fiscal year 1970. I rise to introduce an amendment which will limit the aggregate payments to any producer from the price support programs covered by this bill, except for sugar, to $20,000. This payment limitation furthermore will only apply with regard to crops planted during fiscal year 1970 and thus does not cut off funds for producers whose actions during fiscal year 1969 have been governed by the lack of a payment restriction.

Mr. Chairman, on July 31, 1968, I offered practically this same amendment on the floor of this Body. My motion at that time to recommit the farm bill and report it out with a $20,000 payments limitation was approved by the House by the recorded vote of 230 to 160.

Last year after my amendment was approved by the House, it was quickly dropped in conference.

Abnormal procedures were then used to prevent me from obtaining a rollcall vote on this amendment when it came back to the House for a vote.

Mr. Chairman, there is no justification for allowing such parliamentary tactics and maneuvers to be used to prevent the Members of this body from deciding issues of extreme importance. Nor can there be any justification for the action taken late last week by the leadership in rescheduling consideration of this bill from Tuesday to today. As I stated earlier, this was done for only one reason—to limit support for a farm payments limitation by having us vote on it while many supporters are still in their home districts today.

Our farm program is not working properly today and it has not been for some time.

Mr. Chairman, what is the rationale which allows the J. G. Boswell Co. of California to receive subsidy payments of $3 million in 1968 and $4,100,000 in 1967 while some 12 to 15 million people in this country continue to suffer from starvation and malnutrition.

What is the rationale for payments in 1968 of $2,800,000 to Giffen, Inc., of California, for $1,200,000 to South Lake Farms of California, for $786,000 to Salyor Land Co. of California, for $504,000 to Farms Investment Co., of Arizona, for $430,000 to Hamilton Farms of Arizona, for $474,000 to Lee Wilson & Co. of Arkansas, for $320,000 to J. K. Griffith of Texas, for $228,000 to John B. McKee, Jr., of Mississippi.

Mr. Chairman, what is the rationale which leads to prisons in Texas, Arkansas, Louisiana, and Mississippi receiving subsidy payments in 1969 of $294,000, $154,000, $51,000, and $28,000, respectively, while the small farmer in this country for whom these farm programs were originally designed receives today almost no help at all from them.

What is the rationale for the Southern National Bank receiving $170,000 and Reynolds Metal receiving $44,000 in subsidy payments while poor people throughout this country—black and white go around without the memory of what a full meal tastes like.

Mr. Chairman—there is no rationale for this—there is no justification for this—and it is high time that we begin to put our farm programs in order.

Mr. Chairman, to those who would argue that today's bill is not an appropriate place for these limitations, I would argue that just the opposite is the case.

We have waited patiently for years for new legislation to replace our present terribly inequitable and wasteful farm programs.

We will have to wait for years and years more if the impetus for a new legislative approach is to be left to the distinguished chairman from Texas and his Agriculture Committee.

Meanwhile, hundreds of millions of dollars of the American taxpayer are being wasted in these inequitable and unjustifiable subsidy programs.

Everyone in this Body is aware of the difficult financial times we presently face in this Nation—of the burdens of inflation, of the need for keeping an extremely tight reign on Government spending.

We in Congress have been forced to make substantial spending reductions in numerous important and valuable Government programs because of present economic conditions.

How can we possibly sit here while this is going on and allow to continue, for 1 day more, these wasteful and unfair farm programs.

We must act and we must act now. My amendment in putting an end to these huge payments will lead to savings for the American taxpayer of up to $300 million per year.

To those who argue further that this payment limitation will result in huge surpluses and destroy agriculture in this country, I draw attention to the study prepared last year by the Department of Agriculture under Dr. John Schnittker, the former Under Secretary of Agriculture.

The Department study was clear in its finding that we can limit farm payments in this country to $20,000 per farm "without serious adverse effects on production or on the effectiveness of production adjustment programs."

I urge all Members to support me in this fight and vote to limit farm subsidy payments to no more than $20,000 for a producer.

The CHAIRMAN. The time of the gentleman from Massachusetts has epired.

(On request of Mr. Waggonner, and by unanimous consent, Mr. Conte was allowed to proceed for 3 additional minutes.)

Mr. WAGGONNER. Mr. Chairman, will the gentleman yield at that point?

Mr. CONTE. I am glad to yield to the gentleman from Louisiana.

Mr. WAGGONNER. I would be interested in knowing what the gentleman's rationale is in omitting sugar from his proposed limitation on payments. Why is sugar singled out to be omitted? I am interested in sugar, too. We grow it in Louisiana. Why is the gentleman interested in omitting only sugar?

Mr. CONTE. As the gentleman knows, last July my amendment did not cover sugar. Today in discussing my amendment with some Members of Congress including Mr. Findley, I noted his amendment omitted sugar. They argued that they have a unique program there that is a self-sustaining program, that the excise tax imposed upon them substantiates the payments they have in the program.

Mr. WAGGONNER. Does the gentleman have sugar mills in his district?

Mr. CONTE. I am more than pleased that the gentleman has asked that question, because the gentleman from Mississippi, whose State is one of the largest recipients of subsidies under this program, mentioned the subject. I have no sugar refineries in my district, I have no sugar mills, and I have never voted to authorize any farm subsidy, in 1961 or even when the cotton subsidy bill came up which could have helped textile mills in my district. I voted against that one also.

Mr. Chairman, it is high time we stopped this racket. It is high time that Congressmen and Senators who have their faces in the public trough stop collecting subsidies or do not vote on these bills as they come up in the House and the Senate.

Mr. QUIE. Mr. Chairman, will the gentleman yield?

Mr. CONTE. I am glad to yield to the gentleman from Minnesota.

Mr. QUIE. I think we ought also to point out that there is a limitation on payments in the Sugar Act.

Mr. CONTE. I thank the gentleman for his contribution.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. WHITTEN. Mr. Chairman, I reserved a point of order.

The CHAIRMAN. Does the gentleman from Mississippi desire to be heard on his point of order?

Mr. WHITTEN. I do, Mr. Chairman.

The CHAIRMAN. The gentleman will state it.

Mr. WHITTEN. Mr. Chairman, this subject has been discussed a number of times. There are several new features in this amendment that have not been included in previous amendments.

Congress set up the Commodity Credit Corporation as a corporation so that it could act as such. It gets its authority from several sources. One is borrowing authority granted by the Congress on the recommendation of the Banking and Currency Committee. Another is the sale of commodities on hand. The Corporation is given the right to sue and be sued. It is given the right to conduct itself in all ways as a corporation.

I was one who discovered in an investigation that we had a number of corporations Congress had forgotten all about. One was the American Spruce Corp. For 25 years it accounted to nobody. So, along with others, I sponsored the Government Corporation Control Act whereby we would keep account of what these corporations were doing.

At that time, Mr. Whittington, the chairman of the committee, made the statement that one thing it was important for us to reserve was the right to review the actions of the corporations. That covers TVA as well as Commodity Credit Corporation. While we had the right to review these activities, the Government Corporation Control Act itself prohibited us from dealing with it as we would deal with an appropriation for a regular department or agency of Government.

So I respectfully submit that in the absence of a law repealing the Government Corporation Control Act and the charter of the Commodity Credit Corporation, under which it was given certain functions and commitments, that we would have to change that act in order to limit its functions.

Let me give this further observation if I may and point out something else. In our committee report—and this is surplusage and we did not have to say it—this corporation has certain amounts in this bill. This amendment is directed to the money in this bill, but that corporation has approximately $5.6 billion that is either in cash or loans advanced on commodities, where it will be subject to repayment or taking over under the loan, or it is in commodities to which they have actual title. So we say in our report, so that Members may know what will happen, that it is within their privileges and obligations already.

We say in our report that if Mr. Conte's amendment should be adopted, or Mr. Findley's, and if out of the funds in this bill the Corporation can pay only $20,000, we say that the Corporation would still have to do what its charter authorizes and binds it to do—because they have these contracts—and that is to go ahead and pay the remainder, over and above $20,000, out of other moneys they have.

Now the gentleman has changed his amendment from what I earlier heard and now says it applies to formulation and so forth of a 1970 program. May I say, the same reasoning applies, because if they cannot do it with the money which is in this bill, which goes to restoration of capital impairment in 1961, 1967, and 1968, then under the Corporation charter and under the law, they will have to do it out of other money.

So I am saying we would be requiring two sets of books.

My investigation indicates that it will probably cost $50 million to maintain two sets of books, and a new system of controls. Formulation of such a program could be done with money the Corporation has, and it has an obligation under existing law to formulate these programs.

If, by chance, I am not right in my reasoning—and I have every reason to believe I am—then under the basic act it says if for any reason these payments are not made for cotton, it "snaps back" to the 1958 act. That is in the law. What I am telling the Members is in the Corporation's charter. It is in the act by which we assumed the right to survey and look it over and see what it is doing. But even in that law we said that nothing shall be done to prevent the Corporation from discharging its functions. We have no right to do that.

If this amendment were to prevail, they would still have other funds on hand.

Second, lest I be in error on my first point, under the law they go back to the 1958 act, and they would have to lend all this money—about 43 cents a pound—on cotton.

Having loaned that money on cotton,

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that would be the normal 100 percent of parity. Presuming that the Secretary of Agriculture would put it at the lowest possible support level in the 1958 act, it would be 65 percent of parity, which would be the price today of 22 and a fraction cents which the producer gets, plus another 9 percent which is in these checks received by producers for having limited production in line with the Government's demand. Then the Government would have the cotton on its hands, and in order to export it in world trade you would have to pay out 9 and a fraction cents.

Now I come back to my point of order. The Corporation's charter provides its authority. We have not amended that charter. We passed legislation letting us supervise its activities, but in that law permitting us to survey it, it says nothing shall be done to keep that corporation from carrying out its functions under its charter.

I say again, on the one hand, they are going to have to pay from these other moneys and to keep two sets of books. On the face of it, that does not save money. That is evident.

Second, on the law, we cannot plead ignorance of the basic legislative act. Under the basic legislative act, if they try to impose a limitation here, it goes back to the other law and costs more money.

I respectfully suggest that I know from personal knowledge that we set out to make the corporation free of such controls. I know we tried to. I know for several years it was so considered.

If that does not strengthen the case, read the charter. Read the Corporation Control Act. Then read the law.

The amendment here will cost from $60 million to some $600 million or more. So instead of saving money, you are spending a whole lot of money if you adopt the Conte amendment.

Mr. CONTE. Mr. Chairman——

Mr. WHITTEN. I yield to the gentleman from Massachusetts.

Mr. CONTE. Has the gentleman raised a point of order, or is he arguing against the amendment?

Mr. WHITTEN. I raised a point of order, and in my remarks I perhaps made some statements against the amendment.

May I ask the gentleman: he says sugar is exempt. Could he tell me what is under the amendment?

Mr. CONTE. Mr. Chairman, is the gentleman raising a point of order? I should like to speak on the point of order, and then we can get on to the debate.

The CHAIRMAN. The Chair is hearing the gentleman from Mississippi on the point of order which, as the Chair understands it, is lodged against the amendment offered by the gentleman from Massachusetts on the ground that it constitutes legislation.

Mr. WHITTEN. I think I have made myself clear, Mr. Chairman, so I yield to the gentleman for his argument.

The CHAIRMAN. Does the gentleman from Massachusetts desire to be heard on the point of order?

Mr. CONTE. I do, Mr. Chairman.

The CHAIRMAN. The Chair will hear the gentleman from Massachusetts.

Mr. CONTE. Mr. Chairman, I believe that the point of order does not lie against the amendment.

My amendment is within rule XXI, clause 2, commonly referred to as the Holman rule.

The amendment is negative; it shows retrenchment and it does not impose any additional duties nor add to existing law.

Furthermore, amendments of this nature have been sustained on numerous occasions in past years in spite of similar objections.

Payment limitation amendments to agriculture appropriation bills have been introduced and sustained during the past 3 or 4 years in the House.

My amendment is merely a limitation on the amount of money being spent, and therefore the point of order should not prevail.

Mr. WHITTEN. Mr. Chairman, may I make one more point briefly?

The CHAIRMAN. The Chair will hear the gentleman from Mississippi.

Mr. WHITTEN. Mr. Chairman, this is a very unusual and peculiar provision, but in order that we know what we are doing may I say this amendment would not do what I think the gentleman insists it does. It is quite evident, if it does what he says, that it would drastically amend existing law, so to that degree it is legislation on an appropriation bill.

Mr. LANGEN. Mr. Chairman, may I be heard on the point of order?

The CHAIRMAN. The Chair will hear the gentleman from Minnesota.

Mr. LANGEN. I think the points have been made substantially, but let me add to them to this degree: Were this amendment to be adopted, it would substantially change the provisions of a farm program that is now in existence. In its application to compliance and to payments that are made, it does add to the work that has to be done by the department, in that they will have an entirely new calculation to make and it will provide a substantial added expense. There is nothing that says this is a limitation on payments. It could well amount to a greater expenditure in its final effect. So, consequently in my opinion, it does not comply with the provision that it be a strict limitation of payments and that it not constitute the changing of legislation already on the books.

The CHAIRMAN. The Chair is prepared to rule.

The gentleman from Massachusetts (Mr. CONTE) has offered an amendment against which the gentleman from Mississippi (Mr. WHITTEN) has made a point of order on the ground that the amendment constitutes legislation on an appropriation bill in violation of clause 2 of rule XXI.

As the gentleman from Mississippi points out and as was further pointed out by the gentleman from Massachusetts, amendments almost exactly identical to that offered by the gentleman from Massachusetts have been offered on numerous previous occasions, as early as 1959 and as recently as May 1, 1968. On several of those occasions points of order have been raised against this amendment or its equivalent on similar grounds. On all those previous occasions the occupants of the chair have held that the amendment is a valid limitation on funds appropriated by the bill, and on all of those occasions the point of order has been overruled. The Chair has had occasion to observe the elaborate and scholarly argument presented on May 1, 1968, by the gentleman from Mississippi (Mr. WHITTEN), and to hear his further argument today. The gentleman from Mississippi (Mr. WHITTEN) contends that the amendment would limit and restrict the activities of a Government corporation created and regulated by other law and that therefore constitutes legislation. The Chair finds on the face of the amendment that what it limits and restricts is the application of funds appropriated in this bill to a Government corporation, and as such the Chair believes that it falls well within the rulings by Chairman Kilday in 1959, by Chairman Harris on January 26, 1965, and by Chairman CORMAN on two occasions, June 6, 1967, and May 1, 1968. The Chair therefore holds that the amendment is a valid limitation on the funds appropriated in the bill and therefore overrules the point of order.

SUBSTITUTE AMENDMENT OFFERED BY MR. NELSEN TO THE AMENDMENT OFFERED BY MR. CONTE

Mr. NELSEN. Mr. Chairman, I offer a substitute amendment to the amendment offered by the gentleman from Massachusetts (Mr. CONTE).

The Clerk read as follows:

Substitute amendment offered by Mr. NELSEN to the amendment offered by Mr. CONTE: On page 22, line 17, strike the period and add a colon and the following: "*Provided further*, That notwithstanding any other provision of law, in the case of any producer entitled to payments for any calendar year after 1969, under price support or commodity program, the Incentive payments, Diversion payments, Price support payments, and Wheat marketing certificate payments to any single recipient, exceeding in the aggregate the amount of $10,000, the amount of such payments with respect to that year to which the producer would otherwise be entitled shall be reduced in accordance with this subsection. If the aggregate amount of the payment is—

"(1) over $10,000 but not over $15,000, the reduction is 10 percent of the excess over $10,000

"(2) over $15,000 but not over $25,000, the reduction is $500 plus 15 percent of the excess over $15,000

"(3) over $25,000 but not over $50,000, the reduction is $2,000, plus 20 percent of the excess over $25,000

"(4) over $50,000 but not over $100,000, the reduction is $7,000 plus 25 percent of the excess over $50,000

"(5) over $100,000 but not over $500,000, the reduction is $19,500, plus 35 percent of the excess over $100,000

"(6) over $500,000 but not over $1,000,000, the reduction is $159,500, plus 45 percent of the excess over $500,000

"(7) over $1,000,000, the reduction is $384,500 plus 55 percent of the excess over $1,000,000.

"For the purposes of this section, payments include the dollar value (as determined by the Secretary of Agriculture) of any payments-in-kind made to a producer, but do not include the amount of any price support loan made to a producer."

Mr. WHITTEN. Mr. Chairman, I make a point of order against the amendment.

The CHAIRMAN. The gentleman will state his point of order.

Mr. WHITTEN. Mr. Chairman, this amendment, on its face, will usurp completely the jurisdiction of the Committee on Agriculture. It is not only legislation, but is rather complete, complex, and lengthy. It is certainly not only legislation on an appropriation bill, but it is a substitute on an appropriation bill in the nature of legislation.

The CHAIRMAN. Does the gentleman from Minnesota wish to be heard on the point of order?

Mr. NELSEN. Mr. Chairman, I would submit to this body that if a limitation as provided in the previous amendment is in order, certainly this amendment would also be in order and I ask for a ruling by the Chair.

The CHAIRMAN. The Chair is prepared to rule. This substitute offered by the gentleman from Minnesota (Mr. NELSEN) is clearly distinguishable from the amendment offered by the gentleman from Massachusetts (Mr. CONTE).

The gentleman from Massachusetts (Mr. CONTE) offered an amendment which provided that no part of the funds appropriated by this act should be used for certain specific purposes.

The substitute offered by the gentleman from Minnesota (Mr. NELSEN) goes much further than this. It does not constitute a limitation upon this act but indeed applies to other acts and amounts. Clearly in the opinion of the Chair it proposes legislation such as is prohibited in an appropriation bill. Therefore, the Chair sustains the point of order against the substitute.

Mr. NELSEN. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I wish to make the observation—it is obvious that large individual farm payments are under attack not only by Members of this body but by the general public. It was my purpose in proposing a graduated scale of payments to move in the middle of the road direction so the large producers would not desert the program which is intended to reduce surpluses and maintain an adequate price for the farmers. In my judgment, a straight $20,000 limitation could well encourage the large producers to double their production, wherever possible.

This would create a surplus that would descend upon the small farmer as well as the big, and the whole farm program would be disrupted.

Now, I note that at one of our national conventions, and it was not the Republican Convention, a resolution was included in the platform that supported a graduated payment proposal such as I have offered here today. In my judgment when limitations are finally implemented they will be along these lines.

I might also say that a major part of the argument today has been on the basis of what is incorrectly termed a subsidy to the farmers. The objective of a farm program is not to subsidize farmers but to reduce production to prevent flooding the markets with price-depressing surpluses.

It has been rather interesting to listen to the farm experts. Now, I am not a farm expert, but I like to think that I am a successful farmer. I thank the chairman of the committee for referring to the dairy farmers and especially his observation about the school milk program because it does provide a market for some of the milk coming from the farms, at the same time doing a great service to the children in our public school system.

Mr. ECKHARDT. Mr. Chairman, will the gentleman yield?

Mr. NELSEN. I yield to the gentleman from Texas.

Mr. ECKHARDT. Mr. Chairman, I merely wanted to thank the gentleman for at least attempting to offer this amendment. Had it been declared germane I certainly would have supported his procedure.

Mr. WHITTEN. Mr. Chairman, I wonder if we could agree on a limitation of debate on this amendment and all amendments thereto?

Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 30 minutes.

Mr. VANIK. I object, Mr. Chairman.

Mr. QUIE. I object, Mr. Chairman.

Mr. MAYNE. I object, Mr. Chairman.

Mr. WHITTEN. Mr. Chairman, I move that all debate on this amendment and all amendments thereto close in 45 minutes.

The motion was agreed to.

The CHAIRMAN. The Chair has noted the names of Members standing to be recognized under the limitation of time.

Pursuant to the motion adopted by the Committee, each Member will be recognized for approximately 1 minute and 5 or 6 seconds.

The Chair recognizes the gentleman from Arizona (Mr. UDALL).

Mr. SISK. Mr. Chairman, I ask unanimous consent to yield my time to the gentleman from Arizona (Mr. UDALL).

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. UDALL. Mr. Chairman, it seems to me as I look around these days, maybe we ought to just disband the standing committees and do all our legislating on the continuing appropriations and supplemental appropriations and the regular appropriation bills.

This is a complicated process. This is a complicated act.

I have people in Arizona who are getting large payments. I think we ought to work out a system so that they do not get large payments. I am willing to abandon the present system if we can find something better.

The act will be up for renewal at the end of next year. Let us do a job on it. I am prepared to take my responsibility. The job may do something for some of my constituents which they would not like in this field, but the fact is I am told by experts that under the cotton part of this program there is a snap-back provision in the old law which means that instead of paying 10 cents a pound in subsidy, if this payment limitation is enacted, the taxpayers are going to have to dig up 20 cents a pound so that instead of paying less for this next year under this one appropriation bill, the taxpayers that the sponsors of this amendment are trying to help, are going to be coughing up a lot more money.

I think it is extremely unwise to change a complicated and technical farm act.

The fact is that millions of farmers, people who have gone on under these provisions, people have planted and borrowed the money and set up their agricultural operation are all of a sudden—here on an appropriation bill—finding the whole system distorted and damaged.

I strongly urge that in a responsible way that the amendment be voted down. Next year we can take a look at the recommendations of the new administration and see what their ideas are and the farm programs that they will come up with and any better ideas. But this is unwise and an unsound way to legislate and I strongly urge that the amendment be defeated.

The CHAIRMAN. The Chair recognizes the gentleman from Washington (Mr. FOLEY) for approximately 1 minute and 5 seconds.

Mr. FOLEY. Mr. Chairman, the remarks of the gentleman from Arizona (Mr. UDALL) were exactly in point.

I just want to suggest to the Members that there is an irony on the floor today in that the gentleman from Massachusetts (Mr. CONTE) in the examples of large payments that he gave, put it almost exclusively as being under the cotton program. I doubt that any of the payments he cited to which he objected came from either the wheat or feed grains program. They are all cotton payments under the provisions of the existing law and will require the snap-back provision to occur on cotton if any payment limitations are imposed by this bill will go to 16 million acres, the minimum allocation for cotton on 65 to 95 percent of parity.

It will only disturb the existing situation and cost the taxpayers more money.

As a member of the Committee on Agriculture of the House, I can assure those in this Chamber who favor payment limitations, that the committee may well undertake hearings this year and that the subject of payment limitations will be fully explored.

The CHAIRMAN. The Chair recognizes the gentleman from Mississippi (Mr. MONTGOMERY).

Mr. MONTGOMERY. Mr. Chairman, I rise in opposition to this amendment offered by the gentleman from Massachusetts to place limitations on payments under the Agriculture Act of 1965.

My first reason for opposition is, I feel, any amendment of this sort is untimely. It should have been attached to or incorporated in, authorization legislation for the farm act and not made a part of the appropriations process.

My second reason for opposition is I feel very strongly that limitation on the amount of price support payments and Commodity Credit Corporation loans to any farm or firm under current programs would wreck agriculture and many business enterprises serving agriculture.

Manufacturers readily regulate production to prevent price disasters. Because of their large numbers, farmers historically have not been able to do this without a farm program free of limitations. Our farm commodity programs today—work because farmers cooperate in diverting acreages from surplus crop production into soil-conserving uses. Many do this at a financial sacrifice because they know balanced supplies are in the best interest of all.

All who cooperate earn, and are entitled to, reasonable compensation for this acreage diversion. Nowhere have I heard of a limitation on payments when a city takes real estate for urban renewal, or when a State takes land for a highway.

The farmer who is asked to divert 100 acres from surplus production expects to be paid about twice as much as what his next door neighbor, with comparable land earns for 50 acres of diversion. And why not? His investment is twice as great, his taxes twice as great, and his risk is twice as great.

Commodity programs are not welfare programs. To be effective in balancing production they must fit into the free enterprise concept that a man is rewarded in terms of the value of his contributions. Program payments reimburse farmers for income they forego and expenses they incur when they divert land from crop production to carry out farm policy. Farm incomes have not attained a parity with nor the stability of incomes in most of our economy. Limited payments and the accompanying disruption in the farm work force and in our rural communities will add further to urban congestion.

And to those who assume that money will be saved by limiting payments, I say that is simply not true if the same result of supply management is to be achieved. If one large farmer who has been foregoing production on 1,000 acres does not cooperate in these programs, that means 100 small farmers will have to forego production on 10 more acres each to maintain supply and demand stability—and I believe that this would cost more, not only in Federal funds, but in further curtailment of opportunity for smaller farmers.

The present farm programs without limitations have accomplished what would have been considered a miracle a few years ago. By encouraging the participation of producers, large and small, we have used these programs to work Commodity Credit Corporation inventories from their peak of $6.148 billion in October 1960, down to $1.043 billion as of this past March 31.

The farm program is designed to adjust production and supply, to avoid burdensome surpluses and to strengthen the national economy. Payments are an integral part of the farm program. To impose limitations, is to undermine, if not destroy this important program.

While limitations are aimed to the larger farmers, to impose them will strike hardest at the smaller farmers. With limitations the larger farmers will be forced out of the program, bringing about its collapse and thereby denying its benefits to the small farmers as well. Without the program larger farmers may survive, but the smaller ones could not.

Limitations do not save money for anyone. Burdensome surpluses are the inevitable result with the heavy burden on the smaller farmers. Limitations, therefore, are wrong in principle, are unfair, would be costly to farmers and consumers alike, and if imposed would be a breach of contract our Government has made with those who produce the bulk of our food and fiber.

I reemphasize again that to add a limitation rider to our appropriations bill is the worst possible way to legislate. If it is to be the national policy to discriminate because of size, the issue certainly deserves to be considered on its merits and the Congress should not single out only one segment of the national economy, least of all agriculture which formed the backbone of our American society.

The CHAIRMAN. The Chair recognizes the gentleman from Kentucky (Mr. NATCHER).

(By unanimous consent, Mr. NATCHER yielded his time to Mr. BELCHER.)

The CHAIRMAN. The Chair recognizes the gentleman from Ohio (Mr. VANIK).

Mr. VANIK. Mr. Chairman, I want to take this opportunity to announce that I expect to vote against this appropriation bill which will cost the taxpayers of America $6.6 billion in this fiscal year. Frankly, I do not believe there is any benefit ratio sufficient to justify this kind of public spending.

In the past, I have supported farm legislation. A healthy farm economy makes for a prosperous nation. Our achievements in the agricultural sciences are the marvels of the world—even dwarfing our achievements in space. No other nation has done so much to produce food.

There is poverty on the American farm in large parts of the country and we must deal effectively with that poverty as we deal with urban poverty. But there are also huge profits for some segments of agriculture which enjoy the benefits of our Federal subsidies—and these profits for the greater part completely bypass the Treasury and the tax collector.

As a member of the Ways and Means Committee, I was shocked to learn of the maneuvers which are employed to avoid taxation.

The ingenious farmer who protests urban programs manages to get every conceivable kind of deduction. The farmer gets depreciation, depletion, investment credit, and long-term gains.

On a cattle ranch, the breeding cattle are owned by the children, who pay ordinary taxes at lower rates, while the steers are owned by the parents who pay taxes on these operations at reduced rates as long-term capital gains. The investment credit extends to orange trees in Florida.

The CHAIRMAN. The time of the gentleman has expired. The Chair recognizes the gentleman from Washington, (Mr. ADAMS).

Mr. ADAMS. Mr. Chairman, I support the gentleman's remarks. I support the amendment of the gentleman from Massachusetts. There are only 1,900 farms in this country, under Mr. Schnittker's figures, that will be paid subsidies if the limitation is over $20,000.

(By unanimous consent, Mr. ADAMS yielded the remainder of his time to Mr. VANIK.)

The CHAIRMAN. The Chair recognizes the gentleman from Pennsylvania (Mr. BARRETT).

(By unanimous consent, Mr. BARRETT yielded his time to Mr. VANIK.)

Mr. BARRETT. Mr. Chairman, I rise in support of the amendment offered by the gentleman from Massachusetts (Mr. CONTE) and urge its adoption. At this time when we are all concerned with the ever increasing cost of Government, the need for tax reform and the continuously spiraling cost of living, particularly the cost of food, farm program payments without a ceiling can no longer be tolerated.

We read every day of the millions of our citizens who are poor and impoverished and who are undernourished and suffer from malnutrition. This, in the land of plenty. This is a tragic situation and must be rectified.

The $20,000 ceiling proposed by this amendment will fairly and justly serve those farmers who are in need of Federal assistance. Certainly these are not the large land holders and large corporate farms who in the past have received hundreds of thousands of dollars under these programs. It was the small farmer who was intended to be benefitted by the agriculture programs when they were first adopted by the Congress.

The adoption of this amendment will return programs to that intended by the Congress.

Mr. VANIK. Mr. Chairman, the conglomerate was born on the farm—and spread to the city.

This bill provides $6.6 billion to the agricultural industry of America. That is only part of the story. The overwhelming portion of our public works program not related to transportation adds billions more to the agricultural sector. No other segment of American life receives so much and pays in so little.

The testimony before our committee indicated that tax payments by agriculture in America approximate $1 billion in tax revenues. Somehow or another, these subsidy programs costing billions of dollars should also generate some tax receipts in order to justify their continuance.

It is time for us to stop treating agriculture as a pampered child. The industry has progressed far enough to stand on its own and help pay its own way.

The CHAIRMAN. The Chair recognizes the gentleman from Oklahoma (Mr. BELCHER).

Mr. BELCHER. Mr. Chairman, I might say at the outset that I have differed with a whole lot of these farm programs, and I have not been a frantic supporter of these farm programs. I have always felt that there ought to be some way to keep agriculture alive without any Government subsidy whatsoever.

But I just want to say that when we get really emotional about the farmer getting a million dollars out of the taxes somewhere, and you want to put a $20,000 limit on the amount a farmer will

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receive, we must remember that the same people that yell the loudest about the farm programs vote for foreign aid. One hundred and twenty billion dollars has been spent on foreign aid, and I have never seen any one of these gentlemen get up here and offer an amendment to the foreign aid bills not to let any farmer get more than $20,000.

So it just depends on where one is conservative and where one is liberal. I am conservative as far as foreigners are concerned, and I am a little bit liberal as far as farmers are concerned.

I might say to the gentleman from Massachusetts that he referred to the gentleman from Illinois (Mr. Findley) as a member of the Agriculture Committee. The gentleman from Illinois (Mr. Findley) was a member of the Agriculture Committee until he joined the Foreign Affairs Committee, because he was more interested in foreign aid than he was in farm programs. So naturally we can understand how these things come about.

The CHAIRMAN. The time of the gentleman from Oklahoma has expired.

(By unanimous consent, Mr. Mahon yielded his time to Mr. Belcher.)

Mr. BELCHER. Mr. Chairman, now that I have done my song the same as the gentleman has, I do not think my dance would be as good as his, so I am going to discuss the merits of the bill.

At this time, as somebody has pointed out, if this amendment is adopted, it will not hurt cotton. These big payments that go to cotton will revert to another payment and will cost $160 million, which will be more than it would cost to keep this ceiling off.

In my district I do not believe there was a single farmer who got more than $20,000. There are not many farmers in Oklahoma who get more than $20,000. Therefore, this amendment will not save the taxpayer 1 dime. It will cost the taxpayer money. It will not hurt the cotton industry, and as far as other programs, such as wheat and feed grains and so forth, this $20,000 limitation is not going to save a great deal of money.

There is only one way that we can have a supply program, and that is where we are going to have to buy the reduction in production, and we cannot do that on little farms.

The CHAIRMAN. The time of the gentleman from Oklahoma has expired.

(By unanimous consent, Mr. Abernethy yielded his time to Mr. Belcher.)

Mr. BELCHER. Mr. Chairman, if we drive the bigger farmers out of the program—and a lot of those bigger farmers have not been sold on this program at all and most of them are against it—they will produce so many commodities that the little farmers' allotment will be continuously shrunken and shrunken and shrunken, to the point where he cannot make a living at all.

The gentleman said a while ago that the farm areas do not pay income tax. I will tell Members exactly why they do not. They do not make enough money to pay income tax regardless of what others say about what they get out of subsidies from the Federal Government. A man on a farm with a tremendous investment in many cases does not get as much per hour for his labor as the minimum wage law provides even for a janitor in the city.

The CHAIRMAN. The time of the gentleman from Oklahoma has expired.

(By unanimous consent, Mr. Rhodes of Arizona yielded his time to Mr. Michel.)

The CHAIRMAN. The chair recognizes the gentleman from Massachusetts (Mr. Boland).

Mr. BOLAND. Mr. Chairman, I rise in support of the amendment offered by my colleague, the gentleman from Massachusetts (Mr. Conte), which puts a ceiling of $20,000 on farm program payments to an individual. In my opinion the farm program payments are excessive. The farm program itself, as it now operates, has outlived its usefulness. A major overhaul is overdue.

Since this is an appropriation bill, however, we can only place restrictions on the funds appropriated. This amendment if approved would affect fewer than 10,000 individuals and could save up to $205 million according to USDA studies.

Mr. Chairman, the large payments to individual producers are usually defended on the grounds that large producers' cooperation in the programs benefit all farmers. We are told that the payments are in lieu of a producer planting his usual acreage of a particular crop. This may have been the situation at one time. But it is no longer true.

Approximately 80 percent of the individuals who received payments in excess of $20,000 under the 1968 programs were cotton producers. Most of the others were wheat producers. This also will be the case for the 1969 and 1970 programs. Over 90 percent of payments in excess of $20,000 go to producers of cotton and wheat.

But the cotton program payments are not payments for leaving cotton land idle. Cotton producers may plant their entire historical cotton allotment in 1969 and still collect payments of 14.7 cents a pound on their projected yield on their domestic allotment, 65 percent of their farm allotment.

One cotton producer in California collected over $4 million in 1967 and over $3 million in 1968. He will be permitted to plant his full farm allotment in 1969 based on his pro rata share of 16,000,000-acre national allotment, and if he has not sold or rented out a part of his cotton acreage, he will draw over $3 million in farm program payments.

Cotton program payments in 1969 and 1970 are not needed to keep from over producing cotton at world market prices. We have had such short crops of cotton for the past 2 years that cotton prices were too high. High cotton prices stimulated increased production and use of synthetic fibers and increased production of cotton in other parts of the world.

A $20,000 limitation on individual farm program payments would not adversely affect the small cotton producers. It would only affect the fewer than 10,000 individuals who have large land holdings and in addition are now receiving payments equal to two-thirds the market value of their crops. These payments are income supplements or welfare payments—needed perhaps by the small cotton producers.

But I ask you what national purpose is served by giving a cotton producer who produces and sells $4 million of cotton income supplement or welfare payments of $3 million?

Wheat producers' payments also have little relation to the acreage diversion required to balance wheat supplies with market outlets at stable prices. In the 1969 wheat program a producer will receive wheat certificates valued at more than $1.30 a bushel on his domestic wheat allotment, over 40 percent of his total farm allotment.

Under the 1969 program wheat certificate payments to producers will exceed 40 percent of the market value of the crop produced. This is four or five times the payments needed as economic incentives to achieve the acreage diversion programed for 1969.

Wheat payments like cotton payments have become primarily supplemental income payments rather than payments for acreage diversion.

Again limiting payments to $20,000 for an individual wheat producer would have no adverse effects on other wheat producers. Only the few thousand large wheatland owners and operators would be adversely affected.

A limitation on farm program payments is long overdue. A limitation of $20,000 as proposed in this amendment is a very modest limitation. It will affect fewer than 10,000 producers out of almost 2 million who receive farm program payments. I know of no less painful way of saving up to $200 million in Government expenditures at a time when other domestic program are being curtailed for lack of funds.

I fully realize that a limitation of $20,000 on all farm program payments may cause some difficulty in the administration of the several programs. In particular it might require the Secretary of Agriculture to return the cotton program to the provisions of the 1958 act. Let us adopt this amendment, however, and if changes are needed in existing legislation the legislative committees have plenty of time to act before the 1970 crops are planted. Let us make it clear that at a time when educational and health programs are being cut because of a lack of Government funds that we are not going to continue supplemental income or welfare payments in excess of $20,000 to individual farmers.

(By unanimous consent, Mr. Boland yielded the remainder of his time to Mr. Conte.)

The CHAIRMAN. The Chair recognizes the gentleman from Minnesota (Mr. Quie).

SUBSTITUTE AMENDMENT OFFERED BY MR. QUIE

Mr. QUIE. Mr. Chairman, I offer a substitute amendment.

The Clerk read as follows:

Substitute Amendment offered by Mr. Quie: On page 22, line 17, strike the period and insert the following: ": *Provided further*, That no part of the funds appropriated by this Act shall be used to formulate or carry out any price support program on cotton, wheat, or feed grains planted during

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the fiscal year 1970 under which payments to any single producer exceed an amount determined as follows:

If total amount of such payments are—	By multiplying by—	The maximum payment shall be—
$20,000 or less	100 per centum	$20,000.
More than $20,000 to $30,000.	75 per centum	$27,500.
More than $30,000 to $40,000.	50 per centum	$32,500.
More than $40,000 to $50,000.	25 per centum	$35,000.
More than $50,000	25 per centum	$35,000 plus 25 per centum of any amount in excess of $50,000."

Mr. WHITTEN. Mr. Chairman, I make a point of order against the substitute amendment.

The CHAIRMAN. The gentleman will state his point of order.

Mr. WHITTEN. It is legislation on an appropriation bill, and requires additional duties.

The CHAIRMAN. Does the gentleman from Minnesota desire to be heard on the point of order?

Mr. QUIE. Yes, I do, Mr. Chairman.

I believe this amendment is in order, because the opening language is identical with that of the Conte amendment. The only difference is that where his cutoff is at $20,000 mine provides for a graduation or scaling down of the cutoff above that. It applies only to the funds in this act and is a limitation on the funds in this act. Therefore, Mr. Chairman, I believe it is in order.

The CHAIRMAN (Mr. WRIGHT). The Chair is ready to rule.

For reasons declared in a previous ruling the Chair is going to hold that the substitute amendment offered by the gentleman from Minnesota (Mr. QUIE), is a limitation on the appropriation and is therefore in order. The Chair overrules the point of order.

The gentleman from Minnesota is recognized in support of his substitute amendment.

(By unanimous consent, Mr. STEIGER of Wisconsin yielded his time to Mr. QUIE.)

Mr. QUIE. Mr. Chairman, if Members will notice the language, they can tell by hearing the amendment that the Sugar Act is not included in my amendment, either. The Sugar Act already has a limitation on payments on a graduated basis, from 80 cents a pound down to 30 cents a pound. That is a precedent for what I have done.

Rather than take the chance of endangering the program with the amendment of the gentleman from Massachusetts, where there is a cutoff at $20,000, and the possibility that the larger farmers receiving above that might drop out of the program and therefore cause a glut on the market, my amendment provides a gradation above $20,000. Each farmer up to $20,000 would get 100 percent of his payment. For the amount above $20,000 and less than $30,000, it would be 75 percent of his payment. However, if he received something between $30,000 and $40,000, then he would get $20,000 plus 75 percent of the next $10,000 plus 50 percent of the amount between $30,000 and $40,000. The same is true with respect to between $40,000 and $50,000. The amount anyone would receive above $50,000 is he would get 25 percent of his payment.

We are going into this, if it is enacted into law, without the possibility of considering and changing the act under which this would apply. So in order that the pressure would not be too great on the farmers, but making a savings of some amount of money, I believe this would be a wise move to make at this time.

My own feeling is that my figures are extremely high. In fact, a year ago I offered an amendment with exactly half that amount, beginning at $10,000. I have looked at the act since that time and studied what some economists have come up with in the case of a limitation on payments, and I think the amount could be a lesser amount, but at this time, Mr. Chairman, I believe this is the wisest move we could make. We will not endanger the program and we will save some money.

The CHAIRMAN. The Chair recognizes the gentleman from New York (Mr. REID).

Mr. REID of New York. Mr. Chairman, I rise in strong support for the Conte amendment. I believe it is unconscionable in America that we are paying certain individuals large sums of money not to grow food when at the same time we face serious malnutrition and hunger across the Nation. I emphatically urge your support for the amendment.

(By unanimous consent, Mr. REID of New York yielded the remainder of his time to Mr. CONTE.)

The CHAIRMAN. The Chair recognizes the gentleman from Texas (Mr. POAGE).

Mr. POAGE. Mr. Chairman, I feel that the substitute which has just been offered by the gentleman from Minnesota pretty well shows up the fallacy of this whole procedure.

This is not a well-thought-out program of reductions. It is not based on any study of the effect. It is, frankly, little more than an assessment of what figure could be expected to get the most votes. The real objective is to see that no one gets more than any one else, and even here the whole proposal is predicated on the erroneous assumption that this is a gift, or an income supplement. It is, of course, no more a gift than the payments made the owner of city rental property when that property is taken for Urban Renewal. In such a case the Members all recognize that we should pay each property owner in proportion to what he owns—in proportion to what he gives up.

The owner of farmland who gives up the right to grow a crop has given his property just as truly as the owner of city property who gives up the fee simple—of course, there is a difference in value, but each should be paid for what he gives up for the public. It is this principal, not the amount of the limitation which is vital.

There is no special magic in $20,000 or in any calculated step up or down. The gentleman has already pointed out that he, himself, feels maybe he will come back here another day and try to change those figures. He just told us he felt his own figures were too high. Of course, if any of these amendments are adopted, the authors will be back in 2 years seeking to reduce the amount. Every one of us knows it.

Obviously, the proponents of this limitation feel that it is bad to pay more than the average man gets to anybody. To achieve this you have to reduce all of these figures down to the lowest denominator. If you do that, you will have no program at all, and if you can take property or the use of property without paying its full value you have destroyed the institution of private property. It is just as certain to follow as the day the night. Every one of you knows it. The whole question here is are you going to pay for taking property rights or are you going to seek to take them without paying for them? If you do not pay you do not get compliance, and to maintain your programs you must take more land from the very small farmers. On the other hand is you force the large farmer to reduce with no compensation and still pay the small man, are you not guilty of discrimination such as our courts have proscribed? And if you vote to reduce payments, are you not certain to further reduce them in the future.

The CHAIRMAN. The Chair recognizes the gentleman from Texas (Mr. PURCELL).

Mr. PURCELL. Mr. Chairman, I would like to associate myself with the remarks made specifically by my colleague from Arizona (Mr. UDALL), and by my colleague from Oklahoma (Mr. BELCHER).

In each instance the specifics I think that are so important to consider today were pointed out. This is not the way to legislate. I think the other discussions have pointed out how complicated and difficult this matter is. These matters will be and can be gone over in proper time and in proper detail. To emphasize what has already been said once more, to take these limitations or to accept limitations of payments is just exactly like deciding that you are going to pay only a certain amount when land is condemned for a highway or for any other purpose. When land is condemned, if a person has more than one acre, he gets that amount of money per acre.

The CHAIRMAN. The Chair recognizes the gentleman from Illinois (Mr. MIKVA).

Mr. MIKVA. Mr. Chairman, I rise in support of the Conte amendment.

(By unanimous consent, Mr. MIKVA yielded his time to Mr. CONTE.)

The CHAIRMAN. The Chair recognizes the gentleman from New York (Mr. FARBSTEIN).

Mr. FARBSTEIN. Mr. Chairman, I believe that this farm subsidy law was originally passed during the days of the depression when farms were being foreclosed. At the time when the small farmer did not have any food we passed this law. I do not believe it was the intention of the Congress to support, maintain, and subsidize factory farmers and commercial farmers. When Job Corps centers are being closed and people are rioting in the streets, how can we reconcile paying hundreds of thousands and maybe millions of dollars to individual commercial farmers in situations of this type?

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Mr. Chairman, I believe that the amendment is a good one and should prevail.

The CHAIRMAN. The Chair recognizes the gentleman from Iowa (Mr. MAYNE).

Mr. MAYNE. Mr. Chairman, as my colleagues will recall, I actively supported the 1-year extension of the farm program last year. I resisted all attempts to amend or change the program at that time because it was obvious the adoption of such amendments would endanger the passage of any extension at all.

Although I had very serious misgivings about the huge payments being received by large farm operators, many of which are incorporated, I voted against any limitation of payments at that time. I was persuaded by those who argued that we should not jeopardize winning the 1-year extension by such a limitation, but should defer the question of payments until early this year when there would be more time to explore it in depth.

We are now 5 months into the new year, and I do not believe Members should delay coming to grips with this issue of payments limitations any longer. I concede that it would be preferable to take this matter up in the Committee on Agriculture, of which I have the honor to be a member, and I look forward to the hearings which will no doubt be conducted by our committee on the subject later in the year.

But I am convinced that those Members who are genuinely interested in improving and strengthening our present farm programs can wait no longer, but should act now to end the large payments which are bringing those programs into disrepute and now jeopardize their very existence. The people of this country, urban and rural alike, are fed up with unjustifiable government spending and the relentless increases in taxation which such spending brings in its wake. At a time when the new administration is pledged to bring inflation under control and is asking for a continuation of the surtax to that end, annual payments of $100,000, $500,000, $1 million, yes, even $4 million to individual corporate farms can no longer be defended. A letter was sent out today by some of our colleagues which suggests that a limitation would jeopardize the already precarious financial situation of family farmers in the United States. I yield to no one in my concern for the family farm and my admiration for the great contribution which independent family owned and operated farms have made to the economic and social security of the United States. But as I see it, annual payments of more than $20,000 are hurting, not helping the family farmer. They are subsidizing the gigantic agricultural combines, corporate and otherwise, which have been gobbling up family sized farms and driving small farmers from the land by the hundreds of thousands; corporations which are often in direct and unfair competition with the family farmer. So let us not be misled into believing that payments of over $20,000 a year are helping the little or medium sized farmer in any way. These large payments are discrediting the entire farm program in the eyes of the public, and must be eliminated if the program is to command sufficiently widespread support for continuance on a reasonable basis.

Certainly the $200 to $300 million being spent each year to subsidize our wealthiest farmers can be better used to improve the program for smaller farmers who are hardest hit by the price-cost squeeze plaguing American agriculture. And it also could be better spent on other programs for which there is great need. Serious consideration should also be given to the Federal Government not spending this money at all. This would indeed be a mighty victory in the war against inflation. Why not start turning this $200 to $300 million a year back to the taxpayer for a change? Is not it likely the taxpayers who are being separated from this amount by present high tax rates might like to be able to make their own judgment as to how their money should be spent or saved, rather than seeing it paid to organizations or individuals many times wealthier than they are themselves?

Representing the Sixth Congressional District of Iowa, I am most directly interested in improving and strengthening the feed-grain part of this program, which certainly has been woefully inadequate in the past. After inspecting USDA records, it is my considered judgment that a $20,000 limitation of payments will not have an adverse affect on the feed-grain program. Payees receiving more than $20,000 in 1967 farmed only 2 percent of the feed-grain base or approximately 2.6 million acres. It is essential that we take prompt action to end subsidization of this very small percentage of large operators in order to go forward with a program which will better serve the interests of the vast majority of American farmers and the entire country. I, therefore, urge all Members to vote for the $20,000 limitation amendment.

The CHAIRMAN. The Chair recognizes the gentleman from New York (Mr. LOWENSTEIN).

Mr. LOWENSTEIN. Mr. Chairman, I rise to support the amendment that would limit the size of individual agricultural subsidies.

Two of the points made today against the amendment especially deserve comment. The first is the contention that this is a bad way to legislate. What, I wonder, under our present rules and procedures, is a good way?

In any case, that charge is a commentary on the way this body operates, not on the merits of the amendment. Why are we voting on a Monday? Why were we not told we would be voting on Monday until late Friday? What sudden agricultural crisis compelled this dramatic rush despite precedent, and in the face of standards of fair notice?

Should we then begin to amend House rules today? Should we delay changing bad laws until we get rid of bad procedures?

Maybe this episode will help light the fires of reform in the bosoms of worthy Members who have long seemed content with a legislative process whose inefficiency rivals its undemocracy. Meanwhile, we must legislate as best we can, and judge proposals on their merit.

The second is the claim that it is not in the interest of the small farmer to place a ceiling on subsidies for large and corporate farms.

Mr. Chairman, I am filled with wonder when it is said that the way to help small farms is to provide unlimited subsidies for large ones.

I would think we could find better ways to help small farmers, if that is our purpose. Certainly small farmers would think so.

Mr. Chairman, I would hate to see all assistance to agriculture go under in a wave of consumer and taxpayer resentment. The agricultural program is not helped by continuing this endless bounty for the few least in need at the expense of everyone else. The Nation is not helped. Nobody is helped, except those few least in need of help. We are not trying to rob the rich to give to the poor. What we do want is to quit taking from the poor—and those in the middle—to give to the rich.

The CHAIRMAN. The Chair recognizes the gentleman from Illinois (Mr. FINDLEY).

Mr. CONTE. Mr. Chairman, will the gentleman yield?

Mr. FINDLEY. Yes, I yield to the gentleman from Massachusetts.

Mr. CONTE. Mr. Chairman, I urge everyone to vote for my amendment and against the Quie substitute amendment. I have already spoken at length today on my amendment which has passed this House on a previous vote by 230 to 160 and, in view of the fact I have already spoken for 5 minutes, Mr. Chairman, I yield the balance of my time to the gentleman from Illinois (Mr. FINDLEY).

The CHAIRMAN. For what purpose does the gentleman from New York rise?

(By unanimous consent, Mr. OTTINGER yielded his time to Mr. FINDLEY.)

The CHAIRMAN. Does the gentleman from Massachusetts desire to yield all his time together with that which has been yielded to him by previous speakers to the gentleman from Illinois?

Mr. CONTE. I do, Mr. Chairman.

The CHAIRMAN. The gentleman from Massachusetts has 3 minutes at this time which he desires to yield to the gentleman from Illinois.

The gentleman from Illinois (Mr. FINDLEY) is recognized for 5 minutes.

Mr. FINDLEY. I thank the chairman and those who have yielded time to me.

Mr. Chairman, the Conte amendment in all practical effect is precisely the amendment I had formulated and intended to offer myself. It is almost identical to an amendment which I offered on an appropriation bill last year, except as to the amount. It is almost identical to the three previous limitation amendments which I have offered in past years.

In my view, it is much superior to the one offered by my respected colleague, the gentleman from Minnesota (Mr. QUIE). Let me illustrate this with just one example. The Eastland plantation in Sunflower County, Miss., received about $106,000 in payments last year. As I understand the formula of the Quie amendment, the East plantation would receive something like $25,000 or $26,000 in the 1970 crop year. Under what I would describe as the Conte-Findley amendment, the Eastland plantation would instead

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have to get by with just $20,000. In my view $20,000 is quite enough.

Someone asked:

> What could possibly be the rationale for placing a limitation on payments under farm programs which involve land areas of such varying sizes?

Here is the rationale that I shall use to justify this approach. This is a program which provides direct payments to the individual, corporations and partnerships engaged in farming throughout the country, requiring in all over $3 billion in the course of a year. This can be justified only as income support and nothing else.

To talk about getting an equivalent value for the tax money in land retirement is sheer folly. The only justification that can possibly be rationally advanced is income support, and my idea is that $20,000 a year per recipient is income support enough.

Mr. EVANS of Colorado. Mr. Chairman, will the gentleman yield on that point for a question?

Mr. FINDLEY. I yield to the gentleman from Colorado.

Mr. EVANS of Colorado. The gentleman has presented this amendment for many years I know the gentleman has studied it very thoroughly, and has gone into the merits of farm payments, and so forth, to arrive at the figure of $20,000. I wonder if the gentleman has made any study at any time in regard to the net amount the cotton farmer receives at the end of the year, or the net amount that the wheat farmer receives at the end of the year, what those farmers have as a profit after all expenses? I do not know if the gentleman has that information, but if he does have that information I would appreciate hearing it.

Mr. FINDLEY. I believe the important thing as legislators we must consider is how much do we pay a farmer.

As we heard earlier today, a farmer who received $50,000 a year from the U.S. Treasury can still go broke. Is this expenditure justified? Does his circumstances justify an investment of still more money?

A lot has been said about the snapback provision. Would it create administrative difficulty? There is no question in the minds of every official I talked with at the Department of Agriculture, that if the Secretary would elect to do so, the $20,000 limitation—which hopefully we will establish by this amendment—would still be effective after snapback provision takes effect. So we would have the prospect of budget savings under this amendment that former Under Secretary John A. Schnittker says will be as high as $300 million.

Now, this was not a Republican Under Secretary speaking, but the man who was Under Secretary under Secretary Freeman, and who was one of the architects of these payment programs. This man now states that a limitation of the sort suggested in the Conte-Findley amendment could be effected, gaining these budget savings and without serious advance effect on the commodity programs to which they are attached, and without undue administrative difficulty.

Mr. CONTE. Mr. Chairman, will the gentleman yield?

Mr. FINDLEY. I yield to the gentleman from Massachusetts.

Mr. CONTE. I know that the gentleman would want to have the RECORD correct in regard to the Eastland plantation subsidy payment. I would like to inform the gentleman that under the Quie amendment he would not receive $26,000, he would receive $51,500.

Mr. FINDLEY. So that the difference between the Conte amendment and the Quie amendment is considerable.

It can be said that this has the effect of legislation, and that instead of acting on an appropriation we should wait for the legislative process. I believe it also can be fairly said that we may wait a long, long time for that to happen. And my feeling is that if this limitation on payment accomplishes nothing else, it would be well worth the investment in time and support on our part if it should spur the legislative process. So let us spur the legislative process by accepting this amendment.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

The Chair recognizes the gentleman from New York (Mr. RYAN).

Mr. RYAN. Mr. Chairman, I support the amendment to limit subsidy payments to $20,000. The House adopted a similar amendment on July 31, 1968, but it was deleted in conference.

At a time when the budget for social programs is being cut back, at a time when our cities are starved for funds for housing and education, this amendment offers an excellent opportunity to save $300 million in farm subsidies.

Last week the supplemental appropriations bill provided $40 million for the section 236 rent subsidy program—$10 million less than the authorization for fiscal year 1969. A reduction in farm subsidies for corporate farms would free money for rent subsidies for ill-housed people.

The gentleman from Illinois (Mr. FINDLEY) suggested that the basic justification for agricultural payments is income maintenance. Income maintenance is the concept embodied in my guaranteed annual income bill. But those who attack a guaranteed annual income for the poor are the first to defend the farm subsidy system of a guaranteed income for the rich.

The farm subsidy program is a classic example of an inverted Federal policy which Michael Harrington has characterized as "socialism for the rich and free enterprise for the poor."

The small marginal farmer, who is often in debt and subsisting on $1,000 to $2,000 a year, receives little benefit from the subsidies paid by the Federal Government. The large plantation owner, on the other hand, profits handsomely from this system. Since he has large quantities of acreage at his disposal, he can afford to take a larger amount of land out of production, receiving as much as $116,978 for his munificence—as Senator EASTLAND did in 1968.

In other words, the richer one is, the more the current subsidy programs benefit him. The small farmers—who need the greatest assistance from the Federal Government—receive the smallest subsidies. The large farmers—the agrarian corporatists—not only receive the largest subsidies but are also unencumbered by any requirement that they pass on their largesse to the impoverished tenants who often farm much of their acreage.

The U.S. Department of Agriculture study—the Schnittker study—issued last November 27 shows the limitation proposed in the amendment before us would have "no serious adverse effects on production or on the effectiveness of production adjustment programs." The same study reported that a limitation on payments of the level suggested in this amendment would yield "budget savings ranging from $200 million to nearly $300 million." Although this limitation may produce certain administrative problems, the USDA study concluded:

> Administrative problems . . . are not good reasons for opposing payments limits.

I would point out that this amendment does not propose the abolition of farm payments but rather proposes the elimination of the excessive subsidization of the most wealthy farmers.

Second, those farmers most in need of Federal assistance—those who do not own enough land to profitably take their acreage out of production—would not be affected by this amendment. What this amendment would do is to limit the amount of booty which corporate farms could reap from the program.

Since the $20,000 limitation proposed today would affect only those crops planted in 1970, both the Department of Agriculture and the farmers will have ample time to make adjustments for this limitation.

The farm payments program as it is now administered is only one example of the inverted policy of socialism for the rich and free enterprise for the poor. Urban renewal, while it was designed to provide for the needs of low- and moderate-income citizens, has too frequently benefited only the real estate developers. Only last year did Congress finally require that a majority of the housing built on urban renewal land be for low- and moderate-income people.

The highway program is another example. While the poor of the inner city have their homes and businesses bulldozed in order to make room for unnecessary and ill-considered highways, the construction, trucking, oil and automotive interests reap enormous profits from this massive public works venture.

The defense and space budgets provide further illustration. Recently the House approved authorization for a $14 million supplemental appropriation to the Air Force which was nothing more than a subsidy to Northrup Aircraft to build an aircraft which could be sold profitably in the foreign military sales market. Boeing Aircraft has received almost three-quarters of a billion dollars in Federal subsidies for the design and development of the supersonic transport, an aircraft which solves none of our most pressing national transportation needs and which will create still more environmental and atmospheric problems.

Neither of these "projects" could apparently be left to the "invisible hand of the market."

There are countless other examples of the perverse and counterproductive ways in which the Federal Government is sub-

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sidizing the rich while leaving the poor to fend for themselves.

I urge the adoption of the Conte amendment which will help to make sense out of our irrational Federal farm subsidy program.

The CHAIRMAN. The time of the gentleman from New York has expired.

The Chair recognizes the gentlewoman from Washington (Mrs. MAY).

Mrs. MAY. Mr. Chairman, I was rather shocked to hear my colleague from Ohio (Mr. VANIK) say very scathingly just a moment ago that the only contribution the farmers make is $1 billion in taxes.

Mr. Chairman, I submit that the agricultural economy of our country makes the greatest of contributions, and that this is a nation that is the best fed at the lowest cost of any nation in the world. Remember, this is where the food to feed the hungry you plead for comes from. On behalf of this American farmer who makes us the envy of the world, I offer this plea—that we treat in an orderly, responsible way, legislation which affects his livelihood. This, at least, the Congress owes him. It is impossible to change basic national policy with an amendment on the wrong bill without harming the man who feeds and clothes us all.

I am deeply concerned over the proposal to limit payments to farmers under the Federal farm programs. My concern stems from two basic points. First, that this is neither the time nor the place for such a proposal to be presented, and second, that a limitation on farm payments is unlikely to achieve the objectives for which it is offered, and may, indeed, do more harm than good.

Speaking to my first point, although ostensibly a farm payment limitation would affect only the expenditure of funds in the Federal farm programs, the practical effect of such a limitation would be a basic restructuring of the farm programs themselves. Since it is inappropriate under the rules of the House to legislate on an appropriation bill, this proposal should not be brought up at this time.

With reference to my second point, it has been purported that a limitation on payments to farmers under the Federal farm programs would save the Government, and the taxpayer, several millions of dollars annually. Upon closer examination, however, it is evident that this is a questionable assumption, to say the least. In fact, a payment limitation may, in the long run, cost the Government as much or more than could be saved.

How is this possible? In the wheat program, for example, many of the larger operators whose payments would be reduced under this proposal might well choose to go out of the program if no additional incentives to participate were offered. Outside the program, they would be free to plant as much wheat as they wanted, and the economic advantage of expanded acreage under those circumstances would certainly not be overlooked.

We already have more wheat than we know what to do with in this country, and even the slightest increase in production would exert a downward pressure on market prices far in excess of what its weight would be if supply and demand were more nearly in balance. Under the loan program, the Commodity Credit Corporation is required to assume ownership of all wheat which is not reclaimed by producers who have obtained Government loans on it. So, whenever the market price drops to or below the loan price, large quantities of wheat become the property of the Federal Government. A payment limitation, then, may result in lower market prices and higher expenditures by the Commodity Credit Corporation—expenditures which could substantially offset any savings effected by the limitation on payments. This is only one factor which could cause greater expense, and does not take into account the increased cost of a larger land diversification program which might be required, or other more expensive program modifications which might be necessary.

A payment limitation, it has also been suggested, would help remove inequities between large and small farmers. Actually, just the reverse could occur—a limitation would probably not help small farmers, and could, in fact, be quite harmful. Under the present wheat program, for example, the Secretary of Agriculture must establish a national wheat acreage allotment for program compliers annually on the basis of total antcipated U.S. production. If larger farmers go out of the program because of a payment limitation, and produce more, this means that the acreage of those smaller producers who stay within the program must be cut back to compensate for this expanded production.

Another problem of considerable significance which presents itself here is that of the effect of a payment limitation on the cotton program. Because of the so-called snapback provision in this program, imposition of a payment limitation would result in a major drastic change—reversion to an earlier Federal program, and increased Government expenditures.

I think it is important to point out that even the oft-quoted "Schnittker Memorandum" in support of payment limitations referred to other basic changes in the farm programs which would necessarily have to accompany such a limitation. Walter Wilcox, senior specialist in agriculture in the Legislative Reference Service, also prepared a memorandum on farm payment limitations and in an early draft of that memorandum stated:

> A limitation similar to the Conte amendment, however, without other changes in the basic legislation would destroy the effectiveness of the programs.

The amendment referred to was a straight $20,000 limitation on total payments from all farm programs. I would suggest that both memorandums may be significantly understating the problems which might arise from a limitation on payments, even if the changes to basic farm legislation to which they refer were accomplished.

In short, I feel there are some very serious questions here which have not been satisfactorily answered by the proponents of farm payment limitations. I want to make it clear that my opposition to the payment limitation proposal certainly does not imply my blanket endorsement of the present farm programs—far from it. I have been something less than enchanted with the operation of the current programs—their inequities and failure to meet the income needs of rural America, especially—and feel that a complete reexamination of U.S. farm policy is definitely in order. We need to take a fresh look at just where we are going and how we want to get there. However, this is not the way to do it.

Over the years, Congress has established procedure for consideration of basic national policy—procedure which includes public hearings, committee consideration and due deliberation by this and the other body. I urge my colleagues to choose this course for consideration of farm payment limitations and the other related fundamental farm policy questions, rather than to pursue these important issues in the present situation.

In conclusion, I would like to list a summary of five points which have been made in opposition to this particular limitation amendment:

First. Land diversion and price support payments are an integral part of current voluntary farm programs. They enable farmers to work together to solve some of the economic ills and are an inducement to farmers, both large and small, to make a contribution to supply management. This type of limitation would affect program costs and participation differently.

Second. Payment limitations would prevent paying farmers on the basis of their contribution to balancing production with needs. Payments are not handouts or welfare grants. The land diversion payments are compensation for giving up income—production—on those acres diverted to a conservation use. The price-support payments enable farmers to obtain a fair return on the remaining acres used for production while farm prices are at world levels. It is generally recognized that the cost of production in the United States is higher than in other countries with which we have to compete. The price-support payments make it possible to maintain market prices at world levels and still permit our farmers to obtain a fair return. Price-support payments also assist in maintaining fair and equitable prices for domestic consumers.

Third. Cost savings generally would be less than that indicated because (a) many large farmers would continue to participate but would attempt to avoid the payment limitation through participating at the minimum level, splitting up of farm allotments or by other devices, or (b) could result in large farmers—those affected—dropping out of the program which would result in increased unneeded production. This would place a greater share of the burden of balancing production with requirements on small farmers. Any added surplus would increase total price-support operations.

Fourth. In the case of certain commodities such as wool, payments are made to encourage greater production. A limitation on payments would defeat this objective.

Fifth. Price support and related commodity supply management programs are being reviewed by the USDA and in

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the review one of the items would be a study of payment limitations. Thus no change should be made in the current programs until this review is completed and specific legislation for improving our farm programs has been developed.

The CHAIRMAN. The Chair recognizes the gentleman from Texas (Mr. PICKLE).

Mr. PICKLE. Mr. Chairman, I certainly want to reiterate the words of the gentlewoman from Washington about this program being one of good bargain to the American taxpayers.

The purpose of the program is to keep supply and demand in balance. I submit that the program we have has basically done that and done it well. We do not spend but about 18 cents, each of us, of our disposable income, for food. If you were to take the actual cost of this program, I suppose less than 2 cents of our Federal dollar is actually going into these funds and into this appropriation for support payments.

We ought to be fair about it and remember that for a man to be able to farm today, he has got to be a little bit bigger than he was when he could take 40 acres and a mule and start into business. He simply must have a larger operation. The investment is terrific. That is why smaller farmers are finding it difficult.

If there are to be changes made and if there are weaknesses in the program, the time to do that is when the legislation is properly brought to this floor.

If we try to put a limitation on the program by putting a limitation on these payments today, you are in effect killing the present programs. It is not fair to do that under the circumstances of an appropriation bill.

The CHAIRMAN. The Chair recognizes the gentleman from Illinois (Mr. PUCINSKI).

Mr. PUCINSKI. Mr. Chairman, I rise in support of the Conte-Findley amendment.

Mr. Chairman, I wish to call attention of the House to the fact that the whole bill before us is a $6.6 billion package of which $3 billion involves farm subsidies.

Even if the Conte-Findley amendment is adopted, $2.7 billion will still continue to flow to small farmers all over the country. But if it is adopted, you will break up the remaining $300 million that is now being distributed to a select group of fat cat farming corporations. That is what this is all about.

The gentleman from Texas said here earlier today that he received $393 in farm subsidies. The Conte-Findley amendment does not disturb him nor does it disturb thousands of small farmers around the country. What it does do is address itself to the $300 million being distributed to less than 500 large farming corporations.

The Committee on Agriculture can never deal with this problem of placing limitations on farm subsidies because whatever they do in terms of helping the smaller farmer will benefit the big farmer more than the small farmer, if the present formula is retained. The way to start toward reforms is by supporting the Conte-Findley amendment. Once limitations are written into the farm subsidy program, we can then move to an orderly revision of all formulas.

The CHAIRMAN. The Chair recognizes the gentleman from Pennsylvania (Mr. MOORHEAD).

Mr. MOORHEAD. Mr. Chairman, I rise in support of the amendment offered by the gentleman from Massachusetts (Mr. CONTE) for the gentleman from Illinois (Mr. FINDLEY) limiting payment support to farmers to no higher than $20,000 per year per farmer.

I supported a similar amendment in my first term in Congress.

Before I offer my reasons for doing so, I would like to thank the gentleman for his very informative and interesting entry in the record on May 12 of this year.

This excellent comparison study showing which counties receive the most Federal farm handouts—for this is exactly what these payments are—and which counties deny their poor people Federal food programs is quite illustrative of the twisted set of priorities which beset our Federal agriculture program.

It is disheartening to realize that with budget problems and hunger problems in the United States today, there are five farmers being paid a total of $10,889,036 not to plant their property.

It is even more scandalous to note that 15 more farmers are being paid between $500,000 and $1 million each not to plant their property, that 388 farmers are being given $100,000 and $500,000 not to plant, that 1,291 farmers are being gifted with between $50,000 and $100,000 not to produce crops, and that 4,880 farmers are being subsidized with grants of between $25,000 and $50,000 not to plant crops on their property.

To me, it is just plain incredible that with our budget problems and our hunger problems that we are paying payments of more than $233 million to fewer than 500 wealthy farmers in order to pay them not to produce food and fiber.

Gentlemen, in this period of an overheated economy, where we owe it to every American to tighten our Federal budget wherever possible, I think it is obvious where our Agriculture program can be trimmed. And again let me quote Mr. FINDLEY, we can cut back here with "no serious adverse effects on production or on the effectiveness on production adjustment programs."

A $20,000 ceiling on payments to any one farmer can save us about $300 million annually.

It would seem that saving money on this program and applying it to more pressing problems, primarily hunger, housing, and other national necessities, makes more sense than cutting back urban programs for lack of funds.

The CHAIRMAN. The Chair recognizes the gentleman from Louisiana (Mr. WAGGONNER).

Mr. WAGGONNER. Mr. Chairman, I rise in opposition to the Quie substitute and to the Conte amendment. The gentleman who just preceded me in the well finally placed in proper perspective what you are doing here today. I would agree that perhaps these five farmers out of some 2.9 million total farmers are getting too much. But are you going to back down on the word of the U.S. Congress?

I voted against this bill when it was originally passed and I still have many objections to it because it does have flaws but this past year we agreed that it would be wise and good for agriculture, in view of a change in administrations, to extend this program for 1 year to allow us to rationalize and write a good farm program. We told our farmers what they could count on. But no. Because five people, some people think, are getting too much—and I do, too—we are going to bring the house down on agriculture. Do you think we have confusion today? You have not seen anything. You have not seen confusion compared to what we will have if this Congress goes back on its word. To do what you propose will cost more money, not less. I share your concern for the consumer but take pride in the good job our farmers have done in feeding the Nation. Let the city people get hungry and the top will really blow. Are you going to bring the house down on agriculture that feeds this Nation because you are sore that five people are getting too much money? Yes, the program must be changed but do not do it in the middle of the game after telling them what to plan for. Is it fair when a man owns land and equipment to farm that land, and is farming his land, to be told by the Government that he can no longer do so, to put him out of business without compensating him for his loss until he is free again to do as he chooses? Of course it isn't. If you, by force, put any legitimate man out of business against his will he should be compensated for his loss. This legislation has only 1 year to go. That is the time to make the change. Many farmers have made obligations for this last year because we told them to. There is a real difference in paying a man for not doing something when he has the desire and wants to but is prohibited as compared to paying those who have no desire to work and won't work for not working. The very least you can do is keep your word and that is absolutely all I am asking if it means anything to you.

The CHAIRMAN. The Chair recognizes the gentleman from Texas (Mr. ECKHARDT).

Mr. ECKHARDT. Mr. Chairman, I rise to oppose both amendments, because I still believe the Nelsen amendment is the best approach, and I think, if prepared in a proper manner, simply as a limitation, it would be germane. If the amendments are voted down, I shall attempt to gain the floor to offer such an amendment.

The CHAIRMAN. The Chair recognizes the gentleman from Massachusetts (Mr. O'NEILL).

Mr. O'NEILL of Massachusetts. Mr. Speaker, it is an old adage that when the economy of the farm is going well, the economy of the Nation is going well. I think that holds true today. But I do not think that in giving these tremendous benefits to the wealthy farmer we help the little farmer, in the least bit, or the Nation.

May I also say, Mr. Chairman, that my colleagues from the cities who have any idea of voting against this appropriation bill might be reminded that the school food program and the food stamp program are in this bill. I intend to vote for the Conte amendment.

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The CHAIRMAN. The Chair recognizes the gentleman from Minnesota (Mr. Langen).

Mr. LANGEN. Mr. Chairman, I rise in opposition to both of these amendments, even though I supported such an amendment when it was offered to this House at the right time and in the right place. This is not the right time nor is it the right place. It is too complex an amendment. I do not think we know what we are doing when we consider this amendment. Let me show you how ridiculous it is. In the first place, the amendment is confined to only crops planted in the fiscal year 1970. There will be no payments out of this appropriation for crops planted in 1970. The moneys that will be paid out in this appropriation are going to be for crops that were planted in fiscal 1969. Consequently, it does not constitute any limitation. This, in reality, could do more harm to small farmers and be of benefit to big farmers, if you will, because they would eventually get their money. The amendment is not complete because it cannot work by the language that it contains.

The Secretary of Agriculture has issued a very strong and meaningful position on this matter. Let me read it for you:

May 26, 1969.

Position of the Department of Agriculture on Payment Limitations as Proposed in the Findley Amendment to the Agricultural Appropriations Bill

The Department of Agriculture believes it is possible to design a sound farm program that limits the number of dollars that can be paid to any one farmer for programs following the 1970 crop year.

However, to make such a limitation effective, legislative changes are needed. With only the simple amendment that is possible in connection with appropriation bills, the so-called "snap-back" provision for cotton would come into effect. The cotton program would then become subject to a loan-and-redemption or a buy-and-sell-back arrangement that would increase costs while the large producers would escape the intent of the payment limitation.

A simple amendment to the appropriations bill will not suffice. The Department is ready to work with the legislative committees on basic changes in the legislation and has modifications to suggest.

The preferred time for considering these changes would be later in this session or early next session, when consideration must be given to the type of legislation that is to replace present laws. These laws are scheduled to expire after the 1970 crop.

Clifford M. Hardin,
Secretary.

Inasmuch as I have already stated that the amendment applies only to crops planted in fiscal 1970, since there could be practically no payments related to those crops in this appropriations bill, it would be a meaningless gesture to adopt this amendment.

The CHAIRMAN. The Chair recognizes the gentleman from Illinois (Mr. Michel).

Mr. MICHEL. Mr. Chairman, I have some mixed emotions today about being in opposition to this amendment, because I opposed it when it was last considered on last year's appropriation bill. I supported it, however, when it was offered to the legislative extension of the act for a year. Incidentally, I opposed the extension of the agriculture bill for a year because I did not want to prolong this agony any longer. What we have here is, in effect, for another year, an agricultural production control bill. Make no mistake about it.

One-third of our farmers produce about 85 percent of what is produced.

So it follows that to have any control program be effective, we have to include the biggest operators with the smaller ones. You can't have a control program work any other way.

If you do not like that kind of approach, then we must amend the legislative act. As for me, I would say we ought to move for sure in this session of Congress to enact a new farm bill. It is imperative that we move, and I would hope the Agriculture Committee would get hearings underway soon.

I think this debate is good. It will get the message across to the Agriculture Committee and the administration that we cannot go along this course any more. These mountainous payments are coming under attack and they cannot be ignored. Just as the people are distressed over the machinations of the big foundations and millionaires evading taxes through loopholes, so are they opposed to these outlandish payments in the agricultural program.

I am in full sympathy with what the authors of the amendment and the substitute amendment are trying to do, but make no mistake about it, if the amendment is adopted it will not be the large producers that will be hurt. They have the wherewithal to break the market price for every commodity, and the small farmer will be at their mercy.

The small farmer will not be able to afford selling on the open market and if he is in the program CCC will have to take all his production. Then we are going to have to pay storage charges on these acquisitions of commodities and the price will be so low that even CCC could not afford to dump the accumulated stocks on the open market. That would of course compound the problem.

One final point. There are many increases here for those who want to help the poor and the needy. There is a great deal in this bill which provides for more food, better nutrition, and for food stamps and so on. Instead of getting increases for these food allowances provided in this bill beginning July 1, adoption of this amendment will delay the bill over in the other body and will be operating under a continuing resolution at a lower rate of expenditure. It is another aspect that you ought to think about, for those of you who have been shedding tears for those who need this help so much. Mark my word, we will not have a conference with the other body before Labor Day with this limitation in the bill and as I said, I am for it in principle but not as an amendment to an appropriation bill.

The CHAIRMAN. The Chair recognizes the gentleman from Mississippi (Mr. Whitten), to close the debate.

Mr. WHITTEN. Mr. Chairman, having sat in Congress for many years, I find it most disturbing to see this rift developing between regions and sections of the Nation. I think the debate this afternoon is something which the agriculture legislative committee should consider in connection with any revision of the farm bill.

But I would point out again that, insofar as the present situation is concerned, the Commodity Credit Corporation has, in addition to other funds in this bill, $5.6 billion on hand or on loan, and it would be obligated to carry out existing payments and to make such payments as the present plans call for.

This proposal does not change what our Agriculture Committee sponsored last year. I would say, if this is adopted, the large producers would get one check from funds in this bill and get the remainder of their payments from other funds available to CCC. Also, I have a statement from Secretary Hardin saying if this limitation is adopted, the snapback provisions would operate and it would cost the Government a great deal more.

I respectfully suggest we vote down both the substitute for the amendment and the amendment and let our Agriculture Committee work out these amendments in due time.

The CHAIRMAN. All time has expired.

The question is on the substitute amendment offered by the gentleman from Minnesota (Mr. Quie) for the amendment offered by the gentleman from Massachusetts (Mr. Conte).

The substitute amendment was rejected.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts (Mr. Conte).

The question was taken; and the Chairman being in doubt, the Committee divided, and there were—ayes 93, noes 84.

Mr. WHITTEN. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. Conte and Mr. Whitten.

The Committee again divided, and the tellers reported that there were—ayes 112, noes 100.

So the amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

CROPLAND ADJUSTMENT PROGRAM

For necessary expenses to carry into effect a cropland adjustment program as authorized by the Food and Agriculture Act of 1965 (7 U.S.C. 1838), $78,000,000: *Provided*, That no additional agreements are authorized for fiscal year 1970.

AMENDMENT OFFERED BY MR. SCHWENGEL

Mr. SCHWENGEL. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. Schwengel: On page 26, delete everything after the comma on line 2 and all of line 3 and insert in lieu thereof the following: "That agreements entered into during the fiscal year 1970 shall not require payments during the calendar year 1970 exceeding $99,300,000."

Mr. WHITTEN. Mr. Chairman, I ask unanimous consent that the amendment be reread.

The CHAIRMAN. Is there objection to the request of the gentleman from Mississippi.

There was no objection.

The Clerk reread the amendment.

Mr. SCHWENGEL. Mr. Chairman, the purpose of my amendment is to carry

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forward with our cropland adjustment program. The bill as it now stands only provides funds for payments on contracts now in force. It would permit no new land retirement in 1970 under the Cropland Adjustment Act of 1965. To cut back on this program is to achieve a false economy. The leading experts in the field of agricultural policy are placing more and more emphasis on the need for long-term retirement of agricultural land as the solution for our farm problems. Iowa State University, long known for its outstanding contributions to agriculture and agricultural policies, has recently published a document entitled "Farm Programs for the 1970's," which deals with this very question. The Center for Agricultural and Economic Development at Iowa State University, which prepared the document, urges the increased use of long-term land retirement as an alternative to our present unworkable and very expensive programs. The center's position is pretty well summarized in the following statement:

> One of the least restrictive types of government programs for agriculture is one which removes all cropland on individual farms from production under a long-term contract. This type of program does not restrict individual crop production, but rather reduces acres of cropland available for planting of crops. Such a program reduces the size of the land input, and if combined with complementary programs, would return less productive cropland to grass, trees or other natural states. Such a program would initiate a reversal of government policies and programs of the last century which continue to shift additional land from a state of low productivity to an advanced state of crop production.

Mr. Speaker, both the Johnson administration and the Nixon administration budgets included the exact amount proposed by my amendment. The committee report indicates that this item was deleted because of our costly commitments in Vietnam, and the allegations of hunger and malnutrition here at home. As to the commitment in Vietnam, I can only say that I am confident that President Nixon will move to drastically reduce our commitment there in the very near future. As for the argument that we cannot take more land out of production when hunger exists here at home, I think a careful analysis reveals the fallacy of this argument. We now have in excess of 40 million acres retired under the various annual programs, in particular, the feed grains program. This 40 million acres is more than adequate to give us any needed flexibility to take care of hunger and malnutrition. If there is a need for rapid increase in production acres, the acres currently in the wheat and feed grain program are the acres to use.

The cropland adjustment program is one of our best investments. Best because it is also a conservation program and in addition, when this program was authorized, 1965, the Congress indicated its belief in this approach by authorizing $225 million per year for the program. The increase proposed by my amendment is still far below the amount authorized. Of the $99.3 million appropriation in my amendment, only $21.3 million would be available for retirement of new acreage. But this would provide for retirement of about 4 to 5 million new acres.

Of particular importance here is the fact that many acres previously retired under the conservation reserve program will again be available for production. It is essential that we have sufficient funds available under the cropland adjustment program to keep this land out of production. By 1973 all of the land retired under the conservation reserve program, some 40 million acres, will again be in production unless we act now. Much of this land is marginal, and should remain in a reserve status. Even with respect to land which is not marginal, by putting it in reserve, we are conserving the land for future use.

In fact, if the suggestions of Dr. Wallace Ogg, extension economist at Iowa State University, are followed, long-term land retirement would result in a lower net cost to the Government. Dr. Ogg suggests that emphasis be placed on retiring land which involves the highest production costs. This is a sound approach.

Mr. WHITTEN. Mr. Chairman, I rise in opposition to the amendment.

May I say that after the vote on this amendment I will propose that the Committee rise.

Mr. Chairman, this is another case of adding money to pay people not to grow crops. This House has just put a limitation on the moneys that can be paid to farmers for complying with programs to take crops out of production. Now, this amendment would authorize additional contracts to take new land out of production.

I trust the amendment will be defeated.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Iowa (Mr. SCHWENGEL).

The amendment was rejected.

Mr. WHITTEN. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the Chair, Mr. WRIGHT, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 11612) making appropriations for the Department of Agriculture and related agencies for the fiscal year ending June 30, 1970, and for other purposes, had come to no resolution thereon.

GENERAL LEAVE TO EXTEND

Mr. WHITTEN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to extend their remarks on the bill, H.R. 11612.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

HEALTH AND SAFETY STANDARDS

(Mr. HECHLER of West Virginia asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. HECHLER of West Virginia. Mr. Speaker, on May 16, the Secretary of Labor announced certain health and safety standards for industries performing work on public contracts under the Walsh-Healey Public Contracts Act. I think it is very unfortunate that in promulgating these health and safety standards the Secretary of Labor fixed a standard of 4.5 milligrams of coal dust per cubic meter of air, which is 50 percent above the level of 3 milligrams recommended by the U.S. Public Health Service last December as a proper level for the protection of the health of coal miners.

Mr. Speaker, the history of social legislation reveals that it is usually the Federal Government which first makes the great initial advances in wages, hours, and working conditions.

I believe the Secretary of the Department of Labor has missed a great opportunity here to protect the health and lungs and lives of those coal miners working under conditions adverse to their health and safety.

In addition to that, this order was issued as a result of the recommendation of a 15-member National Safety Advisory Committee. When I asked the Department of Labor for the minutes of the meetings of that committee, I was denied access to those official minutes, which I believe is a clear violation of the Freedom of Information Act of 1967.

I would certainly hope, Mr. Speaker, that the Secretary of Labor will reverse his decision and set a standard of 3 milligrams in order to protect the health of the coal miners. In addition, other measures to protect the health and safety of coal miners should be brought in under the protection of the Walsh-Healey Act.

Mr. Speaker, I ask unanimous consent to include the text of a telegram which I have sent to Secretary of the Department of Labor Shultz on this issue.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

The telegram follows:

TEXT OF TELEGRAM SENT MAY 26 BY CONGRESSMAN KEN HECHLER TO SECRETARY OF LABOR GEORGE SHULTZ

Your May 16 announcement of health and safety standards for work performed on Government contracts completely ignores the recommendations of the Surgeon General of the United States on coal dust levels necessary to protect the health of the Nation's coal miners. In promulgating a standard of 4.5 milligrams per cubic meter of air on all coal mined for Federal contracts, you are subjecting thousands of coal miners to fifty per cent more coal dust than the level of 3.0 milligrams recommended last December by the United States Public Health Service. The Surgeon General testified before the Senate Subcommittee on Labor on March 18, 1969 that the health of coal miners will be better protected by the 3.0 milligram level than the 4.5 milligram level. The Surgeon General further testified that there is a straight-line progression of pneumoconiosis related to the level of coal dust, which means that there is fifty per cent more exposure at the 4.5 milligram level than the 3.0 level.

You indicated in your May 16 statement that you had followed the recomendations of the 15-member National Safety Advisory Committee, established by you on April 7. When I made a request to your office to examine the official minutes of the two meet-

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ings held by this committee, I was denied access to these minutes. I have lodged an official protest with Congressman John Moss of California, as I believe suppression of these minutes to be a clear violation of the Freedom of Information Act. I find it incomprehensible why you would suppress information on why you have elected to subject a large number of the Nation's coal miners to excessively high levels of coal dust.

I am shocked to learn that your Advisory Committee acted without any public hearings, without any consultation whatsoever with the House and Senate committees currently considering health and safety legislation, and without full consultation with the United States Public Health Service which recommended the 3 milligram standard. Your Committee members could have learned from a 3-page letter written to them on May 1, 1969 by the president of the National Coal Association that "The matter of dust standards has in the course of these hearings received the most careful consideration." There was only a cursory attempt to ascertain the effect of coal dust on the lungs and lives of thousands of coal miners.

The history of most social legislation reveals that it is the Federal Government which usually makes the first advances in wages, hours and working conditions, with the private sector catching up at a later time. You have missed a great opportunity to lead the way in establishing a Federal standard which can later be applied in the 90 per cent of the Nation's coal mines not performing work for Government contracts.

There are many other aspects of coal mine health and safety which can and should be written into regulations governing Federal contracts. I respectfully suggest that in light of the shockingly secret, furtive and arbitrary methods used in arriving at the 4.5 milligram standard, you should reverse your action on the 4.5 milligram standard and institute a standard of 3 milligrams per cubic meter as recommended in December, 1968 by the United States Public Health Service.

CONSTITUENTS CONCERNED ABOUT REPORTS THAT UNITED NATIONS FLAG RATHER THAN U.S. FLAG WILL BE PLANTED ON THE MOON BY OUR ASTRONAUTS IN JULY

(Mr. NICHOLS asked and was given permission to address the House for 1 minute, to revise and extend his remarks and to include extraneous matter.)

Mr. NICHOLS. Mr. Speaker, a number of my constituents are concerned, as I am, about reports that the United Nations flag rather than the U.S. flag will be planted on the moon by our astronauts in July. At first, I thought this was too absurd and had discounted it altogether. But I wrote to the National Aeronautics and Space Administration asking if there was any possibility that some flag other than our own would be taken aboard Apollo 11. Their reply was rather vague and led me to believe that the United Nations flag might be under consideration as a marker on the moon.

Giving further credence to this is the fact that Apollo 10 has 117 United Nations flags aboard it. These flags will be presented to each member of the United Nations, presumably including those nations which are helping the Vietcong kill American men in Vietnam.

The American taxpayers have single-handedly financed the research and experimentation which will lead to this moon landing. It would be an insult to the people of our country if any flag other than Old Glory should be planted on the moon by the Apollo 11 astronauts.

Mr. Speaker, I sincerely hope that our colleagues in the House will add their opposition to any consideration which might be given to the United Nations flag being planted on the moon by U.S. astronauts. I also include a copy of the letter from NASA in the Record at this point:

NATIONAL AERONAUTICS AND
SPACE ADMINISTRATION,
Washington, D.C., May 23, 1969.

Hon. BILL NICHOLS,
House of Representatives,
Washington, D.C.

DEAR MR. NICHOLS: We have received your inquiry on behalf of a constituent, concerning the possibility that the first astronauts on the moon may erect a United Nations flag.

As we approach the time when we may attempt the first manned landing on the moon, we are giving consideration to the symbolic articles, such as flags, emblems, or other articles, that should be carried on this historic mission, including articles to be left on the moon to commemorate the landing and those that might be taken to the moon and brought back to earth for permanent display. Before making decisions on these matters, a careful review is being made within NASA, taking account of the many suggestions received from outside the Agency.

We appreciate knowing of your constituent's expression of concern, and assure you that all viewpoints will be seriously considered before decisions are reached.

Sincerely yours.

ROBERT F. ALLNUTT,
Assistant Administrator for Legislative Affairs.

FINANCIAL DEALINGS OF FEDERAL JUDICIARY SHOULD BE INVESTIGATED

(Mr. RAILSBACK asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. RAILSBACK. Mr. Speaker, serving on the Nation's highest Court is not and can never be a part-time job. And yet, it apparently is considered just that by some of the men who sit on the Supreme Court. We hear a lot of talk about requiring judges to make a full disclosure of their income. We should prohibit our Federal judges who are paid as much as $60,000 per year from receiving outside earned income for services performed which necessarily detract from their judicial duties.

The resignation of Justice Fortas because of his financial dealings with convicted stock market manipulator Louis Wolfson; the $12,000 annual payment to Justice William O. Douglas by the Albert Parvin Foundation, which had dealings with the Las Vegas gambling industry; and now the revelation that President Nixon's choice for Chief Justice—Warren Burger—has been paid $6,000 by the philanthropic Mayo Foundation as a trustee, demand an urgent change in the laws on the Federal judiciary.

Mr. Burger's nomination by the President is a good one. I am not commenting on the interests of this able jurist with this worthy organization—a foundation devoted exclusively to the advancement of medical technology. The President, in his nationally televised statement, said Burger was a man of "unquestioned loyalty." I concur in this.

But, the fact remains that at least two Justices before him; namely, Fortas and Douglas, have received substantial amounts of outside income for outside work while serving on the Supreme Court, thereby making their duties on the bench part-time responsibilities.

A few days ago I requested EMANUEL CELLER, chairman of the Judiciary Committee, on which I serve, to begin public investigations into the financial dealings of not only Fortas and Douglas, but of other Federal judges as well.

As I said in my letter to the chairman:

> My request is not based on wanting to impeach or punish any federal judge, but rather to determine to what extent judges are receiving income from outside sources so that definitive legislation might result in correcting future improprieties.

The inquiry is not a witch hunt. It is to be a constructive investigation aimed at determining the need for legislation which may require Federal judges to reveal outside financial interests, whether in the nature of honorariums, consultant fees or any other remuneration; indeed, the result of our inquiry may be to prohibit entirely payment for work that is not directly related to a judge's responsibilities on the Federal bench.

I am well aware of the meeting called June 10 of the U.S. Judicial Conference to consider financial disclosure rules. It is my opinion that not only Federal judges but Congressmen as well should disclose all income earned while not performing their Federal duties and should be prohibited from earning any outside income whatsoever. They should, however, be able to receive out-of-pocket expenses for lecturing, writing, and so forth. The money which goes into their pockets should end there. This would take away any initiative for them to go gallavanting around the country to subsidize their judicial income.

Members of the Federal judiciary and indeed Members of Congress are being looked at by the public with a critical eye. The opinion by many of many in the Government is already jaundiced by the Fortas affair, by the Douglas matter, and by the sometimes rather disparaging view of "those politicians in Washington."

Let us define the nebulous guidelines of judicial conduct so that there can be no opportunity for "impropriety" in the judiciary much less any question about conflict of interests.

The letter referred to follows:

MAY 16, 1969.

Hon. EMANUEL CELLER,
Chairman, House Committee on the Judiciary, Washington, D.C.

DEAR MR. CHAIRMAN: I have been most concerned about recent developments relating to the federal judiciary. In my opinion, the Fortas case is only one example of judicial indiscretion by federal judges. I am concerned that there are apparently many federal judges who are earning and receiving outside income for diverse reasons. Justice Douglas of the Supreme Court is another example of a persons who is receiving outside compensation for services performed during his judicial tenure, thereby making his duties on the nation's highest court a part time responsibility. Congressman Gross has suggested our Judiciary Committee investigate the Douglas matter. I recommend that we

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expand his suggestion and investigate the propriety of any federal judge receiving any outside earned income, whether in the nature of honorariums, consultant fees or any other remuneration. My request is not based on wanting to impeach or punish any federal judge, but rather to determine to what extent judges are receiving earned income from outside sources.

We are paying our Supreme Court Justices $60,000 per year, which represents a nearly $20,000 increase over their previous salaries. Certainly this should be a full time job, and the taxpayers ought to be able to expect full time service. I differentiate between income from investments which require no work to be performed, and outside income which is in the nature of compensation for services rendered.

Our public investigation should also relate to requiring a full disclosure of any outside income. I realize that some of the points made above should also properly relate to Members of Congress and I, for one, would support separate legislation prohibiting Members of Congress from receiving outside earned income and requiring an even more comprehensive disclosure of outside income.

With kind regards, I am,

Sincerely,

Tom Railsback,
Member of Congress.

UNITED TRIBES OF NORTH DAKOTA DEVELOPMENT CORP.

(Mr. ANDREWS of North Dakota asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. ANDREWS of North Dakota. Mr. Speaker, at appropriate ceremonies at the Department of the Interior last week, it was announced that an employment training center for Indians from the Northern Plains States will be opened at Bismarck, N. Dak., this September by a corporation composed of the Indian tribes of North Dakota.

The corporation, United Tribes of North Dakota Development Corp., is now in the process of negotiating with Bendix Field Engineering Corp., Owings Mills, Md., a subsidiary of the Bendix Corp., to subcontract the operations of the center and conduct its educational program.

The center will be funded by several Federal sources. The site of the center will be the deactivated Lewis and Clark Job Corps Center operated by the Office of Economic Opportunity. The training center, renamed the United Tribes Employment Training Center, will receive more than $500,000 worth of equipment from OEO.

Congress passed a supplemental to the 1969 fiscal year appropriations bill, containing an amendment introduced by North Dakota Senator Milton Young to provide $700,000 to rehabilitate the center and equip it for the new educational program. The Department of Labor and the Bureau of Indian Affairs of the Department of the Interior will fund the operation of the center.

The initial enrollment will be 25 families, 10 solo parents, 50 single men and 50 single women. Because wives often take training too, a total of 160 people will be entered in the actual training program.

Under the family training center concept, the entire family receives an education—basic three R's related to the selected vocation, job skills and a thorough grounding in the techniques of living in urban areas—the places where most of the jobs are.

Two similar centers are being operated under contract by the Bureau of Indian Affairs in Madera, Calif., and Roswell, N. Mex., but this will be the first center initiated by the Indians and with an Indian contractor at the leadership level. Tribes in the development association are the Standing Rock and Fort Totten Sioux, the Turtle Mountain Chippewa, and the Affiliated Tribes of Fort Berthold—Gros Ventre, Arikara, and Mandan.

The board of directors of the United Tribes of North Dakota Development Corp. consists of: Chairman Lewis Goodhouse, Fort Totten Indian Reservation; Ted Jamerson, Standing Rock Indian Reservation; Nathan Little Soldier, Fort Berthold Indian Reservation; J. Dan Howard, Standing Rock Reservation; J. Henry, Turtle Mountain Indian Reservation; and Austin Engle, secretary of United Tribes of North Dakota Development Corp. and coordinator of Indian affairs for North Dakota.

At the time of the announcement that plans for the employment center are now moving through to final stages toward completion, the chairman of the United Tribes of North Dakota presented a resolution they adopted expressing their gratitude to Senator Milton Young for his efforts in securing this important facility. This resolution reads as follows:

Resolution of United Tribes of North Dakota Development Corp., Bismarck, N. Dak., May 13, 1969

Whereas, the United Tribes of North Dakota Development Corporation comprising the Chairmen of the Standing Rock Sioux, Three Affiliated Tribes, Devils Lake Sioux and the Turtle Mountain Chippewa Indians are a recognized Development Corporation, and

Whereas, said Development Corporation is responsible to the Tribal Councils and members of each tribe represented to promote the socio-economic development of the resources and general welfare of the Indian people, and

Whereas, the United Tribes of North Dakota Development Corporation in a determined effort and long range planning requested the congressional delegation from the State of North Dakota to assist the United Tribes of North Dakota Development Corporation in obtaining the former Lewis and Clark Job Corps Center and converting it into a training center for the Indians, and

Whereas, the aforementioned Lewis and Clark Job Corps Center is now officially named the United Tribes Employment Training Center and sponsored by the United Tribes of North Dakota Development Corporation, and

Whereas, the United Tribes of North Dakota Development Corporation in cooperation with the State and Bureau of Indian Affairs and the Honorable Milton R. Young, Senator from North Dakota, united forces to obtain funds for the United Tribes Employment Training Center, and

Whereas, the Honorable Milton R. Young, United States Senator, by his selfless, untiring, ceaseless efforts guided by dedication, foresight and a sense of fairness to his fellowmen, and

Whereas, the Honorable Milton R. Young introduced an amendment to the appropriations bill constituted the primary motivating force which guided the worthy piece of legislation through the hallowed halls of the United States Congress to its enactment into law and funds are available.

Now therefore be it resolved, that the United Tribes of North Dakota Development Corporation duly assembled in session takes this means for the Indians of North Dakota to express their immeasurable gratitude and appreciation to the distinguished member of the United States Senate from North Dakota who through his accomplishments has become one of the outstanding legislators from the State of North Dakota.

Be it further resolved, that appropriate action be taken to place a duly executed resolution in the hands of Milton R. Young, United States Senator from North Dakota.

Be it further resolved, that the Chairman from the four Indian Reservations be authorized and instructed to sign this resolution for and on behalf of the Indian Tribes of North Dakota.

CERTIFICATION

We, the undersigned, Chairmen of the United Tribes of North Dakota Development Corporation hereby certify that the Board of Directors is composed of five (5) members of whom 4 constituting a quorum were present at a meeting called and convened and held the 8 day of May, 1969, at Bismarck, North Dakota and that the foregoing resolution was duly adopted by an affirmative vote of 4 with 0 opposing.

A. J. Agand,
Chairman, Standing Rock Indian Reservation.

Peter Marcellais,
Chairman, Turtle Mountain Indian Reservation.

Lewis Goodhouse,
Chairman, Fort Totten Indian Reservation.

Vincent Malnourie,
Chairman, Fort Berthold Indian Reservation.

Austin Engel,
Secretary, North Dakota Indian Affairs Commission.

OHIO STATE UNIVERSITY—ROTC

(Mr. DEVINE asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. DEVINE. Mr. Speaker, in order to correct some information appearing in the Congressional Record of May 14, 1969, I am submitting a letter dated May 23, 1969, from William F. Rounds, of the office of public relations, the Ohio State University, together with a press release of May 9, 1969, both of which are self-explanatory:

The Ohio State University,
Columbus, Ohio, May 23, 1969.

Hon. Samuel L. Devine,
House Office Building,
Washington, D.C.

Dear Congressman Devine: The Congressional Record of May 14, 1969, published letters addressed to you and to President Nixon in which an erroneous reference to Ohio State University's ROTC awards ceremony appeared.

The annual awards ceremony took place May 8 in Mershon Auditorium, on the campus. Some demonstrators, both pro- and anti-ROTC, clashed briefly outside the auditorium. Police made one arrest inside the building. The ceremony, however, was not "broken up," but was carried out as scheduled.

It would be appreciated greatly if this information could be published in the Congressional Record to correct the impression given by the earlier letters.

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With reference to the same May 8 event, it may be of interest to report also the part played by an Ohio State faculty group in quelling the campus disturbance. The group's work is described in an enclosed news release.

Sincerely,

William F. Rounds,
Director, News and Information Services.

Student Newspaper Lauds Faculty Action in Role of Campus Peacemakers

Columbus, Ohio, May 9.—Ohio State University's student newspaper—as well as university officials—had high praise Friday (5/9) for a group of faculty members who helped avert possible serious violence during a campus demonstration Thursday (5/8).

Sixteen faculty, members of a Green Ribbon Commission, formed a "demilitarized zone" between pro and anti-ROTC demonstrators who gathered near the university's Mershon Auditorium.

The "Lantern," campus newspaper, said the commission's action "helped deter a very embarrassing confrontation between university students and law enforcement officers."

The commission was formed in 1963 for the purpose of helping keep peace at demonstrations. However, Thursday's incident was the group's first physical involvement, according to the commission head, Prof. Paul J. Olscamp of the philosophy department.

Identified by green ribbons on the lapels of their business suits, the faculty were punched, kicked and egged as they stepped between the two opposing factions. Student tempers flared, and there were several fistfights outside the auditorium, where ROTC cadets and midshipmen had gathered for their annual spring award ceremonies.

Olscamp himself said he had been "accidentally kicked" and was hit under the left eye. At least five of the Green Ribbon men were pelted with eggs, he said.

"I don't think this was intentional," Prof. Olscamp added. "We just happened to be in the middle."

The demonstrators eventually moved to the campus Oval for talks, but no more fights occurred. The group finally dispersed when a heavy rainstorm occurred.

Prof. Olscamp praised university officials for restraint in not using police and both John E. Corbally Jr., vice president for academic affairs and university provost, and John T. Mount, vice president for student affairs, commended the Green Ribbon Commission members for their participation.

The student newspaper lauded the courage of the faculty members and commented editorially:

"By placing themselves between angry left wing demonstrators and counter demonstrators, commission members managed to lessen the flammability of a very flammable situation.

"By their action commission members helped deter a very embarrassing confrontation between university students and law enforcement officers.

"Without the Green Ribbon Commission to rely on, Ohio State's administrators might very well have had to rely on police.

". . . Green Ribbon Commission members have made a valuable contribution to the image of a university as a place of reason."

The Ohio State commission, now with more than 200 members, is unique as an organization of this kind on university campuses, Prof. Olscamp believes.

EVERGLADES NATIONAL PARK: THE FUTURE

(Mr. ROGERS of Florida asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. ROGERS of Florida. Mr. Speaker, recently I have commented to the House on the threat to Lake Okeechobee, Fla., because of a decision by the U.S. Army Corps of Engineers to proceed with hearings on a mining permit.

One of the possible casualties to mining in the lake is the Everglades National Park.

Park Superintendent John C. Raftery made an excellent presentation to the Florida Academy of Sciences earlier this year on the future of the park. As he pointed out:

> Water is life, and the everglades is truly living. . . . In reality the sawgrass prairie—the true everglades—historically was a broad, shallow river originating at Lake Okeechobee.

He further states:

> Not only must the Park's water supply be timely and adequate, but it must also be of high quality.

I include Superintendent Raftery's remarks at this point in the Record:

Everglades National Park: The Future

(By John C. Raftery, superintendent, Everglades National Park, at the 33d annual meeting of the Florida Academy of Sciences, Gainesville, Fla., Mar. 14, 1969)

Man is a strange animal living in a strange and complex world, engulfed by technology and well insulated from the natural environment. Early man must have felt a personal identity with nature, for he derived directly from the environment his basic needs. In acknowledging his dependence on nature, he reached a balance with it and was an integral part of it. His survival rested on his sensitivity to the environmental scheme.

Modern man no longer feels close ties to nature, but rather apart from it. His abuse of the environment indicates an ignorance of his dependence on it. Fortunately, man has not exploited everything. He has set aside parcels of the natural environment, places that have the capacity to restore a feeling of oneness with nature.

National Parks are established to protect natural areas from human exploitation. They are islands of wilderness in a sea of civilization, relatively unspoiled by man's encroachment. We correlate national parks with scenic splendor and solitude that soothes the human spirit. In these places nature is free and only man's actions are disciplined. Here nature's eternal processes are at work, molding and changing an orderly environment inhabited by a myriad of living things.

Every National Park is of prime significance, and Everglades is no exception. Situated on the fringe of the tropics, Everglades exhibits a colossal display of plant and animal communities that combine tropical and temperate characteristics. A blanket of sawgrass, punctuated by elevated tree islands, stretches to the horizon, eventually giving way to a broad mangrove belt, interlaced by a labyrinth of waterways, that lies along the Park's west coast. This is a strange land, a lonely land where the sounds and smells are those of nature. It is a timeless land blending earth, sky, and water. Timeless, but changing; still, but dynamic. Many forces acting with and against one another shaped the everglades region. Of these forces water was most vital.

Water is life, and the everglades is truly living. Perhaps many of you are familiar with Everglades' water problem. The Park's need for water is still of utmost concern. Recurring summer rains and winter drought established in south Florida a water cycle to which all life was bound. In reality the sawgrass prairie—the true everglades—historically was a broad, shallow river originating at Lake Okeechobee. A film of water spilled over the Lake's southern bank during the flood season and coursed imperceptibly seaward. As it flowed, the water picked up nutrients that supported an immense quantity and variety of aquatic life. These organisms, in turn, provided a food supply for the larger forms of wildlife for which the area is renowned. When the 'glades dried up during the winter months, deeper channels and ponds became reservoirs capable of supporting a nucleus of aquatic life that could repopulate the everglades when the summer rains resumed.

The supply of fresh water also produced fertile coastal estuaries that provide nursery grounds for a tremendous array of fish, shrimp, and other marine organisms. In time, a dynamic balance of life, keyed to this annual water cycle, evolved to form the everglades ecosystem. The everglades region became home to an incredible diversity and abundance of living things, each an integral part of the intricate ecological web and each ultimately tied to water, the life blood of the everglades.

Man is bleeding life from Everglades National Park. In the interest of flood control, agriculture, and real estate development, he has constructed an elaborate system of canals, dikes, and levees designed to divert much of this water from its natural course. Drainage has greatly reduced the everglades' phenomenal productivity, destroying habitat and food supplies for many creatures. Aquatic animals that once found refuge in water holes during the short dry season have diminished; their reservoirs become dry. The million and a half wading birds that nested here 30 years ago now number less than 50,000. Curtailment of water flow has permitted inland intrusions of salt water, reducing estuarine productivity.

A bill passed by Congress last year should resolve this problem, but not soon enough. Under the provisions of the plan the Park will receive at least 315,000 acre feet of water annually from the Conservation areas, administered by the Central and Southern Florida Flood Control District, north of the Park. This minimal amount should adequately meet the Park's needs, as its distribution will simulate the seasonal water cycle. Unfortunately, the plan will not be implemented until at least 1976, when the modified project will be completed. In the meantime the interim release schedule, tied to the water level in Lake Okeechobee, remains in effect. Everglades must have a more dependable water supply—and soon—for it is the key to the preservation of its natural values. Water is life, and the living character of the Park is slowly ebbing. As population pressures mount in south Florida and the need for human living space expands, water demands will increase. Let us not forget the needs of this esthetic and biological resource that is so essential to our well-being.

Not only must the Park's water supply be timely and adequate, but it must also be of high quality. As agriculture, housing, and industry expand toward the Park, pollution from pesticides, fertilizers, sewage, and industrial wastes threatens the Park increasingly. Steps must be taken to insure the proper disposal of contaminants that could destroy much life significant to south Florida.

The potential adverse effects of the proposed jetport in Collier County concerns us greatly. The possible impedance of the water flow into the northwest portion of the Park looms ominously. Jet fuels will pollute the air, while fuels, detergents, insecticides used in mosquito control, and industrial wastes may wash into the water that flows into the Park. What will be the effects of noise pollution, created by the new supersonic transports upon the traditional isolation and solitude of the wilderness? We need many answers before construction of this facility proceeds.

Everglades National Park theoretically provides sanctuary for wildlife, but even here some species find little more than statutory protection. Alligator poaching flourishes, as it does throughout the alligator's native range of the southeastern United States. A relic of the Age of Dinosaurs, whose evolution virtually stopped 100 million years ago, this creature is essential in the everglades system. When water levels drop during the dry winter months, the gator wallows out holes to form reservoirs for aquatic life that provides food for many other animals. As a predator, it helps maintain a balance of life in the community. Despite its status as the first citizen of the everglades, poaching and drainage of wild swamplands have reduced the alligator population at least 95% in the last 20 years. The gator's belly hide furnishes the leather for items such as handbags and shoes. Present laws are ineffective. Risk of capture is slight. Convictions are difficult to obtain. Penalties are light. As you may have recently read, additional funds are being appropriated to increase our patrol efforts, but the ultimate solution is legislation that bans the sale of alligator products. In the meantime, a species vanishes, and once it is gone, it is gone forever.

Additional threats to the integrity of the Park include development of private inholdings; the invasion of exotic plants and, potentially, exotic animals; and canals in the Park, constructed years ago, that have adversely changed brackish estuarine areas by accelerating run off and permitting salt water intrusion.

The problems facing Everglades today categorically relate to one major challenge—to maintain the wilderness character of this area for the enjoyment of people, now and in the future. Why? Why save it? Why should we concern ourselves? Why is Everglades important to people?

Congress has charged the National Park Service with a dual purpose. We must maintain parks in a natural condition while making them available for visitor use and enjoyment. Actually, these two seemingly diverse objectives coalesce, for parks must relate to people. Use must be compatible, of course, with the natural values the area was established to protect.

Development is limited, as to would impair the parks' purpose for being. Easy access to the parks would create such an impact that visitors could conceivably love them to death. But to those willing to accept nature on its terms, the parks offer delightful experiences. Their natural beauty contrasts sharply with the environmental blight spawned by our technology. They offer solitude and serenity that provide spiritual uplift and mental refreshment. They represent outdoor museums, where nature herself is the curator, where we can study the intricate fabric of nature under natural conditions. Recreational benefits afford respite from the impoverished environment in which we live. Most important, national parks furnish the opportunity for man to renew his ties with the land and to understand his relationship to the world around him.

The greatest function of the National Parks lies in their potential to create in man an environmental awareness. Frankly, we are concerned about man's future. His attitude toward the environment has been to exploit it for personal gain, to take more from the earth than he has been willing to give in return. While enacting laws to govern his societies, he has exempted himself from the basic laws of nature. Civilizations have flourished where the earth was bountiful—and perished when the bounty was depleted. Man the conquering animal has divorced himself from nature. Now he is confronted with sobering alternatives. Nature is in revolt; we can no longer take the environment for granted. Unless man achieves harmony with the environment, he will ultimately destroy himself.

The National Parks can restore in man a perception of his profound kinship with nature. In Everglades wilderness trails and miles of navigable waterways, some of which are marked, enable visitors to gain a more intimate feeling for the natural environment. Accessibility is largely limited to those means that can provide this experience. Our interpretive programs are environmentally oriented, stressing man's place in the ecological scheme of things. A program designed to create in school children an environmental awareness has recently been implemented in the Park. The major element in this new effort is an Environmental Study Area that exhibits natural interrelationships as well as the impact of man. We hope eventually to establish new facilities that will interpret man's role in the environment. These programs hopefully will motivate people to discover nature and thus to discover themselves. Perhaps through their experience here they will ultimately recognize a personal responsibility to the environment, if only because they are a part of it.

The fate of Everglades National Park depends entirely on man's recognition of this responsibility. Outside forces control its destiny. South Florida is changing rapidly—and haphazardly. South Florida desperately needs an environmental design that will strike a balance with the natural environment.

We can no longer afford the luxury of changing the environment without prior planning if we are to assure optimum benefits to all. We must insure that any change we make results in minimal damage to the environment. A systematic management plan based on ecological understanding and environmental responsibility will achieve that end. But it involves the concern of everyone. Only when we learn that we are part of naturé's intricate web and not the weavers of it, ónly when we concede the necessity of environment unity—here, as everywhere—will we preserve the integrity of Everglades National Park, and, subsequently, the quality of our own existence. Indeed, if we lose Everglades, we will have lost a part of ourselves.

The future of Everglades National Park is a challenge to man. A challenge to preserve this great natural reserve not only for his enjoyment but to retain a bit of his natural environment to which he may return to conserve his Soul.

THE HONORABLE DON RUMSFELD

(Mr. STEIGER of Wisconsin asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. STEIGER of Wisconsin. Mr. Speaker, this morning Don Rumsfeld took the oath of office as Director of the Office of Economic Opportunity and a special assistant to the President.

I rise at this time to pay tribute to the record of Don Rumsfeld as a Member of the House and to wish him well as he assumes his new responsibilities.

During his service in this body our colleague from Illinois has made a substantial contribution in congressional and draft reform, freedom of information and enhancing the responsiveness of Government.

Eve Edstrom of the Washington Post wrote an excellent article today which I include at this point for the information of my colleagues.

Don Rumsfeld has undertaken an important and challenging job. I salute his past service and pay personal tribute to him as he moves into the executive branch.

When Donald Rumsfeld is asked about winning—whether it be a wrestling match or the war on poverty—he counters with: "Do you know anyone who likes to lose?"

In much the same way, Rumsfeld's predecessor as head of the Federal antipoverty effort, Sargent Shriver, used to have emblazoned on his office door: "Nice guys don't win ball games."

Like Shriver, Rumsfeld is exuberant, energetic and thinks in terms of winning big.

That's why at 10 a.m. Monday, when Rumsfeld is sworn in as director of the Office of Economic Opportunity, the war on poverty becomes a brand new ball game.

When Shriver left OEO in early 1968 to become Ambassador to France, OEO was described as a "sad shop" that had lost its creative zing.

It became even sadder as former President Johnson failed to replace Shriver, and as the Nixon Administration shifted Head Start and the Job Corps to other agencies.

COLLEAGUES PUZZLED

Therefore, some of Rumsfeld's closest colleagues on Capitol Hill wondered why he gave his safe Illinois Congressional seat to become commander of a war on poverty that was being reduced to a skirmish.

But Rumsfeld 36—a former Princeton wrestling champion, an ex-Navy jet pilot and captivator of thousands of young people who have worked for him in his Congressional campaigns—may soon give the war on poverty a visibility and a vitality to match that of the early Shriver days.

President Nixon has already handed Rumsfeld a headline-grabbing issue. In the May 6 hunger message to Congress the President called for a "greatly expanded" role for OEO's Community Action agencies in getting food to the poor.

Rumsfeld, therefore, will be among the chief Administration leaders in the battle against hunger, perhaps the most popular domestic issue of the year.

CABINET RANK

Furthermore, in his new post, Rumsfeld has Cabinet rank and will be a member of the President's Urban Affairs Council.

This means that shortly after he is sworn in at the White House Monday, Rumsfeld probably will be named chairman of the Council's poverty subcommittee, a post that Health, Education, and Welfare Secretary Robert H. Finch has held.

This will give Rumsfeld wide latitude in examining all poverty-related Government programs and in designing new pilot projects to combat poverty.

Rumsfeld already speaks with great enthusiasm for "RPPE"—OEO's Office of Research, Plans, Programs and Evaluation. It is through that Office that the Nation's first experiment in an income-maintenance program is being conducted. It is a program quite similar to one that Finch would like to see replace the Nation's welfare system, which he thinks is outmoded.

FOCUS OF DEBATE

Just as the spotlight is now on hunger, income maintenance plans can be expected to be the focus of national debate in the years ahead. And Rumsfeld's operation will be the test tube for such plans.

Rumsfeld has avoided discussing his concrete ideas for OEO's future until he is officially on the job. But he has done a prodigious amount of homework on OEO since President Nixon appointed him on April 21.

His briefcases over the last few weeks have bulged with hefty reports and books on the Nation's antipoverty efforts.

Government and outside experts that he consulted for the first time said they were amazed at the perception and orderly thrust of his questions. They said he showed a sensitive awareness of the many difficult problems he is inheriting, particularly the conflicts between Model Cities and Community Action agencies and the fights between city halls and state houses over control of OEO funds.

But long before he was OEO director-designate, Rumsfeld had a VISTA sign on his wall. It said: "If you are not part of the solution,

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you are part of the problem." Rumsfeld gives every indication that he will provide solutions.

ASSOCIATE JUSTICE WILLIAM O. DOUGLAS AND THE PARVIN FOUNDATION

(Mr. GROSS asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include a newspaper article.)

Mr. GROSS. Mr. Speaker, in a New York Times story of today, May 26, on the Parvin Foundation and Associate Justice William O. Douglas, there is an interesting paragraph dealing with correspondence in the files of Mr. Albert Parvin relative to an investigation that the Internal Revenue Service was conducting of the Parvin Foundation. That paragraph indicates Justice Douglas was giving advice only 14 days ago to Mr. Parvin relative to the tax matters under study by the Internal Revenue Service, and relative to the manner in which the Parvin Foundation could reorganize its activities to eliminate its present tax problems and to limit new difficulties.

I am certain that Parvin must have believed that this was the best legal advice since it came from an Associate Justice of the Supreme Court, and since it dealt with a matter that in the final analysis might be settled before the same U.S. Supreme Court of which Justice Douglas was a member.

It would seem to me that there would be a conflict of interest or a possible conflict of interest in the advice and other actions taken by Justice Douglas. But, I am also told that there are laws that bar a Supreme Court Justice from giving legal advice, and this would certainly apply on Federal tax matters.

The New York Times story does not provide a direct quote from the Douglas correspondence, but it does state:

> In Justice Douglas' letter to Mr. Parvin . . . the Justice insists that the allegations of the revenue service must be fought. Mr. Douglas also makes several suggestions in his letter as to how, in the future, the finances of the foundation can be completely and unquestionably set apart from Mr. Parvin's control or the implications of it. His suggestions, Mr. Douglas says, probably won't help the foundation in its present problems with revenue service, but they ought to limit new difficulties.

If this is a correct paraphrase of the Douglas letter, it would appear that there is a law violation and this would certainly be grounds for serious consideration of impeachment. I hope the Internal Revenue Service and the Justice Department have taken appropriate steps to seize this correspondence.

The New York Times story follows:

DOUGLAS SAYS TAX INQUIRY AIMS TO GET HIM OFF COURT

(By Barnard L. Collier)

LOS ANGELES, May 25.—Supreme Court Justice William O. Douglas has privately characterized Internal Revenue Service investigation of the Albert Parvin Foundation as a "manufactured case" intended to force him to leave the bench.

The characterization was included in a letter dated May 12 to Albert Parvin, a multimillionaire Los Angeles business executive.

"The strategy is to get me off the Court," Mr. Douglas wrote. "I do not propose to bend to any such pressure."

When Mr. Douglas wrote the letter, he was still president and a director of the foundation and was earning a $12,000 annual salary in those posts.

According to foundation records here, he used the salary primarily for travel expenses in connection with foundation business.

Mr. Douglas's resignation was announced Friday in a statement released by the foundation.

The statement said that Mr. Douglas had indicated to other foundation directors more than a month ago that expanding foundation activities posed "too heavy a work load" for him and that his health was also a matter of concern following an operation of appendicitis.

In Washington, Justice Douglas, informed that his letter had been released in California, made no comment.

A spokesman for the revenue service rejected the suggestion that any of the agency's inquiries could be motivated by personal or political considerations.

A memorandum in the files on foundation business maintained by Mr. Parvin—who was for nearly seven years the foundation's finance committee chairman and is still a director—showed that Mr. Douglas on May 1 advised the foundation's board that he wanted to give up his posts after nine years.

It was in a file with that memorandum and numerous other letters and records pertaining to foundation business that Mr. Douglas's letter of May 12 discussing the Federal tax investigations appeared.

The issue of Mr. Douglas's connection with the Parvin Foundation was raised recently because of the controversy surrounding the resignation from the Supreme Court of Justice Abe Fortas, who had been offered a $20,000-a-year fee by the Wolfson Family Foundation.

Mr. Parvin says that he has known Louis E. Wolfson for many years. Mr. Parvin was named a co-conspirator—but was never tried—in a stock fraud case involving Mr. Wolfson, who is now in prison for violations of the securities law.

Despite the prestige of some of the board members of Mr. Parvin's foundation, critics still point out that the Parvin Foundation was started with the nearly $3-million in profits Mr. Parvin gained when he sold the Flamingo Hotel and gambling casino in Las Vegas 10 years ago.

RECORDS MADE AVAILABLE

Mr. Parvin made many of his foundation records, which included Justice Douglas's letter, available to the New York Times to show he asserted, that "nothing the foundation had done is in any way wrong."

Also contained in Mr. Parvin's files is a packet of documents pertaining to the Internal Revenue Service investigation of the tax-exempt status of the foundation.

The packet, which Mr. Parvin's lawyers advised him he could not release for publication, included a series of allegations by a revenue service field agent questioning more than a dozen transactions involvind Mr. Parvin's investment of foundation funds.

Along with a copy of the allegations were answering letters and documents prepared by Mr. Parvin and lawyers for the foundation, including Miss Carolyn Agger, the wife of Abe Fortas, who recently resigned from the Supreme Court.

Miss Agger is a noted tax lawyer with Mr. Fortas' old Washington law firm of Arnold & Porter.

"I think we will be able to answer every single allegation," said the 69-year-old Mr. Parvin, "and prove that the foundation was never used as any sort of tax dodge for me, my friends, my companies or anyone else."

NO FORMAL CHARGES

Although the revenue service has never made any formal charges against the foundation, its agents have been investigating Mr. Parvin's and the foundation's books and records for nearly three years.

Correspondence in Mr. Parvin's files indicates that revenue service agents have examined Justice Douglas's files in Washington. Numerous bank records and records of stock transaction have also been investigated.

In Justice Douglas's letter to Mr. Parvin, which says in its opening sentence that the Justice drafted it on yellow foolscrap paper on a plane returning from Brazil, the Justice insists that the allegations of the revenue service must be fought.

Mr. Douglas also makes several suggestions in his letter as to how, in the future, the finances of the foundation can be completely and unquestionably set apart from Mr. Parvin's control or the implication of it.

His suggestions, Mr. Douglas says, probably won't help the foundation in its present problems with revenue service, but they ought to limit new difficulties.

Foundation records indicate that Mr. Parvin personally managed the fund for the philanthropy for nearly seven years and increased its initial capital during that time.

When the revenue service became concerned about his financial management, he relinquished control of foundation investments to a New York investment firm.

BOARD CLEARED DEALINGS

During the time Mr. Parvin was chairman of the finance committee, the records show, virtually all of his dealings were cleared by the board of directors—either before or after the transactions were made.

In the minutes of the foundation through 1968 there are several references to the other directors' expressing "complete confidence" in Mr. Parvin's judgment in managing the foundation's cash assets and its stock portfolio.

Besides Mr. Douglas and Mr. Parvin, the directors of the foundation were, until last Friday when Mr. Douglas resigned as president and a director:

Robert F. Goheen, the president of Princeton University; Dr. Robert M. Hutchins, who is also the president of the Center for the Study of Democratic Institutions in Santa Barbara, Calif.; Harvey Silbert, a Los Angeles lawyer and an old friend of Mr. Parvin's, and Sidney Davis, a New York lawyer.

The new president and a director of the foundation is Fred Warner Neal, a professor of international relations and government at the Claremont Graduate School, in Claremont, Calif.

Professor Neal was at one time a consultant in Russian affairs for the State Department and has also served as a consultant for the center of democratic studies.

A letter in Mr. Parvin's files from Harry S. Ashmore, a director of the foundation, details the position of the foundation in relation to investigations by the revenue service in early 1967 when the first stories about the foundation's tax problems came to light in newspapers.

The letter was sent by Mr. Ashmore, a Pulitzer Prize Winner, to newspaper executives he knew.

The letter says in part:

"The other point is the implication by the Internal Revenue Bureau that the foundation has been used by Albert Parvin to serve his own financial interest and to avoid the payment of income taxes.

"No such charges have been filed, but they have been suggested by I.R.S. agents as the basis for inspection of the foundation's records.

"The fact of this investigation, along with selected details from the foundation's private files, obviously were leaked to the newspapers before the I.R.S. even had a chance to evaluate the records it had requested.

"This was in late October [1966], and the board immediately acted to initiate an investigation of its own. The highly competent national firm of independent accountants

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that checks out every investment and every expenditure to see that I.R.S. regulations are complied with reaffirmed its clearance.

"However, because the I.R.S. accusation was directed against him personally, Parvin took the position that the other members of the board should arrange for a new investigation by experts without prior association with the foundation.

"In November the board retained Miss Carol Agger, the leading tax authority in the Washington law firm of Arnold & Porter. On her recommendation, the accounting firm of Haskins & Sells was brought in with the instructions to trace every dollar paid into or disbursed by the foundation from the time of its inception.

"And, under the Caesar's wife principle, we had even transferred management of the foundation's assets to an independent investment company, Carl M. Loeb, Rhodes of New York.

"Haskins & Sells began its audit in December, and while the final report is not yet available, the accountants have provided Miss Agger with an interim report in which they state that the most exhaustive investigation they can devise has produced nothing to justify I.R.S. action.

"Even so, rumors are still afloat in Washington, and I presume in Los Angeles, that the I.R.S. is getting ready to move against the foundation and/or Parvin, and the implication, of course, is one of fraud."

The letter went on: "Miss Agger wrote me last week:

" 'The more difficult problem is the belief, apparently held by the Internal Revenue Service special agents, that in some way not reflected in the foundation's records, Parvin used the foundation for his own benefit. I have been trying to smoke-out what basis, if any, there is for the Internal Revenue Service suspicion. I have invited the Internal Revenue Service to examine the foundation's books and records and the Haskins & Sells draft audit report.'

"The point is that we are being systematically frustrated in our effort to deal with the I.R.S. head on and satisfy any legitimate questions, while at the same time, on the basis of leaks that can only come from the I.R.S., Albert Parvin, the foundation and Justice Douglas (who obviously cannot reply) are taking a beating in the newspapers."

Mr. Ashmore, who is also a director of the Center for Democratic Studies in Santa Barbara, added in his letter:

"I apologize for belaboring this at such length, but I think you ought to have all the facts. The Center [for Democratic Studies] has only a minor financial interest in this matter, and I have none.

"My concern is personal; I am convinced that we are up against an outrageous act of persecution by a Federal agency."

The Parvin Foundation, which was founded in 1960, has concentrated mainly on projects in education and international affairs. It is now a substantial sponsor of international meetings of scholars, jurists and politicians under a program called Pacem in Terris Convocation.

Justice Douglas has traveled extensively in Europe and Latin America to support the program, which was named after the Papal encyclical of Pope John XXIII. Pacem in Terris can be translated from the Latin as "peace on earth."

The foundation also sponsors a fellowship program at Princeton University for students from underdeveloped countries and at one time sponsored a similar program at the University of California at Los Angeles.

It has also financed conferences in association with the Center for the Study of Democratic Institutions, and in 1963 it sponsored a literacy program for the government of President Juan Bosh in the Dominican Republic.

When Mr. Bosh was overthrown, the sponsorship of the program by the Parvin Foundation was ended.

Professor Neal said in a statement on Friday in discussing the future of the Parvin foundation:

"We expect to carry on and expand the foundation's programs, particularly in the area of small, high-level international conferences, along the lines Justice Douglas initiated.

"The concept of what he called 'private international relations' is an important one, and it often performs a great service in thawing channels frozen by the rigidities of formal diplomacy."

JUSTICE DOUGLAS RESIGNS BUT FROM WRONG BODY

(Mr. RARICK asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. RARICK. Mr. Speaker, many Americans were pleased with the announcement that Douglas had resigned—only to be disappointed on learning that it was from his tax-exempt sinecure and not the Supreme Court.

Douglas' interlocking activities with the Parvin Foundation and Center for the Study of Democratic Institutions are far more damaging to the Supreme Court than were Abe Fortas' indiscretions. Not only are Douglas' personal honor and integrity questioned, but every decision on which he cast a vote as a Justice of the Supreme Court is under suspicion.

Fortas took $20,000 and paid it back—but it didn't satisfy ethics. Douglas' resignation from the tax-free foundation—even if he pays back his $72,000 outside income—is wholly unacceptable.

The matter is now beyond Douglas' control. In order to salvage the essential honor of the High Court, he no longer has alternatives. He must resign at once. Continued evasion of the plain moral issues involved in his shocking misconduct can only further damage the Court, and prove more humiliating to Douglas.

Public confidence in the Court's decisions, already badly shaken, must not be permitted to disintegrate further.

Several news clippings follow:

[From the Washington (D.C.) Daily News, May 23, 1969]

JUSTICE DOUGLAS QUITS PARVIN FOUNDATION JOB

LOS ANGELES, May 23.—Supreme Court Justice William O. Douglas, under fire for accepting $12,000 a year as the only paid officer of a charitable foundation, has resigned that post, it was announced today.

The Albert Parvin Foundation said Mr. Douglas had indicated early in April that he wished to be relieved as president and board member but an appendicitis operation on the justice delayed a meeting of the board.

The foundation said the board accepted the resignation "with deep regret" at a meeting at Santa Barbara, Calif., on May 21.

Fred Warner Neal, professor of international relations and government at the colleges of the Claremont (Calif.) graduate school was appointed to succeed Mr. Douglas as president of the foundation, a Los Angeles-based philanthropy.

[From the Washington (D.C.) Evening Star, May 26, 1969]

TAX LAW ADVICE TO FUND DISCOUNTED BY DOUGLAS

(By Lyle Denniston)

Supreme Court Justice William O. Douglas today claimed that he "knew very little" about the tax law problems of a private foundation he headed for nine years.

His statement, issued through the court's press office, was intended as a reply to published reports that he gave the Albert B. Parvin Foundation advice about its difficulties with the Internal Revenue Service.

Douglas has been under increasing criticism for his role as the only paid officer of the foundation. Partly because of that criticism, he resigned from the post last Wednesday.

Several members of Congress have linked the Douglas involvement with the foundation with a somewhat similar relationship that led to the resignation of Justice Abe Fortas from the Supreme Court.

The New York Times reported today that it has been given access to foundation files regarding a tax investigation, and that it had seen a letter by Douglas commenting on the tax inquiry.

"ALL RIGHT WITH HIM"

Douglas said through the court's press spokesman that he would not release any documents himself, that he had turned all records of the foundation over to its new president, and that it was "all right with him" whatever documents the foundation chose to make public.

The May 12 letter discussed in the Times article was alleged to have included suggestions to Albert Parvin about Parvin's financial ties to the foundation and about the tax difficulties that had resulted.

Douglas authorized the court's press officer, Banning E. Whittington, to tell reporters the following about these allegations:

"As far as the tax troubles are concerned, they had tax lawyers and it's up to them, it's their job. He (Douglas) knew very little about these tax troubles."

The foundation's new president, Fred Warner Neal, reached in California by telephone, told a reporter that "I assume that in no case did he (Douglas) ever" advise the foundation or Parvin about tax troubles.

But Neal said he did not know anything about a letter to Douglas discussing the tax difficulties. He said he had been told that Parvin had shown such a letter to the Times reporter but he insisted that he himself had not seen the letter.

Neal acknowledged that the IRS has been carrying on "some kind of investigation into the tax record" of the foundation but has taken no action.

The Times quoted Douglas as saying in the letter to Parvin that the IRS inquiry was a "manufactured case" and that "the strategy is to get me off the court. I do not propose to bend to any such pressure."

Internal Revenue Commissioner Randolph W. Thrower, in response to inquiries, said he is "confident that there is no real justification" for reports that the IRS inquiry of the foundation had "some political or other inappropriate motivation."

Thrower said the examination of the foundation's tax-exempt status "started several years ago" and has been going ahead "in an orderly way since that time."

He vowed to "make every effort to keep the decisional process completely insulated from political and emotional reactions that have been reflected in the press."

Saying he preferred not to discus the case, Thrower concluded: "I have seen nothing to indicate any political motivation in the examination under the past administration, and give assurance that none exists within the IRS today."

Douglas' resignation last week from the foundation was interpreted as an indication that he does not intend to give up his court seat as Fortas had done.

The foundation, in announcing his resignation, said that it had been under consideration since April, and was postponed until last week only because Douglas had had an emergency operation on March 31.

The reason Douglas gave today for declin-

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ing to release any material about the tax matter was that he had "completely divorced" himself from the foundation and had turned over all its records to Neal.

But Neal told a reporter that he personally regarded the May 12 letter as a personal matter from Douglas to Parvin.

The new foundation president said that Douglas had not, to Neal's knowledge, given the foundation advice on how to handle its finances. Those decisions, Neal said, had been made by a finance committee and Douglas was not a member of that committee.

Douglas received $12,000 a year as foundation president since 1962. However, his association with the foundation goes back to 1960.

[From the Washington (D.C.) Evening Star, May 26, 1969]

PARVIN BOSS CALLS PROBE UNJUSTIFIED

LOS ANGELES.—The chairman of Parvin-Dohrmann Co., in the news because of a link to Supreme Court Justice William O. Douglas, criticized today a Securities and Exchange Commission investigation and told stockholders it was not justified.

Delbert Coleman said the investigation and the suspension twice of trading in the firm's stock on the American Stock Exchange have placed a "cloud" over the company and caused the value of its stock to drop severely.

Yet he said the hotel supplies company has cooperated fully with the SEC and conducted its own study of charges against it and is aware of no wrongdoing "of any consequence."

"I am completely confident that this situation will not change, no matter how long the investigation continues," Coleman said. He said the SEC staff may be "contradicting their own precepts" by having "thrown confusion into the market for our stock."

PLANS CHANGES

He said the firm will soon announce a change in its corporate name "to break more completely with the past and to improve our corporate image."

Parvin-Dohrmann, which owns three Las Vegas, Nev., casinos, jumped into prominence because of its ties to the Albert Parvin Foundation, headed by Justice Douglas until his resignation announced Friday.

The Parvin Foundation recently sold its $2 million stock holdings in Parvin-Dohrmann.

The Nevada Gaming Control Board launched an investigation of Parvin-Dohrmann after Coleman bought 300,000 of its shares and transferred nearly half of them to a group of 21 "associates," including FOF Proprietary Funds Ltd., based in Geneva.

FOF also had interests in gambling casinos in the Bahamas and this is prohibited by Nevada law. But FOF sold its interest in Parvin-Dohrmann at the gaming board's insistence.

Later it was disclosed Parvin-Dohrmann holds securities readily convertible to nearly 10 percent of the outstanding shares of Resorts International, the same Bahamian casino operator in which the Swiss-based mutual fund held an interest.

Besides the SEC, American Stock Exchange, and Nevada investigations, the baseball commissioner is investigating stock holdings in the firm by top officials of the Atlanta Braves and the Oakland Athletics.

Parvin-Dohrmann stock, which had soared earlier this year to 14½, closed at 88¼ Friday, off 7¼.

"I have no reason to doubt that the market value of our stock, at its highest, fairly reflects the financial condition of the company and its earnings prospects," Coleman said, adding that the firm recorded record earnings of $1.02 per share in the first quarter of this year.

Mr. HALEY. Mr. Speaker, will the gentleman yield?

Mr. RARICK. I most certainly shall yield to the gentleman from Florida.

Mr. HALEY. I thoroughly agree with the gentleman in the well of the House when he states that Justice Douglas has resigned from the wrong position. He should go a little further.

Mr. RARICK. I thank the gentleman from Florida.

ETHICS IN GOVERNMENT

(Mr. MACGREGOR asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. MACGREGOR. Mr. Speaker, a week ago Saturday, I sent the following letter to the Honorable Earl Warren, Chief Justice of the United States, and to Mr. William T. Gossett, president of the American Bar Association:

HOUSE OF REPRESENTATIVES,
Washington, D.C., May 17, 1969.

Re ethics in Government.

Hon. EARL WARREN,
Chief Justice of the United States,
Supreme Court of the United States,
Washington, D.C.
Mr. WILLIAM T. GOSSETT,
President, American Bar Association,
Chicago, Ill.

GENTLEMEN: The Library of Congress advises me that the following Canons of Judicial Ethics of the American Bar Association were adopted July 9, 1924, and have not since been revised:

"4. *Avoidance of Impropriety.* A judge's official conduct should be free from impropriety and the appearance of impropriety; he should avoid infractions of law; and his personal behavior, not only upon the Bench and in the performance of judicial duties, but also in his everyday life, should be beyond reproach."

"24. *Inconsistent Obligations.* A judge should not accept inconsistent duties; nor incur obligations, pecuniary or otherwise, which will in any way interfere or appear to interfere with his devotion to the expeditious and proper administration of his official functions."

"31. *Private Law Practice.* In many states the practice of law by one holding judicial position is forbidden. In superior courts of general jurisdiction, it should never be permitted. . . .

"If forbidden to practice law, he should refrain from accepting any professional employment while in office. . . ."

In your judgment, are these standards of conduct, adopted nearly 45 years ago, sufficiently precise and adequate in scope to effectively deal with the problems of today?

What investigatory and disciplinary authority exists within the Judicial Conference of the United States or the American Bar Association to determine if federal judges are violating the CANONS and to require adherence to their provisions?

In the New York Times of May 15th Mr. James Reston cites the Fortas controversy as one of several matters which has "dramatized one of the deepest problems and anxieties of our time.

"This is the crisis of belief. . . .

"Where are sincerity and integrity? Where are honesty and plain speaking in the courts, the legislatures, the executive and the press?"

After referring to some of the activities of Associate Justice of the Supreme Court William O. Douglas, Richard Wilson writes on May 15th in the Minneapolis Tribune:

"To what extent can and should Supreme Court justices become involved in activities external to the high court?

"If Fortas resigns in expiation of his bad judgment in accepting and then returning a $20,000 grant, and justice is therefore supposed to have been done, nothing will have been gained from the incident. The issue is what Fortas did, all right, but several of his brethren in the judiciary could well afford to spend a few sleepless nights wondering if what they have been doing equally offends the principle of detached noninvolvement."

On May 15th I introduced the following two bills in the House of Representatives:

Making it a federal criminal offence for anyone to pay or to offer, and for any federal judge, Member of Congress, or policy-making official in the executive branch to receive, any sum greater than $500 for a speech, published work, professional service, personal appearance, or otherwise by way of honorarium.

Requiring the quarterly disclosure to the Comptroller General for printing by the U.S. Government of the source and amount of all income received by federal judges, Members of Congress, or policy-making officials in the executive branch.

I enclose copies of my remarks made in the House on May 14th and May 15th so that you might better understand the reasons why I feel each of these bills must be enacted.

On the basis of the information which I now have, I feel most strongly that the Canons of Judicial Ethics are imprecise and inadequate, and that the machinery to insure compliance with these standards of conduct is ineffective. I solicit your comments, and should you agree with me in whole or in part, I would welcome your suggestions as to how these matters might be remedied.

I would also deeply appreciate your reaction to the legislation referred to above which I introduced earlier this week.

Best regards.
Sincerely,

CLARK MACGREGOR,
Member of Congress.

While neither the Chief Justice nor Mr. Gossett has to date favored me with a reply, I am pleased to read in newspaper articles that both the Chief Justice and the American Bar Association have agreed to reexamine and clarify the ethical patterns of nonjudicial activities of U.S. judges.

While forward progress on the part of the Judicial Conference and the American Bar Association is both encouraging and necessary, it does not lessen the need to pass the bills referred to in my letter. I am hopeful that the House Judiciary Committee will promptly schedule hearings on this subject. The aforementioned newspaper articles follow:

[From the New York Times, May 23, 1969]

WARREN SEEKING CODE OF ETHICS—JUDGES WILL MEET TOMORROW ON PROPOSED REGULATIONS FOR THE FEDERAL BENCH

(By Fred P. Graham)

WASHINGTON, May 22.—Chief Justice Earl Warren has called a meeting for Saturday of a committee of top Federal judges to begin drafting a code of ethics and financial reporting rules for all Federal judges.

Mr. Warren hopes to have the new regulations formally adopted by the policy-making arm of the Federal judiciary, the Judicial Conference of the United States, before he retires next month.

If so, they will become the first formal standards of conduct ever to be adopted by the Federal judiciary.

The move marks the first concrete sign that Chief Justice Warren and the Federal judiciary feel an obligation to set their house in order in the wake of the recent Fortas controversy, even before the new chief justice takes office.

It sets the stage for a possible conflict with

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Congress over who should police the courts and what the standards of conduct for Federal judges should be.

The broad outlines of the proposed rules are already under study. The proposals, if adopted, would require annual reporting of income in extensive detail, but the reports would be kept secret within the judicial branch.

The rules would also prohibit outside employment other than teaching, writing and lecturing on general legal subjects, and compensation for these activities could not be out of line with services rendered.

If these standards are adopted, the result would be to rule out such involvements as former Supreme Court Justice Abe Fortas's receipt of $20,000 (which he later returned) for advice to family foundation of Louis E. Wolfson.

They would also apparently preclude Justice William O. Douglas from continuing to receive $12,000 a year as president of the Parvin Foundation.

According to sources here, Chief Justice Warren moved to create a self-imposed judicial code of ethical conduct when it appeared that Congress might react to Justice Fortas's resignation under fire by imposing standards of its own making on the judiciary.

On Friday, May 16, the day after Mr. Fortas's resignation was announced, Mr. Warren called this Saturday's meeting, of the Judicial Conference's 11-member committee on court administration. It will draft the proposed standards over this weekend, and Mr. Warren tentatively plans to call a meeting next month of the 25-member Judicial Conference to adopt the rules.

MAKE-UP OF CONFERENCE

The Judicial Conference, a body established by Congress, is headed by the Chief Justice and is composed also of the chief judges of each of the Federal Courts of Appeals and the chief judges of two special Federal courts, plus one district judge from each of the 11 judicial circuits.

It is understood that Mr. Warren hopes to have the new standards formulated before he leaves office and that he does not intend to involve Chief Justice-designate Warren E. Burger in the matter. Judge Burger, a member of the Court of Appeals for the District of Columbia, is not a member of the Judicial Conference.

Judge Burger may be affected, however, by any new code that is adopted in the 11th hour of the Warren regime.

It was disclosed today by an official of the Mayo Clinic in Rochester, Minn., that Judge Burger has been receiving a $2,000 annual honorarium since 1959 as a member of the Board of Trustees of the clinic. Each of the six public members of the clinic's board, including Judge Burger and former President Lyndon B. Johnson, receives the same salary.

Judge Burger, in a statement issued at his home, said he did not know whether he would remain on the board in view of his nomination. He listed his total payments at $3,500.

It is understood that Chief Justice Warren hopes to head off Congressional action on ethics in the judiciary by adopting a reporting system similar to the one being used in the Senate, where most of the financial items that are reported are kept secret and only large lecture fees and contributions are made public.

The rules now being contemplated would require detailed annual reporting by all judges—including Supreme Court Justices—of gross income, honorariums, gifts, large debts and assets, trust relationships, shareholdings in closely held corporations, and offices in organizations. These reports would be held in secret by the administrative office of the United States courts, however.

The proposed rules contemplate a code of ethics that would forbid conduct that would create an appearance of impropriety and would prohibit outside employment except for teaching at established institutions, writing assignments and lectures on general legal subjects.

They would also forbid such embarrassments as political activities, informal contacts with litigants and the receipt of gifts from potential litigants. The committee and the full Judicial Conference have the authority to adopt any standard or to reject the idea of a standard, but the ideas being considered suggest that Mr. Warren, at least, is prepared to accept rather strict self-regulation by judges.

The enforcement of any rules propounded by the Judicial Conference would pose legal and constitutional problems. The status does not specifically give the Judicial Conference the power to set standards for judges, and the Constitution does not suggest that judges could be punished for disobeying any such standards.

Federal judges are theoretically subject to the canons of judicial ethics of the American Bar Association, but these serve only as guidelines for conduct because the bar association has no machinery for enforcing them against United States judges.

The members of the committee that is scheduled to meet at the Supreme Court at 10 A.M. Saturday are: Robert A. Ainsworth Jr. of New Orleans; John Biggs Jr. of Wilmington, Del.; James R. Browning of San Francisco; J. Edward Lumbard of New York and J. Skelly Wright of the District of Columbia, all Circuit Judges.

Also, District Judges Bailey Brown of Memphis, A. Sherman Christensen of Salt Lake City, Bernard M. Decker of Chicago, Elmo B. Hunter of Kansas City, Mo.; Edward T. Gignoux of Portland, Me., and Edwin M. Stanley of Greensboro, N.C.

[From the Washington (D.C.) Sunday Star, May 25, 1969]

U.S. JUDGES WEIGHING ETHICS CODE

(By Lyle Denniston)

A committee of 11 federal judges has made a tentative decision to draft a "written code of standards" to guide judges on their out-of-court ethics.

However, it now appears that the code cannot be finished and put into effect in time to head off efforts in Congress to write a new law imposing new ethical strictures on U.S. judges.

Stirred by the financial relationships that led Justice Abe Fortas to resign from the Supreme Court and Justice William O. Douglas to give up a nine-year tie with a private foundation, several members of Congress are intent on getting prompt action on disclosure legislation.

The demand for such legislation and the Fortas controversy led Chief Justice Earl Warren to summon the 11-member judges' committee here yesterday to consider judicial ethics.

While the judges now seem unable to head off the legislation by first acting on their own ethical code, they nevertheless will attempt to influence what Congress does.

The panel is already at work on recommendations that the U.S. Judicial Conference could make about a series of pending bills to force judges to disclose their financial status.

After discussing judicial ethics for more than five hours yesterday, the panel and Warren agreed to summon the Judicial Conference into a special session here June 10.

Then, the 11-member committee—a standing Judicial Conference committee on court administration—will suggest a stand for the conference to take on the disclosure bills.

In addition, the committee will present "an interim report as to what we are trying to do on a written code of standards," according to the panel chairman, Circuit Judge Robert A. Ainsworth Jr. of New Orleans, La.

Ainsworth said his panel did not expect to have "anything definite" on either the disclosure legislation or the interim report about standards, until June 9, the day before the conference meeting. The committee will meet again that day, and put together its conference report he said.

CODE TO TAKE TIME

Preparation of the code of standards, the judge said, is expected to take considerably longer than drafting proposed reactions to the disclosure bills.

This may mean that the code could not be ready for presentation to the full conference until after Chief Justice Warren has retired.

This could hand the sensitive issue over to the conference after the next chief justice assumes its leadership. President Nixon has nominated Federal Judge Warren E. Burger to be chief justice; with that job goes the top post in the conference. He might be confirmed by early July.

Conceivably, the standards code could be an early test of Burger's federal judiciary leadership.

When such a code is written, it presumably will suggest to judges what outside activities they should agree to do and how much they ought to accept in fees or reimbursed expenses. It might also include some suggestions for financial disclosure.

The conference apparently has been uncertain about its power to tell judges what ethical norms should guide them. Over the years, the group has written a few rules of conduct, but these come nowhere near to specifying the full range of noncourt activities considered acceptable.

Federal judges are named to their posts for life. As a result, a strong sense of personal independence frequently develops.

If some judges are likely to react negatively to a full code of standards written by the conference, it is even more likely that they would object to having Congress draft mandatory controls on judicial behavior.

Thus, it is by no means certain that the June 10 conference will endorse any of the pending disclosure bills.

Even as the judges' committee and Warren met, the American Bar Association's top command was taking cautious and hesitant steps towards a possible inquiry into Justice Douglas' ethics.

Without taking a vote, the key ABA officers decided to permit what was described as a "routine referral" of Douglas' case to an eight-member ABA committee on professional ethics.

However, this does not necessarily mean there will be an investigation at all, or even a quick inquiry like the one which last week led to a condemnation of Justice Fortas for violating the ABA judicial ethics code.

Douglas' resignation Wednesday from his $12,000-a-year post as president of the Albert B. Parvin Foundation has stiffened the resistance of some ABA officials to a probe of his ethics.

COMMITTEE ROLE

Within the ethics committee itself, some members object to investigations of past conduct of individual judges or lawyers. They view their function as advisory only—setting down standards to guide the bench and bar, but not undertaking to enforce them.

Despite the strong demand for a probe of Douglas by Sen. John J. Williams, R-Del., some committee members were described as unwilling to yield.

Still, the officers decided to make an informal referral of Williams' request to the ethics panel. One reason they did so, apparently, was that ABA President William T. Gossett of Detroit had already publicly promised to make such a referral.

Yesterday's action was simply a decision not to interfere with Gossett's intention.

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[From the Washington Post, May 25, 1969]

Federal Judges Meet June 10 on Financial Disclosure Rule

(By John P. MacKenzie)

In an apparent attempt to clean its own house without help from the bar or Congress, the Federal judiciary yesterday scheduled a top-level meeting to consider rules for financial disclosure and non-judicial activities of judges.

Chief Justice Earl Warren called a meeting June 10 of the United States Judicial Conference, policy and administrative arm of the Federal judiciary, at the Supreme Court. The Conference includes the chief judges of the 11 Federal circuits and selected lower-court judges.

The meeting was recommended by the Conference's 11-judge Committee on Court Administration, which itself had been summoned to a special meeting yesterday in the wake of the resignation of Justice Abe Fortas and the continuing controversy over outside activities of Justice William O. Douglas.

Committee chairman Robert A. Ainsworth Jr., a member of the Fifth U.S. Circuit Court of Appeals, said in a three-sentence statement that by June 10 the Committee will have prepared recommendations for the Conference.

The Conference action had all the earmarks of a crash program to impose new self-regulation on judges and restore confidence in the Federal judicial system before the retirement of Warren at the close of the current Supreme Court term next month after final opinions are announced in the four dozen cases now pending.

If the Conference should delay in arriving at a self-regulation formula, the court term could be stretched to allow Warren to remain on the bench until the Conference acts. This in turn could delay the nomination and confirmation of a successor to Fortas, a process which President Nixon has indicated will not begin until Judge Warren E. Burger is confirmed as the new Chief Justice.

The further possibility arose that a sweeping code of judicial ethics could embarrass Burger and the Nixon Administration especially if it condemns outside income from foundations and sharply curtails extra-judicial service on boards of outside organizations.

Burger has received $2000 in compensation from the Mayo Foundation in Rochester, Minn., for the past three years. He is reported to deny any trace of impropriety and to be considering dropping the Foundation and many other outside activities upon confirmation.

But Burger also is reported strongly opposed to resigning under any conditions suggesting that propriety was compromised by his service on the Foundation's Board.

Compared with the outcry against the foundation connections of Fortas and Douglas, the relationship between the Mayo Foundation and Burger has drawn only mild criticism. Burger, in fact, has picked up stronge defense from influential members of Congress of both parties.

Nevertheless the question of the drafters of ethical codes will be the difficult one of where to draw the line—and whether to treat some foundations and some fees differently from others.

Fortas entered into a lifetime agreement with the Wolfson Family Foundation for a $20,000 annual fee in return for social research, but returned the first installment after Wolfson was indicted for stock fraud.

Douglas, whose resignation as president of the Albert Parvin Foundation was announced Friday, drew $12,000 a year for nine years as he directed programs aimed at fostering international goodwill among students. Critics noted that the Foundation drew income from a mortgage on Nevada gambling casinos.

Douglas' resignation did not defer the American Bar Association's board of governors yesterday from upholding the action of President William T. Gossett in referring the Douglas matter to the ABA's Professional Ethics Committee.

That Committee stirred controversy within the ABA this week by announcing that in its opinion Fortas "clearly violated" ethical rules by actions he admitted in his May 14 letter to Warren explaining his resignation.

Critics said the Committee's report was badly drafted and departed from past practice under which the Committee confined itself to rendering advisory opinions on current questions, not issuing pronouncements on past conduct by lawyers and judges.

The Committee, which ordinarily does not conduct its own investigations, defended its action by saying that Fortas himself had supplied facts sufficient to justify the conclusion that at least the Wolfson-Fortas transaction had the appearance of impropriety.

Some bar officials suggested that the Ethics Committee might balk at passing judgment on a sitting Supreme Court Justice partly on grounds that insufficient facts were on record.

However Douglas, like Fortas, wrote a letter to the Chief Justice defending his foundation work.

[From the Washington (D.C.) Post, May 25, 1969]

Fortas Case May Stir Questions on Hill's Disclosure Rules

(By William Greider)

While Senators and House members have waxed indignant over the subject of judicial purity, the issue promises to raise embarassing questions about their own rules for disclosing private financial interests.

In the wake of the Fortas affair, about a dozen bills have been introduced on both sides of the Capitol to require some form of financial disclosure for Federal judges, including the Supreme Court. Most of these measures go substantially beyond what the House and Senate now require of themselves. If Congress does take some action on judicial ethics, this double standard is going to be part of the debate.

There currently are no rules requiring Federal judges to report their off-the-bench earnings.

It was a choice coincidence that, at the same time they were condemning impropriety across the street at the Supreme Court building, members of Congress were filing their first statements on their own private financial interests. The House and Senate rules of ethics were requiring limited disclosures, adopted by the last Congress, in the wake of involuntary financial disclosures about Sen. Thomas Dodd and Rep. Adam Clayton Powell.

But if Justice Abe Fortas had been a Senator, he still would not have had to report anything to the public about the $20,000 he received from the family foundation of Louis Wolfson, now in Federal prison for stock fraud. If Fortas had been serving in the House of Representatives, his report might have said simply, "fee—Wolfson Family Foundation," without any public mention of the $20,000 figure or the purpose.

This year's Senate reports revealed that many Senators earn impressive fees as after-dinner speakers. The House reports showed, among other things, that one in every five members has a direct interest in the banking industry. But the disclosure rules are riddled with exceptions—the details on earnings and investments that are not made public.

"HYPOCRISY" CHARGED

Sen. Clifford P. Case (R-N.J.), a perennial advocate of full public disclosure, called the Senate reporting this spring "an exercise in hypocrisy." Rep. Philip E. Ruppe (R-Mich.), who himself reported a portfolio of 100 stocks, said the House requirements are "a sham and a facade. A listing of holdings without accompanying financial statements is next to meaningless. Loopholes under the present reporting procedure are legion."

The ambiguities in the House reporting system were illustrated by the fact that 10 members revised their reports after the April 30 deadline, adding private interests that they didn't report the first time around. Several explained that the disclosure rules weren't required by the rules but they were making them anyway.

The group included Rep. J. Irving Whalley (R-Pa.), whose original report said "none." He added later that he is president of the Citizens National Bank in his hometown of Windber, Pa. Seven other Representatives belatedly reported that they own bank stocks, including four who serve as bank directors. Among other exceptions, the rules do not require a House member to report banking interests if his investment is in a state-regulated bank or is less than $5000.

On the Senate side, the public reports cover gifts and honorariums for speeches or articles, but details on the rest of a Senator's financial interests, including any fees he might receive, are placed in a sealed envelop and sent to the Comptroller General. He must keep the envelope sealed unless the Senate Ethics Committee asks to see it.

Thus, the sticky point for Congress is that in order to design a disclosure rule for judges that would cover something like the Fortas fee, it will have to be tougher than its own standards.

Several Senators and House members, who have advocated full public disclosure for their colleagues appreciate this point and intend to make the most of it when the issue of judicial disclosure comes up.

ACTION EXPECTED

According to current assessments, the outlook for action on judicial disclosure is good. Congressional interest could be dampened if the U.S. Judicial Conference adopts its own set of rules requiring financial reports of Federal judges. However, if the judges adopt a weak requirement that does not involve public disclosure, that probably won't satisfy Congressional critics.

One measure, introduced by Sen. Robert P. Griffin (R-Mich.), takes the present Senate disclosure rules and applies them to the Federal judiciary—with one important addition. Griffin's bill, introduced by several House members, too, would require a judge to report any fee or compensation for services other than his work on the bench. That would have caught Fortas' fee and is more than the Senators must report themselves.

"If Congress does pass the legislation which I have introduced," Griffin said, "I'm confident that Congress will take a new look at its own standards—and I would favor complete disclosure."

Others are coupling judicial ethics with Congressional ethics in a more direct manner. In the House, Rep. Clark MacGregor (R-Minn.) is sponsoring a bill that flatly requires complete public disclosure for all three branches of Government—judges, Congressmen and the top executive officers.

Sen. Case, with 10 cosponsors from both parties, intends to amend his annual bill for complete Congressional disclosure to include the judiciary. Case, who makes annual voluntary disclosures of his own financial interests, has been introducing essentially the same bill since 1958 without success, but he does not consider it a lost cause.

Last year, when the Senate was adopting its narrow disclosure rules, Case offered his amendment for full public disclosure and it came within four votes of adoption, losing 40 to 44. Among those voting against it were some of the Senators who were quick to criticize Fortas—Strom Thurmond of South

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Carolina, Carl Curtis of Nebraska, Paul Fannin of Arizona.

The action on judicial disclosure is likely to begin in the Senate Judiciary Committee and one of Case's cosponsors is Sen. Joseph D. Tydings (D-Md.), chairman of the subcommittee on improvements in the judiciary. Tydings has sponsored his own mild version of financial disclosure for judges, but has indicated he may be willing to go with something stronger.

Sen. Sam Ervin (D-N.C.), chairman of the Judiciary subcommittee on the separation of powers, intends to approach the question of off-the-bench activities by judges from a different and broader angle. Ervin has raised questions about a whole range of extrajudicial activities by Supreme Court Justices in which compensation is necessarily involved—advising Presidents (Fortas), serving on fact-finding commissions (Chief Justice Earl Warren), or plunging into public controversies (Justice William O. Douglas and his conservation crusades).

Ervin's inquiry will probably also look at the questions of outside financial interests. He originally planned hearings for mid-June but is postponing them so that the study will not become a rehash of the Fortas affair.

House members are, by no means, burning to amend their own rules and go to a full public confession of where they earn off-the-job income. On the contrary, the first year's experience with reporting produced a lot of cloakroom grumbling to the effect that they have gone too far already. It took years of persuasion plus the Dodd and Powell controversies before the House would take the first, limited step. It is hardly in a mood to rush on to new reforms.

However, according to Rep. MacGregor and others, the ambiguities of this year's reporting increased the support among his colleagues for more complete reporting.

"The source of a lot of unhappiness," MacGregor said, "was that we had taken only a halfway step. Are you clean or unclean? I think there is a lot of feeling that we would be better off with absolute disclosure."

MacGregor said some are also unhappy because they had to report their private interests while others had investments that fall outside the rules and so reported "none."

There are some important differences between a Federal judge and a Congressman that might be used to justify different rules—particularly the fact that Congressmen must face the electorate regularly while judges are insulated from public opinion.

In addition, Congress has found it possible in the past to live with double standards. For example, it requires Executive Branch officers to sell their private investments to avoid a conflict of interest, but hardly stirs at the revelation that 13 members of the House Banking and Currency Committee have investments in the banking industry.

The supporters of full disclosure believe that, if the public considers the two issues of Congressional and judicial ethics as one, it will be hard for members to turn down reforms.

"I just can't believe," said MacGregor, "that we'll make the judiciary pure as the driven snow, but won't do it for ourselves."

U.S. Judicial Panel Called To Weigh Code of Ethics—Warren Schedules June 10 Meeting After Secret Session To Draft Proposals—Bar To Rule on Fees to Douglas

(By Walter Rugaber)

Washington, May 24.—The Judicial Conference of the United States will meet next month to consider a code of ethics and financial disclosure regulations for all Federal judges.

The meeting was called today by Chief Justice Earl Warren after an 11-member committee of the Judicial Conference met secretly at the Supreme Court to discuss "nonjudicial activities" by Federal judges.

The Chief Justice, acting on the recommendation of the Committee on Court Administration, scheduled a gathering of the full policy-making body of the Federal judiciary for June 10.

The move toward the first formal standards of conduct established by the Federal bench came in reaction to the outside dealings that led to the resignation of Justice Abe Fortas.

The effort by the judiciary to set its own house in order came amid continuing indications that Congress might impose its own standards on the courts as a result of recent disclosures.

A statement on today's session by the committee on administration gave no details of the meeting and no details of the code that the panel may have worked out.

". . . the committee met and considered several matters relating to nonjudicial activities of United States judges and possible financial disclosure rules for the Federal judiciary," the statement said, adding:

"The committee recommended that a special meeting of the Judicial Conference be called to consider recommendations the committee is preparing and will submit to the Conference."

Court officials would not say whether the proposals were completed at today's meeting or whether other sessions would be required in advance of the June 10 meeting.

BAR TO ACT ON DOUGLAS

Also today, the American Bar Association's Board of Governors voted to forward to its committee on ethics a Congressional question on the propriety of Justice William O. Douglas's association with the Albert Parvin Foundation.

Senator John J. Williams, Republican of Delaware, had asked the bar association for an opinion about Justice Douglas's $12,000 annual salary as president of the foundation.

The group's decision to pass along the Senator's inquiry was not considered as indicating that the committee would rule the justice's conduct unethical as it did in Mr. Fortas's case.

Justice Fortas resigned from the Court amid a controversy over his acceptance of $20,000—which he later returned—from the family foundation of Louis E. Wolfson, the imprisoned financier.

Yesterday, the Parvin foundation announced the resignation of Justice Douglas from its presidency.

The administration committee of the Judicial Conference assembled today behind barriers at the Supreme Court Building and the fact that reporters were barred even from the corridor off which the meeting occurred was symbolic of its sensitivity.

The full Judicial Conference, a body established by Congress, is chaired by the Chief Justice and also includes the chief judges of the Court of Appeals, the chief judges of two special Federal courts, and a District judge from each of the 11 circuits.

It has been reported that Chief Justice Warren would like to forestall Congressional moves in the judicial area by setting up a code of ethics similar to the one established by the Senate.

Under that code, most of the financial information submitted by Senators is kept secret and only large lecture fees and contributions are disclosed publicly.

[From the Washington Sunday Star, May 25, 1969]

Judges Can Put Their Own House in Order

Canon 4 of the American Bar Association's Canons of Judicial Ethics declares: "A judge's official conduct should be free from impropriety and the appearance of impropriety . . . and his personal behavior, not only upon the Bench and in the performance of judicial duties, but also in his everday life, should be beyond reproach."

There are other canons, but canon 4 lies at the heart of the standard of conduct which the ABA believes should govern the conduct and behavior of judges, and this certainly applies with particular force to the members of the Supreme Court. If there has been a tendency in the past to look the other way as far as judicial observance of the canons is concerned, and we think there has been, a change for the better appears to be setting in.

At the request of Senator Williams, Delaware Republican, the ethics committee of the ABA measured the conduct of former Justice Abe Fortas against the yardstick of the ethical canons. The committee's findings amounted to a stern rebuke to Fortas. "It is our opinion," the committee reported, "that the conduct of Mr. Fortas, while a Supreme Court justice as described in his statement of the facts, was clearly contrary to the canons of judicial ethics, even if he did not and never intended to intercede or take part in any legal administrative or judicial matters affecting Mr. (Louis) Wolfson."

In other words, the committee thought that Fortas, on the basis of his own explanation, taken at face value, was clearly guilty of unethical judicial conduct.

The committee then took an unusual additional step. Noting that Fortas had resigned from the court, it said it had decided to go ahead with its opinion so "the ethical issues shall be made clear for the legal profession, for members of the judiciary and for the public."

This brings us to the matter of Supreme Court Justice Douglas and his association with the Albert Parvin Foundation.

It was announced on Friday that Justice Douglas had resigned as president and board member of this foundation, something he should have done long ago. Shortly before the announcement of the resignation, Senator Williams had asked that the ABA also look into the link between Justice Douglas and the Parvin Foundation. The request presumably is now under consideration. What will be done in the light of Justice Douglas' resignation from the foundation is uncertain. It is our view, however, that the facts should be studied and a finding made. As in the Fortas case, the ethical issues involved in the Douglas matter should be "made clear for the legal profession, for members of the judiciary and for the public."

The factual situations, of course, are not identical. Wolfson was under criminal investigation when Fortas received a $20,000 fee from the Wolfson Family Foundation. This was later returned, after Wolfson had been convicted of a criminal offense. Fortas insisted he was not guilty of wrongdoing. But in his letter to Chief Justice Warren he conceded that Wolfson, while Fortas was on the court, had talked to him about his troubles.

There is no suggestion that Douglas did anything wrong in behalf of anyone connected with the Parvin Foundation. What is suggested, and what seems to be the fact, is that the foundation until quite recently was supported in part by revenues from gambling joints in Las Vegas, that since 1962 it paid about $72,000 to Justice Douglas as the only compensated official of the foundation, and that Douglas rendered rather little in the way of services in return for this money.

Furthermore, it is hardly conceivable that Justice Douglas, as head of the foundation, was not aware of the gambling connection and that he did not know that some of the foundation's sponsors were having their problems with the government.

If he was not aware of these things he should have been. And while we do not consider Representative Gross, Republican of Iowa, a model of self-restraint, we think he was right when he told his colleagues last week: "There is too much similarity between the Fortas and Douglas cases to be sheer coincidence. If Fortas was guilty of gross mis-

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conduct, which he most certainly was, Justice Douglas is equally guilty." He went on, however, to say: "I again urge most strongly that the Committee on the Judiciary begin an investigation and I suggest that the committee seek the assistance of the Justice Department and the FBI in carrying it out."

Unless there is some serious intent to begin impeachment proceedings against Justice Douglas and nothing of this sort has been proposed, an investigation by the House Judiciary Committee would be pointless and possibly even harmful. As far as the ethics of the matter are concerned, a finding by the ABA committee would serve much the same purpose without, at the same time, involving Congress in what could be an ugly clash with the judicial branch.

Even assuming that the ethics committee makes a finding in the Douglas case, however, this will not be enough. Something more is needed to re-establish the reputation of our highest court and to fortify that public confidence in its probity which is indispensable to its successful operation.

There is, of course, the remedy of impeachment. But this, as the record shows, is not very satisfactory, except perhaps in the most extreme cases. Another possibility lies in legislation. Congress might require full disclosure of outside income by federal judges. This could help. Senator Tydings has submitted a bill upon which hearings may be held next month. It does not apply to Supreme Court justices, and that is a defect which needs correction. But the bill's basic approach—creation of a commission of judges to investigate complaints, with provision for subsequent procedures looking toward removal in the case of complaints which appear to be well founded—has merit.

There is no good reason under the sun, however, why the problem of what to do about errant judges is not something that can be and should be handled within its own ranks by the federal judiciary.

Responding to a call by Chief Justice Warren, a committee of 11 federal judges assembled here yesterday to study the feasibility of promulgating ethical rules or guidelines which would be applicable to the men and women who preside in our federal courts. We see no reason why this cannot be done, and if an ethical code should be drafted the machinery for enforcement is readily available in the Judicial Conference of the United States.

This conference consists of the Chief Justice and the senior federal circuit judges. Not long ago, after some embarrassing disclosures, the Judicial Conference decreed that federal judges must not serve as bank directors. If the conference can do this, why can it not also forbid federal judges to accept money for any non-judicial work? Or, if this might be too harsh, to spell out the conditions and circumstances under which judges can be paid for extra-curricular activities?

It may be argued that the Judicial Conference would lack the authority to enforce such a rule. We doubt that there is much merit in this, for any judge would be most reluctant to violate a clearly-defined rule that is backed by the moral authority of the conference. In the unlikely event that such a non-conformer should emerge, he might have to be dealt with by other means. Meanwhile, it seems to us that there is a great deal to be said for encouraging the federal judiciary to put its own house in order.

CANAL ZONE AFL–CIO UNIONS SUPPORT PANAMA CANAL MODERNIZATION

The **SPEAKER** pro tempore (Mr. WRIGHT). Under a previous order of the House, the gentleman from Pennsylvania, Mr. FLOOD, is recognized for 30 minutes.

Mr. FLOOD. Mr. Speaker, the interoceanic canal question has been under periodic consideration by our Government since the end of World War II. Many improvements have been made in the Panama Canal but they have not been of basic character either as to increase of capacity or for improvement of operations.

During fiscal year 1968 the total number of transits was 15,511. The maximum capacity of the existing canal is about 26,000 vessels and additional capacity will be required around 1985.

In 1939 the Congress, without adequate investigation, authorized the construction of a third set of locks that was suspended in May 1942, which effort involved a total expenditure of $76,357,405, mostly on enormous lock site excavations at Gatun and Miraflores that are still usable. The current program for enlargement of Gaillard Cut is scheduled for completion in 1970 at an estimated cost of $81,257,097. These two projects together, totaling more than $157 million, represent a substantial commitment by our Government for the major modernization of the existing Panama Canal.

Experience over many years of operation has conclusively established that what is needed in such a program is: First, a two-way ship channel in the summit level; and second, ample and logically arranged locks at both ends of the canal. The two-way ship channel will be provided when the enlargement of Gaillard Cut is completed. The proper lock capacity and arrangement will be supplied under the Terminal Lake-third locks plan. The resulting capacity would be a minimum of 39,000 vessels, which would be sufficient for many years to come and, most significantly, would not require a new treaty with Panama.

To meet the resulting situation, bills have been introduced in both the House and Senate for the Panama Canal Modernization Act.

On May 6, 1969, the Panama Canal Subcommittee of the Committee on Merchant Marine and Fisheries held hearings at Balboa when the Canal Zone Joint Labor Committee submitted a prepared statement expressing its views on the subject of a "new sea level canal versus modernization plan". It strongly supported H.R. 3792, 91st Congress, as providing "the best operational canal at least possible cost for the next 75 years or more."

It is noted that the Canal Zone Labor Committee is composed of the officers and members of the National Maritime Union; the Masters, Mates & Pilots Association; and the Central Labor Union and Metal Trades Council, AFL–CIO. The members of these bodies are not impractical theorists with predetermined objectives, but well-informed persons with long experience in the maintenance, operation, sanitation, and protection of the Panama Canal. They know its problems at first hand, cannot be hoodwinked by clever propaganda as regards the canal, however plausible, and can visualize realistically the problems of a so-called sea level canal.

Mr. Speaker, in order that the Congress and the Nation may be adequately informed in the premises, I quote major excerpts from the indicated AFL–CIO statement and the full text of H.R. 3792 as follows:

STATEMENT OF CANAL ZONE JOINT LABOR COMMITTEE PRESENTED TO THE HOUSE MERCHANT MARINE AND FISHERIES SUBCOMMITTEE ON THE PANAMA CANAL, MAY 6, 1969, BALBOA, C.Z.

Madam Chairman and members of the committee: Thank you for affording us an opportunity to meet and discuss with you and your committee matters which are of vital concern to all employees of Federal agencies on the canal zone. The members of our group here today represent the majority of the employees, both citizens and non-U.S. citizens employed by the Panama Canal Company-Government, and the U.S. military agencies in the Panama Canal Zone.

The Canal Zone Joint Labor Committee, composed of the officers and members of the National Maritime Union, the master, mates and pilots association, and the Central Labor Union and Metal Trades Council, AFL–CIO, is extremely pleased to welcome you and the members of the Panama Canal subcommittee back to the canal zone.

Madam Chairman, it is our unanimous desire to offer to you, and the members of your committee the full support, knowledge, and experience of our entire membership towards maintaining and/or improving the efficiency of each of the U.S. agencies in the Panama Canal Zone.

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Madam Chairman, it is our desire that the records show it is neither our intent nor our purpose to outline foreign policy. We are fully cognizant that the executive department is charged with the duty of the conduct of our foreign policy, with review by Congress. We accept, and acknowledge that inter-relations of the United States and Panama are not within our purview. Nevertheless, we are charged with representing the workers in the Canal Zone in areas of working conditions, wages and living conditions. When the foreign policy of the United States touches on these areas, we are properly concerned.

Madam Chairman, as you well know, the labor annex of the proposed treaty affects the Canal Zone workers. Therefore, we are asking your assistance in keeping the Joint Labor Committee informed as to the progress of this portion of the treaty.

NEW SEA LEVEL CANAL VS. MODERNIZATION PLAN

The modernization plan outlined in H.R. 3792, 91st Congress, 1st Session, is a technically sound concept which will provide the best operational canal at the least possible cost for the next 75 years or more. It should be noted that all realistic sea level plans have provided for tidal locks or tidal regulating structures and that the proposed waterway would not be a Strait of Magellan but merely a restricted channel canal with tidal locks, which structures would be more complicated than the present locks.

The Joint Committee, after reviewing the various plans, fully supports the Flood, Thurmond, Rarick and Gross bills which provides for the complete modernization of the present waterway.

H.R. 3792

A bill to provide for the increase of capacity and the improvement of operations of the Panama Canal, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Panama Canal Modernization Act".

SEC. 2. (a) The Governor of the Canal Zone, under the supervision of the Secretary of the Army, is authorized and directed to prosecute the work necessary to increase the capacity and improve the operations of the Panama Canal through the adaptation of the

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Third Locks project set forth in the report of the Governor of the Panama Canal, dated February 24, 1939 (House Document Numbered 210, Seventy-sixth Congress), and authorized to be undertaken by the Act of August 11, 1939 (53 Stat. 1409; Public Numbered 391, Seventy-sixth Congress), with usable lock dimensions of not less than one hundred and forty feet by not less than one thousand two hundred feet by not less than forty-five feet, and including the following: elimination of the Pedro Miguel Locks, and consolidation of all Pacific locks near Miraflores in new lock structures to correspond with the locks capacity at Gatun, raise the summit water level to its optimum height of approximately ninety-two feet, and provide a summit-level lake anchorage at the Pacific end of the canal, together with such appurtenant structures, works, and facilities, and enlargements or improvements of existing channels, structures, works, and facilities, as may be deemed necessary, at an estimated total cost not to exceed $850,000,000, which is hereby authorized to be appropriated for this purpose.

(b) The provisions of the second sentence and the second paragraph of the Act of August 11, 1939 (53 Stat. 1409; Public Numbered 391, Seventy-sixth Congress), shall apply with respect to the work authorized by subsection (a) of this section. As used in such Act, the terms "Governor of the Panama Canal", "Secretary of War", and "Panama Railroad Company" shall be held and considered to refer to the "Governor of the Canal Zone", "Secretary of the Army", and "Panama Canal Company", respectively, for the purposes of this Act.

(c) In carrying out the purposes of this Act, the Governor of the Canal Zone may act and exercise his authority as President of the Panama Canal Company and may utilize the services and facilities of that company.

SEC. 3. (a) There is hereby established a board, to be known as the "Panama Canal Advisory and Inspection Board" (hereinafter referred to as the "Board").

(b) The Board shall be composed of five members who are citizens of the United States of America. Members of the Board shall be appointed by the President, by and with the advice and consent of the Senate, as follows:

(1) one member from private life, experienced and skilled in private business (including engineering);

(2) two members from private life, experienced and skilled in the science of engineering;

(3) one member who is a commissioned officer of the Corps of Engineers, United States Army (retired); and

(4) one member who is a commissioned officer of the line, United States Navy (retired).

(c) The President shall designate as Chairman of the Board one of the members experienced and skilled in the science of engineering.

(d) The President shall fill each vacancy on the Board in the same manner as the original appointment.

(e) The Board shall cease to exist on that date designated by the President as the date on which its work under this Act is completed.

(f) The Chairman of the Board shall be paid basic pay at the rate provided for level II of the Executive Schedule in section 5313 of title 5, United States Code. The other members of the Board appointed from private life shall be paid basic pay at a per annum rate which is $500 less than the rate of basic pay of the Chairman. The members of the Board who are retired officers of the United States Army and the United States Navy each shall be paid at a rate of basic pay which, when added to his pay as a retired officer, will establish his total rate of pay from the United States at a per annum rate which is $500 less than the rate of basic pay of the Chairman.

(g) The Board shall appoint, without regard to the provisions of title 5, United States Code governing appointments in the competitive service, a Secretary and such other personnel as may be necessary to carry out its functions and activities and shall fix their rates of basic pay in accordance with chapter 51 and subchapter III of chapter 53 of such title, relating to classification and General Schedule pay rates. The Secretary and other personnel of the Board shall serve at the pleasure of the Board.

SEC. 4. (a) The Board is authorized and directed to study and review all plans and designs for the Third Locks project referred to in section 2(a) of this Act, to make on-the-site studies and inspections of the Third Locks project, and to obtain current information on all phases of planning and construction with respect to such project. The Governor of the Canal Zone shall furnish and make available to the Board at all times current information with respect to such plans, designs, and construction. No construction work shall be commenced at any stage of the Third Locks project unless the plans and designs for such work, and all changes and modifications of such plans and designs, have been submitted by the Governor of the Canal Zone to, and have had the prior approval of, the Board. The Board shall report promptly to the Governor of the Canal Zone the results of its studies and reviews of all plans and designs, including changes and modifications thereof, which have been submitted to the Board by the Governor of the Canal Zone, together with its approval or disapproval thereof, or its recommendations for changes or modifications thereof, and its reasons therefor.

(b) The Board shall submit to the President and to the Congress an annual report covering its activities and functions under this Act and the progress of the work on the Third Locks project and may submit, in its discretion, interim reports to the President and to the Congress with respect to these matters.

SEC. 5. For the purpose of conducting all studies, reviews, inquiries, and investigations deemed necessary by the Board in carrying out its functions and activities under this Act, the Board is authorized to utilize any official reports, documents, data, and papers in the possession of the United States Government and its officials; and the Board is given power to designate and authorize any member, or other personnel, of the Board, to administer oaths and affirmations, subpena witnesses, take evidence, procure information and data, and require the production of any books, papers, or other documents and records which the Board may deem relevant or material to the performance of the functions and activities of the Board. Such attendance of witnesses, and the production of documentary evidence, may be required from any place in the United States, or any territory, or any other area under the control of jurisdiction of the United States, including the Canal Zone.

SEC. 6. In carrying out its functions and activities under this Act, the Board is authorized to obtain the services of experts and consultants or organizations there in accordance with section 3109 of title 5, United States Code, at rates not in excess of $200 per diem.

SEC. 7. Upon request of the Board, the head of any department, agency, or establishment in the executive branch of the Federal Government is authorized to detail, on a reimbursable or nonreimbursable basis, for such period or periods as may be agreed upon by the Board and the head of the department, agency, or establishment concerned, any of the personnel of such department, agency, or establishment to assist the Board in carrying out its functions and activities under this Act.

SEC. 8. The Board may use the United States mails in the same manner and upon the same conditions as other departments and agencies of the United States.

SEC. 9. The Administrator of General Services or the President of the Panama Canal Company, or both, shall provide, on a reimbursable basis, such administrative support services for the Board as the Board may request.

SEC. 10. The Board may make expenditures for travel and subsistence expenses of members and personnel of the Board in accordance with chapter 57 of title 5, United States Code, for rent of quarters at the seat of government and in the Canal Zone, and for such printing and binding as the Board deems necessary to carry out effectively its functions and activities under this Act.

SEC. 11. All expenses of the Board shall be allowed and paid upon the presentation of itemized vouchers therefor approved by the Chairman of the Board or by such other member or employee of the Board as the Chairman may designate.

SEC. 12. There are hereby authorized to be appropriated to the Board each fiscal year such sums as may be necessary to carry out its functions and activities under this Act.

SEC. 13. Any provision of the Act of August 11, 1939 (54 Stat. 1409; Public Numbered 391, Seventy-sixth Congress), or of any other statute, inconsistent with any provision of this Act is superseded, for the purposes of this Act, to the extent of such inconsistency.

JOHN WESLEY POWELL, 1834–1902: PRINCIPAL FOUNDER OF THE COSMOS CLUB

Mr. FLOOD. Mr. Speaker, one of the truly great clubs of the Nation is the Cosmos Club of Washington, D.C., composed of men distinguished in science, literature, art, a learned profession, or in public service. Incorporated in 1878 under the leadership of John Wesley Powell, its first president, the club has become one of the most important monuments of the great leader after whom it has named its auditorium, and continues to honor as a principal founder.

The May 1969 issue of the Cosmos Club Bulletin featured a brief biographical sketch of Powell by William C. Darrah, professor of biology at Gettysburg College, Pennylvania. It is accompanied by the following editorial note by Dr. Paul H. Ochser, editor of the bulletin:

AFTER 100 YEARS

[This *Bulletin*, during the time since its first issue in November 1947, has printed a good many words about John Wesley Powell, for among the heroes in the saga of the Cosmos Club his name is at the top. This year, 1969, is a Powell year; and this month, May, is a Powell month; for it was on May 24, 1869, that he set forth on the historic expedition down the Colorado whose centennial the nation now is celebrating. The Club is observing the centennial in several ways—e.g., the lecture by William H. Goetzmann, "The Heavenly Country of John Wesley Powell," on April 14, and another, "Following Powell Through the Canyons in an Open Canoe," by Homer L. Dodge ('42), scheduled for May 26, and the *Bulletin* here adds another bit by a simple retelling of the well-known but still inspiring Powell story. We do this in the words of one of Powell's best biographers, William Culp Darrah, whose book *Powell of the Colorado* was published by the Princeton University Press in 1951 and is now being reprinted in conjunction with the centennial. Mr. Darrah, professor of biology at Gettysfields of geology, paleobotany, and the history burg College, has written extensively in the

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of science in America. He also edited, for the Utah State Historical Society, the documents of both the 1869 and 1871–72 Colorado River explorations. The following brief account by Mr. Darrah appeared in the April-May 1969 issue of *National Wildlife*. It is reprinted by permission of the National Wildlife Federation.—P.H.O.]

In order that the indicated biographical sketch may be recorded in the permanent annals of the Congress, I quote it as part of my remarks:

[From the Cosmos Club Bulletin, May 1969]

JOHN WESLEY POWELL

(By William C. Darrah)

Explorer, geologist, anthropologist and conservationist, John Wesley Powell a hundred years ago unlocked the secrets and mystery of our great Southwest. The legends of his explorations into this forbidding land will live forever.

Powell was born at Mount Morris, New York, of English parents on March 24, 1834. His father was a Methodist circuit rider who progressively moved his family to Ohio, Wisconsin and finally to Wheaton, Illinois. Wes Powell from early childhood collected minerals, molluscs, insects and plants yet showed little propensity for regular study. After attending several colleges without earning a degree, he began teaching in public school and by 1861 was superintendent of schools in Hennepin, Illinois.

At the outbreak of the Civil War, Powell organized an artillery battery and was elected its lieutenant. During the battle of Shiloh he lost his right forearm but remained in military service until 1865.

After the war Major Powell accepted the professorship of natural history at Illinois State Normal University and at once included outdoor field trips in his instruction. In the summer of 1867 he led a party of students and adult amateurs in the park region of Colorado to study and collect birds, mammals and insects and to study geology. The following summer a more elaborate expedition explored northwestern Colorado, particularly the Colorado River (then known as the Grand River). By then the Major had a passionate ambition to explore the last unknown area of the United States, the Colorado River from Wyoming to Yuma, Arizona, a distance of fifteen hundred miles.

The story of this spectacular expedition is well known. The Powell Centennial Celebration this year commemorates his emergence as a towering public figure. The Major with eight companions set out from Green River Station, Wyoming, on May 24, 1869 in four boats and provisions for three months on the river. Powell had personally raised all the money and other support for the expedition and the only official recognition of the project was the loan of scientific instruments by the Smithsonian Institution and permission to draw rations at Army posts if needed. Mishaps, near starvation and the desertion of three men who climbed out of the canyons only to be slain by Indians, limited the scientific work, but Powell and the others passed through the canyons safely with a wealth of data and a determination to return. Major Powell suddenly found himself a national hero acclaimed for his audacious feat, but he considered it only an unfinished challenge.

The second survey of the Colorado River extended over two years, 1871–1872, with a Federal grant of $25,000 to study the geology and map the course of the Colorado River. This Powell Survey, under the auspices of the Department of the Interior, was but one of four western surveys, two of which were under the War Department. Powell was an advocate of civilian control of all western land surveying because policies of land use were at stake.

Powell then turned propagandist. His field work from 1871 to 1877 had led to the concept of land, water, vegetation and man as a delicate balance of nature. The first edition of Powell's *Report on the Lands of the Arid Region of the United States* was published in 1877, a classic in the philosophy of land use. He pleaded for the reform of laws pertaining to the rights to water, grazing, exploitation of the public domain and the necessity of understanding the inherent limitations of a region in which there is insufficient water to irrigate all the land capable of irrigation.

Major Powell remained a public servant, director of the Bureau of American Ethnology from 1879 to 1902 and concurrently director of the United States Geological Survey from 1881 to 1894. He initiated the great irrigation surveys of the Southwest, the geological and quadrangle maps of the United States and fought unsuccessfully for four years for the establishment of a Federal agency or department of science.

John Wesley Powell died quietly after long illness at his summer cottage in Haven, Maine, on September 23, 1902 and was buried with full military honors at Arlington National Cemetary. He bequeathed a great legacy to the nation he served: the Geological Survey, the Bureau of American Ethnology, the Bureau of Reclamation, the Bureau of Mines and the Forestry Bureau (their names have changed from time to time). And there is more. Powell directed, at times single-handed, the course of development of Federal policies in the vast public domain, especially the semiarid West. Above all, his was the vision of man and the land in the broadest sense of their mutual interdependence.

SCANDAL AT SBA—X

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. GONZALEZ) is recognized for 10 minutes.

Mr. GONZALEZ. Mr. Speaker, today the Federal grand jury meeting at San Antonio, Tex., handed down an indictment charging that Albert Fuentes and others entered into a conspiracy to defraud the Government. So ends speculation as to the seriousness of the charges that I raised against the former special assistant to the Administrator of the Small Business Administration. Now it is up to the courts to determine the final disposition of the case. But as this matter closes one phase, it enters into another, and one with implications going far beyond the actions of Fuentes himself.

Indeed questions must now be raised as to how this man ever got the high post that he was appointed to. Many people have stated that if anyone had just asked, or even listened to warnings about Fuentes, he probably would never have been employed in the first place. For example, the Civil Service Commission reported to me that it had conducted a complete investigation of Fuentes' background and that the result was that "no derogatory information" had been received. But in fact Fuentes had a $12,246 judgment against him entered by a State court in August 1968—only a few short months before he was appointed to his post. The question is, did the the Civil Service Commission know this, or did they not consider it relevant? It might well have not known of the judgment, in which case it is clear that the investigation left much to be desired. And if the Commission did know of the judgment, it should have known that a man who had such a judgment against him might be tempted to use his position for financial gain.

Or, had the Commission investigated into Fuentes' employment with Johnny Cortez Investments, it would have discovered that the firm engaged in questionable practices, practices which have resulted in charges being brought against one principal of the company for writing bad checks, and his subsequent conviction therefor. And investigation would have shown that the company collected a great deal of money for services that it allegedly never performed. Fuentes himself was paid wages by the company in the form of a hot check. Did the Civil Service Commission consider that association with shady business practices had nothing to do with the character of a man applying for high office? Or did it simply not investigate the man's background?

It is distressing to raise these questions, but the integrity of the Government, and the confidence of the public is what is at stake here. We are supposed to have ways of protecting the Government against employment of questionable character, and the general character of our civil service is magnificent. But Mr. Speaker, one wonders whether precautions taken in the investigation of political appointees is adequate. If in this case the investigation failed to turn up information of the sort I have described, then the investigation was clearly inadequate. But if this information was turned up by the investigators, then it is a great mystery to me how the short and inglorious career of Albert Fuentes in Government service ever got started.

Mr. Speaker, I include for the RECORD newspaper stories from the Washington Star dated today, and the San Antonio Express and News dated May 23 and May 22.

[From the Washington (D.C.) Star, May 26, 1969]

JURY INDICTS FUENTES IN SBA CASE

SAN ANTONIO, TEX.—A federal grand jury indicted Albert Fuentes Jr. and Edward J. Montez today on two counts of conspiracy and seeking to share in a San Antonio business in return for a $100,000 loan from the Small Business Administration.

The 20-member grand jury met for 30 minutes this morning before reporting its findings to Federal Judge Adrian Spears. Bail of $2,500 was set for each man.

Fuentes was fired last week as special assistant to SBA administrator Hilary Sandoval for "failing to follow orders and not get involved in events in the Southwest."

The first accusations against Fuentes were made in San Antonio late last month by U.S. Rep. Henry B. Gonzales, of San Antonio.

[From the San Antonio (Tex.) Express, May 23, 1969]

FUENTES JUDGMENT DISCLOSED

(By James McCrory)

Albert Fuentes Jr. was named special assistant to Small Business Administration administrator Hilary Sandoval while he still had a $12,246 judgment against him in state district court.

Ironically, that judgment grew out of two loans made to Fuentes in his 1964 campaign for lieutenant governor—as a candidate for the Democratic nomination before he turned Republican.

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U.S. Rep. Henry B. Gonzalez, whose accusation of impropriety against Fuentes based on an affidavit by San Antonio businessman Emanuel Salaiz wound up with a federal grand jury investigation, had complained earlier that Fuentes' background had not been thoroughly checked before he was hired.

The suit which was the basis of the $12,246 judgment was brought in 1967 by E. B. Taylor of Dickinson, Galveston County, against Fuentes. Taylor complained that on March 21, 1964, Fuentes for a valuable consideration executed and delivered to Taylor his promissory note for $3,000, payable on or before Sept. 21, 1964. On April 24, 1964, he said, Fuentes for valuable consideration executed and delivered to him his promissory note for $9,246, payable on or before Oct. 24, 1964.

Although he made repeated demands on Fuentes for payment, Taylor complained, Fuentes refused to pay.

In his answer to the suit, Fuentes denied the allegations and asked that a take-nothing judgment be entered.

On Jan. 26, 1968, a district court in Bexar County entered judgment holding that Taylor was entitled to recover $12,246, the original sum total of the two loans, plus accrued interest of $690 and $2,427.48, plus attorney fees of $1,536.

On Aug. 27, 1968, Judge Robert Murray issued an order returnable Sept. 28, 1968, for Fuentes to show cause why he should not answer Taylor's interrogations as to what property Fuentes held that could be attached for satisfaction of the debt. The proposed interrogation was to determine if Fuentes owned any acreage, personal property, businesses, savings association accounts or rental property, and his income tax report.

That order came after Taylor asked on Aug. 23, 1968, that Fuentes be required to appear for a hearing on his property holdings. That application pointed out that the judgment had never been satisfied. In the pleading, Taylor said he had information and belief that Fuentes has ample property subject to execution to satisfy the judgment, and that Fuentes willfully and fraudulently concealed the property from Taylor.

The case apparently is in a state of abeyance. There is no record that the questions contained in the interrogation were ever answered, and the judgment remains unsatisfied.

Fuentes Thursday explained that the loans came about during a "political situation," and he said the agreement was if he won the race of lieutenant governor, he would pay the money back and if he lost he wouldn't have to. He lost, and so did Taylor.

[From the San Antonio (Tex.) News, May 22, 1969]

FUENTES' OLD FIRM IS GONE

(By Kemper Diehl)

The last business position Albert Fuentes, discharged this week as special assistant to the administrator of the Small Business Administration, held before taking over the post of leader of the Viva Nixon campaign, was as an executive assistant for the head of a firm which in the words of one associate "has evaporated."

At the time of the Republican National Convention last August Fuentes was a member of the Johnny K. Cortez Investments Organization.

It was during this period that President Nixon visited Houston during his campaign and met with 40 Mexican-American leaders, Fuentes and Cortez among them. The meeting was on Sept. 6 at the Shamrock-Hilton Hotel, and served as a platform for Nixon to tell the Mexican-American leaders that they represented the "forgotten people" and that he would remember them.

Cortez is now charged in two grand jury indictments with having written lavish hot checks—one on Sept. 20 for $1,379 to finance a trip for two to Rome where the San Antonian hoped to meet with the Pope.

Fuentes in February notified the hot check section of the district attorney's office that he had received a $300 check from Cortez, also dated Sept. 20, which was returned for insufficient funds reasons. It was payment of wages.

Charges of theft by bailee over $50 have also been filed by the district attorney's office against Cortez and are pending before the grand jury.

The Cortez investment firm operated at 310 East Ashby for a number of months last year, taking over the building which had housed Radio Station KBAT.

One of its activities was to serve as "money-finder" for various projects throughout the Southwest. It is understood that fees for such a money-finding operation are at issue in the case before the grand jury.

When he led the pledge of allegiance at the fourth session of the Republican convention in Miami on Aug. 7, Fuentes was executive assistant for the firm.

On July 30, Cortez had filed an assumed name certificate with County Clerk James W. Knight for the firm of Johnny Cortez Investments.

It listed Fuentes, James Damron and one other man as persons conducting or transacting or intending to conduct or transact business under the name along with Cortez.

Damron pleaded guilty on May 12 to a charge of paying Shaw's Jewelers for two diamond rings with a $400 hot check. He faces a three year penitentiary sentence, but is under review for possible probation.

Fuentes was with the firm only briefly, it appears, since he was named to the Nixon campaign post in the early part of September. Following the election, Fuentes was a director of development for the Mexican-American Legal Defense Fund.

A former police patrolman, Cortez was dismissed from the force following an incident in which he was charged with pistol whipping a man in a tavern when he was off duty.

The incident was provoked by an Indian-wrestling match in which Cortez allegedly was bested.

The district attorney's office has listed a number of hot check convictions against Cortez in recent years.

THE MANPOWER ACT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Michigan (Mr. O'HARA) is recognized for 30 minutes.

Mr. O'HARA. Mr. Speaker, 105 Members of this House have joined together today in the introduction of legislation to create a comprehensive, flexible and effective active manpower mechanism by which the people of the United States can undertake to "assure an opportunity for employment to every American seeking work and to make available the education and training needed by any person to qualify for employment consistent with his highest potential and capability." The several identical bills which are being introduced for this purpose are entitled the Manpower Act.

The Manpower Act, Mr. Speaker, is the logical culmination of 7 years' experience with the Manpower Development and Training Act, of the experience we have had with title I(b) of the Economic Opportunity Act, and of the research and evaluation that have been directed to the achievements, the strengths and the weaknesses of these important legislative milestones.

The proposed Manpower Act begins with a statement of congressional intent, which holds that "it is within the capability of the United States to provide every American who is able and willing to work, full opportunity, within the framework of a free society, to prepare himself for and obtain employment at the highest level of productivity, responsibility and remuneration within the limits of his abilities." This, I suggest, is the heart of the legislation, and a goal which the times we live in have made a necessity.

Since 1962, when the Manpower Development and Training Act was first enacted, through the present day, the field of manpower legislation has become one in which there has been constant activity. The Manpower Development and Training Act has been amended a total of five times since its first appearance on the statute books in 1962. Title I of the Economic Opportunity Act, another major component of our national manpower system, has been amended twice since its original enactment. And these changes, these legislative alterations in the manpower structure have been only the most obvious and formal steps in the evolution of a national manpower training and employment system. By Presidential initiative, and by administrative practice, other segments of the system have been designed and put to work.

Throughout this evolutionary process, there has been one virtually uninterrupted theme. At every step, we have sought, with more or less success, to make manpower legislation and manpower institutions more flexible, more interchangeable, more able to be fitted to given situations and capable of adjustment to changing times and changing demands. I think that there is a broad, bipartisan consensus in support of the notion that our national manpower needs are too large, too complex and too volatile to be neatly met and wholly solved by any one of the programs we have thus far developed. MDTA, title I(b) of the Economic Opportunity Act, the JOBS program, the concentrated employment program, the working of the Federal-State public employment service system, the contributions of other agencies and yet other programs—all of these, Mr. Speaker, have been designed with specific problems in mind, and all of them have contributed to solving those problems—yes, and they have all, as they have been amended over the past several years, contributed to meeting problems which were unimagined when the legislation or the programs were first launched.

In summary, Mr. Speaker, the thrust of manpower legislation over the past several years has been toward a more flexible, multipurpose, and interchangeable manpower system. This principle is now sufficiently accepted, in my judgment, to warrant the enactment of a basic Manpower Act, designed to provide the people of the United States with a single system by which they can achieve the manpower goals I believe they generally accept.

The Manpower Act begins, as I have said, with a declaration of policy, to the

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effect that we will do what we can do, and must do, to guarantee every American who is willing and able to work an opportunity for a job, and for training so that the job he gets may be a meaningful one.

This simply stated, that may seem like a rather ambitious guarantee. But years ago it was assumed that a healthy and expanding economy required a pool of unemployed workers—that the suffering which unemployment might visit upon these individuals, while difficult for them to bear, was simply a price we had to pay for fiscal stability and economic good health.

Years ago, Mr. Speaker, the received wisdom of the time was that periods of massive unemployment were inescapable aspects of an unchangeable economic cycle, and that they were the price we all had to pay for the subsequent periods of high employment.

I think these theories have seen their last days. I believe, at least I hope, that responsible public leaders no longer accept the concept of a necessary level of unemployment or even of "acceptable levels of unemployment." Today, in a time when overall employment figures are at a record high, we nonetheless realize that we must make a very substantial national effort to eliminate that concentrated unemployment which affects certain areas and certain segments of our people. We realize that unemployment is never "acceptable" and that we can and indeed, must, eliminate it.

I think, too, we are beginning to realize that the productive, the economically and socially useful work that must be done in the years ahead is substantially in excess of the number of hands and brains that are presently equipped to do it. The problem of providing every American with a useful and productive job is not the major one before us. Our problem, rather is going to be to assure that we have enough people trained to do the work we are going to have to do.

The Manpower Act, Mr. Speaker, seeks to implement this goal by the use of techniques and institutions that we have at hand, and have used with great success.

The act vests in the Secretary of Labor the right to provide training opportunities and other needed manpower services, through contracts with the States, with local governments, with private nonprofit agencies and organizations, and with private businesses. The act does not specify a clientele because it is not envisaged as meeting only the special needs of a single clientele. It does not require concurrent approval by a host of Federal agencies, because our experience under MDTA and OEO has shown that such a requirement can often be nothing but an occasion for unnecessary and unprofitable delay. It is my hope in sponsoring this act that no unemployed or underemployed American, no citizen facing unemployment, no worker who has the ambition to seek to upgrade his own skills, will be left to await the outcome of some interdepartmental struggle for status and power. If there has been avoidable delay under the existing programs, much of it has stemmed from the friction of Washington "empire building." This bill seeks to insure, in this way, at least, that our manpower policies will continue to be focussed on the worker, not on the interest of the agencies by which he is supposed to be helped.

Another major aspect of the Manpower Act is the provision of a broad program of public service employment opportunities. I would agree wholly with those who contend that the vast majority of Americans will find their best employment opportunities in the private sector. Working in the factories and offices and stores and service establishments of this Nation is the route most Americans will take to earning their daily bread. But there are jobs to be done which private enterprise, under any circumstances, simply would not be interested in undertaking. And there are people available who can be gainfully employed doing these jobs.

There is work to be done in conservation, in law enforcement, in public transportation, in beautification, in health and education, and other areas besides—work which desperately needs doing, and there are people who are ready and willing to work who have not found opportunities in the private sector. Years ago it was commonplace to point with scorn at the sight of food being destroyed while people went hungry. Today it is even more indefensible to be able to see significant numbers of Americans unemployed, while at the same time, vitally needed public services go unperformed because "we have not the people to perform them." A meaningful national manpower system seems to me to call irresistibly for a program by which these needed public services can be performed, and the unemployed can be trained to perform them. The cost of such a program will be substantial. The cost of not having such a program will be incalculable. We will count the cost of finding jobs for the hard-core unemployed in dollars. The cost of ignoring hard-core unemployment and ignoring needed public services can be counted in terms of city blocks destroyed and neighborhoods blighted.

I submit, Mr. Speaker, that whatever may be our domestic needs or our foreign needs, we can no longer afford not to have a major program of public service employment. The Manpower Act offers such a program as an integral part of a national manpower system.

The Manpower Act offers other elements of such a system.

It makes provisions for the provision of training, job counseling, and the whole range of supportive services to make the guarantee of a job a realizable one, even for those who have never been able to find a place in the permanent labor market. It provides for training allowances, based on the minimum wage. It spells out an upgrading program so that persons already in the labor force can learn new skills and move upward, thus not only improving their own lot, but vacating entry-level jobs for those whose skills are more rudimentary.

In summary, Mr. Speaker, the proposed Manpower Act would seek to provide the Nation with the integrated, broad-gage, flexible, and comprehensive manpower system that the manpower needs, not only of 1969, but of the years ahead require.

Mr. Speaker, the 105 Members of the House who have thus far indicated their support by joining in the sponsorship of this legislation do not stand alone in their view that our manpower programs should be strengthened, and a public service employment opportunities program launched. I received today, for example, a letter from Mr. John Gardner, former Secretary of Health, Education, and Welfare, and chairman of the Urban Coalition. While Mr. Gardner does not specifically endorse the provisions of H.R. 11620, he does state that legislation "designed to give every American who wants to work an opportunity for a decent job has been a basic goal of the Urban Coalition Action Council since its beginning." Under unanimous consent I include the full text of Mr. Gardner's letter at this point in my remarks:

THE URBAN COALITION ACTION COUNCIL,
Washington, D.C.

HON. JAMES G. O'HARA,
House of Representatives,
Washington, D.C.

DEAR MR. O'HARA: I have been informed that you will introduce on May 26 a Comprehensive Manpower bill designed to give every American who wants to work an opportunity for a decent job. This has been a basic goal of the Urban Coalition Action Council since its beginning.

In its original statement of principles, the Coalition called for an emergency work program that would concentrate on the huge backlog of employment needs in parks, streets, slums, countryside, schools, colleges, libraries and hospitals. The aim was to put at least one million of the presently unemployed or underemployed into productive work at the earliest possible moment.

I understand that this concept of public service employment is embodied in the measure you are introducing. I commend you for it. Your bill is a long step toward making meaningful, productive employment available to everyone willing and able to work.

Sincerely,

JOHN W. GARDNER.

At a press conference held this morning to announce the introduction of this bill, there was a very encouraging show of support from the community in the form of the presence of representatives from a number of organizations concerned with the crisis in our cities, and with full employment as an answer to that crisis. As with the Urban Coalition, I would not presume to interpret the interest shown by these organizations as equivalent to specific endorsements of H.R. 11620 in all its details. But I think I can say that these organizations, which are listed below, share interest in or a general commitment to legislation along these lines:

ORGANIZATIONS REPRESENTED AT PRESS CONFERENCE ON H.R. 11620

AFL–CIO.
Alliance for Labor Action.
Amalgamated Clothing Workers of America.
Amalgamated Meat Cutters and Butcher Workmen.
American Ethical Union.
American Jewish Committee.
American Jewish Congress.
American Veterans Committee.
Anti-Defamation League of B'nai B'rith.
A. Philip Randolph Institute.
Council for Community Affairs.
Friends Committee on National Legislation.

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General Board of Christian Concern—United Methodist Church.

Hadassah.

Improved Benevolent and Protective Order of Elks of the World.

Industrial Union Department—AFL–CIO.

International Ladies' Garments Workers Union.

International Union of Electrical Radio and Machine Workers.

Iota Lambda Phi Sorority, Inc.

Leadership Conference on Civil Rights.

League of Women Voters.

Lutheran Church in America—Board of Social Ministry.

National Alliance of Postal and Federal Employees.

National Association of College Women.

National Association of Colored Women's Clubs, Inc.

National Association of Negro Business and Professional Women's Clubs, Inc.

National Community Relations Advisory Council.

National Council of Jewish Women.

National Council of Negro Women.

National Urban League.

Transport Workers Union of America.

Unitarian-Universalist Association.

United Automobile Workers of America.

United Steelworkers of America.

Urban Coalition Action Council.

Young Men's Christian Association.

Zeta Phi Beta Sorority.

I do not pretend, Mr. Speaker, that the Manpower Act cannot be improved, not that it is a panacea. I hope that we can soon have hearings on this and related proposals, including whatever proposals may in the future come from the administration. I hope that we can carefully explore all the experience we have accumulated in the past 7 years, and the experience other free nations have had with comprehensive manpower systems, and that, before this session ends, we will be able to take another long step toward the realization of the goals which, a generation ago, we began to reach for when we enacted the Full Employment Act—the goals which in 1962, we saw dimly beyond the horizon with the Manpower Development and Training Act—the goals which the Economic Opportunity Act have brought us appreciably closer to in the past 4 years—the goal of a job for every American, and a trained worker for every job that needs being done.

Mr. Speaker, under unanimous consent, I include the text of H.R. 11620, and its companion bills at the conclusion of these remarks, together with a list of the sponsors of each of these five identical bills:

H.R. 11620

A bill to assure an opportunity for employment to every American seeking work and to make available the education and training needed by any person to qualify for employment consistent with his highest potential and capability and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as "The Manpower Act."

STATEMENT OF PURPOSES

SEC. 2. The Congress finds and declares that—

(a) To attain the objective of the Employment Act of 1946 "to promote maximum employment, production and purchasing power" we must assure an opportunity for a gainful, productive job to every American who is seeking work and make available the education and training needed by any person to qualify for employment consistent with his highest potential and capability.

(b) It is within the capability of the United States to provide every American who is able and willing to work, full opportunity, within the framework of a free society, to prepare himself for and obtain employment at the highest level of productivity, responsibility, and remuneration within the limits of his abilities.

(c) The growth of the Nation's economic prosperity and productive capacity is limited by the lack of sufficient skilled workers to perform the demanding production, service, and supervisory tasks necessary to the full realization of economic abundance for all in an increasingly technical society, while, at the same time, there are many workers who are working below their capacity and who with appropriate education and training could capably perform jobs requiring a higher degree of skill, judgment, and attention.

(d) The human satisfaction and sense of purpose so important to employment cannot be fulfilled unless employees have a reasonable opportunity to advance in employment to positions of greater responsibility, status, and remuneration.

(e) The placement of unemployed or underemployed workers in private employment is hampered by the absence of a sufficient number of appropriate entry level employment opportunities to satisfy the need therefor and that the preparation of workers now occupying such places for, and their employment in, more responsible positions would increase the number of appropriate entry level employment opportunities.

(f) It is in the interest of workers, employers, and of the Nation to promote the filling of skill requirements in industry and to provide for the upward mobility of industrial workers by a program that will enable employers to educate and train their employees for positions of greater responsibility, to provide opportunities for advancement to industrial workers, and to create employment opportunities for the unemployed.

(g) The guarantee of meaningful employment opportunities for all Americans requires public investment to the extent the private sector is unable to provide such opportunities.

(h) There are great unfilled public needs in such fields as health, recreation, housing and neighborhood improvement, public safety, maintenance of streets, parks, and other governmental facilities, rural development, transportation, beautification, conservation, and other fields of human betterment and public improvement and that to meet these urgent public needs it is necessary to devote greater resources to public service and to expand public service employment.

(i) The organization and delivery of manpower training services is increasingly complex, the technological nature of the services is expanding, and the trained staff to provide such services is scarce, thus requiring an intensive program of technical assistance and staff training to public and private agencies providing manpower services.

(j) The economic prosperity of the United States and the well-being and happiness of its citizens would be enhanced by the establishment of a comprehensive manpower policy and program designed to assure every American an opportunity for gainful productive employment and to provide the education and training needed by a person to qualify for employment consistent with his highest potential and capability.

TITLE I—MANPOWER SERVICES PROGRAM

GENERAL RESPONSIBILITIES

SEC. 101. (a) The Secretary of Labor (hereinafter referred to as the Secretary) shall develop and carry out a program of comprehensive manpower services under this title that will—

(1) provide for the prompt referral of all those persons who are qualified and are seeking work to suitable employment opportunities;

(2) guarantee training and related manpower services to all other persons who are unemployed, in danger of becoming unemployed, employed in public service jobs authorized in title III, or employed in low-paying jobs who could through further training qualify for job opportunities that would provide an adequate standard of living for themselves and their families;

(3) provide appropriate training and related manpower services for persons in correctional institutions to assist them in obtaining suitable employment upon release;

(4) provide appropriate training and related manpower services for persons who have recently been or will shortly be separated from military service;

(5) develop an early warning system and standby capabilty that will assure a timely and adequate response to major economic dislocations arising from changing markets, rapid technological change, plant shutdowns, or business failure;

(6) promote and encourage the adoption of employment practices by public agencies, nonprofit agencies, labor organizations, and private firms that will remove unreasonable barriers to employment, without reducing productivity, and expand opportunities for upward mobility;

(7) reduce the level of youth unemployment by improving the linkages between educational institutions and job markets; and

(8) support and encourage the development of broad and diversified training programs by public, non-profit and private employers designed to improve the skills and thereby the promotion and employment opportunities of employed workers.

(b) The Secretary shall be responsible for the co-ordination of the activities of other Federal agencies that may contribute to the accomplishment of the purposes of this Act, for promoting the maximum possible coordination of State and local public agencies and private agencies and for recommending to the President and to the Congress combinations of programs or shifts in responsibility that facilitate the achievement of the purposes of this Act.

COMPONENTS OF MANPOWER SERVICES PROGRAMS

SEC. 102. (a) In meeting the responsibilities imposed on him by section 101, the Secretary shall, to the extent needed in each State and local area, provide a comprehensive manpower services program for all those eligible under this title which shall include but shall not be limited to the following:

(1) Occupational counseling and testing services to the extent needed by each individual.

(2) Basic education as needed to remedy the absence of or obsolescence of earlier schooling.

(3) Outreach to find the discouraged and undermotivated and encourage and assist them to enter employment or programs designed to improve their employability.

(4) Prevocational orientation to introduce those of limited experience to alternative occupational choices.

(5) Short-term work experience with public and nonprofit agencies for those unaccustomed to the discipline of work.

(6) Communication and employability skills for those pursuing, subsequently or concurrently, courses of occupational training who require such other preparation to render them employable and for those with sufficient skills for suitable employment who require such preparation to become employable.

(7) Occupational training designed to improve and broaden existing skills or to develop new ones.

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(8) On-the-job training provided by public, nonprofit and private employers.

(9) Part-time training for employed persons where such training would lead to improved employment opportunities.

(10) Programs to provide part-time employment, on-the-job training, or useful work experience for students from low-income families who are in the ninth through twelfth grades of school (or are of an age equivalent to that of students in such grades) and who are in need of the earnings to permit them to resume or maintain attendance in school.

(11) Special programs for jobs leading to career opportunities including new types of careers, in programs designed to improve the physical, social, economic, or cultural conditions of the community or area served in fields including but not limited to health, education, welfare, neighborhood redevelopment, and public safety, which provide maximum prospects for advancement and continued employment without Federal assistance, which give promise of contributing to the broader adoption of new methods of structuring jobs and new methods of providing job ladder opportunities, and which provide opportunities for further occupational training to facilitate career advancement.

(12) Programs to provide incentives to private employers, nonprofit organizations, and public employers to train or employ unemployed or low-income persons, including arrangements by direct contract, for reimbursement to employers for the costs of recruiting and training such employees to the extent that such costs exceed those customarily incurred by such employer in recruiting and training new hires, payment for on-the-job counseling and other supportive services including transportation, and payments for other extra costs including supervisory training required by the program.

(13) Skill training centers wherever a consolidation of occupational training and related manpower services would promote efficiency and provide improved services.

(14) Supportive and followup services to supplement work and training programs under this and other Acts, including health services, counseling, day care for children, transportation assistance, and other special services necessary to assist individuals to achieve success in work and training programs.

(15) Employment centers and mobile employment service units to provide recruitment, counseling, and placement services, conveniently located in urban neighborhoods and rural areas and easily accessible to the most disadvantaged.

(16) Special job development efforts to solicit job opportunities suited to the abilities of the disadvantaged job seeker and to facilitate the placement of individuals after training.

(17) Job coaching for a limited period to assist the employer and the worker to insure job retention.

(18) Relocation payments and other special services as needed to assist unemployed individuals and their families to relocate from a labor surplus area to another area with expanding employment opportunities where a suitable job has been located. Preference for such assistance shall be provided those who have been provided training before relocation or have been accepted for on-the-job and other types of employer-directed training.

(b) Where appropriate, the services authorized by this section may be provided, in whole or in part, through residential programs.

MANNER OF PROVIDING SERVICES; ALLOWANCES

SEC. 103. (a) The Secretary shall carry out section 102 either directly or through contracts with public or private agencies and organizations. Section 3709 of the Revised Statutes of the United States (41 U.S.C. 5) shall not apply to such contracts.

(b) The Secretary, in the case of programs he carries out directly, and contracts entered into under subsection (a), may where appropriate provide for the payment of weekly allowances to individuals receiving services under section 102. Such allowances shall be a rate prescribed by the Secretary which when added to amounts received by the trainee in the form of public assistance or unemployment compensation payments shall approximate the minimum wage for a workweek of forty hours, under section 6(a)(1) of the Fair Labor Standards Act of 1938 or, if higher, under the applicable State minimum wage law, or where the trainee is being trained for particular employment, at a rate equal to 80 per centum of the weekly wage for such employment, whichever is greater. In prescribing allowances, the Secretary may allow the additional sums for special circumstances such as exceptional expenses incurred by trainees including but not limited to meal and travel allowances or he may reduce such allowances by an amount reflecting the fair value of meals, lodging, or other necessaries furnished to the trainee. The Secretary shall take such action as may be necessary to insure that such persons receive no allowances with respect to periods during which they are failing to participate in such programs, training, or instruction as prescribed herein without good cause. Notwithstanding the preceding provisions of this subsection, the Secretary may, in the case of programs carried on outside the continental United States, make appropriate adjustments in allowances which would otherwise be payable under this Act to reflect the special economic circumstances which exist in the area in which the program is to be carried on. Allowances shall not be paid for any course of training having a duration in excess of one hundred and four weeks.

(c) For purposes of subchapter 1 of chapter 81 of title 5, United States Code, persons receiving services under section 102 shall be deemed civil employees of the United States within the meaning of the term "employee" as defined in section 8101 of title 5, United States Code, and the provisions of that subchapter shall apply, except that in computing compensation benefits for disability or death, the monthly pay of such a person shall be deemed to be his allowance for a month, if he is receiving one, but in no event shall the monthly pay be deemed to be less than the minimum wage for four workweeks of forty hours each under section 6(a)(1) of the Fair Labor Standards Act of 1938, or, if higher, under the applicable State minimum wage law.

(d) (1) No allowance shall be paid to any person for any period for which a money payment has been made with respect to the need of that person under a State plan which has been approved under title I, IV, X, XIV, or XVI of the Social Security Act and which meets the requirements of the first sentence of paragraph (2) of this subsection. The Secretary is authorized to pay to any such person (A) such sums as the Secretary determines to be necessary to defray expenses of that person which are attributable to receipt of services pursuant to the provisions of this Act and (B) an incentive payment of not more than the difference between such money payment and the amount of the allowance to which such person would have otherwise been entitled.

Notwithstanding the provisions of titles I, IV, X, XIV, and XVI of the Social Security Act, a State plan approved under any such title shall provide that no payment made to any person pursuant to paragraph (1) of this subsection shall be regarded (A) as income or resources of that person in determining his need under such approved State plan or (B) as income or resources of any other person in determining the need of that other person under such approved State plan. No funds to which a State is otherwise entitled under titles I, IV, X, XIV, or XVI of the Social Security Act for any period before the first month beginning after the adjournment of the State's first regular legislative session which adjourns more than sixty days after the enactment of this subsection shall be withheld by reason of any action taken pursuant to a State statute which prevents such State from complying with the requirements of this paragraph.

CRITERIA FOR SELECTION OF MODE OF OPERATION

SEC. 104 (a) In exercising his authority under section 103, the Secretary shall select that mode of operation which, in his judgment, will—

(1) enable him to achieve the objectives of this Act most economically or efficiently, or, where services are urgently needed, to provide such services most quickly and effectively;

(2) assure that these services will be provided without discrimination on the basis of race, creed, sex, age, or national origin;

(3) enable persons seeking manpower services to be served by the smallest number of suppliers of such services, and most conveniently for the individual being served; and

(4) assure that services provided each individual will be tailored to meet his individual needs and capacities.

(b) In carrying out a program of the type described in paragraph (8) of section 102(a) the Secretary shall make such arrangements as he deems necessary to insure adherence to appropriate training standards, including assurances—

(1) that the training content of the program is adequate, involves reasonable progression, and will result in the qualification of trainees for suitable employment;

(2) that the training period is reasonable and consistent with periods customarily required for comparable training;

(3) that adequate and safe facilities, and adequate personnel and records of attendance and progress are provided; and

(4) that the trainees are compensated by the employer at such rates, including periodic increases, as may be deemed reasonable under regulations hereinafter authorized, considering such factors as prevailing industry practices and trainee proficiency.

TITLE II—OCCUPATIONAL TRAINING IN INDUSTRY

CONTRACTS FOR UPGRADING PROGRAMS

SEC. 201. The Secretary is authorized and directed to enter into contracts with private or public employers under the terms of which the employer undertakes to provide the necessary education and skill training to prepare employees for positions of greater skill, responsibility, and remuneration in the employ of such employer.

REQUIREMENTS FOR CONTRACTS

SEC. 202. Any such contract must contain assurances satisfactory to the Secretary that:

(a) the positions for which employees will be trained are positions that cannot with reasonable effort be filled by the employer with unemployed or underemployed workers already possessing such skills and willing to accept such employment;

(b) the selection of trainees shall be based upon merit, ability, and length of service, and that no person shall be selected as a trainee until such person has been in the employ of the employer for a period of not less than six months;

(c) the training content of the program is adequate, involves reasonable progression, and will result in the qualification of trainees for suitable employment in a recognized skill or occupation in the service of that employer and of other employers in the same industry;

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(d) the training period is reasonable and consistent with periods customarily required for comparable training;

(e) adequate and safe facilities, and adequate personnel and records of attendance and progress are provided;

(f) successful completion of the employee's training program can reasonably be expected to result in an offer of employment in the employer's own enterprise in the occupation for which he will be trained at wage rates not less than those prevailing for the same or similar occupations in that industry;

(g) the training and placement of such employees is part of a program that can reasonably be expected to lead directly to the employment of an equivalent number of new employees in entry level employment; and

(h) the trainees are compensated by the employer at such rates, including periodic increases, as may be deemed reasonable under regulations hereinafter authorized, considering such factors as industry practice and trainee proficiency, and that in no event shall the wages or employment benefits of any trainee be less than those received by him immediately before his starting such training program.

PAYMENTS TO EMPLOYERS

SEC. 203. Such contracts shall provide for payment to the employer undertaking a training program under this title in an amount equal to—

(a) ninety per centum of the instructional expense, other ordinary and necessary training costs, and trainee wage payments for time spent in training, less the value of productive services rendered by such trainees, plus:

(b) a bonus payment to reward the efforts of employers whose programs under this title have resulted in substantial upgrading and high retention, to be computed as follows:

(1) at the end of the first twelve months following the completion of a program authorized under this title, twenty per centum of the sum arrived at by multiplying the number of employees upgraded under such program by the average increase in annual earnings of these upgraded employees; and

(2) at the end of second twelve months following the completion of a program authorized under this title, ten per centum of the sum arrived at by multiplying the number of employees upgraded under such program by the average increase in annual earnings of these upgraded employees.

MANPOWER UTILIZATION STUDIES

SEC. 204. The Secretary is authorized to provide financial support for studies of the utilization of manpower and of job design by an employer or group of employers in industries where there are a large number of unskilled employees, with a view to redesigning and rearranging the work patterns involved in the jobs, so that career ladders may be created where they do exist, or are clearly inadequate.

TITLE III—PUBLIC SERVICE EMPLOYMENT

CONTRACTS FOR PUBLIC SERVICE EMPLOYMENT

SEC. 301. The Secretary may contract with any Federal, State, or local governmental agency, or with any private nonprofit organization, to provide useful public service employment to unemployed persons.

REQUIREMENTS FOR CONTRACTS

SEC. 302. Each contract entered into under section 301 shall provide that—

(a) all persons employed thereunder, other than necessary technical, supervisory, and administrative personnel, will be selected from among eligible unemployed persons;

(b) to the maximum extent possible, technical, supervisory, and administrative personnel shall be recruited from among eligible unemployed persons;

(c) persons employed under such contracts will be paid at rates comparable to the rates of pay prevailing in the same labor market area for persons employed in similar occupations, but in no event shall any person employed under such contract be paid at a rate less than that prescribed by section 6(a)(1) of the Fair Labor Standards Act of 1938, as amended; and

(d) all persons employed under such contracts will be assured of workman's compensation, retirement, health insurance, unemployment insurance, and other benefits at the same levels and to the same extent as other employees of the contractor, and to working conditions no less favorable than such other employees enjoy.

INFORMATION FOR EMPLOYERS

SEC. 303. Every person employed under contract under section 301 shall be advised, prior to entering upon employment, of his rights and benefits in connection with such employment.

ENTITLEMENT TO EMPLOYEE BENEFITS AND PROTECTION

SEC. 304. No contract shall be entered into under section 301 with a contractor who is, or whose employees are, under State law, exempted from the operation of the State workmen's compensation or unemployment compensation laws, generally applicable to employees, unless the contractor shall undertake to provide either through insurance by a recognized carrier, or by self-insurance as allowed by State law, that the persons employed under the contract, shall enjoy workmen's compensation and unemployment compensation and unemployment compensation coverage equal to that provided by law for covered employment.

MAINTENANCE OF EFFORT

SEC. 305 (a) No contract shall be entered into under section 301 unless the Secretary determines that the execution of the contract will result in an increase in employment opportunities over those which would otherwise be available and that it will not result in a reduction in the employment and labor costs of the contractor or the displacement of persons currently employed, including partial displacement resulting from a reduction in hours of work or wages or employment benefits.

(b) Where a labor organization represents employees who are engaged in similar work so that performed under the contract in the same labor market area, such organization shall be notified by the Secretary prior to the awarding of the contract.

SAFE AND HEALTHFUL WORKING CONDITIONS

SEC. 306. All contractors under section 301 shall provide their employees with safe and healthful working conditions.

EVALUATION OF CONTRACT PROPOSALS

SEC. 307. In evaluating contract proposals received under this title, the Secretary shall consider the cost to the Government in relation to—

(a) the number of eligible unemployed persons who will be provided with suitable employment under the contract;

(b) the need of the community for the services to be provided under the contract;

(c) the nature and extent of unemployment in the community in which the contract is to be performed;

(d) the extent to which employment under the contract will prepare eligible unemployed persons for regular private or public employment or for other programs conducted pursuant to this Act;

(e) the degree to which effective linkages to other programs under this Act are provided so that enrollees are able to secure needed training and other services necessary to prepare them for regular private or public employment; and

(f) the extent to which effective systems have been developed to provide priority to enrollees for entry into occupational training or directly controlled employer training programs designed to lead to regular employment.

PREFERENCE

SEC. 308. (a) Preference shall be given to any prospective contractor who is operating an upgrading program authorized in title II and is prepared to assure maximum opportunity for enrollees to qualify for the entry level positions that become available as a consequence of the upgrading program.

(b) Preference shall also be given to prospective contractors in accordance with the proportion of the total cost they are prepared to assume.

OBLIGATIONS OF THE SECRETARY TO ENROLLEES

SEC. 309. The Secretary shall on behalf of the enrollees be responsible for—

(a) assuring that every reasonable opportunity to find suitable regular employment or to enter a program authorized by title I has been explored before the individual is certified for public service employment; and

(b) maintaining a continuing review of the status of each enrollee to assure that he is receiving consideration of referral to suitable regular employment or to programs authorized by title I.

DEFINITIONS

SEC. 310. For purposes of this title—

(a) The term "eligible unemployed person" means any individual aged eighteen to sixty-five, inclusive, who has demonstrated that he is able and willing to work and (A) has been unemployed for five or more weeks; or (B) is employed, though able and willing to accept full-time employment, on a part-time basis.

(b) The term "part-time basis" means less than thirty-five hours a week for a continuous period of ten weeks or more.

(c) The term "private nonprofit organization" means any nonprofit educational institution, or any private nonprofit hospital, or any private nonprofit organization certified by the Secretary to be engaged in appropriate public service activities in the community or area to be served.

TITLE IV—EVALUATION; TECHNICAL ASSISTANCE; STAFF DEVELOPMENT

STAFF DEVELOPMENT

SEC. 401. (a) In carrying out his duties under this Act, the Secretary shall—

(1) Survey, at regular intervals, the various training programs and opportunities available to or utilized by staff of manpower service programs, including both managerial and technical staff;

(2) Analyze the manpower programs, operating or planned, including the conceptual basis, the operating structure, and the clientele to be served, in order to determine current and future staff training requirements thus correcting or avoiding deficiencies in staff performance and enhancing the impact of programs;

(3) Plan for and provide directly or by contract an integrated system of short term and intermittent staff training and instruction in managerial and technical matters relating to the conduct of manpower training programs and services, including but not limited to on-the-job training, the establishment and maintenance of fellowships and traineeships, exchange programs, and such other devices as are deemed necessary or appropriate. The staff training system thus established shall be aimed at and include manpower training and service staff at Federal, State, and local levels funded directly or indirectly by this Act and special attention shall be given to the utilization of this staff training system in a manner which will increase the number and effectiveness of previously disadvantaged persons serving in career staff capacities. Training under this section shall provide for such stipends and allowances (including travel and subsistence allowances) as may be deemed necessary, except that no such training or instruction (or fellowship

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or scholarship) shall be provided for any one course of study for a period in excess of four years.

TECHNICAL ASSISTANCE

SEC. 402. The Secretary shall—

(a) Plan for, establish, and maintain, directly and through contracts, a program of technical assistance to public and private agencies, institutions, and employers in order to assist such organizations in operating programs more effectively and providing service under this Act, in the most effective and efficient manner possible;

(b) Provide for, directly and through contract, the development and distribution of technical manuals and guides in order to assure the early dissemination of information concerning advanced or improved techniques related to manpower services and their delivery. Such information shall include techniques developed both as a result of this Act and through other resources;

(c) Make, upon appropriate request, the special assignment of personnel to public or private agencies and employers to provide technical guidance with regard to programs funded under this Act; but no such assignments shall be for a period of more than two years;

(d) Without regard to the civil service laws or the classification provisions of title 5, United States Code, employ highly specialized or qualified personnel from public or private agencies and institutions, and assign them to units of the Department engaged in work under this section, for purposes of technical guidance or assistance. Such special assignments shall be limited to five per year and shall not exceed nine months in any two years for any individual and such persons shall not hold, or exercise the authority of, any policy or supervisory position. The Secretary may arrange for payments for subsistence, travel, and wage or salaries for individuals thus assigned: Provided, That such wage or salary payments shall not exceed the wage or salary that said individuals would otherwise receive had the assignment not been made.

EVALUATION

SEC. 403. The Secretary shall—

(a) Provide for the systematic evaluation of the management and impact of manpower programs and services provided under this Act. Such evaluation may be conducted directly or by contract and shall include the comprehensive analysis of programs and analyses of particular program or service components, cost effectiveness, and impact upon and receptivity of the trainee and the community.

(b) Compile the findings of such evaluations, with the recommendations for corrective action and a list of such actions as are implemented. This compilation, together with such supportive documents as may be required, shall be submitted by him to Congress annually by April 1;

(c) Allocate 1 per centum of the sum appropriated in any fiscal year to carry out titles I, II, and III for the purpose of this section.

TITLE V—MANPOWER RESEARCH AND DEVELOPMENT

SEC. 501. For the purpose of achieving the objectives set forth in this Act, the Secretary shall—

(a) Conduct (directly, or through grants or contracts) permanent and on-going programs of research and evaluation of—

(1) the impact, benefits, and problems created by technological progress and other changes in the structure of production and demand on the use of the Nation's human resources;

(2) practices of employers and labor organizations which tend to impede or facilitate the vertical, lateral, or geographical mobility of workers; and

(3) the adequacy of the Nation's public and private manpower development efforts, not limited to those carried on under this Act, to meet foreseeable manpower needs.

(b) Establish a program of experimental, developmental, demonstration, and pilot projects, directly, or through grants or contracts, for the purpose of improving the techniques and demonstrating the effectiveness of specialized methods of achieving the objectives of this Act. In carrying out such programs, the Secretary may, where appropriate consult with other agencies of the United States Government.

SEC. 502. The Secretary, serving as the President's principal adviser on manpower, shall report to the President on the manpower implications of the Federal budget, and shall make recommendations to the President in regard to the budget and to manpower programs generally.

SEC. 503. In carrying out the responsibilities under this Act, the Secretary shall provide, directly or through grants, contracts, or other arrangements, training for specialized or other personnel and technical assistance which is needed in connection with the programs established under this Act or which otherwise pertains to the purposes of this Act. Upon request, the Secretary may make special assignments of personnel to public or private agencies, institutions, or the Vocational Rehabilitation Act, the Demonstration Cities, and Metropolitan Development Act of 1966, and other relevant Federal statutes.

SEC. 504. (a) The Secretary shall develop a comprehensive system of labor market information on a National, State, local, or other appropriate basis, including but not limited to information regarding—

(1) The nature and extent of impediments to the maximum development of individual employment potential including the number of characteristics of all persons requiring manpower services.

(2) Job opportunities and skill requirements.

(3) Labor supply in various skills.

(4) Occupational outlook and employment trends in various occupations.

(5) In cooperation and after consultation with the Secretary of Commerce, economic and business development and location trends. Information collected under this subsection shall be developed and made available in a timely fashion in order to meet in a comprehensive manner the needs of public and private users, including the need for such information in recruitment, counseling, education, training, placement, job development, and other appropriate activities under this Act and under the Economic Opportunity Act of 1964, the Social Security Act, the Public Works and Economic Development Act of 1965, the Wagner-Peyser Act, the Vocational Education Act of 1963, the Vocational Rehabilitation Act, the Demonstration Cities and Metropolitan Development Act of 1966, and other relevant Federal statutes.

(b) The Secretary shall develop and publish on a regular basis information on available job opportunities throughout the United States on a National, State, local, or other appropriate basis for use in public and private job placement and related activities and in connection with job matching programs conducted pursuant to this subsection. The Secretary is diretced to develop and establish a program for matching the qualifications of unemployed, underemployed, and low-income persons with employer requirements and job opportunities on a National, State, local, or other appropriate basis. Such programs shall be designed to provide a quick and direct means of communication among local recruitment, job training and placement agencies and organizations, and between such agencies and organizations on a Natioanl, State, local, or other appropriate basis, with a view of the referral and placement of such persons in jobs. In the development of such a program, the Secretary shall make maximum possible use of electronic data processing and telecommunication systems for the storage, retrieval, and communication of job and worker information.

(c) The Secretary is authorized to and shall plan, establish, and operate directly or through contract, an information service, to make available to agencies, organizations, and other groups and persons concerned with manpower programs and services, information on resources, techniques, and concepts useful in the conduct of training programs covered by this Act. Such information shall include that derived from research, experimental and demonstration programs, and the evaluated experience of Federal, State, and local operations. The information shall be so designed as to be helpful in the establishment and improvement of training programs and related activities covered under titles I, II, and III.

SEC. 505. Not less than 2 per centum of the sums appropriated in any fiscal year to carry out titles I, II and III of this Act shall be available only for carrying out the provisions of this title.

SEC. 506. The Secretary shall make such reports to the President as he shall deem appropriate or the President shall require and the President shall submit to the Congress, not later than April 1 of each year (beginning not less than nine months after the effective date of this Act) a report pertaining to manpower requirements, resources, utilization, and training.

TITLE VI—MISCELLANEOUS

AUTHORIZATION OF APPROPRIATIONS

SEC. 601. There is hereby authorized to be appropriated such sums as may be necessary to carry out this Act. Funds appropriated under this Act shall remain available for one fiscal year beyond that for which appropriated.

ADVANCE FUNDING

SEC. 602. To the end of affording responsible Federal, State, and local officials concerned, adequate notice of available Federal financial assistance for programs provided for under this Act, appropriations for carrying out this Act are authorized to be included in the appropriation Act for the fiscal year preceding the fiscal year for which they are available for obligation. In order to seek a transition to this method of timing appropriation action, the preceding sentence shall apply notwithstanding that its initial application under this Act will result in the enactment in the same year (whether in the same appropriation Act or otherwise) of two separate appropriations, one for the then current fiscal year and one for the succeeding fiscal year.

OTHER AGENCIES AND DEPARTMENTS

SEC. 603. (a) In the performance of this function under this Act, the Secretary, in order to avoid unnecessary expense and duplication of functions among Government agencies, shall use the available services or facilities of other agencies and instrumentalities of the Federal Government. Each department, agency, or establishments of the United States is authorized and directed to cooperate with the Secretary and, to the extent permitted by law, to provide such services and facilities as he may request for his assistance in the performance of his functions under this Act.

(b) The Secretary shall carry out his responsibilities under this Act through the maximum utilization of all possible resources for skill development available in industry, labor, public and private educational and training institutions, State, Federal, and local agencies, and other appropriate public and private organizations and facilities.

PROHIBITION ON RELOCATING ESTABLISHMENTS

SEC. 604. The Secretary shall not use any authority conferred by this Act to assist in relocating establishments from one area to

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another. Such limitation shall not prohibit assistance to a business entity in the establishment of a new branch, affiliate, or subsidiary of such entity if the Secretary finds that assistance will not result in an increase in unemployment in the area of original location or in any other area where such entity conducts business operations, unless he has reason to believe that such branch, affiliate, or subsidiary is being established with the intention of closing down the operations of the existing business entity in the area of its original locations or in any other area where it conducts such operations.

LABOR STANDARDS

SEC. 605. All laborers and mechanics employed by contractors or subcontractors in the construction, alteration or repair, including painting and decorating of projects, buildings and works which are federally assisted under this Act shall be paid wages at rates not less than those prevailing on similar construction in the locality as determined by the Secretary in accordance with the Davis-Bacon Act, as amended (40 U.S.C. 276a–276a–5). The Secretary shall have, with respect to such labor standards, the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (15 F.R. 3176; 64 Stat. 1267; 5 U.S.C. 133–133z–15), and section 2 of the Act of June 13, 1934, as amended (48 Stat. 948, as amended; 40 U.S.C. 276(c)).

ADVISORY COMMITTEES

SEC. 606. (a) The Secretary shall appoint a National Manpower Advisory Committee which shall consist of ten members and shall be composed of representatives of labor, management, agriculture, education, and training, and the public in general. From the members appointed to such Committee the Secretary shall designate a Chairman. Such Committee, or any duly established subcommittee thereof, shall from time to time make recommendations to the Secretary relative to the carrying out of his duties under this Act. Such Committee shall hold not less than two meetings during each calendar year.

(b) For the purpose of making expert assistance available to persons formulating and carrying on programs under this Act, the Secretary shall, where appropriate, require the organization of a community, State, and/or regional basis of labor-management-public advisory committees.

(c) The National Manpower Advisory Committee may accept gifts or bequests, either for carrying out specific programs or for its general activities, or for its responsibilities under subsection (b) of this section.

(d) Appointed members of the National Manpower Advisory Committee shall be paid compensation at the rate of $100 per diem when engaged in the work of the National Manpower Advisory Committee, including travel time, and shall be allowed travel expenses and per diem in lieu of subsistence as authorized by law for persons in the Government service employed intermittently and receiving compensation on a per diem, when actually employed, basis.

DEFINITION

SEC. 607. For the purposes of this Act, the term "State" includes the District of Columbia, Puerto Rico, the Virgin Islands, Guam, American Samoa, and the Trust Territory of the Pacific Islands.

REPEAL OF EXISTING LAWS

SEC. 608. Titles I, II, III, and V of the Manpower Development and Training Act of 1962 and part B of title I of the Economic Opportunity Act are repealed, effective June 30, 1969.

EFFECTIVE DATE; TRANSITION PROVISIONS

SEC. 609. (a) This Act shall take effect July 1, 1969.

(b) Notwithstanding the repeals made by section 608, in order to permit an orderly transition from programs carried out under the provisions of laws repealed, to programs carried on under this Act, the Secretary may continue to use the authority provided in such repealed provisions of law for such period of time as may be necessary, but not in excess of two years beyond the effective date of this Act.

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CALIFORNIANS HONOR COMMUNIST ERRAND BOY

(Mr. RARICK asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous material).

Mr. RARICK. Mr. Speaker, the California taxpayers are now forced to perpetuate the memory of an international communism errand boy.

Their new University of California law building was dedicated as the M. L. King, Jr., Law Building, appropriately by outgoing Chief Justice Earl Warren.

Perhaps it is a fitting tribute to a man whose only claim to fame was disobedience of the law—save those which served his own ends and conveniences. Or was this action by the regents felt necessary to prevent the building from being burned? Makes about as much sense as UNESCO's eulogizing the bloody dictator, Lenin, as a humanist.

Perhaps this is the beginning of a trend in the naming of law schools and buildings after others infamous in connection with the law—such as the James brothers, John Dillinger, or Bonnie and Clyde.

Many wonder why the present administration does not authorize the Department of Justice to tell the American people the truth about King and his lifetime of subversion and immorality and exploitation.

Or does it, too, fear it has more to gain by suppression of the truth than by telling the American people the facts.

A clipping from Parade for May 25 follows:

> Q. I understand that California's Governor Ronald Reagan would not permit a new law building at a University of California campus to be named in honor of the late Martin Luther King Jr. Is this so?—Henry Ackerman, Berkeley, Calif.
>
> A. The governor voted gainst naming the building after King. The reason, he explained, was because King had not been a lawyer. The majority of the regents, however,

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outvoted the governor, and the new law building at the Davis Campus of the University of California is now known as the Martin Luther King Jr. Law Building. The building was dedicated by U.S. Supreme Court Chief Justice Earl Warren.

SILENCING OF THE PUBLIC'S VOICE

(Mr. WALDIE asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. WALDIE. Mr. Speaker, in the past 8 years there has been a period of unmatched progress in the efforts to correct the problems of water pollution that threaten the rivers, lakes, and estuaries of this Nation. Much of the credit for this progress must be given to the policies of former Interior Secretary Stewart L. Udall and the provisions of the Federal Water Pollution Control Act of 1965.

Mr. Speaker, many of the water quality standards for interstate waters and other waters under Federal jurisdiction have been reached by agreements reached by the State and Federal agencies following public hearings in which the voice of the concerned public was heard and heeded.

It is my understanding that this voice may be stilled not by a lack of concern, but by the action of the Department of the Interior.

Mr. Speaker, I would like to submit an article in the New York Times of Sunday, May 18, 1969, which tells of the proposed change in policy from public hearing to "informal, behind the scenes negotiations between Federal and State water officials."

Nowhere, Mr. Speaker, would such a policy have a more detrimental effect than in my State of California. California is unique among the States of the Union, Mr. Speaker, in that the agency charged with the responsibility for conserving the water resources of the State is also given the responsibility to sell that water to customers of the California State water project.

Only through the avenue of the public hearing has the voice of conversationists, sportsmen, and the concerned public been given the opportunity to comment on the proposals of water customers and the purveyors of California's water resources.

Only last week did the Governor of our great State override the wishes of water customers and the State-run water utility, the department of water resources, and postpone consideration of an ill-advised dam and reservoir on the middle fork of the Eel River.

It is generally acknowledged that the Governor responded to the voice of the conservationists of California in halting this unwise project.

What would have resulted if there had been no public forum? What would have been the result if there had been only "informal, behind-the-scenes negotiations"?

The answer, I think, is that Dos Rios Dam would have been approved by the State.

I sincerely hope, Mr. Speaker, that the Secretary of the Department of the Interior will recognize the real need for retention of the public's role in determination of water quality standards. It is possible that agreement between State and Federal agencies reached after public hearings may take more time, but the results may be much more valuable in the long run.

The article from the New York Times of May 18, 1969, follows:

WATER POLLUTION FIGHT TO SHIFT FROM HEARINGS TO NEGOTIATIONS

(By Gladwin Hill)

DULUTH, MINN., May 16.—The Department of the Interior is about to shelve its 12-year-old program of formal water pollution abatement actions.

Instead, it will shift to a strategy of informal, behind-the-scenes negotiations between Federal and state water officials in an effort to speed rehabilitation of the nation's generally dirty waterways.

This major policy switch was confirmed by Assistant Secretary of the Interior Carl L. Klein in an interview.

The department opened the last of the pending abatement hearings—concerning Lake Superior—which were inherited by Interior Secretary Walter J. Hickel. His predecessor, Stewart L. Udall, credited the now-side-tracked statutory enforcement program with producing a great improvement in national water quality.

The program stemmed from a law of 1956, giving Federal officials power to dictate clean-ups of interstate water contamination under the threat of court action after a prescribed series of hearings.

This approach, however, was termed a "yelling and screaming" process by Mr. Klein, Mr. Hickel's aide for water quality and research.

"We think it will be much more effective to work on the level of informal conferences," Mr. Klein said.

"My idea is to just talk problem situations out with officials in the states. I think we can get action that way, cutting through the red tape without all these cumbersome formal proceedings."

Some national water pollution experts, while publicly reserving judgment, think this effort at "expediting" may prove illusory. They feel that it has been the harsh spotlight of publicity, focused on municipal and industrial water polluters through the public hearings, that has prodded offenders into cleaning up. The proceedings have involved more than 1,000 communities and 1,000 industrial establishments.

Secretary Udall estimated there was about $26-billion worth of work to be done over a five-year period to clean up the nation's waterways—many times what is being spent. Two thousand communities still discharge raw sewage.

Mr. Klein still has the statutory abatement-action weapon up his sleeve. But the Lake Superior hearing, he said, is the last such proceeding for the time being.

"We don't intend to initiate any new formal actions at this time," he said. "But that doesn't mean we're slacking off. I have a list of about 40 problem areas that I intend to attack as fast as I can get at them."

LAWYER AND LEGISLATOR

Mr. Klein, 52 years old, is a lawyer and former Illinois legislator. When he was named a Hickel assistant, one Chicago paper identified him in its headline simply as "Carl Klein of the 15th Ward," where he was Republican state committeeman.

Mr. Klein said he intends to press for much more stringent sewage treatment standards than the current norm of "secondary treatment," in which bacteriological fermentation neutralizes up to 80 per cent of the most objectionable components.

The new goal, Mr. Klein said, will be "tertiary," or third-stage treatment, which chemically removes from sewage residue most of the nitrogen and phosphorus, which promote the growth of odorous, seaweed like algae in waterways. Tertiary treatment restores sewage, which is largely water, to almost potable purity. The process is now in use in only a few places experimentally.

"Acceptable quality for the Potomac River, for instance, can be met only by exotic tertiary treatment," he said. "Chicago and some cities in Ohio are working on it. If we don't go to it generally, we're going to choke to death on nutrient pollutants."

His 40 "problem areas," he said, correspond with many of the pollution situations on which previous Administrations initiated abatement actions where fulfillment is still pending.

The Lake Superior proceeding was the 45th such action initiated since 1957. Under the law, after Federal investigators collected detailed evidence of pollution, state water officials and individual polluters were given a forum for stating their case, along with spokesmen for citizen groups. Then an explicit, scheduled clean-up program was formulated.

The crux of the process was persuading state officials to subscribe to and execute such programs voluntarily, short of Federal-court action—a maneuver in which the Federal Water Pollution Control Administration's assistant commissioner for enforcement, Murray Stein, had gained renown for his dexterity. Only one of the 45 actions—involving St. Joseph, Mo.—has gone to the stage of court action.

Mr. Klein hopes through his informal-negotiation strategy to minimize a problem produced by the Federal effort to get every state to adopt satisfactory, hand-tailored water quality standards to obviate so much Federal policing.

Twenty-five states last year produced satisfactory formulations. But the draft standards submitted by 25 other states were deficient, raising the possibility that in one case after another, formal enforcement proceedings might have to be initiated. Mr. Klein said he thought this could be obviated by off-record discussions.

The three-day Lake Superior hearing, involving the states of Minnesota, Wisconsin and Michigan, centered on the suspected danger that Minnesota iron-mine tailings could ruin the only remaining one of the Great Lakes that generally retains its pristine purity. Extensive testimony on this was contradictory.

Water Pollution Control Commissioner David Dominick, who presided at the hearing, said the parties would be given about a month to digest the data presented, and then the hearing would be reconvened to decide what needs to be done.

THE SST—AN ANALYSIS

(Mr. WALDIE asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. WALDIE. Mr. Speaker, I would like to share the wisdom of a learned and most articulate gentleman, Mr. Charles L. Johnson, with the Members of Congress, on a subject of vital importance to all Americans—the proposed supersonic transport.

Mr. Johnson, a resident of Moraga, Calif., has many years of experience behind him and many years of wise study in diverse disciplines. I value his opinions and I would at this time like to share his thoughts on the SST with all the Members of Congress, as follows:

MORAGA, CALIF.,
April 24, 1969.

Hon. JEROME R. WALDIE,
Cannon House Office Building,
Washington, D.C.

DEAR CONGRESSMAN WALDIE: Because the SST program seems to contain the elements of a sociological Vietnam, I have taken the

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liberty of replying to your questionnaire in a more extended form than your inquiry requests.

Some of my comments may already be familiar to you, and others may even be fallacious in the light of your more intimate knowledge of the situation. But I believe that all of your constituents should share the burden of the many diffcult decisions you are called upon to make and not let the responsibility for them rest on your shoulders alone. In this spirit, I have submitted to you these remarks on the SST, which, I trust, you may find useful in your deliberations on its future.

Most immediate among my reactions to the information in your questionnaire is the thought that the real economic unit to be considered, in addition to the staggering 1.5 billion dollars to be spent on the prototype, is the commercial air-fleet itself—the number of SST's an airline must possess to satisfy the demands of its traffic. Assuming that each of the four leading American airlines will require one hundred of these aircraft, the total cost, at present, would be 150 billion dollars per airline; and for the four of them combined, 600 billion dollars. Even if each company required as few as twenty such airplanes, the total cost to all of them would be 12 billion dollars, a financial sum that can produce hysteria among the most experienced airline executives.

The only alternatives to such expenditures seems to be deep and continuing assistance from the Federal government. And thus the decision to build the SST is unavoidably a decision to ultimately finance a larger adventure—the underwriting of airline fleets—and to sustain it indefinitely. Whether we like it or not, if the Congress votes affirmatively, the United States Government will find itself inextricably involved in the air-transport business, committed to a socialistic venture of astronomical proportions, which would not benefit all of the people and would, moreover, compel the government to guarantee private profits to commercial corporations, if only to protect its own huge investment.

Those persons who object to the high percentage of Federal participation in this enterprise are well justified in their position. If this unethical and unsupportable involvement continues, it may eventually become necessary for the United States Government to build and operate these aircraft outright and to inaugurate a new branch of the civil service. For it seems notoriously true that preliminary estimates of construction costs are always understated or somehow exceed the projected figures by exorbitant sums. If this is also true for the SST, the initial amount of 1.5 billion dollars may have to be drastically increased, resulting in a corresponding commitment by the Federal government.

And once the decision is made to complete this program, further complications must be immediately faced:

The SST's in themselves are inoperational without large airbase facilities. Consequently, immensely expensive overseas installations must be provided, as well as modern airports at home. But can foreign governments at whose countries our super-sonic aircraft will touch down afford to construct and maintain such terminals? Where, for example, will India get the billions of dollars to erect these structures? Where, indeed, but from the American taxpayer?

And how can the so-called developing nations compete for SST traffic without foreign assistance?

The answer, currently, seems to be that they simply can not—unless they receive enormous subsidies from somewhere else.

Suppose, for instance, that the Soviet Union offers to build a modern SST airport in Dahomey. Shall we be compelled for some neurotic reason to construct a bigger one at our own expense in Sierra Leone? Are we, then, to embark on another pernicious round of foreign aid, this time to encourage tourism so that we can supposedly stop Communism?

Nor can commercial overseas airports, however peaceful their intent, be disassociated from military bases and support installations. The inevitable Air Force version of the SST, conceived perhaps as a cargo transport, but particularly as a troop-carrier, will inexorably require terminal facilities on foreign soil. These bases must be of sufficient size to cope with the loigstical problems of such huge aircraft. And they must be strategically located and adequately defended.

Does this not imply continued involvement in Asia?

Must not our foreign policy throughout the Orient be linked to the loyalties of the larger Asian countries, meaning in particular India?

Such bases must be operational *prior* to the landing of SST's and to the commitment of American troops, should that unhappy contingency arise despite our fervent desire for noninvolvement.

Thus once we build a commercial SST, we must build overseas facilities for them. Then we must construct a military SST and acquire foreign bases as well—simply because the Air Force will insist on it. And so, starting with what were purely commercial considerations, we shall be confronted almost immediately with serious questions of foreign policy.

In this context, I trust that you will investigate the SST capabilities of our publicly-secret airbases in Thailand. If these installations can support super-sonic operations, as seems likely, does such foresight imply a permanent mutual-assistance pact with the Thai government, about which the American people have not been informed by the present, and previous, Administration? If they can not, are these bases now obsolescent in view of our possible reinforced presence in Southeast Asia when the British withdraw from Singapore in 1971, leaving behind a military vacuum in that region?

These questions are not irrelevant: We must have a Singapore policy—right now.

And the SST must certainly be implicated in it.

Is it necessary to win in Vietnam in order to protect Singapore and the surrounding archipelago? Should we not build an even larger SST than the one contemplated, say an aircraft capable of transporting troops by the brigade? Will Australia help construct airports for these airplanes? What would be the anticipated response of the Chinese to the implied threat of SST's serving Southeast Asia close to China's frontiers?

Again, these queries may suggest nothing but good, healthy political paranoia among your constituents. Yet I hope they will not be ignored during Congressional discussions.

Other matters than cost and foreign policy, however, are involved in the question of whether to complete the SST program.

As you no doubt know, any advantage gained by shortening transoceanic trips on SST's can be readily nullified by the disruption of the circadian rhythm. The biological dislocations which are induced by rapid changes in time zones produce corresponding psychological disorientations. Many American business firms will not, even now, permit their representatives to transact business immediately after disembarking from such flights. Their personnel are required to rest for a minimum length of time before conducting company affairs. The high speed of the SST can only aggravate such perceptual imbalances. These side effects can diminish the efficiency of rapid transit: Two sunrises within two hours can be a rather disconcerting experience. A thorough inquiry into these phenomena should be completed before a final decision to proceed with the SST is reached.

Sociologically, too, the SST can produce severe domestic dislocations.

Fleets of such aircraft will require completely modern facilities, which, as I have remarked, can be increadibly expensive. Certain cities, because of their strategic situations, must have these installations within their environments; for others, this will not be possible and new sites must be found. In the former cases, the familiar and irritating traffic congestion will certainly not be alleviated and very probably will be aggravated by super-sonic airplanes. In the latter cases, the construction of entirely new airports will necessarily entail the emergence of entirely new cities.

When the passenger-carrying SST is supplemented by the freight-carrying SST, and by larger jumbo-jets than are presently planned, a traumatic rerouting of railroads and highways and the relocation of many businesses will be mandatory. The resulting shifts in population, the alteration in municipalities, and the impact on industry—to mention a few more obvious consequences—will change the economic, physical, and social character of the American nation. Unless these are provided for in the projected SST era that Congress is considering, sociological disasters can be expected, which may well prove irremedial. It is perhaps worth noting in passing that such pressing problems as poverty, racial tensions, and concomitant urban blight may be made insoluble—and irrelevant—simply because the centers of social energy have been shifted elsewhere: such problems will be merely left behind, as they will have to be, when SST airports are located far outside the boundaries of our classical cities, the very sites of much contemporary discord.

Indeed, the SST is quite capable of dividing American society into two cultures, a new one and an old one, with a corresponding separation of political power. If SST airports are located concentrically around the middle third of the country, as transportation economics seems to indicate, several of our states which are now regarded as electorally small or middle-sized may emerge as the large states of the future. Favorable weather conditions over the southern United States may make the South a predominate region in national affairs.

And yet, when all these implications have been considered, a very humane question remains to be answered: Is the SST really the most desirable way to fly?

True, the super-sonic aircraft reduces the passenger's fatigue by getting him to his destination faster. But could not fatigue be lessened by getting him there more pleasantly? And why the fanatical insistence on annihilating space and time? What ultimate human purpose does this serve?

It seems that we have forgotten the leisurely and healing uses of time and are continually urging ourselves onwards at heart-stressing paces, ignorant of the fact the world is round and that we will eventually return to where we started from anyway, whether we blitz around the earth or travel across is more slowly. Agreed that there are important reasons for speed. Does this require an entire culture to be based on a technological treadmill?

Some of our more iconoclastic engineers have already concluded that if our buildings were made of light-weight materials, they could be transported through the air by jet-powered engines. As implausible as this vision may seem to many persons, such a possibility may well transpire in the near future. It is, at any rate, a suggestion worth examining. Instead of prematurely investing in the SST, it may perhaps be wiser to encourage these engineers to construct hotels that can be lifted across oceans or flown from city to city. After all, H. G. Wells wouldn't laugh; why should we? At least they might not produce sonic booms.

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As for these unpleasant disturbances, it should be acknowledged that they are social problems of some importance.

Sonic booms can not be dismissed as unfortunate inconveniences—as part of the price we must pay for technological advances.

Sound is a destructive force.

It is an environmental pollutant just as much as are smoke and contaminated water. And only now is research into the damaging effects of noise becoming public knowledge.

At a time, therefore, when legislation seems necessary to achieve some measure of noise abatement to protect the personal and domestic environment of the individual citizen, the sonic boom should not be made an unremovable part of the public scene as it will be if the SST is approved without adequate regard for civic well-being. For once this program is authorized, noise pollution and its attendant evils will become a permanent fact of daily existence, and another devisive element will have been introduced into American life, pitting those whose concern is for public and private dignity against those who prefer to place selfish financial gain above the common good. If it is later shown that the sonic boom is a menace to health and an intolerable irritant, the Congress will have placed itself in a moral crisis similar to the one confronting it in the field of cigarette advertising, where unfortunately its members have responded in a cowardly manner that is becoming all too characteristic of a legislature which is failing in its functions. Faced with the morality of the sonic boom, the Congress will no doubt again espouse private profit against public good.

I, for one, however, hope that this time the electorate will not be so apathetic.

If the Congress approves the SST without scientific knowledge of the adverse physical and psychological effects such daily harassment may induce, then its members deserve the wrath of hysterical mothers whose infants are shocked awake, screaming in their cribs: of irrate citizens, whose sleep has been devastated: or riotous homeowners, whose sagging houses are full of cracked walls and ceilings: of mutinous merchants, who are tired of replacing glass windows: and of the nervous gentry of our major cities, who will pervasively continue to interpret sonic booms as Russian missile attacks. (In fact, amigo, how do you tell the difference, especially in the middle of the night?)

Certainly, one of the responses which Congress must make to the SST is to legislate better safety regulations and to require the installation of more efficient safety equipment than it has evidently been willing to do so far. The crash of an ordinary jet liner almost always results in the loss of scores of lives—a tragedy which is stark enough. But the loss of possibly a thousand or more lives in an SST crash would be simply harrowing. And such equipment, it should be noted, must be installed not only within the United States, but on foreign bases as well.

The argument that we must always be first may have a certain emotional appeal to many of our citizens; but it should be remarked that we were the first to produce the atomic bomb and the Chinese entered the competition very much later. Yet, by taking advantage of our knowledge and that of others in the field, they are now emerging as a military menace of planetary magnitude.

Similarly, if we have the patience, and perhaps the wisdom, to let the French, British, and Russians pioneer in the development of the SST, we may be able to leap-frog into the lead in the near future by learning from their experiences.

And if we also pursue our inquiries into the deleterious consequences of noise and not act until convincing scientific data support our decisions, we may avert an irreparable national crisis.

Whatever advantages the French, British, and Russians reap from their early entry into the field of super-sonic transportation need not be permanent. We should not be panicked into believing that our loss of leadership would be catastrophic. Perhaps it may seem that way to the fanatical patriot. And it surely will be charged by those who stand to gain financially from inciting such fear.

But far too much is at stake to hurry foolishly.

Let us wait a little longer, then, until all the vital questions have been asked—and answered—paying the price of this delay in dollars if necessary, rather than in future social turmoil and irreparable failure.

Permit these foreign governments to prove that this gigantic enterprise is economically feasible; allow them to correct the technical defects that usually inhere in such adventures; and let them face the problem of overcoming our competition—when we can build a bigger, faster, and safer SST.

Sincerely yours,

CHARLES L. JOHNSON.

(Glad to have helped. As they say in politics, any time I can be of service, just let me know.)

CIGARETTES MAKE A FINE WHIPPING BOY—AND AUTO EXHAUST INCREASES

(Mr. PERKINS asked and was given permission to extend his remarks at this point in the RECORD and to include an editorial.)

Mr. PERKINS. Mr. Speaker, I insert in the CONGRESSIONAL RECORD the article taken from the Licking Valley Courier of West Liberty, Ky., entitled "Cigarettes Make a Fine Whipping Boy—and Auto Exhaust Increases."

CIGARETTES MAKE A FINE WHIPPING BOY—AND AUTO EXHAUST INCREASES

It's been over two years since a government-named board of doctors and scientists reported that hydro-carbons from automobile exhaust constitute the second most potent causative agents of chest cancer. The board reported after a 28-month study. But the government hasn't yet commenced to eliminate the hydro-carbons from the air.

An Associated Press story from Washington last week stated the National Air Pollution Control Administration had finally decided a way to test auto exhausts—"just collect them in bags and measure them."

But the Air Pollution Administration said its new methods for controlling auto exhausts on new cars would not go into effect until 1972.

And in the meantime, the big corporations that will be affected are doing a fine job fooling the public into thinking cigarette smoking is the cause of the "great increase in chest and respiratory diseases."

Gift of $3,400,000 to 12 reputable foundations to conduct "an educational campaign against smoking" should be investigated.

Cigarette smoking has declined since the 12 foundations started their "educational campaigns" with a $3½ million slush fund, but chest diseases continue to increase—increase at about the same rate autos are increasing on the highways. The 12 foundations using the $3½ million gift fail to say a word about the scientific report that hydro-carbons from auto exhaust is the second most potent cause of chest disease—second after radiation fallout from nuclear fission. And bear in mind the scientists couldn't find that cigarette smoke was a "known caustive agent" in the increase of chest diseases.

Radio active elements was first, auto exhaust second and strontium 90 was third as known causes of chest cancers, according to the report of the 28 doctors and scientists who studied the problem.

CRISIS IN MILITARY LAWYER RANKS

(Mr. PIRNIE asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PIRNIE. Mr. Speaker, if anyone questions the need to retain qualified military lawyers at a rate higher than 12 percent per year for the Army, 14 percent for the Air Force, and 6 percent for the Navy, I would urge the reading of a fine article which appeared in the December 1968 American Bar Association Journal entitled, "A Lawyer's Day in Vietnam." This informative observation was written by four Army JAG officers who comprised the legal staff of an Army headquarters in Vietnam. Those who brush off the need to have experienced military lawyers would do well to note the services rendered daily, even during combat, by judge advocates in Vietnam. They handle everything from legal counsel in capital cases to family relation problems of the servicemen who are fighting in that war.

For years I have been trying to get the Department of Defense to recognize the need for experienced, well-qualified military lawyers. For 10 years, DOD officials have procrastinated and shoved the problem "under the rug." The implication has been that the need of lawyers was not critical since they were not involved on the front lines. If anyone thinks that military lawyers are away from the scene of battle, they will learn otherwise by reading the article to which I have referred, and which I append as follows:

A LAWYER'S DAY IN VIETNAM

(By Irvin M. Kent, Jon N. Kulish, Ned E. Felder, and Herbert Green)

(NOTE.—Does the military need lawyers in Vietnam? Repeatedly asked this question by their fellow lawyers in the United States, the authors, who comprise the legal staff of an Army headquarters in Vietnam, determined to let American lawyers decide for themselves. The authors selected in advance a day on which each would keep notes on his activities. This article is the description of that day—March 11, 1968.)

Do Judge advocates practice law? Why do we need lawyers in Vietnam?

These are two questions all four of us have frequently heard from fellow lawyers in the states. Perhaps this, the outline of one of our days in Vietnam, may provide an answer.

We constitute the lawyer complement of the Office of the Staff Judge Advocate, Headquarters, II Field Force, Vietnam. This is a corps-level headquarters that has operational control of several United States divisions and many nondivisional units and is responsible for military operations in the Vietnamese III Corps Tactical Zone, which includes the most heavily populated areas of the country and surrounds its capital city. We are authorized six lawyers, but only four are assigned. The office is also staffed by a warrant officer for office administration, a sergeant major as chief legal clerk, a sergeant first class as claims clerk and three specialists who are, respectively our court reporter, stenographer and clerk typist. The enlisted men also take their share of duty on perimeter guard and must be as handy with their rifles as with their typewriters. The captain and our warrant officer also take their turns as officer of the guard for the headquarters area.

We represent the Bars of California, Colo-

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rado, Massachusetts, South Carolina and Texas as well as of several federal courts. We received our law training at Georgetown, Harvard, South Carolina State and Texas. One of us is Catholic, one Jewish, one Protestant, and one is nondenominational. Three of us are Caucasian and one is a Negro. Three of us are career military men and one is fulfilling his military obligation. The three career officers, all ROTC graduates, have all had military service in other branches—Armor, Finance, Infantry or Ordnance—before becoming judge advocates. Two of us are married with a combined total of six children. While all of us perform other duties, as required, Lieutenant Colonel Kent is assigned as staff judge advocate, Major Kulish as deputy and also as chief, international affairs, and legal adviser to the units located in and around the headquarters company, Major Felder as trial counsel (prosecutor) of the general court and also as claims officer, and Captain Green as defense counsel and legal assistance officer.

For this description of one of our days in Vietnam, we chose in advance a day that turned out to be neither our lightest nor our heaviest. We deliberately picked a day on which no general court martial was scheduled since we suspect that everyone will acknowledge that the prosecution or defense of a felony is the practice of law. It was just one of the 365 days of our tour here—the office is open and manned seven days a week from 7:30 a.m. to 6 p.m. Our mission is to provide total legal services for the commanding general, his staff and subordinate commanders and all other members of this command.

This was the day—Monday, March 11, 1968.

The Staff Judge Advocate: After a quick check of the office and a short conference with his deputy, the staff judge advocate, Colonel Kent, accompanied by the chief legal clerk, left by helicopter for the base camp of one of the II Field Force artillery groups and elements of two of its battalions. They had been alerted to notify all personnel that a legal assistance officer would be available. Every trip away from the headquarters is also a legal assistance trip. We have a one-briefcase legal assistance kit which contains interview cards, form clauses for wills and powers of attorney, income tax forms and instructions and applications for military ballots.

A QUESTION OF PROMPT JUSTICE

This visit was based on a complaint by a soldier of an apparently undue delay in the disposition of charges against him. These allegations, if substantiated, would raise the issue of the right to speedly trial.[1] Colonel Kent wished to discuss this with the group commander and to indicate that if investigation revealed that these allegations were true, the best interests of justice might be served by a dismissal of the charges. Further, as on all such trips, he wanted to re-emphasize some of the rules concerning the imposition of nonjudicial punishment [2] and to emphasize the Army claims program, particularly with regard to losses of personal property caused by hostile action.[3] A supply of claims forms was taken along and distributed to the units with instructions for their use. The staff judge advocate has authority for the approval of such claims up to $1,000.

By 11 a.m., these matters accomplished, Colonel Kent set up shop for legal assistance. In the meantime the chief legal clerk was providing instruction on the administrative processing of courts-martial papers, nonjudicial punishment actions, and claims investigations for the clerical personnel of group headquarters. Except for a thirty-minute lunch break the legal assistance program continued until 3 p.m. During this time there were five requests for assistance on federal income tax problems. Four of these were relatively simple inquiries pertaining to combat zone pay exclusions, but the fifth came from a soldier who wanted to complete his return for 1967. Rapid calculations revealed that he was due a substantial refund, and therefore he was advised to file immediately.

There were two requests for powers of attorney, one in connection with the settlement of an insurance claim and the other for a real estate transaction. A judge advocate has the powers of a notary.[4]

One soldier wanted information on the legality of his becoming a candidate for public office while still in the military service. The aspiring young politician was assured that "greetings from his friends and neighbors" did not deprive him of his civic rights in this regard.

Finally, two men with serious marital problems sought help. The apparent solution was the institution of divorce proceedings. One of them knew a lawyer in his home town and was helped with the drafting of a letter to that lawyer. The other man's case was complicated by a matter of choice of forum. His home was in one state and his wife had since moved elsewhere. The facts were noted, and arrangements were made to provide him with information on the grounds for divorce in each of the two states and then, if he wished, to work with bar referral agencies to obtain counsel in the better forum.

By 4 p.m. the circuit riders were home. A problem had arisen under the provisions of Article 5 of the Geneva Convention Relative to the Treatment of Prisoners of War [2] and the Regulations of the Military Assistance Command, Vietnam promulgated to implement this convention. A wounded Vietnamese had been brought into a United States military medical facility under obscure circumstances. He had no identification papers, denied being a Viet Cong, but admitted to being a draft dodger from the Vietnamese Armed Forces. There was no indication that he had committed a hostile act. The problem at hand was to determine whether he was to be declared an innocent civilian and released, a civil defendant and turned over to the Vietnamese police or a prisoner of war. Such cases require the decision of the staff judge advocate of the command which has custody of the individual. In the light of the evidence, Colonel Kent determined that he was a civil defendant to be turned over to the Vietnamese police.

By this time it was almost 5 p.m. and time for the staff judge advocate to attend the daily intelligence and operations briefing.

The Defense Counsel/Legal Assistance Officer: The defense counsel/legal assistance officer, Captain Green, as usual, saw the greatest variety of clients. The combination of these positions in one officer saves many possible conflicts of interests. In an overseas command where civilian counsel are unavailable, legal advice on the broadest possible variety of matters must be provided if the individual soldier is to receive total legal service.[6]

Captain Green's first client was awaiting trial by summary court martial. He had heard that, since he had not been offered nonjudicial punishment under Article 15 of the code, he could refuse trial by summary court martial.[7] Captain Green corroborated this, explained the alternatives, including the much wider range of punishments imposable by a special court martial,[8] and advised him to accept trial by summary court martial, outlining for him an appropriate line of defense.

A newly promoted major had just been appointed a summary court-martial officer. No advice had been provided about the disposition of any specific sets of charges or about the accused. Captain Green gave the major a copy of the "Guide for Summary Court-Martial Trial Procedure," [9] which is comparable to the guides for justices of the peace published in several states. Then he gave him a thorough briefing on procedure, rights of the accused, the doctrine of reasonable doubt and his sentencing powers.

The next clients were two soldiers recently transferred to Vietnam from Thailand. While there both had fallen in love with Thai girls, and they wanted advice on marriage procedures. The Army's requirements and methods of submitting applications to marry aliens residing outside of CONUS were explained.[10] Both soldiers decided to await completion of their overseas tours and then invite their fiancees to come to the United States as "tourists" and proceed from there.

Another pair of soldiers walked in as our lovelorn swains left. They were seeking advice on application for early discharge to attend college. The provisions of the regulations [11] were explained, and they were referred to their unit commanders.

Mail call presented a welcome break as well as some news for clients. A few weeks earlier two soldiers involved in divorce proceedings had asked for legal advice. In both cases they had no objection to a divorce but wanted to ensure that they would not have heavy financial burdens imposed upon them for life. Correspondence with the attorneys for their spouses brought replies that fully met the desires of these two men. Documents were included for them to execute. Telephone calls were made to their units asking that they be sent to the legal assistance office.

Another letter was a response to an earlier motion for a stay of proceedings in a civil suit under the Soldiers' and Sailors' Civil Relief Act.[12] The attorney for the plaintiff wrote that his client had agreed to drop the soldier as a party to the action.

About this time Major Kulish handed Captain Green a copy of the staff judge advocate's review of a general court-martial case which had been tried two weeks before. This written review is required by Article 61 of the Code [13] in each general court-martial case for consideration by the convening authority prior to his action on the case. It provides a complete written summary of all of the evidence adduced at the trial and of the applicable law as well as a personal history of the accused based on the official records concerning him and a personal post-trial interview with him. The convening authority has plenary power to set aside or reduce the findings of guilty and the sentence.[14] The accused and his counsel are given the opportunity to see the review prior to its submission to the convening authority and to submit matter in rebuttal.[15] Captain Green felt that certain additional facts about the accused's military record should be brought out.

After lunch, Captain Green accompanied Major Kulish to the stockade, where the latter served a copy of the review on the accused. While the Major interviewed another man, Captain Green conferred with the accused, explaining his rights and reached agreement with him that a particular rebuttal should be submitted. Captain Green prepared the rebuttal, obtained the signature of the accused and delivered it for attachment to the review.

The Captain then conferred with an upset young officer who was afraid that he might owe several hundred dollars on his 1967 income tax. He had used the standard deduction. After recomputing his return with proper deductions for interest, state and local taxes and charitable contributions, it appeared that he had a refund of nearly $100 coming to him.

Captain Green had been told earlier by the staff judge advocate that he was assigned to defend a suspected homosexual who was being brought before a board of officers that would consider discharging him from the military service.[16] The initial interview with this respondent took the better part of an hour, as the man denied any such tendencies and wanted to fight the allegation. Captain

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Footnotes at end of article.

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Green made an outline of the interview, prepared requests for witnesses on the accused's behalf and made appointments to interview them.

ADVICE FOR COUNSEL FOR A SPECIAL COURT

The next visitor was a young officer who had been appointed defense counsel for a special court martial. The Army did not then have enough judge advocates to provide them as trial and defense counsel in most special courts martial, but did provide technical assistance to the officers so appointed. It has a military justice handbook called "The Trial Counsel and The Defense Counsel".[17] Captain Green gave a copy of this book to this officer, showed him how to use it as a procedural guide and then analyzed with him the evidence and probable questions of law in three cases then pending. Military law requires that an accused and his counsel be given copies of all statements made by the witnesses and of reports of investigation that are available to the prosection.[18] This occupied most of the remainder of the afternoon.

Before Captain Green could leave, he found two more clients waiting. One had been offered nonjudicial punishment but was uncertain whether to accept it or demand trial by court martial. Captain Green outlined the law pertaining to the alleged offense and his rights under the code. After this discussion the client felt that he would be far better off to accept nonjudicial punishment than to demand trial. The other client had been tried by a summary court martial and wanted to know how to file an appeal. Captain Green explained that the officer who appointed the court martial had to review the case before the sentence could be ordered into execution[19] and that after this review the case would automatically be reviewed again by our office.[20] He also advised the client that anything he wished to have considered by the reviewing authorities should be attached to the record of trial,[21] outlined for him an approach and provided citations of law which tended to support his position and technical assistance in the preparation of his appeal.

The Trial Counsel/Claims Officer: Captain (now Major) Felder's day started earliest of all. He was our "on call" lawyer and was awakened by the military police at 2:10 a.m. They had a suspect in an aggravated assault case who, after being warned under Article 31 of the code,[22] had requested counsel prior to interrogation.[23] At the military police station, Captain Felder consulted privately with the suspect and advised him to make no statement and to refuse any further interrogation in the absence of counsel. The client wanted advice as to the legality of the seizure by the military police of his wristwatch. Captain Felder advised him that a search and seizure made in connection with a lawful arrest was proper[24] but that he would inquire as to the seizure of the watch. After a short discussion the military police agreed to return the watch if the client would sign a receipt for it. At 4 a.m. Captain Felder returned to bed.

Captain Felder arrived at the office at 9 a.m. He informed Captain Green of his attorney-client relationship with this suspect—then to work on a revision of the II Field Force, Vietnam, Military Justice Circular. Command circulars direct compliance with the rulings of the United States Court of Military Appeals by means of clear, simple and directory language which unit commanders and military policemen can understand and follow. On March 11, Captain Felder worked on the following:

(1) The problem of having a suspect utter words for voice identification. While this has the approval of the United States Supreme Court,[25] the United States Court of Military Appeals has held that the protections afforded to military personnel by Article 31 of the code are broader than those accorded to the remainder of the population by the Fifth Amendment,[26] and military suspects may not be legally ordered to utter words for this purpose.

(2) The problem of "speedy trial", a difficult one in a theater of operations. Recent decisions of the Court of Military Appeals[27] indicate that restriction to the limits of a military installation imposes upon the Government a duty to proceed with due dispatch.

(3) Additional guidance required for the omnipresent problem of nonjudicial punishment under Article 15 of the code. We want to ensure that everyone understands that the acceptance of Article 15 by an accused is not the equivalent of a plea of guilty but merely an acceptance of the forum and that commanders must still have proof of an offense cognizable by the code before they may administer punishment.

At 10:30 a.m. two criminal investigation agents came in for guidance. Since he had no attorney-client relationship with the suspect they had under surveillance, Captain Felder proceeded to examine the file and consider a proposed search. In this case, an order from an appropriate commander takes the place of a civilian search warrnt[28] and must be obtained prior to a search. Captain Felder drafted a document for the signature of the company commander. He advised the agents that they must provide the commander with sufficient information for probable cause to order such a search. Otherwise his order, and hence the search, would be unlawful.[29]

After lunch, a helicopter pilot wanted information about a claim. The same enemy shell that had sent him to a hospital had also ruined his camera. Captain Felder explained the operations of the Military Personnel and Civilian Employees Claims Act of 1964[30] and Army Regulation 27–29 which implements it. Captain Felder provided the forms and indicated the evidence necessary to support the claim.

A sergeant arrived for help with his income tax.

A soldier interested in acquiring United States citizenship came in. He had read about a new "law" which would make it easier for those on active duty to acquire citizenship. The new "law" was H.R. 15147 which passed the House of Representatives on March 4, 1968, and which would amend the present Immigration and Nationality Act.[31] After explaining the current status of the bill, Captain Felder gave him the necessary forms and told him to return when he had gathered the information required.

The mail contained three records of trial by special courts martial in our units. These had already been approved by the respective convening authorities and had arrived for the required review.[32] One of the cases involved the offense of sleeping on post while on duty as a sentinel.[33] As the offense had occurred in an area subject to "hostile fire", the maximum punishment was a dishonorable discharge and confinement at hard labor for ten years.[34] Most such cases, however, are disposed of by special courts martial, in which the maximum punishment is limited to confinement at hard labor and a forfeiture of two thirds' pay for six months. The other two cases both involved vehicles—one charge was "joy riding" in a government vehicle[35] and the other reckless driving.[36] In each case Captain Felder determined that the evidence of record supported the finding of guilty, that the sentence was within legal limits and that there were no grounds for further clemency action. He recommended to Major Kulish that the cases be stamped "legally sufficient". While the law merely requires review by "a judge advocate", in this office all such records of trial are reviewed by at least two judge advocates, and if they disagree the matter is determined by the staff judge advocate. It was now 4 p.m. and Captain Felder was able to return to work on his circular.

THE DEPUTY STAFF JUDGE ADVOCATE

Major Kulish, the deputy staff judge advocate, came in early to finish his draft review of a general court-martial case. He wanted to discuss the recommendation on approval of the sentence with the staff judge advocate prior to his projected departure. This case involved two counts of aggravated assault under Article 128 of the code.[37]

By the time Colonel Kent left, the draft was completed, approved and in the hands of the typist. As the staff judge advocate departed, an artillery battery commander walked in. His unit, an automatic weapons battery, would soon be fragmented into sections to provide protection for several fire support bases of heavy artillery in widely separated areas. The previous night there had been an assault with a deadly weapon involving two of his men. Major Kulish advised him to secure detailed written statements at once from each witness and pointed out that despite the use of a deadly weapon there had apparently been no real intent to inflict serious injury. The battery commander decided to recommend trial by a special court martial.

Major Kulish received a telephone call from the legal clerk of one of the battalions asking for help in phrasing an order vacating a suspension of a sentence to confinement. The battalion commander had ordered into execution only a forfeiture of pay and had suspended execution of the confinement since the accused was a first offender. The current misbehavior was a repetition of disrespect to a noncommissioned officer.[38] The clerk was guided to Appendix 15e of the *Manual for Courts-Martial.*

AN AFFIDAVIT NEEDED AT HOME

The next client was a soldier who while on his pre-embarkation leave had witnessed a conversation between his father and a forest ranger regarding the appropriate time for trash burning. Now his mother had been cited for improper burning during those hours. An affidavit concerning the conversation which he had heard was executed for mailing to this soldier's parents.

While this affidavit was being typed another client came in who needed a special power of attorney for his wife so that she could settle with his automobile insurance company.

The remainder of the morning was occupied by proofreading the final draft of the general court martial review, and a copy was given to Captain Green so that he could read it before it was served on the accused. The telephone rang. A battalion legal clerk needed reassurance. He had drafted some court martial charges and wanted Major Kulish's approval. This particular clerk happened to be the most competent but least self-assured on the base. Major Kulish gave him a verbal pat on the back, a mental kick in the pants and went off to lunch.

Upon his return to the office, Major Kulish skimmed the daily reading file to look at changes in regulations and to see from the serious incident reports what sort of military justice "business" might be in the wind. Then off to the stockade with Captain Green. While the defense counsel was interviewing his client, Major Kulish conducted a post-trial interview with another accused whose general court martial had been completed recently. Prior to this case, the man had had no serious trouble but it was obvious that he had a quick temper that he had not learned to control. Major Kulish checked with the confinement facility personnel to determine the man's behavior in the stockade. Major Kulish concluded that rehabilitation was possible and decided to recommend that the punitive discharge imposed by the court martial be suspended.

Footnotes at end of article.

XUM

The Major returned to the office at 2:30 p.m. to find a unit commander waiting for assistance in the drafting of charges. One soldier in this commander's unit decided to supplement his income by engaging in private enterprise—*i.e.*, the cigarette business. Unfortunately, regulations already promulgated made his efforts illegal. Cigarettes are rationed items in the post exchanges and may not be resold or bartered lawfully. The soldier had cajoled his nonsmoking friends into buying their rations for him. He also had discovered a means of erasing the check mark on his own ration card so that he was able to reuse each ration block several times. As the man had no history of prior offenses, the unit commander was interested only in a special court martial. Therefore, it was decided to ignore the more sophisticated offense involving falsification of a government document, which would have been tried under Article 134 of the code,[39] and charges dealing with the violation of a lawful general regulation under Article 92 of the code,[40] were drafted.

Major Kulish started to arrange his post-trial interview notes but was interrupted by a sergeant who had signed an option to purchase a home in a new development in his native Louisiana. His wife was to complete the deal armed with a special power of attorney which had been prepared by the attorney for the financing institution. The sergeant had this instrument and wanted it notarized. Asked if he had read it, he said no because he wouldn't understand it anyway, but he knew he had to sign it to get the house. After a careful reading of the document and inquiry of the sergeant as to the state of title and financial responsibility of the developer, Major Kulish suggested that he retain an attorney in Louisiana to represent him. The sergeant replied that he did not need a lawyer—and that he wanted to execute this document *now*. Since the power was a very restrictive one and only allowed the wife to sign for the amount and rate of interest to which the sergeant had already agreed, Major Kulish notarized his signature.

It was about 3:40 p.m. when a corps intelligence agent arrived with a file for examination. Major Kulish was preparing a memorandum analyzing the evidence in the file when Colonel Kent walked in. Major Kulish gave him the memorandum and the file and sat in on the discussion.

After that, the trial counsel of one of the special courts martial came in for consultation on the method of submission of an official document into evidence as an exception to the hearsay rule. Major Kulish explained the law on the subject and the manner in which the trial counsel should submit the document and prove its official nature and authenticity. Finally, back to the interview notes until time to close the office for another day.

This, then, was our day. Other days would have shown other problems, some similar and some different. There might well have been a contract to draft or review and probably a great deal more claims business. But we chose this day in advance, not knowing what it would bring, and determined to report it without embellishment. We consider ourselves to be part of what Mr. Justice Brennan has called the "public Bar"[41] but we shall leave to our civilian colleagues the answers to our original questions. In turn, however, we would ask two: (1) If we are not practicing law, what are we doing? (2) If they don't need lawyers in Vietnam, what do you suggest they replace us with?

FOOTNOTES

[1] *United States* v. *Brown*, 10 U.S.C.M.A. 498, 28 C.M.R. 64 (1959).

[2] Art. 15, Uniform Code of Military Justice (hereinafter referred to as U.C.M.J.), 10 U.S.C. § 815.

[3] 31 U.S.C. §§ 240–243; Army Regulations (hereinafter referred to as A.R.) 27–29.

[4] Art. 136, U.C.M.J., 10 U.S.C. § 936.

[5] July 14, 1955, 6 U.S.T. 3316, T.I.A.S. No. 3364.

[6] *Cf.* A.R. 608–50.

[7] Art. 20, U.C.M.J., 10 U.S.C. § 820.

[8] Art. 19, U.C.M.J., 10 U.S.C. § 819.

[9] Dep't. of the Army Pamphlet No. 27–7.

[10] A.R. 608–61.

[11] A.R. 635–200.

[12] 50 U.S.C. App. § 521.

[13] 10 U.S.C. § 861.

[14] Art. 64, U.C.M.J., 10 U.S.C. § 864.

[15] *United States* v. *Griffin*, 8 U.S.M.A. 206, 24 C.M.R. 16 (1956).

[16] A.R. 635–89.

[17] Dep't. of the Army Pamphlet No. 27–10.

[18] MANUAL FOR COURTS-MARTIAL, 1951, ¶44th; see also Kent, *The* Jencks *Case: The Viewpoint of a Military Lawyer*, 45 A.B.A.J. 819 (1959).

[19] Art. 64, U.C.M.J., 10 U.S.C. § 864.

[20] Art. 65, U C.M.J., 10 U.S.C. § 865(c).

[21] MANUAL FOR COURTS-MARTIAL, 1951, ¶ 48j (2).

[22] 10 U.S.C. § 631.

[23] *Miranda* v. *Arizona*, 384 U.S. 436 (1966), was declared applicable to military law in *United States* v. *Tempia*, 16 U.S.C.M.A. 629m, 37 C.M.R. 249 (1967).

[24] MANUAL FOR COURTS-MARTIAL, 1951 ¶ 152.

[25] *United States* v. *Wade*, 388 U.S. 218 (1967).

[26] *United States* v. *Mewborn*, 17 U.S.C.M.A. 431 (1968), of which we were informed by cable from the Office of The Judge Advocate General.

[27] *United States* v. *Smith*, 1 U.S.C.M.A. 427 (1968) and *United States* v. *Parish*, 17 U.S.C.M.A. 411 (1968).

[28] MANUAL FOR COURTS-MARTIAL, 1951, ¶ 152.

[29] *United States* v. *Brown*, 10 U.S.C.M.A. 482, 28 C.M.R. 48 (1959).

[30] 31 U.S.C. §§ 240–243 (1965 Supp.).

[31] 8 U.S.C. § 1440.

[32] Art. 65, U.C.M.J., 10 U.S.C. § 865(c).

[33] Art. 113, U.C.M.J., 10 U.S.C. § 913.

[34] Exec. Order No. 11,317, 3 C.F.R. § 913.

[35] Art. 121, U.C.M.J., 10 U.S.C. § 921a(2).

[36] Art. 111, U.C.M.J., 10 U.S.C. § 911.

[37] 10 U.S.C. § 928.

[38] Art. 91, U.C.M.J., 10 U.S.C. § 891.

[39] 10 U.S.C. § 934.

[40] 10 U.S.C. § 892.

[41] Brennan, *The Responsibilities of the Legal Profession*, 54 A.B.A.J. 121, at 123 (1968).

MORE MILITARY WASTE

(Mr. HARSHA asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. HARSHA. Mr. Speaker, on Thursday, May 15, I called attention of this body to the continuing fact that military procurement procedures within the Department of Defense restrict free competition and waste taxpayers' money.

I noted that the Army Electronics Command, one of the most consistent offenders, if not the worst, grants about 85 percent of its contracts behind closed doors and, in the bizarre process, protects favored companies two ways: First, where possible, it permits no competitive bidding under cover of a noncompetitive, sole-source contract, and second, where necessary, it permits competitive bidding, but frequently ignores the low bidder, even the next lowest, and sometimes even the third lowest, under such flimsy claims as "urgency of need"—any lack of such urgency notwithstanding.

I cited a simple, yet completely typical example of this process; a case which, in purposeful conservatism, I computed to have cost $853,125 in sheer waste although, as experts have pointed out, by carrying my computation back to point of origin of the reported problem, it would not have been unfair to have placed the waste at $6,000,000.

This was the case in which, from 1960 to 1962, the Army Electronics Command paid Packard Bell Electronics Corp., a Teledyne subsidiary, $119,515 to develop a transponder test set—AN/APM–123—designed to field test airborne radio sets already in use. After providing these funds for research and development of this item the Army, in 1965, negotiated the first of a series of noncompetitive contracts with Packard Bell which, by last January, cost something in the order of $8,000,000 including about $2,000,000 for a so-called competitive data package.

During that 3½-year period, the Army Electronics Command prohibited competition to Packard Bell thus eliminating an opportunity for cost savings to the taxpayer. The Army never paid that company less than $5,000 per unit and, in a final award January 22, 1969, paid the company $6,450 per unit for an additional 195 units.

This was done despite the fact that the Army Electronics Command held an unsolicited—and obviously unwanted—lower bid, dated November 11, 1968, of $4,784 per unit from another qualified manufacturer—some $1,660 less than Packard Bell's bid. Acceptance of this lower bid would have saved the taxpayers almost $330,000 on that one order.

As it developed however, the Army Electronics Command could have saved $853,125 on this same relatively small order; for, on April 28, 1969, finally withering under considerable heat imposed from within the electronics industry, the Army Electronics Command issued an invitation—DAABO5–69–B–0348—for competitive bidding for an additional 241 units. The bids, from 26 manufacturers, averaged $3,700 per unit, with a low bid of $2,074 for the identical article the Army paid $6,450 for 3 months earlier.

I now call attention to an infinitely more complex and costly example of competition restricting and money wasting by the Army Electronics Command. It involves nearly $75,000,000, of which, again conservatively, at least $30,000,000 was waste, in all reality, and by all sane standards of good business procedure.

Here are the circumstances as I have found them:

On April 11, 1962, at Fort Monmouth, N.J., procurement officers of the Army Electronics Command secretly opened bids on a contract to develop a communication system described as "a secure forward area pulse code modulation terminal." This equipment, which was to be developed in accordance with confidential Signal Corps technical requirement SCL–4357, included multiplexers, power supplies, and telephone signal converters.

The bids came from seven companies: General Dynamics, Philco, Bendix Radio, Raytheon, RCA, Stelma, and ITT.

The lowest bid was $370,024; it came

from General Dynamics. The fourth lowest bid was $652,673; it came from Raytheon. Raytheon, the fourth lowest bidder or, if you will, the third highest bidder in a field of seven, got the contract with its bid of almost twice the amount of the lowest bidder, General Dynamics.

After giving this award to Raytheon for $282,649 more than the Electronics Command had to pay, the command immediately instituted a series of negotiations for changes, increases and modifications in the design. This resulted in the doubling of the Raytheon price which was nearly twice as much as the Electronics Command had to pay in the first place.

But this was only the beginning of a fascinating escalation of a series of contracts for the communications system and related components; an escalation which has hit a point of nearly $75,000,000—including such follow-on equipment as AN/TCC-45, AN/TCC-46, TD-353, TD-202, TD-204, CV-1548, TD-660, TD-754, and many others bid secretly, opened secretly, and awarded secretly as noncompetitive, sole-source contracts under the routine justification of lack of drawings or urgency for delivery.

Specifically, the original contract with Raytheon—DA-36-039-SC-90768, purchase order 001100-PM-62-91-91—included a fixed fee of $45,600. This "fixed fee" of $45,600 meant that, at the outset, Raytheon assured the Army Electronics Command, and the command accepted, that, of the $652,573 that Raytheon was to receive for this basic contract, Raytheon's profit would be $45,600. But, as it developed, that was nothing more than a launching pad for a cost skyrocket which swiftly hit $1,366,858 as but one minor milestone in an ever-escalating cost flight.

In May 1964, Raytheon was given a contract for the AN/TCC-45 and the AN/TCC-46, components of the same family of radio sets. This contract began at $22,774,088.

One of this system's specific components was the TD-660 multiplexer. It contained 11 plug-in panels and six subassemblies housed in a frame and case which measured just 10½ inches high by 12 inches deep by 17¼ inches wide and weighed only 49 pounds—Federal stock No. 5820-930-8079.

This little item is carried in the Army inventory at a price of $13,800 per unit. This means, simply, that, under one of these many contracts, this unit was purchased at a price of $13,800. However, under the follow-on, noncompetitive, sole-source negotiations, Raytheon, in what presumably was a magnanimous gesture, sold it to the Army Electronics Command for about $8,000 under such arrangements provided in a contract negotiated in November 1966—DAABO7-67-C-0167. This one started as a "letter contract" for $2,000,000; but, at this time, we have no idea of how much this will really cost, since this "letter contract" is yet to be "definitized." The latter is a neat term in the Army Electronics Command glossary. But, as demonstrated by a long pattern of performance, a "letter contract," when "definitized," will usually cost twice as much as its original face value.

On June 28, 1968, the Army Electronics Command gave Raytheon a new contract—DAABO7-68-C-00332. This one started at $4,615,000; it covered the multiplexer known as TD-660. Because the Electronics Command's terse official release of this action suppressed such vital information as the number of units this $4,615,000 was supposed to buy, we have no idea exactly how much per unit the command will ultimately pay for this yet-to-be-definitized contract.

On May 1, 1969, after overwhelming pressure from within the electronics industry for competitive bidding, the Army Electronics Command did so for 993 units under invitation DAABO5-69-B-0674.

Faced for the first time with competition on this equipment, Raytheon came in with a bid of $4,130 per unit for this same item for which noncompetitively, it charged as high as $13,800 per unit and as low as $8,000 per unit. Yet, in a field of four bidders, Raytheon's competitive bid of only $4,130 was not sufficiently competitive to win the contract. In a field of four bidders, Raytheon's bid was next to the highest. The highest, and only slightly at that, was $4,298; it came from General Atronics Corp. The second lowest bid came from Cosmos Industries, Inc., at $3,399. The lowest bid came from Honeywell Tampa at $3,092—$1,038 less per unit than the best Raytheon could offer against its first brush with competition on this package. That best from Raytheon, at $4,130, was roughly $4,908 less than the roughly $8,000 low figure Raytheon charged on the former noncompetitive, sole-source basis—and it was $10,708 less than the $13,800 high figure Raytheon charged during the same luxury ride through the Army Electronics Command's taxpayer-provided wonderful wonderland.

Even as all of this is typical, true to form, almost standard procedure for the close-to-the-best, loose-with-the-money manner in which the Army Electronics Command restricts free competition and wastes taxpayers' billions, it is also typical that this tragically belated matter of low-bidding competition has not really knocked Raytheon out of the picture—and the profits—for this same piece of equipment. Not at all. Under invitation DAABO5-69-R-0676, the Army Electronics Command, whose commanding general is Maj. Gen. W. B. Latta, is, at this moment, negotiating with Raytheon for another sole-source, noncompetitive contract for another 425 units of this TD-660 multiplexer.

The tired, old official alibi for this outrage is, of course, "urgency for delivery"; it is used despite the fact that, under this very same procurement, delivery will not be required from Raytheon until some 300 days—nearly 1 full year—after the contract has been officially given to Raytheon at a rate of only 100 units per month.

To those who, considering this, ask the proper question, "Why?" I shall offer only this answer at this time:

The kindest thing that can be said for those responsible for this condition would be, "incredible indifference," or "inordinate stupidity." To brand it more severely would tend to suggest the possible propriety of the indictment and prosecution of someone, somewhere, inside the Army Electronics Command.

Though that proposition has its temptations, and perhaps, should be seriously considered, my purpose at this time is not exposition for exposition's sake, but exposition for the sake of pointing up the need for remedial legislation.

In the interest, and in response to that need, I am drafting such legislation at this time, and will soon introduce it before this body.

A STIRRING COMMENCEMENT ADDRESS

(Mr. SAYLOR asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. SAYLOR. Mr. Speaker, St. Francis College of Loretto, Pa., from which I received an honorary degree, is a small liberal arts institution located in my congressional district. The 1969 graduates were honored recently to be addressed by Fred C. Foy, chairman of the board of Koppers Co.

The temper and tone of Mr. Foy's remarks were well timed for this period of history when campus radicals and militants get more headlines in the Nation's news media than the serious, quiet, and hardworking students who are there to gain an education.

I, too, am concerned with the laxity of college administrations to bring tranquillity to the campuses, and many of our citizens cannot understand why responsible administrators continue to tolerate disruptions when the goals of the "new left students" are so plain.

There are, of course, constructive solutions to the problems of today, but they will not be solved by persons who would tear down our society. I particularly echo Mr. Foy's sentiments when he challenged those present to help make changes and improvements within the framework of our democratic processes.

Mr. Speaker, I believe my colleagues will find Mr. Foy's remarks of timely interest, and I insert his speech following these brief remarks:

ADDRESS AT THE COMMENCEMENT EXERCISES OF ST. FRANCIS COLLEGE, LORETTO, PA., MAY 11, 1969

(By Fred C. Foy)

I am here today because I wanted to talk to you about colleges. As I see it there are three types of colleges and in them perhaps three kinds of students.

One type is the large, mostly state-supported institution, offering a variety of college education at low cost. An added advantage, or disadvantage, is that a student can get educated or get lost, without the faculty getting close enough to him to know which he is doing.

Another type is the prestige institution. Here, too, one can become educated. But such institutions seem to me frequently to have the disadvantage of an over-emphasis on faculty research and publication, with the result that students often have limited exposure to the most brilliant professors.

And the third type consists of the smaller colleges and universities, staffed with dedicated teachers who want to teach, peopled with eager students who want to learn, in an environment which makes both a reality.

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From what I have seen here and heard about Saint Francis, it is in this latter category. We owe this group of schools much for they may become the only true teaching centers left in the world where imparting knowledge is becoming centralized and mass-produced.

I suppose I could also have given as a reason for wanting to come here the fact that Saint Francis has not had a sit-in, nor has the President's office been occupied or the school records "liberated"!

However, it is this phenomenon—this crisis on our campuses which moved me to want to talk with you today.

As I studied Saint Francis of Loretto I learned that Father Vincent has introduced new concepts in administration within the last year or two; that he has brought into the college administration new people of advanced viewpoints to help him discharge his duties and that the result has been a responsiveness to what is happening not only on the campus here but elsewhere in the academic world.

Responsiveness to change is important on a college campus and equally so in the business world. Unless we in business and industry adjust to changing market conditions and demands as well as to changing manufacturing processes, we run the risk of being left at the starting post in the race to serve our customers.

The concept of change is one we have been hearing a great deal of in recent years; it seems you must be either for change or against it. But I contend there is a middle ground—ground which is occupied and guarded jealously by thoughtful people.

These are the people with whom that great English parliamentarian, author and philosopher, Edmund Burke, joined himself when he used these words to describe his particular philosophy in life. He regarded himself, he said, as one "having an ability to reform with a disposition to preserve."

This must be the philosophy of the thoughtful man; a philosophy eminently suited to the times we live in.

Saint Paul puts it another way when he enjoins us to "Test all things, hold fast to that which is good."

I like to think that these tenets are the moving force behind the great majority of America's students—that these same tenets in fact also reflect the guiding principles of the thoughtful middle-ground American public, that body which, swinging from one to the other, keeps both of our political parties on the track of reasonability.

You are now entering a world of frequent dramatic change. When you leave here I hope you will join this select group of those who think and vote with reason. This is important because you will become part of the problem or part of the solution of many of the problems which as students you have studied in the abstract or experienced superficially at best.

And it is a world beset by apocalyptic problems.

You will find racial conflict, you will hear claims of poverty and malnutrition in an age of unparalleled prosperity and seemingly unlimited promise, and disagreement as to how widespread they really are or what causes them. You will hear of environmental pollution and be concerned by the threat of war. And in many of our people you will sense a vague, but widespread discontent with the general quality of life.

Rational men and women are aware of the existence of these problems but are not always sure of their scope. Fortunately more and more of these thoughtful citizens are trying to involve themselves in mature and workable solutions.

There is in America a great body of people, in business, industry, government and the universities who are earnestly trying to solve our problems within the limitations imposed by time and the availability of resources. These are the people of reason who seek to understand the problems created by an onrushing technological and population explosion and are urgently trying to cope with them.

Then there are the impatient men and women, irrational and unreasoned, whose first impulse and final objective is to smash, to destroy. This was the approach of the Jacobins of 18th Century France. That age too had its problems, its deep social unrest and its urban convulsions. As you know, the would-be reformers of that age solved them violently, in a manner from which that great nation has not yet entirely recovered.

Should we learn therefore, from history? Burke tells us that we cannot possibly know how to travel the road ahead unless we travel in retrospect the highway of history. And somewhat more ominously, Santayana tells us that those who ignore the lessons of history are condemned to repeat them.

Violence is not new. Throughout history hot-headed and irresponsible advocates of change have used it as the ready route to their objectives. And on many of our campuses their descendants are at it again today.

I, for one, am appalled at what is happening at many of our leading colleges and universities. I see a frightful desecration of the true values and purposes of higher education taking place on many campuses throughout America.

Scholars and educators have always envisaged the ideal university as a place aloof from the transient pressures of the day, a place where professors and students are partners in the search for truth, a place where debates and discussions are carried on with reason and courtesy, where studies are pursued in an atmosphere of true inquiry, where all sides of all questions—past, present and future—are explored without preconception.

Perhaps this perfect university has never existed; but on both sides of the Atlantic movement is away from, not toward, its ideals. Students whose qualifications in scholarship must often be extremely dubious because of the amount of time they devote to extracurricular activities such as harassing college administrators with peremptory demands often backed up by the crudest forms of physical coercion are turning campuses into arenas.

The quarrelsome brawling that goes on under the most trivial pretexts, the endless demonstrations on university property, often over subjects which are quite outside the university's jurisdiction, the general atmosphere of bedlam, such as took place at Harvard last month, would be calculated to drive Socrates, St. Thomas Aquinas, Erasmus, or any other great teacher to take off for the nearest available retreat, leaving behind an invitation to his most promising and rational students to follow him.

The students of the American "New Left" pride themselves on being builders of a new order in America and throughout the world. And students should be, for education should widen, not constrict, the student's view of the world around him. Education should lead to sound judgments for bettering the conditions of people or nations.

But the students of the New Left seem gravely deficient in many of the qualities essential to building a new order, in qualities which only intensive and reflective study and guidance can develop.

For example, they seem strikingly devoid of humility or humor. They are never deterred from staging demonstrations, confrontations and whatnot, up to and including occupation of college property, manhandling of college officials and provoking clashes with the police. Nor are they deterred by the reflection that their aims might be wrong or that they are going about attaining them in the worng way. Insistent on free speech for themselves, they are unwilling to grant it to others.

And like their prophets Herbert Marcouse and Karl Marx, they are intent on tearing down whatever displeases them, from college regulations to the American government or society itself, without offering more than the vaguest suggestions of what they would put in its place.

Nor is there anything fresh or original or constructive in the suggestions they do offer. It never seems to occur to them that in a modern industrial society of 200 million people work must be done, political and economic decisions must be made, priorities must be set, all sorts of problems of organization must be faced.

As I read what they write and listen to what they say, I hear spokesmen for the Students for Democratic Society noisily denouncing poverty, discriminatory treatment of blacks and other racial minorities, ROTC on the campus, the draft, the Vietnam War, and condemning what they portentously call the Establishment for all of these ills and for a world which they reject but for which they offer no constructive substitute.

What they completely overlook or choose to ignore is that there must be correlation (and this is true under any conceivable system) between individual diligence and ability and individual reward. Instead somehow there lurks in the background the implication that if they were in charge, presto, a society of equals would emerge.

Speaking at a dedication of a new library at Swarthmore, an excellent small liberal arts college much like Saint Francis, George F. Kennan, himself a liberal dissenter from many conventional positions, drew this caustic contrast between Woodrow Wilson's concept of an ideal university, removed, but not shut off, from the cares and clamor of the outside world, and the state of mind and behavior of the radical left enrolled in student bodies today. To quote from Kennan's speech:

"We have people utterly absorbed in the affairs of this passing world. And instead of these affairs being discussed with knowledge and without passion, we find them treated with transports of passion and with a minimum, I fear, of knowledge. In place of slowness to take excitement, we have a readiness to react emotionally, and at once, to a great variety of issues. In place of self-possession, we have screaming, tantrums and brawling in the streets. In place of the 'thorough way of talk' that Wilson envisaged, we have banners and epithets and obscenities and virtually meaningless slogans.

"And in place of bright eyes 'looking to heaven for the confirmation of their hope', we have eyes glazed with anger and passion, too often dimmed as well by artificial abuse of the psychic structure that lies behind them, and looking almost everywhere else but to heaven for the satisfaction of their aspirations.

"The world seems to be full today, of embattled students. The public prints are seldom devoid of the record of their activities. Photographs of them may be seen daily: screaming, throwing stones, breaking windows, overturning cars, being beaten or dragged about by police, and, in the case of those on other continents, burning libraries. That these people are embattled is unquestionable. That they are really students, I must be permitted to doubt."

Here, at the end of the quotation, I must take issue with one point made by Mr. Kennan. I am convinced that the world is not full of such people nor are the colleges or the universities. They are there, but I believe they are a minority, yet they seem to be having their way. Why?

What is the end result of all this? What the logical consequences of the rule of mobs,

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the despoilation of our colleges and universities, the disruption of the learning process?

I am not sure I can answer my own questions. But, with others, I am seeking the answers. As you go forth in the world today, I invite you to join us. You have the opportunity to become involved or to be swept along by tides beyond your control.

I believe a renaissance of personal, individual responsibility and moral accountability, points of view espoused by Saint Francis himself, is the thing most needed today.

Some day we shall have to stop blaming "society" for our failures, stop blaming the other fellow when our personal affairs go haywire. Government can only solve one person's problem by adding to the problem of another. It cannot get at the root of your difficulty, or my trouble, never has, never will.

The proponents of social control by the state collide as directly with the teachings of Christ as would two trains running toward each other on the same track.

Jesus was so uncompromising in his insistence that responsibility be placed upon the individual both for his personal life and for his attitude toward others that Jesus never suggested that an instituion of any kind could take the place of such individual responsibility.

Nevertheless this fatal temptation—the temptation to believe that functions which are spiritual can be transferred to the secular state because it possesses the necessary force and power to 'get things done'—continues to confront both religious and social effort.

The strength and virility of our society depend fundamentally on the character of our people and productivity of our private economic system. Instead of whittling away private decision-making and strangulating private effort, our public policies should encourage more effort, more innovation and more enterprise relying on competition to pass gains of productivity on to the people in many forms.

It is this system which already has conquered poverty as no other system can and will. We may, by government definition, have 30 million people "living at poverty level" but in many countries I have visited over the world most of them would be considered affluent. It is this system which is under challenge today.

Just as any journey begins with a single step, so the fight to preserve our liberties must begin with each of us as individuals, for once we become well informed, articulate and persuasive spokesmen, we become a center of influence.

The most competent golfer, the most eloquent clergyman or the most gifted actor, naturally draws to himself observers who are interested in their own self-improvement. Uncommon men always have possessed influence by virtue of their excellence. For this reason, excellence in whatever we do must be your and my most important goal. As our people once again accept this principle, our values, which have been built on it through the years, need not go down the drain.

Let history testify. This country was not built by men and women who relied on somebody else to take care of them. It was built by men and women who relied upon themselves, who dared shape their own lives, who had enough courage to blaze new trails—enough confidence in themselves to take the necessary risks.

Self-reliance is our American legacy. It is the secret of 'that something' which stamped Americans as Americans. Some call it individual initiative; others backbone. But whatever it is called, it is a precious ingredient of our national character—one which we must not lose.

The time has come for us to re-establish the rights for which we stand—to reassert our inalienable rights to human dignity, self respect, self-reliance—to be again the kind of people who made America great.

Such a crusade for renewed independence will require a succession of inspired leaders—leaders in spirit and in knowledge of the problem not just politicians whose leadership sometimes seems to follow the winds of change, but men who will preserve the distinctive way of life that is America, adding to it only changes which will make America even stronger.

If there be one point that I would ask you to remember today, it is simply that society is only as good as the individuals who live within it. As each individual is strong, so is society. When each individual is willing to give up his freedom, so will society be eager to take it away.

Above all else, we must not take our society for granted. Each of us owes our freedom and prosperity to the courage, the good judgment and the devotion of our predecessors.

Will we continue in the same tradition?

Who can answer? However, we can be certain that as today becomes history the praise, or blame, will rest with the individual. And the collective individuals from today on will be you here and the thousands of others on hundreds of campuses who at this moment step forth into a world which is theirs to improve or destroy.

Thank you.

DOES THE NEW INCOME TAX FORM HELP TAXPAYERS?

(Mr. FASCELL asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. FASCELL. Mr. Speaker, last Monday the Internal Revenue Service held a press conference to announce a revised Form 1040 income tax form, and the discontinuance of Form 1040A. The new form is scheduled for use next year unless, of course, the Congress should meanwhile make such changes in the income tax laws so that the form will have to be revised.

IRS's announcement of the new form was widely heralded in the press as a simplification of income tax forms. As chairman of a House subcommittee that for years has been striving for simplification of income tax forms and procedures, I have serious doubts that the new form is, in fact, a simplified form.

The Legal and Monetary Affairs Subcommittee of the House Committee on Government Operations for several years has sought through the Internal Revenue Service and through numerous associations of accountants, auditors, and tax experts to ease the tax-reporting task of the 77 million taxpayers who file Federal tax returns. In that time there have been some improvements in the makeup of the forms, but because of the numerous complications, qualifications, exemptions, and special provisions that our tax laws contain, it has proven almost impossible to do much toward simplification.

That there is a continuing need to simplify the forms, both to lessen the burden and expense of the taxpayer and to decrease the costs of processing returns, is clear. The need, however, has generally proved greater than the ability to fulfill that need under existing laws. It is gratifying, however, that the Internal Revenue Service has not abandoned its efforts to assist the taxpayers through revisions of its forms just because the task is most difficult.

The new IRS Form 1040 is a one-sided single sheet containing 24 numbered portions, one less than the Form 1040 millions struggled with last month. From my review of the new form I am not convinced that it materially lightens the task of the middle- or high-income taxpayer. Almost without exception all of these will be required to file separate schedules on which they will report itemized deductions, dividend, interest, other incomes, and a separate computation sheet called Schedule T. The chief improvement as far as these taxpayers are concerned is that the schedules provide about twice the former space on which to make entries.

The IRS claims that there is another benefit from the redesigned format. As stated by the IRS:

> Because a taxpayer need only add the schedules appling to his particular tax situation he does not have to fill out inapplicable lines and items.

Taxpayers using old Form 1040 only filled out the schedules that applied to their tax situation and did not fill out inapplicable lines and items, so that this claimed benefit seem to be without substance.

The biggest advantage claimed for the new form is that it combines old Form 1040 and the former short Form 1040A, and does away with Form 1040A. A short form has been in effect for a quarter of a century. It was first printed on the back of W–2 withholding statements. Twenty years ago it was issued as a separate full-page sheet, but not as long and complex as the Form 1040. For the past decade it has been in the form of a simple card.

Its use is limited to taxpayers whose incomes are less than $10,000 from wages and no more than $200 from other sources, and who do not itemize their deductions. While its use has been declining because average incomes have been rising and more taxpayers are itemizing their deductions, more than one out of every four taxpayers still uses the short form.

The reasons IRS advances for doing away with the punch card 1040A are that the taxpayers are confused by the existence of two forms, the long form and the short form, and also that many taxpayers who use Form 1040A penalize themselves because this form does not permit them to take advantage of such provisions as the sick pay exclusion, retirement income credit, or large deductions.

Combining Forms 1040 and 1040A hardly dispels the confusion that small income taxpayers face. In fact, the ponderous new 1040, with its added lines instead of the simple card form psychologically is bound to present even greater confusion. I would guess that more small income taxpayers would throw up their hands and seek the advice of professional tax advisers, for a fee. Not only that, but once a taxpayer filled out Form 1040A that was that. Now he will in most cases, also have to fill out a new form, the schedule T tax computation form, which is to be attached to Form 1040. That seems to complicate the tax forms for the small income taxpayer.

Our income tax laws are in a transitional stage. The Congress is fast proceeding toward making the Federal income taxes more equitable for all taxpayers. I have made my contribution to that effort by my recommendations to the Ways and Means Committee. It is altogether possible that the new form IRS has announced may never be used because changes may soon be made in the tax laws, and, of course, any changes will dictate the kinds of forms that ultimately will be required.

As I have said, it is commendable that the IRS and the Treasury Department continue to keep before them the fact that income tax forms and procedures must be made as simple as possible, if we are to lessen the burden of taxpayer compliance with our self-assessment tax system, and if we are to decrease governmental costs of administering the income tax laws. However, I wonder whether its new Form 1040 instead of being beneficial does not actually make it harder and even costlier to the small income taxpayer to comply with the tax laws. Perhaps it might prove more beneficial if instead of abandoning the card form IRS would try its hand at revising the short form so as to permit its users to take advantage of the exclusions, credits, and deductions to which taxpayers are entitled.

PROJECT CONCERN MONTH

(Mr. BRADEMAS asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. BRADEMAS. Mr. Speaker, I am pleased to join my distinguished colleague, the gentleman from California, the Honorable Bob Wilson, in sponsoring a resolution authorizing the President to proclaim the month of February 1970 as Project Concern Month.

"Project Concern" is the name coined by Dr. James Turpin for the international medical relief organization he began 6 years ago when he gave up a lucrative medical practice in California to devote all of his time to treating people around the globe who have no hope of freedom from suffering without such assistance as he and the people he trains offer.

Today Project Concern has an international staff of 156 persons and has established continuing medical programs in Hong Kong, South Vietnam, Mexico, and, most recently, in Appalachia here in our own country.

Mr. Speaker, I strongly urge favorable consideration of this resolution because of the much-deserved attention and support it will provide Project Concern.

I am convinced that efforts such as Project Concern are a most effective means of putting this Nation's technological advances at the service of some of the world's people who have little defense against the sickness and suffering which has been their lot through the ages.

Efforts like Project Concern provide one of the most effective roads to world peace. For there cannot be peace in the world when half its population suffers from disease which the technology and knowhow of the rest of the world can combat.

By declaring February 1970 Project Concern Month the President, Congress, and the American people can provide heartening support to an organization that brings a message of hope to those parts of the globe that are most in need of it.

A U.S. JUDGE SPEAKS OUT ON CAMPUS DISORDER

Mr. BARRETT. Mr. Speaker, I insert at this point in the Record an excellent speech by the Honorable Judge Thomas A. Masterson, of the Federal Court in Philadelphia, on the matter of campus disorder.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. BARRETT. Mr. Speaker, Judge Masterson's speech is as follows:

The Permissive Universities: A U.S. Judge Speaks Out on Campus Disorder

I think that one of the principal causes of campus lawlessness is the uncertain notes being sounded on the trumpets of persons in positions of authority and responsibility at many of our large universities.

As a Harvard graduate and a lawyer, I think these events, and most particularly the reactions to them of the college administration and of the faculty, raise most fundamental and confusing questions as to the place of the university and the place of the university students in the larger society.

The first thing that appalled me . . . was the statement attributed to President Pusey that he called police "because the student invaders had already begun to rifle and duplicate the faculty personnel files and financial records."

A MINORITY

It is significant to me that he did not say that he called the police because the students forcibly took over the administration building and because they forcibly ejected five deans thereby interrupting the functioning of the university administration, as well as seriously interfering with the personal freedom of the ejected deans.

What is the significance of this apologetic statement made in the wake of a forceable occupation of a building by a minority of dissident students?

What kind of a note is President Pusey sounding for the next lot of student radicals?

It seems to me he is saying "take over our buildings, eject our deans, refuse to leave and, as long as you don't touch our confidential files, we will negotiate with you."

I submit such an uncertain note in the context of this factual situation sounded by a president of a great university is an invitation to anarchy.

The next question that these events raise in my mind is whether or not a university has a right to drop criminal charges against students who violate the law by seizure of university property.

SIMPLE FACT

In the narrowest sense, the public has a direct interest in these proceedings because of its support of the local police who eventually have to be called in to clear the building; but, it seems to me, that the public has a much greater interest than that.

By failing to prosecute these students for highly publicized acts which amount to trespassing, assault and battery, illegal arrest and kidnapping, the university community is saying to the world, as well as to its own students, that there are entirely different standards to be applied in criminal cases to students than are applied to others. What does this simple fact do to respect for "law and order" in the public at large?

The most astonishing and incredible part of this sad affair to me was the faculty reaction and its resolution.

It is interesting to note that in all of these student outbreaks from Berkeley through Columbia to Harvard, the faculty always attempts to disassociate itself from the administration of the university.

This itself is a somewhat disturbing phenomenon, for it is hard for an outsider to see where there could be a responsible basis for disagreement between an administration and a faculty on a question as simple as whether or not students should be permitted to use force and violence to take over university buildings and impose their will on the university.

MORAL EQUATION

In any event, the Harvard faculty, in vogue with all the others, apparently quickly acted to publicly disassociate itself from the university administration by passing a resolution condemning both the students for occupying the building and the administration for calling the police to have them ejected.

It is impossible for me to understand how a faculty which describes itself as "a community committed to rationality and freedom" can with such blissful impartiality say "a curse on both your houses" to students lawlessly taking over a building by force and violence and an administration using lawful force to recover possession of its own building.

The moral equation of the student action and the action of the administration suggests to me a total bankruptcy of social values.

When I read of that resolution, I wondered how many of the 395 faculty members who voted to approve it would be happy to have their students forcibly eject them from class every time they disagreed with something the faculty members said, and, if they didn't think this is the way a university should be run, how do they distinguish between the need to have authority to run their own classes peacefully and the university's need to run itself free of forcible attacks by any of the students?

SHOCKING NOTE

The fact of this faculty resolution was deeply upsetting to me but the language of it was even more disturbing: ". . . as members of a community committed to rationality and freedom we also *deplore* the entrance of police into *any university.*"

That language sounds the most offending note of this whole dissident cacophony of trumpets' blast from those who are presumably the trustees of the minds of America's future leaders.

What it suggests is that the university, its faculty and students should be exempted from the processes of law which bind everyone else.

It suggests that the university somehow clothes its members with a special form of holy orders making them immune from prosecution by public authorities for acts committed on the campus.

This, in turn, suggests that the university is a special and separate political entity responsible only to its own governing body.

This concept has ramifications which go far beyond episodic campus violence.

As you know, many of the campuses of our largest universities are hotbeds of illegal drugs.

VITAL PROBLEM

Recently, an official of a large eastern university estimated that at least 50 percent of its students were experimenting with am-

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phetamine and barbituates; that a high percentage of students were experimenting with marijuana and a smaller but still significant percentage of students were going on to heroin.

This is a vital problem for the future of this country.

Here we have the fountain of our most talented youth being polluted at the source by trafficking in illegal drugs.

Now, some of the academics think that marijuana isn't really bad and its use should be legalized. I don't happen to agree with that because most heroin addicts I have had before me began on marijuana, but in any event, our form of society has not left it to the university professors or presidents or boards of trustees or to judges to determine what drugs may or may not be legally consumed.

This determination is made by the Congress and by the state legislatures.

Yet, to my knowledge, not a single major university has joined with the local, state and federal officials in cracking down on the sale and use of narcotics on the campus.

Aside from the real pollution of the nation's youth by the use of drugs, what does the fact that illegal narcotics are easily available on the campus say to the student-user and non-user alike?

Doesn't it say there is one law for the "lesser breeds" outside the campus and an entirely different one inside the university cloister.

A similar but not identical question is presented by the changes in parietal rules which have been sweeping almost all of the campuses lately.

ACTIVE AGENTS

Here the university administrators claim not to be changing any conventional standards of behavior, but merely permitting the students to act on their own.

It seems to me the fact is that the university does stand "in loco parentis" to the undergraduate student body, and most certainly to the teen-age freshmen and sophomores.

Failure on the part of the administrative officials to identify with and support minimum conventional standards makes those officials active agents in changing those standards whether they admit it or not.

In any event it adds many more uncertain notes to the dissident symphony we are hearing from university officials all over the country.

In my opinion much of today's student unrest stems from the failure of the university administration and faculty to implement the most fundamental tenets of organized society.

Those of you who studied political theory in college will remember Thomas Hobbes who stated that man's life outside of organized society must be "poor, mean, nasty, brutish and short."

Hobbes' observation is as sound today as when he made it.

ORGANIZED SOCIETY

Life is literally intolerable outside of the ordered fabric of society. The rational life to which the faculty and administration is professionally committed is impossible without adherence to the basic concepts of an ordered society.

. . . These basic concepts mean at least this:

(1) That no violence or violent demonstrations will be tolerated;

(2) Any demonstrators who attempt to occupy university buildings will be quickly ejected with any reasonable force necessary to eject them promptly and without any *bargaining;*

(3) All violators will be criminally punished; there will be no amnesties. In addition, the university will suspend or expel students participating; and

(4) The university will as a matter of policy regularly and actively cooperate with police in enforcing on the campus other criminal laws, most importantly the laws with respect to the sale of narcotics.

It seems to me that the parents, as well as the students, can expect at least that much respect for law and order from the administration and faculties of the universities.

TRIBUTE TO THE LATE HONORABLE CHARLES ANDERSON WOLVERTON

(Mr. McCORMACK (at the request of Mr. CAFFERY) was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. McCORMACK. Mr. Speaker, my dear friend for more than 40 years, the Honorable Charles Anderson Wolverton, passed to his eternal reward on Friday, May 16. Friendships across the aisle are not unusual in this Chamber, but perhaps Charlie Wolverton deservedly had more of them than most of us do. That may have been because he was one of the most likeable and generous-spirited men I have even known. He came to the House with the 70th Congress and retired at the end of the 85th, representing the First Congressional District of New Jersey with great distinction.

He was born at Camden, N.J., on October 24, 1880, the son of Charles S. Wolverton and Martha Wolverton. He was educated in the public schools of Camden and was graduated from the Camden High School. He obtained a law degree from the University of Pennsylvania in 1900 and gained admission to the New Jersey bar in 1901.

In 1903, he codified the ordinances of the city of Camden; from 1904 to 1906 he was assistant city solicitor of Camden; from 1906 to 1913, assistant prosecutor of Camden County; from 1913 to 1914, special assistant attorney general of New Jersey; from 1915 to 1918, a member of the New Jersey House of Assembly from Camden County; in 1918, he was elected speaker of the New Jersey House of Assembly; from 1917 to 1919, he served as Federal food administrator; and, from 1918 to 1923, he was prosecutor of the pleas of Camden County.

He was an eminently successful campaigner as a Member of Congress. He was elected to 16 consecutive terms. In the 1936 election, and in the 1940 and 1944 elections, when FDR was carrying Charlie Wolverton's congressional district by more than 60,000 votes each time, Charlie was retaining his seat as a Republican Member of Congress by more than 10,000 votes in each election.

He even made friends and supporters of those he defeated. One of them said:

> Every one of Charle's former opponents should join in giving a dinner in his honor. He murdered all of us at the polls, but never once did he launch a personal attack on an opponent. As a matter of fact, he always went out of his way to pay tribute to us as men. He is a truly fine gentleman.

He was chairman of the House Committee on Interstate and Foreign Commerce during two Congresses, the 80th, and the 83d. His leadership of his committee was characterized by vast competence, unfailing helpfulness, and courtesy, and legal sagacity. As a member of the House Legislative Oversight Committee, he introduced a code of ethics for Federal agencies regulating television. In 1954, when his Commerce Committee was studying President Eisenhower's proposed health-reinsurance program, he indignantly accused the American Medical Association of offering nothing to help solve the problem of rising medical costs. Long ago, Charlie Wolverton, in his incisive and insightful way, knew what was wrong with TV and the AMA.

At the time of his retirement at the close of the 85th Congress, his colleagues paid tribute to him in words that should be recalled today. That great Congresswoman from Massachusetts, the late Edith Nourse Rogers, said of him:

> He has always been keenly interested in all legislation that would help the less privileged. His concern and interest in their welfare has been most pronounced. His interest in promoting the welfare of veterans and their dependents has been so outstanding that it has been recognized, time and again, by the honors veterans and other organizations have conferred upon him and the support they have always given to him when he has been a candidate for reelection.

His Republican colleague in the New York delegation, the Honorable Kenneth Keating, said this:

> The gentleman from New Jersey, Mr. Wolverton, embodies what seem to me to be the most essential elements for a good legislator. He has great sincerity of purpose, he has a standard of ethics second to none, he has an ability to deal in a friendly and cooperative manner with his colleagues. He has always been willing to hear the other side of any problem on which he may have had views.

As a lawyer and a legislator, Charles Wolverton knew well how to speak his mind. As a man who had achieved wisdom by the experience of a lifetime, he also knew when not to do so. A cherished bit of advice that he offered to junior Members of Congress was that their political opponents could never use, against them, what they had not said.

As he stood in the well of the House Chamber to say farewell on the 18th of August 1958, Charlie Wolverton spoke as follows:

> I wish to say that it has been a great privilege to serve for such a long period of years in this House, not only because of the importance of the matters that have claimed our attention and consideration, but also because of the opportunity it has given me to be associated with such a grand body of men and women of character and ability. I wish all the people of this Nation could know, as I do, the sincerity of purpose and high ideals that actuate those who serve as their Representatives. It would create a feeling of respect and a confidence in the future welfare of this Nation. I have found them to be God-fearing men and women dedicated to the cause of good government and with a sincere desire to be helpful to their fellow man, and to make certain the security of this Nation and principles upon which it has been founded.

His praise for his fellow Representatives may now be taken as his own, well-earned, richly merited epitaph.

He ended his farewell remarks by saying:

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> In the days that are ahead, whether they be many or few, it will always be a pleasure for me, with the golden key of memory, to unlock the treasure house of the past and live again its scenes and events.

Those "days ahead" were many, to be sure, yet, for those of us who were so fond of this great American, they were all too few.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows to:

Mr. Wold (at the request of Mr. Gerald R. Ford), for the week of May 26 on account of official business.

Mr. Blatnik (at the request of Mr. Boggs), for Monday, May 26, Tuesday, May 27, and Wednesday, May 28, on account of official business.

Mr. Macdonald of Massachusetts (at the request of Mr. Hays) from May 26 through June 5, on account of official business.

Mr. Gettys (at the request of Mr. Hays), for Monday, May 26 and the rest of the week, on account of official business.

Mr. Corbett (at the request of Mr. Gerald R. Ford), for the week of May 26, on account of official business.

Mr. Goldwater (at the request of Mr. Gerald R. Ford), for the week of May 26, on account of official business.

Mr. Randall (at the request of Mr. Boggs), for May 26 and May 27, 1969, on account of official business.

Mr. Corman May 26, May 27, and May 28, 1969, on account of official business.

Mrs. Chisholm (at the request of Mr. Boggs), for Monday, May 26, Tuesday, May 27, and Wednesday, May 28, 1969, on account of official business.

Mr. Bingham (at the request of Mr. Boggs), for today, on account of illness.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. Patman, for 45 minutes, on May 27; to revise and extend his remarks and include extraneous matter.

(The following Members (at the request of Mr. Caffery), to revise and extend their remarks and to include extraneous matter:)

Mr. Flood, for 30 minutes, today.

Mr. Gonzalez, for 10 minutes, today.

Mr. O'Hara, for 30 minutes, today.

EXTENSIONS OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. Edmondson in three instances.

Mr. Madden in two instances.

Mr. Zablocki in two instances.

Mr. Michel to revise and extend his remarks in connection with agriculture appropriation bill and to include various tables.

Mr. Gray in two instances.

Mr. Steiger of Wisconsin, immediately following the remarks of Mr. Quie during discussion of the Poage amendment in the Committee of the Whole today.

Mr. Vanik to extend his remarks on the agriculture appropriation bill.

(The following Members (at the request of Mr. Frey) and to include extraneous matter:)

Mr. Bush.

Mr. Brown of Michigan in three instances.

Mr. Pettis.

Mr. Morse in two instances.

Mr. Quillen in four instances.

Mr. Brock in five instances.

Mr. Smith of California.

Mr. Bob Wilson in two instances.

Mr. Ashbrook.

Mr. Gude.

Mr. McDonald of Michigan.

Mr. Nelsen in two instances.

Mr. Taft.

Mr. Mize.

Mr. Hansen of Idaho.

Mr. Derwinski in three instances.

Mr. Ruppe.

Mr. Cramer.

Mr. Miller of Ohio.

Mr. Broyhill of Virginia.

(The following Members (at the request of Mr. Caffery) and to include extraneous matter:)

Mr. Garmatz.

Mr. Daniel of Virginia.

Mr. Casey in two instances.

Mr. O'Hara.

Mr. Pucinski in 10 instances.

Mr. Powell.

Mr. Matsunaga.

Mrs. Chisholm in two instances.

Mr. Rarick in four instances.

Mr. Nichols in two instances.

Mr. Diggs in two instances.

Mr. Pepper.

Mr. Satterfield.

Mr. Moorhead in five instances.

Mr. Yatron in two instances.

Mr. Ottinger in two instances.

Mr. Flowers in three instances.

Mr. Gallagher.

Mr. Hawkins.

Mr. Gonzalez in two instances.

Mr. Brown of California in two instances.

Mr. Bevill.

Mr. Evins of Tennessee in two instances.

Mrs. Mink.

Mr. Rodino.

Mr. Stuckey in two instances.

Mr. Bolling.

Mr. Dingell.

Mr. Rogers of Colorado.

Mr. Burke of Massachusetts.

Mr. Vanik in two instances.

Mr. Brademas in six instances.

Mr. Downing.

Mr. William D. Ford in two instances.

Mr. Fountain in two instances.

Mr. Burlison of Missouri.

Mr. Rosenthal.

Mr. Eckhardt.

SENATE BILLS AND CONCURRENT RESOLUTION REFERRED

Bills and a concurrent resolution of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 126. An act to designate certain lands in the Pelican Island National Wildlife Refuge, Indian River County, Fla., as wilderness; to the Committee on Interior and Insular Affairs.

S. 574. An act to authorize the Secretary of the Interior to engage in feasibility investigations of certain water resource developments; to the Committee on Interior and Insular Affairs.

S. 1046. An act to protect consumers by providing a civil remedy for misrepresentation of the quality of articles composed in whole or in part of gold or silver, and for other purposes; to the Committee on Interstate and Foreign Commerce.

S. 1519. An act to establish a National Commission on Libraries and Information Science, and for other purposes; to the Committee on Education and Labor.

S. 1611. An act to amend Public Law 85–905 to provide for a National Center on Educational Media and Materials for the Handicapped, and for other purposes; to the Committee on Education and Labor.

S. 1652. An act to designate certain lands in the Monomoy National Wildlife Refuge, Barnstable County, Mass., as wilderness; to the Committee on Interior and Insular Affairs.

S. Con. Res. 21. Concurrent resolution to print additional copies of parts 1 and 2, thermal pollution, 1968 hearings; to the Committee on House Administration.

SENATE ENROLLED JOINT RESOLUTION SIGNED

The SPEAKER announced his signature to an enrolled joint resolution of the Senate of the following title:

S.J. Res. 99. Joint resolution to authorize the President to issue a proclamation designating the first week in June 1969 as "Helen Keller Memorial Week."

ADJOURNMENT

Mr. CAFFERY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 47 minutes p.m.), the House adjourned until tomorrow, Tuesday, May 27, 1969, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

796. A letter from the Comptroller General of the United States, transmitting a report on the examination of the financial statements of the Virgin Islands Corporation (in liquidation), Department of the Interior, for the fiscal years 1967 and 1968 (H. Doc. No. 91–119); to the Committee on Government Operations and ordered to be printed.

797. A letter from the Assistant Secretary of the Interior, transmitting notification of the receipt of a project proposal and loan application from the Water Supply & Storage Co., Fort Collins, Colo., pursuant to the provisions of section 10 of the Small Reclamation Projects Act of 1956; to the Committee on Interior and Insular Affairs.

798. A letter from the Assistant Secretary of the Interior, transmitting a determination on deferment of the 1969 construction payment due the United States from the San Angelo Water Supply Corp. in connection with the San Angelo reclamation project, Texas, pursuant to the provisions of the act of September 21, 1959 (73 Stat. 584); to the Committee on Interior and Insular Affairs.

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799. A letter from the Postmaster General, transmitting a draft of proposed legislation to readjust the compensation of the Advisory Board for the Post Office Department; to the Committee on Post Office and Civil Service.

800. A letter from the Secretary of the Interior, transmitting the first annual report on the National Visitor Center, pursuant to the provisions of Public Law 90–264; to the Committee on Public Works.

801. A letter from the Administrator of General Services, transmitting prospectuses proposing alteration of public buildings at various locations, pursuant to the provisions of section 7a of the Public Buildings Act of 1959 (73 Stat. 480); to the Committee on Public Works.

802. A letter from the Administrator of Veterans' Affairs, transmitting a draft of proposed legislation to authorize the Administrator of Veterans' Affairs to sell at prices which he determines to be reasonable under prevailing mortgage market conditions direct loans made to veterans under chapter 37, title 38, United States Code; to the Committee on Veterans' Affairs.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, pursuant to the order of the House of May 22, 1969, the following bill was reported on May 23, 1969:

Mr. WHITTEN: Committee on Appropriations. H.R. 11612. A bill making appropriations for the Department of Agriculture and related agencies for the fiscal year ending June 30, 1970, and for other purposes (Rept. No. 91–265). Referred to the Committee of the Whole House on the State of the Union.

[*Submitted May 26, 1969*]

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. PEPPER: House Resolution 424. Resolution waiving points of order against H.R. 11582, a bill making appropriations for the Treasury and Post Office Departments, the Executive Office of the President, and certain independent agencies, for the fiscal year ending June 30, 1970, and for other purposes (Rept. No. 91–266). Referred to the House Calendar.

Mr. PATMAN: Committee on Banking and Currency. H.R. 10931. A bill to provide for the striking of medals in commemoration of the 150th anniversary of the founding of the State of Alabama (Rept. No. 91–267). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, pursuant to the order of the House of May 22, 1969, the following bill was introduced on May 23, 1969:

By Mr. WHITTEN:

H.R. 11612. A bill making appropriations for the Department of Agriculture and related agencies for the fiscal year ending June 30, 1970, and for other purposes.

[*Submitted May 26, 1969*]

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BIAGGI:

H.R. 11613. A bill to amend subchapter III of chapter 83 of title 5, United States Code, relating to civil service retirement, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. PERKINS (for himself and Mr. Quie):

H.R. 11614. A bill to amend the National School Lunch Act, as amended, to provide funds and authorities to the Department of Agriculture for the purpose of providing free or reduced-price meals to needy children not now being reached, and to provide funds for the special milk program; to the Committee on Education and Labor.

By Mr. BIAGGI (for himself, Mr. Carey, Mr. Dulski, and Mr. Waldie):

H.R. 11615. A bill to provide for the protection of children against physical injury caused or threatened by those who are responsible for their care; to the Committee on Ways and Means.

By Mr. BUSH:

H.R. 11616. A bill to rename the Houston Veterans' Administration Cemetery as the "Albert Thomas Veterans' Memorial Cemetery"; to the Committee on Veterans' Affairs.

By Mr. CHAMBERLAIN:

H.R. 11617. A bill to amend the Internal Revenue Code to designate the home of a State legislator for income tax purposes; to the Committee on Ways and Means.

H.R. 11618. A bill to amend the Internal Revenue Code of 1954 to provide the same tax exemption for servicemen in and around Korea as is presently provided for those in Vietnam; to the Committee on Ways and Means.

By Mr. CLARK:

H.R. 11619. A bill to amend section 127 of title 23 of the United States Code relating to vehicle width limitations on the Interstate System, in order to increase such limitations for motorbuses; to the Committee on Public Works.

By Mr. O'HARA (for himself, Mr. Thompson of New Jersey, Mr. Brademas, Mr. Hawkins, Mr. Adams, Mr. Addabbo, Mr. Anderson of California, Mr. Annunzio, Mr. Barrett, Mr. Biaggi, Mr. Bingham, Mr. Blatnik, Mr. Boland, Mr. Brown of California, Mr. Burke of Massachusetts, Mr. Button, Mr. Byrne of Pennsylvania, Mr. Clark, Mr. Cohelan, Mr. Conyers, and Mr. Corman):

H.R. 11620. A bill to assure an opportunity for employment to every American seeking work and to make available the education and training needed by any persons to qualify for employment consistent with his highest potential and capability, and for other purposes; to the Committee on Education and Labor.

By Mr. DANIELS of New Jersey (for himself, Mr. Perkins, Mr. Dent, Mr. Pucinski, Mr. Diggs, Mr. Dingell, Mr. Dulski, Mr. Edwards of California, Mr. Eckhardt, Mr. Eilberg, Mr. Farbstein, Mr. Fascell, Mr. Foley, Mr. Fraser, Mr. Gallagher, Mr. Gibbons, Mr. Gilbert, Mr. Gonzalez, Mr. Gray, Mr. Green of Pennsylvania, and Mr. Halpern):

H.R. 11621. A bill to assure an opportunity for employment to every American seeking work and to make available the education and training needed by any persons to qualify for employment consistent with his highest potential and capability, and for other purposes; to the Committee on Education and Labor.

By Mr. WILLIAM D. FORD (for himself, Mr. Carey Mr. Scheuer, Mr. Powell, Mr. Mollohan, Mr. Murphy of Illinois, Mr. Moorhead, Mr. Morgan, Mr. Nedzi, Mr. Nix, Mr. Obey, Mr. Olsen, Mr. O'Neill of Massachusetts, Mr. Ottinger, Mr. Pepper, Mr. Podell, Mr. Price of Illinois, Mr. Rees, Mr. Reuss, Mr. Rodino, and Mr. Rooney of Pennsylvania):

H.R. 11622. A bill to assure an opportunity for employment to every American seeking work and to make available the education and training needed by any person to qualify for employment consistent with his highest potential and capability, and for other purposes; to the Committee on Education and Labor.

By Mr. MEEDS (for himself, Mr. Stokes, Mr. Clay, Mr. Rosenthal, Mr. Ronan, Mr. Roybal, Mr. Ryan, Mr. Shipley, Mr. Slack, Mr. Sisk, Mr. St. Onge, Mr. Tiernan, Mr. Tunney, Mr. Udall, Mr. Vanik, Mr. Van Deerlin, Mr. Waldie, Mr. Charles H. Wilson, Mr. Wolff, Mr. Yatron, and Mr. Zablocki):

H.R. 11623. A bill to assure an opportunity for employment to every American seeking work and to make available the education and training needed by any persons to qualify for employment consistent with his highest potential and capability, and for other purposes to the Committee on Education and Labor.

By Mr. HATHAWAY (for himself, Mrs. Mink, Mr. Burton of California, Mr. Gaydos, Mrs. Hansen of Washington, Mr. Hays, Mr. Hechler of West Virginia, Mr. Helstoski, Mr. Hicks, Mr. Howard, Mr. Holifield, Mr. Joelson, Mr. Karth, Mr. Koch, Mr. Kyros, Mr. Leggett, Mr. Madden, Mr. Matsunaga, Mr. Mikva, Mr. Miller of California, and Mr. Minish):

H.R. 11624. A bill to assure an opportunity for employment to every American seeking work and to make available the education and training needed by any persons to qualify for employment consistent with his highest potential and capability, and for other purposes; to the Committee on Education and Labor.

By Mr. DERWINSKI:

H.R. 11625. A bill to authorize appropriations to be used for the elimination of certain rail-highway grade crossings in Cook County, Ill.; to the Committee on Public Works.

By Mrs. DWYER:

H.R. 11626. A bill to carry out recommendations of the Joint Commission on the Coinage, and for other purposes; to the Committee on Banking and Currency.

By Mr. FOLEY:

H.R. 11627. A bill to prevent the importation of endangered species of fish or wildlife into the United States; to prevent the interstate shipment of reptiles, amphibians, and other wildlife taken contrary to State law; and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. FRIEDEL:

H.R. 11628. A bill to transfer from the Architect of the Capitol to the Librarian of Congress the authority to purchase office equipment and furniture for the Library of Congress; to the Committee on House Administration.

By Mr. FULTON of Pennsylvania:

H.R. 11629. A bill to prohibit the use of interstate facilities, including the mails, for the transportation of salacious advertising; to the Committee on the Judiciary.

H.R. 11630. A bill to prohibit the use of interstate facilities, including the mails, for the transportation of certain materials to minors; to the Committee on the Judiciary.

H.R. 11631. A bill to adjust the postal revenues and to afford protection to the public from offensive intrusion into their homes through the postal service of sexually oriented mail matter, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. HALPERN:

H.R. 11632. A bill to amend title II of the Social Security Act to provide a substantial liberalization in the retirement test; to the Committee on Ways and Means.

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By Mr. HARSHA:

H.R. 11633. A bill to amend the Communications Act of 1934 so as to prohibit the granting of authority to broadcast pay television programs; to the Committee on Interstate and Foreign Commerce.

By Mr. KING:

H.R. 11634. A bill to amend the Railroad Retirement Act of 1937 to provide for cost-of-living increases in the benefits payable thereunder; to the Committee on Interstate and Foreign Commerce.

H.R. 11635. A bill to amend title II of the Social Security Act to provide cost-of-living increases in the insurance benefits payable thereunder; to the Committee on Ways and Means.

By Mr. LIPSCOMB:

H.R. 11636. A bill to continue for 2 years the authority for the regulation of exports; to the Committee on Banking and Currency.

By Mr. MACDONALD of Massachusetts:

H.R. 11637. A bill to provide for computation of disability retirement pay for members of the uniformed services; to the Committee on Armed Services.

H.R. 11638. A bill to amend title II of the Social Security Act to provide a 15-percent across-the-board increase in monthly benefits, with subsequent cost-of-living increases in such benefits and a minimum primary benefit of $80; to the Committee on Ways and Means.

H.R. 11639. A bill to provide for orderly trade in footwear; to the Committee on Ways and Means.

By Mr. MEEDS (for himself, Mr. Pelly, Mr. Hicks, Mr. Adams, Mr. Foley, and Mrs. May):

H.R. 11640. A bill to amend titles I, X. XIV, and XVI of the Social Security Act, and part A of title IV of such act, to permit a State to provide a part of the assistance payable thereunder in the form of food stamps instead of cash when requested by the recipient of such assistance; to the Committee on Ways and Means.

By Mr. NICHOLS:

H.R. 11641. A bill to exempt from the antitrust laws certain joint newspaper operating arrangements; to the Committee on the Judiciary.

By Mr. PODELL:

H.R. 11642. A bill to reclassify certain positions in the postal service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. PODELL (for himself, Mr. Burton of California, Mr. Lukens, Mr. Macdonald of Massachusetts, Mr. Pepper, Mr. Gaydos, Mr. Clay, Mr. Scheuer, Mr. Obey, Mr. Udall, Mr. Vigorito, Mr. Powell, Mr. Mikva, Mr. Ottinger, Mr. Kastenmeier, Mr. Van Deerlin, Mr. Anderson of California, Mr. Tiernan, Mr. Reuss, Mr. Friedel, Mrs. Mink, Mr. Ashley, Mr. Hamilton, Mr. Brown of California, and Mr. Yatron):

H.R. 11643. A bill to amend the Legislative Reorganization Act of 1946 to provide for annual reports to the Congress by the Comptroller General concerning certain price increases in Government contracts and certain failures to meet Government contract completion dates; to the Committee on Government Operations.

By Mr. PRICE of Illinois:

H.R. 11644. A bill to modernize the U.S. Postal Establishment, to provide for efficient and economical postal service to the public, to improve postal employee-management relations, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. ST. ONGE:

H.R. 11645. A bill to amend the Communications Act of 1934 to prohibit the granting of authority by the Federal Communications Commission for the broadcast of pay television programs; to the Committee on Interstate and Foreign Commerce.

By Mr. SAYLOR:

H.R. 11646. A bill to amend the Railroad Retirement Act of 1937 to provide a full annunity at age 60 for men (as well as women) who have completed 30 years of railroad service; to the Committee on Interstate and Foreign Commerce.

By Mr. SKUBITZ:

H.R. 11647. A bill to amend the Communications Act of 1934 to establish orderly procedures for the consideration of applications for renewal of broadcast licenses; to the Committee on Interstate and Foreign Commerce.

By Mr. VANIK (for himself and Mr. Eckhardt):

H.R. 11648. A bill to amend title II of the Social Security Act to provide a 15-percent across-the-board increase in monthly benefits, with subsequent cost-of-living increases in such benefits and a minimum primary benefit of $80; to the Committee on Ways and Means.

By Mr. WALDIE:

H.R. 11649. A bill to amend chapter 44 of title 18, United States Code, to exempt ammunition Federal regulation under the Gun Control Act of 1968; to the Committee on the Judiciary.

By Mr. WOLD (for himself, Mr. Pollock, Mr. Camp, Mr. Adams, Mr. Edmondson, Mr. Diggs, Mr. Eshleman, Mr. Dulski, Mr. Derwinski, Mr. Anderson of Illinois, Mr. Anderson of California, Mr. Coughlin, Mr. Tunney, Mr. Gude, Mr. Kluczynski, and Mr. Scheuer):

H.R. 11650. A bill to amend title I of the Land and Water Conservation Fund Act of 1965 (78 Stat. 897), and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. PERKINS (for himself and Mr. Quie):

H.R. 11651. A bill to amend the National School Lunch Act, as amended, to provide funds and authorities to the Department of Agriculture for the purpose of providing free or reduced-price meals to needy children not now being reached; to the Committee on Education and Labor.

By Mr. BROWN of California:

H.R. 11652. A bill to amend the public assistance provisions of the Social Security Act to increase the Federal share of a State's expenditures under the public assestance programs (including administrative expenses) to 90 percent, to provide for the establishment of nationally uniform minimum standards for aid or assistance thereunder and to repeal the freeze on the number of children with respect to whom Federal payments may be made under the aid to families with dependent children program; to the Committee on Ways and Means.

By Mr. CHAPPELL (for himself, Mr. Sikes, Mr. Harsha, Mr. Griffin, and Mr. Haley):

H.R. 11653. A bill to require the suspension of Federal financial assistance to colleges and universities which are experiencing campus disorders and fail to take appropriate corrective measures; to the Committee on Education and Labor.

By Mr. CLAY:

H.R. 11654. A bill to amend the U.S. Housing Act of 1937 to require that average rentals in any low-rent housing project be kept at a level below 25 percent of the average income of persons eligible to occupy units in such project, and to increase the annual contributions which may be paid with respect to such project to the extent necessary to permit rentals to be kept at such level; to the Committee on Banking and Currency.

By Mr. DUNCAN:

H.R. 11655. A bill to amend the Railroad Retirement Act of 1937 to provide for cost-of-living increases in the benefits payable thereunder; to the Committee on Interstate and Foreign Commerce.

By Mr. ECKHARDT (for himself, Mr. Cahill, Mr. Conyers, Mr. Edwards of California, Mr. Halpern, Mr. Hungate, Mr. Mikva, Mr. Rosenthal, Mr. Ryan, and Mr. Scheuer):

H.R. 11656. A bill to improve judicial machinery by providing Federal jurisdiction for certain types of class actions, and for other purposes; to the Committee on the Judiciary.

By Mr. EDWARDS of California:

H.R. 11657. A bill to require quarterly disclosure to the Comptroller General of the United States of the source and amount of all outside income received by any person serving as a Federal judge, a Member of Congress, or a policymaking official in the executive branch of the Government, and for other purposes; to the Committee on the Judiciary.

By Mr. ESHLEMAN:

H.R. 11658. A bill to amend title 18 of the United States Code to require common carriers for hire to keep records of the names of persons transported by such carrier in interstate or foreign commerce, and to make it a criminal offense for any person so transported to travel under a false or fictitious name; to the Committee on the Judiciary.

By Mr. FINDLEY:

H.R. 11659. A bill to promote the foreign policy and security of the United States by providing authority to negotiate a commercial agreement with Czechoslovakia, and for other purposes; to the Committee on Ways and Means.

By Mr. HECHLER of West Virginia:

H.R. 11660. A bill to provide for public disclosure including income tax returns by Members of the House of Representatives, Members of the U.S. Senate, justices and judges of the U.S. courts, and policymaking officials of the executive branch as designated by the Civil Service Commission, but including the President, Vice President, and Cabinet Members; and by candidates for the House of Representatives and the Senate, the Presidency, and the Vice-Presidency; and to give the House Committee on Standards of Conduct, the Senate Select Committee on Standards of Conduct, the Director of the Administrative Office of the U.S. Courts, and the Attorney General of the United States appropriate jurisdiction; to the Committee on the Judiciary.

By Mr. KYROS:

H.R. 11661. A bill to amend title II of the Social Security Act to reduce from 20 to 15 the number of quarters of coverage which an individual must generally have had within a specified 10-year period in order to qualify for disability insurance benefits and the disability freeze; to the Committee on Ways and Means.

By Mr. LOWENSTEIN (for himself, Mrs. Chisholm, Mr. Addabbo, Mr. Bingham, Mr. Button, Mr. Carey, Mr. Conyers, Mr. Diggs, Mr. Farbstein, Mr. Friedel, Mr. Fulton of Pennsylvania, Mr. Halpern, Mr. Hawkins, Mr. Koch, Mr. Mikva, Mr. Ottinger, Mr. Podell, Mr. Rosenthal, Mr. Ryan, and Mr. Stokes):

H.R. 11662. A bill to amend titles I, X, XIV, XVI, and XIX of the Social Security Act, and part A of title IV of such act, to increase the Federal share of a State's public assistance expenditures to 90 percent, to provide for the establishment of nationally uniform minimum standards for aid or assistance thereunder, and to repeal the freeze on the number of children with respect to whom Federal payments may be made under the AFDC program; to the Committee on Ways and Means.

By Mr. McFALL:

H.R. 11663. A bill to amend section 603(3)

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and section 608c(6)(I) of the Agricultural Marketing Agreement Act of 1937, as amended, so as to authorize production research under marketing agreement and order programs; to the Committee on Agriculture.

By Mr. MINISH:

H.R. 11664. A bill to provide for a study of the extent and enforcement of State laws and regulations governing the operation of youth camps; to the Committee on Education and Labor.

H.R. 11665. A bill to amend the Internal Revenue Code of 1954 to extend the head-of-household benefits to unremarried widows and widowers, and individuals who have attained age 30 and who have never been married or who have been separated or divorced for 3 years or more, who maintain their own households; to the Committee on Ways and Means.

By Mr. NEDZI:

H.R. 11666. A bill to amend chapter 55 of title 10 of the United States Code to provide that entitlement to health insurance under title XVIII of the Social Security Act shall not bar the availability of certain contract health services under such chapter in the case of certain members and former members of the uniformed services and their dependents; to the Committee on Armed Services.

By Mr. PUCINSKI:

H.R. 11667. A bill to require contractors of departments and agencies of the United States engaged in the production of motion picture films to pay prevailing wages; to the Committee on Education and Labor.

H.R. 11668. A bill to amend the act entitled "An act to promote the safety of employees and travelers upon railroads by limiting the hours of service of employees thereon," approved March 4, 1907; to the Committee on Interstate and Foreign Commerce.

H.R. 11669. A bill to amend title 28, United States Code, section 753(e), to eliminate the maximum and minimum limitations upon the annual salary of reporters; to the Committee on the Judiciary.

By Mr. STUCKEY:

H.R. 11670. A bill to amend the Glass-Steagall Act, as amended, to authorize commercial banks to maintain collective investment funds of managing agency accounts, and for other purposes; to the Committee on Banking and Currency.

By Mr. TALCOTT (for himself, Mr. Anderson of Illinois, Mr. Bevill, Mr. Buchanan, Mr. Collins, Mr. Corbett, Mr. Derwinski, Mr. Hosmer, Mr. McClure, Mr. Myers, Mr. Powell, Mr. Sandman, Mr. Waldie, Mr. Whalen, and Mr. Wiggins):

H.R. 11671. A bill to amend the Legislative Reorganization Act of 1946 to provide for the inclusion of certain cost estimates of certain measures reported by the standing committees of the House of Representatives; to the Committee on Rules.

By Mr. CAHILL:

H.J. Res. 742. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. GUDE (for himself and Mr. Schwengel):

H.J. Res. 743. Resolution to establish a commission to conduct a study of the adequacy of the financial resources available for the operation of the government of the District of Columbia; to the Committee on the District of Columbia.

By Mr. PRICE of Illinois:

H.J. Res. 744. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights of men and women; to the Committee on the Judiciary.

By Mr. BOB WILSON (for himself and Mr. Brademas):

H.J. Res. 745. Joint resolution authorizing the President to proclaim the month of February 1970 as "Project Concern Month"; to the Committee on the Judiciary.

By Mr. ROSENTHAL (for himself and Mr. Koch):

H. Con. Res. 275. Concurrent resolution expressing the sense of the Congress with respect to the effectiveness of State and local rent control laws notwithstanding any inconsistencies which may exist between such laws and FHA requirements; to the Committee on Banking and Currency.

By Mr. SCHEUER:

H. Con. Res. 276. Concurrent resolution expressing the sense of the Congress with respect to the application of the equal-time provisions of the Communications Act of 1934 in cases where one or more of the candidates for a public office refuses to participate in a broadcast debate; to the Committee on Interstate and Foreign Commerce.

By Mr. FRIEDEL:

H. Res. 425. Resolution, transfer of funds within the offices of the Clerk and the Sergeant at Arms of the House of Representatives, and for other purposes; to the Committee on House Administration.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

186. By the SPEAKER: Memorial of the Legislature of the State of Tennessee, relative to appropriations for the low-income home purchase and rent programs for fiscal year 1969; to the Committee on Appropriations.

187. Also, memorial of the Legislature of the State of Hawaii, relative to the anti-ballistic-missile system; to the Committee on Armed Services.

188. Also, memorial of the Legislature of the State of Tennessee, relative to perpetuation of the Reserve Officers Training Corps programs in the colleges and universities of America; to the Committee on Armed Services.

189. Also, memorial of the Legislature of the State of California, relative to a water reclamation facility in the Sepulveda Dam Basin; to the Committee on Interior and Insular Affairs.

190. Also, memorial of the House of Representatives of the Commonwealth of Massachusetts, relative to Dr. John H. Knowles; to the Committee on Interstate and Foreign Commerce.

191. Also, memorial of the Senate of the Commonwealth of Massachusetts, relative to Dr. John H. Knowles; to the Committee on Interstate and Foreign Commerce.

192. Also, memorial of the Senate of the Commonwealth of Massachusetts, relative to providing a civil remedy for misrepresentation of the quality of articles composed in whole or in part of gold or silver; to the Committee on Interstate and Foreign Commerce.

193. Also, memorial of the Legislature of the Commonwealth of Massachusetts, relative to recognition of the 100-mile seaward boundary of the Commonwealth of Massachusetts; to the Committee on the Judiciary.

194. Also, memorial of the Legislature of the State of Minnesota, relative to including censuses of school districts in the Federal census; to the Committee on Post Office and Civil Service.

195. Also, memorial of the Legislature of the State of Tennessee, relative to creation of the "Circle-the-Smokies Scenic Drive"; to the Committee on Public Works.

196. Also, memorial of the Legislature of the State of Colorado, relative to restoration to the States of adequate tax sources for the support of State and local government; to the Committee on Ways and Means.

197. Also, memorial of the Legislature of the Commonwealth of Massachusetts, relative to the sharing of Federal income taxes; to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred to as follows:

By Mr. FALLON:

H.R. 11672. A bill for the relief of Dr. M. Zia Borhan; to the Committee on the Judiciary.

By Mr. HECHLER of West Virginia:

H.R. 11673. A bill for the relief of Dr. Gerardo P. Gonzalez; to the Committee on the Judiciary.

By Mr. KYROS:

H.R. 11674. A bill to authorize and direct the Secretary of the Department under which the U.S. Coast Guard is operating to cause the vessel *Maccoboy III* to be documented as a vessel of the United States with coastwise privileges; to the Committee on Merchant Marine and Fisheries.

By Mr. MAILLIARD:

H.R. 11675. A bill for the relief of Aparicia Santiago; to the Committee on the Judiciary.

By Mr. MORSE:

H.R. 11676. A bill for the relief of Philip C. Riley and Donald F. Lane; to the Committee on the Judiciary.

By Mr. NIX:

H.R. 11677. A bill for the relief of Dr. Mohammad Zahir; to the Committee on the Judiciary.

By Mr. POWELL:

H.R. 11678. A bill for the relief of Oswaldo Oliveros Lagman; to the Committee on the Judiciary.

H.R. 11679. A bill for the relief of Oswaldo Seismondo Lagman; to the Committee on the Judiciary.

H.R. 11680. A bill for the relief of Rogelio Lagman; to the Committee on the Judiciary.

By Mr. WYATT:

H.R. 11681. A bill for the relief of Hossein Anoushirvani-Tafreshi; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

120. By the SPEAKER: Petition of the Village Assembly, Kamimotobu, Okinawa, relative to the return of Okinawa to Japan; to the Committee on Foreign Affairs.

121. Also, petition of Robert H. Roloff, Carson City, Nev., relative to the return of a portion of the lands to Nevada to the State of Arizona; to the Committee on the Judiciary.

122. Also, petition of Vincente Gatica Startti, Huntsville, Tex., relative to impeachment of a Federal district judge; to the Committee on the Judiciary.

123. Also, petition of Henry Stoner, Billings, Mont., relative to proposed amendment to the Constitution of the United States; to the Committee on the Judiciary.

124. Also, petition of the City Council, El Segundo, Calif., relative to the creation of a commission to control the flow of narcotics and dangerous drugs between the United States and Mexico; to the Committee on Ways and Means.

125. Also, petition of the City Council, City and County of Honolulu, Hawaii, relative to the tax exemption on municipal bonds; to the Committee on Ways and Means.

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EXTENSIONS OF REMARKS

SISTER SERAPHINE

HON. ALAN BIBLE

OF NEVADA

IN THE SENATE OF THE UNITED STATES

Monday, May 26, 1969

Mr. BIBLE. Mr. President, one of Nevada's most beloved citizens is Sister M. Seraphine, O.P., of Reno, who this year marks her 50th year in the congregation of the Dominican Sisters of San Rafael, Calif. Thirty-eight of those years have been devoted to service to the people of northern Nevada, who accord her the highest possible measure of respect and admiration.

More than any other person, Sister Seraphine is identified with the growth of St. Mary's Hospital in Reno from a small 52-bed facility to one of the great medical centers of the West. Since her arrival as hospital administrator in 1931—just a year after the facility was opened—St. Mary's has added two wings and grown fivefold. Plans for additional expansion are underway.

Over the years, Sister Seraphine has become something of a legend to the thousands who received treatment at St. Mary's. During her long and successful tenure as administrator, she never permitted the burden of official responsibility to diminish the direct personal contact that is the pulse of a great hospital. Indeed, she candidly admits her role as administrator "included such things as bookkeeper, relief telephone operator, personnel officer, purchasing agent, maid, and lending a hand wherever needed."

"Lending a hand," according to those who were there, meant ministering to the sick through many long and sleepless nights. It meant assisting in the joyful ritual of birth as well as the sorrowful rite of death. It meant calming the fearful, soothing the child, and performing countless other little acts of tenderness and compassion.

Today, Sister Seraphine continues in an active role at St. Mary's. The present administrator, Sister Dominga, depends upon her to supervise the St. Mary's Hospital cancer, heart, and charity fund, which has received and disbursed $57,000 since it was created in 1955. Moneys from the fund are used to assist long-term patients.

Equally important, Sister Seraphine maintains her visiting schedule with hospital patients, "trying to help them in little personal ways." It is a tradition that spans nearly four decades—a smiling lady in white, softly walking the corridors of a great hospital, bearing the gift of love. She has been a lifelong and dear friend of mine. I have often said that if there is an angel on earth she is that angel.

Recently, the women's editor of the Nevada State Journal, Mrs. Liz Wheeler, paid tribute to the many achievements of Sister Seraphine. I ask unanimous consent that Mrs. Wheeler's article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

SISTER SERAPHINE HONORED DURING GOLDEN JUBILEE YEAR

(By Liz Wheeler)

In observance of National Hospital Week, May 11–17, it is fitting that we pay tribute to a lovely lady who has worked very hard over the years for Reno and St. Mary's Hospital.

She is Sister M. Seraphine, O.P., who this year is celebrating her Golden Jubilee as a religious Sister in the congregation of the Dominican Sisters of San Rafael, Calif.

Thirty-eight of those 50 years have been spent serving the community of Reno.

As part of the many events planned in her honor, St. Mary's Hospital has issued a special edition of its house organ, the St. Mary's News Bulletin, which has combined observance of National Hospital Week with personal tributes to their beloved Sister Seraphine.

Born in Oakland, the third child in a family of nine girls and four boys, Sister Seraphine entered the Dominican Convent at San Rafael in 1917.

Sister Seraphine says that she succeeded Sister Xavier who built the first unit of the present St. Mary's Hospital building.

"Sister Xavier came here in 1925 as administrator," Sister Seraphine said, and "the hospital was across the street from the present one, in a red brick building, now St. Mary's Convent."

Construction of the main section of the present hospital was completed in 1930—having 52 beds. "I came to Reno as administrator in 1931," Sister Seraphine recalled, "and at that time, Sister Xavier became the director of nurses, and later surgical supervisor for approximately 25 years. Sister Gerard was here too," she said. Sister Gerard was supervisor of Maternity Department for many years.

"The three of us are often referred to now as 'the old guard' because we have followed along through 38 years."

In 1965, Sister Dominga was made administrator, after having been business office supervisor here for 10 years," she said. "We have seen many changes in hospital procedure during my years here," said Sister Seraphine as she reflected on her years in Reno.

"When I came here, some of the nurses boiled their hypodermic needles on a long spoon over an alcohol lamp; where today's procedure is to use only new, disposable hypodermic needles, used once and then destroyed."

One of the most interesting things to Sister Seraphine is the change in the mode of travel.

When she arrived here, she said, there was only a wooden building serving the Southern Pacific Railway Station—and today there is a modern railroad station as well as the huge Reno Municipal Airport.

"I arrived here in the summer of 1931," Sister Seraphine said, and "on Nov. 1, 1932, awoke to the fact that there was a bank moratorium declared on the banks in Nevada.

"Those were very trying days, when most of our Nevada people lost great sums in the bank that never opened," she said.

The depression years followed and Sister Seraphine recalled that "it was actually necessary to accept produce from many of our patients' ranches in lieu of cash."

"Somehow we survived, though, and our great Nevada people survived, too."

In 1936 it was necessary to add the East Wing of the main building, adding 25 more beds.

"In 1942 we were planning to add a few more rooms when World War II was declared, so it was 1949 before we were able to add more bed space in the East Wing and start planning for a new West Wing to the hospital," she related.

During the days of rationing, it was very difficult to obtain enough supplies, especially on goods that were needed for the Armed Services, she said.

"However, due to help from our faithful salesmen, they kept us safe on many items, such as linens, paper goods, etc."

"We always managed to pay our bills," Sister Seraphine remembered.

She said in 1950 they received help from the federal Hill-Burton funds and by 1951 they had completed the West Wing of the hospital—a basement and two stories with the third floor shelled in. By 1955, it was necessary to complete the third floor.

"This," Sister Seraphine said, "was made possible by an unexpected grant from the Ford and Fleischmann Foundations."

The St. Mary's Hospital Guild that was formed in 1951 furnished the third floor with 14 pediatric beds and 12 adult beds, she said.

Sister Seraphine reflected that, "the Guild has remained a great source of help since then, in supplying furnishings and equipment for the hospital as well as wonderful help through its Volunteer Services."

She recalled how the hospital's needs called for additional wings and growth and how the East, North and West wings were completed with the help of federal funds, Fleischmann Foundation, donations and gifts. They also found it necessary to increase the size of the service units of the hospital.

She said the hospital has grown from the 52 beds, when she came, to today's size of 265 beds, and "as of today, we are again facing a real shortage of space and should complete the 4th and 5th stories.

"However, this seems impossible until we reduce our present debt," she said.

"Maybe some kind friends will come to our assistance. Who knows?"

Sister Seraphine remembers the days when she was administrator, that her job "included such things as bookkeeper, relief telephone operator, personnel officer, purchasing agent, maid, and lending a hand wherever needed."

"Now that I am relieved as administrator, I still find plenty of work to do," she said, "visiting the patients daily and trying to help them in little personal ways.

"In 1955, a kind friend gave us a donation to be used to help a cancer patient," she said.

"Since then, we have started an account, calling it St. Mary's Hospital Cancer, Heart and Charity Fund," Sister Seraphine related.

"This is one responsibility which I have been allowed to carry through the years and it has been a source of comfort to me—as well as those who need it. We are very grateful to our generous friends for this," she said.

She keeps the books for this fund and said "over the years, we have received many, many donations; all of which have been used to help long-term patients. This direct aid has grown, and to date we have received and distributed approximately $57,000," she added.

Sister Seraphine wishes to pay tribute to the wonderful staff of physicians, nurses and employees for their loyal cooperation; and the St. Mary's Hospital Guild, Fleischmann Foundation, many friends and doctors who have contributed to help the hospital in furnishing of patients' rooms and other departments.

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"Alone, we never could have done it, but with the guidance and help from Almighty God and our good friends, St. Mary's has grown to its present stature.

"They were strenuous years—hours long and tiring—but looking back, I would not want to change any one of them for an easier life," Sister Seraphine concluded.

WELFARE REFORM, A BEGINNING

HON. SHIRLEY CHISHOLM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, May 26, 1969

Mrs. CHISHOLM. Mr. Speaker, time has long since passed for public assistance to become a national responsibility. Welfare is a national problem, having its origins in the continuing economic and technological transformation of this country and requiring effective national action.

Shortsighted and unjust public and private policies have drained the disadvantaged poor into cities, but the weight of social service costs is too great for our cities, or even our States, to carry. Their shrinking tax bases and obsolescent property taxes are inadequate to withstand the strain. As a consequence, the Nation's cities are staggering under the costs of responding to their citizens' needs.

Few persons would deny this, and fewer each day would avoid the conclusion that the remedy is a greater Federal role in public assistance. In many fields greater Federal participation is unwise, but the economics of the welfare problem make increased Federal contributions particularly appropriate.

Many proposals to radically alter the welfare system have been put forward. Many should be studied carefully, and some, after examination, should be tried. But pending adoption of major changes, we must urgently make critical improvements. What we propose today is the minimum that must be accomplished immediately. Drastic reforms are needed to begin to ease the despair of our disadvantaged, but we recommend intermediate steps to save our cities from bankruptcy and the citizens from hopelessness.

Our congressional districts include constituents of all levels of affluence. The obvious fact of recent years that public assistance has been of no help to the disadvantaged and a burden to those of middle incomes shows us that those with both low and middle incomes must work together to achieve a more equitable welfare system.

The bill that the gentleman from New York (Mr. Lowenstein) and I are introducing today would require the Federal Government to bear 90 percent of the costs of public assistance and 90 percent of the cost of medicaid. It would give the Secretary of Health, Education, and Welfare power to set minimum welfare standards and uniform criteria for all States.

The creation of a national standard is imperative in light of the recent Supreme Court decision on welfare and rapid mobility toward the North and the West. According to estimates of the Department of Health, Education, and Welfare, 100,000 to 200,000 additions will be on the welfare rolls as a result of the Court's striking down State residency requirements. The burden is compounded by the continuing influx of the poor into cities located in the traditionally richer and more industrial States, an influx helping to create the impression of a divergence between those of low and those of middle incomes.

The bill would also remove the limitations restricting the number of children who may be eligible for payments under the aid to dependent children program, the so-called AFDC "freeze."

In summary, the thrust of this bill is to begin the process of removing the worst injustices of the present law and establish a more equitable base of support for social service programs.

Cosponsors of the bill are Joseph P. Addabbo, Jonathan B. Bingham, Daniel E. Button, Hugh L. Carey, John Conyers, Charles C. Diggs, Leonard Farbstein, Samuel N. Friedel, Richard Fulton, Seymour Halpern, Augustus F. Hawkins, Edward Koch, Abner Mikva, Richard L. Ottinger, Bertram L. Podell, Benjamin S. Rosenthal, and William F. Ryan.

A summary of the bill's provisions follows:

Summary of Bill Amending the Public Assistance Titles Under the Social Security Act

TITLE I

Title I of the bill provides for an increase in Federal matching grants to the States for the Federally-aided cash public assistance programs, including Old-Age Assistance, Aid to the Blind, Aid to the Permanently and Totally Disabled, and Aid to Families with Dependent Children. Assistance to recipients under these programs will be matched by the Federal Government at 90 percent, up to a maximum payment level. The maximum established by the bill is $125 per month per recipient under the adult programs, and $70 for recipients under Aid to Families with Dependent Children. States could make payments above these levels, but they would not receive Federal matching funds for them.

Under present law, Federal matching is based upon complicated formulae which resulted in fiscal year 1968 in a Federal contribution varying from 82.4 percent in Mississippi to 42.4 percent in New York. Thus the Federal contribution for all States would be increased under the proposed bill.

The bill would also eliminate the present Federal payment limitations for Puerto Rico and the Virgin Islands. Instead of having specified dollar restrictions, Puerto Rico and the Virgin Islands would receive the same matching as the various states. The dollar limitations would be retained for Guam.

The Federal contribution to the States for Title XIX—Medicaid—programs would also be increased under the bill. The Federal matching would be made 90 percent for all States, instead of the variable formula based on per capita income, which is in present law. Federal matching currently ranges from 50 to 83 percent.

TITLE II

The bill would also provide for uniform minimum standards and eligibility requirements for all cash public assistance programs. Under Title II, the Secretary of the Department of Health, Education and Welfare is to establish the minimum amount of assistance which the States must pay to recipients under the cash assistance programs. The Secretary is also to determine eligibility requirements for the various programs, such as permissible amounts of income and resources.

The minimum standards and eligibility requirements are to apply uniformly to all States. They are to be based on full need of recipients. Provision is made for variation among the programs to take into consideration different requirements of individuals under the various programs. Provision is also made for taking into account differences in costs in different geographic areas. Standards and requirements are to be up-dated annually.

The Federal Government would pay the cost of expenditures made by the States which were made necessary in order to comply with these new standards and requirements.

The bill provides for the standards and requirements to be effective beginning January 11, 1970.

Under present law States are free to establish their own standards of payment and of eligibility. The States vary widely in the amount which they pay to public assistance recipients. For example, the average monthly payment for a recipient of AFDC in January 1969 was a low of $9.50 in the State of Mississippi, compared with a high of $65.45 in Massachusetts. The conditions which are now established for eligibility also have wide variation. Areas of differences among the States include amount of income allowable, the value of real property which may be held, or of other resources, such as insurance. Another difference is the liability of relatives, for support, as well as many others.

TITLE III

Title III of the bill provides for the repeal of the AFDC freeze, which is now scheduled to become effective July 1, 1969. Under the freeze provision, the Federal Government would limit matching to the proportion of all children under age 18 who were receiving AFDC payments on the basis of a parent's absence from the home in each State as of January 1, 1968.

SKEPTICAL VIEW OF MILITARY BUDGET

HON. HARRY F. BYRD, JR.

OF VIRGINIA

IN THE SENATE OF THE UNITED STATES

Monday, May 26, 1969

Mr. BYRD of Virginia. Mr. President, I ask unanimous consent to have printed in the Extensions of Remarks an editorial entitled "Viewing With Skepticism," published in the Philadelphia, Pa., Bulletin, of May 6, 1969.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Viewing With Skepticism

The Pentagon must feel, as the "most unkindest cut of all," criticism that has emanated from the usually friendly Senate Armed Services Committee about its handling of money.

There was Senator Harry F. Byrd, Jr., saying that the concern of the American people over the cost of government and the competence of those handling tax monies applied to the Department of Defense as well as to the Office of Economic Opportunity and other welfare programs. Imagine such a thing.

"I for one," he said, "expect to view with skepticism the entire military budget."

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That kind of skepticism is growing with every indication of ballooned expenses. It is something to which the military is going to have to adjust. Time was when it would have been viewed as odd to question—although a President Eisenhower could effectively do so—the claims of the military on national resources.

There were reasons for this beyond the postwar fright of the country over the Communist menace. The scientific revolution in military technology clearly demanded large outlays, clearly required the facilities of a huge defense industrial complex. It still does.

Leaders and citizens who remembered the unpreparedness of the pre-World War II era, when American soldiers trained with mock tanks because they lacked the real thing, did not forget that lesson. Young agitators against the military today are no more acquainted with those circumstances than they are with the depression days.

Nonetheless, the military outlays have become so vast, and other national needs so pressing, that there would have to be increased legislative questioning as to the scale of military spending even if there were not considerable public unease over the wisdom of military policies.

When even the Senate Armed Forces Committee becomes a forum for the expression of disquiet, it should be notice to army generals to pull up their socks, for admirals to batten down the hatches, and for aerial commanders to avoid stunting.

ABOVE THE SENATE BABEL

HON. DAVID E. SATTERFIELD III

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 26, 1969

Mr. SATTERFIELD. Mr. Speaker, the Richmond News-Leader recently carried an editorial which termed "incisive" and "inspiring" an address by the Honorable Harry F. Byrd, Jr., to the annual awards banquet of the Richmond-First Club. This editorial points out, quite graphically, some of the observations of the senior Senator from Virginia which are worthy of note. The editorial follows:

Above the Senate Babel

In an incisive and, at times, inspiring address before the Richmond-First Club's annual award banquet Tuesday evening, Senator Harry F. Byrd, Jr. cut through the confusing jungle of issues confronting the American people and discussed three specific crisis areas: crime, inflation and foreign affairs.

Senator Byrd brought out these facts, which seemed all the more startling when presented in his own low-key way:

Crime: 1. One in 50 Americans this year will be the victim of a serious crime.

2. Department of Justice statistics indicate that 97 out of every 100 retail businesses in the so-called ghetto areas of U.S. cities were robbed last year.

3. Not counting murders, assaults and rapes, there were 8,662 robberies in Washington, D.C. last year.

4. Crime is costing the American people $31 billion annually or more than 40 per cent of the total outlay for national defense.

5. The Supreme Court of the United States has contributed to the crime crisis in America by over-zealous protection of criminals at the expense of society.

Inflation: During eight years of the Kennedy-Johnson Administrations, Federal spending doubled.

Foreign affairs: 1. America's world-wide commitments include mutual defense treaties with 44 nations.

2. Not counting naval forces on the move in the Pacific, Atlantic and Mediterranean, the United States has 550,000 troops in Vietnam, 225,000 in Europe and 56,000 in South Korea.

3. Russian-made MIGs operated by North Koreans shot down the American reconnaissance plane in the Sea of Japan. Without Russian aid, which is responsible for so many American deaths, North Vietnam could not long continue the war in Southeast Asia.

4. The Russians are responsible for the crises in the Middle East, in Czechoslovakia and in Asia. The United States, therefore, runs great risk in putting faith in Russian promises about peace.

5. Since President Lyndon Johnson ordered a drastic limitation in the bombing of North Vietnam a year ago, 12,867 Americans have been killed in Southeast Asia and 83,012 have been wounded. There have been more battle deaths during the past year of peace talks in Paris than during the two years of peace talks preceding the Korean armistice. The Paris peace talks have lulled the American people into a false sense of security.

In approaching the nation's problems, Senator Byrd is not beguiled by the fear and wishful thinking which seem to paralyze so many Americans today. His clear-headed approach to a given situation, now all too rare in Washington, is needed as never before. Because he stands for something and because he has something significant to say, Senator Byrd's voice is increasingly heard and heeded above the Senate babel. Once more in a critical time in our nation's history, Virginia is making an unusual contribution to national affairs through its able representation in Washington.

STUDENT DISORDERS

HON. GORDON ALLOTT

OF COLORADO

IN THE SENATE OF THE UNITED STATES

Monday, May 26, 1969

Mr. ALLOTT. Mr. President, an article reprinted in the Washington Post of May 18, 1969, discusses some of the disturbing, long-range effects which may result from the contemporary disruptions of our college and university campuses. The author, Sociology Prof. Robert A. Nisbet, of the University of California, at Riverside, points out the historical affinity between boredom, nihilism, and brute violence, and the present inability of campus activists to distinguish between authority and power. Our failure to maintain the underlying authority of the basic values of our Western culture may indeed result in destruction of those fragile institutions so vital to our culture. Replacing the authority of the university's academic dean with the power of a police riot squad or the power of an undisciplined mob is abhorrent to that great tradition of liberal education and academic freedom nurtured in this country. We must not let the same forces which destroyed the intellectual freedom of the German and Austrian universities during the thirties succeed in the sixties and seventies in the United States of America.

Mr. President, I ask unanimous consent that Dr. Nisbet's article be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

When Authority Falters, Raw Power Moves In

(By Robert A. Nisbet)

(Note.—Nisbet is professor of sociology at the Univesrity of California, Riverside. His article is excerpted from the Montreal Star and the magazine Public Interest.)

The most striking fact in the present period of revolutionary change is the quickened erosion of the traditional institutional authorities that for nearly a millennium have been Western man's principal sources of order and liberty. I am referring to the manifest decline of influence of the legal system, the church, family, local community and, most recently and perhaps most ominously, of school and the university.

There are some who see in the accelerating erosion of these authorities the beginning of a new and higher freedom of the individual. The fetters of constraint, it is said, are being struck off, leaving creative imagination free to build a truly legitimate society. Far greater, however, is the number of those persons who see in this erosion the specters of social anarchy and moral chaos.

I would be happy if I could join either of these groups in their perceptions. But I cannot. Nothing in history suggests to me the likelihood of either creative liberty or destructive license for very long in a population witnessing the dissolution of the social and moral authorities it has been accustomed to.

I should say, rather, that what is inevitable in such circumstances is the rise of *power;* power that invades the vacuum left by receding social authority; power that tends to usurp even those areas of traditional authority that have been left inviolate; power that becomes indistinguishable in a short time from organized violent forces, whether of the police, the military or the paramilitary.

The human mind cannot support moral chaos for very long. As more and more of the traditional authorities seem to come crashing down, or to be sapped and subverted, it begins to seek the security of organized power. The ordinary dependence on order becomes transformed into a relentless demand for order. And it is power, however ugly its occasional manifestations, that then takes over.

To see the eruption of organized power as the consequence of a diminishing desire for liberty is easy. What requires more knowledge or wisdom is to see such power as the consequence of loss of *authority* in a social order. Authority and power: are these not the same, or but variations of the same thing?

They are not, and no greater mistake could be made than to suppose they are. Throughout human history, when the traditional authorities have been in dissolution, or have seemed to be, it is power—in the sense of naked coercion—that has sprung up.

A TISSUE OF AUTHORITIES

Authority, unlike power, is not rooted in force alone, whether latent or actual. It is built into the very fabric of human association. Civil society is a tissue of authorities. Authority has no reality save in the allegiances of the members of an organization, be this the family, a political association, the church or the university.

Authority, function, membership: these form a seamless web in traditional society. The authority of the family follows from its indispensable function. So does that of the church, the guild, the local community and the school. When the function has become displaced or weakened, when allegiances have been transferred to other entities, there

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can be no other consequence but a decline of authority.

Culture, too, as Matthew Arnold wrote memorably a century ago, is inseparable from authority. There is the authority of learning and taste; of syntax and grammar in language; of scholarship, of science and of the arts. In traditional culture, there is an authority attaching to the names of Shakespeare, Montaigne, Newton and Pasteur in just as sure a sense of the word as though we were speaking of the law. There is the authority of logic, reason and genius.

Above all, there is the residual authority of the core of values around which Western culture has been formed. This core of values—justice, reason, equity, liberty, charity—was brought into being through the union of the Greek and Judaic traditions 2000 years ago. Until the present age, it has managed to withstand all assaults upon it. In the 18th and 19th centuries, conservatives, liberals and radicals, however passionately they may have fought each other, nevertheless recognized the authority of such values.

The most dangerous intellectual aspect of the contemporary scene is the widespread refusal of thinking men to distinguish between authority and power. They see the one as being as much a threat to liberty as the other. But this way lies madness—and the ultimate sovereignty of power.

There can be no possible freedom in society apart from authority. "Men are qualified for civil liberty," wrote Burke, "in exact proportion to their disposition to put moral chains upon their own appetites." It is out of this disposition toward fruitful self-discipline that authority emerges and its legitimacy is recognized. Abolish the disposition and you equally abolish the capacity for liberty.

There are those, chiefly political romantics and sentimentalists, who think these "moral chains" are a part of man's own nature and that there is consequently no need to worry about their dissolution. But the horrors of our century should have taught us the precariousness of the virtue that romantics think to lie in man's germ plasm. In truth, man's virtue is inseparable from—is as precarious as—his culture.

THE DANGER IN BOREDOM

Boredom is one of the most dangerous accompaniments of the loss of authority in a social order. Between boredom and brute violence there is as close an affinity historically as there is between boredom and inanity, boredom and cruelty, boredom and nihilism. Yet boredom is one of the least understood, least appreciated forces in human history.

Nothing so engenders boredom as the sense of material fulfillment, of goals accomplished, of affluence possessed. It is such a boredom that goes furthest, I think, to explain the peculiar character of the New Left.

I do not deny that youth brings idealism in some degree to this movement; that disenchantment with the more corrupt manifestations of middle-class society plays its part. Youth is beyond question idealistic. But in our present society, youth is also bored. And it is from boredom that so much of the intellectual character of radical political action today is derived.

I should more accurately say nonintellectual character, for it is the consecration of the *act,* the cold contempt for philosophy and program and the increasingly ruthless behavior toward even the most intellectual parts of traditional culture that give to the New Left its most distinctive character.

It is boredom born of natural authority dissolved, of too long exposure to the void; boredom inherited from parents uneasy in their middle-class affluence and who mistake failure of parental nerve for liberality of rearing; boredom acquired from university teachers grown intellectually impotent and contemptuous of calling that explains the mindless, purposeless depredations today by the young on that most precious and distinctive of Western institutions: the university.

We do well to take seriously the university and what happens to its authority in our culture. For among its prime functions traditionally has been that of serving as arbiter to that age group that has, at least temporarily, outgrown the authorities of family, church and neighborhood. Potentially, this age group is the most revolutionary of all groups in society, far more revolutionary than, say, the workers, the unemployed, the impoverished.

High in intelligence, emotionally buoyant, at full physical tide, this is the age group that is channeled by the university into the several areas of the professions, that provides the intellectual leaders of society. In the university is acquired lasting motivations toward learning, toward profession, toward high culture, toward membership in the social order. But, by the same token, it is this age group in the university that has largely furnished the West with its steady supply of revolutionaries.

Who is to say that our society does not require its occasional infusion of revolutionaries? But in the present age, the revolutionaries have turned on the university itself, and, and this is not only destructive but totally self-destructive.

The university is the institution that is, by its delicate balance of function, authority and liberty and its normal absence of power, the least able of all institutions to withstand the fury of revolutionary violence. Through some kind of perverted historical wisdom, the nihilism of the New Left has correctly understood the strategic position of the university in modern culture and also its constitutional fragility.

Normally, there are no walls, no locked gates and doors, no guards to repulse attacks on classroom, office and academic study. Who, before the present age, would have thought it necessary to protect precious manuscripts from the hands of revolutionary marauders?

The New Left is free to say all that it wishes, but it has nothing to say. Its program is the act of destruction; its philosophy is the obscene word or gesture; its objective, the academic rubble.

FEAR OF THE VOID

It would all be a transitory charade, a tale told by an idiot, were it not for one thing: the fears aroused in a middle-class society that has lost its anchoring in natural authority. Fear of the void is for human beings a terrible fear, one that will not long be contained. And in this state of mind, it is only power that can seem redemptive, however stained with blood it may be.

The entire country watched last summer's confrontation between New Left and police in Chicago. It was violent, ugly, and could only have aroused the chill of fear in those who had chanced to see the rise of Nazism in Germany, the burning of the Reichstag and the beginnings of a police system that was in time to enclothe German society like a straitjacket.

But I know of no national poll or study that has shown other than approval of police actions by a large majority. The size of this majority will grow. Human beings, I repeat, will tolerate almost anything but the threatened loss of authority in the social order: the authority of law, of custom, of convention. The void does not have to be great, or seem great, for the fears it arouses to become sweeping, for sanity in politics to disintegrate.

We are told by the polls that a large number of people watching their television screens that night in Chicago found even the berserk actions of police and pseudo-police gratifying, reassuring, healing to the sense of security. Let us not forget that there is a strong upswell of boredom in affluent middle-class society, too. And power, as history tells us, is as often the antidote to boredom in society as to anxiety.

We need, as Max Lerner recently wrote in a thoughtful column, a new social contract in our society, one that will do for our violence-torn social order what the doctrine of the social contract in the 17th century sought to do in that age, fresh as it was from the horrors of the religious wars. But the task will be far more difficult.

The institutions of Western society are less solid and encompassing than they were then. Two centuries of convulsive social change and of remorseless increase in centralized political and economic power have seen to that. We are plagued even by our achievements, for material progress has inevitably taken toll of traditional culture.

Above all, at this moment, we need a liberalism that is able to distinguish between legitimate authority—the authority resident in university, church, local community, family, language and culture—and mere power. Failure to make this distinction between authority and power can only result in the ever-wider replacement of the former by the latter.

If our liberalism can see no profound difference between the authority of an academic dean, however fallible this may sometimes be, and the power of the police riot squad, we shall find ourselves getting ever greater dosages of the latter. The impulse to liberty can survive everything but the destruction of its contexts; and these are contexts of authority—a legitimate authority that is inseparable from institutions.

OUR INCREDIBLE SUPREME COURT

HON. W. E. (BILL) BROCK

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Monday, May 26, 1969

Mr. BROCK. Mr. Speaker, it never fails. Just when it seems that the Warren court has achieved the ultimate in imprudent jurisprudence, that august body tops itself again. Fortunately, change is well on the way, and we can soon hope for better performance.

However, the present tendency was highlighted again on April 1 when the Court ruled that it was right and proper for a union to fine any member who tries to work harder than the union says he should. Apparently such believers in free enterprise and personal endeavor are discriminating against their union bosses by trying to do a conscientious job.

I suppose the next logical step would be to set a speed limit on track meets so that slow participants will not feel slighted and no one will finish first or last. This seems to be the Court's idea of democracy in action—perhaps inaction would be a better word.

The April 2 issue of the Chattanooga Times included an article on this decision. In its latest effort to "color everyone gray," the Court has attacked the basic premise of American initiative. I can think of no more compelling argument for a change in this body whose senility seems to be compounded by a general lack of experience in and knowledge of the greatest economic and political system devised by man.

The article referred to follows:

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COURT HOLDS UNION RIGHT IN FINING RAPID WORKERS—IT RECOGNIZES "LEGITIMATE RIGHT" IN HOLDING PRODUCTION DOWN—TO CONSIDER NEGROES' RIGHT TO USE PRIVATE POOLS

WASHINGTON.—The Supreme Court Tuesday endorsed the power of labor unions to ease "competitive pressure" among pieceworkers by fining them for going over production quotas.

The 7-1 decision dismissed the argument that the discipline system in a Milwaukee motors plant is illegal coercion and recognized, instead, that unions have "legitimate interest" in trying to hold production down.

If they did not do so, Justice Byron R. White said for the court, the competitive pressure generated by an unlimited pay system could endanger workers' health, foment jealousies and reduce the work force.

However, the court cautioned, the fines must be reasonable and not the "mere fiat" of a union leader and membership in the union must be voluntary.

The decision, which provoked a dissent from Justice Hugo L. Black, shared attention with another case, the court's willingness to consider the claim that Negroes cannot be barred from private all-white community parks and swimming pools.

A Negro family in Fairfax County, Va., is suing to gain rights to recreational facilities available to white neighbors in the subdivision. The family rented its house from a white government worker.

Last spring the court gave Negroes protection against discrimination in the sale or rental of private houses. The new case, to be heard next fall, could make suburban living more appealing to Negroes by opening to them some of its side advantages.

The labor decision overrode complaints by four machine operators at the Wisconsin Motor Corp. in Milwaukee—which makes internal combustion engines—that they were being kept from working at the top of their capacity and ability.

The piecework rate, said White, is established in collective bargaining, is geared to the average competent worker and is designed to assure adequate rest periods. He suggested industrious workers who object are free to try to persuade the union—the United Auto Workers—to change the rate in future negotiations with the company.

"If the company wants to require more work of its employes, let it strike a better bargain," White said. "The labor laws as presently drawn will not do so for it."

The quota system allows pieceworkers to produce as much as they can each day but sets a ceiling on how much pay they may draw. Wages for over-production are "banked" by the company and paid to the worker for days when he doesn't reach the production ceiling.

If a worker insists, the company will pay him immediately for his over-production, but he may be fined up to $100 by the union and expelled for nonpayment.

In other actions the court:

Turned down an appeal by Louis E. Wolfson, a multimillionaire industrialist, sentenced to a year in prison for selling a large block of unregistered stock owned by Wolfson interests.

Rejected an attack by sanitation workers in New York City on a state law barring strikes by public employes.

Threw out, by 5-4 vote, the robbery conviction of a California man, Walter B. Foster, on grounds police arranged two lineups so that his identification was "virtually inevitable."

That last ruling appeared to point toward an eventual conflict with Congress. Last year's Crime Control Act, in reaction to court rulings, directed that testimony of an eyewitness shall be admissible in evidence in federal criminal trials.

CARDINAL WRIGHT OF PITTSBURGH, PA., A MAN OF HUMBLE SPIRIT

HON. JAMES G. FULTON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 26, 1969

Mr. FULTON of Pennsylvania. Mr. Speaker, it is a pleasure to insert in the CONGRESSIONAL RECORD the good article by Thomas O'Neil of the Pittsburgh Post Gazette, dated Saturday, March 29, 1969, regarding my very good friend, John Cardinal Wright of Pittsburgh, Pa.

CARDINAL WRIGHT OF PITTSBURGH, PA., A MAN OF HUMBLE SPIRIT

(By Thomas O'Neil)

Until yesterday, it was Bishop John J. Wright, prelate of the Roman Catholic Church, humanitarian, beloved leader of his flock, equally comfortable among the world's intellectuals as he is among the steelworkers to whom he ministers, and possessor of a finely honed Irish drollness delivered with an unmistakable Boston accent.

Yesterday Bishop Wright became John Cardinal Wright, a Prince of the Roman Catholic Church. And despite his elevation as one of the top men of Catholicism, the humble spirit of John Wright, pastor to his flock, will not change. This was evident as he received members of the secular press in his Victorian Morewood Heights mansion.

Intermixing humor and seriousness in a manner in which only he can do, the new cardinal told the assemblage that he had been informed of the honor in a telephone call about 6 a.m. from Apostolic Delegate Luigi Raimondi from Washington, D.C.

"I have nothing in writing, so this may well be just a rumor," he remarked. "If so, a lot of you have been terribly inconvenienced."

With his elevation, Cardinal Wright became the first American ever to be elevated directly from bishop to cardinal. All of the other newly-named cardinals were archbishops, and elevation from other than archbishop has happened only rarely in the centuries-old tradition of the Roman Catholic Church.

Asked his first reaction on hearing the news, Cardinal Wright said he was "amazed and astonished," and had no hint that the appointment was impending, even though he had been in Rome as recently as Ash Wednesday (Feb. 19).

As the interview began, the new cardinal was interrupted by a telephone call from John Cardinal Dearden, Bishop Wright's immediate predecessor in Pittsburgh and now Archbishop of Detroit who was named a cardinal at the same time by Pope Paul VI.

The cardinal shortly returned to his audience, and noted, again with his humor showing, that "Pittsburgh has given two cardinals in the past 15 years but the Pirates haven't done so well."

Becoming serious, he noted that his new position would enable him to carry on the duties closest to his heart—ecumenism, peace, and human rights.

His humor surfaced again as he noted with a chuckle that he now becomes "a source close to the Vatican," and he went into an aside telling how the American reporters in Rome would congregate at a certain tavern directly across from the Pope's residence.

"Every day at five o'clock," he said, "the bartender would translate the Roman newspapers, and every story the reporters wrote would quote the bartender as 'a source close to the Vatican.'"

Commenting on the Pope's selection of new cardinals, he noted that the list is in line with the tradition of the past 20 years of "internationalizing" the College of Cardinals. The list announced yesterday includes four Americans, eight Italians, three Frenchmen, two Brazilians, two Spaniards and one each from China, the Philippines, Scotland, New Zealand, Mexico, Korea, Germany, Holland, India, Madagascar, Canada, Guatemala, the Congo and Ecuador.

The college now includes ten American cardinals, the largest number in history.

Bishop Wright became a cardinal immediately upon notification, although he will not be formally invested until April 28 when a ceremony will be conducted in Rome by Pope Paul.

The cardinal was born in Boston July 18, 1909, the oldest of six children. His mother was of Irish descent, his father Scotch.

In his younger days, he worked as a copyboy and later as police reporter for the now-defunct Boston Post.

He was graduated from Boston Latin School and received a bachelor of arts degree from Boston College and studied for the priesthood at American College in Rome, where he was ordained in 1935. He earned a doctorate in theology three years later with highest honors from Gregorian University in Rome. It was there he continued his lifelong custom of seeking out unfortunate individuals to help. He was at the bedside of a notorious American hoodlum, who had been deported to Rome, when he died.

Cardinal Wright, who is 59 years old, returned to Boston where he taught philosophy at St. John's Seminary, then was named secretary to William Cardinal O'Connell and Archbishop (later Cardinal) Richard J. Cushing. He was appointed in 1947 auxiliary bishop of Boston and in 1950 was named the first bishop of Worcester, Mass., a position he held until being named head of the Pittsburgh Diocese in January, 1959.

Considered one of the church's leading intellectuals, Cardinal Wright is also one of its leading authorities on Joan of Arc. His private library is crammed with some 4,100 books and artifacts on the martyred French saint.

Press service reports from Rome indicate that Cardinal Wright is in line for a position on the Vatican Curia, central administrative agency of the Vatican. If appointed, he would be the only American on the Curia.

However, because of the absence of official word from Rome on such an appointment, Cardinal Wright declined comment. It appears likely, however, that the cardinal will be forced to leave the diocese he has served for the past ten years.

(The last American to hold a post on the Curia was Francis Cardinal Brennan of Shenandoah, Schuylkill County, who died July 2, 1957.)

The Cardinal emphasized that until such changes are forced upon him by reason of his new office, he will continue to function as shepherd of the diocese with as little interruption as possible in his daily routine.

Perhaps the unique personality of this newest of the church's princes is best summed up in the following anecdote spoken by the cardinal yesterday.

"Last weekend I spoke at an ecumenical service at Harvard University. Tonight I will speak to a group of women in McKeesport. To be sure, I am more at home in McKeesport than I am with them."

WRIGHT'S SERVICE PRAISED

Members of the district's Protestant and Jewish community were among the many who offered congratulations and good wishes to John Cardinal Wright on his elevation.

The Rev. W. Lee Hicks, executive director of the Council of Churches of the Pittsburgh Area telegraphed: "Your tireless efforts on behalf of all men towards peace, justice and love have been a constant source of encouragement to us . . . We your Christian brethren are greatly honored to share with

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you in the work of the kingdom in Pittsburgh. Our prayers go with you in your new office."

The Rev. Dr. William F. Ruschhaupt Jr., Pittsburgh Presbytery executive, said that the new status for the cardinal is "in keeping with the outstanding leadership he has demonstrated in Pittsburgh religious and secular affairs."

He added, "I am fearful that his elevation to the rank of cardinal presages his leaving the Pittsburgh Diocese. While this would open up avenues for greater service, it would be a severe loss to the Pittsburgh religious community."

"It is an honor richly deserved," commented Dr. Solomon B. Freehoff, retired spiritual leader of Rodef Shalom Temple. "From the moment he came among us, the general community knew it had a religious leader of friendliness and genuine humility."

Bishop Roy C. Nichols, resident head of the Western Pennsylvania Area of the United Methodist Church, praised Cardinal Wright as "a very good friend," adding that he was pleased with the new honor. "We shall be praying for God's blessing and guidance in his new work," Bishop Nichols said.

Mayor Joseph M. Barr remarked that "those of us in public life who have been privileged to be closely associated with this distinguished church leader are well aware of the exceptional qualities which obviously prompted this pronouncement from the Vatican . . . Bishop Wright shared with the people of Pittsburgh his rare combination of wisdom and wit. Above all, he demonstrated a sincere interest in the affairs and problems of this community and its people."

FAMILY PLANNING SERVICES

HON. AUGUSTUS F. HAWKINS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 26, 1969

Mr. HAWKINS. Mr. Speaker, I am pleased to join in the sponsorship of H.R. 11550. The relationship of poverty and family size is indisputable. One of every five American children lives in poverty. Forty-three percent of all families with six or more children live in poverty compared to only 21 percent of families with four children. The Social Security Administration determines poor and near-poor status according to the amount of money a family has to spend per person per day for food. This is a reasonable determination and points out vividly the ever worsening plight of a poor family that continues to increase in size each year while its income remains stable. It also demonstrates how a family living on the edge of poverty can be pushed over the brink by unwanted births.

I think we all realize that the choice of number and spacing of children must be one that is made by each family according to the dictates of conscience. When a middle-class family makes such a decision the way is easy. They go to private physicians. For the poor and the near poor there may be no real choice. Every study has shown that the poor express a desire for the same family as the middle class. In fact, though, the poor have more children than they want. The difference seems to be access to family planning services and if you cannot afford to see a private physician the chances are you will not receive family planning help. There are today an estimated 5 million American women who want but cannot afford family planning services.

In Los Angeles County there are approximately 159,000 low-income women who are in need of family planning help. Only 32,500—less than 26 percent—are receiving aid. According to one study over one-third of the women in California who are in need of family planning services live in Los Angeles County. In its report to the Governor, the State of California Population Study Commission stressed the critical need to gain and maintain a compatible balance between the population growth rate, and the development of economic and natural resources of the State of California. This report indicates that there is a fundamental need for a massive injection of additional funds for family planning services from both local and Federal Government if this balance is to be achieved. As a result of the investigation and recommendations of this commission, the California Interagency Council on Family Planning was formed and consists of members representative of all relevant disciplines from the various parts of the State. Among the council's activities have been the assessment of needs and interest by local agencies—private and public—in expanding local family planning programs. Of the metropolitan areas in the State of California, Los Angeles County was identified as the area requiring priority attention—State of California Population Study Commission: report to the Governor, August 11, 1966.

In order to make Federal aid more readily available, I joined in 1967 in sponsoring an amendment to the Economic Opportunity Act that provides for grants to establish family planning projects in poverty areas. One of these projects was recently initiated in Los Angeles County. It combines the efforts of the health department, two county hospitals, two planned parenthood affiliates, and five community action agencies to increase services and conduct an outreach program. The project is expected to reach an additional 15,000 women in its first year of operation. The need, however, is still not met. Over 100,000 women remain outside the scope of all programs.

Some of them, no doubt, could be reached through the special family planning project grants authorized by title V of the Social Security Amendments of 1967. This legislation set aside a minimum of 6 percent of all funds authorized under title V for family planning project grants. Congress in the Health, Education, and Welfare Appropriations Act stipulated that 9 percent of fiscal year 1969 funds go for this purpose. Title V was passed in 1967 and has been in effect for almost 1 year. No grants were made until March. Only a fraction of available funds have been obligated. Not one woman has received family planning services under the program. Los Angeles made application several months ago but it and many other cities are still waiting. The children's bureau has not been receptive to the program. It has no full-time staff either in Washington or in regional offices to process applications or to advise interested communities. Confused and conflicting policy statements regarding the program have been issued. Guidelines were not made public until January 1969 and were given only limited circulation. There are several other programs administered by HEW under which family planning services could be rendered. None of them function effectively, primarily because responsibility in this area is so diffused.

I believe the problem of providing family planning services to low-income women is far too important to be dropped between the bureaucratic cracks. The legislation we are introducing today will establish a Center for Population and Family Planning under the Assistant Secretary for Health and Scientific Affairs to administer all family planning project grants and all population research to coordinate and evaluate all other family planning programs within HEW, to support training of manpower for this field and to provide liaison with other Federal agencies that have programs relating to population and family planning.

I believe this is an important first step toward making family planning services available to all.

PROSPEROUS RIVERSIDE READY TO REAP EVEN MORE BENEFITS

HON. BILL NICHOLS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 26, 1969

Mr. NICHOLS. Mr. Speaker, here in Congress we hear so many requests for Federal aid that it is refreshing to a community doing something without help from the Government. Such a town is Riverside, Ala., which is located in my district. A recent article in the Birmingham News outlined the progress Riverside is making under the direction of Mayor W. A. Coleman.

Mr. Speaker, I include this article in the RECORD.

PROSPEROUS RIVERSIDE READY TO REAP EVEN MORE BENEFITS

(By Thomas F. Hill, News Staff Writer)

Mayor W. A. Coleman probably wears more hats than anyone else.

He wears one as a railroad engineer, one as mayor, one as a sportsman, one as a businessman and one as a farmer.

In addition to this, he probably could wear still another as being a person who does things differently.

For instance, Mayor Coleman is planning to build a new city hall without federal assistance!

And more important, he plans to pay for the new municipal building without negotiating a loan, floating bonds or seeking a grant.

Mayor Coleman plans to pay cash for the new city hall!

This is but another chapter in the political life of Coleman, who is serving his third term as mayor of Riverside—a political career that has seen him break rules, win poker games with large utility firms, and parley a $1,200 plot of land into a million-dollar complex.

When Coleman took term as mayor of Riverside which had been incorporated since

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1883, he found about $326 deposited in the bank to the municipal government account.

Today, the balance is over $20,000.

Once a big sawmill town with over 30 cars of lumber a day being loaded up for transportation to other areas, Riverside's economy had dwindled to almost nothing. The 1960 census showed about 126 persons living there.

The city limits of Riverside extended a radius of one mile from the mayor's home, which was built in 1946.

The city limits have now been extended six miles, taking in the tourist development of Logan Martin Lake, and stretching into the perimeter of the rich potential of the Talladega Speedway.

Through some rather heavy "eye-ball-to-eye-ball" negotiating, the mayor succeeded in swapping a plot of land he owned with a 10-acre tract owned by Alabama Power Co. on an even trade.

The Power Company had the tract for a possible steam plant construction site, but later decided to build at Wilsonville. The company needed the land the mayor owned for some gas valves.

The even exchange of land valued at less than $2,000 then has inflated tremendously in Mayor Coleman's favor. Today, his 10-acre tract contains the Riverside Marina, where hundreds of expensive boats tie up, a Holiday Inn, two filling stations and a candy specialty shop.

The mayor isn't selling, but his less-than $2,000 land now is worth more than $1 million!

When not acting as mayor, or running his milling or poultry industry, or overseeing the Marina, which he leases, Mayor Coleman dons a railroad cap.

As second oldest seniority employe of Southern Railroad, Mayor Coleman is engineer on the Southerner's run from Birmingham to Atlanta. He owns Riverside Milling Co., has over 200,000 laying hens, operates Riverside Milling Commissary, Riverside Investment Co., and is vice president of Anniston Production Credit Corp.

Although he leases Riverside Marina to someone else, he still maintains an active interest in it.

He feels when the speedway fans throng to the Talladega International Speedway, Riverside will reap the profits.

"We are operating in the black, too," said the mayor. "We have police protection, street lights, natural gas service, fire protection, and free garbage pick-up."

Drawings have been OK'd for the new city hall, which will have 3,200 square feet and house all the functions of municipal government.

The mayor is working to prepare Riverside for speedway and water recreation prosperity.

As a negotiator, financier, engineer, executive and fisherman, he is sure to land the catch he is seeking.

And he insists he is going to do it in his own way—no loans, no grants, only old-fashioned cash-on-the-barrelhead.

THE NEW DEAL AND THE STATES—FEDERALISM IN TRANSITION

HON. RICHARD BOLLING

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, May 26, 1969

Mr. BOLLING. Mr. Speaker, I have previously called to the attention of my colleagues in the Congress, the good work of Prof. James T. Patterson. His book, "Congressional Conservatism and the New Deal," published in 1967 is an excellent study of a tumultuous period which left such a large and lasting imprint on this Congress, particularly upon the House of Representatives. This year, Mr. Patterson, associate professor of history at the University of Indiana, has had published a book, "The New Deal and the States—Federalism in Transition." Once again, Professor Patterson has give us an informative and useful study. This book informs us about Federal-State relationships prior to the New Deal administrations of Franklin Roosevelt and how these were radically altered, particularly by social security and work relief programs. The account of varying reactions by the States during the first 100 days of the first Roosevelt administration is fascinating.

TRIBUTE TO THE LATE GOVERNOR OF TENNESSEE, PRENTICE COOPER—A GREAT AMERICAN

HON. JOE L. EVINS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Monday, May 26, 1969

Mr. EVINS of Tennessee. Mr. Speaker, I want to take this means of honoring the memory of the late Prentice Cooper, a distinguished Tennessean and a great American who served his beloved State and Nation with dedication and devotion.

Prentice Cooper, my friend and constituent, passed away recently following an outstanding career of public service that included three terms as Governor of Tennessee and service as Ambassador to Peru.

This distinguished public servant will be missed but his name will be recorded in the annals of Tennessee history among those who stood foursquare for high principle and sound government.

I want to extend to Mrs. Cooper, their three fine sons and other members of the family a further expression of my deepest and most heartfelt sympathy in their loss and bereavement. Mrs. Evins joins me in these sentiments.

In this connection, I place in the RECORD herewith an editorial from the Nashville Banner concerning the life and service of Prentice Cooper:

PRENTICE COOPER

Although nearly a quarter of a century has elapsed since Prentice Cooper's tenure as Chief Executive of Tennessee—and another generation has come of age—the memories of a beneficial service linger, along with policies of fiscal strength he helped instill. The constructive endeavors marking his three terms at that helm vastly outweigh the personal and political vendetta waged by his antagonists.

He is remembered with respect by the state he served; a man possessed of the courage of his convictions—and who never retreated from a principle espoused, or from a challenge. Times has vindicated many of the policies that were his, in controversy then. It has brought into clearer focus the value of objectives once subjected—out of spite work—to sharp dispute. In the total picture, the administration of Prentice Cooper is seen as one of able, progressive stewardship.

He did not believe in fiscal legerdemain—and sought, successfully, to establish the state's financial affairs on a sound base of balanced budgets, forgoing excessive public debt, and enforcing insofar as possible adherence of cost level to the taxpayers' ability to pay. That was not shortsightedness respecting necessities of progress, but a due concern for the state's welfare. And it occurred, notably, at a time when fiscal recklessness at the national level was in its early innings. Subsequent developments have justified Governor Cooper's judgment in that vital particular, and subsequent administrations have found in it a salutary, helpful standard.

He was a stickler for law and order as the premise of responsible government at any level. By instinct a conservative, he opposed excessive departures—step by step—from the constitutional pattern.

By those convictions his concept of duty was shaped, and no man of his time was subjected to wilder abuse by his critics—the target of lampooning, vicious political assault and innuendo.

The Banner did not always agree with Governor Cooper, but respected the sincerity of his position—and his profound regard for faithful discharge of the trust three times committed to him. Quite obviously, the constituency of Tennessee shared that faith.

He honored the assignment, proud of his state and of the national heritage of which it was—and is—to every Tennessee citizen, a proud component. Latterly by President Harry S. Truman's appointment, he served as U.S. Ambassador to Peru.

A patriot, he served his country in uniform—a soldier in World War I. Active in American Legion work, he was elected as state commander in 1931.

His passing shocks and saddens the state that knew him as distinguished son and public servant.

BOOBYTRAPPED HIGHWAYS

HON. JACK H. McDONALD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, May 26, 1969

Mr. McDONALD of Michigan. Mr. Speaker, 2 years ago I introduced legislation designed to eliminate fixed hazards along our Federal-aid highways. Such hazards as wall-like bridge abutments, spearlike guardrails, concrete footings, and rigid signposts kill and maim thousands of Americans each year.

As a result of hearings before the Public Works Committee, State highway officials and the Bureau of Public Roads have acted in such a forthright manner to correct this situation without the enactment of this legislation.

I would like to commend to the attention of other Members the following press release from the Insurance Institute for Highway Safety which announces the publication of "Booby Trapped Highways," a booklet released by the Federation of Insurance Counsel which accurately points out the seriousness of this problem:

BOOBYTRAPPED HIGHWAYS

"Booby Trapped Highways" owes its origins to Congressional investigations and hearings held in 1967. They disclosed the enormity of a public health problem that threatens the life of every highway traveller—the problem of the fixed hazards indiscriminately placed alongside our nation's roads.

These hazards—wall-like bridge abutments, rigid signposts, concrete footings, spearlike guardrails and many others—kill

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and maim thousands of Americans each year. In the currency of human and property waste their costs are astronomical and senseless—and avoidable.

"Booby Trapped Highways," a publication of the Federation of Insurance Counsel, explains this pressing public health problem and some ways in which the highway environment can be changed to correct it.

Your copy of "Booby Trapped Highways" has been made available by the Insurance Institute for Highway Safety. The Institute believes that roadside hazards which aggravate crashes, and the deaths, injuries and property losses resulting from crashes, can be:

Designed out of newly planned and built highways across the nation.

Removed from existing highways by intensive, systematic programs to correct spending, maintenance and replacement policies at the Federal, State and local levels that have contributed to the roadside hazard problem or that fail to guarantee its immediate correction.

Next time you drive on a familiar highway after reading this publication, look for the booby traps. When you see a thick steel I-beam signpost planted next to the road, ask yourself what would be the consequences of crashing into it. Then, ask why it hasn't yet been replaced by a breakaway signpost designed to yield safely in crashes instead of destroying a car and its occupants.

Or when you see a guardrail's sharp spearlike end pointed at your oncoming car, ask yourself whether the "guardrail" wasn't misnamed—and then ask why its threatening pointed tip hasn't been angled back from the roadway and safely buried underground.

Keep looking. Keep asking why you and your family must be threatened with the death penalty if, for any reason, your car should veer or be forced off the roadway for even a moment. Ask how *this* environmental problem was allowed to happen.

A motoring public aware of our highway system's booby traps will, we believe, be unwilling to tolerate the kind of highway spending, planning, construction and maintenance that produced these hazards and that fails to eliminate them throughout the country. We hope this publication will contribute to public awareness and demand for changes that will save many, many lives now being needlessly wasted along America's highway.

HOUSING NEEDS OF POOR PEOPLE

HON. WILLIAM (BILL) CLAY

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, May 26, 1969

Mr. CLAY. Mr. Speaker, on December 11, 1968, the President's Committee on Urban Housing transmitted its findings and recommendations to then President Lyndon Johnson. As directed in June 1967, the committee spent 16 months studying all aspects of this Nation's housing problem and then concluded:

> We believe that the primary purpose of housing programs should be to meet the housing needs of today's urban poor.

Mr. Speaker, I, too, am primarily concerned with that objective and I am seriously disturbed by the failure of past and present efforts to effect that purpose.

Major Federal housing efforts have taken place since World War II and they were stimulated by the postwar demand for housing—rather than by any other need. However, housing laws of all sorts and shapes and sizes have come forth from this legislative body since 1934—but still it is a battle to put the emphasis on the housing needs of poor people.

It was in 1937 that Congress set up its first long-range program of public housing for low-income families. Like today, it was based on Federal loans and annual subsidy payments assisting local housing authorities. But it was not until 1949 that Federal responsibility to the housing needs of poor people was firmly stated to be an objective or a responsibility of the Federal Government. The National Housing Act of 1949 called for "the realization as soon as feasible of the goal of a decent home and a suitable living environment for every American family."

After nearly 20 years, the statement had demonstrated only a rhetorical value and it was former President Johnson who took it upon himself to reaffirm that commitment so long overdue. Sufficient concern was stimulated within the 90th Congress to bring about a statement of Federal intent to make good the pledge of 1949.

Today, I look at those words and I am skeptical that the "decent home for every American family" carries any meaning for this Government. It is one more in a long list of commitments to poor people which, I fear, will go unhonored. As I survey past pledges and relate them to current housing conditions of the urban poor—it seems these verbal commitments are designed only to placate the press and to calm public concern from the affluent. These pledges have not formed the foundation for action. There is lots of "glorified intent" but there is no followthrough. There is lots of time spent bill writing and little time spent putting the law to work. And I am tired—like all the poor people who have been waiting—tired of having persons tell me there is a law which provides the assistance we seek.

I am no expert on housing matters but I can tell you from firsthand knowledge what the housing problem is for the urban poor. Because I can do that and because I am a Member of this Congress where the needs of people are supposed to be recognized—I must speak out against the further toleration of the present housing tragedy which exists in our cities. I can only conclude that my witness to the housing problems in St. Louis, Mo., must be fairly representative of all metropolitan problems. And I need no housing expertise to make the judgment that Federal efforts have failed miserably to meet the needs of poor people.

It is astonishing that so little has been done to make good past pledges for housing. If the Members of this body have not digested the report of the President's Committee on Urban Housing, let me call to your attention several of its noteworthy findings:

First. More than 12 percent of American families cannot afford decent housing.

Second. In numbers, that means 7.8 million American families or one in every eight, cannot now afford to pay market price for standard housing which would cost no more than 20 percent of their total incomes.

Third. At least 10 percent of the Nation's existing shelters are in substandard condition.

Fourth. The average ratio of housing costs to gross income total population is 15 percent.

Fifth. One half of the 7.8 million families in need of housing are surviving on less than $3,000 a year.

Is this body unaware or does it merely choose to ignore the following truth. In 1949, the men who occupied these seats in the Congress pledged to build 810,000 public housing units over the ensuing 6-year period. Twenty years have elapsed since then and still we have not met that goal. May I further note that until 1967—we had met only a few more than one-half the number of units pledged in 1949. It was not until the activity of the past 2 years that this Government brought the number of public housing units to 800,000—still 10,000 short of the 6-year goal set in 1949. The Committee report on urban housing summarizes it this way:

> In other words, after more than one-third of a century, Federal efforts have met only one-tenth of the Nation's subsidized housing need.

What meaning then, does the law have for poor people? This is the question being asked with increasing regularity whenever poor people start marching. "Work within the law, respect the law and obey the law," they are told, "for this is a nation of laws and not of men." But what of the law to implement the decent home pledged in 1949. Why was that law not respected and what men are they who have kept that law from honoring its commitment? The convenient cliche relied upon to taunt the poor people has no meaning when applied to laws for poor people. Men then assert themselves over law and no one seems to notice.

Last year, the legislative body of this Government took a firm stand in commiting itself to meet the Nation's most urgent housing needs. The Housing Act of 1968 helped to remind the forgetters that we are still determined to provide that "decent home." President Johnson called it the "Magna Carta to liberate our cities."

Indeed, the law gives this Government the authority to solve our problems, but the law cannot enforce itself. Let us not kid ourselves that the law of 1968 will carry us near the necessary objectives—for, at the rate we are going, it will have to be rewritten and reaffirmed in another 10 to 20 years, just like the law of 1949 was rewritten and reaffirmed last year.

The reason is simple. Men are taking precedence over law—a law which cannot be implemented without funds. Money, for the crucial programs made law by the act of 1968, simply is not there and, as such, the law is nullified and void. There are no funds to enforce the open-housing provisions of the law—and only token funds for the grandeur efforts planned through rent supplement, model cities, and urban renewal. The program cannot bring the change they

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were intended to bring—and when they fail to make good the promises publicized, the law becomes more and more meaningless for poor people.

Our priorities are sadly amiss. According to the committee report, the Federal Government spent $303.7 million in fiscal 1968 to subsidize the existing 800,000 housing units for low- to moderate-income families. A miscalculation in the Pentagon in the amount of a measly $300 million probably would not even be considered a serious mistake.

How can we overlook the meaning of our spending habits from fiscal 1962 through fiscal 1967?

In the period, the following amounts were spent: $356.3 billion for national defense, $33.2 billion for stabilizing farm prices and income, $24.2 billion for space exploration, $22.2 billion for Federal highway construction, $8.1 billion for all housing and urban renewal programs, and $1.25 billion for Federal housing subsidies.

Again we ask: "How long must the poor people wait for these programs endorsed by, but not supported by, this Government?" The newspaper byline reads "Congress Passes Landmark Housing Law"—the people read, the people wait, and nothing happens because funds were never budgeted nor sought.

I register my vigorous opposition to the forces—and they are human forces—who stand in the way of this law to provide decent housing.

Today, I come not only to protest those efforts which are made only in the books—but to protest one particular aspect of the feeble subsidy effort which is being made.

Let me cite the case in point which, I believe, is typical of cases existing in all metropolitan areas of the Nation. The city of St. Louis reaped the rewards of the brief spurt of public housing activity generated by the Federal Government in the 1950's. In other words, we have in St. Louis one of the high-density, minimum-comfort projects now cited as a landmark and tribute to the lack of foresight in public housing. It has been inspected by persons from all over the country who come to show others how public housing should not be built. Pruitt-Igoe was erected to replace a slum—but it is a monster which should have been torn down the day it was built.

The slum replaced by Pruitt-Igoe housed 5,000—whereas Pruitt-Igoe put 12,000 people in the same area—7,000 to 9,000 of whom were children—in 33 high-rise structures which now—14 years later—stand 30-percent vacant because of the combination of blunders which created it.

Pruitt-Igoe is the subject of a rent strike at this time which I support because rents in Pruitt-Igoe are not reasonable for the kind of structural deficiency and present rehabilitation and repair needs which plague the project. Tenants in Pruitt-Igoe are asked to pay a disproportionate share of their incomes for housing below reasonable standards.

Aside from the structural problems which cannot be altered but which might be dealt with, Pruitt-Igoe suffers from a serious lack of operating funds and the inability of tenants to finance with their rent the operation and maintenance of these buildings.

Under present law, Federal annual contributions are made to the local housing authority to cover the full costs of retiring the bonds. The Federal Government is now authorized to pay an additional $120 per year for first, elderly; second, persons displaced by urban renewal; third, the extremely poor; and, fourth, extremely large families. The cost of project development is financed by tax-exempt local bonds and payment in lieu of tax, not more than but usually at 10 percent of shelter rent—is financed by tenant rent.

Tenant rent is pegged to cover all operating, maintenance, and payment in lieu of tax costs. Tenants of projects like Pruitt-Igoe, built in 1954 and suffering from the structural as well as from inflationary problems, cannot afford that rent.

The obvious need is for a greater subsidy in order to lower the rents and to provide for the necessary maintenance and repair which will make these buildings as livable as possible. The obvious source for these funds is the Federal Government and based on the commitments written into law, the Federal responsibility for assistance is clear. Only four States have adopted State-aid programs of any size and the State of Missouri, while it is currently debating such a housing assistance program in its legislature, is not prepared to provide the funds needed by Pruitt-Igoe.

There must be an additional subsidy from the Federal Government. To date, the policy has been to categorize a target group in need of special assistance and allow them an additional payment of $120 per year to the local housing authority. Today, I present legislation calling for an additional subsidy in the amount necessary to hold rents in public housing projects at and preferably below an amount which is 25 percent of tenant income.

Additional Federal funds must be provided if projects like Pruitt-Igoe are to be used. Unless more realistic finances are provided many public housing projects will go vacant and provide other scars on the inner city. That is precisely what will happen if these projects are not given the benefit of the additional funds necessary to take the pressure off rents. Rents cannot now meet the skyrocketing maintenance and operating costs of these 1950 structures.

It is my understanding that only two or three men in the country have any working knowledge of the annual contributions formula as such—and I have been advised to seek additional funds through an amendment to that formula. My bill calls for a new subsidy based on an additional formula which will be applicable to those public housing projects starting to suffer from age in addition to their innate defects. A project would be required to hold rents at a level which would not exceed 25 percent of the average income of all persons eligible for residence in that particular project. Recently constructed projects would not be effected as their rent requirements would not be in excess of that 25 percent of income factor. If the average income for persons eligible for residence in a particular unit were $5,000, rents could not be pegged at levels which would exceed an average $1,250 per year rental. If, however, as in the case of Pruitt-Igoe, operating, maintenance, and payment in lieu of tax requirements exceed that average yearly rental, additional Federal contributions would be made to the local housing authority in an amount to cover that additional cost beyond the 25 percent of income average.

To restate my purpose, it is to keep the rents for these tenants down to a reasonable level. Twenty-five percent is the absolute limit of reasonableness, particularly when we consider that the national average of percent of income paid for housing is only 15 percent.

I do not hold my bill up as the perfect solution to the problem—but I will not yield on the necessity for providing some solution to this specific problem as soon as possible.

I submit this bill to my colleagues and to the Committee on Banking and Currency not as a prototype for action but as an urgent statement of the need for their expertise and experience to be directed to this specific problem area. It is clear to me that there must be an additional subsidy for those projects like the St. Louis Pruitt-Igoe. These tenants are entitled to the same rent and housing benefits as tenants occupying units through other kinds of housing and rental programs, financed with Federal funds. Whatever the best means, I hope we shall pursue it.

Most in need of amendment is the entire record of Federal efforts in behalf of the poor—whether it be housing or hunger or jobs. This legislation is an attempt to correct only one injustice in only one aspect of the housing needs and problems of this Nation.

The report of the President's Committee on Urban Housing must not go the way of the Kerner report. It is not enough to build new units for the poor—but to seek fair utilization of existing public housing units which is what I seek in the bill I present to this body.

GERMAN SOCIAL SECURITY HAILED

HON. JAMES A. BURKE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, May 26, 1969

Mr. BURKE of Massachusetts. Mr. Speaker, the statement by the Honorable WILBUR MILLS, chairman of the House Ways and Means Committee, made a few weeks ago, indicating there would be no increase in social security benefits this year, came as a distinct shock to many of us. The need for an increase this year is apparent to everyone. The meager checks many of our elderly are existing on today is a blot on our Nation's history. At the beginning of this year, I filed H.R. 55, a bill calling for

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a 50-percent increase to all social security recipients. This bill provides that the formula for the collection of social security taxes be changed from the present system which requires a 50-percent tax on the employer and 50 percent on the employee to a new formula providing that a third of the tax be paid by the employer, a third by the employee, and a third by the Federal Government. This would result in hundreds of thousands of the elderly who are now forced to apply for old-age assistance through their welfare departments back home to supplement their meager checks in order to survive, to receive their pension allotments in a dignified manner. The bill would also provide for realistic social security payments more in line with the needs of the elderly.

I take leave to include in the Record a news column that appeared in today's Boston Globe, written by Joseph B. Levin, entitled "German Social Security Hailed." The article points up why the social security payments in Germany are higher. I trust the Members of Congress will read this article and join with me in the passing of legislation that would go part of the way in bringing relief to an intolerable situation that exists today and with no outlook for the relief in the future.

The article follows:

German Social Security Hailed

(By Joseph B. Levin)

United States and West German Social Security systems are compared in the following extraordinary letter from a Massachusetts woman who receives old age pensions from both. She has asked that her name and address be withheld. She writes:

"This letter is a comment on your open letter to Mr. Nixon May 15. I am a widow of 72, somewhat better off than many of my age, but no thanks are due SS or the private pension system.

"My late husband died in 1958 and at the time had been for 10 years a full professor at Brandeis. From this $111 per month from Social Security and $20.45 per month from the Teachers Insurance.

"He was previously for seven years professor at the Berlin Music Academy. After his death, I received from the German government a monthly pension of $156; and in 1966, this was raised to $213; and in 1969, to $287 to compensate for the increased living costs. In addition, I received in 1967 a lump sum of $1700 to compensate for the rise during the years until 1966.

"During this period my SS income increased 10 percent and the Teachers Insurance pension went from $15.08 to $20.45. Certainly I could not live on my American income and I hope that these comparative figures may emphasize what can be done for the elderly by the governments and certainly could be done more easily in this rich country."

SENIOR SET

A: This writer is deeply indebted to this lady for passing along the information. The German pensions are higher because the German government makes a substantial contribution from its general revenues to Social Security whereas the U.S. government contributes nothing except for a pittance to certain special categories, like those who have become 72 but have no Social Security. Otherwise, SS is paid for entirely by the employer and employee, and the self-employed.

Social Security has worked out a system using electric data processing to speed action on initial and subsequent claims. According to John Rynne, district manager of the Boston office, the system can cut days off the processing time. For an initial claim to fall into the speed-up category, the applicant must present certain important documents, like his Federal W-2 form, SS tax data, wedding and/or death data. Consult your SS office.

ALBERT RAINS SPEECH CONTEST

HON. TOM BEVILL

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 26, 1969

Mr. BEVILL. Mr. Speaker, for the past 10 years, former Congressman Albert Rains has sponsored the Albert Rains Speech Contest at Snead State Junior College in Boaz, Ala. This event has been most beneficial to the young people of Alabama in the development of forensic talent. At a time in our history when so much depends on the sheer ability to communicate, giving young people the opportunity to translate their thoughts and feelings into a cohesive, easily understood discourse is an invaluable experience.

At this time, I place in the Record copies of the three winning speeches from this year's contest, and congratulate first place winner, Larry R. Buchanan, 1600 O'Brig Avenue, Guntersville, Ala.; second place winner, Maylon Andrew Blythe, Route 2, Springsville, Ala.; third place winner, William Henry Barnett, Route 3, box 137, Blountsville, for their outstanding efforts in this year's contest:

First Place: Campus Disorders

(By Larry Buchanon)

I have risen rung by rung on the ladder out of poverty. I have had a taste of freedom. I have seen visions of prosperity. Most of all, I see the goal for which I have striven so long and so hard now within the grasp of my hand.

When I was a child of about six years old, my father had an average income of about thirty five dollars a week. Despite the poverty of my family, I had the chance to set my goals. I, despite my poverty, had the chance to live in America and enjoy seeing myself progress toward my life's dream. That dream is now in sight.

Clouds of gloom are now rising around my dream. These clouds are those students who are seen locking college administrative boards in the administration building. These clouds are the students who have an all-night so-called sit-in in the gym on their campus. These clouds are the professors standing before their classes saying that he believes the United States deserves to be defeated in the Vietnamese conflict.

Clouds that are darker than these are those that are represented in the wail of the state trooper's siren and the sight of the convoy of our national guard rolling out as they are called to fight the "nutty" students who are challenging the very basis on which the United States is founded.

They are in truth waging an internal war on the United States. This is a war against me. It is a war against my dreams. It is war being waged against my heritage and my future. It is war being carried out in full scale against my life and the hard work through which I have had the chance to come to college and take my place in the world.

Yes, it's a war against me, but what do I do? Do I acquaint myself with the problem well enough to suggest some possible solution? No, I do just as most other Americans do. I say, "I am not a college official; therefore, it is not my job to try to think of a solution. So I am not going to." Since when have I written my congressman a letter about the situation? I have done just as most complacent Americans have done, I have not written him.

I do just as other Americans do. By my complacency, I am doing just as other complacent Americans are doing, I am inviting those "nuts" to come right in and ruin the country.

Just as other Americans, by my complacency, I invite those freaks who are rioting on our campuses to run off the best educators we have. And just as other Americans, I haven't walked up and socked one of those "nuts" just because he cheered Ho Chi Minh and his Viet Cong. And as most Americans I have become alarmed at the rampant rise of Communism on our campuses, but what I have done is simply to sit around and be complacent waiting for others to take the lead.

I, as other Americans, have hidden behind this excuse, "I just don't want to get involved." But I and other Americans are involved. Our future is at stake. Our present life is in question. Complacency is causing the defeat of our past because we are not even defending it.

If we would get involved could not we defeat those rioters on our campuses?

If we don't get involved, one of these days, it will be too late. These scatterbrain idiots who are burning our colleges will have completely burned our society, and then it will be too late to get off our course of complacency.

Second Place: Current Campus Agitation

(By Malan Andrew Blythe)

Instead of displaying a state of intellectuality and respect for the officials, students on many of the college campuses of today's America shed an air of unethical bitterness and physical brutality toward their superiors. The interpretation of the word "authority" has greatly contributed to riots and demonstrations in college campuses throughout the nation. Currently, the educational systems of America are in a state of turmoil, and the nation itself is in a state of instability.

If one has observed the steady progression of campus agitation in American colleges, he has undoubtedly found a group which calls itself "Students for a Democratic Society", commonly referred to as SDS. Michael Klonsky, national secretary of the SDS, openly stated that "our primary task is to build a Marxist-Leninist revolutionary movement." F.B.I. Director, J. Edgar Hoover, told a Congressional committee, "if anything definite can be said about the 'Students for a Democratic Society,' it is that it can be called anarchist." SDS has been involved in over two hundred campus disputes during the present school year.

The SDS is influential on the American college student in many ways.

The Society encourages the burning of draft cards; it encourages the protest against ROTC, and it is active in instigating the organization of demonstrations and sit-ins. In effect, this society works on the emotions of the student in order to obtain its selfish goals.

Psychologically defined, the student of American colleges is starving for a mental state of balance or homeostasis. These young people are increasingly upset; and, truthfully (although contrary to popular opinion), they have every right to be upset. For there is a great behind-the-scene reason for disturbances such as campus agitation in the

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fields of ROTC training, draft control, and school facilities. The cause of this agitation is none other than the forced stress—both physical and mental—brought on by the "Students for a Democratic Society." Zbigniew Brzezinski, professor of government at Columbia University stated, "no doubt what is involved here is not so much a crystallized political revolution as a psychological expression of frustration, alienation, an unwillingness to confront systematic tests."

The SDS has used strong psychological tactics in order to create aggressive behavior in the typical American college student. While racial disturbances existed in full force which were probably kicked off by its own agents, the "Students for a Democratic Society" used this trouble in order to gain its purpose—that of encouraging anarchy. The misuse of draft cards, and the complaints against ROTC programs were also started by the SDS in an attempt to build in America the needed contempt necessary for a Marxist-Leninist revolutionary revolt.

Most of the militants and student revolters are of high-class or high-middle-class social status. Why, then, do these students revolt? Why do they despise authority? Perhaps the answers to these questions date back to the childhood of many of the students' parents. The parents of these students grew up in a time when life itself was a struggle. The fathers of this present generation helped build up the society that is now being torn down. Why do these students yield to the forces of SDS? Not because this generation is a low-class, rebellious generation, but rather because this is a generation which is starving for responsibility. The fathers of these students had the responsibility of pulling this nation together and making it a highly educated, and highly cultured country. Until the present time, the teen-age society knows little of the meaning of real responsibility. Yet, they seek responsibility. Since SDS realizes this important fact, it will, as it has in the past, provide a pseudo-responsibility for these students who are having life easy because "daddy had to struggle to get by." This pseudo-responsibility in simple explanation is anarchy.

Who then is to blame for the unfavorable atmosphere of the college campuses of today? Just where should the blame be placed? There is no person, there is no organization, which we can totally blame for this unorthodox behavior. The blame falls upon an abstract concept in the minds of the people. The reformation of this inner feeling alone can save American college campuses from total destruction. The inner feeling most prevalent is that of emotional instability (because of lack of wholesome responsibility) which constantly haunts the minds of today's college students. The lack of sufficient student-teacher and parent-child communications has resulted in a mental war between the two generations. The facial problems offered the student a way to exercise responsibility—though false it was—and thus prove to his superiors that he could and would fight for position in society. Using the conflict of the generation gap, SDS has terrorized over two hundred colleges throughout the nation. The crises of the generation gap have offered fulfillment to Klonsky's hope of building a Marxist-Leninist revolutionary movement.

As a solution to instability in the student, mental homeostasis may be established as follows: (1) The general public must become aware of the sly tactics of the Students for a Democratic Society. (2) The parents and teachers must realize that today's college student is literally starving for responsibility. If parents and teachers do not provide this needed "wholesome" responsibility, the SDS will supply the student with pseudo-responsibility in abundance. (3) The general public must realize that the college student, like everyone else, is seeking a place in society, and if the students are not accepted in this society, they can find acceptance in the SDS Communistic society.

THIRD PLACE: STUDENT RIOTING AND DISTURBANCES ON THE CAMPUS

(By William Barnett)

President McCain, members of the faculty, my fellow students, and guests:

What has happened when many centers of learning have become the welcome gathering place for revolutionaries, that the campus has become a perpetual battleground? How did we get it so confused?

President Nixon recently stated that college administrations must "have the backbone to stand up" against student violence "if free education is to survive in the United States. College officials must recognize that there can be no compromise with lawlessness and no surrender to force." But our leadership seems to have contradicted itself, for the president of the Association of High Education declared that, "Colleges are not churches, clinics, or even parents. Whether or not a student burns a draft card, participates in a civil rights march, engages in sexual activities, becomes pregnant, attends church, sleeps all day or drinks all night, is not really the concern of an educational institution."

The trend toward disorder and lawlessness on American college campuses has aroused great controversy and confusion. The problem exists almost everywhere in the university world today. The central problem seems to be concerned with what we can do about this world's wrongs, and in what manner we can heal rather than destroy. Youth has much to offer in this respect—idealism, generosity, dedication, service. But the last thing a shaken society needs is more shaking. The last thing a noisy, turbulent, disintegrating community needs is more noise, turbulence, and disintegration.

Five years ago, at Berkeley, student activists resorted to the well-tried method of sitting-in to win from the administration the absolute right to speak. Exactly one year ago at Columbia University, student aggressors turned sit-ins into forcible seizure and "liberated" buildings in order to force a redistribution of university power. Several weeks ago at Cornell, the seized building became an armed camp where students claimed they were willing to die and take others with them. Faced with this situation Cornell officials signed an amnesty agreement "to prevent a growing and imminent threat to life."

The majority opinion on large campuses admits that the community recognizes the validity of protest regarding the current burning issues of our society: such as war and peace, especially Vietnam; and civil rights, especially of minority groups. There is also virtual agreement that the university cannot continue to exist as an open society, which is dedicated to the discussion of all issues of importance, if protests are of such a nature that the normal operations of the university are in any way impeded, or if the rights of any member of this community are infringed upon, peacefully or violently. Violence is especially deplored as a violation of everything that the university community stands for.

The days when college presidents reigned as scholars and patriarchs over an intellectual community are long gone, destroyed in part by the exploding number of megaversity, and in part by the accelerating social demands of the young. Now many college presidents have bodyguards, and are just as likely to be judged for their behavior at sit-ins as they are to be judged by their knowledge in riot control. The nightly TV and newspaper battle reports show students and police engaged in pitched street battles, or young rebels sitting in a university president's office or standing on the balcony of a "liberated" administration building under a picture of Malcolm X. All these upheavals have increased the demands by parents, politicians, and taxpayers that somehow law and order must be restored on the campus. The university presidents are thus caught in the cross fire between radical demonstrators demanding changes which the schools often cannot give and angry trustees and taxpayers fighting movements which the schools frequently cannot control. And administrators now realize that if they do not try to control radical protests themselves, they will lose much of their authority to law forces outside the campus, which will further excite students, and thus continue the vicious circle.

It was the insight of President Kennedy which caused him to say, "These are extraordinary times. We face an extraordinary challenge. But our strength as well as our convictions have imposed" upon us "the long and exacting test of the future of freedom—a test which may well continue for decades to come." Therefore, one may define a student movement as an emancipated mass of students deeply inspired by aims which they try to develop in a free political assertion, and moved by an emotional rebellion in which there is always present a disillusionment with and rejection of the values of the older generation. Moreover, the members of a student movement have the conviction, openly and freely, that their generation has a special mission to fulfill whereas others have failed. But this necessary freedom of ideas gives the students no authority to threaten the liberty of others.

From New England to the West Coast, radical students stepped up their spring offensive against U.S. universities last month, seizing buildings, shutting down schools, often provoking violence—and nowhere were the strife's complexities in clearer focus than at three of the nation's most influential and liberal schools: Harvard, Columbia, and Chicago.

Strongly against these radical activities, the Attorney General of the United States declared that the Nixon Administration's patience was at an end and that "violence-prone aggressors will be prosecuted to the fullest extent." He called "for an end to minority tyranny on the nation's campuses and for the immediate re-establishment of civil peace and protection of individual rights. If arrests must be made, then arrests there should be; if violators must be prosecuted, then prosecution there must be." Therefore, "It is no admission of defeat, as some may claim, to use reasonable physical force to eliminate physical force."

We may sum up the situation in the words of Senator Everett Dirksen, "We are the legatees of a great, strong land. We received it from those who were here before us. The state of our land includes our leadership of the free world, our relations and our respects for law, our devotion to peace, and our willingness to sacrifice even as others have done before us. It includes reason and realism in a world of tumult and confusion."

MR. PUCINSKI ANNOUNCES THE AMOUNT OF IMPACTED AID MONEY IN EACH CONGRESSIONAL DISTRICT

HON. ROMAN C. PUCINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, May 26, 1969

Mr. PUCINSKI. Mr. Speaker, the Appropriations Committee is presently con-

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sidering the fiscal year 1970 budget for all federally supported education programs.

Since the General Subcommittee on Education, which I serve as chairman, has legislative jurisdiction over the impacted aid program, I requested the Office of Education to prepare a listing of the fiscal year 1969 appropriations for each congressional district under Public Law 81-874.

I am inserting this listing in the RECORD in order to define more clearly the effects of this program throughout the country. Let me emphasize that this is a listing of the fiscal year 1969 appropriations of $400 million, when the entitlement was approximately $650 million.

Mr. Speaker, the chart follows:

CHILDREN AND PAYMENTS UNDER PUBLIC LAW 874

State	District	A children	B children	A amount	B amount	A plus B amount	District school
Alabama	01	234	5,179	$59,853	$662,342	$722,195	4
Do.	02	516	7,543	131,982	964,674	1,096,657	6
Do.	03	730	10,468	186,719	1,338,753	1,525,472	12
Do.	04	329	7,634	84,152	976,312	1,060,464	12
Do.	05	25	1,035	6,395	132,366	138,761	3
Do.	07	----------------	2,126	----------------	271,894	271,894	3
Do.	08	802	23,784	205,136	3,041,736	3,246,871	15
Do.	97	----------------	1,236	----------------	158,072	158,072	2
Do.	All	2,636	59,005	674,236	7,546,149	8,220,386	57
Alaska	99	15,240	14,304	10,386,230	2,805,128	13,191,358	23
Do.	All	15,240	14,304	10,386,230	2,804,128	13,191,358	23
Arizona	01	808	4,463	253,217	644,748	897,965	12
Do.	02	5,144	15,968	1,465,351	2,563,003	4,028,355	47
Do.	03	10,354	3,566	2,769,995	510,154	3,280,149	52
Do.	78	1,495	3,280	386,443	497,190	883,632	18
Do.	All	17,801	27,277	4,875,006	4,215,095	9,090,102	129
Arkansas	01	1,029	689	263,198	88,116	351,314	2
Do.	02	1,804	7,579	461,427	969,278	1,430,705	13
Do.	03	20	2,439	5,116	311,924	317,039	28
Do.	04	45	4,049	11,510	517,827	529,337	14
Do.	All	2,898	14,756	741,250	1,887,145	2,628,395	57
California	01	2,644	10,385	832,685	1,701,343	2,534,028	31
Do.	02	1,145	5,538	398,880	943,519	1,342,399	63
Do.	03	2,716	31,471	824,451	5,138,340	5,962,790	15
Do.	04	7,735	18,794	2,449,964	3,007,474	5,457,438	21
Do.	07	----------------	1,857	----------------	292,505	292,505	3
Do.	08	1,494	4,058	471,242	578,963	1,150,205	4
Do.	09	32	7,090	10,112	1,164,858	1,174,970	12
Do.	10	152	8,759	45,115	1,430,040	1,475,155	16
Do.	11	4	4,437	1,470	698,488	699,957	12
Do.	12	5,454	9,406	1,723,471	1,513,311	3,236,782	18
Do.	13	6,528	24,311	2,045,580	3,955,919	6,001,499	34
Do.	14	229	10,885	72,142	1,749,706	1,821,848	14
Do.	15	87	7,988	27,408	1,300,464	1,327,871	18
Do.	16	1,144	4,707	350,812	757,200	1,108,012	16
Do.	17	----------------	370	----------------	51,393	51,393	1
Do.	18	8,516	3,767	2,721,284	605,988	3,327,271	20
Do.	19	----------------	1,773	----------------	279,274	279,274	2
Do.	20	----------------	467	----------------	73,560	73,560	1
Do.	23	----------------	3,836	----------------	611,941	611,941	5
Do.	24	----------------	2,653	----------------	417,887	417,887	3
Do.	25	6	1,613	2,595	289,685	292,280	5
Do.	27	66	8,025	22,002	1,359,061	1,381,063	11
Do.	28	8	2,238	2,520	361,100	363,621	6
Do.	31	2	396	556	80,573	81,128	2
Do.	32	1,616	7,342	509,088	1,156,475	1,665,564	1
Do.	33	3,976	21,007	1,236,558	3,363,425	4,599,982	28
Do.	34	----------------	9,559	----------------	1,482,427	1,482,427	13
Do.	35	4,706	20,846	1,425,672	3,621,179	5,046,852	40
Do.	36	686	4,778	215,813	718,868	934,681	5
Do.	37	41	18,898	13,069	2,971,763	2,985,832	7
Do.	38	1,829	8,862	574,111	1,412,858	1,986,969	19
Do.	60	7	48	3,142	10,773	13,915	1
Do.	62	1,175	22,598	37,060	3,559,524	3,929,684	1
Do.	64	----------------	2,466	----------------	388,432	388,432	2
Do.	81	2,034	6,950	640,771	1,094,729	1,735,500	1
Do.	83	----------------	94	----------------	13,057	13,057	1
Do.	84	5,578	26,430	1,760,073	4,163,121	5,923,194	1
Do.	85	----------------	2,354	----------------	370,790	370,790	1
Do.	87	19	601	5,986	94,667	100,652	1
Do.	90	----------------	301	----------------	41,809	41,809	1
Do.	92	----------------	314	----------------	43,615	43,615	1
Do.	94	----------------	2,000	----------------	315,030	315,030	1
Do.	95	3	7,975	945	1,256,182	1,257,127	2
Do.	96	162	7,999	51,035	1,259,962	1,310,997	1
Do.	All	59,803	346,246	18,809,711	55,801,277	74,610,988	461
Colorado	02	317	19,326	116,287	3,847,371	3,963,658	14
Do.	03	4,669	29,308	1,902,913	5,662,301	6,565,214	28
Do.	04	931	5,854	366,115	1,070,934	1,437,049	31
Do.	All	5,917	54,488	2,385,314	10,580,607	12,965,921	73
Connecticut	01	----------------	368	----------------	78,890	78,890	2
Do.	02	2,515	5,354	1,116,319	1,007,239	2,123,558	23
Do.	03	41	2,444	14,476	482,188	496,663	4
Do.	04	----------------	989	----------------	169,361	169,361	1
Do.	05	----------------	1,078	----------------	199,967	199,967	4
Do.	06	----------------	1,348	----------------	284,998	284,998	6
Do.	All	2,556	11,581	1,130,794	2,222,643	3,353,437	40
Delaware	99	25	4,406	7,874	693,857	701,731	11
Do.	All	25	4,406	7,374	693,857	701,731	11
District of Columbia	99	973	37,321	299,217	5,738,477	6,037,694	1
Do.	All	973	37,321	299,217	5,738,477	6,037,694	1
Florida	01	3,764	25,797	962,856	3,299,178	4,261,934	6
Do.	02	256	4,054	65,480	518,466	583,946	5
Do.	02	1,227	12,471	313,842	1,594,916	1,908,758	1
Do.	04	10	4,618	2,558	598,653	601,211	3
Do.	05	3,055	32,912	781,408	4,209,116	4,990,524	2
Do.	06	982	5,084	251,176	650,193	901,369	1
Do.	08	5	3,876	1,279	495,702	496,981	1
Do.	09	96	81	24,555	10,359	34,914	2
Do.	10	----------------	501	----------------	64,073	64,073	1
Do.	12	1,944	1,939	497,236	247,979	745,215	1
Do.	82	1,664	6,521	425,618	833,971	1,259,589	1
Do.	All	13,003	97,917	3,325,907	12,522,605	15,848,512	24

CHILDREN AND PAYMENTS UNDER PUBLIC LAW 874—Continued

State	District	A children	B children	A amount	B amount	A plus B amount	District schools
Georgia	01	659	5,140	$168,559	$657,355	$825,914	8
Do	02	1,000	3,773	255,780	482,529	738,309	6
Do	03	622	24,521	159,095	3,135,991	3,295,086	13
Do	04		3,995		510,921	510,921	2
Do	06	178	9,190	45,529	1,175,309	1,220,838	6
Do	07	33	15,778	8,441	2,017,848	2,026,289	11
Do	08	575	4,257	147,074	544,428	691,501	10
Do	09		1,211		154,875	154,875	4
Do	10	468	12,068	119,705	1,543,377	1,663,082	6
Do	75	117	9,057	29,926	1,158,300	1,188,226	2
Do	All	3,652	88,990	934,109	11,380,931	12,315,040	68
Hawaii	99	15,964	34,788	4,296,232	4,681,073	8,977,305	1
Do	All	15,964	34,788	4,296,232	4,681,073	8,977,305	1
Idaho	01	384	5,272	149,342	808,391	957,733	35
Do	02	2,026	8,335	640,857	1,119,846	1,760,703	23
Do	All	2,410	13,607	790,199	1,928,237	2,718,436	58
Illinois	04		448		95,627	95,627	4
Do	06	5	258	2,038	52,589	54,628	1
Do	10	4	280	3,017	105,591	108,608	1
Do	12	2,931	5,200	1,424,337	1,217,513	2,641,850	30
Do	13	339	13,904	171,280	2,925,714	3,096,993	3
Do	14	73	5,590	27,503	1,207,643	1,235,146	31
Do	15		568		89,183	89,183	8
Do	16	34	683	11,894	107,826	119,721	5
Do	17	9	2,401	2,546	445,073	447,620	19
Do	18	20	3	5,659	424	6,083	1
Do	19	11	2,968	3,779	527,299	531,078	13
Do	20		158		33,783	33,783	3
Do	21	50	1,293	14,147	184,188	198,334	11
Do	22	2,418	3,329	1,002,278	706,337	1,708,616	9
Do	23		823		133,700	133,700	9
Do	24	1,837	7,481	632,036	1,251,141	1,883,176	31
Do	58		206		29,142	29,142	3
Do	All	7,731	45,593	3,300,514	9,112,774	12,413,288	182
Indiana	2		162		24,439	24,439	1
Do	5	1,494	1,953	563,626	309,658	873,283	6
Do	06	9	1,700	2,309	218,042	220,351	16
Do	07	5	2,202	1,283	291,704	292,987	18
Do	08	157	2,754	40,274	353,228	393,502	13
Do	09	87	7,741	24,339	1,029,123	1,053,463	44
Do	10		301		39,631	39,631	3
Do	11	342	6,531	105,525	1,252,243	1,357,768	5
Do	All	2,094	23,344	737,355	3,518,067	4,255,422	106
Iowa	01	80	4,637	32,682	947,177	979,859	16
Do	02	4	97	1,634	19,814	21,448	2
Do	03	36	54	14,707	11,030	25,737	1
Do	04	62	3,058	25,329	624,642	649,971	9
Do	05		1,612		315,680	315,680	10
Do	06	396	938	161,778	191,601	353,378	3
Do	07		909		185,677	185,677	2
Do	All	578	11,305	236,130	2,295,621	2,531,752	43
Kansas	01	24	272	7,208	40,845	48,053	7
Do	02	5,705	8,774	1,732,354	1,326,576	3,058,930	29
Do	03	140	6,814	42,046	1,023,224	1,065,271	23
Do	04	800	14,575	240,264	2,188,655	2,428,919	14
Do	05	1,483	4,930	445,389	140,314	1,185,103	41
Do	All	8,152	35,365	2,467,261	5,319,614	7,786,875	114
Kentucky	01	126	4,855	32,228	820,906	653,134	17
Do	02	24	5,876	6,139	751,482	757,620	12
Do	03	13	11,516	3,325	1,472,781	1,476,106	3
Do	04		87		11,126	11,126	2
Do	05	1	826	256	105,637	105,893	6
Do	06	42	4,562	10,743	583,434	594,177	12
Do	07	7	31	1,790	3,965	5,755	1
Do	12		256		32,740	32,740	1
Do	All	213	28,009	54,481	3,582,071	3,636,552	54
Louisiana	01		520		66,503	66,503	1
Do	02		1,765		225,726	225,726	1
Do	04	1,329	6,433	339,932	822,716	1,162,648	2
Do	06	17	2,446	4,348	32,819	317,167	2
Do	08	246	7,156	62,922	915,181	978,103	4
Do	791	123	3,718	31,461	475,495	506,956	1
Do	Al	1,715	22,013	438,663	2,818,440	3,257,103	11
Maine	01	1,061	5,468	367,113	885,183	1,252,296	36
Do	02	3,537	2,927	1,295,046	440,073	1,735,119	38
Do	All	4,598	8,395	1,662,159	1,325,256	2,987,415	74
Maryland	01	1,334	5,994	450,895	1,010,938	1,461,833	4
Do	02	1,531	7,269	539,586	1,280,943	1,820,529	1
Do	05	1,418	49,850	499,760	8,784,567	9,284,327	2
Do	06	619	6,152	202,213	998,669	1,200,882	4
Do	08	169	32,368	59,562	5,703,889	5,763,451	1
Do	76		1,905		335,699	335,699	1
Do	77	111	12,814	38,851	2,119,604	2,158,455	2
Do	78	2,769	11,223	753,279	1,526,552	2,279,831	1
Do	All	7,951	127,575	2,544,146	21,760,861	24,305,007	16
Massachusetts	01	15	3,916	6,914	943,733	950,647	24
Do	02	2,239	4,139	1,056,379	993,977	2,050,356	9
Do	03	2,007	3,456	1,137,180	850,427	1,987,607	33
Do	04	15	2,992	9,888	780,145	790,033	14
Do	05	216	6,894	149,496	1,778,118	1,927,614	21
Do	06	36	2,989	18,355	711,927	730,282	22
Do	07	17	3,793	8,219	994,250	1,002,469	11
Do	08	58	942	38,741	254,025	292,765	3
Do	10	63	1,828	26,479	473,661	505,140	10
Do	11	227	3,645	114,821	815,910	930,731	11
Do	12	2,121	5,687	1,209,820	1,428,076	2,637,895	40
Do	61	13	3,069	6,778	800,012	806,789	1
Do	74		16		6,400	6,400	1
Do	75	2	80	1,598	31,970	33,568	1
Do	All	7,029	43,446	3,784,668	10,867,629	14,652,297	201

CHILDREN AND PAYMENTS UNDER PUBLIC LAW 874—Continued

State	District	A children	B children	A amount	B amount	A plus B amount	District schools
Michigan	02	27	488	$7,249	$65,512	$72,761	2
Do	03	382	3,090	102,563	414,817	517,380	7
Do	08	12	251	3,222	33,696	36,917	4
Do	09	17	345	4,564	46,315	50,879	3
Do	10	1,794	1,019	481,671	136,796	618,467	3
Do	11	4,037	2,905	1,083,894	389,982	1,473,876	24
Do	12	1,475	3,340	396,023	448,378	844,401	11
Do	15		380		51,013	51,013	2
Do	16	33	44	8,860	5,907	14,767	1
Do	52		4,832		648,672	648,672	1
Do	All	7,777	16,694	2,088,047	2,241,086	4,329,133	58
Minnesota	01		616		87,835	87,835	4
Do	02	24	15	6,844	2,139	8,983	1
Do	03	121	4,073	34,507	580,769	615,276	9
Do	04		4,460		635,951	635,951	5
Do	05		2,520		359,327	359,327	1
Do	06	98	30	27,948	4,278	32,225	2
Do	07	1,072	963	305,713	137,314	443,027	18
Do	08	950	2,391	270,921	340,933	611,854	15
Do	All	2,265	15,068	645,933	2,148,546	2,794,479	55
Mississippi	01	910	976	232,760	124,821	357,580	2
Do	03	8	757	2,046	96,813	98,859	1
Do	04	269	623	68,805	79,675	148,480	2
Do	05	1,993	11,282	509,770	1,442,855	1,952,625	13
Do	All	3,180	13,638	813,380	1,744,164	2,557,544	18
Missouri	01		937		140,414	140,414	3
Do	02	30	5,314	8,659	797,293	805,952	10
Do	03	89	418	26,751	62,819	89,570	1
Do	04	2,440	17,917	733,391	2,840,484	3,573,875	40
Do	05		656		98,587	98,587	1
Do	06	2	2,525	601	378,731	379,332	14
Do	07	11	1,692	2,814	216,390	219,203	17
Do	08	2,891	4,657	868,366	625,414	1,493,779	29
Do	09	23	1,376	5,883	199,559	205,442	11
Do	10	11	35	2,814	4,476	7,290	1
Do	11		101		12,917	12,917	1
Do	78	15	4,680	4,509	846,921	851,430	2
Do	All	5,512	40,308	1,653,786	6,224,005	7,877,791	130
Montana	01	1,695	4,577	874,010	791,861	1,665,872	64
Do	02	6,079	5,353	2,100,117	797,953	2,898,070	46
Do	All	7,774	9 930	2,974,128	1,589,814	4,563,942	110
Nebraska	01	408	1,336	162,543	266,125	428,668	8
Do	02	3,523	7,420	1,403,528	1,478,027	2,881,555	8
Do	03	354	3,147	136,467	626,867	763,333	34
Do	All	4,285	11,903	1,702,538	2,371,018	4,073,556	50
Nevada	99	3,841	17,336	1,055,276	2,381,446	3,436,723	13
Do	All	3,841	17,336	1,055,276	2,381,446	3,436,723	13
New Hampshire	01	1,560	5,783	678,110	1,211,364	1,889,475	35
Do	02	5	685	2,225	161,461	163,685	7
Do	03		68		10,180	10,180	1
Do	13		49		9,786	9,786	1
Do	All	1,565	6,585	680,335	1,392,790	2,073,125	44
New Jersey	01	35	5,700	14,025	1,375,228	1,389,253	44
Do	02	30	2,185	12,055	504,330	516,384	20
Do	03	1,676	11,050	740,228	2,686,546	3,426,774	49
Do	04	1,970	2,721	633,966	636,310	1,270,276	19
Do	05	124	3,100	55,063	752,677	807,740	18
Do	06	3,214	9,282	1,651,918	2,268,089	3,920,006	37
Do	13	125	305	62,073	75,728	137,801	1
Do	51		759		188,452	188,452	1
Do	All	7,174	35,102	3,169,327	8,487,360	11,656,686	189
New Mexico	01	5,502	24,024	1,407,302	3,072,429	4,479,731	12
Do	02	3,719	10,529	951,246	1,346,554	2,297,800	13
Do	99	9,103	6,620	2,328,365	846,632	3,174,997	14
Do	All	18,324	41,173	4,686,913	5,265,615	9,952,528	39
New York	01	542	9,491	370,783	2,161,843	2,532,626	44
Do	02		1,838		428,365	428,365	9
Do	03		603		144,031	144,031	2
Do	04	791	381	374,002	89,951	463,953	2
Do	05		245		57,851	57,851	1
Do	25	8	143	5,617	50,484	56,100	2
Do	27	1,059	3,273	441,285	681,930	1,123,215	6
Do	28	3	301	1,250	62,713	63,963	3
Do	29	101	4,815	42,289	1,077,560	1,119,849	20
Do	30	1,717	2,081	715,474	433,576	1,149,050	19
Do	31	163	1,072	67,922	223,351	291,273	7
Do	32	1,213	5,406	505,457	1,126,340	1,631,797	16
Do	33		1,710		356,279	356,279	6
Do	34	136	735	56,671	153,137	209,808	2
Do	35	155	1,467	64,589	305,649	370,238	10
Do	38		497		103,550	103,550	5
Do	40	498	399	207,517	83,132	290,648	3
Do	54		1,363		283,981	283,981	1
Do	69	1,250	16,800	726,538	4,882,332	5,608,870	1
Do	79		528		150,690	150,690	2
Do	All	7,639	53,148	3,579,393	12,856,745	16,436,138	161
North Carolina	01	1,858	5,326	475,239	681,142	1,156,381	10
Do	03	1,743	12,708	445,825	1,625,226	2,071,051	8
Do	04	5	350	1,279	44,762	46,040	1
Do	07	494	18,862	126,355	2,412,261	2,538,617	7
Do	09	2	771	512	98,603	99,115	2
Do	11	294	982	75,199	125,588	200,787	4
Do	All	4,396	38,999	1,124,409	4,987,582	6,111,991	32
North Dakota	01	3,221	1,605	969,682	241,231	1,210,913	20
Do	02	3,415	1,237	1,050,315	187,163	1,237,478	24
Do	All	6,636	2,842	2,019,997	428,394	2,448,390	44
Ohio	01		63		12,163	12,163	1
Do	02		949		147,112	147,112	5
Do	03	1,830	10,973	468,077	1,829,256	2,297,333	12
Do	04		310		43,203	43,203	2
Do	05		217		37,594	37,594	2
Do	06	40	3,286	10,231	495,328	505,559	23
Do	07	162	12,988	41,346	1,809,638	1,851,074	20
Do	08		235		30,054	30,054	2
Do	09		490		94,602	94,602	1
Do	10	3	1,282	767	183,573	184,340	11

CHILDREN AND PAYMENTS UNDER PUBLIC LAW 874—Continued

State	District	A children	B children	A amount	B amount	A plus B amount	District schools
Ohio—Continued	11						2
Do	12	10	2,908	$2,558	$371,904	$374,462	5
Do	13		1,060		176,558	176,558	9
Do	14	24	799	6,139	134,576	140,715	4
Do	15		672		119,312	119,312	3
Do	17		3,084		441,813	441,813	11
Do	23		3,767		727,276	727,276	10
Do	24		2,685		454,508	454,508	6
Do	59		1,655		319,523	319,523	1
Do	68	1,368	11,219	355,512	2,092,023	2,447,535	7
Do	79		499		96,339	96,339	2
Do	All	3,437	59,141	884,721	9,616,354	10,501,075	139
Oklahoma	01	500	7,426	163,494	1,230,050	1,393,543	32
Do	02	1,810	4,419	468,678	575,812	1,004,490	88
Do	03	209	3,829	54,985	493,891	548,876	56
Do	04	710	4,636	195,361	607,937	803,299	73
Do	05	208	18,259	65,186	2,643,224	2,708,410	32
Do	06	6,180	14,820	1,645,180	1,961,670	3,606,850	69
Do	75	408	8,867	138,418	1,504,109	1,642,527	1
Do	All	10,025	62,256	2,731,302	9,016,693	11,747,995	351
Oregon	01	401	566	156,492	114,334	270,826	7
Do	02	634	4,016	263,862	816,998	1,080,860	40
Do	03	40	2,796	27,332	545,877	573,209	4
Do	04	185	2,505	80,215	520,860	601,076	17
Do	All	1,260	9,883	527,901	1,998,069	2,525,970	68
Pennsylvania	06		340		45,693	45,693	2
Do	07		1,866		394,277	394,277	11
Do	08	13	2,554	3,673	441,134	444,807	6
Do	09		967		168,504	168,504	3
Do	10		1,893		254,400	254,400	8
Do	11		1,230		173,274	173,274	6
Do	12		5,330		716,299	716,299	12
Do	13		947		239,432	239,432	4
Do	15	131	332	58,346	73,935	132,281	1
Do	16	63	2,557	16,933	365,500	382,433	12
Do	17		1,856		267,810	267,810	4
Do	18	53	98	21,289	19,774	41,163	1
Do	19	124	5,283	33,246	739,706	773,132	16
Do	23						1
Do	26		110		17,365	17,365	1
Do	27		745		123,960	123,960	4
Do	57		2,720		491,811	491 811	4
Do	63		348		63,045	63,045	1
Do	66	566	15,681	205,611	2,848,218	3,053,829	1
Do	67	80	648	24,112	94,473	118,585	4
Do	All	1,030	45,505	363,490	7,538,610	7,902,101	102
Rhode Island	01	1,823	4,982	723,673	1,053,742	1,777,416	8
Do	02	1,212	5,193	495,104	1,044,242	1,539,346	15
Do	79	1	875	448	195,934	196,382	1
Do	All	3,036	11,050	1,219,225	2,293,919	3,513,144	24
South Carolina	01	3,984	24,218	1,019,028	3,097,240	4,116,268	16
Do	02	233	15,019	59,597	1,920,780	1,980,377	13
Do	03	39	379	9,975	48,470	58,446	3
Do	04		638		81,594	81,594	1
Do	05	998	1,605	255,268	205,263	460,532	1
Do	06	123	790	31,461	101,033	132,494	1
Do	All	5,377	42,649	1,375,329	5,454,381	6,829,710	35
South Dakota	01	480	1,688	165,965	291,821	457,786	21
Do	02	5,556	4,960	1,921,043	809,952	2,730,995	47
Do	All	6,036	6,378	2,087,007	1,101,774	3,188,781	68
Tennessee	01	36	4,359	9,208	557,473	566,681	8
Do	02	25	8,814	6,395	1,127,222	1,133,617	9
Do	03	5	3,532	1,279	451,707	452,986	10
Do	04	896	8,767	229,179	1,121,212	1,350,391	16
Do	05		2,522		322,539	322,539	1
Do	06		5,420		693,164	693,164	7
Do	07		1,464		187,231	187,231	9
Do	08	36	2,105	9,208	269,208	278,417	6
Do	09	1,029	3,513	263,198	449,278	712,475	1
Do	96		6,000		767,340	767,340	1
Do	All	2,027	46,496	518,466	5,946,373	6,464,840	68
Texas	01	84	10,613	21,486	1,357,297	1,378,782	36
Do	02		261		33,379	33,379	4
Do	03	5	2,107	1,279	269,464	270,743	2
Do	04	332	3,069	84,919	392,494	477,413	14
Do	05	11	1,732	2,814	221,505	224,319	6
Do	06		1,116		142,850	142,850	13
Do	07						2
Do	08	20	2,916	5,116	372,927	378,043	3
Do	09	4	4,709	1,023	602,234	603,257	7
Do	10	877	4,721	224,319	603,769	828,088	10
Do	11	3,610	13,446	923,366	1,719,609	2,642,975	37
Do	12	986	24,629	252,199	3,149,803	3,402,002	16
Do	13	1,417	7,423	262,440	949,327	1,311,768	20
Do	14	325	6,233	83,129	797,138	880,267	5
Do	15	251	1,497	64,201	191,451	255,652	5
Do	16	3,339	20,440	861,348	2,604,980	3,466,328	12
Do	17	1,945	7,916	497,492	1,012,377	1,509,869	24
Do	18	682	2,905	174,710	371,520	546,230	8
Do	19	403	1,730	103,079	21,250	324,329	4
Do	20	838	45,142	214,344	5,773,210	5,987,554	11
Do	21	691	4,756	176,744	608,245	784,989	13
Do	22		659		84,280	84,280	2
Do	23	296	7,158	75,711	915,437	991,148	18
Do	53	16	3,300	4,092	422,037	426,129	1
Do	56	2	2,754	512	352,209	352,721	1
Do	86	3,621	988	1,712,733	146,448	1,859,181	4
Do	All	19,755	182,220	5,847,054	23,315,242	29,162,296	278
Utah	01	2,329	33,617	595,712	4,299,278	4,894,990	18
Do	02	788	13,114	201,555	1,677,149	1,878,704	10
Do	All	3,117	46,731	797,266	5,976,428	6,773,694	28
Vermont	99	11	626	3,219	98,558	101,778	14
Do	All	11	626	3,219	98,558	101,778	14

CHILDREN AND PAYMENTS UNDER PUBLIC LAW 874—Continued

State	District	A children	B children	A amount	B amount	A plus B amount	District schools
Virginia	01	4,791	38,849	$1,332,491	$5,126,733	$6,459,225	10
Do	02	3,269	24,985	1,017,709	3,714,117	4,731,826	3
Do	03		4,499		662,101	662,101	3
Do	04	1,478	13,776	378,043	1,761,813	2,139,855	9
Do	05	4	445	1,023	56,911	57,934	1
Do	06	31	3,838	7,929	527,049	534,978	6
Do	07		133		17,009	17,009	1
Do	08	207	14,590	55,183	2,215,710	2,270,893	12
Do	09		3,021		386,356	386,356	7
Do	10	739	64,964	291,271	13,006,663	13,297,934	5
Do	All	10,519	169,100	3,083,650	27,474,462	30,558,111	57
Washington	01	190	6,132	53,916	870,039	923,955	6
Do	02	2,162	7,768	614,319	1,103,174	1,717,493	30
Do	03	367	4,538	119,988	648,311	768,299	32
Do	04	1,634	10,466	464,287	1,502,354	1,966,641	46
Do	05	2,575	4,305	734,043	612,331	1,346,375	32
Do	06	5,654	26,944	1,604,436	3,822,950	5,427,385	18
Do	07	174	3,877	49,376	550,088	599,464	11
Do	All	12,756	64,030	3,640,365	9,109,246	12,749,612	175
West Virginia	02	50	1,770	12,789	226,365	239,154	6
Do	03		590		75,455	75,455	1
Do	04	1	714	256	91,313	91,569	1
Do	All	51	3,074	13,045	393,134	406,179	8
Wisconisn	02	555	2,187	160,020	402,414	562,435	8
Do	03	80	4,014	29,943	740,205	770,148	21
Do	07	124	188	46,412	35,183	81,595	5
Do	08	29	522	10,854	97,790	108,544	3
Do	10	373	521	144,303	101,395	245,698	9
Do	55	41	2,374	15,346	444,282	459,628	1
Do	All	1,202	9,806	406,879	1,821,169	2,228,048	47
Wyoming	99	2,113	4,142	1,016,467	641,865	1,658,333	24
Do	All	2,113	4,142	1,016,467	641,865	1,658,333	24
Guam	99	3,647	5,977	932,830	764,399	1,697,228	1
Do	All	3,647	5,977	932,830	764,399	1,697,228	1
Virgin Islands	99		330		42,204	42,204	1
Do	All		330		42,204	42,204	1
Total		348,703	2,221,876	115,523,133	347,325,001	462,848,135	4,235

CONTROL SHEET

PART I—TYPE OF PAYMENT CODE

Item 66

99—Ineligibles.
98—Consolidation.
97—Non-applicant.

PART II—CONGRESSIONAL DISTRICT CODING

Item 8

99—At large (whole State).
98—At large (other congressional district).
97—4-6.
96—7 & 8.
95—8 & 9.
94—28 & 17.
93—19 & 23.
92—17 & 31.
91—27, & 20, & 28.
90—17, 21, 23 & 32.
89—19 & 25.
88—25 & 24.
87—19 & 20.
86—20, 21 & 23.
85—34 & 35.
84—36 & 37.
83—9 & 10.
82—11 & 12.
81—5 & 6.
80—3 & 4.
79—1 & 2.
78—1 & 3.
77—3, 4, & 7.
76—6 & 8.
75—4 & 5.
74—3 & 10.
73—10 & 12.
72—2 & 19.
71—15 & 16.
70—39-41.
69—6-24.
68—12 & 15.
67—16 & 17.
66—1-5.
65—8 & 22.
64—7-9.
63—8 & 13.
62—17, 19-22, 24, 26-32.
61—8, 9 & 11.
60—35-37.
59—20-22.
58—14 & 17.
57—14, 20 & 27.
56—7, 8 & 22.
55—4, 5, & 9.
54—39 & 41.
53—3, 5, 6, & 13.
52—1, 12-14, 16 & 17.
51—10 & 11.
50—1-3, 5-11.
49—2 & 4.
48—1 & 6.

TRAVELS FOR TRADE

HON. CHESTER L. MIZE

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Monday, May 26, 1969

Mr. MIZE. Mr. Speaker, Secretary Maurice Stans of the Department of Commerce, has been engaged in what he calls "Travels for Trade" in both Europe and the Far East. He reported on these travels and their significance in implementing the trade policies of the Nixon administration when he addressed the Upper Midwest Conference on U.S. International Trade Policies in Minneapolis, Minn., on May 21, 1969. As chairman of the Task Force on International Trade for the House Republican Conference, I found these remarks most enlighening and I am honored to bring them to the attention of my colleagues. Secretary Stans' "Travels for Trade" address follows:

TRAVELS FOR TRADE

(An address by the Honorable Maurice H. Stans, U.S. Secretary of Commerce, Before the Upper Midwest Conference, U.S. International Trade Policies, Minneapolis, Minn., May 21, 1969)

May I say first what a very great pleasure it is to be back home in Minnesota.

The chance to visit with you here is always welcome, but coming home this week has particular meaning to me in view of the fact that just two days ago I completed Travels for Trade which took me more than half way around the world.

TRIPS ABROAD

In two separate trips between April 11 and May 18 our mission flew more than 30,000 miles to eleven countries and twelve cities in Europe and the Far East. We spent 17 working days abroad, and a count of my schedule shows one hundred and ten public and private meetings in that time.

Throughout these very extensive travels, we discussed the Nixon Administration's policies toward trade and international commerce with government leaders, American and local businessmen and the press. We told them of some specific problems we face, and invited them to join with us in a search for solutions.

But above all, the main purpose of my trips to Europe and Asia was to express President Nixon's great friendship and deep interest toward every country I visited. We carried to each government and to each people the message that our Nation, under President Nixon, is firmly committed to follow the road of international cooperation in commerce and investment.

We extended a hand of friendship across the borders of the world.

I can report to you here tonight that our hand was accepted. It was welcomed. I believe that we are on the threshold of a new day of trading partnerships with Europe and with the countries of the Far East.

REPORT TO THE NATION

Tonight I will discuss my missions abroad with you, and I will offer an assessment of what the future may hold in our efforts to improve and strengthen our economic relations with other countries.

I am especially pleased to make this report to the Nation here in my home state during World Trade Week. I am very grateful to the Minnesota World Trade Association and the Greater Minneapolis Chamber of Commerce for giving me this opportunity, and particularly so since this is my first appearance in Minnesota as Secretary of Commerce.

I might add as an interesting coincidence that the Minnesota World Trade Association got started (as the Export Club) just about the same time that I was first introduced to international commerce. Right after I graduated from Shakopee High School in 1925, I went to work in Chicago as a stenographer for a company that imported sausage casings from Turkey.

Today the community of major trading nations has become very interrelated—or perhaps in view of all the discussions about textiles on my recent trip I should say interwoven. No longer does a nation have any significant trade problem unto itself. What affects one affects another, and most often the problems of one are the problems of many.

This is one of the reasons why, in every country I visited, there was such great interest in learning about the Nixon Administration, its views and its policies.

TOWARD PROGRESS

I have reported to our friends abroad that after four months in office, the pattern has been set for four years of progress.

The President has taken steps toward Peace, offering a realistic proposal for a settlement in Vietnam which we hope will break the logjam in Paris.

The President has revived our friendships in Europe, he has exercised "preventive diplomacy" in the Middle East crisis, and he has opened new channels of communication with the Soviet Union.

He has made progress toward National Security, with a courageous proposal for a modified anti-ballistic missile system. All of the facts were available to him in this matter, and he made the considered judgment that it is needed for America.

Throughout the Administration there has been progress toward Responsible Government. The National Security Council has been revitalized. We have a new Urban Affairs Council, and a new Cabinet Committee on Economic Policy. Steps have been launched to take the Post Office Department out of politics.

INFLATION

As for the fight against inflation, I have told our friends abroad that President Nixon regards this as the most urgent domestic matter in America today.

We are now paying the price for inflationary pressures which have been building up for four years—but he has put into effect the right mixture of fiscal and monetary policies to bring the matter under control.

He has reworked the federal budget into a surplus of nearly six billion dollars.

He has asked for a limited extension of the surcharge on income taxes.

He has recommended repeal of the 7 percent investment credit.

He has offered extensive tax reform proposals to reduce inequities which contribute to social unrest.

At the same time, the Federal Reserve System is holding down the growth of the money supply.

Already there are signs that these and other steps being taken have begun to reverse the inflationary psychology in our country.

Let me assure you that our friends abroad listened to this report with the greatest of interest. The trading world depends on the strength of the American dollar—and those with whom we deal understand, as we do, the grave threat posed by inflation in the United States.

Gradually it has begun to price us out of their markets. It has helped reduce our balance of trade from five billion dollars three years ago to less than one billion last year—and this year we face the threat of a trade deficit. In 1968, mostly because of inflation, our imports went up 23 percent while our exports grew only 9 percent.

We need a large favorable balance of trade to help offset other needs in our balance of payments. Our travel deficit is two billion dollars a year. Our overseas investment requirements run to another two billion or more. We need a healthy balance of trade, in addition, to help finance our military activities and our aid programs overseas.

And so it is obvious that we must curb inflation.

We will do so.

GROWING PROTECTIONISM

But at the same time other factors also are seriously affecting our balance of trade and our position as a major trading force in the world. These matters developed rapidly in recent years, and I went abroad early in the history of this new Administration because President Nixon wanted to repair those relationships which had been damaged and begin to resolve the frictions which existed before they became unmanageable.

There are several such problems.

Protectionist trends are growing in every major area of the world, including Europe, Asia and the United States.

In Europe, American businessmen are confronted with increasingly complex and costly non-tariff barriers.

Border taxes and export subsidies are one example.

In many countries it is difficult if not impossible for Americans to sell to the government or to its controlled business entities.

Artificial technical restrictions are placed on American products in the name of safety or other standards.

Some of our agricultural products face the threat of taxes which would cause extensive damage to American producers.

We are seriously concerned about protectionist aspects of the common agricultural policy in Europe.

In Japan there are rigid restrictions on American investments which effectively block United States companies from any meaningful participation in the second largest economy in the free world.

These and many other barriers to freer trade have contributed greatly to the growth of protectionist efforts in the United States. Some three hundred bills to limit or control trade in one way or another have been introduced in the Congress this year alone.

FREER TRADE

But President Nixon does not believe that protectionism is the answer to America's needs or the solution to the trading problems of the world.

The commitment of this Administration is to build a two-way street instead of a one-way wall on the path of global commerce.

In every country I visited, I expressed the United States dedication to freer trade in the strongest possible terms.

Our record in this direction over the past 35 years has no equal among the major nations of the world. Since 1934 our tariffs have dropped from an average of 47 percent to 11 percent today—and the level will drop even lower when the Kennedy Round reductions take full effect in 1972.

But tariffs are no longer our main problem. We must deal now with the wide variety of non-tariff barriers that increasingly impede the pipelines of international commerce.

To this end I have proposed an "Open Table" principle for all countries under which all non-tariff barriers will be brought fully into the open, be measured, probed and diagnosed, and finally dealt with in the same reciprocal manner as was done so effectively with tariffs in the Kennedy Round.

I can report to you tonight that this proposal was enthusiastically received in almost all of my discussions in Europe and Asia. Across two continents hope was expressed to me that the United States would continue its initiative along this line.

FOUR FREEDOMS

But the American pursuit of freer trade is only one cornerstone of the principles and policies I have expressed abroad. There are, in fact, four economic freedoms which I believe describe the tone of the Nixon Administration's commitment to a more open world, freedoms which can serve as highways across the borders to a better life for all. These are:

Freedom to Travel.

Freedom to Trade.

Freedom to Invest, and Freedom to Exchange Technology.

These freedoms already have proved their great value, to the extent that they have been used. They have the power in the years ahead to build a society of human comfort and security for all.

Again, in each country, our own American commitment to the four economic freedoms has been welcomed almost without reservation. Only in Japan, where resistance runs high to free and open investment and to free markets, did I sense reservation.

This is the kind of reality we must face in the pursuit of these freedoms.

To those who resist freedom to invest, I expressed an American challenge to open their borders to foreign investment up to one hundred percent.

To those who have restrictions on travel, I reaffirmed the Administration's pledge not to impose restraints on international travel by the American people.

And in each of our discussions the response was encouraging for a freer exchange of technology among all peoples, limited only by the property rights of owners and investors.

Our commitment to the four economic freedoms does not mean, however, that there could not be exceptional cases in which it becomes necessary for us to act in the best interests of a major American industry suffering from an abuse of the freedom to trade.

TEXTILES A PROBLEM

Today there is such an industry in the case of American textiles. Our industry apparently is expected by low-cost producers in other parts of the world to survive a swiftly rising flood of imports whose share of the American market is growing by the hour. This it cannot do, without growing jeopardy to a tremendous industry of 36,000 plants and 2½ million employees.

As a Nation determined to move toward freer trade, we have asked other countries to join us in an international conference to discuss ways and means of governing the world flow of man-made fibre and wool textiles into the United States.

We do not seek and we do not want to close our borders to imported textiles.

We want every country to have the privilege of sharing in the growth of our market.

We ask only that the rate of growth be slowed by voluntary agreements, so that we will not face sudden disaster for hundreds of American companies and thousands of employees.

This is a reasonable solution to a problem that affects us all.

The Congress is very alert to this particular problem. Restrictive legislation on imports of textiles has been introduced, and whether we like it or not the chances are that such legislation will be adopted if a voluntary agreement is not reached to slow down the growth of imports.

The Nixon Administration is fully aware of the hazards of legislative quotas. They provoke retaliation from other nations. They tend to spread from one item to another. We believe that if we were to get a textile quota law, it could become a "Christmas tree" bill limiting the imports of a broad scope of other products and commodities.

Furthermore, if we do not reach a voluntary agreement among the textile-producing nations of the world, our own chances of moving toward freer trade will be severely limited.

A package of proposed trade legislation soon will be submitted to the Congress. Much of it will be based on recommendations that stem from my mission to Europe and Asia. We hope this package will liberalize our trade policies in many respects.

But realistically we cannot expect passage of trade liberalization bills as long as the textile question threatens a basic American industry.

PROGRAM FOR EXPORTS

The road we seek is the road to a more open international economy. Not only does this road lead to broad benefits for all nations, but very practically it gives American companies wider access to the markets of the world.

In recent weeks we have heard other nations say they must export or die. I believe the United States must export more or decline.

The challenge we face is enormous.

For too many American companies, exporting is not much more than a sideline. Satisfied with a prosperous market at home, they see no reason to tackle markets overseas.

Look at the result.

Imports into the United States have grown much faster than exports for the past three years.

Our trade surplus has virtually vanished and this year we ran the first quarterly trade deficit since 1950.

We urgently need American business to allocate money, staff and determination to develop overseas markets just as they do domestic markets.

Unless our business community orients itself to the export markets of the world, we will find ourselves seriously out of step with the new age of international business.

President Nixon has reactivated the Cabinet Committee on Export Expansion, of which I am Chairman. All of the agencies in the Executive Branch concerned with foreign trade are represented in the Committee.

We have set an export goal of $50 billion by 1973. This compares with $34 billion in 1968. The Department of Commerce, for its part, will do everything possible to stimulate and help the marketing campaigns of those who seek a greater share of the markets of the world. There are many things we can do for medium- and small-sized companies. Ask us!

CONCLUSION

President Nixon has called for "an open world . . . open to the exchange of goods and people."

The expansion of American exports is a meaningful response to that call.

So is our commitment not to impose restraints on American travel abroad.

It is in the spirit of that call that we have invited other countries to join us in pursuit of the Four Economic Freedoms, and have offered the "Open Table" principle to eliminate barriers to world trade.

We want to see highways of commerce, not walls of protectionism, between us and our trading partners around the world. This is the message I have conveyed in my travels for trade in Europe and Asia.

If we succeed in tearing down restrictions, and in building up the flow of goods and people among nations, we will have gone far to build a better world in which all people live in comfort, peace and security.

ETHICS GROUP WOULD SERVE AS WATCHDOG FOR ALL MEDIA

HON. W. C. (DAN) DANIEL

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 26, 1969

Mr. DANIEL of Virginia. Mr. Speaker, I am sure that every man in public life, at one time or another, has felt that his comments had either been misquoted or else slanted out of context so as to provide a completely different shade of meaning than what he had actually intended. Sometimes this could be attributed to just plain sloppy reporting but, more seriously, too often it is the result of deliberate and biased motives. In recent years this tendency to slant the news has grown to alarming proportions, so much so that dedicated and objective newsmen have determined that some effort must be made to restore fairness and objectivity to reporting by all media.

Frank L. Kluckhohn, longtime correspondent for the New York Times, has taken the lead in this effort to set up a "watchdog" organization for all media of news reporting. In announcing this movement, Kluckhohn writes:

> News coverage in America has become so one-sided that it is almost impossible to get anything approaching the truth from newspapers, TV, or radio.

He adds:

> If our American way of life is to survive, then something must be done—and done soon—to correct this problem of one-sided reporting.

Mr. Speaker, I commend Mr. Kluckhohn and those serving with him in this effort. The May 17 issue of Publishers' Auxiliary, a trade paper for newspapermen, features a story by Ed Seneff describing the efforts of this group. I commend this article to my colleagues and insert it at this point in the RECORD:

[From Publishers' Auxiliary, May 17, 1969]

ETHICS GROUP WOULD SERVE AS WATCHDOG FOR ALL MEDIA

(By Ed Seneff)

WASHINGTON, D.C.—"If our American way of life is to survive, then something must be done—and done soon—to correct this problem of one-sided reporting."

So states Frank L. Kluckhohn, long-time correspondent for the New York Times, in announcing the formation of a Press Ethics Committeee "to serve as a 'watchdog' organization for all media of news reporting."

In a letter soliciting support for the Committee, which has its headquarters in the offices of the Committee to End Aid to the Soviet Enemy (CEASE) in the National Press Building here, Kluckholn writes that "news coverage in America has become so one-sided that it is almost impossible to get anything approaching the truth from newspapers, TV or radio."

"The constant stream of propaganda poured out daily is, to say the least," says Kluckhohn, chairman of the new press watchdog committee, "sickening and disgusting.

"Sadly, there are millions of Americans who still believe what they read or hear on TV or radio and who are being brainwashed without mercy by the subversive and anti-American forces who dominate the media."

He points out that the news media "glorify rioters, demonstrators, hippies and yippies . . . we see pleas for surrender in Vietnam, while draft card burners are publicized nation-wide . . . we see declarations that the U.S. has no right to defend itself against nuclear bombs. . . . we see heroes made out of Black Power advocates who openly cry for revolutions and incite riots . . . we see yells of 'police brutality'—our policemen as vicious bullies, while lawless mobs receive sympathetic treatment. . . ."

Included in Kluckhohn's letter, which states ". . . and those in authority have demonstrated that they cannot, or will not, take steps to restore objective reporting," is a folder containing objectives of the new committee, a code of ethics and biographical data on founding members.

Objectives include:

To establish an Assn. of Weekly Newspaper Editors who will subscribe to the Code of Ethics. "Such an association will be able to get our statements and denunciations," so says the folder, "to the public if the electronic or mechanical media refuse to do so. . ."

To condemn, publicly, all instances of slanted reporting which is brought to the Committee's attention. "By the use of press releases and press conferences," says the folder, "those who 'create' news or push sociological theories as news will be exposed."

To present annual awards to those in the profession for outstanding accomplishments or work in the field of journalism.

To keep all supporters of the Press Ethics Committee advised of the work being done, to issue "periodic ratings exposing those in the profession who are constantly misusing their trust," the folder continues, and to advise the public how they can help "by bringing coordinated pressure to bear upon advertisers in newspapers or sponsors of TV and radio programs which are obviously slanted."

"I recognize that our free American society depends upon our citizens getting full and accurate information upon which to make decisions," the Code of Ethics begins. "I therefore regard the providing of such information as my honored responsibility and trust."

The code then asks members of the committee "as far as humanly possible" to:

Provide unbiased news, acknowledging that there are two sides to most issues and problems.

Get all essential facts and not suppress any of them in connection with news published.

Keep my own opinions out of news reports and to confine them to the editorial page or to label them editorial.

Place the news in proper perspective, recognizing that playing news up or down is a most important editorial responsibility.

Apply these principles to the reporting of all forms of news—local, national or international.

"I believe a people must be informed to be free," the Code concludes, "and that no misinformed people are free. Our Republic can be destroyed if our people base their decisions upon one-sided propaganda instead of facts."

Serving with Chairman Kluckhohn, who emphasizes in his biographical material that he was both a Washington and Foreign Correspondent of the New York Times "in the days when the Times had an international reputation as a newspaper of record," on the new committee are:

John Chamberlain, syndicated colunmnist and former editor of Life magazine and The Freeman.

John M. Fisher, editor and publisher of the Washington Report of the American Security Council.

Horace Greely Jr., a New York physician and grandson of the pioneering newspaper editor. "Although not a member of the profession," his biographical notes read, "Dr. Greely is a student of the subject and is vitally interested in restoring honor to reporting."

Vice Adm. Fitzhugh Lee, retired Navy officer.

Sara McClendon, Washington columnist, the type of reporter, says her biographical sketch, "now rapidly disappearing, who follows any news lead to its end and who refuses to soften a news report for anyone, including Presidents. When she raised her arm in his press conferences President Kennedy cringed and Lyndon Johnson found her outside his managed news capabilities."

Edgar Ansell Mowrer, winner of a Pulitzer Prize for Overseas Reporting in 1932, now a syndicated columnist and regarded as the "Dean of American writers on foreign affairs," as his biographical item puts it.

Louie B. Nunn, Governor of Kentucky, first Republican to be elected governor of the Blue Grass State since 1943.

XUM

Ivan H. (Cy) Peterman, director of the Insurance Information Office of Pennsylvania whose newspaper career spanned 25 years of general reporting, sports writing and war and foreign correspondence.

Walter Trohan, chief Washington correspondent for the Chicago Tribune since 1947, whose career began with the Tribune in 1929.

DEATH OF LEE ALLEN

HON. ROBERT TAFT, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, May 26, 1969

Mr. TAFT. Mr. Speaker, people in Cincinnati and baseball fans across the country were saddened to hear of the untimely death of baseball historian Lee Allen who died of a heart attack in Syracuse, N.Y., on May 20. He had lived a full and active life at 54. He had suffered an earlier attack 5 years ago and had slowed down his pace somewhat, but he had such a zest for living and the pursuit of knowledge, little could be done to alter his way of life.

Lee Allen's writing, research, and speaking talents were being utilized in this year's 100th anniversary of professional baseball. He was on the centennial committee for this observance and no one was more ideally prepared for such an assignment. Having lived and worked for many years in Cincinnati, he had a special interest and capability in compiling the history of the Cincinnati Red Stockings, organized as the first professional team to play baseball in 1869. His interesting account was published in the anniversary edition of the Sporting News on April 5, 1969.

He was particularly adept at researching the early history of baseball. Tracing down the records of early players, some of whom played under assumed names, took him into strange places in different parts of the country. Finding out that one of the early major leaguers was named Harry Truman, Mr. Allen communicated this to President Truman in 1951. The Chief Executive gave the baseball historian national attention by mentioning this at a press conference on the opening day of that season.

Lee Allen was born and grew up in the Cincinnati area. He served as public relations director for the Reds and was a feature writer for the Cincinnati Enquirer. He also conducted radio and television programs in Cincinnati and Philadelphia, and wrote a weekly column for the Sporting News. For the past 10 years he was historian for the Baseball Hall of Fame at Cooperstown, N.Y. He authored a dozen books on baseball and was recognized as the leading authority on the history of the game. The Saturday Review said of him:

> Lee Allen covers the field like Joe Di Maggio and follows through like Ted Williams.

On May 18, Mr. Allen was in Cincinnati to participate in ceremonies honoring the club's alltime major league team. The next day he drove to Cooperstown, but on the outskirts of Syracuse he felt heart pains. He was helped to a hospital but died there early Tuesday morning. Funeral services and burial took place in Boca Raton, Fla., where the Allens had a winter home. Survivors include his wife, the former Adele Felix of Cincinnati, and 10-year-old twins, Roxanne and Randall.

Lee Allen will be greatly missed by the baseball community in this anniversary year. Although he never was an active player, he had a driving curiosity about the sport and a phenomenal memory for recording statistics and humorous sidelights which impressed and amused his readers and the audiences he addressed at numerous hot stove sessions. He did a great deal to stimulate interest in baseball and he did it out of a genuine love for the game.

BANK OPERATED MUTUAL FUNDS

HON. W. S. (BILL) STUCKEY

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 26, 1969

Mr. STUCKEY. Mr. Speaker, today the Senate Banking and Currency Committee passed S. 2224, a bill amending the Investment Company Act of 1940. That bill contains some salutary amendments which will update the present truth in mutual funds law, and it contains some features which I think are anti-small business and contrary to the best interests of mutual fund investors, such as the encouragement of shareholder suits against mutual funds. One of its worst features, in my judgment, is its use as a vehicle for permitting some 17,000 commercial banks to enter the mutual fund business by partial repeal of the Glass-Steagall Act without consideration by the House Banking and Currency Committee. I am not against commercial banks engaging in investment banking or the mutual fund business, as long as it does not injure the soundness of our national banking system. Chairman Wright Patman of the House Banking and Currency Committee, fears it might cause another stock market crash. He expressed his views in a letter to the Subcommittee on Commerce and Finance, of which I am a member, last year on a similar proposal. Contrarily, Chairman William McCh. Martin of the Federal Reserve System Board of Governors advised our subcommittee last year that such a proposal would not "impair the ability of commercial banks to devote themselves singlemindedly to their primary function of serving their depositors, borrowers," and so forth.

I consider repeal of the Glass-Steagall Act a major change in our national banking policy. Such a far-reaching change in our financial institutions deserves the most careful consideration by the banking experts in Congress, and should not be bootlegged, piggybacked, or smuggled into the law as an obscure paragraph in a mutual fund bill. Therefore, I am introducing a bill to authorize commercial banks to engage in the maintenance and sale of mutual funds, and I request that it be referred to the Banking and Currency Committee, where, I hope, it will be the subject of early hearings.

WE CARE

HON. H. ALLEN SMITH

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 26, 1969

Mr. SMITH of California. Mr. Speaker, Mrs. Robert Sullivan of Altadena, Calif., who is connected with the "Mothers of Servicemen" of South Pasadena, Calif., and who is a constituent of mine, has requested that I insert into the CONGRESSIONAL RECORD the very fine letter which she received from Maj. James N. Rowe. I am pleased to comply with her request and include the letter herewith:

FEBRUARY 9, 1969.

DEAR MRS. SUTHERLAND: My most sincere thanks to you and the Mothers of Servicemen for conveying the message, "We Care." With that unique intuition granted only to a mother, you have come upon the one thing which is most important to our people serving in Viet Nam, and for that matter, our people serving anywhere in the world; knowledge that there *are* those at home who care.

I am fortunate that in my home there exists such a closeness that even though I was physically separated from my family and friends, I never doubted that there were those who cared. At times, because of the constant deluge of propaganda by the Viet Cong concerning the campus riots, disorders, anti-war demonstrations, dissention within the government, draft card burners, and deserters, I sometimes wondered just how many people really cared and how many people actually supported our efforts in Viet Nam. The Viet Cong make maximum possible use of all U.S. news media reporting anti-war, anti-government, anti-U.S. effort in VN type news. For a POW, it is a lonely world, made more so when one hears of opposition and nonsupport from the very people for whom we were fighting.

No one hates war more than those who are face to face with the killing, the maiming, the destruction. No one has a greater desire for peace than the men who are putting their lives on the line to try to secure peace. I am sorry that there are those in the United States who take advantage of the freedoms and privileges granted under our form of government and seek to destroy that which protects them . . . offering no better alternative in return. I am certain that your efforts to assure those in combat that they are supported by the American people, that their sacrifices are not in vain, provides the moral support and strength essential in gaining victory.

There are those here in America who scoff at Faith in God. This is their privilege. You will find very few, if any, men who have faced death that do not have a deep belief that there is a Supreme Being. Perhaps it is not fully understood, perhaps the ritual of our Churches still seems unclear, but the Communion of one man and his God is stronger than any dogma. Those who have not tried to understand or have denounced Faith as a weakness confine themselves to a very small, mundane existence.

Thank you very much for considering an issue which would mention me. It will be an honor to be included in your publication.

Sincerely,

Maj. JAMES N. ROWE,
U.S. Special Forces.

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A NEW DAY IN TRANSPORTATION?

HON. JERRY L. PETTIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 26, 1969

Mr. PETTIS. Mr. Speaker, I urge my colleagues in the House and the Members of the other body to seriously consider the remarks of Dr. Paul W. Cherington, Assistant Secretary of Transportation for Policy and International Affairs, which he made before the board of directors, Transport Association of America, in Washington, D.C., on May 6, 1969.

I believe Dr. Cherington has presented an excellent analysis of the difficulties which face all of us who are interested in the transportation problems of our Nation today.

The remarks follow:

REMARKS PREPARED BY PAUL W. CHERINGTON, ASSISTANT SECRETARY OF TRANSPORTATION FOR POLICY AND INTERNATIONAL AFFAIRS

The new Administration under Secretary John Volpe has already made certain highly significant organizational alterations in the Office of the Secretary of Transportation. First, my own office was a merger of two Assistant Secretaryships—Policy Development and International Affairs. We hope that this combination will enable us to transport our policies as far as our carriers.

A second step was the creation of an Assistant Secretaryship of Environment and Urban Systems. The former Mayor of Seattle, James Braman, has been appointed to this office. Though this office started with only a handful of people, the Mayor will develop a staff organization to handle the critical relationship of transportation to urban areas. This office will also consider the relationship of transportation to other urban programs of the Administration which involve the Departments of Housing and Urban Development, and Health, Education and Welfare, and the Office of Daniel P. Moynihan.

Most of us to date have been involved in firefighting operations, becoming oriented and helping Secretary Volpe to implement some of his initial ideas. We have also just about completed the work on the SST decision, a revised airport/airway program an a much expanded program for urban public transport. But we are beginning to identify some key areas which we believe need more attention, and it is two of these which I would like to discuss this noon—our relations with industry and the role of the Department in transportation planning.

The development of a healthy, responsible relationship with the transportation industry—both management and labor—is of deep concern to both President Nixon and Secretary Volpe and should be a significant part of the work of the Department of Transportation. We found that there was in the Department a good deal of suspicion of the various segments of industry. There was a certain reluctance to enter into a free dialogue with industry on their problems and policy suggestions and some tendency to move into a polarized and doctrinaire position on policy issues from which no retreat was permitted and which tended to foreclose further discussion.

I do not mean to imply that under the new Administration we will spend all of our time in reading, and heeding, industry's letters to Santa Claus. We intend to maintain a measure of skepticism, particularly when we believe that a certain amount of over-reaching is going on. But I think that you will find that we are willing to listen and to enter into a dialogue with you as to data—and I mean hard facts—you may have and its policy implications.

As President Nixon said in his Inaugural Address," . . . We cannot learn from one another until we stop shouting at one another—until we speak quietly enough so that our words can be heard as well as our voices. For its part, government will listen. . ."

It is sometimes said that in academic life, you are supposed to be "right" and that in consulting, you are supposed to be "helpful." In Government, the aim is to be both. Our motives in trying to be both are not entirely unselfish. For we believe that if Government serves as a sounding board and independent examiner for the various interest groups in industry, the chances will be greatly increased that those same interest groups will step up their own dialogue and reach reasonable compromise positions. That, I suppose, is the theory and, in fact, the practice of the TAA. It has worked in the past; it has recently worked in connection with the airport/airway bill; we hope that it will work effectively in other instances.

After all, DOT must see that our actions and policies have an orderly impact on the entire transportation economy of the nation. Indeed, I believe that the time has come for us to more closely heed the requirement placed upon the Department under our enabling act, "to facilitate the development and improvement of coordinated transportation service, to be provided by private enterprise to the maximum extent feasible." The keys to providing coordinated transportation service are two-sound: good communication with the various segments of private industry and planning. It is to our planning function that I would like to turn. And the theme that I would like to stress is that "we cannot plan without you."

Embarking on a program of realistic planning in the public sector requires recognition of the interdependence between public programs and the private sector in transportation. The growth of industrial technology in the private sector is not under the control of the public authorities. It is difficult for the government to plan for the development of air transportation when you must provide, and raise the money for, the capital equipment around which much planning must be centered. We are asked to plan for highway development when we have no say over the patterns of utilization of automobiles by each individual in this country or on the numbers that will be produced by our thriving automobile industry. We are asked to encourage sound railroad development when the only railroad we own is the Alaska Railroad. In the motor freight field, the Government regulates common carrier movement, but our regulations do not affect the large number of private and exempt carriers of highway freight. It is these interrelationships between public planning and private ownership that make transportation planning particularly complex.

Up to now with certain exceptions such as in encouraging the development of the aviation industry, the Federal Government to the extent that it has tried to accomplish planning, has more often followed a "Thou shalt not" approach by means of regulating the activities of the transportation industry in terms of routes, weights and rates. But regulation only touches a portion of the transportation activity which DOT programs must accommodate, if we are to create a balanced transportation system. Nor does it consider the kinds of things that could be done through long-range planning for transportation. It is for this reason that I come to you today to discuss with you the possibilities of joint planning. Traditionally the transportation industry has had its hands full in trying to make sure that one component does not gain a significant advantage over another mode under the regulatory process. As a result, you have had very little time to consider the affirmative question of whether there is a role for joint public-private planning for transportation development.

It is not very popular today to say nice things about the relations between the Department of Defense and the weapons industry, but it is probably the most significant example today of encouraging joint public-private development. DOD develops military requirements based on an estimate of the world's political future and in light of available technologies. These technologies, in turn, are developed and applied through close coordination with industry. There is a continuing interchange between DOD and industry as to requirements and technology, and both industry's and Government's plans are being modified.

There is a need for a similar link between our transportation responsibilities and the industrial complex. In our two years of existence, we have only barely begun to talk to the transportation industry as a whole. We have not yet been able to seriously explore possibilities for transferring information and technological achievements from one mode to another. Just recently, for instance, I was explaining to a leading aircraft manufacturing firm the necessity for them to look into future urban transportation requirements that are on the horizon such as the expansion of VTOL and VSTOL. In order for this company to enter into this field, it would have to deal with a plethora of overlapping interests, including not only municipal, State and county governments but also small private transportation companies. This is very different from their usual customers who are well defined air transportation entities. It is in this area that my Department, through its relations with local governments and through developing its relations with the transportation industry, could provide a natural link. But to perform such a role, we must explore possibilities for new relationships between public and private planning within the transportation field. Unlike the Department of Defense, which is the principal decision making agency in the defense of our country, there is a multitude of decisions makers in our field. We must consider how we can coordinate our plans and the private plans of industry and the independent decisions of the individual consumer. It seems worthwhile then to propose to this meeting composed of representatives from different modes, their bankers and their users, to consider what they can do to create an atmosphere in which we could assist each other in planning for the overall transportation needs of the United States.

To make this effort succeed, we must first focus on what is to be moved, rather than on a particular mode. To give you an example of what I mean: In this room, for instance, are representatives of the possibilities for moving freight by air, rail, truck or water. Joint planning in your case would insure that comparable cost data and other statistical information regarding the flow of traffic are available. We in the Department are now taking a first step in that direction. Shortly, we will be advertising to request proposals for the development of a rail and a highway data information system. This system will maintain and produce current comparable information on the movements of freight. We hope that shortly thereafter we will be able to expand this system so that it will be applicable to all modes on a comparable basis. Only with the assistance of industry can we begin to accumulate the kind of data base necessary to become aware of flows of traffic and costs of handling it so that we can maximize efficiency.

The development of this data base will provide the Department with a tool which will permit us to depart from basing our decisions on the aspirations or wishing list of

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each mode and instead develop more realistic criteria. Without such information, we can only continue with the kind of imbalances that can be observed in the resource allocation among the modes within the Department. If you consider that highways receive nearly 75 percent of the available funds, and aviation nearly 13 percent, it does not leave much left for other modes or for the development of urban alternatives that I mentioned earlier, and it is obvious that the basis for planning for transportation over and above the individual modal programs has not yet been established. Until we have some other ways to allocate resources, we will only be able to follow the trends implicit in these figures.

Another area in which industry and government planning must be intertwined is in the facilitation of the movement of international cargo. My office will continue to work with the export industry to reduce the paperwork requirements or to try, with your assistance, to bring them into line with the way you do business.

The need for such planning is evident. Right now, for instance, in our urban areas in which over 70 percent of our population resides, we have approximately 77 automobiles registered for each mile of urban roads and nearly half the vehicle miles of travel in the U.S. are driven on the 14 percent of our urban streets. The resulting congestion is not going to be eased by building more highways to bring in more cars. Only by means of sound transportation planning which emphasizes alternative technologies, can we assure that we are not perpetuating this congestion.

This congestion spills over to affect all modes of transportation. If each of you suboptimizes his own system as one would expect you to do, this congestion will intensify. The aviation industry suffers from urban congestion both in terms of airport access and in terms of aircargo movements. It does the aviation industry no good at all for a prospective air passenger to require a half hour travel time during peak hours between the central business district and the airport averaged over 20 major urban areas. This taken with the minimum times allowed for processing passengers indicates that for an airport-to-airport trip of up to 500 miles, about half the total trip time will be spent in ground travel, according to a recent study.

In terms of air cargo movement, the aviation industry must also be deeply concerned with the problems arising from urban congestion. Indirect costs, which include all costs incurred and moving the payload between the aircraft and its urban area destination, provide about 50 percent of the total costs of combination carriers and 35 percent of the cost for the all cargo carriers.

The truck freight system also suffers from urban congestion. The lack of efficient freight terminals in urban areas is a serious source of urban congestion. We know from visual experience that large numbers of trucks try to arrive in the same area to unload, but we do not have any reliable measurements of urban freight movement that would permit us to embark on a program to streamline urban terminals. There is no reason why, with industrial cooperation, initiatives could not be exercised to relieve this problem. The government could provide a forum for the review of requirements in the design and development of improved terminals.

Even the rail industry suffers from this congestion because it is dependent on the urban distribution system to provide loading points with freight. This brings us to the crunch of why joint planning is vital. As you know, President Richard M. Nixon is committed to restricting the Federal budget in order to stem the tide of runaway inflation. In terms of this limitation on resources, the competition for available public funds becomes all the stiffer. The Department of Transportation cannot afford to make believe that it is above this competition. Our recent experiences with developing justifications for transportation trust funds seem to indicate that transportation may be forced to make its case along with other urgent public needs in order to feed from the general public revenues. It is for this reason that you here in this room are going to have to advise us where to put our money in terms of priorities. Given the limited funds available, you must tell us whether to choose to first improve airport capacity or access to airports and is it more critical to improve access for people or freight? You in the freight moving industry generally must tell us whether the time has come to let up on improving our highway system and instead make substantial improvements in urban distribution of freight.

It has been estimated by State highway departments in 1968 that rural and intercity highway needs would be twice as much for the post interstate (1973–1985) period as the current (1965–1972) rate of expenditure. Thus, we may have to make a choice of whether to continue to improve intercity highways on the basis of projections such as these, or to allocate additional resources to urban areas.

These are not easy choices and they are not ones that can be made unilaterally either by you or by us. Together, through joint planning, we can ascertain our priorities and so concentrate our efforts that we will be able to make a strong enough case that we will be able to receive the funds necessary for the continued expansion of a transportation system that will be balanced to the benefit of all modes.

NEW CIVIL RIGHTS BATTLEGROUND

HON. CHARLES C. DIGGS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, May 26, 1969

Mr. DIGGS. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following article by Ronald Sarro, from the May 21 edition of the Washington, D.C., Star.

NEW CIVIL RIGHTS BATTLEGROUND

(By Ronald Sarro)

CHARLESTON, S.C.—Mary Moultrie is a soft-spoken, almost shy black woman who is trying to move a mountain of Southern tradition and economic power.

The 27-year-old nurses' aide, a native of Charleston, where the Civil War started 108 years ago, is the leader of workers who have been striking two hospitals in this city of 80,000—half Negro, half white—since late March.

"She has always been quiet," said a fellow worker at the South Carolina Medical College Hospital. "But she was brave enough to take the leadership."

The 500 hospital workers, mostly Negro women, went on strike over union recognition, discrimination and wages. Since Miss Moultrie took them out, there have been these developments:

The Southern Christian Leadership Conference, which had other civil rights plans for the spring, has committed itself to helping the Charleston strikers indefinitely.

The AFL–CIO Executive Council last week established a Charleston Hospital Strike Fund with $25,000, and urged all affiliates to support the strike.

United Auto Workers President Walter Reuther has given $10,000 to the strikers as a "down payment," and is providing $500 a week to SCLC to aid Charleston activities.

President Nixon has sent Justice Department representatives here to apprise him of strike developments, and has called for the disputing parties to "resolve their differences in a calm atmosphere of mutual good faith."

Seventeen U.S. senators have urged Nixon to send a federal mediator to Charleston, emphasizing that the strike "is a test of the principle of nonviolence at a time when many in America are losing faith in that principle as a strategy for social change." South Carolina's two senators objected.

A Mother's Day rally and march supporting the strikers was attended by 7,000 to 10,000 persons, including union and civil rights officials from throughout the nation and five congressmen. SCLC officials said they were surprised by the number of Charleston whites who hand-signaled the "V" for victory during the march. "We've never had this in a Southern town," said the Rev. Andrew Young, executive vice president of the SCLC.

What started out essentially as a labor dispute has developed into the number one civil rights test of the year. It promises to equal Montgomery, Selma, Birmingham, and Memphis as a milestone of the movement led by SCLC.

It is a test, too, for South Carolina and Charleston, where the first shots in the Civil War were fired against Fort Sumter 108 years ago.

Charleston and South Carolina have so far escaped the major racial confrontations that have hit other areas. The city has always prided itself on its genteel heritage. Now the lines are drawn and they are hardening.

Says Gov. Robert E. McNair: "This is a test really of our whole government system as we have known it in South Carolina."

"Before we are finished," says Reuther, "we are going to have the governor of this state catch up to the twentieth century."

Although the workers have been seeking union recognition since last August, the crisis didn't develop until March 17, when 12 of them, including Miss Moultrie, were fired in a dispute with hospital officials.

As a result, about 400 janitors, kitchen workers, laundry workers, maids, nurses' aides, orderlies and practical nurses walked out of the 550-bed Medical College Hospital, largest of six in the city, on March 20. Another 100 struck Charleston County Hospital, which is the city's second largest with 150 beds, on March 28.

Both hospitals have been struggling along since with the aid of volunteers and extra duty by working employes. The College Hospital has cut back its patients by 35 percent.

The conflict boils down to this: The workers want Hospital and Nursing Home Workers local 1199B or some other agreed-upon association to represent them. The state's policy is that union recognition for any government employes is against the public interest.

Union officals say meetings with Gov. McNair are fruitless, and the latest attempt—on May 8—to get the workers and hospital trustees together disintegrated in a dispute over the presence of national union officials.

The prospect for another meeting? "We have met with Miss Moultrie before," said William Hoff, a vice president at the Medical College.

Meanwhile, Charleston's economy has been crippled by the effects of the strike.

UNIONISM AT ISSUE

There has been sporadic violence, and about 300 state highway patrolmen and 700 National Guardsmen have patrolled the city day and night since April 25, when they were sent in to curb the threat of further violence.

A curfew has been in effect since May 1.

More than 650 persons have been arrested on charges of violating the curfew of a court injunction, which first prohibited strike activities, then was modified to allow picketing.

The stakes in South Carolina are considerably bigger than those sought by the hospital workers alone. Only about 7 percent of the workers in the state are unionized, despite its growing industrial development.

Textile magnates fear the labor movement could spread in a state where cheap labor and a "right to work" law have helped attract industry. State and local government officials fear all government employes, from garbage workers to teachers, would organize once the door was opened.

The union movement, with its support from civil rights and union officials, has been severely attacked. Leaders have been accused of Communist connections, "using" poor people, and Nazi and Mafia tactics. Local newspapers and politicians have emphasized what they see as divisions in the movement.

Racial slurs from the patrolling troops—most, if not all white, and many from rural areas—are not uncommon.

But the strikers' supporters vow to stand by them to the end.

Dr. Martin Luther King's widow, Coretta, and 13 other civil rights leaders issued a public statement saying, "We view the struggle in Charleston" as "part of the largest fight in our nation . . . against all forms of degradation that result from poverty and misery."

The Rev. Ralph David Abernathy, SCLC president, told the strikers, "As long as there is life in my body, I will never desert you until you are recognized."

When asked the minimum the strikers would accept, Mary Moultrie says, "We are going to have to have some kind of recognition" even if it is only some kind of grievance committee.

WAGE RISE SOUGHT

On wages, the strikers seek an unspecified increase in their $1.30 an hour minimum, which hospital officials say most exceed handsomely and which is scheduled to rise to $1.45 on July 1.

Unless the dispute is settled soon, South Carolina could be in for greater economic losses and mounting tensions as the summer gets hotter.

SCLC could get serious about a boycott of stores it now describes as "half-hearted." And it is the kind of fight that could attract college students who soon will be getting out of school for the summer.

In the battle, the county government, which has a similar policy against unionizing, is letting the state government fight it out with the strikers. Most of the strikers' attacks are aimed at the governor, and the Medical College and its president, Dr. William M. McCord.

McCord is quoted as telling Business Week Magazine, "I am not about to turn a $25 million complex over to a bunch of people who don't have a grammar school education."

Union officials say McCord has upset scheduled meetings with them, and they point to a staff memo he sent out saying:

"I have notified this union that I am sure that a majority of you would not want to get mixed up in an outfit such as this and I, of course, have no intention of meeting with this tobacco workers' union."

The parent union also represents tobacco workers.

McNair is backed by 16 statewide business and industrial groups and a resolution of the state Legislature.

In addition to state policy, the governor's office also points to the scheduled increase in the hospital workers pay, saying the strikers' demand for bargaining would upset plans to equalize pay for similar jobs.

The scene of the dispute is a quiet Southern city which boasts the traditions of the Old South. It is noted for its magnolia, cypress and azalea gardens and old plantation mansions. The Cooper and Ashley Rivers flow by the city into Charleston Bay, where Fort Sumter is located on an island.

Miss Moultrie went to Burke High School in Charleston and has lived in the same area all of her life except for five years in New York City. She has been a nurses' aide for three years at College Hospital.

Her movement to organize workers there started in January 1968, after three practical nurses and two nurses' aides were fired, then reinstated.

Workers started discussing a union and meeting weekly with organizers, Miss Moultrie said, and in August, a letter was sent Dr. McCord asking for an initial meeting to discuss a union. Other meetings—with the governor, citizens groups, "anyone who could help us"—followed.

A key session was set for 10 a.m. on March 17 which led to the strike.

UNION FOES AT TALK

McCord brought eight workers all "definitely against the union," Miss Moultrie said, and she and her committee of seven objected.

And, because she had informed her membership of the meeting, some 265 on-duty personnel also showed up. McCord called off the session, the workers staged a sit-in, police were called and they returned to work by noon.

At quitting time, Miss Moultrie and the 11 others who worked on the same floor with her were dismissed because of the incident—for abandoning patients on an entire floor.

Miss Moultrie said she then asked for help from the SCLC. "There was no other group we could think of, and then do it in a nonviolent way," she said.

But as strike activities increased, with marches and rallies and scattered violence, tension in the city rose, and Gov. McNair first sent in the patrolmen and Guard, then on May 1 put into effect a 9 p.m. to 5 a.m. curfew.

The parking lot of the Francis Marion Hotel on Calhoun Square looks like a used car lot for police cruisers. In the lobby, where there is a display of Civil War antiques including a rebel flag, police gather and trade stories and eat.

But "we wouldn't have any business at all if the highway patrol wasn't staying here," said the owner of the hotel, reflecting the bitter complaints of other hotelmen, cab drivers and bar owners about the way business has fallen off.

F. William Broome, executive director of the Charleston Chamber of Commerce, minimized the effect of the strike on the city's business in general and its $34-million-a-year tourist trade. "Only four or five conventions actually cancelled," he said, although he acknowledged a heavier impact on night-time business.

PRESSURE DISCOUNTED

He maintained that business in Charleston was not putting on pressure for a settlement.

Businessmen are more concerned with principle than economics, he said.

On May 12, McNair shortened the curfew hours to 11 p.m. to 5 a.m. Wayne Seal, his press secretary, said:

"Businessmen have been suffering pretty badly financially. We want to keep the economy moving."

SCLC officials say the situation ultimately is going to have to be settled by the businessmen.

"It is only when you create the same kind of a crisis in the life of the community as you have in the lives of the workers that the community will give in," Young said.

The official center for this community's business, the city hall, is, like many buildings here, historic. It was built in 1801 as a bank, with solid brick walls. The city council chamber doubles as a gallery for portraits of Southern heroes.

Presiding as mayor the past 10 years has been J. Palmer Gaillard Jr. A Democrat, he supported Republican Richard M. Nixon for president last year. He is a longtime friend of the area's congressman, conservative Democrat L. Mendel Rivers.

On the strike—an issue between the state and its workers—Gaillard is a man in the middle in a racially split city where political futures could be decided by a man's stance during the dispute.

Asked where he stands, he said hospital officials and the state "made it abundantly clear they will not recognize the union." What will eventually happen, he said, is that the workers and administrators will get together and talk it out.

STREETS CLEARED

Gaillard set up a special committee, not to recommend a solution, but "to get the problem off the streets and onto the conference table." But it failed in its attempt to get the two sides to a meeting.

Despite the businesses losses, the curfew and troops "did the trick," he said. "It cleared the streets and got the troublemakers off the streets."

The chief of Charleston's police, John F. Conroy, agrees the troops have prevented violence from erupting.

"I don't question their sincerity in not wanting violence," he said of the SCLC. "I question their ability to prevent it."

Conroy, a native of New York State who was a Marine for 22 years and studied criminology at Florida State University, is in his rookie year as chief of the 150-man department which includes 22 blacks.

He and the SCLC have one big thing in common—they find each other easy to work with, as he puts the emphasis on restraint.

He has used plainclothesmen to hold down vandalism and small fires, instead of more provocative uniformed men in cars with flashing lights. He did not make arrests when stragglers in the Mothers Day march technically violated the 9 p.m. curfew.

Over-all, he said, "We are trying to avoid the racial aspect of the thing and keep it in the labor context—a dispute between the workers and the hospitals."

The labor headquarters for the strikers is the Retail, Wholesale and Department Store Union's hall at 655 East Bay St.

NEW YORK MINIMUM

The local, 1199B, is named after another arm of the RWDSU, Local 1199 in New York City, which was formed 18 months ago to represent hospital workers ranging from janitors to research technicians. Last July it negotiated a $100 a week minimum covering 30,000 workers in private New York City hospitals.

The rundown union hall here—a former VFW building which has several bullet holes in the walls, apparently from some of the livelier dances—is the scene of constant activity and daily meetings.

Many of the strikers start coming in around 6 a.m. They help process contributions and handle a growing number of union applications coming in from other parts of the state.

The strikers are allowed two meals a day, plus snacks, and $15 a week in benefits. Churches and members of the community help keep them in food.

There are outdoor rallies at churches and almost daily marches led by SCLC officials along King Street, a main business street where the featured attraction at the Lincoln Theater last week was "Uncle Tom's Cabin."

At one union meeting, in February, Mrs. King said, "My husband always used to say that 1199 was his favorite union because 1199 is always out front, always in the lead in our battle for justice . . . You see a nation in which two million hospital and nursing home workers earn as little as $50 or $60 a week and you want them to do better . . ."

Beyond Charleston, there is the prospect

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of organizing the more than 2 million similar hospital workers throughout the nation—many of them blacks, Puerto Ricans and poor whites—who constitute the largest bloc of unorganized workers in the nation.

As one of the signs carried in the Mother's Day march said: "The world is watching 1199 B."

LAW DAY ADDRESS OF HON. ROBERT E. JONES OF ALABAMA

HON. WALTER FLOWERS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 26, 1969

Mr. FLOWERS. Mr. Speaker, a colleague, Hon. ROBERT E. JONES of Alabama, delivered the annual Law Day address to the Huntsville and Madison County, Ala., Bar Association earlier this month.

His remarks trace the contributions of the legal profession to the development of political thought in our Nation. He included the great contributions of the legal profession of Madison County to the development of the State of Alabama and our Nation in his comments.

So that all of my colleagues will have a chance to read Congressman JONES' remarks, I submit them for inclusion in the RECORD as a part of my remarks:

REMARKS OF REPRESENTATIVE BOB JONES TO THE BAR ASSOCIATION OF HUNTSVILLE AND FEDERAL BAR ASSOCIATION, HUNTSVILLE, ALA.

I am honored to be with you tonight for the 12th annual observance of Law Day.

It is a pleasure to visit with you at any time.

I agree with the philosophy often expressed by Harrison Tweed, one of the wise leaders of the American Bar, who has been quoted as saying that lawyers are more fun to do business with, to talk with, to dine and to drink with than any other people on earth.

The reason lawyers are more fun to be around than any other people on earth is the vital and significant role they have taken in politics, that is, in the conception and implementation of institutional forms embracing the changing economic, social and legal thought which is the foundation of our progress and prosperity today.

This has been true from the earliest days of our country.

Lawyers and the law were important to the early colonists who left the cities of Europe for the wilderness of the new world.

Lawyers gave immortal eloquence to the resentment of the English colonists against the denial of their rights by the British Crown. Lawyers channelled and directed the passionate protest which led to independence. The wisdom of lawyers hammered out what Gladstone described as "the most wonderful work ever struck off at a given time by the brain and purpose of man"—our Constitution.

Even laymen today recall with respect the names from those early days—John Adams, Robert Treat Paine, Thomas Cushing, Thomas Jefferson, Patrick Henry, James Madison, Richard Henry Lee, John Jay, John Marshall and others.

This formative period has been called the "Golden Age" of American law and the American legal profession. The creative legal accomplishments of this period are favorably compared with the legal achievements of any epoch in Western history.

This was a period concerned with the application of traditional legal materials to the specific American circumstances. The lawyers argued, displayed, and determined what was applicable and what was not applicable to the new and unique American social scene.

They created an apparatus of rules and precepts equal to the early American life. Thus, the young legal profession helped the courts in developing and stabilizing a body of laws and in so doing rose to unprecedented heights of professional excellence and accomplishments.

Later, the legal profession displayed extraordinary ingenuity in devising the legal forms and concepts—corporate arrangements, common and preferred stocks, bonds secured by corporate mortgages, and unsecured debentures—that brought together the aggregations of men, money, and machines which produced our high standard of living and throbbing economic power.

In Madison County the contributions of the legal profession to the development of our nation and our state have been many. Undoubtedly, the record of Madison County attorneys exceeds that of any other area in our state.

The brilliant record extends all the way to the U.S. Supreme Court. From 1837 to 1852, John McKinley was a Justice of the High Court. Judge McKinley had practiced law and served in public office from Madison County before election to the Congress and to the Senate.

The first Chief Justice of the Alabama Supreme Court was from Madison County, The Honorable Clement C. Clay, who also served as Governor of this state, United States Senator and Member of Congress.

Madison County's history for providing outstanding lawyers to the United States Senate is remarkable. In addition to Judges McKinley and Clay, Clement C. Clay, Jr., John W. Walker, Jeremiah Clements, Lewis E. Parsons, and of course, John J. Sparkman, have all served in the United States Senate.

Five Governors have practiced law in Madison County: Clement C. Clay, Reuben Chapman, Henry Collier, Lewis E. Parsons and David P. Lewis.

There have been a number of Madison County attorneys who have served on the Courts of the State and Nation: Judges John W. Walker, D. D. Shelby and Richard W. Walker were Members of the United States Circuit Court of Appeals.

Alabama Supreme Court Justices from Madison County number eleven, the last of which was Judge Robert C. Brickell.

Members of Congress who were practicing attorneys in Madison County were John McKinley, Clement C. Clay, Reuben Chapman, William W. Garth, William M. Lowe, William B. Bankhead, who was also Speaker of the House of Representatives, and John J. Sparkman.

Madison County attorneys were leaders during the War Between the States, and worthy of particular mention was Leroy Pope Walker, who was Secretary of War of the Confederate States of America.

The first commissioner of Agriculture for the State of Alabama was a Madison County native and prominent attorney, Edward C. Betts.

Madison County has had seven Presidents of the Alabama Bar Association, beginning with Milton Humes, who served twice, and followed by Daniel Coleman, John D. Brandon, D. D. Shelby, W. L. Clay, Lawrence Cooper, and now Patrick W. Richardson.

In more recent years, outstanding Madison County attorneys and leaders of the State Bar included Tancred Betts, General Edward C. Betts, Earl Smith, Paul Speake, Robert E. Spragins, James H. Pride, David A. Grayson, George P. Cooper, Schuyler H. Richardson, Milton H. Lanier, Addison White, M. U. Griffin, Douglas Taylor, Edward D. Johnston, Clarence L. Watts, Robert K. Bell, John R. Thomas, Elbert H. Parsons, and Walter J. Price.

By training, by temperament and by practice, we, as lawyers, evidence and excell in the same qualities characteristic of those who created the instruments which give order to our lives.

We are persistently concerned with the resolution of disputes and the organization of human endeavors in ways that enable a society to achieve its goals with a minimum of force and a maximum of reason.

In this regard, I would like to commend the President for his balanced approach to the most disgusting situation in our country today—the violence and destruction on college campuses. The President has called on college officials to meet student dissent with flexibility and student violence with backbone.

In each case of student turmoil, the aim of student violence has been to take by force that which cannot be gained by reason.

The terror of the violent few must be matched by firmness and reason on the part of college officials.

Neither educational institutions nor any other element of our society can long function under the violence and force of a disorderly mob. Nor can it compromise with criminal offenders.

Whether we deal in constitutional issues, advice to corporations, collective labor agreements, or wills and domestic relations, we are concerned with the rules and forms of human organization—helping people live together not by power but by what reason tells them is just.

As lawyers, we are trained in expression, experienced in the formulation of ideas and in the draftsmanship of documents of public and private interest.

We have the ability to step back from a problem and take an independent and unemotional view. From this stance, we can engage our experience and training and speak to the issue unfettered by the self-interest which is sometimes attributed, often unjustly, to other groups and professions.

In view of the traditions and the vast reservoir of talent and ability in the legal profession, can we, as individuals or as a group, find the acclaim today that was accorded the lawyer in earlier times?

We face a challenge which exceeds the day-to-day demands of the business of practicing law. It is also part of our job as lawyers to guide political thought and political response to the vast public issues of our day. To do less would be a disassociation to the cause of our profession.

Requirements for progress with public order and reason lead us, as a profession, to be architects of public endeavors. This has been true in the past. We dare not abandon this role now. We must participate in public issues to fashion the future design of our Republic.

I am aware of the trends toward specialization with the legal profession. The cause of the trends, the increasing complexity in modern life, makes it even more incumbent on lawyers, legislators, doctors, and every other segment of our society to devote more attention to the politics of the community.

The building of our nation did not stop with this ratification of the Constitution or the addition of the 50th state. In our area, we have hardly begun to realize the potentials which can be ours.

Huntsville has always been one of the strong centers of the legal profession in Alabama as well as a center of commercial activity.

Thoughtful consideration of the advantages in our area leads to the conclusion that we have more reason than most to realize an increasingly greater share of our nation's future growth.

We have the people, intelligent, industrious, and eager;

the land, in quantity and in quality;

the power, economical and in great supply;

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the transportation facilities, varied and well-connected;

the rising personal wealth, increasing at a greater rate than the national average;

and, perhaps most important, the water tamed, of superior quality, and amazing quantity.

We also have a three-pronged scientific base which anchors our claim for an even larger share of the future.

At the forefront of world technology in their respective fields are the George C. Marshall Space Flight Center here in Huntsville with vast accumulations of scientific talent; the TVA's Browns Ferry nuclear power plant a few miles to the west, which introduces a new technology and power into the Valley; and the TVA's National Fertilizer Development Center at Muscle Shoals, which is advancing the science, engineering, and economies of food and fiber production.

The foundations of our area are so firm, the prospects so great, that we can only be deterred by drastic upheaval or a concerted effort to hold back progress.

As lawyers, you will share in this improved standard of living and increased prosperity.

Because of this, and especially because lawyers, by training, temperament, and practice, have leadership qualities found in no other group, there is an obligation, to self and to the community, to see that the changes which will and must take place are timely and based in reason, order, and justice.

There is a middle ground between the strict practice of law and full-time public service as a judge, legislator, educator, or government official. It is the middle ground where each of you can use your special talents with benefit to others and to yourself.

Many of you are called on to serve on the boards of schools, colleges, hospitals and charitable organizations. Here your qualifications bring about more orderly administration of the work of the institution itself and a better relationship with other individuals, organizations, and governmental bodies.

Many of you devote part of your time to the vital work of your bar associations. The importance of this work which involves the public interest will gain in public acclaim through improvement of the law and the courts and advancement of justice under changing conditions.

Changes will take place in the institutions of our nation and our community with the increasing population; greater urbanization; more concentrated use of rural areas of production, recreation and residence; increased industrial development; heavier demands on natural resources, and greater levels of affluence.

Lawyers, probably more than any other group, realize that men living in close proximity must rely on the rule of law to bring orderly process into a society.

Changes of this nature present a great challenge to your vision and to your skills as a lawyer in devising the instruments of government and commerce which fall into a political framework acceptable to the people. The challenge is as diverse as the many social, economic, and legal problems which face our citizens.

The opportunities are equally diverse for engagement of the special vision and skills of lawyers to bring orderly conduct in the affairs of the community.

By speaking out and helping to clarify the fundamental issues of our period, lawyers can lessen the sense of despair which seems to grip many individuals in the face of major social and economic trends.

As lawyers, we bring unique advantages to the public forum in background, training, practice and tradition of dedication to the public interest.

These unique characteristics can be engaged to muster public understanding and support for solutions to the problems which will be superior to those now facing our nation.

There has never been a time when we could put our skills to such productive good in helping channel the vital forces at work in the community along the lines of reason and justice.

In addition to helping clarify the issues, lawyers have unique opportunities to play a vital role in the development of programs essential to orderly public growth. This involves developing and updating the requirements of our society in keeping our communities habitable and, hopefully, even more attractive, pleasant, and enjoyable.

This may deal with such every-day things as adequate housing, water supplies, or proper disposition of wastes. The changing conditions may call for fashioning of new institutional forms or the adaptation of the old to meet the new needs. It involves the very basic problem of making government in a free society the effective servant of the people.

A fitting challenge to public service was issued by a legal scholar of a century ago, Horace Binney. He observed: "If a lawyer confines himself to the profession and refuses public life, though it is best for his own happiness, it makes sad work with his biography. You might almost as well undertake to write the biography of a mill-horse. It is at best a succession of concentric circles, widening a little perhaps from year to year, but never, when most enlarged, getting away from the original center. The life of the best practical lawyer that ever lived, if confined to the history of his practice, would in general be truly summed up as the biography of a mill-horse."

Breaking from the unending circles of the mill-horse is not the task of the lawyer alone. The lawyer, however, is best prepared by tradition, training, and practices to chart new and exciting courses for the community with reason and order.

I urge you to maintain the leadership of the profession in originating and developing the political framework which will assure the realization of the greatest potential.

INDEPENDENCE DAY OF THE REPUBLIC OF GUYANA

HON. ADAM C. POWELL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, May 26, 1969

Mr. POWELL. Mr. Speaker, we take this opportunity to send warm felicitations to the Prime Minister, Forbes Burnham of the Republic of Guyana: and Guyana's Ambassador to the United States, Sir John Carter, on the occasion of the third anniversary of Guyana's independence.

On May 26, the Republic of Guyana celebrates the third aniversary of its independence. I would like to take this opportunity to extend my best wishes to Prime Minister Forbes Burnham and all cities of Guyana on this important day.

Guyana, formerly a British colony, is located on the northeastern coast of South America. Originally discovered by Columbus, Guyana has been ruled in turn by the Dutch, the French, and the British.

This English-speaking country of Latin America has a population of 700,000. In composition, the country is 50 percent of East Indian descent, and 30 percent of African descent, a division which has led to many years of racial strife and difficulties. The topography of the country has forced the vast majority of the population to live along the coastal plain. It is also on this coastal plain that the major agricultural exports—sugar and rice—are grown, and the major mineral exports—bauxite and manganese—are mined.

For many years progress in Guyana has been stifled by unrest. Since gaining its independence in 1966, Guyana has been barraged with both internal and external threats to its nationhood. Border disputes with neighboring nations, internal secession attempts, and racial unrest have all threatened the stability and progress of this developing nation.

The task of Prime Minister Burnham since he first came to office in 1964 has been to reduce the tension between the two major racial groups. In his victory in the elections of this past Demember, Prime Minister Burnham was able to gain support from both major racial groups, and all three major political parties. This unified his country for the first time behind his goal of "peace and economic progress."

The potential for progress is great indeed. Guyana now cultivates only 1 percent of the total land area. Ninety percent of the Guyanese live on 5 percent of the land. Recently, attempts have been made to open more land to agricultural production. The many rivers of Guyana are a potential source of hydroelectric power. Preliminary exploration of the interior undeveloped area indicates great mineral deposits.

In addition to these natural resources, Guyana has great wealth in human resources. Recent figures state that Guyana has a literacy rate of 86 percent. The gross national product is $300 per capita, well above that of most developing countries.

Clearly, Guyana has both the human and the natural resources necessary to become a stable and prosperous nation. We wish the Guyanese great success in the work begun by Prime Minister Burnham and his people in 1966. May the goal of "peace and economic progress" espoused by the president in his recent campaign soon be attained.

FARGO SENIORS HEAR INSPIRING MESSAGE

HON. ED EDMONDSON

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 26, 1969

Mr. EDMONDSON. Mr. Speaker, I recently had the opportunity to read an unusually fine and inspiring commencement address delivered at exercises for the graduating seniors of Fargo High School, in Fargo, Okla.

The address, delivered by Mrs. Margaret M. Larason, is rich in commonsense and love of country.

I believe my colleagues and many others will enjoy reading it, and will thank Divine Providence that such a message is being delivered to young Americans in this year of 1969.

The text of Mrs. Larason's fine speech follows:

Commencement Speech to Fargo Seniors

May 13, 1969

(By Margaret M. Larason)

I hope all of you know how pleased I am to be a part of this important day in your lives, a day to which you have looked forward during twelve years of school.

I understand that all of you are planning to enter college this fall. This is unusual even in these days when a high percentage of graduates continue their education, even unusual for this school which has always exceeded state and national percentages in the number of our students who continue their education. This fact says a great deal for you, your parents, for this school and this community.

Tonight all of you are concerned about the future, not some far-off future, but the future that has arrived . . . the tomorrow that has suddenly become today. You are thinking about how you will make a living, and you are thinking seriously about the kind of life you want to build for yourselves and the family you expect to have. This future is what I want to talk to you about. We can not move backward; we must go forward. There is no exit but the future, and it will be the kind of future you make it.

First, how will you make a living? I think you probably realize tonight that the diploma you will be handed is a piece of paper with little intrinsic value. What is important is what you have learned, what you can do. To an even greater degree is this true of college training. You must use these next few years to learn a skill or prepare for a profession. I have no doubt that all of you will find a productive place in society. However, I want to urge you to consider career choices that serve a useful purpose, that serve mankind in a broad sense. Man's work, to be worthwhile, to be significant, must do more than provide a livelihood.

The immediate future consists of your years on a college campus. I could not speak tonight and dodge the painful question of what is happening on the campuses of our nation. It is imperative that we look at this situation, not only because of its effect on you during the next four years, but also because this activity has implications far beyond the college campus; it has a direct bearing on the life you will make for yourself and your family, a direct bearing on the world in which we all must live.

Let's look at the causes of the student unrest, at the groups involved in the disturbances, at what they want . . . or say they want . . . and then consider what should be done about it.

The present worldwide wave of student rebellion started in the United States several years ago, partly as a demand for more freedom and power of decision an campuses. It was stimulated, and complicated, by two larger emotional issues—Viet Nam and civil rights. To gain a proper perspective, we must separate the groups that are agitating for changes and reforms, and who have, in the process, engaged in violence and unlawful procedures.

First, we have the Afro-American group which has brought force to the campus. This racial issue is a part of the greater struggle by this minority group for civil rights. Next, we have a very small but radical group, generally belonging to one of the far-out, far-left, student organizations. Some of these people are self-avowed revolutionaries, dedicated to destroying institutions and democratic procedures. Then we have groups of students who are asking for specific changes in specific institutions; many of their proposals are legitimate requests. Finally, we have a group of idealistic students who perceive a great gulf between their concept of the world as it should be and the world as it is. These students dream of a society in which there is no poverty, no war, no injustice or inequalities. They look at our world and find it lacking in all these areas. We look at the same world, from our vantage point of experience, and say it is a better world than that of fifty years ago, or forty or thirty years ago. We have progressed far since the days of the depression. We have seen the change from a root-hog-or-die social concept to one where we take the responsibility, as a nation, for the welfare of the poor, the disadvantaged, the crippled, the handicapped. We have watched the growth of labor movements that have provided legislation to protect our working people. We have watched the growth of civil rights legislation that is designed to protect the rights of our minority groups and to give them equal rights under the law. We can look back on our work and say it is good. Youth looks at our work and says it is not good enough.

Idealism and reform movements are perfectly normal and desirable. But the danger lies in the fact that these idealistic youngsters are being pulled into the whirlpool of disorderly procedures and unlawful acts by the radical elements.

It is one thing to recognize and face the troubles that beset our society. But these ills are not insolvable; they are not direct threats to the very existence of the nation. They can and will be solved by the people of this nation, by the youth of this nation, through orderly processes of civilized law and order.

We must not completely disregard these voices of protest or the student wish to be a part of policy making, to be heard. Student participation can be beneficial; student involvement in politics should be encouraged . . . but student abuse of the democratic processes must be resisted.

What do these students want? Here again the demands vary from one institution to another. Some people attempt to compare the student power movement with the civil rights movement. But there is one important difference: students will not always be students, but the Negro will always be black. What these militant students want, what they think, not only are the issues involved on campuses today, but also are the issues they will take with them into the adult world when they cease to be students. Some of these demands strike directly at the foundation of our educational system. Some students demand no entrance requirements, no rules, no grades . . . someone said what they were looking for was not a university but a honky-tonk. Other students are protesting the draft system, demanding elimination of ROTC on campuses, and openly defying all recognized authority. These issues strike at the very foundation of our nation.

There is an all-important difference between student advice and student control, a difference between legitimate requests and civil disobedience, a difference between petitions and riot, a difference between protest and guns. We must restore order on our campuses.

I ask you, what would have happened after Pearl Harbor without this great reserve of trained civilian soldiers, trained through ROTC courses in our colleges and universities. I ask you, what would have happened after Pearl Harbor without this great army of patriotic young men who quietly closed their textbooks and walked to the nearest recruiting center. From colleges and universities, from high schools all over the country, from this high school, fine young men walked through those doors and down those steps to join in defense of their country. What would happen if we had a Pearl Harbor tomorrow, with our universities infiltrated with revolutionaries who feel no responsibility to their country, who defile the flag and burn draft cards publicly. These students by their acts repudiate their heritage and ridicule all those who served in that fight for survival as a nation.

I quote from a speech given last week by a young public official at the 50th anniversary of the founding of the American Legion in Oklahoma: "I do not want to put my stamp of approval on war. But I am not for peace at any price. If you can't fight for this country, at least serve it. And if you can't love it, leave it."

What has all this to do with us, you ask. It has this to do with you—you are going to have to get involved in this struggle, on the side of law and order, or the life you want to build will bear little resemblance to the reality.

Never before has it been so clear—that the decision and responsibility for the future rests squarely on the shoulders of the new generations. You can not dodge, you can not evade the decisions: There is no exit but the future. The kind of future is up to you . . . and you are the ones who will have to live in it.

Let me tell you a story; you've probably heard it before, but it makes my point. There was once an old hermit who was known far and wide for his wisdom. One day a youth decided to test that wisdom, so he approached the hermit with a bird held in his hands behand his back. "Tell me, old man, what is it I have in my hands behind my back?" "A bird." the hermit replied. "It is alive or dead?" asked the youth. The old man thought for a moment, for he realized that if he said the bird was alive, the boy would crush it to death; but, if he replied that it was dead, the boy would allow it to be free. Finally he answered, "It is as you would have it." It is as you would have it.

Approximately four million high school seniors are graduating tonight. Almost two million of these will go on to college next fall. This is a terrific force, for good or evil; a tremendous power if used for order or for disorder. It is as you would have it.

People like us, from rural areas like this, give stability to existing institutions, to government itself. We have always been the counter-balance against excess.

Middle class people like us—rural people like us—people who respect the heritage of the family, people who have a firm belief in God, people who honor their country, people who have to work for a living—these are the people who have given stability to our nation. You youngsters with your innate respect for authority, with your love for family and country, I say you are the ones who can and will continue to give stability to our land. Areas like this community are the true pockets of hope for our nation. It is as you would have it.

Students from communities such as this far outnumber the rebellious minority. For the one person who rejects his national heritage by burning his draft card, communities like this will supply hundreds who are willing to accept their responsibility to their country. For the one person who resorts to civil disobedience and destruction of property, communities like this will supply hundreds to bring order out of disorder. For the one person who demands privileges beyond those rightfully his, we will supply people who will correct injustices through established procedures.

Under the Constitution of the United States, no man is above or below the law. Because as a nation we believe in the principle of liberty and justice for all, it becomes increasingly important for us to remember that whatever is done in the name of progress must operate within the framework of the law. Respect for the law and obedience

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to it must be an inexorable rule. We, as a nation, cannot survive otherwise. He who seeks respect and protection from the law must give the law loyalty and respect in equal measure. It is as you would have it.

We live in a great nation, the envy of the world. We believe in the rights of the individual to have freedom of religion, freedom of speech, freedom to own property, and freedom to change existing social evils through the ballot box. We believe in the rights of free men everywhere. We enjoy freedom unequaled in any other place in the world. But freedom is not license to overthrow existing institutions; liberty is not a mandate to destroy. Freedom is a sacred trust that carries with it responsibilities and duties. Freedom exists only so long as someone assumes the responsibilities that make such freedom possible.

How much responsibility are you willing to take? How much are you willing to sacrifice? Are you willing to pay the price necessary to maintain our heritage, to keep what is good, and build a better world for tomorrow?

What price are you willing to pay? There are five essentials that you must provide. First is involvement. It is vitally important that you be involved in shaping those forces which govern your life. Get involved—get involved in student and campus affairs and make your voice heard—the voice of moderation, the voice of orderly procedures. And after college, get involved in civic affairs—yes, even in politics. Our system of education, programs for health and welfare, economic policy, . . . our own government and the governments of the world—all these are subject to change and control through individual action with collective purpose. Get involved. All too often the only voices heard are those of the radical.

The next essential is the element of responsibility. If you believe in the system of government under which you live, you have the responsibility to preserve it. This means not only action but responsible action. Two recent events serve to illustrate both kinds of action, responsible and destructive: the Democratic convention in Chicago in June and then in January the inauguration of a new President. We all watched TV with unbelieving eyes as groups attempted to disrupt orderly procedures of government, orderly changes. What we saw on the screen was like a nightmare; it was something that couldn't happen here—but it did happen here. It did happen here. We must take responsible action to preserve our form of government. It is as you would have it.

The third essential is principle. What do you believe in, what principles guide your actions in areas of political thought, moral issues, problems of understanding between different racial and religious groups. These principles of behavior are the ideas and attitudes that have become a part of you. Basically you absorb these values from parents, teachers, church, and community. Be able to say: This is the way I was taught; I believe this is right.

You must have the fourth element, courage, to maintain your principles once they have been established; courage to stand up for what is right, courage to fight down an action that is irresponsible, one not in conformity with accepted procedures, courage to stand up and be counted whether you are in the minority or the majority. Don't be apologetic about coming from a small community, from a small school. Sound ideas and moral principles need no apology.

We now have four of the five keys to the price you must pay to maintain freedom: principles, responsibility, involvement, and courage. The last essential is energy. Here you have a distinct advantage over those of us on the wrong side of the generation gap. As we grow older we tend to put up with things as they are rather than go through the upheaval of change. But youth has always been willing to accept a challenge. Use this abundant energy in constructive ways to build a better future.

Take the first letter of each of the five esesentials and you spell PRICE: P for principles, R for responsibility, I for involvement, C for courage, and E for energy. Those elements truly are the price of living in a free society and preserving that society for your children and your children's children.

It is as you would have it. Such is the power that your generation has over the world. You can crush freedom, you can destroy democracy. . . . or you can let it live: you can take the wings of the morning and soar to new heights of civilization. The decision, the responsibility is yours. This is the price you have to pay for being a new generation of Americans.

In closing, I want to repeat the American's Creed, the creed of an American citizen. I hope this creed becomes a part of you and that you can truly echo these words in your hearts:

I believe in the United States of America as a government of the people, by the people, for the people, whose just powers are derived from the consent of the governed; a democracy in a republic; a sovereign nation of many sovereign states; a perfect union, one and inseparable, established upon those principles of freedom, equality, justice, and humanity for which American patriots sacrificed their lives and fortunes.

I therefore believe it is my duty to my country to love it, to support its Constitution, to obey its laws, to respect its flag, and to defend it against all enemies.

There is no exit but the future. It is as you would have it.

MICHIGAN WEEK

HON. GARRY BROWN

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, May 26, 1969

Mr. BROWN of Michigan. Mr. Speaker, in the CONGRESSIONAL RECORD of May 20 I called the attention of my colleagues to the celebration of Michigan Week. Pursuant to my remarks, I am submitting the last two of a series of articles appearing in the latest issue of Michigan Challenge. These articles are one by Leroy Augenstein entitled "Broad View of Education"; and one by Ralph C. Fuller entitled "Tourism Means Fun, Business."

The articles follow:

[From Michigan Challenge, April 1969]

BROAD VIEW OF EDUCATION

(By Leroy Augenstein, Michigan State Board of Education)

Perhaps the greatest attribute of Michigan education is the balance we have achieved between the various levels. That is, we not only have the usual kindergarten through high school programs in all communities, but an almost state-wide community college program, 66 colleges and universities, plus extensive special, vocational, and adult education programs.

This balance is also reflected in the proportion of funds which are allocated at the various levels. For example, Michigan ranks 10th among the states in total income per person, with per capita earnings 110 per cent of the national average. Consistent with this standing, our total expenditure of $1.7 billion for all educational purposes is 121 per cent of the national average, and our overall expenditure of more than $600 per pupil (both state and local) for K–12 programs is 102 per cent of the national average.

Although we have some rough spots, a strong basic framework exists. Both local units and the state government have made an ongoing commitment to develop a broadly-based, well-balanced educational system to serve the needs of people from about five years of age on up.

Even at the K–12 level our almost 2.5 million pupils have a choice of where they can attend. While 86 per cent of our youngsters are educated in the public schools, the other 14 per cent attend the more than 1,000 schools run either by a private corporation or church group. (About 85 per cent of the latter attend schools operated by the Catholic Church.)

The determination of operating philosophy and details in the K–12 program resides at a number of levels. The State Board of Education has the constitutional responsibility for overall leadership of education from preschool up through the grades, on into college and professional training. The Department of Education then administers the policies established by the State Board. Because of the overall administrative structure, and the fact that approximately 50 per cent of the support for K–12 education is provided locally, most of the major decisions are made by the individual local school boards.

Extensive re-organization and consolidation have been undertaken in the last 25 years to make certain that the local districts can carry out their proper functions. In 1945 there were almost 6,000 independent school districts. In 1948 this number was still more than 5,000, but in the next 10 years this was reduced to 2,300. Today there are only 644 independent school districts, of which 531 operate a full K–12 program.

Interspersed between the state and the local units are 60 intermediate school districts. Administratively this area needs the greatest attention at the moment because some of these units provide extensive services whereas others have little to offer.

Complementing this broadly based program for elementary and secondary education is a very extensive higher education network serving about 350,000 students. Of the 11 public colleges and universities (plus four branch campuses), six have enrollments of 14,000 or greater. Michigan State is the largest with 43,000 students. The character of these outstanding schools differs appreciably.

The University of Michigan, one of the oldest universities in the nation, has a very diverse program with great emphasis on professional training in medicine and law.

Michigan State, which has always devoted considerable effort to extension programs to get information out to the public, has increasingly emphasized research and graduate training in recent years.

Wayne State University, too, is unique in character. It is a major urban university.

Western Michigan, Eastern Michigan and Central Michigan Universities are just now deciding their general character as they determine what areas they should emphasize at the graduate level.

A number of Michigan's colleges have found it necessary to limit out-of-state enrollments. Compared to Michigan a number of other states have put far more of their funds in the K–12 level than in their college programs. This has resulted in their students seeking higher education in Michigan.

In addition to these colleges and universities, funded and operated by the public, there are 51 private colleges and universities. All of Michigan's colleges and universities place great emphasis on teacher training. The state ranked 5th in the nation last year with its production of 13,000 new teachers. Actually six of the Michigan institutions are in the top 16 producers of teachers in the whole country. Michigan State ranked first and Western Michigan second.

In addition to these schools, many students seeking higher education in Michigan are served by our very extensive system of community colleges. There are 28 community colleges now operating around the state, and a total of 32 districts are projected to be in operation soon. In general, there is reasonable coverage except for worrisome gaps in Detroit, portions of the Upper Peninsula, and the Thumb.

Currently, close to one half of the freshman students entering public institutions are enrolling in the community colleges. Of all the students in higher education, approximately one-fourth are enrolled in the community colleges.

Efforts to expand and upgrade the level of vocational education throughout the state are continuing. To coordinate this program with community colleges, the boundaries of most vocational education areas will be coterminus with those of the community college districts. Of the 531 K–12 school districts, 456 currently operate vocational education programs. In addition, some of the community colleges have vocational programs available either at the secondary or at an advanced level. In addition to these facilities, 152 trade schools have been recognized and licensed by the State Board of Education.

Considerable expansion of adult education programs is needed throughout Michigan, since most workers must be retained three or four times during their lifetime if they are to remain truly productive. Fortunately, 230 K–12 school districts already have adult education programs serving 388,000 people. In addition to this resource, a number of the colleges and universities have extension programs at various campuses and centers. Ten of the community colleges have adult education programs for their communities.

In trying to achieve thorough educational coverage, Michigan has also devoted considerable resources to special education. Approximately 450 of the 531 K–12 school districts have some form of special educational program. In general, this provides approximately 50 per cent of the services needed. However, only 25 per cent of those who receive special education at the elementary grades ever get into a secondary program. Although this must be corrected, it still is considerably better than the national average where this number is less than 6 per cent. Michigan's expenditure on special education is about 4 per cent of the total budget.

Perhaps the most worrisome feature of our present educational structure is that along with other local revenues, the funding for K–12 programs is derived very heavily from the property tax. Many taxpayers, "fed up" with taxes at the federal and state level, find that the local educational millage is the only tax which they can vote against. Thus, last year we lost one third of our millage votes. To further complicate the situation some districts approve high millages but cannot provide proper educational opportunities for their children simply because they do not have an adequate financial base. (The actual dollars behind each child varies by about a factor of 30 from the richest to the poorest district.) As a consequence, 74 of our school districts were in debt at the end of last year. Additional ones will be in debt this year (Detroit may go in the red $5–30 million) and so approximately 20 per cent of our youngsters are on either half-day sessions or greatly curtailed schedules.

A number of proposals have been made to change this funding pattern. Although the present scheme has drawbacks, one of its very important virtues is local control, since approximately 50 percent of the funds come from the local districts.

The State Board of Education is also wrestling hard to establish methods for assessing whether or not our elementary and secondary students are receiving the education which they need in today's complex, technological world. And whether the taxpayers are getting their dollar's worth.

Like all states having large cities, the educational attainment of our ghetto youngsters is far below what we desire and what they need to compete in society. Unfortunately, many of the students graduating from our inner-city high schools—like those throughout the country—have an average competence level of only 7–9 grade. It is no wonder so few of them are able to get good jobs or go to college. Hopefully, with more adequate funding of special programs for disadvantaged youngsters and the establishment of needed community college facilities in Detroit, we will be able to break the vicious cycle of ignorance breeding ignorance and incompetence perpetuating incompetence.

There are some additional yardsticks which indicate that we need to upgrade our quality of education in other K–12 areas. For example, recently Michigan has ranked low in terms of the number of merit scholar semifinalists, and the number of Westinghouse science talent search finalists which we have each year. Also, while our youngsters are just slightly above the national average in terms of securing advanced placement when they go on to college, still only one-fifth as many of our students secure this advantage as is the case for students from the ten best states in this regard. Also, far more of our young men are flunking the pre-induction mental tests given by the Armed Forces than is the case for some neighboring states.

It is our hope that within the next year or two we can develop an assessment system which will not place the local districts in an unwarranted strait jacket, but will begin to give indicators to people in many walks of life as to whether education is doing its job, and if not, what can be done to correct the situation.

In summary, Michigan has striven for broad, in-depth coverage by making education readily available to practically all of its interested citizens. While there are some rough spots in our various programs, we are aware of these. Hopefully, within the next year or two, real inroads can be made in revamping our funding schemes, and also in assessing and improving the overall quality. Basically, education in Michigan is a very healthy patient, which needs an enrichment of diet and a few vitamin pills to bring it up to the pink of condition which we all desire.

TOURISM MEANS FUN, BUSINESS

(By Ralph C. Fuller, chairman, Michigan Tourist Council)

During the past decade, spending by visitors bent on recreational travel in Michigan has almost doubled, reaching an all-time high in 1968 of $1.17 billion. Of this, more than $75 million was returned directly to the state treasury in the form of tourist-generated tax dollars.

Concurrent with this, from 1958 to 1968, the annual budget of the Michigan Tourist Council invested to advertise and promote Michigan's vacation opportunities was increased from $416,000 to $1 million.

The volume of dollar return in relation to dollar investment is part of the Council's amazing success story and reflects an actual net profit of $74 for every dollar put to work. Unique in state government, it is a dollar-producing agency that helps to support important state agencies such as mental health, education and other vital programs serving the public needs.

Historically, the investment of money in the promotion of Michigan tourism has always produced enormous profits. As early as 1950 the Council's budget of $250,000 produced $400 million, a generous amount of which was turned back to the state in collected taxes.

Much of the success of the Council programs can be traced back to strong, well-planned, aggressive promotion and to the system which makes it work.

Currently, $240,000 of the Council's budget is distributed among the four regional tourist associations on a matching-fund basis. The $60,000 each association receives annually is tagged for promotional and advertising purposes only and cannot be touched for overhead costs or any other administrative expenditures.

Dovetailing with the financial and promotional arrangement, each of the secretary-managers of the associations, who are elected to that position by their individual association memberships, become permanent members of the nine-man policy making Michigan Tourist Council. The remaining five members are appointed by the Governor to rotating five-year terms. Senate confirmation is necessary.

The remainder of the budget is spread among the various Council programs which include advertising, publicity, field promotion and administration. The lion's share, of course, is allocated to advertising which is the backbone of the Council's efforts. Administration receives the least.

The advertising budget is spent primarily for magazine insertions at national and regional levels, supplemented by a strong television and radio level, announcement schedule placed in midwest markets.

The Council's publicity section produces news features and releases about Michigan's vacation facilities and attractions, and distributes them nationwide. A staff photographer moves around the state 12 months of the year, assigned to capture on film all of the Michigan flavor designed to attract vacationers and tourists.

In addition to these basic duties, the publicity section serves a huge volume of requests for editorial information and photographs from editors, publishers and freelance writers from all over the world. Michigan Tourist Council photographs frequently appear on magazine covers and as illustrations for editorial content of prominent national publications.

Prints of Council-produced motion pictures are made available for loan to civic groups, sportsmen's clubs and other organizations as well as to television stations. Six million persons viewed at least one Council motion picture during 1968.

Unique in concept, the field promotion program concentrates on direct mail approaches and face-to-face contacts with persons in positions to open doors for mass exposure of Michigan's vacation opportunities. Under the program, two Council field representatives make direct personal contacts with travel agencies, industrial firms, sporting goods stores and other influential groups and persons in the 13-state area immediately surrounding Michigan. Literature packs, counter posters and inquiry cards are placed with the contacts for display and for distribution to employees and customers.

One of the main objectives of advertising, publicity, and field promotion is to whet the interest of prospective vacationers enough to inquire for Michigan vacation literature.

Backing up the advertising and promotional efforts is a comprehensive literature production and distribution system geared to furnish the appropriate general and seasonal literature to individuals responding to whatever of the Council's programs has motivated them.

Included in all of the literature sent out to each individual is a sheet of four postcards, each pre-addressed to each of the four regional tourist associations. The prospective vacationer may then send any or all of the postcards to the association in the region in which he is interested for additional and more detailed information.

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Tourist industry leaders view the immediate years ahead with cautious optimism, based on expectations that economic factors will continue their established trends, that negative influences will keep minimal, and that these factors will be the basis on which to build stronger and still more aggressive advertising and promotional campaigns.

Tourism is becoming more dynamic in its economic importance, not only nationwide, but internationally.

Michigan must maintain a strong position to meet the new challenges which are partners to a bright future.

A MODERATE STUDENT SPEAKS OUT

HON. W. E. (BILL) BROCK

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Monday, May 26, 1969

Mr. BROCK. Mr. Speaker, in reading the May 13 issue of the University of Tennessee Daily Beacon, I came across a forceful, articulate article written by one of the university's many responsible students. I feel that it speaks to the real source of many of the difficulties we are witnessing on campuses throughout the country.

Mr. Speaker, you will also be glad to know that this article was written by Jim Duncan, the son of our distinguished colleague, JOHN DUNCAN of Tennessee. I commend it to the attention of the Members of the House as a firsthand source of information on contemporary campus conditions.

The article referred to follows:

Liberals Have No Monopoly on Truth

(By Jim Duncan)

The demands made by the black students here last week were certainly not surprising. Similar demands have been made at almost every other large university in the nation.

What was interesting, though, was that the students said they were being discriminated against in the classroom. This is one charge that has not been made too many places (and it was probably not justified here either), because most college professors are so "liberal" that they go out of their way to be kind to Negroes.

Harvey Hukari, a graduate student in Communications at Stanford and a columnist for the student newspaper there, put it a little more bluntly in an article he wrote a few months ago.

His column came about after Johnie Scott, a Stanford black militant, began a column of his own. Scott immediately charged that Stanford was a racist institution and that it was committing cultural genocide against black people.

Hukari countered by writing: "Listen Johnie Scott, as far as Stanford is concerned, you are one of the chosen few. Those liberal white administrators and professors are going to do everything they can to make life beautiful for you. They're going to give scholarships to your black brothers and sisters, offer them employment, listen to your complaints and demands, and point to you proudly as fine examples of how liberal they really are. And the only thing you have to do is make them feel guilty."

"No thought is given to the possibility," he added, "that the real discrimination which exists at this university is against creativity, free thinking, and those who refuse to accept the intellectual dictums handed down by a liberal academic establishment."

Hukari then branched out: "You Johnie Scott, may be sick of all those stereotyped visions in which black people eat watermelons, lust after white women, tap dance, and pick cotton. Well, I'm sick of all those stereotypes of conservatives in which they are portrayed as greedy, sexually obsessed businessman, puritanical little old ladies with hair growing out of their ears, and trigger-happy Army generals who are paranoid about communism."

"You're sick of racism," he continued, "and I'm sick of having to be exposed to the intellectual hypocrisy vomited forth daily in classrooms all around the Quad by professors who make snide references to Ronald Reagan, misrepresent the meaning of conservatism, allow their teacher assistants to make appeals for the Peace and Freedom party in class, and treat students who may profess a certain affinity for free enterprise and individual responsibility with the condescending attitude which one reserves for the mentally retarded."

Hukari also noted that Richard Nixon was called a racist for choosing Spiro Agnew as his vice president but that Adlai Stevenson was never called one for taking John Sparkman of Alabama as his running mate in 1952.

He also wrote that he was "tired of professors who speak strongly about academic freedom and then assign a reading list which does not contain one author whose political philosophy is to the right of *Ramparts* magazine."

The Stanford student said that while black students complain about the scarcity of Negroes in the faculty, he doubted there were any Republicans in the political science department.

"You think having a black skin is some kind of a drawback here?" Huskari asked. "Try wearing a Nixon button to class. If you try to point out that Barry Goldwater had some valid programs for ending the draft and curtailing the growth of government power, your fellow students smile and shake their heads in mock pity. If you acknowledge in class that you are a conservative, immediately you are marked as a Bircher, a racist, an advocate of nuclear bombing, and as a fundamental Baptist."

Hukari commented appropriately: "You think that black people are the only ones who have trouble with discrimination and stereotypes in an academic community. Pass that watermelon over this way, Johnie."

This was a hard-hitting column, to say the least, and Hukari got hit hard in return. He had attacked some of the most sacred of the sacred cows, and the wrath of the liberals was immediately cast down upon him. In their minds, for some reason, criticizing black people is like falling asleep in church. It's just unholy, and it's not to be tolerated.

But Hukari's column was not a blatant attempt to smear black people, as some people thought. No, the point of his column was that many people have a very distorted view of conservatives, just as many do of Negroes. To these people, it is just not possible to be both conservative and intelligent. As Hukari put it: "The niggers at Stanford are no longer black students, they're conservatives." And this could be said of almost any school in the country.

Here, for instance, many conservative students are afraid to speak out in class for fear of getting in bad with their teacher. Speakers programs are generally overbalanced to the left. Professors frequently present only one side in the classroom. And one would have to search far and wide to find a book by a conservative author on any reading list.

It is almost enough to make one think that today's "liberals" are afraid of something. Perhaps they fear a confrontation of ideas because they're afraid they would come out on the losing side. (Maybe this is why the SDS believes in revolution rather than reason.) Perhaps, deep inside, liberals realize they do not actually have a monopoly on the truth. Someday they might even admit it. However, it would not be wise to hold your breath waiting for that day.

TRIBUTE TO MRS. LILIUOKALANI KAWANANAKOA MORRIS

HON. PATSY T. MINK

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Monday, May 26, 1969

Mrs. MINK. Mr. Speaker, today I wish to pay tribute and honor to a great lady of my State who died this May 19 at her home in Hawaii. She is Mrs. Liliuokalani Kawananakoa Morris, a descendant of the ancient kings of Hawaii, and the niece of Prince Jonah Kuhio Kalanianaole, who served in this body from 1902 until 1922 as Hawaii's second delegate to the U.S. Congress.

Mrs. Morris devoted much of her life to the interests of the Hawaiian people, and her last years were spent working on the restoration of Iolani Palace in Honolulu, the only royal palace in the United States, and the palace from which she might well have ruled as Queen, had fate so decreed, since her father, Prince Kawananakoa, was in the direct line of succession to the throne of King Kalakaua.

Mrs. Morris was active in the Hawaiian civic clubs and also served on the Hawaiian Homes Commission, which oversees the Hawaiian homestead lands. She was a regent of the Hale O Na Alii and a lifetime member of the Kaahumanu Society and the Daughters of Hawaii.

In 1965, Gov. John A. Burns appointed Mrs. Morris to take charge of the restoration of Iolani Palace, the work to which she devoted the remainder of her life.

Her death is deeply mourned by the sons and daughters of Hawaii.

At this point, I submit an article on Mrs. Liliuokalani Kawananakoa Morris, which appeared in the Honolulu Advertiser of May 21, 1969, as follows:

Liliuokalani Morris Dies; Descendant of Isle Kings

(By Gene Hunter)

Mrs. Liliuokalani Kawananakoa Morris, who spent her last years overseeing the restoration of the palace where she might have ruled as queen of Hawaii, is dead at the age of 63.

The stately, regal Mrs. Morris—known to many Hawaiians as Princess Liliuokalani in spite of the fact that officially there are no royal titles in the United States—died of cancer at 11 p.m. Monday at her home at 935 Waiholo St., Waialae.

At her request, her funeral will be conducted with none of the pomp and ceremony which once surrounded the rites of a member of Hawaiian royalty.

Simple graveside services will be held at 11 a.m. tomorrow at Nuuanu Memorial Park, with Williams Mortuary in charge of arrangements.

In lieu of flowers the family has requested that donations be made in Mrs. Morris' memory to the Friends of Iolani Palace, of which she was president.

Mrs. Morris is survived by her husband, Charles E. Morris; a daughter, Abigail Kinoiki Kekaulike Kawananakoa; two aunts, Mrs. Alice Kamokila Campbell of Ewa and

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Mrs. Francis Wrigley of California; two nieces, Poomai Kalani Kawananakoa of Honolulu and the Marchesa Kapiolani Marignoli of Rome, and a nephew, Edward Keliiahonui Kawananakoa of Honolulu.

Mrs. Morris was born July 22, 1906, and was the last surviving child of Prince David Kawananakoa and the former Abigail Wahiikaahuula Campbell. The other children were Mrs. Kapiolani Field and David Kalakaua Kawananakoa.

Mrs. Morris was descended from the ancient line of Keawe, once king of the Big Island, and from Kaumualii, last king of Kauai.

Her parental grandmother was a niaupio—a descendant of two high chiefs, the highest possible rank in Hawaiian genealogy.

Her father was a second cousin of King Kalakaua and a nephew of Kalakaua's consort, Queen Kapiolani. Her father's brother was Prince Jonah Kuhio Kalanianaole, Hawaii's second delegate to Congress.

King Kalakaua, who was childless, was elected to the throne in 1874. Wishing to assure that there would be no more elected kings and that the throne would remain always with his family, he named four alii to succeed him.

They were his younger brother, Leleihoku; his sister, Lydia; his niece, the beautiful Princess Kaiulani, and his cousin, Prince Kawananakoa, Mrs. Morris' father.

Leleihoku died while Kalakaua was king. At Kalakaua's death in 1891 he was succeeded by his sister, who ruled for two years as Queen Liliuokalani until she was overthrown in 1893, when Hawaii became a republic.

Princes Kaiulani, to whom Prince Kawananakoa, was betrothed, died in 1899 at the age of 24. In 1902 the prince, the direct heir to the throne, married Abigail Campbell.

Mrs. Morris was named Lydia Kamakaeha Liliuokalani after her royal relative. In recent years Mrs. Morris, as president of the Friends of Iolani Palace, frequently guided distinguished visitors through the Palace built by Kalakaua, where she would have lived had the monarchy continued.

Mrs. Morris was married four times. Her first marriage was in 1925, when she was 19, to automobile salesman William J. Ellerbrock. They were divorced in 1927.

Mrs. Morris' only daughter was from this marriage. The child was adopted by Mrs. Morris' mother, Princess Kawananakoa, and dropped the Ellerbrock name.

In 1936 Mrs. Morris met newspaperman Clark G. Lee, who came to Honolulu that year as Associated Press bureau chief. He was transferred to Tokyo in 1938, as war spread in the Far East.

Mrs. Morris joined him in the Orient and they were married in Hong Kong in 1938. They lived in Tokyo and in Shanghai until she returned here in August, 1941. Lee, covering the Far East and the South Pacific for Associated Press and later for International News Service, became one of the most famed correspondents of World War II.

He was the author of several best-selling books about the war. His first, "They Call It Pacific," was dedicated to his wife and to her daughter.

The Lees moved to Pebble Beach, Calif., in 1946. He died there of a heart attack in 1953 and his widow returned to Hawaii.

The following year she married Charles E. Morris Jr. of Kona. They were divorced in 1959 and were remarried last year.

As one of the heirs to the Campbell Estate founded by her mother's father, Mrs. Morris enjoyed a large annual income. But in spite of her affluence, she was deeply interested in the welfare of her less fortunate fellow Hawaiians.

While they realized that the title "princess" was only honorary in the Islands of today, many Hawaiians looked up to Mrs. Morris as their mentor, seeking her guidance and counsel in their affairs.

Although her uncle, Prince Kuhio, was a long-time politician and a leader of the Republican party and her mother was a power behind the scenes in the GOP, Mrs. Morris took no part in politics.

She once told an interviewer:

"I would prefer to stay out of partisan politics. I would never presume to tell any Hawaiians how to vote nor in any way dictate their politics."

Mrs. Morris was active in the Hawaiian Civic Clubs, founded by her uncle, and had served on the Hawaiian Homes Commission, which oversees Hawaiian homestead lands. She was a regent of the Hale O Na Alii and a life member of the Kaahumanu Society and of the Daughters of Hawaii.

Mrs. Morris—known as Liliu, the diminutive of Liliuokalani, to her closest friends—lived surrounded by mementos of her royal heritage. These included beautifully bound volumes from the library of Queen Kapiolani and gifts to King Kalakaua from Emperor Meiji of Japan.

In 1965 Gov. John A. Burns named Mrs. Morris to head the restoration of Iolani Palace, which is to become a museum now that the State government has moved across the street into the new Capitol.

Two years ago doctors informed Mrs. Morris that she was suffering from cancer and had but a short time to live.

She continued active in the palace restoration project, although she spent much of last summer in critical condition at the Queen's Medical Center.

The 11th annual convention of the Association of Hawaiian Civic Clubs held in Kailua-Kona in February was dedicated to Mrs. Morris. She was able to attend the convention and accepted the dedication plaque.

Also in February, Mrs. Morris was reelected president of the Friends of Iolani Palace.

During her last years, when health permitted, she spent much of her time at the palace where her father was groomed to become king, planning its conversion into a museum.

FINANCIAL DISCLOSURE

HON. GEORGE BUSH

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, May 26, 1969

Mr. BUSH. Mr. Speaker, in keeping with previously adopted policy of disclosure, I am at this time making public a statement of receipts and expenditures of the supplementary expense fund raised for newsletter, unreimbursed travel, and office expenses. As I stated in my disclosure last year, there is no provision under the law for any reporting, but I feel it is best to do so.

Last year, the Senate officially sanctioned arrangements to supplement legitimate office expenses, clearly raising the objection to any personal use of these moneys by a Member of that body. I feel the House should take such affirmative action but should definitely include full disclosure.

The disclosure follows:

Statement for fiscal year 1968

Balance, beginning Jan. 1, 1968	$5,552.65
Total contributions, 1968	12,666.06
Subtotal	18,218.71
Expenditures, 1968	12,036.05
Ending balance, Dec. 31, 1968	6,182.66

Statement for fiscal year 1968—Continued

ITEMIZED EXPENSES

Newsletter	$6,182.56
Unreimbursed travel expense	5,553.49
Salary, summer program for securing jobs for underprivileged	500.00
Total expenses	12,236.05

STATEMENT WITH RESPECT TO H.R. 10344, NATIONAL TIMBER SUPPLY ACT OF 1969

HON. BYRON G. ROGERS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, May 26, 1969

Mr. ROGERS of Colorado. Mr. Speaker, the Colorado Open Space Coordinating Council, Inc., of Denver, Colo., is interested in the National Timber Supply Act of 1969, as embodied in H.R. 10344, and I am pleased to place for the consideration of the House the statement of Mr. E. R. Weiner, president of the Colorado Open Space Coordinating Council, Inc., as follows:

> The Colorado Open Space Coordinating Council, Inc., a Colorado corporation not-for-profit, serves as a coordinating structure for currently twenty-four recreational conservation organizations throughout the State of Colorado, with cumulative memberships of approximately 25,000 citizens. The purpose of COSC is to "work for the preservation, wise use and appreciation of scenic, historic, open space, wilderness and outdoor recreational resources . . . for the cultural, educational, physical, health, spiritual and economic benefit" of the citizens of Colorado and the nation.
>
> COSC is not submitting this statement to register outright opposition to H.R. 10344. COSC believes in good timber management, according to sound ecological principles, and in the scientific practice of forestry; it has so stated on many occasions. COSC, and responsible conservationists everywhere, recognize the nation's needs for timber; COSC is not against people or jobs or housing. However, COSC cannot give support to H.R. 10344 unless certain revisions in the bill are made. We would like to comment as follows:
>
> "Sec. 2—This section presumes, mostly on the evidence submitted by the timber industry itself, that the nation's wood products supply is going to be met primarily by increased yields from the national forests. We would strike the words "the timber yield from national forest commercial timberlands in order to increase" so as to refrain from giving this prejudicial and arguable presumption the status of an Act of Congress.
>
> "Various timber experts have estimated that *half* of the nation's timber lands are in small, poorly managed tracts which, with proper management, could increase their production by a factor of 5! But Senator Sparkman (*Cong. Rec.* April 18, 1969, S. 3803) stated: "Industry witnesses were unanimous in pointing out that since privately owned forest lands are now operated at peak capacities, the necessary increase must come from the great timber reservoir of the Federal forests . . ." Such testimony is highly arguable if not outright false. It should be obvious that some private timber companies would prefer that the federal government and the taxpayers bear the cost of intensified timber management, thus decreasing the investments they should be making on private lands.
>
> "Without providing some incentives, federal assistance and even partial subsidies to

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finance better timber management practices on *private* lands, this proposed Act goes only part of the way. Either this bill or companion legislation should mitigate this glaring deficiency. We would favor tax incentives to private producers, federal agricultural assistance programs, and in particular federal asistance for *state* departments of forestry, such as we have in Colorado.

"Further, as this bill is deficient in not providing incentives for intensified management on *private* lands, it is also deficient in not attempting to control exports. Without such controls, we are asking the American taxpayers to invest more money in timber management and harvesting necessitated in part by the ability of private industry to reap a greater profit in Japan than elsewhere. Admittedly, we do not have all the facts on exports but an export volume of 2.2 billion board feet in 1968 must have some relationship to the "timber shortage." And is exportation from U.S. Forest Service lands even legal under various Acts of Congress?

"Sec. 3—The definition of 'commercial timberlands' is much, much too broad and gives the Forest Service, under constant and unrelenting pressure from the industry, extremely broad discretionary powers. The commercial timberlands to be covered by the Act should be spelled out in detail, right down to naming the actual forests or portions thereof. Also, the Fund should be made to apply *only* to Site I, II and III lands—those of highest production capability. Certainly, the Forest Service has available data on the forests that really need intensified management. No 'special study' should be necessary to gather this information.

"Many areas of the national forests are not productive, particularly in the Rocky Mountain region, the least productive of all the nation's timber lands (see 'Timber Trends in the United States,' Forest Service, USDA, Report No. 17, Feb. 1965). The Forest Service has classified many marginal lands as 'commercial' under 16 U.S.C. 581. These are site IV and V lands, with lowest production potential. Under the Act as written, these marginal lands—where most 'wilderness' is situated, for example—would be included.

"Sec. 4—There are always dangers inherent in earmarking funds for any purpose. Forest Service timber sale receipts are now earmarked in part—25% reimbursement (in lieu payments) to the states and 10% for roads and trails. This bill would have the effect of earmarking the vast majority of timber sale receipts for timber production—65%. Even though the funds have to be appropriated under Sec. 5, can we be certain that the Forest Service will place as much emphasis on planning, research and development for watershed, recreation, wildlife, wilderness, grazing and other multiple uses which are not blessed with earmarked funds? We think there is evidence that some regions of the Forest Service place such great emphasis on road construction because they feel they can rely on the 10% kitty set aside for the purpose.

"Has the Forest Service established a 'case' to justify their need for all of the remaining 65% for timber management? Can they do the job for 25% or even 50%? And why must the Act run until 1994 (which means forever)? Why not 10 years, instead of 25, a reasonable time in which to test the Act's effectiveness? These are hard questions that should be answered.

"Sec. 6—It seems to us that authorizing expenditures from the Fund for any particular forest only in the proportion that said forest has contributed to the Fund would serve only to make poor land poorer and rich land richer, in terms of timber management. Timber management practices as outlined in Section 6 obviously do not cost the same for every acre of timber land regardless of where located. The necessary timber management investment varies considerably from place to place. Has the Forest Service carefully examined this section?

"Sub-section (6) provides for funding of more road construction, in *addition* to the 10% allowed for roads and trails under 16 U.S.C. 501. We submit that of all the timber management devices listed in Sec. 6, road building will receive the greatest immediate emphasis, particularly in the West where 'lack of access' is almost always equated with lack of supply. To meet the 'emergency' that it is contended exists (and which control of exports from Alaska and elsewhere could greatly alleviate), the industry and the Forest Service will cry 'cut'! And to do this they will need roads to bring out the harvest. Unless some legislative brakes are put on Sec. 6(6), many wilderness-type in the West is likely to be threatened with a new road invasion, with the blessing of the Congress. We think a limitation should be put on the amount of the fund that can be expended for road building—say, another 10%."

COSC has reason to believe that this bill will be cited frequently by wilderness opponents. If it is not used as a rationale for asking Congressional permission to invade existing primitive areas, it will certainly make it more difficult to include qualifying wilderness lands adjacent primitive areas in the National Wilderness Preservation System.

Certain portions of S. 1832 mistakenly recognize the cries of "timber shortage" that the timber industry has long wanted to have validated.

We are reluctant to give the Forest Service and the timber industry the "carte blanche" for logging they have asked for all these years, with no strings attached, on the very tenuous grounds that there is some sort of national timber "emergency."

AMERICAN AGRICULTURE

HON. BILL D. BURLISON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, May 26, 1969

Mr. BURLISON of Missouri. Mr. Speaker, if the United States of America were a primitive, isolated village of 20 persons, and if one of those 20 produced all of the food—and much of the fiber for clothing—consumed by the other 19, that one man would be hailed by his fellows as the preeminent contributor to the commonweal. For they would see clearly—in these simple circumstances—that they depended on this single individual for the most basic necessities of life itself.

This great Nation is not, of course, a primitive village—far from it. Yet one American on the farm does, in fact, produce nearly all of the food and fiber consumed by 19 of his fellow citizens.

Not only is this fact little understood today by the 94.4 percent of our people who live in cities and towns, but the whole vast scope of our amazingly productive agricultural economy is a foreign subject to tens of millions of our citizens:

Many of our children undoubtedly think milk originates in cartons;

They may believe that meat and poultry begin their trip to market wrapped in plastic;

They are probably not aware that a woolen suit or cotton shirt did not just grow that way.

These children's parents would not make these mistakes, of course, but they, too, are likely to be unaware of conditions on the farm today, and of the fact that agriculture is still the very cornerstone of our modern way of life.

It has been pointed out in many reports of the Committee on Appropriations that the economic welfare of the Nation's economy is dependent on the economic strength of each segment thereof. Time has proved that labor and industry can be prosperous only to the extent that the agricultural economy is strong and healthy.

Agriculture is the principal source of new wealth. It is the main provider of basic raw materials which support all segments of business and industry. Reliable estimates indicate that each dollar of wealth taken from the soil generates $7 of income throughout the rest of the economy.

Agriculture is our largest industry. Its assets exceed those of any of the next 10 largest industries. It employs more workers than any other major industry. It employs seven times the number of people in the mining industry, 23 times the number in the oil and coal industry, and five times the number in the automobile industry. In addition, it supports directly another 10 percent of our nonfarm population which supplies the farmer with his needs and processes and markets his products.

Agriculture is one of the major markets for the products of labor and industry. It spends more for equipment than any of the other large industries. Agriculture uses more steel in a year than is used for a year's output of passenger cars. It uses more petroleum products than any other industry in the country. It uses more rubber each year than is required to produce tires for 6 million automobiles. Its inventory of machinery and equipment exceeds the assets of the steel industry and is five times that of the automobile industry.

But over the years, in spite of Government farm programs, industry and labor's share of the consumer's food dollar has risen substantially. Compared with 1950, retail food prices were up almost 40 percent by 1968. But during that same period, prices received by farmers, while fluctuating from year to year, remained unchanged in the aggregate.

In 1950, the farmer's share of the retail food dollar was 47 cents. By 1968, it was down to 39 cents. Taking several specific examples:

The farmer receives only 3.3 cents of the retail cost of a loaf of bread, which averaged 22.4 cents in 1968.

In the same year, he received only 23 cents of the $4.60 retail price of a cotton business shirt.

The farmer's component of the 87-cent-per-pound average retail price of beef was only 52 cents per pound.

One of the important contributions of American agriculture to the national economy has been its contribution to our balance of payments abroad.

Total agricultural exports increased from $4.5 billion in 1960 to $6.3 billion in 1968. Exports for dollars rose from $3.2 to $4.7 billion during this period. During the calendar year 1967, agricultural exports for dollars exceeded agricultural imports by $585 million. This more than offset the trade deficit for commercial trade of $400 million in 1967.

From 1961 through 1968, agricultural exports contributed over $32 billion to our balance of payments. Even though only about 22 percent of total exports are agricultural commodities, they account for over 50 percent of our favorable trade balance.

The efficiency and productivity of U.S. agriculture has made this country the world's largest exporter of food to the many nations of the world. In recent years the export of U.S. agricultural commodities has increased to the point where production from 1 out of each 4 acres is sold abroad. In addition to supplying much needed foreign exchange, this has contributed to the domestic economy by providing about 1 million jobs in the agribusiness fields.

American agriculture continues to make a major contribution to the national welfare through the production of bountiful supplies of high-quality and low-cost foods for the Nation's consumers. Food is one of today's best bargains.

This is apparent at the supermarkets, where city consumers can choose from thousands of safe, wholesome, and delicious foods—products of the farms of our 50 States. Using only 17 percent of their income, American consumers can select foods with a knowledge of nutrition and balanced diets that makes this a Nation of healthy and well-fed people. Many people in the world spend half or more of their available income on food. In underdeveloped areas people spend most of their time grubbing a living from the earth.

In 1929, 23.4 percent of consumer income in the United States went for food. This decreased to 22.2 percent in 1950, 20 percent in 1960, and 17 percent last year. This steady decrease has occurred despite the increasing portion of food costs which go for marketing and related services. If the 1960 level of 20 percent had continued through 1968, U.S. consumers would have had $18 billion less to spend for the products of industry and labor.

Mr. Speaker, the above has been emphasized by the committee as some compelling reasons why it is realistic to expect our Government to help agriculture, because to help agriculture is to help our entire Nation. I subscribe to this philosophy. The bill—H.R. 11612—does not provide as much as some of us would like. However, we must remember that our Nation faces many pressing priorities. When this is kept in mind, the proposal constitutes sound farm legislation.

THE METRO SYSTEM

HON. GILBERT GUDE

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, May 26, 1969

Mr. GUDE. Mr. Speaker, the League of Women Voters has been a prime mover of the concept and development of a rapid rail transit system for the metropolitan Washington region. As a Representative from this metropolitan area, I have consistently supported the development of this metro system as well as all other aspects of our long-planned regional transportation system. The league, in their continuing efforts to see the implementation of this system, has directed to the Vice President and the Speaker its expression of urgent need for the appropriations of construction moneys for the metro system.

Mr. Speaker, I commend to my colleagues the expressions of concern of the league as set forth in this communication which follows:

LEAGUE OF WOMEN VOTERS,
METROPOLITAN WASHINGTON COUNCIL,
May 19, 1969.

The Honorable SPEAKER OF THE HOUSE OF REPRESENTATIVES,
House Office Building,
Washington, D.C.

DEAR SPEAKER MCCORMACK: This letter is written in this manner to bring to the attention of all members of the Senate and the House of Representatives the urgent concern of the League of Women Voters of Metropolitan Washington because of the continued delay of the release of construction monies for the Regional Rapid Rail Transit System.

We hear daily that each day's delay impairs the carefully worked out financing of the rapid rail transit system because of escalating costs.

We experience daily the frustrations of automobile-clogged streets for which there is no foreseeable relief. The only existing system of mass public transportation (buses) is delayed on the same traffic-jammed streets.

The voters of the Washington Metropolitan Area on November 5, 1968, indicated by an overwhelming affirmative vote their desire to have construction of a regional rapid rail transit system begin immediately. These same voters even indicated their willingness to be taxed locally to achieve this goal.

The League of Women Voters of Metropolitan Washington must then ask these questions:

Why, if the contracts are ready to be let, and why, if the voters say yes, has not the Congress responded to the will of the people?

Sincerely,
Mrs. JOHN H. BEIDLER, *Chairman.*

MEMBERS

Alexandria, Virginia: Mrs. George Weber.

Arlington County, Virginia: Mrs. Robert F. Cocklin.

Fairfax County, Virginia: Mrs. John Lindberg.

Falls Church, Virginia: Mrs. Jerome Blystone.

District of Columbia: Mrs. Philip G. Fortune.

Montgomery County, Maryland: Mrs. Ernest L. Heimann.

Prince George's County, Maryland: Mrs. Charles Cunningham.

PAN AMERICAN AIR FARE REDUCTIONS

HON. RICHARD L. OTTINGER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, May 26, 1969

Mr. OTTINGER. Mr. Speaker, with every American feeling the increasing pinch of higher and higher prices, it is refreshing to see any effort to hold the line or achieve reductions.

It is with that in mind that I call attention to steps taken by Pan American World Airways to reduce fares this summer for passengers traveling between the United States and Europe on weekend flights.

The new fares, approved by the Civil Aeronautics Board, will reduce the cost of weekend travel from $399 to $360 roundtrip between New York and London, for example, during normal travel periods. The weekend fare reductions have been accomplished by extending the 14- to 21-day excursion fares, now in effect, to cover weekends and certain other peak summer travel periods previously excluded.

I understand that in addition to weekend travel, passengers may now use the 14- to 21-day excursion fares during the peak travel periods of June 9 through July 3 and between August 4 through August 21 for travel originating in the United States, and from June 2 through June 19 and August 18 through 24 for travel originating in Europe.

Pan Am, I am told, plans to further lower fares between the United States and Europe when it introduced bulk inclusive tour fares on November 1.

Mr. Speaker, there have been occasions on which I found it necessary to criticize the action—or inaction—of the airlines. But I feel any effort to bring fares within the reach of the average American traveler deserves appropriate recognition.

PITTSBURGH'S OPPORTUNITY SCHOOL

HON. WILLIAM S. MOORHEAD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 26, 1969

Mr. MOORHEAD. Mr. Speaker, I never heard of a school where poor attendance records and trouble with the police were prerequisites for admission, but such is the case in Pittsburgh's newest youth project, Opportunity School, located on the North Side.

This is an exciting and innovative effort to reach young truants and engage them in a meaningful program, before they arrive at the point of becoming full dropouts.

The Christian Science Monitor of May 10 carried the full story, citing already-realized major achievements of this 3-month project.

I include the article for the attention of my colleagues at this point in the RECORD:

PITTSBURGH YOUTH PROJECT PRAISED

PITTSBURGH.—They call it Opportunity School.

The enrollment is small—just 30 boys—but to get in, the youth must be sentenced by a Juvenile Court judge.

So far, this pilot program to give boys who have poor school-attendance records and have been in trouble with the police, is creating quite a name for itself. Just the other day, State Attorney General William Sennett, in Pittsburgh for a speaking engagement, went out of his way to view the program.

The success of the school, located in a YMCA in the city's North Side area, is mirrored in the attendance records of the 30 boys.

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And although the school has been in operation for just three months, Juvenile Court Judge Richard T. Wentley already sees these results:

Youths saying for the first time in their lives that they look forward to Monday so they can go back to school.

A real possibility that two of the students may be admitted to college.

Half of the youths volunteering to attend a summer-school extension of the program.

No behavioral problems.

Preparation now to readmit several youths to their old schools.

The school was established by the Pittsburgh Public School Board on the recommendation of Judge Maurice B. Cohill Jr. and Judge Wentley.

A cab picks up each student at his home every morning at 8:30 and drops him off at his home every evening at 8:30.

Each student gets 2½ hours daily of individualized academic instruction.

NO SCHOOL RECORD

During the remainder of each school day, the student receives counseling; engages in a cultural program including music, art, and arts and crafts; and takes part in an athletic program.

Although the enrollee must be sentenced to the school by the two Juvenile Court judges, no record will show the student was ever enrolled there. Instead, the boy will be classified as a transfer student at a nearby public high school.

The success of the program has led Judge Wentley to say he is anxious to see the program expanded to five or six such schools throughout the city.

Moreover, he says, "I think they [school officials] are as excited about it as I am and will put as much money into it as they can get their hands on."

Attorney General Sennett remarked after his tour of the school, "Certain state and federal funds can be made available to continue these projects all over the state. Through projects such as this we can put boys back into an educational setting."

DECLARATION FOR PEACE IN THE MIDDLE EAST ON OCCASION OF ISRAEL'S 21ST BIRTHDAY

HON. BOB CASEY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, May 26, 1969

Mr. CASEY. Mr. Speaker, on April 28, our distinguished colleague from New York, Representative EMANUEL CELLER, placed into the RECORD the text of a declaration for peace in the Middle East signed by 226 Members of Congress on the occasion of Israel's 21st birthday.

Through an oversight, I missed the opportunity to be recorded as one of those in support of this declaration, which I wish to rectify at this point.

The points enumerated in this declaration are wise, and could be the cornerstones of lasting peace in the Middle East if complied with by the Arab nations and by the United Nations. The valiant people of Israel have had my full support in the past, and I shall continue to direct my endeavors in Congress in support of those proposals leading to a just and lasting peace for the Middle East, with full sovereignty for the nation of Israel.

I wish to associate myself with the remarks of the gentleman from New York (Mr. CELLER) and concur fully with his statement.

PROJECT CONCERN

HON. BOB WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 26, 1969

Mr. BOB WILSON. Mr. Speaker, "love" is one of the most misused and maligned words in the language of our time. Today, however, JOHN BRADEMAS and I are introducing a resolution to honor a man and an organization that truly exemplify the meaning of the word "love" in its deepest sense. We ask Congress to proclaim February 1970 as "Project Concern Month" in recognition of the humanitarian and unselfish service of this nonprofit, nonsectarian medical relief organization and its founder, Dr. James W. Turpin.

A decade ago Jim Turpin was a bright young doctor with a well-established, lucrative private practice in Coronado, one of San Diego County's finest cities. He and his wife, Martha, volunteered their services on a once-a-week basis in a medical clinic in the poverty-stricken sections of the nearby Mexican border town of Tijuana. The Turpins found this work so meaningful that they decided to devote themselves entirely to medical relief for the underprivileged and helpless of the world. Dr. Turpin conceived the idea of "Project Concern," which he hoped would generate a response from others who feel a personal desire to help the world's needy directly. Today, Project Concern is helping to bring a better way of life to people in Hong Kong, Mexico, South Vietnam, and Appalachia. One example of those Project Concern has helped is the "boat people" of Hong Kong. With a staggering housing shortage, dating back to World War II and greatly aggravated by the continued influx of refuees from Red China, Hong Kong is unable to provide decent housing for many of its people. Mainland housing is so scarce that several hundred thousand people live in disease and squalor on sampans and junks with no medical assistance whatsoever. Many have lived their entire lives on these boats and are too poor or too superstitious to go ashore for medical care when available. Dr. Turpin's typically simple approach was to bring in a specially designed Chinese junk, to move among the people and minister to their medical needs.

In recent years our world has witnessed more than its share of heartlessness and brutality. Yet we all strive to leave our children a legacy of peace, not war, and I think it is most fitting to pay tribute to Dr. Turpin and Project Concern for their selfless efforts toward this goal. In closing, I would like to share with my colleagues Dr. Turpin's opening prayer in the Senate on January 6 of this year, for these words express far better than I can the meaning and depth of Project Concern and I ask my colleagues to join us in supporting this resolution:

PROJECT CONCERN: OPENING PRAYER OF U.S. SENATE, JANUARY 6, 1969

(By James W. Turpin, M.D.)

Our Father, Creator of an expanding universe, Lord of a shrinking planet, we acknowledge more fully your awesome love, patience and forgiveness.

Teach us that our world has now grown too small for anything less than brotherhood; that life has become too precious for anything less than peace; that human relations have become too critical for anything less than love.

Give us a sense of family. Make us realize that in our struggle for greatness it is not so much how deep in space we can go, but how far we can reach in solving the immediate problems of Your beloved earth's people. Help us to know, that until a hollow-eyed, emaciated, pot-bellied child of the Montagnard, Ibo or American Indian becomes "our child," we have not yet achieved our national purpose.

Give us a sense of peace. Teach us to wage peace as eagerly and enthusiastically as we have waged war. Make us to experience no real satisfaction if we win a war and lose a people. May peace become not just the static absence of fighting and dying, but the imaginative, dynamic situation where every man is at peace with himself because his family has enough.

And, Father, give us a sense of love. As the world's hungry, poor and sick ask, "Do you understand? Is it possible that you can feel our feelings?" Let this be our reply: *"Love you? I am you!"*

While others doubt, even scoff, let us direct our vast resources toward a world where every child eats enough, every woman is adequately attended in childbirth, and every man knows the dignity of supporting his own.

May this be our glorious quest. Amen.

ADDRESS OF JAMES REYNOLDS AT BALTIMORE PROPELLER CLUB MARITIME DAY LUNCHEON

HON. EDWARD A. GARMATZ

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, May 26, 1969

Mr. GARMATZ. Mr. Speaker, because the port of Baltimore and its many activities are of such tremendous value to the State of Maryland, the Propeller Club of Baltimore makes special efforts to obtain the best possible speakers for their Maritime Day luncheons.

This year they were extremely fortunate in being able to hear from Jim Reynolds, the president of the newly formed American Institute of Merchant Shipping, known as AIMS.

AIMS is the strongest organization of American shipowners ever joined together and represents an impressive total of more than 540 American-flag ships, which is more than half of the active American merchant fleet. Therefore, as president, he is the principal management spokesman and his remarks are of special interest to us at this time when our merchant fleet is in such critical condition.

In the belief that all of you will be eager to learn what he had to say at that Maritime Day luncheon, I am including his remarks in the RECORD for your perusal:

MARITIME DAY ADDRESS BY JAMES J. REYNOLDS, PRESIDENT, AMERICAN INSTITUTE OF MERCHANT SHIPPING, PROPELLER CLUB, BALTIMORE, MD., MAY 22, 1969

You kind people of the Propeller Club could not have done me a nicer favor than to invite me to Baltimore on Maritime Day, 1969. I know of no city where the special atmosphere of seaports in more pervasive, or where interest in the Merchant Marine is more intense and constructive.

The Port of Baltimore has three characteristics relevant to what I want to say to you today. It is ancient, which means, really, that nature intended it to be a port. It is modern, which means that its people have insisted upon keeping up with change. And it has before it an ever-brighter future because you and your fellow Baltimoreans are not simply waiting for that future to be delivered—neatly containerized—but are going after it.

I want the United States merchant marine to go after its own future with the same kind of energy and imagination.

Our merchant marine, too, is ancient. It, too, has kept up with change, although perhaps not always in perfect synchronization with the opportunity and the need. But today it has got to move and move fast to seize the future.

I think we will do it. I find myself spouting optimistic utterance about the merchant marine during Maritime Week. I guess the news in that is not that I'm saying it, but that I say it with real conviction.

My intensive orientation course as president of the American Institute of Merchant Shipping has made me optimistic. I sense on all sides a new spirit, a can-do spirit, a *will*-do spirit, among those who desire a bright new era for the merchant marine.

I find this in Congress. There, your own Congressman Edward A. Garmatz, chairman of the House Merchant Marine Committee, has just registered an extraordinary exploit of leadership. He has won committee approval and House approval of an authorization bill for construction and operating subsidies, and other merchant marine needs, which is the highest in a decade. And he calls it only a stopgap.

I find this new spirit in the Executive branch as well. President Nixon is preparing a comprehensive program to give effect to his campaign pledges—which he has reaffirmed since entering the White House—to "vastly improve the state of the American merchant marine."

The new Maritime Administrator, Andrew E. Gibson, has declared: "I joined the Nixon team and went to Washington for a single purpose—to put our merchant marine back on the map of the world." And Secretary of Commerce Maurice Stans is preparing an all-out program to increase United States participation in the liner trades—"Ship American," trade expansion, a solid increase of American cargoes in American ships.

In the industry itself there is evident an exciting spirit of adventure, just at a moment when technology is ready to make those adventures successful. The Naval Architects and Marine Engineers are breaking molds literally centuries old and giving their creative imaginations free rein. The operators are ordering the results, and the yards are building them—right now.

Not least important is a new sense of unity, of rapport, among those concerned with our merchant ships and their style of existence. In the industry, this has produced, in this year 1969, the formation of the organization I head, the American Institute of Merchant Shipping. The merchant marine is profiting from cooperation between the industry and the government.

I might express the hope that the same spirit of constructive unity would find expression in the ranks of labor. No labor union leaders have done more for their members than the leaders of the maritime unions. I know. In 1924 I shipped out as a deck boy on the America. I saw the conditions under which crews lived in those days—floating slums. I drew the kind of pay they drew.

The union leaders have accomplished wonders. If they would now only show the same tenacity and determination in the task of achieving a ceasefire among themselves, and reasonable relations with management, a major obstacle to the realization of today's great promise for the merchant marine would be removed.

My conviction that the merchant marine will seize its future has as its partner the conviction that it can. To paraphrase the title of a song from not too far back, technology is bustin' out all over, in the merchant marine, and that one fact is a cornucopia of good auspices.

The basic meaning of this technological offensive is that the U.S. merchant fleet is going to become vastly more efficient. Greater efficiency means greater prosperity, not only for the ships but for all the other components of the system into which they fit—such as ports. Experience shows, I'm glad to note, that prosperity breeds prosperity.

To help speed this advance in efficiency, AIMS only a fortnight ago, as one of its first major actions, set in motion the organization of a Research Committee. We attach great imortance to this. It is contemplated that the Committee will work closely in conjunction with the Office of Research and Development of the Maritime Administration in the Department of Commerce.

The new Maritime Administrator, Andrew Gibson—whose appointment was another of those encouraging auguries I have mentioned—is anxious that Marad's experts should join with our people in the broad field of research now demanding exploration.

The special areas have been pretty well marked out, and to define them is one way of defining the promises of technology.

The Marad research program in shipbuilding looks for ways to reduce the cost of building in U.S. yards and thereby decrease the construction differential subsidy. Jointly we will seek new breakthroughs in more efficient hull configuration—counter revolving and reversible propellers—more effective on board cargo handling equipment, etc.

A joint research program, by decreasing the magniture of ship operating costs at sea, will hopefully make U.S. ships more competitive, and reduce operating differential subsidy.

The port research program seeks to increase productivity in port operations and thereby, decrease the total cost of transportation.

Let me pause for a parenthesis, touching on a vital matter. I would like to emphasize that the search for technological efficiency does not contemplate the elimination of human beings and their livelihood from the merchant marine.

Research on ship operations, for example, specifically undertakes to determine the optimum combination of hardware and manpower over the life of a ship. In this connection, attention is given to a definition and understanding of the problems, needs, and requirements of labor as well as of management and regulatory bodies. That language is largely the official language of Marad.

Technology and automation do present problems in adjustment for labor. I can say, because I know, that the industry not only fully recognize this, but is completely committed to devising, with the people who work aboard American ships, the means of meeting the concerns of labor in making that adjustment. I am confident that the period of adjustment is one of transition, and that on the other side of the transition, technology and automation will produce an increase in maritime employment, not a decrease.

I fitted the parenthesis in where I did because the first three areas of research I mentioned—shipbuilding, ship operations, and port operations—bear most directly on employment, and do so right now. An affirmation of the industry's interest in the welfare of its workers seemed called for, and I am glad to give it.

Other areas of research in which we are intensely interested have to do with advanced ships—for example, nuclear ships and surface effect ships.

As you know, individual companies in the maritime industry conduct their own research programs, some of them extensive, and often extremely fruitful. What we are seeing today is a joining of the imaginations and skills of marine designers and engineers with resourcefulness of builders and the adventurous instincts inherent in the free enterprise of operators. Containerships and barge ships are a prime example of the results.

Let me note, also, as a sign of Congressional interest in this particular field, that the House authorization bill I have mentioned doubled, to $15 million, the amount asked for merchant marine research and development. Another salute is due Congressman Garmatz for that.

The cooperation between the AIMS R & D Committee and the Marad R & D people is the kind of teamwork that pays off.

One of the circumstances which makes the need for technological audacity in shipping so great at this moment is that this country, thank heaven, is still expanding its frontiers and developing new terrain which must be served in new ways.

Who could fail to be fascinated by what is happening on the Alaskan North Slope? Some of you may have attended the recent Tanker Conference of the American Petroleum Institute up in the Poconos. One of its higlights was a talk by a Canadian expert on the Arctic, Commodore O.C.S. Robertson.

The movement of petroleum from the new fields on the North Slope and the Canadian Yukon will require, he said, a new type of ship and new kinds of men. He used new phrases—"ice knowledgeable scientists," "ice-competent shipmasters," and "ice-able ships." The three phrases sum up a great new challenge to maritime technology and human intelligence. Success in meting the challenge will mean fulfillment of a centuries'-old dream of seafarers, the safe and regular—parhaps even almost continuous navigation of the Northwest Passage. That would be a triumph of turning mythology into reality.

American participation in this vast, novel, and complex enterprise provides as good an example as you could want of that bold acceptance of challenge which is part of the new spirit I have been talking about in the American merchant marine.

There was one passage in Commodore Robertson's remarks which I'm going to quote just for the fun of it, because it combines so neatly in one package both the reality and the romance of shipping. They don't always go well together.

Of the mariners who must deal with that forbidding part of the world, he said:

"These men do not have adventures. Adventures are wasteful, inefficient, costly and dangerous. They have no place in the Arctic."

I would not differ with him. I would only call your attention to a further meaning of his words which is that the adventures must nevertheless be undertaken, though somewhere short of the Arctic. They must take place on the drawing boards, the shipyards, in the minds and nerves of seafaring men, and, yes, in the board rooms of the enterprises which buy and operate ships, and—yes, again—in government offices over in Washington.

Apart from the special challenges of the Arctic, change is presenting new challenges and new opportunities for the American merchant marine in its traditional trade around the world.

The fruits of technology, in regular trade, are much higher levels of capability in vital areas of merchant ship performance. These include rapid cargo handling, very fast turnaround, speed on voyages port-to-port, and a versatility in serving ports from the most sophisticated to the most primitive.

For example, container ships can't be beat for serving container ports. At present, not all ports are equipped to take advantage of

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the container revolution. Eventually, one may suppose, all major ports will be so equipped. In the meantime, there are parts of the world where ports which are the coronary valves of struggling national economies still depend upon lighterage to move their cargoes in and out.

Even in some of the so-called more advanced countries, great vessels tie up alongside quays built in antiquity, and must depend upon the sheer muscle of the local cargo gangs to load and discharge. For such ports, barge ships provide an innovative means of sustaining service during the transition to modernity, and yet are capable of performing as container vessels when the ports are ready.

The process is one of progressive realization of the promise of technology. As one of our leading ship operators said recently. "When a vessel can go into a port and load or unload cargo in one day instead of five or 10 or even 15 days, the ship operator can gain as much as 70 percent in the number of new voyages." And since containers and barges are interchangeable from one ship to another in a fraction of the time traditionally required for trans-shipment, there exists the solid prospect of developing new intercontinental trade routes not economically practicable in other days, using old methods.

We at the American Institute of Merchant Shipping have studies which show that with ultra-modern vessels, half the number of cargo liners now under the U.S. merchant flag could carry twice the present amount of liner cargo.

To put it another way, only 69 vessels of the revolutionary container and ocean-going barge-ship types now being built could completely replace the annual lift capacity of the 322 ships in the present U.S. subsidized liner fleet. Those 69 ships would have a lift capacity equal to 260 ships of a type we now call fast and modern—the C-4s.

But technological brilliance falls short of realizing its full potential unless it is translated into ships. We need ships, and the ships need cargo.

I prefer not to talk in terms of building enough ships to equal present performance. I like to talk about carrying a lot more cargo.

President Nixon has suggested that the U.S. flag fleet should carry at least 30 percent of U.S. ocean-borne cargo. I know of no reason why we should not shoot for a figure of 50 percent.

The ship operators are ready to expand and modernize their fleets. AIMS found in a recent canvass that 19 companies—subsidized and unsubsidized—have an urgent need for 82 vessels—containerships, bulk carriers, LASH (Lighter Aboard Ship) barge carriers, a tanker, and a number of major conversions.

It is not my intention to suggest that the whole hefty shopping list of the merchant marine can be checked off in one trip to the store. But I do feel that we are closer to making a good beginning on it than we have been for a long time.

As a preparatory step before receiving the promised new Nixon merchant marine program, the House authorization bill Congressman Garmatz did so much to shape would, if the appropriation followed suit, provide $145 million in new money for merhant marine construction subsidies instead of the $15 million asked in the final Johnson budget proposal. Together with funds previously approved but not spent, the new figure would bring the total available to $246 million. And the authorization bill proposes $212 million for operating subsidies, up to $17 million from the budget request.

Without counting chickens before they're hatched, it is possible to expect that we are, indeed, going to get more money for ships than we have been getting.

I'd like now to be a bit more parochial for a minute. I've been dealing with the merchant marine from a national standpoint. I certainly have not lost sight of the importance of Baltimore and that huge part of Maryland's life and the nation's life which ties in to your port.

We are counting on Baltimore to take advantage of these developing opportunities for its own sake, and to help us at AIMS to make the most of them. Your record to date makes us look to Baltimore as a sort of powerful auxiliary of AIMS.

The merchant marine cannot forget that from spontaneous beginnings in colonial times, even before there was a Baltimore, this two-way relay point between America and the world has grown to be the nation's fifth largest port. Every year more than 40 million tons of cargo cross its piers inbound and outbound, supplying industry and commerce with their needs and providing markets the world over.

Anyone even casually familiar with the Baltimore story knows that most of this happened because you were determined that it should. You boosted Baltimore to its present ranking against stiff competition from other ports up and down the coast. Alert port management, superb service, vigorous selling in the United States and abroad, making the most of what you had, building what you needed, have made this a magnificent example of how a port can thrive, and what a thriving port can return in benefits to the environment in which it exists.

An historically-minded friend tells me that Rolling Road, on the outskirts of your city, got its name from the practice of rolling hogsheads of tobacco along its path to ships loading in the Patapsco River—a very early form of containerization. So, the timely introduction and rapid development of modern container facilities in the Port of Baltimore are only the latest example of a process which as nearly as I can gather will go on as long as the channels of the Chesapeake Bay and the canal to the Delaware are even slightly moist.

The American merchant marine can profit immeasurably from your ideas and your exertions. As the port of Baltimore prospers, so does the merchant marine, and as the merchant marine prospers, so does Baltimore. I can't think of a sounder basis for a long and happy life together.

DEFENSE ON THE DEFENSIVE

HON. GEORGE E. BROWN, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 26, 1969

Mr. BROWN of California. Mr. Speaker, last week's colloquy here on the House floor between the chairmen of the Armed Services and Appropriations Committees obviously is receiving much attention not because of what was said, but because of who said it.

Indeed, that heralded verbal exchange may not go down in the annals as one of Congress' "great debates," yet I find it significant that criticism of the Military Establishment now seems to be coming from all directions—not just from a small grouping of continual critics of the military.

And, with this new criticism, we also see a much deeper analysis of overall national direction and priority. Hopefully, all of this can—and soon will—be converted into a true reordering of this Nation's goals and objectives, with the emphasis on a free, just, and equitable society open to all men.

Last Friday's Wall Street Journal carries an editorial commenting upon the Mahon-Rivers dialog and upon the various implications arising from this new criticism of the military complex. I would now like to insert the editorial, entitled "Defense on the Defensive" into the RECORD at this point:

DEFENSE ON THE DEFENSIVE

If there was any question that the Pentagon faced a new atmosphere in Congress, Rep. Mahon dispelled the doubts the other day. The Texas Democrat, who heads both the Appropriations Committee and its Defense subcommittee, long has been one of the staunchest supporters of military spending. Yet he rose on the House floor to protest that the Pentagon was impairing public confidence with its "many mistakes."

Indeed it is. Perhaps the timing was only coincidental, but in the past few days the public has heard charges that a fleet of Air Force cargo planes will cost $1.2 billion (or is it $2 billion?) more than estimated; it has read that the Army may lose $200 million or so on a big helicopter; it has noted the sinking of a $50 million Navy submarine at its construction dock.

In the circumstances it does nothing to bolster public confidence to hear Rep. Rivers, chairman of the House Armed Services Committee and still a Pentagon champion, "explain" that there really have been no cost "overruns"—merely some "inaccurate" estimates of cost.

Like most Americans, Congressmen always have firmly believed that the nation should have an adequate defense. Like most people, too, the lawmakers have assumed that military men are likely to know more about military matter than ordinary citizens do.

From these two valid premises, Congress leaped to an invalid conclusion: That the legislators should give the Pentagon whatever it wanted. More than that, Congress often has pushed on the Defense Department even more money than it sought.

In doing so the lawmakers abdicated their proper role. Sure, they should give heavy weight to the Pentagon's views on defense, just as they should mull the Agriculture Department's ideas on farming and and the Transportation Department's thoughts on highways and railroads. But Congress has an obligation to consider critically the whole Government, and whether money is being allocated wisely and is likely to be well-spent.

Part of the problem is that the Government, and especially the Defense Department has grown so large that it's difficult for Congress to survey it properly. Even that doesn't excuse the lawmakers, though, since they could have been doing a far better job if they had overhauled their own antiquated appropriations procedures—and then mustered the will to use them.

The current Congressional criticism stems from several sources. For some lawmakers, the main incentive is their distaste for the Vietnam War; they eye with special care any money to be spent on it. Many in Congress were rightfully disturbed by apparent Johnson Administration efforts to conceal rising outlays in Southeast Asia.

A lot of Congressmen also are quite correctly concerned about inflation. Spending priorities and avoidance of waste, always important, are now even more so.

For the most part the Pentagon's recent difficulties had their origins years ago, and so can't be laid to the current Administration. In Deputy Secretary Packard, the Defense Department now has an able administrator who can, if he chooses, improve the Pentagon's own housekeeping. In Secretary Laird, the Department has a Congressional veterans who can, if he chooses, encourage the process of legislative review.

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Rep. Rivers seems to think that Rep. Mahon and other critics of the Pentagon are "playing into the hands of the enemies of the military," and there may be a chance that the attacks will go too far. We would like to believe, however, that the new atmosphere will only help encourage Congress to do what it should have been doing all along: Keeping a close watch on all Federal spending.

Whatever the "enemies" of the military think about that, a lot of us would consider it a welcome development.

SUBSIDIZED SEDITION

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 26, 1969

Mr. RARICK. Mr. Speaker, the taxpayers, very much against their will, are being forced to subsidize Marixst rebellion in which the poor exploited Negroes are nothing but misled cannon fodder.

Last November the taxpayers thought they had delivered a plain message to the new administration that they wanted no more federally subsidized violence—only now they learn that the present administration prefers not to alter the former administration's policies.

The most recent revulsion to American taxpayers is today's announcement by the OEO of a grant of nearly $1 million to finance black capitalism by a band of self-declared insurrectionists at Durham, N.C.

A clipping from the New Hampshire Sunday News of March 23, 1969, and from the Evening Star of May 26, 1969, follow:

[From the Manchester (N.H.) Sunday News, Mar. 23, 1969]

Reaching Level of National Security Threat: Reveal Many Black Rebels on Federal Payroll

(By Vera Glaser)

Washington, March 22.—The White House has received disturbing intelligence that the black revolutionary movement is spreading so rapidly among negro youth that it has reached the level of a national security threat.

A hard core of urban guerrillas is being trained by hate-filled racists to lie, cheat, steal. and burn—in short, to destroy American society as it exists today. Their handiwork is help to foment current U.S. campus explosions and slum violence.

To make matters worse, many of the revolutionaries are supported by federal funds. Some are on the payroll of the Office of Economic Opportunity (OEO) as local anti-poverty workers. Others are "separatist" college faculty members drawing federal grants.

Although congressional probes and newspaper exposes have linked local OEO Community Action groups with black militants, the full extent of the corruption is only now being conveyed to the administration. A forthcoming report on the OEO by the General Accounting Office is said to contain "hair-raising" revelations of local mismanagement and swindling.

Two clashing viewpoints on how to deal with the situation exist among the President's top advisers.

MOYNIHAN AND CO.

Presidential assistant Daniel "Pat" Moynihan and his group of urban specialists are aware of the "takeover" of some OEO programs by racial firebrands and overly permissive local officials, but favor keeping the agency essentially as is, perhaps adding tougher accounting and monitoring measures.

They are working currently on guidelines for a broad federal welfare approach.

Other presidential advisers, however, are alarmed at the inroads the militants are making in the negro community.

They advocate a two-pronged attack. They would continue the traditional effort to wipe out the roots of poverty with education, jobs and welfare.

But they would simultaneously wage a tough campaign to quell black violence.

They do not want to telegraph their punches but appear to be thinking in terms of sophisticated counter-intelligence aimed at rooting out subversives from federally-funded programs. The activity, according to one proposal, would head up to a secret White House command post.

The latter group, of which counsel John Ehrlichman is said to belong, believes it has the President's ear. Mr. Nixon is described as disappointed with the failure of Moynihan's people thus far to develop really new approaches to urban problems.

Much of the intelligence now reaching the administration is drawn from sizzling reports in the files of OEO which have hitherto been pushed under the rug or leaked back to militants. Now they are being leaked to the White House.

While U.S. Ambassador to France, R. Sargent Shriver was chief of OEO, programs were funded too fast in many cases to check local personnel. "Black Panthers" and other violence-prone militants were hired.

Gerson Green, director of research and development in OEO's Community Action Program, worked closely with Shriver to authorize the programs. Their philosophy was highly permissive, favoring "payoffs" to militants to keep them from rioting.

Green is now a top-level consultant to Health, Education, and Welfare Secretary Robert Finch.

The Shriver-Green coalition permitted hard core revolutionaries to siphon off poverty funds in Philadelphia, Los Angeles, Chicago, San Francisco and other cities.

BRIBES

Some U.S. mayors openly describe OEO's youth programs as "bribes" to keep young negroes from rioting, but are eager nevertheless to keep receiving the money for whatever insurance it may provide against disturbances.

Messrs. Shriver and Green approved funding for a Los Angeles Community Action Program which hired Ron Karenga (formerly Ron Everett), a notorious advocate of violence.

Karenga drew a federal salary as a full-time "tutor" last summer while heading a gang known as "US." Other militants headed rival gangs, among them Billy Tidwell ("Sons of Watts"), Ronald Leroy Crook ("Community Alert Patrol"), Bo Simmons ("Young Men for Total Democracy"), and Tommy Jacquette ("Self-Leadership for All Nationalities Today," known as "Slant").

Karenga's employment was discovered, but quickly hushed up, about the time Mr. Shriver was due to visit the annual summer festival at Watts.

ADVOCATES OF VIOLENCE

Jacquette, who advocated "burning all of America down," was employed as a field worker-counselor at the Westminister Project, the biggest and best-known anti-poverty activity in Watts, which received more than a million dollars of federal money in 1967.

In San Francisco, a group of Hunters Point negro youths employed in the local summer program, accompanied by their boss Charles Sizemore, entered the office of area director George Jackson, held a knife to his throat, and demanded a month's extension of their salaries.

Sizemore, Arnold Perkins and George Murray, other local poverty workers, used their positions to encourage virulent black racism among negro youths.

In Washington, D.C., federal funds pay the salary of James Garrett, a black racist on the faculty of Federal City College, who earlier helped foment violence on the campus of San Francisco State College. He was one of a group referred to by acting president S. I. Hayakawa before a House Sub-Committee as "dedicated revolutionaries."

Recently, Garrett lectured students at the University of Oregon on techniques of making firebombs and hand grenades.

MURDERERS ON PAYROLL

Evaluations last summer of the Woodlawn Project in Chicago showed criminals in top positions. Five murders were committed by people in the project while it was under discussion at OEO.

In San Francisco, Black Panther Bobby Seale told youth employment program participants to "get guns, get organized, and shoot it out." In that area, local poverty leaders had purposely hired as summer program coordinators in five target areas "articulate radicals," "gang leaders," and "real hard core, anti-establishment people."

The realization appears to be growing that it is a mistake to assume only the white community has the solution to racial problems and negroes are only passive witnesses to the riots and crime emanating from their communities.

One possible approach might be to require security clearance for all those hired in federally-funded programs to make certain they are, first of all, loyal to the United States.

[From the Washington (D.C.) Evening Star, May 26, 1969]

OEO Grant to Durham Negroes Is Protested

(By Richard Critchfield)

White North Carolina Republicans are protesting a $900,000 Office of Economic Opportunity grant to a Negro foundation in Durham which they say is a spawning ground for revolution-bent guerrillas.

The grant, announced April 24, is catching the Nixon administration in the middle.

President Nixon's choice to head OEO, Donald Rumsfeld, was not sworn as the new director of the federal antipoverty agency until today and holdover Johnson administration aides have been making most of the policy decisions.

The grant is now nearing the end of a 30-day processing period and "the money will be dispersed" soon, OEO said in a statement.

The White House apparently does not want to overturn the commitment, but a Nixon aide said the foundation will be watched closely to make sure that no OEO funds are misused.

The grant, funded under OEO's Special Impact program, is important both as the Nixon administration's first big pilot project in minority business enterprise and because it illustrates the problem of trying to separate the federal war on poverty from the Negro revolt against poverty.

It represents the first of $10 million in OEO grants to be allocated before June 30 to businesses owned by minority groups. In his 1970 budget request, President Nixon has asked the program be expanded next year to $46 million.

BLACKS BUY STOCK

The controversial project would establish a black-owned supermarket, jam and preserves factory, and an enterprise to produce coffins. They would be run by a new business, United Durham, Inc., and would be expected to produce about $3 million in gross sales and create jobs initially for 125 people and later on for 3,000.

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Durham's black community is proud of the project and has already bought $46,000 of stock in the supermarket in mostly $5 shares.

The problem, as many of Durham's white leaders see it, is that the money will first be channeled through the town's 15-month-old Foundation for Community Development, whose black staff includes militants some whites say were involved in campus riots and fire-bombings this spring.

Jim Holshouser, chairman of the North Carolina Republican party, has urged federal funds "not be used to feed the fires of unrest which cross North Carolina today." He has appealed to Rumsfeld to hold up the grant until he has time to investigate the foundation.

The Republican chairman's chief objection, shared apparently by many whites in Durham, was the role of the foundation's militant "training director," Howard Fuller, in campus disorders this spring at the University of North Carolina, Duke and Belmont Abbey.

Fuller was arrested April 29 on the Belmont Abbey campus on a trespassing charge after black students seized a college building just after hearing him deliver a speech. Last month five Negro youths, riding in a car belonging to the foundation and registered in Fuller's name, were arrested and charged with throwing fire-bombs into Duke University woodlands.

JUST RHETORIC

Earlier this year Fuller was instrumental in helping black students from Duke establish a makeshift "Malcolm X. Liberation University" in downtown Durham. At the dedication ceremony, Fuller said, "We will teach here why we must destroy capitalism."

At a national conference of community action agency directors here at the Shoreham Hotel March 10, Fuller told a cheering audience it must destroy OEO's antiproverty program "either from within or without." He also called integration "a flop," saying, "If you get ready to fight a war you do not bring your enemy into your discussions of strategy."

"It's just rhetoric," said Edward Stewart, an official of OEO's successful Project Outreach in Durham, which promotes small Negro businesses. "Howard's not a nut. He knows how to keep the kids in check."

But Durham's white community is more inclined to take Fuller's words at face value.

Ed Martin, assistant city editor of the Durham Herald, who has just completed a series of investigative articles on Fuller and the Foundation for Community Development voiced the suspicion the foundation may be just a facade for Fuller's activities to organize and radicalize North Carolina's black students.

GRANT QUESTIONED

Martin also said he was "appalled by OEO's investigation before making the grant." He said, "They didn't check with more than four or five people in town here before making what is almost a million-dollar grant."

Interviewed in Washington, Geoffrey Faux, chief of OEO's development branch, said: "Fuller's relationship with the foundation is really irrelevant to what we're doing. We envision no role for Mr. Fuller and he is not to be paid out of Special Impact project funds."

Faux produced a list of those interviewed in Durham during the investigation. It included the president of Durham's black bank and its first Negro county commissioner as well as one of two Negro city councilmen. The others were either officials of the recipient foundation itself or members of Durham's community action agency. The only outside white person contacted was Jack J. Priss, a Duke University sociology professor defeated in a city council election last week who has been active in campus demonstrations.

One white newspaper editor said "radical tension and an almost constant threat of disruption" had gripped Durham since Fuller began operating there and that a number of Negro families were opposed to his militant activities but were afraid to speak out. He said the towns-people were "incensed" over the grant.

In contrast, Negro leaders praised Nathan T. Garrett, the foundation's executive director, Fuller and the foundation, saying the OEO grant would bring real benefit to the black community of Durham. Said one: "Fuller has organized the black community here. All he's giving the whites is the same thing the black man in Durham has experienced so long a time."

In a letter to OEO, Garrett pledged Fuller would have "no policy responsibilities" in administering the $900,000 grant. He described Fuller's role as heading a staff "devoted to training neighborhood workers and leadership for the poor . . . and with nonacademic employe groups in colleges and universities throughout the state so that these persons can seek better working conditions."

ALL CITIZENS SHOULD FOLLOW THE ESTABLISHED PROCEDURE BY WHICH A CITIZEN CAN FILE A FORMAL COMPLAINT

HON. JOEL T. BROYHILL

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 26, 1969

Mr. BROYHILL of Virginia. Mr. Speaker, once again the militant leader of Pride, Inc., the Labor Department's pet make-work program in the District of Columbia, has made headlines by assaulting a police officer.

Once again Mr. Barry has, by bringing his teenage gang of hoodlums into the District building, forced Commissioner Washington into hysterical action—in this case appointment of a "top priority investigation" of the police officer's conduct by the policeman's boss, the Public Safety Director, assisted by the District of Columbia Human Relations Commission and the militant Mr. Barry's attorneys.

Mr. Speaker, Carl W. Beatty, president of the Policemen's Association of the District of Columbia, has written an open letter to Commissioner Washington expressing the grave concern of his organization over the District Building hysteria which followed Mr. Barry's antics. I believe his comments should be studied carefully by all our colleagues, in whom the Constitution has vested final responsibility of maintaining law and order in the District of Columbia.

Mr. Beatty's letter reads as follows:

POLICEMAN'S ASSOCIATION OF THE DISTRICT OF COLUMBIA,
Washington D.C., May 15, 1969.

Open letter to:
Mayor WALTER E. WASHINGTON,
District Building,
Washington, D.C.

DEAR MAYOR WASHINGTON: I am writing as president of the Policemen's Association of the District of Columbia, whose membership is comprised of over 4,700 active and retired policemen. On behalf of the men on the force, and to express their strong feelings, I write to protest the manner in which the investigation of the arrest of Marion Barry is being handled.

If a policeman on the Metropolitan Police force has allegedly engaged in misconduct, there is a procedure established by which a citizen can file a formal complaint, which will be processed in an orderly, established manner, which will result in an investigation and a report. We on the force do not understand why a complaint by Mr. Barry is handled any differently or why you, as the Mayor, must order a top priority investigation by the Public Safety Director, assisted by the District of Columbia Human Relations Commission and Mr. Barry's lawyers, as was reported in the daily papers. It has been publicly announced by one of Mr. Barry's lawyers that he intends to file a civil action for damages. I suppose this will involve the individual policeman and the District of Columbia government. To the men on the force who are on the streets day in and day out, trying to maintain law and order, it is difficult to understand why the Public Safety Director, who is their boss, is working with the attorneys for a person who intends to sue the policeman and the District.

In this day and age, and in the atmosphere in the District created by people like Mr. Barry, who makes public pronouncements that police are like mad dogs, a policeman tried before a jury in this jurisdiction is at a complete disadvantage. When this is compounded by the Public Safety Director and the Human Relations Commission being directed to work with attorneys representing Mr. Barry, then the police office is indeed in a sad way.

We do not understand how Mr. Duncan, as Safety Director, can personally conduct an investigation of a police officer, since ultimately, he must be the judge of the police officer's conduct following investigation. Since a police officer has neither the means nor the opportunity to conduct his own investigation, it seems that the only proper procedure is to have such investigation conducted by a totally and completely impartial, disinterested Board. Upon complaint, properly filed, Mr. Barry would have the right to present his case to the Citizen Complaint Review Board, who would determine if there is sufficient evidence upon which to bring charges before a Trial Board. This is the only function of an investigation by officials of the District of Columbia. It is not, and cannot be, to assist a complainant's attorneys in gathering evidence for a civil suit.

We members of the force would also like to know, once and for all, whether we are supposed to enforce the law as it is written. The law includes within it traffic regulations and other provisions which to many people seem to be inconsequential. We would like to know, Mr. Mayor, what we are supposed to do if every person we gave a ticket to tore it up and threw it in our faces. If Mr. Barry can do it, why can't every citizen do it? And if every citizen can do it, what is *our* function? We feel that we should have the right to enforce the law with the full and complete support of you and the Public Safety Director, as well as the Chief of Police. If improper action by a police officer has been taken in enforcing the law, the courts are there to protect the citizen. We on the force do not feel that we must justify our decisions and our judgment on the public streets, for to be required to do so would, in fact, create innumerable disturbances and ill will. It seems to us, therefore, that the District government should strongly support us in doing a job which we are paid to do, and to which we are dedicated. To be confronted by a "top priority investigation" every time we enforce the law against someone like Mr. Barry is to destroy the morale of the men who can very properly say: "Why make an arrest? Why enforce the law? Let's put in our eight hours and pick up our check." If this is what you want, and I am sure it is not, just tell us.

We sincerely trust that the men on the force, in enforcing the law, will have your

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full and complete support. We also hope that procedures established by law will be followed in judging the complaint of Mr. Barry, as it would be in any other case.

Respectfully,

CARL W. BEATTY,
President.

A 10-POINT PROGRAM FOR SENIOR CITIZENS

HON. CLAUDE PEPPER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 26, 1969

Mr. PEPPER. Mr. Speaker, in an eloquent address before an audience in the Douglas Gardens Jewish Home for the Aged in Miami, the former Secretary of Health, Education, and Welfare, the Honorable Wilbur J. Cohen, urged enactment of a 10-point program for senior citizens.

It is with pleasure and an honor for me to have the distinction of inserting Mr. Cohen's speech in the RECORD:

A 10-POINT PROGRAM FOR SENIOR CITIZENS*

(By Wilbur J. Cohen, former Secretary of Health, Education, and Welfare, professor of education, the University of Michigan)

It is a pleasure to meet today with my senior citizen friends in Miami. I welcomed your invitation because it gives me the opportunity to discuss with you the policies that I believe our Nation should pursue to achieve the goal of a better and more meaningful life for the Older American. I believe that this is the time when we can take additional steps to bring us closer to that goal.

A 10-POINT PROGRAM FOR SENIOR CITIZENS

I intend to work for:

1. The Right to Adequate Retirement Income.

Raise social security benefits by 50 percent, and the minimum to at least $100 a month.

Make the levels of benefits "inflation-proof" by automatic increases in line with increased living costs.

2. The Right to Comprehensive Health Care.

Broaden Medicare to protect against the heavy costs of prescription drugs and to include preventive services.

Finance medical as well as hospital insurance under Medicare through contributions from employers, employees, and the Federal Government.

Expand comprehensive out-of-institution health services for the elderly.

3. The Right to Decent Housing.

Establish and maintain standards for health and safety in rental housing.

Expand rent-supplement programs for low-income elderly.

Expand long-term insured and direct housing loan programs at rates within the means of the elderly.

4. The Right to Rehabilitative Services.

Provide special rehabilitation services for older Americans, including training, counseling, placement, and follow-up.

Expand homemaker, home health, and other services to enable older people to remain at home if they so desire.

5. The Right to Meaningful Employment Opportunities.

Eliminate arbitrary age discrimination in employment.

Expand work opportunities, and education and training programs for older workers.

6. The Right to Comprehensive Community Services.

Develop a full range of community services, such as friendly visitors, legal and protective services, nutritional service, information and referral services—conveniently located and accessible in the neighborhood.

7. The Right to Life-long Learning.

Encourage learning as a life-long pursuit.

Devise special adult education programs to prepare for new careers in the retirement years.

8. The Right to Full Participation.

Assure the elderly a role in the recreational and cultural life of the community.

Expand senior centers, opportunities for volunteer services, and recreational and cultural programs.

9. The Right to Services Based on New Knowledge.

Expand health research, particularly in the chronic and degenerative diseases.

Expand research in social services, retirement counseling, and leisure time activities.

10. The Right to Choose Freely.

Assure older people a wide range of choices—in jobs, in housing, in family and community life—in a dynamic and improving society.

Recent progress

We can and we must continue the progress that has been made in the past few years to advance the well-being of our senior citizens. During this decade we have begun to take the steps which are necessary to solve some of the problems of the aged and to take advantage of the opportunities that the older population represents. What has been accomplished because of the concern and increased awareness, which your group did so much to highlight, is something unique in our history.

There has been more legislation enacted in the past 4 years to meet the needs of the aged than was enacted in the past 40 years:

The 1967 Amendments to the Social Security Act provided the largest social security benefit increase in history.

The 30 year fight for health insurance for the aged was won.

The Older Americans Act is bringing new and expanded services to older people in their own communities.

The Economic Opportunity Act has widened the attack on poverty.

The regional medical program is attacking heart disease, stroke, and cancer—diseases which cause 70 percent of deaths of older people.

The Comprehensive Health Planning Act is coordinating community health facilities and services to meet health needs including those of the elderly.

Amendments to the Manpower Development and Training Act provides services to meet the special problems of older workers.

Amendments to the Vocational Rehabilitation Act aid in the rehabilitation of physically and mentally handicapped individuals including the aged handicapped.

Legislation expanding library services will bring increased opportunities for meaningful living to older people.

The Department of Housing and Urban Development has initiated the "Model Cities," neighborhood facilities, home rehabilitation, and rent supplement programs—all of which will benefit the older person.

The Age Discrimination in Employment Act of 1967 has outlawed age discrimination in employment by employers, employment agencies and labor unions.

Yes, much progress has been made in identifying the needs of the older population and in the development of programs and services to meet them. But the job has just begun.

Social Security

We cannot relax our efforts when 30 percent of our older population—5 million people—still live in poverty. Their incomes, which are too meager to live on decently, must be raised.

We must continue to improve the social security program—the biggest anti-poverty program in the United States. Social Security benefits right now are keeping 10 million persons out of poverty. By increasing the minimum monthly benefits to $80 for an individual and to $120 for a couple, 1 million more persons, including 800,000 persons 65 and over, would be immediately moved out of poverty. We must increase the minimum benefit to $100 a month over a period of time.

In as prosperous a country as the United States, where the Gross National Product has been increasing at an average annual rate of 5 percent, there is no reason why social security beneficiaries should not share in the expanding prosperity. I think we can and we must steadily improve the social security program to keep pace with the Nation's economic growth.

Public assistance

For most people, additional improvements in the social security program would be sufficient to help them out of poverty. But it must be recognized that there are people who may, for one reason or another, require public assistance. And today their needs are not being met adequately. In addition to inadequate payments, residence and other restrictive eligibility requirements are barriers to meeting their needs.

No one is happy with the present welfare system. The President's Commission on Income Maintenance is studying ways to overhaul the system and to deal with the gaps which exist. We do not know yet what the recommendations of the Commission will be. But while we are waiting for a longer-run solution we must make some radical changes in the scope of coverage, in the adequacy of payments, in the way welfare payments are administered and in building incentives to independence.

One way to accomplish this is to establish a Federal system of income payments with eligibility, the amount of payments and appeals determined on a national basis. This would overcome many of the problems of inequity and State variations and fiscal inadequacy which plague the present welfare system. I suggest this proposal for further consideration.

Adequate income

Our goal must be to enable all retired people to command a purchasing power related to their needs. We must assure them a basic income which permits them to participate fully in family and community life without being required to work and without the stigma of charity. But those who are able and wish to supplement their basic retirement incomes through earnings must be helped to do so. Society needs their continued services.

Health insurance

Another area that demands our attention is the health needs of the aged. While Medicare has reduced the financial barriers to medical care that previously existed for many older persons, serious health problems still confront the aged. We *must* continue our pursuit of the American goal of a later life free from illness, disability and suffering. The extension of health insurance protection to cover preventive services such as periodic health examinations and disease detection services might be one means of reducing the incidence of serious disabling diseases in old age.

But certainly we must find ways of combatting the rising cost of medical care, including the mounting costs of drugs that drain the budgets of many elderly people.

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*Presented at Douglas Gardens, Miami, Florida.

Currently elderly people spend 5 times as much on medicines as do younger persons.

Two proposals would help us eventually combat this problem: the Medicare-Medicaid Drug Cost Determination bill, which would establish a reasonable cost range for drugs supplied under the Medicare-Medicaid and child health programs; and the United States Drug Compendium Bill, which would authorize the Secretary of Health, Education, and Welfare to publish a complete and up-to-date compendium of lawfully available drugs together with all pertinent prescribing information for use by physicians, pharmacists, and the general public.

Housing

The aged also must have adequate housing at prices they can afford and a wide variety of alternative living arrangements.

Too many of them today live in one room walkups, shabby hotels, old lodging houses, or isolated farmhouses. Much of this housing is unsafe, unhealthy, and rat infested. Rents take about one-third of the income of the aged. Much more must be done to improve the housing situation of the aged.

One step that could be taken, would be to require States, as a condition for the Federal approval of a State old-age assistance plan, to establish and designate a State agency to be responsible for maintaining standards of health and safety in housing rented to old-age assistance recipients. Such a requirement would provide an essential safeguard for the living arrangements of a highly vulnerable group—the needy aged.

But the aged, no matter what their income, need more housing options. Their needs and desires are as varied as any other age group and no single type of housing can be expected to satisfy all the aged. Some may wish to stay in their own homes, others may wish to move into high rise apartments. Some may want to enter a church home, others to live in a retirement village. All these options must be available.

Work and retirement

Alternative and new combinations must also be available with respect to work and retirement. Some people want to retire at 60, others never. Some want to work full-time, others part-time. For those who retire, meaningful retirement activities must be available to them.

Social services

The development of appropriate social services would greatly increase the freedom of choice in living arrangements. Homemaker services, home health services and protective services for the aged in sufficient supply would give many older persons who must now live in institutions a chance to remain in their homes if they so desire.

The expansion of senior centers, the development of adult education programs and increasing opportunities for volunteer services would also give older people greater freedom of choice.

CONCLUSION

Bold new imaginative approaches are needed if we are to meet our obligation to the generations who have contributed so much to this nation's progress. And just as important is that they continue their contributions to the fabric of the economy they helped so much to shape.

Working together we can continue to keep the spotlight on the urgent needs of the Older American. We must continue to urge programs that will meet their needs. Based on our past experience, I am confident that great strides can be made in 1969, 1970, and the years ahead. I intend to give all I have—my energy, my mind, and my heart—to putting into action the ten-point program I have outlined today.

I ask your help and your dedication in this great effort.

PESTICIDES—LET US SPRAY?

HON. RICHARD L. OTTINGER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, May 26, 1969

Mr. OTTINGER. Mr. Speaker, last month WCBS–TV, New York, presented an alarming and courageous documentary showing the effect that DDT and related pesticides are having on Atlantic coastal fisheries. The program entitled "DDT/SOS" was produced by Osborne Segerberg, Jr. and narrated by CBS–TV science editor, Earl Ubell. It was presented as a part of the award-winning public service series, "Eye on New York."

I was privileged to be able to arrange to have this important program viewed by a distinguished conservationist, Supreme Court Justice William O. Douglas, and by such congressional conservation leaders as Senators Philip A. Hart and Gaylord Nelson and Congressmen John D. Dingell and William F. Ryan. CBS–TV was so impressed by the reaction of these leaders that it broadcasts their comments in separate programs.

The dangers that DDT and related nonbiodegradable pesticides pose for our environment are very grave. I am pleased to be able to reprint in the Record at this time the entire CBS program and the comments of Justice Douglas and my colleagues dealing with one very important facet of this problem:

"DDT/SOS" A Special Report by WCBS–TV News

Ubell. By 10 o'clock in the morning, most of the work is done here at the Fulton Fish Market. The stalls are empty. The fish have been sold and carted away.

But one day this market and these stalls might be empty for another reason. There might be no fish to sell. The mackerel, the tuna, the bass, the snapper might be reduced to such small numbers that fishing might not pay.

Why? Well, we are pouring new chemicals into the oceans, chemicals that reduce the fertility of fish to such a low level that they could indeed disappear.

The Challenger out of Sandy Hook, New Jersey. A research vessel of the Federal Bureau of Sport Fisheries and Wildlife . . . hunting down the threats to sea life—combinations of acids, DDT and sewage sludge that drive fish away. Already, fishermen report that fluke, porgy, weakfish and seabass have all but disappeared from New York waters.

The Challenger's divers have discovered a dead sea 20 miles from New York. It is a wide area where the city dumps its sewage. Nothing lives here. But DDT reaches beyond local waters, and millions of pounds of it wash down from farms to the sea each year. And it stays for ten years or more near the mouths of rivers—the estuaries—where fish are born. Diver-biologist Bob Wicklund:

Wicklund. DDT, of course, is being introduced into our environment, especially in the estuarine areas where it's very important to young fish—is a nursery grounds for young fish—these fish are taking up this DDT and the bigger predators are feeding on the smaller fish and they are actually taking in DDT in small quantities and it's actually building up in these species.

The combination of all these chemicals and dumping of chemicals and sewage and so on certainly will build up into a problem eventually. I think it's a problem right now, as a matter of fact.

Ubell. Dr. Charles Wurster, biochemist at the State University at Stoney Brook, told correspondent Jim Kincaid of his investigation of the impact of DDT on the sea and its life.

Kincaid. Doctor, we ordinarily think of DDT as being a purely agricultural product, something that is dropped on crops or is spread in various ways to control insects. How does it get here?

Wurster. Well, unfortunately, it doesn't stay on a farm where we put it. It moves from the farm by a number of mechanisms. It can either get into the air as a gas or as a particle and fly around the world in the normal circulation patterns of the atmosphere and come down in the precipitation or it can move downstream in the watershed and by river systems drain into the ocean.

So by these mechanisms, most of the DDT that is applied to the land areas of the world are eventually going to be transferred into the ocean.

Kincaid. How does it hurt the ocean?

Wurster. Well, it hurts it in a number of ways. It affects it—it affects the food chains at various levels. It can affect the phyto-plankton at the base. It can affect birds and fish at the top.

The phyto-plankton replace the carbon dioxide that the world's animals exhale with oxygen and they also generate nutrients that become the food supply in the ocean. So this is an essential part of life on earth.

Kincaid. Without the phyto-plankton, we're nowhere.

Wurster. Uh, yes. Absolutely. We've had it.

Kincaid. Okay, what happens—what happens on up the line? You're talking about food chains. Something eats the phyto-plankton and it moves up. How does this affect us?

Wurster. Well, the DDT has a tendency to concentrate as it works up the food chain, so that at each level in the food chain it becomes more concentrated than it was at a lower level.

Now this means that the carnivorous birds and fish at the tops of these food chains are often the hardest hit.

Kincaid. How would some of these birds and fish be . . . primarily . . .

Wurster. Well, fish like . . .

Kincaid. Since we're talking about pollution now.

Wursted. Tuna, swordfish, mackeral, the various important fish of the world's marine fisheries.

Kincaid. And would they be dwindling in numbers already?

Wursted. We don't know. We can't really tell. We don't have the data to tell. But we do know that the DDT that they carry endangers them, because DDT accumulates in the yolk sack of the eggs, and when the eggs hatch this DDT often kills the fry. And so we're . . .

Kincaid. I see.

Wursted. The DDT in the ocean directly threatens the marine fisheries of the world.

Ubell. Dr. Wurster now wants to know how DDT affects pigeons . . . how it cuts down the young bird. The lethal biology may be similar to that of fish. Many birds lose their reproductive power after contact with DT. Dr. Wurster is sure of one thing: DDT has wiped out the peregrine falcon east of the Rockies. It did its work by interfering with calcium metabolism so that the falcon's eggs were too fragile to survive. Biologists know that if a chemical can wipe out one species, it can wipe out another.

That other species may be fish which are born in marshes like this one at Brookhaven on Long Island's south shore. A decade of DDT spraying for mosquitoes has all but wiped out animal life here. Dr. George Woodwell, chief ecologist at the Brookhaven National Laboratory, has convinced local authorities to stop spraying, and life is coming back. Dr. Woodwell points out that DDT's action may not be obvious:

Woodwell. In some instances when DDT is applied in large quantities, it kills birds and fish by acute exposure, killing them outright at that moment. More often, however, it reduces their reproductive potential, reduces their rate of reproduction and so over a period of years they simply disappear. The loss is not a spectacular loss, such as we have when we have a kill of fish following an application of pesticide.

Ubell. Well, the amount of DDT needed to reduce reproductive potential as you call it, or rather have the animals have fewer babies each generation. How much is needed to do that?

Woodwell. Well, this can be a very small quantity as long as it's present on a continuing basis. In the case of oysters, for instance, some hundreds of a part per million of DDT residues is sufficient to reduce the reproductive potential of oysters to zero.

Ubell. Well, would you say that there exists now because of the persistence of DDT in the environment a real danger to the food fisheries of the world?

Woodwell. Oh that is certainly true. This is one of the greatest hazards of DDT—that we will swap our oceanic fisheries for the use of DDT in the production of food on land for the convenience of its use in other applications. Certainly the persistence of DDT residues for ten years, perhaps even much longer than that, is sufficient to produce a very serious threat to oceanic fisheries.

Ubell. Every expert I talked to told me the same thing: we don't know how much DDT will make a species of fish vanish. In short, a multi-billion dollar industry is in danger, a danger born of ignorance.

At the Coney Island Aquarium, Dr. Ross Nigrelli, the director, agrees that there is a danger:

Nigrelli. My personal feeling, Earl, is that it is a real threat. And particularly in fisheries that are within the continental shelf where most fisheries occur. The pollution, I think, is increasing every year. There's more DDT coming into the environment.

Ubell. Well, aren't you concerned about the levels, though?

Nigrelli. I am. I am concerned. Not only from the health point of view, but from a conservation point of view. I think that some of our important food fishes may actually become depleted in time. It may be beyond our time, but I'm certain that if this continues indefinitely, without some regulation as to the use and the amounts that are put into the sea and the ocean, we're going to be into trouble in the future.

Ubell. In 1962, Rachel Carson warned in her book, Silent Spring, that the insecticides could make the fish disappear from the oceans. At the time, many pooh-poohed her speculations as reckless. But now many fish scientists believe that her prediction may come true.

DDT, alone or in combinations with the other depredations that man is wreaking on the oceans, could make the fish disappear.

It is ironic that it comes at a time when many look toward the oceans as a new resource to feed an ever-expanding population. And the loss of that fish could be a major catastrophe.

And for those of us who eat fish for health or for pleasure, that loss could be tragic.

INTERVIEW WITH HON. WILLIAM O. DOUGLAS

Interviewer. Mr. Douglas, constructing this broadcast on the impact of DDT on fish, what is your impression now?

Justice William O. Douglas. Well, that's a terrific film. It should upset any rational person and make him want to do something about it. It's a terrifying thing. The unseen subtle way in which DDT used on the farm works its way down through irrigation ditches into a river and, eventually, into the ocean. And how one billionth part of DDT per unit of water can sensitize an oyster—and oysters have a capacity to accumulate a tremendous amount of this.

Other fish do, too. What's happening off New York is a great disclosure, a great eye-opener on the Atlantic. We're greatly concerned out West. I wish you could do one on the Pacific. We have a tremendous problem there in the Pacific off my coast—that's the coast of Washington—it's very, very rich in plankton and we're beginning to realize now that plankton is getting highly infected with DDT.

And plankton is, of course, the anchor food for all the chain of things that are dependent on . . .

Interviewer. The wheat of the sea . . .

Justice Douglas. Yes, the wheat of the sea. And we're beginning to realize that the tremendous output of DDT endangers many foods, with the best of intentions we have financed DDT plants and they are extensive and are ruining the Pacific. I don't mean just overnight. I'm speaking now in terms of decades.

We may be wiping out many different species of fish at the present time very important in food for human beings.

Intervewer. Tell me, what do you think should be done right away?

Justice Douglas. Well, I would think that this should be on every television station in the United States. I would think that, after television gets through showing it, there should be reruns. I think they should show it at schools. I think this should go to the conservation societies. This should be shown everywhere—wherever there's adult education.

Intervewer. Do you think it's time we banned DDT completely—what's your impression?

Justice Douglas. Well, I think—I was much interested in what Sweden did and much interested in what Michigan did. I've been proposing this—I'm not a scientist but everything I've read indicates that we're dealing here with a killer. I came at it largely through my interest in the birds and through the work with the Audubon Society and with the World Wild Life group.

I have been watching the disappearance, the gradual disappearance of the bald eagle and the shocking effect on the reproduction of the Bermuda Petrel due to the taking in of large quantities of DDT. I hadn't realized until I saw this film of the tremendous impact upon fish.

And also, eventually, there is man. We eat fish, we get DDT from the fish and we store it. How much DDT can a man store? A woman? A child? What effect will it have on health? These are unanswered questions, perhaps unanswerable. But it's this kind of film that will pose the questions and set people to thinking. Eventually, the thing will be banned, should be banned everywhere.

Interviewer. Up till now, we've had to wait for legislation in order to accomplish some control over noxious chemicals in the—in our society. Isn't there some right which I would have as an individual to get manufacturers to demonstrate safety conclusively before there is a nuisance . . .

Justice Douglas. Well, we're on the periphery of the development of new laws. That is very involved and there are a lot of aspects to it. Perhaps, the most constructive thing that's happening at the present time here on the Hill in Washington, D.C. are some bills being drafted by Congressmen and Senators that would set up some kind of scientific control, some kind of a clearinghouse where nothing can be shipped in interstate commerce unless it's cleared by this scientific committee and that can be cleared only by proof of no harm or very remote chances of harm.

The chemical companies are turning these things out at I don't know how many dozens a year and no tests made. The federal agencies in their spraying programs use herbicides without having control patches to learn what a particular poison will actually do. I know the forest services use sprays. I don't know precisely what is in the sprays but they're herbicides and the service doesn't know beforehand what it will do eventually to the species that they're spraying. Come with me to Wyoming and I can show you stuff that they sprayed ten years ago and it's still pretty much of a desert.

Interviewer. What I'm asking, really, is there something in our current law which could make it incumbent, upon the manufacturer before he even distributes it, to demonstrate that there would be no long-term effects upon individuals and upon the environment?

Justice Douglas. No, there's nothing—nothing has as yet developed. Letting it develop just by individual litigation is a slow process. We couldn't afford to wait. We have to have some overall dramatic scientific controls and there have been more and more people thinking that way and I think it'll come. I think it should come very fast.

Not only with respect to DDT but all these other pesticides and poisons that are being used to control all sorts of things that grow. These things must be controlled. We must know—you know, just like doctors before they start operating know and we must know before we ruin the earth any more than we have done now and the waters and the air.

Interviewer. Thank you.

INTERVIEW WITH HON. PHILIP A. HART

Interviewer. Senator, you've just seen our broadcast on DDT and its impact on the fish. What's your impression?

Senator Philip A. Hart. I profess that coming from the Great Lakes basin, I didn't realize that the sea water—the oceans—were under the gun. We know perfectly well in Michigan that DDT can raise hod. But I didn't realize that it reached out into the oceans of the world. Maybe that will generate the kind of interest that will be required if we're going to do anything about it.

And the first thing to do is find out presently what damage does occur. A very disturbing study of the Cancer Institute shows that eleven of the popularly used pesticides have caused a very shocking number of cancerous tumors in laboratory mice.

Well, I want to know whether pesticides will do that to me, too. And in the case of the fresh water fish, the Great Lakes basin is entitled to hear Congress say "wait a minute, let's find out just what does happen here." And let's find out how to control this damage. And that's the kind of hearings that we're going to have.

Interviewer. Are you planning hearings on that?

Senator Hart. Yes, on May 19th we're going to take a look at the specific situation that occurred in Michigan. We're going to ask the Secretary of H.E.W. and others on what basis they made the decision that this was dangerous. To what extent can it be controlled? What should we do?

Now this is something, of course, that we should have been doing ten or fifteen years ago. I remember when DDT first was unveiled. It was the greatest thing since we invented the wheel. Well, apparently it's got some squeaks in it, if not, some very real hazards.

And that's exactly what this hearing will try to identify.

Interviewer. The hearings that you're planning, do you plan to extend them to questions of ocean life as well?

Senator Hart. If we're needed to. I'm going to suggest that the institute of health attempt to identify not just the damage to

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marine life, but humans as well. Because we're the end of that food chain that you were talking about on that film that was so interesting. We're the animal life that I'm most concerned about. You and me.

Interviewer. Well, could you tell me exactly what you're going to do in these hearings, aside from having the Secretary and . . .?

Senator Hart. Secretary and experts? What can you do? I'm a Greek and history fellow. I wouldn't know a chemical composition if you stuck it in my eye, but I want to find from the fellows who are supposed to know, precisely what it is that we should do.

Interviewer. Well, what sorts of legislation would you be looking toward?

Senator Hart. Well, in the case of fresh water fisheries, what are the cost factors? What substitutes? Clearly, agricultural interests are benefitted by the use of some of these pesticides. But what are the costs? And if the damage that DDT does exceeds the benefits, what substitute, what alternative may there be?

When we begin a hearing like this, you don't know what the answer is. And even if you think you do, you shouldn't say so because it will make somebody mad.

Interview With Hon. Gaylord Nelson

Interviewer. Senator, you've just seen our broadcast on DDT and its impact on the fish. What's your impression?

Senator Gaylord Nelson. I thought it was very well done. It points up something that ecologists, biologists, botonists, scientists have been warning us about for more than a quarter of a century. The indiscriminate introduction into the atmosphere of slow degrading pesticides can and will create an environmental disaster, and that's what's happening—disaster that threatens all living creatures, from insects and worms to fish and birds and human beings themselves.

Interviewer. What do you think ought to be done about this?

Senator Nelson. Well I've been trying for several years to make it illegal to use DDT in this country without success. In fact I haven't been able to get a hearing on the bill. I think the long term approach has to be that we create a National Pesticide Commission of distinguished scientists, to evaluate all the pesticides, recommend those that ought to be removed from the market place entirely and recommend the limitations on the use of these pesticides. My own view is that all slow degrading pesticides ought to be eliminated from the market place entirely.

We ought to establish a procedure for qualifying the use of these pesticides in the same way that a drug manufacturer has to qualify the use of his drug—come in with proof as to what its effect is. If we don't we're going to destroy a fair share of all the living creatures on earth.

Interviewer. Does this report that we've given incline you to make a greater effort at this point, do you think?

Senator Nelson. No it doesn't, simply because I have been alarmed about the catastrophic situation that's been developing for a good many years, and have spoken on this issue in about twenty-six states across the nation in the last six or seven years. I'm very pleased to see this kind of a report being made to the public. I hope it gets nationwide recognition and notice because until the public becomes aroused to the situation that's developing, we won't be able to get any legislation passed. And if we don't, I assure you that there's no question we'll destroy a major portion of the living creatures on the face of the earth in a handful of years.

Interviewer. Michigan and Arizona have banned DDT. What about some other states? Do you know of any others? Say, your own?

Senator Nelson. Well, there are some hearings going on in Wisconsin to consider a state ban on DDT. Conservationists have advocated for several years that we entirely stop the use of DDT in our state, and, of course, this ought to be applied to a whole series of other hard pesticides that are being indiscriminately used. And I hope there will be a large number of states that will follow. I would wish that we would have the leadership of the national level to stop the use right now and to establish standards and protect our environment before it's too late. And I don't think that time is very far away.

Interview With Hon. John D. Dingell

Interviewer. Now that you've seen our broadcast, Congressman Dingell, what's your reaction to the accusation that the DDT may make the fish disappear from our waters?

Congressman John D. Dingell. Well, I think this is the first time that I've seen a radio or a television station that had the courage and wisdom to put on this kind of a program. I personally think that this is but a small part of the total problem we have with hard pesticides being applied by the thousands and thousands of tons, these different kinds of pollutions emanating from air and water sources of different kinds, and the many other kinds of destructive impacts that we're imposing on our ecology.

Interviewer. Well, what sort of action do you think should be taken right now with respect to DDT in the ocean?

Congressman Dingell. I have every reason to believe that we probably will have to either rigorously curtail or actually prohibit the use of DDT and certain other hard pesticides for many, many purposes; to limit the times of applications; to reduce the amounts; and to take other steps necessary to control the almost runaway pace of pesticide pollution of our environment.

Interviewer. Well, do you anticipate some sort of legislation?

Congressman Dingell. I will shortly be conducting hearings in my Subcommittee on Fisheries and Wildlife Conservation on this very matter. We must do something about the problem of understanding, first of all, what our resources are; what we are doing to them; the practical effect of pollution from pesticides from industrial-municipal sources into the water and the air; the problem of herbicides and reach out at fertilizers and all the other things that are going into the destruction of our environment which is now taking place. We must begin to establish a program for orderly use of resources—not overuse—wise use, and not prohibitionary use.

Action must be taken so that we can minimize the hazards and provide the greatest benefit to the largest number of people through the wise use of our resources.

Interviewer. Would you agree that DDT ought to be banned as it's been banned in Michigan and Arizona?

Congressman Dingell. I think that there are many areas where DDT will probably have to be banned. I'm not prepared at this particular moment to make a flat statement it should be banned in all instances but it certainly should become subject to the most rigorous controls. We prohibit the use of DDT in foods, yet, we allow persons to assimilate such pesticides in even greater amounts through spraying, through leeching the substance into municipal water supplies, and things of this kind. As a result it is getting into foods such as meat and fish where—although there may be a prohibition against its use—there is actually no way of effectively preventing it under these circumstances.

Interview With Hon. Richard L. Ottinger

Interviewer. Congressman Ottinger, what is your reaction to the program we presented, particularly with reference to DDT?

Congressman Richard L. Ottinger. Well, this was a real public service in my view because people generally don't appreciate what a tremendous danger these non-degradable pesticides present to human life.

You know, we talk about endangered species and we are even having hearings in Washington on them. It's ironic: the most endangered species of all is likely to be the fellows that are holding the hearings—man.

Interviewer. Now what happens if something isn't done about DDT and quite soon?

Congressman Ottinger. Well, these pesticides are dumped into the ocean—I believe I've seen a figure of a hundred and thirty-three million tons a year around the globe and they keep destroying the life of the ocean, particularly the plant life of the ocean which feeds the fish we eat and creates the oxygen that we breathe. DDT kills them and, since it doesn't break down, it keeps on killing. That's the real long-range danger.

There are pesticides that you can get that will break down, will dissolve and disappear and their effect will disappear but these particular pesticides keep destroying.

Interviewer. Do you contemplate introducing any legislation?

Congressman Ottinger. Yes. I feel very strongly that these pesticides ought to be outlawed altogether, the non-degradable pesticides. We'll have to act at the Federal level, but we could start right here in New York State, several other states have.

There are hearings going on now in Wisconsin and Minnesota and a couple of other states have acted already. I think it's not only a national problem but a matter of international survival. We shouldn't be contributing this very dangerous substance to our environment. The danger is, of course, that one day, without knowing it, we may just tip the balance of nature and there just won't be enough oxygen produced out of the ocean to outbalance the number of people and animals and plants that are absorbing oxygen and we'll find ourselves on an irreversible path to destruction.

Interviewer. Congressman Ottinger, getting to the general fact that we are polluting our environment every day—we're polluting it not only with non-degradable pesticides but with plastic products, for example, that will not go back to the soil. We're polluting it with smoke into the air and all sorts of pollution is going into our water.

Do you think this is something that is going to have to be handled on a federal level, that is to say, the cooperation between the states and between individual regions just doesn't seem to work?

Congressman Ottinger. Certainly, we're going to have to have federal standards. The states may be permitted to handle this to the extent that they do so adequately. But, as in many other fields in which we've been working of late, I think the federal government is going to have to set down minimal standards and it will have to step in where the states fail to act. We better do it soon, because we're running out of time. For instance, the Water Resources Council says that by the year 2010 our total available supply of water will be matched by our consumption. To meet our needs we'll have to practice sound conservation.

Within a much lesser time, we're going to have these inversions of air pollution being precipitated out over our metropolitan areas and we are going to strangle thousands of people. Unfortunately, in our society, too frequently, we wait for catastrophes to strike until we act.

In Santa Barbara we've already seen what happens when we fail to protect resources. But with the kind of situation that we are dealing with now, the results of failure may be too terrible. It's incumbent upon us to act before catastrophe strikes.

Interview With Hon. William Fitz Ryan

Interviewer. Well, Congressman Ryan, now that you've seen our broadcast on the impact of DDT on the ocean fisheries, what's your reaction?

Congressman William Fitz Ryan. The CBS documentary, "DDT—SOS" vividly illustrates the problem which must confront everyone concerned with preserving our environment. You have done an excellent job of bringing to public attention the effect of DDT and other pesticides and particularly the effect and impact on the world fish supply.

As the world population continues to expand despite whatever efforts there are at population control, we know that we must look in future years to the sea for food to feed our population, and what you have done is to starkly point out that there may be no food for feeding the future generations of mankind unless steps are taken to overcome the effects of pesticides and DDT on the reproduction of fish.

Interviewer. What would you say about the banning of DDT?

Congressman Ryan. In some states, I understand this has already been done, and it should be done wherever possible in conjunction with other regulations.

In other words, we don't want to ban DDT and then have some other similar pesticide substituted for it. It seems to me there should be strict regulation of all pesticides. This should be done not only at the state level, but also through federal regulations, setting standards for states such as we are now moving toward in air pollution control and water pollution control. There really ought to be thought given to setting up an Environmental Control Commission in the United States which would have overall jurisdiction over all pollution including the effect of DDT and pesticides upon our environment

Interviewer. Well, what action would you like to see taken right now?

Congressman Ryan. I would like to see the Congress move towards establishing an environmental control commission with broad regulatory authority. I say move toward it because I recognize how difficult it is to bring legislators to regulate vested interests and industries which have the power that the pesticide industry obviously has.

There should be legislative hearings to look into this question; there should be preliminary legislation adopted; and there should be as much possible public attention focused on this problem as possible. And that's why CBS is entitled to great credit and you yourself, Earl Ubell, for having brought this to public attention and having focused on a very serious problem, particularly one which affects New Yorkers.

Because, as you point out, the flow of pesticides and sludge and all of the conditions which are created by this in the New York Harbor area really affect New York as a port into which comes seafood which is part of the livelihood of many, many thousands of New Yorkers.

ROCKEFELLER: OIL DIPLOMAT

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 26, 1969

Mr. RARICK. Mr. Speaker, the decision to send Nelson Rockefeller to Peru as this country's representative was ill-advised and insensitive. His international reputation as the Standard Oil multimillionaire could only have fueled the fires of hate and provided credence to the anti-American propagandists.

What was Mr. Rockefeller's mission to Peru that he wanted the cover of protection afforded as an official of the U.S. Government? If his presence in Peru as a private citizen was regarded as dangerous to him personally, how could our administration have believed that he would be acceptable to Peru as an envoy?

The properties seized are the investment of private citizens. The U.S. Government does not own fishing boats or oil wells. Just who did own the oil wells of International Petroleum Co.—a subsidiary of Standard of New Jersey—seized in Peru?

Under unanimous consent I submit an AP release and the Latin America Report for February 1969 for inclusion in the Congressional Record, as follows:

[From Washington (D.C.) Sunday Star, May 25, 1969]

United States To Withdraw Missions in Peru

Bowing to Peruvian demands, the United States announced with "profound regrets" yesterday a planned pullout of U.S. military missions from Lima and cancellation of a scheduled visit there by Gov. Nelson A. Rockefeller of New York.

"The Department of State profoundly regrets the decision of the Peruvian government confirming that it will not receive the visit of Governor Rockefeller and that it would require the withdrawal of the U.S. military missions in Peru," the department said in a statement issued by press officer Carl Bartch.

But despite continuing serious difficulties with Peru, Bartch added, the U.S. Government "intends for its part to continue . . . the search for practical solutions to existing problems . . . in good faith and with good will."

Bartch also said he does not foresee at this time any prospective break in diplomatic relations between Washington and Lima.

The department's statement climaxed a new surge in the difficulties between the United States and Peru which have ranged from arguments over Peruvian seizures of U.S. fishing boats to Lima's takeover of large U.S. oil holdings.

Rockefeller, on a series of fact-finding trips to Latin America for President Nixon had intended to visit Peru the last couple days in May.

However, the military-controlled Peruvian regime indicated last week that a Rockefeller visit would be unwelcome and that the U.S. military missions ought to leave. It contended that the United States had cut off arms sales to Peru in violation of an arms agreement between the two countries.

[From the Latin America Report, February 1969]

Peru Faces Hicklenlooper Amendment

On October 3, last year, Peruvian troops overthrew the liberal administration of President Fernando Belaunde Terry. In announcing the coup, the military cited it as "transcendental, historic, marking the start of the definitive emancipation of our country." Since then, leader of the military junta, General Juan Velasco Alvarado, has proved that his is no ordinary right-wing military government. He voided the oil rights of the International Petroleum Company, a subsidiary of Standard Oil of New Jersey, and has opened diplomatic and trade relations with the Soviet Union and other Communist countries.

The immediate cause given for deposing President Belaunde was his agreement with the IPC to drop a $140 million "debt" which the government alleged was owed by the oil company.

In return, IPC gave up its oil fields, but received permission to expand its refinery at Talara. It received no additional properties or land concessions. Upon taking power, the junta voided the agreement made with President Belaunde. General Velasco insisted that the company owed the $140 million, and spoke of "powerful economic forces, national and foreign, that frustrated popular basic reforms," but overlooked the fact that IPC paid its taxes (a phenomenon in Latin America) and contributed about $26 million a year to Peru's economy.

The trouble started in 1963, when Peru declared that the 1911, 1922 and 1924 treaties and titles to the La Brea y Parinas oil fields to be null *ipso jure*, in other words that they never existed. This meant that the fields had to be turned over to the nation. But the Belaunde administration compounded the problem by saying that profits accruing to IPC were illicit and illegal and demanded that the $140 million accrued during this period be refunded to Peru. It was this club that forced IPC to give up its fields in return for the Peruvian government's waiver of claims to the $140 million.

MILITARY CONFISCATES PROPERTY

The military junta waived nothing. Indeed, it claims that it will accept only clear property, and charged IPC with "indebtedness." On October 9, the oil fields were occupied by troops and the legal-diplomatic fight was on. Some observers believe that the growing internal fight between the military and President Belaunde finally forced the former to use the IPC matter as a pretext for taking over, but that the whole matter got out of hand. And beneath the generals are operating a large group of young, ambitious colonels whose precise ideological orientation is far from clear. It was they, observers believe, who got General Velasco and the junta to open trade and diplomatic relations with a large chunk of the Communist block of nations. It is assumed that the Soviet Union will offer to supply "technicians" to operate the nationalized oil fields.

Finance Minister, General Angel Valdivia Morriberon, next accused the United States of "exerting futile pressures on Peru, and all of Latin America is watching." Latin America is indeed watching, and if the United States does nothing to secure payment for the confiscated oil equipment and other properties, the shimmering idea that the United States is a "paper tiger" (witness Castro's expropriation of nearly $2 billion in U.S. properties) may become a concrete conviction.

There is a definite tendency in Latin America to compare Peru's present situation with that of Cuba in 1960, when Fidel Castro established diplomatic relations with the Soviet bloc and stepped-up systematic seizure of U.S.-owned properties. And there is a fear in the United States that Venezuela's and Colombia's oil may slip away from the free world if something is not done by the United States to protect its investments overseas—a fear heightened when, on February 6, Peru upped IPC's "indebtedness" to $690.5 million.

THE HICKENLOOPER AMENDMENT

It was precisely this fear that led ex-Senator Bourke Hickenlooper to amend foreign aid laws. The amendment holds that all U.S. aid to a foreign country will automatically cease within six months if that country has not paid for the expropriated properties or started "meaningful negotia-

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tions" within that period of time. The military junta has jingoized the Hickenlooper Amendment and whipped up a considerable amount of popular support against what it terms "an inadmissable imperialistic menace which would injure Peru's sovereignty."

The United States is likely to move carefully. As of 1967, other U.S. business interests in Peru totalled around $605 million, and a strong stand taken on the IPC issue, many fear, will automatically trigger confiscation of those investments. Yet, there are those who believe that unless the United States does take a stand, it will only be a matter of time before not only the $605 million will be seized but other U.S. holdings in Latin America as well.

Perhaps some lessons have been learned from failing to protect U.S. investments in Cuba back in 1960. Perhaps not. In any event, the Hickenlooper Amendment is law and unless something breaks must be applied. Meanwhile, the Soviets exacerbate the situation. On January 8, Moscow Radio's "Peace and Progress" program, beamed in Spanish to Latin America, said that "the CIA is increasing its activities in Peru to discredit those members of the Peruvian military junta who consistently defend their national sovereignty." So we have the spectacle of the United States being backed into a corner by a military junta which is receiving the support of the Soviet Union.

FREE CAPITOL TOURS OPPOSED

HON. ANCHER NELSEN

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 26, 1969

Mr. NELSEN. Mr. Speaker, Ray Tschimperle of the Weekly Valley Herald, Chaska, Minn., has come out strongly against legislation that would eliminate the nominal fee that is charged for a tour of the U.S. Capitol building. I include his commentary at this point in my remarks:

GUIDED TOURS

If you should go to Washington, D.C., this year, you may be in for quite a treat. Several legislators have introduced bills to eliminate the nominal fee for a tour of the U.S. Capitol building. The last time we heard, the fee for a guided tour of the building was a quarter per person.

The guides currently derive their salary from the fee charged for the tour service. It's a pleasant experience to visit the chambers of the two legislative branches of our government. The guides are courteous and well informed. They point out the statues of favorite sons sponsored by the various states. They demonstrate the unusual acoustics in what was once the old House meeting room. Here it is possible to hear a whispered conversation across the room if you stand in a certain spot.

Indeed, the tour is a real bargain at the present cost, or even double that. The intent of the Congressional proposals is to place the guides on the Federal payroll, thus granting them certain fringe benefits to which they are not currently entitled, such as sick leave and hospitalization. They would also be eligible for retirement benefits, instead of social security, as at present. We see no reason for the guides to remain in the ranks of the forgotten. They are entitled to a day's pay in return for a day's work. We wonder, though, if the elimination of the fee is the best answer. It might be better to up the rate slightly. Why should those who cannot afford a trip to the Nation's Capital be forced to pay, through their taxes, for those who can afford to make the trip and therefore at least theoretically, enjoy these "free" tours? Here is another case in which Congress is being asked to subsidize the more fortunate.

This may seem petty, but we are both weary and leery of anything the government moves into where our money is concerned. These things always have a way of getting out of hand.

INHUMANE TREATMENT OF U.S. PRISONERS

HON. BOB WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 26, 1969

Mr. BOB WILSON. Mr. Speaker, last week, Secretary of Defense Melvin Laird brought up a most important subject concerning the Vietnam war. That is the subject of the inhumane treatment of U.S. prisoners of war by North Vietnam. Mr. Laird made an unusual and most commendable public plea to North Vietnam. He asked for a list of all U.S. prisoners and for the release of those who were sick and wounded. He also urged North Vietnam to permit impartial inspection of POW facilities and regular flow of mail to prisoners. I know we all share the Secretary's shock and disappointment over North Vietnam's negative response to this humanitarian request.

North Vietnam's persistent refusal to reveal the names of U.S. prisoners causes needless heartbreak and anxiety for thousands of American families. There are approximately 1,300 American servicemen who are listed as prisoners of war or missing in action—more than 200 have been in this status for more than 3½ years. This is longer than any U.S. serviceman was held prisoner during World War II.

As one who represents a district that is the Navy's largest homeport, I have had occasion to meet with the wives of these prisoners of war. Many of them have not heard from their husbands for months because North Vietnam and the Vietcong have refused to allow a free exchange of mail between prisoners and their families. Their anxieties are further aggravated by reports and pictures of U.S. prisoners who have been released that revealed poor diets and the lack of medical care in the North Vietnamese and Vietcong prison camps.

I urge my colleagues to lend their support to Secretary Laird's efforts to win the release of our American servicemen who are now held captive by North Vietnam and the Vietcong. This is a subject that has been overlooked too long. We must not permit the American POW's and their families to become the forgotten people of this war.

So that my colleagues can share with me Mr. Laird's statements on this matter, I include them in the RECORD:

STATEMENT BY SECRETARY OF DEFENSE MELVIN R. LAIRD

On numerous occasions I have expressed my deep concern for the welfare of our American servicemen who are prisoners of war or missing in action. In this regard, I have directed Assistant Secretary of Defense (ISA) Warren G. Nutter, who has been named chairman of the Department of Defense Prisoner of War Policy Committee, to insure that the families of these servicemen are receiving all assistance to which they are entitled.

The North Vietnamese have claimed that they are treating our men humanely. I am distressed by the fact that there is clear evidence that this is not the case.

The United States Government has urged that the enemy respect the requirements of the Geneva Convention. This they have refused to do.

The North Vietnamese and the Viet Cong have never identified the names of all the U.S. prisoners whom they hold. For the most part, information on some of these Americans has come in the form of scattered, and often distorted, propaganda films and photographs which the North Vietnamese have chosen to sell or release.

We know that at least several U.S. prisoners were injured at the time of their capture and we are concerned about the medical care they are receiving.

The Geneva Convention requires a free exchange of mail between the prisoners and their families and yet very little mail has been received from only a few prisoners in the past five years.

As of next month, more than 200 American servicemen will have been listed either as prisoners of war or as missing in action for more than three and one-half years. This period of time is longer than any U.S. serviceman was held prisoner during World War II.

The Department of Defense continues to hope for meaningful progress on the matter of prisoner release in the Paris discussions. In the meantime, we appeal to North Vietnam and the Viet Cong to respect the humane rights of those whom they hold prisoners of war.

Specifically, we call for adherence to the Geneva Convention which requires:

1. Release of names of prisoners held.
2. Immediate release of sick and wounded prisoners.
3. Impartial inspections of prisoner of war facilities.
4. Proper treatment of all prisoners.
5. Regular flow of mail.

Most importantly, we seek the prompt release of all American prisoners.

BRIEFING ON U.S. PRISONERS OF WAR AND MISSING IN ACTION PERSONNEL

The U.S. Government and the Government of the Republic of Vietnam have placed great emphasis on proper treatment of enemy prisoners of war held in South Vietnam. We have recognized the requirements of the Geneva Convention relative to the treatment of prisoners of war.

At the same time we repeatedly have expressed our desire that the enemy honor its obligations under the Convention and that it properly treat U.S. personnel captured by them.

North Vietnamese and Viet Cong forces captured in South Vietnam are detained by the Government of the Republic of Vietnam in PW camps which are inspected regularly by the International Committee of the Red Cross.

In accordance with the Geneva Convention, sick and wounded prisoners have been released and repatriated to North Vietnam. We have provided such treatment not only because it is required by the Convention but also because it is the humane thing to do.

We have hoped that our adversaries would reciprocate. Regrettably, the North Vietnamese and the Viet Cong have not followed our example. There is clear evidence that the enemy is treating the U.S. prisoners it holds inhumanely.

On numerous occasions, the United States

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has appealed to the enemy to respect the requirements of the Geneva Convention which North Vietnam endorsed in 1957.

The purpose of this briefing is to express Secretary Laird's continuing and deep concern regarding treatment of U.S. servicemen listed as prisoners or missing in action in Southeast Asia.

Today, there are more than 1300 U.S. servicemen classified by the Services as either prisoners of war or missing in action.

Of the more than 1300, nearly 800 were downed over North Vietnam. Most are pilots and we believe a substantial percentage of the missing may be prisoners.

The families of these hundreds of servicemen have lived for months and years under the continuing anxiety and pressure of uncertainty as to the status and well-being of their loved ones.

Despite repeated attempts by the U.S. Government and neutral organizations, the North Vietnamese and the Viet Cong have consistently refused to release the names of those U.S. prisoners whom they hold.

Secretary Laird is deeply concerned by Hanoi's continued refusal to identify the U.S. prisoners whom it holds. On several occasions, he has expressed his respect for the magnificent patience and courage shown by the hundreds of wives, children and parents who for so long have hoped to learn about the status of their loved ones.

The magnitude of this unnecessary inhumanity has increased with each passing month. There now are more than 200 U.S. servicemen listed as prisoners or missing in action in Southeast Asia who have been in those categories for more than three and one-half years. This is longer than any U.S. serviceman was held a prisoner during World War II.

We now have more than 500 American servicemen who have been listed as PWs or missing for more than two years. The first U.S. pilot, whom we believe is still a prisoner, was captured in August 1964.

The North Vietnamese authorities have made statements, both publicly and privately, to the effect that American prisoners of war were being treated humanely. However, it has been impossible to verify such claims because North Vietnam adamantly has refused neutral inspections of the places of detention.

Hanoi's claims of proper treatment and its controlled visits with a handful of selected news people are not adequate substitutes for complete and impartial inspections.

Most information regarding the status of American prisoners has come in the form of propaganda films and photographs which the North Vietnamese have sold or made available to various news sources throughout the world. It is regrettable that we must rely on such often distorted information to determine the status of U.S. prisoners.

Many of these films and photographs have implied that our prisoners were being well treated, that they were permitted to communicate freely with each other, that they were allowed to correspond freely with their families, and that they were receiving proper medical treatment. Examination of this information, however, raises serious questions as to whether such has been the case. In fact, our analysis indicates that this is not the case, and that the provisions of the Geneva Convention are being disregarded.

In some instances, North Vietnamese propaganda has generated false hopes among American families because the identity of the prisoners shown could not be clearly determined. In one case, 20 different wives believed that a prisoner shown in a propaganda photo was her husband. The prisoner remains unidentified.

It now has been more than six months since the bombing of North Vietnam was halted. During that time we have had no releases and almost no information on American prisoners. In the past five years, North Vietnam has chosen to release only six pilots. All six had been held for relatively short periods of time, ranging from three to seven and one-half months.

Three of the six returned had been listed as missing in action and, thus, the announcement by Hanoi of their prospective release was the first indication that they were even alive.

Some of the propaganda photos made available have shown U.S. pilots alive on the ground after capture by the enemy. Regrettably, no information has been received since their initial captivity, again causing severe and unnecessary anguish to the families involved. Commander A. C. Brady and Major W. S. Gideon are two such cases.

Another example is Major J. H. Kasler who was shown as injured when captured but has not been heard from since.

One propaganda film showed a display of 18 ID cards of pilots. This is an unacceptable substitute for determining the status of U.S. prisoners.

There have been indications that American prisoners in North Vietnam have been mistreated physically. In 1965 and 1966, captured U.S. prisoners were paraded through the streets of Hanoi. Some were seriously injured, as in the case of Lt. D. G. Rehmann, who suffered serious burns when downed in December 1966.

In addition, we believe that the great majority of American prisoners have been isolated from contact with the outside world.

Several propaganda photographs released have shown U.S. prisoners in such solitary confinement. All six pilots released by North Vietnam in 1968 confirmed that they had been held in isolation for varying periods of time.

Such isolation can have serious adverse effects on the long-term welfare of those detained under such circumstances.

North Vietnam released films also raise serious questions as to whether the prisoners are receiving proper medical care. Recent photographs show that some prisoners are continuing to suffer from injuries incurred at the time they were downed.

For example, several prisoners have been shown still using crutches after many months of captivity. Lcdr H. A. Stafford injured his left arm and shoulder when shot down in August 1967. Today, his left arm appears to be noticebly smaller raising questions as to what medical treatment was offered.

One photo shows Lcdr J. S. McCain, III, shortly after capture in October 1967. He was pictured in extensive casts because of both arms and his right leg were broken. Hanoi has not indicated what his present condition is, and thus we are concerned about what treatment Commander McCain has received in the past 18 months.

One recent film included an elaborate spread of food which only two prisoners are shown carrying. Neither is shown actually eating the suspiciously large portions.

Recently, an Italian journalist met Lt. Robert Frishman, who was captured in October 1967. In the interview, published in L'Europeo a few weeks ago, Frishman stated that his right arm is significantly shorter than his left. He also stated that he had lost a substantial amount of weight since his capture. He, too, confirmed that he had been held in isolation by indicating that the reporter was the first person he had spoken to in almost a year and a half.

Weight loss by other prisoners has also been confirmed in propaganda films. One such case is Seaman D. B. Hegdahl who weighed over 200 pounds at the time of capture and obviously has lost considerable weight in the past 18 months. We observe similar indications in photographs of Lt. J. Crecca, Jr., and Colonel R. Risner.

In viewing the propaganda information which the North Vietnamese have chosen to release from time to time, the same few prisoners appear in the pictures. This raises the obvious question as to the status of the vast majority who are not paraded before the cameras.

We welcome any information concerning U.S. prisoners regardless of the source. However, we want to reiterate that these propaganda films are no substitute for the information and impartial inspections required by the Geneva Convention.

Progaganda films and photographs are misleading. One example was the distorted information released by North Korea during the captivity of the Pueblo crew. North Korean propaganda stated that the Pueblo crew was well fed, that they were permitted to exercise regularly, and that they could communicate frequently with each other and with their families.

We now know that these photos were staged and that, for the most part, the portrayed benefits occurred only when the photographs were actually taken.

We have seen similar "staged" photographs such as this scene of a purported capture of a U.S. pilot in North Vietnam. Other photographs have implied that our prisoners were permitted to attend religious services. However, recent photographs show only a handful of prisoners actually present for such services. And, it is noted that they are carefully separated which suggests either that Hanoi wants the room to appear full or that the men are kept apart so that they cannot communicate.

Another film attempted to indicate that the prisoners were enjoying recreational activities by playing table tennis, but the facial expressions and lack of animation are positive indications that it is a staged event.

Regular exchange of mail between prisoners and their families is a guaranteed provision of the Geneva Convention. Such a flow of mail simply has not been permitted by the North Vietnamese.

In the past five years, less than 100 prisoners have been allowed to write to their families. Even at that, the frequency of writing for this limited number of prisoners averaged less than two letters per year.

If these few writers had been allowed to write the number of letters and cards as permitted under the Geneva Convention, their next of kin would have received 18,000 letters and cards. Thus far, they have received less than 600.

We have no indication that any letters were received by families from September 1968 until late April 1969. Since then, some dated in late 1968 were received by families.

A recent North Vietnamese propaganda film suggested that U.S. prisoners had received Christmas mail and were permitted to celebrate the Christmas season. In the first place, the film shows only a handful of prisoners.

Secondly, the film purports to show prisoners opening Christmas mail when, in fact, they are reading letters dated in March, April and July of 1968. In two cases, the film indicated that the prisoners were opening Christmas cards when, in fact, the mail shown were Easter cards sent months before.

In December 1968, U.S. next of kin forwarded more than 714 Christmas packages. We have no confirmation of whether any were actually received by the American prisoners.

As part of the Secretary of Defense's concern for these men, he has directed a thorough review of the benefits available to the families involved. It is his intention that the military services and the Office of the Secretary of Defense must do all that is possible for the next of kin.

On several occasions, Defense Department

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officials have met with groups of wives and parents whose husbands and sons are listed as prisoners or missing in action. We can attest to the bravery and personal courage of these dedicated American families.

Secretary Laird and the Department of Defense continue to hope for meaningful progress in the Paris discussions and progress leading to the release of all American prisoners.

In the meantime, however, we appeal to North Vietnam and to the Viet Cong to respect the rights of prisoners of war and to comply with the Geneva Convention.

Specifically, we urge them to take the following humanitarian actions:

1. Release all U.S. prisoners whom they hold. The seriously sick and wounded should be returned immediately.
2. Assure that all prisoners receive proper medical care and adequate food.
3. Permit regular impartial inspections of prisoner of war facilities.
4. Allow a free flow of mail between the prisoners and their families.

OUR CURRENT INTERNATIONAL TRADE POSITION

HON. PETER W. RODINO, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, May 26, 1969

Mr. RODINO. Mr. Speaker, recently the president of the Synthetic Organic Chemical Manufacturers Association, Mr. Thomas P. Turchan, addressed the Dry Color Manufacturers Association in New York City. His remarks concerning our current international trade position and recommendations for the future are timely and warrant, I believe, serious attention at this time.

I include Mr. Turchan's speech as follows:

SPEECH BY THOMAS P. TURCHAN,
APRIL 18, 1969

I am extremely happy to have been invited to be here today, not just because the trade problems of SOCMA and DCMA are so similar, but also because I believe there are some things which have gone too long unsaid with respect to the international trade policies of this nation.

SOCMA is undoubtedly well known to all of you for its defense of the American Selling Price system, but I do not intend to spend much time today on the merits of ASP or the reasons our industry believes it must be maintained. The problems facing the nation and the American chemical industry at this critical point in our history are far broader than ASP. They involve issues which affect the economic strength of our country, our relations with other free world nations and the entire international monetary system.

Ever since the end of World War II, the United States has mainly followed an uncoordinated and day-to-day policy whereby decisions in the trade area have been strongly influenced—in some cases even determined—by political or humanitarian considerations. This was acceptable, and even necessary, immediately following the war when our objective was to pump dollars into the devastated economies of Western Europe and the Far East. We gave more than we received and it helped rebuild the free world. Unfortunately, there are many today who cannot or will not recognize that the world of 1969 is far different than the world of 1946, and who appear unable to accept the obvious fact that this country is in serious trouble if it does not develop and carry out a realistic long range trade policy for the decade of the 1970's. This policy must encompass the entire U.S. economy and must have as its central objective the attainment and maintenance of competitive equality in the world marketplace for the United States vis-a-vis its trading partners.

It is more than a bit disheartening to view our present international trade situation—or what I should more properly call our present international trade dilemma. Last year, our government reported the nation had its worst trade performance since the depression year of 1937. Official Commerce Department statistics showed a *reported* trade surplus of only about $700 million. Actually, if one excludes from these figures all of the military assistance programs, purchases made with A.I.D. funds and agricultural commodities given away under P.L. 480, our *commercial* trade showed a deficit of about $2½ billion. Indeed, if we computed our balance of trade as most other countries do—on a c.i.f. basis—our deficit was about $5 billion. Just four years ago, we had a commercial trade *surplus* by our method of reckoning of more than $3½ billion—a surplus that has gone downhill ever since that point in 1964.

The most immediate result of the deterioration in our trade account has been a dangerous weakening of this country's international balance of payments position. I am sure you will remember the serious dollar crisis we had a year ago. This was caused primarily by our $3½-billion payments deficit of 1967, which followed years of previous deficits. On the surface, things were a little better last year with the nation showing a slight payments surplus. But there remains a considerable amount of "dry rot" if one probes a little beneath these surface figures.

There were two principal factors which bailed out our balance of payments last year and kept the dollar afloat and neither is anything on which a nation can safely base the future stability of its currency. One was the billion dollars of Treasury bonds our government was able to sell to Canada and West Germany and the other was the unprecedented billions which poured into the United States stock market during 1968. To the extent that this record is not matched in 1969, our balance of payments situation will show a sharp deterioration. Even more threatening, if economic conditions should change so that the foreign money now in the market is withdrawn in any significant amounts, we will have a payments crisis of serious proportions. I believe these factors are what Secretary of Commerce Maurice Stans had in mind recently when he predicted a balance of payments deficit this year "in the billions of dollars." It is clear the long term problems of the dollar are not only still with us but, if anything, have actually worsened since the crisis a year ago. These problems cannot be solved until and unless we find some way of restoring our once healthy international trade balance.

Our industry—the American chemical industry—has a vital stake in the policies our government adopts in an effort to reverse this trade deterioration. We had exports in 1968 of over three billion dollars, yet our share of world markets has been steadily declining for the past few years and even the record-breaking export performance last year barely got us back to the share we had in early 1966. In order to effectively compete in foreign markets, our industry makes direct capital investments abroad of some half billion dollars a year and we already have well over seven billion dollars invested in foreign facilities. The repatriated earnings from these investments have made a dependable and ever increasing contribution to our balance of payments position. The curb placed on these investments in the last few years is, in our opinion, a good example of treating the symptoms rather than the basic disease. It is heartening to see the present Administration at least make a start toward the complete removal of this clearly self-defeating policy.

On the domestic side, chemical imports have continued their annual growth of more than 14%. They passed the billion dollar mark for the first time last year and their presence is beginning to be felt in many segments of the industry which have never before faced serious competitive pressures from abroad. What is done—or is not done—with respect to trade policy will have an important effect on exports, imports, capital investment plans, employment and earnings—on virtually all aspects of our industry.

We are already faced with some hard recisions as a result of the unreciprocal Kennedy Round Agreement signed two years ago. It is important to keep in mind that we are scheduled to get no further tariff reductions from the United Kingdom and the Common Market nations. They have made their full 20% cuts. Meanwhile, this country has reduced its tariffs so far by less than half of the scheduled 50% agreed to by our negotiators. Even worse, our tariffs will continue to go down over the next three years although many of our major trading partners abroad have already taken back, through increased border taxes, even more than the small tariff concessions they made in the Kennedy Round. Is it any wonder then that SOCMA has opposed and will continue to oppose with all its resources the unreciprocal separate package agreement which calls for the removal of the American Selling Price system of valuation in return for some further slight-of-hand tariff reductions. Is it any wonder that the necessary implementing legislation is so strongly opposed by the industry and workers which it claims to benefit and by leading members of Congress from both sides of the aisle.

I believe it unfortunate that many mistakenly consider our Association to be "protectionist" when what we are really seeking is *fair* trade—the same access to foreign markets that we have given our trading partners, and the same general ground rules for this competition. We have a strong, efficient industry and we are willing to take on anyone, but it is made extremely difficult when we must compete with the government-sponsored cartels of Japan, the tax rebates given by European governments to encourage exports, the ever higher border taxes and the increased use of quota systems and import deposit and licensing schemes which have proliferated abroad in recent years. I find it difficult to understand how our government has permitted so many foreign nations to preach free trade, while practicing the protectionist policy of making sure, in each instance, that their national interest always comes first. The time is long past when our country can afford any more of this.

Border taxes are probably the best single example of the way many foreign governments use non-tariff barriers to support domestic industry. What has happened in the two years since the Kennedy Round in this one area alone underlines the seriousness of the problem. Germany, embarrassed by its massive accumulation of foreign currencies, attempted to slow its mounting trade surplus—almost $5-billion last year—by dropping its border tax from 11% to 7% in December. Yet this remaining 7% is still almost double the 4% rate in effect just 12 months earlier. We are not even back to the pre-Kennedy Round competitive conditions of 1967—and the German situation is not unique. The Netherlands hiked its border tax to 10% last year and then to 12% in January. Norway's import tax is expected to go from about 13% now to 20% at the end of the year. Belgium also plans to raise its border taxes next January, and Mexico expects to adopt such a system in October. Brazil's border tax is up to 30% and Denmark is applying its tax to many new categories, including pharmaceuticals. I could go on for some time just listing the countries making increased use of border taxes and export rebates. Even the British are studying the possibility of adopting an internal TVA tax system with matching border taxes and export rebates.

It was well before the Kennedy Round bargaining first began that representatives of the chemical industry saw the handwriting on the wall and called the attention of the government officials to the growing danger to our trade posed by the border tax situation. At that time, and for several years thereafter, U.S. trade officials refused to even admit there was a problem—much less attempt to do anything about it. Now that the Kennedy Round is over and the situation has gone from bad to worse, their attitude has changed dramatically—if a little too late. Treasury Department officials in the past year have suggested that the United States establish a border tax system based on our present level of indirect taxes. One Assistant Secretary proposed that border taxes and export rebates be used to improve our nation's balance of payments situation as, I might add, other nations have done. The President's Export Expansion Council has called for tax incentives to spur exports and for a study to investigate the advantage of a TVA tax system in the United States. The Tax Foundation has proposed that the GATT rules with respect to border taxes be revised. Even the former U.S. Special Trade Representative has come out for a major change in the U.S. tax system in order to take advantage of the corresponding border taxes and export rebates—an advantage he denied even existed while he had the power to do something about it.

Our trading partners have been quite willing to discuss the border tax problem. In fact, they have been discussing it with us in GATT and the OECD since 1963 and I am sure they would be happy to continue discussing it this year and next year and the year after. They would like nothing better than to talk it to death. Unfortunately, the disadvantage to this country's trade caused by border taxes and export rebates had become so serious that we *must* find a solution during 1969. I am happy to report that the United States appears to be taking a harder line in recent months with respect to this issue. There is growing recognition by many in this country that unless Europe agrees to action this year, to let us play under the same rules they do, our government must and will take whatever steps are necessary to provide practical equivalence.

The inherent problems caused by the increasing use of border taxes and export rebates go beyond just the effect on United States trade with the countries involved. Certainly, they cut down our foreign sales by raising the price of American exports and they give foreign producers a significant edge in the United States market through rebates. But just as important is the competitive advantage they provide in third country markets throughout the world. As exports rebates go up, this competitive advantage increases even further, thus weakening America's entire trade picture. The effects are too far-reaching for us to ignore any longer.

The situation facing the American chemical industry during the next few years is a difficult one. We have opened our market wide to producers in both Europe and the Far East, and we have little doubt they will take advantage of this new opportunity. They are already doing so. By contrast, we find little, if any, meaningful new access to their markets as a result of the Kennedy Round. If you have any real doubts as to who gained and who lost in that historic bargaining, let me assure you that it was those nations who utilized their professional business talent and single-mindedly adhered to their goal of taking care of their national interest first and foremost while concurrently calling upon our delegation to make further concessions in the interests of "free trade." They had a plan, they did their homework well and, not surprisingly, they came out better in the negotiations.

The effects of this unreciprocal deal are already being felt in many product lines where import competition was not a major factor in past years. Many small companies whose principal sales are in these areas will be in real trouble in the years ahead and even the large U.S. producers will find that the changing trade patterns will show up in a significant way on their profit and loss statements.

We find it hard to believe that this result is in the best interests of either the chemical industry or the United States and we can only hope that the effect of the Kennedy Round on this nation's balance of trade and payments will be mitigated by intelligent, forceful actions in the very near future.

Some people look at our industry's present $2-billion trade surplus and find it hard to believe that we are seriously worried. I can only point to the example of the American steel industry, which had a more than two-to-one trade surplus as recently as 1961. Seven years later, imports had more than tripled while exports had declined precipitously. That two-to-one surplus had turned into a three-to-one trade deficit with foreign producers last year capturing about 17% of the American market. The cost to the nation's balance of trade is about $2-billion a year.

These are serious problems and they will not be solved by adopting the pet phrases of either the free traders or the protectionists. They require this country to take a more realistic attitude towards trade bargaining to insure we get at least as much as we give. In addition, we must demand—not ask—that the ground rules of international competition be made the same for all. A good example of the way there is one rule for the United States and a different one for virtually every other country is provided by the textile industry's present efforts to achieve an international agreement covering wool and man-made fibers. Foreign governments have threatened retaliation and accused us of harboring all types of dastardly "protectionist" sentiments because the new Administration has come out in favor of such an agreement. Yet, as Assistant Secretary of Commerce Stanley Nehmer recently noted, the United Kingdom has restrictions on wool and man-made fiber products from Japan. Italy has similar quotas on Japanese imports and France restricts imports from not only Japan but Hong Kong as well. West Germany has restrictions against Japan, Hong Kong, India and Pakistan and the Benelux countries have a bi-lateral agreement setting quotas on Japanese textiles and apparel. Canada has similar agreements with Japan, Korea, and Hong Kong and Denmark uses licenses to regulate textile imports from Japan, Korea and Taiwan. In fact, even Japan itself sets quotas on imports of woolen fabrics from France, Italy and the United Kingdom. Yet when an American industry finds itself in trouble and proposes that this country consider reciprocal action, the noise and threats from abroad are awesome.

While I am on the subject of retaliation, I must admit some difficulty in understanding why so many in this country allow themselves to be frightened into inaction by foreign threats of retaliation. The very countries making these threats have much more to lose than do we. Our exports are only about 4% of our gross national product—theirs are two or three times as much. Furthermore, world production costs are such that the U.S. generally is the largest and most profitable single market for foreign exporters, while our sales to them are frequently the least profitable portion of our business. I simply cannot see them starting a trade war which would risk their participation in the American market. It would not be in their best interests.

Some of you may have heard the remarks by Senator Herman Talmadge at last month's SOCMA luncheon meeting. I would like to conclude by quoting a few of his comments. The Senator, who is an influential member of both the Senate Finance Committee and the Joint Economic Committee of the Congress and served as a Congressional delegate to the Kennedy Round negotiations, pointed out it is time for this country to "become more hard-headed in its commercial relations with other countries. The Uncle Sugar attitude of the past has resulted in a severe balance of payments problem . . . We must look beyond tariffs to the real barriers which interfere with the exchange of goods and services and reciprocity must be the keystone of our commercial relations . . . Out of economic necessity our policy must become more hard-headed and realistic. We can no longer afford to accept adverse economic repercussions for the sake of vague political objectives. European unity should not be purchased at the cost of draining U.S. farmers' income, U.S. gold or U.S. jobs."

MINNESOTA EDITORS SPEAK OUT ON CAMPUS DISORDERS

HON. ANCHER NELSEN

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 26, 1969

Mr. NELSEN. Mr. Speaker, Americans are increasingly alarmed by campus disorders that not only threaten the loss of lives and property, but are undermining academic freedom and destroying individual rights. I include at this point a variety of editorials from the press in the Second Congressional District which indicate rather general attitudes about this serious problem:

[From the Montgomery (Minn.) Messenger]

JUSTICE BLACK MAKES SENSE

The experience of history indicates that those who condone or support the violence on American campuses and the disruption of educational routine on the grounds of preserving a necessary atmosphere of freedom in institutions of higher learning may be off on the wrong foot. Anarchy on the campus has virtually destroyed higher education in Latin America. The decline began in 1918 when students in Argentina were given a voice in running the universities.

The governments of Latin American countries have been trying to reverse the trend, but, in the meantime, standards have sunk so low that a Mexican professor was compelled to admit, "We produce bad doctors, but they displace witch doctors. We produce bad lawyers, but they are going to be clerks anyway, with some legal training. Our brilliant students we send abroad."

In the U.S., before the meaning of education dissolves in chaos, it might be well to heed the words of Supreme Court Justice Hugo L. Black who recently said, "I have always had the idea that the schools were to educate the children and not children to educate teachers."

[From the Pipestone County (Minn.) Star]

WHAT CAN WE EXPECT FROM THEM?

This week a majority of 800 delegates attending a convention of professors criticized President Nixon's get tough statement with campus rioters. They claim his remarks are a threat to academic freedom.

What they are really telling the world is many professors are way off base and have

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caused much of the unrest on the campus. Anyone that has attended a university can look back on some of the nutty professors—most of them are tops but there are plenty professors that have been misnamed. They have had too much freedom.

We agree with President Nixon. It is time the university officials let the students know who is running the campus and especially who is paying the bills—the tax payer. They should kick out all students that participate in rioting or taking over public property. Jail them if they have to but call a halt to campus disorder.

Students should be reminded that they are there to learn, not to teach.

[From the Murray County (Minn.) Herald]

BIGGER, BETTER POLICE FORCES

If disruptive students at universities and colleges throughout the nation achieve nothing else, they may well bring about bigger, better and more adequately trained and equipped campus police forces.

Over the weekend, black students took over a student center at Cornell University. At the same time, trustees of Atlanta University Center in Georgia were held behind chained doors for nearly 29 hours by predominantly-Negro students.

We don't much care whether the students involved were white or black. The point is that they will never achieve their ends by utilizing means such as this. The American people, and we mean those of all races and creeds, will eventually themselves rebel and the result will be a return of order to educational institutions.

Dissent and protest are now generally recognized as the rights of students. But when they hold respectable and well-meaning private citizens as prisoners in public buildings, and when they destroy thousands of dollars worth of public property, they have gone beyond the limits of tolerance.

Let the student, white or black, carry his signs. Let him march, demonstrate and protest. All of this is fine. But when, in so doing, he infringes upon the rights of others who may or may not think differently he is only hurting his cause.

[From the Jordan (Minn.) Independent]

PRICE OF ANARCHY

Campus dissenters whose chief aim is disruption of university operation may be succeeding in a way they had not foreseen. In the last election, many bond issues and tax proposals having to do with education went down to defeat. In California, $250 million in bonds for construction in the State's troubled universities and colleges were turned down by the voters. Campus riots at Berkeley were given as one reason for the rejection. Tax increases to meet school needs were also defeated in many areas over the nation.

Evidently voters resent the use of tax-supported educational institutions as a breeding ground for riots and violence. The slowing down of the flow of tax funds to education is part of the price that everyone must pay when permissiveness becomes anarchy. And outright anarchy is what some of the recent action has been and it should be dealt with as such.

[From the Windom (Minn.) Citizen]

CHAOS ON THE CAMPUS

Two learned Negroes have spoken out in the last few days against the militant blacks who, along with militant whites, are making a shambles of the nation's colleges and universities.

Justice Thurgood Marshall, first Negro member of the Supreme Court, put it bluntly when he said, "Anarchy is anarchy and it makes no difference who practices it. Nothing will be settled with guns, fire bombs or rocks."

Bayard H. Rustin, a Negro civil rights leader, said that educators should stop capitulating to demands of black students.

"What are soul courses worth in the real world?" Ruskin asks. "In the real world they want to know if you can do mathematics and write a correct sentence."

It is encouraging to hear responsible Negroes taking a stand for law and order. Too little is being said these days of the need to respect and abide by our laws.

Unless a firm stand is taken soon, we will be graduating from our colleges and universities a brand of students similar to the German youth gangs who terrorized much of Germany during Hitler's rise to power.

We think a majority of the American people are getting fed up with the campus militants who have created a minority tyranny that threatens not only our colleges, but the life of our nation.

It is time to prosecute the violent-prone militants to the fullest extent of the very laws they refuse to recognize.

American citizens are running out of patience and our nation is running out of time.

IDENTO-TAG IS MORE THAN CHARITY

HON. W. E. (BILL) BROCK

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Monday, May 26, 1969

Mr. BROCK. Mr. Speaker, in this age of "gimmickry" in fundraising, I was delighted to learn of a useful, effective item employed by the Disabled American Veterans. The following article by Sally Latham in the April 7 issue of the Chattanooga Post provides some useful information on the idento-tag program which affords employment for many disabled veterans and widows of servicemen. I include it in the RECORD:

VETS RETURN LOST KEYS

(By Sally Latham)

It might not have happened to anyone without her direct pipeline to the source, but Gladyce Branton is convinced she's been blessed with a minor miracle, with the Disabled American Veterans as the intermediary.

Gladyce, secretary to Father William Morgan at St. Stephen's Catholic Church, is a key keeper of the keys for the religious establishment. On her key ring are those to the church, the office, the storeroom, along with her own car and house keys.

During the Christmas-New Year holiday, she tells me, she made a flying trip to Minneapolis, Minn. And when you're on a vacation, you don't pay much attention to the tools of your trade back home.

It was only after she arrived back in Chattanooga that she discovered to her horror her whole collection of keys was missing.

And anyone who has ever lost his keys knows what complications the loss leads to. Everything becomes inconvenient if not downright impossible. Too, there's always the naggingly uncomfortable feeling that someone else is in possession of ready access to all you own.

Gladyce's loss happened somewhere, sometime, on Dec. 31.

"They had to be either on the Northwest or Delta Airlines or at the hotel where I stayed," Gladyce said. "I dropped them all notes, but I didn't hear from them. They must find thousands of keys, so they probably pitch them out."

The key ring was that of a gasoline company, so she wrote them too—with no success.

But she had something else on that ring—something she had given very little thought to—which proved to be the magic amulet.

It was the little Ident-o-tag she's received in the mail from the DAV.

"I'd been getting them for years," Gladyce told me, "but I thought they were just a gimmick to make money."

She'd put them on the chain with her keys, anyway, without any idea of their significance.

She had given up all hope of ever getting her key ring back when a couple of weeks ago, she received a bulky letter in the mail. It was her long-lost keys.

Accompanying her valued possession was a lengthy letter from a DAV official, explaining that whoever found them had mailed them to the DAV's Cincinnati address on the tag. In turn, the veterans' organization had sent inquiries to the Tennessee license department and had found out through that channel to whom the keys belonged.

"They said they return over two million sets of keys every year," Gladyce reported. "The Ident-o-tag is sort of like insurance—you never know what it means to you until something happens."

The little tag gives up to 15 months of protection, Gladyce was informed, even though you get a new license. The DAV will trace as long as records are available.

And donations made in return for the little gimmicks go to help some 240,000 disabled American veterans.

My eyes are now properly opened. Next time I get Ident-o-tags through the mail, they'll go on my keyring post haste. And with proper remuneration to say thanks in advance for the service.

TAKE CARE OF DEPENDENT CHILDREN

HON. PHILIP J. PHILBIN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, May 26, 1969

Mr. PHILBIN. Mr. Speaker, as we all know, many States are under great pressure of maintaining and paying the high costs of State governments, and most of them are not in any position to substitute State funds for Federal funds to take care of some 800,000 AFDC recipients, who, unless the freeze is lifted, will have to be taken care of without Federal matching funds.

It is estimated that under the freeze the States will lose something like $300 million in Federal grants and this large sum may even be higher.

As a result, very many new State revenues would have to be devised, in the event aid to dependent children were to be indefinitely frozen or substantially decreased.

Some have advocated postponement of the freeze, but this is not a satisfactory answer. It avoids the real issue of providing adequate grants.

The States have a right to know what they may expect, by way of matching funds from the U.S. Government for the very important programs that involve care of and assistance for helpless, dependent children, and I believe that our Ways and Means Committee should take prompt action to repeal the statutory provision limiting Federal grants for dependent children programs which are to become effective on July 1 of this year.

I strongly urge the Ways and Means Committee to take this action and urgently hope that it will do so because this country cannot leave itself in a position of rejecting adequate help and support of young children, who may be in dire need of food, sustenance, and the elementary needs of life.

The Ways and Means Committee has a great responsibility in the social areas which deal with the urgent needs of deprived, indigent, and needy human beings as well as in other profoundly critical, fiscal, financial, tax, and economic matters and I trust it will demonstrate a vital forward-looking role in enlightened social action, as well as assert an independent, realistic policy toward taxes and fiscal matters that is oriented toward the real interests of the rank and file of the American people as it moves to cope with budgetary deficits and balance the national budget.

BY THEIR COMPANY

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, May 26, 1969

Mr. DERWINSKI. Mr. Speaker, while there has been extensive press coverage of the turmoil that SDS and other radical left groups have brought to college campuses, we must not overlook the similar problems that have developed at some high schools.

Lyons Township High School in La Grange, Ill., has been the scene of small-scale activities by a handful of students who have come under the influence of the radical conspiracy and I was pleased to note the Suburban Life, a publication serving the communities of West Cook County, in its issue Thursday, May 22, directed attention to this matter in a very effective fashion:

By Their Company

When are we going to realize that the Students for a Democratic Society is nothing but a rabble-rousing organization bent on destruction, violence and the break-up of this nation?

"On Tuesday, May 13, we will march to demand that state's attorney Hanrahan jail this pig and indict him for murder." That's a boxed in indictment on the facing page of a leaflet circulated at a meeting of the student forum at Lyons Township High School last week.

The leaflet further urges that a gathering be held at the corner of Halsted and Armitage in Chicago to rally with speakers from the Young Lords, Young Patriots, Black Panthers Party and SDS. It was.

It inflames the youngsters with the statement, "On Sunday, May 4, our brother Manuel Ramos, a member of the Young Lords Organization, was murdered by an 'off duty' pig."

On the second page of the leaflet is a paragraph carrying the head, "People Demand Justice." It reads, "On May 13 the people will march to the 18th District pig station to demand that state's attorney Hanrahan uphold the American justice that he and his pig friends claim exists. The people will demand that the killer of Manuel Ramos, pig Robert Lamb, be indicted for murder in the first degree. If Hanrahan refuses to do this he will also be indicted as an accomplice to the murder. Come to the rally, bring the real criminals to justice."

So the SDS seeks justice. Yet the organization overlooks that the accused is entitled to due process of law, just as its leaders scream and protest that they are being denied, which in itself is a fallacy and a smokescreen.

The SDS laces its inflammatory publicity with words like "pig" and "pig power" which are designed to create hate and bigotry, the very things it claims to be opposing.

The SDS writers know no more about what happened in the killing of the Ramos boy than anyone else, but they are quick to assume and pass on to whatever readers they have that the "pig," a police officer, was wrong. And they proceed to convict him in print before the man has had his day in court.

Supposing the shoe were on the other foot? Would they be as quick to accuse and convict?

Do the dissenters call attention to their tactics? Does the SDS mention that members of the organization take over college campuses and deprive other students of the right to attend classes? Do the righteous writers mention that property has been destroyed, files demolished?

Do they mention that state and federal troopers, plus local police, called to the scene cost the taxpayers a lot of hard earned cash? The answer to the foregoing is, No.

The answers given are that the police, troopers, officials and college and high school administrators are "pigs." In fact, everyone who disagrees with them is a "pig."

The SDS is nothing but a national conspiracy. Its leaders know and plan when the next disturbance will take place. It's high time that the leaders of this organization be brought before the courts of law, and if found guilty of disturbing the public peace, be given the full measure of punishment the law provides.

Giving them the rights of the courts is mandatory; they're entitled to it under the Constitution. It may be a mistake to grant them their rights because they don't recognize the rights of others. Nevertheless, right is right and regardless of how we may feel they are entitled to their rights.

And when justice prevails we'll see just who the "pigs" are.

RESOLUTIONS BY THE COMMONWEALTH OF MASSACHUSETTS

HON. SILVIO O. CONTE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, May 26, 1969

Mr. CONTE. Mr. Speaker, under permission to revise and extend my remarks, I hereby include for the Record the following resolutions by the Commonwealth of Massachusetts.

The first resolution concerns the seaward boundary of Massachusetts and requests congressional recognition of a 100-mile limit.

The second resolution supports the concept of revenue-sharing as one way to aid State and local governments.

The third resolution urges the President to nominate Dr. John H. Knowles as Assistant Secretary of Health, Education, and Welfare and the Senate to confirm such appointment.

I include the resolutions as follows:

Resolution 1

Memorializing the Congress of the United States to recognize the 100-mile seaward boundary of the Commonwealth of Massachusetts

Whereas, The Commonwealth of Massachusetts was granted a seaward boundary to one hundred (100) miles offshore by the First Virginia Charter in the year 1606 and by the Council Charter in the year 1620; and

Whereas, The Federal Submerged Lands Act of 1953, Subchapter I, expresses federal recognition of state seaward boundaries claimed prior to their entering the Union, "—(A)nd to the boundary line of each such state where in any case such boundary as it existed at the time such state became a member of the Union . . ."; and

Whereas, The First Virginia Charter of 1606 and the Council Charter of 1620 grant a seaward boundary of one-hundred miles to the Commonwealth of Massachusetts prior to its entering the Union in 1789; and

Whereas, The Federal Submerged Lands Act presently favors only two Gulf of Mexico states and confines all other coastal states to a three-mile seaward limit; and

Whereas, The Commonwealth of Massachusetts appears to have a strong historic claim to a seaward jurisdiction beyond three miles, which has not been considered by Congress or adjudicated by the courts; and

Whereas, There is no evidence of Massachusetts surrendering this extensive seaward jurisdiction upon entering the Union; now, therefore, be it

Resolved, That the Massachusetts General Court respectfully urges the Congress of the United States to recognize and to honor, the one-hundred mile seaward boundary of the Commonwealth of Massachusetts; and be it further

Resolved, That copies of these resolutions be transmitted forthwith by the Secretary of the Commonwealth to the President of the United States, to the Secretary of Interior, to the presiding officers of each branch of the Congress and to the members thereof from the Commonwealth.

Resolution 2

Memorializing the Congress of the United States to enact legislation providing for general aid to state and local governments through the sharing of Federal income taxes

Whereas, There is legislation pending before the Congress of the United States which provides for the sharing of a fixed percentage of revenues from the individual federal income tax with state and local governments for purposes determined by them; therefore be it

Resolved, That the General Court of Massachusetts hereby respectfully urges the Congress of the United States to enact pending legislation providing for the sharing of a fixed percentage of revenues from the individual federal income tax with state and local governments; and be it further

Resolved; That copies of these resolutions be transmitted forthwith by the Secretary of the Commonwealth to each Senator and Representative in Congress from the Commonwealth.

Resolution 3

Memorializing the President of the United States to nominate Dr. John H. Knowles as Assistant Secretary of Health, Education and Welfare and the United States Senate to confirm said appointment

Whereas, Dr. John H. Knowles, the distinguished and able General Director of the Massachusetts General Hospital is being mentioned as Assistant Secretary of Health, Education and Welfare; and

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Whereas, Dr. Knowles as General Director of the Massachusetts General Hospital, which in 1967 was rated number one in a list of ten of America's best hospitals, is a recognized expert in hospital supervision, medical affairs, health planning and scientific research, all fields which come under the supervision of the Assistant Secretary of Health, Education and Welfare; now, therefore, be it

Resolved, That the Massachusetts Senate respectfully urges the President of the United States to nominate Dr. John H. Knowles as Assistant Secretary of Health, Education and Welfare; and be it further

Resolved, That the Massachusetts Senate respectfully urges the Senate of the United States to confirm said appointment; and be it further

Resolved, That copies of these resolutions be sent forthwith by the Secretary of the Commonwealth to the President of the United States, to the presiding officer of the United States Senate and to the members thereof from the Commonwealth.

REALTOR WEEK

HON. THOMAS N. DOWNING

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 26, 1969

Mr. DOWNING. Mr. Speaker, last week Mr. John J. Reed delivered a great and timely speech at the annual civic luncheon of Realtor Week in the tidewater area in Norfolk, Va.

He was introduced by our friend and former colleague Porter Hardy, Jr. Many of you will remember Mr. Reed as the former Deputy Assistant Secretary, Family Housing, Department of Defense.

It was a timely speech, because everything we hear these days seems to be highly critical of our Military Establishment. It was a great speech, because the speaker was knowledgeable—with no axes to grind—and he brought some people's blurred vision on this subject back into clearer focus. He told his audience, "In view of all this criticism about what is bad about the military, maybe we need to start talking about what's good about the military." He does just that.

Mr. Speaker, I include this speech in the Extensions of Remarks of the RECORD:

ADDRESS BY JOHN J. REED AT THE ANNUAL CIVIC LUNCHEON OF REALTOR WEEK IN THE TIDEWATER AREA, NORFOLK, VA., MAY 21, 1969

Distinguished guests, ladies and gentlemen, it is indeed a pleasure to be back in Tidewater country. This part of our State holds many pleasant memories for an old VPI boy, who spent many summer-student days on nearby Virginia Beach. Those days are remembered both with pleasure and a bit of nostalgia.

Your courtesy in inviting me to meet with you today and to share a few thoughts, is very much appreciated. First, I wish to congratulate your industry; you realtors have done a great deal in the area of community service and establishing professional standards and ethics and you are to be commended. Groups such as these epitomize the local civic spirit which exists throughout our Country and which makes such significant contributions to improving our way of life. You are the community leaders and I believe your active participation is the key to the continuation of our valued traditions.

I'm very grateful for the kind introduction by my friend, the Honorable Porter Hardy, Jr. I know that it's difficult to get Porter to come away from his retirement activities for public events, so I particularly appreciate his taking the time to be here today. I'd like to say that his departure from the Congress was a loss to Virginia and to the Nation. I'd like to suggest to this group that in special appreciation for his 22 years of dedicated service in the United Statse Congress, we give him an extra ovation now.

Speaking of Porter, I'd like to share with you one anecdote from his congressional days. You are, I know, aware of his reputation and talents as an interrogator. Let me tell you, when a witness appeared it was always with a cold, clammy sense of apprehension. One day, I happened to be in the witness chair and I was being ripped up one side and down the other by the famous Hardy question technique, and I apparently wasn't doing a very good job of being responsive in my answers. When the session ended, Porter came down to the witness table, and we were chatting while I figuratively bled from my wounds, then his committee colleague, Eddie Hébert from New Orleans, came by, put a hand on each of our shoulders and said, "John, it's a dam good thing he's a friend of yours, otherwise he would have killed you." So friend, or foe alike, we always approached that committee with profound respect and a large measure of apprehension.

Today, I would like to discuss with you, two subjects which I feel are perhaps an appropriate reflection of the facts that this meeting is known as the Civic Luncheon—the highlight of Realtor's Week here in the Tidewater area—and that the theme of Realtor's Week this year is Home Ownership. With regard to these two subjects, one is something I know a great about because of my prior Pentagon assignment—that is the military family housing program. The other, is one I'd like to discuss because I feel very strongly about it—that is the increasing anti-military attitude which seems to be sweeping through the Country.

Your theme for Realtor's Week 1969, "Home Ownership—Foundation of the Nation"—is a great one, and I think we might reflect and say, "How could this be applied to military families? Could this concept become an attainable objective for most military families?" Here, in the Tidewater area, you have a unique situation regarding your military neighbors in your communities. As an example, there are some 92,000 military here, assigned to bases and ships. Of these, about 39,000 are married personnel, representing all the Services. Of the married personnel, about 17,000 are renting homes and apartments throughout your area. In addition, and I found this to be of particular interest, almost 10,000 of these military families own their own homes here in Tidewater Virginia. This, I think, proves that there is a strong desire on the part of many of the military to own their own property. Contrasted with these statistics is the fact that there are some 4,100 Government-owned units which are made available for use by military families. From these statistics, you can see that the Tidewater areas as to military housing represents a balanced picture of private ownership, Government-owned units, and rental units. The policy of the Defense Department regarding the housing of its military families has been that it prefers that they live in the communities surrounding the military installations, where this can be achieved without personal or financial hardship. The Department's position on military ownership of private homes has been that it would neither be discouraged nor encouraged. The reason for the latter view is that with the frequent transfer of personnel, from one duty assignment to another on an average of something less than 3 years, home ownership can become a significant problem in certain parts of the Country. Our studies, when I was with Defense, showed that in many areas of the Country, sales of properties presented no problems of any consequence and that it was often to the financial advantage of the military man to purchase a home during his tour of duty. Yet, in other parts of the Country, service men were often unable to sell their houses quickly and reasonably when they were transferred, or in some cases where military bases were significantly reduced or even closed there was no market and the properties had to be foreclosed.

Because of these types of problems, the Defense Department decided that it would primarily depend upon the available rental units in the communities surrounding these bases to meet the needs of the families of military personnel. But, also, that it would not prohibit or restrict service men from exercising their free choice in acquiring their own homes, and they were financially able to do so. My challenge to you in this group this afternoon would be this: Are there steps which your industry, the Realtors of America, could take, perhaps in conjunction with the financial institutions, to find ways to assist even more military personnel to come into home ownership and yet not run a great risk of financial catastrophe upon their transfer because of inability to resell their property? How could these people be helped to do this? How could your theme of Home Ownership be implemented on an even greater degree with the military families involved? These are difficult questions, I realize, but I challenge you to use the talents, which are represented collectively here today by the fine people who are members of this profession—are there ways—can you devise systems—if there are practical ways which could be worked out, then I submit that you would be doing the military families a great favor and you of course would be helping your own industry to grow and to prosper. Right here in the Tidewater area, the military represent a significant potential market for home ownership if these problems could be resolved. Certainly, a solution might even conceivably involve legislation which the Congress might enact to help achieve this objective. They've enacted laws in the past to assist other members of our citizenry to achieve home ownership. Again, fair and equitable proposals which could be advanced towards achieving this objective would, I am sure, receive careful consideration by those in the military and those in the Congress. Ladies and gentlemen, I would like to think that on this point, the ball is back in your court.

Next, with your indulgence, I would like to share with you some thoughts and observations of a strictly personal nature now that I am a private citizen again. I would like to talk about public service and I would like to speak out against the current wave of anti-militarism that appears to be sweeping this Country.

At the outset, let me make it clear: Military men do make mistakes, realtors make mistakes, even lawyers make mistakes; however, this does not go to the motivation and integrity of these people. This thought was well stated recently by Secretary of Defense Melvin Laird in a speech to a group of newspaper editors when he said, Quote:

"Another type of criticism that gives me concern is that directed at the military profession and at the character of the career military man. Some of the critics seem to be in search of a scapegoat. The frequently expressed concerns about the military-industrial complex raise some valid issues, but it is utter nonsense to question the motivation of our military leaders. Our military leaders

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are dedicated men of the highest competence whose purpose is peace." Unquote.

We sitting in this room today would not have to go very far to be reminded of great personal military leadership in the cause of peace. Certainly, General Douglas MacArthur, by his forceful personal leadership and integrity, established a strong economy and a democratic society in Japan following World War II and in this way made a staunch ally out of a former enemy.

Also, we Virginians proudly claim our son, George Catlett Marshall, as we should, and, certainly, the strong leadership which he exhibited as a Statesman, and which emanated from a background of many years of military service, was of vital help to our Country. His leadership revitalized the economy of continental Europe and assured that those countries would continue as democratic societies, and remain in the Western camp of nations. It occurs to me that, perhaps, some contemporary critics are a little short on a sense of history.

Every day it appears, we see headlines in our papers about protest against ROTC on college campuses; we read of military recruiters being abused and physically detained by small groups of students and others; we hear and read of students, and of some faculty members, protesting accomplishment of military research and development work on campus; we read of some members of the clergy breaking into and vandalizing the administrative offices of a corporation which produces a product needed by the military; and we read newspaper articles implying that high Pentagon officials—men whom I knew personally and knew to have the highest integrity—were dupes of certain private corporations. I, like many others, am sick of it. I think we all need to begin to speak out against this kind of philosophical nonsense and to recognize our need for a strong, competent military organization in today's world. In view of all of this criticism about what is bad about the military, maybe we need to start talking about what's good about the military. In the words of the old Johnny Mercer hit song, "Let's accentuate the positive and eliminate the negative."

First, let's talk about the ROTC program. It would be my opinion that if the military is going to retain its demcratic roots, then it seems vital that we continue to have the quality level and the broad base of career officers which the ROTC helps to provide. Certainly, by inputting into our officer corps qualified indiivduals from many diverse backgrounds and colleges we are assuring the continuation of the proper relationship of the military within our democratic society.

Let's go on to research and development on defense problems by universities. I would say this is very important to the defense effort and to stimulating the growth of basic knowledge. Where does such R&D effort leads us? Certainly, it helps to provide the weapons that we may need at future times. But, what else does it provide? Let's explore the computer field. Our entire economy has prospered because of this area of technology. Where did it begin? With Naval gun requirements for ballistic tables. Years back, 1944, Dr. Howard Aiken of Harvard designed and built a new computer on a "go-no go" electric relay basis in order to help calculate ballistics tables. This machine filled a whole building up at Dahlgren, Virginia, and was the beginning of modern computer technology. Later came the NORC—the Naval Ordance Research Calculator. This was about 1955. It was an early electronic computer produced under a Navy contract with the IBM Corporation as a follow-on to research at universities. This effort, on the NORC, and the parallel military-sponsored effort on transistors, pushed us over the threshold in the computer field and has led us into the current technological era. Are we to believe that this is an undesirable by-product of inherently evil research? I think not. If by short-sightedness, or perhaps for even more devious motives, we are asked to class research and develop effort sponsored by the taxpayers throughout the Defense Department as a bad thing, then are we not stopping the progress of the technical side of our Defense effort and deferring the advance of basic knowledge? If in the frustration over the Vietnam war and other problems in our society, we take such action to damage the basic fabric of our National makeup, then I think we all need to do some serious thinking as to what the objectives of this American society truly are. And most disturbing to this observer is the lack of leadership on the part of some university administrators and faculty members in not retaining a true perspective of what is good for this Country, and of giving in to a current screaming mob rather than preaching out in terms of ultimate objectives and desires.

Last Saturday was Armed Forces Day, and, perhaps that is an appropriate milestone date that we can each use to start turning this thing around. I don't know how "military" got to be a dirty word, but, I for one, and I am sure I aslo speak for the majority of the people present today, believe that there is much good in our current Defense establishment. I don't fear a military-industrial complex will take over our Government. As a matter of fact, I think it provides strength for our Nation. It needs to be monitored, yes; and there are those in the Congress and in the Executive Branch who do monitor it with a sense of integrity and a sense of duty. A strong military establishment has kept the peace—such as it is—since the end of World War II. What really is the power of the United States as a Nation? Is it our gross national product, our mineral wealth, our productive capability? To our adversaries, I submit, it is that B–52 crew that's now aloft; it's the men submerged in a Polaris submarine somewhere off the European continent; it's the kids down in a silo in one of our western states monitoring their dials and electronic equipment; it's the GI along the 38th parallel over in Korea; and, above all, it's the men in Vietnam.

This is the point of the dagger as they say and this is the power of the United States that is respected in today's world. Perhaps, what I am trying to say is best summed up by the motto of our elite SAC forces—"Peace is our Profession."

Thank you.

HON. WILLIAM V. ROTH

HON. LOUIS C. WYMAN

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 22, 1969

Mr. WYMAN. Mr. Speaker, I am pleased to join my colleagues in paying tribute to my very able friend from Delaware, Congressman Bill Roth. I was disappointed to learn that he will be creating a great void in the House by leaving for the other body, but happy to find that he will continue his dedicated and tireless service in the Congress of the United States.

Ever since he entered these Chambers, Bill Roth has shown not only a rare aptitude for his job, but a rare concern for the people who sent him here. He has combined an outstanding academic, military, and legal background with a natural involvement in community and world problems to establish himself as an outstanding leader in the State of Delaware, and as an outstanding Congressman here in Washington.

It is this record of accomplishment that he has been writing since joining us here that deserves a special tribute by his colleagues. Amidst the talk and worry about our growing bureaucracy and the potential dangers and inadequacies of big Government, Bill Roth struck out on his own to do something. He attacked the complexities head on, pointed up the need for and then gave direction to a design that will help make at least one area of government more comprehensible and more workable. Responding to inquiries by his constituents on just what our Federal Government was capable of doing and what, in fact, it did do with its Federal-aid programs, he set out to let them—and us—know.

By first uncovering, through his extensive inquiries and tabulations, the many inadequacies and areas of duplication and waste which exist, and then proposing two original major pieces of legislation to alter those inadequacies during his first year in Congress, he has displayed the kind of leadership and initiative that we can expect from him.

It seems appropriate, Mr. Speaker, to say a few words about the seat which our eminent colleague will be seeking. It is the seat of the very distinguished Senator John J. Williams, who this year announced to the disappointment of all concerned citizens and officials everywhere that he would not seek reelection at the end of his term in 1970. Although his decision is regrettable from the standpoint that his services will not be continued here in Washington, we can find comfort in his assertion that he looks upon it as an announcement of his candidacy for the highest honor that can be conferred upon any man, which he maintains is to be "a constructive and useful private citizen of the State and country to which I owe so much."

There has been some question as to whether or not Senator Williams can be replaced, and whether the public interests will ever again be protected as they have been since he took office.

It is my feeling, and the feeling of many others in this body, that Bill Roth has already displayed the same kind of concern for the people he represents, and the same dedication to the removal of waste and inefficiency in Government. I am confident that if he is given the opportunity, he will bring to the Senate the same honor, energy, integrity, and brilliance which he has shown us here in the House.

We wish him well.

THE PRICE IS RIGHT

HON. BENJAMIN S. ROSENTHAL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, May 26, 1969

Mr. ROSENTHAL. Mr. Speaker, today I testified before the New York City

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Department of Consumer Affairs on a proposal to require unit pricing to the nearest 10th of a cent on certain commodities. The purpose of the proposal is to enable shoppers to make successful price comparisons, now an impossible task.

Senator NELSON of Wisconsin and I have introduced legislation which would amend the Fair Packaging and Labeling Act by requiring the price per unit to be placed on consumer commodities. The New York City proposal and the legislation we have introduced are parallel measures to eliminate the price and packaging confusion that is so pervasive in the marketplace. With their passage, consumers would finally be able to determine what really is a good buy.

My statement follows:

STATEMENT OF REPRESENTATIVE BENJAMIN S. ROSENTHAL

Three years ago the Fair Packaging and Labeling Act, designed to promote informed choice in the marketplace, was enacted into law. But the housewife in 1969 as in 1966, still stands bewildered in the supermarket aisles.

Faced with endless varieties of packages, labels, and prices for a multiplicity of brands of the same product, the housewife hardly resembles the sophisticated consumer on which our free enterprise economy is based—one equipped with sufficient information about products and prices to make rational choices. The result is that American consumers are shopping blindfolded, with the scales of marketplace justice rarely balanced in their favor.

The Fair Packaging and Labeling Act has failed to give consumers parity with producers in the free enterprise arena. It was neither intended to, nor did it in fact, resolve all the informational needs and problems confronting consumers. Even if the Act were being vigorously enforced, which is not the case, consumers would still be left in the dark when it comes to identifying the "best buy".

Admittedly the Act, has in some cases, reversed the wild proliferation of package sizes. The National Bureau of Standards, pursuant to the Fair Packaging and Labeling Act, is presently involved in resolving package proliferation problems. To date, 27 product categories (such as crackers, coffee, detergents, toothpaste) have had weight standards established, thus reducing the variety of package sizes. 39 additional consumer commodities. are currently under study.

But reducing package proliferation, in itself will not provide consumers with the most elementary information necessary to make economically wise purchases: how much does a standard unit, an ounce, for example, cost for the various brands and sizes available within a given product category?

It is clear to me that consumers need three basic kinds of information about packaged products:

(1) a true statement of net weight and the percentage of ingredients;

(2) the quality or grade of ingredients;

(3) the unit price for competing sizes and brands.

The first type of information is dependent upon a labeling system that indicates the actual net contents. For example, declarations of net weight for fruit and vegetables packed in syrups, brines or other liquids which do not differentiate between the product and the liquid, hardly are valid indications of contents.

The second type of information is dependent upon a comprehensive and accurate quality grading program—a vast improvement over the limited and ineffective grading program the Department of Agriculture now administers.

Finally, there is no existing system for identifying the unit costs of packaged products; this information gap would be closed by the adoption of your proposal at the local level and bills to achieve the same purpose pending at the federal level.

What kind of anti-consumer practices would enactment of your proposal remedy? First and most obviously, it would give consumers the basic kind of *economic* information necessary to make cost-value comparisons. Secondly, it would negate the widespread practice, now engaged in by food and toilet goods manufacturers, of subtly shrinking package contents without reducing prices.

Hearings to be held next week by my Special Consumer Inquiry will show that hundreds and probably thousands of packaged food and toiletry products have experienced such subtle weight decreases, thus causing "hidden" price increases to consumers: did you know, for example, that the package of Betty Crocker Country Corn Flakes that contained 11 ounces in 1965 now contains 10 ounces; that the Franco-American spaghetti that used to be 27 ounces is now 26½ ounces; that the 8 ounce can of Libby's chili is now 7½ ounces? Prices go up and contents go down.

Are you aware that the Jergens Lotion that was 12½ ounces is now 10½ ounces; that the 8 ounce can of Breck Hair Set Mist is now 7 ounces; that the 12½ ounce family size Halo Shampoo has shrunk by one ounce; that the 21 ounce package of Serutan is now only 18 ounces?

Obviously, if the price per unit were recorded on packages, manufacturers would not be able to conceal price increases by shrinking the contents of their packaged products.

Your proposal requiring unit pricing to the nearest tenth of a cent on certain commodities which cause the greatest confusion is a sound approach to refocusing attention on the absence of fair packaging and labeling. The example set by New York City will, hopefully, provide the model for other cities to follow. And it could provide the impetus for the enactment of similar federal legislation.

Senator Gaylord Nelson of Wisconsin and I have introduced legislation which would amend the Fair Packaging and Labeling Act by requiring the price per unit to be placed on consumer commodities, including food, household goods, drugs, and cosmetics. The retail outlet would be responsible for posting the actual price per unit of contents based on the actual sales price.

I think we should not be intimidated by manufacturers and sellers who claim that the cost of unit marking would result in higher prices. It is obvious that unit pricing charts could be made available to retailers and that they can stamp the unit cost and total cost on each package or container as easily as they now stamp the price on these items.

I want to commend you for taking the initiative in this matter and thank you for providing me with an opportunity to appear before you today to discuss this important proposal.

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HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, May 26, 1969

Mr. TEAGUE of Texas. Mr. Speaker, Astronauts Eugene A. Cernan, Thomas P. Stafford, and John Young have circled the moon, a feat accomplished only once before, and took a new gigantic step toward a lunar landing when they descended to within 50,000 feet of the lunar surface. As Americans, we are proud of their achievement and the achievement of the many people who, throughout the country, have worked on the development of the Apollo equipment. As Americans we are proud of three fine young men who have taken another step in challenging the unknown. By their efforts we are learning more about the world we live in.

As we mark this achievement as the prelude to a lunar landing we should remember that this is a beginning. It is a beginning not only of an exploration but the beginning of the opening of a new era of utilization of space. The road along this route of exploration will be long and difficult. Success will not always come easily and at times the sacrifices will be large. However, I believe that with the leadership of such men as Astronauts Cernan, Stafford, and Young we will be prepared to continue to challenge the unknown for new knowledge and the benefit of all mankind.

We welcome the astronauts back to earth and wish them a speedy reunion with their families and friends. They truly are pioneers of their times.

HOUSING HOAX

HON. WILLIAM (BILL) CLAY

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, May 26, 1969

Mr. CLAY. Mr. Speaker, in 1949, Members of Congress passed the National Housing Act which committed this Government to the construction of 810,000 public housing units for low- and moderate-income citizens to be completed in the ensuing 6 years. Today, 20 years later, we still fall 10,000 units short of that goal. It has, indeed, been a "housing hoax" particularly in view of the current conservative estimate of a need for low-income housing by 7.8 million persons who presently cannot afford to compete for housing on the open market.

I commend to the attention of my colleagues this portrayal of the situation by Michael Harrington whose column was carried in the May 20 edition of the Washington Evening Star:

THE GREAT AMERICAN HOUSING HOAX

Our longest running official lie, approved by five Presidents and ten sessions of Congress, has just opened the new season under George Romney. It is the Great American Housing Hoax.

Romney's announcement of his Model Cities policy was designed with all the art of a cigarette commercial. For anyone who believes a brand can be so low in tar and nicotine that it is almost pure air and simultaneously is the most flavorful smoke around, will also be persuaded that, by cutting the Model Cities funds by $75 million and extending the program to more neighborhoods, it is being made more effective.

After this optimistic contradiction, the secretary of housing and urban development went on to reveal his "breakthrough" plan. In this scheme, there is to be such innovation in construction techniques that the one-half of American families now unable to bid for decent housing on the private market will suddenly become effective consumers.

This is a marvelously painless solution to a crisis for it would not cost much federal money and it would make big private profits. The only problem is—and Romney could check it out by reading the analysis of Paul Douglas' National Commission on Urban Problems of a few months back—that it will not work. But even making the outlandish assumption that such an approach is going to produce six million units of low cost housing in ten years, there is no hint of the aesthetic, racial and social design of all these homes.

Will they take the form of suburban sprawl, of gilded ghettos—or of new towns and refurbished old cities? It should be obvious by now that such momentous questions are not going to be solved by the invisible hand of Adam Smith acting through the private market but will require creative government planning—and spending—at every level of the society.

But then it is unfair to single out George Romney for blame since he is simply, and probably sincerely, acting in the tradition of institutionalized hypocrisy which has characterized housing policy for a generation.

The Great American Housing Hoax began in 1949 with a Republican conservative, Robert A. Taft, on the side of the angels. Taft, who knew then what Romney has yet to learn, declared that the private market obviously could not satisfy the housing needs of poor people.

On the basis of free enterprise principle, he declared this was an area in which the government had to intervene. And as he helped pass the 1949 Housing Act, he said that Washington had to fiance 135,000 units of low-cost housing a year for six years.

It is now 20 years since the nation solemnly accepted this housing goal—and we have yet to fulfill four years of Taft's target. Moreover, in the intervening period urban renewal and federal highway programs were actually destroying more low-income housing than Washington was building and cheap interest and handsome tax deductions were helping to construct more than 10 million units of middle income and wealthy housing.

So it is that one comes to the magnificent irony that the stated purpose of the 1968 housing legislation was to fulfill the stated purpose of the 1949 act.

But no one should fear that the 1968 oath to the poor will be honored. This year, when we were supposed to be taking the first giant stride toward creating six million units of low-cost housing in ten years, we are doing practically nothing. Because of inflation, even the normal rate of private construction will be down; and with a conservative Congress and a passive President, there is no real chance that Washington will broaden the public sector.

But even though one cannot thus charge Secretary Romney for a unique dereliction, the particular way he evades the issue is worthy of some comment. For it is becoming clearer every day that the domestic social thinking of the Nixon administration is dominated by a central myth: that Lyndon Johnson tried to do too much. The policy conclusion is that what is therefore needed is not new programs or, God help us, new money, but a more efficient administration of the old structures and a greater reliance upon voluntary groups and the private sector.

But, as the Great American Housing Hoax demonstrates, the poor in the slums have suffered for a generation from too little, not from too much. In all probability, Romney's cigarette commercials for the new, cut back and improved, Model Cities program is just one more of those retreats from social commitment caused by Vietnam and inflation, one more instance of burdening the poor to stabilize the dollars of the affluent. But the idyll about the painless, almost moneyless creation of a private low-income housing market is a serious, reactionary attempt to ignore one of the nation's most desperate needs.

STUDENT'S LETTER ON VIETNAM INTRODUCED BY MR. MOORHEAD

HON. WILLIAM S. MOORHEAD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 26, 1969

Mr. MOORHEAD. Mr. Speaker, a Congressman's office is literally bombarded with thousands of pieces of mail every week—as you gentlemen well know.

The correspondence range from the congratulatory to the vituperative and all the stages in between.

Occasionally one receives a personal letter which so clearly demonstrates the writer's sincerity and concern that one must give it special treatment.

I received the following letter from Miss Elizabeth Morrison, a student at the University of Pittsburgh.

Like so many millions of Americans, myself included, Miss Morrison is disdisturbed and agitated over the continued fighting in Vietnam and the toll in lives, patience, and morale that this horrible conflict is taking.

So much has been said about the young people in this country who are protesting our Vietnam adventures that we sometimes forget the honesty and depth of their feelings.

I defy anyone to read Miss Morrison's letter and pass off her plea as that of a misdirected youth yelling merely to make herself heard.

I think the words of this young lady represent the best qualities that the young people of America possess and reflect those characteristics that eventually will make this country strong and united once again.

The letter follows:

PITTSBURGH, PA.
April 2, 1969.

DEAR CONGRESSMAN MOORHEAD: Today your newsletter arrived and it couldn't have come at a better time. Vietnam has alienated me in a sense from our political system. This alienation is a rather difficult thing for me to accept because as a political science major at Pitt, I've always felt somehow involved with politics and the government.

The thing that bothers me about Vietnam is that it hurts so much. Having had several courses concerned with our political involvement in SouthEast Asia I can understand the commitment we have there. What I can't understand is how people with family members in the armed services stationed in Vietnam can live for a year with all of the anxieties brought on by guerilla warfare. How can they say good-bye to their sons and husbands, knowing that they may never see them again? I've said that I can understand our commitment there, and I can. I've never actively protested it and I don't admire draft resisters. I just can't tolerate the thought of all those young men dying every day. They're so very young and they have to die, having had no taste of life.

I'm not writing to say that I have a solution to the war because I haven't. I am writing to you because I admire you and I'm certain that I'll receive some kind of letter from your office. Perhaps that will make me feel a more integral part of our country. Please, please, please work with your fellow congressmen to urge Nixon (perhaps I should have said President Nixon but having been an active Humphrey supporter it's difficult) to make the end of the war in Vietnam a top priority. It's so unspeakably awful. You're so very fortunate to be in a position to be heard. I'm not. In fact the closest I'll come to being heard is when one of your staff members reads this letter. Please do something active to stop the deaths of American men in Vietnam. I know how very hard I would work towards that end if I were in your position.

Even when the war is over, nothing in the world can fill the void in America created by the deaths of the soldiers fighting in Vietnam. What can compensate for the loss of vision or limbs in those returning home?? Surely not a disability pension. Give every American a chance to a life here, not just widows and children. If something isn't done soon, there may be a tremendous decrease in the number of children in the United States. Wars hurt Rome and this war is killing America.

Congressman Moorhead please do something now before the scars can never heal. As a member of the Pitt Young Democrats I had the opportunity to hear you speak to our club shortly before the election. I was impressed by your sincerity. Please don't let me or any other citizen down. Use your good position to contribute to America's salvation.

Sincerely,
ELIZABETH A. MORRISON.

LAW DAY, 1969

HON. ORVAL HANSEN

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Monday, May 26, 1969

Mr. HANSEN of Idaho. Mr. Speaker, at a recent luncheon meeting in observance of Law Day, members of the Denver Bar Association were privileged to hear an address by Mr. Charles W. Poe, Jr., associated director of Denver Opportunity. Before being appointed to his present position, Mr. Poe served with great distinction and ability as a member of the legal staff of the Idaho operations office at the Atomic Energy Commission at Idaho Falls.

In his Law Day address, Mr. Poe reveals a deep insight into some of the social problems facing America. He points out that the law should serve as an instrument of social change and that the role of lawyers and jurists should be that of actors in this process rather than reactors.

I include Mr. Poe's address as a part of my remarks:

LAW DAY, 1969

(By Charles W. Poe, Jr.)

Governor Love, Judge Finesilver, and other distinguished guests:

During the preparation for my brief presentation, I gave a great deal of consideration to the prospective audience and to its composition. As you are aware, lawyers and those in related fields of endeavor are of a peculiar breed in terms of being somewhat cynical and unswayed by rhetoric, since cynicism and rhetoric are a way of life. As a result, I decided that there was little I could say in the time available which would make a lasting impression upon you.

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In my presentation therefore, I shall try to share with you my experience, and my concern. It may depart somewhat from an outline you may have seen. Within the guidelines of our luncheon subject, "What the Framework of American Law Means to Me," it shall focus upon the following areas:

1. A concept of law;
2. The impact of the law upon my life;
3. The need for change and action; and
4. A necessary coalition.

I deplore those, who because of their position in a community, automatically attribute to themselves the accoutrements of leadership, and are so received. What you shall hear are not the opinions of a self-styled leader, but rather, the opinions of one man, a black man.

When one views the present and continuing reassessment of all of our values, our traditions and customs, there is no sound basis for such reassessments to exclude the law itself. Samuel Johnson has defined the law as: "the last resort of human wisdom acting upon human experience for the public good." I would modify that definition to read, "The law *should not be* the last resort of human wisdom acting upon human experience for the public good."

The law, and you as lawyers and jurists, should be in the vanguard of social change, not as reactors, but rather as actors.

My concept of the law and its impact upon me cannot be segregated from my self-concept as a colored man, a Negro, and now as a black man in a racist society. There is no law without justice, and justice continues to be a commodity which, for the most part, black people and other people of color—the long disenfranchised, disadvantaged, and frequently poor, have not been able to purchase with the same degree of quality and quantity as their white counterparts. Many black people have translated the cry for "Law and Order" into "Keep the niggers in their place." It is not my purpose to turn this into a sociological commentary, but I would be less than candid if I did not voice my concern and my commitment at a time when the nation and the community I love continue to avoid making those hard decisions which must be made if the moralization identified in the Kerner Report is to no longer remain ignored and unchecked.

I say "racist society" not with the condemnatory fervor with which that phrase is ordinarily accompanied. I say "racist society" as one who is aware that the effort, if made, to purge our nation of the debilitating effects of discrimination and prejudice, will be a long and painful one. However, neither the burden of pain nor the burden of time should further delay either the incision or the surgery.

What has been the import of the law upon my life and how is this related to my preceding comments? For the sake of clarity, let us use 1954 as the year for the "before" and "after" considerations which follow. The *law* before 1954 had established that "separate but equal schools" were bona-fide, state-supported institutions, largely based upon *Plessy* v. *Ferguson*, an 1896 Supreme Court decision. In that decision 73 years ago, the dissenting voice stated, "The Constitution is color blind." But should it be? We have all heard the cliche, "We are a nation of laws, and not of men." But are we? I believe that we are a nation of men who have the power, and hopefully, the will, to change laws to meet newly identified, mid-20th century needs. Prior to 1954, the law in all of its infinite wisdom, helped to give you, white America, an over-assessment of your true worth, and concommitantly caused a corresponding under-assessment of a black man's value.

As Baratz stated in a recent American Speech and Hearing Association article:

"Even when the abolitionists were most vociferous in their insistence upon eliminating slavery in the United States (some 200 years after the initial importation of Negro slaves) they were not disputing the thought that the Negro was genetically inferior to the white man, but simply insisting that slavery was an immoral institution, even if those held in bondage were inferior individuals."

American history as it is still taught in many schools conceals the extent of the contribution of black people. Were you aware:

1. That 30 black people were with Balboa when he discovered the Pacific Ocean;
2. That a black man was a navigator and captain of one of the three ships accompanying Columbus;
3. That black men accompanied George Washington when he crossed the Delaware;
4. That a black engineer, Benjamin Banneker, assisted in laying out the design for Washington, D.C.;
5. That the basic blood transfusion techniques were developed by a black man, Dr. Charles Drew, who, by the way, died from loss of blood as the ambulance took him from the white hospital which initially rejected him, to one which would accept him;
6. That a black man, Dr. William Hale, performed the first open heart surgery in America; and
7. That the first American to lose his life in the Revolutionary War, on Boston Commons, was a black man, Crispus Attucks.

How does all of this relate to the law, to today's ceremonies?

During my life, I've gone from the back of the bus to the front; from the balcony seat in the theatre to front row center; from driving all night because we were unable to find accommodations except by the side of the road, to staying at a Holiday Inn. These changes are due to changes in the law. Contrary to popular belief, black people have long been some of the most law-abiding people in this land. For example, the law required segregated housing, and black people did not try to buy outside designated areas. Law-abiding black people for years used their designated drinking fountains and rest rooms. Black people were denied full access to public accommodations, and for years, black people were law-abiding and did not seek to confront this issue openly and directly, until a black domestic with tired feet refused to move to the back of the bus in Montgomery, Alabama in 1955, and in 1962 several black men refused to move from lunch counters in Greensboro, North Carolina.

Such a law-supported system helped to destroy manhood, a sense of worth and dignity, and contributed to the inaccurate assessments mentioned before.

We are all aware of the recent spate of Federal laws which purport to remove the legal effect of such racial distinctions. Many black people, myself included, in view of these new laws, wonder how well white Americans will obey them.

And of black power—black militants or black power advocates have made positive contributions. They have made black people talk less about love and more about power. Power can compel action, where reason fails. As Andrew Hatcher, a black man, elected Mayor of Gary, Indiana, stated:

"Black power advocates have taught us a fundamental lesson; that black people must learn to exercise their power to their own advantage, to demonstrate their unity, use their vote, their numbers to achieve their objectives . . . black power has reminded us that fear can be an important ingredient for change; that fear reaches its zenith where black people choose not to play by the rules of the game—rules they never made and the powerful never obeyed."

I am fearful. I am fearful that the sands in our time clock are running out. I am fearful that those in positions of power in our community do not and will not see the need for action; I am fearful that the prodding to remove the last anachronism of the applicability of the Bill of Rights to all state action will be either circumvented or subverted. I am fearful that those who tell me that our society does not have the inherent flexibility to incorporate people of color in a meaningful way are correct, that change—lasting change—cannot be done in a peaceful, nonviolent manner. I am fearful that the opportunity to make "this nation, under God, indivisible," will pass us by. Moreover, there is a higher law—a law often addressed by Martin Luther King, espoused by Gandhi—the moral law of "rightness." But both Gandhi and King are dead, and the voices you now hear are not the voices of moderation. Without action taken because it is right and just, and not action delayed because it does not neatly fit into a legal pigeonhole, the voices of moderation will not only be muted, but silenced.

Black people are not a monolithic group. They are as diverse and different in attitude and performance as they differ in coloration. Similarly, the reactions to Denver's current school crisis vary significantly. In watching the Denver School Board struggle with an issue that should have been confronted years ago—quality education for all children—and in watching and hearing the protestations, often sincere, of white parents, the real issues become obscured. The real issues, as I view them, are an integrated school system versus a segregated school system. In light of the mass of data accumulated by the U.S. Civil Rights Commission, an integrated education in today's social milieu has a better chance to supply a quality education to all children. Integration, to be meaningul, must be based upon the enlightened self-interest of all parties.

Those of you who protest bussing your children to achieve school integration, with what are you concerned—the bus ride, or what is at the end of the ride? If it is the former, almost sixteen million children are bussed to school daily in these United States; if it is the latter, then your concern is well-founded and you should assure yourself that a quality education is available for every child, in every school in Denver.

In other words, if you are not a part of the solution—a quality education—you are part of the problem.

Needed changes in the law, and more importantly, in its application to the non-white, the non-wealthy, and a re-structuring of our national and local priorities can only come from an active coalition of all committed people, black, white, brown, yellow, red—all hues. There are no real alternatives. The time for fence-sitting, for non-involvement, is over for all of us. No lasting change can occur until apathy is replaced by action. Black people are no longer asking, but demanding their just due from a society which long has denied them accommodation, and in so doing, we are proudly crying out for all to hear what Martin Luther King quoted so movingly:

"Free at last;
"Free at last;
"Thank God Almighty, I'm free at last!"

HEARINGS ON INTERGOVERNMENTAL COOPERATION ACT AND GRANT CONSOLIDATION ACT

HON. L. H. FOUNTAIN

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 26, 1969

Mr. FOUNTAIN. Mr. Speaker, I wish to announce that the Intergovernmental Relations Subcommittee has scheduled

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hearings the mornings of June 4 and 5 to take testimony from Members of Congress on H.R. 7366—Intergovernmental Cooperation Act of 1969—and H.R. 10954—Grant Consolidation Act of 1969.

The subcommittee would be pleased to receive the views of all interested Members on either or both of these related bills. Members wishing to testify on June 4 or 5, or to submit statements for inclusion in the hearing record, are requested to contact Dr. D. C. Goldberg at the subcommittee office.

Mr. Speaker, I include the texts of H.R. 7366 and H.R. 10954 at this point in the RECORD for the information of the Members:

H.R. 7366

A bill to improve the financial management of Federal assistance programs, to facilitate the consolidation of such programs, to provide temporary authority to expedite the processing of project applications drawing upon one Federal assistance program to strengthen further congressional review of Federal grants-in-aid, and to extend and amend the law relating to intergovernmental cooperation

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act be cited as the "Intergovernmental Cooperation Act of 1969."

TITLE—DEFINITIONS

SEC. 101. Title I of the Intergovernmental Cooperation Act of 1968 (82 Stat. 1098; Public Law 90-577) is amended by adding at the end thereof the following new sections:

"FEDERAL ASSISTANCE CONSOLIDATION PLAN

"SEC. 111. The term 'Federal assistance consolidation plan' means any plan involving a fusion of two or more Federal assistance programs in the same or closely related functional area(s) and with separate statutory authorizations.

"JOINT PROJECT

"SEC. 112. 'Joint project' means any undertaking which includes components proposed or approved for aid under more than one Federal assistance program or appropriation or one or more Federal assistance programs or appropriations and one or more State programs, if each of those components contributes materially to the accomplishment of a single purpose or closely related purposes."

TITLE II—ACCOUNTING, AUDITING, AND REPORTING OF FEDERAL ASSISTANCE FUNDS

SEC. 201. Such Act is further amended by adding at the end thereof a new title as follows:

"TITLE VII—ACCOUNTING, AUDITING, AND REPORTING OF FEDERAL ASSISTANCE FUNDS

"STATEMENT OF PURPOSE

"SEC. 701. It is the purpose of this title to encourage simplification and standardization of financial reporting requirements of Federal assistance programs, to promote among Federal agencies administering such programs accounting and auditing policies that rely on State and local financial management control systems meeting certain standards, and to authorize the Comptroller General of the United States to prescribe rules and regulations for use of audits of States and political subdivisions in meeting the responsibilities of the General Accounting Office with respect to such programs.

"MORE UNIFORM FINANCIAL REPORTING

"SEC. 702. Notwithstanding any other provision of law, the President shall have authority to promulgate rules and regulations simplifying and, to the extent feasible, making uniform the financial reporting requirements of Federal assistance programs.

"FEDERAL AGENCIES' RELIANCE ON THE FINANCIAL MANAGEMENT CONTROL SYSTEMS OF STATES AND THEIR POLITICAL SUBDIVISIONS

"SEC. 703. (a) Federal agencies administering Federal assistance programs shall adopt accounting and auditing policies that rely, to the maximum extent feasible, on internal or independent accounting and audits of such programs performed by or for States and units of local government.

"(b) Heads of such agencies shall determine the adequacy of the internal financial management control systems employed by recipient jurisdictions, including but not restricted to a determination of (i) whether accounting records are maintained, and reports are prepared, in accordance with generally accepted accounting principles; (ii) whether audits are carried out in accordance with generally accepted auditing standards; and (iii) whether the auditing function is performed on a timely basis by a qualified staff which is sufficiently independent of program operations to permit a comprehensive and objective auditing performance.

"(c) Where such control systems are found to be acceptable, heads of such agencies shall, in the absence of substantial reasons to the contrary, authorize agency acceptance of audits performed under such systems in lieu of audits which otherwise would be required to be performed by such agencies.

"(d) Periodic sample testing of the standards of such control systems shall be undertaken by such agencies to verify the continuing reliability of the systems for the purposes of section 703(c).

"(e) Each Federal agency administering Federal assistance programs shall foster greater cooperation with the personnel operating the internal financial management control systems of recipient jurisdictions by maintaining continuous liaison with such personnel, including the interchange of audit standards and objectives and collaboration in the development of audit schedules.

"(f) Each such agency administering more than one Federal assistance program shall, to the extent feasible and permitted by law, coordinate and make uniform the auditing requirements of such programs.

"(g) Federal agencies administering one or more Federal assistance programs shall, to the extent feasible, establish cross-servicing arrangements under which one such agency would conduct the audits for another.

"(h) The Bureau of the Budget or such other agency as may be designated by the President is hereby authorized to prescribe such rules and regulations as are deemed appropriate for the effective administration of this section.

"ACCEPTANCE BY THE GENERAL ACCOUNTING OFFICE OF AUDITS OF STATES AND THEIR POLITICAL SUBDIVISIONS

"SEC. 704. (a) The Comptroller General of the United States is hereby authorized to prescribe rules and regulations whereby the General Accounting Office may accept for purposes of its auditing of Federal assistance programs the auditing performed by States and political subdivisions receiving Federal assistance, when such auditing is performed under internal financial management control systems whose procedures meet generally accepted auditing standards and whose personnel are qualified and in a position sufficiently independent of program operations to perform a comprehensive and objective audit.

"(b) Periodic sample testing of the standards of such control systems will be undertaken by the General Accounting Office to verify the continuing reliability of the systems for the purposes of section 704(a).

"(c) The Comptroller General shall make a report to Congress on the operations of this section at the end of each fiscal year, beginning with the first full fiscal year following the date of enactment of the Intergovernmental Cooperation Act of 1969."

TITLE III—CONSOLIDATION OF FEDERAL ASSISTANCE PROGRAMS

SEC. 301. Such Act is further amended by adding after title VII, as added by section 201 of this Act, the following new title:

"TITLE VIII—CONSOLIDATION OF FEDERAL ASSISTANCE PROGRAMS

"STATEMENT OF PURPOSE

"SEC. 801. (a) The President shall from time to time examine the various programs of Federal assistance provided by law and shall determine what consolidations are necessary or desirable—

"(1) to promote the better execution and efficient management of individual Federal assistance programs within the same functional areas;

"(2) to provide better coordination among individual assistance programs within the same functional areas; or

"(3) to promote more efficient planning and use by the recipients of Federal assistance under programs within the same functional areas.

"(b) The Congress declares that the public interest demands the carrying out of the purposes of subsection (a) and that such purposes may be accomplished in great measure by proceeding under this title, and can be accomplished more speedily thereby than by the enactment of specific legislation.

"PREPARATION AND TRANSMITTAL OF PLAN

"SEC. 802. (a) When the President, after investigation, finds that a consolidation of individual Federal assistance programs within the same functional area is necessary or desirable to accomplish one or more of the purposes set forth in section 801(a), he shall prepare a Federal assistance consolidation plan for the making of such consolidation, and shall transmit such plan (bearing an identification number) to the Congress, together with a declaration that with respect to each individual program consolidated under such plan, he has found that the consolidation is necessary or desirable to accomplish one or more of the purposes set forth in section 801(a). Each such consolidation plan so transmitted—

"(1) shall place responsibility in a single Federal agency for administration of the consolidated program;

"(2) shall specify in detail the matching formula and, where relevant, the apportionment formula for rendering Federal assistance under the consolidated program and such other relevant conditions and requirements for rendering such assistance, including planning and eligibility requirements, as may be indicated by one or more of the statutes establishing the individual programs consolidated under the plan;

"(3) shall set forth the differences between such formulas, conditions, and requirements and the corresponding provisions of the statutes of each of the individual Federal assistance programs consolidated under such plan;

"(4) shall provide for the transfer or other disposition of the records, property, and personnel of individual Federal assistance programs affected by a consolidation;

"(5) shall provide for the transfer of such unexpended balances of appropriations, and of other funds, available for use in connection with such programs as are involved in the consolidation, as the President considers necessary by reason of the consolidation for use in connection with the functions of the consolidated program, except that unexpended balances so transferred may be used only for the purposes for which the appropriation was originally made; and

"(6) shall provide for terminating the affairs of an agency or administrative unit whose programs have been transferred as a consequence of the consolidation.

"(b) Each Federal assistance consolidation plan shall provide for only one consolidation of individual assistance programs.

"(c) The President shall have a Federal assistance consolidation plan delivered to both Houses on the same day and to each House while it is in session.

"CONGRESSIONAL CONSIDERATION

"SEC. 803. (a) Except as otherwise provided in subsection (c) of this section, a Federal assistance consolidation plan shall become effective at the end of the first period of ninety calendar days of continuous session of the Congress after the date on which the plan is transmitted to it unless, between the date of transmittal and the end of the ninety-day period, either House passes a resolution stating in substance that the House does not favor the Federal assistance consolidation plan.

"(b) For purposes of subsection (a) of this section—

"(1) continuity of session is broken only by an adjournment of the Congress sine die; and

"(2) the days on which either House is not in session because of an adjournment of more than three days to a day certain shall be excluded in the computation of the ninety-day period.

"(c) Under provisions contained in a Federal assistance consolidation plan, a provision of the plan may be effective at a time later than the date on which the plan otherwise is effective.

"(d) A Federal assistance consolidation plan which is effective shall be printed (1) in the Statutes at Large in the same volume as the public laws and (2) in the Federal Register.

"SEC. 804. (a) This section is enacted by the Congress—

"(1) as an exercise of the rulemaking power of the Senate and the House of Representatives, respectively, and as such it is deemed a part of the rules of each House, respectively, but applicable only with respect to the procedure to be followed in that House, in the case of a resolution introduced in either House stating in substance that the House does not favor a Federal assistance consolidation plan transmitted by the President in accordance with this title; and it supersedes other rules only to the extent that it is inconsistent therewith; and

"(2) with full recognition of the constitutional right of either House to change the rules (so far as relating to the procedure of that House) at any time, in the same manner and to the same extent as in the case of any other rule of that House.

"(b) The following provisions shall apply with respect to a Federal assistance consolidation plan:

"(1) A resolution with respect to a Federal assistance consolidation plan shall be referred to a committee (and all resolutions with respect to the same plan shall be referred to the same committee) by the President of the Senate or the Speaker of the House of Representatives, as the case may be.

"(2)(A) If the committee to which a resolution with respect to a Federal assistance consolidation plan has been referred has not reported it at the end of ten calendar days after its introduction, it is in order to move either to discharge the committee from further consideration of the resolution or to discharge the committee from further consideration of any other resolution with respect to the Federal assistance consolidation plan which has been referred to the committee.

"(B) A motion to discharge may be made only by an individual favoring the resolution, is highly privileged (except that it may not be made after the committee has reported a resolution with respect to the same Federal assistance consolidation plan), and debate thereon shall be limited to not more than one hour, to be divided equally between those favoring and those opposing the resolution. An amendment to the motion is not in order, and it is not in order to move to reconsider the vote by which the motion is agreed to or disagreed to.

"(C) If the motion to discharge is agreed to or disagreed to, the motion may not be renewed, nor may another motion to discharge the committee be made with respect to any other resolution with respect to the same Federal assistance consolidation plan.

"(3)(A) When the committee has reported, or has been discharged from further consideration of, a resolution with respect to a Federal assistance consolidation plan, it is at any time thereafter in order (even though a previous motion to the same effect has been disagreed to) to move to proceed to the consideration of the resolution. The motion is highly privileged and is not debatable. An amendment to the motion is not in order, and it is not in order to move to reconsider the vote by which the motion is agreed to or disagreed to.

"(B) Debate on the resolution shall be limited to not more than ten hours, which shall be divided equally between those favoring and those opposing the resolution. A motion further to limit debate is not debatable. An amendment to, or motion to recommit, the resolution is not in order, and it is not in order to move to reconsider the vote by which the resolution is agreed to or disagreed to.

"(4)(A) Motions to postpone, made with respect to the discharge from committee, or the consideration of, a resolution with respect to a Federal assistance consolidation plan, and motions to proceed to the consideration of other business, shall be decided without debate.

"(B) Appeals from the decisions of the Chair relating to the application of the rules of the Senate or the House of Representatives, as the case may be, to the procedure relating to a resolution with respect to a Federal assistance consolidation plan shall be decided without debate.

"EXPIRATION DATE

"SEC. 805. The authority of the President under section 802 to transmit Federal assistance consolidation plans shall expire three years after the date of the enactment of the Intergovernmental Cooperation Act of 1969."

TITLE IV—JOINT FUNDING SIMPLIFICATION

SEC. 401. Such Act is further amended by adding after title VIII, as added by section 301 of this Act, the following new title:

"TITLE IX—JOINT FUNDING SIMPLIFICATION

"SEC. 901. The purpose of this title is to enable States and their political subdivisions to use Federal assistance programs more effectively and efficiently, to adapt such programs more readily to their particular needs through the wider use of joint projects drawing upon resources available from more than one Federal program, appropriation, or agency and to acquire experience which would lead to the development of legislative proposals respecting the consolidation, simplification, and coordination of Federal assistance programs. It is further the purpose of this title to facilitate the development of joint project and joint funding arrangements at the national level by giving primary emphasis to those arrangements involving intradepartmental actions and by placing interdepartmental joint projects and management funds on an experimental and limited demonstration basis.

"INTRADEPARTMENTAL JOINT PROJECTS

"SEC. 902. (a) The head of every Federal department and agency administering two or more Federal assistance programs is authorized to approve combined applications for joint projects requiring funding from two or more such programs administered by his department or agency.

"(b) To develop the necessary departmental or agency capability to achieve the purposes of section 901, the head of such department or agency, among other actions, shall—

"(1) identify related programs within his department or agency likely to be particularly suitable or appropriate for providing combined support for specific kinds of joint projects;

"(2) develop and promulgate guidelines, model or illustrative joint projects, common application forms, and other materials of guidance to assist in the planning and development of joint projects drawing support from different Federal assistance programs;

"(3) review program requirements established administratively within his department or agency in order to determine which of those requirements may impede combined support of joint projects and the extent to which these may be appropriately modified, and make modifications accordingly;

"(4) establish common technical or administrative rules among related Federal assistance programs administered by his department or agency to assist in the support of specific joint projects or classes of joint projects;

"(5) create joint or common application processing and project supervision procedures or mechanisms including procedures for designating a lead office or unit to be responsible for processing of applications and supervising joint projects approved by him; and

"(6) develop common accounting, auditing, and financial reporting procedures that will facilitate establishment of fiscal and program accountability with respect to joint projects aided by Federal assistance programs administered by his department or agency.

"(c) Where appropriate to further the purposes of this title, and subject to the conditions prescribed under subsection (f) of this section, the head of every Federal department and agency administering two or more Federal assistance programs may adopt uniform provisions respecting—

"(1) inconsistent or conflicting departmental or agency requirements relating to financial administration, including accounting, auditing, and fiscal reporting, but only to the extent consistent with the provisions of clauses (2), (3), (4), and (5) of subsection (d);

"(2) inconsistent or conflicting departmental or agency requirements relating to the timing of Federal payments where a single or combined schedule is to be established for the joint project as a whole;

"(3) inconsistent or conflicting departmental or agency requirements that assistance be extended in the form of a grant rather than a contract, or a contract rather than a grant;

"(4) inconsistent or conflicting departmental or agency requirements for merit personnel systems, but only to the extent that the joint project contemplated would cause those requirements to be applied to programs or projects administered by recipient agencies not otherwise subject to such requirements;

"(5) inconsistent or conflicting departmental or agency requirements relating to accountability for, or the disposition of, property or structures acquired or constructed with Federal assistance where common rules are to be established for the joint project as a whole; and

"(6) other inconsistent or conflicting departmental or agency requirements of an administrative or technical nature as defined

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in regulations authorized by subsection (f) of this section.

"(d) To further carry out the purposes of this title, the head of every Federal department and agency administering two or more Federal assistance programs—

"(1) may provide for review of combined applications for joint projects to his department or agency by a single panel, board, or committee in lieu of review by separate panels, boards, or committees when such review would otherwise be required by law;

"(2) may prescribe rules and regulations for the establishment of joint management funds with respect to joint projects approved by him so that the total amount approved by any such project may be accounted for through a joint management fund as if the funds had been derived from a single Federal assistance program or appropriation; and such rules and regulations shall provide that there will be advanced to the joint management fund from each affected appropriation its proportionate share of amounts needed for payment to the grantee and amounts remaining in the hands of the grantee at the completion of the joint project shall be returned to the joint management fund;

"(3) may prescribe rules and regulations governing the financial reporting of joint projects financed through joint management funds established pursuant to this section; and such reports shall, as a minimum, fully disclose the amount and disposition of Federal assistance received by recipient States and local governments, the total cost of the joint project in connection with which such Federal assistance was given or used, the amount of that portion of the cost of the joint project supplied by other sources, and such other records as will facilitate an effective joint project audit;

"(4) shall have access for the purpose of audit and examination to any books, documents, papers, and records of recipient State and local governments that are pertinent to the moneys received from joint management funds authorized by him; and

"(5) may establish a single non-Federal share for any joint project, authorized by him and covered in a joint management fund, according to the Federal share ratios applicable to the several Federal assistance programs involved and the proportion of funds transferred to the joint project account from each of those programs.

"(e) Subject to such regulations as may be established pursuant to subsection (f) of this section, the head of every Federal department or agency administering two or more Federal assistance programs may enter into agreements with States or appropriate State agencies to extend the benefits of this title to joint projects involving assistance from his department or agency and one or more State agencies. These agreements may include arrangements for the processing of requests for, or the administration of, assistance to such projects on a joint basis. They may also include provisions involving the establishment of uniform technical or administrative requirements, as authorized by this section. Such agreements ordinarily will focus on those program areas wherein Federal assistance is normally channeled through the States.

"(f) In order to provide for the more effective administration of funds drawn from more than one Federal assistance program or authorization in support of intradepartmental joint projects authorized under this section and to assure energetic and more uniform departmental and agency administration of the functions authorized by this section, the President may prescribe such rules and regulations as he deems necessary to achieve these purposes.

"(g) This section shall become effective one hundred and twenty days following the date of enactment of the Intergovernmental Cooperation Act of 1969.

"INTERDEPARTMENTAL DEMONSTRATION JOINT PROJECTS

"Sec. 903. (a) In order to extend selectively the benefits of joint projects and joint management funding on a Government-wide basis and in recognition of the administrative difficulties involved in this undertaking, the President is authorized to approve on a demonstration basis combined applications for joint projects requiring funding from two or more Federal assistance programs administered by more than one Federal department or agency.

"(b) In order to develop the necessary capability in the Executive Office of the President for achieving the purposes of this section, the President shall have authority to exercise with reference to interdepartmental demonstration joint projects the same responsibilities and authorities assigned to heads of Federal departments and agencies with reference to intradepartmental joint projects under subsections (b), (c), (d), and (e) of section 902.

"(c) To facilitate the expeditious processing of applications for interdepartmental demonstration joint projects or their effective administration, the President is authorized to establish rules and regulations requiring the delegation by heads of Federal departments and agencies to other such departments and agencies of any powers relating to approval, under this section, of programs or classes of programs under an interdepartmental demonstration joint project, if such delegation will promote the purposes of such project. Such rules and regulations may also provide for the delegation to other Federal departments and agencies of powers relating to the supervision of administration of Federal assistance, or stipulate other arrangements for other departments or agencies to perform such activities, with respect to programs or classes of programs subject to this section. Delegations authorized by such rules and regulations shall be made only on such conditions as may be appropriate to assure that the powers and functions delegated are exercised in full conformity with applicable statutory provisions or policies.

"(d) To facilitate the establishment of joint management funds on an interdepartmental basis, any account in a joint management fund involving money derived from two or more Federal assistance programs administered by more than one Federal department or agency shall be subject to such rules and regulations, not inconsistent with other applicable law, as the President may establish with respect to the discharge of the responsibilities of affected departments and agencies. Such rules and regulations shall assure the availability of necessary information, including requisite accounting and auditing information, to those departments and agencies, to the Congress, and to the Executive Office of the President. They shall also provide that the department or agency administering a joint management fund shall be responsible and accountable for the total amount provided for the purposes of each account established in the fund, and shall adhere to accounting and auditing policies consistent with title VII of this Act. They may include procedures for determining, from time to time, whether amounts in the account are in excess of the amounts required, for returning that excess to participating Federal departments and agencies in accordance with a formula providing an equitable distribution, and for effecting returns accordingly to the applicable appropriations, subject to fiscal year limitations. Excess amounts applicable to expired appropriations will be lapsed from that fund.

"(e) During the seventh month after the end of each fiscal year, starting with the first full fiscal year after the effective date of this section, the President shall submit to the Congress an evaluation of progress in accomplishing the purposes of this title.

"(f) Demonstration joint projects initiated under the authority conferred by this section shall not exceed one hundred in any one fiscal year, and shall not exceed two hundred and fifty during the period of three years during which this section is effective.

"(g) This section shall become effective one hundred and twenty days following the date of enactment of the Intergovernmental Cooperation Act of 1969 and shall expire three years after it becomes effective, but its expiration shall not affect the administration of joint projects previously approved.

"AUXILIARY PROVISIONS

"Sec. 904. (a) Appropriations available to any Federal assistance program for technical assistance or the training of personnel may be made available for the provision of technical assistance and training in connection with projects approved for joint or common funding involving that program and any other Federal assistance program.

"(b) Personnel of any Federal agency may be detailed from time to time to other agencies as necessary or appropriate to facilitate the processing of applications under this title or the administration of approved projects.

"AUTHORITY OF THE COMPTROLLER GENERAL OF THE UNITED STATES

"Sec. 905. For the purpose of audit and examination, the Comptroller General of the United States shall have access to any books, documents, papers, and records of recipients of interdepartmental and intradepartmental joint projects that are pertinent to the moneys received from joint management funds established for such projects."

TITLE V—CONGRESSIONAL AND EXECUTIVE OVERSIGHT OF FEDERAL ASSISTANCE PROGRAMS

Sec. 501. Section 601 of such Act is amended by adding at the end thereof the following new subsection:

"(c) If any Act of Congress enacted on or after January 3, 1971, authorizes the making of grants-in-aid over a period of three or more years, then during the period beginning not later than the twelve months immediately preceding the date on which such authority is to expire, the committees of the House and Senate to which legislation extending such authority would be referred shall, separately or jointly, conduct studies of the program under which such grants-in-aid are made and advise their respective Houses of the results of their findings with special reference to the considerations cited in clauses (1), (2), (3), and (4) of section 601(a). Each such committee shall report the results of its investigation and study to its respective House not later than one hundred and twenty days before such authority is due to expire."

Sec. 502. Title VI of such Act is amended—

(1) by redesignating section 604 as section 606; and

(2) by inserting immediately after section 603 the following new sections:

"CONGRESSIONAL REVIEW SPECIALISTS

"Sec. 604. Each standing committee of the Senate and House of Representatives which is responsible for the review and study on a continuing basis, of the application, operation, administration, and execution of two or more grant-in-aid programs is entitled to employ a review specialist as a member of the professional staff of such committee in addition to the number of such professional staff to which such committee otherwise is entitled. Such specialist shall be selected and appointed by the chairman of such committee, with the prior approval of the ranking minority member, on a permanent basis, without regard to political affiliation, and solely on the basis of fitness to perform the duties of the position. Such specialist shall, under the joint direction and supervision of the chairman and the ranking minority

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member, assist the committee in the performance of its review functions under this title.

"REPORTS BY FEDERAL AGENCIES

"SEC. 605. (a) Heads of Federal agencies administering one or more Federal assistance programs shall make a report to the President and the Congress on the operations of such programs at the end of each fiscal year beginnning with the first full fiscal year following the date of enactment of the Intergovernmental Cooperation Act of 1969. Such reports shall, among other things, describe—

"(1) the overall progress and effectiveness of administrative efforts to carry out each program's statutory goals;

"(2) the consultative procedures employed under each program to afford recipient jurisdictions an opportunity to review and comment on proposed new administrative regulations, and basic program changes;

"(3) intradepartmental and interdepartmental arrangements to assure proper coordination at headquarters and in the field with other related Federal assistance programs;

"(4) efforts to simplify and make more uniform (i) application forms and procedures and (ii) financial reporting and auditing requirements and procedures;

"(5) the feasibility of consolidating individual Federal assistance programs with others in the same functional areas, where such exist;

"(6) the practicability of delegating more administrative discretion, including application approval authority, to field offices;

"(7) whether changes in the purpose, direction, or administration of such Federal assistance programs, or in procedures and requirements applicable thereto, should be made; and

"(8) the extent to which such programs are adequate to meet the growing and changing needs which they were designed to support.

"(b) The President shall transmit a summary report on Federal assistance activities to Congress not later than January 31 of each year subsequent to the first fiscal year following the date of enactment of the Intergovernmental Cooperation Act of 1969. Such a report, among other things, shall (1) summarize and analyze the findings of department and agency reports provided in section 605(a); and (2) set forth such recommendations as he may deem appropriate to convert the existing system of Federal assistance programs into a more effective vehicle for intergovernmental cooperation."

H.R. 10954

A bill to amend title 5, United States Code, to authorize consolidation of Federal assistance programs, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Grant Consolidation Act of 1969".

SEC. 2. Title 5, United States Code, is amended by inserting the following immediately after chapter 9 of said title 5:

"CHAPTER 10.—FEDERAL ASSISTANCE PROGRAM CONSOLIDATION

"Sec.
"1001. Purpose.
"1002. Definitions.
"1003. Federal assistance program consolidation plans.
"1004. Limitations on powers.
"1005. Effective date and publication of consolidation plans.
"1006. Effect on other laws and regulations.
"1007. Rules of Senate and House of Representatives on consolidation plans.

"§ 1001. Purpose

"(a) The President shall from time to time examine the various Federal assistance programs provided by law and shall determine what consolidations of such programs are necessary or desirable to accomplish the following purposes: (1) any of the purposes set forth in section 901(a) of this title, or (2) the purpose of making the programs or aspects thereof more consistent.

"(b) The Congress declares that the public interest demands the carrying out of the purposes of subsection (a) of this section and that the purposes may be accomplished in great measure by proceeding under this chapter, and can be accomplished more rapidly thereby than by the enactment of specific legislation.

"§ 1002. Definitions

"For the purpose of this chapter—

"(1) 'agency' means—

"(A) an Executive agency or part thereof; and

"(B) an office or officer in the executive branch;

"(2) 'officer' is not limited by section 2104 of this title;

"(3) 'Federal assistance' or 'Federal assistance program' means any assistance provided by an agency in the form of grants, loans, loan guarantees, property, shared revenues, payments of taxes, payments in lieu of taxes, repayable advances, contracts, or technical assistance, whether the recipients are a State or local government, their agencies, including school or other special districts created by or pursuant to State law, or public, quasi-public or private institutions, associations, corporations, individuals, or other persons; and

"(4) 'consolidation' means any action described in section 1003(b) of this title.

"§ 1003. Federal Assistance Program Consolidation Plans

"(a) When the President, after investigation, finds that a consolidation of Federal assistance programs is necessary or desirable to accomplish one or more of the purposes of section 1001(a) of this title, he shall prepare a Federal assistance program consolidation plan (hereafter in this chapter referred to as 'consolidation plan') for the making of the consolidations as to which he has made findings and which he includes in the plan, and transmit the plan (bearing an identification number) to Congress, together with a declaration that, with respect to each consolidation included in the consolidation plan, he has found that the consolidation is necessary to accomplish one or more of the purposes of section 1001(a) of this title, and a declaration as to how each program included in the plan is functionally related.

"(b) Each consolidation plan so transmitted—

"(1) may include, with respect to the Federal assistance programs included in the consolidation plan and with respect to the affected agency or agencies, any reorganization or measure incidental thereto as provided for in chapter 9 of this title;

"(2) may alter the terms and conditions provided by law under which the Federal assistance programs included in the consolidation plan shall be administered, including, but not limited to matching, apportionment and other formulas, interest rates, and planning, eligibility, and other requirements: *Provided, however,* That any changes in such terms and conditions shall be limited to those necessary to achieve the purposes of the plan: *Provided further,* That the President shall, in selecting applicable terms and conditions, be limited by the range of terms and conditions for the provision of Federal assistance already included in the Federal assistance programs included in the plan: *And provided further,* That the President shall set forth in his message transmitting the consolidation plan to the Congress his reasons for selecting the said terms and conditions; and

"(3) may abolish any one or more of the terms and conditions of any Federal assistance program.

"(c) The President shall have a consolidation plan delivered to both Houses on the same day and to each House while it is in session.

"§ 1004. Limitations on Powers

"(a) A consolidation plan may not provide for, and may not have the effect of: (1) continuing any Federal assistance program or part thereof beyond the period authorized by law for its existence or beyond the time when it would have terminated if the consolidation plan did not take effect; (2) consolidating any Federal assistance programs which are not in the same functional area or closely related functional areas; (3) providing any type of Federal assistance included in such a consolidation plan to any recipient who was not eligible for Federal assistance under any of the programs included in the consolidation plan; or (4) vesting responsibility for the administration of the program or programs contained in a consolidation plan in any agency, office, or officer who was not responsible for the administration of one or more such programs prior to the taking effect of the consolidation plan.

"(b) A provision contained in a consolidation plan may take effect only if the plan is transmitted to Congress before April 1, 1971. Section 905(b) of this title shall not operate to limit any consolidation plan prepared under this chapter.

"§ 1005. Effective Date and Publication of Consolidation Plans

"(a) Except as otherwise provided in subsection (c), a grant consolidation plan shall become effective at the end of the first period of sixty calendar days of continuous session of the Congress after the date on which the plan is transmitted to it unless, between the date of transmittal and the end of the sixty-day period, either House passes a resolution stating in substance that the House does not favor the consolidation plan.

"(b) For purposes of subsection (a)—

"(1) continuity of session is broken only by an adjournment of the Congress sine die, and

"(2) the days on which either House is not in session because of an adjournment of more than three days to a day certain shall be excluded in the computation of the sixty-day period.

"(c) Under provisions contained in a grant consolidation plan, a provision of the plan may become effective at a time later than the the date on which such plan otherwise is effective.

"(d) A consolidation plan which becomes effective shall be printed (1) in the Statutes at Large in the same volume as the public laws and (2) in the Federal Register.

"§ 1006. Effect on Other Laws and Regulations

"(a) To the extent that any provision of a consolidation plan which becomes effective under this chapter is inconsistent with any provision of any statute enacted prior to the taking effect of the consolidation plan, the provision of the consolidation plan shall control.

"(b) Any regulation, rule, order, policy, determination, directive, authorization, permit, privilege, requirement, or other action made, prescribed, issued, granted, or performed in respect of any matter affected by a consolidated plan which becomes effective under this chapter shall be deemed to be modified to the extent of any inconsistency thereof with the consolidation plan but shall otherwise continue in effect.

"(c) A suit, action, or other proceeding lawfully commenced by or against the head of any agency or other officer of the United States, in his official capacity or in relation to the discharge of his official duties, does not abate by reason of the taking effect of a consolidation plan under this chapter. On motion or supplemental petition filed at any time within twelve months after the consolidation plan takes effect, showing a necessity for a survival of the suit, action, or other proceeding to obtain a settlement of the questions involved, the court may allow the suit, action, or other proceeding to be maintained by or against the successor of the head or officer under the consolidation plan or, if there is no successor, against such agency or officer as the President designates.

"(d) The appropriations or portions of appropriations unexpended by reason of the operation of this chapter may not be used for any purpose, but shall revert to the Treasury.

"§ 1007. RULES OF SENATE AND HOUSE OF REPRESENTATIVES ON CONSOLIDATION PLANS

"(a) This section is enacted by the Congress—

"(1) as an exercise of the rulemaking power of the Senate and the House of Representatives, respectively, and as such it is deemed a part of the rules of each House, respectively, but applicable only with respect to the procedure to be followed in that House in the case of resolutions described in subsection (b); and it supersedes other rules only to the extent that it is inconsistent therewith; and

"(2) with full recognition of the constitutional right of either House to change the rules (so far as relating to the procedure of that House) at any time, in the same manner and to the same extent as in the case of any other rule of that House.

"(b) The provisions of sections 910 through 913 of title 5 of the United States Code shall apply with respect to a consolidation plan and, for such purposes—

"(1) all references in such sections to a 'reorganization plan' shall be treated as referring to a 'Federal assistance program consolidation plan', and

"(2) all references in such sections to 'resolution' shall be treated as referring to a resolution of either House of the Congress, the matter after the resolving clause of which is as follows: 'That the -------- does not favor the Federal assistance program consolidation plan numbered ------ transmitted to the Congress by the President on --------, 19--', the first blank therein being filled with the name of the resolving House and the other blank spaces therein being appropriately filled."

PRIDE FOR OUR FLAG

HON. PHILIP E. RUPPE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, May 26, 1969

Mr. RUPPE. Mr. Speaker, one of the leading daily newspapers in my district, the Menominee Herald-Leader, of Menominee, Mich., has begun a campaign to reinstill a sense of pride and patriotism in the Nation and in our flag. Efforts to promote flag flying on Memorial Day have resulted in a rash of responses from area citizens. Residents have been purchasing flags at a record pace, and this Memorial Day promises to be a special one for Menominee.

Mr. Speaker, it is refreshing and inspiring to see such an overwhelming response and to know that among shrill voices of dissension and cynicism, plain old-fashioned patriotism is still prevalent. Old Glory can still evoke a sense of pride and national purpose. Those of us in Congress and in the Government who must deal daily with the monumental problems facing the Nation should be reminded that there are millions and millions of Americans who believe that the Nation and its leaders will prevail in the face of all adversity.

I would like to commend the Menominee Herald-Leader and its fine editor, Mr. Roger Williams. What better way to honor those who have fallen in defense of the Nation than to help regenerate a sense of national purpose and pride, and to promote the use of the Stars and Stripes.

OBJECTIVITY IN DEFENSES

HON. GLENARD P. LIPSCOMB

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 26, 1969

Mr. LIPSCOMB. Mr. Speaker, current discussions of the ABM Safeguard system should center on the critical issue: Does the proposed ABM system offer the best possible defense system for the expenditure involved?

Too often, the current attacks on the ABM Safeguard system are overly concerned about provoking Russia into nuclear attack. And too often the fact that the Russians already have a limited ABM defense system is conveniently disregarded. The Post-Advocate, of Alhambra, Calif., includes a thoughtful discussion of the ABM question in its May 13 editorial, "Objectivity in Defenses."

Because of its contribution to the ABM discussion, I am inserting the entire editorial in the CONGRESSIONAL RECORD:

OBJECTIVITY IN DEFENSES

Everyone who follows international affairs with reasonable regularity is aware that there are complex issues which demand rational settlement.

Unfortunately, the atmosphere in which reasonable conclusions might be drawn is rare, and evidently becoming rarer by the day.

Those in public life who seem to worry excessivly about "provoking" Russia are almost wailing in their attacks on the President's ABM Safeguard plan. This is true despite the obvious fact that Soviet Russia seems less concerned than the dovish elements in our own country.

Most of the shrill clamor against the ABM seems based on fear, distrust and even hatred of the American military. Add to this the favorite whipping boy called the "military-industrial complex" and the emotional binge seems unlimited.

It would seem that thoughtful, rational debate would be centered on the issue, which is: Does the proposed ABM system offer the best possible defense system for the expenditure involved?

Hand-wringing about provocation of Russia and "touching off" a nuclear conflict is illogical and scarcely fits the circumstances with which the Russians are confronted.

They have, in the first place, no reason to be apprehensive of our constructing a limited ABM defense system. They have one of their own and presumably are aware of their own relative position. Beyond passing along the usual party line propaganda, which is to be taken for granted, the Russians have not gone into a frenzy of fear and anxiety over the American proposal.

The reason could be that they take a more practical approach to these international problems than the emotional "doves" of Congress and elsewhere. The Soviets, for one thing, can hardly ignore the brewing fracas with their comrades under the skin, the Red Chinese. They also have stubborn Czechs to contend with in Eastern Europe.

Could it be that the men in the Kremlin recognize the importance under such circumstances of relaxing tensions between East and West? Present indications are that they do, as evidenced by their concern, also, over ominous developments in the Middle East.

They aren't likely to mind the uproar created by the anti-military, anti-establishment forces who are so consistently vocal in the United States of America. But neither are they rushing at full speed into frenzied preparations for war, simply because the President proposed a modified defense plan in our country.

We suspect that the Soviets would be pleased if the ABM plan is defeated. Again, they are pragmatists and any advantage they gain will be welcomed in Moscow.

Primarily, though, it is in the United States that a strange coalition has been assembled for the fear-laden all out attack on our vitally needed defense boost. And defense of the nation, it should be observed, is one of the policy duties with which the President of the United States is charged.

Much of the anti-ABM lobby resorts to emotional appeals that have no bearing on the merit of the President's recommendation.

Recently, for example, meetings were held in Washington, D.C., to oppose ABM. The conclusion of civil rights organizations, peace groups, students, Hippies and others who attended was that it would be "wrong" to set up a missile defense system around the nation's capital because it would interfere with construction of a planned subway system and some school improvements.

It happens that Washington is the only city designated for such protection. The capital is the center of our government and its command post in the event of disaster.

Even Washington is not included in immediate plans for the missile defense system. And it is ridiculous to bring such unfounded and irrelevant charges into the discussion of this important defense matter.

Unless this kind of frenetic and false argument is put to rest, it is possible that the well meaning, the ill-informed or the deliberately misled opponents will make it impossible for the Commander-in-Chief to provide the people with even the most elementary defenses to prevent a nuclear war.

A REAFFIRMATION OF FAITH

HON. W. E. (BILL) BROCK

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Monday, May 26, 1969

Mr. BROCK. Mr. Speaker, during the solemn ceremonies accompanying General Eisenhower's funeral, I was struck by the great outpouring of religious feeling. A national mood of reaffirmed faith could be sensed as thousands of respectful citizens turned out to pay their last respects to a great American whose life had embodied our religious and moral ideals.

Writing in the April 4, 1969, issue of the Chattanooga Times, James Reston recaptured this mood, and, in a moving article, described our heritage of faith—a heritage that is still very much alive. I commend it to the attention of my colleagues, as follows:

FAITH OF OUR FATHERS, LIVING STILL?

(By James Reston)

NEW YORK.—It is hard to believe after the reverent public response to the Eisenhower

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funeral services that America is quite as indifferent to religion as the modern prophets and publicists say.

You can hardly pick up a paper these days without being told by somebody that God is dead. In fact, the Pentagon has just told its chaplains in Vietnam to banish him from their lectures, which is scarcely surprising, considering the Pentagon's expansionist tendencies in all other fields.

Still, the substitute gods of the modern age don't seem to be very satisfactory. The trend toward a secular society in America is clear, but when the television demonstrates on a great occasion that it has the capacity to bring the whole nation into a common experience—almost to make us all part of a single congregation—then we find that at least the remnants of a common faith still exists.

The choir at the National Cathedral in Washington sang the old hymn. The opening line is: "Faith of our fathers, living, still," and despite all the modern denials of the point, it is probably still true. The first line of the chorus, however, is different: "Faith of our fathers, holy faith, we will be true to thee till death"—and that is clearly not true for most Americans.

Nevertheless, for believers and unbelievers alike, some facts are plain. The political life and spirit of this country were based on religious convictions. America's view of the individual was grounded on the principle, clearly expressed by the Founding Fathers, that man was a symbol of his creator, and therefore possessed certain inalienable rights which no temporal authority had the right to violate.

That this conviction helped shape our laws and sustained American men and women in their struggle to discipline themselves and conquer a continent even the most atheistic historian would defend. And this raises a question which cannot be avoided: If religion was so important in the building of the Republic, how could it be irrelevant to the maintenance of the Republic? And if it is irrelevant for the unbelievers, what will they put in its place?

"The liberties we talk about defending today," Walter Lippmann wrote in 1938, "were established by men who took their conception of man from the great central religious tradition of Western civilization, and the liberties we inherit can almost certainly not survive the abandonment of that tradition. . . .

"The decay of decency in the modern age, the rebellion against law and good faith, the treatment of human beings as things, as mere instruments of power and ambition, is without a doubt the consequence of the decay of the belief in man as something more than an animal animated by highly conditioned reflexes and chemical reactions. For unless man is something more than that, he has no rights that anyone is bound to respect, and there are no limitations upon his conduct which he is bound to obey. This is the forgotten foundation of Democracy. . . ."

What the Eisenhower service suggested, may be ever so vaguely to some and ever so strongly to others, is that the religious foundation of our common life—no matter how much we divide over creeds and sects and their relation to the state—is not "forgotten." It may be ignored or challenged or defied, but it is not lost. We may not believe, but we believe in believing, and the reaction to the Old Soldier's death dramatized the point.

It did something else. It demonstrated how national television can bring before the people the things that touch their noblest instincts, and in the process reminded us of how seldom we use their remarkable power for this purpose.

Eisenhower, and the church, and television were unifying forces of tremendous power for good in America in these last few tragic days. They touched some old and worthy echo in the American spirit which politics, religion, and television usually repel.

These are very old questions but they are still with us. Plato saw man's problem as that of the charioteer driving a pair of winged horses: One of them is noble and of noble breed and the other is ignoble and of ignoble breed." . . . And "the driving of them of necessity gives a great deal of trouble to the charioteer."

This is as true now as it was in Plato's time, but the Old Soldier gave us a glimpse of nobility, and through this remarkable instrument of television, the people responded to it with a solemnity and sincerity no cynic could deny.

ISSUES

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, May 26, 1969

Mr. DINGELL. Mr. Speaker, the Maryland News of Thursday, May 15, 1969, carried an interesting column entitled "Issues" which in a somewhat humorous manner points up the difficulties and inconveniences being forced upon law-abiding sportsmen who seek to purchase ammunition.

So that my colleagues may have an opportunity to read the Maryland News' article, I insert the text at this point in the CONGRESSIONAL RECORD:

ISSUES

(By Diogenes Sinopi)

Wandering into a gunshop down in Virginia the other day, we heard an interesting tale from the shop owner, a crusty old salt we'll call George.

Recently a trio of U.S. Congressmen stopped in on their way to do a little bird shooting. These distinguished legislators—who shall remain unnamed—wanted to buy a few boxes of shotgun shells.

Well, that should be simple enough—or so they thought. Therefore, they were amazed when George asked to see their driver's licenses.

Why, that's silly—all we want is a few boxes of shells, they explained, and we're kind of in a hurry.

"Sorry," said George, "the new Federal law requires it for my records."

"Aw, now, all three of us are U.S. Congressmen," they soothed, smiling.

"Yeah, and I'm Teddy Roosevelt," said George, without a smile. "No licenses, no shells."

Grumbling, the lawmakers fished through their wallets for licenses. To make what started out to be a short story long, our resolute dealer took extra special pains to ensure that all the necessary information was recorded correctly and in proper form, as required by the new law.

While the Congressmen champed at the bit, George wrote in his ledger the date, the quantity of ammunition, its manufacturer, the gauge, the first congressman's name, address, date of birth, and his 14-digit driver's license identification number. With due deliberation, he checked it all over to make sure it was right. Then he started on the second Congressman's.

"Oh, for Pete's sake," rasped the Congressman impatiently.

The dealer pointed his pencil at his irate customer. "Mister, this isn't my idea—it's yours. You guys are perfectly happy to pass all sorts of nonsensical regulation so long as you personally don't have to live with them. Now you're getting a taste of your own recipe.

"I can go to prison for five years and pay a $5000 fine for not keeping these records properly," he continued. "Even if I make an honest mistake, I may have a lot of unpleasant explaining to do, so I'm not going to give anybody any excuse even to question." He resumed writing.

At this point, the third Congressman directed George to include his purchase on the second Congressman's entry.

George cocked an eyebrow. "Why? You prohibited from buying ammunition?" George's face darkened and he glared at the Congressman. "You're not a drug addict, are you?"

The congressman, taken aback, stammered, but George pressed: "Well, what is it—convicted of a felony? Or a mental defective?

"That's ridiculous!" the Congressman blurted out.

"Prove you're not!" George retorted.

"We just wanted to save time," he replied indignantly. "Here's my license, now please finish so we can get out of here."

"Well, I gotta be careful, you know," said George, somewhat mollified. "It's against the law for me to sell ammunition to anybody I have reasonable cause to believe is prohibited from buying it, and if you want somebody else to buy it for you . . . well, that looks mighty suspicious."

Plaintively: "Look, we're not bank robbers. All we want is to go bird hunting."

"That's all a lot of honest people want to do," the dealer replied. "What good is all this, anyway?" He waved the ledger. "Billions of rounds are sold every year; even with these records, there's no way to trace factory ammunition back to the purchaser. And thousands of shooters handload their own. What do we gain except paperwork?"

The Congressman confessed they hadn't realized how much red tape they'd created, and now they were beginning to wonder whether it served any useful purpose. They finally left with their shells, a little chastened, perhaps, but a little wiser, too.

Now we're telling this story as we heard it, and we're not at all certain that George didn't embellish it a bit. But the moral of the story needs no apology: If a few more Congressmen were similarly educated on the practical consequences of their own legislation, some welcome changes might be forthcoming.

AH FAT LEE OF HAWAII NAMED WINNER OF A 1969 AMERICAN MOTORS CONSERVATION AWARD

HON. SPARK M. MATSUNAGA

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Monday, May 26, 1969

Mr. MATSUNAGA. Mr. Speaker, in 1955 the Hawaii State bird, the Hawaiian Goose or Nene, was on the brink of extinction. Only a few of these magnificent creatures could then be found anywhere in the islands, but through the remarkable dedication, diligence and perseverance of an employee of Hawaii's Division of Fish and Game, Mr. Ah Fat Lee, this threat today has virtually been eliminated.

In addition to his 40-hour-a-week schedule with the State's Division of Fish and Game, Mr. Lee was able to raise successfully eight goslings during 1955 to 1956. Last season, he increased the production to 123 goslings.

For his outstanding work in saving the Nene from almost certain extinction, Mr. Lee was honored last week by being named one of ten national recipients of the coveted American Motors Conservation Award. In announcing the award to Mr. Lee, Roy Chapin, Jr., chairman of the board, American Motors Corporation, said:

> Like all business and industrial enterprises, we are indebted to the professional and citizen conservationists who work to preserve America's renewable natural resources. It is with this thought that American Motors honors those who have made outstanding contributions to conservation and who, by virtue of their achievements, have inspired others.

With what I trust will be viewed by others as understandable pride, I submit for inclusion in the CONGRESSIONAL RECORD the citation that was presented to Mr. Lee at the American Motors awards banquet on May 21, 1969:

CITATION

Because he may be, in the words of S. Dillon Ripley and in the opinion of many others, "the single most important factor in the restoration to Hawaii of the Hawaiian Goose or Nene" . . .

Because, as an employee of Hawaii's Division of Fish and Game, he applied his knowledge of poultry farming to the propagation of the Nene, then on the verge of extinction, and through remarkable personal dedication, diligence and perseverance was able to develop a combination of techniques which resulted in an increase of production from eight goslings during the 1955–56 season to 123 goslings last season . . .

Because, alhough a state employee under civil service, he consistently ignores his 40-hours-a-week status, once working six months without a day off at the Pohakuloa Breeding Station, and has spent untold hours of his own time in studying available literature and in searching for wild plants essential as food supplements for young birds . . .

Because his work has resulted in the release of hundreds of pen-raised geese to the wild flock, and has virtually eliminated the threat of disappearance of Hawaii's state bird . . .

Because in these and other ways he has enhanced the finest traditions of the professional conservationist in America . . .

Therefore, it is the privilege and pleasure of American Motors Corporation to present one of ten Professional Awards for 1969 to Ah Fat Lee of Kamuela, Hawaii.

ABM—WEAPON FOR PEACE

HON. GLENARD P. LIPSCOMB

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 26, 1969

Mr. LIPSCOMB. Mr. Speaker, the ABM Safeguard system could become a weapon for peace by deterring Russia and Red China from initiating a nuclear showdown with the United States.

As noted in a May 8 editorial in the San Marino Tribune, the function of the ABM Safeguard system is strictly aimed at defending our Nation and is not an offensive weapon designed for starting nuclear warfare. The editorial concludes that by protecting our capacity to retaliate and thereby deterring nuclear attack, the ABM Safeguard system can serve as a "weapon for peace."

The entire San Marino Tribune's editorial entitled "ABM—Weapon For Peace" follows:

ABM—WEAPON FOR PEACE

A recent issue of "Washington Report," a weekly newsletter of the American Security Council, brings the raging battle over the proposed ABM "Safeguard" system into the range of understanding of the average citizen.

Many of us have the notion that the ABM "Safeguard" program is another escalation of the arms race. After close reading of the Report it becomes apparent that it is not. In fact, the Safeguard system is strictly aimed at defending our nation and could not under any circumstances be used as a weapon of offense.

According to the ASC, what Secretary of Defense Laird is suggesting in the Safeguard plan is protection of our strategic nuclear weapons sites. This would serve to warn the Russians and the Red Chinese that if they launch an attack on these sites we would have the capacity to retaliate.

The Report states: "The very fact that the Russians have installed the first phase of their own ABM, while pushing for the first-strike capability, should give some critics reason to pause since the U.S. merely wants an ABM to protect its ability to retaliate—not to initiate.

"In this same context, we must consider the psychological aspects of ABM deployment. If we provide no such defense, while the Russians develop a reportedly sophisticated one, it is quite possible Moscow would be led toward over-confidence, triggering a Kremlin decision to risk a nuclear showdown with the West."

It would appear to be logical to assume, considering the history of the Russians, that they will be reluctant to launch any kind of an attack on us or our allies so long as they believe us to be strong enough to repel them and take counter measures. If we have no program for defense we would be sitting ducks and likely to face an ultimatum backed by nuclear blackmail. The Safeguard system is our indication that we will not take the part of the aggressor, but neither will we assume the posture of the ostrich. In this respect, the ABM could become a weapon for peace.

DR. J. D. HEACOCK CELEBRATES 100TH BIRTHDAY

HON. JOHN BUCHANAN

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 26, 1969

Mr. BUCHANAN. Mr. Speaker, more than 70 years ago, Dr. J. D. Heacock hung out his shingle and began practicing medicine in the Jefferson County, Ala., area.

Although he is no longer a practicing physician, having retired in 1962 at age 93, Dr. Heacock is still active and today celebrates his 100th birthday.

The doctor has often said he was born in the candlelight era, progressed through the gas light and electric light stages and now is witnessing the space age—and witnessing it literally.

For space is one of Dr. Heacock's interests. As he observes his 100th birthday today he is, I understand, also observing the progress of Apollo 10 in its flight around the moon.

He began practicing medicine in the East Lake section of Birmingham in 1896, later moving to the nearby Woodlawn area.

In 1900 he moved into Birmingham where he was named Jefferson County physician.

In 1904, Dr. Heacock moved into another era, turning in his horse for a horseless model and becoming one of the first doctors to own an automobile.

A graduate of Howard College, now Samford University, and Tulane University Medical College, the doctor has served as a trustee of Samford since 1908. In 1931 he received an honorary LL.D. degree from that school.

Last year, Samford cited him for 60 years' loyalty and service and presented him a Samford University Chair.

Dr. Heacock is the only living founder of the Alabama Tuberculosis Association of which he served as president for 2 years.

In recognition of his services to the association, that organization established "The Heacock Medal"—a gold merit award to be given laymen for outstanding work in respiratory diseases. And, although he is not a layman in the medical field, Dr. Heacock was one recipient of this award.

A past president of the Jefferson County and the State Medical Associations, Dr. Heacock has also been a member of the House of Delegates of the American Medical Association.

Dr. Heacock is the distinguished patriarch of a very fine family, which has contributed much to Birmingham and Alabama. The doctor will be celebrating his birthday today with his daughters, Mrs. James Alto Ward and Mrs. E. H. Wrenn, his son Joseph Davis Heacock, Jr., six grandchildren and 12 great grandchildren.

For all the people it is my privilege to represent, it is a pleasure to express our warmest best wishes for a happy 100th birthday to Dr. Heacock and his family, gratitude for his life and work and our hope that his second century shall be filled even more with the rich happiness he has surely earned in a century of service and of inspiration to his fellow men.

RED WATCHES IN THE UNITED STATES

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 26, 1969

Mr. RARICK. Mr. Speaker, few Americans would buy a Russian-made watch—knowingly, that is.

A report from Southwestern Watchmaker and Jeweler, a trade magazine, indicates that Russia is the world's second largest supplier of watch movements—and in 1967 exploited the U.S. watch market with a gold drain of $30,000,000—while some U.S. companies have gone broke. And if this is not alarming enough, many jewelers are selling Russian-made watches unknowingly, because the movements are unmarked as to country of origin. The report indicates that if your watch movement does not show the country of origin, chances are it was made in Russia.

How possible? By legislation in 1967

establishing a "free port" facility in the Virgin Islands which permits entry of Russian watches "duty free" as well.

Carried to a logical conclusion, the question then follows: If watch movements—what else? If so-called free ports are to be the rage of the age, then legislation is needed to notify the innocent U.S. consumer as to the country of origin of his item of purchase. Few Americans would touch a Communist-made watch or item made with slave labor—knowingly.

I am indebted to a great patriot in my district, Kenneth G. DeBessonet of Baton Rouge, who is a jeweler and watchmaker for this account from the Southwestern Watchmaker and Jeweler for April 1968 which follows:

THE RUSSIANS ARE COMING, THE RUSSIANS ARE COMING—SOVIETS ON THE MOVE(MENTS)

(Another low-down story by Pat Eskew)

Ding-a-ling!

Hello, operator? Will you ring Honest John's Jewelry Store for me? I can't seem to get his number.

(Pause). Hello. Honest John's Jewelry? This is Pat Eskew. Let me speak to John.

Hello John? Say, John, when was the last time you sold one of your customers a Russian-made watch?

"No, I'm not being smart-aleck, John. You never did, by—whom did you say? Well, all right, John, I'm proud of you. May I speak with your watchmaker, please?

Say, buddy, this is old Pat. Did you fix any Russian-made watches last week? Last month? Last year . . .?

Oh, no. Please don't do that. I need all the subscribers I can get. I just wanted to . . . Bang!

Honey, he hung up on me. What'da ya suppose I said that made him so mad?

It sez here in *The New York Times*, Section 3, Page 2, of the Sunday, February 18, 1968 edition, that Russia sold 40 million watches last year—most of them into the United States . . . by way of the Virgin Islands. It says that the Department of Commerce's latest figures show the imports of Soviet movements to the Virgin Islands alone were 111,000 units, valued at $224,313—just last November!

But you didn't sell any of 'em for Christmas presents, did you? Well, I should hope not, but—but—but—are you sure?

H. J. Maidenberg, the New York Times writer, quotes Milton M. Jacobs, a lawyer representing some disgruntled American watch importers who are trying to keep Soviet watches outside the American market. He said: "There are Americans who wouldn't touch a Russian watch, who are wearing them without knowing it.

"The Soviet timepieces are as good as any in the popular price range," he said. "They are entering this country through St. Croix, in the Virgin Islands, and from Guam, largely duty-free."

Well, you say. I always inspect my stock, and I'd never sell or service a Russian-made watch. Some other low-down skally-wag might, but not me—not Honest John!

Hoo-ray for you, Honest John! That's the spirit, Tiger! But John, the only trouble is, nobody can recognize a Russian movement. They're under popular name dials and there are no markings on them.

The law does not require the marking of movements imported from the Virgin Islands. If the movement isn't marked "Made in Switzerland," "Made in Japan," "Made in Germany," etc., chances are that it WAS "Made in Russia." Perhaps even the strap. Because Russia doesn't mark its watches. So there!

Oh, Pat, you're just an alarmist, you say. Just a damned trouble-maker stirring up some more fuss to get us to read your rag. Admitted that there just *might* be some Soviet watches scattered around here and there, smuggled into this country by the Lord only knows who, there couldn't *possibly* be enough of them for us to get alarmed about. So why don't you shut up!

'Preciate your Southern hospitality, John, but would you believe the United States Tariff Commission? Who would you guess is the world's leading supplier of watch movements?

Switzerland? Right! Go to the head of the class.

Now, who is in second place? Japan? Nope. Germany? Nope. France? Nope. Want to guess some more?

The second-place supplier, John, is R-r-r-r-ussia! Here's the figures:

Swiss output: about 70 million pieces.

The Soviet Union: 40 million.

Japan: 16 million.

And gol-lee, who do you suppose is at the bottom of the list? American domestic output: a mere 15 million! (Which sure does sound fishy because Timex alone claims to have produced 18 million single handed in 1967.)

Well, how in the world do Russian watch movements get into the Good Old U.S.A. undetected?

Through the Virgin Islands. No markings are required, you know—but even if they were required:

"Suppose," the New York Times article asks, "that an air shipment arrives from Russia to say, Amsterdam. It is put into a different carton and sent to the Islands, in parts. A local girl making $1.60 an hour puts a few screws in place and it becomes an American watch."

Now, most all of the American watch companies have installations in the Virgin Islands. They don't like the set-up any more than you do. But they are caught up in an economic vortex caused by a federal law, okayed by President Johnson, January 11, 1967 (see Feb. 1967 issue of SWJ), which permits the Island's governor to arbitrarily rule on allowing shipments to be accepted . . . watches assembled . . . and forwarded into the United States duty free! To meet the competition American companies have got to get in on the act—or starve.

"We'd like to see the assembly plants shut down in the islands," the N.Y. Times article quotes one American watch company official as saying. "If people should discover that they are wearing watches from Soviet lands, it could damage the industry as well as the stores selling them.

"And many stores don't know it, but they are selling Russian watches."

Out of economic necessity, caused by fierce competition, most all of the American watch companies have subsidiaries in the Virgin Islands, and presumably they are assembling some watches with Russian-made parts. They are:

Atlantic Time Products Corporation—alias Bulova Watch Company.

Standard Time Corporation—Hamilton Watch Company.

Master Time Company, Ltd.—Elgin National Watch Company.

Quality Products, Inc.—Benrus Watch Company.

And wouldn't you know, *Virgo Corporation*—United States Time Company (Timex), the world's largest watch manufacturer which, however, produces most of its home market output right here in the good old U.S. with American labor at Middlebury, Connecticut. Now what'da you think about that! Wouldn't that curl your mustache?

There are others operating from the Islands, too. But according to the article "there appears to be some doubt in the industry as to the parent concern."

Now, let's say something real good about the Swiss, since once upon a time in my ignorance I must have said something nasty about them—so I'm told, although I can't remember when. The Swiss won't send their parts to the Virgin Islands or any place else. The Swiss only permit the export of *whole movements*, except for parts to be used for repairs. Bless 'em!

This proud and adamant stand of the Swiss has, however, put some kinks in the desires of American watch companies to use Swiss parts and movements, so popular and approved by the American public. Bulova now assembles movements on St. Croix, too. They say, however, that 90 per cent of their parts come from Japan.

Meanwhile, Russian-made watch parts are being assembled to produce "American-made watches." There's no identifying marks placed on them. The companies that assemble them under their own dial names are not telling the jewelers they are using Soviet-made parts—but they're not telling jewelers that they do not, either.

Hundreds of thousands of Soviet watches were sold in this country last year from January to November 1967. All without payment of duties (at a gold drain to us of $30,000,000), and with no markings as to the country of origin.

But, what the hell, who cares?

What you don't know, Honest John, will never hurt you. Your watchmaker can go right on replacing Russian-made parts into Russian-made movements and be nonetheless patriotic for having done so. The jewelers can't tell they are Russian made even by looking inside.

But the American watch manufacturers and the wholesalers know. You bet.

WHAT IS YOUNG?

HON. F. BRADFORD MORSE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, May 26, 1969

Mr. MORSE. Mr. Speaker, our media today is keeping student activities on the front pages and has made Americans aware of the young people who are searching for answers and questioning the traditional ways of doing things. Oftentimes the reports demonstrate the deplorable confrontations that have been taking place, with no creative value to anyone.

To its distinct credit, the Lawrence Eagle Tribune of Lawrence, Mass., devoted an edition of the paper to "young ideas." I was especially impressed by the thoughts expressed in the poem, "What Is Young?" by Yvonne Ground, a professor of English at Merrimack College. The poem follows:

WHAT IS YOUNG?

You ask me, "What is Young?"
My first response is to repeat what Walt Whitman said to the child who asked,

"What is the grass?"

"How can I answer the child? . . .

I do not know what it is any more than he."

Still, all teachers stand on the magic bank of the river Eternal Present:
The young pass always before them. Since I have stood on that bank for nearly thirty years,
I say that above all, Young is perpetual.

Seen as a mass, the young change. Their attitudes change; their ideals change;
Their goals, their dedications, their demands change. In one decade they pursue their

Own pleasure, in another social justice, and in another they seem to pursue nothing at all.
Yet seen in their individual humanity, they are remarkably constant.

For Young is a vision. Whatever world they seek—however simple or complex—
Lies beyond. They lay out their valleys, heap their mountains; build their cottages,
Their skyscrapers; love their loves or arrange their utopias,
Each in a world uniquely his own. Today is merely the clumsy vehicle in which they ride
Toward tomorrow.

Young is intolerance. The young man looks with sharply critical eyes at all of the flaws
In the world he is entering. He snarls his displeasure across the generation gap
At those who created the mess he inherits. Compromise is insupportable,
And moderation is for the faint of heart. His has always been the Now Generation.
Cautioned to have patience, to build on the foundations of historic good,
He says like Arkadi Kirsanov, "That is not our affair . . . First, we must make a clean sweep."

Young is fear. The young man faces alone an infinity of choices, again and again
Having "to decide, forever, betwixt two things." Because he has just discovered his strength,
He must use it. He is radical because he does not dare to be conservative;
He is sometimes rude and noisy because he fears the vulnerability of gentleness.
As he embarks on the creation of his new and shining world, he announces that his terms
Are not negotiable. The fear of failure is beautifully and dramatically terrifying.
But his greatest fear is of surrender.

Young is anger. The young man hates very purely. He rages against ponderous institutions.
He battles with his words, and with his fists and feet if need be, against what he currently
Calls "the power structure." He cares so painfully that no one else seems to care at all.
And ultimately, if he feels his convictions slipping, he turns his greatest anger on himself.

Young is the conviction of immortality. Life rolls away toward a horizon
So distant as to be invisible. The young man knows he can rebuild the world because he has
Plenty of time to do the job. He can swim the deep waters, climb the sheer cliffs,
Drive the fast cars, or rocket to the moon. The thickness of tissue is safety enough,
While cautious maturity shivers and wonders what the young fool thinks he is doing.
Should one of his number presume too far and be crushed too soon,
His outrage is greater than his grief.

Young is pain and turbulence, but Young is also joy. You ask me, "What is Young?"
I see a memory, a boy, my student a quarter of a century ago. He was a beautiful boy
With grace of movement and proud shoulders. His Mexican ancestors had gifted him
With strong, gentle face, and his eyes were full of dreams.

On an April afternoon when the California sun already threatened summer,
I met him coming toward me along the sidewalk. He held a shallow box of greenstuff
Very carefully.

In a few weeks he would graduate from school to the army and a full grown-up war.
(You see, we were very modern a quarter century ago.)

He walked to the rhythm of music that only he could hear, and he looked away
Into a world that only he could see. I had to know what treasure gave him such joy.
So I said; "Nico, what do you have there?"
He looked at me with faint surprise—that I dared intrude, I suppose—
And without ever stopping, without ever releasing his own wondrous world,
Beholding still his private, beatific vision, he replied in the happiest voice I have ever heard,
"Cabbage plants!"

And I guess that is what Young is. It is the dream and the grace and the distinct horizon.
It is the promise of plenty, the hope of fruition, and the threat of blight.
Young is a boy with cabbage plants.

YVONNE GROUND,
Professor of English.
MERRIMACK COLLEGE.

CONTROLLING RENTS UNDER FHA RULES

HON. BENJAMIN S. ROSENTHAL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, May 26, 1969

Mr. ROSENTHAL. Mr. Speaker, in response to an unfortunate misunderstanding in New York City, many residents there believed that the Federal Government prevented our local government from effective action in controlling rents. Mr. KOCH and I released the following statement today to clarify this situation:

STATEMENT OF CONGRESSMEN EDWARD I. KOCH AND BENJAMIN S. ROSENTHAL ON THE NEW YORK CITY RENT CONTROL LAW AND THE FHA RENT REGULATIONS, MAY 26, 1969

Fear and consternation have overwhelmed the tenant-residents of New York City since last year when thousands of apartment rents were drastically raised. The proper response by the City Council was the passage of the Rent Stabilization Law. But this remedy has raised a new problem.

Many city residents have been told, in some cases by landlords themselves, that the new city law exempts buildings covered by an FHA mortgage. We are here to say that this is not the case.

The new rent stabilization law lists, under exceptions to its coverage, buildings "aided by government insurance under any provision of the National Housing Act, *to the extent this local law or any regulation or order issued thereunder is inconsistent therewith.*" In our judgment this is a misleading section of the local law and should be clarified or removed entirely.

We have consulted with the Federal Housing Administration both here and in Washington. It is their interpretation of this controversial sentence, and it is ours, that there is no exemption to this local law for FHA-financed buildings.

It is important to understand that FHA regulations set a maximum rental schedule for the entire insured building and not a maximum rental for each apartment. At the other end of the scale, there is no minimum FHA rental schedule either but the mortgagee must submit financing information in the FHA application which lists his costs and provides for a fair return on his investment.

The local rent stabilization law, on the other hand, sets a maximum increase allowed over the previous rental for each individual apartment.

FHA maintains, and we confirm this interpretation, that even if, in some cases, the New York City law sets lower rents than FHA originally approved, that "this is a consequence with which an owner must deal in accordance with the appeal procedure" in the local law.

The FHA adds, and we emphatically agree, "an owner should not expect the FHA to concern itself with his affairs" except to the extent that they are controlled by the original FHA agreement with the mortgagee.

There are 93,000 FHA-insured residential rental units in New York City; therefore, this confusion on what the New York City law means is very serious. Perpetuation of this confusion by some landlords is unconscionable. This badly needed local law applies to FHA and non-FHA buildings alike.

If there are circumstances in individual cases where owners of FHA-financed buildings believe themselves aggrieved by this local law, they have appeals procedures under that law. If those appeals fail, they may seek relief in the courts. But they are bound by the law like any other landlord.

To express our concern for this problem, we are introducing in Congress today a resolution which makes absolutely clear that there is no intended or real conflict with local rent control laws from the view of the federal government.

We are confident that this will establish once and for all that the citizens of New York, acting through their local government, are able to regulate a pressing local problem without interference by the federal government.

H. CON. RES. 275

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That it is the sense of the Congress that if any State or local law or ordinance which provides for the stabilization or control of rentals charged in multifamily residential housing results in maximum rental rates lower than maximum rental rates deriving from any condition, restriction, or requirement imposed by the Federal Housing Administration (in connection with mortgage insurance for housing to which such law or ordinance applies), such law or ordinance should govern and prevail over such condition, restriction, or requirement; and that the regulations and mortgage insurance contracts of the Federal Housing Administration should be prescribed and written (or modified, in the case of existing regulations and outstanding contracts) so as to ensure that such State or local law or ordinance will be fully effective.

CRISIS POLITICS AND MONETARY REFORM

HON. WILLIAM S. MOORHEAD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 26, 1969

Mr. MOORHEAD. Mr. Speaker, back in January, commenting on recent fiscal dilemmas with the pound and the franc, I spoke of the need for monetary reform and updating the Bretton Woods agreement.

Trends in the relative strengths of the different world currencies arising from changes in growth of productivity, divergent attitudes toward inflation and full employment, differences in the composition of exports and imports, all point up the need for greater flexibility in exchange rates. Furthermore, the fact that rates are fixed gives a change of rates far more political significance than it would otherwise have, as we see now in the case of Germany's attitude toward the mark.

It would seem an appropriate time for the United States to take the lead in convening a conference of the leading nations of the free world to discuss the whole area of monetary reform, and to develop a more realistic system to facilitate international transactions, instead of coping with each crisis as it happens, often at the mercy of the internal politics of the particular country involved.

I would like to include several recent articles from the New York Times, Wall Street Journal, Business Week magazine and Christian Science Monitor in support of my remarks.

The articles follow:

[From the Christian Science Monitor, May 10, 1969]

Vanishing Gold—Bretton Woods Breakup Seen in Monetary Crisis

(By John Allan May)

London.—What we are seeing now, they are saying here in London, is the breakup of Bretton Woods.

The system of fixed exchange rates backed by the use of gold at a fixed price as the main world reserve money, which was hammered out at Bretton Woods in 1944, finally is falling apart.

Money markets in Europe have been in turmoil in advance of the weekend meeting of central bankers at Basel, Switzerland.

Dealers simply have had no doubts at all: The West German mark is bound to be revalued upward, if not now, then very soon.

The possibility of the French franc being devalued by 10 percent is also taken into account. And there is some question whether the pound sterling could stay put where it is in that case.

PRESSURE EXERTED

Pressure has therefore been exerted in all directions, toward Bonn and away from London, Paris, and New York.

Central bankers have been "recycling" the money flows, the United States Federal Reserve, for instance, selling D-marks and buying French francs and pounds sterling. But this "recycling" has in no way affected either the basic causes or the inevitable consequences of the crisis.

Once again much is made of the role of "speculators." But the flows and counterflows are not in fact produced by speculation but by the normal processes of trade and banking.

For bankers, other than central bankers, are not prime sources of flows of money. They are the channels for them. If a currency is likely to become more expensive all external sources using and needing supplies of it will inevitably buy that currency if they can. When a money is likely to be devalued, on the other hand, everybody concerned who can will quite rightly sell.

In the City of London, the longest continuously operating money market in the modern world, it is noted that no central bank in a free country has the power—or, indeed, the right—to require commercial concerns to operate against the interests of their shareholders, their employees, and their own corporate entities.

This they would do if they laid themselves open to serious losses by ignoring changes in currency values.

Bankers as a whole themselves still favor the Bretton Woods-type system of controlled stability.

Says John E. Nash, executive director of merchants bankers Samuel Montagu: "The Bretton Woods system was set up to achieve orderly adjustment of balance-of-payments deficits and surpluses among member countries, without forcing member countries [when in deficit] to adopt painful deflationary policies leading to substantial unemployment, or beggar my neighbor competitive devaluation policies designed to export their unemployment to other countries."

GOLD SHUNTED ASIDE

The international monetary system has in fact worked very well, he remarks. International trade has not ceased to grow. Prosperity in Western countries is, year by year, achieving new records. Full employment has prevailed for longer than ever before.

It is economists and some businessmen who mainly disagree.

To some economists here the current crisis has been produced by a failure to allow the Bretton Woods system to work. Absolute fixity of exchange rates has been attempted, for example, which was never intended. And the golden base has been virtually removed from the world monetary system.

The value of gold to the system, it is said, was first that it provided a nonmonetary backing to all major currencies which had worldwide acceptance as a stable unit. If gold did anything, everyone felt sure, it would increase in value, whereas every single currency in the world was, and is, bound to depreciate.

Second, gold in the past allowed balances of payments a great deal of latitude. They did not have to balance exactly in the round. Any lack of balance could be made up by the introduction into the system of newly mined gold.

SOME DOLLAR PROBLEMS

A substitute for gold which could do the same job, like the "special drawing rights" of the International Monetary Fund, has not yet been introduced. Reducing the role of gold without introducing SDR's has made the dollar less than fully convertible into gold (partly through United States pressure applied to other governments to continue holding dollars, partly through the self-interest of all not to contract international liquidity). At the same time however it has put the world on a dollar standard.

Valuable as it is to the world, the use of the American dollar as the only world money has some other disadvantages besides its inconvertibility. It is a monetary unit in daily use. Its supply is not under international control. It is not expected to maintain a stable value in terms of buying power.

Its availability to the rest of the world also depends on the United States being usually in deficit. But, without new gold coming in, global payments now have to balance. So, if there are fixed exchange rates, somebody else has to be in permanent surplus.

One effect of that is to make some countries' balance-of-payments problems virtually insoluble, certainly without very severe deflation indeed.

Another, in a world where rates of inflation vary between country and country and so currency values also vary, is to make a system of fixed exchange rates wildly impractical.

Prof. Harry G. Johnson of the London School of Economics and the University of Chicago, has a public debate with banker Nash just published here by the Institute of Economic Affairs.

He strongly urges flexible exchange rates. And his main argument is that fixed rates leave a government with an overvalued currency the alternatives only of imposing restriction on imports, or deflating the economy, or devaluing—which is taken as a political defeat.

But flexibility, he avers, removes the balance-of-payments motive for restrictions on international trade and payments. "It therefore can make an important positive contribution" to the stability of the world economy.

Certainly, it is widely agreed here, a fresh world monetary system of some kind must result from the current crisis, or from the next one, if this one is merely papered over. The old system is visibly falling apart.

The alternative to a fresh system would be not a simple monetary crisis but a world economic crisis.

[From Business Week magazine, May 17, 1969]

Money System Reels Out of Its Sixth Crisis

The world's sixth money crisis in 18 months, this one centering on the German mark, was easing this week. But across Europe—in Germany, Britain, and France—conditions seemed ripe for what could fast become crisis No. 7.

Crisis No. 6 was bad enough. It began when $3 billion gushed into Germany in 3 days last week in anticipation of a mark revaluation. It eased once Germany made it plain it wasn't going to be pushed into raising the value of its currency.

Instead, Germany at midweek unveiled a series of alternative measures aimed at keeping the mark at its present value (roughly four to the dollar) as long as possible.

GERMAN PLANS

To deal directly with hot money flows into the country, Germany's central bank was given the power to demand that commercial banks hold 100% reserves against all their foreign deposits. Until now, the 100% reserve could be put only on new money coming into Germany.

To deal with Germany's embarrassingly large trade surplus, the border tax adjustments first imposed during last November's currency crisis, when money also poured into the country in anticipation of a mark revaluation, will be continued beyond the March, 1970, expiration date. These measures consist of a 4% penalty on exports and a 4% tax break on imports.

Apart from this, Germany also announced some measures on Wednesday aimed at cooling the country's economic boom (page 115). Some $500-million in proposed federal expenditures, now frozen, may be killed outright. The Bonn government will put a freeze on $600-million in boom-produced surplus tax revenues, and try to get the German states to put a comparable freeze on another $300-million in tax revenues.

The latest monetary flare-up, to be sure, was short-lived as such crises go. Nor did the U.S. dollar, the key currency of the international monetary system, come under attack. But in the longer run, it may turn out to have been the most damaging crisis of all.

THE SYSTEM CREAKS

For instance, it proved again how hard it is for nations to change the value of their currencies, no matter how compelling the need. German Economics Minister Karl Schiller and central bank president Karl Blessing fought for revaluation; Chancellor Kurt Kiesinger and Finance Minister Franz Josef Strauss fought against it. In the end Kiesinger and Strauss won what was clearly a political, not a financial, battle. "Everywhere," moans a European official, "the monetary problem has become bogged down by internal political issues."

Similarly, there was widespread concern this week that successive crises would ensnare the world monetary system in still more trade and exchange controls—rigged up by nations to avoid changing their currency values. To one worried Continental banker: "We face a creeping paralysis of the world payments system."

And while cooperation among central bankers has kept the system alive through crisis after crisis, cooperation failed a test this time. The key central bankers, meeting at Basel last weekend, took only a half-step toward agreeing on a firm plan for "recycling" speculative money flows—funneling hot money back to countries that lost it. At most, it appears, Germany has agreed to lend dollars to countries that have lost reserves, using the Bank for International Settlements as intermediary.

What the Basel meeting did produce was plenty of muttering that the Nixon Administration has been slow in assuming the leadership role of the Johnson Administration in world monetary affairs—and equally slow in producing ideas for beefing up the monetary system. "It is important," says a European central banker, "that the President of the United States take the lead in setting new policies."

In short, confidence in the world monetary system—fragile at best in recent months—was under enormous strain this week.

SWARMING SPECULATORS

Germany's May 9 pledge to hold the present value of the mark "for eternity" was greeted with cold skepticism in financial circles the world over. Some of the $5-billion in hot money that poured into Germany between late April when France's General de Gaulle quit and May 9 was flowing back out of the country this week. A German government official estimated the outflow last Monday at $600-million, with another $100-million leaving the country on Tuesday. That, of course, is very modest considering all the money that poured into the country.

But international bankers, nearly to a man, still expect the mark to be revalued once Germany has held its national elections in September. And some European money market watchers still think that speculative pressure will force revaluation before that. Certainly the initial reaction among financial observers to Wednesday's German economic package wasn't very encouraging. Most people saw the proposals as far milder than expected.

Britain, too felt last week's panic, losing $500-million to $800-million to speculators. Then, on Tuesday, Britain announced still another trade deficit, for April. It has been 18 months since the pound was devalued, and Prime Minister Harold Wilson counted on a trade surplus this year. Instead, the average deficit in the first four months of 1969 was worse than in the final four months of 1968.

France, which hoped for a mark re-valuation, must keep standing guard against speculators betting on a franc devaluation. It's most unlikely until France gets a new president. But election day is only two weeks off. Afterward speculators can be expected to swarm against the franc.

U.S. ROLE

The crisis has even slopped over to affect the U.S. by driving up the cost of Eurodollars (U.S. dollars on deposit overseas). U.S. banks borrow Eurodollars to offset tight money at home; U.S. corporations borrow them to use abroad. Since so much of last week's speculation welled up out of the Eurodollar market, most central banks will now aim to keep Eurodollar rates high, to make speculation more expensive.

The crisis did revive talk about reforming the monetary system. Since nations can't be relied on to change the value of their currencies, more and more people—including some monetary officials—are interested in ideas for making such changes more automatic.

And the Nixon Administration this week reminded world bankers it wasn't ignoring the monetary system—it simply was being deliberate, as it has been on most matters. Highest priority goes to fattening the world's stock of reserve assets by giving nations special drawing rights (SDRs) on a pool of currencies in the International Monetary Fund—to be used in addition to gold and foreign exchange. Washington wants to get the SDRs put into use as quickly as possible. Once that that is done, the Nixon people will pay greater heed to more fundamental changes in the monetary system.

Most observers hope in the short run for some multilateral realigning of currency values. The most frequently mentioned approach would be for France to devalue the franc by around 10% and Germany to revalue the mark by the same amount.

CURRENCIES BEYOND "ETERNITY"

An official Bonn spokesman has characterized West Germany's refusal to raise the value of the mark as "final" and "valid for eternity." But the speculators' odds are still weighted heavily on the side of revaluation. Of the more than $4 to $5 billion of foreign funds that recently poured into Germany, only about $1 billion have thus far flowed out. The turbulence in the foreign exchange markets has abated, but the imbalance caused by the continued undervaluation of the mark remains as a constant source of future trouble.

The forces of disequilibrium in the international monetary system are being repressed by exchange controls, trade restrictions and efforts by central banks to counter currency speculation. But those retrograde devices cannot be relied upon for the long haul.

The latest defense measure is the activation of a system for the "recycling" of speculative funds. It provides that the country receving the inflow make automatic loans to countries which are losing reserves in efforts to maintain the fixity of their exchange rates. In order to prevent sterling, for example, from falling in relation to the mark, British authorities must be able to sell With the recycling arrangement, they get those marks promptly.

But recycling is a palliative, not a cure. If the speculative switching from sterling to marks were followed by a one-for-one reflux of marks back into sterling, Britain's foreign exchange reserves would not be significantly affected. However, losses are incurred when the speculators switch to Eurodollars or another third currency, as now appears to be the case. Falling reserves, in turn, invite further speculative attacks.

What is immediately needed to set the monetary system on a more even keel is greater exchange rate flexibility. Ideally, a comprehensive monetary conference, comparable to that at Bretton Woods in 1944, ought to be convened to plan for the orderly transition to rate flexibility. But the failure of the most advanced countries to reach agreement on the realignment of a few fixed exchange rates makes the prospects for such a large undertaking dim. As a consequence, the next change in the monetary system hinges on whether "eternity" is, in fact, bounded by Germany's September election.

[From the Wall Street Journal, May 20, 1969]

THE UNSYSTEMATIC MONETARY SYSTEM

The international monetary system is proving once again its inability to cope with present economic and political realities. So far, however, there seems to be no movement toward constructive alternatives.

When the current apparatus was devised at Bretton Woods, N.H., in 1944, the apparent assumption was that all countries would zealously guard the worth of their currencies with prudent financial policies. If they actually had done so, the system of fixed exchange rates might make more sense.

For many years, though, the only major nation that had clung, consistently and firmly, to financial responsibility is West Germany, which of course was not represented at Bretton Woods. It isn't surprising, therefore, that the German mark is the strongest of the world's principal currencies.

Under existing monetary arrangements, it doesn't much matter whether one or more currencies are substantially weaker than others or whether one or more are exceptionally strong. In either case fixed exchange rates do not reflect economic reality and there is strong pressure either for devaluation or upward revaluation—or both.

The latest in the long series of crimes came last week, when most countries felt that West Germany should increase the international value of the mark. The Bonn government refused to take any such action, for reasons that it believed were good and sufficient.

Basic to the problem, after all, was not German prudence but imprudence in the U.S., Britain, France and elsewhere. Germany reasoned that other nations should at least acknowledge their culpability by devaluing at the same time the Bonn moved the mark upward—a step they were unwilling to take.

The mere fact that exchange rates are fixed gives them a political significance larger than they would otherwise possess. If the mark had been revalued upward, German businessmen and farmers would have found it somewhat harder to sell their products abroad—and they would have faced increased competition from imports. It's small wonder that the Bonn government, a few months before a national election, was unwilling to make a decision that would have angered many citizens.

What happens now? It looks as though we're going to have more of the frantic improvisation that has preceded and followed every currency crisis in the past.

Some of the speculators, who thought they saw a sure thing in mark revaluation, have given up and pulled their funds out of Germany. As long as the mark remains so exceptionally strong, however, the danger remains that an inflow of money will inflate the German economy. The Bonn government is trying to discourage the inflow by raising reserve requirements on German banks' foreign deposits.

A certain amount of the speculators' interest now has shifted to Britain where the pound, devalued only 18 months ago, looks shaky again. The London government had promised a balance-of-payments surplus for 1969, but a widening trade deficit makes that goal appear almost unattainable. The nation may be forced into yet another huge borrowing from the International Monetary Fund.

In the circumstances, it's a little ironic that British politicians are complaining that the IMF and foreign bankers are "running" British internal economic policy. As long as Britain and other nations cling to the idea of rigidly fixed exchange rates, and then insist on financial profligacy at home, there is no conceivable way to avoid external pressures on internal policies.

What it comes down to is that only two possible ways exist to restore reasonable peace and order to world monetary affairs. First, the world can live with fixed rates if all the major nations pursue wise financial policies. This does not have to mean tight money and austere government budgets all the time; the Monetary Fund's mechanism can cope with short-term imbalance. It emphatically does mean that the imbalances can be no more than short-term, quickly corrected by monetary and fiscal measures.

In the real world, unfortunately, any such development looks highly unlikely. Since some nations appear to have developed an addiction to inflationary stimulants, the best available course probably is to agree on greater flexibility of exchange rates. Inflation would produce day-to-day fluctuations in money markets, but it would pose less risk of international monetary panic.

While such a setup could produce problems of its own, they surely would be of lesser magnitude than those now existing.

There's a real question how long the monetary system can survive if it merely goes on stumbling from crisis to crisis.

PILOT GUINTHER HONORED AFTER TRANSATLANTIC RACE

HON. GUS YATRON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 26, 1969

Mr. YATRON. Mr. Speaker, I should like to extend my heartiest congratulations to William M. Guinther of Kutztown, Pa., for a very thrilling and adventuresome accomplishment. Bill Guinther was recently awarded a $12,000 prize as the meritorious achievement award for an American citizen in the London Daily Mail Transatlantic Race.

The newspaper-sponsored contest commemorated the 50th anniversary of the first transatlantic flight by Sir John Alcock and Sir Arthur Brown. Flying a borrowed single-engine Beechcraft Bonanza, Bill Guinther flew from London to New York in 22 hours, 13 minutes and from New York to London in 24 hours, 15 minutes. The measure of the task and the man is highlighted by the fact that Bill Guinther, as a Korean war veteran and flyer, had one leg amputated after an Air Force plane collision.

I submit for publication in today's CONGRESSIONAL RECORD, Mr. Speaker, articles from the Reading, Pa., Eagle and Times chronicling the occurrences that transpired as a result of Bill Guinther's participation in the great transatlantic race:

[From the Reading (Pa.) Eagle]

BERKS PILOT TO COLLECT $12,000

William M. Guinther, Berks pilot-airplane salesman was in Philadelphia this morning with his wife, Ann, after winning an unexpected prize in the international London-New York Transatlantic flight competition.

"He's on Cloud Nine and so is his wife," commented Mrs. Leonard A. Hendrickson of Martha's Vineyard, Mass., his mother-in-law who is babysitting for the Guinthers. The Berks man resides near Grimville, Kutztown R.D. 2.

Actually, Guinther is preparing to leave tonight at 7:30 with his wife by jetliner from Philadelphia to accept a $12,000 prize as the meritorious achievement award for an American citizen in the contest. It is only $2,400 less than the two awards for the fastest Atlantic crossing.

It is being presented by the Ziff Davis Publications, New York, based, he said, on "accuracy of flight and preparations."

The trip to Philadelphia today was to obtain a passport for his wife. "She's never been out of the country and is a native of the "Vineyard," her mother said.

Guinther, who had his right leg amputated after an Air Force plane collision, had to fly to the "Vineyard" to get his mother-in-law and his wife's birth certificate. Mrs. Hendrickson commented: "It was more for the birth certificate that he flew there."

The older woman will be the baby sitter for the Guinthers who will be in London up to Sunday. She will be tending her grandchildren, Lisa, 8 and Stuart, 6.

Guinther, a native of Bally, planned extensively for the flight with the aid of several others, checking on alternate routes and exacting fuel consumption, he felt this was probably one of the reasons he took the prize.

There were many questions about his flight by persons connected with the contest in New York.

The Korean War veteran, who downed two MIGs, apparently hit every check point just right and gave the proper answers to "a third degree type of questioning," he related.

Credited with helping him, he reported, were Marion Hart, a veteran Atlantic-crossing pilot; Louis Sacchi, who owns a plane-ferrying firm, and Luther Moyer, a Kutztown glider pilot, who provided an emergency radio.

The time he recorded from London to New York was 22 hours, 13 minutes and 18.31 seconds but this was topped by Stephan Wilkinson of Florida at 20 hours and 23 minutes. Going from New York to London Guinther had a time of 24 hours, 15 minutes. The prize in this category—one of 21 sections in the contest that offered $144,000 in prizes, was $2,400.

Guinther will pay for his wife's flight to and from England but he will be happy about it. He appeared that way Monday when he was told he won the meritorious honor. The couple also will meet His Royal Highness, Prince Philip, Duke of Edinburgh.

"I hope they get to see the queen," Mrs. Hendrickson said.

The contest sponsored by the newspaper commemorates the 50th anniversary of the first transatlantic flight by Sir John Alcock and Sir Arthur Brown, Guinther flew a borrowed Beechcraft Bonanza.

[From the Reading (Pa.) Times, May 20, 1969]

SMASHING "FAIRYTALE"—GUINTHERS FLY HIGH IN LONDON

(By Ray Koehler)

The whole episode still has the gossamer aura of unreality.

A week ago, Mrs. William M. Guinther was taking the kids to the dentist.

Forty-eight hours later, the Kutztown R.D. 2 housewife and her pilot husband, an international celebrity and $12,000 winner in the London Daily Mail Transatlantic Air Race, were:

Zooming first class in a jet to London . . . shaking hands with Britain's Prince Philip . . . dining on Eggs Benedict at the Savoy . . . viewing the Red Knights (England's answer to the U.S. Navy's Blue Angels) as guest of honor at the Biggin Air Fair . . . visiting Westminster Abbey and the Tower of London. . . .

"It was a fairytale . . . unbelievable," exclaimed Mrs. Guinther, back home Monday and still waiting for the coach to turn into a pumpkin at the last stroke of midnight.

The events were put into motion May 12 when Bill Guinther, the airplane salesman who crossed the Atlantic both ways in a single-engine Beechcraft Bonanza, was awarded the "meritorious" prize for non-winning American entries in the air race.

Later, riding "coach" in a jetliner to the winners' reception in London's Royal Garden Hotel, someone began pulling strings and the couple was escorted to first-class seats.

"I watched a George Segal movie . . . Bill went to sleep and snored," the blonde housewife recalled. Her husband, she said, Monday was enroute home from his office at the Philadelphia International Airport.

London was in the midst of the soccer finals and the Bryanston Court Hotel was caught up in the national sports craze.

It was into the midst of this frenzy that Bill and Ann entered Wednesday morning—a scene that added to the air of make-believe.

"Bill was outfitted in a tux with a pleated shirt front and black tie . . . ooh, and did I ever get a gown . . . a deep blue chiffon with beading on the top and stuff. Then I got my hair done and the stylist said I looked 'smashing.'. . . and Bill looked pretty nice, too!"

The reception was scheduled for 6 p.m.—and both the prince and the Guinthers were late.

"There was a military band in full regalia playing," said Ann, "and as we walked down this broad, carpeted staircase leading to the reception suite the band struck up 'Those Magnificent Men in Their Flying Machines.'

"I don't know if they did it for us—but Bill sure got a kick out of it."

"All 21 winners in the London Daily Mail contest had been assembled for the reception and at 7 p.m. Prince Philip entered.

"We were at the very end of the receiving area, but Bill thought he spent more time talking to us than anyone . . . he's interested in small planes, you know.

"Prince Philip is a wonderful man . . . just as nice as he seems with a marvelous deep voice . . . I'll never wash my glove."

During their conversation, Guinther presented Prince Philip a distelfink tie clasp he purchased at Dunkelberger's in Kutztown.

"What is it?" asked the Prince, husband of Elizabeth II.

"It's a tie clip," said the one-legged solo flier. "I'm Pennsylvania Dutch and proud of it."

During the dinner the contest winners were given the same menu served 50 years earlier after the first non-stop Atlantic crossing by Alcock and Brown.

"We had Eggs Benedict . . . and Bill said he wanted me to make them for him every morning," Ann laughed.

Her ex-combat pilot husband, she added proudly, got the biggest reception of the night when he was introduced. He also got the biggest check.

The remainder of the weekend was filled with sightseeing and shopping and dining on steak and kidney pie.

We left London Sunday at noon and arrived in Philadelphia at 3 p.m., our time. Mrs. Guinther said. "We got home about 5 o'clock . . . and what a reception.

"Stuart, our 6 year old, was covered from head to toe with the chicken pox!"

THE NEW LEFT AND STUDENT UNREST

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, May 26, 1969

Mr. ASHBROOK. Mr. Speaker, on May 15, 1969, a balanced appraisal of the issue of student unrest was presented to the House Special Subcommittee on Education by Allan C. Brownfeld, editor of the New Guard, the publication of Young Americans for Freedom. As one who has addressed student groups over the last several years and as a faculty member of St. Stephen's School in Alexandria and the University of Maryland, Mr. Brownfeld is by no means a stranger to the issue of student problems and aspirations. In addition, he has authored a special study on the new left for the U.S. Senate Judiciary Committee. His articles have appeared in several law reviews including those of Yale, William and Mary, and the Texas Quarterly, as well as Modern Age, Commonweal, North American Review, Human Events, Roll Call, the New Guard, and the Washington Star. Holding a bachelor of laws degree from William and Mary, he is presently a Ph. D. candidate at the University of Maryland.

Although Mr. Brownfeld is well acquainted with the extremist operations

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of the radicals on campus, he is nonetheless aware that legitimate student complaints do create contention between the school administration and student bodies. However, students, in their efforts to rectify valid grievances, should not be blinded to the nature of the New Left activists who are attempting to use them, both students and grievances, in pursuing their anarchistic ends.

I include the above-mentioned statement by Allan C. Brownfeld of Young Americans for Freedom in the Record at this point:

THE NEW LEFT AND STUDENT UNREST

(Statement of Allan C. Brownfeld, editor of the New Guard, the publication of Young Americans for Freedom, Inc., before the Special Subcommittee on Education, Committee on Education and Labor, U.S. House of Representatives, Washington, D.C., May 15, 1969)

Madame Chairman and members of the committee, I am Allan C. Brownfeld, editor of "The New Guard," the publication of Young Americans for Freedom, Inc., with offices at 1221 Massachusetts Avenue, N.W., Washington, D.C. I am the author of the study of the New Left for the U.S. Senate Internal Security Subcommittee and am a Ph. D. candidate at the University of Maryland where I am also a member of the Faculty of the University College.

There are many aspects to the protests and campus activism which we are now witnessing. One of the things we are seeing is a new generation of young Americans seriously questioning the values and standards of their parents, of the university, and of the society itself.

Much of this questioning is good, for many of the existing standards and values do, indeed, need to be challenged. For too long our society has accepted the idea that through government, all of our problems could be solved. Young people did not live through the optimistic days of the New Deal when it was believed by many that if you created enough government agencies, and spent enough federal money, all problems—of poverty, of social inequality, of poor housing or whatever—could be solved. They are beneficiaries only of the results.

As they see it, our government has become bureaucratically inert and unresponsive to the needs of the people. It has, beyond this, become coercive. It compels young men into military service against their will, it compels workers to pay for social security which many might choose not to have, it even compels Americans under penalty of fine and jail to answer what were previously considered to be personal questions on census forms.

Young people see that such coercion has not solved our problems but has, in many respects, compounded them. They also are concerned with the university, which is where most of them are now in the capacity of students. They have seen students become the least important commodity at the University as government and private foundations lure professors into writing and research projects which many prefer as opposed to teaching.

It must be remembered that there are many legitimate grievances with regard to the university and the educational process. Irving Kristol, writing in Fortune magazine for May, 1968, noted that ". . . in the overwhelming majority of universities liberal education is extinct." In a volume entitled, *The Academic Revolution,* Christopher Jencks and David Riesman point out that this revolution began at the end of the World War II, when the demand for higher education began to grow with explosive speed. The complexity of the mass technological society required many more university trained specialists. As a result a diploma became an almost indispensable document. The role of the academician rose in prestige, leading to a change in the nature of the university.

Harper's Magazine editor John Fischer has remarked about the nature of this change: ". . . the professoriat soon began to reshape the university to serve its own desires rather than those of the students or their parents. For one thing teachers today are doing less and less teaching. Jencks and Riesman note that 'until World War II even senior scholars at leading universities did a good deal of what they defined as scut work: teaching small groups of lower level students, reading papers and examinations and the like . . . Today, however, few well-known scholars teach more than six hours a week, and in leading universities many bargain for less . . . the routine problems of mass higher education have therefore fallen by default to graduate students.' . . . Research of course is what he had better be committed to, for that alone pays off in money and reputation. It doesn't have to be significant research. Much of it, at least in the social sciences and humanities tends to resemble finger exercises for the piano. It is not concerned with answering real questions or solving real problems." What many students are disturbed about, therefore, is the fact that their own education has suffered. No longer are students considered the most vital part of a university. Mr. Fischer places much of the student restlessness in this perspective: "I believe it is the beginning of a counter-revolution by students—liberal arts undergraduates in particular—against a quiet, almost unremarked revolution which has changed the whole structure of American higher education within the last two or three decades. The main beneficiaries of that revolution were the faculty. The victims were the liberal-arts undergraduates. Only recently have these students begun to understand how they are victimized—and their protest is likely to swell until at least some of the results of the earlier revolution are reversed."

Young people are also disillusioned about democracy, and its ideology often has a hollow ring. They were careful observers of the 1964 presidential campaign. They heard Lyndon Johnson attack Barry Goldwater as an advocate of war, they heard him say that the war in Vietnam was to be fought by "Asian boys," not by Americans. They remember the television spots picturing a world destroyed by nuclear holocaust were the Republican to win.

Thinking that this was, in fact, the case, many of them supported the Democrats. Once implemented, however, the Democratic program looked much like the Republican. As the oft repeated joke had it: "I was told that if I voted for Barry Goldwater we would be at war in six months. I did. And we were."

How much faith can idealistic young people have in a political system which appears to give its highest honors to those who tell a pleasant untruth? How much faith can they have in leaders who base their appeal to the public not on what they really intend to do, but on what they know the people want them to do? For many, 1964 and the years following have been years of disillusionment with the two party system. What we have more and more is a generational credibility gap.

But we have a generation gap of another sort as well, and it is perhaps the key to understanding today's youthful rebellion. Though all of us, young, middle aged, and old live in the mid-twentieth century, only the young, those who have come of age after the conclusion of World War II, are truly of this period. Those who lived through the depression or through World War II, have been frozen by the dramatic and intense experience of those days.

The Southern writer, Walter Hines Page, wrote this with regard to the generation which lived during the Civil War in the South: "It (the Civil War) gave everyone of them the intenseest experience of his life, and ever afterwards he referred every other experience to this. Thus it stopped the thought of most of them as an earthquake stops a clock. The fierce blow of battle paralyzed the mind. Their speech was the vocabulary of war . . . they were dead men, most of them, moving among the living as ghosts; and yet, as ghosts in a play, they held the stage."

Thus, the young are the only ones who are, in a sense, frozen with the dramatic and intense experience of these days. They do not relate the upheavals of today with the past, for they know no past, except through the books most of them do not read, to their great misfortune. They live in the present and wonder what kind of future they may hope for in so transient and unstable a world. If there is a generation gap it is of this nature. The generations need interpreters to understand one another, and these seem few and far between.

A young man growing up in Europe one or two hundred years ago would have faced a life situation in which the major decisions in his life were pre-ordained. More than likely, he would have been born in the same house in which his father had been born, almost surely in the same town. He would pursue the same means of earning a living as did his father. If the father was a tailor or a butcher, the son would also live his life in this manner. His marriage would be arranged. His own range of choice-making was very slight. Life was circumscribed by religious faith and communal custom. The individual was part of the community, of the group. His responsibility was more that of playing out his role than grasping life as a horseman at the reigns and riding in whatever direction he willed.

Today's man's situation is far different. Today, young Americans have almost unlimited choices with regard to career, location, marriage partners, and other basic elements of life style. Certainly, there are restrictions. The draft claims two years out of the lives of many young men. Some start life in humbler surroundings than others, thereby limiting upward mobility. Yet, on the whole, the young man or woman coming of age in America at this time has perhaps a greater freedom to choose his pattern living than has any individual at any other time in history.

Freedom to choose, however, becomes a very difficult task when no one provides any knowledge or information about the basis upon which such choices may beneficially be made. At one time the family, the school, and the church spent a good deal of time pointing young people in particular directions which they considered to be valid and time-tested. Today the family is in a state of disarray, the school pursues a "value-free" curriculum, and the church doubts its own message, being swept away in the modern tide of relativism.

Not too long ago, *The New Yorker* featured a cartoon in which one priest said to another: "I would not be so presumptuous as to tell the congregation what was right and what was wrong." In one of the most important volumes advocating the new variety of Protestant theolgy, *The Secular City,* Professor Harvey Cox of the Harvard Divinity School, notes that man, in the modern world, is no longer concerned with what theologian Paul Tillich called the "ultimate questions," namely those concerning life, death, and meaning. Cox notes that ". . . they are obviously not questions which occur to everyone, or indeed to the vast majority of the people. They do not trouble the newly emergent urban-secular man very frequently. They arise, in fact, not from the structures of existence at all but from the ero-

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sion of inherited world views and cultural meanings . . . We have found technopolitan man to be pragmatic and profane."

Cox urges the modern church to turn away from metaphysical questions, since these are no longer the questions which people are asking. Instead, he argues, they should enter the social and political arena: ". . . in secular society politics does what metaphysics once did. It brings unity and meaning to human life and thought. In today's world, we unify the various scholarly and scientific specialities by focusing them on specific human issues . . . Theology today must be that reflection-in-action by which the church finds out what this politician God is up to and moves in to work along with him. In the epoch of the secular city, politics replaces metaphysics as the language of theology."

Harvey Cox's insights into the nature of the modern world and of modern man should by no means be deprecated. He has, indeed, broken much new ground. But too much of his advice has been taken at face value. Too many churches have turned their backs upon the metaphysical questions which he says that man is no longer asking, and have delved fully into the questions of the world. It is proper to be concerned about open housing, the war in Vietnam, hunger and crime. But man also has a spiritual nature which must be nourished, and this spirituality has been virtually ignored. What many young people are searching for is a perspective about life which is no longer presented by the institutions which once seemed to perform this task. The mood of modern religion was captured by Evelyn Waugh when he wrote the following in *Brideshead Revisited*: "I had no religion. I was taken to church weekly as a child, and at school attended chapel daily, but, as though in compensation, from the time I went to my public school I was excused church on the holidays. The view implicit in my education was that the basic narrative of Christianity had long been exposed as a myth, and that opinion was now divided as to whether its ethical teaching was of present value, a division in which the main weight went against it; religion was a hobby which some people professed and others did not; at best, it was slightly ornamental, at the worst it was the province of 'complexes' and 'inhibitions'—catchwords of the decade—and of the intolerance, hyprocrisy, and sheer stupidity attributed to it for centuries. No one ever suggested to me that these quaint observances expressed a coherent, philosophic system and intransigent historical claims . . ."

The New Left is asking the very "ultimate questions" to which Tillich referred and which modern theologians say have disappeared from the world. Where they will find answers to such questions in what they view as a materialistic and de-humanized age, is difficult to say. In searching for values, however, many in the student movement have taken the negative turn toward nihilism, a turn which other youthful movements at other times have also taken, much to their later regret.

There is a serious dichotomy between the leaders of the New Left—the Tom Haydens, the Jerry Rubins, the Rennie Davises—and the young people who form the core of the movement, the ones who attend protests and demonstrations, the ones who, in the privacy of their own contemplation, feel depressed and disillusioned and wonder what the future may hold.

The leaders are, in many instances, at least ten years older than the followers. More important, they are professionals. Leading protests is what they do, and it is all that they do. Many of them have the wild gleam in their eyes which indicates that for them the "revolution" is more of a personal obsession than a public necessity. They hope that, after the revolution, it is they who will be called upon to lead the new and liberated society.

We have, of course, seen this before. Revolutionary leaders have always managed to gather followers not by promising the tyranny they, in fact, had in mind, but by associating themselves with the deepest aspirations of the group they sought to use for their own purposes.

Thus, Lenin promised the Russian people bread, peace, and land, not Communism. Castro promised the Cubans constitutional democracy, not Communism. Mao Tse-tung promised the Chinese agrarian reform, not Communism. Yet, once in power, the promises were forgotten and the revolutionary leaders proceeded with their long-established blue-print. Likewise, New Left leaders promise college students alcohol and girls in their dormitory rooms, an end to the draft, and a "purpose" for life, namely the liberation of the "oppressed." It sounds good and noble, and the requisite support has been forthcoming.

The fact that young people have many valid questions to ask, does not in any way diminish the danger of many of the activities, leaders, and organizations which have, in many instances, been blindly entered into by students who were not aware of the long-run implications of their actions.

Many of the leaders of such militant organizations as Students for a Democratic Society do not hesitate to support the use of violence. A leaflet prepared in Toronto, Canada and distributed to S.D.S. chapters throughout the country contains instructions on how to make Molotov cocktails and incendiary time bombs. Urging sabotage as "the next logical step toward obstruction and disruption of the U.S. war machine," the leaflet says that it is ludicrous to think that demonstrations closing down an induction center for a few hours will really hurt Selective Service.

"On the other hand," the leaflet says, "is there anyone who doubts that a small home-made incendiary device with a timing mechanism planted in a broom closet at the Oakland induction center could result in fire and smoke damage to the entire buildings, thus making it unusable for weeks or months? One person with a fair knowledge of chemistry could build such a device easily and cheaply and could plant it with almost no chance of being detected." Steve Weissman, a student leader at Stanford University, expresses the view that time for rational discourse has ended and the time for violence has arrived: "What the University has done is to get us to think for a number of years that social problems can be solved by rational discussion . . . There's no conversation between us and the C.I.A. We're on different sides. I hope people will now see that force is a part of the world . . ."

A similar view was echoed by Steve Kindred, a member of the S.D.S. at the University of Chicago. He said that, "This university owes quite a lot of reparations. This whole society owes quite a lot of reparations. With what the university's done, and the way it's followed in the footsteps of the other major institutions of this society, it may burn some day. It doesn't deserve not to burn."

The incidents at Columbia University in the Spring of 1968 provide an excellent case in point. There were two alleged demands made by the student rebels: (1) a halt in the construction of a gymnasium in Morningside Park, and (2) termination of contracts with the Institute for Defense Analysis. But the take-over of Columbia had nothing whatever to do with these issues. Two graduate students, Dotson Rader and Craig Anderson, presented this information: "Months before, at an S.D.S. conference in Maryland, the decision had been reached to take physical control of a major American university . . . Columbia was chosen because of its liberal reputation, its situation in New York and the fact that it was an Ivy League school. S.D.S. felt it was important at this time to disrupt a private, prestige, tactically vulnerable university . . ." The issues which were presented were simply pretexts. According to these observers ". . . the point of the game was power . . . It was revolution, and if it could be shown that a great university could literally be taken over in a matter of days by a well organized group of students then no university was secure . . ." Mark Rudd, the leader of the take-over, later admitted that the issues had, in fact, been mere pretexts.

Another important case in point were the riots precipitated at the Democratic National Convention in Chicago. As far back as November 16, 1967, the *Village Voice* reported the leader of the Youth International Party, Jerry Rubin, as saying: "See you next August in Chicago at the Democratic National Convention. Bring pot, fake delegates' cards, smoke bombs, costumes, blood to throw and all kinds of interesting props. Also football helmets."

Early in 1968 the National Mobilization Committee Against the War in Vietnam, headed by David Dellinger, organized a Chicago project committee and placed Rennie Davis in charge with instructions to work closely with Tom Hayden, leader of Students for a Democratic Society, and Jerry Rubin, of the Progressive Labor Party and also of the Youth International Party, more commonly known as Yippies. Dellinger and Hayden held a press conference in New York on June 29 and were quoted by the *National Guardian* as saying: "We are planning tactics of prolonged direct action to put heat on the government and its political party. We realize that it will be no picnic but responsibility for any violence that develops lies with the authorities, not the demonstrators."

Early in August, Rennie Davis appeared before a meeting of the Chicago Peace Council held at the Lawson Y.M.C.A. He displayed two large 3′ by 3′ maps of the area surrounding the International Amphitheatre, noting locations where police, National Guard, F.B.I., and other security forces would be situated during the proceedings. He stated that if trouble starts at the Convention, among other things, "the Loop will fall," implying demolition of the downtown Chicago area.

The violence which occurred in Chicago was predicted almost precisely by the August 9th Intelligence Division Report of the Chicago Police Department. That report concluded with this statement: "Due to the talk around the office of the National Mobilization Committee and the general attitude of Rennie Davis and Tom Hayden, the reporting investigator feels that the night of 28 August 1968 there will be wide-spread trouble through efforts of Davis and Hayden. It is felt that there will be trouble in the Loop Area and possibly on the South and West sides. This would be done in an effort to draw the Police away from the Amphitheatre." The issue of the police conduct, the fairness of the communications media, and the role of Chicago's Mayor Richard Daley will remain subject to much discussion. That the police force did over-react in many instances is clear. That this is exactly the response which extremist leaders sought to produce is also clear.

Perhaps the most important lesson to emerge from Chicago was the fact that the violence which occurred in that city was long planned by the most militant members of the New Left. It was carried out under the leadership of men such as David Dellinger, Tom Hayden, and Jerry Rubin, the same people who led the march on the Pentagon. This was no idle political demonstration to its leaders, although it was surely viewed in those terms by many of the innocent and idealistic young people who were its participants. Writing in *The New Republic*, James Ridgeway, an eye-witness observer of events in Chicago, stated the fol-

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lowing: "The clashes between police and demonstrators began as calculated maneuvers by the National Mobilization Committee to End the War in Vietnam, and the Youth International Party. The strategy was to confront the police, and thereby demonstrate that America was a police state . . . Following out their scheme to promote a continuing confrontation between growing numbers of people and the police—they figured that the Chicago officials would respond by bringing in more police and troops, and so make clear to all those looking on that Chicago was an armed camp and America was a police state—the radicals talked enthusiastically about little acts of violence, like a stink bomb in the hotel, or dirty words on some walls, to provoke the police and manipulation the liberal McCarthy youths into their own ranks. In effect, the idea was to stimulate a little guerrilla war . . ."

Tom Hayden, a leader of the Mobilization Committee to End the War in Vietnam, was not satisfied with the violence he and his group had managed to provoke in Chicago. Addressing a rally in Grant Park, he urged youths to go home and create "One, two, three hundred Chicagoes." Hayden cried: "If they want blood to flow from our heads, the blood will flow from a lot of other heads around this city and around this country. We must take to the streets, for the streets belong to the people . . . It may well be that the era of organized, peaceful and orderly demonstrations is coming to an end and that other methods will be needed."

Since Chicago, violence has increased on the nation's campuses. The Institute of Science and Technology at the University of Michigan was rocked by an explosion last October 14. The bombing was the thirteenth to hit the Detroit area since August and came only two weeks after extensive damage forced the closing of a semi-secret C.I.A. recruiting office in a downtown Ann Harbor office building.

Ann Arbor Police Chief Walter Krasny has claimed the series of bombings may be the work of "anti-Establishment militants" at the University of Michigan, while Detroit officials blame "hippies" for the explosions. The far-left National Guardian reported that "Reaction to the bombings in the bombings in the Ann Arbor radical community has ranged from quiet amusement to fantasy to increased discussion regarding the nature and timing of revolutionary chaos and terrorism and their possible relation to politicization of young people and/or mass repression of the radical movement. While some feel that such violence will help increase the consciousness of students, others feel that the level of awareness is now so low that the bombings will do little . . ."

Violence is often proclaimed as the only means by which society can truly be cleansed. The Rev. William Sloane Coffin, convicted this summer of conspiring to violate draft laws, delivered his first sermon of the academic year at Yale University in praise of change, even if change comes in violent ways. He told 300 persons, mostly students, that "life is change, growth, love and readiness to suffer." The Rev. Coffin warned that the current condemnation of violence by political leaders may also be a condemnation of change. He stated: "Jesus, when he threw the money changers out of the temple was no more violent than (Columbia radical student leader) Mark Rudd."

Following this advice, a new publication, Mayday, has appeared. Making light of the violence which has shaken a number of campuses it led off its fourth issue with this verse: "Sabotage, This is Number One and The Fun Has Just Begun." Edited by Andrew Hopkind, James Ridgeway, and Robert Sherill, its November 8, 1968 issue included the following: "The war begun last winter on the Western front, in the rainy season. The guns of February were four Molotov cocktails thrown at the Naval ROTC building on the Berkeley campus of the University of California . . . The first attack on the Berkeley ROTC building was followed by the burning of a similar center at Stanford. At about the same time, electric power cables strung over the Berkeley hills were cut. Then, three giant electric towers in Oakland were blown to the ground leaving 30,000 houses without power and stopping work at the Lawrence Radiation Laboratory at Berkeley. A few days after the tower was destroyed, a University of Colorado drop-out student turned himself in to publicize his "crime." 'I had to do something to stop their machines—so maybe they would listen, so that this war would be stopped,' he said."

The majority of those who advocate violence either to change the system or to improve its shortcomings are unaware of the historical consequences of violent upheavals. George Bernard Shaw wrote that "Revolution never lightens the burden of tyranny, it simply shifts it from one shoulder to another." That violence is the solution to our current difficulties is, observing the historical record, very unlikely.

Crusades which initially seek to throw off the fetters of an old order have, in most instances, simply replaced them with new fetters. The French Revolution led to the Reign of Terror, the Russian Revolution to Stalin, the Chinese revolution to Mao Tsetung. The tyrannies which follow violent revolutions have been infinitely more brutal than the autocracies they replaced. The New Left's advocacy of violence is not its only danger. Its blindness to totalitarianism and its hostility to the traditional American concept of free speech is of equal significance.

Many of the New Left are intolerant of viewpoints other than their own. In his *A Critique of Pure Tolerance*, Professor Herbert Marcuse (termed the "foremost literary symbol of the New Left" by the *New York Times*) states that people who are confused about politics really don't know how to use freedom of speech correctly; they turn it into "an instrument for absolving servitude," so that "that which is radically evil now appears as good." Having established this premise, Marcuse recommends "the withdrawal of toleration of speech and assembly from groups and movements which promote aggressive policies, armament, chauvinism, racial and religious discrimination or which oppose the extension of public services." For him the correct political attitude is one of "intolerance against movements from the right and toleration of movements from the left." The practical result of such a philosophy was to be seen when former Secretary of Defense Robert McNamara had to enter a police wagon to avoid crowds at Harvard, when General Lewis Hershey was forced off the stage at Howard University, when students charged the podium at Brown University as General Earle Wheeler spoke.

A student strike at the University of California brought a significant statement from Charles Susskind, a professor of electrical engineering and a man who had seen at first hand how the nazis created "political universities" in the Germany of the 1930s. An example of the lack of concern with the totalitarian nature of communism may be found in the procedings of *Students for a Democratic Society, largest of the New Left organizations*. This group included in its Port Huron Statement of 1962 a denunciation of "colonialism, communism, and anticommunism." In 1965 it eliminated from its constitution clauses barring "advocates and apologists of totalitarianism" and opposing "authoritarianism both of communism and of the domestic right"; such provisions, they explained, were "negative and exclusionary" and "smacked of red baiting." As a result many communists have flocked into the ranks of S.D.S. Commenting on the group's 1968 convention, the *New Republic* observed that the Progressive Labor party—the Peking-oriented communist organization—"is heavily represented within S.D.S. because the party sees S.D.S. as a recruiting ground for new members." It noted that at the convention P.L. delegates "continually pushed the idea that students should ally with the traditional working class in a common 'struggle' against the ruling class."

The unrest on the part of students is, therefore, a difficult and complex phenomenon to adequately understand. On the one hand, there are many honest young people with valid grievances, asking important questions. On the other hand, there are false leaders, attempting to use this idealism for their own ends, many of which are totalitarian and dedicated to the destruction of the American society.

It is essential that young people be made aware of the real nature of the New Left activists who are attempting to use them. It is also essential that society show some concern for the valid grievances they have. This generation must come to grips with a complicated world, and all of us together must plan for a future in which our traditional view of the dignity of man, free speech, and orderly procedure will be maintained.

College administrators and legislators who condemn all young people for the excesses of a few simply compound the problem. Those who are willing to accept the excesses, as many college administrators seem surprisingly willing to do, are doing themselves and the society a disservice. No one should talk with those who have committed violent acts of destruction about their grievances. But no grievances about which students wish peacefully to talk should be considered out of the bonds of discussion.

Society, however, must defend itself from those who advocate the use of violence to destroy it. This is the goal of the leadership of the S.D.S. and other militant New Left groups, although it is not the goal of the majority of the rank and file members. If society will not defend itself, if the university will not defend itself, it is an indication that the revolutionaries are right, that America has lost the will to continue, that the intellectual community believes that nothing is worth preserving. We do not believe that this is the case.

"HE WHO SAVES"

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, May 26, 1969

Mr. DERWINSKI. Mr. Speaker, a year ago I inserted into the Record with introductory commentary, a review of a book by Col. Kazimierz Franek-Acmecki telling of the Polish efforts to save Jews during World War II.

In recent weeks we have had statements made on the House floor by Members who are unaware of historic facts and in effect have charged that Poles are guilty of anti-Semitism. The facts are that the Moscow-imposed government of Poland has joined the tyrants of the Kremlin in anti-Semitic propaganda and activities in conjunction with the Russian Middle East adventure.

It must be emphasized, Mr. Speaker, that the people of Poland do not subscribe to the anti-Semitic policies of the government which oppresses them.

Due to its present significance, I ask consent to place into the Record at this

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point, my insert as it appeared May 2, 1968.

The insert follows:

"He Who Saves"

(Motto: "He who saves life . . . saves as if it were the world". (Polish efforts to save Jews during the Second World War.) Author: Colonel Kazimierz Franek-Acmecki.)

London, 1968.—In April, 1943, the Germans had started final liquidation of Jewish people in the Warsaw Ghetto. The Jews offered an armed resistance known as "Warsaw Ghetto Uprising". There is now the 25th Anniversary of it.

On every anniversary of the fighting in the Warsaw Ghetto all major Jewish groups pay homage to the heroes who laid down their lives in the struggle. The fighters in the Warsaw Ghetto have become a symbol of the fate of the Jews in the World War II. They were an inspiration to the troops fighting for the future of Israel in the campaigns of 1948 and 1967; victorious campaigns which may serve as an example to the most efficient and brave armies.

The hopeless fight in the Warsaw Ghetto will remain forever a symbol of the struggle for human dignity. It has also another significance. It was an act of protest to the whole world for having allowed the infliction on the Jews of unprecedented sufferings as well as irremediable biological and material losses. The protest was sealed in the West by the suicide of Szmul Zygielbojm.

How much did the Jews suffer? How high were their losses?

Statistics attempt to put into figures the number of people massacred. If the actual figures of the victims approximate to the truth—there is no established norm or measure with which to calculate or give a true picture of the enormity of the sufferings inflicted on the Jews by the Germans. This cannot be assessed in figures, nor can human imagination encompass it.

Documents surviving from this period books and memoirs describing the experiences of Jews, throw light on mere fragments, on the fate of a group, on an extermination camp, on individual bereavement. They cannot give a full picture of the sufferings, of their infinite variety of shades; the heart throbs; the agony of mothers helplessly watching the death of their children; the tragic groans of hundreds of thousands dying of starvation, cold and ill-treatment; the experiences of millions of human beings suffocated in gas chambers.

He who has not actually lived through this nightmare, or did not witness it, will never understand the depth and extent of horror facing those condemned to destruction. For a very long time the West would not believe the information relayed from land.

The extermination was taking place within sight of the Polish people; they were the direct witnesses of the horror, but by no means passive witnesses.

This book is to give testimony of the behavior of the Polish nation regarding the extermination of the Jewish people. It shows that, in addition to the spontaneous initiative of the Polish people, the Polish Underground State, although itself in the throes of a deadly struggle with the invader occupying the country, created a special extensive organization to bring assistance to the Jews.

The Illinois Division of the Polish American Congress, in conjunction with publication of this book is forming a supporting Committee in Illinois. The Committee is headed by Atty. A. A. Mazewski, President, Polish National Alliance; Hon. John C. Marcin, city clerk, city of Chicago; Hon. Judge Thad. V. Adesko of Chicago; Edward J. Derwinski, M.C., and Dr. Edward C. Rozanski, President, Polish American Congress, Illinois Division. Many outstanding members of Illinois will be invited to join this project.

NEED TO SOLVE THE ACUTE PROBLEMS OF THE SMALL SHIPPER

HON. FRED B. ROONEY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 26, 1969

Mr. ROONEY of Pennsylvania. Mr. Speaker, Charles D. Roche, the executive vice president of the Freight Forwarders Institute, has made clear the position of his member freight forwarders to cooperate with other transportation modes and the Government in solving acute problems in the movement of freight. His speech on May 22 before the Federal Bar Association Council for Transportation Law and Water Carrier Law Committee pointed out the crucial problems involving small- and medium-sized businesses in sending and receiving shipments. Mr. Roche's remarks are worthy of consideration by persons interested in transportation, and I am including them in the Record at this time, as follows:

Speech by Charles D. Roche, Executive Vice President, Freight Forwarders Institute, May 22, 1969

I'm pleased to see you all at this "Guess Who's Coming to Dinner" luncheon.

And, I want to especially thank Neil Garson and Herb Mutter, the doting parents of the Council for Transportation Law and the Water Carrier Law Committee.

I really didn't know much about some kinds of discrimination until I took off my government uniform and joined the dock crew of the Freight Forwarders Institute.

But thanks for the equal time. The boys at the Federal Communications Commission must have got to you.

I've had considerable experience with the equal time law in another vineyard. And I've been toying with an executive reorganization plan that would merge the FCC and the ICC so as to maximize the inherent advantages of providing equality by intermodal regulation, and without sex and violence in the living room.

Following Mr. Perlman of Penn Central and Mr. Beardsley of ATA to your podium is like promoting the abandonment of the cigarette habit. I get one-third time and a paucity of conversions. But it's free time and for that I am most appreciative.

I am here today to launch a rescue operation to save a real competitive common carrier force in the freight transportation resources of this nation.

At this moment the Freight Forwarders Institute is confronted—

With raving and ranting opposition from long haul truckers who control the Americant Trucking Associations;

With a sort of "I'll hide behind the bushes" defacto opposition of the American Association of Railroads;

With an Interstate Commerce Commission that can find 9,000 problems without proposing any seemingly plausible solutions;

With a Department of Transportation that's still in its nursery years;

With a Congress that can count its "no" votes perhaps better than its "yeas"—but which is awakening to the problems;

And with a new White House administration which so far can only "thank you for your expression of interest."

Now, before your tears of sympathy flood upon me, let me suggest the possibility of having 200,000,000 allies—that's all of us who as individuals are becoming more and more experienced with increasingly lousy service and spiraling prices when sending and receiving freight—particularly small shipments. And then there are the thousands of small businesses who fear being wiped out by prohibitive shipping costs and problems. And there are the truckers and railroads and suppliers whose services and goods we purchase.

The plain fact is that freight forwarders as common carriers are not treated equally as other regulated common carriers. There is only one real consideration and that is fair and equal treatment under law—without fairness and equality, competition goes out the window.

Right about now, I should explain what a freight forwarder is and what function he performs. In the words of the United States District Court for the Northern District of California:

"A freight forwarder is one who in the ordinary course of business assembles and consolidates small shipments into a single lot, assumes the responsibility for the transportation of such property from a point of receipt to a point of destination, utilizes the services of carriers by rail, water and motor vehicle to help accomplish the movement, breaks the consolidated shipment into its component parts, and distributes the goods to their destination point."

The transportation officials of the country are waking up to the problem of handling small shipments. It is relevant to note that the domestic freight forwarder supplies services that are used extensively by small and medium sized shippers. About 70 per cent of all of the shipments handled by domestic freight forwarders weigh less than 300 pounds.

In serving the small shipper, the freight forwarder ought to be his bargaining agent with the railroads and trucking companies. There is no practical way that a small shipper can even obtain railroad freight services directly.

Although the freight forwarder is geared to help the railroads help the small shipper, he operates in a straitjacket that prevents in many instances competitive or realistic rates. I noted with interest that Mr. Alfred E. Perlman, President of the Penn Central, in his talk before you on your January 28th luncheon, stated three times that railroads cannot afford to carry some commodities at a loss and "make up the difference on high-rated commodities." I can assure you that the railroads are not losing money on freight forwarders' cargo. We are among those users of the railroads who are subsidizing the rest of the operations by providing them $100 million profitable rail business.

Forwarders now pay the published tariff rates of the railroads and assume the expense of assembling and consolidating small shipments. After assembly and consolidation, the freight forwarder also accepts through common carrier liability for the through movement of each shipment.

The carload, less-than-carload rate structure might appear to be a viable basis for the freight forwarder to do business. There are two basic problems with it. First, carload rates are available to any one, including non-regulated associations of shippers. Second, common carrier trucking companies which utilize the services of railroads under the same circumstances as freight forwarders pay approximately 30 percent less than the freight forwarders for identical hauls.

As common carriers, freight forwarders should be able to negotiate rates with railroads in the same manner as common carrier trucking companies can do. The interstate Commerce Act, however, denies us this right. Even though common carrier trucking companies can and do negotiate privately for space with the railroads, the American Trucking Association has successfully thwarted proposed legislation that would afford freight forwarders the same operating economies.

The domestic freight forwarding industry because of inequities in the Interstate Commerce Act is in serious trouble. Freight for-

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warders are carrying less freight today than they were fifteen years ago. We have been forced out of the short haul business almost entirely because of our inability to compete with trucking companies under existing unrealistic rate structures.

Approximately 60 per cent of our business has been lost to non-common carrier shipper associations which are able to utilize railroads under rate structures that are just as favorable as those which the regulated freight forwarder can obtain. The shippers associations, I might say, are comprised largely of extremely large shippers and in themselves will not offer any real benefit to small shippers.

It is a tragedy and irreparably damaging to our national transportation policy for freight forwarders to be forced out of competing for important segments of business. Small and medium sized shippers suffer and a giant step is being taken toward making it practically impossible for small business to continue to engage in interstate commerce.

I consider it rather ironic that Mr. Peter Beardsley, the General Counsel of American Trucking Associations, in his talk at your March 20th luncheon, stated that he could not—

"Remember a single amendment to the Interstate Commerce Act in the last twenty-five years which was enacted over railroad opposition."

There could hardly be any bleeding hearts insofar as the American Trucking Associations is concerned since by any objective analysis it is perhaps the most powerful and influential lobbying group on Capitol Hill. Under these circumstances, it is not difficult to see why the freight forwarding industry, which is tiny in comparison to other common carriers, has not yet achieved parity under the Interstate Commerce Act.

Not to be outdone by the railroads as blockers, in the last fifteen years the American Trucking Associations has been responsible for defeating every legislative proposal that would have offered any material benefit to the freight forwarding industry.

In addition to the inability of the freight forwarder to enter into joint rate agreements with railroads, as common carrier trucking companies can do, the freight forwarder is at a number of other disadvantages under the Interstate Commerce Act. For example, the freight forwarder cannot acquire a short haul trucking company even though such a trucking operation in today's market might be essential to its assembling and distributing functions. The inability of a freight forwarder to acquire any other carrier under the Act is an example of the inequitable statutory treatment which the freight forwarder receives.

Under existing law, a railroad or a motor carrier or a water carrier may acquire control of any other carrier of the same or of a different kind, if the acquisition is first approved by the Interstate Commerce Commission as being in the public interest and as being in conformity with other standards set forth in the law. *Any of these carriers may acquire control of a Part IV freight forwarder without any ICC approval whatsoever.* A freight forwarder, however, is prohibited from acquiring control of any other carrier of any kind, although it may acquire another freight forwarder without approval. This status of the law has led to the situation where motor carriers and railroads have acquired and do own freight forwarders. Motor carriers, in fact, already own more than 25 per cent of the forwarding industry.

In order to improve their services to the public, freight forwarders obviously need the right, where economically sound, to acquire adjunctive carriers, particularly short haul motor carriers for use in the gathering and distribution of freight forwarder traffic. Freight forwarders now operate their own trucks within the terminal areas of cities, but they cannot go outside in order to reach industries which for 20 years have been moving increasingly to suburbia. Coordination is the basic function of freight forwarding, and if given the right to buy supplemental truck lines, forwarders could materially advance transportation coordination. As in the case, however, of other legislative proposals that might have offered some benefit to the freight forwarding industry, the last legislative proposal, offered in the 88th Congress, sponsored by the Interstate Commerce Commission, which would have permitted freight forwarders under certain circumstances to acquire short haul common carrier trucking companies, was defeated through the efforts of the American Trucking Associations.

I have been around this town long enough to know that I can't beat the trucks, the railroads, the shippers associations, and the government. At least not at one time with one hand tied behind my back.

I also know that this country won't solve its transportation problems with every interest shooting at each other. The forwarders have convinced me that they will try to help solve problems, if given a fair shake. I hope you will all exert influence to bring about a cooperative effort in this direction.

SBANE'S PROPOSALS FOR CONGRESSIONAL ACTION

HON. F. BRADFORD MORSE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, May 26, 1969

Mr. MORSE. Mr. Speaker, on May 21, the Smaller Business Association of New England—SBANE—met with the House and Senate Small Business Committees and the New England congressional delegation to present their specific proposals on behalf of small businesses. As usual, the presentation of SBANE was imaginative, informative, and thoughtful. The subjects covered by the SBANE Washington presentation team included the Small Business Administration, private pension plans, Government procurement, labor relations, patents, transportation, and taxation.

SBANE, which was founded in 1938, is a private, nonprofit, nonpartisan association of small businessmen throughout New England. It has been effective in promoting and supporting legislation and governmental activities beneficial to small businesses. The proposals were introduced by Mr. Douglas S. Dillman, the president of SBANE and vice president of Horn Packaging & Paper Co., Cambridge, Mass. The presentation was delivered by Roland L. Sutton, Jr., chairman, Washington Presentation Committee and vice president, Maine Products Co., South Paris, Maine. I recommend these proposals to my colleagues for their careful reading and, at this point, I submit them for inclusion in the RECORD:

1969 SMALLER BUSINESS ASSOCIATION OF NEW ENGLAND, INC., PROPOSALS FOR CONGRESSIONAL ACTION

INTRODUCTION

Gentlemen: We welcome another opportunity to visit with you at our nation's Capitol and deliver our annual Washington Presentation of Proposals for Congressional Action on behalf of our nation's small businesses.

SBANE, as the only regional Association for small business in the country, is composed of a cross-section of small companies from the six-state New England area. Small businesses from Maine, New Hampshire, Vermont, Connecticut, Rhode Island and Massachusetts join our Association because they believe through joint, unified action they can fulfill many of the needs of small business.

SBANE's member firms range from the one and two employee company with total business in the thousands to employers with up to 500 on the payroll and volume in the millions. Over 50% of the 700 members are manufacturers with products that depict the versatility and ingenuity of small business. A myriad of service firms, retailers, wholesalers, distributors, etc. make a major contribution to our New England economy and compose a truly representative body of our American free enterprise system.

The various programs of this group action include conferences and seminars, often held with leading New England universities, to provide opportunities of continuing education in improving managerial skills and exploring business possibilities. Best known of the SBANE educational programs is our annual "Live-In" Seminar at the Harvard Business School which has been attended by over 1,000 small business executives in over a decade.

Legislation on the national level has been a major interest of the Association since it was founded in 1938. By making known the needs and problems of small business, we have contributed through the years to much of the legislation beneficial to small business.

The Congress has compiled an impressive record of rallying to the cause of small business and we genuinely appreciate your cooperation and support.

This Presentation is a result of several committees working long and hard to sift and sort through key issues affecting small business today. We now offer the essence that is distilled from these meetings and urge your continued attention and support to small business—the foundation of our American economy.

SMALL BUSINESS ADMINISTRATION AND SMALL BUSINESS INVESTMENT COMPANIES

The Small Business Administration Act of 1953 is by far the most significant piece of legislation passed on behalf of the nation's small business. The wording of the Act is indeed impressive and provides the general outline for preserving free and competitive enterprise for the 5½ million small companies who provide employment for 40 million or 50% of the total work force and account for some 40% of the country's gross national product. Passage of the Act finally recognized that the problems and needs of small business were different from the multi-billion dollar corporation. As an Association which has supported and studied the SBA in the past 16 years, we are impressed with the many accomplishments this small agency has recorded. However, we also believe that much more must be done to fulfill the wishes of the people and the intent of Congress.

There have been frequent irregularities in the smooth functioning of this agency through insufficient funds for the loan programs, lack of progress in developing greater procurement opportunities and irregular direction. Time and energies have been expended to defend the independent status of the SBA amid rumors that it would become part of other Federal agencies. All this, we believe, has been at the expense of building a bigger and better agency for the nation's small businesses.

1. Excessive turnover in SBA Administrators

In the 16 year history of the SBA, there have been 10 SBA Administrators and 9 in the last 10 years. SBANE believes that the SBA has had many dedicated administrators

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who have made a great contribution to this agency. However, short terms of leadership make it difficult to maintain continuity of direction and purpose.

Our Association recommends that the appointment of the Administrators be for a term of four years thus giving the administration continuity in carrying out its responsibilities as authorized by the Congress.

2. Keep SBA an independent agency

This Association is increasingly concerned and alarmed by recent reports that raise doubts about the continued independence of the Small Business Administration. As recently as March 5, 1969, Secretary of Commerce, Maurice Stans, stated before the National Press Club that the SBA "by definition belongs in the Department of Commerce."

SBANE has been actively involved in advocating the independence of this agency even before its creation and views with great alarm the reoccurrence of rumors that persisted with some strength in 1966.

After full debate on the SBA Act of 1953 by our nation's lawmakers, it was their contention that the SBA must be completely independent to be effective. It is unfortunate that the energies of the Congress must be devoted to defending the independence of this agency rather than to building and improving on its present effectiveness.

Our Association is strongly opposed to any change in present status of the SBA and looks upon the Office of Minority Business Enterprise, newly established within the Department of Commerce, to promote and expand business ownership by minority groups as an erosion of the responsibility of the SBA since the SBA has functioned effectively within this area for some time.

We are convinced that the only reason the SBA remains an independent agency today is due to the loud vocal outcry in support of the SBA's present status not only by the members of the Senate and House Small Business Committees but by concerned Congressmen who truly care about our nation's small businesses.

Our feeling on this subject is best summarized by this quote from an SBANE member's letter to his Congressman:

". . . . if there were to be a consolidation of these two agencies, the SBA should take over the Department of Commerce. I make this suggestion on the grounds that the most important segment of any structure is the foundation. Small business is the foundation of the American economy."

3. Extension of SBA lease guarantee program

This Association strongly endorses the recommendation of the Small Business Advisory Council to the Senate Small Business Committee of extending the present SBA Lease Guarantee Program to include other types of leases such as those for equipment, machinery, tools and other property suitable for leasing.

The present Lease Guarantee Program empowers the SBA to assist businesses in renting space in shopping centers. With the rapidly growing popularity of the leasing business today, we believe extension of the SBA Lease Guarantee Program would help to alleviate some of the financial inadequacies in obtaining equipment and tools to keep pace with our expanding, competitive economy.

We ask your support of this recommendation of the Council.

4. SBANE supports establishment of capital bank—S. 1213

For over two decades, our Association has sought solutions to the problems faced by small businesses in need of equity capital to grow and modernize to meet competition. In 1947 the Committee for Economic Development issued its policy statement "Meeting the Special Problems of Small Business" and suggested the idea of a "capital bank" to help meet the financial needs of small business.

SBANE immediately seized on this idea since our own surveys, as well as others including the Federal Reserve Bank in Boston, showed an ever-widening gap between the funds which a small businessman who needed financing could raise himself from family and friends and the smallest amount which would interest an underwriting company or insurance company.

From that time on SBANE pushed the Capital Bank idea publicly, privately and in its testimony before various committees in the Congress, gaining increasing interest and support as the years passed. Ultimately, in 1958, the Chairman of SBANE's "Capital Bank" Committee testified before the Senate Banking & Currency Committee strongly supporting the Johnson-Patman-Sparkman Bill which later became the Small Business Investment Act of 1958. In many of its provisions, this bill was a far cry from the one Capital Bank in each Federal Reserve Bank District which we had envisioned, but at least it was going in the right direction.

During the past 11 years, we have followed the progress of the SBIC program with great interest. Of the various changes and amendments that have been made, practically all of them have been along the lines which we originally recommended in connection with our "Capital Bank".

The Capital Bank Bill—S. 1213—was introduced earlier this year with 19 Senators as cosponsors and will be considered by Senator Sparkman and his Banking and Currency Committee.

We support this legislation, designed to give SBIC's the opportunity to do a bigger and better job.

The establishment of the Small Business Capital Bank as planned would serve as a secondary source of financing for SBIC's, and eventually lead to the elimination of all government dollars in this program. SBIC's represent a unique and productive marriage of private enterprise and government assistance to accomplish the important national goal of providing the means for the future growth and expansion of small business.

PROCUREMENT

A saying used many times by large prime contractors and Government agencies, is "It is good business to do business with small business." SBANE asks simply, "Why don't they?"

At the recommendation of the Procurement Sub-Committee of the House Select Committee on Small Business, an ad hoc Government-Industry Committee was named by SBA to study methods and procedures to preserve and strengthen the position of small business in the subcontracting field under existing and changing conditions of Government procurement. SBANE appreciated the opportunity to serve on this committee but was distressed by its upstream fight against preset unyielding convictions. We do not concur with the committee on some of their recommendations and feel that Congress, when they review the report of this committee, with their keen perception, will unveil facts that will benefit the smaller businessman.

Obstacles to small business participation in government procurement continues to include boilerplate, source qualification and accounting procedures, all of which drain profits and discourages highly qualified small companies.

The continuing decline in the percentage of small business military procurement from 21.8% in 1966, to 18.8% in fiscal 1968 and thence to 16% for July to December 1968, a total of 5.8% since 1966 indicates to SBANE the need for Congressional action.

1. Commission on Government procurement

SBANE feels strongly that a complete study of Government procurement and the ASPR is long overdue. We, therefore, support the establishment of a Procurement Study Commission, provided small business is represented. This Commission should review the entire field of Federal Government procurement practices and regulations. Bills of this nature were not allowed out of Committee last year. We request that H.R. 10070 and H.R. 474 be reported out and that you vote favorably for this commission.

2. Disputes between prime and subcontractors

The small businessman, experienced with Government procurement subcontracting, generally feels the need for direct access to the Contracting Officer in the event of contract disputes.

SBANE has proposed for several years that the matter could be best solved through administration regulation, such as a recent suggestion that the Small Business Specialist be allowed to pass on to the Contracting Officer, claims that he felt were valid.

In view of Government agencies' reluctance to make any change and in view of many possible terminations, in the near future, needing an expeditious settlement, SBANE will request and support legislation such as H.R. 8928, which gives the subcontractor the right to sue the Government for non-payment after expiration of a reasonable period of time and SBANE would support legislation requiring compulsory and binding arbitration.

3. Small business and research and development

There is a vast reservoir of highly developed skill and scientific knowledge in numerous small firms, much of which is not being utilized under Government contracts. The Small business share of defense R & D prime contracts in 1966 was a dismal 4.4%. In 1967 the total share dropped to 3.9% and in 1968 to 3.5%. This trend must be reversed. R & D in the past has frequently enabled a small business to establish a firm position in the competitive market place. Lack of small business set-asides in this area is a matter of serious concern. Also many unrestricted procurements in this area appear to be directed toward a single technical authority.

Another area of concern which appears to be discriminatory is the procurement personnel's refusal to discuss or explain the reason for determination of non-responsive or the technical deficiency of their proposal until after an award has been made. This, of course, denies the small businessman any rights of appeal or reconsideration.

4. Right of small business to appeal

Present regulations require that a small business bidder be notified that his bid has been declared non-responsive in only two situations: (1) in the judgment of the pre-award survey team the small business lacks the necessary financial resources to complete the contract or, (2) that he lacks the production capability to meet the required delivery schedule. Other instances of possible judgments of non-responsiveness are: lack of tenacity and perseverance, lack of integrity and does not meet the requirements of applicable laws and regulations. In the first two situations the small business is notified of the rejection of his bid and then may appeal to the SBA for a Certificate of Competency. In the other cases there is no appeal from the judgment of the Contracting Officer nor is he notified that his bid is rejected nor the reasons for rejection given. We feel this is grossly unfair to the small businessman. In our opinion the right to appeal to the SBA for a Certificate of Competency should apply to all small business bids rejected as non-responsive.

TAXATION

1969 appears to be the year of the Tax Reform. Not since the Boston Tea Party has there been so much momentum created for a more equitable system of taxation. For several years SBANE has sought tax adjustments on behalf of small business and has gained some specific measures of success. We have always weighed our tax proposals not in the selfish good of small business or at the expense of someone else, rather our concern has been that the financial conditions of a new or growing small company are very different from a large company that has reached a more mature rate of growth. We have urged for the adoption of tax programs that would be a stimulus to increased investment of internal earnings and a freeing of capital for this expansion in new facilities through liberalized rates of taxation. The end result of freeing more working capital for small business will be greater growth and fuller employment in the years ahead.

We also support the extension of the 10% surtax if measures are taken to reduce government spending.

1. Investment credit

A. SBANE urges retention of 7% investment credit

SBANE opposes the repeal of the investment credit because the loss of this credit would be an especially severe blow to small businesses which look to their after-tax profits as the prime source of funds for capital expansion. Small businesses must be encouraged to grow and to become efficient producers and it is for this reason that we urge that the credit be retained. We believe the credit must be retained as an incentive to business to modernize its plant and equipment. Efficient production will help obtain fuller employment and will keep American business competitive in the world market. We recommend that other fiscal measures be adopted to offset the credit's inflationary effects. However, in the event Congress does choose repeal, we urge that the credit be retained for the first $50,000 of annual investment in qualified property.

B. Elimination of credit limitation for small business

Taxpayers are now entitled to claim investment credit only to the extent of their first $25,000 of tax plus 50% of their tax in excess of $25,000. Carryovers and carrybacks of investment credit in excess of that limitation are permitted. Many small businesses are unable to utilize investment credit in the year earned or to carry it back to a preceding taxable year. Thus, to avail themselves of that credit they must await the realization of taxable income in a future year. We recommend that small businesses be exempted from the limitation and that they be permitted to receive a refund of tax in a loss year. Since large corporations are almost always able to use all of the investment credit in the year earned, the existing limitations usually affect only small businesses. This recommendation would place small business on the same footing as larger businesses and would also cause a significant reduction in the administrative burdens necessitated by the filing of claims carrying back unused investment credit to earlier taxable years.

2. Support Interstate Taxation Act

For the past two years we have depicted the dilemma of small business when engaged in interstate business as the Jungle of Uncertainty in determining if subject to the tax and the Jungle of Mystery in trying to compute the tax.

Last year on May 22, H.R. 2158, a bill to remove the state-imposed burdensome tax collection requirements, passed the House by a 3 to 1 margin 284–89 and only one House member from New England did not vote for this bill. Since the Association has been actively involved in gathering support for H.R. 2158, we were very pleased with your vote which, coincidentally, was taken on the day of our Washington Presentation.

Since no action was taken by the Senate another Interstate Taxation Bill is now in the House—H.R. 7906. This bill is designed to relieve small business from the inequities and onerous record-keeping duties which result from the multi-farious income apportionment rules used by the various states. We believe this is one of the most important small business bills in the 91st Congress and again urge your strong support of the Interstate Taxation Bill.

3. Repeal of accelerated estimated tax payments

SBANE recommends the repeal of those provisions of the Revenue and Expenditure Control Act of 1968 which removed the exemption from estimated income tax payments for the first $100,000 of tax. This acceleration in tax payments has caused undue and inequitable hardship on small businesses since in many cases more tax is paid in advance than is finally determined to be due when the company's tax return is filed with the consequent drain on badly needed working capital.

4. Depreciation guidelines

In 1962 depreciation guidelines were adopted by the Treasury Department which accomplished an overall reduction in the useful lives of plant and equipment allowable for depreciation purposes. The guidelines also contained so-called objective tests which were to be the tools through which contests arising out of the determination of estimated useful lives were to be settled. These tests known as the reserve ratio test and the guideline class life test have proved to be extremely complicated and have not substantially reduced controversy. We recommend that Section 167, I.R.C., be amended to permit taxpayers to elect any or all of the lives contained in Revenue Procedure 62–21 and that the reserve ratio test and the guideline class life test be abandoned. This will permit the use of the uniform liberalized lives without the threat of protracted litigation with the Internal Revenue Service.

5. Accumulated earnings tax

A. Increase Minimum Accumulated Earnings Credit

Corporations which retain their after-tax earnings beyond the reasonable needs of the business and for the purpose of avoiding a dividend tax to their shareholders are subject to penalty taxes. The Internal Revenue Service and taxpayers often differ in their understanding as to the reasonable needs of the taxpayer's business. In 1954 Congress recognized that small businesses were frequently unable to accumulate funds for expansion because of the threat of the accumulated earnings tax. Further, the difficulties of proof and the cost of litigation frequently proved to be insurmountable obstacles to smaller companies in defending against the imposition of the penalty. For this reason Congress provided a minimum amount of $60,000 which could be accumulated without the necessity of providing reasonable business needs. The exemption was increased to $250,000 to permit small businesses to retain funds necessary for expansion without the constant concern that they may be subjected to a penalty tax.

B. Permit Accumulation to Pay Death Taxes

The stock of a small business is frequently the major asset of the estate of a deceased stockholder. Section 303, I.R.C., permits (within limitations) the redemption of shares from the estate in an amount equal to the estate and inheritance taxes and funeral and administration expenses without the imposition of a dividend tax. This redemption alleviates the necessity of a forced sale to outsiders to obtain the necessary cash. However, the corporation must have accumulated the funds through earnings in order to enable it to redeem the shares. The Internal Revenue Service takes the position that the accumulation of earnings for such a purpose is not a business purpose and, absent any other business purpose, will impose the penalty tax. SBANE recommends that Section 535, I.R.C., be amended to provide that accumulations for the purpose of redeeming the shares of a stockholder to pay the taxes and expenses specified in Section 303, I.R.C., will be considered accumulations for the reasonable needs of the business.

6. Increase first year depreciation allowance

The Small Business Tax Revision Act of 1958 added Section 179 to the Internal Revenue Code permitting businesses to claim an annual deduction for 20% of the first $10,000 of investment in machinery and equipment. This deduction was designed primarily to aid small businesses to finance the cost of new equipment. The deduction is not a grant or a subsidy to business since it merely accelerates to the first year a deduction which would otherwise be obtained over the useful life of the property.

The cost of new equipment and the needs for funds for expansion have increased substantially over the past 11 years and for these reasons, SBANE recommends that the base upon which the 20% allowance is determined be increased to $50,000.

PATENTS

A U.S. Department of Commerce study published in 1967 reported that some $100 billion had been spent in the past 20 years on research and development, a large share, by big business with the facilities and manpower. Despite this enormous investment, over 50% of the technical innovations in the U.S. are the creation of individual inventors and small business. For this reason during the past two years, this Association has given careful study to the recommendations of former President Johnson's Commission on Patent Reform and legislation that has been filed in the Congress as a result of this study.

We would urge your opposition to any legislation that would curb this individual and small business incentive to invent and innovate.

1. Favor "first to invent" over "first to file"

Of particular interest to small business is the proposal to change the system of priority from "first to invent" to "first to file" or various modified "first to file", rules that have been submitted to the Congress.

SBANE opposes legislation that would change the present system under which patents are issued to the first inventor.

The cost of a patent application to an inventor is from $500 to $1,000 and higher in complex cases. These changes in the patent laws would impose a serious financial burden on small business and the private inventor who often lacks the funds to file patent applications that have not demonstrated commercial utility. These inventors must conserve their funds to develop inventions for which there is substantial expectation of commercial use and value. Large businesses, however, can afford to file and prosecute patent applications on all likely inventions without knowing their commercial value.

The present cost to the Patent Office in conducting first invention contests and interferences is less than $250,000 with a staff of 20 employees. This low expenditure of manpower and money to insure the patent goes to the first inventor is a good indication of the efficiency, economy and reasonableness of the present system. Furthermore, interferences are won by the inventor second to file as often as they are won by the inventor first to file. The proposed changes would encourage half-baked applications that would lead to more expensive contests and a greatly increased workload contests and a greatly increased workload on the Patent Office.

These proposed changes would preclude an inventor from contesting the priority of an

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invention merely because he failed to file a patent application within a prescribed period before another who claims the same invention.

We ask that you resist any changes in the patent laws from the present first to invent system that has successfully protected and encouraged American inventiveness for so many years.

2. U.S. trademarks

A bill in the Congress, S. 766, The McClellan-Scott Bill, amends the Trademark Act of 1946. It broadens and puts more teeth in the Trademark Act. The bill is broadened to protect not just registered trademarks, but to protect against "unfair competition" which is generally defined in four categories: (1) that which is likely to cause confusion or deception as to the origin of products or services, (2) that which falsely represents goods, or misrepresents other's goods, (3) that which wrongfully discloses or misappropriates trade secrets, and, (4) that which otherwise misrepresents or misappropriates.

The Bill is strengthened by allowing recovery of profits, damages, court costs and attorneys' fees and permits the court to take possession of all violating paraphernalia.

SBANE favors the changes proposed by this bill because of the broadened protection against unfair competition and the increased recovery. The latter makes litigation less burdensome from an economic standpoint and so benefits small business.

3. U.S. Government relations to patents

A. Inventions infringed by Government Contractors (H.R. 2898—90th Congress)

It has been proposed by the American Bar Association and in H.R. 2898 that Federal agencies adopt as a policy that the government procure a patent license from the owner of any patent which will be infringed by a government procurement and that the government pay the owner a royalty no greater than the lowest commercial rate for the license. H.R. 2898 proposes that the government royalty be added to the bid of all unlicensed bidders. The ABA proposes that invalidity or non-infringement of the patent can be shown by the non-licensed been reasonably successful and does get the government decide these matters.

Small business may gain more than it loses from the general proposition of pre-procurement licenses. Small business usually bids only on government procurements for which it has particular competence, which usually means some patents. H.R. 2898 will put such a small business in a better bidding position.

NASA has practiced on a limited scale "Instant Licensing" which is similar to pre-procurement licensing for over a year. It has been reasonably successful and dose get the work done.

B. NASA and AEC contracts

The contractor with these agencies gets no title to any inventions conceived or first reduced to practice in performance on the contract. The contractor can petition the agency for a waiver of title (subject to a government license) and succeeds by showing contractor's ability to promote the invention for the public's benefit. Big businesses can do this, but small businesses frequently cannot.

SBANE proposes that small business not be obliged to show the capacity to promote the invention, but only show a willingness to license others to promote the invention, in order to qualify for a waiver of title.

C. Armed Forces Contracts

The contractor with these agencies gets title subject to government license according to ASPR provisions. Clearly, these inventions are not the subject for "Instant Licensing" or pre-procurement licenses provided for in H.R. 2898.

SBANE proposes that exceptions be made to the ASPR provisions with respect to particularly significant inventions made by the contractor. SBANE proposes that the contractor in such cases need not give a royalty free license to the government; but enable the contractor to give a license for minimum royalty similar to the pre-procurement license proposed in H.R. 2898. Thus, the contractor would be rewarded for his significant invention even though he would not be able to compete with larger businesses in the implementation of the invention for government use.

PENSION PLANS

Social Security and private pensions are the two major systems that provide a measure of financial independence to persons at time of retirement. In the few decades since the enactment of the Social Security Act, millions of people and billions of tax-dollars have come under its influence. The private pension system which is much older than Social Security, was propelled to multibillion dollar status during World War II when wage ceilings precluded salary competition among employers for scarce labor.

Deferred compensation through private pensions cover over 25 million people and have assets of about $100 billion.

The most striking difference between the two systems is the difference between mandatory and optional; and it is this difference that makes the private pension system the more fantastic. While the private pension arises from an assortment of factors (for example, competition for good employees and collective bargaining agreements) it remains that the employer has paid over $100 billion to promote the secure and dignified retirement of his employees all without the compulsion of legislation.

Because the money that an employer pays for a private pension plan is for the benefit of the employees, the I.R.S. has elected to treat such cost as they do salaries. There is, however, a notable difference between salaries and pension costs. The salary is paid to an individual to be used for current needs. It is a measure of past and present performance. The pension cost is also a measure of past and present performance. But more importantly, it is an encouragement for future performance. It is a method by which an employer can hire and keep a good group of employees. It is for the group of employees that an employer establishes a pension plan. It is profit produced by the group that keeps the pension plan alive; and it is the group of employees that share in the financial success of their pension fund.

The employer gets no personal advantage by putting a dollar into a pension fund instead of a pay envelope. The tax situation is the same. Indeed there are countless instances when employees would rather have the dollar in hand, and the employer is severely criticized for putting it into a pension fund.

Whether the dollar goes into the pay envelope or into the pension fund, it is lost to the employer. Even the earnings of the pension fund do not rebound to the employer, unless you say that they reduce his future deductible contributions to the pension fund. Each dollar put into the pension fund experiences the interaction of investment return, mortality, disability, turnover, etc., and finally produces many dollars for employees retiring under the pension plan—nothing for the employer.

It concerns this Association to see the present wave of proposed legislation that seeks to "protect" the employee. Private industry has been cognizant of the need to protect the employee, and has nurtured this belief with over $100 billion. Hand-in-hand with the Internal Revenue Service, the U.S. Department of Labor and several state-level agencies, the private pension system has given backbone to the retirement dreams of millions upon millions of persons.

Each time a flaw has appeared in the private pension system, it has been rigorously attacked by employers, attorneys, actuaries, accountants and the interested governmental agencies. Throughout its life the private pension system has been diligent in keeping its own house in order.

We agree that government has the right and the duty to protect and enhance the private pension system but legislation that restricts and penalizes needlessly is not good legislation.

The following four points are present in most of the pension legislation proposed to date, and we strongly suggest the defeat of any bill containing them:

1. Vesting at very early stages.
2. Portability.
3. Reinsurance of unfunded liabilities.
4. Minimum Funding.

1. Vesting

Vesting refers to the employee's nonforfeitable right to receive at retirement age all or a portion of his accrued pension regardless of the continuation of his participation in the plan. For employees remaining in the plan to retirement, vesting is academic. For terminating employees, it may be a valuable benefit in recognition of the long period of service with the employer. Since vesting is usually contingent upon attaining a certain minimum age, such as 45, and/or the completion of a minimum period of service, such as 15 years, not all terminating employees are entitled to vested benefits. Also, full vesting may be granted in one single step or in several steps, such as 10% per year.

There is general agreement that vesting is desirable, but the exact requirements should be determined for each plan based on the circumstances peculiar to a particular employer. The cost of vested benefits will vary depending on the age, sex, service and salary distribution of the covered group, but could add as much as 10% or more to the cost of a plan. From the point of view of controlling costs and the historical and projected turnover pattern of the particular group, each plan should be free to set its own vesting requirements to best meet the needs and objectives of the employees and the employer.

There seems to be no need for legislation making vesting compulsory, since the trend toward adopting vesting either initially or by subsequent amendment has been marked in recent years and will probably continue. Currently, over 80% of all plans contain vesting provisions and, if early retirement is taken into consideration as a form of vesting, which it is, about 95% of all employees participating in pension plans are covered for vested benefits. These statistics are from a Department of Labor study of almost 16,000 plans covering over 15½ million employees.

One might wonder why, with such extensive coverage already, we should not make vesting mandatory, thereby raising the figure to 100%? The answer is that many plans now providing vested benefits started without this feature, but added it as actuarial gains emerged and economic forces exerted pressure. Had a vesting provision been mandatory initially, it is fair to say that some of the employers would not have established a plan in the first place.

The major argument for mandatory vesting seems to be to promote labor mobility. Since the younger and shorter-service employees are the most likely to terminate and since their accrued pensions would be rather small, it would seem that vesting would have a very limited influence on the decision to terminate and move on to another job. In the absence of meaningful statistics on the interrelation of vesting and labor mobility, the very definite trend toward including vesting on an essentially voluntary basis, and the need for flexibility in setting the vesting requirements, legislation in this particular area seems to be premature at best and a

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more reasonable approach would be to allow the forces of our economic system to continue to operate without compulsory federal standards.

2. Portability

Portability is nothing more or less than 100% vesting. For every year a person works for an employer, he vests in the benefit accrued. Although only two methods of portability appear in presently-proposed legislation, it could be accomplished in at least 3 ways.

A. Let the reserve for benefits earned follow the employee from employer to employer.

B. As an employee terminates each employer, the employer would send the reserve on accrued benefits to a central agency.

C. As an employee terminates, an employer would set aside a reserve for his accrued benefits, and when the employee finally retired he would get one pension check from each of the employers for whom he worked at any time.

Not only is this an extremely costly benefit, which could very definitely keep many employers out of the pension field, but it is inequitable and unworkable, since it gives preferential treatment to terminating employees and requires that a standard actuarial value be placed on accrued benefits to be applied throughout the country.

Legislation on Portability should be discarded as being too costly, unworkable, needlessly restrictive, and very detrimental to the growth of private pension plans.

3. Reinsurance

Reinsurance is the protection of vested benefits upon termination of a plan. An annual premium or charge would be paid to a central agency, based on the amount at "risk" under the plan. The amount at risk is the difference between (a) and (b):

(a) is the present value of accrued vested benefits, and

(b) is the amount of the plan assets.

The present value of accrued vested benefits is certainly a nebulous figure, as is the asset value. By the use of various actuarial assumptions the present value of accrued vested benefits can move over a rather wide range of values. So too can the value of assets, what with book values, market values, dollar-average values, values of exchange securities versus values of privately-placed securities. Indeed it is possible for an employer to use overly-liberal assumptions, thus endangering his plan, while at the same time dodging the Reinsurance premium. Thus the employer who may need the reinsurance the most, might be the one who doesn't have it. In addition to the amount at risk, the other critical element in determining the reinsurance premium should be the probability of the plan terminating. This would be impossible to determine. Also, the added cost of reinsurance would probably curtail the liberalization of vesting requirements, since this would increase the cost of vested benefits, and so increase the cost of reinsurance by increasing the present value of vested benefits. Even with time controls, plan amendments could be introduced which would liberalize vested benefits shortly before the plan terminates and thus abuse the reinsurance program.

As the general observation, the proposed legislation removes the pension plan from the category of a promise in good faith to a binding contract.

It should be noted that smaller plans generally use more conservative actuarial assumptions than the larger plans, thereby producing a proportionately greater amount at risk and a higher reinsurance premium for a given level of funding, although the smaller plan is actually more adequately funded. Also, because experience fluctuations can be rather sharp, the smaller plans normally fund at as rapid a rate as financially feasible to build up margins against future business contingencies and this makes reinsurance much less critical an item.

From the limited information available on plan terminations, it has been estimated by an Actuary of a noted consulting firm that about one-tenth of one percent of all covered employees have been affected each year by plan terminations. Also, since assets are normally allocated on the basis of age when a plan terminates, the employees least able to replace their accrued pensions are taken care of first and the younger employees with smaller vested benefits who can more readily recover from the loss are last in line. Thus, the problem of plan termination is exceedingly small and the normal allocation method further helps to solve the problem. From conservative calculations, this Actuary concluded that less than .6 of 1% of the covered working force suffered some loss of accrued benefits. The proportion losing all or a significant amount of the accrued benefits would have been even less. The problem as it currently exists doesn't warrent the significant amount of time, effort, and cost necessary to establish and operate the reinsurance program or the cost to the plan for the additional actuarial and investment valuations necessary to determine the annual reinsurance charges.

4. Minimum funding

The feature of pension plan funding that probably has had as much as anything to do with the rapid growth of pensions is the latitude of funding permitted. P.S. 57 of the Internal Revenue Service sets a reasonable and safe minimum requirement. There is every indication that the prescribed minimum level is not only adequate, but, in combination with conservative actuarial assumptions of interest, mortality and most valuation methods, allows amortization of the past service liability.

Most employers, especially the small business employer, pay well above the minimum prescribed by P.S. 57. Indeed, many employers argue, not that the minimum is too high, but that the maximum is too low.

A wide range of permitted funding is necessary and, to the small employer, indispensable. Curtailment of this latitude of funding would needlessly restrict an employer.

Conclusion

A system so vitally important to the economic well-being of the nation is deserving of attention by the Congress. Indeed this attention has been too long in coming. It is just unfortunate that most of the proposed legislation to date has been inspired by the defects of a few of the private pension plans.

When meaningful legislation is proposed that will tend to encourage more employers to provide more benefits to more employees, SBANE will back it just as strongly as we protest poor legislation.

LABOR

1. Oppose "common situs picketing" bill

SBANE is opposed to legislation entitled the "Command Situs Picketing" Bill which would permit a union in the construction industry to picket an entire construction project in furtherance of any dispute which it might have with one of the sub-contractors at a project.

Secondary boycotts bring substantial harm to parties neutral to a labor dispute and were outlawed by the Congress in the Taft-Hartley Act and in the Landrum-Griffin Act of 1959. The proposed legislation would permit unrestricted picketing which would shut down an entire project over one dispute. This would not only be harmful to the general public, but small business contractors in particular.

We ask you to support our opposition to H.R. 100, the bill that would allow "Common Situs Picketing".

2. Establish labor courts to resolve critical labor disputes

Strikes against the public interest such as the frequent labor stoppages in the transportation field, are not only crippling to the economy, but indicate that present procedures for preventing such occurrences are outmoded and inadequate.

SBANE recommends that appropriate legislation be enacted to curtail the possibility of such strikes against the public interest, and that Federal Labor Courts be established, staffed by life tenure judges who are empowered, through legislation, to settle such problems before they reach the strike stage.

3. Require secret ballot for union recognition

In the original statute creating NLRB procedures, Congress set forth the use of the secret ballot. Since that time, their intent has been ignored as evidenced by the numbers of cases in which the NLRB has held that employers must recognize and bargain with unions based only on employee signatures union authorization cards. These signatures do not necessarily show the same results that would be obtained by use of a secret ballot.

It is the hope of many in small business that the use of secret ballots will be reestablished in all cases.

TRANSPORTATION

Few areas have reflected so vividly the rapid growth of technology and progress as much as the field of transportation. Our early agrarian economy's dependence on the horse long ago gave way to the automobile, railroad, shipping, and the airline. Even within each area of transportation, progress has been vast, varied and revolutionary. Every day small business is dealing with many modes of transportation and regulations as applied by the present transportation regulatory agencies. This year we bring to your attention some of the problems encountered by small business in this area and our recommendations for legislative action.

1. Urge Congress to develop a system for settling small freight loss and damage claims

Settlement of freight loss and damage claims by carriers is not subject to ICC jurisdiction except for certain rules providing for time limits on acknowledgment and decisions on claims. There is no remedy for disputes except through the courts. The problem for small businesses is that most claims are less than $1,000, not justifying long and costly court proceedings. As a result, carriers pass off many valid claims by just saying "no" because they have learned that small business has neither the technical knowledge nor financial resources to fight. Larger companies with professional traffic managers can fight and have established a record for winning so carriers treat their claims with more consideration.

At present, the Department of Transportation has a study under way for the purpose of defining the claims problem. Congress should place priority on consideration of the solutions which will come from the study. Among the possibilities would be a small claims court under the jurisdiction of the ICC or, preferably, a new regulatory agency with authority over all forms of transportation.

2. Urge Congress to enact legislation creating a combined transportation regulatory agency governing all modes

At present the transportation regulatory structure consists of the following agencies:

Interstate Commerce Commission regulates rail, truck, bus, inland waterway, surface freight forwarders.

Federal Maritime Commission regulates merchant marine.

Civil Aeronautics Board regulates airlines, air freight forwarders.

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The functions performed by each of these agencies is almost completely economic related (routes, rates, company finances and inter-relationships). The safety functions related to all modes are now consolidated in the U.S. Department of Transportation (Federal Railroad Administration, Federal Aviation Administration, Transportation Safety Board).

Because of the increasing trends toward development of new transport technologies (such as containerization) making possible intermodal transportation (truck-rail, truck-air, truck-water, rail-water, etc.), substantial conflict between the agencies has developed. For example, the CAB claims regulation over air freight including the ground trucking services. The ICC also claims regulation over ground trucking. As a result, many shippers outside commercial zones must pay high joint rates and receive inferior service because proper intermodel coordination cannot be obtained. Similar problems arise in rate and service conflicts between water (FMC regulated) and land (ICC regulated) transportation. It is apparent that three agencies cannot regulate different sectors that overlap substantially without expensive and time-consuming duplicative action before more than one body by shippers and carriers alike.

Congress should enact legislation creating one transportation economic regulatory agency. Such action would provide all shippers with more efficient transportation services and reduce their costs of representation before multiple bodies.

3. Support the Trade Simplication Act

All companies which have either sold or purchased goods in foreign markets are aware of the paperwork and transportation cost complications. The carriers and businessmen have worked together for a simplication of procedures for several years. In 1968 the U.S. Department of Transportation submitted legislation entitled, "Trade Simplification Act" which would streamline procedures and allow through bills of lading and through freight rates in international trade. Presently no one transportation company can quote through rate in international trade (except in some limited air freight applications); as a result, a shipper must contact more than one carrier and prepare rate analyses himself to determine the lowest total cost route. Separate bills of lading are also required for the land and sea (or air) portions of the trip, complicating goods ownership, insurance, tracing and record keeping.

The U.S. Department of Transportation, Office of Facilitation, has prepared and sent to Congress a bill under which through rates and bills of lading are legalized and a reduction in international documentation made possible. SBANE should urge Congress to pass the "Trade Simplication Act" this session to make participation in foreign trade easier, particularly for smaller business which cannot afford to retain traffic specialists to handle the complexities of foreign trade.

4. Urge Congress to pass legislation designed to stimulate the construction and near-term completion of ultra-high speed rail service between Boston and New York

Since the early 1960's much effort has been expended by the Federal Government and others aimed at solving Northeast Corridor intercity passenger transportation problems. Within the U.S. Department of Transportation is a section called the Office of High Speed Ground Transportation (OHSGT). This group has put substantial effort into basic and applied research of new technologies for the movement of people at high speeds and also a limited effort aimed at developing conventional type rail vehicles. The results to date would indicate that for the foreseeable future conventional rail technology is the best and most economical way to provide ground transportation at speed in the 150 mph–200 mph range. However, OHSGT is continuing an indepth new technology research program which may produce positive results applicable to the transport systems several decades from now.

In 1968 the New England Regional Commission let a contract to Systems Analysis and Research Corporation (SARC) of Cambridge, Mass., to report on the transportation needs of New England. SARC reported that Boston-New York ultra-high speed service was of first priority to foster the sound economic development of the region. As the region's economy becomes more service-industry oriented, efficient passenger transportation to other regions is extremely important to facilitate the personal interactions necessary. The SARC study outlines a feasible plan for providing 2½ hour travel time between downtown Boston and downtown New York using conventional rail technology with a top speed of 150 mph attracting sufficient passengers at a low enough capital and operating cost to be economically viable.

Congress should pass legislation providing backing for a government guarantee loan, a capital grant if a new rail line is constructed in the best location for long range planning, certain tax concessions concerning loan amortization and a franchise to operate by a new or existing business or an interstate agency. Support and passage this year could result in service by 1974. The bonds could be amortized in 30 years, so if new and better technology were developed in the future, today's investment would be paid off in full.

CONCLUSION

This presentation is designed to provide you with specific proposals and recommendations by those who represent the foundation of the American economy rather than merely striking out at the obstacles that confront small business. We have tried to be helpful to you, the Congress, whose time and talents are in the greatest demand of any other single group in our country by sifting and sorting the problems and alternatives in the most important areas that deserve your attention.

Thank you for your interest and support of small business.

PITTSBURGH PROBLEM HANDED TO THE PEOPLE

HON. WILLIAM S. MOORHEAD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 26, 1969

Mr. MOORHEAD. Mr. Speaker, housing is one of Pittsburgh's most acute problems—some 62 percent of the housing supply is more than 45 years old, 22 percent is either deteriorating or dilapidated—and with our special problems of topography, there is a real shortage of land for new buildings, and a tremendous dilemma caused by relocation when homes are torn down to make way for urban renewal programs.

But I know of no city which has demonstrated more aggressive public leadership and new forms of private initiative than Pittsburgh, in making a real commitment to insure everyone a sense of opportunity, community, and responsibility.

The Christian Science Monitor carried a story recently describing the activities of a group known as HEART—highway emergency and relocation team—working in cooperation with city urban redevelopment authority officials. Because I think their innovative approach has great merit, I wish to include the article at this point in the RECORD for the attention of my colleagues:

PITTSBURGH PROBLEM HANDED TO THE PEOPLE

PITTSBURGH.—City officials may have found the answer to avoiding neighborhood opposition when a new housing development is announced.

The solution is to throw the ball to the residents and make them the sponsors of the new complex.

This approach is being tried now in Pittsburgh's Brightton Heights area of the North Side.

Plans call for a 300- to 400-unit housing complex to be built in a 34-acre site which is largely undeveloped. The area is composed of mostly white, middle-income families who have agreed to help develop the new housing complex. Designated as the sponsors are the Brightton Heights Citizens Federation and a group known as Highway Emergency and Relocation Team (HEART).

Both groups are citizen-oriented. The federation is composed of representatives from various groups in the Brightton Heights neighborhood. HEART, while it does not have Brightton Heights representation, is composed of residents from nearby East Street who are to be moved out of their homes by the State Highway Department to make room for Interstate 79.

CONSULTATION DESIRED

HEART has warned the state the residents want homes before they move. Otherwise, their cry has been, "No homes, no road."

Attempts by the city to get new homes built on other sites in the North Side have been dismal failures. And the main reason seems to be neighborhood opposition to "outsiders" moving in. There has also been considerable animosity against the planners who failed to discuss their programs with residents.

This newest technique may be the answer. At least William Farkas, executive director of Pittsburgh's Urban Redevelopment Authority is willing to stake the future of the development on it. So is Dr. Martin Krauss, vice-president of HEART and long a vocal critic of the State Highways Department's acquisition program and the city's failure to build new housing.

Dr. Krauss said he agreed to the Brightton Heights development only on the condition that all property be purchased amiably and that residents of the neighborhood help decide the type of housing to be built and the area needed for the overall development. Both of these conditions have been accepted by Mr. Farkas and city officials.

VARIETY OF HOUSING SOUGHT

To launch the program, the city has been asked to purchase a 13½-acre site owned by a private individual. With this land acquired, and since more than half the complex area is under public ownership, the city believes its problem of building the new housing development can be solved. At least one major industry, which has a subsidiary developing low-cost housing, has voiced an interest in serving as the developer. That decision—like nearly all others—will be made by the two citizen groups.

The plan under consideration calls for a variety of housing types, including some single-family homes, plus a small shopping community, a swimming pool, and other active and passive recreational facilities.

To help them plan, some of the residents have called on Town Consultants, a private planning firm, headed by Irv Rubenstein, onetime Urban Redevelopment Authority official. Mr. Rubenstein said the site is ideal for housing since the area is below the city's coal seam and there is no worry about mine subsidence.

The agreement to sponsor the new housing complex came only after numerous meetings were held between the citizen groups and city officials to work out development problems. There's no question that Pittsburgh housing planners are keeping their fingers crossed that the program works. The city has too few vacant sites available for new housing, yet the cry for good housing had not stopped.

THE HOUSING CHALLENGE

HON. W. E. (BILL) BROCK

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Monday, May 26, 1969

Mr. BROCK. Mr. Speaker, the April issue of Business in Brief contained a valuable examination of New York City's housing problem—a problem that reflects the difficulties faced in many other major urban areas. I believe my colleagues will find this piece most instructive and include it in the RECORD:

NEW YORK CITY HOUSING: A CASE STUDY

Of all the tasks facing the nation's cities the challenge of providing adequate housing is one of the foremost. It cuts across social and economic lines as few other urban problems do. The complexities involved are clearly illustrated by recent events in New York.

New York City is a case study of a housing market that has ceased to function properly. Private housing construction is at a virtual standstill; vacancy rates are at an 18-year low; and rent increases in the uncontrolled sector (postwar buildings and decontrolled units) averaged an estimated 9% a year in the latter part of 1968. As a result, demands for rent regulation in the uncontrolled sector intensified.

Recent large rent increases are merely an indication of underlying imbalances. At best, regulation will alleviate the symptoms; it provides no long-term cure. New York City's deeper problem—and it is shared in varying degrees by most central cities—is that it is not providing housing in quantity and quality to satisfy the needs of its diverse constituency.

In a city where three-quarters of the households are renters, and two-thirds of the rental stock is rent-controlled, discussion of housing is often emotional and politically charged. However, rent regulations, both those in effect since World War II and the more recent proposals, are only one element influencing New York housing markets. A wide range of forces—high costs, zoning, taxes, changing neighborhoods, lagging government programs—lies behind the latest housing "crisis."

THE QUANTITY AND QUALITY OF CITY HOUSING

New York City's housing picture is replete with surface paradoxes:

More than three-quarters of a million units have been built since 1946 (enough to house the city of Philadelphia). In this period, New York's population has changed little. Yet, the city seems to be running hard to stay in the same place.

Although new construction dropped drastically in 1966–1968, on average one-fifth more units were built per year in the 1960's than in the 1950's. Still, vacancy rates declined from 1.8% in 1960 to 1.2% in 1968.

At the same time that vacancy rates fell, abandonments rose. If the estimated 50,000 abandoned units were considered part of the stock, vacancy rates would be nearly 3.5%. Abandonments usually signify ease in housing markets. But in New York (and in other older cities too) abandonments partially reflect malfunctioning markets in which landlords are unable to profitably operate at rents low income tenants can afford.

Notwithstanding this mixed picture, broad conclusions can be drawn.

First, the housing inventory has risen, but the increase is much smaller than new construction because old housing is dropped from the inventory. Since 1946, 250,000 units have been demolished. In addition, many condemned or abandoned units have neither been destroyed nor returned to the inventory, rehabilitated. Inadequate data cloud the view, however. Local statistics indicate that the housing stock has risen more than 8% since 1960; U.S. Census data show a rise of under 2%.

Second, housing density has declined. Households are smaller—2.7 persons per household in 1968, compared with 2.9 in 1960. And overcrowding has been reduced—fewer than 10% of rental units have one or more persons per room against 14% in 1960.

Third, the worst units are being removed from the stock, but deterioration is a growing problem. In 1968, 81% of the city's 2.8 million units were sound and had all plumbing facilities (by U.S. Census definitions). This is a small increase over 1960 numbers. Dilapidated units and units lacking facilities declined 30% to 170,000. However, the number of deteriorating units rose by roughly 100,000 to reach 360,000.

Many factors contribute to housing deterioration. Under real estate tax law, improvements are assessed and are reflected in higher taxes. Unless the landlord can capture the added costs in higher rents, his incentive to maintain or upgrade property is reduced. In low income neighborhoods, where tenants carry a heavy rent burden (80% of tenants with incomes under $3,000 pay 35% of income and more in rent), landlords often cannot obtain rent increases.

Rent control aggravates the situation further. Recent studies indicate that rent-controlled apartments are not particularly profitable investments. Services and maintainance tend to be reduced in efforts to hold up net income. In units with upper income tenants, it becomes worthwhile for both tenant and landlord to convert the building to tenant ownership. In the last three years, cooperatives and condominiums increased by 16,000 to reach 92,300. In low income neighborhoods, the cooperative route is not readily available. The net result is that buildings deteriorate, particularly those with absentee landlords. This process is greatly accelerated when rents can be drastically reduced if housing code violations are not eliminated. With inadequate cash to carry out repairs, the owner simply abandons the building.

Unfortunately, abandoned and deteriorating buildings are not quickly replaced. Low as the sale price may be, developers do not rush in. Private developers cannot build for low and middle income tenants without substantial subsidies, and they will not build luxury units in declining neighborhoods.

New York City's housing problem, then, is not simply the need for additional units—about 135,000 extra units would eliminate severe overcrowding and lift vacancy rates to 5%. Overshadowing these figures are the units requiring replacement or substantial rehabilitation. U.S. Census Bureau measures of quality indicate that more than 500,000 units are inadequate and should be rehabilitated or replaced. Housing experts in the city's government consider the potential renewal market to be in excess of 800,000 units. With requirements of these dimensions, the city can make progress over a reasonable time period only if:

The precipitous drop in construction of the past three years is reversed;

The rate of deterioration is slowed. Otherwise, mounting substandard units will simply offset new housing construction.

RECENT EXPERIENCE

After a bulge in construction in the early 1960's (as investors sought to build before restrictive zoning regulations became effective), new housing dropped sharply. In 1968, about 17,000 units were completed—the smallest number in 21 years. Shortages intensified throughout housing markets:

Vacancy rates dropped in all boroughs except Staten Island. Queens at 0.5%, has the city's lowest rate.

Vacancy rates declined in all rent classes. In the $100–$150 a month category vacancies are under 1%.

The immediate result of the tight housing market was a rash of rent increases in the uncontrolled sector. The increases were considerably larger than could be rationalized by higher costs. Rents in 400,000 units are potentially affected. (Rentals in another 200,000 public and subsidized units are regulated under various statutes and adjusted for rising costs.)

In a normal market, where the forces of supply and demand operate freely, the response to spiraling rents would be an upsurge in construction. In time, the imbalance would be corrected. However, New York City is not a normal, smoothly functioning real estate market. Neighborhoods, characterized by distinct ethnic groups and income classes, set markets apart. Private luxury building, subsidized middle-income housing, and public housing serve three different sectors, and there are wide gaps between the rent ranges each caters to. Finally, rent controls split the private market into two sectors, since they do not apply to all units.

PROSPECTS FOR INCREASING CONSTRUCTION ACTIVITY

Normally, developers would have an incentive to build for those without access to units in controlled markets if new construction were free from regulation. As long as developers are not inhibited by rent regulations, some private construction will be stimulated by the current housing shortage (real estate developers typically respond with a lag, and then over-react). However, in New York's present climate, the very threat of rent controls could be enough to deter new building.

As it is, New York is becoming an increasingly difficult market for private builders to supply. Rising costs are pushing unsubsidized housing beyond reach of many upper income residents. In the 1950's, 73% of new housing was private, unsubsidized units; in recent years, the ratio has dropped below 60%. Among the changes that have occurred:

Site costs in desirable neighborhoods are estimated to have doubled in recent years. The new zoning law reduces the number of potential sites because larger sites are needed to develop property. Amassing large sites is time-consuming, Relocating statutory tenants in rent-controlled buildings takes years and adds to developers' costs.

Construction costs increased 34% between 1961 and 1968. The rise is in line with the national increase; but New York construction costs had been relatively high before the rise. Construction costs (excluding site and development costs) rose from roughly $23,000 for a luxury unit to above $30,000.

Financing charges have risen. In the early 1960's, apartment mortgage rates averaged 5½%; under present tight money conditions, rates are over 8%.

Real estate tax rates climbed 27% between 1961 and 1968. In addition, water and sewer taxes doubled.

Operating and maintenance costs rose substantially, probably by more than one-third.

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Taking account of all of these factors, a luxury 4½ room apartment that could be built to rent for about $300 in the early 1960's today would rent for over $500. At rent-income ratios of 20%, an income of $18,000 was needed in 1960 to support luxury rents; today an income of $30,000 is required. At more typical ratios for high income families (in postwar buildings, 60% of families earning over $15,000 paid less than 15% of income for rent in 1968), at least $40,000 would be required. This is one reason why developers look to the "singles" market, where three or four roomates pool incomes to pay rent. Importantly, incomes are rising: in 1959, only 140,000 households had incomes of $15,000 and over; in 1967, the number is estimated at 260,000, and of these about 55,000 had incomes of $25,000 and over.

Thus, the pool of high income households that is the target of luxury construction is growing. The market is not big enough to support the total volume of construction required in the city, but it is important to the housing process. Postwar experience suggests that when families upgrade their units as incomes rise, their vacated units are opened to the income class below.

THE ROLE OF SUBSIDIZED HOUSING

Of course, subsidized housing plays an important role in New York. In fact, a large part of New York's housing supply is now subsidized through rent controls. Tenants paying less than "normal" rent-income ratios in effect receive subsidies. The greatest beneficiaries are middle income families. In rent-controlled apartments, 68% of households earning $8,000–$15,000 pay less than 15% of their income in rent; in postwar buildings, only 16% pay this little. This is precisely why rent control is such a sensitive issue. Contrary to myth, New York is a middle income city, with 56% of its households earning $5,000–$15,000 a year. As vital as the middle class is to New York, subsidies distributed in this form are inequitable in their impact.

"Direct" subsidy programs are more easily identified. New York has a long history of middle income and public housing programs, and over 200,000 units have been built in the postwar period. Unfortunately for New York, subsidized housing declined just when private housing was curtailed. In part, publicly-aided programs were held back by cost limitations: rents in proposed middle-income projects are $40–$50 a room. The decline also reflects a revision of priorities by the city government.

Under existing circumstances, stepped-up momentum in public and assisted programs is needed if the city is to make headway in meeting its housing problems. More is required than laying out plans for 30,000 public and assisted units per year. If the private sector is to be drawn in, housing must be produced on volume scale, the profit potential must be reasonably attractive, and time-consuming, costly delays must be minimized.

TAKING THE LONG VIEW

The city's concern for protecting tenants in the current rent crisis is understandable. However, it is also important to take a long view and focus on the primary goal of enlarging and upgrading the housing supply. The city should encourage new construction by streamlining its own housing programs, and by reviewing zoning regulations. Some way should be sought to prevent rent regulations from becoming a permanent fixture.

The problem of property deterioration should be faced realistically. This involves reviewing real estate tax laws and the operation of old-time rent controls. The problems suggested by the fact that low income tenants carry a heavy rent burden, but that property owners have difficulty maintaining their buildings should be recognized.

In resolving its housing problems, New York City—and other cities, too—can best begin by asking: who is the city for? The city cannot forget that it has a diverse constituency, represented by all income groups. A broad range of programs will be necessary to meet their needs.

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